

VILLAGE OF THIENSVILLE  
PLAN COMMISSION  
AGENDA

DATE: Tuesday, July 2, 2013  
250 Elm Street  
TIME: 6:00 PM  
CALL TO ORDER

LOCATION: Village of Thiensville

II. ROLL CALL

|                |               |               |
|----------------|---------------|---------------|
| Chairman:      | Van Mobley    |               |
| Commissioners: | John Cabaniss | Carol Gengler |
|                | Sam Cutler    | Ken Kucharski |
|                | Rick Gattoni  | Dan Luedtke   |

|                |                  |
|----------------|------------------|
| Administrator: | Dianne Robertson |
| Planner:       | Jon Censky       |

III. BUSINESS

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

A. Minutes

1. June 3, 2013
2. June 4, 2013 (Special Plan Commission)

Documents: [PLAN JUNE 2013 MINUTES.PDF](#), [JUNE 4, 2013 COW AND SPECIAL PLAN COMMISSION MINUTES.PDF](#)

- B. Review And Approval Of A Building Permit For Jim Kile, 116 S. Orchard Street For A New Deck
- C. Review And Approval Of A Building Permit For Svetlana Dobrinin, 302 E. Freistadt For A New Garage And Second Story Addition
- D. Review And Approval Of A Building Permit For Nadine O'Kane, 516 Park Crest For A Fence
- E. Review And Recommendation On Ordinance No. 2013-05 An Ordinance Amending Section 16.17a And 16.17b Of The Village Sign Code Pertaining To Sign Location Requirements

Documents: [SIGN LOCATION FLEXIIBILITY ORDINANCE NO. 2013-05.PDF](#), [FLEX SIGN LOCATION MEMO.PDF](#)

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

June 28, 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 responsibility, although they will not take any formal action thereto at this meeting.

**VILLAGE OF THIENSVILLE  
PLAN COMMISSION  
MINUTES**

**DATE: Monday, June 3, 2013**

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

**TIME: 5:30 PM**

**I. CALL TO ORDER**

Chairman Mobley called the meeting to order at 5:30 PM.

**II. ROLL CALL**

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

**III. BUSINESS**

**A. Approval of Minutes**

**1. May 7, 2013**

**MOTION** by Commissioner Luedtke, **SECONDED** by Commissioner Cabaniss to approve the minutes from May 7, 2013. **MOTION CARRIED UNANIMOUSLY.**

**B. Review and approval of a Sign Permit for Reuter & Associates  
118 N. Main Street for new signs**

There was no one present to represent Reuter & Associates.

Planner Jon Censky stated that this is another application where a variance will be needed. The Village certainly wants to maintain standards to protect ourselves but in areas like the Main Street development where we want more flexibility this can come from either rezoning the properties through a PUD or generate language for the sign code. This would give the Plan Commission the discretion to allow certain things. Chairman Mobley agrees that the code should be changed so that variances are not the normal result.

The proposed sign that is two-sided is 6.3 square feet and the sign that is above the front doorway is 6.2 square feet. Mr. Censky is going to create more flexible language to the sign code to fit future development especially in the Main Street development area. Is the sign going to read Reuter or Reuters? There were two different drawings with this discrepancy. Mr. Censky will check into this.

Jon Censky stated that the only issue with the signs is the Plan Commission needs to grant a waiver of a 4' setback to 1' setback and to include the following provisions that were in Jon Censky's report:

**Proposal:**

The Reuter's sign plan consists of a ground monument sign off the southwest corner of their building and a wall sign mounted located above the main entrance on the south facade. My review indicates that both signs are code compliant with respect to the style and size requirements but the monument sign fails to meet the setback requirement from the ultimate road right-of-way.

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According to **Section 16.17b.2.c., a freestanding, pole or monument sign may not be located closer than four (4) feet public road right-of-way, property line or driveway.**

In this instance, the right-of-way is directly behind the front sidewalk and their sign is proposed to be located above the retaining wall 1 foot off the sidewalk. Therefore, Commissioners will need to consider a waiver/modification to this section to approve the monument sign.

The building mounted sign will consist of black anodized aluminum letters directly mounted to the south façade. The lettering will be 8 inches high and the Reuter name will extend 4' wide with the Insurance name 5' wide for a total size of 6 square feet. The monument sign will also consist of individual letters mounted to the sign face which will be of grey stucco material to match the building façade. A white trim will separate the address from the business name.

This sign will be on a base of blue/grey dry-stacked Beaver Dam Lannon Stone located within their green space area above the front retaining wall adjacent to the SW corner of the building.

**Planner's Comments:**

Because of the limitations to the buildable area of this site as a result of minimal lot depth couple with the presence of the Pigeon Creek floodplain, the green space where the monument sign is proposed is only 8.72.wide. Since the base of the sign measures 5'6", it fails to meet the required setback requirement. As Commissioner's know, **Section 16.24** of the Sign Code now reads that **the Planning Commission may, in its judgment, waive or modify the provisions of this chapter where it would further the public interest.** This provision was added to provide more flexibility for Commissioners to approve quality signs that generally met the intent of the code but failed to meet the letter of the law. Since this monument sign is critical for south bound traffic to locate the business and since there is no other practical place on site to locate the sign, the applicant has a legitimate argument for a modification to code requirements to provide needed visibility. Accordingly, the applicant is seeking a modification of the 4 foot setback to a 1 foot setback in order to place the sign above the retaining wall. Approval should be subject to the following:

- Prior to the installation of their signs, the applicant must secure the necessary sign permit.
- The signs being install in accordance with the plans approved by the Plan Commission on 6/3/2013

**MOTION** by Commissioner Luedtke, **SECONDED** by Commissioner Gengler to approve a Sign Permit for Reuter & Associates, 118 N. Main Street for new signs to include a waiver of a 4' setback to a 1' setback.

Commissioner Cutler feels that the applicant should be present for the approval process.

**Ayes:** Commissioners Cabaniss, Gengler, Kucharski, Luedtke and Chairman Mobley.

**Naes:** Commissioner Cutler

**MOTION CARRIED.**

- C. Review and approval of a Building Permit for Elissa Elser, 311 Park Crest Drive for a swing set

Elissa Elser was in attendance. The Elser's currently have an old swing set that is not safe that they want to remove and put up a new one. The new location is the rear corner of their lot and is the same size as the existing set. Ms. Elser will talk to her neighbors but does not see any problems.

**MOTION** by Commissioner Cutler, **SECONDED** by Commissioner Luedtke to approve a Building Permit for Elissa Elser, 311 Park Crest Drive for a swing set contingent upon talking to the neighbors. **MOTION CARRIED UNANIMOUSLY.**

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**D.** Review and approval of a Building Permit for Roland Runge, 415 Grand Avenue for a shed replacement

Roland Runge was in attendance. Mr. Runge wants to put up the Pewaukee shed model from Shedwerks. The shed will be 150 square feet which meets the shed size requirements and is 11' high. This is a replacement shed. The shed will be placed in the same area and will be lengthwise on the property.

Mr. Runge wants to put asphalt under the shed to make the shed look crisp and clean. The color will be white or barn red. Chairman Mobley prefers white.

**MOTION** by Commissioner Luedtke, **SECONDED** by Commissioner Kucharski to approve a Building Permit for Roland Runge, 415 Grand Avenue for a shed replacement to be either red or white in color. **MOTION CARRIED UNANIMOUSLY.**

**E.** Review and approval of a Building Permit for Paul Jirovetz, 425 Park Crest Drive for a new fence

Paul Jirovetz was in attendance. The fence will be placed around the back yard and within 5 feet of the back of the house. The purpose of the fence is privacy, a small child and two large dogs. All the neighbors are aware of the new fence and there were no concerns.

**MOTION** by Commissioner Gengler, **SECONDED** by Commissioner Luedtke to approve a Building Permit for Paul Jirovetz, 425 Park Crest Drive for a new fence. **MOTION CARRIED UNANIMOUSLY.**

**F.** Review and approval of revised site elevation plans, deck size and square footage for Arthur Liebau, 715 Riverview Drive

Bruce Stern of Inland Construction was in attendance. The size of the house has been reduced by 392 square feet to 4,333 square feet. It is proposed to remove the stone from the front of the home and to reduce the rear wood deck in size. The house will be all hardy plank siding. The main colors of the siding will be a darker gray with a lighter gray trim but the colors may change slightly. Any changes will be submitted at a later date. There will be a patio installed on the lower level in the same place as there is now. The deck on the back of the house will be large enough for a grill and a small table and chairs. Administrator Robertson asked how does this fit into the floodplain elevation?

Mr. Stern answered there currently is a lower level walkout from the basement and this area will have a small foundation wall around it with a drain and a separate pump system and will conform to all floodplain regulations. The revised plan will not have any rock or stone on the house.

Chairman Mobley commented that every house along this area has at least some rock or brick on the front face of the home. Mr. Stern stated that there are a number of homes in the nearby cull du sac that do not have any stone or brick. Planner Jon Censky commented that there is a suggestion in the architectural code, Section 17.112(10) that there should be a change in materials when there is reconstruction of a home to include some sort of stone or brick look. The Plan Commission approved the house initially with the brick/stone on the front and the Commissioners would prefer to see brick or stone on the front of the house rather than just hardy plank siding all throughout. This will add to the value of the home.

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**MOTION** by Commissioner Kucharski, **SECONDED** by Commissioner Cutler to approve the revised site elevation plans, deck size and square footage for Arthur Liebau, 715 Riverview Drive with the exception to maintain some type of brick or stone element to the front of the home with final authority/approval by Planner Jon Censky and Administrator Robertson. **MOTION CARRIED UNANIMOUSLY.**

**G. Conceptual review pertaining to Little Free Libraries as an allowable use in the Zoning Code**

Carol Gengler was in attendance of course as a Plan Commissioner and this is her request. These libraries are coming to fruition all over the country. These libraries are being placed in commercial, business, school and residential areas. Ms. Gengler wants to place one outside her business at 102 S. Main Street, Interior Garden Art Studio. People can look at the books and take them if they choose. If this gets approved Ms. Gengler would register the library and the registered number would be inside the library. The library would be taken in when winter. The Historic Preservation Commission was in favor of this. Ms. Gengler would paint the box to match the building.

Commissioner Cutler asked if this would be considered a conditional use but there is nothing in the code regarding this. Mr. Censky does not feel that this type of use warrants a conditional use. The question is what districts should the libraries be allowed in. Chairman Mobley does not want unkempt little libraries scattered about the Village with no ability to move them out. He wants to be able to get rid of unsightly boxes. Mr. Censky recommended that the motion should be stated that the Village requires these to be maintained and if not maintained the Village has the authority to remove the box at any time and that can come pick it up by the owner if they wish. If a conditional use was applicable then it would could be reviewed on a yearly basis. Commissioner Cutler asked if these get put up in the right-of-way in other municipalities. Other municipalities require them to be placed on public places or private property. The Plan Commission does not want to regulate where these can be placed at this time. Under Section 17.0204 Use Regulation in the Zoning Code it reads: **Uses Not Specified** in this Ordinance and which are found to be similar in character to principal uses permitted in the district may be permitted by the Plan Commission.

The Plan Commission stated to Ms. Gengler that she should put the little library up at her own risk they preferred not to make a motion.

**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.

**V. ADJOURNMENT**

**MOTION** by Commissioner Kucharski, **SECONDED** by Commissioner Cabaniss to adjourn the meeting at 6:58PM. **MOTION CARRIED UNANIMOUSLY.**

Submitted by,

Approved by,

Susan R. Conway  
Administrative Assistant

Dianne S. Roberson  
Village Clerk

**VILLAGE OF THIENSVILLE  
SPECIAL COMMITTEE OF THE WHOLE  
& SPECIAL PLAN COMMISSION  
MINUTES**

**DATE: Tuesday, June 4, 2013**

**LOCATION: 250 Elm Street  
Thiensville, WI**

**TIME: 5:00PM-COW  
5:30PM-COW and Special Plan Commission**

**I. CALL TO ORDER**

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

**II. ROLL CALL**

|                |                                                               |                   |
|----------------|---------------------------------------------------------------|-------------------|
| President:     | Van Mobley                                                    |                   |
| Trustees:      | Kim Beck (5:15PM)                                             | Kenneth Kucharski |
|                | Ronald Heinritz                                               | David Lange       |
|                | Rob Holyoke                                                   | John Treffert     |
| Chairman:      | Van Mobley                                                    |                   |
| Commissioners: | John Cabaniss                                                 | Carol Gengler     |
|                | Sam Cutler                                                    | Ken Kucharski     |
|                | Rick Gattoni (excused)                                        | Dan Luedtke       |
| Administrator: | Dianne Robertson                                              |                   |
| Staff:         | Director of Public Works Andy LaFond, Fire Chief Brian Reiels |                   |
|                | Police Chief Scott Nicholson, Planner Jon Censky              |                   |

**III. BUSINESS-COMMITTEE OF THE WHOLE**

**A.** Review Capital Expenditures List

**B.** Review and recommendation regarding new beverage operator's license for Aaron C. Baker, Walgreens

**MOTION** by Trustee Heinritz, **SECONDED** by Trustee Kucharski to recommend to the Board approval of a new beverage operator's license for Aaron C. Baker, Walgreens. **MOTION CARRIED UNANIMOUSLY.**

**C.** Review and recommendation regarding minimum setback requirements for corner lots (Trustee Holyoke)

Trustee Holyoke wants to install a covered porch on his home and the required setbacks on a corner lot do not allow a porch/structure to be installed. Mr. Holyoke feels this fosters bad will toward the planner and staff. When Mr. Holyoke installed his deck he was told the setbacks were 5 feet and now the setbacks are 25 feet but that is because he is installing a roof which now is considered a "structure".

Jon Censky stated that the difference between Mr. Holyoke's yard versus his neighbor's yard is the side yard versus the rear yard and the codes in other municipalities are very similar to Thiensville's in terms of corner lots. Rear yards are typically where you have your private activities and that is why there is a greater setback for rear yards. Typically they are much greater than 25 feet. The neighbor that abuts up to Mr. Holyoke's lot is his side yard where there is not much activity. Therefore the offset is much smaller. This comes to the definition of the side yard versus the rear yard and where most private activity takes place. Mr. Holyoke commented that there are a lot of nonconforming houses in Thiensville with their lot setbacks.

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Administrator Robertson commented that maybe the code could read “structures shall provide a street yard as required by this Ordinance”. Take out “on the street that the structure faces” so then this could be the side of the lot that faces Orchard. A second yard shall be provided on the side of the structure abutting a second public or private street. The second side could be West Street (address side). Then the setbacks of 5 feet could be on the north and the south side. Then in each case the Plan Commission could determine which side they want to measure the setback from.

Trustee Heinritz feels it would be better if there were a diagram of the house/property. There was one diagram provided to the office staff. Trustee Treffert feels that if the code is going to be changed the impacts on other properties would have to be looked at. Trustee Holyoke does not want to pay any fees for the planner to review the code or to go before the Zoning Board of Appeals. Administrator Robertson reported that the Village has costs associated with these requests such as publication fees and planner review and reports need to be created. Trustee Holyoke feels there are different interpretations being made regarding the code and the setbacks. The setback is 25 feet because now it becomes a permanent structure. Trustee Holyoke wants to put an enclosed porch with a roof over the porch.

The Village Board would like to have Planner Jon Censky review this further with a good diagram of the actual lot lines and dimensions.

**D. Review and recommendation regarding “Creekside Center” architectural theme  
(Trustee Treffert)**

Trustee Treffert stated that the old firehouse is the anchor point and to encourage similar architectural structures in this area. All the developments surrounding this area should have a common theme. Director of Public Works Andy LaFond provided drawings of the current layout. The architectural style on Main Street should be cohesive. Trustee Beck commented that the biggest mistake that the City of Milwaukee made architecturally was they began to design every new project after the City Hall. Things should be unique and not all buildings should look like each other. Trustee Heinritz agreed with Trustee Treffert and commented that we do have the Town Center guidelines for that area. The architectural guidelines also specify certain building products that should be used along with building requirements.

**IV. BUSINESS-COMMITTEE OF THE WHOLE & SPECIAL PLAN COMMISSION**

**A. Review of Development Plan submitted by Matthew Buerosse & Jesse Daily  
of CORE Consulting, LLC (5:30PM to 6:00PM)**

President Mobley stated that these existing building are scheduled to be demolished soon. Administrator Robertson stated the asbestos is being removed now so the demolition should be within the next two weeks. The Village has a long standing interest in this area. There are three groups that will be presenting their proposals.

Matthew Buerosse and Jesse Daily were in attendance and Mr. Daily gave his power point presentation of their development plan for 128, 134-136 N. Main Street. Mr. Daily and Mr. Buerosse currently rent a building on Green Bay Road (CORE) that is not in very good shape. CORE recruits engineers for large companies. The applicants are looking for a long term home for their business that they would like to own. Mr. Buerosse spoke of the size and architecture of what is being considered. The building will be one to two stories with an 11-14 stall parking lot on the north side of the building. They would like to offer some creek access as well. This would be a mixed use development and would complement the historic nature of the Village. CORE would hire an additional 15-20 internal employee’s for the business and have 50-100 project based contractors. This would bring more traffic into Thiensville and they would hold introductory lunches and meetings. The applicants would like to avoid any street repairs and would work with the Village on the retaining wall and proper permits.

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Trustee Heinritz stated that the basic footprint of the building is 6,000 square feet that would include 100 feet on the street side and 60 feet in depth for the proposed building. There is currently no concept design but Jesse Daily would like to follow the Fiddleheads design, this will be an anchor on Main Street. The second floor would be designed at the same time as the first floor and they would like to have retail on the first floor and offices on the second floor. Trustee Beck asked when the decision will be made for design and Mr. Daily responded when the Village is ready. President Mobley stated that the Village is looking for feedback on the general concept of these proposals. The Village wants to move faster rather than slower on any proposals. The Trustees feel that a two story building would be more suitable for the site. Trustee Lange likes the retail element of their proposal. The applicants have talked to retailers but do not have any committed retailers. Commissioner Cutler asked the applicants if they have ever built a commercial building and if they have ever been a landlord? Mr. Buerosse has built a commercial building in Pewaukee that was recently converted to residential. Mr. Daily is currently a landlord and has great tenants. The applicants have never constructed a building of this size. Remediation of the properties has been completed by the Village (soil borings, asbestos, etc.).

**B. Review of Development Plan submitted by Jonathan R. Nelson, AIA of  
Knobloch Nelson Architects (6:00PM to 6:30PM)**

Leona Knobloch Nelson, John Nelson are both partners of Knobloch Nelson Architects and Dave Blanchard, non-partner were in attendance. Mr. Blanchard is a consultant on the restaurant retail operation side. These applicants also gave a power point presentation. The applicants are calling the proposal the Thiensville Main Street Commons. The applicants are proposing to have food service, retail mercantile, office space and potential future apartments. The building will have an approximate footprint of 3,700 square feet with an upper floor of 3,500 square feet. With proposing mixed occupancy they are trying to meet the desires of the Village. There will be a maximum of six lease spaces on the first floor that would be 515-700 square feet each. There would be a walkway cut through the building. There will be a pedestrian easement to include a community area with a sculpture garden. They will have a retaining wall and are planning on limestone as one material. The various tenants will be from various food service industries: pasta shop, pita pit sandwich shop, ice cream confectionary, and maybe a smoothie shop. Mr. Blanchard reported that he built the six Alterra Coffee locations. The applicants have already secured some tenants which are: State Farm Insurance and North Coast Consultants. They are also offering a community conferencing area for other groups to rent. There can be space for advertising, for example Schumann Studios would do their gallery shows. Schumann Studios are basically demonstration offices with advertising.

On the 2<sup>nd</sup> floor, the applicants are initially proposing six office spaces for lease that could be converted to potential apartments. The applicants are looking to alternatives for energy. This may be solar or wind power energy to be placed in the rear of the building and could be integrated in with the sculpture garden. This is an incentive for renters. The timelines would be to have groundbreaking in September and completion for first renters in March.

Trustee Heinritz asked about the first floor square footage and the answer was it would be approximately 3,700 square feet and the length would be 100 feet long. President Mobley stated that the Village is aware that parking is a problem as is the applicant. The applicant stated that there is the possibility of adding an elevator for renters.

President Mobley does not care for apartments above. He likes the proposal of retail or office space. Trustee Kucharski wanted to know what materials would be used and they are proposing cladding siding. The applicants are hopeful that the Village will remediate the site. Commissioner Gengler asked if the applicant has built anything similar to this and the answer is no. The applicant has built a bed and breakfast. The consultant Dave Blanchard has been involved with building.

Trustee Kucharski asked what the approximate square footage is of the proposed six apartments on the second story and the answer is 450 to 580 square feet and they will be economical apartments. He also asked if the applicant has researched the existing retail that is here now in the Village and then try to match tenants that might be a different fit. The applicant has not researched this yet. Their proposed tenants need street frontage and this is the draw. Both consultants have children in the M-T School District.

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The building materials are not totally determined yet. The applicant would love to use Iannoni stone somewhere on the site. Trustee Treffert feels that the building should be required to have an elevator because of the second story which will also increase property value.

**C. Review of Development Plan submitted by Dr. Gary Lewis & Andrea Mayerson  
of Thiensville Family Health Care Clinic (6:30PM to 7:00PM)**

Dr. Gary Lewis and Andrea Mayerson were in attendance. Dr. Lewis and Ms. Mayerson are equal partners in this venture. Dr. Lewis has had a medical practice for 13 years and has had a Thiensville location at 140 S. Main Street since 2005. Dr. Lewis and Dr. Anthony Sweeney (practice in Mequon) are combining forces and Dr. Sweeney wants Dr. Lewis to come to Mequon and Dr. Lewis wants Dr. Sweeney to come to Thiensville.

The preliminary plans are a 12,000 square foot building with 3 stories to include outside patios on the backside of the building. The second floor will be physicians' offices. The third floor of the building will have conference rooms and an exercise facility. This building will have an elevator. The first floor will have some type of retail that hopefully will go along with health and wellness but this is not set in stone. State Farm Insurance is very interested in being a tenant on either the first or third floor. The second floor will be the physician's floor and there are three physicians including Dr. Schwartz. Dr. Lewis and Dr. Sweeney each have over 3,000 patients. North Shore Physical Therapy and a massage therapist will join the groups. They are also interested in getting a chiropractor, nutritionist, acupuncture and other health and wellness practices. The applicants have bank financing in place. The goal for completion is set for the end of 2013. Dr. Lewis is a current resident of the community and is well known. This large health complex is something that Dr. Lewis has dreamed about and believes his proposal is compatible with the downtown vision of Thiensville.

Trustee Treffert asked about parking and Ms. Mayerson answered there are 20 parking spaces. Parking will be an issue with any of the proposals that the Village receives. Trustee Heinritz asked about the footprint of the building. Dr. Lewis stated there will be 12,000 square feet of useable space and the percentage of unusable space is about 2,000 square feet. The frontage on the street side is not known at this time.

Commissioner Cutler asked if the applicant has built any other commercial buildings and if they have ever been a landlord and Ms. Mayerson answered that this would be the first building and yes they have been a residential landlord. Dr. Lewis has remodeled his building on S. Main Street.

**V. BUSINESS FROM THE FLOOR**  
**A. Citizens to be Heard**

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.

Roland Runge – has concerns about 6 apartments with 6 parking spaces and does not really see this as a desire.

Ann Brownfield – are the documents available for viewing? Administrator Robertson responded that they are a public document now that the Board has reviewed them.

The documents may be put on the website.

Lyn Falk – has been part of the new Outpost building in Mequon and is in favor of Dr. Lewis's proposal.

|                         |         |
|-------------------------|---------|
| NEXT RESOLUTION NUMBER: | 2013-13 |
| NEXT ORDINANCE NUMBER:  | 2013-05 |

**MOTION** by Trustee Heinritz, **SECONDED** by Trustee Kucharski to recess the meeting at 7:08PM for a 5 minute break. **MOTION CARRIED UNANIMOUSLY.**

**VI. MISCELLANEOUS BUSINESS BY TRUSTEES AS MAY PROPERLY BE BROUGHT BEFORE THE BOARD.**

1. Inter-Governmental Committee with Mequon
2. Use of 101 Green Bay Road, Old Village Hall & Fire Station
3. Acceptance/Report of Gifts Received
4. Dialog with Mequon regarding water utility service
5. Review next month's meeting date schedule
6. Update on Village owned Main Street properties
7. Family Fun Before the Fourth Parade, June 29, 2013

**VII. MOTION TO ADJOURN TO CLOSED SESSION**

**MOTION** by Trustee Beck, **SECONDED** by Trustee Kucharski to adjourn to closed session with the Plan Commission at 7:15PM deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session regarding property sale and purchase. The Plan Commission was invited to attend.

1. Roll Call Vote

**Ayes:** Trustees Beck, Heinritz, Holyoke, Kucharski, Lange, Treffert, President Mobley.

**Naes:** None

**MOTION CARRIED.**

Plan Commission left at 8:07PM.

**MOTION TO RECONVENE IN OPEN SESSION**

1. Vote of Board to reconvene.

**MOTION** by Trustee Holyoke, **SECONDED** by Trustee Lange to reconvene in open session at 8:16PM. **MOTION CARRIED UNANIMOUSLY.**

2. Discussion and possible recommendation on Closed Session.

None

**VIII. ADJOURNMENT**

**MOTION** by Trustee Kucharski, **SECONDED** by Trustee Holyoke to adjourn the meeting at 8:17PM. **MOTION CARRIED UNANIMOUSLY.**

Submitted by,

Approved by,

Susan R. Conway  
Administrative Assistant

Dianne S. Robertson  
Village Clerk

## ORDINANCE NO. 2013-05

### **An Ordinance Amending Section 16.17a and 16.17b of the Village Sign Code Pertaining Sign Location Requirements.**

The Village Board of the Village of Thiensville, Wisconsin, hereby ordains as follows:

**SECTION 1.** Sections 16.17a and Section 16.17b of the Sign Code of the Village of Thiensville are hereby amended as follows:

#### **SECTION 16.17a – Signs permitted in the Green Bay Road and the Main Street Historic District with a permit**

##### **B. Monument, Ground and Ground Mounted Projecting Signs:**

2. Location. ~~A monument or ground sign may not be located closer than four (4) feet to any property line or driveway. Monument or ground signs shall meet the following setback requirements: Front yard setback: 0 feet. Side yard setback: four (4) feet; setback from driveway four (4) feet. Under no condition shall a sign be allowed within the street right-of-way.~~ A freestanding, pole or monument sign may not be located closer than four (4) feet to a ~~public road ultimate right-of-way,~~ property line or driveway and three (3) feet from the public right-of-way unless, due to site design restrictions, the Plan Commission determines that there is inadequate space available to meet these requirements and then the Commission will have the discretion to locate the sign as necessary to enhance the character of the building and site.

#### **SECTION 16.17b - Signs permitted in all Commercial, Park and Institutional Districts but outside the Green Bay Road and the Main Street Historic Districts.**

##### **2. Freestanding, Pole or Monument Signs.**

- C. Location. A freestanding, pole or monument sign may not be located closer than four (4) feet to a ~~public road ultimate right-of-way,~~ property line or driveway and three (3) feet from the public right-of-way unless, due to site design restrictions, the Plan Commission determines that there is inadequate space available to meet these requirements and then the Commission will have the discretion to locate the sign as necessary to enhance the character of the building and site.

**SECTION 2.** This ordinance shall take effect upon its passage and publication as provided by law.

Passed and adopted this \_\_\_\_ day of August(?) 2013.

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Van Mobley, Village President

Countersigned:

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Dianne Robertson, Village Administrator/Clerk

Approved as to form:

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Robert Feind, Village Attorney

# **SIGN CODE AMENDMENT FOR FREESTANDING SIGN LOCATION**

**To:** Thiensville Plan Commission

**Prepared by:** Jonathan Censky

**Date:** July 2, 2013

**Report:**

At our last meeting when considering a variance for the setback to the Reuter's freestanding sign, Commissioner's questioned the restrictiveness of the Sign Code and asked that new language be drafted to provide Commissioner's with more flexibility when considering sign location. Because a number of variance requests have recently been considered and since all were approved, it was felt that a code change was warranted to alleviate the ongoing need for these types of variances and to reflect this evolving policy. More specifically, because many new projects are being proposed where the buildings are closer to the road and parking is located either in back or along the side of the building, less space is available in front for business signage.

Accordingly, the attached language was drafted to provide Commission's with discretion when approving the location of business signs. While there will continue to be a three foot setback from the road right-of-way and a four foot setback from a property line or driveway in most cases, Commissioner's will have the authority to approve a reduced setback, as necessary, when the building has been shifted forward due to site conditions or traditional site design. This language will allow Commissioner's the ability to set the location freestanding signs, on a case-by-case basis, when space is tight without the need to consider a variance. To maintain consistency throughout the business community, this change is proposed for both the Historic Districts as well as all other business districts.

While these changes are shown in ordinance form, this is simply a draft and your review, input and appropriate changes are encouraged. Furthermore, any recommendation should be conditioned on Village Attorney review and approval.

