

ORDINANCE NO. 2165-09
by the Plan Commission

ESTABLISH “MSO-CS” MODIFIED SUBURBAN OVERLAY DISTRICT – CLUSTER SUBURBAN ZONING FOR THE CONSTRUCTION OF A 129-ROOM EXTENDED STAY HOTEL AT 555 S. EXECUTIVE DRIVE, HYATT SUMMERFIELD SUITES

WHEREAS, the Modified Suburban Overlay District was the product of the 1999 City of Brookfield Capitol Drive Corridor Planning Study, and this study called for the creation of several new zoning instruments to be applied to certain properties within the Capitol Drive Corridor, which was completed June 1, 1999, by Ordinance No. 1692, and was also to be available for application by subsequent enactment elsewhere in said Corridor or elsewhere in the City; and

WHEREAS, a public hearing was heard before the Common Council on January 20, 2009, which was published as a Class II notice; and

WHEREAS, on February 9, 2009, the Plan Commission of the City of Brookfield recommended to establish the Modified Suburban Overlay zoning designation at 555 S. Executive Drive; and

WHEREAS, a 129 room extended hotel is proposed to be built on the property; and

WHEREAS, the base zoning district that applies to all properties along Executive Drive, O&LR/C District #2, requires the application of a MSO designation when a new building, building addition or parking lot is proposed.

WHEREAS, this parcel is identified as Parcel 26 in District J of the Calhoun Road South Neighborhood Plan. The stated intent of this parcel is to encourage added density through infill development. More specifically, the general strategy for this district is the “creation of fully mixed-use, interactive, urban infill district combining regional and service retail , entertainment, office, housing, **hospitality**, convention, medical, and public uses fronting an improved gridded street framework. This district is intended to become the primary commercial core for the city and the western metro area at large, and should be positioned to accommodate higher density development defined by strict design controls established by the city.”

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

PART I. To establish “MSO-CS” Modified Suburban Overlay District – Cluster Suburban zoning for the construction of a 129-room extended stay hotel at 555 S. Executive Drive, for Hyatt Summerfield Suites, developed by Oxford Development LLC.

PART II. The MSO designation establishes the building and parking setbacks and offsets and other dimensional standards for the property as follows:

Building Setback:	50'		
Parking Setback:	19'		
Building offset (west):	125'	Parking (west):	0'
Building offset (south):	55'	Parking (south):	10'
Building offset (north):	40'	Parking (north):	10'
Dumpster enclosure offset:	12' (north), 5' (west)		

PART III. The existing "O&LR/C District #2" Office and Limited Residential/Commercial District No. 2 base zoning designation will be retained.

PART IV. The land to be zoned "MSO-CS" Modified Suburban Overlay – Cluster Suburban is depicted on the attached Exhibit "A"* and described as follows:

PROPERTY EXHIBIT
PROPOSED LOT 1

PART OF PARCEL 2 OF CERTIFIED SURVEY MAP NO. 6873, BEING A PART OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 34, TOWNSHIP 7 NORTH, RANGE 20 EAST, IN THE CITY OF BROOKFIELD, WAUKESHA COUNTY, STATE OF WISCONSIN, BOUNDED AND DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID NORTHEAST 1/4 SECTION; THENCE SOUTH 00°34'43" EAST ALONG THE WEST LINE OF SAID 1/4 SECTION 837.38 FEET TO A POINT; THENCE NORTH 89°56'06" EAST ALONG THE SOUTH LINE OF LOT 1 OF CERTIFIED SURVEY MAP NO. 4382 A DISTANCE OF 273.41 FEET TO THE POINT OF BEGINNING OF THE LANDS TO BE DESCRIBED; THENCE CONTINUING NORTH 89°56'06" EAST ALONG SAID SOUTH LINE 372.18 FEET TO A POINT; THENCE SOUTH 00°34'24" EAST ALONG THE WEST LINE OF EXECUTIVE DRIVE 337.37 FEET TO A POINT; THENCE SOUTH 89°56'06" WEST 375.50 FEET TO A POINT; THENCE NORTH 00°00'33" WEST 337.36 FEET TO THE POINT OF BEGINNING.

SAID LAND CONTAINS 126,116 SQUARE FEET (2.8952 ACRES).

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

ADOPTED AND APPROVED ON February 17, 2009

Kristine A. Schmidt, City Clerk

Jeff R. Speaker, Mayor

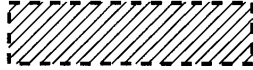
Publish: February 26, 2009

* May be viewed in the City Clerk's Office.

CITY OF BROOKFIELD REZONING EXHIBIT "A"

LANDS TO BE REZONED TO "MSO" MODIFIED SUBURBAN
OVERLAY DISTRICT TO INCLUDE A "CS" CLUSTER
SUBURBAN DEVELOPMENT PATTERN. EXISTING "O&LR/C
#2" OFFICE AND LIMITED RESIDENTIAL/COMMERCIAL
DISTRICT NO. 2 (BASE ZONING) TO REMAIN

SEE EXHIBIT "A.1" FOR LEGAL DESCRIPTION



A Taxkey Number: 1141-999
Owner: 5111 S. 9TH ST LLC

Indicates area where land is to be rezoned to "MSO" Modified
Suburban Overlay District to include a "CS" Cluster Suburban
Development Pattern. Existing "O&LR/C #2"
Office and Limited Residential/Commercial No. 2 to Remain.
(Approximately 2.89 acres.)

Prepared by:
CITY OF BROOKFIELD
Department of Community Development

Checked by:
CITY OF BROOKFIELD
Engineering Office

Drawn by: JMW
Edited by: JMW
Scale: 1" = 400'
Date: DECEMBER 22, 2008

Descriptors other than legal description and
zoning classification are for information only.

Any overlay zoning districts that apply to the
subject properties are not affected by this ordinance.

