



City of West Allis

Legislation Text

File #: R-2004-0290, **Version:** 1

Resolution relative to determination of Special Use Application to establish a spa and fitness center to be located within the Summit Place Building located at 6737 W. Washington St.

WHEREAS, Rudy Borchardt, leasing agent for the Whitnall Summit Co., duly filed with the City Administrative Officer-Clerk/Treasurer an application for a special use permit, pursuant to Sec. 12.45(2) and Sec. 12.16 of the Revised Municipal Code, to establish a spa and fitness center (Summit Spa, LLC.) within the Summit Place Office Building located at 6737 W. Washington St.; and,

WHEREAS, after due notice, a public hearing was held by the Common Council on October 5, 2004, 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, Rudy Borchardt, leasing agent for the Whitnall Summit Co., has an office at 6737 W. Washington St., West Allis, WI 53214.
2. The tenant, Summit Spa, LLC., has a valid offer to lease space at 6737 W. Washington St., West Allis, Milwaukee County, Wisconsin, more particularly described as follows:

All that land of the owner being located in the Southeast $\frac{1}{4}$ and Southwest $\frac{1}{4}$ of Section 34, 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. 7256.

Said land being located at 6737 W. Washington St.

Tax Key No. 439-0001-031

3. The aforesaid premises is zoned M-1 Manufacturing District under the Zoning Ordinance of the City of West Allis, which permits physical cultural and health services, including gymnasiums, swimming pools, tanning and toning salons as a special use pursuant to Sec. 12.45(2) and Sec. 12.16 of the Revised Municipal Code. Music; dance, martial arts, aerobics; trade, business and other similar instructional and training facilities are also permitted as a special use, pursuant to Sec. 12.45(2) and Sec. 12.16 of the Revised Municipal Code.

4. The subject property is part of a block adjacent to S. 70 St. and perpendicular to W. Washington St., which is zoned for commercial and manufacturing purposes. Properties to the north and east are developed as manufacturing; properties to the south and west are developed as commercial and manufacturing.

5. The proposed development should not adversely contribute to traffic volumes or traffic flow in the area.
6. The applicant proposes to establish a fitness center with two locker rooms, two massage rooms, and an exercise equipment room. Summit Spa, LLC. will also consist of an approximate 800 square foot hair and nail salon, which is a permitted use within the Revised Municipal Code.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of West Allis that the application of Rudy Borchardt, leasing agent of the Whitnall Summit Co., to establish a spa and fitness center (Summit Spa, LLC.) within the Summit Place Office Building 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 Secs. 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 the site, landscape, screening, and architectural plans approved on September 22, 2004, by the City of West Allis Plan Commission as provided in Sec. 12.13 of the Revised Municipal Code of the City of West Allis. No alteration or modification of the approved plan shall be permitted without approval by the Plan Commission.
2. Hours of Operation. The hours of operation will be 5:00 a.m. to 11:00 p.m., seven days per week.
3. Off-Street Parking. Nineteen parking stalls are required for the proposed spa and fitness center and 3 parking stalls are required for the permitted hair and nail salon, for a total of 22 required stalls. A total of approximately 1,600 parking stalls are provided by the Whitnall Summit master parking plan. A total of 2,400 parking spaces are proposed as part of the future build-out and development of the Summit Place Business Park.
4. Signage. The grant of this special use is subject to all signage and lighting plans being submitted to the Plan Commission for approval.
5. Litter. Employees shall inspect the area and the immediate vicinity and pick up litter on a daily basis. Refuse, recyclables, and other waste materials will be fully enclosed within the approved structure.
6. Window Signage. Any exterior building window signage shall not exceed twenty (20) percent of each window's area.
7. 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.
8. 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.

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.

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. No extension of these time limitations will be permitted under any circumstances, including the applicant's failure to obtain other necessary building and zoning approvals.

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.

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
11th day of October, 2004

Monica Schultz
Assistant City Clerk

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

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