



OFFICIAL RECORD OF A REGULARLY SCHEDULED MEETING OF THE PLAN COMMISSION HELD ON NOVEMBER 11, 2019, AT 6:30 PM IN THE COUNCIL CHAMBERS OF CITY HALL, 2000 NORTH CALHOUN ROAD, BROOKFIELD, WISCONSIN

Video recordings of Plan Commission meetings are available on the city website at <https://cityofbrookfield.viebit.com>

MAYOR STEVEN PONTO PRESIDING

OTHER MEMBERS PRESENT: Alderman Mark Nelson, Alderman Rick Owen, Commissioner Lisa Chang, Commissioner Steve Petitt, Commissioner Mike Smith

MEMBERS ABSENT AND EXCUSED: Alderman Gary Mahkorn

OTHERS PRESENT: Director of Community Development Dan Ertl, Planning Administrator Mike Theis, Fire Chief Charlie Myers, City Engineer Jeff Chase, Economic Development Coordinator Todd Willis, Neighborhood Planning Coordinator Richard VanDerWal, Alderman Chris Blackburn

Mayor Ponto noted a quorum present and called the Plan Commission to order at 6:32 pm.

Announcements / Reports

The next regularly scheduled meeting is December 9, 2019 at 6:30pm.

Introduction of 2020 Plan Review Board and Plan Commission meeting calendars.

Item 1 October 14, 2019 Plan Commission Official Record / Meeting Minutes

Approval of Official Record from the October 14, 2019 Plan Commission meeting.

Motion to approve the October 14, 2019 Plan Commission Meeting Official Record.

***Motion by Mark Nelson
Seconded by Lisa Chang
Motion carried 6-0***

Item 2 October 24, 2019 Plan Review Board

Approval of Official Record from the October 24, 2019 Plan Commission meeting.

Motion to approve the October 24, 2019 Plan Commission Meeting Official Record.

Motion by Rick Owen
Seconded by Lisa Chang
Motion carried 6-0

Public Hearing Request of Chabad Lubavitch of Waukesha Inc., 1222 E. Broadway, Waukesha, WI 53186 - Rabbi Levi Brook to approve a conditional use permitting occupancy of 1275 N. Barker Road by a conditional religious use with classrooms and daycare.

Rabbi Levi Brook provided background information on the religious organization and use behind the request.

No questions or comments from members of the Plan Commission.

The public hearing was opened to comments from the public. No members of the public spoke at the hearing.

Refer to video recording of this item at <https://cityofbrookfield.viebit.com/player.php?hash=bchZxIKk1CcB> for the discussion.

Motion to close the public hearing.

Motion by Mark Nelson
Seconded by Rick Owen
Motion carried 6-0

Item 3 Comprehensive Plan Update

Update and discussion of the City's 2050 Comprehensive Plan led by Vandewalle & Associates. – RV

Report:

1. The web-based community survey conducted by University of Wisconsin Survey Center (UW-Survey Center) has been completed. The results were forwarded to the Department of Community Development for retention and to the consultants at Vandewalle & Associates (Vandewalle) to interpret and incorporate into the comprehensive plan document. See attached narrative summarizing the results.
2. Survey documentation includes:
 - Response Rate Report – formal report of the methods and response rate for the project (attached to this report).
 - Final Data Set – an Excel file of all survey responses.
 - Survey Comments – collection of all open ended final comments submitted by survey respondents.
 - Final Code Book – document showing each study variable and all information about the variable.
 - Frequency of each Survey Variable – the statistical measurements, such as means, modes, and standard deviations, and the distribution for each survey variable.
 - Frequency of Collapsed Variables – study variables in collapsed versions (5 response options combined and reduced to 3) to cross tabulate against key study variables while having enough responses to detect significance (attached).
 - Sub-group Analysis – Three variables (age, years living in Brookfield, and if the person is working for pay or not) to cross tabulate with the rest of the survey variables to detect the significance these three variables had on responses.Additional documentation, such as further sub-group analyses, may be provided at the request of Vandewalle and/or City staff for clarification of survey results. Let staff know at meeting of any suggestions.
3. An explanation of the methods and results of the Fiscal Impact Analysis will be given by Vandewalle at the next Plan Commission meeting, December 9, 2019. Unless major revisions are requested for Draft #3 of the 2050 Comprehensive

Plan, Community Development staff is prepared to recommend and request a public hearing regarding adoption of the comprehensive plan document at the December Plan Commission meeting.

4. Vandewalle will direct conversation to obtain the necessary feedback for completing the efforts on Draft #3 of the 2050 Comprehensive Plan.

Recommendation: The Plan Commission represents the primary source for project steering, feedback, general discussion, and past personal knowledge throughout the process of updating the City's Comprehensive Plan. Staff recommends the Plan Commission engage in the thoughtful discussion led by Vandewalle.

A general discussion of the survey results and next steps occurred.

Refer to video recording of this item at <https://cityofbrookfield.viebit.com/player.php?hash=bchZxIKk1CcB> for the discussion.

No Action

Item 4 Brookfield Municipal Code Sections 17.98.010, 17.98.020, 17.98.030 and 17.98.040

Recommendation regarding Ordinance amending Sections 17.98.010, 17.98.020, 17.98.030, and 17.98.040 of the Brookfield Municipal Code regarding Modified Suburban Overlay Districts' Purposes, Relation to Other Zoning, Requirements, and Matrices; Creating Section 17.98.050 of the Brookfield Municipal Code regarding Specific Zoning Overlay Areas, and the Brookfield Square Area Overlay; and Amending Sections 17.04.020 and 17.116.050 of the Brookfield Municipal Code regarding Definitions and Landscape Surface Ratio.

Previously Reported:

1. In 2014, the city enacted Ordinance 2356-14 that established a Modified Suburban Overlay (MSO) zoning district upon the Brookfield Square Shopping center and other properties within that portion of the Calhoun Road South Neighborhood Land Use and Transportation Plan Targeted Investment Area (TIA) or planning unit.
2. Various buildings and improvements have been built or are being built under this zoning application.
3. City staff request that the Plan Commission and Common Council authorize a public hearing so that certain amendments to the MSO applying to this area be adopted, including dimensional and design standards and a planning unit area map within the zoning text applying to this portion of the planning unit.
4. Please see a draft of the zoning text amendments and map that would be added to the Zoning Code.
5. The standards include excerpts from the associated design guidelines that were created for this area a number of years ago and prescribed building and pavement setbacks offsets, among other standards.
6. Also some needed, new definitions are proposed.

Newly Reported:

A public hearing on this matter was held November 5, 2019 at the Common Council. No public comments were made. Alderman Blackburn asked the Plan Commission to consider a higher Landscape Surface Ratio (LSR) being established than the proposed 2%. City staff suggested that due to the intensity of development sought in this district, i.e. this district being Brookfield's "Central Business District"(CBD), a higher LSR may be counterproductive to City goals set out for the CBD. Stormwater management rules still apply regardless. In addition, during a discussion later in the Council meeting on a related matter, Alderman Berg asked that at a future Plan Commission, a discussion of the evolution of shopping centers and the future path for Brookfield Square should be scheduled. Brookfield Square is the primary use contained within the district. City staff looks for direction on this pint.

Recommendation: Approve the Ordinance amending Section 17.98 and multiple related sections of the Zoning Code to provide standards and a detailed mapping for the Modified Suburban Overlay (MSO) that applies to a portion of Brookfield Square Shopping Center.

Refer to video recording of this item at <https://cityofbrookfield.viebit.com/player.php?hash=bchZxIKk1CcB> for the discussion.

Motion to approve staff recommendation for approval of the Ordinance amending Sections 17.98.010, 17.98.020, 17.98.030, and 17.98.040 of the Brookfield Municipal Code regarding Modified Suburban Overlay Districts' Purposes, Relation to Other Zoning, Requirements, and Matrices; Creating Section 17.98.050 of the Brookfield Municipal Code regarding Specific Zoning Overlay Areas, and the Brookfield Square Area Overlay; and Amending Sections 17.04.020 and 17.116.050 of the Brookfield Municipal Code regarding Definitions and Landscape Surface Ratio

Motion by Mark Nelson

Seconded by Steve Petit

Motion carried 6-0

Item 5 Chabad Lubavitch Conditional Use

Request of Chabad Lubavitch of Waukesha, Inc., 1222 East Broadway, Waukesha, WI 53186 – Rabbi Levi Brook, for approval of a conditional use ordinance and minor revision to plan and method of operation permitting occupancy of 1275 North Barker Road by a conditional religious use with classrooms and daycare. (SE ¼ of Sec. 19) – MT ****Requires Common Council Approval****

Previously Reported: 1. The site is zoned "I" Industrial District with "SW" Shoreland Wetland and "FS" Flood Storage District Overlay. The site is not located in a Targeted Investment Area; one of eleven areas identified in the *City of Brookfield 2035 Comprehensive 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 2035 Comprehensive Plan is "Higher Density - Employment".

2. The applicant requests approval to schedule a conditional use public hearing for the purpose of occupying 1275 North Barker Road with a religious use. Section 17.108.050 of the Municipal Code classifies churches and accessory buildings thereto as "conditional", permissible in any zoning district but subject to a public hearing process and approval of a conditional use ordinance by the Common Council.

3. Hours of operation are listed in the applicant's statement of operations under a cover letter dated July 31, 2019 and floor plan Sheet A200 and include religious services for up to 70 participants, Sunday school, classes/counseling, daycare, meals/services and other occasional religious events. The site has formalized access, circulation and parking lot.

4. No exterior building alterations are proposed. Three additional parking stalls will be striped in the vicinity of the existing dumpster enclosure. Site landscaping will be restored. The forecast typical parking demand ranges from 6-22 stalls depending upon time of use. There are/will be 28 striped parking stalls on site. The municipal code requires 24 spaces for religious services delivered from the 70-seat sanctuary.

5. The applicant is in receipt of a missive dated August 14, 2019 by Fire Chief Charlie Myers regarding fire code requirements.

Newly Reported: 6. A Neighborhood Information Meeting was conducted on October 30, 2019. No Aldermen attended. Four citizens signed the attendance sheet. One written comment was received and included in Plan Commission materials for this request.

7. A public hearing was conducted by the Plan Commission the evening of November 11, 2019.

Recommendation: Staff will deliver a recommendation pending results of the public hearing.

With respect to conditional uses 2017 WISCONSIN ACT 67 states, "Substantial evidence" means facts and information, other than merely personal preferences or speculation, directly pertaining to the requirements and conditions an applicant must meet to obtain a conditional use permit..."; "Any condition imposed must be related to the purpose of the ordinance and be based on substantial evidence." and "The city's decision to approve or deny the permit must be supported by substantial evidence."

The standard for evaluation of conditional use per 17.108.050 B. of the municipal code is, "The plan commission may recommend and the council may impose such restrictions upon the **use, height and bulk of any structure or land** so approved for conditional use as may be reasonable under the circumstances, provided such **restrictions shall not be more restrictive than the requirements established for the district in which such structure is proposed** to be located."

Based upon the public hearing, staff recommends that the Plan Commission make the following Findings of Fact:

- The uses are conditional uses as defined by 17.108.050 of the municipal code and permissible in the base-zoning district.
- The applicant has demonstrated adequate on-site parking supply per the municipal code
- The applicant has demonstrated that it will be able to comply with the Fire Code requirements articulated in a missive dated August 14, 2019 by the City of Brookfield Fire and Emergency Medical Services Department.

Staff recommends the Plan Commission approve a conditional use ordinance and minor revision to plan and method of operation subject to the following conditions:

1. Statement of operations dated July 31, 2019 by Rabbi Levi Brook.
2. Floor Plan dated July 22 by Bil Aire Architects.
3. Site Plan dated July 22, 2019 by Bil Aire Architects.
4. Restoration of site landscaping per approved Landscape Plan on file with the Inspection Services Department.
5. Compliance with regulations articulated in a missive dated August 14, 2019 by Fire Chief Charlie Myers.
6. Once a building permit is issued by Inspection Services, the owner shall receive an occupancy permit within 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. Signage to be approved separately by the Plan Review Board.
8. Payment of applicable fees to the Community Development Department prior to issuance of a building permit:

\$To Be Determined Public Notification Fee

9. Minor revision to plan and method of operation expires on November 19, 2021 unless the applicant obtains a building permit prior thereto.

Refer to video recording of this item at <https://cityofbrookfield.viebit.com/player.php?hash=bchZxlKk1CcB> for the discussion.

Motion to approve staff recommendation for approval of a conditional use ordinance and minor revision to plan and method of operation permitting occupancy of 1275 North Barker Road by a conditional religious use with classrooms and daycare, including the following Findings of Fact by the Plan Commission:

- The uses are conditional uses as defined by 17.108.050 of the municipal code and permissible in the base-zoning district.
- The applicant has demonstrated adequate on-site parking supply per the municipal code

- *The applicant has demonstrated that it will be able to comply with the Fire Code requirements articulated in a missive dated August 14, 2019 by the City of Brookfield Fire and Emergency Medical Services Department.*

Motion by Mark Nelson

Seconded by Mike Smith

Motion carried 6-0

Item 6 Take 5 Minor Revision to Plan and Method of Operation

Request of Take 5 Oil Change – Take 5 Properties SPV LLC, 440 South Church Street, Suite 700, Charlotte, NC 28202 – Jessica Ryles, President for approval of a minor revision to plan and method of operation allowing application of “trade dress” to the building located at 14245 West Capitol Drive. (NE ¼ of Sec. 11) – MT ****Requires Common Council Approval****

Report: 1. The site is located the Lilly Road Capitol Drive Targeted Investment Area (TIA), one of eleven areas identified in the *City of Brookfield 2035 Comprehensive Plan* that foster community reinvestment by supporting new economic development and sustainable, mixed-use redevelopment with sensitivity to surrounding neighborhoods. The adopted node plan is *The Lilly Road and Capitol Drive Neighborhood Plan – 2001*(Node Plan). The recommended land use of the Node plan is Office and Local Business. The adopted land use of the City of Brookfield 2035 Comprehensive Plan is “Shopping/Service Focused – Lower Density”.

2. The site is zoned “B-1” Local Business District. Special Exception Ordinance No. 1124 (1986) allows an oil change center in the B-1 zoning district. The applicant is requesting approval of a minor revision to plan and method of operation permitting application of “trade dress” colors to the building. No site alterations are proposed. Banners and signage depicted in the applicant’s elevations are illustrative and subject to compliance with Title 15, Section Chapter 15.16 Signage.

3. Ordinance No. 2296-12 allows application of trade dress to individual buildings when the applicant can “...demonstrate an investment in and commitment to a trade dress / branding program.” Checkered flag wall medallions will be affixed to street-facing piers. Building colors include SW 6067 “Turkish Coffee”, 7693 “Stonebriar”, 7678 “Cottage Cream”, 6097 “Sturdy Brown” and 6871 “Positive Red”. The application of window film is prohibited. Representative photos of other buildings in the Midwest which have received the applicant’s “trade dress” color scheme are included in the Plan Commission packet for this item. Additional images can be found at the following address:
https://www.dropbox.com/sh/guzvw704pciaknl/AABrc2L9DNkpGYh_C7YjdiMWa/One%20Off%20Conversions?dl=0&subfolder_nav_tracking=1

4. Site Data: - N/A

5. Preliminary grading, drainage, erosion control and storm water management plan – N/A.

6. Site landscape will be restored to the approved condition on file with the Inspection Services Department.

7. The applicant is in receipt of a missive dated October 30, 2019 by Fire Chief Charlie Myers identifying Fire Code compliance requirements.

Recommendation: The applicant has demonstrated an investment in and commitment to trade dress. All but the 6871 “Positive Red” color of the applicant’s trade dress are earth-tone colors consistent with the city Site Development Standards for Non-residential uses wherein use of primary colors is discouraged. There trade dress application includes no modifications to building architecture. Staff recommends the Plan Commission approve a revised plan and method of operation permitting façade and site alterations subject to:

1. Statement of Operations dated October 22, 2019 by Jessica Ryles, President.

2. Building elevations dated October 3, 2019 by CRA with all building elevation plan pages inscribed as follows, "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."
3. Compliance with Fire Code requirements per a missive dated October 30, 2019 by Fire Chief Charlie Myers.
4. Restoration of site landscape per the approved plan on file with the Inspection Services Department
5. Lighting in compliance with sections 15.16.080 and 17.120.070 of the City of Brookfield municipal code.
6. Signage via separate action by the Plan Review Board
7. Minor revision to plan and method of operation approval expires on November 19, 2021 unless an occupancy permit is obtained prior thereto.

Refer to video recording of this item at <https://cityofbrookfield.viebit.com/player.php?hash=bchZxIKk1CcB> for the discussion.

Motion to approve staff recommendation for approval of a minor revision to plan and method of operation allowing application of "trade dress" to the building located at 14245 West Capitol Drive.

Motion by Mark Nelson
Seconded by Mike Smith
Motion carried 6-0

Item 7 Brookfield Academy 3460 Building Addition

Request of Brookfield Academy, 3462 North Brookfield Road, Brookfield, WI 53045 – Sharon Koenings, Head of School c/o VJS Construction, W233 N2847 Roundy Circle West, Pewaukee, WI 53072 – Brian Griebel, Project Architect for Plan Commission direction regarding a building addition at 3460 North Brookfield Road. (SW ¼ of Sec. 9) – MT

Report. 1, The site is zoned "R-3" Residence District. Conditional use ordinances no. 274, 332, 409, 1130, 1742 and 1922-03 allow initial use of the site for school purposes and expansion of the campus beginning in 1962. The site is not located in a Targeted Investment Area; one of eleven areas identified in the *City of Brookfield 2035 Comprehensive 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 2035 Comprehensive Plan is "Community Facility".

2. The applicant requests Plan Commission direction regarding a proposed building addition linking Constitution and Independence Halls. The two-story addition would provide classroom, computer lab, and library for elementary students. Per City Site Development Standards for Nonresidential Uses the addition would be complimentary to the existing buildings in architecture and finishes. Some of the classrooms are currently located at Liberty Hall, which is the subject of Item 8, a change of use, on the November 11, 2019 Plan Commission agenda.

3. Site Data:

Lot Coverage (Ex.):	9.89%
Lot Coverage (Prop.)	11,25% (20% max.)
F.A.R. (Ex.):	18.5%
F.A.R. (Prop.)	21.12% (25% max.)

4. The applicant is in receipt of a missive dated October 31, 2019 by Fire Chief Charlie Myers regarding fire code requirements.

5. The request does not meet the current thresholds of the Municipal Code requiring it to be processed as anything other than a revised plan and method of operation.

Recommendation: Staff recommends the Plan Commission instruct the applicant to comply with the City Site Development Standards for Non-residential Uses in the architectural design and finishes of the addition and comply with the enforceable conditions of previous conditional use ordinances for the site.

Refer to video recording of this item at <https://cityofbrookfield.viebit.com/player.php?hash=bchZxIKk1CcB> for the discussion.

Motion to approve staff recommendation instructing the applicant to comply with the City Site Development Standards for Non-residential Uses in the architectural design and finishes of the addition and comply with the enforceable conditions of previous conditional use ordinances for the site.

***Motion by Mark Nelson
Secoded by Mike Smith
Motion carried 6-0***

Item 8 Brookfield Academy 3240 Brookfield Road Change of Use

Request of Brookfield Academy, 3462 North Brookfield Road, Brookfield, WI 53045 – Sharon Koenings, Head of School c/o VJS Construction, W233 N2847 Roundy Circle West, Pewaukee, WI 53072 – Brian Griebel, Project Architect for Plan Commission direction regarding change of use and revised plan and method of operation in association with conversion of Liberty Hall (3240 N. Brookfield Road) into a fine arts performance and education facility and parking lot installation at 3215, 3240 or 3460 North Brookfield Road. (SE ¼ of Sec. 8 and SW ¼ of Sec. 9) – MT

Report. 1, The site is zoned “R-3” Residence District with “FF” Flood Fringe Overlay. Conditional use ordinance no. 1399 allowed conversion of an existing bowling alley into private middle school in 1992. The site is not located in a Targeted Investment Area; one of eleven areas identified in the *City of Brookfield 2035 Comprehensive 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 2035 Comprehensive Plan is “Community Facility”.

2. The applicant requests Plan Commission direction regarding a proposed change of use converting the building at 3240 North Brookfield Road into a fine arts performance and education facility in furtherance of the school’s curriculum. The facility will be used for school functions throughout the year and occasional parent functions. Interior remodeling consists of a 442-seat theater bounded by 9-12 classrooms. The change of use will require Plan Commission and Common Council approval as will an increase in parking supply that can’t be provided entirely on site. An on-site parking increase with three alternative off-site parking solutions are postulated for Plan Commission consideration.

3. First, the on-site parking expansion. Redesign/repurpose of the pavement at Liberty Hall, 3240 North Brookfield Road can increase parking supply from 44 stalls to 112 stalls. There is no Landscape Surface Area in the R-3 zoning district; only open space, which is defined as all that space which isn’t occupied by buildings. There is no building expansion so there is no change in open space. A pavement setback of 25’ and offset of 10’ is consistent with Site Development Standards for Non-residential Uses. The applicant’s pavement design requires reduction for compliance with the Standards (there are no pavement setbacks or offsets in the R-3 District) but much of the existing pavement is existing, presumably permitted by previous action of the Plan Commission. The applicant’s depicted parking supply of 112 stalls is 80 stalls short of the parking supply required for the change of use. Some of the parking is currently located or proposed to be located in a flood fringe area. New parking in the flood fringe is permissible as a conditional use but generally discouraged when dry-land alternatives are available. The 5% landscape area inside the parking field (Site Development Standards) appears deficient. NOTE: changes of use and revisions to plan and method of operation provide the Plan Commission opportunity to bring sites into compliance with Site Development Standards and the municipal code.

4. The applicant owns two properties opposite the site; Patriot's Hall at 3215 N. Brookfield Road, i.e. the high school on the west side of Brookfield Road and Freedom Hall at 3460 N. Brookfield Road, i.e. the elementary school on the north side of Beverly Hills Drive. The municipal code allows off-site parking per Section 17.120.010 D. 1 b. D. Alternatives to On-Site Parking: Shared or Off-Site Parking – "Off-site parking lots shall be located not more than five hundred (500) feet from the principal building entrance that it is intended to serve."

5. Fourteen existing parking spaces at Patriot's Hall – 3215 N. Brookfield Road are within 500' of Liberty Hall – 3240 N. Brookfield Road. When combined with the concept depicted for Liberty Hall - 3240 N. Brookfield Road the parking supply shortfall is reduced to 66 spaces.

6. There is a small area of land within 500' of Liberty Hall – 3240 N. Brookfield Road located at Freedom Hall - 3460 N. Brookfield Road where an additional 25 parking space are depicted. However, the area is partially within flood fringe zoning, dryland access is questionable and existing soccer fields are adversely impacted especially when landscape streetyard standards are applied. Even with the addition of this parking, the parking supply remains 41 spaces short of that required by the zoning code.

7. There is an area of developable land north of Patriot's Hall – 3215 N. Brookfield Road, i.e. the high school on the west side of Brookfield Road. In the past the area was impacted by the presence of a Butler's Garter Snake preservation zone, deed restriction with the DNR precluding the area's disturbance and a development agreement with the city. In a missive dated May 16, 2016 the Wisconsin Department of Natural Resources (WDNR) confirmed the Butler's Garter Snake was removed from the Endangered and Threatened Species List and affirmed the Preservation Zone is no longer required. On June 29, 2017, WDNR recorded a release from the deed restriction dated July 20, 2000 empowering WDNR regarding said Preservation Zone. On September 11, 2017, the city amended the development agreement with the applicant and removed Article V of the development agreement requiring said Preservation Zone. The applicant has depicted a 108-stall parking lot in this location. When combined with qualifying existing parking on the site and that proposed for Liberty Hall – 3240 N. Brookfield Road, sufficient parking supply is achieved. A Brookfield Road pedestrian activated crosswalk signal and striping already exist in proximity to the development area.

8. The applicant suggests the parking solution depicted at Patriot's Hall – 3215 N. Brookfield Road, i.e. the high school in conjunction with parking improvements at Liberty Hall – 3240 N. Brookfield Road is the preferred solution. Staff concurs but suggests the Plan Commission encourage the applicant to expand the parking lot at Patriot's Hall – 3215 N. Brookfield Road in order to achieve a parking lot design at Liberty Hall – 3240 N. Brookfield Road that is more consistent with Site Development Standards.

9. The applicant is in receipt of a missive dated October 31, 2019 by Fire Chief Charlie Myers identifying Fire Code compliance regulations.

Recommendation: Staff recommends the Plan Commission instruct the applicant to pursue parking lot expansion at Patriot's Hall – 3215 N. Brookfield Road and parking lot design at Liberty Hall – 3240 N. Brookfield Road that is more consistent with Site Development Standards.

Refer to video recording of this item at <https://cityofbrookfield.viebit.com/player.php?hash=bchZxIk1CcB> for the discussion.

Motion to approve Plan Commission direction for the applicant to leave the non-conforming pavement in the interest of maximizing on-site parking at the venue and working to find a solution to parking that is not necessarily dependent upon expansion of parking north of the High School.

***Motion by Mark Nelson
Seconded by Steve Petitt
Motion carried 6-0***

Item 9 Brookfield Municipal Code Section 17.98.050

Request for public hearing amending Section 17.98.050 of the Brookfield Municipal Code creating the Southern Brookfield Square Area Overlay and the Southern Executive Drive Area Overlay areas and their respective regulations and design standards.

Report:

1. In 2014, the city enacted Ordinance 2356-14 that established a Modified Suburban Overlay (MSO) zoning district upon the Brookfield Square Shopping center and other properties within that portion of the *Calhoun Road South Neighborhood Land Use and Transportation Plan Targeted Investment Area (TIA)* or planning unit.
2. Various buildings and improvements have been built or are being built under this zoning application.
3. City staff request that the Plan Commission and Common Council authorize a public hearing so that certain amendments to the MSO applying to this area be adopted, including dimensional and design standards and a planning unit area map within the zoning text applying to this portion of the planning unit.
4. Please see a draft of the zoning text amendments and map that would be added to the Zoning Code.
5. The standards include excerpts from the associated design guidelines that were created for this area a number of years ago and prescribed building and pavement setbacks offsets, among other standards.

Recommendation: Approve the scheduling of a public hearing to amend Section 17.98 and related sections of the Zoning Code to provide details for the Modified Suburban Overlay (MSO) that applies to a portion of the Southern Brookfield Square Shopping Center area and the Southern Executive Drive area.

Refer to video recording of this item at <https://cityofbrookfield.viebit.com/player.php?hash=bchZxIKk1CcB> for the discussion.

Motion to approve staff recommendation for approval of scheduling a public hearing to amend Section 17.98 and related sections of the Zoning Code in creating the Southern Brookfield Square Area Overlay and the Southern Executive Drive Area Overlay areas and their respective regulations and design standards for Modified Suburban Overlay (MSO).

***Motion by Mike Smith
Seconded by Steve Petitt
Motion carried 6-0***

Adjournment

***Motion by Steve Petitt
Seconded by Lisa Chang
Motion carried unanimously
Meeting adjourned at 8:38pm***

Record respectfully submitted by Richard VanDerWal, Neighborhood Planning Coordinator