



City of West Allis

Legislation Text

File #: R-2007-0125, **Version:** 1

Resolution relative to determination of Special Use Permit for proposed construction of PyraMax Bank with a drive-thru lane, to be located at 8001-80** W. National Ave. (Tax Key Nos. 452-0523-000 and 452-0522-000)

WHEREAS, PyraMax Bank, duly filed with the City Administrative Officer-Clerk/Treasurer an application for a Special Use Permit, pursuant to Sec. 12.16 and Sec. 12.41(2) and 12.42(2) of the Revised Municipal Code of the City of West Allis to establish a bank with drive-thru lane; and,

WHEREAS, after due notice, a public hearing was held by the Common Council on May 15, 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, Karen Murphy, V.P. PyraMax Bank F.S.B., has offices at 7001 W. Edgerton Ave., Greenfield, WI 53220.
2. The property consists of two parcels/lots and is currently owned by the City but has formerly been utilized as the Advertoprint and Neis Hardware parking lot. A small storage/warehouse building exists on site.
3. The applicant has made an application for special use to construct a new 4,000 sq. ft. bank building with three (3) drive-thru lanes and an ATM lane.

The subject property is located at 8001-80** W. National Ave. (southwest corner of the intersection of S. 80 St. and W. National Ave.), West Allis, Milwaukee County, Wisconsin, more particularly described as follows:

A tract of land being part of the Continuation of Conklin Park subdivision, Block 8, located in the Northeast $\frac{1}{4}$ of Section 4, Township 6 North, Range 21 East, more particularly described as follows:

Beginning at Northwest corner of the Lot 1, in said Block 8; thence Northeasterly, 137.57 feet, along South right-of-way line of West National Avenue to the West right-of-way of South 80th Street; thence Southerly, 178.48 feet, along said West line to the North right-of-way line of Union Pacific Railroad; thence Westerly, 131.00 feet, along said North right-of-way line to the West line of said Lot1; thence Northerly, 145.72 feet, along said West line to the Point of Beginning.

Said land being located at 8001-80** W. National Ave. (southwest corner of the intersection of S. 80 St. and W. National Ave.)

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3. The applicant has made a valid offer to purchase the subject property from the City.
4. The aforesaid area is zoned C-2 Neighborhood Commercial District and C-3 Community Commercial District under the Zoning Ordinance of the City of West Allis, which permits financial institutions with drive-thru facilities as a special use, pursuant to Sec. 12.41(2) and 12.42(2) of the Revised Municipal Code of the City of West Allis. The Department of Development will prepare an Ordinance to rezone the property to C-2 Neighborhood Commercial District as part of the Pioneer Neighborhood Redevelopment Plan.

5. The Property is located between S. 80 St. and S. 82 St. on the south side of W. National Ave. within the Pioneer Redevelopment Neighborhood Area. Properties to the south are developed as Union Pacific Railroad and industrial. Properties to the west are developed as commercial. Properties to the north are developed as commercial and mixed use residential/commercial. Properties to the east are developed as the former Advertoprint/Neis Hardware property, now City owned, and part of a future multi-family redevelopment project.

6. The use, value and enjoyment of other property in the surrounding area will not be substantially impaired or diminished by the establishment, maintenance or operation of the special use.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of West Allis that the application of PyraMax Bank F.S.B., 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 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, Architectural and Signage. The grant of this Special Use Permit is subject to and conditioned upon a site, screening, landscaping plan and architectural plan approved April 28, 2007, 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.
2. Purchase and Sale and Development Agreements. The grant of this Special Use is subject to Common Council approval of the Purchase and Sale and Development Agreements.
3. Paving and Drainage. The grant of this Special Use Permit is subject to paving and drainage plans being submitted to and approved by the Department of Building Inspections and Zoning. The grant of this special use is subject to and conditioned upon compliance with all applicable building and fire codes.
4. 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.
5. Hours of Operation. Hours of operation are Monday through Friday from 8:00 a.m. to 6:00 p.m. weekends 8:00 a.m. to 1:00 p.m.
6. Certified Survey Map. The grant of this Special Use is subject to consolidation of the two lots of record into one lot of record by Plan Commission and Common Council approval of a Certified Survey Map.
7. Window Signage. Building window signage shall not exceed 20% of each window area.
8. Driveway Permits. The grant of this Special Use is subject to necessary driveway permits being granted by the Board of Public Works. Driveway permits are being obtained for proposed driveways on W. National Ave. and on S. 80 St.
9. Building and Fire Codes. The grant of this special use is subject to and conditioned upon compliance with all applicable building and fire codes.
10. Parking. Off-street parking for 22 (including one (1) ADA) vehicles shall be provided on site. A total of 14 spaces are required for the credit union.

11. Marketing Displays. The use of pennants, special lighting, flags, streamers, or other signage typically temporary in nature, hanging, floating or attached to a structure or vehicle shall not be permitted.

12. Expiration of Special Use Permit. Any special use approved by the Common Council shall lapse and become null and void one (1) year from and after that approval if the use has not commenced, construction is not underway, or the owner has not obtained a valid building permit. An extension of these time limitations may be granted without a public hearing by the Common Council by resolution reauthorizing the special use in accordance with the following criteria:

A. The applicant requesting the extension shall complete a planning application available from the Department of Development and shall submit a \$250.00 extension fee.

B. A written explanation for the extension of time shall accompany the planning application along with a timeline/schedule for obtaining necessary permits, zoning, state and municipal approvals and a target date for construction start;

C. The request for extension shall be submitted within sixty (60) days of the expiration of the special use permit;

D. The extension, if granted, shall be valid for a period of six (6) months. If no building permit has been issued and construction has not commenced within six (6) months from and after the extension has been granted, the special use shall become null and void.

13. Miscellaneous.

A. Applicants are 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 applicants' 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

Assistant City Clerk

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

ZON-R-613-5-15-07