

Resolution Number ____ for the City of Brookfield, Wisconsin

Resolution Number:

Resolution Title: Shoppes at The Corridor PDD Specific Plan

WHEREAS the property owner of 350 Discovery Drive, applied for a PDD Specific Plan, plan and method of operation, development agreement amendment, and temporary limited easement for street yard landscaping for Shoppes at The Corridor to construct an approximate 21,500 square foot retail and medical office building, site improvements, and landscaping; and

WHEREAS the property is zoned “PDD” Planned Development District Commercial (Mixed Use) Number 20, third and latest amendment being Ordinance #####-23; and

WHEREAS the owner proposed execution of public benefits identified in approval of the The Corridor PDD General Plan and listed in Ordinance 2393-14 to construct public streets and sidewalks, completion of adaptive re-uses of the Ruby Farm Home and Barn, completion of design and construction of Deer Creek Greenway Trail Corridor segment, and benefits in aesthetics and construction of the overall commercial planned development; and

WHEREAS the Planning Staff report indicated that the submitted PDD Specific Plan application meets the standards and public benefits identified in The Corridor PDD General Plan and the City’s “Site Development and Landscape Standards,” except for “Parking Location” III.1.B. which requires separation of parking lots from buildings with a minimum ten (10) foot wide space which accommodates landscape plantings and/or pedestrian circulation; and

WHEREAS the Plan Commission considered the application for the PDD Specific Plan, plan and method of operation, development agreement amendment, and temporary limited easement for street yard landscaping for the Shoppes at The Corridor as required by Section 17.41.040.E. – F., and found it:

- will not have a substantial adverse effect on traffic safety because the traffic demand will generate less than the 100 vehicles per peak hour where the City requires a traffic analysis under §17.100.070.H.; and
- will be consistent with the Municipal Code because it meets the requirements therein, subject to the applicant executing the necessary items listed for complying with such requirements as directed to the applicant; and
- will be adequately served with present or planned municipal services based upon demand for such services in comparison to existing conditions for the subject property – parcel is adequately served by existing City sewer and City water main and the proposed site improvement will not detrimentally affect the use of such utilities.; and
- will be substantially in conformance with the Site Development and Landscape Standards, April 19, 2022, where applicable, because the proposed building architecture, site

Resolution Number ____ for the City of Brookfield, Wisconsin

improvements, and landscaping fulfill the stated standards therein subject to the conditions for modifying plans in conformance with the standards directed to the applicant; and

WHEREAS the Plan Commission recommended the Common Council approve the PDD Specific Plan, plan and method of operation, development agreement amendment, and temporary limited easement for street yard landscaping as submitted, subject to the conditions listed in the Staff report on the request, at its August 7, 2023, meeting. The conditions are as follows:

1. Common Council adopting an ordinance enacting the proposed zoning amendment for “PDD” Planned Development District Commercial (Mixed Use) Number 20.
2. Statement of Operations/Application Letter dated June 7, 2023, by Irgens, Rob Oldenburg, Senior Vice President, Development.
3. Site plan dated May 5, 2023, by The Sigma Group, including modify plans to obtain ten feet of separation between the building and parking lot with sidewalk, landscape plantings, or a combination of both, and technical corrections presented by the City Engineering Division.
4. Building plans, elevations, renderings, and material samples dated May 8, 2023, by Eppstein Uhen Architects, subject to technical corrections presented by Department of Community Development and Inspections.
5. Compliance with site access, fire alarm, suppression, and life safety code compliance requirements specified in a missive dated May 30, 2023, by Fire Chief David Mason.
6. Site utility, grading, drainage, and erosion control plans are subject to final approval of the City of Brookfield Engineering Division prior to the issuance of building permits.
7. Payment of applicable fees to the Community Development Department prior to issuance of a building permit:
 - \$ TBD Engineering Review Fee
 - \$ TBD Development Agreement Amendment
8. Lighting in compliance with Sections 15.16.080 and 17.120.070 of the City of Brookfield municipal code.
9. All signage subject to separate review by Zoning and Building Administrator, including warranted conditions for traffic and pedestrian sightlines from Chapter 11 Section 25 of the Facilities Development Manual of WisDOT alongside other corrections identified by Engineering Division, in review and approval of signage.

Resolution Number ____ for the City of Brookfield, Wisconsin

10. Submittal of final site landscape plan per Section 17.100.122 of the City of Brookfield municipal code, preliminary plan dated May 5, 2023, by The Sigma Group, prepared by registered landscape architect consistent with the requirements of the Site Development and Landscape Standards subject to City of Brookfield consultant, Community Development, and Inspections Department review and approval, with technical corrections secured with a letter-of-credit (City forms available from the Department of Community Development) or cash escrow equal to \$37,383.00 (\$2,550 per 1,000 sq. ft. street yard) for installation, \$6,450.40 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 (14,660 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 street yard 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. Planned Development District development agreement amendment securing necessary public improvements, access, grading, drainage, landscaping, and stormwater management in the project, and accompanying temporary limited easement for landscaping securing necessary access by the City and/or its agents to install and maintain street yard landscaping in the project per City ordinances and standards, all subject to City Attorney review and approval prior to recording.
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. Plan and method of operation approval expires on August 15, 2025, unless a building permit is obtained prior thereto.

NOW, THEREFORE, BE IT RESOLVED, that the City of Brookfield Common Council approves the PDD Specific Plan, plan and method of operation, development agreement amendment, and temporary limited easement for street yard landscaping for the Shoppes at The Corridor, per the Plan Commission's August 7, 2023, recommendation, with direction that the current district is retitled "PDD #20 – Mixed Use", as required by Section 17.41.040.F.4.a., permitting construction of an approximate 21,500 square foot retail and medical office building, site improvements, and landscaping, in association with the proposed development of the remaining vacant commercial

Resolution Number ____ for the City of Brookfield, Wisconsin

lot of The Corridor at 350 Discovery Drive, in accordance with the Specific Plan, attached as Exhibits A – D and incorporated herein, as required by Section 17.41.040.F.4.b., for the development at 350 Discovery Drive, and authorization for the Mayor to execute a temporary limited easement for street yard landscaping and a development agreement amendment on behalf of the City, subject to approval of the City Attorney:

Exhibit A: Specific Plan dated 06/07/2023

Exhibit B: Fire Department comments dated 05/30/2023

Exhibit C: Demonstration of Financial Capability

Exhibit D: Construction Schedule

BE IT FURTHER RESOLVED that if a Development Agreement is not executed for necessary public improvements, access, grading, drainage, landscaping, and stormwater management in the project and a building permit has not been obtained prior to August 15, 2025, then this approval expires and the site shall revert to PDD General Plan status.

BE IT FURTHER RESOLVED that the proper city official(s) be hereby authorized and directed to carry out the council’s action, including, but not limited to signing documents, implementing technical revisions to documents to effectuate the best interest of the City, and correcting scrivener’s errors.

Adopted this [insert day] day of [insert month] [insert year].

Approved:

Attested:

Mayor Steven V. Ponto

City Clerk Michelle Luedtke