



OFFICIAL RECORD OF A REGULARLY SCHEDULED MEETING OF THE PLAN COMMISSION HELD ON FEBRUARY 10, 2020, AT 6:30 PM IN THE COUNCIL CHAMBERS OF CITY HALL, 2000 NORTH CALHOUN ROAD, BROOKFIELD, WISCONSIN

Video recordings of Plan Commission meetings are available on the city website at <https://cityofbrookfield.viebit.com>

MAYOR STEVEN PONTO PRESIDING

OTHER MEMBERS PRESENT: Alderman Gary Mahkorn, Alderman Rick Owen, Commissioner Steve Pettitt, Commissioner Mike Smith, Commissioner Lisa Chang

MEMBERS ABSENT AND EXCUSED: Alderman Mark Nelson

OTHERS PRESENT: Director of Community Development Dan Ertl, Planning Administrator Mike Theis, Fire Chief Charlie Myers, City Engineer Jeff Chase, Neighborhood Planning Coordinator Richard VanDerWal, Alderman Chris Blackburn, Alderman Jerry Mellone

Mayor Ponto noted a quorum present and called the Plan Commission to order at 6:32 pm.

Announcements / Reports

The next regularly scheduled meeting is February 10, 2020 at 6:30pm.

Item 1 January 13, 2020 Plan Commission Official Record / Meeting Minutes

Approval of Official Record from the January 13, 2020 Plan Commission meeting.

Motion to approve the January 13, 2020 Plan Commission Meeting Official Record.

Motion by Gary Mahkorn

Seconded by Rick Owen

Motion carried 6-0

Item 2 January 23, 2020 Plan Review Board

Approval of the January 23, 2020 Plan Review Board actions and recommendations of meeting minutes.

Motion to approve the January 23, 2020 Plan Review Board meeting actions and recommendations.

Motion by Mike Smith
Seconded by Steve Petitt
Motion carried 6-0

Item 3 Petawa Development Agreement – CSM – Landscape Plan

Request of the Corporation for Social and Educational Development, 6321 North Avondale, Suite A-215, Chicago, IL 60631 – Pilar Racca, Treasurer for approval of a development agreement, preliminary survey map, final certified survey map and landscape plan at 16360 West North Avenue in association with Petawa, a religious worship, education and residence facility. (SW ¼ of Sec. 15) - MT ****Requires Common Council Approval****

Report: 1. The applicant received conditional use approval via Ordinance No. 2479-17. The Plan Commission action of June 12, 2017 required execution of a development agreement and certified survey map. Site plan modifications subsequent to the approving action resulted in return of the landscape plan to the Plan Commission for approval.

2. A standard commercial development agreement will secure installation of infrastructure improvements.

3. The lot reconfiguration depicted in the preliminary survey map and final Certified Survey Map is consistent with that approved by the Plan Commission. Dedication of the ultimate right of way for Hillsdale Drive West and North Avenue is required.

4. The landscape plan is consistent with streetyard/stormwater basin landscape objectives of the city Development Standards for Nonresidential Uses.

Recommendation: Staff recommends the Plan Commission approve the preliminary survey map, final Certified Survey Map and landscape as well as authorize the Mayor to execute a development agreement on behalf of the city subject to:

1. Technical corrections to the preliminary survey map and final Certified Survey Map including dedication of the ultimate right of way for Hillsdale Drive West and North Avenue.
2. Landscape Plan dated February 10, 2020 by Nagel Architects and Engineers subject to consultant plan review and technical corrections, secured with a letter-of-credit (City forms available from the Department of Community Development) equal to \$32,385.00 (\$2,550 per 1,000 sq. ft. street yard) for installation, \$5,588.00 for four (4) years of maintenance (\$440 per 1,000 sq. ft. of street yard) and a three (3) year temporary landscape easement for street yard maintenance (using forms available from the Department of Community Development) all deposited with the Department of Community Development prior to issuance of a building permit (12,700 sq. ft. of street yard) AND Also: A landscape installation “as built” is required prior to release of the installation letters-of-credit.
3. Review and approval of the final development agreement by the City Attorney prior to signature and recording thereof.

The Plan Commission discussed the following topics:

- Site plan and landscaping vetted in previous approvals, requested revisions are minor and consistent.

Refer to video recording of this item at <https://cityofbrookfield.viebit.com/player.php?hash=liUq8GZljuaR#> for the discussion.

Motion to accept staff recommendation, with amendment removing the requirement to dedicate the ultimate right-of-way of Hillsdale Drive West and North Avenue, to approve the preliminary survey map, final Certified Survey Map and landscape plan as well as authorize the Mayor to execute a development agreement on behalf of the city.

Motion by Gary Mahkorn
Seconded by Rick Owen
Motion carried 6-0

Item 4 Van Horn Center Specific Plan - Development Agreement

Request of 18550 W Bluemound, LLC, W5073 County Road O, Plymouth, WI 53073 – Randy Goll, Development Project Manager for approval of a Specific Plan and development agreement at 18550 West Bluemound Road for the purpose of adding a new 3,000 sq. ft. commercial building with site improvements. (SW ¼ of Sec. 28) – MT ****Requires Common Council Approval****

Report: 1. A PDD General Plan was approved for this project at the January 13, 2020 Plan Commission. The Plan Commission revisited the site plan and building architecture during discussion of the PDD General Plan.

2. The development consists of a 3,000 sq. ft. retail commercial building and site landscape restoration/enhancement.

3. Building design and materials are depicted on elevations and floor plan dated October 10, 2019 and are consistent with the designs and building materials presented to the Plan Commission/Common Council at the time of General Plan approval. The project satisfies the PDD community benefits requirement for Commercial PDDs which are demonstration of aesthetics and construction.

4. Parking is provided on-site. Future tenancy of the existing building on-site and parking thereof are linked to Plan Commission review.

5. A development agreement following the standard PDD format is required and will be executed.

6. Specific Plan development and dimensional standards associated with the new building are:

Building Setback:	35'
Pavement Setback:	15'
Building Offset:	100' east and 130' west
Pavement Offset:	10'
Building Height:	12' 8"
Building Size:	3,000 sq ft.
Floor Area Ratio:	24.2% (All buildings on the entire site)
Landscape Area Ratio:	27.2%
Lot Size:	190,884 sq. ft.
Parking:	177 (179 existing. 141 – 235 per municipal code)

7. Days/hours of operation – new building:

Monday through Saturday. Hours of operation: 9:00 a.m. to 9:00 p.m. Sunday 10:00 a.m. to 8:00 p.m.

8. The applicant is in receipt of a missive dated August 14, 2019 by Fire Chief Charlie Myers detailing fire code compliance requirements.

Recommendation: The PDD Specific Plan is consistent with the approved PDD General Plan. Staff recommends the Plan Commission approve the PDD Specific Plan under cover letter dated January 27, 2020 and authorize the Mayor and City Clerk to execute the PDD Development Agreement on behalf of the City subject to:

1. Site/grading/utility plans dated December 06, 2019. Lighting plan dated August 2, 2019. Building plans dated October 10, 2019 all under Specific Plan Statement of operations dated January 27, 2019. All building plans marked to read, "All vision glass is to remain vision glass and cannot be obstructed or modified with window film or other opaque techniques or substances except that operable window blinds, or shades are permitted." All wall mounted meters and meter boxes are to be located on the north wall of the new building and painted to match the building. If stainless steel meter boxes are used they will be etched and painted to match the building. All ground mounted HVAC or electrical transformers will be screened with landscaping or building forms.

2. Compliance with fire code requirements articulated in a missive dated August 14, 2019 by Fire Chief Charlie Myers.
3. Landscape Plan dated December 6, 2019 by R A Smith subject to consultant plan review and technical corrections, secured with a letter-of-credit (City forms available from the Department of Community Development) equal to \$18,487.50 (\$2,550 per 1,000 sq. ft. street yard) for installation, \$3,190.00 for four (4) years of maintenance (\$440 per 1,000 sq. ft. of street yard) and a three (3) year temporary landscape easement for street yard maintenance (using forms available from the Department of Community Development) all deposited with the Department of Community Development prior to issuance of a building permit (7,250 sq. ft. of street yard) AND

Also: A landscape installation "as built" is required prior to release of the installation letters-of-credit.

4. Grading, Drainage, Erosion Control Plans and Storm Water Management Application subject to final approval of the City of Brookfield Engineering Division prior to the issuance of building permits. The developer of the project will be required to submit Items A, B, and C below before the issuance of a building permit:

A. A copy of the approved Grading and Drainage Plan, as approved by the city of Brookfield Engineering Division.

B. The bid from a contractor reflecting the cost of executing the work required on the Grading and Drainage Plan.

C. A letter-of-credit in compliance with the City letter-of-credit format deposited with the Department of Community Development. The monetary amount of the letter-of-credit shall be equal to 110% of the submitted bid. (City form available from the Department of Community Development)

D. A recertification "as-built" survey must be performed by a licensed, professional engineer or surveyor indicating that all elements of the approved Grading and Drainage Plan have been completed within tolerances as approved by Staff per the approved plan. The recertification documents must be wet stamped and signed by the professional.

E. The letter-of-credit will be released by the Department of Community Development after the recertification documents are submitted to the city of Brookfield Engineering Division and approved.

5. Lighting in compliance with sections 15.16.080 and 17.120.070 of the City of Brookfield municipal code.
6. Payment of applicable fees to the Community Development Department prior to issuance of a building permit:

Project Fees:

\$To Be Determined	Engineering Review Fee
\$To Be Determined	Legal Review
\$To Be Determined	Inspection Fee (Public Improvements)
\$900.00	PDD Development Agreement
\$30.00	PDD Development Agreement Recording Fee
\$To Be Determined	Development Agreement Review Fee (Community Development and Engineering)
\$To Be Determined	Unpaid Assessment/s
\$1,440.00	Specific Plan Fee

7. Once a building permit is issued by Inspection Services, the owner shall receive an occupancy permit within 24 months or the owner of the property may be subject to the penalty provisions of the Zoning Code, Section 17.100.130 or the owner shall remove construction equipment and debris from the site, fine grade and seed the site, and stabilize surface water drainage leaving the site to City Engineering Department specifications within four (4) months or the owner of the property may be subject to the penalty provisions of the Zoning Code – Section 17.100.130. (Ordinance #2134-08).
8. Separate action by the Plan Review Board regarding all signage.

9. Review and approval of the final PDD development agreement including provisions stated in the statement of operations for adding parking upon review of tenancies by the Plan Commission (adding on-site supply or securing off- premise parking) by the City Attorney prior to signature and recording thereof.
10. The zoning status of the PROJECT shall revert to General Plan approval status unless the DEVELOPER has secured a building permit prior to the expiration date

The Plan Commission discussed the following topics:

- Proposed architecture was vetted at the previous Plan Commission meeting, January 13, 2020.

Refer to video recording of this item at <https://cityofbrookfield.viebit.com/player.php?hash=liUq8GZlJuaR#> for the discussion.

Motion to accept staff recommendation for approval of the PDD Specific Plan under cover letter dated January 27, 2020 and authorize the Mayor to execute the PDD Development Agreement on behalf of the City subject to review and approval of the final PDD development agreement by the City Attorney prior to signature and recording thereof.

***Motion by Rick Owen
Seconded by Mike Smith
Motion carried 6-0***

Item 5 Golf Parkway Corporate Center

Request of Irgens, 833 East Michigan Street, Suite 400, Milwaukee, WI 53202 – Tom O'Meara, Vice President for approval of a preliminary survey map and final certified survey map (CSM), PDD Specific Plan, and fifth amendment to the Corridor development agreement in association with the construction of an approximate 45,000 sq. ft. office building with outdoor seating and an approximate 190,000 sq. ft. office building with outdoor seating and underground parking garage in "The Corridor" on lands located south of Golf Parkway, along Calhoun Road and the Ruby Farmstead, and north of Interstate 94. (NE ¼ of Sec. 33) – RV ****Requires Common Council Approval****

Report:

1. The site consists of one lot located in the Calhoun Road South Targeted Investment Area (TIA), one of eleven areas identified in the *City of Brookfield 2035 Comprehensive Plan* that foster community reinvestment by supporting new economic development and sustainable, mixed-use redevelopment with sensitivity to surrounding neighborhoods. The adopted neighborhood plan is the *Calhoun Road South Neighborhood Plan – 2001* (Neighborhood Plan). The adopted land use of the Neighborhood Plan for the site is "Commercial / Office". The adopted land use of the *City of Brookfield 2035 Comprehensive Plan* is "Mixed Use – Higher Density". The site is zoned "PDD – Planned Development District – Commercial (Mixed Use) – Number 20" (PDD #20) including adopted Ordinance 2503-18. Ordinance 2503-18 amends Ordinance 2423-15 (amendment #1) and Ordinance 2393-14 that created PDD #20 and establishes the development pattern and zoning characteristics for the site entailing: minimum building setback twenty five feet (25') from Golf Parkway, the Calhoun Road setback varies in depth and is approximately eighty five feet (85') at the northern most point and approximately one hundred four feet (104') at its southern most point with no buildings or parking lots permitted in the Calhoun Road setback except for development and construction associated with the Ruby House and Barn development, minimum parking setback ten feet (10') from Golf Parkway, minimum building offset twenty-five feet (25') from the neighboring west parcel and zero feet (0') for internal offsets, minimum parking offset zero feet (0') from the neighboring west parcel and zero feet (0') for internal offsets, and maximum building height seventy feet (85'). It permits office uses, medical, wellness, or fitness uses, any retail or customer service use permitted in the "B-3" Regional Business District, hotels, conference centers, restaurants including casual dining restaurants and coffee shops with a pickup window or drive-throughs and outdoor seating areas (but excluding fast food with drive-throughs), parking structures, adaptive re-use

of the Ruby House and Barn for lease or sale for residential or commercial use, community use, or property maintenance uses limited to maintaining the site and conditional uses pursuant to other applicable sections of the Zoning Code. It prohibits fast food restaurants with drive-throughs, motels, automobile service or fuel stations, automobile or truck sales, movie theaters, animal hospitals and kennels, wholesale establishments, and manufacturing or processing that is not incidental to an office or retail use. The proposed developments in association with the construction of two office buildings with outdoor seating and one with underground parking garage are permitted uses.

2. Lot 1 Site Data:

Lot Area:	86,106 sq. ft. (1.977ac)
Total Proposed Building Area:	45,060 sq. ft.
Floor Area Ratio:	52.33% (77% Max.)
Parking Provided:	83 (180 required, covered under reciprocal agreements)
Building Setback – Golf Parkway:	26' (25' Min.)
Building Offset – West Neighbor Parcel:	87' (25' Min.)
Pavement Setback – Golf Parkway:	15' (10' Min.)
Pavement Offset – West Neighbor Parcel:	2' (0' Min.)
Dumpster Enclosure – Setback:	143'
Dumpster Enclosure – Offset West Parcel:	26'
Building Height:	35.33' (85' Max.)

3. Lot 2 Site Data:

Lot Area:	456,598 sq. ft. (10.482ac)
Total Proposed Building Area:	199,602 sq. ft. (45,060 + 199,602 = 244,662 sq. ft. for “Lot 4 Southeast”)
	(417,000 sq. ft. anticipated for “Lot 4 Southeast” by PDD #20)
Floor Area Ratio:	20% (23% Max.)
Parking Provided:	687 surface, 20 underground (707 total, 796 required covered under reciprocal agreements, 188 spaces shared with Lifetime for 978 total)
Building Setback – Golf Parkway:	305' (25' Min.)
Building Offset – West Neighbor Parcel:	168' (25' Min.)
Pavement Setback – Golf Parkway:	10' (10' Min.)
Pavement Offset – West Neighbor Parcel:	2' (0' Min.)
Dumpster Enclosure – Setback:	365'
Dumpster Enclosure – Offset East Parcel:	18'
Building Height:	84.33' (85' Max.)

4. Proposed site plan indicates three vehicular ingress/egress access points along Golf Parkway and one connection to existing parking drive aisle from the center of the Life Time property to the west. The planned development consists of two building pad sites. The first is proportioned for a 22,530 square foot office building footprint consisting of two stories totaling 45,060 square feet. The second is proportioned for a 33,267 square foot office building footprint consisting of six stories totaling 199,602 square feet including underground parking garage containing twenty spaces. Trash enclosure for the first pad site is located along the west property line, aligned with the southern extents of the building, and accessed from the parking drive aisle connected to Golf Parkway. Trash enclosure for the second pad site is located along the east property line, aligned with the southern extents of the building, and accessed from the eastern most parking drive aisle of the development.

5. Building architecture is consistent with the City’s Site Development Design Standards for Non-Residential Uses and the requirements for building architecture in The Corridor. The applicant has worked through several building iterations and architectural review sessions with City staff and members of the plan commission to achieve the submitted building designs. The building of Lot 1 features prominent use of vision glass and brick with accents of vertical seam longboard aluminum siding planks in charcoal. The metal planks frame an outdoor patio deck on the upper level of the building’s southwest corner. This feature creates an overhang that signifies the building’s main entry. The building of Lot 2 features prominent use of vision glass and establishes a brick base. A pattern of exaggerating every-third-mullion on the north, east, and west elevations, advancing by one window on each floor, creates a unique architectural finish for the building. A

black metal extruded frame highlights the upper four floors of the building toward I-94 with a seamless curtain wall inset. The building's main entry on the north elevation is made prominent by a portal of extruded metal. Both buildings exhibit several mass extrusions and cohesive use of material to create visual interest and variety of light, shadow, and texture on each elevation.

6. Building 1 Materials:

Brick 1:	Gray utility brick with color matched mortar
Metal Panel 1:	Longboard aluminum siding in charcoal dark, 6" v-groove planks
Metal Panel 2:	Longboard aluminum siding in charcoal light, 6" v-groove planks
Glass 1:	Vitro Solarban 70, 1" insulated clear storefront, vertical butt glazing
Glass 2:	Vitro Solarban 70, 1" insulated medium gray opaque frit spandrel, vertical butt glazing
Window/Door Frames:	Aluminum

7. Building 2 Materials:

Brick 1:	Gray utility brick with color matched mortar
Metal Panel 1:	Composite metal panel in light gray
Metal Panel 2:	Composite metal panel in charcoal
Metal Panel 3:	Longboard aluminum siding in charcoal light, 6" v-groove planks
Glass 1:	Vitro Solarban 70, 1" insulated clear storefront vertical butt glazing
Glass 2:	Vitro Solarban 70, 1" insulated medium gray opaque frit spandrel, vertical butt glazing
Window/Door Frames:	Aluminum

8. Applicant has been informed that: **All vision glass is to remain vision glass and cannot be obstructed or modified with window film or other opaque techniques or substances except that operable window blinds, or shades are permitted.** All plans specifying the location and installation of vision glass shall memorialize this language into the associated plan set prior to Planning signing off to Inspection Services.

9. The applicant submitted a landscape plan in compliance with city standards for streetyard landscaping.

10. Applicant is in receipt of a missive dated January 27, 2020 by Assistant Fire Chief David Mason identifying Fire Code compliance and development agreement language requirements.

11. A certified survey map has been submitted that divides one lot of record into two lots.

12. Grading, drainage, erosion control, and stormwater management plan have been submitted to the Engineering Division. A meeting between the applicant and the Engineering Division occurred on February 5, 2020 to discuss the following topics:

- Traffic impact analysis
- Site plan modifications
- Stormwater management

Engineering has determined the easterly most driveway is unwarranted, however permissible if property owner commits to conditions in Development Agreement related to its installation.

All aspects of submitted site plans subject to technical corrections and approval by Brookfield Engineering Division.

13. An amendment to the Corridor Development Agreement will secure public improvements associated with the project.

Recommendation: The proposal is consistent with the land use and development objectives of the Neighborhood Plan and Comp Plan. Site layout meets zoning requirements applicable to the site and building architecture meets the standards in the design guidelines of the City and the Corridor. Staff recommends the Plan Commission approve the preliminary survey map, final certified survey map, and PDD Specific Plan and authorize the Mayor to execute a fifth amendment to the Corridor Development Agreement on behalf of the City subject to:

1. Statement of operations dated January 6, 2020 by Tom O'Meara, Irgens.

2. Site plan dated October 17, 2019 by The Sigma Group including technical corrections. *Easterly most driveway on Golf Parkway subject to property owner commitments in Development Agreement related to its installation.*
3. Building plans, elevations, and material samples dated February 4, 2020 by Kahler Slater including technical corrections. Roof top HVAC equipment screened by building architecture. All wall mounted meter boxes are to be painted to match the building. If stainless steel meter boxes are used they will be etched and painted to match the building. *Rooftop mechanical penthouse is exempt from final maximum building height (17.136.030(B)(4) of municipal code).*
4. Compliance with site access, fire suppression, and alarm requirements specified in a missive dated January 27, 2020 by Assistant Fire Chief David Mason.
5. Site utility, grading, drainage, and erosion control plans subject to final approval of the city of Brookfield Engineering Division prior to the issuance of building permits. The developer of the project will be required to submit Items A, B, and C below before the issuance of a building permit:
 - A. A copy of the approved Grading and Drainage Plan, as approved by the city of Brookfield Engineering Division.
 - B. The bid from a contractor reflecting the cost of executing the work required on the Grading and Drainage Plan.
 - C. A letter-of-credit in compliance with the City letter-of-credit format deposited with the Department of Community Development. The monetary amount of the letter-of-credit shall be equal to 110% of the submitted bid. (City form available from the Department of Community Development)
 - D. **A recertification “as-built” survey must be performed by a licensed, professional engineer or surveyor indicating that all elements of the approved Grading and Drainage Plan have been completed within tolerances as approved by Staff per the approved plan. The recertification documents must be wet stamped and signed by the professional.**
 - E. The letter-of-credit will be released by the Department of Community Development after the recertification documents are submitted to the city of Brookfield Engineering Division and approved.
6. Payment of applicable fees to the Community Development Department prior to issuance of a building permit.
 - \$ TBD Engineering Review Fee
 - Wetland Dedication (Per City Code 16.16.20.) 244,662 sq. ft. / 185,000 sq. ft. = 1.03 acres
 - Phase 1 NA- infrastructure. Phase 2 = 1.17 acres, Phase 2a = 1.03 acres, Phase 3 = 0.22 acres, Phase 4 = 0.32 acres , Phase 5 = 0.18 acres, Phase 6 NA - rescinded, Phase 7 = 0.84 acres, Phase 8 = 1.16 acres, and this Phase 9 = 1.32 acres – **cumulative total through Phase 9 = 6.24 acres to be dedicated by Irgens/Deer Creek elsewhere at The Corridor**
 - N/A Wetland Fee (see above)
 - N/A Bikeway Fee (Paid with Master DA)
 - \$ TBD Development Agreement
7. Lighting in compliance with sections 15.16.080 and 17.120.070 of the City of Brookfield municipal code.
8. All signage subject to separate review by the Plan Review Board.
9. Provisions of PDD #20 Ordinance 2503-18.
10. Landscape plan dated October 17, 2019 by New Eden Landscape Architecture, LLC subject to City of Brookfield consultant review and technical corrections secured with a letter-of-credit (City forms available from the Department of Community Development) equal to \$41,192.00 (\$2,550 per 1,000 sq. ft. street yard) for installation, \$7,107.00 for four (4) years of maintenance (\$440 per 1,000 sq. ft. of street yard) and a four (4) year temporary landscape easement for street yard maintenance (using forms available from the Department of Community Development) all deposited with the Department of Community Development prior to issuance of a building permit (16,154 sq. ft. of street yard).

- a. A recertification "as-built" survey must be performed by a licensed landscape architect indicating that all elements of the approved Streetyard Landscape Plan has been completed within tolerance as approved by staff per the approved plan. The recertification documents must be wet stamped and signed by said professional.
11. Execution of an amendment to the Corridor Development Agreement subject to final approval by the City Attorney prior to execution.
12. Once a building permit is issued by Inspection Services, the owner shall receive an occupancy permit within eighteen (18) months or the owner of the property may be subject to the penalty provisions of the Zoning Code, Section 17.100.130 or the owner shall remove construction equipment and debris from the site, fine grade and seed the site, and stabilize surface water drainage leaving the site to City Engineering Department specifications within four (4) months or the owner of the property may be subject to the penalty provisions of the Zoning Code – Section 17.100.130. (Ordinance #2134-08).
13. Compliance with the installation of the segment of Greenway Trail requirements including a bridge prior to certificates of occupancy per the previous project Development Agreement, as amended.
14. PDD Specific Plan shall revert to General Plan approval status on February 18, 2022 unless a building permit is obtained prior thereto.

The Plan Commission discussed the following topics:

- Acceptability and discussion of the monochromatic color scheme for the building materials in the two buildings.
- Intended lighting solutions for tenants of the buildings.
- Future application of trade dress to the buildings in the project.
- Amount and application of glazing in the project.
- The quality and cohesive nature of the proposed architecture.

Refer to video recording of this item at <https://cityofbrookfield.viebit.com/player.php?hash=liUg8GZlJuaR#> for the discussion.

Motion to accept staff recommendation, with amendment striking “separate review by the Plan Review Board” and replacing with “administrative review by Inspection Services” in the eighth approval condition, for approval of a preliminary survey map, final certified survey map, PDD Specific Plan, and authorize the Mayor to execute a fifth amendment to the Corridor Development Agreement on behalf of the City subject to review and approval of the development agreement amendment by the City Attorney prior to signature and recording thereof in association with the construction of an approximate 45,000 sq. ft. office building with outdoor seating and an approximate 190,000 sq. ft. office building with outdoor seating and underground parking garage in “The Corridor” on lands located south of Golf Parkway, along Calhoun Road and the Ruby Farmstead, and north of Interstate 94.

Motion by Gary Mahkorn

Seconded by Steve Petitt

Motion carried 6-0

Item 6 Lou Malnati’s

Request of Lou Malnatis Pizzeria, LLC, 3685 Woodhead Drive, Northbrook, IL 60062 – Sasha Milosavljevich, Chief Real Estate Officer for approval of a minor revision to plan and method of operation in association with exterior building modifications and revised outdoor seating for re-occupancy of 15795 West Bluemound Road.
(SE¼ of Sec. 27) – RV ****Requires Common Council Approval****

Report:

1. The site consists of one lot located in the Calhoun Road South Targeted Investment Area (TIA), one of eleven areas identified in the *City of Brookfield 2035 Comprehensive Plan* that foster community reinvestment by supporting new economic development and sustainable, mixed-use redevelopment with sensitivity to surrounding neighborhoods. The adopted neighborhood plan is the *Calhoun Road South Neighborhood Plan – 2001* (Neighborhood Plan). The adopted land use of the Neighborhood Plan for the site is “Mixed Use”. The adopted land use of the *City of Brookfield 2035 Comprehensive Plan* is “Mixed Use – Higher Density”. The site is zoned “O&LR/C #2 – Office and Limited Residential/Commercial District Number 2” (O&LR/C #2) including adopted Modified Suburban Overlay Zoning District Combination Development Pattern: New Suburban, Cluster Suburban, Context Suburban (MSO NS/CS/CTS) Ordinance 2356-14. The proposed exterior building modifications and revised outdoor seating for re-occupancy of the site in association with the operation of a restaurant with outdoor seating is a permitted use.
2. Proposed exterior building modifications are consistent with the City’s Site Development Design Standards for Non-Residential Uses. Existing stone veneer, black metal canopies, black metal accents, architectural lighting, and vision glass remain unchanged. Plaster walls are shown with cor-ten finish paint application on each elevation. The entry tower features application of a wood “corn crib” rain screen over the existing plaster walls with Benjamin Moore Wrought Iron #2124-10 paint applied to the plaster walls, soffits, roof podium, and metal roof. The Asian themed decorative ironworks on each elevation are removed alongside their gate counterparts on the black metal fence enclosing the outdoor seating to the north. The metal chop sticks sculpture at the building entry is also removed. The patio for outdoor dining along the east façade is converted to an entry for pickup/takeout with existing seating replaced with two wood benches and removal of the black decorative fence. Outdoor dining patio along the north façade is updated with installation of LED string lighting, outdoor gas heaters, and affixing the “corn crib” wood material over the existing black metal fence.

Applicant has been informed that: **All vision glass is to remain vision glass and cannot be obstructed or modified with window film or other opaque techniques or substances except that operable window blinds, or shades are permitted.** All plans specifying the location and installation of vision glass shall memorialize this language into the associated plan set prior to Planning signing off to Inspection Services.

3. Site landscaping will remain as existing with replacement plantings where necessary to conform to City landscaping standards per previous approved plans.

Recommendation: The applicant’s proposal complies with the City’s Site Development Standards for Non-Residential Uses. Staff recommends the Plan Commission opine and confirm that removal of the decorative ironworks on the building does not warrant equivalent replacement or alternative architectural modification, and approve the minor revision to plan and method of operation subject to:

1. Statement of operations dated December 30, 2019 by Sasha Milosavljevich, Lou Malnatis Pizzeria, LLC.
2. Building plans, elevations, and material samples dated January 3, 2020 by Knauer, Inc including technical corrections. Roof top HVAC equipment screened by building architecture. Ground mounted HVAC equipment and transformers screened by landscaping. All wall mounted meter boxes are to be painted to match the building. If stainless steel meter boxes are used they will be etched and painted to match the building.
3. Lighting in compliance with sections 15.16.080 and 17.120.070 of the City of Brookfield municipal code.
4. All signage subject to separate review by the Plan Review Board. (Caution that trade symbols and/or phrases are considered signage)
5. Site landscaping restored to conform to City standards per previous approved landscape plan.
6. Once a building permit is issued by Inspection Services, the owner shall receive an occupancy permit within eighteen (18) months or the owner of the property may be subject to the penalty provisions of the Zoning Code, Section 17.100.130 or the owner shall remove construction equipment and debris from the site, fine grade and seed the site, and stabilize surface

water drainage leaving the site to City Engineering Department specifications within four (4) months or the owner of the property may be subject to the penalty provisions of the Zoning Code – Section 17.100.130. (Ordinance #2134-08).

7. Minor revision to plan and method of operation approval expires on February 18, 2022 unless a building permit is obtained prior thereto.

The Plan Commission discussed the following topics:

- Confirmed that the removal of decorative ironworks does not warrant equivalent replacement or alternative architectural modification. Removed elements are associated with trade dress.
- Application and detailed execution of the “corn crib” wood rain screen.
- Application and detailed execution of the “cor-ten” paint finish.
- Measures for preventing nesting of insects and pests with regard to the “corn crib” material.
- Complimentary nature of proposed new building materials with existing building materials.

Refer to video recording of this item at <https://cityofbrookfield.viebit.com/player.php?hash=liUq8GZlJuaR#> for the discussion.

Motion to accept staff recommendation for approval of a minor revision to plan and method of operation in association with exterior building modifications and revised outdoor seating for re-occupancy of 15795 West Bluemound Road.

Motion by Mike Smith

Seconded by Gary Mahkorn

Motion carried 6-0

Item 7 Introduction of Capitol Midpoint

Introduction of Capitol Midpoint – Mishkaat Investment, LLC – Owner c/o JAKnetter Architects, N16 W23217 Stone Ridge Drive, Suite 300, Waukesha, WI 53188 for Plan Commission discussion and direction regarding remodeling/re-occupancy of 17065 West Capitol Drive, development of 17135 and 17165 West Capitol Drive and redevelopment of 3920 Sunnycrest Drive. (NW ¼ of Sec. 10) – MT

Report: 1. The site consists of four lots with addresses of 17065, 17135 and 17165 West Capitol Drive and 3920 Sunnycrest Drive as well as an unimproved alley. The lots with addresses of 17065, 17135 and 17165 West Capitol Drive are zoned “B-1” Local Business District. Ordinances No. 1692 and 1693 established Modified Suburban Overlay zoning with New Suburban development pattern. Buildings in excess of 20,000 square feet are prohibited. The lot with address of 17065 West Capitol Drive is the beneficiary of Special Exception Ordinance No. 1287 allowing setback reductions in association with an existing but unoccupied restaurant/bar (Pepino’s). The lot with address of 3920 Sunnycrest Drive is zoned R-3 Residence District. The residential building there has periodically operated as a home occupation. Collectively, the lots and alley are located in the Calhoun – Capitol Targeted Investment Area (TIA), one of eleven areas identified in the *City of Brookfield 2035 Comprehensive Plan* that foster community reinvestment by supporting new economic development and sustainable, mixed-use redevelopment with sensitivity to surrounding neighborhoods. The adopted neighborhood plan is the *Neighborhood Plan for the Calhoun Road & Capitol Drive Node – 2000* (Node Plan). Per the adopted Node Plan, the recommended land use of the Capitol Drive lots is Commercial - Office. The recommended land use of the Sunnycrest Drive lot is storm water management and landscape area. Per the *City of Brookfield 2035 Comprehensive Plan*, the recommended land use of lots with addresses of 17065, 17135 and 17165 West Capitol Drive is Shopping Focused – Lower Density. The recommended land use of the Sunnycrest lot is Housing Focused – Lower Density.

2. The applicant requests Plan Commission direction regarding:

- A. Vacation of the unimproved alley for incorporation into a larger development site.
- B. Rezoning of the Sunnycrest lot to match that of the balance of the development site.
 - o Installation of a stormwater basin on the Sunnycrest lot.
 - o Traversing the Sunnycrest lot for access from the development to Sunnycrest Drive/Calhoun Road.
 - o Installing parking on the Sunnycrest lot
- C. Setback and offset reductions via rezoning or variance for the development site
- D. Proposed remodeling and re-occupancy of the restaurant/bar site
- E. Parking Supply
- F. Architectural style

3. The adopted Node Plan (Link to plan: <https://www.ci.brookfield.wi.us/242/Calhoun-Road-Capitol-Drive-Neighborhood>) articulates and depicts the City land use and access intentions for the development site via text and an illustrative land use/development plan. The Node Plan addresses the applicant's request for direction in the following ways.

- A. The Node Plan depicts retention of the unimproved alley but utilization of the westerly half for traffic circulation through the development site and access to Calhoun Road to create a "loop road", a common attribute of Node Plans. NOTE: Access to Calhoun Road per the location depicted in the Node Plan is no longer feasible due to reconstruction of the Calhoun/Capitol intersection. The access to Calhoun Road depicted in the Node Plan no longer aligns with a Calhoun Road median opening and engages Calhoun Road in the taper lane of the eastbound turn lane. The applicant proposes site access to Sunnycrest Drive, which aligns with a median opening in Calhoun Road and delivers the "loop road" circulation objective of the Node Plan.
- B. The Node Plan depicts utilization of 3920 Sunnycrest Drive for landscape area and stormwater management in association with improvement of the development site. Typically, sites used to support development of a property share the same zoning designation. In the case of development sites in the form of a single lot, the sites are merged. The applicant proposes rezoning 3920 Sunnycrest Drive and merging all the lots in the development site.
- C. A Node Plan goal is orientation of new buildings to Capitol Drive to create a "continuous roadside edge". In the Node Plan, existing building setbacks are retained and new buildings are depicted with zero foot setbacks to Capitol Drive. The applicant has located a new building in the development as close as possible to Capitol Drive. The applicant is in negotiations with WDOT re: acquisition of excess Capitol Drive right-of-way.
- D. The Node Plan anticipates short-term occupancy of the restaurant building by a restaurant with potential remodeling for commercial office/retail use. The applicant proposes reuse and remodeling of the restaurant building as a restaurant.
- E. Parking Supply - The Node Plan anticipates shared parking, short-term retention of the restaurant/bar and a commercial building east thereof, an additional 15,929 sq. ft. of commercial office use, all parked at a ratio of 3.34 spaces/1,000 sq. ft. of bldg. or 88 spaces. Retention of the restaurant is acknowledged as a parking demand overlap concern. The applicant's parking ratio based upon building square footage is 6.09 spaces/1,000 sq. ft. of bldg. or 104 spaces.
- F. Architectural quality is a high priority of the Node Plan. The Node Plan encourages "...high quality architectural designs and details. Buildings shall be landmarks along Capitol Drive in order to establish an identity for the node." The applicant provided architectural styles for Plan Commission discussion intended to deliver high quality design.

4. Site Data (upon 1/2 alley vacation and lot merger).

Lot Area:	104,065 sq. ft. (30,000 sq. ft. Min in B-1)
Landscape Surface Ratio:	36% (30% Min. in B-1)
Floor Arrear Ratio:	16.4% (30% Max. in B-1)

Parking:	104 Stalls
New Building:	11,779 sq. ft.
Existing Building:	5,290 sq. ft.
Existing Pavement Offset (East):	5' (10' Min. to commercially zoned abutter in B-1)
Existing Building Offset (East):	20' (10' Min. to commercially zoned abutter in B-1)
Proposed Pavement Offset (East-New Pavement)	25' (25' Min. to residentially zoned abutter in B-1)
Proposed Pavement Offset (South-New Pavement)	5' (25' Min. to residentially zoned abutter in B-1)
Existing Building Setback:	10' (100' Min in B-1, 25' Min. in MSO-NS)
Proposed Building Setback (Capitol Dr. New Bldg.):	0'-10' (100' Min in B-1, 25' Min. in MSO-NS)
Proposed Building Setback (Calhoun Rd. New Bldg.):	3'-14' (100' Min in B-1, 25' Min. in MSO-NS)
Existing Pavement Setback (Capitol Dr.)	10' (25' Min. in B-1)
Proposed Pavement Setback (Calhoun Rd.)	10'-15' (25' Min. in B-1)

5. Fire protection compliance requirements were shared with the applicant in a missive dated January 24, 2020 authored by Fire Chief Charlie Myers.

Recommendation: The proposed development proposal closely matches the goals and objectives of the adopted Node Plan. Staff recommends the Plan Commission rank the architectural styles, articulate its receptivity to amendments of the adopted Node Plan with respect to traffic circulation - access management - alley vacation, the land use recommendation of the 2035 Comp Plan and requisite rezonings or variances.

The Plan Commission discussed the following topics:

- Acceptance of proposal to vacate public alley. Plan Commission supports vacation of unimproved alley and incorporating it into the balance of the proposed development site.
- Acceptance of proposal to rezone the Sunnycrest lot. Plan Commission supports rezoning the lot and incorporating it into the balance of the proposed development site.
- Acceptance of proposed traffic circulation and access of the development site. Plan Commission supports implementation of concepts presented with further detailing of proposed plans.
- Existing and proposed landscaping of the proposed development site with regard to appropriate buffer for neighboring residential properties.
- Evaluation of the proposed project as the highest and best use of the site.
- Massing and architecture of the proposal. Preference was given to simplify the shapes, geometries, roof lines, and height variations in the project. Option 1 better exhibited these preferences but neither option could be endorsed.
- Potential building materials in the project.
- Plan Commission members committing to attendance at the neighborhood information meeting.

Refer to video recording of this item at <https://cityofbrookfield.viebit.com/player.php?hash=liUq8GZljuaR#> for the discussion.

No Action

Item 8 Municipal Code Section 17.98.050

Plan Commission Recommendation: Ordinances amending Section 17.98.050 of the Municipal Code regarding Specific Zoning Overlay Areas, creating additional overlay areas including the Southern Brookfield Square Area, Southern Executive Drive Area, Northern Brookfield Square Area and Northern Executive Drive Area, amending the base zoning of property located at 205 N. Moorland Road from “B-3” Regional Business District to “O&L/R C No. 2” Office and Limited Residential

Commercial District Number Two , and , establishing the “MSO” Modified Suburban Overlay District to certain properties in said Overlay areas.

Report: These ordinances enhance the applicability of the Modified Suburban Overlay zoning that applies or would be applied to the properties including and surrounding the Brookfield Square shopping center and the Executive Dive Office Park. In addition, the base zoning of the US Bank parcel on Moorland Road would be changed to be consistent with the shopping carter zoning.

This item was the subject of a public hearing on February 4, 2020. No public comments were made. Some aldermen asked: “ if this action will induce more multiple family development”- (response-not necessarily), “if the intent was to add densities”(response- not the intent , but may be the result, since the new standards follow the extremes of the built environment), and, “ if some structures are made nonconforming by actions” (response- likely only a few, but they remain legal nonconforming and users do not need to leave and certain portions of buildings could be expanded).

In addition, a Neighborhood Information Meeting was held on January 22, 2020- one comment is attached.

Recommendation: Approve the Ordinances amending Section 17.98 of the Zoning Code creating specific Modified Suburban Overly (MSO) districts, including district standards and a detailed mapping for areas of a portion of Brookfield Square Shopping Center and the entirety of the Executive Drive Office Park. Also, rezone the base zoning of the US Bank parcel located on 205 N. Moorland Road.

The Plan Commission discussed the following topics:

- Effort to amend the code vetted through the previously held associated meetings and public hearing.

Refer to video recording of this item at <https://cityofbrookfield.viebit.com/player.php?hash=liUq8GZlJuaR#> for the discussion.

Motion to accept staff recommendation to approve and recommend the Ordinances amending Section 17.98.050 of the Municipal Code regarding Specific Zoning Overlay Areas, creating additional overlay areas including the Southern Brookfield Square Area, Southern Executive Drive Area, Northern Brookfield Square Area and Northern Executive Drive Area, amending the base zoning of property located at 205 N. Moorland Road from “B-3” Regional Business District to “O&L/R C No. 2” Office and Limited Residential Commercial District Number Two, and establishing the “MSO” Modified Suburban Overlay District to certain properties in said Overlay areas.

*Motion by Gary Mahkorn
Seconded by Lisa Chang
Motion carried 6-0*

Item 9 Municipal Code Section 16.04.020, 16.16.070, and 16.16.080

Plan Commission Recommendation: Ordinance amending Section 16.04.020, Repealing and Recreating Section 16.16.070, and Repealing Section 16.16.080 of the Brookfield Municipal Code regarding Definitions and Landscaping Requirements and Amending Subsections 17.100.050.H, 3.28.010.P, 3.28.010.Q, and 3.28.010.R of the Brookfield Municipal Code regarding Street-Yard Landscaping Requirements and Permit Fees.

Report: See attached memorandum from City Attorney Merten.

Recommendation: Approve

The Plan Commission discussed the following topics:

- Efforts of the City Attorney to update city ordinances with regard to Act 67.

Refer to video recording of this item at <https://cityofbrookfield.viebit.com/player.php?hash=liUq8GZljuaR#> for the discussion.

Motion to accept staff recommendation to approve and recommend the Ordinance amending Section 16.04.020, Repealing and Recreating Section 16.16.070, and Repealing Section 16.16.080 of the Brookfield Municipal Code regarding Definitions and Landscaping Requirements and Amending Subsections 17.100.050.H, 3.28.010.P, 3.28.010.Q, and 3.28.010.R of the Brookfield Municipal Code regarding Street-Yard Landscaping Requirements and Permit Fees.

Motion by Gary Mahkorn

Seconded by Rick Owen

Motion carried 6-0

Adjournment

Motion by Gary Mahkorn

Seconded by Steve Petitt

Motion carried unanimously

Meeting adjourned at 8:14pm

Record respectfully submitted by Richard VanDerWal, Neighborhood Planning Coordinator