

AGENDA
City of Monona Plan Commission
Monona Public Library - Municipal Room
1000 Nichols Road, Monona, WI
Monday May 23, 2016
7:00p.m.

1. Call to Order
2. Roll Call
3. Approval of Minutes of April 25, 2016
4. Appearances
 - a. Paul Johnson 106 Parkway Drive, Regarding Habitat ReStore On-Street Parking
5. Unfinished Business
 - A. Consideration of Action on Sign Permit Requests for the Gordon Flesch Building and Site at 2501 Kilgust Road, including two wall signs and a landscape ground sign, as Requested by Zingg Design, Inc. (Previously Reviewed 4/25/16) (Case No. S-011-2016)
6. New Business
 - A. Public Hearing on Façade Improvement Grant Project for Rosy Cheeks and Co., 6045 Monona Drive, Represented by Owner Mary Lou Reinwand and Contractor Ken Koscik, Koscik Construction. (Case No. 2-003-2016)
 - B. Prehearing Conference on Façade Improvement Grant Project for Rosy Cheeks and Co., 6045 Monona Drive, Represented by Owner Mary Lou Reinwand and Contractor Ken Koscik, Koscik Construction. (Case No. 2-003-2016)
 - C. Public Hearing on a Zoning Permit Request for a New Restaurant, Breakwater, at the Former Location of Bourbon Street Grille, at 6308 Metropolitan Lane, Represented by Tim Trpkosh of Breakwater. (Case No. 2-004-2016)
 - D. Prehearing Conference on a Zoning Permit Request for a New Restaurant, Breakwater, at the Former Location of Bourbon Street Grille, at 6308 Metropolitan Lane, Represented by Tim Trpkosh of Breakwater. (Case No. 2-004-2016)
 - E. Review of Recodification Summary by General Code Regarding Land Use Legislation Sections.
 - F. Discussion of Process for Review of Monona Municipal Sign Code and Possible Sub-Committee Designation.
7. Reports of Staff and Commission Members
 - A. Staff Report Regarding Status of Development Project Proposals.
 - i. Upcoming Meetings: June 13, 2016 and June 27, 2016.

B. Plan Commission Requests for Information Concerning Development Projects.

8. Adjournment

NOTE: Upon reasonable notice, the City of Monona will accommodate the needs of disabled individuals through auxiliary aids or services. For additional information or to request this service, contact Joan Andrusz at (608)222-2525, FAX: (608)222-9225, or through the City Police Department TDD telephone number 441-0399. The public is notified that any final action taken at a previous meeting may be reconsidered pursuant to the City of Monona ordinances. A suspension of the rules may allow for final action to be taken on an item of New Business.

It is possible that members of an a possible quorum of members of other governmental bodies of the municipality may be in attendance at the above state meeting to gather information or speak about a subject, over which they have decision-making responsibility. Any governmental body at the above state meeting will take no action other than the governmental body specifically referred to above in this notice.

Agenda posted 5/18/16 on the City Hall, Library, and Community Center bulletin boards and on the City of Monona's website, www.mymonona.com.

**Minutes
Plan Commission Meeting
April 25, 2016
7:00pm**

Chair Busse called the meeting of the City of Monona Plan Commission to order at 7:00pm.

Present: Chair Aldm. Jim Busse, Mr. Grif Dorschel, Mr. Robert Stein, Mr. Dale Ganser, Mr. Chris Homburg
Excused: Mr. Dennis Kugle, Aldm. Holmquist
Also present: City Planner & Economic Development Director Sonja Reichertz

Approval of Minutes

A motion by Mr. Stein, seconded by Mr. Dorschel, to approve the minutes of March 28, 2016 carried with no corrections.

Appearances

There were no appearances.

Unfinished Business

A. Consideration of Action on Sign Permit Requests for Gordon Flesch at 2501 Kilgust Road. (Tabled 3/28/16)

Mr. Homburg abstained from this item.

A motion was made by Mr. Stein, seconded by Mr. Dorschel to remove this item from the table. The motion carried.

Fadi Hayek of Zingg Design presented the signage requests for two wall signs and a landscape ground sign. Staff reported that all three requested signs are consistent with regulations of the sign code, and that Plan Commission approval is required per the zoning permit for recent building and site alterations at the site.

A motion was made by Mr. Dorschel, seconded by Mr. Ganser to approve three signs for Gordon Flesch at 2501 Kilgust Road, as proposed, according to Section 13-1-220 of the Monona Municipal Code of Ordinances with the following findings of fact and conditions of approval:

Findings of Fact:

1. Two wall signs are allowed because the building fronts on more than one street.

Conditions of Approval:

1. The existing landscape ground sign shall be removed.
2. All required electrical permits shall be obtained.

The motion carried.

New Business

A. Public Hearing and Recommendation to City Council on Ordinance Amendment Required by State and Federal Law to Title 13, Chapter 2, of the Monona Municipal Zoning Code Regarding Floodplain and Shoreland-Wetland Zoning.

Planner Reichertz reported that a new Flood Insurance Study (FIS) has been completed for Monona with a new volume title and effective date. This new FIS invalidates the old FIS that is currently referenced in Monona's code. The need to reference the new FIS volume number and date is due to changes in the Lower Wisconsin Watershed. The changes do not impact Monona's Flood Insurance Rate Maps (FIRMs) or regulations in any way. Referencing the new FIS will keep Monona in good standing in the National Flood Insurance Program (NFIP).

Mr. Homburg asked what data was updated that caused a change in the FIS. Planner Reichertz replied that the DNR informed her that the changes were based upon updated stream studies in the Lower Wisconsin Watershed.

A motion was made by Mr. Homburg, seconded by Mr. Ganser to recommended approval to the City Council of the revised Floodplain and Shoreland-Wetland zoning ordinance as proposed, to incorporate the revised Flood Insurance Study volume number and effective date.

The motion carried.

Reports of Staff and Commission Members

A. Staff Report Regarding Status of Development Project Proposals.

Staff provided a memo with updates on recent and future development projects.

B. Plan Commission Requests for Information Concerning Development Projects.

The Commission discussed the process for recodification of the entire Monona Municipal Code of Ordinances and review of sections specific to planning and zoning. An initial review will be scheduled for May 23, 2016. There are no applications for the May 9th meeting.

Adjournment

A motion by Mr. Dorschel, seconded by Mr. Stein, to adjourn was carried. (7:19 pm)

Respectfully submitted by:
Sonja Reichertz, City Planner

May 10, 2016

To: Sonia Reichertz, City Planner

Ms. Reichertz,

Attached is a request for the implementation of a 2-hour weekday parking restriction on Parkway Drive. I am submitting this for the consideration of the Plan Commission. As we have discussed, I have been added to the Appearances portion of the next Plan Commission meeting, May 23rd, to present this request. Copies are included for members of the commission.

This is a slightly updated request first submitted to the Public Works Committee on January 29th that was delivered to City Hall to be given to Kathy Thomas and Chad Speight. Receiving no response, a second e-mail follow-up on April 25th was directed to Dan Stephany. He responded promptly and suggested I submit this to the Plan Commission because of a potential conflict with the Habitat ReStore zoning permit. I have added a comment RE the ReStore in this updated submission. I do not know how their zoning permit might conflict with this request for parking restrictions on Parkway. The only reference I see to parking in case 2-006-2014 documentation discusses off-street parking. It states that "There is more than enough parking available on site for the proposed use."

I can be contacted at 221-9615 or at pxjohnson@charter.net if you have any questions for me prior to the meeting. Thank you.

Paul M Johnson
106 Parkway Dr
Monona

Attachments: Cover memo to Public Works Committee chairs, January 29
Parking restriction request, copies for commission members

January 29, 2016

To: Kathy Thomas, Chair, Monona Public Works Committee
Chad Speight, Co-Chair

Ms. Thomas and Mr. Speight,

Attached is a request for the implementation of parking restrictions on Parkway Drive. I am submitting this for the consideration of the Public Works Committee and have included copies for all members. If Public Works is not the appropriate venue for this or if I should submit this in some other form please let me know. I could appear at the February 3rd or April 6th meeting to present this request and try to answer questions that may arise.

I can be contacted at 221-9615 or via e-mail at pxjohnson@charter.net. Thank you.

Paul M Johnson
106 Parkway Dr
Monona

cc: Daniel Stephany, Director of Public Works
Jeff Besch
Leslie Busse
Steve Franklin
Bruce McConnell
Bill Podell
Tom Stolper
Tim Turino

*in the pocket
for Kathy Thomas*

TO: Monona Plan Commission

FROM: Paul & Leslie Johnson
106 Parkway Dr
Monona

SUBJECT: Implementation of 2-hour parking, 8AM to 4PM Monday through Friday Exc. Holidays, on Parkway Drive.

Currently there are no parking restrictions on either side of Parkway Drive. In the past year there has been an increase in all-day parking on portions of the street on weekdays, which we believe is almost entirely from MG High School students. Anticipating an increase in cars parking all day going forward, we are requesting the implementation of 2-hour weekday parking on both sides of Parkway. For practical and aesthetic reasons, we would not like to see Parkway lined with vehicles all day every day. There are only four homes on Parkway. Supporting us in this request are the other three households, Roy and Kathy Ziegler (#103), John and Leslie Griffith (#105) and Steven and Meaghan Cibarich (# 104).

On the north side of Parkway, vehicles are typically parked on both sides of the narrow driveway at the Ziegler home, making backing out problematic, especially if there is a vehicle parked on the opposite side of the street. On trash days, their barrels must be placed out into the street within the driveway path, preventing any vehicle from using the driveway. On occasion, a left turn from Shore Acres onto Parkway has proved to be tricky when vehicles are parked on both sides and a vehicle is approaching the Parkway/Shore Acres stop sign. Not an issue at present, but a possible future issue, is mail delivery. Two of the homes have curbside mailboxes and the mail delivery vehicle does use the driveway at # 103 as a turnaround.

Regarding any concern for the impact of 2-hour parking on the Habitat ReStore zoning permit, 2-hour parking south of their building would actually free 8 spots currently tied up with all day weekday parking. This would allow additional parking for ReStore customers.

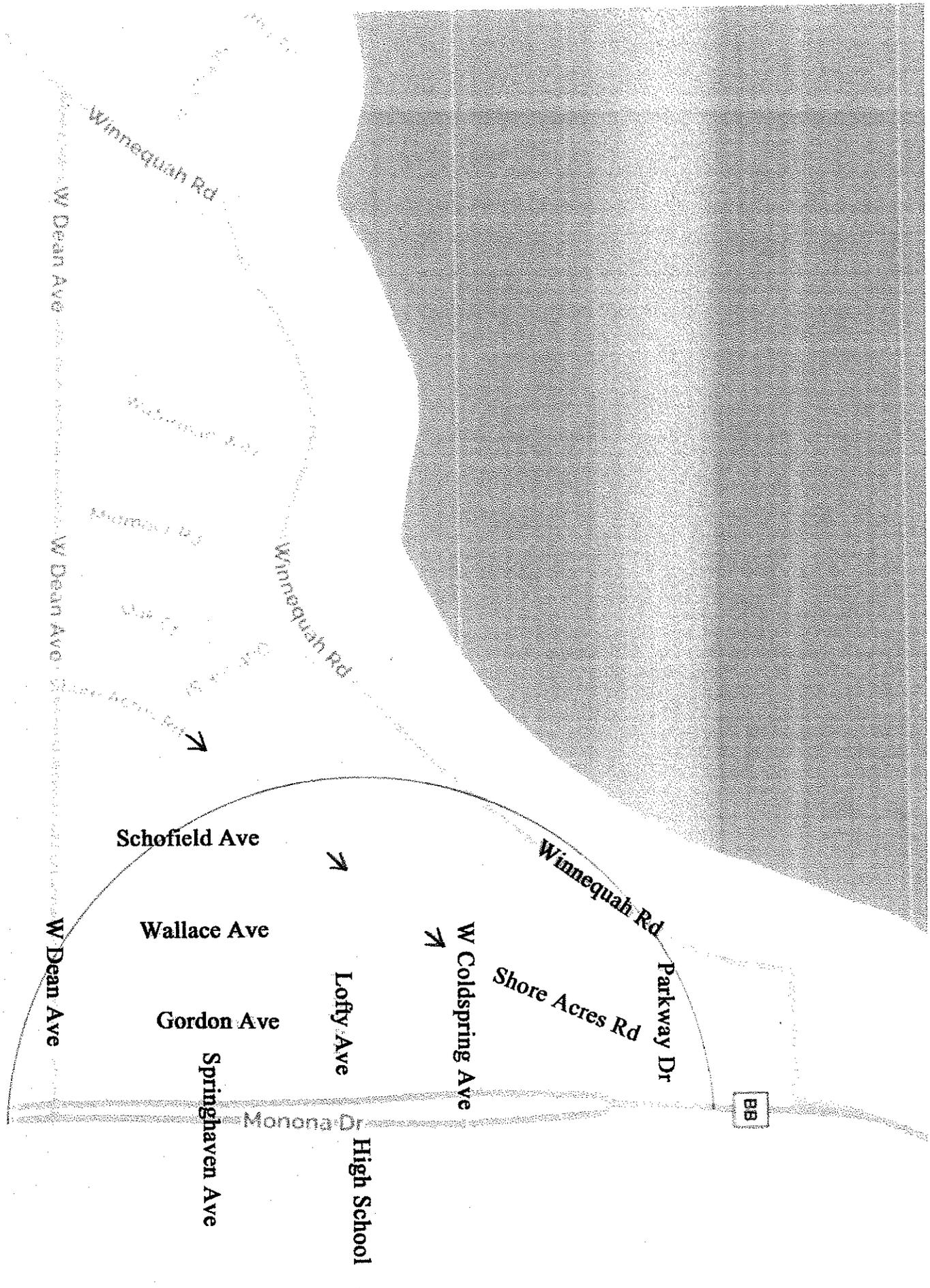
There will certainly be more cars parking all day as the school year progresses, and in future years. We consider a 2-hour weekday parking restriction to be the most appropriate and straightforward response to address our concerns and interest in maintaining a neat and attractive residential street. In a practical sense, this restriction would leave Parkway open for normal, everyday, short-term parking, typical of a residential area. We are attempting to be proactive in requesting this parking restriction before vehicles line both sides of the entire street every weekday.

Information supporting this request is attached: 1) a chart showing current parking restrictions on neighborhood streets, 2) a map showing area streets in a semi-circle from the high school, and 3) an aerial photo of the street showing suggested locations for 2-hour parking signs to be posted near property lines.

5/10/2016 10:55 AM

Parking rules on Monona streets near high school
(see attached map)

Street #	Street Name	Parking Rule and Signs Present (NOTE: No restrictions means no signs present)
1	Parkway Dr	Odd side N – no restrictions Even side S – no restrictions
	Parkway Dr (Requested)	Odd side N – “2 HOUR PARKING 8 AM – 4 PM MONDAY – FRIDAY Ex. Holidays” Even side S – “2 HOUR PARKING 8 AM – 4 PM MONDAY – FRIDAY Ex. Holidays”
2	Winneguanh Rd	Odd side W – no restrictions Even side E – “NO PARKING THIS SIDE” – “NO PARKING ANY TIME”
3	Shore Acres Rd (One way north of Outlook St)	Odd side W – “NO PARKING ANY TIME” Even side E – no restrictions
4	W Coldspring Ave	Odd side N – “2 HR PARKING 7:00 AM TO 6:00 PM Except Sundays and Holidays” – “2 HOUR PARKING 7:00AM TO 6:00PM Except Sat., Sun., and Holidays” Even side S – “NO PARKING 8 AM - 4 PM Except Sat Sun and Holidays”
5	Gordon Ave	Odd side W – “2 HOUR PARKING 8 AM – 4 PM MON THRU FRI Ex. Sat, Sun. & Hol” – “2 HR PARKING 8AM – 4PM MONDAY – FRIDAY” Even side E – “NO PARKING 8:00 AM TO 4:00 PM Except Sundays and Holidays” – “NO PARKING 8 AM – 4 PM Except Sundays and Holidays” – “NO PARKING 8:00 AM TO 4:00 PM Except Sat., Sun., and Holidays” – “NO PARKING ANY TIME Except Sat Sun & Holidays”
6	Wallace Ave	Odd side W – No restrictions Even side E – No restrictions
7	Lofty Ave	Odd side N – “NO PARKING 8:00 AM TO 4:00 PM Except Sat. Sun. and Holidays” Even side S – “NO PARKING THIS SIDE”
8	Springhaven Ave	Odd side N – no restrictions Even Side S – no restrictions
9	Schofield Ave	Odd side W – no restrictions Even side E – no restrictions
10	W Dean Ave	Odd side N – no restrictions Even side S – “NO PARKING ANYTIME”





5211 SCHLUTER ROAD

MONONA, WI 53716-2598
CITY HALL (608) 222-2525
1FAX (608) 222-9225
<http://www.mymonona.com>

MEMO

TO: Plan Commission
FROM: Sonja Reichertz, City Planner & Economic Development Director
DATE: May 23, 2016
RE: Agenda Item 5A – Gordon Flesch Sign Permits

The Plan Commission reviewed signage requests for Gordon Flesch at the April 25, 2016 Plan Commission meeting. The meeting was convened with a quorum of members. One member abstained on the vote for the Gordon Flesch signage, leaving the Commission with less than a quorum. I confirmed with the City Attorney that a quorum of members is needed to take action on any item. Therefore, the Commission must re-vote on the Gordon Flesch signage to make the vote valid and a matter of record. This is scheduled for action on the May 23, 2016 agenda.

**PLAN COMMISSION STAFF REPORT
CITY OF MONONA**

**MEETING DATE: May 23, 2016
AGENDA ITEM 6A & 6B
CASE NO. 2-003-2016**

Project: Prehearing Conference on Request by Mary Lou Reinwand, Rosy Cheeks & Co. for Approval of a Façade Improvement Grant Project at 6045 Monona Drive.
Project Address: 6045 Monona Drive
Applicants: Mary Lou Reinwand, Rosy Cheeks & Co.

Proposal Summary:

Mary Lou Reinwand, owner of business Rosy Cheeks & Co., has submitted an application for funding from Monona's Façade Improvement Grant Program to make improvements to the building exterior. The proposed improvements include a new garage door, pergola, exterior paint, and possibly decorative lighting.

Applicable Regulations, Policy, or Practice:

The Plan Commission must review the plans for consistency with applicable zoning regulations, the program guide for the Façade Improvement Grant Program, and the Monona Drive Urban Design Guidelines.

Recommendation:

No action is recommended at this prehearing conference. The Plan Commission should determine if the proposed improvements are eligible for grant funds and may request additional plans and information.

- **Eligible Project Costs:** The proposed improvements, including entranceway enhancements, decorative lighting, and professional design fees appear to be eligible costs. Sidewall improvements (such as painting) may be eligible as long as they are accompanied by improvements to the façade. Improvements must result in substantial impact on the overall appeal and aesthetic quality of the building façade.
- **Painting:** I recommend the Plan Commission require all building sides to be painted for consistency.
- **Garage Door:** Note that the garage door materials are a steel base with vinyl overlay. The Monona Drive Urban Design Guidelines require use of quality materials. The Plan Commission should discuss if a vinyl and steel door meets the intent of the façade program and design guidelines.
- **Lighting:** Plans have not been submitted prior to the meeting. The applicant has discussed use of hook style decorative lighting. This would be consistent with the design guidelines.

Proposal

Mary Lou Reinwand, owner of business Rosy Cheeks & Co., has purchased the building at 6045 Monona Drive, the current site of GT Mobility. She will open two new businesses in the building this summer - a salon and dancewear clothing store. Ms. Reinwand has submitted an application for funding from Monona's Façade Improvement Grant Program to make improvements to the building exterior. The proposed improvements include a new garage door, pergola, exterior paint, and possibly decorative lighting.

Plans Submitted

The following plans were submitted for the 5/23/16 meeting:

- Letter of Application dated 5/13/16
- Façade Grant Program Application Form
- Overhead Door Details
 - Estimate
 - Materials Description
 - Drawing
 - Rendering
- Painting Estimate
- Pergola Details (estimate for materials and professional design fee)
- Existing Photo
- Renderings

Process

1. Public Hearing and Prehearing Conference Scheduled for 5/23/2016: This proposal is scheduled for a public hearing to allow nearby property owners the opportunity to comment on the plans and to notify them of the proposal. A notice was mailed to surrounding properties within a 250' radius.
2. Finance and Personnel Committee: Review of grant amount on 6/6/16.
3. Plan Commission Public Hearing and Consideration of Action on 6/13/16.

Building Design Elements

The Plan Commission shall determine if the proposed improvements are eligible program costs and if they are consistent with the Monona Drive Urban Design Guidelines (MDUDG). Attached are materials from the Façade Grant Program Guide and the MDUDG.

Grant Amount

The applicant may receive a 50% match reimbursement not to exceed \$10,000. Ms. Reinwand is requesting a grant of either \$6,028.15 (if only the front of the building is painted) or \$7,417.65 (if the sides of the building are also painted). I recommend the Plan Commission require all building sides to be painted for consistency. Sidewall improvements may be eligible grant costs as long as the accompany improvements to the front façade.

Future Signage

Signage permit applications have been submitted and will be scheduled for future Plan Commission review.

What is the Monona Façade Improvement Program (FIP)?

The City of Monona's Façade Improvement Program was established to enhance the visual aesthetics of a portion of the Monona Drive corridor in the City of Monona by offering grant funding to building owners to improve their building frontage on Monona Drive. The program is being undertaken in combination with the City's overall redevelopment of the Monona Drive right-of-way. Improvements to the visual appearance of the corridor are designed to spur reinvestment, which will lead to enhanced economic vitality of this area of the City.

Grant funds will be offered by the City of Monona, which has money budgeted for the program from a Tax Increment District (TID) that includes the area. Successful grant recipients will receive a 50% match reimbursement of all eligible project costs to the amount approved by the City of Monona Finance and Personnel Committee, with a total grant amount not to exceed \$10,000.

The program will be operated on a 12-month trial period to begin upon City Council approval on October 12, 2009, after which it will be re-evaluated.

Who is eligible to receive funding under the FIP?

Eligible applicants include an individual or entity who currently owns a commercial, retail, mixed-use, or residential building with frontage on Monona Drive in the City of Monona, between US Highway 12 & 18 (the Beltline) on the south and Nichols Road on the north.

What can the funds be used for?

Improvements that receive funding must improve the visual appearance and aesthetic quality of the building frontage that faces Monona Drive. Plans and designs must conform to the Urban Design Guidelines for Monona Drive, the Zoning Ordinance and all other City Ordinances.

Eligible project costs for which grant funding can be applied are, but not limited to the following:

- Exterior improvements, such as: awnings, materials, entranceways, masonry work, lighting, etc.
- Site improvements such as decorative walkways, permanent planters, patios, landscaping, etc., as well as professional design fees may be eligible uses of grant funding.

Applicants are encouraged to have plans for proposed improvements prepared by a design professional.

Sidewall improvements are eligible, as long as they are accompanied by improvements to the façade facing Monona Drive. Improvements made to exterior walls not visible from Monona Drive will not be eligible for grant funding.

To be eligible, improvements with additions must also make improvements to the existing building façade. The addition must have a substantial impact on the overall appeal and aesthetic quality of the building façade.

The successful grant recipient will receive a 50% match reimbursement of all eligible project costs to the amount approved by the City of Monona Finance and Personnel Committee, with a total grant amount not to exceed \$10,000. The applicant is responsible for the other 50% of all eligible project costs for which the grant is applied. The applicant is also responsible for 100% of all non-eligible project costs and 100% of all project costs in excess of \$20,000. The intention is to award only one (1) grant of \$10,000 maximum per building.

How is the Program implemented?

The City of Monona Department of Planning and Community Development will be responsible for the administration of the Program. The following details the steps that a Building Owner (Applicant) must follow to apply for and receive funding through the Grant Program:

1. **Attend Pre-Application Meeting.**
Applicant to contact either Sonja Reichertz at the City of Monona to arrange a meeting to discuss their proposed improvements and to determine eligibility. This meeting will help insure that the applicant understands all aspects of the Program before spending time and money to move their project forward.

2. **Complete Application Form.**
Applicant completes Application Form and returns the required information to their City contact.

3. **Obtain City Approvals:**
 - A. **Meet with City Finance Committee.**
Applicant will be scheduled to meet with the City Finance and Personnel Committee for evaluation of their Grant Request. (Committee usually meets the first and third Monday of each month at 6:00 PM).

 - B. **Prepare Plans and Designs and Meet with City Plan Commission.**
If the Grant Request is approved, the Applicant must then prepare detailed plans and designs for review by the City Plan Commission. The plans and designs must conform to the Urban Design Guidelines for Monona Drive, and the Monona Municipal Zoning Ordinance. (The Commission typically meets the second and fourth Monday of each month at 7:00 PM).

4. **Sign Agreement with the City.**
If any conditions of approval were deemed necessary, revisions must be resubmitted and approval received before agreements can be initiated. Upon receipt of the necessary approvals, the City will enter into a formal agreement with the Applicant.

5. **Commence Work on the Project.**
No work may begin on the project prior to approvals, and signing the Agreement for Improvements Between City and Applicant. If designs vary from the original approval, all work must cease and the revisions be resubmitted for approval by the City.

6. **Project Completion.**

Applicants have twelve (12) months to complete the improvements according to the approved plans and designs. Once the project work is complete, the Applicant must notify their City contact. The City representative will then inspect the project for full compliance with the documents and approvals granted, and the City representative and applicant will sign a Close-Out Form. This Form will acknowledge the successful completion and that the Applicant has complied with all terms of the Agreement with the City.

7. **Submit Reimbursement Request.**
Upon receipt of the signed Close-Out Form, the Applicant may submit the Reimbursement Request Form to their City Contact along with the necessary documentation such as invoices, lien waivers if used. This information will be reviewed by the Finance Committee and if found to be in compliance, the City will issue a reimbursement check to the Applicant.

Lighting

The following guidelines should be used in designing site lighting for the Monona Drive corridor:

- Site lighting, security lighting, and architectural / landscape lighting should provide the user with illumination levels appropriate for the designed activity (i.e. parking, walking, outdoor dining, etc.)
- Continue the use of the Shephard's Crook style light poles and fixtures used in the Broadway corridor and along Monona Drive if compatible with building style and site design.
- Minimize glare and excess brightness. Consider the effect of cut-off fixtures, mounting heights, and the eye-level of potential viewers for effectively controlling glare.
- Be sensitive to the dark sky initiative.
- Control light trespass beyond property lines by shielding or aiming fixtures away from adjacent parcels. Light trespass should not exceed ambient levels.
- Use architectural lighting to highlight special features only. Lighting of expansive wall planes or the use of architectural lighting that results in hot spots on walls or roof planes should be avoided.
- Landscape feature lighting and lighting at the pedestrian level is encouraged.
- Coordinate exterior lighting design with background lighting levels, lighting from other sources, and characteristics of the surrounding area. Avoid significant differences between on-site lighting and that of adjacent properties.
- When establishing a lighting plan, follow the recommended light level guidelines in the City of Monona Zoning Ordinance.
- Maintain the above standards for security lighting and lighting of service areas.



Example - Site Lighting

Stormwater Management

Stormwater management practices that improve water quality, reduce runoff, and provide aesthetically pleasing site amenities are highly encouraged. These practices can also reduce urban heat island effects and conserve energy and water.

Stormwater management practices that may benefit Monona Drive include:

- Address stormwater quality and quantity near its source.
- Utilize natural runoff patterns.
- Design small-scale stormwater runoff management systems to incrementally reduce large-scale stormwater pollutant loads in the overall management system.
- Filter stormwater with landscaping and swales where appropriate.
- Provide inlets with control mechanisms that delay peak rates where appropriate.
- Design collection/storage facilities to recharge, filter, retain and detain runoff where appropriate.
- Lengthen flow paths and increase time of concentration to modify peak flow rates where appropriate.
- Identify and utilize areas capable of filtration and infiltration.
- Direct runoff from roofs, driveways, roads, sidewalks, parking lots, or other impervious surfaces toward pervious surfaces to decrease the effective impervious area or area directly connected with the storm sewer system where appropriate.



Example - Parking Lot Bioswale

Architecture

Intent of this Section

The intent of the guidelines for architecture is to ensure a base level of quality architecture that creates an aesthetic identity of the Monona Drive corridor, building a design vocabulary around complimentary scale, mass, and form. The guidelines encourage proposals that will fit within the context of Monona and contribute to the intended architectural character identified by the community.

Guidelines for Architecture

Character and Context

Renovations and new construction should take into consideration the opportunity to create an identifiable, quality image for the Monona Corridor. The following guidelines are intended to allow development that responds to an evolving context over time:

- Multiple buildings within a project should share similar design characteristics and vocabulary. The use of coordinated colors, materials, and textures, as well the repetition of elements, patterns, and proportions found within the architecture of other successful buildings within the development are encouraged to achieve a cohesive mix; precise replication is not necessary or desirable.
- Use of sustainable building methods, materials, and products that minimize environmental impact, reduce energy consumption, and endure over time are encouraged.

Scale and Massing

The scale and massing of buildings along Monona Drive should consider a contextual relationship to existing or planned development.

Buildings over 50-feet in length should be designed to reduce their perceived bulk by dividing the structures into smaller masses both horizontally and/or vertically. For taller buildings, this can be achieved by providing a well-defined base and top for the building. For example, include elements such as low planters and walls, base



Example - Creating a Sense of Place



Example - Scale and Massing

planting, strong architectural base banding (wainscot) and treatments defined by a different material, texture, or color.

Changes in wall planes can also accomplish the division of a building elevation. Design solutions include the following:

- Clearly pronounced recesses and projections.
- Wall plane offsets determined by the building module.
- Reveals, projections, and subtle changes in texture and color of wall surfaces.
- Deep set windows and mullions.
- Use of ground-level arcades (covered walks with arched openings) and second-floor galleries (elevated walkways).
- Clearly demarcated entries.
- Vertical accents or focal points.
- Clear vision glass.
- Human-scale detail, windows, and other openings along ground floor pedestrian areas.

Architectural Details, Materials, and Colors

For architectural detailing of the Monona Drive corridor:

- Use high quality materials, such as stone, brick, or decorative concrete masonry units.
- Distinguish primary entrances to buildings with facade variations, porticos, roof variations, recesses, projections, or other integral building forms.
- Building colors may vary; the use of complementary color palettes are encouraged.
- Maintain consistent architectural materials and character on all visible sides of a building.
- Design screening devices and enclosed service, loading, and refuse areas to be an integral part of the building architecture.
- Visually link site walls with the building using consistent architectural materials and detailing.
- Where a drive-through is part of the building program, architecturally integrate the element into the building rather than designing it as a separate, attached entity.



Example - Material Continuity



Example - Large Infill Building Demonstrating how to Break Down Mass and Create Appropriate Scale



Example - Structure Used for Exterior Connection



Example - Enhancement of Store Entry

Rosy Cheeks & Co.
6045 Monona Drive
Monona, WI 53716

May 13, 2016

This letter describes a request for a grant from the City of Monona Façade Improvement Grant Program. The property is located at 6045 Monona Drive and will be occupied by Rosy Cheeks & Co. salons and a dancewear clothing store. The proposed improvements are described below. Corresponding budget costs and grant request are included in the application form.

Proposed Exterior Improvements:

- **New Garage Door:** Installation of a new “carriage design” garage door (2 feet shorter than existing door) to be installed by Madison Overhead Doors.
- **Pergola:** Surrounding the new door will be an 8’x16’ pergola designed to match the façade of the building. Pergola will provide space for hanging baskets.
- **Painting:** Existing planter will be painted white. Existing brick will be painted white. The exterior of the building will be painted two shades of gray, darker on the metal façade, and lighter on the stucco part of the building.
- **Decorative Lighting:** We will be installing carriage style lights on the building that will add lighting to the parking lot.
- **Landscaping:** We will be landscaping with flowering plants in the existing planter in front of the building and also in the front of the parking lot near the street where the signage is located and also the matching space on the other side of the parking lot.

Sincerely,

Mary Lou Reinwand
Building Owner
Applicant

Existing





City of Monona Façade Improvement Program
City of Monona Department of Planning and Community Development
Attn: Sonja Reichertz
5211 Schluter Road
Monona, WI 53716
Phone: (608) 222-2525
sreichertz@ci.monona.wi.us

APPLICATION FORM
City of Monona, Wisconsin

Façade Improvement Program

Please review the Monona Drive Façade Improvement Program Application Guide for terms and conditions of the grant program before completing this application.

Building owner: Mary Lou Reinwand
Contact: Mary Lou
Mailing address: 2165 Bluebird Lane
Email address: marylou@rosycheeksandco
Phone number: 608-206-4166 Fax number: 608-839-4915

Building Information:

Building name: Rosy Cheeks and Co / Sassy Chic Salons
Building existing use: Retail / Salons
Building/project address: 6045 Monona Drive

For Administrative Use Only:

Date of Plan Commission approval: _____

Date of Finance and Personnel Committee Approval: _____

Date of execution of Improvement Agreement: _____

Date of construction start: _____

Any design amendments to date? Yes _____ No _____

Date of amendment approval: _____ Type of amendment: _____

Design Consultant Information:

Company name: Bouril Design Studio

Project contact person: _____

Business address: _____

Phone number: _____

Email address: _____

Contractor Information:

Company name: Ken KosciK Construction / Genesis Painting

Project contact person: Ken KosciK

Business address: 4812 McKenna Rd Monona, WI 53716

Phone number: 608-334-9181

Email address: _____

Project Information:

Please describe the proposed improvements:

New Garage door, decorative to replace existing

Pergola to surround door

Remove Shudders

Paint building and bricks

architectural drawings

Proposed start date: ASAP

Proposed completion date: June 15

Project Budget

Please use the table below to describe the budget for the improvements being proposed in this application. Please list all project tasks (e.g. design services, signage, painting, masonry, lighting, labor, etc.) and include a description and the total cost of that task. Please be as specific as possible when listing project tasks. Please continue on the back side of this form if you need more space.

Task/Item	Description/Comments	Total Cost
① garage door	Decorative Door	\$ 3,600.31
② Painting	a. front of bldg only	\$ 3,200.00 ↗
	b. front & sides	\$ 5,985.00 ↖
③ Pergola	Extending from Garage	\$ 3,300.00
④ Professional Design Fee	Bouni Studio for Pergola	\$ 1,950.00
⑤ Possibly Decorative	Lighting	
TOTAL COST OF IMPROVEMENTS		\$ 12,056.31 or \$ 14,835.31
AMOUNT OF FUNDING REQUESTED		\$ 6,028.15 or \$ 7,417.65

Please Attach:

- Applicable information for the improvements that are proposed, including any photographs, plans, drawings, and contractor bid documents:
 - Photographs of the existing site and building conditions where improvements are proposed
 - Fee schedule and background information about consultant/firm qualifications to provide architectural design services, if proposed as part of activities to be covered with grant funding
 - Copy of contractor estimates for all services to be performed and covered with grant funding
 - Façade elevations of all proposed improvements to scale
 - Site plan identifying location of proposed changes

Front paint only

Front and Sides Paint

Certification:

I hereby certify that to the best of my knowledge and belief, the content of the application is true and correct.

Signature of Building Owner: _____

Date Signed: _____



4710 McFarland Ct
 McFarland, WI 53558
 MadisonOverheadDoor.com
 (608) 838-4960
 (608) 838-4961
 madisonoverhead@gmail.com

Estimate 2369
 05/11/2016

Customer

Reinwand, Mary Lou
 2665 Bluebird Lane
 Cottage Grove, WI 53527
 839-4915

Service Location

6045 Monona Drive
 Monona, Wisconsin 53716

Item(s)

Qty	Name	Description	Rate	Amount	Tax	Approved
1	New Door - Coachman	16x8 Coachman Collection CD 21 (6.5 R-Value) Top 13 (15" Radius / Torsion) - Installed -- Color TBD	\$3,195.31	\$3,195.31	Non	Yes
1	LiftMaster 8365 1/2HP Chain	Lift Master 8365 1/2HP Premium Series Chain Drive 8'	\$405.00	\$405.00	Non	Yes

Subtotal	\$3,600.31
Tax	\$0.00
Total	\$3,600.31

Notes

Terms

 Signature

 Date

From: [Candice P.](#)
To: [Sonja Reichertz](#)
Subject: Re: Reinwand -- Door jpg and CAD
Date: Monday, May 16, 2016 12:21:52 PM

Good Morning Sonja,

The door material is a steel base, with a vinyl overlay. The overly is what gives the cross-bar dimension to the door. Both materials have a wood grain finish giving the appearance of a classically designed wood door.

Please feel free to contact me with any further questions you may have.

Sincerely,
Candice

On Mon, May 16, 2016 at 11:58 AM, Sonja Reichertz <sreichertz@ci.monona.wi.us> wrote:

Thanks Candice. Can you tell me what material the doors are made of?

Sonja

Sonja Reichertz, AICP

City Planner & Economic

Development Director

City of Monona

5211 Schluter Road

Monona, WI 53716

[608.222.2525](tel:608.222.2525)

sreichertz@ci.monona.wi.us

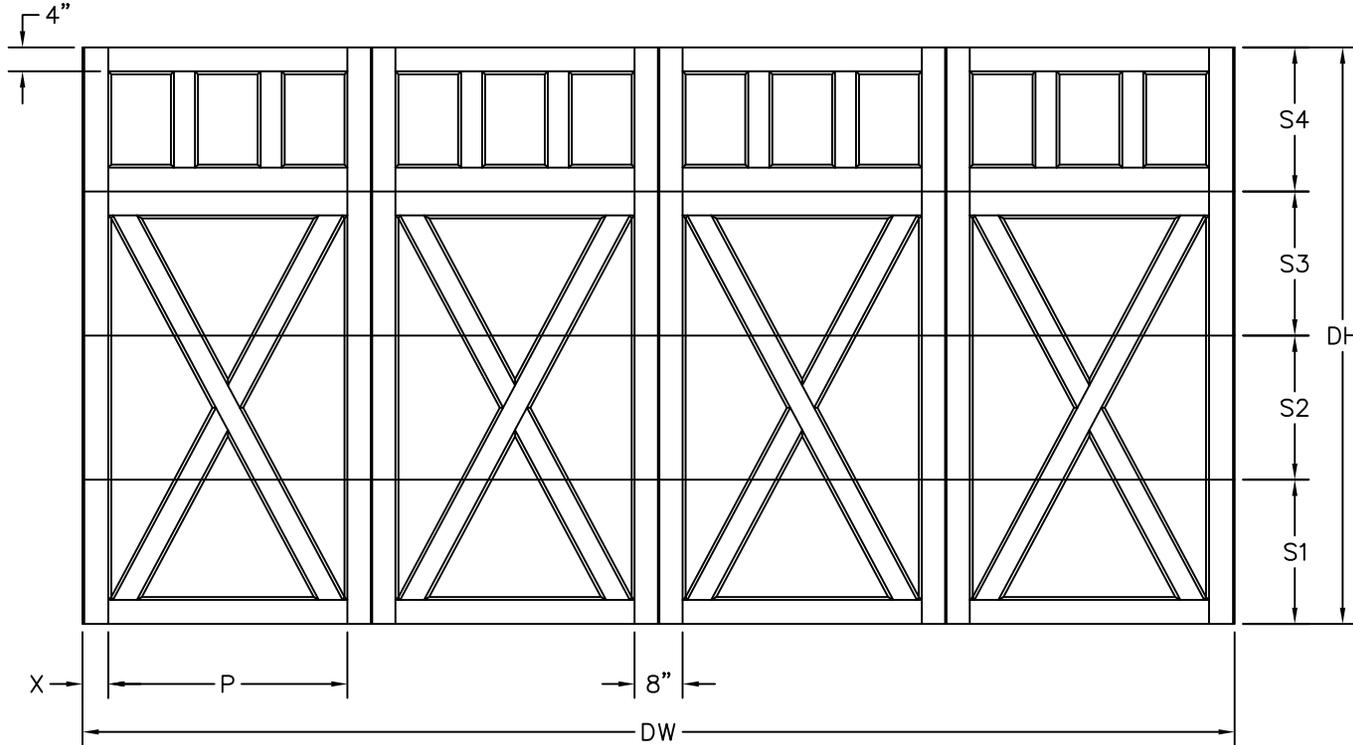
From: Candice P. [mailto:madisonoverhead@gmail.com]
Sent: Monday, May 16, 2016 11:15 AM
To: Sonja Reichertz
Cc: marylou@rosycheeksandco.com

REVISIONS		
REV. No.	DATE	DESCRIPTION
00	03/13/13	RELEASED
01	07/30/13	UPDATED NOTES

NOTES:

- 1.) CUSTOMER TO SELECT TRACK AND COUNTERBALANCE OPTIONS WHEN PLACING ORDER.
- 2.) STANDARD DOOR CONFIGURATION INCLUDES ONE SLIDE LOCK. OTHER LOCK OPTIONS ARE AVAILABLE.
- 3.) HEIGHT LIMITATIONS:
* 7'-6" DOOR HEIGHT NOT AVAILABLE

TOP SECTION OPTION: TOP13



	DW	X	P
*	14'-0"	4.288"	33.856"
*	14'-2"	5.288"	33.856"
	15'-0"	4.288"	36.856"
	15'-2"	5.288"	36.856"
	15'-6"	4.288"	38.356"
	15'-8"	5.288"	38.356"
	16'-0"	4.288"	39.856"
	16'-2"	5.288"	39.856"
	17'-0"	SEE SHEET 2	
	18'-0"	4.288"	45.856"
	18'-2"	5.288"	45.856"
	19'-0"	SEE SHEET 2	

DH	S1	S2	S3	S4
6'-3"	18"	18"	18"	21"
6'-6"	18"	18"	18"	24"
6'-9"	18"	21"	18"	24"
7'-0"	18"	24"	18"	24"
7'-3"	21"	21"	21"	24"
7'-6"	24"	18"	24"	24"
7'-9"	24"	21"	24"	24"
8'-0"	24"	24"	24"	24"

Clopay®
Building Products Company

FRONT ELEVATION
VIEW DRAWING

IMPORTANTE: This document must be signed and returned prior to any fabrication. Please reference this drawing number on all correspondence. Thank you!

NOTICE: Confidential/Proprietary information of CLOPAY BUILDING PRODUCTS CO. is contained herein and may not be disclosed, used, duplicated, made available, or distributed without its prior consent. Failure to observe this notice may result in liability for any damages and losses resulting therefrom.

DRAWN BY: SQB

DATE: 03/13/13

APPROVAL SIGNATURE:

APPROVAL DATE:

CUSTOMER: COACHMAN SERIES

JOB: FRONT ELEVATION

DRAWING NUMBER:
C4K-4P-4S-21-TOP13-S

REV. 01

CSR/DC: TROY, OHIO

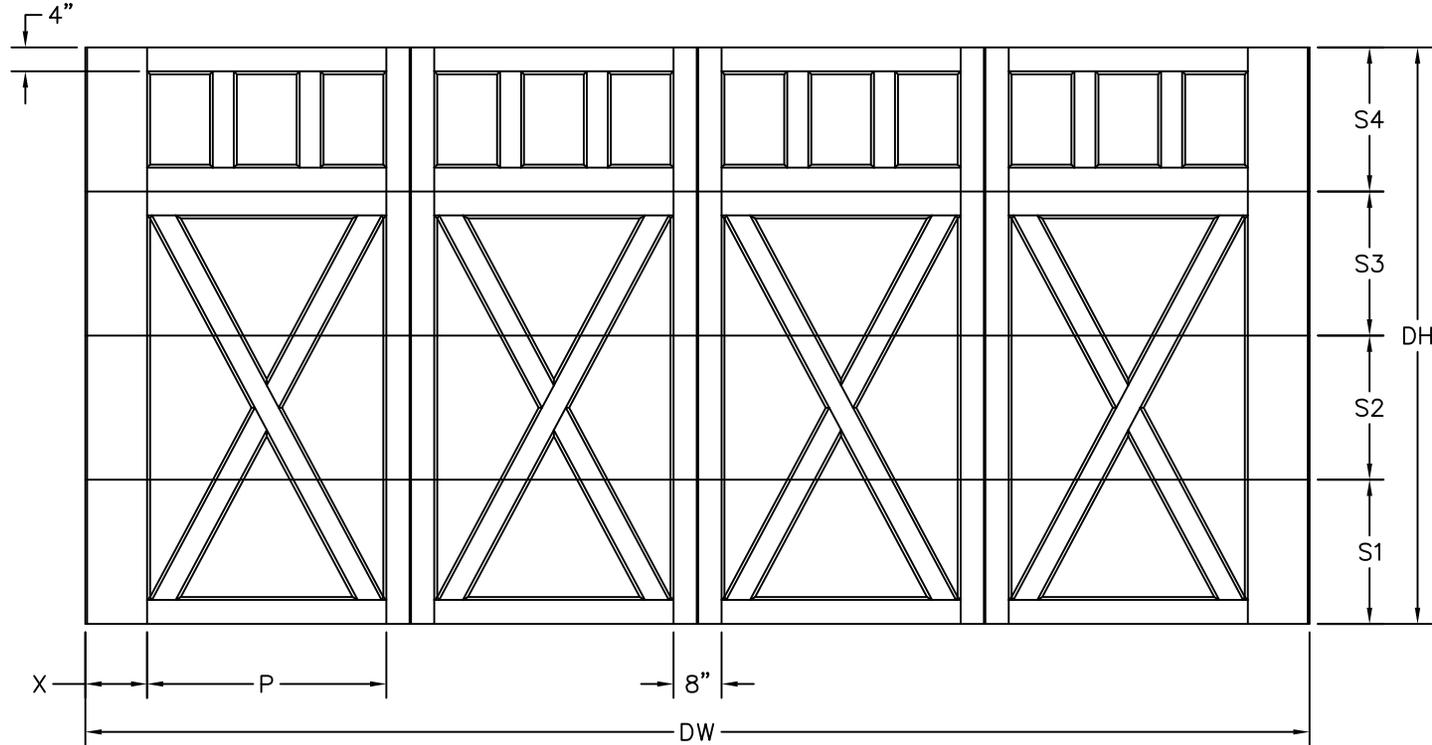
SHEET: 1 of 2

REVISIONS		
REV. No.	DATE	DESCRIPTION
00	03/13/13	RELEASED
01	07/30/13	UPDATED NOTES

NOTES:

- 1.) CUSTOMER TO SELECT TRACK AND COUNTERBALANCE OPTIONS WHEN PLACING ORDER.
- 2.) STANDARD DOOR CONFIGURATION INCLUDES ONE SLIDE LOCK. OTHER LOCK OPTIONS ARE AVAILABLE.

TOP SECTION OPTION: TOP13



DW	X	P
17'-0"	10.288"	39.856"
19'-0"	10.288"	45.856"

DH	S1	S2	S3	S4
6'-3"	18"	18"	18"	21"
6'-6"	18"	18"	18"	24"
6'-9"	18"	21"	18"	24"
7'-0"	18"	24"	18"	24"
7'-3"	21"	21"	21"	24"
7'-6"	24"	18"	24"	24"
7'-9"	24"	21"	24"	24"
8'-0"	24"	24"	24"	24"

Clopay®
Building Products Company

FRONT ELEVATION
VIEW DRAWING

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DRAWN BY: SQB

DATE: 03/13/13

APPROVAL SIGNATURE:

APPROVAL DATE:

CUSTOMER: COACHMAN SERIES

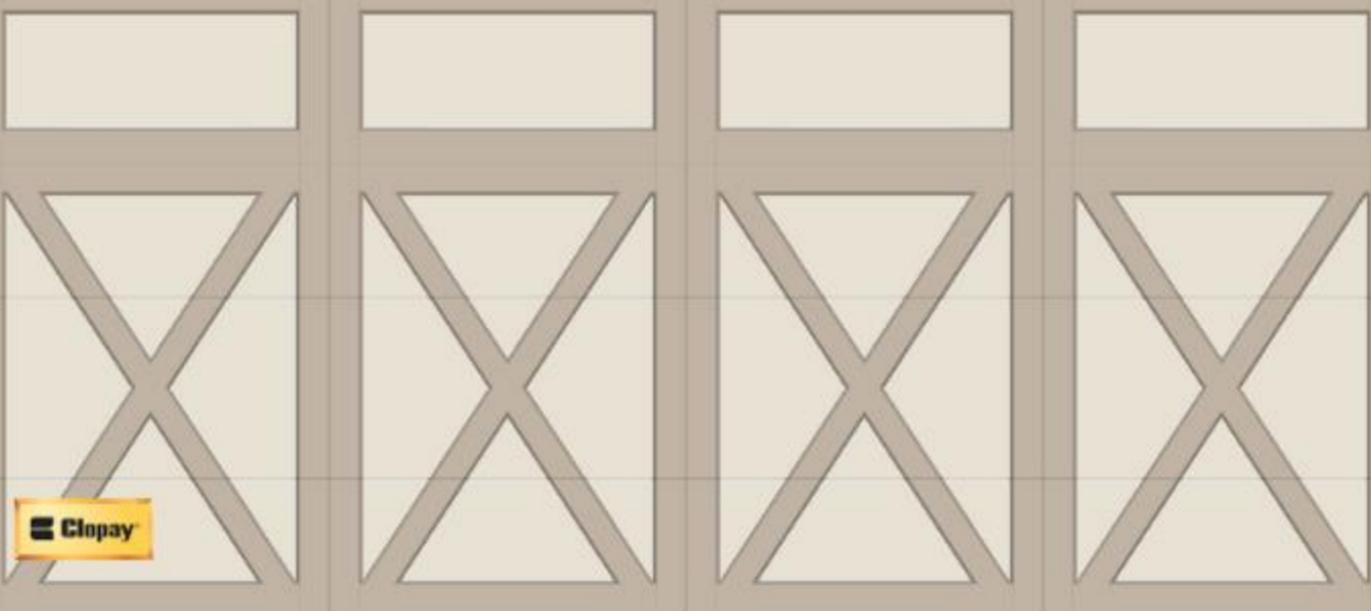
JOB: FRONT ELEVATION

DRAWING NUMBER:
C4K-4P-4S-21-TOP13-S

REV. 01

CSR/DC: TROY, OHIO

SHEET: 2 of 2



 Clorox



Customer Info:

Job #: N/A
 Marylou Reinwand - And Co., Rosy Cheeks
 6045 Monona Drive,
 Monona, WI, 53716
 (608) 206-4166-mobile

Genesis Painting

4401 Femrite Dr. Unit C Madison WI 53716
 Phone: (608) 221-4225
 Fax: (608) 221-3525

Company Representative:

Jeff Lennberg
 (608) 310-7686
 jeff@genesispainting.com

Painting-Exterior Commercial

Description	Painting-Exterior Commercial total: \$0.00
--------------------	---

POWER WASHING THE FRONT OF THE BUILDING

Description
<ul style="list-style-type: none"> - -Use caution to protect clients landscaping and outdoor decor - -Spray surfaces to be painted or stained with mildicide to kill any mildew growth - -Scrub surfaces to be painted or stained where necessary due to heavy mildew, heavy product break down & dirt build up - -Rinse/Wash surfaces to be painted or stained thoroughly with a high pressure washer to remove dead mildew, dirt & chalk - Materials: Mildicide

POWER WASHING THE FRONT OF THE BUILDING total: \$217.00

PAINTING OF THE ALUMINUM FASCIA, SOFFITS & FRONT DOOR OVERHANG, ALONG WITH ALUMINUM GABLE

Description
<ul style="list-style-type: none"> - -Using Metal Epoxy, repair dings & holes where present, brushing texture if aluminum has texture, sanding smooth if siding is smooth (3-4 hour allowance included in proposal) - -Mask off areas not being painted to prevent from paint transfer - -Apply one coat of client chosen paint color with the additive Emulsabond for maximum adherence. Apply using a spray technique - -Apply a second finish coat without the additive Emulsabond. Apply using a spray technique - Pull masking, sharpen lines & clean up site properly - Materials: Easy-Mix Emulsa Bond Aluminum Siding Paint Additive - Materials: Hallman Lindsay #174 Weatherguard Lo Sheen Enamel

PAINTING OF THE ALUMINUM FASCIA, SOFFITS & FRONT DOOR OVERHANG, ALONG WITH ALUMINUM

GABLE total: \$1,356.00

PAINTING OF THE STUCCO ON THE FRONT OF THE BUILDING**Description**

- Paint the stucco on the front of the building TWO coats new chosen color with Elastomeric Masonry Coating
- Materials: Hallman Lindsay #180 Elastaguard Elastomeric Masonry Coating

PAINTING OF THE STUCCO ON THE FRONT OF THE BUILDING total: \$676.00**RUST PROOFING THE ROOF FLASHING, PAINT THE METAL SERVICE DOOR & PAINT THE GARAGE OVERHEAD DOOR JAMB****Description**

- Prep & paint the wood garage overhead door jamb
- Prep & paint the metal service door
- Apply rust reformer & rust inhibitive primer to the roof flashing & top coat with DTM enamel
- Hallman Lindsay #330 Metalguard Rust Inhibitive Primer
- Hallman Lindsay #318 Duratech Satin Enamel DTM

RUST PROOFING THE ROOF FLASHING, PAINT THE METAL SERVICE DOOR & PAINT THE GARAGE OVERHEAD DOOR JAMB total: \$161.00**CAULKING****Description**

- On stucco, prior to painting, caulk cracks where present along with holes left from shutter removal
- Hallman Lindsay 50 year Warranty Siliconized Paintable Caulk

CAULKING total: \$77.00**OPTIONAL WORK****Description**

- The work outlined below is optional and IS NOT included in the bottom line price. If the customer would like the work completed, the listed price can be added to the bottom line price and the work will be completed. The pricing listed is only good if the work is completed at the same time as the work outlined in the original proposal above.

OPTIONAL WORK total: \$0.00**OPTION FOR PAINTING THE LEFT SIDE OF THE BUILDING****Description**

- If the customer would like the Genesis to clean, prep, & paint the left side the building to match the front, the additional cost will be ~~\$1,538.00~~, labor & materials are included.

OPTION FOR PAINTING THE LEFT SIDE OF THE BUILDING total: \$0.00**OPTION FOR PAINTING THE RIGHT SIDE OF THE BUILDING****Description**

- If the customer would like the right side of the building cleaned, prepared & painting to match the front, the additional cost will be \$1,241.00 labor & materials are included.

OPTION FOR PAINTING THE RIGHT SIDE OF THE BUILDING total: \$0.00**PREPARATION & PAINTING THE BRICK ON THE FRONT OF THE BUILDING****Description**

- Apply one coat of Block Filler to the brick surfaces, tinted towards chosen top coat color to act as a first coat

- Top coat brick surfaces with one coat of Elastomeric Masonry Coating
- Materials: Hallman Lindsay Block Filler
- Hallman Lindsay #180 Elastaguard Elastomeric Masonry Coating

PREPARATION & PAINTING THE BRICK ON THE FRONT OF THE BUILDING total: \$719.00

Total for all sections: \$3,206.00

Total: **\$3,206.00**

PAYMENT TERMS

Upon Substantial Completion, the full contract price will be due in full. Payment will be collected by the job supervisor. If the homeowner is not

available to meet with the job supervisor upon substantial completion, payment can be made by calling the painting supervisor or accounts

receivable at 608-310-7690.

Substantial completion is the stage in the progress of the work when the work or designated portion thereof is sufficiently complete in accordance with

the contract so that the owner can occupy or use the work or a portion thereof for its intended use. Minor defects or touch up work would fall under

service or warranty work and do not constitute a reason to withhold final payment. A late fee of 2% of the unpaid balance and 1% per month interest

will apply if payment is not made within 5 days of reaching substantial completion. After 60 Days of nonpayment, the lien process will begin

BREACH OF CONTRACT

If the homeowner breaks the contract after five (5) days of signing, a penalty of 10% or \$200 whichever is great plus any materials will be imposed.

ADDITIONS AND REVISIONS

Additions involving extra costs may require prior written approval, and will become an extra charge over and above the original Contract.

SCHEDULING

Jobs are scheduled upon receipt of the signed Contract. You will be notified of an approximate time frame to begin your job. Occasionally, our

schedule gets adjusted due to unforeseen circumstances. In any event, the homeowner will be notified of the change.

COLOR CHOICES

Color choices are made by owners. In the case a homeowner uses our color consultant; the ultimate decision still rests with the homeowner.

PAINT COVERAGE

Due to color selection and absorbency, it is difficult to determine the number of coats needed. If additional coats are needed, we will get your

approval prior to proceeding. Any additional coats needed beyond the original coats outlined in the proposal will be completed at time and

materials upon the homeowner's approval.

PEELING PAINT

We will scrape and prime loose or peeling paint to insure a long-lasting durable surface. When paint peels, it leaves a small uneven edge that will

not appear completely smoothed. If a smoother finish is preferred, you want to contract a company that chemically strips.

STAINING

Uniformity in stained surfaces cannot be guaranteed, due to thinness, surface, color and stain type.

POWER WASHING

Windows need to be closed tightly and water needs to be available at an outside faucet. Windows may occasionally streak depending on their

surface. Genesis will not be responsible for internal water damage due to any open gaps on the exterior surface washed.

PAINT CHIPS/CLEAN UP

We will use drop cloths, plastic, brooms and vacuums for both interior and exterior work. Due to wind, steep inclines, etc., there may be no

functional or pragmatic way to catch all paint chips as they fall. However, the chips will dissipate in time with no damage to you lawn. Empty

paint cans, paint chips, and other miscellaneous used materials will be left with the customer for their normal trash pickup.

WARRANTY

Genesis will warranty and furnish 100% of the labor and materials for three years for surfaces where the product has failed due to improper

workmanship or defective material including but not limited to peeling, blistering, or chipping. Previously applied coats of paint may have

moisture or adhesion problems that are beyond our control and are not fully warrantied, however in the event you have one of these rare

problems, we will still warranty those areas at a discounted rate of \$29.00 per hour for labor, and provide the paint at 50% off the retail store

cost. If the problem area is covered under this warranty, we will normally only redo the exact area of paint failure, caulk, etc. For example, if

a small area of siding peeled, we would redo that area and try to blend in with the existing siding, not repainting the entire siding or wall. The

newly worked area may look slightly different due to fading, weathering or a slight change in the color of the products. Repairs to horizontal

surfaces or any surface that, by virtue of the design, permits moisture to collect, are only covered for sixty (60) days. These surfaces include,

but are not limited to exterior decks, railings, steps, porches and roofs.

NOTICE OF LIEN RIGHTS

Required by the Wisconsin Construction Lien Law, builder hereby notifies owner that persons or companies furnishing labor or

materials for

the construction on owner's land may have lien rights on owner's land and buildings if not paid. Those entitled to lien rights, in addition to

the undersigned builder, are those who contract directly with the owner, or those who give the owner notice within sixty (60) days after they

first furnish labor or materials for the construction. Accordingly, owner probably will receive notices from those who furnish labor or

materials for the construction, and should give a copy of each notice to his mortgage lender. If any, Builder agrees to cooperate with the

owner and his lender, if any, to see that all potential lien claimants are duly paid.

Customer Acceptance Signature or by allowing us to work you agree to terms Date Signed

Company Authorized Signature

Date

Customer Signature

Date

Customer Signature

Date

This estimate was last edited by Jeff Lennberg ((608) 310-7686, jeff@genesispainting.com) on May 12, 2016. The estimate may be withdrawn if not accepted within _____ days.

Koscik Construction, Inc.

KOSCIK CONSTRUCTION, INC
4812 MCKENNA RD
MONONA, WI 53716

Estimate

Date

5/13/2016

Name / Address

Rosy Cheeks & Co
6045 Monona Dr
Monona, WI 53716

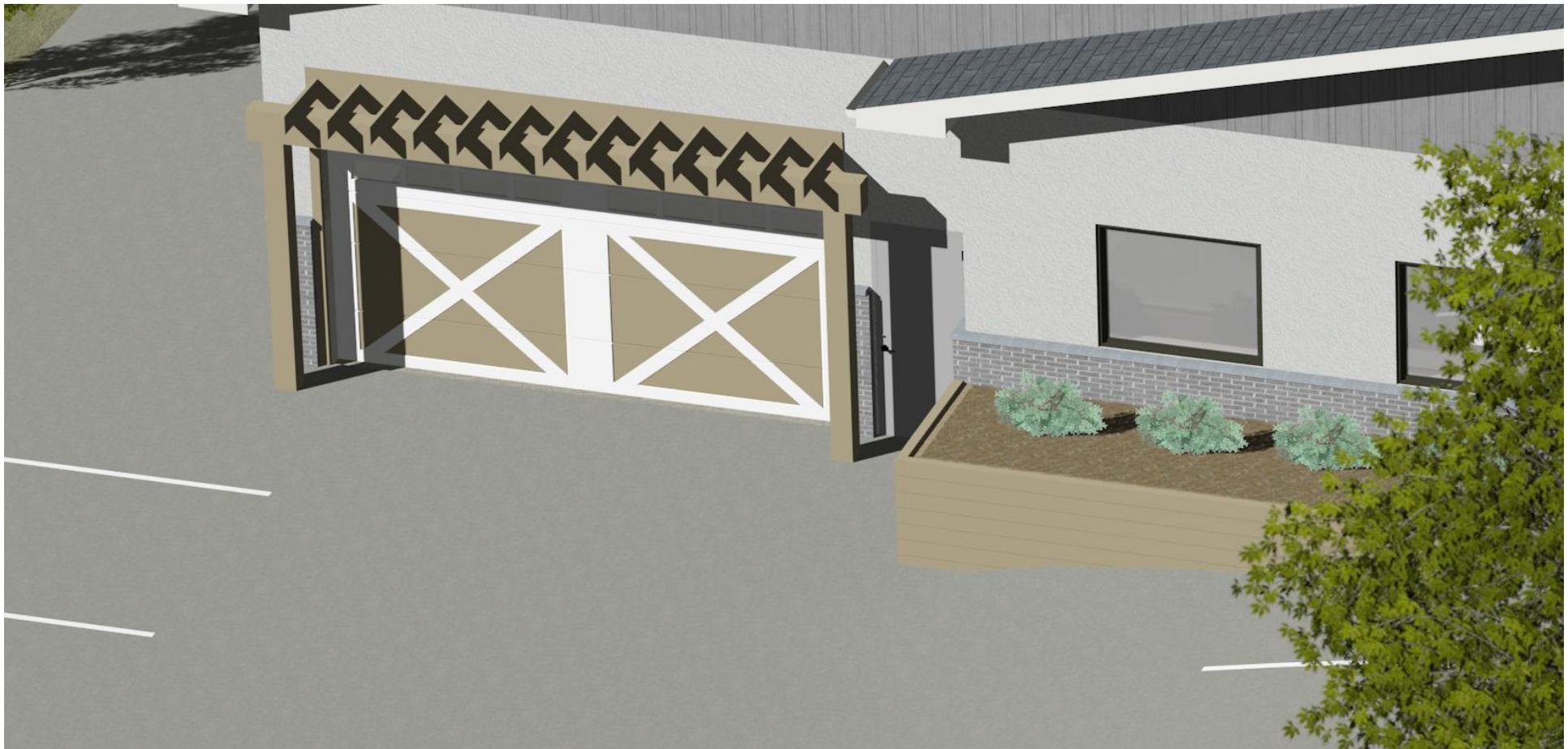
Description	Total
6045 Monona Dr	
Supply and install materials to build a pergola around an existing 8' x16' over head door	3,300.00
Supply colored rendering by Bouril Design Studio	1,950.00
Thank you for your business.	Total \$5,250.00

Phone #

608-334-9181







**PLAN COMMISSION STAFF REPORT
CITY OF MONONA**

**MEETING DATE: May 23, 2016
AGENDA ITEM 6C & 6D
CASE NO. 2-004-2016**

Project: Public Hearing and Prehearing Conference on a Zoning Permit Request for a New Restaurant, Breakwater, at the Former Location of Bourbon Street Grille, at 6308 Metropolitan Lane.

Project Address: 6308 Metropolitan Lane

Applicants: Tim Trpkosh, Breakwater (Representing Tenant)
Tom Thompson, Yacht Club (Representing Building Owner)

Proposal Summary:

Tim Trpkosh has submitted an application on behalf of Breakwater, a tenant seeking approval to open a new restaurant at the former location of Bourbon Street Grille at 6308 Metropolitan Lane. The tenant space is within the Four Lakes Yacht Club building, owned by the Four Lakes Yacht Club.

Applicable Regulations, Policy, or Practice:

The Plan Commission must review the plans for consistency with applicable zoning regulations, including determining if the new restaurant's proposed seating diagram/patron capacity is consistent with parking regulations in Appendix A of the zoning code, and other applicable regulations including but not limited to the lighting and noise ordinance of the code.

Recommendation:

No action is recommended at this prehearing conference. The Plan Commission should discuss the applicants' proposed use of the space and may request additional information as needed.

- **Parking:** Review the parking section outlined within this staff report. Based on off-street parking available, the parking regulations support a seating capacity of up to 162 patrons. Adjustments may be made to the parking regulations upon documentation of shared parking arrangements with neighboring properties or upon documentation of carpooling programs as outlined in the Code. A seating plan shall be submitted to determine the number of patrons proposed to occupy the space.
- **Lighting:** Request information from the applicants regarding use of outdoor patio.
- **Noise:** Request information from the applicants regarding use of outdoor patio.
- **Future Signage:** Permits shall return to Plan Commission for approval.

Proposal

The former tenant of the space at 6308 Metropolitan Lane, Bourbon Street Grill, closed in January 2016. The property is owned by the Four Lakes Yacht Club. Breakwater has submitted materials requesting approval to open a new restaurant at this location. The Plan Commission must review a zoning permit for the proposed new restaurant to determine if the proposed seating capacity is consistent with zoning regulations for parking. Additionally, the applicant must provide details on outdoor patio use for zoning impacts such as noise and lighting so the Plan Commission can determine if the uses are consistent with surrounding properties and applicable zoning regulations.

Plans Submitted

The following plans were submitted for the 5/23/16 meeting:

- Letter of Application – Provides overview of the new restaurant, hours of operation, number of employees, approximate number of patrons, and parking.
- Google images showing parking stalls as described under parking header of this report.

Public Hearing and Prehearing Conference

A public hearing and prehearing conference are scheduled for the Plan Commission meeting on 5/23/16. A notice was mailed to surrounding properties within 250' to allow nearby property owners the opportunity to comment on the plans and to notify them of the proposal.

Zoning Requirements

Code Sec. 13-1-180 defines when a zoning permit is required. A zoning permit is required for any construction, substantial relocation, or substantial enlargement of any structure or building. A zoning permit is also required for any use or substantial change in use of any land, water, structure or building as determined by the zoning administrator. A zoning permit is not required for a change of ownership. However, if a change in ownership is accompanied by another action which requires a zoning permit, a zoning permit is required for such other action.

The applicants are proposing a new restaurant and have not defined the seating capacity of the restaurant as required by Appendix A of the Code. Therefore, staff is unable to determine if there is enough parking on site to satisfy the zoning requirements for the proposed use. The Plan Commission must review the application for all applicable regulations of the Monona Municipal Zoning Code including the general use, and site performance standards of the code (Sec. 13-1-41, and 13-1-61), parking and lighting standards in Appendix A, and the operational use standards of Sec 13-1-42 including noise.

Parking Requirements

Appendix A of the zoning code regulates parking including the requirements listed below.

- All construction shall be provided with sufficient **off-street parking** to accommodate all vehicles which are expected to use the premises in the normal course of events. The number of required parking spaces shall be determined by the Plan Commission. The Plan Commission shall base their determination on the City of Monona standards for parking in Appendix A of the Code. Restaurants, cafes, bars, taverns, and night clubs shall provide **at least 1 parking space for each 3 seats** based on capacity design, or where there is no design layout, one space for each 25 square feet for gross floor area. **The applicant has not**

submitted a capacity design showing number of seats and have not provided the floor area.

Adjustments to the minimum spaces may be authorized by the Plan Commission where the applicant can **document shared facilities arrangements with neighboring uses or where there are documented shared-ride or carpooling programs.** The documentation for joint use of shared facilities must be in the form of an easement or contract between property owners specifying the number of shared spaces and terms and conditions.

Parking Availability

The applicants provided three Google images with numbered parking stalls around the property at 6308 Metropolitan. These stalls are outlined below.

- Google image with numbered parking stalls on-site – **34 parking stalls**
- Google image showing nearby street parking - 8 on Metropolitan and 24 on Bridge Road – **32 parking stalls**
- Note regarding long-term lease between Yacht Club and 802 W Broadway (Chase Bank) giving Yacht Club rights to **20 parking stalls.**
- Google image showing **45 parking stalls** at 6406 Bridge Road (City Property) for which the applicant is asking permission for a shared parking arrangement.
- The total number of stalls around the area identified by the applicant is **131 parking stalls.**

The parking required by the code needs to be off-street parking. **Therefore, based on the requirement of 1 parking stall for each 3 seats in a restaurant, the 34 parking stalls on-site allows for a total seating capacity for 102 patrons. When the 20 off-street stalls at the Chase Bank property are included for a total of 54 parking stalls, the total seating capacity allowed is 162.** The letter of application notes that the Breakwater hopes to serve 200-300 patrons each day, or more. The applicants should provide additional detail on the number of seats planned in the restaurant, and on the outdoor patio. Adjustments may be made as determined by the Plan Commission, and based on documentation of materials as noted above.

Lighting

Illumination of off-street parking areas shall be established and directed so as not to be cast directly upon public right-of-ways, occupied structures, or neighboring properties or to be illuminated in intensity, color, or character in a manner that is likely to be seriously disturbing to neighboring properties. The application should describe plans for lighting of the outdoor patio.

Noise

No use shall regularly emit noise beyond the premises of the source in excess of 65 decibels between 7:00am and 9:00pm and 55 decibels between 9:00pm and 7:00am in any octave band of frequency above 300 cycles per second as measured by a standard sound level meter. Noise shall be so muffled or otherwise controlled as not to become objectionable, due to intermittence, duration, beat, frequency, impulse character, periodic character or shrillness. The applicants have not described their intended use of the outdoor patio, or whether outdoor music will be provided either as live amplified music or through speakers.

Future Signage

Per Sec. 13-1-220 of the Monona Zoning Code: Sign permit applications that accompany requests for a zoning permit require Plan Commission approval. Future signage requests shall be submitted for review by the Plan Commission.

BREAKWATER



Executive Summary

Breakwater has an amazing location on the water in the town of Monona, WI. Coupled with the opportunity the large patio provides, Breakwater will be the talk of the town while being raved throughout Dane County and all of Wisconsin. While the location and the patio give Breakwater a summer time advantage among other restaurants, the vast selection of local craft beers and wines, mouth watering farm to table food and a exciting and lively environment, will create the perfect spot for diners in surrounding areas and Monona to frequent.

The success of Breakwater will not be solely on the location but rather a combination of the location, quality food, amazing drinks and superb service. In the past, the location was the primary reason people would stop by. Under our team at Breakwater, the location will be an added bonus, with people mainly coming for the food, drinks and experience. By combining a seasoned bar manager, who has helped start up two bars on State Street, with one of Madison's best chef's will create an equally balanced operation putting out top food and exceptional service. The hours of operation will be between 11am and bar time for the City of Monona. Breakwater will be committed to making this operation a successful one. Even our servers will be hand selected and share the owner's vision, in that, keeping customer happy assures repeat business. We are projecting to have 40-50 employees

on staff at all times, to assure the quality of our service is not jeopardized. With a large portion of those 40-50 being wait staff and bartenders.

Word-of-mouth advertising is priceless and a must for new restaurants. It means everything is right. Everything is happening. The bar is alive. The food is great and the employees love working there. They are talking and saying great things about the place, and that is passed on to your customers. The customers will love going to Breakwater, and they will tell other customers. When we can get to that point, it will be just priceless. During our normal days during the summer, we anticipate serving between 200-300 patrons looking to relax and enjoy quality food. With as many as 500+ coming during our busiest days!

Breakwater will provide a comfortable place for locals to come and gather from being out on the lake during a summer day while striving to be the bar of choice for the locals in the Monona and suburban Madison. Boaters tend to be a tighter nit group and having the Four Lakes Yacht Club within the building will help with word of mouth spreading out in the lake. By providing fast and superior service, in a relaxed atmosphere, it will encourage patrons to unwind. Breakwater will be based on the guiding principles that life is to be enjoyed and this will be reflected in the vast selection of beverages, its' delicious food offerings and the professional team members.

Products/Services Descriptions

Breakwater will offer a broad and deep variety of specialty beers and wines which will appeal to the public's ever changing and increasingly more sophisticated demands for a variety of beer and wines. The bar will offer a full service liquor bar along with ice cream and frozen drinks that are hand crafted.

Patrons that desire food will have two options; our quick menu with items meant to target someone looking to get back on the water or back to work. But just because it is quick, the experience and taste will stay on people's minds creating a natural desire to come back. If people have more time and they desire to have a sit down dinner, they will be able to enjoy that in the restaurant area. Here they will experience farm to table inspired, top quality preparation and presentation from our top level executive chef Brandon Reid.

Delivery drivers will be able to park in front of the building allowing them to bring their product through the front door and up the elevator or steps and into the back of the house/kitchen area. No major modifications will be made at this point other than cosmetic and repairs to the existing facility. The signage will be changed to show the new name of the establishment. It will be the same size as the existing signage. Once selected will be supplied to the City Planning office.

Current parking for that property consists of 20 parking stalls on the Chase property adjacent to the Breakwater/Yacht Club. Another 20 stalls that the yacht club owns and 10 spots in the front of the restaurant. This totals 50 parking stalls that we will have direct access to. In conjunction with those stalls, there are five spots available on Metropolitan Ln street parking and another 20 on Bridge Rd. In addition, there is another 29 stalls available on the property owned by the city, directly across the street from Breakwater. We would ask that this opportunity to have sufficient parking on the city property be utilized to minimize those parking on the street. We acknowledge that the River Project may remove the convenient parking option in the future and would then revert to the abundance of parking on the street to meet our patrons needs.

Professional Team Members

Brandon Reid has been into cooking since he was 15. He will be bringing with him a farm to table ideology. Brandon has worked with many great chef's in Wisconsin including, Dan Fox of the Heritage Tavern, Michael Pruett of Steenbock's on Orchard and Cento, Nick Szombatfalvy of Craftsman Table and Tap, and Allen Boltik of The Wisconsin Club. Currently the executive chef at The Coopers Tavern, he has developed a solid relationship with many of the local purveyors and farmers by being understanding and caring to their difficult job.

Nick Pazour has been running or helping start bars around the downtown area for over a decade. Most recently, he helped the Comedy Club ownership transition over to running the Orpheum Theater. One of the bigger undertakings was the transition of what was once the Pub into Whiskey Jacks, where he did the hiring, training and scheduling during the busy reopening to ensure its' success on State St. Currently, he rotates between the Orpheum and the RedZone bartending and training those who get hired.

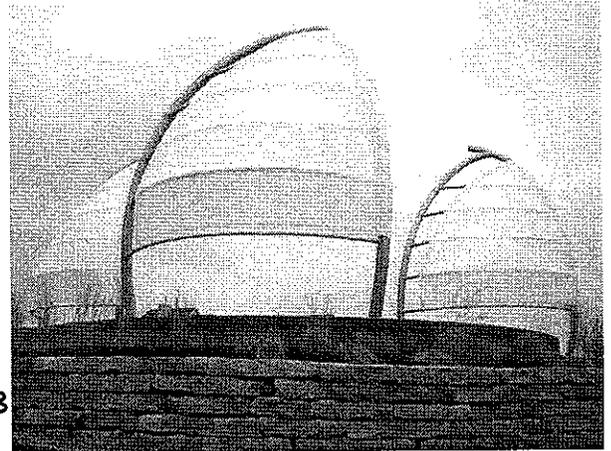
Timothy Trpkosh is not in the bar/restaurant business and will not be handling direct operations but rather the back of the house, number crunching and marketing to the businesses within the Monona/south suburb area. Tim graduated from UW-Madison and has never left because of his love for the lakes and amazing food that is in downtown Madison. He is looking forward to bringing those two passions together for an amazing experience at Breakwater.

ZONING PERMIT & PLAN COMMISSION REVIEW APPLICATION FORM

It is the responsibility of the applicant to contact the City Planner at (608)222-2525 or sreichertz@ci.monona.wi.us prior to application submittal to discuss the process. Please note that your application will not be put on the agenda until all materials are received at the City Planning office.

APPLICANT

Name BREAKWATER MONONA LLC
Company BREAKWATER
Mailing Address _____
Telephone _____
Email _____



APPLICANT WILL BE REPRESENTED BY

The owner's representative (if any) will receive all official correspondence.

Name Timothy TRPKash
Company BREAKWATER MONONA LLC
Mailing Address 745 REFLECTOR DR VERONA 53593
Telephone 608-469-8772
Email timtrpkash@gmail.com

PROPERTY INFORMATION

Property Address 6312 METROPOLITAN LN
Owner Name BREAKWATER MONONA LLC
Owners Address 622 WINGRA ST MADISON 53715
Current Zoning COMMERCIAL
Existing Property Use RESTAURANT / BAR

ZONING PERMIT APPLICATION PROCEDURES

Applications must include:

1. A letter or memo stating your request and reasons why the request should be reviewed and considered for approval. Include a description of items including: the current and proposed business, hours of operation, number of employees, number of anticipated visitors per day, number of parking stalls, how and where deliveries are made, the modifications or additions to be made to the property, etc.
2. Name, address, and phone number of the Owner, Developer, Firm and Individual at that firm who prepared the plans. Owner authorization must be provided for tenants or lessees.
3. Project plans labeled with scale, north arrow, adjacent street names, and dates on which plans were prepared or revised. Text must be readable (min. size 10 font). It is recommended plans be prepared by a professional engineer, architect, etc.

Submittal Process:

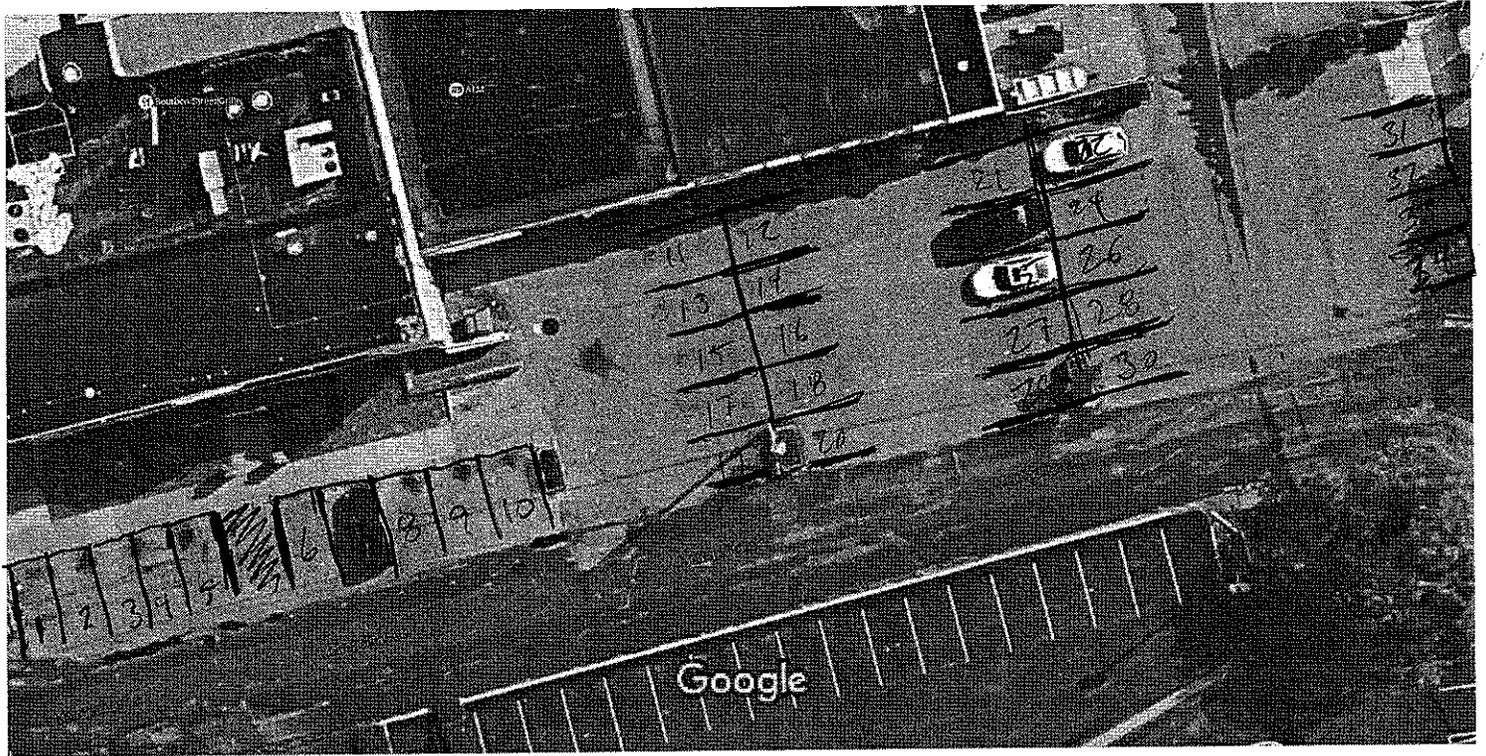
1. All materials must be received at the City Planning office before the item is scheduled for a meeting. The petitioner will be asked to submit **10 copies** of all plans with any changes suggested by department heads on 11" x 17" size paper or larger **two weeks** prior to the meeting (date of meeting requested: _____).
2. The applicant is also asked to submit electronic (PDF) copies of plans.
3. The applicable permit fee of \$_____ is due at the time of plan submittal.

Below Space for Office Use:

Date Approved _____
Approved By _____

Permit Number _____
Conditions of Approval (see attached)

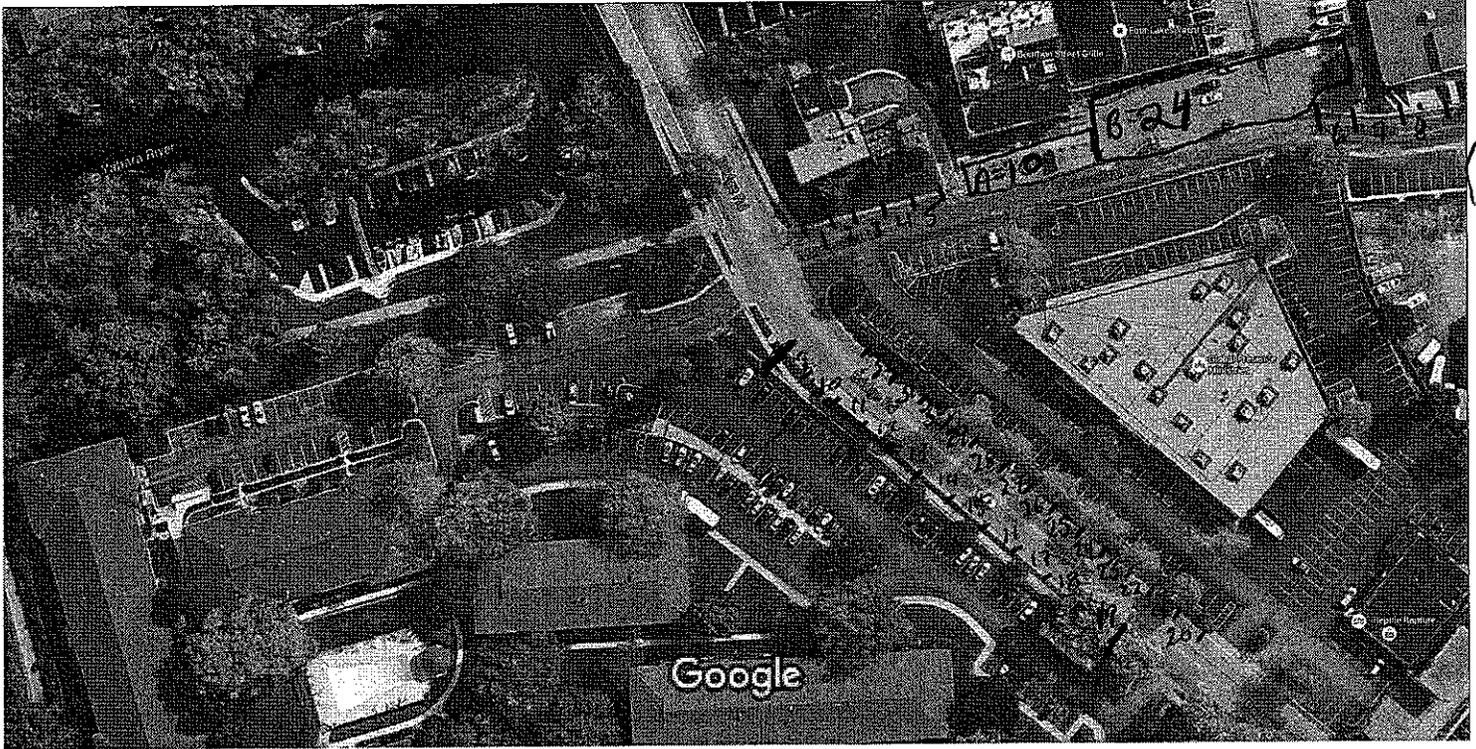
Google Maps



Imagery ©2016 Google, Map data ©2016 Google 10 ft

Google Maps

Google Maps



Imagery ©2016 Google, Map data ©2016 Google 50 ft

Google Maps

A=10 in front of building - Breakwater

B=24 in front of Yacht Club

C => Street parking in the AREA - B on Metropolitan
24 on Bridge Rd

66 total parking stalls

D=20 stall leased by chase BANK

Google Maps



Imagery ©2016 Google, Map data ©2016 Google 20 ft

Google Maps

45+ stalls ~~ACROSS~~ Metropolitan LN on city property,
NOT city parking

Asking for permission to access the lot behind call it
 Lot E



5211 SCHLUTER ROAD

MONONA, WI 53716-2598
CITY HALL (608) 222-2525
1FAX (608) 222-9225
<http://www.mymonona.com>

MEMO

TO: Plan Commission
FROM: Sonja Reichertz, City Planner & Economic Development Director
DATE: May 23, 2016
RE: Agenda Item 6E – Recodification

Please review the attached memo from City Administrator April Little for background and instructions regarding the current recodification process for the entire Monona Municipal Code of Ordinances. General Code is the company assisting with the process.

Attached is a “Legal and Editorial Analysis” prepared by General Code after they reviewed sections pertaining to land use and planning. I have checked decision boxes with my recommendation, and added comments and attachments where appropriate. To review the actual code language, please see the manuscript on the Planning Department webpage. The link to the document is: <http://mymonona.com/DocumentCenter/View/4623>

The Plan Commission should review, comment, and accept changes or request revisions. We will have additional opportunities to review sections. We may also repeal/rewrite/replace sections as appropriate (i.e. potentially lighting or sign code).

Memo

To: Dan Stephany, Marc Houtakker, Sonja Reichertz, Joan Andrusz,
Walter Ostrenga, Scott Sullivan, Jake Anderson, Marty Pilger, Jeremy Small,
and Carol Hermsdorf

From: April Little

Date: March 22, 2016

Re: Recodification Review

Here is the information that you will need for our recodification project. I tried my best to only give you the chapters (or parts of chapters) that relate to your department. However in some cases, you may need to hand them off to a different department or review the sections with another department (i.e "emergency management"). If you do so, just let me know where they went so I can keep track.

There are two parts to the analysis. (These PDF files are in the "ordinance – recodification 2016" folder on the S drive should you want to print more copies or see other chapters).

1. **A legal and editorial analysis.** Please review the highlighted sections that relate to your chapters. In some cases, the analysis said that no action was needed. There is no section break between the chapters, so it looks messy with some sections crossed out that you do not need to review, and other sections highlighted that you do need to review. Please check the boxes and/or fill in the information it asks for as you feel is best.
2. **The manuscript.** This is the draft chapter as edited with new numbering. This is your chance to recommend any further changes to each chapter. I only have PDF copies, so it may be easiest to write your suggested changes directly on the pages. We can access code samples from cities across the state, so if you would like that access just let me know and we will set you up. In some cases, there may be sections that would be easier just to repeal and recreate (submit a separate document). You may also suggest some sections be deleted entirely.

Review Process. Here is the general process we will follow. There may be some changes to the process along the way according to codification company (General Code) requests.

1. After you have done the initial reviews, give your suggested changes to the associated **committee for review**. I'm anticipating that this will take at least two meetings, but it is very important that your committees keep things moving.

2. After committee review, please **return sections to Leah Kimmel** as you finish them. I have attached a schedule. Our goal is to have this out of the way before we get deep into budgets.
3. Some sections will require more extensive or even legal review. Let me know and I can help you with those.
4. **Watch for sections that contain fees.** We should have that language replaced in most places with language something like "fee amount as set by the fee schedule or resolution of the City Council".
5. After you and the committees have finished the review, the sections will go to City Council for final review and adoption.

RECODIFICATION	Due By	Notes
Hand-off editorial & legal analysis & manuscript	3/21/16	Hand out sections with logs to staff
Staff reviews; recommend responses and edits to code sections	4/18/16	Return copy w/ cover sheets to Admin
Draft fee schedule	4/30/16	w/ Joan & Leah
Draft records schedule	4/30/16	w/ Joan & Leah
Committee review 1	5/31/16	
Committee review 2	6/30/16	
City Council review 1	7/5/16	
City Council review 2	7/18/16	Return Manuscript (resolved sections)
City Council review 3	8/1/16	Return editorial analysis comments to General Code. Final changes to code approved; final edits to manuscript submitted.
Adoption of code, fee schedule and records schedule	8/1/16	Alternate date: 8/15/16. By ordinance
Code delivery	?	

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Decision:

- Updated reference to “Subsection I(3)” is correct.
- Revise as follows: _____

D. Section 216-11J(1) contains a penalty of a forfeiture of not less than \$50 nor more than \$500. Is any revision desired?

Decision:

- Revise as follows: _____
- Retain as written.

E. The City’s proposed comprehensive fee schedule contains the fees found in § 216-19. We propose to remove the fees from this chapter and insert wording that the permit fees and adjustment factors are as set by the Common Council in the City’s fee schedule.

Decision:

- Remove fees and insert wording as indicated above.
- Revise as follows: _____
- Retain as written.

Planning Director Pages Start Here

Ch. 225, Fair Housing

Title 15, Ch. 3, of the 1994 Code

A. We often see communities address this topic by adopting § 106.50, Open housing, of the Wisconsin Statutes by reference. Following is sample wording:

The Common Council of the City of Monona hereby adopts § 106.50, Wis. Stats., as amended, and all subsequent amendments thereto. The officials and employees of the City of Monona shall assist in the orderly prevention and removal of all discrimination in housing within the City of Monona by implementing the authority and enforcement procedures set forth in § 106.50, Wis. Stats. The City Clerk shall maintain forms for complaints to be filed under § 106.50, Wis. Stats., and shall assist any person alleging a violation thereof in the City of Monona to file a complaint thereunder with the Wisconsin Department of Workforce Development for enforcement of § 106.50, Wis. Stats.

Decision:

- Replace this chapter with reference statement above. (*Skip to next chapter.*)
- Retain this chapter.

B. If this chapter is retained:

- (1) The City might want to update this chapter to reflect the current listing of protected classes in §§ 106.50 and 66.1011, Wis. Stats. Section 106.50 provides as follows: "It is the declared policy of this state that all persons shall have an equal opportunity for housing regardless of sex, race, color, sexual orientation, disability, religion, national origin, marital status, family status, status as a victim of domestic abuse, sexual assault, or stalking, lawful source of income, age or ancestry." This chapter currently refers to "race, color, religion, ancestry, national origin, sex, handicap, sexual preference, marital status of persons maintaining a household, lawful source of income, place of birth, or age" (see § 225-1).

Decision:

This decision not applicable.

- Revise to match statute.
- Revise as follows: _____
- Make no change.

- (2) In § 225-4A, regarding exemptions for religious organizations, the following wording does not really make sense: "unless membership in such religion is restricted on account of...religion." Additionally, there appears to be missing wording in § 225-4A; following is the wording generally used:

A religious organization, association, or society or any nonprofit institution or organization operating, supervised, or controlled by or in conjunction with a religious organization, association, or society, which limits the sale, rental, or occupancy, of dwellings which it owns or operates for other than commercial purpose to persons of the same religion or which gives preference to such persons, unless membership in such religion is restricted on account of race, color, ~~religion~~, ancestry, national origin, handicap, marital status, sexual preference, sex, age, or place of birth.

Decision:

This decision not applicable.

- Delete "religion" after "race, color" and add the underlined wording indicated above.
- Revise as follows: _____
- Make no change.

- (3) Should a penalty section be added to this chapter to reference the penalties prescribed in § 106.50, Wis. Stats.? Section 66.1011, Wis. Stats., which authorizes antidiscrimination housing ordinances, includes the following requirement: "An ordinance establishing a forfeiture as a penalty for violation may not be for an amount that is less than the statutory forfeitures under § 106.04." (Note: Section 106.04 has been renumbered as § 106.50.) Perhaps the following could be added: "Violation of this chapter shall be subject to penalties as prescribed in § 106.50, Wis. Stats."

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This decision not applicable.

Decision:

- Add a reference to the penalty in § 106.50, Wis. Stats.
- Revise as follows: _____
- Make no change.

Ch. 232, Fires and Fire Prevention

Title 15, Ch. 4, of the 1994 Code

This chapter contains more detailed specifications than we typically see in a local ordinance. The Fire Chief should be consulted as to whether the provisions in this chapter reflect current standards and are not already covered by state and national codes enforced in the City. The state code is Ch. SPS 314 of the Administrative Code, which adopts NFPA 1. Local adoption of an alternate code is allowed, provided that it is equivalent to NFPA 1. See Section SPS 314.001(2).

Decision:

- Revise as follows: (attach revisions separately)
- Retain as written.

- A. Please review the definitions of BUILDING and CLASS, as follows. We are unable to determine the updated reference to ILHR 51.03, "Classes of Construction Standards," in the current Administrative Code. Please indicate how these definitions should be revised.

BUILDING — Any structure that has the capacity to contain, or is used for the occupation by Wis. Adm. Code, Chapter ILHR 51.03, "Classes of Construction Standards". The classes of construction are: Class 1, Fire Resistive Type A; Class 2, Fire Resistive Type B; Class 3, Metal Frame-Protected; Class 4, Heavy Timber; Class 5, Exterior Masonry; Class 6, Metal Frame-Unprotected; Class 7, Wood Frame-Protected; and Class 8, Wood Frame-Protected.

CLASS — That classification of a building according to type of construction established by Wis. Adm. Code, Chapter ILHR 51.03, "Classes of Construction Standards". The classes of construction are: Class 1, Fire Resistive Type A; Class 2, Fire Resistive Type B; Class 3, Metal Frame-Protected; Class 4, Heavy Timber; Class 5, Exterior Masonry; Class 6, Metal Frame-Unprotected; Class 7, Wood Frame-Protected; and Class 8, Wood Frame-Protected.

Decision:

- Revise as follows: (write-in above, or attach wording separately)
- Other: _____

PART III, LAND USE LEGISLATION

Ch. 466, Floodplain and Shoreland-Wetland Zoning

Accept Changes A, B, and C

Title 13, Ch. 2, of the 1994 Code; amended in its entirety by Ord. No. 9-14-664

This chapter is based on commonly used model provisions. We note only the following:

- A. In § 466-5G we have updated the reference to § 30.12(4)(a), Wis. Stats., to § 30.2022, Wis. Stats.
- B. In § 466-10A and E we have updated the reference to the Department of Health and Family Services to the current title of Department of Health Services (and as used in the model law).
- C. In §§ 466-26D and 466-29A we have updated the reference to § 144.26(2m), Wis. Stats., to § 281.31(2m), Wis. Stats.
- D. Section 62.233, Wis. Stats., Zoning of annexed or incorporated shorelands, was added by 2013 Act 80 and recently amended by 2015 Act 55. This section requires every city to enact an ordinance applying to shorelands in annexed or incorporated areas that were subject to a county shoreland zoning ordinance prior to annexation or incorporation. The City does not appear to have adopted such an ordinance. The City Attorney should be consulted in this regard.

Decision:

- Revise as follows: (desired revisions are attached separately)
- Retain as written.

N/A. City of Monona incorporated prior to County Shoreland Zoning.

- E. Section 466-29C reads in part “If, within the 30 days period, the Department notifies the Common Council that the Department intends to adopt a superseding shoreland-wetland zoning ordinance for the municipality under Sections 62.231(6) or 61.351(6), Wis. Stats., the proposed amendment shall not become effective until that ordinance adoption procedure is completed or otherwise terminated.” Is it necessary to retain the reference to 61.351(6), which pertains to villages?

Decision:

- Delete “or 61.351(6).”
- Retain as written.

- F. We have made a minor revision to wording in the following sentence from § 466-30B(1) based on wording used by other municipalities; “Maintenance is not considered a

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modifications; this includes painting, decorating, paneling and other nonstructural components and the maintenance, repair or replacement of existing private sewage or water supply systems or connections to public utilities.”

- G. Section 466-30B(8)(b)[1] contains a reference to “**s. 13-2-7(a)(2)h.1.a-f.**” This reference does not appear to be correct. In looking at the corresponding reference used in the model floodplain zoning law, the reference would translate to § 466-30B(8)(a)[1], [2], [5] and [6]. Please review.

Decision:

- The correct updated reference in § 466-30B(8)(b)[1] is § **466-30B(8)(a)[1], [2], [5] and [6]**.
- The correct updated reference in § 466-30B(8)(b)[1] is: _____

- H. Similarly, § 466-30B(9) contains a reference to “**s. 13-2-7(a)(2)h.1**” which appears incorrect. In looking at the corresponding reference used in the model floodplain zoning law, the reference would translate to § 466-30B(8)(a). Please review.

Decision:

- The correct updated reference in § 466-30B(8)(b)[1] is § **466-30B(8)(a)**.
- The correct updated reference in § 466-30B(8)(b)[1] is: _____

- I. For consistency, we recommend updating the references in this chapter to the "zoning agency" to "Plan Commission." See §§ 466-37 and 466-40B(2).

Decision:

- Revise the three references to "zoning agency" to "Plan Commission."
- Revise as follows: _____
- Retain as written.

- J. Section 466-38C(3) refers to the "zoning committee." There are no other references to this committee. The intent appears to be to refer to the zoning agency (Plan Commission).

Decision:

- Change “zoning committee” to “Plan Commission.”
- Revise as follows: _____
- Retain as written.

- K. Section 466-48, Definitions.

- (1) The 2012 model law has a typo in the definition of "area of shallow flooding": "velocity flood" should read "velocity flow." We have made this correction.
- (2) The definition of "private sewage system" contains reference to the "Department of Commerce," which department was changed to the Department of Safety and Professional Services in 2011.

Decision:

- Revise to Department of Safety and Professional Services.
- Revise to: _____

Ch. 473, Subdivision of Land

Title 14, Ch. 1, of the 1994 Code

- A. Section 473-2A requires the final plat to be submitted within six months of approval of the preliminary plat. This section should be updated to refer to a period of 36 months pursuant to § 236.11(1)(b), Wis. Stats., as amended by 2009 Act 376, which provides as follows: "If the final plat is not submitted within 36 months after the last required approval of the preliminary plat, any approving authority may refuse to approve the final plat or may extend the time for submission of the final plat."

Decision:

- Revise "six months" to "36 months" **to conform to statute.**
- Revise as follows: _____
- Retain as written.

Double check with Atty.

- B. Section 473-2E requires the final plat be presented for recording within 30 days from the date of the last approval and within six months of the first approval. In § 236.25(2)(b), Wis. Stats., as amended by 2009 Act 36, this time frame is now 12 months: "The plat is offered for record within 12 months after the date of the last approval of the plat and within 36 months after the first approval."

Decision:

- Revise 473-2E to provide that the plat be offered for record within 12 months after the date of the last approval of the plat and within 36 months after the first approval.
- Revise as follows: _____
- Retain as written.

City of Monona, WI

C. In § 473-3B and C(4) we have updated the references to § 66.62, Wis. Stats., to § 66.0701, Wis. Stats., and the reference to § 66.60, Wis. Stats., to § 66.0703, Wis. Stats.

D. Regarding fees in lieu of land dedication, should the specific fee amount in § 473-5D(5)(a) (\$714 for each residential unit) be retained?

Ours is a base fee then adjusted annually based on Consumer Price Index. Double check how other communities handle this.

Decision:

- Omit the fee; revise to read "For each proposed residential development, the fee shall be as set by the Common Council in the City's fee schedule."
- Revise as follows: _____
- Retain as written.

E. Section 473-6E, F and G contain application fees for preliminary plats, final plats and certified surveys. These amounts appear in the comprehensive fee schedule; should they be removed from the Code?

Decision:

- Revise to remove the dollar amounts and replace with wording that the fees shall be as set by the Common Council in the City's fee schedule.
- Revise as follows: _____
- Retain as written.

F. In § 473-6H we will update the titles of "Wisconsin Department of Development" to the "Wisconsin Department of Administration" and "Wisconsin Department of Labor and Human Relations" to the "Wisconsin Department of Safety and Professional Services."

Ch. 480, Zoning

Title 13, Ch. 1, of the 1994 Code

A. Section 480-7 refers to both the *Master Plan* and the *Comprehensive Plan*. Should the titles be made consistent? This is the only section of the Code that uses *Comprehensive Plan*.

Decision:

- Change *Comprehensive Plan* to *Master Plan*.
- Change *Master Plan* to *Comprehensive Plan*.
- Retain as written.

B. Section 480-14, Earth station dish antennas.

- (1) The City might want to have this section reviewed by the Zoning Administrator or other appropriate official to determine whether it reflects current standards for the installation of satellite earth stations. We note that § 62.23(7)(he), Wis. Stats., added by 1993 Act 400, provides that as of May 6, 1994, a municipality may not enact or continue to enforce an ordinance that affects satellite antennas with a diameter of two feet or less except under certain conditions.

Decision:

- Revise as follows: (attach revisions separately)
- Retain as written.

See Attachment
#1. Reviewed by
Atty.

- (2) Subsection H contains a building permit fee of \$25. This amount appears in the comprehensive fee schedule; should it be removed from the Code?

Decision:

- Revise to remove the dollar amount and replace with wording that the fee shall be as set by the Common Council in the City's fee schedule.
- Revise as follows: _____
- Retain as written.

C. Section 480-15, Antennas, communication towers and related facilities.

- (1) The authority of municipalities to regulate the placement of wireless telecommunications systems was limited by 2013 Act 20, which added § 66.0404, Mobile tower siting regulations, to the Wisconsin Statutes. Among other changes, the statute establishes specific time frames for review of applications, limits restrictions a municipality can impose in terms of setback and height, limits the fees that can be imposed and prohibits recurring fees, and specifically prohibits municipalities from enacting an ordinance "prohibiting the placement of a mobile service support structure in particular locations within the political subdivision." Subsection F of this section prohibits communication towers in all residentially zoned districts and in conservancy districts. This restriction, and possibly some other provisions of this section, appear to be in conflict with the new state law. The City Attorney and Zoning Administrator should be consulted regarding this section.

Decision:

- Revise as follows: (attach revisions separately)
- Retain as written.

See attachment #2.
Reviewed by Atty.

- (2) If this section is retained, please review and confirm that the subsection references in Subsections E, F, I and J are correct; the original references did not match the numbering of this section.

City of Monona, WI

Sec. E - Do not change.
Sec. F - Remove entire section.
Sec. I - Change "B" to "D"
Sec. J - Change "B" to "D"

Decision:

- City confirms that the Subsection references in § 480-16E, F, I and J are correct as updated.
- Revise as follows: _____

D. Section 480-22, Land disturbance, should be reviewed against Ch. 216, Erosion and Stormwater Control (recently amended in 2014).

Decision:

- Replace this section *in its entirety* with a reference to the applicability of Ch. 216 regarding soil erosion and sediment control measures as follows: _____
- Revise § 480-22A as follows: “General design principles. Control measures shall apply to all aspects of the proposed land disturbance and shall be in operation during all stages of the disturbance activity. The following principles, in addition to the regulations and requirements provided in Ch. 216, Erosion and Stormwater Control, shall apply to soil erosion and sediment control:”
- Revise as follows: _____
- Retain as written.

E. Article V, Zoning District Regulations.

- (1) In § 480-24D(7)(c)[2] and [3] we will make the following revision to clarify the following wording:

Overhangs shall not project more than 1/3 of the way into setback area. OK

- (2) Following § 480-33 is a diagram which shows lots and yard designations. We suggest a title be added to this diagram so as to separate it from § 480-33, Cemetery District, and avoid confusion.

Decision:

- Add the following title to the diagram:

Lot and Yard Designations Diagram
- Other: _____

F. Section 62.23(7)(hc), Restoration of certain nonconforming structures, was added to the Wisconsin Statutes by 2005 Act 112 and provides that a local ordinance cannot prohibit restoration of a nonconforming structure or impose any limits on the costs of the repair if damage occurs after March 1, 2006, and is caused by violent wind, vandalism, fire, flood,

Add the language as recommended but under a new section, 480-39C, not under B.

ice, snow, mold, or infestation. The City might want to review the requirements in this chapter regarding nonconforming structures in Article VII, § 480-39B(2) in light of this provision. The City Attorney should be consulted in this regard. Perhaps the following wording could be added to § 480-39B:

Pursuant to § 62.23(7)(hc), Wis. Stats., and notwithstanding any other provision of this chapter, a nonconforming structure damaged or destroyed by violent wind, vandalism, fire, flood, ice, snow, mold or infestation after March 2, 2006, may be restored to the size, location, and use that it had immediately before the damage or destruction occurred, and no limits may be imposed on the costs of the repair, reconstruction, or improvement of said structure. The size of the restored structure may be larger than the size it was immediately before the damage or destruction if necessary for the structure to comply with applicable state or federal requirements.

Decision:

- Add the above wording to § 480-39B.
- Revise as follows: _____
- Make no change.

G. Section 480-40C, Amortization of nonconforming structures, should be reviewed against the provisions of (2005 Act 81) § 62.23(7)(h) and (hg), which state that municipalities cannot use an amortization ordinance to require removal of billboards or other nonconforming structures.

Decision:

- Delete § 480-40C. Additionally revise § 480-40D to delete “Subject to Subsection C...”
- Revise as follows: _____
- Retain as written.

H. In § 480-47 we have updated the reference to § 66.021(7)(a), Wis. Stats., to § 66.0217(8)(a), Wis. Stats.

I. There appears to be missing wording in the following sentence from § 480-49E(2)(a): “If no structural alterations are made, a nonconforming use of a building may be changed to another nonconforming use of the same or a more restricted classification. *Whenever a nonconforming use or a conforming use, such use shall not thereafter be changed to a less restricted use.*”

Decision:

- Revise as follows: Not sure which word is missing? _____
(or write in above)
- Other: _____

City of Monona, WI

- J. Section 480-55D begins “Formal hearing before planning and environmental commission.” There is no other reference to an “environmental commission”; however § 18-1H, regarding and advisory environmental committee, provides “The Common Council may create an Advisory Environmental Committee to the Plan Commission.”

Decision:

- Revise wording to “Formal hearing before Plan Commission and Environmental Committee.”
- Revise wording to “Formal hearing before Plan Commission.”
- Other: _____

- K. Article XI, Mobile Home Parks.

- (1) We have updated the reference in § 480-56A to § 66.058, Wis. Stats., to § 66.0435.
- (2) Section 480-58A contains an outdated reference to the Wisconsin Department of Health and Social Services. Water supply regulations are now under the jurisdiction of the Department of Natural Resources.

Decision:

- Revise reference to the Department of Natural Resources.
- Revise as follows: _____

- (3) Section 480-59B(2)(e) refers to the “monthly parking permit fee provided for in Subsection (13).” We are unsure what the reference to Subsection (13) is; in accordance with Ch. 303, Mobile Homes, and our comments therein, we propose the following revision: “Collect the monthly permit fee provided for in § 303-1 of Chapter 303, Mobile Homes.”

Decision:

- Revise wording as suggested.
- Revise wording as follows: _____

- L. Article XII, Signs Canopies, Awnings and Billboards.

- (1) In § 480-66 we have updated the reference to § 66.05, Wis. Stats., to § 66.0413, Wis. Stats.
- (2) Section 480-68B contains a sign permit fee of \$1 per square foot, with a minimum fee of \$25. This amount appears in the comprehensive fee schedule; should it be removed from the Code?

Decision:

- Revise to remove the dollar amount and replace with wording that the fee shall be as set by the Common Council in the City's fee schedule.
- Revise as follows: _____
- Retain as written.

M. Attachments to this chapter:

"City Signage Districts Map"

- (1) Attachment 1, City Zoning Map. Please review this map; the quality is poor and the wording is illegible. Does the City have a better quality map available? Alternately, the map could be excluded from the Code; we would insert a footnote stating that the current City Zoning Map is on file and available for inspection in the City offices.

Decision:

Signage Districts Map

- Exclude the map from the Code; insert a footnote as indicated above.
- A better quality map is being submitted for inclusion in the Code (attach map separately)
- Retain existing map in Code.

Caveat. Ultimately, I believe we should have a new map. This will need to be discussed during sign code revisions, so for now, I recommend adding the footnote.

- (2) Attachment 2, Sign District Regulations.
 - (a) The second sentence of this Attachment refers to "the map showing the location of the Commercial, Broadway, Gateway, South Towne and Multi-Family and Single Family Residential Sign Districts." We will include a footnote indicating that said map is on file and available for inspection in the City offices.
 - (b) This schedule contains three different entries for political or campaign signs and restricts the size and location of said signs. Section 12.04, Communication of political messages, of the statutes provides that "no county or municipality may regulate the size, shape, placement or content of any sign containing a political message placed upon residential property during an election campaign period." The statute includes a definition of "election campaign period" and provides for certain circumstances where local regulation is authorized. We recommend that the City consult with its Attorney as to whether any changes are needed in light of this statute.

Decision:

- Revise as follows: (attach revisions separately) **See attachment #3.**
- Retain a written.

(c) Under the heading **Multiple-Family Residential, Parks, Governmental, Public and Quasi-Public Use Districts**, following the entry for "temporary

City of Monona, WI

window” there are six more entries; some of which are duplicate sign types but which contains different regulations (construction, flagpoles and flags, noncommercial free speech symbols or insignia, political or campaign and real estate). Is there an additional heading missing, meant to separate these entries from the others? If not, should duplicate entries be deleted?

Decision:

- There is a heading missing, which should follow the entry for “temporary window,” to read as follows: _____; all subsequent entries should be retained.
- The duplicate entries should be handled in the following manner: (attach revisions separately)
- Other: _____

(3) Attachment 3, Site Design Standards for Parking, Landscaping, and Lighting.

- (a) Section I(a) reads “The landscaping requirements have been reduced to a single worksheet which the Zoning Administrator may use in assisting applicants in achieving compliance. The worksheet is included in the appendix.” We do not see this worksheet as part of this attachment; we will include a footnote indicating that said worksheet is on file and available for inspection in the City offices.
- (b) Section V(b) refers to “Section 12.45.” We are unable to determine what this reference is.

Staff and Attorney agree that additional changes will be needed to be Reed v. Gilbert consistent, but this, for now, addresses the General Code comments.

Decision:

- Update “Section 12.45” to: _____
- Delete “and Section 12.45.”
- Other: _____

(4) Attachment 4, Monona Drive Access Management Guidelines.

- (a) The text immediately following the “Driveway Median” text and before the “General” text is unclear/confusing. This is how the original copy appeared – is the setup correct? Perhaps the line breaks are incorrect? Please write-in necessary revisions.

Two one-way driveways frontage width	Individual driveway volumes should exceed 300 vpd and highway satisfied driveway spacing guidelines
In lieu of two two-way Driveways	

Frontage Width

Received input from Darrin Pope.

Decision:

- Revisions are written in above.
- The original setup is correct.

(b) The first sentence of “General,” Subsection (1), does not make sense:

“Any time a parcel of land is cleared of existing surface improvements, the driveways serving that parcel should be cleared ~~or Driveway operation is also directly impacted by internal parking lot circulation patterns.~~”

Decision:

- Revise as follows: (write in revisions above)
- Other: _____

or driveway operation is also directly impacted by internal parking lot circulation patterns,

City of Monona, WI

WRAP UP

Completeness Check

In order to ensure that the codification project can be scheduled for final editing upon return of this Editorial and Legal Analysis to General Code, please double-check the following items prior to sending:

- Binder and Seal information on p. 9: Is the table completed? Is the Seal attached (or has it been e-mailed) if required?
- Is the latest legislation being submitted (p. 9)? As-adopted copies, with enactment dates and numbers, should be sent.
- Throughout the Editorial and Legal Analysis, are all questions answered?
- Are all attachments accounted for? If a checkbox indicates “revise as attached” is there a corresponding document?

Final Review

- The Municipal Attorney has been consulted about and/or has reviewed and approved the decisions in this document.
- Sample language and any wording supplied by the municipality has been customized according to your specific requirements (see **Sample Legislation** above, p. 7).

Sending Materials

The entire Codification Portfolio binder does not need to be returned. Generally only the Editorial and Legal Analysis and any documents with a decision or revised wording should be submitted.

We strongly suggest that you make a photocopy for your records before sending General Code the original materials.

- ✓ If several officials have completed their own copies of the Editorial and Legal Analysis, please compile all responses into one comprehensive version. Any conflicts in responses should be resolved prior to submission.
- ✓ If several officials have worked in the same copy of the Editorial and Legal Analysis, that version is fine to send to General Code, as long as there are no conflicts in the responses.

Send materials to:

General Code
781 Elmgrove Road
Rochester, NY 14624

E-mail files to:

ezsupp@generalcode.com

§ 480-13. Maintenance.

All land shall be kept free of unhealthy and unsightly debris and shall be maintained to be compatible with neighboring property. All land, structures and buildings shall be maintained so as not to become a nuisance to the neighborhood.

§ 480-14. Earth station dish antennas.

- A. Ground-mounted earth station dish antennas are permitted as accessory structures provided that all applicable requirements of this section are met. Building-mounted earth station dish antennas are not permitted in residential areas.
- B. Earth station dish antennas shall be constructed and anchored in such a manner to withstand winds of not less than 80 miles per hour and such installations shall be constructed of non-combustible and corrosive resistant materials.
- C. Earth station dish antennas shall be filtered and/or shielded so as to prevent the emission or reflection of electro-magnetic radiation that would cause any harmful interference with the radio and/or television broadcasting or reception on adjacent properties. In the event that harmful interference is caused subsequent to its installation, the owner of the dish antenna shall promptly take steps to eliminate the harmful interference in accordance with Federal Communications Commission regulations.
- D. Ground-mounted earth station dish antennas shall not exceed 14 feet in height. This measurement shall be from grade level to the top of the dish. The maximum diameter in all residential areas shall be three meters.
- E. Ground-mounted earth station dish antennas shall meet all setback yard requirements for a accessory structures in the zoning district in which they are located and are permitted only in the side yard or rear yard (not shore yards) in residential districts. Dish antennas are permitted in the side and rear yards in commercial, industrial and public/institutional zoning districts upon approval of a zoning permit according to § 480-55. Dish antennas must be located at least five feet from any principal structure and at least 10 feet from the lot lines.
- F. Not more than one earth station dish antenna shall be permitted on a lot or parcel in a residential zoning district. A maximum of three earth station dish antennas shall be permitted on a lot or parcel in a commercial zoning district. A dish antenna may be placed on a lot or parcel on a trial basis for a period not exceeding five days. No advertising messages will be allowed on the dish or framework other than the manufacturers identification.
- G. The installation of an earth station dish antenna shall require a permit. The property owner shall submit to the Building Inspector plans, which indicate the appearance, proposed location and installation method of the dish antenna. Earth station dish antennas shall be located and screened on three sides to minimize their visual impact on surrounding properties. All electrical lines, cables and conduits running to or from any dish antenna shall be buried underground.

Change this to 9 feet instead of 3 meters.

- H. All earth dish antennas, and the construction and installation thereof, shall conform to applicable City Building Code and Electrical Code regulations and requirements. A \$25 fee shall be paid prior to the issuance of a building permit.
- I. Any earth station dish antenna existing on the date of adoption of this section, which does not conform to these regulations, shall be treated in accordance with Article VII of this chapter.

← From Atty: Add Section J. "These requirements shall not apply to an earth station dish two feet in diameter or less."

§ 480-15. Antennas, communication towers and related facilities/technology.

This section provides the procedures and standards for issuance of conditional use permits for the placement, construction or modification of antenna arrays, communication towers and related facilities/technology as defined in this ordinance.

- A. Definitions. The following definitions apply to this section:

ANTENNA ARRAY — The array of metal rods, dipoles, parasitic elements and associated appurtenances which are attached to the communication tower, and which are connected to the transmission lines or waveguides.

COMMUNICATION TOWER — Any structure, whether freestanding or attached to an existing building or structure, that is designed and constructed primarily for the purpose of supporting one or more antennas, including self-supporting lattice towers, guy towers, or monopole towers. The term includes radio and television transmission towers, microwave towers, common-carrier towers, cellular telephone towers, alternative tower structures, and the like.

- B. Policy. It is intended that conditional use permits shall be issued under this section to accommodate the expansion of wireless communication technology while minimizing the number of antenna arrays, tower sites and/or related facilities through the requirement that permitted antenna arrays, towers and/or related facilities be sited or constructed so that they may be utilized for the co-location of antenna arrays and related equipment to the extent technologically and economically feasible.

- C. Application.

- (1) The application process for a conditional use permit for the siting or construction of an antenna array, communication tower or related facility shall be governed by the procedures contained in this chapter and §§ 480-52, 480-54 and 480-55.
- (2) Any decision to deny a request under this section shall be in writing and supported by substantial evidence contained in a written record. Such denial shall state the denial and shall provide the reasons for the denial.

- D. Standards. No conditional use permit for the siting or construction of an antenna array, communication tower or related facility shall be issued unless the applicant presents to the Plan Commission credible evidence to a reasonable degree of certainty the following:

- H. All earth dish antennas, and the construction and installation thereof, shall conform to applicable City Building Code and Electrical Code regulations and requirements. A \$25 fee shall be paid prior to the issuance of a building permit.
- I. Any earth station dish antenna existing on the date of adoption of this section, which does not conform to these regulations, shall be treated in accordance with Article VII of this chapter.

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- D. Standards. No conditional use permit for the siting or construction of an antenna array, communication tower or related facility shall be issued unless the applicant presents to the Plan Commission credible evidence to a reasonable degree of certainty the following:

Atty recommendation to explicitly limit th application of the ordinance to comply with statute. Add section under C, and 3. as follows: "The provisions and limitations of section 66.0404, Wis. Stats., shall apply."

- (1) Compliance with all General Performance Standards, Use Performance Standards and Site Performance Standards, as well as Zoning District and Building Code requirements contained in the Monona Municipal Code, and
 - (2) Compliance with all radio frequency emissions requirements established by the Federal Communications Commission (FCC), and
 - (3) Compliance with all Federal Aviation Administration rules as to height, and
 - (4) Compliance with all Federal environmental laws, including the National Environmental Policy Act of 1969, and
 - (5) No existing communication tower or site is located within the area in which the applicant's equipment must be located, or
 - (6) No existing communication tower or site within the area in which the applicant's equipment must be located is of sufficient height to meet applicant's requirements and the deficiency in height cannot be remedied at a reasonable cost, or
 - (7) No existing communication tower or site within the area in which the applicant's equipment must be located has sufficient structural strength to support applicant's equipment and the deficiency in structural strength can not be remedied at a reasonable cost, or
 - (8) The applicant's equipment would cause electromagnetic interference with equipment on the existing communication tower(s) or site(s) within the area in which the applicant's equipment must be located, or the equipment on the existing communication tower(s) or site(s) would cause interference with the applicant's equipment and the interference, from whatever source, can not be eliminated at a reasonable cost, or
 - (9) The fees, costs or contractual provisions required by the owner in order to co-locate on an existing communication tower or site are unreasonable relative to industry norms, or
 - (10) The applicant demonstrates that there are other factors that render existing communication towers or sites unsuitable or unavailable and establishes that the public interest is best served by the siting or construction of a new communication tower or site.
- E. Conditions and guarantees. Prior to the granting of a conditional use permit for the siting or construction of an antenna array, communication tower or related facility, the Plan Commission may stipulate such conditions and restrictions upon the establishment, location, constructing, maintenance, and operation of the antenna array, communication tower or related facility as deemed necessary to promote the public health, safety, and general welfare of the community, and to secure compliance with the standards and requirements specified in Subsection D above. Such conditions may include, but are not limited to, minimizing adverse visual effects through careful design, siting, co-location of carriers and screening, harmonizing aesthetic aspects with the surrounding area, and maintaining the appearance and structural integrity of the antenna array communication

Remove Sec. F per
sec 4c Limitations
of the Statute

tower or related facility are granted, the Commission shall require such evidence that the conditions stipulated in connection therewith are being and will be complied with.

- F. Prohibition in certain zoning districts. Notwithstanding Subsection D above, it is the intent of this ordinance to prohibit antennas, communication towers and related facilities/technology in all residential areas, including Single Family, Two Family and Multifamily zoned districts and in all conservancy zoned districts. Such prohibition extends to both publicly and privately owned property.
- G. Special requirements. The use of certain City owned property, such as water tower sites and parks, for wireless telecommunication antennas or towers brings with it special concerns due to the unique nature of these sites. The placement of wireless telecommunication antennas on these special city owned sites will be allowed only when the following additional requirements are met.
- (1) Water tower sites. The City's water towers represent a large public investment in water pressure stabilization and peak capacity reserves. Protection of the quality of the City's water supply is of prime importance to the City and the health and welfare of its citizens. As access to the City's water storage systems increase, so too increases the potential for contamination of the public water supply. For these reasons, the placement of wireless telecommunication antennas or towers on the water tower sites will be allowed only when the City is fully satisfied the following requirements are met.
 - (a) The applicant's access to the facility will not increase the risks of contamination to the City's water supply.
 - (b) There is sufficient room on the structure and/or on the grounds to accommodate the applicant's facility.
 - (c) The presence of the facility will not increase the water tower or reservoir maintenance costs to the City.
 - (d) The presence of the facility will not be harmful to the health of workers maintaining the water tower.
 - (2) Parks. The presence of certain wireless telecommunications antennas or towers represents a potential conflict with the purposes of City owned park. Wireless telecommunication antennas or towers will be considered in City owned parks and land zoned P-Public Facilities only after the recommendation of the Park and Recreation Board, Plan Commission and approval by the City Council.
- H. Reasonableness of costs. The cost of eliminating impediments to co-location shall be deemed reasonable if it does not exceed by 25% of the cost of constructing or placement of a new tower or site on which to mount applicant's equipment.
- I. Outside consultation. In the event the Plan Commission determines that it is necessary to consult a third party in considering the factors listed in Subsection B above, all reasonable costs and expenses associated with such consultation shall be borne by the applicant. Failure to pay such costs and expenses or provide information requested by the Plan Commission shall be grounds for denial or revocation of a conditional use permit.

The applicant may provide to the Plan Commission the names of consultants which the applicant believes are qualified to assist in resolving the issues before the Plan Commission.

- J. Co-location encouraged. It is the intent of this ordinance to encourage the co-location of antenna arrays and related equipment whenever possible. Accordingly, in applying the standards and criteria set forth in Subsection B to applicants for conditional use permits for the placement or construction of an antenna array, a communication tower or a related facility, the Plan Commission shall, unless it is shown to be unreasonable, condition the grant of the permit upon the applicant siting or constructing the antenna array and/or communication tower and/or related facility so as to reasonably accommodate, ~~at a maximum height of 160 feet,~~ co-location of two additional antenna arrays or related equipment similar in size and function to that placed on the tower or site by the applicant. Co-location sites need not be available on the tower or site as initially placed or constructed, provided that the tower or site will support at the specified height the later addition of the required number of co-location sites. The holder of a permit under this section shall make the co-location sites required hereunder available for the placement of technologically compatible antenna arrays and related equipment upon contractual provisions which are standard in the industry and at prevailing market rates allowing the permit holder to recoup the cost of providing the co-location sites and a fair return on investment.
- K. Modification of antenna array or tower. Unless otherwise provided herein, a conditional use permit is required for any modification of an antenna array, communication tower or related facility which significantly alters the appearance or structural integrity of the tower or site or which involves the installation of antenna or related equipment differing in size and function from that previously installed on the tower or site. The Plan Commission shall apply the standards under Subsection D when considering an application for a conditional use permit to allow the modification of an existing antenna array, communication tower or related facility. In addition, the Plan Commission shall consider the reasonableness, based on the economic and technological feasibility, of conditioning the grant of the conditional use permit upon modifying the antenna array, tower or related facility in a manner which would accommodate the co-location of one or more additional antenna arrays or related equipment.
- L. Continued compliance with conditions of permit required. Upon written inquiry by the Plan Commission the recipient of a conditional use permit under this section shall have the burden of presenting credible evidence establishing to a reasonable certainty the continued compliance with all conditions placed upon the conditional use permit. Failure to establish compliance with all conditions placed upon the conditional use permit shall be grounds for revocation of the permit. In the event the Plan Commission determines that it is necessary to consult with a third party to ascertain compliance with conditions on a conditional use permit, all reasonable costs and expenses associated with such consultation shall be borne by the holder of the subject conditional use permit. Failure to pay such costs and expenses or provide information requested by the Plan Commission shall be grounds for revocation of the conditional use permit. The holder of the subject conditional use permit may provide to the Plan Commission names of consultants which the permit holder believes are qualified to assist in resolving the issues before the Plan Commission. In any event, where a dispute arises under this ordinance involving an

Height limit violates statute. Remove "at a maximum height of 160 feet."

applicant for a conditional use permit and the holder of a conditional use permit hereunder, the Plan Commission may allocate consulting costs and expenses between the applicant and the permit holder.

- M. Notice of co-location. A conditional use permit shall not be required for co-location on an existing tower or site permitted under this section, provided the co-location antenna array or related equipment is similar in size and function to that installed by the holder of the conditional use permit for the tower or site, does not significantly alter the appearance or structural integrity of the tower or site approved and permitted under this section, and is fully in compliance with all conditions contained in the original conditional use permit. The holder of the conditional use permit for any tower or site on which co-location occurs shall within 30 days of such co-location provide the Plan Commission with written notification of the identity of the co-locator and the nature of the equipment installed. Within 30 days of the date on which any co-located use ceases, the permit holder shall provide the Plan Commission with written notice of the cessation of such use.
- N. Storage buildings. The holder of a conditional use permit for a communication tower or site and any user co-locating under this ordinance shall each be permitted, upon approval of the Plan Commission, to construct a building of no more than 14 feet in height and 314 square feet in floor area for use directly incidental and necessary to the use of the tower or site. Two or more users of the tower or site may build a single building with a floor area of no more than 314 square feet per user sharing the building. Buildings constructed or used by tower or site co-locators shall be subject to conditions established for the conditional use permit for the tower or site.
- O. Removal. Conditional use permits issued hereunder shall identify the primary type or types of transmission equipment which is to be placed on the subject communication tower or site. Any communication tower on which the transmission equipment so identified is no longer placed or used for a continuous period of 12 months shall, upon notification by the Plan Commission, be removed by the holder of the conditional use permit issued under this section. If the tower is not removed within 60 days of such notification the City may remove the tower at the expense of the holder of the conditional use permit.
- P. Future plans. The Plan Commission may require that an applicant for a conditional use permit under this section provide information regarding the applicant's then current plans for future placement or construction of communication towers and/or sites in the City of Monona in addition to the tower or site which is the subject of the application.

ARTICLE IV Site Performance Standards

§ 480-16. Site performance standards generally.

The following site performance standards in this article shall apply to any construction, reconstruction, conversion, structural alteration, relocation or enlargement of any structure or building.

ZONING

Delete and change to "none."

12.04 does not mention quantity. Change to "flexible."?

Delete and Change to "May be erected during election campaign period as defined in Wis Stats Sec. 12.04."

Plan Dir Attachment #3

Type of Sign	No of Signs Allowed Per Site	Size Requirements	Approval	Requirements
Advertising on premises (not allowed in commercial district)	500 foot minimum interval between off premises advertising signs	Maximum 60 square feet in Broadway and 100 square feet in Gateway Districts for each face of a double side sign. Maximum height is 5 feet in Broadway and 25 feet in Gateway Districts	Plan Commission	Same setback requirements as landscape ground signs in Broadway District and freestanding signs in Gateway District.
Operational (amended per ordinance 1-11-624, adopted Feb. 7, 2011)	Flexible - more than 3 will require Plan Commission approval	Maximum 4 square feet, 48 inch maximum height	Zoning Administrator	May contain commercial logo but not messages.
Permitted off premises signs	Flexible	Flexible	Zoning Administrator	
Political or campaign	Not more than one per candidate or issue on the ballot	Maximum 16 square feet per sign in Commercial District, and 32 square feet per sign in Broadway and Gateway Districts	None	May be erected not earlier than 30 days before primary election and shall be removed within 7 days of general election. Must not be placed on right-of-way, trees, utility poles, or traffic control devices.
Projecting	One per use if no building identification	Maximum 12 square feet	Zoning Administrator	
Reader boards	One per site, either attached to building or as permanent freestanding sign	Maximum 32 square feet, (included within maxim allowable area of total freestanding, projecting, or wall signs)	Plan Commission	A specific type of freestanding, wall or projecting sign within total regulated area allowed for that type of sign with applicant demonstrating a unique business need.
Real estate	One per site	Maximum 16 square feet Commercial, and 50 square feet Broadway and Gateway District	None	Must be removed within 7 days after the sale, rental, or lease is accomplished. Must not be placed on right-of-way
Roof				Not allowed

MONONA CODE

Type of Sign	No of Signs Allowed Per Site	Size Requirements	Approval Required	Other Requirements
Temporary real estate open house	Three	Maximum 12 square feet	None	Must not be erected within right-of-way on utility poles, trees or traffic control devices, and must be removed immediately after close of operation
Temporary wall	Two	Maximum 32 square feet per sign	Zoning Administrator	Not to be used more than 28 days in any 6 month period. May only be placed on the building
Temporary window	Flexible	Maximum 50% of window area	None	Shall not be placed on door windows or windows needed for pedestrian safety
Wall	One per use on front of building if no other building identification signs on the building. Where building fronts on more than one street, and is designed with more than one front, additional wall signs may be approved	Maximum 10% of front facade but not to exceed 150 square feet total of all signs on building in Commercial, and 200 square feet in Broadway and Gateway Districts	Zoning Administrator unless accompanying a need for a zoning permit according to § 480-55	Where multiple uses are located in one building or center, wall signage shall generally identify each use, while off building signage shall identify the building only
Window	Flexible	Maximum 50% of window area	Zoning Administrator	

Multiple-Family Residential, Parks, Governmental, Public and Quasi-Public Use Districts

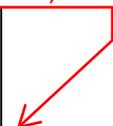
All multiple-family properties, parks, conservancy areas, governmental uses, schools, and religious uses.

Type of Sign	No. of Signs Allowed Per Site	Size Requirements	Approval Required	Other Requirements
Auxiliary	Flexible	Maximum 25 square feet per sign	None	
Construction	One	Maximum 36 square feet per sign	None	Must be removed within 30 days after completion of construction or occupancy, whichever is sooner

ZONING

Type of Sign	No. of Signs Allowed Per Site	Size Requirements	Approval Required	Other Requirements
Flagpoles and flags	One flagpole	Maximum 24 square feet per flag, maximum 25 foot high flagpole	Zoning Administrator	
Freestanding	One per governmental, school, religious or multiple family site if no other building identification sign off the building	Maximum 36 square feet, maximum 25 feet high, maximum 10 feet from building	Plan Commission	Must be reviewed according to Plan Commission review criteria
Graphic	One if no other building identification sign on the building	Maximum 15% of facade but not to exceed 100 square feet	Zoning Administrator	
Landscape ground	Two permitted per park conservancy area if no other site identification sign off building. One for other uses if no other site identification sign off building	Maximum 36 square feet, maximum 5 feet high	Plan Commission	Must be reviewed according to Plan Commission review criteria. Must be at least 15 feet from curb but not on right-of-way
Non-commercial free speech symbols or insignia	One. May e on or off the building	Maximum 25 square feet. If ff the building, maximum height 25 feet	Zoning Administrator	Shall not interfere with vehicular or pedestrian circulation
Permitted off premises	One wall sign or one freestanding sign, if no other freestanding sign on the site	Maximum 25 square feet	Zoning Administrator	
Political or campaign	Not more than one per candidate or issue on the ballot on privately owned uses. None on parks, governmental or other publicly owned uses	Maximum 8 square feet per sign	None	May be erected not earlier than 90 days before primary election and shall be removed within 7 days of general election. Must not be placed on right-of-way, trees, utility poles, or traffic control devices

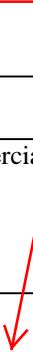
Revise this line to match the one above. (Two entries for separate districts though the regulations are the same).



MONONA CODE

Type of Sign	No. of Signs Allowed Per Site	Size Requirements	Approval Required	Other Requirements
Real estate	One per site	Maximum 8 square feet	None	Must be removed within 7 days after the sale, rental, or lease is accomplished. Must not be placed on right-of-way, utility poles, trees, or traffic control devices
Temporary wall	Two	Maximum 16 square feet per sign	None	Shall be erected not more than 30 days before event and removed within 7 days after event
Temporary window	Flexible	Maximum 50% of window area	None	Shall not be placed on door windows or windows needed for pedestrian safety
Construction	One	Maximum 20 square feet per sign	None	Must be removed within 30 days after completion of construction or occupancy, whichever is sooner
Flagpoles	One	Maximum 24 square feet per flag, maximum 20 foot high flagpole	None	
Garage sale	As regulated in § 12.33			
Non-commercial free speech	One. May be on or off the building	Maximum 25 square feet. If off the building, maximum height 10 feet	None	Shall not interfere with vehicular or pedestrian circulation
Political or campaign	Not more than one per candidate or issue on the ballot	Maximum 4 square feet per sign	None	May be erected not earlier than 90 days before primary election and shall be removed within 7 days of general election. Must not be placed on right-of-way, trees, utility poles, or traffic control devices

Delete this entire line.





5211 SCHLUTER ROAD

MONONA, WI 53716-2598
CITY HALL (608) 222-2525
1FAX (608) 222-9225
<http://www.mymonona.com>

MEMO

TO: Plan Commission
FROM: Sonja Reichertz, City Planner & Economic Development Director
DATE: May 23, 2016
RE: Agenda Item 6F – Sign Code

Previously, the Plan Commission discussed updating the sign code in general, but also for the recently passed U.S. Supreme Court Decision *Reed v. Gilbert*. The City Attorney previously provided a recommendation advising that the *Reed v. Gilbert* amendments be incorporated into the sign update process at this time, rather than wait for other communities to update their codes for *Reed* compliance.

I have not prepared a draft of revisions for the 5/23/16 Plan Commission meetings. I would like to discuss the process with the Plan Commission, and recommend identifying a sub-committee of two-three Commissioners to work through the sign code revisions in greater detail. The sub-committee would then bring a draft back to the full Plan Commission for consideration.