

Chapter Four

Land Use and Aesthetics



1. INTRODUCTION

The allocation, distribution and connections between land uses are a key planning element in any community. The mix of land uses affects quality of life, property values, provision of services, economic development and preservation and enjoyment of the natural environment. This chapter provides an analysis of the results of the public involvement process as it relates to land use, a description of Brown Deer's existing land use allocation, and an analysis of potential future conditions. It addresses the challenges facing redeveloping communities as well as aesthetic issues related to the design of spaces. This chapter provides a basis for evaluating future requests for changes in land use, and concludes with policy recommendations to proactively ensure that the Village is able to meet land use goals and objectives.

2. VISION STATEMENT

Land use is not directly addressed in the Village of Brown Deer Vision Statement. However, regarding land use and aesthetics, the Vision Statement stresses the importance of ensuring that the Village remains “scenic, well tended, and green.” Issues of density and character of land use are obliquely mentioned in the importance of maintaining the “green, open, suburban” character of Brown Deer.

3. STAKEHOLDER INVOLVEMENT RESULTS

Community members generally report satisfaction with the land use mix in Brown Deer. Residents feel that residential, commercial, and industrial land uses exist in the correct proportions. With a few exceptions, land uses are located to minimize conflicts between properties. Residents did, however, prioritize the preservation of residential neighborhoods in order for Brown Deer to remain an attractive suburb.

Some residents expressed concern in regard to the location of services and lack of connectivity between land uses. Many residents complained that they had to drive everywhere to access services, even if they were located physically nearby. Also, numerous participants stated that Brown Deer could be a more aesthetically pleasing community, particularly along arterial roadways, and suggested improvements for streetscaping and landscaping along specific streets and locations. The list below includes qualities that residents currently appreciate about Brown Deer as well as challenges that residents feel Brown Deer *ought* to address in the future.

Strengths

- Mix and variety
- Desire more connectivity
- Preserve residential neighborhoods
- Satisfied with current land use mix
- Buffer for residential
- Isolated, quiet neighborhoods
- Original Village could be more intensely commercial, less institutional
- Increase residential uses around Bradley Road with neighborhood scale development and condos for seniors

Challenges

- Improving access to neighborhood services and reducing discontinuity between land uses
- The Village is built out
- Redevelopment necessary to change land use
- Conflict between residential, commercial and industrial
- “Too much” multi-family housing
- Maintaining aesthetics in residential areas

4. DATA ANALYSIS

4.1 Existing Land Uses and Distribution

Although “land use” and “zoning” are sometimes used interchangeably, they are distinct terms. Land use is a more general term that refers to the functional purpose of a property. Zoning is a legal designation that stipulates allowable land uses, as well as restrictions and guidelines that pertain to all properties within a specific zoning district.

Existing land uses in Brown Deer are shown on Figure 4.1. For the purposes of this analysis, nine different land uses were identified in the Village. The land use categories include:

- Single Family Residential
- Multi-Family Residential
- Public Parks and Open Space
- Non-Public Open Space (parcels that function as open space but lack public access)
- Business and Commercial
- Manufacturing
- Institutional (parcels with civic, education and religious uses)
- Transportation and Utility Right of Way (ROW)
- Vacant (parcels currently not utilized, but not being held as open space)

Table 4.1 outlines the allocation of land in Brown Deer to these nine uses, both by acre and by percentage of all land area in the Village. In general, land uses are clustered in Brown Deer. For example, industrial uses are focused in the center of the Village and multi-family housing is prevalent in Brown Deer’s northeast corner. The Original Village and the area around the intersection of Teutonia Avenue and Bradley Road are the only areas within the Village that could be described as mixing residential, commercial and institutional uses in close proximity. The following text describes the allocation and distribution of each land use category in Brown Deer in general terms; please refer to Figure 4.1.

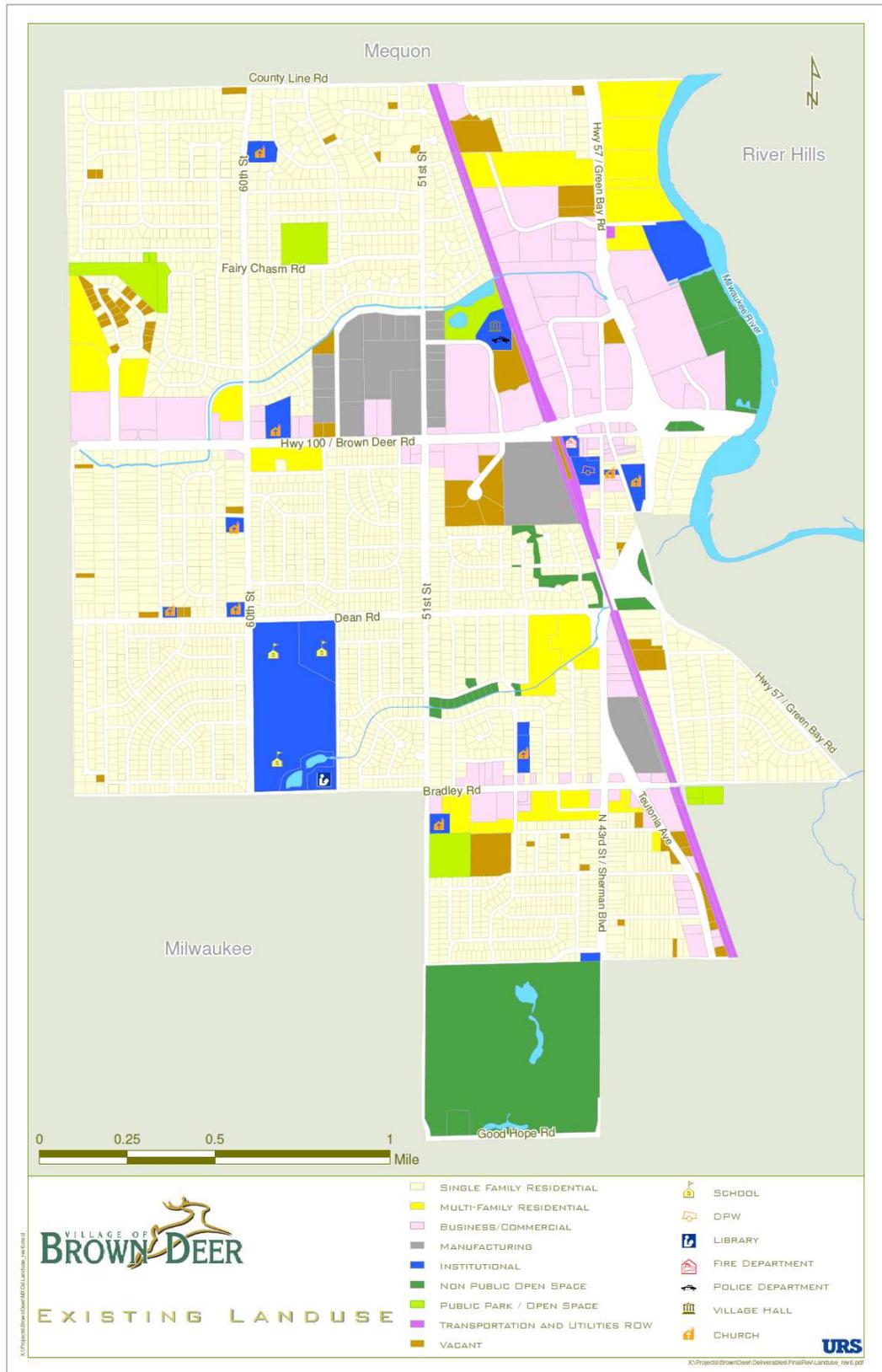
4.1.1 Single Family Residential

Single family residential comprises the largest land use by acre, occupying approximately 54% of Village area. Single family housing tends to be clustered together, away from arterial streets and separated or buffered from major shopping districts and other uses. Because of this separation, residents often describe their neighborhoods as quiet and peaceful. Generally speaking, single family residential land uses are concentrated west of 51st Street and south of Brown Deer Road, as well as in the northwest corner of the Village. Single family residential parcel sizes tend to increase from south to north in the Village.

Table 4.1: Land Uses by Area, 2008

Land Use	Acres	%
Single Family Residential	1,221	54%
Business and Commercial	294	13%
Non Public Open Space	200	9%
Multi-Family Residential	152	7%
Institutional	120	5%
Manufacturing	106	5%
Vacant	79	3%
Park	49	2%
Transportation and Utilities ROW	40	2%
Total	2,262	

Figure 4.1: Land Use, 2009



Source: Village of Brown Deer, URS

4.1.2 Multi-Family Residential

Most multi-family residential developments are clustered in the northeast quadrant of the Village, along Green Bay Road north of Brown Deer Road. Other multi-family apartment buildings are also located near Dean Road and Teutonia Avenue and north of Brown Deer Road, on Park Plaza Court. In general, the multi-family districts of the Village are comprised of large apartment buildings with over 50 units per building. These multi-family developments are usually located along major arterial roads with good access to transit, and are in some cases sited to buffer single-family residential uses from transportation and commercial uses. A group of multi-family properties focused on housing senior citizens is located along Bradley Road, between 51st Street and Teutonia Avenue. Multi-family residential uses occupy 7% of Brown Deer's land area.

4.1.3 Business and Commercial

Business and commercial land uses in Brown Deer also tend to be distinct from other uses. Most commercial activity is clustered along Green Bay and Brown Deer Roads, combining both retail and office uses. These shopping districts cater to a regional market. The adjoining Bradley Road and Teutonia Avenue corridors are home to another shopping node in the Village. Developments along Bradley Road tend to be on a smaller scale, and the businesses are more service-oriented, while Teutonia Avenue features more auto-oriented commercial establishments. Business and commercial uses occupy 13% of the Village's area.



Large commercial uses are concentrated in the Village's northeast corner.

4.1.4 Parks and Open Space

Open space in the Village consists almost entirely of parks, private recreation facilities, and stormwater control facilities. Some of the open space is publicly owned by either the Village or Milwaukee County, and some of the open space is privately owned.

In order to present a more accurate representation of which open space lands were a public asset, the planning team divided open space into two categories: parks and open space available for public use and open space that was privately owned and operated and not available for public use, but which still provide aesthetic and environmental benefits to the Village. For example, Tripoli Country Club is designated a non-public open space since it is a private club. Also, the YMCA's land holding along the Milwaukee River is similarly classified because access is restricted. Approximately 2% of Village acreage is devoted to parks and other public open space, and 9% is found in private lands functioning as *de facto* open space.

4.1.5 Manufacturing

Industrial uses are clustered around Brown Deer Road and 51st Street in the center of the Village. More isolated industrial activities occur on Brown Deer Road west of the Original Village and on Teutonia Avenue north of Bradley Road. Manufacturing occupies 5% of the Village's land area.

4.1.6 Institutional

Institutional land uses occupy 5% of Brown Deer acreage. Institutional clusters are located around Village Hall and the schools campus (including the Brown Deer Library). Religious institutions are scattered throughout Brown Deer. The YMCA campus, located in the Village's northeast quadrant, is considered an institutional use in this analysis due to its publicly focused mission and quasi-public accessibility.

4.1.7 Transportation and Utility Corridors

The transportation and utility corridors form a north-south diagonal through the Village, along the railway and Wisconsin Energies right of way. These uses occupy 2% of Village land.

4.1.8 Vacant Land

Parcels that are severely underutilized, undeveloped, or in transition between uses (including the Village's last remaining agricultural parcel) are considered vacant for the purposes of this analysis. Such parcels are scattered throughout the Village, and some of these parcels may represent opportunities for future redevelopment. Vacant land occupies 3% of Brown Deer's land area.

4.2 Land Supply and Demand

4.2.1 Land Supply

Brown Deer is a built out community, and it is bordered by other built out communities. This situation does not allow the Village the opportunity to physically expand its land supply. Therefore, for this analysis, "land supply" is represented by vacant property. There are currently 63 vacant parcels in Brown Deer, representing approximately 79 acres as noted in the previous section. Approximately half of this land area of vacant parcels is currently zoned single family residential and half is zoned commercial or industrial.

Additionally, as underutilized parcels are redeveloped and reconfigured, or if major intersections are redesigned, more land could be freed up for development.

4.2.2 Land Demand

As a fully built out community with little population change forecasted, Brown Deer is unlikely to witness high demand for land use changes in the immediate future. This scenario is typical of redeveloping communities. Opportunities for changing land uses most likely will be driven by focused redevelopment planning, particularly in the current weak real estate market.

When assessing future land demand, one first needs to look at housing, which represents the Village's dominant land use. According to population and household projections, Brown Deer is likely to witness a slight decrease in population from now until 2030, with a commensurate reduction in the number of households.

As detailed in the Housing chapter of this plan, through 2030, Brown Deer will see an estimated reduction in housing of approximately 236 units. Assuming that the current owner-renter household split and existing housing unit densities hold true in the future, 1.9 acres of single family land and 0.2 acres of multi-family land could become available annually if forecasted changes in population are borne out. Table 4.2 illustrates these calculations.

Table 4.2: Estimated Residential Land Demand

Estimated change in Housing Units through 2030	-236
Proportion Single Family (71.2%)	-168
Proportion Multi-family (28.8%)	-68
Acres of Single Family land newly available per year*	1.9
Acres Multi-family land newly available, per year**	0.2

*based on a net SF residential density of 3.0 units/acre

**based on net MF density of 10.6 units/acre

Source: Village of Brown Deer, Wisconsin DOA, URS

At these small increments, this reduced demand in available land is not likely to instigate a large-scale change in land use patterns. Further, vacant properties will likely be scattered throughout the Village, making it difficult for the owners or the Village to redevelop systematically. The probable scenario is that these properties will retain a single family residential designation, and if the Village is flexible in zoning and permitting, may allow Brown Deer to respond to the demand for changing housing types as these demands develop (i.e. larger or smaller homes than are typical in the Village; see the Housing chapter for detailed recommendations). Similarly, because multi-family housing units tend to house over 50 units, the most likely scenario is that apartment complexes will have a greater number of vacancies at any given time. However, over the course of the planning horizon, there may arise an opportunity for a major redevelopment of at least one multi-family housing development in Brown Deer. A likely scenario would include multi-family housing developed at lower densities than currently prevail.

Brown Deer's relatively stable future population scenario translates into stable demand as well for commercial and industrial land uses. Village stakeholders are satisfied with the present allocation of land uses, and the present mix is considered to contribute to stability of the tax base. The 36 acres of vacant commercial and industrial land represent 46% of all vacant land in Brown Deer, and are likely adequate to accommodate demand for the foreseeable future.

4.3 Land Use Conflicts

Because land uses are generally separated, buffered, and well clustered in Brown Deer, stakeholders report few conflicts and satisfaction with the distribution and current allocation of land uses. Interestingly, two areas that are best described as “mixed use” — the Original Village and the Bradley Road/Teutonia Avenue corridors — did not produce much reported land use conflict. According to stakeholders, the areas of current land use conflict include:

- The seam between the industrial/commercial and residential zones along the north side of Brown Deer Road between 51st and 60th Streets. Although the Village has a noise ordinance that is well-enforced, there are still occasional complaints about noise from industrial operations and, more particularly, garbage and recycling pickup creating noise at early hours.
- The ongoing project by the River Revitalization Foundation to improve access and quality to Southbranch Creek near its confluence with the Milwaukee River — in an area surrounded by the intersection of Green Bay Road and Teutonia Avenue — has created unease among a handful of nearby residential property owners. However, the Foundation and Village’s efforts to incorporate their concerns into planning for this emerging small public open space should be able to mitigate most of these concerns.
- The planned development of the “Greenhouse Parcels” at 49th Street and Donges Lane. As the area is slated to transition from agricultural to residential uses, some neighbors fear the impacts of potentially increased vehicular traffic.

5. OPPORTUNITIES FOR REDEVELOPMENT

Because Brown Deer is a built out community, land uses are not likely to change drastically over the next 20 years. In all likelihood, most current land uses will remain constant, but parcels may be redeveloped to meet the needs of an emerging real estate market; in some cases, it may be possible to combine parcels for redevelopment projects on a slightly larger scale.

A handful of areas in Brown Deer may be examined more closely to see if they would better accommodate a different land use. Redevelopment in Brown Deer is also likely to entail improvements to site layouts as businesses turnover and multi-family buildings reach the end of their useful lifespan. This section identifies potential redevelopment areas in the Village.

5.1 Commercial Corridors

Based on the results of the retail market gap analysis in the Economic Development chapter, the stores that Brown Deer can best support are smaller, service oriented businesses, such as restaurants, convenience stores, and florists. New smaller-scale commercial activities could be directed towards either Bradley Road or the Original Village, because they are closer to residential neighborhoods where there is a strong demand for such amenities.

5.1.1 Original Village

As the first area to be settled in the Village, the Original Village is the historic heart of Brown Deer. Streetscape improvements are planned to enhance aesthetics, update utilities, provide a common identity, and improve traffic and pedestrian circulation. As this district continues to evolve as a mixed-use commercial area, the Village will need to consider whether certain uses should be replaced with higher and better uses. In particular, the Department of Public Works (DPW) yard consumes a large area of prime real estate. Some neighbors noted that the DPW trucks use the residential streets to access Green Bay Road. The yard's structures will at some point require renovation. As the useful life of the DPW facilities comes to an end, the Village could explore other options for siting the DPW yard. The planned recreational trail along the rail and utility corridor will provide increased opportunities for pedestrian-oriented specialty- and service-oriented business. General recommendations for this area are included in this chapter, and a recommendation specific to the future of the DPW yard is included in the Community Facilities chapter of this plan.



The Original Village is essentially a mixed use district.

5.1.2 Bradley Road and Teutonia Avenue corridors

Early on in the planning process, it became evident that these corridors were a major cornerstone for redevelopment in Brown Deer. New residential development will likely bring increased demand for neighborhood-oriented businesses, making this district one of the most desirable areas for investment in the Village. At the time this plan was prepared, General Capital Group was in Phase II of its mixed-used, neighborhood-scale Bradley Village development and Jewish Family Services was in the process of developing an assisted living facility along Bradley Road. Other parcels are likely to see demand for changes in land use in this area to meet the needs of the neighborhood, which is undergoing residential densification. Important considerations in this district include:

- Access to and capitalizing on the proximity of Brown Deer Park and the extension of the Oak Leaf Trail
- Commercial parcels along Teutonia Avenue in the extreme southeast corner of the Village that are reportedly too shallow to accommodate structures under the current Brown Deer zoning restrictions
- The vacant site of the former Algonquin School

Because of its importance, the Village commissioned the planning team to complete a sub area-plan to illustrate a long-term vision for these corridors. Please reference the separate *Bradley-Park Sub-Area Plan* for more detail.

5.1.3 Marketplace Shopping Center

The Marketplace is a strip retail development in the northeast quadrant of the Village; it includes several retail establishments drawing from a regional rather than purely local market area. For many people passing through the Village on Green Bay Road or Brown Deer Road, the Marketplace provides their main impression of Brown Deer, and main reason to visit the Village. While the shopping center has been successful with low vacancy rates, the building and site design may be ready for some investment in the future. The Marketplace occupies the highest traffic intersection in the Village; this intersection is scheduled to be redesigned in several years' time. While no specific plans to redevelop this area are currently proposed, it is likely that future opportunities will arise for the Village to work with the parcel's owners and occupants. Re-visioning this area could include improving access to the Milwaukee River, improved pedestrian and bicycle facilities, and a denser site design that fronts Green Bay Road.

Because the Marketplace occupies a focal point in Brown Deer, the Village also requested a sub-area plan for this this corridor to show a variety of potential redevelopment scenarios for this site. Please reference the separate *North River Sub-Area Plan* for more details.



The western end of the Bradley Road corridor may benefit from future redevelopment.

5.2 Industrial Corridors

5.2.1 Brown Deer Road Industrial Zone

Redevelopment in the Village should be conceived of broadly to include aesthetic considerations in addition to land use. There are corridors that have an appropriate land use, but they are not aesthetically pleasing. This is the case in the industrial land use concentration north of Brown Deer Road between 51st and 55th Streets. To maintain the long term value of this district, the Village may want to consider working with business and property owners to establish an aesthetic scheme, expressed in streetscaping design and maintenance norms. For more than a decade, the tendency in industrial areas has been toward creating identity and desirability through these means. Specific recommendations for implementing such an initiative cooperatively are included in the Economic Development chapter of this report.

5.3 Residential Areas

5.3.1 Brown Deer Road Single Family Residences

The western end of Brown Deer Road is one of the highest traffic corridors in the region. A number of single family parcels exist on the south side of the street, between 51st and 68th Streets. Between 64th and 68th Streets in particular — blocks with no frontage road — increased traffic volumes may make a long-term refinement in land uses desirable. Some of these units are reported to be unoccupied. The Village could entertain proposals to allow this land to transition to multi-family use over time, especially if those conversions allowed for

access consolidation to improve roadway safety. This proposed land use could serve as a buffer between the arterial roadway and the residential neighborhoods to the south. Furthermore, the site is located on a transit line, an important consideration for multi-family housing. Finally, redesign of this area could create an opportunity to design a gateway feature at this important entry point to the Village.

5.3.2 Brooklane Apartments

Brooklane Apartments, located at the corner of Dean Road and 47th Street, is well located for multi-family housing, with access to transit and close proximity to the Brown Deer school campus. Some stakeholders have noted that the development may be reaching the latter stages of its useful life. If it becomes desirable for the property owner to redevelop this site, the Village could entertain options for lower-density multi-family housing — town homes or duplexes, for example — to act as a transition between the commercial areas on Teutonia Avenue and the single family residential areas that border Brooklane to the west. Multi-family housing is likely desirable here over the longer term, to provide a customer base for the emerging mixed-use district along Bradley Road.

5.4 Special Potential Redevelopment Opportunities

5.4.1 Tripoli Country Club

Located at the extreme southern end of the Village, Tripoli Country Club is a private club with a golf course, dining facilities, and other recreational facilities. As country clubs continue to face diminishing membership trends, it is possible that Tripoli may become a redevelopment opportunity. There is likely no need to address the future of this area in the short term; however, the Village could monitor the club's status and if necessary, work with the parcel's owners to determine the best uses for this very large area if market conditions warrant such discussions.

5.4.2 Brown Deer Library

The library was originally located on the school campus to serve as a research center for students. However, now that many resources are available on the internet, it is no longer imperative for the library to be located in immediate proximity to the schools. As the current facility reaches the end of its useful life, the Village should consider moving the library to a different location. Libraries are a valuable institutional land use because of the foot traffic they generate and their status as a place for community gathering. Specific recommendations regarding the future location of the library are included in the Community Facilities chapter of this plan.

6. BROWN DEER ZONING CODE

Brown Deer's zoning code regulates land use within the Village. It is one of the primary tools available to shape how the Village looks and to implement land use recommendations. The zoning code works to prevent incompatible uses from locating in proximity, to preserve the character of the community, and to maintain property values.

Brown Deer's zoning code divides land use into four main categories: residential, commercial, manufacturing, and planned development. Each category features several different districts, which contain specific regulations regarding the use, lot size, density, building height, parking requirements, signage, and landscaping. Figure 4.2 on the following page shows the Village's current zoning map, and Table 4.3 shows each district's purpose and the proportion of the Village within each zoning district. The recommendations section of this chapter will discuss changes to the code to improve clarity and ease of implementation. As of the writing of this document, Village staff was in the process of recodification of the Village's zoning regulations through a review and edit of all Village codes and related ordinances. It is likely that this process, the first comprehensive review in many years, will bring about changes to the zoning code.

7. LAND USE PLANNING CONTEXT

The Southeastern Wisconsin Regional Planning Commission (SEWRPC) published "Planning Report 48: A Regional Land Use Plan for Southeastern Wisconsin: 2035" in 2006. At a large-geography level, the plan lays out desired future conditions for land use in the region, and includes standards and principles to guide development and redevelopment in constituent communities. The plan includes no specific recommendations for Brown Deer, but notes that it is a regional economic center and falls under a medium-density urban land use category.

The SEWRPC plan includes these nine objectives for land use planning in southeastern Wisconsin:

1. A balanced allocation of space to the various land use categories which meets the social, physical, and economic needs of the regional population.
 2. A spatial distribution of the various land uses which will result in a convenient and compatible arrangement of land uses.
 3. A spatial distribution of the various land uses which maintains biodiversity and which will result in the preservation and wise use of the natural resources of the region.
 4. A spatial distribution of the various land uses which is properly related to the supporting transportation, utility, and public facility systems in order to assure the economical provision of transportation, utility, and public facility services.
 5. The development and preservation of residential areas within a physical environment that is healthy, safe, convenient, and attractive.
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Figure 4.2: Existing Zoning

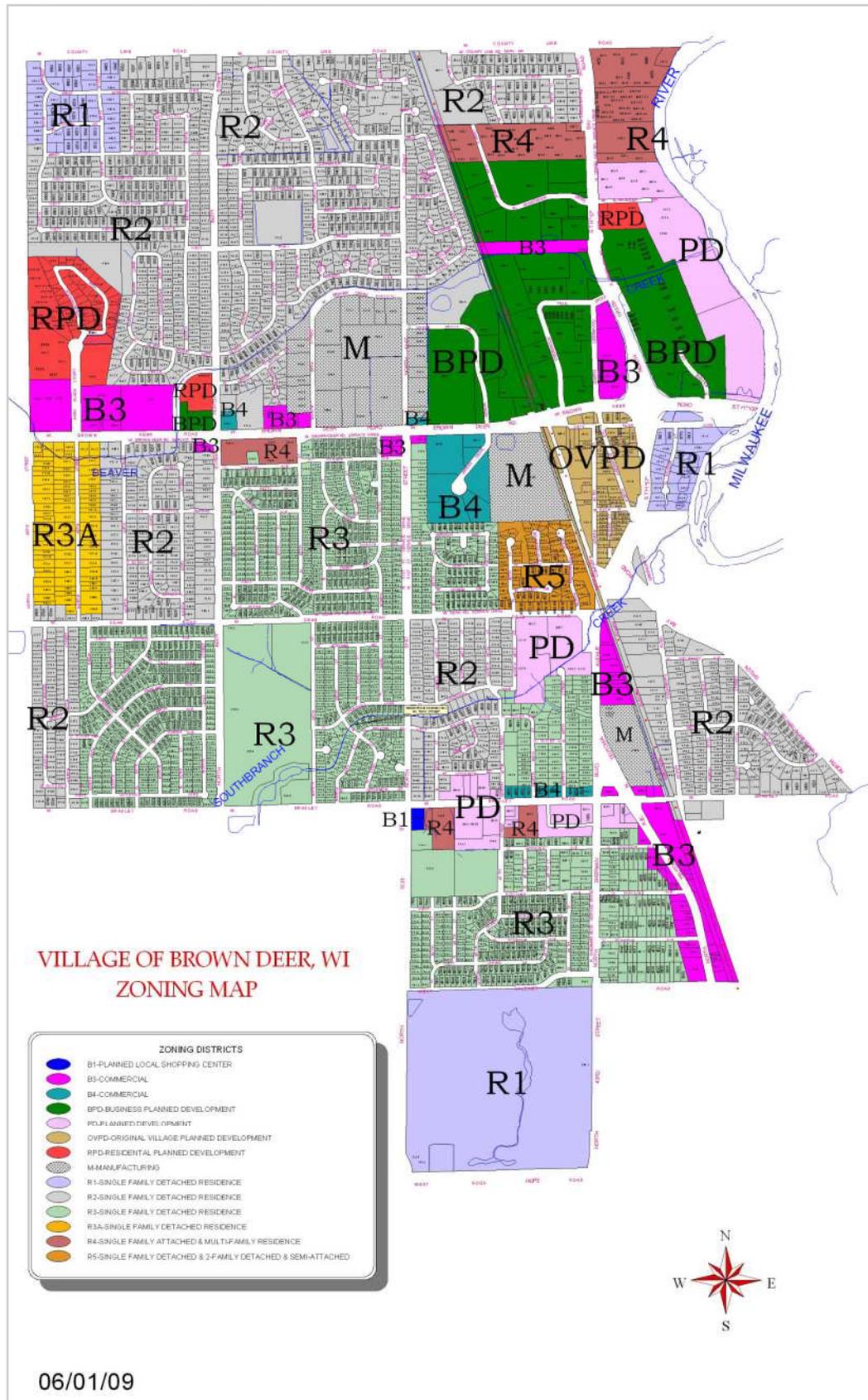


Table 4.3: Zoning Summary

Zoning District		Total Acres	% of Land Area	Purpose and Characteristics
R1	Single-Family Detached	207	9.3%	Maintain the character and stability of existing single-family neighborhoods which have a wide range of lot sizes in excess of 14,400 square feet
R2	Single-Family Detached	725	32.5%	Further development of relatively low -density neighborhoods
R3	Single-Family Detached	539	24.1%	Developed areas of the Village characterized by smaller lots, and to provide for the division of larger lots into residential property
R3A	Single-Family Detached	49	2.2%	Developed areas of the Village characterized by smaller lots, and to provide for the division of individual larger lots into residential property
R4	Single-Family Attached and Multi-Family	75	3.3%	Development of multiple family uses in appropriate locations at densities and with standards compatible with the suburban environment
R5	Single Family Detached, Two-Family Detached and Semi-Attached	29	1.3%	Development of a low density combination single family and two family neighborhood with clustered dwellings and having common areas
B1	Planned Local Shopping Center	1	0.06%	Range of retail establishments intended to serve the neighborhoods in the vicinity of the shopping district
B2	Planned Regional Shopping Center	0	0.0%	Prime retail trade activities of regional significance. Applicable upon rezoning
B3	Commercial District	107	4.8%	Range of specialized commercial uses including highway oriented services of regional significance
B4	Commercial District	29	1.3%	Specialized business uses on small parcels of land, immediately adjacent to residential zoning districts
--	Commercial Overlay District	--	--	Superimposes additional regulations on commercial land prior to their development, expansion of buildings or change of use
M	Manufacturing	114	5.1%	Govern the locations, types, and scope and method of operations for industrial establishments
PD	Planned Development District	87	3.9%	Allow greater design flexibility where the planned development would better utilize the natural character of the site and would produce a more economical and stable development
BPD	Business Planned Development	185	8.3%	For uses permitted or conditional in the business districts
RPD	Residential Planned Development	51	2.3%	For uses permitted or conditional in the residential districts
OVDP	Original Village Planned Development	36	1.6%	For uses permitted or conditional in the residential or business districts

Source: Village of Brown Deer

6. The preservation, development, and redevelopment of a variety of suitable industrial and commercial sites both in terms of physical characteristics and location.
7. The conservation, renewal, and full use of existing urban areas of the region.
8. The preservation of productive agricultural land.
9. The preservation and provision of open space to enhance the total quality of the regional environment, maximize essential natural resource availability, give form and structure to urban development, and provide opportunities for a full range of outdoor recreational activities.

The recommendations in this chapter of the Brown Deer Comprehensive Plan are cognizant of and attempt to be responsive to these regional land use objectives.

Table 4.4: Future Land Use Summary

Land use	Acres	%	Change from Existing in Acres
Single Family Residential	1,219	54%	-2
Business/Commercial	279	12%	-16
Non-Public Open Space	197	9%	-3
Multi-Family Residential	152	7%	0
Mixed Use	123	5%	123
Institutional	109	5%	-12
Manufacturing	91	4%	-14
Park	58	3%	8
Transportation and Utilities	35	2%	-6
Vacant	0	0%	-79
	2,262		

Source: URS

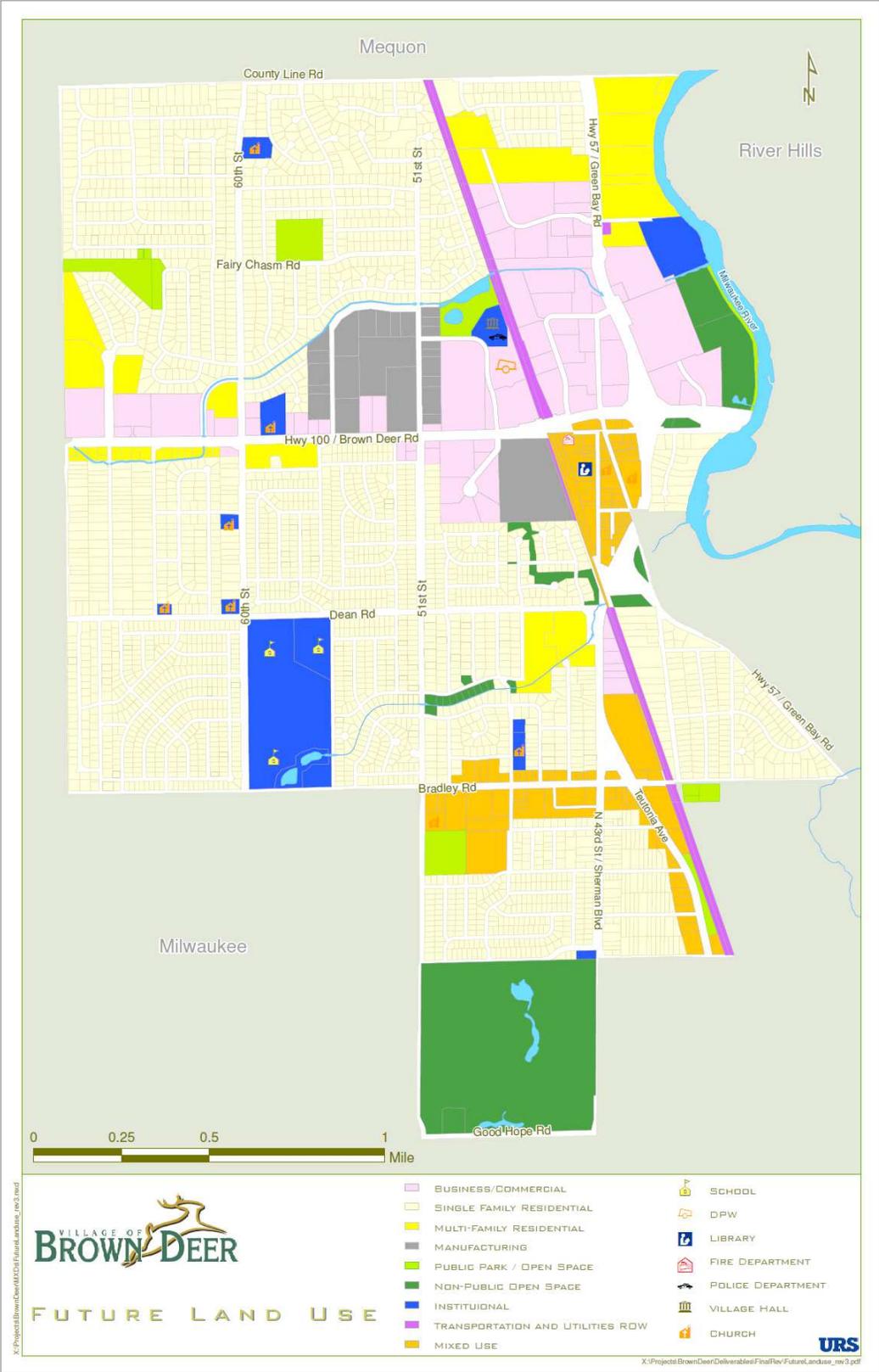
reduced demand for housing in the face of a shrinking population is unlikely to affect land allocation as much as it is the density of housing. This projection assumes that all currently vacant land in Brown Deer is redeveloped, and that the areas of the Village essentially functioning with mixed land uses are thus characterized.

8. FUTURE LAND USE

The map of Brown Deer in Figure 4.3 shows recommended future land use conditions in the Village. Details about these conditions are included in section 10 of this chapter.

Table 4.4 summarizes land use in the future; it shows the estimated acreage of each category, its proportion to all Village land area, and demonstrates the change in each category from existing conditions. The allocation of land in the Village is envisioned to be very stable over the coming decades, a reflection of stakeholder vision and limited likely demand for changes in use. As detailed in Section 4.2.2, even

Figure 4.3: Proposed Future Land Use



Source: URS

9. LAND USE GOALS AND OBJECTIVES

Goals	Objectives
1. The Village will preserve the character of its residential neighborhoods.	1.1 The Village will preserve the variety and distribution of land uses in order to minimize land use conflict
2. The Village will actively guide land use changes in redevelopment areas to enhance the Village's identity and improve quality of life.	2.1 Ensure that the zoning code is regularly updated or is flexible in order to accommodate evolving land use norms 🌐 2.2 Explore potential economic development incentive programs to promote mixed-use redevelopment in order to enhance the Village's identity 🏠 2.3 Update Village land use controls to promote neo-traditional design standards

10. RECOMMENDATIONS FOR VILLAGE LAND USE POLICY, PROGRAMS AND INITIATIVES IN BROWN DEER

The Village of Brown Deer has a history of land use management to meet the demands of both market and citizens, while providing Village services in a cost-effective manner. As redevelopment becomes increasingly important to Brown Deer, it is anticipated that these underlying values will continue to inform land use decision-making. The following recommendations focus on aligning the goals of stakeholders and the Village in continuing to meet the changing needs in terms of land use demand, allocation and integration.

1. Explore the reduced reliance on Planned Development Districts.

Currently, large areas of the Village are designated as planned development units (PD). The zoning code specifies four different PDs: planned development district, residential planned development district, business planned development district, and the Original Village planned development district. These districts occupy 16% of all land area in Brown Deer.

Planned Developments are valuable in that they allow for greater design flexibility, provide greater municipal control over design and land use and allow development to respond to specific market conditions in ways that straight zoning may not accommodate. However, a number of communities are examining their efficiency. Over-reliance on PDs can indicate that the rest of the zoning code is inadequate to provide direction for a desirable built environment, and can produce cases of spot zoning. Furthermore, some cities have determined that PDs require an inordinate amount of staff time and other municipal resources. Finally, large areas

encompassed by PDs may hinder redevelopment in that they reduce the predictability of the redevelopment process, require considerable upfront investment in negotiations and could increase holding costs, particularly as demand may emerge to redevelop individual parcels within the large PDs.

Redrafting the zoning code is an involved and potentially expensive process. While undertaking this process may be desirable over the long term in Brown Deer, the Village may find more immediate opportunities to integrate their existing PDs with standard zoning designations. Furthermore, the Village may put its efforts into crafting a small number of new zoning designations to achieve its land use and design goals without the burden of prolonged review and negotiation processes. Several recommendations provide a means for beginning this process.

In particular, the multiple Business Planned Development districts — large, multi-parcel areas including a mix of office, business and retail uses — may be examined to determine whether it is possible to create a standard commercial designation for these areas based on the existing development agreements. Crafted properly, this zoning designation may be applicable in the future to other areas of the Village.

2. Explore the establishment of a Mixed Use District designation.

Two areas in the Village are *de facto* mixed use areas. Residential and commercial uses intermingle very successfully in the Original Village and the Bradley Road and Teutonia Avenue corridors. Stakeholders, in the Visual Preference Survey, rated these two areas of the Village very highly. To preserve and enhance these areas, while making redevelopment as simple and predictable as possible, the Village could update the zoning code to provide for a mixed use district. Codifying mixed use would support current uses and promote mixed use development in the future. There are numerous benefits to mixed use development. Primarily, mixed use zoning encourages an efficient use of land; for example, residential and commercial developments typically need parking at different times of day; therefore, parking facilities can be shared. Comingling residential and commercial allows for pedestrian access to shops, supporting local businesses and decreasing auto-dependence.

Many communities have introduced a mixed use zoning district to their code. Mixed use codes are usually form-based codes, rather than regulating codes, in that they focus on the physical form of the building envelope rather than on the specific use within the building. The American Planning Association provides a model zoning code that accommodates, but does not mandate, mixed use development: <http://www.planning.org/research/smartgrowth/pdf/section41.pdf>. Combined with Village-wide design guidelines or a design standards overlay, a mixed use zoning designation could help Brown Deer enhance and redevelop these unique areas in a way that is in line with stakeholder vision and sensitive to the market.

3. Consider establishing a separate zoning designation for parks and open space.

Brown Deer's current zoning code does not have a separate district for parks and open space. Parks are zoned as "permitted uses" in most residential districts and "conditional uses" in a commercial and manufacturing zone. To ensure the preservation of parks, the Village could consider adding a separate zoning district for parks and open spaces. This district would prohibit any type of residential, commercial, and industrial activity.

4. Monitor locations of vacant and severely underutilized parcels.

At this time, approximately 3% of all land area in the Village is vacant. This proportion will vary over time, as real estate and demographic conditions evolve. On an annual basis, the Village could monitor the locations of vacant and severely underutilized parcels to seek opportunities for larger scale redevelopment through assembling contiguous parcels. Particular opportunities might emerge if clusters occur in Tax Incremental Financing districts. The locations of clusters of vacant land are shown on Figure 4.1.

5. Evaluate zoning code every five years.

The zoning code is the primary means for the Village to ensure desirable redevelopment of land and to minimize conflicts between land uses. On a regular basis, Brown Deer could evaluate the efficiency of its zoning code, and suggest refinements if necessary. The review may be as simple as compiling all conditional use permit applications, applications for rezoning and other on-hand data relating to land use, to identify trends in demand. The results of this process could be reviewed by the Village Plan Commission.

6. Consider allowing single-family residential parcels on the south side of Brown Deer Road west of 60th Street to transition to multi-family use over time.

As detailed in Section 5.3 of this chapter, these parcels may be better utilized as multi-family uses. If demand arises for multi-family development, the Village could entertain proposals to combine parcels for larger scale development. A key to this area is access point consolidation to improve safety. A redesign should include driveway consolidation or the inclusion of a frontage road.

7. Consider zoning the former Algonquin School site to encourage a greater variety of home sizes and configurations.

The site of the former Algonquin School presents a key opportunity to increase the variety of single-family housing stock in Brown Deer. The surrounding neighborhood is characterized by a variety of parcel sizes and home configurations. Similar variety should be encouraged as the Algonquin site is redeveloped, with a focus on allowing some larger (i.e. four-bedroom) homes aimed at families mixed with smaller units aimed at empty-nesters. This may be accomplished by allowing variations in lot sizes. The Algonquin development can feed into the Village's plans to create a mixed-use, walkable neighborhood shopping district along Bradley Road, by increasing the market base within walking distance of the retail area. Enabling a mix of housing options may stimulate demand from a broader segment of the market. This area may be appropriate for the application of design guidelines.

8. Transition small parcels on Teutonia Avenue south of Bradley Road to open space.

Brown Deer Park, though mostly located outside the Village limits, is a major land use asset for the Village. Brown Deer shares a border of approximately one mile in length with its namesake regional park, but the shared border offers no visual entryway to the park, nor capitalizes on the park's presence to enhance community identity and aesthetics. On the east side of Teutonia Avenue, in the blocks between Calumet Road and Woodale Avenue, a number of parcels are either vacant or underutilized. These parcels are unlikely to attract redevelopment because they are extremely shallow and cannot accommodate intense uses; several of these parcels are owned by the Village. Brown Deer could consider allowing these parcels to transition to open space uses. The Village could develop a landscaping plan to allow visual access to Brown Deer Park along these parcels (actual access may be precluded by the railroad right of way) and make use of them to create a "green gateway" into the Village from the south. Furthermore, some of the land in these parcels could be enrolled in the University of Wisconsin Extension community garden program or Milwaukee Urban Gardens to provide vegetable gardening opportunities for area residents.

9. Consider allowing manufacturing uses on Teutonia Avenue to transition to mixed use.

The manufacturing parcel on the east side of Teutonia Avenue north of Bradley Road may be considered underutilized, from a land use planning viewpoint. It is the only manufacturing parcel in the Village located away from Brown Deer Road, and its current occupant falls into the 1-4 employee class according to Wisconsin Department of Workforce Development. This fourteen acre parcel is included in a Tax Incremental Financing district, and is within the redeveloping Bradley Road and Teutonia Avenue corridors. The Village should consider allowing this parcel to transition to a mixed use designation if the real estate market supports such a change. Doing so would anchor redevelopment, and provide a link between this redevelopment area and the Original Village. In addition, the parcel borders the extension of the Oak Leaf Trail, which could prove an additional amenity to a mixed use district, connecting housing, retail, services and recreation.

10. Consider mixed use or a specialized multi-family housing use at the former Hearthside site.

The vacant parcels on the west side of Green Bay Road north of Schroeder Drive that formerly housed the Hearthside institution could be appropriate locations for either mixed use or a specialized multi-family housing use. They have been identified as a major opportunity location in Brown Deer, and the Village should consider their future carefully as the real estate market recovers in the coming years. These parcels are located on a transit line and in close proximity to the redeveloped Wheaton Franciscan/YMCA Healthy Village site. They are, furthermore, located at a transition point between existing multi-family and commercial uses. This may be an appropriate location for housing aimed at workers in the medical support fields as described in the Housing chapter of this plan, or for mixed uses featuring neighborhood-scale retail on the southern end of the parcels and housing on the northern end.

11. Consider transitioning the Department of Public Works yard to a mixed use zone.

The Village's Department of Public Works (DPW) yard is located in the Original Village area. Incorporating this parcel into the proposed mixed use zoning designation for the Original Village would potentially provide several benefits to land use in Brown Deer. If the market supports such a change, it could provide a large parcel ready for redevelopment in the heart of the Village's key unique district; it could add to the density of compatible uses in the Original Village; it could reduce heavy truck traffic in the residential areas; it could provide enhanced aesthetics in the Original Village, and it could provide a location with direct access to the extended Oak Leaf Trail. Information on potential relocation of the DPW yard is included in the Utilities and Community Facilities chapter of this document.

12. Refine landscaping and design standards for off-street parking.

The aesthetic qualities of off-street parking areas in the Village are a key issue for residents. Brown Deer could refine its parking lot landscape requirements and simultaneously provide incentives to adequately design and landscape off-street parking areas to enhance aesthetics in business zones. The Village could update zoning code Ch. 7-7.05(H) to include screening requirements for street frontage as well as for areas that abut residential property. Incentives could also be offered that would lead to better designed parking areas, including a density bonus to put parking in the rear or to include stormwater buffers; a competition to allocate Community Development Block Grant (CDBG) funding for improvements to existing lots; and coordinated applications for stormwater best management practices (BMP) grants.

13. Consider design guideline overlays for Bradley Road and Teutonia Avenue corridors and Original Village redevelopment areas.

The Bradley Road and Teutonia Avenue corridors and Original Village redevelopment areas mark special locations in Brown Deer. To maintain desirable aesthetics as they redevelop, it may be reasonable for the Village to develop design standards or guidelines which apply specifically to these areas. These guidelines may be organized as an overlay without affecting the underlying zoning, and could include attention to building materials, site design and landscaping, among other matters. The Village could incentivize design guideline adherence through density bonuses, parking requirement relaxation, providing combined stormwater management areas (as described in the Utilities and Community Facilities chapter) or through other means.

14. Maintain regular contact with the owners of the Marketplace Shopping Center.

The Marketplace shopping center is a highly visible property in Brown Deer and its owners, Macquarie Developers Diversified Realty Trust (DDR), is a major stakeholder in Village land use. The Marketplace property is currently 98% leased, but as the Wisconsin Department of Transportation begins redesigning the Brown Deer Road-Green Bay Road interchange, and as redevelopment occurs around the Marketplace, it may behoove the Village to establish a regular channel of communication with DDR. This could be as simple as sending them an annual survey: "how can we work together in the next year?"

15. Pursue an easement on the Milwaukee River.

The YMCA, which owns a large wooded property along the Milwaukee River north of Brown Deer Road, has signaled willingness to discuss allowing public access to the waterway. As detailed in the Parks and Natural Resources chapter of this plan, the Village may desire to explore the possibility of negotiating an easement or other means to allow public access to this resource.

16. Consider relaxing yard setbacks in single family residential districts.

Rear yard setbacks requirements in Brown Deer's single family residential districts range from 40 feet in R1 and R2 to 30 feet in R3. In order to encourage flexibility in renovation of the homes in these districts, the Village could consider relaxing the yard setback to provide opportunities for homeowners to build additions and increase the square footage of their dwellings. In residential districts, the Village allows existing detached garages with setbacks as shallow as five feet. While this setback is likely too small for any residence, there is a precedent for reduced yards. In reality, a spot survey of properties reveals typical rear setbacks in excess of the current minimum. This relaxation of setbacks could be applied primarily to rear yards, as they have the least visual impact on the character of neighborhoods. In some areas of the Village — particularly the southeast quadrant which includes a variety of parcel shapes and sizes, relaxed setbacks for front and side yards could also be considered.

If the Village considers relaxing setbacks, planners should be cognizant of the delicate balance between maintaining the desired “suburban” character of residential neighborhoods — the spacious, “green” feeling expressed so often in public involvement activities — with enabling homeowners to respond to changing demand in the housing market. Renovation activity outpaces new construction, and, as shown in Chapter 5, Brown Deer exhibits a fairly narrow range of housing types and sizes. Rather than define setbacks in absolute terms, the Village could express them as a proportion of the lot to account for variations in lot dimensions. For example, in the R3 district, a lot with the minimum width of 66 feet and the minimum area of 10,000 square feet would have parcel depth of approximately 152 feet. A rear yard setback of 30 feet, stipulated in Section 121-158 of the Village Code, equals about 20% of the total parcel depth. To maintain similar proportion of setbacks on other lots with differing dimensions, a conditional setback minimum of, for example, 15% of the total parcel depth could be established. In the example cited above, this standard would allow a rear yard setback of 23 feet. Judicious relaxation of the requirements could spur home renovation activity in Brown Deer.

17. Consider an ordinance revision pertaining to the storage of trash receptacles in residential areas.

Stakeholders in Brown Deer report disliking the “messy” look of trash receptacles stored in front of residences all week long, believing it damages the Village's image. Numerous municipalities in Wisconsin regulate the locations in which residential trash receptacles may be stored. If the Village is interested in pursuing this course, example legislation may be found in

the City of Milton code, Section 62.12 (d) which states “No outdoor storage is allowed in front of residential units.” More specific residential property regulations are found in the City of Cedarburg code Section 8-3-6 (b) (2), recently amended to read “Refuse and recycling containers must be stored within a garage or accessory structure or a location screened from street view.” Brown Deer may want to consider extra efforts in publicizing the reasons for such an ordinance if adopted, to improve compliance and create support among stakeholders.

18. Develop sub-area plans for key redevelopment sites, including the Marketplace Shopping Center and the Bradley Road and Teutonia Avenue corridors.

This recommendation is already underway. In coordination with the comprehensive planning process, the Village and the planning team have nearly completed sub-area plans for the North River Corridor, which includes the Marketplace Shopping Center, and Bradley Park, which includes many of the new redevelopment sites along Bradley Road and Teutonia Avenue, as well as contiguous areas. These areas of the Village represent key opportunities to bolster Brown Deer’s image within the metropolitan area and to serve as a model for future redevelopment efforts. Please see the *North River Corridor Sub-Area Plan* and the *Bradley Park Sub-Area Plan* to learn more about these redeveloping areas.
