

**ORDINANCE NO. 2055-06**  
by the Plan Commission

**AN ORDINANCE GRANTING A CONDITIONAL USE FOR THE PURPOSE OF  
PERMITTING OCCUPANCY BY MARY LINSMEIER SCHOOLS AT  
2930 N. BROOKFIELD ROAD AND 18735 PLEASANT DRIVE**

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WHEREAS, the Plan Review Board of the City of Brookfield held a public hearing on the requested conditional use hereinafter described, on the 23rd day of February, 2006; 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 Municipal Code, there is hereby granted a conditional use for the purpose of permitting a revised plan and method of operation associated with occupancy by Mary Linsmeier School at 2930 N. Brookfield Road and 18735 Pleasant Street.

PART II. The site is zoned "B-1" Local Business District. Schools and daycare centers are classified as conditional uses and regulated by Section 17.108 of the Municipal Code. Conditional uses are permitted in any zoning district subject to a public hearing process and approval of a plan and method of operation.

PART III. The child care program is proposed to be located at 2930 N. Brookfield Road with reliance upon shared parking of the multiple building site. There will be no building additions or exterior modifications. There will be no expansion of paved areas of the site.

PART IV. A fence will enclose an outdoor activity area. Proposed hours of operation are 6:00 a.m. to 6:00 p.m. Monday thru Friday. Children from 6 weeks of age through 12 years of age will be served. The maximum licensed capacity will be 90 children and the maximum number of employees at any one time will be eight (8).

PART V. Said approval is subject to all conditions listed in the February 23, 2006, Plan Review Board minutes and the May 8, 2006, Plan Commission minutes and includes limiting outdoor play area use to no more than 33 children at a time, i.e. 1 child/100 sq. ft. of play area, permitting application of child themed seasonal appliques to windows and limiting special events/programs to one class per event/program.

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

The north 100 feet of Lot 2, Block 3 of Hoffman's Assessment Plat #5 and the north 100 feet of

