

**ORDINANCE NO. 2276-12**  
by the Plan Commission

**AN ORDINANCE GRANTING A CONDITIONAL USE FOR THE PURPOSE OF  
PERMITTING A CREMATORIUM IN ASSOCIATION WITH CONSTRUCTION OF  
AN APPROXIMATE 26,590 SQ. FT. FUNERAL HOME WITH PARKING LOT AT  
21600 W. CAPITOL DRIVE**

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 January, 2012; 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 crematorium in association with construction of an approximate 26,590 sq. ft. funeral home with parking lot at 21600 W. Capitol Drive. Crematoriums are conditional uses that may be permitted in any zoning district unless expressly prohibited, subject to authorization by the Council and pursuant to a public hearing process.

PART II. The site is zoned "LI&CM1" Light Industrial/Commercial Mixed Use District No. 1. A funeral home is permitted use south of Gumina Road. The crematorium chimney will be located in the northeast corner of the building on the lower level.

PART III. The site is located in the Northwest Gateway Targeted Investment Area one of ten areas identified in the *City of Brookfield 2035 Comprehensive Plan* that foster community reinvention by supporting new economic development and sustainable, mixed use redevelopment with sensitivity to surrounding neighborhoods. The adopted node plan is *The Northwest Gateway Neighborhood Plan – 2008*.

PART IV. Said approval is subject to all conditions listed in the January 9, 2012, Plan Commission minutes.

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

**(PARCEL "A")**

All that part of the Northwest 1/4 of Section 7, Town 7 North, Range 20 East, in the City of Brookfield, County of Waukesha, State of Wisconsin, bounded and described as follows:

Beginning at a point on the West 1/4 line of said Section 7, said point being 1094.50 feet West of the Center of said Section; Thence continuing West along the 1/4 line 220.34 feet; Thence North 3°12' East 297.00 feet; Thence East, parallel to the 1/4 line 220.34 feet; Thence South 3°12' West 297.00 feet to the place of beginning.

ALSO;

A strip of land 24.00 feet in width, the center line of which is described as follows:  
Beginning at a point on the North line of the above-described Parcel, said point being 12.02 feet East of the

Northwest corner of said Parcel; Thence North 3°12' East 344.98 feet to the center of Federal Highway 16, now known as Gumina Road.

ALSO;

All that part of the Northwest 1/4 of Section 7, Town 7 North, Range 20 East, in the City of Brookfield, County of Waukesha, State of Wisconsin, bounded and described as follows:

Beginning at a point on the West 1/4 line of said Section 7, said point being 1314.84 feet West of the Center of said Section; Thence continuing West along the 1/4 line 145.18 feet; Thence North 03°12' East 565.89 feet to the center line of Federal Highway No. 16, now known as Gumina Road; Thence North 64°48' East along said center line, 164.78 feet; Thence South 03°12' West 636.16 feet to the place of beginning.

Excepting therefrom the premises conveyed by an instrument recorded January 17, 1964, in Volume 969 of Deeds, on Page 611, as Document No. 603360.

**(PARCEL "B")**

All that part of the Northwest 1/4 of Section 7, Town 7 North, Range 20 East, in the City of Brookfield, County of Waukesha, State of Wisconsin, bounded and described as follows:

Commencing on the South line 1460.02 feet West of the East line; Thence North 568.89 feet to Gumina Road; Thence Westerly along Gumina Road to the West line; Thence South to the West 1/4 Corner; Thence East to the place of commencement.

Excepting therefrom those parts thereof described in Warranty Deed recorded as Document No. 617491.

Also known as City of Brookfield Tax Key Numbers 1034.998 and 1034.999 or 21600 West Capitol Drive.

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

ADOPTED AND APPROVED ON January 17, 2012

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Kelly Michaels, City Clerk

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Steven V. Ponto, Mayor

Published: January 26, 2012