

MINUTES OF AN OFFICIAL MEETING:

- Regular Meeting: Plan Commission
- Date and Time: Monday, April 10, 2023, at 6:30 pm
- Location: City Hall Council Chambers, 2000 N. Calhoun Road, Brookfield WI 53005
- Members Present: Mayor Steven Ponto (Chairman), Alderman Rick Owen, Alderman Mike Hallquist, Citizen Commissioner Austin Moore, Citizen Commissioner Mike Franz, Citizen Commissioner Scott Thomas
- Members Excused: Alderman Gary Mahkorn
- Others Present: Director of Community Development Dan Ertl, Fire Chief David Mason, Director of Public Works Tom Grisa, City Engineer Dan Erickson, Alderman Kris Seals, Alderman David Christianson, Alderman Bill Carnell, Alderman Jerry Mellone, County Supervisor Jacob LaFontain, Planning Administrator Richard VanDerWal, Associate Planner Emily Zandt, Community Development Intern Christian Boulanger, Aaron Gruen, Gruen Gruen + Associates

1. Roll Call

Mayor Steven Ponto noted a quorum present and called the Plan Commission to order at 6:31 pm

2. Announcements

- a. The Next Regularly Scheduled meeting will be held on Monday, May 8, 2023, at 6:30 pm.

3. Meeting Minutes

- a. **Minutes of the March 13, 2023 Plan Commission meeting.**

Motion by Alderman Mike Hallquist, second by Alderman Rick Owen to approve the minutes of the March 13, 2023, Plan Commission meeting. Motion carried 6-0.

4. Unfinished Business

- a) **Public Hearing and ITEM 4.a: Request of The Heimat Group, 5150 N. Port Washington Road, Suite 115, Glendale, WI 53217 – c/o Jim Sedgwick and Joseph Lak, Jr., Partners, to approve a Resolution approving a Project Plan for Tax Increment District Number Nine (TID No. 9) for the creation of said district and establishment of the boundaries of TID Number 9 in the City of Brookfield, Wisconsin, Waukesha County– located at 13925 W. Capitol Drive and 3950 Lilly Road.**

I. Background

Environmental contamination

The Heimat Group and Wheel and Sprocket, as partners, (herein “Developer”) are proposing to redevelop a

brownfield site located at 13925 W CAPITOL DRIVE AND 3950 LILLY ROAD. The properties currently consist of a single-story bicycle shop and an abandoned automobile service station and associated parking lots and driveways. The sites have various levels of known or expected levels of contaminated soils that will need to be remediated if any reasonable new future is envisioned for these dated buildings (circa 1960s). In the opinion of the Community Development Department, no excavation of the sites or removal of buildings could occur without remediating the contamination in a manner acceptable to the Wisconsin Department of Natural Resources (WDNR). The WDNR has approved a remedial action plan for cleanup of the sites. In addition, a public sanitary sewer runs diagonally through the sites in a manner that prevents excavation of a basement for new buildings without the relocation of the sewer and associated remediation of soils near the sewer. The staff is unsure how or why this public sewer was laid where it is as such sewers typically run along the edges of properties in public right-of-way. Nevertheless, the sewer is an existing condition that in the opinion of the Community Development Department needs to be addressed if the sites are redeveloped. See Contamination Map and excerpts from the Remedial Action Plan in the ERTID Project Plan.

The Developer plans to demolish the two existing buildings located on the site and remove the associated parking lots and driveways and construct a single mixed-use building with underground parking consisting of approximately 19,000 square feet of commercial retail space and, 75 apartment units, or hereafter called the “**Project**”. The 19,000 square feet of retail will include approximately 16,000 square feet for a bicycle store and 3,000 square feet for a specialty food retailer/ service provider.

Request for ERTID Financial Assistance

The **Developer** has proposed a “**Pay As You Go**” form of a tax increment district under which the Developer will pay for the needed environmental remediation listed in the District “**Project Costs**” and will be reimbursed from the new taxes the Developer creates in the District. The Developer’s *Statement of Need* is attached and will be presented at the meeting.

The City of Brookfield created the attached **DRAFT Project Plan for TID No. 9** in order to address the environmental remediation and rehabilitation needs of a portion of the Capitol Drive and Lilly Road area including associated street improvements in an area that may have contaminated soils. The City identified strategies and actions that can be taken to achieve this goal in the report entitled Lilly Road & Capitol Drive Neighborhood Plan City of Brookfield, WI, dated December 4, 2001. This area has also been identified in the City’s *2050 Comprehensive Plan* as a priority area (“**Target Investment Area**” or “**TIA**”) for consideration of public-private partnerships such as the creation of tax increment districts.

As a result of the creation of this District, the City projects that net, new tax value of improvements will be approximately **\$ 18,000,000** of equalized assessed value as a result of redevelopment of existing properties.

The City anticipates reimbursing the Developer for costs incurred as listed in the District or “**Project Costs**” up to **\$3,524,163**. The costs include environmental remediation costs, the costs of acquiring the most acutely polluted property, relocation of the public sanitary sewer and street improvement costs. These costs do not include the Developer’s debt issuance expenses and interest cost to undertake the projects listed in this Project Plan as the method of financing would be “**Pay Go**”.

Do the City taxpayers pay for any of the \$3,524,163 offered to the Developer?

No. The Developer pays the taxes on their property annually – equal to about \$254,000 per year- into a segregated account that reimburses their costs of up to \$3,524,163 over an 18-year period.

City Funded Project Costs

In addition, it is recommended that the City fund 50% of the street improvement costs associated with the Project plus include a contingency for unforeseen costs in the public right-of-way that may be encountered. The

ERTID would include **\$490,000** of City costs which would be recovered as eligible Project Costs. . The theory is that the City should contribute to the street improvements costs since the traffic study shows there are existing problems.

Property Tax Consequences

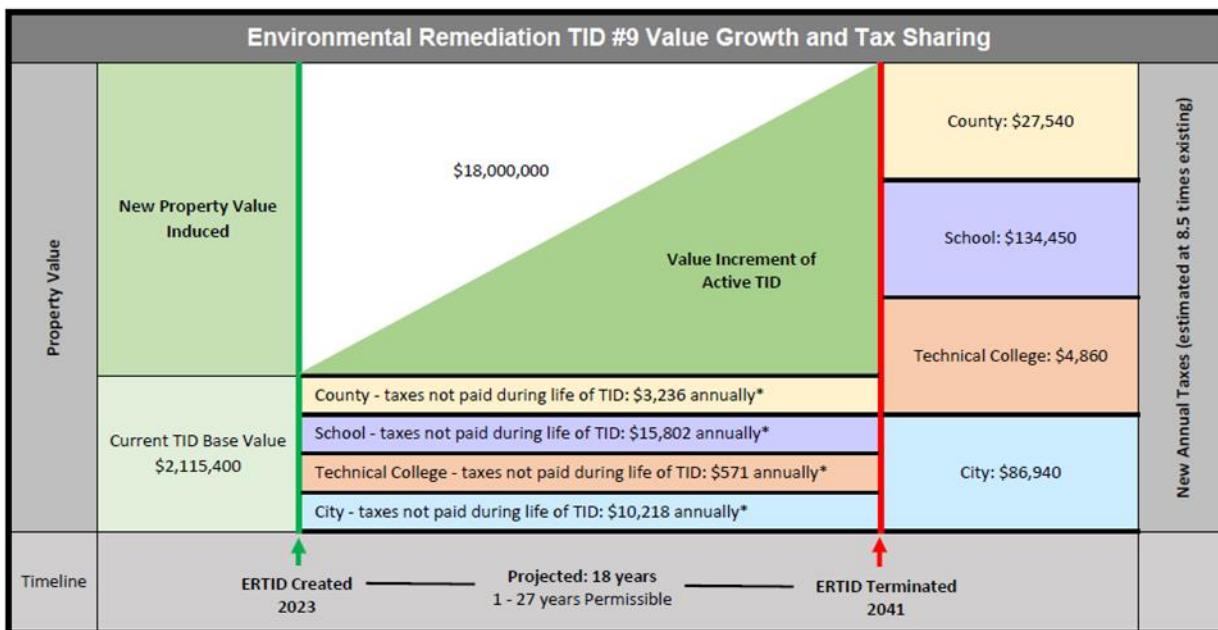
The District would be expected to remain open **18 years** generating enough tax increments to recover all Project Costs by 2041.

The base value of the current equalized property tax of the two properties of approximate \$2.115m (assessed) will be reduced to \$1.00 upon creation of the ERTID since it is an ERTID.

Because of this does this Project affect City taxpayers in other ways financially?

Yes. For the period of the ERTID- projected to be 18 years- the current taxes paid on the existing properties in their current condition – equal to a total of about \$29,800 per year -will not be paid to the County, City, School District or WCTC collectively, but go to pay for environmental cleanup. This is part of the theory of the Wisconsin laws that create incentives to clean up contaminated sites. See chart below.

When the TID closes how many taxes will be paid? Waukesha County will receive \$27,540 per year, Elmbrook School District will receive \$134,450 per year, WCTC will receive \$4,860 and the City will receive \$86,940 per year. See chart below.



* Using taxes from all taxing authorities to clean up environmental contamination during the life of the ERTID allows the TID to close more quickly. Then the higher tax base is available sooner.

Financial Feasibility

A presentation of a *Summary of Financial Feasibility Analysis of and Recommendations about TID Assistance for the Revised Proposed Wheel & Sprocket Redevelopment in Brookfield, Wisconsin*, January 13, 2023 prepared by Gruen Gruen + Associates for the City of Brookfield will be made at the March 13, 2023 meeting by Aaron Gruen, GG+ Associates. GG+ Associates reviewed the real estate proforma of the Developer for the project and opined: ".....Given the feasibility risks, GG+A recommends accepting the TID incentive request of \$3,524,163 on a Pay As

Go basis so that no TID incentives are provided upfront and only after the development of the project is completed.....” p 5. See attached.

Comparison to the City’s Plan’s and CDA Guidelines

The redevelopment is consistent with the goals and objectives of 2050 *Comprehensive Plan* and is generally consistent with the TIA Plan as noted below. Some amendments to the TIA Plan are needed as noted and are being processed under a zoning entitlement track in the next item on the March 13 agenda. Below is supplemental excerpts from each of these plans.

2050 Comprehensive Plan (Comp Plan.)

The Project is consistent with the Comp Plan. It retains a high-quality local business which is poised to succeed in the changing national and regional economy (Jobs and Shopping implementation objective p.65). The development pattern promotes environmentally-conscious building and site design within a Targeted Investment Area (Sustainability implementation objective p.91) with mixed use which promotes 24/7 activity and increases safety from more “eyes on the street” (Sustainability Policies, Programs, and Recommendations - Development p.95). It converts aging retail into mixed use development (Destinations implementation objective p.101) that will establish a vibrant community activity center supporting live-work-shop-play environments in executing the identified land use (Mixed Use Future Land Use Categories p.38). Finally, the proposal provides a broader range of housing types, densities, and costs in the TIA, while preserving the integrity and overall composition of the existing neighborhoods (Housing and Neighborhoods Objectives p.53), and helps to fulfill lifecycle housing options to serve changing demographics (Housing and Neighborhoods Programs and Initiatives p.57).

Lilly Road and Capitol Drive Neighborhood Plan – 2001 (Neighborhood Plan)

Several elements of the Project are consistent with the TIA or Neighborhood Plan. The Southeast Quadrant in the plan calls for a land use mix including office, retail, and office/residential above retail/office (p. 34). The plan also identifies the appropriate proportions for the streetscape of Capitol Drive. It acknowledges, “A preferred feeling of enclosure is building height to street width (building façade to building façade) ratio ranges from 1:4 through 3:1,” and that, “To feel a sense of enclosure the buildings on the north and south side would need to be approximately 71 feet tall.” (p.20). The proposal would nearly accomplish the appropriate proportions for the streetscape identified in the plan. The Neighborhood Plan requires the following amendments for a proposed rezoning to be consistent:

- Amend the recommended land uses map on page 26 to allow for Higher Density Mixed Use with Residential above Retail/Office (consistent with Comp Plan)
- Amend the description for “District I” under “Southeast Quadrant” on page 45 to read, “redevelopment of the property should have buildings located approximately 20 feet from the right-of-way along Capitol Drive and function as the eastern side of a gateway to southbound Lilly Road. The massing of this building – or these buildings – should be four stories along Capitol Drive, stepping down to three floors in height adjacent to residential property to the South.”

CDA Public Policy Guidelines and Supporting Resolution

On January 24, 2023 the City’s Community Development Authority (CDA) met to review the request and moved approval of a supporting Resolution. See the attached CDA resolution and meeting minutes.

The Project meets many of the public policy guidelines established by the CDA-s “Guidelines for the Community Development Authority to recommend City assistance in a development or redevelopment project and the establishment of a Tax Increment District (TID)”. The most direct guidelines – as established in the 2050 *Comprehensive Plan*- met by the Project are:

“16. Working with the CDA, promote the identification, clean-up, and reuse of environmentally contaminated sites for economic development purposes, where consistent with the City’s land use plans.

17. Of particular challenge is how to address sites that contain aging retail centers (i.e., older “strip malls” and similar uses). These circumstances sometimes suggest the need for redevelopment—in other words, removing the existing building(s) and constructing new ones. Other times, reinvestment in the existing building(s) seems more appropriate. Further, when redevelopment seems the appropriate course, the economics of redevelopment often lead to a private interest in seeking public financing support, usually via TIF, as a means to close funding gaps”.

CDA Project Metrics

Currently, Wheel and Sprocket has 12 FTE employees who will be retained. Additional construction jobs and retail jobs are expected to be created. **(City Goal 2 & Guideline 8).**

The equalized assessed value is projected to increase from \$2.115m (assessed) to \$18m for the two properties over a two year period. **(Guideline 8.)**

The form of the TID would be “Pay as You Go” which meets the intent of **Guideline 12** as no City debt is incurred for the amount to be distributed to the Developer:

“ 12 . Applicants that include larger percentages of equity contributions to the project will be viewed more favorably by the CDA..... The awarded grant or TIF dollars should not be disbursed until the entire capital structure needed for the agreed-upon budget (equity, debt and assistance) is fully committed”.

Economic Development Committee (EDC):

The EDC approved a resolution on March 6, 2023 endorsing the Project and that the Plan Commission and Common Council should take steps to approve the Project as such is consistent with City economic development goals and objectives. See attached Resolution.

II. Staff Recommendation

Recommendation: The Request is consistent with the Community Development Authority’s guidelines in their role of providing recommendations to the Brookfield Common Council in reviewing the granting of City financial assistance and creation of Tax Increment Districts, as informed by the independently prepared financial analysis by Gruen Gruen + Associates and as evidenced by the supporting resolutions adopted by the CDA and the EDC. Staff recommends the Plan Commission approve, via the attached Resolution, the Project Plan for Tax Increment District Number Nine (TID No. 9) for the creation of said district and establishment of the boundaries of TID Number 9 in the City of Brookfield, Wisconsin, Waukesha County– located at 13925 W. Capitol Drive and 3950 Lilly Road.

Refer to audio recording of this item [here](#) for the discussion.

Director of Community Development, Dan Ertl, provided a summary of the proposed Environmental Remediation Tax Increment District (ERTID) and associated details.

Aaron Gruen, Gruen, Gruen + Associates, gave a summary of the “But for” analysis conducted by Gruen Gruen + Associates on behalf of the City for the proposed Environmental Remediation Tax Increment District (ERTID).

Noel Kegel, Owner of Wheel & Sprocket, emphasized the need for the ERTID to move the project forward.

Joe Lak, Heimat Group, gave a brief overview of the project and outlined why the ERTID is essential to the financing of the project.

Alderman Mike Hallquist asked Mr. Gruen about the cost of the original design compared to the cost of the currently proposed design. Mr. Gruen stated that the overall cost of the original design was not lower, but the Plan Commission

cost per square foot was lower and there was more rental income potential.

Citizen Commissioner Austin Moore asked how the \$3.5 Million remediation costs were determined. Director Ertl stated that the numbers came principally from The Sigma Group, Wheel & Sprocket's Environmental Consultant. The acquisition cost of the former Aamco Transmissions property came from the transfer return and the cost for the public sewer relocation came from the applicant's construction group and was reviewed by City Engineering. The street improvement costs were an estimate from The Sigma Group's Transportation Division.

Alderman Mike Hallquist asked about if the \$3.5 million number is capped. Director Ertl stated that it is more than capped, it is not to exceed. If the cost of remediation is higher, the developer will only receive the \$3.5 Million in reimbursements. If the cost is only \$3 Million, the developer would only receive \$3 Million in reimbursement and the TIF may close earlier. Contingency is included in all costs as is customary for all construction projects.

The Chairman, Mayor Ponto, opened the Public Hearing, asking if any members of the public wish to speak on the matter.

- David Rosenberg – 13885 W. Capitol Drive – Opposes ERTID #9. Did not speak.
- Bryan Gast – 14050 Newell Drive – Opposes the ERTID #9. Spoke on size of building, alternative funding options for environmental remediation, property owner responsibility.
- Ericka King – 3660 Lilly Road – Opposes ERTID #9. Did not speak.
- Barb Feest – 3875 Westwood Court – Opposes ERTID #9. Did not speak.
- Jean LaForge – 4225 Lilly Road – Opposes ERTID #9. Did not speak.
- Lyle LaForge – 4225 Lilly Road – Spoke in opposition to the project. Asked about who pays the bills for the work being done.
- Jerry Stephani – 14835 Clare Bridge Lane – Opposes ERTID #9. Did not speak.
- Mary Stephani – 14835 Clare Bridge Lane – Opposes ERTID #9. Did not speak.
- Nancy Obradovich – 14360 Hyland Drive – Opposes ERTID #9. Did not speak.
- Rick Schoos – 3160 Old Lantern Court – Spoke in opposition to the 18 years of no tax payments. Thought the developer would be double dipping and is underfunded.
- Alderman Bill Carnell – 3360 Cardinal Drive – Opposes ERTID #9. Spoke on keeping taxes low, concern over 18 years of no tax relief, cost to taxpayers, having patience for a different project proposal.
- John Obradovich – 14360 Hyland Drive – Opposes ERTID #9. Spoke on concern about height and setback of building, scale compared to nearby buildings. Questioned whether monetary claims or a lawsuit for the contamination were ever sought. Spoke on concerns related to increased cost to tax payers due to multi-family component and change in dynamic of the area, traffic concerns.
- Kathleen Meyer – 4155 Clare Bridge Lane - Opposes ERTID #9. Did not speak.
- Bill Meyer – 4155 Clare Bridge Lane - Opposes ERTID #9. Did not speak.
- Dawn Seefeldt – 3460 Lilly Road – Opposes ERTID #9. Did not speak.
- Meredith Shane – 3215 Applegate Lane – Opposes ERTID #9. Did not speak.
- David Rosenberg – 13385 W. Capitol Drive – Requested to speak. Spoke on impacts to his business next door to the proposed project.

Refer to audio recording of this [item](#) here for the discussion.

Motion by Alderman Rick Owen, second by Alderman Mike Hallquist to close the public hearing. Motion carried 6-0.

Alderman Rick Owen commented on the stormwater issues on the site. He asked if a different project was going on the site, would grading to fix the stormwater issues trigger the DNR requirement for environmental remediation on the site. Director Ertl and Director Grisa stated yes, although the extent of the remediation would

be dependent on the project.

Alderman Rick Owen asked for confirmation that all of the taxing districts must weigh in on the decision. Director Ertl stated yes, that the Joint Review Board, which is made up of representatives from the City, Washington County, the Elmbrook School District, Waukesha County Technical College, and a public member (city resident) needs to take action on the proposed tax increment district within 45 days of any Common Council action through a resolution. Alderman Rick Owen commented that he believes that some level of remediation will be needed for any project on the site and some level of TID assistance would be needed.

Alderman Mike Hallquist stated that this proposal is as good as the City will get from an economic perspective given the site characteristics. The tax income that will be foregone during the duration of the TID, the money will be made up fairly quickly after the close of the TID. Economics of the City should be looked at long term, not over the next several years. He stated he does worry about the “what if”. The requirement for remediation will still exist no matter what project is proposed for the site. He doesn’t know what other project will be able to make the financials of the site work.

Citizen Commissioner Scott Thomas asked how many other Tax Increment Districts the city has previously approved. Director Ertl stated that this would be the 9th TID. Three are closed and five remain open. Director Ertl summarized the existing TIF districts.

Alderman Mike Hallquist commented that this proposed project takes all of the risk, rather than putting a portion of that risk on the City.

Motion by Alderman Mike Hallquist, second by Alderman Rick Owen to move approval of Staff’s recommendation. Motion carried 5-1 (Owen).

5. New Business

- a) **Request of Howard Company, 1375 N Barker Road, Brookfield, WI 53045 – c/o Sara Sina, Vice President of Operations, for approval of a minor revision to plan and method of operation and temporary limited easement for street yard landscaping permitting a 14,040-square-foot addition to the existing building located at 1375 N Barker Road. (SE ¼ of Sec. 19) – EZ **Requires Common Council Action****

Report:

1. The site consists of one lot not located in a Targeted Investment Area (TIA), one of eleven areas identified in the City of Brookfield 2050 Comprehensive Plan (Comp Plan) that foster community reinvestment by supporting new economic development and sustainable, mixed-use redevelopment with sensitivity to surrounding neighborhoods. The adopted land use of the City of Brookfield 2050 Comprehensive Plan (Comp Plan) is “Employment Focused - Higher Density”. The site is zoned I Industrial District. The proposed building addition in association with the existing warehouse use is permitted in the district.

2. Proposed Site Development Characteristics:

Lot Area:	174,237sq. ft. (4.999 ac)
Building Setback:	99.89’ N Barker Road (50’ min.) 119.69’ Industry Avenue (50’ min.) 49.54’ N Commerce Avenue (50’ min.)
Pavement Setback:	unchanged
Building Offset:	11’ north (10’ min.)
Pavement Offset:	unchanged
Building Height:	22’ (60’ max., 40’ max. accessory buildings)

Building Addition Size:	14,040 sq. ft.
Total Building Size:	66,324 sq. ft.
Parking Spaces:	72 surface (61 req.)
Floor Area Ratio:	38% (60% max. including accessory buildings)
Impervious Surface Area:	119,383 sq. ft.
Lot Coverage:	68.5% (85% max., all buildings and impervious surfaces)
Landscape Area Ratio:	31.5% (15% min.)

3. The submitted site plan indicates no changes to ingress/egress access points. The proposed building addition will replace an existing parking area, removing 13 parking spaces. The minimum parking requirements will continue to be met as will the parking needs of the company. A dumpster enclosure and exterior enclosures for pallet storage will be reviewed and approved administratively by City Staff. The proposed use of the addition is warehousing/storage and no additional employees will be added as a result of the addition. As such, a traffic impact analysis was not required for the request. The change in the number of employees, patrons, and/or visitors identified in the applicant's peak traffic hour of proposed operation will generate less than the 100 vehicles per peak hour where the City requires a traffic analysis under §17.100.070.H.
3. Proposed architecture and building materials are consistent with the City's *Site Development Standards for Non-Residential Uses*. The proposed building addition features white split face concrete block to coordinate with the existing stucco façade. Per the Site Development and Landscape Standards, stucco is a prohibited façade material for all new construction. The proposed addition includes clerestory daylighting windows on the west façade in order to add glazing to the addition. Due to the proposed pallet racking use of the addition, no other vision glass was included in the design. The addition will include one man door and one overhead door on the west façade and one man door on the east façade of the addition. The proposed building addition is consistent with existing building colors and materials for a cohesive site design.
4. 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.
5. The applicant submitted a landscape plan for review and compliance with City standards. Street yard landscaping is required along Commerce Ave, for the extent of the building addition.
6. The applicant is in receipt of missives dated February 13, 2023 and March 7, 2023 by Fire Chief David Mason identifying preliminary fire alarm, suppression, and code compliance requirements.
7. Grading, drainage, erosion control, and SWMP have been submitted to the Engineering Division.
8. The proposed addition will add 1,161 square feet of impervious surface to the site. This quantity does not require stormwater management improvements. A temporary limited easement for street yard landscaping using the City's standard form is necessary to secure installation and maintenance of such landscaping.

Recommendation: Staff recommends that the Plan Commission approve the revised plan and method of operation permitting the 14,040 sq. ft. warehouse addition and associated site improvements for the Howard Company at 1375 N Barker Road, subject to items 1-10 below, because it determines, as the Plan Commission has determined, that the proposed structure and use:

- a. Will not have a substantial adverse effect on traffic safety because the proposed use is substantially similar to the previously approved business operation and 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.
- b. Will be consistent with the Municipal Code because it meets the requirements therein.

- c. 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 affect the use of such utilities.
 - d. Will be substantially in conformance with the Site Development and Landscape Standards, April 19, 2022, where applicable, because the proposed building architecture and site improvements fulfill the stated standards therein.
1. Statement of Operations/Application Letter dated February 6, 2023 by Howard Company, Sara Sina, Vice President of Operations.
 2. Site plan dated March 1, 2023 by JB Site Design & Engineering, including technical corrections presented by the City Engineering Division.
 3. Building plans, elevations, and material samples dated March 1, 2023 by Allume Architects, including technical corrections.
 4. Compliance with site access, fire suppression, and alarm requirements specified in a missive dated February 13, 2023 and March 7, 2023, by Fire Chief David Mason.
 5. Site utility, grading, drainage, and erosion control plans are subject to technical corrections and final approval of the City of Brookfield Engineering Division prior to the issuance of building permits.
 6. The location and design of a dumpster enclosure and exterior pallet storage enclosures shall be reviewed and approved by City Staff at an administrative level prior to the issuance of building permits for the proposed building addition.
 7. All new lighting must be in compliance with sections 15.16.080 and 17.120.070 of the City of Brookfield municipal code.
 8. All signage is subject to separate review by Zoning and Building Administrator.
 9. Site landscape plan, consistent with submitted plan dated March 1, 2023, by Allume Architects, subject to Community Development and Inspections Department review and approval.
 10. 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).
 11. Revised plan and method of operation approval expires on March 21, 2025 unless a building permit is obtained prior thereto.

Refer to audio recording of this item [here](#) for the discussion.

Topics Discussed

- The applicant is seeking approval of two options for exterior materials: split-face concrete block and precast concrete panels. Staff supports approving both options.
- The applicant is requesting to waive the window requirement on the west side of the building. There will

be pallet racking floor to ceiling on the inside of the addition and there are concerns about safety related to the operation of forklifts near the windows.

Motion by Alderman Mike Hallquist, second by Citizen Commissioner Austin Moore to approve staff recommendation to approve the revised plan and method of operation permitting the 14,040 sq. ft. warehouse addition and associated site improvements for the Howard Company at 1375 N Barker Road, with approval of two material alternatives, Kalwall and glass block, as permissible options for the material used for the clerestory windows on the west façade of the building addition. Motion carried 5-0 (Thomas recused).

- b) **Request of the School District of Elmbrook, 3555 N Calhoun Road, Brookfield, WI 53005 – c/o Rick Domach, Director of Facilities, for approval of a minor revision to plan and method of operation permitting exterior building modifications, including raising a portion of roof, in association with the conversion of an auto shop to an Engineering/Robotics program space at Brookfield East High School, 3305 Lilly Road. (SE ¼ of Sec. 11) – RV **Requires Common Council Action****

Citizen Commissioner Scott Thomas recused himself from this item as he works for EUA, the firm that designed the project. Mr. Thomas left the room and returned before the beginning of the next agenda item.

Report:

1. The site consists of one lot which is not located in a Targeted Investment Area (TIA). The adopted land use of the *City of Brookfield 2050 Comprehensive Plan* (Comp Plan) is “Nature, Recreation, & Community Facilities – Community Facility”. The site is zoned R-2 Residence District, [17.32](#) (R-2), with special exception ordinances 1204 and 2598-20, and with conditional use ordinances 1757, 1913-03, and 2142-08. The special exception ordinances and conditional use ordinances permit and regulate the outdoor lighting, frequency of use, hours and operations of the high school play fields, with the exception of ordinance 2142-08 which granted parking and building alterations and additions on the site. The proposed architectural modifications and classroom/laboratory program alterations in association with the operation of a public high school are permitted by the zoning.
2. Submitted proposal does not modify existing site plan, parking, landscaping, or trash/recycling operations. Request is limited to converting existing autobody garage space into a robotics lab space. A higher interior clear span height is sought as part of the conversion of the space to more appropriately meet robotics testing needs and regional, state, and national robotics competition parameters.
3. Proposed modifications to building architecture and materials are consistent with the *Site Development and Landscape Standards* (SDLS). The applicant seeks to replace five (5) bays of roll-up garage doors with vision glass and increase the interior clear span height of the workshop/lab by raising the roof. Raised portion of roof also features clerestory translucent windows which coincide with the location of vision glass on the south façade. Metal panels applied over existing face brick wall on the south façade, and to the portion of extended roof, are designed with material finish and color consistent with the panels used on the existing adjacent field house. Collectively, the new architectural elements balance the need to identify the new robotics lab through roof and material changes, while working within the existing building’s overall composition and palette. Overall, the proposal achieves a cohesive design. Material changes proposed are:

Materials & Colors

- Metal panels consistent with existing color and finishes
- Clear vision glass storefront window system in aluminum (exceeds 20% minimum on public facing façade)
- Translucent clerestory glazing system in aluminum
- Cast stone base

4. The Engineering Division and Fire Department have reviewed the request and submitted no comments or concerns. Raised portion of roof to include code compliant extension of fire suppression and alarm system used within the building.

Staff Recommendation: The Plan Commission recommends the Common Council approves the minor revision to plan and method of operation permitting exterior building modifications in association with the operations of a public high school, Brookfield East High School, at 3305 Lilly Road, subject to items 1-7 below, because it determines, as the Plan Commission has determined, that the proposed structure and use:

- a. Will not have substantial adverse effect on traffic safety because traffic is unaffected.
 - b. Will be consistent with the Municipal Code because it meets the requirements therein.
 - c. 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.
 - d. Will be substantially in conformance with the Site Development and Landscape Standards, April 19, 2022, where applicable, because the proposed building architecture fulfills the stated standards therein.
1. Statement of operations dated March 6, 2023 c/o Rick Domach, Director of Facilities, School District of Elmbrook.
 2. Building plans, elevations, and materials dated March 6, 2023 by Eppstein Uhen Architects, Inc., subject to Department of Community Development and Inspections review and approval, including technical corrections identified by City staff, prior to issuance of building permits.
 3. Compliance with site access, fire suppression, and alarm requirements of chapter 8.08 of the City of Brookfield Municipal Code.
 4. Lighting in compliance with sections 15.16.080 and 17.120.070 of the City of Brookfield Municipal Code.
 5. All signage subject to separate review by Zoning and Building Administrator.
 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 April 18, 2025 unless a building permit is obtained prior thereto.

Refer to audio recording of this item [here](#) for the discussion.

Motion by Alderman Mike Hallquist, second by Citizen Commissioner Mike Franz to approve staff recommendation to approve the minor revision to plan and method of operation permitting exterior building modifications in association with the operations of a public high school, Brookfield East High School, at 3305 Lilly Road. Motion carried 6-0.

- c) Request of Vertical Investments, LLC, 2735 North Calhoun Road, Brookfield, WI 53005 - Alex Simic, Principal, to schedule a public hearing for amending the “B-3” Regional Business District, Chapter 17.64

of the Municipal Code, to permit general or clerical office uses for co-working spaces in the district. – EZ

Report:

1. Better Cowork, LLC is proposing a zoning code text amendment to allow “General and Clerical Offices” as a permitted use in the B-3 Regional Business District. The proposed code amendment is related to the proposed reuse of the former Boston Store Furniture Gallery building located at 18615 Bluemound Road for a coworking space. A Revised Plan and Method of Operation application for said property will be before the Plan Commission following consideration of the text amendment.
2. The [B-3 Regional Business District](#) allows uses permitted in the [B-1 General Business District](#) (except a used car lot) as well as additional “businesses of a more general nature, normally serving a regional area or facilities for transients” (17.064.010 2.) There are other uses that may be considered similar to “general and clerical offices” such as “professional office or studio”, “real estate office”, and “telegraph and telephone office and telephone exchange” which are listed as permitted uses in the B-1 General Business District and therefore are also permitted uses in the B-3 Regional Business District.
3. Definitions. Title 17.04.020 Definitions includes the following definitions:
 - a. *“Office” means a room, or group of rooms, used for conducting the customary administrative affairs of businesses, services, industries, governments or professionals which is generally furnished with desks, tables, files and communication equipment.*
 - b. *“Professional office” means the office of a doctor, practitioner, dentist, minister, architect, landscape architect, professional engineer, lawyer, author, musician or other similar recognized profession.*
4. “General and Clerical offices” are currently permitted in the Office, Office and Limited Residential/Commercial/Light Industrial, Office and Limited Business, Office and Limited Industry, Industrial, and the Northeast Industrial districts. Coworking spaces have been permitted under “General and Clerical offices” in the Office and Limited Industry District (Bishops Woods).
5. There are currently 62 properties within the City of Brookfield that are zoned, or partially zoned, B-3 Regional Business District. A majority of these properties are along Bluemound Road. See Map of Properties zoned B-3.pdf.
6. Consistency with The City of Brookfield 2050 Comprehensive Plan (Comp Plan). As detailed in the application materials, the proposed amendment to allow “General and Clerical Offices” in the B-3 Regional Business Districts is consistent with one of Brookfield’s listed key opportunities: *“Repositioning of business centers as the nature of corporate office location decisions and the conduct of office operations has and will continue to evolve in some cases into non-traditional forms (e.g., shared office uses, mixed use campuses, consolidated information technology centers, satellite offices versus traditional regional centers).”* (pg. 20). Allowing for general and clerical offices in the B-3 District will increase flexibility for the reuse of vacant retail spaces and provide modern amenities for the changing culture of office work. The proposal is also consistent with several of the Guiding Principles (pg. 29) that were adopted as a part of The City of Brookfield 2050 Comprehensive Plan (Comp Plan). These include:
 - **Jobs and Shopping:** *Brookfield is a premier commercial and job center that supplies valuable products and services; embraces solutions for modern convenience and flexible lifestyles; cultivates family-supporting careers; and offers the ideal home base for experiencing the Milwaukee area.*
 - **Education:** *Brookfield is known for outstanding schools and lifetime learning to advance personal success, meet modern workforce demands, and support entrepreneurship.*
 - **Sustainability:** *Brookfield is a sustainable community in all aspects – from the environment to the economy – and leads in responsible community growth and redevelopment.*

- **Community Value:** *Brookfield enjoys exceptional services at reasonable costs, a competitive cost of living, and an attractive business environment.*

Staff Recommendation: The Plan Commission should discuss the proposed text amendment and associated development, providing direction to the applicant regarding any modifications the Commission recommends.

Staff recommends that the Plan Commission finds the requested text amendment consistent with the guiding principles in City of Brookfield 2050 Comprehensive Plan, directing the Department of Community Development to schedule a public hearing regarding the request and for approval of the text amendment. It is also recommended that the Mayor directs that the Common Council agenda be scheduled for action on the text amendment the night of the public hearing, unless new issues arise.

Refer to audio recording of this item [here](#) for the discussion.

Topics Discussed

- The impact of the text amendment on the B-3 district and properties zoned B-3 and the consistency with the 2050 Comprehensive Plan.
- Sanitary sewer demand of the proposed coworking use

Motion by Alderman Rick Owen, second by Alderman Mike Hallquist to approve staff recommendation that the Plan Commission finds the requested text amendment is consistent with the guiding principles in the City of Brookfield 2050 Comprehensive Plan, directing the Department of Community Development to schedule a public hearing regarding the request, and recommending the Chairman, Mayor Ponto, direct the Common Council to schedule action regarding adoption of an ordinance on the text amendment the night of the public hearing. Motion carried 6-0.

- d) **Request of Sikh Religious Society of Wisconsin, Inc., 3675 N. Calhoun Road, Brookfield, WI 53005 – c/o Nathan Remitz, Project Manager of Patera Architecture + Engineering, to schedule a conditional use public hearing permitting the construction of a new religious building, which includes living accommodations associated with the religious institution, alongside site improvements at 3625 N Calhoun as an extension of existing conditional use permit operations at earlier said address. (NE ¼ of Sec. 9) – EZ**

Report:

1. The site consists of two lots not located in a Targeted Investment Area (TIA), one of eleven areas identified in the City of Brookfield 2050 Comprehensive Plan (Comp Plan) that foster community reinvestment by supporting new economic development and sustainable, mixed-use redevelopment with sensitivity to surrounding neighborhoods. The adopted land use of the City of Brookfield 2050 Comprehensive Plan (Comp Plan) is “Community Facility” and “Housing Focused – Lower Density”. The site is zoned R-3 Residence District. One lot, which contains the existing religious-use building, also has three approved conditional use permits (Ord. 329, 416, & 613), which allow for the construction and operation of a religious-use building, a previous building expansion, and the operation of a school. The proposed request would maintain the existing building and require combination of the two lots, both owned by Sikh Religious Society of Wisconsin, via Certified Survey Map (CSM). Further, the request will require the expansion of the CUP boundary to cover the enlarged lot. The proposed development in association with the construction of a new religious-use building and accessory building may be permitted as a conditional use in any zoning district, except the conservancy and upland conservancy districts, on a lot greater than one hundred twenty thousand (120,000) square feet in size.
2. Proposed Site Development Characteristics:

Combined lot Area:	441,841 sq. ft. (10.1433 ac)
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Building Setback:	119' N. Calhoun Road (50' min.)
Pavement Setback:	119' N. Calhoun Road (25' min.)
Building Offset:	Unchanged north (25' min.) 160' south (25' min.) 450' west (50' min.)
Pavement Offset:	Unchanged north (25' min.) 75' south (25' min.) 250' west (25' min.)
Building Height:	35' (35' max., 15' max. accessory buildings)
Existing Building Size:	9,445 sq. ft.
Proposed Building Size:	20,532 sq. ft.
Proposed Accessory Building Size:	1,500 sq. ft.
Parking Spaces:	160 surface + 56 future = 216 (187 req.)
Floor Area Ratio:	7.08% (30% max. including accessory buildings)
Impervious Surface Area:	151,611 ft.
Lot Coverage:	34.31% (50% max., all buildings and impervious surfaces)
Landscape Area Ratio:	65.69% (50% min.)

- The submitted site plan indicates two ingress/egress access points from N. Calhoun Road. The northern most driveway is existing and would continue to be full access. The existing south access would be removed and repositioned south of the proposed building. This would also be a right-in/right-out only access, due to the existing medians on N. Calhoun Road. Trash and recycling receptacles are proposed to be stored in the southwest corner of the building, screened from view. A traffic impact analysis was not required for the request. The number of employees, patrons, and/or visitors identified in the applicant's peak traffic hour of proposed operation will generate less than the 100 vehicles per peak hour where the City requires a traffic analysis under §17.100.070.H.

Note: The applicant did request a variance to §12.09, which requires the minimum number of driveways necessary, to allow for a third driveway access to N. Calhoun Road on the property. This variance was denied by the City Engineer. The site plan has been revised to show only two access points to the property.

- The proposed architecture and building materials are consistent with more traditional elements of Sikh architecture. The new building will include a brick and marble exterior with various clerestories and domes. The north and south sides of the proposed building feature covered entrances to greet guests and provide a covered drop off location. A band of brick wraps around the bottom portion of the façade to protect the more delicate marble from snow and salt. An outdoor patio and play area will be provided in the northwest corner of the building as well as a garden on the west end of the lot. The proposed architecture and building materials are consistent with the City's *Site Development Standards for Non-Residential Uses*.
- The 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.
- The applicant submitted a landscape plan for review and compliance with City standards. Street yard landscaping is required along N. Calhoun Road.
- The applicant is in receipt of a missive March 17, 2023 by Fire Chief David Mason identifying preliminary fire alarm, suppression, and code compliance requirements.
- Grading, drainage, erosion control, and SWMP have been submitted to the Engineering Division.

9. A preliminary concept map has been submitted to combine two parcels into one lot via Certified Survey Map (CSM).
10. A standard form City of Brookfield commercial development agreement will secure necessary public improvements, access, grading, drainage, landscaping, and stormwater management in the project. A temporary limited easement for street yard landscaping using the City's standard form is necessary to secure installation and maintenance of such landscaping.
11. The standards for conditional use permit issuance, Section 17.108.050.I. of the Municipal Code, are attached to this report for Plan Commission reference.

Recommendation: The applicant's conditional use is not prohibited in the base-zoning district and does not exceed the thresholds for conditional use of a residentially zoned site. Staff recommends that the Plan Commission approve scheduling a conditional use public hearing subject to conducting a neighborhood information meeting prior to the hearing.

Refer to audio recording of this item [here](#) for the discussion.

Topics Discussed

- Topography of the subject property, increase of impervious surface, potential of flooding, and onsite stormwater management
- Overall site grading and stormwater management on the south side of the property
- Method for measuring building height per the zoning code

Motion by Citizen Commissioner Austin Moore, second by Alderman Mike Hallquist to approve staff recommendation to approve scheduling a conditional use permit hearing subject to conducting a neighborhood information meeting prior to the hearing. Motion carried 6-0.

- e) **Request of Store Master Funding XVII, LLC, 8377 E Hartford Drive, Suite #100, Scottsdale, AZ 85255 – c/o Scott Brdar, COO/Director of Operations of Elite Sports Club, for approval of a minor revision to plan and method of operation permitting outdoor patio, landscaping, and fencing improvements in association with existing fitness & sports club conditional use at 13825 West Burleigh Road. (NW ¼ of Sec. 13) – RV**
****Requires Common Council Action****

Report:

1. The site consists of one lot which is not located in a Targeted Investment Area (TIA). The adopted land use of the *City of Brookfield 2050 Comprehensive Plan* (Comp Plan) is "Nature, Recreation, & Community Facilities – Parks & Recreation." The site is zoned B-1 Local Business District, [17.52](#) (B-1), with conditional use ordinances 630 and 1238(a). The conditional use ordinances permitted the construction and operations for fitness and sports club use on the site. The proposed outdoor patio, landscaping, and fencing improvements, in association with the operation of a fitness and sports club, is permitted by the zoning.
2. Submitted site plan indicates the proposed modifications are located in the southwest corner of the property and improve, or expand upon, the existing outdoor uses located in this area. Existing patio around the wading pool is expanded roughly twenty-four (24) feet to the west with new pergolas and seating to support existing seating/sunbathing in this area. An existing cedar playground is also relocated and positioned adjacent to an existing cedar playground which lies north/northwest of the wading pool. New patio surface is proposed

south of existing lap pool, also sought for additional pergolas and seating with tables. The area south of an existing playground is re-graded to expand the open greenspace supporting the playground use, and features installation of new landscaping at the perimeter of the area for increased screening and beautification. New fencing is proposed to fully enclose all proposed improvements and expansions of uses.

3. Proposed site modifications, accessory structures, and landscaping improvements are consistent with the *Site Development and Landscape Standards* (SDLS). Section [17.108.050.V](#) of the Municipal Code requires any expansion of an existing conditional use, “including site, grading, landscaping, and exterior building elevation plans,” to have Plan Commission review and determination of compliance with the latest version of the SDLS.
4. Grading, drainage, erosion control, and SWMP application have been submitted to the Engineering Division.

Staff Recommendation: The Plan Commission recommends the Common Council approves the minor revision to plan and method of operation permitting outdoor patio, landscaping, and fencing improvements in association with existing fitness & sports club conditional use, Elite Sports Club, at 13825 West Burleigh Road, subject to items 1-9 below, because it determines, as the Plan Commission has determined, that the proposed structures and use:

- A. Will not have substantial adverse effect on traffic safety because it does not impact existing traffic demand and will generate less than the 100 vehicles per peak hour where the City requires a traffic analysis under §17.100.070.H.
 - B. Will be consistent with the Municipal Code because it meets the requirements therein.
 - C. 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.
 - D. Will be substantially in conformance with the Site Development and Landscape Standards, April 19, 2022, where applicable, because the proposed site improvements, accessory structures, and landscaping fulfill the stated standards therein.
1. Statement of operations dated March 2, 2023 c/o Scott Brdar, COO/Director of Operations, Elite Brookfield, LLC, d/b/a Elite Sports Club.
 2. Site plan dated March 6, 2023 by Mi-Tech Services, Inc., subject to Department of Community Development and Engineering Division review and approval, including technical corrections identified by City staff, prior to issuance of building permits.
 3. Details, illustrations, and renderings dated March 6, 2023 by Mi-Tech Services, Inc., and dated April 1, 2022 by David J. Frank Design Group, Inc., subject to Department of Community Development and Inspections review and approval, including technical corrections identified by City staff, prior to issuance of building permits.
 4. Site utility, grading, drainage, and erosion control plans subject to Engineering Division review and approval, including technical corrections identified by Engineering, prior to issuance of building permits.
 5. Payment of applicable fees to the Community Development Department prior to issuance of a building permit.
 \$ TBD Engineering Review Fee
 6. Lighting in compliance with sections 15.16.080 and 17.120.070 of the City of Brookfield Municipal Code.
 7. All signage subject to separate review by Zoning and Building Administrator.

8. 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).
9. Minor revision to plan and method of operation approval expires on April 18, 2025 unless a building permit is obtained prior thereto.

Refer to audio recording of this item [here](#) for the discussion.

Topics Discussed

- Hours of operation and lighting impacts on nearby residential properties. No outdoor lighting changes proposed as a part of this project.
- Potential noise mitigation through shrubs and pine trees

Motion by Alderman Mike Hallquist, second by Citizen Commissioner Mike Franz to approve staff recommendation to approve the minor revision to plan and method of operation permitting outdoor patio, landscaping, and fencing improvements in association with existing fitness & sports club conditional use, Elite Sports Club, at 13825 West Burleigh Road. Motion carried 6-0.

- f) **BROOKFIELD ROAD AND CAPITOL DRIVE NEIGHBORHOOD PLAN UPDATE-Status of planning effort and discussion and feedback from the Plan Commission on priorities identified for the Neighborhood Plan update-CB**

Introduction

1. A preliminary project scope for the Brookfield Road and Capitol Drive Neighborhood Plan (Brookfield and Capitol Node) Update was presented at the October 8, 2018 Plan Commission meeting and members affirmed the suggested project scope. The scope identified a similar study area as the 1999 Brookfield Road and Capitol Drive Neighborhood Plan and included various market studies and methods of community input to be completed as a part of identifying a preferred direction for the neighborhood plan update. Included in the following report is a summary of market study and engagement efforts already completed. Based on the information gained, staff have identified several priorities as next steps in the plan update. Staff are seeking feedback from the Plan Commission on these priorities, which will be used as a work plan over the next few months.

(See attachment: Project Scope.pdf)

Market Study and Engagement Efforts

2. In 2021, Staff performed research on the conditions of the Brookfield and Capitol Node study area, and its relationship to local, regional, and national market trends (see peer city market trends). Market analysis work included an assessment of current lease rates, occupancies, and ownership in the commercial areas. Further, with the expertise of two area real estate brokers, and the input from residents and Aldermen during Neighborhood Information Meetings, City Staff were able to understand perceptions and conditions around the future of office, retail, and housing markets. The analysis is found below.

Office

- 3. This report estimated office demand for the Brookfield and Capitol node area. To establish the potential need for office space, a comparative and historical analysis was performed of the existing office in the market area of the Brookfield and Capitol Node, and that of the City of Brookfield overall. For the market area of Brookfield and Capitol Node, a 3-mile and 5-mile radius was examined. An analysis of historical vacancy rates and net absorption rates for the 3-mile radius shows some office market improvement between 2017 and 2023. However, there is still a negative net absorption for the area, meaning more office space was vacated than leased out during this 5-year period. An examination of office performance for the 5-mile radius and the City of Brookfield submarket suggests a decline in the demand for office space between 2017 and 2023.
- 4. Based on the current conditions of the 3-mile radius office market and considering national market trends, the Neighborhood Plan update should prioritize policies that continue to support existing office use, while considering regulation that would permit greater flexibility of compatible uses. Unless future office market conditions allow, office space expansion is likely not warranted in the node.

TABLE 1: Office Market Characteristics

Office Market Area	Total Sq Ft	Occupied Sq Ft	Vacancy Rate		Net Absorption Rate	
			2017	2023	2017	2023
3 Miles Radius	2,000,000 SF	1,920,000 SF	5.3%	4.1%	-48,230	-10,446
5 Miles Radius	11,000,000 SF	9,400,000 SF	9.1%	14.5%	-48,394	-189,472
City of Brookfield	16,400,000 SF	15,100,000 SF	5%	19.6%	-34,826	-160,632

Data source: Costar.com

Retail

- 5. To establish the potential need for retail, an analysis was performed for the existing retail in the market area of the Brookfield and Capitol Node, and that of the City of Brookfield. Demographic and shopping data was analyzed through Esri Business Analyst software in order to make a series of assumptions on the future of retail in the area. For the market area of the Brookfield and Capitol Node, a 3-mile and 5-mile radius was used. Several factors were examined to determine the current and future success of retail in the node. Locationally, Capitol Drive continues to experience some of the highest traffic counts in Brookfield, which makes locating retail stores in the area attractive. Additionally, demographics around the node show households are predominantly affluent, suggesting that higher-end retail stores will be successful in the area. Despite favorable market conditions for retail, the 3-mile and 5-mile radiuses and the City of Brookfield submarket will experience relatively slow population growth, which might hamper future retail growth. National retail trends indicate that there will be continued retail store and sales growth, but

uncertainty due to inflation, strong e-commerce retail presence, and retail labor shortages make it hard to predict the future of retail¹.

6. A closer examination of retail demand would suggest that there are a few retail sectors that might be able to support new businesses in the area. Generally, the households located within the 3- and 5-miles radiuses spend more than the national average on food away from home. This likely suggests that the area could support additional dining options. The resident and business survey also supported the desire for additional restaurants in the area. A look at retail sectors showed that clothing apparel was a retail sector that had a high spending potential index and could warrant exploring additional clothing-oriented stores in the area. (See attachment: Business Analyst.pdf)

7. As a result of this analysis, current retail market characteristics and peer city comparisons found in the table below, an expansion of retail in the area should not be pursued unless market conditions change. For the sectors that could support expansion, these gaps can likely be filled through existing vacant retail spaces located in the node.

TABLE 2: Retail Market Characteristics

Retail Market Area	Total Sq Ft	Occupied Sq Ft	2023 Vacancy Rate	Population within radius
3 Mile Radius	1,400,000 SF	1,246,200 SF	10.6%	33,441
5 Mile Radius	12,700,000 SF	11,930,000 SF	6.1%	93,336
City of Brookfield	7,100,000 SF	6,476,000 Sf	8.8%	41,464
Edina, MN	4,100,000 SF	3,738,000 SF	8.7%	53,318

Data source: CoStar.com

Broker Survey Analysis

8. The last report for commercial market analysis work included a Broker Survey Analysis. This report covered the findings from the two commercial Brokers who participated in the survey in January 2021. Both Brokers highlighted the convenience of Sendik’s Towne Centre and the surrounding amenities which makes the area attractive. One Broker noted that nearby employees enjoy being close or in Sendik’s Towne Centre. Additionally, it was noted that ample parking and the walkability of the Centre are also positives. Both

¹ National Retail Federation
Plan Commission

Brokers mentioned that the node’s location provides ample access and ease from Milwaukee and surrounding areas but is hindered by its distance from the interstate. It was also mentioned that relaxing the zoning code for the Fox River Business Center which would permit greater flexibility of uses, would be beneficial.

(See attachment: Broker Survey Analysis.pdf)

Housing

9. In December 2019, Vandewalle & Associates used a linear growth model to estimate the population of the City of Brookfield in the year 2050. (See attachment: Vision 2050 Fiscal Impact Analysis.pdf) With this model, Vandewalle projected that the population of the City of Brookfield in 2050 will be just over 45,000, an increase of approximately 5,000 people from 2019. ~~Assuming an average household size of 2.1 persons, it is estimated that an additional 2,000-2,500 dwelling units will be required to serve the estimated population in 2050. Considering that the City of Brookfield is almost fully built out, many of these units will likely need to be condensed into multi-family developments.~~ **Considering that the City of Brookfield has little space left for single-family subdivisions under existing zoning districts, many of these units will likely need to be multi-family developments.** Assuming an average household size of 2.1 persons for such developments, it is estimated that an additional 2,000-2,500 dwelling units will be required to serve the estimated population in 2050.

10. The City of Brookfield’s 2050 Comprehensive Plan identifies the ~~Lily Road and Capitol Drive TIA, Village Area TIA, and Brookfield Road and Capitol Drive TIA~~ as areas to potentially absorb additional multi-family dwelling units **Bluemound Road- I-94 TIA, Village Area TIA, and Bishops Woods TIA as areas to implement new housing solutions, which includes multi-family dwellings, based on available parcels, infrastructure capacity, and/or residential land use preferences.** While it is unrealistic to imagine these three TIAs being able to absorb all the population growth demands, it can be assumed that the Brookfield and Capitol Node is positioned to add additional residential units. . The Brookfield and Capitol Node is positioned to add additional multi-family dwelling units **consistent with existing land use designations and existing patterns.** Further investigation into the number of units and type of residential development feasible in specific areas of the City will be required **and the potential for unique solutions would require direction from the Plan Commission and Common Council.**

11. Within Brookfield Rd. and Capitol Dr. Node, there is a total of 237 multi-family housing units (condos, senior housing, and apartments). The vacancy rate among the apartment rentals (PrairieWalk and Foxbrook Senior Apartments) located in the node is 2.4%; which is the same as the Brookfield city-wide apartment vacancy rate. Details on the multi-family units in the node are in the table below.

Table 3: Multi-Family Housing within Study Area

Multi-family name	Type	Number of units	Year built
PrairieWalk at Towne Centre	Apartment	56	2015
St Andrew Square			

Data source: CoStar.com

	Condos	23	2008
St Andrew Square II	Condos	20	2008
Foxbrook Senior Apartments	Senior Housing	71	2001
Plaza Town Center	Condos	72	2004-2006
Colonial Heights	Condos	24	1969

Resident and Business Survey

12. In April and May 2022, 92 area residents and business owners completed an electronic survey to provide feedback about the neighborhood. Questions pertaining to community perceptions, challenges, and potential opportunities were a part of the survey. More specifically, the survey aimed to understand the frequency that residents patronize nearby businesses, utilize nearby pedestrian and bicycle infrastructure, recreate in nearby parks, and whether residents are affected by nearby traffic. Notably, around 60% of respondents reported patronizing the nearby businesses weekly and 17% patronized them monthly, demonstrating satisfaction of the businesses in the area. The survey also revealed that the majority of respondents shop at the Sendik’s Grocery Store weekly and around 70% of respondents eat at one of the nearby restaurants weekly or monthly. Residents indicated that the types of shops most desired are retail, entertainment, and restaurant establishments. In the open comment portion, several residents expressed concern over the vacant retail stores in the area and a desire to strengthen the node’s retail sector by attracting more local and unique stores. The survey further revealed that people are generally happy with the parks and recreation opportunities in the area. Additionally, the survey revealed survey respondents would like a better design of the parking lot and green space in Sendik’s Towne Centre, and would like to see improvement in the overall upkeep and day-to-day maintenance of the Sendik’s Towne Centre. Other concerns raised included vehicular congestion and speed in the area. Lastly, some survey respondents were satisfied by the existing bike and pedestrian infrastructure in the area, while some desired an improvement of these facilities. Overall, insight from the survey was used to better understand the neighborhood’s assets and opportunities for improvement.

(See attachments: Copy of Survey.pdf and Phase 1 Report.pdf)

Neighborhood Information Meeting #1

13. A Neighborhood Information Meeting was conducted with neighborhood residents, business representatives, and District Aldermen on April 27, 2022. A PowerPoint presentation was given by staff to explain the Neighborhood Plan update process and timeline. The meeting allowed staff to engage with stakeholders to build consensus around strengths, opportunities, and aspirations of the node. A summary of those identified during the Neighborhood Information meeting are listed below:

Strengths

- Walking paths in the area
- Convenience and variety of shopping in the area
- Ample green space due to nearby parks (Sharon Lynn Wilson and Mitchell Park)
- Sendik's Grocery Store
- Tranquil due to not being overly built and open spaces.

Opportunities

- Opportunity to activate, develop, or keep 1.2-acre vacant lot as green space.
- Improve general upkeep and condition of Sendik's Towne Centre
- Return Sendik's Towne Centre's charm it originally had.
- Improve traffic circulation during pickup and drop-off times at Brookfield Academy
- Review stoplight challenges at Capitol and Brookfield intersection
- Improve pedestrian crossings throughout the node.
- Improved parking lot design in Sendik's Towne Centre
- More outdoor eating spaces
- Expand the Greenway Corridor Trail System through the node.
- Create more defined spaces within the shopping centre

Aspirations

- Improved walkability and bikeability
- Better connectivity
- A balance of parking space and meaningful green space

(See attachments: NIM 1 Sign-in sheet.pdf, NIM 1 Powerpoint.pdf, and Phase 1 Report.pdf)

14. Staff met with Sendik's Towne Centre ownership representatives on August 15, 2022, to share feedback, ideas, and preliminary concepts and to gauge receptiveness to this work. The ownership representatives were receptive to the possibility of implementing ideas and concepts and were willing to be an engaging stakeholder during the update of the Neighborhood Plan. Staff will continue to engage with representatives as the plan progresses.

(See attachments: Property Ownership Staff Meeting Summary.pdf)

Neighborhood Information Meeting #2

15. A second Neighborhood Information Meeting was held on September 28, 2022, to share the research, planning efforts, and preliminary concepts generated by city staff in response to the engagement work completed. City staff shared these preliminary priorities and concepts on large foam boards to gauge a response from attendees. Neighbors and District Aldermen were encouraged to provide feedback on the initial concepts shared at the meeting verbally to staff as well as on public comment sheets. During the meeting, several members expressed concern with the overall maintenance of the Sendik's Towne Centre and desired storefront vacancies to be filled. Further, when residents viewed the "Greenspace and Linkages" strategy many were satisfied to see the inclusion of improved pedestrian connections throughout the node and meaningful green space. The other concept, the "Infill and Development Strategy," was met with more apprehension. Specifically, residents of the St. Andrews Condo Association were against development that could be perceived as intensive on the vacant lot on Capitol Drive. If not kept vacant, an additional condo development would likely be the most favorable according to residents. In terms of a full-

scale development scenario within Sendik's Towne Centre, more intensive development towards the middle of the site would be more favorable. However, residents expressed the desire to maintain sufficient parking that services the grocery store. In terms of incorporating amenities into the node, residents responded positively to the potential incorporation of a beer garden, but a splash pad or playground was not viewed favorably since there are nearby aquatic and playground facilities already. Staff heard a general consensus that Sendik's Towne Centre should remain retail-focused but would benefit from aesthetic improvements and a greater sense of place.

(See attachments: NIM 2 Sign-in sheet.pdf, NIM 2 Powerpoint.pdf and NIM 2 Meeting Summary.pdf)

16. Staff have revised and refined the preliminary concept ideas based on market research, the discussions and comments received by stakeholders at the Neighborhood Information Meetings, and the survey results. The following priorities have been categorized and given a high or low priority based on the relative importance and anticipated staff time each will require. Staff request the Plan Commission to confirm, deny, or modify each of these priorities to ensure staff have an agreed upon work plan for the next several months.

Neighborhood Plan Priorities

Transportation and Pedestrian Infrastructure

1. Study potential pedestrian infrastructure alternatives to improve connectivity across Capitol Drive and Brookfield Road-**High Priority**
2. Determine potential vehicular and pedestrian improvements for internal pedestrian circulation and flow between destinations within Sendik's Towne Centre-**High Priority**
3. Discuss multimodal options and long-term planning efforts for Capitol Drive with SEWRPC and WisDOT-**Low Priority**
4. Explore expanded off street multi-use path opportunities to connect to the Greenway Corridor Trail System-**Low Priority**
5. Ensure stormwater is being adequately managed to address current issues while preparing for future needs of the node-**Low Priority**

Future Land Use and Zoning

6. Identify capacities and appropriate parcels for residential development/redevelopment within the node-**High Priority**
7. Identify future land uses for properties that are underperforming or could need repositioning-**High Priority**
8. Formulate strategies and expected outcomes for adaptive re-use to mitigate office/retail vacancies-**High Priority**
9. Evaluate current regulations and identify potential zoning amendments that would facilitate continued investment within Sendik's Towne Centre-**Low Priority**

Placemaking

10. Explore opportunities to enhance public oriented active and passive programming and associated design enhancements-**High Priority**
11. Conduct outreach with property owners, management, and residents, including Sendik's Grocery Store, to ensure continued business opportunities and success in the node-**High Priority**

12. Identify opportunities for streetscape improvements along Brookfield Road and Capitol Drive-**Low Priority**

(See attachment: Priorities PowerPoint.pdf)

Staff Recommendation: Staff recommends the Plan Commission discuss the priorities presented, adjust priority rankings if desired, and confirm, deny, or modify the list of priorities staff will focus their efforts on over the next several months.

Refer to audio recording of this item [here](#) for the discussion.

Topics Discussed

- SEWRPC plans for multi-modal transportation infrastructure along Capital Drive
- Consideration of the Budget Cycle with task prioritization
- Understanding sanitary and stormwater sewer capacity parameters will help determine the overall potential for future residential and commercial development
- Clarification on the intent of priority #1 considering jurisdiction of Capitol Drive
- Priority of internal vehicle and pedestrian circulation within Sendik's Towne Centre
- Role of the City in private development and redevelopment
- Potential for impact around Sendik's Towne Centre
- Preference for zoning code amendments to allow development that would traditionally be permitted through a Planned Development District

6. Adjournment

Motion by Alderman Mike Hallquist, second by Citizen Commissioner Austin Moore to adjourn the meeting at 9:10 pm. Motion carried unanimously.

Respectfully Submitted:

Daniel F. Ertl

Director of Community Development