

Minutes
Plan Commission
Meeting

February 18, 2019

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

Members Absent: Jeff Sorenson

Staff Present: Pauline Boness, Matt Schuenke, Karen Knoll, Cassandra Suettinger (arriving at 7:15p.m.)

1. CALL TO ORDER

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

2. PUBLIC APPEARANCES - None

3. APPROVAL OF MINUTES

- a. Review and approval of draft Minutes from the January 22, 2019 Plan Commission meeting.

Czebotar called the minutes approved by unanimous consent.

4. BUSINESS:

- a. Public Hearing Review and possible action on a request by Elaine Urso, LLP for a 2 Lot Certified Survey Map (CSM), to create a buildable lot on Outlot 9, Parkview Estates, McFarland, WI. The properties are zoned R1, Single Family Residence.

Czebotar opened the public hearing at 7:03 p.m. with no one wishing to speak the public hearing was closed at 7:03.p.m.

Kevin Urso – Elaine Urso LLP – Originally outlot 9 was going to be for storm water and possible well site. The well site has moved to lot 87. They are wishing to split outlot 9 for one parcel to be for the stormwater flow through and the other will be single-family residence.

Kirby move to approve a request by Elaine Urso, LLP for a 2 Lot Certified Survey Map (CSM), to create a buildable lot on Outlot 9, Parkview Estates, McFarland, WI. The properties are zoned R1, Single Family Residence. Fischer seconded the motion. Motion carried 6-0

- b. Public Hearing Review and possible action on a request by Richard L. Grams (AMBR II, LLC) for a 2 Lot Certified Survey Map (CSM), at 4012 and 4016 Terminal Drive, McFarland, WI. The properties are zoned CH Commercial Highway.

Czebotar opened the public hearing at 7:06 p.m. with no one wishing to speak the public hearing was closed at 7:06 p.m.

Boness summarized Grams is looking to re-subdivide to make the lot more marketable. The storage building on the rear of the current property will need to be removed when sold, as you cannot have one property on two parcels. The current former home on the site is a business. The property will remain CH – Commercial Highway.

Kirby moved to approve a request by Richard L. Grams (AMBR II, LLC) for a 2 Lot Certified Survey Map (CSM), at 4012 and 4016 Terminal Drive, McFarland, WI. The properties are zoned CH Commercial Highway. Kolk seconded the motion. Motion carried 6-0

- c. Review and possible action regarding a Site/Design review requested by Risen Savior Lutheran Church, for a building addition at 5001 Holscher Road. Property is zoned General Commercial (CG).

Chris Frederick stated Risen Savior church would like to add an approximately 4800 sq.ft. addition, which would include some classrooms, kitchen, rest rooms, and fellowship hall. The proposed exterior will match the current one. The storm water ponds will hook up to the ones in Juniper Ridge. With the improvement, they will hookup to the gravity sewer. The driveway would remain where it is located off Holscher Road and there will be no changes in signage at this time. They will not be expanding the parking lot at this time. Kirby inquired about the sightline on Holscher Road, would there be any effort to remove or lower it, even 3 – 4 feet would help. Schuenke advised he would talk to the Village Engineer to look at the grade, as the Village owns part of the area.

Czebotar moved to approve a site/design review requested by Risen Savior Lutheran Church, for a building addition at 5001 Holscher Road. Property is zoned General Commercial (CG). Kirby seconded the motion. Motion carried 6-0.

- d. Discussion and recommendation to the Public Safety Committee regarding a request from the McFarland House Cafe to expand its licensed alcohol premise to include a 1,300 square foot outdoor drinking area for the licensing period of July 1, 2019 through June 30, 2020.

Shaun O'Hearn - 5205 Linden Parkway – owner of McFarland House Café. O'Hearn is looking to expand into the garden area, which is currently used as outdoor seating. He currently offers outdoor seating in the front and back, he is looking to expand this to offer beer and wine. He feels his property would be a good place to host events. There is a second building on the site, connected underground. He would put the refrigeration for the food in the basement of the second building, as it is the only area tall enough to accommodate walk-in coolers. The county indicated his food license would cover both buildings. O'Hearn considers them as one with a patio in the middle; he will have to work out the details for the food preparation. Before he puts money and effort into drawing up a design, he would like to know that he could serve alcohol outdoors.

Kirby stated she thinks outdoor seating is a good idea, however parking is a big issue, and there simply would not be enough parking. Currently the Café guests use the public parking in the area. The Chief of Police indicated in his letter the needed parking spaces for this type of venture do not exist even if you used the public parking lot. Currently the public parking is used for the Larson House, the gazebo, a variety of current public events that go on throughout the year. Kirby inquired of O'Hearn where would he come up with the parking for this proposal. O'Hearn replied the he does not consider it as 100 people inside and 100 people outside, he does not feel you would have something like that, if there is something going on outside all the people would be outside. Currently if he had to add parking, they would lose the garden. O'Hearn feels they can use side streets, the library parking lot, residential streets. Kirby responded those are public streets paid for with tax payer money, even with any business they are required to come up with a specific amount of parking on their own, even if you could come up with 30 – 40 instead of the 183 required it would help. Unfortunately, O'Hearn is relying on all public parking for his business; it is unfair to ask the public to pay for parking for anyone's business. Those spaces belong to all business in the downtown area. O'Hearn stated he understood those concerns, but he feels he is creating a walkable downtown where people will be walking or biking to his events, he does not feel people from out of McFarland will be driving to the Café. Kirby replied that might work in the summer, but, for a year round business people will not be walking or biking year round. Bloechel-Anderson agreed the parking is a concern but if this would only be open primarily in the summer, when you can bike or walk; there will not be as much of an issue. Kirby responded what do you tell the other businesses who rely on this parking, and when the Police Chief states that they feel this is an issue, you cannot just ignore it because you want something. Bloechel-Anderson inquired about the side area shown off Long Street, who owns it; it appears to have a lot of wasted space. O'Hearn replied he owns and no one parks back there except himself. Bloechel-Anderson felt developing that into parking would help. Czebotar inquired how do you access that area, how large is it. O'Hearn replied it is wide enough to add some stalls on both sides; he would not like to have to do that as it takes away from the charm of the area. Kirby replied with creative landscaping you could handle that issue, and at least you would be creating something out of

what appears to be unused space. O'Hearn did not feel he should be made to blacktop his yard when other local business did not add parking. Kirby replied they are two different types of business, and what O'Hearn is proposing would be generating sheer volumes more traffic, and vehicles. He agreed parking is already an issue in the area. Rogers inquired what percentage of his customers walk or ride a bike? O'Hearn advised he could not give an accurate count. He feels he is proposing something, which would bring hundreds of people out at night. As the downtown is, only two blocks he feels this would bring life to the area.

Bloechel-Anderson asked if this is just for the consumption of alcohol or serving of alcohol. O'Hearn responded he is not allowed to have a bar outside, he would have to serve it inside, he is hoping to be able to open the entire wall. Kirby asked if he is intending to do cooking outside as shown on the submittal. O'Hearn replied it is an idea, he has not checked with the health department. He is also considering collaborating with different food trucks weekly and they would park by the patio and serve food. O'Hearn stated the reason he is here for conceptual review, as he does not want to invest a lot of his money into this proposal until he knows the license will carry. He feels he does not get many repeat customers with coffee whereas people will sit, stay, and have a few beers. Kolk asked what the maximum capacity for the deck area is. O'Hearn stated he was told the building inspector it is 1 person per 10 sq.ft. the project is a total of 1300 sq.ft. O'Hearn felt some of the area would have a serving station. While weddings may be an option, he feels he will mainly be focusing on birthday, retirement, anniversary type parties. Kolk asked realistic between the interior and the deck what would be his target capacity. O'Hearn stated the first floor seats 51 people, and he feels he would have 80 or so people outside. Kolk felt it would be reasonable to feel that not all people would have individual cars; there will be conflicts with the library, tavern and other businesses.

Kolk inquired about the sound issue, it is hard to have events like those proposed without music, and how would he handle that concern. O'Hearn replied he is not allowed to have music and is sandwiched between a lumber company and tavern and does not feel he would be making any more noise than his neighbors. O'Hearn feels it would be great to have musicians, and as long as he housed it inside and did not project over specified decibels, he would be able to handle it that way. He would love to have live entertainment outside.

Kirby inquired are they still going to have an apartment on this property. O'Hearn replied yes, and the current tenants are fine with the proposal.

Fischer inquired if he is looking to change the food operations. O'Hearn replied yes this proposal is going to be geared to the 4-9 p.m. customer. He would be changing the menu as his current menu he did not feel would appeal to a dinner crowd.

Fischer asked if O'Hearn intended to have the green house open during the winter months. O'Hearn stated he would anticipate having it open. He would probably start with special events and if needed, would be open additional hours and nights to cover costs. O'Hearn stated he does plan on going through the TID process with his proposal.

Czebotar inquired if the size of the outdoor deck is contingent upon doing the second and third floors. O'Hearn was not sure on the process. Suettinger informed Commissioners it all has to take place in order to achieve the 1300 sq.ft outdoor area. O'Hearn stated he would be using the second and third floors for meeting space and flex space. He would be serving food in a breakfast buffet style on platters for meetings etc.; people would not be seated and placing orders. Czebotar asked of Suettinger if there was anything else she would be concerned with or that would have to be met for this request. Suettinger replied it needs to be in compliance with the ordinance and the only recommended conditions are those listed and those which you would like to make as a condition. Kirby inquired for example we could make it contingent upon a certain number of parking stalls. Suettinger replied yes, part two of the ordinance allows for you to make it conditional upon whatever conditions you feel fit, if you so choose. Kirby asked how many additional parking spaces he could put into the alleyway. O'Hearn felt if he put in a retaining wall along the lumberyard he could likely get 10 – 12 parking stalls. He receives all delivery through the driveway in the front of the café.

Czebotar asked for clarification, are they just making a recommendation to the Public Safety Committee for expansion of the license. Suettinger reviewed the way the ordinance is set up Public Safety will review and can make a recommendation to the Village Board, the Village Board can ultimately make approve with conditions.

Kolk moved to recommend to the Public Safety Committee regarding a request from the McFarland House Cafe to expand its licensed alcohol premise to include a 1,300 square foot outdoor drinking area for the licensing period of July 1, 2019 through June 30, 2020. Bloechel-Anderson seconded the motion.

Czebotar inquired about any conditions needed and reviewed the items listed in packets recommended by the Clerk-Treasurer. Suettinger summarized this is your opportunity to give instruction to her as items which needed to be met in order for the license to be issued. Kirby questioned of Commissioners did they want to address the issue of parking. Kolk felt the other committees would address that. Kirby felt if it is a concern of the Plan Commission they should say as much when they have the opportunity. O'Hearn felt the Village Board would voice any concerns. Rogers questioned if parking is something, which would need to be explored, or, should there be a number of spaces specified. Commissioners discussed the parking issues.

Bloechel-Anderson recommended to the Public Safety Committee regarding a request from the McFarland House Cafe to expand its licensed alcohol premise to include a 1,300 square foot outdoor drinking area for the licensing period of July 1, 2019 through June 30, 2020 to include a condition to explore their adjacent southeast lot for parking for the expansion as proposed. With the condition of approval of the detailed site plan, inspection of the approval of the McFarland Fire Department prior to the issuance of the occupancy permit and the issuance of the occupancy permit from the Building Inspector. Kirby seconded the motion.

Czebotar called for the acceptance of the motion to be considered. Motion to be considered carried 6-0.

Czebotar called the vote on the amended motion. Motion carried 6-0.

- e. Review and possible recommendation to the Village Board on a Resolution amending the McFarland Comprehensive Plan future land use map regarding 4703 Terminal Drive from industrial to mixed-use flex commercial.

Czebotar summarized the conceptual plan was looked at last month. To move forward with the project the land use needs to be changed to mixed-use flex commercial.

Kirby stated there is a Comprehensive Plan for a reason, and she does not feel we should change an industrial corridor for apartments. There is a limited amount of industrial sites in the Village. If this proposal came with an actual tenant willing to move there, she may be more in favor. What is taking place now is just adding an apartment building, she does not understand why the rush for spending \$950,000. She does not feel the Village should commit that amount of money on something which may end up being only an apartment building. There is no signed tenant, just the idea that one may come. You can always build an apartment on the site, you cannot always put industrial there if you change the zoning. There is no guarantee there will be a business on the site. Fischer inquired how long the property has been vacant. Boness replied the property is not vacant, there is a residence on it and it has not been marketed for sale with a for sale sign on the property. Czebotar stated he agrees with Kirby to an extent, but in order for Quam to move forward with the project he needs this to be approved as one of the steps. Czebotar advised he is not in favor in moving forward with a project that only include an apartment building; it must at least include the office space. Czebotar advised what he would be comfortable with is moving to change the land use map from industrial to mixed-use flex commercial contingent on a date that the plan including office buildings that the Village Board decided upon comes forward. Czebotar stated that way it would remain industrial if Quam is not able to come forward with a tenant, as there

are other places in the Village for apartment buildings. Commissioners discussed the options of the proposal.

Quam summarized his proposal, and agreed it is a complicated proposal. He together had the Village Board support for his dream for this property after the last Board meeting. He does have the ability to move forward with the apartments, but to date he does not have a commitment for the office space. He can only guarantee the apartments at this time; he cannot guarantee an office tenant. He perceives this as if he cannot get the commitment for the office space, he would not be able to move forward with the project. He feels as a developer this is costing him money as the time moves on. He indicated he has had some negative feedback from commercial brokers that this may not be such a great area for commercial offices. Quam does feel this would be a good site for apartments, even if he cannot put in the commercial aspect. He is supposed to close on July 15, 2019 and if there were too great a risk to him, he would have to walk away from the project. Czebotar inquired based on the feedback from the Village Board, is this something, which should be delayed, until the March meeting to see if the Village Board is still in the same frame of mind? Quam replied he can delay things, but he does have deadlines, and money, which he has to put out as deadlines approach. Kirby asked for clarification, Quam is looking to build the apartment now, but at this time, he does not have a signed contract for a commercial tenant. Quam replied he feels he has a prospective tenant, but they are looking at other properties and locations. He does not have a signed contract with them. Kirby inquired how would this play into the \$950,000. Schuenke replied the application process set certain terms and amounts, the revising of the Comprehensive Plan is not something, which happens quickly. This is simply to start the process, this is not changing the land use, and you have to go through a statutory process. Boness summarized of Czebotar concern, you cannot do an approval process in that way as the office portion is possibly 4 – 5 years away. Once the apartments are built, you cannot take the approval away. You can put a date for when the general plan and detailed plan for Phase 1, just the apartments has to be approved by. Commissioners disused the pros and cons of moving this forward, and what the best use of this site would be.

Czebotar moved to recommend to the Village Board on a Resolution amending the McFarland Comprehensive Plan future land use map regarding 4703 Terminal Drive from industrial to mixed-use flex commercial. Fischer seconded the motion. Motion carried 5-1 with Kirby voting nay.

- f. Discussion and possible action on the 2019 Plan Commission application as revised.

Boness summarized the changes as request by Commissioners at the prior meeting. This will be part of the package someone would receive when the want to appear before the Plan Commission as part of a condition use application. Commissioners

discussed the changes and indicated they would like paragraph 3 to read “....regulations such as but not limited to....”

Czebotar moved to approve the 2019 Plan Commission application as revised. Kirby seconded the motion. Motion carried 6-0.

- g. Discussion and recommendation to the Village Board regarding the formation of a subcommittee to address needed changes to the zoning code relating to conditional uses.

Czebotar reviewed the idea is to form a small subcommittee to review the changes and bring the recommended changes back to the Plan Commission rather than going through line by line at a meeting. They will try to complete this in the next few months.

Czebotar moved to recommend to the Village Board the formation of a subcommittee to address needed changes to the zoning code relating to conditional uses. Rogers seconded the motion. Motion carried 6-0.

- h. Discussion term expiration of Plan Commissioners.
Commissioners whose terms are expiring in 2018 are Czebotar, Kolk, Kirby and Bloechl-Anderson.

5. STAFF REPORTS

- a. Highlights and updates – no comments
- b. Property Maintenance – no comments.

6. ADJOURNMENT

Motion to adjourn by Kolk, seconded by Kirby. Motion carried. Meeting adjourned at 8:42 p.m.