

**BROWN DEER PLAN COMMISSION  
NOVEMBER 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 7:02 P.M.

**I. ROLL CALL**

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

Excused: Commissioner David Hinman

Also Present: Russell Van Gompel, Village Manager; Jesse Thyges, Assistant Village Manager/Community Services Director; Nathaniel Piotrowski, Planning/Zoning Specialist; Terry Boschert, Village Trustee

**II. PERSONS DESIRING TO BE HEARD**

Steve Hennig, 9091 North Park Plaza Court, stated that he was looking for the condo association meeting. He was directed to the appropriate meeting room.

**III. CONSIDERATION OF MINUTES:      **October 10, 2005 - Regular Meeting****

*It was moved by Commissioner Raffensperger and seconded by Commissioner Bellehumeur to approve the regular meeting minutes of October 10, 2005. The motion carried unanimously, with Commissioner Nees abstaining.*

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

Mr. Thyges provided updates on the litigation of property at 5530 West Brown Deer Road, and the progress of the Barry Company's effort to reach a resolution. Mr. Thyges added that Badger Automotive now has state approval for their renovation plans and Concours Motors is organizing bids for construction of their new automobile dealership.

Mr. Piotrowski added that staff will be taking a first draft of the sign ordinance to the Building Board for their review and comments on November 21.

Mr. Van Gompel added that the current owners of the Hearthside parcel met with staff to explore the opportunity of TIF financing. The idea of a TIF was presented to the Community Development Authority who decided not to recommend pursuing such an option.

**V. UNFINISHED BUSINESS**

None.

**VI. NEW BUSINESS**

**A) Public Hearing and Recommendation for repealing and recreating the Village of Brown Deer's  
Floodplain Zoning Ordinance.**

Mr. Piotrowski reviewed the proposal and highlighted changes in the ordinance.

President Jaberg discussed the procedures for the public hearing.

The public hearing opened at 7:08 p.m.

Beverly Goehre, 8244 North 55th Street, questioned whether the delineation of the floodplain would change due to the ordinance and if it would affect insurance rates.

President Jaberg responded that the revised ordinance would not change the floodplain boundaries or insurance rates.

Commissioner Raffensperger asked about the importance of the date associated with the Flood Insurance Rate Maps.

President Jaberg replied that this date was simply a reference point for when the map was adopted.

Commissioner Stone asked whether the Village would keep copies of the FEMA floodplain maps.

Mr. Piotrowski replied that the maps are kept on file at the Village Hall and FEMA provides the copies as needed.

The public hearing closed at 7:17 p.m.

*It was moved by Commissioner Raffensperger and seconded by Commissioner Nees to recommend approval to the Village Board of the repealing and recreation of the Village of Brown Deer's Floodplain Zoning Ordinance. The motion carried unanimously.*

**B) Development Agreement with Ruvin Bros. Artisans & Trades, 8601 N. 43<sup>rd</sup> Street.**

Mr. Piotrowski reviewed the proposed development agreement and introduced the applicant.

Anthony Enea, applicant, described his business operation and added that his company is more of a home finisher, rather than a builder and that he will not be using the site for storage of a large amount of heavy machinery and or materials.

Mr. Van Gompel stated that the Plan Commission could defer their review of the development agreement until the Community Development Authority made a recommendation or it could move forward with a recommendation if the commission was comfortable with the information presented.

*It was moved by Commissioner Nees and seconded by Commissioner Bellehumeur to recommend approval of the Development Agreement with Ruvin Bros. Artisans & Trades to the Village Board. The motion carried unanimously.*

**C) Review of the Conditional Use Permits issued to: Curves for Women and Hospitality Child Care.**

Mr. Piotrowski outlined the request to table the review of the conditional use permits and explained that this item be returned to the Plan Commission so that there could be a consistent record of action on file.

Commissioner Bellehumeur asked whether the tabling was suggested due to the uncertainty surrounding the future use of the entire Commerce Center.

Mr. Piotrowski stated that this was the reason for the request to table.

Mr. Thyges stated that two separate votes would be needed for each conditional use permit.

*It was moved by Commissioner Bellehumeur and seconded by Commissioner Raffensperger to table the review of the conditional use permit for Curves for Women for a period of six months. The motion carried unanimously.*

*It was moved by Commissioner Raffensperger and seconded by Commissioner Nees to table the review of the conditional use permit for Hospitality Child Care for a period of six months. The motion carried unanimously.*

---

2005

Page 3

**D) Review and Schedule a public hearing for a Conditional Use Permit for cellular antennas at WEPCO tower #5743.**

President Jaberg reviewed the proposal and stated that a thorough review would be given at the public hearing.

Commissioner Raffensperger asked for clarification as to the location of the proposed antenna site.

Trustee Baker asked that a detailed location map be provided.

Mr. Piotrowski responded that a detailed map will be provided.

*It was moved by Commissioner Stone and seconded by Commissioner Raffensperger to schedule a public hearing at the December 12, 2005 Plan Commission meeting for review of a conditional use permit for a cellular antenna at WEPCO tower #5743. The motion carried unanimously.*

**E) Review and Schedule a public hearing for a Conditional Use Permit for a church at 4740 W. Bradley Road.**

Mr. Piotrowski reviewed the proposal and indicated that a more thorough review would take place at the public hearing.

Trustee Baker asked the size of the congregation.

Reverend Elloyd Jones, the applicant, responded that the congregation numbered approximately 500 persons, but that approximately 250 attended regularly.

President Jaberg asked when the current tenant at the site would be vacating the building.

Fred Tabak, representing the applicant, responded that Diamond Jim's lease would expire on December 31, 2005.

President Jaberg requested that issues of remodeling, parking, traffic flow and an operational timetable be addressed during the public hearing.

Trustee Schilz added that he felt the Community Development Authority should give a recommendation prior to the public hearing because the site lies within a Tax Incremental Financing District which has a specific redevelopment plan.

Commissioner Bellehumeur agreed that the proposed conditional use go before the Community Development Authority prior to a public hearing.

*It was moved by Commissioner Raffensperger and seconded by Commissioner Nees to schedule a public hearing at the January 9, 2006 Plan Commission for review of a conditional use permit for a church at 4740 W. Bradley Road. The public hearing is to follow a review by the Community Development Authority. The motion carried unanimously.*

**VII. ADJOURNMENT**

Commissioner Alan Nees resigned his position on the Plan Commission and thanked staff and fellow commissioners.

*It was moved by Commissioner Raffensperger and seconded by Commissioner Bellehumeur to adjourn at 7:40 P.M. The motion carried unanimously.*

---

**2005**

**Page 4**

---

Jesse Thyges  
Assistant Village Manager/Community Services Director