

**BROWN DEER PLAN COMMISSION
JULY 12, 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 7:01 P.M.

I. ROLL CALL

Present: President Carl Krueger; Trustee: Jeff Baker; Commissioners: Ryan Schmitz, Susan Bellehumeur, Dan Bednar, Lee Jones

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

Excused: Trustee Tim Schilz; Commissioner Bill Hoffmann

II. PERSONS DESIRING TO BE HEARD

None

III. CONSIDERATION OF MINUTES: May 10, 2010 – Regular Meeting

It was moved by Commissioner Schmitz and seconded by Commissioner Bellehumeur to approve the regular meeting minutes of May 10, 2010. The motion carried unanimously.

IV. REPORT OF STAFF/COMMISSION MEMBERS

Mr. Van Gompel stated that the Jewish Family Services project was largely completed and residents had begun to move in. He also added that Sammy's Express restaurant at 4102 W. Bradley Road recently closed.

Commissioner Schmitz asked about the progress of construction at 8200 N. Teutonia Avenue. Mr. Thyges reported that a stop work order was issued by the Inspection Department and that the owners were seeking a new project manager to move the effort forward. Mr. Thyges also reported that plans for signals at Arbon Drive and Brown Deer Road are out for bid with construction scheduled between August and mid October.

Mr. Piotrowski stated that a new tenant space for a Haagen Dazs and Coffee Beanery restaurant was under construction at 4301 W. Bradley Road.

V. UNFINISHED BUSINESS

None.

VI. NEW BUSINESS

A) Development Agreement with Larry's Market, 8737 N. Deerwood Drive

Mr. Piotrowski reviewed the proposal and introduced the applicant, Steve Ehlers. He also added that the applicant requested a change in the proposed delivery hours to 6:30 a.m.

Trustee Baker asked if the overall business hours should be regulated in the development agreement. Mr. Piotrowski replied that the hours would be regulated simply by the Village Code which restricts hours of operation to 6 a.m. until 11 p.m. Mr. Ehlers added that the store is open for business from 8 a.m. until 6 p.m. and he does not intend to change the hours at this point.

President Krueger asked if the agreement included any restriction as to the number of outdoor tables and chairs. Mr. Van Gompel replied that no such restriction is included.

Commissioner Bellehumeur asked if the development agreement restricted the location for outdoor seating. Mr. Piotrowski indicated that outdoor sales would generally be restricted to the southern end of the property but that outdoor seating was permitted throughout the entire parcel of land.

It was moved by Commissioner Bellehumeur and seconded by Commissioner Jones to recommend approval of the Development Agreement with amended delivery hours of 6:30 a.m. until 5:00 p.m. for Larry's Market to the Village Board. The motion carried unanimously.

VII. ADJOURNMENT

It was moved by Commissioner Schmitz and seconded by Commissioner Bednar to adjourn at 7:20P.M. The motion carried unanimously.

Jesse Thyges
Assistant Village Manager