

PLAN COMMISSION

Monday, September 17, 2018

7:00 PM

McFarland Municipal Center
Community Room

AGENDA

1. CALL TO ORDER
2. PUBLIC APPEARANCES.
3. APPROVAL OF MINUTES.
 - a. Review and possible approval of draft minutes from the August 20, 2018 Plan Commission meeting.
4. BUSINESS.
 - a. Public Hearing - Review and possible action on a request by Dave Gugger for a 2-lot Certified Survey map (CSM), to create a zero lot line duplex at 5911 and 5913 East Open Meadow, McFarland, WI. The properties are zoned R-3, General Residence.
 - b. Review and possible recommendation to the Village Board of an annexation Ordinance No. 2018-13, an Ordinance annexing Lands from the Town of Blooming Grove to the Village of McFarland.
 - c. Review and possible action on a revised Site/Design plan requested by McFarland School District for a concession stand at 3583 County Highway MN.
 - d. Review and possible action on a Site/Design review requested by Susan Bulgrin, Culver's McFarland for building addition, and related site work at 4700 Farwell Street, McFarland, WI.
 - e. Review and possible recommendation to the Village Board of a request by Veridian Development to approve the Fifth Amendment to Development Agreement, Phase 7, Juniper Ridge.
5. STAFF REPORTS
 - a. Highlights and updates
 - b. Property Maintenance Report
 - c. 2018 Dane Housing Summit, October 25, 2018
6. ADJOURNMENT.

This meeting notice constitutes an official meeting of the above referenced group and was posted in accordance with all applicable laws related to Open Meetings Law. It is possible that members of and possibly a quorum of members of other governmental bodies of the municipality may be in attendance at the above stated meeting to gather information. No action will be taken by any governmental body at the above stated meeting other than the governmental body specifically referred to above in this notice. Upon reasonable notice, efforts will be made to accommodate the needs of disabled individuals. For additional information or to request this service, contact the McFarland Municipal Center at (608) 838-3153 or cassandra.suettinger@mcfarland.wi.us.

Working Draft Minutes

Plan Commission

Meeting

August 20, 2018

Members Present: Bruce Fischer, Peter Bloechl-Anderson, Brad Czebotar, Dan Kolk, Cathy Kirby

Members Absent: Jeff Sorenson, Tom Rogers

1. CALL TO ORDER

Czebotar called the meeting to order at 7:00 p.m.

2. PUBLIC APPEARNCES

None

3. APPROVAL OF MINUTES

- a. Review and approval of draft Minutes from the July 16, 2018 Plan Commission meeting.

Czebotar called the minutes approved by unanimous consent.

4. BUSINESS:

- a. **Review and possible action - Extraterritorial review CSM Sections 5 & 6 Township of Pleasant Springs property owner 341 Tower Dr. LLC, Brian Spanos.**

Brand Spanos of "341 Tower Dr. LLC" addressed Commissioners and reviewed the location of the property at 2917 Hwy. MN, which is about two miles east of Juniper Ridge subdivision. It was zoned C-1, the Town has rezoned it to C-2. In order to record the CSM they need to have the communities sign off on it, which Madison and Stoughton have done. The existing house will be torn down. The CSM is combining all three lots into one four-acre site, where 150 storage units will be constructed. It will be done in a phased approach. The Town of Pleasant Springs has approved the project as it fits their criteria. They feel there is a large need for this type of land use due to new subdivisions, many of which do not allow for outdoor storage on site. The property will be a higher end design with fencing all around, security cameras, paved road, and retention pond. It is visible from the interstate.

Boness reviewed as noted in background, this is in the Villages extraterritorial jurisdiction, which allows review of utilities, sewer and access.

Czebotar moved to approve an extraterritorial review CSM Sections 5 & 6 Township of Pleasant Springs property owner 341 Tower Dr. LLC, Brian Spanos. Kolk seconded the motion. Motion carried 5-0.

b. Review and possible recommendation to the Village Board a request by Veridian Development to approve a Fourth Amendment to Development Agreement, Phase 6, Juniper Ridge.

Tom Wordell from D'Onfrio, Kottke and Associates summarized this is an amendment to the original Developers Agreement to allow construction of Phase 6. Boness asked if they anticipate submitting any phases in 2019? Wordell stated Phase 7 is in process now and will be in front of the Plan Commission in a few months, he does not anticipate any others in 2019. There may be three more final phases.

Boness reviewed the amendment language and had a concern. The wording - "determination made by the Village" did Commissioners want to specify the Village Engineer, Director of Public Works? Both the Public Works Director, and Village Engineer, recommended language addressing cleaning out the ponds, reestablishing the plantings, especially in the middle pond, and determining when that should happen. Wordell pointed out the storm water facility is comprised of multiple cells. The center one is not specifically failing, it did hold water, and has seen more water than the others have. However due to periods of heavy storms, it never had a chance to infiltrate down completely; the plants have been drowned out and are dead. Kolk indicated he is concerned as this was to be part of the required parkland dedication; it needs to be returned to a condition that supports that. Wordell feels it is returning to that, and can be fixed; but it is a matter of time. He feels the eco-park segment is working well. Commissioners did not feel there was a concern over who was the responsible party, as long as the Developers Agreement indicated someone who would be knowledgeable and able to make that decision; they concurred, it should be the Village Engineer

Kirby moved to recommend to the Village Board approval of a request by Veridian Development to approve the Fourth Amendment to Development Agreement, Phase 6, Juniper Ridge, with the change on page 16 of 34, section 5 of the Development Agreement with the words "as determined by the Village" be replaced with "as determined by the Village Engineer". Fischer seconded the motion. Motion carried 5-0.

c. Discussion only – temporary staging area for TDS installation at 4313 Triangle Street.

Don Gobin stated he was approached by cable provider TDS to store their materials on his site for the next 3 – 6 months. They would pay rent and install a fence to protect their materials and equipment. Gobin advised he negotiated with them to install a nicer fence with an electric gate in lieu of paying rent for usage of the site. Gobin mentioned he had come to a Plan Commission meeting previously for discussion only. About two years ago, he was considering fencing in the area to use as outdoor storage for motor homes and R.V.s. Gobin did not follow through with a formal application. This is an opportunity to have a fence installed, for TDS's use now, and Gobin later. He does understand he would have to apply to use the outdoor area, but the fence would be in place. TDS wanted to install an 8' he has negotiated for a 10' one to help to protect their property. The only activity that will be taking place at the property during the next months would be TDS using it as a staging area for work being done in the community. Czebotar inquired how long TDS wanted to use the property. Gobin replied 3 – 6 months. Kolk inquired of the intention to barbwire part of the fence, was that still their intention? Gobin replied yes not along the sections facing Stoughton Road but along the side and rear, where people would be more apt to try to climb the fence. Czebotar inquired of Boness if there anything in the ordinance that addresses this? Boness replied they do address fences, and there are certain instances where barbed is allowed. Gobin addressed his concerns as to why he would need fencing, and past problems with crime in the area with both himself, and the previous owner of the property. Gobin has no intention to remove the building, but rather intends to fix up the property in the future. Due to the economy, it has been a slow process to get contractors in to do the repairs he is intending. Gobin feels a fence will also improve the looks of the property. Gobin has had some interest in others purchasing the property; however, he is not interested in selling at this time. He may move forward in the future to apply to use the site for outdoor storage of RV's and boats.

Kirby inquired of Boness if the fence is approved, how you address the issue of TDS being done, and Gobin using the site for something else. Boness indicated, using the site for utilities, is a conditional use. They would need to apply for a temporary CUP, which if they applied at this time they would be able to appear at the October meeting. If Gobin wished to move forward with something after their project is complete, he would need to apply at that time, unless he was going to use the site for a permitted use. Boness explained what some of those uses could be. Kirby stated the reason she brought this up was so all parties understood, if this moves forward and is approved, it is for the TDS project only, and once they are done, any other use requiring a CUP would have to be applied for. Gobin stated he is aware of this and the process he would have to undertake. Boness summarized Gobin will need to complete a Plan Commission application and apply for CUP, pay the required fees. If submitted in time, he would be able to make the October meeting. Gobin advised he understood, and would have the submittal in yet this week.

d. Future presentation by WHEDA representative George Petak.

Boness stated this is to set a date for a WHEDA representative to come and make a presentation. She wanted to confirm the Plan Commissions commitment to having this meeting. Commissioners indicated yes. Boness will be in contact with Petak to verify his schedule and if he is able to make a September or October Plan Commission meeting. Czebotar questioned if this should be a combined Village Board and Plan Commission meeting, he advised there are some Trustees who have indicated they would like to see the presentation also. Boness inquired did he want to make it a joint meeting, or just have trustees invited to a Plan Commission meeting. Czebotar advised to wait until we know Petak's schedule.

5. STAFF REPORTS

a. Highlights and updates

Boness advised there is a census coming up; they will be doing a complete count committee once again. Czebotar confirmed it should be created by resolution to the Village Board. If there are any Commissioners who would like to be on that committee, they should indicate to him. It is a committee that markets the census to the community. Boness stated she and Clerk/Treasurer, Cassandra Suettinger are currently working in tandem on it. Boness had informally indicated she intends to retire in 2019; she has not set a date yet, but is trying to make this a seamless process for projects she is involved in. In 2010, the group met four times. This time marketing materials may be more digital than in past census years.

b. Property Maintenance

Kirby noted on the report the McFarland School District has had issues with noxious weeds on their property; she wanted it to be brought to their attention that along MN they need to mow as the height of grass and weeds are becoming so high it is creating a hazardous intersection. Boness noted she would pass this on to the Code Enforcement Officer.

6. ADJOURNMENT

Kirby moved to adjourn, Kolk seconded the motion, motion carried. Meeting adjourned at 7:38 p.m.



PLAN COMMISSION SUMMARY SHEET

MEETING DATE: Monday, September 17, 2018

SECTION: Business

DEPARTMENT: Community Development

CONTACT:

AGENDA ITEM: Public Hearing - Review and possible action on a request by Dave Gugger for a 2-lot Certified Survey map (CSM), to create a zero lot line duplex at 5911 and 5913 East Open Meadow, McFarland, WI. The properties are zoned R-3, General Residence.

PREVIOUS ACTION:

ISSUE SUMMARY:

Property owner Dave Gugger wishes to create a zero lot line duplex. The CSM meets all lot size, width, side and rear setback requirements.

FINANCIAL/BUDGET IMPACT:

VILLAGE PLAN REFERENCE:

ORDINANCE REFERENCE:

BOARD, COMMISSION OR COMMITTEE RECOMMENDATION:

Approval

ATTACHMENTS:

1. Gugger

RECEIVED

AUG 07 2018

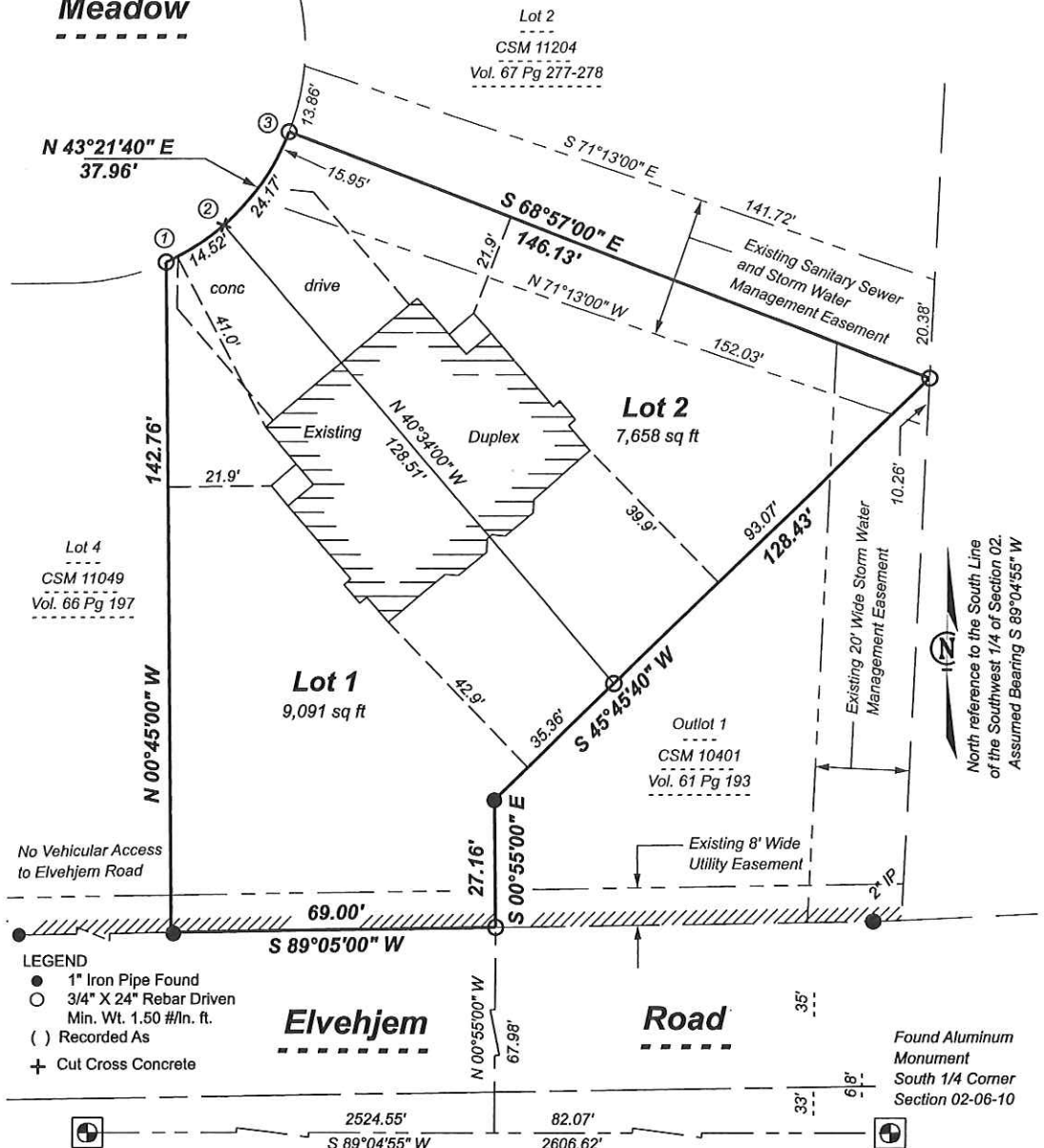
VILLAGE OF McFARLAND

Certified Survey Map

Lot 1, Certified Survey Map 10401, lying in part of the SE 1/4 of the SW 1/4 of Section 02, T06N, R10E, Village of McFarland, Dane County, Wisconsin

East Open

Meadow



Surveyed By: <u>TT</u>	Surveyed By: <u>Royal Oak & Associates, Inc.</u>	Surveyed For: <u>Dave Guggen</u>
Drawn By: <u>TT</u>	3678 Kinsman Blvd	2273 Glen Oaks Cir
Approved By: <u>CMS</u>	Madison, WI 53704	Cottage Grove, WI
Date: <u>07-30-18</u>	Phone (608) 274-0500	
Office Map No: <u>16444</u>	Doc No: _____	
Sheet <u>1</u> of <u>3</u> Sheets	CSM No. _____, Volume _____, Page _____	

Certified Survey Map

**Lot 1, Certified Survey Map 10401, lying in part of the SE 1/4 of the SW 1/4 of Section 02,
T06N, R10E, Village of McFarland, Dane County, Wisconsin**

Surveyor Certificate

I, Carl M Sandsnes, hereby certify that this survey is in compliance with Chapter 236.34 of Wisconsin Statutes and the Village of McFarland Land Division Code by the direction of Dave Gugger. I further certify that I have surveyed, divided and mapped the lands described hereon, and that this map is a correct representation of all exterior boundaries in accordance with the information furnished.

Carl M. Sandsnes, Professional Land Surveyor S-1819

Description

Lot 1, Certified Survey Map 10401, lying in part of the SE 1/4 of the SW 1/4 of Section 02, T06N, R10E, Village of McFarland, Dane County, Wisconsin, more fully described as follows;
Commencing at the South Corner of said Section 02; Thence S 89°04'55" W, 82.07 feet along the south line of the southwest 1/4 of said section 02; Thence N 00°55'00"W, 67.98 feet to the north right of way of Elvehjem Road and the point of beginning of this description; Thence S 89°05'00 W, 69.00 feet along said north right of way to the east line of Lot 4, Certified Survey Map 11049 to the southerly right of way of East Open Meadow; Thence on a curve to the left having a radius of 50.00' and chord bearing N 43°21'40" E, 37.96 feet along said southerly right of way to the southerly line of Lot 2, Certified Survey Map 11204; Thence S 68°57'00" E, 146.13 feet along said south line to the northerly line of Outlot 1, Certified Survey Map 10401; Thence S 45°45'40" W, 128.43 feet along said northerly line; Thence S 00°55'00" E, 27.16 feet along said northerly line to the north right of way of Elvehjem Road and the point of beginning of this description. Said Parcel contains 16,749 square feet.

OWNER'S CERTIFICATE OF DEDICATION

I, Dave Gugger, as owner do hereby certify that I caused the lands described on this Certified Survey Map to be surveyed, divided, and mapped represented on this Certified Survey Map.

IN WITNESS WHEREOF, the said Dave Gugger, as owner, has caused these presents to be executed this _____ day of _____, 2018.

Dave Gugger, Owner

STATE OF WISCONSIN) COUNTY OF DANE) ss.

Personally came before me this _____ day of _____, 2018, Dave Gugger, as owner, to me known to be the person who executed the foregoing instrument and acknowledge the same.

Notary Public, Dane County, Wisconsin
My Commission _____

Office Map No. 16444
Sheet 2 of 3 Sheet(s)

Document No. _____
CSM No. _____, Volume _____, Page _____

Certified Survey Map

Lot 1, Certified Survey Map 10401, lying in part of the SE 1/4 of the SW 1/4 of Section 02,
T06N, R10E, Village of McFarland, Dane County, Wisconsin

Consent of Mortgage Holder

As mortgage holder of the hereon described land, (bank) _____,
Of (city) _____ Wisconsin, does hereby consent to the surveying, dividing, and mapped
of the lands described on this certified survey map, and to the certificate of Dave Gugger, as owner.

WITNESS the hand and seal of (bank) _____, (city) _____,
Wisconsin has caused these presents to be executed by (name) _____,
(title) _____, and (name) _____,
(title) _____, and the Corporate Seal of said Corporation to be affixed this _____
_____ day of _____, 2018.

By: _____
(name)
(title)

Attest: _____
(name)
(title)

State of Wisconsin)

County of Dane) ss.

Personally came before me this _____ day of _____, 2018,
(name) _____, and (name) _____ of
the above named corporation, to me known to be such (title) _____
and (title) _____ of said Corporation, and acknowledge that they
executed the foregoing instrument as such officers as the deed of said Corporation, by its authority, for the
purposes therein contained.

Notary Public, Dane County, Wisconsin
My Commission _____

Planning Commission

Village of McFarland, Wisconsin

"Resolved that this certified survey map, being a part of the Southwest 1/4 of Section 02, Township 06
North, Range 10 East, Village of McFarland, Dane County, Wisconsin, having been approved by the
Planning Commission, be and the same, is hereby approved.

I, Cassandra Suettinger, do hereby certify that I am the duly appointed, qualified and acting Village Clerk of
the Village of McFarland, and that this certified survey map was approved by the Planning Commission of
the Village of McFarland, Dane County, Wisconsin and further certify that the conditions of said approval
were fulfilled on the _____, day of _____, 2018.

Cassandra Suettinger, Village Clerk

Certificate of Register of Deeds

Received for record the _____ day of _____, 2018 at _____ o'clock _____ m.
and recorded in Volume _____ of Certified Survey Maps on Pages _____.

Kristi Chlebowski, Dane County Register of Deeds

Office Map No. 16444 Document No. _____
Sheet 3 of 3 Sheet(s) CSM No. _____, Volume _____, Page _____



PLAN COMMISSION SUMMARY SHEET

MEETING DATE: Monday, September 17, 2018

SECTION: Business

DEPARTMENT: Community Development

CONTACT: Matt Schuenke, Village Administrator

AGENDA ITEM: Review and possible recommendation to the Village Board of an annexation Ordinance No. 2018-13, an Ordinance annexing Lands from the Town of Blooming Grove to the Village of McFarland.

PREVIOUS ACTION:

None.

ISSUE SUMMARY:

Included in your packet is a memorandum prepared to summarize and bring together the background information. It also includes the proposed ordinance, petition requesting annexation, and associated mapping. Please refer to these documents within the packet for more information.

FINANCIAL/BUDGET IMPACT:

None.

VILLAGE PLAN REFERENCE:

None.

ORDINANCE REFERENCE:

None.

BOARD, COMMISSION OR COMMITTEE RECOMMENDATION:

Recommended the Plan Commission consider the request and provide a recommendation to the Village Board regarding the ordinance as presented.

ATTACHMENTS:

1. Annexation TBG 9.12.18



Memorandum

To: Plan Commission

From: Matthew G. Schuenke, Village Administrator

Cc: Pauline Boness, Community Development Director
Allen Reuter, Village Attorney

Date: September 12, 2018

Re: **Maurie Peterson Petition for Annexation – Petition File No. 14145**

Executive Summary

A petition for annexation by unanimous consent has been filed with the Village for the annexation of approximately 147.83 acres of land from the Town of Blooming Grove to the Village (Appendix A). The legal description and scaled map are provided as Exhibits A and B, respectively, within proposed Ordinance 2018-13 immediately following this memorandum. This is an acceptable form of annexation within State Statutes whereby 100% of the owners of real property and 100% of the electors residing within the territory desire to be annexed. There is no notice requirement for unanimous consent petitions and the Town was notified at the time the petition was filed with the Municipal Clerks. With a petition submitted, the Plan Commission will consider the ordinance for annexation in order to make a recommendation to the Village Board. This memorandum is provided as background regarding the various elements to consider before making a recommendation.

Annexation Process

The Village considered and approved two annexations in 2017 that were conducted via the requirements for one-half approval. There are more steps involved in those types of annexations considering they require the majority of the people rather than total acceptance of those involved. Since this petition is unanimous, there is no one to notify in advance and the petitioner needs to sign the petition and submit to the Village Clerk. The property is owned via two different LLC's by the same family members requiring all three of their signatures for each of the five parcels. The last parcel contains a rental property that is occupied with two electors that signed also noting their agreement as it relates to the parcel they occupy. The petitioner also sent a copy of the petition with application to the State DOA for review as well as to the Town and School District as notice. The State has 20 days to conduct its advisory review to find whether or not the annexation is in the public interest. After that the Village is free to consider an ordinance to approve the annexation by a two-thirds majority vote of the Village Board.

The letter from the DOA was not able to be provided in time for the Plan Commission meeting, but it will be made available for the Village Board as part of their final consideration. The State's letter is simply advisory to the process and the Municipality is free to make its own determination in the best interests of the Community. The letter needs to be provided before the ordinance is enacted which is on pace to do so within the deadlines provided. The annexation is final once adopted by at least 2/3 of the majority (at least 5 affirmative votes) of the Village Board. The ordinance itself is the formal document establishing the property's municipal jurisdiction, voting requirements, and other terms. The last step in the process is for the ordinance to be filed with the DOA, Register of Deeds, and various other entities. Once this is complete there is a standard, Statutorily prescribed 90 day period for interested parties to challenge this action.

Village Impact

The addition of these lands will help the Village plan for the orderly growth of the Community in step with development that is currently in process. Two subdivisions completed the last phase of their public improvements in 2018 while a third eclipsed the half waypoint for their project. Several larger multi-family projects including apartments, duplexes, condominiums, and town houses have seen an increase via in-fill development within current boundaries. The addition of this property will help the Village create and work towards new achievements for the ongoing growth of potentially both residential and commercial tax base. The creation of a larger development that is commercially driven could be impactful considering the Village has no opportunity to consider such a project. Existing business parks are built out and unable to expand. This property brings the Village to the interstate system allowing for higher visibility that has never been possible before. Without the annexation this type of consideration would not be possible.

The annexation is likely to expand service needs by adding value over time which will also expand the customer base for the utilities. This is especially crucial for the utilities as properties further east desire service, the traditional model would suggest that as development occurs the infrastructure works its way to those points furthest away. Without having this opportunity to expand service to the East it makes it harder to reach people who might need this service down the road. The Village's commitment to local infrastructure through the nearly adjacent water tower, lift station, and other utility planning makes this site highly suitable for the growth of this system far more than what other municipalities could offer.

This area is also more suitable for growth and development by the Village due simply in part to its location. Further growth by the Village to the southeast takes it to the Door Creek Watershed which presents significantly expansive wetlands not available for development. There also remain some opportunities within the Town of Dunn; however, most of this is limited through a boundary agreement with that community strictly prohibiting our ability to expand south and to some extent east. If we are not able to grow west due to Lake Waubesa, having restrictions in place to grow south and east, then north naturally makes this request reasonable to consider.

Boundary Agreement

The properties that are subject of this annexation (Appendix B) are not part of any active boundary agreement that the Village is presently included within. The Village entered into an Intermunicipal Cooperation Agreement (ICA) with the City of Madison on November 26, 1997; however, the requirements of this agreement expired and as of April 1, 2018 are of no further effect. There is an agreement in place where the Town has agreed to dissolve whatever property is left into the City at a certain point, but the Village is not party to this nor bound legally by its requirements. ***The Village Attorney has reviewed this proposed annexation and finds the Village to be within its legal rights to consider such a request as it has been brought forth.*** Both the Village Attorney and Administrator will be present to assist the Plan Commission in the consideration of this matter as may be needed or appropriate.

Zoning Determination

The properties to be annexed will retain their existing zoning districts and regulations as set by Dane County. Until the Village takes separate action to change the zoning for these properties from County to Village, two sets of codes will be administered for the properties. A second ordinance will come forward later to rezone the properties in order to make them consistent with the other properties in the Village. The current and future land use for these properties are depicted in Appendix C showing a combination of residential and conservancy uses. The annexation as presented is compliant with the Village's Comprehensive Plan. A short delay between annexation and rezoning is customary and will not cause any issues.

Recommendation

The Plan Commission should review this information provided as background and consider making a recommendation of adoption to the Village Board regarding the ordinance to annex these lands as presented.

Appendices

Appendix A – Petition for Direct Annexation under Wis. Stats. 66.0217(2)

Appendix B – Property Proposed for Annexation – Index and Map

Appendix C – Current Dane County Zoning and Future Village Land Use

**ORDINANCE NO. 2018-13
AN ORDINANCE ANNEXING LANDS FROM THE
TOWN OF BLOOMING GROVE TO THE VILLAGE
OF MCFARLAND**

The Village Board of the Village of McFarland do ordain as follows:

WHEREAS, a proper petition having been presented seeking direct annexation, pursuant to Wis. Stats. §66.0217(2), of the property legally described on Exhibit "A," attached hereto, to the Village of McFarland, Wisconsin; and

WHEREAS, the signatories on the petition constitute the qualified electors, and the owners of the real property in assessed value within the territory legally described in Exhibit "A," and

Cassandra Suettinger
Village of McFarland
P.O. Box 110
McFarland, WI 53558-0110

Tax Parcel No. See Exhibit "C"

WHEREAS, a scale map of the land proposed for annexation is attached hereto as Exhibit "B," and

WHEREAS, the current population of the annexed property is 5; and

WHEREAS, pursuant to Wis. Stats. §66.0217(14)(a)1. the Village shall pay to the Town of Blooming Grove for the property legal described in Exhibit "A," annually for 5 years, an amount equal to the property taxes that the Town of Blooming Grove would levy on the annexed territory identified in Exhibit "A" and as graphically depicted in Exhibit "B;" and

WHEREAS, the Department of Administration has reviewed the proposed annexation under Wis. Stats. §66.0217(6)(a) and has found that the annexation is _____; and

NOW, THEREFORE, the above-described property is hereby annexed from the Town of Blooming Grove and is hereby located in Ward 12 of the Village of McFarland, and in the School District of McFarland, County Supervisory District 16, Assembly District 47 and Senate District 16.

This Ordinance shall take effect upon its passage.

[signature page follows]

Adopted on roll call at a regular meeting of the Village Board of the Village of McFarland held on the 24th day of September, 2018.

APPROVED:

Brad Czebotar, Village President

ATTEST:

Cassandra Suettinger, Clerk

ORDINANCE 2018 -13	
MOTION	SECOND
ACTION	DATE
Adopted	
Referred	
Tabled	
Withdrawn	
Defeated	
Published	
INDIVIDUAL VOTING RECORD	
Adrian	Kolk
Brassington	Lytle
Clow	O'Hearn
Czebotar	
VOTING RESULTS	
Motion Carried:	
Motion Defeated:	

I certify that on the 24th day of September, 2018, the foregoing Ordinance Annexing Lands from the Town of Blooming Grove to the Village of McFarland was adopted by a vote of ___ ayes and ___ nays by the Village Board of the Village of McFarland, Dane County, Wisconsin.

Cassandra Suettinger, Village Clerk-Treasurer

EXHIBIT C
TAX PARCEL NUMBERS

008/0710-264-8630-9
008/0710-264-9610-1
008/0710-351-8000-5
008/0710-362-9030-0
008/0710-362-9080-4

RECEIVED

**PETITION FOR DIRECT ANNEXATION
UNDER WIS. STATS. § 66.0217(2)**

AUG 22 2018

To the Village Board of the Village of McFarland:

VILLAGE OF MCFARLAND

1. The undersigned hereby petitions for direct annexation of the territory described on Exhibit A attached hereto to the Village of McFarland, Dane County, Wisconsin, whereby said territory would be detached from the Town of Blooming Grove, Dane County, Wisconsin, pursuant to Wis. Stats. § 66.0217(2).
2. Attached hereto as Exhibit B is a scale map which accurately reflects the legal description of the property to be annexed and the boundary of the annexing Village and includes a graphic scale on the face of the map.
3. The current population of the territory proposed to be annexed is 5.
4. This Petition is signed by the owners of all of the real property within the territory proposed to be annexed and by all electors residing in the territory proposed to be annexed. This is a unanimous Petition.

Owner of All Lands Within the Territory Proposed to be Annexed:

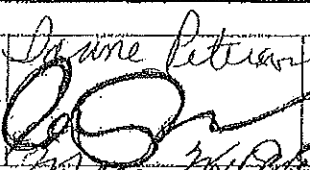
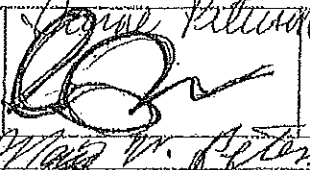
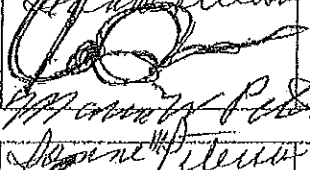
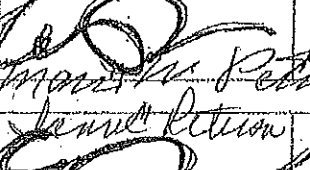
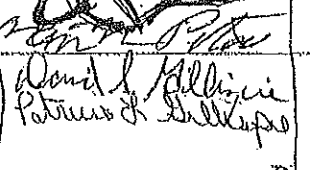
Address	Parcel Number	Signature	Printed Name	Date of Signing	Elector Population	Total Population
None	008/0710-264-8630-9		FANNE M. PETERSON Eric M. Peterson MAURIE W. PETERSON	8/22/18 August 13, 2018 8/22/18	0	0
None	008/0710-264-9610-1		FANNE M. PETERSON Eric M. Peterson MAURIE W. PETERSON	8/22/18 August 13, 2018 8/22/18	0	0
None	008/0710-351-8000-5		FANNE M. PETERSON Eric M. Peterson MAURIE W. PETERSON	8/22/18 August 13, 2018 8/22/18	0	0
3341 Storck Rd.	008-0710-362-9080-4		FANNE M. PETERSON Eric M. Peterson MAURIE W. PETERSON	8/22/18 August 13, 2018 8/22/18	2	2
3372 Storck Rd.	008-0710-362-9030-0		FANNE M. PETERSON Eric M. Peterson MAURIE W. PETERSON	8/22/18 August 13, 2018 8/22/18	2	3
		David L. Gillispie Patricia Gillispie	David Gillispie (Elector) Patricia Gillispie (Elector)	8/22/18 8/22/18		

EXHIBIT A

LEGAL DESCRIPTION

A parcel of land located in part of the NE 1/4 of Section 35, the SE 1/4 of Section 26 and the NW 1/4 of Section 36, all in T7N, R10E, Town of Blooming Grove, Dane County, Wisconsin to-wit: Commencing at the East 1/4 corner of said Section 35 and the point of beginning of this description; thence S 87°43'52" W, along the East-West 1/4 line of said Section 35 and a North line of the corporate limits of the Village of McFarland, 663.94 feet; thence N 00°59'11" W, along the East line of the Plat of Secret Places at Siggelkow Preserve and an East line of the City of Madison corporate limits, 2650.75 feet; thence S 87°49'42" W, along the South line of the Southeast 1/4 of said Section 26 and along a North line of the Plat of Secret Places at Siggelkow Preserve and a North line of the City of Madison corporate limits, 997.46 feet; thence N 00°12'05" E, along an East line of the Plat of Secret Places at Siggelkow Preserve and an East line of the City of Madison corporate limits, 1331.13 feet; thence S 87°53'05" W, along a North line of the Plat of Secret Places at Siggelkow Preserve and a North line of the City of Madison corporate limits, 998.63 feet; thence N 00°08'59" E, along the West line of the Southeast 1/4 of said Section 26 and an East line of the City of Madison corporate limits, 1291.26 feet to the Southwesterly right-of-way line of Interstate Highway 39; thence Southeasterly along said Southwesterly right-of-way line on the arc of a 5799.58 foot radius curve to the left whose long chord bears S 47°26'09" E, 284.87 feet; thence S 47°54'32" E, along said Southwesterly right-of-way line, 240.48 feet; thence S 51°30'06" E, along said Southwesterly right-of-way line, 613.18 feet; thence S 48°30'38" E, along said Southwesterly right-of-way line, 1477.46 feet; thence S 41°51'19" E, along said Southwesterly right-of-way line, 302.04 feet; thence S 48°30'36" E, along said Southwesterly right-of-way line, 632.51 feet to its intersection with the East line of the Southeast 1/4 of said Section 26, T7N, R10E; thence S 00°00'54" E, along the East line of the Southeast 1/4 of said Section 26, T7N, R10E and a West line of the City of Madison corporate limits, 164.47 feet to the Southeast corner thereof; thence S 00°58'57" E, along the West line of the Northeast 1/4 of Section 35, T7N, R10E and a West line of the City of Madison corporate limits, 396.00 feet; thence N 88°02'30" E, along a South line of the City of Madison corporate limits, 551.84 feet to the centerline of Storck Road; thence S 00°32'46" W, along the centerline of Storck Road and an East line of the City of Madison corporate limits, 808.39 feet; thence N 87°31'33" E, along a South line of the City of Madison corporate limits, 736.07 feet; thence S 00°15'44" E, 1448.07 feet to the East-West 1/4 line of Section 36, T7N, R10E; thence S 87°49'52" W, along the East-West 1/4 line of said Section 36 and a North line of the Village of McFarland corporate limits, 1248.08 feet to the East 1/4 corner of Section 35, T7N, R10E and the point of beginning.

Contains 147.83 acres, subject to Siggelkow Road and Storck Road public road rights-of-way.

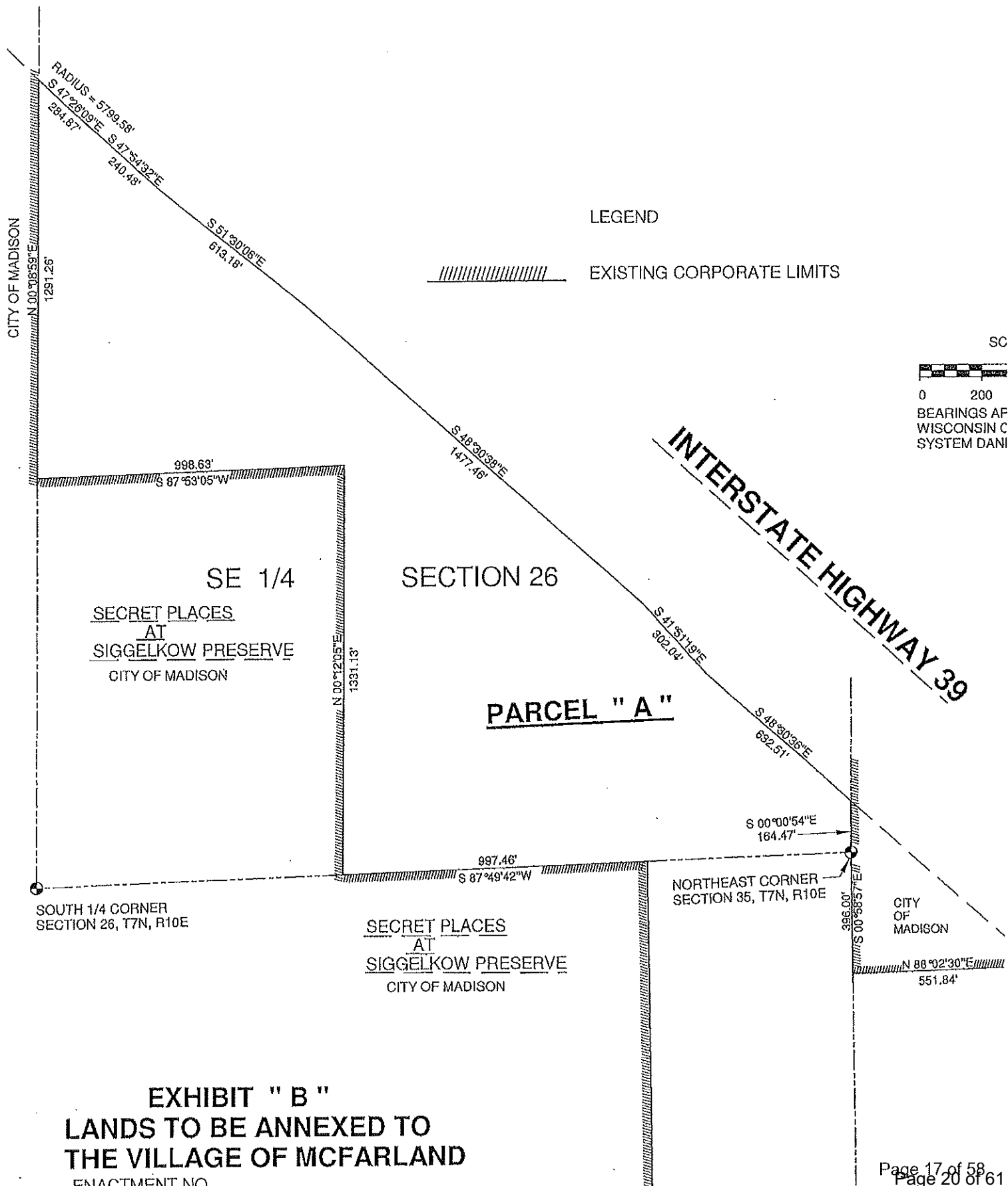
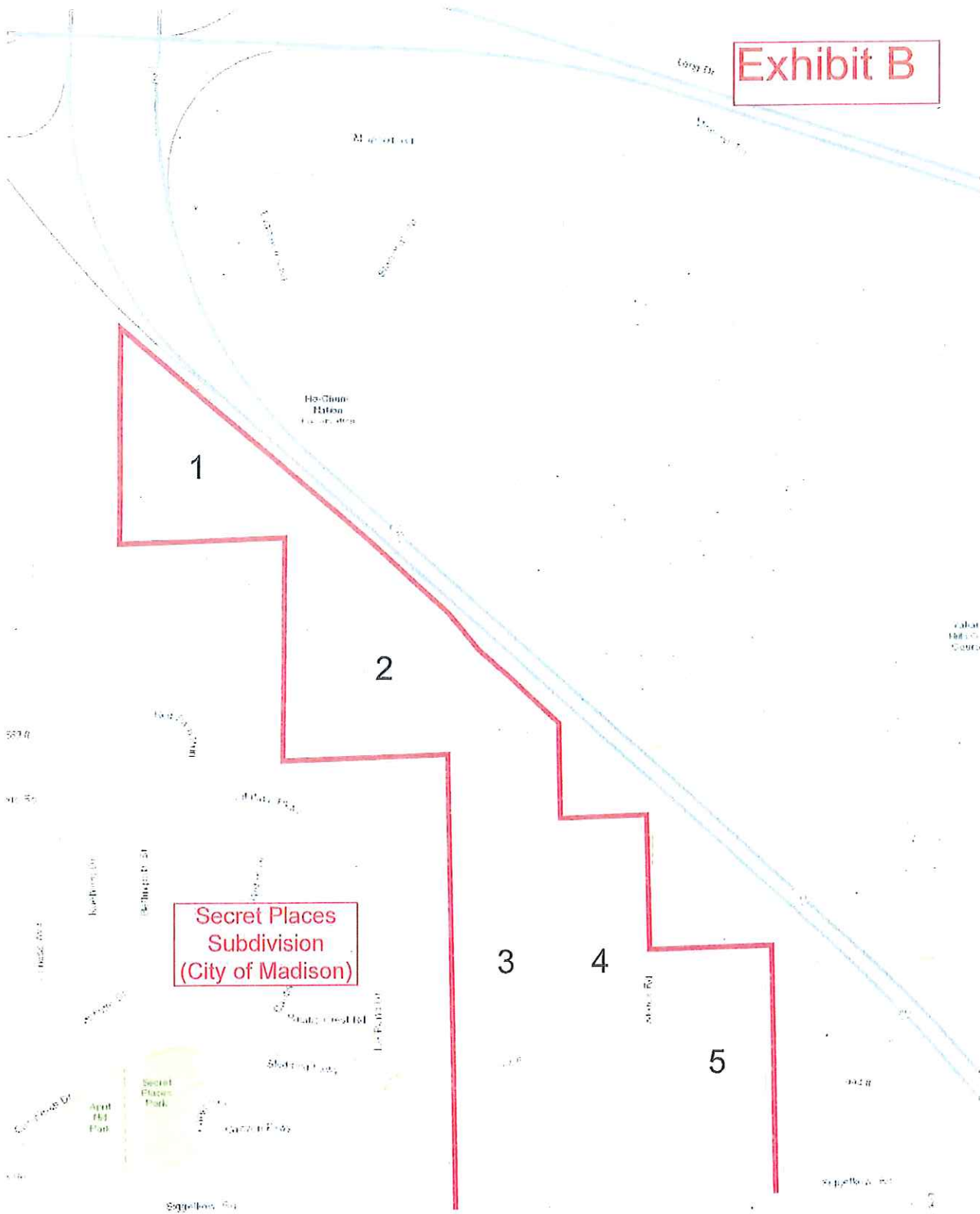


Exhibit B



Petition for Annexation - Property Owners

Index	Primary Address	Parcel #	Owner Name
1		008/0710-264-8630-9	Storck Road Farm LLC
2		008/0710-264-9610-1	Storck Road Farm LLC
3		008/0710-351-8000-5	Storck Road Farm LLC
4	3341 Storck Road	008/0710-362-9080-4	Storck Road Farm LLC
5	3372 Storck Road	008/0710-362-9030-0	Imp Farm LLC

Juniper
Ridge
Subdivision

ArcGIS ▾ Dane County Zoning Map

Details |

Basemap |

Share

About

Content

Legend

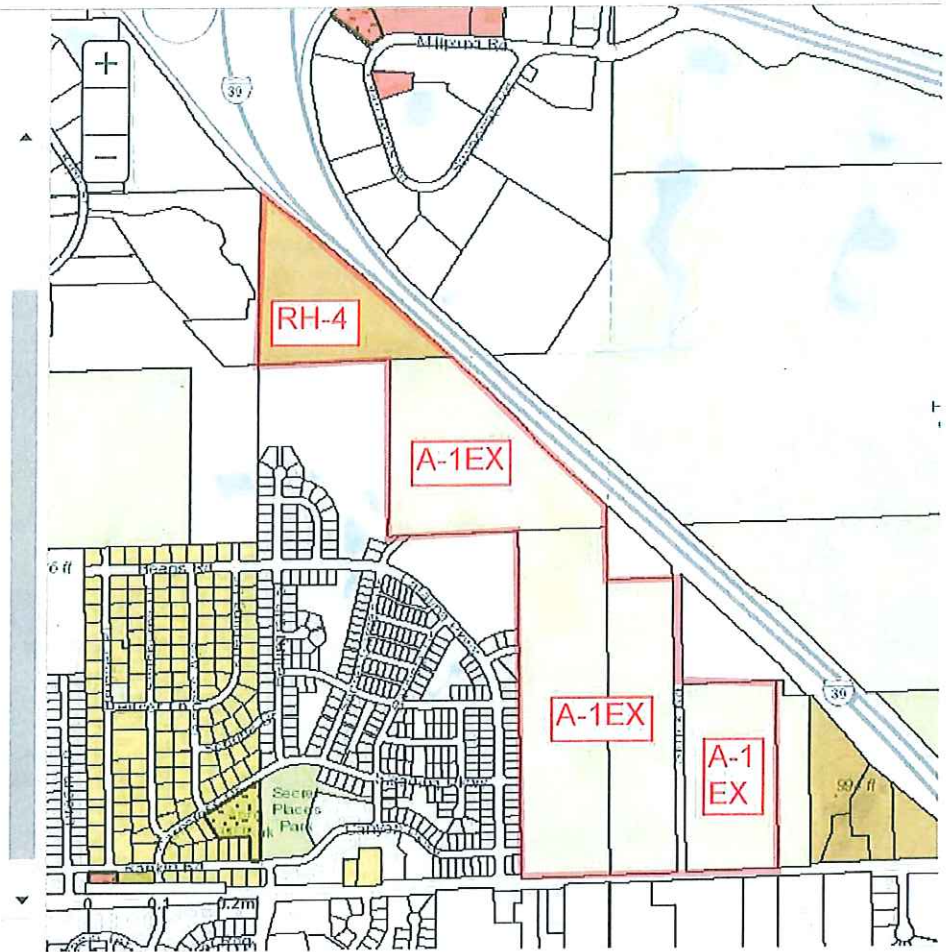
Legend

Conditional Use Permit



Zoning District

- A-1 or A-1EX Agricultural
- A-2, A-2(1), A-2(2), A-2(4), A-2(8), A-3 Agricultural
- A-4
- A-B Agricultural Business
- B-1 Local Business
- C-1 Light Commercial
- C-2 Heavy Commercial
- CO-1 Conservancy
- ETZ
- EXP-1 Expo
- LC-1 Limited Commercial
- M-1 Industrial
- NONWTLND
- PUD Planned Unit Development
- R-1, R-1A, R-2, R-3
- R-3A, R-4
- RE-1 Recreational
- RH-1, RH-2, RH-3, RH-4

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FUTURE LAND USE



Legend

Future Land Use

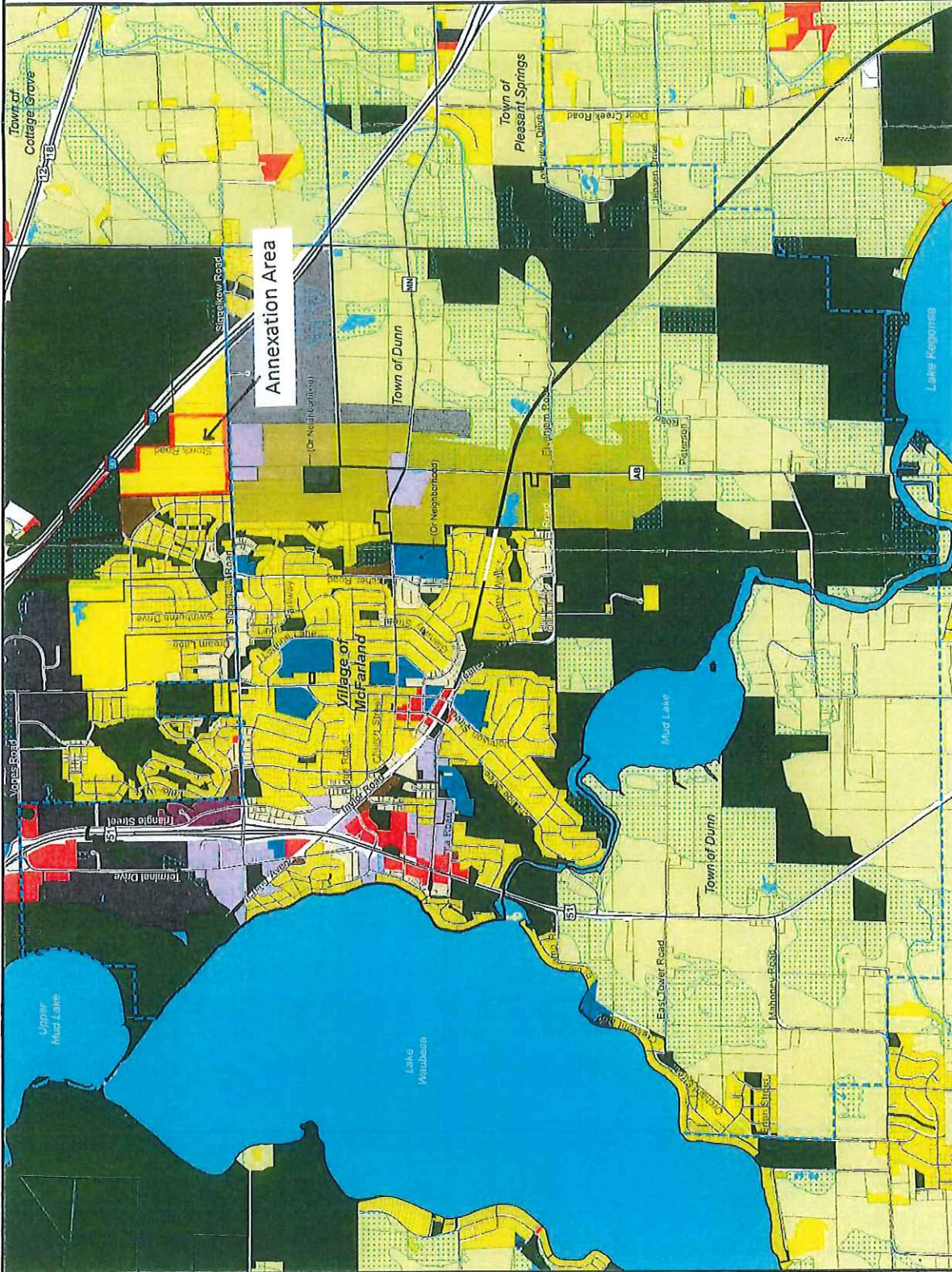
- | | | | | | | | | | | | | | | |
|---------------------------|-----------------------------|--------------|----------|--------------------------------|-----------------|------------|---------------------------|------------------------------|--|--|---------------------------|---------------|-------|---------------|
| Single Family Residential | Multiple Family Residential | Neighborhood | Downtown | Highway and General Commercial | Commercial Park | Industrial | Mixed Use/Flex Commercial | Institutional and Government | Public Lands, Recreation, and Environmental Corridor | DNR Wetlands and Potential Wetland Indicators over Undeveloped Lands | Agricultural Preservation | Urban Reserve | Water | Rights-of-Way |
|---------------------------|-----------------------------|--------------|----------|--------------------------------|-----------------|------------|---------------------------|------------------------------|--|--|---------------------------|---------------|-------|---------------|

-  Village of McFarland Extraterritorial Jurisdiction Boundary
 Village of McFarland Limits (8/17)
 Other Municipal Limits (2017)

Shapes on this map represent the Village's vision for future land use within the Village and its extrajurisdictional jurisdiction. For such lands, this map is not intended to represent existing land use or zoning, or to compel property owners to change the use of their land. For example, owners of agricultural or other rural land may maintain their current land use. Actual boundaries between different land use categories and implementing zoning districts may vary somewhat from representations on this map. This map also identifies the City's Marsh Road Neighborhood Plan west of the Interstate and north of Siggetlow Road, and existing land use elsewhere beyond the Village's extrajurisdictional jurisdiction.

Date: August 2017

Data Sources: Village of McFarland, Dane County LIO, WDNR, and CARPC



Time: 1:05:23 PM

Date: 7/31/2017

Usor: danc

Path: S:\MACH3800-3699\3588100\TotalGIS\Figures\Map 6 Futuro Land Use 11x17.mxd



PLAN COMMISSION SUMMARY SHEET

MEETING DATE: Monday, September 17, 2018

SECTION: Business

DEPARTMENT: Community Development

CONTACT:

AGENDA ITEM: Review and possible action on a revised Site/Design plan requested by McFarland School District for a concession stand at 3583 County Highway MN.

PREVIOUS ACTION:

ISSUE SUMMARY:

At our September 2017, meeting Commissioners approved a site/design plan for ball fields, parking lot and lighting. Commissioners felt comfortable about a future concession stand as well. Upon receiving a request for building permits for the concession stand, staff realized location, building square footage and building design were significantly different than plans in your September 2017 packets. Due to these differences, the Plan Commission needs to review and act on changes to the concession stand.

Location - Plan stamped 9-11-18 identifies the concession stand behind home plate rather than down the 1st base side as shown in 2017.

Size - In 2017 the building was to mimic a concession building in Verona which was 30' x 57' ? (plans are not clear) Latest drawing identify 30' x 80'6" structure. The concession serving area is bigger (30 x 30) and could accommodate raised bar tables for eating if desired.

Design - 2017 plans depicted and open gable roof design. The 2018 design has more of a shed style roof. Siding materials consist of brick and fiber cement siding, The 2017 plans depicted brick and metal siding.

FINANCIAL/BUDGET IMPACT:

VILLAGE PLAN REFERENCE:

ORDINANCE REFERENCE:

BOARD, COMMISSION OR COMMITTEE RECOMMENDATION:

Although this building is quite a bit larger, I think it more attractive. Due to its size, eating and drinking under

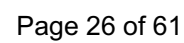


the canopy area are more likely, facility could possibly host non-baseball events. School District should be cautioned about using this facility for non-baseball events due to the close proximity of residential neighbors and possible noise issues.

ATTACHMENTS:

1. MSD concession stand

VILLAGE OF McFARLAND



BASEBALL FIELDS

SNYDER & ASSOCIATES, INC.

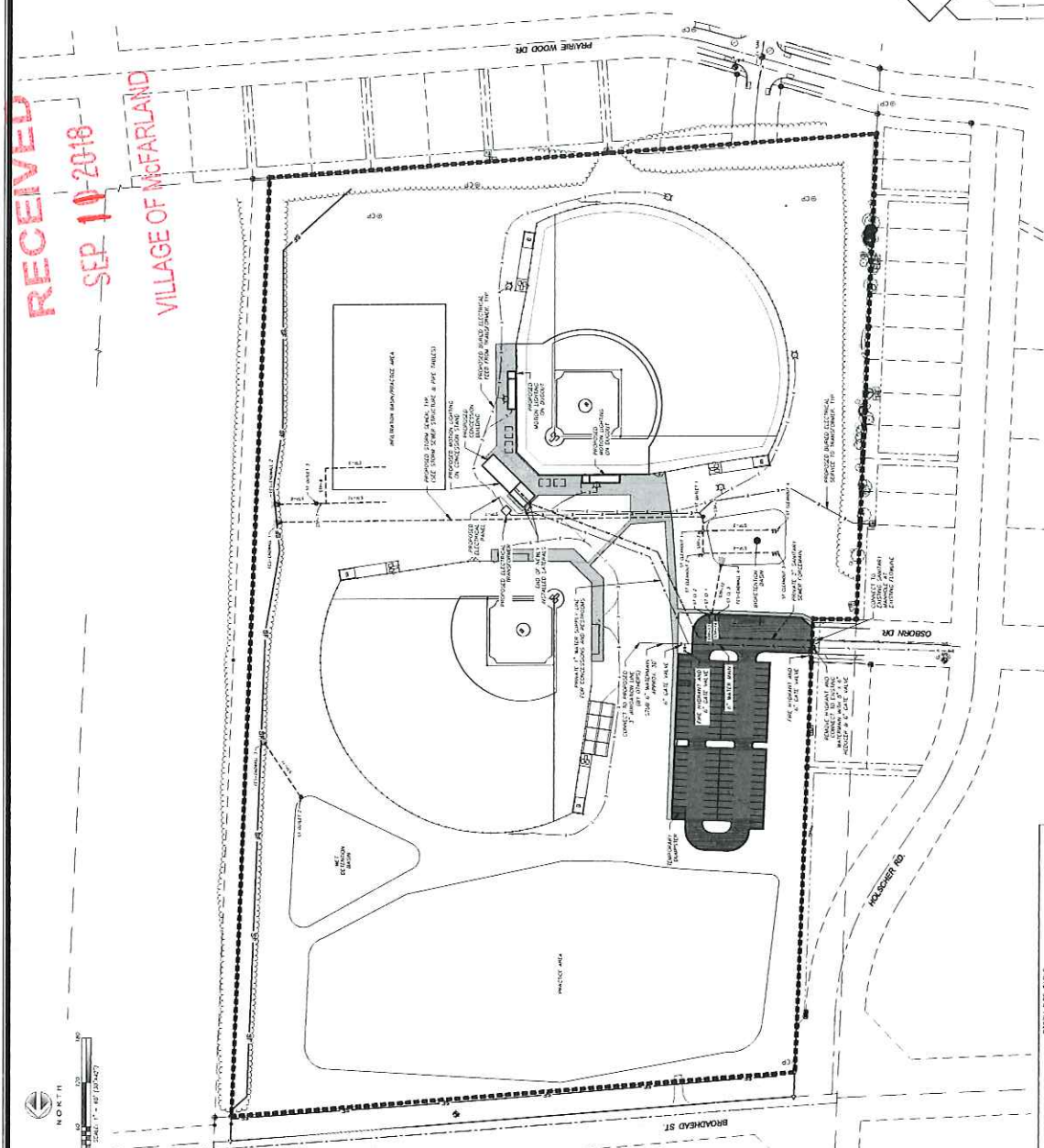
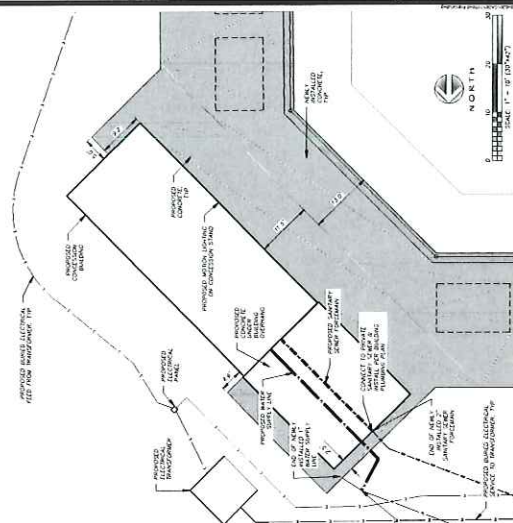
VILLAGE OF McFARLAND, DANE COUNTY, WI
5010 YOGES ROAD
MADISON, WISCONSIN 53718
608-838-0444 | www.enrtyder-associates.com

Project No	117-0545-30
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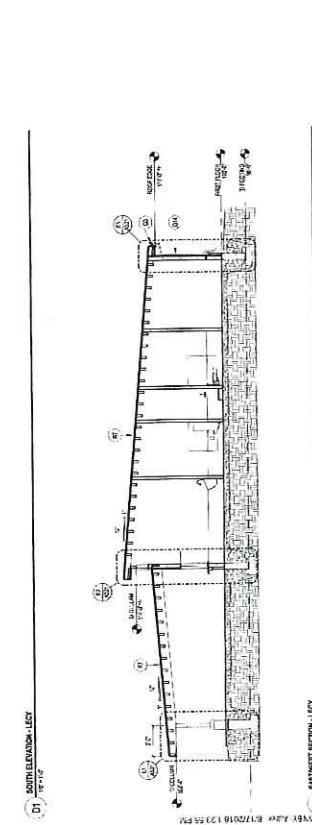
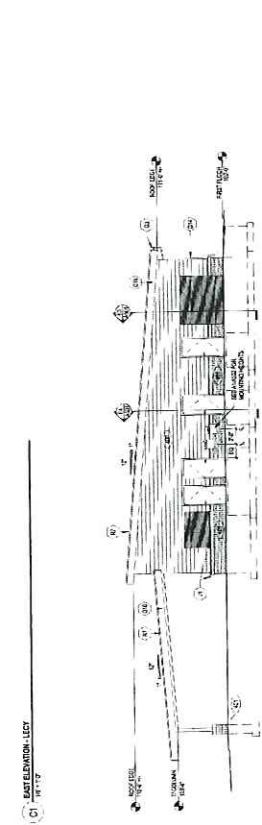
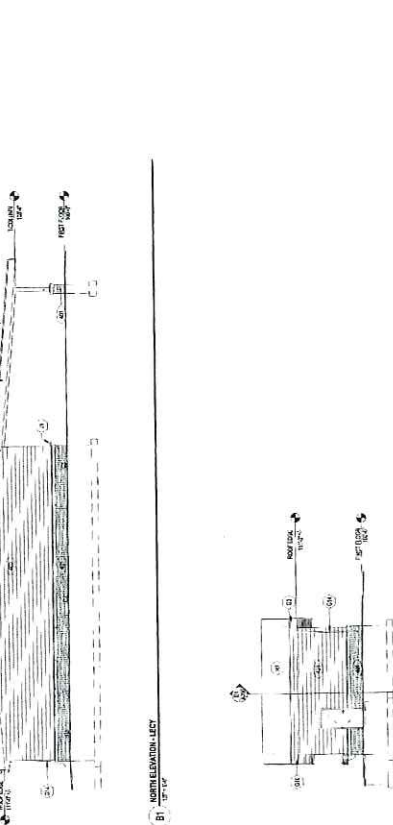
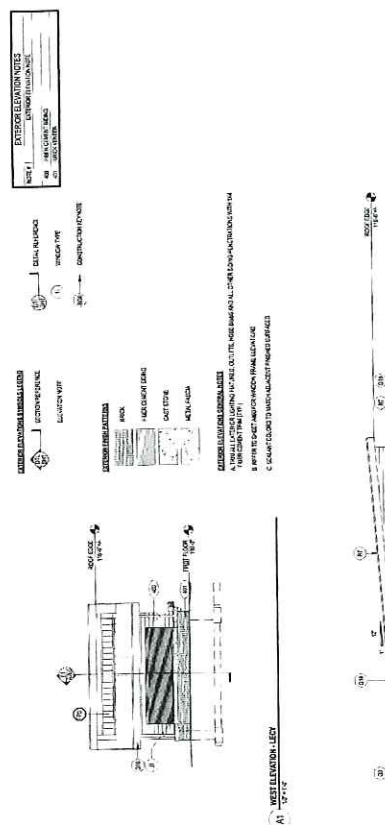
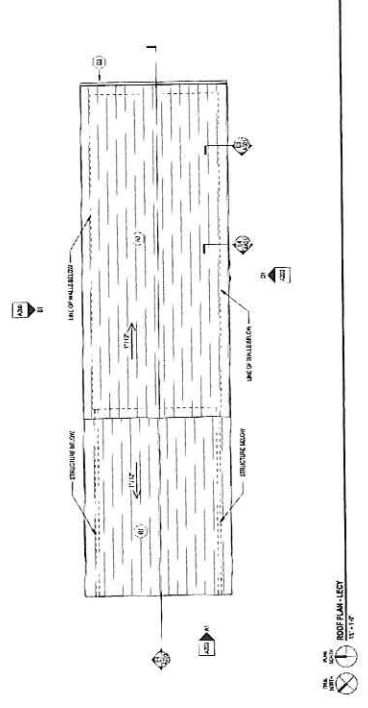
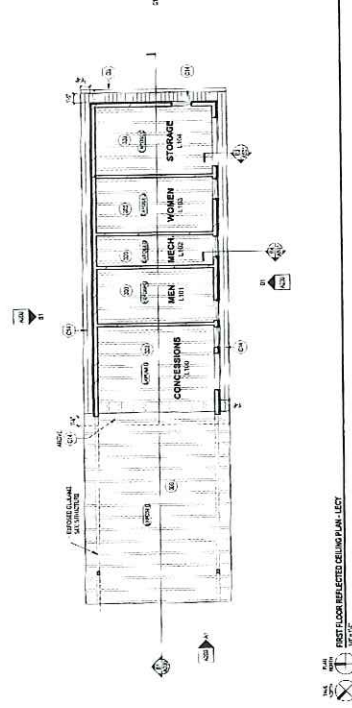
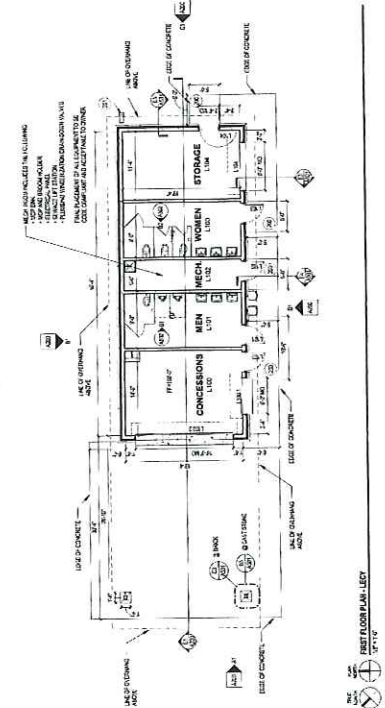
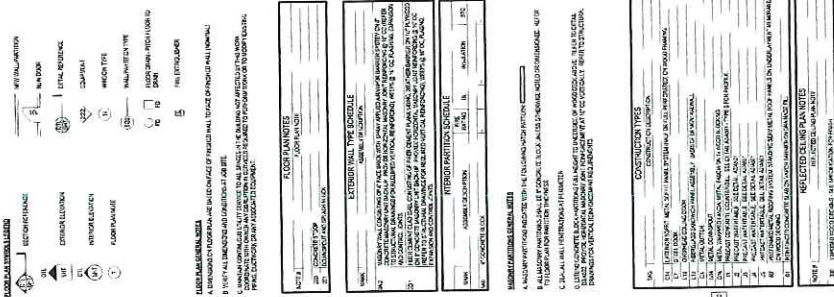
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1 CONCESSION BUILDING AREA DETAIL

[illegible]

RECEIVED
SEP 10 2018
WILLIAMS OF McFARLAND



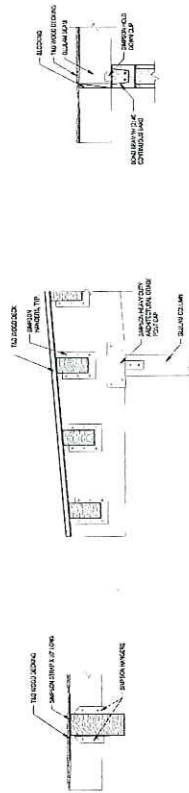
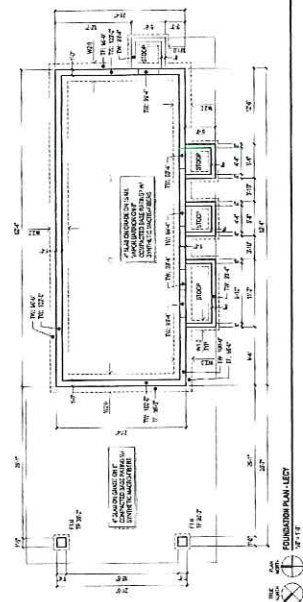
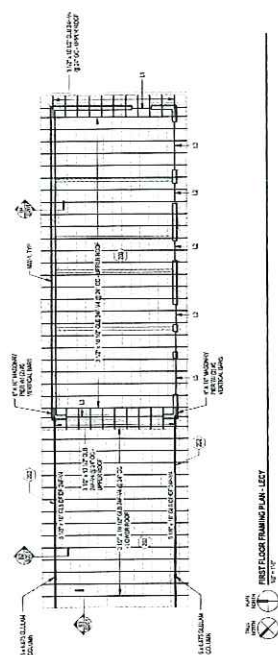
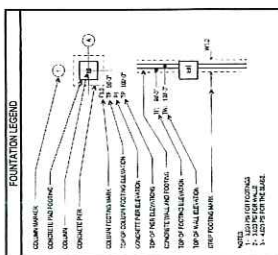
VILLAGE OF McFARLAND

LINTEL SCHEDULE		
DIMENSIONS		REMARKS
MARK	SIZE	
L1	8"x6" BOND BEAM W/ (2) #5 CONT	
L2	6"x16" BOND BEAM W/ (2) #6 CONT	
L3	WEXIS	

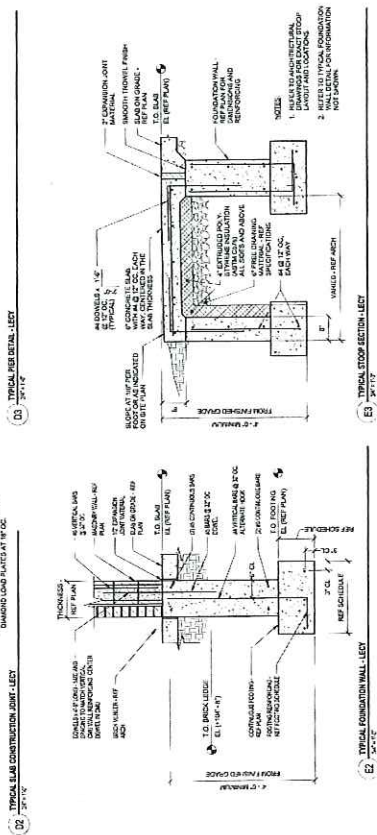
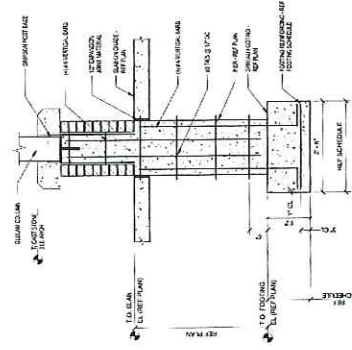
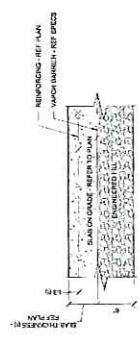
MASONRY WALL REINFORCING SCHEDULE				
MARK	WALL THICKNESS	VERTICAL REINFORCEMENT & SPACING	REINFORCEMENT LOCATION IN CELL	REMARKS
MW-1	6"	#5 AT 32" OC	CENTER	TYP. ALL EXTERIOR

FOOTING SCHEDULE				
MARK	DIMENSIONS		DEPTH	REINFORCEMENT
	WIDTH	LENGTH		
F1.0	2'-6"	2'-6"	1'-2"	(3) #5 EACH WAY
W1.0	1'-6"	CON.	1'-0"	(2) #5 CONT.
W2.0	2'-6"	CON.	1'-0"	(3) #5 CONT.

PIER SCHEDULE				
	MARK	DIMENSIONS		REINFORCEMENT
		WIDTH	LENGTH	
P1	16"	24"	VARIABLE	(8) #6 EACH WAY
P2	24"	24"	VARIABLE	(12) #6 EACH WAY



82 STRUCTURAL EDGE
83 STRUCTURAL EDGE
84 STRUCTURAL EDGE



From: Craig Sherven
Sent: Wednesday, September 12, 2018 11:55 AM
To:
Cc: Pauline Boness; Matt Schuenke; Allan Coville
Subject: Baseball Field Comments

Karen – my only comment relating to the baseball field design relates to the parking lot entrance – they may want to consider moving it further east so as to avoid congestion at the Holscher intersection.

Thanks,

Craig J. Sherven
Chief of Police
McFarland Police Department
608-838-2352

2017

DATE:	6/11/12	
DRAWN BY:	M. GRIENHAGEN	
SCALE:	NONE	
SALES SPECIALIST:	HILDEBRAND VERONA	
REVISIONS:		
NO.	DATE	BY
1		
2		
3		

VERONA AREA SCHOOL DISTRICT/CONCESSION BUILDING
32'-8"x58'-9" - 1" CLEAR STUD WALL
ELEVATIONS

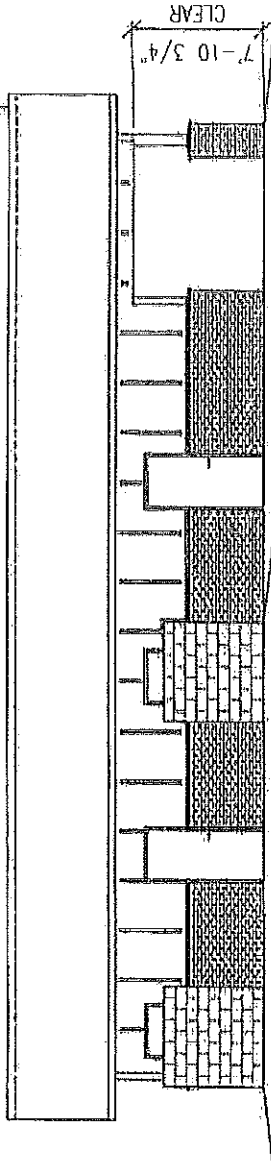


Cleary
 BUILDING GROUP
 100 WALL STREET
 P.O. BOX 33334
 VERONA, WJ 33033
 (800) 377-0000

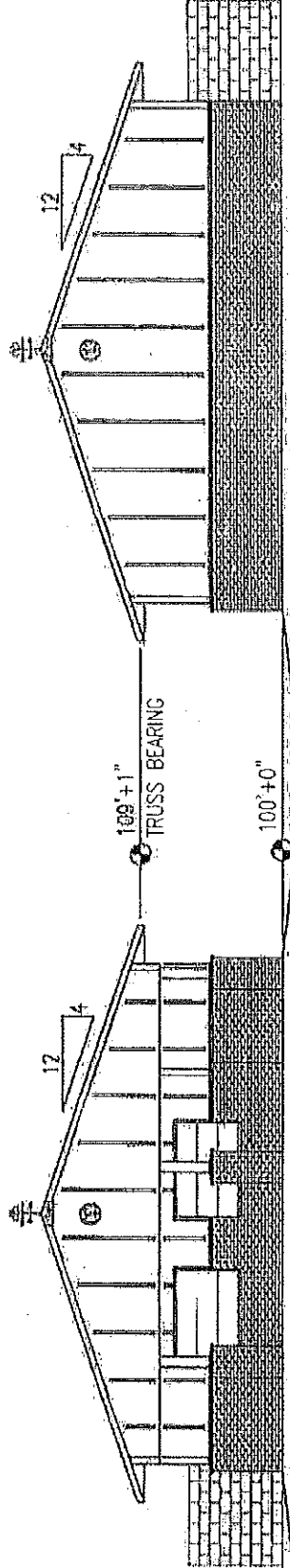
JOB NO.
2012103334

SHEET
2 of 14

(1) CLEARY WEATHERVANE
OWNER LOCATE



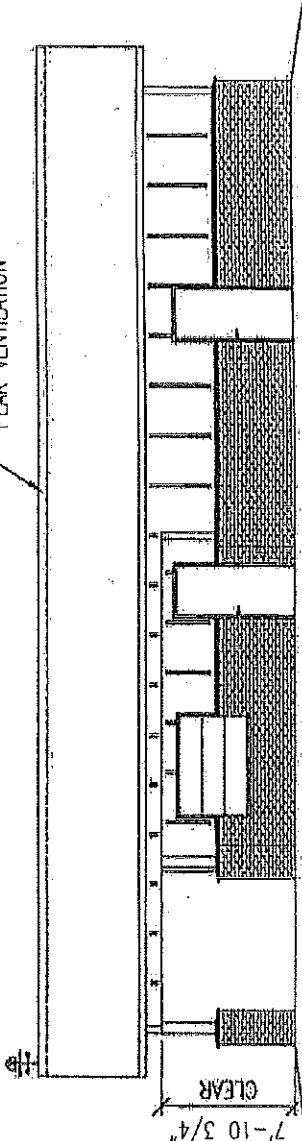
WEST ELEVATION



NORTH ELEVATION

62 L.F. CONTINUOUS
PEAK VENTILATION

SOUTH ELEVATION



EAST ELEVATION

2017

DATE: 6/11/12

DRAWN BY: M. GRUENHAGEN

SCALE: NONE

SHEET NO.: 3 OF 14

VEROMA AREA SCHOOL DISTRICT/CONCESSION BUILDING

FLOOR PLAN

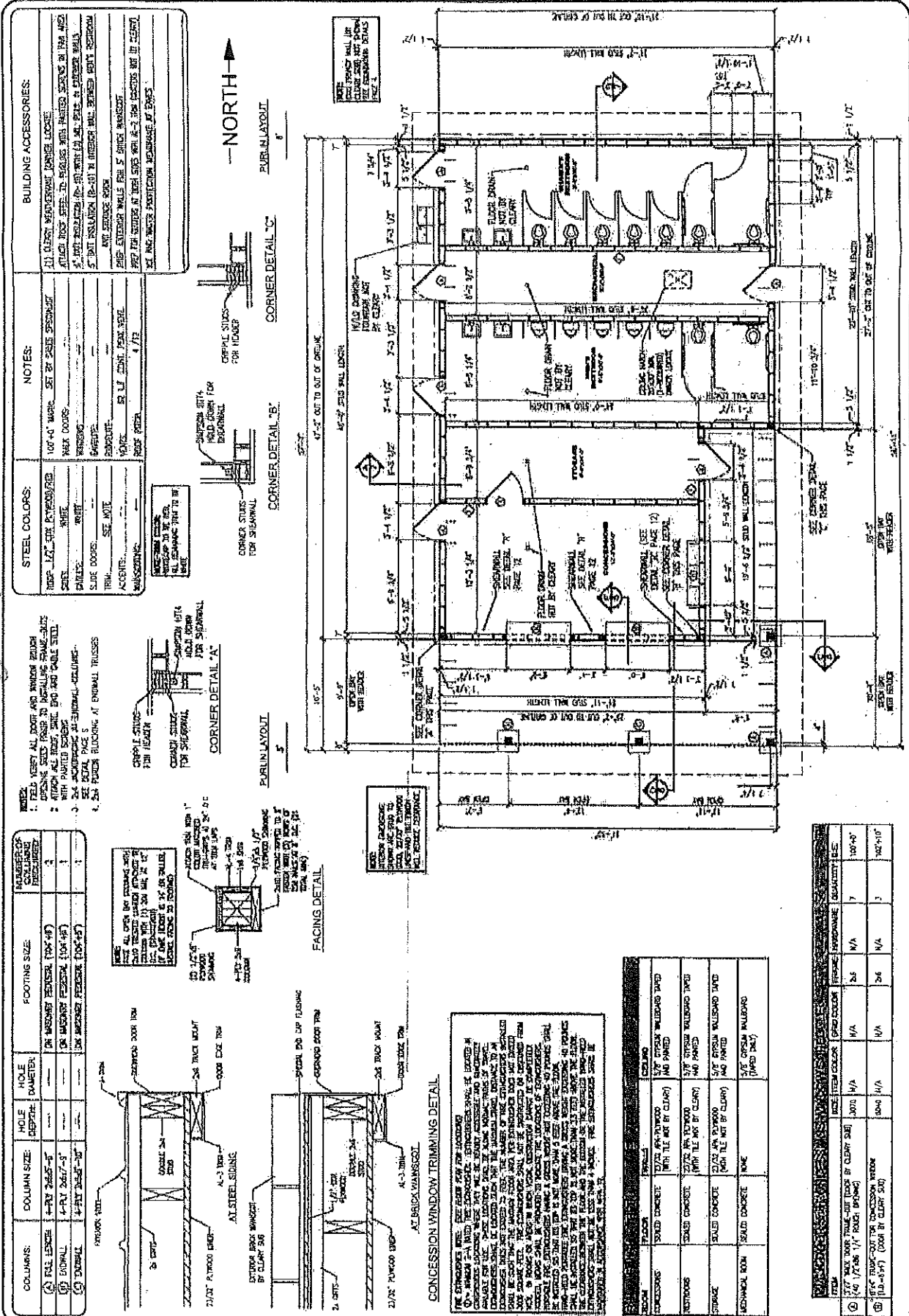
32'-0" x 58'-9" - 1" CLEAR STUD WALL

CLARY BUILDING CORP.

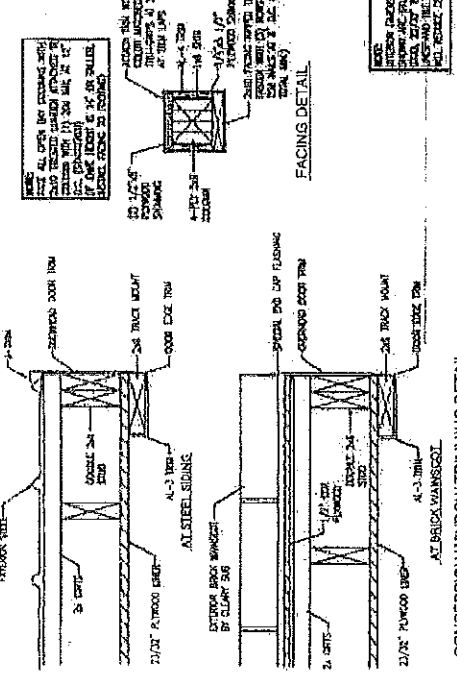
100 PEARL STREET
FALL RIVER, MASS 01931
(508) 778-3300

JOB NO.: 2012103334

SHEET: 3 OF 14



COLUMNS:	COLUMN SIZE:	FOOTING SIZE:	FOOTING DEPTH:	FOOTING WIDTH:	NUMBER OF COLUMNS REQUIRED:
(1) 12" DIA. COLUMN	12" DIA. COLUMN	12" DIA. COLUMN	12" DIA. COLUMN	12" DIA. COLUMN	1
(2) 12" DIA. COLUMN	12" DIA. COLUMN	12" DIA. COLUMN	12" DIA. COLUMN	12" DIA. COLUMN	1
(3) 12" DIA. COLUMN	12" DIA. COLUMN	12" DIA. COLUMN	12" DIA. COLUMN	12" DIA. COLUMN	1



CONCESSION WINDOW TRIMMING DETAIL

1. WINDOW TRIMMING SHALL BE INSTALLED IN ACCORDANCE WITH THE FOLLOWING:

- 1.1 WINDOW TRIMMING SHALL BE INSTALLED IN ACCORDANCE WITH THE FOLLOWING:
- 1.2 WINDOW TRIMMING SHALL BE INSTALLED IN ACCORDANCE WITH THE FOLLOWING:
- 1.3 WINDOW TRIMMING SHALL BE INSTALLED IN ACCORDANCE WITH THE FOLLOWING:
- 1.4 WINDOW TRIMMING SHALL BE INSTALLED IN ACCORDANCE WITH THE FOLLOWING:
- 1.5 WINDOW TRIMMING SHALL BE INSTALLED IN ACCORDANCE WITH THE FOLLOWING:
- 1.6 WINDOW TRIMMING SHALL BE INSTALLED IN ACCORDANCE WITH THE FOLLOWING:
- 1.7 WINDOW TRIMMING SHALL BE INSTALLED IN ACCORDANCE WITH THE FOLLOWING:
- 1.8 WINDOW TRIMMING SHALL BE INSTALLED IN ACCORDANCE WITH THE FOLLOWING:
- 1.9 WINDOW TRIMMING SHALL BE INSTALLED IN ACCORDANCE WITH THE FOLLOWING:
- 1.10 WINDOW TRIMMING SHALL BE INSTALLED IN ACCORDANCE WITH THE FOLLOWING:

ITEM	DESCRIPTION	QUANTITY	UNIT	PRICE	TOTAL
1	12" DIA. COLUMN	1	EA	100.00	100.00
2	12" DIA. COLUMN	1	EA	100.00	100.00
3	12" DIA. COLUMN	1	EA	100.00	100.00

ITEM	DESCRIPTION	QUANTITY	UNIT	PRICE	TOTAL
1	12" DIA. COLUMN	1	EA	100.00	100.00
2	12" DIA. COLUMN	1	EA	100.00	100.00
3	12" DIA. COLUMN	1	EA	100.00	100.00

2017

Concession / Restroom Comparable Building (Verona High School)



2017





PLAN COMMISSION SUMMARY SHEET

MEETING DATE: Monday, September 17, 2018

SECTION: Business

DEPARTMENT: Community Development

CONTACT:

AGENDA ITEM: Review and possible action on a Site/Design review requested by Susan Bulgrin, Culver's McFarland for building addition, and related site work at 4700 Farwell Street, McFarland, WI.

PREVIOUS ACTION:

The Community Development Authority reviewed the plans at their September 5th meeting and recommended approval.

ISSUE SUMMARY:

The owners of Culver's restaurant would like to remodel the interior and enclose the front outdoor seating area. The property is zoned C-G which allows restaurants as a permitted use. Outdoor seating will now be available on the east side of the building. The footprint of the building will increase by 1,086 sq.ft.

Parking - Vehicle traffic flow will remain unchanged, The handicap parking & walkway are relocated to the parking are along the west side, near the drive-up window. (see sheet C2.0) I do question how the handicap parking stall to the rear of the building will help provide access to the restaurant? Parking adjacent to Farwell will now be angled.

Bike parking is provided at the southwest corner of the parking lot.

Landscaping - Plantings along the existing outdoor area will be replaced at the completion of construction.

Lighting - Three light poles are to be removed and one relocated (see sheet C2.1) new lighting under fascia

Exterior elevations - brick & vinyl to be replaced with EIF's & stone veneer, portion of roof to be replaced.

Signage - New signs on building front and rear.

Mechanicals to be screened from view.

FINANCIAL/BUDGET IMPACT:

VILLAGE PLAN REFERENCE:



ORDINANCE REFERENCE:

BOARD, COMMISSION OR COMMITTEE RECOMMENDATION:

ATTACHMENTS:

1. Culvers

SEP 12 2018

VILLAGE OF McFARLAND



JEWELL
associates engineers, inc.
Engineers - Architects - Surveyors

560 Sumiso Drive
Spring Green, WI 53588
phone: 608-508-7404
fax: 608-588-9322

Culver's McFarland
Susan Bulgin
4700 Farwell Street
McFarland, WI 53558

9-12-2018

No.	Description
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[illegible]

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1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100
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Drawing Name

Existing Site

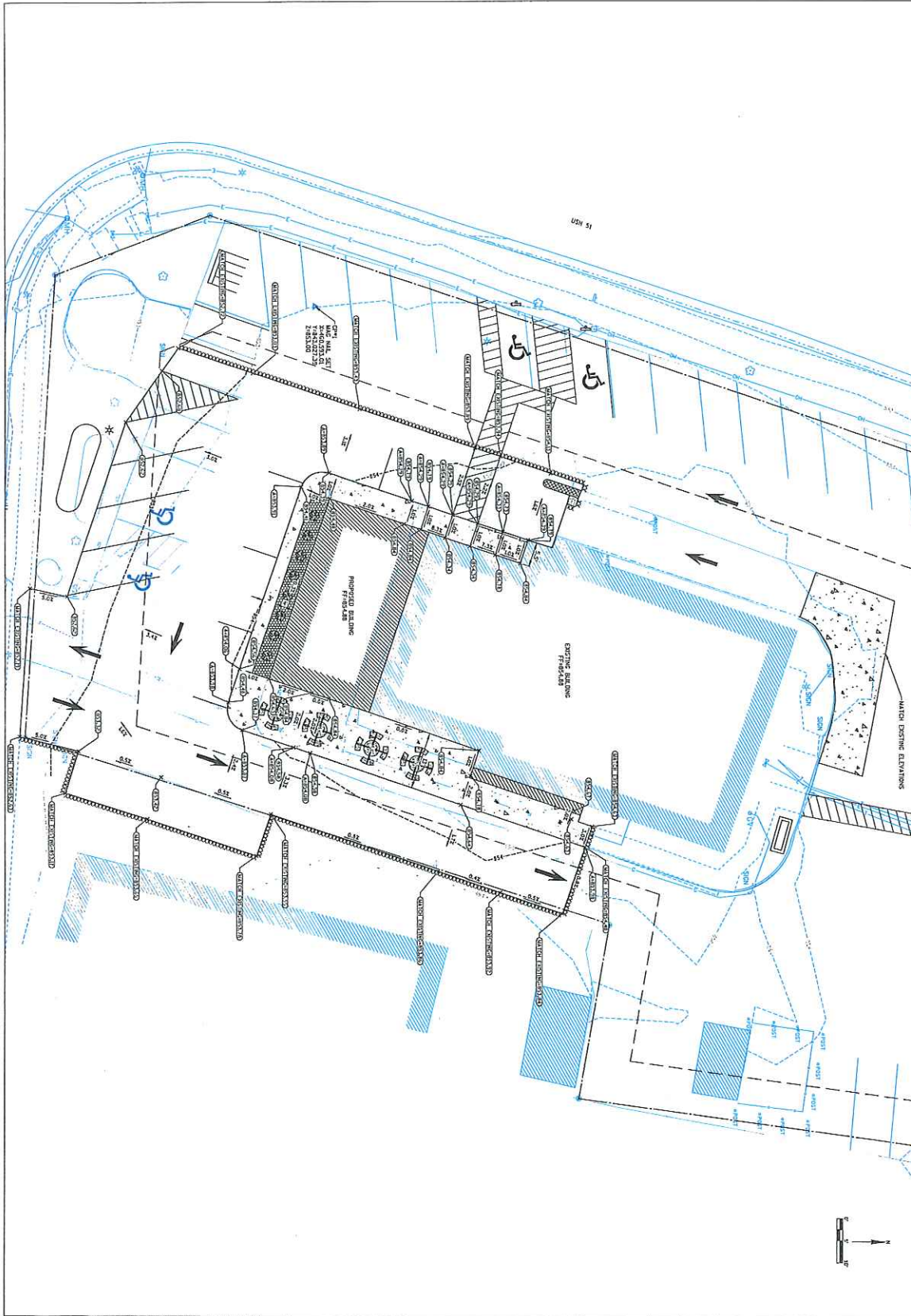
Lawrence J. O'Neil

100

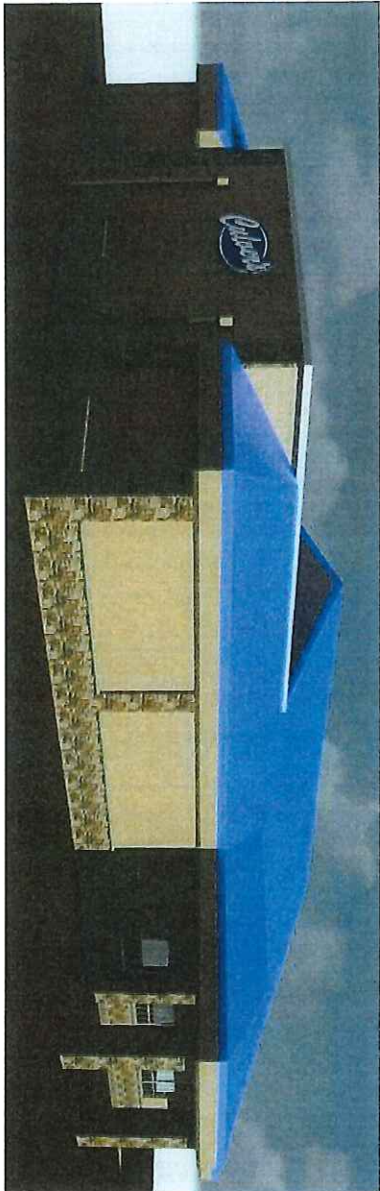
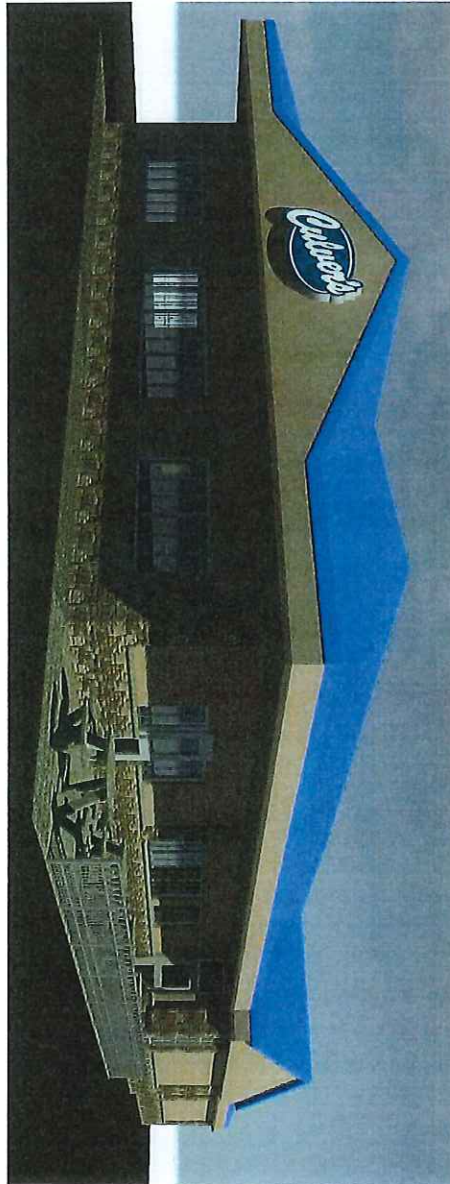
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Project number	Sheet
01	01

B17020	C1
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Drawing Name Grading Plan	Project Number B17020	Sheet Number C3.0	Date 9-12-2018	Culver's McFarland Susan Bulgin 4700 Farwell Street McFarland, WI 53558	JEWELL associates engineers, inc. Engineers - Architects - Surveyors
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③ Southcast (2)
12" = 1'-0"

2 Northwest
Ad.1 NOT TO SCALE

Culver's McFarland
Susan Bulgrin
4700 Farwell St, McFarland, WI

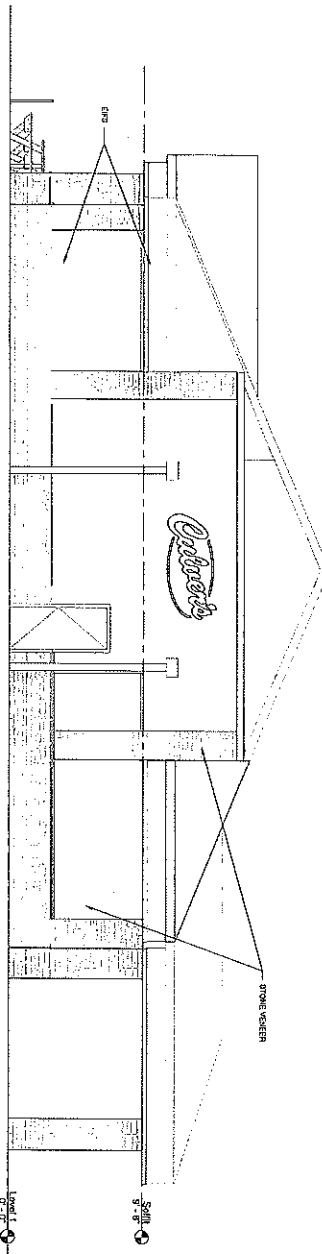
JEWELL
associates engineers, inc.
Engineers - Surveyors - Architects

2ND LOOK W/ART, THE READ AND TRIVISION
PROMOTED BY NEWARK AND INSTITUTIONS
SERVICE, OF THE PROPERTY OF JAVEL
ASSOCIATES, L.L.C. AND JAVEL ASSOCIATE
L.L.C. (JAVEL ASSOCIATE L.L.C. IS A
LIMITED LIABILITY COMPANY OF THE STATE
OF CALIFORNIA) (JAVEL ASSOCIATE
L.L.C. IS A LIMITED LIABILITY COMPANY
OF THE STATE OF CALIFORNIA)
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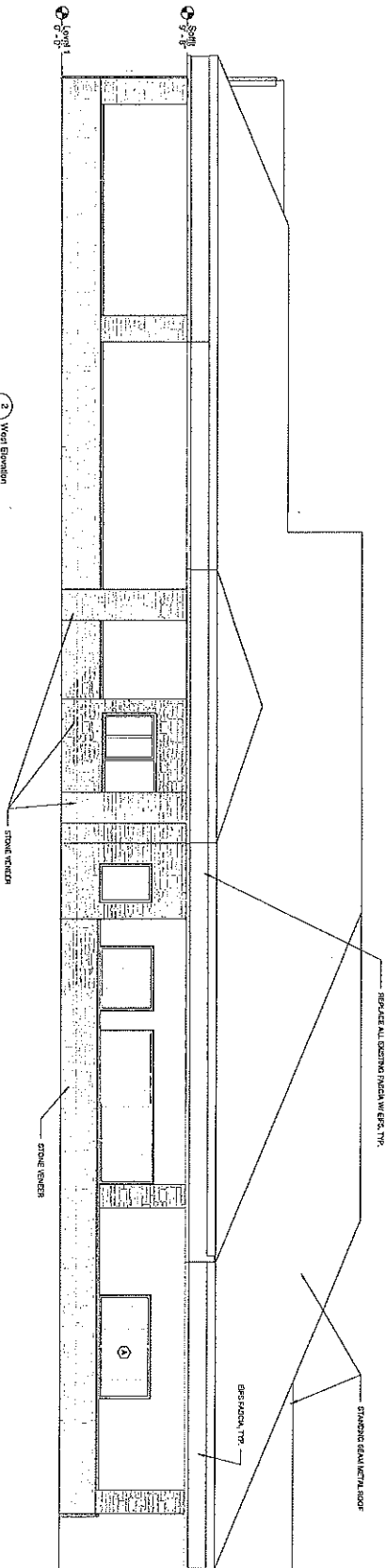
No.	Description	Date
		9-12-2018

[illegible]

Project number	Client number
B17020	A0.1



1 East Elevation
1/4" = 1'-0"



2 West Elevation
1/4" = 1'-0"

569 Sunray Drive
Spring Green, WI 53588
Phone: 608-785-1444
Fax: 608-785-0222
www.jewellassociates.com
Jewell Associates Engineers, Inc. is an Equal Opportunity Employer. Minorities and women are encouraged to apply.

JEWELL
associates engineers, inc.
Engineers - Surveyors - Architects

Culver's McFarland
Susan Bulgrin
4700 Farwell St, McFarland, WI

9-12-2018

NO.	DESCRIPTION	DATE
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Drawing Name
Exterior
Elevations

Project Number
817020
Sheet Number
A2.1

From: Craig Sherven
Sent: Tuesday, August 14, 2018 11:23 AM
To:

Hi, Karen. Regarding the proposed Culver's addition, here are my comments.

- It appears as though the driveway space on the South end of the building will remain the same? If so, this should be fine. If the new building cuts into that at all, this may prove to be too tight to effectively funnel traffic.
- Regarding the new building itself, this will create a new dynamic in negotiating the corner from the drive through around to the south side of the building, as the visibility people are accustomed to will no longer exist due to the walls of the building. This area is relatively narrow to begin with. I might suggest some signage reminding drivers to exit slowly and to watch for pedestrians crossing the driveway as they negotiate that turn.
- I recommend very obvious traffic direction signage or pavement markings that clearly direct traffic entering from Farwell St. around the east side of the building. As mentioned above, the addition will create more of a sight obstruction than what is currently there. If vehicles were to enter off of Farwell and attempt to drive around the west side of the building, a collision could occur due to the new sight obstruction.

Thanks,

Craig J. Sherven
Chief of Police
McFarland Police Department
608-838-2352



PLAN COMMISSION SUMMARY SHEET

MEETING DATE: Monday, September 17, 2018

SECTION: Business

DEPARTMENT: Community Development

CONTACT:

AGENDA ITEM: Review and possible recommendation to the Village Board of a request by Veridian Development to approve the Fifth Amendment to Development Agreement, Phase 7, Juniper Ridge.

PREVIOUS ACTION:

ISSUE SUMMARY:

This agreement relates to Phase 7 Juniper Ridge Subdivision. Phase 6 was signed on September 5, 2018, and was approved by the Village Board in August 2018. Phase 7 encompasses 12 lots at the southeast corner of the subdivision.

Staff as well as the Village Attorney has reviewed and has no concerns.

FINANCIAL/BUDGET IMPACT:

VILLAGE PLAN REFERENCE:

ORDINANCE REFERENCE:

BOARD, COMMISSION OR COMMITTEE RECOMMENDATION:

Approval to the Village Board

ATTACHMENTS:

1. Juniper Ridge fifth amnd

FIFTH AMENDMENT TO DEVELOPMENT AGREEMENT FOR JUNIPER RIDGE

THIS FIFTH AMENDMENT TO DEVELOPMENT AGREEMENT FOR JUNIPER RIDGE (the "**Amendment**") is made as of the ____ day of _____, 2018, by and between the Village of McFarland, a Wisconsin Municipal Corporation ("**Village**") and MREC VH Juniper Ridge, LLC, a Delaware Limited Liability Company ("**Developer**").

WITNESSETH:

WHEREAS, Village and Developer entered into a Development Agreement for Juniper Ridge dated July 10, 2015, a First Amendment to Development Agreement for Juniper Ridge dated August 8, 2016, a Second Amendment to Development Agreement for Juniper Ridge dated June 26, 2017, a Third Amendment to Development Agreement for Juniper Ridge dated September 25, 2017 and a Fourth Amendment to Development Agreement for Juniper Ridge dated _____, __, 2018 (collectively the "**Agreement**"); and

WHEREAS, Developer wishes to amend the Agreement to provide for an additional Phase and such other matters as are described herein.

NOW, THEREFORE, in consideration of the foregoing recitals, and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, it is agreed by and between the parties hereto as follows:

1) **Capitalized Terms.** Capitalized terms which are not otherwise defined herein shall be as defined in the Agreement.

2) **Phase 7.** Phase 7 of the Development is depicted and described in Exhibit "A", attached hereto and incorporated herein by reference. Developer may obtain building permits for, and commence construction of, homes in Phase 7 immediately upon Substantial Completion of public improvements, as that term is defined in Section 2(M) of the Agreement. The Surety for Phase 7 shall be in the amount of \$249,800.00. The Engineer's Estimate is attached hereto as Exhibit "B" and incorporated herein by reference.

3) **Parkland Dedication and Fees in Lieu of Dedication.** The fee in lieu of dedication payable to the Village for Phase 7 consisting of 12 lots at \$786.75 per lot is \$9,441.00, payable in accordance with the terms of paragraph 2(L)(a) of the Agreement.

4) **Release.** Upon execution hereof and Developer providing Surety to the Village, the Village shall execute and deliver to Developer for recording the Release attached hereto as Exhibit "C", and incorporated herein by reference.

5) **Effect of Amendment.** Except as amended herein, all other terms, covenants and conditions of the Agreement shall remain unchanged.

**Developer Signature Page
for
Fifth Amendment to Development Agreement for Juniper Ridge**

Dated this ____ day of _____, 2018.

**MREC VH Juniper Ridge LLC, a Delaware
Limited Liability Company
By: VH Juniper Ridge LLC, a Wisconsin
Limited Liability Company, Member and
Project Manager**

By: _____

Print Name: _____
Authorized Officer and Signatory

**STATE OF WISCONSIN)
)ss
COUNTY OF DANE)**

Personally came before me, _____, notary public for the above State and County, this ____ day of _____, 2018, the above named _____, to me known to be the person who executed the foregoing instrument and acknowledged the same in the capacity and for the purposes therein intended.

Print Name: _____
Notary Public, State of Wisconsin
My Commission expires: _____

VILLAGE OF MCFARLAND

Attest: _____
 Print Name: _____
 Print Title: _____

STATE OF WISCONSIN)
)ss
COUNTY OF DANE)

Print Name: _____
 Notary Public, State of Wisconsin
 My Commission expires: _____

STATE OF WISCONSIN)
)ss
COUNTY OF DANE)

Print Name: _____
Notary Public, State of Wisconsin
My Commission expires: _____

EXHIBIT A

Page 1

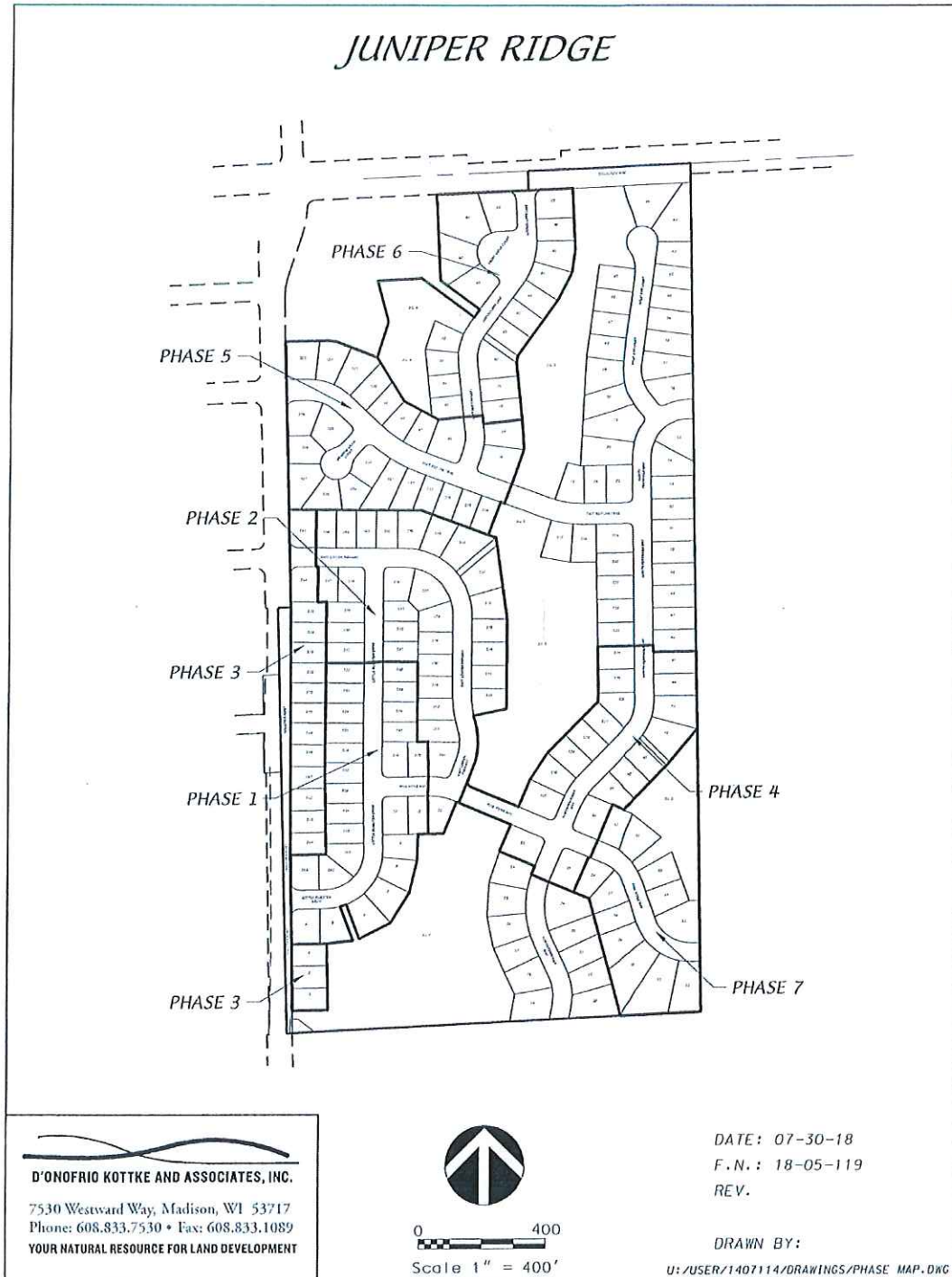


EXHIBIT "A"
PAGE 2

Legal Description – Juniper Ridge – Phase 7

Lots 26 through 37, Juniper Ridge, recorded in Volume 60-041A of Plats on pages 203-208 as Document No. 5172418, located in the NW 1/4 and the SW 1/4 of the SE 1/4 of Section 35, T7N, R10E, Village of McFarland, Dane County, Wisconsin.

EXHIBIT "B"

Juniper Ridge - Phase 7
Engineer's Estimate
July 30, 2018

Item No.	Description	Est. Quantity	Unit	Unit Price	Amount
<u>Erosion Control</u>					
	Stone Tracking Pad	1	EA	\$1,000.00	\$1,000.00
	Earthen Berm	500	LF	\$2.25	\$1,125.00
	Silt Fence	400	LF	\$2.25	\$900.00
	Velocity Check	2	EA	\$400.00	\$800.00
	Stone Weeper w/Sump	3	EA	\$400.00	\$1,200.00
	Lot Restoration	7,500	SY	\$0.95	\$7,125.00
				subtotal	\$12,150.00
<u>Sanitary Sewer Construction</u>					
	8" PVC Sanitary Sewer	413	LF	\$34.00	\$14,042.00
	4" PVC Sanitary Lateral	480	LF	\$30.00	\$14,400.00
	Tracer Wire and Box	12	EA	\$150.00	\$1,800.00
	Standard Sanitary Manhole	2	EA	\$2,100.00	\$4,200.00
	Manhole Chimney Seal	13.4	EA	\$450.00	\$6,030.00
	Sanitary Sewer Trench Compaction	893	TF	\$6.00	\$5,358.00
	Televise Sanitary Sewer	413	TF	\$2.25	\$929.25
				subtotal	\$46,759.25
<u>Water Main Construction</u>					
	8" Water Main	490	LF	\$46.00	\$22,540.00
	6" Water Main	12	LF	\$52.00	\$624.00
	8" Valve and Box	1	EA	\$2,200.00	\$2,200.00
	6" Valve and Box	1	EA	\$2,000.00	\$2,000.00
	1" Copper Services	12	EA	\$1,350.00	\$16,200.00
	Fire Hydrant	1	EA	\$3,900.00	\$3,900.00
	Relocate Existing Fire Hydrant	1	EA	\$1,500.00	\$1,500.00
	Water main Trench Compaction	502	TF	\$4.00	\$2,008.00
				subtotal	\$50,972.00
<u>Street Construction</u>					
	Finish Grade Streets	5.2	STA	\$600.00	\$3,120.00
	Adjust Castings	3	EA	\$325.00	\$975.00
	Sawcut	28	LF	\$3.00	\$84.00
	Undercut & Backfill w/ Crushed Stone	125	CY	\$33.00	\$4,125.00
	10" Crushed Stone Base	1,615	SY	\$9.00	\$14,535.00
	30" Concrete Curb & Gutter	1,040	LF	\$15.00	\$15,600.00
	Wedge Curb and Gutter	1,040	LF	\$1.25	\$1,300.00


ENGINEERING CONSULTANTS

Item No.	Description	Est. Quantity	Unit	Unit Price	Amount
	2-1/4" Binder Asphalt Binder	1,615	SY	\$8.50	\$13,727.50
	1-3/4" Surface Asphalt Binder	1,615	SY	\$7.00	\$11,305.00
	Clean & Tack	1,615	SY	\$1.00	\$1,615.00
	5" Concrete Sidewalk	5,250	SF	\$3.50	\$18,375.00
	Terrace Restoration	875	SY	\$4.00	\$3,500.00
	Relocate Type III Barricades	2	EA	\$250.00	\$500.00
				subtotal	\$88,761.50
	<u>Street Trees</u>				
	Street Trees	24	EA	\$400.00	\$9,600.00
				subtotal	\$9,600.00
Total					\$208,242.75
Engineer's Estimate					\$208,200.00

Amount of Surety (120% of Engineers Estimate) = \$249,800


SHERMAN & KIRBY P.C.

EXHIBIT "C"

**RELEASE OF DECLARATION OF CONDITIONS, COVENANTS
AND RESTRICTIONS,
JUNIPER RIDGE, VILLAGE OF MCFARLAND, DANE COUNTY,
WISCONSIN**

Document Number

WHEREAS, MREC VH Juniper Ridge, LLC, a Delaware Limited Liability Company ("**Owner**") caused to be recorded that certain Declaration of Conditions, Covenants and Restrictions, Juniper Ridge, Village of McFarland, Dane County, Wisconsin, dated July 10, 2015, recorded August 7, 2015 in the office of the Dane County, Wisconsin Register of Deeds as Document No. 5175109 (the "**Restriction**"); and

WHEREAS, the Restriction limited the sale or transfer of Lots, as that term is defined in the Restriction, until such time as an instrument is recorded by the Village of McFarland in the Dane County, Wisconsin Register of Deeds office, approving the sale or transfer of said Lots; and

WHEREAS, the Village of McFarland approves the sale or transfer of the Lots described in Exhibit "A", attached hereto and incorporated herein by reference.

NOW, THEREFORE, it is agreed by the Village of McFarland, that the Restriction shall be and hereby is terminated as to the Lots described in Exhibit "A", attached hereto and incorporated herein by reference.

Dated this _____ day of _____ 2018.

VILLAGE OF MCFARLAND

By: _____

Print Name: _____

Print Title: _____

Approved As To Form:

Allen Reuter, Village Attorney

Record this document with the Register of Deeds

Name and Return Address:
Atty. Gregory J. Paradise
Mohs, MacDonald, Widder, Paradise
& Van Note, LLC
20 N. Carroll Street
Madison, WI 53703

See Exhibit "A"
(Parcel Identification Number)

STATE OF WISCONSIN)
) SS.
COUNTY OF DANE)

Personally came before me this _____ day of _____, 2018, the above-named _____, to me known to be the person who executed the foregoing instrument and acknowledged that they executed the same for the purposes therein contained.

Notary Public, Dane County, WI
My Commission Expires:

DRAFTED BY:
Atty. Gregory J. Paradise

EXHIBIT "A"

LEGAL DESCRIPTION - JUNIPER RIDGE - PHASE 7

Lots 26 through 37, Juniper Ridge, recorded in Volume 60-041A of Plats on pages 203-208 as Document No. 5172418, located in the NW 1/4 and the SW 1/4 of the SE 1/4 of Section 35, T7N, R10E, Village of McFarland, Dane County, Wisconsin.

PINS: See Attached.



Memorandum

TO: Plan Commission Members

FROM: John Griffith, Code Enforcement Officer

DATE: September 6, 2018

RE: August Property Maintenance Report

<u>ADDRESS-OWNER OR TENANT OCCUPIED (JULY AND PRIOR LETTERS/CONTACT)</u>	<u>VIOLATION:</u>	<u>STATUS</u>
6208 Johnson Street (Torbleau)	In ground pool w/out fence	Court date 2/13/18 (Pretrial- failed to show to initial court date)2 citation in June Fence installed prior to court date
5706 Wisconsin (Frisch)	Accumulated junk, debris & unlicensed inoperable vehicles stored on property. Weeds & grass height	Citation sent on the 10 th , 17 th , 24 th and the 31 st . pictures taken each visit.7 citation in total. In compliance 6-28. Prop. Watch still in progress. Property still in compliance 9-3-2018
Lake Edge Marina (Sturman)	Fenced public walkway	Inspected weekly
4607 Yahara pl. (Hubanks)	Lawn	Property for sale called realtor for clean up
5707 Leanna Lane (Mita)	Lawn not mowed	Public works to mow
4900 Larson Beach Rd (Neitzel)	Grass/weeds over 8" – Noxious weeds	Called owner

5114 Church St. (Friedman)	Lawn not mowed	Determined owner finished the job
5305 Timber La.	Lawn over 8"	Letter taped to door
5873 Holscher Rd Kalscher	Concerns about ball diamond & weeds	Several phone calls and visits
Walgreens	Brush around retention pond	Phone call to manager
6607 Sleepy Hollow (Carl)	Lawn not mowed	Posted letter & phoned owner
4604 Severson (Johnson)	Trailers on lawn	Mailed letter
School district new ball fields	Noxious weeds	Letter delivered to maintenance
5116 Erling (Richel)	Garage repairs needed	Letter mailed
5519 Milwaukee St (Gruenberg)	Junk in driveway	Letter mailed
5108 Erling Ave (Racek)	Lawn over 8"	Letter taped to door
5520 N. Cook St. (Neesam)	Junk at curb	Spoke to owner

<u>LETTERS /CONTACT IN AUGUST:</u>	<u>VIOLATION:</u>
Long St – vacant lot (O’Hearn)	Grass/weeds over 8” – Noxious weeds Garbage, debris etc. on property
Walgreens – Hwy. 51	Grass/weeds over 8” – Noxious weeds
5408 Wild Cherry (Dekeyrel)	Grass/weeds over 8” – Noxious weeds
4900 Larson Beach Road (Neitzel)	Grass/weeds over 8” – Noxious weeds
5305 Rustling Oaks (Wood)	Grass/weeds over 8” – Noxious weeds
5873 Holscher Rd.(Kalscher)	Weeds in right of way School Dist. Ball diamond project is working on fencing in that area
5602 Red Oak	Grass/weeds over 8” – Noxious weeds
5605 Leanne Lane (Crabb) Rental	Grass/weeds over 8” – Noxious weeds

5010 Rustic Way (Shubat)	Unsightly premises 7-19-2018 letter Property under watch 30 days from letter date
5519 Milwaukee St (Gruenberg)	Garbage, debris etc. on property
4509 Field Ave (Pulvermacher)	Unlicensed vehicles, vehicles on lawn
5511 Scott Ave (Bacon)	Two vehicles parked on lawn
5019 Card Ave (Zaemisch)	Non running unlicensed vehicle on property
5707 Main St (Fitzgerald)	Lawn /weeds over 8"
4814 Dale St (rental)	Exposed plywood on apartment building

Pauline Boness

From: Parry, Olivia <Parry@countyofdane.com>
Sent: Tuesday, September 11, 2018 1:19 PM
Subject: Register Now - 2018 Dane County Housing Summit, Thursday, Oct. 25, 2018 Alliant Energy Center



Register Now!

2018 Dane County Housing Summit

Dane County Housing Initiative (DCHI) is pleased to present...

Closing the Housing Gap: Dane County Community Initiatives Lead the Way

Thursday, October 25, 2018 Alliant Energy Center

9:00 - 12:30 pm, networking lunch to follow

[REGISTER HERE ON EVENTBRITE](#)

The 2018 Dane County Housing Summit is excited to feature Dane County Communities including Oregon, Sun Prairie, Mt. Horeb, DeForest, Fitchburg and Madison. Communities will discuss their initiatives, specific projects, what's working and what they have learned in their effort to expand workforce and affordable housing for their residents, employers and workers.

The program will also feature experts presenting short flash talks, 5-15 minutes, on a broad variety of topics including:

Dane County Senior Housing Crisis - Demographics and Housing Demand - Communication Strategies for Discussing the Housing Gap - Dane County Affordable Housing Development Fund – 2018 Awards - Employers on Workforce Housing and the Labor Shortage - The Big Idea: Dane County and UW Madison Discuss a New Model for Affordable Housing and Community Development - Dane County Workforce Housing Survey Results - Sustainability and Housing - Mapping the Gap of DC Communities - WI Policy Updates and New Reporting Requirements - Transportation and Housing - Financing Local Projects and How to Attract the Right Housing Developer to Your Community - Tools and Strategies for Small Communities Interested in Affordable Housing

Don't miss this great opportunity to learn about the housing gap, current and future efforts to address it. Thanks so to our generous sponsors for helping make 2018 a great summit! Please feel free to pass this invitation along!

Sincerely, Olivia Parry and the DCHI Steering Committee

[REGISTER HERE ON EVENTBRITE](#)