

42



City of West Allis Matter Summary

7525 W. Greenfield Ave.
West Allis, WI 53214

File Number	Title	Status
O-2007-0046	Ordinance	In Committee
	Ordinance to amend the Official Floodplain Zoning Map for an encroachment analysis for the Menards property at 2535 S. 108 St.	
	Introduced: 12/4/2007	Controlling Body: Plan Commission
		Sponsor(s): Safety & Development Committee

COMMITTEE RECOMMENDATION Pass

ACTION DATE:	MOVER	SECONDER		AYE	NO	PRESENT	EXCUSED
<u>12/4/07</u>			Barczak	✓			
			Czaplewski				
			Dobrowski				
			Kopplin				
			Lajsic	✓			
			Narlock				
	✓		Reinke	✓			
			Sengstock				
		✓	Vitale	✓			
			Weigel	✓			
			TOTAL	<u>5</u>	<u>0</u>		

SIGNATURE OF COMMITTEE MEMBER

[Signature] _____
 Chair Vice-Chair Member

COMMON COUNCIL ACTION Pass

ACTION DATE:	MOVER	SECONDER		AYE	NO	PRESENT	EXCUSED
<u>DEC 04 2007</u>			Barczak	✓			
			Czaplewski	✓			
			Dobrowski	✓			
			Kopplin	✓			
	✓		Lajsic	✓			
			Narlock	✓			
			Reinke	✓			
			Sengstock				✓
		✓	Vitale	✓			
			Weigel	✓			
			TOTAL	<u>9</u>			<u>1</u>



City of West Allis

7525 W. Greenfield Ave.
West Allis, WI 53214

Ordinance

File Number: O-2007-0046

Final Action:

Sponsor(s): Safety & Development Committee

DEC 04 2007

Ordinance to amend the Official Floodplain Zoning Map for an encroachment analysis for the Menards property at 2535 S. 108 St.

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

PART I. That the boundary of the "Floodway District", referenced in Subsection 12.70(3) of the Revised Municipal Code of the City of West Allis, be and hereby is amended as indicated on Map Exhibit A, which is attached hereto and incorporated herein by reference, by a Letter of Map Revision (LOMR), by removing an area from the 1-percent-annual-change floodplain to reflect the placement of fill on said property located at 2535 S. 108 St., West Allis, Wisconsin, from the One Hundred (100) Year Floodplain (FFO).

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 All ordinances or parts of ordinance contravening the provisions of this ordinance are hereby repealed.

PART III. This Ordinance shall become effective upon passage and publication and approval by the Wisconsin Department of Natural Resources (DNR), and the Federal Emergency Management Agency (FEMA).

cc: Department of Development
City Attorney's Office
Department of Building Inspections
Engineering Department

ZON-O-656-12-4-07

PASSED

DEC 04 2007

Paul M. Ziehler, City Admin. Officer, Clerk/Treas.

APPROVED

December 6, 2007

Jeannette Bell, Mayor

Exhibit A

0 100 200

Scale in Feet



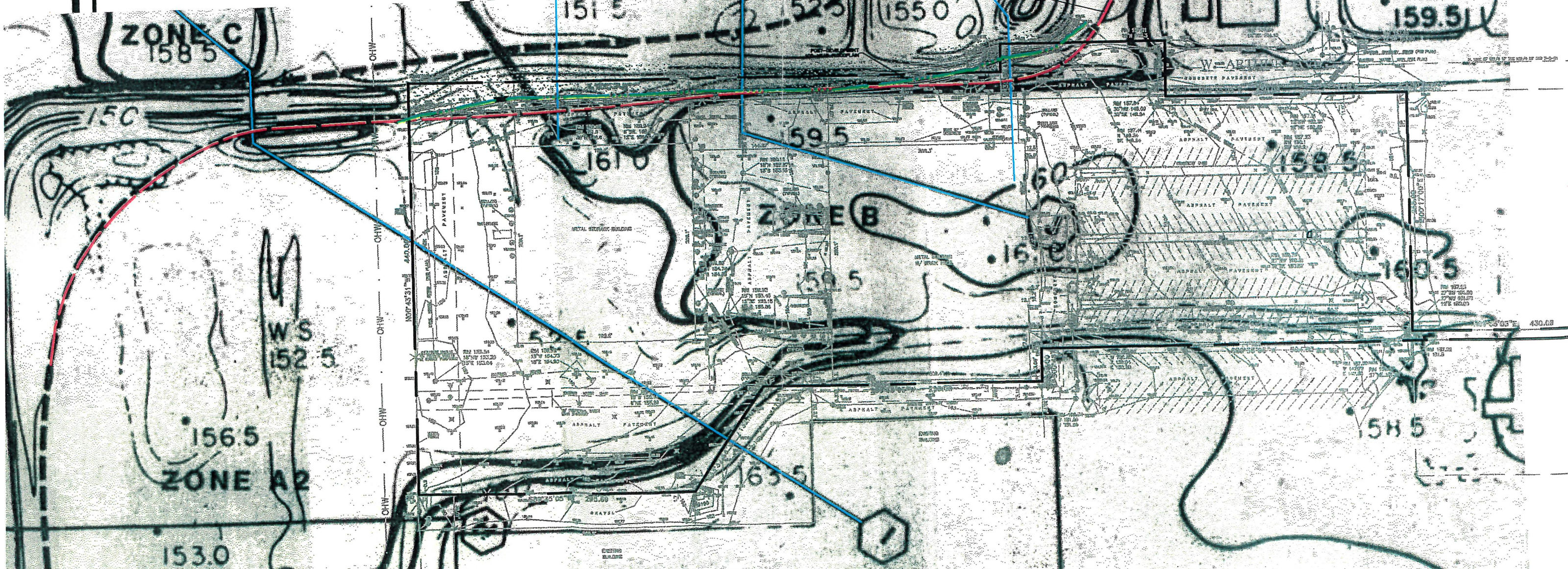
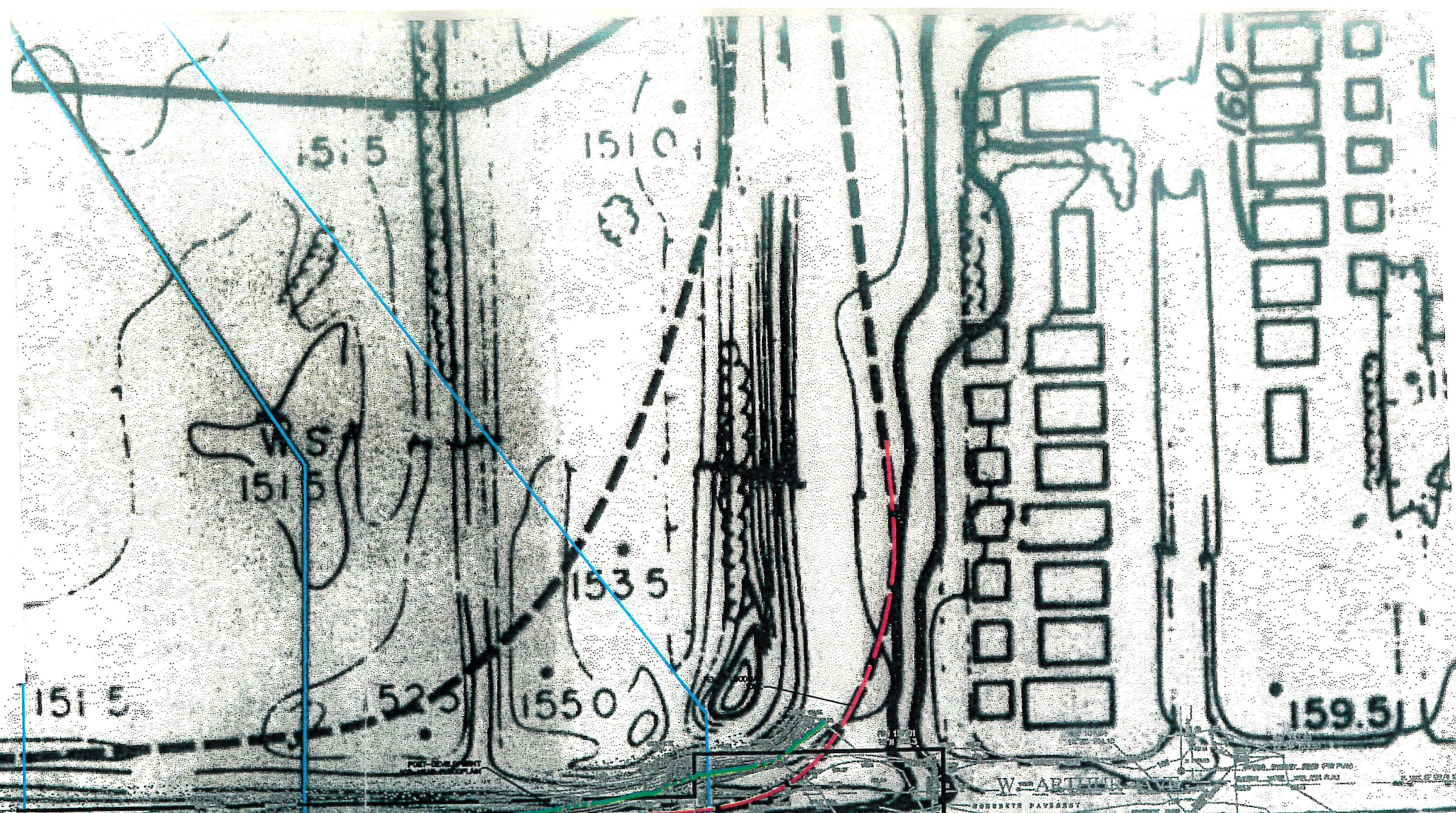
LEGEND

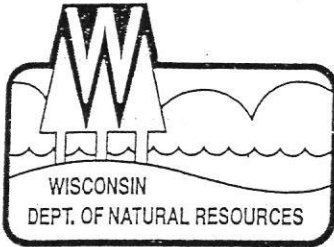
Cross Section Location

13.0

FEMA Floodway Line

Post Development 100 - year Floodplain Line



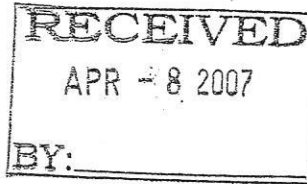


State of Wisconsin | DEPARTMENT OF NATURAL RESOURCES

Jim Doyle, Governor
Scott Hassett, Secretary
Gloria L. McCutcheon, Regional Director

Southeast Region Headquarters
2300 N. Dr. Martin Luther King, Jr. Drive
Milwaukee, Wisconsin 53212-0436
FAX 414-263-8606
Telephone 414-263-8500
TTY Access via relay - 711

April 2, 2007



FILE: 8600

Mr. Peter Daniels, P.E.
City of West Allis - Engineering Department
7525 W. Greenfield Avenue
West Allis, WI 53214

Subject: Technical Approval - Encroachment Analysis for Menards property, City of West Allis

Dear Mr. Daniels:

The Department of Natural Resources has reviewed the encroachment analysis for the Menards property, located at 2535 South 108th Street in the City of West Allis. The analysis was submitted for the City by Ms. Cynthia DeBruine, P.E., CFM of Hey & Associates on January 15, 2007. The analysis was developed to evaluate the effects of fill placed in a portion of the Hale Creek Floodway. The Department's review finds that the encroachment analysis meets the floodplain study requirements of NR116, Wisconsin Administrative Code. With the technical review completed by the Department, the City should continue to coordinate with FEMA to obtain a Letter of Map Revision (LOMR).

The next step for the City of West Allis is to adopt the new information in the City's Floodplain Zoning Ordinance. The appropriate section to reference the new profile table and new map would be in the map reference section of your ordinance. The new map should be specifically referred to in the ordinance with the title of the map, the source of the map, and the date on the map. The adoption of this new information should be done using the official amendment procedure outlined in your ordinance. There should be a public hearing with a class 2 publication of the hearing notice. The hearing should be scheduled and the information adopted within six months of this letter.

After the City has approved the floodplain zoning ordinance amendment, a certified copy of the amendment must be submitted to the Department for final administrative review and approval. Please provide a notarized affidavit of publication as proof of the class 2 publication and any other additional supporting documentation.

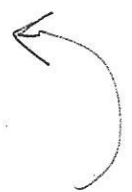
If you have any questions, please contact me at (414) 263-8641 or Tanya.Meyer@wisconsin.gov.

Sincerely,

Tanya L Meyer
Tanya L. Meyer
Water Regulation and Zoning Engineer
Milwaukee Service Center
get ex. from other municipality

cc: Ms. Cynthia DeBruine, P.E., CFM, Hey and Associates, Inc.

*Janel or Ann,
Are one of you taking
care of this?? I see
the Mayor signed the
Ordinance. Thanks!
Knst*





CITY CLERK/TREASURER'S OFFICE

414/302-8200 or 414/302-8207 (Fax)

www.ci.west-allis.wi.us

Paul M. Ziebler

City Admin. Officer, Clerk/Treasurer

Monica Schultz

Assistant City Clerk

Rosemary West

Treasurer's Office Supervisor

December 19, 2007

State of WI/Dept. of Natural Resources
Tanya L. Meyer
2300 N. Dr. Martin Luthern King, Jr. Drive
Milwaukee, WI 53212-0436

Dear Ms. Meyer:

On December 4, 2007 the Common Council approved an Ordinance to amend the Official Floodplain Zoning Map for an encroachment analysis for the Menards property at 2535 S. 108 St.

Enclosed please find a certified copy of Ordinance No. O-2007-0046, the minutes of December 4, 2007, and a copy of the Affidavit of Publication for the Notice of Public Hearing.

Sincerely,

Monica Schultz
Assistant City Clerk

/amn
enc.

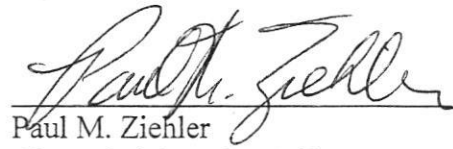
cc: Peter Daniels
Kristi Johnson

OFFICE OF CITY CLERK/TREASURER
CITY OF WEST ALLIS, WISCONSIN

CERTIFICATION

DECEMBER 19, 2007

I hereby certify that the attached is a true and correct copy of Ordinance No. O-2007-0046,
Ordinance to amend the Official Floodplain Zoning Map for an encroachment analysis for the
Menards property at 2535 S. 108 St. passed December 4, 2007.



Paul M. Ziehler
City Administrative Officer
Clerk/Treasurer



City of West Allis

7525 W. Greenfield Ave.
West Allis, WI 53214

Ordinance

File Number: O-2007-0046

Final Action:

Sponsor(s): Safety & Development Committee

DEC 04 2007

Ordinance to amend the Official Floodplain Zoning Map for an encroachment analysis for the Menards property at 2535 S. 108 St.

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

PART I. That the boundary of the "Floodway District", referenced in Subsection 12.70(3) of the Revised Municipal Code of the City of West Allis, be and hereby is amended as indicated on Map Exhibit A, which is attached hereto and incorporated herein by reference, by a Letter of Map Revision (LOMR), by removing an area from the 1-percent-annual-change floodplain to reflect the placement of fill on said property located at 2535 S. 108 St., West Allis, Wisconsin, from the One Hundred (100) Year Floodplain (FFO).

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

PART III. This Ordinance shall become effective upon passage and publication and approval by the Wisconsin Department of Natural Resources (DNR), and the Federal Emergency Management Agency (FEMA).

cc: Department of Development
City Attorney's Office
Department of Building Inspections
Engineering Department

ZON-O-656-12-4-07

PASSED

DEC 04 2007

Paul M. Ziehler, City Admin. Officer, Clerk/Treas.

APPROVED

December 6, 2007

Jeannette Bell, Mayor

WEST ALLIS
NOTICE OF HEARING
Tuesday, December 4, 2007
7:00 P.M.

NOTICE IS HEREBY GIVEN that the Common Council of the City of West Allis will conduct a public hearing on Tuesday, December 4, 2007 at 7:00 p.m., or as soon thereafter as a matter may be heard, in the Common Council Chambers of West Allis City Hall, 7525 West Greenfield Avenue, West Allis, Wisconsin, on the following:
ORDINANCE TO AMEND THE OFFICIAL FLOODPLAIN ZONING MAP FOR AN ENCROACHMENT ANALYSIS FOR THE MENARDS PROPERTY AT 2535 SOUTH 108 STREET.
You may express your opinions in writing to the City Clerk/Treasurer prior to the meeting or orally at such public hearing.
Dated at West Allis, Wisconsin, this 7th day of November 2007.
07H67
/s/ Paul M. Ziehler,
City Administrative Officer,
City Clerk/Treasurer

COMMUNITY NEWSPAPERS

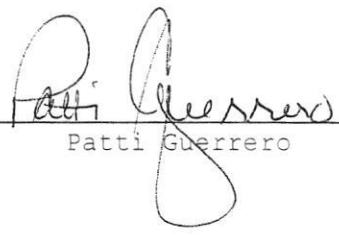
AFFIDAVIT OF PUBLICATION

0002946311

CITY OF WEST ALLIS
7525 W GREENFIELD AVE

MILWAUKEE, WI 53214

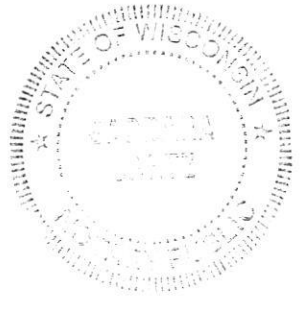
Patti Guerrero hereby states that she is authorized by Journal Sentinel Inc. to certify on behalf of Journal Sentinel Inc., publisher of Community Newspapers, public newspapers of general circulation, printed and published in city and county of Milwaukee; was published in the My Community Now- Midwest on 11/15/2007 and 11/22/2007; that said printed copy was taken from said printed newspaper(s).


_____ Patti Guerrero

State of Wisconsin)
) SS:
County of Milwaukee)

Subscribed and sworn before me this 28th day of November, 2007.
Barbara Batz

Notary Public State of Wisconsin
My Commission Expires 4-10-11



City of West Allis
Meeting Minutes
Common Council

7525 W. Greenfield Ave.
West Allis, WI 53214

Mayor Jeannette Bell, Chair
Aldersperson James W. Sengstock, Council President
Alderspersons: Gary T. Barczak, Michael J. Czaplewski, Linda A. Dobrowski,
Kurt E. Kopplin, Thomas G. Lajsic, Richard F. Narlock, Rosalie L. Reinke,
Vincent Vitale, and Martin J. Weigel

Tuesday, December 4, 2007

7:00 PM

City Hall - Council Chambers

REGULAR MEETING

A. CALL TO ORDER

The meeting was called to order by Mayor Bell at 7:00 p.m.

B. ROLL CALL

Present: 9 - Ald. Barczak, Ald. Czaplewski, Ald. Dobrowski, Ald. Kopplin, Ald. Lajsic, Ald. Narlock, Ald. Reinke, Ald. Vitale and Ald. Weigel
Excused: 1 - Ald. Sengstock

C. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Ald. Narlock.

D. PUBLIC HEARINGS

1. O-2007-0046 Ordinance to amend the Official Floodplain Zoning Map for an encroachment analysis for the Menards property at 2535 S. 108 St.

Sponsor(s): Safety & Development Committee

Explanation by John Stibal, Director of Development.

Appearances: None.

Public Hearing Held

2. R-2007-0288 Resolution relative to determination of Special Use Permit amendment to amend Resolution No. R-2005-0085 and to establish All Tune and Lube, a vehicle repair facility, within a portion of the existing multi-tenant building at 1745-1875 S. 66 St. & 6607-6701 W. Mitchell St. (Tax Key No. 454-0255-001)

Sponsor(s): Safety & Development Committee

Explanation by John Stibal, Director of Development.

Appearances:

Gary Peterson, 7276 S. 37 Pl., Franklin, owner, addressed the number of parking spaces required.

Public Hearing Held

37. R-2007-0289 Resolution approving a request for an extension of time relative to the Special Use Permit for ez Money Payday Loans located within a portion of the existing commercial building located at 11000-10 W. National Ave. (Tax Key No. 520-0131-001).
- Sponsor(s): Safety & Development Committee
- Held in Safety & Development Committee during recess.*
38. R-2007-0290 Resolution relative to denial of Special Use Permit relative to a request for an extension of time for ez Money Payday Loans to be located within a portion of the existing commercial building at 11000-10 W. National Ave. (Tax Key No. 520-0131-001)
- Sponsor(s): Safety & Development Committee
- Held in Safety & Development Committee during recess.*
39. 2007-0665 Special Use Permit relative to a request for an extension of time for ez Money Payday Loans to be located within a portion of the existing commercial building located at 11000-10 W. National Ave. (Tax Key No. 520-0131-001).
- Held in Safety & Development Committee during recess.*
40. 2007-0739 Communication from the Executive Director for the Community Development Authority regarding Notice of Public Hearing scheduled for December 11, 2007, to consider an amendment to the Project Plan for Tax Incremental District Number Six, Amendment No. 1, City of West Allis.
- This Matter was Placed on File on a Block Vote.**
41. 2007-0741 Communication from the Director of Development transmitting the decision of the Joint Review Board with respect to Tax Incremental District Number Seven.
- This Matter was Placed on File on a Block Vote.**

Public Hearing Items (Safety & Development Committee)

42. O-2007-0046 Ordinance to amend the Official Floodplain Zoning Map for an encroachment analysis for the Menards property at 2535 S. 108 St.
- Sponsor(s): Safety & Development Committee
- This Matter was Passed on a Block Vote.**
43. R-2007-0288 Resolution relative to determination of Special Use Permit amendment to amend Resolution No. R-2005-0085 and to establish All Tune and Lube, a vehicle repair facility, within a portion of the existing multi-tenant building at 1745-1875 S. 66 St. & 6607-6701 W. Mitchell St. (Tax Key No. 454-0255-001)
- Sponsor(s): Safety & Development Committee
- This Matter was Adopted As Amended on a Block Vote.**
44. 2007-0712 Special Use Permit amendment to amend Resolution No. R-2005-0085 and to establish All Tune and Lube, a vehicle repair facility, within a portion of the existing multi-tenant building at 1745-1875 S. 66 St. & 6607-6701 W. Mitchell St. (Tax Key No. 454-0255-001)
- This Matter was Placed on File on a Block Vote.**



CITY CLERK/TREASURER'S OFFICE

414/302-8200 or 414/302-8207 (Fax)

www.ci.west-allis.wi.us

Paul M. Ziehler

City Admin. Officer, Clerk/Treasurer

Monica Schultz

Assistant City Clerk

Rosemary West

Treasurer's Office Supervisor

January 9, 2008

State of WI/Dept. of Natural Resources
Tanya L. Meyer
2300 N. Dr. Martin Luthern King, Jr. Drive
Milwaukee, WI 53212-0436

Dear Ms. Meyer:

On December 4, 2007 the Common Council approved an Ordinance to amend the Official Floodplain Zoning Map for an encroachment analysis for the Menards property at 2535 S. 108 St.

Enclosed please find a copy of the Affidavit of Publication for O-2007-0046.

Sincerely,

Monica Schultz
Assistant City Clerk

/amn
enc.

cc: Peter Daniels
Kristi Johnson

CITY OF WEST ALLIS

Ordinance No. O-2007-0046,
By Safety and Development Committee, Ordinance to amend the Official Floodplain Zoning Map for an encroachment analysis for the Menards property at 2535 S. 108 St.

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

PART I. That the boundary of the "Floodway District", referenced in

CITY OF WEST ALLIS

Subsection 12.70(3) of the Revised Municipal Code of the City of West Allis, be and hereby is amended as indicated on Map Exhibit A, which is attached hereto and incorporated herein by reference, by a Letter of Map Revision (LOMR), by removing an area from the 1-percent-annual-change floodplain to reflect the placement of fill on said property located at 2535 S. 108 St., West Allis, Wisconsin, from the One Hundred (100) Year Floodplain (FFO).

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

PART III. This Ordinance shall become effective upon passage and publication and approval by the Wisconsin Department of Natural Resources (DNR), and the Federal Emergency Management Agency (FEMA).

PASSED: December 4, 2007,
/s/ Paul M. Ziehler, City Administrative Officer, Clerk/Treasurer

APPROVED: December 6, 2007,
/s/ Jeannette Bell, Mayor

COMMUNITY **CNI** NEWSPAPERS

AFFIDAVIT OF PUBLICATION

0002972454

RECEIVED

DEC 28 2007

CITY OF WEST ALLIS
PURCHASING DEPT

CITY OF WEST ALLIS
7525 W GREENFIELD AVE

MILWAUKEE, WI 53214

Patti Guerrero hereby states that she is authorized by Journal Sentinel Inc. to certify on behalf of Journal Sentinel Inc., publisher of Community Newspapers, public newspapers of general circulation, printed and published in city and county of Milwaukee; was published in the My Community Now- Midwest on 12/20/2007; that said printed copy was taken from said printed newspaper(s).



Patti Guerrero

State of Wisconsin)
) SS:
County of Milwaukee)

Subscribed and sworn before me this 27th day of December, 2007.

Barbara Bartz

Notary Public State of Wisconsin
My Commission Expires 4-10-11





J. Meyer WTMW
State of Wisconsin

Department of Natural Resources
2300 North Dr. Martin Luther King Jr. Drive
Milwaukee, WI 53212

PRESORTED
FIRST CLASS



UNITED STATES POSTAGE

PITNEY BOWES
02 1A **\$ 00.31²**
0004383085 JAN 11 2008
MAILED FROM ZIP CODE 53201

RECEIVED

JAN 14 2008

CITY OF WEST ALLIS
CLERK/TREASURER

Ms. Monica Schultz, Assistant City Clerk
City Clerk/Treasurer's Office, City of West Allis
7525 W. Greenfield Avenue
West Allis, WI 53214

K*QF851

53214





State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Jim Doyle, Governor
Matthew J. Frank, Secretary
Gloria L. McCutcheon, Regional Director

Southeast Region Headquarters
2300 N. Dr. Martin Luther King, Jr. Drive
Milwaukee, Wisconsin 53212-3128
FAX 414-263-8606
Telephone 414-263-8500
TTY Access via relay - 711

January 10, 2008

RECEIVED

JAN 15 2008

CITY OF WEST ALLIS
CLERK/TREASURER

Mr. Peter Daniels, P.E.
Engineering Department, City of West Allis
7525 W. Greenfield Avenue
West Allis, WI 53214

Subject: Approval of Amendment to City of West Allis Floodplain Zoning Ordinance
(Approval # SE-F-41292-74-3C)

Dear Mr. Daniels:

We appreciate your community's effort in upgrading your floodplain zoning regulations. Please note the conditions that must be met in order for this approval to remain valid.

Successful floodplain management and implementation of these regulations will depend on effective administration and enforcement of the ordinance. Please keep us advised of any problems associated with this administration and let us know when we can be of assistance. I can be reached at (414) 263-8641 to assist you with any problems.

FINDINGS OF FACT

1. On December 4, 2007, the City of West Allis adopted a text and map amendment to the Floodplain Zoning Ordinance, following public notice and hearing.
2. The purpose of this amendment is to recodify and update the City's Floodplain Zoning Ordinance.

CONCLUSIONS OF LAW

1. The Department is authorized by s. 87.30, Wis. Stats., and Ch. NR 116.21 and NR 116.22, Wis Adm. Code, to review and approve amendments to floodplain zoning ordinances.
2. The community has complied with the procedural requirements for adoption of this amendment according to Wisconsin Statutes.
3. This amendment substantially complies with the requirements of Ch. NR 116, Wis. Adm. Code and 44 CFR, Part 60.

DECISION

The Department CONDITIONALLY APPROVES this amendment, subject to the following conditions.

1. Your community may have floodplain areas that have not been mapped according to the hazard potential of a dam or dams that affect the community. After an inspection and/or analysis of the dam(s), changes to the floodplain zoning of the affected areas may be necessary.
2. According to Ch. NR 116, Wis. Admin. Code and National Flood Insurance Program regulations, your community must send all map revisions affecting floodplain elevations, boundaries and text changes to the Department's Milwaukee Service Center and to the Federal Emergency Management Agency, 536 S. Clark St., 6th Floor, Chicago, IL 60605.

NOTICE OF APPEAL RIGHTS

If you believe that you have a right to challenge this decision, you should know that Wisconsin Statutes and Administrative Codes establish time periods within which requests to review Department decisions shall be filed.

For judicial review of a decision pursuant to sections 227.52 and 227.53, Wis. Stats., you have 30 days after the decision is mailed, or otherwise served by the Department, to file your petition with the appropriate circuit court and serve the petition on the Department. Such a petition for judicial review shall name the Department of Natural Resources as the respondent.

To request a contested case hearing pursuant to section 227.42, Wis. Stats., you have 30 days after the decision is mailed, or otherwise served by the Department, to serve a petition for hearing on the Secretary of the Department of Natural Resources. The filing of a request for a contested case hearing is not a prerequisite for judicial review and does not extend the 30 day period for filing a petition for judicial review.

This notice is provided pursuant to section 227.48(2), Stats. This decision was mailed on 1/10/08.

STATE OF WISCONSIN DEPARTMENT OF NATURAL RESOURCES
For the Secretary

By: Tanya L Meyer
Tanya L. Meyer
Water Management Engineer

cc: Monica Schultz, Assistant City Clerk - City of West Allis
Kristi Johnson, Planner II - City of West Allis
Eric Kuklewski - FEMA
Gary Heinrichs - DNR, GEF 2 WT/3