

Minutes Plan Commission Meeting

August 15, 2016

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

Members Absent: Cathy Kirby

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

Others Present: Deanne Funkhauser, Bonnie Allbough, Ron Gussick, Charlene Schulz, Egon Schulz, Debbie Nelson, Lars Barber, Maureen Gaffney, Sue Smith, Christine Shan, Tim Gill, Wendy Crone, Robert Bouril; Bouril Designs, Mike Klune, Jeff Maertz, Lois Pfister, Larry Pfister, Kris Sturman, Dawn Faust, Jerry Bourquin; Dimension IV Designs, David Baehr, Dorice Hughes, Scott Smith, Gail Posen, John Posen, Clair Utter

1. **Call to order.** Czebotar called the meeting to order at 7:00 p.m.
2. **Review and approval of draft Minutes from the June 20, 2016 and July 18, 2016 Plan Commission meetings.**
Barrett moved to approve the minutes with changes, Czebotar seconded the motion. Motion carried 6-0. Czebotar called the minutes of the July 18, 2016 unanimously approved with Barrett and Sorenson abstaining.

Czebotar announced he will not be entertaining any public comments, they will be listening to updates presented on item #4 on the agenda, there is no action being planned tonight by the Plan Commission. There were a number of issues brought up at the previous Plan Commission meeting and the developer is here to provide them with updates regarding any proposed changes. On item #5, the Public Hearing, since there will be no action taken on item #4, there will be no Public Hearing regarding the zoning changes, as there is no approved plan there is no need to bring this forward. These items will hopefully be on the September Plan Commission agenda.
3. **Review and possible action regarding a Site/Design review, requested by Tim Neitzel, for approval of an office warehouse/distribution structure on the property located at 4760 McFarland Court currently zoned C-H Highway Commercial.**

Jerry Bourquin with Dimension IV Architects is representing Tim Neitzel on the project. This is the last lot on McFarland Court; approximately one acre in size. They are looking to construct what they describe as a flex type building for A & M Business, an office furniture company. The building will have a small office space and a warehouse distributing area with three recessed loading docks. There will be one pedestrian entrance to the building. There will be no outdoor storage for the property, and, it is not visible from Highway 51.

Bourquin reviewed color schemes and materials for the project. There will be an 8' fence and landscaping to screen the side of the property from the Great Lakes Roofing Company building. Bourquin reviewed the landscape plan with Commissioners, along with the parking design, shared traffic flow and site layout. They will not be adding any additional lighting, there will be downlights on the building itself. There is one pole light which may be removed as it is located in the middle of the drive.

Sorenson inquired about the turnaround radius for the semis, and the shared pavement between the buildings, does there have to be an easement for access. Bourquin advised the current owner, Neitzel has cross access easements for the properties.

Czebotar asked if the requirement for meeting the code for impervious surface has been resolved. Boness responded they have met those requirements by shifting the location of the building. Kolk inquired about the planting of large red maples along the corridor where trucks will be accessing. Bourquin replied he understood as the branches grew, this could create problems; they may replace them with something smaller.

Czebotar moved to approve the Site/Design request by Tim Neitzel, for approval of an office warehouse/distribution structure on the property located at 4760 McFarland Court currently zoned C-H Highway Commercial contingent upon staff approval of a landscaping plan. Kolk seconded the motion, motion carried 6-0.

4. Update and discussion only 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 44 multi-family units and a restaurant. The addresses are 4506 Larson Beach Road and 5604 Lake Edge Road. (Postponed from the July 18, 2016 Plan Commission meeting).

Bob Bouril, architect - they would like to verify per the questions at last month's meeting, the decks were not used in the calculations for open space. On the original site plan, they had a dash line showing 10' to the south property line; it is not 10' to the edge of the building. He reviewed the decks and their locations to the property line. They have updated the landscape plan to include vegetative screening between the front surface lot and the street. They removed 2 parking stalls and eliminated some surface parking to address the situation regarding the view triangle. They redesigned the trash enclosure to have it fully enclosed with a roof. The Fire Department had not wanted to have their vehicles backing up in the parking lot, there is now a drive-through area with a porous landscape paver where the fire trucks can drive over it, it will not be an ingress/egress for other traffic, just for the fire and emergency vehicles.

In regards to the traffic and parking discussed at the previous meeting, they did do a traffic evaluation and came up with an increase of 116 one way trips per day. They attended the August 10th Public Safety meeting to hear concerns over traffic, bike paths in the area, and potential speeding traffic. The committee heard the concerns and took no action. Bouril feels this is beyond the scope of their proposed project.

In regards to the concerns over the boat slips for the project, the DNR is in charge of the number of slips and size of the docks. There will not be boat launching at the site, it will be handled at a different site. There will be boat slips available to people using the restaurant, and others will be available to those who are purchasing condominiums.

Regarding traffic, they feel the age demographics of those purchasing the units will not be young people, they feel it will be spread out a bit age-wise. They have spoken with the developer of the property immediately south of Walgreens, (Neitzel's property) which is approved for a six unit town house project on the west half of the property, they have discussed purchasing the property, they would eliminate the six units off of Lake Edge road (proposed units, not yet constructed) and use the site for parking for their project, they would have 40 stalls on the site. It would serve their proposed development and meet the needs of the condominiums owners, visitors and restaurant customers, by purchasing this additional site they would meet the Village requirements for parking based on the size of the development; they feel this will meet all the needs and concerns.

There was concern in regards to the building mass on the south property line, not as much on the north property line as the adjacent house is at a different angle. They have set back 2 units along the property line to take off some of the bulk mass. They feel that is a compromise which would work for that property owner, and it is a lesser problem for the rest of the neighborhood. They feel people should look at what is there right now and what they are proposing; they will have a restaurant and roof top deck available to all to watch sunsets, or enjoy a drink with friends. They feel this will be an amenity to the neighborhood; and they are giving back to the neighborhood and community. In addition there will be a plaza with a community space which was originally thought to be for the residents, but after discussion feel this is a component they can offer to community residents to rent out for gatherings, meeting, parties and such, becoming a local neighborhood meeting area available to all, this is their way of looking at this as being part of the neighborhood.

Bouril wanted to point out they have a timeline, and window of opportunity to move forward with this. They have issues with the rental unit and tenants leases, if they move forward with this project they would have to purchase the additional site for parking and are concerned if it went on the market, they may miss out on purchasing it. This may be a one-time opportunity for them as a developer, and they feel this will be a contribution to the community.

David Baher with American Realtors – he is assisting the developers with this project, along with other projects. He will be assisting them with the sale of the condo unit with this project. There will be 42 one and two bedroom units ranging in price from \$300,000 - \$600,000. They have interest in the project, multi-generational, but mostly from empty nesters. They have had

interested from parties wishing to rent the restaurant space. Today they had a soft offer from Lucille's in Madison.

Kris Sturman –the developer, he hopes they have made the adjustments as needed to meet parking, traffic and neighborhood concerns. He wanted all to review the summary sheet covering all the “bullet points” as covered. (per attached).

Barrett inquired, regarding the public access to the boat launch, could you please clarify what you had stated? Bouril responded there are currently less slips available now, then the total of the condo units, those slips will be offered to the residents of the development. The public dock which is maintained would be for those going to the restaurant or visiting someone who lives there, an amenity they do not want to lose.

Kolk asked for clarification on the two units being eliminated on the south end. Bouril stated they are eliminating bulk mass. He does not feel they can just move the building, if they did, the rooftop plaza would be compromised. He has walked the property and looked over the area, he does not know if given the value of real estate, that house will remain where it is in the long term; or, become a tear down, no one knows, there is little visibility between the side yard and the north. They feel by reducing their proposal by 2 units and purchasing the Lake Edge property for parking they are in effect taking 8 units out of the area for traffic. Sorenson asked about the property on the north side, casting shadows to the lot on the north, was any consideration given to the imposing structure on the north end of the north wing. Bouril feels the orientation is set back from the property line, and set higher. Their grade is tucked into the hill so they feel it is reduced by 10' and there is currently a fence on the Beach House property. Barrett inquired about the design shown from the water, it appears to have a stone retaining wall on the water, she would prefer natural landscaping as it is better for water quality. Bouril responded they are concerned about the view from the water, what is shown is purely a rendering for the drawings. Boness pointed out one of the walls is proposed 26' from the ordinary high water mark, they typically require 40'. Barrett feels the terracing to block the parking view is too close to the water mark. Baher advised he wanted to correct what Bouril had stated about the one home, he does not feel the condo project will be a degradation to the home, he feels it will increase the value of it, and homes along the lake are often tear downs, it is not uncommon.

Czebotar advised copies of the summary sheet will be available to all.

- 5. 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 July 18, 2016 Plan Commission meeting.)

Czebotar stated as there was no action under Agenda Item 4 there will be no Public Hearing tonight, this will most likely be on the September 19, 2016 Plan Commission agenda. They hope to have a recommendation from the Public Safety Committee at that time, along with discussion by the Plan Commission and potential action. If the development is approved, there will be a Public Hearing on the zoning as you see it tonight.

6. Presentation by MDRoffers Consulting regarding the Comprehensive Plan 2016 update.

Mark Roffers with MDRoffers advised the work done on the Comprehensive Plan is the guideline for what the community wants to see going forward and the uses of their lands. Tonight, he will summarize what has taken place over the past months and share some initial thoughts.

They have been meeting with various community groups and conducted a survey. The Plan will be in two volumes, and will be available for review on the website. He encourages people to give their comments to Boness. Ultimately, the Plan Commission will be making a recommendation to the Village Board for adoption of the Plan.

Roffers reviewed they have about 260 responses to the survey which is about 8% of the community, they feel this is a good response rate. The response was fairly representative of the community, more home owners than renters, and more long term rather than new residents. He reviewed response to questions. Top response for why people chose to live here were schools, close to Madison and safe. They also describe McFarland as easy to access, quiet and safe. Roffers reviewed open ended responses; there is more support for improvement to the downtown area, and less for industrial development in the community. Under residential growth in general people supported new construction which would be considered affordable, along with senior housing and condos in smaller buildings; 4 units or smaller. Primary considerations and concerns about new development were impact to surrounding neighborhoods and impact to the schools.

Roffers advised the survey is a good tool, but needs to be interpreted as to what is actually being said. The survey results are available on the Village webpage for all to review. Kolk asked for Roffer's interpretation on if the majority of respondents were homeowners, yet they feel the cost of housing is a major concern, how does Roffers view that. Roffers responded if you look at another question, how do you describe McFarland, the question which received the lease favorability was affordability; this can reflect on home prices in the recent years, their concerns over the ability to move up, and concerns over higher taxes based on housing value would be how he reads this.

Czebotar inquired how McFarland's responses compare to other communities which he has done comp plans for. Roffers responded he often does this for suburban communities, the responses of being close to the metropolitan area but not in it are often the same along with

choosing sites for good schools. He can provide reports for other communities which are similar to McFarland for them if they would like, he would have to study them to see what is similar and then would be able to better answer the questions.

Roffers reviewed the stakeholder meetings which MDRoffers held with 10-12 different groups to try to cover a diverse array, including some school groups and set organizations. The results and summary are on the webpage for all to review.

Commissioners discussed Hwy. 51 running through McFarland, but not giving people a reason to stop; the availability of sidewalks in that area; where the downtown actually is and what people consider the downtown; how to let people know what is in McFarland. Kolk added in regards to people wanting health clinics in McFarland, he does not feel it is viable that we could convince one to come back here, they selected their locations based on consolidating needs, and ability to serve greater areas with one location. Discussion pharmacy's which now have mini clinics in their stores, expansion and working with home health care.

Roffer's moved into discussion on the plan making phase, all of the input is put together to come up with a vision plan/statement, there is a lot more to the plan than the statement. Roffer's reviewed the vision statement he put together. Czebotar pointed out the Village Board has adopted a vision statement fairly recently, Kolk felt this is better and more comprehensive than the one the Board adopted. Barrett concurred. Roffers reviewed different chapters which will be included in the Comprehensive Plan, and how each chapter will have broader goals, along with directing people to the chapters which would include the information for which they are looking. There are goals which would also head each of the chapters.

There are 22 potential initiatives to be review as the next step in the process, to keep the momentum moving he would suggest a special meeting to cover this. So all parties are prepared he would like Commissioners to review the memo dated August 3rd from their packet, prior to the next meeting. A special meeting will be coordinated before the September Plan Commission meeting.

7. Department Reports:

a. Highlights and Updates – No comments

b. Property Maintenance Report – Czebotar reviewed information provided by Marty Pilger, Building Inspector, covering the Ordinance for some of the most common violations. Barrett advised she has walked and reviewed some of the properties, it is not only the grass, but weeds, and bushes and trees are completely overgrown and covering the homes, this needs to be addressed somehow. Are these owner occupied or in foreclosures, and if it is in foreclosure who is responsible. Boness responded the majority on the list are owner occupied. Fischer asked if it could be noted on future reports if they are in foreclosure. Barrett inquired about the process as to why there are the same properties with the

same violations, isn't there a step process to address this. Czebotar responded this is a conversation which has been brought up previously. The way it is set in the ordinance now, the process keeps recycling; prior discussion included, if someone is notified once, why do we need to keep going through the same process when a property owner knows it is their responsibility to maintain their property. Other communities do not go through this same process each time. Boness feels we should reach out to our municipal judge to see how they feel about this and what the due process would be. Czebotar felt we should reach out to other communities and see how they actually handle this. Boness replied we have and it was discussed in the past. Czebotar wants to know what they have in their ordinances, or what they see that we are not seeing in order to handle these issues. Czebotar also feels the way this is handled is reactionary, while the building inspectors time is limited, what would happen if we took one day a month and had i.e. public works employees each take a section of town and write down any violations and take a more proactive approach. Sorenson inquired does the inspector have a specific time during the week when he only works on violations, while other aspects are important, this is also. Boness replied he has been very busy, and most are handled on a complaint basis, she will drive around and check properties where there are complaints, or if she sees something when around town. Kolk pointed out as the building increases the inspector's time decreases, it appears we have to deal with this in a different way. It exceeds expectations that one person can handle this. Barrett agreed, and it needs to be addressed in a different way, this takes more staff time than just writing the letter, as it is repeat offenders much of the time, we need to look at a more aggressive process. Sorenson feels there should be a higher cost for the fine, mowing of the property, there should be an administrative fee in addition, just mowing gives them a simple way of not maintain their property. Czebotar feels there is no cause and effect for violations. Kolk asked why there are some properties who have been in violation for over 15 years, this needs to be addressed and he does not feel it is our obligation to make sure something is corrected, it is the responsibility of the offender, also, the eye sore type of problems are actual problems, and not just for the property owner, they affect property values for neighbors and cause safety issues, and should not be treated in such a way as if they are not important problems.

8. **Adjournment** –Barrett moved to adjourn, Sorenson seconded the motion, motion carried meeting adjourned at 9:04 p.m.