



City of West Allis

Legislation Text

File #: R-2006-0201, **Version:** 1

Resolution relative to determination of Special Use Permit for Playtime Doggy Daycare, to be located at 528 S. 108 St. (Tax Key No. 415-9994-002).

WHEREAS, Gregg Pawelski, d/b/a Playtime Doggy Daycare, 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 dog daycare/kenneling/grooming business at 528 S. 108 St.

WHEREAS, after due notice, a public hearing was held by the Common Council on August 1, 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, Gregg Pawelski, d/b/a Playtime Doggy Daycare resides at 3842 N. 79 St., Milwaukee, WI 53222.
2. The applicant has a valid offer to lease the existing building at 528 S. 108 St., West Allis, Milwaukee County, Wisconsin 53214, more particularly described as follows:

All the land of the owner being located in the Northwest $\frac{1}{4}$ of Section 32, Township 7 North, Range 21 East, City of West Allis, Milwaukee County, State of Wisconsin, described as follows:

Parcel 1 of the Certified Survey Map No. 2256.

Tax Key No. 415-9994-002

Said land being located at 528 S. 108 St.

3. The applicant is proposing to operate a dog daycare business. Services provided include kenneling, grooming, vet services and retail sales of pet related merchandise.
4. The aforesaid area is zoned M-1 Manufacturing District under the Zoning Ordinance of the City of West Allis, which permits kennel and veterinary services 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 east side of S. 108 St., south of the vacated Canadian Pacific Railroad and west of the Union Pacific Railroad. Properties located to the south and west are used as manufacturing/commercial. Properties to the north and east are utilized as right-of-way for Interstate 94 and

railroad right-of-way.

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 Gregg Pawelski, d/b/a Playtime Doggy Daycare, to establish a dog daycare/kenneling/grooming business at 528 S. 108 St., 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 July 26, 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 21 vehicles is required for the dog daycare business including one (1) ADA stall. Off-street parking for 22 vehicles, including two (2) ADA stalls will be provided on site. In addition, 11 more parking spaces, which are located along the west property line in the State right of way, are available for use for this business.
4. Hours of Operation. Hours of operation are 6:30 a.m. to 7:30 p.m., daily, with boarding/kenneling operating 24 hours per day.
5. Window Signage. Window signage shall not exceed 20% of the glazed portion of each window frame.
6. 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.
7. 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.
8. Outdoor Lighting. All outdoor lighting fixtures shall be shielded in such a manner that no light splays from the property boundaries.
9. 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.

10. 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

Assistant City Clerk

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

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