

## ZONING DIVISION STAFF REPORT

February 15, 2023



PREPARED FOR THE URBAN DESIGN COMMISSION

**Project Address:** 5802 Odana Road  
**Project Name:** Don Miller  
**Application Type:** Approval for an Alteration to an Approved Comprehensive Design Plan  
**Legistar File ID #** [75599](#)  
**Prepared By:** Chrissy Thiele, Zoning Inspector

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The applicant is requesting an amendment to a previously approved Comprehensive Design Review. The Urban Design Commission approved the original Comprehensive Design Plan April 7, 2010, for the Subaru ground sign and the Subaru wall signage on the far west building, and Chrysler, Jeep, Dodge, and Ram signage for the building on the far east building. An addition was built in front of the building located farthest to the east, creating new signable areas, which requires a new review and approval from the Urban Design Commission. The applicant is requesting seven wall signs on the south elevation of the building, and a third monument ground sign. This site is located in the Commercial Center (CC) District, as well as in UDD #3, and abuts Odana Road (2 lanes, 30 mph) and Tokay Boulevard (2 lanes, 25 mph).

Pursuant to Section 31.043(4)(b), MGO, the UDC shall apply the following criteria upon review of an application for a Comprehensive Sign Plan:

1. *The Sign Plan shall create visual harmony between the signs, building(s), and building site through unique and exceptional use of materials, design, color, any lighting, and other design elements; and shall result in signs of appropriate scale and character to the uses and building(s) on the zoning lot as well as adjacent buildings, structures and uses.*
2. *Each element of the Sign Plan shall be found to be necessary due to unique or unusual design aspects in the architecture or limitations in the building site or surrounding environment; except that when a request for an Additional Sign Code Approval under Sec. 31.043(3) is included in the Comprehensive Design Review, the sign(s) eligible for approval under Sec. 31.043(3) shall meet the applicable criteria of Sec. 31.043(3), except that sign approvals that come to Comprehensive Design Review from MXC and EC districts pursuant to 31.13(3) and (7) need not meet the criteria of this paragraph.*
3. *The Sign Plan shall not violate any of the stated purposes described in Sec. 31.02(1) and 33.24(2).*
4. *All signs must meet minimum construction requirements under Sec. 31.04(5).*
5. *The Sign Plan shall not approve Advertising beyond the restrictions in Sec. 31.11 or Off-Premise Directional Signs beyond the restrictions in Sec. 31.115.*
6. *The Sign Plan shall not be approved if any element of the plan:*
  - a. *presents a hazard to vehicular or pedestrian traffic on public or private property,*
  - b. *obstructs views at points of ingress and egress of adjoining properties,*
  - c. *obstructs or impedes the visibility of existing lawful signs on adjacent property, or*
  - d. *negatively impacts the visual quality of public or private open space.*
7. *The Sign Plan may only encompass signs on private property of the zoning lot or building site in question, and shall not approve any signs in the right of way or on public property.*

Section 33.24(10)(c)4., *Signage Criteria for Urban Design District No. 3*, indicates the Urban Design Commission shall consider in each case those of the following guidelines and requirements as may be appropriate to signage:

Signs. *Because of the relationship between the University of Wisconsin Research Park and commercial activities of this area, it is necessary that the location and treatment of signs be appropriate to both activities. Signs in the district shall meet the following requirements and conform as much as possible to the following guidelines:*

a. Requirements.

- i. *Signs (including, but not limited to, awnings or canopies with signs), if located on or adjacent to buildings, shall be integrated with the architectural design of the buildings.*
- ii. *Signs shall be located and designed only to inform the intended clientele.*
- iii. *Signs shall be used only as identification of the establishment and shall have no more than a total of eight (8) symbols and/or words.*
- iv. *No portion of an illuminated sign shall have a luminance greater than two hundred (200) foot lamberts for any portion of the sign within a circle two (2) feet in diameter. No sign or part of any sign shall change its level of illumination more than once every one (1) hour. (Am. by ORD-09-00091, 8-1-09)*
- v. *Electronic changeable copy signs, if permitted in the District, shall comply with Sec. 31.046(1) which requires that electronic changeable copy signs in Urban Design Districts shall not alternate, change, fade in, fade out, or otherwise change more frequently than once every one (1) hour. (Am. by ORD-09-00091, 8-1-09)*
- vi. *A minimum setback of five (5) feet from the public right-of-way is required of all detached signs. A minimum setback of ten (10) feet from the public right-of-way is required for signs exceeding ten (10) square feet in net area. A minimum setback of twenty (20) feet is required for all signs exceeding twenty (20) square feet in net area. (Am. by ORD-09-00091, 8-1-09)*
- vii. *The height of a ground or wall sign shall not exceed ten (10) feet unless a higher sign is specifically approved by the Urban Design Commission based on the following criteria:*
  - A. *An exception from the height limitations is necessary for the sign located on the site of an establishment to be identifiable and legible from the nearest roadway at prevailing speeds; and*
  - B. *An exception from the height limitation will result in a sign more in scale with the building and site and will result in a superior overall design.*
- viii. *The net area of a ground or wall sign shall not exceed forty (40) square feet unless a larger sign is specifically approved by the Urban Design Commission based upon the following criteria:*
  - A. *An exception from the size limitation is necessary for the sign located on the site of an establishment to be identifiable and legible from the nearest roadway at prevailing speeds; and*
  - B. *An exception from the size limitation will result in a sign more in scale with the building and site and will result in a superior overall design. (Am. by ORD-09-00091, 8-1-09)*

- ix. *All signs and their words shall be mounted parallel to the building surface to which they are attached. No sign or words shall project more than eighteen (18) inches from the surface to which they are attached. Attached signs shall not be mounted on roofs and shall not project above roofs.*
- b. Guidelines.
  - i. *Signs should identify the activity without imposing upon the view of businesses or activities of the district.*
  - ii. *A sign should be appropriate to the type of activity and clientele at which its message is aimed.*
  - iii. *Signs should be designed so as to be legible to the intended viewer in relation to the surrounding circumstances.*
  - iv. *Signs should avoid covering or impinging upon landscape features or significant structures.*
  - v. *Illuminated signs should be lit internally or from the ground, not with fixtures projecting from the sign.*

Wall Signs Permitted per Sign Ordinance: Summarizing Section 31.07, there shall be one signable area for each façade facing a street or parking lot 33 feet in width or greater. Standard net area allows for 40% of the signable area, or two square feet of signage for each lineal foot of building frontage not to exceed 100% of the signable area. In no case shall the sign exceed 80 sq. ft. in net area.

Proposed Signage: The applicant is requesting a total of seven wall signs all mounted higher than 10 feet on the wall. One sign is for the dealership, four are for the vehicle manufacturers, and two are accessory signage directing the type of service. The signable areas are incorrectly shown in the application, so it cannot be confirmed whether the proposed signage meets the 40% allowed by code. However, all of the individual proposed signs are under 80 sq. ft. in area, and the proposed sign placements do fit in qualifying signable areas. All of the signs except for the Express Lane sign consist of individual channel letters, either halo lit or internally illuminated. The Express Lane sign is an internally illuminated box sign, which is the same as what was approved in the 2010 CDR request.

Staff Comments: As noted at the beginning of the report, there was an addition built in front of the building, creating different signable areas from what was previously approved in 2010. The building layout has also been redesigned, separating the Jeep inventory and sales area from the remaining manufacturers in the building. It is common for auto dealerships to have more than one sign on an elevation, identifying the dealership name, the vehicle manufactures, and accessory signage for service or repairs. **Recommendation: Staff has no objection to the CDR request provided each of the proposed wall signs has a net area that is not greater than 40% of the signable area as allowed by code. In addition, staff believes that the UDD 3 requirements for mounting height have been met given the building setback from the street. Staff recommends the UDC find the standards for CDR review have been met. This recommendation is subject to further testimony and new information provided during the hearing.**

Ground Signs Permitted by Sign Ordinance: This zoning lot is allowed up to two ground signs with a combined net area of 64 sq. ft., or 32 sq. ft. per side for a single sign, and a maximum height of 10' for monument style signs, based off of the prevailing speeds and number of traffic lanes.

Proposed Signage: The applicant is requesting to add a third ground sign on their site, which already has two existing ground signs with a combined net area of 63.58 sq. ft. The Jeep panel sign would be removed from the existing multi-panel sign in order to have its own sign, which would have an overall height of 10' and a total net area of 65 sq. ft., increasing the combined net area to 128.58 sq. ft. The applicant would also increase the panel sizes of the remaining brands on the existing ground sign with the removal of the Jeep panel.

Staff Comments: Currently, the site complies the sign ordinance for the number of ground signs and permitted total net area. The proposed third ground sign would exceed the maximum allowed number of ground signs, as well as the cumulative net area, permitted for ground signage for this site. The applicant indicates in the letter of intent that Jeep is its own brand and therefore needs its own sign. However, the same could be said for Chrysler, Dodge, and Ram, which are currently sharing the sign. The proposed ground signs appears to be of high design, however, it is almost twice the size and height of either existing ground sign (the Subaru Sign was approved with a total net area of 25.33 sq. ft. and 5' tall, while the multi-panel sign was approved with a total net area of 38.25 sq. ft. and 6' tall). There isn't any uniformity in size or design with the three signs, besides the applicant stating it's because of branding. In addition, no clear reasoning has been made as to why the third sign is really needed.

**Recommendation: Staff does not believe the applicant has satisfied the criteria for CDR approval for having the third ground sign as it relates to both CDR criteria and the UDD #3, including those that speak to necessity, visibility, and creating visual harmony between signs. Staff recommends the UDC find the criteria for CDR review have not been met and refer the request for more information or deny the request as submitted. This recommendation is subject to further testimony and new information provided during the hearing.**

Notes:

- It should be noted in the final CDR "Future signage submittals not specifically addressed by this document shall comply with the standards of Chapter 31."
- Signable areas on building will need to be corrected to clearly identify the signable area for each sign.
- Each of the proposed wall signs shall not have a net area that is no more than 40% of the signable area, as required by the Sign Code.