



# City of West Allis

## Legislation Text

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**File #:** R-2007-0060, **Version:** 2

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Resolution relative to determination of Special Use Permit Application for proposed building expansion at a multi-tenant site, including cement mixing, located at 1900 S. 74 St. (Tax Key No. 476-0260-004).

WHEREAS James W. Johnson, d/b/a JJ Enterprises, duly filed with City Administrative Officer-Clerk/Treasurer an application for a Special Use Permit, pursuant to Sec. 12.16 and Sec. 12.45(2) of the Revised Municipal Code for a proposed building expansion at a multi-tenant site, including cement mixing located at 1900 S. 74 St.; and,

WHEREAS, after due notice, a public hearing was held by the Common Council on February 6, 2007, at 7:00 p.m. in the Common Council Chambers to consider the application; and,

WHEREAS, the Common Council, having carefully considered the evidence presented at the public hearing and the following pertinent facts noted:

1. The applicant, James W. Johnson, d/b/a JJ Enterprises, has offices at 1900 S. 74 St., West Allis, WI 53227.
2. The applicant owns said premises located at 1900 S. 74 St., West Allis, Milwaukee County, Wisconsin, more particularly described as follows:

All the land of the owner being located in the Southwest  $\frac{1}{4}$  of Section 3, Township 6 North, Range 21 East, in the City of West Allis, Milwaukee County, State of Wisconsin, described as follows:

Lots 1 through 6, all being part of Lauderdale subdivision, Block 1.

TAX KEY NO. 476-0260-004

Said Property being located at 1900 S. 74 St.

3. The aforesaid area is zoned M-1 Manufacturing District under the Zoning Ordinance which permits cement mixing as a special use, pursuant to Sec. 12.16 and Sec. 12.45(2) of the Revised Municipal Code.
4. The applicant is proposing to build a 2,660 sq. ft. storage building on the existing multi-tenant site used for cement mixing and other minor uses at 1900 S. 74 St. Outdoor storage will also be present on site in accordance with a site, landscaping and screening plan to be approved by the West Allis Plan Commission. No crushing of rock or recycling of materials to take place on site.
5. The subject property is located on the south side of the Union Pacific Rail line on the east side of S. 74 St. Properties to the north, are developed as multi-family. Properties to the east and west are developed as commercial and properties to the south are developed as single family residential.

6. The use, value and enjoyment of other property in the surrounding area for permitted uses will not be substantially impaired or diminished by the establishment, maintenance or operation of the special use. A solid screen of both a fence and landscaping is required along abutting residential land uses as a condition of special use approval. Additionally, landscaping and screening of all outdoor storage and parking areas on site shall be required.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of West Allis that the application of James W. Johnson, d/b/a JJ Enterprises, be and is hereby granted on the following grounds:

That the establishment, maintenance and operation of the proposed use, with the imposition of certain conditions hereinafter set forth, reasonably satisfies the standards set forth in Sec. 12.16 and Sec. 12.45(2) of the Revised Municipal Code, so as to permit the issuance of a Special Use Permit as therein provided.

BE IT FURTHER RESOLVED that said Special Use Permit is granted subject to the following conditions:

1. Site, Landscaping and Architectural Plans. The grant of this Special Use Permit is subject to and conditioned upon a site, landscape and architectural plan being submitted to and approved by the West Allis Plan Commission. No alteration or modification of the approved plan shall be permitted without approval by the West Allis Plan Commission. All outdoor storage areas on site shall be screened and landscaped from abutting properties. Plans shall be submitted to the Plan Commission for review and consideration.
2. Building Plans and Fire Codes. The grant of this special use is subject to building plans being submitted to and approved by the Department of Building Inspections and Zoning and by the Fire Department.
3. Paving and Drainage. The grant of this special use is subject to a paving and drainage plan being submitted to and approved by the Department of Building Inspections and Zoning.
4. Parking. Off-street parking spaces for twenty-two (22) vehicles will be provided on site, including six (6) interior auto storage spaces. Zoning requires parking for nineteen (19) vehicles.
5. Business Hours. Hours of operation will be Monday through Saturday from 6:30 a.m. to 6:00 p.m. Snowplowing equipped pick-up type trucks will be dispatched from the property at various times in inclement weather during the winter months.
6. Pagers, Intercoms. The use of outdoor pagers, intercoms, or loud speakers shall not be permitted on site as the land use to the east consists of residential uses.
7. Sidewalk Repair. The grant of this special use is subject to compliance with Policy No. 2806 of the Revised Municipal Code relative to the City's sidewalk improvement policy as it relates to damaged, (if any) abutting sidewalk.
8. Outdoor Lighting. All outdoor lighting fixtures shall be shielded in such a manner that no light splays from the property boundaries.

Miscellaneous.

A. Applicant is advised that the foregoing conditions are reasonably

necessary to protect the public interest and to secure compliance with the standards and requirements specified in Sec. 12.16 of the Revised Municipal Code; that the issuance of the special use is expressly subject to compliance with said conditions.

B. The use, as granted herein, is subject to applicant's compliance with all other state and local laws and regulations which may be applicable to the proposed use of the real estate in question.

C. The special use, as granted herein, shall run with the land and benefit and restrict all future owners and occupants of the property, unless the use shall lapse or be terminated and the use will not be altered or extended (including structural alterations and/or additions) without the approval of the Common Council, following public hearing, all as provided in Sec. 12.16 of the Revised Municipal Code.

Mailed to applicant on the

\_\_\_\_\_ day of \_\_\_\_\_, 2007

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Assistant City Clerk

cc: Dept. of Development  
Dept. of Building Inspections and Zoning  
Div. of Planning and Zoning

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