

City of Verona  
Minutes  
Plan Commission  
April 6, 2016  
Verona City Hall

1. The meeting was called to order by Jon Hochkammer at 6:30 p.m.
2. **Roll Call:** Jon Hochkammer, Steve Heinzen, Jeff Horsfall, Jack Linder, Patrick Lytle, Scott Manley, Jon Turke. Also present: Adam Sayre, Director of Planning and Development; Jeff Montpas, City Engineer; Bill Burns, City Administrator.
3. **Minutes:** Motion by Linder, seconded by Manley, to approve the Minutes of the March 7, 2016 Plan Commission meeting. Motion carried 7-0.
4. **Public Hearing: Conditional Use Permit amendment for Hop Haus Brewing Company to allow an outdoor patio with seating to be located at 231 South Main Street.**

Motion by Horsfall, seconded by Lytle, to open the Public Hearing at 6:32 p.m. Motion carried 7-0.

Mr. Sayre explained that a Conditional Use Permit has been requested to allow for outdoor seating at the Hop Haus Brewing Company.

There were no comments from the public.

Motion by Manley, seconded by Heinzen, to close the Public Hearing at 6:34 p.m. Motion carried 7-0.

- a. **Conditional Use Permit amendment for Hop Haus Brewing Company to allow an outdoor patio with seating to be located at 231 South Main Street.**

Mr. Sayre presented the staff report for a request from the Hop Haus Brewing Company to allow for an outdoor patio with seating. This area would be fenced with a 4-foot tall fence that would be consistent with other fencing in the downtown. Staff finds that the outdoor seating area is consistent with the City's downtown plan and downtown overlay district.

Staff recommends approval of the Conditional Use Permit with the following conditions:

1. The outdoor patio fencing shall be a minimum of 48" tall.
2. Alcohol consumption shall be limited to the fenced area as show on the site plan or inside the brewery. All areas where alcohol is consumed shall be monitored by staff.
3. The fence and gate for the outdoor patio shall comply with the requirements from the Police Department and Building Inspector.
4. The exit for the patio shall be labeled as an "exit only."

5. The use of the outdoor seating area is permitted to operate from 7:00 a.m. to 9:00 p.m. Sunday through Thursday and from 7:00 a.m. to 10:00 p.m. Friday and Saturday.

Mr. Manley asked if the Chief of Police has reviewed this proposal. Mr. Sayre explained that the 48” fence height with alarmed gate would meet the desired requirements of the Police Department. The Chief has reviewed it and he has not raised any major issues at this point. There would still need to be discussion at the Public Safety and Welfare Committee for an amendment to the liquor license premise.

Mr. Lytle asked how the hours for the outdoor patio compare to the hours of the business. Phil Hoechst, owner of the Hop Haus Brewing Company, stated that on weekdays they are generally open to 10:00 p.m. on weekdays and 11:00 p.m. on weekends.

Mr. Horsfall asked about lighting for the area. Mr. Hoechst said that they are looking at a couple options but that the area is currently pretty well lit from other lights in the area.

Motion by Manley, seconded by Heinzen, to recommend that the Common Council approve a Conditional Use Permit amendment for Hop Haus Brewing Company to allow for an outdoor patio with seating to be located at 231 South Main Street with the following conditions:

1. The outdoor patio fencing shall be a minimum of 48” tall.
2. Alcohol consumption shall be limited to the fenced area as show on the site plan or inside the brewery. All areas where alcohol is consumed shall be monitored by staff.
3. The fence and gate for the outdoor patio shall comply with the requirements from the Police Department and Building Inspector.
4. The exit for the patio shall be labled as an “exit only.”
5. The use of the outdoor seating area is permitted to operate from 7:00 a.m. to 9:00 p.m. Sunday through Thursday and from 7:00 a.m. to 10:00 p.m. Friday and Saturday.

Motion carried 7-0.

**5. Public Hearing: Conditional Use Permit for a proposed Indoor Commercial Entertainment land use, known as True Studio, to be located at 160 Keenan Court.**

Motion by Linder, seconded by Turke, to open the Public Hearing at 6:46 p.m. Motion carried 7-0.

Mr. Sayre explained that a Conditional Use Permit has been requested to allow for an Indoor Commercial Entertainment land use, known as True Studio, to be located at 160 Keenan Court.

There were no comments from the public.

Motion by Horsfall, seconded by Heinzen, to close the Public Hearing at 6:48 p.m. Motion carried 7-0.

**a. Conditional Use Permit for a proposed Indoor Commercial Entertainment land use, known as True Studio, to be located at 160 Keenan Court.**

Mr. Sayre presented the staff report on the proposed Conditional Use Permit and site plan review for the True Studio projected to be located at 160 Keenan Court. The building would have a total of 10,136 square feet with 6,854 square feet on the first floor and 3,282 square feet in the basement. Staff has recommended that the businesses located on Keenan Court work with Pizza Ranch on a joint monument sign for the entire development.

Staff recommends approval of the Conditional Use Permit with the following conditions:

1. Recommend that the Common Council approve the conditional use permit to allow True Studio to be located at 160 Keenan Court.
2. Approve the site plan to allow for the construction of a 10,136 square foot commercial building at 160 Keenan Court.

Mr. Manley stated that architecturally the building looks very nice. Mr. Linder agreed and stated that this is a good location for the use.

Mr. Lytle asked about the long-term plan for Keenan Court to connect to the west. Mr. Sayre explained that the plan is to extend Keenan Court to connect to Hometown Circle when the property east of Farm and Fleet develops.

Motion by Lytle, seconded by Horsfall, to recommend that the Common Council approve a Conditional Use Permit for a proposed Indoor Commercial Entertainment land use, known as True Studio, to be located at 160 Keenan Court. Motion carried 7-0.

**b. Site plan review to allow for the construction of a 10, 136 square foot fitness studio, known as True Studio, to be located at 160 Keenan Court.**

Motion by Linder, seconded by Manley, to approve a Site Plan Review to allow for the construction of a 10,136 square foot fitness studio, known as True Studio, to be located at 160 Keenan Court. Motion carried 7-0.

**6. Site plan review for Capitol Lawn Sprinkler to construct a 1,750 square foot building addition to be located at 636 South Nine Mound Road.**

Mr. Sayre presented the staff report for a site plan review for a proposed 1,750 square foot building addition to Capitol Lawn Sprinkler at their building located at 636 South Nine Mound Road. This includes a 1,000 square foot addition on the north side of the building and a 750 lean-to on the east side of the building. The owner would also convert 472 square feet of existing space to office. The additions would match the existing materials of the building.

Staff recommends that the Plan Commission waive the initial review and approve the site plan review for the building additions with the following condition:

1. Prior to the issuance of building permits, the applicant shall submit a grading and erosion control plan for approval by the City Engineer.

Mr. Horsfall asked what is required to allow for a zero lot line agreement. Mr. Sayre stated that the ordinances are not specific as to what is required. The City has been provided with authorization in writing from the adjacent property owner.

Don Dahlk, Owner/Operator of Capitol Lawn Sprinkler stated that there would be about twenty-five feet between the buildings.

Mr. Heinzen suggested that it may be helpful to have an agreement between the two property owners recorded to provide notice to any future purchaser for the zero-lot line agreement.

Motion by Horsfall, seconded by Heinzen, to waive the initial review and approve a Site Plan Review to allow for the construction of a 1,750 square foot addition for Capitol Lawn Sprinkler, to be located at 636 South Nine Mound Road with the following condition:

1. Prior to the issuance of building permits, the applicant shall submit a grading and erosion control plan for approval by the City Engineer.

Motion carried 7-0.

**7. Initial site plan review and conditional use permit review of a proposed 9,400 square foot group daycare center to be located at 200 Keenan Court.**

Mr. Sayre provided a summary of a proposal of a 9,400 square foot daycare facility that would be located at 200 Keenan Court. An outdoor play area would be located on the east side of the building. The applicant is proposing 81-parking spaces which is above the 43 spaces required by ordinance. Staff recommends that a public sidewalk be constructed along Keenan Court. Additional stormwater information will need to be reviewed for the project. Significant landscaping and a black metal fence are proposed along the outdoor play area.

Mr. Lytle asked if this was the same daycare that was proposed on W. Verona Avenue. Mr. Sayre said that his understanding is that it is, but that that use did not go forward with the W. Verona Avenue location.

Mr. Manley stated that he felt that architecturally this building isn't consistent with the True Studio building and other buildings in the area. Mr. Linder agreed that the this looks quite a bit different. He also noted that the east and west elevation have a long roof line and look rather plain.

Mr. Lytle asked the applicant to take design elements from the Dane County facility and True Studio to tie this into the surrounding properties.

Jerry Bourquin, project architect, stated that they are trying to keep this in a more residential feel rather than a pure commercial building. They could take a look at materials to try to improve the façade.

Mr. Lytle asked if the parking would be shared with other buildings in the area. Mr. Sayre stated that the parking would be shared and this could serve as an overflow for the restaurant and fitness studio.

**8. Preliminary plat for Hometown Grove to create 32-single family parcels and 20-zero lot line parcels located at 845 Kimball Lane.**

Mr. Sayre provided a summary of the history of this property and the current proposal for 32-single family parcels and 20-zero lot line parcels. The street would meet the standards for a typical City street with 66 feet of right-of-way. The applicant would need to move one of the town house buildings that is in the way of the proposed street. The single family lots meeting the requirements for the Community Residential zoning district.

Staff recommends that the Plan Commission recommend that the Common Council approve the Preliminary Plat for the Hometown Grove development with the following condition:

1. The developer shall construct privacy fence or landscaping on the condominium property to screen the condominium units from Schubert Street. The fence materials, size, location, and height or landscaping materials shall be approved by the Director of Planning and Development. Once the fence is constructed or landscaping installed, maintenance of the fence shall be the responsibility of the condominium owners. The fence or landscaping shall be constructed or installed prior to the issuance of building permits for the single-family houses.

Mr. Linder stated that he feels this is a big improvement from prior versions. He is glad to see the normal City streets and the elimination of the alleys.

Mr. Horsfall asked how storm water would be handled for the site. Mr. Montpass stated that he believes that this would be flow to the regional basin located near Vincenzo Plaza. Mr. Horsfall also asked about park fees. Mr. Sayre stated that there would be a development agreement for this property that would include the amount of park and other fees required for the property.

Mr. Horsfall asked about the potential for placing a house on lot 32. Chuck Buell, applicant, stated that lot 32 is a buildable lot. The intent of the development is to have starter homes that can be a smaller footprint.

Mr. Manley agreed with the comments regarding the standard city streets and removal of the alleys. He stated that he is not a big fan of the CR zoning, but that feels that this is an appropriate place for it.

Mayor Hochkammer asked if this property would be open to any builder. Mr. Buell stated that it would be open. They would likely build some homes through their construction company and open other lots to be constructed by other builders.

Mr. Lytle asked if the School District is expecting this development. Mr. Sayre said that this concept has been shared with the District Superintendent and this was included in the growth projections that were presented by the School District on Monday.

Mr. Linder asked if there would be a willingness to adjust the lot line between lots 14 to 15. Mr. Buell stated that he feels both lots are buildable and that he would prefer to keep the lines where they are located.

Motion by Horsfall, seconded by Heinzen, to recommend that the Common Council approve the preliminary plat for Hometown Grove to create 32 single-family parcels and 20 zero-lot line parcels with the following condition:

1. The developer shall construct privacy fence or landscaping on the condominium property to screen the condominium units from Schubert Street. The fence materials, size, location, and height or landscaping materials shall be approved by the Director of Planning and Development. Once the fence is constructed or landscaping installed, maintenance of the fence shall be the responsibility of the condominium owners. The fence or landscaping shall be constructed or installed prior to the issuance of building permits for the single-family houses.

Motion carried 7-0.

**9. Concept review of the proposed Kettle Creek North subdivision to create 152 single family lots and 144 multi-family units.**

Mr. Sayre provided the background on the proposed Kettle Creek North subdivision which would include 152 single-family lots and 144 multi-family units. Approximately 1/3 of the property could be developed at any time. The remaining 2/3 of the property drains to the north neighborhood and would likely need to wait until a regional storm water basin is constructed in that area. If the project moves forward it would require plat approval, an development agreement, and an amendment to the City's comprehensive plan.

Staff does not support the inclusion of multi-family in this location as it is inconsistent with the North Neighborhood Plan which was adopted in February 2015. As that plan was developed, there was considerable attention given to where multi-family housing should be located. It was primarily placed in areas that would provide a transition between commercial and residential areas.

Mr. Linder stated that he is glad to see a project proposed. He is not supportive of the multi-family in this location next to the single family development.

Mr. Manley thanked Mr. Heinrichs for bringing forward a residential development and noted that there is strong demand for housing in the City. He agreed that the multi-family is not something that he is comfortable with as it is not consistent with the existing neighborhood in this area. The north neighborhood plan located multi-family uses in a specific area and intended that there would be single family development to the south. He would like to see the CR zoning lots taken out and replaced with larger lots similar to what is located in the existing Kettle Creek neighborhood.

Mr. Manley asked about the impact on traffic unless a future connection to County Highway M is constructed. Mr. Sayre explained that the future roadway connections are not controlled by Mr. Heinrichs. However, when the regional storm water basin is constructed it is likely that there will be road connections through the area served by the basin.

Mr. Horsfall agreed with the comments regarding the multi-family units. He likes the intent of the North Neighborhood Plan to have larger lots near the school and the intent to save some of the trees. He also asked about the connection to Zingg Drive which doesn't provide access out of the neighborhood.

Mr. Lytle asked about the location with the east-west road on the north side of the property. Mr. Sayre stated that the intent is to line up this street with Ineichen Drive since there is limited access on County Highway M. Mr. Lytle stated that he had supported the concept of some small multi-family being located in each neighborhood versus having large multi-family developments in the City. He agrees that north of the softball fields is not the best place for multi-family. He is supportive of the inclusion of CR lots in the development.

Mr. Heinzen agreed with Mr. Lytle's comments regarding multi-family development. He likes the planned green space in the development. He would like to see as much of the wooded area retained as part of lots in that area.

Mayor Hochkammer thanked Mr. Heinrichs for bringing the concept forward. He does not support multi-family in this area given the location and the inconsistency with the North Neighborhood Plan. He doesn't have a concern with the proposed parks.

Mr. Heinrichs thanked the Commissioners for their comments on the concept plan. There is a lack of availability of how housing types in the community. The intent was to try to address a variety of different types. He referred to an In Business magazine article that talked about the number of Epic employees living in Verona and a greater demand for multi-family with millennials.

Mr. Heinzen stated that with Epic being located in Verona there could be a benefit of having additional higher quality multi-family development in the City that is attractive to professionals.

Mr. Linder asked about the location of the east-west road. Ron Klass, representing the applicant, stated that economically it would be difficult to construct the road on the property line and not have the developer able to gain the benefit of both sides of the road. Mr. Klass said that they could provide a concept about how this could tie into future development to the north.

## **10. Discussion regarding the City's Sign Ordinance**

Mr. Sayre stated that the City will be updating its sign ordinance in 2016 in response to the 2015 Supreme Court ruling of Reed v. Town of Gilbert. The Village of Oregon is currently

working on a similar update to their ordinance. Mr. Sayre asked if there are other items that the Plan Commission would like to have looked at as part of the review.

Mr. Manley stated that he would like to see what could be improved including regulation of the timing of digital messages. Mayor Hochkammer stated that he agrees with taking a look at the full ordinance.

Mr. Lytle raised a question about the sign at Vincenzo Plaza and suggested that there be consideration of the process for changes to signage as part of a planned unit development. Mr. Sayre explained that Vincenzo Plaza was not a PUD. The City's current ordinance does not address the base of the sign or plantings around a sign. He also noted that in some area municipalities require sign plans to be reviewed by the Plan Commission.

#### **11. Reports and Comments from the Planning Department**

Mr. Burns stated that this will be his last Plan Commission meeting as he has accepted a position with the City of Middleton. He thanked everyone for their service to City.

#### **12. Reports and Comments from the Plan Commissioners**

Mr. Horsfall asked about the status of the public hearing notice signs. Mr. Sayre stated that it is being worked on. The goal is to have the signs ready for items on the June Plan Commission.

Mr. Manley asked about the activity in the West End. Mr. Sayre stated that Vanta is putting in a traffic signal as required by their development agreement.

Mr. Linder asked for an update on the Chinmi location and Hughes Flooring. Mr. Sayre noted that the deal on the Chinmi site fell through. Hughes Flooring was talking with the Building Inspector about pulling permits, but he isn't sure the timeline.

Mr. Horsfall asked about the number of lots available. Mr. Sayre said there are about 180 lots available with the majority in Cathedral Point. Fourteen single family permits have been issued to date in 2016.

#### **13. Adjournment.** Motion by Linder, seconded by Heinzen, to adjourn the Planning Commission meeting at 9:03 p.m. Motion carried 7-0.

Respectfully submitted,  
Bill Burns, City Administrator