NOTICE OF PUBLIC HEARING

BY: Common Council, City of Brookfield

DATE: January 17, 2012

TIME: 7:45 p.m.

PLACE: Council Chambers
Brookfield City Hall
2000 North Calhoun Road
Brookfield, WI 53005

APPLICANT: Ryan Companies US, Inc.
Target Corporation and Bluemound Land Holdings, LLC
c/o Tony Barranco
50 South Tenth St., Suite 300
Minneapolis, MN

REQUEST: An amendment to Ordinance #2255-11 Amended or "PDD" – Planned Development District – Commercial #17 and the associated General Plan and Development Agreement for "Underwood Crossing" a shopping center located at 12821 W. Bluemound Road. Amendments includes exceptions regarding signage and lighting and to permit a modest increase in building square feet.

The primary applicant, Ryan Companies, is constructing a multi-tenant commercial site on said property under City ordinance #2255-11. Under the provisions of the City Zoning Code, the following amendments are requested to Ordinance 2255-11: a 5,901 square foot increase in the size of the junior anchor retail building on Lot 4 of Underwood Crossing (18,000 sq. ft. increased to 23,901 sq. ft.) and a corresponding increase of floor area ratio (F.A.R.) for Lot 4 from 35% to 40%; permission to increase the maximum height of exterior site and parking lot light poles, including bases, for all lots in Underwood Crossing, from 20 feet to 25 feet; and, permission to have three (3) tenant sign panels on the main center identification sign, exceed the maximum portion of the main identification sign dedicated to tenant panel signage (greater than 50%) and permit two hundred eighty-five(285) square feet of area for the main identification sign.

Dimensional Standards for the PDD. See Exhibit "B"* for the amended "PDD- Commercial Dimensional Standards" that would apply to this PDD.

While not considered an amendment to the PDD, this notice also identifies that an additional 5,600 square feet of commercial building is anticipated to be constructed on Lot 2 of Underwood Crossing. The new total building square feet anticipated to be built on Lot 2 will be 18,000 square feet, but said amount remains below the maximum F.A.R. authorized for Lot 2 under Ordinance 2255-11 (16% F.A.R., approved for 35%). The new gross building square feet for Underwood Crossing is anticipated to be 201,601 square feet versus 190,100 square feet represented in June, 2011.

LEGAL DESCRIPTION: The area upon which the amendments to City Ordinance 2255-11 would apply is described in Exhibit "A"*.

Dated this 21st day of December, 2011.

_____

Kelly Michaels, City Clerk

Publish Notice: December 29, 2011 and January 5, 2012

*All exhibits referenced in the published notice are available from the Common Council via viewing at the Brookfield Public Library, City Hall Clerk's Office, and the City of Brookfield Website at www.ci.brookfield.wi.us. Descriptors other than legal description and zoning districts are listed for information purposes only.

Exhibit A: Amendment to City Ordinance #2255-11

1108 136 002
12805 W BLUEMOUND RD
LOT 1 PLAT OF UNDERWOOD CROSSING
REC 8-5-11 DOC #3848197 BEING
A REDIV OF PART OF BLK1
COLUMBIA GARDENS NO 2
SE1/4 SEC 25 T7N R20E

1108 136 003
12705 W BLUEMOUND RD
LOT 2 PLAT OF UNDERWOOD
CROSSING REC 8-5-11 DOC#
3848197 BEING A REDIV OF PART
OF BLK 1 COLUMBIA GARDENS NO 2
SE1/4 SEC 25 T7N R20E

1108 136 004
12725 W BLUEMOUND RD
LOT 3 PLAT OF UNDERWOOD
CROSSING REC 8-5-11 DOC#
3848197 BEING A REDIV OF PART
OF BLK 1 COLUMBIA GARDENS NO 2
SE1/4 SEC 25 T7N R20E

1108 136 005
12635 W BLUEMOUND RD
LOT 4 PLAT OF UNDERWOOD
CROSSING REC 8-5-11 DOC #
3848197 BEING A REDIV OF PART
OF BLK1 COLUMBIA GARDENS NO 2
SE1/4 SEC 25 T7N R20E

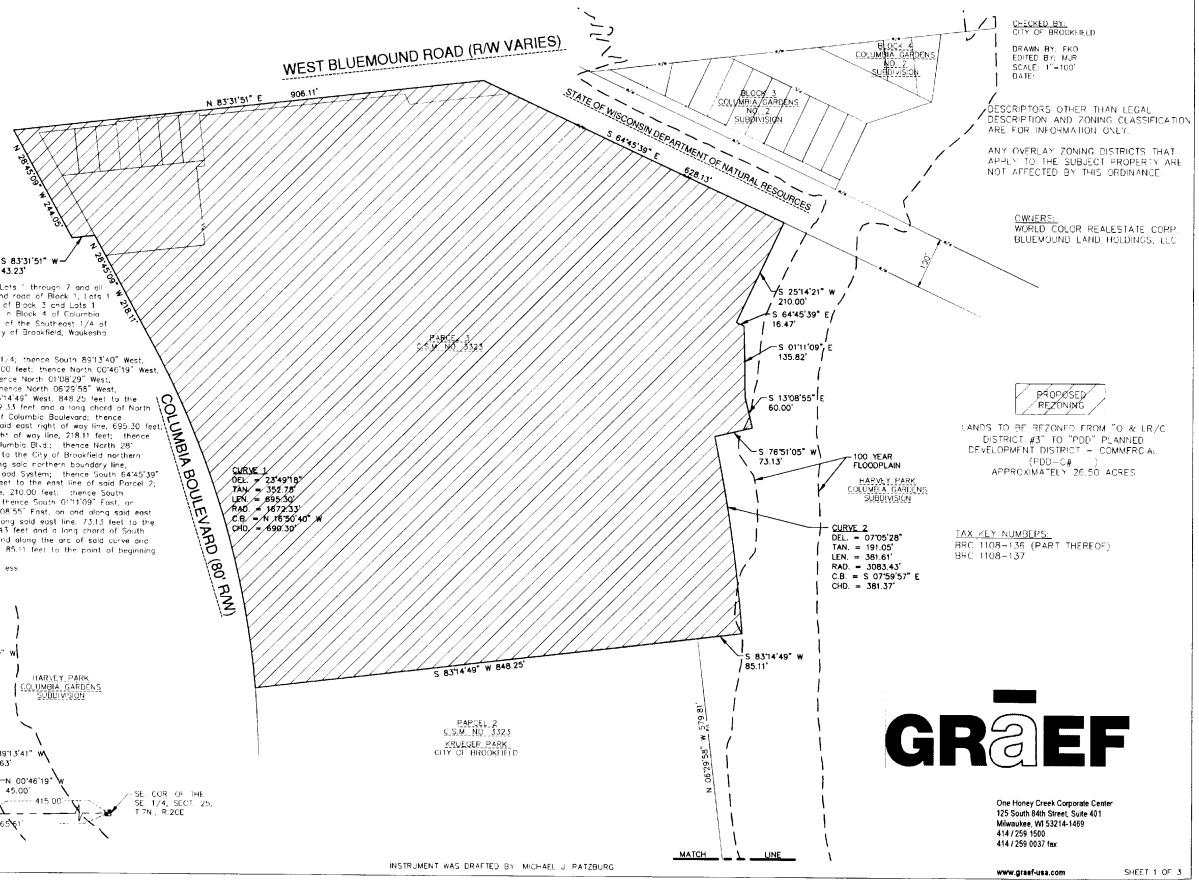
1108 136 006
W BLUEMOUND RD
OUTLOT 1 PLAT OF UNDERWOOD
CROSSING REC 8-5-11 DOC#
3848197 BEING A REDIV OF PART
OF BLK 1 COLUMBIA GARDENS NO 2
SE1/4 SEC 25 T7N R20E

1108 137 001
BLUEMOUND LAND HOLDINGS LLC
12935 W BLUEMOUND RD
LOT 5 PLAT OF UNDERWOOD
CROSSING REC 8-5-11 DOC#
3848197 BEING A REDIV OF PART
OF BLK 1 COLUMBIA GARDENS NO 2
SE1/4 SEC 25 T7N R20E

CITY OF BROOKFIELD

REZONING EXHIBIT "A"

LANDS TO BE REZONED FROM "O & L R/C #3 " TO "PDD"
PLANNED DEVELOPMENT DISTRICT - COMMERCIAL
(PDD-C#)



0 50' 100' 200'
SCALE: 1" = 100'

CHECKED BY:
CITY OF BROOKFIELD

DRAWN BY: FKO
EDITED BY: MJR
SCALE: 1"=100'
DATE:

DESCRIPTORS OTHER THAN LEGAL DESCRIPTION AND ZONING CLASSIFICATION ARE FOR INFORMATION ONLY.

ANY OVERLAY ZONING DISTRICTS THAT APPLY TO THE SUBJECT PROPERTY ARE NOT AFFECTED BY THIS ORDINANCE.

OWNERS:
WORLD COLOR REALESTATE CORP.
BLUEMOUND LAND HOLDINGS, LLC

PROPOSED REZONING

LANDS TO BE REZONED FROM "O & LR/C DISTRICT #3" TO "PDD" PLANNED DEVELOPMENT DISTRICT - COMMERCIAL
(PDD-C#)
APPROXIMATELY 26.50 ACRES

TAX KEY NUMBERS:
BRC 1108-136 (PART THEREOF)
BRC 1108-137

LEGAL DESCRIPTION

All of Parcel 1 of Certified Survey Map No. 3323, all of Lots 1 through 7 and all of Lots 27 through 34, part of adjacent vacated alley and road of Block 1, Lots 1 through 10 and part of adjacent vacated alley and road of Block 3 and Lots 1 through 7 and part of adjacent vacated road of Block 1 in Block 4 of Columbia Gardens No. 2 and part of Columbia Boulevard, in part of the Southeast 1/4 of Section 25, Township 7 North, Range 20 East, in the City of Brookfield, Waukesha County, Wisconsin, bounded and described as follows:

Commencing at the southeast corner of said Southeast 1/4; thence South 89°13'40" West, on and along the south line of said Southeast 1/4, 415.00 feet; thence North 00°46'19" West, 45.00 feet; thence South 89°13'41" West, 85.63 feet; thence North 01°08'25" West, 195.71 feet; thence South 83°30'49" West, 35.87 feet; thence North 06°29'56" West, 179.81 feet to the point of beginning; thence South 83°14'49" West, 848.25 feet to the beginning of a curve to the left, having a radius of 1672.33 feet and a long chord of North 16°50'40" West, 690.30 feet and the east right of way of Columbia Boulevard; thence Northwesterly, on and along the arc of said curve and said east right of way line, 695.30 feet; thence North 28°15'09" West, on and along said east right of way line, 218.11 feet; thence South 83°31'51" West, 43.23 feet to the centerline of Columbia Blvd.; thence North 28° 15' 09" West, on and along said centerline, 244.05 feet to the City of Brookfield northern boundary line; thence North 83°31'51" East, on and along said northern boundary line, 906.11 feet to the west right of way line of the CP Railroad System; thence South 64°45'39" East, on and along said west right of way line, 628.13 feet to the east line of said Parcel 2; thence South 25°14'21" West, on and along said east line, 210.00 feet; thence South 64°45'39" East, on and along said east line, 16.47 feet; thence South 01°11'09" East, on and along said east line, 135.82 feet; thence South 13°08'55" East, on and along said east line, 60.00 feet; thence South 76°51'05" West, on and along said east line, 73.13 feet to the beginning of a curve the right, having a radius of 3083.43 feet and a long chord of South 07°59'57" East, 381.37 feet; thence Southeasterly, on and along the arc of said curve and said east line, 381.61 feet; thence South 83°14'49" West, 85.11 feet to the point of beginning.

Containing 1,154,418 square feet (26.50 acres), more or less.

INSTRUMENT WAS DRAFTED BY: MICHAEL J. RATZBURG

GRAEF
One Honey Creek Corporate Center
125 South 84th Street, Suite 401
Milwaukee, WI 53214-1489
414 / 259 1500
414 / 259 0037 fax
www.graef-usa.com

EXHIBIT B

PDD - COMMERCIAL DIMENSIONAL STANDARDS

Underwood Crossing - Brookfield, Wisconsin

May 12, 2011

Standards for Building and Parking Setbacks, Offsets, L.S.R., F.A.R. and Building Heights

Lot	Land Owner	Proposed Use	Front Yard Building Setback to ROW or Future ROW (feet)			Front Yard Parking and Paving Setback to ROW or Future ROW (feet)			Side Yard Offsets (feet)	Minimum L.S.R.	Maximum F.A.R.	Maximum Heights
			U.S. 18	Columbia	Other	U.S. 18	Columbia	Other				
Lot 1	TBD	Bank or Other Commercial	25'	N.A.	20'	25'	N.A.	10'	10'	0.1	35%	70'
Lot 2 (west) *	TBD	Retail, Restaurant or Other Commercial	25'	N.A.	20'	5'	N.A.	10'	10'	0.1	35%	70'
Lot 2 (east) *	TBD	Retail, Restaurant or Other Commercial	25'	N.A.	5'	5'	N.A.	10'	10'	0.1	35%	70'
Lot 3	Target	Retail	N.A.	75'	20'	N.A.	75'	5'	0'	0.1	35%	35'
Lot 4	TBD	Retail	N.A.	N.A.	20'	N.A.	N.A.	10'	0'	0.0	35%	70'
Lot 5 (existing)	Bluemound Bowl	Entertainment	25'	15'	N.A.	0'	0'	5'	5'	0.1	35%	35'
Lot 5 (northern 250' after July 2011)	Bluemound Bowl	Entertainment	25'	15'	5'	15'	3'	0'	0'	0.1	35%	35'
Lot 5 (southern 115' after July 2011)	Bluemound Bowl	Entertainment	25'	64'	5'	15'	64'	0'	0'	0.1	35%	35'
Lot 6	City of Brookfield	Open Space										
Brookfield ROW	City of Brookfield	Entrance ROW										

Actual Lot Area, L.S.R., F.A.R. and Building Heights

Lot	Land Owner	Proposed Use	Acres	Lot SF	S.F. of Open Space		Square Feet of Development						Parking Statistics			Building Heights
					Open Space	L.S.R.	Retail	Restaurant or other Commercial	Bank or other Commercial	Other	Total S.F.	F.A.R.	Brookfield Parking Requirements	Parking Required	Parking Provided	
Lot 1	TBD	Bank or Other Commercial	1.19	51,716	17,802	0.34	0	0	3,800	0	**3,800**	0.073	4.5/1,000 sf + line up spaces equal to 5 times drive up capacity or Per City Requirements	32	32	N.A.
Lot 2 *	TBD	Retail, Restaurant or Other Commercial	2.55	111,022	22,616	0.20	6,400	6,000	0	0	**12,400**	0.112	5/1,000 sf (retail) + 1.0 per 2 seats plus 2.0 per 3 employees on maximum shift or Per City Requirements	92	102	N.A.
Lot 3	Target	Retail	16.20	705,870	257,480	0.36	140,000	0	0	0	**140,000**	0.198	4.75/1,000 sf	665	544	32'
Lot 4	TBD	Retail	1.37	59,754	2,454	0.04	18,000	0	0	0	**18,000**	0.301	4.75/1,000 sf	86	72	30'
Lot 5	Bluemound Bowl	Entertainment	1.86	81,019	18,482	0.23	0	0	0	15,900	**15,900**	0.196	5.0 per alley (16 alleys)	80	100	N.A.
Outlot 1	City of Brookfield	Open Space	3.08	134,012												
Brookfield ROW	City of Brookfield	Entrance ROW	0.57	24,710												
Total Site Acreage			**26.82**	**1,168,103**	**318,834**	**0.27**	**164,400**	**6,000**	**3,800**	**15,900**	**190,100**	**0.163**		**955**	**850**	
Lands Dedicated to Right of Way or City of Brookfield			3.64	158,722												
Subtotal of Developable Land			**23.17**	**1,009,381**								**0.188**	**F.A.R. with out dedicated lands**			

* Lot 2 may be subdivided if more than one building is proposed on the lot.

Dimensional Standard Exceptions

Chapter 17.75 - Office and Limited Residential/Commercial District No. 3

- Outdoor shopping cart storage is allowable if effectively screened.
- Enclosed truck screening at rear of property is not required.

Chapter - 15.16.190 - Freestanding Signs

15.16.190 (C)4 - Main Identification Pylon Sign may be thirty (30) feet in height.

15.16.190 (C)5 - "City of Brookfield" Gateway sign may be one hundred (100) square feet, Main Identification Pylon Sign may be two hundred twenty-five (225) square feet and up to three (3)Tenant signs associated with Lots 1 & 2 may be fifty (50) square feet each.

Restrictions Imposed By Owner

1. Any operation primarily used as a storage warehouse operation and any assembling, manufacturing, distilling, refining, smelting, agricultural, or mining operation.
2. Any dumping, disposing, incineration or reduction of garbage; provided, however, this prohibition does not apply to garbage compactors located near the rear of any building.
3. Any fire sale, bankruptcy sale (unless pursuant to a court order), or auction house operation.
4. Any skating rink, movie theatre, or flea market.
5. Any massage parlor or similar establishment.
6. Any veterinary hospital or animal raising or boarding facility; provided, however, this prohibition does not apply to pet shops.
7. Any mortuary or funeral home.
8. Any establishment selling or exhibiting "obscene" material.
9. Any establishment selling or exhibiting drug-related paraphernalia, or which exhibits either live or by other means to any degree, nude or partially clothed dancers or wait staff.