

ORDINANCE NO. 2292-12
by the Plan Commission

ORDINANCE APPLYING THE “NEI” NORTHEAST INDUSTRIAL DISTRICT TO CERTAIN PROPERTIES LOCATED WITHIN THE *DEVELOPMENT PLAN FOR BROOKFIELD’S 124TH STREET CORRIDOR* GENERALLY LOCATED NORTH OF LISBON ROAD, WEST OF 124TH STREET AND EAST OF 133RD STREET, FROM “I” INDUSTRIAL AND “O&LI” OFFICE AND LIMITED INDUSTRIAL TO “NEI” NORTHEAST INDUSTRIAL DISTRICT

WHEREAS, the City of Brookfield Common Council adopted *The Development Plan for Brookfield’s 124th Street Corridor*, Ordinance No. 2256-11, which recommended the creation of a new zoning district that would provide more flexibility to properties generally located north of Lisbon Road, west of 124th Street and east of 133rd Street; and

WHEREAS, the new zoning district would be titled the “Northeast Industrial Zoning District (NEI) which is modeled after the existing Industrial “I” zoning district but includes an expanded list of permitted uses, flexible screening requirements for outdoor storage, reduced setbacks, offsets and landscaping requirements; and

WHEREAS, at the March 20, 2012, the Common Council adopted Ordinance No. 2284-12 creating the new Northeast Industrial Zoning District; and

WHEREAS, the proposed new NEI zoning district is designed to meet the stated goal and objective of *The Development Plan for Brookfield’s 124th Street Corridor* to create flexibility for redevelopment and new construction of these properties. The intent is to allow maximum utilization of each site in terms of lot coverage, location of storage and parking, while maintaining minimum landscape requirements.

WHEREAS, said amendments received a properly noticed Public Hearing on June 5, 2012, before the Common Council, and a recommendation to the Council by the Plan Commission on June 11, 2012; and

WHEREAS, those amendments also were the topic of an informational meeting on March 16, 2011 to which directly affected property owners (or representatives of such owners) and neighbors of the rezoning area had the opportunity to meet with City staff; and

WHEREAS, the amendment adopted by this Ordinance appears needed and appropriate to achieve implementation of the Plan, as an element in *Brookfield’s 2035 Comprehensive Plan*.

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

PART I. To rezone certain lands located within the *Development Plan for Brookfield’s 124th Street Corridor* generally located north of Lisbon Road, west of 124th Street and east of 133rd Street area, from “I” Industrial and “O&LI” Office and Limited Industrial to “NEI” Northeast Industrial District in association with applying a newly created zoning district. A copy of the regulations of the “NEI” Northeast Industrial District including a list of permitted uses is available at the Office of the City Clerk, Brookfield City Hall.

PART II. The lands to be rezoned or zoned to “NEI” are depicted in Exhibit “A” and described in Exhibit “A-1”.

PART III. BE IT FURTHER ORDAINED that the change in zoning classification effected for each individual property in the above list is separable for purposes of protest petition analysis and invalidation of zoning as to one property shall not invalidate the ordinance as a whole.

PART IV. BE IT FURTHER RESOLVED that the aforementioned new zoning district applied to said properties shall be considered replacing any prior temporary zoning established by previous ordinances.

PART V. BE IT FURTHER ORDAINED that the Official Zoning Map established and maintained in accordance with Section 17.16.020 of the City of Brookfield Code of Ordinances shall be amended accordingly.

PART VI. BE IT FURTHER ORDAINED that the overlay zoning provisions of the Wetland Preservation and Floodplain Districts existing at the time of the adoption of this Ordinance, as defined by the City of Brookfield Zoning Code, shall continue to apply to properties within their jurisdiction without change resulting from this Ordinance.

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

ADOPTED and APPROVED _____ June 19 _____, 2012

Kelly Michaels, City Clerk

Steven V. Ponto, Mayor

Publish: June 28, 2012

* Exhibits can be viewed in the City Clerk's Office.

CITY OF BROOKFIELD

REZONING EXHIBIT "A"

LANDS TO BE REZONED TO "NEI" NORTHEAST INDUSTRIAL DISTRICT FROM "I" INDUSTRIAL AND "O&LI" OFFICE AND LIMITED INDUSTRY.

SEE PUBLIC HEARING NOTICE FOR LEGAL DESCRIPTIONS



Indicates area where land is to be rezoned to "NEI" Northeast Industrial District

Multiple Owners
Tax key Numbers provided
in Rezoning Exhibit "A.1" and
depicted below.

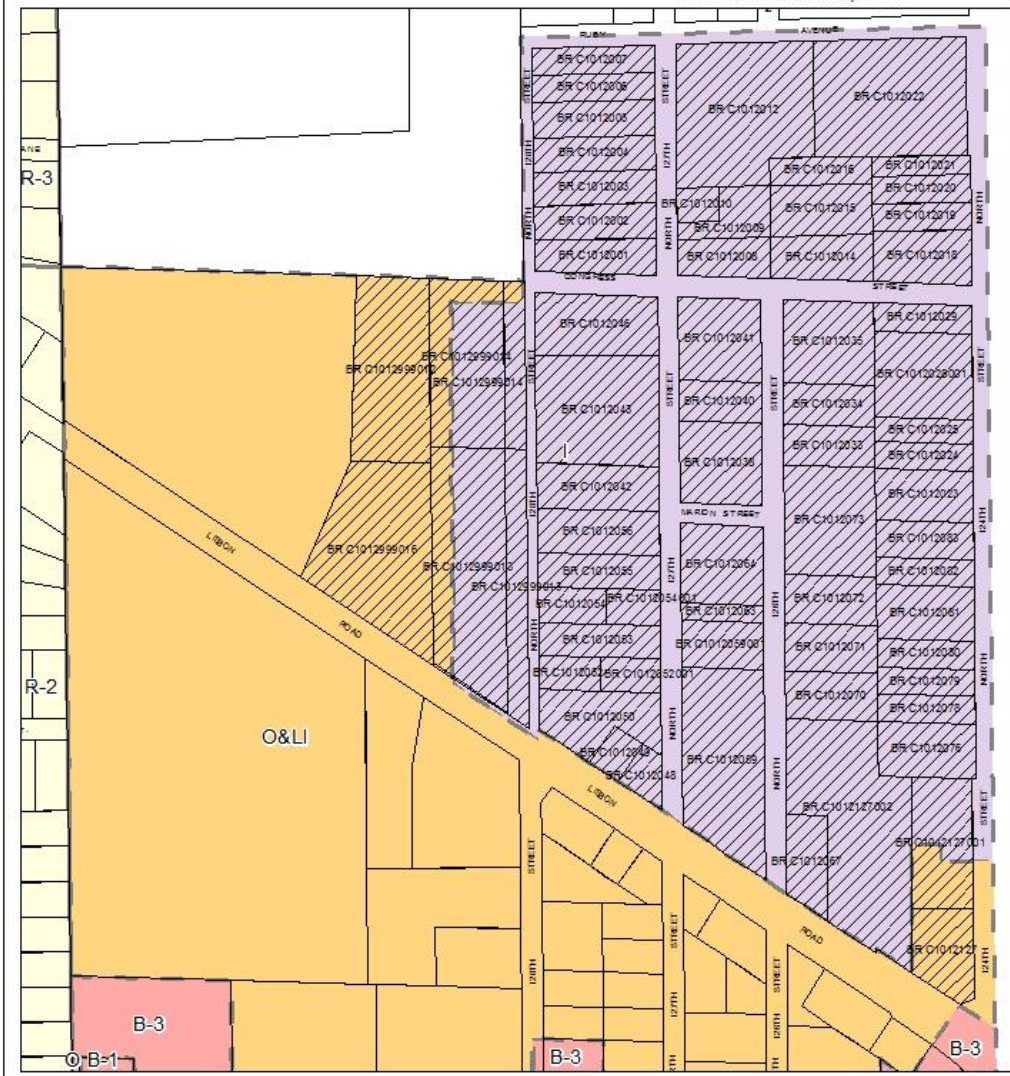
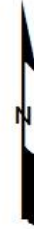
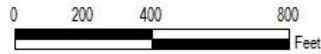
Descriptors other than legal description and zoning classification are for information only

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

Prepared by:
CITY OF BROOKFIELD
Department of Community Development

Checked by:
CITY OF BROOKFIELD
Engineering Office

Drawn by: JMW
Edited by: JMW
Scale: 1" = 200'
Date: FEBRUARY 3, 2012



Rezoning Exhibit A.1

Lands to be rezoned from Industrial "I" and Office and Limited Industry "O&LI" to Northeast Industrial "NEI"

	Tax Key	Legal Description of Properties	Current Zoning	Proposed Zoning
1	1012-001	LOT 1 BLK 1 ACRE HOME FIELDS ASSESSMENT MAP NO 6 PT SE1/4 SEC 1 T7N R20E 35,945 SQ FT DOC 3701790 ('09)	"I"	"NEI"
2	1012-002	LOT 2 BLK 1 ACRE HOME FIELDS ASSESSMENT MAP NO 6 PT E1/2 SEC 1 T7N R20E 35,960 SQ FT DOC 3701790 ('09)	"I"	"NEI"
3	1012-003	LOT 3 BLK 1 ACRE HOME FIELDS ASSESSMENT MAP NO 6 PT E1/2 SEC 1 T7N R20E 36,000 SQ FT DOC 3701789 ('09)	"I"	"NEI"
4	1012-004	LOT 4 BLK 1 ACRE HOME FIELDS ASSESSMENT MAP NO 6 PT S1/2 SEC 1 T7N R20E 36,050 SQ FT DOC 3701789 ('09)	"I"	"NEI"
5	1012-005	LOT 5 BLK 1 ACRE HOME FIELDS ASSESSMENT MAP NO 6 PT S1/2 SEC 1 T7N R20E 36,100 SQ FT DOC 3701789 ('09)	"I"	"NEI"
6	1012-006	LOT 6 BLK 1 ACRE HOME FIELDS ASSESSMENT MAP NO 6 PT S1/2 SEC 1 T7N R20E 28,880 SQ FT DOC 2569106 ('98)	"I"	"NEI"
7	1012-007	LOT 7 BLK 1 ACRE HOME FIELDS ASSESSMENT MAP NO 6 PT SE1/2 SEC 1 T7N R20E 28,920 SQ FT R/2812 I/282 ('98)	"I"	"NEI"
8	1012-008	LOT 1 BLK 2 ACRE HOME FIELDS ASSESSMENT MAP NO 6 PT S1/2 SEC 1 T7N R20E & THE W 1/2 OF VACATED N 126TH STREET 27,450 SQ FT	"I"	"NEI"
9	1012-009	LOT 2 BLK 2 EXC N 100 FT OF W1/2 ACRE HOME FIELDS ASSESSMENT MAP NO 6 PT S1/2 SEC 1 T7N R20E & THE W 1/2 OF VACATED N 126TH STREET 24,000 SQ FT	"I"	"NEI"
10	1012-010	N 100 FT OF W1/2 OF LOT 2 BLK2ACRE HOME FIELDS ASSESSMENT MAP #6 PT S1/2 SEC 1 T7N R20E R/2246 I/40 ('94)	"I"	"NEI"
11	1012-012	PRCL 1 OF CSM 2878 RECORDED ASDOC #989041 V. 21 PP. 166-169 ON 3-24-77. PT S 1/2 SEC 1 T7NR20E 158,027 SQ FT 3.6278 ACRES R/2566 I/105 ('97)	"I"	"NEI"
12	1012-014	LOT 1 BLK 3 ACRE HOME FIELDS ASSESSMENT MAP NO 6 PT S1/2 SEC 1 T7N R20E 39,400 SQ FT	"I" and "O&LI"	"NEI"
13	1012-015	LOT 2 BLK 3 ACRE HOME FIELDS ASSESSMENT MAP NO 6 PT S1/2 SEC 1 T7N R20E 45,000 SQ FT	"I"	"NEI"
14	1012-016	LOT 3 BLK 3 EXC TH N 70.80 FT ACRE HOME FIELDS ASSESSMENT MAP #6 PT S1/2 SEC 1 T7N R20E 23,760 SQ FT	"I"	"NEI"
15	1012-018	LOTS 1 & 2 BLK 4 ACRE HOME FIELDS ASSESSMENT MAP NO 6 PT S1/2 SEC 1 T7N R20E 45,151 SQ FT	"I"	"NEI"
16	1012-019	LOT 3 BLK 4 ACRE HOME FIELDS ASSESSMENT MAP NO 6 PT S1/2 SEC 1 T7N R20E 22,800 SQ FT	"I"	"NEI"
17	1012-020	LOT 4 BLK 4 ACRE HOME FIELDS ASSESSMENT MAP NO 6 PT S1/2 SEC 1 T7N R20E 22,800 SQ FT	"I"	"NEI"
18	1012-021	LOT 5 BLK 4 EX TH N 29.56 FT ACRE HOME FIELDS ASSESSMENT MAP #6 PT S1/2 SEC 1 T7N R20E 14,375 SQ FT	"I"	"NEI"
19	1012-022	PRCL 2 OF CSM 2878 V21/169-172PRT OF LOTS 5,6,7,8 & 9 BLK 4 ACRE HOME FIELDS ASSESSMENT MAP #6 PT S1/2 SEC 1 T7N R20E 153,849 SQ FT DOC 3734774 ('10) DOC 3734773 ('10)	"I"	"NEI"
20	1012-023	LOT 1 & N 1/2 VAC ST TO SOUTH & E 1/2 VAC ST TO WEST BLK 5 ACRE HOME FIELDS ASSMNT PLAT 6E 1/2 SEC 1 T7N R20E 42,784 SQ FT R/2606 I/1004 ('97)	"I"	"NEI"
21	1012-024	LOT 2 & E 1/2 VAC ST TO WEST BLK 5 ACRE HOME FIELDS ASSMNT PLAT 6E 1/2 SEC 1 T7N R20E 22,818 SQ FT R/2606	"I"	"NEI"

		I/1004 ('97)		
22	1012-025	S 70 FT OF LOT 3 & E 1/2 VAC STREET TO WEST BLOCK 5 ACRE HOME FIELDS ASSMNT PLAT 6E 1/2 SEC 1 T7N R20E 19,966 SQ FT R/2606 I/1004 ('97)	"I"	"NEI"
23	1012-028-001	PARCEL 1 CSM 7746 PT OF THE NE 1/4 OF THE SE1/4 OF SEC 1 T7N R20E RECORDED ON 7/21/95 VOL 66 PAGE 222 DOC #2053450 68,756 SQ FT DOC 2890284 ('02) DOC 3061535 ('03)	"I"	"NEI"
24	1012-029	LOT 7 BLK 5 ACRE HOME FIELDS ASSESSMENT MAP NO 6 PT S1/2 SEC 1 T7N R20E 22,800 SQ FT	"I"	"NEI"
25	1012-033	LOT 2 BLK 6 ACRE HOME FIELDS ASSESSMENT MAP NO 6 PT S1/2 SEC 1 T7N R20E .665 ACRES	"I"	"NEI"
26	1012-034	LOT 3 BLK 6 ACRE HOME FIELDS ASSESSMENT MAP NO 6 PT SE1/4 SEC 1 T7N R20E 32,425 SQ FT DOC 2890284 ('02) DOC 3061535 ('03)	"I"	"NEI"
27	1012-035	LOT 4 & 5 BLK 6 ACRE HOME FIELDS ASSESSMENT MAP NO 6 PT S1/2 SEC 1 T7N R20E 57,650 SQ FT	"I"	"NEI"
28	1012-038	LOTS 1 & 2 BLK 7 ACRE HOME FIELDS ASSESSMENT MAP NO 6 PT S1/2 SEC 1 T7N R20E 57,650 SQ FT	"I"	"NEI"
29	1012-040	LOT 3 BLK 7 ACRE HOME FIELDS ASSESSMENT MAP NO 6 PT S1/2 SEC 1 T7N R20E 28,825 SQ FT	"I"	"NEI"
30	1012-041	LOT 4 & LOT 5 BLK 7 ACRE HOME FIELDS ASSESSMENT MAP NO 6 PT S1/2 SEC 1 T7N R20E 57,650 SQ FT	"I"	"NEI"
31	1012-042	LOT 1 BLK 8 & S 2 FT LOT 2 BLK 8 ACRE HOME FIELDS ASSESSMENT MAP NO 6 PT S1/2 SEC 1 T7N R20E 1.33 ACRES DOC 3553194 ('08) DOC 3629615 ('09) DOC 3688210 ('09)	"I"	"NEI"
32	1012-043	PARCEL B CSM 5052 REC 10-9-86 VOL 41 PP 145-148 DOC 1376915 PT OF THE NE1/4 OF THE SE1/4 OF SEC 1 T7N R20E 114,148 SQ FT 2.62 ACRES DOC 3481484 ('05) DOC 3481484 ('07)	"I"	"NEI"
33	1012-046	PARCEL A CSM 5052 REC 10-9-86 VOL 41 PP 145-148 DOC 1376915 PT OF THE NE1/4 OF THE SE1/4 OF SEC 1 T7N R20E 64,260 SQ FT 1.475 ACRES DOC 3334413 ('05)	"I"	"NEI"
34	1012-048	LOT 1 BLK 9 ACRE HOME FIELDS ASSESSMENT MAP NO 6 PT S1/2 SEC 1 T7N R20E 18,252 SQ FT	"I"	"NEI"
35	1012-049	LOT 2 BLK 9 ACRE HOME FIELDS ASSESSMENT MAP NO 6 PT S1/2 SEC 1 T7N R20E 13,000 SQ FT DOC 3346441 ('05) DOC 3553748 ('08)	"I"	"NEI"
36	1012-050	LOTS 3, 4 & 5 BLK 9 ACRE HOME FIELDS ASSESSMENT MAP NO 6 PT S1/2 SEC 1 T7N R20E 1.240 ACRES	"I"	"NEI"
37	1012-052	W1/2 OF LOT 6 BLK 9 ACRE HOME FIELDS ASSESSMENT MAP NO 6 PT S1/2 SEC 1 T7N R20E 17,815 SQ FT DOC 2902580 ('02) DOC 2902583 ('02) DOC 2902591 ('02) DOC 2902595 ('02) DOC 3180484 ('04)	"I"	"NEI"
38	1012-052-001	E1/2 OF LOT 6 BLK 9 ACRE HOME FIELDS ASSESSMENT MAP NO 6 PT E1/2 SEC 1 T7N R20E 17,815 SQ FT DOC 2902576 ('02) DOC 3180497 ('04)	"I"	"NEI"
39	1012-053	LOT 7 BLK 9 ACRE HOME FIELDS ASSESSMENT MAP NO 6 PT S1/2 SEC 1 T7N R20E 35,656 SQ FT DOC 2902579 ('02) DOC 2902582 ('02) DOC 2902587 ('02) DOC 2902588 ('02) DOC 3198594 ('04)	"I"	"NEI"
40	1012-054	THE W 198.70 FT OF LOT 8 BLK 9 ACRE HOME FIELDS ASSESSMENT MAP #6 PT S1/2 SEC 1 T7N R20E 19,870 SQ FT DOC 2902577 ('02) DOC 2902584 ('02) DOC 2902593 ('02) DOC 2902594 ('02) DOC 3155342 ('04)	"I"	"NEI"

41	1012-054-001	THE E 158.30 FT OF LOT 8 BLK 9ACRE HOME FIELDS ASSESSMENT MAP #6 PT S1/2 SEC 1 T7N R20E 15,830 SQ FT DOC 2902581 ('02) DOC 2902586 ('02) DOC 2902589 ('02) DOC 2902592 ('02) DOC 3155342 ('04)	"I"	"NEI"
42	1012-055	LOT 9 BLK 9 ACRE HOME FIELDS ASSESSMENT MAP NO 6 PT S1/2 SEC 1 T7N R20E 35,700 SQ FT R/2529 I/124 ('97) R/2613 I/295 ('98) DOC 3056520 ('03) DOC 3068537 ('03) DOC 3068538 ('03)	"I"	"NEI"
43	1012-056	LOT 10 BLK 9 ACRE HOME FIELDS ASSESSMENT MAP NO 6 PT S1/2 SEC 1 T7N R20E 46,410 SQ FT R/2606 I/1004 ('97)	"I"	"NEI"
44	1012-059	LOTS 1,2,3,4,5, & 6 BLK 10 ACRE HOME FIELDS ASSESSMENT MAP #6 PT S1/4 SEC 1 T7N R20E	"I"	"NEI"
45	1012-059-001	LOT 7 BLK 10 ACRE HOME FIELDS ASSESSMENT MAP NO 6 PT S1/2 SEC 1 T7N R20E 33,629 SQ FT	"I"	"NEI"
46	1012-063	S 50 FT OF LOT 8 BLK 10 ACRE HOME FIELDS ASSESSMENT MAP #6 PT S1/2 SEC 1 T7N R20E .276 ACRES	"I"	"NEI"
47	1012-064	LOT 9 & THE N 90 FT LOT 8 BLOCK 10 ACRE HOME FIELDS ASSESSMENT MAP #6 S1/2 SEC 1 T7N R20E 1.270 ACRES	"I"	"NEI"
48	1012-067	PT LOTS 2 & 3 BLK 11 ACRE HOMEFIELDS ASSESSMENT MAP NO 6 PT E1/2 SEC 1 T7N R20E COM AT SW COR LOT 2 TH S55 57' E 85.02 FT TH N 151.85 FT TH S34 03' W125.89 FT THE BEG & PT LOT 3 COM AT SW COR TH S55 57' E60 FT TH N 34 03'E 125.89 FT TH N 5.05 FT TH N55 5	"I"	"NEI"
49	1012-070	LOT 7 BLK 11 ACRE HOME FIELDS ASSESSMENT MAP NO 6 PT E1/2 SEC 1 T7N R20E PLUS VACATED STREET 37,829 SQ FT	"I"	"NEI"
50	1012-071	LOT 8 BLK 11 ACRE HOME FIELDS ASSESSMENT MAP NO 6 PT S1/2 SEC 1 T7N R20E 37,829 SQ FT	"I"	"NEI"
51	1012-072	LOT 9 BLK 11 ACRE HOME FIELDS ASSESSMENT MAP NO 6 PT S1/2 SEC 1 T7N R20E 37,829 SQ FT DOC 2547915 ('00) DOC 3030981 ('03) DOC 3799926 ('10)	"I"	"NEI"
52	1012-073	LOT 10 BLK 11 & LOT 1 BLK 6 ACRE HOME FIELDS ASSESSMENT MAP 6 PT S1/2 SEC 1 T7N R20E DOC 3756760 ('10)	"I"	"NEI"
53	1012-076	LOT 3 & 4 BLK 12 & 1/2 OF VACATED STREET TO THE WEST ACRE HOME FIELDS ASSESSMENT MAP #6 PT S1/2 SEC 1 T7N R20E 160 X 285 45600 SQ FT R/2606 I/1004 ('97)	"I"	"NEI"
54	1012-078	LOT 5 BLK 12 ACRE HOME FIELDS ASSESSMENT MAP NO 6 PT S1/2 SEC 1 T7N R20E 22,800 SQ FT	"I"	"NEI"
55	1012-079	LOT 6 BLK 12 ACRE HOME FIELDS ASSESSMENT MAP NO 6 PT S1/2 SEC 1 T7N R20E 22,800 SQ FT R/2910 I/394 ('99) DOC 3521396 ('07)	"I"	"NEI"
56	1012-080	LOT 7 BLK 12 ACRE HOME FIELDS ASSESSMENT MAP NO 6 PT S1/2 SEC 1 T7N R20E 22,800 SQ FT DOC 2696867 ('01)	"I"	"NEI"
57	1012-081	LOT 8 & 9 BLK 12 ACRE HOME FIELDS ASSESSMENT MAP NO6 PT S1/2 SEC 1 T7N R20E 45,600 SQ FT 160 X 285 DOC 2696867 ('01)	"I"	"NEI"
58	1012-082	LOT 10 BLK 12 ACRE HOME FIELDS ASSESSMENT MAP NO 6 PT S1/2 SEC 1 T7N R20E 22,800 SQ FT R/2477 I/173 ('97) DOC 3639612 ('09)	"I"	"NEI"
59	1012-083	LOT 11 BLK 12 ACRE HOME FIELDS ASSESSMENT MAP NO 6 PT S1/2 SEC 1 T7N R20E	"I"	"NEI"
60	1012-127	PARCEL 2 OF CSM 5144 BEING A REDIV OF PT OF LOTS 2 & 3 IN BL 18 IN ACRE HOME FIELDS ASSMPLAT NO 6 BEING A PT OF THE NE1/4 & THE SE1/4 OF THE SE1/4OF SEC 1 T7N R20E 43,430 SQ FT	"O&L"	"NEI"
61	1012-127-001	PARCEL 1 OF CSM 5560 BEING A REDIVISION OF PARCEL 1 OF CSM 5144 BEING A PT OF THE NE1/4 AND THE SE1/4 OF THE SE1/4 OF SEC 1 T7N R20E 1.5693 ACRES 68,357 SQ FT DOC	"I" and "O&L"	"NEI"

		3390995 ('06)		
62	1012-127-002	PARCEL 2 OF CSM 5560, BEING A PART OF THE NE1/4 AND THE SE1/4 OF THE SE1/4 OF SEC 1, T7N, R20E. VOL 45 PP 104-107 REC 7/26/88 DOC#1492001 180,536 SQ FT 4.1445 ACRES DOC 3407830 ('06)	"I"	"NEI"
63	1012-999-012	OUTLOT 1 CSM #8871 PT SE1/4 SEC1 T7N R20E RECORDED 11-2-99 DOC 2515691 VOL 79 PAGES 126-128 121,153 SQ FT DOC 2782018 ('02)	"O&LI"	"NEI"
64	1012-999-013	PT SE1/4 OF SEC 1 T7N R20E PARCEL 2 & PARCEL 3 & WEST 265.70' & NORTH 628.98' & EAST 220.0' & SOUTH 768.98' APPROX 4.6617 ACRES DOC 2570148 ('00)	"I" and "O&LI"	"NEI"
65	1012-999-014	PT SE1/4 OF SEC 1 T7N R20E PARCEL 1 & NORTH 490.0' BEING 490.0' X 220.0' X 490.0' X 220.0' & THE 30' X 1359.77' DEDICATED FRO ROAD RIGHT AWAY BEING APPROX 4.079 ACRES DOC 2567457 ('00) DOC 2567458 ('00)	"I"	"NEI"
66	1012-999-016	PARCEL 2 CSM #10111 BEING A REDIV PARCEL 1 CSM8871PT SE1/4 SEC 1 T7N R20E RECORDED 11-11-05 DOC #3336747 153,756 SQ FT 3.530 ACRES DOC 2577583 ('00) DOC 3346192 ('05)	"O&LI"	"NEI"