

PLAN COMMISSION

Monday, June 17, 2019

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 May 20, 2019 Plan Commission meeting.
4. BUSINESS.
 - a. Public Hearing - Review and possible action regarding a Conditional Use Permit (CUP), requested by Lincoln Contractors Supply, to allow outside storage of commercial rental equipment at 4414 Terminal Drive, McFarland property zoned M-IC Manufactured Intensive Commercial.
 - b. Public Hearing - Review and possible action regarding a Conditional Use Permit (CUP), requested by Transit Solutions Inc. to allow a transit service involving outside storage of vehicles, auto repair and maintenance of its vehicles at 5315 Paulson Road, McFarland property zoned M-IC Manufactured Intensive Commercial.
 - c. Public Hearing - Review and possible recommendation to the Village Board regarding a request by RCA Trust LLC for a revised 4-Lot Certified Survey Map (CSM), property located at 4703 Terminal Drive, McFarland, WI. The property is currently zoned Planned Development District (PDD).
 - d. Public Hearing - Review and possible recommendation to the Village Board regarding a request by Ezra Properties LLC regarding Ordinance 2019-11 a revised Detailed Development Plan for Phase 1, and General Development Plan for Phases 2,3, & 4. for the property located at 4703 Terminal Drive, McFarland, WI. Ezra Properties LLC plans to construct a 3-story 27 unit multi-family apartment building and storage building in Phase 1. Phase 2 will have a 3-story office building. Phase 3 will have a 4-story office building. Phase 4 will consist of a 27-unit 3-story multifamily apartment building. The site is approximately 11 acres.
 - e. Review and possible recommendation to the Village Board regarding an amended development agreement for Phase 8 of Juniper Ridge Subdivision.
 - f. Discussion and possible action to instruct the Village Attorney to draft an ordinance to amend the Village of McFarland sign code.
5. STAFF REPORTS
 - a. Property maintenance report
 - b. Community Development Highlights

c. Interim Director

6. SCHEDULE NEXT MEETING DATE.

7. 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

May 20, 2019

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

Members Absent: Jeff Sorenson

Staff Present: Pauline Boness, Karen Knoll

Others Present:

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 March 18, 2019 Plan Commission meeting.

Czebotar called the minutes from the March 18, 2019 meeting approved by unanimous consent.

4. BUSINESS:

- a. **Public Hearing Review and possible recommendation to the Village Board on a request by the Village of McFarland regarding Ordinance 2019-08 an Ordinance amending the standards for granting Conditional Use Permits in the Village of McFarland.**

Czebotar opened the public hearing 7:01 and with no one wishing to speak, he closed the public hearing.

Czebotar summarized this project has been in process for a few months. The Village Attorney provided some updated language, which is recommended at this time. Kolk felt even with the changes in place, there would have to be an interpretation assigned to any individual applicant's comments. There may be

situations where you may have to challenge and ask for documentation to support what an applicant proposes. Commissioners should anticipate how they would do this in a consistent manner.

Czebotar advised it adds a substantial burden to both the applicant and the Commission in its determination. Decisions can be challenged and a record needs to be kept. The Commission will have to indicate point by point in a motion why they approve or deny an application.

Kolk moved to recommend approval to the Village Board Ordinance 2019-08 an Ordinance amending the standards for granting Conditional Use Permits in the Village of McFarland. Fischer seconded the motion. Motion carried 5-0.

b. Discussion possible development of Outlot 3 Freeway Manor

Mike Wolf – Town of Blooming Grove – 1880 S. Stoughton Road – The Town of Blooming Grove owns a parcel, which was annexed into McFarland. They do not feel it is in anyone's best interest for them to own it; it would be better to have it be owned by McFarland or sold to a private party. Tonight they are looking for feedback to see if Commissioners would be in favor of development and building homes on it. If so, they will work with an engineering firm to look at the issues that coincide with it, and then come back for Village approval.

Czebotar asked Boness, based on information they received from the attorney, there are some hurdles and potential liability on the Villages part if they agreed to consider this being developed. Is that still the case? Boness summarized one of the main questions, is why this was made an outlot in the first place? Chances are it did not meet a perk test for septic at one time. Standards have changed overtime; however, if buildable, Boness did not feel you would get more than one house on it due to septic requirements and an existing easement. This would be a matter of working with the attorney to see what we can do, and if it looks positive, a soil test would be the next step.

Ron Bristol – Town of Blooming Grove Chair – Bristol indicated he has spoken with an engineer for an opinion, he did not feel the easement was correct as shown on the map. If they were to get some perk tests done, they would look into the type of septic systems available, along with storm water runoff. They have noticed there is not much standing water on the site; over the years, they have maintained it. They do not feel it is a huge problem. If it were buildable, they would like some assurance from the Village before they spend the money to improve it. If they do not receive the assurance, they will just sell the property as is.

Boness reviewed an email from the Village Attorney discussing some possible issues with getting it to a buildable lot. There may need to be a release on the deed restrictions. Bristol reviewed which parties have the authority to ok items. Boness

stated the drainage easement as noted on the plat would have to be resolved. Bristol stated the Village has the authority to accept or not accept the plan to make it buildable. If they make the effort, and the Village is unwilling to do that, (allow building on the property) they are not going to make the effort. They would either sell it; or, let Madison take it over in the future. Czebotar pointed out the memo from the Village Attorney is from approximately a year ago, he would not be comfortable making any decision without having the attorney revisit it and providing some direction. Czebotar is still concerned about the potential liability for the Village. Boness summarized, they know there are some potential hurdles, if they were to overcome them, what would be the Village's position on building on the property?

Bristol felt an update from the Village Attorney would make sense, the County has weighed in; they feel the Village is the starting point at this time. Czebotar advised he had heard from some neighbors who were possibly interested in adding a few extra feet to their own properties. Bristol indicated they did sell one outlot to one of the neighbors who wanted to expand their yard. It is not all-contiguous property, there has been a for sale sign so the neighbors know it is on the market, they have not been contacted by anyone. They want to be open-minded and do the right thing in the long term. This was not supposed to be owned by a public entity, and they feel it would even make a nice park. Fischer agreed with that idea, especially since the Village is expanding in that direction. Czebotar felt they should touch base with the Village Attorney to see if anything has changed, he feels part of it is tied to the issue of private ownership versus public ownership. Czebotar asked of Boness if she could have Schuenke forward the email to Bristol as they have not seen it, and it has raised concerns. Bristol felt that would be a good idea, as they have not seen it and their attorney has not raised these same issues.

c. Review and possible recommendation to the Village Board of Resolution # 2019- 10 a Resolution adopting the 2019-2023 Outdoor Recreation and Open Space Plan.

Boness advised a public hearing was held on April 25th, there was no written feedback received, or in person at the public hearing. The plan has gone through a couple of versions and changes with the committee; they feel it is where they want it to be as a document. The next step is the Plan Commission before going to the Village Board. There is an outline plan summary in your packets along with the actual document.

Kolk questioned if the 16.3 acres included the land that is not entirely under our control. Boness advised per the table this acreage, which is just Village property. If everything were included, it would be 24.5 acres per thousand. Kolk said there is a note about mini parks, which are small neighborhood parks, provided by a developer, we have a number of them, but they are fairly small. The PRNC is not

as enthusiastic about these types of parks. They are more in favor of natural type use, passive areas and the need for a large eastside park.

Czebotar questioned the word “must” on Page 7, third paragraph. In other areas it says, “should” and he would prefer to see them all say, “should”. The William McFarland Park write-up does not include the new soccer shelter. Czebotar inquired on the recommendations under McDaniel Park is there anything about developing or refining the swimming possibilities. Kolk responded they have made efforts to enhance the beach area and it was rejected by the DNR. If there were ways, the Village would essentially have to divert lake water into an interior pond. Czebotar discussed how at Goodland Park, in Madison, they worked in conjunction with Dane County and created a barrier around the swimming area along with a filtration system to keep the water swimmable. We also do not have a sandy beach. Rogers pointed out they prefer gravel over sand as gravel is more reflective of natural conditions and sand can erode and cause sedimentation issues. Kolk pointed out gravel also helps to keep the geese away. Kolk stated he would like it to say “we would continue to investigate alternative methods to improve the area”. We also have the issue of the prevailing summer winds, and it is harder to protect that beach compared to Goodland Park. Boness pointed out if there is a master plan for McDaniel Park you would need to include that language. Kolk felt it might already be in the document. He would like to see pursue an updated master plan included, as it is at capacity with all the different groups who use it.

Kolk moved to recommend to the Village Board adoption of Resolution # 2019- 10 a Resolution adopting the 2019-2023 Outdoor Recreation and Open Space Plan with the suggested changes. Rogers seconded the motion. Motion carried 5-0.

d. Discussion possible changes to the Village of McFarland sign code

Boness reviewed a memo from Attorney Dan Evans regarding the sign code, and court cases relating to municipalities regulating signs. Attorney Evans has reviewed the code and made some proposed changes. He did not feel most changes were that significant that we would need to redo the entire code.

Czebotar inquired if you are able to limit the size of the sign, without considering the substance of the sign. He has had people inquire about this. Boness replied there are sizes for political signs in the code, which are still standard today. Czebotar asked if there is a limit on how large a sign can be on a private property, without focusing on the message? Boness replied if it is a political sign. Boness can look into it again, the Attorney advised it has not changed; it falls under “signs which do not need a permit.” Signs permitted under section 12.04 Wisconsin Statutes, the regulation is in the statute, which we have to follow. Commissioners discussed temporary signs, and sizes, along with the lawsuit the Village Attorney referenced. It was more content than location or size, it became a free speech issues.

Commissioners felt it would be excessive to have the attorney at the next meeting, they would prefer Boness bring the information to the next meeting.

f. STAFF REPORTS

- a. Highlights and updates – Kolk inquired how the new building inspector were working out, are they able to keep up? Boness replied they were supposed to be here 3 days a week and they are sometimes here five days although some are $\frac{1}{2}$ days. The arrangement is working out.
- b. Property Maintenance – Czebotar would like to see more updates on the report, more current dates of when something takes place, and details that are more specific and resolution of issues. For example instead of “notice given” “5 day notice given” or “30 day notice given” .

g. ADJOURNMENT

Motion to adjourn by Kolk, seconded by Fischer. Motion carried. Meeting adjourned at 7:58 p.m.



PLAN COMMISSION SUMMARY SHEET

MEETING DATE: Monday, June 17, 2019

SECTION: Business

DEPARTMENT: Community Development

CONTACT:

AGENDA ITEM: Public Hearing - Review and possible action regarding a Conditional Use Permit (CUP), requested by Lincoln Contractors Supply, to allow outside storage of commercial rental equipment at 4414 Terminal Drive, McFarland property zoned M-IC Manufactured Intensive Commercial.

PREVIOUS ACTION:

As the project is located within TIF#3, the CDA at their June meeting, reviewed and recommended approval of the CUP application. The Terminal and Triangle District plan which sets design standards for development within TIF#3 identifies screening for outdoor storage to be located to the rear of the building. The plans submitted by Lincoln Contractors Supply, identified outdoor storage to the rear of the site and behind existing buildings. Authority members felt the distance from the proposed outdoor storage area to Terminal Drive of approximately 800 – 900 sq.ft., coupled with the existing buildings and a tree line to screen views from Lake Waubesa, all provide effective screening of items to be stored outdoors.

ISSUE SUMMARY:

Approximately 11 acres of the former 84 Lumber site is to be purchased by Lincoln Contractors Supply who will in turn lease a portion of their space to Fabick Rents and KS Energies. All three companies serve the construction industry in slightly different capacities. Outdoor storage will consist of various construction related equipment. Three above ground storage tanks containing unleaded gasoline – 280 gallon; waste oil 300 gallons & diesel fuel 500 gallon will be relocated to the site.

A summary of the business operations are included in your packets; in addition, the applicant has provided a narrative (in your packets) of how the project meets CUP standards. The company is working through our Fire and Rescue Department on tank permits.

FINANCIAL/BUDGET IMPACT:

VILLAGE PLAN REFERENCE:

ORDINANCE REFERENCE:



BOARD, COMMISSION OR COMMITTEE RECOMMENDATION:

Please review responses provided to CUP standards prior to the meeting; as, any approval or denial of a CUP needs to be based on compliance to CUP standards. As a reminder, CUP applicants need to provide substantial evidence that CUP standards are met. "Substantial Evidence" is defined as facts and information, other than merely personal preferences or speculation, directly pertaining to the requirements and conditions an applicant must meet to obtain a conditional use permit and that reasonable persons would accept in support of a conclusion.

ATTACHMENTS:

1. 4414 Terminal Dr 6.17.19
2. 4414 Terminal Dr - pt. 2 6.17.19

RECEIVED

MAY 14 2019

VILLAGE OF McFARLAND

Lincoln Contractors Supply - Project Summary

4414 Terminal Drive, McFarland, WI

May 14, 2019

Lincoln Contractors Supply (LCS) is an existing Wisconsin business, which was started in 1956. The business has since grown to 10 locations, all in Wisconsin, and has 120 employees. LCS provides rental, sales, and repair of construction equipment. They have outgrown their current facility in Madison and are proposing to renovate and occupy the remainder of the former 84 lumber site and facility at 4414 Terminal Drive in the Village of McFarland. This site provides a location, an existing building, and existing paved area that is well suited for LCS. The site is zoned M-IC and the proposed use is permitted in the M-IC zoning district. A Conditional Use approval is required for the proposed outdoor storage of rental equipment.

Joining LCS at the site will be FABICK Rents, the Cat Rental Store, another company that provides rental of construction equipment. Fabick and LCS currently have shared facilities at 10 locations in the State of Wisconsin.

Another tenant, KS Energies, will also occupy approximately 10,000 sf of the existing building. KS Energies is a contractor throughout the state of Wisconsin.

- The operations at the facilities will include:

Lincoln Contractors Supply - Sales, rental and service of medium to small construction equipment and supplies. Sales will include supplies needed on jobsites, safety equipment and power tools and equipment. Service includes the service of equipment that LCS sells and rents. Rental equipment will smaller equipment to small pumps, air compressors and generators.

Fabick - Rental and service of Caterpillar skid loaders, mini excavators and all terrain forklifts.

KS Energy - Servicing of equipment and trucks used in the field. Along with office operations for their western Wisconsin division.

- The number of employees at time of occupancy will beLincoln Contractors Supply and FABICK Rents will have 20 employees. KS Energies will have an average of 25 people on site during the day.

This site and facility will offer an opportunity to grow and we anticipate adding additional staff as needed.

- Hours and days of operation will be.....Monday thru Friday 7am to 5pm, Saturday 7am to 12pm.
- Machinery operated on site will include.....Skid Loaders, Mini Excavators, Man Lifts, Forklifts. Smaller equipment will include, air compressors, pumps other items with small engines. This operation will mainly be for loading and unloading customers before and after rental. Testing of equipment before a rental begins or when a rental item is returned.
- Outdoor storage will include.....Skid Loaders, Mini Excavators, Man Lifts, Forklifts, Air Compressors, Pumps, Generators, Light Towers and trailers.

Conditional Use Request for Outdoor Storage

Proposed Lincoln Contractors Supply

4414 Terminal Drive

The McFarland zoning code identifies land uses, which are not permitted, permitted, and permitted upon approval of a conditional use permit. Conditional uses are land uses not permitted outright but may be allowed if certain standards and conditions are met and Plan Commission grants approval.

All submitted Plan Commission applications which encompasses a request for a Conditional Use Permit (CUP) must include “substantial evidence”, which identifies specifically how the proposed conditional use meets each of the standards listed below. Substantial evidence is defined as facts and information other than merely personal preferences or speculation directly pertaining to the requirements and conditions the applicant must meet to obtain a conditional use permit and that reasonable persons would accept in support of a conclusion.

Responses such as “see plans” are not acceptable. The applicant must identify what specific portion of the project supports the contention that a standard will be met by including for example a detailed description of compliance with any applicable regulations regarding light, dust, particulate emissions, noise, frequency, vibration, traffic, nuisances, odors, visibility, health, safety welfare and the environment.

Conditional Use Standards

The establishment, maintenance or operation of the conditional use will not be detrimental to or endanger the public health, safety, morals, comfort or general welfare.

- *Lincoln Contractors Supply (LCS) is an existing Wisconsin business with 10 locations in the state of Wisconsin. LCS provides rental, sales, and repair of construction equipment. They have outgrown their current facility in Madison and will be renovating and occupying the existing site and facility at 4414 Terminal Drive in the Village of McFarland. This site provides a location, an existing building, and existing paved area the is well suited for LCS. The site is zoned M-IC and the proposed use is permitted in the M-IC zoning district. The Conditional Use is required for the proposed outdoor storage of rental equipment. The storage of equipment will be completely on existing paved areas and within the fenced site. Some noise will be generated on site during normal business hours, due to truck deliveries, forklifts, and moving and testing the construction equipment such as skid steers and excavators. Most, or all, of this activity will occur on the west side of the building and will have little impact on surrounding properties to the east, south and north due to existing uses and proximity. To the west is open undeveloped wetlands. The noise generated will not be excessive or unusual for an industrial park since semi-trucks are traveling on the adjacent streets and other properties in the surrounding industrial area. The proposed operations, including the outdoor storage and any associated noise will not be detrimental to, or endanger, the public health, safety, morals, comfort or general welfare.*

The uses, values and enjoyment of other property in the neighborhood for purposes already permitted shall be in no foreseeable manner substantially impaired or diminished by the establishment, maintenance or operation of the conditional use and the proposed use is compatible with the use of adjacent land.

- *The neighborhood surrounding the property on the north and south has the same zoning and includes mainly fuel storage tanks. The land to the east is an existing construction materials distributor and compatible use. The land to the west is wetlands and will remain undisturbed and undeveloped. The proposed outdoor storage does not impair or diminish the use, value, or enjoyment of the neighborhood.*

The establishment of the conditional use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.

- *No, the conditional use of storing equipment in the yard will not impede the development of the surrounding area. This facility is located, in an already developed industrial area with other complimentary or compatible uses.*

Adequate utilities, access roads, drainage and other necessary site improvements have been or are being provided.

- *Yes, the existing building, pavements, and utilities will remain and will be used for the proposed project.*

Adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets.

- *The site has an existing access drive designed to accommodate vehicular traffic in and out of the site. The access drive will be gated and only open during business hours. This area of McFarland is fully developed, and the existing streets were designed to accommodate the traffic for uses like LCS. The proposed use will add an insignificant amount of traffic on the existing public streets.*

The conditional use shall, except for yard requirements, conform to all applicable regulations of the district in which it is located.

- *Yes, the proposed project does not expand the pavement or building and will conform to all applicable regulations of the district.*

The proposed use does not violate floodplain regulations governing the site.

- *The existing site development will not be expanded and does not violate any floodplain regulations.*

The proposed use does not defeat the purposes(s) and objectives(s) of the zoning district

- *The proposed use is permitted in the M-IC zoning district and the conditional use is only required for the outdoor storage. The outdoor storage will not defeat the purposes and objectives of the zoning district but simply provides storage for a permitted use.*

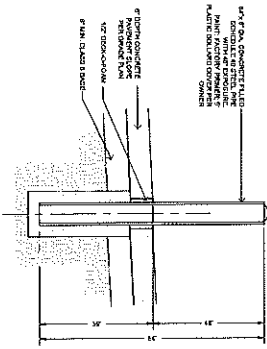
In its review, the Plan Commission shall also evaluate the effect of the proposed conditional use upon the following items listed below. Identify how your project will impact and/or address each of these items.

- The maintenance of safe and healthful conditions.
 - *The site will be fully fenced for security and safety and the outdoor storage will not provide an unsafe condition.*
- The prevention and control of water pollution including sedimentation.
 - *The proposed project will not increase the area of pavement or rooftop and there is an existing stormwater basin that was designed to accommodate the existing conditions. This basin will be maintained.*
- Existing topographic and drainage features and vegetative cover on the site.
 - *The proposed project does not impact the existing topography or drainage. The existing vegetated areas will remain.*
- The location of the site with respect to floodplains and floodways of rivers and streams.
 - *The existing conditions will remain. There will be no development within any floodplain, floodway or body of water.*

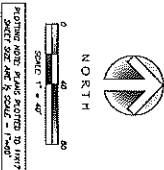
- The erosion potential of the site based upon degree and direction of slope, soil type and vegetative cover.
 - *The existing conditions will remain and there are no erosion issues on the site.*
- The location of the site with respect to existing or future access roads.
 - *The existing access drive will remain, and no future access roads are proposed*
- The need of the proposed use for a shoreland location. (if applicable)
 - *Not Applicable.....existing conditions will remain*
- Its compatibility with uses on adjacent land.
 - *The adjacent land to the north and south has the same zoning and includes mainly fuel storage tanks. The land to the east is an existing construction materials distributor and compatible use. The land to the west is wetlands and will remain undisturbed and undeveloped. The proposed outdoor storage does not impair or diminish the use, value, or enjoyment of the adjacent land.*
- The amount of liquid wastes to be generated and the adequacy of the proposed disposal systems.
 - *There will be no unusual or hazardous liquid waste generated on site. The proposed facility will include typical kitchen/bathroom plumbing fixtures, interior wash bays and several trench drains; and will not generate an unusually high volume of liquid wastes. All will be connected to the existing on-site sanitary sewer system. The on-site system currently connects to the public sanitary sewer in Terminal Drive via a 1-1/2-inch force main.*



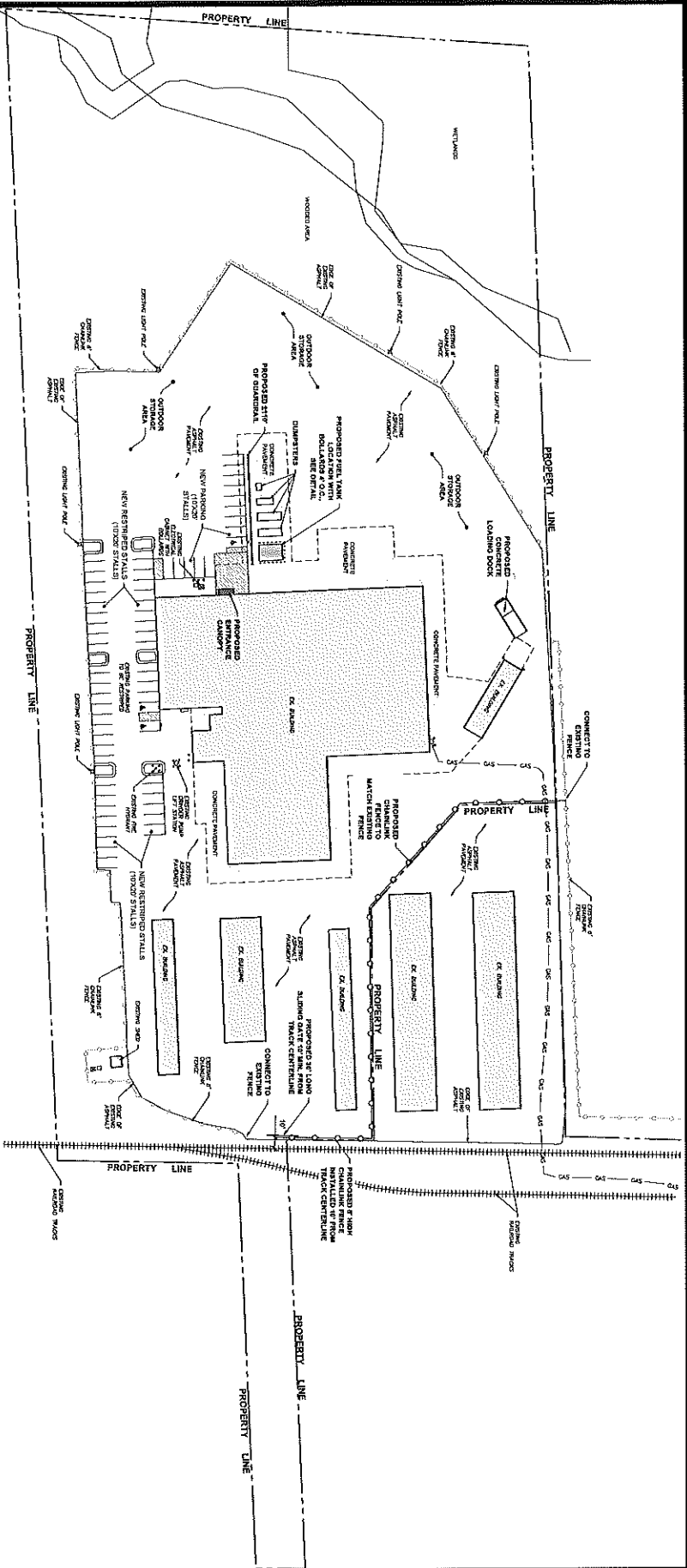
NOT TO SCALE



- PLAN NOTES:**
1. CONTRACTOR SHALL VERIFY ALL SITE CONDITIONS PRIOR TO COMMENCING WORK ON SITE
 2. CONTRACTOR SHALL CALL FOR UTILITY LOCATIONS PRIOR TO COMMENCING WORK ON SITE
 3. EXISTING SITE CONDITIONS BASED ON SURVEY BY: [Name Redacted] DATED AUGUST 2014
 4. CONTRACTOR SHALL PROVIDE ALL NECESSARY PERSONNEL, MEASURES PER TOWN, CITY, COUNTY AND STATE SPECIFICATIONS, ON SITE.
 5. RASPS ARE FROM FACE OF CURB, DIMENSIONS ARE FROM FACE OF CURB
 6. GUARDRAIL SYSTEM SHALL BE INSTALLED PER WISDOT DETAILS STANDARD DETAIL DRAWINGS



CONDITIONAL USE PLAN PLAN COMMISSION APPLICATION 51419



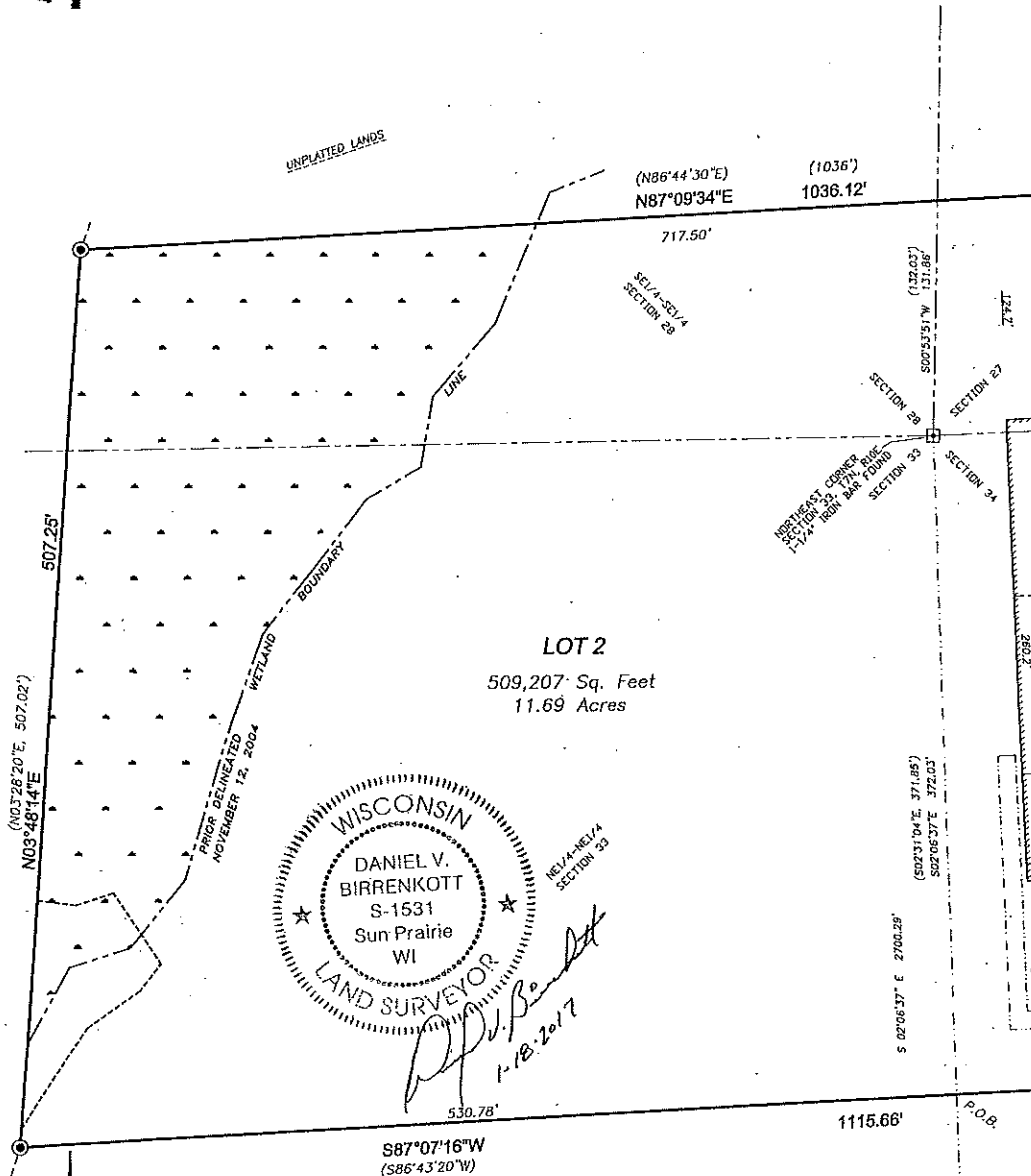


**BIRRENKOTT
SURVEYING, INC.**

P.O. Box 237
1677 N. Bristol Street
Sun Prairie, WI. 53590
Phone (608) 837-7463
Fax (608) 837-1081

CERTIFIED SURVEY MAP

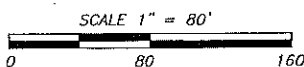
Part of the Northeast 1/4 of the Northeast 1/4 of Section 33; part of the Southeast 1/4 of the Southeast 1/4 of Section 28; part of the Southwest 1/4 of the Southwest 1/4 of Section 27; and part of the Northwest 1/4 of the Northwest 1/4 of Section 34, all in T7N, R10E, Village of McFarland, Dane County, Wisconsin



assumed bearing of S00°22'30"W
Bearing referenced to the center
line of Terminal Drive.

Legend

- = Found 3/4" Iron Bar
- ⊙ = Found 1-1/4" Iron Bar
- = Set 3/4" x 24" Bar
- Weight 1.50 LBS./FT.
- () = Recorded as Information
- △ = Set Mag Nail



SHEET 1 OF 6
Office Map No. 160616

CERTIFIED SURVEY MAP NO. 14431
VOLUME 99 PAGE 83
DOCUMENT NO. 5301704



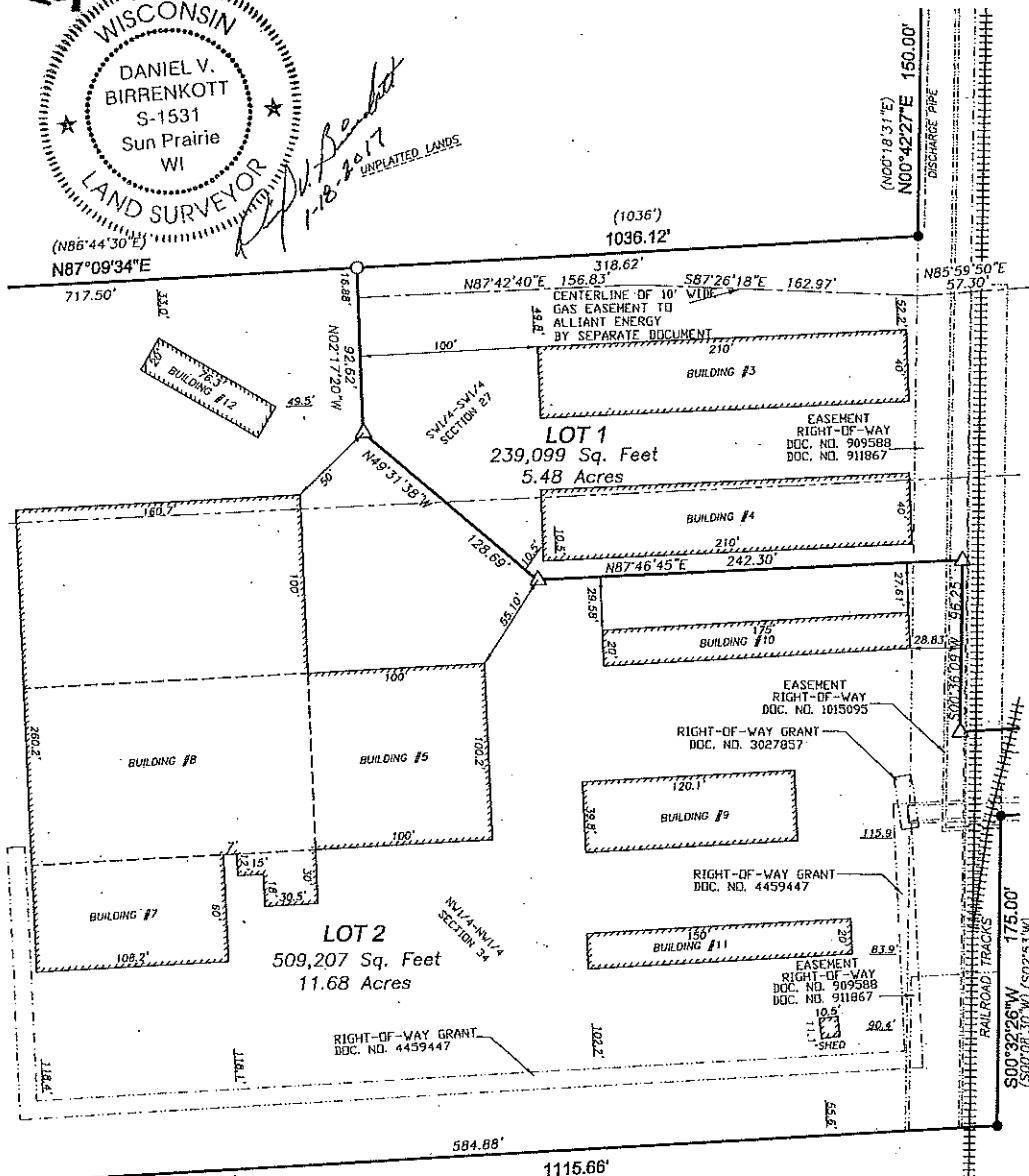
**BIRRENKOTT
SURVEYING, INC.**

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Sun Prairie, WI 53590
Phone (608) 837-7463
Fax (608) 837-1081



CERTIFIED SURVEY MAP

Part of the Northeast 1/4 of the Northeast 1/4 of Section 33; part of the Southeast 1/4 of the Southeast 1/4 of Section 28; part of the Southwest 1/4 of the Southwest 1/4 of Section 27; and part of the Northwest 1/4 of the Northwest 1/4 of Section 34, all in T7N, R10E, Village of McFarland, Dane County, Wisconsin



S87°07'16"W
(S86°43'20"W)

assumed bearing of S00°22'30"W
Bearings referenced to the center
line of Terminal Drive.

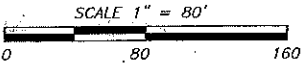
UNPLATTED LANDS

Legend

- = Found 3/4" Iron Bar
- ⊙ = Found 1-1/4" Iron Bar
- = Set 3/4" x 24" Bar
- Weight 1.50 LBS./FT.
- () = Recorded as Information
- △ = Set Mag Nail

CERTIFIED SURVEY MAP NO. 14431
VOLUME 99 PAGE 84
DOCUMENT NO. 5301704

SHEET 2 OF 6
Office Map No. 160616



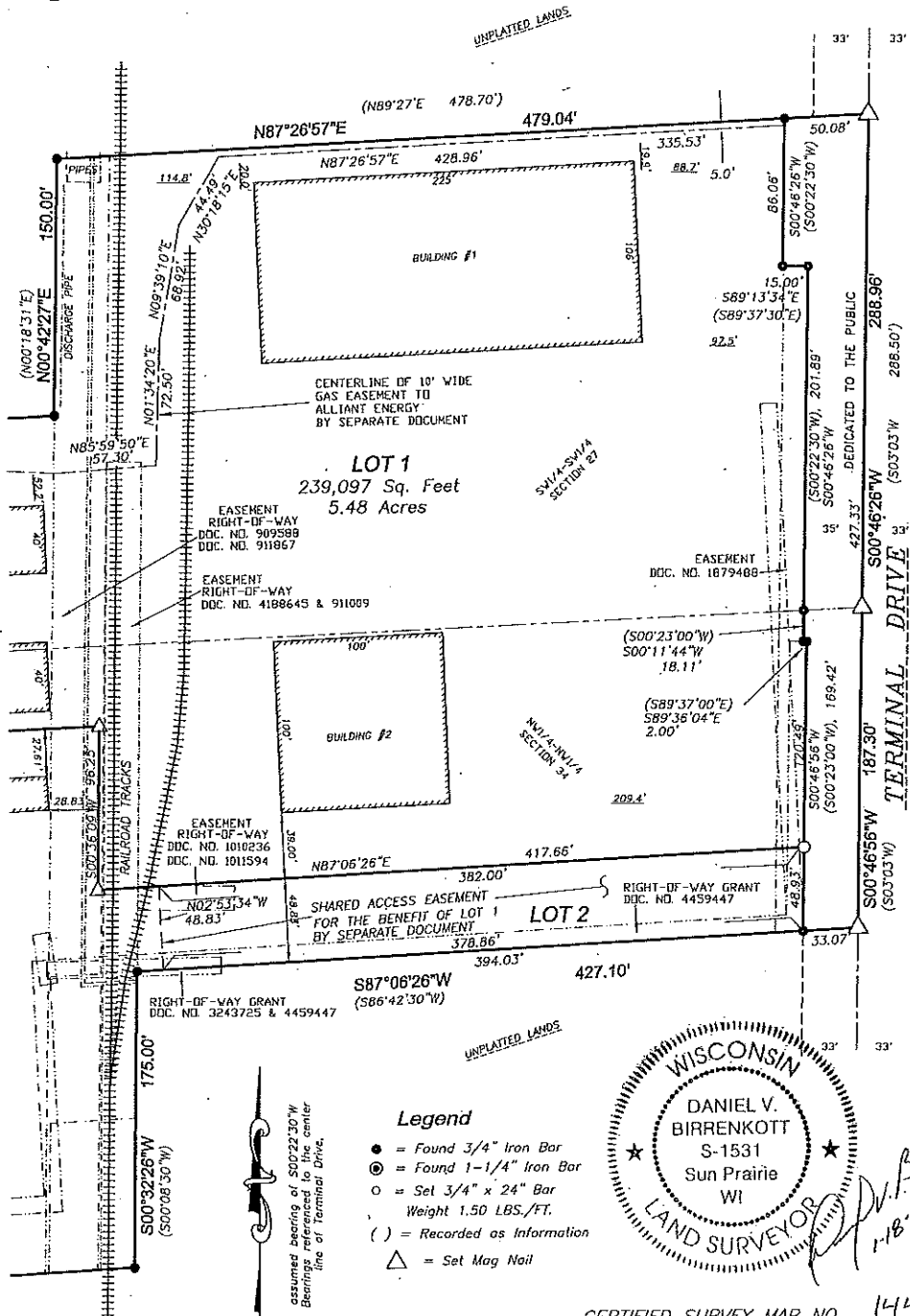


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SURVEYING, INC.**

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CERTIFIED SURVEY MAP

Part of the Northeast 1/4 of the Northeast 1/4 of Section 33; part of the Southeast 1/4 of the Southeast 1/4 of Section 28; part of the Southwest 1/4 of the Southwest 1/4 of Section 27; and part of the Northwest 1/4 of the Northwest 1/4 of Section 34, all in T7N, R10E, Village of McFarland, Dane County, Wisconsin



SHEET 3 OF 6
Office Map No. 160616

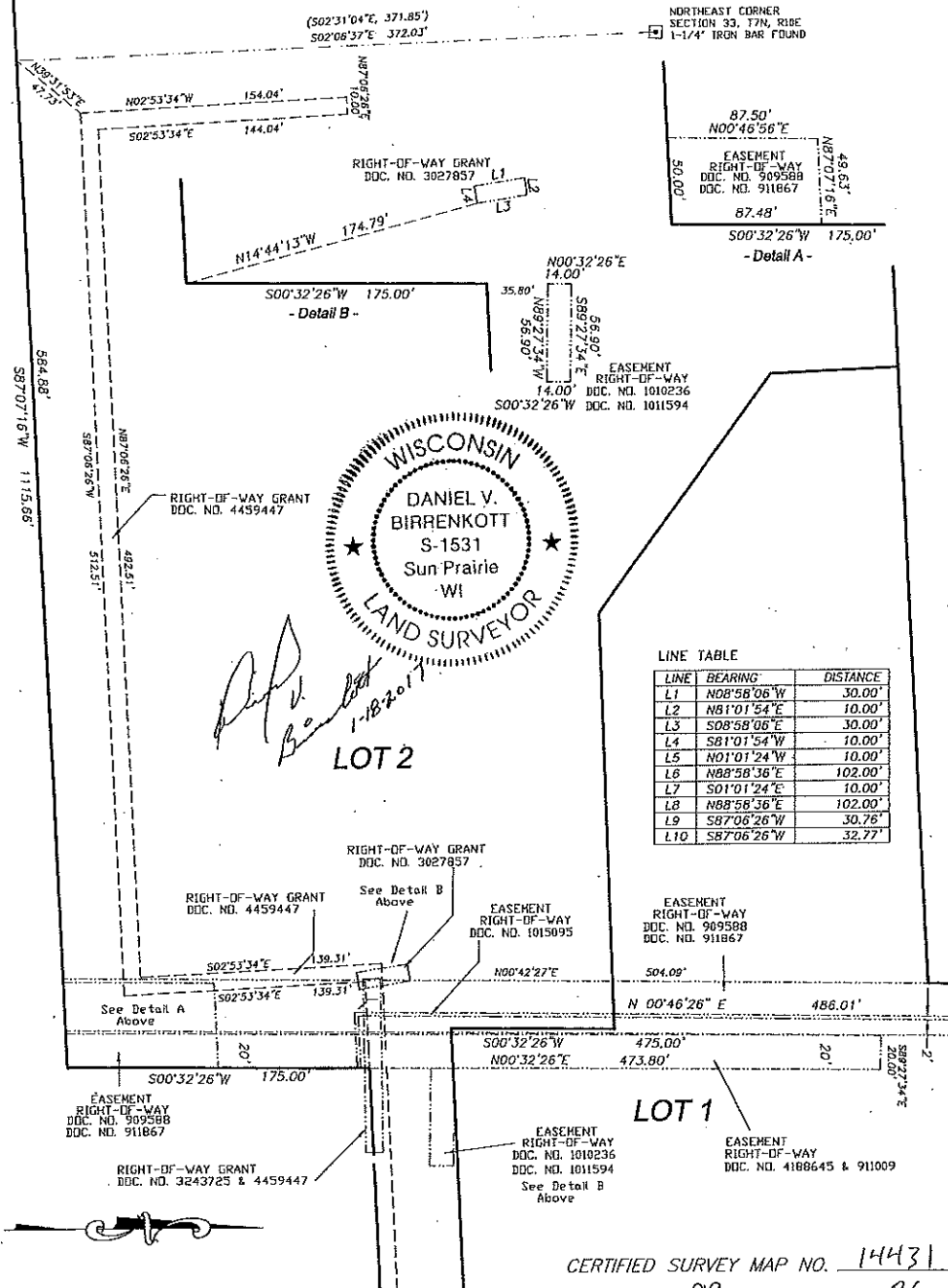
CERTIFIED SURVEY MAP NO. 14431
VOLUME 99 PAGE 85
DOCUMENT NO. 5301704

P.O. Box 237
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Fax (608) 837-1081

CERTIFIED SURVEY MAP

Part of the Northeast ¼ of the Northeast ¼ of Section 33; part of the Southeast ¼ of the Southeast ¼ of Section 28; part of the Southwest ¼ of the Southwest ¼ of Section 27; and part of the Northwest ¼ of the Northwest ¼ of Section 34, all in T7N, R10E, Village of McFarland, Dane County, Wisconsin

EXISTING EASEMENTS DETAIL MAP



CERTIFIED SURVEY MAP NO. 1443

VOLUME 99 PAGE 86

DOCUMENT NO. 5361704

SHEET 4 OF 6
Office Map No. 160616



June 4, 2019

Ms. Pauline Boness (*via email*)
Director of Community Development
Village of McFarland
5915 Milwaukee Street
P.O. Box 110
McFarland, WI 53558

Subject: Submittal Review for 4414 Terminal Drive Redevelopment; Village of McFarland

Dear Pauline:

We have received the submittal for the proposed redevelopment at 4414 Terminal Drive dated May 14, 2019, and completed our review relative to the other comments and discussions with Village officials and staff in advance of the upcoming Plan Commission meeting.

The project proposes to re-use the former 84 Lumber site with a new commercial use involving several companies in the construction industry. The existing building will remain, with some additional site construction that will occur on areas already paved with asphalt.

The proposed land disturbance will not trigger any Village erosion control or stormwater management criteria, and the already existing stormwater management on-site will be maintained. Similarly, the existing sewer and water services will also be maintained.

We have no further engineering comments, and recommend approval of the plans.

If you have any questions with respect to our thoughts on this matter, I am available at your convenience to discuss them with you.

Very truly yours,
TOWN & COUNTRY ENGINEERING, INC.

A handwritten signature in blue ink, appearing to read 'Brian R. Berquist'.

Brian R. Berquist, P.E.
President

cc: Mr. Matt Schuenke, Village Administrator, Village of McFarland (*via email*)

Mr. Jim Hessling, Director of Public Works, Village of McFarland (*via email*)

BRB:brb

J:\JOB#S\McFarland\MC-152-M6 4703 Terminal Drive Development Review\Admin\Review Ltr. (3).docx

McFarland

VILLAGE OF

www.mcfarland.wi.us | 5915 Milwaukee St, McFarland, WI 53558 | 608.838.3153

May 17, 2019

Pauline Boness
Community Development Director
Village of McFarland

RE: Lincoln Contractors Supply at 4414 Terminal Drive

Dear Pauline,

I have reviewed the plan development documents at 414 Terminal Drive for the proposed Lincoln Contractors Supply.

At this time, the Fire Department requires the proposed fuel site installation according to Chapter ATCP 93, including the proper permitting with the Village of McFarland and the Department of Agriculture and Consumer Protection (DATCP).

The Fire Department is also requiring a Knox Box installation that can open the gate along with gaining access to the building per Village of McFarland Ordinance Sec. 26-120. - Key box required:

Buildings equipped with an automatic sprinkler system shall be provided with a standard key box of a type approved by the Fire and Emergency Medical Services Department. The key box shall be located in a place approved by the Fire and Emergency Medical Services Department. Properly identified keys to gain access to the building and the building automatic sprinkler system shall be maintained in the key box. Removal of any key by persons other than Fire and Emergency Medical Services Department personnel shall be a violation of this Section. Currently, the Key Box for this building is with Foundation Building Supply.

Fire Department access also must be maintained from the gate, across both railroad tracks, and to the building. After a review of the property, it was observed that some of the pavement might need repair in and around the railroad tracks.

If you have any questions regarding the above, please contact me.



www.mcfarland.wi.us | 5915 Milwaukee St, McFarland, WI 53558 | 608.838.3153

Sincerely,

Mitchell Sutter

Mitchell Sutter
Fire Inspector/Public Education Specialist

Cc:
Fire Chief Chris Dennis
Jim Hessling
Brian Berquist



"SOLUTIONS FOR YOUR ENVIRONMENT"
W1734 Ken-Dale Dr PO Box 187
Kaukauna, WI 54130
Ph 920-766-6756
Email jesse@environmentalservicesplus.com

Mr. Mark S. Boehlke
Senior Project Manager/ Senior Land Planner
Hoffman Planning, Design, Construction Inc.
mboehlke@hoffman.net

Mr. Clifford Cox
Lincoln Contractors Supply Inc.
11111 W Hayes Avenue
Milwaukee Wi. 53227
cliffc@lcswi.com

Re: Above ground fuel tanks at proposed Lincoln Contractors site 4414 Terminal Drive,
village of McFarland Wi.

Good afternoon,

My name is Jesse F Rose my company name is Environmental Services Plus Inc. My company is listed with the state of Wi. Dept of Agriculture Trade and Consumer Protection (DATCP) as a tank specialty firm, and as a above ground storage tank installer with approximately 29 yrs. Experience in the tank and environmental field.

Based on an email letter from Ms. Pauline Boness Commissioner, Division Director, village of McFarland, she has requested the following regarding the proposed petroleum fuel tanks to installed at the Lincoln Contractors new proposed site.

Existing aboveground tanks at LCS 901 Walsh Rd. Madison if to be relocated are as follows.

- (1) Unleaded gasoline 280-gallon double walled Reg.#10024
- (1) used waste oil 300-gallon double walled Reg.#11842
- (1) Diesel Fuel 500-gallon double walled Reg.#13189

Regulations that apply.

All aboveground storage tanks greater than 110-gallons that store regulated product are to be approved by State of Wi. plan approval. Wi. Administrative code ATCP 93.100 (See attachment moving aboveground storage tanks.

All approved plans for aboveground storage tank systems are required to be performed by a state of Wi. PE or DATCP certified installer. Plans are approved based on state and federal codes. ATCP 93 flammable combustible code adapted NFPA 30 (National Fire Code) (PEI-200) AST installation ATCP 93.200-1-11.

Permit fees are required at time of application and plans submitted before any installation can begin, state and local.

Double-walled tanks are to be vacuum/pressure tested prior to going into service. Having local L.P.O. or authorized DATCP agent to verify compliance.

Setbacks, well location, underground / aboveground utilities are all listed on plan submittal. (93.100 ATCP.

Upon completion of the storage tank installation a final inspection is performed with a certified installer or L.P.O. signing off on checklist for aboveground tank installation, form TR-WM-120 (see copy enclosed)

Owner operators are required per code to perform periodic and annual inspections ATCP 93.605 also PEI RP 500 and RP900 (see copy of system checklist insp.)

The state of Wi. requires L.P.O. McFarland fire dept. to perform inspections of AST systems located in their identification coverage area. (ATCP 93.115)

Any system issues that are identified are provided in writing to owner/operator for repairs.

In the event of a leak or spill, the owner, operator is required to follow the procedures in ATCP 93.575 – 93.585 responding to a leak, spill, overfill or release 1-5.

Note: Releases that must be reported to the Department of Natural Resources under section 292.11(2) notes 1-5

Generally, all installations shall have spill-media, absorbent booms for minor small releases. (Catastrophic) 911- fire dept. emergency hazardous response unit for area.

Hopefully the above information is what is needed. Please feel free to contact me with any additional questions or concerns.

Sincerely,



Jesse F. Rose
President/Owner
Environmental Services Plus

JFR/RPF



Wisconsin Department of Agriculture, Trade and Consumer Protection

2811 Agriculture Drive, PO Box 8911, Madison, WI 53708-8911

Registration Number: 401914

Effective Date: September 30, 2017

Expires: September 30, 2019

Statute: 168.23

Tank Specialty Firm

Legal Name:

Environmental Services Plus

PO Box 187 Kaukauna WI 54130

Registration

Specialty Area(s): Aboveground Storage Tank Installation, Site Assessment, Storage Tank Removal/Cleaning,
Underground Storage Tank Installation

This is your license/permit/certification/registration document. Post or carry as required by law. Non-transferrable - subject to revocation or suspension as provided by law.

Remove this card and carry as identification.

DMS-BIT-06S (03/18/10)

bits-16.qxd (rev.03/16)

Environmental Services Plus
PO Box 187
Kaukauna WI 54130



Wisconsin Department of
Agriculture, Trade and Consumer Protection

Tank Specialty Firm Registration

Environmental Services Plus

Registration Number:
401914

Expiration Date:
September 30, 2019

PO Box 187 Kaukauna WI 54130

DATCP Contact: (608) 224-4942



Wisconsin Department of Agriculture, Trade and Consumer Protection

2811 Agriculture Drive, PO Box 8911, Madison, WI 53708-8911

Certification Number: 401475

Effective Date: June 30, 2018

Expires: June 30, 2020

Statute: 168.23

Tank System Remover and Cleaner

Legal Name:

Jesse F Rose

113 Oakridge Ct Combined Locks WI 54113

Certification

Attached is your Department of Agriculture, Trade and Consumer Protection (DATCP) certification card. This card is evidence that you are certified to perform work under Wis. Admin. Code §SPS 305.87.

Please review the information on the card. Please note for renewals your certification (credential) number has changed. If any information is incorrect, contact the Bureau of Weights and Measures at (608) 224-4942 or by email at datcpweightsandmeasures@wi.gov. Also, please notify us of any address, e-mail or phone number changes to ensure proper delivery of future mail.

A renewal notice will be sent to the address on file approximately 30 days before the expiration date on the card. Renewals are contingent upon compliance with the requirements specified in Wis. Admin. Code §SPS 305.07.

This is your license/permit/certification/registration document. Post or carry as required by law. Non-transferrable - subject to revocation or suspension as provided by law.
Remove this card and carry as identification.

DMS-BIT-06S (03/18/10)

bits-16.qxd (rev. 11/17)

Jesse Rose
113 Oakridge Ct
Combined Locks WI 54113



Wisconsin Department of
Agriculture, Trade and Consumer Protection

Tank System Remover and Cleaner Certification

Jesse F Rose

Certification Number:

401475

Expiration Date:

June 30, 2020

113 Oakridge Ct Combined Locks WI 54113

DATCP Contact: (608) 224-4942



Wisconsin Department of Agriculture, Trade and Consumer Protection

2811 Agriculture Drive, PO Box 8911, Madison, WI 53708-8911

Certification Number: 400916

Effective Date: April 30, 2018

Expires: April 30, 2020

Statute: 168.23

Aboveground Tank System Installer

Legal Name:

Jesse F Rose

113 Oakridge Ct Combined Locks WI 54113

Certification

Attached is your Department of Agriculture, Trade and Consumer Protection (DATCP) certification card. This card is evidence that you are certified to perform work under Wis. Admin. Code §§SPS 305.84.

Please review the information on the card. Please note for renewals your certification (credential) number has changed. If any information is incorrect, contact the Bureau of Weights and Measures at (608) 224-4942 or by email at datcpweightsandmeasures@wi.gov. Also, please notify us of any address, e-mail or phone number changes to ensure proper delivery of future mail.

A renewal notice will be sent to the address on file approximately 30 days before the expiration date on the card. Renewals are contingent upon compliance with the requirements specified in Wis. Admin. Code §§SPS 305.07 and 305.08. All aboveground tank system installers are required to obtain at least 12 hours of acceptable continuing education credits within 3 months prior to the expiration date of the certification under Wis. Admin. Code §§SPS 305.84(6)(b).

This is your license/permit/certification/registration document. Post or carry as required by law. Non-transferrable - subject to revocation or suspension as provided by law.
Remove this card and carry as identification.

DMS-BIT-06S (03/18/10)

bits-16.qxd (rev. 11/17)

Jesse Rose
113 Oakridge Ct
Combined Locks WI 54113



Wisconsin Department of
Agriculture, Trade and Consumer Protection

Aboveground Tank System Installer Certification

Jesse F Rose

Certification Number:
400916

Expiration Date:
April 30, 2020

113 Oakridge Ct Combined Locks WI 54113

DATCP Contact: (608) 224-4942



State of Wisconsin
Department of Agriculture, Trade and Consumer Protection

Petroleum / Hazardous Liquids Storage Tanks Permitting & Registration

Overview

Storage Tank Contacts

A/B/C Operator Information

Alternative Fuel Installations

E15

Find a Tank Service Company

Storage Tank Forms

Fact Sheets

Fuel Quality

Laws and Regulations

Permit and Registration

Resources for Owners and Operators

Service Companies and Technicians

Storage Tank Database

Training and Continuing Education

Wisconsin - 40 CFR 280.12

Public Record Statistics

Wisconsin Administrative Code ATPC 93 requires facilities that store, transfer, or dispense flammable, combustible or hazardous liquids to be registered with DATCP. The following types of tanks are exempt from the registration requirements:

- Aboveground tanks with a capacity of less than 1,100 gallons that are:
 - farm tanks, construction tanks, heating or used oil tanks for consumption on the premises;
 - tanks used to store Class IIIB liquids other than used oil;
 - or are located inside a building and are used for industrial processes if the tank is connected through piping to the process
- Aboveground tanks which are used to store nonflammable or noncombustible federally regulated hazardous substances and which have a capacity of less than 5,000 gallons
- Tank vehicles
- Tank wagons, portable tanks, and moveable tanks that are located on a property for fewer than 24 months
- Tanks that are located at a US EPA superfund site

All in-use and temporarily-out-of-service storage tanks that are used to store a regulated substance must have a permit to operate from DATCP. The following types of tanks are exempt from the permitting requirements:

- Aboveground tanks
- Farm and residential underground storage tanks with a capacity of less than 1,100 gallons which are used for storing motor fuel
- Underground storage tanks storing heating oil for consumptive use on the premises
- Tanks located at a US EPA superfund site

To obtain a permit-to-operate application, please contact the Weights and Measures Bureau at 608-224-4942 or via email: datcpweightsandmeasures@wi.gov.

Permitting & Registration Fact Sheets

- Financial Responsibility: Insurance and Risk Retention Group Coverage
- Storage Tank Permit to Operate Requirements
- Storage Tank Registration Requirements

Resources

- Storage Tank Database
- Fact Sheets for Leak Detection for Underground Storage Tanks
- Fact Sheets for Leak Detection for Underground Piping
- Contact Information for DATCP Permitting Staff
- UST Financial Responsibility Pollution Insurance providers
- Aboveground Flammable/Combustible Liquid Storage Tank Registration (TR-WM-118)
- Underground Flammable/Combustible Liquid Storage Tank Registration (TR-WM-137)



PLAN COMMISSION SUMMARY SHEET

MEETING DATE: Monday, June 17, 2019

SECTION: Business

DEPARTMENT: Community Development

CONTACT:

AGENDA ITEM: Public Hearing - Review and possible action regarding a Conditional Use Permit (CUP), requested by Transit Solutions Inc. to allow a transit service involving outside storage of vehicles, auto repair and maintenance of its vehicles at 5315 Paulson Road, McFarland property zoned M-IC Manufactured Intensive Commercial.

PREVIOUS ACTION:

ISSUE SUMMARY:

FINANCIAL/BUDGET IMPACT:

VILLAGE PLAN REFERENCE:

ORDINANCE REFERENCE:

BOARD, COMMISSION OR COMMITTEE RECOMMENDATION:

Transit Solutions, a provider (via a contract with Dane County) of transit services for disabled persons, wishes to lease a portion of an existing building owned and occupied by Lazy Bones at 5315 Paulson Road. According to our zoning code, transit services are a conditional use under MI-C zoning.

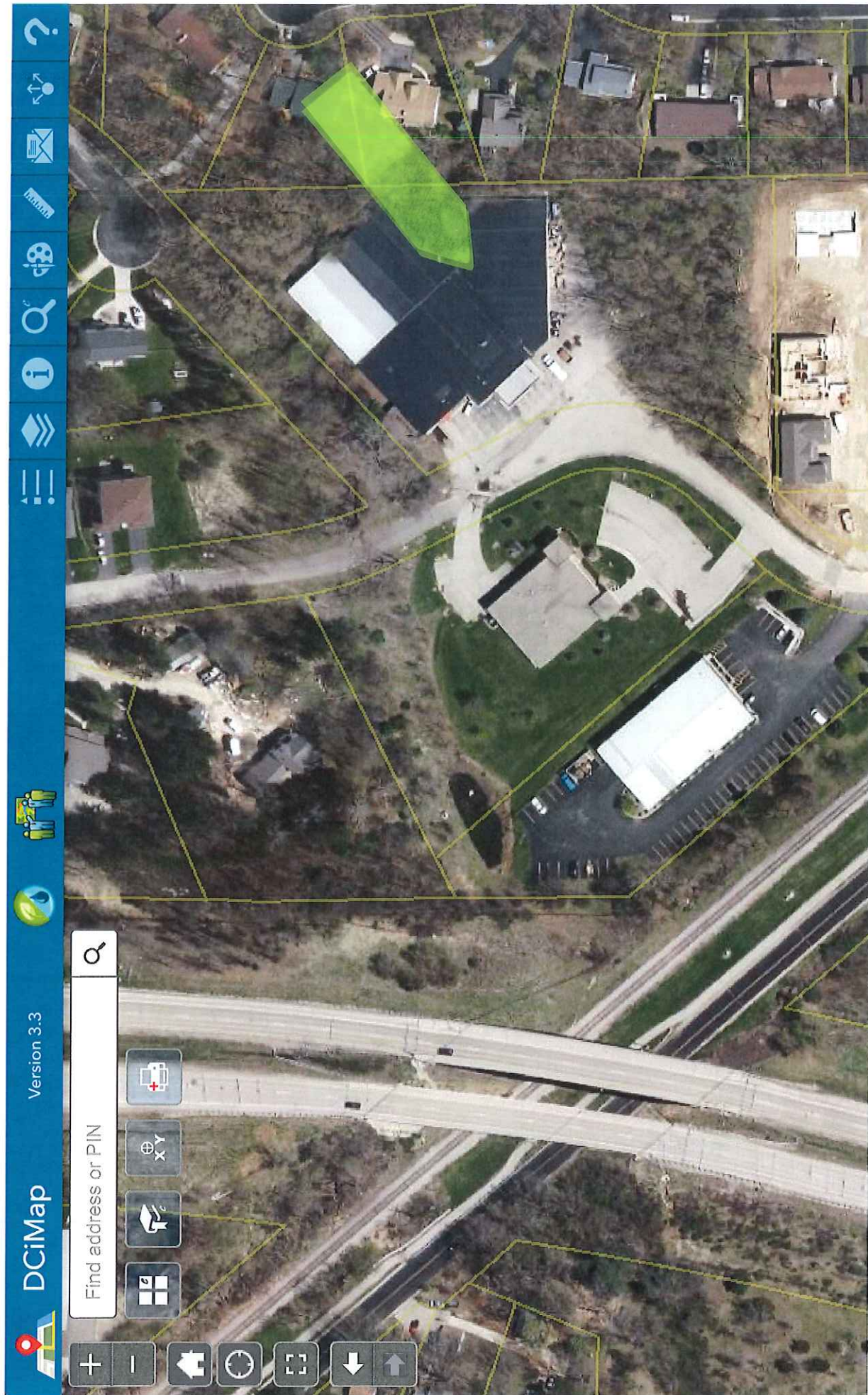
In your packet is a narrative about the company including a parking plan for this new tenant. We have had complaints regarding moving trucks for Lazy Bones parked along Paulson Road, which are apparently used in September and May to transport items to and from storage at the Paulson Rd. site. With the parking lot full of moving trucks, overflow parking was relegated to the street. With Transit Solutions to occupy parking stalls, where will the moving trucks associated with Lazy Bones park during moving periods?

The applicants agent, Blake George has provided a narrative addressing compliance with CUP standards



ATTACHMENTS:

1. 4b 5315 Paulson Road 6.17.19



200ft

-89.29574 43.02094 Degrees

Conditional Use Application for Transit Solutions Inc. to occupy space at 5315 Paulson Road.

Business Description:

1. Transport Services: Transit Solutions hold contracts with the City of Madison and Dane County to provide transportation for disabled and elderly passengers.
2. Vehicle Repairs: Transit Solutions services its own fleet with tire rotations, oil changes and minor repairs of brakes and mufflers. These repairs will be performed indoors and there are no services offered to the general public for retail purposes.
3. Hours of Operation: 6:00am-6:30pm Monday through Friday
4. Number of Vehicles on Premises or inside the building: 40

1. The establishment or operation of the conditional use will not be detrimental to or endanger the public health, safety, morals, comfort or general welfare:

Transit Solution has operated in the Dane County area for over 20 years as dutiful corporate citizen. Our drivers are fully licensed and insured. Extensive background checks are administered to each driver for the safety of our passengers and the general public. We provide our own maintenance to ensure that our vehicles are in good repair as to not harm our passenger, drivers, or the general public. Our facility located at 173 E. Badger is in a multitenant facility and we have not generated undue light, dust, particulate emissions, noise, frequency, vibration, nuisance odors, visibility, health, safety welfare and the environment as we do provide a simple service using passenger vans and buses that are in good repair as not to create nuisance situation. Our current facility and the new proposed facility will allow us to perform the maintenance and cleaning of our vehicles indoors away from the general public as not to create any emissions, noises, vibrations, or odors that may affect the public or our neighbors.

2. The uses values and enjoyment of other property in the neighborhood for purposes already permitted shall be in no foreseeable manner substantially impaired or diminished by the establishment, maintenance, or operation of the conditional use and the proposed use is compatible with the use of adjacent land.

The neighborhood is currently zoned Manufacturing Intensive, and the neighboring uses include a commercial laundry facility, an automotive repair company and a contractor's office. None of the existing uses are detrimental to the applicant nor should the conditional use permitting a transportation company be a detriment for these uses. The current zoning is ideally suited for this use when compared to all other zoning classifications.

3. The establishment of the conditional use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.

The building currently exists, and the building will not be modified as to impede any of the surrounding property.

4. Adequate utilities, access roads, drainage and other necessary site improvements have been or are being provided.

The building as it exists is adequate for the condition use and there will not need to be any modification to the current utilities, access roads, drainage and any other current site improvements.

5. Adequate measures have been or will be taken to provide ingress and egress so designed to minimize traffic congestion in the public streets.

The current industrial zoning of the neighbor hood and its current street width are more than adequate for the passenger vans and small buses operated by Transit Solutions. Transit Solutions does not operate semi-trailers or tractors and the size of its vehicles and their associate weight will not be a burden on the current public streets. No changes will be needed to the current streets for ingress or egress.

6. The conditional use shall, except for yard requirements, conform to all applicable regulation of the district in which it is located.

Transit solution will conform to all regulations of the Manufacturing Intensive District.

7. The proposed use does not violate floodplain regulations governing the site.

Transit Solution will not violate floodplain regulations as the site is not located in a known flood plain.

8. The proposed use does not defeat the purposes and objectives of the zoning district.

Transit Solutions is an appropriate fit to the Manufacturing Intensive District and its purpose of providing transportation services is in line with the existing zoning objective.

9. The maintenance of safe and healthful conditions

Transit solutions provides for the maintenance of its own vehicles to ensure that the condition of the vehicles is safe for its drivers, passengers and the public. Our drivers are fully licensed and insured. A background check is performed on each driver for the safety and health of our passengers and the public.

10. The prevention and control of water pollution including sedimentation.

The existing building is not to be modified or will any of the vehicles be maintained outside so there shall be no pollution or sedimentation created by the use other then what is already in place with the exiting building.

11. Existing topographic and drainage features and vegetative cover on site.

The existing topographic and drainage feature and existing vegetative cover will not be modified in any way by this use.

12. The location of the site with respect to flood plains and floodways of rivers and streams.

There are no rivers or streams in the existing neighborhood.

13. The erosion potential of the site based upon degree and direction of slope, soil type and vegetative cover.

The existing slope, soil type and vegetative cover will not be disturbed by this use eliminating any potential for erosion of any type.

14. The location of the site with respect to existing or future access road.

The existing roads are adequate for the proposed use and no future access roads are requested or needed at this time.

15. The need of the proposed use for a shoreland location.

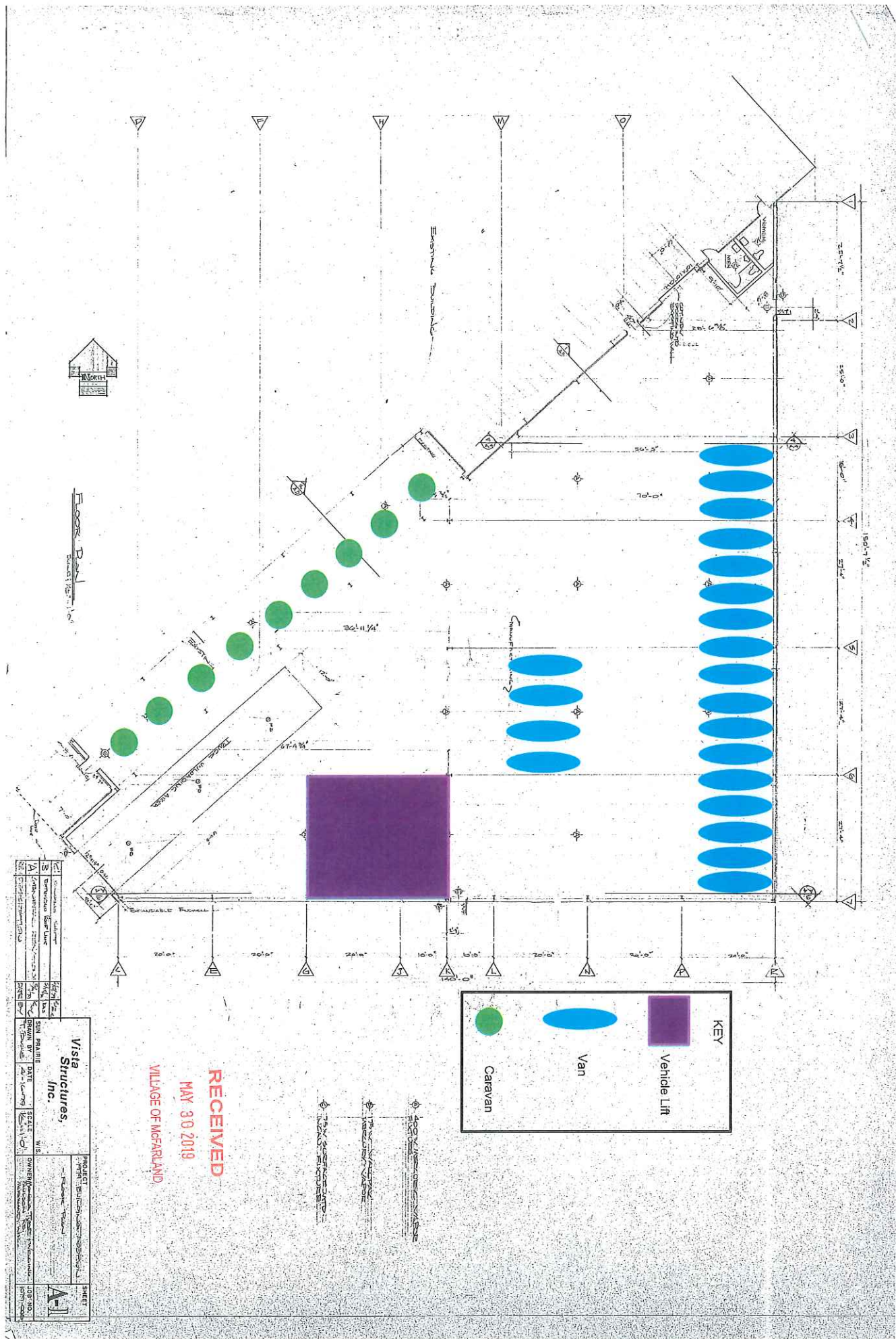
The proposed use is not in need of a shoreland location.

16. Its compatibility with uses or adjacent land.

The neighborhood is currently zoned Manufacturing Intensive, and the neighboring uses include a commercial laundry facility, an automotive repair company and a contractor's office. None of the existing uses are detrimental to the applicant nor should the conditional use permitting a transportation company be a detriment for these uses. The current zoning is ideally suited for this use when compared to all other zoning classifications.

17. The amount of liquid waste to be generated and the adequacy of the proposed disposal systems.

The only liquid waste to be generated will be that of employees need for restroom facilities. The existing restroom facilities are more than adequate for the proposed use.

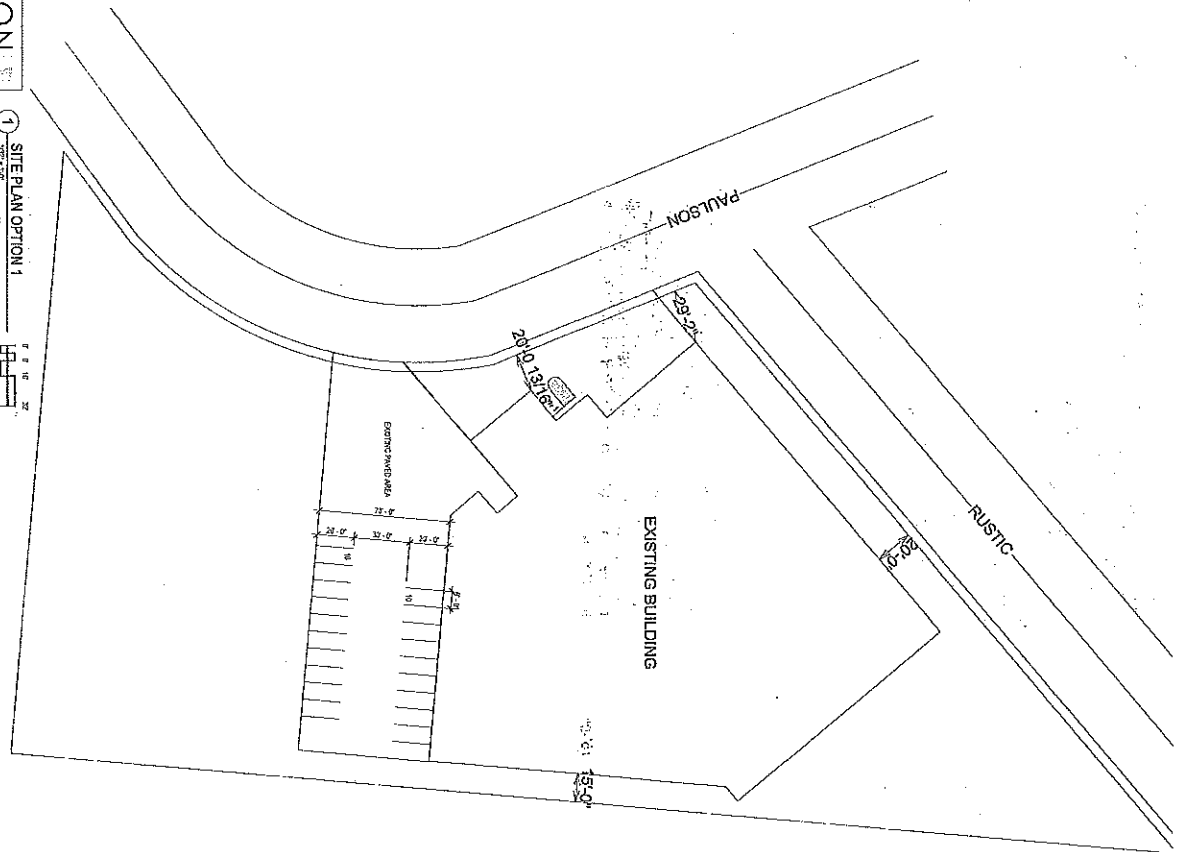


DIMENSION

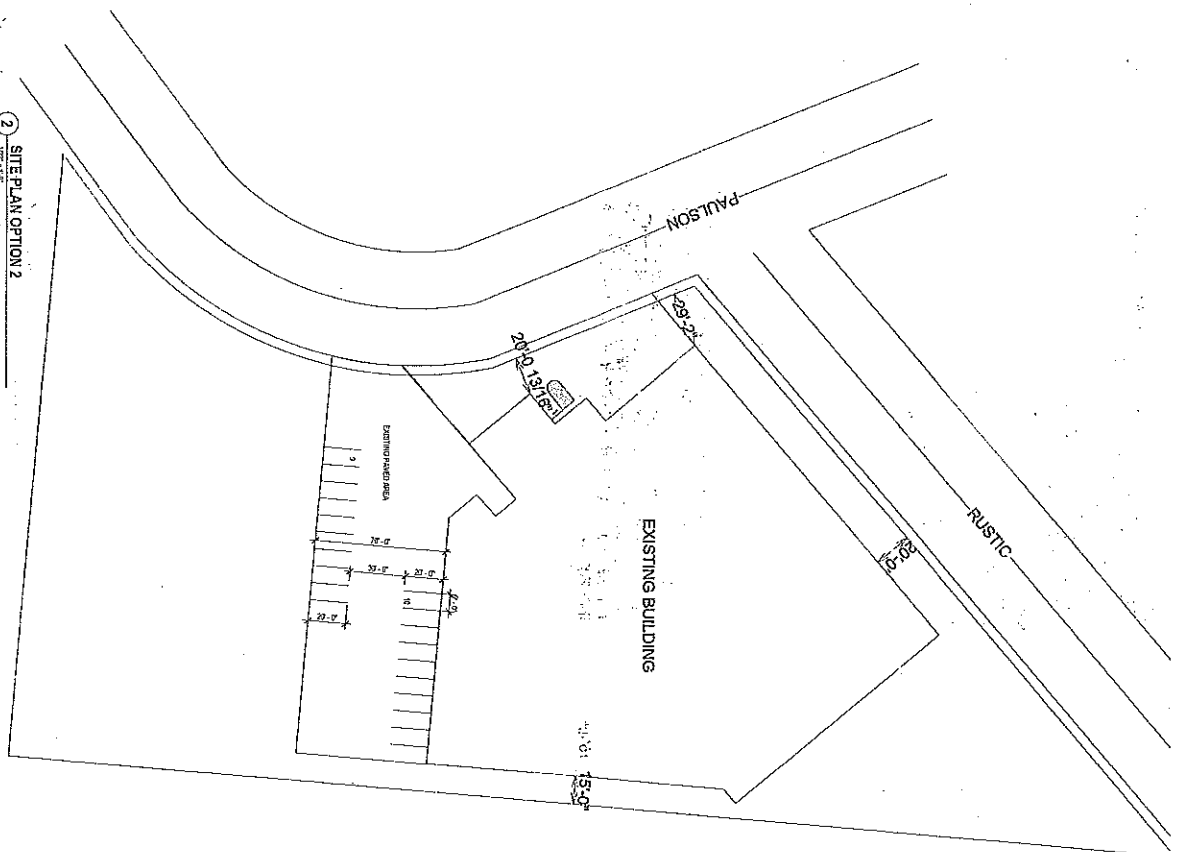
Madison Design Group

5315 Paulson Road, Suite 120, Madison, Wisconsin 53718
 608.226.4444 608.226.4446 www.madisondesign.com

① SITE PLAN OPTION 1
 1/2" = 1'-0"



② SITE PLAN OPTION 2
 1/2" = 1'-0"



5315 Paulson Rd, McFarland WI 53558



PLAN COMMISSION SUMMARY SHEET

MEETING DATE: Monday, June 17, 2019

SECTION: Business

DEPARTMENT: Community Development

CONTACT:

AGENDA ITEM: Public Hearing - Review and possible recommendation to the Village Board regarding a request by RCA Trust LLC for a revised 4-Lot Certified Survey Map (CSM), property located at 4703 Terminal Drive, McFarland, WI. The property is currently zoned Planned Development District (PDD).

PREVIOUS ACTION:

ISSUE SUMMARY:

RCA Trust LLC revised the 4 lot CSM due to some building relocations coupled with the need to provide public easements to public water mains for maintenance purposes. Based on these changes, the CSM approved in April/May needs to be revised.

The lot line between proposed Lots 1 and 2 has been adjusted slightly. CSM Sheets 2 of 5 and 3 of 5 have notations regarding public access to water mains.

FINANCIAL/BUDGET IMPACT:

VILLAGE PLAN REFERENCE:

ORDINANCE REFERENCE:

BOARD, COMMISSION OR COMMITTEE RECOMMENDATION:

Recommendation: Approval to the Village Board. (Requires Village Board approval due to a right of way dedication.) Prior to executing, the surveyors and owners signatures must be affixed to the CSM.

ATTACHMENTS:



1. 4c 4703 Terminal Dr 6.17.19

DRAFT

RECEIVED

MAY 23 2019

VILLAGE OF MCFARLAND

CERTIFIED SURVEY MAP

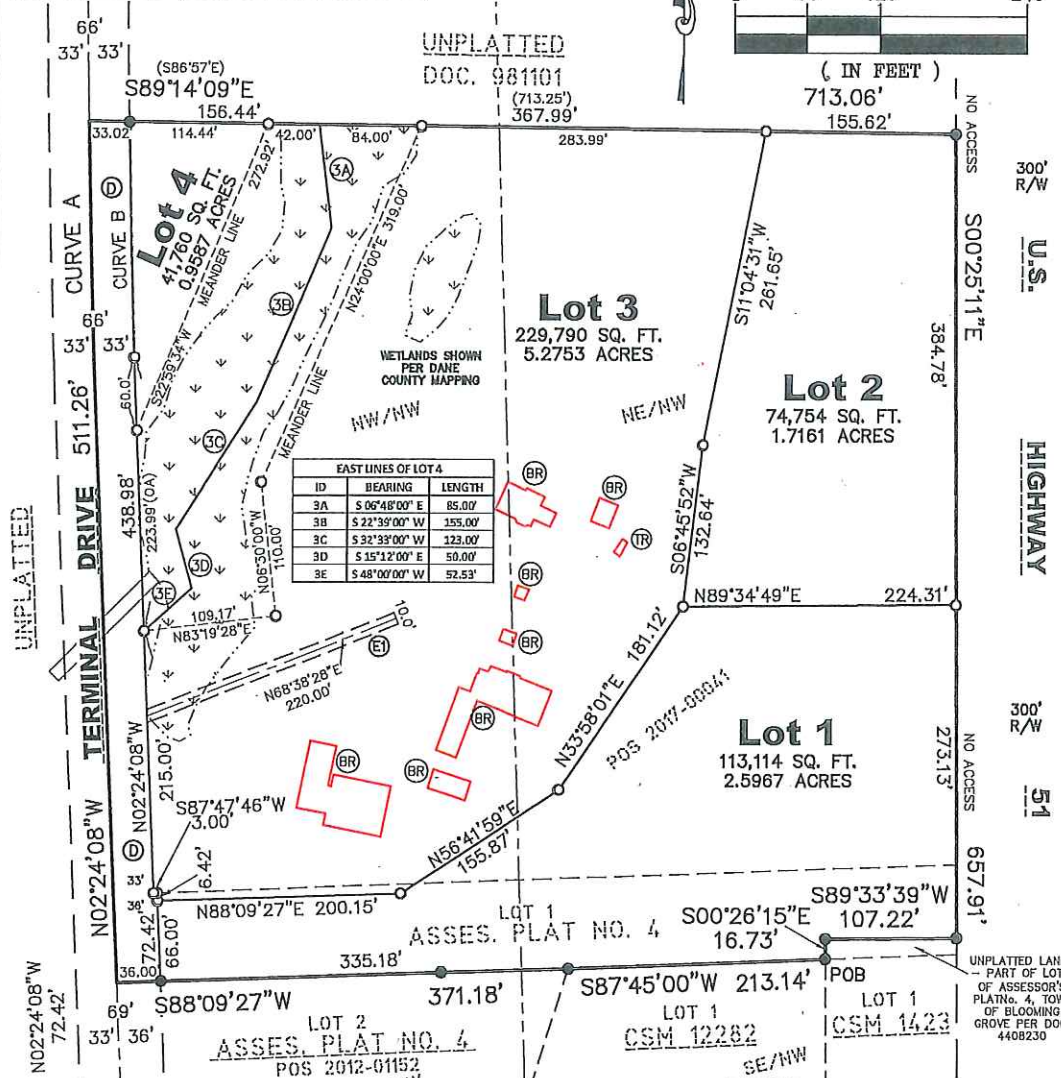
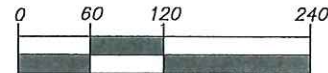
PART OF LOT 1, ASSESSOR'S PLAT No. 4, TOWN OF BLOOMING GROVE IN THE SOUTHEAST 1/4 AND THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4, AND PART OF THE NORTHWEST 1/4 AND THE NORTHEAST 1/4 OF THE NORTHWEST 1/4, ALL OF SECTION 34, TOWNSHIP 7 NORTH, RANGE 10 EAST, IN THE VILLAGE OF MCFARLAND, COUNTY OF DANE, STATE OF WISCONSIN.

LABEL	WIDTH	EASEMENT	DOCUMENT No.	RECORDED
E1	10'	R-O-W GRANT - UE	1976747	11/10/1986

CURVE	LENGTH	RADIUS	CHD BEARING	CHD LENGTH
A	194.52'	11459.16'	N 01°34'20" W	194.52'
B	192.90'	11426.16'	N 01°34'30" W	192.89'

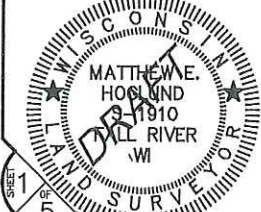
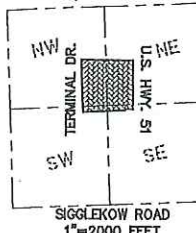
BEARINGS ARE REFERENCED TO THE WISCONSIN COUNTY COORDINATE SYSTEM, DANE COUNTY. THE NORTH LINE OF CSM 12282 BEARS SOUTH 87°49'00" WEST.

GRAPHIC SCALE



NOTE: Lot 1 of Assessor's Plat No. 4 - Township of Blooming Grove referenced herein has been incorrectly referred to as "Outlot 1" in various deeds and other recorded documents. There are no designations on said recorded Plat that the lots are "outlots".

VICINITY MAP



- LEGEND
- 1" IRON PIPE FOUND
 - SET 3/4" x 24" REBAR WEIGHING 1.5 LBS/FOOT
 - ⓓ DEDICATED TO THE PUBLIC FOR ROAD PURPOSES. 23,483 SQ. FT. - 0.5391 ACRES
 - BR BUILDING TO BE RAZED
 - TR UNDERGROUND TANK TO BE REMOVED
 - (23.59') RECORDED AS DATA

QUAM ENGINEERING, LLC

4604 SIGGELKOW RD. STE. A, MCFARLAND WI, 53558
608-838-7750 www.quamengineering.com
Project # RQ-05-17 Date: 5/23/19

CERTIFIED SURVEY MAP

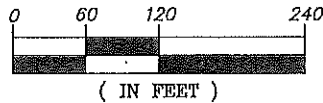
PART OF LOT 1, ASSESSOR'S PLAT No. 4, TOWN OF BLOOMING GROVE IN THE SOUTHEAST 1/4 AND THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4, AND PART OF THE NORTHWEST 1/4 AND THE NORTHEAST 1/4 OF THE NORTHWEST 1/4, ALL OF SECTION 34, TOWNSHIP 7 NORTH, RANGE 10 EAST, IN THE VILLAGE OF McFARLAND, COUNTY OF DANE, STATE OF WISCONSIN.

C.S.M. No. _____

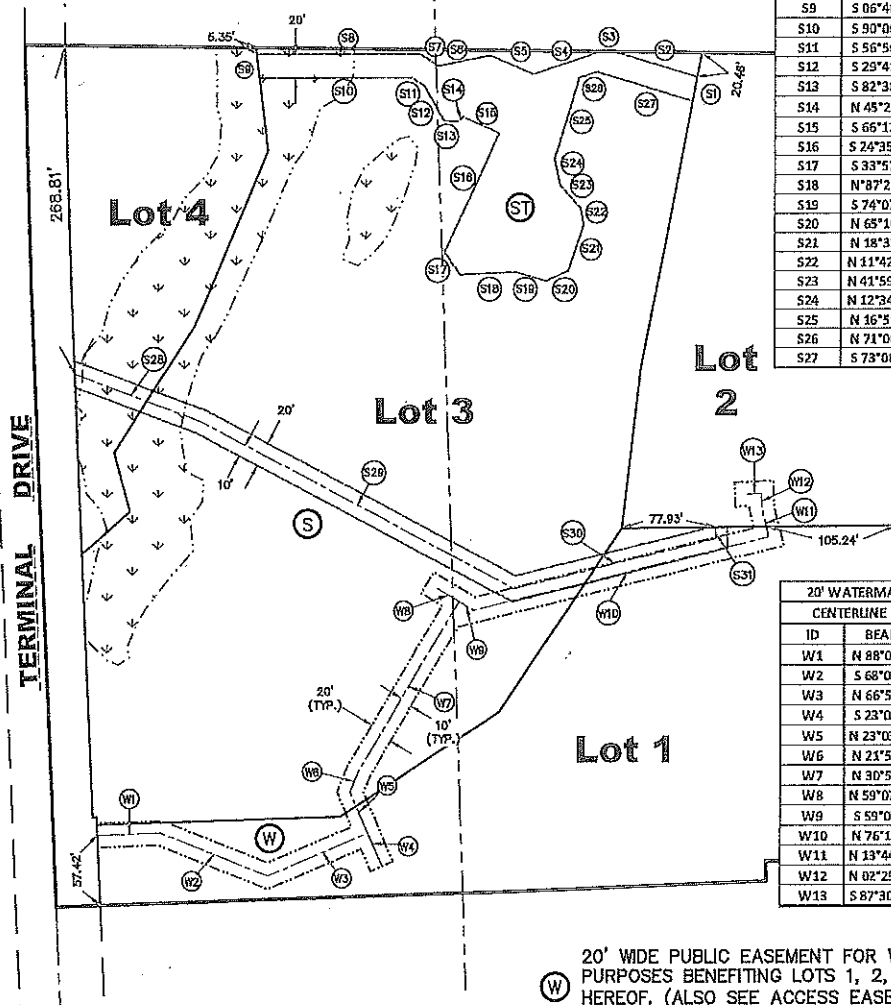
Doc. No. _____

Vol. _____ Page _____

GRAPHIC SCALE

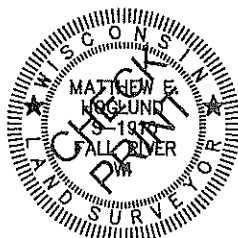


NORTH STORM EASEMENT		
ID	BEARING	LENGTH
S1	N 11°04'31" E	20.10'
S2	N 73°08'12" W	72.60'
S3	N 89°14'09" W	11.08'
S4	S 71°06'39" W	57.90'
S5	N 66°12'06" W	39.19'
S6	S 78°35'21" W	43.24'
S7	N 56°56'13" W	18.25'
S8	S 90°00'00" W	134.52'
S9	S 06°46'00" E	20.14'
S10	S 90°00'00" E	126.20'
S11	S 56°56'13" E	11.76'
S12	S 29°41'04" E	31.96'
S13	S 82°38'06" E	11.32'
S14	N 45°28'54" E	5.81'
S15	S 66°12'06" E	32.63'
S16	S 24°35'35" W	106.54'
S17	S 33°57'56" E	22.22'
S18	N 87°28'32" E	45.46'
S19	S 74°07'23" E	26.70'
S20	N 65°10'08" E	19.97'
S21	N 18°33'52" E	39.55'
S22	N 11°42'59" W	14.07'
S23	N 41°59'49" W	24.59'
S24	N 12°34'00" W	21.62'
S25	N 16°51'48" E	68.92'
S26	N 71°06'39" E	13.46'
S27	S 73°08'12" E	83.11'



20' WATERMAIN EASEMENT		
ID	BEARING	LENGTH
W1	N 88°06'08" E	51.68'
W2	S 68°03'17" E	94.82'
W3	N 66°56'43" E	88.43'
W4	S 23°03'17" E	19.56'
W5	N 23°03'17" W	35.76'
W6	N 21°56'43" E	18.21'
W7	N 30°51'56" E	161.37'
W8	N 59°07'41" W	20.06'
W9	S 59°07'16" E	13.49'
W10	N 76°15'47" E	250.64'
W11	N 13°44'13" W	23.00'
W12	N 02°29'13" W	13.38'
W13	S 87°30'49" W	11.01'

20' SANITARY EASEMENT		
ID	BEARING	LENGTH
S28	S 69°17'08" E	110.64'
S29	S 61°56'57" E	291.94'
S30	N 76°15'47" E	171.78'
S31	N 00°25'11" W	9.53'



(W) 20' WIDE PUBLIC EASEMENT FOR WATERMAIN PURPOSES BENEFITING LOTS 1, 2, 3, AND 4 HEREOF. (ALSO SEE ACCESS EASEMENT NOTE ON SHEET 3 HEREOF)

(S) 20' WIDE NON-EXCLUSIVE PRIVATE EASEMENT FOR SANITARY SEWER PURPOSES BENEFITING LOTS 1, 2, AND 3 HEREOF.

(ST) VARIABLE WIDTH NON-EXCLUSIVE PRIVATE EASEMENT FOR STORMWATER MANAGEMENT PURPOSES BENEFITING LOT 2 HEREOF.

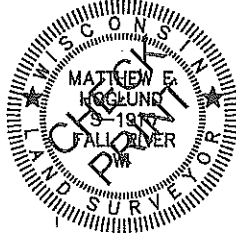
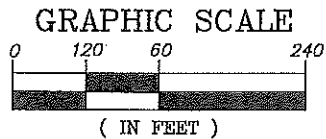
QUAM ENGINEERING, LLC

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Project # RQ-05-17 Date: 5/23/19

SHEET 2 OF 5

CERTIFIED SURVEY MAP

PART OF LOT 1, ASSESSOR'S PLAT No. 4, TOWN OF BLOOMING GROVE IN THE SOUTHEAST 1/4 AND THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4, AND PART OF THE NORTHWEST 1/4 AND THE NORTHEAST 1/4 OF THE NORTHWEST 1/4, ALL OF SECTION 34, TOWNSHIP 7 NORTH, RANGE 10 EAST, IN THE VILLAGE OF McFARLAND, COUNTY OF DANE, STATE OF WISCONSIN.



SOUTH STORM EASEMENT		
ID	BEARING	LENGTH
S1	N 58°00'36" W	65.29'
S2	N 86°09'47" W	39.11'
S3	N 59°03'32" W	62.86'
S4	N 21°18'54" E	210.95'
S5	N 52°01'12" E	8.10'
S6	N 34°48'22" E	57.17'
S7	N 41°08'52" E	21.70'
S8	N 12°07'49" W	45.93'
S9	S 87°11'26" W	35.70'
S10	S 18°46'07" W	6.53'
S11	N 59°22'26" W	88.20'
S12	S 22°39'00" W	20.20'
S13	S 59°22'26" E	89.60'
S14	S 18°46'07" W	67.79'
S15	S 14°14'30" E	15.22'
S16	S 21°18'44" W	213.74'
S17	S 36°29'12" W	43.17'
S18	S 44°41'44" W	25.22'
S19	S 05°38'53" E	18.29'
S20	S 55°49'30" E	55.95'
S21	S 75°47'27" E	38.49'
S22	N 63°00'41" E	29.65'
S23	N 00°31'36" E	41.01'
S24	S 86°09'47" E	37.33'
S25	S 58°00'36" E	51.08'
S26	N 56°41'59" E	22.02'

PUBLIC STORM EASEMENT		
ID	BEARING	LENGTH
ST1	N 45°04'12" E	32.77'
ST2	N 44°55'48" W	35.73'
ST3	S 02°24'08" E	48.48'

24' ACCESS EASEMENT		
CENTERLINE DATA		
ID	BEARING	LENGTH
A1	N 88°50'48" E	10.43'
A3	S 71°43'35" E	53.25'
A6	N 56°41'59" E	123.77'
A8	N 33°58'01" E	153.99'
A10	N 89°24'03" E	154.31'
A12	S 56°41'59" W	23.41'
A13	S 88°09'27" W	22.46'

24' ACCESS EASEMENT				
CENTERLINE CURVE DATA				
ID	RADIUS	ARC LENGTH	CHORD BEARING	CHORD LENGTH
A2	114.50'	38.82'	S 81°25'23" E	38.64'
A4	139.50'	65.62'	S 85°12'08" E	65.02'
A5	139.50'	59.95'	N 69°00'39" E	59.49'
A7	147.50'	58.52'	N 45°20'00" E	58.14'
A9	52.50'	50.79'	N 61°41'02" E	48.84'
A11	8.56'	15.64'	N 75°45'15" W	13.55'
A14	15.69'	28.09'	S 27°00'00" W	24.49'

(A) 30' WIDE NON-EXCLUSIVE PRIVATE EASEMENT FOR INGRESS AND EGRESS PURPOSES BENEFITING LOTS 1, 2, AND 3 HEREOF. (ALSO LIMITED EASEMENT TO THE VILLAGE OF McFARLAND FOR ACCESS FOR WATERMAIN MAINTENANCE PURPOSES ONLY)

(S) VARIABLE WIDTH NON-EXCLUSIVE PRIVATE EASEMENT FOR STORMWATER MANAGEMENT PURPOSES BENEFITING LOT 1 HEREOF.

(ST) VARIABLE WIDTH PUBLIC EASEMENT FOR STORMWATER MANAGEMENT PURPOSES BENEFITING LOT 3 HEREOF.

QUAM ENGINEERING, LLC

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608-838-7750 www.quamengineering.com
Project # RQ-05-17 Date: 5/23/19

3 of 5

CERTIFIED SURVEY MAP # _____

PART OF LOT 1, ASSESSOR'S PLAT No. 4, TOWN OF BLOOMING GROVE IN THE SOUTHEAST 1/4 AND THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4, AND PART OF THE NORTHWEST 1/4 AND THE NORTHEAST 1/4 OF THE NORTHWEST 1/4, ALL OF SECTION 34, TOWNSHIP 7 NORTH, RANGE 10 EAST, IN THE VILLAGE OF McFARLAND, COUNTY OF DANE, STATE OF WISCONSIN.

C.S.M. No. _____

Doc. No. _____

Vol. _____ Page _____

SURVEYOR'S CERTIFICATE:

I, MATTHEW E. HOGLUND, PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THAT I HAVE SURVEYED, DIVIDED, AND MAPPED THE FOLLOWING LAND AS DIRECTED BY THE OWNERS, ROBERT ANDERSON AND CAROLYN SIMPSON:

A PART OF LOT 1 (RECORDED AS OUTLOT 1 IN SOME DOCUMENTS) OF ASSESSOR'S PLAT NO. 4, TOWN OF BLOOMING GROVE, RECORDED AS DOCUMENT NO. 777053 IN VOLUME 13 OF PLATS ON PAGES 15 AND 16 AND BEING LOCATED IN THE SOUTHEAST 1/4 AND THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4, AND A PART OF THE NORTHEAST 1/4 AND THE NORTHWEST 1/4 OF SAID NORTHWEST 1/4, ALL OF SECTION 34, TOWNSHIP 7 NORTH, RANGE 10 EAST, IN THE VILLAGE OF McFARLAND, COUNTY OF DANE, STATE OF WISCONSIN, LYING BETWEEN THE CENTERLINE OF TERMINAL DRIVE AND THE WEST RIGHT-OF-WAY LINE OF RELOCATED U.S. HIGHWAY NO. 51, EXCEPT THAT PART THEREOF CONVEYED BY WARRANTY DEED RECORDED IN VOLUME 694 OF DEEDS, PAGE 473, AS DOCUMENT NO. 981101, FURTHER DESCRIBED AS FOLLOWS:

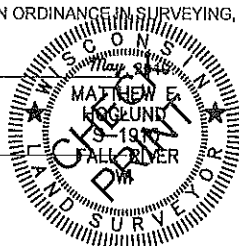
COMMENCING AT THE NORTHEAST CORNER OF LOT 1 OF CERTIFIED SURVEY MAP 12262, SAID CORNER ALSO BEING THE POINT OF BEGINNING OF THIS DESCRIPTION;
THENCE SOUTH 87°45'00" WEST, 213.14 FEET, ALONG THE NORTH LINE OF SAID CERTIFIED SURVEY MAP TO THE NORTHWEST CORNER OF SAID CERTIFIED SURVEY MAP;
THENCE SOUTH 88°09'27" WEST, 371.18 FEET, ALONG THE SOUTH LINE OF SAID LOT 1 OF ASSESSOR'S PLAT NO. 4, TO THE CENTERLINE OF TERMINAL DRIVE;
THENCE NORTH 02°24'08" WEST, 511.26 FEET, ALONG SAID CENTERLINE;
THENCE ALONG SAID CENTERLINE, BEING THE ARC OF A CURVE BEARING TO THE RIGHT, 194.52 FEET, WITH A RADIUS OF 11459.16 FEET, AND A CHORD BEARING AND LENGTH OF NORTH 01°34'20" WEST, 194.52 FEET;
THENCE SOUTH 89°14'09" EAST, 713.06 FEET TO THE WEST RIGHT-OF-WAY LINE OF RELOCATED U.S. HIGHWAY NO. 51;
THENCE SOUTH 00°25'11" EAST, 657.91 FEET, ALONG SAID WEST RIGHT-OF-WAY LINE;
THENCE SOUTH 89°33'39" WEST, 107.22 FEET;
THENCE SOUTH 00°26'15" EAST, 16.73 FEET, TO THE POINT OF BEGINNING.

CONTAINING 482,901 SQUARE FEET OR 11.0859 ACRES, MORE OR LESS, AND IS SUBJECT TO ALL EASEMENTS AND RESTRICTIONS OF RECORD.

I FURTHER CERTIFY THAT THE MAP PREPARED IS A CORRECT REPRESENTATION OF ALL EXTERIOR BOUNDARIES AS SHOWN AND THAT I HAVE FULLY COMPLIED WITH THE PROVISIONS OF CHAPTER 236.34 OF THE WISCONSIN STATUTES, AND THE VILLAGE OF McFARLAND SUBDIVISION ORDINANCE IN SURVEYING, DIVIDING, AND MAPPING THE SAME.

DATED THIS 28th DAY OF _____

QUAM ENGINEERING, LLC
BY: MATTHEW E. HOGLUND
P.L.S. S-1910



OWNERS CERTIFICATE:

AS OWNERS, WE, ROBERT ANDERSON AND CAROLYN SIMPSON, DO HEREBY CERTIFY THAT THEY CAUSED THE LAND DESCRIBED ON THIS CERTIFIED SURVEY MAP TO BE SURVEYED, DIVIDED, MAPPED, AND DEDICATED AS REPRESENTED ON THIS MAP AND DO FURTHER CERTIFY THAT THIS MAP IS REQUIRED BY S.236.10 OR S.236.12 TO BE SUBMITTED TO THE FOLLOWING FOR APPROVAL OR OBJECTION:

VILLAGE OF McFARLAND

IN THE PRESENCE OF: _____
ROBERT ANDERSON CAROLYN SIMPSON,

STATE OF WISCONSIN)
COUNTY (DANE) SS

PERSONALLY CAME BEFORE ME THIS _____ DAY OF _____, 20____, ROBERT ANDERSON AND CAROLYN SIMPSON, TO ME KNOWN TO BE THE PERSONS WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED THE SAME.

_____, NOTARY PUBLIC, _____, WISCONSIN

MY COMMISSION EXPIRES _____.

(NOTARY SEAL)

QUAM ENGINEERING, LLC

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Project # RQ-05-17 Date: 5/23/19

4
5

CERTIFIED SURVEY MAP #

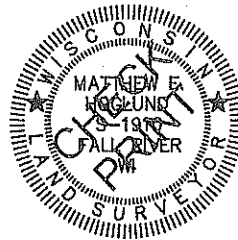
PART OF LOT 1, ASSESSOR'S PLAT No. 4, TOWN OF BLOOMING GROVE IN THE SOUTHEAST 1/4 AND THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4, AND PART OF THE NORTHWEST 1/4 AND THE NORTHEAST 1/4 OF THE NORTHWEST 1/4, ALL OF SECTION 34, TOWNSHIP 7 NORTH, RANGE 10 EAST, IN THE VILLAGE OF McFARLAND, COUNTY OF DANE, STATE OF WISCONSIN.

VILLAGE OF McFARLAND PLAN COMMISSION CERTIFICATE:

THIS LAND DIVISION IS HEREBY APPROVED BY THE PLAN COMMISSION OF THE

VILLAGE OF McFARLAND ON THIS ____ DAY OF _____, 2019.

CASSANDRA SUETTINGER, CLERK, VILLAGE OF McFARLAND



VILLAGE OF McFARLAND BOARD CERTIFICATE:

RESOLVED, THAT THIS CERTIFIED SURVEY MAP IS HEREBY APPROVED AND DEDICATIONS ACCEPTED BY THE VILLAGE BOARD OF THE VILLAGE OF McFARLAND

ON THIS ____ DAY OF _____, 2019.

CASSANDRA SUETTINGER, CLERK, VILLAGE OF McFARLAND

REGISTER OF DEEDS CERTIFICATE:

Received for recording this ____ day of _____, 20____, at _____ o'clock ____ M. and

recorded in Volume ____ of Certified Survey Maps on Pages _____

as Document No. _____.

Kristi Chlebowski, Dane County Register of Deeds

QUAM ENGINEERING, LLC

4604 SIGGELKOW RD. STE. A, McFARLAND WI, 53558
608-838-7750 www.quamengineering.com
Project # RQ-05-17 Date: 5/23/19



PLAN COMMISSION SUMMARY SHEET

MEETING DATE: Monday, June 17, 2019

SECTION: Business

DEPARTMENT: Community Development

CONTACT:

AGENDA ITEM: Public Hearing - Review and possible recommendation to the Village Board regarding a request by Ezra Properties LLC regarding Ordinance 2019-11 a revised Detailed Development Plan for Phase 1, and General Development Plan for Phases 2,3, & 4. for the property located at 4703 Terminal Drive, McFarland, WI. Ezra Properties LLC plans to construct a 3-story 27 unit multi-family apartment building and storage building in Phase 1. Phase 2 will have a 3-story office building. Phase 3 will have a 4-story office building. Phase 4 will consist of a 27-unit 3-story multifamily apartment building. The site is approximately 11 acres.

PREVIOUS ACTION:

ISSUE SUMMARY:

See page "Agenda Item 4(d)"

FINANCIAL/BUDGET IMPACT:

VILLAGE PLAN REFERENCE:

ORDINANCE REFERENCE:

BOARD, COMMISSION OR COMMITTEE RECOMMENDATION:

Recommendation: Any motion to approve should be conditioned on items identified in Town and Country's June 4, 2019 letter; as well as any other items deemed appropriate e.g., traffic study for future phases.

ATTACHMENTS:

1. Ordinance 2019-11 6.17.19
2. Agenda item 4 (d) - background
3. 4d - 4703 Terminal Dr - Quam 6.17.19
4. 4d - 4703 Terminal Dr 6.17.19



ORDINANCE 2019-11

AN ORDINANCE APPROVING AN AMENDED GENERAL PLAN AND AMENDED PHASE 1 DETAILED PLAN FOR PROPERTY LOCATED ON TERMINAL DRIVE.

Purpose: To replace the Planned Unit Development General Plan and Phase 1 Detailed Plan previously approved for property located at 4703 Terminal Drive Development to reflect proposed changes in the development concept.

Sponsor: Community Development Director Boness

Recommended Referral: Plan Commission (Required)

Public Hearing: Required; Preceded by Class 2 Notice

WHEREAS, the Village Board previously approved a General Plan and Phase I Detailed Plan for the property located at 4703 Terminal Drive (the “Terminal Drive Project”) pursuant to §62-67 of the McFarland Municipal Code; and

WHEREAS, the developer of the Terminal Drive Project has proposed certain modifications to the approved plans, including the relocation of certain buildings and the increase in size of one building; and

WHEREAS, the developer has submitted a revised General Plan and Phase I Detailed Plan reflecting the proposed changes for Village Board approval; and

WHEREAS, the Village Plan Commission has held a public hearing on the proposed revisions, and has recommended that the revised plans be approved as an amendment to the previously approved Planned Unit Development zoning regulations; and

WHEREAS, the Village Board finds that the amendments proposed are consistent with the Village’s Comprehensive Plan and will promote the public interest;

NOW, THEREFORE, the Village Board of the Village of McFarland, Wisconsin does ordain as follows:

1. The Updated General Plan dated May 13, 2019 and included in Exhibit A, attached hereto, is hereby approved as the General Plan governing the development and use of the property legally described as follows, and replaces the General Plan previously approved:

A part of Outlot One (1), Assessor’s Plat No. 4, Town of Blooming Grove and a part of the North 1/2 of the Northwest 1/4 of Section 34, Township 7 North, Range 10 East, in the

Village of McFarland, Dane County, Wisconsin, being more particularly described as follows:

COMMENCING at a found Dane County aluminum monument at the North 1/4 Corner said Section 34; thence, along the North line of said Northwest 1/4, South 87°43'52" West, 944.61 feet; thence South 00°25'11" East, 755.58 feet to the Northeast corner of the Property and the POINT OF BEGINNING, lying on the West right-of-way line of U.S. Highway 151;

thence, along said West right-of-way line, South 00°25'11" East, 657.91 feet to the Southeast corner of the Property;
thence, along the South line of said Property, South 89°33'39" West, 107.22 feet;
thence, continuing along said South line, South 00°26'15" East, 16.73 feet;
thence, continuing along said South line, South 87°45'00" West, 213.14 feet;
thence, continuing along said South line, South 88°09'27" West, 335.18 feet to a point on the Easterly right-of-way line of Terminal Drive;
thence, along said Easterly right-of-way line, North 00°24'08" West, 66.00 feet;
thence North 88°09'27" East, 200.15 feet;
thence North 56°41'59" East, 155.87 feet;
thence North 33°58'01" East, 84.71 feet;
thence North 47°59'27" West, 235.23 feet;
thence North 32°22'41" East, 60.00 feet;
thence North 22°48'58" West, 60.00 feet;
thence North 67°21'00" West, 115.00 feet;
thence North 22°39'00" East, 88.06 feet;
thence North 06°48'00" West, 85.00 feet to a point on aforesaid North line of the Property;
thence, along said North line, South 89°14'09" East, 523.61 feet to the POINT OF BEGINNING, containing 303,414 square feet or 6.97 acres, more or less.

2. The Detailed Plan for Phase 1 dated May 13, 2019 and included in Exhibit A, attached hereto, is hereby approved as the Detailed Plan governing the development and use of the property legally described as follows, and replaces the Detailed Plan for such property previously approved for Phase 1:

A part of Outlot One (1), Assessor's Plat No. 4, Town of Blooming Grove and a part of the North 1/2 of the Northwest 1/4 of Section 34, Township 7 North, Range 10 East, in the Village of McFarland, Dane County, Wisconsin, being more particularly described as follows:

COMMENCING at a found Dane County aluminum monument at the North 1/4 Corner said Section 34; thence, along the North line of said Northwest 1/4, South 87°43'52" West, 944.61 feet; thence South 00°25'11" East, 755.58 feet to the Northeast corner of the Property; thence, along the North line of said Property, North 89°14'09" West, 523.61 feet to the POINT OF BEGINNING;

thence South 06°48'00" East, 85.00 feet;
thence South 22°39'00" West, 88.06 feet;
thence South 67°21'00" East, 115.00 feet;
thence South 22°48'58" East, 60.00 feet;
thence South 32°22'41" West, 60.00 feet;

thence South 47°59'27" East, 235.23 feet;
 thence South 33°58'01" West, 84.71 feet;
 thence South 56°41'59" West, 155.87 feet;
 thence South 88°09'27" West, 200.15 feet to a point on the Easterly right-of-way line of Terminal Drive;
 thence, along said Easterly right-of-way line, North 00°24'08" West, 6.42 feet;
 thence, continuing along said Easterly right-of-way line, South 87°47'46" West, 3.00 feet;
 thence, continuing along said Easterly right-of-way line, North 00°24'08" West, 438.98 feet to the beginning of a tangent curve, being concave Easterly, having a radius of 11,426.16 feet and a chord which bears North 01°34'30" West, 192.89 feet;
 thence Northerly, 192.90 feet along the arc of said curve through a central angle of 00°58'02" to its intersection with aforesaid North line of the Property; thence, along said North line, South 89°14'09" East, 156.44 feet to the POINT OF BEGINNING, containing 156,005 square feet or 3.58 acres, more or less.

3. Any development on the property subject to this Ordinance shall be subject to the following conditions:
 - a. Plans for all streets, utility installations, stormwater management and erosion control facilities shall be subject to approval by the Village Engineer.
 - b. Landscaping of the entire development shall be completed in accordance with plans approved by the Village staff.
4. This Ordinance shall take effect on the day after its enactment and publication as provided by law.

The above and foregoing Ordinance was duly adopted at a regular meeting of the McFarland Village Board on the 10th day of June 2019.

APPROVED:

Brad Czebotar, Village President

ATTEST:

Cassandra Suettinger, Village Clerk-
Treasurer

ORDINANCE 2019 –11	
MOTION	SECOND
ACTION	DATE
Adopted	
Referred	
Tabled	
Withdrawn	
Defeated	
Published	
INDIVIDUAL VOTING RECORD	
Adrian	
Brassington	Kryzenske
Czebotar	Lytle
Kolk	Utter
VOTING RESULTS	
Motion Carried	
Motion Defeated:	

Agenda item 4(d)

Review and possible recommendation to the Village Board regarding a revised General Plan and Detailed Plan for Phase 1 Development. The property address is 4703 Terminal Drive, McFarland, WI. The property is located in TID #3

Mr. Quam has revised his General Plan and Detailed Plan for Phase 1 for 4703 Terminal Drive.

Changes as identified by page/sheet number

Page 1 – Description of General Plan for staged development

- 1) Phase 1 buildings
 - 2,880 sq.ft. storage shed (previously not in narrative)
 - 1,780 sq.ft. home addition (previously not included)

Pages 2 & 3

- 2) Phase 2-office building
 - Future three story office building (previously 2 story)
 - Approximately 29,700 sq.ft. office space (previously 20,000 sq.ft.)
 - Approximately 10,900 sq.ft. footprint (previously 11,130 sq.ft.)
 - Approximately 28 underground parking stalls (previously 29 stalls)

Page 3

- 3) Phase 3 office building
 - Future four story office building (previously 3 stories)
 - Approximately 26,400 sq.ft. of office space (previously 30,000 sq.ft.)
 - Approximately 7,050 sq.ft. footprint (previously 11,130 sq.ft.)
 - Approximately 16 underground parking stalls (previously 26 stalls)

Page 3

- 4) Phase 4 apartment building
 - 28 underground parking stalls (previously 29 stalls)

Page 2

- 5) Certified Survey Map is included with submittal.
 - New notation on page 2 of 5 identifying “20’ wide public easement for water main purposes...”
 - New notation on page 3 of 5 “Limited easement to the Village of McFarland for access for water main maintenance purposes only”

Page 2

- 6) Site layout
 - Approximately 195 above ground parking stalls (previously 164 above ground parking stalls)
 - Approximately 60,900 sq.ft. office space (previously 50,000-sq.ft. office space)

- Page 2 7) Schedule
- Phase 2 – Three story office building (previously 2-story office building)
 - Phase 3 – four story office building open May 2022 (previously three-story office building open May 2024)

Description of Detailed Plan for Phase 1 development

- Page 2 1) Site Plan
- 28 below ground parking stalls (previously 29 below ground parking stalls)
 - East room of the existing house to be removed (previously not included)
 - 1,780 sq.ft. house addition (previously not included)

- Page 3 2) The grading plan
- 40' x 72' (previously shed was 40' x 70')
 - 1,780 sq.ft. house addition (previously not included)
 - Vegetated lawn access to shed (previously not included)

- Page 3 4) The shed exterior elevation (previously not included)

- Page 3 10) The apartments garage floor plan
- 28 parking stalls (previously 29 parking stalls)

- Page 3 11) The shed floor plan (previously not included)

- Page 4 g) "Planned Development Districts...." 6th line possibly typo, identifies 74 dwelling units rather than 54.

Sheet C-1 – Existing site demolition plan

- Identifies residential addition
- Identifies test pits
- Identifies burning schedule and burn areas
- Identifies slope line
- Identifies additional existing trees

Sheet C-2

- Identifies relocated office buildings and parking lots
- Identifies home addition
- Identifies new shed and location
- Identifies board walk location and width
- Identifies retaining wall – office building Phase 2
- Identifies removing/saving of existing trees
- Identifies public water main

Sheet C-3 – Apartment site plan

- Identifies property home addition
- Identifies additional above ground parking spaces
- Identifies additional 2 ft. to driveway approach to Phase I apartment building
- Identifies portion of existing room of residence to be removed
- Identifies wider boardwalk through existing wetlands
- Identifies boulder wall near entrance to site
- Identifies changes to number of above and below ground parking stalls

Sheet C-4.1 Phase 1 grading and erosion control to be review by Village Engineer
(See letter of June 4, 2019 from Town and Country Engineering)

Sheet C-4.2 Apartments grading and erosion control plan to be reviewed by Village Engineer

Sheets 5.1 & 5.2 Apartments utility plan and utility detailed plan to be review by Village Engineer See letter of June 4, 2019 from Town and Country Engineering)

Sheet C-6 Apartment landscaping and lighting plan

- Removed trees and landscaping on eastside of Phase I apartment building
- Added one above ground parking stall
- Identifies proposed home addition

Sheet A.2.1 Exterior elevations apartments

Northwest elevations – no changes

Sheet A 2.0 Exterior elevations apartments

South & east elevations – no changes

Sheet 1.0 Basement apartment floor plan – no changes

Sheet A1.1 Apartment first floor plan – no changes

Sheet A 1.2 Apartment second floor plan – no changes

Sheet A 1.3 Apartment third floor plan – no changes

Comments from Police and Fire and Rescue –

Fire and Rescue – Developer has addressed concerns expressed by Fire and Rescue Dept. concerning hydrant locations as well as pavement widths.

Police – Had no additional concerns expressed beyond their emails of Feb. 18th and March 28th. The driveway proximity referred in the Feb email is not a concern as the adjacent driveway serves a storage unit business which has little traffic.

Considerations – Given the additional square footage of office space, consideration should be given to additional traffic generated. Detailed plans for office space for Phases 2 & 3 should require a traffic generation study prior to approval of additional office space.

Relocating the office building closer to the eastern lot line combined with the additional height, (the Terminal & Triangle District plan recommends heights of 1 – 3 stories) will give a more urban appearance to the project as viewed from Hwy. 51. Are we comfortable with this appearance?

- NOTE: The revised General Plan and Detailed Plan, was reviewed by the CDA at its June meeting. Authority members were comfortable with the building having more visibility along Highway 51 with the additional height of the office buildings.

Recommendation: Any motion to approve should be conditioned on items identified in Town and Country's June 4, 2019 letter; as well as any other items deemed appropriate e.g., traffic study for future phases.

RECEIVED

MAY 22 2019

VILLAGE OF McFARLAND

Planned Development District

**Statement of Owners Intent,
Updated General Plan for Staged
Development, and Updated Detailed
Plan for Phase 1 Development**

Updated 5-22-19

**Project:
4703 Terminal Drive Development**

**Owner:
Ezra Properties, LLC
Attn: Ryan Quam**

Statement of Owners Intent

It is the intent of the Owner to develop the lands controlled by the Owner as a Mixed Use development in general conformance with the TIF plan. The purpose of this submittal is to seek the following Village approvals:

- 1) General Plan for Staged Development for all controlled lands;
- 2) Detailed Plan for Phase 1 Development;

Legal Description

The lands controlled by the Owner address is 4703 Terminal Drive and the legal description is as follows:

All that part of Outlot One (1), Assessor's Plat No. 4, Town of Blooming Grove, in the Village of McFarland, Dane County, Wisconsin lying west of the west right-of-way line of relocated U.S. Highway No. 51, except that part thereof conveyed by warranty deed recorded as document no. 4408230

And all that part of the north ½ of the northwest ¼ of section 34, Township 7 North, Range 10 East, in the Village of McFarland, Dane County Wisconsin, lying between the centerline of Terminal Drive and the west right-of-way line of relocated U.S. Highway No. 51, except that part thereof conveyed by warranty deed recorded in volume 694 of deeds, page 473, as document no. 981101.

Existing Site

The Existing Site Plan is included as sheet C-1 and site features are as follows:

- 1) 10.54 total acres;
- 2) Currently zoned Industrial without an existing house and six storage buildings.
- 3) Sloping with 82 feet of fall from the southeast property corner to the creek crossing the northwest portion of the property.
- 4) U.S. Highway 51 is adjacent to the east;
- 5) Existing storage, contractor storage/office, and commercial building is adjacent to the south;
- 6) Existing Oil Terminal is adjacent to the north;
- 7) Terminal Drive and mini-warehouse and refrigerated storage are adjacent to the west;
- 8) Public sanitary sewer and water main is available beneath Terminal Drive;

Description of General Plan for Staged Development

The General Plan proposes the development of the land with four buildings and associated drive aisles, parking lot, and regional ponds as shown on the General Development Plan included as sheet C-2. The buildings and site layout are described as follows:

- 1) Phase 1 Buildings
 - 27 unit, three story apartment building which will be described in the Detailed Plan for Phase 1 Development portion of this submittal;
 - 2,880 square foot shed which will be described in the Detailed Plan for Phase 1 Development portion of this submittal;
 - 1,780 square foot house addition which will be described in the Detailed Plan for Phase 1 Development portion of this submittal;
- 2) Phase 2 Office Building
 - Future three story office building
 - Approximately 29,700 square feet of leased office space;
 - Approximately 10,900 square foot footprint;

- Approximately 28 underground parking stalls;
- 3) Phase 3 Office Building
 - Future four story office building
 - Approximately 26,400 square feet of leased office space;
 - Approximately 7,050 square foot footprint;
 - Approximately 16 underground parking stalls;
- 4) Phase 4 Apartment Building
 - Future three story apartment building;
 - 27 units;
 - Approximately 30,000 square feet of leased apartment space;
 - Approximately 11,300 square foot footprint;
 - 28 underground parking stalls;
 - Approximately 175 feet long;
 - Approximately 70 feet deep;
 - Mix of 1, 2, and 3 bedroom units with individual washers and dryers and private balconies;
- 5) Certified Survey Map is included with the submittal
 - Lot 1 contains 2.5967 acres for the proposed phase 2 office building;
 - Lot 2 contains 1.7161 acres for the proposed phase 3 office building;
 - Lot 3 contains 5.2753 acres for the proposed phase 1 and phase 4 apartment buildings and proposed shed and existing house;
 - Lot 4 contains 0.9587 acres for the proposed dog park. Lot 4 is required because State of Wisconsin standards requires a lot division along navigable streams;
- 6) Site Layout
 - Approximately 195 above ground parking stalls are proposed to supplement the underground parking and to meet overall parking requirements;
 - Two regional detention ponds will meet rate runoff control, sediment control requirements and two infiltration ponds will meet infiltration requirements for all proposed impervious areas;
 - Approximately 0.65 acre dog park within the proposed perimeter fence with boardwalk access.
 - 60,900 approximate gross square feet of office space;
 - 67,800 gross square feet of apartment space;
 - 54 approximate total number of apartment units;
 - 5.14 Dwelling Units / Acre (overall development site which is 10.54 acres)
 - 10.25 Dwelling Units / Acre (over Lot 3 which is 5.27 acres)
- 7) Schedule
 - Phase 1 27 Unit apartment building open on June 2020
 - Phase 2 Three-story office building open on October 2020
 - Phase 3 Four-story office building open on May 2022
 - Phase 4 27 Unit apartment building open on May 2025

Description of Detailed Plan for Phase 1 Development

A three story 27-unit apartment building, shed, and house addition are proposed as the first phase of development and the details are as follows:

- 1) The Site Plan is included as sheet C-3 with features as follows:
 - 11,300 square foot apartment building footprint;
 - 26 above ground parking stalls;
 - 28 below ground parking stalls;
 - East room of the existing house to be removed;

- Existing detached garage to be removed;
 - 1,780 square foot house addition;
- 2) The Grading Plans are included as sheets C-4.1 and C-4.2 with features as follows:
 - Apartment building underground garage entrance on the north side of the building;
 - Apartment building first floor doors on the east side of the building;
 - Apartment building garage doors on the north and west sides of the building;
 - Apartment retaining walls to accommodate the natural grade changes;
 - 40'x72' shed shown on sheet C-4.1;
 - 1,780 square foot house addition shown on sheet C-4.1 and C-4.2;
 - Vegetated lawn access to shed as shown on sheet C-4.1;
 - 3) The 27 Unit Apartment Building Exterior Elevations drawings are included
 - Intended to meet the TIF goal to "emphasize high quality natural building wall materials such as brick, block, and glass";
 - Materials include single hung vinyl windows, aluminum railing systems, thin stone veneer, fiber-cement lap siding, and fiber-cement siding panels with reveal joints;
 - Roof materials include three dimensional asphalt shingles and standing seam metal accent roofs;
 - 4) The Shed Exterior Elevation drawings are included
 - Building colors will be earth tones;
 - 5) The Landscape and Lighting Plan is included as sheet C-6
 - 6) The Utility Plan is included as sheet C-5
 - The 8" sanitary sewer will connect to the existing sanitary manhole under Terminal Drive to provide 6" sanitary sewer laterals to serve the phase 1 through phase 4 buildings as well as the existing house.
 - The 8" water main will connect to the water main to the existing 10" water main under Terminal Drive to provide 6" water services to serve the phase 1 through phase 4 buildings as well as the existing house.
 - Inlets and catch basins will collect runoff from all impervious areas and storm sewer will carry runoff to the detention pond and infiltration pond;
 - 7) The Apartments First Floor Plan is included
 - 8,912 approximate apartments area;
 - Six two bedrooms;
 - Three one bedrooms;
 - Each unit will have individual washers and dryers and private balconies;
 - 8) The Apartments Second Floor Plan is included
 - 8,912 approximate apartments area;
 - Six two bedrooms;
 - Three one bedrooms;
 - Each unit will have individual washers and dryers and private balconies;
 - 9) The Apartments Third Floor Plan is included
 - 9,712 square feet apartments area (including lofts);
 - Four two bedrooms with loft;
 - Two two bedrooms;
 - Three one bedrooms;
 - Each unit will have individual washers and dryers and private balconies;
 - 10) The Apartments Garage Floor Plan is included
 - Tenant storage and mechanical rooms in the garage;
 - 28 parking stalls;
 - Dog washing station;
 - 11) The Shed Floor Plan is included

Planned Development District Standards and Responses

Section 62-67(4) lists the standards that shall apply in the review of all general or detailed plans proposed for the Planned Development District. The standards and this submittal responses are as follows:

- a) *"The uses proposed in the planned development shall be in general conformance with the Village Comprehensive Plan".* This application includes a request for a Comprehensive Plan amendment to accommodate this proposed General Plan for Staged Development, and Detailed Plan for Phase 1.
- b) *"The establishment, maintenance or operation of the uses proposed in the planned development shall not substantially impair or diminish the use value and enjoyment of other properties within the neighborhood".* The proposed General Plan for Staged Development, and Detailed Plan for Phase 1 Development will not substantially impair or diminish the use value and enjoyment of the adjacent properties.
- c) *"Traffic circulation into and within the development shall be designed to minimize traffic congestion and traffic hazards, provide for the accessibility of all uses and buildings and also provide for the safe and convenient movement of both vehicles and pedestrians".* The proposed private driveway from Terminal Drive serving the proposed buildings is located directly across the street from the driveway serving the mini-warehouse development to the west. The existing residential driveway will be removed. The 24' wide driveway will provide safe and convenient movement of vehicles and the adjacent sidewalk will provide safe movement for pedestrians.
- d) *"The planned development shall incorporate environmental design considerations, including the preservation of topography, trees and ground cover, streams and natural bodies of waters, and other significant natural features and control of erosion and runoff in accord with the Village Erosion Control and Stormwater Management Ordinances".* The proposed buildings are located a minimum of 75' from the delineated wetlands and the proposed grading limits are a minimum of 25' from the delineated wetlands. Stormwater runoff from the development will pass through detention ponds and infiltration ponds. The proposed development will include storm sewer, detention ponds, and infiltration ponds to meet Village Erosion Control and Stormwater Management Ordinances. Many large oak trees and cedar trees will be protected during construction in order to remain. The Landscape Plan will meet Village landscaping ordinances.
- e) *"The planned development shall provide for convenient and harmonious groups of buildings, structures and uses; and buildings shall be spaced and sited to ensure adequate safety, light, ventilation and privacy".* The four proposed buildings will be designed with similar materials and architectural style. The office buildings are located over 100 horizontal feet and 30 vertical feet from the apartment buildings to maximize privacy.
- f) *"In a planned development for residential use, adequate open space and recreational areas shall be provided in appropriate locations, and all public and common open spaces shall be designed and located to provide safe and convenient access to residents".* A 0.65 acre dog park with perimeter fencing and boardwalk access is proposed as shown on sheet C-2. The lawn and landscaped areas will provide a common open space that is safe and accessible to residents.
- g) *"Planned Development Districts housing impacts on community resources in the same manner as other new development, which are characterized by division of land into lots. In particular, the additional population density places demands upon Village parks and recreation areas. Accordingly, each dwelling unit newly established shall be required to dedicate land or provide fees in lieu of land, in accordance with the procedures set forth in Section 62-64".* The proposed 74

dwelling units will provide \$222,210 of fees-in-lieu of parkland dedication, \$23,653 in Park Improvement fees, and \$23,274 in Library Impact fees.

- h) *"The planned development will not adversely affect the ability of public agencies to provide school or other municipal services".* The planned development will not adversely affect the ability of public agencies to provide school or other municipal services
- i) *"The width of street rights-of-way, width of paving, width and location of street or other paving, outdoor lighting, location of sewer and water lines, provision for stormwater drainage or other similar environmental engineering considerations shall be based on a determination and the appropriate standards necessary to implement the specific function in the specific situation; provided, however, that in no case shall standards be less than those necessary to ensure the public safety and welfare as determined by the Village".* The constructions will meet Village and State requirements.
- j) *"The proponents of a Planned Development District application shall provide evidence satisfactory to the Village Board of its economic feasibility of available adequate financing and that it would not adversely affect the economic prosperity of the Village or the values of surrounding properties".* The applicant feels that this proposal will be a benefit to the Village and not adversely affect surrounding properties;
- k) *"The proponents of a Planned Development District shall submit a reasonable schedule for the implementation of the development of the development to the satisfaction of the Village Board, including suitable provisions for assurance that each phase could be brought to completion in a manner that would not result in an adverse effect upon the community as a result of termination at that point".* The anticipated development schedule is included on page 2 of this submittal and on sheet C-2.

VILLAGE OF IDEALAND, DADE COUNTY, WOODSON LIVING WEST OF THE WEST RIGHT OF WAY LANE OF IDEALAND, DATED NOVEMBER 19, 1911, EXCEPT THAT PART THEREOF CONNECTED BY WATERBURY DEED RECORDED IN VOL. 11, PAGE 473, NO. 94628-38.

AND ALL THAT PART OF THE NORTH 1/2 OF THE NORTHWEST 1/4 OF SECTION 34, TOWNSHIP 7 NORTH, RANGE 1 EAST, IN THE VILLAGE OF IDEALAND, DADE COUNTY, WOODSON LIVING WEST OF THE WEST RIGHT OF WAY LANE OF IDEALAND, DATED NOVEMBER 19, 1911, EXCEPT THAT PART THEREOF CONNECTED BY WARRANTY DEED RECORDED IN VOL. 11, PAGE 474 OF DEEDS, NO. 94628-38.

RECEIVED
MAY 22 2019
VILLAGE OF McFARLAND



4703 TERMINAL DRIVE
EXISTING SITE & DEMOLITION PLAN WITH BURN AREAS
C-1
DATED: MAY 22, 2019

QUAM ENGINEERING, LLC
Residential and Commercial Site Design Consultants

www.quamengineering.com
4604 Singlooke Road, Suite A - Mequon, Wisconsin 53088
Phone (800) 838-7750 Fax (800) 838-7752



US HIGHWAY 51 51

4703 TERMINAL DRIVE
GENERAL DEVELOPMENT PLAN
C-2
DATED: MAY 22, 2019

QUAM ENGINEERING, LLC
Residential and Commercial Site Design Consultants
4604 Siggelkow Road, Suite A - McFarland, Wisconsin 53558
Phone (608) 838-7750, Fax (608) 838-7752
www.quamengineering.com

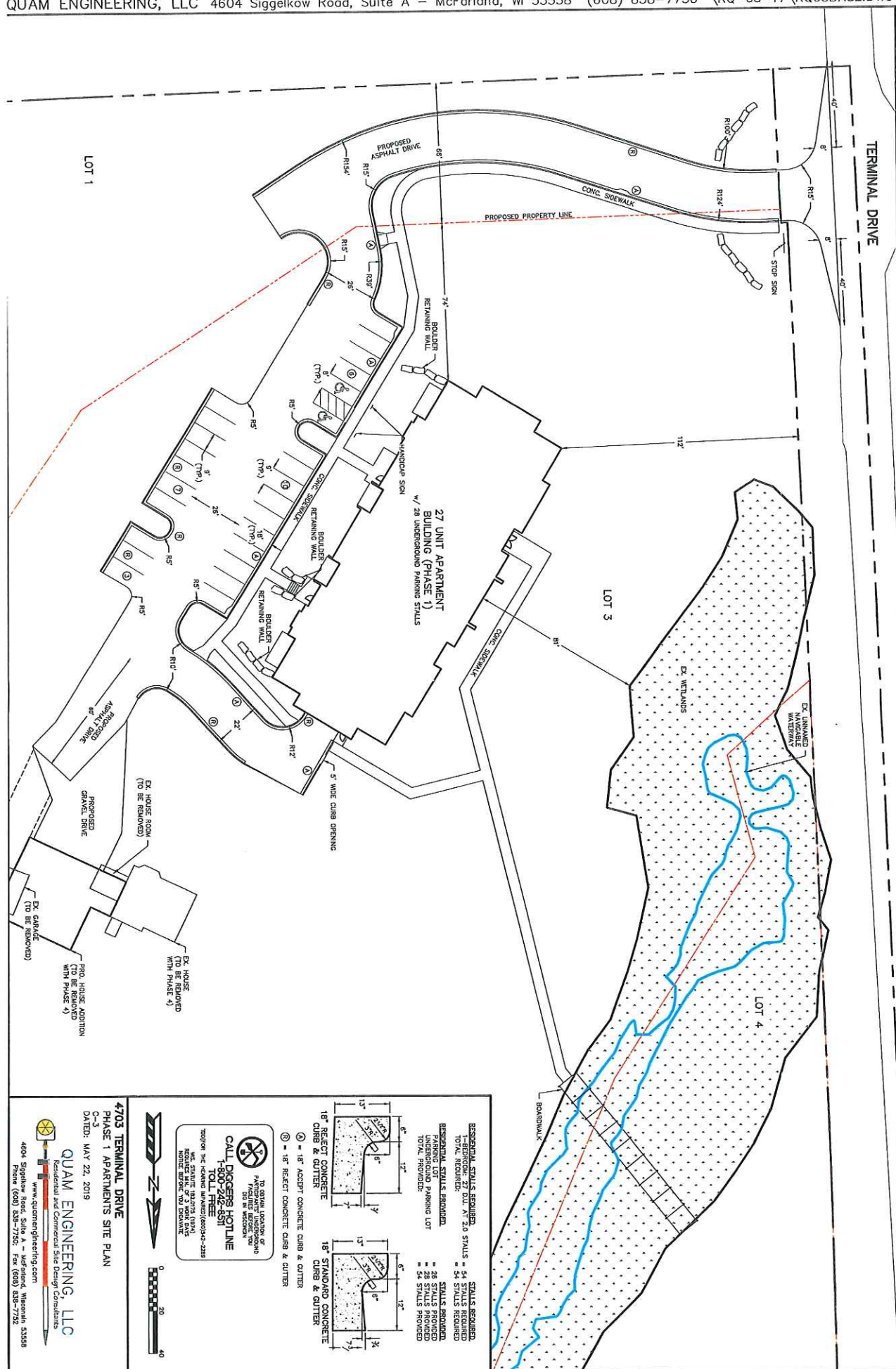
TO OBTAIN LOCATION OF PARTICIPANT DESIGN POINTS IN WISCONSIN
CALL DIGGERS HOTLINE
1-800-242-8911
TOLL FREE

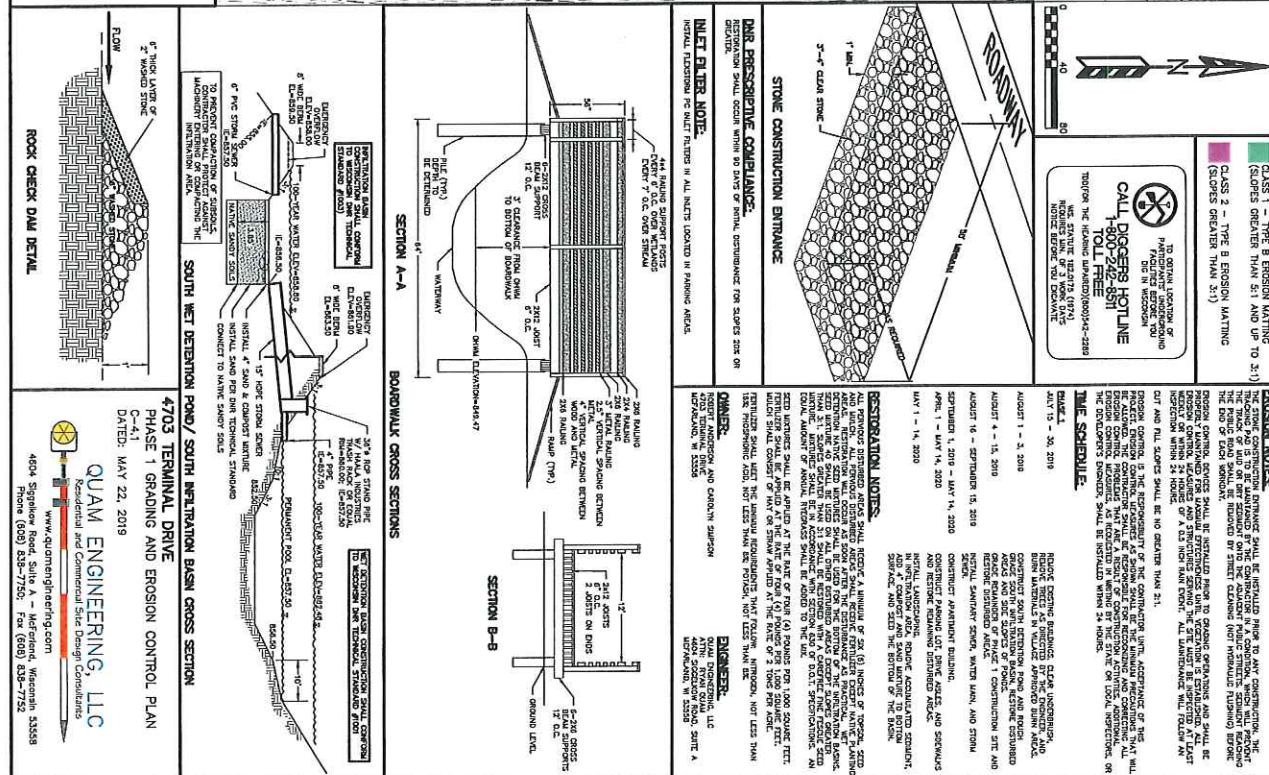
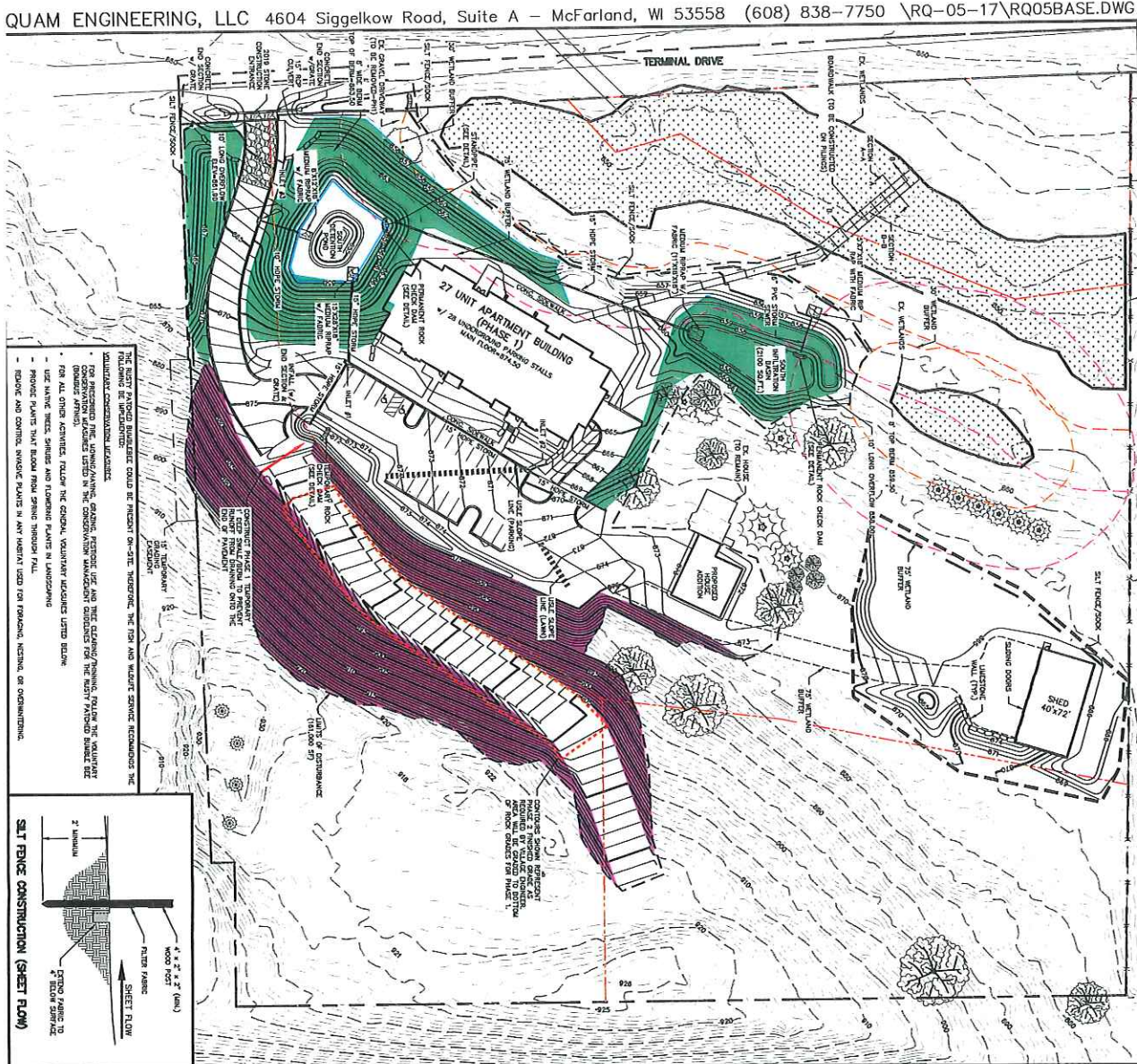
THE SCHEDULE:
JULY 15 - 20, 2018
AUGUST 1 - 3, 2018
AUGUST 14 - 15, 2018
AUGUST 16 - SEPTEMBER 13, 2018
SEPTEMBER 1, 2018 - MAY 14, 2019
MAY 1 - 14, 2020
JULY 15 - SEPTEMBER 13, 2020
SEPTEMBER 1, 2021 - APRIL 30, 2024
SEPTEMBER 1, 2024 - APRIL 30, 2025

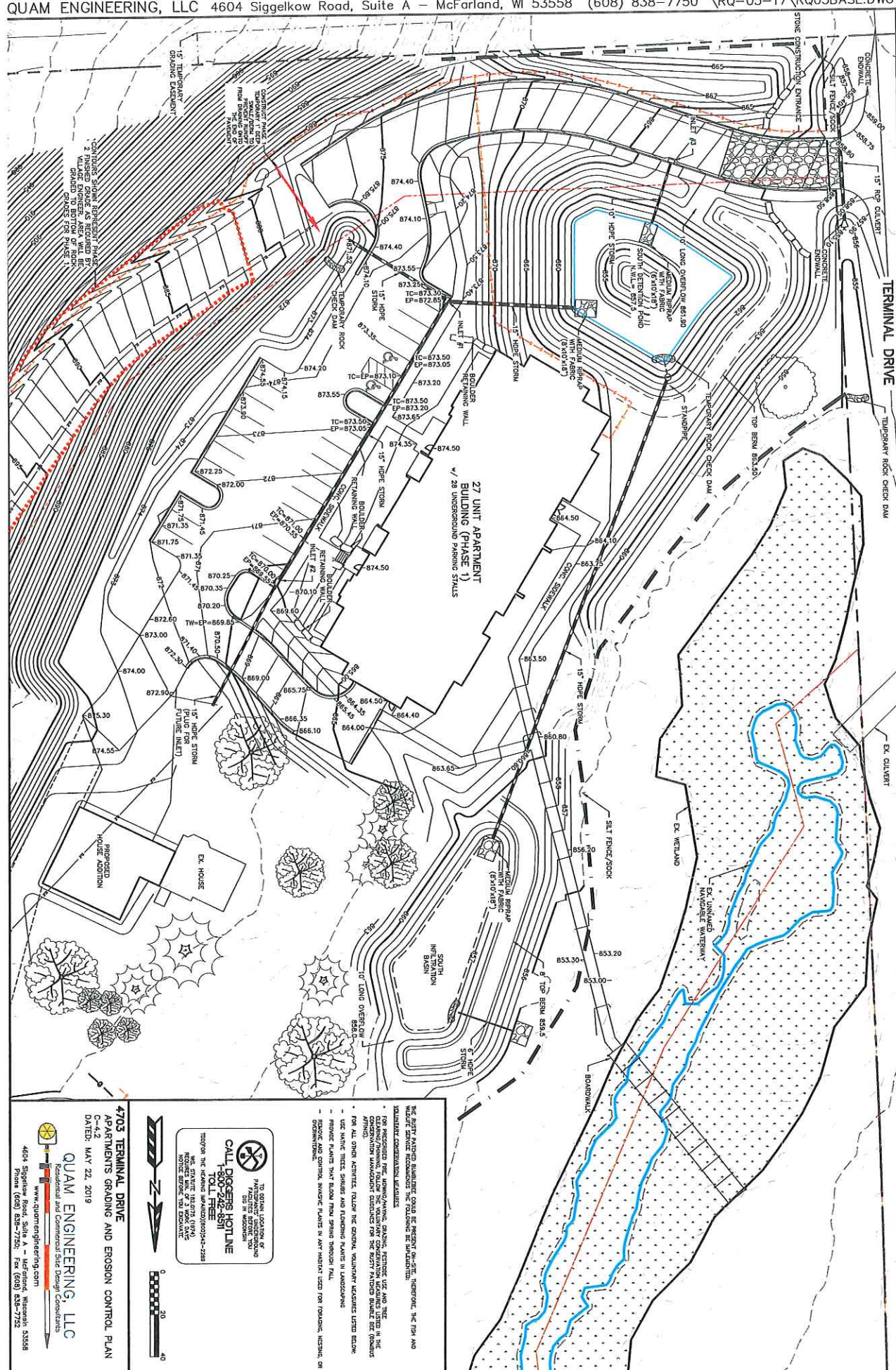
BUILDING INFORMATION		
BUILDING	# OF STORIES	BUILDING FOOTPRINT (SF)
PHASE 1 - APARTMENTS	3 + UNDERGROUND	11310
PHASE 2 - OFFICE	34+ UNDERGROUND	11500
PHASE 3 - OFFICE	24+ UNDERGROUND	11500
PHASE 4 - APARTMENTS	34+ UNDERGROUND	11310

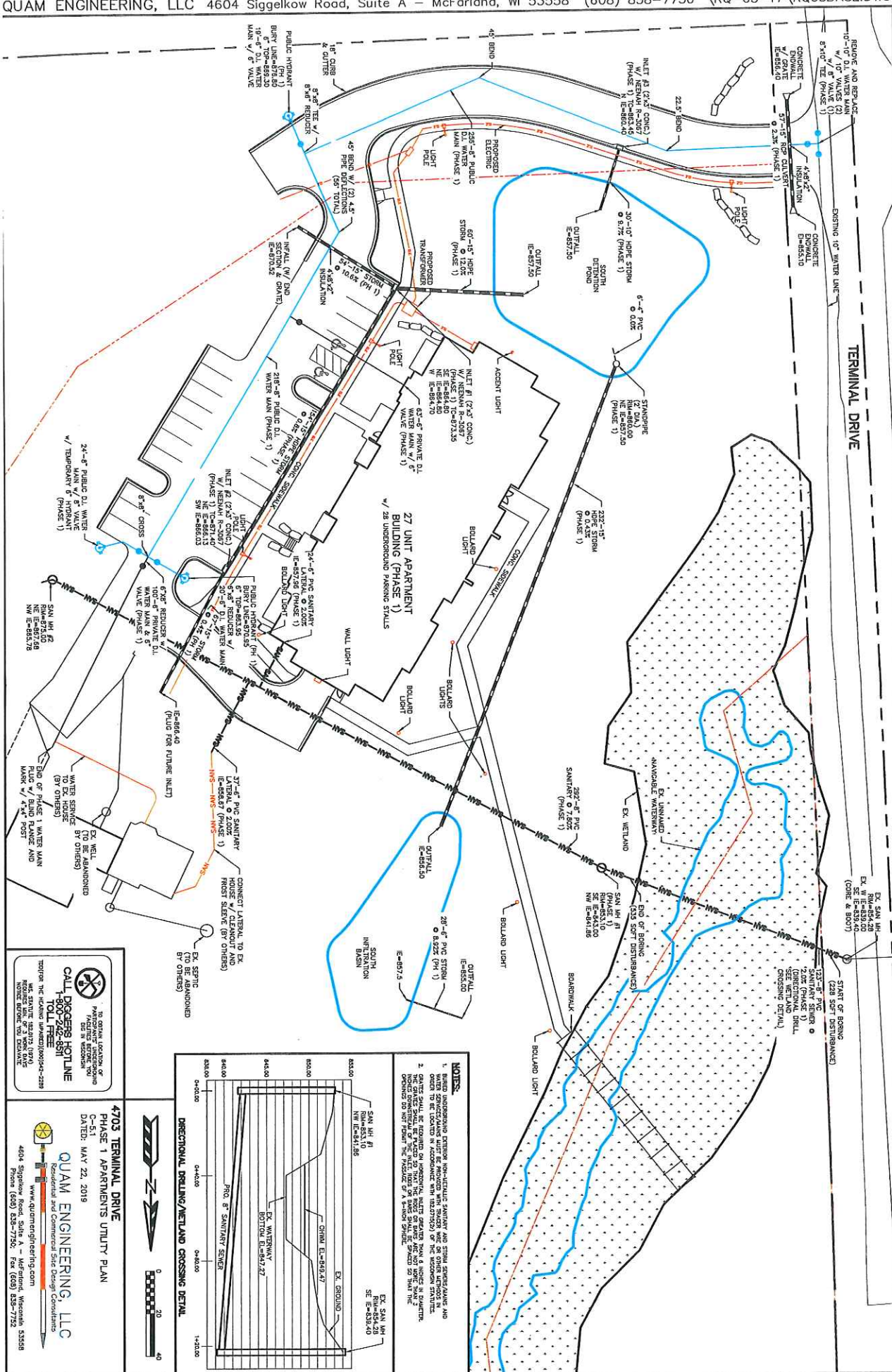
LOT INFORMATION		
LOT #	AREA (ACRES)	AREA (SQ. FT.)
1	2.5667	22600
2	1.7161	14800
3	3.2735	28500
4	0.6367	5500

REPLACE EXISTING BUILDINGS WITH UNDERGROUND
BURN BUILDINGS BY VALUE APPROVED BURN AREA.
GRADE 200' IN DETENTION POND AND RESTORE
GRADE REMAINDER OF PHASE 1 CONSTRUCTION SITE AND
RESTORE DETENTION POND.
CONSTRUCT SANITARY SEWER, WATER MAIN, AND STORM
SEWER.
CONSTRUCT APARTMENT BUILDING.
CONSTRUCT PARKING LOT, OFFICE BUILDING, AND UNDERGROUND
PARKING LOT.
INITIAL LANDSCAPING.
CONSTRUCT OFFICE BUILDING AND ASSOCIATED PARKING
LOT AND RESTORE DETENTION POND.
CONSTRUCT OFFICE BUILDING AND ASSOCIATED PARKING
LOT AND RESTORE DETENTION POND.

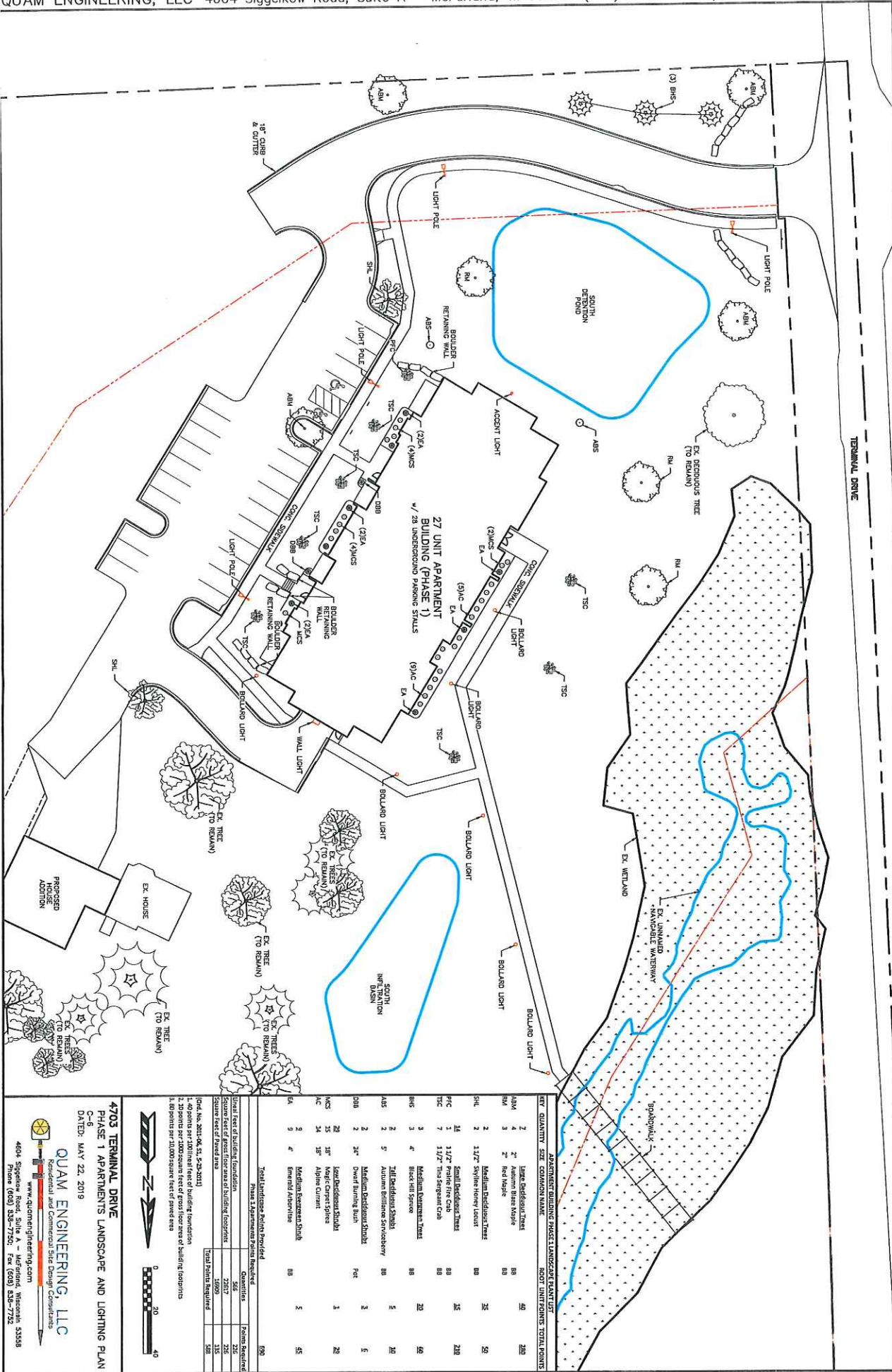














EXTERIOR ELEVATIONS GENERAL
NOTES AND LEGEND

MAY 13 2019

PAGE: A2.1
DATE: FEB. 11, 2019

Residential and Commercial Site Design Consultants
www.guofar.com



4703 TERMINAL DRIVE MULTIFAMILY - 1

PHASEMENT FLOOR PLAN

DATE: FEB. 11, 2015

QUAM ENGINEERING, LLC

Residential and Commercial Site Design Consultants
www.sdrinc.com

$$\text{PbO} = 30.61; \text{CaO} = 55.70; \text{FeO} = 1.69; \text{SiO}_2 = 7.72$$

FLOOR PLAN GENERAL NOTES

- [illegible]



A SEE SHEET A5.6-5.3 FOR UNDERSTANDING PULLING

- [illegible]

DATE: FEB. 11, 2019

$$2\lambda_1 \frac{\partial \mathcal{L}}{\partial \lambda_1} = 0 \Rightarrow \lambda_1 = \frac{1}{2} \left(\frac{1}{\lambda_2} + \frac{1}{\lambda_3} \right) \Rightarrow \lambda_1 = \frac{1}{2} \left(\frac{1}{\lambda_2} + \frac{1}{\lambda_3} \right)$$

[illegible]

FOURTH FLOOR NORTH

4703 TERMINAL DRIVE MULTIFAMILY - 1
THIRD FLOOR PLAN

[illegible]

4703 TERMINAL DRIVE MULTIFAMILY - 1
FIRST FLOOR PLAN
PAGE 61.1
DATE, FEB. 11, 2013

QUAM ENGINEERING, LLC
Residential and Commercial Site Design Consultants

Residential and Commercial Site Design Consultants



P.O Box 930220
Verona, WI 53593-0220
Phone: (608) 845-9700
Fax: (608) 845-7070

5/16/2019
ANDERSON, ROBERT
Doc ID: 5129820190516071741

Elevations & Floor Plan

Customer Information

Building Specification For:

ANDERSON, ROBERT
TERMINAL DRIVE
MC FARLAND, WISCONSIN 53558
Cell Phone: (608) 379-0123
Email: tleeser@clearybuilding.com

Building Site Location:

Location: N/A
Tenant: N/A
TERMINAL DRIVE
MC FARLAND, WISCONSIN 53558
County: DANE

RECEIVED
MAY 16 2019
VILLAGE OF McFARLAND

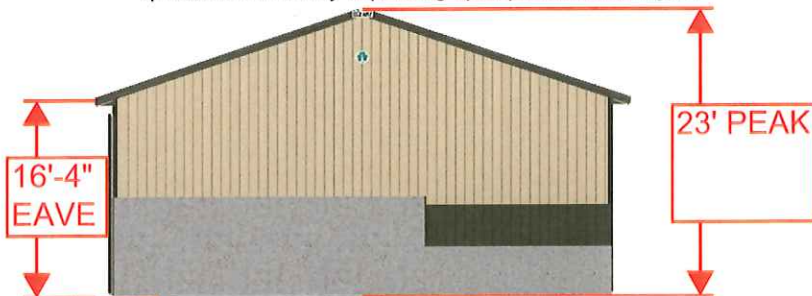
Elevations & Floor Plan

Elevations for Building 1



West End Wall 1 on Building 1

Note: These colors are as close to the actual colors as permitted by printing. Actual metal samples must be reviewed with your Sales Specialist. Colors vary depending upon position and angles.



East End Wall 2 on Building 1

Note: These colors are as close to the actual colors as permitted by printing. Actual metal samples must be reviewed with your Sales Specialist. Colors vary depending upon position and angles.



North Side Wall 1 on Building 1

Note: These colors are as close to the actual colors as permitted by printing. Actual metal samples must be reviewed with your Sales Specialist. Colors vary depending upon position and angles.



South Side Wall 2 on Building 1

Note: These colors are as close to the actual colors as permitted by printing. Actual metal samples must be reviewed with your Sales Specialist. Colors vary depending upon position and angles.

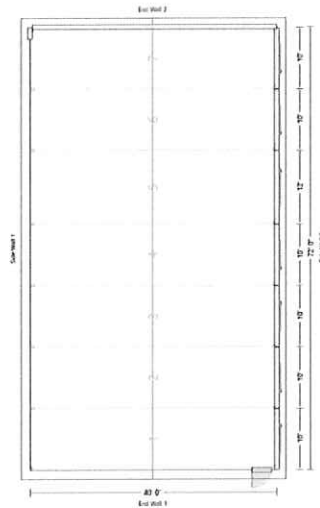


P.O Box 930220
Verona, WI 53593-0220
Phone: (608) 845-9700
Fax: (608) 845-7070

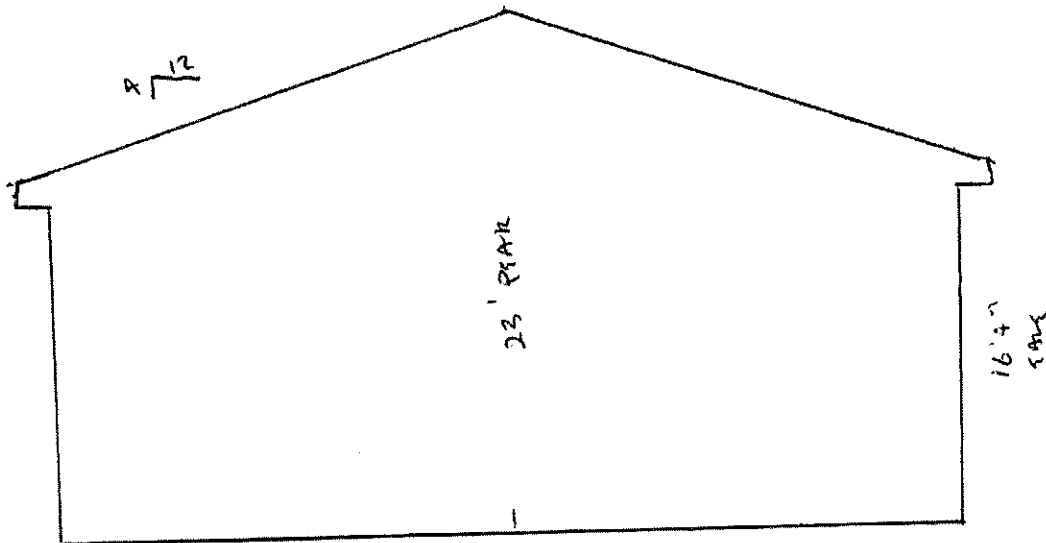
5/16/2019
ANDERSON, ROBERT
Doc ID: 5129820190516071741

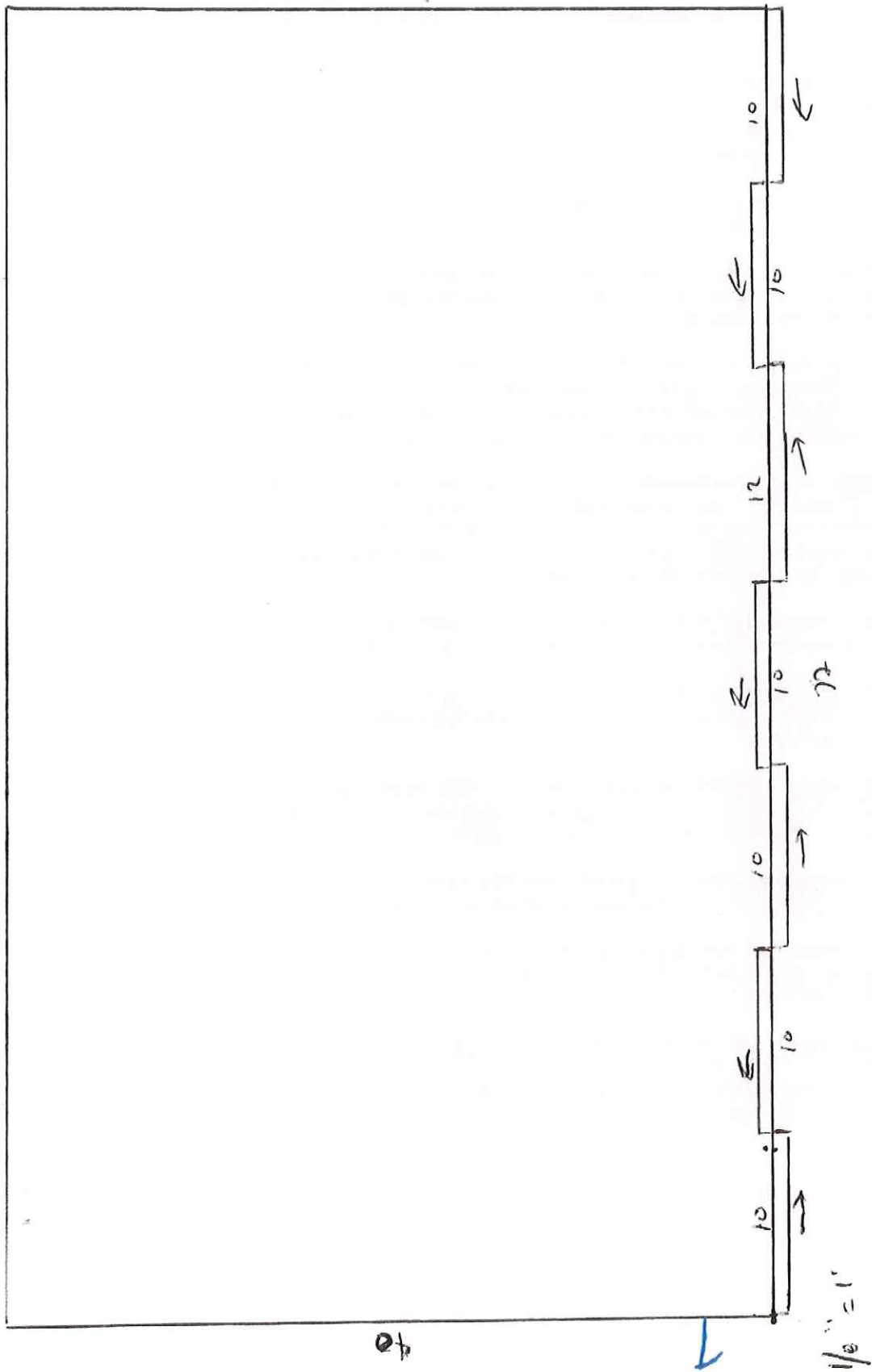
Elevations & Floor Plan

Floor Plan



$\frac{1}{8}'' = 1'$





From: Craig Sherven
Sent: Monday, February 18, 2019 2:35 PM
To: Karen Knoll; Pauline Boness
Subject: RE: 4703 Terminal Drive

Regarding 4703 Terminal Dr. plans:

- Suggest traffic control signage at intersecting driveways (i.e. stop signs)
- New driveway appears to contact Terminal Dr. directly across from an existing driveway. If that driveway experiences heavy semi tractor-trailer traffic, might suggest repositioning driveway (much like the existing driveway) to a better location.

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

Sent: Monday, February 18, 2019 11:11 AM
To: Craig Sherven <Craig.Sherven@mcfarland.wi.us>; Chris Dennis <Chris.Dennis@mcfarland.wi.us>; Mitchell Sutter <Mitchell.Sutter@mcfarland.wi.us>; Jim Hessling <Jim.Hessling@mcfarland.wi.us>
Subject: 4703 Terminal Drive

Hello –

Attached are the plans and project description for 4703 terminal Drive. Please review and send your comments, questions or concerns by March 8th to Pauline.

There are also hard copies in your mail boxes.
Thank you



Confidentiality statement: This electronic transmission is intended only for the use of the individual or entity to which it is addressed. It may contain information which is privileged, confidential, or exempt from disclosure under applicable law. If the reader of this message is not the intended recipient, you are notified that any review, use, copying, dissemination or distribution of the contents other than to the addressee of this communication, is strictly prohibited. If you received this communication in error, notify us immediately by telephone and delete the original message.

From: Craig Sherven
Sent: Thursday, March 28, 2019 9:44 AM
To: Pauline Boness;
Subject: 4703 Terminal Drive

Pauline / Karen – my only additional comment regarding this project is to have adequate lighting of the parking and entry areas, and to strongly consider a vibrant security camera system due to the fact that this property is kind of hung out there in no-man's land so to speak. Would also recommend security locked entrances.

I'm guessing many of these things are probably already a part of the project.

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

From: Mitchell Sutter
Sent: Thursday, May 16, 2019 12:24 PM
To: Karen Knoll; Brian Berquist; Chris Dennis; Craig Sherven; Jim Hessling
Subject: RE: 4703 Terminal Drive

At this point, the Fire Department does not observe any issues at this time with the plan as presented.

Mitchell Sutter
Fire Inspector/Public Education Specialist
McFarland Fire Rescue
Office 608-838-2321
Cell 608-516-7350

Sent: Wednesday, May 15, 2019 3:15 PM
To: Brian Berquist <brian@tcengineers.net>; Chris Dennis <Chris.Dennis@mcfarland.wi.us>; Mitchell Sutter <Mitchell.Sutter@mcfarland.wi.us>; Craig Sherven <Craig.Sherven@mcfarland.wi.us>; Jim Hessling <Jim.Hessling@mcfarland.wi.us>
Subject: 4703 Terminal Drive

Hello-

Attached is the latest paperwork for 4703 Terminal Drive. Please review, and send any comments or concerns to me by June 5th. If you would like a paper copy for review please let me know and I can put a set in your mailbox.

Thank you.

608.838.3154



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June 4, 2019

Ms. Pauline Boness (*via email*)
Director of Community Development
Village of McFarland
5915 Milwaukee Street
P.O. Box 110
McFarland, WI 53558

Subject: Revised Plan Review for 4703 Terminal Drive Redevelopment; Village of McFarland

Dear Pauline:

We have received the updated submittal for the proposed redevelopment at 4703 Terminal Drive dated May 13, 2019, and completed our review relative to the previous comments and other discussions with Village officials and staff. We recommend approval of the plans, conditioned upon the following items:

Sheet C2

- The sizes of proposed office buildings and associated parking lots have changed. The applicant should provide a summary table showing the previous and current proposed land uses and footprint sizes to confirm that the stormwater management ponds and basins are still appropriately sized and will fit within the footprints shown for future phases.
- A large addition is proposed to the existing house. This will need separate approvals from the Village.

Sheet C4.1

- Cross-sections A-A and B-B for the proposed boardwalk are switched (profile showing cross-section)
- A label on the proposed gravel driveway to the proposed 40'x70' shed calls out "75' wetland buffer."

Certified Survey Map

- Several small typographical errors need to be corrected that we have transmitted to the developer's surveyor.

If you have any questions with respect to our thoughts on this matter, I am available at your convenience to discuss them with you.

Very truly yours,
TOWN & COUNTRY ENGINEERING, INC.



Brian R. Berquist, P.E.
President

cc: Mr. Matt Schuenke, Village Administrator, Village of McFarland (*via email*)
Mr. Jim Hessling, Director of Public Works, Village of McFarland (*via email*)
Mr. Ryan Quam, Quam Engineering, LLC. (*via email*)

BRB:brb

J:\JOB#S\McFarland\MC-152-M6 4703 Terminal Drive Development Review\Admin\Review Ltr. (3).docx



PLAN COMMISSION SUMMARY SHEET

MEETING DATE: Monday, June 17, 2019

SECTION: Business

DEPARTMENT: Community Development

CONTACT:

AGENDA ITEM: Review and possible recommendation to the Village Board regarding an amended development agreement for Phase 8 of Juniper Ridge Subdivision.

PREVIOUS ACTION:

ISSUE SUMMARY:

FINANCIAL/BUDGET IMPACT:

VILLAGE PLAN REFERENCE:

ORDINANCE REFERENCE:

BOARD, COMMISSION OR COMMITTEE RECOMMENDATION:

In your packets is the Development Agreement for Phase 8. This phase encompasses two different locations within the plat. The southern portion connects Peninsula Way in the Juniper Ridge and Prairie View Subdivisions, a connection Public Works and Fire and Rescue services have been hoping for.

Lots in Phase 8 will be charged the required park impact fee. The original development agreement accepted various playground and park improvements as partial credit for park impact fees. The last 43 lots of the subdivision are to be charged the remaining balance of park impact fees of \$731.47 per dwelling unit. A portion of Phase 8 and all remaining lots in a future Phase 9 will be charged this fee. The Village also gave partial credit for land dedicated for park purposes. Some monies will however be collected to cover the balance of what is owed. The Village Attorney and Village Engineer have reviewed this document and feel it is ready for approval.

Recommendation: Approval to the Village Board



ATTACHMENTS:

1. 4e - Juniper Ridge - 6.17.19

RECEIVED
MAY 28 2019
VILLAGE OF McFARLAND

SIXTH AMENDMENT TO DEVELOPMENT AGREEMENT FOR JUNIPER RIDGE

THIS SIXTH AMENDMENT TO DEVELOPMENT AGREEMENT FOR JUNIPER RIDGE (the "Amendment") is made as of the ____ day of _____, 2019, by and between the Village of McFarland, a Wisconsin Municipal Corporation ("Village") and VH Juniper Ridge, LLC, a Wisconsin Limited Liability Company ("Developer").

WITNESSETH:

WHEREAS, Village and MREC VH Juniper Ridge, LLC 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, a Fourth Amendment to Development Agreement for Juniper Ridge dated September 5, 2018, and a Fifth Amendment to Development Agreement for Juniper Ridge dated September 26, 2018 (collectively the "Agreement"); and

WHEREAS, Developer was a member and project manager for MREC VH Juniper Ridge, LLC, has acquired all of the lots in the Juniper Ridge Subdivision previously owned by MREC VH Juniper Ridge, LLC and has succeeded to the interest of said entity in and to 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 8. Phase 8 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 8 immediately upon Substantial Completion of public improvements, as that term is defined in Section 2(M) of the Agreement. The Surety for Phase 8 shall be in the amount of \$1,108,200.00. 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 8 consisting of 35 lots at \$786.75 per lot is \$27,536.25, payable in accordance with the terms of paragraph 2(L)(a) of the Agreement.

4) **Parkland Improvement Fees.** Paragraph 2(L)(b) of the Agreement requires payment of park improvement fees (the "**Park Improvement Fees**") for the last 43 lots out of the 193 total lots of the subdivision. Through Phase 7, 145 lots have been developed pursuant to the terms of the Agreement. Accordingly, Park Improvement Fees for 30 lots in Phase 8 are due and payable to the City in accordance with the provisions of the Development Agreement cited in the first sentence to this paragraph. The total Park Improvement Fees for Phase 8 shall equal \$21,944.10.

5) **Water Main Connection on North Peninsula Way.** On or before October 15, 2019, the Developer agrees to connect the water main on North Peninsula Way from the existing main near the north property line of Lot 24, Juniper Ridge, to the existing main near the south property line of Lot 20, Juniper Ridge.

6) **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.

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

[Signature page to follow.]

Developer Signature Page
for
Sixth Amendment to Development Agreement for Juniper Ridge

Dated this ____ day of _____, 2019.

**VH Juniper Ridge LLC, a Wisconsin Limited
Liability Company**

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 _____, 2019, 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 Signature Page
for
Sixth Amendment to Development Agreement for Juniper Ridge**

VILLAGE OF MCFARLAND

By: _____
Print Name: _____
Print Title: _____

Attest: _____
Print Name: _____
Print Title: _____

STATE OF WISCONSIN)
)ss
COUNTY OF DANE)

Personally came before me, _____, notary public for the above State and County, this ____ day of _____, 2019, 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: _____

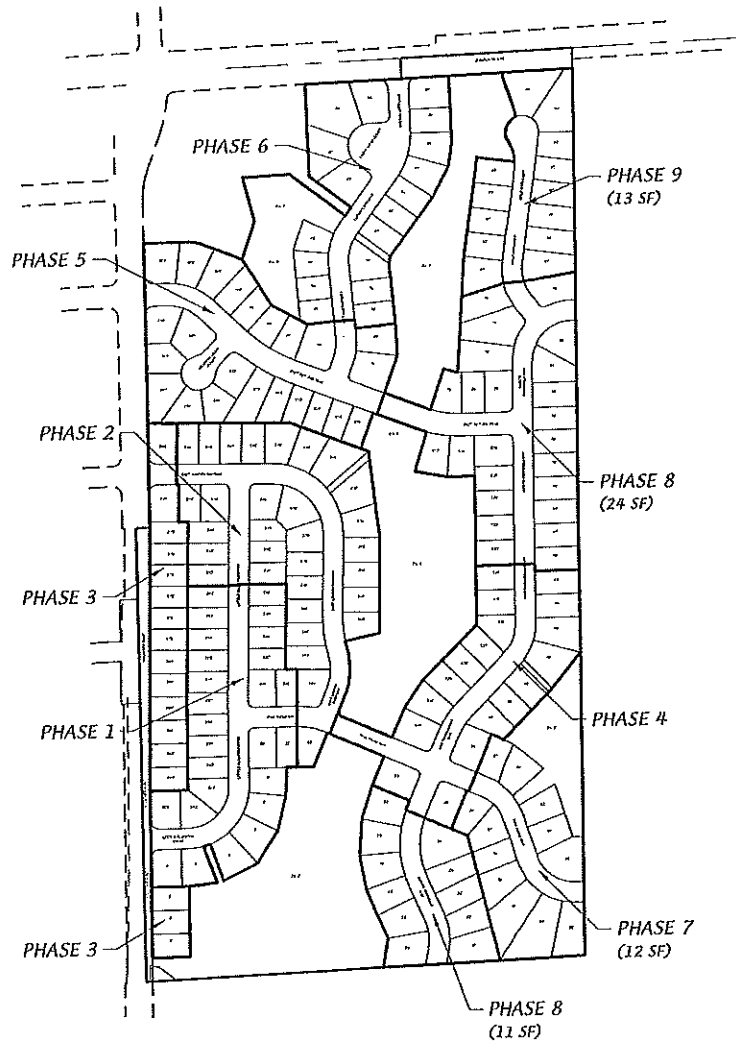
STATE OF WISCONSIN)
)ss
COUNTY OF DANE)

Personally came before me, _____, notary public for the above State and County, this ____ day of _____, 2019, 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: _____

EXHIBIT "A"
PAGE 1

JUNIPER RIDGE



D'ONOFRIO KOTTKE AND ASSOCIATES, INC.

7530 Westward Way, Madison, WI 53717
Phone: 608.833.7530 • Fax: 608.833.1089
YOUR NATURAL RESOURCE FOR LAND DEVELOPMENT



0 400
Scale 1" = 400'

DATE: 05-06-19
F.N.: 18-05-163
REV.

DRAWN BY:

U:/USER/1407114/DRAWINGS/PHASE MAP.DWG

EXHIBIT "A"

PAGE 2

Legal Description – Juniper Ridge – Phase 8

Lots 14-24, 46-56, 70-75 and 117-123, 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.

14	0710-354-4144-1
15	0710-354-4155-1
16	0710-354-4166-1
17	0710-354-4177-1
18	0710-354-4188-1
19	0710-354-4199-1
20	0710-354-4210-1
21	0710-354-4221-1
22	0710-354-4232-1
23	0710-354-4243-1
24	0710-354-4254-1
46	0710-354-4496-1
47	0710-354-4507-1
48	0710-354-4518-1
49	0710-354-2009-1
50	0710-354-2020-1
51	0710-354-2031-1
52	0710-354-2042-1
53	0710-354-2053-1
54	0710-354-2064-1
55	0710-354-2075-1
56	0710-354-2086-1
70	0710-354-2240-1
71	0710-354-2251-1
72	0710-354-2262-1
73	0710-354-2273-1
74	0710-354-2284-1
75	0710-354-2295-1
117	0710-354-2757-1
118	0710-354-2768-1
119	0710-354-2779-1
120	0710-354-2790-1

121	0710-354-2801-1
122	0710-354-4532-1
123	0710-354-4543-1

EXHIBIT "B"

Juniper Ridge - Phase 8
Engineer's Estimate
May 8, 2019

Item No.	Description	Est. Quantity	Unit	Unit Price	Amount
<u>Erosion Control</u>					
	Stone Tracking Pad	2	EA	\$700.00	\$1,400.00
	Earthen Berm	1,685	LF	\$2.50	\$4,212.50
	Silt Fence	1,750	LF	\$1.90	\$3,325.00
	Velocity Check	5	EA	\$400.00	\$2,000.00
	Stone Weeper w/Sump	7	EA	\$410.00	\$2,870.00
	Lot Restoration	16,900	SY	\$0.90	\$15,210.00
				subtotal	\$29,017.50
<u>Sanitary Sewer Construction</u>					
	8" PVC Sanitary Sewer	1,814	LF	\$34.00	\$61,676.00
	4" PVC Sanitary Lateral	1,400	LF	\$32.00	\$44,800.00
	Tracer Wire and Box	34	EA	\$200.00	\$6,800.00
	Standard Sanitary Manhole	11	EA	\$2,300.00	\$25,300.00
	Extra Manhole Depth	68	VF	\$240.00	\$16,320.00
	Manhole Chimney Seal	11.0	EA	\$470.00	\$5,170.00
	Sanitary Sewer Trench Compaction	3,214	TF	\$6.00	\$19,284.00
	Televise Sanitary Sewer	1,814	TF	\$3.30	\$5,986.20
				subtotal	\$185,336.20
<u>Water Main Construction</u>					
	8" Water Main	1,792	LF	\$46.00	\$82,432.00
	6" Water Main	75	LF	\$56.00	\$4,200.00
	8" Valve and Box	8	EA	\$2,500.00	\$20,000.00
	6" Valve and Box	6	EA	\$2,100.00	\$12,600.00
	1" Copper Services	34	EA	\$1,400.00	\$47,600.00
	Fire Hydrant	3	EA	\$4,100.00	\$12,300.00
	Relocate Existing Fire Hydrant	3	EA	\$1,800.00	\$5,400.00
	Water main Trench Compaction	1,867	TF	\$4.00	\$7,468.00
				subtotal	\$192,000.00
<u>Storm Sewer Construction</u>					
	30" RCP Storm Sewer	471	LF	\$70.00	\$32,970.00
	24" RCP Storm Sewer	112	LF	\$60.00	\$6,720.00
	15" RCP Storm Sewer	336	LF	\$38.00	\$12,768.00
	12" RCP Storm Sewer	580	LF	\$36.00	\$20,880.00
	30" RCP Apron Endwall & Gate	1	EA	\$2,500.00	\$2,500.00
	Catch Basin	10	EA	\$2,600.00	\$26,000.00


 D'DONOFRIO KOTTKE AND ASSOCIATES, INC.

Item No.	Description	Est. Quantity	Unit	Unit Price	Amount
	Curb Inlets	10	EA	\$2,200.00	\$22,000.00
	Storm Sewer Trench Compaction	1,499	LF	\$2.00	\$2,998.00
	Rip-Rap	25	SY	\$50.00	\$1,250.00
	Type "D" Inlet Protection	10	EA	\$140.00	\$1,400.00
				subtotal	\$129,486.00
Street Construction					
	Finish Grade Streets	19.7	STA	\$600.00	\$11,820.00
	Adjust Castings	31	EA	\$330.00	\$10,230.00
	Sawcut	100	LF	\$10.00	\$1,000.00
	Undercut & Backfill w/ Crushed Stone	493	CY	\$32.25	\$15,899.25
	10" Crushed Stone Base	5,880	SY	\$10.50	\$61,740.00
	30" Concrete Curb & Gutter	3,780	LF	\$15.50	\$58,590.00
	Wedge Curb and Gutter	3,780	LF	\$1.25	\$4,725.00
	2-1/4" Binder Asphalt Binder	5,880	SY	\$10.75	\$63,210.00
	1-3/4" Surface Asphalt Binder	5,880	SY	\$8.00	\$47,040.00
	Clean & Tack	5,880	SY	\$1.00	\$5,880.00
	5" Concrete Sidewalk	18,900	SF	\$3.60	\$68,040.00
	Terrace Restoration	3,440	SY	\$3.50	\$12,040.00
	Relocate Type III Barricades	4	EA	\$250.00	\$1,000.00
				subtotal	\$361,214.25
Street Trees					
	Street Trees	66	EA	\$400.00	\$26,400.00
				subtotal	\$26,400.00
Total					\$923,453.95
Engineer's Estimate					\$923,500.00

Amount of Surety (120% of Engineers Estimate) = \$1,108,200


D'ONOFRIO KOTTKE AND ASSOCIATES, INC.

Document Number	EXHIBIT "C" <u>RELEASE OF DECLARATION OF CONDITIONS, COVENANTS AND RESTRICTIONS, JUNIPER RIDGE, VILLAGE OF MCFARLAND, DANE COUNTY, WISCONSIN</u>	Record this document with the Register of Deeds Name and Return Address: Atty. Gregory J. Paradise Mohs Widder Paradise 20 N. Carroll Street Madison, WI 53703
-----------------	---	---

WHEREAS, certain lands owned by VH Juniper Ridge, LLC, a Wisconsin Limited Liability Company ("**Owner**") are subject to 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.

See Exhibit "A"
(Parcel Identification Number)

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 _____, 2019.

VILLAGE OF MCFARLAND

By: _____

Print Name: _____

Print Title: _____

Approved As To Form:

Allen Reuter, Village Attorney

STATE OF WISCONSIN)
) SS.
COUNTY OF DANE)

Personally came before me this _____ day of _____, 2019, 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 8

Lots 14-24, 46-56, 70-75 and 117-123, 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.

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51	0710-354-2031-1
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54	0710-354-2064-1
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120	0710-354-2790-1
121	0710-354-2801-1

122	0710-354-4532-1
123	0710-354-4543-1



PLAN COMMISSION SUMMARY SHEET

MEETING DATE: Monday, June 17, 2019

SECTION: Business

DEPARTMENT: Community Development

CONTACT:

AGENDA ITEM: Discussion and possible action to instruct the Village Attorney to draft an ordinance to amend the Village of McFarland sign code.

PREVIOUS ACTION:

ISSUE SUMMARY:

FINANCIAL/BUDGET IMPACT:

VILLAGE PLAN REFERENCE:

ORDINANCE REFERENCE:

BOARD, COMMISSION OR COMMITTEE RECOMMENDATION:

We discussed this at last month's meeting. Attorney Dan Evans hopes to have something regarding political signs to me in time for packets. Questions did come up as to how political signs fit under Section 8-499 Temporary Signs in the Sign Code.

ATTACHMENTS:

1. 6.17.19 - PC sign code
2. 6.17.19 Sign Ord draft

REUTER, WHITISH & EVANS, S.C.

ATTORNEYS AT LAW
44 EAST MIFFLIN ST., SUITE 306
MADISON, WISCONSIN 53703

ALLEN D. REUTER
BARBARA O. WHITISH (1952-2013)
DANIEL J. EVANS
DAVID D. RELLES
KEVIN F. MILLIKEN (OF COUNSEL)
BLAYNE NICOLE STEINKRAUS

TELEPHONE
(608) 250-9053

FACSIMILE
(608) 250-9054

To: McFarland Plan Commission
From: Dan Evans, Assistant Village Attorney
Date: June 13, 2019
Re: Proposed Changes to the Sign Code

A draft of proposed changes to the Village's Sign Code was recently reviewed by the Plan Commission. In light of the U.S. Supreme Court's decision in *Reed v. Town of Gilbert*, changes to the Sign Code are proposed to remove content-based regulations. A question arose by the Plan Commission regarding temporary signs and political signs, such as campaign signs, given the restrictions on a municipality's authority to regulate the content of signs.

In answer to that question, the Village can still regulate these types of signs consistent with the First Amendment and state law, but the regulations must still be content neutral. The proposed changes to the Sign Code are content neutral, and temporary political signs would be regulated in the same manner as other temporary signs. I make some additional observations and recommendations on this topic as follows:

1. State Law on Election Signs. One of the proposed additions to the Sign Code is specifically listing, as exemption from the permit process, those signs permitted under §12.04, of the Wisconsin Statutes. Under that law, individuals may place a sign containing a political message upon residential property during an election campaign, and a municipality has very limited authority to regulate the placement of such signs during that time. A copy of that statute section is attached to this memorandum for reference.

Under the current Sign Code, political signs are considered temporary signs, but the current regulations concerning temporary signs are inconsistent with the state law. Under state law, political/election signs are permitted to be displayed on residential properties during an election period, which is longer than the 30-day period provided for temporary signs under Section 8-499. Under the proposed addition to the Sign Code, signs permitted under §12.04 are exempt from the Village's permitting process and 30-day time limit, which avoids a potential claim that the Sign Code is inconsistent with state law.

2. Signs permitted under §12.04 (4), Wis. Stats., are considered temporary signs under the Sign Code.

To avoid content-based regulations, political signs, and other content-based signs, are not specifically distinguished in the proposed changes to the Sign Code. The proposed changes to the Sign Code place no greater restrictions on political signs permitted under §12.04 (4), Wis. Stats., as any other temporary sign.

Under §12.04 (4), Wis. Stats., the Village is still permitted to prohibit political signs that interfere with traffic or pedestrian safety, as well as those signs containing electrical, mechanical or audio features. Those general prohibitions are currently contained in paragraphs 8-493 (c) and (i) of the Sign Code, and are content-neutral regulations applicable to all signs. Under §12.04 (4), Wis. Stats., the Village is also permitted to regulate the size, shape and placement of a sign exceeding 11 square feet in area. Since those signs are considered temporary signs under the Sign Code, the 12 square feet restriction applicable to temporary signs applies to political signs as well.

In short, the restrictions the Village is permitted to place on political signs under §12.04 (4), Wis. Stats., are within the parameters of the general restrictions applicable to all temporary signs under the Sign Code, and are content neutral. The proposed changes to the Sign Code comply with state law, and are content neutral.

3. Political Messaging on Non-temporary signs. The proposed changes to the Sign Code concerning election-related signage as temporary signage is consistent with how these political signs have been previously regulated. It should be recognized that some permitted and/or permanent signs, not falling under the definition of temporary signage, could contain political messaging. The Village cannot prohibit such content from those signs, as that is the essence of First Amendment protections. This point may be obvious, but I mention it to distinguish those regulations concerning temporary signage (i.e. election signs during a campaign period) versus other types of signs and messages on signs not falling under the definition of a temporary sign. Those non-temporary signs still must generally go through a permit process, though under the proposed amendment each property could have up to four small signs without a permit (though these signs could be temporary depending on the intent of the owner).

4. Recommendations. Under Section 8-499 of the current Sign Code, temporary signs must generally comply with the Sign Code, may not exceed 12 square feet (with certain exceptions), and may not be displayed more than 30 consecutive days twice a year. An exception is made to those regulations for signs exempt from the permit process under Section 8-486.

For clarity, I recommend amending Section 8-499 so it is clearer as to what regulations apply to temporary signs, whether a permit is required or not. I recommend the following:

Sec. 8-499. - Temporary signs.

(a) *General requirements:* All temporary signs shall comply with the requirements of this Article, and the following:

- (1) Unless listed as exempt under Section 8-486, a permit must be obtained before display of the temporary sign.
- (2) A temporary sign shall not exceed 12 square feet in area, unless displayed pursuant to Section 8-496(c), or a greater size is permitted under this Article for the specific sign.
- (3) A temporary sign shall not be displayed more than twice per year, for a period of time not to exceed 30 consecutive days, unless a greater time period is otherwise provided under this Article or by other applicable law.

(4) Only one temporary sign may be displayed per street side per parcel, unless a greater number of temporary signs is otherwise provided under this Article or by other applicable law.

These changes are reflected in the redline ordinance provided with this memorandum. Under these changes, temporary signs may generally not exceed 12 square feet in size, regardless of content (there being no distinction between political and other temporary signs). The exception to the 12 square feet size limit is for temporary signs on parcels for institutional use under Section 8-496(c), which allows for a greater sized sign, subject to the permit process. Another exception is for commercial properties actively listed for sale, under which the Sign Code provides for a greater sized sign. These exceptions are also content neutral. I note that the current Sign Code has an inconsistency with respect to "For Sale" signs on commercial properties, which can be greater than 12 square feet in size, and the proposed changes correctly note this exception.

Regarding temporary signs and institutional uses permitted under Section 8-496(c), currently that section allows for these temporary signs to be placed on public lands, subject to approval by the Building Inspector. I recommend separate standards be put into place for the Building Inspector to follow when evaluating proposed temporary signs. One concern regarding use of public lands for non-governmental signs is that other groups may want to place signs on public lands. By permitting some organizations or groups to place signs, but not others, then the argument could be made that this is viewpoint discrimination, particularly if there are no objective standards for the Building Inspector to follow in deciding to grant or deny a permit. A list of standards for the Building Inspector to follow will better protect the Village and help ensure that the intent and purpose of permitting use of public lands for these temporary signs is followed. The standards could include that the temporary sign on public land only be for promotion of a Village event.

Alternatively, the Village could entirely remove the ability for institutions to place signs on public lands. Although this would protect the Village further from potential claims, the downside is that civic groups and other local institutions would lose the ability to promote a local event with signs on public lands.

Conclusion. The proposed changes to the Sign Code are content neutral and political signs are treated as any other temporary sign. Hypothetically, not all "political" signage will be considered election signs as contemplated under §12.04 (4), Wis. Stats., but these signs are still regulated as any other sign under the sign code.

CHAPTER 12

PROHIBITED ELECTION PRACTICES

12.01	Definitions.
12.02	Construction.
12.03	Campaigning restricted.
12.035	Posting and distribution of election-related material.
12.04	Communication of political messages.
12.05	False representations affecting elections.

12.07	Election restrictions on employers.
12.08	Denial of government benefits.
12.09	Election threats.
12.11	Election bribery.
12.13	Election fraud.
12.60	Penalties.

NOTE: 2005 Wis. Act 451, which made major revisions to the election laws, including to Chapter 12, contains an extensive prefatory note explaining the changes.

Cross-reference: See definitions in s. 5.02.

12.01 Definitions. The definitions given under s. 11.0101 apply to this chapter, except as follows:

(1) "Candidate" includes a candidate for national office.

(2) "Commission" means the elections commission.

History: 1973 c. 334; 1975 c. 93; 1977 c. 427; 1979 c. 89; 1983 a. 484; 2015 a. 118; 2017 a. 366.

12.02 Construction. In this chapter, criminal intent shall be construed in accordance with s. 939.23.

History: 1977 c. 427.

12.03 Campaigning restricted. (1) No election official may engage in electioneering on election day. No municipal clerk or employee of the clerk may engage in electioneering in the clerk's office or at the alternate site under s. 6.855 during the hours that ballots may be cast at those locations.

(2) (a) 1. No person may engage in electioneering during polling hours on election day at a polling place.

2. No person may engage in electioneering in the municipal clerk's office or at an alternate site under s. 6.855 during the hours that absentee ballots may be cast.

(b) 1. No person may engage in electioneering during polling hours on any public property on election day within 100 feet of an entrance to a building containing a polling place.

2. No person may engage in electioneering during the hours that absentee ballots may be cast on any public property within 100 feet of an entrance to a building containing the municipal clerk's office or an alternate site under s. 6.855.

3. No person may engage in electioneering within 100 feet of an entrance to or within a qualified retirement home or residential care facility while special voting deputies are present at the home or facility under s. 6.875 (6).

(d) This subsection does not apply to the placement of any material on the bumper of a motor vehicle that is parked or operated at a place and time where electioneering is prohibited under this subsection.

(3) A municipal clerk, election inspector or law enforcement officer may remove posters or other advertising which is placed in violation of this section.

(4) In this section, "electioneering" means any activity which is intended to influence voting at an election.

History: 1973 c. 334; 1977 c. 427; 1979 c. 89; 1983 a. 484; 1993 a. 173; 2005 a. 451; 2011 a. 23; 2013 a. 159.

Violators may not be deprived of the right to vote, although penalties may follow. Constitutional issues are discussed. 61 Atty. Gen. 441.

12.035 Posting and distribution of election-related material. (1) In this section, "election-related material" means any written matter which describes, or purports to describe, the rights or responsibilities of individuals voting or registering to

vote at a polling place or voting an absentee ballot at the office of the municipal clerk or an alternate site under s. 6.855.

(2) The legislature finds that posting or distributing election-related material at the polling place, at locations where absentee ballots may be cast, or near the entrance to such locations when voting is taking place may mislead and confuse electors about their rights and responsibilities regarding the exercise of the franchise and tends to disrupt the flow of voting activities at such locations. The legislature finds that the restrictions imposed by this section on the posting or distribution of election-related material are necessary to protect the compelling governmental interest in orderly and fair elections.

(3) (a) No person may post or distribute any election-related material during polling hours on election day at a polling place.

(b) No person may post or distribute any election-related material during polling hours on any public property on election day within 100 feet of an entrance to a building containing a polling place.

(c) No person may post or distribute any election-related material at the office of the municipal clerk or at an alternate site under s. 6.855 during hours that absentee ballots may be cast.

(d) No person may post or distribute election-related material during the hours that absentee ballots may be cast on any public property within 100 feet of an entrance to a building containing the office of the municipal clerk or an alternate site under s. 6.855.

(4) Subsection (3) does not apply to any of the following:

(a) The posting or distribution of election-related material posted or distributed by the municipal clerk or other election officials.

(b) The placement of any material on the bumper of a motor vehicle located on public property.

(5) A municipal clerk, election inspector, or law enforcement officer may remove election-related material posted in violation of sub. (3) and may confiscate election-related material distributed in violation of sub. (3).

History: 2005 a. 451.

12.04 Communication of political messages. (1) In this section:

(a) "Election campaign period" means:

1. In the case of an election for office, the period beginning on the first day for circulation of nomination papers by candidates, or the first day on which candidates would circulate nomination papers were papers to be required, and ending on the day of the election.

2. In the case of a referendum, the period beginning on the day on which the question to be voted upon is submitted to the electorate and ending on the day on which the referendum is held.

(b) "Political message" means a message intended for a political purpose or a message which pertains to an issue of public policy of possible concern to the electorate, but does not include a message intended solely for a commercial purpose.

12.04

PROHIBITED ELECTION PRACTICES

Updated 17–18 Wis. Stats. 2

(c) “Residential property” means property occupied or suitable to be occupied for residential purposes and property abutting that property for which the owner or renter is responsible for the maintenance or care. If property is utilized for both residential and nonresidential purposes, “residential property” means only the portion of the property occupied or suitable to be occupied for residential purposes.

* (2) Except as provided in ss. 12.03 or 12.035 or as restricted under sub. (4), any individual may place a sign containing a political message upon residential property owned or occupied by that individual during an election campaign period.

* (3) Except as provided in sub. (4), no county or municipality may regulate the size, shape, placement or content of any sign containing a political message placed upon residential property during an election campaign period.

* (4) (a) A county or municipality may regulate the size, shape or placement of any sign if such regulation is necessary to ensure traffic or pedestrian safety. A county or municipality may regulate the size, shape or placement of any sign having an electrical, mechanical or audio auxiliary.

* (b) In addition to regulation under par. (a), a municipality may regulate the size, shape or placement of a sign exceeding 11 square feet in area. This paragraph does not apply to a sign which is affixed to a permanent structure and does not extend beyond the perimeter of the structure, if the sign does not obstruct a window, door, fire escape, ventilation shaft or other area which is required by an applicable building code to remain unobstructed.

(5) (a) The renter of residential property may exercise the same right as the owner to place a sign upon the property under sub. (2) in any area of the property occupied exclusively by the renter. The terms of a lease or other agreement under which residential property is occupied shall control in determining whether property is occupied exclusively by a renter.

(b) The owner of residential property may exercise the right granted under sub. (2) in any portion of the property not occupied exclusively by a renter.

(6) This section does not apply to signs prohibited from being erected under s. 84.30.

History: 1985 a. 198; 1993 a. 246; 2005 a. 451; 2009 a. 173.

12.05 False representations affecting elections. No person may knowingly make or publish, or cause to be made or published, a false representation pertaining to a candidate or referendum which is intended or tends to affect voting at an election.

History: 1973 c. 334; 1993 a. 175.

A violation of this section does not constitute defamation per se. *Tatur v. Solrud*, 174 Wis. 2d 735, 498 N.W.2d 232 (1993).

12.07 Election restrictions on employers. (1) No person may refuse an employee the privilege of time off for voting under s. 6.76 or subject an employee to a penalty therefor.

(2) No employer may refuse to allow an employee to serve as an election official under s. 7.30 or make any threats or offer any inducements of any kind to the employee for the purpose of preventing the employee from so serving.

(3) No employer or agent of an employer may distribute to any employee printed matter containing any threat, notice or information that if a particular ticket of a political party or organization or candidate is elected or any referendum question is adopted or rejected, work in the employer's place or establishment will cease, in whole or in part, or the place or establishment will be closed, or the salaries or wages of the employees will be reduced, or other threats intended to influence the political opinions or actions of the employees.

(4) No person may, directly or indirectly, cause any person to make a contribution or provide any service or other thing of value to or for the benefit of a committee registered under ch. 11, with the purpose of influencing the election or nomination of a candidate to national, state or local office or the passage or defeat of a

referendum by means of the denial or the threat of denial of any employment, position, work or promotion, or any compensation or other benefit of such employment, position or work, or by means of discharge, demotion or disciplinary action or the threat to impose a discharge, demotion or disciplinary action. This subsection does not apply to employment by a committee registered under ch. 11 in connection with a campaign or political party activities. This subsection also does not apply to information provided by any person that expresses that person's opinion on any candidate or committee, any referendum or the possible effects of any referendum, or the policies advocated by any candidate or committee.

History: 1973 c. 334; 1983 a. 484; 1991 a. 316; 2005 a. 451; 2015 a. 117; 2017 a. 365 s. 111.

12.08 Denial of government benefits. No person may, directly or indirectly, cause any person to make a contribution or provide any service or other thing of value to or for the benefit of a committee registered under ch. 11, with the purpose of influencing the election or nomination of a candidate to national, state, or local office or the passage or defeat of a referendum by means of the denial or threat of denial of any payment or other benefit of a program established or funded in whole or in part by this state or any local governmental unit of this state, or a program which has applied for funding by this state or any local governmental unit of this state.

History: 1983 a. 484; 1985 a. 304; 2015 a. 117; 2017 a. 365 s. 111.

12.09 Election threats. (1) No person may personally or through an agent make use of or threaten to make use of force, violence, or restraint in order to induce or compel any person to vote or refrain from voting at an election.

(2) No person may personally or through an agent, by abduction, duress, or any fraudulent device or contrivance, impede or prevent the free exercise of the franchise at an election.

(3) No person may personally or through an agent, by any act compel, induce, or prevail upon an elector either to vote or refrain from voting at any election for or against a particular candidate or referendum.

History: 1973 c. 334; 1991 a. 316; 2005 a. 451.

12.11 Election bribery. (1) In this section, “anything of value” includes any amount of money, or any object which has utility independent of any political message it contains and the value of which exceeds \$1. The prohibitions of this section apply to the distribution of material printed at public expense and available for free distribution if such materials are accompanied by a political message.

(1m) Any person who does any of the following violates this chapter:

(a) Offers, gives, lends or promises to give or lend, or endeavors to procure, anything of value, or any office or employment or any privilege or immunity to, or for, any elector, or to or for any other person, in order to induce any elector to:

1. Go to or refrain from going to the polls.

2. Vote or refrain from voting.

3. Vote or refrain from voting for or against a particular person.

4. Vote or refrain from voting for or against a particular referendum; or on account of any elector having done any of the above.

(b) Receives, agrees or contracts to receive or accept any money, gift, loan, valuable consideration, office or employment personally or for any other person, in consideration that the person or any elector will, so act or has so acted.

(c) Advances, pays or causes to be paid any money to or for the use of any person with the intent that such money or any part thereof will be used to bribe electors at any election.

(2) This section applies to any convention or meeting held for the purpose of nominating any candidate for any election, and to the signing of any nomination paper.

ORDINANCE 2019-

AN ORDINANCE AMENDING SIGN REGULATIONS

Purpose: The U.S. Supreme Court's decision in *Reed v. Town of Gilbert* clarified municipal authority to regulate signage. The proposed amendment modifies existing sign regulations in light of the *Reed* decision.

Sponsor: Community Development Director Boness

Recommended Referral: Plan Commission (Required)

Public Hearing: Not Required

WHEREAS, The Plan Commission has reviewed proposed changes to sign regulations set forth in the McFarland Municipal Code; and,

WHEREAS, the Village Board accepts the recommendations of the Plan Commission and Village staff and finds that it is in the public interest to amend the McFarland Municipal Code to reflect changes in the law.

NOW THEREFORE, The Village Board of the Village of McFarland does hereby ordain as follows:

1. Article XI of the McFarland Municipal Code is amended and restated to read as follows:

ARTICLE XI. - SIGN AND BILLBOARD REGULATIONS

Sec. 8-484. - Purpose.

The purpose of this Article is to establish minimum standards to safeguard life and property and promote public welfare and community aesthetics by regulating the appearance, construction, location and maintenance of all signs and billboards.

(Code 1998, § 15-1-30)

Sec. 8-485. - Definitions.

The following words, terms and phrases, when used in this Article, shall have the meanings ascribed to them in this Section, except where the context clearly indicates a different meaning:

- (a) *Advertising sign.* A sign that directs attention to a business, commodity, service or entertainment not exclusively related to a premises where such sign is located or to which it is affixed.

- (b) *Awning*. A temporary hood or cover that projects from the wall of the building, which can be retracted, folded or collapsed against the face of a supporting structure.
- (c) *Billboard*. A sign that advertises goods, products or facilities, or services not necessarily on the premises where the sign is located or directs persons to a different location from where the sign is located.
- (d) *Blanketing*. The unreasonable obstruction of view of a sign caused by the placement of another sign.
- (e) *Business sign*. A sign that directs attention to a business or profession conducted, or to one principal commodity, service or entertainment sold or offered upon the premises where such sign is located or to which it is affixed.
- (f) *Combination business-advertising sign*. A sign that indicates the name of the establishment where such sign is located or to which it is affixed and which also directs attention to a product not exclusively related to the premises where such sign is located or to which it is affixed and which also directs attention to a product not exclusively related to the premises where such sign is located or to which it is affixed, but sold or offered upon such premises.
- (g) *Directly illuminated sign*. Any sign designed to give any artificial light directly through any transparent or translucent material from a source of light originating within or on such sign.
- (h) *Directory sign*. Any sign on which the names and locations of occupants or the use of a building is given. This shall include offices and houses of worship directories.
- (i) *Electronic message unit sign*. Any sign whose message may be changed by electronic process, including such messages as copy, art, graphics, time, date, temperature, weather or information concerning civic, charitable or the advertising of products or services for sale on the premises. This also includes traveling or segmented message displays.
- (j) *Face sign*. The surface of the sign upon, against or through which the message of the sign is exhibited.
- (k) *Flashing sign*. Any directly or indirectly illuminated sign on which artificial light is not maintained stationary and constant in intensity and color at all times when in use.
- (l) *Ground and/or pole sign*. Any sign that is supported by structures or supports in or upon the ground and independent of support from any building. (Also referred to as a freestanding sign.)
- (m) *Identification sign*. Any sign that carries only the name of the firm, major enterprise, institution or principal products offered for sale on the premises or combination of these.
- (n) *Indirectly illuminated sign*. A sign that is illuminated from a source outside of the actual sign.
- (o) *Marquee sign*. Any sign attached to and made part of a marquee. A marquee is defined as a permanent roof-like structure projecting beyond a building wall at an entrance to a

building or extending along and projecting beyond the building's wall and generally designed and constructed to provide protection against weather.

- (p) *Nonconforming sign.* Any sign that does not conform to the regulations of this Article.
- (q) *Portable sign.* Any sign not permanently attached to the ground that is designed to be easily moved from one location to another.
- (r) *Projecting sign.* A sign that is attached to a wall of a building and projects more than 15 inches beyond such wall.
- ~~(s) *Real estate sign.* Any sign that is used to offer for sale, lease or rent the property upon which the sign is placed.~~
- (t) *Roof sign.* Any sign erected upon or over the roof or parapet of any building.
- (u) *Sign.* An emblem, name, identification, description or illustration that is affixed to or appears directly or indirectly upon a building, structure or piece of land and which directs attention to an object, product, place, activity, person, institution, organization or business. ~~Neither official court or public notices, nor the flag, emblem or insignia of a national, political unit, school or religious group, nor during election campaigns, posters on behalf of candidates for public offices or on behalf of a particular political belief shall be considered a sign under this Chapter.~~
- (v) *Sign, gross area of.* The entire area within a single continuous perimeter enclosing the extreme limits of such sign and in no case passing through or between any adjacent elements of the same. However, such perimeter shall not include any structural elements lying outside the limits of such sign and not forming an integral part of the display.
- (w) *Temporary sign.* Any sign intended to be displayed for a short period of time; ~~including real estate, political or construction site signs, and banners, decorative type displays or anything similar to the aforementioned.~~
- (x) *Wall sign.* A sign that is attached to a wall of a building and projects not more than 15 inches from such a wall.
- (y) *Window sign.* Any sign located completely within an enclosed building and visible from a public way.

(Code 1998, § 15-1-31; Ord. No. 2010-04, § 1, 1-11-2010)

Sec. 8-486. - Sign permit required; exemptions.

- ~~(a) Except as otherwise provided in this Article, n~~No sign may be constructed, erected, remodeled, relocated, or expanded until a sign permit is obtained in accordance with the McFarland Building Code. No sign permit shall be issued for any sign unless the sign is accessory to a permitted use and the sign is permitted by, and complies with the regulations of this Article; provided, however, that the following types of signs are exempt from the permit requirement ~~and from the regulations of this Section and do not count toward the number of accessory signs permitted for a property as set forth in Sections 8-494 through 8-499;~~

(1a) ~~Flags or emblems of a government or of a political, civic, philanthropic, educational or religious organization, displayed on private property. Political campaign signs must be removed within one week after election.~~

(2b) ~~Signs erected by or on behalf of a duly constituted governmental body on public right of ways, parks and other public property, including traffic or similar regulatory devices, legal notices and warnings at railroad crossings.~~

(3c) ~~Memorial signs and tablets displayed on private property in cemeteries.~~

(4d) ~~Address numerals and other signs required to be maintained by law or governmental order, rule or regulation, provided that the content and size of the sign do not exceed the requirements of such law, order, rule or regulation.~~

(5e) ~~Small signs, not exceeding two square feet in area, displayed on private property for the convenience of the public, including signs to identify restrooms, freight entrances and the like for a maximum four (4) on each property. Signs allowed under this paragraph do not count toward any limit on number or area of signs permitted under any other Section of this Article.~~

(6f) ~~Reserved Signs permitted under § 12.04, Wis. Stats., subject to regulations applicable to temporary signs.~~

~~(g) A sign not visible from any public street, highway, sidewalk, path or park.~~

~~(b) Provided further that the following types of signs are exempt from the permit requirement, but must comply with all of the other regulations of this Article:~~

~~(4h) Signs permitted by Sections 8-494(a) and (b) and 8-497(h).~~

~~(2) Reserved.~~

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(Code 1998, § 15-1-32; Ord. No. 2010-04, §§ 2, 3, 1-11-2010)

Sec. 8-487. - Sign permit requirements.

(a) *Application.* Application for a sign permit shall be filed with the Building Inspector upon forms provided by the Building Inspector and shall contain or have attached thereto the following information:

(1) The name, address, and telephone number of the sign owner, the property owner where the sign is or will be located, and the sign contractor of the proposed sign.

(2) Clear and legible scale drawings with description and nominal dimensions of the proposed sign, the construction, size and dimensions, kind of materials to be used in such structure. The site plan shall show the buildings on the premises upon which the structure is to be erected and maintained together with location, size, and types of existing signs on the premises where the proposed sign is to be located.

(3) If required by the Building Inspector, calculations showing that the structure and design meets the requirements of this Article for wind speed.

(4) Insurance policy or bond as required herein.

- (5) Such other information as the Building Inspector may require to show full compliance with this and all other applicable laws of the Village.
- (6) Signature of the applicant.
- (b) *Permit fees.*
 - (1) The applicant shall pay the permit fee established by the Village Board from time to time and provided in Appendix A to this Code.
 - (2) Permit fees may be waived for any nonconforming sign that is reconstructed in conformity with this Article within one year of the original effective date of the ordinance from which this Article is derived.
- (c) *Permit issuance or denial.* The Building Inspector shall issue a permit for the erection, structural alteration, enlargement, or relocation of a sign within the Village when the permit application is properly made, all appropriate fees have been paid, and the sign complies with the appropriate Village laws and regulations. If the sign permit is denied by the Building Inspector, the Building Inspector shall give written notice of the denial to the applicant, together with a brief written statement of the reasons for the denial.
- (d) *Permit denial appeals.*
 - (1) Appeal from denial of a sign permit may be taken to the Board of Zoning Appeals. Such an appeal can be made at a regularly scheduled Board of Zoning Appeals meeting, provided a request for hearing is made in writing to the Building Inspector no less than 15 calendar days before a scheduled meeting. The Building Inspector shall comply with and enforce the Board of Zoning Appeals decision.
 - (2) The Building Inspector's failure to either formally grant or deny a sign permit within five days of the date an application meeting the requirements of this Chapter is filed shall be cause for appeal to the Board of Zoning Appeals.

(Code 1998, § 15-1-33; Ord. No. 98-20, § 13, 12-14-1998)

Sec. 8-488. - Indemnification of Village.

All persons engaged in the erection, alteration, relocation or maintenance of a sign or other sign work in the Village shall agree to hold harmless and indemnify the Village, its officers, agents and employees, from any and all claims of negligence resulting from the erection, alteration, relocation or maintenance of this sign or any other sign work insofar as this Chapter has not specifically directed the placement of the sign.

(Code 1998, § 15-1-34)

Sec. 8-489. - Contractor's insurance.

Every sign contractor shall file with the Building Inspector a certificate of insurance indicating the applicant holds a public liability insurance policy, including worker's compensation, public liability and property damage specifically to include the hold harmless clause with bodily injury limits of at least \$300,000.00 per occurrence and \$300,000.00

aggregate and property damage insurance of at least \$100,000.00 per occurrence and \$100,000.00 aggregate. Such insurance shall not be cancelled or reduced without the insured first giving 30 days' notice in writing to the Village of such cancellation or reduction.

(Code 1998, § 15-1-35)

Sec. 8-490. - Abatement of violations.

- (a) Violation or failure to comply with the provisions of this Article shall be and hereby is declared to be unlawful.
- (b) Any sign erected, altered, moved or structurally modified without a permit, or altered with a permit but in violation with the provisions of this Article, shall be removed at the owner's expense or brought into compliance within 30 days of written notification by the Building Inspector. If the violation is failure to obtain a permit, a permit fee shall be required, and the permit fee shall be doubled. In the event that the owner does not remove or bring into compliance, the Building Inspector may order removal or compliance with this Code.
- (c) This Section shall not preclude the Village from maintaining any appropriate action to prevent or remove a violation of this Article.

(Code 1998, § 15-1-36)

Sec. 8-491. - Construction specifications.

- (a) All signs shall comply with the provisions of the Village Building Code, as amended, and the additional construction standards hereinafter set forth.
- (b) All ground and roof sign structures shall be self-supporting structures and permanently attached to sufficient foundations.
- (c) Electric service to ground signs shall be concealed.
- (d) All signs, except those attached flat against the wall of a building, shall be constructed to withstand wind speeds as follows, with correct engineering adjustments for the height of the sign above grade.
 - (1) For solid signs, 90 miles per hour on the largest face of the sign and structure.
 - (2) For skeleton signs, 90 miles per hour of the total face cover of the letters and other sign surfaces, or 90 miles per hour on the gross area of the sign as determined by the overall dimensions of the sign, whichever is greater.
- (e) No sign shall be suspended by chains or other devices that will allow the sign to swing due to wind action. Signs shall be anchored to prevent any lateral movement that could cause wear on supporting members or connections.
- (f) Supports and braces shall be an integral part of the sign design. Angle irons, chains, or wires used for supports or braces shall be hidden from public view to the extent technically feasible.

- (g) All signs shall be marked with a manufacturer's name in a size that is easily visible from the ground. All electric signs shall also include: for incandescent lamp signs, the number of lamp holders; and for electric discharge-lamp signs, the input amperes at full load and the input voltage.

(Code 1998, § 15-1-37)

Sec. 8-492. - Installation and maintenance.

- (a) All signs shall be installed and maintained in a workmanlike manner using equipment that is adequate and safe for the task. This Article recognizes that one of the greatest perils to public safety is improper performance of sign contractors in the use of inadequate equipment. As such, the Building Inspector may deny a sign permit if the sign contractor does not have or does not arrange for use of adequate equipment. The Building Inspector may also cite the sign contractor for a violation of this Chapter if the contractor fails to use proper equipment in the maintenance of signs.
- (b) This Article recognizes that electric signs are controlled under the special equipment provisions of the National Electrical Code (Article 600) and the Village Electrical Code. It also recognizes that electric sign contractors have developed a specialized trade of high voltage discharge electric sign installation and maintenance to properly install and service high voltage electric signs. Electric sign contractors and their employees are herein authorized to perform the following specific tasks:
 - (1) Install exterior electric signs, ballasts, or high voltage transformers to sockets or outline lighting tubes, and may connect said signs to primary branch circuit, if said circuit already exists outside of the building.
 - (2) Install interior electric signs, but may not connect said signs to the primary branch circuit.
 - (3) Maintain and replace any electric component within the sign, on its surface, or between the sign and building for exterior signs only. This Article prohibits the electric sign contractor or its employees from performing work on electric signs in contradiction to the National Electrical Code or the Village Electrical Code.

(Code 1998, § 15-1-38)

Sec. 8-493. - General construction standards.

All signs hereafter constructed, erected, remodeled, relocated or expanded shall comply with the following standards:

- (a) *Banners, pennants, streamers, strings of lights.* No banner, pennant, streamer, string of lights or any other similar sign shall be permitted, except for special promotions allowed twice a year, not to exceed 30 days for each event by permit issued by the Building Inspector.
- (b) *Illuminated signs.* Signs shall be shaded wherever necessary to avoid casting bright light upon property located in any Residential District or upon any public street or park.

Any illuminated sign located on a lot adjacent to or across the street from any Residential District, which sign is visible from such Residential District, shall not be illuminated between the hours of 11:00 p.m. and 7:00 a.m., except that businesses may illuminate their signs during hours they remain open after 11:00 p.m.

- (c) *Flashing or moving signs.* No flashing signs, rotating or moving signs, animated signs, signs with moving lights, or creating the illusion of movement shall be permitted. An electronic message unit sign shall not be deemed to be a flashing sign if the message changes are limited to not more frequently than every 30 seconds.
- (d) *Projecting signs.* A projecting sign is any sign that is attached to a building and projects more than 12 inches beyond the wall surface of said building. Such signs located beneath a permanent canopy attached to a building shall not project from the building any further than the canopy. No projecting signs shall extend into the street right-of-way. The total area of a projecting sign shall not exceed 16 square feet on one side or 32 square feet on both sides.
- (e) *Accessway or window.* No sign shall block any required accessway or the outside of any window.
- (f) *Signs on vacant property.* No sign shall be located on vacant property except a sign advertising the premises for sale or lease if the vacant property is actively listed for sale or lease, and which meets the standards of Section 8-494(b).
- (g) *Signs on trees or utility poles.* No sign shall be attached to a tree or utility pole whether on public or private property.
- (h) *Building and Electrical Code applicable.* All signs must conform to the regulations and design standards of the Village Building Code. Wiring of all electrical signs must conform to the Electrical Code of the Village and the National Electrical Code.
- (i) *Traffic safety.* No sign shall be maintained at any location where by reason of its position, size, shape or color it may obstruct, impair, obscure, interfere with the view of, or be confused with any traffic control sign, signal or device, or where it may interfere with, mislead or confuse traffic.
- (j) *Obsolete signs.* No sign shall be permitted that advertises a business that is not being presently conducted. Obsolete signs shall be removed within 30 days of termination of business advertised.
- (k) *Signs on ~~parkways~~ public right of way; ~~garage sale signs.~~* No sign shall be permitted on any public street, right of way, sidewalk, alley or parkway or other public property unless posted by the Village, or a County, State or Federal agency, except that a sign advertising "Garage Sale," not to exceed nine square feet in area, may be placed in the parkway in front of the residence for a period not to exceed three days in length. If the residence does not front on a major thoroughfare, a second sign may be placed in the parkway of the closest thoroughfare for the day of the sale.
- (l) *Billboards.* ~~[Billboards]~~ are prohibited.
- (m) *~~Reserved Advertising Signs.~~* Advertising signs are prohibited in residential districts.

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(Code 1998, § 15-1-39; Ord. No. 2010-04, §§ 4—10, 1-11-2010; Ord. No. 2010-12, § 1, 6-14-2010)

Sec. 8-494. - Signs accessory to residential uses.

Each sign accessory to residential uses, except as provided in Section 8-493(a), shall be set back from the street line a distance of at least one-half of the required minimum setback specified in the district regulations, except for signs permitted under Subsection (b)(3) of this Section, which shall fully comply with the minimum setback requirements for that district. No sign accessory to any residential use shall be permitted except in compliance with the following regulations:

- (a) ~~Nameplates and identification signs~~ Signs shall be permitted subject to the following regulations:
 - (1) For each single-family and two-family dwelling, ~~there shall be permitted one nameplate sign not exceeding one square foot in area is permitted, indicating the name and/or address of the occupant and, where applicable, a professional status, but not to indicate a product or business.~~
 - (2) For each multifamily dwelling or single-family and two-family Subdivision, ~~there shall be permitted one identification sign not exceeding 32 square feet in area located near the main entrance to the building or Subdivision is permitted and indicating only the name of the building or Subdivision and name of the owner, manager or developer thereof.~~
 - (3) In connection with the construction or remodeling of a building, ~~there shall be permitted no more than one nonilluminated sign not exceeding 32 square feet in area is permitted indicating the names of any or all professional offices; on corner lots two such signs, one sign facing each street, shall be permitted.~~ Any signs permitted under this Subsection shall be removed by the person erecting the same not longer than two weeks after completion of the structure indicated.
- (b) ~~"For Sale" or "For Rent" signs~~ The following additional signs shall be permitted on residential properties actively marketed for sale or rent, subject to the following regulations:
 - (1) For ~~sale or rental of~~ single-family dwellings (or lots for dwelling purposes), for each lot ~~there shall be no more than one such sign is installed-permitted in such yard adjoining an existing or dedicated street. No The such sign shall not exceed nine square feet in area, and no may not such sign shall be illuminated. Each The sign must be devoted solely to the sale or rental of the property being offered and must be removed immediately upon the sale or rental of the property. Each The sign must be placed only upon the property offered for sale or rent and positioned in accordance with this Section.~~
 - (2) ~~Where For~~ multifamily dwelling units, ~~are offered for sale or rental by individual owners, there shall be no more than one such sign is installed-permitted in each yard adjoining an existing or dedicated street, not to exceed 12 square feet in area and placed in accordance with this Section, and no more than one such sign per unit installed within ten feet of the front door of said unit, not to exceed three square~~

feet in area. No such sign shall be illuminated. Each such sign ~~must be devoted solely to the sale or rental of the unit being offered and~~ must be removed immediately upon the sale or rental of the unit.

- (3) Where more than six dwelling units (or lots for dwelling purposes) are offered for sale or rental by the same party, ~~there shall be permitted one sign~~ is permitted facing each public street providing access to the property being offered. Each such sign shall not exceed ten square feet in area and must ~~be devoted solely to the sale or rental of the property being offered and must be removed immediately upon the sale or rental of the last property offered at that location.~~

(c) Reserved.

(Code 1998, § 15-1-40; Ord. No. 2010-04, § 11, 1-11-2010)

Sec. 8-495. - Signs accessory to parking areas.

No signs accessory to any parking area shall be permitted except in compliance with the following regulations:

- (a) One sign ~~may be erected to designate~~ each entrance ~~to~~ or exit from a parking area may be permitted; each such sign shall be no more than two square feet in area; such signs are exempt from minimum setback requirements, but shall be located at least one foot behind the lot line. ~~Such signs shall not contain nondirectory content such as advertising messages or business logos.~~
- (b) One sign ~~designating the conditions of use shall be permitted for~~ may be permitted in each parking area; each such sign shall be limited to a maximum area of nine square feet; such signs are exempt from minimum setback requirements, but shall be screened from adjoining property.

(Code 1998, § 15-1-41)

Sec. 8-496. - Signs accessory to houses of worship, schools or nonprofit institutions.

No signs accessory to any house of worship, school or nonprofit institution shall be permitted except in compliance with the following regulations:

(a)(a) In residential districts:

(1) ~~There shall be not~~ No more than one freestanding sign may be permitted per lot, except that on a corner lot two signs, one facing each street, shall be permitted. The total area of such sign shall not exceed 40 square feet. The maximum height shall not exceed eight feet.

(2)(b) ~~No more than one An identification sign shall be permitted on the front wall sign may be permitted on of~~ the building. The total area of the sign shall not exceed one-tenth of the area of the front facade of the building.

(b) In non-residential districts, the provisions of Section 8-497 shall apply.

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- (c) Temporary signs, banners and displays for houses of worship, schools, institutional or civic events are permitted, but must be located on property owned or controlled by the house of worship, school, institution, or civic organization or on public lands approved by the Building Inspector, and may be displayed only during a period commencing 30 days prior to the scheduled event and ending three days after closing date of said scheduled event.

(Code 1998, § 15-1-42; Ord. No. 2010-04, § 12, 1-11-2010)

Sec. 8-497. - Signs accessory to business, commercial or industrial uses.

No sign accessory to any business, commercial or industrial use shall be permitted, except in compliance with the following regulations:

- (a) Front wall signs shall be permitted subject to the following regulations:
 - (1) A sign shall be permitted on the front wall of any principal building. For the purpose of this Chapter, large petroleum storage tanks will be considered as a principal building. The 90 degrees of the tank circumference facing the access street shall be the front wall. The total area of such sign shall not exceed one-tenth of the area of the front face, including doors and windows, of the principal building. If a building has direct access to a road or street, the speed limit upon which is 35 miles per hour or more, the allowable maximum area of a front wall sign hereunder shall be increased by 50 percent. Twelve square feet wall signs are permitted for building faces under 120 square feet. Front wall signs shall not project above the roof of the building.
 - (2) Where a single principal building is devoted to two or more businesses, commercial or industrial uses, the operator of each such use may install a front wall sign. The maximum area of each such sign shall be determined by determining the proportionate share of the front face (including doors and windows) of the principal building occupied by each such use and applying such proportion to the total sign area permitted for the front wall of the building.
 - (3) Front wall signs that do not violate Section 8-493(d) may project not more than 12 inches beyond the minimum setback.
 - (4) Signs constructed of metal and illuminated by any means requiring internal wiring or electrically wired accessory fixtures attached to a metal sign shall maintain a free clearance to grade of nine feet. Accessory lighting fixtures attached to a nonmetal frame sign shall maintain a clearance of nine feet to ground.
 - (5) Front wall signs may be gaseous tube type or may be illuminated by interior means of lighting of an intensity to prevent excessive glare, or by indirect lighting designed to flood only the area of the sign with light and to prevent excessive glare, or by indirect lighting designed to flood only the area of the sign with light and to prevent light from being directed on surrounding property.
 - (6) Front wall signs that meet the following characteristics may be increased by 25 percent of the allowable sign area permitted in Subsection (a)(1) of this Section except that the total area of such sign shall not exceed 100 square feet: front wall

signs that consist only of individual, outlined alphabetic, numeric, and symbolic characters without background except that provided by the building surface to which they are affixed. If illuminated, such illumination shall be by internal shielded illumination, shielded silhouette lighting or shielded spot lighting but not any lighting where the light source itself is visible or exposed on the face or sides of the characters.

(b) Side wall signs be permitted subject to the following regulations:

- (1) The total area of such sign shall not exceed one-tenth of the area of the side wall (including doors and windows) of the principal building, provided that the total area of such sign shall not exceed 100 square feet. Side wall signs shall not project above the roof of the building.
- (2) The sign must be located on a side wall facing a side yard complying with the side yard setback of the district in which it is located, or on a side wall facing a side street.
- (3) Side wall signs that do not violate Section 8-493(d) may project not more than 12 inches into required side yards.
- (4) Signs constructed of metal and illuminated by any means requiring internal wiring or electrically wired accessory fixtures attached to a metal sign shall maintain a free clearance to grade of nine feet. Accessory lighting fixtures attached to a nonmetal frame sign shall maintain a clearance of nine feet to ground.
- (5) Side wall signs may be gaseous tube type or may be illuminated by interior means of lighting of an intensity to prevent excessive glare, or by indirect lighting designed to flood only the area of the sign with light and to prevent light from being directed on surrounding property.
- (6) Side wall signs that meet the following characteristics may be increased by 25 percent of the allowable sign area permitted in Subsection (b)(1) of this Section except that the total area of such sign shall not exceed 100 square feet; side wall signs that consist only of individual outlined alphabetic, numeric, and symbolic characters without background except that provided by the building surface to which they are affixed. If illuminated, such illumination shall be by internal shielded illumination, shielded silhouette lighting or shielded spot lighting, but not any lighting where the light source itself is visible or exposed on the face or sides of the characters.

(c) A sign shall be permitted on the rear wall of any principal building subject to the following regulations:

- (1) The maximum area of such rear wall sign shall not exceed 50 percent of the maximum area permitted for a front wall sign of the same building. Rear wall signs shall not project above the roof of the building.
- (2) Rear wall signs that do not violate Section 8-493(d) may project not more than 12 inches into the required rear yards.
- (3) Signs constructed of metal and illuminated by any means requiring internal wiring or electrically wired accessory fixtures attached to a metal sign shall maintain a free

clearance to grade of nine feet. Accessory lighting fixtures attached to a nonmetal frame sign shall maintain a clearance of nine feet to ground.

- (4) Rear wall signs may be gaseous tube type or may be illuminated by interior means of lighting of an intensity to prevent excessive glare, or by indirect lighting designed to flood only the area of the sign with light and to prevent light from being directed on surrounding property.
- (d) Two ground signs shall be permitted for any building. The total area and maximum height of each individual permitted ground sign shall comply with criteria set forth in the following table. If only one ground sign is erected, the maximum area may be increased by 25 percent and no further ground signs shall be permitted:

Setback from R.O.W.	Maximum Area	Maximum Height
1'—9'	40 square feet	8'
9'—17'	70 square feet	16'
17'—25'	100 square feet	25'

- (e) No part of any sign shall extend above the crest of the roof of any building or structure. No sign, considered a wall sign by virtue of its attachment to the wall of a building, shall be allowed to extend above the top edge of the wall. Roof signs shall not exceed 64 square feet in area.
- (f) Letters may be painted or otherwise affixed to any permissible awning or canopy subject to the following regulations:
- (1) Lettering or letters shall not project above, below or beyond the physical dimensions of the awning or canopy.
 - (2) Lettering or letters shall not be larger from top to bottom than eight inches.
 - (3) Lettering or letters shall not denote other than the name and address of the business conducted therein and/or a product produced or sold or service rendered therein.
- (g) Nameplates indicating the name and corporate insignia of the building owner or occupant, address and/or product may be located on gates, gate posts and/or gate houses, provided that in the case of multiple occupancy, one name be utilized for identification purposes.
- (h) ~~"For-Sale" or "For-Rent"~~ For business, commercial or industrial properties that are actively being marketed for sale or rent, additional signs shall be permitted subject to the following regulations:

- (1) ~~For sale or rental of business, commercial or industrial real property, if~~ For each lot there shall be no more than one such sign installed in each yard adjoining an existing or dedicated street. No such sign shall exceed 32 square feet in area and no such sign shall be illuminated. Each sign must be removed immediately upon the sale or rental of the property offered for sale or rent and positioned from the street line a distance of at least one-half of the setback required within the particular zoning district in which the property is located.
- (2) Where a ~~commercial or industrial~~ plat is offered for sale or rental there shall be permitted one sign facing each public street providing access to the property being offered. Each sign shall not exceed 100 square feet in area ~~and must be devoted solely to the sale or rental of the property being offered~~ and must be removed immediately upon the sale or rental of all the property within the plat ~~and shall be located in accordance with Subsection (d)(1) of this Section.~~
- (i) The total area of all on-premises signs for any individual business shall not exceed 300 square feet.

(Code 1998, § 15-1-43; Ord. No. 2010-04, § § 13—18, 1-11-2010)

Sec. 8-498. - Nonconforming signs.

Lawful nonconforming signs may be maintained subject to the following regulations:

- (a) A nonconforming sign existing at the effective date of the ordinance from which this Article is derived may be continued, except that if its use, the purpose for which it was intended, or the business to which it relates is sold, or is discontinued for a period of 30 days or more, or if the individual or business owning such nonconforming sign moves from the premises where such sign is located, it shall be deemed abandoned and any further use of said sign, either on the premises where located or on new premises, will not be allowed unless the sign conforms with this Article. It is the intent of this Article that a nonconforming sign, maintained by virtue of the rights conferred by this Section, shall not be continued after the sale or other disposition of the business to which it relates.
- (b) Normal maintenance, such as painting, repairing without removal, cleaning, maintaining electrical wiring and appurtenances on site and changing or repairing fasteners or guy wires or chains shall be permitted on any lawful nonconforming sign.
- (c) Any nonconforming sign existing at the time this Article takes effect, which is destroyed by fire or the elements, may be reconstructed only in conformity with this Article.
- (d) A lawful nonconforming sign may not be enlarged or altered, except as allowed under Subsection (b) of this Section for normal maintenance or to make such sign conform to this Article.
- (e) Any lawful nonconforming sign under this Article, which is altered or changed so as to conform with this Article, shall not thereafter be changed so as to again become nonconforming.

(Code 1998, § 15-1-44)

Sec. 8-499. - Temporary signs.

(a) General requirements: All temporary signs shall comply with the requirements of this Article, and the following:

- (1) Unless listed as exempt under Section 8-486, a permit must be obtained before display* of the temporary sign.
- (2) A temporary sign shall not exceed 12 square feet in area, unless displayed pursuant to Section 8-496(c), or a greater size is permitted under this Article for the specific sign.
- (3) A temporary sign shall not be displayed more than twice per year, for a period of time not to exceed 30 consecutive days, unless a greater time period is otherwise provided under this Article or by other applicable law.
- (4) Only one temporary sign may be displayed per street side per parcel, unless a greater* number of temporary signs is otherwise provided under this Article or by other applicable law.

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~~(a) General requirements:~~ All temporary signs shall comply with the requirements of this Code. Except for those signs listed in this Section, Section 8-496(c) or defined as "Exempt signs" in Section 8-486, no temporary sign shall exceed 12 square feet in area, be displayed for a period of more than 30 consecutive days, be displayed more than twice per calendar year, ~~for~~ be displayed without a sign permit. A parcel may display one such sign per street frontage.

(b) *Sandwich board signs:*

- (1) *Location.* Portable sandwich board-type signs ~~displaying messages associated with a commercial activity~~ are permitted on private property in all commercial, industrial, and mixed-use areas subject to the standards defined in this Sign Code.
- (2) *Number of signs.* There shall only be one sandwich board sign allowed per premise per street frontage.
- (3) *Size and design regulations.* A sandwich board sign shall not exceed 12 square feet in area, measuring no more than three feet at the base and no more than four feet in height (measured vertically).
- (4) *Duration of display.* A sandwich board sign may be displayed only during business hours, but not for a period exceeding 18 consecutive hours.
- (5) *Placement of sign.* A sandwich board sign may be placed only in front of the ~~business property~~ in a way that does not obstruct normal pedestrian movement, and must be placed on private property.
- (6) ~~{Anchoring.}~~ All sandwich board signs shall be anchored or weighted to withstand the wind speeds per Section 8-491(d)(1).

(Ord. No. 2010-04, § 19, 1-11-2010)

Editor's note— Ord. No. 2010-04, § 19, adopted Jan. 11, 2010, repealed the former § 8-499 and enacted a new § 8-499 as set out herein. The former § 8-499 pertained to licensing of erectors of temporary greeting signs, and derived from Code 1998.

Secs. 8-500—8-521. - Reserved.

The above and foregoing Ordinance was duly adopted at a regular meeting of the McFarland Village Board on the _____ day of _____, 2019.

APPROVED:

Brad Czebotar, Village President

ATTEST:

Cassandra Suettinger, Village Clerk-
Treasurer

ORDINANCE 2019 —	
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:	

McFarland VILLAGE OF

Memorandum

TO: Plan Commission Members

FROM: John Griffith, Code Enforcement Officer

DATE: June 10, 2019

RE: May Property Maintenance Report

<u>ADDRESS-OWNER OR TENANT OCCUPIED (APRIL AND PRIOR LETTERS/CONTACT)</u>	<u>VIOLATION:</u>	<u>STATUS</u>
5706 Wisconsin (Frisch)	Accumulated junk, debris & unlicensed inoperable vehicles stored on property. Weeds & grass height	Still in compliance 6-7-19
4761 McFarland Ct. (Neitzel)	Outside storage by tenant not permitted by conditional use permit.	Spoke to tenant in November Items relocated –issue and area cleaned up
5115 Ridge Road (Bell)	Stacks of firewood stored in front yard of property	Letter sent 4-29-19 Cleared up 5-6-19
5902 Spartan Drive – apartment building	Remodeling being done without a permit	Building inspector served a stop work order until properly permitted
5915 Exchange St. (Byrne)	Tuck pointing	Letter sent to owner- 10-22-18 No response from owner
5905 Main St. (Schneider)	2 nd notice about repairs	Working with fire dept. 4/11/19 Letter from fire dept. was received by owner. Citation mailed 5-9-19
5003 Paulson Road (Kanvik)	Boat parked on front lawn	

5861 Holscher Road (Blum)	Multiple non licensed vehicles on property	Referred to Police Dept. 4-29-19. Letter from zoning 5-16-19
5804 Juniper Ridge (Dash)	Trash & fallen brush in front yard	No brush or fallen tree cited 4-29-19
6119 Johnson Street (Deyoe)	Property not being maintained free of debris or garbage, unlicensed vehicle(s) on property, RV being used for storage, pool used for storage of debris	Letter sent 5-16-19
5506 Valley Drive (Vogel)	Too many vehicles on property	Number vehicles reduced
5999 Oak Hollow Road	Work being done without permit	No visible sign of work being done
5906 Oak Hollow Drive (Garcia)	Carpet and pad at curb	Letter posted on door 5-2-19. Items gone 5-5-19
5405 N. Cook St (Bloyer)	RV parked in yard on property	Owner is pouring area to park the RV
5203 Farwell Street (Lichtenberg)	Too many vehicles on property	Number of vehicles reduced

<u>LETTERS /CONTACT IN MAY :</u>	<u>VIOLATION:</u>
5960 Oak Hollow Road – (Pavelec)	Work done without permit – 5 day notice mailed 5-30-19
6019 Merrill Street (Jones/Deroenzo)	Vehicle parked on lawn – 30 day notice letter mailed 5-16-19
6019 Merrill Street (Jones/Deroenzo)	Unlicensed or non-running vehicle on property 30 day notice letter mailed 5-16-19
6023 Merrill Street (Vike)	Trailer parked on front lawn letter mailed 5-16-19
5608 Glenway Street (Evans)	Grass/weeds over 8” - 5 day notice posted on 5 - 23-19

5619 Alben Avenue (Hund/Wexler)	Noxious weeds on property 5 day notice letter hand delivered 5-6-19
5001 Valley Drive (Delisle)	Work being done without permit 5-13-19 – posted/work stopped until permit issued
5861 Holscher Road (Blum)	Unlicensed vehicle on property 30 day notice letter mailed 5-2-19
5312 Broadhead St (Janecek)	Blowing lawn clippings into street – letter mailed 5-16-19
5106 Black Walnut (Hammerling)	Improper storage of firewood on property – letter mailed 5-6-19

Community Development Highlights

May 2019

- May was our busiest month yet with 62 permits issued. Seven permits were for construction of new single-family homes. Revenues totaled just under \$32,000.00
- Met with representative of Veridian Homes to discuss a possible future development contemplated by the company.
- Working with a realtor and potential buyer of property on north side of Siggelkow Road informally known as the Bingham property. Site to potentially be developed with residential uses.
- Met with Bob Anderson and Carolyn Simpson regarding their plans to construct a storage building and residential addition. The couple has a “life estate” on the 11+ acres they are selling to Ryan Quam for his Planned Development Mixed use project.
- Met with Brett Riemen and Brian Spanos to discuss their TIF application for the Farwell Street redevelopment. The application will be reviewed by the CDA and Village Board in June.
- Christmas in the Village Committee met to begin the process of planning the 2019 event.
- Attended the Economic Diversity Summit held at Monona Terrace. The event was very well attended.
- Met with Baker Tilly to discuss issues regarding their update to our park impact fees and fees in lieu of parkland dedication.
- The Landmarks Commission met in May and agreed to move forward with recommending to the Village Board the designation of the Commons Threads Family Resource Center, 5979 Siggelkow Road as a local historic structure. This building is already on the National and State Register of Historic places.
- Ryan Quam has revised his General and Detailed Plan for the Terminal Drive site; as a result, the revised plan will need to once again go through the approval processes.

- At the May Plan Commission meeting:
 - Recommended amendments to standards for conditional use permits to align our code with new State Statutes.
 - Recommended to the Village Board adoption of the 2019-2023 Outdoor Recreation and Open Space Plan
 - Discussed possible changes to the sign code
- Attended the following monthly committee, board authority and commission meetings.
 - Village Board
 - Plan Commission
 - Community Development Authority
 - Public Utilities Commission
 - Landmarks Commission

Submitted by:

Pauline Boness

Community Development Director