

Minutes
City of Monona
Plan Commission
Monday May 9, 2022

The meeting of the City of Monona Plan Commission was called to order (7:02pm).

Present: Alder Nancy Moore (Chair), Alder Brian Holmquist, Mr. Robert Stein, Mr. Chris Homburg, Ms. Susan Fox, Ms. Coreen Fallat, Mr. Chris Conrad, Mr. Brandon Gries

Also Present: Doug Plowman, City Planner, Elisa Guerrero, Planning Intern

Approval of Minutes

A motion by Alder Holmquist, seconded by Ms. Fallat, to approve the minutes of April 25, 2022 carried with three corrections.

Appearances

None

Unfinished Business

A. Public Hearing on Request by Slinde Realty Company, Represented by Snyder & Associates for Consideration of a 2-Lot Certified Survey Map (CSM) to Combine Parcels 0710-201-9810-4, 0710-201-9820-2 and 0710-201-9880-0 as well as Lot 1 of CSM 2681 at 112-208 Owen Road into Two Lots. (Case No. 2-008-2022)

Mr. Arcand, representing Slinde, presented the plans to combine the existing parcels into two lots. Easements would be in place for stormwater, sanitary sewer and shared access of the private drive that would serve the new development on the lots.

B. Consideration of Action on Request by Slinde Realty Company, Represented by Snyder & Associates for Consideration of a 2-Lot Certified Survey Map (CSM) to Combine Parcels 0710-201-9810-4, 0710-201-9820-2 and 0710-201-9880-0 as well as Lot 1 of CSM 2681 at 112-208 Owen Road into Two Lots. (Case No. 2-008-2022)

Mr. Plowman share the staff report, confirming that the existing four lots would be consolidated into two lots, one for each phase of the future development. The Public Works Committee reviewed and recommended approval of the CSM, as did Vierbicher for technical engineering review. The lots were in the CDD Zoning district, and Owen Road, which the lots front, is sufficiently wide. Staff recommended approval.

The Commission members were supportive of the two lot configuration and the easements across both lots. Mr. Homburg asked clarifying questions about the depth of the infiltration system and location of the water main and sanitary sewer which he said should be double checked by staff. Mr. Stein asked why the stormwater easement didn't extend to the southern property line, and Mr. Arcand clarified that the easement covered only the footprint of the stormwater system.

A motion was made by Mr. Homburg and seconded by Ms. Fallat for the Plan Commission to recommend Monona City Council approval of a 2-Lot Certified Survey Map (CSM) to combine 4 lots at 112-208 Owen Road, as proposed, according to Section 473-4(b) of the Monona Municipal Code of Ordinances and Section 236.34 of the Wisconsin Statutes, with the following conditions of approval:

1. City Council review and approval is required prior to the recording of the CSM.

2. Final staff approval of the CSM is required, including the edits in the review letter dated May 4 from Vierbicher, the City's engineering consultant and the Plan Commission comments from May 9.
3. Copies of the outlined easements for the proposed lots should be sent to the City Attorney for review and approval prior to recording of the CSM and easement agreements.

The motion carried.

New Business

A. Public Hearing on Request by Salvatore's Tomato Pies, for Approval of a Zoning Permit for a New Outdoor Patio and Associated Fencing at 5507 Monona Drive. (Case No. 2-011-2022)

Mr. DePula, or Salvatore's, presented two fencing options for a seasonal patio in front of the restaurant, one that was 42" tall and one that had an additional 15" decorative lattice on the top, totaling 57" tall. The fencing and patio seating would be seasonal for the warmer months of the year. Interior renovations to the building, which would allow for indoor seating, were expected to be completed by the fall. Outdoor patio seating was important to the success of the business, given changes in dining that happened because of the pandemic.

Coleen O'Keefe (5505 Monona Drive) submitted written comment in opposition to the outdoor patio and fencing.

Bill Shockley (6100 Ridgewood Ave) submitted written comment in support of the outdoor patio and fencing.

Scott Pauli (6010 Ridgewood Ave) submitted written comment in support of the outdoor patio and fencing.

Tonya Hamilton-Nisbet (5712 Winnequah Trail) submitted written comment in support of the outdoor patio and fencing.

Steven Perkins (5512 Goucher Ln), spoke to say he was not opposed to the fencing design, but was concerned that if the patio space moved from the front to the southern side of the building, it would cause a noise issue for residents living on the west side of the restaurant.

Mr. Veserat, the owner of the restaurant building, spoke in support of the proposal, saying it would be a welcome improvement to the building and the business. He did not think the proposal would adversely affect parking for the building.

B. Consideration of Action on Request by Salvatore's Tomato Pies, for Approval of a Zoning Permit for a New Outdoor Patio and Associated Fencing at 5507 Monona Drive. (Case No. 2-011-2022)

Mr. Plowman shared the staff report, noting that the zoning permit was necessary for the permanent expansion of use. The patio would hold 40 seats and the interior seating capacity was being reduced from the previous restaurant use. Suggested points of discussion were the fence design options and fence maintenance. The City attorney reviewed the deed restrictions and determined that the fence would be subject to approval from the other tenants, per the deed.

The Commissioners agreed that the 42" tall design was preferable, both in design and because the fence then complied with code requirements. They supported having outdoor seating for the restaurant and felt the fence was decorative in nature. At Ms. Fallat's request, Mr. DePula clarified that the fence would be stored inside or off site during the winter, to allow for plowing in the parking lot.

Mr. Stein, Mr. Homburg and Mr. Holmquist preferred that the restrictions about tenant approval of exterior changes in the deed be left for the building occupants to decide, rather than the Plan Commission.

A motion was made by Mr. Homburg, seconded by Mr. Gries, to approve a Zoning Permit for a new outdoor patio and associated fencing, requested by Salvatore's Tomato Pies, to be located at 5507-5511 Monona Drive, as proposed and according to Chapter 480-55 of the Monona Municipal Code of Ordinances is recommended with the following conditions of approval:

1. The fence shall be safely secured to planter boxes with final review and approval by the City's Building Inspector.
2. The fence shall be seasonal, and be installed no earlier than April 15th and removed no later than October 15th of each year.
3. Fencing shall be well maintained, and if there are concerns with building appearance the applicant may need to return to the Plan Commission.
4. If there are concerns from Police and Fire Departments, the design may need to be revised.
5. Any relocation of the patio shall return to the Plan Commission for further review.
6. The Plan Commission approves the 42" fence height with 8' panels and planters between each section of fence.
7. The final planter landscaping design shall be reviewed and approved by City Staff.

The motion carried unanimously.

C. Public Hearing on Request by Iglesia Restauracion Y Vida, Represented by Grant Signs for New Signage at 901 Femrite Drive. (Case No. S-004-2022)

Mr. Johnathan Coon, from Grant Signs, presented the proposal for a new aluminum construction monument sign. The sign would be internally illuminated such that the sign cabinet would look white during the day, but at night only the "Casa de Fe" lettering and cross image would be illuminated.

D. Consideration of Action on Request by Iglesia Restauracion Y Vida, Represented by Grant Signs for New Signage at 901 Femrite Drive. (Case No. S-004-2022)

Mr. Plowman shared that the new church had purchased the building in summer 2021 and was now installing a new sign. The proposed sign met code requirements, and the old monument sign would need to be removed prior to installing the new one.

The Commission members approved of the sign design and felt it was appropriate for the site. Ms. Fallat, M. Fox and Mr. Stein suggested the use of native plants in landscaping

around the sign. Mr. Homburg and Mr. Stein said that the sign needed to be set far enough back from the driveway to the parking lot, so as not to obstruct any views.

A motion was made by Mr. Homburg, seconded by Ms. Fox, to approve the request by Iglesia Restauracion Y Vida for one new monument sign, to be located at 901 Femrite Drive, as proposed, and according to Chapter 480 Article XII of the Monona Municipal Code of Ordinances with the following conditions of approval:

1. As the signs will be illuminated, an electrical permit shall be obtained from the City's Building Inspector.
2. If glare from the lighting is deemed excessive by the Plan Commission, then the Plan Commission may require adjustments to the lighting.
3. The existing sign shall be removed before installation of this replacement sign.
4. The final landscaping shall be reviewed and approved by City Staff.
5. The final sign location shall be reviewed and approved by City Staff, with a focus on the distance from the parking lot entrance.

The motion carried unanimously.

E. Public Hearing on Possible Recommendation to City Council for an Ordinance Amendment to Chapter 480 of the Monona Municipal Code of Ordinances Regarding Shoreline Accessory Structures. (Case No. 2-012-2022)

Mr. Plowman presented suggested changes to Monona's regulation of boathouses, to clarify the intent of existing ordinances. The suggested revisions were prompted by incoming requests for boathouses in the Single- and Two-Family Zoning Districts that did not conform with the spirit of the ordinance. The suggested clarifications included adding a definition for the term boathouse, adding a requirement that boathouses not be habitable facilities, and instating a maximum size of 450 square feet. These recommended changes were modeled after standard regulations from other municipalities and Dane County regulations. Staff also conducted an analysis of existing boathouses in GIS and found that more than half of existing boathouses would fall within the proposed maximum size.

F. Consideration of Action on Possible Recommendation to City Council for an Ordinance Amendment to Chapter 480 of the Monona Municipal Code of Ordinances Regarding Shoreline Accessory Structures. (Case No. 2-012-2022)

Alder Moore commented that the City has seen many boathouse proposals that have to come before the ZBA, and that the code is vague, often left to the interpretation of the inspector at the time. The proposed changes would help clarify the intent of the ordinance.

Mr. Homburg supported clarifying the ordinance with a definition for boathouses, but felt that the proposed maximum size was too restrictive. He said the proposed 450 sq. ft. would be too small for many boats and suggested leaving the size allowed at 1000 square feet, as allowed for other accessory structures. Mr. Homburg felt that limiting the height of a boathouse was important, so that neighbors' views were not obstructed. He said height should be considered on a more individual basis because some lots were much steeper than others, which affected the appropriate height of a structure. He suggested that the elevation be a foot above the Ordinary High Water Mark, rather than a 4-foot setback, to account for properties with steep slopes along the lakeshore. He opposed including regulations on

heating or cooling and utility connections in boathouses and commented that if people had railings on their boathouse roofs, those railings should not obstruct views.

Ms. Fallat supported adding a clear definition of boathouses to the ordinance, and agreed that including some regulation of habitability would be important, so long as it wasn't overly restrictive. She agreed that the maximum size should be left at 1000 sq. ft and that height was important.

Mr. Gries agreed that boathouse height should be considered more individually, to preserve views. He agreed that habitability should be regulated in some way and suggested that boathouses have to be classified as primarily unoccupied, or require that a certain percentage of the structure's floor space be used for boat storage. He noted that regulating behaviors is difficult and wondered if it was possible to statements about what is permissible, versus not permissible.

Mr. Holmquist agreed that the setback from the shoreline should be height relative to the OHWM, rather than distance from the shore. He raised questions about requiring doors facing the lake and detailed restrictions on habitability, cautioning against restricting those things in boathouses but not in other accessory structures. He agreed that height restrictions were important and suggested adding language about not obstructing views into the code. He said the code should address using the roof of a boathouse as a patio and that while the use was fine, railings on top of a boathouse should be regulated such that they do not restrict neighbors' views as well. Mr. Plowman said that according to the code, movable structures would be allowed on the roof, but a permanent structure on the roof would be subject to the height restrictions.

Mr. Conrad raised questions about how habitability would be regulated and where to draw the line between habitable and non-habitable structures. Mr. Plowman noted that it would be important to draft requirements that could be enforced through the design of the building, so that City staff would be able to review requirements before a structure is built.

Ms. Fox said that a general restriction on habitability would be appropriate, but was opposed to directly regulating utilities or heating and cooling in the structure. She agreed that protecting neighbor sightlines to the lake, by restricting height, would be important.

Mr. Stein agreed that height restrictions were important, and wondered what reasoning there was behind the size restrictions on boathouses in other communities. He said that might be useful context to have for further discussions.

Reports of Staff and Commission Members

A. Staff Report Regarding Status of Development Project Proposals.

1. Economic Development Update

The Monona garden development was being reviewed by CDA before it came back for possible approval by the Plan Commission.

2. Potential Upcoming Plan Commission Items

Upcoming agenda items included a school use in Monona Oaks Community Church, rezoning of the Schwenn's Service lot and conditions of approval for the new Chipotle.

3. Updates/Discussion on Diversity, Equity, and Inclusion (DEI) Efforts

Mr. Plowman shared that the Renew Monona Loan Program had recently been adjusted to allow for increased down payment assistance for first-generation homebuyers.

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Approval May 23, 2022

4. Updates/Discussion on Sustainability Efforts

Alder Moore reported that the Monona Transit Committee was discussing a possible partnership with Madison Metro for bus service.

5. Upcoming Meetings: May 23, 2022, June 13, 2022.

B. Plan Commission Requests for Information from City Staff.

Ms. Fox asked if the Whitehorse development proposal had received a decision about tax credits from WHEDA, to which Mr. Plowman said they had not yet heard.

Mr. Homburg asked if data from the 2020 census was available about how many people rent versus own in Monona.

Adjournment

A motion by Ms. Fallat, seconded by Ms. Fox, to adjourn carried. (9:20pm)

Respectfully submitted by:
Elisa Guerrero, City Planning Intern