VILLAGE OF THIENSVILLE
SPECIAL PLAN COMMISSION
MINUTES

DATE: Tuesday, January 21, 2020

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 (excused)
	Rick Gattoni	Ken Kucharski
	Carol Gengler	Dan Luedtke
Administrator:	Colleen Landisch-Hansen	
Planner:	Jon Censky	
Director of Community Services/Public Works:	Andy LaFond	

III. BUSINESS

A. Review and recommendation to the Village Board to approve a Development Agreement for the Orchard Street Development Located on the Northeast Corner of Buntrock Avenue and Orchard Street, Between the Village of Thiensville and Thiensville Enterprises LLC and Bonnilake Orchard Street LLC

Director of Community Services/Public Works Andy LaFond explained that the reason for this Special Plan Commission meeting is for the Plan Commission to review and recommend a Development Agreement for the Orchard Street development to the Village Board for approval.

Village ordinance requires that the Plan Commission recommend and the Village Board approve a Development Agreement for any development. The Development Agreement includes without limitations timetables, performance requirements, inspection requirements, prohibition on division or accommodation of real estate lots included within the PDO district except as otherwise provided, provisions for landscaping, any agreements or bylaws – in this case it is just a joint stormsewer easement - exhibits and drawings and other attachments that depict the improvements and concept architecture.

Due to the quality and cohesiveness of the proposed development and the restrictions the Village is requiring of the development, the Village as part of the PDO is relaxing some setback restrictions and lot width and will enter into a financial agreement with Thiensville Enterprises LLC and Bonnilake Orchard LLC.

The Agreement is in two phases for two reasons: 1) for the scope of work and 2) due to the fact that there are two entities that are responsible for different items. After Phase I the lots will be bulk sold to Bonnilake Orchard Street LLC to complete Phase II. Phase I includes demolition, the interim lot grading, historic church improvements and approvals. The Village Board is reimbursing $350,000 for that portion of the project. The reimbursement will not occur until all of Phase I is complete. Phase I is backed by a personal guarantee standby Letter of Credit.

Phase II includes: connection to the sanitary sewer system, water supply facilities (the Village will be constructing a water line from Seminary Drive to Main Street on Buntrock Avenue as part of another agreement with the City of Mequon), storm water drainage facilities, connection to other utilities, record drawings, curb and gutter, sidewalk and walking paths, sidewalk improvements, landscaping, erosion control, public sidewalk dedication, preconstruction meetings, environmental approvals, dedication of property to Village, time for completion, impact and connection fees, approved homebuilding, developer payments, other improvement costs and recording fees. The Developer is subject to sanitary connection fees unless they choose to do them all at once then the Village will provide some incentive and waive the fees. If done all at once rather than one at a time there will be less disruption to the street and neighborhood. Phase II includes schedule of values for Letter of Credit.

If the project is not completed as per the Agreement, the property will revert to the underlying zoning which is R-2 with 60 foot wide lots instead of 50 foot wide.

Phase 1 shall be completed by September 1, 2020. If Phase I fails to commence by June 1, 2020, the PDO zoning overlay shall lapse and revert to the underlying zoning. Phase II shall be completed by December 31, 2020.

The church does intend to connect to City of Mequon water, however, the water utility is voluntary.

Construction parking will be addressed during the preconstruction meetings.

Commissioner Kucharski believes that noise and dust need to be watched and likes that a lot of the concrete will be reused. It is estimated that reusing much of the concrete will eliminate approximately 1,000 truckloads. Commissioner Kucharski also appreciates the personal guarantee and timetable required for this project. Timetables can linger for years without this type of agreement. Commissioner Kucharski recognized the Village staff time and Village attorney's time regarding this development.

The old church has gone through the Historic Preservation Commission approval process. Basically, the church will be returning to as original as possible. The existing ADA ramp will not be removed. The majority is all interior work, and the exterior is mostly landscaping, addition of four parking spaces and bringing the building back to its original condition.

Each lot will have its own connection to the sanitary sewer system as these will all be independent homes.

MOTION by Commissioner Gattoni, **SECONDED** by Commissioner Dyer to recommend to the Village Board to approve a Development Agreement for the Orchard Street Development Located on the Northeast Corner of Buntrock Avenue and Orchard Street, Between the Village of Thiensville and Thiensville Enterprises LLC and Bonnilake Orchard Street LLC. **MOTION CARRIED UNANIMOUSLY.**

B. Review and recommendation to the Village Board to approve Preliminary Plat for the Orchard Street Development

Planner Censky indicated that state laws require that a preliminary plat approval process is followed - this will basically be the same as what will be seen on the final plat. The final plat will then be submitted to the Village Board on February 3, 2020 for approval. Review of the preliminary plat indicates full compliance that the technical requirements of the R-2 District and the PDO variances that were approved have been met. The site is now zoned R-2 for the residential portion and B-3 for the church portion as of Monday, January 20, 2020. This fully complies.

There is a small portion of Lot 2 which allows for the corner of the church. There may be a few minor adjustments to the plat so this is not an inconvenience to the future homeowner.

Planner Censky did indicate that a lot width of 50 feet is not unusual.

There is currently a chain-link fence that runs along the back of the development. Commissioner Kucharski mentioned that the resident to the back of this development expressed concern regarding the fence at last evening's Public Hearing. The resident would like to have a privacy fence of some sort running along the property line. It is Mr. Fred Bersch's (the Developer) intention at this point to keep the chain-link fence and understands that there are no requirements for a privacy fence between residential properties.

Commissioner Gattoni does not feel as though the chain-link fence is neighborhood friendly or aesthetically pleasing and would like to see this removed as part of the demolition phase. The plan now is to retain the chain-link fence during the construction phase to ensure that there has not been any impact to drainage along the lot lines. After construction, if residents would like the chain-link fence removed, Mr. Bersch is happy to take it down. Some residents have asked Mr. Bersch to keep the chain-link fence up. Planner Censky did state that Code limits the height of fences to 4 feet on a property line. Commissioner Gattoni stated that with the development and this becoming a residential neighborhood, the chain-link fence is no longer needed. Planner Censky agrees with keeping the fence up during construction. Mr. Bersch also stated that he does not have a problem with bringing the existing fence up to code or taking it out altogether; the fence is higher than 4' and is a chain-link fence which is not allowed in the village.

MOTION by Commissioner Luedtke, **SECONDED** by Commissioner Kucharski to recommend to the Village Board to Approve Preliminary Plat for the Orchard Street Development. **MOTION CARRIED UNANIMOUSLY.**

IV. 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.

V. ADJOURNMENT

MOTION by Commissioner Dyer, **SECONDED** by Commissioner Gattoni to adjourn the meeting at 6:20 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