

VILLAGE OF THIENSVILLE
PLAN COMMISSION
AGENDA

DATE: Tuesday, May 7, 2013

LOCATION: Village of Thiensville
250 Elm Street

TIME: 6:00 PM

CALL TO ORDER

II. ROLL CALL

Chairman: Van Mobley

Commissioners: John Cabaniss
Sam Cutler
Rick Gattoni

Carol Gengler
Ken Kucharski
Dan Luedtke

Administrator: Dianne Robertson

Planner: Jon Censky

III. BUSINESS

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

A. Approval Of Minutes

Documents: [PLAN APRIL 2013 MINUTES.PDF](#)

B. Review And Approval Of A Request For Playground Equipment For Bryant & Erin Frazer, 605 Bel Aire Drive

C. Review And Approval Of A Building Permit Application For Site Plan & Landscaping Plan, Reuters Insurance Building At 118 N. Main Street

D. Review And Approval Of A Building Permit Application For Rob Holyoke, 300 West Street For A Patio And Covered Porch

E. Review And Approval Of A Building Permit Application For Charles & Jillayne McCrimmon For Replacement Of A Split Rail Fence At 526 Crescent Lane

F. Review And Approval Of A Sign Permit Application For Scott & Beth Shully, 146 Green Bay Road For New Signage

Documents: [SHULLYS SIGN REPORT.PDF](#)

G. Review And Approval Of A Building Permit Application For Michael & Renee Feltz, 169 Green Bay Road For A Free Standing Deck (Due To Being In The Floodway) Contingent On HPC Approval At The May Meeting

H. Review And Approval Of A Temporary Sign Permit For The Thiensville Business Association/Farmer's Market For Approximately 10 Sandwich Board Signs Located Throughout The Village On Tuesdays From June 11 Thru October 29, 2013

Documents: [FARMERS MARKET SIGN REPORT.PDF](#)

I. Review And Approval Of A Building Permit Application For Ted Hagen, 406 N. Main Street For An Addition/Dumpster Enclosure Attached To The Existing Garage

J. Review And Approval Of A Building Permit Application For Kevin & Robin Savage, 740 Riverview Drive For A Corner Fence On The Northeast Corner And The Southeast Corner Of The Lot

K. Review And Approval Of A Building Permit For Roland Runge, 415 Grand Avenue For A Shed Replacement

L. Review And Approval Of A Building Permit For Michael Sanchez, 323 E. Freistadt Road For A New Deck

M. Review And Approval For Outdoor Seasonal Seating For:

1. B-1 Burger
2. Remington's River Inn
3. Skippy's

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

Dianne S. Robertson, Village Clerk

May 3, 2013

Please advise the Thiensville Municipal Hall, 250 Elm Street (242-3720) at least 24 hours prior to the start of this meeting if you have disabilities and desire special accommodations.

Notice is hereby given that a quorum of the Village Board and/or Village Committees may be in attendance at this meeting to present, discuss and/or gather information about a subject over which they have decision-making

**VILLAGE OF THIENSVILLE
PLAN COMMISSION
MINUTES**

DATE: Monday, April 1, 2013

**LOCATION: Village of Thiensville
250 Elm Street**

TIME: 5:00 PM

I. CALL TO ORDER

Chairman Mobley called the meeting to order at 5:00 PM.

II. ROLL CALL

Chairman:	Van Mobley	
Commissioners:	John Cabaniss (excused)	Carol Gengler (excused)
	Sam Cutler	Ken Kucharski
	Rick Gattoni	Dan Luedtke
Administrator:	Dianne Robertson	
Planner:	Jon Censky	

III. BUSINESS

A. Approval of Minutes

1. February 5, 2013

MOTION by Commission Luedtke, **SECONDED** by Commissioner Gattoni to approve the minutes from February 5, 2013. **MOTION CARRIED UNANIMOUSLY.**

**B. Review and approval of a Building Permit
Application for Art and Jean Liebau, 715 Riverview
Drive for remodeling of the home**

Mr. Bruce Stern from Inland Construction was in attendance and has been working with the Liebau's on the remodel of this home. The structure will be razed to the ground level. The new house will be a two story structure encompassing a total of 4,400 to 4,500 square feet and will have a three car garage with an auxiliary garage behind the garage for seasonal sporting equipment. The front of the house will have natural stone elements with sliced veneer elements. The balance of the house will be sided with a hardy plank or equivalent type cement siding in a cedar green finish. Everything will be trimmed off with a composite trim in the same finish. Light tan and light gray are being considered for the remaining exterior colors. The roof will be asphalt shingles and it will have casement windows and fixed prefinished windows. The grading will not impede on the floodplain and the re-grading will blend in the side and back yard with the existing grades. The hope is to start construction in late Spring, or early Summer and complete the project by the end of the year.

Mr. Censky reported that this project has met all aspects of the Zoning Code including all setbacks. Commissioner Gattoni feels this proposal fits in with what the other property owners have done to their houses in the area. The colors discussed are proposed colors so the applicant will come back with actual colors when they are known. The best practices will be used in regards to grading and the Village engineer will approve final grading, drainage and erosion control plans.

The following is Mr. Censky's report:

Proposal:

The applicant has recently purchased the single-family home at 715 Riverview Drive and is proposing a second story addition with a new garage before he takes occupancy. According to plans the home will be 4,725 square feet in size and have a 1,635 square foot garage when this project is complete.

This property is located at a bend in Riverview Drive and fronts on the Milwaukee River where a good portion of the rear yard is in the Floodway District. As Commissioners may know, no building encroachment is allowed in the floodplain area during and/or after construction and my review indicates that the site designer has taken that into consideration and avoids any encroachment thereof all together. The plans are code compliant with respect to the 40 foot front setback, the 10 foot side yard and the 25 foot rear yard requirements.

Architecturally, the existing single-story ranch home will be converted into a two-story home that takes on a completely different character and is much larger than many homes in the area. However, while many single-family ranch homes exist along this stretch of Riverview drive, there are a number of newer two-story homes to the west of the applicant's site as well as behind and to the east. The applicant's proposed home will be 31'8 1/2" high which is within the 35 foot maximum height limit and it exceeds the minimum size limit of 1,200 square foot. The roof will be covered with dimensional asphalt shingles and the siding will be of long lasting Hardi-plank materiel. A decorative stone veneer is proposed along the front elevation which gives a quality look to that facade.

Planners Comments:

It's my understanding that the applicant has already appeared before you for concept review and received preliminary approval and therefore I am reporting that the plans before you here are code compliant and consistent with the Comprehensive Land Use Plan. Furthermore, in my opinion, the design of this home will not detract from the character of the neighborhood as there is a two-story home directly to the west and other newer two-story homes a few doors down the street. This Planner as no reason to object subject to:

- The applicant securing a building permit prior to construction.
- Village Engineer review and approval of the grading, drainage and erosion control plans.
- No construction activity is allowed in the floodplain area.
- Storage of construction material and equipment shall be located outside the floodplain area.

MOTION by Commissioner Cutler, **SECONDED** by Commissioner Luedtke to approve the Building Permit application for Art and Jean Liebau, 715 Riverview Drive for remodel of the home subject to Mr. Censky's recommendations and the added stipulation to come back to the Plan Commission with actual colors. **MOTION CARRIED UNANIMOUSLY.**

- C. Review and recommendation of revisions to the Sign Code specifically pertaining to the B-1 Historic District versus the B-1 Business District

Trustee Heinritz was in attendance who is also Chairman of the Historic Preservation Commission. Mr. Censky reported that the newly created Sign Code separates the Historic District from the B-1 Business District. The decision was made to use the Main Street Historic District and the Green Bay Road Historic District where the new highly restrictive code would be applied and not have it necessarily apply to the B-1 District. The code created in 2011 allowed a 16 square foot projecting sign in this district and it is now being changed to a maximum of 12 square feet in Section 16.7(d)(3a).

The HPC in January reviewed the changes that came from the January Plan Commission and were in agreement with all the changes except for the size of the projecting signs. They felt that 16 square feet was too large and proposed that it be decreased to 12 square feet. Trustee Heinritz provided visuals for the Plan Commission to review with the different sizes and reported that none of the existing signs in the Historic District are larger than 12 square feet. If there are problems the Plan Commission can issue a variance in a particular circumstance. Commissioner Kucharski commented that the Fiddleheads sign is 12 square feet but this sign has an additional hanger that reads "coffee roaster" which makes the sign a little over 14 square feet.

Commissioner Kucharski is not opposed to this change. Commissioner Cutler feels that prior to any sign code amendments the Mequon-Thiensville Chamber of Commerce should be made aware of the changes.

MOTION by Commissioner Luedtke, **SECONDED** by Commissioner Kucharski to recommend to the Village Board approval of the projecting sign size of a maximum of 12 square feet in the Historic District. **MOTION CARRIED UNANIMOUSLY.**

**D. Review and recommendation to adopt Ordinance 2013-02
the Pigeon Creek Flood Plain Map**

Administrator Robertson reported that this will bring quite a few properties out of the floodplain. In order to adopt the floodplain this must have a Public Hearing and by recommendation of the Plan Commission. The Public Hearing is set for April 15, 2013 before the Village Board. This has been approved by the DNR.

MOTION by Commissioner Luedtke, **SECONDED** by Commissioner Gattoni to recommend to the Village Board to adopt Ordinance 2013-02 the Pigeon Creek Flood Plain Map. **MOTION CARRIED UNANIMOUSLY.**

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

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.

There is an RFP (request for proposal) out for future development and Commissioner Gattoni had a name of Armen Aiken. Administrator Robertson will send an RFP packet to him when Commissioner Gattoni gets her the information. Anyone interested in developing in Thiensville should contact President Mobley or Administrator Robertson. Mr. Censky commented that there may a custard stand company interested in Thiensville.

MOTION by Commissioner Cutler, **SECONDED** by Commissioner Luedtke to adjourn the meeting at 5:36PM. **MOTION CARRIED UNANIMOUSLY.**

Submitted by,

Approved by,

Susan R. Conway
Administrative Assistant

Dianne S. Robertson
Village Clerk

SHULLY'S SIGN PLAN APPROVAL

To: Plan Commission

Prepared by: Jonathan Censky

Date: May 7, 2013

General Information

Applicant:	Shully's
Status of Applicant:	Property Owner
Requested Action:	Sign Plan Approval
Zoning	B-1 Central Business; R-2 Residential; FFO Flood fringe Overlay
Proposed Zoning:	No Change
Location:	146 and 150 Green Bay Road
Land Use Plan Designation:	Business
Existing Land Use:	Catering Business

Proposal:

Shully's sign plan consists of a ground mounted sign and 5 wall mounted signs located at various entryways on the building. My review indicates that the plan is not code compliant with respect to the side yard/driveway setbacks, the size of the ground mounted sign and the number of signs on the building. Accordingly, the Planning Commission will need to consider these waivers for this signage program to be approved.

In regards to the ground mounted sign, the plan shows it is located within the 10 foot wide green space area directly north of the new driveway entrance approximately 7 feet back from the front public sidewalk where it will not interfere with sight vision for those exiting the parking lot. According to **Section 16.17 B.2., Monument or ground sign meet the following setback requirements: Front yard setback: 0 feet. Side yard setback ten (10) feet. Setback from a driveway: four (4) feet.** Since there is only a ten foot area of green space here, the sign does not meet the side-yard and driveway setback requirement as indicated and consequently a waiver is needed. In addition, **Section 16.17 B.1. the area of a Monument or ground sign shall be proportional to the size of the building and distance back from the right-of-way. Monument and ground signs shall not exceed twelve (12) square feet on one side nor twenty-**

four square feet on all sides. The Shullys ground sign measures 15.75 square feet in size. Accordingly, another waiver is needed here for the ground sign.

With respect to the wall signs, **Section 16.17 A. 1. states that one wall sign per commercial building...** is allowed and **the maximum area of shall be computed using the following formulae: Total maximum area of signage shall not exceed .50 feet in area for every one (1) linear foot of front building width and no sign shall exceed fifty (50) square feet in area for any one premise.** Therefore, since the Shully's building does exceed 100' in width, they are allowed up 50 square feet in area for the building sign. My calculation reveals that the proposed signage is at 40.75 square feet in size and complies with the size limitation. However, they do exceed the total number of signs allowed on the building and a waiver is necessary here as well.

It's my understanding that all signs will be of MDO ridged foam material which is weather resistant and designed to simulate wood. With respect to their lighting plan, the Shully's propose a low intensity 10watt LED ground fixture to illuminate the ground mounded sign. This is a shielded light which will be located within the landscape area adjacent to the sign. The landscape plantings will also serve to screen the fixture as well.

Historic Preservation Commission's Action:

At their April 1, 2013 meeting, the Historic Preservation Commission unanimously recommended approval of the signage program subject to Plan Commission approval of the necessary waivers.

Planners Comments:

As you know, the new waiver language reads: The Plan Commission may, in its judgment, waive or modify the provisions of this chapter where it would further the public interest. Accordingly, if you feel that this signage proposal is necessary to properly direct customers and therefore would further the public interest, you have the authority to grant the necessary modifications to the code. Because of the size of this building and the various use activities ongoing within the confines therein, this planner believes the Shully's do have an argument that the signage program is necessary for the proper functionality of their business and therefore is compatible with the nature of recently approved addition. Prior to the installation of their signs, the applicant must secure the necessary sign permit.

TBRC – FARMERS MARKET SIGNS

To: Plan Commission

Prepared by: Jonathan Censky

Date: May 7, 2013

General Information

Applicant:	Jessie Daily
Status of Applicant:	TBRC Sub-Committee Chairman
Requested Action:	Sign plan approval and Code waiver
Existing Zoning:	Various Zoning Districts
Proposed Zoning:	No Change
Location:	See Discussion below
Land Use Plan Designation:	N/A
Existing Land Use:	N/A

Proposal:

Commissioner's may know that the local Farmer's Market will be relocated this year from the vacant commercial site directly south of Walgreen's to the parking lot in Thiensville Village Park. The plan is to operate the market every Tuesday this summer from 8am to 7pm and the hope is to increase the number of vendors and provide a wider variety of products. This move is intended to promote Thiensville's quality of life to outsiders by having more people moving throughout the community encouraging more use of our attractive amenities. However, while the Village Park will provide a much nicer setting for the sale of the farmer's produce, the obvious drawback is the park's lack of exposure and therefore it is critical that they have an extensive promotional campaign with appropriate signage to help ensure the success of this year's market.

To help guide people to the park they are proposing 14 signs located at strategic locations throughout this Community and four additional signs located in Mequon. All signs are the same portable A-frame type which will be placed at various strategic street corners throughout Thiensville. Each sign will be placed on site in the morning of the market and removed that evening. The signs will be made of high density particle board with a chalkboard finish and will stand 4 feet high and 8 square feet in size. These signs are propose to be located in the **public road right-of-way** at the following locations:

- South side of Friestadt Road adjacent to the west entrance sign to Village.
- Southeast corner of the Friestadt Road/River Road intersection near the east entrance to Village.
- West side of North Main Street adjacent to the north entrance sign to Village.
- In the public roadway on the concrete center medium island of South Main Street near south entrance to the Village.
- In the public roadway on the concrete island that separates the right turn lane heading east onto Friestadt Road from North Main Street at said intersection.
- Southeast Corner of the Friestadt Road and Green Bay Road intersection.
- Southeast Corner of the Friestadt Road and Kenwood Drive intersection.
- Northeast corner of North Main Street and Riverview Drive intersection.
- Southeast corner of Green Bay Road and Riverview Drive intersection.
- Southwest corner of Elm Street and Riverview Drive.
- On sidewalk adjacent to the Firehouse at the northeast corner of Green Bay Road and Main Street.
- Northeast corner of Green Bay Road and Elm Street.
- Southeast corner of Elm Street and Village Park entrance.

While all signs are proposed within the public road right-of-way, two will actually be on concrete islands within the traveled roadway which is troubling from a safety standpoint and therefore, before those two locations are considered, the applicant was asked to solicit the blessing of and comments from the Chief of Police.

Planners Comments:

Because this request is rather unusual and very unique in terms of anticipated signage requests, it is no surprise that it is not address by our sign code. In fact, some communities pass on having Plan Commission approval required for special event signs of this nature and simply defer to staff for approval. However, because of the repetitive display of the signs and their location within the public road right-of-way, it is necessary for Plan Commission review and approval in this instance.

The signs are temporary in nature, A-frame/sandwich board in design and serve the purpose of a Wayfarer sign to enable people to find their way to a given destination. However, they do not technically meet the technical standards of any of those signs as defined and addressed in the code. Consequently, Commissioners will need to consider a variance to allow for the number of signs being proposed and for their location within the public road right-of-way.

This proposal seems to best fit the definition of a combination of **Temporary Event signs**: *A sign which carries a message regarding a special event or function which is of general interest to the community, such as historic, ethnic, cultural, religious, political or similar activities not to exceed 15 square feet in area and located on the premises of a charitable, religious, educational institution or a public body, for the purposes of announcing events which are held on the premises.* Or **Wayfarer Signs**: *defined as Official or Village approved standardized institutional signs located in designated areas and approved by the Village Board enabling a person to find his or her way to a given destination thru the use of effective signage.*

Because this proposal includes multiple signs that will be at numerous locations, it conflicts with the single sign, single location requirement of the code. Moreover, they are all proposed to be located in the public road right-of-way as oppose to private property location typically required. However, since these signs are for a seemingly legitimate public purpose and are necessary to help in the success of this year's farmer's market, Commissioners do have the authority to consider the necessary waivers to the code. Accordingly, the following conditions set forth for your consideration:

- The two signs proposed within the public roadway are subject to Police Department review and approval.
- The signs shall be installed each morning and removed each evening of each day the Farmer's Market is in operation.
- Any unanticipated substantiated problem with any sign and its location shall be the responsibility of the applicant to correct. Failure to correct the problem in a timely manner will result in the removal of the sign.
- The Village of Thiensville shall be held harmless from any claims for damaged signs resulting from their location in the public road right-of-way