

**Minutes
Plan Commission
Meeting
December 20, 2021**

Members Present: Scott Peters, Eric Green, Christopher Reynolds, Carolyn Clow, Peter Bloechl-Anderson, Chris St. Clair, Tammy Olson (arriving at 7:04 p.m.)

Members Absent:

Staff Present: Andrew Bremer, Karen Knoll, Kong Thao, Patrick Heasty

1. CALL TO ORDER

Clow 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 November 15, 2021 Plan Commission meeting minutes.

Clow moved to approve the November 15, 2021, Plan Commission minutes.
Green seconded the motion. Motion carried 6-0-1 with St. Clair abstaining.

4. BUSINESS

- a. Discussion and possible recommendation to the Village Board regarding Ordinance #2021-11: An ordinance to amend the zoning code and related code provisions regarding the requirements for a vision triangle at corner lots.

Bremer summarized at the November 15, 2021 Plan Commission meeting there was a public hearing held regarding Ordinance #2021-11 . The purpose is to clean up some of the language of the code relating to how vision triangles are measured as it could be viewed where the curbs intersect, the pavement intersects or where the property line intersects. This would cause confusion for owners along with how it is enforced to avoid obstructions in the vision triangle. There were also committee meetings held by the Joint Public Works Public Utilities Committee and the Public Safety Committee, each providing a recommendation to the Village Board for approval of the Ordinance to establish measuring from the intersecting curb, this ordinance will also create a hierarchy for how the vision triangle is measured using a functioning classification system. Bremer summarized staff feedback and the

discussions from the prior meetings. The changes from the meetings are listed in the packet, mainly reflecting consistency in terms used, along with clarifying where it is measured from, which will be the top of the curb. A full version of the ordinance is included in packets.

Clow moved to recommend approval to the Village Board of Ordinance #2021-11: An ordinance to amend the zoning code and related code provisions regarding the requirements for a vision triangle at corner lots. St Clair seconded the motion. Motion carried 7-0.

- b. 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 PD Planned Development District.

Bremer summarized a public hearing was held at the June 21, 2021 Plan Commission meeting and action at the July 19, 2021 meeting was postponed pending Village Board approval of the rezoning request for Phase IV, that ordinance was adopted by the Village Board. This action will combine these parcels into one lot. Bremer identified the area which was to be dedicated as a right-of-way as shown on the CSM provided in packets.

Clow moved to approve a Certified Survey Map (CSM) requested by the Waubesa Village LLC as presented in the December 20, 2021 packet. Peters seconded the motion. Motion carried 7-0.

- c. Discussion and possible action on a Site Design Review Permit submitted by Wisconsin Power & Light Co. for the addition of new equipment to their existing electric distribution substation located at 3451 Siggelkow Road, McFarland, WI.

Bremer reviewed the application as provided in packets, it is for an existing electrical substation owned by Wisconsin Power and Light which they would like to make some modifications to due to county solar farms located to the north of the property.

Jerome Lund with Alliant Energy stated they need more equipment at this site for distribution purposes due to the large solar farm as Bremer indicated. Lund reviewed the site plan as included in packets for this proposal. He advised there is no issue with the additional landscaping as requested by the Village.

Clow moved to approve a Site Design Review Permit as submitted by Wisconsin Power & Light Co. at 3451 Siggelkow Road, conditioned on the addition of a minimum of 5 medium to tall evergreen tree species within the front yard between

the front lot line and the existing fence. Bloechl-Anderson seconded the motion. Motion carried 7-0.

- d. Discussion and possible action on a Conditional Use Permit requested by Kwik Trip to construct a new 24-hour per day gasoline station and convenience store at 4015 Terminal Drive, property zoned C-H Commercial Highway.

Clow asked Bremer to review the past meeting and provide updates on information requested at that meeting. Bremer indicated there was a public hearing held on November 15, 2021, a summary of comments from that meeting voiced two main concerns, there were comments over the concern about the current Citgo station and competition with it, or the need for another station located on the north side; the other concern was the potential traffic impact, and impact to the traffic lighting at Terminal and U.S. Hwy. 51. Commissioners had requested that staff reach out to the DOT. The DOT indicated they recommended completion of an Initial Review or what is called an IR. Once done, the DOT would review and decide if a Traffic Impact Analysis (TIA) was warranted. Bremer reviewed staffs conversations with the DOT with Commissioners from the information as included in the staff report in the packet. Staff engaged Lee Gibbs from CBS Squared who completed an IR and submitted it to the DOT. Kwik Trip has indicated they would accept as a condition of approval their responsibility for any improvements to the western leg of the intersection as recommended as part of the TIA due to their development proposal. Bremer noted the general intent is that Kwik Trip would be responsible for improvements to the intersection recommended in the TIA due to the impacts caused by their development; however, if there are existing deficiencies not caused by Kwik Trip proposals, for example the southern approach to the intersection on 51, that would likely not be a cost to Kwik Trip but the WisDOT. Bremer reviewed the timeline for the process. Commissioners discussed the studies, costs and reimbursements along with the processes. Clow inquired if it is necessary to approve this tonight without the studies completed, and potential unknowns, which may be brought forward. How would waiting affect the project. Bremer replied the action requested tonight is due to the closing date on the property, it is up to the Plan Commission to decide if they are comfortable approving the CUP. Bremer indicated there are details in the packet on these options in the staff report.

Troy Mleziwa with Kwik Trip real estate stated they are proposing approval with conditions due to their contract to close on the property by the end of the year. Kwik Trip is interested in safe access for their customers and a good investment in the community and long-term investment for them as well. Kwik Trip would agree to pay for any costs related to the project which may come up due to the traffic study, as well as reimbursing the Village the cost of the TIA study. Kwik Trip is looking to move forward and if they do not close on the property the current owners may go in a different direction. Brad Fry with Kwik Trip indicated the WisDOT is looking at this intersection as part of a long-term study and this study could take a while. Todd Waller felt the project should move forward as the DOT process can

be a slow one. Bremer updated Commissioners on a separate study, which is currently being worked on by the DOT, which follows U.S. Hwy 51 from the Terminal Drive intersection north to DeForest. Any potential improvements from that study are years in the future. Commissioners discussed options of approval or not approving the project due to the unknowns, along with Kwik Trips reasons to want this to move forward, and the Commissions duty to the Village. Clow polled Commissioners to their thoughts on the approval process. The risk is to Kwik Trip on whether they can extend their offer to purchase, or purchase the property and not have the approvals, or receive approvals conditioned on their payment for the TIA study and any improvements to the intersection recommended as a result of their development project.

Clow moved to approve the Conditional Use Permit requested by Kwik Trip to construct a new 24-hour per day gasoline station and convenience store at 4015 Terminal Drive, as submitted with the conditions:

1. Applicant to meet the recommended conditions of approval from the Village Engineer's staff report dated November 12, 2021.
2. Applicant to meet the recommended conditions of approval from the Village Fire Inspector staff report dated November 1, 2021.
3. Applicant to reimburse the Village for costs associated with the completion of a WisDOT Initial Review (IR) and subsequent Traffic Impact Analysis (TIA) necessitated by their proposed development. Applicant to be responsible for the costs of any improvements to the western leg of the intersection (Terminal Drive & USH 51) recommended as part of the TIA due to their development proposal. Applicant to work in good faith with the Village on completion of the TIA and completion of any recommended improvements to the western leg of the intersection.
4. Applicant to provide to the Village, at no cost, a public road and utility easement along the southern side lot line of approximately 33 feet wide by 400 feet long.
5. Applicant to provide to the Village, at no cost, an easement to place a Village gateway sign, and associated landscaping features, at the corner of Terminal Drive and USH 51, including associated electrical easement to serve the sign. Applicant to work in good faith with the Village to determine the final placement and easement area based on the signage design of the Village. Costs for construction and installation of the gateway sign to be a Village expense.
6. Applicant to revise the landscaping plan to:
 - a. Include a minimum of one swamp white oak and four spruce trees, or similar species, on the east side of the proposed fleet parking area along USH 51.
 - b. Include a minimum of four swamp white oaks, or similar species, in the sod area located between the diesel canopy and the curve along Terminal Drive.

- c. Include a decorative brick and black iron fence along the Terminal Drive frontage similar to the same feature located at Kwik Trip's Farwell Street location at the intersection of Farwell and USH 51.
 - d. Include a sidewalk connection through the proposed landscape island adjacent to the diesel canopy.
7. Applicant to revise the lighting and photometric plan to meet average illumination levels under gas canopies and mounted to buildings not to exceed 30 footcandles.
8. Applicant to revise the signage plan to:
- a. Reduce the size of the proposed monument sign along Terminal Drive to no more than 40 square feet.
 - b. Reduce the size of the proposed dual post pylon sign along USH 51 to no more than 100 square feet.
 - c. Wrap the bases of each post of the dual post pylon sign along USH 51 with brick similar to the pylon supports for the gas canopies.

St. Clair seconded the motion.

Bremer indicated many of the conditions were based on the Terminal Triangle guidelines and reviewed why the conditions were proposed.

Motion carried 7-0.

- e. Discussion and possible action on a Site Design Review Permit submitted by Kwik Trip for a new gasoline station, convenience store and car wash at 4015 Terminal Drive, McFarland, WI.

Clow moved to approve a Site Design Review Permit submitted by Kwik Trip for a new gasoline station, convenience store and car wash at 4015 Terminal Drive, as submitted with the conditions of:

- 1. Applicant to meet the recommended conditions of approval from the Village Engineer's staff report dated November 12, 2021.
- 2. Applicant to meet the recommended conditions of approval from the Village Fire Inspector staff report dated November 1, 2021.
- 3. Applicant to reimburse the Village for costs associated with the completion of a WisDOT Initial Review (IR) and subsequent Traffic Impact Analysis (TIA) necessitated by their proposed development. Applicant to be responsible for the costs of any improvements to the western leg of the intersection (Terminal Drive & USH 51) recommended as part of the TIA due to their development proposal. Applicant to work in good faith with the Village on completion of the TIA and completion of any recommended improvements to the western leg of the intersection.
- 4. Applicant to provide to the Village, at no cost, a public road and utility easement along the southern side lot line of approximately 33 feet wide by 400 feet long.

5. Applicant to provide to the Village, at no cost, an easement to place a Village gateway sign, and associated landscaping features, at the corner of Terminal Drive and USH 51, including associated electrical easement to serve the sign. Applicant to work in good faith with the Village to determine the final placement and easement area based on the signage design of the Village. Costs for construction and installation of the gateway sign to be a Village expense.

6. Applicant to revise the landscaping plan to:

- a. Include a minimum of one swamp white oak and four spruce trees, or similar species, on the east side of the proposed fleet parking area along USH 51.
- b. Include a minimum of four swamp white oaks, or similar species, in the sod area located between the diesel canopy and the curve along Terminal Drive.
- c. Include a decorative brick and black iron fence along the Terminal Drive frontage similar to the same feature located at Kwik Trip's Farwell Street location at the intersection of Farwell and USH 51.
- d. Include a sidewalk connection through the proposed landscape island adjacent to the diesel canopy.

7. Applicant to revise the lighting and photometric plan to meet average illumination levels under gas canopies and mounted to buildings not to exceed 30 footcandles.

8. Applicant to revise the signage plan to:

- a. Reduce the size of the proposed monument sign along Terminal Drive to no more than 40 square feet.
- b. Reduce the size of the proposed dual post pylon sign along USH 51 to no more than 100 square feet.
- c. Wrap the bases of each post of the dual post pylon sign along USH 51 with brick similar to the pylon supports for the gas canopies.

Applicant to submit updated site plans addressing the conditions of approval to the Community Development Director for review and acceptance by appropriate Village staff.

St. Clair seconded the motion. Motion carried 7-0.

- f. Discussion and possible recommendation to the Village Board regarding updates to the Community Development permit fees.

Bremer summarized the zoning, park impact and building permit fees are reviewed annually. The zoning fees were reviewed in 2019 and updated in 2020 to bring them up to an average with comparable communities in Dane County. Bremer discussed the park impact fee changes recommended in 2020 as part of the Village's park impact fee study. Bremer noted the study recommended a significant increase in park impact fees, due in part, to the fact that the impact fees had not been adjusted since 2004. Beginning in 2020, the Village has been adjusting the fee annually in

equal increments, plus inflation, over a five-year period to reach the recommended fee from the study. Thao reviewed his findings from his comparative community study of building permit fees. This is mainly residential and commercial permits, there are eleven different classifications which were used in the comparative analysis. Commissioners discussed the research as presented. Bremer indicated they are still working through the data, which is why this is labeled a draft. Bremer recommended revisiting updates to building permit fees next summer to coincide with review of extension of the Village's contracted building inspection services.

Clow moved to recommend to the Village Board fee changes as presented in items 1 – 5 for 2022 contingent upon final inflation adjustment of the park impact fees by the Community Development Director per section 8-464 (e).

1. \$425.00 for a Conditional Use Permit
2. \$475.00 for a Zoning Text or Map Amendment
3. \$450.00 for a Variance Permit
4. Park Improvement Impact Fee
 - Single Family Dwelling Unit: \$1,942.53*
 - Multi-Family Dwelling Unit: \$1,322.22*
 - Group Quarters Dwelling Unit: \$811.14*
5. Park Land Impact Fee
 - Single Family Dwelling Unit: \$4,142.64*
 - Multi-Family Dwelling Unit: \$2,877.71*
 - Group Quarters Dwelling Unit: \$1,581.16*

Motion seconded by St. Clair. Motion carried 7-0.

5. STAFF REPORTS

- a. Property Maintenance Report – no comments
- b. Director's Report - Bremer reviewed his report as provided in packets.

6. SCHEDULE NEXT MEETING DATE.

- a. Tuesday January 18, 2022 at 7:00 p.m.

7. ADJOURNMENT.

Clow motioned to adjourn, St. Clair seconded the motion. Motion carried 7-0. Meeting adjourned at 8:33 p.m.