

**Minutes
Plan Commission Meeting
May 23, 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, Ms. Thomas
Excused: Aldm. Holmquist
Also present: City Planner & Economic Development Director Sonja Reichertz

Approval of Minutes

A motion by Mr. Dorschel, seconded by Mr. Ganser, to approve the minutes of April 25, 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.

Mr. Homburg abstained from this item.

Chair Busse explained that this item was reviewed on 4/25/16 and there was a lack of a quorum to vote on the item. This is rescheduled on tonight's agenda in order to have a valid vote on record.

A motion was made by Ms. Thomas, 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

B. Public Hearing on Façade Improvement Grant Project for Rosy Cheeks and Co., 6045 Monona Drive, Represented by Owner Mary Lou Reinwand.

Owner Mary Lou Reinwand presented her plans for improvements to the building at 6045 Monona Drive and her grant request from the Monona Façade Improvement Grant Program. She said she wishes to paint the building a lighter combination of gray colors, replace the existing industrial style overhead door with a decorative carriage style door that is 2 feet shorter in height, remove the

shutters around the windows, install a decorative wooden pergola as an entranceway feature over the garage door, and install decorative lighting. She handed out examples of hook style lighting. There were no other appearances and the public hearing was declared closed.

C. Prehearing Conference on Façade Improvement Grant Project for Rosy Cheeks and Co., 6045 Monona Drive, Represented by Owner Mary Lou Reinwand.

Planner Reichertz reported that this is a request for a grant from the City's Façade Improvement Grant Program. The purpose of the prehearing conference is to hear the applicant's proposal and to determine if the proposed projects are eligible under the grant program. The grant is a 50% matching grant with a maximum amount of \$10,000 and it is funded by a Tax Increment Financing district. The process for review of this application is: (1) tonight's prehearing conference to determine if the projects are eligible, (2) review/approval of the grant amount by Finance and Personnel Committee, and (3) final approval by the Plan Commission of a zoning permit, building elevations, and façade grant application.

Mr. Dorschel referred to the renderings provided and asked if the parking lot is going to be expanded. Ms. Reinwand replied it is possible in the future but is not requested at this time.

Mr. Ganser said he is pleased that the new businesses are coming to Monona. However, the program states the improvements must result in a substantial impact on the overall appeal and aesthetic quality of the building façade. He questioned whether painting the building is eligible, or enough of an improvement.

Mr. Stein said the proposal is a good use of the grant program and the impact will be a substantial upgrade. The decorative lighting adds a lot to the application overall. He added that reducing the height of the garage door by two feet will create a better scale to an otherwise industrial feeling door.

Ms. Thomas said she thinks this is a substantial improvement over the existing building and that is the intent of the program.

Mr. Homburg said the painting issue was discussed when the program was created. The intent of the program is not necessarily to pay property owners to paint their buildings. However, the Plan Commission has to consider all of the improvements together and whether they substantially alter the building in a positive way. He said that together with the decorative lighting and garage door with pergola improvements, painting is not the main or only project. Overall he considers it to be an eligible component of a larger set of improvements.

There was no further discussion.

D. 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.

Tim Trpkosh, Breakwater, presented plans to open a new restaurant in the space at 6308 Metropolitan Ln. along with representatives from the Four Lakes Yacht Club, Commodore Ken Clark and Former Commodore Tom Thompson. The building and property is owned by the Four Lakes Yacht Club.

Mr. Trpkosh explained the existing parking situation. There are 10 stalls in front of the tenant space, 24 stalls on rest of the Yacht Club property, and 20 stalls under lease at the 802 W Broadway site totaling 54 off-street parking stalls. Mr. Trpkosh showed images of 8 street stalls on Metropolitan Ln., and 20 street stalls on Bridge Rd. He also showed an image of 45 stalls in the lot at 6406

Bridge Road, owned by the City of Monona, and said he would like to discuss potential for a shared parking arrangement in order to meet City parking requirements.

Mr. Trpkosh handed out a draft seating layout for the interior of the restaurant. The seating diagram shows 159 seats inside the building and 104 on the outdoor patios for a total of 263 seats.

Mr. Trpkosh described use of the outdoor patio. They plan to turn off music at 9:00pm and have people inside the building by 9:30pm or 10:00pm. He said there will be adequate staff to monitor and enforce this policy. They intend to play music through existing speakers and staff will monitor decibel levels to comply with city ordinances and they have no plans for loud outdoor music. They do not plan to add any new outdoor lighting.

There were no other appearances and the public hearing was declared closed.

E. 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 Tropkosh of Breakwater.

Planner Reichertz reported that this is a prehearing conference on a zoning permit for a new restaurant. It is unclear how many seats are available in the new restaurant, and therefore the Plan Commission must review and approve a zoning permit to determine if the new restaurant can comply with the zoning regulations for parking, as well as other applicable sections such as noise and lighting. She said most of the discussion in the staff report is in regards to parking. The Code requires adequate off-street parking to serve the use. The applicants have provided information showing 54 off-street parking stalls. She said the Code requires 1 stall per each three seats, and therefore 54 parking stalls supports a capacity of 162 patron seats within the building (including any seating on the outdoor patio).

Ms. Thomas asked what the previous time limitations were for outdoor patio use. Planner Reichertz said she will look that up for the next meeting.

Chair Busse asked if there are boat slips available to the public and how many there are. He said the patio is closed in the winter, so there will be less parking demand during the winter months. The summer usage of the patio will be higher. He said boat parking could provide adequate coverage for those additional patrons that may be arriving by boat and using the outdoor patio in summer months. He explained that there could be two different occupancy levels approved for the seasonal change. He added that the Plan Commission does not have authority to consider a request for shared parking on City property would need to be approved by City Council. He suggested the applicants contact the residential property across Bridge Road in the City of Madison, as there had been an agreement between the two property owners for parking in the past.

Mr. Homburg said he feels that using boat slips as an equivalent to a parking stall would be reasonable here because it is a unique location where more people may arrive per vehicle in a boat in the summer than by car, and that summer usage is when the patron capacity would be higher. He said a boater going to a restaurant in the summer will often carry 4-8 people while a car will rarely have 4 people in it. He requested a better representation of the interior seating and said it should be a reasonable amount of people based on functionality and flow of how the restaurant will actually operate; he noted that the draft layout seemed overcrowded. He said it appears that including the boat slips during the summer would allow for a seating capacity of 201 patrons. The draft seating plan shows 159 patrons inside, so there should be adequate parking coverage during the winter months without the boat slip parking, because the available off-street parking allows for 162 patrons. He said regarding potential shared parking agreements, we have to plan for the restaurant capacity based on current conditions and be comfortable with that regardless of what happens with the

Riverfront development. He said the old tenant zoning permit had limitations on amplified noise; if the applicant wants speakers we have to discuss possibly facing speakers back to the building and we have to make sure it does not reflect back off the building.

Yacht Club Commodore Ken Clark said the interior fire capacity is listed at 261.

Mr. Stein said he would like to see another viable waterfront restaurant here. He thinks it is possible for both the inside and outside to be full at one time. He does not consider a boat slip to be a parking stall under zoning considerations.

Mr. Dorschel said he would certainly like to see another restaurant here assuming the new tenant can show that their parking needs are comparable to past use.

There was no further discussion.

F. Review of Recodification Summary by General Code Regarding Land Use Legislation Sections.

Planner Reichertz explained the city's current process of updating and reformatting the entire Monona Municipal Code of Ordinances. A company called General Code is assisting with this process. General Code provided the "legal and editorial analysis" included in Plan Commission packets. Recommendations were made by Reichertz as noted in the analysis. Mr. Homburg requested additional information on sections 480-22A, 480-49E(2)(a), and references to Appendix B – Monona Drive Access Management Guidelines. The Plan Commission also requested additional research on zoning fees for area communities and on the appropriate allowances for earth station dish antenna diameters.

G. Discussion of Process for Review of Monona Municipal Sign Code and Possible Sub-Committee Designation.

Planner Reichertz said the Commission had previously provided some direction on desired sign code revisions. While these revisions are underway, she suggests revising the code for compliance with the 2015 U.S. Supreme Court Decision Reed v. Gilbert pertaining to regulation of signage content.

Mr. Homburg said it would be better to perhaps wait until other communities update their code for Reed v. Gilbert compliance before we work on Monona's. Mr. Dorschel expressed similar concerns. Reichertz discussed this with the City Attorney and still recommends proceeding with the updates for the following reasons:

- The impact and extent of the Reed case is going to be litigated for years in the courts and waiting for the case law to clarify details would delay an update for many years.
- There are parts of our code that are not Reed compliant. Until we amend our code we have to follow it and we would risk litigation based on Reed and incur the legal cost of that litigation.
- Every community is going to regulate differently and so waiting for other communities may not give us the best answer for how Monona should regulate signage. There are some examples available such as the Village of Oregon. There have also been numerous trainings on the subject and resources are available. There will likely be some ambiguity when the update is completed, but we can still amend those items as needed just like we do any other section of the code.
- Finally, staff will have a difficult time administering the code as it is today. Updating the code will save staff time overall.

Plan Commission Minutes
May 23, 2016
Approved June 13, 2016

The Commission agreed to have a sub-committee begin the process with a few meetings outside of normal Plan Commission review. Ms. Thomas, Mr. Dorschel, and Mr. Homburg volunteered as sign-code revision sub-committee members.

Reports of Staff and Commission Members

A. Staff Report Regarding Status of Development Project Proposals.

The next meeting is June 13, 2016. Potential applications include the second review of the recodification sections, the façade application for 6045 Monona Drive, and Breakwater at 6308 Metropolitan Lane. New applications include a building addition at Wiedenbeck at 2451 Kilgust Road and a proposed 105' wireless communications tower in the South Towne Industrial Park at 2108 Industrial Drive.

B. Plan Commission Requests for Information Concerning Development Projects.

There were no questions.

Adjournment

A motion by Mr. Dorschel, seconded by Mr. Stein, to adjourn was carried. (8:30 pm)

Respectfully submitted by:
Sonja Reichertz, City Planner