



OFFICE OF ZONING AND PLANNING

MEMORANDUM

To: Plan Commission & Building Board Members

From: Thomas Harrigan, Zoning and Planning Administrator/Assistant to the Village Manager

Date: February 3, 2021

Re: SSND Redevelopment Proposal – Plan Commission / Building Board Joint Session

On January 25th, 2021 the Village Board of Trustees took action to formally refer the proposed redevelopment application for the School Sisters of Notre Dame campus onto the various Village standing committees for review and action. At that time, it was decided that prior to initiating the standardized Planned Development Overlay (PDO) review process, the Plan Commission and Building Board shall hold a joint working session in effort to better familiarize both the Commissioners and Building Board members with their roles in the review process and the scope of authority as defined within the Village Code of Ordinances as well as give initial opinions on the submitted plans.

As the Plan Commission through the Village ordinances has delegated its review authority of building design to the Building Board, it will be beneficial for the Building Board to hold a discussion related to the overall design, landscaping, control of lighting and general site development with the Commissioners. As outlined in the enclosed January 25th, 2021 meeting memo, the Plan Commission will ultimately be charged with providing a recommendation on the PDO petition to the Village Board of Trustees. The Building Board will be responsible for providing a recommendation on architectural design and landscaping to the Village Board.

The discussion will adhere to the following review criteria pursuant to §335-30H *Planned Development Overlay Review Criteria for Petition* with greater focus given to those criteria highlighted in red:

The Village Plan Commission, in making its preliminary and final recommendations, and the Village Board, in making its decision on any proposed PDO District, shall consider the following criteria:

(a) The development will not be contrary to the general welfare and economic prosperity of the community.

(b) The proposed site is being provided with adequate drainage facilities for surface and storm waters.

(c) The proposed site is accessible from public roads that are adequate to carry the traffic that can be expected to be generated by the proposed development.

(d) No undue constraint or burden will be imposed on public services and facilities (such as fire, EMT and police protection), street maintenance, maintenance of public areas near the proposed development and/or educational facilities.

(e) The private roads and driveways on the site of the proposed development are adequate to serve the users of the proposed development.

(f) Public sanitary sewerage facilities are adequately provided.

(g) The entire tract or lots to be included in a Planned Development Overlay District is subject to the terms and conditions of the development agreement, and the legal description encompasses said PDO District as a single area, shows all of its component lots and has been prepared to be recorded with the Register of Deeds for Waukesha County.

(h) The proposed project will be adequately served by appropriate off-street parking.

(i) The architectural design, landscaping, control of lighting and general site development will result in an attractive and harmonious project compatible without unreasonably affecting the property values of the surrounding neighborhood.

(j) The locations for entrances and exits have been designated to prevent unnecessary interference with the safe and efficient movement of traffic on surrounding streets and that the development will not create an unreasonable adverse effect upon the general traffic pattern of the surrounding neighborhood.

(k) Provision has been made for the adequate and continuing operation and maintenance of all aspects of the project.

(l) The proposed project has, where applicable, been examined with respect to its compatibility with the nonmandatory Downtown Overlay District Site Design Guidelines set forth in § 335-12G.

(3) In the case of a proposed PDO District with residential uses, the Village Plan Commission, in making its preliminary and final recommendations, and the Village Board, in making its decision on any proposed PDO District, shall also consider the following:

(a) Such development will provide an attractive residential environment of sustained desirability and economic stability.

(b) The impact of the population composition of the project upon the school district's capacity to provide needed educational services.

(c) Permanent preservation of open space areas as shown on the approved site plan is ensured by the creation of appropriate easements and recorded deed restrictions.

(d) The proposed mixture of uses produces a unified composite which is compatible within the underlying districts and which, as a total development entity, is compatible with the surrounding neighborhood.

Below, you will find *Article 1 Building Board* which outlines the duties and responsibilities of the Board when reviewing project petitions, and Article 7-4C which outlines criteria for rendering Building Board decisions.

Article 1 Building Board

§ 7-1 Building permit approval.

[Amended 12-21-2004]

A. No building permit required under this Code of Ordinances for any structure shall be issued unless the Building Board has first issued an explanatory decision consisting of a determination that, when erected, the proposed exterior architectural appeal and functional plan shall not be either:

(1) So at variance with, nor so similar to the exterior architectural appeal and functional plan of structures under construction or existing in the immediate neighborhood, as to tend to pose an adverse impact on aesthetic values of the immediate neighborhood within the applicable zoning district; or

(2) So at variance with the intended character of the applicable district established by Chapter 335, Zoning, as may be amended or supplemented, as to tend to pose an adverse impact on the aesthetic values of the immediate neighborhood within the applicable zoning district.

B. The determination required in § 7-1A shall require no less than a majority vote.

C. Before the determination required in § 7-1A can be rendered, the following shall first occur:

(1) The Building Board must view the site of the proposed structure; and

(2) The Building Board shall have examined the application papers for a building permit which shall include an exterior elevation of the proposed structure.

§ 7-4C Filing of decisions.

[Amended 12-21-2004]

C. In all instances the decision of the Building Board must contain explanatory findings with respect to these two questions:

(1) Will the exterior architectural appeal and functional plan of the proposed structure be so at variance with or so similar to the exterior architectural appeal and functional plan of structures under construction or existing in the immediate neighborhood, as to tend to pose an adverse impact on aesthetic values in the immediate neighborhood within the applicable zoning district?

(2) Will the exterior architectural appeal and functional plan of the proposed structure be so at variance with the intended character of the applicable district as stated in Chapter 335, Zoning, as may be amended or supplemented, as to tend to pose an adverse impact on

the aesthetic values in the immediate neighborhood within the applicable zoning district?