

**Plan Commission Meeting Date: September 8, 2014**

**PLAN COMMISSION (Agenda Item 6.A. and 6.B.)**

**AGENDA ITEM:**

**Public Hearing and Prehearing Conference on Request by Global Presence Ministries for a Zoning Permit to Occupy the Building at 6406 Bridge Road for a Church Use.**

**REQUESTED BY:**

**Steven Springer, President and Senior Leader, Global Presence Ministries**

**Scott Revolinski, Property Owner, RFP Commercial**

**Case No.**

**2-014-2014**

**PERMIT/POLICY ANALYSIS STATEMENT:**

**Brief Description of Proposal:**

**Global Presence Church and Community Center has submitted a letter of application and floor plans for a zoning permit to use the vacant building at 6406 Bridge Road. The current average size of the assembly is 75 people. The space will also be used for church-related activities including: youth outreach center, after-school tutoring, free legal clinic, dance and creative arts studio, training and equipping school, Bible studies, administrative offices, and media and recording studio.**

**Current Policy or Practice**

**6406 Bridge Road is zoned Community Design District (CDD). A zoning permit for a new use, substantial addition or alteration, or new construction according to Section 13-1-180 of the Monona Municipal Zoning Code. A zoning permit is also required when a building is vacant for six months or more. Any zoning permit in the CDD district requires Plan Commission approval.**

**Plans submitted are reviewed for compliance with the Use and Site Performance Standards of the Zoning Code, standards in the CDD Zoning District Section of the Code, Appendix A of the Code, and all other applicable sections of the Monona Municipal Zoning Ordinance.**

**Recommendation**

**The purpose of a prehearing conference is to familiarize the Plan Commission with the proposal and familiarize the applicant with the requirements which may be imposed by the Commission and the City before favorable action can be taken by the Commission on the application. No action is may be taken at this prehearing conference. The Plan Commission may request additional information or plans including but not limited to:**

- Further description of the proposed uses and proposed church-related activities.**

- **The Plan Commission should discuss expected number of occupants of the space at any one time for the assembly and other church-related activities to determine if the parking available on site is adequate for the proposal. The applicants should also explain any expected growth in the size of the assembly so the Plan Commission may consider if parking will continue to be adequate if the number of occupants increases substantially.**

**Item 6.A. and 6.B. Public Hearing and Prehearing Conference on Request by Global Presence Ministries for a Zoning Permit to Occupy the Building at 6406 Bridge Road for a Church Use.**

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**Background**

The building at 6406 has been vacant for many years as was previously used as a call center for health insurance billing. The building is owned by Scott Revolinski, RFP Commercial out of Milwaukee. The City has secured an option to purchase the building with a deadline to exercise the option by May 1, 2015 or extend the option to April 1, 2016.

**Proposal**

Steven Springer, President and Senior Leader of Global Presence Ministries, has submitted a letter of application and floor plan for a zoning permit to use the vacant building at 6406 Bridge Road for an assembly (church) and community center use. The proposal includes alterations to the interior of the building in order to utilize the entire 49,850 SF of building space. The uses will also include church related activities such as a youth outreach center, after-school tutoring, free legal clinic, dance and creative arts studio, training and equipping school, bible studies, administrative offices, and media and recording studio. The average size of the assembly is currently 75 people. They will be open every day except Saturday, as described in the letter of application.

**Public Hearing Scheduled for 9/8/14**

A public hearing is scheduled on the agenda for 9/8/14 to allow nearby property owners the opportunity to comment and to notify them of the plans. Notices were mailed to properties within 300' on 8/29/14.

**Consistency with Zoning Ordinance, Comprehensive Plan, and Surrounding Uses**

6406 Bridge Road is zoned Community Design District (CDD). A zoning permit for a new use, substantial addition or alteration, or new construction according to Section 13-1-180 of the Monona Municipal Zoning Code. A zoning permit is also required when a building is vacant for 6 months or more. Any zoning permit in the CDD district requires Plan Commission approval.

Plans submitted are reviewed for compliance with the Use and Site Performance Standards of the Zoning Code, standards in the CDD Zoning District Section of the Code, Appendix A of the Code, and all other applicable sections of the Monona Municipal Zoning Ordinance.

The proposal for an assembly use appears to be consistent with the CDD Zoning District, but must be reviewed according to the Use and Site Performance Standards of the Zoning Code, and the Quantitative Standards of Appendix A to determine if the standards and requirements in these sections can be complied with.

## Department Review

The plans submitted were provided to City department heads. Their comments were as follows:

- Building Inspector: Applicant shall apply for permits to make changes to the existing so it complies with an assembly use.
- Fire Chief: I have met with them and informed them of the Fire Code violations that need to be corrected.

## Lease Terms

The letter submitted describes the following lease terms:

- 1 year lease starting August 15, 2014, and afterwards month-to-month, until May 31, 2016 with a 30-day notice to vacate.

City Attorney Bill Cole has reviewed the lease between the Owner Scott Revolinski and the proposed tenant.

## Parking

Parking standards are regulated by Appendix A of the Zoning Code. Minimum parking requirements for Places of Worship are described as follows:

- **Places of Worship.** Churches, synagogues, or other religious meeting places shall provide one (1) parking space for each five (5) seats in the main sanctuary or meeting area. Where seats are not fixed, each seven (7) square feet of gross area usable for seating in the main meeting area shall be considered equivalent to one (1) seat.
- **Places of Assembly.** Places of assembly, recreation, entertainment and amusement including, but not limited to, bowling alleys, swimming pools, skating rinks, gymnasiums, racquetball and tennis clubs, community centers, and dance halls shall provide parking spaces equivalent to one hundred percent (100% of the maximum capacity of the facility as determined by the state building codes. Adjustments may be granted under the provisions of Section VIII of these standards where the applicant can demonstrate that a lesser amount of spaces would meet the needs of the facility.

The Plan Commission should discuss expected number of occupants of the space at any one time for the assembly and other church-related activities to determine if the parking available on site is adequate for the proposal. The applicants should also explain any expected growth in the size of the assembly so the Plan Commission may consider if parking will continue to be adequate if the number of occupants increases substantially.

## Article C: Use Performance Standards

### Sec. 13-1-40 Use Performance Standards – Generally.

The following use performance standards in this Article shall apply to any construction, or substantial reconstruction, conversion, structural alteration, relocation or enlargement of any structure or building, and to any use or substantial change in the use of any land, water, structure or building.

### Sec. 13-1-41 General Use Performance Standards.

- (a) The proposed use shall not adversely affect the character or quality of the district or neighborhood and shall not be detrimental to the health, safety, comfort or general welfare of the residents and workers in the general neighborhood.
- (b) The proposed use shall not impede the normal and orderly development and improvement of the area with uses permitted in the district. The proposed use shall not cause substantial detriment to the public good or substantially impair the intent and purpose of this Code or the Master Plan.
- (c) The proposed use shall promote economical and efficient land use, an improved level of amenities, creative design and a better environment.
- (d) The proposed use shall not substantially impair or diminish the development, use, value, character or enjoyment of other property in the neighborhood for uses already permitted.
- (e) The proposed use shall not be adversely affected by existing uses in the area.
- (f) The proposed use is reasonable in terms of logical, efficient and economical provision of public services and facilities provided by the City, school district and other units of government.
- (g) The proposed use is appropriate to the immediate neighborhood.
- (h) The proposed use is of an appropriate size, located and laid out with respect to access streets so that vehicular, bicycle and pedestrian traffic to and from the use shall not create undue congestion or hazards which would be detrimental to the character of the general neighborhood.
- (i) The proposed use shall be subject to conditions imposed by the Plan Commission with respect to the minimizing of traffic congestion by providing appropriate entrances and exits so as to assure the public safety, and by providing landscaping located to screen the premises from any residential use or district.
- (j) The proposed use shall not create or add to hazards to persons or property, on-site or off-site, including danger of flooding, erosion, subsidence, or slipping of the soil, or other dangers, annoyances or inconveniences. The use or development shall not create environmental damage, which will affect any other property. Conditions of soil, ground water level, drainage and topography shall be appropriate to both the kind and pattern of use intended.
- (k) The proposed use shall be subject to such conditions and safeguards as may be imposed by the Plan Commission to preserve and protect the intent and purpose of this Code and the Master Plan.
- (l) The proposed use shall produce an attractive environment of sustained aesthetic and ecological desirability, economic stability and functional practicality compatible with the general policy guidelines of the comprehensive Master Plan.
- (m) Where feasible and appropriate, the proposed use shall contribute towards serving regional and community needs for employment, services, open space, moderate-cost housing, lake access and/or recreational facilities.

### Sec. 13-1-42 Operational Use Performance Standards

**(This section was revised per Ordinance 1-13-641, adopted April 1, 2013.)**

The intent of this Section is to set operational standards for uses in the zoning districts. No use shall be permitted except in compliance with the standards established or amended by the Department of Natural

Resources for air pollution, liquid or solid wastes, malodorous emissions and with the following City standards:

- (a) **Noise.** No use shall regularly emit noise beyond the premises of the source in excess of sixty-five (65) decibels between 7:00 a.m. and 9:00 p.m. and fifty-five (55) decibels between 9:00 p.m. and 7:00 a.m. in any octave band of frequency above three hundred (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. Sirens, whistles, bells, etc., which are maintained and utilized solely to serve the public purpose are excluded from this regulation.
- (b) **Vibration.** No use shall cause vibration, which is discernible to human feeling beyond the premises of the source.
- (c) **Glare and Heat.** No use shall emit glare or heat which is visible or measurable beyond the premises of the source.
- (d) **Electrical Disturbance.** No use shall emit any electrical disturbance, which adversely affects the use of any other premises.
- (e) **Fire and Explosion Hazards.** All uses involving the manufacturing, utilization, processing or storage of flammable or explosive materials shall be provided with adequate safety devices against the hazard of fire and explosion, as determined by the Fire Chief.
- (f) **Outside Storage.** All materials, equipment, and receptacles and containers for refuse and recyclables shall be stored within a building or be fully screened so as not to be visible from adjoining properties, except for clotheslines, and construction and landscaping materials and equipment currently being used, or intended for use within a period of twelve (12) months, on the premises. No exterior storage shall be permitted which has a depreciating effect on nearby property values, impairs scenic views, constitutes a threat to living amenities or which is a hazard to public health, safety or morals.
- (g) **Screening of HVAC and Mechanicals.** All building and site heating, ventilating and air conditioning (HVAC) and other mechanical equipment shall be screened from view with materials and landscaping complimentary and harmonious to the building and site.

### **Sec. 13-1-43 Home Occupations**

- (a) Any occupation may be conducted and permitted in a residence if it complies with this Section and all other applicable codes.
- (b) A home occupation shall not be conducted or permitted in a manner which detracts from the residential character of the neighborhood or which tends to create a business atmosphere in the neighborhood. A home occupation shall not be conducted or permitted in a manner, which causes the premises to differ substantially from nearby residential uses by the use of colors, materials, construction, lighting or signs; by the emission of sound, noise or vibration; or in any other way, which would be noticeable to a causal observer. A home occupation shall not be conducted or permitted unless it is clearly incidental and secondary to the principal use of the dwelling purposes. The exterior appearance of a residential structure shall not be altered to conduct a home occupation. A home occupation shall not generate traffic, parking, commercial traffic, parking of commercial vehicles, sound, noise, vibration, glare, fumes, odors, electrical interference or nuisances beyond what is customarily and ordinarily found in a residential area, or which detracts from the residential character of the neighborhood. An accessory building may be used for a home occupation, but no area outside a building shall be used for storage or other purpose in the conduct of a home occupation.

### **Sec. 13-1-44 Garage Sales**

- (a) Garage sales, yard sales and similar merchandise sales may be held no more than two (2) times per year at any residence, and for a total of not more than six (6) days in that year. The Zoning Administrator may authorize additional sales and/or sale days if warranted by unusual circumstances. All goods offered for sale shall be household goods or personal possessions from the residence where

## Article D: Site Performance Standards

### Sec. 13-1-60 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.

### Sec. 13-1-61 General Site Performance Standards.

- (a) To the extent reasonably possible, the existing natural character of the site shall be preserved.
- (b) Safe and efficient vehicular and pedestrian circulation, parking and loading shall be assured.
- (c) Traffic flow to and from the site shall not cause undue congestion of the public street or streets; the number, size and location of off-street parking spaces shall be in conformity with this Code. The Monona Drive Access Management Guidelines, adopted as part of this Code, shall be used as standards in determining the number, size, location and design of driveway openings on a site.
- (d) The site shall be screened, landscaped and structures located in accordance with the following standards:
  - (1) The landscape of the site shall be improved in character with neighboring properties. All areas not covered by structures, driveways, walks or other permitted coverage shall be planted and maintained in lawn, ground cover, trees, shrubs or other appropriate plant materials, and all parking, utility, loading, service and recreation areas shall be reasonably screened. The City of Monona Site Design Standards for Parking, Landscaping and Lighting, adopted as part of this Code, shall be used as standards in determining the required type, size and quantity of landscape plantings required on site.
  - (2) The arrangements of buildings on the site shall create a harmonious appearance with respect to each other and with existing buildings in the immediate neighborhood. Due consideration shall be given to topographic conditions, the spatial relationship between buildings both on and off the site and the effect that the plans, if developed, would have on surrounding properties.
  - (3) The design of buildings and structures and the kind of building materials shall provide a harmonious relationship of color and/or texture between the buildings and structures. All accessory buildings shall bear a close relationship to the principal structure or structures in their design and building materials.
- (e) Exterior lighting needed for safety reasons shall be provided in addition to any requirements for street lighting. The Site Design Standards for Parking, Landscaping and Lighting, adopted as part of this Code, shall be used as standards in determining exterior lighting requirements for a building and site.
- (f) The layout or arrangement of a subdivision or land development shall be consistent with the requirements of this Code.
- (g) All lots shall abut upon a public street. All principal buildings and structures shall be located on a lot. Except for Planned Community Developments, and Commercial/Industrial, Community Design and Retail Business Districts, only one (1) principal building or structure shall be located, erected, or moved onto a lot.
- (h) Streets in a subdivision or land development shall be of sufficient width and suitable grade and shall be suitably located to accommodate prospective traffic and to provide access for fire fighting and emergency equipment to buildings.
- (i) Adequate water supply, drainage, shade trees, sewage facilities and other utilities necessary for essential services to residents and occupants shall be provided.
- (j) Land subject to flooding shall be regulated to avoid danger to life or property.
- (k) Soils shall be protected from erosion by wind or water or from excavating or grading.
- (l) The final development plan shall be substantially complied with.
- (m) Off-site water, sewer, drainage and street improvements, which are necessitated by development, shall be provided.

- (2) Because of the limited supply of vacant land, the proposed use shall not unnecessarily duplicate retail or service uses already existing in the immediate vicinity.
- (3) Whenever feasible, building shall be physically oriented away from residential development and the layout of parking and service areas, access, landscaping, yards, walls, signs, lighting and control of loud and/or discordant noise, glare and other potentially adverse effects shall be such as to protect nearby residential development. Yards, fences, walls, landscaping or other screening or buffering shall be provided where needed to protect nearby residents from undesirable views, lighting, noise or other adverse influences. In particular, extensive off-street parking areas, service areas, loading areas and areas for storage and collection of garbage shall be adequately screened.
- (4) Whenever possible, development shall occur according to a large-scale plan rather than on a piecemeal basis. For example, whenever practical, development shall be planned in a coordinated fashion for an entire block rather than occurring on a lot-by-lot basis. This could be accomplished by single ownership or control of an entire block, by agreement among the owners of lots in a block, or by the adoption of a policy resolution for the area by the Plan Commission. However it is organized or enforced, the large-scale plan shall provide the benefits of coordinated site planning in the following manner:
  - a. To provide for features such as shared parking lots, to minimize the number of driveway entrances and exits through use of the Monona Drive Access Management Guidelines, to provide for safe and efficient traffic flow, to minimize the paved area and to facilitate on-site absorption and retention of storm water.
  - b. To provide more landscaping.
  - c. To encourage more attractive building design and layout.
  - d. To permit the construction of appropriately sized indoor and outdoor pedestrian plaza areas and attractively landscaped open spaces.
  - e. To prevent the proliferation of unattractive alleys and yards which are too small or inappropriately located to be aesthetically pleasing.

**Sec. 13-1-85 Commercial Industrial District.**

- (a) **Characteristics of District.** The Commercial/Industrial District is characterized by retail, service, commercial, office, recreational, warehouse and light industrial uses which are highway-oriented. Typical light industrial uses include manufacturing, fabrication, packing, packaging, assembly, repair, terminals, depots and storage. It is contemplated that multi-family residential development shall be permitted in this District only as part of a rezoning to Planned Community Development District.
- (b) **Adult Entertainment District.** Adult oriented establishments are allowed in this Section subject to the following conditions:
  - (1) Such establishments shall be licensed as provided in Section 7-14-1 through 7-14-13 of this Code of Ordinances.
  - (2) All exterior windows in any premises occupied by such establishment shall be blackened to the extent necessary to make them opaque.
  - (3) No such establishment shall be located within five hundred (500) lineal feet of a church or any other place of worship, or a private or public elementary, secondary or vocational school, or a public park, or within five hundred (500) lineal feet of any residence district.
  - (4) Such establishment may have one (1) non-flashing business sign, which sign may only indicate the name of the business and identify it as an adult entertainment establishment.
- (c) **District Performance Standards.** In addition to the general performance standards, proposed uses in this District shall meet the following additional standards:
  - (1) The proposed use shall be related to the general development pattern and the objectives of the Master Plan to provide a balanced local economy and to provide stable employment suitable for residents of Monona and the surrounding area.
  - (2) The proposed use shall be compatible with nearby development as built or contemplated for construction in the near future.
  - (3) Because of the limited supply of vacant land, any proposed retail or service uses shall not unnecessarily duplicate retail or service use already existing in the immediate vicinity.



August 21, 2014

City of Monona  
5211 Schluter Road  
Monona WI 53716

City of Monona,

Please consider this our letter of application for zoning/occupancy of the building located at 6406 Bridge Road.

- Global Presence Church and Community Center
- We are moving approximately four interior non-load-bearing walls. We are not changing any load-bearing walls and there will be no changes to the exterior.
- We will utilize the entire building of 49,850 square feet.
- We will use the space for all church-related activities including: youth outreach center, after-school tutoring, free legal clinic, dance and creative arts studio, training and equipping school, Bible studies, administrative offices, and media and recording studio.
- Current average size of assembly: 75 people.
- Hours of operation: Sunday 8:30am - 2pm, Monday - Friday 10am - 8pm
- Parking needs: 181 spaces more than adequate
- Description of lease terms: 1 year lease starting August 15, 2014 to August 14, 2015, and afterwards month-to-month, until May 31, 2016, with a 30-day notice to vacate.

Please let us know if you have any questions. Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "Steven J Springer", is written over a horizontal line.

Steven J Springer  
President and Senior Leader  
Global Presence Ministries  
555 W Mifflin St  
Madison WI 53703

