

ORDINANCE NO. 2079-06
by the Plan Commission

AN ORDINANCE GRANTING A CONDITIONAL USE PERMITTING ALTERATIONS TO THE 100 YEAR FLOODPLAIN AT **14000 W. NORTH AVENUE**, REMOVING THE "FF" FLOOD FRINGE OVERLAY ZONING DISTRICT DESIGNATION FROM AREAS TO BE FILLED AND ZONING AREAS TO BE EXCAVATED TO "FF" FLOOD FRINGE OVERLAY TO PERMIT AN APPROXIMATE 11,667 SQ. FT. TWO-STORY BANK BUILDING WITH DRIVE-THRU

WHEREAS, the Common Council of the City of Brookfield held a public hearing on the requested conditional use and "FF" Flood Fringe Overlay rezoning hereinafter described on October 3, 2002; and

WHEREAS, the proposed conditional use will permit alterations to the 100 year floodplain at 14000 W. North Avenue, removing the "FF" Flood Fringe Overlay zoning district designation of areas to be filled and zoning other excavated areas "FF" in association with a new plan and method of operation permitting an approximate 11,667 sq. ft. commercial building with drive-thru to be occupied by a bank; and

WHEREAS, notice of said hearing was duly given as required by law, and the Common Council received the Plan Commission report on the said request prior to final Council action thereon. The October 9, 2006, Plan Commission report recommended approval of the requested conditional uses.

NOW, THEREFORE, the Common Council of the City of Brookfield do ordain as follows:

PART I. There is hereby granted a conditional use permitting alteration of the 100 year floodplain at 14000 W. North Avenue, removing the "FF" Flood Fringe Overlay zoning district designation of areas to be filled and zoning other excavated areas "FF" creating approximately 6,333 cubic feet of additional flood storage on site in association with a new plan and method of operation permitting an approximate 11,667 sq. ft. two-story bank building with drive-thru.

PART II. There is hereby granted an amendment to the "FF" Flood Fringe Overlay zoning removing a portion of the site from the "FF" Flood Fringe Overlay area of the 100 year floodplain by elevating with fill and zoning "FF" excavated areas of the site that were previously above the 100 year base flood elevation creating approximate 6,333 cubic feet of additional flood storage on site.

PART III. Said approval is subject to all conditions and recommendations listed in the October 9, 2006, Plan Commission minutes.

PART IV. The areas to which the conditional use will apply and have the "FF" Flood Fringe Overlay zoning designation removed/imposed are depicted on Exhibit "A" and described in Exhibit "A-1".

PART V. The conditional use and "FF" Flood Fringe Overlay modification are subject to compliance with the floodplain amendment procedures of the Municipal Code.

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

ADOPTED AND APPROVED ON October 17, 2006

Kristine A. Schmidt, City Clerk

Jeff R. Speaker, Mayor

Published: October 26, 2006