

**BROWN DEER PLAN COMMISSION  
DECEMBER 13, 2010 MEETING MINUTES  
HELD AT THE BROWN DEER VILLAGE HALL  
4800 WEST GREEN BROOK DRIVE**

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

**I. ROLL CALL**

Present: President Carl Krueger; Trustees: Jeff Baker, Tim Schilz; Commissioners: Ryan Schmitz, Susan Bellehumeur, Bill Hoffmann, Lee Jones

Also Present: Russell Van Gompel, Village Manager; Jesse Thyges, Assistant Village Manager; Nathaniel Piotrowski, Planning and Zoning Specialist; Rebecca Boyle, Village Attorney

Excused: Commissioner Dan Bednar

**II. PERSONS DESIRING TO BE HEARD**

None.

**III. CONSIDERATION OF MINUTES: October 11, 2010 – Regular Meeting**

*It was moved by Commissioner Schmitz and seconded by Commissioner Hoffmann to approve the regular meeting minutes of October 11, 2010. The motion carried unanimously.*

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

Mr. Van Gompel reported that the Village Board recently agreed to the sale of the remaining Community Development Authority land adjacent to the new Deerwood Crossing development. The land would be sold to Jewish Family Services in order to facilitate a proposed expansion to the Deerwood Crossing project. He also indicated that the Village budget was recently completed and 2010 tax bills were being sent out this week. He added that Village Staff also met with representatives of the Wisconsin Department of Transportation to discuss pedestrian improvements, aesthetics and traffic signal possibilities along the Brown Deer Road corridor. Mr. Piotrowski reported that Village Staff is in the process of a final review of plan documents and construction specifications for the Original Village streetscape project. Plans are to be finalized and ready for bid by the first week of February.

**V. UNFINISHED BUSINESS**

None.

**VI. NEW BUSINESS**

- A) Public Hearing for a conceptual review and possible rezoning for a proposed multi-family apartment building on the south side of the 4300 block of West Bradley Road.**

Mr. Piotrowski reviewed the proposal and introduced the applicants.

President Krueger opened the public hearing at 7:08 p.m.

Michael Weiss and Sig Strautmanis of General Capital Group reviewed the site's development history and the current proposal. Sylvan Leabman of Jewish Family Services (JFS) discussed the organization's role in the project including its location of office space on the first floor along with its oversight of approximately 20 units that will be reserved for disabled individuals. Tom Klein from Oakbrook Corporation discussed their role as property manager.

John Jansen, 5208 W. Willow Street asked what zoning restrictions would apply to the development of the remainder of the site. Mr. Piotrowski replied that if anything other than the previously approved condominium arrangement was proposed it would need to return to the Plan Commission and Village Board for a public hearing on a change to the

approved conceptual plan.

Shane Kraft, 4536 W. Woodale Avenue stated that he was concerned about more rental property in the area and what might happen to the rest of the site.

Barbara Balistreri, 5265 W. Woodland Drive said that she was in favor of the proposal and the services that JFS would provide for persons with disabilities.

Elaine Lotty, 4502 W. Woodale Avenue asked about the impact the new project would have on the local sanitary and storm sewers. She added that properties along Woodale have long suffered from flooding. Mr. Van Gompel replied that measures have been taken to address the local flooding and that Staff would review the project's civil design to ensure it would not further exacerbate the issues in the area.

Yvonne, Ellenberger, 4514 W. Woodale Avenue stated that she was concerned about the growing number of multiple family dwellings in the area and the negative impact some of these properties have on single family residential property values. She added that she was concerned about noise from the new complex and requested substantial landscape buffering for the properties on Woodale Avenue.

Leslie Latsch, 7840 N. 45<sup>th</sup> Street indicated that she was not in favor of adding more multiple family apartments to the neighborhood.

Beverly Post, 4134 W. Fountain Lane asked what the impact of this new multiple family apartment building would be on the School District. Michael Weiss replied that he expected many of the residents would be older and likely to come from the existing JFS waiting list for Deerwood Crossing. He added that if this held true there would be a negligible impact on the School District.

Mary Cahill, 4912 W. Fairy Chasm Court indicated that she was in support of the project as proposed.

Bonnie Nestor, 3805 W. Kirchhoff Avenue stated that she was in favor of the project because it meets the needs of the disabled.

Karen Carona, 8048 N. 44<sup>th</sup> Street stated that she was not in favor of the project unless it was managed properly by a company that has a long term commitment to the site. Mr. Leabman replied that Jewish Family Services would be required by WHEDA, through whom they are seeking financial assistance, to maintain ownership of the site for a minimum of 15 years. He added that JFS has continued to own and operate all properties within their portfolio, some of which date back 27 years.

Patty Freuler, 9189 N. Fairy Chasm Lane, spoke in favor of the project as it would serve a portion of the community with special needs.

Ellen Schimenz, 5705 W. Wahner Avenue stated that she felt the development would help to support a large percentage of disabled children currently in the Brown Deer School District. She added that she has experience in dealing with JFS Staff and found their work to be exemplary.

Barb Fleming, 4995 W. Fairy Chasm Court spoke in favor of the project and felt that the track record of the development and management team would ensure the project's success and quality over the long term. She asked if the building could be flipped to limit the impact of a three story exposure on Bradley Road. Mr. Strautmanis explained that the desire for the current orientation was to provide a welcoming and sunny south facing courtyard. He also added that having the Community Center and office space on the first floor along Bradley Road would help to activate the street and provide a buffer to residents above.

Peg Grafwallner, 8563 N. 62<sup>nd</sup> Street spoke in favor of the project.

Karen Gosse, 6559 W. Pierner stated that she was in favor of this phase of the build out of Bradley Village but that she was concerned about adding too many units to the site with the potential for different management.

Judy Bayha, 4961 W. Fairy Chasm Court spoke in favor the proposal.

President Krueger closed the public hearing at 8:40 p.m.

Commissioner Bellehumeur asked what this proposal would do to the Tax Incremental Financing District. Mr. Van Gompel explained some of the implications to the district by adding a project of this scale.

Commissioner Hoffmann asked if the value of the rental units would equal the value of the earlier proposed condominium units. Mr. Van Gompel replied that he felt the value would be close but not quite as great however he stated that the Plan Commission should focus on land use issues and allow the financial discussion to take place at the Community Development Authority and Village Board levels.

Commissioner Bellehumeur asked about the parking demands for the project. Mr. Strautmanis explained the additional parking would be shared between all users both commercial and residential and that there would also be at least one underground parking space for each unit. Mr. Piotrowski replied that a thorough parking analysis would be needed as the plan develops to ensure that there are not any great shortages or excesses in parking.

Mr. Van Gompel asked General Capital Group to explain how the architecture of the facility might help to mitigate some concerns over the building's height. Mr. Strautmanis indicated that roof styles, shorter bump outs and changes in building materials and orientation could all be used to help provide a façade that appears less domineering.

Commissioner Bellehumeur asked what the first floor space could be used for if not for JFS offices and a community center. Mr. Strautmanis replied that the space could be modified for other office users or into apartments if needed.

Trustee Baker asked if the western elevation of the southern commercial building could be modified to make it more inviting given that it would be facing the new building's courtyard. Mr. Weiss replied that this has not been considered due to businesses commonly needing a "back of house" space. However, he added that small changes in lighting and the possible addition of glass doors could be used to help make that exposure more inviting.

Trustee Schilz stated that he was comfortable with the project from a land use perspective and with the building layout and massing. He felt that further plans would need to clarify civil engineering details, parking demand and stormwater management.

Trustee Baker asked if Oakbrook Corporation had any experience with managing disabled residents. Mr. Klein stated that JFS would handle the management of the disabled population while Oakbrook would handle general property maintenance and the management of the remaining residents.

*It was moved by Commissioner Hoffman and seconded by Commissioner Jones to recommend approval of the modified Bradley Village conceptual plan for a multiple family apartment complex and associated parking in the 4300 block of W. Bradley Road to the Village Board. The motion carried unanimously.*

**B) Review and recommendation of a Development Agreement with Commonwealth Cultural Resources Group for a business office at 8669 N. Deerwood Drive**

Mr. Piotrowski reviewed the proposal and introduced the applicant Katie Egan-Bruhy of Commonwealth Cultural Resources Group.

Mr. Schmitz asked for a clarification on the company's main business activity. Ms. Egan-Bruhy replied that the firm specializes in analyzing preservation law along with historically significant sites, neighborhoods and buildings for private groups and governmental agencies such as the Departments of Transportation and Natural Resources.

President Krueger asked if the firm was buying the building. Ms. Egan-Bruhy replied that they would be.

Commissioner Bellehumeur asked if the business was comfortable with the hours of operation in the development agreement. Ms. Egan-Bruhy replied that the business was comfortable with the hours.

*It was moved by Commissioner Bellehumeur and seconded by Commissioner Schmitz to recommend approval of the Development Agreement with Commonwealth Cultural Resources Group for a business office at 8669 N. Deerwood to the Village Board on condition that a revised site plan be submitted as an exhibit. The motion carried unanimously.*

**C) Review and recommendation of a Development Agreement modification for Walgreens, 6020 W. Brown Deer Road**

Mr. Piotrowski reviewed the proposal and indicated that the modification to the development agreement was needed to allow a Redbox DVD rental station to be located on the outside of the building. He also introduced, Brian Pedersen, the agent from Redbox.

Trustee Schilz asked how the Redbox was illuminated. Mr. Pedersen replied that the box came with a light that was motion activated from dusk until dawn.

Trustee Baker asked if the box was equipped with cameras. Mr. Pedersen replied that it was not but that the Walgreens store cameras may cover the location. Trustee Baker also asked why the Redbox was removed from the Walgreens on Teutonia Avenue and Good Hope Road and if the Redbox could be located inside the store. Mr. Pedersen replied that he was unsure as to the status of the other location and added that contractually all Redboxes needed to be located outside at Walgreens. Trustee Baker also asked if the Redbox could limit its hours of operation, what happens in cases of excessive vandalism and if Redbox had looked at placing the device on the south side of the building. Mr. Pedersen replied that Redbox needed to remain accessible 24 hours a day, that they removed boxes that were repeatedly vandalized and that they had not explored the south side of the building as a location for the unit.

Commissioner Schmitz asked for a clarification of Staff concerns related to the project. Mr. Piotrowski replied that Staff concerns centered on issues from the Police Department about the additional crime such a system could produce. Mr. Van Gompel also added that Staff was concerned with the precedent it would set in the community, the visual clutter it creates outside a store and the opportunity for junk and trash to accumulate by the vending machine.

*It was consensus of the Plan Commission to table the request for a modification of the Development Agreement for Walgreens, 6020 W. Brown Deer Road. The Commission asked that more information about the security camera system, the security lighting options, the restriction of other types of vending machines and the preferred location of the Redbox be presented at the following meeting.*

**VII. ADJOURNMENT**

*It was moved by Commissioner Schmitz and seconded by Commissioner Hoffmann to adjourn at 9:46P.M. The motion carried unanimously.*

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Jesse Thyges  
Assistant Village Manager