## **NOTICE OF PUBLIC HEARING**

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City of Brookfield

**DATE:** February 5, 2019

**TIME:** 7:45 p.m.

**PLACE:** Council Chambers, City Hall

2000 N. Calhoun Rd., Brookfield, WI

**APPLICANT:** Boulder Venture LLC, owner c/o Haag Muller, Inc.

311 E. Chicago St., Suite 210 101 E. Grand Ave., Suite 1 Milwaukee, WI 53202 Port Washington, WI 53074

Robert E. Schmidt III, Representative Stephen L. Jeske, Registered Architect

**REQUEST:** To amend Exhibit "A" of Modified Suburban Overlay (MSO) Ordinance #2454-16 adding free-standing restaurant, fast food with drive-thru to the Use Variations column of said ordinance in association with a proposed Taco Bell restaurant on a vacant lot at the southwest corner of Lisbon Road and 124<sup>th</sup> Street with Tax Key No. 1012-084-001. No outdoor seating is proposed.

The Special Characteristics column of the MSO matrix attached as Exhibit "A" lists the approved and proposed development characteristics for the area.

Questions regarding this hearing can be directed to Mike Theis, Planning Administrator, (262) 787-3510 or theis@ci.brookfield.wi.us.

**LEGAL DESCRIPTION:** Description of lands affected by the amendment to Exhibit "A" of Modified Suburban Overlay (MSO) Ordinance #2454-16 is as follows: Lot 1, Certified Survey Map No. 11531, City of Brookfield, Waukesha County, Wisconsin.

Dated this 9th day of January, 2019.		
	Kelly Michaels, City Clerk	

Publish: January 16, 2019, 2<sup>nd</sup> insertion with summary notice on January 23, 2019

<sup>\*</sup> Exhibit A can be viewed at the City Clerk's Office in Brookfield City Hall, Brookfield Public Library, or the City's website at <a href="https://www.ci.brookfield.wi.us">www.ci.brookfield.wi.us</a>.

## Exhibit A

## Matrix Identifying Overlay District Requirements for the Following Geographic Area Included within the Modified Suburban Overlay District.

## Modifying Ordinance No. 2454-16 The Capitol Drive Corridor Study – 1999 In Zoning Issue Area Eastern Sub-Area as follows:

	Modifi	ied Suburban Ox	verlay – Capitol D	rive Corridor	
Zoning Issue Area	Base Zoning	Development Pattern	Use Variations	Planning Unit	Special Characteristics
Eastern Sub- Area E.2 Tax Keys 1012.084, 1012.122, 1012.123, 1012.124 and 1012.125	"B-3" and "MSO"	CS/NS/CTS		Node; DNP required Capitol Drive Corridor & 124 <sup>th</sup> Street / Capitol Node	
Lot 1 CSM No. 2454-16 Tax Key No.1012.084.001	"B-3" and "MSO"	CS/NS/CTS	None Permitted uses include free-standing restaurant, fast food with drive-thru	Capitol Drive Corridor & 124 <sup>th</sup> Street / Capitol Node	Min. Lot Area 35,000 sq. ft. Min. Lot Width 145' Min. Pavement Setback - 124th Street 25' Min. Pavement Setback - Lisbon Road 10' Min. Pavement Offset -South Property Line 0' Min. Pavement Offset - West Property Line 0' - 10' Min. Building Setback - 25' Min. Building Offset - 10' Max. Building Height - 35' Max. Floor Area Ratio - 35% Min. Landscape Surface Ratio - 10%
Lot 2 CSM No. 2454-16 Tax Key	"B-3" and "MSO"	CS/NS/CTS	Fast food restaurant with drive through as conditional	Capitol Drive Corridor & 124 <sup>th</sup> Street / Capitol Node	Min. Lot Area 30,000 sq. ft. Min. Lot Width 140' Min. Pavement

No.1012.125.001			use		Setback - 124 <sup>th</sup> Street
					8'
			Permitted uses		Min. Pavement
			include limited		Setback - Capitol Drive 12'
			food		Min. Pavement Offset
			establishments		- North Property Line
			with singular		0'
			drive-thru		Min. Pavement Offset
			pickup		- West Property Line
			window, low-		0'
			intensity		Min. Building
			restaurants,		Setback - 124 <sup>th</sup> Street 25'
			restaurants		Min. Building
			permitted in a		Setback - Capitol
			local business		Drive 80'
			district with		Min. Building Offset
			singular drive-		- 10'
			thru pickup		Max. Building Height
			window and		- 35'
			casual dining		Max. Floor Area
			restaurants		Ratio - 35%
			with singular		Min. Landscape Surface Ratio - 10%
			drive-thru		Surface Ratio - 10%
			pickup		
T -4 2	6D 22 1	CC/NC/CTC	window	Carital Drian	Min. Lat Area 20,000
Lot 3 CSM No.	"B-3" and "MSO"	CS/NS/CTS	Fast food	Capitol Drive Corridor &	Min. Lot Area 30,000 sq. ft.
2454-16	MSO		restaurant with	124 <sup>th</sup> Street /	Min. Lot Width 145'
			drive through as conditional		Min. Pavement
Tax Key No. 1012.122.001				Capitol Node	Setback - Capitol
1012.122.001			use		Drive 1'
			Permitted uses		Min. Pavement Offset
			include limited		- North Property Line
			food		10' Min. Pavement Offset
			establishments		- West Property Line
			C Sta C II SI II I C II C		
			with singular		5'
			with singular drive-thru		1 0
			drive-thru		5' Min. Pavement Offset - East Property Line
			drive-thru pickup		5' Min. Pavement Offset - East Property Line 0'
			drive-thru pickup window, low-		5' Min. Pavement Offset - East Property Line 0' Min. Building
			drive-thru pickup		5' Min. Pavement Offset - East Property Line 0' Min. Building Setback - Capitol
			drive-thru pickup window, low- intensity		5' Min. Pavement Offset - East Property Line 0' Min. Building Setback - Capitol Drive 50'
			drive-thru pickup window, low- intensity restaurants,		5' Min. Pavement Offset - East Property Line 0' Min. Building Setback - Capitol
			drive-thru pickup window, low- intensity restaurants, restaurants		5' Min. Pavement Offset - East Property Line 0' Min. Building Setback - Capitol Drive 50' Min. Building Offset
			drive-thru pickup window, low- intensity restaurants, restaurants permitted in a		5' Min. Pavement Offset - East Property Line 0' Min. Building Setback - Capitol Drive 50' Min. Building Offset - 10' Max. Building Height - 35'
			drive-thru pickup window, low- intensity restaurants, restaurants permitted in a local business		5' Min. Pavement Offset - East Property Line 0' Min. Building Setback - Capitol Drive 50' Min. Building Offset - 10' Max. Building Height - 35' Max. Floor Area
			drive-thru pickup window, low- intensity restaurants, restaurants permitted in a local business district with singular drive- thru pickup		5' Min. Pavement Offset - East Property Line 0' Min. Building Setback - Capitol Drive 50' Min. Building Offset - 10' Max. Building Height - 35' Max. Floor Area Ratio - 35%
			drive-thru pickup window, low- intensity restaurants, restaurants permitted in a local business district with singular drive- thru pickup window and		5' Min. Pavement Offset - East Property Line 0' Min. Building Setback - Capitol Drive 50' Min. Building Offset - 10' Max. Building Height - 35' Max. Floor Area Ratio - 35% Min. Landscape
			drive-thru pickup window, low- intensity restaurants, restaurants permitted in a local business district with singular drive- thru pickup		5' Min. Pavement Offset - East Property Line 0' Min. Building Setback - Capitol Drive 50' Min. Building Offset - 10' Max. Building Height - 35' Max. Floor Area Ratio - 35%

	with singular	Nine parking
	drive-thru	spaces, an
	pickup	ornamental fence
	window	and a monument
		sign are permitted
		on a temporary basis
		in a municipal water
		main easement that
		parallels Capitol
		Drive and will be
		removed upon
		redevelopment of
		the site

Items to be deleted in strikethrough text. Items to be added in **bold** text.

\*\* This action affects no other "Zoning Issue Area".

\* Descriptors other than legal description and zoning classifications are for information only.