

Minutes Plan Commission Meeting

October 19, 2020

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

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 7:00 p.m.

2. PUBLIC APPEARANCES.
None

3. APPROVAL OF MINUTES.

- a. Review and possible approval of the September 21, 2020 Plan Commission minutes.

Czebotar called the minutes from the September 21, 2020 approved by unanimous consent.

4. PUBLIC HEARING

- a. Public hearing regarding Ordinance 2020-22, An Ordinance Amending Various Sections of the McFarland Municipal Code Including Chapter 47 Public Utilities, Chapter 56 Subdivisions, and Chapter 62 Zoning Relating to the Provisions of Storm and Sanitary Sewer Service.

Czebotar opened the public hearing at 7:12 p.m.

Bremer discussed his staff report with Commissioners. These amendments primarily address/clarify the terms under which connections to the Village's sanitary sewer system are allowed and payment of connection fees, including Capital Area Regional Planning Commission and Madison Metropolitan Sewerage District fees, to the Village. These amendments address code deficiencies Village staff have noticed over the past year while working on various CARPC, MMSD

and Village sewer expansion projects. The amendments also include a revision to a portion of Chapter 47 which addresses stormwater utility credits, Chapter 56 and Chapter 62 related to changes in state statute or conflicts within the Municipal Code.

Clair Utter – 5220 Rustling Oaks Lane – feels the zoning code also needs to be looked at and this item should be postponed until consultants can be hired to look at the entire project.

Fischer concurred with Utter; we should be looking at all of what we do in a holistic manner to have a vision for the Village. He is not sure he is comfortable with this at this time.

Commissioners discussed the bases for the changes covered by this ordinance. Czobotar closed the public hearing at 7:20 p.m.

5. BUSINESS.

- a. Discussion and possible action on a site/design review application submitted by Rick & Susan Hubanks for an expansion of Angelo's Restaurant, 4706 Farwell Street.

Bremer summarized the recent history of the property and the rezone, which was approved earlier this year to allow a possible expansion to the property. Bremer reviewed the TID #5 design guidelines, along with his staff report and the comparison of the application to the guidelines, as provided in packets, with Commissioner's.

The proposal will set the building back between 7 and 9 feet from the front property line. While the TID #5 Design Guidelines allow for the potential of zero setback buildings, Bremer feels some setback is appropriate in this corridor as it will allow for some front green space, benches, re-arrangement of the patio area and add a bike rack. Bremer went over the plans as submitted with Commissioners.

Bremer reviewed the existing ingress-egress easement with the adjacent Culver's, there is an updated plat of survey in packets, and the easement has been removed. Angelo's is proposing to remove the dual posted sign and have wall signage in its place. Public Safety wanted some type of protection, bollards, masonry column wall, or planters in front of the two parking stalls adjacent to the proposed patio area in the parking lot.

Rick Hubanks – 4706 Farwell Street Owner of Angelo's – summarized the history of his restaurant in McFarland and reasons for wanting the expansion approval for the site. They have added a second exit to the west elevation. They are hoping to

start the project as soon as possible as the COVID 19 standards are making it hard to run a restaurant and they need to expand their options.

Dave Olson – spoke in favor, but indicated concerns over parking on the west side near the storage units.

Hubanks indicated they are not losing any parking spaces with this proposal; they do not have any plans for additional parking.

Commissioners discussed the concept and site design along with concerns over the ability to have a building right up to the sidewalk, as it would not be fitting in the corridor. Bremer indicated if they were not comfortable with a zero setback, the guidelines could be amended at a later date.

Czebotar moved to approve a site/design review application submitted by Rick & Susan Hubanks for an expansion of Angelo's Restaurant, 4706 Farwell Street with the conditions of:

1. Addition of a second emergency exit on the east side of the proposed patio.
2. Providing either protective bollards, concrete planters, or concrete/masonry columns in the area of the fence in front of the two parking stalls.
3. Obtaining all necessary building permits related to the building addition, revised site signage, and new patio fencing.
4. Removal of the proposed ground mounted building accent lighting.

Rupert seconded the motion. Motion carried 7-0.

- b. Discussion and action to make a recommendation to the Village Board on a request by Veridian Homes Rosewood Fields LLC regarding Final Plat approval for Rosewood Fields Subdivision. Lands located west of CTH AB and north of the railroad 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 summarized the history of this project and the approval process it has gone through to date, along with the other Committees and Boards it has gone before along with their approvals and conditions.

Brian Munson – Vandewalle and Associates – gave a brief overview of their proposal as submitted in packets. There will be 107 single-family homes, broken down as 24-carriage lane home and 83 conventional homes, in addition to 10 twin homes. They have adjusted the paved trail, to go further south. They are looking to start from the west and phase in to the east. Munson reviewed the proposed park

and playground area. In response to the question on the tree line, they are working to preserve as many as they can, the tree line will have to be cleaned up with some of the smaller trees removed.

Jim Sturm 5917 Peninsula Way – had concerns over the tree line on the northwest portion of the proposed Rosewood Subdivision plat. Munson indicated the trees that have to be removed are due to the stormwater management. The bike path will be east of the basin. Sturm inquired if the management area will be standing water or a drainage type system.

Dan Day – replied the northern basin would have permanent water in it as necessary for storm water management purposes. Day explained the greenway extension and the need for the lot in question. They are not looking to plant any additional trees in the stormwater basin.

Munson reviewed the timelines and phasing they are looking at for development of the subdivision.

Clair Utter - 5220 Rustling Oaks Lane indicated he is opposed to the development as presented, but as he owns property adjacent to it, he abstained from voting on the proposal as a Trustee. Utter feels there could be more density and more affordable homes on this site.

Chris Ehlers – responded they are developing with smaller lots so they can build smaller homes; their goal is to have a new home priced under \$300,000.00. They are not selling lots to other builders, which can lead to homes that are more expensive.

Wes Licht – 2964 Highway AB –wanted to know the plans for landscaping and restoration along AB, and, along the Utterback property, along with outlot 4.

Ehlers indicated they would have a buffer of either a fence, which they are working on the design of, or, they would plant some type of thick vegetation to provide a natural buffer. Ehlers is leaning towards a fence. Day indicated the vegetation would be some type of turf or prairie grass, and managed by the HOA.

Licht suggested as they have the opportunity to restore the habitat in the area, suggested they plant the buffer with tall prairie grasses and native oak trees. A design like this is low maintenance, and does not require mowing. Prairie landscape will also meet the strict guidelines of the pipeline. Prairie grasses are adaptable to both wet and dry seasons, and would be valuable habitat for various types of wildlife, along with helping with water runoff due to the root system. He would like to see the Village require this as a condition of approval. Licht inquired about the landscaping for Outlot 4; if this is not handled properly, it will become a weed patch, as it was formerly farmland it needs special attention to convert. Licht would

like to see requirements for this also as a condition. Day replied the outlot is going to be native grasses per Village requirements along with infiltration plants. They will consider Licht's recommendations; however, they have to consider the existing easements. Licht indicated he did not indicate trees in the pipeline easement areas, only the other areas. The easements should just be native prior grasses in on continuous flow. Munson indicated they are experienced with restoration, and will handle this properly, each of the outlots will have a plan for restoration, and explained their general process for restoration.

Bremer indicated they received two questions on Zoom–

Eric Swanson – regarding the drainage direction of the sump pumps, going out the back adds to the water flow towards AB. Day replied they have looked at this and are still evaluating whether they can direct the sump pumps to the street, however they do not feel it will be an issue, they are anticipating a very low flow from the sump pumps.

Jim Sturm – Is the fence that backs up to the northwest storm swell going to be ok? Day replied if it is the fence by the outlot it will be ok, if that is the one in question.

Bremer reviewed the recommended conditions for approval per his report, he indicated they are in the process of some final revisions to both the Developers Agreement and the Covenants, Conditions and Restrictions; they should be ready by the Village Board meeting.

Fischer asked for clarification on the 150-year storm event, if the storm sewers were completely clogged. Brian Berquist advised what they are looking for is making sure of the conveyance methods when the pipes are plugged; storm sewers will fail, they would never be large enough for an event as described, the streets act as shallow swales essentially, they look for the swales to be sized appropriate, the street is treated as a conveyance channel with a depth, width and slope. It gives a footprint of what it would look like in such an event. They want to show that the right of ways are wide enough and the streets are at a sufficient pitch. Berquist commented it is impossible for a community to have storm sewers large enough to handle this large of an event.

Czebotar moved to make a recommendation of approval to the Village Board on a request by Veridian Homes Rosewood Fields LLC regarding Final Plat approval for Rosewood Fields Subdivision. Lands located west of CTH AB and north of the railroad 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, with the following conditions:

1. Addressing those conditions as provided in the Village Engineer's Rosewood Fields Development - Zoning Submittal Review letter dated September 11, 2020.
2. Work with Village Staff on final landscaping design for the plat outlots.
3. Work with the Fire Chief and the Village planning staff with regards to phasing of the project and ability to move fire trucks through.
4. Review by the Village Attorney and approval by the Village Board of a Development Agreement and Declaration of Protective Covenants, Conditions, and Restrictions for the development.

Rupert seconded the motion.

Fischer inquired if they would be adding the condition on the prairie and natural landscaping in the buffer area. Czebotar advised he would let that be covered under the final landscaping design condition.

Motion carried 7-0.

- c. Discussion and possible action to make a recommendation to the Village Board regarding Ordinance 2020-22, An Ordinance Amending Various Sections of the McFarland Municipal Code Including Chapter 47 Public Utilities, Chapter 56 Subdivisions, and Chapter 62 Zoning Relating to the Provisions of Storm and Sanitary Sewer Service.

Bremer reviewed with Commissioners the proposed changes as supplied in packets. He summarized the budget, which is currently under review, and how it ties in with changes in the zoning code. He does not feel there is any reason to wait for a complete re-write of the zoning code to move ahead with this ordinance as Ordinance 2020-22 primarily addresses Chapter 47 which is unlikely to be included in the potential Zoning Code re-write in 2021. Bremer indicated this ordinance is scheduled for review tomorrow night by the Public Utilities Committee.

Czebotar moved to make a recommendation to the Village Board of approval regarding Ordinance 2020-22, An Ordinance Amending Various Sections of the McFarland Municipal Code Including Chapter 47 Public Utilities, Chapter 56 Subdivisions, and Chapter 62 Zoning Relating to the Provisions of Storm and Sanitary Sewer Service. Peters seconded the motion. Motion carried 7-0.

- d. Discussion and action to make a recommendation to the Village Board regarding possible updates to park impact fees.

Bremer informed in January 2020 the Village Board accepted a new park fee assessment study. Bremer reviewed his staff report and the history of this proposal. The park fee assessment study recommended a large increase in the park improvement impact fees. Upon recommendation of the Park Committee and Plan Commission, it was previously recommended the changes be phased in over a five-year plan. Before the Commissioners tonight is the proposed fee change for 2021, consistent with the recommended phasing. This will be also going in front of the Parks and Natural Resources Committee for their review.

Czebotar moved to make a recommendation to the Village Board to approve the updates to park impact fees for 2021. Rupert seconded the motion. Motion carried 7-0.

7. STAFF REPORTS

- a. Property maintenance report – Bremer brought to the Commissioners attention there is a property owner in the Village who has painted a mural on the side of their property. A complaint has been received about it. He has spoken to the owners, and while some neighbors do not like it, the owners indicated others do. They are new residents and indicate this is seasonal; they also had some issues with parking and minimum maintenance on the site, which they are working to correct. Prohibitions on painting murals on houses is not something covered in the current code. This is something, which they may want to look at in the future.
- b. Director's report – no comments

8. SCHEDULE NEXT MEETING DATE

- a. November 16, 2020 at 7:00 p.m.

9. ADJOURNMENT.

Rupert moved to adjourn, Peters seconded the motion. Motion carried – meeting adjourned at 8:52 p.m.