

VILLAGE OF THIENSVILLE
PLAN COMMISSION
AGENDA

DATE: Tuesday, December 4, 2012

LOCATION: Village of Thiensville

250 Elm Street

TIME: 6:00 PM

I. CALL TO ORDER

II. ROLL CALL

Chairman:	Van Mobley		
Commissioners:	John Cabaniss	Carol Gengle	
	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. Approval Of Minutes

Documents: [11-13-2012 PLAN MINUTES.PDF](#)

B. Review And Approval Of A Building Permit Application For William Scozzafave, 355 Vernon For A New Shed

C. Review And Approval Of A Sign Permit Application For Erica Kobylarz, 180 S. Main Street For A New Sign

D. Review And Approval Of A Sign Permit Application For Tres Jole 166 Green Bay Road

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

November 30, 2012

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: Tuesday, November 13, 2012

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:	John Cabaniss (6:02PM)	Carol Gengler
	Sam Cutler	Ken Kucharski
	Rick Gattoni	Dan Luedtke
Administrator:	Dianne Robertson	
Planner:	Jon Censky	

III. BUSINESS

A. Approval of Minutes

1. October 2, 2012

MOTION by Commissioner Cutler, **SECONDED** by Trustee Gengler to approve the minutes from October 2, 2012. **MOTION CARRIED UNANIMOUSLY.**

B. Review and approval of a Conditional Use Permit for Michael Gabor (Owner), Nathan Gabor (Applicant) for mini warehouse storage facilities behind the Thiensville Do It Best Hardware Store at 501 N. Main Street

Mr. Nathan Gabor, designer and builder was in attendance. Mr. Censky reported that this is the final step in the approval process for the Conditional Use Permit for outside storage. Open storage is a legal non-conforming use therefore it cannot be expanded, enlarged or relocated but by better defining the open storage area Mr. Gabor can continue this use. Open storage is something the Plan Commission does not want to encourage as a legitimate use in the Village. The proposal includes two individual units or buildings each containing 14 separate storage units for a total of 28. The buildings are designed to reflect the existing building in terms of color and building material. There will be two façade mounted light fixtures directing light downwards. Access to the back area will only be allowed during business hours and at night the area will be secured. Administrator Robertson suggested actually having hours of operation defined which are 8:00 am to 8:00 pm. Another requirement is to have motion censored lighting and this will be in effect until conditions change.

The following is Jon Censky's report:

Background:

Commissioners will recall having recommended amending the B-4 District Code to list mini-warehouse storage units as a conditional use at your August meeting. Subsequent to that meeting, a public hearing was held before the Village Board to consider your recommendation and on October 1, 2012, they approved the change by unanimous vote. Having success with the zoning text amendment, the applicant is now on his final step in the approval process requesting conditional use approval of his mini warehouse storage facilities behind the Thiensville Do It Best Hardware Store at 501 N. Main Street.

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It should be noted that while the aforementioned text change to the B-4 District was to add mini-warehouse storage, it did not address the on-going open storage use and consequently that use remains classified as legal non-conforming. Accordingly, such use is subject to, among others, **Section 17.0802 E. (1) Extension or Enlargement of Non-Conforming Uses: No non-conforming use of land or structure shall be enlarged, expanded, increased, or extended beyond the floor space and land area occupied or be carried on in a more intensive manner than exists at the time of adoption of this ordinance, except that a non-conforming use may be extended within the building to any parts already clearly arranged and design for such use; and Section 17.0802 E.(2) Relocation on Lot: No non-conforming use of land shall be relocated or significantly rearranged in whole or in part on the same lot unless it thereafter conforms to this ordinance.** Therefore, in order for the open storage use to continue as part of this request Commissioners must agree that the open storage is not being expanded, enlarged or increased, nor is it being relocated beyond its current on site location but rather the parking lot is simply being resurfaced to better define the area of the non-conforming open storage use.

In my opinion, it would be a mistake to legitimize such a use in this, or any other district, in the Village. While the open storage on this site seems appropriate because it is well screened behind this existing building, it may not be appropriate anywhere else in the Village and therefore such a use should not be encouraged.

Site Plan:

According to the site plan, the applicant is proposing two separate buildings each containing 14 individual mini storage units for a total of 28 indoor units. The drive/parking area will be covered with a bituminous asphalt surface and will be enclosed by the existing chain link fence. Along the south and north fence line the plan proposes parking stalls for the continuation of the existing open storage use.

Architectural Plans:

The proposed buildings will stand 16' high and 73' long and are shown on an east/west axis perpendicular to the existing hardware store building. Each building will be constructed on a 5" reinforce concrete slab and will have seven 8' x 8' steel overhead doors on the south elevations and seven on the north elevations. The buildings will be constructed corrugated galvanized steel siding with a standing seam metal roof and will match the light blue color of the existing building and the recently approved screen fence.

Screening/Security:

Since there is a heavy growth of vegetation along and growing through the chain link fence along the south and west property lines and to the north is the outdoor storage associated with the adjacent garden center, the applicant is not proposing to add more screening. The view from the east is blocked by the existing hardware store and will be further blocked by the screen fence that was approved at your last meeting. As regards security, the entire back area is currently fenced in by a chain link fence and the recently approved access gate will be locked after hours. Access to the individual storage units will be allowed only during work hours.

Exterior Lighting:

Two 20 Watt LED wall pack light fixture are proposed for the north and south elevation of each building. These heavy-duty cast aluminum fixtures will be of the cut-off style directing light downward to reduce potential light trespass.

Signage:

The applicants plans show the wording "Main Street STORAGE" to be painted on the recently approved screening fence located at the main entrance to the storage area. A review of the sign code indicates however, that signs of this nature are prohibited. Specifically, **Section 16.10 I. - Prohibited Signs: Signs which are painted on any part of a building wall.** Accordingly, if the applicant desires signage for the storage use, he will need to draft a sign plan and return to this Commission at a future meeting for approval thereof.

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Engineering:

The applicant has been working with the Director of Public Works and the Village's Engineer on the grading and drainage plans for this development and has received their approval. According to the plans, the drainage will sheet flow across the parking lot toward the west to an existing drainage system located along the east side of the Interurban Trail. Based on their plans, the adjacent properties will not be impacted by this development.

Recommendation:

Since this request is consistent with the Smart Growth Comprehensive Land Use Plan 2035 and conforms to this Commission's recommendation and the Village Board's decision to add mini warehouses as a use by condition use permit in the B-4 District, Mr. Gabor's proposed development is an appropriate land use at this location. Moreover, it will serve to better define the existing non-conforming open storage use and will clean up the existing unsightly condition associated with the ongoing commercial activity on this site. Therefore, I recommend approval of the conditional use permit for the two mini warehouse buildings. Furthermore, since the open storage has existed as a legal non-conforming use for years and is not being expanded, enlarged, extended or relocated but is simply being better defined as part of this request, it is recommended that it be continued in accordance with the attached plans. This recommendation is subject to the following conditions:

- It is understood that the open storage is not being expanded, enlarged or increased, nor is it being relocated beyond its current on site location but rather the parking lot is simply being resurfaced to better define the area of non-conforming use.
- Any expansion of the open storage use beyond what is shown on the site plan will be considered a violation of the conditional use permit.
- All engineering stipulations that resulted from their review of the grading, drainage, erosion control, and storm water management.
- Prior to construction commencement, the applicant shall secure a building permit.
- Prior to the issuance of the building permit, the applicant shall sign and return the conditional use permit. (The Village shall draft the necessary Conditional Use permit).
- Submittal and this Planners review/approval of the site survey prior to issuance of a building permit.

MOTION by Commissioner Luedtke, **SECONDED** by Commissioner Kucharski to approve a Conditional Use Permit for Michael Gabor (Owner), Nathan Gabor (Applicant) for mini warehouse storage facilities behind the Thiensville Do It Best Hardware Store at 501 N. Main Street utilizing motion censored lighting and only to be open during normal business hours but not to exceed 8AM to 8PM. Signage will be submitted at a later date. **MOTION CARRIED UNANIMOUSLY.**

- C. Review and approval of a Sign Permit Application for
Alan Day, College Nannies & Tutors, 250 S. Main Street
for a new sign and sign code waiver

Mr. Alan Day was in attendance. The Plan Commission had previously approved a sign code waiver due to the location of the Village's entryway sign placement just to the north of Dr. Shore/Mr. Day's sign.

The following is Jon Censky's report:

Background:

Alan Day recently took occupancy in Dr. Shore's professional office building at 250 S. Main Street and appeared before you last August for consideration of his temporary business identification sign. At that time, he was granted approval of his sign with the understanding that he would need to pursue approval of a permanent sign at a future meeting. He was also directed to place the permanent sign on the master identification pole sign located in front of

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this business site as Commissioners opposed a new separate freestanding sign on this site as was proposed by the applicant.

As you may know, Dr. Shore's pole sign is nonconforming to the requirements of the new sign code in terms of style, size and height. A review of Village records indicates that the Dr. Shore did work with the Village in the past to lower this sign to 15 feet to conform to the former sign code only to have it become nonconforming again with the adoption of the new code last November. Accordingly, since the sign is again non-conforming, the applicant must seek a waiver from the new sign code to be able to install his permanent sign as directed

Proposal:

The proposed sign will be made of translucent white polycarb material with the graphics directly applied during the creation process. It will be installed in the existing sign cabinet which formally housed the identification sign for the Mequon/Thiensville Chamber of Commerce and that cabinet measures 31" x 83" for total size of 18 square feet. That size coupled with Dr. Shores identification sign brings the total site signage to well over the size limit permitted by the new code. As with the former Chamber sign, this sign will be interior lit which will compliment the main interior lit sign above.

Relevant Sign Code Requirements:

Section 16.2 Compliance: of the Sign Code states that *nonconforming signs located on a property which is either sold or gains a new tenant shall be made conforming or shall be removed within sixty days of the date of sale to a new owner or the date of occupancy by the new tenant.*

Section 16.10 E. – Prohibited Signs. Pole Signs. *New pole or pylon signs are prohibited as Signage. Other signage types allowed by this code are sufficient for all developments. Pole or pylon signs in existence as of the date of this Ordinance will be considered legal non-conforming signs and may remain in place either until said sign is proposed for replacement, a change in the sign face, or is required to be removed because it is in a dilapidated state and/or structurally unsound (at which time the replacement sign must have a visible base or support other than a pole or pylon) or until the specific sign has met the end date in any future amortization schedule approved by the Village Board.*

Section 16.17 B. – Signs permitted in all Business Districts. *The area of a monument or ground sign shall be proportional to the size of the building and the distance back from the right-of-way. Monument and ground signs shall not exceed twelve (12) square feet on one side and twenty-four (24) square feet on all sides for any one premise except in the case of multi-tenant buildings as regulated in Section 16.16. DESIGN GUIDELINES of this chapter, the master identification sign shall not exceed thirty-two (32) square feet in area and ten (10) feet in height and the location shall be approved by the Plan commission prior to the issuance of a permit.*

Discussion:

The only flexibility provided for relief from the requirements of the code is under **Section 16.24 – Signage requirements for unique and unusual circumstances. In the case of those properties that are unable to accommodate any of the types of signage permitted by this ordinance due to unique or unusual circumstances of the site, or when a sign does not meet the letter of the regulations contained herein but is more compatible with the building or site, with adjoining uses as well as the general character of the area and/or zoning district in which the signage is located, the Plan Commission may, in its judgment, waive or modify the provisions of this chapter where it would further the public interest.**

At your August 7th meeting, you were reluctant to support a separate freestanding sign here but rather encouraged the applicant to mount his sign on the existing master site identification sign. You felt that because of the visual encumbrances of this site with respect to adjacent signage, the best option would be to use that existing sign structure.

You will recall having recently approved a similar request by Doug Hansen where he was proposing to modify an existing nonconforming sign for a new tenant and you decided to grant a waiver based on the fact that the existing sign was relatively new and to replace it now would be a financial burden on the owner. That waiver was granted with the stipulation that the sign come into compliance with the new code in 10 years from the date the code was

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adopted or if there is a change in ownership of the site. Accordingly, it is recommended that you establish the same time line stipulation in granting a waiver for Mr. Day.

MOTION by Commissioner Gengler, **SECONDED** by Commissioner Luedtke to approve a Sign Permit Application for Alan Day, College Nannies & Tutors, 250 S. Main Street for a new sign and sign code waiver.
MOTION CARRIED UNANIMOUSLY.

- D.** Review and approval of a Sign Permit Application for Kathy Hurda, Cousins Subs, 253 N. Main Street for a sign change and sign code waiver

Ms. Kathy Hurda was in attendance. Cousins Corporation is telling Ms. Hurda that she needs to replace the face of the existing pole sign to conform with the façade sign which was replaced about one year ago due to a fire. Cousins may pull her franchise agreement license if she does not do this. The pole will remain at 14' high which is 1' lower than what the code will allow. Chairman Mobley commented that the base of the sign looks disorderly and could be improved. Ms. Hurda stated that she does not own the property. Landscaping plans are typically required with a pole sign. The current pole sign has been there for over 27 years. Forty square feet per face is the size limit for a sign. Ms. Hurda has had a 50% down payment with the sign company for over a year and they have been hard to deal with. The sign proposal that was given to Sue Conway at the Village office was not the correct dimensions. Just re-facing the sign will cost Ms. Hurda a little over \$2,000. The property owners will work with Ms. Hurda to help with landscaping at the base of the pole.

The following is Jon Censky's report:

Proposal:

The applicant is requesting sign code waiver to replace the face of her free-standing pole sign with one that matches the design of her new façade signage. She advises that Cousin's Corporation has ordered her to change the face of the pole sign located at the north entrance to this shopping center or face losing her franchise license. Village records indicate that the new facade signs were installed to replace signs that were damaged in a fire a couple of years ago. The sign face will otherwise be of the same in terms of size, color and material of the existing sign. As Commissioners may know, this pole sign is non-conforming due to style and size and therefore is subject to **Section 16.8 A. Existing Signs** which states; **Existing signs which become nonconforming upon adoption of the ordinance from which this section is derived shall not be reconstructed, remodeled, relocated or changed in size unless such action will make the sign conforming in all respects with this section.** **Section 16.12 – Exempt modifications of signs** suggests that changes to certain types of signs may be allowed without permit. Whether or not that section could apply to this request is questioned. This section states: **The following modifications shall not require a permit. These exceptions shall not be construed as relieving the owner of the sign from the responsibility of its responsibility of its erection and maintenance, and its compliance with the provisions of this Ordinance or any other law or Code regulating the same.**

- A.** The changing of the advertising copy or message on a previously approved painted, printed or changeable copy sign.
- B.** Repainting with approved colors or cleaning of an advertising structure shall not be considered an erection or alteration which requires sign permit unless a structural change is made.

I believe this section however, is directed at changeable letter message boards or similar type signs and therefore could not be applied to the request at hand. As you are aware, there is some flexibility in the code under **Section 16.24 – Signage requirements for unique and unusual circumstances. In the case of those properties that are unable to accommodate any of the types of signage permitted by this ordinance due to unique or unusual circumstances of the site, or when a sign does not meet the letter of the regulations contained herein but is more compatible with the building or site, with adjoining uses as well as the general character of the area**

and/or zoning district in which the signage is located, the Plan Commission may, in its judgment, waive or modify the provisions of this chapter where it would further the public interest.

In this instance, the applicant believes that her request can be viewed as being more compatible with the building as regards the newer façade Cousins signs and that gives her standing to request this waiver. She also feels that since she could lose her franchise license if her replacement sign face is not approved and the fact that it is cost prohibited for her to replace the existing pole sign with a code compliant sign, establishes a unique hardship that is unique to her situation and justifies a waiver.

Planners Comments:

Since this Commission is in the process of considering changes to the new sign code which will have a direct affect on business signs in this area of Thiensville, Commissioners should consider a similar waiver granted for Doug Hansen at the June 4th meeting. More specifically, that waiver was granted with the stipulation that the sign come into compliance with the new code in 10 years from the date the code was adopted (Nov. 2011) or if there is a change in ownership of the site.

Commissioner Cutler stated that this is the time to have this sign come into conformance with the sign code.

MOTION by Commissioner Kucharski, **SECONDED** by Commissioner Luedtke to approve a Sign Permit Application for Kathy Hurda, Cousins Subs, 253 N. Main Street for a sign façade change and sign code waiver but to bring the sign into conformance within 10 years from the adoption of the code (9 years from now) and to have a landscaping plan brought to the Plan Commission by April 1, 2012.

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

Naes: Commissioner Cutler

MOTION CARRIED.

- E. Review and approval of a Building Permit Application
for Mark Kofman, Milas Bakery, 239 N. Main Street
for a new opening on west wall for a new overhead door

Mr. Kofman was in attendance. This overhead door is not for delivery or sales the door is to have the ability to remove or have delivered oversized equipment that will not fit into the existing door. Commissioner Luedtke asked about the drain from the roof over the door and Mr. Kofman stated that this drain will remain. Chairman Mobley stated that there should be no blocking of any traffic for delivery purposes to other businesses and fire vehicle access. Mr. Kofman agreed to this stipulation stating that the rear area was for all of the tenants of the buildings. Commissioner Cutler is perplexed about the drain over the center of the door but this drain will remain and Mr. Kofman does not see a problem.

MOTION by Commission Gengler, **SECONDED** by Commissioner Luedtke to approve a Building Permit Application for Mark Kofman, Milas Bakery, 239 N. Main Street for a new opening on west wall for a new overhead door with no blocking of traffic by parking trucks in front of door. **MOTION CARRIED UNANIMOUSLY.**

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- F.** Review and approval of a Building Permit Application for Robert Draegan, 215 Heidel Road for a new privacy fence around his patio

Mr. Paul Hofschulte from Dehling & Voigt was in attendance and he is the contractor for Mr. Dragen. The privacy fence will be 6' high and this is the maximum height for a privacy fence. This is replacing an existing fence that came into disrepair.

MOTION by Commissioner Kucharski, **SECONDED** by Commissioner Cutler to approve a Building Permit Application for Robert Draegan, 215 Heidel Road for a new privacy fence around his patio. **MOTION CARRIED UNANIMOUSLY.**

- G.** Review and approval of a Building Permit Application for Sam Cutler, 250 Green Bay Road for a deck expansion

Mr. Cutler stated that the current deck has weathered considerably and needs to be replaced. The reason this deck has not held up is because Mr. Cutler's neighbor has a giant oak tree that hangs over the deck. The deck is being expanded 4' to the east and 10' to the north and something that will weather well. The railing will match the front railing of the house.

MOTION by Commissioner Luedtke, **SECONDED** by Commissioner Kucharski to approve a Building Permit Application for Sam Cutler, 250 Green Bay Road for a deck expansion.

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

Abstain: Commissioner Cutler

MOTION CARRIED.

- H.** Review and final recommendation to the Village Board Regarding changes to the existing Sign Code per request by Commissioners

Mr. Jon Censky stated that the new sign code was adopted one year ago and since then there have been a lot of issues with the older signs in the Village that are non-conforming.

The following is Jon Censky's report on the recommendations for sign code changes:

After completing a review of the code and the pictorial survey of existing signs, the changes contained in the attached document are intended to reflect the direction of the Commission. More specifically, these changes serve to tie the sign code to specific zoning districts with the more restrictive standards being tied to the B-1 Central Business District, which for the most part, comprises the Historic Preservation area of the Village. The less restrictive language provides more flexibility and will then be applied to the remaining business districts and the Institutional district. As an example, while freestanding or pole signs would not be permitted in the B-1 District, they are reintroduced to the B-2, B-3, B-4, and the I-1 Districts. Pole signs would be allowed at a height not to exceed 15 feet and a size not larger than 40 square feet per side. These standards are consistent with those in the former code. For the most part, the code adopted last November becomes the standards for the B-1 (Historic) District and many of the former standards will be reintroduced to the remaining business districts. Furthermore, since it is difficult to guarantee protection of all signs we added more flexibility with respect to pursuing a variance.

ARTICLE V- PERMANENT SIGNS

Sec. 16.16 – Design guidelines

All signs shall be architecturally integrated with their surroundings in terms of size, shape, color, texture and lighting so that they are complementary to the overall design of the building, the aesthetics of the community and are not in visual competition with other signs in the area.

All signs shall complement their surroundings without competing with each other, shall convey their message clearly and legibly, shall be weather resistant, and if illuminated, shall not be overly bright for their surroundings and not exceed 1 foot candle of illumination at the property line. Externally illuminated signs shall have adequate shading and be directed at the sign in such a way that the lighting will not produce glare affecting oncoming vehicles.

The following additional design guidelines shall be considered in the review and consideration of signage proposed within the Village of Thiensville:

- Village of Thiensville 2010 Master Architectural Guidelines
- Town Center Plan and Design guidelines
- Historic Preservation Commission Guidelines for signs located on any historic landmark site, structure or district.

The design guidelines for signage included in Chapter 1.2.12 of the Mequon-Thiensville Town Center Design Guidelines and Phase I Concept Design Plan 2005, and from time to time amended, Historic Preservation Commission Guidelines and Architectural Guidelines shall be used as additional criteria in the review and approval of signs within the Town Center.

A. Ground or Monument signs

1. The color scheme of the sign shall follow the color scheme of the principal building, to the greatest extent practical.
2. Architectural features (e.g., sills, piers, reveals, capstone, medallions, etc.) which are part of the architectural style of the principal building shall be incorporated into the sign, to the greatest extent practical.

B. Shopping Center and Multiple-Tenant Commercial Building Signs. A shopping center or multiple tenant commercial building may provide the following signage:

1. Sign Plan Required: Sign plans for multi-tenant buildings shall be designed to complement the style, color and materials of the building. The best sign programs are integrated such that they become a natural part of the building façade. New signs proposed for existing buildings shall provide a compatible appearance with the building signage of the other tenants. With multiple signs on a single building even where no sign program currently exists, an attempt should be made to incorporate a unifying element (such as size) to all tenant signs as they are replaced.
2. Master Identification Signage. A Master identification sign may be provided which displays the name of the shopping center and may also include information such as, but not limited to, names of individual stores, hours of operation and/or special sales information. The master identification sign shall not exceed ~~thirty two (32)~~ forty (40) square feet per side in area and ten (10) feet in height and the location shall be approved by the Plan Commission prior to issuance of a sign permit.
3. Exterior Wall Signage. One exterior wall sign may be provided for each individual tenant business that has an exterior storefront wall in a shopping center. No exterior wall sign shall extend more than twelve (12) inches out from a building's wall surface. In multi-tenant buildings, separate signage may be allowed that complies with the requirements for the maximum square footage allowed for the building frontage. The maximum area of each tenant wall sign shall be computed using the formula in Sec. 16.17 A. Wall Signs.

If a tenant's store is at a corner and has two exterior storefront walls, one separate exterior wall sign may be permitted on each exterior wall as long as the combined area of both signs does not exceed 100 percent of the total area allowed for the tenant space and the sign on a minor storefront may not be more than 30 percent of the total allowed signage for the tenant.

**(ALSO, SEE FIGURE 2 AND 3 IN THE APPENTIX FOR GRAPHICS AND FORMULA
EXAMPLES FOR CALCULATING THE MAXIMUM AREA FOR INDIVIDUAL TENANT WALL
SIGNS)**

- C. Landscaping: ~~A minimum of 50 square feet of landscaping shall be designed around the base of ground/monument signs to integrate the sign with the surrounding area.~~
1. In the case of a free-standing or monument sign, a landscaped area shall extend a minimum of five (5) feet from the base of the sign and shall be approved by the Plan Commission.
 2. Where any sign is to be externally illuminated using ground mounted fixtures, landscape planting shall be installed in such a manner to entirely shield the light source from the surrounding view. Landscaped plantings shall be of the type as will ensure effective year long screening.
- D. Internal Lighting: The sign face shall be constructed with an opaque surface to allow internal light to only project through the cut-out lettering and/or logos. Dark colored backgrounds on signs are generally encouraged. Stark white or extremely bright background colors such as bright red, orange or yellow are discouraged.
- E. External Lighting shall be directed at the sign only and shall not exceed 1 foot candle of illumination at the property line. Externally illuminated signs shall have adequate shading and be directed at the sign in such a way that the lighting will not produce glare affecting oncoming vehicles. ~~Externally illuminated signs are discouraged.~~
- F. Consistency within The Sign Plan: The background color, type, style and print color of the sign should be consistent. However, the use of a logo which provides identification for the business can be used to bring distinction to the business within the framework established by the sign program.

Sec. 16.17 – Signs permitted in ~~all business districts and the I-1 Institutional district~~ the B-1 district with a permit

~~Signs are permitted in all business and manufacturing districts~~ the B-1 District are subject to the following restrictions: **(SEE FIGURE 1 in the APPENDIX FOR EXAMPLES OF SIGN TYPES)**

- A. **Wall Signs.** One wall sign per commercial building placed against and not extended more than twelve (12) inches out from a building's wall surface. The maximum area of any wall sign shall be computed using the following formula.
- ~~1. BUILDINGS SET BACK 30 FEET OR LESS FROM THE RIGHT OF WAY LINE~~

~~Single Tenant Buildings with a setback of thirty (30) feet or less:~~ Total maximum area of signage shall not exceed .50 feet in area for every one (1) linear foot of building front width; however, no sign shall exceed fifty (50) square feet in area for any one premise. Thus, a building with a front width of 100 linear

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feet would be allowed maximum wall signage of 50 square feet: $100\text{ft.} \times .5 = 50$ square feet of wall signage.

Multi-tenant Buildings with a setback of thirty (30) feet or less: In multi-tenant buildings set back thirty (30) feet or less, separate signage for individual tenants may be allowed that in the aggregate does not exceed the maximum square footage allowed for the total building façade.

The sign area for each tenant will be proportional to the front width of the tenant space based upon and computed using the ratio of the front width of the tenant space to the total front width of the building façade.

For example,

- Tenant A has thirty (30) feet of frontage on a building with a total front width of sixty (60) linear feet that is allowed a maximum sign area of thirty (30) square feet (.5ft. $\times$ 60ft.)
- The ratio of Tenant A's front width of thirty (30) feet to the total building front width of sixty (60) feet is (30 divide by 60) or 50% of the total building width. Thus, Tenant A would be allowed a maximum sign area of ten (15) square feet.
- If Tenant B occupies twenty (20) feet of frontage, the ratio of Tenant B's front width to the total building front width is 20 divide by 60 or 33%. Thus, Tenant B would be allowed a maximum sign area of ten (10) square feet.
- The remaining tenant would be allowed five (5) square feet of wall signage.

~~2. BUILDINGS SET BACK GREATER THAN 30 FEET FROM THE RIGHT OF WAY~~

~~Buildings with a setback GREATER than thirty (30) feet:~~ Total maximum area of signage shall not exceed 0.5 feet in area for every one (1) linear foot of building front width. For a building set back thirty feet (30) or more from the right of way line, an additional 1.0 foot for each foot the building is setback over thirty (30) feet up to a maximum sign of seventy (70) square feet.

~~For example,~~

- ~~A building with a front width of 100 linear feet that is setback 50 feet from the right of way line would be allowed maximum wall signage of seventy (70) square feet, as calculated below:~~
- ~~(.5 feet $\times$ 100ft. = 50 square feet) Plus (1.0 feet $\times$ 20 feet = 20 square feet [the difference between a 30 foot setback and a 50 foot setback] for a total maximum sign area of 70 square feet.~~

Multi-tenant Buildings: In multi-tenant buildings, with a setback greater than thirty (30) feet, separate signage may be allowed that in the aggregate does not exceed the maximum square footage allowed for the total building façade. The sign area for each tenant will be proportional to the front width of the tenant space based on the ratio for the front width of the tenant space to the total front width of the building façade.

For example,

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- If Tenant A occupies half a buildings front width of 100 feet with a building setback of 50 feet, Tenant A would be allowed 50% of the maximum 70 square feet or a maximum allowed signage of 35 square feet.
- If Tenant B occupies twenty five (25) feet of frontage, Tenant B would be allowed 25% of the maximum allowed signage (25 feet divide 100feet = 25%) or 17.5 square feet.

(SEE FIGURES 2 AND 3 IN THE APPENDIX FOR FORMULA EXAMPLES AND GRAPHICS ILLUSTRATING HOW TO CALCULATE THE MAXIMUM AREA FOR WALL SIGNS)

Wayfarer signs may be deemed permissible in the historic district subject to the following limitations; one sign per commercial building placed against and not extended more than 12 inches outside of a building's wall surface and shall not exceed .75 square feet in area for every one (1) linear foot of building face on which it is mounted or shall not exceed the following calculation: building face on which the sign is mounted and building setback of face of building = total frontage and setback times .30 = total square feet allowed per building whichever is less; however, limited to 78 square feet in area and 15 feet high in the historic district; and limited to 78 square feet in total area, unless a deviation from the size requirements of this subsection is approved by the Village Plan Commission. "Height" as noted in this subsection shall be determined by measuring the entire sign, from base to top, excluding any border or framing surrounding the sign surface. Wayfarer signs including multiple advertisers may be permitted in the historic district.

- B. Monument, Ground Signs and Ground-mounted Projecting Signs:** There shall not be more than one freestanding monument, ground or ground-mounted projecting sign (defined as a double-sided sign face attached to a single decorative support beam using a decorative bracket) for each principal building.
1. **Area of Monument and Ground Signs.** 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 (24) feet on all sides for any one premises, except in the case of multi-tenant buildings as regulated in Sec. 16.16 DESIGN GUIDELINES of this chapter, the master identification sign shall not exceed thirty-two (32) square feet in area and ten (10) feet in height and the location shall be approved by the Plan Commission prior to the issuance of a sign permit.
 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: ten (10) feet; setback from driveway ~~ten (10) feet~~ four (4) feet. Under no condition shall a sign be allowed within the street right-of-way.
 3. **Height.** Ground or monument signs shall not exceed six (6) feet in height as measured from preconstruction grade at the base of the sign except that decorative finials attached to the top of the supports may be up to six (6) inches above the six (6) foot height maximum for supports. A monument sign base shall not project higher than three (3) feet, as measured from preconstruction grade at the base of the sign. The face of a monument sign may not exceed three (3) feet in height.
 4. **Design.** Monument signs and ground signs shall have a base constructed of brick, stone or wood. Ground supports shall be constructed of brick, stone or wood and shall be architecturally designed.
 5. **Area of Ground-mounted Projecting Signs.** A ground-mounted projecting sign may have no more than two faces (back to back) and the maximum area of the sign face may be no greater than (9) square feet in area for each face.

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6. Height of a ground-mounted projecting sign. The maximum height of the sign face for a ground-mounted projecting sign may be no higher than six (6) feet six (6) inches above grade. The maximum height of the support structure ~~is shall not exceed~~ eight (8) feet.
 7. Location of a Ground-mounted Projecting Sign. Ground-mounted projecting signs may ~~project no further extend no~~ further extend no further than three (3) feet from the support structure and the far end of the sign face may be no closer than three (3) feet to the ultimate right-of-way.
 8. Landscaping. ~~A minimum of 50 square feet of landscaping shall be designed around the base of ground/monument and ground-mounted projecting signs to integrate the sign with the surrounding area~~ shall extend a minimum of five (5) feet from the base of the sign and shall be approved by the Plan Commission.
 9. Time and Temperature Devices may be erected as either monument signs or wall signs and shall meet all requirements attendant to those sign types. No time and temperature device, however, shall be located closer than 750 feet to another time and temperature device, or exceed twenty-five square feet in area.
 10. Internal Lighting: The sign face shall be constructed with an opaque surface to allow internal light to only project through the cut-out lettering and/or logos. Dark colored backgrounds on signs are generally encouraged. Stark white or extremely bright background colors such as bright red, orange or yellow are discouraged.
- C. **Marquee, Awning, Window or Canopy Signs** affixed flat to the surface of the marquee, awning, window or canopy are permitted provided that the sign does not extend vertically or horizontally beyond the limits of said marquee, awning, window or canopy. Plastic type awnings of any kind are not allowed. "Traditional" type awnings/canopies are strongly recommended. A marquee, awning or canopy sign may extend to within one (1) foot of the vertical plane formed by the curb. A name sign not exceeding four (4) square feet in area located immediately in front of the entrance to an establishment may be suspended from a canopy provided that the name sign shall be at least eight (8) feet above the sidewalk. The gross surface of an awning, canopy or marquee sign shall not exceed fifty (50) percent of the gross surface area of the face of the awning, canopy or marquee to which such sign is affixed or thirty (30) square feet in area, whichever is less.
- D. **Building-mounted Projecting Signs (including Awning Signs)** shall be permitted in the Village subject to the following requirements:
1. The owner of a projecting sign must file with the Village Clerk a current certificate of insurance before he/she shall be permitted to install a projecting sign over a public right-of-way, and must maintain a certificate of insurance that complies with the terms of this ordinance at all times while the sign is displayed.
 2. The certificate of insurance purchased and maintained by the sign owner must have commercial general liability aggregate of a minimum of \$1,000,000.00, and must name the Village of Thiensville as an additional insured party.
 3. The projecting sign shall be illuminated from the exterior only. No interior illumination shall be permitted on projecting signs.
 4. The projecting sign shall in no case be closer than two (2) feet from a curb or project more than four (4) feet from the façade of a building; and shall have a minimum clearance of eight (8) feet, measured grade level to the bottom of the sign, and a maximum height of twelve (12) feet, measured grade level

- to the top of the sign; and shall not exceed nine (9) square feet in area per surface; and shall have no more than two (2) surfaces, a front and a back, both of which are perpendicular to the building façade.
5. The projecting sign must be mounted firmly, in a workmanship-like manner and projects more than one foot, generally perpendicular from a structure or building face.
- (SEE FIGURE 4 IN THE APPENDIX FOR MEASURING HEIGHT AND CLEARANCE OF SIGNS)

- E. **A-frame/Sandwich Board Signs.** ~~An a-frame/Sandwich Board Sign is a portable sign that stands on the ground, has two sides of which form a triangle (A-frame).~~ No A-frame sign shall be permitted until a permanent sign has been ~~permitted~~ acquired for the premises.
1. One A-frame Sign is allowed per business by permit and shall stand no more than four (4) feet in height with each sign surface not to exceed eight (8) square feet. A-frame signs shall not exceed fifteen (15) square feet per side and shall be placed on private property. A-frame signs shall be secured in a manner acceptable to the Building Inspector.
 2. A-frame signs can only be placed within the linear building frontage of the business or entity it represents and can only advertise that business.
 3. A-frame signs can only be displayed during the business hours of the entity it represents.
 4. A-frame signs must be built in a professional manner of durable materials such as wood or plastic composites that mimic wood and must be framed around d the edges.
 5. A-frame signs must be placed so as not to block building entrances, exits, sidewalks or other traveled right-of-way areas, and on private property when available. If there is no private location for an A-frame sign, only then will public right-of-way be considered for placement.
 6. A-frame signs must be adequately weighted or anchored to prevent movement by wind or other elements.

F. **Window Signs.**

Permanent window signs (WINDOW VINYLs) shall be placed only on the inside of the windows of commercial buildings and shall not exceed thirty (30) percent of the total glass area of the pane upon which the sign is displayed. Permanent window signs may be placed on the interior of the glass doors to a commercial building and shall not exceed twenty-five (25) percent of the glass pane upon which the sign is displayed.

(PLEASE SEE SECTION 17.0704 SIGNAGE REQUIRMENTS FOR UNIQUE AND UNUSUAL CIRCUMSTANCES.

Sec. 16.17a. Signs allowed in all other Commercial and Institutional Districts. For commercial and institutional uses in the B-2, B-3, B-4 and I-1 Districts only the following signs are hereby allowed subject to Plan Commission approval and issuance of a sign permit.

1. Wall signs.
 - a. Number. There shall not be more than one wall sign for each principal building placed against and not extended more than 12 inches outside of the building's wall surface except for multi-tenant buildings as regulated in Section ____ of this chapter and except in the case of buildings that front two public streets, one may be permitted for each façade facing a public street.
 - b. Area. The gross surface area of a wall sign shall not exceed 0.5 feet in area for everyone (1) linear foot of building front width or 60 square feet, whichever is smaller.

- c. Location. A wall sign may be located on the outermost wall of any principal building but shall not extend further than 12 inches out from the building's wall surface.

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- d. Height. The wall sign shall not project higher than the parapet line of the wall to which it is affixed. A wall sign shall not exceed 12 feet in height from the base of the building wall to which it is affixed.
 - e. Internal Lighting: The sign face shall be constructed with an opaque surface to allow internal light to only project through the cut-out lettering and/or logos. Dark colored backgrounds on signs are generally encouraged. Stark white or extremely bright background colors such as bright red, orange or yellow are discouraged.
2. Freestanding, pole or monument signs. Monument signs are encouraged by the Village in areas where a freestanding or pole signs are not appropriate, such as a very small front yard.
- a. Number. There shall not be more than one freestanding, pole or monument sign for each principal building.
 - b. Area. The gross surface area of a freestanding, pole or monument sign shall not exceed forty (40) square feet on one side nor eighty (80) square feet on all sides, except in the case of multi-tenant buildings as regulated in Sec. 16.16 DESIGN GUIDELINES of this chapter. Freestanding, pole or Monument Signs. Freestanding, pole or Monument Signs shall not exceed fifteen (15) feet in height above the finish grade at the base of the sign.
 - 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.
 - d. Height. A freestanding/pole sign shall not extend higher than fifteen (15) feet from the grade at the base of the sign. A monument sign shall not extend higher than six (6) feet from the grade at the base of the sign.
 - e. Internal Lighting: The sign face shall be constructed with an opaque surface to allow internal light to only project through the cut-out lettering and/or logos. Dark colored backgrounds on signs are generally encouraged. Stark white or extremely bright background colors such as bright red, orange or yellow are discouraged.
3. Window signs.
- a. Neon signs. Each business tenant shall be allowed to display on each public streets it fronts a neon sign not to exceed 300 square inches in size for 50 percent of the window area, whichever is less. Neon signs shall emit a steady light and only be illuminated during business hours. Blinking, flashing, strobe or other light animation shall not be allowed.
 - b. Temporary signs. Temporary, non-illuminated signs covering less than 25 percent of the individual window area shall be allowed.
 - c. Business decals. Business decals not exceeding two square feet in size shall be allowed.
4. Multiple Tenant Signs. In accordance with the regulations in Section 16.16-Design Guidelines, multiple tenant buildings located in the B-2, B-3, B-4 and I-1 Districts shall be limited to one wall sign per tenant not exceeding 30 square feet. The multiple tenants may also share the free standing sign. Major tenants may be allowed a larger wall sign subject to Plan Commission approval.
5. Building Mounted Projecting Signs.
- a. The owner of a projecting sign must file with the Village Clerk a current certificate of insurance before he/she shall be permitted to install a projecting sign over a public right-of-way, and must maintain a certificate of insurance that complies with the terms of this ordinance at all times while the sign is displayed.

- b. The certificate of insurance purchased and maintained by the sign owner must have commercial general liability aggregate of a minimum of \$1,000,000.00, and must name the Village of Thiensville as an additional insured party.

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- c. The projecting sign shall be illuminated from the exterior only. No interior illumination shall be permitted on projecting signs.
- d. The projecting sign shall in no case be closer than two (2) feet from a curb or project more than four (4) feet from the façade of a building; and shall have a minimum clearance of eight (8) feet, measured grade level to the bottom of the sign, and a maximum height of twelve (12) feet, measured grade level to the top of the sign; and shall not exceed twelve (12) square feet in area per surface; and shall have no more than two (2) surfaces, a front and a back, both of which are perpendicular to the building façade.
- e. The projecting sign must be mounted firmly, in a workmanship-like manner and projects more than one foot, generally perpendicular from a structure or building face.

(SEE FIGURE 4 IN THE APPENDIX FOR MEASURING HEIGHT AND CLEARANCE OF SIGNS)

SECTIONS 16.24 Signage Requirements for unique and unusual circumstances

In the case of those properties that are unable to accommodate any of the types of signage permitted by this ordinance due to unique and unusual circumstances of the site, or when a sign does not meet the letter of the regulations contained herein but is more compatible with the building or site, with adjoining uses as well as the general character of the area and/or zoning district in which the sign is located, or where there are site specific hardships such as topographic aberrations and visual encumbrances, the Plan Commission may, in its judgment, waive or modify the provisions of this chapter where it would further the public interest.

OR SIMPLY

SECTION 16.24 Variances

The Plan Commission may, in its judgment, waive or modify the provisions of this chapter where it would further the public interest.

Commissioner Kucharski talked about the size of the projections signs in 16.17(D) “not exceed nine (9) square feet”, he believes this is too small for business recognition from the street. He feels that a 4’X4’ sign, sixteen (16) square feet would be more appropriate.

MOTION by Commissioner Kucharski, **SECONDED** by Commissioner Cabaniss to recommend to the Village Board that Section 16.17(D) Building-mounted Projecting Signs (including Awning Signs), reflect a not to exceed size of sixteen (16) square feet vs. nine (9) square feet.

Ayes: Commissioners Cabaniss, Cutler, Gattoni, Gengler, Kucharski, and Chairman Mobley.

Naes: Commissioner Luedtke.

MOTION CARRIED.

The commissioners discussed the appropriate version for Section 16.24, unique and unusual circumstances vs. a simplified version for a variance. Chairman Mobley and Commissioner Cutler felt that the simplified version language was not specific enough for possible future commission members, members could put forth things at a whim if the language is not more specific.

MOTION by Commissioner Luedtke, **SECONDED** by Commissioner Cabaniss to recommend to the Village Board that Section 16.24, unique and unusual circumstances vs. a simplified version for a variance, utilize the variance simplified version.

Ayes: Commissioners Cabaniss, Gattoni, Gengler, Kucharski, and Luedtke.

Naes: Commissioner Cutler and Chairman Mobley.

MOTION CARRIED.

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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 Cabaniss, **SECONDED** by Commissioner Kucharski to adjourn the meeting at 7:17PM. **MOTION CARRIED UNANIMOUSLY.**

Submitted by,

Approved by,

Susan R. Conway
Administrative Assistant

Dianne S. Robertson
Village Clerk