

ORDINANCE NO. 2082-06
by the Plan Commission

**ORDINANCE APPLYING THE “VILLAGE AREA BUSINESS DISTRICT” (VAB) –
TO THIRTY-FOUR (34) PROPERTIES IN THE MIXED RETAIL, OFFICE AND
RESIDENTIAL USE DISTRICT OF THE VILLAGE AREA**

WHEREAS, the City of Brookfield Common Council adopted the Village Area Neighborhood Plan (“Neighborhood Plan”) on January 17, 2006, (Resolution No. 7515-06) which identified the need for zoning changes in several parts of the Neighborhood; and

WHEREAS, that planning effort was part of implementing the City Master Plan adopted on December 7, 1999, (Resolution No. 6469) that characterized the Neighborhood Plan area as a “Targeted Intervention Area”; and

WHEREAS, the Plan Commission introduced amendments to the City’s Official Zoning Map that the Commission deemed needed to implement the Neighborhood Plan; and

WHEREAS, said amendments would change the base zoning of thirty-four (34) properties in the Village Area to the Village Area Business (VAB) zoning district; and

WHEREAS, those amendments received a properly noticed Public Hearing on October 17, 2006, before the Common Council and a recommendation to the Council by the Plan Commission; and

WHEREAS, those amendments also were the topic of two (2) informational meetings on October 5, 2006, and October 9, 2006, 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 Neighborhood Plan, as an element in the City Master Plan.

**NOW, THEREFORE, THE COMMON COUNCIL OF THE CITY OF BROOKFIELD, DO
ORDAIN AS FOLLOWS:**

PART I. The parcels described in this Ordinance are hereby amended as to their base zoning district designation. As of the effective date of this Ordinance, those parcels shall be placed within the base zoning district of VILLAGE AREA BUSINESS (VAB) and shown accordingly on the City’s Official Zoning Map.

PART II. Legal Description: The area to be rezoned is depicted on the attached map Exhibit “A”* and described in Exhibit “B”*.

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 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, and that Section 17.16.010 shall be amended to include VAB Village Area Business district as Subsection A.16.

PART V. BE IT FURTHER ORDAINED that the overlay zoning provisions of the Wetland Preservation and Floodplain Districts, and Special Exception and Conditional Use Ordinances 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 VI. All ordinances or parts of ordinances contravening the provisions of this ordinance are hereby repealed.

PART VII. This Ordinance shall take effect and be in force from the date of its passage and publication.

ADOPTED and APPROVED _____ November 7 _____, 2006

Kristine A. Schmidt, City Clerk

Jeff R. Speaker, Mayor

Publish: November 17, 2006

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

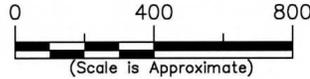
CITY OF BROOKFIELD REZONING EXHIBIT "A"

LANDS TO BE REZONED FROM "B-1" LOCAL BUSINESS, "O&LI" OFFICE AND LIMITED INDUSTRY, "R-3" (SINGLE FAMILY) RESIDENCE, AND "REC" RECREATIONAL, TO "VAB" VILLAGE AREA BUSINESS.

LANDS IN THE NORTHWEST ¼ OF SECTION 16 AND THE NORTHEAST ¼ OF SECTION 17, TOWN 7 NORTH, RANGE 20 EAST, IN THE CITY OF BROOKFIELD, WAUKESHA COUNTY, WISCONSIN, MORE PARTICULARLY DESCRIBED IN EXHIBIT "B". (SAID LANDS CONTAINING A TOTAL OF 904,505 SQ. FT./20.8 ACRES OF LAND, MORE OR LESS.)

PREPARED BY :
CITY OF BROOKFIELD
DEPARTMENT OF COMMUNITY DEVELOPMENT

CHECKED BY :
CITY OF BROOKFIELD
ENGINEERING OFFICE



PROPOSED REZONING

LANDS TO BE REZONED FROM "B-1" LOCAL BUSINESS TO "VAB" VILLAGE AREA BUSINESS. (SAID LANDS CONTAINING 568,081 SQ. FT./13.0 ACRES OF LAND, MORE OR LESS.)

PROPOSED REZONING

LANDS TO BE REZONED FROM "R-3" (SINGLE FAMILY) RESIDENCE TO "VAB" VILLAGE AREA BUSINESS. (SAID LANDS CONTAINING 71,556 SQ. FT./1.6 ACRES OF LAND, MORE OR LESS.)

PROPOSED REZONING

LANDS TO BE REZONED FROM "O&LI" OFFICE AND LIMITED INDUSTRY TO "VAB" VILLAGE AREA BUSINESS. (SAID LANDS CONTAINING 225,690 SQ. FT./5.2 ACRES OF LAND, MORE OR LESS.)

PROPOSED REZONING

LAND TO BE REZONED FROM "REC" RECREATIONAL TO "VAB" VILLAGE AREA BUSINESS. (SAID LANDS CONTAINING 39,178 SQ. FT./0.9 ACRES OF LAND, MORE OR LESS.)

DRAWN BY : CLJ
EDITED BY : CLJ
SCALE : 1" = 400'
DATE : SEPTEMBER 22, 2006

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.

