

ORDINANCE NO. 2250-11
by the Plan Commission

**AN ORDINANCE GRANTING A CONDITIONAL USE FOR THE PURPOSE OF
MERGING 2975 LILLY ROAD WITH THE CHURCH/SCHOOL CAMPUS LOCATED
AT 14135 and 14155 W. BURLEIGH ROAD AND EXPANDING THE CONDITIONAL
USE BOUNDARY UPON THE NEWLY ADDED LANDS**

WHEREAS, the Plan Commission of the City of Brookfield held a public hearing on the requested conditional use hereinafter described, on the 9th day of May, 2011; 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.

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

PART I. Pursuant to Section 17.108 of the Zoning Code, there is hereby granted a conditional use for the purpose of merging 2975 Lilly Road, City of Brookfield Tax Key No. 1061.996 with the church/school campus located at 14135 and 14135 W. Burleigh Road, City of Brookfield Tax Key No's. 1061.992.002 and 1069.992.003 respectively, and expanding the conditional use boundary upon the newly added lands.

PART II. Brookfield Christian Reformed Church and Brookfield Christian School are located at 14135 and 14155 W. Burleigh Road, respectively, and occupy Lot 1 of Certified Survey Map No. 10269. The site is zoned "R-2" Single-family Residence District. Conditional Use Ordinances No. 302, 573, 1344, 1577, 1643, 1736, and 2067-06 permit operation of a church and school with outdoor activity fields.

PART III. The property located at 2975 Lilly Road is zoned "R-2" Single-family Residence District. The recommended land use designation on Map 1 Future Land Use of the *City of Brookfield 2035 Comprehensive Plan* is Housing Focused-Lower Density. The applicant proposes merging this property via certified survey map with the church and school site. The long-term purpose is to provide additional lot area to accommodate growth in the church/school programs. The short-term objective is to use the existing residence for an ordained pastor, missionary or visiting dignitary residence. The structure will not be used as an income-producing property.

PART IV. Per Section 17.108 of the Zoning Code, churches and schools are conditional uses that may be permitted in any zoning district unless specifically prohibited from the district and subject to a public hearing process. Lot 1 of CSM #10269 shares a wetland boundary with Outlot 1 of said CSM. Updated wetland delineation will be required as a condition of new CSM approval.

PART V. Said approval is subject to all conditions listed in the May 9, 2011, Plan Commission minutes including performance of a wetland delineation and Wisconsin DNR acceptance thereof prior to execution of this ordinance and the final Certified Survey Map. Wisconsin DNR wetland delineation acceptance date June 1, 2011.

PART VI. The conditional use would occur on lands described as: Part of the Northeast 1/4 of Section 14 Town 7 North, Range 20 East, Commencing 868 Feet South Of the Northeast Corner,

Thence West 385 Feet, Thence South 125 Feet, Thence East 385 Feet, Thence North 125 Feet to the point of beginning in the City of Brookfield, Waukesha County, Wisconsin. Containing approximately 1.105 acres. Also known as 2975 North Lilly Road and City of Brookfield Tax Key No. 1061.996.

Lot 1, Certified Survey Map No. 10269. Being all of Parcel 1 of Certified Survey Map No. 8741, all of Parcel 1 of Certified Survey Map No. 6517, and all of Lots 1 through 3, inclusive of Certified Survey Map No. 1650, being part of the Northeast ¼ of the Northeast ¼ of Section 14 Town 7 North, Range 20 East, in the City of Brookfield, Waukesha County, Wisconsin. Containing approximately 13.08 acres. Also known as 14135 and 14155 W. Burleigh Road and City of Brookfield Tax Key No's. 1061.992.002 and 1069.992.003.

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

ADOPTED AND APPROVED ON May 17, 2011

Kristine A. Schmidt, City Clerk

Steven V. Ponto, Mayor

Published: October 13, 2011