



THESE ARE THE MINUTES OF THE **PUBLIC HEARING** HELD AT 7:45 P.M., TUESDAY, **MAY 7, 2019**, IN THE COUNCIL CHAMBERS OF BROOKFIELD CITY HALL, 2000 N. CALHOUN RD, BROOKFIELD, WI

MAYOR STEVEN V. PONTO PRESIDING

**ALDERMEN PRESENT:** Dan Sutton, Bill Carnell, Bob Reddin, Rick Owen, Jeff McCarthy, Ron Balzer, Edward “Buck” Jurken, Mark Nelson, Gary Mahkorn, Scott Berg, Christopher Blackburn, Jerry Mellone, Renee Lowerr, Brad Blumer

**ALDERMEN EXCUSED:** None

**STAFF PRESENT:** City Attorney Jenna Merten, Director of Community Development Dan Ertl, Director of Finance and Administration Robert Scott, City Clerk Kelly Michaels, Director of Public Works Tom Grisa, Director of Human Resources Jim Zwerlein, Fire Chief Charlie Myers

Mayor Ponto introduced the public hearing at 8:11 pm and read the hearing notice regarding the request of School District of Elmbrook, 13780 Hope St., Kristen Sobocinski, Assistant Superintendent for Business Services, to release an interest of road reservation upon 3525 and 3555 N. Calhoun Road, amend the City of Brookfield Official Map by removing depiction of said Reservation from said Map and permit a conditional use at 3555 N. Calhoun Road in association with construction of a 15,000 sq. ft. Central Administration Office building for the School District of Elmbrook. The site is zoned “R-3” Residence District with “FP” Floodplain Fringe overlay zoning. Pursuant to Chapter 17.108 of the Municipal Code, “public administration building, auditorium, gymnasium or any other publicly owned structure including health clinics supporting the public uses” are conditional uses, that may be permitted in any use district upon specific authorization by the council permitted (unless expressly prohibited) subject to a public hearing process.

Director of Community Development Dan Ertl stated the first purpose of this public hearing is to remove the designation on the future northerly extent of Bermuda Boulevard off the City’s Official Map. It currently terminates at the south end of Fairview School. On the Official Map, it is shown to be extended northerly. The Official Map is an instrument that illustrates future and existing streets and protects these areas from encroachment of construction. From time to time, the City finds that the designation for a future street on the Official Map is no longer needed. This extension would not serve any future subdivision of adjacent residential lands as the land is owned by the Elmbrook School District. They have no plans to divide that for single family homes. In addition, the width of the designation on the official Map narrows down to 30’. It starts at 60’ at Bermuda Boulevard but it narrows down to 30’ at the northern edge. For it to be a suitable for a city street, it would need to be 60’. The Plan Commission and city staff has recommended removal from the official map and any road reservation associated with that would be removed from the official record.

Mr. Ertl stated the second purpose of this public hearing is to allow the School District administration offices as a permitted conditional use on the vacant land located immediately east of the former Fairview South School, west of Calhoun Road, north of Burleigh, south of Capitol Drive. “Public Administration buildings and other public uses” are permitted on these residential zoned lands through the City’s conditional use process. The 6.3 acre vacant site is zoned “R-3” Single Family Residential. To be clear, this is not a rezoning, as the proposed public building is a permitted use on residentially zoned lands, no different from a fire station, school, City Hall, etc. Under the City’s conditional use process, as recently affirmed by newly amended state laws, the factors that the city can review in conditional uses are limited to:

1. Building setbacks and offsets from property lines. In this case, City standards are met in the current site plan.
2. Impacts of storm water and flooding. In this case, a SWMP has been filed with City Engineering, and a preliminary review has found such to comply with the City's storm water ordinances.
3. Impacts of traffic. A Traffic Impact Analysis assessing the impacts of traffic from the new administrative office building has been completed and filed with City Engineer. City Engineering has found that the impacts from the proposed 15,000 sq. ft. building to be manageable by existing streets and planned improvements.
4. Suitability of landscape screening. The applicant must meet the minimum landscape standards of City Codes and the preliminary landscape plan meets these codes, but staff understands that the applicant may further enhance landscaping.
5. Building height and floor area ratio and landscape surface ratio. All meet city standards.
6. Parking lot light. City codes must be met.

Mr. Ertl stated factors that the city cannot consider in a conditional use review is:

1. If this is the correct location chosen by the School District of Elmbrook for their Central Administration Office.
2. Undue oversight of building design or materials.
3. Costs of the project.
4. If public meetings such as school board meetings can be held at the building.
5. How school district decided on this location or any other matters that do not fall under the factors previously identified.

This public hearing is not intended to discuss the preliminary designs for the reconstruction of Calhoun Road.

Mr. Ertl stated a neighborhood information meeting was held April 24. Aldermen Owen and Reddin attended as well as neighbors. Comments received are in tonight's packet. Most comments were related to building position, landscaping, storm water and traffic. Comments were made why the School District chose this location, but that is not germane to the conditional use process.

No action takes places this evening. It goes back to the Plan Commission May 13 and if the Plan Commission completes their work, it goes to the Common Council on May 21.

Bob Vajgrt, of Eppstein Uhen Architects and project manager, and Kristen Sobocinski, Assistant Superintendent for Business Services of Elmbrook School District, gave a brief overview of the proposal. Glen Allgaier and Randy Johnson of the Elmbrook School Board and Brad Jares, civil engineer, also were present to answer questions.

Kristen Sobocinski stated the current Central Administration Office (CAO) is located off of Hope Street. The building was sold last May after being on the market for several years. The current building would have required millions of dollars of preventative upgrades. The building is 55,000 square feet, being much larger than what they need. It is one of the most expensive buildings in the district to operate. They currently have 45 employees that work in the CAO. Normal business operation is Monday-Friday, 7:30 am – 4:30 pm. The building is also used for Board meetings once or twice a month which normally begin at 6:00 pm. These meetings typically end around 8:00 pm. Occasionally, the board room is used to hold larger meetings during normal business hours that bring

an additional 20-40 people. That might happen once or twice a month.

Bob Vajgrt stated the proposed building is 15,000 square foot one-story. He reviewed the architecture and elevations. He described the parking lot on the east side of the building off of Calhoun Road. At the neighborhood information meeting there was a concern about the drive. There are two drives into that parking area. There was a concern about headlights perhaps shining into 3 or 4 properties south of that area. Based on that, landscaping was changed from deciduous trees to evergreen trees.

Alderman Reddin asked for clarification regarding the turns in and out on Calhoun Road. Mr. Vajgrt stated the widening of Calhoun Road will have a right-in and right-out only turn. Given the change in elevation of the north and south bound lanes, crossing over and making that a full intersection is not possible. That will create a right-out and right-in only. Until that point, either direction will be possible. That road improvement will occur in 2021.

Glen Allgaier, member of the School Board, stated this is a taxpayer funded office building. He would encourage to add wonderful appearance but not to its cost of functionality.

George Erwin, 17320 Windemere Dr., stated he is opposed to this project. The site plan could be considerably enhanced. He came up with alternative ideas as it is in close proximity to residences. He believed the access road has an 8-1/2 to 9-1/2 degree slope which is not up to standards. He passed out his alternative site plans to the Aldermen. He felt this would reduce this to a 3-6% slope and would reduce the amount of cut-through thru his subdivision. It would create a buffer between his subdivision and the CAO. Mr. Erwin discussed the traffic analysis report which he felt studied the wrong intersection. It studied Country Lane and Calhoun Road. The closest intersection is Town Trail which wasn't studied. He understands this will be addressed with the new Calhoun Road improvements, though. Mr. Erwin stated he disagreed with Mr. Ertl regarding the minimum site development/design standards. He discussed the issue of intensive use standards which he felt would apply here. He also discussed "frequency" which is not addressed in our code. His neighborhood is very concerned about the potential of this additional traffic impacting all of the intersections (that are not signalized). He encourages to look at alternative site development.

Nick Rettinger, 3460 N. Calhoun Rd., stated his concern is the entrance and exit being proposed is one-way. He is strongly against, as well as his neighbors, to the fact there isn't a full intersection. There will be a lot more traffic. The main exit would be into the subdivision which would affect them, but also himself on Calhoun Road because he won't have the ability to turn around to head south. He would have to travel north to approximately St. James Road and turn around. It sounds like there are different elevations for the north lanes and south lanes. He would want something better addressed in regards to turning lanes.

Alderman Nelson moved to adjourn the hearing. Seconded by Alderman Reddin and carried unanimously. 8:44 pm