

**Community Development
Authority**

Wednesday, May 6, 2020

7:00 PM

**McFarland Municipal Center
Community Room**

AGENDA

You are invited to this meeting through a Zoom webinar. The Public is strongly encouraged to watch and participate in these meetings remotely through either the webinar or telephone options listed below.

PLEASE CLICK THE LINK BELOW TO JOIN THE ZOOM WEBINAR:

<https://us02web.zoom.us/j/81330465051>

Or by Telephone:

+1 (301) 715-8592 or +1 (312) 626-6799 or +1 (929) 205-6099 or +1 (253) 215-8782 or +1 (346) 248-7799
or +1 (669) 900-6833

Webinar ID: 813 3046 5051

1. CALL TO ORDER
2. INTRODUCTION OF COMMUNITY DEVELOPMENT AUTHORITY MEMBERS
3. PUBLIC APPEARANCES.
 - a. This is an opportunity for members of the public to address the Community Development Authority (CDA). Please remember this is a virtual meeting conducted through the Zoom online meeting platform. Zoom meeting attendees wishing to address the CDA may do so using the Question and Answer feature within the Zoom online meeting platform. You may state your name, address, and provide your comments for their consideration. Members of the public who are present in person and wish to address the CDA should fill out a public comment form and turn into the meeting chairperson. Members of the public may speak during public appearances or during their selected agenda item as they designate on the public comment form. Please adhere to the 3-minute time limit. Additionally, you may send your public comments to cassandra.suettinger@mcfarland.wi.us to be included as part of the meeting.
4. APPROVAL OF MINUTES.
 - a. Review and possible approval of the January 7, 2020 Community Development Authority minutes.
 - b. Review and possible approval of the April 8, 2020 joint Community Development Authority and Plan Commission minutes.
5. BUSINESS.

- a. Presentation by Ryan Quam - Ezra Properties LLC, on a request to amend the Development Agreement for 4703 Terminal Drive.
6. CLOSED SESSION.
 - a. Discussion and action in order to convene in Closed Session in accordance with Wis. Stats. 19.85(1)(e) to deliberate or negotiate the investment of public funds or other specified public business whenever competitive or bargaining reasons require a closed session, specifically related to the acquisition of property at the following locations:
 - 1) 4703 Terminal Drive (Tax Increment District #3)
 - 2) 4313 Triangle Street (Tax Increment District #3).
 - 3) 5407 Bashford Street (Tax Increment District #4).
 - b. Discussion and action to reconvene into Open Session.
7. OPEN SESSION
 - a. Discussion and action to make a recommendation to the Village Board on a request by Ryan Quam, Ezra Properties LLC to amend the Development Agreement for 4703 Terminal Drive.
 - b. Discussion and action to make a recommendation to the Village Board regarding the acquisition of property located at 5407 Bashford Street within Tax Increment District #4.
8. SCHEDULE NEXT MEETING DATE.
 - a. Wednesday, June 3, 2020 at 7:00 pm
9. 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
Community Development Authority Meeting
January 7, 2020

Members Present: Ken Brost, Dan Kolk, Austen Conrad, Stephanie Brassington

Members Absent: Sue Smith, Jerry Dietzel, Toni Stolarik

Staff Present: Andrew Bremer, Matt Schuenke

1. CALL TO ORDER

Brost called the meeting to order at 7:07 p.m.

2. PUBLIC APPEARANCES

None.

3. CLOSED SESSION

a. Discussion and action in order to convene in Closed Session in accordance with Wis. Stats. 19.85(1)(e) to deliberate or negotiate the investment of public funds or other specified public business whenever competitive or bargaining reasons require a closed session, specifically related to the acquisition of property at the following locations:

1) 4313 Triangle Street (Tax Increment District #3).

2) 5407 Bashford Street (Tax Increment District #4).

Motion by Kolk to adjourn into closed session. Brassington seconded the motion. Motion carried on a roll call vote 4-0. Moved into closed session at 7:08 p.m.

b. Discussion and action to reconvene into Open Session.

Kolk moved to return to open session. Brassington seconded the motion. Motion carried and returned to open session at 7:46 p.m.

4. APPROVAL OF MINUTES

a. Discussion and action regarding minutes of the meeting held on December 4, 2019.

Kolk moved to approve the minutes of December 4, 2019. Brassington seconded the motion. Motion carried 4-0.

5. BUSINESS

- a. Discussion and action to make a recommendation to the Village Board regarding the consideration of an offer to purchase the property located at 4313 Triangle Street within Tax Increment District #3.

Motion by Brassington, seconded by Conrad to recommend to the Village Board the acquisition of 4313 Triangle Street. Motion carried 4-0.

- b. Discussion and action to make a recommendation to the Village Board on Resolution 2020-02, a resolution to authorize the condemnation of 4313 Triangle Street.

Motion by Brassington, seconded by Brost, to recommend to the Village Board the approval of Resolution 2020-02 to authorize the condemnation of 4313 Triangle Street in the event an agreed sales price cannot be reached with the owner or is not approved by the Village Board. Motion passed 3-1 with Conrad voting nay.

6. SCHEDULE NEXT MEETING DATE

- a. Wednesday February 5, 2020

7. ADJOURNMENT

Kolk moved to adjourn, Brassington seconded the motion. Motion carried 4-0. Meeting adjourned at 7:50 p.m.

Working Draft - MINUTES

Community Development Authority Plan Commission Joint Meeting

April 8, 2020

Members Present: CDA: Ken Brost, Dan Kolk, Austen Conrad, Stephanie Brassington, Jerry Dietzel, Toni Stolarik
Plan Commission: Dan Kolk, Scott Peters, Tom Rogers, Brad Czebotar
Bruce Fischer, Peter Bloechl-Anderson (@ 6:20 p.m.)

Members Absent: Sue Smith (CDA), Eric Green (Plan Commission)

Staff Present: Andrew Bremer, Matt Schuenke, Karen Knoll

1. CALL TO ORDER

Brost called the CDA meeting to order. Czebotar called the Plan Commission to order at 6:12 p.m.

2. PUBLIC APPEARANCES

None.

3. BUSINESS

a. Discussion regarding a conceptual site plan proposed by Larry Beyler, Midwest Equipment Specialists for redevelopment of 4313 Triangle Street.

Bremer reviewed the history of 4313 Triangle Street including the 2005 Terminal -Triangle District Redevelopment Plan, the 2010 Redevelopment Plan, which identified it as a blighted property, and the 2017 Comprehensive Plan. All identify this as a site for redevelopment. It is 1.6 acres in size and located in the 2004 TIF #3 district. The Village purchased in March of 2020. Mr. Byler came before the CDA in 2019 with a TIF proposal for his current site, by mutual agreement they tabled the proposal to look for a different site, which would meet his needs for a new business location.

Larry Byler of Midwest Equipment addressed CDA members and Commissioners. He reviewed his current business has been located in McFarland for approximately the past 40 years. They specialize in lift equipment for consumers, auto dealerships and heavy-duty use.

Mark Bridell of Kraus-Anderson Construction Company reviewed the conceptual site design plan for 4313 Triangle Street along with the review of the stormwater treatment and elevations. It would be just over 17,000 sq.ft. currently Mr. Byler has 12,500 sq.ft. Bremer summarized the conceptual plan and how it meets the site design standards and the Triangle guidelines along with the how, as a concept plan it does a nice job in meeting the guidelines. Bremer reviewed his staff report, which included some setback concerns and possible alternative site layout changes, which may be needed along with the former underground gasoline tank, which was formally on the site. Discussion covered the possible shifting of the proposed building to the north and east, the need for access for semis with deliveries, and the use of the lean to area for flatbed trailers.

Community Development Authority members and Plan Commissioners concurred they were please the potential proposal.

Bremer summarized the preliminary scheduled for the project based on information outlined in the packet.

4. ADJOURNMENT

Kolk moved to adjourn the CDA and Plan Commission joint meeting. That motion was seconded by Fisher, to adjourn the Plan Commission meeting, and Dietzel to adjourn the CDA meeting. Motion carried. Meeting adjourned at 6:43pm.



COMMUNITY DEVELOPMENT AUTHORITY SUMMARY SHEET

MEETING DATE: Wednesday, May 6, 2020

SECTION: Business

DEPARTMENT: Community Development

CONTACT: Andrew Bremer, Comm & Eco Dev Director

AGENDA ITEM: Presentation by Ryan Quam - Ezra Properties LLC, on a request to amend the Development Agreement for 4703 Terminal Drive.

PREVIOUS ACTION:

Resolution 2019-11, Resolution Approving Development Agreement with Ezra Properties LLC, May 13, 2019

ISSUE SUMMARY:

Request

Ryan Quam (Ezra Properties LLC) is requesting to amend the existing Development Agreement, approved May 13, 2019, for his multi-family development project at 4703 Terminal Drive. The specific request is to revise Exhibit B of the Agreement, which requires that "the Developer shall also assure that promptly upon completion of construction of the storage building, but in no event later than May 1, 2020, all vehicles and equipment stored on the Development Site shall be removed from the Development Site or stored within a completely enclosed building." The vehicles and equipment are those of his tenant Robert Anderson whose residence remains on the property through a separate Life Estate Agreement with Mr. Quam. Mr. Quam is requesting an extension of the subject deadline to November 30, 2024, and in the interim, requesting the allowance of outdoor storage of vehicles and equipment on the Development Site within an area near the new storage shed as shown on Exhibit F of this submittal. Note, if approved, the map would become Exhibit H, not F, of the Development Agreement. The purpose of this request is two-fold. Mr. Anderson would like time to continue working on the vehicles so that they can be sold at a price higher than scrap metal. Mr. Quam seeks the extension in order to obtain the remaining TIF incentives.

Additional Background Information

1. Storage Shed and Garage Additions. The packet includes copies of the General Development Plan and Existing Site & Demolition Plan that were approved by the Village Board as part of the PUD for this project on July 22, 2019. A building permit for the 40' x 72' storage shed was approved on August 1, 2019 and has since been completed and filled with vehicles. The Village also approved a building permit on October 22, 2019 for the proposed 1,780 SF home addition (garage) shown in the development plans; however, it was eventually voided on November 27, 2019 as Mr. Anderson advised the Building Inspector that he wasn't sure if he wanted to move ahead with construction and if he did he wouldn't start construction until Spring of 2020. Mr. Anderson has recently reached out to the Building Inspector to revive this permit; however, the permit has not been paid for or issued at the time this memo was drafted.



2. **Proposed Outdoor Storage Area.** The specific dimensions of the proposed outdoor storage area has not been provided by Mr. Quam. Mr. Quam's letter indicates that more than 60% of the previously existing vehicles have already been removed from the property, although this can not be verified. The Village also does not have an inventory of the existing vehicles and equipment that remain on the property. The requested amendment, if approved, does not limit or prevent Mr. Anderson from adding additional vehicles to the property up to November 30, 2024. In addition, Mr. Quam's proposed outdoor storage area is not consistent with the Temporary Vehicle Storage Area shown on Exhibit A of the Life Estate Agreement between Mr. Quam and Mr. Anderson. Note, that the Life Estate Agreement is an agreement between the two private parties which infers no additional land use rights or privileges which the Village must honor. The Temporary Vehicle Storage Area, as proposed by Mr. Quam as an amendment to the Development Agreement, would require approval by the Village as an amendment to the PUD General Plan. This requires a public hearing by the Plan Commission and Village Board approval. This proposed amendment could be considered at the June 15th Plan Commission meeting and June 22nd Village Board meeting.
3. **Building Occupancy.** Mr. Quam has indicated that he is targeting June 1, 2020 for building occupancy. He expects 10-27 of the units to be rented at that time. Village Staff have indicated to Mr. Quam that the occupancy permit will be provided at which time the building is ready for occupancy presuming it meets all of the standard requirements for obtaining such a permit. The presence of the vehicles and equipment is not one of those requirements that would delay issuance of the occupancy permit under building and fire code regulations.
4. **TIF Draws.** The Development Agreement provides for four TIF payments corresponding to construction milestones. Two of the four draws have been paid equally 50% of the total \$675,000 TIF incentive. The next draw of funds can occur after satisfactory completion of all building mechanicals (\$202,500) and the final 20% of funding (\$135,000) after issuance of a certificate of occupancy permit. However, per the terms of Exhibit B of the Development Agreement, Village Staff have advised Mr. Quam that no additional TIF payments can be issued after May 1st if the vehicles remain on the site in conflict with the Development Agreement, even if the building mechanicals are completed or a building occupancy permit has been issued.

FINANCIAL/BUDGET IMPACT:

Non-compliance with the terms of the existing Development Agreement delays the remaining \$337,500 due from TID #3 revenues to Mr. Quam.

VILLAGE PLAN REFERENCE:

Planned Development District, Statement of Owners Intent, Updated General Plan for Staged Development, and Updated Detailed Plan for Phase 1 Development. Dated 5-22-2019 as approved by the Village Board 7-22-2019.

ORDINANCE REFERENCE:

Sec. 62-67 PD Planned Development District

BOARD, COMMISSION OR COMMITTEE RECOMMENDATION:

The agenda includes presentation of the request by Mr. Quam and questions by the CDA. Later on the agenda,



the CDA will convene into closed session to discuss the request and then reconvene into open session to provide a recommendation to the Village Board.

ATTACHMENTS:

1. Letter-Developers Agreement Request
2. Ezra Properties, LLC Developers Agreement - Exhibit B
3. Outdoor Auto Storage Exhibit F
4. Terminal Drive - Looking NorthEast2
5. Sheets C-1 and C-2 Ezra PUD General Plan approved 07.22.2019
6. Exhibit A of LIFE ESTATE AGREEMENT



April 28, 2020

Village of McFarland

Attn: Andrew Bremer
5915 Milwaukee Street
McFarland, WI 53558-0110

Re: 4703 Terminal Drive – Updated Planned Development District for Phase 1 Development

Dear Mr. Andrew Bremer,

Attached is Exhibit B of the Developers Agreement between Ezra Properties and the Village of McFarland. The Developer, Ryan Quam of Ezra Properties, and the Sellers and Life Estate Residents, Robert Anderson and Carolyn Simpson would like to amend the third paragraph of Exhibit B to indicate as follows:

“The Developer shall assure all vehicles and equipment stored in the on the Development Site are within the Outdoor Storage Area shown on Exhibit F and shall be removed from the Development Site or stored within a completely enclosed building by November 30, 2024.”

For your consideration, please note the following:

- 1) More than 60% of the previously existing vehicles have already been removed from the Development Site.
- 2) Robert Anderson would like time to work on the remaining vehicles in the garage that is being built so that he can continue his lifelong hobby and so that they can be sold at a price that is higher than the scrap metal price.
- 3) The Outdoor Storage Area is screened from the road by numerous existing trees and screened from the apartment building by the existing house and garage addition currently being constructed.

Attached is Exhibit F as well as pictures of the Outdoor Storage Area from Terminal Drive.

Please let me know if you have any questions or comments,

Sincerely,

Ryan D. Quam, P.E.

Cc: Andrew Bremer via andrew.bremer@mcfarland.wi.us
Matt Schuenke via Matt.Schuenke@mcfarland.wi.us
Robert Anderson and Carolyn Simpson via robertncarolyn@yahoo.com

EXHIBIT B DEVELOPMENT DESCRIPTION

Existing Site

The property is located at 4703 Terminal Drive and is comprised of two lots totaling approximately 11.1 acres. The site is currently occupied by a single-family residence, a garage and several outbuildings with significant outdoor storage of used vehicles and equipment. The property is bounded on the west by Terminal Drive and on the east by the USH 51 right-of-way.

Proposed Development

The Development required by this Agreement consists of general site grading to facilitate the construction required hereby and the additional 3 proposed phases of development on the Development Site. The Developer shall also construct the Phase I improvements, which shall consist of the following:

- A 27-unit residential apartment building constructed with premium grade construction materials substantially as described in the Developer's applications for development and financing approvals, including underground parking facilities;
- A 2,800 ft² storage building;
- A dog park;
- A dog washing station;
- A boardwalk creek crossing;
- Landscaping improvements;

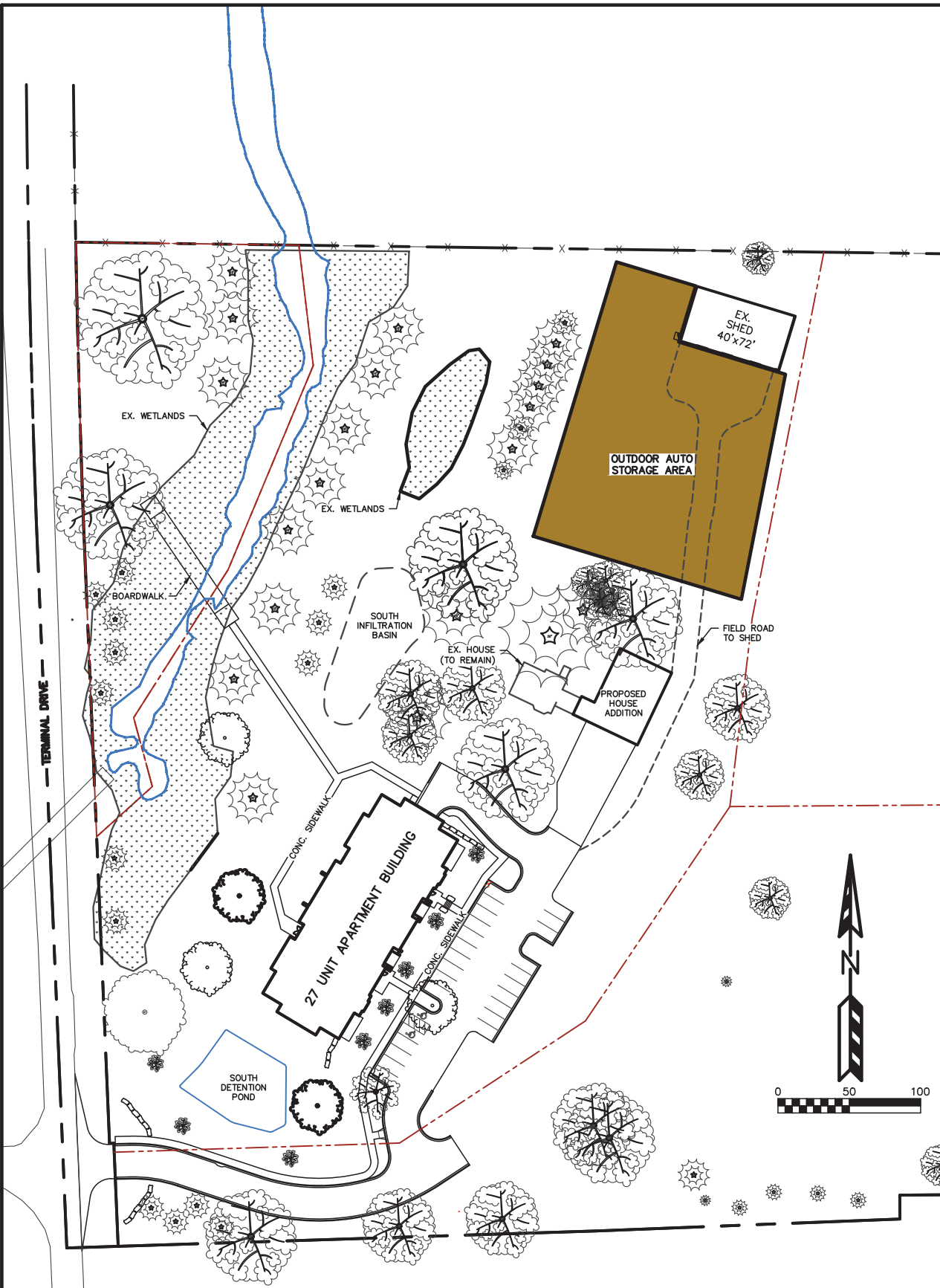
The Developer shall also assure that promptly upon completion of construction of the storage building, but in no event later than May 1, 2020, all vehicles and equipment stored on the Development Site shall be removed from the Development Site or stored within a completely enclosed building. This provision does not apply to properly licensed motor vehicles or construction equipment used by Developer's contractors, subcontractors, engineers, architects, tenants or employees in connection with the construction on, or operation of, the Development Site.

The Developer has guaranteed that the first phase of the Development described above will result in an additional \$4,200,000 in taxable fair market value on the Development Site.

Building Details

The apartment building will be constructed to accommodate 27 units within three vertical stories of construction. The units will range in bedroom size and square footage according to the floor plans previously submitted to the Village by Developer, but will all have access to the same common areas and amenities provided for within the Development.

The underground garage includes 28 underground parking stalls, unit storage areas, and refuse area. Phase I of the Development will also provide 26 above-ground parking stalls.



4703 TERMINAL DRIVE – PHASE 1

EXHIBIT F: OUTDOOR AUTO STORAGE AREA

DATED: APRIL 28, 2020

QUAM ENGINEERING, LLC

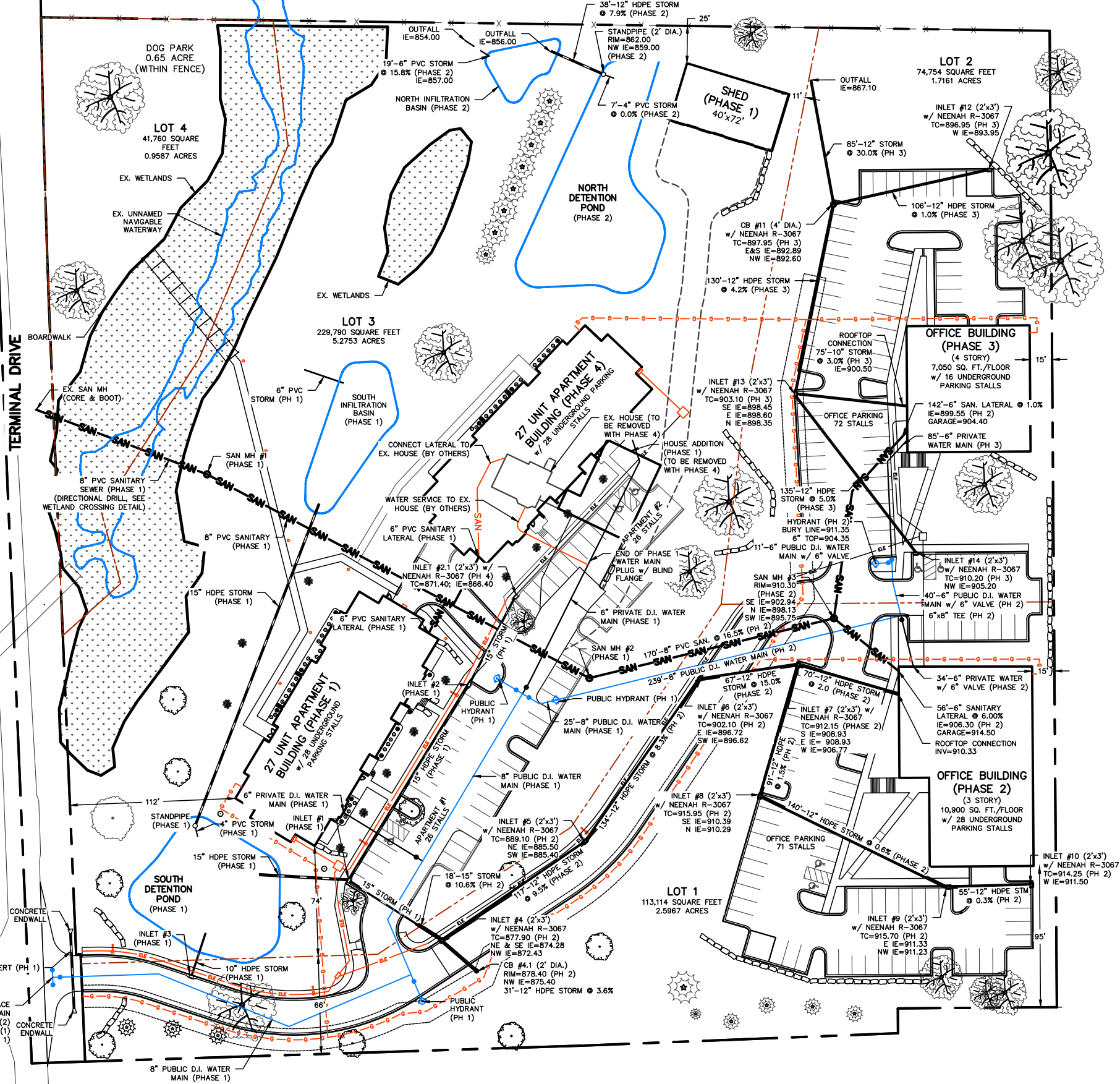
Residential and Commercial Site Design Consultants



www.quamengineering.com

4604 Siggelkow Road, Suite A – McFarland, Wisconsin 53558
Phone (608) 838-7750; Fax (608) 838-7752





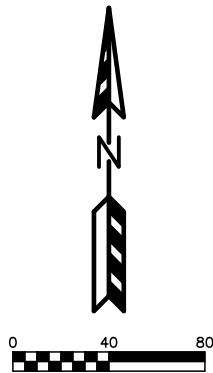
BUILDING INFORMATION			
BUILDING	# OF STORIES	BUILDING FOOTPRINT (SF)	GROSS FLOOR AREA (SF)
PHASE 1 APARTMENTS	3 + UNDERGROUND PARKING	11310	45240
PHASE 2 OFFICE	2+UNDERGROUND PARKING	11200	33600
PHASE 3 OFFICE	2+UNDERGROUND PARKING	11200	33600
PHASE 4 APARTMENTS	3+ UNDERGROUND PARKING	11310	45240

LOT INFORMATION	
LOT #	AREA (ACRES)
1	2.5967
2	1.7161
3	5.2753
4	0.9587

TIME SCHEDULE:

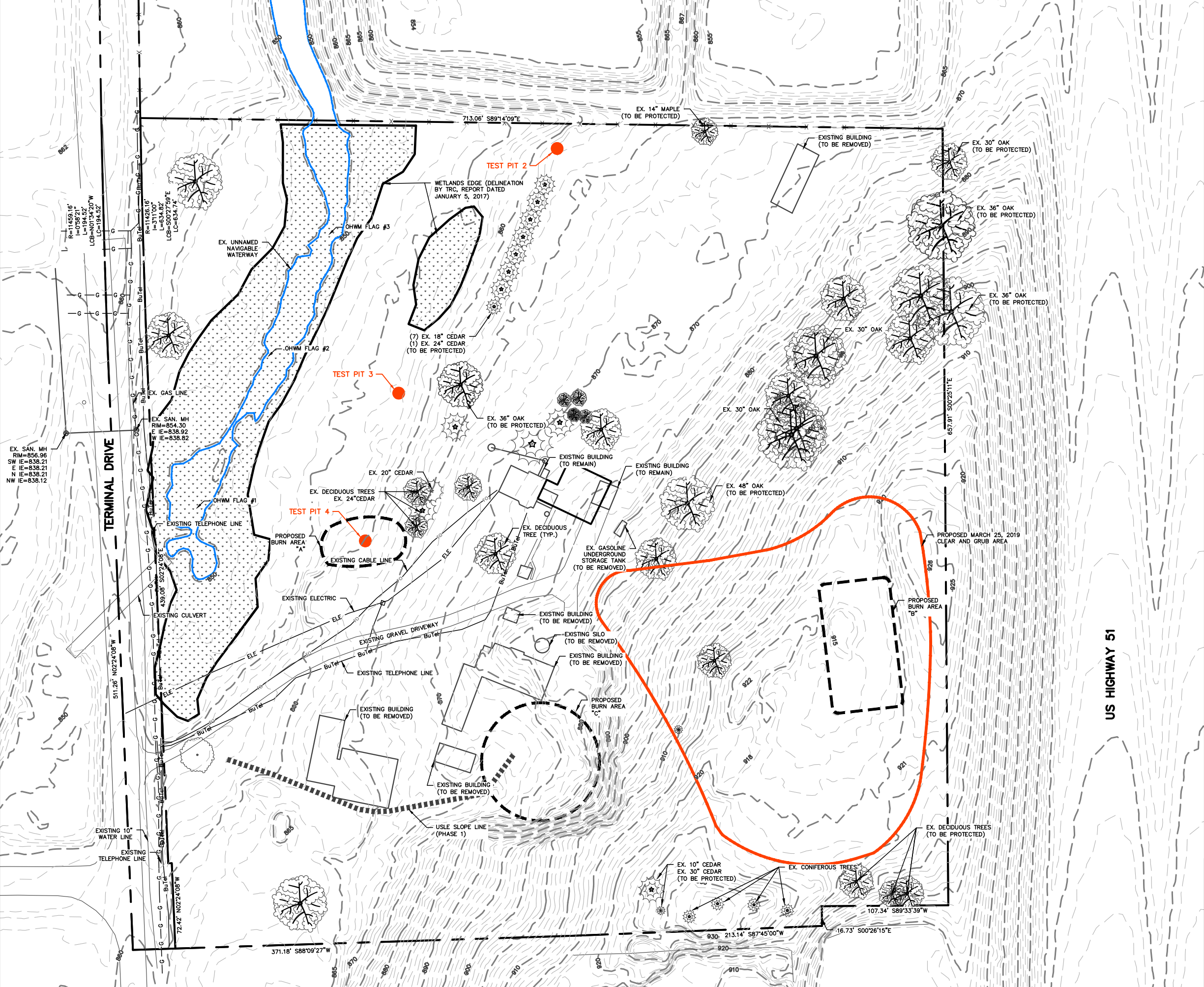
PHASE 1 JULY 15 - 30, 2019	REMOVE EXISTING BUILDINGS, CLEAR UNDERBRUSH, REMOVE TREES AS DIRECTED BY THE ENGINEER, AND BURN MATERIALS IN VILLAGE APPROVED BURN AREAS.
AUGUST 1 - 3, 2019	GRADE SOUTH DETENTION POND AND RESTORE DISTURBED AREAS.
AUGUST 4 - 15, 2019	GRADE REMAINDER OF PHASE 1 CONSTRUCTION SITE AND RESTORE DISTURBED AREAS.
AUGUST 16 - SEPTEMBER 15, 2019	INSTALL SANITARY SEWER, WATER MAIN, AND STORM SEWER.
SEPTEMBER 1, 2019 - MAY 14, 2020	CONSTRUCT APARTMENT BUILDING.
APRIL 1 - MAY 14, 2020	CONSTRUCT PARKING LOT, DRIVE AISLES, AND SIDEWALKS AND RESTORE REMAINING DISTURBED AREAS.
MAY 1 - 14, 2020	INSTALL LANDSCAPING.
PHASE 2 APRIL 15 - SEPTEMBER 15, 2020	CONSTRUCT OFFICE BUILDING AND ASSOCIATED PARKING LOT AND SIDEWALKS AND RESTORE DISTURBED AREAS.
PHASE 3 SEPTEMBER 1, 2023 - APRIL 30, 2024	CONSTRUCT OFFICE BUILDING AND ASSOCIATED PARKING LOT AND RESTORE DISTURBED AREAS.
PHASE 4 SEPTEMBER 1, 2024 - APRIL 30, 2025	CONSTRUCT APARTMENT BUILDING AND ASSOCIATED PARKING LOT AND SIDEWALKS AND RESTORE DISTURBED AREAS.

 TO OBTAIN LOCATION OF PARTICIPANTS' UNDERGROUND FACILITIES BEFORE YOU DIG IN WISCONSIN
CALL DIGGERS HOTLINE 1-800-242-8511 TOLL FREE
TDD(FOR THE HEARING IMPAIRED)(800)542-2289
WIS. STATUTE 182.0175 (1974) REQUIRES MIN. OF 3 WORK DAYS NOTICE BEFORE YOU EXCAVATE



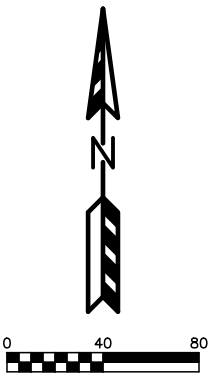
4703 TERMINAL DRIVE
GENERAL DEVELOPMENT PLAN
C-2
DATED: JUNE 24, 2019

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



LEGAL DESCRIPTION:
ALL THAT PART OF OUTLOT ONE (1), ASSESSOR'S PLAT NO. 4, TOWN OF BLOOMING GROVE, IN THE VILLAGE OF MCFARLAND, DANE COUNTY, WISCONSIN LYING WEST OF THE WEST RIGHT OF WAY LINE OF RELOCATED U.S. HIGHWAY NO. 51, EXCEPT THAT PART THEREOF CONVEYED BY WARRANTY DEED RECORDED AS DOCUMENT NO. 4408230.
AND ALL THAT PART OF THE NORTH 1/2 OF THE NORTHWEST 1/4 OF SECTION 34, TOWNSHIP 7 NORTH, RANGE 10 EAST, IN THE VILLAGE OF MCFARLAND, DANE COUNTY, WISCONSIN, LYING BETWEEN THE CENTERLINE OF TERMINAL DRIVE AND THE WEST RIGHT OF WAY LINE OF RELOCATED U.S. HIGHWAY NO. 51, EXCEPT THAT PART THEREOF CONVEYED BY WARRANTY DEED RECORDED IN VOLUME 694 OF DEEDS, PAGE 473, AS DOCUMENT NO. 981101.

BURNING SCHEDULE:
MARCH 25-27, 2019: BURN AREAS "A" & "B"
JULY 22-25, 2019: BURN AREAS "B" & "C"



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

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

