

**ORDINANCE NO. 2089-07**  
by the Plan Commission

**ESTABLISHMENT OF THE MODIFIED SUBURBAN OVERLAY ZONING DISTRICT-CONTEXT  
SUBURBAN DEVELOPMENT PATTERN (“MSO-CTS”) AND MATRIX FOR THE PROPERTY  
LOCATED AT 401 NORTH EXECUTIVE DRIVE**

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 Ordinances No. 1692 and 1693, 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 regarding establishing the Modified Suburban Overlay District upon property located at 401 North Executive Drive was heard before the Common Council on January 16, 2007, which was published as a Class II notice; and

WHEREAS, on January 22, 2007, the Plan Commission of the City of Brookfield recommended to establish “MSO” Modified Suburban Overlay District – Context Suburban (CTS) development pattern at 401 N. Executive Drive, and in the Special Characteristics column of the MSO matrix establish dimensional standards for Zoning Issue Area Parcel 21 of District J of the *Calhoun Road South Neighborhood Plan*, a.k.a. 401 N. Executive Drive, pursuant to the enumeration contained in Exhibit "A"\* as attached to the original public hearing notice; and

WHEREAS, the text amendments accompany a revised plan and method of operation that would add an approximate 55,240 square feet of floor area to the existing site, increasing the site floor area ratio to 30.4%.

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

PART I. To establish “MSO” Modified Suburban Overlay District – Context Suburban (CST) development pattern at 401 N. Executive Drive and in the Special Characteristics column of the MSO matrix establish dimensional standards for Zoning Issue Area Parcel 21 of District J of the *Calhoun Road South Neighborhood Plan*, as depicted in Exhibit "A"\* which is attached hereto and incorporated herein by reference\* permitting:

- a. A building setback from Bluemound Road of 25 feet.
- b. A building setback for non-residential uses from Dechant Road of 60 feet opposite non-residential zoning and 100 feet when opposite residential zoning.
- c. A building setback from Executive Drive of 14 feet.
- d. A building offset from the south property line of 25 feet.
- e. A pavement setback from Bluemound Road of 20 feet.
- f. A pavement setback from Dechant Road of 25 feet.
- g. A pavement setback from Executive Drive of 14 feet.
- h. A pavement offset from the south property line of 5 feet.
- i. A parking offset from the south property line of 25 feet.

PART II. Approval of the "MSO" Modified Suburban Overlay District- Context Suburban (CTS) development pattern and the dimensional standards would permit a revised plan and method of operation permitting construction of an approximate 55,240 square foot building addition and parking lot expansion.

PART III. The base zoning of "O&LR/C #2" Office and Limited Residential/Commercial No. 2 that currently applies to the property will be retained and not affected by this ordinance.

PART IV. The area to be zoned MSO-CTS development pattern is depicted on the attached Exhibit "B"\* and legally described in Exhibit "B-1"\*.

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

ADOPTED AND APPROVED ON February 6, 2007

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Kristine A. Schmidt, City Clerk

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Jeff R. Speaker, Mayor

Published: February 15, 2007

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

**EXHIBIT “A”****MODIFIED SUBURBAN OVERLAY – 401 North Executive Drive****The Calhoun Road South Neighborhood Plan**

<b>Zoning Issue Area</b>	<b>Base Zoning</b>	<b>Development Pattern</b>	<b>Use Variations</b>	<b>Planning Unit</b>	<b>Special Characteristics</b>
Parcel 21 of District J a.k.a Tax Key No. 1116-996	O&LR/C #2	CTS	None	Calhoun Road South Neighborhood Plan	<ol style="list-style-type: none"> <li>1. A building setback from Bluemound Road of 25’</li> <li>2. A building setback for non-residential uses from Dechant Road of 60’ when opposite non-residential zoning and 100’ when opposite residential zoning</li> <li>3. A building setback from Executive Drive of 14’</li> <li>4. A building offset from the south property line of 25’</li> <li>5. A pavement setback from Bluemound Road of 20’</li> <li>6. A pavement setback from Dechant Road of 25’</li> <li>7. A pavement setback from Executive Drive of 14’</li> <li>8. A pavement offset from the south property line of 5’</li> <li>9. A parking offset from the south property line of 25’</li> </ol>

# CITY OF BROOKFIELD

## REZONING EXHIBIT 'B'

LAND TO BE REZONED TO "MSO" MODIFIED SUBURBAN OVERLAY  
TO INCLUDE A "CTS" CONTEXT SUBURBAN  
DEVELOPMENT PATTERN.  
EXISTING "O&LRC" OFFICE AND LIMITED RESIDENTIAL/ COMMERCIAL  
#2 (BASE ZONING) TO REMAIN.

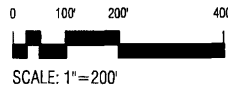
Parcel 1 of Certified Survey Map No. 4866 a part of the Northwest  $\frac{1}{4}$  and Southwest  $\frac{1}{4}$   
of the Southeast  $\frac{1}{4}$  and Northeast  $\frac{1}{4}$  of the Southwest  $\frac{1}{4}$  of Section 27,  
Town 7 North, Range 20 East, City of Brookfield, Waukesha County, Wisconsin

PREPARED BY:  
William Feldman, AIA  
Senior Design Architect  
Zimmerman Architectural Studios, Inc.

CHECKED BY:  
City of Brookfield  
engineering office

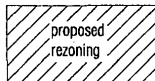
OWNER:  
M&I Corporation  
401 N. Executive Dr.  
TAX KEY NUMBER: 1116-996

DRAWN BY: WNF  
EDITED BY: WNF  
SCALE: 1"=200'  
DATE: DECEMBER 7, 2006

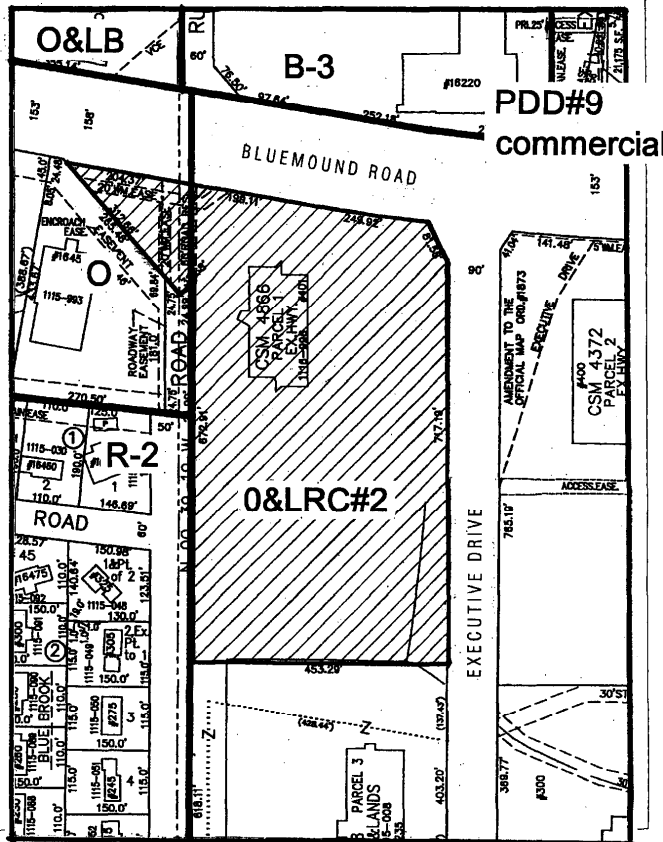


DESCRIPTORS OTHER THAN LEGAL DESCRIPTION  
AND ZONING CLASSIFICATION ARE FOR  
INFORMATION ONLY

ANY BASE OR OVERLAY ZONING DISTRICTS-  
OTHER THAN THE "MSO" MODIFIED SUBURBAN  
OVERLAY DISTRICT- THAT APPLY TO THE SUBJECT  
PROPERTY ARE NOT AFFECTED BY THIS ORDINANCE



INDICATES AREA WHERE  
"MSO" MODIFIED  
SUBURBAN OVERLAY IS  
TO BE ESTABLISHED TO  
INCLUDE "CTS" CONTEXT  
SUBURBAN. EXISTING  
"O&LRC" OFFICE & LIMITED  
RESIDENTIAL/ COMMERCIAL  
#2 (BASE ZONING) TO  
REMAIN. (APPROXIMATELY  
9.06 ACRES)



**EXHIBIT “B-1”**

**LEGAL DESCRIPTION FOR LANDS TO BE REZONED MODIFIED SUBURBAN  
OVERLAY – CONTEXT SUBURBAN (MSO-CTS)**

Parcel 1 of Certified Survey Map No. 4866 a part of the Northwest  $\frac{1}{4}$  and Southwest  $\frac{1}{4}$  of the Southeast  $\frac{1}{4}$  and Northeast  $\frac{1}{4}$  of the Southwest  $\frac{1}{4}$  of Section 27, Town 7 North, Range 20 East, City of Brookfield, Waukesha County, Wisconsin