

Town of Brookfield
645 N. Janacek Road
Brookfield, WI 53045
(P) 262-796-3788
(F) 262-796-0339



MEETING NOTICE

Meeting will be held at the
Town of Brookfield Municipal Building, Eric Gnant Room
645 N. Janacek Road, Brookfield, WI

Tuesday, January 27, 2026

PUBLIC HEARING

7:00 pm

- 1) Confirmation of meeting notice.
- 2) Public Hearing to receive comment on a request by KCG Companies LLC to amend the Town Land Use Plan map from the Commercial and Office Park category to the Mixed-Use category on property located at 1345 S. Barker Road for a future multi-family development. Tax Key BKFT 1132.994.
- 3) Close public hearing.

PUBLIC HEARING

Immediately Following

- 1) Confirmation of meeting notice.
- 2) Public Hearing to receive comment on a request by KCG Companies LLC to amend the Town of Brookfield Zoning Map from the RS-3 Single Family Residential District to the MU-1 Mixed Use District on property located at 1345 S. Barker Road for a future multi-family development. Tax Key BKFT 1132.994.
- 3) Close public hearing.

PUBLIC HEARING

Immediately Following

- 1) Confirmation of meeting notice.
- 2) Public Hearing to receive comment on a Conditional Use request made by Next Phase Advanced Care LLC, Demitree Johnson, to operate an adult commercial day care on property known as 20900 Swenson Drive, Suite 400. Tax Key BKFT 1128.960.
- 3) Close public hearing.

PLAN COMMISSION

Immediately Following

AGENDA

- 1) Call to Order.
- 2) Meeting Notices.
- 3) Approval of Agenda.
- 4) Approval of Minutes.
 - a. December 16, 2025 Plan Commission Meeting
- 5) Citizen Comments: Three-minute limit.
- 6) Old Business: None.
- 7) New Business:
 - a. Review and possible action on a request from KCG Companies LLC (applicant) to amend the Town Land Use Plan map from the Commercial and Office Park category to the Mixed-Use category for property located at 1345 S. Barker Rd. for a future multi-family residential development. Michael and Sally Alexander (owners), Tax Key BKFT 1132.994.

PLEASE NOTE: It is possible that members of and possibly a quorum of members of other governmental bodies of the municipality may be in attendance at the above meetings to gather information. No action will be taken by any governmental body other than that specifically noticed. Also, upon reasonable notice, efforts will be made to accommodate the needs of individuals with disabilities through appropriate aids and services. For additional information or to request such services contact the clerk's office at the above.

- b. Review and possible action on a request from KCG Companies LLC (applicant) to amend the Town of Brookfield Zoning Map from the RS-3 Single Family Residential District to the MU-1 Mixed Use District for property located at 1345 S. Barker Road for a future multi-family residential development. Michael and Sally Alexander (owners), Tax Key BKFT 1132.994.
- c. Review and possible action on a request from Next Phase Advanced Care LLC, Demitree Johnson, (applicant) to consider a Conditional Use request to operate an adult commercial day care at 20900 Swenson Drive, Suite 400. Decade Companies Income Properties (owner). Tax Key BKFT 1128.960.
- d. Review and possible action on a request from Next Phase Advanced Care LLC, Demitree Johnson, (applicant) to consider the associated Site Plan/Plan of Operation for an adult commercial day care at 20900 Swenson Drive, Suite 400. Decade Companies Income Properties (owner). Tax Key BKFT 1128.960.

8) Communication and Announcements.

9) Adjourn.

Posted this 22nd day of January, 2026

*Rebekah Leto
Town Planner*

TOWN OF BROOKFIELD
PLAN COMMISSION MINUTES
DECEMBER 16, 2025

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.

Town Chairman Keith Henderson called the meeting to order at 6:01 p.m., with the following people present: Town Supervisor Ryan Stanelle; Plan Commissioners Tim Probst, Jeremy Watson, Dan Zuperku; and Town Planner Rebekah Leto. Kevin Riordan was excused. Len Smeltzer and Jeremy Watson were absent.

2) MEETING NOTICES.

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

3) APPROVAL OF AGENDA

Motion by Mr. Stanelle to approve the agenda.

Seconded by Mr. Zuperku.

Motion Passed Unanimously.

4) APPROVAL OF MINUTES.

a. Motion by Mr. Stanelle to approve the September 23, 2025 regular Plan Commission Meeting minutes as presented.

Seconded by Mr. Probst.

Motion Passed Unanimously.

5) CITIZEN COMMENTS: Three-minute limit.

None.

6) OLD BUSINESS:

a. None.

7) NEW BUSINESS:

a. Review and possible action on Phase II of the Sand Trap LLC Conditional Use Permit located at 17800 W. Bluemound Road. Jordan Jackson (applicant), TFW Group LLC (owner), Tax Key BKFT1120.995.001

Planner Leto gave an overview of the request in accordance with the staff report, specifically highlighting the request to modify the hours that were approved by the Town Board with Phase I. Chairman Henderson noted how the hours were discussed at length following concerns at the public hearing and believed the 6-month review would be a good time to discuss a modification to the hours. Mr. Stanelle agreed and noted that the recently approved liquor license might change how the site operates. Mr. Jackson, applicant, recalled that the issue around the potential for noise was related to the roll up door on the north side of the building and thought that was the reason for the hours (noon to dusk). Mr. Jackson noted that his request for longer hours [until midnight] was because his business was different from other golf simulator businesses because he is offering a wide array of amenities for people to stay longer or come for more than golf. Mr. Probst commented that golf simulator businesses that he has been to do not typically see late night traffic. Mr. Jackson agreed that most are closed by 10 pm or even during the summer hours, but again stressed his amenities make him different. He also clarified that he would not always be open until midnight after Planner Leto noted the Plan Commission could consider extended hours on certain days only, such as Thursday-Saturday. Mr. Jackson also noted that he would be looking to stay open late for private events and clarified with the Commission that the hours of operation hold the same

for events. Mr. Stanelle asked if minors could be in the facility with the liquor license after a certain time. Chairman Henderson noted that Clerk Howells could answer that question.

Motion by Mr. Probst to recommend approval of Phase II for the Sand Trap LLC, located at 17800 W. Bluemound Road, with a recommendation to review the request for modified hours.

Seconded by Mr. Zuperku.

Further Discussion: None.

Motion carried unanimously.

- b. Review and possible action on a request from Point Real Estate (applicant) to set a public hearing date to consider an amendment to a Conditional Use Permit and Plan of Operation at 655 N. Brookfield Road for a change in use from commercial to residential in an existing building. SIX65 Brookfield Holdings, LLC (owner), Tax Key BKFT1124.997.001.

Planner Leto gave an overview of the request in accordance with the staff report stating that the fundamental request was to modify the roadside building a commercial use to a residential use. Chairman Henderson noted that tonight the Plan Commission was just making a request to the Town Board to set the public hearing date.

Motion by Mr. Stanelle to recommend the Town Board set a date for a public hearing to consider an amendment to a Conditional Use Permit and Plan of Operation at 655 N. Brookfield for a change in use from commercial to residential in an existing building.

Seconded by Mr. Probst.

Further Discussion: None.

Motion carried unanimously.

- c. Review and possible action on a request from KCG Companies LLC (applicant) to set a public hearing date to consider an amendment to the Town Land Use Plan map and zoning map for property located at 1345 S. Barker Road for a future multi-family residential development, Michael and Sally Alexander (owners), Tax Key BKFT 1132.994.

Planner Leto gave an overview of the request in accordance with the staff report, showing the current Land Use Plan categories and zoning categories. Planner Leto discussed the process for said amendments, relaying it goes through the County Plan Commission and County Board, following a recommendation from the Town. Chairman Henderson noted that tonight the Plan Commission was just making a request to the Town Board to set the public hearing date.

Motion by Mr. Stanelle to recommend the Town Board set a date for a public hearing to consider an amendment to the Town Land Use Plan map and zoning map for property located at 1345 S. Barker Road for a future multi-family residential development.

Seconded by Mr. Zuperku.

Further Discussion: Mr. Probst clarified that there would be future opportunities to discuss a 60-unit apartment building. Planner Leto noted the public hearing would be for the rezone and land use plan amendments. If

approved, a Planned Unit Development Conditional use would be sought, which would get further into the details of the site plan.

Motion carried unanimously.

8) COMMUNICATION AND ANNOUNCEMENTS.

None.

9) ADJOURN.

Motion by Mr. Stanelle to adjourn at 6:36 pm.

Seconded by Mr. Zuperku.

Motion Passed Unanimously.

Respectfully submitted,
Rebekah Leto – Town Planner



TOWN OF BROOKFIELD PLAN COMMISSION ZONING REPORT

TO: Town of Brookfield Plan Commission

FROM: Rebekah Leto, AICP, Town Planner

PC MEETING DATE: January 27, 2026

RE: Land Use Plan amendment and Rezone request, KCG Companies, **1345 S. Barker Road, Tax Key No. BKFT 1132.994**

The following report is provided for cursory review prior to action. Specifics relating to the submitted documents of this application may be referenced in the Meeting Packet distributed by the Clerk.

Property owner: Michael and Sally Alexander

Applicant: Megan Schuetz, KCG Companies

Application Type: Land Use Plan amendment (map) and Zoning Map amendment (rezone)

Land Use Plan (current): Commercial and Office Park and Primary Environmental Corridor (Town and County)

Land Use Plan (proposed): Mixed Use and Primary Environmental Corridor (Town and County). No changes to the Primary Environmental Corridor District are proposed.

Zoning (current): RS-3 Single Family Residential District (Town) / R-3 Residential, C-1 Conservancy Overlay (Wetland), Primary Environmental Corridor Overlay, FW Floodway District and HG High Groundwater District (County)

Zoning (proposed): MU-1 Mixed-Use District

Project Description

The subject property is 7.7 acres and is located on the northwest corner of the S.T.H. 59 (W. Greenfield Ave.) and C.T.H. Y (Barker Road) intersection. The property has split jurisdiction between the Town and Waukesha County. Poplar Creek runs along the northern lot line, with significant environmental features adjacent to the creek, including floodplain, wetland and environmental corridor. The upland (developable) area is limited to the southeast portion of the site, closest to the intersection. Historically, a single family residence has resided on the property, which is reflected on the Town and County zoning maps. The upland acreage for development is approximately three (3) acres. A wetland delineation is required to determine the exact upland acreage.

To the north and west of the conservancy lands are single-family neighborhoods, both in the Town and in New Berlin. Conservancy lands also abut the property to the south, which are lands owned by public entities (either the State or County) and are in New Berlin. East of the subject parcel is the Sutter Creek development, located in the City of Brookfield, which is a three-building, 170-unit apartments complex on Town sewer and City water. There is also a medical clinic (cosmetic surgery) on the east corner of the intersection in the Town. The municipal boundaries create a mix of uses in the area.

The applicant is proposing a four-story, 60-unit apartment building with one to three bedroom units in the southeast corner of the property. Parking would be located north of the structure abutting a large retaining wall. A project narrative and conceptual site plan are enclosed. No architectural renderings have been submitted. Municipal water is not currently available for this parcel.

There are a variety of Land Use Plan designations in this area, including low, medium and high density residential, industrial uses south of Greenfield Ave. and commercial uses on the lands abutting Greenfield Ave. In order to accommodate residential uses on this parcel, the Town and County Land Use Plans must be amended. The applicant is proposing to amend the designation from Commercial and Office Park to the Mixed Use category to reflect the multiple uses that are both existing and envisioned for this area. No change to the Primary Environmental Corridor category are being requested. Although the current proposal is purely residential, the plan amendment should not be tied specifically to this request and the Plan Commission should consider if a variety of uses is appropriate on this parcel. Mixed Use categories do not require that a development encompass more than a single use on a parcel.

The applicant is also proposing a subsequent Town rezone from the RS-3 District to the MU-1 District to accompany the request for a Land Use Plan amendment. The MU-1 District better aligns with the proposed Land Use Plan category and is intended to encourage mixed-use development that promote a range of compatible land uses through appropriate site design, including higher residential density. The requested density is approximately 15 units per acre when conservancy acreage is removed from the equation. The overall density being requested is 7.7 dwelling units per acre. If approved, a Planned Unit Development Conditional Use would be sought with the Town and County to proceed with the development, where the specific details of the development would be presented.

Staff Recommendation

Land Use Plan: Staff recommends **conditional approval** of the request for a Land Use Plan amendment from the Commercial and Office Park District to the Mixed Use District conditioned upon the following:

1. Future uses are limited to residential, office and low-intensity commercial uses.
2. Conceptual architectural renderings shall be provided prior to rezoning the site.

A draft resolution is enclosed for consideration.

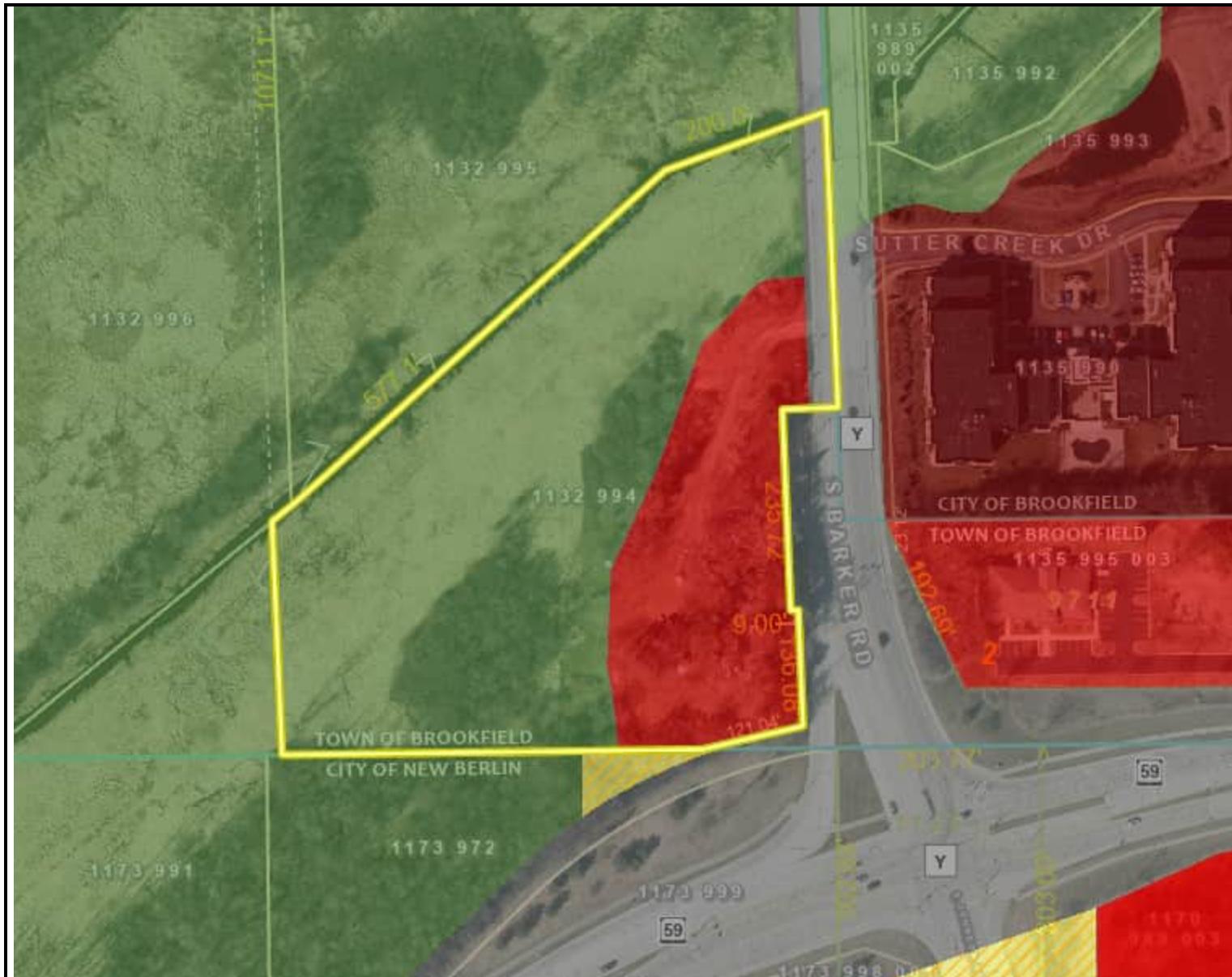
Reasons: The surrounding area is already comprised of a range of uses. The 3+- acres of developable acreage could accommodate a multitude of uses, ranging from a single office use, a small commercial building or a mid-sized apartment complex as currently proposed. Given the difficult slope access to the site, a high-intensity commercial use is not likely a good fit. However, a small commercial user, similar to the medical use to the east, may be accommodated. In addition, a multi-family residential use

remains a good fit for this parcel considering its location to an interchange and the Sutter Creek development to the east.

Rezone: Staff recommends the request to rezone from the RS-3 Single Family Residential District to the MU-1 Mixed-Use District be **tabled** to allow time for the petitioner time to submit additional information on the proposed development, including conceptual plans and renderings, parking ratios, and additional site plan information, at a minimum. The level of detail the Plan Commission may want to see on conceptual renderings or site plan design to further consider the rezone should be discussed at this time.

Enclosures:

Applicant narrative
Draft Resolution



Legend

County Development Plan

- HDR (<6,000 sf/du)
- MDR (6,000 - 19,000 sf/du)
- LDR (20,000 sf - 1.4 ac/du)
- SDR I (1.5 - 2.9 ac/du)
- SDR II (3.0 - 4.9 ac/du)
- Rural density and Other Ag*
- Other Open Lands to be Pre
- Farmland Pres w/EC Overlay
- Farmland Pres (> 35 ac/du)
- Primary Environmental Corri
- Secondary Environmental Cor
- Isolated Natural Resource A
- Recreational
- Commercial and Office Park
- Governmental and institution
- Mixed Use
- Industrial
- Transportation, Communicat
- Highway and Railway Rights
- Extractive
- Landfill
- Surface water

Municipal Boundary_2K

Parcel_Dimension_2K

Note_Text_2K

Lots_2K

- Lot
- Unit
- General Common Element
- Outlot

SimultaneousConveyance

- Assessor Plat
- CSM
- Condominium
- Subdivision

Cartoline_2K

- EA-Easement_Line
- PL-DA
- PL-Extended_Tie_line
- PL-Meander_Line
- PL-Note
- PL-Tie

0 182.36 Feet

The information and depictions herein are for informational purposes and Waukesha County specifically disclaims accuracy in this reproduction and specifically admonishes and advises that if specific and precise accuracy is required, the same should be determined by procurement of certified maps, surveys, plats, Flood Insurance Studies, or other official means. Waukesha County will not be responsible for any damages which result from third party use of the information and depictions herein, or for use which ignores this warning.

Notes: Tax Key BKFT
1132.994

Printed: 1/22/2026



POPLAR POINT APARTMENTS – PROJECT NARRATIVE

Poplar Point Apartments is a proposed 60-unit community located at 1345 South Barker Road in the Town of Brookfield. The development is designed to serve families and will feature a mix of 1-, 2-, and 3-bedroom apartments in a single, four-story, elevator-served building.

Poplar Point Apartments will provide high-quality housing, modern design, and community-focused amenities within a high-opportunity suburban community characterized by strong schools, job access, and a very limited supply of affordable rental housing.

The Poplar Point Apartments site includes approximately three buildable acres located along S. Barker Road, immediately south of the I-94 interchange. The parcel includes natural conservancy areas and protected wetlands that will be preserved and incorporated into the site plan through landscaping, stormwater features, and green buffers. The development itself will include an on-site leasing office, community room, and fitness center as well as private, off-street parking.

The site is located across the street from an existing large multi-family development with over 150 apartments and other commercial uses. To the west of the site there lies a natural buffer of wetlands creating a site that can only develop the three acres of buildable area. The proposed project is consistent with adjacent land uses. While this is a busy intersection the building would be set off of the corner a bit and accommodate its own parking needs by providing approximately 115 parking stalls for the 60 units.

KCG Companies is a vertically integrated real estate development firm with over ten years of experience specializing in multi-family housing. Our team has completed more than 31 transactions and built or rehabilitated 26 communities across nine states, representing over \$1.5 billion invested and 5,000 homes delivered. KCG's disciplined and relationship-driven approach to development ensures high-quality outcomes from concept through completion. Our in-house subsidiaries—KCG Development, KCG Construction, and KCG Design Services—work collaboratively to streamline project delivery, control costs, and uphold the highest standards of design and construction.

Below is a preliminary rendering of the site as proposed. The orange dashed line indicates the existing edges of the wetland delineation and elevations are noted as well.



STATE OF WISCONSIN:

TOWN OF BROOKFIELD:

WAUKESHA COUNTY:

RESOLUTION #2026-_____

**RESOLUTION AMENDING THE COMPREHENSIVE DEVELOPMENT PLAN
FOR THE TOWN OF BROOKFIELD**

WHEREAS, the Town of Brookfield, pursuant to Wis. Stat. § 66.23, 61.35, and 60.22(3), has adopted Village powers and created a Town Plan Commission; and

WHEREAS, the Town Board adopted a *Town of Brookfield Comprehensive Plan – 2022-2042*, on January 24, 2023, following extensive public participation;

WHEREAS, KCG Companies, LLC has submitted a request to change to the land use designation for approximately 7.74 acres of real property located at the corner of C.T.H. "Y" (S. Barker Road) and S.T.H. 59 (W. Greenfield Avenue), also known as Tax Key No. BKFT1132.994 and as further depicted on the attached Exhibit A, from Commercial and Office Park and Primary Environmental Corridor to Mixed Use and Primary Environmental Corridor;

WHEREAS, the Plan Commission finds that the comprehensive plan, with the proposed amendment, contains all of the required elements specified in Wis. Stat. § 66.1001(2) and that the comprehensive plan, with the proposed amendment, is internally consistent;

WHEREAS, the Town had duly noticed and held a joint public hearing on the proposed amendment, following procedures in Wis. Stat. § 66.1001(4)(d), and the public participation procedures for comprehensive plan amendments adopted by the Town Board; and

NOW, THEREFORE, BE IT RESOLVED, pursuant to Wis. Stat. § 66.1001(4)(b), the Town of Brookfield Plan Commission hereby approves the amendment to the *Town of Brookfield Comprehensive Plan – 2022-2042*, as presented in the attached Exhibit A, subject to the following conditions:

1. Future uses are limited to residential, office and low-intensity commercial uses.
2. Conceptual architectural renderings shall be provided prior to rezoning the site.

BE IT FURTHER RESOLVED that the Plan Commission does hereby recommend that the Town Board enact an Ordinance adopting the Comprehensive Development Plan amendment as attached Exhibit A.

BE IT FURTHER RESOLVED that the Town Clerk shall file a certified copy of this resolution with the Town Board.

ADOPTED DATE: _____

TOWN OF BROOKFIELD PLAN COMMISSION

BY: _____
Keith Henderson, Chairman

ATTEST: _____
Emily Howells, Clerk



TOWN OF BROOKFIELD PLAN COMMISSION ZONING REPORT

TO: Town of Brookfield Plan Commission

FROM: Rebekah Leto, AICP, Town Planner

PC MEETING DATE: January 27, 2026

RE: Conditional Use and Plan of Operation, Next Phase Advanced Care, **20900 Swenson Drive, Suite 400 Tax Key No. BKFT 1128.960.**

The following report is provided for cursory review prior to action. Specifics relating to the submitted documents of this application may be referenced in the Meeting Packet distributed by the Clerk.

Property owner: Decade Companies Income Properties (DCIP)

Applicant: Next Phase Advanced Care, Demitree Johnson

Zoning: B-3 Office and Professional Business District

Request: Conditional Use and Plan of Operation to operate a commercial adult day care.

Project Description

The subject property is located south of E Moreland Blvd., directly east of the WI State Patrol, and contains a large multi-tenant building. No other child or adult daycares exist within the building. The applicant is proposing to occupy an approximately 7,000 sq. ft. suite to serve as an adult day care called Senior Day Care Service at Next Phase Advanced Care. The applicant notes that the service will provide comprehensive daytime programming and supportive services for those with dementia, advanced age or physical disabilities.

Programming and activities include brain fitness, creative endeavors, field trips, peer engagement, painting, music, picnics, bingo, movie watching, karaoke, small and large group activities, puzzles, live entertainment, daily exercise, community inclusion and the Waukesha County Fair. The hours of operation are Monday through Friday, 7:00 am to 5:30 pm. There will be six employees to start: a minimum of four caregivers, a Licensed Practical Nurse to administer medicine and a Certified Nursing Assistant to help with bathing and toileting. No changes to the site plan are proposed.

Conditional Use Type: Commercial Daycare Center. Allowed in the B-3 District provided that two of the same care facilities (child/child or adult/adult) are not within the same building.

Public Comment: None received as of January 22, 2026.

Staff Recommendation

Staff recommends the Plan Commission make a recommendation to the Town Board to approve the request for a Conditional Use to operate an adult day care at 20900 Swenson Drive, Suite 400, subject to a Conditional Use Order being recorded in the Waukesha County Register of Deeds.

Enclosures: Applicant's narrative and Draft CU Order



Introduction

Senior Day Care Services at the Next Phase Advanced Care, LLC is committed to providing comprehensive daytime programming and supportive services that allow individuals with irreversible dementia, advanced age or physical disabilities to reside at home with their loved ones. Next Phase Advanced Care' primary goal is to keep our participants engaged in stimulating activity programming and community inclusion while maximizing their safety in a secure environment. Our program is also designed for older adults who are experiencing physical limitations or are socially isolated.

Participants can enjoy a shower where assistance is provided throughout the experience, including grooming and dressing. A skin evaluation is also completed before/after the shower to monitor skin integrity. A certified nursing assistant will inspect and palpate the skin to identify any abnormalities or conditions, which can indicate underlying health issues. This evaluation is crucial for diagnosing skin diseases, monitoring changes, and planning appropriate interventions. The center is open from 7:00 a.m. to 5:30 p.m. Monday through Friday.

Next Phase Advanced Care Ideal Participants

- Seniors who enjoy participating in community activities and having someone to talk to
- Seniors who would benefit from physical therapy
- Seniors who want to maintain or improve strength, balance, mobility and endurance
- Seniors who need just a little assistance
- Seniors whose family caregivers need help
- Seniors who feel depressed or isolated
- Seniors who need help with medications and meals
- Seniors who are seeking to regain dignity and self-respect
- Seniors who would enjoy playing Wii Sport, Karaoke, card games and bingo



- Seniors who might be considered for assisted care living but would thrive in this environment

Convenient Location

Senior Day Care Services at Next Phase Advanced Care is located at 20900 Swenson Drive, Unit #400. The typical program timeframe is from 8:30am to 3:30pm Monday through Friday, but at NPAC, our program can accommodate needs for earlier drop-off and later pick-up, because our center is open from 7:00 a.m. to 5:30 p.m. Monday through Friday.

Cost

At Next Phase Advanced Care, our team collaborates with multiple agencies to ensure flexible financial payment solutions. We offer a variety of payment sources tailored to meet individual needs that include:

- Private or Direct Pay
- Veterans Benefits
- Medicaid
- Family Care(My Choice, IRIS, Comm. Care, Icare)
- Medicaid
- Aging Matters

Next Phase Activities & Community Outings

| | |
|---------------------------------|----------------------|
| -Waukesha County Fair | -Brain Fitness |
| -Community Inclusion | -Creative Endeavors |
| -Daily Exercise | -Field Trips |
| -Live Entertainment | -Peer Engagement |
| -Small & large group activities | -Music Appreciation |
| -Puzzles | -Painting |
| -Karoke | -Picnics in the Park |
| -Movie Watching | -Bingo |



Our Team

At Next Phase Advanced Care's Senior Day Care, our exceptional team is the foundation of our mission. Our staff is a diverse group of skilled and compassionate professionals, each dedicated to ensuring the well-being and happiness of our participants. With a blend of extensive expertise and heartfelt care, our team brings both professionalism and warmth to our center.

Fueled by a deep sense of purpose and empathy, our team embodies the core values of Next Phase Advanced Care's Senior Day Care. We work together to enrich the lives of our participants and their families, fostering an environment of joy, love, and community support. Our daily staff includes a minimum of 4 Caregivers to tend to our clients, an LPN to administer medicine daily and a CNA to help with bathing and toileting assistance. Discover the dedication behind our care, where every team member is committed to making a meaningful impact.

This Conditional Use Permit (this "CUP"), effective as of the date this CUP is recorded in the Waukesha County Register of Deeds (the "Effective Date"), is by and between Next Phase Advanced Care, LLC and the Town of Brookfield (the "Town").

WHEREAS, the Owner is the owner of real property located at 20900 Swenson Drive, Brookfield, WI 53045 (Tax Key No.: BKFT 1128.960), which is described below, and;

WHEREAS, Next Phase Advanced Care, LLC, on behalf of the Owner, has made an application for a Conditional Use Permit to operate a Commercial Day Care on the Property in accordance with the plans and specifications approved by the Town (the "Project");

WHEREAS, a joint public hearing upon the above-referenced application was conducted by the Town Plan Commission and Town Board on January 27, 2026; and

WHEREAS, on January 27, 2026, the Town Plan Commission recommended to the Town Board that this CUP be granted, subject to the satisfaction of certain terms and conditions; and

WHEREAS, on February 17, 2026, the Town Board accepted the Plan Commission's recommendation.

NOW, THEREFORE, this CUP to operate the Conditional Use on the Property is granted and approved, subject to the terms and conditions noted below.

LEGAL DESCRIPTION

Lot 1 of Certified Survey Map No. 4944, Recorded as Document No. 1347642 in Volume 40, Page 135 in the Waukesha County Register of Deeds, located in part of the Southeast ¼ of Section 30, Town 7 North, Range 20 East, Town of Brookfield, Waukesha County, Wisconsin. Tax Key no. BKFT 1128.960.

CONDITIONS

1. This CUP shall be recorded on the Property and only apply to Suite 400 of 20900 Swenson Drive, as described above.
2. Owner shall obtain all necessary permits or approvals from the Federal Government, State, Waukesha County, and any other governmental entity, and any conditions of such governmental approvals are incorporated into this CUP.
3. No changes to the site plan are proposed or permitted herein, without additional approvals in accordance with Town Ordinances.
4. The applicant shall submit an Occupancy Permit, prior to performing any necessary work to the tenant space or prior to taking Occupancy, whichever occurs first.
5. This CUP does not authorize the use of any signage on the Property.
6. A Stormwater Maintenance Agreement shall be approved by the Town Engineer and Town Attorney.

7. This CUP shall be reviewed every five (5) years by the Town Board, or as required by Town Ordinance, whichever is more restrictive at the time.
8. Any change, addition, modification, alteration, and/or amendment of any aspect of this CUP, including but not limited to an addition, modification, alteration, and/or amendment to the use, Property (including but not limited to any change to the boundary limits of the Property), structures, lands, or owners other than as specifically authorized herein, shall require the Town's prior approval and all procedures in place at the time must be followed.
9. This CUP may not be transferred and shall terminate upon such transfer of this CUP or conveyance of the Property; provided however, an application for a new Conditional Use Permit may be made as set forth in Section 17 of the Town's Code. Any amendment to this CUP shall be executed by the parties and recorded against the Property with the Waukesha County Register of Deeds.
10. This CUP shall expire if Occupancy has not been granted within one year of the issuance of this CUP.
11. The Owner represents and warrants that the individual signing below has full and complete authority to execute this CUP.

Dated and effective as of the date signed by the Effective Date.

OPERATOR

By:

Demitree Johnson, Agent for Next Phase Advanced Care LLC

Date

STATE OF WISCONSIN)

COUNTY)

) ss.

)

Personally came before me this _____ day of _____, _____, the above-named, Demitree Johnson, to me known to be the person(s) who executed the foregoing instrument and acknowledged the same.

Notary Public, _____
Commission expires: _____

PROPERTY OWNER

By:

Agent, Decade Companies Income Properties

Printed Name

Date

STATE OF WISCONSIN

)

) ss.

COUNTY

)

Personally came before me this _____ day of _____, _____, the _____ above-named,
_____, to me known to be the person(s) who executed the foregoing instrument and
acknowledged the same.

Notary Public, _____

Commission expires: _____

TOWN OF BROOKFIELDBy: _____
Keith Henderson, Town Chairman

DateBy: _____
Emily Howells, Town Clerk

Date

STATE OF WISCONSIN)

) ss.

COUNTY OF WAUKESHA)

Personally came before me this _____ day of _____, _____, the above-named Keith Henderson and
Emily Howells, to me known to be the persons who executed the foregoing instrument and acknowledged the same.

Notary Public, State of Wisconsin

My commission: _____

This instrument drafted by:
Rebekah Leto, Town of Brookfield Planner