

BROWN DEER PLAN COMMISSION
MARCH 13, 2023 MEETING MINUTES
HELD VIRTUALLY AT 1-312-626-6799 Meeting ID: 816 8531 3361
<https://us02web.zoom.us/j/81685313361>

The meeting was called to order by President Montgomery at 6:31 P.M.

I. ROLL CALL

Present: President Wanda Montgomery; Trustees Darryl Johnson, Renee Booker; Commissioners: Jalin Phelps, Ryan Schmitz, Bill Hoffmann, Michael Emem

Also Present: Nate Piotrowski, Community Development Director; Tyler Burkart, Village Manager; Attorney Bri Meyer

Excused: Commissioner April Harris

II. PERSONS DESIRING TO BE HEARD

None

III. CONSIDERATION OF MINUTES: Monday August 8, 2022 – Regular Meeting

It was moved by Commissioner Schmitz and seconded by Commissioner Hoffmann to approve the regular meeting minutes of August 8, 2022. The motion carried unanimously.

IV. REPORT OF STAFF/COMMISSION MEMBERS

Mr. Piotrowski provided an update on the commercial development at the northeast corner of 60th and Brown Deer Roads. He indicated that the developer is now only pursuing a right turn in from Brown Deer Road which would be allowed by the Department of Transportation. He also indicated that the Village's Comprehensive Plan Update should have a draft ready by April or May for review by the Plan Commission.

V. UNFINISHED BUSINESS

None

VI. NEW BUSINESS

A) Public Hearing, Review and Recommendation of a conditional use permit with Car Haven, LLC for Used Car Sales and a Public Automobile Garage at 4685 W. Bradley Road

Mr. Piotrowski reviewed the proposal and introduced the applicant Nader Asha. President Montgomery opened the public hearing at 6:39.

Ahmad Marar, 8057 N. 45th Street stated that he planned to work for the dealership and was in support of the proposal because it would bring jobs and additional economic activity to the area.

Sandra Bicknase, 1438 W. Atkinson Ave. Milwaukee, stated that she was a current employee of Mr. Asha and described him as very good boss and someone who would be a responsible operator for the used car lot.

Mike Johnson, 4527 W. Bradley Road stated that he felt current ownership of the gas station and convenience store was good and he supported the application for a used car sales lot and public automobile garage.

Commissioner Emem asked if the applicant operated any other used car lots. Mr. Asha stated that he did not but had family members that did.

President Montgomery asked if this property previously applied for a wholesale dealer amendment to the conditional

use and if there was previously a used car lot application in the Bradley Road corridor. Mr. Piotrowski replied that there was an application under a former owner for a wholesale dealership that was never reviewed. He added that roughly 10 years ago an application for a used car lot was denied at 4102 W. Bradley Road.

Commissioner Johnson stated that the other automobile repair uses along Bradley Road created nuisance complaints and asked if the gas station and convenience store would remain operational along with the used car lot. Mr. Asha replied that they would. Commissioner Schmitz stated that he felt adding the garage and car lot was squeezing a lot of uses onto one site.

President Montgomery inquired as to the price point of the vehicles. Mr. Asha estimated the price point to be in the \$6,000-\$10,000 range.

Trustee Booker asked if all 15 spaces would be used for vehicles listed for sale. Mr. Asha said it would depend on inventory since much of the marketing would occur online. Trustee Booker stated that he was concerned for the need for significant repair of vehicles beyond the minor repair activity suggested in the application.

President Montgomery noted that the area was primarily residential and was concerned about added traffic from the proposed use. Mr. Asha stated that he expected only 1-3 customers per day since most of the sales activity would be focused online.

Commissioner Emem asked what steps would be taken to address security for the vehicles. Mr. Asha replied that they would look to add more security cameras and he indicated an openness to fencing in a portion of the sales lot.

Commissioner Hoffmann stated his appreciation for the entrepreneurial efforts of the owner but added that the use was not a good fit to be added to the site.

Commissioner Phelps added that the two new uses would create an oversaturation of activity at the site and did not support the proposal.

President Montgomery closed the public hearing at 7:24 p.m.

It was moved by Commissioner Hoffmann and seconded by Commissioner Schmitz to recommend denial of the amended conditional use permit request to the Village Board. The motion carried unanimously.

B) Public Hearing, Review and Recommendation of a conditional use permit with Club Car Wash for an automobile laundry at 6598 W. Brown Deer Road

Mr. Piotrowski reviewed the proposal and introduced Jared Schmidt of Robert E. Lee Engineers who represented the applicant. Mr. Schmidt added that the project would be a fully staffed but automated car wash facility. The car wash would be the company's 18th location in Wisconsin, with over 100 sites nationwide. He added that the car wash represented an approximate \$5-6 million dollar investment.

President Montgomery opened the public hearing at 7:37 p.m.

Jim Kastor (address undisclosed) stated he was opposed to the car wash and was concerned about trash, traffic, loud music and curb appeal.

Jack Hauser, 6501 W. Brown Deer Road stated that he was concerned about curb appeal, placement of the trash enclosure, enforcement of noise, trash and nuisance violations and encouraged additional plantings to block car headlights.

Terri Wright, 5344 W. Glenbrook Rd. asked about Club Car Wash's ownership, philanthropic efforts and security. Mr. Schmidt replied that all sites were corporate owned and operated and the CEO was Roland Bartel. He added that the organization supports national charities and offers local fundraising efforts through membership sales. He noted

that security would include 3-4 staff per shift and security cameras.

Mr. Schmidt added further information to respond to chat questions that included the following responses:

- The car wash would recycle some water and the water and sanitary infrastructure adjacent to the site was sufficient for their plan designs.
- The car wash is primarily member based where users can join and receive discounts for unlimited monthly washes
- Trash would be emptied on the hour and vacuums are only available for use during staffed hours

Louie Giannopoulos, 6598 W. Brown Deer Road stated that he was seeking to retire from the restaurant business and no longer wished to operate the Family Table Restaurant. He felt that the car wash was a good use for the site and would not increase traffic more than what currently exists for his business.

Commissioner Schmitz stated that he preferred other uses besides a car wash at this location.

Trustee Booker stated that he was ok with the car wash at this location as it could potentially spur additional commerce and redevelopment.

Commissioner Emem asked what the Village's Comprehensive Plan said about the location. Mr. Piotrowski responded that the plan did not specifically talk about this site but rather discussed the redevelopment and possible rezoning/reuse of the larger outdated strip mall to the north.

Commissioner Johnson, Phelps and Walters all stated that they felt a car wash was not the best fit for the site.

President Montgomery asked about other Club Car Wash locations in the State of Wisconsin. Mr. Schmidt replied that 6 are currently open in the Fox Valley area and that there are 12 others under construction or in the entitlement process.

Attorney Meyer reminded the Plan Commission that their decision about the conditional use permit needs to keep in mind Wisconsin's Act 67 which requires specific evidence for denial. Mr. Schmidt echoed this sentiment and asked what conditions were not being met by the developer.

President Montgomery closed the public hearing at 8:25 p.m.

It was moved by Commissioner Walters and seconded by Commissioner Hoffmann to table the request.

President Montgomery and Manager Burkart asked for clarification on the motion with respect to reasoning and length of timetable for future review. *Commissioner Walters amended his motion* to include a tabling for 30-60 days, further information on Act 67 legislation and to schedule a public information meeting before the next Plan Commission review.

Commissioner Hoffmann seconded the amended motion to table the request for 30-60 days, further information on Act 67 legislation and to schedule a public information meeting before the next Plan Commission review. The motion carried unanimously.

C) Review and Recommendation on making the conditional use permit for a Motor Vehicle Sales Establishment at 9055 N. 51st Street, Unit B permanent

Mr. Piotrowski reviewed the permit and indicated that Staff did not identify any issues since the business opened and therefore recommended making the use permanent.

It was moved by Commissioner Hoffmann and seconded by Commissioner Schmitz to recommend making the permit permanent to the Village Board. The motion carried unanimously.

D) Review and Recommendation on making the development agreement with Fabric Lab at 8759 N. Deerwood Drive permanent

Mr. Piotrowski reviewed the agreement and indicated that Staff did not identify any issues since the business opened and therefore recommended making the use permanent.

It was moved by Commissioner Schmitz and seconded by Commissioner Hoffmann to recommend making the agreement permanent to the Village Board. The motion carried unanimously.

E) Review and Recommendation on making the conditional use permit for warehousing at 7649 N. Teutonia Avenue permanent

Mr. Piotrowski reviewed the permit and indicated that Staff did not identify any issues since the business opened and therefore recommended making the use permanent.

It was moved by Commissioner Schmitz and seconded by Commissioner Walters to recommend making the permit permanent to the Village Board. The motion carried unanimously.

VII. ADJOURNMENT

It was moved by President Montgomery and seconded by Commissioner Schmitz to adjourn at 8:46 P.M. The motion carried unanimously.



Nate Piotrowski, Community Development Director