

**Minutes
Plan Commission
Meeting
July 19, 2021**

Members Present: Scott Peters, Eric Green, Carolyn Clow, Chris St. Clair, Tammy Olson.
Peter Bloechl-Anderson joining at 7:15 p.m.

Members Absent:

Staff Present: Andrew Bremer, Chris Dennis, Andrew Day, Karen Knoll, Kong Thao

1. CALL TO ORDER

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

2. PUBLIC APPEARANCES.

Carol Austin 4618 Siggelkow Road – Unit #2, spoke against the proposal for 4902 and 4908 Terminal Drive.

3. APPROVAL OF MINUTES.

- a. Review and possible approval of the June 21, 2021 Plan Commission minutes.

Clow moved to approve the June 21, 2021 Plan Commission minutes. Green seconded the motion. Motion carried 5-0.

4. BUSINESS.

- a. Discussion and possible action on a Conditional Use Permit requested by Anderson-Hood LLC and Grey Duck LLC for wholesale trade for L'eft Bank Wine Company, a wholesale wine and fine liquor business, at 4910 Triangle Street, McFarland, WI, property zoned C-P Commercial Park.

Clow summarized this is action based on an item discussed at the June 21, 2021 Plan Commission meeting.

Clow moved to approve a Conditional Use Permit requested by Anderson-Hood LLC and Grey Duck LLC for wholesale trade for L'eft Bank Wine Company, a wholesale wine and fine liquor business, at 4910 Triangle Street, McFarland, WI, property zoned C-P Commercial Park. Peters seconded the motion. Motion carried 5-0.

- b. Discussion and possible action regarding a Conditional Use Permit (CUP), requested by Wisconsin Power and Light & Alliant Energy for a natural gas regulator station, at Grand View Lot 3, parcel 0610-023-5350-7, (approximate northwest corner of Creamery Road and Elvehjem Roads), McFarland, WI property zoned CO Conservancy.

Bremer summarized a public hearing was held on this item at the May 20, 2021 Plan Commission meeting, it was then postponed from the June 21, 2021 meeting to allow the applicant the opportunity to revise some of the responses to the standard for conditional use questions. The revised responses are in packets.

Aaron Welsh – Project Manager with Alliant Energy reviewed their adjusted responses current to section B to cover the substantially impaired. Welsh reviewed the definition of substantially impaired, with their initial application they took it to mean “unfit” or “unusable”, they have since adjusted to meet the actual definition. They are asking for about 400 sq. ft of a 7.3-acre site on which to place the regulator station, which is less than 1% of the site. Welsh indicated there is possibly 1 home within the 350’ radius for their proposed site, their current site has 11 homes within the radius. They have come up with a new landscaping plan, which will be deer tolerant, along with trying to blend into the visual area of the conservancy area. Per McFarland’s guidelines, utility stations are allowed in a conservancy. They are also looking at a site in the Town of Dunn or a site near the dog park. They could move it potentially a little more to the north, this location was selected when working with the Public Works and Parks Directors due to the prairie restoration which will be taking place and potential burning in that area further north.

Bremer reviewed page 47 of the packet, the meaning of substantial impairment, it means substantially impaired or diminished, not that there is not any impairment or any diminishment. Per Bremer’s report in packets, he did not feel this proposal would significantly impair the site, due to the updated landscaping and that it is further from any homes than the current site, taking into consideration the current station is below ground and the proposed is above. Commissioners discussed the proposal as presented.

Clow moved to approve a Conditional Use Permit (CUP), as submitted including revised landscaping plan requested by Wisconsin Power and Light & Alliant Energy for a natural gas regulator station, at Grand View Lot 3, parcel 0610-023-5350-7, (approximate northwest corner of Creamery Road and Elvehjem Roads), McFarland, WI property zoned CO Conservancy with the following conditions.

1. Village Board approval of the associated project easement. Applicant to revise the easement in the Village Attorney's staff letter dated June 15, 2021 to include the area within the revised landscaping plan for review by the

Village Attorney prior to consideration of the easement by the Village Board.

2. Applicant to provide site invasive tree/brush removal services as outlined in the Village Engineer's staff review letter dated May 5, 2021. Applicant to contact the Director of Public Works to coordinate removal prior to completion of said services.

St. Clair seconded the motion. Motion carried 6-0.

- c. Discussion and possible action on a Site Design Review Permit submitted by Wisconsin Power & Light and Alliant Energy for a natural gas regulator station at Grand View Lot 3, parcel 0610-023-5350-7 (approximate northwest corner of Creamery Road and Elvehjem Road), McFarland, WI, property zoned CO Conservancy.

Clow moved to approve a Site Design Review Permit submitted by Wisconsin Power & Light and Alliant Energy for a natural gas regulator station at Grand View Lot 3, parcel 0610-023-5350-7 (approximate northwest corner of Creamery Road and Elvehjem Road), McFarland, WI, property zoned CO Conservancy with the following conditions:

1. Village Board approval of the associated project easement. Applicant to revise the easement in the Village Attorney's staff letter dated June 15, 2021 to include the area within the revised landscaping plan for review by the Village Attorney prior to consideration of the easement by the Village Board.

2. Applicant to provide site invasive tree/brush removal services as outlined in the Village Engineer's staff review letter dated May 5, 2021. Applicant to contact the Director of Public Works to coordinate removal prior to completion of said services.

Motion seconded by Green. Motion carried 6-0.

- d. Discussion and possible recommendation to the Village Board on Ordinance 2021-07, An Ordinance Rezoning Outlot 20 of Assessor's Plat No. 4 – Township of Blooming Grove (4908 Terminal Drive), and Lot 1 of CSM 7449 (4902 Terminal Drive), McFarland, WI from Commercial Highway (C-H) to Planned Development District – General & Detailed Plan Approved. Rezoning requested by Waubesa Village LLC.

Bremer summarized there was a public hearing at the June 21, 2021 Plan Commission meeting. The packet includes the public comments prior to that meeting. This proposal is for Phase IV, a 27-unit garden style apartment building.

Chief Dennis, McFarland Fire and Rescue spoke in response to concerns over the tank farms. Dennis indicated the tank farms have been in existence for many years.

He indicated they have upgraded their safety procedures and now have a floating roof, along with diking around them. These sites are reviewed by the State on an annual basis along with working with the fire department on practice runs on the site. Dennis indicated while the proposal is not for a HUD project he used their guidelines in reviewing the application. Included with his letter in packets is an illustration showing acceptable distances. The Fire Department is governed by code, and he looks at things as such. Dennis reviewed his letter and findings as provided in packets. There was nothing he found which would indicate this project could not move forward.

Bremer reviewed the updated landscaping plan as submitted, including the area shared with the Park View Apartments. Bremer advised previously they recommended the installation of plantings along the parking stalls to aid in blocking headlights to neighboring properties, smaller shrubs to stay the standard size of an autos headlights, understanding they would have to be removed if Phase V went forward. Quam has additional statements in the packet addressing the concerns of the neighbor. Quam advised he is comfortable working with staff on the landscaping to add what is requested for the project. Quam reviewed his responses as included in packets in response to the letter submitted by Carol Austin.

Clow asked Bremer to address the issues in the letter-dated July 19, 2021 received today from Austin questioning why the Village is acting as a bank for this project. Bremer indicated the Village is not acting as a bank, they are part of the financial stacking for the project; TIF funds are available to provide incentives for development upon request. Most of the funding on this project is private lending, and personal equity. TIF requests are referred to and reviewed by the CDA, who then provides a recommendation to the Village Board. The CDA recommended at their July meeting a lower incentive of \$176,500. plus the land for the project. That recommendation would go to the Village Board upon a recommendation from the Plan Commission regarding the rezone. Bremer reviewed the questions covering green space, fees in lieu, area parks, and emergency vehicle access.

Clow moved to recommend approval of on Ordinance 2021-07, An Ordinance Rezoning Outlot 20 of Assessor's Plat No. 4 – Township of Blooming Grove (4908 Terminal Drive), and Lot 1 of CSM 7449 (4902 Terminal Drive), McFarland, WI from Commercial Highway (C-H) to Planned Development District – General & Detailed Plan Approved. Rezoning requested by Waubesa Village LLC conditioned upon:

1. Approval of a Real Estate Acquisition and Development Agreement by the Village Board.
2. Addressing those conditions of approval provided in the May 5, 2021 McFarland Fire & Rescue Department staff memo.
3. Addressing those conditions of approval provided in the June 11, 2021 Village Engineer staff memo.

4. Revising the Landscape Plan to include installation of (4) additional Norway Spruce (or similar evergreen species) along the southern lot line and installation of (15) Arborvitae (or similar evergreen species) along the northern lot line between the 16 off-street parking spaces and the adjacent property line. Said installations in addition to those on the revised Landscaping Plan dated July 8, 2021.
5. Revising the proposed Lighting Plan to remove the proposed ground mounted building accent light on the south facing building wall.
6. Submittal of specifications for the proposed light fixtures and a photometric plan for the property to the Community Development Director for staff review and acceptance.
7. Applicant to submit revised site plans addressing the conditions of approval to the Community Development Director for staff review and acceptance prior to issuance of a building permit.

Peters seconded the motion.

St. Clair feels this is a lot which was zoned to be commercial, and the Village is in need of commercial uses, he feels the Village is struggling to find commercial uses and does not feel this fits with the Comprehensive Plan or the TID 3 plan. Commissioners discussed the plans for commercial in the area. Clow inquired of Quam if he had plans for commercial in Phase V. Quam responded he has two sites at his other Terminal Drive Humble Oaks site, which are planned for commercial due to a better commercial location, view for the tenants, and better parking. He has been marketing them for two years has not had any interest. He was thinking of having a community room aspect to Phase V, if required he would look at adding commercial to Phase V. St. Clair indicated Quam's response makes sense, however he feels the Village should look at the Comprehensive Plan rather than taking items on a case-by-case basis. Bloechl-Anderson concurred with St. Clair.

Clow called for the vote – Clow, Peters, and Green voted in favor, St. Clair, Bloechl- Anderson and Olson vote against. Motion failed on a 3-3 vote.

- e. Discussion and possible action on a Certified Survey Map (CSM) requested by the Waubesa Village LLC to combine Lot 1 of CSM 14104 (4604, 4606, and 4608 Siggelkow Road), Outlot 20 of Assessor's Plat No. 4 – Township of Blooming Grove (4908 Terminal Drive), and Lot 1 of CSM 7449 (4902 Terminal Drive), McFarland, WI, to create one parcel. The properties are currently zoned C-H Highway Commercial and PD Planned Development District.

Clow asked Bremer to speak on this item based on the prior action. Bremer advised the CSM is based on the approval of Ordinance 2021-07. CSM's are reviewed and approved the Planning Commission and not the Village Board. This can be approved based on the approval of the Village Board of Ordinance 2021-07. Clow advised Quam the Village Board can still approve the Ordinance, without a

recommendation by the Plan Commission, This item can be approved conditional upon the Village Board approving the Ordinance. Bremer reviewed the staff conditions of approval for this item as included in packets with Commissioners.

St. Clair moved to approve a Certified Survey Map (CSM) requested by the Waubesa Village LLC to combine Lot 1 of CSM 14104 (4604, 4606, and 4608 Siggelkow Road), Outlot 20 of Assessor's Plat No. 4 – Township of Blooming Grove (4908 Terminal Drive), and Lot 1 of CSM 7449 (4902 Terminal Drive), McFarland, WI, to create one parcel. The properties are currently zoned C-H Highway Commercial and PD Planned Development District conditioned upon:

1. Approval by the Village Board of the rezoning application from Waubesa Village LLC for Outlot 20 of Assessor's Plat No. 4 - Town of Blooming Grove and Lot 1 of CSM 7449, Ordinance 2021-07.
2. Approval by the Village Board of a Real Estate Acquisition and Development Agreement for the proposed development.
3. Revising the CSM to include a 42-foot right-of-way from the center line of Terminal Drive across the entire frontage of the proposed CSM.

Clow seconded the motion.

Commissioners discussed the reasoning of taking up this motion, based on if the Village Board approves Ordinance 2021-07, even though the Plan Commission did not pass it. Bremer indicated there are two options, they can vote on the motion this evening and accept the staff recommendations, which recognize the CSM cannot be recorded unless the Village Board approves a Developers Agreement and the rezoning ordinance, or you could postpone action until the Village Board takes action on the rezone. The conditions are likely to be the same.

St. Clair moved to amend the motion to read "to postpone action until the August 16, 2021 Plan Commission meeting". Bloechl-Anderson seconded the motion. Clow called for the vote to amend the motion. Motion to amend carried 6-0.

Clow called for a vote on the motion to postpone action until the August 16, 2021 Plan Commission meeting. Motion carried 6-0.

- f. Discussion regarding potential use and revitalization of 5979 Siggelkow Road, former Waubesa School, pre-application meeting requested by property owner Urso Bros LLC.

Bremer summarized, on January 19, 2021 Kevin Urso was before the Plan Commission for a pre-application for 5979 Siggelkow Road. The current tenant has relocated and Urso is interested in moving their offices into the building. There were some issues needing to be completed before they could move forward. Bremer reviewed the items needed to move this project forward, as indicated in his staff review with Commissioners, along with reviewing the Comprehensive Plan, and rezoning options. St. Clair would like to see if there is a way to handle the zoning without having to amend the Comprehensive Plan. Bremer indicated this is just a

minor amendment, and it is not uncommon for communities to do this, the plan itself is updated every ten years. Bremer reviewed the process and how properties/sites are effected with the process. Bremer indicated Urso has been in contact with the Historical Society, there are changes made on the inside of the building which he is looking to change, to bring it back to its more original structure.

Urso advised there is a small addition on the rear of the structure, which they may look into renting out in the future for a small low traffic business. The former tenant had approximately 30 people on site; it will only be their business. They are looking to keep the parking in its current location, and look to keep the outside structure the same, while removing some of the partitions which were put in previously. They are also cleaning up the dead or non-maintained trees on site. Commissioners discussed some of the historical aspects of the site. Bremer clarified the Landmarks Commission will review any exterior changes or additions to the site; they would issue a Certificate of Appropriateness. The Historical Society is used as a resource as needed but does not approve any permits. Urso indicated the proposed accessory building will be used for storage of trailers when they are not at job sites.

- g. Discussion regarding future updates to the Village East Side Neighborhood Growth Area Plan and Comprehensive Plan.

Clow indicated they introduced this idea last month, Commissioners were to review and decide what they did or did not like so he could provide a document for RFP for the Village.

Bremer reviewed the map and growth of the East Side Plan, which was adopted in 2008. It substantially remains undeveloped; there have been some additional annexations in the past years. Bremer also reviewed the map of annexations as included in packets. Bremer inquired what are some aspects of the East Side Plan that Commissioner's feel they would like to keep or strengthen and those you feel are relevant and would like to see revised or removed. They are not here to make decisions, tonight is for discussion only, the process will take six to twelve months once a consultant is selected. The feedback is to build an RFP for their recommendation to the Village Board.

Clow asked for thoughts on the East Side Plan from Commissioners. Commissioners discussed their ideas including more intentional planning for affordable housing, building in more green space, or parks, additional sports and recreational areas, infrastructure, public transportation to Madison. Other areas were reconsidering locations and the amount of office and light industrial, non-residential use, commercial and industrial uses. Bremer indicated there would be some updates to the Comprehensive Plan as part of the planning process, he also feels per staff prospective they would like to see more sustainability, along with a new look at low density residential along with policies for addressing requests for

private well and septic. Bremer reviewed the staff viewpoint on the plan with Commissioners; staff would like to see a mix of housing, different levels of affordability, continuation of bike trails. Bremer indicated the Village has always desired an interchange off the interstate; however, they have not been able to get support from the DOT due to their guidelines along with the required studies of environmental and other studies that can be costly. Bremer indicated they will have to determine if they want an additional monthly meeting as part of putting this plan together instead of adding this onto the regularly scheduled monthly meeting, be prepared for additional meeting requests into 2021-2022.

7. STAFF REPORTS

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

8. SCHEDULE NEXT MEETING DATE

a. Discussion of Hybrid Meetings 2.0.

Andrew Day with the Communication and Technology Department reviewed with Commissioners the new process for meetings. Starting Monday August 2, 2021 Village meetings will transition to a new format as unanimously passed by the Village Board on June 14, 2021. The Village is encouraging Committee and Board members to begin to attend meetings in person. The meetings will consist of the majority attending in person, with the remote option available for attendance also. Masks are still required to be worn in common areas of the building, regardless of vaccination status.

There is a crucial step in setting up future meetings, staff needs to know in advance, how many people will be attending in person so the proper set up and spacing can be arranged. All meetings at this time will be held in the Community Room. There will be online forms sent out to all committee and Board members, the Monday prior to their scheduled meeting. The form will take less than a minute to complete and you will have five days to fill it out, you will need to indicate whether you plan to attend in person, remotely, or are not able to attend that upcoming meeting. The window to complete your form closes at noon the Friday prior to the week of your upcoming meeting. The agendas and packets are then released that afternoon. This is part of the transition to meetings being held 100% in person. Clow polled Commissioners as to their thoughts for attendance the August 16, 2021 meeting.

- b. August 16, 2021 at 7:00 p.m.

9. ADJOURNMENT.

Clow moved to adjourn, Peters seconded the motion. Motion carried, meeting adjourned at 9:19 p.m.