

The meeting was called to order at 6:30 p.m. by Chair D. Besson.

- 1.0 **Roll Call** – Present: Commissioners: N. Brody, T. Brinkmeier, A. Fritz, C. Stipe and Chair D. Besson. Commissioners S. Bigler and P. Fedele absent. Staff: Village Administrator S. Kulik, Village Planner M. Shapiro. Audience (6).
- 2.0 **Minutes – April 21, 2025 - Motion** (Fritz, Stipe) to approve minutes as presented: motion passes 5-0-2.
- 3.0 **[Public Hearing – 6:30 p.m.] Conditional Use Application –5552 D 108th Street, Octane Coffee and site plan review** – S. Kulik read the notice. D. Besson opened Public Hearing at 6:32 p.m. Adrian Deasy and David Raschke, W237N2878 Woodgate Rd, Ste 4, Pewaukee, WI 53072 presented their request for a conditional use permit to allow a drive through use in a B-1 Shopping Center District. D. Besson inquired if there was any member of the public who wished to address the Commission on the request. No public comments. Commission members expressed concerns relative to metal siding limitations noted in the planner report. Signage as proposed exceeds the limit per code which limits siding to 2, 40 square foot signs and the proposal included the logo sign which would then be 3 total signs. Commission expressed concerns that lighting for the menu board and proposed building lights be dimmable. Applicant reported that lights are dimmable, that the menu boards automatically dim after a period of time in which it is not in use. Commissioners requested data regarding peak hours and how long cars are in the queue waiting to receive their order. D. Besson commented that he wanted to require the demolition and restoration of the site in the event the store should ever close. A. Deasy commented that the peak hours were 6:30 a.m. to 9:00 a.m. at their other site, that there is approximately a 15 to 20 second wait time as the system order is on the online platform so no one is on site collecting funds as it is all done through the app. **Matter was in abeyance and public hearing continued until July 21, 2025.** Applicant is requested to provide video of menu board during night operations, sample of the siding material proposed with color options and produce documentation relative to joint access frontage road of site as allowable or not opposed to be adjacent businesses.
- 4.0 **[Public Hearing – 7:00 p.m. or immediately following item 3.0] -Conditional Use Application – 5652 S. 108th Street, Cousin’s Subs and site plan review** – S. Kulik read the notice. D. Besson opened the public hearing at 7:35 p.m. Tom Jones, 5652 S. 108th Street, Hales Corners presented the request for a conditional use permit to allow a drive through use in a B-1 Shopping Center District. D. Besson inquired if there was any member of the public who wished to address the Commission on the request. No public comments. M. Shapiro, Village Planner reported on the request. T. Brinkmeier asked if the menu boards would be dimmable and if a barricade would be placed on the entrance farther down Parnell Ave to prevent back up traffic on the street. T. Jones commented that the menu board is dimmable and is turned off when the store is closed. He commented that the queue for cars in the drive through lane is approximately 12 cars and that they also have three dedicated parking stalls for customers to pull forward to await their orders, but conceded it is possible that a vehicle could come through that way but unlikely to be a backup on Parnell. S. Kulik commented that the barricade would be more of a safety concern if a vehicle hit it when pulling in and it could go airborne into other vehicles. D. Besson asked about the signage on the dedicated stalls. S. Kulik reported that there are only 3 and they are less than 2 square feet and as such are not regulated by the Village Code.
Motion (Brinkmeier, Stipe) to approve conditional use application and site plan as presented subject to the following requirements:

- 1) The menu board has a dimmer function;
- 2) The parking layout and striping is installed and painted as presented.

Motion passes 5-0-2.

5.0 Site Plan Review – 5250 S 108th Street, GameDay Men’s Health sign plan review - Zach Kleinschmidt, 1826 W. Glendale Ave., Milwaukee presented the sign proposal. M. Shapiro read the staff report. D. Besson commented that the requested signage at 78 square feet was 58 square feet larger than the Village Code permitted, which is 16 square feet plus 4 square feet as the building was set back from the roadway. Z. Kleinschmidt commented that the box around the sign due to the leaf branding on the edges made the sign 78 square feet. In actual footage it is more like 63 square feet if the bare areas are not included as part of the overall signage. C. Stipe commented that the signs is similar to the previous signage but that the leaf logo seemed to be the issue. That the letters on the proposed sign are 20 inches and the leaf is 30 inches. He asked if the footprint could be reduced overall to the 58 square feet to be more consistent with other signs at the location. Z. Kleinschmidt reported that they could make that work.

Motion (Brinkmeier, Fritz) to approve signage subject to the following conditions;

- 1) Lighting for sign includes capability to dim lumens and shall conform to light standard of adjacent signs; and
- 2) Signage to limited to 58 square feet in total for channel letters and leaf logos;

6.0 Site Plan Renewal – 9304 W. Grange Ave – R. Perez garage - Ramon Perez, 9304 W. Grange Ave addressed the Commission regarding the request. S. Kulik read through staff report and commented that this was a previously approved plan but it had expired due to time limitations set in 2023. She commented that they could renew it but recommended a 12 month completion requirement in addition to all other requirements from previous approval from July, 17, 2023.

Motion (Stipe, Fritz) to approve subject to the following conditions:

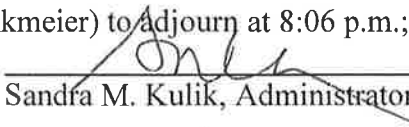
- a) Shed to be removed from the property;
- b) Deed restriction placed on accessory structure to prohibit residential occupancy from ever occurring;
- c) No burning of construction materials or debris is permitted;
- d) Height of structure to be 19 feet 10 inches;
- e) Applicant confirm no business, trade, or industry will be conducted that is prohibited by the home occupations section of Code;
- f) Applicant confirms and submits required renderings and/or drawings that indicate the finishing materials will match and/or complement the existing single-family dwelling or will be of neutral colors as required by Code prior to being issued a building permit;
- g) The hours for construction work are to be from 8:00 a.m. to 7:00 p.m.;
- h) The Permit allows for construction of the detached garage as proposed and staging must be for this project only and no other equipment or materials for any other project may be stored on site; and,
- i) Note: Pursuant to the requirements of Section 445-14.1(A), a separate Building Permit shall be required before any project work can commence.
- j) Application will install proper erosion control, if required to protect neighboring parcels and/or Municipal Right-of-Way from debris and materials that result from construction.
- k) Applicant confirms no sewer and/or water utilities will be installed for the garage.
- l) Applicant to provide a grading plan showing how the area around the garage will drain and match back into existing conditions.

m) Submission of plans to be approved by staff that identifies drainage will not impact adjacent properties.

n) Structure must be complete within twelve (12) months of approval.

Motion passes 5-0-2.

7.0 Adjournment – Motion (Stipe, Brinkmeier) to adjourn at 8:06 p.m.; motion passes 5-0-2.



Sandra M. Kulik, Administrator/Clerk