



City of West Allis

Legislation Text

File #: R-2008-0158, **Version:** 1

Resolution relative to Termination of the UW-Extension training/outreach facility Special Use Permit, located within a portion of the existing building at 932 S. 60 St. (former Roosevelt School building) (Tax Key No. 438-0196-001)

WHEREAS, the U.W. Extension duly filed with the City Administrative Officer-Clerk/Treasurer an application for a special use permit, pursuant to Sec. 12.36(3), Sec. 12.31(3)(a) and Sec. 12.16 of the Revised Municipal Code, to establish a training/outreach facility within a portion of the former Roosevelt School building located at 932 S. 60 St.; and,

WHEREAS, on May 14, 2008 the Safety and Development Committee of the Common Council voted to terminate the U.W. Extension special use due to unmet conditions of approval from Resolution No. 27112 adopted June 4, 2002; specifically the property is not in compliance with the site, landscaping and architectural improvements proposed by the applicant and approved by the West Allis Plan Commission on May 22, 2002 and subsequent revised site, landscaping and architectural plan approved August 23, 2006; and,

WHEREAS, after due notice, a public hearing was held by the Common Council on June 17, 2008, 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, Milwaukee County U.W. Extension has offices on site at 932 S. 60 St., West Allis, WI 53214
2. The applicant leases a portion of the building from the Learning Years (who leases the building from the WA/WM School District - the owner) located at 932 S. 60 St., West Allis, Milwaukee County, Wisconsin, more particularly described as follows:

All the land of the owner located in the Southwest $\frac{1}{4}$ of Section 35, Township 7 North, Range 21 East, City of West Allis, Milwaukee County, Wisconsin, more particularly described as follows:

Lot 1 in Block 1 in the Assessors Plat No. 273.

Said land being located at 932 S. 60 Street.

TAX KEY NO. 438-0196-001

3. Under special use Resolution No. 27112 adopted June 4, 2002 the applicant proposed and received special use approval to occupy the building with an education outreach use. The applicant had proposed that all site and landscaping improvements would be completed in one year (by June, 2003).

The following timeline notes the occurrence of events to date:

- a. **May 2002** - UW-Extension applies for Special Use and Submits a Site, Landscaping and Architectural Plans. Plans approved conditionally by Plan Commission, May 22, 2002.
- b. **June 2002** - Special Use Resolution (R-27112) adopted by the Common Council.
- c. **September 2002** - Conditional Occupancy requested by UW-Extension to occupy the second and third floors. Granted by Department of Building Inspections and Zoning.
- d. **September 2002** - Letter from Carolyn Johnson of UW-Extension indicating new vision for site and ADA improvements to property. UW-Extension indicates its desire to renovate the property as part of a site demonstration project to include: ADA accessibility, replacing steps with ramped walkways, decreasing stormwater runoff by draining to landscape areas, improving access to front entrance, providing more attractive landscaping upgrades, removing asphalt and cyclone fencing with planting beds and curved entrance walks. Extension of time granted by City.
- e. **April 2004** - Letter from Laura Cagle requesting extension of time for UW-Extension to complete site plan improvements, while in the process of obtaining funding for proposed site, landscaping and ADA improvements. Extension of time granted by City.
- f. **October 2004** - Letter from Ronnie Stricklin of UW-Extension apologizing for not successfully submitting a 2005 demonstration site proposal to the Milwaukee Metropolitan Sewerage District. Letter promises to not give up and reapply for funding and submit a plan for approval.
- g. **December 2005** - Meeting conducted at the call of UW-Extension to discuss proposed demonstration project and site, landscaping and architectural upgrades. Attending are UW-Extension, Milwaukee County, Laura Cagle, WAWM School District, City of West Allis.
- h. **August 2006** - Revised Site, Landscaping and Architectural Plans approved by the Plan Commission. Plan Commission approval is conditioned upon 7 conditions (letter to Carolyn Johnson dated 9/13/06).
- i. **May 2008** - Letter to UW-Extension from City restating non-compliance with Special Use and requiring appearance before Safety and Development Committee May 14, 2008 at 6pm at City Hall.
- j. **May/June 2008** - Notification to Milwaukee County U.W. Extension relative to Common Council Public Hearing relative to termination of Special Use for non-compliance.

4. The aforesaid premises is zoned RB-2 Residence District under the Zoning Ordinance of the City of West Allis, which permits public and private educational institutions as a special use, pursuant to Sec. 12.36(3) and Sec. 12.31(3a) of the Revised Municipal Code.

5. The subject property is part of a block along the east side of S. 60 St. between W. Mineral St. and W. Walker St. Abutting properties to the north and east are developed for single and two-family use. Properties to the south and west are developed for single, two-family and commercial uses.

WHEREAS, notice concerning the hearing regarding the possible termination of the Special Use Permit was properly mailed to The Milwaukee County U.W. Extension; and,

WHEREAS, a public hearing on the issue of termination was held on June 17, 2008; and,

WHEREAS, the Common Council, being fully advised in the premises, finds that a termination decision may be executed after a public hearing in accordance with Sec. 12.16(13)(a). The Special Use has not continued in conformity with the conditions imposed in the approval (specifically Resolution No. 27112) or any subsequent amendments to it. The site, landscaping and architectural plans approved the West Allis Plan Commission on May 22, 2002 and subsequent revised plans approved August 23, 2006 as set forth in Resolution No. 27112 have not been satisfied specifically:

- a. None of the May 22, 2002 Plan Commission conditions of approval have been satisfied and/or implemented on site.
- b. None of the August 23, 2006 Plan Commission conditions of approval have been satisfied and/or implemented on site.
- c. A copy of the proposed U.W. Extension site/landscape plan approved on August 23, 2006 is attached. To date none of the proposed improvements have been completed.

WHEREAS, the Common Council determines that credible evidence exists to support the termination of the Special Use Permit based upon the factors identified in Sec. 12.16(13)(a) of the Revised Municipal Code.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of West Allis that the applicant has failed to continue in conformity with the site, landscaping and architectural improvements and has failed to satisfy conditions as required in Resolution No. 27112, and that the Special Use Permit of The Milwaukee County U.W. Extension, to establish a training/outreach facility within a portion of the building, be, and is hereby terminated.

BE IT FURTHER RESOLVED that the application shall not be resubmitted for a period of one year from the date of said termination, except on the grounds of new evidence or proof of change of conditions found to be valid by the Common Council.

Mailed to applicant on the
day of , 2008

Assistant City Clerk

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

ZON-R-679-6-17-08