

## PLAN COMMISSION

**Monday October 17, 2016**

**7:00 P.M.**

**McFarland Municipal Center  
Community Room**

### AGENDA

1. CALL TO ORDER
2. APPROVAL OF MINUTES
  - a. Review and approval of draft Minutes from the September 19, 2016 Plan Commission meeting.
3. Pubic Hearing – Review and possible approval regarding a 2-Lot Certified Survey Map (CSM) request for property owned by Art and Cindy Weber. The property address is 5306 Falling Leaves Lane is currently zoned R-1, Single Family Residence. (Postponed from the September 19, 2016 Plan Commission meeting.)
4. Public Hearing - Review and possible recommendation to the Village Board regarding Ordinance No. 2016-06. AN ORDINANCE TO REZONE LANDS AT 5306 FALLING LEAVES LANE FROM THE R-1 RESIDENTIAL DISTRICT TO R-1A RESIDENTIAL DISTRICT. (Postponed from the September 19, 2016 Plan Commission meeting.)
5. Review and possible recommendation to the Village Board on a request by Beach House Properties LLC to approve a General Plan to redevelop Lots 1 (former Beach House Restaurant site) and 2 of CSM 1256 with 37 multi-family units and a restaurant. The addresses are 4506 Larson Beach Road and 5604 Lake Edge Road. (Postponed from the September 17, 2016 Plan Commission meeting.)
6. Public Hearing - Review and possible recommendation to the Village Board regarding Ordinance No. 2016-04. An Ordinance REZONING LANDS IN THE VILLAGE OF MCFARLAND AT 4506 LARSON BEACH ROAD FROM C-G COMMERCIAL GENERAL TO PDI-GPA PLANNED DEVELOPMENT INFILL DISTRICT GENERAL PLAN APPROVED AND 5604 LAKE EDGE ROAD FROM R-3 GENERAL RESIDENCE TO PDI-GPA PLANNED DEVELOPMENT INFILL DISTRICT GENERAL PLAN APPROVED. Legally described as: Lot One (1) and Lot Two (2), Certified Survey Map No. 1256, recorded in Volume 5 of Certified Survey Maps of Dane County, Wisconsin, Page 178, as Document Number 1376444, in the Village of McFarland, Dane County, Wisconsin. Addresses are 4506 Larson Beach Road and 5604 Lake Edge Road (Postponed from the September 19, 2016 Plan Commission meeting).

7. STAFF REPORTS:

- a. Highlights and updates – Comprehensive Plan update, Resolution CARPC No 2016-12-A
- b. Property Maintenance

8. ADJOURNMENT

Notes:

- 1) Persons needing special accommodations should call 608-838-3154 at least 24 hours prior to the meeting.
- 2) A quorum of The Village Board may attend this meeting for the purpose of gathering information relevant to their responsibilities as Village trustees. No matter shall be considered nor shall any action be taken by said Village Board members at this meeting.
- 3) More specific information about agenda items may be obtained by calling 608-838-3154.

*This agenda was posted, or caused to be posted, by my hand on the 14<sup>th</sup> day of October 2016, at the following three (3) posting places in the Village of McFarland, to wit: McFarland Municipal Center, 5915 Milwaukee Street; E.D. Locke Public Library, 5920 Milwaukee Street; and the McFarland State Bank, 5990 Hwy. 51.*

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*Cassandra Suettinger, Clerk/Deputy Treasurer*

## Working Draft Minutes Plan Commission Meeting

September 19, 2016

**Members Present:** Brad Czebotar, Cathy Kirby, Bruce Fischer, Kate Barrett, Jeff Sorenson, Ron Berger, Dan Kolk

**Members Absent:**

**Staff Present:** Pauline Boness, Craig Sherven, Matt Schuenke, Kelsy Boyd, Karen Knoll

**Others Present:** Deanne Funkhauser, Bonnie Allbough, Ron Gussick, Charlene Schulz, Egon Schulz, Debbie Nelson, Lars Barber, Maureen Gaffney, Sue Smith, Tim Gill, Mike Klune, Jeff Maertz, Lois Pfister, Larry Pfister, Dawn Faust, Scott Smith, Kathleen Smith, Gail Posen, John Posen, Clair Utter, Jerry Adrian, Cindy Weber, Alyse Weber, Dee Hughes, Ron Trachtenberg, Mary Jo Olson, Philip Olson, Chad Hollett; Kwik Trip, Roy Carter; Yahara Lakes Association, Martin Griffin, Larry Lehman, Art Luetke, Doreen Runge, David Schiefelben, Robert Bouril, Kris Sturman and Cory Sturman; Mad City Roofing, Sarah Berry, Kate Moran, Stuart Allbough, Tammy Thayer, Deb Braun, John Wenderling, Aaron Reunapinyophon, Jim Joehnk, Mark Wegner, Dea Larson-Converse

1. **Call to order.** Czebotar called the meeting to order at 7:05 p.m.
  
2. **Review and approval of draft Minutes from the August 15, 2016 and August 29, 2016 Special Plan Commission meetings.**  
Czebotar called the minutes of the August 15, 2016 approved by unanimous consent. Czebotar called the minutes from the August 29, 2016 Special Plan Commission meeting approved by unanimous consent.
  
3. **Public Hearing – Review and possible approval regarding a 2-Lot Certified Survey Map (CSM) request for property owned by Art and Cindy Weber. The property address is 5306 Falling Leaves Lane is currently zoned R-1, Single Family Residence.**

Czebotar opened the public hearing at 7:08 p.m. Cindy Weber, 5306 Falling Leaves Lane stated they are seeking to split and rezone their current lot with the intention of selling their current home and building a new smaller one on the second lot.

Clair Utter 5220 Rustling Oaks – spoke in opposition.

Martin Griffin, 5305 Valley Drive did not wish to speak, registered his opposition.

Czebotar closed the public hearing at 7:11p.m.

Czebotar asked of Boness if this is spot zoning, and, are there alternatives to the request? Boness replied she has spoken with Village Attorney Matt Fleming and he does not feel it is spot zoning as it is not a change of use, only the size of the lot. Their alternative would be to go to the Board of Zoning Appeals, but as this is not a hardship they would likely be turned down. The minimum R-1 lot size is 10,000 square feet, if this was approved the second lot would be 9,435 sq.ft. Sorenson asked what the minimum setback is, assuming this is the only reason why they cannot achieve the 10,000 sq.ft. Boness replied there is a deck on the existing home. Kolk stated the only way to achieve the 10,000 sq.ft. in size would be to reduce the size of the existing deck. Sorenson pointed out if it is a 10' side yard setback, they would have to remove a portion of the deck, possibly only the steps to meet requirements based on the drawings provided. Kirby inquired if they have looked into other ways to come up with a larger lot, would they be willing to do so. Weber replied they would be willing to look into removing part of the deck and reconfiguring it, they are not on a tight schedule. Kirby moved to postpone any action to allow Weber's and staff time to research options to come up with the additional square footage needed. Sorenson seconded the motion. Motion carried 7-0.

**4. Public Hearing - Review and possible recommendation to the Village Board regarding Ordinance No. 2016-06. AN ORDINANCE TO REZONE LANDS AT 5306 FALLING LEAVES LANE FROM THE R-1 RESIDENTIAL DISTRICT TO R-1A RESIDENTIAL DISTRICT.**

Due to no action on Agenda item #3 the public hearing is postponed.

**5. Review and possible recommendation to the Village Board on a request by Beach House Properties LLC to approve a General Plan to redevelop Lots 1 (former Beach House Restaurant site) and 2 of CSM 1256 with 39 multi-family units and a restaurant. The addresses are 4506 Larson Beach Road and 5604 Lake Edge Road.**

Czebotar requested Matt Schuenke make comments on the proposal. Schuenke reviewed on July 18, 2016 the first request was in front of the Plan Commission, they presented an update on August 15, 2016 attempting to address concerns. Schuenke reviewed public hearing process and what a Planned Development Infill project is.

Bob Bouril - they have listened to the neighbors, Commissioners, and Village Administrators and feel they have a plan which is very compatible with the neighborhood. He stated it is

already zoned for commercial and multi-family, but by being an infill development they will have more flexibility. He reviewed items from previous proposals to the current one. They have taken a larger area out of the center of the project so lot lines are now 22' from the building and 20' from the exterior decks. They have added screening to the parking, and feel theirs will be a great improvement compared to the quality and lack of inspiration of other multifamily buildings in McFarland. They have met with Public Safety and met all of their concerns. They will enclose the trash area, the boat slips will be available to the residents of the project and they have added sidewalks to the proposal. There will be no 18 wheel trucks accessing the property and have reduced the most recent proposal from 44 units to 39. They are proposing 53 parking stalls, and 9 additional shared stalls. The proposed restaurant will have shared bathrooms with the outside deck area, but overall it is a few 100' sq.ft. smaller than the former Beach House restaurant. Sorenson inquired how do they know or how can they insure there will be no 18 wheelers accessing the site. Boureil replied if it was something Commissioners felt was important they could enforce it, the restaurant will be served by smaller box trucks. Sorenson asked if they will have a contract with the vendors servicing the restaurant requiring they could not access with 18 wheelers. Bouril replied it could be, or Commissioners could make it a condition of approval.

Ron Trachtenberg, Attorney with Von Briesen is representing the developers, the Village could put in the condition of approval, having the restaurant require all vendors accessing the property not using 18 wheelers, they would not oppose that condition.

Kirby inquired if there will be any landscaping for additional barriers in the 20' sideyard setback area. Bouril advised they will submit a landscape plan if this is approved. These units will be marketed as high end developments and the types of people who will be occupying them will have high expectations for landscaping. Fischer inquired about the setback from the shoreline and the current oak tree's on the property. Bouril replied they have increased it by about 4 feet, they will prune what they can, but conditions during construction may result in them being removed. Trachtenberg indicated they welcome the condition that they hire a professional arborist for this project. Kolk asked if they were still going to be ½ condominiums and ½ rental units. Bouril replied, the intent which would be ideal for the developer is to be all condos, but if the market doesn't support it the south tower would be rentals designed to become condos in the future.

Kirby asked about the maximum floor area and the need for an exception to be granted. Boness replied it is a ratio between building size and lot size; Sorenson added they are proposing 66,000+ square feet and need to be at 54,000 to stay at the .70 maximum ratio. Boness said if they go beyond the .70 they would need to have an exception granted. Jeff Maertz from unidentified architect firm stated if they were allowed to use the square footage of the satellite parking lot which they are proposing as part of this project they would be under the minimum amount, they have not included it as they are two separate and not continuous properties. Kirby asked how to they intend to monitor the satellite parking lot, and not have it used by other parties. Maertz replied it is intended for the restaurant, so they will have to monitor it, they will have signs up, or have an entry where you have to get a ticket, and they have the ticket stamped in order to exit if it became an issue.

Czebotar advised they will take public comments at this time.

Lars Barber 5434 Bremer Road – Spoke in opposition

Susan Smith – 5434 Bremer Road – Spoke in opposition

Kathleen Smith – 5624 Lake Edge Road – Spoke in opposition

Dawn Faust – 5426 Bremer Road – Spoke in opposition

Tammy Thayer – 5728 Lake Edge Road – Spoke in opposition

Dea Larson-Converse – 618 Chila Court, Madison -Clean Lake Alliance – presented their voluntary standards for developers to help maintain the lakes and water quality. Submitted a check list to Commissioners and the developers.

Roy Carter – President of the Yahara Lakes Association – Spoke in opposition on their behalf.

Gail Posen – 5822 Lake Edge Road – Spoke in opposition

Kate Moran – 4520 Lake View Road – Spoke in opposition

Bonnie Allbaugh – 5622 Lake Edge Road – Spoke in opposition

Stuart Allbaugh – 5622 Lake Edge Road – Spoke in opposition

Scott Smith – 5624 Lake Edge Road – Spoke in opposition

Doreen Runge -4515 Bellevue Court, did not wish to speak, registered her opposition

Sarah Berry -did not wish to speak, registered her opposition.

Timothy Gill- 5410 Bremer Road, did not wish to speak, registered his opposition.

Maureen Gaffney- 5438 Bremer Road, did not wish to speak, registered her opposition.

Deanne Funkhauser - 5834 Lake Edge Road, did not wish to speak, registered her opposition.

Dee Hughes, 5508 Bremer Road, did not wish to speak, registered her opposition.

Letter in opposition from Lars Barber, 5434 Bremer Road submitted.

Letter with 266 signatures from residents submitted indicating their opposition to the proposal, and encouraging that redevelopment should occur under the current existing zoning regulations.

Schuenke summarized what the Commissioners can do at this time as they are considering the general plan as it has been proposed, they have three options for recommendation to the Village

Board; Approval as submitted, approval with modifications, or disapproval. Boness added Commissioners have a list of standards in their packets, it comes down to an issues of density and scale; do they feel this is an appropriate project for the area, we have not done anything like this in McFarland, are you satisfied with the buffers, do you think the buffers are enough, etc. This is a general plan, if approved when we receive a detailed plan items such as stormwater, will be tweaked and reviewed by the Village engineer. Fischer asked, overall if this is given even a conditional approval is it basically out of Commissioners hands. Boness responded it would come back if approved, with the submittal of a detailed plan, and, if you had conditions which you wanted met. The Village Board is actually making the final decision, they will look at the submission and what Commissioners recommend, but they will be making the final decision, and can make a decision which was not favored by the Plan Commission.

Czebotar summarized some of the main concerns brought forward are density, height and parking. Czebotar asked for clarification from Schuenke on the access to the lakefront property from the public. Schuenke responded, based on records, all the property is private, the former owner may have allowed access, it is not part of the Village or Parks Department, or something which we maintain. Schuenke reviewed the results of the Comprehensive Plan survey in relationship to housing in McFarland and the processes of how properties are appraised and how home evaluations are made.

Kolk stated he has heard a lot which causes conflict in his mind; he has not heard from a single person, other than the developer, who thinks this is a good idea. He reviewed what he sees as options for the site, and how do we reconcile what is currently on the site with what the developer wants versus what neighbors and residents want for McFarland. The developer has the option of working within the current zoning or applying to have the sites rezoned. It is a unique site and needs to be treated as such. The density is a concern for him, is it appropriate for that site? Berger feels the size and density is not appropriate for the site. Barrett concurred; the density is an issue, based on what is proposed, while a beautiful design, it is too large for the site and too large for the neighborhood.

Kirby advised this is a unique property, and we need to get it right by taking our time and doing due diligence on the project. Public participation is the key in making the end decision. Kirby heard and shares the concerns over density, height of the building and closeness to the lake. We only have one chance to get this right, and it is not there yet. It needs to be something that is not only good for the neighborhood, but the Village as a whole. Kirby stated while there are people who would like to have a condo on the lake, she also has heard the concerns about costs, and lack of actual onsite parking, it may, as people at tonight's meeting have pointed out, be harder to sell to potential buyers.

Fischer is concerned about the density, along with the nearness to the lake. He does not feel the footprint proposed will allow for enough greenspace and holding ponds to keep all water on site along with the blocking of neighboring homes views by being too close to the lake.

Sorenson advised while originally in support of the project, based on tonight's input he has heard the comments on how McFarland does not want to be Monona or Madison with such

large venues and is backing off on his approval. His liking of it was partially due to his engineering background and own personal liking of such projects, however he understands this is not what the community wants.

Kirby feels the developer needs to work on the size and density and look to see if they can come up with something more in line with what the neighborhood, and Plan Commission would find acceptable. It would need to be more in the range of 20's for unit number and perhaps not three stories but two, further back from the lake with increased holding areas for water and snow.

Czebotar asked if the developer had any comments they wished to make tonight, he feels if they could bring down the size and density this project can be put together.

Trachtenberg stated they will go back and consider. They have heard tonight's comments, if they decreased the size into the 20's he does not feel it makes sense to have the restaurant or the public patio. He feels it will be a very typical multifamily building, he does not feel two story buildings are very architecturally interesting. They will go back, but it will be a very different project and based on the way their economics work they may not be able to do something like this with a restaurant. Fischer stated, it appears there are mixed messages coming from somewhere regarding the restaurant. Trachtenberg replied, they have been told McFarland wants a restaurant there, it is a very costly feature, it would be easier to do the project without a restaurant, they would not have to have the ancillary parking lot, which could then be developed as the previously approved townhouses, it would be easier, but it is not the project they were told McFarland wants. Fischer asked, as he is not sure how the developers were told that it has to be a restaurant along with the project, who told them this, or was it just a conception idea of what could be there. Trachtenberg replied if they proceed it will be a very different project. Czebotar advised 20 units without a restaurant or deck is not something he is interested in, he would like something between that and what they have proposed now, this is his personal view, he would like to see them try something like that. Trachtenberg replied if you build with what is allowed per current zoning, the economics would become so marginalized it would not be worth the risk. They were told this is what McFarland wants, they have heard tonight what they neighbors want, they have yet to hear what Commissioners would like to see. Fischer replied he would be happy to have met with them to discuss options, but there have been no meetings he would prefer something more pyramid style, more tiered up with maybe smaller third floor area if they had a third floor, so as not to be so tall near the end of the buildings. Trachtenberg replied they were told McFarland wanted the center portion left open. Berger asked, they keep stating "we were told" who were they told by? Trachtenberg replied they were told by Schuenke there was a large interest in having the restaurant as part of the project, and Czebotar seems to support it. Kirby replied not all are as interested in a restaurant as some are, there needs to be a middle ground, she would suggest looking at different scenarios which have not been looked at, and it may well be one without a restaurant. Perhaps they should have a meeting with the neighbors and concerned parties to look at options. Trachtenberg replied he would be willing to meet with a few people but not forty to discuss options, and at an appropriate time.

Czebotar moved to postpone the decision until the developer can come back to the Plan Commission if they wish with a revised plan for consideration. Kirby seconded the motion. Motion carried.

6. **Public Hearing - Review and possible recommendation to the Village Board regarding Ordinance No. 2016-04. An Ordinance REZONING LANDS IN THE VILLAGE OF MCFARLAND AT 4506 LARSON BEACH ROAD FROM C-G COMMERCIAL GENERAL TO PDI-GPA PLANNED DEVELOPMENT INFILL DISTRICT GENERAL PLAN APPROVED AND 5604 LAKE EDGE ROAD FROM R-3 GENERAL RESIDENCE TO PDI-GPA PLANNED DEVELOPMENT INFILL DISTRICT GENERAL PLAN APPROVED. Legally described as: Lot One (1) and Lot Two (2), Certified Survey Map No. 1256, recorded in Volume 5 of Certified Survey Maps of Dane County, Wisconsin, Page 178, as Document Number 1376444, in the Village of McFarland, Dane County, Wisconsin. Addresses are 4506 Larson Beach Road and 5604 Lake Edge Road (Postponed from the August 15, 2016 Plan Commission meeting).**

Due to Agenda Item #5 being postponed, the public hearing on Agenda Item #6 is postponed. Czebotar advised there is no specific date for this.

7. **Discussion only – Potential Kwik Trip facility on Terminal Drive**

Chad Hollett, Kwik Trip – they requested an informal discussion about building a blending facility in McFarland to enhance their alternative fuel ability. Hollett reviewed Kwik Trips policies and consumer interaction. They want to not have a middle party, but do the blending themselves, and they are looking at two parcels on Terminal Drive. They do not feel there will be a large increase in truck traffic. Joel Hirshbeck with Kwik Trip explained how biodiesel is a renewable resource made through different seed oils and animal renderings and they want to start blending in at high amounts. The production will take place in Iowa this will just be the finished product for blending. Hollett added there is a demand for them to bring more fuels to the marketplace.

By having the blending station they can bring more fuels to the market, they have started one in Iowa and feel this is one of the largest markets for Wisconsin; this is a key location for them. The locations they are looking at are 4703 Terminal Drive and 4306 Terminal Drive, as there is no storage at the site, they will be bringing in storage facilities. The tanks will be above ground on solid surface with spill control, they do not have the vapor issues which have been seen in the past as they use vapor recovery systems. All safety issues will be encompassed in the facility. They would be creating approximately 10 – 20 new positions with this from drivers, to people working on the site. They will not be using any rail as there is no access to it from either site. They are looking for feedback at this time, and then will come back with a formal application. Barrett asked about a recent spill in the area. Boness responded, there was one, and there is an ongoing discussion regarding the cleanup and Village responsibility. Barrett feels if we keep expanding there, we keep expanding the risk as it is close to the Waubesa wetlands.

Boness advised Commissioners, our Comprehensive Plan it discourages the adding of additional blending facilities. What is needed tonight is this a use you have interest in considering. Commissioners generally agreed it would be logical to move forward and explore the possibilities as these parcels would probably not move forward in any other direction.

**Department Reports:**

- a. Highlights and Updates – Boness** review in the budget they are looking to add 4 hours per week to the clerk position due to the workload. They are also working with the City of Monona to add the position of a shared code enforcement officer. The position would take over enforcement duties in both communities, enabling the Building Inspector to focus on the other areas. Czebotar feels we also still need to look at possible changes in the codes and processes.
  - b. Property Maintenance Report –** No report
- 8. Adjournment** –Barrett moved to adjourn, Sorenson seconded the motion, motion carried meeting adjourned at 9:48 p.m.

**Plan Commission**  
**Background and Recommendations**  
**October 17, 2016**

**Agenda Item #3 & 4 – CSM and rezoning – Weber property 5306 Falling Leaves Lane.**

This item was postponed from our September meeting to obtain some clarification. Commissioners questioned the rear yard setback of Lot 1 given the existing rear deck. The property is zoned R-1 which requires a 30 foot rear yard setback. Our code allows for encroachments of decks less than 36” to no closer than 10 feet to the rear lot line. The CSM depicts an existing wood deck with heights of 20” and 17” above grade and over 15 feet from the rear lot line, which is compliant. Reducing the rear yard setback of Lot 2 to gain square footage for Lot 1 would result in reducing the required rear yard setback of Lot 2 to less than the required 30 feet. Property owners Cindy and Art Weber are requesting a rezoning of Lot 1 as it is 565 sq.ft. short of the 10,000 sq.ft. required for R-1 zoning.

As for the possibility of spot zoning with Lot 1, I have spoken to our Village Attorney twice on the issue; as stated in September he believes this is not a spot zoning situation as the use of the lots and the surrounding area remains single-family residential. Lot size is the only issue driving the necessity of a rezoning.

Recommendation: Approval of CSM contingent upon rezoning. Recommend approval of the rezoning Ordinance 2016-06 to the Village Board.

**Agenda Item # 5 - General Plan – Redevelopment of former Beach House property and adjacent property immediately to the south**

This item was postponed from our July 18<sup>th</sup>, August 15<sup>th</sup> and September 19<sup>th</sup> meetings. To recap:

Lots 1 & 2 of CSM 1256 encompass the former Beach House Restaurant site together with a site immediately to the south owned by Dave Bisbee and Dave Waller. Both lots will be combined (a CSM required) for a 1.77 acre parcel. Current zoning is General Commercial, and R-3 General Residence, if this project moves forward, a rezoning to a Planned Development Infill

District and CSM merging both lots would be needed. The Comprehensive Plan identifies these two lots for mixed residential and general commercial.

Planned Developments can be a two stage or single stage process, the developer has chosen the two stage process by submitting a General Plan (in your packets); a Detailed Plan will follow at a later date. Included in your packets are the standards under which you are to conduct your review. In response to questions by some of you – R-3 multi-family zoning would allow 14 units or with a CUP, 27 units.

Based on the developer's latest 10/11/16 resubmittal I have once again reviewed standards listed in 62-66(d) and (e); as well, as 62-67(4) a – j of the zoning code (Note: for the sake of brevity I have paraphrased some of the standards).

(d) (1) Maximum impervious surface rates

- a. Residential - .5 or 50%
- b. Nonresidential and mixed use - .7 or 70%

**9/15/16 Resubmittal .56 or 56%**

**10/11/16 Resubmittal .56 or 56% - meets standard**

(2) Maximum floor area ratio .7 (The ratio of floor area permitted on a zoning lot to the size of the lot.)

**9/15/16 Resubmittal .86 or 86% - Project needs an exception granted by Village Board, Plan Commission would need to recommend.**

**10/11/16 Resubmittal .89 or 89% - does not meet standard, if Commissioners are comfortable with the density and mass of the building, an exception can be granted by the Village Board, the Plan Commission would need to recommend.**

(3) Minimum usable open space per dwelling unit: 100 sq.ft. per d.u

**9/15/16 resubmittal 593 sq.ft. now identified.**

**10/11/16 Resubmittal 301 sq.ft. – now identified – meets standard**

(e) (1) Screening and buffer yards to shield neighbors from any adverse external effect of proposed development.

**9/15/16 Resubmittal pages 5 & 6, General Plan & sheet C-2 sideyard setbacks increased to 22' – 24'2"**

**10/11/16 Resubmittal General Plan page 2, sheet C-2 sideyard setbacks 22' – 24' 2". Both buildings now step down at the sideyards to soften transition. Fencing added to sideyards (materials?) Landscaping along sideyards. Landscaping in front to shield headlights.**

(2) Pedestrian circulation designed to prevent pedestrian use of vehicular ways and parking spaces. Pedestrian access shall be provided to public walkways.

**9/15/16 Resubmittal internal sidewalk circulation enhanced. Sidewalk to be provided at satellite parking and along street location adjacent to project connects to internal sidewalk system.**

**10/11/16 Resubmittal – no change – meets standard**

(3) Usable open space for private use shall be located and designed to be of utility to each and every dwelling unit. This required open space shall be designed to maximize privacy and usability to the residence.

**9/15/16 Resubmittal – Private balconies to every residential unit**

**10/11/16 Resubmittal – no change – meets standard**

(4) Special emphasis be placed on trash collection points. Trash containers shall be screened and so designed as to be conveniently accessible to their users and collectors.

**9/15/16 Resubmittal sheet C-2 developer has identified trash collection point to be fully enclosed.**

**10/11/16 Resubmittal no change – meets standard**

(5) Compatibility with surrounding uses as to design and use. How well the proposed project fits within the context of the neighborhood and abutting properties. Adherence to Comprehensive Plan- (Note: existing uses are low density multi-family structure and a local restaurant).

**9/15/16 Resubmittal project reduced to 39 units, sideyard setbacks increased to 22' – 24'.2", setback to ordinary high water mark increased from 26' to 30', and 40' to 42'.5" - 43.9". Developer has now identified average, building height to be 36'.6", height of rear portion of the south wing reduced.**

**10/11/16 Resubmittal – reduced to 37 units, sideyard setback 22' – 24'.2". Setback to ordinary highwater mark 30' to retaining wall, 45' to building.**

**Building height now 27'6" in areas adjacent to single-family residential structures.**

(6) Open areas designed for snow removal

**Developer plans to use bio-retention area.**

**9/15/16 Resubmittal – No change**

**10/11/16 Resubmittal – perimeter of parking lot and lawn area north of parking lot. Use of parking stalls during heavier snow events.**

(7) Site lighting not to extend a direct light source onto abutting properties. Cut off type luminaires shall be used and all lighting shed shall be indicated on plans.

**Developers plan for lighting indicated minimal foot candles beyond site. Lighting fixtures appear to have shields.**

**9/15/16 resubmittal – no change**

**10/11/16 Resubmittal - no change**

(8) The physical attributes of the site shall be respected with particular concern for the preservation of natural features, tree growth and open space.

**Developer proposes building closer to the lake (26 ft. & 40 ft.) than existing restaurant (55 ft.) and 12 unit multi-family (75') structures impacting view of neighboring properties. Village Engineer Brain Berquist has identified viewshed of neighbors.**

**9/15/16 Resubmittal – setbacks from the ordinary highwater for buildings increased to 30', 42'.5", & 43.9".**

**10/11/16 Resubmittal – no change**

Standards 62-67(4) a-j.

a. Uses in general conformance with the Comprehensive Plan.

**Use is to be a mix of commercial and residential. The 2006 Comprehensive Plan land use map identified these lots as commercial and mixed residential.**

**9/15/16 Resubmittal – No change**

**10/11/16 Resubmittal – no change – meets standards**

- b. Uses proposed shall not substantially impair or diminish the use, value, and enjoyment of other properties within the neighborhood.

**9/15/16 resubmittal – viewshed obstruction diminished due to increased sideyard setbacks & increased setbacks along the shoreline see item (5) above. Footprint of building decreased in width by 18’.**

**10/11/16 Resubmittal – building now stepped back on north & south sideyards to soften transition to single-family homes. Number of units reduced to 37 units. Added landscaping on all sides for screening.**

- c. Traffic circulation into and within development shall be designed to minimize traffic congestion and traffic hazards provide for the accessibility of all uses and building and also provide for safe and convenient movement of vehicles and pedestrians.

**Developer providing sidewalk. Lake Edge and Bremer Roads currently do not have sidewalks. May require developer to install additional sidewalks in the future.**

**The proposal identifies 33 surface stalls and 68 underground stalls. The proposed 37 units will require 75 parking stalls. 26 parking stalls are on site for restaurant customers, with 39 stalls off site next to Walgreens.**

**9/15/16 Resubmittal –Traffic study drafted by developer. The developer is proposing to purchase land offsite to provide an additional 39 spaces of restaurant parking. It is important to note parking lots are allowed as conditional uses under C-G zoning. See memo in packets regarding traffic and parking issues from Matt Schuenke. Total parking spaces = 140 spaces, see page 7 of General Plan for breakdown of parking. Our code requires 2 parking stalls for 1+ bedroom units.**

**10/11/16 Resubmittal – no change, see pages 11 & 12 of General Plan for breakdown of vehicle parking. Three way controlled intersection to be created.**

- d. The planned development shall incorporate environmental design considerations – preservation of ground cover, topography, trees, streams natural bodies of water, other significant features. Control of erosion and runoff in accord with Village erosion control and stormwater management ordinances.

**Ground cover consisting of asphalt and grass areas. Concrete boat launch slab to be removed. No intrusion into Lake Waubesa. Erosion and stormwater details to be designed in the future.**

**9/15/16 Resubmittal – No change**

**10/11/16 Resubmittal – rain gardens and green roof above restaurant added**

- e. The planned development shall provide for convenient and harmonious groups of buildings, structures and uses; and buildings shall be spaced and sited to ensure adequate safety, light, ventilation and privacy.

**9/15/16 Resubmittal mass of building reduced, sideyard setbacks, waterfront setbacks increased.**

**10/11/16 Resubmittal – mass of building further reduced by stepbacks along sideyards and reduction of two units from 39 to 37 units. See page 9 of General Plan for list of current changes.**

- f. Planned developments for residential shall provide adequate open space and recreational areas in appropriate locations, and all public and common open spaces shall be designed and located to provide safe and convenient access to residents.

**Open spaces along lake shore, plaza between buildings, boat slips. Park and dedication fees and park impact fees are assessed.**

**9/15/16 Resubmittal – no change**

**10/11/16 Resubmittal – no change**

- g. The planned development will not adversely affect the ability of public agencies to provide school or other municipal services.

**Will most likely attract singles and empty nesters. Foresee no burden to school district and municipal facilities.**

**9/15/16 Resubmittal – No change**

**10/11/16 Resubmittal – No change – meets standard**

- h. The width of street rights-of-way, width of paving, width and location of street or other paving, outdoor lighting, location of sewer and water lines, provision for stormwater drainage or other similar environmental engineering considerations.

**Under review by the Village Engineer.**

**9/15/16 Resubmittal – Increased length of sidewalk along street, small reconfiguration of street. Specifics as to stormwater to be provided at the time Detailed Plan is submitted.**

**10/11/16 resubmittal – No change – to be reviewed by Village Engineer upon submittal of a Detailed Plan**

- i. The proponents of a Planned Development District application shall provide evidence satisfactory to the Village Board of its economic feasibility of available adequate financing and that it would not adversely affect the economic prosperity of the Village or the values of surrounding properties.

**Letter received from the bank thus far, they are comfortable with financing this project.**

**9/15/16 Resubmittal – No change**

**10/11/16 – Resubmittal –No change (meets standard)**

- j. The proponents of a Planned Development District shall submit a reasonable schedule for the implementation of the development to the satisfaction of the Village Board, including suitable provisions for assurance that each phase could be brought to completion in a manner that would not result in an adverse effect upon the community as a result of termination at that point.

**9/15/16 Resubmittal schedule page 10 of General Plan – ok**

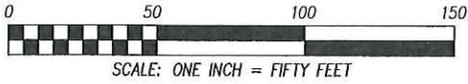
**10/11/16 Resubmittal page 8 construction schedules (meets standard)**

**Possible recommendations to the Village Board – Approval, conditional approval must list conditions, postpone, denial – must identify standards not met.**

**Agenda item #6 - Rezoning ORD. 2016-04 relating to Waubesa Shores project. Postponed from July 18<sup>th</sup>, 2016, August 15, 2016 and September 19, 2016 meetings. Any action will depend upon action taken with Item #5.**

# CERTIFIED SURVEY MAP No.

LOT 32, BLOCK 12, TENTH ADDITION TO AUTUMN GROVE, AS RECORDED IN VOLUME 52 OF PLATS, ON PAGES 15-16, AS DOCUMENT NUMBER 1651737, DANE COUNTY REGISTRY, LOCATED IN THE SW 1/4 OF THE SE 1/4 OF SECTION 34, TOWNSHIP 07 NORTH, RANGE 10 EAST, VILLAGE OF MCFARLAND, DANE COUNTY, WISCONSIN.



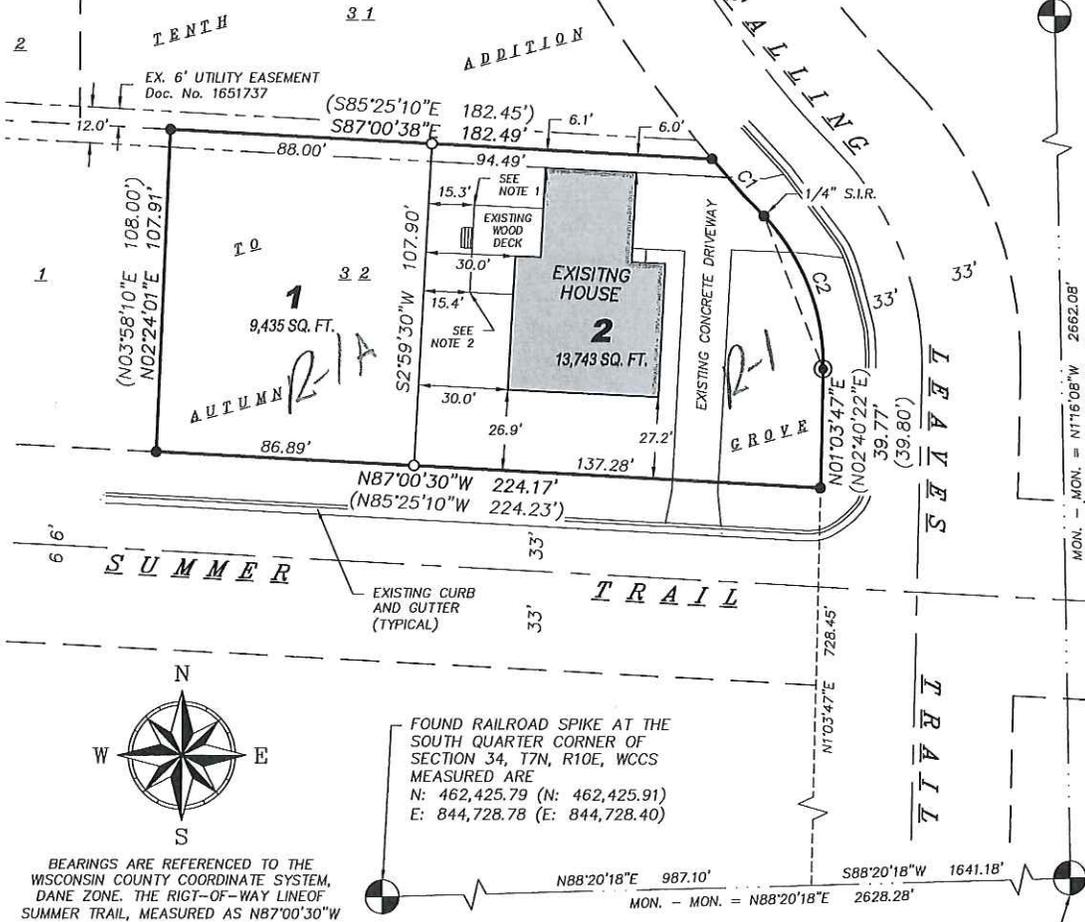
**NOTE:**  
SEE SHEET 3 OF 3 FOR CURVE DATA

TOTAL PLATTED AREA = 23,179 SQ. FT.  
(0.5321 ACRES)

**NOTE 1:** THE EXISTING DECK IS APPROXIMATELY 20" ABOVE EXISTING GRADE.

**NOTE 2:** THE EXISTING DECK IS APPROXIMATELY 17" ABOVE EXISTING GRADE.

FOUND 1 1/4" SOLID IRON REBAR AT THE EAST QUARTER CORNER OF SECTION 34, T7N, R10E, WCCS MEASURED ARE  
N: 465,163.44 (N: 465,163.46)  
E: 847,297.00 (E: 847,296.91)



FOUND RAILROAD SPIKE AT THE SOUTH QUARTER CORNER OF SECTION 34, T7N, R10E, WCCS MEASURED ARE  
N: 462,425.79 (N: 462,425.91)  
E: 844,728.78 (E: 844,728.40)

FOUND BRASS CAP MONUMENT AT THE SOUTHEAST CORNER OF SECTION 34, T7N, R10E, WCCS MEASURED ARE  
N: 462,502.01 (N: 462,501.93)  
E: 847,355.95 (E: 847,355.72)

- LEGEND**
- 3/4" SOLID IRON ROD (S.I.R.) FOUND (UNLESS OTHERWISE NOTED)
  - ⊙ 1" IRON PIPE (I.P.) FOUND
  - 3/4" x 18" SOLID IRON RE-ROD SET, WT. 1.50 lbs./ft.
  - ⊕ SECTION CORNER MONUMENT
  - ( ) INDICATES RECORDED AS
- DISTANCES ARE MEASURED TO THE NEAREST HUNDREDTH OF A FOOT.

C.S.M. No. \_\_\_\_\_  
Doc. No. \_\_\_\_\_  
Vol. \_\_\_\_\_ Page \_\_\_\_\_

**SURVEYED FOR:**  
Arthur Weber  
5306 Falling Leaves Lane  
McFarland, WI 53558

**SURVEYED BY:**  
Snyder & Associates, Inc.  
5010 Voges Road  
Madison, WI 53718  
(608) 838-0444  
www.snyder-associates.com



**SNYDER & ASSOCIATES**  
Engineers and Planners

FN: 116.0691.30  
DATE: 08-01-16

REVISIONS:

SHEET  
1 OF 3

# CERTIFIED SURVEY MAP No. \_\_\_\_\_

LOT 32, BLOCK 12, TENTH ADDITION TO AUTUMN GROVE, AS RECORDED IN VOLUME 52 OF PLATS, ON PAGES 15-16, AS DOCUMENT NUMBER 1651737, DANE COUNTY REGISTRY, LOCATED IN THE SW 1/4 OF THE SE 1/4 OF SECTION 34, TOWNSHIP 07 NORTH, RANGE 10 EAST, VILLAGE OF MCFARLAND, DANE COUNTY, WISCONSIN.

## OWNER'S CERTIFICATE

\_\_\_\_\_ owner, we hereby certify that we caused the land described on this Certified Survey Map to be surveyed, divided, mapped and dedicated as represented on the map hereon. We further certify that this Certified Survey map is required by S236.34 of the State Statutes to be submitted to the Village of McFarland for approval. Witness the hand and seal of said owner(s) this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

By: \_\_\_\_\_ Authorized Member                      By: \_\_\_\_\_ Authorized Member

State of Wisconsin )  
                                  )ss.  
County of Dane        )

Personally came before me this \_\_\_\_\_ day of \_\_\_\_\_, 2016, the above named \_\_\_\_\_, to me known to be the persons who executed the foregoing instrument and acknowledged the same.

\_\_\_\_\_ My Commission expires: \_\_\_\_\_  
Notary Public, State of Wisconsin

C.S.M. No. \_\_\_\_\_  
Doc. No. \_\_\_\_\_  
Vol. \_\_\_\_\_ Page \_\_\_\_\_

<b>SURVEYED FOR:</b> Arthur Weber 5306 Falling Leaves Lane McFarland, WI 53558	<b>SURVEYED BY:</b> Snyder & Associates, Inc. 5010 Voges Road Madison, WI 53718 (608) 838-0444 www.snyder-associates.com	 <b>SNYDER &amp; ASSOCIATES</b> Engineers and Planners	FN: 116.0691.30 DATE: 08-01-16 REVISIONS: _____ _____ _____	SHEET 2 OF 3
P:\PROJECTS\2016\116.0691.30 Art Weber CSM\Survey\CSM\116.0691.30 CSM.dwg				

# CERTIFIED SURVEY MAP No. \_\_\_\_\_

LOT 32, BLOCK 12, TENTH ADDITION TO AUTUMN GROVE, AS RECORDED IN VOLUME 52 OF PLATS, ON PAGES 15-16, AS DOCUMENT NUMBER 1651737, DANE COUNTY REGISTRY, LOCATED IN THE SW 1/4 OF THE SE 1/4 OF SECTION 34, TOWNSHIP 07 NORTH, RANGE 10 EAST, VILLAGE OF MCFARLAND, DANE COUNTY, WISCONSIN.

## SURVEYOR'S CERTIFICATE

I, Adam R. Gross, Professional Land Surveyor, hereby certify: that in full compliance with the provisions of Chapter 236 of the Wisconsin Statutes and the subdivision regulations of the Village of McFarland and under the direction of Arthur and Cynthia Weber, owners of said land, I have surveyed, divided and mapped this Certified Survey Map; that such Certified Survey Map correctly represents all exterior boundaries and the subdivision of the land surveyed; and that this land is more fully described as follows:

Being a division of Lot 32, Block 12, Tenth Addition to Autumn Grove, as recorded in Volume 52 of Plats, on pages 15-16, as Document Number 1651737, Dane County Registry, Located in the Southwest Quarter of the Southeast Quarter of Section 34, Township 7 North, Range 10 East, Village of McFarland, Dane County, Wisconsin. Containing 23,179 square feet or 0.5321 acres.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Signed:

Adam R. Gross, P.L.S. No. 3017  
 Snyder & Associates, Inc.  
 5010 Voges Road  
 Madison, WI 53718  
 608-838-0444  
 argross@snyder-associates.com

## VILLAGE OF MCFARLAND APPROVAL

Approved for recording per the Village of McFarland Plan Commission action dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

By: \_\_\_\_\_  
 Village Clerk, Village of McFarland

## REGISTER OF DEEDS CERTIFICATE

Received for recording this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_m. and recorded in Volume \_\_\_\_\_ of Certified Survey Maps on pages \_\_\_\_\_, as Doc. No. \_\_\_\_\_.

\_\_\_\_\_  
 Kristi Chlebowski, Dane County Register of Deeds

### CURVE DATA

NUMBER	CENTRAL ANGLE	ARC LENGTH	RADIUS	CHORD	CHORD BEARING	TAN. BRG. BACK	TAN. BRG. AHEAD
C1	3°43'50"	26.04'	400.00'	26.04'	S 42°47'07" E	S 44°39'02" E	S 40°55'13" E
C2	45°31'39"	56.42'	71.00'	54.94'	N 21°31'04" W	N 44°16'53" W	N 01°14'46" E

C.S.M. No. \_\_\_\_\_

Doc. No. \_\_\_\_\_

Vol. \_\_\_\_\_ Page \_\_\_\_\_

**SURVEYED FOR:**  
 Arthur Weber  
 5306 Falling Leaves Lane  
 McFarland, WI 53558

**SURVEYED BY:**  
 Snyder & Associates, Inc.  
 5010 Voges Road  
 Madison, WI 53718  
 (608) 838-0444  
 www.snyder-associates.com



**SNYDER & ASSOCIATES**  
 Engineers and Planners

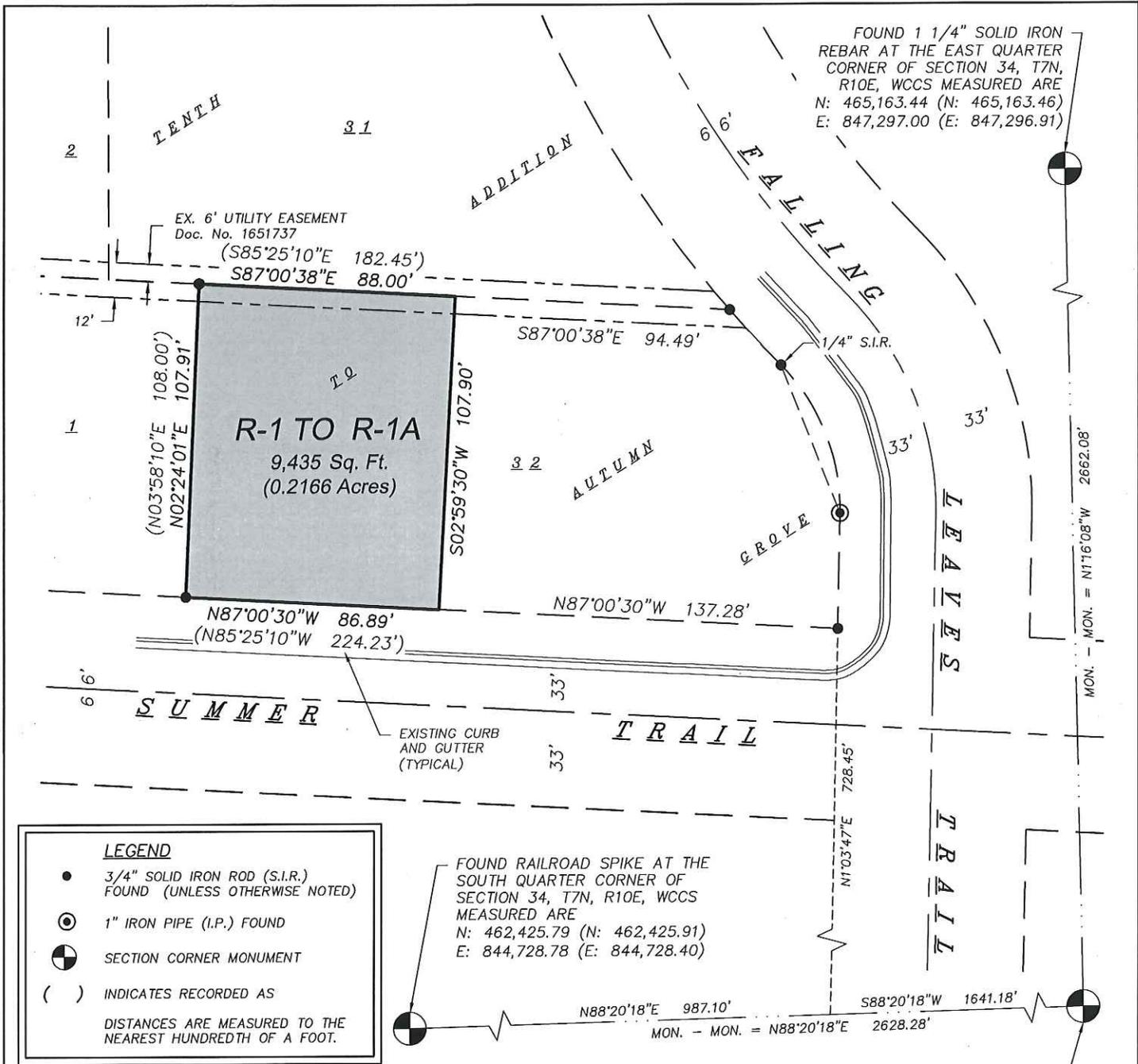
FN: 116.0691.30

DATE: 08-01-16

REVISIONS:

SHEET  
 3 OF 3

FOUND 1 1/4" SOLID IRON REBAR AT THE EAST QUARTER CORNER OF SECTION 34, T7N, R10E, WCCS MEASURED ARE  
 N: 465,163.44 (N: 465,163.46)  
 E: 847,297.00 (E: 847,296.91)



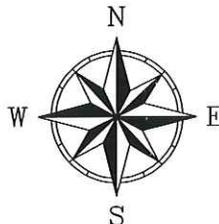
**LEGEND**

- 3/4" SOLID IRON ROD (S.I.R.) FOUND (UNLESS OTHERWISE NOTED)
  - ⊙ 1" IRON PIPE (I.P.) FOUND
  - ⊙ SECTION CORNER MONUMENT
  - ( ) INDICATES RECORDED AS
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FOUND RAILROAD SPIKE AT THE SOUTH QUARTER CORNER OF SECTION 34, T7N, R10E, WCCS MEASURED ARE  
 N: 462,425.79 (N: 462,425.91)  
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FOUND BRASS CAP MONUMENT AT THE SOUTHEAST CORNER OF SECTION 34, T7N, R10E, WCCS MEASURED ARE  
 N: 462,502.01 (N: 462,501.93)  
 E: 847,355.95 (E: 847,355.72)

BEARINGS ARE REFERENCED TO THE WISCONSIN COUNTY COORDINATE SYSTEM, DANE ZONE. THE RIGHT-OF-WAY LINE OF SUMMER TRAIL, MEASURED AS N87°00'30"W



SCALE: ONE INCH = FIFTY FEET

TOTAL PLATTED AREA = 9,345 SQ. FT.  
 (0.2166 ACRES)

**Snyder & Associates**  
 Engineers and Planners

P:\PROJECTS\2016\116.0691.30 Art Weber CSM\Survey\CSM\116.0691.30 REZONE.dwg

<p><b>SURVEYED FOR:</b>          Arthur Weber          5306 Falling Leaves Lane          McFarland, WI 53558</p>	<p><b>SURVEYED BY:</b>          Snyder &amp; Associates, Inc.          5010 Voges Road          Madison, WI 53718          (608) 838-0444          www.snyder-associates.com</p>	<p><b>PROPOSED REZONE EXHIBIT</b></p> <p>PART OF LOT 32, BLOCK 12, TENTH ADDITION TO AUTUMN GROVE, AS RECORDED IN VOLUME 52 OF PLATS, ON PAGES 15-16, AS DOCUMENT NUMBER 1651737, DANE COUNTY REGISTRY, LOCATED IN THE SW 1/4 OF THE SE 1/4 OF SECTION 34, TOWNSHIP 07 NORTH, RANGE 10 EAST, VILLAGE OF MCFARLAND, DANE COUNTY, WISCONSIN.</p>	<p>FN: 116.0691.30          DATE: 08-04-16</p> <p>REVISIONS:          DATE: 08-16-16</p>	<p>SHEET          1 OF 1</p>
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August 4, 2016  
Revised: August 16, 2016  
FN: 116.0691.30

LEGAL DESCRIPTION (R-1A)

Part of Lot 32, Block 12, TENTH ADDITION TO AUTUMN GROVE, as recorded in Volume 52 of Plats, on pages 15-16, as document number 1651737, Dane County Registry and located in the Southwest Quarter of the Southeast Quarter of Section 34, Township 7 North, Range 10 East, Village of McFarland, Dane County, Wisconsin, more fully described as follows:

Beginning at the Southwesterly corner of said Lot 32, thence North 02 degrees 24 minutes 01 second East along the Westerly line of said Lot 32, 107.91 feet to the Northwesterly corner of said Lot 32; thence South 87 degrees 00 minutes 38 seconds along the Northerly line of said Lot 32, 88.00 feet; thence South 02 degrees 59 minutes 30 seconds West, 107.90 feet to the Northerly right-of-way line of Summer Trail; thence along said Northerly right-of-way line North 87 degrees 00 minutes 30 seconds West, 86.89 feet to the point of beginning. This description contains approximately 9,345 square feet or 0.2166 acres.

**ORDINANCE NO. 2016-06**

**AN ORDINANCE TO REZONE LANDS AT 5306 FALLING LEAVES LANE  
FROM THE R-1 RESIDENTIAL DISTRICT TO  
R-1A RESIDENTIAL DISTRICT**

Sponsor: The Community Development Department

Recommended Referral: Plan Commission; Required

Public Hearing: Class 2 Notice Required

**NOW THEREFORE**, the Village of Board of the Village of McFarland do hereby ordain as follows:

1. Section 62-62(a) of the McFarland Municipal Code and the Official Zoning Map adopted on April 3, 2003 are hereby amended so that the following described real estate is hereby rezoned from the R-1 Single Family Residence District to the R-1A Single Family Residence District, and shall henceforth be subject to the regulations contained in Sections 62-68(f) and 62-69(a) relating to R-1A uses and Section 62-70 relating to R-1A uses of the McFarland Municipal Code. The legal description of the property rezoned is as follows:

Part of Lot 32, Block 12, TENTH ADDITION TO AUTUMN GROVE, as recorded in Volume 52 of Plats, on pages 15-16, as document number 1651737, Dane County Registry and located in the Southwest Quarter of the Southeast Quarter of Section 34, Township 7 North, Range 10 East, Village of McFarland, Dane County, Wisconsin, more fully described as follows:

Beginning at the Southwesterly corner of said Lot 32, thence North 02 degrees 24 minutes 01 second East along the Westerly line of said Lot 32, 107.91 feet to the Northwesterly corner of said Lot 32; thence South 87 degrees 00 minutes 38 seconds along the Northerly line of said Lot 32, 88.00 feet; thence South 02 degrees 59 minutes 30 seconds West, 107.90 feet to the Northerly right-of-way line of Summer Trail; thence along said Northerly right-of-way line North 87 degrees 00 minutes 30 seconds West, 86.89 feet to the point of beginning. This description contains approximately 9,345 square feet or 0.2166 acres.

2. The Zoning Administrator is hereby directed to label these changes on the Official Zoning Map.

The above and foregoing Ordinance was duly adopted at a regular meeting of the McFarland Village Board on the \_\_\_\_ day of \_\_\_\_\_, 2016.

APPROVED:

\_\_\_\_\_  
Brad Czebotar, Village President

ATTEST:

\_\_\_\_\_  
Cassandra Suettinger, Clerk

4832-0623-4167, v. 1

ORDINANCE 2016 – 08	
MOTION	SECOND
r	
ACTION	DATE
Adopted	
Referred	
Tabled	
Withdrawn	
Defeated	
Published	
INDIVIDUAL VOTING RECORD	
Adrian	Lytle
Brassington	Mooney
Czebotar	Utter, C
Kolk	
VOTING RESULTS	
Motion Carried:	
Motion Defeated:	

## Art Weber

---

**From:** Marty <martygriffiniii@gmail.com>  
**Sent:** Monday, October 17, 2016 4:59 PM  
**To:** Art Weber  
**Subject:** Rezoning plans

Hi Art and Cindy,

After our discussion about your building and rezoning plans, my wife Meg & I just wanted to let you know that we are okay with your plan and have no objection.

Let us know if you have any questions.

Thanks!  
Marty

Sent from my iPhone



6425 Odana Rd, Suite 2      Madison, WI 53719-1186  
Phone: (608) 833-3400      Fax: (608) 833-3408  
www.Bouril@bourildesign.com.bourildesign.com

October 10, 2016

Pauline Boness, Community Development Director  
Community Development Department  
Municipal Center  
P.O. Box 110  
5915 Milwaukee Street  
McFarland, Wisconsin 53558-0110

Planned Development Infill District – General Plan - Waubesa Shores Apartments and Condominiums  
Statement of Owner's Intent and Description of Development:

Plan Commission Submittal #4  
Waubesa Shores Apartment and Condominiums, Lots 1 and 2.  
Bremer Road. McFarland, Wisconsin 53558

Mrs. Pauline Boness,

The following is submitted together with the Plans for Staff, Plan Commission and Village Board consideration of approval.

Project Team

Owner/ Developer:      Beach House Properties, LLC  
Cory and Kris Sturman  
5020 Vogel Road  
Madison, Wisconsin 53718  
PH. 608-209-3092  
Contact: Kris Sturman  
[kris@madcityroofing.com](mailto:kris@madcityroofing.com)

Architect:      Bouril Design Studio, LLC  
6425 Odana Road., Suite 2  
Madison, Wisconsin 53719  
PH. (608) 833 – 3400  
Contact Robert Bouril  
[bobb@bourildesign.com](mailto:bobb@bourildesign.com)

Civil & Landscape      Vierbicher  
999 Fourier Drive, Suite 201  
Madison, Wisconsin 53717  
Ph...:(608) 826-0532  
Fax:(608) 826-0530  
Contact: James R. Joehnk, PE  
[jjoe@vierbicher.com](mailto:jjoe@vierbicher.com)

RECEIVED  
OCT 11 2016  
VILLAGE OF MCFARLAND



Introduction:

The project is located at the intersection of Bremer Road, Lake Edge Road, and Larson Beach road. It includes the Beach House Restaurant property at 4506 Larson Beach Rd and the adjacent Apartment property at Lake Edge Road. The lot is currently surrounded by single family lots to the north & south, and Bremer Road & lake Edge Road to the East. To the west of the property is Lake Waubesa. Project also will include the property across Lake Edge Road and adjacent to Walgreens which will provide additional parking for the project.

Existing site

Lot 1 is an existing 2 story, 12 unit apartment building with a footprint of 5,363 SF and a four car garage with a footprint of 2,031 SF. The garage is setback from the front property line 4'-0". The apartment is setback from the side property line approximately 38'-0" (varies) and the garage is setback from the side property line 10'-10" (varies). The Apartment is approximately 54'-0" from the ordinary high water mark.

Lot 2 is an existing 2 story restaurant with a second floor apartment. It has a footprint of 3,219 SF. It is setback from the side property line approximately 23'-0" (varies), and 54'-0" from the ordinary high water mark. But the fenced in patio is 24'-0" from the ordinary high water mark. Parking pavement extends to 5'-0" of the ordinary high water mark with the boat launch extending into the lake. The street side the building is approximately 43'-0" from the front property line.

Satellite Parking Lot is an empty lot to the south of the existing Walgreen's on the east side of Lake Edge Road.

Project Description:

Legal description: Lot 1 and Lot 2 of Certified Survey Map Number 1256, Village of McFarland, Dane County, Wisconsin.

The proposed three parcels combined is 101, 334 Ff. (Lot 1 and 2 combined is 77,406 SF). The proposed development consists of one Multifamily apartment and condominium building with 68 parking stalls in an underground parking garage and 33 on grade parking lot for a total of 108 onsite parking stalls. We are providing an additional satellite parking area with an additional 39 stalls for a total of 140 parking. The number of stalls provided will exceed the required number of stalls for multifamily and the commercial components. In addition there is boat parking at dock anticipated to be dedicated to boats for the commercial space.

The building has a proposed first floor commercial space, clubhouse, exercise room and combination office/meeting room. The building has been located a minimum distance of 42'-6" from the ordinary high water level at the Lake Waubesa side, with 20'-0" side Yards (to open decks). The building is roughly 22'-0" (minimum) for 72.5% of the south face of the Building and 75.5% for the north face of the building to the property line. The front setback at Lake Edge Road and Bremer road is 30'-0" minimum. The side yard for General Residential (R3) or General Commercial (C-G) is 10'-0" with a combined side yard of 20'-0". We have provided double the required side yard (20') and double the combined side Yard (40') to the decks and the actual building sets back from this by additional 2', and 4' increments.

The proposed building consists of 37 residential units. The building consists of two wings. The south wing consists of 15 apartment units with a mix of 1 – three bedroom condo/apartment, 10 - two bedroom apartments and 4 - one bedroom apartments. The south wing might start out as apartments but would be converted to condominiums at a later date. If there is a high enough demand they would become condominiums immediately. The north wing consists of 22 condominiums with a mix of 1 – Three bedroom

condominium, 19 - two bedroom condominiums and 2 - one bedroom condominiums. On site there are a total of 2- three bedroom units, 29 - two bedroom units and 6 - one bedroom units. The two wings are connected by a Ground floor parking level and a First Floor outdoor Plaza. Each wing is connected to the parking level by stairs and an elevator.

The two residential wings are separated by the outdoor open plaza that will be a transition from the on grade parking on the street side, and the Lake. The plaza will provide a view corridor from the road to Lake to address concerns of the neighborhood. The building steps down from the three story apartments and three story condominiums to a one story portion that softens the three story wings down to the open plaza. The building also steps down to a two story building at the side setbacks adjacent to the residential neighbors. The one story portion in the south wing will be a commercial space (anticipated to be a restaurant) which was a large concern of many members of the neighborhood and the one story portion on the north side will be the clubhouse for the multifamily. The Plaza will be a half level above that on grade parking that can be accessed by a stairs. The plaza will provide outside seating for the restaurant and a gathering area for the residents. The plaza can also be accessed by the south and north wings entrances by the building stairs and elevators. The entrance to the south wing also connects to the restaurant with a dedicated interior stair.

It should be noted that the existing apartment building has 12 existing apartment units, the restaurant has 1 existing apartment unit and the land adjacent to Walgreen's (satellite parking) has been approved by the Village for a 6 unit apartment building. That is a total of 19 existing residential units. The new multifamily development is proposing 37 residential units which is only an increase of 20 residential units over the number of units that currently exists and what the Village has already approved. The south wing which might start out as apartments is only 15 units. This is 2 more rentals units than the existing site but 4 less than the 13 onsite and the 6 that has already been approved by the plan commission on the satellite parking site.

Village of McFaland Zoning Standards:

Section 62-66 (d).

- a. Maximum impervious Surface Ratio per ordinance for Mixed use is 0.50 to 0.70.  
Apartment and Beach House sites: Impervious surface ratio is **0.56**.  
Satellite parking site: Impervious surface ratio is **0.65**  
All three sites combined: Impervious surface ratio is **0.587**  
*We are in the accepted range of 0.50 to 0.70 for all three scenarios above.*
- b. Maximum floor area ratio = 0.70.  
Apartment and Beach House:  
Floor area ratio is **0.83** = (66,664 SF First, Second, and Third Floor area) divided by 77,406 SF (Site area bounded by OHWM, and property line). Parking Garage area not included.  
Satellite parking site: Floor area ratio is **0.00**  
All three lots combined (Apartment, Beach house, and Satellite parking lot)  
Floor area ratio is **0.63** = (66,664 SF First, Second, and Third Floor area) divided by 101,334 SF (Site area bounded by OHWM, and property line). Parking Garage area not included.  
*Using all three sites we meet the requirements for Maximum floor area ratio.*
- c. Minimum usable open space per dwelling unit = 100SF/DU. we are providing 301 SF per Dwelling unit (non-paved areas open to sky (side and rear yard only), and plaza area, excluding restaurant portion). The Private Balconies/ Decks are not included in calculations for open space requirements.  
*We meet the requirement for open space*

## Section 62-66

### Section 62-66 (e)(1) – Screening and buffer yards

- Increased both side yards to twenty feet in width, twice the required setbacks.
- Stepped the building height down to a 2 story at both side yards
- On grade parking in center of lot to minimize the impact of cars (lights) on the neighboring residential properties.
- The Ground floor parking entrance is on the street side with the trash enclosure providing additional screening.
- Side yards we are providing a mixture of 6'-0" fence and hedge row to screen balconies from neighbors on both side yards.
- We are providing planting between the road and on grade parking to screen the parking from the road.
- The screening and buffer yards exceeds the Village staff recommendations.

### 62-66(e) (2) Pedestrian Circulation

- Site Circulation separates parking and pedestrian traffic.
- Pedestrian circulation is on the perimeter of the parking with a sidewalk that connects the Entries and plaza to the commercial properties, and the new satellite parking to the east across Lake Edge Road.
- Sidewalk is extended from Walgreens across the Satellite parking site and with a walk to the parking.
- Intersection is reconfigured and becomes a 3 way stop with marked cross walk to increase safety.
- Meets staff and Public Safety Committee comments.

### 62-66 (e) (3) Usable open space

- Plaza space provided for residents with a connection down to the lake with amenities (grilling areas/ seating areas) on the lake side.
- Rear and side yard provide open space for residents
- Each Condo/ Apartment will have a private balcony. (additional ~ 80 SF)
- The plaza will also provide an outdoor seating area for the restaurant.
- Meets the requirements.

### 62-66 (e) (4) Trash Collection:

- Trash collection is on the exterior near the entry to the Ground floor parking and provides additional screening for the adjacent property.
- The trash enclosure is accessible from the Ground floor parking for residents and commercial space.
- If needed recycling will be within the underground parking for the residents.
- The trash enclosure will be fully enclosed to address proximity to neighbors, number of units and the restaurant use.
- The above is per ordinance and meets Village staff comments/ recommendations.

### 62-66 (e) (5) Mixed Uses/ Compatibility:

- Existing lot 1 has an existing restaurant / apartment and is zoned C-G General Commercial.
- Existing lot 2 has an existing 12 unit apartment, and is zoned R3 General Residential.
- Preserves a restaurant as part of the development as the existing restaurant was a community fixture.
- Proposed use is essentially the current use on the site.

- **Compatibility:** We have met and exceeded the staff comments by doubling the side yards to twenty feet and stepping the building height down to 2 stories at the side yards. The proposed uses match the existing uses. In addition we have provided screening at each side yard using a combination of fencing and plantings.

62-66 (e) (6) Snow removal areas

- Snow removal area will be the lawn areas on the perimeter of the parking lot
- And the lawn areas north of the parking lot.
- Temporary storage of snow in 7 stalls in southeast portion of parking lot when snow falls are high. Snow would need to be removed from site. This will not affect the required parking as parking can be reduced up to nine stalls when commercial space outdoor seating will be closed. Reduces the restaurant capacity which reduces the required parking up to nine stalls.
- The snow storage areas identified above will be adequate for the site.

62-66(e) (7) Lighting

- No foot candles beyond site per Plan (greater setbacks will enhance this)
- Light fixtures selected have shields
- Light fixtures in side yards to be on motion detectors to reduce light towards neighbors.
- Meets Village ordinance requirements.

62-66(e) (8) Physical attributes of site will be preserved:

- Preserved open space along shore line.
- Existing trees where possible will be preserved.
- Site has no special natural feature beyond the shore line.
- Control of erosion and runoff is and will be incorporated into the project. With the elimination of the existing paved surface for the existing restaurant) the runoff will be eliminated.
- View Shed of North property line
  - View to south will be greater than view to south. (155.1 verses 127)
  - Main deck is on north side of site, side opposite our project.
  - Windows on west side orientated directly towards lake. (no bay windows)
  - Existing 6'-0" wood fence that runs from front of house to within 16'-0 of waterline
  - View to south is interrupted by existing outdoor seating area with canopy and existing hedgerow vegetation to waterline between Beach house and Apartment sites.
- View shed of South property line.
  - View to north will only be reduced by 6 degrees to 164.4 degrees.
  - View to north is completely blocked by existing trees/vegetation on their site.
  - View to north is also interrupted / blocked existing hedgerow vegetation to waterline between Beach house and Apartment sites.

Secton 62-67 (4):

62-67 (a) General conformance with the Village Comprehensive plan

- After our preliminary meeting with the City, subsequent Plan commission meeting and subsequent multiple revisions to the project we feel the development is in general conformance with the Village comprehensive plan
- Has addressed the concerns of the plan commission, Village Staff, and the neighborhood.

- Village staff comments: The 2006 Comprehensive Plan land use map identified these lots as commercial and mixed residential.
- Per the above it meets the current Village comprehensive plan.

62-67 (b) Uses shall not impair or diminish the use, value, and enjoyment of other properties.

- Per City Staff: Side yards setbacks should be at a minimum of 15', preferably 20' or step back building to lessen impact on residential homes.
- We are providing both a 20'-0" setback to edge of decks
- And stepping down the height of the building to a 2 stories at the side yards.
- 100% of the building is minimum or 20'-0" from property line
- 74% of the building is minimum of 22'-0" from property line

62-67 (4) Traffic circulation shall minimize congestion, traffic hazards, provide accessibility & safe, convenient movement of vehicles & pedestrians

Off street parking

- Condo/ apartments is in conformance with Village's ordinance for multifamily parking of 2 cars per two bedroom apartment units and 2.5 for three bedroom apartment units: Total of 75 parking spaces.
- We are providing 53 spaces for restaurant parking per the traffic report. 26 parking spaces on site and additional 27 at site adjacent to Walgreens. We believe in the summer the public dock will be used by people going to the restaurant by boat further reducing the parking requirements for the restaurant. We have a purchase option for the adjacent property to Walgreens contingent on city approval of the project.
- There are twelve additional spaces to be shared between the restaurant and the residential units.
- During the late fall, early spring and winter months the outdoor seating area for the restaurant will not be used reducing the restaurant capacity and providing an additional 9 stalls for the apartment for guests, etc.
- Traffic has been divided in to separate entrances for the Ground floor parking, the onsite on grade parking lot, and the satellite parking lot.
- This separation shall minimize traffic congestion and traffic hazards and provide for the safe and convenient movement of vehicles and pedestrians.
- Per the traffic report we provided to the Village Public Safety Committee it will have minimal impact on the neighborhood.
- Most traffic will be down Larson Beach road with minimal extension of traffic on to Lake Edge Road and Bremer road.
- Per Village Staff comments: Developer is providing adequate sidewalks.
- Added additional front walks and walk to north stair per Public Safety Committee
- Changed intersection into 3 way stop per Public Safety Committee.
- Sidewalk connects to Satellite parking
- Design eliminates existing entry at intersection, a safety concern.
- We have met ordinance, village staff and Public safety committee comments.



62-67(d) Developer to incorporate design considerations, preservation of Ground cover, topography, trees, streams, and other significant features.

- The development preserves where possible existing trees and with the elimination of the existing pavement that extended to the water's edge drastically improve runoff and meet the Village erosion control and storm water management ordinances.
- Per Village Staff comments: Site is generally level if any significant grading to be done, ground cover consists of grass and asphalt.
- Bio-retention pond for managing parking lots rain water
- Roof water to storm sewer
- Added Rain Garden to collect any water from side/ front yards to prevent water from entering lake.
- Added green roof at restaurant roof to mitigate roof water to storm sewer.
- Vast improvement over existing site. Large portion of the Existing pavement / roof water drains directly into Lake Waubesa.

62-67 (4) (e). Development shall provide convenient and harmonious groups of buildings, and uses: Building shall be spaced and sited to ensure adequate safety, light, ventilation, and privacy.

- The development was divided into two wings in conjunction with neighborhood meetings to reduce the mass of the building. (verses one large massive building)
- provide a visual access to the Lake
- This configuration isolates the on grade parking, car and pedestrian traffic from the adjacent residential properties by location between the two buildings. .
- It also isolates the plaza and the commercial portion of the building from any adverse impact on the residential properties.
- Building steps down to a two story height at side yards
- Building required setback was doubled to twenty feet,
  - South property line 72.5% of building is minimum of twenty two feet from property line.
  - North property line 81.5% of building is minimum of twenty two feet from property line.

62-67 (4) (f) 62-67 (f) Planned developments for residential shall provide adequate open space and recreational areas in appropriate locations, all public and common space shall be designed to provide safe & convenient access to residents.

- Open space is provided the open plaza between two buildings,
- Open space in rear yard between building and lake
- Open space along the side yards.
- Each residential unit has their own private balcony.
- Half level between plaza and lake provides a fire pit area for residents
- Clubhouse for residents
- Workout room for residents

62-67 (4) (g): The development will not adversely affect the ability of public agencies to provide school and other municipal services.

- We do not foresee any adverse impacts to provide school or municipal services.
- The impact on the city services to be minimal.
- Most condominium buyers and apartment users to be single or empty nesters.
- Per Village staff comments: Will most likely attract empty singles and empty nesters. Foresee no burden to school district and municipal services.

62-67 (4) (h). The width of street right of way, width of paving, outdoor lighting, location of sewer and water lines, provision for storm water drainage and other similar environmental engineering considerations

- The development will have minimal or no impact on streets.
- The neighborhood concerns about the safety of the existing intersection for pedestrian traffic has been addressed by the Public safety committee and the intersection will be reconfigured and become a 3 way stop.
- The traffic study indicates a minimal increase in traffic for the new development from the existing use of apartments and existing functioning restaurant. We have decreased from 44 units to 37 units since the traffic report was commissioned further reducing any traffic increase.. We are adding only 18 additional units to the site beyond the 13 existing and the 6 units previously approved by the plan commission.

62-67 (4) (i) The proponents of the Planned development shall provide satisfactory evidence to Village board of its economic feasibility.

- Letter from Bank indication the financing was provided to the Village
- Additional financial information provided to Village by Developer of economic feasibility.

62-67 (j) The proponents of the Planned development shall submit a reasonable schedule for the implementation of the development satisfaction of the Village Board.

- Schedule is dependent on Village approvals. From that approval we anticipate:
  - 2-3 months for construction drawings,
  - 3 – 4 weeks for bidding,
  - 2-3 weeks for mobilization,
  - 1 month for demolition,
  - 9 months for construction,
- Schedule could be affected by winter construction due to delay in Village approval
- It is anticipated that the new construction will commence fall of 2016 and be completed before end of 2017. (This is contingent on final Village approvals)

The exterior materials comprise of stone base that extends vertically at significant features on the building, horizontal wood siding at the balconies and tied together at the one story portion of the building and composite wood siding and Stucco, (EIFS). Materials were selected to complement and tie into the adjacent residential neighborhood.

Building height varies as grade varies around the building.

- From the building inceptions we reduced the roof height by eliminating all the hip roofs and replaced them with flat roofs to reduce the height as much as possible.
- In this latest submittal we have further reduced the building height
  - Main 3<sup>rd</sup> floor roof by 1'-6".
  - Reduced The highest roof by from 3'-0" above main roof to 2'-0".
  - Effectively reducing overall building 2'-6".
  - On lake side we have raised grade by 3'-0" reducing the building mass height by 5'-6".
- The height allowed for a General Residence (R3) is 35'-0"
- General Commercial is 40'-0".
- Our maximum roof height is 39'-7" (17%) of the building. (per ordinance building height definition)
- The typical third floor roof height is 37'-6 3/4" (per ordinance building height definition)
- The typical second floor 26'- 3 1/2" (per ordinance building height definition)
- Typical First Floor height is 15'-0 1/4" (per ordinance building height definition)



**Side setbacks (South side) – Actual distance for building to property line**

26% of the building is 22'-3" from property line

24% is 24'-3" from property line (46.5% if you ignore the angled projections with windows.

22.5% of wall varies from 22'-9" to 24'-3"; These are the angled projections with windows

27.5% is Open balcony/Decks for the individual unit is 20'-5".

(Back building wall on these open decks is 26'-5" from property line)

- Adjacent 1 ½ story house is side setback varies 10'-9" to 8'-11" to property line.
- Approximately 56'-0" from OHWM.
- 167.4 degree view angle from house corner. This existing side view obstructed by existing trees.
- Distance between the existing house and the new multifamily building is 31'-2" to 33'-0". Largest distance is on the Lake side. The distance varies as the existing house is not parallel to the property line.

**Side setbacks (North side) – actual distance for building to property line**

37.5% of the building is 21'-10" from property line.

33.8% is 23'-8" from property line (26.5% if you ignore the angled projections with windows.

10.2% of wall varies from 23'-8" to 22'-2"; These are the angled projections with windows.

18.5% is Open balcony/Deck for the individual unit is 20'-0"

(Back building wall on these decks is 26'-0" from property line)

See photos at end of this letter.

- Neighboring house varies from 17'-5" to 16'-9" from property line.
- Neighbors existing shed is 7'-8" to 7'-6" from property line.
- 155.1 degree view angle from corner or house from back face of house.
- Distance between the existing house and the new multifamily building is 44'-10" to 38'-6". Largest distance is on the Lake side. The distance varies as the existing house is not parallel to the property line.

Side views obstructed by existing trees and 6'-0" high wood fence.

Views oriented straight out to Lake.

Main outdoor deck on North side of house. (Opposite side).

Note existing house to the north of adjacent neighbor's house is much closer to the lake.

Approximately 64'-0" to lake edge.

See photos at end of this letter.

Per sub note #7 in the Village residential ordinance (R-1 thru R-E). All yards abutting navigable waterways set back at least 40'-0" unless superseded by Wisconsin Dept. of Natural Resources or Dane Co. Regulations. The Setback for this multifamily development is minimum 42.5' from OHWM.

- The average building height above grade is 34'-6" (actual).
- Note to compensate for the additional height we are requesting, we have doubled the side yard setbacks for General Residential (R3) and General Commercial (C-G) from 10'-0" to 20'-0" and the combined yards from 20'-0" to 40'-0". And stepped the building down at side yards to two stories.
- Maximum height of building at the lake side is within the possible heights allowed by even the R1 zoning of the neighborhood.

We feel the project will

- 1) Enhance the neighborhood
- 2) Minimally impact the neighborhood (including the two adjacent properties.)
- 3) Seamlessly intergrates the two sites into one
- 4) Meet the initial neighborhood goal of two smaller building verses one large building
- 4) Be mutually beneficial to the neighborhood and the Village of McFarland
- 5) Providing substantial property tax revenue while not impacting schools with one and two bedroom units.
- 6) The commercial space (restaurant) would provide financial revenue to workers, and has been heavily supported by the community.
- 7) Further tax benefits to the village due to commercial business.

#### PD-1 planned Development Infill District

A 37 unit multifamily development with a building height of approximately 15'to 39'-7" per building height definition in Village ordinance: (Elevation from grade at midpoint of the building to highest point)  
Highest Building height adjacent to the Residential lots is 27'-6".

Rear Lake setback: 42'-6"

Side Setbacks: 20'-0" (See below for actual distances)

Front Setback: 30'-0"

Building Height: 40'-0".

#### Current Changes:

- We have eliminated two third floor units. One on north and south wing to step building down to two stories at side yards.
- Reduced the maximum building height by 2'-6"
- Lake side we raised grade to reduce the building height mass. Provided 48" retaining walls to further raise grade by 3'-0" and reduce the building mass height.
- Added landscaping in front of retaining wall to soften and further reduce building mass height
- Added two rain gardens at the lake side to retain site grade storm water. (not required)
- Added green roof area over the restaurant first floor roof.
- Added additional landscaping around building
- Added screening in side yards of 6'-0" high fencing and hedge rows to provide screening for neighbors.



**Development/ Building Data:**

Site Data

Lot area:	(Beach & Apt Site)	077,406 SF (1.66 acres)
Lot area	(Satellite Parking Site)	023,928 SF (0.67 acres)
Lot area	(All three Sites)	101,334 SF (2.33 acres)
Impervious area:	(Beach & Apt Site)	043,875 SF
Impervious area:	(Satellite parking site)	015,600 SF
Impervious area:	(All three sites)	059,475 SF
Lot area/ per dwelling unit	(Beach & Ap Sit)	01, 984 SF
Lot area/ per dwelling unit	(all three sites)	02, 755 SF
Density:	(Beach House and Apt)	23.5 units per acre
Density	(all three lots)	15.9 units per acre
Lot coverage:	(Beach and Apt site)	56.7.6% (0.567)
Lot coverage	(Satellite parking)	65.1% (0.651)
Lot coverage	(All 3 sites)	58.7% (0.587)
Floor area ratio	(Beach House and Apt Site)	0.83
Floor area ratio	(All three sites)	0.63
Impervious surface ratio	(Beach & Apt Site)	0.56
Impervious surface ratio	(Satellite parking site)	0.65
Impervious surface ratio	(All three Sites)	0.58
Open space per dwelling unit		301 SF Not including unit decks or the commercial space plaza area.

Usable open space 11,161 (Non paved open to sky side, back yard, and Portion of Plaza available to residents)

Vehicle Parking

Surface Parking Stalls: (on site)	33
Underground Parking stalls (on site)	68
39 stalls (off site on site adjacent to Walgreens)	39, see site plan at end of letter of intent.
(Accessible parking stalls (4)	
Total Parking Stalls	140
Restaurant parking	53
Multifamily parking	75
(2 stalls per apartment unit)	
Shared Multifamily and Restaurant	12

We have an agreement (contingent on City approvals) to purchase of the land adjacent to Walgreens to augment the commercial space(restaurant) parking to address the concerns of neighbors and Village. Per the traffic study this will provide adequate parking for the commercial space (restaurant) and the Residential units.

- Parking Calculation per Village Ordinance
- Multifamily parking (2 per each 2 bedroom unit) & 2.5 for each 3 bedroom unit)
  - 2.5 \* (2) Three bedroom units = 5
  - 2 \* (35) One and Two bedroom units = 70
  - Total = 5 + 70 = 75
- Commercial Space Parking
  - Restaurant (spaces equal to 30% of capacity plus 4 spaces per 1000 GSF plus 5 spaces per 1,000 Sf in excess of 2,000 SF), (.3 \* 143 = 43 plus 2800 divided by 1000 time 4 spaces = 11 plus 800GSF divided by 1000 = 4 spaces), (43 + 11+4 = 58). = 58 stalls

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- Combined Multifamily and Commercial parking
  - 58 stalls (Restaurant) plus 75 stalls (Multifamily) = 133 stalls.
  - We have 140 parking stalls available. This does not take into account the additional boat parking.
  - Above we show only 53 space dedicated to the restaurant but the above parking includes the outdoor area (capacity) which will be open only during warm weather. We are assuming only 5 spaces for boats (actual amount closer to 12) which increases the number of parking spaces to the city required parking amount of 58 stalls. (53 + 5).
  - Without the increased capacity of the outdoor area the required parking is 48 parking stalls.
  - In any event the provided stalls of 140 exceed the City ordinance requirement of 132 stalls.
  - For comparison the existing and new restaurant are comparable in size and the new development will provide 53 stalls verses the existing 36 parking stalls for the existing restaurant.

Building Area

Ground floor (underground parking) 29,440 SF

North Wing

First Floor	(North wing)	14,230 SF
First Floor - Decks	(North wing)	00,635 SF
Second Floor	(North wing)	12,371 SF
Second Floor - Decks	(North wing)	00,735 SF
Third Floor	(North wing)	10,733 SF
Third Floor - Decks	(North wing)	00,735 SF
Total- all floors	(North wing)	37,334 SF
Total – Decks	(North wing)	02,004 SF

20 – Two Bedroom units (North wing)  
 3 – One bedroom units (North wing)  
 23 units total (North wing)

First Floor Plaza 02,661 SF

South Wing – Apartments (transition to condos at later time)

First Floor	(South wing)	13,012 SF
First Floor -Decks	(South wing)	00,461 SF
Second Floor	(South wing)	10,164 SF
Second Floor –Decks	(South wing)	00,554 SF
Third Floor	(South wing)	4,002 SF
Third Floor -Decks	(South wing)	00,294 SF
Total- all floors	(South wing)	27,178 SF
Total – Decks	(South wing)	01,309 SF

13 – Two Bedroom units (South wing)  
 03 – One bedroom units (South wing)  
 16 units total (South wing)

Total of North and South Wing by floor - Areas

First Floors	27,349 SF
First Floor – Decks	01,096 SF
Second Floors	22,639 SF
Second Floors - Decks	01,289 SF
Third Floor	22,639 SF
Third Floor - Decks	01,289 SF

Total of North and South Wing by building- Areas

1 <sup>st</sup> , 2 <sup>nd</sup> and 3 <sup>rd</sup> floors	64,512 SF
All floors	93,952 SF
All Decks	03,313 SF
Plaza	02,661 SF
Trash Enclosure	00,268 SF

Breakout of public areas:

Restaurant:	02,702 SF
Clubhouse	00,911 SF
Workout (exercise) Room	00,463 SF
Office (sales)	00,079 SF
Meeting room	00,565 SF

Building Height:

39'-7" per definition of building height in ordinance.  
 (Highest point of roof from grade at center of building)  
 Average height above grade is 34'-6".

Dwelling Unit Mix

One bedroom	06
Two bedroom	29
Three Bedrooms	02
Total	37

Responses to Community and Village:

- Two building look with open center/ plaza with view towards Lake.
- Added a restaurant to replace existing restaurant (community request).
- Design removed existing parking lot access at intersection
- Reduced the Multifamily units from proposed 44 to 37. (Reduction of 7 units)
- Reduced Multifamily units by 6 with addition of satellite parking (parking replaces new units)
- Added satellite parking of 39 stalls to address parking concerns
- Added second exit from on grade parking lot to address fire Dept. comments. This second exit would only be for emergency vehicles and not for regular traffic. A Single entrance would be maintained for the surface parking lot.
- Added vegetative screening to on grade parking lot to address staff concerns
- Verified site lines and revised site plan at intersection to maintain required site lines for safety.
- Added sidewalk at street side to address staff comments/ public safety committee.

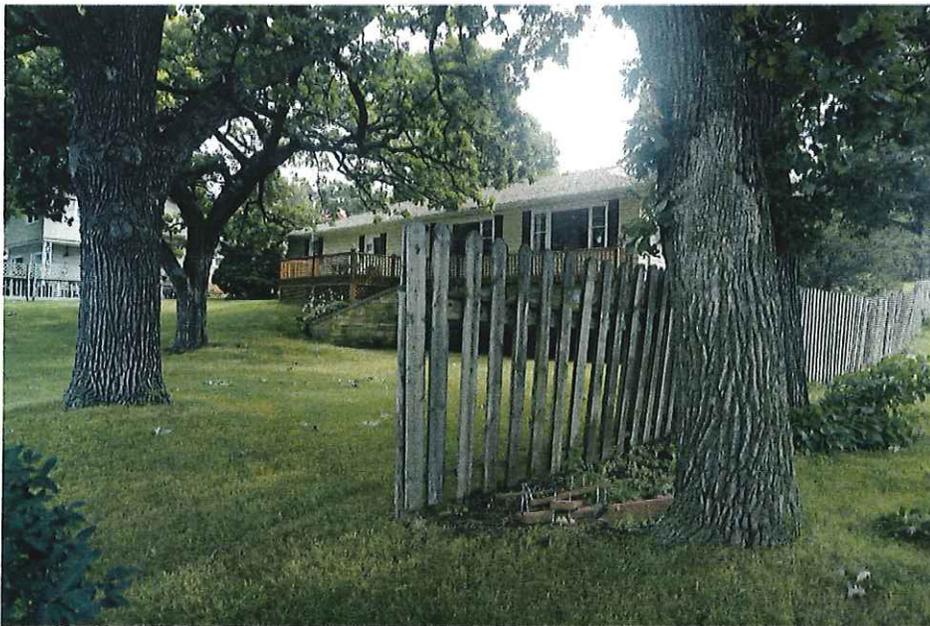
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- Increased side setbacks to address community, and Plan commission comments (removed 18'-0" from building width (from plaza and parking area) to accomplish these concerns. We have doubled the setbacks from the existing zoning requirements.
- Removed concrete boat launch per staff comments which will also reduce traffic.
- Had traffic study done to address Plan commission and Public safety committee comments
- Enclosed trash area to respond to staff comments.

We provided landscape screening along the Street side (front yard) to reduce the visual impact of the parking lot from the street. This is to soften the views from the street to the parking lot, but still provide some broken views into the space from the street to provide a connection to the community verses creating a barrier. Neighborhood meeting emphasized their desire to keep an open area to the lake from the street. We have provided several clusters of plantings, combining some upright and narrow evergreen trees with ornamental grasses and shrubs at the base. This is additional plantings beyond the City requirements for landscaping. The area for the second exit required by the fire department would not have the screen but would have geoblock paver units that would support and allow the emergency vehicles to exit but maintains a lawn (grass) appearance.



North Property line –View from NE corner / lake side of proposed site.

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**Bouril Design  
Studio, LLC**

6425 Odana Rd Suite 2      Madison, WI 53719-1186  
Phone: (608) 833-3400      Fax: (608) 833-3408  
www.Bouril@bourildesign.com.bourildesign.com



North adjacent Property line – Along property line from street.



North adjacent Property – Unobstructed View from lake/ NE corner of proposed site.

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North adjacent Property – Unobstructed View from lake - pier.



South adjacent Property –View from lake – SW corner of proposed site.

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**Architecture    Interior Design    Master Planning    Design Consultation**



**Bouril Design  
Studio, LLC**

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South adjacent Property –View along property line from street side.

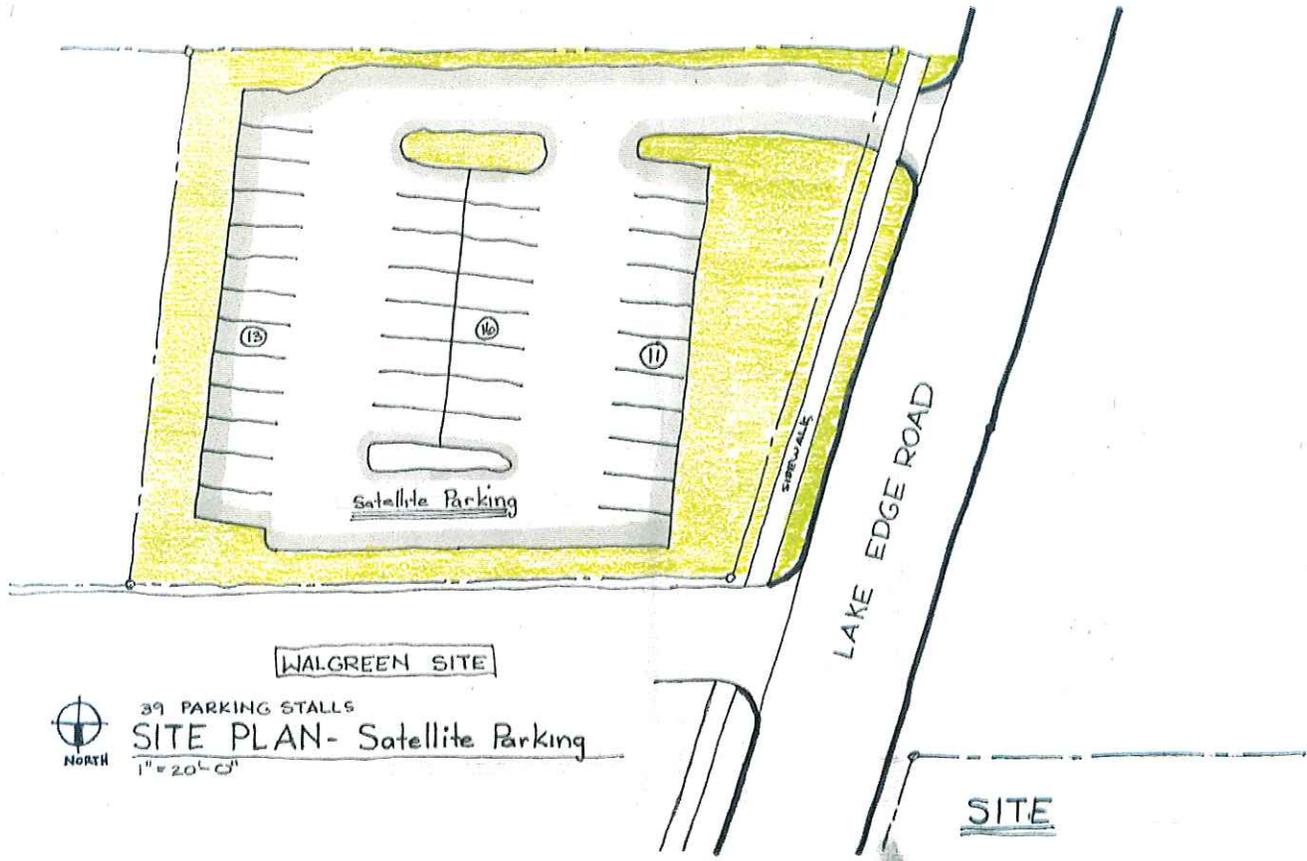


South adjacent Property –View from pier.

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Satellite parking next to Walgreens to supplement Parking – 39 additional stalls

Thank you for your time and consideration

Sincerely,

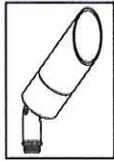
Robert R Bouril, architect, principal.  
Bouril Design Studio, LLC

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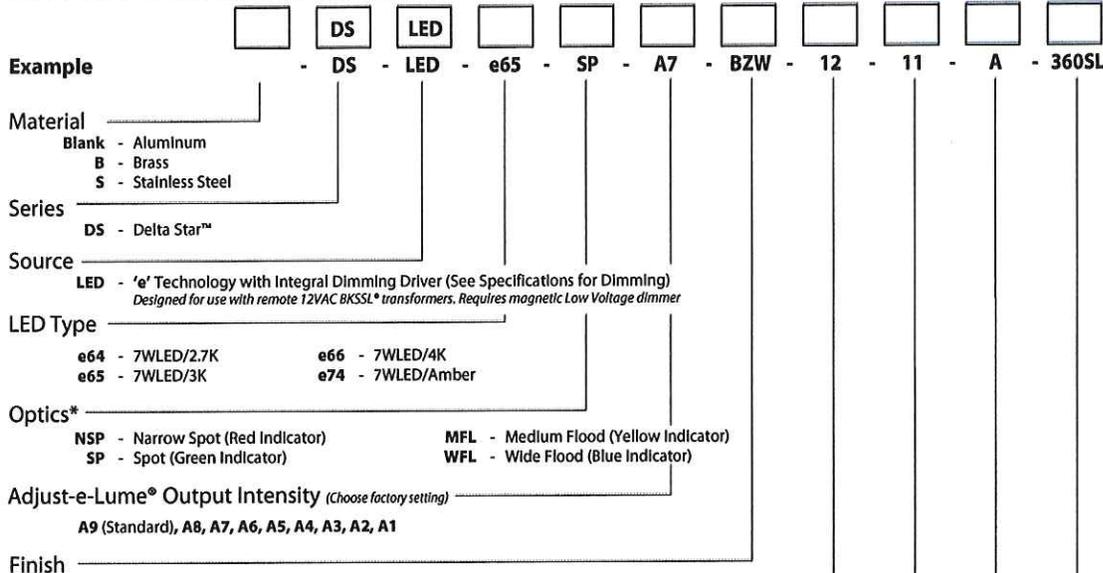
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**DELTA STAR™**



<b>PROJECT:</b>	
<b>TYPE:</b>	
<b>CATALOG NUMBER:</b>	
<b>SOURCE:</b>	
<b>NOTES:</b>	

**CATALOG NUMBER LOGIC**



Aluminum Finish			Brass Finish		Premium Finish							
Powder Coat Color	Satin	Wrinkle	Machined	MAC	ABP	Antique Brass Powder	CMG	Cascade Mountain Granite	RMG	Rocky Mountain Granite		
Bronze	BZP	BZW	Polished	POL	AMG	Aleutian Mountain Granite	CRI	Cracked Ice	SDS	Sonoran Desert Sandstone		
Black	BLP	BLW	Mitique™	MIT	AQW	Antique White	CRM	Cream	SMG	Sierra Mountain Granite		
White (Gloss)	WHP	WHW	Stainless Finish		BCM	Black Chrome	HUG	Hunter Green	TXF	Textured Forest		
Aluminum	SAP	—			Machined	MAC	BGE	Belge	MDS	Mojave Desert Sandstone	WCP	Weathered Copper
Verde	—	VER			Polished	POL	BPP	Brown Patina Powder	NBP	Natural Brass Powder	WIR	Weathered Iron
			Brushed	BRU <small>Interior use only.</small>	CAP	Clear Anodized Powder	OCP	Old Copper	<small>Also available in RAL Finishes See submittal SUB-1439-00</small>			

**Lens Type**  
 12 - Soft Focus Lens      13 - Rectilinear Lens

**Shielding**  
 11 - Honeycomb Baffle

**Cap Style**  
 A - 45°      B - 90°      D - 45° less Weep Hole (Interior Use Only)      E - 90° less Weep Hole (Interior Use Only)

**Option**  
 360SL - 360SL™ Rotational Knuckle Mounting System

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DRIVER DATA	Input Volts	InRush Current	Operating Current	Dimmable	Operation Ambient Temperature
	12VAC/DC 50/60Hz	<250mA (non-dimmed)	700mA	Magnetic Low Voltage Dimmer	-22°F-194°F (-30°C - 90°C)

**LM79 DATA**

BK No.	CCT (Typ.)	Input Watts (Typ.)	CRI (Typ.)
e64	2700K	7.0	80
e65	3000K	7.0	80
e66	4000K	7.0	80
e74	Amber (590nm)	7.0	~

**L70 DATA**

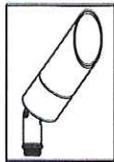
Minimum Rated Life (hrs.) 70% of Initial lumens(L70)
50,000
50,000
50,000
50,000

**\*OPTICAL DATA**

Beam Type	Angle	e66 CBCP	Visual Indicator
Narrow Spot	13°	6889	Red Dot
Spot	15°	5225	Green Dot
Medium Flood	23°	1984	Yellow Dot
Wide Flood	31°	1300	Blue Dot

<b>B-K LIGHTING</b>	40429 Brickyard Drive • Madera, CA 93636 • USA 559.438.5800 • FAX 559.438.5900 www.bklighting.com • info@bklighting.com	RELEASED 06-07-16	DRAWING NUMBER SUB000930
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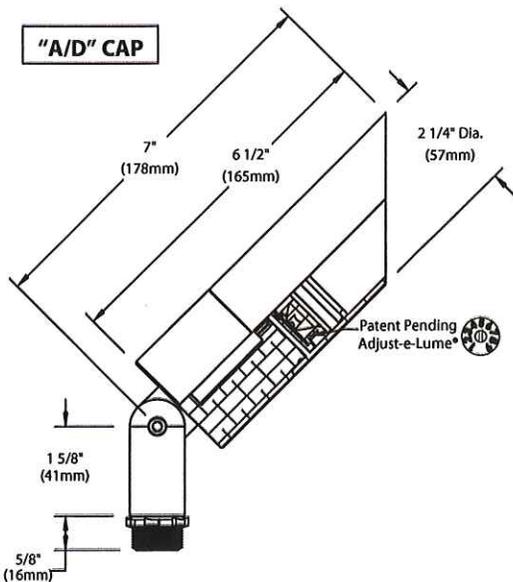
**BKSSL**  
B-K LIGHTING

the power of dimming with **adjust-e-lume** TECHNOLOGY

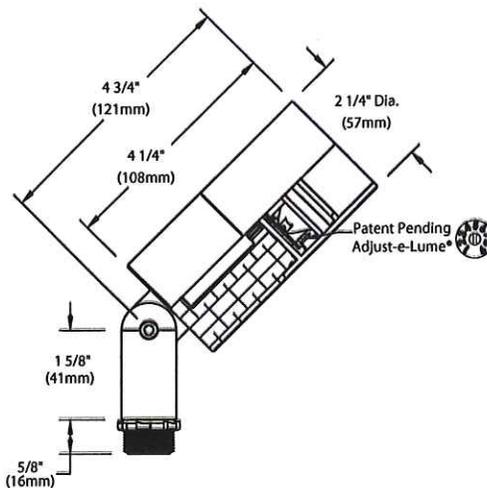
# DELTA STAR™

PROJECT:	
TYPE:	

**"A/D" CAP**

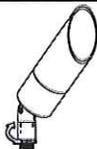


**"B/E" CAP**



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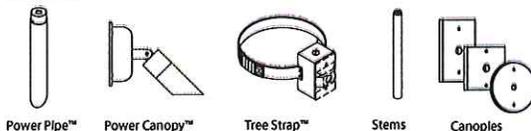
**360 SL™**



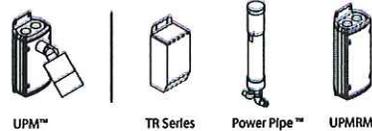
**Horizontal Rotation**  
(Optional 360SL™ Knuckle)

### Accessories (Configure separately)

#### Mounting:



#### Remote Transformers:



All dimensions indicated on this submittal are nominal. Contact Technical Sales if you require more stringent specifications.

## SPECIFICATIONS

### GreenSource Initiative™

Metal and packaging components are made from recycled materials. Manufactured using renewable solar energy, produced on site. Returnable to manufacturer at end of life to ensure cradle-to-cradle handling. Packaging contains no chlorofluorocarbons (CFC's). Use of this product may qualify for GreenSource efficacy and recycling rebate(s). Consult [www.bklighting.com/greensource](http://www.bklighting.com/greensource) for program requirements.

### Materials

Furnished in Copper-Free Aluminum (Type 6061-T6), Brass (Type 360) or Stainless Steel (Type 304).

### Body

Fully machined from solid billet. Unibody design provides enclosed, water-proof wireway and integral heat sink for maximum component life. Integral knuckle for maximum mechanical strength. High temperature, silicone 'O' Ring provides water-tight seal.

### Knuckle

The LOCK™ (Locking 'O' Ring Compression Knuckle) is comprised of two components. The first is integral to the body and features an interior, machined taper. The second is machined from solid billet and features a second, reverse angle taper. The resultant mechanical taper-lock allows a full 180° vertical adjustment without the use of serrated teeth, which inherently limit aiming. High temperature, silicone 'O' Ring provides water-tight seal and compressive resistance to maintain fixture position. Design withstands 73 lb. static load prior to movement to ensure decades of optical alignment. 1/2" pipe thread for mounting.

Optional 360SL™ additionally provides biaxial source control with 360° horizontal rotation in addition to vertical adjustment.

### Cap

Fully machined. Accommodates [1] lens or louver media. Choose from 45° cutoff ('A' or 'D'), or 1" deep bezel with 90° cutoff ('B' or 'E') cap styles. 'A' and 'B' caps include weep-hole for water and debris drainage. 'D' and 'E' caps exclude weep-hole and are for interior use only.

### Lens

Shock resistant, tempered, glass lens is factory adhered to fixture cap and provides hermetically sealed optical compartment. Specify soft focus (#12) or rectilinear (#13) lens.

### BKSSL®

Integrated solid state system with 'e' technology is scalable for field upgrade. Modular design with electrical quick disconnects permit field maintenance. High power, forward throw source complies with ANSI C78.377 binning requirements. Exceeds ENERGY STAR® lumen maintenance requirements. LM-80 certified components.

Integral, constant current driver. 12VAC/VDC input. 50/60Hz. Proprietary input control scheme achieves power factor correction and eliminates inrush current. Output, over-voltage, open-circuit, and short circuit protected. Inrush current limited to <250mA (non-dimming). Conforms to Safety Std. C22.2 No. 250.13-12.

### Dimming

Line voltage dimmable via magnetic low voltage dimmer. For use with low voltage dimmer with dedicated neutral conductor. For purposes of dimming: Remote magnetic transformer with BKSSL® Power of 'e' technology loads should be loaded to 25% of the transformer VA (watts) rated value.

### Remote Transformer

For use with 12VAC BKSSL® remote transformer or magnetic transformers only. B-K Lighting cannot guarantee performance with third party manufacturers' transformers.

### Adjust-e-Lume® (Pat. Pending)

Integral electronics allows dynamic lumen response at the individual fixture. Indexed (100% to 25% nom.) lumen output. Maintains output at desired level or may be changed as conditions require. Specify factory preset output intensity.

### Optics

Interchangeable OPTIKIT™ modules permit field changes to optical distribution. Color-coded for easy reference: Narrow Spot (NSP) = Red. Spot (SP) = Green. Medium Flood (MFL) = Yellow. Wide Flood (WFL) = Blue.

### Wiring

Teflon™ coated, 18AWG, 600V, 250° C rated and certified to UL 1659 standard.

### Hardware

Tamper-resistant, stainless steel hardware. LOCK™ aiming screw is additionally black oxide treated for additional corrosion resistance.

### Finish

StarGuard®, our exclusive RoHS compliant, 15 stage chromate-free process cleans and conversion coats aluminum components prior to application of Class 'A' TGIC polyester powder coating. Brass components are available in powder coat or handcrafted metal finish. Stainless steel components are available in handcrafted metal finish. (Brushed finish for interior use only).

### Warranty

5 year limited warranty.

### Certification and Listing

ITL tested to IESNA LM-79. UL Listed. Certified to CAN/CSA/ANSI Standards. RoHS compliant. Suitable for indoor or outdoor use. Suitable for use in wet locations. Suitable for installation within 4' of the ground. IP66 Rated. Made in USA.



\*Teflon is a registered trademark of DuPont Corporation. Energy Star is a registered trademark of the United States Environmental Protection Agency.

**B-K LIGHTING**

40429 Brickyard Drive • Madera, CA 93636 • USA  
559.438.5800 • FAX 559.438.5900  
[www.bklighting.com](http://www.bklighting.com) • [info@bklighting.com](mailto:info@bklighting.com)

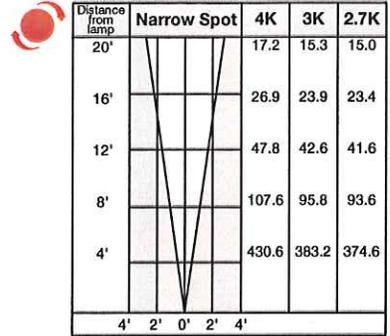
RELEASED  
06-07-16

DRAWING NUMBER  
SUB000930

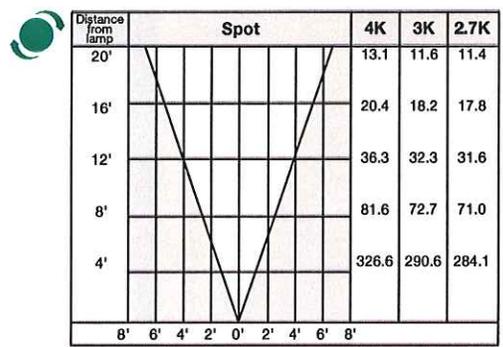
Select OptiKit™ for desired distribution

● **RED** Narrow Spot (NSP)  
● **GREEN** Spot (SP)  
● **YELLOW** Medium Flood (MFL)  
● **BLUE** Wide Flood (WFL)

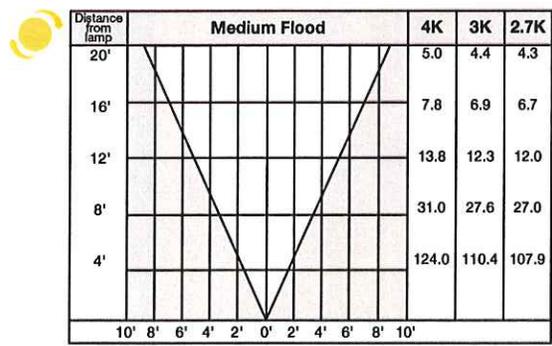
Set adjust-e-lume® Dial to desired output



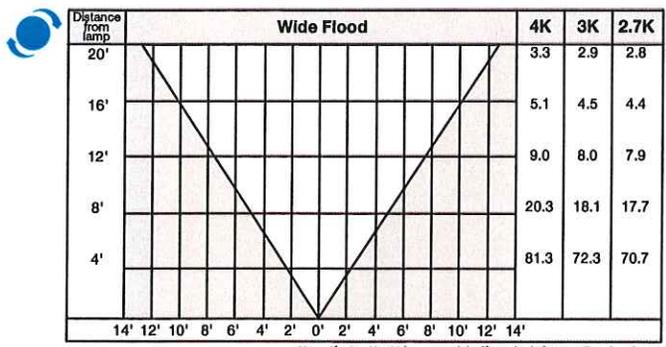
Note: If using No. 11 honeycomb baffle multiply footcandle values by .80



Note: If using No. 11 honeycomb baffle multiply footcandle values by .80



Note: If using No. 11 honeycomb baffle multiply footcandle values by .80



Note: If using No. 11 honeycomb baffle multiply footcandle values by .80

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Luminaires with asymmetrical light distribution

**Housing/fitter:** Heavy die-cast aluminum construction with heavy gauge .080" spun aluminum double wall cap with threaded device removable for relamping, finished white inside. Integral fitter slip fits 3" O.D. pole top and is secured by four (4) socket head stainless steel set screws threaded into stainless steel inserts. Die castings are marine grade, copper free ( $\leq 0.3\%$  copper content) A360.0 aluminum alloy.

**Enclosure:** Tempered 1/8" clear glass, downlight only. Full one piece hydroformed specular anodized reflector directs light downward.

**Electrical:** 39W LED luminaire, 42.5 total system watts, -30°C start temperature. Integral 120V through 277V electronic LED driver, 0-10V dimming. Standard LED color temperature is 4000K with a >80 CRI. Available in 3000K (>80 CRI); add suffix K3 to order.

**Note:** Due to the dynamic nature of LED technology, LED luminaire data on this sheet is subject to change at the discretion of BEGA-US. For the most current technical data, please refer to [www.bega-us.com](http://www.bega-us.com).

**Finish:** All BEGA standard finishes are polyester powder coat with minimum 3 mil thickness. These luminaires are available in four standard BEGA colors: Black (BLK); White (WHT); Bronze (BRZ); Silver (SLV). To specify, add appropriate suffix to catalog number. Custom colors supplied on special order.

**UL listed for US and Canadian Standards, suitable for wet locations. Protection class: IP54.**

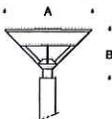
**Weight:** 32.2 lbs.

**Effective Projection Area (EPA):** 1.6 ft<sup>2</sup>

**Luminaire Lumens:** 1698

Tested in accordance with LM-79-08

Type:  
 BEGA Product:  
 Project:  
 Voltage:  
 Color:  
 Options:  
 Modified:



Pole-top luminaires · asymmetrical

	Lamp	LEED	A	B
<b>88976</b>	39W LED	LZ-2	28	14 1/4

Recommended for use with 14' to 16' poles.

**BEGA-US** 1000 BEGA Way, Carpinteria, CA 93013 (805) 684-0533 FAX (805) 566-9474 [www.bega-us.com](http://www.bega-us.com)  
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## Alba 10' – 16' Double Wood Upright Pole

FIXTURE TYPE: \_\_\_\_\_

PROJECT NAME: \_\_\_\_\_



Glulam solid wood and steel pole available in 10' - 16' lengths. Tenon adapters and arm bracket mounts are available for luminaire mounting.

### FEATURES:

- Cast steel pole base with flush handhole cover held with countersunk stainless steel fasteners with steel upright ties.
- Straight, solid glulam wood pole

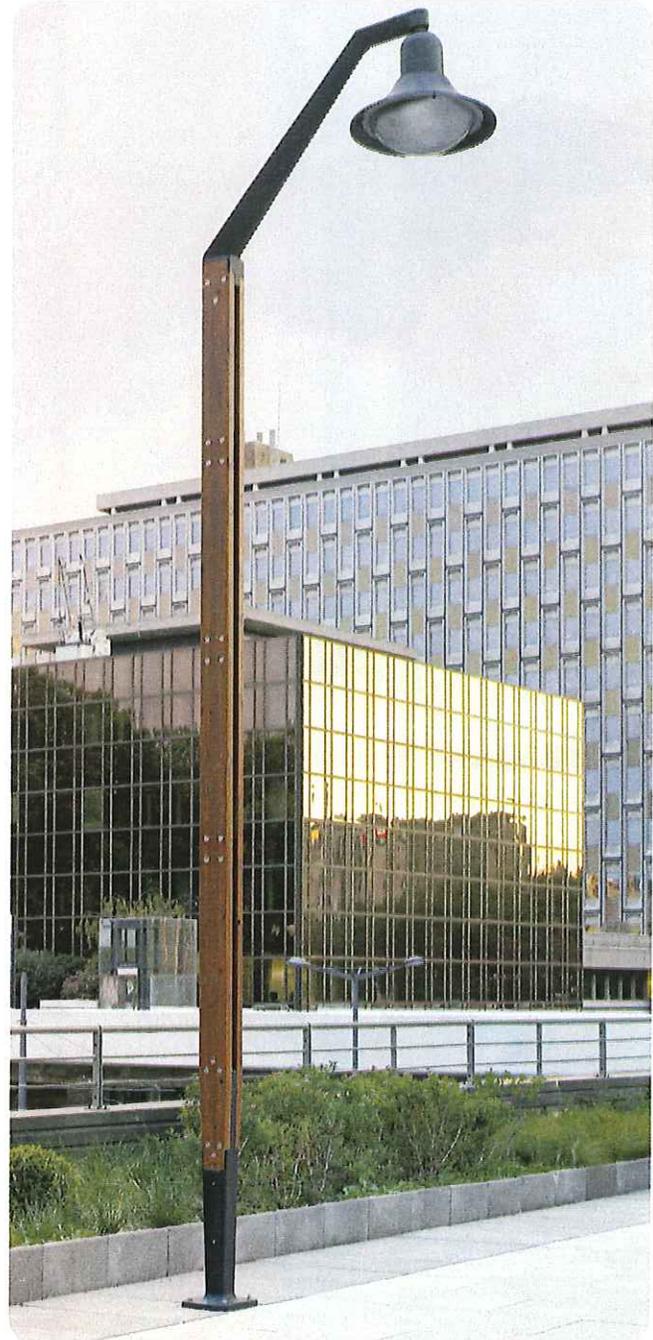
### SPECIFICATIONS:

**HOUSING:** Solid wood pole is assembled through glulam construction and precision machined using CNC technology. An electrical raceway is provided inside the upright for wiring. Laminations measure no more than 2" in thickness. Adhesive complies with ASTM D-2559 glulam construction specifications for extreme exposed weather conditions, is waterproof and rated for wet or dry use exposure.

Glulam wood shaft is fastened to steel pole base welded to a 3/4" thick aluminum anchor bolt base. Anchor bolt kit includes (4) 3/4" hot dip galvanized anchor bolts and fasteners and ridged concrete pour template.

**FIXTURE MOUNTING:** Fixtures mount either by 2 3/8", 2 7/8", 3 1/2", or 4" diameter by 4" tall tenon or casted arm for pendant lighting fixtures. Consult factory for other tenon sizes. Luminaires shall be provided by others.

**ELECTRICAL:** A 5/16" - 18 grounding point is provided on the steel pole base. Wireway access is provided through a NEC compliant handhole with a flush, gasketed cover plate.



**FINISHES AND MATERIALS:** Woods are finished with a low VOC waterborne matte exterior finish containing UV and mildew inhibitors. All steel parts are polyester powder coat painted.

**HARDWARE:** Fasteners are stainless steel. Anchor bolt kits are hot dip galvanized.

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**ORDERING GUIDE:** EXAMPLE: ALBA-12-S3-NICTX-T2384-STD



ALBA					
1	2	3	4	5	6

1	Series	3	Wood Finish	5	Fixture Mounting
<b>ALBA</b>	Alba	<b>S*</b>	See color options on finishes technical sheet	<b>Tenon</b>	2 3/8" x 4" Tenon
2	Height	4	Metal Finish	<b>T2384</b>	2 7/8" x 4" Tenon
<b>10</b>	10'	****	See color options on finishes technical sheet	<b>T3124</b>	3 1/2" x 4" Tenon
<b>12</b>	12'	<b>CSM</b>	Custom Color	<b>T4004</b>	4" x 4" Tenon
<b>14</b>	14'			<b>TXXX</b>	Specify Tenon
<b>16</b>	16'			<b>Arm</b>	
				<b>A1</b>	Arm Mount
				6	Special
				<b>STD</b>	Standard
				<b>MOD</b>	Modified

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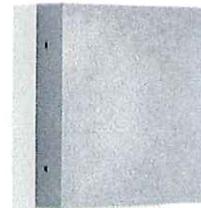
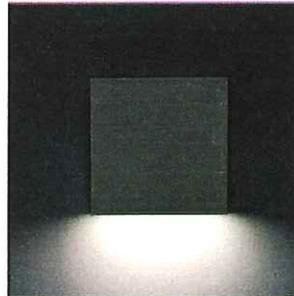
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Designed by Aubrilam

MIMIK 20 FLAT M



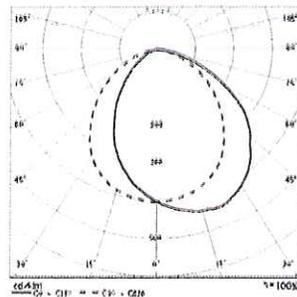
<b>Part number</b>	071180
<b>Lampholder:</b>	LED
<b>Wattage (W):</b>	13,5 W
<b>Colour / RAL:</b>	STEEL GRAY - WHITE LED
<b>Degree of protection:</b>	IP 65
<b>Kelvin:</b>	3000
<b>Luminaire lumen output:</b>	864 lm
<b>Lifetime:</b>	60000 h
<b>Percent lumen depreciation:</b>	L80
<b>cULus:</b>	Ⓜ
<b>Voltage:</b>	120/277V



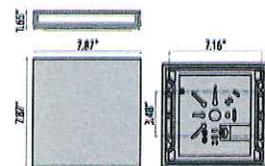
DESCRIPTION

- Indoor and outdoor wall mounted fixtures, comprising:
- Die-cast painted aluminium housing
  - Flat, tempered glass diffuser, machined and screen-printed on the inner surface for MIMIK FLAT series
  - Silicone gasket
  - LED versions include 120/277 V safety transformer Aluminium heat dissipation system
  - 3000 K and 4000 K, mid-power LEDs board for MIMIK FLAT series
  - Available in single (M) and dual (B) emission versions

TECHNICAL DATA



TECHNICAL DRAWINGS



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Light design element with unshielded light

**Housing:** Die-aluminum mounting base with die-cast and extruded aluminum upper housing. Upper housing secured to mounting base by four (4) stainless steel fasteners threaded into stainless steel inserts. Die castings are marine grade, copper free ( $\leq 0.3\%$  copper content) A360.0 aluminum alloy. The construction is robust enough for people to sit or stand on.

**Lamp enclosure:** White acrylic diffuser with molded silicone gasket for weather tight operation.

**Electrical:** 17.4W LED luminaire, 21.5 total system watts,  $-30^{\circ}\text{C}$  start temperature. Integral 120V through 277V electronic LED driver, 0-10V dimming. LED module(s) are available from factory for easy replacement. Standard LED color temperature is 3000K with an 85 CRI. Available in 4000K (85 CRI); add suffix K4 to order.

**Note:** LEDs supplied with luminaire. Due to the dynamic nature of LED technology, LED luminaire data on this sheet is subject to change at the discretion of BEGA-US. For the most current technical data, please refer to [www.bega-us.com](http://www.bega-us.com).

**Anchor base:** Thick gauge aluminum plate provided with slotted holes. The plate secures to the lower casting with four stainless steel rods. The plate mounts to a BEGA #890N anchorage kit (supplied).

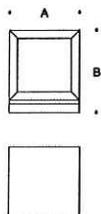
**Finish:** All BEGA standard finishes are polyester powder coat with minimum 3 mil thickness. Available in four standard BEGA colors: Black (BLK); White (WHT); Bronze (BRZ); Silver (SLV). To specify, add appropriate suffix to catalog number. Custom colors supplied on special order.

**CSA certified** to U.S. and Canadian standards, suitable for wet locations. Protection class IP65

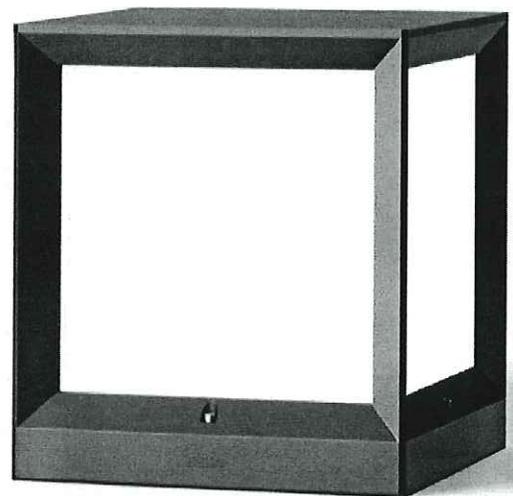
**Weight:** 43.4 lbs.

**Luminaire Lumens:** 746

Type:  
 BEGA Product:  
 Project:  
 Voltage:  
 Color:  
 Options:  
 Modified:



	Lamp	A	B	Anchorage
<b>77764</b>	17.4W LED	15 $\frac{3}{4}$	18	<b>79812</b>



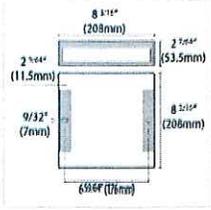
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OPTIONAL ACCESSORIES

MIMIK 20 FLAT M



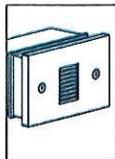
310440  
FLAT M Customising ring

STEEL GRAY

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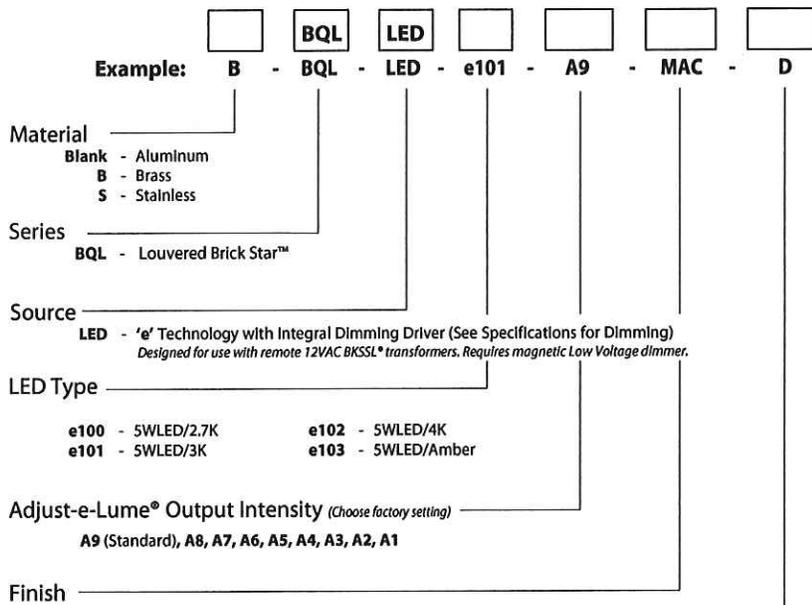
**BKSSL**  
SOLID STATE LIGHTING



# LOUVERED BRICK STAR™

<b>PROJECT:</b>	
<b>TYPE:</b>	
<b>CATALOG NUMBER:</b>	
<b>SOURCE:</b>	
<b>NOTES:</b>	

## CATALOG NUMBER LOGIC



Aluminum Finish			Brass Finish		Premium Finish					
<b>Powder Coat Color</b>	<b>Satin</b>	<b>Wrinkle</b>	Machined	MAC	ABP	Antique Brass Powder	CMG	Cascade Mountain Granite	RMG	Rocky Mountain Granite
Bronze	BZP	BZW	Polished	POL	AMG	Aleutian Mountain Granite	CRI	Cracked Ice	SDS	Sonoran Desert Sandstone
Black	BLP	BLW	Mltique™	MIT	AQW	Antique White	CRM	Cream	SMG	Sierra Mountain Granite
White (Gloss)	WHP	WHW	Stainless Finish		BCM	Black Chrome	HUG	Hunter Green	TXF	Textured Forest
Aluminum	SAP	—	Machined	MAC	BGE	Belge	MDS	Mojave Desert Sandstone	WCP	Weathered Copper
Verde	—	VER	Polished	POL	BPP	Brown Patina Powder	NBP	Natural Brass Powder	WIR	Weathered Iron
			Brushed	BRU <small>Interior use only.</small>	CAP	Clear Anodized Powder	OCP	Old Copper	<i>Also available in RAL Finishes See submittal SUB-1439-00</i>	

**Louver**  
D - Rectangular, 30°

DRIVER DATA	Input Volts	InRush Current	Operating Current	Dimmable	Operation Ambient Temperature
	12VAC/DC 50/60Hz	<250mA (non-dimmed)	700mA	Magnetic Low Voltage Dimmer	-22°F-194°F (-30°C - 90°C)

### LM79 DATA

BK No.	CCT (Typ.)	Input Watts (Typ.)	CRI (Typ.)
e100	2700K	5.0	80
e101	3000K	5.0	80
e102	4000K	5.0	80
e103	Amber (590nm)	5.0	~

### L70 DATA

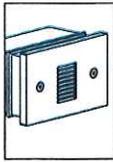
Minimum Rated Life (hrs.) 70% of initial lumens(L70)
50,000
50,000
50,000
50,000

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<b>B-K LIGHTING</b>	40429 Brickyard Drive • Madera, CA 93636 • USA 559.438.5800 • FAX 559.438.5900 www.bklighting.com • info@bklighting.com	RELEASED 06-03-16	DRAWING NUMBER SUB001013
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**BKSSL**  
SOLID STATE LIGHTING

the power of  
dimming

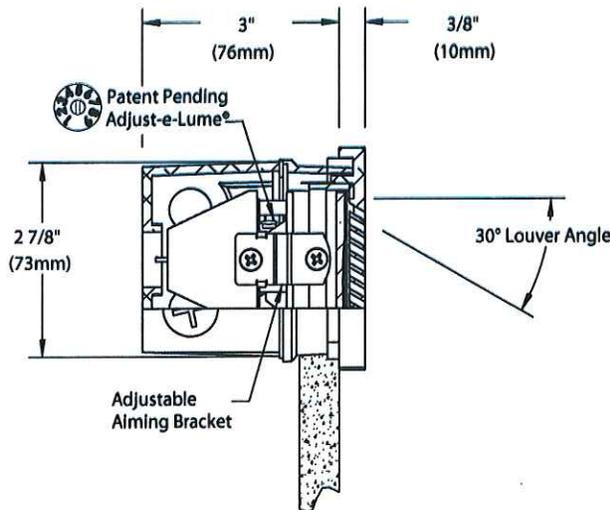


# LOUVERED BRICK STAR™

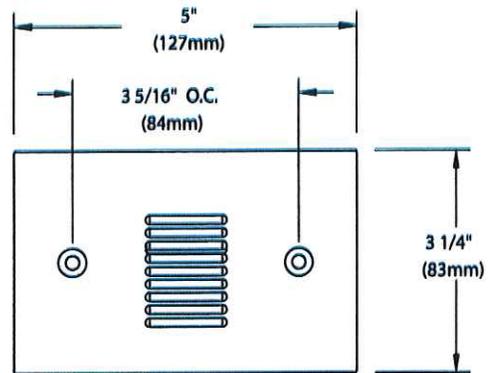
PROJECT: \_\_\_\_\_

TYPE: \_\_\_\_\_

**SIDE VIEW**



**FACEPLATE DETAIL**



Accessories (Configure separately)

Remote options:



TR Series



UPMRM™

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All dimensions indicated on this submittal are nominal.  
Contact Technical Sales if you require more stringent specifications.

## SPECIFICATIONS

### GreenSource Initiative™

Metal and packaging components are made from recycled materials. Manufactured using renewable solar energy, produced on site. Returnable to manufacturer at end of life to ensure cradle-to-cradle handling. Packaging contains no chlorofluorocarbons (CFC's). Use of this product may qualify for GreenSource efficacy and recycling rebate(s). Consult [www.bklighting.com/greensource](http://www.bklighting.com/greensource) for program requirements.

### Materials

Furnished in Copper-Free Aluminum (Type 6061-T6) or Brass (Type 360) or Stainless Steel (Type 316).

### Backbox

Rectangular, 4-5/8" x 2-7/8" deep, castaluminum construction. Front access for wire connection and inspection. Provided with [5] 1/2" NPS tapped holes (2 on each end and 1 on the back) and [4] plugs. Suitable for concrete pour.

### Faceplate

Fully machined from solid billet. Countersunk holes provide for flush hardware mounting with [2] tamper-resistant, stainless steel mounting screws. 1/8" thick HT-805A silicone foam gasket with acrylic adhesive for water-tight seal.

### Lens

Shock resistant, tempered, glass lens is factory adhered to faceplate.

### BKSSL®

Integrated solid state system with 'e' technology is scalable for field upgrade. Modular design with electrical quick disconnects permit field maintenance. High power, forward throw source complies with ANSI C78.377 binning requirements. Exceeds ENERGY STAR® lumen maintenance requirements. LM-80 certified components.

Integral, constant current driver. 12VAC/VDC input. 50/60Hz. Proprietary input control scheme achieves power factor correction and eliminates inrush current. Output, over-voltage, open-circuit, and short circuit protected. Inrush current limited to <1A (non-dimming). Conforms to Safety Std. C22.2 No. 250.13-12.

### Dimming

Line voltage dimmable via magnetic low voltage dimmer. For use with low voltage dimmer with dedicated neutral conductor. For purposes of dimming: Remote magnetic transformer with BKSSL® Power of 'e' technology loads should be loaded to 25% of the transformer VA (watts) rated value.

### Optics

Rectilinear design provides wide lateral distribution and long forward throw.

### Adjust-e-Lume® (Pat. Pending)

Integral electronics allows dynamic lumen response at the individual fixture. Indexed (100% to 25% nom.) lumen output. Maintains output at desired level or may be changed as conditions require. Specify factory preset output intensity.

### Louvers and Aiming

Louver pattern is machined into faceplate to prevent direct view to the source at nadir. 30° optical cutoff for mounting heights well below typical visual glare angles. Adjustable lamp bracket provides up to 24° vertical aiming.

### Remote Transformer

For use with 12VAC BKSSL® remote transformer or magnetic transformers only. B-K Lighting cannot guarantee performance with third party manufacturers' transformers.

### Wiring

Teflon® coated, 18AWG, 600V, 250° C rated and certified to UL 1659 standard.

### Hardware

Tamper-resistant, stainless steel hardware. Faceplate screws are additionally black oxide treated for additional corrosion resistance.

### Finish

StarGuard®, our exclusive RoHs compliant, 15 stage chromate-free process cleans and conversion coats aluminum components prior to application of Class 'A' TGIC polyester powder coating. Brass components are available in powder coat or handcrafted metal finish. Stainless steel components are available in handcrafted metal finish. (Brushed finish for interior use only).

### Warranty

5 year limited warranty.

### Certification and Listing

ITL tested to IESNA LM-79. UL Listed. Certified to CAN/CSA/ANSI Standards. RoHs compliant. Suitable for indoor or outdoor use. Suitable for installation in combustible materials (Type Non-IC). Suitable for use in wet locations. Suitable for installation within 4' of the ground. IP65 Rated. Made in USA.



\*Teflon is a registered trademark of DuPont Corporation.  
\*Energy Star is a registered trademark of the United States Environmental Protection Agency.

**B-K LIGHTING**

40429 Brickyard Drive • Madera, CA 93636 • USA  
559.438.5800 • FAX 559.438.5900  
[www.bklighting.com](http://www.bklighting.com) • [info@bklighting.com](mailto:info@bklighting.com)

RELEASED  
06-03-16

DRAWING NUMBER  
SUB001013



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4th Plan Commission Submittal  
Not for Construction

Bounl Design Studio, LLC  
8625 Oakwood Drive, Suite 200, Madison, WI 53718  
608.333.8888  
www.bounl.com

Maubesa Shores Apartments & Condos  
Bramen Road, McFarland, Wisconsin, 53556  
Beach House Properties, LLC, (owner)

DATE	NOV 10 2016
BY	WJ
CHECKED	WJ
SCALE	AS SHOWN
PROJECT NO.	
SHEET NO.	

A201



14,230 GSF  
First Floor  
North Wing  
8 Units

1 Overall First Floor Plan  
SCALE: 1/8" = 1'-0"

13,012 GSF  
First Floor  
South Wing  
6 Units

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**WEST EXTERIOR ELEVATION - NORTH WING**  
 SCALE: 1/8" = 1'-0"



**NORTH EXTERIOR ELEVATION - NORTH WING**  
 SCALE: 1/8" = 1'-0"

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 VILLAGE OF MCFARLAND

DATE	10/11/16
PROJECT	Waubesa Shores Apartments & Condos
DRAWING	Architectural
BY	W. J. [unclear]
CHECKED	[unclear]
DATE	[unclear]

Waubesa Shores Apartments & Condos  
 Bremer Road, McFarland, Wisconsin, 53556  
 Beach House Properties, LLC, (owner)

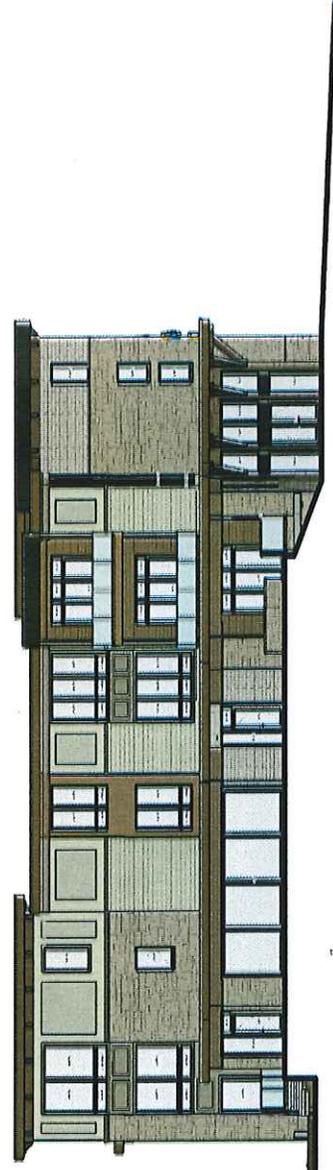
**Bornl Design Studio, LLC**  
 6323 Grandview Lane 2 Madison WI 53718  
 608.322.4444 www.bornl.com

4th Plan Commission Submittal  
 Not for Construction

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see sheet A501 for typical material descriptions  
**EAST EXTERIOR ELEVATION - NORTH WING**  
 SCALE: 1/8" = 1'-0"



see sheet A502 for typical material descriptions  
**SOUTH EXTERIOR ELEVATION - NORTH WING**  
 SCALE: 1/8" = 1'-0"

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4th Plan Commission Submittal  
Not for Construction

Boult Design Studio, LLC  
1000 South Main Street  
Burlington, VT 05401  
www.boultstudio.com

Beach House Properties, LLC, (owner)  
Maubesa Shores Apartments & Condos  
Bremer Road, McFarland, Wisconsin, 53556

DATE	10/11/16
BY	ASD
CHECKED	ASD
SCALE	1/8" = 1'-0"
PROJECT	1000016
DESCRIPTION	4th Plan

A504

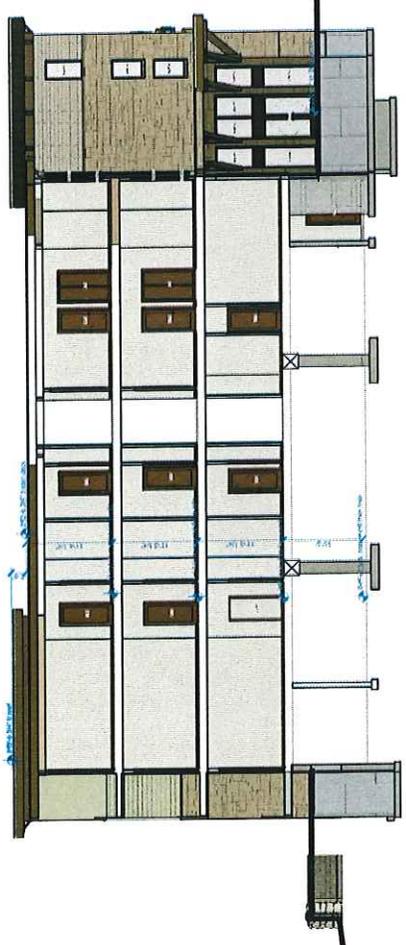


see sheet ASD1 for typical material descriptions, unless noted otherwise.  
**EAST EXTERIOR ELEVATION - SOUTH WING**  
SCALE: 1/8" = 1'-0"

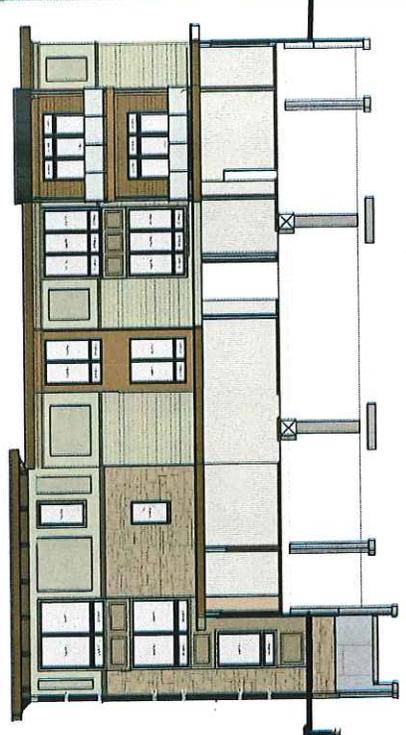


see sheet ASD1 for typical material descriptions  
**SOUTH EXTERIOR ELEVATION - SOUTH WING**  
SCALE: 1/8" = 1'-0"

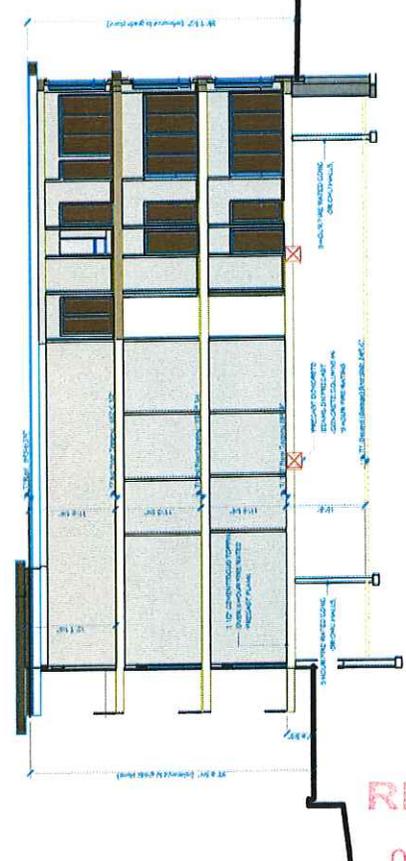
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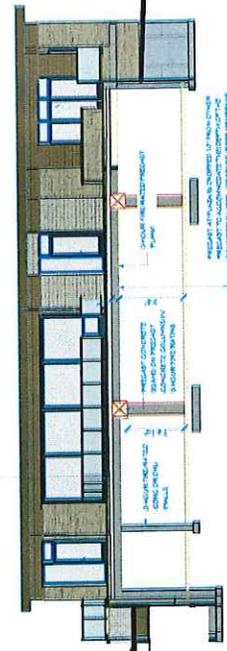
**1 - BUILDING SECTION - NORTH WING**  
 SCALE: 1/8" = 1'-0"



**3 - BUILDING SECTION - NORTH WING**  
 SCALE: 1/8" = 1'-0"



**2 - BUILDING SECTION - NORTH WING**  
 SCALE: 1/8" = 1'-0"



**4 - BUILDING SECTION - PLAZA**  
 SCALE: 1/8" = 1'-0"

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**McFarland Beach House  
Landscape Points**  
10-Oct-16

Element	LF		Canopy Trees Required		Shrubs Required	
	Point Value	Quantity Proposed	Quantity Existing	Points Achieved	Quantity Existing	Points Achieved
Canopy Tree	40	10	0	400	0	0
Medium Deciduous Tree	25	0	0	0	0	0
Low Deciduous Tree	15	0	0	0	0	0
Tall Evergreen Tree	30	0	0	0	0	0
Medium Evergreen Tree	20	6	0	120	0	0
Low Evergreen Tree	12	0	0	0	0	0
Tall Deciduous Shrub	5	62	0	310	0	0
Medium Deciduous Shrub	3	15	0	45	0	0
Low Deciduous Shrub	1	71	0	71	0	0
Medium Evergreen Shrub	5	15	0	75	0	0
Low Evergreen Shrub	3	0	0	0	0	0
Non-Contributory Plants	0	352	0	0	0	0
<b>Street Frontage Points Total</b>				<b>1021</b>		

Rear and Side Yard Frontage		Mix of Trees Required		LF of Shrubs Required (30% of frontage)	
LF	Quantity Existing	Quantity Existing	Points Achieved	Quantity Existing	Points Achieved
670	13	0	201	0	0
<b>Total LF of Rear and Side Yard Frontage</b>					

Element	Rear and Side Yard Frontage Points Total		Canopy Trees Required		Shrubs Required	
	Point Value	Quantity Proposed	Quantity Existing	Points Achieved	Quantity Existing	Points Achieved
Canopy Tree	40	0	3	0	0	0
Medium Deciduous Tree	25	0	0	0	0	0
Low Deciduous Tree	15	0	0	0	0	0
Tall Evergreen Tree	30	0	0	0	0	0
Medium Evergreen Tree	20	31	0	620	0	0
Low Evergreen Tree	12	0	0	0	0	0
Tall Deciduous Shrub	5	63	0	315	0	0
Medium Deciduous Shrub	3	67	0	201	0	0
Low Deciduous Shrub	1	34	0	34	0	0
Medium Evergreen Shrub	5	16	0	80	0	0
Low Evergreen Shrub	3	0	0	0	0	0
Non-Contributory Plants	0	429	0	0	0	0
<b>Rear and Side Yard Frontage Points Total</b>				<b>1250</b>		

Off-Street Parking Lots		Islands/Penninsulas		Canopy Trees Required		Shrubs Required	
Parking Stalls	Point Value	Quantity Proposed	Quantity Existing	Points Achieved	Quantity Existing	Points Achieved	Quantity Existing
34	40	2	0	80	0	0	0
<b>Off-Street Parking Lot Points Total</b>							
<b>TOTAL LANDSCAPE POINTS</b>							
				<b>2351</b>			

THE DESIGNER'S RESPONSIBILITY IS LIMITED TO THE PREPARATION OF THE LANDSCAPE PLAN AND TO THE TECHNICAL ASPECTS OF THE DESIGN. THE DESIGNER DOES NOT WARRANT THE ACCURACY OF THE INFORMATION PROVIDED BY OTHERS NOR THE ADEQUACY OF THE INFORMATION PROVIDED BY OTHERS. THE DESIGNER SHALL NOT BE RESPONSIBLE FOR THE CONSTRUCTION OF THE LANDSCAPE OR FOR THE MAINTENANCE OF THE LANDSCAPE AFTER COMPLETION OF THE PROJECT.

4TH PLAN COMMISSION  
SUBMITTAL

DATE: 10/10/16  
BY: [Signature]

WABERSA SHORES APARTMENTS AND CONDOS  
BEACH HOUSE, LLC (OWNER)  
BREMER ROAD, McFARLAND, WISCONSIN 53588

PROJECT NO:  
DATE: 10/10/16

LI02

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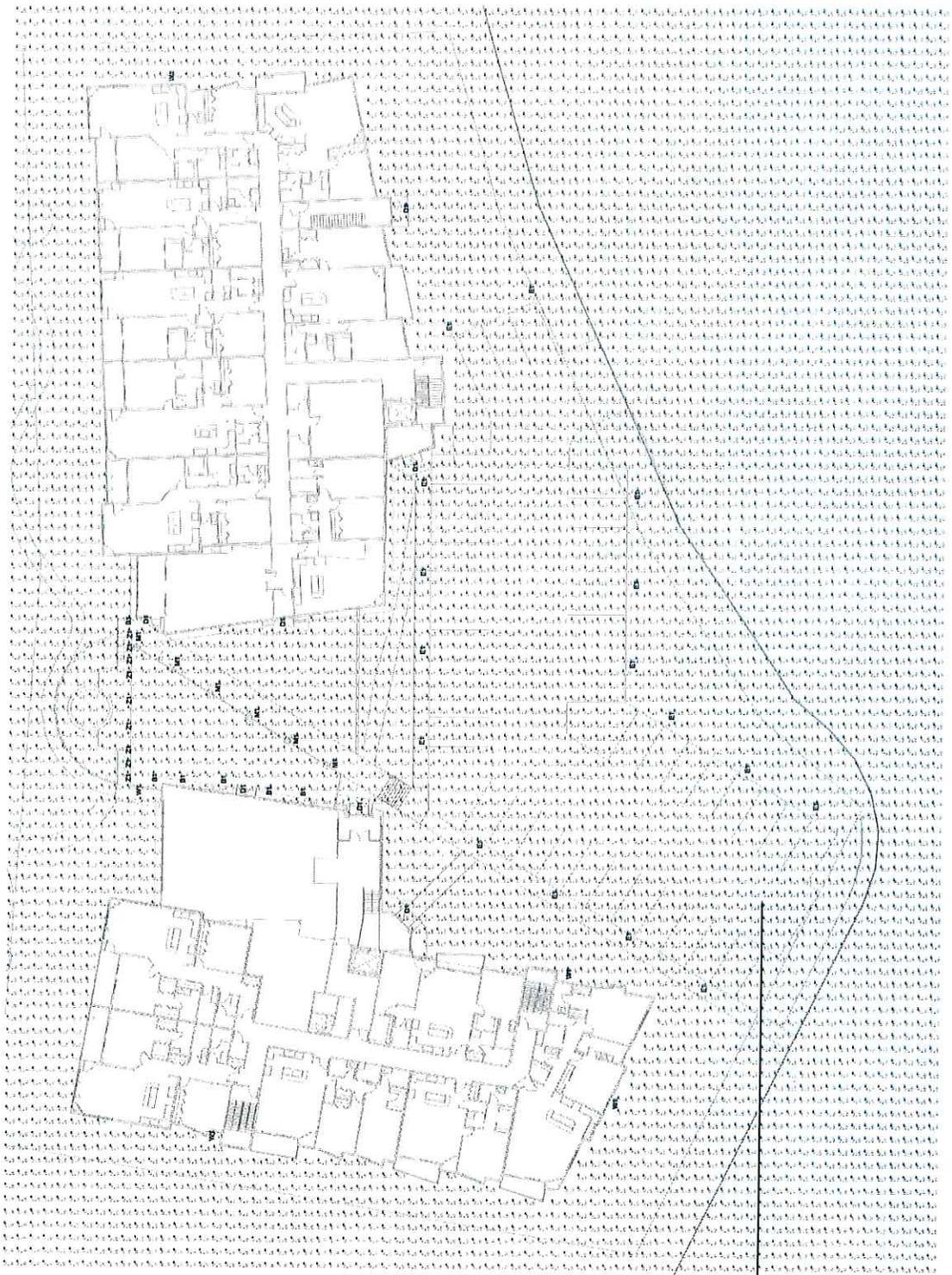
COMMUNITY DEVELOPMENT  
 DESIGN & CONSULTING  
 1000 W. WISCONSIN AVENUE  
 SUITE 200  
 MILWAUKEE, WI 53233  
 WWW.COMMUNITYCLDE.COM

WAUBESA SHORES APARTMENTS AND CONDOS  
 BREMER ROAD  
 McFARLAND, WI

DESIGN DEVELOPMENT  
 09/15/2016

ARCHITECTURAL LIGHTING DESIGN  
 NOT FOR CONSTRUCTION

EL01



NOTES:  
 1. CALCULATIONS WERE CONDUCTED USING AG322 SOFTWARE.  
 2. A 1.0 LIGHT LOSS FACTOR (LLF) WAS USED FOR ALL CALCULATIONS WITH AN LED LIGHT SOURCE.  
 3. GROUND IS ASSUMED FLAT.

PARKING LOT PHOTOMETRICS  
 AVERAGE: 1.01 FC  
 MINIMUM: 0.2 FC  
 MAXIMUM: 28 FC  
 UNIFORM: 14.00

① SITE LIGHTING CALCULATION  
 SCALE: 1/32" = 1'-0"

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 VILLAGE OF McFARLAND

# Village of McFarland Comprehensive Plan

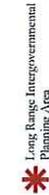
Map  
6

## Planned Land Use

- 2008 Municipal Boundaries
- 2008 Central Urban Service Area Boundary
- Potential Central Urban Service Area Expansion Boundary
- Lake Waubesa Limited Service Area Boundary
- Railroad
- Proposed Collector Roads

### Planned Land Use Categories

- Agricultural Preservation Areas
- Single Family Residential - Rural
- Two Family/Townhouse Residential
- Mixed Residential
- Office
- Neighborhood Commercial
- Planned Commercial
- General Commercial
- Planned Mixed Use
- Planned Industrial/Business Park
- General Industrial
- Government and Institutional
- Parks and Public Recreation
- Environmental Corridor/Open Space Corridor\*
- Woodlands (Dane Co)/Open Space (Madison)
- Surface Water
- Existing Rights of Way



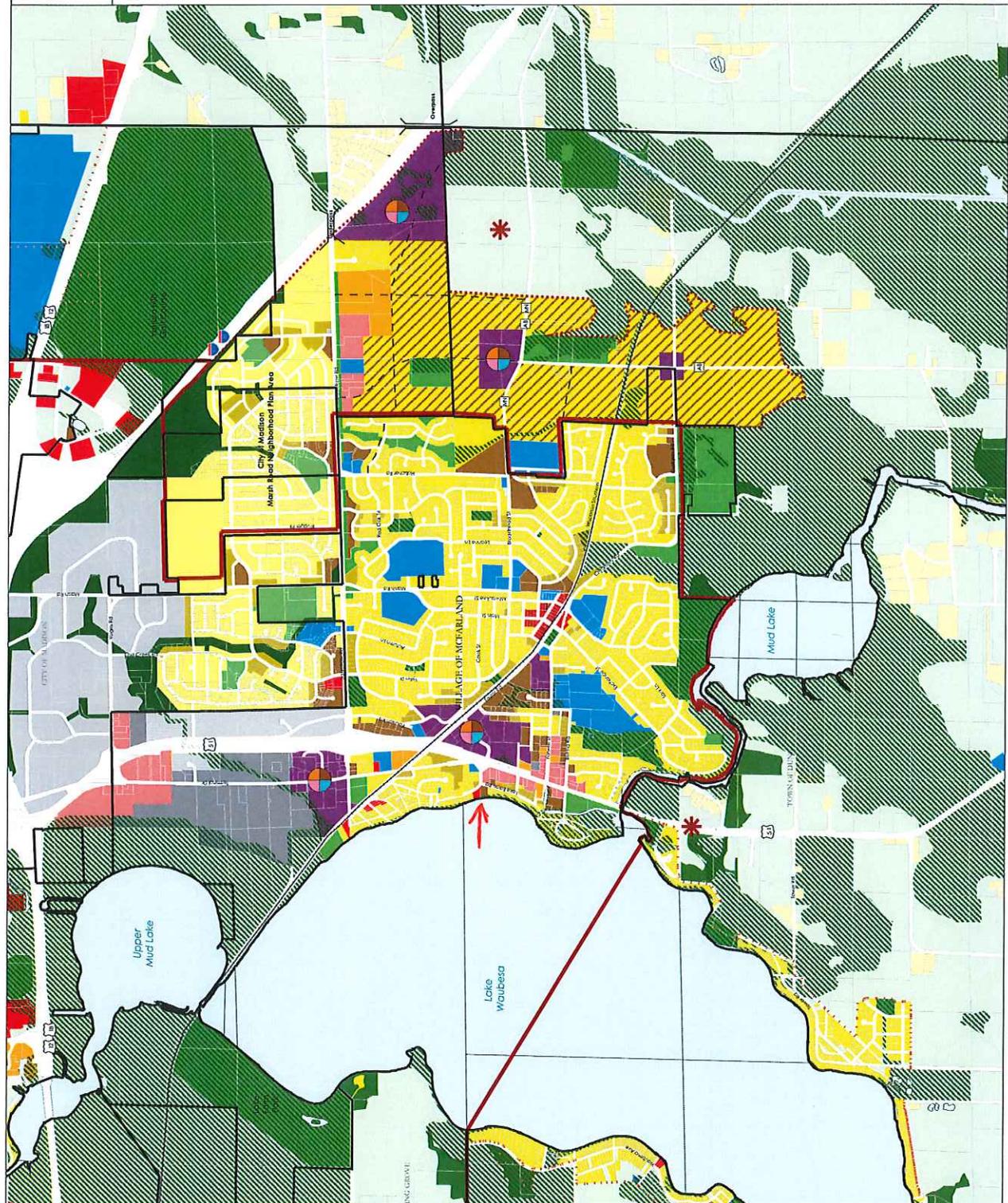
1. Planned Commercial
2. Office/Business Park
3. Government & Institutional
4. Mixed Residential

\*Shapes on map represent general recommendations for future land use. Actual boundaries between different land use types and associated zoning districts may vary somewhat from representations on this map.

\*Environmental Corridors depicted on this map use generalized boundaries of environmental features identified on air photos by the DNR and the Dane County RPC. These generalized boundaries are refined through detailed boundaries also on air photos by the RPC and through site plan review. The boundaries also include the utility easements and right-of-ways that may not all meet RPC criteria for Environmental Corridors.



Adopted March 27, 2006  
Amended November 23, 2006  
Source: Dane County RPC, USA,  
& Village of McFarland.



## E. Land Use Programs and Recommendations

This chapter is intended to guide the land use development of the Village of McFarland over the next 20 years and beyond. Long-range land use planning allows municipalities to phase and guide development in a manner that maintains community character, protects sensitive environmental features, and provides efficient municipal services. Land use planning also enables the Village to identify lands well-suited for public purposes such as parks, schools, municipal facilities, major roads and drainage facilities.

Wisconsin Statutes specifically allow villages to prepare plans for lands both inside and currently outside its municipal boundaries. To effectively manage growth, this *Plan* identifies desirable land use patterns within the existing Village limits and in unincorporated areas around the Village. Implementing many of the land use recommendations of this *Plan*, therefore, will be significantly aided by intergovernmental coordination and cooperation. Specific strategies to achieve this coordination and cooperation with neighboring jurisdictions are described in Chapter Eight.

This *Plan* does not assume that all areas depicted on the Planned Land Use Map will develop right away. Instead, Map 6 shows those areas in and around the Village that are the most logical development areas, regardless of the absolute timing of development. Given service demands and other factors, careful consideration to the levels and timing of manageable development is essential. The Village advocates the development of a land use pattern that focuses growth in areas that can most efficiently be served by transportation and infrastructure facilities, and in accordance with the most recently adopted phasing strategy.

The Planned Land Use Map and detailed written recommendations provided in this chapter may be used as a basis to update the Village's regulatory land use tools, such as the zoning map. It should also be used as a basis for all public and private sector development decisions. These include annexations, rezonings, conditional use permits, subdivisions, extension of municipal utilities, and other public or private investments.

### 1. Planned Land Use Map Categories

Map 6 divides *planned* land uses in the Village of McFarland into the following categories:

- a. **Agricultural Preservation Areas:** land intended to be preserved primarily for farming, farmsteads, forestry, open space, and agricultural or forestry support activities, with limited recreational uses, farm family businesses, and residential development at or below a density of 1 dwelling unit per 35 acres;
- b. **Single Family Residential – Rural:** single-family detached residential development, generally at densities between 1 dwelling unit per acre and 1 dwelling unit per 35 acres and served by on-site waste disposal systems;
- c. **Single Family Residential – Sewered:** single-family detached residential development served by a public sanitary sewer system at densities of between 3 and 5 dwelling units per acre. This category includes storm water management facilities and mini-parks to serve residential development. This category is similar to the “Low Density Residential” category used by the DCRPC and the City of Madison;
- d. **Two Family/Townhouse Residential:** groupings of two or more duplexes and attached single family residences with individual entries (e.g., townhouses) served by a public sanitary sewer service system. This planned land use category is similar to the “Medium Density Residential” category used by the DCRPC and the City of Madison;
- \* e. **Mixed Residential:** a variety of residential units, particularly multiple-family housing (3+ unit buildings), at densities averaging above 8 dwelling units per acre and served by a public sanitary sewer service system. This planned land use category is similar to the “High Density Residential” category used by the DCRPC and the City of Madison;
- f. **Neighborhood Commercial:** neighborhood supporting retail, service, and office uses that preserve residential character through building scale and appearance, landscaping, and signs;

- g. **Planned Neighborhood:** a carefully planned mixture of predominately single-family residential (sewered) development, combined with one or more of the following other and use categories in this list: two-family/townhouse residential, mixed residential, neighborhood commercial, institutional, and parks and public recreation. This future land use category is intended to accommodate Traditional Neighborhood Designs (TND), as well as other forms of planned neighborhoods as described and depicted in greater detail in Chapter Six. Approximately 70 percent of the dwelling units in each *Planned Neighborhood* area should be single-family detached units, approximately 10 percent should be two-family units, and 20 percent multi-family;
- h. **Planned Commercial:** high-quality indoor retail, commercial service, office and institutional land uses with generous landscaping, modest lighting, and limited signage, complying with detailed design standards included in Chapter Seven;
- \* i. **General Commercial:** indoor commercial, office, institutional, telecommunications, and outdoor display land uses, with low to moderate attention to building design, appearance, landscaping and signage;
- j. **Downtown:** pedestrian-oriented commercial, office, institutional and residential uses in a “downtown” setting with on-street parking and minimal building setbacks;
- k. **Office:** high-quality office, institutional and office-support land uses with generous landscaping, modest lighting, and limited signage;
- l. **Planned Mixed Use:** a carefully controlled mix of commercial, office, light assembly, and/or residential uses, with approvals granted only after submittal, public review, and approval of site, landscaping, building, signage, lighting, stormwater, erosion control, and utility plans. Development should comply with detailed design standards included in Chapter Seven;
- m. **Planned Industrial/Business Park:** high-quality indoor manufacturing, warehousing, distribution, and office uses with generous landscaping, screened storage areas, modest lighting, and limited signage, complying with detailed design standards included in Chapter Seven;
- n. **General Industrial:** indoor manufacturing, warehousing, distribution, and office uses, with outdoor storage areas and low to moderate attention to building design, appearance, landscaping and signage;
- o. **Government and Institutional:** large-scale public buildings, hospitals, and special-care facilities. Small-scale institutional uses, such as churches, cemeteries and elementary schools, may be permitted in other land use categories;
- p. **Parks and Public Recreation:** park and open space facilities devoted to both active and passive recreation, such as playgrounds, play fields, play courts, trails, picnic areas, natural areas, and related recreational activities;
- q. **Environmental Corridor/Open Space Corridor:** continuous systems of open space that include environmentally sensitive lands and natural resources requiring protection from disturbance and development, and lands needed for open space and recreational use, based mainly on drainageways, stream channels, floodplains, wetlands, and other resource lands and features. This overlay category is based on data from the DCRPC, which maps “environmental corridors” within Urban Service Areas and “open space corridors” (which are only wetlands and floodplains) outside of USA boundaries;
- r. **Surface Water:** lakes, rivers and perennial streams;
- s. **Rights-of-Way:** publicly-owned land for transportation uses, including roads, highways, and railroads.

The Planned Land Use Map presented in this chapter was determined by a number of factors, including overall development trends, plans currently in the development process, areas that are logical for future development due to their proximity to existing development (Map 4: Existing Land Use 2003), and environmental, soil, topographic, drainage and other development constraints (Map 3: Environmentally Sensitive Areas and Public Lands; and Map 5: Growth Factors Analysis). The Planned Land

**ORDINANCE NO. 2016-04**

**AN ORDINANCE TO REZONE LANDS AT 4506 LARSON BEACH ROAD AND AT  
5604 LAKE EDGE ROAD TO THE PLANNED DEVELOPMENT-INFILL DISTRICT  
– GENERAL PLAN APPROVED**

Sponsor: The Community Development Department

Recommended Referral: Plan Commission

Public Hearing: Class 2 Notice Required

**WHEREAS**, the developer has submitted all of the necessary documents fulfilling the requirement for approval of the General Plan of the planned development of the lands specified below, and the Village Board is willing to grant approval of the general plan as submitted by the developer, and approval thereof is in the public interest; and

**NOW THEREFORE**, the Village of Board of the Village of McFarland do hereby ordain as follows:

1. Section 62-62(a) of the McFarland Municipal Code and the Official Zoning Map adopted on April 3, 2003 are hereby amended so that the following described real estate is hereby rezoned from the Commercial-General District to the Planned Development-Infill District-General Plan Approved, and shall henceforth be subject to the regulations contained in Sections 62-66 of the McFarland Municipal Code. The legal description of the property rezoned is as follows:

Lot Two (2), Certified Survey Map No. 1256, recorded in Volume 5 of Certified Survey Maps of Dane County, Wisconsin, Page 178, as Document Number 1376444, in the Village of McFarland, Dane County, Wisconsin.

Together with an easement for purposes of ingress and egress over the following described land, in the Village of McFarland, Dane County, Wisconsin described as follows: Part of Lot One (1), said Certified Survey Map No. 1256, lying adjacent to and Northerly of the Northerly line of Lot 2, said Certified Survey Map No. 1256, described as follows: Commencing at the most Northerly iron stake at the Northeasterly corner of Lot 2, said Certified Survey Map No. 1256 on the Westerly line of Bremer Road; thence North 87°03' West along the Northerly boundary of said Lot 2, 60.0 feet; thence North (true) 30.0 feet to a point; thence South 87°03' East to the Westerly line of Bremer Road; thence Southeasterly along the Westerly line of Bremer Road to the point of beginning of this easement description.

2. Section 62-62(a) of the McFarland Municipal Code and the Official Zoning Map adopted on April 3, 2003 are hereby amended so that the following described real estate is hereby rezoned from the R-3 General Residence District to the Planned Development-Infill District-General Plan Approved, and shall henceforth be subject to the regulations contained

in Sections 62-66 of the McFarland Municipal Code. The legal description of the property rezoned is as follows:

Lot 1, Certified Survey Map 1256, recorded in Vol. 5 of Certified Survey Maps, page 178, as Document No. 1376444, in the Village of McFarland, Dane County, Wisconsin.

3. The Zoning Administrator is hereby directed to label these changes on the Official Zoning Map.

4. Section 1 and Section 2 of this Ordinance do not constitute approval of any building construction within the property. Buildings shall not be permitted until approval of the detailed plan.

5. Section 1 and Section 2 of this Ordinance shall not take effect until the Village approves a detailed plan submitted by the owner. If the owner fails to submit a detailed plan for each of the properties within one (1) year after the recording of this Ordinance, and if the Village Plan Commission fails to approve the detailed plan, then this Ordinance shall become null and void, and the zoning of each of the properties shall continue to be the existing C-G Commercial General and R-3 General Residence Zoning.

The above and foregoing Ordinance was duly adopted at a regular meeting of the McFarland Village Board on the \_\_\_\_ day of \_\_\_\_\_, 2016.

APPROVED:

\_\_\_\_\_  
Brad Czebotar, Village President

ATTEST:

\_\_\_\_\_  
Cassandra Suettinger, Clerk  
4846-6243-4355, v. 1

ORDINANCE 2016 - 04	
MOTION	SECOND
r	
ACTION	DATE
Adopted	
Referred	
Tabled	
Withdrawn	
Defeated	
Published	
INDIVIDUAL VOTING RECORD	
Adrian	Lytle
Brassington	Mooney
Czebotar	Utter, C
Kolk	
VOTING RESULTS	
Motion Carried:	
Motion Defeated:	



**Resolution CARPC No. 2016-12-A**

**Recommending to the Wisconsin Department of Natural Resources Amendment of the WDNR Areawide *Water Quality Management Plan for Dane County* by Revising the Environmental Corridor Boundaries in the Central Urban Service Area in the Village of McFarland**

WHEREAS, the Capital Area Regional Planning Commission (CARPC) is a duly created regional planning commission under Wis. Stats. § 66.0309; and

WHEREAS, the CARPC has an agreement with the Wisconsin Department of Natural Resources (WDNR) to provide water quality management planning assistance to the WDNR; and

WHEREAS, the CARPC has adopted, reaffirmed, and recommended amendment of the *Water Quality Management Plan for Dane County*; and

WHEREAS, said plan delineates urban and limited service areas and environmental corridors as amended through July 2016; and

WHEREAS, the Village of McFarland has requested an amendment to the Environmental Corridor boundaries in the Central Urban Service Area; and

WHEREAS, a staff analysis of the proposed amendment has been prepared, which indicates that the amendment is consistent with the water quality standards under Wis. Stats. § 281.15.

NOW, THEREFORE, BE IT RESOLVED that in accordance with Sec. 208 of Public Law 92-500, the Capital Area Regional Planning Commission recommends the amendment of the *Water Quality Management Plan for Dane County* by revising the Environmental Corridors boundaries in the Central Urban Service Area as shown on the attached map.

The recommendation for approval of this amendment is based on the information submitted in support of this amendment, and conditioned on the Village of McFarland pursuing the following:

1. Require a wetland restoration and vegetation management plan for the development.
2. The restored wetland and stormwater management facilities shall be placed in Outlots and designated as environmental corridors.
3. Stormwater runoff from all impervious surfaces shall be directed to one of the proposed stormwater management facilities prior to discharging to the restored wetland to the extent feasible.

It is also recommended that the Village of McFarland pursue the following measures:

1. Consider requiring/using permeable pavement for the shared use path.
2. Place a restrictive covenant on the lots within the plat to limit the use of fertilizer to the need determined by soil testing and to require any fertilizer to contain slow release (water insoluble) nitrogen to prevent groundwater contamination.



## Pauline Boness

---

**From:** Rupiper, Mike <miker@capitalarearpc.org>  
**Sent:** Monday, September 12, 2016 10:58 AM  
**To:** Pauline Boness; Brian Berquist; Tom Gannon; Shubak, Mark  
**Cc:** Steinhoff, Stephen; #Capital Area RPC Commissioners  
**Subject:** Lawn Fertilizer Restrictive Covenant  
**Attachments:** 2016-12-A\_McFarland\_EC\_amended.docx

Hi All,

As you know the Capital Area Regional Planning Commission approved the Environmental Corridor change for the Prairie Place Plat in McFarland at their last meeting with an additional recommendation for a restrictive covenant on lawn fertilizer use, with language for the recommendation to be developed by staff.

Here is the language that has been developed by staff to add to the recommendations in the Resolutions:

Place a restrictive covenant on the lots within the plat to limit the use of fertilizer to the need determined by soil testing and to require any fertilizer to contain slow release (water insoluble) nitrogen to prevent groundwater contamination.

Here is an example of a restrictive covenant for fertilizer that has been used in the City of Stevens Point. You may find it useful in developing your own restrictive covenant language for this plat.

FERTILIZER USAGE. Because this subdivision is located in the recharge area for the Stevens Point wellfields, owners are limited to the amount of fertilizer, herbicides, and insecticides spread on the site. Fertilizer usually contains nitrogen, phosphate, and potash. Nitrogen is the most important lawn nutrient but it can contaminate groundwater with nitrate. Owners are encouraged to have their property tested before applying fertilizers or pesticides. If application is necessary, spot applications are preferred rather than general applications. Choose fertilizers high in water insoluble nitrogen. This type of nitrogen is slowly released which helps prevent "lawn burn" and prevents groundwater contamination. If soil tests call for potash, apply it with the fall fertilization. Fertilized lawns shall not exceed a total of 8,000 sq. ft. per lot.

Please contact me if you have any questions or if I can be of any assistance.

Regards,  
- Mike

Mike Rupiper, PE, ENV SP  
*Director of Environmental Resources Planning*

Capital Area Regional Planning Commission  
210 Martin Luther King Jr. Blvd. Room 362  
Madison, WI 53703  
Phone: 608-266-9283



## Comprehensive Plan Meetings and Milestones Schedule

(Updated October 3, 2016; Subject to Further Change as Process Evolves)

### **Village Staff/Consultant Kick-off Meetings:** *January 12 and 21, 2016*

- Discuss purpose and process for Comprehensive Plan update
- Discuss/refine public participation plan
- Finalize approach for Web-based communications and survey
- Identify community facility and utility conditions and needs
- Respond to questions related to completion of Conditions and Issues volume

### **Consultant Shares First Draft of Conditions and Issues Volume:** *March 2016*

#### **Plan Commission Meeting #1:** *March 31, 2016*

- Share purpose and process for Comprehensive Plan update
- Discuss potential vision, themes, directions, and challenges for Plan
- Review draft web-based community survey

#### **Plan Commission Meeting #2:** *April 18, 2016*

- Finalize web-based community survey
- Assist with identification of community groups/committees with which to meet
- Present first draft of Conditions and Issues Volume of Plan and invite comments

### **Consultant Conducts Web-Based Community Survey:** *April-June 2016*

#### **Other Committee and Community Group Meetings (up to 14):** *late April-July 2016*

- Meet with Community Development Authority (May 4<sup>th</sup>); Public Works Committee (May 10<sup>th</sup>); Parks, Recreation and Natural Resources Committee (June 16<sup>th</sup>); Public Utilities Committee (May 17<sup>th</sup>); Landmarks Commission (April 28<sup>th</sup>); Senior Outreach Committee (May 19<sup>th</sup>); and Public Safety Committee (July 13<sup>th</sup>)
- Meet with School District to coordinate planning processes and objectives (May 9<sup>th</sup>)
- Meet and talk with other stakeholder groups, including Chamber of Commerce (June 14<sup>th</sup>) and McFarland High School Student Advisory Group (May 19<sup>th</sup>)

### **Consultant Prepares Next Draft of Conditions and Issues Volume of Plan:** *July 2016*

#### **Consultant Proposes Draft Materials for Vision and Directions Volume:** *August 7, 2016*

- Draft community vision statement/format
- Preliminary description of specific initiatives for volume
- Preliminary future conditions map adjustments

#### **Plan Commission Meetings #3 and #4:** *August 15 and 29, 2016*

- Review results of the other committee and stakeholder group meetings
- Review results of Web survey

- Review and revise preliminary vision, initiatives, and map changes for Vision and Directions Volume of Plan

**Village Board Check-in Meeting:** *September 26, 2016*

- Review outcomes of Plan Commission meetings #3 and #4
- Provide policy direction on vision statement, initiatives, and relations to Board goals

**Consultant Prepares First Draft of Vision and Directions Volume of Plan:** *Sept-Nov 2016*

**Plan Commission Meetings #5 and #6:** *December 2016*

- Review and advise changes to first draft of Vision and Directions Volume
- Prepare for community presentation and input meeting
- Consider follow-up stakeholder meetings to review associated chapters during same period (e.g., CDA, Public Works)

**Consultant Prepares Second Draft of Vision and Directions Volume of Plan:** *December 2016*

**Community Presentation on Draft Plan:** *January 2017*

- Invite Board, public, members of earlier committees/groups, and adjoining/overlapping communities to attend and provide input

**Consultant Prepares Approval Drafts of Both Plan Volumes:** *February 2017*

**Joint Village Board/Plan Commission Meeting/Hearing:** *March 2017*

- Hold formal public hearing on Comprehensive Plan
- Plan Commission recommends Comprehensive Plan for Village Board adoption
- Board adopts Comprehensive Plan

**Consultant Prepares Adopted Versions of Both Volumes of Plan:** *March 2017*

- Also, follow distribution requirements under Section 66.1001 of Statutes



Village of McFarland Comprehensive Plan Update  
 Monthly Progress Report  
September 2016



Tasks	Completed Work September	Anticipated Work October
Work Element 1: Project Coordination		
Task 1.1: Internal Project Kick-Off Activities	Task complete.	
Task 1.2: Coordinate Successful Project Completion	Provided Village Board with project update on 9/26, and revised "initiatives" memo in advance	
Task 1.3: Project Steering Committee Meetings		
Work Element 2: Stakeholder Participation		
Task 2.1: Other Committee/Stakeholder Meetings	Followed up with WisDOT regarding Interstate and Highway 12/AB planning; met with Public Works staff on utility and transportation projects for plan	Meetings with Ho Chunk and Senior Outreach Coordinator on 10/12, phone call w/ Christ the King Church
Task 2.2: Web-Based Survey	Task complete	
Task 2.3: Other Web-Based Communications		Update webpage with new info
Task 2.4: Community Meeting to Guide Plan Update		
Work Element 3: Plan Completion		
Task 3.1: Comprehensive Plan Maps	Worked with Pauline on future land use categories; guided Strand on future land use map prep; visits and research on sites for conceptual site plans.	Share draft future land use map; guide subconsultants on future transportation map, conceptual site plans, economic opportunities maps
Task 3.2: Conditions and Issues Volume of Plan		Accept comments on 2 <sup>nd</sup> draft
Task 3.3: Vision and Directions Volume of Plan	Revised draft vision, goals, and initiatives for Volume 2; began adding content to plan structure from August	Prepare draft Volume 2, which will extend into November; complete associated research/communications
Task 3.4: Recommendation and Adoption of Plan		
Task 3.5: Production of Adopted Comprehensive Plan		



## August Case Law Update August 31, 2016

### A summary of Wisconsin court opinions decided during the month of August related to planning

For previous Case Law Updates, please go to: [www.wisconsinplanners.org/learn/law-and-legislation](http://www.wisconsinplanners.org/learn/law-and-legislation)

#### ***Wisconsin Supreme Court Opinions***

[No planning-related cases to report.]

#### ***Wisconsin Court of Appeals Opinions***

[No planning-related cases to report.]

#### ***U.S. Court of Appeals for the 7<sup>th</sup> Circuit Opinions***

##### **Village's Actions Involving "Renegade Slaughterhouse" Did Not Violate Procedural Due Process or Equal Protection**

 [Black Earth Meat Market, LLC, v. Village of Black Earth](#), involved a challenge by Black Earth Meats (BEM) against the Village of Black Earth over actions taken by the Village and the ultimate closing of a slaughterhouse owned and operated by BEM in the Village. In 2001 BEM purchased a slaughterhouse and retail butcher shop in the Village. While the parcel was not zoned for slaughtering livestock, the activity was permitted as a legal nonconforming use. Sometime after 2009, slaughtering activities increased. By 2011, neighbors began to complain about the slaughtering activities. In 2013, the Village Board decided to increase enforcement of Village regulations related to the BEM property and ordered BEM to propose an acceptable plan for relocating its slaughter activities. In 2014, the Village Board threatened litigation related to the slaughtering activities. As a result of the Village's threat of litigation, the U.S. Department of Agriculture refused to guarantee a loan to BEM from the Bank of New Glarus. Shortly afterwards, BEM lost its financing and closed.

BEM then initiated this lawsuit in federal court alleging a deprivation of procedural due process and equal protection. The action cited by BEM as violating procedural due process was the threat of litigation that resulted in BEM's loss of financing. The Court of Appeals for the Seventh Circuit was not persuaded. The Court noted that in general, a threat to sue cannot qualify as a deprivation of procedural due process: "We are hard-pressed to imagine when notice itself can be considered a *deprivation* of due process.... " The Court noted that procedural due process only requires notice and an opportunity to be heard and BEM had received notice and a hearing at every step of the process.

BEM also argued the Villages actions violated equal protection. The Court, however, found that BEM had not presented any evidence of animus. According to the Court, the Village was “responding to the drumbeat of complaints from BEM’s neighbors.” The Court agreed with the judgment in favor of the Village.

#### **Failure to Plead Specifics Dooms Suit Alleging City’s Activities Increased Racial Segregation**

Hanna v. City of Chicago, involved a lawsuit against the City of Chicago alleging the City violated the Federal False Claims Act because the City misrepresented the impact of its policies on racial segregation when it applied for federal funding. Several federal programs funded by the U.S. Department of Housing and Urban Development (HUD) require that fund recipients certify they are complying with Federal Civil Rights laws including the requirement that the City take steps to affirmatively further fair housing. Hanna alleged the City of Chicago made false claims to HUD when it applied for funding because the City’s policy of “aldermanic privilege” and zoning practices in wealthy neighborhoods limiting multi-family housing did not further fair housing and increased segregation in the City.

The Court of Appeals for the Seventh Circuit, however noted that allegations of false claims (fraudulent misrepresentation) must be pleaded with particularity. The Court agreed with the dismissal of the lawsuit due to the failure of Hanna to be specific about which statutes or regulations that the City violated including the time, place and method of the misrepresentation.

#### **Are Inflatable Rats and Cats Protected Free Speech?**

\* In Construction and General Laborers’ Local Union No. 330 v. Town of Grand Chute the U.S. Court of Appeals for the Seventh Circuit explored whether the First Amendment to the U.S. Constitution protects giant inflatable rats and cats. Unions use the inflatables to demonstrate their unhappiness with employers that do not pay union-scale wages. Photographs of the offending creatures are included in the Court’s opinion:



The inflatables were deployed in the public right-of-way during a labor dispute in the Town of Grand Chute near Appleton. The Town of Grand Chute forbids private signs on the public right-of-way. The

Town's ordinances define signs as a "structure, part thereof, or device attached thereto" that contains a message. Picket signs and sandwich boards are lawful under this definition. The inflatable rats and cats were staked to the ground so the Town treated them as structures and therefore prohibited. The Court's opinion notes that if picketers had held the inflatables down by ropes or if they floated above the ground, they would have been legal.

The Court of Appeals was unwilling to decide the case because it was not clear if the case was moot--the construction project that lead to the protest was now complete and it was unclear from the record if a similar action might arise in the future. The Court of Appeals decided to remand the case to the district court to determine if there is a justiciable controversy. In remanding the case, the Court of Appeals opinion provided guidance to the district court on issues the district court needs to consider when it reviews the case.

The Court of Appeals' guidance refers to U.S. Supreme Court decisions upholding government authority to ban all public signs (including political signs) from the public right-of-way. The Court of Appeals notes that making an ad hoc exception to the prohibition of signs for symbolic speech like the inflatables would create a form of content discrimination prohibited by the U.S. Supreme Court in the 2015 case Reed v. Gilbert. The Court of Appeals then focused on the Union's allegation that the Town's selective enforcement of the ordinance constituted content discrimination. For example, the Union noted that the Town allowed signs in the right-of-way near the Town's fire stations. The district court was not troubled by this practice because the signs belonged to the Town's employees. The Court of Appeals' guidance, however, reminds the district court that the U.S. Supreme Court opinions do not hold that a unit of government may favor speech by its workers over speech by other persons. The Court of Appeals also seemed disturbed that the Town's police did not tell the Union to remove the inflatables until the target of the Union's campaign complained to the Town. The Court of Appeals noted that the fact the police ignored the inflatable until the complaint was made adds support for the Union's contention that enforcement depends on the speakers' message -- a form of content discrimination prohibited by the First Amendment. [Perhaps a word of caution to other communities that follow a complaint-based approach to ordinance enforcement.]

Judge Richard Posner wrote a separate opinion arguing the remand was unnecessary because in his mind the Town had in fact violated the Union's constitutional right of free speech.

## Community Development Highlights

### September 2016

- Twenty nine permits were issued in September. One new single family permit was issued for construction on 5920 Hillsboro Court. Revenues for the month totaled \$23,995.00.
- The former 84 Lumber site has been sold to Foundation Building Materials out of Traverse City Michigan. The company most likely will sell or lease the rear 11 acres. The company is a national supplier of construction materials with operations in 36 states.
- Met with Steve Swanson of McFarland State Bank regarding the possibility of changing their sign at their Hwy. 51 location.
- The CAPRC (Capitol Area Regional Planning Commission) Board met in early September to hear an appeal by Tom Gannon for his Prairie Place Subdivision relating to wetland delineation and setbacks. CAPRC approved the request but is requiring a number of conditions relating restoration and management of the wetlands in addition to recommending restrictions on the use of fertilizers.
- Met with consultant Mark Roffers along with Allan Coville and Brian Berquist to discuss future capital improvements for public utilities.
- Met with Chad Hollett of Kwik Trip to discuss next steps to possibly locating a bio-diesel blending facility on Terminal Drive. Kwik Trip will be performing some soil tests on two sites in McFarland.
- Attended the APA Wisconsin Conference in Appleton. Returned with some good information and ideas relating to sign codes, technology relating to zoning issues, comprehensive plans and stormwater.
- Participated in screening of candidate for code enforcement officer position to enforce maintenance codes in Monona and McFarland.
- Matt Schuenke and I met with Jeff Rosenburg and Dan Day regarding potential resolution of Holscher Road right of way issue. Hoping to wrap this up by the end of October.
- Along with Matt Schuenke, Allan Coville and Brian Berquist met with the Village Attorney to discuss various development issues including Holscher Road.

- Finalized plans for 4760 McFarland Court, an office furniture and warehouse facility. This project is within TIF #3. Construction has started.
- Work continues on creating a re-development project for the former Beach House property. Staff has spoken to the developer and is facilitating a neighborhood meeting.
- Grading work has begun on the Paulson Road duplex project by Brett Rieman and Brian Spanos.
- Co-Chairing Christmas in the Village again this year. Event will take place on Saturday December 3<sup>rd</sup>.
- Prepared department budget.
- Coordinating payout of final loan disbursement for Waubesa Shores – 4604 Siggelkow Road.
- Working with Larry Bechler on paperwork necessary to detach the Anderson property from the City of Madison to McFarland. This small piece of property was allowed to stay in Madison when the surrounding area along Marsh Road was detached from Madison and annexed into McFarland. The majority of land was used to construct Waubesa School.
- Attended the following monthly meetings:
  - Plan Commission
  - Public Utilities
  - Parks and Natural Resources
  - Public Safety
  - Public Works
  - Village Board

Submitted by:  
Pauline Boness  
Community Development Director



## Memorandum

TO: Plan Commission Members

FROM: Marty Pilger, Building Inspector

DATE: October 17, 2016

RE: August and September Property Maintenance Report

<u>ADDRESS</u>	<u>VIOLATION:</u>	<u>STATUS</u>
4912 Marsh Road (owner occupied)	Obtaining a building permit for the shed and moving it to the rear yard. (9/28/15)	Owner will have done by 6/1/16.
6227 Exchange Street (owner occupied)	Furniture and junk stored on porch	(9/10/15) granted additional time to correct. (1/14/16) Unable to contact owner, will keep trying. February owner ticketed by Police Department. Citation issued 8-11-16 – Pre-trial hearing in October. Default, no show for pre-trial.
5706 Wisconsin Street (owner occupied)	Accumulated junk, lawnmower and unlicensed inoperable vehicles stored on property. Follow up 10/8/15.	Both vehicles are licensed. Owner has got one running and had moved from driveway. 1/14/16 Trying to schedule time to meet owner to prove if second car runs. 3/7/16 Still trying to schedule. 10/17/16 will try to schedule again.
5521 N. Cook Street (owner occupied)	Storage of comm. vehicles,	Citation issued. Court date in August.

	more than four vehicles parked outside on property.	Agreement set if property kept clean and no further violations will be dismissed 2/23/17.
6322 Exchange Street (rental)	Pile of debris at end of driveway	Slowly being cleaned up
5005 Valley Drive (Owner occupied)	Storage of commercial vehicles, rubbish, debris etc. stored on site, no home occupation on file.	Follow up scheduled in July. Commercial vehicles and debris gone. Owner states he only uses house as an office.
6208 Johnson Street (owner occupied)	Fence around pool knocked down	Temporary fence in place
5313 Main Street (rental)	Vehicles parked on front lawn	Citation issued
5706 Wisconsin Street (owner occupied)	Grass/weeds over 8" – Noxious weeds	Citation issued – Court date set for January 17, 2017.
6305 Lani Lane (owner occupied)	Grass/weeds over 8" – Noxious weeds	Partially mowed by owner in July – will be issued citation on 8-15-16. Owner mowed the rest of the property prior to ticket being issued.

<u>LETTERS SENT IN AUGUST :</u>	<u>VIOLATION:</u>
5406 Broadhead St. (owner occupied)	Grass/weeds over 8" – Noxious weeds
6305 Lani Lane (owner occupied)	Grass/weeds over 8" – Noxious weeds
<u>LETTERS SENT IN SEPTEMBER :</u>	<u>VIOLATION:</u>
6208 Exchange Street (owner occupied)	Storage of commercial vehicles, vehicles on lawn
5010 Card Avenue (owner occupied)	Grass/weeds over 8" – Noxious weeds
5109/5111 Broadhead Street (rental)	Furniture and tv on lawn