

**BROWN DEER PLAN COMMISSION
FEBRUARY 14, 2005 MEETING MINUTES
HELD AT THE BROWN DEER VILLAGE HALL
4800 WEST GREEN BROOK DRIVE**

The meeting was called to order by Village President Jaberg at 7:00 P.M.

I. ROLL CALL

Present: Village President Margaret Jaberg; Trustees Tim Schilz and Jeff Baker; Commissioners: John Raffensperger, Alan Nees, Rick Stone, Susan Bellehumeur, Roy Williams

Excused: Commissioner Gunnar Prawitz

Also Present: Russell Van Gompel, Village Manager; Jesse Thyges, Planning/Zoning Specialist

II. PERSONS DESIRING TO BE HEARD

None

III. CONSIDERATION OF MINUTES: **December 13, 2004 - Regular Meeting**

It was moved by Commissioner Bellehumeur and seconded by Commissioner Raffensperger to approve the regular meeting minutes of December 13, 2004. The motion carried unanimously.

IV. REPORT OF STAFF/COMMISSION MEMBERS

Mr. Thyges discussed the corrective measures the owners of the Brown Deer Center are taking to remedy the excessive garbage situation behind the building, and stated that a preliminary plat for the Park Plaza Court property was received and will be brought forward in March.

Mr. Van Gompel stated that a new Assistant Village Manager has been hired and will be starting later in February.

Commissioner Stone asked if the Village is taking any measures to retain the assistant manager position for a longer period of time. Mr. Van Gompel stated that the Personnel Committee has reviewed the creation of position within the organization and assigned a competitive pay grade for the position. The Assistant Manager/Community Services Director was not created as a career position, rather it is considered a career advancement opportunity with the expectation that persons will provide between three and five years of service to the community.

President Jaberg stated that the street light banners are now displayed along the Bradley Road corridor.

Trustee Schilz stated that a decorative waste receptacle has been placed at the bus shelter at Green Bay Road and Deerwood Drive.

V. UNFINISHED BUSINESS

A) Conditional Use Permit - Drive-up Facility (automatic teller machine) at Tri-City National Bank at 4485 West Bradley Road.

Mr. Thyges discussed the proposal and asked the Plan Commission to table the matter until the Development Agreements are finalized for the Commerce Center.

It was the consensus of the Plan Commission to table the matter until the Development Agreements have been finalized.

VI. NEW BUSINESS**A) Recommendation of Tax Increment Financing District #3 and Comprehensive Plan of Redevelopment #2 to the Village Board for action.**

Mr. Thyes provided a brief summary of the proposal.

Mr. Van Gompel added that the Community Development Authority has forwarded a favorable recommendation to the Village Board.

Trustee Baker asked if there has been any unfavorable feedback about the proposal. President Jaberg stated that one individual spoke at the public hearing and voiced concerns with the blight designations. Mr. Van Gompel noted that no comments were received during the written comment period for TID #3.

Mr. Thyes stated that all of the letters and telephone calls that Staff has received were in regards to the Original Village area.

It was moved by Commissioner Raffensperger and seconded by Commissioner Nees to recommend Tax Increment Financing District #3 and Comprehensive Plan of Redevelopment #2 to the Village Board for action. The motion carried unanimously.

B) Recommendation of Tax Increment Financing District #4 and Comprehensive Plan of Redevelopment #3 to the Village Board for action.

Mr. Thyes reviewed the proposal and discussed the maps that were handed out along with the letter from David Ehlers (4113 W. River Lane) that discussed concerns with the blight determination.

Mr. Van Gompel discussed the process involved with the blight designations and reviewed the Community Development Authority's (CDA) conversations on the topic and their favorable recommendation. Mr. Van Gompel also stated that the residents in the area will be notified of the Village Board meeting.

President Jaberg stated the CDA felt very strongly about a critical review of the blight determinations.

Trustee Schilz discussed the importance of having the final draft prepared prior to the Village Board meeting.

Commissioner Raffensperger discussed the broad nature of the statutory definition of blight. Mr. Van Gompel added comments about the negative connotation of the term and designations.

Commissioner Nees stated that the concerns are similar to those voiced during the Bradley Road process and stressed the importance with proper communication with the public.

Mr. Van Gompel discussed the emotional effect of the process and stated that an informational handout was distributed prior to the public hearing; however the questions were still raised. Mr. Van Gompel also touched on the potential changes to the Comprehensive Plan of Redevelopment.

President Jaberg discussed the percentage requirements for blight designations within a proposed TIF district.

Trustee Baker pointed out that positive communication should be emphasized and asked about the potential for the Village's Department of Public Works complex being taken for redevelopment. President Jaberg stated that technically it could be done, however there would be a cost factor to consider.

Commissioner Nees asked for clarification about the designation of the 8727 North Deerwood Drive property. Mr. Thyges stated that this building has been in the process of remodeling for some time and that the designation may aid in the completion of the project.

Commissioner Williams asked about the reasoning behind removing the designation from 8520 North 43rd Street. President Jaberg stated that the building was originally thought to be half vacant.

Commissioner Stone asked about the possibility of petitioning the State for a change in the terminology. Mr. Van Gompel stated that communities throughout the state have been trying to change the way the statute is written, but have been unsuccessful to date.

President Jaberg discussed the properties in the southern half of the proposed TIF district acting as an economic engine to generate increment for improvements within the Original Village.

It was moved by Commissioner Raffensperger and seconded by Commissioner Bellehumeur to recommend Tax Increment Financing District #4 and Comprehensive Plan of Redevelopment #3 to the Village Board for action. The motion carried unanimously.

C) The Matter of Repealing and Recreating Section 10-10.08 (F), Article 10, Chapter X of the Brown Deer Zoning Code.

President Jaberg discussed the Village Board's review and direction in the matter.

Mr. Thyges provided a brief overview of the proposal and the necessary Zoning Code text amendment.

Commissioner Bellehumeur voiced concerns with taking away the public hearing from the Trustees. Mr. Van Gompel stated that Staff was careful to clearly discuss the proposed changes to ensure that the Board was clear on what the change would entail, and added that the majority of the Village Board liked the added time for consideration.

President Jaberg added that the Board members are welcome to attend the hearings before the Plan Commission and that consistent attendance is anticipated.

Commissioner Bellehumeur asked about the minutes being completed in time for the Board members that did not attend the public hearing. Mr. Thyges discussed the process in drafting the minutes for inclusion in the next week's packets.

President Jaberg discussed the Village Board's recommendation.

Trustee Schilz voiced concerns with having quality submittal materials and information brought forward to the Plan Commission for the initial review. Mr. Van Gompel discussed the requirements that are laid out in an informational sheet that is attached to the application forms.

Trustee Schilz and President Jaberg voiced concerns with the perception of holding this public hearing the same night as the hearings for the proposed Tax Incremental Financing Districts. Mr. Van Gompel stated that Staff wants to move forward with the matter in order to make a smooth transition and have the process in place for the next Plan Commission meeting.

Mr. Van Gompel also discussed the flexibility the Plan Commission has in setting their agenda since it is not governed by ordinance, and stated the advantages to making the recommendations directly following the hearings.

It was moved by Commissioner Bellehumeur and seconded by Commissioner Stone to recommend "The Matter of Repealing and Recreating Section 10-10.08 (F), Article 10, Chapter X of the Brown Deer Zoning Code" to the Village Board for a March 7, 2005 public hearing. The motion carried unanimously.

VII. ADJOURNMENT

It was moved by Commissioner Raffensperger and seconded by Commissioner Williams to adjourn at 8:05 P.M. The motion carried unanimously.

Jesse Thyse
Planning and Zoning Specialist