

**BROWN DEER PLAN COMMISSION
APRIL 12, 2021 MEETING MINUTES
HELD VIRTUALLY AT 1-312-626-6799 Meeting ID: 816 8531 3361**

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

I. ROLL CALL

Present: President Wanda Montgomery; Trustees Jeff Baker, Renee Booker; Commissioners: Ryan Schmitz, Bill Hoffmann, Darryl Johnson, Michael Emem, Al Walters, Amos Owens

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

II. PERSONS DESIRING TO BE HEARD

None

III. CONSIDERATION OF MINUTES: October 12, 2020 – Regular Meeting

It was moved by Commissioner Schmitz and seconded by Commissioner Hoffmann to approve the regular meeting minutes of October 12, 2020. The motion carried unanimously.

IV. REPORT OF STAFF/COMMISSION MEMBERS

None

V. UNFINISHED BUSINESS

None

VI. NEW BUSINESS

A) Public Hearing, Review and Recommend a conditional use permit for outdoor restaurant seating and a special accessory patio at 4102 W. Bradley Road

Mr. Piotrowski reviewed proposal and introduced the applicant Wendy Mireles and engineer Justin Johnson.

President Montgomery asked about screening and protection for the patio. Mr. Johnson indicated that there would be elevated planter boxes about 5' high with open fencing between the boxes.

Commissioner Owens asked about the project's timetable. Ms. Mireles indicated they hope to be serving on site this summer and explained the phased approach with exterior work first followed by interior.

Commissioner Walters asked if there was more seating capacity outside than inside. Ms. Mireles stated that this was correct. Much of the interior will be used for kitchen space with an anticipated 20 seat capacity on the interior.

Commissioner Walters asked if the parking on site was adequate and if there would be port-o-johns while the interior remodel occurs. Mr. Piotrowski indicated that per code the number of parking stalls was sufficient. Ms. Mireles noted that they hoped to finalize an agreement with Hansen storage to allow for overflowing parking if needed. She added that they would provide port-o-johns until the interior restrooms were completed.

Commissioner Schmitz asked if the parking lot was going to be repaved and if the patio was covered. Mr. Johnson replied that the parking lot would be repaved and the patio would have some pergola type elements with roofs over portions of the space.

President Montgomery opened the public hearing at 6:50 p.m. There were no public comments. President

Montgomery closed the public hearing at 6:51 p.m.

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

B) Public Hearing, Review and Recommend a conditional use permit for outdoor restaurant seating, special accessory patio and a drive thru at 5091 W. Brown Deer Road

Mr. Piotrowski reviewed the proposal and introduced the applicants Jason Massman and Dawn Balistreri.

Commissioner Johnson asked for a review of the operation. Mr. Massman described the restaurant as vegan friendly with hours projected from 7am until 9pm and around 20 employees with a mix of part and full time.

Commissioner Owens asked if the Brown Deer Road construction would impact the redevelopment. Mr. Massman indicated that it would present some conflicts, but they are prepared to proceed.

Commissioner Emem asked about the closure of the eastern driveway opening. Mr. Piotrowski replied that this closure was required by the Wisconsin Department of Transportation.

Commissioner Emem asked about extending the sidewalk along the building frontage to include the western parking stalls. Mr. Massman stated that they would investigate this option. Mr. Piotrowski encourage this change and added that final civil plans will determine feasibility.

Commissioner Emem asked if there was fencing on the south side of the property and if there were planter boxes for the patio. Mr. Massman replied that there was no fencing and that currently there were no planter boxes for the patio but that the landscape plan would include some decorative elements that are still to be determined.

Commissioner Schmitz asked if the drive thru window could be moved further east to allow for additional stacking. Mr. Massman replied that this would be difficult since it would cut into the dining area. President Montgomery asked if traffic could back up onto the frontage road and block the day care driveway. Mr. Massman replied that this is possible, but he suggested that a limited menu and faster customer service could somewhat address queuing concerns.

Commissioner Johnson asked if the underground fuel tanks had been removed. Mr. Massman replied that they were.

Trustee Booker asked about peak hours for the restaurant. Mr. Massman stated that the lunch hour was typically higher traffic along with mornings.

A discussion ensued as to the possibility of shifting the drive thru window to the east and if the Plan Commission could require this. Mr. Piotrowski advised that the Plan Commission can mandate the change or simply ask to have Staff review feasibility with the applicant.

It was moved by Commissioner Hoffmann and seconded by Commissioner Schmitz to recommend approval of the conditional use to the Village Board and have Staff work with the applicant to determine if the drive thru window could be repositioned to allow for increased stacking of vehicles. The motion carried unanimously.

C) Review and Recommend an amended development agreement for a building addition with Rogers Behavioral Health, 4600 W. Schroeder Drive

Mr. Piotrowski introduced the proposal and Jack Collier from Rogers Behavioral Health.

Commissioner Schmitz asked if the stormwater facility was simply a dry basin and designed solely for the addition. Mr. Collier said that was correct.

Commissioner Hoffmann asked if the parking was sufficient for the addition. Mr. Piotrowski replied that it conformed to code and Mr. Collier noted that they felt it was sufficient with the caveat that propose a bank of extra stalls but would not build them unless conditions warrant.

Commissioner Johnson asked about the calls for service to the existing and proposed facility. Mr. Piotrowski noted that the facility is one of the higher generators of calls in the Village and therefore the current PILOT was being adjusted accordingly. Mr. Collier added that the new addition was planned to be for treatment of individuals with less acute symptoms and less likely to need additional service from Village resources.

Commissioner Emem asked how many new employees the facility would have and if there was adequate parking for the employees. Mr. Collier stated that he expected approximately 50 new employees, but they would be spread out through three shifts. He added that Rogers also has an additional office building and parking lot across the street.

President Montgomery asked if the new facility would service individuals who are court ordered or if they would have voluntary admissions. Mr. Collier stated the new facility was for voluntary admissions.

President Montgomery asked if the construction would interfere was existing patient care. Mr. Collier replied that it would not as the addition is proposed to occur adjacent to offices and not patient rooms.

It was moved by Commissioner Schmitz and seconded by Commissioner Hoffmann to recommend approval of the amended development agreement to the Village Board. The motion carried unanimously.

VII. ADJOURNMENT

It was moved by President Montgomery and seconded by Commissioner Schmitz to adjourn at 7:28 P.M. The motion carried unanimously.



Nate Piotrowski, Community Development Director