



City of West Allis

Legislation Text

File #: R-2004-0316, **Version:** 1

Resolution relative to determination of Special Use Application submitted by the School District of West Allis-West Milwaukee, et al. for construction of storage garages to be located at 2606 S. 117 St. at Nathan Hale High School

WHEREAS, the School District of West Allis-West Milwaukee, et al., duly filed with the City Administrative Officer-Clerk/Treasurer an application for a Special Use Permit, pursuant to Sec. 12.16, Sec. 12.37(3) and Sec. 12.31(3) of the Revised Municipal Code of the City of West Allis, to construct accessory storage garage facilities at 2606-10 S. 117 St. on the campus of Nathan Hale High School located at 11601 W. Lincoln Ave.; and

WHEREAS, after due notice, a public hearing was held by the Common Council on November 3, 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, the School District of West Allis-West Milwaukee, et al., has business offices at 9333 W. Lincoln Ave., West Allis, WI 53227.
2. The applicant has made an application for special use to construct additional accessory structures at 2606-10 S. 117 St. to support the athletic fields. Nathan Hale High School is located at 11601 W. Lincoln Ave., West Allis, Milwaukee County, Wisconsin, more particularly described as follows:

All the land of the owner being located in the Northeast $\frac{1}{4}$ and Northwest $\frac{1}{4}$ of Section 7, Township 6 North, Range 21 East, City of West Allis, Milwaukee County, Wisconsin, described as follows:

Commencing at the Northeast corner of Northwest $\frac{1}{4}$ of said section 7; thence Southerly 55.00 feet, along east line of said $\frac{1}{4}$ section to the south right-of-way line of West Lincoln Avenue and Point of Beginning of this description; thence Easterly, 527.76 feet, along said south right-of-way line; thence Southerly, 1322.83 feet; thence Easterly, 264.03 feet; thence Southerly, 1278.87 feet, to the north right-of-way line of West Cleveland Avenue; thence Westerly, 1083.33 feet, along said north right-of-way line, to the east right-of-way line of South 117th Street; thence Northerly, 2546.76 feet, along said east right-of-way line, to the south right-of-way line of West Lincoln Avenue; thence Easterly, 289.89 feet, along said south right-of-way line to the Point of Beginning.

Tax Key No. 483-9999-002

Said land being located at 2606-10 S. 117 St. and 11601 W. Lincoln Ave.

3. The West Allis-West Milwaukee School District, et al. owns said property at 2606-10 S. 117 St. and

11601 W. Lincoln Ave.

4. The aforesaid area is split zoned RA-1, RA-3 and RC-1 Residence District under the Zoning Ordinance of the City of West Allis, which permits junior and senior high schools pursuant to Sec. 12.31(3), Sec. 12.16, and Sec. 12.37(3) of the Revised Municipal Code of the City of West Allis. The principal use of the property is a high school. Athletic fields, ticket booths, storage garages, bleachers/stands are accessory to the principal use. Future improvements, alterations, extensions or other modifications of buildings and structures which do not increase, intensify, expand or substantially change the character of the special use will not require approval by the Common Council (Revised Municipal Code, Sec. 12.16).

5. The subject property is part of a block between W. Lincoln Ave. and W. Cleveland Ave. on the east side of S. 117 St. Properties to the north are developed as single-family, commercial, manufacturing and park. Properties to the west are developed as single family. Properties to the east are developed as City-owned land and commercial. Properties to the south are developed as multi-family and single-family residential.

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 the School District of West Allis-West Milwaukee, et al., 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 and Architectural Elevation Plans. The grant of this Special Use Permit is subject to and conditioned upon a site/landscape plan approved October 27, 2004, by the 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 West Allis Plan Commission. Future accessory/ancillary structures and uses may be developed under this special use approval after first obtaining Plan Commission approval.

2. Building Plans. Building plans will be submitted to and approved by the Department of Building Inspections and Zoning.

3. Parking. Off-street parking spaces for at least 422 vehicles are provided and maintained on site. In accordance with Sec. 12.19 of the Revised Municipal Code, off-street parking spaces for at least 432 are required.

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 of the City of West Allis; 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 (1) 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 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 _____ 2004

Assistant City Clerk

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

ZON-R-466-11-3-04\jmg