

Minutes Plan Commission Meeting

September 21, 2020

Members Present: Justin Rupert, Tom Rogers, Brad Czebotar, Bruce Fischer, Eric Green, Scott Peters, Peter Bloechl-Anderson (arriving at 7:09)

Members Absent:

Staff Present: Andrew Bremer, Brian Berquist; Town and Country Engineering, Karen Knoll

1. CALL TO ORDER

Czebotar called the meeting to order at 7:01 p.m.

2. PUBLIC APPEARANCES.

Chris St. Clair – 5602 Holscher Road – Indicated they have submitted letters on behalf of the Prairie Ridge Neighborhood Association, which consists of residents of Ridgeview, Juniper Ridge, Prairie Place and Prairie Stone neighborhoods. Currently 198 members, representing 115 households. Letters are only written when it is a significant representation of the neighborhood.

3. APPROVAL OF MINUTES.

a. Review and possible approval of the August 17, 2020 Plan Commission minutes.

Czebotar called the minutes from the August 17, 2020 approved by unanimous consent.

4. PUBLIC HEARING

a. Public hearing regarding a Conditional Use Permit (CUP), requested by CF Investments, LLC, for a 30 unit residential project on Lots 57 & 58 Prairie Place Subdivision, located in the 5500 Block of Holscher Road, McFarland WI.

Czebotar moved back to the order of the agenda - Czebotar opened the public hearing at 7: 34 p.m.

Craig Frank – representing CF Investments, LLC summarized the process they have gone through to date. They recently had a neighborhood meeting and feel they have

been able to address most of the neighbors' concerns, along with those from the Village.

Mike Calkins with Snyder and Associates reviewed the site plan for the proposal as submitted in packets. There will be three four-unit buildings set on Holscher Road, each unit having a two stall garage, and two stall parking in front of the unit, the two five unit buildings will also have a two stall garage and two parking spaces in front of each unit. Calkins reviewed the bio-retention basin location along with how it will work. Calkins also discussed the proposed walking path, a proposed gazebo and small gathering area on the site. Craig Frank indicated they are still looking to discuss the connection between their walking path and the Village's.

Cory Frank - reviewed the traffic impact study as provided in packets along with a brief overview of the proposal, consisting of a mix of two and three bedroom townhouses, totaling 30 units in six buildings ranging from 1280 – 2002 sq.ft. in size. All will have two car garages or underground parking with 114 stalls provided on the site, the project would have a private driveway within the property. The goal of the design is to complement the existing neighborhood. Frank reviewed how they feel the proposal fits in with the Comprehensive Plan, along with reviewing their proposal showing interior and exterior renderings of the proposal as submitted.

Frank reviewed the proposal and their evidence as to how it meets the standards and guidelines for a Conditional Use Permit.

Bridget Bell – 5608 N. Peninsula Way – in favor, has concerns over the walking path, the need for access for residents, the 15% grade, possible stairway and concerns over residents fall risk.

Tony Plourde indicated a question online through Zoom – How was the size of the bio-retention basin calculated, how will it fit on a slope, when will it be constructed, is there any plan to remediate them at any point during and/or after construction is completed.

Calkins replied the basin itself is in the flat area by the buildings, during construction they will initially be sediment traps, once the project is completed the sediment will be removed and it will be down to natural soil and plantings, initially with a silt fence added as protection during construction of the project.

Commissioners discussed the path access and possibilities of sloped access, stairs, and a slalom type approach along with potential locations for the access with the Village Engineer. Calkins indicated they are willing to look at all options and work with the Village Engineer on it.

Czebotar closed the public hearing at 8:16 p.m.

- b. Public hearing regarding a Condominium Plat and Declaration from CF Investments, LLC, for the property located on Lots 57 & 58 Prairie Place Subdivision creating The Condos at Prairie Place, consisting of 30 residential units.

Czebotar opened the public hearing at 8:17 p.m.

Frank reviewed the Condominium Plat and Declaration as submitted, there will be two independent associations, one for lot 57 and one for lot 58, and they will be phased in to meet financing guidelines. The condominiums will have private driveway agreements between them. They will have a management company handle the associations. Bremer requested Frank clarify whether there will be one condominium association for the whole development that is expandable or will there be two separate condominiums. Frank clarified that there will be one expandable condominium association.

Chris St. Clair – 5602 Holscher Road – confirmed the need for phasing of the condominiums for financing for buyers, and how it makes it easier for buyers. This will help to promote owner occupancy of the units.

Czebotar closed the public hearing at 8:31 p.m.

5. BUSINESS.

- a. Discussion and possible action on a site design/review application submitted by Maple Tree Restaurant, Gary Seiler, for a proposed expansion of the outdoor dining area of the existing restaurant located at 6010 Hwy. 51, McFarland, WI.

Without objections, Czebotar moved items 5 (a) and 5 (b) in front of the public hearings.

Bremer advised the Maple Tree Restaurant is looking to expand its current outdoor area. The current site is 360 sq.ft. moreover, they are requesting to expand it to 600 sq.ft.

The Planning Commission has approved similar requests this year due to the COVID19 circumstances.

Gary Sieler – owner of the Maple Tree, summarized they installed a 10 x 30 patio area previously, they would like to expand it to 30 x 20 and have a more open fence design, installed on a cement pad rather than the current blacktop. They have been in front of the Public Safety Committee, and it was requested to have the bollards spaced so a car could not fit between them. They will place them every five feet. This will give them the ability to have more people eat outdoors, and have a more open feel than they currently have. They likely will start the project in the spring of 2021.

Czebotar moved to approve a site design/review application submitted by Maple Tree Restaurant, Gary Seiler, for a proposed expansion of the outdoor dining area of the existing restaurant located at 6010 Hwy. 51, McFarland, WI conditioned upon the applicant providing protective bollards around the patio area sufficiently spaced to prevent passage by an average motor vehicle. Rupert seconded the motion. Motion carried 6-0

- b. Presentation and discussion of the Traffic Impact Analysis for Broadhead Street and Holscher Road.

Bremer summarized the village hired Lee Gibbs from SRF Consulting Group to do a traffic study of the Broadhead Street and Holscher Road intersection. A summary of the report findings was also presented to the Public Works Committee at their September 8th meeting.

Lee Gibbs –Traffic Engineer with SRF Consulting in Madison, WI. Gibbs indicated he was hired to do a study not only on current traffic concerns, but future with the proposed two developments and the proposed Public Safety Building. His report is supplied in packets and was reviewed on screen during the meeting. The study goes out ten years, looking at historical data along with the data collected. Gibbs reviewed his report with Commissioners along with discussing traffic signals, a round- about, all way stop and the current two way stop at the location. His recommendation is to maintain the two way stop, and if noted if the volume increases, it would be prudent to change to an all way stop.

- c. Discussion and possible action (action postponed from the June 15, 2020 meeting) on a Conditional Use Permit (CUP) requested by CF Investments, LLC, for a 30 unit residential project on Lots 57 & 58 Prairie Place Subdivision, located in the 5500 Block of Holscher Road, McFarland WI.

Czebotar reviewed and polled Commissioners if they felt the application provided by C.F. Frank Investments LLC, including the detailed written description and proof meeting the substantial evidence standards set forth in Sec. 62-111(a) through (h) were satisfied for the granting of a CUP under Sec. 62-111. Commissioners concurred they had.

Czebotar moved to approve a Conditional Use Permit (CUP) requested by CF Investments, LLC, for a 30 unit residential project on Lots 57 & 58 Prairie Place Subdivision, located in the 5500 Block of Holscher Road, McFarland WI. conditioned upon:

1. Addressing recommended conditions of approval as identified in the McFarland Fire & Rescue Department staff review letter dated September 15, 2020.

2. Addressing recommended conditions of approval as identified in the Village Engineer's staff review letter dated September 17, 2020.
3. Submittal of revised floor plans and building elevations for the four-unit and five-unit townhouses as provided in the Community Development Director's staff report.
4. Removal of the two visitor parking stalls shown between the four-unit townhouses and replacement with sod, turf grass, and perimeter curbing.
5. Provide on-site signage or pavement markings designating those stalls that are intended for common visitor parking use for all units.
6. Update the lighting/photometric plan, Sheet C1, to reflect the revised building layout.
7. Update Sheets L101, L200 and L201 to address the revised plan submittal.
8. Designating the internal drive as a private road for building addressing purposes; provide private road signage names at each driveway entrance to Holscher Road.

Peters seconded the motion. Motion carried 7-0.

- d. Discussion and possible action (action postponed from the June 15, 2020 meeting) on a Site/Design Review Permit, requested by CF Investments, LLC, for 30 unit residential project on Lots 57 & 58 Prairie Place Subdivision, located in the 5500 Block of Holscher Road, McFarland WI.

Bremer reviewed this is for the approval of the site plan, there is concern over the path or access point to the Village trail. Commissioners and Berquist discussed the need for this to be looked into, the grade, slope of a walkway, accessibility to residents wishing to use it, possibility of stairs, how it would be kept up in the winter.

Bremer indicated the elevation for one of the four units was missing in the original submittal, it has now been submitted. He has questions on the materials to be used on the exterior. Frank reviewed the proposed materials and color scheme with Bremer and Commissioners. Bremer inquired if they could run masonry trim on the sides of the garage doors on the interior side (east elevation) of each of the four unit buildings, to have the same look as the five unit buildings across from them. Frank agreed it would not be an issue, they will do that. Bremer asked for clarification on the wetland setback, and one unit, which appears to have the stairs in the setback. Calkins replied there would not be actual construction, but the support posts, similar to what some of the single-family homes have in the area.

Czebotar moved to approve a Site/Design Review Permit, requested by CF Investments, LLC, for 30-unit residential project on Lots 57 & 58 Prairie Place Subdivision, located in the 5500 Block of Holscher Road, McFarland WI, conditioned upon:

1. Addressing recommended conditions of approval as identified in the McFarland Fire & Rescue Department staff review letter dated September 15, 2020.
2. Addressing recommended conditions of approval as identified in the Village Engineer's staff review letter dated September 17, 2020.
3. Submittal of revised floor plans and building elevations for the four-unit and five-unit townhouses as provided in the Community Development Director's staff report, dated Monday September 21, 2020:
 - a. Sheet A2 incorrectly labels 6-unit instead of 4-unit.
 - b. There is an additional sheet marked Sheet A2 that shows a first-floor plan for 6 units, labeled as 4-unit. This sheet should be relabeled in the proper sequence and show correctly the first-floor plan for the five-unit building.
 - c. Sheet A3 is incorrectly labeled 4-unit. This sheet should be relabeled in the proper sequence, and show correctly the second floor plan for the five-unit structure.
 - d. Exterior elevations for the 4-unit and 5-unit buildings were not provided in the latest plan submittal. The exterior building materials are noted but there is no elevation drawing showing their location.
4. Removal of the two visitor parking stalls shown between the four-unit townhouses and replacement with sod, turf grass, and perimeter curbing.
5. Provide on-site signage or pavement markings designating those stalls that are intended for common visitor parking use for all units.
6. Update the lighting/photometric plan, Sheet C1, to reflect the revised building layout.
7. Update Sheets L101, L200 and L201 to address the revised plan submittal.
8. Designating the internal drive as a private road for building addressing purposes; provide private road signage names at each driveway entrance to Holscher Road.
9. Submit revised development plans to the Village Engineer for review and acceptance for a private path connecting the development site to the public path to the east with the private path to not exceed 8% grade.

10. Provide a base of culture stone on the rear of the four unit town houses to the same height as the stone provided on the front of the five unit town houses along the sides of the garages.

Rupert seconded the motion. Motion carried 7-0.

- e. Discussion and action to make a recommendation to the Village Board regarding a Condominium Plat and Declaration from CF Investments, LLC, for the property located at Lots 57 & 58 Prairie Place Subdivision creating The Condos at Prairie Place, consisting of 30 residential units.

Bremer reviewed his staff report with Commissioners and the comments from the Village Attorney as provided in packets.

Czebotar moved to recommend to the Village Board approval of a Condominium Plat and Declaration from CF Investments, LLC, for the property located at Lots 57 & 58 Prairie Place Subdivision creating The Condos at Prairie Place, consisting of 30 residential units conditioned upon:

1. Addressing recommended revisions to the Declaration of Condominium as identified by the Village Attorney in the copy dated September 8, 2020, as attached in the packet.
2. On the plat, the name of the condominium should match exactly with the name used in the declaration.
3. On the first page of the plat, the building on Lot 58 should be identified by unit numbers.
4. Note 2 on the plat, indicates that parking stalls are LCEs belonging to the unit to which they are appurtenant. The declaration does not state which units they are appurtenant to. Section 4.03(b) relies on the plat to determine whether a parking space is an LCE or not, so one or the other should be modified.
5. Addressing consistency between saying "Common Areas" (which by the terms of the Declaration include LCEs" and saying "Common Areas and Limited Common Areas" implying that the latter are not included in the former.)
6. Designating the internal drive as a private road or building addressing purposes; provide private road signage names at each driveway entrance to Holscher Road.

Peters seconded the motion. Motion carried 7-0.

- f. Discussion of a concept plan by Northpointe Development for multifamily Residential development on Lot 56 of Prairie Place subdivision, located at the corner of Holscher Road and Broadhead Street.

Bremer summarized this proposal was before the Plan Commission in June, and at that time representatives of Northpointe Development agreed to postpone action pending the completion of the traffic intersection analysis, the developer was also encouraged to meet with the neighborhood residents to discuss potential plan revisions. Developers did meet with the neighborhood association to discuss the revised 60-unit proposal, included in packets. Northpointe Development indicated last week they are considering a revised 50-unit project, a concept for that was also provided in packets. Northpointe Development requested having the originally scheduled public hearing for tonight be cancelled and it be a discussion only presentation to inform the Plan Commission and community on the changes to the development they have been working on after meetings with the neighborhood association.

Bremer indicated they did receive a letter of support from Tom Gannon. A letter from the McFarland Cemetery Association opposed to the development was received. On July 14, 2020 the Village received a petition of protest to the zoning map amendment, under 62 – 344(a) of the zoning code. This is signed by residents within 100 feet. Bremer explained per code if a valid petition is received from enough property owners within 100 feet, any rezone approval considered by the Village Board requires a $\frac{3}{4}$ vote in favor, which would need to be 6 – 1 in favor. Bremer indicated a letter from the Prairie Ridge Neighborhood Association was received in opposition to the 60-unit proposal. Bremer read the letter into record. A letter was received from McFarland Community members, which Bremer read into record, along with a letter from Jerry and Susan Dietzel in opposition. All correspondence received is in tonight's packet and was in regards to the 60-unit proposal.

Sean O'Brien representing Northpointe Development indicated last week when they noticed there was still considerable opposition they decided to pull their 60-unit request and come forward with a proposal for something which would be closer in density to what is allowed under a conditional use permit in the R-3 District.

O'Brien reviewed their previous proposal for a five building 80-unit development, and their proposal for a less dense three-building proposal of 60 units. They are now looking at a three building, 50-unit proposal for the site. They would reduce the townhomes from 16 units down to 12 affordable housing units, and the 44-unit affordable senior apartment would be reduced to 38 units. This would allow them to have more parking to meet the Village requirements for multi-family; they will look to see if they now have too much parking on the site. The reduction in size would also give them the ability to move the location of the building further away from the wetlands. It would be proposed as a three-story building but within the height requirements for the R-3 District.

O'Brien went over some possible architectural designs for the project. They do not have a complete submittal as this is for discussion only, to give an idea of what they

would be looking to build. It would be Wisconsin Greenbuilt Home certified. O'Brien reviewed their presentation of senior affordable housing for the proposal. It would be 38 units of senior affordable housing, 16 one bedroom and 22 two bedroom units, developers project it would house 44 total residents in a 38 unit building where only 2 – 4 of the households will be employed, 32 – 38 will have vehicles. Thus this being less impact on the neighborhood. They will collaborate with local organizations to provide what is needed for the residents, rideshare etc., and will have amenities on site for them, including the addition of a gazebo and playground.

O'Brien went through the concerns from neighbors, prior meetings, and the changes they have made to the proposal to address them, with the list provided in packets. They are putting a significant amount of money into the project through the tax credit program. They have to maintain the three stories if they want to maintain the senior component of the project. O'Brien also reviewed the differences between a rezone request versus a potential project under a conditional use permit request. With the PUD rezone, they may ask for an exception to the parking requirement if the Village feels they have too much parking, and the project would only have one unit more than allowed per zoning requirements for a conditional use permit in the R-3 District.

Commissioners discussed with O'Brien the possibility of solar, grant financing for the project, the options of pursuing a rezone to PUD versus a CUP for the project. O'Brien indicated if they scaled down to 49 units to meet the CUP maximum density in the R-3 District, they would possibly have to abandon the senior aspect of the proposal. Clarification on how the petition process works, how the feedback from neighbors is important on a proposal. O'Brien indicated having the senior component on the site would allow them to do a really expensive townhome design with underground parking, if not they would only be able to do more of a standard townhome with at-grade garages back on the site. O'Brien stated they would be able to have better exteriors to the townhomes with the senior aspect to the apartment building, with or without, the senior aspect to the project; the townhomes would be affordable housing units. Czebotar summarized it appears if they moved forward with the rezone, and the petition held, with the politics of the Village Board, it would appear the Plan Commission would be just spinning their wheels on the proposal. O'Brien indicated they would not move forward with the re-zone unless the neighbors rescinded their petition, they would then move forward with a conditional use. O'Brien hopes the neighbors see the newest change to 50-units as favorable.

Czebotar asked for Commissioner feedback on the project as proposed without the petition, what are the thoughts of the Commissioners if the neighborhood would go along with this most recent 50-unit design. Commissioners felt the new design was good, they did feel there might be some pushback from the neighborhood, but it would be a good type of diverse housing. Green indicated he did not have any

concerns, it is well thought out, meets the Village's housing needs and situated on the site well, and architectural fits. Rupert indicated the changes to date look good but there still might be some resistance from the neighborhood. Peters indicated he was glad they were trying to get senior units as part of the project so the site has a mixed of units, and they have done a good job interacting with the community and that they are going back again to the neighborhood association for further discussion on the 50-unit design. Fischer liked the aspect of the flat roof and possible solar power and felt it would benefit the whole neighborhood. Czebotar stated it would be up to O'Brien to convince the neighborhood that the 50-unit plan would be a good fit for all concerned. O'Brien indicated he would be meeting with the neighborhood steering committee to discuss the changes and keep staff apprised of what direction developers would be moving with the proposal.

7. STAFF REPORTS

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

8. SCHEDULE NEXT MEETING DATE

- a. October 19, 2020 at 7:00 p.m.

9. ADJOURNMENT.

Rupert moved to adjourn, Fischer seconded the motion. Motion carried – meeting adjourned at 9:57 p.m.