



# City of West Allis

## Legislation Text

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**File #:** R-2006-0106, **Version:** 1

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Resolution relative to determination of Special Use Permit for proposed Wauwatosa Savings Bank with a drive-thru facility to be located within the existing building at 10101 W. Greenfield Ave. (Tax Key No. 449-9999-007).

WHEREAS, Bryan Olen, d/b/a Main Street Real Estate Holdings, LLC, duly filed with the 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 of the City of West Allis, to establish a bank and construct a three lane drive-thru window at 10101 W. Greenfield Ave.; and,

WHEREAS, after due notice, a public hearing was held by the Common Council on April 4, 2006, 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, Bryan Olen, d/b/a Main Street Real Estate Holdings, LLC, has offices at 11200 W. Plank Ct., Wauwatosa, WI 53226.
2. The applicant has a valid offer to purchase the property at 10101 W. Greenfield Ave., West Allis, Milwaukee County, Wisconsin, more particularly described as follows:

All the land of the owner being located in the Northwest  $\frac{1}{4}$  of Section 5, Township 6 North, Range 21 East, City of West Allis, Milwaukee County, State of Wisconsin, describes as follows:

Parcel 1 of Certified Survey Map No. 959.

Tax Key No. 449-9999-007

Said land being located at 10101 W. Greenfield Ave.

3. The applicant is proposing to purchase the existing building at 10101 W. Greenfield Ave. and establish a Wauwatosa Savings Bank branch with operations in the building. A three lane drive-thru facility with an ATM machine will be constructed/added to the south building elevation. The bank will occupy a portion of the building and lease other portions to office uses. In the future, the bank plans to occupy the entire building as a financial institution and office operations.

4. The aforesaid area is zoned M-1 Manufacturing District under the Zoning Ordinance of the City of West Allis, which permits drive-thru facilities as a special use, pursuant to Sec. 12.16 and Sec. 12.45(2) of the Revised Municipal Code.

5. The subject property is located on the southwest corner of S. 101 St. and W. Greenfield Ave. Properties located to the west are used as commercial and mobile home parks, properties to the north and east are commercial, and properties to the south are manufacturing.

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 Bryan Olen, d/b/a Main Street Real Estate Holdings, LLC, to establish a bank and construct a three lane drive-thru window at 10101 W. Greenfield Ave., 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, Screening, and Architectural Plans. The grant of this Special Use Permit is subject to and conditioned upon a site, screening, landscaping and architectural plan approved March 22, 2006, by the West Allis Plan Commission. No alterations or modification of the approved plan shall be permitted without approval by the West Allis Plan Commission. A signage plan is required before the Department of Development.
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. Off-street Parking. Parking for 92 vehicles is required for the entire building, including four (4) ADA stalls. Off-street parking for 116 vehicles, including five (5) ADA stalls will be provided on site.
4. Hours of Operation. Hours of operation are Monday through Saturday from 7:00 a.m. to 7:00 p.m.; and closed on Sunday. The drive-thru ATM will be open 24 hours per day, seven days per week.
5. 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.
6. Window Signage. Window signage shall not exceed 20% of the glazed portion of each window frame.
7. 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.
8. Litter. Employees shall inspect the site and immediate vicinity and pick up litter on a daily basis. Refuse, recyclables, grease, and other waste materials will be fully enclosed within an approved structure.
9. Sidewalk Repair. The grant of this special use is subject to compliance with Section 2814 of the City's Policy and Procedures Manual relative to that policy as it relates to the replacement and repair to City walkways of damaged or defective (if any) abutting sidewalk.

10. Outdoor Lighting. All outdoor lighting fixtures and canopy fixtures shall be shielded in such a manner that light rays emitted by the fixture, either directly from the lamp or indirectly from the fixture, do not splay past the property boundaries. Canopy lighting shall be recessed within the canopy structure to limit light splay.

11. Expiration of Special Use Permit. The grant of this special use shall become null and void within one year of the date thereof, unless construction is under way or the current owner possesses a valid building permit under which construction is commenced, within sixty (60) days of the date thereof and which shall not be renewed unless construction has commenced and is being diligently pursued. 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 supplying written explanation for extension of time;
- B. a timeline/schedule for obtaining necessary permits, state and municipal approvals and target date for construction start;
- C. the request for extension shall be submitted within 60 days of the expiration of the special use permit;
- D. the extension, if granted, shall be valid for a period of six months. If no building permit has been issued and construction has not commenced within six months from the date the extension has been granted, the special use shall become null and void.

12. 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 \_\_\_\_\_, 2006

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Assistant City Clerk

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