

**BROWN DEER PLAN COMMISSION
JUNE 14, 2016 MEETING MINUTES
HELD AT THE BROWN DEER VILLAGE HALL
4800 WEST GREEN BROOK DRIVE**

The meeting was called to order by President Krueger at 6:30 P.M.

I. ROLL CALL

Present: President Carl Krueger; Trustees: Tim Schilz, Jeff Baker; Commissioners: Jeff Jaroczynski, Ryan Schmitz, Dan Bednar

Also Present: Michael Hall, Village Manager; Nate Piotrowski, Community Development Director; Village Attorney Rebecca Boyle; Police Captain Robert Halverson

Excused: Commissioners: Al Walters, Bill Hoffmann

II. PERSONS DESIRING TO BE HEARD

Rob Gilbert, 8041 N. Cedarburg Road stated that he was opposed to the 24-hour gas station proposal and stated that he had hoped for a better use than a gas station.

Jim Farmer, 8041 N. Cedarburg stated that a 24-hour gas station and convenience store would not be a positive for the community.

III. CONSIDERATION OF MINUTES: May 9, 2016 – Regular Meeting

It was moved by Commissioner Schmitz and seconded by Commissioner Jaroczynski to approve the regular meeting minutes of May 9, 2016. The motion carried unanimously.

IV. REPORT OF STAFF/COMMISSION MEMBERS

Mr. Piotrowski reported that the Farmer's Market opens on Wednesday, June 15th from 9am -6pm and that the first Community Vibes was also that evening from 6-8:30pm.

V. UNFINISHED BUSINESS

None.

VI. NEW BUSINESS

A) Review and Recommendation of a permanent Conditional Use Permit for a commercial dance studio at 9036 N. 51st Street

Mr. Piotrowski reviewed the proposal and also discussed the three other conditional use permit reviews that were on the agenda.

Commissioner Schmitz asked if a separate motion was required for each. Mr. Piotrowski replied that a separate motion was required.

It was moved by President Krueger and seconded by Trustee Schilz to recommend approval of the permanent conditional use to the Village Board. The motion carried unanimously.

B) Review and Recommendation of a permanent Conditional Use Permit for a self-service storage warehouse at 4059 W. Bradley Road

It was moved by Commissioner Schmitz and seconded by Commissioner Jaroczynski to recommend approval of the permanent conditional use to the Village Board. The motion carried unanimously.

C) Review and Recommendation of a permanent Conditional Use Permit for a cellular tower, antennas and equipment shelter at 5600 W. Bradley Road

It was moved by Commissioner Bednar and seconded by Trustee Schilz to recommend approval of the permanent conditional use to the Village Board. The motion carried unanimously.

D) Review and Recommendation of a permanent Conditional Use Permit for a cellular tower, antennas and equipment shelter at 8200 N. 60th Street

It was moved by Trustee Baker and seconded by Commissioner Schmitz to recommend approval of the permanent conditional use to the Village Board. The motion carried unanimously.

E) Review and Recommendation of a conditional use permit for an automobile service station, convenience store, automobile laundry and drive-thru at 9001 N. Green Bay Road

Mr. Piotrowski reviewed the proposal and introduced the applicant Rick Walia. He noted that the applicant was now requesting the convenience store, gas station and car wash to be open 24 hours.

Captain Halverson presented the finding of the Police Department with respect to public safety concerns with other 24 hour operations in surrounding communities. He noted that the Police Department did not find significant increases in criminal activity during the hours currently disallowed by Village ordinance at locations outside Brown Deer.

Trustee Schilz asked the applicant if liquor sales were to be requested. Mr. Walia replied that he was not requesting liquor sales at this time. Trustee Schilz stated that he was not comfortable with the proposed 24 hour request and the deviation from Village ordinance.

Commissioner Schmitz asked what the second floor was to be used for if the apartments were eliminated. Mr. Walia replied that this would be used as office space for his business. Commissioner Schmitz added that he was not comfortable with the deviation from the Village's prohibition on 24 hour business operation.

Trustee Baker stated that he was concerned about the lack of a national tenant for the retail space. Mr. Walia replied that his company proposed to operate a fast food concept in the retail space that he has already brought to another location and which he felt could be successful.

Mr. Hall asked if there would be a diesel pump. Mr. Walia replied that there would be diesel.

Trustee Schilz asked if police squads fueled overnight. Captain Halverson replied that they do. Trustee Schilz suggested allowing the option of 24 hour pay at the pump in the conditional use permit.

It was moved by President Krueger and seconded by Commissioner Schmitz to recommend approval of the conditional use permit with the allowance only for 24 hour "pay at the pump" to the Village Board. The motion carried unanimously.

VII. ADJOURNMENT

It was moved by Commissioner Schmitz and seconded by Commissioner Jaroczynski to adjourn at 7:06 P.M. The motion carried unanimously.

