

ORDINANCE NO. 2288-12
by the Plan Commission

**AN ORDINANCE GRANTING A CONDITIONAL USE FOR THE PURPOSE OF
PERMITTING CONSTRUCTION OF AN APPROXIMATE 28,015 SQ. FT., 48
BED MEMORY CARE FACILITY AT 2800 N. CALHOUN ROAD –
APPLEWOOD SENIOR LIVING INC.**

WHEREAS, the Plan Commission of the City of Brookfield held a public hearing on the requested conditional use hereinafter described, on the 21st day of May, 2012; 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; and

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

PART I. A conditional use is granted for the purpose of constructing an approximate 28,015 sq. ft., 48 bed memory care facility at 2800 N. Calhoun Road or Applewood Senior Living Inc.

PART II. The site is zoned “M-1” Residence District. Conditional Use Ordinance No. 1588 permitted construction of a 38,500 sq. ft. ice skating/hockey facility with parking lot with the anticipation of future construction on the site. A proposed Certified Survey Map will divide the property into two lots and dedicate 10’ for the ultimate right-of-way of Calhoun Road.

PART III. A memory care facility is classified as a conditional use per Chapter 17.108 of the City Municipal Code. Conditional uses may be permitted in any zoning district unless expressly prohibited, subject to a public hearing process and upon approval by the Common Council. The adopted land use per the *City of Brookfield 2035 Comprehensive Plan* for the property is “lower density mixed use”.

PART IV. Said approval is subject to all conditions listed in the May 21, 2012, Plan Commission minutes including the Statement of Operations dated February 2, 2012 by Greg Petruski, Debbie Petruski-White and Robert R. Perry.

PART V. The conditional use would occur on lands described as:

That portion of Lot 1, CERTIFIED SURVEY MAP NO. 8310, located in the Southwest 1/4 of the Northwest 1/4 of Section 15, Township 7 North, Range 20 East, City of Brookfield, Waukesha County, Wisconsin, bounded and described as follows:

Commencing at the Southwest corner of said Northwest 1/4; Thence N 00°27'13" W along the West line of said Northwest 1/4 Section 15, a distance of 1254.38 feet; Thence S 89°01'39" E, 55.01 feet to the East line of North Calhoun Road; Thence S 00°27'13" E, 606.31 feet to the Point of Beginning; Thence S 00°27'13" E, 279.18 feet to a point on a curve, said curve being the North line of CP Rail Systems; Thence Southeasterly 389.56 feet along the arc of a curve with a 34430.48 foot radius to the

South and a chord bearing S 83°22'42" E, 389.56 feet; Thence S 82°52'05" E, 70.02 feet; Thence N 00°27'13" W parallel to said Section line, 336.41 feet; Thence S 89°32'47" W, 456.00 feet to the Point of Beginning. Said lands containing 140,090 square feet, 3.2160 acres; a portion of Tax Key No. 1066.999.001 or 2810 North Calhoun Road.

PART VI. This ordinance shall be in full force and effect from and after its passage and publication.

ADOPTED AND APPROVED ON June 5, 2012

Kelly Michaels, City Clerk

Steven V. Ponto, Mayor

Published: June 14, 2012