

TOWN OF BROOKFIELD
PLAN COMMISSION MINUTES
October 22, 2024

The regular meeting of the Plan Commission was held in the Erich Gnant Room of the Town Hall, 645 N Janacek Road, Brookfield, WI.

1) CALL TO ORDER.

Chairman Keith Henderson called the meeting to order at 7:00 p.m. with the following people present: Town Supervisor Ryan Stanelle; Plan Commission members William Neville, Tim Probst, Kevin Riordan, Len Smeltzer, and Jeremy Watson; and Town Planner Bryce Hembrook.

2) MEETING NOTICES.

Hembrook confirmed the meeting was noticed in accordance with Open Meeting Law.

3) APPROVAL OF AGENDA

Motion by Riordan to approve the agenda.

Seconded by Watson.

Motion Passed Unanimously.

4) APPROVAL OF MINUTES.

a. Motion by Watson to approve the August 27, 2024 Plan Commission Minutes as presented.

Seconded by Smeltzer.

Motion Passed Unanimously.

5) CITIZEN COMMENTS; Three-minute limit.

None.

6) OLD BUSINESS:

a. None.

7) NEW BUSINESS:

a. Adrian Deasy, representing Octane Coffee, is requesting review and recommendation of preliminary approval to allow a drive-thru coffee business, located at 19555 West Bluemound Road.

Planner Hembrook reviewed the proposed location between Aldi and Best Buy, middle parking aisle, and plan of operation. Setbacks and building height requirements are met, and the building is proposed to be approximately 280 square feet. Nighttime lighting was shown. Parking requirements for the shopping center are still being met as well. Hembrook reviewed additional comments from the town engineer, which are included in tonight's staff report. Striping and directional arrows will be added to the pavement. The "menu boards" are 55" screens, and are not for ordering, but for educating customers on how Octane works. There is not a speaker. Riordan expressed concern with losing 19 parking spaces, as well as the potential for dangerous traffic flow. Deasy responded that the town engineer determined that parking requirements for the development will still be met with the reduction in parking. Hembrook added that the town engineer had suggestions relating to the traffic flow concern. One is to sign the parking aisle where the cars exit the kiosk as one way northbound. There could be a conflict for a car leaving the coffee kiosk and a car coming eastbound to turn right, not seeing them. Another suggestion is to paint a stop bar on the drive aisle for the exiting traffic to reinforce that they need to yield to the main east/west drive aisle. Deasy mentioned that the morning rush would occur before most businesses in the shopping center are open. There is not a plan to add any additional curbs. It was suggested to add curbs to deter customers from cutting in before the actual entrance. Deasy commented that the recommendation of the traffic engineer was to designate the drive aisle on the east side of the kiosk as being one way, going out (north). Henderson commented that he wants to see in writing, permission from the property owner. Henderson also stressed bollards by signs and buildings. Deliveries will be on the west side of the kiosk. They could stripe of some spots for deliveries only. Current service time for maintenance and deliveries is 5:00am. Electrical will

come off Bluemound Road and there is a large water and sewer lateral right outside of Aldi on the east wall. There have been discussions with the property owner's maintenance team regarding snow removal.

Motion by Watson to **grant** preliminary approval to allow a drive-thru coffee business, located at 19555 West Bluemound Road, with the following conditions:

- Curb around drive thru lanes and building;
- Straighten exits;
- Approval from property owner.

Hembrook noted that because this requires a conditional use, the owner would have to sign the agreement.

Seconded by Neville.

Further Discussion:

Probst suggested adding a curb on the north only exit lane. A concern was raised that snowplows would most likely destroy that curb. Deasy suggested additional striping instead, possibly stating, "Do not enter".

Motion passed 5-1, with Riordan opposed.

- b. Adrian Deasy, for **recommendation** to set a public hearing date to consider a conditional use permit for a drive-thru coffee business, located at 19555 West Bluemound Road.

Motion by Watson to **recommend** the Town Board set a date for a public hearing to consider a conditional use permit for a drive-thru coffee business, located at 19555 West Bluemound Road.

Seconded by Neville.

Motion passed 5-1, with Riordan opposed.

- c. Discussion on the Zoning Code Amendment Project.

Hembrook described the main changes as follows:

- Land use types
Currently, each land use is specifically mentioned in the code, such as bakery, beauty shops clinics, etc. Hembrook suggested combining uses into one description because there are a number of new uses that did not exist when the code was written, such as a golf simulator. Another example is if an engineering firm is allowed in a district, an architectural firm should also be allowed in that same district. Adding regulations for that specific use would also be a component in the changes. Parking would also be addressed in land use, as opposed to a different section of the code. Hembrook noted that currently in the zoning district section of the code it lists the permitted uses but the conditional uses are listed in a different section. It is confusing for one to understand that they have to look in a different section for the conditional use, and then look back to see if it works in a specific zoning district. The suggestion is to remove the uses from the zoning district section and create a simple table showing whether permitted by right, or conditional use in a district. A zoning regulation matrix would be created to help navigate through the code.
- Review Process
Currently, the development review process consists of essentially seven different meetings, between Architectural Review, Plan Commission, and Town Board. The goal is to condense the number of meeting to three or four. Each board or committee would focus on specific details of a proposed project. Hembrook recommended starting with an initial review by town staff and development review team, consisting of planner, engineer, fire department, and when necessary, police department, attorney, town administrator, and utilities. This initial review would allow the applicant to address initial concerns of a proposal, prior to appearing before the board and committees. It was recommended that one PC or ARC member be a part of the development review team.

Currently there is not a design guideline, so creating architectural criteria for the ARC to base their review on is suggested. This would also aid the architect in designing a proposal that would fall under the guidelines. For submittal of site plan review and recommendation by PC, a list is being created for application requirements. Language in the code recommended by the town attorney should include the zoning administrator ensures the application and submitted materials meet requirements before a PC appearance. This would diminish the potential for contingencies in approvals. Town Board would then review recommendations from ARC and PC.

- Plan of Operation
Town attorney and administrator suggested a requirement that all new development and occupancy permits go through this process, which would go before the PC each month. A new business would have to submit a business plan of operation (BPO), which includes specifics such as parking, number of employees, etc. PC would then decide whether to approve or deny. A temporary plan of operations could be approved by the zoning administrator, providing it is a similar business. This would allow the business to open without having to wait until the next PC meeting.
- Sign Code
The sign code will be addressed more in-depth at the next meeting.

Smeltzer commented that if this were in place years ago, the Corners of Brookfield would not be there, it would have been a home improvement store. Smeltzer also wants the people of the town to still be able to have a say in what goes on in the town, even though there aren't many people at the meetings. Smeltzer is concerned about marijuana stores, and with a more generic code in place, how to keep that from happening? Hembrook responded that the town attorney would need to be consulted. Henderson commented that there are also state laws that may allow making a section of the code more restrictive, and that information must be clarified before changes are made. Watson mentioned that CBD shops are legal in Wisconsin. Hembrook reported that conditional use permits would also be affected if regulations can be embedded in the code. More details regarding the code changes will be discussed at the next PC meeting.

8) COMMUNICATION AND ANNOUNCEMENTS.

None.

9) ADJOURN.

Motion by Neville to adjourn at 6:52pm.

Seconded by Watson.

Motion Passed Unanimously.

Respectfully submitted,
Bryce Hembrook – Town Planner

BH/lr