

ZONING DIVISION STAFF REPORT

May 29, 2024



PREPARED FOR THE URBAN DESIGN COMMISSION

Project Address: 648 South Whitney Way
Project Name: Take Five
Application Type: Approval for Comprehensive Design Review of Signage
Legistar File ID # [83046](#)
Prepared By: Chrissy Thiele, Zoning Inspector

The applicant is requesting a Comprehensive Design Review for signage for an existing auto maintenance facility under new ownership. The property is located in the Regional Mixed-Use (RMX) zoning district and abuts South Whitney Way (5 lanes, 30 mph). The subject property is part of a larger planned multi-use site, which extends to Tokay Boulevard and Odana Road, which currently has eight ground signs. The applicant is requesting an additional ground sign for their zoning lot, along with seven wall signs and two parking lot directional signs. This CDR would only apply to this specific zoning lot.

Comprehensive Design Review Review and Approval Criteria

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.*

Urban Design District No. 3 Signage Requirements and Guidelines

Section 33.24(10)(c)4., Signage Criteria for Urban Design District No. 3, indicates the Urban Design Commission shall consider the following guidelines and requirements as may be appropriate:

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.*

Ground Signs Permitted by Sign Ordinance: Based off of the prevailing speeds and number of traffic lanes, this planned multi-use site is allowed up to two ground signs with a combined net area of 80 sq. ft., and a maximum height of 10' for monument style signs. The ordinance also allows for lots with frontage 500' or more, as well as a vehicle entrance on that frontage, to have an additional monument-style ground sign, no larger than eight feet in height, with 32 sq. ft. per side, located at each vehicle entrance.

UDD 3 sign requirements require the ground signs have a minimum setback depending on net area, a maximum height of 10 feet, and a net area of 40 sq. ft.

Proposed Ground Signage: The applicant is proposing one internally illuminated double-sided monument styled ground sign on a zoning lot that already has more than two ground signs, previously approved by CDR. The proposed sign will be in the same location as the previous ground sign and the existing base will be reused. The sign has an overall height of about 6 feet and a net area of 18 sq. ft. per side, making the total net area 32 sq. ft.

As proposed, the ground sign is consistent with the UDD net area at 32 sq. ft. (18 sq. ft. per side), where 40 sq. ft. is allowed and height at 6 feet where 10 feet is allowed. The sign location, however is not consistent with the setback requirements; a setback of 20 feet would be required where 8 feet is proposed.

Staff Comments: As stated above, this zoning lot has a total of eight approved ground signs, but on properties under different ownership and therefore not controlled by this applicant. This is a stand-alone building, not associated with ownership of other buildings or property in this zoning lot, and having a ground sign is reasonable and consistent with the other buildings in the zoning lot. The proposed height and net area of sign would comply with the sign ordinance if it was located at the driveway entrance; however, this site does not have a driveway entrance of their own, and instead is accessed by entering different zoning lots. The applicant is proposing for the ground sign to be in front of their zoning lot, which would provide the best identification for the business. The sign base has the same color and material as found on the building, creating visually harmony between the ground sign and the building. **Recommendation: Staff has no objection to the CDR request and recommends the UDC find the standards for CDR review and UDD criteria have been met given the setback of the building and limited visibility from the street. This recommendation is subject to further testimony and new information provided during the hearing.**

Wall Signs and Roof Signs Permitted per Sign Ordinance: Summarizing MGO 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 Wall Signage: The applicant is proposing at total of seven wall signs, with six of them being on the east elevation and one on the west elevation. One primary wall sign on the east elevation ("Oil Change") has the dimensions 1' 6" x 11' 11" and a total net area of 17.88 sq. ft. and the second primary wall sign ("Take Five Oil Can") has the dimensions 45" x 52" and a total net area of 16.25 sq. ft. The remaining four signs are 16" x 32" checkered flags, each having a total net area of 3.56 sq. ft. Only the two on the front elevation, "Oil Can" and

“Take Five Oil Can”, signs would be illuminated. On the west elevation, the applicant is proposing a non-illuminated sign of 1’ 6” x 18’ 6”, with a total net area of 27.75 sq. ft.

Staff Comments: The east elevation requires CDR approval for having more than one wall sign on the same elevation. The “Oil Change” wall sign is located centered on the front elevation and mounted at a height of just under 18 feet. This sign does not comply with the UDD 3 mounting height requirements (10 feet) and needs approval from UDC.

The “Take 5 Oil Can” sign is considered both a wall sign and logo. The sign is located such that it is centered in the area in which it is located and does not cross architectural features. The sign code does permit a six square-foot logo outside of the signable area of the primary sign, however if that were the case the oil can would appear too small for the proposed space. Given that the logo is also the name of the business, it makes sense for it to be larger than the six square feet to help identify the building and business from the right-of-way. This sign also does not comply with the UDD 3 mounting height requirements (10 feet) as it is mounted at a height of just under 15 feet.

With regard to these two signs, staff believes that given the setback of the building from the street and limited visibility that there is justification for the additional height being requested.

The four checkered panels by the garage doors are not considered to be logos, but are part of the business branding, and therefore considered signage. The panels are small, fit with the character of the business, and add interest to the building façade.

Together, these six signs, in their proposed locations appear to balance each other on the building, creating an aesthetic design.

The sign on the west elevation (“Stay in Your Lane”) complies with the sign ordinance, however it does not comply with the UDD 3 requirements related to mounting height (10 feet where the sign is mounted just over 14 feet) and therefore needs approval from UDC. Staff believes that there are other locations for this sign on the elevation, or even other sign types (i.e., parking lot directional), that would be compliant with the UDD 3 mounting height limitations and be potentially more visible to the intended viewer, who is seated in their car. Overall, staff does not believe that sufficient justification has been provided for the proposed height of this sign to make a finding that it is consistent with the UDD 3 height exception standards, including those that speak to necessity for visibility and legibility at prevailing speeds, and the height resulting in a sign that is more proportional in scale to the building and superior in design. Staff does believe that there are other options for a sign on this elevation that is both compliant with the UDD 3 height requirements, as well as the Sign Code.

Recommendation: For the proposed signage on the primarily street facing elevation, staff has no objection to the CDR request and recommends the UDC find the standards for CDR review and UDD criteria have been met given the setback of the building and visibility of the signable area from the street.

With regard to the proposed wall sign on the west elevation (“Stay in Your Lane”), staff recommends UDC find that the UDD 3 height exception standards are not met (as noted above) and refer the request for more information, or approve the request for a sign on this elevation with the condition that this sign either be modified and/or relocated to meet the UDD 3 requirements. Review and approval of such can be completed at the staff level.

This recommendation is subject to further testimony and new information provided during the hearing.

Parking Lot Signage Permitted per Sign Ordinance: Summarizing Section 31.03(2) and 31.044(1)(I), parking lot directional signage are necessary for safety or prompting traffic flow to a location on the premises on which the sign is located. These signs can be a maximum size of 3 sq. ft. with a maximum height of 10 ft., and two signs per street frontage. These types of signs are exempt from permits.

Parking lot regulation signs, on the other hand, designate the condition of use or identity of such parking areas. These signs can be a maximum of 9 sq. ft. and require a 10 ft. setback from the property line.

Proposed Signage: The applicant is requesting two non-illuminated monument style signs, each with an overall height of 4 feet and a net area of 3 sq. ft. per side. The signs consist of aluminum faces with vinyl copy.

Staff Comments: The proposed signage complies with the sign ordinance, so special exceptions need to be granted for these signs.

Staff Conditions/Required Plan Revisions:

- It should be noted in the final CDR packet “Future signage submittals not specifically addressed by this document shall comply with the standards of Chapter 31.”
- The façade alterations shown in the sign graphics will require approval of a minor alteration to the conditional use. No sign permits will be issued until the minor alteration has been approved.
- The overall height of the ground sign shall be corrected to show the sign height as measured from the lowest point of the sloping grade. An updated sign graphic shall be included in the final CDR packet.
- The wall sign on the west elevation, “Stay in Your Lane”, shall either be modified and/or relocated to a location on the elevation that complies with the UDD 3 height requirements (10 feet). Review and approval of such can be completed at a staff level.