



City of West Allis

Legislation Text

File #: R-2006-0313, **Version:** 1

Resolution relative to determination of Special Use Permit for proposed Glencastle Irish Dancers instructional facility, to be located within the West Allis Centre multi-tenant commercial building at 1126 S. 70 St. (Tax Key No. 439-0001-026)

WHEREAS, Bridget Jaskulski of the Glencastle Irish Dancers 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, to establish a instructional center for Irish Dance within a portion of the existing multi-tenant commercial building located at 1126 S. 70 St.; and,

WHEREAS, after due notice, a public hearing was held by the Common Council on November 8, 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, Bridget Jaskulski of the Glencastle Irish Dancers, has offices on site. The property is owned by Inland Co., 839 N. Jefferson St., Ste. 400 Milwaukee, Wisconsin 53202.
2. The applicant will lease the subject property at 1126 S. 70 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 describes as follows:

Parcel 3 of the Certified Survey Map No. 6388.

Tax Key Number: 439-0001-026

3. The applicant has proposed to establish an Irish Dance School within a portion of the building.
4. The aforesaid premises is zoned M-1 Manufacturing District under the zoning ordinance of the City of West Allis, which permits the location of a public and private instructional facilities as a special use, pursuant to Sec. 12.45(2) of the Revised Municipal code.
5. The property is serviced by all necessary public utilities.
6. The subject property is part of an area between W. Greenfield Ave. and W. Washington St., on the east side of S. 70 St. Properties located to the north of this location are developed for manufacturing. Properties to the east, west and south are developed for commercial.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of West Allis that Bridget Jaskulski of the Glencastle Irish Dancers, be, and is hereby granted a special use:

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 Section 12.16 and Section 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, Screening, Signage and Architectural Plans. The grant of this special use permit is subject to and conditioned upon a site, landscape, and screening and architectural plans submitted to and approved by the City of West Allis Plan Commission on October 25, 2006 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. Classes will be provided daily from 4:00 p.m. to 10:00 p.m. Staff will maintain office hours Monday - Thursday from 10:00 a.m. to 2:00 p.m.
3. 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.
4. Parking. Eleven parking spaces are required for the Glencastle use with a total of 1,128 parking spaces being required for the overall property uses. A total of 738 parking spaces are provided for the site.
5. Pagers, Intercoms. The use of outdoor pagers, intercoms, or loud speakers shall not be permitted on site.
6. Litter. Employees shall inspect the site and immediate vicinity and pick up litter on a daily basis. Refuse, recyclables, and other waste materials will be fully enclosed within an approved structure.
7. Refuse Collection. Refuse collection to be provided by commercial hauler and stored within a four-sided enclosure large enough to accommodate all outdoor storage of refuse and recyclable containers.
8. 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, abutting sidewalk.
9. Outdoor Lighting. All outdoor lighting fixtures shall be shielded in such a manner that no light splays from the property boundaries.
10. 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.

11. 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 and Zoning

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