

Wednesday, February 8, 2023

7:00 PM

McFarland Municipal Center
Community Room

AGENDA

You are invited to this meeting through a Zoom webinar. The public may attend in-person or remotely through the webinar or telephone options listed below.

PLEASE CLICK THE LINK BELOW TO JOIN THE ZOOM WEBINAR:

<https://us02web.zoom.us/j/86454532686>

Or by Telephone: +1 (312) 626-6799

Webinar ID: 864 5453 2686

Press *9 to raise/lower hand. Press *6 to mute/unmute.

1. CALL TO ORDER, ROLL CALL.
2. PUBLIC APPEARANCES.
 - a. This is an opportunity for members of the public to address the Community Development Authority for items that are not on the agenda. Please remember this is a hybrid meeting conducted in person and through the Zoom online meeting platform. Meeting attendees wishing to address the Authority about items not on the agenda may do so at this time. Zoom attendees should type their name and address in the Question and Answer feature within the Zoom online meeting platform at this time. Members of the public who are present in person and wish to address the Authority should fill out a public comment form and turn into the meeting chairperson. When you are called upon to speak, state your name, address, and provide your comments to the Authority for their consideration. Please adhere to the 3-minute time limit. Additionally, you may send your public comments to community.development@mcfarland.wi.us to be included as part of the meeting.

Members of the public may also speak during their selected agenda item as they designate on the public comment form or in the Question and Answer feature on Zoom.
3. APPROVAL OF MINUTES.
 - a. Motion to approve the minutes of the January 11, 2023 joint Community Development Authority and Plan Commission meeting.
4. BUSINESS.
 - a. New member introductions and discussion regarding CDA Powers and Duties.
 - b. Discussion regarding updating the Terminal and Triangle District Plan and creating a new Downtown Master Plan.
5. SCHEDULE NEXT MEETING DATE.
 - a. Wednesday March 8, 2023 at 7:00 PM
6. ADJOURNMENT.

Any person who has a qualifying disability as defined by the Americans with Disabilities Act that requires the meeting or materials at the meeting to be in an accessible location or format should contact the McFarland Municipal Center at (608)838-3153, 5915 Milwaukee Street, McFarland, Wisconsin, or village.clerk@mcfarland.wi.us by 2:00 p.m. at least 5 business days prior to the meeting so that any necessary arrangements can be made to accommodate each request. If the meeting or request is less than 5 business days from the meeting, requests for accommodations may still be made and reasonable efforts will be made to accommodate each request.

**Joint Community Development Authority
and Plan Commission Minutes
January 11, 2023**

CDA Members Present: Stephanie Brassington, TJ Jerke, Ken Brost, Kristen Ellis (7:01 PM), Dan Kolk, Anthony Hennes, Benjamin Tanko

PC Members Present: Carolyn Clow, Stephanie Brassington, Kathleen Pakes, Scott Peters, Chris Reynolds, Austen Conrad

PC Member Absent: Peter Bloechl-Anderson

Staff Present: Andrew Bremer, Kong Thao

1. CALL TO ORDER

Clow called the meeting to order at 7:00 PM.

2. PUBLIC APPEARANCES.

None.

3. APPROVAL OF MINUTES.

- a. Clow motioned to approve the November 9, 2022 Joint CDA, Plan Commission, and Village Board meeting. Brost seconded the motion. Motion carried 12-0.

4. BUSINESS.

- a. Discussion regarding East Side Neighborhood Plan update.

Bremer provided introduction of the agenda item, detailing the current timeline of the project, past joint meetings, and upcoming scheduled meetings with the draft plan. Bremer noted that a public hearing on the draft plan is being scheduled for the March 21, 2023 Plan Commission meeting with recommendations by the CDA and Plan Commission to the Village Board at their April meetings.

Clow motioned for recess at 7:04 PM. Clow resumed meeting at 7:07 PM.

Stephen Tremlett, MSA Professional Services and Project Manager, presented on the draft plan. Tremlett's summary included public meeting feedback and key takeaways from each chapter of the draft plan. The joint commission asked questions and engaged in active discussion during Tremlett's presentation. Some of the topics discussed included: rail systems, public transit, commercial nodes in relationship to future school locations, affordable housing, utility and energy needs, draft typos, design guidelines, and implementation actions proposed.

- b. Discussion regarding 2023 Community & Economic Development capital improvement planning projects.

Bremer provided the joint committee with upcoming plan updates following the conclusion of the East Side Neighborhood Plan update. This includes the Terminal & Triangle District Plan (2005) and the Village's Downtown Master Plan. Bremer engaged the joint group for feedback regarding the approach for a single RFP (Request For Proposals). The joint committee asked Bremer about the department's capacity to achieve all these projects moving forward. Bremer affirmed the timeline of the projects will be adequate and provide staff with enough work. Bremer expressed preference for a singular consultant, one RFP, and continued joint meetings to maintain efficiency. This in turn supports staff time, the consultant's time, and reduces the evening meetings held. The joint committee showed affirmation of the suggested approach for staff to proceed with a single RFP and allow for consultants to apply to a single one if desired. No action was taken on this discussion item. Bremer will prepare the draft RFP for future recommendation to the Village Board.

5. SCHEDULE NEXT MEETING DATE.

- a. Tuesday, January 17th, 7:00 PM, Plan Commission.
- b. Wednesday, February 8th, 7:00 PM, CDA

6. ADJOURNMENT.

Clow motioned to adjourn meeting. Brost seconded the meeting. Meeting adjourned at 8:50 PM.

McFarland
SUMMARY SHEET

MEETING DATE: Wednesday, February 8, 2023

SECTION: Business

DEPARTMENT: Community Development

CONTACT: Andrew Bremer, Comm & Eco Dev Director

AGENDA ITEM: New member introductions and discussion regarding CDA Powers and Duties.

PREVIOUS ACTION:

ISSUE SUMMARY:

Austen Conrad has transitioned to serving on the Plan Commission. Anthony Hennes and Benjamin Tanko have been confirmed for appointment to the CDA to fill the two remaining vacancies.

With the appointment of new CDA members, this is an opportunity to refamiliarize ourselves with the powers and duties of the CDA. Per Sec. 2-248 of the Municipal Code, *the CDA shall have all the powers set forth under Wis. Stat. 66.1335(4) to undertake, as approved by the Village Board, blight elimination, urban renewal, and community development programs and projects, and housing projects.* As such, the CDA serves in an advisory capacity to the Village Board. State statutes allow CDAs to be autonomous if locally desired, but that would have to be a policy decision the Village Board would need to consider. This topic has resurfaced from time to time. Attached is a memo from Administrator Schuenke to the CDA from 2016, that addresses the state statute derived powers and duties of the CDA that is still relevant. In addition, in October of 2021, the CDA and Village Board held a joint meeting to discuss the roles and responsibilities of the CDA as part of a comprehensive update of all Village committees/commissions/boards that occurred when the new Board year started in 2022.

Traditionally, the CDA has served the following functions:

- Assists in the creation or amendment of new Tax Increment Finance (TIF) Districts. The CDA takes the lead role in working with Village Staff to draft TIF Project Plans for recommendation to the Village Board for approval.
- Requests for TIF development incentives. TIF development incentive applications are reviewed by the CDA for recommendation to the Village Board for approval.
- Creation or amendment of TIF related development agreements are reviewed by the CDA for recommendation to the Village Board for approval.
- Purchase and sale of Village property. The CDA provides recommendations to the Village Board regarding the purchase or sale of Village property primarily within TIF Districts, or outside of TIF Districts, when the purpose of the real estate transaction is to advance blight elimination or urban renewal projects.



- Advise the Village Board on the creation of land use plans (e.g. comprehensive plan, neighborhood plans, corridor plans, downtown plans, etc.), site and building design guidelines. Although Chapter 2 of the Municipal Code vests the Plan Commission with the authority to develop these plans and ordinances for consideration of approval by the Village Board, in practice, the Village has routinely sought the advice of the CDA in the creation of land use plans and ordinances.

While the primary role of the CDA is in regards to the Village's TIF Districts, other blight elimination, urban renewal and community development programs, outside of TIF Districts, can also be referred to the CDA.

Anticipated 2023 planning projects involving the CDA include:

- Finalizing the East Side Neighborhood Plan. Recommendation to the Village Board.
- Jointly working with the Plan Commission to update the Terminal and Triangle District Plan/Redevelopment District No. 1 and creating a Downtown Master Plan/Redevelopment District No 2.
- Potential creation of a new TID Project Plan as an overlay TIF district to TID #3.
- Continued advancement of the creation of a new East Side Business Park including the potential creation of a new TID Project Plan for an East Side Business Park.

FINANCIAL/BUDGET IMPACT:

VILLAGE PLAN REFERENCE:

ORDINANCE REFERENCE:

[Sec. 2-248](#)

BOARD, COMMISSION OR COMMITTEE RECOMMENDATION:

This agenda item is presented for discussion only, no action is required.

ATTACHMENTS:

1. CDA Powers and Duties Memo - 2016 (update for 2.8.23 CDA Meeting)



Memorandum

To: Community Development Authority
From: Matthew G. Schuenke, Village Administrator/Treasurer
Date: November 28, 2016
Re: **CDA Powers, Duties, and Functions as Enumerated in Wis. Statutes and Village Ord.**
Cc: *Pauline Boness, Community Development Director*

Executive Summary

The Village Board has established many goals and objectives for 2017 that address a variety of issues regarding the current range of services provided and planning efforts to improve the organization. One effort the Village Board desires to expand upon is the continued growth of the Community Development Authority (CDA). Their desire is to better outline and align the CDA's goals with that of the Village as part of a mutual discussion between the two entities. To that end, Staff has prepared a summary regarding the Powers, Duties, and Function of the CDA as is currently established in the State Statutes and Village Ordinance as a prelude to a more formal discussion on goals and objectives. This memorandum is provided as a summary of these responsibilities to help the CDA and Village Board craft goals and objectives for 2017.

Village Ordinance

[Section 2-248](#) outlines the powers and duties of the CDA:

The Community Development Authority shall have all powers set forth under Wis. Stats. 66.1335(4) to undertake, as approved by the Village Board, blight elimination urban renewal and community development programs and housing projects.

The Village thus far has established the CDA with all powers and duties set forth under State law under the direct oversight of the Village Board. This is a very common establishment for CDA's as much of their power is actually derived from Statute as is detailed in the following section.

State Statutes

[Wis. Stats. 66.1335\(4\)](#) defines the Powers and Duties of Housing and Community Development Authorities:

*The community development authority has all powers, duties, and functions set out in ss. 66.1201 and 66.1333 for **housing and redevelopment authorities**. As to all housing projects initiated by the community development authority it shall proceed under ss. 66.1201, and as to all projects relating to blight elimination, slum clearance, urban renewal, and redevelopment programs it shall proceed under ss. 66.1105, 66.1301 to 66.1329, 66.1331, 66.1333 or 66.1337 as determined appropriate by the common council on a project by project basis. As to all community development programs and*

activities undertaken by the city under the federal housing and community development act of 1974, the community development authority shall proceed under all applicable laws and ordinances not inconsistent with the laws of this state. In addition, if provided in the resolution or ordinance, the community development authority may act as agent of the city to perform all acts, except the development of the general plan of the city, which may be otherwise performed by the planning commission under ss. [66.1105](#), [66.1301 to 66.1329](#), [66.1331](#) or [66.1337](#).

The Statutory definition broadens the CDA's role by dividing the powers, duties, and functions into essentially two categories and within each category establishes various responsibilities:

- **Housing** – If the CDA desires to exercise its powers and duties to bring forth a public housing project, it would need to do so under the following statute:
 - **Housing Authority** [Wis. Stat. 66.1201](#) – Subsection (2) of this Statute defines the finding and declaration of necessity required for the CDA to exercise powers similar to a housing authority: *It is declared that there exist in the state insanitary or unsafe dwelling accommodations and that persons of low income are forced to reside in insanitary or unsafe accommodations; that within the state there is a shortage of safe or sanitary dwelling accommodations available at rents which persons of low income can afford...and the providing of safe and sanitary dwelling accommodations for persons of low income are public uses and purposes for which public money may be spent and private property acquired and are governmental functions of state concern.* This authority would allow the CDA to take on public housing projects within the restrictions listed in order to eliminate the deficiencies listed in the law. It is not a blanket authority over all housing projects in the Village but narrowly focused on those that meet the standards listed.
- **Redevelopment** – The redevelopment category is broader by comparison as it brings into play efforts to eliminate blight, clear slums, introduce urban renewal, and redevelopment type programs. In order to advance these efforts, the CDA must follow the guidelines within the following sections of State law:
 - **Tax Increment Law** [Wis. Stat. 66.1105](#) – This is the area the CDA has the most experience with due to the existence of two active TID's in the Village. This law allows the Village to establish boundaries for the district and create a plan to capture increment developed through property growth. The increment can then be used to pay for implementation of the plan including economic development and public improvements.
 - **Urban Redevelopment** [Wis. Stat. 66.1301 to 66.1329](#) – These sections of the Statutes outline the regulations for urban redevelopment similar to that for housing but focused more on commercial purposes. *It is declared that in the cities of the state substandard and insanitary areas exist which have resulted from inadequate planning, excessive land coverage, lack of proper light, air and*

open space, defective design and arrangement of buildings, lack of proper sanitary facilities, and the existence of buildings, which, by reason of age, obsolescence, inadequate or outmoded design, or physical deterioration have become economic or social liabilities, or both...The clearance, replanning, rehabilitation and reconstruction of these areas on a large scale basis are necessary for the public welfare. This authority would allow the CDA to take on large scale urban redevelopment projects within the restrictions identified in order to eliminate the deficiencies outlined in the law.

- Blighted Area Law [Wis. Stat. 66.1331](#) – The Village through the CDA may take steps to identify and address blight within similar standards established for housing and urban redevelopment. The powers to eliminate blight when determined are listed in subsection (4) of this Statute outlining the CDA’s ability to prepare plans, enter into contracts, use eminent domain, and borrow money. As with all of these powers and duties, the Village Board would have to determine this to be an appropriate action.
- Blight Elimination and Slum Clearance [Wis. Stat. 66.1333](#) – Again, a determination of blight or the presence of a slum as defined has to be made in order to eliminate and clear the area within the parameters set in the law. This section of the Statutes would create a Redevelopment Authority that would be responsible for maintaining compliance with this section and blighted area law.
- Urban Renewal [Wis. Stat. 66.1337](#) – These powers offer less abrasive ways to improve distressed areas through “renewal” rather than full “redevelopment”. The authority granted is meant to address the same types of areas that may be considered a slum or blighted, but in weaker terms as the objective is to conserve or rehabilitate the area in some fashion versus a total reconstruction or rehabilitation.

Summary Analysis

The above Statutory review outlines the powers, duties, and functions that the CDA must follow, but only as the Village Board has determined appropriate. This oversight is consistent in both the ordinance and Statute. A couple observations as to why McFarland’s CDA has focused solely on Tax Increment related projects within the above listed categories of authority:

1. Most of the deficiencies captured in the other categories (i.e. – urban redevelopment, blighted area, slum clearance, etc.) can be managed within each of the TID’s we have established. Granted their boundaries are limited and not that of the Community, but still are established to address these issues.
2. The other categories also have defined boundaries and while the title “Community” Development Authority is established by the Village Board for the benefit of the Community it is meant to address specific defined areas of the Village as determined

appropriate and not the “Community” as a whole. To some extent it could be duplicating statutory requirements of the Plan Commission if it were to take on additional powers and duties outside the scope of what is approved by Ordinance and defined in the Statutes.

3. Another reason that Tax Increment Law may have been a focus as there is a higher return on investment as the increment created by new value for all the taxing jurisdictions remains within the district and goes towards funding these activities.
4. Determinations necessary to introduce urban redevelopment, blight elimination, or slum clearance must prove conditions exist on a large scale or be widespread. While there may be small pockets in the Village that might fall into these categories, it is likely a difficult argument to make that such occurrences are widespread or exist on a large scale.

Recommendation

Village Staff recommends the CDA discuss the Powers, Duties, and Functions afforded to it by Village Ordinance and State Statutes at its meeting on December 7th. The discussion should be used as a means to frame attainable goals and objectives for 2017 to present to the Village Board for consideration. The development of the goals and objectives can take place at the next meeting on January 4th after time has been allowed to review this information.

McFarland
SUMMARY SHEET

MEETING DATE: Wednesday, February 8, 2023

SECTION: Business

DEPARTMENT: Community Development

CONTACT: Andrew Bremer, Comm & Eco Dev Director

AGENDA ITEM: Discussion regarding updating the Terminal and Triangle District Plan and creating a new Downtown Master Plan.

PREVIOUS ACTION:

ISSUE SUMMARY:

The Village's 2023 Capital Improvement Plan includes two new planning projects which will get started in 2023:

1. Terminal & Triangle District Plan/Redevelopment District No. 1/TID #3 Design Guidelines. The T&T plan was adopted in 2005 to guide new public and private investments in TIF District #3 (created in 2004). In 2010, the Village also adopted Redevelopment District No. 1 for the same planning area. In addition, the Village maintains a Design Guidelines Overlay District for TID #3 (Sec. 62-73). Last August the expenditure period for TID #3 expired. The Village is anticipated to create a new overlay TIF District within the Terminal/Triangle area. The new Terminal & Triangle District Plan will take a fresh look at the future land use vision for this area of the Village.
2. Village Center Master Plan/Redevelopment District No. 2/TID #4 Design Guidelines. The Downtown Master Plan was adopted in 1999. The Redevelopment District No. 2 plan was adopted in 2010 to guide reinvestment activities in TIF District #4 (created in 2008). The Village also maintains design guidelines within TID #4 but these have not been codified under the Zoning Code.

The purpose of this agenda item is to obtain preliminary feedback from the CDA members regarding the proposed planning boundaries of each study area. Included in the packet are the study area maps for the documents referenced above. This planning project does not need to replicate the exact boundaries of the prior studies that will be replaced when the new plans are adopted. Prior to drafting the Request for Proposal, staff would like to obtain CDA input on the desired planning boundary.

Estimated timeline for this project:

- February/March: Draft, recommend, approve RFP
- April/May: Proposal review and selection
- June/July: Project contracting and initiation



- March/April 2024: Project completion

FINANCIAL/BUDGET IMPACT:

Funding for this project will be provided as part of the Village's 2023 capital borrowing.

VILLAGE PLAN REFERENCE:

The following plans are relevant to this planning project and are available for review on the [Community & Economic Development website](#):

- Village Center Master Plan, 1999
- TIF District No. 3 Project Plan 2004, as amended 2007 and 2015
- Terminal & Triangle District Plan, 2005
- Redevelopment District No. 1, 2010
- TIF District No. 4 Project Plan, 2008, as amended 2015
- Redevelopment District No. 2, 2010

ORDINANCE REFERENCE:

BOARD, COMMISSION OR COMMITTEE RECOMMENDATION:

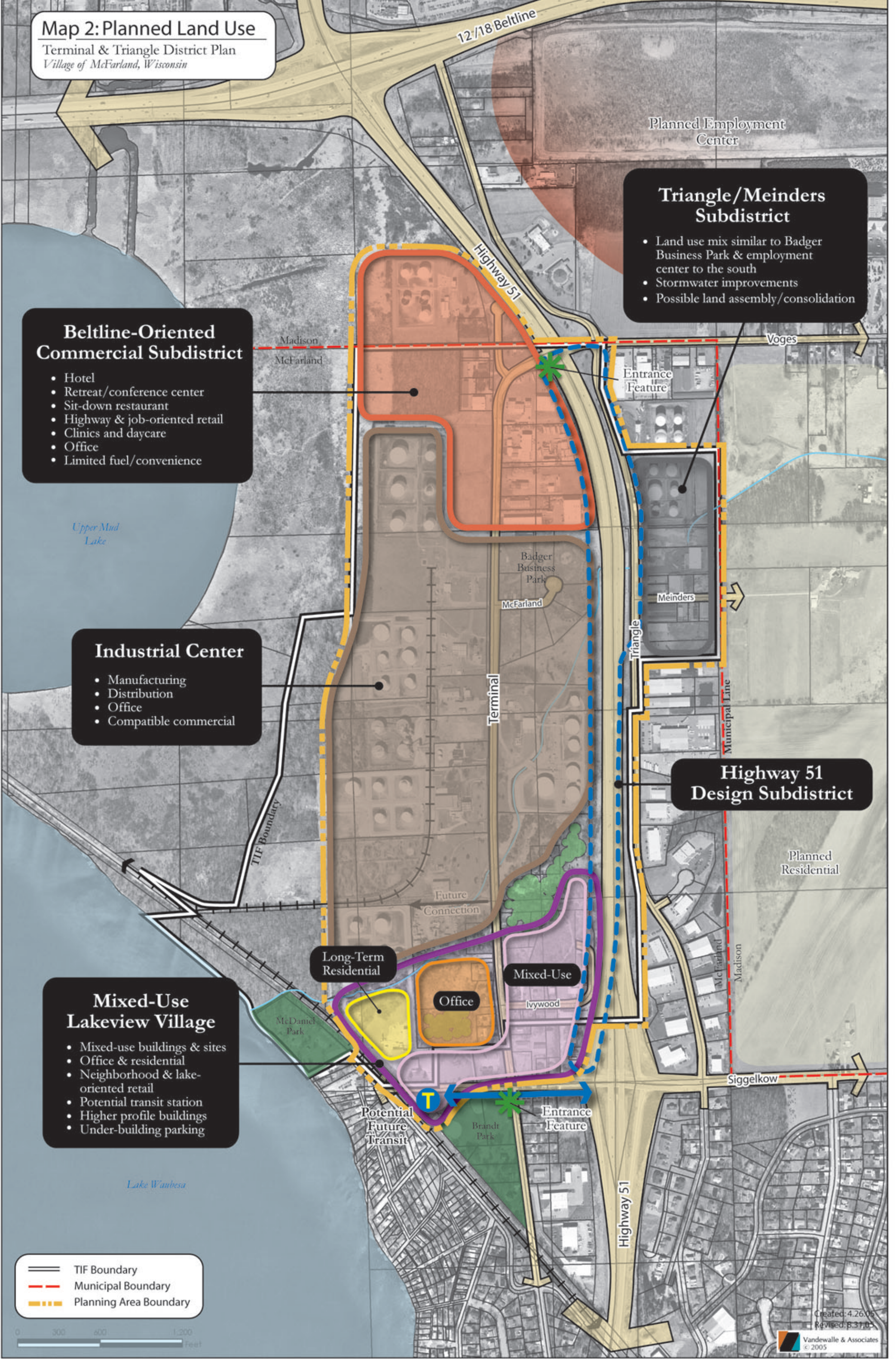
This item is presented for discussion only.

ATTACHMENTS:

1. Map 2 - Planned Land Use_TTD Plan_2005
2. TID #3, Boundary Map_2007
3. Map 1 from Redevelopment District No. 1_01.06.2010
4. Study Area Map from Village_Center_Master_Plan_09.30.1999
5. TID #4, Boundary Map_2008
6. Map 1 from Redevelopment District No. 2_01.06.2010

Map 2: Planned Land Use

Terminal & Triangle District Plan
Village of McFarland, Wisconsin



Planned Employment Center

Triangle/Meinders Subdistrict

- Land use mix similar to Badger Business Park & employment center to the south
- Stormwater improvements
- Possible land assembly/consolidation

Beltline-Oriented Commercial Subdistrict

- Hotel
- Retreat/conference center
- Sit-down restaurant
- Highway & job-oriented retail
- Clinics and daycare
- Office
- Limited fuel/convenience

Industrial Center

- Manufacturing
- Distribution
- Office
- Compatible commercial

Highway 51 Design Subdistrict

Mixed-Use Lakeview Village

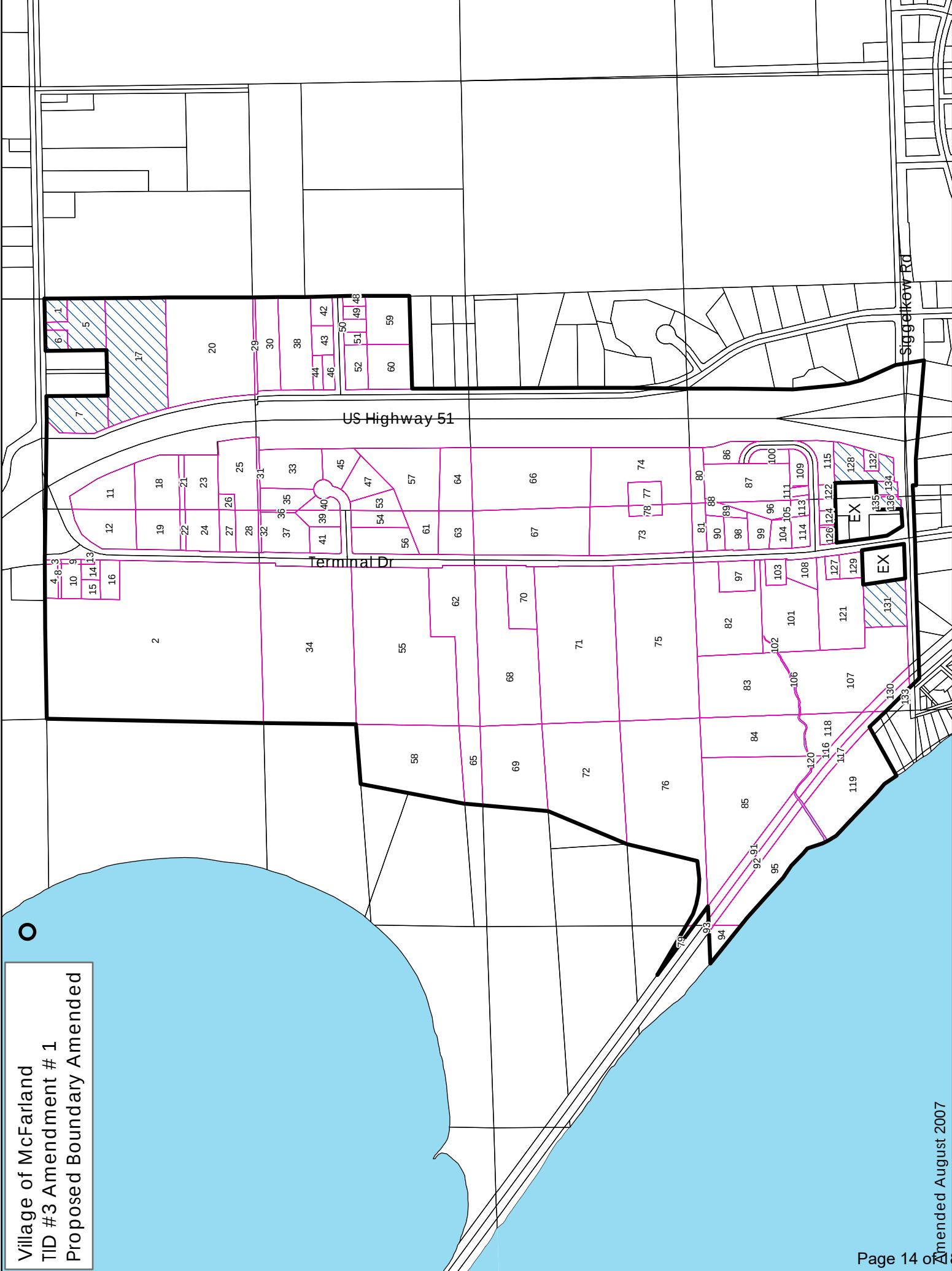
- Mixed-use buildings & sites
- Office & residential
- Neighborhood & lake-oriented retail
- Potential transit station
- Higher profile buildings
- Under-building parking

- TIF Boundary
- - - Municipal Boundary
- ... Planning Area Boundary

0 300 600 1,200 Feet

Planned Residential

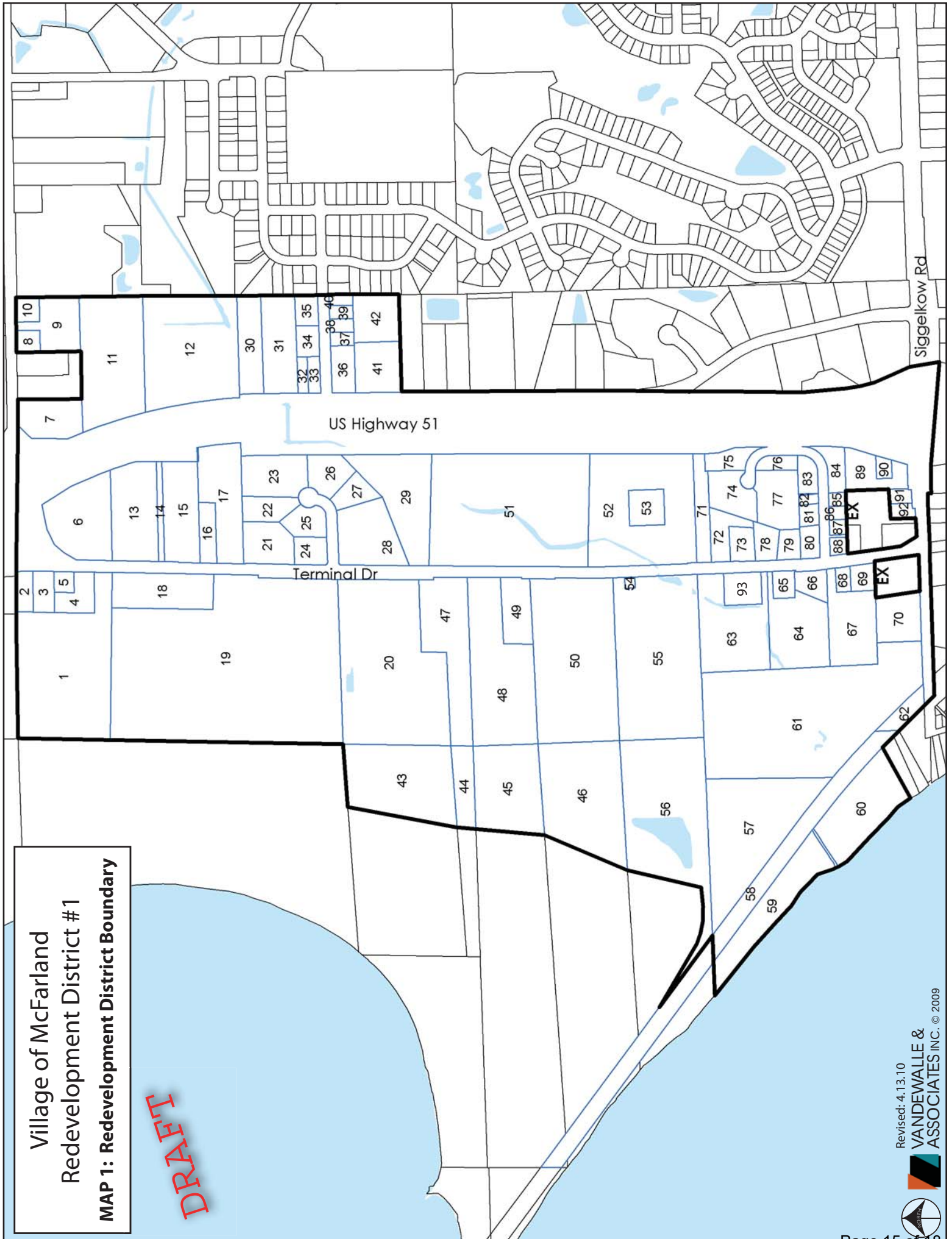
Village of McFarland
TID #3 Amendment # 1
Proposed Boundary Amended

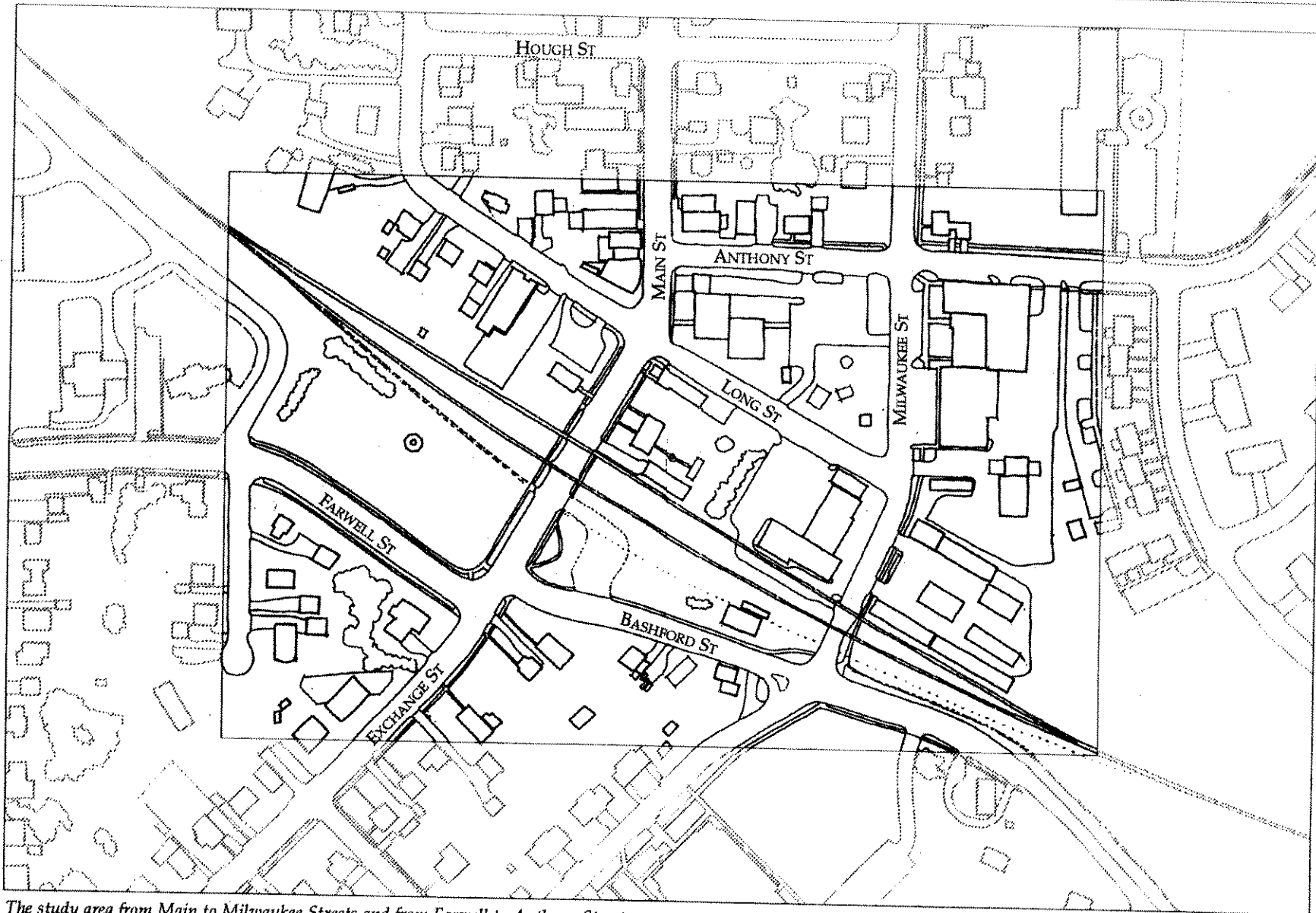


Village of McFarland Redevelopment District #1

MAP 1: Redevelopment District Boundary

DRAFT





The study area from Main to Milwaukee Streets and from Farwell to Anthony Streets.

VILLAGE OF McFARLAND

TID #4

MAP 1: PROPOSED BOUNDARY

MAP LEGEND

CREATED: 08.02.07

 PARCEL BOUNDARIES

 TID #4 PROPOSED BOUNDARY

11

12

20

10

24

22

Farwell Street

34

33

36

40

39

23

Bashford Road

Lake Street

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Village of McFarland
 Redevelopment District #2
MAP 1: Redevelopment District Boundary

DRAFT

