



City of West Allis

Legislation Text

File #: R-2007-0098, **Version:** 1

Resolution relative to determination of Special Use Permit for a proposed secondary parking lot for new vehicles to be parked and serviced on-site for Arrow Hyundai, to be located at 11122 W. Becher St. (Tax Key No. 481-9995-023)

WHEREAS, Mike Juneau on behalf of Arrow Hyundai, 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 propose a car storage lot for Arrow Hyundai to be located at 11122 W. Becher St.; and,

WHEREAS, after due notice, a public hearing was held by the Common Council on April 3, 2007, 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, Mike Juneau d/b/a Arrow Hyundai has offices at 13000 W. Capitol Dr., Brookfield, WI 53005.
2. The applicant, Arrow Hyundai, has an offer to purchase the property at 11122 W. Becher St., West Allis, Milwaukee County, Wisconsin, more particularly described as follows:

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

Lot 1 and West 40.00 feet of Lot 2, Certified Map No. 1406.

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Said land being located at 11122 W. Becher St.

3. The applicant is proposing to utilize the property to accept deliveries of new vehicles, perform minor mechanical and pre-delivery inspections, wash, wax and clean vehicles, store vehicles while waiting for transfer to the main facility at W. Arthur Ave., and for storage of new parts and accessories. Vehicle sales will not be conducted on this property.
4. The aforesaid area is zoned M-1 Manufacturing District under the Zoning Ordinance of the City of West Allis, which permits automobile storage 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 north side of W. Becher St. and west of S. 111 St. Properties located to the north, west and east are used as commercial and manufacturing. Properties to the south are developed as commercial and low-density residential.
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 Mike Juneau of Arrow Hyundai proposed secondary parking lot for new vehicles to be parked and serviced on-site, 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, Architectural and Signage. The grant of this Special Use Permit is subject to and conditioned upon a site, screening, landscaping and architectural plan approved March 28, 2007, 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 and loading. Required parking for the existing building is 36 spaces. A total of 110 parking stalls will be provided on-site. No more than 130 vehicles will be allowed on-site at any one time. Employee parking, all storage deliveries shall be conducted on site and not within public right of way.
4. No Vehicle sales will be conducted on site.
5. Hours of Operation. Monday through Friday 7:00 a.m. - 9:00 p.m. and Saturday 7:00 a.m. - 6:00 p.m.
6. 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.
7. Window Signage. Window signage shall not exceed 20% of the glazed portion of each window frame.
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.
9. 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.
10. 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.
11. Outdoor Lighting. All outdoor lighting fixtures shall be shielded in such a manner that no light spays from the property boundaries.
12. 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.

13. 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 _____, 2007

Assistant City Clerk

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

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