VILLAGE OF THIENSVILLE
PLAN COMMISSION
MINUTES

DATE: **Tuesday, October 13, 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:	Douglas Chimenti	Carol Gengler
	Mike Dyer	Sarah Hughes
	Rick Gattoni	Ken Kucharski
Administrator:	Colleen Landisch-Hansen	
Planner:	Jon Censky	
Director of Community Services/Public Works:	Andy LaFond	

III. BUSINESS

A. Approval of Minutes
1. September 1, 2020
2. September 22, 2020

MOTION by Commissioner Kucharski, **SECONDED** by Commissioner Gattoni to approve the September 1, 2020 and September 22, 2020 Minutes. **MOTION CARRIED UNANIMOUSLY.**

B. Review and approval of Sign Code Waiver, Plan Approval, Fisher Family Chiropractic, Indaba, LLC, 136 North Main Street

Fisher Family Chiropractic recently relocated to 136 North Main Street in Thiensville from the City of Mequon. Don from Sign Effectz, Inc. was in attendance. Proposed are two wall signs to be installed on the second floor west elevation and on the second floor south elevation. These signs will be face-lit channel letters with dark letters on a white acrylic background; at night the view will be of dark blue illuminated letters. The signs measure 26 square feet in size.

Village Planner Jon Censky reported that no more than one wall sign per tenant is allowed per the Sign Code. The Commission can grant a waiver if comfortable with the two proposed signs.

Planner Censky suggested having a master site plan for the building. Director of Community Services/Public Works Andy LaFond stated that other signs on this building are at a different elevation. The multi-tenant sign has eight tenants listed. Without a comprehensive site plan for the building, there may be multiple requests at different heights and colors. Commissioner Kucharski shared that the building has two main exposures and both are very visible.

One of the tenants, Welltopia, does have a wall sign as well as a projecting sign that was approved by the Plan Commission. Planner Censky shared that the sign on the west wall really only serves those directly across the street.

The proposed sign on the south is much more visible than the sign on the west elevation.

Fisher Chiropractic will be on the second floor of the Health Alliance building with the signs between the second and third floor.

Commissioner Gengler agrees that a comprehensive master plan be should be submitted for this site. Commissioner Hughes inquired if the monument sign could be altered to add more businesses.

Chairman Mobley suggested only having one sign on the south side instead of granting a waiver. Don from Sign Effectz does not know which sign the applicant would prefer. Planner Censky stated the Commission could approve one sign with the business owner deciding which one they would like to install.

MOTION by Commissioner Chimenti, **SECONDED** by Commissioner Dyer to Deny Sign Code Waiver, Approve One Sign at Either Location and To Return Next Month With a Comprehensive Sign Plan If the Business Owner Wants a Second Sign. **MOTION CARRIED UNANIMOUSLY.**

C. Review and approval of Sign Code Waiver, Plan Approval, Cousins Subs, 2MGA Enterprises, Anna Bakalinski, 253 North Main Street

Josh Brown from Sign Effectz, Inc. was in attendance. Mr. Brown is hoping to reface the existing pole sign with the Cousins Subs updated brand. It is not feasible at this time due to the Covid pandemic and sales being down to replace the pole sign with a monument sign. The franchise owner, Mr. Gierach, would like to improve the property while incorporating their new brand by replacing the sign face.

Planner Censky stated that a review of the file indicates that the applicant received approval of a similar request in 2012. Minutes should have reflected that a waiver was granted at the time simply because the Village was in the process of reviewing the Sign Code at that time and were not sure how that would effect this sign so a waiver was granted to reface the sign. This sign is nonconforming because it exceeds the height limit of 15 feet and size limit of 40 square feet. The current sign stands 18 feet and is 53 square feet in size. According to the Sign Code, "Existing signs which become nonconforming upon the adoption of the Sign Code shall not be reconstructed, remodeled, relocated or changed in size unless such action will make the sign conforming in all respects with the Code."

What is proposed is not in compliance. Section 16.24 of the Code provides the applicant the right to request a waiver: "The Plan Commission may, in its judgement, waive or modify the provisions of this chapter where it would further the public interest." If the Commission is comfortable with this request, the applicant will need a waiver for approval otherwise, Code requires that the sign be brought into compliance.

Mr. Gierach, who owns five Cousins stores, stated that he was in the middle of remodeling the Slinger store right when Covid hit, however, decided to proceed with that. Mr. Gierach would like to change the sign in Thiensville. The brand logo has changed two times within five years and would like to get the current logo up. The Cousins two stores that have drive-thru services are doing well, however, the other three are down 65%. At this time it is hard to spend the money on a new monument sign.

Mr. Gierach inquired if the height of the pole and the size of the size could be reduced to make it compliant. Planner Censky stated that this would require Plan Commission approval.

Chairman Mobley shared that the Village has offered to update the corner of North Main Street and Freistadt Road and to work with the property owner on a monument sign, however, at this point the property owner is not interested. Chairman Mobley asked Mr. Gierach to work with his landlord. Mr. Gierach would like this corner to look like everything else in Thiensville.

Commissioner Kucharski inquired how much Cousins corporate is pushing to get the new logo sign up. Mr. Gierach shared that there is not a great push at this time, however, if the franchise were to be sold, everything would need to be brought up to code. Mr. Gierach questioned the effectiveness of a monument sign.

Commissioner Gengler inquired as to when the property owner had last been contacted regarding a monument sign on this corner. Director LaFond believes it was a little over a year ago.

Commissioner Hughes suggested a blind study be performed for the businesses in this area to hear feedback from residents. Planner Censky suggested that a meeting be held involving Mr. Giersch, Mr. Brown, Village staff and Mila Kofman regarding signage.

This item has been tabled at this time.

D. Review and approval of Shed, Chun Siu Chang, 421 Bel Aire Drive

The applicant, Jack Chang, 421 Bel Aire Drive, is proposing a backyard shed to be located 150 feet from and facing their home. The shed measures 6 feet by 8 feet (48 square feet in size). The shed will be of wood material with the siding to be Brick Dust and the roof will be Autumn Brown in color.

Planner Censky shared that this shed complies with the code and reminded Mr. Chang that the shed cannot be located closer than 3 feet to any property line.

MOTION by Commissioner Gattoni, **SECONDED** by Commissioner Dyer to approve Shed, Hun Siu Chang, 421 Bel Aire Drive. **MOTION CARRIED UNANIMOUSLY.**

E. Review and approval of Playhouse, Sophia Barry, 317 Riverview Drive

Sophia Barry, 317 Riverview Drive, is seeking approval for a playhouse to be placed in the rear of the home and will not be visible from the road. It will be painted to match the home.

Planner Censky stated the playhouse must be placed 3 feet from the property line.

MOTION by Commissioner Kucharski, **SECONDED** by Commissioner Dyer to approve Playhouse, Sophia Barry, 317 Riverview Drive. **MOTION CARRIED UNANIMOUSLY.**

F. Parking Study (Director of Community Services/Public Works Andy LaFond)

Director LaFond had internally performed a downtown B-1 District parking study last year. The study involved evaluating all public and private lots as well as a count of all available spaces. The Police Department had done a count on a couple Wednesdays, a couple Fridays and a couple Saturdays at 5:00 PM and 7:00 PM of how many spaces were used at those times. An average was taken of what was available, what was used and what the trends were. Also, looked at was where there may be private partnerships between businesses that could lease spaces after hours.

The general observations after doing this study were that the preference was parking lots over street parking. The majority of the peak parking congestion is related to the three restaurants in the Central Business District (this includes Shully's when there is a special event. Noted also is a lack of bicycle racks. Also, there is inadequate parking lot signage, striping and lighting.

Available parking greater than 350 feet from a destination is underutilized. This is a national trend which indicates: for retail - people will walk 300-600 feet, employees - willing to walk 1,200-1,500 feet and for special events – people are willing to walk 1,500-2,000 feet. These amounts are all reduced by 25% if a street has to be crossed.

If you take the four major downtown destinations and put a 350 circle around them, people really don't want to walk any further than that. After looking at the parking study, there are plenty of spaces outside of this 350 feet circle.

A solution could be to look into leasing or to potentially purchase some right-of-way from the railroad. This is on the outer limits, the railroad tracks would have to be crossed and the railroad is difficult to deal with. Land is difficult to obtain from the railroad. A lease could potentially be looked into as well.

Beyond this, the Village owns the parking lot behind Greg Mueller Upholstery and leases it to Mr. Mueller. This leases is up for renewal annually. The Village could look into not renewing this lease to Mr. Mueller and make this Village parking which would gain 12-20 spots. Chairman Mobley encouraged this lot to be considered as public parking. Commissioner Gattoni inquired how this might affect Mr. Mueller's business. Director LaFond shared that the lot is used by customers during business hours and then personally for over-night parking. This lot is leased for $400 per year.

Director LaFond shared that the Ford employee parking lot is still owned by Tom Schmit and was not sold to Boucher Ford. This is near the Main Street Road bridge. There are 21 spots in this lot. Suburban Harley owns the green house between the Core building and the Buntrock lot which could be acquired by the Village to make the Buntrock lot larger. Another idea is that the lumber yard is actually several parcels. Remington's currently leases a portion of the lot for parking, and located in the back portion of the lot there are some buildings that Harley utilizes.

Shully's has a fairly sizeable lot and also own a few homes that could possibly be taken down and used as a parking lot. Shully's also has a demolition permit from the Historic Preservation Commission to take down the green and white house next to the Across the Street building on Green Bay Road.

Director LaFond shared that the lot the Village owns would cost $25,000-$30,000 to pave and make more contiguous between the two lots. Depending on the layout about 12-20 spaces would be available. Regarding the railroad company, depending on the right-of-way width, between 33-60 spaces would be available. This would come at a great cost to the Village in regards to attorney time negotiating with the railroad as well as retaining wall and construction costs. Administrator Landisch-Hansen suggested if there is a hindrance for those that cross a street, there may be the same for crossing a railroad. The Ford employee lot could potentially be used for employees of all these businesses after the dealership closes for the day. The assessed value is $126,000 for this lot.

Director LaFond's recommendations were to encourage private partnerships and for private business owners to make improvements to their own lots, improve public and private parking signage, partnerships for employee parking, consider purchasing the Ford lot, discontinue the lease and expand the Buntrock lot and suggested there may be opportunity on the lot that is currently leased to Remington's. The lot leased to Remington's is labeled for "Remington customers only."

The parking study presented by Director LaFond was conducted before the Covid pandemic.

G. Discussion regarding Pick-Up Windows (Director of Community Services/Public Works Andy LaFond)

Director LaFond shared with the Commission that currently in B-1, B-2 and B-4 restaurants are a Permitted Use. Restaurants with a drive-in and drive-thru lanes are a Conditional Use. Drive-thru's are historically heavily regulated because they include things like extra lighting, drive-thru lanes, painted lanes, traffic backups and lighted menu boards. Planner Censky shared that drive-thru operation is different from drive-up i.e. for drive-thru you place the order, drive through, pay and pick up as opposed to a drive-up window which are typically prepaid orders placed by phone or email and ready for pick up. Drive-thru's require a Conditional Use Permit and meeting for that.

Director LaFond is bringing this before the Commission to see if the Commission is more inclined to view pick-up windows as a restaurant business use or if considered still lumped into the scrutiny that a regular drive-thru goes through and considered as a conditional use requiring a permit. The use of pick-up windows is becoming a trend. Currently, there is no definition for a pick-up window in the Code. Chairman Mobley asked the Commission to give this some thought. Director LaFond indicated that this could be considered a permitted use or a conditional use. For conditional use, a Conditional Use Permit is required which involves holding a public hearing. Commissioner Chimenti inquired how many businesses even have the opportunity for a pick-up window.

Commissioner Kucharski shared that many businesses do curbside pick-up which requires no permit. Director LaFond stated the Code does have a definition of a drive-in. This definition gets close to the curbside pick-up option which is a conditional use.

At this time, a pick-up window will be considered the same as a drive-thru which is a Conditional Use.

H. Discussion regarding B-1 District First Floor Use (Director of Community Services/Public Works Andy LaFond)

Director LaFond shared that much of the B-1 District consists of single-family homes and duplexes and few have first floor commercial. The B-1 District requires 100% of the first floor to be commercial. A lot of these pre-date the modern code. There have been two recent discussions with developers and owners inquiring about converting B-1 buildings into either entirely residential or asking for a portion of the first floor to be residential. Director LaFond inquired that with the current state of retail, could it be that the entire first floor is commercial with the first floor remaining empty and/or would the Commission consider half of the first floor being residential or even 100% of the first floor being residential. For instance, we have someone that is interested in tearing down a house and building another house. You cannot construct something new that does not conform.

Planner Censky would like to look more into this. A text amendment may be appropriate i.e. residential uses are allowed on the first floor as that use does not face a public street. This is a possible change to the Code.

There is nothing before the Commission this evening for consideration.

Commissioner Gattoni inquired what properties are interested in this zoning. Director LaFond will provide a map at a future meeting.

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

IV. STAFF REPORT

No report.

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.

Commissioner Kucharski inquired if there has been any clarification regarding the Insurance Innovation sign on Main Street and Riverview Drive. Director LaFond shared that a letter and application has been sent, however, has not been returned to date.

VI. MOTION TO ADJOURN TO CLOSED SESSION

MOTION by Commissioner Kucharski, **SECONDED** by Commissioner Dyer to adjourn to Closed Session at 7:06 PM deliberating about the investment of public funds in future Village properties requiring a Closed Session due to the competitive nature and bargaining positions at risk if conducted in a public meeting. Such Closed Session is authorized pursuant to Wis. Stats. Article 19.85(1)(e).

1. Roll Call Vote

Ayes: Commissioners Chimenti, Dyer, Gattoni, Gengler, Hughes, Kucharski and Chairman Mobley
Naes: None
MOTION CARRIED.

MOTION TO RECONVENE IN OPEN SESSION

1. Vote of Commission to reconvene in Open Session

MOTION by Commissioner Kucharski, **SECONDED** by Commissioner Dyer to Reconvene in Open Session at 8:20 PM. **MOTION CARRIED UNANIMOUSLY.**

VII. ADJOURNMENT

MOTION by Commissioner Gattoni, **SECONDED** by Commissioner Hughes to adjourn the meeting at 8:20 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