

**VILLAGE OF THIENSVILLE
PLAN COMMISSION
MINUTES**

DATE: Tuesday, June 8, 2021

LOCATION: Village of Thiensville
Fire Department Training Room
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:	Douglas Chimenti	Carol Gengler
	Mike Dyer	Sarah Hughes
	Rick Gattoni (excused)	Ken Kucharski
Planner:	Jon Censky	
Director of Community Services/Public Works:	Andy LaFond	

III. CITIZENS TO BE HEARD

Open to any resident or taxpayer on items not subject to a public hearing: Please be advised per §19.84(2), information will be received from the public. Village policy limits a three (3) minute time period per person, with time extension by the presiding official's discretion or a vote of 2/3 of the Board or Committee; be further advised that there may be limited discussion on the information received, however, no action will be taken under public comments. Written comments on agenda items are encouraged to be sent and addressed to the intended body by noon on the day of the meeting. Comments received timely will be forwarded to all members of the body. If you wish to speak, you **must** pre-register by emailing the Village Clerk at alanglois@village.thiensville.wi.us by 4:00 PM on the day of the meeting or by signing in immediately prior to the meeting.

Commissioner Hughes inquired about arbor vitae trees that are growing over the sidewalk along Green Bay Road noting it makes it difficult to walk. Commissioner Hughes also questioned Fifth Main's use of tape on the ground to direct customers between their two buildings.

Commissioner Kucharski inquired about the status of the non-conforming insurance company sign at North Main Street and Riverview Drive. Director LaFond has sent letters to them regarding their sign and will share an update later in the meeting during the Staff Report.

Commissioner Hughes raised the issue of a dumpster on Riverview Drive that has been at the property for some time. Director LaFond noted the homeowners have been advised that trash receptacles must be out of view from the street except on garbage day. Police Chief Kleppin also has discussed the matter with the homeowners. Director LaFond added that there are escalating enforcement steps that can be taken if the issue persists.

IV. BUSINESS

All applicants or their contractors must be present for any approvals.

- A.** Approval of Minutes
1. May 11, 2021

MOTION by Commissioner Gengler, **SECONDED** by Commissioner Kucharski to approve the May 11, 2021, Minutes. **MOTION CARRIED UNANIMOUSLY.**

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B. Review and action regarding 10' x 10' Shed, William Treis, 312 Sunny Lane

William Treis shared that the proposed shed will be placed on top of landscape rock. The shed is manufactured from Home Depot and will be located on the back of the lot as indicated on the submitted survey.

Planner Censky noted the proposed shed fully complies with setbacks and other specifications.

MOTION by Commissioner Hughes, **SECONDED** by Commissioner Kucharski to approve 10' x 10' Shed, William Treis, 312 Sunny Lane. **MOTION CARRIED UNANIMOUSLY.**

C. Review and action regarding 20' x 20' Temporary Tent, Daily Taco + Cantina, Jesse Daily, 105 West Freistadt Road

Jesse Daily proposed a 20' x 20' tent to provide additional outdoor seating at Daily Taco when there is inclement weather. The tent would be located just off the northwest side of the building. Planner Censky noted a decision regarding a temporary tent is up to the Commissioners.

Mr. Daily added the tent will be firmly anchored to the asphalt, will have walls similar to the tent that had been used at the cheel and will be located inside the lane to the pickup window. The tent will accommodate four or five tables.

Commissioner Kucharski noted the Plan Commission approved a 20' x 20' tent for the summer season for glaze. There is no reason there should be a problem with this one as long as the logistics work out. In both cases, the tent should be removed at the end of summer. Commissioners engaged in a discussion about whether tents should be removed on the last day of summer or allowed into the fall. Commissioners agreed to allow the tent to remain up until October 31, 2021. The same date will apply to other similar tent requests, including the one for glaze which was approved at the May meeting.

MOTION by Commissioner Chimenti, **SECONDED** by Commissioner Dyer to approve 20' x 20' Temporary Tent, Daily Taco + Cantina, Jesse Daily, 105 West Freistadt Road, Tent must be Removed by October 31, 2021. **MOTION CARRIED UNANIMOUSLY.**

D. Review and action regarding 30' x 40' Temporary Tent, Shully's Across the Street, Scott and Beth Shully, 143 Green Bay Road

The applicants were not in attendance. No action.

E. Review and action regarding Building Update, Becker Design, Neil and Amy Becker, 137 Green Bay Road

Neil Becker shared with Commissioners they have occupied the building for about two years and want to clean up its appearance. They want the design to embrace the appearance of the surrounding buildings. Planner Censky noted that the proposal looks nice and asked how far the front awning will extend. Mr. Becker noted the awning will not come out further than the existing awning.

Commissioner Hughes commended Mr. Becker for proposing the upgrade and hopes this inspires other nearby businesses to clean up their facades.

Commissioner Chimenti noted that the plans will be considered by the Historic Preservation Commission on June 22, 2021. Director LaFond shared that approval by the Plan Commission should be made contingent on approval by the Historic Preservation Commission.

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MOTION by Commissioner Kucharski, **SECONDED** by Commissioner Chimenti to approve Building Update, Becker Design, Neil and Amy Becker, 137 Green Bay Road, Subject to Historic Preservation Commission Approval. **MOTION CARRIED UNANIMOUSLY.**

F. Review and action regarding Ordinance Amending the B-1 Central Business District Text to Allow Limited Residential Use on the Ground Floor Space of Buildings

Chairman Mobley shared that the Commission has received a letter from Michael Koepke supporting the ordinance amendment. Director LaFond noted this was tabled at the May meeting due to ongoing debate and only having enough Commissioners in attendance for a quorum. One of the discussion items in May was limiting the change to structures that initially were constructed as residential. Director LaFond prepared a map of the B-1 district that indicate there were 17 properties that initially were constructed as residential. Of those 17 properties, 10 are mixed use. There are 7 that are still residences that never were converted. With modern fire code, it is unlikely those homes will ever be converted to business use. Planner Censky noted that some surrounding communities allow either commercial or residential use for structures that initially were constructed as residential. This is how many communities developed originally; residents became customers for the downtown businesses and this reflects that.

Commissioner Kucharski noted that he likes the way the proposed ordinance was written originally. He does not like the restriction that it had to have been a home. Commissioner Chimenti noted his biggest concern is that if converted to residential use, this is unlikely to return to business use resulting in empty storefronts. Commissioner Kucharski noted this is what is occurring now; people are working from home and many businesses have learned they can downsize and work from a small office.

Commissioner Gengler inquired of Trustee Abraham, who was in attendance and has a property for sale in the Historic District, what type of interest has been shown in the building that previously housed her dental practice. Trustee Abraham noted the most-recent interest was from someone who was interested in living on the first floor and noted that the idea of having a business in the front and living in the back is an additional option.

Commissioner Chimenti noted that the Code states that a resident can be the business owner, an employee or a caretaker. The term caretaker can be overly broad and potentially include anybody.

Planner Censky noted this discussion started at staff level where there were concerns about vacant buildings in the downtown area. The idea was to allow greater flexibility. Commissioner Kucharski noted that is the point – some of these buildings are sitting vacant because they are restricted to having the entire bottom floor as business.

Chairman Mobley noted he would rather have someone in a building than an empty building. If the Village provided flexibility, the buildings would most likely be occupied. Commissioner Kucharski added that the Murphy building on Green Bay Road has been for sale for several years. If residential use were allowed in the rear area, it likely would have been sold a long time ago. Chairman Mobley noted that it has more of an effect on Green Bay Road because the buildings on Main Street turn over faster.

Commissioner Gengler noted that businesses across the nation are changing. It is in the Village's best interest to not make it so restrictive because things are going to change. Director LaFond noted the clearest way is to have what you want listed as allowable uses in the Zoning Code. Chairman Mobley favors the proposed change because it provides additional flexibility.

MOTION by Commissioner Kucharski, **SECONDED** by Commissioner Dyer to recommend to the Village Board to Amend Village Ordinance Pertaining to B-1 Central Business District Text to Allow Limited Residential Use on the Ground Floor Space of Buildings. **MOTION CARRIED UNANIMOUSLY.**

V. STAFF REPORT

Commissioner Kucharski inquired about Insurance Innovations at North Main Street and Riverview Drive. The sign is non-compliant and was put up without obtaining a permit. Commissioner Kucharski noted Director LaFond has pursued the issue and asked where things stand. Director LaFond noted his first approach with new businesses is to educate and help them through the process. They have been sent forms and permit applications. The sign is white and back-lit, which is discouraged in the Sign Code. The business owner raised the issue of other businesses that have similar signs. Director LaFond noted he explained that those likely were approved before the Sign Code was changed. The business owner then shared he would apply for the sign, but has not yet done so. The entire application was re-sent but not returned. The next step is enforcement. Commissioner Kucharski noted that most businesses, even if they put something up in advance, applied, it was discussed and typically approved or changed. Commissioner Kucharski believes a letter stating the sign is in violation should be sent noting this is not fair to all of the other businesses that have complied and followed the rules.

Commissioner Gengler inquired what time in the morning construction can begin. Director LaFond noted it is 7:00 AM.

Commissioner Gengler also questioned when the cheel will clean up their corner. Director LaFond noted he has had that discussion with the business owner. Commissioner Chimenti noted that an emotional Mr. Daily and his wife appeared before the Plan Commission and were eager to get their rebuild started; three months later, nothing has happened. Director LaFond said they are facing challenges with rising construction costs. They are going through re-engineering on the interior to change more materials from wood to concrete and metal due to the high price of wood. Commissioner Kucharski added that placing black mesh on the fence would stop a lot of the questions that are being asked.

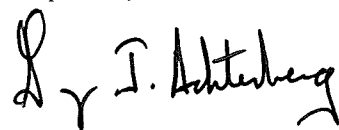
Commissioner Kucharski shared that two residents approached him to ask a question about their neighbor's fence. Both are adjacent to the corner property at 212 Madero Drive. The fence is a hodge-podge put up along the property line from scrap pieces of metal, wire and mesh and is 8' to 12' high in some areas. Director LaFond will look into this.

Commissioner Gengler inquired about the status of the project adjacent to Walgreens. Director LaFond noted the next step would be Plan Commission consideration of a Developer's Agreement to recommend to the Village Board. Contractors currently are drilling to sample the integrity of the dirt and the developer is doing engineering work. Director LaFond added both are encouraging steps.

VI. ADJOURNMENT

MOTION by Commissioner Dyer, **SECONDED** by Commissioner Kucharski to adjourn the Meeting at 6:55 PM.
MOTION CARRIED UNANIMOUSLY.

Prepared by,



Gary Achterberg
Administrative Assistant

Submitted by,



Amy L. Langlois
Village Clerk/Deputy Treasurer