



## MINUTES OF AN OFFICIAL MEETING:

Regular / Special Meeting: Plan Commission

Date and Time: Monday, October 12, 2020 at 6:30 pm

Location: City Hall Council Chambers, 2000 N. Calhoun Road, Brookfield WI 53005

Members Present: Mayor Steven Ponto (Chairman), Alderman Gary Mahkorn, Alderman Mark Nelson, Alderman Rick Owen, Commissioner Lisa Chang (via teleconference), Commissioner Mike Smith, Commissioner Steve Petitt

Members Excused: N/A

Others Present: Director of Community Development Dan Ertl, City Engineer Jeffrey M. Chase, Fire Chief Charlie Myers, Neighborhood Planning Coordinator Richard VanDerWal, Alderman Jerry Mellone, Alderman Chris Blackburn, Alderman Mike Jurken, Assistant City Attorney Julie Aquavia

### 1. Roll Call

Mayor Steven Ponto noted a quorum present and called the Plan Commission to order at 6:33 pm

### 2. Announcements

The Next Regularly Scheduled meeting will be held on Monday, November 9, 2020 at 6:30 pm

### 3. Meeting Minutes

- a. Minutes of the September 14, 2020 meeting.

***Motion by Citizen Member Mike Smith, second by Alderman Rick Owen to approve the minutes of the September 14, 2020 Plan Commission meeting. Motion carried 7-0.***

- b. Minutes of the Plan Review Board meeting- cancelled

***No motion.***

The Commission took the following item out of order.

### 5. New Business

- a. Legislative Referral Revisions to Zoning Code for Consistency with Sign Code

**Report:** The recent Legislative Referral Request for the City's Sign Code update included recommendations for changes to the zoning code in order to be consistent with recent sign code changes. As part of the Sign Code revision there were proposals for updates to the zoning code to make it consistent. Attached please find proposed changes to Chapter 17 which includes explanations of the changes. In general provisions are recommended for deletion because they are either inconsistent with the current Sign Code (and as it will be revised if passed by the Council on June 16) or are unnecessary

because they simply refer to the sign code anyway. It is my position that because we currently (and will continue to) prohibit billboards, any other sign is not a separate use that needs to be regulated by zoning. The biggest proposed change is to stop regulating signs with the planned development district decision. (See p. 2). Currently, 17.41.030 states that signs will be decided as part of the PDD approval process. In drafting ordinances:

Such ordinances or regulations, to be valid, must have an equal and uniform application to all persons, societies, or organizations similarly circumstanced, and not be susceptible of unjust discriminations, which may be arbitrarily practiced to the hurt, prejudice, or annoyance of any. *In re Garrabad*, 84 Wis. 585, 54 N.W. 1104, 1108 (1893).

PDDs are mostly used for commercial uses such as offices and businesses and sometimes mixed use with residential. They are “similarly circumstanced” with other commercial use areas or districts such that signs should not be regulated differently. If the Commission does not agree, then any exemption from the general sign regulations should be located in Chapter §15.16 along with an explanation of the distinction and specific regulations for signs in PDDs, this last item to avoid arbitrary and capricious decisions.

Although I state that these provisions are not zoning, especially as that has been defined by Wisconsin case law, *see Zwiefelhofer v. Town of Crooks Valley*, 2012 WI 7, 338 Wis.2d 488, they are in some cases so intertwined with the various zoning provisions, that it would be best to treat them as an amendment to the zoning code and therefore recommend that the notice and public hearing provisions of Wisconsin Statutes §62.23(7) be followed in making these changes, should the Plan Commission agree with the proposal do so.

***Topics Discussed:***

- *Changes to the sign code related to freedom of speech.*
- *Removing sign regulation from the zoning code.*
- *Clarification on proposed changes to regulation of signs in Planned Development Districts*
- *Proposed changes to regulation of tenant boards and overall commercial signage.*
- *Consistency of regulation in the sign code.*
- *Limitations on regulating the content of signs.*
- *Clarification on how proposed changes affect processing and approval of sign requests.*

Refer to audio recording of this item at <https://cityofbrookfield.viebit.com/player.php?hash=qVUX4jOkSC8M> for the discussion.

***Motion by Alderman Mark Nelson, second by Alderman Gary Mahkorn to approve staff recommendation for approval of scheduling a public hearing for proposed changes to the Zoning Code, Title 17 of the Municipal Code, for consistency with the Sign Code. Motion carried 7-0.***

4. Unfinished Business

- a. Plan Commission Recommendation: Request of the City of Brookfield to adopt an Ordinance amending Section 17.98.050 of the Municipal Code creating certain standards for the Civic Center Area Overlay including establishing additional overlay areas within the Civic Center Area.

**Report:** A public hearing on the amendment was held October 6, 2020. No public comments were made. Council members asked technical questions. Three Neighborhood Information Meetings were held-

September 22, 23 and 24. Most of the comments were related to stormwater management which is enforced under a separate Municipal Code.

**Recommendation:** Since the proposed amendments are part of the City's continuing efforts to refine the application of the Modified Suburban Overlay District within the City, a recommendation is made to approve the Ordinance.

**Topics Discussed:**

- *Summary of the discussion made during the public hearing.*
- *Matters related to the request have previously been reviewed by the Plan Commission.*

Refer to audio recording of this item at <https://cityofbrookfield.viebit.com/player.php?hash=gVUX4jOkSC8M> for the discussion.

**Motion by Alderman Rick Owen, second by Citizen Member Mike Smith to approve staff recommendation for approval of an ordinance amending Section 17.98.050 of the Municipal Code creating certain standards for the Civic Center Area Overlay including establishing additional overlay areas within the Civic Center Area. Motion carried 7-0.**

- b. Request of Wingspan Development Group, LLC, 3880 West Wheelhouse Road, Suite B, Milwaukee, WI 53208 – Jason Macklin, Director of Development, for approval of a PDD Specific Plan and development agreement in association with the TRU PDD for a luxury apartment complex of two buildings consisting of two hundred thirty one dwelling units at 355 South Moorland Road. (NE ¼ of Sec. 34) – RV **\*\*Requires Common Council Approval\*\***

**Report:**

1. Refer to the following links to review the previous staff report and minutes related to the request:
  - May 11, 2020 Plan Commission Packet  
<http://wi-brookfield2.civicplus.com/AgendaCenter/ViewFile/Agenda/05112020-624>
  - May 11, 2020 Plan Commission Minutes  
<http://wi-brookfield2.civicplus.com/AgendaCenter/ViewFile/Minutes/05112020-624>
  - August 10, 2020 Plan Commission Packet  
<http://wi-brookfield2.civicplus.com/AgendaCenter/ViewFile/Agenda/08102020-674>
  - August 10, 2020 Plan Commission Minutes  
<http://wi-brookfield2.civicplus.com/AgendaCenter/ViewFile/Minutes/08102020-674>
2. The adopted neighborhood plan is the *Calhoun Road South Neighborhood Plan – 2001* (Neighborhood Plan). The adopted land use of the Neighborhood Plan for the site is “Commercial/Office” intended for dense urban mixed-use development that includes multi-family residential. The adopted land use of the *City of Brookfield 2050 Comprehensive Plan* is “Mixed Use – Higher Density”. Proposed use and site development characteristics are consistent with the approved and adopted General Plan. Site characteristics are those listed for alternate internal access site plan and are restated below for reference.
3. Proposed Site Development Characteristics:

Lot Area:	213,160 sq. ft. (4.8935 ac.)
Building Offsets:	15' North
	19' East

	47' West
	23' South
Pavement Offsets:	0' North
	9' East
	0' West
	0' South
Building Heights:	60'
Building Size:	367,557 sq. ft. total
	265,605 sq. ft. excluding parking structure
	(Building A = 128,940 sq. ft., Building B = 136,665 sq. ft. + 109,808 sq. ft. parking structure)
Parking Spaces:	344; 1.48 per dwelling (313 covered garage, 31 surface)
Floor Area Ratio:	124.60%
Landscape Area:	48,099 sq. ft.
Landscape Area Ratio:	22.56%

4. Proposed architecture and building materials are consistent with the *City's Site Development Standards for Non-Residential Uses*. Building architecture consists of two, four story apartment buildings connected by skybridge. Pitched roofs featuring gables and extruded shed dormers are used on both buildings. The gabled and shed dormer areas are accentuated through building material application and color. Units not on ground level feature private balconies that are aligned vertically where implemented. A ground level courtyard with outdoor pool, grilling, and recreation area is positioned between the two buildings, nestled in the center of the east building which encloses it to the north, east, and south with black metal fence enclosing to the west and southwest. Principal building materials are: James Hardie fiber cement panels of vertical siding in "evening blue" (light navy) and "arctic white" (white); James Hardie fiber cement panels of board and batten pattern in "rich espresso" (dark brown, coffee) and "spicy mustard" (brown mustard); utility sized brick in smooth "black hills" (dark grey) with light grey grout; dimensional ledgerstone in dark grey; and standing seam metal roof in "burnished slate" (dark grey). Accent materials are James Hardie smooth fiber cement panel in "spicy mustard" (brown mustard), standing seam metal roof in "slate grey" (light grey), black metal window frames with clear glazing, and black aluminum soffits and flashing.
5. 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.
6. The applicant submitted a landscape plan for review and compliance with City standards.
7. Applicant is in receipt of a missive dated August 17, 2020 by Deputy Chief of Fire Prevention Nick Rogne identifying Fire Code compliance requirements.
8. A site demolition plan has been submitted that removes the existing mid-box retail building. Sections of storm sewer service and other utilities and their connections no longer continued in the proposal are shown disconnected and removed, including respective easements released and properly replaced.

9. Grading, drainage, erosion control, and stormwater management plan (SWMP) have been submitted to the Engineering Division. Potential western access to neighboring property is apparent in plans allowing for future improvement to be implemented through administrative review and approval if endeavored.
10. A Planned Development District development agreement will secure necessary public improvements, access, grading, drainage, landscaping, and stormwater management in the project. Developer shall make best effort attempt to secure an interest from adjacent Sheraton property to construct improvements to Sheraton Drive per TIA off-site recommendations: Brookfield Square Drive at Sheraton Drive - Provide a shared through/left-turn lane and a dedicated right-turn lane (currently one lane) on the south approach of the intersection.

**Recommendation:** The project is consistent with the objectives and land use recommendations stated in the Neighborhood Plan and *2050 Comprehensive Plan*. Requested Specific Plan is consistent with the General Plan and meets the standards of the City's design guidelines. Staff recommends the Plan Commission approve the PDD Specific Plan and authorize the Mayor to execute a development agreement on behalf of the City subject to:

1. Statement of operations dated March 6, 2020 by Wingspan Development Group, c/o Jason Macklin.
2. Site plan dated September 8, 2020 by Ayres Associates including technical corrections.
3. Building plans, elevations, and material samples dated August 3, 2020 by Studio 222 Architects including technical corrections. Roof top HVAC equipment screened by building architecture. All wall mounted meter boxes are to be painted to match the building. If stainless steel meter boxes are used they will be etched and painted to match the building.
4. Compliance with site access, fire suppression, and alarm requirements specified in a missive dated August 17, 2020 by Deputy Chief of Fire Prevention Nick Rogne.
5. Site utility, grading, drainage, and erosion control plans subject to final approval of the city of Brookfield Engineering Division prior to the issuance of building permits. The developer of the project will be required to submit Items A, B, and C below before the issuance of a building permit:
  - A. A copy of the approved Grading and Drainage Plan, as approved by the city of Brookfield Engineering Division.
  - B. The bid from a contractor reflecting the cost of executing the work required on the Grading and Drainage Plan.
  - C. A letter-of-credit in compliance with the City letter-of-credit format deposited with the Department of Community Development. The monetary amount of the letter-of-credit shall be equal to 110% of the submitted bid. (City form available from the Department of Community Development)
  - D. **A recertification "as-built" survey must be performed by a licensed, professional engineer or surveyor indicating that all elements of the approved Grading and Drainage Plan have**

**been completed within tolerances as approved by Staff per the approved plan. The recertification documents must be wet stamped and signed by the professional.**

- E. The letter-of-credit will be released by the Department of Community Development after the recertification documents are submitted to the city of Brookfield Engineering Division and approved.
6. Payment of applicable fees to the Community Development Department prior to issuance of a building permit.
  - \$ TBD Engineering Review Fee
  - \$120,351.00 Park and Recreational Trail Fee
  - \$ TBD Development Agreement
7. Lighting in compliance with sections 15.16.080 and 17.120.070 of the City of Brookfield municipal code.
8. All signage subject to separate review by the Plan Review Board.
9. Provisions of Ordinance #2611-20 for TRU PDD General Plan and the approved General Plan document on file with the Department of Community Development.
10. Landscape plan dated September 8, 2020 by Ayres Associates subject to City of Brookfield consultant review and technical corrections secured with a letter-of-credit (City forms available from the Department of Community Development) equal to \$12,750.00 (\$2,550 per 1,000 sq. ft. street yard) for installation, \$2,200.00 for four (4) years of maintenance (\$440 per 1,000 sq. ft. of street yard) and a four (4) year temporary landscape easement for street yard maintenance (using forms available from the Department of Community Development) all deposited with the Department of Community Development prior to issuance of a building permit (5,000 sq. ft. of street yard).
  - a. A recertification "as-built" survey must be performed by a licensed landscape architect indicating that all elements of the approved Streetyard Landscape Plan has been completed within tolerance as approved by staff per the approved plan. The recertification documents must be wet stamped and signed by said professional.
11. Execution of a Development Agreement subject to final approval by the City Attorney prior to execution.
12. Once a building permit is issued by Inspection Services, the owner shall receive an occupancy permit within eighteen (18) months or the owner of the property may be subject to the penalty provisions of the Zoning Code, Section 17.100.130 or the owner shall remove construction equipment and debris from the site, fine grade and seed the site, and stabilize surface water drainage leaving the site to City Engineering Department specifications within four (4) months or the owner of the property may be subject to the penalty provisions of the Zoning Code – Section 17.100.130. (Ordinance #2134-08).
13. PDD Specific Plan shall revert to General Plan approval status on October 20, 2022 unless a building permit is obtained prior thereto.

### **Topics Discussed:**

- *Matters related to the request have previously been reviewed by the Plan Commission.*
- *Links to previous staff reports, minutes, and meeting videos in staff reports*
- *Condition number twelve of approval regarding occupancy permit acquisition period to be extended from eighteen (18) months to twenty-four (24) months based on reasonable project construction timeline with relation to current market circumstances amongst COVID-19.*

Refer to audio recording of this item at <https://cityofbrookfield.viebit.com/player.php?hash=qVUX4jOkSC8M> for the discussion.

***Motion by Alderman Gary Mahkorn, second by Citizen Member Lisa Chang to approve staff recommendation, with amendment to approval condition number twelve extending occupancy permit acquisition period from eighteen (18) months to twenty-four (24) months, to approve a Planned Development District Specific Plan and authorize the Mayor to execute a development agreement on behalf of the City in association with the TRU Planned Development District for a luxury apartment complex of two buildings consisting of two hundred thirty one dwelling units at 355 South Moorland Road. Motion carried 7-0.***

- c. Request of Winter Fields, LLC, 18620 Pleasant Street, Brookfield, WI 53045 –Scott Simon, Owner, for approval to schedule a public hearing for PDD General Plan rezoning of four lots, property tax keys BRC1070051, BRC1070052, BRC1070053, and BRC1070059 from “M-1” Multi-Family Residence District to “PDD” Planned Development District General Plan - Residential for the purpose of combining the four lots into one lot and redeveloping the resulting site with a pocket neighborhood consisting of up to twenty-four single family detached condominiums. (NW 1/4 of Sec. 16) – RV **\*\*Requires Common Council Approval\*\***

### **Report:**

1. Refer to the following links to review the previous staff report and minutes related to the request:
  - December 9, 2019 Plan Commission Packet  
<http://wi-brookfield2.civicplus.com/AgendaCenter/ViewFile/Agenda/12092019-555>
  - December 9, 2019 Plan Commission Minutes  
<http://wi-brookfield2.civicplus.com/AgendaCenter/ViewFile/Minutes/12092019-555>
2. The site is located in the Village Area Targeted Investment Area (TIA), one of eleven areas identified in the *City of Brookfield 2050 Comprehensive Plan* that foster community reinvestment by supporting new economic development and sustainable, mixed-use redevelopment with sensitivity to surrounding neighborhoods. The adopted neighborhood plan is the *Village Area Neighborhood Plan – 2012* (Village Plan). The recommended land use of the Village Plan is “Multiple Family Residential”. The adopted land use of the *City of Brookfield 2050 Comprehensive Plan* is “Housing Focused – Medium Density”.
3. All four lots of the proposed site are zoned “M-1” Multi-Family Residence District. The applicant is seeking to rezone the four lots to Planned Development District General Plan - Residential allowing redevelopment of the combined site into a pocket neighborhood of sixteen (16) single family condominium homes and retaining the existing two family building, with potential to further redevelop the site by removing the two family building and replacing it with an expansion of the

pocket neighborhood's single family condominium homes by eight (8) additional units for a total of twenty-four (24).

4. The standards for PDD rezoning are specified in 17.41.050 Standards for planned development districts by predominant land use:

B. Residential Planned Developments.

1. Applications for residential planned development districts that propose residential densities higher than allowed by any residential base zoning shall be by invitation only, expressed by a motion of the plan commission, or based on an element of the city master or comprehensive plan.
2. Issuance of such invitations shall be conditioned upon approval of a detailed area plan for the site and its vicinity that demonstrates the linkage between the higher density residential development possibilities and the nature, intensity and compatibility with other interrelated uses, as well as compatibility with public services and facilities.
3. All residential planned developments shall demonstrate community benefits in aesthetics and construction to warrant the special standards achieved by PDD designation.

The residential density of the proposed district is 3.35 dwelling units per acre in the current proposal, and 4.46 in the alternate expanded proposal. Neither exceeds the 5.8 dwelling units per acre permitted in the City's "M-2" Multi-Family Residence District. The first two standards under B. Residential Planned Developments, therefore, do not apply.

5. The Village Plan identifies the site as part of the Quaint Quarters. Under "General Design" of the Quaint Quarters:

The quaint buildings will be 1.0 to 2.5 stories in height, with a diverse mix of architectural styles. Any modifications to the buildings in this area will need to consider the context of the buildings in the surrounding area - extra-large homes will not be allowed, since they do not have the quaint characteristics desired in the study area.

6. The submitted concept for a pocket neighborhood is consistent with the objectives of the Village Plan. It features smaller, non-McMansion residences intimately arranged around a common greenspace. These quaint buildings add diverse architecture that is respectful to the historically significant buildings in the area. Site design encourages residents to walk through the neighborhood and patron the nearby businesses on North Brookfield Road. The concept provides an alternative single-family housing option while maintaining a dwelling density per acre consistent with the City's medium density multi-family housing land use.

7. Proposed PDD Ordinance Characteristics:

Permitted Uses:	Same as Section 17.28.010 ("R-1" Residence District)
Prohibited Uses:	Intensive uses listed in Section 17.108.090
Building Setback:	12' Min. Pleasant Street 18' Min. 186 <sup>th</sup> Street
Pavement Setback:	0' Pleasant Street 0' 186 <sup>th</sup> Street
Building Offset:	20' - Same as Section 17.44.020 ("M-1" Residence District)
Pavement Offset:	0'
Height Regulation:	35' Max. - Same as Section 17.28.030 ("R-1" Residence District)
Area Regulation:	F.A.R. 25% Max. - Same as Section 17.28.040 ("R-1" Residence District)



8. Proposed Site Development Characteristics:

Lot Area:	234,302 sq. ft. (5.3788 ac)
Building Setback:	13.8' Pleasant Street 20.1' 186 <sup>th</sup> Street
Pavement Setback:	0' Pleasant Street 0' 186 <sup>th</sup> Street
Building Offset:	50' North 70' East
Pavement Offset:	5' North 12' East
Building Heights:	~24'
Building Sizes:	1,540 sq. ft.
Floor Area Ratio:	11.45%
Landscape Area Ratio:	64.69%

9. Submitted site plan indicates one internal vehicular/emergency services access private road with two ingress/egress access points: one from North 186<sup>th</sup> Street at the far east end of the project site and one from Pleasant Street to the far north. Three additional driveway access points are located on North 186<sup>th</sup> Street. Existing access for the two family building remains unchanged in the proposal. Alternate expanded plan relocates the existing two driveways of the two family building slightly north along 186<sup>th</sup> Street. No area or enclosure has been designated for collective site trash and recycling pickup. Each unit arranged for individual bins and collection at driveways.
10. Proposed architecture consists of paired one story ranch homes with contemporary application of craftsman bungalow styled elements. The layout of the floor plans are paired to create appropriate privacy between buildings. This paired strategy also abuts adjacent garages to form a party wall with the back of one garage against the side of the other. Each home has a front and rear porch. Four high-quality front porch designs, with inverted options of each, create eight different front façade solutions generating variety in the appearance of the houses. The rear porches add further detail and attractive façade elements to the building elevations facing outward to the neighborhood and function as breezeways between the home and garage. Principal building materials are LP Smartside Cedar lap siding in muted blue, red, yellow, and grey, and black dimensional shake, asphalt shingle roofing. Accent materials are white vinyl window frames with clear glazing and white aluminum soffits and flashing. Vinyl low picket fences enclose each individual condominium property.
11. The applicant submitted a landscape plan for review and compliance with City standards. Site landscaping strategically uses shade, evergreen, and ornamental trees in an appealing residential character. Large shrubs are placed along the eastern property line to screen views of the interior vehicle access drive.
12. The applicant is in receipt of a missive dated September 23, 2020 by Fire Chief Charlie Myers identifying Fire Code compliance requirements including fire suppression of buildings
13. A certified survey map has been submitted that combines four lots of record into one lot.
14. Grading, drainage, erosion control, and SWMP have been submitted to the Engineering Division.

**Recommendation:** The project meets the standards for PDD residential evaluation, i.e. community benefits in aesthetics and construction, and is consistent with the objectives and land use recommendations stated in the Village Plan and 2050 Comprehensive Plan. Staff recommends the Plan Commission authorize scheduling a public hearing for PDD General Plan rezoning property tax keys BRC1070051, BRC1070052, BRC1070053, and BRC1070059 from “M-1” Multi-Family Residence District to “Planned Development District General Plan - Residential” in association with construction of a pocket neighborhood per the general plan entitled Cottage Commons subject to holding a neighborhood information meeting prior thereto.

***Topics Discussed:***

- *Feedback on developer’s vision for future redevelopment of existing two family residence.*
- *Stormwater management.*
- *Clarification on the extent of development in the requested action.*
- *Fire suppression requirements and access routes for emergency services in the project.*
- *Current authorization and support by the Commission for the proposal for a pocket neighborhood is limited to the sixteen single-family condo units.*
- *Plan Commission interpretations of the characteristics of pocket neighborhoods and the relationship with the goals for the Village Area.*

Refer to audio recording of this item at <https://cityofbrookfield.viebit.com/player.php?hash=qVUX4jOkSC8M> for the discussion.

***Motion by Alderman Mark Nelson, second by Alderman Gary Mahkorn to approve staff recommendation for approval to for scheduling a public hearing for Planned Development District General Plan rezoning property tax keys BRC1070051, BRC1070052, BRC1070053, and BRC1070059 from “M-1” Multi-Family Residence District to Planned Development District General Plan – Residential for the purpose of combining the four lots into one lot and redeveloping the resulting site with a pocket neighborhood consisting of up to sixteen single family detached condominiums and continuance of an existing two family residence per the general plan entitled Cottage Commons subject to holding a neighborhood information meeting prior thereto. Motion carried 7-0.***

**New Business**

5.b

Plan Commission Discussion: Proposal to amend the B-2 General Business District, the B-3 Regional Business District and the I Industrial District to permit canopies supporting auto fuel stations to be located at a twenty-five (25) foot setback versus a 100-foot setback. Request for public hearing.

**Report:** As part of the City staff inventory of existing properties upon which the Modified Suburban Overlay District has been applied, we have found a generally consistent pattern of the City granting variances or using the MSO to permit canopies supporting automobile fuel stations to locate such canopies closer to the street than the base zoning of the property would permit, typically 100 feet. Because of this we believe a code amendment to the base zoning districts where automobile fuel stations are a permitted use should be recommended to lessen the canopy setback to twenty(25) feet. Canopy setback modifications previously enacted by the Council or Board of Zoning Appeals range from 27 to 38 feet rather than the required 100 feet.

In addition, not all automobile fuel stations are located within a Targeted Investment Area (TIA), where a MSO application is suitable. In those locations where an automobile fuel station is located outside a TIA, it would be better to amend the base-zoning district across all City locations of B-2, B-3 or I zoning.

**Recommendation:** Since it is preferred to change the setback provisions for canopies supporting automobile fuel stations within the base zoning districts where in such uses are permitted, rather than pursuing variances or MSO applications, a recommendation is made to amend the canopy setback in the B-2, B-3 and I Districts to 25 versus 100 feet and schedule a public hearing for such amendment.

Refer to audio recording of this item at <https://cityofbrookfield.viebit.com/player.php?hash=qVUX4jOkSC8M> for the discussion.

***Motion by Alderman Mark Nelson, second by Citizen Member Lisa Chang to approve staff recommendation for scheduling a public hearing to amend the B-2 General Business District, the B-3 Regional Business District and the I Industrial District of Title 17 of the Municipal Code to permit canopies supporting auto fuel stations to be located at a twenty-five (25) foot setback versus a 100-foot setback. Motion carried 7-0.***

6. Adjournment

***Motion by Steve Petitt, second by Citizen Member Mike Smith to adjourn the meeting at 7:38pm. Motion carried unanimously.***

Respectfully Submitted:

Daniel F. Ertl

Director of Community Development