

PLAN COMMISSION

Monday, November 18, 2019

7:00 PM

McFarland Municipal Center
Community Room

AMENDED AGENDA

1. CALL TO ORDER
2. PUBLIC APPEARANCES.
3. APPROVAL OF MINUTES.
 - a. Review and possible approval of minutes from the October 21, 2019 Plan Commission meeting.
4. PUBLIC HEARING
 - a. Regarding a Certified Survey Map (CSM) by Kathleen and Scott Smith for 5214 Glen Road, 4514 Wisconsin Avenue, and 5209 Card Avenue, McFarland, WI. The properties are zoned R-1B Single Family Residence.
 - b. Regarding Ordinance 2019-21, request by MSP Real Estate Inc. to rezone property at 4845 Taylor Road and 4900 Larson Beach Road from Commercial Highway (C-H) to Planned Development Infill - General Implementation Plan (PDI-GIP).
5. BUSINESS.
 - a. Discussion and action on a Certified Survey Map (CSM) by Kathleen and Scott Smith for 5214 Glen Road, 4514 Wisconsin Avenue, and 5209 Card Avenue, McFarland, WI.
 - b. Discussion and recommendation to the Village Board regarding Ordinance 2019-21, request by MSP Real Estate Inc., to rezone property at 4845 Taylor Road and 4900 Larson Beach Road from Commercial Highway (C-H) to Planned Development Infill - General Implementation Plan (PDI-GIP)
 - c. Discussion and action to make a recommendation to the Village Board regarding Ordinance 2019-23, an ordinance authorizing the annexation of lands included in the Lighfoot et al annexation petition #14264, from the Town of Cottage Grove and the Town of Pleasant Springs, to the Village of McFarland.
 - d. Discussion and recommendation to the Village Board regarding amendments to planning, zoning and building permit fees, including park impact fees and fees in lieu of parkland dedication.
6. STAFF REPORTS
 - a. Property Maintenance Report
 - b. Directors Report
7. SCHEDULE NEXT MEETING DATE.

- a. Monday, December 16, 2019 at 7:00 pm.

8. 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

October 21, 2019

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

Members Absent:

Staff Present: Andrew Bremer, Karen Knoll

1. CALL TO ORDER

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

2. PUBLIC APPEARANCES - None

3. APPROVAL OF MINUTES

- a. Motion to approve the minutes of the September 16, 2019 Plan Commission meeting.

Czebotar called the minutes from the September 16, 2019 meeting approved by unanimous consent.

4. PUBLIC HEARING:

- a. Review and possible recommendation to the Village Board on a request by Seth Allen regarding Ordinance No. 2019-18. An ordinance rezoning 5513 Bremer Road, described as Outlot 26 of the Assessor's Plat of the Village of McFarland, recorded as Document No. 824385 of Dane County Records in Volume 14 of Plats on Pages 16 through 27, being located in Government Lot 1 of Section 3, Township 6 North, Range 10 East, Village of McFarland, Dane County, Wisconsin, from R-1 Single Family Residence to R-E Elderly Residence.

Czebotar opened the public hearing at 7:06 p.m.

Janine Turner 5516 Bremer Road – had concerns over the aesthetics of the property design, landscaping and traffic and public safety due to current congestion and safety issues on that road.

Seth Allen – Reviewed their proposal for the property, and the two preliminary ideas for site design for the project. They will try to keep as many trees as possible, and want a residential feel for the project.

Bremer indicated he did received one phone call from Roy Hoenecke who was unable to attend the meeting, and wished to voice his opinion opposed to the proposal.

Amy Johnson 4610 Larson Beach Road – spoke in favor of the project.

Don Goben – 5604 Lake Edge Road - spoke in favor of the project.

Janine Taylor – spoke in favor, voiced concerns over having the parking lot on Bremer Road, rather than the rear of the property. A parking lot in front does not have a “residential look”.

Czebotar closed the public hearing at 7:20 p.m.

- b. Review and possible action regarding amendment, including potential revocation, to a Temporary Conditional Use Permit (CUP), issued to Don Goben, for use by a utility contractor for temporary outside storage of utility construction materials and equipment at 4313 Triangle Street, McFarland property zoned M-IC Manufactured Intensive Commercial.

Czebotar opened the public hearing at 7:21

Don Goben – reviewed the history his property at 4313 Triangle Street, which he is renting to TDS for outdoor storage under a temporary CUP in exchange for installation of the required fence. Goben summarized the issues he has had with the fencing being installed. Goben indicated that contractors for TDS have told him that the required tan slates for the fence have been ordered and he anticipated installation in the next couple of weeks. Goben could not remember the height of the slats that were ordered to confirm whether they reached to the top of the fence (excluding barb wire area). Goben indicated he understands he is responsible for installation of the landscaping, which he has not done, due to the fence not being complete. The TDS project in the Village is taking longer than originally proposed; it appears the project may take another 6 – 8 months to complete.

Czebotar closed the public hearing at 7:29 p.m.

5. BUSINESS

- a. Discussion and action to make a recommendation to the Village Board on a request by Seth Allen regarding Ordinance No. 2019-18. An ordinance rezoning 5513 Bremer Road from R-1 Single Family Residence to R-E Elderly Residence.

Bremer reviewed this is part of a multiphase project, if the zoning is approved, as they are looking to have a facility with up to 40 beds, there will be required CUP with public hearings, and the site design will come before the Plan Commission. Bremer reviewed the Future Land Use map, along with the Villages Comprehensive Plan for this site. Tonight Commissioners are only looking at the zoning for the lot.

Commissioners discussed the lot size, number of properties, which would fit on the lot, along with the existing utilities on the site and potential issues with bringing in new utilities to the property.

Bremer summarized if the rezoning is approved it only allows them to move forward with any permitted use, it does not grant approval of the preliminary layouts that are being shown tonight.

Czebotar moved to recommend to the Village Board approval on a request by Seth Allen regarding Ordinance No. 2019-18. An ordinance rezoning 5513 Bremer Road from R-1 Single Family Residence to R-E Elderly Residence. Kolk seconded the motion. Motion carried 7-0

- b. Review and possible action regarding amendment, including potential revocation, of a Temporary Conditional Use Permit (CUP), issued to Don Goblen, for use by a utility contractor for temporary outside storage of utility construction materials and equipment at 4313 Triangle Street, McFarland property zoned MIC Manufactured Intensive Commercial.

Bremer summarized the history of approvals and extensions for the temporary CUP for outdoor storage at 4313 Triangle Street. Bremer advised staff perspective would be to give a date to bring this project into conformity, and set a date for which the temporary CUP would end, as this was not done previously. Commissioners discussed timeframes for completion of the work, previous extensions, possibility of escrow for the landscaping, weather conditions for completion of the project, the current barbed wire on the fence and agreements with TDS.

Czebotar moved to amend the CUP establishing the date of December 1, 2019 to bring the fence as was originally approved into conformity, excluding the barbwire and landscaping, with an escrow of \$10,000.00 for completion of the landscaping payable by May 15, 2020, if the fence is in compliance with CUP by December 1, 2019 and the landscaping, as was originally approved, has not been installed by May 15, 2020. The temporary Conditional Use Permit to expire July 1, 2020. Seconded by Kolk. Motion carried 7-0.

- c. Discussion and action to make a recommendation to the Village Board regarding temporary zoning designations for lands included in the Elvehjem Acres LLC petition for annexation, parcels 0610-013-9160-1 and 0610-013-9700-7.

Bremer stated this is a petition for direct annexation by unanimous consent. The Department of Administration was provided the request and found the request to be in the public interest. Bremer recommends it be recorded as an A-1 zoning district. The Village received a letter from the Town of Dunn Planner with concerns over the possibility of creating a town island. The Commissioners roll tonight is to recommend what the temporary zoning of these properties should be to the Village Board. The Village Board will take up the concerns raised by the Town Planner.

Kevin Urso – 4720 Farwell Street - stated they are the owners of the property, and summarized what the entire property entails.

Kolk moved to recommend approval to the Village Board temporary zoning designation of A-1 Agricultural Transition District for lands included in the Elvehjem Acres LLC petition for annexation, parcels 0610-013-9160-1 and 0610-013-9700-7. Bloechl-Anderson seconded the motion. Motion carried 7-0.

- d. Discussion regarding pre-application conceptual review of a proposed 53 unit multifamily development by MSP Real Estate, Inc. for 4845 Taylor Road and 4900 Larson Beach Road.

Bremer summarized last month the Village Board approved the purchase of 4900 Larson Beach Road, MSP is entering into a purchase agreement for 4845 Taylor Road.

Mark Hammond – 2108 N. 74th Street, Wauwatosa, WI - with MSP Real Estate reviewed their proposal for WHEDA tax credit housing. It will be a workforce housing project. In order for them to move forward, they need to have permissive zoning in place. They are looking for any feedback at this time prior to their formal submittal. In other communities, they have done a more modern type architecture; they will be submitting a more traditional type due to the character of the neighborhood.

Hammond did a brief review of projects they have recently built.

Dan DiFrancesco – 215 – 10th Avenue South, Unit 207, Minneapolis, MN- stated they are looking to expand their projects into other communities, and feel this is an ideal site to be a buffer between commercial and single family residents. DiFrancesco reviewed reasons why they feel this would work, along with the potential site plan, which would include a leasing office, 27 – one bedroom, 16 – two bedroom and 10 – three bedroom units for 53 units. 94% will be affordable housing and 6% market rate. It will be a smoke free building, an elevator building, with one underground parking stall per unit and bicycle parking.

Hammond indicated MSP manages in-house and does not use third party management. They do a strong application tenant selection process with criminal

background checks, rental history and credit checks on applicants. Their goal is to have a safe and inclusive facility that fits into the community. Hammond reviewed potential rents, income levels and family sizes along with what they feel the expected benefits the development would be to the Village.

Bremer advised there would be a public hearing at the November meeting for rezoning of the property from Commercial Highway to the Planned Unit Development Infill – General Implementation Plan District. They would come back in the spring with a detailed plan. Commissioners discussed the proposed project, the overage of the impervious surface and floor area ratios, the reduction of 12 parking stalls that would be required by the ordinance and this will be a shared parking lot. Also discussed were the possible setbacks, with concerns about the setback on Larson Beach Road due to possible obstruction of view accessing driveways on an already busy road. Bremer pointed out the number of units will be brought up as part of the approval process, are Commissioners comfortable exceeding the current standards to what is proposed and why.

- e. Discussion regarding amendments to the Village of McFarland Sign code.

Bremer advised he feels based on his review, it may be best to take a model sign ordinance, which would be content neutral, and make some minor adjustments to meet what the Village wants versus a complete overhaul of the one we have. The Village Attorney can provide one we can make refinements to. Czebotar would like to see a comparison to the model and the Villages current ordinance so anything, which has been changed or added to our current ordinance, is not missed. Bremer replied he could do a summary comparing them. Bremer advised the major change would be how it is administrated, how we address signs, which fall into disrepair, temporary signs and new types of signs, which our code does not address along with electronic messaging.

6. STAFF REPORTS

- a. Property Maintenance – no comments
- b. Director Report – no comments

7. SCHEDULE NEXT MEETING DATE

- a. Next meeting November 18, 2019

8. ADJOURNMENT

Motion to adjourn by Kolk, seconded by Rogers. Meeting adjourned at 9:23 p.m.

Please publish in the
McFarland Thistle on
October 31, 2019

**VILLAGE OF MCFARLAND
NOTICE OF PUBLIC HEARING
BEFORE THE PLAN COMMISSION**

NOTICE IS HEREBY GIVEN that there will be a Public Hearing before the Plan Commission on Monday, November 18, 2019 at 7:00 p.m. in the Community Room of the Municipal Center, 5915 Milwaukee St., McFarland, Wisconsin, at which time interested parties and citizens shall have an opportunity to be heard concerning the following:

Review and possible action on a request by Kathleen and Scott Smith for a Certified Survey Map (CSM) located at 5214 Glen Road and 4514 Wisconsin Avenue, McFarland, WI in order to create two parcels and transfer land to a third parcel 5209 Card Avenue. The properties are zoned R-1B, Single Family Residence.

If you cannot attend the meeting, please submit your written or emailed comments to the Plan Commission before November 18, 2019. The mailing address is:

Village of McFarland
Community Development Department
PO Box 110
McFarland, WI 53558-0110
community.development@mcfarland.wi.us

Respectfully submitted by,
Andrew Bremer
Community and Economic Development Director

Please publish in the
McFarland Thistle on
October 31st and November 7, 2019

**VILLAGE OF MCFARLAND
NOTICE OF PUBLIC HEARING
BEFORE THE PLAN COMMISSION**

NOTICE IS HEREBY GIVEN that there will be a public hearing before the Plan Commission on Monday, November 18, 2019 at 7:00 p.m. in the Community Room of the Municipal Center, 5915 Milwaukee St., McFarland, Wisconsin, at which time interested parties and citizens shall have an opportunity to be heard concerning the following:

Review and possible recommendation to the Village Board on a request by MSP Real Estate, Inc. regarding Ordinance No. 2019-21. An ordinance rezoning lands in the Village of McFarland at 4845 Taylor Road and 4900 Larson Beach Road from Commercial Highway (C-H) to Planned Development Infill – General Implementation Plan (PDI-GIP). Legal descriptions as follows:

4845 Taylor Road Legal Description (Parcel 0610-032-1680-1)

Lot Three (3) of Certified Survey Map No. 11273 recorded in the office of Register of Deeds for Dane County, Wisconsin on December 07, 2004, in Volume 68 of Certified Survey Maps, Page 109 as Document No. 3998454, being a division of Lot 1, Woodland Commons and located in the NE 1/4 of the NW 1/4 of Section 3, Township 6 North, Range 10 East and the SE 1/4 of the SW 1/4 of Section 34, Township 7 North, Range 10 East, in the Village of McFarland, Dane County, Wisconsin.

4900 Larson Beach Road Legal Description (Parcel 0610-032-1650-1)

Lot 1 of Certified Survey Map No. 11273 recorded in the Office of the Register of Deeds for Dane County, Wisconsin, in Volume 68 of Certified Survey Maps, page 109, as Document No. 3998454, being a division of Lot 1, Woodland Commons and located in the NE 1/4 of the NW 1/4 of Section 3, Township 6 North, Range 10 East and the SE 1/4 of the SW 1/4 of Section 34, Township 7 North, Range 10 East, in the Village of McFarland, Dane County, Wisconsin.

Information and maps regarding these zoning requests are available for viewing at the Village of McFarland Community Development office, 5915 Milwaukee Street, McFarland, WI 53558 (Monday-Friday, 8:00 a.m. to 4:00 p.m.) and at the E.D. Locke Public Library, 5920 Milwaukee Street, McFarland, WI 53558 (Monday-Thursday 9:30 a.m. to 8:00 p.m.; Friday-Saturday 9:30 a.m. to 5:30 p.m.; and Sunday 12:30 p.m. to 3:00 p.m.).

If you cannot attend the meeting, please submit your written or email comments to the Plan Commission before November 18, 2019. The mailing address is:

Village of McFarland
Community Development Department
PO Box 110
McFarland, WI 53558-0110
community.development@mcfarland.wi.us

Respectfully submitted by,
Andrew Bremer
Community and Economic Development Director



PLAN COMMISSION SUMMARY SHEET

MEETING DATE: Monday, November 18, 2019

SECTION: Business

DEPARTMENT: Community Development

CONTACT: Andrew Bremer, Comm & Eco Dev Director

AGENDA ITEM: Discussion and action on a Certified Survey Map (CSM) by Kathleen and Scott Smith for 5214 Glen Road, 4514 Wisconsin Avenue, and 5209 Card Avenue, McFarland, WI.

PREVIOUS ACTION:

None.

ISSUE SUMMARY:

The proposed three lot CSM is submitted for approval to correct four zoning and land division issues:

1. The Applicants own the properties that comprise 5214 Glen Road (parcel 071034348421) and 4514 Wisconsin Avenue (parcel 071034348327). The house and garage that comprise 5214 Glen Road are on the same parcel as the house at 4514 Wisconsin Avenue. Sec. 62-9(d) provides that not more than one principal detached residential building shall be located on a zoning lot nor shall a principal detached residential building be located on the same zoning lot with any other principal building.
2. The residential structure located at 5214 Glen Road is located on two parcels which is nonconforming to the setback requirements for the R-1B District.
3. The residence at 5209 Card Avenue includes two parcels, 071034348747 and 07103438451, the latter is nonconforming to the minimum lot size requirements of the R-1B District.
4. The residence at 5209 Card Avenue includes an existing fence in the rear yard that is located on the adjacent parcel 071034348421, which is nonconforming to the Village's fence regulations.

The proposed CSM will create three lots from the existing four lots. Each proposed lot meets the minimum lot size (6,000 SF) and lot width (50 feet) requirements of the R-1B District, with the exception of the front lot line for Lot 3 along Wisconsin Avenue, which is only 40 feet. However, this is an existing condition and the approval of the CSM would not further reduce this existing nonconformity.

Staff has identified two areas of concern related to the proposed CSM:

1. Currently the residences at 5214 Glen Road and 4514 Wisconsin Avenue share a common water and sewer lateral off of Wisconsin Ave. The Applicants have been in communication with the Public Works Director regarding installation of separate water and sewer laterals for the residence at 5214 Glen Road via a new curb stop off of Glen Road. If the Plan Commission moves to approve the CSM, Staff recommends conditioning approval and recording of the CSM on the installation of separate water and sewer laterals for 5214 Glen Road per the approval of the Director of Public Works. The Applicants have been working with the Public Works Director regarding this requirement.
2. Proposed Lot 3 is 6,005 SF. While this meets the minimum lot size requirements of the R-1B District, the lot could be



made larger by moving the shared lot line with Lot 2 further north. As proposed, Lot 2 is 90 feet wide and 9,515 SF and thus more than the minimum 50 feet and 6,000 SF requirements of the R-1B District. It is within the realm of possibility that the existing house at 4514 Wisconsin Avenue would be razed in the future for construction of a new house. Any new structure will be required to meet the setback requirements of the R-1B District, which include 20 feet front, 30 feet rear and 7 feet side. As submitted, it is likely that any new house would be limited to an address off of Wisconsin Avenue in order to meet the setback requirements. Increasing the size and width of Lot 3 would permit a slightly larger building envelope that may enable a future home address off of Glen Road, while still leaving Lot 2 with sufficient lot width and size. In addition to considerations regarding future building envelope locations, there are three existing mature trees that form a hedge row along this shared lot line (see attached photo in packet). The location of the existing trees are not shown on the CSM but are estimated to be located on Lot 2. If that is correct, the the lot line could be moved to the north side of these existing trees to increase the size of Lot 3. Any relocation of this shared lot line should avoid placing the lot line through these trees. Ideally the location of these trees would also be shown on the CSM to avoid future property line disputes between future owners of Lot 2 and 3. Village Staff have expressed this concern to the Applicant and their surveyor. The surveyor did not survey the location of the trees and indicated the location of the lot line was chosen based on direction from the Applicant. Village Staff have requested the location of the trees be shown on the CSM to enable a more informed decision regarding the location of the proposed lot line and to avoid any future disputes between the property owners regarding who owns the trees. The revised CSM was not available prior to completion of the meeting packet but is expected to be submitted prior to the start of the Plan Commission meeting. If the requested information is not submitted prior to the meeting, and the Plan Commission shares this same concern, Village Staff recommends tabling action on the CSM and requiring the location of these trees to be shown as Sec. 56-71(b)(1), Technical Requirements for CSM, provides the Village can require to be shown correctly on its face, other features pertinent to proper land division.

FINANCIAL/BUDGET IMPACT:

None.

VILLAGE PLAN REFERENCE:

Properties are planned for Single Family Residence in the Village's Comprehensive Plan.
The properties are zoned R-1B Single Family Residence.

ORDINANCE REFERENCE:

Sec. 56-39 Certified Survey Map
Sec. 56-71 Technical Requirements for Certified Survey Maps
Sec. 62-9 Number of Residential Buildings on a Zoning Lot
Sec. 62-70 Bulk Standards Residential Districts

BOARD, COMMISSION OR COMMITTEE RECOMMENDATION:

The Plan Commission may move to either table action or conditionally approve the CSM pending discussion regarding the location of the existing trees relative to the proposed lot line between Lots 2 and 3.

ATTACHMENTS:

1. Smith - PC app-11-18-19 - CSM - 5214 Glen Road & 4514 Wisconsin Ave
2. Smith CSM Aerial Map
3. 5219 Glen Road Streetview



**Village of McFarland
Community Development Department**

RECEIVED

OCT 08 2019

Plan Commission Application – 2019

~Please complete application in full~

VILLAGE OF MCFARLAND

Applicant - Owner	Kathleen and Scott Smith	Applicant's Agent	
		Name	
Address	5624 Lake Edge Rd 53558 McFarland, WI	Address	
Email	kams91671@gmail.com	Email	
Phone #	608.438.4288	Phone #	
Fax #		Fax #	

Type of Proposal – Please check boxes below that apply - Parcel No(s).

154/0710-343-4832-7
154/0710-343-4843-4

Requires Public Hearing (Class One)	FEES	Requires Public Hearing (Class Two)	FEES	Public Hearing Not required	FEES
☐ Preliminary Plat	\$500+AF	☐ Conditional Use	\$275+F	☐ Annexation	At cost
☐ Preliminary Plat (reapplication)	\$500+BF	☐ Rezoning (map)	\$175+	☐ Dev. Agreement Including Addendums	\$400 F
☒ Certified Survey Map	\$300+F	☐ Zoning Amendment (text)	\$250+F	☐ Final Plat	\$500 +CF
☐ Condominium	\$300+EF	☐ Variance-Board of Zoning Appeals	\$250+F	☐ Final Plat (reapplication)	\$400 +DF
				☐ Site/Design Review	\$400 + F

+ = Plus publication and notification charges

A = Plus \$50.00 per lot

B = Any preliminary plat which has previously been reviewed/revised within the last 36 months

C = Plus \$50.00 for each lot within the final plat

D = Any final plat which has been previously reviewed or/ revised within the last 36 months

E = Plus \$40.00 for each unit shown

F = Plus actual legal, engineering and financial consulting costs incurred by the Village

G = Plus \$25.00 per lot for two or more lots.

Escrow Deposits (covers costs for outside consultants; e.g., engineers, attorneys, etc.)	
☐ R-E, R-3 & PD (up to 50 acres)	\$5,000
☐ R-E, R-3 & PD (greater than 50 acres)	\$10,000
☐ Commercial Site/Design Review (5,000 sq. ft. or more)	\$2,000
☐ All Plats including condominiums	\$5,000

Nature of the development proposal: Must provide address of proposed development, legal description, current zoning and description of proposal. (Attach additional paper if needed)

Lot 52⁵³ is currently one large lot with two houses with separate addresses on it. We want to make it into two conforming lots. We also want to change the lot line ~~so~~ to give Lot 54 the area currently included unofficially by a fence. What action is the applicant requesting of the Plan Commission?
Approval of Lot 52⁵³ to be divided into two conforming lots.
Approval of a portion of Lot 52⁵³ to be gifted to Lot 54.

Has this specific proposal been previously discussed or acted upon by the Plan Commission?

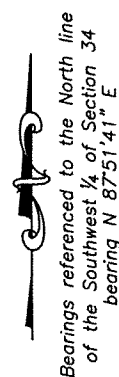
☐ YES ☒ NO (If "yes" state the nature and the date(s) of the previous application.)

PLEASE READ AND SIGN ON THE REVERSE SIDE - AT THE BOTTOM



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

**LOT 52 AND PARTS OF LOTS 53, AND 54, IDLEWILD, VILLAGE OF
MCFARLAND, DANE COUNTY, WISCONSIN**

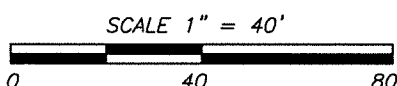


✕ = Found Chiseled "X"
 ● = Found 3/4" Iron Rod
 ○ = Found 3/4" Iron Pipe
 ⊙ = Found 1" Iron Pipe
 ⊗ = Found 1" Pinch Top Pipe
 — x — = Chain Link Fence
 □ — □ = Wood Fence

⊕ = Section Corner
 ○ = 1"x24" Iron pipe set
 min.wt.=1.13#/ln.ft.
 ⊙ = Axel Shaft

DOCUMENT NO.

SHEET 1 OF 3
Office Map No. **190799**





CERTIFIED SURVEY MAP

DATED: October 8, 2019

Birrenkott Surveying, Inc.

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

Surveyor's Certificate:

I, Daniel V. Birrenkott, hereby certify that this survey is in full compliance with Chapter 236.34 of Wisconsin Statutes. I also certify that by the direction of the owners listed hereon, I have surveyed and mapped the lands described hereon and that the map is a correct representation of all the exterior boundaries of the land surveyed and the division of that land, in accordance with the information provided.

Daniel V. Birrenkott, Professional Land Surveyor No. S-1531

Description:

Lot 52, and Part of Lots 53, and 54, Idlewild, Village of McFarland, Dane County, Wisconsin more particularly described as follows: Commencing at the West ¼ Corner of Section 34, thence N87°51'41"E, 988.63 feet; thence S13°14'18"W, 1402.62 feet to the point of beginning. thence S13°14'18"W, 208.27 feet (recorded as 208.00 feet); thence S77°39'44"W, 40.00 feet; thence N00°26'47"W, 64.20 feet; thence S69°47'21"W, 48.15 feet; Then S64°26'53"W, 54.51 feet; thence N22°05'55"W, 91.09 feet; thence N64°31'58"E, 239.13 feet (recorded as 239.50 feet) to the point of beginning. Containing 22,533 square feet or 0.51 acres.

Owners Certificate:

As owner, KS Properties, LLC, here hereby certifies that it has caused the lands described on this Certified Survey Map to be surveyed, divided, and mapped as represented on this Certified Survey Map. The Certified Survey Map is required to be submitted to the Village of McFarland for approval.

Kathleen Smith

State of Wisconsin)

Dane County) ss Personally came before me this _____ day of _____, 2019, the above-named Karen M. Heitke, to me known to be the persons who executed the foregoing instrument and acknowledged the same.

Notary Public, Dane County, Wisconsin.

My Commission Expires

Printed name

Village of McFarland Certificate:

Resolved that this Certified Survey Map, is hereby acknowledged, accepted and approved for recorded by the Village of McFarland.

Cassandra Suettinger, Clerk
Village of McFarland

Dated _____

Notes: Utilities Easement: No poles or buried cables are to be placed on any lot line or corner.

The disturbance of a survey stake by anyone is in violation of Section 236.32 of Wisconsin Statutes.

Wetlands, if present, have not been delineated.

This survey is subject to any and all easements and agreements both recorded and unrecorded.

This survey shows above-ground improvements only. No guarantee is made for below-ground structures.

Register of Deeds Certificate:

Received for recording this _____ day of _____, 2019

Surveyed For:

KS Properties, LLC
5624 Lake Edge Road
McFarland, WI 53558

at _____ o'clock _____ m and recorded in Volume _____ of Certified Survey

Maps of Dane County on Pages.

Surveyed: TAS
Drawn: BTS
Checked: DVB
Approved: DVB
Field book: 375/30-31
Tape/File: J:\2019\CARLSON

Kristi Chlebowski, Register of Deeds

Document No. _____

Sheet 2 of 3
Office Map No.: 190799

Certified Survey Map No. _____, Volume _____, Page _____



CERTIFIED SURVEY MAP

DATED: October 8, 2019

**Birrenkott
Surveying, Inc.**

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

Owners Certificate:

As owner, Therese A. Crowley, I hereby certify that I have caused the lands described on this Certified Survey Map to be surveyed, divided, and mapped as represented on this Certified Survey Map. The Certified Survey Map is required to be submitted to the Village of McFarland for approval.

Therese A. Crowley

State of Wisconsin)

Dane County) ss Personally came before me this _____ day of _____, 2019, the above-named Therese A. Crowley, to me known to be the persons who executed the foregoing instrument and acknowledged the same.

Notary Public, Dane County, Wisconsin.

My Commission Expires

Printed name

Surveyed For:

KS Properties, LLC
5624 Lake Edge Road
McFarland, WI 53558

Surveyed: TAS
Drawn: BTS
Checked

DVB

Approved: DVB
Field book: 375/30-31
Tape/File:
J:\2019\CARLSON

Document No. _____

Sheet 3 of 3
Office Map No.: 190799

Certified Survey Map No. _____, Volume _____, Page _____

EXHIBIT A

PARCEL I: Lot Fifty-two (52), Idlewild, in the Village of McFarland, Dane County, Wisconsin.

PARCEL II: Part of Lot Fifty-three (53), Idlewild, in the Village of McFarland, Dane County, Wisconsin, described as follows: Beginning at the Northwest corner of said Lot 53; thence East 62 feet to the Northeast corner thereof; thence Southerly along the East line of said Lot 53, 105 feet; thence West 48.75 feet to the West line of said lot; thence North along said West line 96 feet to the point of beginning. EXCEPTING THEREFROM,

_____ (A portion of Lot 53 to be deeded to the neighbor to the west. Upon receipt of a metes and bounds legal description for the portion to be conveyed, this description will be revised).

For informational purposes only

4514 RCR

Property Address: 5214 Glen Road and 4515 Wisconsin Avenue, McFarland, WI 53558

Tax Key No.: 154/0710-343-4832-7 (Lot 52) and 154/0710-343-4843-4 (Lot 53)

RECEIVED

OCT 08 2019

VILLAGE OF MCFARLAND





5214 Glen Road

Parcel 071034348421

5209 Card Avenue
Parcel 071034348747

Existing fence

Parcel 07103438451

4514 Wisconsin
Avenue

Parcel 071034348327





PLAN COMMISSION SUMMARY SHEET

MEETING DATE: Monday, November 18, 2019

SECTION: Business

DEPARTMENT: Community Development

CONTACT: Andrew Bremer, Comm & Eco Dev Director

AGENDA ITEM: Discussion and recommendation to the Village Board regarding Ordinance 2019-21, request by MSP Real Estate Inc., to rezone property at 4845 Taylor Road and 4900 Larson Beach Road from Commercial Highway (C-H) to Planned Development Infill - General Implementation Plan (PDI-GIP)

PREVIOUS ACTION:

Village Board previously purchased 4900 Larson Beach Road for the purpose of facilitating development of the property.

MSP met with the Plan Commission on October 21, 2019 to review a draft concept plan for the development. The revised site plan includes the following modifications:

1. Reduced the number of one-bedroom units from 27 to 23 and increased the number of two-bedroom units from 16 to 18. The total number of units decreased from 53 to 51.
2. Shifted the building and parking to the north by six feet.
3. Illustration of the private walkways for the first floor units.
4. Identified a potential resident garden.
5. Reduced the number of parking stalls from 90 to 84. This includes reducing the underground parking from 54 to 53 stalls and the number of surface stalls from 36 to 31. The revised site plan includes identifies areas for up to 8 additional off-street parking stalls.
6. Reduced the floor area ratio from 0.96 to 0.95.
7. Reduced the impervious area ratio from 63% to 62%.
8. identified the location of the day care trash enclosure.
9. Identified the vision clearance triangles on Larson Beach Road.

ISSUE SUMMARY:

Refer to attached staff report.

FINANCIAL/BUDGET IMPACT:

Refer to attached staff report.

VILLAGE PLAN REFERENCE:

The property is identified as Mixed-Use/Flex Commercial in the Village's Comprehensive Plan.

ORDINANCE REFERENCE:



Section 62.66 PD-I Planned Development Infill District

Section 62.67 PD Planned Development District

Chapter 62, Division 4 Changes and Amendments to the Zoning Code

BOARD, COMMISSION OR COMMITTEE RECOMMENDATION:

Recommendation to the Village Board to approve Ordinance 2019-21 with the following conditions of approval:

1. Approval of one access driveway onto Taylor Road as depicted on the General Implementation Plan.
2. Revise the site plan to include the building setback distance from the property line along Taylor Road.

ATTACHMENTS:

1. MSP Taylor Pointe Apartments, PDI-GIP, Staff Report_11.14.2019
2. 2019-21 Rezoning 4845 Taylor Road and 4900 Larson Beach Road
3. Exhibit A, Ordinance 2019-21_MSP Taylor Pointe Workforce Housing PC Submittal_11.01.19
4. Sample Renderings
5. CSM 11273
6. McFarland_Comprehensive_Plan_-_Future_Land_Use_Map
7. Figure 4.1(page 36)
8. McFarland_Zoning_Map_6-30-2018
9. Sec. 62.66-67 PD-I District

Memorandum

To: Plan Commission

From: Andrew Bremer, AICP, Community & Economic Development Director

Date: November 14, 2019

Re: Taylor Pointe Apartments, Staff Review, Planned Development Infill – General Implementation Plan

Request

MSP Real Estate, Inc. is requesting to rezone 4845 Taylor Road and 4900 Larson Beach Road from Commercial – Highway (C-H) to Planned Development Infill – General Implementation Plan (PDI-GIP). The proposed development consists of 51 multi-family workforce-housing apartments in one three-story structure with both surface and underground parking. The development includes a mix of one-, two-, and three-bedroom units. Over 90% of the units will be reserved for individuals and families earning less than 60% of the area median income.

Background

MSP Real Estate, Inc. has entered into a purchase agreement with the owner of 4845 Taylor Road for the purpose of constructing an affordable/workforce housing multi-family development. MSP intends to apply for WHEDA & Dane County funding assistance to finance the project. Village Staff met with representatives of MSP in August and encouraged the addition of the adjacent 4900 Larson Beach Road property to create a better project that included both vacant parcels. The Village Board authorized the purchase of 4900 Larson Beach Road with the intent of selling the lot to MSP upon notification of their WHEDA/Dane County funding applications. The reason the Village assisted with this purchase is because the WHEDA application is due in December and requires MSP have site control (i.e. options in place to acquire all lots and permitted zoning, PD-I Planned Development Infill - General Implementation Plan) prior to submittal of the application. Due to the WHEDA's, and Dane County's, application review timelines, MSP will not learn of all project awards until the Spring-Summer of 2020, and therefore, will not be able to close until financing is secured. MSP and the previous owner of 4900 Larson Beach Road were not able to come to terms on an offer to purchase that included the longer closing contingency needed by MSP due to the WHEDA/Dane County processes. The Village Board has previously expressed interest for infill development of these vacate parcels and is interested in advancing housing affordability per the 2019-2020 Village Board Goals & Objectives and the Village's Comprehensive Plan. Therefore, the Village Board is willing to enter into an offer to purchase with MSP with the longer closing contingency desired by the developer. The final offer to purchase from MSP is being reviewed by the Village Attorney and MSP's Attorney for approval by the Village Board at their November 25, 2019 meeting. That Board meeting will also include action on the recommendation of the Plan Commission concerning MSP's request to rezone 4845 Taylor Road and 4900 Larson Beach Road from C-H to PDI-GIP. MSP will be using a staged approach to plan approval whereby they will seek approval of just the General Implementation Plan prior to their submittal of the WHEDA application, which is due December 6, 2019. If WHEDA funds the project, MSP will seek approval of the Detailed Implementation Plan sometime in 2020.

At the October 21, 2019 Plan Commission meeting, MSP provided a presentation regarding background information on their company, experience, and their concept for the McFarland site. In addition, MSP provided an overview of Dane County defined income limits based on family size and those monthly rental amounts by bedroom size and IRS income limits. This information is summarized in the following tables.

Income/Family Size

Income %	1	2	3	4	5
30%	21,090	24,120	27,120	30,120	32,550
40%	28,120	32,160	36,160	40,160	43,400
50%	35,150	40,200	45,200	50,200	54,250
60%	42,180	48,240	54,240	60,240	65,100
CMI	70,300	80,400	90,400	100,400	108,500

Affordable/Market Mix		
CMI %	# of Units	% of Total
30%	11	22%
40%	3	6%
50%	16	31%
60%	18	35%
Market	3	6%
Total	51	100%

Rent by Bedroom Size			
CMI %	1 BR	2 BR	3 BR
30%	\$516 (10)		\$708 (1)
40%	\$704 (1)	\$842 (1)	\$969 (1)
50%	\$892 (5)	\$1,013 (5)	\$1,125 (6)
60%	\$926 (6)	\$1,088 (10)	\$1,175 (2)
Market	\$990 (1)	\$1,200 (2)	

Enclosures

The November meeting packet includes the following attachments:

- Ordinance 2019-21
- Appendix A – Exhibit A of Ordinance 2019-21 (project submittal, PDI-GIP)
- Sample renderings from other similar MSP developments in Wisconsin
- CSM 11273
- McFarland Comprehensive Plan Future Land Use Map and Figure 4.1
- McFarland Zoning Map
- Sec. 62.66-67 Planned Unit Development regulations

Consistency with the Village's Comprehensive Plan

The properties are identified for Mixed Use/Flex Commercial development on the Future Land Use Map in the Village's Comprehensive Plan. According to Figure 4.1 of the plan, this land use category allows for PD-I zoning as a "typical implementing zoning district." The general description of the Mixed-Use/Flex Commercial land use is "a carefully designed blend or option of commercial services, retail, office, business park, multiple family residential, and/or institutional land uses, including mixed use sites and/or buildings. Compared to the Neighborhood future land use category, Mixed Use/Flex Commercial areas typically are denser, include some non-residential component, and do not typically include single-family housing. All uses are served by public sewer and water systems."

The Village's Comprehensive Plan also includes a number of references to promoting affordable housing, including:

- Housing and Neighborhood Goal: "Promote quality, affordable housing for families and older residents within neighborhoods and mixed use settings that are organized around safety, conservation, recreation, and connection to the boarder community."
- Housing and Neighborhood Policies: "Direct eligible persons to Village, County, State, federal, and non-profit housing programs to promote and preserve decent, affordable housing for persons of different incomes, the elderly, and people with special housing needs."

In addition, as part of the Village's 2019/2020 Goals and Objectives, the Village Board identified "actively promoting and supporting affordable housing in the Village" as an objective. In the Director's opinion, the rezone request, and proposed development, are consistent with the Village Comprehensive Plan.

Compatibility with Adjacent Land Uses

Adjacent uses include small office and retail uses, pre-school, duplexes and multi-family developments. The block is already capped on the opposite side of the road by a multi-family apartment building (Woodland Commons); therefore, a similar treatment on the north side of the road is compatible with existing land development patterns. The proposed development also would serve as a transition from the lower density duplexes in Preston Place to the commercial developments along Larson Beach Road. The proximity to existing retail establishments including pre-school, grocery store, pharmacy, dentist office, etc., and the recreational trail along Taylor Road, also lend to the compatibility of this location for affordable/workforce housing as residents or families with one or less vehicles are within easy walking or biking distances to daily retail needs and to existing schools. In the Director's opinion, the rezone request, and proposed development, are compatible with adjacent land uses.

Conformance with Sec. 62.66-67 Planned Unit Development Regulations

Section 62.66 and 62.67 of the Village's Zoning Code provides the standards and processes for review and approval of PDI-GIP.

Standards and criteria for approval of a PD-I development include:

1. A maximum impervious surface ratio of 50%. Applicant proposes 62%.
2. A maximum floor area ratio of 70%. Applicant proposes 96%.
3. A minimum required useable open space per dwelling unit of 100 SF/DU. Applicant proposes 448 SF/DU.

In regards to satisfying standards 1 and 2 above:

- The maximum impervious surface ratio for PD-I non-residential and mixed-use projects is 70%. This is the same standard for the existing Commercial-Highway zoning classification. Therefore, the proposed project would provide less impervious surface than permitted by right under existing zoning or a mixed-use development.
- The project site is adjacent to Outlot 1 of Woodland Commons. This lot contains an existing stormwater pond that was constructed to serve adjacent properties and this development site. The presence of an existing stormwater pond provides the opportunity to utilize the site for higher density development providing more workforce housing units and tax base to the community.
- Per Section 62-66(f), the Plan Commission may grant exceptions to the standards subject to final approval by the Village Board. The following table provides a summary comparison of the proposed development versus other similar recent developments in terms of FAR, IAR, and density. Other existing developments have been approved with either FAR, IAR or densities exceeding the values of the proposed development. Note, that the other recent developments did not include existing on-site or adjacent stormwater management facilities which are available to MSP's project.

Project	FAR	Impervious Area Ratio	Density (DU/AC)
MSP Taylor Pointe (51 units)	0.95	0.62	37.1
Farwell Place (38 units)	1.05	0.58	40.4
Waubesa Shores (29 units)	0.72	0.58	14.5
The Atwater (4719 Farwell, 47 units)	0.64	0.68	20.6
Waubesa Village (74 units)	0.42	0.26	15.6

Sec. 62.66(e), additional standards for approval within the PD-I District are summarized below along with Director commentary (indent):

1. Screening and requirements for buffer yards shall be included as part of plan reviews. Such screening shall shield neighboring properties from any adverse external effects of the proposed developments. Screening and buffer yards shall also be used to shield the proposed development from the negative impacts of adjacent uses, such as streets, industrial uses, etc. Special emphasis shall be placed on screening the intrusion of automobile headlights on neighboring properties from parking areas and driveways.
 - ✓ The proposed site layout should result in minimal intrusion of automobile headlights on neighboring residential properties. Both the Woodland Commons Apartments and Preston Place duplexes are elevated above the site grade by approximately 10 feet and at sufficient distances from driveways that should minimize intrusion of automobile headlights from the driveways into residential units. The Detailed Development Plan will also include a landscaping plan to address on-site screening.
2. Pedestrian circulation should be carefully planned so as to prevent pedestrian use of vehicular ways and parking spaces. In all cases, pedestrian access shall be provided to public walkways.
 - ✓ All proposed building entrances are connected to proposed parking spaces and public sidewalks via planned private walkways.
3. The usable open space required for residential development projects and mixed use residential projects shall be designed for use of each individual dwelling unit or shall be located and designed to be of utility to every dwelling unit proposed. This required usable open space shall be designed to maximum privacy and usability to the residence.

- ✓ The site plan includes 448 SF of open space per dwelling unit and identifies “play areas” adjacent to the primary entrance and community room. The site plan also identifies an area for a “potential resident garden”. Specific details regarding these planned amenities will be reviewed during the Detailed Implementation Plan review phase.
- 4. Special emphasis shall be placed on trash collection points. Trash containers shall be screened and so designed so as to be conveniently accessible to their users and collectors.
 - ✓ Trash receptacles will be stored in the basement of the building and wheeled out on collection days.
- 5. Within the PD-I District, mixed land uses may be proposed. However, they must be found to be compatible based on the site and building design proposed. Compatibility will also be judged on the basis of how well the proposed project fits within the context of the neighborhood and abutting properties. The basic intent of this Chapter and Village Comprehensive Plan must be adhered to.
 - ✓ Not a mixed-use development. Refer to previous comments related to consistency with the Village Comprehensive Plan.
- 6. Snow removal areas and procedures must be described in the plans.
 - Presumably, snow storage will occur within the open space areas of the site for private walkways and along the north property line for surface parking and drive aisles. Advice confirmation during Plan Commission discussion with the Applicant as this was not expressly stated in MSP’s application.
- 7. All site lighting shall be controlled so as not to extend a direct light source onto abutting properties. Cutoff type luminaries shall be used and all lighting sheds shall be indicated in the plans.
 - ✓ A lighting plan will be addressed during the Detailed Implementation Plan review phase.
- 8. The physical attributes of the site shall be respected with particular concern for preservation of natural features, tree growth and open space.
 - ✓ Existing site does not contain significant natural features or trees.

Sec. 62.67, additional standards for approval within the PD-I District are summarized below along with Director commentary (indent):

- 9. Off-street parking and loading. There shall be no prescribed requirements for off-street parking and loading in the Planned Development District. However, in the review and approval of any general or detailed plan in a Planned Development District, due consideration shall be given to Subdivision IV of this Division of regulations and requirements for off-street parking and loading facilities for uses similar to those proposed in such plan.
 - ✓ Subdivision IV would require 107 off-street parking spaces given the proposed bedroom to unit mix, using the requirement of 2 spaces for each one- and two-bedroom unit and 2.5 spaces for each three-bedroom unit. The proposed development includes 53 below ground spaces and 31 surface parking spaces, for 84 total spaces. This translates to 1.65 spaces per unit and 0.94 spaces per bedroom. The site plan includes areas for an additional 8 off-street parking stalls. Since this is a planned development, the Village may

grant exceptions to the standards in Subdivision IV. In the Director's opinion, the amount of off-street parking spaces provided by MSP is sufficient given:

- Each unit will have one designated underground parking space with access to additional shared surface parking spaces.
- The requirement for two parking spaces for each one bedroom unit may be excessive given it is unlikely that each of these units will be occupied by tenants with more than one vehicle. A more modern requirement would be 1.5 spaces per one-bedroom and two spaces for two or more bedroom units. This translates to 90.5 spaces based on the proposed unit mix, which can be met based on the current site plan utilizing the additional 8 off-street parking stalls. If desired, the Plan Commission may require the all or a portion of the additional 8 stalls be installed as part of the original construction.
- The adjacent daycare was designed to allow for shared access and off-street parking with the eventual development of the subject properties. The daycare has approximately 30 spaces. Given the daycare is closed during the evenings, additional tenant or visitor parking can utilize these spaces and vice versa, during the day when tenants are at work, the daycare can utilize the parking spaces provided by the apartment building.

10. The uses proposed in the planned development shall be in general conformance with the Village Comprehensive Plan.

- ✓ Refer to previous comments regarding consistency with the Village's Comprehensive Plan.

11. 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.

- ✓ Refer to previous comments regarding compatibility with adjacent land uses.

12. 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 development will utilize the existing access driveway on Larson Beach Road to the daycare and construct an additional access point to Taylor Road. In 2004, the Village approved CSM #11273, which included on its face the following note: *No access onto Taylor Road from Lot 3 (4845 Taylor Road) without the approval of the Village of McFarland Plan Commission.* It is unclear why this provision was required; however, it is clear the Plan Commission may approve the access drive onto Taylor Road. The additional access drive will serve the entrance to the underground parking and allow parents dropping off children at the daycare to pull through the site rather than having to utilize parking spaces to turn around; this should improve traffic flow and safety. The site plan also identifies that there should not be an obstruction within the vision clearance at the Larson Beach access drive or at the intersection of Larson Beach and Taylor Roads based on the proposed location of the building.

13. 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.
 - ✓ There are no significant natural features or topography to the site. An erosion control and stormwater management plan will be addressed during the Detailed Implementation Plan review phase.
14. 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 revised site plan has shifted the proposed building by approximately six feet to the north, as compared to the preliminary concept reviewed in October, in an effort to improve privacy and the harmonious grouping of buildings. The proposed building is now approximately 14 feet from the property line, 22 feet from the sidewalk and 37 feet from the edge of curb. For comparison purposes, Farwell Place Apartment is approximately 13 feet from the property line/sidewalk and 23 feet from the edge of curb. The proposed building is setback 44 feet from the edge of Taylor Road, which is compatible to the setback of the adjacent Woodland Commons, which is 42 feet from the curb on Taylor Road.
15. 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.
 - ✓ The site plan includes 448 SF of open space per dwelling unit and identifies “play areas” adjacent to the primary entrance and community room. The site plan also identifies an area for a “potential resident garden”. Specific details regarding these planned amenities will be reviewed during the Detailed Implementation Plan review phase.
16. Planned Development District housing impacts on community resources in the same manner as other new developments, 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.
 - ✓ No parkland dedication is being proposed as part of this development. The proposed development will be required to provide fees in lieu of land dedication, and park impact fees, according to the policies of the Village, as approved by the Village Board, at the time the Detailed Implementation Plan is approved.
17. The planned development will not adversely affect the ability of public agencies to provide school or other municipal services.
 - ✓ The proposed development has been provided to the McFarland School District Administrator and the Department has not received any comments regarding concerns related to providing school services. The Village Fire Department has indicated that a Knox Box will be required to be installed and they will review fire alarm and sprinkler systems at the appropriate time. The Village Police Department did not have any initial concerns regarding the proposed development. The Village Engineer has reviewed the site plan and indicated that municipal sewer and water service already exist adjacent to

the site, some pavement patching may be necessary to reach them. Curb and gutter currently do not exist along the west side of Taylor Road. These improvements, along with an erosion control and stormwater management plan, will be required by the developer as part of the Detailed Implementation Plan approval process.

18. 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 of 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.

✓ These standards will be addressed during the Detailed Implementation Plan approval process.

19. 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.

✓ MSP's application includes their stated intention to utilize WHEDA and Dane County affordable housing tax credits and grants to fund the development project. MSP has utilized these funding sources for other projects, including projects in Dane County. The development of this site will provide a substantial increase in the property value and real estate taxes paid to the Village. The 2019 combined assessed value of the development site is \$696,700 and the Village share of property taxes paid is \$4,715.55. Construction costs for the new building are anticipated to be \$135-\$145/SF according to the developer. Using an average of \$140/SF, the project would cost approximately \$8M to construct. Assuming an assessed value of 70% of total construction costs, the completed building would be assessed at \$5.6M. Assuming a Village-only tax rate of \$6.50/1,000, the Village would receive approximately \$36,400 per year in property taxes, or an increase of about \$32k/year.

20. The proponents of a Planned Development District shall submit a reasonable schedule for the implementation 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.

✓ MSP's application includes a development schedule based on the application schedules for WHEDA and Dane County sources of financing with an anticipated project start of Fall 2020 and project completion of Spring 2022.

Recommendation

Recommend approval of Ordinance 2019-13 with the following conditions of approval:

1. Approval of one access driveway onto Taylor Road as depicted on General Implementation Plan.
2. Revise the site plan to include the building setback distance from the property line along Taylor Road.

ORDINANCE 2019-21

AN ORDINANCE TO REZONE LANDS ON TAYLOR ROAD AND LARSON BEACH ROAD FROM THE C-H COMMERCIAL HIGHWAY DISTRICT, TO THE PLANNED DEVELOPMENT INFILL DISTRICT – GENERAL IMPLEMENTATION PLAN APPROVED.

Purpose: To rezone certain lands on Taylor Road and Larson Beach Road as part of the proposed Taylor Pointe Apartments, multi-family development at 4845 Taylor Road and 4900 Larson Beach Road.

Sponsor: Community & Economic Development Director Bremer

Recommended Referral: Plan Commission (Required)

Public Hearing: Required; Preceded by Class 2 Notice

WHEREAS, the developer of the proposed Taylor Pointe Apartments located at 4845 Taylor Road and 4900 Larson Beach Road, in the Village of McFarland, has applied for approval of rezoning of the same property from the C-H Commercial Highway District to the Planned Development Infill District; and,

WHEREAS, the developer has submitted documents fulfilling the requirements for approval of the General Implementation Plan, dated November 1, 2019, a copy which is attached hereto as Exhibit A; and

WHEREAS, the proposed rezoning is consistent with the Village of McFarland Comprehensive Plan, which designates the subject land as Mixed-Use/Flex Commercial; and

WHEREAS, the Village Board is willing to grant approval of the request to rezone and the Village Board finds approval thereof is in the public interest;

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

1. Section 62-62(a) of the McFarland Municipal Code and the Official Zoning Map are hereby amended so that the following described real estate is hereby rezoned from the C-H Commercial Highway District to the Planned Development Infill District – General Implementation Plan Approved:

4845 Taylor Road Legal Description (Parcel 0610-032-1680-1)
Lot Three (3) of Certified Survey Map No. 11273 recorded in the office of Register of Deeds for Dane County, Wisconsin on December 07, 2004, in Volume 68 of Certified

Survey Maps, Page 109 as Document No. 3998454, being a division of Lot 1, Woodland Commons and located in the NE 1/4 of the NW 1/4 of Section 3, Township 6 North, Range 10 East and the SE 1/4 of the SW 1/4 of Section 34, Township 7 North, Range 10 East, in the Village of McFarland, Dane County, Wisconsin.

4900 Larson Beach Road Legal Description (Parcel 0610-032-1650-1)

Lot 1 of Certified Survey Map No. 11273 recorded in the Office of the Register of Deeds for Dane County, Wisconsin, in Volume 68 of Certified Survey Maps, page 109, as Document No. 3998454, being a division of Lot 1, Woodland Commons and located in the NE 1/4 of the NW 1/4 of Section 3, Township 6 North, Range 10 East and the SE 1/4 of the SW 1/4 of Section 34, Township 7 North, Range 10 East, in the Village of McFarland, Dane County, Wisconsin.

2. The Zoning Administrator is hereby directed to label these changes on the Official Zoning Map, once the rezoning is effective.

3. This ordinance does not constitute approval of any earthwork or building construction within any of the property described in the ordinance. No construction of any kind, including earthwork or building construction, is permitted on the parcel described in Section 1 of this ordinance until applicable Planned Development Infill – Detailed Implementation Plan, and associated erosion control, stormwater management, and building permits are approved by the Village. If the property owner fails to obtain development permits with the Village within one (1) year after adoption of this ordinance, then Section 1 of this ordinance shall become null and void, and the zoning of the afore stated lands shall continue to be the existing C-H District.

The above and foregoing Ordinance was duly adopted at a regular meeting of the McFarland Village Board on the 25th day of November 2019.

APPROVED:

Brad Czebotar, Village President

ATTEST:

Cassandra Suettinger, Village Clerk-Treasurer

ORDINANCE 2019 –21	
MOTION	SECOND
ACTION	DATE
Adopted	
Referred	
Tabled	
Withdrawn	
Defeated	
Published	
INDIVIDUAL VOTING RECORD	
Adrian –	Kryzenske -
Brassington –	Lytle –
Czebotar –	Utter –
Kolk –	
VOTING RESULTS	
Motion Carried	
Motion Defeated:	

**Village of McFarland
Community Development Department**

Plan Commission Application – 2019

~Please complete application in full~

Applicant - Owner	Tricycle Motors Properties, LLC	Applicant's Agent	MSP Real Estate, Inc.
	Matt Kuehl	Name	Mark Hammond
Address	5224 Farwell St. McFarland, WI 53558	Address	1295 Northland Drive, Suite 270 Mendota Heights, MN 55120
Email	mjkuehl17@gmail.com	Email	mhammond@msphousing.com
Phone #	608-513-2989	Phone #	612-868-9997
Fax #		Fax #	952-935-7202

Type of Proposal – Please check boxes that apply. Parcel No(s). 061003216501 & 061003216801

Requires Public Hearing (Class One)	FEES	Requires Public Hearing (Class Two)	FEES	Public Hearing Not required	FEES
☐ Preliminary Plat	\$500+AF	☐ Conditional Use	\$275+F	☐ Annexation	At cost
☐ Preliminary Plat (reapplication)	\$500+BF	☒ Rezoning (map)	\$175+	☐ Dev. Agreement Including Addendums	\$400 F
☐ Certified Survey Map	\$300+F	☐ Zoning Amendment (text)	\$250+F	☐ Final Plat	\$500 +CF
☐ Condominium	\$300+EF	☐ Variance-Board of Zoning Appeals	\$250+F	☐ Final Plat (reapplication)	\$400 +DF
				☐ Site/Design Review	\$400 + F
				Escrow Deposits (covers costs for outside consultants; e.g., engineers, attorneys, etc.)	
				☐ R-E, R-3 & PD (up to 50 acres)	\$5,000
				☐ R-E, R-3 & PD (greater than 50 acres)	\$10,000
				☐ Commercial Site/Design Review (5,000 sq. ft. or more)	\$2,000
				☐ All Plats including condominiums	\$5,000

+ = Plus publication and notification charges
 A = Plus \$50.00 per lot
 B = Any preliminary plat which has previously been reviewed/revised within the last 36 months
 C = Plus \$50.00 for each lot within the final plat
 D = Any final plat which has been previously reviewed or/ revised within the last 36 months
 E = Plus \$40.00 for each unit shown
 F = Plus actual legal, engineering and financial consulting costs incurred by the Village
 G = Plus \$25.00 per lot for two or more lots.

Nature of the development proposal: Must provide address of proposed development, legal description and description of proposal. (Attach additional paper if needed)

MSP is proposing a 51-unit multi-family workforce housing development proposal at 4845

Taylor Road and 4900 Larson Beach Road in the Village of McFarland. The building will be 3 stories with underground parking with a mix of 1, 2, and 3 bedrooms. See attached for the legal description of the 2 parcels.

What action is the applicant requesting of the Plan Commission?

MSP is seeking a rezone from C-H (Commercial Highway) to PD-I (Planned Development Infill).

Has this specific proposal been previously discussed or acted upon by the Plan

Commission? ☒ YES ☐ NO (If "yes" state the nature and the date(s) of the previous application.)

This project was presented to the Plan Commission on October 21, 2019. No action was taken by the Plan Commission as this was solely an information presentation.

PLEASE READ AND SIGN ON THE REVERSE SIDE - AT THE BOTTOM

Schedule: The Village of McFarland Plan Commission conducts meetings on the third Monday of each month at 7:00 p.m. at the McFarland Municipal Center in the Community Room. To ensure adequate time for staff review, and publication of legal notices, all potential agenda item materials are required to be submitted, per the schedule listed below.* **Twelve (12) Copies** of all materials, **one copy must be 8 ½ x 11, - 11 copies to be 11 x 17** (*only one copy of application, completed in full, is necessary*) shall be submitted to the Community Development Department (608-838-3154), with fees paid **by NOON of the deadline day**, according to the following schedule:

Village of McFarland Plan Commission 2019 Schedule

***Submittal Deadline Noon on:**

For Scheduled 2019 Meeting date of:

December 12 (2018) -----	January Tuesday Jan. 22
January 8-----	February 18
February 12-----	March 18
March 12-----	April 15
April 9-----	May 20
May 14-----	June 17
June 11-----	July 15
July 9-----	August 19
August 13-----	September 16
September 10-----	October 21
October 8-----	November 18
November 5-----	December 16 (Pending)
December 10-----	(Pending) Tuesday, Jan. 21, 2020

*** Submittal deadline: No exceptions can be given for above deadlines**

- **Materials submitted for review after the submittal deadline date (or incomplete submittals) will be held over until the next scheduled meeting.**
- **I understand failure to provide required materials/information/fees by the submittal deadline can result in this application being withdrawn for consideration by the Plan**

Commission. In addition any fees not paid for (i.e. legal notiecs, mailings, etc.) will require any permits to be withheld until all payments are made in full.

X  _____
Signature of Applicant/Agent

11/1/2019
Date

Village of McFarland, WI
Planned Development Infill District – General Implementation Plan
For
Taylor Pointe Apartments

Statement of Owner’s Intent and Description of Development

MSP is pleased to introduce a proposed workforce multi-family housing project located at 4845 Taylor Road and 4900 Larson Beach Road in the Village of McFarland. The development will provide much needed workforce housing in the Village with over 90% of the units being reserved for individuals and families earning less than 60% of the area median income.

Document Date:

Document Contents, per Section 62-67(h)(1):

- a. A legal description of the entire tract of land included in the proposed development.
- b. A statement indicating the nature of the applicant’s interest in the land included in the proposed development.
- c. A statement describing the proposed development, including the character, method and operation of the development and a development schedule or timetable for construction.
- d. A statement as to the following data or graphic information referenced to a map or plan of the proposed development:
 1. The location and size of the site including dimensioned exterior boundaries, topography and other salient features, and existing buildings and structures, and also adjacent properties and streets, including all public utilities and public easements.
 2. The use and approximate location and bulk of buildings and structures including number of stories and dimensions of buildings.
 3. The approximate location of vehicular and pedestrian facilities, such as streets, sidewalks and off-street parking areas, including approximate number of parking spaces.
 4. The approximate location of areas for public or common open spaces and for other public or semipublic uses.
 5. A tabulation of land areas for the different types of uses in relation to the total area.
 6. A tabulation of the gross floor areas of buildings by types of uses.
 7. A tabulation of the number of types of dwelling units.

a. Legal Descriptions

4900 Larson Beach Road Legal Description (Parcel 0610-032-1650-1)

Lot 1 of Certified Survey Map No. 11273 recorded in the Office of the Register of Deeds for Dane County, Wisconsin, in Volume 68 of Certified Survey Maps, page 109, as Document No. 3998454, being a division of Lot 1, Woodland Commons and located in the NE 1/4 of the NW 1/4 of Section 3, Township 6 North, Range 10 East and the SE 1/4 of the SW 1/4 of Section 34, Township 7 North, Range 10 East, in the Village of McFarland, Dane County, Wisconsin.

4845 Taylor Road Legal Description (Parcel 0610-032-1680-1)

Lot Three (3) of Certified Survey Map No. 11273 recorded in the office of Register of Deeds for Dane County, Wisconsin on December 07, 2004, in Volume 68 of Certified Survey Maps, Page 109 as Document No. 3998454, being a division of Lot 1, Woodland Commons and located in the NE 1/4 of the NW 1/4 of Section 3, Township 6 North, Range 10 East and the SE 1/4 of the SW 1/4 of Section 34, Township 7 North, Range 10 East, in the Village of McFarland, Dane County, Wisconsin.

b. Statement indicating applicant's interest in the land included in the proposed development.

MSP Real Estate, Inc. is proposing a workforce multi-family housing project located at 4900 Larson Beach and 4845 Taylor Road.

c. Statement describing the proposed development, including character, method and operation of development and a development schedule or timetable for construction.

MSP is proposing to develop a 3-story building with underground parking with a mix of 1, 2, and 3 bedrooms. The project will have a tenant target mix towards individuals, families, seniors, and veterans. Exterior elevations have not been completed at this time, but MSP is planning on featuring masonry at the base of the building that will turn into fiber cement lap siding with neutral colors that will complement the adjacent buildings.

Below is an anticipated development schedule for Taylor Pointe Apartments:

December 2019	Tax credit application submitted to WHEDA
March/April 2020	WHEDA announces tax credit awards
July 2020	Dane County affordable housing application submitted
September 2020	Dane County announces affordable housing awards
October 2020	Send out construction plans for bidding
December 2020	Close on construction/permanent financing and tax credit investor
January 2021	Submit for building permit/construction start
March 2022	Construction completed

d. Statement to the following data or graphic information referenced to a map or plan of the proposed development.

1. Location and size of the site including dimensioned exterior boundaries, topography, and other salient features, and existing buildings and structures, and also adjacent properties and streets, including all public utilities and public easements.

See attached site plan from Dimension IV Architects dated November 1, 2019.

2. The use and approximate location and bulk of buildings and structures including number of stories and dimensions of buildings.

Taylor Pointe Apartments will be one building consisting of 3 stories with underground parking. The building will consist of 51 units that will include approximately 23 1-bedrooms, 18 2-bedrooms, and 10 3-bedrooms. The dimensions of the building can be found on the attached site plan.

3. The approximate location of vehicular and pedestrian facilities, such as streets, sidewalks and off-street parking areas, including approximate number of parking spaces.

Taylor Pointe Apartments will have a total of 84 parking stalls (31 surface parking and 53 underground parking). This gives the project 1.65 parking stalls/unit. We have included on the site plan that we could add a potential 8 parking stalls and if needed, the project would have 1.80 parking stalls/unit.

4. The approximate location of areas for public or common open spaces and for other public or semipublic uses.

This project will feature a community room and play area outside for children. These uses will be for the residents that live at Taylor Pointe Apartments. There is also a potential for a garden that will allow residents to use at their discretion.

5. A tabulation of land areas for the different types of uses in relation to the total area.

See attached site plan.

6. A tabulation of the gross floor areas of buildings by types of uses.

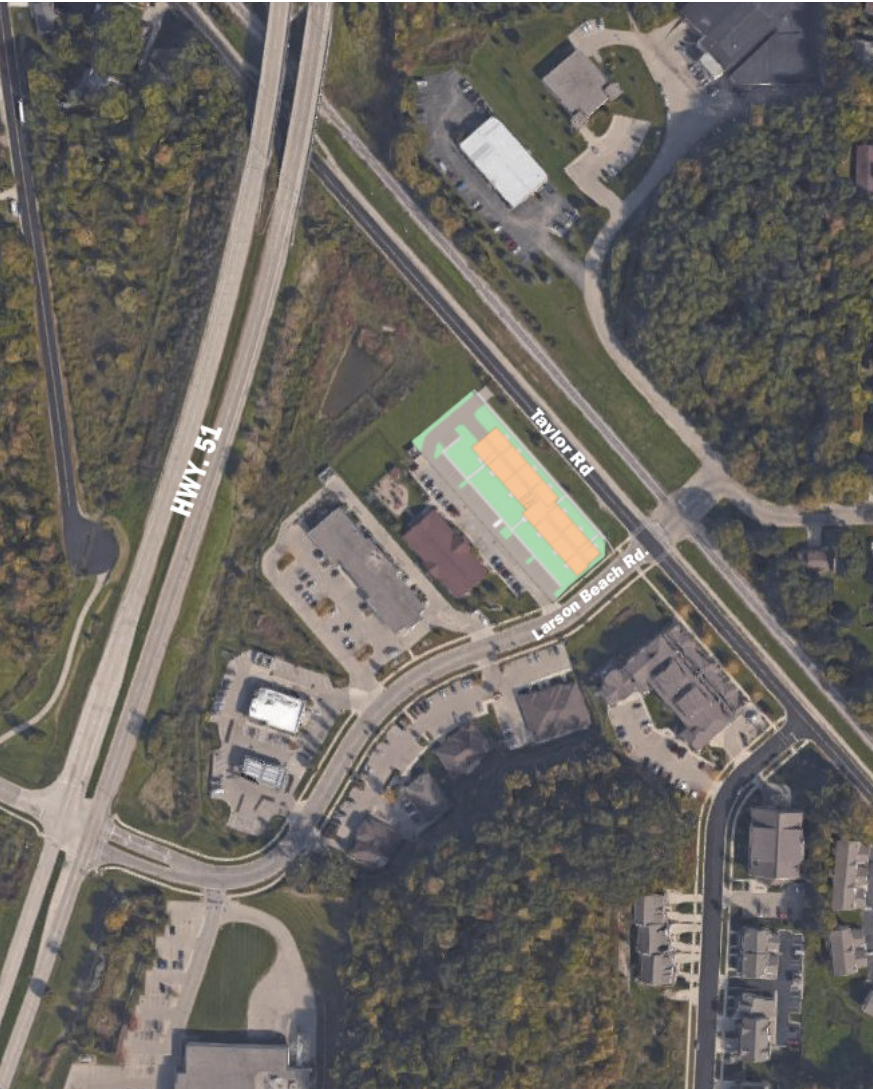
See attached site plan.

7. A tabulation of the number of types of dwelling units.

See attached site plan.

MULTIFAMILY TAYLOR RD.

Taylor Rd., McFarland, WI



Architecture :

Dimension IV - Madison Design Group
6515 Grand Teton Plaza, Suite 120, Madison, WI 53719
p: 608.829.4444 www.dimensionivmadison.com

- Drawing List:
- Aerial Vicinity Map
- Site Plan/Ground Floor Plan
- Schematic Parking & Upper Floor Plans

REZONING



Aerial Vicinity Map







001941

CERTIFIED SURVEY MAP

BEING A DIVISION OF LOT 1, WOODLAND COMMONS, AS RECORDED IN VOLUME 58-039B OF PLATS, ON PAGES 212 AND 213, AS DOC. No. 3835104, DANE COUNTY REGISTRY AND LOCATED IN THE NE 1/4 OF THE NW 1/4 OF SECTION 3, T6N, R10E AND THE SE 1/4 OF THE SW 1/4 OF SECTION 34, T7N, R10E, VILLAGE OF McFARLAND, DANE CO., WISCONSIN.



SCALE : ONE INCH = ONE HUNDRED FEET

SURVEYED BY:

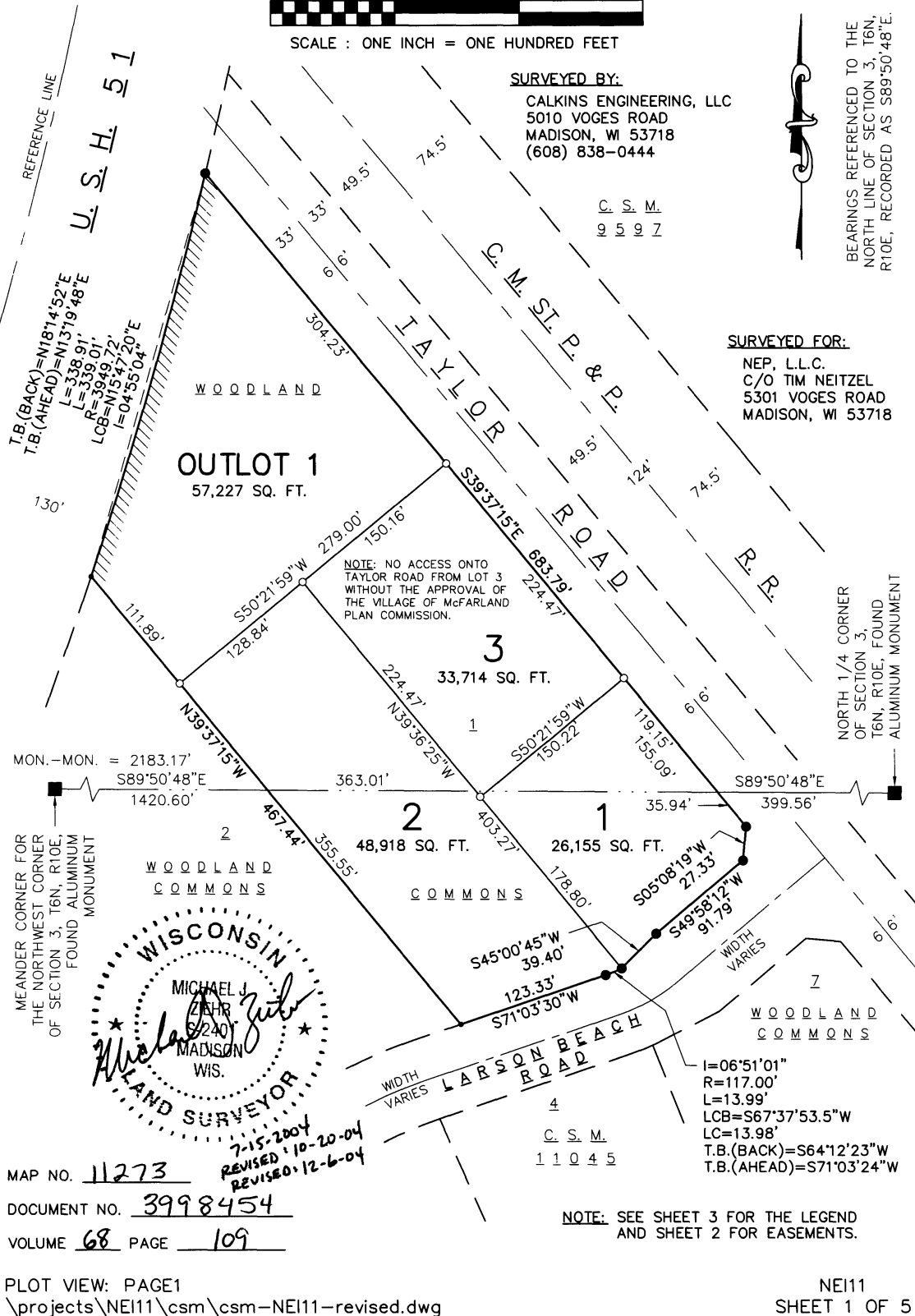
CALKINS ENGINEERING, LLC
5010 VOGES ROAD
MADISON, WI 53718
(608) 838-0444

C. S. M.
9 5 9 7

SURVEYED FOR:

NEP, L.L.C.
C/O TIM NEITZEL
5301 VOGES ROAD
MADISON, WI 53718

BEARINGS REFERENCED TO THE
NORTH LINE OF SECTION 3, T6N,
R10E, RECORDED AS S89°50'48"E.

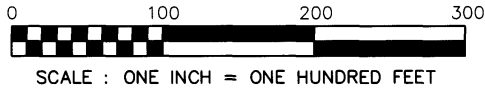


NOTE: SEE SHEET 3 FOR THE LEGEND
AND SHEET 2 FOR EASEMENTS.

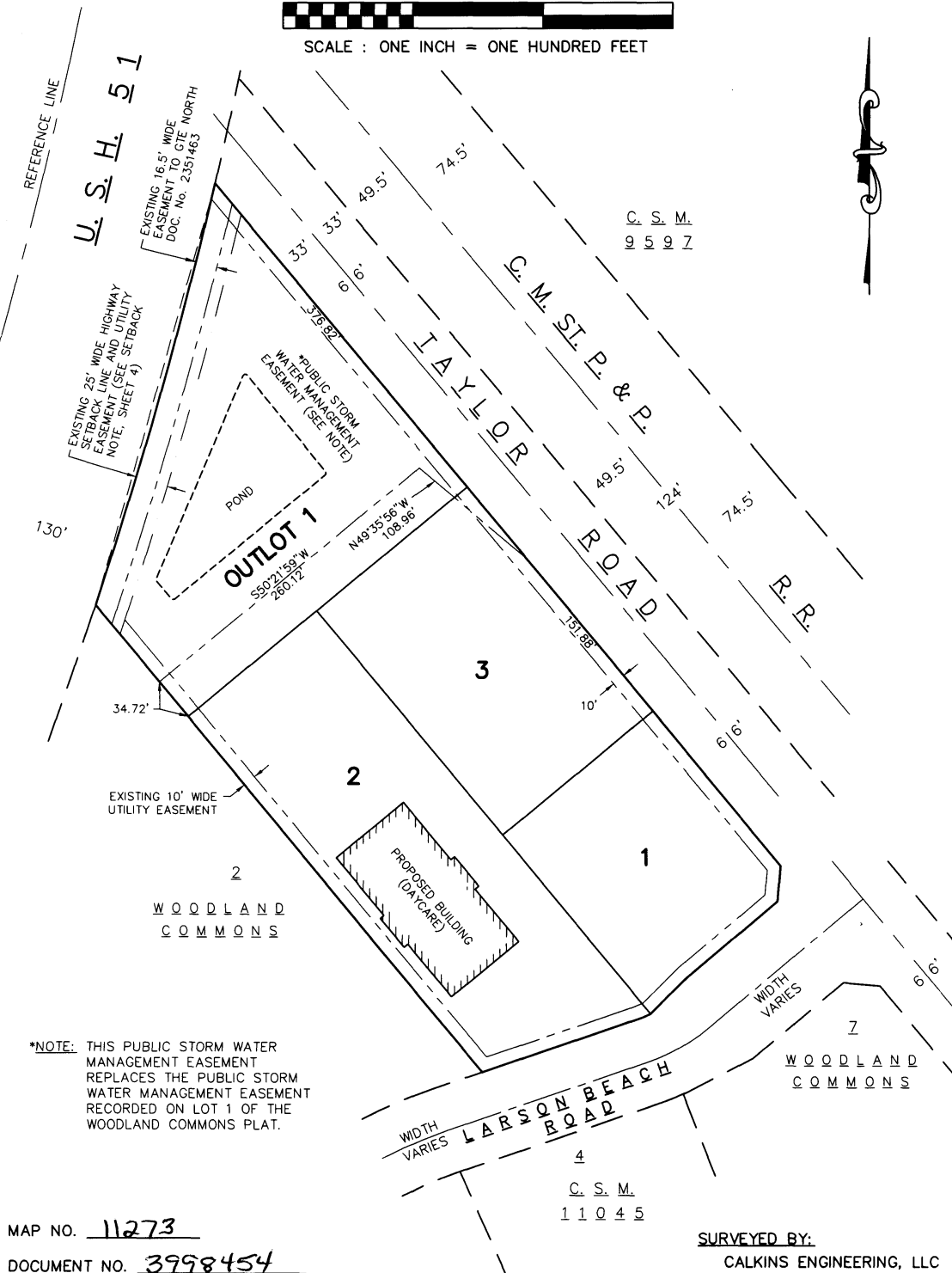
NEI11
SHEET 1 OF 5

CERTIFIED SURVEY MAP

BEING A DIVISION OF LOT 1, WOODLAND COMMONS, AS RECORDED IN VOLUME 58-039B OF PLATS, ON PAGES 212 AND 213, AS DOC. No. 3835104, DANE COUNTY REGISTRY AND LOCATED IN THE NE 1/4 OF THE NW 1/4 OF SECTION 3, T6N, R10E AND THE SE 1/4 OF THE SW 1/4 OF SECTION 34, T7N, R10E, VILLAGE OF McFARLAND, DANE CO., WISCONSIN.



SCALE : ONE INCH = ONE HUNDRED FEET



***NOTE:** THIS PUBLIC STORM WATER
MANAGEMENT EASEMENT
REPLACES THE PUBLIC STORM
WATER MANAGEMENT EASEMENT
RECORDED ON LOT 1 OF THE
WOODLAND COMMONS PLAT.

MAP NO. 11273
DOCUMENT NO. 3998454
VOLUME 68 PAGE 110

SURVEYED BY:
CALKINS ENGINEERING, LLC
5010 VOGES ROAD
MADISON, WI 53718
(608) 838-0444

PLOT VIEW: PAGE2
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NEI11
SHEET 2 OF 5

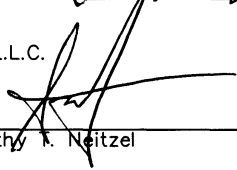
CERTIFIED SURVEY MAP

BEING A DIVISION OF LOT 1, WOODLAND COMMONS, AS RECORDED IN VOLUME 58-039B OF PLATS, ON PAGES 212 AND 213, AS DOC. No. 3835104, DANE COUNTY REGISTRY AND LOCATED IN THE NE 1/4 OF THE NW 1/4 OF SECTION 3, T6N, R10E AND THE SE 1/4 OF THE SW 1/4 OF SECTION 34, T7N, R10E, VILLAGE OF MCFARLAND, DANE CO., WISCONSIN.

OWNER'S CERTIFICATE

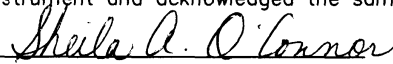
NEP, L.L.C., as owner, we hereby certify that we caused the land described on this Certified Survey Map to be surveyed, divided and mapped as represented on the map hereon. We further certify that this Certified Survey Map is required by S.236.34 to be submitted to the Village of McFarland for approval. Witness the hand and seal of said owner this 6 day of Dec., 2004.

NEP, L.L.C.


 Timothy T. Neitzel

State of Wisconsin)
)ss
 County of Dane)

Personally came before me this 6th day of December, 2004, the above named Timothy T. Neitzel, to me known to be the person who executed the foregoing instrument and acknowledged the same.

 My Commission expires: 4-1-07
 Notary Public, State of Wisconsin

LEGEND

- 3/4" SOLID IRON ROD FOUND
- 1-1/4" SOLID IRON ROD FOUND
- 3/4" x 18" SOLID IRON RE-ROD SET, WT. 1.50 lbs./ft.
- () INDICATES RECORDED AS

DISTANCES ARE MEASURED TO THE
 NEAREST HUNDREDTH OF A FOOT.



NO ACCESS ALLOWED

NOTE: UTILITY EASEMENTS. NO POLES OR BURIED CABLES ARE TO BE PLACED SUCH THAT THE INSTALLATION WOULD DISTURB ANY SURVEY STAKE, OR OBSTRUCT VISION ALONG ANY LOT LINE. THE DISTURBANCE OF A SURVEY MONUMENT BY ANYONE IS A VIOLATION OF SECTION 236.32 OF WISCONSIN STATUTES. UTILITY EASEMENTS AS HEREIN SET FORTH ARE FOR THE USE OF PUBLIC BODIES AND PRIVATE PUBLIC UTILITIES HAVING THE RIGHT TO SERVE THE AREA.

MAP NO. 11273
 DOCUMENT NO. 3998454
 VOLUME 68 PAGE 111

SURVEYED BY:

CALKINS ENGINEERING, LLC
 5010 VOGES ROAD
 MADISON, WI 53718
 (608) 838-0444

PLOT VIEW: PAGE3
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NE11
 SHEET 3 OF 5



Stock No. 26273

001944

CERTIFIED SURVEY MAP

BEING A DIVISION OF LOT 1, WOODLAND COMMONS, AS RECORDED IN VOLUME 58-039B OF PLATS, ON PAGES 212 AND 213, AS DOC. No. 3835104, DANE COUNTY REGISTRY AND LOCATED IN THE NE 1/4 OF THE NW 1/4 OF SECTION 3, T6N, R10E AND THE SE 1/4 OF THE SW 1/4 OF SECTION 34, T7N, R10E, VILLAGE OF McFARLAND, DANE CO., WISCONSIN.

CONSENT OF MORTGAGEE

McFarland State Bank, a banking association duly organized and existing under and by virtue of the laws of the State of Wisconsin, mortgagee of the above described land, does hereby consent to the surveying, dividing and mapping of the land described on this Certified Survey Map, and does hereby consent to the Owner's Certificate.

IN WITNESS WHEREOF, the said McFarland State Bank has caused these presents to be signed by James E. Walker, its Senior Vice President, and countersigned by Michael D. Lenz, its Ass't. Vice President, at McFarland, Wisconsin. This 6th day of December, 2004.

McFarland State Bank

By: James E. Walker MDL

State of Wisconsin)
)ss.
County of Dane)

Personally came before me this 6th day of December, 2004, James E. Walker and Michael D. Lenz of the above named banking association, to me known to be the persons who executed the foregoing instrument, and to me known to be such Sr. Vice President and Ass't. Vice President of said banking association, and acknowledged that they executed the foregoing instrument as such officers as the deed of said banking association, by its authority.

Kathy J. Jansky
Notary Public, State of Wisconsin

My Commission expires: June 4, 2006

WISDOT NOTES (FROM PLAT):

Access Restriction note:

Access to USH 51 is restricted by WisDOT project T05-1(6).

Highway Setback Restriction note:

No improvements or structures are allowed between the right-of-way and the highway setback line. Improvements and structures include, but are not limited to signs, parking areas, driveways, wells, septic systems, buildings and retaining walls. It is expressly intended that this restriction is for the benefit of the public as provided in section 236.293, Wisconsin Statutes, and shall be enforceable by the Wisconsin Department of Transportation or its assigns. Contact the Wisconsin Department of Transportation for more information. The phone number may be obtained by contacting the County Highway department.

MAP NO. 11273
DOCUMENT NO. 3998454
VOLUME 68 PAGE 112

SURVEYED BY:

CALKINS ENGINEERING, LLC
5010 VOGES ROAD
MADISON, WI 53718
(608) 838-0444

PLOT VIEW: PAGE4
\\projects\NEI11\csm\csm-NEI11-revised.dwg

NEI11
SHEET 4 OF 5

CERTIFIED SURVEY MAP

BEING A DIVISION OF LOT 1, WOODLAND COMMONS, AS RECORDED IN VOLUME 58-039B OF PLATS, ON PAGES 212 AND 213, AS DOC. No. 3835104, DANE COUNTY REGISTRY AND LOCATED IN THE NE 1/4 OF THE NW 1/4 OF SECTION 3, T6N, R10E AND THE SE 1/4 OF THE SW 1/4 OF SECTION 34, T7N, R10E, VILLAGE OF McFARLAND, DANE CO., WISCONSIN.

SURVEYOR'S CERTIFICATE

I, Michael J. Ziehr, Registered Land Surveyor, hereby certify that under the direction of NEP, L.L.C., owner of said land, I have surveyed, divided and mapped Lot 1, WOODLAND COMMONS, as recorded in Volume 58-039B of Plats, on pages 212 and 213, as Document Number 3835104, Dane County Registry and located in the NE 1/4 of the NW 1/4 of Section 3, T6N, R10E and the SE 1/4 of the SW 1/4 of Section 34, T7N, R10E, Village of McFarland, Dane County, Wisconsin, described as follows:

Lot 1, WOODLAND COMMONS, as recorded in Volume 58-039B of Plats, on pages 212 and 213, as Document Number 3835104, Dane County Registry, Village of McFarland, Dane County, Wisconsin.

I further certify that the map on sheet one (1) is a correct representation of the exterior boundaries of the land surveyed and that I have fully complied with the provisions of Chapter 236.34 of the State Statutes in surveying, dividing and mapping the same.

Dated this 15TH day of JULY, 2004.

Signed: Michael J. Ziehr
Michael J. Ziehr, R.L.S. S-2401



VILLAGE OF McFARLAND APPROVAL

This Certified Survey Map, including any dedication shown thereon, has been duly filed with and approved by the Village of McFarland, Dane County, Wisconsin.

Deb Neal
Deb Neal, Village Clerk

REGISTER OF DEEDS CERTIFICATE

Received for recording on this 7TH day of December, 2004, at 11:19 o'clock A. m. and recorded in Volume 68 of Certified Survey Maps on pages 109-113.

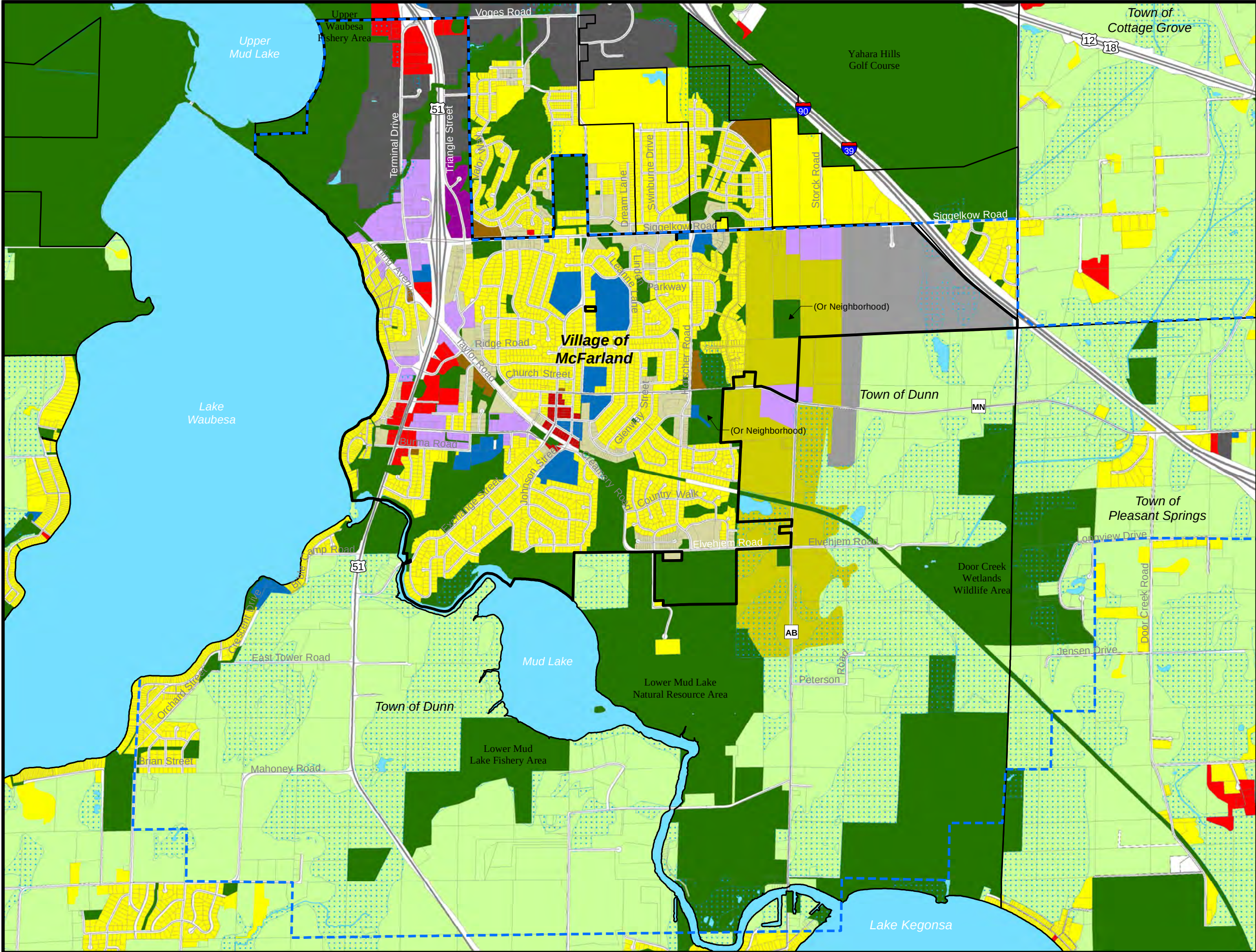
Dane Lichty
Dane County Register of Deeds

MAP NO. 11273
DOCUMENT NO. 3998454
VOLUME 68 PAGES 113

SURVEYED BY:
CALKINS ENGINEERING, LLC
5010 VOGES ROAD
MADISON, WI 53718
(608) 838-0444

PLOT VIEW: PAGE5
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NEI11
SHEET 5 OF 5



MAP 6

FUTURE LAND USE



COMPREHENSIVE PLAN

Legend

Future Land Use

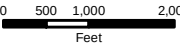
- Single Family Residential
- Two Family and Townhouse Residential
- Multiple Family Residential
- Neighborhood
- Downtown
- Highway and General Commercial
- Commercial Park
- Industrial
- Mixed Use/Flex Commercial
- Institutional and Governmental
- Public Lands, Recreation, and Environmental Corridor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

--- Village of McFarland Extraterritorial Jurisdiction Boundary

⬢ Village of McFarland Limits (8/18)

⬢ Other Municipal Limits (2018)

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



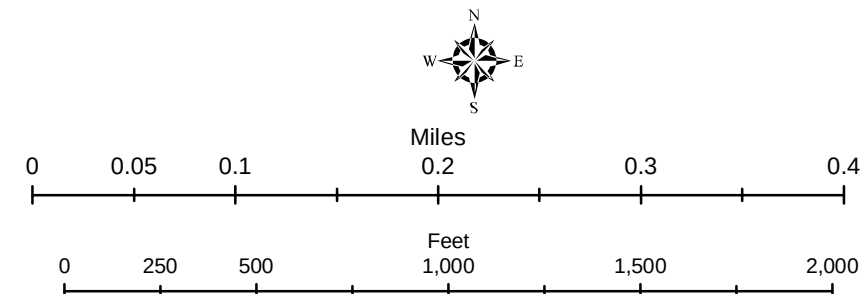
Date: May 2019

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



Future Land Use Category	General Description of Land Uses Allowed	Typical Implementing Zoning Districts	Development Policies (see also Village zoning, subdivision, stormwater management, and other ordinances)
Commercial Park	Light industrial, office, research, testing, health care, and other compatible and support uses (e.g., day care, health club, bank). Arranged in a controlled commercial, business, or office park setting, where allowable uses and activities include those associated with low levels of environmental impact, noise, odor, vibrations, and particulate emissions. Served by public sewer and water.	C-P Commercial Park PD Planned Development C-H Highway Commercial (limited use) C-G General Commercial (limited use)	1. Design Commercial Park areas to result in higher-end business campus settings, with high quality building, site, landscape, lighting, signage, and other aspects of project design. 2. Direct heavy industry, truck terminals, large warehouses, and other higher-impact uses to planned Industrial areas instead. 3. Restrict outdoor storage and activities, except where essential to the business operation and fully screened from nearby uses and streets. Fully screen loading and other less attractive areas from off-site views. 4. Rezone sites designated for Commercial Park use only after public sanitary sewer and water service is available, the land is within Village limits, and a specific development proposal is offered. 5. Promote lot sizes and site design that enables future on-site expansion.
Industrial	Manufacturing, warehousing, distribution, office, storage, utility, and other compatible businesses and support uses (e.g., day care, health club, bank). May include screened outdoor storage, and more intensive uses than in other future land use categories. All uses served by public sewer and water systems.	M-IC Manufacturing-Intensive Commercial C-H Highway Commercial (limited use) C-G General Commercial (limited use) Some lands may also be mapped within the "Terminal and Triangle Design Overlay District"	1. Rezone sites designated for Industrial use only after public sanitary sewer and water service is available, the land is within Village limits, and a specific development proposal is offered. 2. Require performance standards as necessary to avoid placing excessive demand on municipal utilities and roads, or creating environmental hazards or unwanted neighborhood impacts. 3. Encourage the redevelopment or intensification of older industrial, storage, and contractor uses and buildings in the Terminal and Triangle District area. Refer to more detailed plans such as the TID #3 Project Plan and Terminal and Triangle District Plan for more detailed policies and recommendations for planned Industrial areas. 4. Encourage the redevelopment of older fuel storage or blending facilities and sites. See the Economic Development chapter for the Village's updated policy related to new or expanded fuel storage and blending operations.
Mixed Use/Flex Commercial	A carefully designed blend or option of commercial services, retail, office, business park, multiple family residential, and/or institutional land uses, including mixed use sites and/or buildings. Compared to the Neighborhood future land use category, Mixed Use/Flex Commercial areas typically are denser, include some non-residential component, and do not typically include single family housing. All uses served by public sewer and water systems.	Appropriate traditional zoning districts (e.g., C-H, C-P, R-3) or PD or PD-I Planned Development zoning	1. Design "Mixed Use/Flex" areas to skillfully mix different uses on the same area, site, and/or building, and/or to serve as transitions between broader areas of different land uses. This future land use category is NOT intended to enable an unplanned or haphazard mix of different uses on any site or in any area. 2. Preserve and blend with surrounding residential character through appropriate building scale, building appearance, landscaping, screening, signs, and limited traffic and loading, and access from the adjacent collector or arterial street. Utilize the approach and standards in Figure 4-2 in such settings. 3. Rezone sites designated for Mixed Use/Flex use only after public sanitary sewer and water service is available, the land is within Village limits, and a development proposal is offered. 4. Refer also to policies applicable to Two and Multiple Family Residential, Highway and General Commercial, Commercial Park, and other more specific future land use categories that logically guide the development of each planned Mixed Use/Flex area given the range of proposed uses there.

**Zoning Map of
The Village of McFarland**



DANE COUNTY
PLANNING & DEVELOPMENT

Dane County
Planning and Development

Last Revision: 6-30-2018.
Source:
Parcel Mapping: DCLIO, June 2018.
Zoning: DCPD, June 2018.

Zoning Districts

A-1	Exclusive Agricultural	C-G	General Commercial
CO	Conservancy	C-C	Central Commercial
R-1	Single Family Residence	C-H	Highway Commercial
R-1A	Single Family Residence	C-P	Commercial Park
R-1B	Single Family Residence	C-L	Limited Commercial
R-2	Single & Two-Family Residence	M-IC	Manufactured-Intensive
R-3	General Residence	PD	Planned Development
R-E	Elderly Residence	PD-I	Planned Development Infill
RH-1	Rural Homes		

A-1 or A-1(EX)
Dane County Zoning

A-1 or A-1(EX)
Dane County Zoning

Sec. 62-66. - PD-I Planned Development Infill District.

- (a) *Intent.* The PD-I District is referred to as an "infill" zoning regulation because it is intended to be used in situations where new development or redevelopment is proposed within an already developed area or neighborhood. Mixed use may be allowed to the extent that no land use conflicts will result. It is a basic public expectation that landowners requesting the use of the PD-I District will develop design, building architecture, landscape design and construction materials. The extent of variation or exception that will be recommended by the Village Plan Commission with final approval by the Village Board in accordance with the standards specified in Subsection (d)(1) of this Section will be dependent on how well the above stated expectations are expressed in the proposed development plan.
- (b) *Application procedures.* The procedures and requirements for applying for a PD-I zoning change are the same as those for the basic PD rezoning request. The procedures call for a two-step submittal with approval of a General Implementation Plan (GIP) and the subsequent submittal of a Detailed Implementation Plan (DIP). The application procedure is stated in Section 62-67.
- (c) *PD-I zoning lot.* The minimum zoning lot, for purpose of a PD-I submittal, shall include all abutting or adjacent parcels owned or otherwise controlled by the applicant for the PD-I zoning. The zoning lot may include more than one parcel and more than one owner. For purposes of applying the criteria and standards for PD-I zoning, the total area of the zoning lot shall be considered as one parcel regardless of the number of parcel Subdivisions that may exist.
- (d) *Standards and criteria for approval of a PD-I.* In addition to the general requirements for approval listed in Section 62-67, the following standards and criteria shall be used by the Village Plan Commission and Village Board when acting on a rezoning application in PD-I:
 - (1) Maximum impervious surface ratio:
 - a. Five-tenths residential.
 - b. Seven-tenths nonresidential and mixed use.
 - (2) Maximum floor area ratio: 0.70.
 - (3) Minimum required usable open space per dwelling unit: 100 SF/DU.
- (e) *Additional standards.*
 - (1) Screening and requirements for buffer yards shall be included as part of plan reviews. Such screening shall shield neighboring properties from any adverse external effects of the proposed developments. Screening and buffer yards shall also be used to shield the proposed development from the negative impacts of adjacent uses, such as streets, industrial uses, etc. Special emphasis shall be placed on screening the intrusion of automobile headlights on neighboring properties from parking areas and driveways.
 - (2) Pedestrian circulation should be carefully planned so as to prevent pedestrian use of vehicular ways and parking spaces. In all cases, pedestrian access shall be provided to public walkways.
 - (3) The usable open space required for residential development projects and mixed use residential projects shall be designed for use of each individual dwelling unit or shall be located and designed to be of utility to every dwelling unit proposed. This required usable open space shall be designed to maximum privacy and usability to the residence.
 - (4) Special emphasis shall be placed on trash collection points. Trash containers shall be screened and so designed so as to be conveniently accessible to their users and collectors.
 - (5) Within the PD-I District, mixed land uses may be proposed. However, they must be found to be compatible based on the site and building design proposed. Compatibility will also be judged on the basis of how well the proposed project fits within the context of the neighborhood and abutting properties. The basic intent of this Chapter and Village Comprehensive Plan must be adhered to.

- (6) Snow removal areas and procedures must be described in the plans.
- (7) All site lighting shall be controlled so as not to extend a direct light source onto abutting properties. Cutoff type luminaries shall be used and all lighting sheds shall be indicated in the plans.
- (8) The physical attributes of the site shall be respected with particular concern for preservation of natural features, tree growth and open space.
- (f) *Exceptions to standards.* Exceptions to these standards may be recommended by the Village Plan Commission, subject to final approval given by the Village Board.

(Code 1998, § 13-1-45; Ord. No. 2003-03, § 1(13-1-45), 3-24-2003)

Sec. 62-67. - PD Planned Development District.

(a) *General requirements.*

- (1) *Use regulations.* The uses allowable in this district are the uses approved as part of the general or detailed plan for particular sites that are placed in the Planned Development District.
- (2) *Density and dimensional regulations.* This Section sets no prescribed density or dimensional regulations in the Planned Development District.
- (3) *Off-street parking and loading.* There shall be no prescribed requirements for off-street parking and loading in the Planned Development District. However, in the review and approval of any general or detailed plan in a Planned Development District, due consideration shall be given to Subdivision IV of this Division of regulations and requirements for off-street parking and loading facilities for uses similar to those proposed in such plan.
- (4) *Standards.* The following standards shall apply in the review of all general or detailed plans proposed for the Planned Development District:
 - a. The uses proposed in the planned development shall be in general conformance with the Village Comprehensive Plan.
 - 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.
 - 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.
 - 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.
 - 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.
 - f. The following provisions shall apply:
 - 1. 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.
 - 2. Planned Development District housing impacts on community resources in the same manner as other new developments, 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.

- g. The planned development will not adversely affect the ability of public agencies to provide school or other municipal services.
 - h. 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 of 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.
 - i. 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.
 - j. The proponents of a Planned Development District shall submit a reasonable schedule for the implementation 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.
- (5) *Minimum area.* A Planned Development District shall not be less than three acres of contiguous land under the same ownership. This Subsection shall not be interpreted to prohibit the post-development sale of all or part of an approved PD subject to the provision of this Section and all applicable statutes and Subdivision regulations.
- (6) *Subdivision review.* The applicable Subdivision review under Chapter 56 shall be carried out as an integral part of the review of a Planned Development District. The plan required must be submitted in a form that substantially satisfies requirements of the Subdivision regulations for the Preliminary and Final Plat approvals. Subdivision application may be submitted for the whole, a part, or parts of the overall planned development as indicated by phases in the detailed plan for staged development.
- (b) ***Procedure for establishment of Planned Development Districts.*** The provisions set forth in Division 4 of this Article shall apply for the establishment of any Planned Development District, provided the amendatory ordinance shall be considered only in conjunction with a general or detailed plan.
- (c) *Preapplication procedures.* Applicants are encouraged to seek preapplication, conceptual review of proposed plans by the Plan Commission. The Plan Commission is under no obligation to give a response to such submittals at the same meeting as they are presented. The Plan Commission is entitled to seek outside assistance and sources of critique. No responses by the Plan Commission or by individual Plan Commissioners shall bind the Plan Commission or the Village unless the response is on behalf of the Plan Commission, is in writing and is expressed as a binding response.
- (d) ***Approval of general or detailed plan and adoption of zoning ordinance amendment.*** In the event that the Village Board approves a general (or detailed) plan and adopts a zoning amendment creating a Planned Development District in connection with such general (or detailed) plan, the requirements of the plan shall constitute the zoning regulations for the district and the zoning district maps shall be amended to show all lands included in such general (or detailed) plan as within the Planned Development District. In the approval of any general (or detailed) plan, the Village Board may stipulate any conditions or restrictions in the establishment, maintenance and operation of any uses proposed in such plan and may also require any guarantees, including the filing of a contract together with a surety, satisfactory in form to the Village Attorney and satisfactory in amount to the Village Engineer, with the Village to ensure that improvements will be installed and completed as proposed in the plan.

- (e) **Recording of approved general or detailed plans and zoning ordinance amendments.** Whenever the Village Board designates land as being within a Planned Development District, the Village Attorney shall record in the Office of the Register of Deeds of Dane County a facsimile copy of the approved general (or detailed) plan, together with a certified copy of the related zoning ordinance amendment and any other action taken thereon by the Village Board. The cost for preparing a facsimile copy of the general (or detailed) plan in recordable form and the recording fee shall be paid by the owners of the lands included in the general (or detailed) plan.
- (f) **Changes or modifications to general or detailed plans and zoning ordinance amendments.** Any approved general or detailed plan, together with the related zoning ordinance amendment, may be amended in whole or in part pursuant to the same procedure and subject to the same limitations by which general or detailed plans were approved and the zoning ordinance amended. However, minor modifications may be made by any general or detailed plan upon approval of the Village Plan Commission provided that such modifications shall be in general conformity with the approved general or detailed plan and shall not substantially change the concept of such approved plan. All approved minor modifications shall become a part of the approved general or detailed plan and shall be recorded as provided in Subsection (e) of this Section. The Plan Commission shall decide whether a proposed amendment is minor or major, with appeals made to the Village Board.
- (g) **Construction of building and establishment of uses.** No zoning or building permit shall be issued until the detailed plan and the related zoning ordinance amendment have been recorded as required above. Within one year of the date of recording of any detailed plan and the zoning ordinance, construction thereon must begin; and construction must be substantially completed throughout the project within three years of such date of recording, unless extensions are granted by the Village Board. If initial construction has not begun within one year of the date of recording or within the prescribed time period granted as an extension by the Village Board, the approval of the detailed plan and the related zoning ordinance amendment shall become null and void, and the zoning shall revert to the classification that applied prior to the approval of the PDD zoning. No occupancy of dwelling units shall occur until all public works that have been scheduled to be completed before occupancy are completed to the satisfaction of the Village.
- (h) **Procedure for establishment of the Planned Development District—General plan for staged development.**
- (1) **Submittal of general plan.** The general plan shall contain any information and representations deemed necessary by the Plan Commission and shall consist of a statement entitled "Planned Development District—General Plan, Statement of Owner's Intent and Description of Development," which shall include, without limitation, the following:
- a. A legal description describing all of the tract of land included in the proposed development.
 - b. A statement indicating the nature of the applicant's interest in the land included in the proposed development.
 - c. A statement describing the proposed development, including the character, method and operation of the development and a development schedule or timetable for construction.
 - d. A statement as to the following data or graphic information referenced to a map or plan of the proposed development:
 1. The location and size of the site including dimensioned exterior boundaries, topography and other salient features, and existing buildings and structures, and also adjacent properties and streets, including all public utilities and public easements.
 2. The use and approximate location and bulk of buildings and structures, including number of stories and dimensions of buildings.
 3. The approximate location of vehicular and pedestrian facilities, such as streets, sidewalks and off-street parking areas, including approximate number of parking spaces.

4. The approximate location of areas for public or common open spaces and for other public or semipublic uses.
5. A tabulation of land areas for the different types of uses in relation to the total area.
6. A tabulation of the gross floor areas of buildings by types of uses.
7. A tabulation of the number of types of dwelling units.

(2) **Review of general plan.** The Plan Commission shall review the general plan and determine whether it complies with the standards set forth in Subsection (h)(1) of this Section. Following the review of the general plan, the Plan Commission shall forward the petition to the Village Board, together with a recommendation that the general plan be either approved as submitted, or approved with modifications or disapproved.

(3) **Approval of general plan.**

- a. In the event that the Village Board approves the general plan and adopts the related zoning ordinance amendment, the zoning district maps shall be amended to include all of the lands within the general plan as within the Planned Development District (general plan approved). However, no building construction shall be permitted in any portion of the approved general plan until a detailed plan prepared in accordance with the requirements hereunder has been approved by the Village as provided below.
- b. In the event the Village Board fails to approve the general plan and ordinance, the Village Board shall communicate its objections back to the Plan Commission for reconsideration and further discussions.

(i) *Procedure for establishment of the Planned Development District—Detailed plan for staged development.*

(1) *Submittal of plan.* Within one year after the recording of the general plan and the copy of the related zoning ordinance amendment, a detailed plan for at least one stage of the general plan shall be filed with the Village Clerk-Treasurer, unless an extension is granted by such Village Board. The detailed plan shall contain any information and representation deemed necessary by the Plan Commission and shall consist of a statement entitled, "Planned Development District—Detailed Plan, Statement of Owner's Intent and Description of Development," which shall include without limitations, the following:

- a. A legal description describing all of the tract of land included in the proposed development, referenced to a locational map indicating the relationship of the tract to the total general plan.
- b. A statement indicating the nature of the applicant's interest in the land included in the proposed development.
- c. A statement describing the proposed development, including the character, method and operation of the development, and a development schedule or timetable for construction. Where the formation of organizations such as a homeowners' association is proposed, such statement shall include any agreements, bylaws or covenants which govern the organizational structure, use, maintenance and protection of the development and any of its common services, common open spaces or other common facilities.
- d. A statement as to the following data or graphic information referenced to a map of the proposed development:
 1. The location and size of the site, including dimensioned exterior boundaries, topography and other salient features, and existing buildings and structures, and also adjacent properties and streets.
 2. The use and location of all buildings or structures, including the architectural character and design of each building, the number of stories and dimensions of each building, and the dimensioned yards between buildings or structures and lot lines.

3. The location of vehicular and pedestrian facilities, including dimensioned streets, walkways, access driveways, off-street parking spaces and loading berths, and refuse receptacle areas.
4. The location and size of areas for public or common open spaces and for other public and semi-public uses.
5. A grading plan, including any storm sewer system, a landscaping plan, and an erosion control plan.
6. A sanitary sewer and water distribution system plan.
7. A tabulation of land areas for the different uses in relation to the total tract area.
8. A tabulation indicating the number of buildings and the use and the total gross floor area for each building.
9. A tabulation indicating the number and types of dwelling units in each building.

(2) *Review of the detailed plan.*

- a. The Plan Commission shall review the detailed plan as a conditional use review and shall determine whether the plan complies with the standards set forth in Subsection (h)(1) of this Section and is in general conformance with the approved general plan. Following Plan Commission approval of a detailed plan, the Village Attorney shall record in the Office of the Register of Deeds of Dane County a facsimile copy of the approved detailed plan and a certified copy of the Plan Commission action approving the same. The costs for copies and recording shall be paid by the owners of land within the plan areas.
- b. The action of the Plan Commission on the proposed detailed plan shall be appealable to the Village Board. The Village Board shall consult with the Plan Commission before making its appeal decision, but in no case shall a detailed plan be approved that is out of conformity with a general plan approved.

(3) *Approval of detailed plan.* Once the detailed plan is approved, the zoning district maps shall be amended to include all of the lands within the detailed plan as Planned Development District—detailed plan approved.

- (j) *Planned Development District—Single-stage procedure.* Upon request by applicants and subject to Village Board concurrence, the general and detailed stages of plan review and approval can be combined. Under this option, the plan is submitted in detailed form and is processed as is a general plan.

(Code 1998, § 13-1-46; Ord. No. 2003-03, § 1(13-1-46), 3-24-2003; [Ord. No. 2017-13](#), § 29, 7-24-2017)



PLAN COMMISSION SUMMARY SHEET

MEETING DATE: Monday, November 18, 2019

SECTION: Business

DEPARTMENT: Community Development

CONTACT: Andrew Bremer, Comm & Eco Dev Director

AGENDA ITEM: Discussion and action to make a recommendation to the Village Board regarding Ordinance 2019-23, an ordinance authorizing the annexation of lands included in the Lightfoot et al annexation petition #14264, from the Town of Cottage Grove and the Town of Pleasant Springs, to the Village of McFarland.

PREVIOUS ACTION:

The Village Board acquired parcel 071131380509 for the purpose of planning and developing a new community park.

ISSUE SUMMARY:

Lightfoot et al petition #14264 is a petition for direct annexation by unanimous approval. The request includes nine parcels, totaling 178.262 acres, located east of CTH AB and south of Siggelkow Road in the Town of Cottage Grove and Town of Pleasant Springs. The Village is one of the petition co-signers. Earlier this year the Village Board acquired parcel 071131380509 for the purpose of planning and developing a new community park.

Existing land uses in territory include two single family homes (3063 Siggelkow Road and 3274 CTH AB), agricultural crop land and open spaces, and a landscaping/nursery business (Avant Gardening & Landscaping). The territory in the petition includes a private road used to access two single family residences and the landscaping business. The current population of the territory proposed to be annexed is four. The petition has been signed by all property owners and electors residing in the annexation area. The landowners collectively desire to annex to the Village in order to obtain public water and sewer utilities and to develop the properties under Village zoning and land use policies and ordinances.

The Village's Comprehensive Plan Future Land Use Map designates the future land uses of these properties based on their existing uses. The intent for these areas, at the time the Comprehensive Plan was adopted in 2017, was to maintain the existing uses of properties and to limit any additional development to assure that rural uses do not impede long-term urban development, road or utility extensions. The Village anticipates continued Village expansion to the east with additional development occurring based on East End Economic Opportunities, refer to Map 8 of the Comprehensive Plan. As part of the continued planning of the future community park included in the annexation area, Village Staff will work with the Plan Commission in 2020 to update the Future Land Use Map to reflect changes in the Village's municipal boundary (1.5-mile plat review jurisdiction) and future land use needs.



The properties in the annexation petition will retain their existing zoning districts and regulations as set by Dane County. A map of the existing Dane County Zoning is included in the packet. The existing landscaping business has a deed restriction limiting uses of the property. Refer to attachment in the packet. This deed restriction will remain in place until the Village takes separate action to change the zoning for all of the properties from County to Village zoning. During this interim period, the Village will administer the existing Dane County Zoning regulations for these properties. A second ordinance will come forward to rezone the properties under the Village's Zoning Code, likely sometime after the Future Land Use Map amendments.

Within Dane County, petitions for annexation to municipalities are submitted to the Department of Administration for review under s. 66.0217(6). Within the packet is a copy of the Village's response to the WDOA Annexation Questionnaire and the WDOA Review Letter. The WDOA's role is to provide an advisory opinion whether the annexation is in the public interest or is against the public interest. Per the attached letter, the WDOA has determined that the annexation is in the public interest.

FINANCIAL/BUDGET IMPACT:

VILLAGE PLAN REFERENCE:

Comprehensive Plan, Map 6 Future Land Use & Map 8 East End Economic Opportunities

ORDINANCE REFERENCE:

BOARD, COMMISSION OR COMMITTEE RECOMMENDATION:

Recommendation to the Village Board to approve Ordinance 2019-23.

ATTACHMENTS:

1. 2019-23 Annexing Lands from the Town of Cottage Grove and Town of Pleasant Springs
2. 14264 Petitioners Submittal
3. 14264 Questionnaire - McFarland Response_10.31.19
4. McFarland Comprehensive Plan_Map 6_Future Land Use
5. McFarland Comprehensive Plan_Map 8_East End Economic Opportunities
6. Lightfoot et al Dane County Zoning Map
7. Lightfoot Deed Restrictions
8. 14264_20191113_DOA Review Letter

ORDINANCE NO. 2019-23
AN ORDINANCE ANNEXING LANDS FROM THE
TOWN OF COTTAGE GROVE AND TOWN OF
PLEASANT SPRINGS TO THE VILLAGE OF
MCFARLAND

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

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

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

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

Tax Parcel No. See Exhibit “C”

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

WHEREAS, the current population of the annexed property is 4; and

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

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

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

NOW, THEREFORE, the above-described property is hereby annexed from the Town of Cottage Grove and Town of Pleasant Springs and is hereby located in Ward # of the Village of McFarland, and in the School District of McFarland, County Supervisory District 36, Assembly District 46 and 47 and Senate District 16 (*TO BE COMPLETD BY VILLAGE CLERK*).

This Ordinance shall take effect upon its passage.
[signature page follows]

Adopted on roll call at a regular meeting of the Village Board of the Village of McFarland held on the 25th day of November, 2019.

APPROVED:

Brad Czebotar, Village President

ATTEST:

Cassandra Suettinger, Clerk

ORDINANCE 2019 -23	
MOTION	SECOND
ACTION	
DATE	
Adopted	
Referred	
Tabled	
Withdrawn	
Defeated	
Published	
INDIVIDUAL	
VOTING RECORD	
Adrian -	Kryzenske -
Brassington -	Lytle -
Czebotar -	Utter -
Kolk -	
VOTING	
RESULTS	
Motion Carried:	
Motion Defeated:	

I certify that on the 25th day of November, 2019, the foregoing Ordinance Annexing Lands from the Town of Cottage Grove and Town of Pleasant Springs to the Village of McFarland was adopted by a vote of ___ ayes and ___ nays by the Village Board of the Village of McFarland, Dane County, Wisconsin.

Cassandra Suettinger, Village Clerk-Treasurer

EXHIBIT C
TAX PARCEL NUMBERS

018/0711-313-8651-2
018/0711-313-8050-9
018/0711-313-8030-3
018/0711-313-8003-6
018/0711-314-9001-5
018/0711-313-9550-2
046/0611-062-8020-1
018/0711-313-9002-5
046/0611-062-8095-2

Request for Annexation Review

Wisconsin Department of Administration

WI Dept. of Administration
Municipal Boundary Review
101 E. Wilson Street, 9th Floor
Madison WI 53703
608-264-6102 Fax: 608-264-6104
wimunicipalboundaryreview@wi.gov
<http://doa.wi.gov/municipalboundaryreview/>

Petitioner Information

Name: **MATT SCHUENKE**

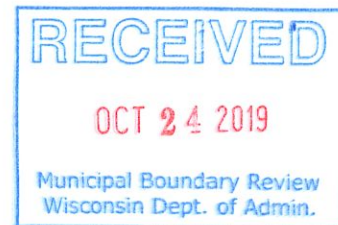
Address: **5915 MILWAUKEE STREET**

PO BOX 110

MCFARLAND, WI 53558

Email: **MATT.SCHUENKE@MCFARLAND.WI.US**

Office use only:



1. Town where property is located: **COTTAGE GROVE,
PLEASANT SPRINGS**

2. Petitioned City or Village: **MCFARLAND**

3. County where property is located: **DANE**

4. Population of the territory to be annexed: **4**

5. Area (in acres) of the territory to be annexed: **178.262**

6. Tax parcel number(s) of territory to be annexed
(if the territory is part or all of an existing parcel): **SEE PETITION**

Petitioners phone:

(608) 838-2303

Town clerk's phone:

**(608) 839-5021 COTTAGE
GROVE
(608) 873-3063 PLEASANT
SPRINGS**

City/Village clerk's phone:

(608) 838-3153

Contact Information if different than petitioner:

Representative's Name and Address:
ANDREW BREMER

5915 MILWAUKEE STREET

PO BOX 110

MCFARLAND, WI 53558

Phone: **(608) 838-2313**

E-mail:

ANDREW.BREMER@MCFARLAND.WI.US

Surveyor or Engineering Firm's Name & Address:
MSA PROFESSIONAL SERVICES

KEVIN LORD

1702 PANKRATZ STREET

MADISON, WI 53704

Phone: **(608) 242-6617**

E-mail: **KLORD@MSA-PS.COM**

Required Items to be provided with submission (to be completed by petitioner):

1. ☒ Legal Description meeting the requirements of [s.66.0217 \(1\) \(c\)](#) [see attached annexation guide]
2. ☒ Map meeting the requirements of [s. 66.0217 \(1\) \(g\)](#) [see attached annexation guide]
3. ☒ Signed Petition or Notice of Intent to Circulate is included
4. Indicate Statutory annexation method used:
 - ☒ Unanimous per [s. 66.0217 \(2\)](#), or,
 - OR
 - ☐ Direct by one-half approval per [s. 66.0217 \(3\)](#)
5. ☒ Check or money order covering review fee [see next page for fee calculation]

(2012)

Annexation Review Fee Schedule

A Guide for Calculating the Fee Required by ss.16.53 (4) and 66.0217, Wis. Stats.

Required Fees

There is an initial filing fee and a variable review fee

\$350 Initial Filing Fee (required with the first submittal of all petitions)

\$200 – 2 acres or less

\$350 – 2.01 acres or more

\$1,400 Review Fee (required with all annexation submittals except those that consist ONLY of road right-of-way)

\$200 – 2 acres or less

\$600 – 2.01 to 10 acres

\$800 – 10.01 to 50 acres

\$1,000 – 50.01 to 100 acres

\$1,400 – 100.01 to 200 acres

\$2,000 – 200.01 to 500 acres

\$4,000 – Over 500 acres

\$1,750 TOTAL FEE DUE (Add the Filing Fee to the Review Fee)

Attach check or money order here, payable to: **Department of Administration**

**THE DEPARTMENT WILL NOT PROCESS
AN ANNEXATION PETITION THAT IS NOT ACCOMPANIED
BY THE REQUIRED FEE.**

**THE DEPARTMENT'S 20-DAY STATUTORY REVIEW PERIOD
COMMENCES UPON RECEIPT OF THE PETITION AND REVIEW FEE**



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

October 18, 2019

Department of Administration
Attn: Review of Annexations
PO Box 1645
Madison, WI 53701

RE: Unanimous Consent Annexation Petition

To whom it may concern:

Enclosed please find a copy of a Petition for Direct Annexation via Unanimous Consent filed with the Village Clerk for the Village of McFarland on October 18, 2019. This Petition includes a legal description (Exhibit A) of the area being considered for annexation and a scaled map (Exhibit B) depicting the same. The Village initiated this petition as Property Owner of 3234 County Highway AB (Parcel #018/0711-313-8050-9).

Please review and let me know if you have any questions.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Matt Schuenke', is written over a horizontal line.

Matthew G. Schuenke
Village Administrator

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

RECEIVED

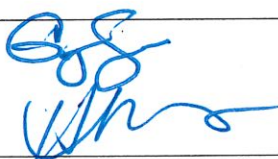
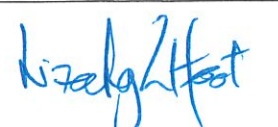
OCT 18 2019

Village of McFarland

To the Village Board of the Village of McFarland:

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

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

Address	Parcel Number	Signature	Printed Name	Date of Signing	Elector Population	Total Population
3274 County Highway AB	018/0711-313-8651-2		ORSO SPANIT Helen Williams	10/16/19 10/16/19	2	2
3234 County Highway AB	018/0711-313-8050-9		BRAD CZEBATAR	10/15/19	0	0
	018/0711-313-8030-3		ELIZABETH LIGHTFOOT	10/16/19	0	0
	018/0711-313-8003-6		ELIZABETH LIGHTFOOT	10/16/19	0	0
3055 Siggelkow Road	018/0711-314-9001-5		ELIZABETH LIGHTFOOT	10/16/19	0	0

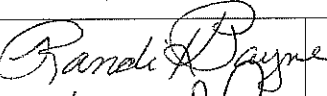
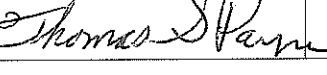
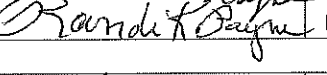
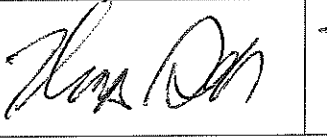
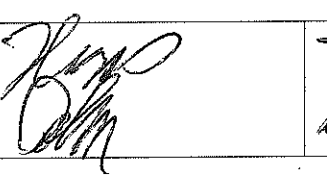
Address	Parcel Number	Signature	Printed Name	Date of Signing	Elector Population	Total Population
3063 Siggelkow Road	018/0711- 313-9550-2		Randi K Payne	10-17-19	2	2
			Tom S Payne	10-17-19		
	046/0611- 062-8020-1		Tom S Payne	10-17-19	0	0
			Randi K Payne	10-17-19		
	018/0711- 313-9002-5		Thomas DeBede	10/16/19	0	0
	046/0611- 062-8095-2		Thomas DeBede	10/16/19	0	0

EXHIBIT A

Annexation Legal Description

Lot 1 of CSM 8262, and parts of the Northwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$, the Northeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$, the Southwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$, the Southeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$, the Northwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$, the Southwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$, and the Southeast $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of Section 31, Township 7 North, Range 11 East, and parts of the Northwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$, the Northeast $\frac{1}{4}$ of the Northwest $\frac{1}{4}$, the Northwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$, and the Southwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of Section 6, Township 6 North, Range 11 East all in Dane County, Wisconsin, more particularly described as follows:

Commencing at the West $\frac{1}{4}$ corner of Section 31; thence North $86^{\circ}44'29''$ East along the North line of the Southwest $\frac{1}{4}$ of said Section 31, a distance of 628.42 feet to the Point of Beginning; thence continuing North $86^{\circ}44'29''$ East along the said North line, a distance of 1369.01 feet; thence South $02^{\circ}09'24''$ West, a distance of 963.11 feet; thence North $88^{\circ}01'36''$ East, a distance of 578.15 feet; thence North $02^{\circ}17'02''$ West, a distance of 138.49 feet; thence North $86^{\circ}37'58''$ East, a distance of 815.05 feet to the East line of the Northwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of Section 31; thence South $01^{\circ}19'23''$ East along the said East line, a distance of 489.63 feet to a point on the South line of the North $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of said Section 31; thence North $86^{\circ}56'00''$ East along the said South line, a distance of 703.64 feet; thence South $32^{\circ}53'10''$ West, a distance of 1250.97 feet to a point on the said East line of the Southwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of Section 31; thence South $01^{\circ}19'23''$ East along the said East line, a distance of 308.98 feet; thence North $56^{\circ}35'02''$ West, a distance of 2172.38 feet; thence southwesterly 87.00 feet along a non-tangent curve to the right having a radius of 60.00 feet, the chord of said curve bears South $64^{\circ}55'29''$ West a distance of 79.58 feet; thence South $21^{\circ}52'11''$ East, a distance of 3067.29 feet to a point on the northeasterly right-of-way of Interstate 90; thence North $52^{\circ}10'17''$ West along the said northeasterly right-of-way, a distance of 3282.03 feet to a point on the easterly right-of-way of County Trunk Highway (CTH) AB; thence continuing North $52^{\circ}10'17''$ West along the said northeasterly right-of-way line of Interstate 90 extended northwesterly, a distance of 55.34 feet to the West line of the Southwest $\frac{1}{4}$ of said Section 31; thence North $00^{\circ}11'22''$ West along the said West line, a distance of 1875.80 feet to a point of intersection with the North line of Lot 1 of Certified Survey Map (CSM) No. 8262 extended West; thence North $86^{\circ}32'43''$ East along the North line of said Lot 1 extended westerly and the North line of said Lot 1, a distance of 291.45 feet to the Northeast corner of said Lot 1; thence South $03^{\circ}27'17''$ East along the East line of said Lot 1, a distance of 207.65 feet to the Southeast corner of said Lot 1; thence North $86^{\circ}32'43''$ East along the South line of Lot 2 of said CSM No. 8262, a distance of 325.17 feet to the Southeast corner of said Lot 2; thence North $00^{\circ}10'46''$ West along the East line of said Lot 2 and said line extended northerly, a distance of 421.11 feet to the Point of Beginning.

Said parcel contains 7,765,101 square feet or 178.262 acres more or less including areas within Sigglekow Road, CTH AB, and Brandt Road.

Annexation Review Questionnaire

Wisconsin Department of Administration

WI Dept. of Administration
Municipal Boundary Review
PO Box 1645
Madison WI 53701
608-264-6102 Fax: 608-264-6104
wimunicipalboundaryreview@wi.gov
<http://doa.wi.gov/municipalboundaryreview>

Petitioner: **Lightfoot et al**

Petition Number: **14264**

1. Territory to be annexed: From **TOWN OF COTTAGE GROVE and TOWN OF PLEASANT SPRINGS** To **VILLAGE OF MCFARLAND**

2. Area (Acres): 178.262

3. Pick one: ☒ Property Tax Payments

OR

☐ Boundary Agreement

a. Annual town property tax on territory to be annexed:

\$ \$30.19 T. Pleasant Springs, \$3,504.84 T. Cottage Grove

a. Title of boundary agreement _____

b. Year adopted _____

b. Total that will be paid to Town \$154.30 TPS

(annual tax multiplied by 5 years): \$17,524.20 TCG

c. Participating jurisdictions _____

d. Statutory authority (pick one)

c. Paid by: ☐ Petitioner ☐ City ☒ Village

☐ s.66.0307 ☐ s.66.0225 ☐ s.66.0301

☐ Other: _____

4. Resident Population: Electors: 4 Total: 4

5. Approximate **present land use** of territory:

Residential: 1.2 % Recreational: 0 % Commercial: 2.3 % Industrial: 0 %

Undeveloped: 96.5 %

6. If territory is undeveloped, what is the **anticipated use**?

Residential: 40 % Recreational: 20 % Commercial: 6 % Industrial: 0 %

Other: 34 % Other denotes environmental corridors

Comments: This area lies adjacent to the Village's Planned East Side Growth Area. The Village purchased land within the petition area for the purpose of constructing a community park to serve both existing residents and future neighborhoods in this area.

7. Has a ☐ preliminary or ☐ final plat been submitted to the Plan Commission: ☐ Yes ☒ No

Plat Name: _____

8. What is the **nature of land use adjacent** to this territory in the city or village?

Single Family Residential - Plat of Freeway Manor

In the town?: Interstate, agriculture & undeveloped open space, single family homes

9. What are the **basic service needs** that precipitated the request for annexation?

☒ Sanitary sewer

☒ Water supply

☒ Storm sewers

☒ Police/Fire protection

☒ EMS

☒ Zoning

Other Annexation of Village owned property to become new 36-acre community park.

Police service in the Town is provided by Dane County and Fire/EMS is provided by the Village of McFarland. Annexation would greatly improve response times for current and future residents for police service due to closer proximity. The Village is also capable of offering full public utility to the area including water, sewer, and storm sewer. The Village also has full jurisdictional control of its zoning. The ability to provide public utilities and full jurisdictional control of zoning offers greater density and more flexibility with land uses than within the Town.

10. Is the city/village or town capable of providing needed utility services?

City/Village ☒ Yes ☐ No

Town ☐ Yes ☒ No

If yes, approximate timetable for providing service:

Sanitary Sewers immediately
or, write in number of years.

City/Village ☐
5-10

Town ☐

Water Supply immediately
or, write in number of years.

☐
5-10

☐

Will provision of sanitary sewers and/or water supply to the territory proposed for annexation require capital expenditures (i.e. treatment plant expansion, new lift stations, interceptor sewers, wells, water storage facilities)?

☒ Yes ☐ No Existing sanitary sewer and water supply are 1.25 miles from the petition area. As development occurs in the planned East Side Growth Area public sanitary and water utilities will be extended to the boundary of the annexation area to support planned development in the petition area. Developments benefiting from these utilities will pay their proportionate share of the cost for necessary capital expenditures.

If yes, identify the nature of the anticipated improvements and their probable costs: _____

11. Planning & Zoning:

a. Do you have a comprehensive plan for the City/Village/Town? ☒ Yes ☐ No

Is this annexation consistent with your comprehensive plan? ☒ Yes ☐ No

b. How is the annexation territory now zoned? RR-1 Rural Residential, RM-16 Rural Mixed Use, AT-35 Agricultural Transition, A1-EX Exclusive Agriculture, FP-B Farmland Preservation Business, GC General Commercial

c. How will the land be zoned and used if annexed? TBD, likely a combination of RH-1 Rural Homes, R-1 Single Family, A1 Agriculture Transition, CO Conservancy

12. Elections: ☒ New ward or ☐ Existing ward? Will the annexation create a new ward or join an existing ward? For more information, please contact the Wisconsin Election Commission at (608) 266-8005, elections@wi.gov or see their annexation checklist here: <http://elections.wi.gov/forms/el-100>

13. Other relevant information and comments bearing upon the public interest in the annexation:

This area lies adjacent to the Village's Planned East Side Growth Area. The Village purchased land within the petition area for the purpose of constructing a community park to serve both existing residents and future neighborhoods in this area. Other land owners within the petition desire to be included within the Village to gain access to Village services and enable future development under Village zoning and utilities.

Prepared by: ☐ Town ☐ City ☒ Village

Name: Andrew Bremer

Email: Andrew.Bremer@McFarland.wi.us

Phone: 608-838-3154

Date: 10-31-2019

(March 2018)

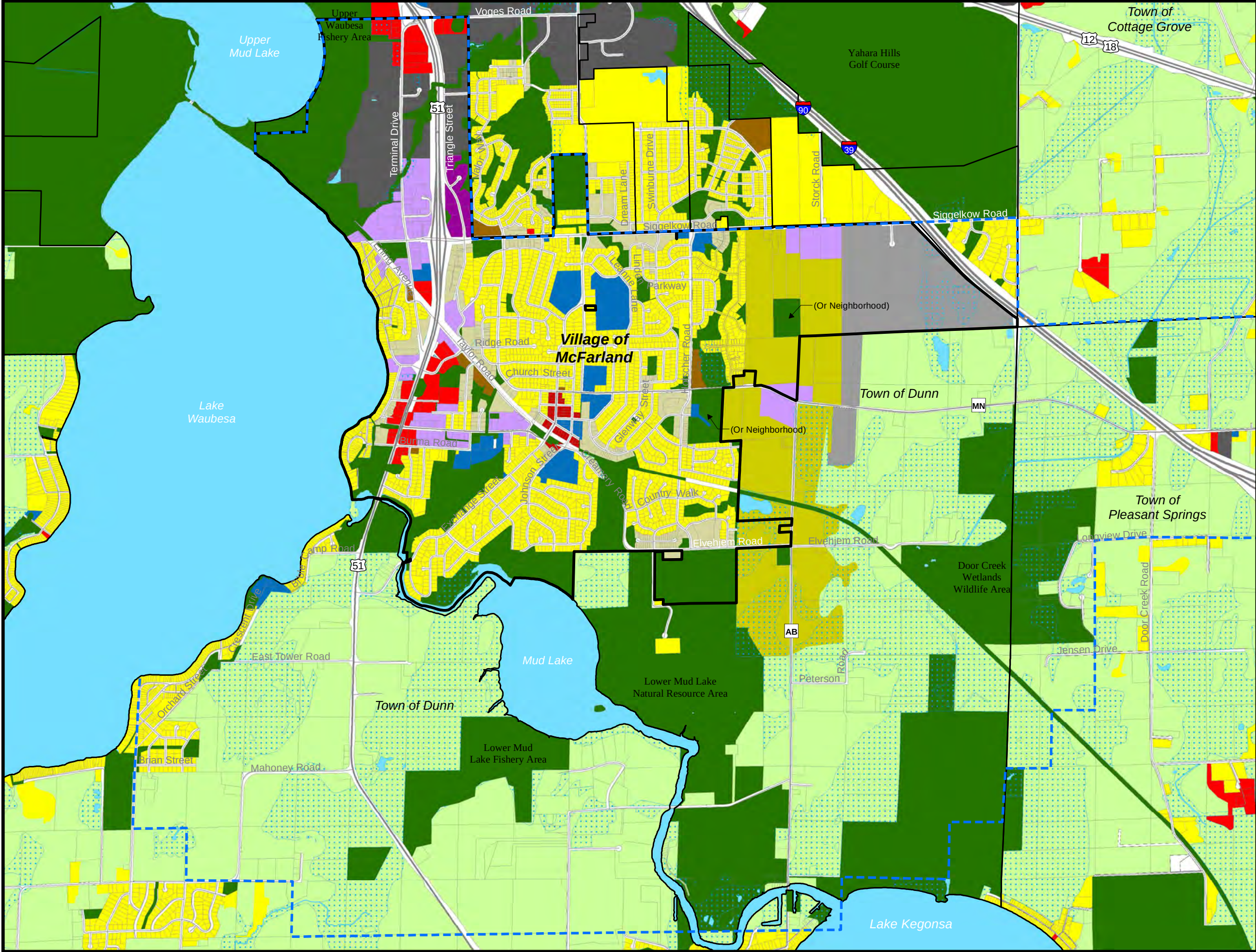
Please **RETURN PROMPTLY** to:

wimunicipalboundaryreview@wi.gov

Municipal Boundary Review

PO Box 1645, Madison WI 53701

Fax: (608) 264-6104



MAP 6

FUTURE LAND USE



COMPREHENSIVE PLAN

Legend

Future Land Use

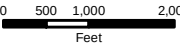
- Single Family Residential
- Two Family and Townhouse Residential
- Multiple Family Residential
- Neighborhood
- Downtown
- Highway and General Commercial
- Commercial Park
- Industrial
- Mixed Use/Flex Commercial
- Institutional and Governmental
- Public Lands, Recreation, and Environmental Corridor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

--- Village of McFarland Extraterritorial Jurisdiction Boundary

⬢ Village of McFarland Limits (8/18)

⬢ Other Municipal Limits (2018)

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



Date: May 2019

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



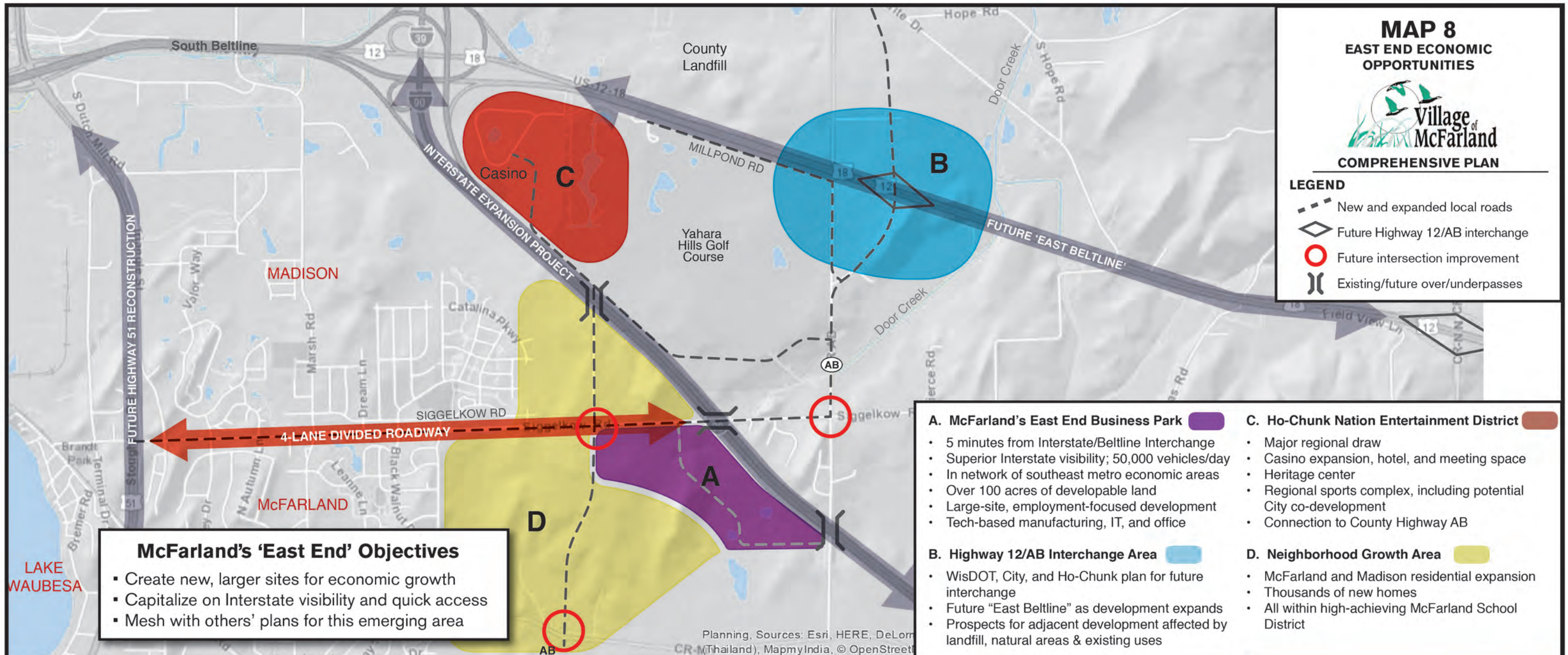
MAP 8 EAST END ECONOMIC OPPORTUNITIES



COMPREHENSIVE PLAN

LEGEND

- New and expanded local roads
- Future Highway 12/AB interchange
- Future intersection improvement
- Existing/future over/underpasses



McFarland's 'East End' Objectives

- Create new, larger sites for economic growth
- Capitalize on Interstate visibility and quick access
- Mesh with others' plans for this emerging area

A. McFarland's East End Business Park

- 5 minutes from Interstate/Beltline Interchange
- Superior Interstate visibility; 50,000 vehicles/day
- In network of southeast metro economic areas
- Over 100 acres of developable land
- Large-site, employment-focused development
- Tech-based manufacturing, IT, and office

B. Highway 12/AB Interchange Area

- WisDOT, City, and Ho-Chunk plan for future interchange
- Future "East Beltline" as development expands
- Prospects for adjacent development affected by landfill, natural areas & existing uses

C. Ho-Chunk Nation Entertainment District

- Major regional draw
- Casino expansion, hotel, and meeting space
- Heritage center
- Regional sports complex, including potential City co-development
- Connection to County Highway AB

D. Neighborhood Growth Area

- McFarland and Madison residential expansion
- Thousands of new homes
- All within high-achieving McFarland School District



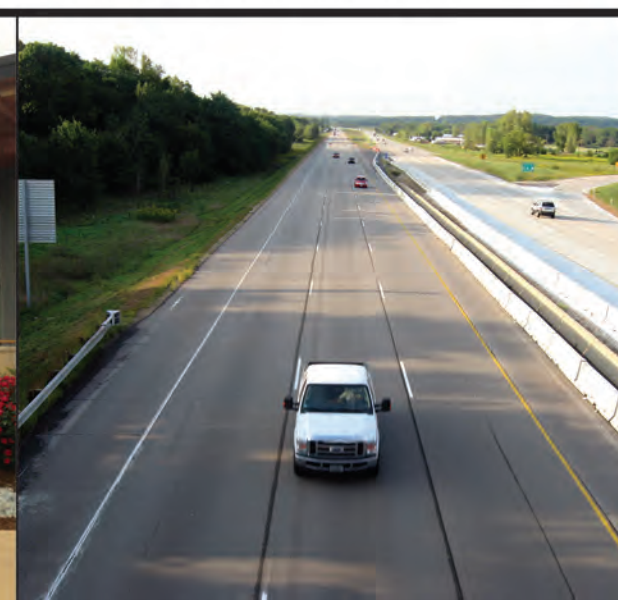
Larger business park sites



Planned highway improvements



Nearby lodging and meeting space



5-minute access to Interstate 39-90-94



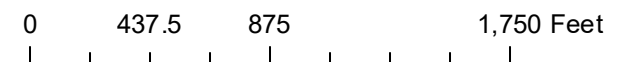
Skilled, growing workforce nearby

Sources: Dane County DCIMap, WisDOT, Ho-Chunk Nation, City of Madison

This aerial map displays land parcels with various zoning designations and DCPREZ-2019-00000 labels. The parcels are color-coded: green for agricultural (AT-35), yellow for residential medium-density (RM-16), orange for residential single-family (SFR-1), and red for general commercial (GC). The map includes a network of roads and a railway line. The following table lists the visible parcels and their designations:

Parcel Designation	DCPREZ-2019-00000 Label
RE	DCPREZ-2019-00001
RM-16	DCPREZ-2019-00000
AT-35	DCPREZ-2019-00000
RR-2	DCPREZ-2019-00000
SFR-1	DCPREZ-2019-00000
SFR-08	DCPREZ-2019-00000
RR-1	DCPREZ-2019-00000
RR-8	DCPREZ-2019-00000
RR-1	DCPREZ-2019-00000
RM-16	DCPREZ-2019-00000
AT-35	DCPREZ-2019-00000
FP-B	DCPREZ-2019-00000
GC	DCPREZ-2019-00000
FP-35	DCPREZ-2019-00000
NR-C	DCPREZ-2019-00000
RM-16	DCPREZ-2019-00000
RM-16	DCPREZ-2019-00000
RH-2	DCPREZ-0000-08589
LC-1	DCPREZ-0000-08589
A-1(EX)	DCPREZ-0000-00000
A-1(EX)	DCPREZ-0000-00000
A-1(EX)	DCPREZ-0000-00000
A-1(EX)	DCPREZ-0000-00000

NA, Parcels

 Parcels



9 1 2 1 6 0 2
Tx:8838110

Amendment of Restrictions

**KRISTI CHLEBOWSKI
DANE COUNTY
REGISTER OF DEEDS**

**DOCUMENT #
5311561**

03/13/2017 12:47 PM

Trans. Fee:

Exempt #:

Rec. Fee: 30.00

Pages: 4

Document Number

Document Title

Recording Area

Name and Return Address

Attorney Joseph P. Bartol
Stroud, Willink & Howard, LLC
P.O. Box 2236
Madison, WI 53701-2236

0711-314-9001-5; 0711-313-8003-6

Parcel Identification Number (PIN)

THIS INSTRUMENT DRAFTED BY:

Roger Lane

Dane County Zoning Administrator

This information must be completed by submitter: *document title, name & return address, and PIN (if required)*. Other information such as the *granting clauses, legal description, etc. may be placed on this first page of the document or may be placed on additional pages of the document.*

AMENDMENT OF RESTRICTIONS

PETITION 11048

Use black ink & print legibly

This Amendment of Restrictions Agreement is made by and between the County of Dane, the Town of Cottage Grove, and Elizabeth Lightfoot, the owner of the following described real estate:

Recording area

Name and return address:

0711-314-9001-5;
0711-313-8003-6

PARCEL IDENTIFICATION NUMBER(S)

Property Description:

A-B Agricultural Business zoned property

A part of the Northeast 1/4 of the Southwest 1/4 and a part of the Southwest 1/4 of the Southeast 1/4 of Section 31, T7N, R11E, Town of Cottage Grove more fully described as follows: Commencing at the West 1/4 corner of said Section 31; thence N86°44'29"E, 1570.40 feet along the East-West quarter line; thence S00°54'36"E, 1271.42 feet; thence along a curve to the right with a radius of 60.00 feet, with a chord bearing and length of S50°36'53"E, 18.92 feet to the point of beginning; thence N31°46'54"E, 269.41 feet; thence N88°01'36"E, 461.10 feet; thence S02°34'39"E, 224.00 feet to a point on the south line of said 1/4 1/4; thence S88°01'36"W, 75.00 feet along said South line; thence N02°34'39"W, 135.00 feet; thence S88°01'36"W, 155.00 feet; thence S02°34'39"E, 135.00 feet to a point on the south line of said 1/4 1/4; thence S88°01'36"W, 383.15 feet along said South line to the point of beginning, containing 99,387 Sq. Feet or 2.28 Acres.

C-1 Commercial zoned property

A part of the Southeast 1/4 of the Southwest 1/4 and a part of the Southwest 1/4 of the Southeast 1/4 of Section 31, T7N, R11E, Town of Cottage Grove more fully described as follows: Commencing at the West 1/4 corner of said Section 31; thence N86°44'29"E, 1570.40 feet along the East-West quarter line; thence S00°54'36"E, 1271.42 feet; thence along a curve to the right with a radius of 60.00 feet, with a chord bearing and length of S50°36'53"E, 18.92 feet to a point on the North line of said 1/4 1/4 and the point of beginning; thence N88°01'36"E, 592.00 feet along said North line; thence S01°58'24"E, 193.24 feet; thence S88°01'36"W, 402.00 feet; thence N56°35'02"W, 223.29 feet; thence along a curve to the left with an arc length of 68.00 feet, with a radius of 60.00 feet, with a chord bearing and length of N09°04'32"W, 64.42 feet to a point on the North line of said 1/4 1/4 and the point of beginning, containing 158,334 Sq. Feet or 3.63 Acres.

WHEREAS, pursuant to the approvals granted under Dane County Zoning Ordinance Amendment #8623, the owner(s) of the above described land placed restrictions on said property limiting the agricultural business and limited commercial uses on the property found under Register of Deeds Document #3806289, recorded on September 9, 2003.

WHEREAS, the owner(s) of the subject property submitted a written petition under Dane County Zoning Ordinance Amendment #11048 to change the zoning district classifications of the above described property and calling for the amendment of the restrictions in document #3806289 to allow the expansion of agricultural business and commercial uses (retail sales of nursery stock and related landscaping materials produced on the property, and the operation of a landscape and gardening business).

WHEREAS, following the submittal of petition #11048, and after holding a public hearing, the Town Board of the Town of Cottage Grove, the Dane County Board of Supervisors, and the Dane County Executive approved the requested zoning map amendment and amendment of the restrictions.

WHEREAS, approval of zoning map amendment was published on December 1, 2016.

THEREFORE, the previous restrictions, recorded in document #3806289, attached herein as Exhibit A, are hereby amended and replaced by the following restrictions on the above-described property:

1. Uses of the A-B Agricultural Business and C-1 Commercial zoned areas described above are limited exclusively to: retail sales limited to nursery stock produced on the property, bagged soil, compost, and fertilizer; and operation of a landscape and gardening business.

Signature of County Clerk

By:

Scott McDonnell, Dane County Clerk

STATE OF WISCONSIN, County of

Dane

Subscribed and sworn to before me on 12-12-2016 by the above named person(s).

Signature of notary or other person
authorized to administer an oath
(as per s. 706.06, 706.07)

Chrismore

Print or type name:

Chrismore

Title

Notary

Date commission expires:

12-18-18

Signature of Town Clerk

By:

Kim Banigan

Kim Banigan, Town of Cottage Grove Clerk

STATE OF WISCONSIN, County of

Dane

Subscribed and sworn to before me on 3/8/17 by the above named person(s).

Signature of notary or other person
authorized to administer an oath
(as per s. 706.06, 706.07)

Rose Schuett Brice

Print or type name:

Rose Schuett Brice

Title

Legal Assistant

Date commission expires:

6/25/17

Signature of Owner(s)

8 March 2017

Date

Date

Signature of Grantor (owner)

Elizabeth Lightfoot

Signature of Grantor (owner)

Joseph P. Bartol

*Name printed

*Name printed

STATE OF WISCONSIN, County of

Dane

Subscribed and sworn to before me on 3/8/2017 by the above named person(s).

Signature of notary or other person
authorized to administer an oath
(as per s. 706.06, 706.07)

Diana M. Eisenberg

Print or type name:

Diana M. Eisenberg

Title

Attorney

Date commission expires:

Permanent

This document was drafted by:
(print or type name below)

Dane County Zoning Administrator



TONY EVERS

GOVERNOR

JOEL BRENNAN

SECRETARY

Municipal Boundary Review

PO Box 1645, Madison WI 53701

Voice (608) 264-6102 Fax (608) 264-6104

Email: wimunicipalboundaryreview@wi.gov

Web: <http://doa.wi.gov/municipalboundaryreview>

November 13, 2019

PETITION FILE NO. 14264

CASSANDRA SUETTINGER, CLERK
VILLAGE OF MCFARLAND
5915 MILWAUKEE ST
MC FARLAND, WI 53558-8962

KIM BANIGAN, CLERK
TOWN OF COTTAGE
GROVE
4058 COUNTY RD N
COTTAGE GROVE, WI
53527-9503

MARIA P. HOUGAN, CLERK
TOWN OF PLEASANT
SPRINGS
2354 COUNTY RD N
STOUGHTON, WI 53589-2875

Subject: LIGHTFOOT ET AL ANNEXATION

The proposed annexation submitted to our office on October 24, 2019, has been reviewed and found to be in the public interest.

In determining whether an annexation is in the public interest, s. 66.0217 (6), Wis. Stats. requires the Department to examine "[t]he shape of the proposed annexation and the homogeneity of the territory with the annexing village or city...." so as, to ensure the resulting boundaries are rational and compact. The statute also requires the Department to consider whether the annexing city or village can provide needed municipal services to the territory.

The subject petition is for territory that is contiguous to the Village along its western side and is homogenous to the Village given the annexation's overall configuration and the level of municipal services requested. Specifically, Petitioners request Village sewer and water service, storm sewers, police and fire protection, Emergency Medical Service (EMS), and Village zoning. In its returned questionnaire, the Village indicates that it can provide all these municipal services. Some services the Village can provide immediately, while others such as sewer and water service will require infrastructure improvements. To serve the annexation territory, the Village plans to construct a sewer lift station at the corner of Siggelkow Road and County Highway (CTH) AB.

This annexation territory falls within the Village's larger planned *East Side Growth Area*, which is an area the Village anticipates will develop rapidly over the next several years as the Ho Chunk Nation Entertainment District (just to the north) expands to include a hotel, conference center, and sports complex. The area also figures to develop rapidly due to WiDOT's possible construction of a new interchange at Highway 12/CTH AB as part of its ongoing *Madison Beltline Study*.¹ Two east-side Village business parks could further push new urban growth in this area. Furthermore, the Village is co-signer of this annexation petition because it recently purchased 36-acres of territory for use as future parkland to serve the *East Side Growth Area's* future residents.

In its returned questionnaires, the Towns of Cottage Grove and Pleasant Springs indicate that the Village's

¹ See: <https://wisconsindot.gov/Pages/projects/by-region/sw/madisonbeltline/default.aspx>

comprehensive plan does not include the annexation territory within its *East Side Growth Area*. Instead, the *East Side Growth Area* is shown as stopping just short on the other side of CTH AB. Wisconsin statutes do not require annexations to be consistent with local comprehensive plans. However, it is good planning practice that they be consistent. The Village indicates that development proposals in this area have outpaced comprehensive plan amendments, but that the Village does intend to update its comprehensive plan to extend the *East Side Growth Area* east of CTH AB.

The Department reminds clerks of annexing municipalities of the requirements of s. 66.0217 (9)(a), Wis. Stats., which states:

"The clerk of a city or village which has annexed shall file immediately with the secretary of administration a certified copy of the ordinance, certificate and plat, and shall send one copy to each company that provides any utility service in the area that is annexed. The clerk shall record the ordinance with the register of deeds and file a signed copy of the ordinance with the clerk of any affected school district..."

State and federal aids based on population and equalized value may be significantly affected through failure to file with the Department of Administration. Please file a copy of your annexing ordinance, including a statement certifying the population of the annexed territory. **Please include your MBR number 14264 with your ordinance.** Ordinance filing checklist available at <http://mds.wi.gov/>, click on "Help on How to Submit Municipal Records". Email scanned copy of required materials (color scan maps with color) to mds@wi.gov or mail to: Wisconsin Department of Administration, Municipal Boundary Review, PO Box 1645, Madison WI 53701-1645.

The petition file is available for viewing at: <http://mds.wi.gov/View/Petition?ID=2338>
Please call me at (608) 264-6102, should you have any questions concerning this annexation review.

Sincerely,



Erich Schmidtke, Municipal Boundary Review

cc: petitioner



PLAN COMMISSION SUMMARY SHEET

MEETING DATE: Monday, November 18, 2019

SECTION: Business

DEPARTMENT: Community Development

CONTACT: Andrew Bremer, Comm & Eco Dev Director

AGENDA ITEM: Discussion and recommendation to the Village Board regarding amendments to planning, zoning and building permit fees, including park impact fees and fees in lieu of parkland dedication.

PREVIOUS ACTION:

None.

ISSUE SUMMARY:

Annually the Plan Commission provides a recommendation to the Village Board regarding any updates to existing Community Development Department fees, including park impact fees and fees in lieu of land dedication. In November of 2018, the Plan Commission recommended no increases to the park impact fees or fees in lieu of land dedication as the Village was preparing to complete an update to the Public Facilities Needs Assessment last adopted in 2004. Within the packet is a draft of the Public Facility Needs Assessment as prepared by Baker Tilly Virchow Krause LLP and Village Staff. Page 10 of the report provides the updated calculation for the impact fees and fee in lieu of land dedication.

The Village's existing park impact fee (park + trail) is \$731.47/SF unit and \$443.93/MF unit. The park impact fee was last updated in 2004. Had this fee at least been adjusted annually by the rate of inflation (BLS CPI), the fee would be \$1,016.42/SF unit and \$616.87/MF unit in October 2019. Based on the methodologies in the updated report, these fees would adjust to \$2,710.33/SF unit and \$2,152.75/MF unit. In addition, the Village would introduce a new separate fee for Group Quarters of \$1,034.47/unit. Wis. Statute 66.0617(7) allows the Village Board to grant an exemption from, or reduced fees, on new development that is approved for affordable housing.

The Village's existing fees in lieu of land dedication is \$4,115/unit. This fee was last updated in 2010. Had this fee at least been adjusted annually by the rate of inflation (BLS CPI), the fee would be \$4,887/DU in October 2019. Based on the methodologies in the updated report, these fees would adjust to \$3,225.75/SF unit, \$2,240.79/MF unit, and a new fee category for Group Quarters of \$1,231.20 per unit.

The net impact per unit for the combined park impact fees and fees in lieu of land dedication is +\$1,090/SF DU and -\$165/MF DU. Note one of the controlling factors in the calculations of these fees is the estimated number of persons per household. Based on the 2013-2017 American Community Survey, the average household size of an owner-occupied unit is 2.62, with a margin of error of +/-0.16, or 6.11%. The average household size of a renter-occupied unit is 1.82, with a margin of error of +/- 0.26, or 14.29%.

The Parks, Recreation, & Natural Resources Committee meet in October to review the draft report and discussed the potential to phase the fee adjustments over a five year period and to further adjust the fees annually based on the rate of inflation. The PRNRC will be meeting again to review the fees before providing a recommendation to the Village Board. In addition, the Village Attorney is working on a draft ordinance to clean up portions of Chapter 56 Subdivisions and Chapter 62 Zoning



related to these fees, and to Chapter 7 which addresses the Village's Policy on Expenditures of Parks Capital Projects Fund Reserves.

The November Plan Commission meeting is an opportunity to provide input on the draft Public Facilities Needs Assessment and recommend associated changes to park impact and fees in lieu of land dedication.

The meeting packet also includes a table which highlights other Department permit fees with comparisons to other communities within the County. Based on the data collected, the Village's fees for preliminary plats, final plats, and CSM are in line with other peer communities. Fees for CUP, Zoning Text/Zoning Map, and Variances are on the lower end of the range compared to peer communities.

CUP: Peer Average = \$370, McFarland = \$275

Zoning (text or map): Peer Average = \$405, McFarland = \$175-\$250

Variance: Peer Average = \$380, McFarland = \$250

Based on the analysis some adjustment to these fees may be warranted particularly if the Village has not adjusted these fees recently. Suggested modifications include: CUP = \$350, Zoning (text or map) = \$400, Variance = \$350.

Finally, the Building Inspector has brought to my attention that the Village currently does not have a fee for the permitting of decks. Many communities have a fee to recoup expenses for deck permits, which typically include review of the permit/plans and two site visits (footings and final inspection). For example, the Village of Cottage Grove charges \$130 for a new deck. The City of Stoughton charges \$0.15/SF with a minimum of \$75. Establishing a fee in 2020 is recommended given the Village has moved to contract inspection services and incurs expenses in the review of decks. The fee could be the same as a residential building = \$0.15/SF minimum of \$125 or simply a flat fee as is the case with a fence (\$50). The Village currently incurs \$70/hour for inspection services. Suggested modification is to use the \$0.15/SF minimum of \$125.

Given that the Village has moved to contracted building inspection services, Staff recommends a full review of the building inspection fees in 2020 which will provide time to analyze actual costs.

FINANCIAL/BUDGET IMPACT:

Permit fee collections are a significant contributor to both the Department and Village budgets. Any increases or decreases in fees will impact this budget.

VILLAGE PLAN REFERENCE:

None.

ORDINANCE REFERENCE:

Existing fees are found in Appendix A of the Municipal Code of Ordinances.

BOARD, COMMISSION OR COMMITTEE RECOMMENDATION:

Recommendation to the Village Board regarding any changes to Department fees:

1. Park impact fees:
2. Fees in lieu of parkland dedication:
3. Conditional use permits:
4. Zoning amendments:
5. Variances:



6. Decks:

7. Other:

ATTACHMENTS:

1. McFarland Impact Fee DRAFT 11.7.19
2. 2019 PC fee app comparision_11.15.19

VILLAGE OF MCFARLAND

McFarland, Wisconsin

PARK IMPACT FEE, FEE IN LIEU OF LAND DEDICATION AND PUBLIC FACILITY NEEDS ASSESSMENT

DRAFT

Baker Tilly Virchow Krause, LLP
Ten Terrace Court
P.O. Box 7398
Madison, WI 53707-7398
608 249 6622
800 362 7301

Dated: xxxx xx, 2019

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Executive Summary

The purpose of this project was to evaluate and update the Village's current park impact fee under Wisconsin Statute, Chapter 66, Section 66.0617 Impact Fees and its fee in lieu of land dedication under Wisconsin Statute, Chapter 236, Section 236.45 Local Subdivisions Requirements. The park impact fee(s) as referenced throughout this report include both the trail and park development aspects of the park impact fee.

According to the Village of McFarland's (the "Village") Outdoor Recreation & Open Space Plan 2019 – 2023, the Village is expecting to have population growth slightly higher than Dane County as a whole through 2040. This anticipated growth will require additions to the Village's parkland and park facilities (trails and park capital improvements). Impact fees will continue to assist in financing the capital costs associated with trails and park facility improvements. A fee in lieu of land dedication will continue to assist in financing the acquisition or initial improvement of land for public parks.

The Village currently charges a park impact fee and a fee in lieu of land dedication as established by the following reports and ordinances:

Village of McFarland Ordinance 2004-07 (original impact fee adoption)

Public Facilities Needs Assessment for Park Improvements (Virchow, Krause & Company, LLP 2003 / revised 2004)

Village of McFarland Outdoor Recreation Plan approved May 29, 2001

Ordinance No. 2010-01 updating Chapter 56 – Subdivisions Section 56-176 Fee in Lieu of Parkland Dedication

The Village has not updated its park impact fees since establishment. The Village implemented a fee in lieu of land dedication fee in the 1980's. The fee was updated in 2010.

This document serves as a summary of Baker Tilly's analysis of the Village's existing park impact fee and its fee in lieu of land dedication. It also serves to satisfy the statutory obligations as outlined in Wisconsin Statute 66.0617 and Wisconsin Statute 236.45 to update its existing fees and public facility needs assessment. The primary resources used in this development of this study include:

- > *The Village of McFarland Outdoor Recreation & Open Space Plan 2019 – 2023 (the Plan)* adopted on May 28, 2019. See the acknowledgements section of the Plan for those that were involved in its creation. The Plan is located on the Village's website.
- > *The park inventory listing as provided by the Village.* This document was compiled by the Village from the Village insurance listing, replacement values, internal capital asset listing and observation. Refer to Appendix A.
- > *The trail inventory listing as provided by the Village.* This document was compiled by the Village with assistance from the Village engineer. Refer to Appendix A.
- > The land cost is based on the village-wide average cost of unimproved land acquisition based on recent land sales.

This study should be read in conjunction with these resources. We provide no assurance on the accuracy of the resources used to develop this study.

The Village may implement or update other impact fees at a later date; however, no consideration has been given to those possibilities in this report.

Introduction

As previously stated in the Executive Summary, the Village expects to experience population growth through 2040. Planning responsibly for new growth within a community is one of many challenges facing local governments. Effective accommodation of this development requires the construction and upgrade of public facilities and infrastructure to serve new residents. As well as additional park land to accommodate growth.

It is common that during the construction and upgrade of public infrastructure, many residents and businesses that will occupy the newly developed areas of the community may not yet be present. The purchase of land and the development of land often precedes the inhabiting of the property. While this may be an obvious fact, it holds important consequence for the public financing of new development. In order to apportion the public costs of new development fairly and responsibly, some measure must be undertaken to ensure that the entire cost of accommodating new development is not born solely by the current residents of the municipality. One such measure to accomplish this goal is the use of impact fees and a fee-in-lieu of land dedication to offset the initial cost to local taxpayers of satisfying the additional demand on the public infrastructure and park land.

Section A – Impact Fee Statutory Requirements

Wisconsin's Impact Fee Statute 66.0617 prescribes the types of public infrastructure for which an impact fee may be charged, the costs that may be included in developing an impact fee, as well as the obligations on the part of the issuing municipality prior to and subsequent to the fee being charged. These obligations are detailed below.

In addition, if a municipality charges a fee in lieu of land dedication in accordance with Wisconsin State Statute 236.45(6), the municipality must follow the procedures under s. 66.0617 (3) to (5) and meet the requirements under s. 66.0617 (6) to (10). This is detailed below.

Wisconsin State Statute Section 66.0617(1) Definitions:

The following definitions as outlined in Wisconsin State Statute 66.0617(1) have been addressed in the fee computation. The requirements are as follows:

- > *Per Subsection(1)(a), "Capital costs" means the capital costs to construct, expand or improve public facilities, including the cost of land, and including legal, engineering and design costs to construct, expand or improve public facilities, except that not more than 10% of capital costs may consist of legal, engineering and design costs unless the municipality can demonstrate that its legal, engineering and design costs which relate directly to the public improvement for which the impact fees were imposed exceed 10% of capital costs. "Capital costs" does not include other noncapital costs to construct, expand or improve public facilities, vehicles; or the costs of equipment to construct, expand or improve public facilities.*

Based on the definition above, only allowable capital costs are included in the impact fee computation.

- > *Per Subsection (1)(f)(1), "Public Facilities" means...parks, playgrounds, and land for athletic fields.....".*

The projects included in the fee computation meet this definition.

- > *Per Subsection (1)(g), "Service area" means geographical area delineated by a municipality within which there are public facilities.*

The park types, acreage standards and service area radius are detailed in the Village of McFarland Outdoor Recreation & Open Space Plan 2019 – 2023. This document is located on the Village's website.

- > *Per Subsection (1)(h), "Service standard" means a certain quantity or quality of public facilities relative to a certain number of persons, parcels of land or other appropriate measure, as specified by the municipality.*

The park types, acreage standards and service area radius are detailed in the Village of McFarland's Outdoor Recreation & Open Space Plan 2019 – 2023.

The cost standard per acre is based on the replacement value of improvements provided to the Village's insurer and supported by the Village's capital asset records as well as observation. See Appendix A.

The standards and service areas used for consideration in this study are for "active-use" parks. It does not include conservancy park areas and drainageways. Although these areas may be used for recreational purposes, they are not suitable for long-term "active use" recreational facility improvements. The Village currently provides 15.2 acres of active-use acres of parkland per 1,000 residents.

Section A – Impact Fee Statutory Requirements (cont.)

Wisconsin State Statute Section 66.0617(1) Definitions (cont.):

The Village trail standard is outlined in Appendix A.

Wisconsin State Statute Section 66.0617(6) – Standards for Impact Fees:

This report adheres to what an impact fee should reflect according to Wisconsin State Statute 66.0617(6). The standard requirements are as follows:

- > *Per Section (6)(a), shall bear a rational relationship to the need for new, expanded or improved public facilities that are required to serve land development.*

The fees found herein are for public facilities and land that are required to serve future developed land and the service demands that development creates.

- > *Per Section (6)(am), may not include amounts for an increase in service capacity greater than the capacity necessary to serve the development for which the fee is imposed.*

The fees were developed to address the capacity necessary to service the development for which the fees are being imposed.

- > *Per Section (6)(b), may not exceed the proportionate share of the capital costs that are required to serve land development, as compared to existing uses of land within the municipality.*

The capital costs, which form the basis for the fees developed as a part of this study, include actual as well as estimated replacement costs for land costs, park improvements and trail improvements. These costs were based on what was known at the time the study as assembled by village staff. These standards were then used to calculate a cost to be charged.

- > *Per Section (6)(c), shall be based upon actual capital costs or reasonable estimates of capital costs for new, expanded or improved public facilities.*

The capital costs, which form the basis for the fee developed as a part of this study, include actual as well as estimated replacement costs for land costs, park improvements and trail improvements. These costs were based on what was known at the time of the study as assembled by village staff. These standards were then used to calculate a cost to be charged.

- > *Per Section (6)(d), shall be reduced to compensate for other capital costs imposed by the municipality with respect to land development to provide or pay for public facilities, including special assessments, special charges, land dedications or fees in lieu of land dedications under Chapter 236 or any other items of value.*

The other financing sources listed above were taken into consideration as a part of the fee computations. It has been determined that these financing sources have not been used to finance capital costs for park improvements. Therefore, these sources were not included in the fee calculations.

- > *Per Section (6)(e), shall be reduced to compensate for moneys received from the federal or state government specifically to provide or pay for the public facilities for which the impact fees are imposed.*

The receipt of federal and or state grants was considered in the fee development. No grant funds have been received from federal or state governments specifically for park improvements or land purchases in the last ten years. Village staff determined that state and federal grant funds cannot be relied upon to fund future park projects. Therefore, the fee has not been reduced for such funds. The village will continue to attempt to secure park grant funding. Any grant funds received in the future will be factored in future impact fee calculations.

Section A – Impact Fee Statutory Requirements (cont.)

Wisconsin State Statute Section 66.0617(6) – Standards for Impact Fees (cont.):

- > *Per Section (6)(f), may not include amounts necessary to address existing deficiencies in public facilities.*

The capital costs included in the fee computations are not related to curing existing deficiencies.

- > *Per Section (6)(fm), may not include expenses for operation or maintenance of a public facility.*

The costs included in the fee computations do not include expenses for operation or maintenance of a public facility.

- > *Section (6)(g) except as provided under this paragraph, shall be payable by the developer or the property owner to the municipality in full upon issuance of a building permit by the municipality. There are exceptions to this outlined in the statute.*

All fees will be due at the time of building permit issuance except for situations allowed for under this section of the impact fee statute.

Wisconsin State Statute Section 66.0617 (7r) – Impact Fee Reports

- > *At the time that the municipality collects an impact fee, it shall provide to the developer for which it received the fee an accounting of how the fee will be spent.*

The Village is aware of this requirement.

Wisconsin State Statute Section 66.0617 (8) – Requirements for Impact Fee Revenues

- > *Revenues from each impact fee that is imposed shall be placed in a separate segregated interest-bearing account and shall be accounted for separately from the other funds of the municipality. Impact fee revenues and interest earned on impact fee revenues may be expended only for the particular capital costs for which the impact fee was imposed, unless the fee is refunded under sub. (9).*

The Village accounts for its impact fees in a separate general ledger account. Interest income is allocated to this account on a monthly basis.

Wisconsin State Statute Section 66.0617 (9) – Refund of Impact Fees

- > *Except as provided in this subsection, impact fees that are not used within 8 years after they are collected to pay capital costs for which they were imposed shall be refunded to the payer of fees for the property with respect to which the impact fees were imposed, along with any interest that has accumulated, as described in sub. (8). Impact fees that are collected for capital costs related to lift stations or collecting and treating sewage that are not used within 10 years after they are collected to pay the capital costs for which they were imposed, shall be refunded to the payer of the fees for the property with respect to which the impact fees were imposed, along with any interest that has accumulated, as described in sub.(8). The 10-year time limit for using impact fees that is specified under this subsection may be extended for 3 years if the municipality adopts a resolution stating that, due to extenuating circumstances or hardship in meeting the 10 year limit, it needs an additional 3 years to use the impact fees that were collected.*

Section A – Impact Fee Statutory Requirements (cont.)

Wisconsin State Statute Section 66.0617 (9) – Refund of Impact Fees (cont.)

The resolution shall include detailed written findings that specify the extenuating circumstances or hardship that led to the need to adopt a resolution under this sub-section. For purposes of the time limits in this subsection, an impact fee is paid on the date the developer obtains a bond or irrevocable letter of credit in the amount of the unpaid fees executed in the name of the municipality under sub. (6) (g).

According to Village management, the Village has spent down its impact fee collections in accordance with state statute guidance and no refunds have been made to date.

NOTE: The impact fee requirements outlined in this section are subject to change by the legislature at any time. Refer to the state statute for the impact fee statutory requirements.

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Section B – Compliance with Wisconsin Impact Fee Requirements

Impact Fee Process

See Wisconsin State Statute 66.0617 for the detailed process. In addition, if a municipality charges a fee in lieu of land dedication in accordance with Wisconsin State Statute 236.45(6), the municipality must follow the procedures under s. 66.0617 (3) to (5) and meet the requirements under s. 66.0617 (6) to (10).

The process followed and information utilized in the development of the impact fees / fee in lieu of land dedication is summarized below:

- Requires a Public Hearing:
 - Class 1 notice under Chapter 985
 - Provide copy of proposed ordinances
 - Provide public facilities needs assessment
- Based on a Public Facilities Needs Assessment (for facilities included in the impact fee calculation):
 - Inventory of existing facilities, including deficiencies
 - Identification of new public facilities
 - Estimated (or actual) capital cost of new public facilities
 - Effect of recovering capital costs on affordable housing
 - Available for public inspection and copying in the office of the clerk at least 20 days before hearing
- Follow Impact Fee Standards:
 - Rational relationship to the need for new facilities
 - Proportionality
 - Actual costs or reasonable estimates
 - Net of other charges
 - Net of grants
 - Must exclude improvements to address deficiencies
 - May not include expenses for operation or maintenance of a public facility
 - Payable by the developer or property owner to the village in full upon the issuance of a building permit by the Village
- Establish Accounting Requirements:
 - Use of funds restricted
 - Subject to refund
- Specify Appeal Procedure

Section B – Compliance with Wisconsin Impact Fee Requirements (cont.)

Imposition of the Park Impact Fee / Fee-in-lieu of Land Dedication

The park impact fee and fee-in-lieu of land dedication will be due at the time of building permit issuance except for situations allowed for under this section of the impact fee statute.

Wisconsin State Statute Section 66.0617(7) - Low Cost Housing

In general, the level of the fees in relation to average housing cost should not impede the affordability of low-cost housing. For example, including the proposed single family park impact fee and fee in lieu of land dedication of \$5,935, in a typical 30 year mortgage at 4% interest would equate to an additional monthly payment of \$28. According to AreaVibes Inc., the median home price in McFarland is \$243,000. Assuming a down payment of 20%, the average monthly mortgage payment would be \$928. The impact fee would be 3% of this monthly payment. In addition, if the owner of a multifamily dwelling were to include the proposed multi-family fees of \$4,122 in a mortgage with the same terms, the additional monthly payment would be \$19.

The impact fee statute allows for an exemption from or reduced fees on new development that is approved for affordable housing. If a portion of the project has been approved for affordable housing, then the fee may be adjusted accordingly at the discretion of the Village Board upon recommendation of the Planning Commission.

Information from the 2012-2016 US Census showed that the Village of McFarland's median household income was \$78,009 (2016 dollars). Dane County's median household income was \$64,773 (2016 dollars). Wisconsin's household income was \$53,357 (2015 dollars).

Updates to the Report

The park impact fees should be evaluated for adjustment on a periodic basis based on a Construction Cost Index. The fee-in-lieu of land dedication should also be evaluated for adjustment on a periodic basis to account for increases / decreases in land costs. This will allow for changes in growth, project costs, estimates or other projects to be incorporated into the fees. See assumptions for recommendations.

Section C – Impact Fee for Park Facility Improvements

Assumptions

- > The existing park impact fees were based on *Village of McFarland Ordinance 2004-07, Public Facilities Needs Assessment for Park Improvements (Virchow, Krause & Company, LLP, 2003 / revised 2004)*, and the *Village of McFarland Outdoor Recreation Plan approved May 29, 2001*. These fees have not been updated by the Village since they were put in place.
- > The fee in lieu of parkland dedication was updated in 2010 per village Ordinance 2010-01.
- > The Village's current Outdoor Recreation & Open Space Plan 2019 – 2023 (Plan) was used as the basis for this study. This Plan was approved on May 28, 2019. As noted in the Plan, "Recreation planning has become an essential element of long-range community planning." The plan also supports the guidelines established in the Village of McFarland 2017 Comprehensive Plan which can be found on the Village website.
https://www.mcfarland.wi.us/index.asp?SEC=0E83C2A4-E3E3-452E-B443-D0155A06F2DE&DE=300AF5FC-C27A-4DBB-A7D1-48B424F3368B&Type=B_BASIC
- > According to the US Census, 2011-2015, the most recent population estimate for the Village is 8,168 as of July 1, 2016, which is an increase of approximately 1,700 since 2000 (6,400 population) or a 26% increase. According to the US Census 2011-2015 survey results, it is expected that the Village's population will grow to 9,895 by the year 2040 or an increase of approximately 1,700 or 21%. The current 2019 population is 8,700.
- > According to the United States Census Bureau (2010 results – latest known), the Village has a total land area in square miles of 3.55 which equates to a population density of 2,300 inhabitants per square mile when using the 2011-2015 ACS estimates and 2,450 inhabitants per square mile when using the 2019 population.
- > According to the Village's parkland inventory records, the Village has approximately 132.5 improved acres of active parkland for existing residents.
- > According to the Village, the Village has park improvements in the amount of \$5,761,746. This includes all Village parks that only have Village improvements i.e. no developer added improvements. The estimated improvement cost per acre is \$47,035 (see Appendix A, Table I.)
- > According to the Village, the Village has also used its resources to finance trails in the amount of \$2,780,000. The estimated cost per foot of trail is \$55 (see Appendix A, Table III.)
- > The land costs to calculate the fee-in-lieu of land dedication is based on the village-wide average cost of land acquisition. The cost per acre is \$81,000 (see Appendix A, Table IV.)
- > Park development fees will not be assessed to nonresidential land uses as park usage is primarily residential in this community.
- > The Park & Open Space standards can be found in the Outdoor Recreation & Open Space Plan 2019 – 2024.

Section C – Impact Fee for Park Facility Improvements (cont.)

Assumptions (cont.)

- > For purposes of this analysis, it is assumed that there will be an average of 2.62 persons per household for single-family housing units and 1.82 persons per household for duplex and multifamily housing units. See Section C (pages 11 – 13) for the computation and source information.
- > For purposes of this report, “Group Quarters Dwelling Unit” is defined as follows: a dwelling unit where individuals live or stay that is owned or managed by an entity or organization providing housing and / or services for the residents. The services may include, but are not limited to, custodial or medical care and other types of assistance (for example a skilled-nursing facility). Residency is restricted to the individuals receiving the services, and the individuals typically do not participate in the labor force while a resident. Typically, a Group Quarters Dwelling Unit has one resident per unit.
- > It is assumed that Village of McFarland parks, particularly the athletic facilities, will be used by other nearby communities. However, it is further assumed that such use will be reciprocal in that McFarland residents will use facilities in other jurisdictions in roughly equal measure. Nonresident use is not considered to have a measurable influence on the level of improvement or the allocation of capital improvement costs as the Village does not include non-residents in its park standard.
- > The village has one impact fee zone which is comprised of the entire Village of McFarland.
The standards and service areas used for consideration in this study are for “active-use” parks. It does not include conservancy park areas and drainage-ways. Although these areas may be used for recreational purposes, they are not suitable for long-term “active use” recreational facility improvements. The Village currently provides 15.2 acres of active-use acres of parkland per 1,000 residents.

Recommendation

The Village should consider whether its existing park impact fee and fee in lieu of land dedication fee should be updated with the fees identified and explained on the following pages. The recommended single family and multi-family fees represent an increase from the existing fee. The Group Quarters dwelling unit type has been broken out from the multi-family dwelling unit type.

Fee Summary

Dwelling Unit Type	Park Facilities Improvement	Trail	Fee in Lieu of Land Dedication	Total
Single Family	\$ 1,873	\$ 837	\$ 3,225	\$ 5,935
Multi Family	1,301	581	2,240	4,122
Group Quarters	714	319	1,231	2,264

Section C - Impact Fee for Park Facility Improvements (cont.)

Park Facilities Improvement Impact Fee Calculation

Dwelling Unit Type	1 (A) Persons per Household	2 Cost per Person	3 (1*2) Fee
Single Family	2.62	\$ 714.93	\$ 1,873.12
Multi Family	1.82	\$ 714.93	\$ 1,301.18
Group Quarters	1.00	\$ 714.93	\$ 714.93

Standards:

Cost standard per acre \$ 47,035 B

Parkland acres per 1,000 residents 15.2 C

Cost per Person:

Cost standard per acre	\$ 47,035	B
Multiplied by: acres per person	0.0152000	per above
Cost per person	\$ 714.93	

A) Source: U.S. Census Bureau, 2013-2017 American Community Survey 5-Year Estimates.

B) Per the Village of McFarland - Appendix A. Table I.

C) Per the Village of McFarland

Section C - Impact Fee for Park Facility Improvements (cont.)

Trail Impact Fee Calculation

Dwelling Unit Type	1 (A) Persons per Household	2 Cost per Person	3 (1*2) Fee
Single Family	2.62	\$ 319.54	\$ 837.21
Multi Family	1.82	\$ 319.54	\$ 581.57
Group Quarters	1.00	\$ 319.54	\$ 319.54

Standards:

Cost standard per foot \$ 55 B

Current Statistics:

Estimated 2019 Village population 8,700 C

Footage per person

Total footage 50,591 D

Divided by: current residents 8,700 C

Foot per person 5.8150575

Cost per Person:

Cost standard per foot \$ 55 B

Multiplied by: footage per person 5.8150575 per above

Cost per person \$ 319.54

A) Source: U.S. Census Bureau, 2013-2017 American Community Survey 5-Year Estimates.

B) Per the Village of McFarland - Appendix A. Table III.

C) Source: U.S. Census, Wisconsin Department of Administration 2019 population estimate

D) Per the Village engineer

Section C - Impact Fee for Park Facility Improvements (cont.)

Fee in lieu of land dedication

Dwelling Unit Type	1 (A) Persons per Household	2 Cost per Person	3 (1*2) Fee
Single Family	2.62	\$ 1,231.20	\$ 3,225.75
Multi Family	1.82	\$ 1,231.20	\$ 2,240.79
Group Quarters	1.00	\$ 1,231.20	\$ 1,231.20

Standards:

Cost standard per acre \$ 81,000 B

Parkland acres per 1,000 residents 15.2 C

Cost per Person:

Cost standard per acre	\$ 81,000	B
Multiplied by: acres per person	0.0152000	per above
Cost per person	\$ 1,231.20	

A) Source: U.S. Census Bureau, 2013-2017 American Community Survey 5-Year Estimates.

B) Per the Village of McFarland - Appendix A. Table IV.

C) Per the Village of McFarland

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APPENDIX A

Appendix A**Table I. Inventory of Park Capital Improvements**

Neighborhood Parks	Acres	2019	
		Replacement Value of Village Improvements	
Cedar Ridge Park	3.90	\$	68,835
Woodland Estates Park	2.40		114,297
Highland Oaks Park	2.20		177,620
Jaegar Park	2.00		46,049
Autumn Grove Park	1.50		108,890
Egner Park	2.30		72,525
Orchard Hill Park	58.30		142,388
Arnold Larson Park	1.40		144,232
Subtotal	74.00		874,836
Mini Parks			
Valley Totlot	1.00		26,190
Discovery Garden Park	0.20		179,135
Ridgeview Totlot	0.40		15,894
Subtotal	1.60		221,219
Community Parks			
Brandt Park	4.90		1,771,880
Lewis Park/Legion Memorial	13.00		1,203,322
McDaniel Park	8.70		570,569
William McFarland Park	20.30		1,119,920
Subtotal	46.90		4,665,691
Park improvement subtotal	122.50		5,761,746
AVERAGE COST PER ACRE TO IMPROVE		\$	47,035

Source: Village of McFarland

Appendix A
Table II. Park Inventory

Park	Park Type	Acres	Total Replacement Costs	Less Developer Funded	Net	10% Engineering Planning	Total	Improvement Cost Per Acre
Included in Park Improvement Calculation								
Brandt Park	Community	4.90	\$ 1,610,800	\$ -	\$ 1,610,800	\$ 161,080	\$ 1,771,880	\$ 361,608
Lewis Park/Legion Memorial	Community	13.00	1,093,929	-	1,093,929	109,393	1,203,322	92,563
McDaniel Park	Community	8.70	518,699	-	518,699	51,870	570,569	65,583
William McFarland Park	Community	20.30	1,018,109	-	1,018,109	101,811	1,119,920	55,168
Subtotal		46.90	4,241,537	-	4,241,537	424,154	4,665,691	
Cedar Ridge Park	Neighborhood	3.90	62,577	-	62,577	6,258	68,835	17,650
Woodland Estates Park	Neighborhood	2.40	103,906	-	103,906	10,391	114,297	47,624
Highland Oaks Park	Neighborhood	2.20	161,473	-	161,473	16,147	177,620	80,736
Jaegar Park	Neighborhood	2.00	41,863	-	41,863	4,186	46,049	23,025
Autumn Grove Park	Neighborhood	1.50	98,991	-	98,991	9,899	108,890	72,593
Egner Park	Neighborhood	2.30	65,932	-	65,932	6,593	72,525	31,533
Orchard Hill Park	Neighborhood	58.30	129,444	-	129,444	12,944	142,388	2,442
Arnold Larson Park	Neighborhood	1.40	131,120	-	131,120	13,112	144,232	103,023
Subtotal		74.00	795,306	-	795,306	79,530	874,836	
Valley Totlot	Mini Park	1.00	23,809	-	23,809	2,381	26,190	26,190
Discovery Garden Park	Mini Park	0.20	162,850	-	162,850	16,285	179,135	895,675
Ridgeview Totlot	Mini Park	0.40	14,449	-	14,449	1,445	15,894	39,735
Subtotal		1.60	201,108	-	201,108	20,111	221,219	
Total Park Improvements		122.50	\$ 5,237,951	\$ -	\$ 5,237,951	\$ 523,795	\$ 5,761,746	\$ 47,035

Note 1: Table II. includes all Village parks that have been improved by the Village.

Note 2: The following parks are unimproved and were not included in the park improvement computation:

	Acres
Woodland Commons	5.00
Siggelkow Road Park	5.50
Juniper Ridge	1.50
Total unimproved parks	12.00

Note 3: Total active use acres per the Village Outdoor Recreation Plan equals 132.5. The total park improvement acreage above (122.50) in addition to unimproved parks (12.0) equals 134.5. This is a difference of 2.0 acres which is not considered significant for purposes of this report.

Table III. Trail Inventory

Total feet of Village Trails	50,591
Total miles of Village Trails	9.58
Replacement Value	\$ 2,780,000
Replacement cost per foot	\$ 55

Table IV. Fee in lieu of land dedication

Cost per acre	\$ 81,000
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2019 Zoning Fee Comparison													
	Preliminary Plat & reapplication		Final plat	CSM	Condomi nium	CUP	Developer Agreement	Site design	Zoning Change (Text or Map)	Annexation	Variance	Comp. Plan Updates	Miscellaneous
McFarland	500 + 50/lot - 500 reapp.		500 + 50/lot - 400 reapp.	300 + 25/lot	300	275	400	400	175-250		250	500	
Fitchburg	575 + 180/parcel		575+120/ parcel (1)	590 + 160/parcel		480			620		585	465	Comp Plan 315 + 95/parcel
Deforest (2)	425 + 2.50/lot		350	300 (up to 4 lots)		350	475	300	420	350	350		
Monona (4)	200 + 40/lot		200 + 25/lot	200 + 25/lot	(5)	(5)	(5)	(5)	(5)	(5)	250	(5)	
Middleton	400 + 50/acre		400 + 50/lot	200 +25/lot	250-500	300	\$5,000 deposit to cover costs	200 (3)	400 (single lot) 1,000<50 acres- 2,000 >50 acres	Looking at adding	300	Staff cost	Escrow deposit required on all
Stoughton	420 + 40/lot + costs		250 + 40/lot + costs	160+ 40/lot + costs		410 + 40 & recording fee		305	410		410		75 fee - residential - 100 fee commercial review required on any shed, additions, decks, etc.
Cottage Grove	350 + 50/parcel		350 + 30/parcel	100 + 25/parcel		350		275 initial 200 for amendment	350		350		Escrow deposit required on all
Waunakee	100 + 50/ per unit		100 + 50/unit	100 + 25/lot		350	5000 - 10,000 Deposit to cover all review costs	320	345		475		Escrow deposit required on all
Sun Prairie	500 + 30/lot - 100/amended or revised		500 + 20/lot - 100/amended or revised final plat	250 + 100/ 4 or less		400	500	150	400+	250	400	400	
Verona	300 + 50/lot		300 + 25/lot	150 + 100/lot		300	Developer pays all staff, atty., etc. costs	300	300	300 + taxes	300		Administration fees, City staff time (Engineer and Attorney) are charged back to the applicant
Average Excluding McFarland (rounded)	365		340	230	NA	370	NA	265	405	300	380	435	

(1) Subdivider to pay all engineering, inspection, consulting & legal fees. Escrow deposit required

(2) Charge for administration, financial and consultant time

(3) Charges separate fee for reviewing lighting plans

(4) Everything in commercial district goes to Plan Commission, everything is conditional review, no permitted uses

(5) Under current review for changes

All averages are fee only, not additional costs as indicated per project

Some communities charge for telecommunication permits ranging up to \$465

Many communities charge for zoning verification letters range of \$35 - \$50

Some communities charge a fee for a concept plan review, prior to any formal application

Memorandum

TO: Plan Commission Members
 FROM: John Griffith, Code Enforcement Officer
 DATE: November 12, 2019
 RE: October Property Maintenance Report

<u>ADDRESS-OWNER OR TENANT OCCUPIED (SEPTEMBER AND PRIOR LETTERS/CONTACT)</u>	<u>VIOLATION & DATE LETTER DELIVERED/SENT:</u>	<u>STATUS /DATE</u>	<u>DATE RESOLVED OR NEXT STEP</u>
5409 Valley Drive (Halsey)	Vision/safety triangle -9/30/19	Cut down by owner	10/4/19 - resolved
5812 Smith Ridge Road (Strassburg)	Junk on lawn	Cleaned up by owner	9/20/19
5905 Smith Ridge Road (Hemp) rental	Junk/brush/trailer on lawn (9/9/19)	Second notice to correct sent 10/13/19	Not corrected 11/1/19
5608 Glenway St. (Evans)	Grass/weeds over 8" - 5-day notice posted on 7/22/19. Ticketed, court date 8/13/19.	Failure to appear in court, 60 days to pay citation. Due date 10/8/19	Paid fine and remains in compliance
6115 Merrill Street (Herritz)	Improper firewood storage	Corrected by owner	9/30/19
5915 Exchange St. (Byrne)	Tuck pointing	Letter sent to owner- 10-22-18 No response from owner	No further action has been taken
5406 Valley Road (Johnson)	Improper firewood/tree removal storage	Corrected by owner	9/16/19
6208 Johnson Street (Torbleau)	Grass/weeds over 8" - 5-day notice mailed on 7/29/19 –	Resident called to explain he will	8/4/19 – in compliance

	returned non-deliverable. Notice posted.	comply – property being checked for compliance	
Exchange & Renee	Sightline/corner safety in right of way – referred to Public Works	Public Works & owners to remove bushes	10/30/19 in compliance
5916 Prairie Wood (Smerlinski)	Improper pool discharge	Matter referred to Village Attorney	
5605 Black Walnut Court	Low hanging tree – referred to Public Work's	Trimmed by owner	No action needed
5300 Marshwoods Road (Krenz)	Improper firewood storage	Owner given 60 days to move	Follow up 11/21/19
5905 Smith Ridge Road (Hemp)- rental	Expired plates on vehicles stored on site (9/30/19)	Second letter to owner sent 10/30/19	
5406 Norma Road (WABJW Trust)	Backyard storage of items	Removed by owner	In compliance
5410 Valley Drive (Riddle- Reeder)	Vision/safety triangle	Corrected by owner	In compliance
6305 Lani Lane (Dybus)	Grass/weeds over 8" - 5 day notice posted on 7/8/19	Property owner ticked - mowed by Public Works prior to court date	Fines paid
5106 Black Walnut (Hammerling)	Improper storage of firewood on property –30 day notice mailed 5-6-19	Citation issued on 6- 6-19. Court date 7-9- 19. Judge gave 60 days to comply. Being checked	In compliance
5806 Milwaukee Street (Torbleau)	Junk/debris on property – downed tree/firewood front area	Junk removed by owner, firewood not removed	Second letter about firewood storage sent 10/21/19
6403 Crestwood Circle(Dodge)	Unlicensed/inoperable vehicles on property (letter sent 9/23/19)	Letter sent 10/22/19	Possible citation to be issued 11/22/19

[illegible]

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Memorandum

To: Plan Commission

From: Andrew Bremer, AICP
 Village Community & Economic Development Director

Date: November 12, 2019

Re: **October 2019 Community Development Department Highlights**

YTD Building Permits

Community Development Department, Number of Permits Issued					
	2018	5-Year	4-Year	3-Year	2019
Building Permits (new construction)	Actual	Average	Average	Average	YTD*
SF	71	40	48	58	50
MF	3	1.4	2	2	2
Com	4	3.2	3	4	1
Total	78	45	53	64	53

* As of 10/31, 83% through calendar year

58 total building permits issued in October, including nine new home permits and one multi-family permit (Ezra Properties on Terminal Drive – 27 units).

YTD Department Revenues

Community Development Department, Annual Revenues									
		2018	5-Year	4-Year	3-Year	2019	2019	YTD % of	2019
Account		Actual	Average	Average	Average	Budget	YTD*	Budget	Projected
44300-101	Building Permit	\$ 124,577	\$ 67,242	\$ 76,569	\$ 90,333	\$ 95,000	\$ 89,494	94%	\$ 104,410
44300-102	HVAC Permit	\$ 49,645	\$ 26,536	\$ 31,113	\$ 37,782	\$ 45,000	\$ 24,226	54%	\$ 28,264
44300-103	Plumbing Permit	\$ 49,824	\$ 27,647	\$ 32,433	\$ 38,644	\$ 45,000	\$ 27,559	61%	\$ 32,152
44300-104	Electrical Permit	\$ 62,698	\$ 35,377	\$ 39,773	\$ 47,330	\$ 50,000	\$ 33,772	68%	\$ 39,400
44300-105	Sprinkler Fee	\$ 4,095	\$ 2,171	\$ 2,563	\$ 3,390	\$ 2,000	\$ 2,737	137%	\$ 3,193
44300-106	Fire Alarm Inspection Fee	\$ 6,430	\$ 1,608	\$ 1,983	\$ 2,643	\$ 2,000	\$ 4,515	226%	\$ 5,268
44300-108	CD Occupancy Inspection Fee	\$ 10,150	\$ 6,520	\$ 7,725	\$ 9,517	\$ 10,000	\$ 6,665	67%	\$ 7,776
44900-000	Misc. CD Permit Fees	\$ 190,471	\$ 103,611	\$ 127,625	\$ 154,994	\$ 60,000	\$ 80,964	135%	\$ 94,458
46800-000	Community Development Fees	\$ 8,871	\$ 9,001	\$ 9,747	\$ 9,861	\$ 10,000	\$ 8,822	88%	\$ 10,293
47210-000	City - Building Inspection	\$ 6,880	\$ 29,762	\$ 28,043	\$ 25,942	\$ -	\$ -	0%	\$ -
	Total Revenue	\$ 513,641	\$ 309,475	\$ 357,574	\$ 420,437	\$ 319,000	\$ 278,754	87%	\$ 325,213
	Percent Change	7.3%	x	x	x				

* As of 10/31, 83% through calendar year

Summary of Department Activities:

- Village Board action on October Plan Commission recommendations:
 - Elvehjem Acres LLC annexation petition approved.
 - Seth Allen 5513 Bremer Road rezone for memory care facility approved.
- Status update of larger development projects previously approved:
 - Building construction for Phase 1 of Ezra project on Terminal Drive is underway.
 - Development Agreement with Lakestone Properties for Phase 1 – Mixed Use development at 4719 Farwell has been signed. Anticipate closing on the property at the end of November. An early start permit for footings and foundation work has been issued.
 - Circuit Court approved order vacating Outlot 9 in Park View Estates. CSM signed by landowner and Village.
 - Juniper Ridge. Street trees planted in Phases 3 and 4. All improvements to Phase 8 completed through binder course of asphalt.
- Community Development Authority activities:
 - Continued work with the CDA regarding advancing potential land acquisitions in TID #3, #4, and #5. Meetings with various property owners concerning future development projects.
- Meetings & Conferences:
 - Various meetings with applicants appearing on the November Plan Commission agenda.
 - Village Strategic Planning Workshop.
 - Meetings with landowners within the Village's planned East Side Growth Area concerning future requests for annexation and Urban Service Area Amendments.
 - Attended the Upper Midwest Planning Conference in Eau Claire. Conference focus: Equitable & Healthy Communities, Small Town & Rural Issues, Housing for All, Transportation.
 - Attended the Dane County Housing Summit. Conference focus: Affordable Housing.
 - Attended two Dane County Sustainability Leaders Collaborative Working Group Meetings. Meeting topics: Energy Efficiency for Facilities and Green Infrastructure/Stormwater.
 - Meeting with representatives of the Historical Society regarding improvements to future communication regarding development projects with the Historical Society Board.
 - Meetings with various property owners regarding property maintenance/zoning compliance issues.
- Department Projects/Initiatives:
 - Continued work on an updated Village Sign Code.
 - Working with other Village Staff to complete a report regarding potential changes to the Villages park impact fees and fees in lieu of land dedication.
 - Research regarding updates to Village permit fees.
 - Finalizing 2020 Department Budget.
 - Completion of Census 2020 New Construction address form.

Look ahead to potential December Agenda Items:

- Discussion of proposed amendments to the Sign Code.