VILLAGE OF THIENSVILLE
PLAN COMMISSION
MINUTES

DATE: **Tuesday, December 3, 2019** **LOCATION:** **Village of Thiensville**
250 Elm Street

TIME: **6:00 PM**

I. CALL TO ORDER

Chairman Mobley called the meeting to order at 6:00 PM.

II. ROLL CALL

Chairman:	Van Mobley	
Commissioners:	Mike Dyer	Sarah Hughes
	Rick Gattoni	Ken Kucharski
	Carol Gengler	Dan Luedtke
Planner:	Jon Censky	
Administrator:	Colleen Landisch-Hansen	
Director of Community Services/Public Works:	Andy LaFond	

III. BUSINESS

A. Approval of Minutes
1. October 8, 2019

MOTION by Commissioner Luedtke, **SECONDED** by Commissioner Dyer to approve the October 8, 2019 Minutes. **MOTION CARRIED UNANIMOUSLY.**

B. Review and approval of Certified Survey Map to Divide Parcel No. 12-050-01-21-000, 523-525 Green Bay Road Into Lot 1 and Lot 2, Scott W. Gad

Scott W. Gad is requesting approval of a Certified Survey Map dividing the existing 1.13 acre parcel located at 523-525 Green Bay Road into two separate lots. The lots will total 31,135 square feet and 18,239 square feet in size. Lot 1 will front Green Bay Road and Lot 2 will front Lake Bluff Road over an existing drive.

Planner Censky's review indicates full compliance with the dimensional requirements of the R-1 Single Family Residential District and has no objection to this request.

MOTION by Commissioner Gattoni, **SECONDED** by Commissioner Dyer to approve Certified Survey Map to Divide Parcel No. 12-050-01-21-000, 523-525 Green Bay Road Into Lot 1 and Lot 2, Scott W. Gad. **MOTION CARRIED UNANIMOUSLY.**

C. Review and recommendation to the Village Board for a Land Use Amendment From the Institutional Classification to the Single-Family Residential Classification for the School and the Office Classification for the Former Church and Rezone From I-1 Institutional District to R-2 Single-Family Residence District and B-3 Office and Professional Business District, Devo Management Company, LLC, Greg Devorkin, 116 North Orchard Street and 138 Buntrock Avenue (Tax Parcel ID No. 12-050-06-20-001), 124 North Orchard Street (Tax Parcel ID No. 12-075-02-15-002), 12-050-06-22-007, 12-075-02-17-000 and 12-075-02-16-000. Also, Commissioners will review and recommend the Preliminary Plat for the Redevelopment Project.

Greg Devorkin and Fred Bersch were in attendance to discuss plans to redevelop the former Lumen Christi property at the corner of Buntrock Avenue and North Orchard Street into a unified planned mixed office and single-family development. The project consists of ten new single-family lots with homes to be unified in design and size with the former church being converted into light office use. The ten new lots will be 7,188 square feet in size.

Planner Censky explained that land use and zoning need to be consistent. To accomplish this change, the Comprehensive Land Use Plan for this site will need to be changed from the Institutional classification to the Office classification for the former church parcel and to the Single-Family Residential classification for the former school property. The underlying basic use zoning district will need to be changed from the I-1 Institutional District to the R-2 Single Family Residential District for the former school site and the B-3 Office and Professional Business District for the former church.

Planner Censky explained that a Planned Development Overlay District is an Overlay Zoning intended to provide flexibility in applying the regulations and standards of the basic use underlying district to achieve a unified and planned development of a site in single, partnership or corporate ownership. This is a tool that allows the Village Board, following a recommendation from the Plan Commission, to consider modifications for such things as lot size and width requirements, yard and setback standards and density requirements to a maximum of 22 units/acre.

Staff review of the plans indicates that the project conforms to the density limits of the R-2 District, however, falls short on other regulations:

1. R-2 Single-Family Residential District: Lots shall have a minimum area of 6,800 square feet and shall not be less than 60 feet in width. The proposed width for lots 2 through 11 is 50 feet.

2. Office/Professional Service District: There shall be a minimum side yard on each side of all buildings not less than 15 feet. The side yard along the north side of the existing church is 5.4 feet.

3. PDO Ordinance: The entire land to be included in a PDO District shall be held under single ownership or if there is more than one (1) owner, the petition for such Planned Development Overlay District shall be considered as one (1) tract, lot or parcel, and the legal description must define said PDO as a single parcel, lot or tract and be so recorded with the Ozaukee County Register of Deeds office. This project will initially be approved and processed as one planned development under signal ownership with uniform home design and size, the lots will, however, ultimately be sold to separate owners.

A PDO Ordinance ties this project together as one unified development. If there is any significant change to that plan, the rezoning process would have to occur. Many times when dealing with large PDO projects, it is under one ownership. In a situation like this, it is the zoning that unifies the development.

Chairman Kucharski stated that the developer appears to have listened to the neighborhood and believes that the proposed project fits into the neighborhood. Chairman Kucharski would like to see the lots at 60 feet wide, however, is okay with the proposed 50 feet. Planner Censky indicated that it is not unusual to have a 50 foot wide lot.

It was clarified that the garages will be attached, not detached.

The only deviation from setback is the first lot to the north of the church.

Commissioner Dyer inquired if the existing storm sewer will be altered. Mr. Bersch stated that they do not want to create a subdivision association so the intention is to use the storm sewer which currently provides the site drainage. The drainage, after they remove what is probably 95% lot coverage with building and parking lot, will leave about 50% greenspace but will still drain to the rear yard. Director of Community Services/Public Works LaFond suggested the sump pumps be connected to the storm sewer. An easement document will be created for the drainage. The storm sewer will be the only tie these 11 lots will have to one another and will go to an existing storm manhole in Buntrock Avenue.

There will be four parking lots for the office. Instead of removing the existing sidewalk in front of the church and removing the more substantial trees in the front, it was decided that they will dedicate the existing sidewalk which is on private property to the Village.

Commissioner Gattoni asked how the homes will be marketed. Mr. Bersch stated that the lots will be sold as a home/lot package. The intention would be to have some representation at the Metropolitan Builders Association Home Show in early January to hit the ground running with a new opportunity in Thiensville. The goal is to have the home/lot packages in the $325,000-$375,000 range.

Because of the landscape, Commissioner Gengler inquired if the homes will be designed with an exposed basement. Exposure for a smaller lot home is very expensive because of retaining walls and decks. Mr. Bersch stated that the grade change from the sidewalk to the rear parking lot is just slightly over 8 feet so significant exposure will not be needed.

MOTION by Commissioner Dyer, **SECONDED** by Commissioner Gengler to recommend to the Village Board to Adopt a Land Use Amendment from the I-1 Institutional Classification to the R-2 Single-Family Residential Classification for the School and the B-3 Office Classification for the Former Church, Devo Management Company, LLC, Greg Devorkin, 116 North Orchard Street and 138 Buntrock Avenue (Tax Parcel ID No. 12-050-06-20-001), 124 North Orchard Street (Tax Parcel ID No. 12-075-02-15-002), 12-050-06-22-007, 12-075-02-17-000 and 12-075-02-16-000. **MOTION CARRIED UNANIMOUSLY.**

MOTION by Commissioner Dyer, **SECONDED** by Commissioner Gattoni to recommend to the Village Board to Rezone from I-1 Institutional District to R-2 Single-Family Residence District and B-3 Office and Professional Business District and Approve a PDO Overlay to be Consistent with Land Use, Devo Management Company, LLC, Greg Devorkin, 116 North Orchard Street and 138 Buntrock Avenue (Tax Parcel ID No. 12-050-06-20-001), 124 North Orchard Street (Tax Parcel ID No. 12-075-02-15-002), 12-050-06-22-007, 12-075-02-17-000 and 12-075-02-16-000. **MOTION CARRIED UNANIMOUSLY.**

D. Review and approval of Addition/Alteration-Materials (Same as Previously Approved), Dormers, Front Porch, Back Porch, Fence, Accessory Structure/Storage Container, Michael Koepke, LTK Interiors, 127 South Main Street

Mike Koepke submitted addition/alteration plans for his residence at 127 South Main Street.

Planner Censky indicated that there are no objections to the changes being proposed to the house. The fence looks very nice and complies with the height restriction of 6' in the Central Business District. The only question Mr. Censky had was with respect to the steel storage container and how it will be utilized. The roof will be a flat rubberized roof with a small overhang and the sides would be out of the fence material. Planner Censky indicated that this definitely improves the look of a storage container. The question before the Commission is if the Commission supports Mr. Koepke's use of a storage container as a storage structure, then Mr. Koepke would have to go before the Zoning Board of Appeals to get a variance for the size. Mr. Koepke indicated that he planned to use the structure as a screened-in porch and storage. The storage container for a nearby property, 107 Buntrock Avenue, is associated with a Conditional Use i.e. outdoor beer garden.

Mr. Gattoni is not in favor of the storage container/metal crate as a screened-in porch. Mr. Koepke indicated that the container would not be visible as it is enclosed by the fence. Chairman Kucharski stated that the container does not meet the size requirements and does not support the use of storage containers. Chairman Dyer believes that the storage container is the same as putting a pod on the driveway which need to be removed after 30 days. Chairman Dyer does not see the difference between the pods and this request.

Director of Community Services/Public Works LaFond asked to consider the house remodel/alteration this evening and the storage shed separately for further research, clarification and consideration. Planner Censky agreed and recommends approval of the project without the storage shed. A variance can be sought through the Zoning Board of Appeals.

The property at 127 South Main Street is zoned B-1 Central Business District. Planner Censky suggested that if this storage container is approved by the Plan Commission, that this is a qualification that is only allowed in the Central Business District.

Trustee Kucharski asked that if this storage container goes before the Zoning Board of Appeals, that he would like the Zoning Board of Appeals to have some record of the Plan Commission's approval or denial. Planner Censky suggested making a motion to approve the changes to the house, the fence and storage shed with the condition that a variance must be secured from the Zoning Board of Appeals. The proposed storage shed is larger than allowed by Code and it is not a shed, it is a metal container. The storage container does not qualify as a structure or a building.

Chairman Mobley inquired of Mr. Koepke if he had considered other options other than the storage container. Mr. Koepke is open to other suggestions.

The proposed fence of 6' is allowed in a commercial district. Director LaFond shared that there is a 0' side yard setback required. The fence will be installed at least 3'-4' off the property line.

MOTION by Commissioner Gattoni, **SECONDED** by Commissioner Dyer to approve Addition/Alteration-Materials (Same as Previously Approved), Dormers, Front Porch, Back Porch, 6' Fence Permitted Under Section 17.0205 (D) (2), Michael Koepke, LTK Interiors, 127 South Main Street, with the Condition that the Existing Garage Be Razed Immediately, the Applicant Secure a Building Permit and to Exclude Accessory Structure/Storage Container. **MOTION CARRIED UNANIMOUSLY.**

Chairman Mobley clarified that the storage container is larger than allowed and asked Mr. Koepke to consider a smaller structure. Mr. Koepke indicated that he would like the extra space. Mr. Koepke inquired if he was allowed to have a third structure on the lot i.e. a sunporch. He would like a screened-in porch or three-season room. A gazebo was suggested. Mr. Koepke inquired what the size restriction for a gazebo is. Planner Censky indicated that he will work with Mr. Koepke on this.

All applicants <u>or</u> their contractors must be present for any approvals.

IV. STAFF REPORT

Director LaFond shared that any staff approvals will be reported at Plan Commission.

A 6' fence was approved by the Zoning Board of Appeals on October 22, 2019. Chairman Kucharski inquired what hardship was presented and considered. Director LaFond reported that there is an exterior door to the home. It is hoped to install a patio off this door. Outside of this door is a well room and the old landscaping that was the screen between the properties was removed and the roots make it difficult to replant so a fence was proposed.

Any decision appealed by the Zoning Board of Appeals would go before Circuit Court.

V. BUSINESS FROM THE FLOOR

Open to any citizen who wishes to speak on items not on the agenda. Please step to the podium and give your name and address for the record.

VI. ADJOURNMENT

MOTION by Commissioner Dyer, **SECONDED** by Commissioner Hughes to adjourn the meeting at 6:52 PM. **MOTION CARRIED UNANIMOUSLY.**

Submitted by,

Amy L. Langlois
Village Clerk

Approved by,

Andy LaFond
Director of Community Services/
Public Works

Signed by,

Colleen Landisch-Hansen
Administrator