

**BROWN DEER PLAN COMMISSION
APRIL 10, 2006 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; Trustee: Tim Schilz; Commissioners: Rick Stone, Susan Bellehumeur, David Hinman, Roy Williams, John Raffensperger

Also Present: Russell Van Gompel, Village Manager; Jesse Thyges, Assistant Village Manager/Community Services Director; Nathaniel Piotrowski, Planning/Zoning Specialist; Rebecca Boyle, Village Attorney; Trustees Springman and Boschert

Excused: Trustee Baker

II. PERSONS DESIRING TO BE HEARD

None.

III. CONSIDERATION OF MINUTES: **March 13, 2006 - Regular Meeting**

It was moved by Commissioner Raffensperger and seconded by Commissioner Stone to approve the regular meeting minutes of March 13, 2006. The motion carried unanimously.

IV. REPORT OF STAFF/COMMISSION MEMBERS

Mr. Thyges provided an update on the progress of Badger Automotive and Concours Motors. He stated that the six month extension of the Conditional Use Permits for each site was set to expire next month. Mr. Thyges reported that he had no additional news about the Concours project. He also reported that Wally Koceja, owner of Badger Automotive, was meeting with his architects to develop site plans. Mr. Thyges also stated that the yellow home at 55th and Brown Deer Road was acquired by the Barry Company but the brick ranch home immediately to the west was still in litigation. He added that if either property deteriorates to a point where it creates public safety issues he would order the demolition of the structures. Finally, Mr. Thyges informed the Commission that there has been no progress yet in response to the Village Attorney's letter to Weas Development in regards to the Hearthside property.

Mr. Piotrowski reported that Poco Loco Cantina had begun preliminary site grading to begin their outdoor seating project. He added that the project would be completed sometime in May. Mr. Piotrowski also added that he attended the Wisconsin Chapter of the American Planning Association's annual Conference.

V. UNFINISHED BUSINESS

None.

VI. NEW BUSINESS

- A) Public Hearing and Recommendation for the rezoning of property between 4303 and 4485 West Bradley Road from B1-Commercial to PD- Planned Development.**

The public hearing opened at 7:05 p.m.

Mr. Piotrowski reviewed the proposal.

Julia Loritz, 4334 West Bradley Road, asked how close proposed buildings at the redeveloped Commerce Center site would be to the road.

Mr. Piotrowski replied that the right-of-way is quite large on Bradley Road and the homes would be set back roughly five to fifteen feet from the right-of-way.

Gary Springman, 9185 North 60th Street, spoke on behalf of Jim Matussek, the owner of a barber shop in the Commerce Center, who stated that he was in favor of the rezoning.

Helen Witte, 5836 West Green Brook Drive, asked if the property to be rezoned was located in a TIF district and if it would be taken off of the tax rolls.

Mr. Van Gompel replied that the site was in a TIF district but explained that the site would not be taken off of the tax rolls.

The public hearing closed at 7:16 p.m.

It was moved by Commissioner Stone and seconded by Commissioner Raffensperger to recommend approval of the rezoning of property between 4303 and 4485 West Bradley Road from B1 Commercial to PD- Planned Development to the Village Board. The motion carried unanimously.

B) Public Hearing and Recommendation for the rezoning of property at the Northwest corner of 60th and Brown Deer Road from B3- Commercial and R2- Residential to BPD- Business Planned Development.

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

Mr. Piotrowski reviewed the proposal.

Ralph Witte, 5836 West Green Brook Drive, asked why the site could not just remain B3- Commercial.

Mr. Piotrowski replied that it was desired to rezone to BPD- Business Planned Development in order to allow for a wide range of possible uses and to allow for design flexibility that would fit with the plans that the developer is proposing.

Mr. Van Gompel added that the BPD zoning would allow for site specific development agreements that would govern all aspects of the development.

Mr. Witte asked why the whole site, including the residential development to the north, would not be rezoned in a comprehensive manner or rezoned as BPD.

Mr. Van Gompel replied that the northern portion of the site would offer a different residential development from the southern end of the property and that a conceptual presentation on the residential component was coming up later in the agenda.

A discussion about the residential development and appropriate notice to citizens ensued.

Harold Borne, 6415 West Carolann Drive, asked why the Village would wish to rezone if the proposal was only conceptual.

Mr. Thyges explained the development review process and stated that conceptual approval indicated that the Plan Commission supported the land use and that rezoning was needed to further indicate to the developer that their project would be possible.

Robert Le Mense, 6242 West Glenbrook Road, stated that he does not want 60th Street to turn into a major thoroughfare and asked if the traffic impacts of the developments have been considered.

Mr. Van Gompel shared the details of the proposed improvements to the intersection of 60th and Brown Deer.

A discussion ensued as to the tenant mix, architecture and economic viability of the commercial development.

The public hearing closed at 7:55 p.m.

President Jaberg asked if the Village could condition the rezoning on the recording of the Certified Survey Map for the property.

Attorney Boyle replied that this was possible.

It was moved by Commissioner Raffensperger and seconded by Commissioner Bellehumeur to recommend approval of the rezoning of property at the Northwest corner of 60th and Brown Deer Road from B3- Commercial and R2- Residential to BPD- Business Planned Development conditioned on the recording of a Certified Survey Map to the Village Board. The motion carried unanimously.

C) Supplemental Development Agreement for the Opus North Business Park with Liberty Service Center, LLC, for additional parking spaces at 4701 W. Schroeder Drive.

Mr. Piotrowski reviewed the proposal and introduced the applicant.

President Jaberg asked if the off-street parking ordinance addressed most of the requirements stipulated in the supplemental development agreement.

Mr. Piotrowski replied that the off-street parking ordinance did cover most issues. He added that the development agreement would refer to this section of the Village Code and that any other stipulation regulating the parking spaces would be above and beyond the existing code language.

Trustee Schilz asked where the drainage for the new spaces would be directed.

Mr. Piotrowski replied that the site was sloped to the south and crowned towards the middle of the new parking spaces. The crown and the slope direct water either to the east or to the west of the crown along the southern curb line. Mr. Piotrowski added that curb cuts along this southern curb will be installed by the owner in order to allow some of the stormwater to flow naturally off of the parking spaces and into a landscaped greenspace for more natural infiltration.

Trustee Schilz asked if the business would be a single shift operation and if lighting needed to be added for these spaces.

Mr. John Dulmes, the owner's agent, replied that it would be a three shift operation, with most of the activity occurring on the first shift. He added that lighting would be added to properly illuminate the new spaces.

Commissioner Stone asked if there would be a traffic problem with the additional spaces.

Mr. Dulmes replied that there was no foreseeable problem.

It was moved by Commissioner Bellehumeur and seconded by Commissioner Williams to recommend approval of the supplemental development agreement for additional parking spaces at 4701 W. Schroeder Drive to the Village Board. The motion carried unanimously.

D) Conceptual review of Roettgers Oil remodeling, 5125 W. Brown Deer Rd.

Mr. Piotrowski reviewed the proposal and introduced the applicant.

Anna Burns of Keller offered further site plan information in response to Staff's suggestions.

President Jaberg asked if there would be any vacuums on site.

Ms. Burns replied that there would be a vacuum on the east side of the building near the exit of the car wash.

Commissioner Stone asked if a vehicle clearance sign would be displayed where it could advise customers earlier about space constraints.

Ms. Burns replied that the clearance sign was moved to front of the structure for better visibility.

Trustee Schilz asked if gas would still be available during any construction.

Ms. Burns replied that the gas sales would continue during construction with the use of a trailer and a restroom.

Commissioner Bellehumeur asked about the length of construction.

Ms. Burns replied that construction could take five months.

President Jaberg asked if there would be a need to accommodate foot traffic between the adjacent Cousin's and the new convenience store.

Mr. Piotrowski replied that the grade change between the sites and the significant landscaping made foot traffic outside of the existing sidewalk somewhat impractical.

Commissioner Stone asked if there was enough space in the carwash driveway for adequate snow removal.

Ms. Burns replied that there was.

President Jaberg asked about the color and the proposed building materials.

Ms. Burns replied that the canopy would remain green and that the structure would be a mix of split face concrete block and EFIS.

It was consensus of the Plan Commission to offer their conceptual approval of the Roettgers Oil remodeling, 5125 West Bradley Road.

President Jaberg asked the Plan Commission if there were any objections to taking up agenda items "F" and "G" out of order. The consensus of the Plan Commission was to allow items "F" and "G" out of order from the agenda.

F) Review and schedule a public hearing for a Conditional Use Permit for a convenience store at the Roettgers Oil, 5125 W. Brown Deer Rd.

It was moved by Commissioner Bellehumeur and seconded by Commissioner Stone to schedule a public hearing at the May 8th, 2006 Plan Commission meeting for a Conditional Use Permit for a convenience store at Roettgers Oil, 5125 W. Brown Deer Road. The motion carried unanimously.

G) Review and schedule a public hearing for the vacation of the public right-of-way at 5125 W. Brown Deer Rd.

It was moved by Trustee Schilz and seconded by Commissioner Raffensperger to schedule a public hearing at the May 8, 2006 Plan Commission meeting for a vacation of the public right-of-way at 5125 W. Brown Deer Rd.. The motion carried unanimously.

E) Conceptual review of residential development at 8899-8907 N. 60th Street.

Mr. Piotrowski reviewed the proposal and introduced the applicant.

Trustee Schilz asked what the additional parking spaces on the west side of the property would be needed for.

Steve Sirkis, the project developer from General Capital Group, replied that these were guest parking spaces.

President Jaberg asked why there were no guest spaces for the other multi-family residential buildings.

Mr. Sirkis replied that there were spaces for guests in the driveways leading to the garages.

Trustee Schilz asked if the access drive would be equal to the current grade of the road if the driveway would rise to curb level.

Mr. Sirkis replied that the intention was to have the driveway match the existing grade of 60th Street.

Trustee Schilz asked if there would be private trash removal.

Mr. Sirkis replied that this is yet to be determined but his group will work with the Public Works Department on this.

President Jaberg asked if the off-street parking section of the Zoning Code required guest spaces.

Mr. Piotrowski replied that he was not sure but would verify the code language.

Trustee Schilz indicated that he has fielded comments from many citizens that would like to see the condos priced at higher minimums in order to attract quality buyers.

Mr. Sirkis replied that he thought that some units could be offered at a higher price point by expanding unit size or adding nicer finishes.

Commissioner Stone asked if the buildings moved any further west how could the size of the detention pond be reduced.

Mr. Sirkis replied that they were still working through the engineering of the detention facilities.

Trustee Schilz stated that he would like to see the use of low impact development efforts to help creatively accommodate the stormwater and reduce the size of the detention pond.

President Jaberg stated that the current driveway alignment could create left turn problems with Green Brook Drive. President Jaberg also added that the trees on site would be needed to help offset the loss of many trees on the southern commercial development.

It was consensus of the Plan Commission to offer their conceptual approval of the residential development at 8899-8907 N. 60th Street.

VII. ADJOURNMENT

It was moved by Commissioner Raffensperger and seconded by Commissioner Bellehumeur to adjourn at 9:00 P.M. The motion carried unanimously.

Jesse Thyse
Assistant Village Manager/Community Services Director