

Minutes Plan Commission Meeting

June 15, 2020

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

Members Absent:

Staff Present: Andrew Bremer, Andrew Day, 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. Review and possible approval of the May 18, 2020 Plan Commission minutes.

Czebotar called the minutes from the May 18, 2020 approved by unanimous consent.

4. PUBLIC HEARING

Without objections, Czebotar moved Business items “A” and “B” in front of the public hearings.

- a. Public hearing regarding Ordinance No. 2020-17, An Ordinance Rezoning Lands Located at 4706 Farwell Street, McFarland WI, from C-H Commercial Highway to C-G Commercial General. This zoning ordinance amendment requested by Aruba0204 LLC, DBA Angelo’s McFarland.

Czebotar opened the public hearing at 7:22 p.m.

Bremer reviewed with Commissioners Angelo's Restaurant desires to rezone their property from C-H Commercial Highway to C-G Commercial General to enable them to in the future have the option to expand their indoor space. The current request does not include any associated construction or other site improvements. The existing outdoor dining area was approved in 2013. A 60 square foot waiting room addition was also approved in 2014. An expansion to the outdoor dining area was approved at the May 18, 2020 Plan Commission meeting. This zoning

ordinance if approved would not rescind in a year as the restaurant and the use already exists on the site.

Czebotar closed the public hearing at 7:28 p.m.

- b. Public Hearing regarding Ordinance No. 2020-18, An Ordinance Rezoning Lands Located at the Corner of Holscher Road and Brodhead Street, described as Prairie Place Lot 56, McFarland WI, from R-3 General Residence District to PDD-GPP Planned Development General Plan Approved. This zoning ordinance amendment requested by Gannon Construction Inc. and Northpointe Development Corp.

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

Sean O' Brien of Northpointe Development Corp reviewed the history of their company, the background of those involved in their proposed project, the Waterford, including, Cal Schultz, Kevin Burow, and Andy Dumke along with their proposal per their Plan Commission application. The project is a residential development consisting of five buildings and will be completed in a single phase. Building 1 is a three story, 62-unit apartment building with an underground parking garage on the corner of Broadhead and Holscher Road. This building will be age restricted (55+) which would remain in perpetuity. Buildings 2-5 are two story townhouse buildings with a total of 18 units surrounding the apartment building, each unit comprised of 1,584 finished square feet and an attached two-car garage. The townhome buildings will not have an age restriction. They feel the development in general will have less impact on the neighborhood as they do not feel the average resident will be working an 8 – 5 job, and being seniors, there will be less traffic coming and going during typical peak commuting times. The proposed project will provide 80 senior and workforce housing units in five buildings. Affordable, meaning the tenant is paying 30% of their income for rent. O'Brien reviewed the buildings and the breakdown of 1, 2 and 3 bedroom units. Along with the breakdown of grants and affordable housing tax credits, for which they will be applying.

O'Brien reviewed the list of amenities they are planning for the project including community room, controlled entry-intercom, fitness room, parcel room, beauty salon, free internet, outdoor terrace, third party management, on-site management. They will first offer rental preference for existing community members or employees, allowing village residents to sell their homes and move into an affordable rental.

Their timeline includes General Plan approval in June of this year, applying for grants in November and December 2020, coming back to the Village for Detailed Plan Approval in June of 2021 with closing on the property in August of 2021, and the townhomes being ready in 2022 and the apartment in 2023. O'Brien reviewed the list of concerns they have heard to date and how they feel they can be mitigated.

The following parties addressed the proposal:

- Lucy J. Wall - 5610 Holscher Road – opposed
- Chris St. Clair – 5602 Holscher Road – opposed
- Amy Reiter – 5608 Holscher Road – opposed
- Shannon Morrison – 6129 Meadowsweet Trail –opposed
- Elizabeth Yszenga - 6061 Shooting star court – opposed
- Anthony Plourde – 6021 Shooting Star court – opposed
- Nick Brown - 6098 Pine Ridge way – opposed
- Lynn Zima – 5792 Prairie Stone Drive – opposed
- Bridget Bell – 5608 N. Peninsula Way – opposed
- Dawn Weber - 5640 N. Peninsula Way – opposed
- Lyle Weber – 5640 N. Peninsula Way – opposed
- Cindy Krenz – (did not identify self) 4818 Terminal Drive – in favor
- John Heitzman - 6020 E. Linden Parkway – opposed
- Lisa Becher – 5609 N. Peninsula Way – opposed
- Melissa Kampmeier – 5656 N. Peninsula Way - opposed
- Josh Kampmeier – 5656 N. Peninsula Way – opposed
- Irina Shpigelman - 6177 E. Red Oak Trail – opposed
- Todd Bavery – 5504 Holscher Road – opposed
- Amy Kramer – registered opposed not wishing to speak
- Michael Dombrowski – 6010 Shooting Star Court – opposed
- Edward Wreh – 6139 Meadowsweet Trail – opposed
- Susan Dietzel - 5605 Chestnut Lane – opposed
- Rachel Labeots – 6002 Little Bluestem Drive – opposed
- Emily Dombrowski – 6010 Shooting Star Court– opposed not wishing to speak
- Allison Barton – 6071 Shooting Star Court –opposed
- Sarah Bradley –opposed
- Megan Brown – 6098 Pine Ridge Way - opposed
- Judi Becker – 5757 Prairie Stone Drive – opposed
- Liz Reiser- Loeber – 5060 Frost Aster Court – opposed
- Joe Ramierz – 5810 Juniper Ridge – in favor
- Christine Steel – 6060 Shooting Star Court –opposed
- Nicole Bice and Andrew Felt – 6131 Shooting Star Trail – opposed
- Lisa and Jonathan Crane – 6131 Pine Ridge Way – opposed
- Brandon Laboets – 6002 Little Bluestem – opposed
- Jodie Armstrong -5019 Card Ave – question on impact on taxes
- Laurie Downs – 6021 Exchange Street – opposed
- Josh & Rebekah Olson – 6130 Shooting Star Trail – opposed
- Joey Prieve – 5511 Holscher Road – opposed
- Samantha Cherney - 5668 N. Peninsula Way – opposed
- Lisa Crane – 6131 Pine Ridge Way – opposed
- Jeff McFadden – 5600 Lexington – opposed ns
- Jackie Hammond – 6060 Perrot Place – opposed

- Laurie & Lyle Morris – 6070 Shooting Star Court – opposed

Public concerns for the project are: increased traffic, not following with the 2017 Comprehensive Plan update, a 1/1/2 year project; height of proposed building, density- too many in one area, not fitting with the current neighborhood, lack of traffic study, lack of transparency, wetlands being affected, no wetland study done or provided, no neighborhood meetings provided by developer, many homeowners were told by property owner would be one story development, strain on currently strained resources (Police, Fire & EMS), potential flooding, lack of greenspace, idea that “55 and over” will have reduced auto use, or not working, national average for auto ownership is 1.88 per person; increased foot traffic in area causing safety concerns, lack of flow in subdivision; Eastside growth calls for low density growth, lack of parking, spot zoning, safety; pedestrian, bike, and auto, high density issues with today’s new standards (COVID-19), developers desire to make McFarland like Madison, McFarland has its own identity, is not Madison.; overflow cars having to park on the street, decreased property values, additional traffic risk due to possibility of new fire/police/ems station across the street, desire of developer to create a “mini” Madison; moved here because did not want to live in Madison. Project will disrupt the small town, open feel. Workforce housing does bring in more problems, higher amount of police calls to such properties, increased taxes for residents to accommodate the needs of older residents, bike safety/traffic issues, overcrowding, location of access driveway, need for additional amenities for aging population.

Letters and petition received by the Department in opposition to the project included in the minutes as public record.

Czebotar closed the public hearing at 9:22 p.m.

- c. Public hearing regarding a Conditional Use Permit (CUP), requested by CF Investments, LLC, for 32 unit residential project on Lots 57 & 58 Prairie Place, located in the 5500 Block of Holscher Road, McFarland WI.

Czebotar opened the public hearing at 9:25 p.m.

Craig Frank, CF Investments LLC –stated they are proposing a development on Lots 57 & 58 of the Prairie Place subdivision. The project site is 2.25 acres and currently zoned R-3 General Residence. We would be constructing 32 market rate dwelling units consisting of 24 two-story townhouse units in four separate buildings, and one two-story multi-family building with eight units and underground parking. Total gross density proposed on the site would be 14.2 DU/acre. Frank is asking for a conditional use permit and site plan approval. The R-3 District allows up to 15 DU/ac with a conditional use permit. They would like to start the project this summer.

Mike Caulkins with Snyder and Associates –reviewed the site plan as submitted in the Plan Commission packet.

Corey Frank – CF Investments LLC – summarized they are proposing 5 – 2 & 3 bedroom townhome style buildings, ranging in size from 1280 – 1960 sq.ft. with 2 car garages or underground parking, with about 3.6 parking stalls per unit. Frank reviewed how the Village’s 2015 traffic study for Holscher Road accounted for proposed traffic at this site, along with how this project is relevant to the Comprehensive Plan. Frank reviewed the submission including materials, layouts, designs, floorplans and elevations.

The following parties addressed Commissioners:

- Chris St. Clair – 5602 Holscher Road – opposed
- Shannon Morrison – 6129 Meadowsweet Trail – opposed
- Elizabeth Yszenga - 6061 Shooting star court – opposed
- Anthony Plourde – 6021 Shooting Star court – opposed
- Nick Brown - 6098 Pine Ridge way – opposed
- Bridget Bell – 5608 N. Peninsula Way – opposed
- Dawn Weber - 5640 N. Peninsula Way – opposed
- Lyle Weber – 5640 N. Peninsula Way – opposed
- George Bednar – 6051 Little Bluestem - what does CUP mean

Bremer replied within a zoning code there are uses, which are permitted by right, and uses, which require a conditional use, it does not require property to be rezoned, but does require a public hearing and Plan Commission approval.

- Joe Ramirez – (did not provide address) - in favor
- Megan Brown – 6098 Pine Ridge Way - opposed
- Melissa Kampmeier – 5656 N. Peninsula Way – conditions
- Todd Bavery – 5504 Holscher Road – opposed
- Lisa & Jonathan Crane – 6131 Pine Ridge Way – opposed
- Nicole Bice & Andrew Felt - 6131 Shooting Star Trail – opposed
- Laurie Morris – 6070 Shooting Star Court – opposed
- Josh Kampmeier – 5656 N. Peninsula Way – opposed
- Schuenke will provide for the record –comments for those who do not wish to speak
- John Heitzman – 6020 E. Linden Parkway
- Amy Reiter - 5608 Holscher Road
- Michael Dombrowski - 6010 Shooting Star Court
- Edward Wreh – 6139 Meadowsweet Trail
- Lisa Becher – 5608 N. Peninsula Way
- Susan Dietzel – 5605 Chestnut Lane
- Amy Kramer – 6114 White Daisy Court
- Emily Dombrowski – 6010 Shooting Star Court
- Laurie & Lyle Morris – 6070 Shooting Star Court

Concerns were: lack of neighborhood meeting, density, does not meet what the Comprehensive Plan calls for, doesn't fit with R-3 zoning, no nearby parks, no play area proposed on the site for what is a "family" development, appears as a barrier to the homes further east, traffic, lack of open space, impervious surface issues, wetland issues, stormwater runoff, closeness of buildings to walking path, use of an outdated traffic study, lack of a current traffic study, layout is of an "isolated sector", lack of being a bridge to the community, designed in a way that closes off from the community, no safe space for children, doesn't fit with community average for density, risk of running nature out of the area, lack of greenspace, overcrowding on Holscher Road, were told there would be a playground area when purchased homes in area, does not meet CUP conditions, lack of a current housing mixed study, lack of a current traffic study last was done in 2014, many changes since then.

Positives: Better design, aesthetics, fits in better with neighborhood, two-story buildings, nice townhouse design. With changes, this could fit nicely into the area.

Frank summarized they put the offer to purchase on the property in February, past few months have been assessing the proposal and meeting with Village staff making sure they would be compliant with the zoning and Comprehensive Plan as a conditional use. They are on a tight schedule due to the process, the offer expires in mid-July. Frank feels they have addressed the needs for the specific site. If it were a larger project, they would have had a neighborhood meeting, from their perspective; it did not meet their requirements for a meeting. The greenspace they feel is good, at 45%; they will have a rain garden to accommodate the runoff from the roofs.

Commissioner Peters inquired what they anticipated the rent would be on a unit. Frank replied it will be in the area of \$1,400- \$1,500, for the smaller units up to \$1900.

Letters and petition received by the Department in opposition to the project included in the minutes as public record.

Czebotar closed the public hearing at 10:34 p.m.

5. BUSINESS.

- a. Discussion and action on a site plan application by Byrne's McFarland Tavern for 5915 Exchange Street for an outdoor dining and consumption area.

Bremer summarized, per his department report, Byrnes McFarland Tavern is proposing to expand their licensed premise to include an approximately 900 square foot outdoor consumption area in the backyard and the 200 square foot back patio adjacent to the current indoor consumption area. The Public Safety Committee conditionally approved the Outdoor Consumption Application provided the applicant install security cameras and glassware be prohibited outside. Prior to tonight's Plan Commission meeting the Landmarks Commission met and approved a Certificate of Appropriateness, as the property is a locally designated historic structure.

Bremer reviewed the site plan with Commissioners, with the changes as submitted to the Landmark's Commission at their June 15, 2020 meeting including replacing the grass surface area with a red granite type stone, a wrought iron gate in place of the originally proposed wooden one between the existing garage and patio, striping the parking area to mark stalls, and leave a clearance to meet ADA requirements adjacent to the existing patio, and replacing all proposed and existing fencing with a 6' high wood fence in similar style to the existing fence.

Czebotar moved to approve a site plan application by Byrne's McFarland Tavern for 5915 Exchange Street for an outdoor dining and consumption area. Rupert seconded the motion. Motion carried 7-0.

- b. Discussion and recommendation to the Village Board on a site plan application by the McFarland Soccer Club for the addition of a fundraising brick patio around the existing outdoor patio at the soccer building located at William McFarland Park.

Bremer summarized, per the Directors Report, the McFarland Soccer Club is requesting approval of a site plan to place fundraising bricks around the patio of soccer building at McFarland Park. The Club had originally intended to place bricks under the outdoor patio portion of the facility. The builder advised against using the bricks in this area due to complications with pouring the concrete slab, and instead placing the bricks around the patio; however, that was not part of the prior site plan approval. The paver area would be approximately 740 square feet. As this project involves Village owned property, final approval of the site plan by the Village Board is recommended for this site plan application.

Czebotar moved to recommend approval to the Village Board on a site plan application by the McFarland Soccer Club for the addition of a fundraising brick

patio around the existing outdoor patio at the soccer building located at William McFarland Park. Bloechl-Anderson seconded the motion. Motion carried 7-0.

At this time, Czebotar moved back to the Public Hearing portion of the agenda.

- c. Discussion and action to make a recommendation to the Village Board regarding Ordinance No. 2020-17, An Ordinance Rezoning Lands Located at 4706 Farwell Street, McFarland WI, from C-H Commercial Highway to C-G Commercial General. This zoning ordinance amendment requested by Aruba0204 LLC, DBA Angelo's McFarland.

Bremer summarized this is a rezone to from C-H to C-G which would facilitate a potential future expansion of the indoor portion of the restaurant towards the front lot line. A copy of the zoning map is included in packets; most properties in the area are C-G. What is being requested can also be considered "downzoning". This is consistent with the Comprehensive Plan and the plan for redevelopment of Farwell Street.

Czebotar moved to recommend approval to the Village Board regarding Ordinance No. 2020-17, An Ordinance Rezoning Lands Located at 4706 Farwell Street, McFarland WI, from C-H Commercial Highway to C-G Commercial General. This zoning ordinance amendment requested by Aruba0204 LLC, DBA Angelo's McFarland. Rogers seconded the motion. Motion carried 7-0.

- d. Discussion and action to make a recommendation to the Village Board regarding Ordinance No. 2020-18, An Ordinance Rezoning Lands Located at the Corner of Holscher Road and Broadhead Street, described as Prairie Place Lot 56, McFarland WI, from R-3 General Residence District to PDD-GPP Planned Development General Plan Approved. This zoning ordinance amendment requested by Gannon Construction Inc. and Northpointe Development Corp.

Peters asked for clarification on the intersection control evaluation review, his understanding was the review would happen before anything moved forward. Bremer summarized the Village staff in view of public comments received, and in light of the study that is occurring at this time for the potential public safety building across from the development, and in addition the Village Engineer is currently studying redesign plans of Broadhead Street from Holscher Road to Cty Hwy AB, Based on this, staff recommended an intersection control evaluation of Holscher Road and Broadhead Street. Staff reached out to a consultant to obtain a scope of services for that work, and discussed with the Developer potentially tabling or postponing their request until the ICE study was completed. The study is anticipated to take a couple of months, and does not hinder this developer's timeline. O'Brien indicated their goal was to get General Plan approval later in the summer to before their tax credit application is due in December.

Czebotar inquired of O'Brien as he has heard the comments and with his willingness to postpone until a traffic study can be completed, are they willing to discuss with residents some of the concerns raised tonight. O'Brien said they have been working closely with the Village to date, they would be happy to meet with residents and will coordinate with Village Staff.

Czebotar moved to postpone action on Ordinance No. 2020-18, An Ordinance Rezoning Lands Located at the Corner of Holscher Road and Brodhead Street, described as Prairie Place Lot 56, McFarland WI, from R-3 General Residence District to PDD-GPP Planned Development General Plan Approved. This zoning ordinance amendment requested by Gannon Construction Inc. and Northpointe Development Corp. until a traffic study has been completed. Rupert seconded motion. Motion carried 7-0.

- e. Discussion and action on a Conditional Use Permit (CUP), requested by CF Investments, LLC, for 32-unit residential project on Lots 57 & 58 Prairie Place, located in the 5500 Block of Holscher Road, McFarland WI.

Czebotar summarized the decision on a Conditional Use Permit is based on substantial evidence, in the code there are standards Sec. 62-111, which need to be met for a CUP, he inquired if CF Investments LLC would be able to respond to them providing the substantial evidence that they have met the conditions, you could provide it later in writing. Frank inquired if they can vote conditioned upon CF Frank Investments providing a letter with the written conditions while providing responses to the conditions as part of the discussion tonight. In reviewing the conditions they feel their site plans meet the standards. Czebotar felt some conditions are easy, others may take additional information. Czebotar felt the Village can provide them the opportunity to take some time to respond to them in writing, and postpone until the next meeting. Frank stated in general he is not opposed but it is more complex internally on their end. Frank asked is the board comfortable with voting now with verbally discussing and assessing the conditions. Frank inquired whether there was a requirement to have a written explanation of how they comply with the conditions as he did see that but is aware that they have to comply with those standards. Bremer advised the conditional use code does require a written reply to the standards per the Village ordinance. Frank indicated he would work on providing those responses.

Czebotar moved to postpone action on a Conditional Use Permit (CUP), requested by CF Investments, LLC, for 32-unit residential project on Lots 57 & 58 Prairie Place, located in the 5500 Block of Holscher Road, McFarland WI. until July 20, 2020, seconded by Green. Green inquired if 8 units meets multifamily. Bremer indicated that up to 8 units per acre is allowed as a permitted use by right and up to 15 units per acre are allowed with a CUP in the R3 District. Peters inquired whether the Plan Commission had the information they needed to take action tonight. Bremer indicated that there is a section of the conditional use code that requires an

applicant to submit in writing their formal response to the standards in Sec. 62-111. Bremer noted that the initial submittal includes the information but did not include the written responses to each of the standards. He relayed that to the developer but not with sufficient time to allow them to get that information to the Plan Commission for tonight's meeting. Czebotar noted that for the Plan Commission to approve or deny they need to have substantial evidence and that goes for the developer and the people here tonight. Opinion is not sufficient. Bremer indicated that Bremer explained the change in the law regarding Conditional Use Permits to Commissioners and attendees. In 2017, the law changed, and now there is the burden of substantial evidence needed to support or oppose CUP review. Motion carried 7-0. Czebotar encouraged the developer to meet with the residents.

- f. Discussion of a concept plan for 32 residential duplexes (64 total units) by Elvehjem Acres LLC for 3408 & 3418 Elvehjem Road.

Kevin Urso, Urso Brothers LLP, reviewed their concept plan for 32 residential duplexes by Elvehjem Acres LLC as submitted in packets. They are not looking for any approvals tonight just to have a conversation about this potential project. They were the developers of Parkview Estates. Urso indicated they have had requests for a project such as this, current Village residents who wish to own their own home, but are downsizing, or, no longer want to have upkeep for the snow, lawn etc. These project will be condominiums and maintained by an association. It will be set on 14 acres of a 20 acres site, 32 zero lot line duplexes and one clubhouse. It will be a 55+ community and all owner occupied, with one level ranch's, each with their own 2-car garage. They would like to build with AIP, aging in place practices, wider doors, hallways, and stairs. The condominiums will have screened porches and decks also, along with basements. Urso indicated they have redesigned the plan a few times, to something that would work best with green space. They did reach out to neighbors to work with them and answer any questions they may have. Czebotar inquired if there is any concern for water issues in the area, as there were concerns with the neighboring Veridian project. Urso advised they are working on erosion control for the site and bringing in fill at this time through their erosion control plan.

Czebotar inquired of Bremer, is this in contrast with the East Side Neighbor Growth Plan, what would need to happen. Bremer reviewed the process for a petition for a Comprehensive Plan amendment, along with reviewing the land use plan for the property from the East Side Growth Plan that includes a combination of Large Lot Residential, Traditional Neighborhood Residential, and some highway buffer green space. Noting the East Side plan calls for higher density along CTH AB and lower density toward the eastern wetlands, while also recommending a variety of housing mixes. Czebotar asked, is it acceptable to look at the mix of housing with a combination of developments including Veridian's newest development. Bremer responded that each development should look to provide some mix, but the scale of the site also matters. Fischer stated he would like to see more homes for modest

income, as these appear for middle to upper income class. Czebotar inquired if they have considered putting in different types of housing units. Urso advised they have looked at it, however they would like to keep with duplex style as that is what they have been getting feedback on, people are indicating they would like to sell their current homes and stay in McFarland along with being able to age in place, not have to worry about stairs, moving again, maintenance and similar things that come along. Expected price is \$300,000 to \$400,000. Rogers indicated some range of density would be nice.

Bremer pointed out there is a jog in Cty. Hwy AB as part of development of this site they would be looking to have it squared off, that would have to be part of the design process. Bremer asked Urso to go over what is currently being done with the site. Urso replied when this was town of Dunn, Dane County issued a permit for them to start moving dirt on the site, they then got a permit through McFarland when the property was annexed. They are creating a berm around the entire site. Brian Berquist, Village Engineer stated they have been to the site a couple of times, everything looks good, and he has no concerns.

Fischer feels overall this is a nice plan, and fits well with the new Veridian project, he just does not see this as an entry-level project and we need to look at that at some time. Czebotar replied this is designed for seniors, 55 and older, chances are these are not first time homebuyers. Czebotar inquire if there was any more questions, this is just a preliminary proposal. Rogers liked the walks both internal and how they connect, he would like to know how the stormwater runoff would be handled, and what the views from the intersection would be. Urso replied the current berm might remain; the units would be similar to the Prairie Stone Condominium project, but more spread out. The retention pond will be designed as a feature for residents. The designs will flow through the property. Bremer would like to see this come back with a further developed concept, rather than moving to amend the Comprehensive Plan first. Urso stated this is definitely something they would do, a rendition with more detail. He will be in contact with Bremer regarding this.

7. STAFF REPORTS

- a. Property maintenance report –No comments
- b. Director's report –No comments

8. SCHEDULE NEXT MEETING DATE.

- a. July 20, 2020 at 7:00 p.m.

9. ADJOURNMENT.

Rupert moved to adjourn, Rogers seconded the motion. Motion carried – meeting adjourned at 11:42 p.m.