

**BROWN DEER PLAN COMMISSION  
AUGUST 13, 2007 MEETING MINUTES  
HELD AT THE BROWN DEER VILLAGE HALL  
4800 WEST GREEN BROOK DRIVE**

The meeting was called to order by Village President Krueger at 7:04 P.M.

**I. ROLL CALL**

Present: Village President Carl Krueger; Trustee Tim Schilz, Commissioners: Ryan Schmitz, Rick Stone, Susan Bellehumeur, David Hinman, 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.

Excused: Commissioner Roy Williams

**II. PERSONS DESIRING TO BE HEARD**

None.

**III. CONSIDERATION OF MINUTES: July 9, 2007 - Regular Meeting**

*It was moved by Commissioner Schmitz and seconded by Commissioner Stone to approve the regular meeting minutes of July 9, 2007. The motion carried unanimously with Commissioner Raffensperger abstaining.*

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

Mr. Piotrowski reported that the Conditional Use Permit request for an outdoor beer garden and recreational activities at Parkview Pub, 7651 N. Teutonia Avenue, would not be on the agenda due to a pending agreement between the pub owner and his neighbor regarding a lot line dispute that would impact the final layout of the beer garden. Mr. Piotrowski also reported that Staff attended a groundbreaking for Dr. Newman's new dentist office at 4420 W. Bradley Road and that site work was beginning this week.

Mr. Thyges reported that the traffic signal work at the intersection of Arbon Drive and Brown Deer Road is moving ahead and could be on schedule for completion in 2008. Mr. Thyges also added that the paving of the bike trail is scheduled to proceed this fall and the contract award is to be handled by the Village Board at its next regularly scheduled meeting.

President Krueger asked about the timetable for the modular classroom installation at Dean School and the potential demolition of the Algonquin School site. Mr. Van Gompel replied that footings and foundations have been placed at Dean School and that the construction schedule is very aggressive in order to meet the deadline for school's fall opening. With respect to the demolition Mr. Van Gompel added that Community Services Staff provided a list of demolition contractors to the school district and the district is now investigating demolition possibilities.

Mr. Van Gompel also reported on two requests for extended business operating hours for the Wendy's at 9133 N. Deerwood Drive and the YMCA at 9250 W. Schroeder Drive. The YMCA was granted their request for opening early at 5am and the Wendy's request to operate a drive through until 1am was denied.

**V. UNFINISHED BUSINESS**

None.

**VI. NEW BUSINESS**

**A) Conceptual Review of a proposed CVS Pharmacy at 5960 W. Brown Deer Road.**

Mr. Piotrowski reviewed the proposal, provided a synopsis of Staff concerns about the project and introduced the applicant.

John Holborow of Gershman Brown discussed the corporate identity of CVS and introduced the property owner Mr. John Josephitis.

Mr. Josephitis stated his difficulties in leasing the property and that his only interest in the property has come from CVS. He added that he also owns two other commercial properties immediately to the west of Brown Deer that are achieving lease rates of 100 percent so he is confident in his ability to secure tenants.

Commissioner Raffensperger asked how hard the property was being marketed. Mr. Peter Glaser from CB Richard Ellis, the listing agent for the property indicated that they were aggressively marketing the property.

Mr. Holborow provided a presentation as to the layout of the site, CVS' growing presence in the southern Wisconsin and CVS' site location analysis.

Commissioner Raffensperger asked if the shared driveway for the pharmacy and the church presented any problems or limitations. Mr. Holborow replied that the church was comfortable with the proposal and CVS saw no issues with the shared nature of the driveway.

President Krueger asked if the drive through would be limited to one way access from the south. Mr. Holborow replied that this was correct.

Commissioner Stone stated his concern about a lack of contact with the corporate entity and asked if CVS officials would become more involved as the process moved forward. Mr. Holborow replied that CVS representatives could be involved in the process but that discussions had not yet reached a suitable stage for such involvement.

Commissioner Hinman stated his concern about increased traffic on 60<sup>th</sup> Street and asked what measures were being taken to address the issue. Mr. Holborow replied that efforts had been made by CVS to move the driveway as far as possible from the intersection of Brown Deer Road to help mitigate traffic concerns. Mr. Piotrowski added that CVS proposed to use a plan that the Wisconsin Department of Transportation approved for the redevelopment of General Capital Group's project to the west. This plan would reconfigure 60<sup>th</sup> Street so that it would include the addition of a turn lane for southbound traffic and a passing lane for northbound traffic.

Trustee Schilz stated that he was concerned about the aesthetics of the building and the emphasis placed on the parking field in the current design. He asked if elevations were prepared for the site. Mr. Holborow replied that CVS was mainly interested in site plan approval at this time and had not designed any elevations. He also noted that added landscaping and decorative fencing could be used to soften the appearance of the parking lot.

Trustee Baker asked if the parking ratios were acceptable for the project. Mr. Piotrowski replied that the proposed ratio was in the range of 5.5-6.0 vehicles per 1,000 square feet and that this seemed high in Staff's opinion. He added that many studies have indicated that parking levels of 4.0 per 1,000 square feet have been adequate for commercial businesses of this type and that other projects in the Village have proposed similar ratios.

*It was moved by Commissioner Schmitz and seconded by Commissioner Raffensperger to accept the conceptual proposal for a CVS at 5960 W. Brown Deer Road contingent upon CVS working with Staff to reduce parking on the site. The motion carried by a 5-2 vote with Trustee Schilz and Commissioner Bellehumeur voting against the proposal.*

A discussion ensued among the Plan Commission members to clarify the additional concerns that also need to be addressed. President Krueger summarized the discussion for the CVS representatives by saying that the Plan Commission would like to see the following concerns addressed when CVS returns with the proposal:

- A traffic impact analysis and design for 60<sup>th</sup> Street
- Elevations for the building with architectural and aesthetic features that help distinguish the building design.
- A reduction of the parking field and an increase in landscaping/green space

Trustee Baker added a suggestion that some of the parking could be located on the east side of the building to help minimize the parking field adjacent to 60<sup>th</sup> Street.

Trustee Schilz added that he was concerned about tearing down a good looking building and replacing it with a “mid-box”. In addition he stated his concern for the placement of the parking field and the negative traffic impact on 60<sup>th</sup> Street. He added that the design was not consistent with the Village’s recent land use decisions or the recommendation of the UWM Brown Deer Road Corridor Study.

Commissioner Bellehumeur stated that she had concerns with the traffic impact on 60<sup>th</sup> Street given the new development in the area. In addition she stated that CVS’ proposal creates an unfavorable development scenario for land to the north.

**B) Certified Survey Map review for property at 4301- 4485 W. Bradley Road.**

Mr. Piotrowski reviewed the proposal and introduced the applicant.

Trustee Schilz asked how the entire site will lay out with the proposed mix of uses. Mr. Piotrowski provided a large site plan for the Commission and explained the commercial and residential design of the project.

Commissioner Raffensperger asked about the proposed road and if it would be public and designed to Village standards. Mr. Piotrowski replied that the street would be public and designed to appropriate Village standards.

Mr. Van Gompel stated that there was some concern on Staff’s part about the name of the public street; “Village Green Lane”. He added that there could be confusion regarding such a name. A discussion of potential names and their appropriateness ensued.

*It was moved by Commissioner Raffensperger and seconded by Commissioner Stone to recommend approval of the Certified Survey Map for property at 4301- 4485 W. Bradley Road, to the Village Board. The motion carried unanimously.*

**C) Review of a Conditional Use Permit with Cingular Wireless for cellular equipment at the Brown Deer Water Tower, 4290 W. Calumet Road.**

Mr. Piotrowski reviewed the proposal.

*It was moved by Commissioner Bellehumeur and seconded by Commissioner Raffensperger to recommend approval of making continuous the Conditional Use Permit for cellular equipment at 4290 W. Calumet Road to the Village Board. The motion carried unanimously.*

**D) Review of a Conditional Use Permit with US Cellular for cellular equipment at 9053 Deerbrook Trail, ATC Tower # 5743**

Mr. Piotrowski reviewed the proposal.

*It was moved by Commissioner Raffensperger and seconded by Commissioner Schmitz to recommend approval of making continuous the Conditional Use Permit with US Cellular for cellular equipment at 9053 Deerbrook Trail, ATC Tower #5743 to the Village Board. The motion carried unanimously.*

**E) Review of a Development Agreement with Cingular Wireless for cellular equipment at the Village Hall, 4800 W. Green Brook Drive.**

Mr. Piotrowski reviewed the proposal.

Trustee Schilz asked if the name “Cingular” should be edited on the document to reflect the change to AT&T. Attorney Boyle replied that this change would be made by Staff.

*It was moved by Commissioner Stone and seconded by Commissioner Bellehumeur to recommend approval of making continuous the Development Agreement with Cingular Wireless for cellular equipment at Village Hall, 4800 W. Green Brook Drive to the Village Board. The motion carried unanimously.*

**VII. ADJOURNMENT**

*It was moved by Commissioner Raffensperger and seconded by Commissioner Schmitz to adjourn at 8:19 P.M. The motion carried unanimously.*

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Jesse Thyes  
Assistant Village Manager/Community Services Director