

**BROWN DEER PLAN COMMISSION  
MARCH 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, Jeff Baker; Commissioners: Alan Nees, Rick Stone, Roy Williams

Excused: Commissioners Gunnar Prawitz, Susan Bellehumeur, John Raffensperger

Also Present: Russell Van Gompel, Village Manager; Jesse Thyges, Assistant Village Manager/Community Services Director

**II. PERSONS DESIRING TO BE HEARD**

Betty Bennett, 6209 West Plaza Circle, and Don Uebelacker, 6195 West Plaza Circle, requested to be heard during the conceptual presentation of a Lowe's Home Improvement Store.

*It was the consensus of the Plan Commission to allow Ms. Bennett and Mr. Uebelacker to be heard on this matter.*

**III. CONSIDERATION OF MINUTES: February 14, 2004 - Regular Meeting**

*It was moved by Trustee Schilz and seconded by Commissioner Stone to approve the regular meeting minutes of February 14, 2005. The motion carried unanimously.*

**IV. REPORT OF STAFF/COMMISSION MEMBERS**

Mr. Van Gompel reported that Jesse Thyges was promoted to Assistant Village Manager, and stated that permits were issued for the exterior renovation of the Commerce Center and opening date for the grocery store.

Mr. Thyges discussed the continuation of testing at the 7600 North Teutonia Avenue site and stated that interior demolition at the Commerce Center has also started.

**V. UNFINISHED BUSINESS**

None.

**VI. NEW BUSINESS**

- A) Conceptual Presentation of a Lowe's Home Improvement Store to be located at 6300 W. Brown Deer Road.**

Mr. Thyges reviewed the staff report that was prepared about the proposal.

Robert Fiebig, representative for Lowe's Home Center's Incorporated, provided an overview of the company and discussed the building elevations, materials, and color scheme.

Chris Perry, Woolpert Engineering, presented the site plan and discussed traffic movement on the site

Commissioner Nees asked about the relocation of the tenants in the Drug Emporium building. Mr. Fiebig stated that Lowe's is currently working with the tenants.

Commissioner Stone inquired about the time of day that most deliveries would occur. Mr. Fiebig stated that deliveries are proposed for between 6:00 a.m. – 12:00 p.m. which would be consistent with past development agreements. Mr. Fiebig added that the trucks would be shut down while making deliveries.

Commissioner Nees voiced concerns with trucks parking on Park Plaza Court waiting to make deliveries. Mr. Fiebig stated that the three loading docks can accommodate the trucks that would be on site at any one time, and further clarified the delivery schedule.

Trustee Baker asked if the lumber would be unloaded outdoors. Mr. Fiebig stated that the lumber would be taken from a flatbed truck into the indoor lumber yard.

President Jaberg asked if the lumber yard is completely enclosed. Mr. Fiebig affirmed that the lumber yard is completely enclosed.

Trustee Schilz voiced concerns with the small size of the intersection at 64<sup>th</sup> Street and Brown Deer Road, and inquired if a turn lane would be installed. Mr. Fiebig stated that a meeting has been scheduled with the Wisconsin Department of Transportation to further discuss this matter.

Mr. Van Gompel noted that Staff has notified the applicant of similar concerns with the intersection.

Trustee Schilz inquired about the distance of the proposed building from the north property line and the design of the fencing along the property line. Mr. Perry stated that the building will be ten feet further away from the north property line than the existing buildings onsite, and added that a privacy fence is proposed, however, the materials to be used to construct the fence are still under consideration.

President Jaberg summarized the Community Development Authority's discussions on this matter and also inquired about snow removal from the site. Mr. Fiebig illustrated the snow storage area along the south side of the parking area, and added that if necessary the snow can be hauled off site.

Commissioner Nees inquired about the number of employees. Mr. Fiebig stated that approximately 175-200 employees would be on staff with about 70 percent being full-time.

Trustee Schilz inquired about the Storm Water plans for the site. Mr. Perry stated that the existing drainage patterns would be maintained, however, updated storm water management measures would be installed.

Betty Bennett, 6209 W. Plaza Circle, asked if deliveries would occur seven days a week and inquired about noise created by custom lumber cutting. Mr. Fiebig stated that there are no deliveries on weekends and discussed the interior location of the saw used for custom cutting.

Don Uebelacker, 6195 W. Plaza Circle, asked about the potential for interior loading docks. Mr. Fiebig discussed the ten foot tall dividing wall between the loading docks and the property line, and stated that lumber deliveries will generally occur mid-morning.

Mr. Uebelacker voiced concerns with delivery trucks arriving early in the morning, and the potential for light pollution on neighboring properties. Mr. Van Gompel discussed past issues with early morning trucks and also discussed the applicable Village Code provisions. Mr. Fiebig addressed the lighting concerns with a description of the styles of lighting fixtures that are to be used and stated that the exterior lighting, except for security lights, would be extinguished by 10:30 p.m.

Ms. Bennett asked about the installation of additional landscaping along the north property line. Mr. Fiebig stated that Lowe's is willing to work towards minimizing neighbor's concerns. Mr. Perry added that new evergreens are proposed within the buffer area as well.

Mr. Uebelacker inquired about the new fence being built atop a berm to add to the overall height. Mr. Van Gompel stated that staff has discussed with the applicants the sensitive nature of the residential properties to the north of the site, and added that the proposed eight foot tall fence would require a variance.

Mr. Uebelacker asked about additional landscaping in the median on Brown Deer Road. Mr. Fiebig stated that the issue will be discussed with the Department of Transportation.

Trustee Schilz asked about the potential for use of a monument style sign. Mr. Van Gompel added that staff has recommended a monument style sign due to visibility issues with existing vegetation. Mr. Fiebig stated that there was concern about visibility of a monument style sign from the west.

Trustee Baker inquired about the timeline for establishing the business. Mr. Fiebig stated that construction is proposed to start this summer with the store opening in 2006.

President Jaberg asked if the demolition of the existing buildings would be immediate. Mr. Fiebig stated that demolition would occur just prior to start of construction.

*It was the consensus of the Plan Commission to grant conceptual approve, with consideration to citizen and Plan Commission comments, and to direct Staff to continue working with the applicant on the project.*

**B) Review of the Preliminary Plat for Deerbrook Estates, located on Parcel 2 – C.S.M. #3873 (Park Plaza Court).**

Mr. Thyges reviewed the proposal.

President Jaberg inquired about the elevations that were illustrated on the preliminary plat. Mr. Thyges stated that the elevations shown on the map are the existing measurements.

Mr. Van Gompel discussed the Department of Public Works feedback regarding plowing issues in the proposed boulevard style entrance into the subdivision, and stated that the concerns could be addressed through widening the boulevard.

President Jaberg asked if the storm water management would be onsite. Mr. Thyges stated that it would.

Trustee Schilz asked if there were any significant changes from the initial proposal. Mr. Van Gompel stated that there were no significant changes.

President Jaberg asked if the storm water basin is proposed to be wet or dry. James Elder, Elder Engineering, stated that the storm water basin will be a wet basin.

Trustee Schilz inquired about the piping of the storm water. Mr. Elder discussed how the storm water would be managed within the subdivision.

President Jaberg asked if there would be a berm established along the western lot line for screening between the condo development and the subdivision. Dave Stewart, Pebble Brook Homes, discussed the landscaping that is proposed.

Mr. Van Gompel inquired about the direction of the drainage from lots one (1) through eleven (11). Mr. Elder stated that the lots in question drain to the east.

President Jaberg inquired about the use of curb and gutter. Mr. Elder stated that the entire subdivision would utilize curb and gutter.

Commissioner Nees asked about the grading that has taken place on site. Mr. Stewart stated that the initial grading was to establish the location of the proposed roadway within the subdivision.

*It was moved by Commissioner Stone and seconded by Commissioner Williams to approve the Preliminary Plat for Deerbrook Estates, located on Parcel 2 – C.S.M. #3873 (Park Plaza Court). The motion carried unanimously.*

**C) Initial review and scheduling of a public hearing for a Conditional Use Permit Application for an Alcohol and Tobacco Store at 6530 W. Brown Deer Road.**

Mr. Thyes provided a brief overview of the proposal.

Commissioner Stone voiced concerns with the potential establishment of another liquor store in the Village. Mr. Van Gompel stated that the Plan Commission is to consider land-use and zoning issues along with the health, safety and welfare of the community, and not to consider the economic feasibility of a proposal.

Trustee Schilz recommended review by the Community Development Authority since the proposal is located within the Tax Incremental Financing district.

President Jaberg stated that the feedback provided by the Brown Deer Police Department should be incorporated as conditions on the Conditional Use Permit and that there should be an annual review by the Crime Prevention Officer.

Trustee Baker voiced concerns with the proposed style of the signage for the business. Mr. Thyes stated that the signage would be subject to review by the Building Board to ensure consistency with other existing signage.

Trustee Schilz asked for clarification of the notification procedure. Mr. Thyes summarized the notification of adjacent properties within a 500 foot radius.

President Jaberg requested a full business plan and floor plan for the store for consideration at the public hearing.

*It was moved by Commissioner Nees and seconded by Commissioner Stone to schedule a public hearing for April 11, 2005 to consider a Conditional Use Permit application for an Alcohol and Tobacco Store at 6530 West Brown Deer Road. The motion carried unanimously.*

**VII. ADJOURNMENT**

*It was moved by Trustee Schilz and seconded by Commissioner Nees to adjourn at 8:20 P.M. The motion carried unanimously.*

