

Minutes Plan Commission Meeting

May 18, 2020

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

Members Absent:

Staff Present: Andrew Bremer, Stephanie Miller, Karen Knoll

1. CALL TO ORDER

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

2. INTRODUCTION OF PLAN COMMISSIONERS

Czebotar introduced Justin Rupert, Village Trustee as a new Plan Commissioner

3. PUBLIC APPEARANCES.

None

4. APPROVAL OF MINUTES.

a. Review and possible approval of the March 16, 2020 Plan Commission minutes.

Czebotar called the minutes from the March 16, 2020 approved by unanimous consent.

b. Review and possible approval of the April 8, 2020 Joint Community Development Authority - Plan Commission meeting.

Czebotar called the minutes from the April 1, 2020 Joint Community Development Authority – Plan Commission meeting approved by unanimous consent.

5. PUBLIC HEARING

- a. Public hearing on a request by Robert Kay and Rachel Fisher for a Certified Survey Map (CSM) located at 5121 Glen Road, McFarland, WI in order to combine two parcels.

Czebotar opened the public hearing at 7:24 p.m. With no one wishing to speak, the public hearing was closed at 7:25 p.m.

- b. Public hearing on a request by Utterback Ltd. Partnership for a Certified Survey Map (CSM) in order to create three parcels. Lands located west of CTH AB in the NE 1/4 of the SE 1/4 and the SE 1/4 of the SE1/4 of Section 2, Township 6 North, Range 10 East, Village of McFarland, Dane County, Wisconsin.

Czebotar opened the public hearing at 7:26 p.m.

Dan Day – D’Onofrio Kottke & Associates – representing Veridian Homes and the Utterback family reviewed the three lot CSM as submitted in packets.

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

- c. Public hearing regarding Ordinance No. 2020 -16, AN ORDINANCE REZONING LANDS RECENTLY ANNEXED WEST OF CTH AB AND NORTH OF THE WISCONSIN & SOUTHERN RAILROAD IN THE VILLAGE OF MCFARLAND, FROM A1 AGRICULTURE TRANSITION DISTRICT TO PDDGP GENERAL PLAN AND PDDDP DETAILED PLAN APPROVED. This zoning ordinance amendment has been requested by Veridian Homes Rosewood Fields LLC.

Czebotar opened the public hearing at 7:30 p.m.

Chris Ehlers – Veridian Homes reviewed their submission as supplied in packets. He indicated they took all comments at the previous preliminary meeting into consideration with this proposal.

Day reviewed their proposal as compared to the Villages Comprehensive Plan, Eastside Neighborhood Plan and the proposal for Rosewood Fields as shown in packets.

Wes Licht –2964 County Hwy. AB – concerns over:

- The infiltration areas and ability to handle
- Water runoff both current and future issues
- Standing water and culvert issues
- Wetlands
- Vegetation planting along the pipeline
- Water issues for neighbors, himself and new homeowners
- Number of single family homes and school capacity
- The need for additional walking trails

Jane Licht 2964 County Hwy. AB – had concerns over:

- Property values
- Future needed road expansion
- Water runoff, is the culvert needed
- All of the new non-permeable surface being added
- Flooding of basements for homeowners

Eric Swenson - 2958 County Road AB had concerns;

- Water levels are already high, wetlands are already saturated
- Does not want issues with water crossing the road onto his land

Nancy Utterback - 3029 County Road AB – she would like this to go through with her 2 future parcels to remain in the Town of Dunn.

Wes Licht –

- Had concerns over the difference between the lowest and highest point topographically
- How Veridian intends to move the water along those lines

Tom Unke – 6200 Tuscobia Trail – Reviewed his comments and concerns as submitted in the Plan Commission packet regarding concerns over water flow and drainage, culvert location and direction for drainage handling. Along with using a different route for all of the construction trucks to use rather than through subdivisions.

Czebotar closed the public hearing at 8:25 p.m.

- d. Public hearing on a request by Veridian Homes Rosewood Fields LLC regarding Preliminary Plat approval for Rosewood Fields Subdivision. Lands located west of CTH AB in the NE 1/4 of the SE 1/4 and the SE 1/4 of the SE1/4 of Section 2, Township 6 North, Range 10 East, Village of McFarland, Dane County, Wisconsin.

Czebotar opened the public hearing at 8:26 p.m.

Bremer clarified this is for the preliminary plat, even though the presentation was done in combination with the rezoning request to allow for easier public comment.

Czebotar closed the public hearing at 8:27

6. BUSINESS.

- a. Discussion and action to make a recommendation to the Village Board regarding a site plan by Angelo's Restaurant, 4706 Farwell Street for expansion of the outdoor dining and consumption area.
(With no objections, Commissioners took up this item first at the meeting prior to Public Hearings)

Bremer summarized Angelo's has petitioned for expansion of their front outdoor dining area. It includes reconstructing the front fence and an addition about 500 sq.ft. per drawings as submitted in packets. The original area was approved in 2013.

Rick Hubanks addressed Commissioners, per information in packets he is looking to increase the space for full service dining and to meet restrictions in place due to COVID19. The existing fence is 6' feet tall, the new front fence will be 4' tall.

Pauline Boness - 5711 Maple Court emailed a letter of support for the project.

Commissioners discussed parking for the property, and the possibility of looking at the parking requirements in the future, whether it is a Village responsibility or the businesses responsibility to make sure they have ample parking for their staff and guests as part of their business proposal. Hubanks advised he has been looking at options for parking, and at this time due to COVID19, they will not require as much parking, when that changes will likely need more parking.

Czebotar moved to recommend to the Village Board approval of a site plan request by Angelo's Restaurant, 4706 Farwell Street for expansion of the outdoor dining and consumption area. Seconded by Rupert. Motion Carried 6-0.

- b. Discussion and action to make a recommendation to the Village Board regarding a site plan by McFarland House Cafe, 5923 Exchange Street, for front yard outdoor dining and consumption area.

Bremer reviewed the submission; McFarland House Café is looking to use the front area for consumption of alcoholic beverages. The property is a historic structure, and the Landmarks Commission reviewed the project earlier this evening and recommended a Certificate of Appropriateness for the fence, lighting of the outdoor patio space. Bremer reviewed the proposal as submitted in packets, and summarized there was a front outdoor patio area approved in 2017 by the Landmarks Commission and in 2019 a site design was reviewed by the Plan Commission for the rear patio area and accessory greenhouse area, that work has not been done to date, and the approval will expire if a building permit is not issued by July 15, 2020. O'Hearn will be back for any re-approval of the back yard. Tonight only, the front area is under review.

O'Hearn stated his original concept was to develop the rear area, but he is now remodeling the interior. Bremer advised the Village Board would also be considering a limited license agreement due to the front property line, as the current sign is in the right-of-way as the proposed fence, and seating will be in part of it.

Pauline Boness - 5711 Maple Court - emailed a letter of support for the project.

Czebotar moved to recommend to the Village Board approval regarding a site plan by McFarland House Cafe, 5923 Exchange Street, for front yard outdoor dining and consumption area conditioned on the Village Board approval of the limited license agreement. Seconded by Bloechl-Anderson. Motion carried 7-0.

- c. Discussion and action on a request by Robert Kay and Rachel Fisher for a Certified Survey Map (CSM) located at 5121 Glen Road, McFarland, WI in order to combine two parcels.

Commissioners reviewed the Directors report as submitted in packets.

Peters moved to approve a request by Robert Kay and Rachel Fisher for a Certified Survey Map (CSM) located at 5121 Glen Road, McFarland, WI in order to combine two parcels. Rogers seconded the motion. Motion carried 7-0.

- d. Discussion of a concept plan by CF Investments LLC for multifamily and townhouse units on Lots 57 & 58 of Prairie Place Subdivision.

Bremer reviewed per the submittal in packets, these two vacant properties are located on the east side of Holscher Road. CF Investments intends to submit for a Conditional Use Permit at next month's meeting.

Craig Frank – CF Investments, LLC – reviewed their proposal as submitted for discussion only for a multi-family project on the site. The proposal is for a 32 unit residential development of five townhome style buildings with a mix of two and three bedrooms. Each unit will have a 2-car garage, and the proposed 8 unit building will have 2 stalls per unit underground parking, total parking proposed of 117 stalls, above the 76 required. They are proposed to be rentals at this time.

Brian Berquist – Towne & Country Engineering – reviewed the utility setup for this proposal, along with the location of the existing path, with a possible connection with this development.

- e. Discussion of a concept plan by Northpointe Development for multifamily and townhouse units on Lot 56 of Prairie Place Subdivision.

Bremer advised this is on the corner of Holscher Road., the property is currently zoned R-3 Northpointe will be coming before the Plan Commission in June for consideration for a rezone to the PUD district and approval of a General Development Plan. They intend to try to secure some affordable housing tax credits for this site.

Sean O'Brien of Northpointe Development, along with Cal Schultz, presented their proposal for Lot 56, Prairie Place Subdivision as provided in packets. It would be a total of 80 units; a three story 62 unit of affordable 55+ housing apartment building with a mix of one and two bedrooms, and 62 underground parking stalls surrounded by four separate townhomes, all three bedrooms, which will be rented to families, using the 4% tax credit project with a targeted income.

- f. Discussion and action to make a recommendation to the Village Board regarding temporary zoning of lands included in Ordinance 2020-15, an ordinance annexing lands from the Town of Dunn to the Village of McFarland.

Bremer and Commissioners reviewed the Directors report. This is an annexation petition, it includes two landowners the Utterback Partnership and the Wisconsin DOT Southern Railroad.

Peters moved to recommend approval to Village Board regarding temporary zoning of lands included in Ordinance 2020-15, an ordinance annexing lands from the Town of Dunn to the Village of McFarland. Rupert seconded the motion. Motion carried 7-0.

- g. Discussion and action on a request by Utterback Ltd. Partnership for a Certified Survey Map (CSM) in order to create three parcels. Lands located west of CTH AB in the NE 1/4 of the SE 1/4 and the SE 1/4 of the SE1/4 of Section 2, Township 6 North, Range 10 East, Village of McFarland, Dane County, Wisconsin.

Bremer indicated he would recommend conditional approval of the CSM on the annexation being approved by the Village Board and upon revising the CSM to include a minimum 35' of right of way dedication from the centerline of AB for lots 1, 2 and 3.

Czebotar asked for clarification on the inclusion of Lot 1, as there is a request for future potential detachment. Bremer replied it is included as once it is approved the property owner has the desire to divide the land so they can close with three separate buyers. Once the annexation and CSM is approved it is Utterbacks request to bring forward at a later point, a request to the Village to detach Lot 1 back to the Town of Dunn so that all her lands are in the Town, giving them options with their property to consolidate into one if they so wish. The Village might potentially look at doing a deed restriction to Lot 1 as a condition to detachment that would prevent further development of that land unless there was consent by the Village Board, as this land is in the Eastside Growth plan and intended for multi-family development.

Czebotar moved to approve a request by Utterback Ltd. Partnership for a Certified Survey Map (CSM) in order to create three parcels. Lands located west of CTH AB in the NE 1/4 of the SE 1/4 and the SE 1/4 of the SE1/4 of Section 2, Township 6 North, Range 10 East, Village of McFarland, Dane County, Wisconsin, conditioned on approval of the annexation by the Village Board and a 35' right of way of the centerline on County AB of lots 1, 2, and 3. Bloechl-Anderson seconded the motion. Motion carried 7-0.

- h. Discussion and action to make a recommendation to the Village Board regarding Ordinance No. 2020-16, an ordinance rezoning lands recently annexed west of

CTH. AB and north of the Wisconsin & Southern Railroad in the Village of McFarland from A-1 Agricultural Transition District to PDD-GP General Plan and PDD-DP Detailed Plan Approval. This zoning ordinance amendment has been requested by Veridian Homes Rosewood Fields LLC.

Bremer reviewed his Directors report as submitted with Commissioners.

Fischer has concerns about the issues with the drainage issue, and the ability to resolve it; things have changed over the years and what the 100-year flood actually means. Heavier rains are occurring much more frequently. Fischer also has concerns on density, the traffic in the area and the effects on the school district.

Bremer replied the school district has been in contact with him and they have no concerns on their ability to service this development. Day reviewed their submittal, including the water flow, and storm water drainage plan, which will be going through State reviews. Czebotar asked of Berquist if it was too early to address some of the questions brought up. Berquist replied it is too early to specifically and definitively address some of the questions, while all valid, the Village uses the same rules as Dane County, we do ask for an additional 2' as the Village too has its concerns. Berquist referred to his letter in packets and indicated you can ask Veridian to run the models, to see where the 150 year storm though it and see where the waterline ends. You can ask them to model it for both the preliminary and final plats. Rupert concurred with Fischer's concerns on the minimum setbacks. Ehlers replied it allows for a little bit of density with affordability and in district 2 a maximum availability of floor plans. Day stated there would be loss of lots if they changed the setbacks, and would lose some of the density of the neighborhood and increase the price of the lot.

Bremer reviewed the submission along with the Eastside Development Plan with Commissioners. Czebotar inquired on the Fire Departments request for the homes to be sprinkled. Ehlers replied he discussed this with the Fire Department and while it is not required, they can make it optional to the future homeowners to purchase, it will add considerable cost to the home.

Bremer summarized this agenda item is on the rezoning, some of the more specific questions fall under the platting and engineering stage, which is a two staged approach. First the preliminary plat and then the final plat.

Czebotar moved to recommend approval to the Village Board regarding Ordinance No. 2020-16, an ordinance rezoning lands recently annexed west of CTH. AB and north of the Wisconsin & Southern Railroad in the Village of McFarland from A-1 Agricultural Transition District to PDD-GP General Plan and PDD-DP Detailed Plan Approval. This zoning ordinance amendment has been requested by Veridian Homes Rosewood Fields LLC, conditioned upon:

1. Revise page 8 of the General Plan/Detailed Plan to include a third bullet under the section titled Permitted & Accessory Uses to reference the Declaration of Protective Covenants, Conditions, and Restrictions.
 2. Revise pages 11, 14, and 17 to strike front porches and open porches, and insert unenclosed porches.
 3. Revise page 16 to require a minimum rear yard setback for District III lots of 20 feet.
 4. Village Board approval of Ordinance 2020-15.
 5. Plan Commission approval of the Certified Survey Map creating Lot 2 of the Utterback Limited Partnership property.
- Green seconded the motion. Motion carried 7-0.
- i. Discussion and action to make a recommendation to the Village Board on a request by Veridian Homes Rosewood Fields LLC regarding Preliminary Plat approval for Rosewood Fields Subdivision. Lands located west of CTH AB in the NE 1/4 of the SE 1/4 and the SE 1/4 of the SE1/4 of Section 2, Township 6 North, Range 10 East, Village of McFarland, Dane County, Wisconsin.

Bremer reviewed his Director's report with Commissioners.

Czebotar moved to recommend approval to the Village Board on a request by Veridian Homes Rosewood Fields LLC regarding Preliminary Plat approval for Rosewood Fields Subdivision. Lands located west of CTH AB in the NE 1/4 of the SE 1/4 and the SE 1/4 of the SE1/4 of Section 2, Township 6 North, Range 10 East, Village of McFarland, Dane County, Wisconsin. Conditioned upon:

1. Veridian Homes to address those conditions as provided in the Village Engineer's Rosewood Fields Development - Zoning Submittal Review letter dated May 7, 2020, as recommended by the Public Works and Public Utilities Committee.
 2. Village Board approval of Ordinance 2020-15.
 3. Plan Commission approval of the Certified Survey Map creating Lot 2 of the Utterback Limited Partnership property.
 4. Village Board approval of Ordinance 2020-16.
 5. Veridian Homes shall have 24 months after the date of approval of the Preliminary Plat to file the Final Plat for review and approval by the Village Board, otherwise the Preliminary Plat will be considered void unless an extension is requested in writing and granted by the Village.
 6. Concurrent with the Final Plat, review and approval of a development agreement and declaration of protection covenants, conditions, and restrictions by the Village Attorney and Village Board.
 7. Modeling of the stormwater during 150-year storm event as outlined in the Village Engineer letter.
- Rupert seconded the motion. Motion carried 6-1 –with Fischer voting nay.

7. STAFF REPORTS

- a. Property maintenance report –No comments
 - b. Director's report –Bremer reviewed the changes made in the department during the COVID19 event, along with permits during this time. Many developers are using 2020 as a planning year, with construction starting in 2021.
8. SCHEDULE NEXT MEETING DATE.
- a. June 15, 2020 at 7:00 p.m.
9. ADJOURNMENT.
- Rogers moved to adjourn, Fischer seconded the motion. Motion carried – meeting adjourned at 10:18 p.m.