

Enrolled 158-68  
PROPOSED ORDINANCE ~~158-74~~

1  
2  
3 AMEND THE DISTRICT ZONING MAP OF THE TOWN OF BROOKFIELD ZONING  
4 ORDINANCE BY REZONING CERTAIN LANDS LOCATED IN PART OF THE NE ¼ OF  
5 SECTION 29, T7N, R20E, TOWN OF BROOKFIELD, FROM THE B-3 OFFICE AND  
6 PROFESSIONAL BUSINESS DISTRICT TO THE RM-2 MULTI-FAMILY RESIDENTIAL  
7 AND CONSERVANCY DISTRICTS  
8 (ZT-1443)  
9

10  
11 WHEREAS the subject matter of this Ordinance having been approved by the Brookfield Town  
12 Board on February 14, 2002, after Public Hearing, and the giving of requisite notice of said  
13 hearing, and duly referred to and considered by the Waukesha County Park and Planning  
14 Commission, and a recommendation for approval, thereon reported to the Land Use, Parks and  
15 Environment Committee and the Waukesha County Board of Supervisors, as required by Section  
16 60.61 of the Wisconsin State Statutes.  
17

18 THE COUNTY BOARD OF SUPERVISORS OF THE COUNTY OF WAUKESHA DOES  
19 ORDAIN that the District Zoning Map for the Town of Brookfield Zoning Ordinance, adopted  
20 by the Town of Brookfield on December 27, 1988, is hereby amended to rezone from the B-3  
21 Office and Professional Business District to the RM-2 Multi-Family Residential and  
22 Conservancy Districts, certain lands located in part of the NE ¼ of Section 29, T7N, R20E,  
23 Town of Brookfield, and more specifically described in the "Staff Report and Staff  
24 Recommendation" and map on file in the office of the Waukesha County Department of Parks  
25 and Land Use, and made a part of this Ordinance by reference (ZT-1443).  
26

27 BE IT FURTHER ORDAINED that the Waukesha County Clerk shall file a certified copy of  
28 this Ordinance with the Town Clerk of Brookfield.  
29

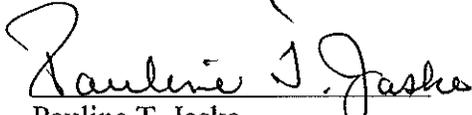
30 BE IT FURTHER ORDAINED that this Ordinance shall be in full force and effect upon passage,  
31 approval and publication.  
32

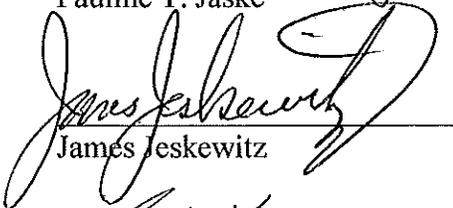
33 BE IT FURTHER ORDAINED that all ordinances inconsistent with or in contravention of  
34 provisions of this Ordinance are hereby repealed.

AMEND THE DISTRICT ZONING MAP OF THE TOWN OF BROOKFIELD ZONING ORDINANCE BY  
REZONING CERTAIN LANDS LOCATED IN PART OF THE NE ¼ OF SECTION 29, T7N, R20E, TOWN OF  
BROOKFIELD, FROM THE B-3 OFFICE AND PROFESSIONAL BUSINESS DISTRICT TO THE RM-2  
MULTI-FAMILY RESIDENTIAL AND CONSERVANCY DISTRICTS  
(ZT-1443)

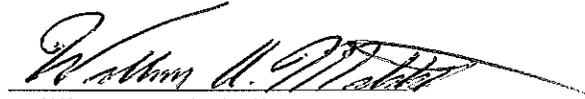
Presented by:  
Land Use, Parks, and Environment Committee

  
Walter L. Kolb, Chair

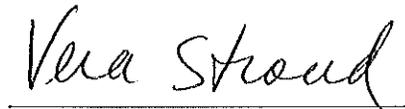
  
Pauline T. Jaske

  
James Jeskewitz

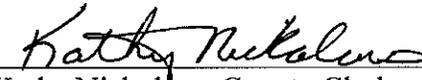
  
Scott J. Klein

  
William A. Mitchell

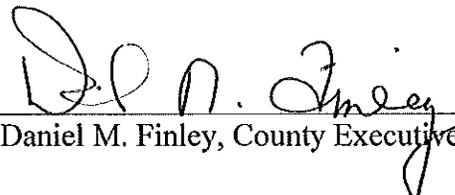
  
Daniel Pavelko

  
Vera Stroud

The foregoing legislation adopted by the County Board of Supervisors of Waukesha County,  
Wisconsin, was presented to the County Executive on:

Date: 10-17-03,   
Kathy Nickolaus, County Clerk

The foregoing legislation adopted by the County Board of Supervisors of Waukesha County,  
Wisconsin, is hereby:

Approved: ✓  
Vetoed: \_\_\_\_\_  
Date: 10-22-03,   
Daniel M. Finley, County Executive

COMMISSION ACTION

The Waukesha County Park and Planning Commission after giving consideration to the subject matter of the Ordinance to amend the Town of Brookfield Zoning Code hereby recommends approval of (ZT-1443 Geoff Robinson) in accordance with the attached "Staff Report and Recommendation".

PARK AND PLANNING COMMISSION

September 11, 2003

  
Betty Willert, Chairperson

Absent  
Vy Janusonis

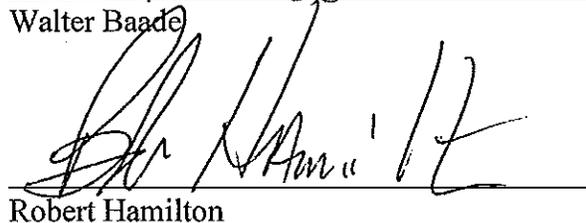
Absent  
Mareth Kipp

Absent  
Ellen Gennrich

  
Walter Kolb

  
Joseph LaPorte

  
Walter Baade

  
Robert Hamilton

158-0-073



**TOWN PLAN COMMISSION AND TOWN BOARD ACTION:**

The Town of Brookfield Plan Commission, at their meeting of February 12, 2002, voted to recommend rezoning of the parcel. On February 14, 2002, the Town Board approved the request as recommended by the Town Plan Commission.

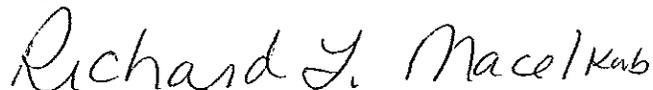
**STAFF ANALYSIS:**

The subject property is located on the west side of Brookfield Road, immediately north and adjacent to the Regency multi-family building project, which was built a number of years ago for senior housing and assisted care living. Immediately adjacent to the west, with an access road to the north, is an existing condominium project built approximately five to 10 years ago. This issue was considered by the Town back in February 2002, at which time concern was voiced with respect to access to Brookfield Road due to the presence of a site visibility restriction in the form of a hill, and the location of this parcel with respect to that hill would render access dangerous. Since that time, and during the summer 2002, the City and the Town reconstructed this portion of Brookfield Road and lowered the hill, which resulted in an access condition with much greater visibility, resulting in a more appropriate point of access with respect to visibility along Brookfield Road. Also, in December 2002, the County considered the rezoning, but tabled the matter until the County Development Plan was revised to accommodate the use. The petitioner has also requested that we hold off rezoning until late summer. Other concerns voiced at the hearing were unwillingness of the adjacent project to the west and north to share an access point with this project, and to provide screening in the form of landscaping. There was concern that access between the two projects would be available to the Emergency Fire and Police Department's use in the event of the need to do so. No other specific details on the building units was presented. The project will be served with municipal sewer and water.

**STAFF RECOMMENDATION:**

It is the opinion of the Planning and Zoning Staff that this request be approved. The proposed use of this site is consistent with the Waukesha County Development Plan and the area is served with municipal sewer and water. Further, the road has been improved and safe access to the site should be available upon development.

Respectfully submitted,



Richard L. Mace  
Planning and Zoning Manager

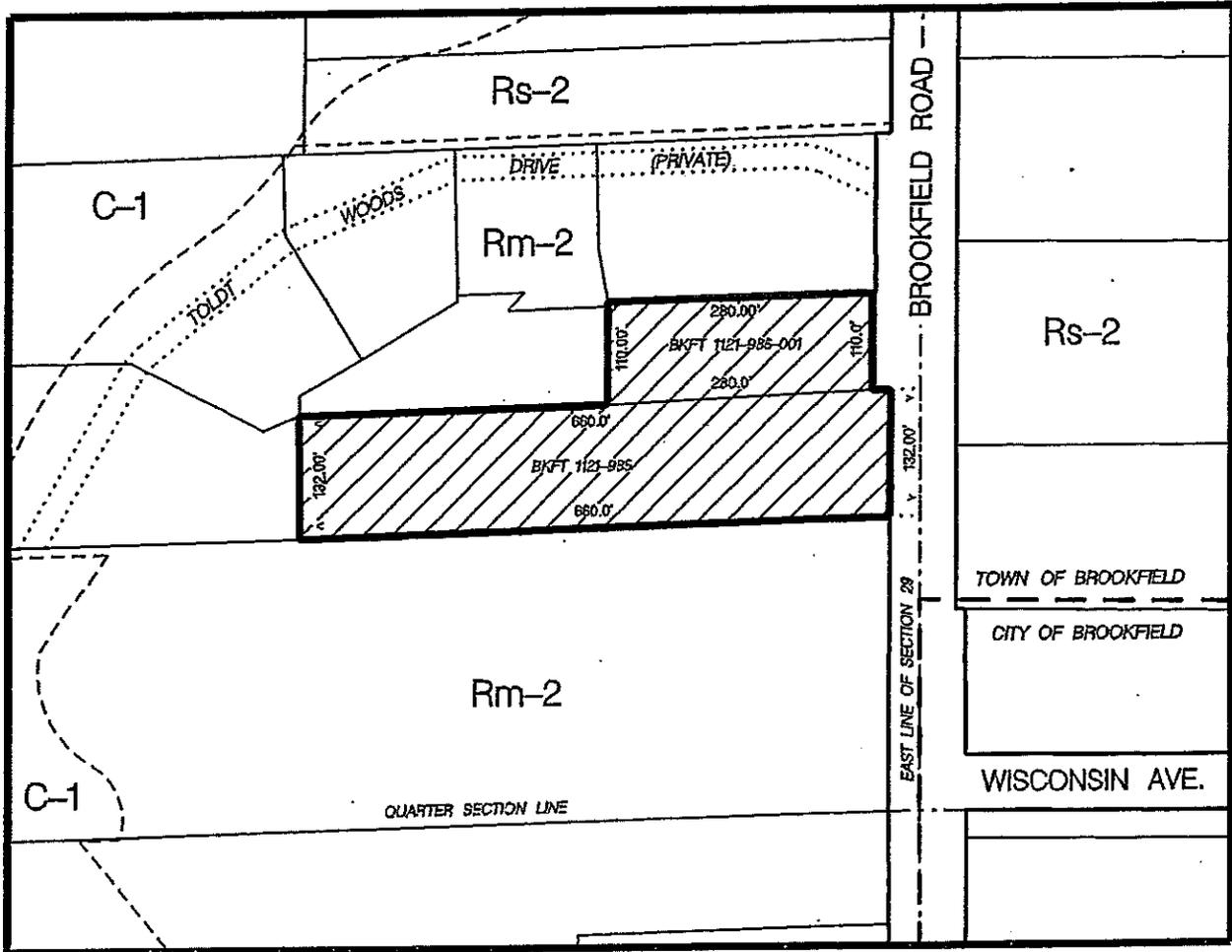
RLM:smv

Attachments: Map

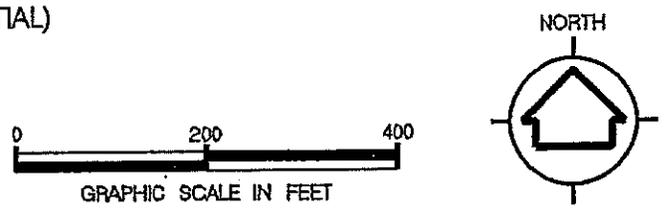
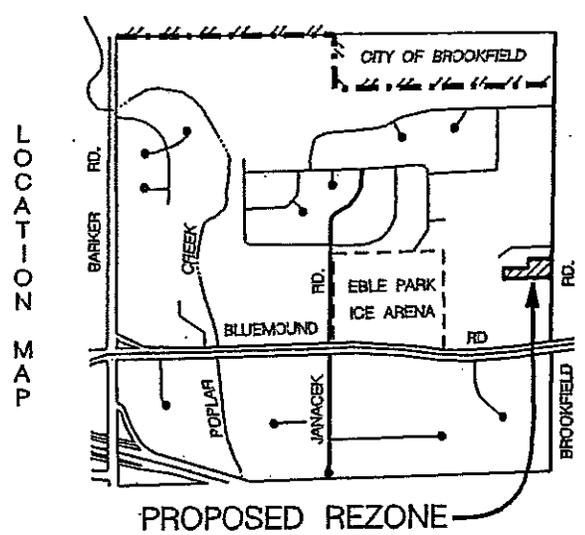
N:\PLU NEW FILE SYSTEM (IN-PROGRESS)\PLANNING & ZONING\REZONES (RZ)\STAFF REPORTS\1443\_BKT (GEOFF ROBINSON).DOC

# ZONING CHANGE

PART OF NE 1/4 OF SEC 29  
TOWN OF BROOKFIELD



 TOWN ZONING CHANGE FROM B-3 (OFFICE & PROFESSIONAL BUSINESS) TO RM-2 (MULTI-FAMILY RESIDENTIAL)



FILE.....ZT-1443  
DRAWN.....5-09-02  
SCALE.....1" = 200'  
AREA OF CHANGE.....2.62 ACRES

WAUKESHA COUNTY DEPARTMENT OF PARKS AND LAND USE

158-0-073

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ORDINANCE REZONING PROPERTY FROM B-3 OFFICE AND PROFESSIONAL  
 BUSINESS DISTRICT TO RM-2 MULTI-FAMILY RESIDENTIAL AND CONSERVANCY  
 DISTRICT CLASSIFICATION  
 TOWN OF BROOKFIELD, WAUKESHA COUNTY, WISCONSIN

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THE TOWN BOARD OF THE TOWN OF BROOKFIELD, WAUKESHA COUNTY, WISCONSIN, DOES ORDAIN AS FOLLOWS:

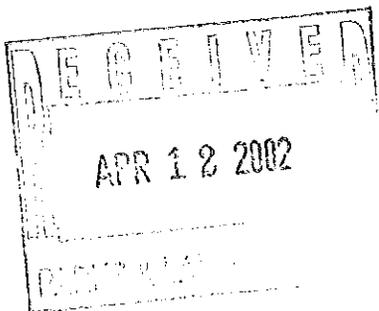
SECTION 1: The following described property is rezoned from the B-3 zoning classification to the Rm-2 zoning classification,:

Part of SE1/4 NE1/4 Sec 29 T7N R20E N 132 Ft S445.50 Ft E 660 Ft 2 Ac R3007/315 and Part of the NE1/4 Sec 29, T7N, R20E Com SE Cor N 445.5 Ft N 110 Ft S88 08'W 330 Ft S 110 Ft N88 08'E 330 Ft to Bgn R257/338, Town of Brookfield, Waukesha County, Wisconsin, identified as tax key number BKFT 1121-985 and BKFT 1121-986-001.

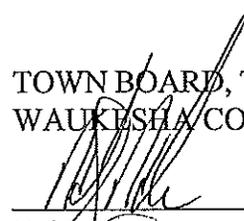
SECTION 2: All ordinances, or parts of this ordinance, conflicting or contravening the provisions of this ordinance are hereby repealed.

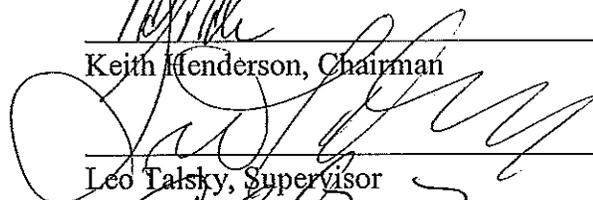
SECTION 3: This ordinance shall take effect upon passage and posting as provided by law.

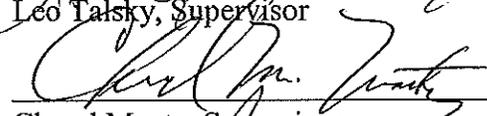
PASSED AND ADOPTED by the Town Board of the Town of Brookfield, Waukesha County, Wisconsin, this 14th day of February, 2002.

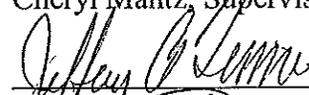


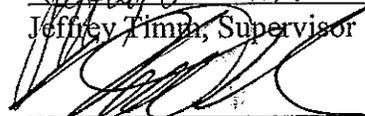
TOWN BOARD, TOWN OF BROOKFIELD  
WAUKESHA COUNTY, WISCONSIN

  
\_\_\_\_\_  
Keith Henderson, Chairman

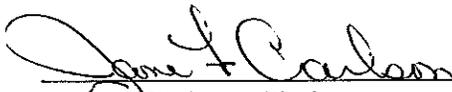
  
\_\_\_\_\_  
Leo Talsky, Supervisor

  
\_\_\_\_\_  
Cheryl Mantz, Supervisor

  
\_\_\_\_\_  
Jeffrey Timm, Supervisor

  
\_\_\_\_\_  
Keith Harenda, Supervisor

ATTEST:

  
\_\_\_\_\_  
Jane F. Carlson, Clerk

WAUKESHA COUNTY BOARD OF SUPERVISORS EO 158-68

V

DATE-10/14/03

(ORD) NUMBER-1580073

- 1 K. HERRO.....AYE
- 3 D. STAMSTA.....AYE
- 5 J. MARCHESE.....AYE
- 7 J. JESKEWITZ.....
- 9 P. HAUKOHL.....AYE
- 11 K. HARENDA.....AYE
- 13 J. MORRIS.....AYE
- 15 D. SWAN.....AYE
- 17 J. BEHREND.....AYE
- 19 W. MITCHELL.....AYE
- 21 W. KOLB.....AYE
- 23 P. PRONOLD.....
- 25 K. CUMMINGS.....AYE
- 27 D. PAULSON.....AYE
- 29 M. THOMAS.....AYE
- 31 V. STROUD.....AYE
- 33 D. PAVELKO.....AYE
- 35 C. SEITZ.....AYE

- 2 R. THELEN.....AYE
- 4 H. CARLSON.....AYE
- 6 D. BROESCH.....AYE
- 8 J. DWYER.....AYE
- 10 S. WOLFF.....AYE
- 12 J. GRIFFIN.....AYE
- 14 J. LA PORTE.....AYE
- 16 R. MANKE.....AYE
- 18 B. MORRIS.....AYE
- 20 M. KIPP.....AYE
- 22 G. BRUCE.....AYE
- 24 A. SILVA.....AYE
- 26 S. KLEIN.....AYE
- 28 P. JASKE.....AYE
- 30 K. NILSON.....AYE
- 32 P. GUNDRUM.....AYE
- 34 R. SINGERT.....AYE

TOTAL AYES-33

TOTAL NAYS-00

CARRIED \_\_\_\_\_

DEFEATED \_\_\_\_\_

UNANIMOUS   X  

TOTAL VOTES-33