

Minutes
Plan Commission
Meeting

November 18, 2019

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

Members Absent: Eric Green

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 October 21, 2019 Plan Commission meeting.

Czebotar called the minutes from the October 21, 2019 meeting approved by unanimous consent.

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.

Czebotar opened the public hearing at 7:01 p.m.

Kathleen Smith – 5624 Lake Edge Road – Owners of 4514 Wisconsin Avenue and 5214 Glen Road. The proposed CSM will make these into two lots, which are more conforming, along with giving some land to 5209 Card Avenue. The prior owner's intentions were to gift that land to them, as their fence is on part of the other property. The two homes share a water line; they are working to insure that 4514 Wisconsin Avenue will have its own water meter.

Bremer reviewed the proposal and advised this will help clear up a couple of zoning issues. Bremer did request the location of mature trees be pointed out on the CSM to avoid any future disputes, this is now shown on the updated CSM.

Czebotar closed the public hearing at 7:08 p.m.

- 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).

Czebotar opened the public hearing at 7:08 p.m.

Mark Hammond MSP Real Estate, Inc. – 7901 W. National Avenue, West Allis, WI Summarized they were previously before the Plan Commission for an informative session. Rezoning would allow this project to proceed. Workforce housing in this area would be a good fit and complementary to the day care, which they share a lot line.

Czebotar closed the public hearing at 7:10 p.m.

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.

Bremer advised he would condition the approval on having private water and sewer laterals for 5214 Glen Road and 4514 Wisconsin Avenue, with it taking place before the CSM is recorded.

Czebotar moved to approve a Certified Survey Map (CSM) by Kathleen and Scott Smith for 5214 Glen Road, 4514 Wisconsin Avenue, and 5209 Card Avenue, McFarland, WI conditioned upon approval and recording of the CSM on the installation of separate water and sewer laterals for 5214 Glen Road per the Director of Public Works in McFarland. Peters seconded the motion. Motion carried 6-0.

- 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).

Bremer advised there have been a number of changes from the initial concept discussed in October, the number of one bedrooms is reduced from 27 to 23, MSP increased the two bedroom units from 16 – 18, with an overall decrease of total units from 53 to 51. The building has been shifted to the north 6' to deepen the Larson Beach Road setback. The first four units have private walkways, there is a site for a potential resident garden, the number of parking stalls has been reduced

from 90 to 84; the underground from 54 to 53 stalls and surface stalls from 36 to 31. They do show where eight additional off street surface stalls possibly could be added. The floor area ratio has changed from .96 to .95. The location of the trash containers has been located along with the vision triangles.

The applicant is only seeking PUD - General Implementation Plan approval at this time; the PUD Detailed Implementation Plan submittal and approval will likely come along in the spring. Bremer reviewed his staff report detailing how the submittal addresses the zoning code standards for PUD Infill development. The Village Engineer has done an initial review, and he has not raised any concerns at this time, there will be more specifics when the detailed plan is submitted. The general plan is establishing the basic use of the property, 3-story 51-unit multi-family, providing the setback dimensions of the building. The details for the architecture, lighting, landscaping, and screening are part of the Detailed Plan review along with the stormwater control plan. There could be slight adjustments to the floor area ratio as the detailed plans are put together.

Czebotar inquired if the change in the number of units changed the size of the building. Was this their intent or were there other reasons. Hammond responded after the first meeting they discussed their options, and how they could make this project meet the needs.

Commissioners discussed the access onto Taylor Road, the potential traffic flow for the development and the need for the Plan Commission to approve this based on the current recorded CSM. The current day care is working with the developers as to how they will be handling the shared parking on the property; they do have an agreement in place. Kolk suggested looking at traffic being one way off Larson Beach Road, up to the underground parking, but two way after that point to allow access to the parking ramp, to keep a safer traffic flow. Hammond indicated they will work with the day care to consider this option when they complete the detailed plan. Hammond and Commissioners discussed FAR, and apartment project comparable, along with impervious area ratio and density.

Bremer advised he had two conditions to approval if Commissioners were moving in that direction; one – approval of the access road on Taylor Road as depicted on the General Implementation Plan, the second is to revise the site plan to include the setback building distance from the property line along Taylor Road. The distance from the edge of building to property line, is what he would be requesting. If Commissioners had any other concerns or recommendations, such as additional parking it should be addressed at this time.

Czebotar moved to recommend approval to the Village Board regarding Ordinance 2019-21, a 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) conditioned upon

approval of a one access driveway onto Taylor Road as depicted on the General Implantation Plan and a revised site plan to include the building setback distance from the property line along Taylor Road. Kolk seconded the motion. Motion carried 6-0.

- 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.

Bremer summarized this is a nine parcel petition for direct annexation by unanimous approval; this is south of Siggelkow Road and east of AB. It includes the parcel acquired by the Village earlier this year for a new eastside park. Bremer reviewed the parcels and their current zoning, some parcels are deed restricted by Dane County, and the Dane County zoning would remain until zoned into Village of McFarland zoning. All annexation approvals are reviewed by the Department of Administration. An opinion letter from them included in packets stated the annexation is in the public interest.

Czebotar moved to recommend approval 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. Fischer seconded the motion. Motion carried 6-0.

- 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.

Bremer reviewed the process and past changes to fees in the Village, along with the current park impact fees, which have not been adjusted since 2004. The draft report includes some significant increases, as there is not only inflation but also the increased costs of providing quality play equipment, and greater varieties than in the past. They are also looking at separating out a fee to be charged for group quarters, i.e. an assisted living facility, and, they are considering the ability to, at the Village Boards desecration, based on Planning Commission recommendation, reduce or waive the park impact fee for affordable housing projects as in incentive for that type of development. Bremer stated the park impact fee is unique to each community based on the level of service and what they want to provide, along with the quality of park equipment. Bremer noted that McFarland's current park impact fees are below average compared to peer communities in the County and many communities have not raised their fees in a while. The fee in lieu of land dedication is also being looked at by staff, and the Parks, Recreation, and Natural Resources Committee for changes. This fee has not been changed since 2010. Commissioners discussed various ways of monitoring and increasing fees in a community, along

with the Village being underfunded and having to borrow for park projects. Bremer is not looking for a firm recommendation at this time; this was for an update and feedback.

Pauline Boness – 5711 Maple Court – some of the fees were possibly updated 2 years ago, the park impact fees have not been changed recently, as to do so you need to go through the needs assessment process to change them, there may be an option of putting in the ordinance, that you can use the CPI annually to change them, but you would have to check with an attorney. Previously, there was not funds put in the budget to hire the accountant to do the Public Facilities Needs Assessment - as the Village is doing now. Bremer confirmed the attorney is currently working on putting the clause that Boness suggested, into the ordinance. Commissioners discussed different types of requests, staff time dedicated to the various types, the possibility of tiered categories, current and possible changes in the fees.

Bremer reviewed packet materials of the comparison of peer community's fee's for planning and zoning permits and related costs. Bremer suggested increases for zoning, CUP and variance applications as the Villages costs for these permits are below the peer community average. Kolk pointed out some fees can be amended annually, we do not need to have our fees out of range, but do need to cover costs, which will likely go up in the future. Commissioners concurred they are comfortable with using the peer average, as long as this is something we review annually.

Bremer discussed recouping expenses for deck permits, the current building permit form does not include the square footage, and there are visits and time incurred when decks are built but we are not recouping those costs. The suggestion was .15¢ per sq.ft. with a minimum of \$125.00 or, treat it as we do fences and have a flat fee. Commissioners discussed permitting based on square footage versus the actual cost of the deck, along with the staff time of meeting with people potentially installing a deck, plan review and site inspections.

Czebotar moved to recommend to the Village Board the fee's for Conditional Use Permit to be \$370.00; Zoning, for both text and map amendments to be \$405.00; the Board of Zoning Appeals to be \$380.00. Kolk seconded the motion. Motion carried 6-0.

Czebotar moved to adjust the permit fee schedule for decks to .15 ¢/ sq. ft. with a minimum of \$125.00. Peters seconded the motion. Kolk stated he would be more comfortable with a flat fee; people will tend to lessen the value when applying to keep their cost down. We need to cover our costs, which at a minimum are \$140.00. Czebotar indicated he would take an amendment to his motion. Kolk requested the motion be amended to read, "permit to be \$150.00" and not have a reference to square footage. Fischer seconded the amendment. Czebotar stated the amended

motion has been accepted. Czebotar called for the vote on the motion of a flat fee of \$150.00 for a deck permit. Motion carried 6-0.

6. STAFF REPORTS

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

7. SCHEDULE NEXT MEETING DATE

- a. Next meeting December 16, 2019

Czebotar indicated the agenda at this time appears to be light, if it remains that way, there may not be a meeting in December.

8. ADJOURNMENT

Motion to adjourn by Kolk, seconded by Rogers. Meeting adjourned at 8:44 p.m.