



# City of West Allis

## Legislation Text

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**File #:** R-2003-0369, **Version:** 1

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Resolution relative to determination of Special Use Application submitted by Will Lepaska, d/b/a Wisconsin Medical Cyclotron, LLC, to establish a pharmaceutical manufacturing facility to be located at 11236 W. Lapham St. (West Allis Tech Center)

WHEREAS, Will Lepaska, d/b/a Wisconsin Medical Cyclotron, LLC, 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 pharmaceutical manufacturing facility to be located at 11236 W. Lapham St. (West Allis Tech Center); and,

WHEREAS, after due notice, a public hearing was held by the Common Council on December 16, 2003, at 7:00 p.m., in the Common Council Chamber 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, Will Lepaska, d/b/a Wisconsin Medical Cyclotron, LLC, has an office at 1191 Spyglass Court, Twin Lakes, WI 53181.
2. The applicant holds a valid lease on said premises located at 11236 W. Lapham St., West Allis, Milwaukee County, Wisconsin, more particularly described as follows, to-wit:

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

Parcel 3 of Certified Survey Map No. 6460.

3. The applicant is proposing to establish a pharmaceutical manufacturing facility to produce radiopharmaceuticals.
4. The aforesaid premises is zoned M-1 Manufacturing District under the Zoning Ordinance of the City of West Allis, which permits medical production laboratories pursuant to Sec. 12.45(2) of the Revised Municipal Code.
5. The subject property is located on the north side of W. Lapham St. between S. 108 St. and S. 113 St. Properties to the north, south, east and west are developed as manufacturing uses.
6. The use, value and enjoyment of other property in the surrounding area for permitted uses 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 Will Lepaska, d/b/a Wisconsin Medical Cyclotron, LLC, 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 Secs. 12.16 and Sec. 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, Signage and Architectural Plans. The grant of this special use permit is subject to and conditioned upon the approval of site, landscape, and architectural plans approved December 3, 2003, by the City of West Allis Plan Commission. No alteration or modification of the approved plan shall be permitted without approval by the West Allis Plan Commission.
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. Paving and Drainage. The grant of this special use is subject to a paving and drainage plan being submitted to and approved by the Department of Building Inspections and Zoning.
4. Parking. A total of twenty-one (21) parking stalls, including one (1) ADA stall, are required per the Zoning Code. Thirty-two (32) parking stalls will be provided on site including two (2) ADA stalls. Employee and customer vehicles shall not be parked in the public right of way.
5. Hours of Operation. Hours of operation shall be Monday through Sunday 3:00 a.m. to 5:00 p.m.
6. 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.
7. Window Signage. Window signage shall not exceed 20% of the window area.

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 special 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  
\_\_\_\_\_ day of \_\_\_\_\_, 2003

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Assistant City Clerk

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

ZON-R-408-12-16-03\jmg