

RESOLUTION NO. 25808

RESOLUTION TO APPROVE DESIGN REVIEW REQUIREMENTS AND GUIDELINES

BY Safety and Development Committee

WHEREAS, the Plan Commission has been delegated the authority to adopt reasonable rules and regulations relative to the exercise of its powers under Section 12.13 of the Revised Municipal Code of the City of West Allis relating to site plan review and procedures; and,

WHEREAS, the aforesaid rules may include specific site and architectural design criteria; and,

WHEREAS, the aforesaid rules will become effect only after approval by the Common Council following notice and public hearing; and,

WHEREAS, the Plan Commission has adopted certain Design Review Requirements and Guidelines and submitted them to the Common Council [File No. 87, Note No. 140 dated July 7, 1997] for approval; and,

WHEREAS, the Common Council, following due notice, held a public hearing on the aforesaid Design Review Requirements and Guidelines on July 7, 1997, where at, all interested parties were given the opportunity to express their views concerning the proposed Design Review Requirements and Guidelines.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of West Allis that the Design Review Requirements and Guidelines as adopted and submitted to the Common Council by the Plan Commission of the City of West Allis, a copy of which requirements and guidelines are attached hereto and by reference made a part hereof, be and are hereby approved.

BE IT FURTHER RESOLVED that the City Clerk/Treasurer be and is hereby directed to forward a certified copy of this resolution to the Plan Commission of the City of West Allis and maintain a true and correct copy of the aforesaid requirements and guidelines on file in his office.

ADOPTED: July 7, 1998
(As Amended)

/s/ Jerry A. White
City Clerk/Treasurer

APPROVED: July 15, 1998
(As Amended)

/s/Jeannette Bell
Mayor

ATTR375

Approved as to form this 24th day
of June, 1998.

\s\ Michael J. Sachen
Michael J. Sachen, City Attorney

WEST ALLIS DESIGN REVIEW GUIDELINES

Industrial, commercial, and multi-family residential buildings and their sites shall be designed in a manner consistent with the guidelines set below. These guidelines are intended to be in accordance with and not supersede other applicable City codes and State statutes.

Design Context

It is the intent of the City that new buildings or additions to existing buildings constructed within the City will reflect the surrounding character of the community. To meet that goal, the City has created the following set of design guidelines to assist property owners as they develop plans for new construction or substantial renovation or expansion of existing buildings. These guidelines are intended to apply to industrial, commercial, multi-family, and two-family developments in the City. They are intended as guidance subject to review by the City Plan Commission. The following design guidelines shall apply to any building or structure included under Chapter 12.13 of the City Code.

It is not the intent of the City that these guidelines should legislate public taste or a particular school of design. The City of West Allis encourages good design in every project. However, it recognizes that good design can be in conflict with its surroundings. These guidelines attempt to create a harmonious environment throughout the City and protect the property values as well as set a high aesthetic standard for new construction.

The following general guidelines apply:

- A. New buildings should be compatible with nearby buildings in terms of materials, scale, proportion, and visual organization, but not mimic their neighbors.
- B. Buildings in areas with pedestrian traffic should be scaled and detailed for the pedestrian, not the automobile driver or rider.
- C. When they form a regular, traditional pattern in plan, existing facade lines should be preserved and respected.
- D. Specific features contributing to the understanding of a building's history or development should be created, restored, or maintained.
- E. New buildings should be oriented toward the principal street abutting the parcel.
- F. Designs should take into account the building and the site as a whole composition, not as competing factors. The site, the setting, and the amenities surrounding the building on the site should be considered important components of the building's design.

Setbacks

Setbacks are determined by ordinance for each zoning district. Setbacks will reflect the general character of the zoning district in which a building or addition is to be constructed. In keeping with the character of that district, the minimum front yard setback will be applied except as otherwise determined by the Plan Commission as part of its site plan review. It is intended that developments be situated toward the front of the lot in most commercial

districts and as far from adjacent residential uses as possible.

Materials and Colors

Building materials and color schemes should generally follow a similar theme as other buildings in the area to create a cohesive and consistent architecture character. It is not the intent of the City to prevent architectural expression; however, it is interested in the outcome of design efforts as they relate to the overall image of the area. Therefore, the City requires detailed colored building exterior elevations of all exterior surfaces clearly showing all building material types, colors and textures as part of the submittal package to the Plan Commission. Building exterior elevations should include signage, light fixtures and accurate exterior finished grade.

The submission of a materials board depicting samples of all proposed exterior materials including masonry samples, paint color chips with manufacturer's name and number, roofing materials and exterior wall treatments is required as part of the application. Materials will be identified on the elevations or attached specifications. Following their review, the Plan Commission will rule on the acceptance of the proposed materials for each application. The following guidelines are intended to show examples of the type of materials suggested for building design and construction.

Acceptable Building Materials

The City requires the use of quality building materials such as brick, wood, and decorative concrete materials. Plain concrete block or unfinished metal surface materials are not acceptable in commercial and multi-family districts but may be acceptable in industrial areas with the approval of the Plan Commission.

Materials

- A. Materials should be selected for suitability to the type of building and style in which they are designed and are used or intended to be used. Materials should also be in harmony with surrounding buildings.
- B. Buildings and additions should continue the same building materials on all sides visible or partly visible from the public right of way.
- C. The use of natural materials is encouraged including stone, brick and wood. This does not preclude the use of precast materials including decorative concrete block as long as their use corresponds with these guidelines.
- D. Use a predominant facade material and a limited number of compatible secondary facade materials consistently and uniformly on all facades of the building.
- E. Outbuildings on a parcel should be designed to be compatible to the principal structure on the site in scale, materials and colors.
- F. Roofing design and materials should be consistent with the architectural style of the building or

addition and surrounding buildings. High quality architectural roofing materials should be used on all roofing elements visible to the public on all elevations.

- G. Avoid dominating roof overhangs. Roof elements should compliment the horizontal elements the facade and relate to pedestrian scale. When compatible, use architectural elements such as gables and dormers to break up long horizontal lines.
- H. Wherever possible, parapet walls or other acceptable architectural screening should block rooftop HVAC units from public view.

Color

- A. A variety of textures and colors achieved by using natural materials is encouraged.
- B. A palette of exterior colors should be established throughout the site. A limited number of harmonious colors should be used. This palette should unify the principal building and all other buildings on the site into a single visual composition.
- C. The painting of masonry materials is discouraged. Wherever possible, colors should be integral to building materials and not applied. This not only enhances the design but requires less maintenance and will maintain its original appearance longer.
- D. Colors for predominant facade materials should be a range of earth tones which reflect natural materials.
- E. Secondary, or trim colors should compliment the predominant color. Contrasting colors should not dominate the visual character of the building or addition.
- F. Ancillary features such as downspouts, HVAC grills, utility connections, communications antennae and equipment, etc. should be painted the color of the background wall.

Entrances and Windows

The placement of windows and doors on a building are an important part of its overall design. Well-designed windows and doors and their placement can define the overall composition of a design.

- A. Window and door placement should be used to avoid large blank walls on elevations visible to the public. Blank walls should especially be avoided along sidewalks.
- B. Window placement can enhance community safety. Pedestrians should feel comforted by window placement with a sense that street crimes could be observed and police summoned to provide assistance.
- C. Entrances should be clearly visible from parking areas and pedestrian walkways. Entrances should provide some element of shelter from inclement weather.
- D. The design, quality of materials, scale and character of the entrances should identify which are public and which provide staff or auxiliary access to the building. Indicate a clear hierarchy of entrances.

- E. Design windows and doors to form a part of the overall composition of the building.

Lighting

The illumination of a building is an important architectural and public safety feature. The following guidelines are designed to make the best use of exterior lighting fixtures without creating a nuisance for surrounding properties.

- A. Building facades and identification signs are encouraged to be illuminated after dark.
- B. Area floodlighting shall not be mounted on the building except at the loading dock in which case a hooded light fixture will be used to direct lighting downward rather than toward adjoining properties.
- C. Lighting fixtures should match the color, style, and height of streetscape light fixtures, where appropriate.
- D. The use of colored light bulbs or spotlights is prohibited.
- E. Exterior lighting should be presented in a lighting plan which identifies all exterior lighting features, either mounted on the building or freestanding, along with dispersion pattern, intensity of light, and cut-off shielding that reflects away from the street. Light distribution should not spill over onto adjacent properties. Pedestrians should not be able to see the light source and glare should be minimized.
- F. Overpowering light levels should not be used.
- G. Lighting highlighting landscaping is encouraged.

Signage

Signs are a necessary part of any business district. In addition to the vital function of identifying each business, signs also contribute to the image of the individual business as well as the district as a whole. Signs play an important role in creating the visual character of the district and have the ability to enhance image of the area or detract from it. Visual clutter is often the result of uncontrolled signage. Business signs should accent the building and function as part of the overall composition of the building. A good sign should express a simple, clear and legible message.

- A. Signs on each property shall be limited to business identification signs and directional signs.
- B. Individual business centers will be permitted either a wall sign or a monument sign.
- C. Multi-tenant centers will be permitted a monument sign to identify the name of the multi-tenant center or building. Such signs shall not contain the names of tenants or occupants of the center. Tenants of multi-tenant centers with exterior entrances will be permitted a wall sign.
- D. Sign typeface should not be overbearing to the scale of the building.
- E. Sign lighting shall be ground mounted or internally illuminated. Ground mounted fixtures

shall not be visible from the street. Neon and other special lighting techniques including electronic message boards are subject to Plan Commission approval on a case by case basis. Flashing and rolling lights and electronic message boards are not permitted.

- F. Signs affixed to buildings should be indirectly lit by separate clearly articulated architectural lamps mounted to the exterior of the building, above and below the sign.
- G. Pole signs are not recommended. Recommended types of signs include:

Monument Signs - *Sign Location*

Signs must be located between the front property line and the front face of the building.

Sign Size

A monument sign may be double-faced. The area of each sign face shall be computed as 0.6 square foot multiplied by the lineal front foot dimension of the property, to a maximum area of one hundred (100) square feet.

Materials and Landscaping

Monument signs must be placed on a solid base constructed of the principle materials used in the visible elevations of the building. Monument signs shall be located in a landscaped area of meaningful open space.

Wall Signs - *Sign Location*

Wall signs must be located on the facade of the building. Signs located on the facade shall be mounted parallel to the face of the facade. Signs extending perpendicular or at an angle from the building facade should not be permitted.

Sign Size

The area of each sign face shall be computed as .8 square foot x the lineal front foot of the building, to a maximum of one hundred twenty-five (125) square feet.

Directional Signs

Directional signs shall be a post and panes system and shall be limited to six square feet in size and three feet in height above the finished grade and shall match the color and style of streetscape light fixtures. Not more than one sign shall be provided at each access drive. Directional sign materials shall conform with the overall design of the site.

Service and Utility Areas

Every building has some functions which are necessary to the operation of the building but do not need to be visible to or accessible by the public. General guidelines for the treatment of these areas follows:

- A. All service and utility areas should be located away from the view of the general public. To the extent possible, these areas should be in the rear of the building; however, they should never be located adjacent to residential uses or on the primary street elevation.
- B. Provide adequate space for vehicular access to service areas. Parking for service areas should be located in the rear of building and screened from pedestrian view.
- C. To the extent possible, the building design should screen these areas from public view. If space permits, utility and service functions should be enclosed with the building envelope.
- D. Where possible, incorporate trash and waste disposal facilities within the building envelope.
- E. Where trash and/or waste disposal facilities must be outside the building envelope, they must be screened from public view. When not located adjacent to the building, they must be screened by a walled enclosure with at least three sides and preferably four. This enclosure should be located in a manner least visible to the passing public and the materials used should closely match the building decor.
- F. Utility connections or other appurtenances should be screened and/or camouflaged by harmonious color selection or landscaping. To the greatest extent possible, these intrusions should not be placed on the front facade of buildings or additions.
- G. If rooftop mechanical equipment is deemed necessary, it must be screened from public view by architectural treatment of the building.

Parking and Loading

Providing customer parking and access for loading and service is a necessity for any business. It is not, however, the prime objective of the business. Parking is a support service and should be treated as such. It should be as unobtrusive as possible and easily accessible. Parking requirements for each zoning district are found in the City zoning ordinance.

- A. Parking lots shall be designed to include landscaped islands with vegetation providing shade and aesthetically tying the area into the rest of the site. Screening requirements for parking lots are found below. Islands should be of a size and configuration to ensure the viability of the plant materials used.
- B. All parking areas shall be surfaced with a dustless all-weather material such as bituminous concrete or asphalt and shall be of sufficient strength to maintain the surface and support the normal load placed on it.
- C. All parking areas shall be designed with curbing and/or wheelstops for each parking space. Concrete poured-in-place curbing is preferred.
- D. Whenever possible, surface parking is to be located at the rear or to the side of the structure it serves, not extending toward the street past the front of the building.

Screening

Visual screening allows incompatible land uses such as sidewalks and parking lots or commercial businesses and residential homes to co-exist by lessening the visual impact and providing a physical barrier between uses. Guidelines for the use of screening in projects are as follows:

- A. Screening, when required, shall consist of masonry walls, solid wood fences, densely planted hedges, earthen berms, and combinations of the aforementioned where appropriate. Earth berms shall not exceed a slope of 33% (3:1) for lawn areas. Berms planted with ground covers and shrubs shall not exceed a slope of 50% (2:1). Berms should be graded to appear as smooth, rounded, naturalistic forms.
- B. Incompatible land uses on adjacent properties shall be separated by a landscape strip generally eight feet in width containing a four-foot high screen.
- C. In areas adjacent to residential developments, solid visual screening, such as walls, fences, and berms shall be required with a minimum height of four feet. In addition, a semi-transparent vegetative screen shall create 50% opacity of the developed area above the solid man-made screen to a height of six feet.
- D. All surface parking is to be visually screened from the roadway and adjacent residential developments. The screen is to be a minimum of four feet above the existing elevation adjacent to residential properties and four feet along road frontages and constructed of materials compatible with any adjacent structure. Acceptable materials include but are not limited to masonry walls and wood fences. Also acceptable are densely planted hedges and earthen berms. All walls and fences shall be aligned or set back from the face of the adjacent structure.
- E. As noted in the previous section, all loading and utility areas, including dumpsters and trash bins, shall be screened from public view with a solid screen. The screen shall be at least one foot higher than the top of the dumpster or similar receptacle. Loading areas shall be screened from view from adjacent properties. The appropriate screening method will depend on the extent and layout of loading areas and shall be approved by the Plan Commission.
- F. The owners and tenants of affected properties in each zoning district shall be jointly responsible for the maintenance of all landscaping which shall be kept in good condition so as to present a healthy, neat and orderly appearance. No plant material shall be allowed to encroach on rights-of-way and easements to the extent that motorists' or pedestrians' vision of vehicular traffic is impeded.
- G. The owners and tenants of properties adjacent to landscaped easements shall be responsible for general maintenance of that portion of the easement. Maintenance shall include mowing and general clean up.
- H. Fences are used for the purpose of screening, security, and pedestrian control. All fences should appear to be an integral component of the site design. Fences shall be made only of masonry, wood or natural plant materials; however, in certain cases alternative materials may be used with the approval of the Plan Commission. Fences should be aesthetically pleasing while unobtrusively providing the security and control required.
- I. Fencing shall not be located in the front yard or easements unless approved by the Plan Commission.
- J. Maximum fence height shall be limited to six feet without specific City approval.

- K. All fences and walls shall have the structural components, including posts and stringers, facing the inside of the lot.

Landscaping and Green Space

All development shall devote a minimum of 10% of the area of the site to planted landscape development. Landscape plans should be presented to the City Plan Commission for approval.

The amount of interior landscaping of off-street parking areas shall amount to no less than 10% of the total area used for parking. The minimum size of each landscape area shall not be less than one hundred square feet. A minimum of one large canopy tree shall be required for every one thousand square feet of landscape planting area. Planting around the perimeter of the parking lot shall not be considered as part of the interior landscaping requirements.

Provide an eight-foot wide minimum planting buffer between all development and adjacent residential development. Parking areas shall additionally have visual screening between all parking and loading areas and adjacent residential developments. The minimum sizes for plant materials are two and one-half inch caliper for deciduous trees and six feet in height for evergreen trees at the time of planting. Evergreen shrubs and deciduous shrubs should be a minimum of twenty-four inches in height when planted.

PLAN SUBMITTAL - DESIGN REVIEW REQUIREMENTS

1. All projects under the jurisdiction of Section 12.13 must present a complete set of architectural and site design materials for review prior to Plan Commission review of the proposal. No final recommendation will be made on any project prior to review of these materials which may occur concurrently with the necessary zoning review. Failure to submit a complete set of materials for design review will be an appropriate cause for delay of final Plan Commission and Council action.
2. The materials listed below are required as a minimum for completion of the site design review process. Other materials may be requested under special circumstances as identified by the City in discussions with the applicant. Materials must be submitted to the Development Department by the first Friday of the month and for consideration by the Plan Commission. The Plan Commission regularly meets at 6:30 P.M. on the fourth Wednesday of the month.
3. Site plans shall be submitted at a one (1) inch equals ten (10) foot scale. Larger projects may be submitted at a scale of one (1) inch equals fifty (50) feet at the discretion of the Department of Development. The City's site plan review checklist including the elements in Item 4 below must be completed and accompany the submittal.
4. The plan submittal is a package of materials which shall include the following elements. It may consist of multiple reports or drawings including:
 - A. Name of the development and developer.
 - B. Name, address and telephone number of the applicant.
 - C. Name of person or firm preparing the plans.
 - D. Date of preparation, scale, graphic scale, north arrow, quarter-section and lot or parcels numbers. NOTE: A legal description is necessary if the development is not contained on an established lot or parcel.
 - E. A small orientation drawing of the location of the parcel within the quarter-section oriented in the same direction as the site plan.
 - F. All paved areas including, but not limited to, parking areas, driveways, walks, malls, etc. shall be clearly identified on the site plan.
 - G. The location, size, shape, height and use of all buildings and other structures on the site shall be clearly shown on the site plan. This includes the location, height, type and materials of all walls and fences. Ornamental metal fences are recommended along street frontages and as a backdrop to landscaping. Vinyl coated chain-link fencing is permitted, but its application on a site is subject to Plan Commission review.
 - H. The site plan should clearly show all plantings areas, open space and other green areas. Plant species (common names), quantities and sizes must be shown on the plan in a detailed plantings schedule, including cost of materials and installation.
 - I. Applicants shall make every attempt to preserve natural features such as trees, rock


outcroppings, water features, etc.

- J. An exterior lighting plan shall be presented showing types and locations of all fixtures as well as the coverage and level of lighting on the subject property and neighboring properties.
- K. The site plan shall delineate all parking stalls and show the location of poured curb. Poured curbs are required where a parking area abuts public right-of-way.
- L. The site plan shall clearly show exterior facilities for the handicapped including ramps, oversized parking stalls and path of travel from public right of way and parking facilities to the building entrance.
- M. The site plan shall clearly show the location, type, size of enclosure and screening treatment for refuse collection. Refuse areas shall be enclosed on four sides and provide a secondary means of access or personnel door/gate. A detail of the screen type should be provided.
- N. The site plan shall clearly show how snow removal will be handled on the site, the location and size of snow storage areas, and the effect on parking space totals.
- O. The site plan shall clearly show vehicular and pedestrian circulation patterns on the site. This shall include all building entrances, access points to the site for vehicles and pedestrians, curbing and driveway openings.
- P. The site plan shall show the direction of water flow and the location of catch basins in parking areas. It shall also delineate all other utility services to and through the site. For new paved areas over a half acre storm water and surface water run off shall be mitigated on site in accordance with Chapter 13 of the Milwaukee Metropolitan Sewerage District Regulations.
- Q. The site plan shall show existing topography on the site, or existing and finished grades as well as structures and lot corners.
- R. The site plan package shall include elevations showing the precise design and materials of all signs and other graphics on the site. These shall be located on the site plan.
- S. The site plan package shall include a statistical inventory of the square footage of the site devoted to building(s), parking, other paving, parks and open space, landscaping and other improvements.
- T. The site plan package shall include a detailed floor plan of the building, or addition, and a schedule showing the number of parking spaces required per ordinance.
- U. Architectural elevations are required if exterior modifications/improvements are proposed. The plans shall show the precise design, materials and colors of all proposed exterior improvements.
- V. The applicant shall submit detailed, scaled elevations of all building faces. Elevations will be colored to reflect proposed materials and colors. At the request of the Manager of Planning and

Zoning, an architectural rendering of the main facade may be substituted for the colored elevation of that face. Elevations shall also include any accessory buildings, screening of refuse areas, treatment of transformers and utility connections, and screening for HVAC systems (including communications antennae and appurtenances) at either ground level or on rooftops.

- W. The applicant shall submit samples of all materials proposed for the exterior of the building in the colors proposed.
 - X. The applicant shall provide a written description of the materials and colors proposed including paint manufacturers and identification numbers for proposed colors.
5. The applicant will post a surety bond or other form of security in the amount of 125% of the landscaping and screening cost - materials and labor - which must be submitted at the time of the building permit application.
 6. The applicant shall provide eight (8) copies of all plans (site, landscaping, screening, architectural elevations and/or renderings) in a twenty-four (24) by thirty-six (36) inch format (or other format as determined to be acceptable by the Department of Development; and an electronic file capable of being presented in Microsoft Power Point.

ARCHITECTURAL AND SITE DESIGN REVIEW GUIDELINES

Section 12.13 of the West Allis Municipal Code establishes site and architectural standards for development projects in the City of West Allis. The purpose of these standards is to provide for adequate and convenient open space for recreation, light and air; to promote aesthetically compatible development; to promote stability and improvement in and to avoid substantial depreciation of property values; to avoid population congestion; to maintain and promote pedestrian and vehicle circulation; and to promote the long te  health, safety, and general welfare and happiness of the community.

Under this Section, the construction of two family residential, multi-family residential, commercial or manufacturing uses for new buildings, additions to existing buildings, exterior alterations and repairs to existing buildings for which a building permit is required, and special uses that are constructed or occupied and used for two family residential, multi-family residential, commercial or manufacturing use require architectural review by the City Plan Commission.

Similarly, all construction for two family residential, multi-family residential, commercial or manufacturing uses, whether new or converted construction, or resulting from a change in the use of any premise requires a site plan prepared to City standards for review by the City Plan Commission as described below. The expansion of existing parking lots and outdoor display and storage areas also require site plan review under this Section.

ORDINANCE NO. 6392 and Amendment No. 6502

AN ORDINANCE TO REPEAL AND RECREATE SECTION 12.13 OF THE REVISED MUNICIPAL CODE RELATING TO SITE PLAN REVIEW AND PROCEDURES

BY Safety and Development Committee

The Common Council of the City of West Allis do ordain as follows:

PART I. Section 12.13 of the Revised Municipal Code is hereby repealed and recreated to read:

12.13 SITE PLAN REVIEW AND PROCEDURES

(1) Purpose.

The purpose of this Section is to establish site and architectural standards for development projects in the city in order to provide for adequate and convenient open space for recreation, light and air; to promote aesthetically compatible development; to promote stability and improvement in and avoid substantial depreciation in property values; to avoid population congestion; to maintain and promote pedestrian and vehicular circulation; to promote the long term health, safety and general welfare and happiness of the community; and, to otherwise promote the purposes and intent of this Subchapter.

(2) Approval Required.

No building permit for the construction of any building, structure or project to which this Section applies shall be issued until a site and architectural plans therefore have been reviewed and approved pursuant to this Section. Site improvements not requiring a building permit but subject to site plan approval shall not be commenced until approved pursuant to this Section.

(3) Application.

(a) Architectural Review. This Section applies to the construction of two family, multi-family residential, commercial or manufacturing uses for new buildings, additions to existing buildings, exterior alterations and repairs to existing buildings for which a building permit is required and special uses that are constructed or occupied and used for two family, multi-family residential, commercial or manufacturing use.

(b) Site Review. This Section applies to site review for two family, multi-family residential, commercial or manufacturing uses, whether of new or converted construction, or resulting from a change in use of any premises. Expansion of existing parking lots and outdoors sales display and storage areas are also subject to site review under this Section.

Approved as to form
this 30th day of June, 1998.

(4) Authority for Approval.

(a) Site and architectural plans will be subject to review and approval by the Plan Commission, as provided in this Section.

(b) In approving any site and architectural plans, the Plan Commission shall have the authority to stipulate those conditions it deems necessary to protect the public interest and to secure compliance with this Section.

(c) The Plan Commission shall have the authority to adopt reasonable rules and regulations relative to the exercise of its powers under this Section. Such rules may include specific site and architectural design criteria that serve to implement the general standards set forth in Subsections (9) and (10), below. Rules will become effective only after they have been approved by the Common Council following due notice and public hearing. Publication of this notice will be as required for a Class II notice under Wisconsin Statutes.

(5) Basis For Approval.

The Plan Commission shall have the power to approve, approve with conditions, or reject a site or architectural plan on the basis of the requirements specified in this Section and those rules adopted and approved pursuant to Paragraph (4)(c), above.

(6) Submittal of Application.

An application for site and/or architectural plan review shall be filed with the Plan Commission in the office of the City Planner. All applications must be signed by all the owners of record of the project premises and accompanied by the filing fee.

(7) Plan Commission Decisions.

(a) The Plan Commission may approve, approve with conditions, or reject the application. The Plan Commission decision shall be in writing and contain a statement of reasons for its action. Any conditions of approval shall be specifically stated in the decision. A copy of the Plan Commission decision will be mailed to the applicant and owner, if different from the applicant.

(b) The Plan Commission decision on an application shall be issued within sixty (60) days of filing of the application with the office of the City Planner unless the applicant has agreed in writing to an extension.

(c) Approval will expire one (1) year from the date of approval unless construction is underway or the applicant has been granted a valid building permit under which construction is initiated within sixty (60) days of the date of issuance.

(8) Effect of Approval.

All plans approved by the Plan Commission pursuant to this Section will serve to limit and control the issuance and validity of building permits and certificates of occupancy and will restrict and limit construction, location and use of all buildings and structures included in any such plan.

(9) Site and Building Design Standards.

Site and Building designs shall:

(a) Site designs shall provide for the placement of all site elements necessary to create a safe, functional, convenient, healthful, durable and attractive environment.

(b) Site designs shall preserve the positive features of the site to the extent possible and minimize their destruction or harmful alteration.

(c) Site designs shall ensure that all developments function within the context of the site and the surrounding area. Site designs shall eliminate, or if not possible to eliminate, mitigate potential hazards created by the proposed development.

(d) Building and structure designs shall avoid alternatives which shall be so similar to, or at variance from, other buildings and structures already constructed or under construction in the area.

(e) Building materials selected shall be compatible with materials used in the area.

(f) All sites, buildings and structures shall be designed in accordance with site and architectural design criteria adopted and approved in accordance with subsection (4)(c), above.

(10) Re-Application.

No application which has been wholly, or in part, rejected may be resubmitted until at least one (1) year from the date of the final action of the Plan Commission, except in the case of newly discovered evidence or proof of changed conditions.

(11) Revocation of Approval.

The Plan Commission shall have the authority to revoke its approval of a site and/or architectural plan if the provisions of that plan are not fully implemented.

(12) Appeals.

Any person aggrieved by a decision of the Plan Commission under this Section may appeal that decision to the Board of Appeals under the provisions of Section 62.23(7)(e) of the Wisconsin Statutes.

(13) Conditional Occupancy.

(a) In the event the completion of all required site improvements are delayed due to work stoppages, extraordinary or seasonal weather conditions or damage caused by fire, or other casualty, a conditional occupancy for the project, or any part thereof, may be approved by the Building Inspector. This approval shall be subject to whatever terms and conditions are deemed necessary by the Building Inspector to protect the public interest and promote and secure compliance with the purposes and intent of this Section.

(b) No conditional occupancy will be allowed unless the improvements to be occupied are approved for occupancy by the Building Inspector.

(c) All required site improvements will be completed within a period of time set by the Building Inspector from the date of approval of the conditional occupancy.

(d) The approval of a conditional occupancy will not be interpreted as a waiver of any of the applicant's obligations under this Section, except to extend the time for completion of the site improvements as provided in Paragraph (c).

(14) Security Bond: Site Plans.

As a condition of approving a site plan, the Plan Commission will require that the applicant provide a security bond, letter of credit or cash deposit to ensure the completion of all required site improvements including refuse enclosures, landscaping, and paving, stripping and signage of parking lots. The form of the bond or other security shall be prescribed by the Plan Commission. The amount of the bond or other security will not exceed one hundred twenty-five (125%) percent of the estimated cost of the site improvements and may be reduced over the life of the construction of the project as elements are completed; however, even if the amount is reduced, the bond or other security will remain in force until all required site improvements have been completed and approved by the Building Inspector. The Plan Commission may require more than one estimate from licensed contractors to determine the value of the bond or security.

(15) Maintenance.

Sites, buildings and structures will be completed and maintained in accordance with the final plans approved pursuant to this Section. Approved plans will run with the land and will remain in effect regardless of changes in ownership of the subject property.

(16) Amendments.

No modification or alteration of any plan approved pursuant to this Section will be permitted unless approved in writing by the Plan Commission. An application for any such alteration or modification shall be filed with the Plan Commission on a form approved by the Plan Commission. Alterations and modifications shall be subject to the same standards and criteria as original applications and shall be in conformance with all the provisions of this Section.

(17) Review Fee.

The Common Council has set a fee schedule for reviews pursuant to this Section. The current schedule is available from the City Clerk/Treasurer. All fees must be paid at the time of submittal of an application and no consideration will be given to those plans for which application fees have not been paid.

PART II. All ordinances or parts of ordinances contravening the provisions of this ordinance are hereby repealed.

PART III. This ordinance shall take effect and be in force from and after its passage and publication.

PASSED: July 7, 1998
(AS AMENDED)

/s/ Jerry A. White
City Clerk/Treasurer

APPROVED: July 15, 1998
(AS AMENDED)

/s/ Jeannette Bell
Mayor

ORDINANCE NO. 6502

ORDINANCE AMENDING SECTION 12.13(3)(a) OF THE REVISED MUNICIPAL CODE
TO REQUIRE ARCHITECTURAL REVIEW OF TWO-FAMILY DWELLINGS

By Safety and Development Committee

The Common Council of the City of West Allis does ordain as follows:

PART I. Section 12.13(3)(a) of the Revised Municipal Code of the City of West Allis is hereby amended to read:

12.13 Site Plan Review and Procedures

* * *

(3) Application

(a) Architectural Review. This section applies to:

(i) New construction of multi-family residential, commercial or manufacturing uses for new buildings, additions to existing buildings, exterior alterations and repairs to existing buildings for which a building permit is required and special uses that are constructed or occupied and used for multi-family residential, commercial or manufacturing use.

(ii) New construction of two-family residential and conversions for such use.

PART II. All ordinances or parts of ordinances contravening the provisions of this ordinance are hereby repealed.

PART III This ordinance shall take effect and be in force from and after its passage and publication.

PASSED: February 15, 2000
(As Amended)

/s/ Jerry A. White
City Clerk/Treasurer

APPROVED: February 17, 2000

/s/ Jeannette Bell
Mayor

Approved as to form this
15th day of February, 2000

/s/ Michael J. Sachen
Michael J. Sachen, City Attorney
cc: Department of Development

