

**ORDINANCE NO. 2050-06**  
by the Plan Commission

**AN ORDINANCE GRANTING A CONDITIONAL USE FOR THE PURPOSE OF  
CONSTRUCTING A PRAYER GARDEN AT 18255 W. CAPITOL DRIVE,  
ST. DOMINIC CONGREGATION CHURCH AND SCHOOL**

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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 17.108.050 of the Municipal Code, there is hereby granted a conditional use for the purpose of constructing a prayer garden at 18255 W. Capitol Drive, the location of St. Dominic Congregation Church and School.

PART II. The site is zoned "R-3" Single-family Residence District with "MSO-RC" Modified Suburban Overlay – Residential Cluster as well as conditional use Ordinance Numbers 369 and 1657. Churches and schools 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 plan and method of operation.

PART III. The prayer garden is located on the southwest corner of the site in an area of lawn screened by trees. The garden consists of paved walkways leading to a circular arrangement of statues in planting beds and a raised terrace. Additional ornamental trees will be added between the garden and the landscape screen along Mountain and Parish Drives. The garden will be used intermittently for personal reflection, sacramental gatherings, photo opportunities for events associated with the church and instruction. The location was selected in part because of its relationship to building entrances and exists. There may be soft lighting of the pathway.

PART IV. Said approval is subject to all conditions listed in the February 23, 2006, Plan Review Board minutes and the March 13, 2006, Plan Commission minutes including limiting the combined height of any new statue and its pedestal to no more than 15 feet.

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

All That Part of the Northeast ¼ and the Northwest ¼ and all of Block 8, of Dominic Heights Subdivision, A Subdivision of Record, Recorded in the Register of Deeds Office of Waukesha County, in Section 9, Township 7 North, Range 20 East, in the City of Brookfield, Waukesha

County, Wisconsin, described as follows:

Commencing at the Northeast Corner of the Northwest ¼ of said Section 9; Thence North 89°12'48" West on and along the North Line of the Northwest ¼ of said Section 9, 113.02 Feet to a point; Thence South 0°15'54" West, 120.47 Feet to a point in the South Right Of Way Line of Capitol Drive (S.T.H. "190"); and the point of beginning of this description; Thence South 0°15'54" West, 309.48 feet to a point; Thence South 64°38'48" East, 251.10 Feet To A Point; Thence South 0°15'54" West, 365.34 Feet To A Point, Said Point Being The Northeast Corner Of Said Dominic Heights, Said Point Also Being In The North Line Of Parish Drive; Thence N 67°11'28" W, 75.63 Feet To Point; Thence North 89°12'48" West On And Along The Said North Line, 1123.66 Feet To A Point Of Intersection With The East Line Of Mountain Drive; Thence Northeasterly On And Along The East Line Of Mountain Drive, 185.01 Feet Along The Arc Of A Curve, Whose Center Lies To The Southeast, And Whose Radius Is 1028.19 Feet, And Whose Chord Bears North 15°07'55" East 184.76 Feet To A Point; Thence Continuing Along Said East Line, North 20°17'12" East, 165.78 Feet To A Point Of Curvature; Thence Northeasterly Along The Said East Line, 57.57 Feet Along The Arc Of A Curve, Whose Center Lies To The Northwest, Whose Radius Is 169.12 Feet, And Whose Chord Bears North 10°32'20" East, 57.29 Feet To A Point; Thence Continuing Along The Said East Line, North 0°47'12" East, 26.21 Feet To A Point Of Curvature; Thence Continuing Along The Said East Line Northwesterly, 87.57 Feet Along The Arc Of A Curve, Whose Center Lies To The Southwest, Whose Radius Is 189.34 Feet, And Whose Chord Bears North 12°27'48" West, 86.79 Feet To A Point Of Reverse Curvature; Thence Continuing Along The Said East Line Northwesterly, 123.25 Feet Along The Arc Of A Curve, Whose Center Lies To The Northeast, Whose Radius Is 266.48 Feet, And Whose Chord Bears North 12°27'48" West, 122.15 Feet To A Point; Thence Continuing Along The Said East Line North 0°47'12" East, 155.98 Feet To A Point To A Point In The South Right Of Way Line Of Said Capitol Drive; Thence On And Along The Said South Line Southeasterly, 896.64 Feet Along The Arc Of A Curve, Whose Center Lies To The North, Whose Radius Is 22,838.32 Feet, And Whose Chord Bears South 87°31'22" East, 896.58 Feet To The Point Of Beginning Of This Description.

Containing 771,964.87 Square Feet  
17.7219 Acres of Land  
Also known as 18255 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 March 21, 2006

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Kristine A. Schmidt, City Clerk

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Jeff R. Speaker, Mayor

Published: March 30, 2006