



# City of Verona

111 Lincoln Street  
Verona, WI 53593-1520  
**COMMON COUNCIL**

Monday, October 12, 2020 – 7:00 P.M.

[www.ci.verona.wi.us](http://www.ci.verona.wi.us)

**Due to the COVID-19 pandemic, the Verona Common Council will hold its meeting as a virtual meeting. The Common Council will not meet at City Hall, 111 Lincoln Street. Members of the Common Council and Staff will join the meeting by using Zoom Webinar, as described immediately below.**

**Members of the public can join the meeting using Zoom Webinar via a computer, tablet, or smartphone, or by calling into the meeting using phones, as described immediately below. Those requiring toll-free options are asked to contact City Hall for details prior to the meeting at [adam.sayre@ci.verona.wi.us](mailto:adam.sayre@ci.verona.wi.us) or 608-848-9941.**

**Join the meeting via computer, tablet, or smart phone:**

<https://zoom.us/j/93730015874>

Webinar ID: 937 3001 5874

**Join the meeting via phone by dialing:**

312-626-6799

Webinar ID: 937 3001 5874

Watch live on the City's YouTube Channel: <https://www.youtube.com/user/VeronaWIMeetings>

The online meeting agenda and all support materials can be found at <https://www.ci.verona.wi.us/>. In addition to the public, all Council members and staff will also be participating remotely. Anyone with questions prior to the meeting may contact the City at (608) 848-9941 or [adam.sayre@ci.verona.wi.us](mailto:adam.sayre@ci.verona.wi.us).

## **PUBLIC SPEAKING INSTRUCTIONS**

- **WRITTEN COMMENTS:** You can send comments to the City Council on any matter, either on or not on the agenda, by emailing [adam.sayre@ci.verona.wi.us](mailto:adam.sayre@ci.verona.wi.us) or in writing to Common Council, 111 Lincoln Street., Verona, WI, 53593.
- For public comments, including comments during the public hearing, register and speak: Those wishing to speak during the virtual meeting **MUST** register by 7:00 PM in advance of the meeting

start time by emailing [adam.sayre@ci.verona.wi.us](mailto:adam.sayre@ci.verona.wi.us) or calling 608-848-9941. You will be given information on how your speaking opportunity will be coordinated.

1. Call to order
2. Roll Call
3. Public Comments
4. Approval of Minutes from the September 28, 2020 Common Council meeting.
5. Mayor's Business
6. Announcements
7. Administrator's Report
8. Engineer's Report
9. Committee Reports
  - A. Finance Committee**
    - (1) Discussion and Possible Action Re: Payment of bills
    - (2) Discussion and Possible Action Re: Resolution No. R-20-037 amending City Fee Schedule
  - B. Plan Commission**
    - (1) Discussion and Possible Action Re: Resolution No. R-20-038 approving a Precise Implementation Plan (PIP) for a Planned Unit Development (PUD) for a one-story, 1,600 square foot building addition located at 517 Half Mile Road
    - (2) Discussion and Possible Action Re: Resolution No. R-20-039 approving a General Development Plan (GDP) for a Planned Unit Development (PUD) for 140 market-rate apartments, 110 workforce apartments, and 10,000 square feet of commercial space located at 420 Church Avenue and 100 South Marietta Street
    - (3) Discussion and Possible Action Re: Ordinance No. 20-969 rezoning 10.37 acres to Urban Residential from Neighborhood Residential and approximately 2.25 acres to Central Commercial from Neighborhood Residential and Neighborhood Office located at 420 Church Avenue and 100 South Marietta Street
    - (4) Discussion and Possible Action Re: Resolution No. R-20-040 for a General Development Plan (GDP) for a Planned Unit Development (PUD) for a four-story, 75-unit apartment building with 6,895 square feet of commercial space located at 410 and 420 West Verona Avenue
    - (5) Discussion Re: A Planned Unit Development (PUD) concept plan for a two-story, 4,000 square foot building for a clinic with two apartment units located at 300 East Verona Avenue
  - C. Public Works/Sewer and Water Committee**
    - (1) Discussion and Possible Action Re: Easements for Parcel 3, A, B, C and D located along Badger Mill Creek for Project ID 2018-108, Eastside Sanitary Sewer Interceptor Replacement
    - (2) Discussion and Possible Action Re: A professional services agreement for construction related services with regard to Project ID 2018-108, Eastside Sanitary Sewer Interceptor Replacement
  - D. Personnel Committee**
    - (1) Discussion and Possible Action Re: Amendments to City Administrative Policy #4 – Personnel Policy, Section 3-18, regarding compensation

10. New Business

- A. Discussion and Possible Action Re: Resolution No. R-20-041 requesting exemption from the Dane County Library Tax
- B. Discussion and Possible Action Re: Use of public funds for development at 420 Church Avenue and 100 South Marietta Street  
*The Common Council may convene in closed session as authorized by Section 19.85(1)(e) of the Wisconsin Statutes for the purpose of deliberating or negotiating the purchase of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session. The Common Council may reconvene in open session and take action on the closed session item.*

11. Adjournment

Luke Diaz, Mayor

POSTED: Miller's Market  
Verona City Hall  
Verona Public Library  
City Website @ [www.ci.verona.wi.us](http://www.ci.verona.wi.us)

IF YOU NEED AN INTERPRETER, MATERIALS IN ALTERNATIVE FORMATS, OR OTHER ACCOMODATION TO ACCESS THE MEETING, PLEASE CONTACT THE CITY CLERK AT 845-6495 AT LEAST 48 HOURS PRECEDING THE MEETING. EVERY REASONABLE EFFORT WILL BE MADE TO ACCOMMODATE YOUR REQUEST.

**CITY OF VERONA**  
**MINUTES**  
**COMMON COUNCIL**  
**September 28, 2020**  
**Verona City Hall**

**Due to the COVID-19 pandemic, the Verona Common Council held its meeting as a virtual meeting. The Common Council did not meet at City Hall, 111 Lincoln Street. Members of the Common Council and Staff joined the meeting by using Zoom Webinar. Members of the public were able to join the meeting using Zoom Webinar via a computer, tablet, or smartphone, or by calling into the meeting via phone.**

1. Mayor Diaz called the meeting to order at 7:04 p.m.
2. Roll call: Alderpersons Kate Cronin, Charlotte Jerney, Chad Kemp, Katie Kohl, Christine Posey, Heather Reekie, Charlie Ryan and Evan Touchett were present. Also present: City Administrator Adam Sayre; City Engineer Carla Fischer; and City Clerk Ellen Clark.
3. Public Comment: None
4. Approval of the minutes from the September 14, 2020 Common Council meeting. Motion by Touchett, seconded by Cronin, to approve the minutes of the September 14, 2020 Common Council meeting. Motion carried 8-0.
5. Mayor's Business: None
6. Announcements: None
7. Administrator's Report:
  - Board of Review is scheduled for Tuesday, September 29<sup>th</sup> at 5:30 p.m.
  - The annual prescription take-back will be held on October 24<sup>th</sup> from 9 a.m. – 2 p.m.
  - Early voting is scheduled at City Hall Tuesday, October 20<sup>th</sup> – Friday, October 23<sup>rd</sup> from 8 a.m. – 4:30 p.m.; Saturday, October 24<sup>th</sup> from 9 a.m. – 3 p.m.; and Monday, October 26<sup>th</sup> – Friday, October 30<sup>th</sup> from 7 a.m. – 7 p.m.; and at the Verona Senior Center on Friday, October 23<sup>rd</sup> and Saturday, October 24<sup>th</sup> from 9 a.m. – 3 p.m.
8. Engineer's Report:
  - Well 6 Pumping Station Construction: The contractor is working on various finishing items and internal gas line connections. Generator load testing is scheduled for September 28<sup>th</sup>, with well start-up set for October 8<sup>th</sup>, with a backup date of October 15<sup>th</sup>.
  - The Woods at Cathedral Point Phase 1: Placement of the base course for the streets is underway. Topsoil is being placed on the residential lots.
  - Harmony Hills Detention Basin Cleanout: The basin is located east of the 1200 block of Enterprise Drive and south of Lucerne Drive

9. Committee Reports:

**A. Finance Committee**

- (1) Discussion and Possible Action Re: Payment of bills. Motion by Kemp, seconded by Cronin, to pay the bills in the amount of \$497,872.55 . Motion carried 8-0.

**B. Public Works/Sewer and Water Committee**

- (1) Discussion and Possible Action Re: Project closeout and Change Order No. 1 for Project ID 2020-101, 2020 Verona Street Asphaltic Rehabilitation. Motion by Touchett, seconded by Ryan, to approve the project closeout and Change Order No. 1 for Project ID 2020-101, 2020 Verona Street Asphaltic Rehabilitation. Payne and Dolan has successfully completed the 2020 Asphaltic Rehabilitation project along Northern Lights Road between Breckenridge Road and N. Nine Mound Road. Change order No. 1 is to rectify as-built quantities for the work required to complete the project:

- Deduction in undercut excavation for unsuitable soils – item not used.
- Deduction in crushed stone for subgrade stabilization – item not used.

This will close the contract with Payne & Dolan and final payment will be issued.

The contract notes are as follows:

- Contract award value = \$197,527.50
- Change order No. 1 = \$42,015.26 (deduct)
- Contract value after incorporating this change order = \$155,512.24

Motion carried 8-0.

- (2) Discussion and Possible Action Re: Change Order No. 2 for Project ID 2016-123 CTH PD Woods Road to CTH M. Motion by Touchett, seconded by Ryan, to approve Change Order No. 2 for Project ID 2016-123 CTH PD Woods Road to CTH M. Payne and Dolan has successfully completed the expansion of CTH PD between Woods Road and CTH M. Change order No. 2 is to rectify as-built quantities for the work required to complete the project:

- Addition of items:
  - o Curb and gutter
  - o Milling of asphaltic surface
- Rectifying as-built quantities

The contract notes are as follows:

- Contract value = \$1,489,248.85
- Change order No. 2 = \$12,884.08 (add)
- Contract value after incorporating this change order = \$1,502,132.93

This change order will start the project closeout process to allow Payne and Dolan make full payment to their subcontractors so they can receive lien waiver which they need to supply to the City. The contract with Payne and Dolan will ultimately be held open until the tree maintenance cycle is completed over the next two years.

Motion carried 8-0.

- (3) Discussion and Possible Action Re: Awarding contract for Project ID 2018-108, Eastside Sanitary Sewer Interceptor Replacement. Motion by Touchett,

seconded by Kemp, to award the contract for Project ID 2018-108 Eastside Sanitary Sewer Interceptor Replacement. The eastside sanitary sewer interceptor is for the replacement of the interceptor from Bruce Street to the lands just north of Arbor Vitae Place. The project includes the replacement of the 15-inch interceptor that was constructed in 1960 to increase capacity and replace aged infrastructure. Madison Metropolitan Sewerage District (MMSD) and Dane County will also be joining the construction project and paying for their portion of the project as agreed to in previously executed agreements. Seven (7) bids were received for the project referenced above. The two lowest bidders and highest bid are listed below:

- Minger Construction Co., Inc. (Jordan, MN) \$7,761,804.60 (Low bidder)
- RG Huston Company, Inc. (Cottage Grove, WI) \$7,764,886.46
- Fischer Excavating, Inc. (Freeport, IL) \$9,973,003.51

The estimate with contingencies was \$8,852,354.50. The following bid items provided a significant reduction as compared to the estimate:

- 24-inch interceptor pipe
- 24-inch force main pipe

Minger Construction Co., Inc. has not completed work for the City of Verona previously. Based on pre-qualification for this project, past work performed in other communities, and references checked, the City of Verona Public Works Staff (including MMSD staff) is of the opinion that Minger Construction Co., Inc. has the personnel, equipment, expertise, and financial assets necessary to complete the project. Motion carried 8-0.

#### 10. New Business

- A. Discussion and Possible Action Re: Proclamation: Halloween Trick or Treat hours. The proposed proclamation will set City trick-or-treating hours at 5:00 p.m. to 8:00 p.m. on October 31st. Dane County Public Health has issued guidance for trick-or-treating. In general, the guidance provides social distancing recommendations, a guide for how to safely trick-or-treat and how to hand out treats. The public is encouraged to review and follow the guidance.

Diaz stated this is something we do not normally talk about, and go on as usual. He would like thoughts and/or motions on this item from the Council.

Kemp stated he hasn't thought about it. His kids would want to do it. They'll be outside the majority of the time. If parents are reasonable and don't move about in crowds, it should be fine. He would also ask that the guidance be placed on the City's website and Facebook pages.

Reekie advised making the wording stronger regarding not handing out candy in person.

Ryan supports the proclamation with the recommendations.

Motion by Cronin, seconded by Kohl, to approve the Halloween Trick or Treat hours proclamation for 2020. Motion carried 8-0.

- B. Discussion and Possible Action Re: Resolution No. R-20-036 authorizing the issuance of an \$800,000 Municipal Revenue Obligation of the City of Verona, Wisconsin to ACS Holdings, LLC. In 2019, the City approved the issuance of a Municipal Revenue Obligations (MRO) for the ACS project located in the Liberty Business Park. ACS was recently granted occupancy of their building requiring the City to approve the MRO. The MRO provides ACS with up to \$800,000 in a pay-go TIF incentive for up to 90% of the available tax increment for the project. Payments would be made from 2021 through 2041 or until the \$800,000 in payments is completed. The adoption of the resolution is more of an administrative formality, as the City has already approved a development agreement and terms of the TIF incentive. Motion by Kemp, seconded by Reekie, to approve Resolution No. R-20-036 authorizing the issuance of an \$800,000 Municipal Revenue Obligation of the City of Verona, Wisconsin to ACS Holdings, LLC. Motion carried 8-0.
- C. Discussion and Possible Action Re: Ordinance No. 20-968 amending Section 8-1-4 eliminating the Weed Commissioner and amending the Ordinance to benefit butterflies. At the end of 2019, the Monarch Society approached City Staff asking for the Noxious Weed Ordinance to be amended to remove milkweed from the noxious weeds listed in the Ordinance. The proposed Ordinance amendment eliminates the Weed Commissioner, puts the Building Inspector in charge of weed enforcement, adds Japanese Knotweed as a noxious weed, and removes milkweed as a noxious weed. The Building Inspector currently enforces the Weed Ordinance, and the proposed change will bring the Ordinance in line with what is actually occurring. Japanese Knotweed is an invasive species that was added to the list of noxious weeds. Milkweed was removed from the noxious weed list because it is a very important plant for Monarch Butterflies, as the caterpillars feed exclusively on milkweed. Motion by Cronin, seconded by Reekie, to approve Ordinance No. 20-968 amending Section 8-1-4 eliminating the Weed Commissioner and amending the Ordinance to benefit butterflies. Motion carried 8-0.

11. Adjournment:

Motion by Touchett, seconded by Kemp, to adjourn at 7:33 p.m. Motion carried 8-0.

Ellen Clark  
City Clerk

## **Administrator Report for October 12, 2020**

### **Upcoming Meetings/Events**

- Senior Services Committee – October 13<sup>th</sup>
- Fitch-Rona EMS Commission Annual Meeting – October 15<sup>th</sup>
- Joint City/Town Fire Protection Meeting – October 19<sup>th</sup>
- Tourism Commission – October 20<sup>th</sup>
- Public Hearings:
  - 121/125 Berkley Road – 80-unit apartment building
  - 300 East Verona Avenue – Clinic and two (2) apartment units
  - Verona Technology Park – Costco

### **COVID Update**

Staff continues to monitor the COVID-19 situation in Dane County and the State. We are seeing more City Staff being infected and seeing more Staff needing to be quarantined due to an exposure. As of now, COVID-19 has not impacted City operations. We will continue to monitor the situation, follow Dane County guidance, and make adjustments as needed.

### **Free E-Waste Day Cancelled**

The 2020 E-Waste Day has been cancelled due to COVID-19 and to ensure the health and safety of Staff. The City continues to accept all e-waste items from Verona residents at the Public Works drop-off site at 410 Investment Court for a nominal fee.

### **Prescription Drug Take Back Event**

The City will be hosting the annual Prescription Drug Take Back Event on October 24<sup>th</sup> at City Hall from 9:00 a.m. until 2:00 p.m. This event will allow people to drop off prescription drugs for proper disposal.

### **Free Bikes 4 Kidz Donation**

Free Bikes 4 Kidz will be using the Fire Station parking lot on November 7<sup>th</sup> to allow people to donate gently used bikes. Free Bikes 4 Kidz will clean/fix the bikes and then donate them to low income and diverse populations throughout Dane County. For more information please contact Free Bikes 4 Kidz Madison: <https://fb4kmadison.org>

## **Election Update**

City Staff continues to do a great job on preparing and working on the election. As of October 7<sup>th</sup> approximately:

- 100 people have volunteered to be poll workers. Thank you to the community.
- 9,600 have registered to vote.
- 5,000 absentee ballots have been requested.
- 2,800 absentee ballots have been returned.

Early voting:

### City Hall

Tuesday, October 20<sup>th</sup> thru Friday, October 23<sup>rd</sup>: 8 a.m. – 4:30 p.m.

Saturday, October 24<sup>th</sup>: 9 a.m. – 3 p.m.

Monday, October 26<sup>th</sup> thru Friday, October 30<sup>th</sup>: 7 a.m. – 7 p.m.

### Senior Center

Friday, October 23<sup>rd</sup> and Saturday, October 24<sup>th</sup>: 9 a.m. – 3 p.m.

Senior Center staff is offering to witness absentee ballot signatures for those living alone or otherwise unable to find a witness. This service is by appointment only, beginning Monday, September 28<sup>th</sup>, and ending Friday, October 30<sup>th</sup>. Ballots should not be voted before arriving at the Senior Center. The witness must see that the ballot has not been marked ahead of time. Seniors may ride the Senior Center bus to the Senior Center for witnessing, as well as to the absentee ballot drop box in the parking lot at City Hall. Call the Senior Center at 608-845-7471 to make an appointment. Thank you to the Senior Center staff for helping with the election.

People are reminded that if they prefer not to return their ballot via mail, they can deposit the ballot in the drop boxes at City Hall. Drop boxes are located between the flag poles in the parking lot, and in the vestibule inside the main entrance to City Hall. Staff recommends that any absentee ballots being returned within 7-days of Election Day be deposited in one of the drop boxes.

If people requested an absentee ballot, but decide they'd rather vote in person (either on Election Day or early voting) Staff requests they contact the City Clerk's office at 608-845-6495 to let the Clerk know and can deactivate their absentee ballot. It is not a requirement, but failure to do so will result in an extended wait time for the voter at the polls and during early voting.

## **2020 Census**

Census workers will continue to collect data by phone calls or door-to-door interaction through October 31, 2020 after several deliberations about changing the deadlines. Anyone can still respond at [www.2020Census.gov](http://www.2020Census.gov) or by phone at (844) 330-2020. Keep in mind that the Census Bureau will never ask for your social security number, your

bank account or credit card numbers, anything on behalf of a political party, money, or donations.

The Nation has 98,700,000 household responses to the Census. Minnesota has the highest response rate with 75% followed by Washington at 72.2% and Wisconsin with 72%. The City has an 85.2% response rate with 79.1% of the responses by the Internet. In 2010, the City had an 87% response rate, which was only done by mail in questionnaires.

# CITY OF VERONA ENGINEER REPORT

for October 12, 2020

## CONSTRUCTION PROJECTS

### WELL 6 PUMPING STATION CONSTRUCTION

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The Contractor, City staff, and AECOM have the Well Startup scheduled for October 8. The Contractor is wrapping up Operation and Maintenance Manual submittals and Test results. The well will be allowed to be brought on-line after the DNR has completed its final inspection. Dan Palmer is coordinating with DNR on their final inspection.

### VERONA AREA HIGH SCHOOL CONSTRUCTION – TRAFFIC IMPROVEMENTS

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All project roads are open to traffic with some traffic lane restrictions anticipated in the next couple of weeks or so to complete remaining punchlist and re-work items.

### THE WOODS AT CATHEDRAL POINT PHASE 1

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The curb has been poured for most of the project. Street base course placement is in progress. The storm sewer structure at the northeast corner of the project area is under construction. The water main and street improvements at the intersection on CTH M & Range Trail continues to be on hold until gas & telecommunications utilities are relocated for the water main and storm sewer improvements.

### SUGAR CREEK COMMONS – PUBLIC IMPROVEMENTS

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The project schedule is being set for this work. Work will consist of reconstruction of a portion of West Verona Avenue (from approximately 200 feet east of Todd Street) and Legion Street (from West Verona Avenue to Topp Avenue) to install a new sanitary sewer main on West Verona Avenue and Legion Street and replace an old water main on Legion Street and Topp Avenue. New median improvements will also be constructed to provide left-turn lanes from westbound West Verona Avenue to the proposed Sugar Creek Commons development. Other improvements include new curb and gutter, asphalt pavement, and new sidewalk along the east side of Legion Street.

### HARMONY HILLS DETENTION BASIN CLEAN-OUT

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Maddrell Excavating provided the low-cost price quote. A purchase order for the work is being prepared. Virtual Public Information meetings are scheduled for October 14th & 20th though the Verona Library.

#### N. MAIN STREET STORM SEWER CONNECTION FROM TDS

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This work involves a new storm sewer connection in N. Main Street from the private TDS property (which currently has no connection) and will also require relocation of existing utilities and repaving of disturbed areas. A pre-construction meeting is scheduled on Oct. 9th. Work in the right-of-way (ROW) will begin the week of October 12th, which will be confined to the lowering of the electrical facilities near the TDS driveway. All other work in the ROW is tentatively scheduled to begin the week of October 19th. Some night traffic detours are anticipated and will be announced via portable changeable message signs (PCMS) in advance of any closures or detours.

## MAJOR DESIGN PROJECTS

### EAST SIDE INTERCEPTOR DESIGN

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City received contract documents on October 7 for review. Once the contract is reviewed by staff and executed a pre-construction conference with the contractor will be scheduled and the Public Information Meeting will be held virtually with adjacent property owners in late October / early November. Construction is anticipated to start in early November.

### LINCOLN STREET STORMWATER FACILITY DESIGN

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Final design is progressing on the pond design and modeling, pond embankment (dam) design and permitting, and corresponding hydraulic and water quality modeling. Permit applications will be submitted in the next two weeks. Then the team will progress toward 90% design documents by early December.

### N. MAIN STREET WATER MAIN REPLACEMENT DESIGN

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A site visit with City staff and the field work for the survey was completed in late August. The preliminary water layout is underway. Plans and specifications are scheduled for final delivery in Winter.

## MEMORANDUM

To: Mayor and Council Members

From: Adam Sayre, City Administrator

Date: October 9, 2020

Re: Administrator's Memo – October 12, 2020 Common Council Meeting

Listed below is an explanation of items on the October 9, 2020 Common Council agenda:

### PLAN COMMISSION

**1. Discussion and Possible Action Re: Resolution No. R-20-038 approving a Precise Implementation Plan (PIP) for a Planned Unit Development (PUD) for a one-story, 1,600 square foot building addition located at 517 Half Mile Road**

The proposed Precise Implementation Plan (PIP) would allow for the construction of a 1,600 square foot addition to Atkins Bicycle Shoppe located at 517 Half Mile Road. The Plan Commission held the required public hearing on October 5, 2020 and voted 7-0 to recommend for the approval of the PIP.

**2. Discussion and Possible Action Re: Resolution No. R-20-039 approving a General Development Plan (GDP) for a Planned Unit Development (PUD) for 140 market-rate apartments, 110 workforce apartments, and 10,000 square feet of commercial space located at 420 Church Avenue and 100 South Marietta Street**

The proposed General Development Plan (GDP) would allow for the construction of 140 market rate apartments, 110 workforce housing apartments, and 10,000 square feet of commercial space on approximately 12.7-acres. The Plan Commission held the required public hearings on October 5, 2020 and public comments included concerns over the size of the green space being too small to support events, support for workforce housing, eliminating the mixed use building on the corner of South Marietta Street and West Verona Avenue from the project to preserve the house, removal of surface parking, concern with lighting levels, feeling that the neighbors voices are not taken into account for the design of the area, and traffic calming measures for Church Avenue.

Comments from the Plan Commission included standards and review of lighting, Church Avenue should maintain the existing street width and be friendly to pedestrian and bicyclist, more green space is better, could workforce housing become three (3)-stories instead of two (2)-stories to allow more green space, play structures should be included in design, and is the private home on South Marietta Street and West Verona Avenue historic.

The Plan Commission voted 5-0 to approve the General Development Plan with the proposed zoning exemptions and the condition that the GDP shall become effective upon Steve Brown Apartments and Alexander Company acquiring the property.

**3. Discussion and Possible Action Re: Ordinance No. 20-969 rezoning 10.37 acres to Urban Residential from Neighborhood Residential and approximately 2.25 acres to Central Commercial from Neighborhood Residential and Neighborhood Office located at 420 Church Avenue and 100 South Marietta Street**

The zoning map amendment would rezone 10.37-acres to Urban Residential and approximately 2.25-acres to Central Commercial. The zoning map amendment would rezone 10.37-acres to Urban Residential and approximately 2.25-acres to Central Commercial for the redevelopment of the New Century School/Sugar Creek School. The Plan Commission held the required public hearings on October 5, 2020 and voted 5-0 to approve the Zoning Map Amendment to rezone 10.37-acres to Urban Residential and approximately 2.25-acres to Central Commercial with the condition that the zoning map amendment shall become effective upon the Steve Brown Apartments and Alexander Company acquiring the property.

**4. Discussion and Possible Action Re: Resolution No. R-20-040 for a General Development Plan (GDP) for a Planned Unit Development (PUD) for a four-story, 75-unit apartments building with 6,895 square feet of commercial space located at 410 and 420 West Verona Avenue**

The proposed General Development Plan (GDP) would allow for the construction of a four (4)-story, 75-unit apartment building with 6,895 square feet of commercial space located at 410 and 420 West Verona Avenue. The Plan Commission held the required public hearing on September 8, 2020 for a GDP for a four (4)-story, 80-unit apartment building with 9,319 square feet of commercial and postponed action. Comments at the public hearing included concern for the height of the building, TIF being used for workforce housing, property value concerns if this is built, want a reduction in height of the building and the number of units, concerns with traffic in the neighborhood, Rita Avenue, and access along West Verona Avenue, concerns with lighting, and this area used to be a marsh area. The Plan Commission postponed action on the request at the September Plan Commission meeting.

The Plan Commission was presented a modified plan on October 5, 2020 for a four (4)-story, 75-unit apartment building with 6,895 square feet of commercial space. Comments from the Plan Commission included a discussion regarding future traffic improvements and potential solutions for the intersection with Rita Avenue and Legion Street, the impact these improvements would have on this development, access to the site, concern over a four (4)-story building next to single-family homes, discussion by the developer explaining why a three (3)-story building is not feasible, workforce apartment units should not have living room windows facing West Verona Avenue, and acknowledgement that this property has potential for redevelopment and workforce housing is important to the City.

The Plan Commission vote 5-0 to recommend denial of the project citing proximity of the four (4)-story building to single-family homes, lack of commercial along West Verona Avenue, no playground, and concerns with traffic flow around the property.

**5. Discussion Re: A Planned Unit Development (PUD) concept plan for a two-story, 4,000 square foot building for a clinic with two apartment units located at 300 East Verona Avenue**

The applicant is proposing a Planned Unit Development (PUD) concept plan for a two (2)-story, 4,000 square foot building for a clinic with two (2) apartment units located at 300 East Verona Avenue. The Plan Commission discussed the project on October 5, 2020. Comments from the Plan Commission included support for the Central Commercial setback requirements instead of the Downtown Design and Use Overlay zone requirements, the building is a good design, great land use, nice to have apartment units above the clinic and a garage for the tenants, and agreement that the General Development Plan (GDP) and Precise Implementation Plan (PIP) can be combined into one (1) step instead of two (2) separate steps and applications. The Council is requested to provide feedback and recommendations to the applicant on the concept. No formal motion is required as this is the conceptual review of the project.

**PUBLIC WORKS/SEWER AND WATER COMMITTEE**

**1. Discussion and Possible Action Re: Easements for Parcel 1, A, B, C and D located along Badger Mill Cree for Project ID 2018-108, Eastside Sanitary Sewer Interceptor Replacement**

The eastside sanitary sewer interceptor is for the replacement of the sewer from Bruce Street to the lands just north of Arbor Vitae Place. The project includes the replacement of the 15-inch interceptor that was constructed in 1960 to increase capacity and replace aged infrastructure. Madison Metropolitan Sewerage District (MMSD) is a significant partner related to the design, permitting, and construction project and is paying for their portion of the project as agreed to in previously executed agreements. With MMSD partnering on this project by installing a relief force main pipe on City lands, they ultimately need easements from the City. The area of acquisition varies depending upon the location but is within the same corridor as the City's new interceptor sewer. The permanent limited easement will remain with the asset but the temporary limited easement will abolish at termination of the project. An overview figure of the parcel numbers is included for reference. The easements would be dedicated to MMSD ultimately due to the partnership between the City and MMSD. This project has created economies of scale due to larger quantities of bid items therefore saving both of us money in the long run and only impacting this corridor once. This does not include the costs savings on other elements including but not limited to design, other easements, and site investigations that have been split per the memorandum of understanding executed between the City and MMSD in February of 2019. All the parcels are located along the Badger Mill Creek and more specifically:

- Parcel A is east of Fireman's park.
- Parcel B is just north of S. Main Street
- Parcel C is just south of the Lincoln Street Bridge
- Parcel D is near Arbor Vitae Place
- Parcel 3 is just east of the Lincoln Street Bridge

The easements shall be contingent on City Administrator and City Attorney review.

**2. Discussion and Possible Action Re: A professional services agreement for construction related services with regard to Project ID 2018-108, Eastside Sanitary Sewer Interceptor Replacement**

This Consulting Services Agreement with Short Elliot Hendrickson is for attendance and administration of monthly progress meetings, product and shop drawing review, and respond to requests for information of their design documents during construction. The contract also includes as-built field survey and record drawing creation at completion of the project. The construction inspection will be completed by City staff. The cost is not to exceed \$54,604. The cost is split 60/40 between City / MMSD. Therefore the City portion is \$32,762.40 and MMSD portion is \$21,841.60 per the memorandum of understanding executed between the City and MMSD in February of 2019. The agreement shall be contingent on City Administrator and City Attorney review.

**PERSONNEL COMMITTEE**

**1. Discussion and Possible Action Re: Amendments to City Administrative Policy #4 – Personnel Policy, Section 3-18, regarding compensation**

The proposed amendments to the City's Personnel Policy will establish that cost of living adjustments will take effect at the start of the pay period closest to January 1<sup>st</sup>. In no instance will an employee receive the cost of living adjustment later than January 1<sup>st</sup>. The Personnel Committee discussed the proposed amendment on September 25<sup>th</sup> and recommended approval to amend Section 3-18 of the City's Personnel Policy.

**NEW BUSINESS**

**A. Discussion and Possible Action Re: Resolution No. R-20-041 requesting exemption from the Dane County Library Tax**

Since the City of Verona funds its own library which exceeds the minimum standards established by the Dane County Board, the City may request an exemption from paying the Dane County Library Tax. In order to maintain this exemption, the City needs to take action each year formally making the request to the Dane County Board. The proposed resolution will exempt the City from the Dane County Library Tax.

**B. Discussion and Possible Action Re: Use of public funds for development at 420 Church Avenue and 100 South Marietta Street**

The developers of the property located at 420 Church Avenue and 100 South Marietta Street have requested tax incremental financing (TIF) for their project. Staff is requesting a closed session with the Common Council to discuss the developer's request.

**CITY OF VERONA  
RESOLUTION NO. 20-037**

**A RESOLUTION AMENDING THE CITY FEE SCHEDULE**

**WHEREAS**, Section 3-6-1 of the Code of Ordinances of the City of Verona was created to establish a schedule of fees that apply to the issuance of licenses, permits, registrations and other such activities as may be determined by the City Council; and

**WHEREAS**, the City Fee Schedule shall be amended from time-to-time by action of the City Council and shall be attached to this Section by reference; and

**WHEREAS**, a review of the current fees schedule resulted in a change to some fees in order to cover associated expenses;

**NOW, THEREFORE, BE IT RESOLVED** by the Common Council of the City of Verona as follows:

1. That the attached City Fee Schedule is hereby approved and authorized.
2. That the attached City Fee Schedule shall become effective and shall be implemented as of January 1, 2021.

Adopted this 12 day of October, 2020.

**CITY OF VERONA**

**BY:**

**Luke Diaz, Mayor**

SEAL

**ATTEST:**

**Ellen Clark, Clerk**

CITY OF VERONA Fee Schedule			
A/C Number	Fee Category	2020	2021
	<b><u>ADMIN AND PUBLIC RECORDS</u></b>		
	Insufficient Funds Returned Check Fee	Bank Charge	Bank Charge
	Room Tax	7.00%	7.00%
100-46901	Tax/Special Assessment Searches	\$35.00	\$35.00
100-46901	Tax/Special Assessment Searches (expedited)	\$60.00	\$60.00
	Photo Copies-Documents	\$0.25	\$0.25
	Copies On Digital Storage Devices(CD,DVD)	\$3.00	\$3.00
	<b><u>PUBLIC SAFETY</u></b>		
	Civil Process-Service of Process Fee	\$30.00	\$30.00
	Civil Process-Travel Fee	IRS Rate	IRS Rate
	<b><u>PUBLIC WORKS</u></b>		
	Driveway Permit Fee	\$5.00	\$5.00
	<b><u>LICENSING AND REGULATION</u></b>		
100-44110	Class A Liquor Retailer's License	\$500	\$500
100-44110	Class A - Fermented Malt Beverage	\$300	\$300
100-44111	Class B Liquor Retailer's License	\$500	\$500
100-44111	Class B - Fermented Malt Beverage	\$100	\$100
100-44111	Reserve Class B	\$10,000	\$10,000
100-44111	Temporary Class B Fermented Malt Beverage	\$10	\$10
100-44111	Temporary Class B Wine License	\$10	\$10
100-44111	Class C Wine License	\$100	\$100
100-44111	Provisional Retail License	\$15	\$15
100-44112	Operator's License-Provisional	\$10	\$10
100-44112	Operator's License-Annual	\$30	\$33
100-44112	Operator's License-2 year	\$53	\$53
100-44113	Cigarette License	\$100	\$100
100-44114	Amusement Device Licenses	\$100	\$100
204-44120	Cable TV Franchise License	5.00%	5.00%
100-44115	Transient Merchant-Direct Sellers Registration Fee	\$25	\$25
100-44115	Transient Merchant-Solicitors	\$25	\$25
	Permit Fee for Street Use	\$25	\$25
	Permit Required for Nonmetallic Mining	\$50	\$50
	Blasting and/or Rock Crushing	\$100	\$100
100-44910	Special Event Permit	\$143	\$143
100-44910	Special Event Permit- Non-profit	\$43	\$43
	Fees- Pawnbroker, Secondhand Article and Jewelry	\$210	\$210
	Fees- Pawnbroker, Secondhand Article and Jewelry	\$27.50	\$27.50
	Fees- Pawnbroker, Secondhand Article and Jewelry	\$30	\$30
	Fees- Pawnbroker, Secondhand Article and Jewelry	\$165	\$165
	Chicken License	\$20	\$20
	Late Fee	\$5	\$5
100-44210	Dog License	\$25	\$25
100-44210	Neutered or Spayed	\$20	\$20
100-44211	Late Fee	\$5	\$5
	<b><u>MOTOR VEHICLES AND TRAFFIC</u></b>		
100-44220	Bike Licenses	\$5	\$5
	Snowmobile Renter's License	\$15	\$15
	Newstand Permit Fee	\$25	\$25

A/C Number	PLANNING & DEVELOPMENT FEES	2020	2021
	<b><u>Land Division</u></b>		
100-44410	Certified Survey Maps	\$150 + \$100/lot	\$150 + \$100/lot
100-44410	Preliminary Plat	\$300+\$50/lot	\$300+\$50/lot
100-44410	Final Plat	\$300+\$25/lot	\$300+\$25/lot
	<b><u>Planned Development District</u></b>		
100-44416	Concept Plan	\$300	\$300
100-44416	General Development Plan	\$300	\$300
100-44416	Precise Implementation Plan	\$300	\$300
	<b><u>Zoning</u></b>		
100-44413	Conditional Use Permit	\$300	\$300
100-44415	Site Plan Review	\$300	\$300
100-44412	Zoning Map & Regulation Amendments	\$300	\$300
100-44411	Variances/Appeals	\$300	\$300
	<b><u>Miscellaneous</u></b>		
100-44417	Annexation Fee	\$300 + Taxes	\$300 + Taxes

A/C Number	RECREATION	2020	2021
100-46751	Little League Fees	\$45-\$65	\$45-\$65
100-46752	Adult Softball Fees	\$100	\$100
100-46753	Volleyball Fees	\$380	\$380
100-46754	Soccer Fees	\$37 - \$55	\$37 - \$55
100-46755	Men's Basketball	\$595	\$595
100-46756	Youth Basketball	\$30 - \$82	\$30 - \$82
100-46757	Tennis	\$54 - \$69	\$54 - \$69
100-46758	Rhapsody Classes	N/A	N/A
100-46759	Instructional Softball Fees	\$90 - \$105	\$90 - \$105
100-46760	Swimming Fees	\$2 - \$5	\$2 - \$5
100-46761	Other Recreation	N/A	N/A
100-46762	Park Reservations	\$50 - \$100	\$50 - \$100
100-46763	Hometown USA Concession Stand	Various	Various
100-46764	Golf Fees	N/A	N/A
100-46765	Playground Program	\$135-\$155	\$135-\$155
100-46766	Baseball Field Reservation Fee	\$20 - \$100	\$20 - \$150
100-46767	Amusement Ticket Fee	Various	Various
100-46768	Flag Football	\$65-\$95	\$65-\$95
100-46769	Instructional Baseball	\$45-\$60	\$45 - \$60
100-46770	Dance Lessons	\$114 - \$140	\$114 - \$140
100-46771	Canoeing/kayaking	\$130 - \$150	\$130 - \$150
100-46773	Adult Yoga	\$50 - \$150	\$50 - \$150
100-46772	Babysitting Clinic	\$93 - \$108	\$93 - \$108
100-46774	Youth Camp Soccer	\$90 - \$159	\$90 - \$159
100-46776	Instructional Soccer	\$45 - \$60	\$45 - \$60
100-46777	Instr LaCrosse	\$45 - \$60	\$45 - \$60
100-46778	Instr Volleyball	\$45 - \$60	\$45 - \$60
100-46780	Youth Volleyball	\$60 - \$75	\$60 - \$75
	<b>Field Usage Fees</b>		
	Resident Teams *		
	Community Park, Veteran's Park and Stampfl		
	Monday-Friday	\$45	\$45
	Weekend	\$60	\$60
	Night Games	add \$20	add \$20
	No-prep Games	add \$20	add \$20
	Non-Resident Teams		
	Community Park, Veteran's Park and Stampfl		
	Monday-Friday	\$100	\$100
	Weekend	\$125	\$125
	Night Games	add \$20	add \$20
	No-prep Games	add \$25	add \$25
	Tournament Teams		
	Community Park, Veteran's Park and Stampfl		
	Practice Usage	\$25	\$25
	Game Usage	\$125	\$125
	* A resident team shall have over 50% of its roster made up of City of Verona residents		
	Prices include up to 5 bags of Diamond Dry if field is wet. Additional bags will be available at a cost of \$10 per bag		

A/C Number	CEMETERY	2020	2021
206-46540	Burial Lots	\$800	\$800
206-46540	Transfer of Title	\$25	\$25
206-46540	Replacement Deeds	\$25	\$25
206-46540	Staking for Burials	\$75	\$75
206-46540	Staking for Monuments	\$60	\$60

A/C Number	BUILDING INSPECTION	2020	2021
	<b><u>New Construction and Addition Permits</u></b>		
	<b><u>Building Fees</u></b>		
	Building Permit Fees shall be the sum of:		
	All Groups Base Fee	\$50	\$50
	Group 1: Fee per Square foot of all areas	\$0.08/sq.ft	\$0.08/sq.ft
	Group 2: Fee per Square foot of all areas	\$0.10/sq.ft	\$0.10/sq.ft
	Group 3: Fee per Square foot of all areas	\$0.08/sq.ft	\$0.08/sq.ft
	<b><u>Electrical Fees</u></b>		
	Electrical Permit Fees shall be the sum of:		
	All Groups Base Fee	\$50	\$50
	Group 1: Fee per Square foot of all areas	\$0.05/sq.ft	\$0.05/sq.ft
	Group 2: Fee per Square foot of all areas	\$0.06/sq.ft	\$0.06/sq.ft
	Group 3: Fee per Square foot of all areas	\$0.02/sq.ft	\$0.02/sq.ft
	<b><u>Plumbing Fees</u></b>		
	Plumbing Permit Fees shall be the sum of:		
	All Groups Base Fee	\$50	\$50
	Group 1: Fee per Square foot of all areas	\$0.05/sq.ft	\$0.05/sq.ft
	Group 2: Fee per Square foot of all areas	\$0.06/sq.ft	\$0.06/sq.ft
	Group 3: Fee per Square foot of all areas	\$0.02/sq.ft	\$0.02/sq.ft
	<b><u>HVAC Fees</u></b>		
	HVAC Permit Fees shall be the sum of:		
	All Groups Base Fee	\$50	\$50
	Group 1: Fee per Square foot of all areas	\$0.05/sq.ft	\$0.05/sq.ft
	Group 2: Fee per Square foot of all areas	\$0.06/sq.ft	\$0.06/sq.ft
	Group 3: Fee per Square foot of all areas	\$0.02/sq.ft	\$0.02/sq.ft
	<b><u>Erosion Control Fees</u></b>		
	Group 1: \$100 per unit for 1-4 units	\$100	\$100
	Group 1: \$50 per units 5+	\$50	\$50
	Group 2 and 3: \$50 per 1,000 Square feet of all areas	\$50/1,000 sq.ft	\$50/1,000 sq.ft
	<b><u>Early Start Permit</u></b>		
	Group 1	\$150	\$150
	Group 2 and 3	\$250	\$250
	<b><u>Driveway Opening</u></b>		
	Group 1	\$50	\$50
	Group 2 and 3	\$100	\$100
	<b><u>Wisconsin State Seal</u></b>		
	1 and 2 family only	\$35	\$35
	<b><u>Street Tree Fee</u></b>		
	Per Lot (New construction only)	\$325	\$325
	<b><u>Park Development Fee</u></b>		
	Per Bedroom (new construction Group 1 only)	\$300	\$300
	<b><u>Library Impact Fee</u></b>		
	Single Family Per Unit (New construction only)	\$540	\$540
	Multi Family Per Unit (New construction only)	\$371	\$371
	<b><u>Police Impact Fee</u></b>		
	Single Family Per Unit (New construction only)	\$413	\$413
	Multi Family Per Unit (New construction only)	\$368	\$368
	Non-Residential	\$1.4094/\$1,000 of total project cost of fracation thereof	\$1.4094/\$1,000 of total project cost of fracation thereof

A/C Number	BUILDING INSPECTION	2020	2021
	<u>Fire Impact Fee</u>		
	Single Family Per Unit	\$310	\$310
	Multi Family Per Unit (New construction only)	\$213	\$213
	Non-Residential	\$2.10 per \$1,000 total project cost or fraction thereof	\$2.10 per \$1,000 total project cost or fraction thereof
	<u>Water Impact Fee</u>		
	5/8" & 3/4"	\$324	\$324
	1"	\$810	\$810
	1-1/2"	\$1,620	\$1,620
	2"	\$2,592	\$2,592
	3"	\$4,860	\$4,860
	4"	\$8,100	\$8,100
	<u>Sewer Connection Fees</u>		
	5/8" & 3/4"	\$551	\$551
	1"	\$1,377	\$1,377
	1-1/2"	\$2,754	\$2,754
	2"	\$4,407	\$4,407
	3"	\$8,262	\$8,262
	4"	\$13,771	\$13,771
	<u>Alteration and Repair Permits</u>		
	<u>Building Fees</u>		
	Building permit fees shall be <b>the greater of:</b>		
	Base fee - \$50 or:		
	Group 1 \$.08 per square foot of all areas		
	Group 2 \$.10 per square foot of all areas		
	Group 3 \$.06 per square foot - first 10,000 square feet of all areas		
	<u>Electrical Fees</u>		
	Electrical permit fees shall be <b>the greater of:</b>		
	Base fee - \$50 or:		
	Group 1 \$.05 per square foot of all areas		
	Group 2 \$.06 per square foot of all areas		
	Group 3 \$.02 per square foot of all areas		
	<u>Plumbing Fees</u>		
	Plumbing permit fees shall be <b>the greater of:</b>		
	Base fee - \$50 or:		
	Group 1 \$.05 per square foot of all areas		
	Group 2 \$.06 per square foot of all areas		
	Group 3 \$.02 per square foot of all areas		
	<u>Heating/Ventilating/Air Conditioning Fees</u>		
	Heating/Ventilating/Air Conditioning fees shall be <b>the greater of:</b>		
	Base fee - \$50 or:		
	Group 1 \$.05 per square foot of all areas		
	Group 2 \$.06 per square foot of all areas		
	Group 3 \$.02 per square foot of all areas		
	<u>Miscellaneous Fees</u>		
	<u>Failure to Obtain an Required Certificate of Occupancy Prior to Occupancy</u>		
	Group 1	\$100	\$100
	Group 2 and 3	\$200	\$200

A/C Number	BUILDING INSPECTION	2020	2021
	<b>Flat Rate Project Permits</b>		
	Deck Permit	\$100/unit	\$100/unit
	Roof Replacement Permit (One & Two Family)	\$50	\$50
	All Other Roof Replacement Permit	\$100	\$100
	Siding/Soffit/Fascia Permit	\$50	\$50
	Windows/Doors Permit	\$50	\$50
	Water Heater Permit (per unit)	\$50	\$50
	Water Treatment Device Permit (per unit)	\$50	\$50
	Residential Furnace Permit	\$50	\$50
	Residential A/C Permit	\$50 plus \$50 if new install	\$50 plus \$50 if new install
	Above Ground Swimming Pool Permit	\$100	\$100
	Below Ground Swimming Pool Permit	\$150	\$150
	Fence Permit	\$50	\$50
	Residential Electrical Service Permit	\$50	\$50
	Moving of Building/Structures Permit	\$150	\$150
	Demolition Permit (per Building)	\$150	\$150
	Sign Permit	\$50 base plus \$1.00/sq.ft	\$50 base plus \$1.00/sq.ft
	Minimum Permit Fee	\$50	\$50
	Special Inspections	\$50/hr	\$50/hr

A/C Number	BUILDING INSPECTION	2020			2021		
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**Commercial Plan Review Fees**

Building Fees	2020				2021			
	Building	HVAC	Fire Alarm	Fire Suppression	Building	HVAC	Fire Alarm	Fire Suppression
Area < 2500 Square Feet	\$260	\$160	\$130	\$130	\$260	\$160	\$130	\$130
Area 2501 - 5000 Square Feet	\$330	\$220	\$160	\$160	\$330	\$220	\$160	\$160
Area 5001 - 10,000 Square Feet	\$550	\$260	\$315	\$315	\$550	\$260	\$315	\$315
Area 10,001 - 20,000 Square Feet	\$750	\$400	\$620	\$620	\$750	\$400	\$620	\$620
Area 20,001 - 30,000 Square Feet	\$1,100	\$540	\$925	\$925	\$1,100	\$540	\$925	\$925
Area 30,001 - 40,000 Square Feet	\$1,500	\$830	\$1,240	\$1,240	\$1,500	\$830	\$1,240	\$1,240
Area 40,001 - 50,000 Square Feet	\$2,000	\$1,100	\$1,555	\$1,555	\$2,000	\$1,100	\$1,555	\$1,555
Area 50,001 - 75,000 Square Feet	\$2,700	\$1,500	\$1,880	\$1,880	\$2,700	\$1,500	\$1,880	\$1,880
Area 75,001 - 100,000 Square Feet	\$3,400	\$2,100	\$2,210	\$2,210	\$3,400	\$2,100	\$2,210	\$2,210
Area 100,001 - 200,000 Square Feet	\$5,600	\$2,700	\$2,580	\$2,580	\$5,600	\$2,700	\$2,580	\$2,580
Area 200,001 - 300,000 Square Feet	\$9,900	\$6,300	\$3,030	\$3,030	\$9,900	\$6,300	\$3,030	\$3,030
Area 300,001 - 400,000 Square Feet	\$15,000	\$9,200	\$3,480	\$3,480	\$15,000	\$9,200	\$3,480	\$3,480
Area 400,001 - 500,000 Square Feet	\$18,500	\$12,000	\$3,930	\$3,930	\$18,500	\$12,000	\$3,930	\$3,930
Area > 500,000 Square Feet	\$20,000	\$13,500	\$4,310	\$4,310	\$20,000	\$13,500	\$4,310	\$4,310

**CITY OF VERONA  
RESOLUTION NO. R-20-038**

**RESOLUTION APPROVING A PRECISE IMPLEMENTATION PLAN  
LOCATED AT 517 HALF MILE ROAD THAT WOULD ALLOW FOR THE  
CONSTRUCTION OF A 1,600 SQUARE FOOT BUILDING ADDITION**

**WHEREAS**, a developer is proposing to construct 1,600 square foot building addition at 517 Half Mile Road; and

**WHEREAS**, the property Applicant has submitted and requested approval of the proposed Precise Implementation Plan (PIP) to construct the proposed development; and

**WHEREAS**, the Plan Commission held a public hearing on the proposed Precise Implementation Plan on October 5, 2020 and voted to recommend approval of the Precise Implementation Plan.

**NOW, THEREFORE, BE IT RESOLVED** that the City of Verona Common Council approves the Precise Implementation Plan to allow for the construction of 1,600 square foot building addition.

Passed, signed and dated this 12<sup>th</sup> day of October, 2020.

**CITY OF VERONA**

SEAL

\_\_\_\_\_  
Luke Diaz, Mayor

\_\_\_\_\_  
Ellen Clark, City Clerk

# Planning Report

City of Verona

Plan Commission 10-5-2020

## 517 Half Mile Road

### Planned Unit Development – Precise Implementation Plan

**Summary:** The Applicant submitted a request for planned unit development (PUD) concept plan review for 517 Half Mile Road. The Applicant proposes to construct a one-story, 1,600 square foot addition to the existing building. The Applicant is requesting an exemption to the rear yard setback

**Property Location:** 517 Half Mile Road

**Property Owners:** Daniel Atkins – Atkins Bike Shoppe  
517 Half Mile Road  
Verona, WI 53593

**Applicant:** Same

**Existing Zoning:** Urban Commercial (UC), Downtown Design and Use Overlay District

**Existing Land Use:** Indoor Sales and Service (Bicycle Shop)

**Proposed Land Use:** Same

**Figure 1 – Location Map**



**Site Description:**

Atkins Bike Shoppe (“Application”) has submitted a request to construct 1,600 square foot addition at 517 Half Mile Road (“Property” or “Subject Property”). The Property is zoned Urban Commercial (UC) and is located within the Downtown Design and Use Overlay District. This Application is being reviewed as a Planned Unit Development (PUD) as a rear yard setback exemption is requested.

**Background:**

In August of 2020, the Plan Commission and the Common Council discussed the concept plan for a one (1)-story, 1,280 square foot addition with an eighteen (18)-foot rear setback. Comments from the Plan Commission included support for the business and glad to see the business is expanding, recommend talking to the neighbors regarding the reduction of the rear setback, and will the Zoning Ordinance reduce the rear setback to what is being requested. Comments from the Common Council included glad the business is thriving and fully support the rear setback reduction as this abuts an industrial area instead of a residential area.

In September of 2020, the Plan Commission and the Common Council discussed the concept plan for a one (1)-story, 1,600 square foot addition with a ten (10)-foot rear setback. Comments from the Plan Commission included support for the business and glad to see the business is expanding and whether the boulder retaining wall would continue with the expanded parking lot. Comments from the Common Council included glad the business is thriving and full support for the rear setback reduction.

**Development Process:**

Any planned unit development for this Property will have to go through the following development process and meet all of the requirements prior to receiving a building permit. Some of these steps may occur concurrently.

- **Planned Unit Development (PUD)** – This is necessary as zoning exemptions are required for the project, which includes a four step review process.
  - *Step 1 – Pre-Application Conference:* The applicant discusses the project with Staff prior to moving on to the Plan Commission. Staff provides the applicant with initial comments on the plan, which was completed and is ongoing.
  - *Step 2 - Concept Plan:* An applicant would create a plan that shows conceptually how the Property would be laid out with transportation (i.e. roads, paths, etc.), stormwater management areas, parkland dedication, buildings (placement and design), and various land uses. This is a way to gain feedback from Planning Staff and the Plan Commission to determine if there is consensus on the concept, which occurred at the August 2020 Plan Commission meeting.

- *Step 3 – General Development Plan (GDP)*: The intent of the GDP is provide general, but more detailed than the concept plan, about the proposed development. A public hearing is held before the Plan Commission. The City notifies all properties, with a letter, that are located within 200-feet of the property that is requesting the GDP. The Plan Commission makes a recommendation to the Common Council. If the GDP is approved, this step provides the zoning entitlements to the project, which occurred at the September 2020 Plan Commission meeting.
  
- *Step 4 – Precise Implementation Plan (PIP)*: The final step in the PUD process is the final approval of all plans including site plan, landscaping, stormwater, photometric plans, building design, etc. A public hearing is held before the Plan Commission. The City notifies all properties, with a letter, that are located within 200-feet of the property that is requesting the PIP. The Plan Commission makes a recommendation to the Common Council, which is this application. If the PIP is approved, the applicant can proceed to obtain building permits and start construction of the project.

### **Planning Review:**

#### **Bulk Requirements:**

Staff reviewed the bulk requirements for the UC Zoning District. The Applicant proposes a ten (10) foot rear setback, the minimum setback is twenty-five (25) feet, and is requesting an exemption to the rear setback requirement. The western side yard setback is twenty-five (25) feet and the eastern side yard setback is fifty-five (55) feet. The Applicant has met the minimum side yard setbacks of ten (10) feet. The front yard setback will remain the same as the addition will be for the rear of the building. The height of the addition will match the existing building height. Overall, Staff is comfortable with the rear setback exemption as the addition will abut an industrial area.

#### **Access/ Parking:**

The Applicant will utilize the existing access point from Half Mile Road. The parking area does not have stripped parking spaces and is not proposed to have stripping as part of this Application. The parking lot will extend to match the addition. The Zoning Ordinance requires one (1) parking space per 300 square feet. The addition would require five (5) parking spaces, which will be accommodated with the extension of the pavement. Staff recommends the Applicant stripe the parking lot for customers, which could accommodate approximately twenty (20) parking spaces.

The Applicant has plenty of bicycle parking and will add more if it is needed for their business. Sidewalks do not exist in front of the Property as the sidewalk ends at the eastern property line and do not exist beyond the Property.

#### **Design:**

Conceptual building renderings were included in the Application. The rendering shows the addition will match the existing building with a continuation of the existing roof line

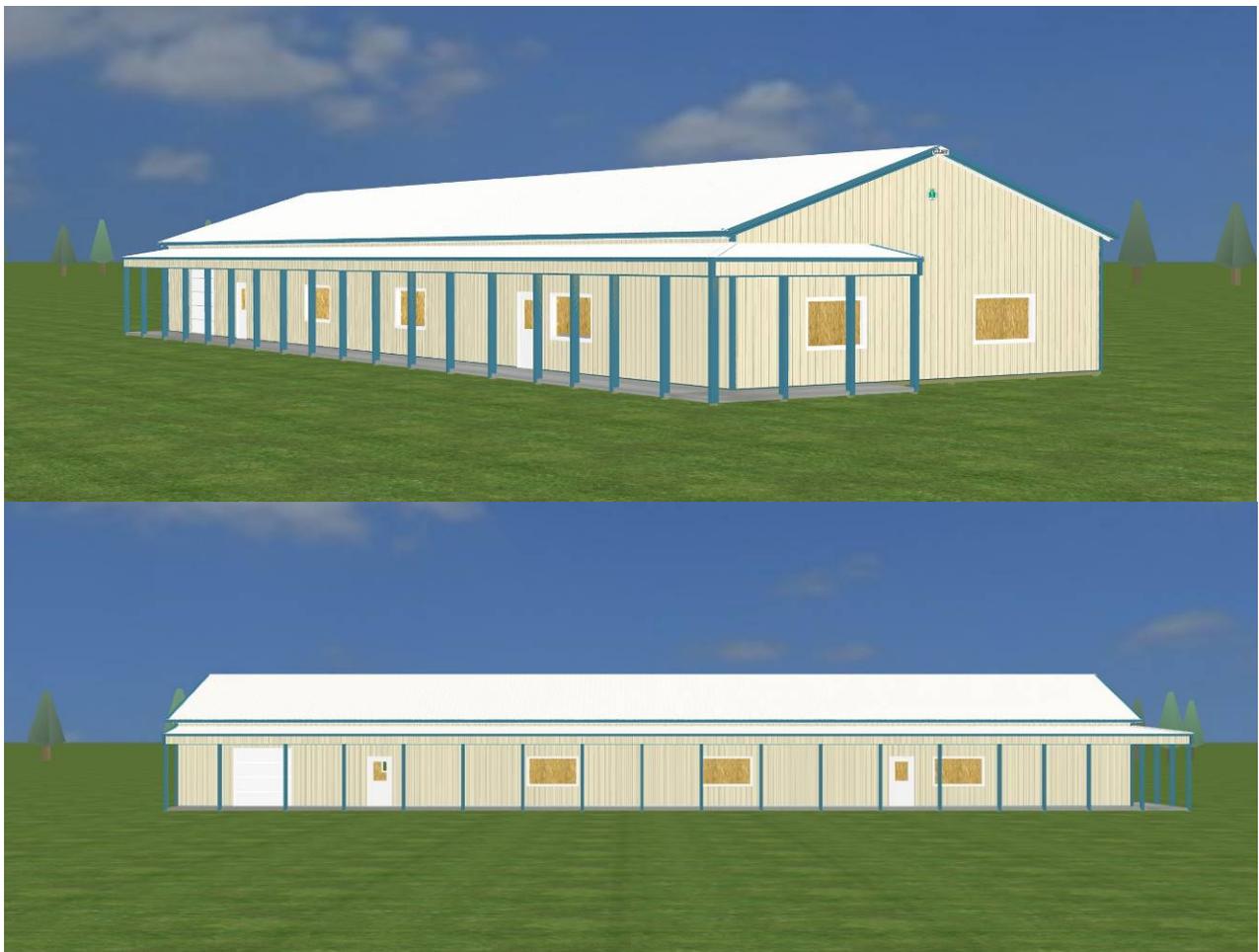
Atkins Bike Shoppe  
Planned Unit Development – PIP

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as well as the same style and color of the existing metal building as depicted in Figures 2 and 3. Staff is supportive of the design of the building as it is a continuation of the existing building.



**Figure 2 - Existing building**



**Figure 3 - Proposed addition on existing building**

**Landscape:**

The Applicant has submitted a landscaping plan as provided in the Plan Commission packet. Currently, the Property contains a lawn area, but does not have any landscaping. The Applicant is proposing to use maple trees, dogwoods, American Hornbeam, arborvitae, juniper, and bush honeysuckle. The Applicant has noted in the narrative that the honeysuckle is the non-invasive species. These plantings will be located in the front lawn area near Half Mile Road. The Zoning Ordinance requires the Applicant to meet the minimum landscaping point requirement of 158 points, which they exceeded with a total of 169 points. Staff is supportive of the landscaping improvements to the Property as there were no trees on the site.

**Public Notification:**

As required in the Zoning Ordinance, properties located in a 200-foot radius were notified of a public hearing for this Property. A public hearing sign was posted on the Property. At the time of writing the staff report, Staff has not received any comments regarding the addition. The Applicant spoke to their neighbors regarding a reduction in the rear yard setback as part of the General Development Plan.

**Recommendation:**

Staff recommends the Plan Commission recommend that the Common Council approved the Precise Implementation Plan (PIP) for 517 Half Mile Road with a rear yard setback exemption of ten (10)-feet.

**Prepared by:** Katherine Holt *KH*  
Community Development Specialist

**Submitted by:** Adam Sayre, AICP *AS*  
City Administrator

To our wonderful Verona Planning Commission and City Residence;

We have needed additional space for quite some time; it is becoming more difficult to manage in our existing space, for both my employees and my customers. The Bicycle Shoppe has become very busy this year as people want to be able to exercise.

I've spoken with our neighbors Joe and Jason, and they are both supportive and on board with our plans including the shorter set back.

With the current plans it will be barely noticeable that anything has changed. The new addition will blend in perfectly with the existing building. This will also allow more parking which is a good thing for everyone.

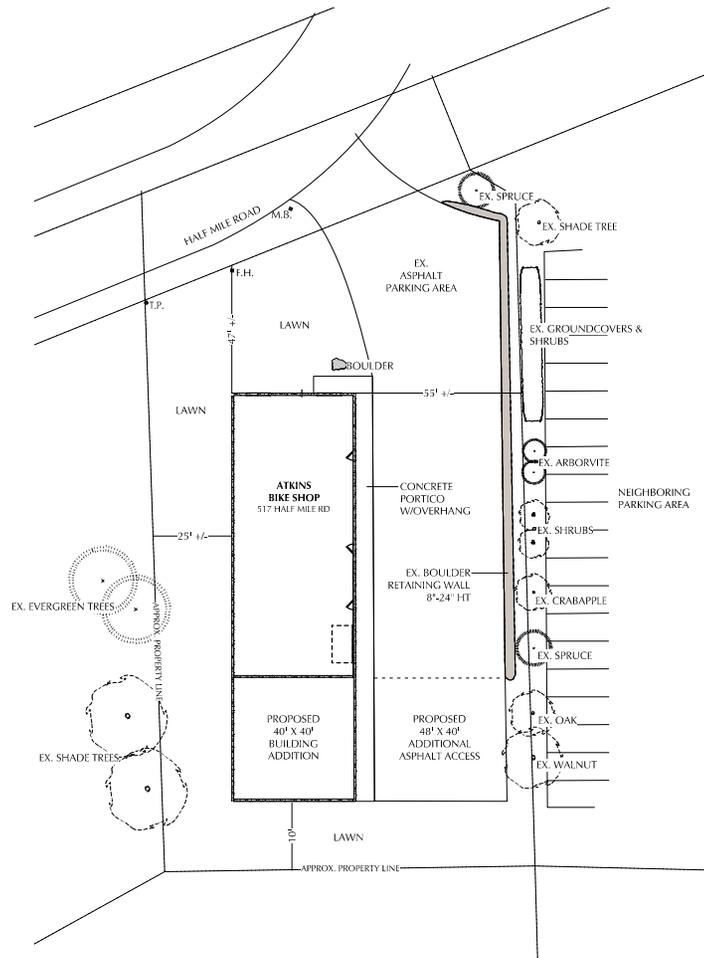
We have submitted the landscape design and are willing to meet whatever is required.

There has been the question in regards to the Honey Suckle tree in the landscape design as to whether this may be an invasive species. NO, it is not. WIDNR restricts genus *Lonicera*, and genus *Diervilla* is specified on the plans. Further, *Diervilla* Honeysuckle specified the plans are on the current list of Verona's approved plants.

The other question was in regards to the extension of the boulder wall. At this time there is not a plan to extend that wall, unless there is an issue with water running from the hotel parking lot into my parking lot after construction.

Thank you,  
Dan Atkins





**FIELD NOTES:**

**GRADING & PAVING**

1. ALL FINAL GRADES TO BE SET ACCORDING TO CLEARLY BUILDING DRAWING SET.
2. GRADES TO DRAIN POSITIVELY AWAY FROM BUILDING AND PARKING AREAS, FOR INFILTRATION ALONG EXISTING PROPERTY LINE DRAINAGE SYSTEM
3. NEW ASPHALT PARKING EXTENSION TO BE SET ACCORDING TO CLEARLY DRAWING SET.

**PLANTING AREAS:** REFER TO PLANTING PLAN, SHEET L-3.0

**DRAWING SCALE:**  
 34"X22" - 1" = 20'-0"  
 17"X11" - 1" = 40'-0"

**DRAWING KEY:**  
 BASE INFORMATION TAKEN FROM THOM R. GRENLEIGH CERTIFIED SURVEY DATED 08/02/1990, CLEARLY BUILDING CORP. ELEVATIONS & FLOOR PLAN DATED 07/13/2020, CLEARLY BUILDING CORP. DRAWING TITLED "PLOT PLAN" WITH NO DATE, DC/IS AERIAL PHOTOGRAPHY 2017 AND MODS FIELD OBSERVATIONS 07/31/2020

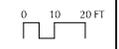
**maralee olson**  
**DESIGN STUDIO**  
 1548 HANCOCK BLVD  
 MADISON, WI 53719  
 781.606.4046/700  
 FX 608.845.2000  
 MARALEE@MOSDESIGNSTUDIO.COM

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 MARALEE OLSON DESIGN STUDIO, LLC

**DANIEL ATKINS - ATKINS VERONA BICYCLE SHOPPE**  
 517 HALF MILE ROAD  
 VERONA, WI 53593  
 Site Plan



**DRAWING SCALE:**  
 1" = 20'-0"



**DRAWN BY:** MLO  
**DATE:** 07/28/2020  
**REVS:**  
 08/06/2020

**Design Development Phase:**  
 This drawing indicates the  
 scale and relationship of  
 the project components.  
 This drawing is not for  
 construction.

**SHEET NUMBER**

**L-2.0**

**VERONA LANDSCAPE POINTS CALCULATOR**  
FOR PROPOSED 40' X 132' BUILDING

**POINTS REQUIRED PER 100 lf BUILDING FOUNDATION**  
344 lf foundation/100 = 3.44 units x 20pts = 68.8 pts

**POINTS PROPOSED**  
(2) MED EVERGREEN TREES = 40 pts  
(1) MED DECIDUOUS TREE = 15 pts  
(2) MED EVERGREEN SHRUBS = 10 pts  
(4) LOW DECIDUOUS SHRUBS = 4 pts  
69 pts

**POINTS REQUIRED PER 1,000 sf GROSS FLOOR AREA**  
5,280 sf GFA/1,000 = 5.28 units x 5pts = 26.4 pts

**POINTS PROPOSED**  
(1) TALL DECIDUOUS TREE = 30 pts

**POINTS REQUIRED PER 100 lf STREET FRONTAGE**  
113.5 lf street frontage/100 = 1.135 units x 20 pts = 22.7 pts

**POINTS PROPOSED**  
(1) TALL DECIDUOUS TREE = 30 pts

**POINTS REQUIRED PER 10,000 sf PAVED AREA or 20 OFF-STREET PARKING STALLS**  
9317 proposed sf paved area/10,000 = 0.93 units x 40 pts = 37.2 pts  
room for 20 stalls proposed = 1 unit x 40 pts = 40 pts

**POINTS PROPOSED**  
(1) TALL DECIDUOUS TREE = 30 pts  
(2) TALL DECIDUOUS SHRUBS = 10 pts  
40 pts

**TOTAL POINTS 157.90 REQUIRED, 169 PROPOSED**

**PLANTING SCHEDULE**

**PROPOSED EVERGREEN TREES (MEDIUM, 30 PTS)**

QTY	SIZE	RT COND.	BOTANICAL NAME	COMMON NAME
2	4'	B&B	THUJA OCCIDENTALIS	AMERICAN ARBORVITAE

**PROPOSED DECIDUOUS TREES (TALL, 30 PTS; MEDIUM 15 PTS)**

QTY	SIZE	RT COND.	BOTANICAL NAME	COMMON NAME
2	1.5"	CAL	B&B ACER FREMANII	FREEMAN MAPLE
1	1.5"	CAL	B&B ACER RUBRUM	RED MAPLE
1	6'	B&B	CARPINUS CAROLINIANA	AMERICAN HORNBEAM

**PROPOSED EVERGREEN SHRUBS (MEDIUM 5 PTS)**

QTY	SIZE	RT COND.	BOTANICAL NAME	COMMON NAME
2	18"	CONT.	JUNIPERUS CHINENSIS 'PFITZER'	PFITZER JUNIPER

**PROPOSED DECIDUOUS SHRUBS (TALL, 5 PTS; LOW, 1PT)**

QTY	SIZE	RT COND.	BOTANICAL NAME	COMMON NAME
2	36"	B&B	CORNUS ALTERNIFOLIA	MULTI-STEM, PAGODA DOGWOOD
4	18"	CONT.	DIERVILLA x KODIAK 'G2X88544'	HONEYSUCKLE

**FIELD NOTES**

**PLANTING AREAS**

1. ALL FUTURE PLANTING AREAS TO BE STRIPPED CLEAN OF PLANT MATERIALS
2. ALL FUTURE PLANTING AREAS TO RECEIVE MIN 6-8" CLEAN SCRETTED TOPSOIL, HAND MIXED & INCORPORATED
3. ALL PLANTS TO MEET AMERICAN NURSERY & LANDSCAPE ASSOCIATION (ANLA) STANDARDS FOR STOCK AND PLANTING
4. ALL PLANT MATERIALS TO RECEIVE ONE-YEAR GUARANTEE FOR REPLACEMENT

**MULCHES & LAWN**

1. BARK MULCH TO BE TWICE SHREDDED HARDWOOD MULCH; NO RECYCLED OR DYED MULCH
2. INDIVIDUAL TREES AND LARGE SHRUBS TO RECEIVE MIN 3" DIAMETER BARK MULCH RING, 4" DEPTH
3. SHRUB AREA NEAR FRONT ENTRY TO RECEIVE CONTINUOUS BARK MULCH BED, 4" DEPTH
4. BARK MULCH ADJACENT TO LAWN TO RECEIVE NATURAL, DEEP MULCH EDGE
5. ALL DISTURBED LAWN AREAS, TO RECEIVE MIN 6" CLEAN, SCRETTED TOPSOIL WITH STARTER FERTILIZER, BE SEEDED WITH MADISON PARKS OR EQUIVALENT, AND CLEAN STRAW MULCH OR JUTE NETTING WITH LOOSE KNOTS FOR EROSION CONTROL AND ANIMAL SAFETY. NO NYLON NETTING TO BE USED.

**DRAWING KEY:**  
BASE INFORMATION TAKEN FROM THOM R. GRENLEE CERTIFIED SURVEY DATED 08/02/1990, CLEARLY BUILDING CORP. ELEVATIONS & FLOOR PLAN DATED 07/13/2020, CLEARLY BUILDING CORP. DRAWING TITLED "PLOT PLAN" WITH NO DATE, DIGIS AERIAL PHOTOGRAPHY 2017 AND MODS FIELD OBSERVATIONS 07/31/2020

**DRAWING SCALE:**  
34"X22" - 1" = 20'-0"  
17"X11" - 1" = 40'-0"

DANIEL ATKINS - ATKINS VERONA BICYCLE SHOPPE

517 HALF MILE ROAD  
VERONA, WI 53593

Landscape Plan



DRAWING SCALE:  
1" = 20'-0"



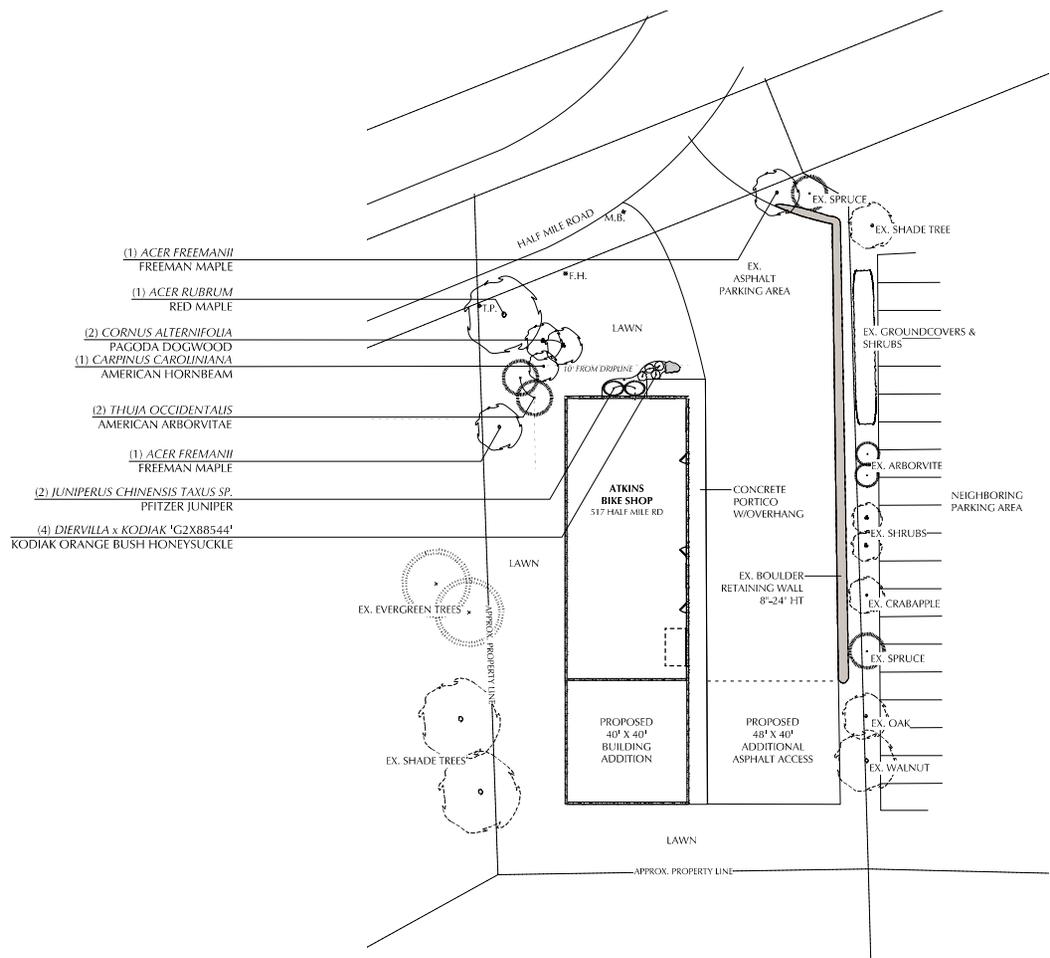
DRAWN BY: MLO  
DATE: 07/28/2020  
REVS:  
08/06/2020

**Design Development Phase:**

This drawing indicates the scale and relationship of the project components. This drawing is not for construction.

SHEET NUMBER

L-3.0



- (1) ACER FREEMANII  
FREEMAN MAPLE
- (1) ACER RUBRUM  
RED MAPLE
- (2) CORNUS ALTERNIFOLIA  
PAGODA DOGWOOD
- (1) CARPINUS CAROLINIANA  
AMERICAN HORNBEAM
- (2) THUJA OCCIDENTALIS  
AMERICAN ARBORVITAE
- (1) ACER FREEMANII  
FREEMAN MAPLE
- (2) JUNIPERUS CHINENSIS TAXUS SP.  
PFITZER JUNIPER
- (4) DIERVILLA x KODIAK 'G2X88544'  
KODIAK ORANGE BUSH HONEYSUCKLE







P.O Box 930220  
Verona, WI 53593-0220  
Phone: (608) 845-9700  
Fax: (608) 845-7070

9/9/2020  
ATKINS, DAN  
Doc ID: 7769820200909085650

## Elevations & Floor Plan

### Customer Information

**Building Specification For:**

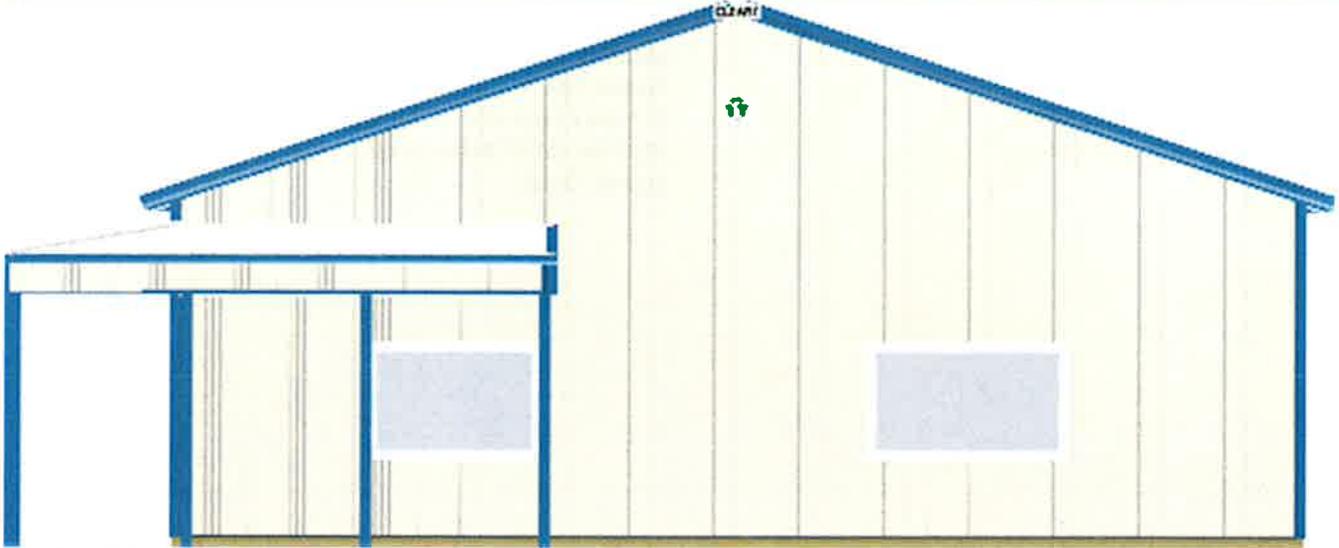
ATKINS, DAN  
517 HALF MILE RD  
VERONA, WISCONSIN 53593  
Cell Phone: (608) 845-6644  
Email:

**Building Site Location:**

Location: N/A  
Tenant: N/A  
517 HALF MILE RD  
VERONA, WISCONSIN 53593  
County: DANE

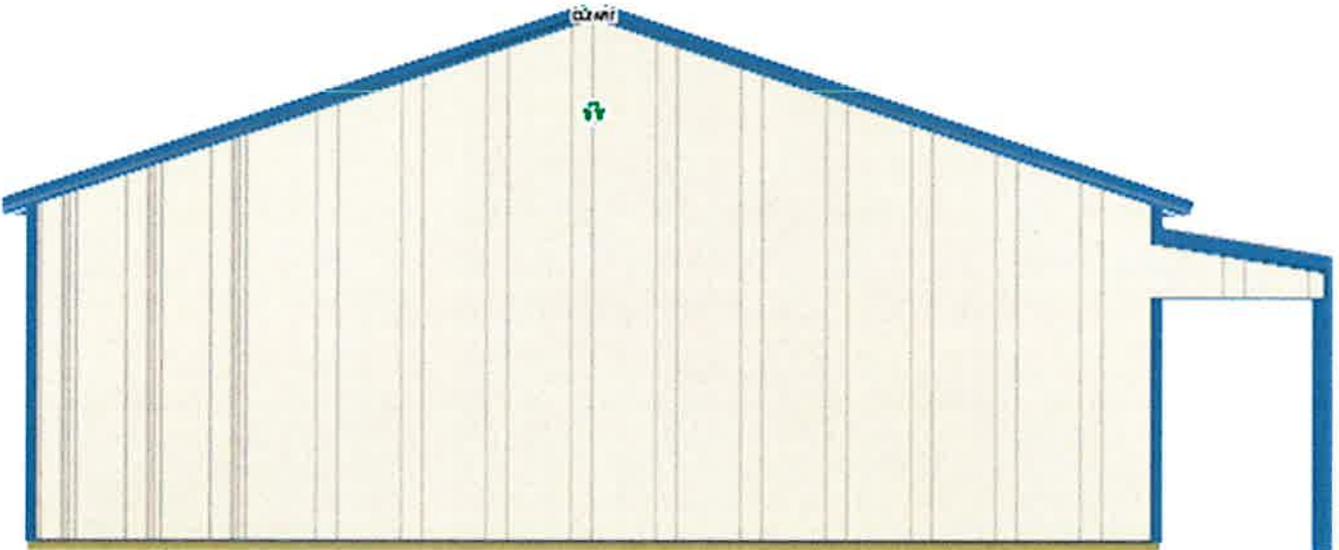
## Elevations & Floor Plan

### Elevations for Building 1



**North End Wall 1 on Building 1**

Note: These colors are as close to the actual colors as permitted by printing. Actual metal samples must be reviewed with your Sales Specialist. Colors vary depending upon position and angles.



**South End Wall 2 on Building 1**

Note: These colors are as close to the actual colors as permitted by printing. Actual metal samples must be reviewed with your Sales Specialist. Colors vary depending upon position and angles.



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9/9/2020  
ATKINS, DAN  
Doc ID: 7769820200909085650

## Elevations & Floor Plan



**East Side Wall 1 on Building 1**

Note: These colors are as close to the actual colors as permitted by printing. Actual metal samples must be reviewed with your Sales Specialist. Colors vary depending upon position and angles.



**West Side Wall 2 on Building 1**

Note: These colors are as close to the actual colors as permitted by printing. Actual metal samples must be reviewed with your Sales Specialist. Colors vary depending upon position and angles.

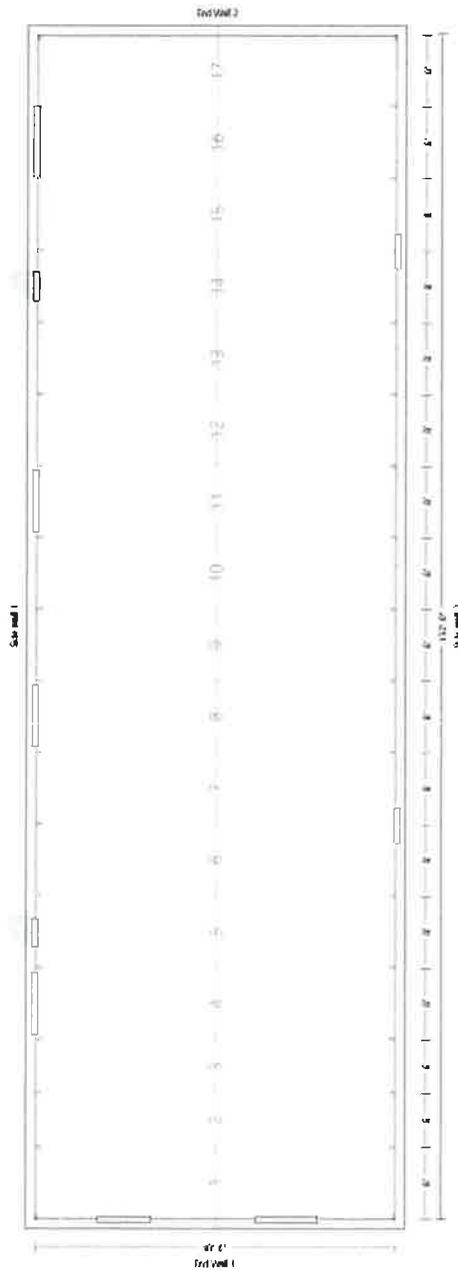


P.O. Box 930220  
Verona, WI 53593-0220  
Phone: (608) 845-9700  
Fax: (608) 845-7070

9/9/2020  
ATKINS, DAN  
Doc ID: 7769820200909085650

## Elevations & Floor Plan

### Floor Plan



**CITY OF VERONA  
RESOLUTION NO. R-20-039**

**RESOLUTION APPROVING A GENERAL DEVELOPMENT PLAN  
LOCATED AT 420 WEST VERONA AVENUE AND 100 SOUTH MARIETTA STREET  
THAT WOULD ALLOW FOR THE CONSTRUCTION OF  
140 MARKET RATE APARTMENTS, 110 WORKFORCE APARTMENTS, AND  
10,000 SQUARE FEET OF COMMERCIAL SPACE**

**WHEREAS**, a developer is proposing to construct 140 market rate apartments, 110 workforce apartments, and 10,000 square feet of commercial space 420 Church Avenue and 100 South Marietta Street; and

**WHEREAS**, the property applicant has requested approval of the proposed General Development Plan (GDP) to construct the development; and

**WHEREAS**, the Plan Commission held a public hearing on the proposed GDP on October 5, 2020 and voted to recommend approval with the following conditions:

1. Exemptions shall be granted for the following:
  - a. The setbacks for the mixed-use building shall conform to the standards for the CC zoning district and not be bound by the Downtown Design and Use Overlay zoning district.
  - b. The setbacks for the market rate apartments will be granted to match the proposal by the developer in Table 2 of the staff report.
  - c. The height for the market rate apartments will be forty-five (45)-feet tall unless it is in the vicinity of an existing residential building. If this is the case, the building height must conform to the maximum height requirements in the Zoning Ordinance for the UR zone facing that property for the depth of one (1) apartment unit.
  - d. The setbacks for the workforce apartments will be granted to match the proposal by the developer in Table 4 of the staff report.
  - e. The height of the workforce apartments will be forty (40)-feet.
  - f. Density for the UR zone will be twenty-two (22) dwelling units per acre.
2. The approval shall become effective upon Steve Brown Apartments/Alexander Company acquiring the property.

**NOW, THEREFORE, BE IT RESOLVED** that the City of Verona Common Council approves the General Development Plan to allow for the construction of 140 market rate apartments, 110 workforce apartments, and 10,000 square feet of commercial space 420 Church Avenue and 100 South Marietta Street with the recommended Plan Commission conditions.

Passed, signed and dated this 12<sup>th</sup> day of October, 2020.

**CITY OF VERONA**

SEAL

---

Luke Diaz, Mayor

---

Ellen Clark, City Clerk

# ORDINANCE NO. 20-969

## AN ORDINANCE REZONING THE HEREIN DESCRIBED PROPERTY IN THE CITY OF VERONA

The Common Council of the City of Verona, Dane County, State of Wisconsin, does hereby ordain as follows:

1. That Section 13-1-42, "Zoning Map" of Title 13, Chapter 1 "Zoning Code", of the Code of Ordinances of the City of Verona be amended by repealing the existing zoning of Neighborhood Residential (NR) and Neighborhood Office (NO) for 420 Church Avenue and 100 South Marietta Street and assigning approximately 10.37-acres to Urban Residential (UR) and approximately 2.25-acres to Central Commercial (CC) as stated below:

LOTS 1, 2, 3, AND PART OF LOT 4, BLOCK 4, DONKLE'S SECOND ADDITION TO VERONA, AS RECORDED IN VOLUME 2 OF PLATS, ON PAGE 40, AS DOCUMENT NUMBER 244369 DANE COUNTY REGISTRY, ALSO LOTS 4, 5, 6, 7, AND PART OF LOT 3, BLOCK 1, DERRICKSON'S PLAT, AS RECORDED IN VOLUME 4 OF PLATS, ON PAGE 10A, AS DOCUMENT NUMBER 354031, DANE COUNTY REGISTRY, ALSO OUTLOTS 86, 87, 89, 90, AND PART OF OUTLOT 88, ASSESSOR'S PLAT OF THE VILLAGE OF VERONA, AS RECORDED IN VOLUME 7 OF PLATS, ON PAGES 13-16, AS DOCUMENT NUMBER 507959, DANE COUNTY REGISTRY, ALSO THAT PART OF VACATED PARK LANE AND LANDS AS CONTAINED IN RESOLUTION 8-91-380, RECORDED AS DOCUMENT NUMBER 2303799 DANE COUNTY REGISTRY, ALSO UNPLATTED LANDS LOCATED IN PART OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER (SW1/4-SW1/4) OF SECTION 15, TOWNSHIP 06 NORTH, RANGE 08 EAST, CITY OF VERONA, DANE COUNTY, WISCONSIN BEING MORE FULLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 15; THENCE S88°48'51"E ALONG THE SOUTH LINE OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 15, 616.92 FEET TO THE POINT OF BEGINNING; THENCE N01°02'02"W, 390.52 FEET; THENCE N89°32'29"E, 260.02 FEET; THENCE N00°54'07"W, 170.33 FEET; THENCE N88°52'33"E, 258.82 FEET; THENCE N02°23'15"E, 12.02 FEET; THENCE N88°52'33"E, 88.76 FEET; THENCE N01°30'14"W, 87.37 FEET; THENCE N87°18'02"E, 81.60 FEET; THENCE N00°51'15"E, 149.30 FEET; THENCE N75°35'57"E, 586.20 FEET; THENCE S00°53'24"E, 211.31 FEET; THENCE S89°30'07"W, 210.22 FEET; THENCE S00°53'24"E, 244.41 FEET; THENCE S89°24'18"W, 81.81 FEET; THENCE S00°59'12"E, 131.97 FEET; THENCE S89°24'00"W, 283.84 FEET; THENCE S01°01'18"E, 388.98 FEET TO THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 15; THENCE N88°48'51"W ALONG THE SOUTH LINE OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 15, 688.10 FEET TO THE POINT OF BEGINNING. SAID DESCRIPTION CONTAINS 563,839 SQUARE FEET, OR 12.94 ACRES MORE OR LESS.

2. The Zoning Map Amendment shall become effective upon Steve Brown Apartments/Alexander Company acquiring the property.

3. That the City Clerk is directed to forthwith make the above change in the zoning district boundaries on the official map of the City of Verona pursuant to Section 13-1-42 of the City ordinances after passage and publication as required by law.

The foregoing ordinance was duly adopted by the Common Council of the City of Verona at a meeting held on October 12, 2020.

CITY OF VERONA

\_\_\_\_\_  
Luke Diaz, Mayor

**(seal)**

\_\_\_\_\_  
Ellen Clark, City Clerk

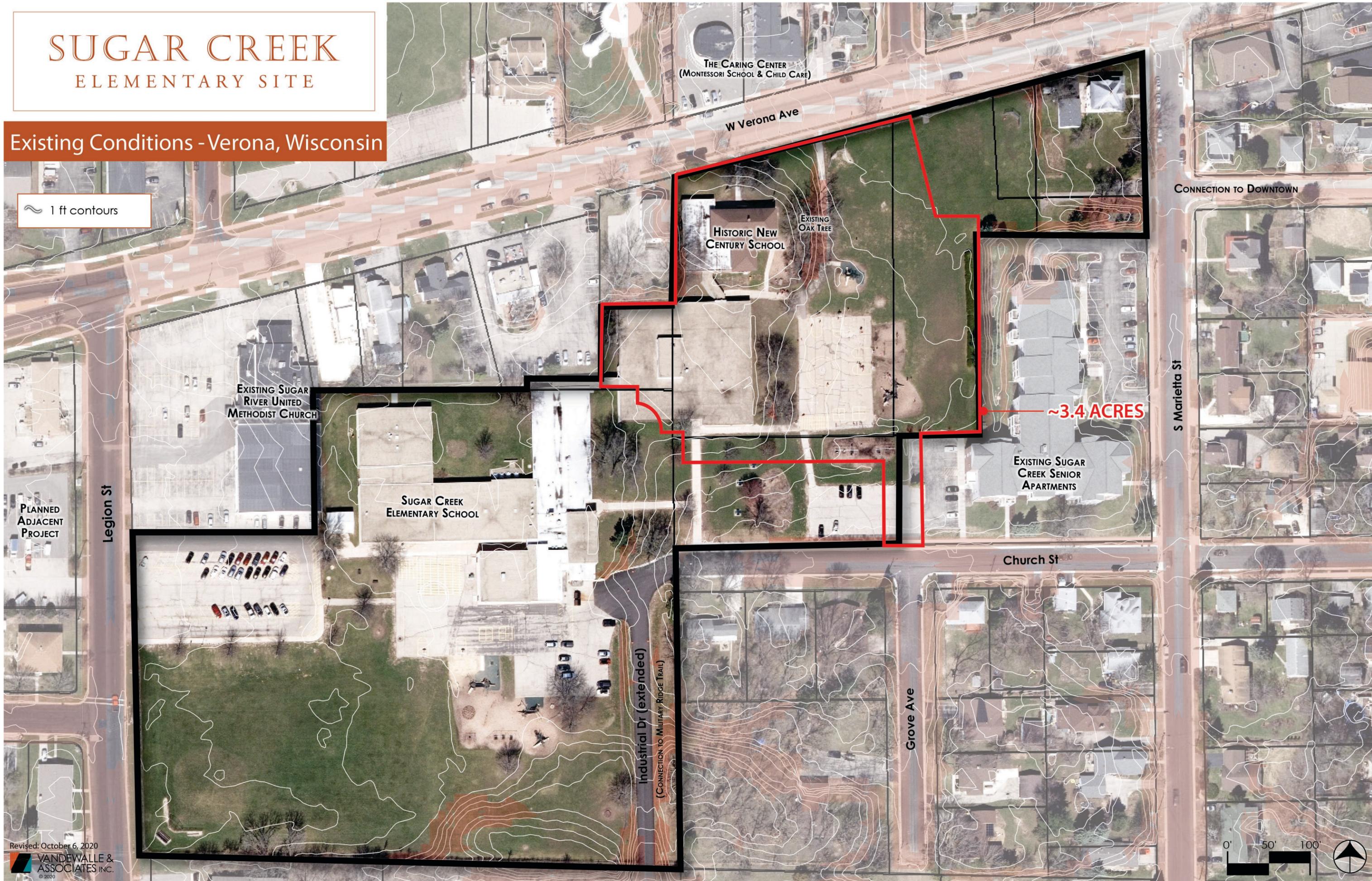
ENACTED:

PUBLISHED:

# SUGAR CREEK ELEMENTARY SITE

Existing Conditions - Verona, Wisconsin

1 ft contours



# SUGAR CREEK ELEMENTARY SITE

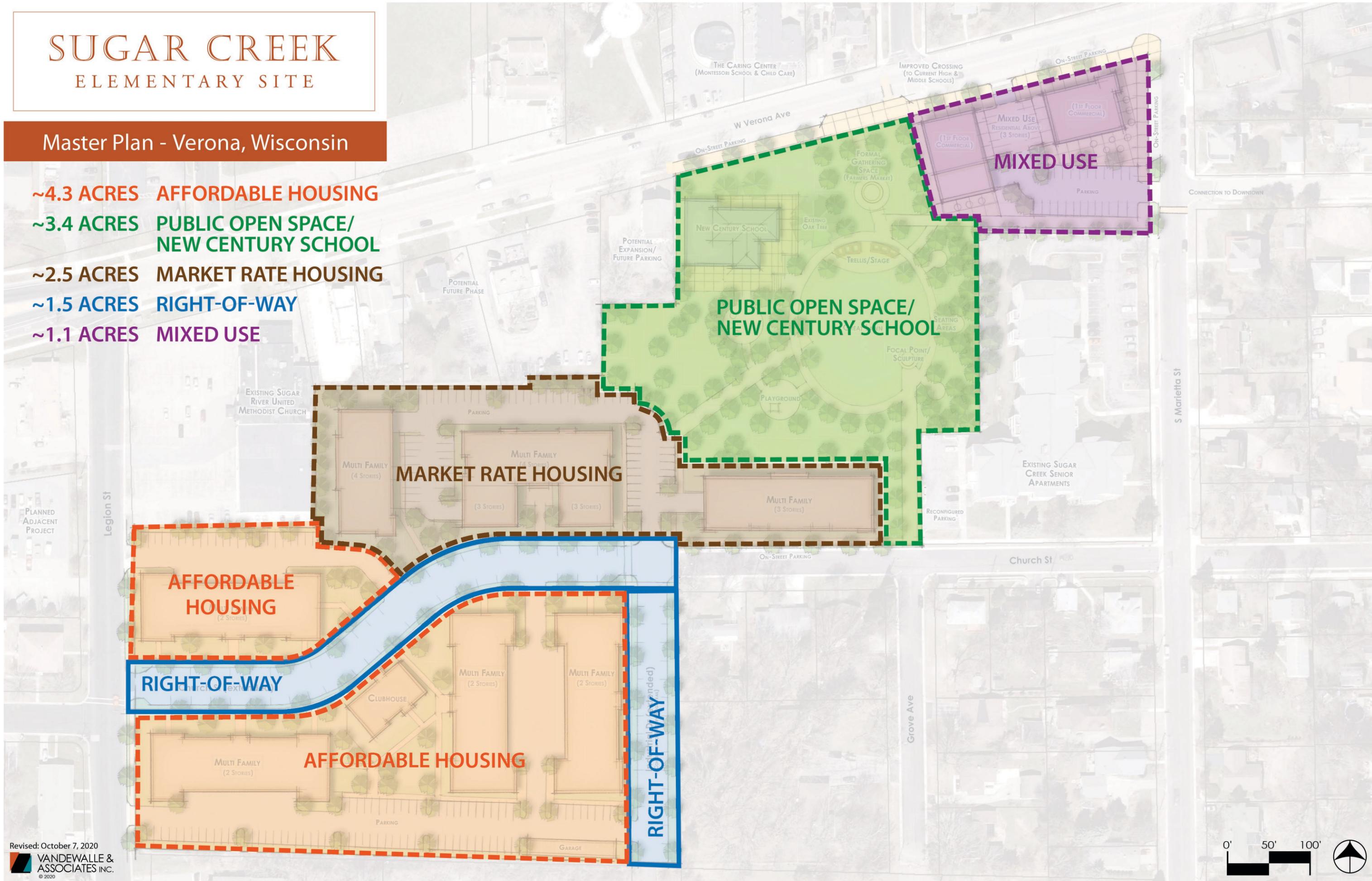
## Master Plan - Verona, Wisconsin



# SUGAR CREEK ELEMENTARY SITE

## Master Plan - Verona, Wisconsin

- ~4.3 ACRES AFFORDABLE HOUSING
- ~3.4 ACRES PUBLIC OPEN SPACE/  
NEW CENTURY SCHOOL
- ~2.5 ACRES MARKET RATE HOUSING
- ~1.5 ACRES RIGHT-OF-WAY
- ~1.1 ACRES MIXED USE



# Planning Report

City of Verona

Plan Commission 10-5-2020

## 420 Church Ave.

### Planned Unit Development – General Development Plan

**Summary:** The Applicant submitted a request for a planned unit development (PUD) General Development Plan review for 420 Church Avenue to construct a total of approximately 250 apartment units and up to 10,000 square feet of commercial space.

**Property Location:** 420 Church Avenue & 100 South Marietta Street

**Property Owners:** VASD  
700 N. Main St.  
Verona, WI 53593

100 South Marietta LLC  
120 West Gorham St.  
Madison, WI 53703

**Applicants:** Steve Brown Apartments  
120 West Gorham St.  
Madison, WI 53703

The Alexander Company, Inc.  
2450 Rimrock Rd., Suite 100  
Madison, WI 53713

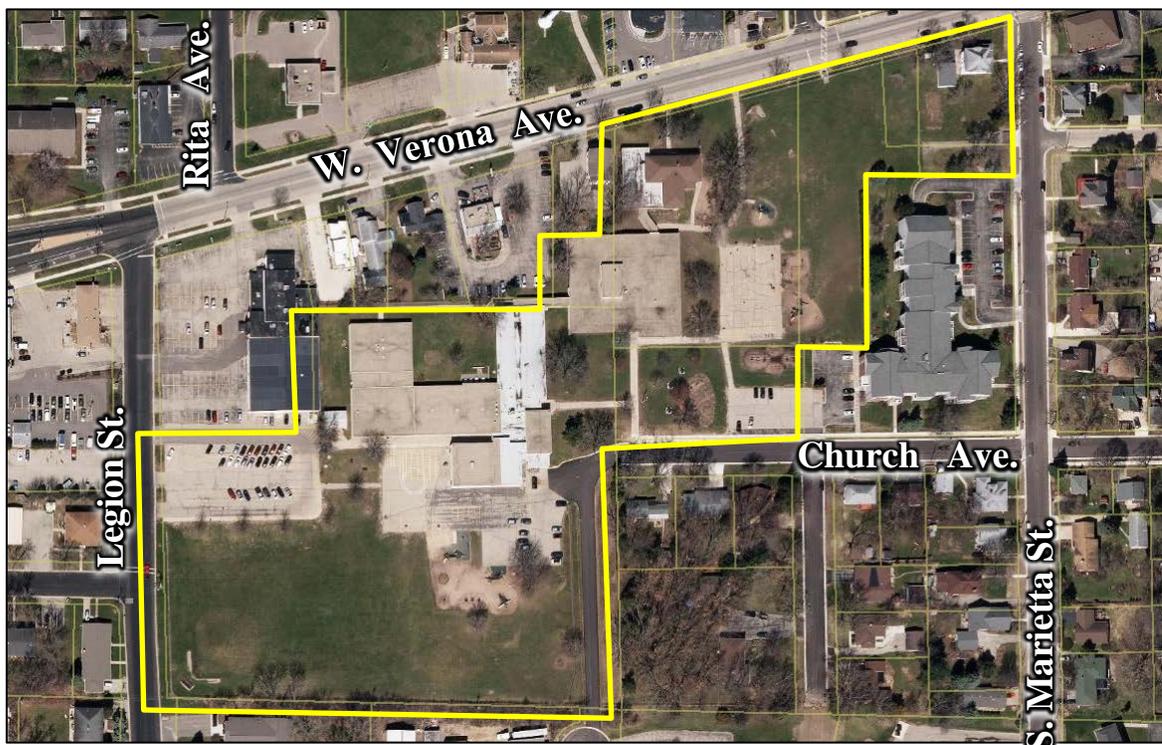
**Existing Zoning:** Neighborhood Residential (NR), Neighborhood Office (NO), Planned Unit Development (PUD), Downtown Design & Use Overlay District

**Proposed Zoning:** Urban Residential (UR) and Central Commercial (CC) with a PUD overlay and Downtown Design & Use overlay

**Existing Land Use:** Schools and house

**Proposed Land Use:** Commercial and Apartments (market rate and workforce)

**Figure 1 – Location Map**



### **Site Description:**

Steve Brown Apartments and the Alexander Company (“Application” or “Applicants”) has submitted a request to construct up to 10,000 square feet of commercial space, 140 market rate apartments, and 110 workforce apartments at 420 Church Avenue and 100 South Marietta Street (“Property” or “Subject Property”). The Property is zoned Neighborhood Residential (NR), Neighborhood Office (NO), Planned Unit Development (PUD) with no underlying zone, and a portion is located within the Downtown Design and Use Overlay District. The Application is being reviewed as a Planned Unit Development (PUD) as exemptions for setbacks, building height, and density are requested.

Currently, the Property contains the former Sugar Creek Elementary School, the former New Century Charter School, and a residential building at the corner of West Verona Avenue and South Marietta Street.

### **Background:**

In 2018, the City and the Verona Area School District (VASD) executed a development agreement related to the road improvements for the new high school. As part of that agreement, the City agreed to pay the VASD \$4 million for improvements for the new high school. Further, the agreement requires the VASD to convey the Sugar Creek/New Century property to the City on or before August 1, 2021.

Due to the execution of the development agreement and ultimate future transfer of the property, the City began working with Community Design Solutions (CDS) on creating concepts for the property in 2019. Those concepts were ultimately reviewed by the Community Development Authority (CDA), general public at a workshop in August, and the Plan Commission and Common Council at their respective meetings in September. The concepts created by the CDS included:

- A Mixed-use town center concept
- Town center community pool concept
- Community park makerspace

Links to the concept are located on the City’s website:

<http://www.ci.verona.wi.us/674/Community-Design-Solutions>

The City issued the request for proposals (RFP) for the property in January of 2020, and provided tours to developers of the site in February. Proposals were submitted and due by April 27, 2020. The City received six (6) proposals and Staff narrowed the proposals to four (4), which were interviewed by the CDA on May 18<sup>th</sup>. The CDA voted on June 2<sup>nd</sup> to forward the proposals from McKenzie Apartment Company and Steve Brown Apartments/Alexander Company to the Common Council.

The Common Council interviewed the two (2) final applicants over two (2) Council meetings where the Council authorized City Staff to work with the Steve Brown Apartments/Alexander Company on the redevelopment of the Sugar Creek and New

Century School sites. More information regarding this process can be found online at <http://www.ci.verona.wi.us/697/Sugar-Creek-Elementary-School-Site>.

### **Development Process:**

Any planned unit development for this Property will have to go through the following development process and meet all of the requirements prior to receiving a building permit. Some of these steps may occur concurrently.

- **Planned Unit Development (PUD)** – This is necessary as zoning exemptions are required for the project, which includes a four step review process.
  - *Step 1 – Pre-Application Conference:* The applicant discusses the project with Staff prior to moving on to the Plan Commission. Staff provides the applicant with initial comments on the plan, which was completed and is ongoing.
  - *Step 2 - Concept Plan:* An applicant would create a plan that shows conceptually how the Property would be laid out with transportation (i.e. roads, paths, etc.), stormwater management areas, parkland dedication, buildings (placement and design), and various land uses. This is a way to gain feedback from Planning Staff and the Plan Commission to determine if there is consensus on the concept, which occurred over the last six (6) months through the CDA and Common Council.
  - *Step 3 – General Development Plan (GDP):* The intent of the GDP is to provide general information, but more detailed than the concept plan, about the proposed development. A public hearing is held before the Plan Commission. The City notifies all properties, with a letter, that are located within 200-feet of the property that is requesting the GDP. The Plan Commission makes a recommendation to the Common Council. If the GDP is approved, this step provides the zoning entitlements to the project, which is the current application.
  - *Step 4 – Precise Implementation Plan (PIP):* The final step in the PUD process is the final approval of all plans including site plan, landscaping, stormwater, photometric plans, building design, etc. A public hearing is held before the Plan Commission. The City notifies all properties, with a letter, that are located within 200-feet of the property that is requesting the PIP. The Plan Commission makes a recommendation to the Common Council. If the PIP is approved, the applicant can proceed to obtain building permits and start construction of the project.
- **Land Division** – An applicant will need to submit a certified survey map and/or plat to combine property lines. This would go before the Plan Commission and the Common Council for their approvals with the PIP.

- **Zoning Map Amendment** – An applicant will need to submit a zoning map amendment to have an underlying zone as one does not exist for a small portion of this Property. The existing zoning districts would be changed to be comparable to the type of land use that is proposed.

### **Downtown Mobility and Development Plan:**

The Property is located in the Downtown Mobility and Development Plan (“Plan”), which was adopted in 2014. The Property is discussed on page 73 of the Plan and states:

#### ***“West Verona Avenue***

This section of Verona Avenue will remain at two-lanes for the foreseeable future, so the only major improvement will be increased sidewalk widths. This will have a minimal impact for properties west of Westlawn Avenue. Other improvements suggested include a school drop-off at the elementary school and street connection between Church Street and Industrial Drive (which currently ends in a cul-de-sac).

#### **Redevelopment**

It is important to note that a large portion of West Verona Avenue land is owned by the School District. If the school were to improve their site, consideration should be given to increasing the parking lot and creating a drop-off location next to the Sugar Creek Elementary School. If the District should ever decide to move the school from this location, the site could be redeveloped with commercial uses along Verona Avenue and residential uses behind. However, the building located at 401 W. Verona Avenue (currently New Century Charter School) should be preserved, as it has historical value to the community. In either case (if the school site remains or gets redeveloped), the corner of Marietta and Verona (red hatching in Figure 3.16) could be redeveloped as a commercial use without affecting the school activities”.



As part of the development agreement with VASD, the City will own the Property and will convey it to Steve Brown Apartments/Alexander Company. The Applicant proposes up to 10,000 square feet of commercial fronting onto West Verona Avenue near South Marietta Street. New Century building would remain and could potentially be used as a community space. The Applicants are still

working through the details of how the former New Century building could be used. The remaining portion of the Property will contain residential apartments for the remainder of the site as supported by the Plan.

### **Public Comments:**

The Applicant hosted a Zoom public meeting on August 26, 2020 at 6:30 p.m. to gain input from the community. There were approximately thirty-five (35) attendees, which included Alders and the Applicant. Comments from the public included a desire for parking on both sides of Church Avenue, why are all of the buildings apartments and not privately owned condos, will the commercial space have tenants and not become vacant or stay vacant, concerns regarding the height of the buildings compared to the existing residential homes, concerns regarding having enough parking for everyone and if on-street parking of future apartment tenants will be used, concerns about speed on Church Avenue with bicycles, vehicles, and pedestrians in the same area, how much space will be used for green space, some support for the children’s museum idea, concern that the park may not be able to accommodate the tenants needs for green space, lighting should be designed for dark skies and ambiance, and concerns with retail on the corner of South Marietta Street and West Verona Avenue. The majority of these comments can be addressed in the PIP application such as lighting and design.

A public hearing is required as part of the GDP process. Notifications were mailed out to properties within a 200-foot radius from the Property. Public hearing notification signs were placed on the Property. Staff has received calls inquiring about the public hearing signs.

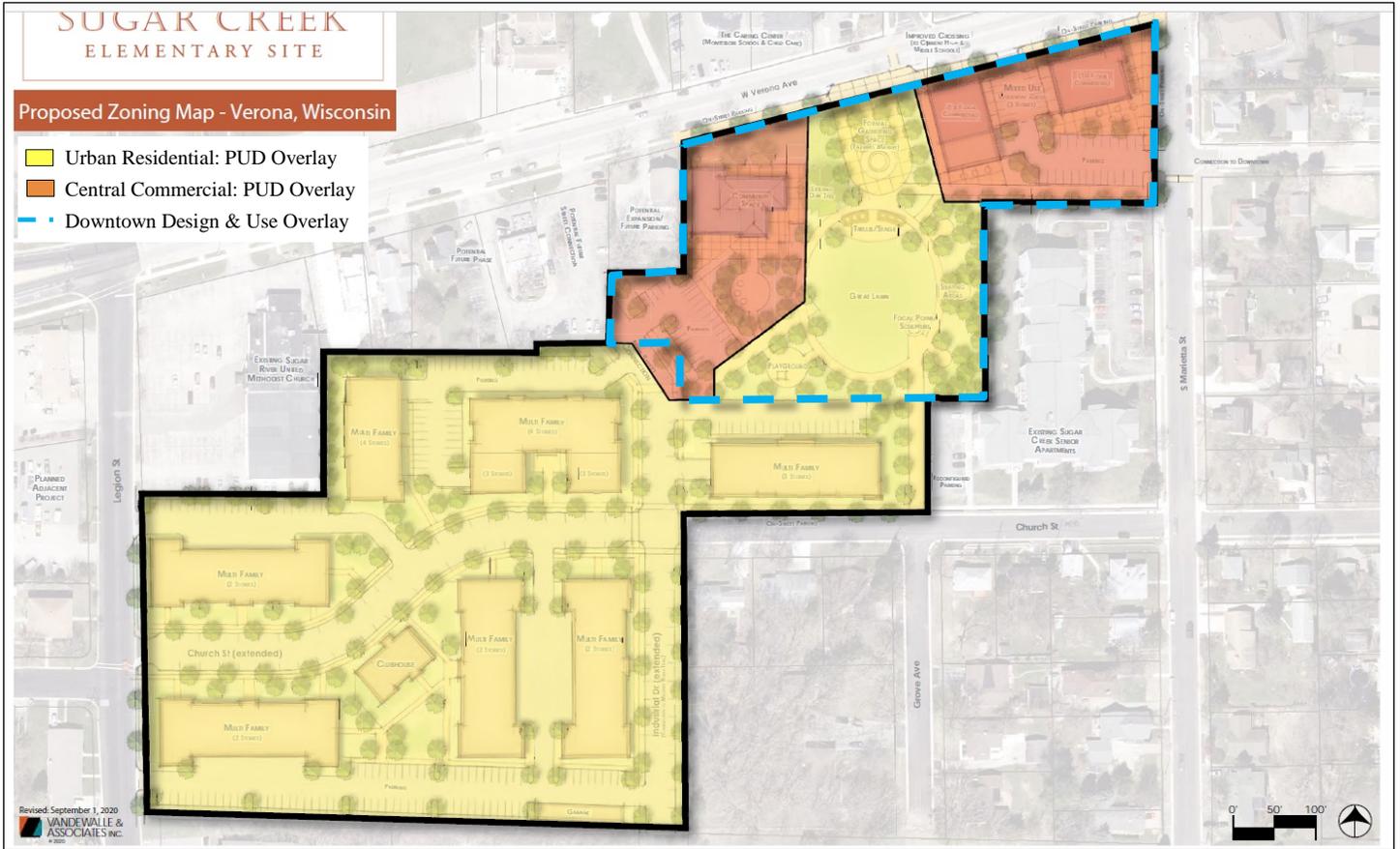
### **Planning Review:**

The Applicant is requesting exemptions from the zoning standards to allow for more density and modifications to the lot and bulk standards.

### **Bulk Requirements:**

A portion of the Property is located in the Downtown Design and Use Overlay (“Downtown Overlay”) Zoning District along West Verona Avenue as depicted in Figure 2 with the blue line. The former Sugar Creek Elementary School building and associated grounds are not located in the Downtown Overlay, which means that it is not subjected to these zoning standards.

420 Church Ave. & 100 S. Marietta St.  
Planned Unit Development – GDP



**Figure 2 - Zoning Map Amendment**

The Applicant is proposing to reuse New Century building. This building is located in the Downtown Overlay and the CC zoning district. The land use for New Century will be determined by the community, but the existing setbacks will be maintained.

The Applicant is proposing a mixed-use building at the corner of West Verona Avenue and South Marietta Street as depicted in Figure 3. The first floor of the building will contain 10,000 square feet of commercial with the remaining floors containing twenty-five (25) apartment units. The materials and design of the building will be reviewed at a later date as part of the PIP. Table 1 contains the CC zoning requirements, the Downtown Overlay requirements, and what is proposed by the Applicant. The Applicant is requesting exemptions to the Downtown Overlay requirements and the rear setback.

420 Church Ave. & 100 S. Marietta St.  
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Figure 3 - Mixed-Use Building Rendering

Table 1: Mixed-Use Building

	CC	Downtown Overlay	Proposed	Compliance
<b>Setbacks</b>				
Front (W. Verona Ave.)	0 ft.	15 ft.	5 ft.	No
Street (S. Marietta St.)	0 ft.	15 ft.	0 ft.	No
Side (Green Space)	0 ft.	10 ft.	0 ft.	No
Residential Rear	25 ft.	25 ft.	10 ft.	No
Max. Front/Street	N/A	25 ft.	25 ft.	Yes
<b>Height</b>				
Maximum	50 ft.	50 ft.	50 ft.	Yes
Minimum	N/A	20 ft.		Yes

The Applicant is proposing 115-units of market rate apartments. These three (3) buildings are located on the northern side of Church Avenue. The building closest to the existing single-family homes is proposed as three (3)-stories with the two remaining buildings as four (4)-stories. However, the building on the corner of Industrial Drive and Church Avenue in the northwestern corner will step down to three (3)-stories at this intersection along Church Avenue as noted in Figure 4 and Figure 5 as the brick façade buildings. The design and materials of the buildings will be reviewed as part of the PIP, but the heights of the buildings are reviewed as part of this Application. The buildings are located in the UR zoning district and are not included in the Downtown Overlay. Table 2 contains the UR zoning standards and proposed modifications the Applicant

420 Church Ave. & 100 S. Marietta St.  
Planned Unit Development – GDP

wants to have approved. The Applicant requests exemptions for the setback and height requirements.



Figure 4 - Market Rate Housing Building Locations

Table 2: Market Rate Housing

	UR	Proposed	Compliance
<b>Setbacks</b>			
Front (Church Ave.)	25 ft.	10 ft.	No
Street (Industrial Dr.)	25 ft.	10 ft.	No
Side	15 ft.	5 ft.	No
Rear	25 ft.	15 ft.	No
<b>Height</b>			
Maximum	35 ft.	45 ft.	No

The Applicant is proposing 120-units of workforce housing. The tenants in these homes would be making between 50% and 70% of the area median income. The four (4) buildings would be two (2)-story buildings located closest to the industrial area on Legion Street and Industrial Drive and across the street from the approved four (4)-story apartment building for Sugar Creek Commons development. The two (2)-story buildings would also be across the street from the single-family lots on Industrial Drive as depicted in Figure 5 with the pitched roofs and white/gray colors. The design and materials of the buildings will be reviewed as part of the PIP, but the heights of the buildings are reviewed as part of this Application. The buildings are located in the UR zoning district and are not included in the Downtown Overlay. Table 3 contains the UR zoning standards and proposed modifications the Applicant wants to have approved. The Applicant requests exemptions for the setback and height requirements.

420 Church Ave. & 100 S. Marietta St.  
Planned Unit Development – GDP



Figure 5 - Renderings for Workforce Housing in White and Gray and Market Rate Housing with Brick Façade

**Table 3: Workforce Housing**

	UR	Proposed	Compliance
<b>Setbacks</b>			
Front (Church Ave.)	25 ft.	10 ft.	No
Street (Industrial Dr.)	25 ft.	10 ft.	No
Side	15 ft.	5 ft.	No
Rear	25 ft.	15 ft.	No
<b>Height</b>			
Maximum	35 ft.	40 ft.	No

**Density:**

The Applicant is seeking an exemption for the total number of dwelling units per acre. The Property is approximately 12.62-acres with approximately 10.37-acres zoned UR and approximately 2.25-acres zoned CC. The Zoning Ordinance allows twelve (12) dwelling units per acre (du/ac) in the UR zoning district. The CC zoning district requires a maximum gross density of up to fifty (50) du/ac. The entire site is proposed to have 250 apartment units with twenty-one (21) of those located in the CC zoning district. The UR zoning district would contain 229 apartment units on approximately 10.37-acres, which is approximately twenty-two (22) du/ac. The Applicant is requesting a density exemption to permit approximately twenty-two (22) du/ac. This requirement does not distinguish between market rate, workforce, or affordable housing in the total number of dwelling units required per acre. Table 4 is a density comparison of other multi-family projects in the City:

**Table 4: Approved Densities**

<b>Project Name</b>	<b>Number of Approved Units</b>	<b>Land Area</b>	<b>Density</b>
<b>Lot 1 Scenic Ridge</b>	45	3.77-Acres	11.93-Units/Acre
<b>Lot 2 Scenic Ridge</b>	62	5.17-Acres	11.99-Units/Acre
<b>Murray Glen Development*</b>	219	8.32-Acres	26.32-Units/Acre
<b>Siena Ridge Apartments*</b>	96	5.23-Acres	18.36-Units/Acre
<b>West End Apartments*</b>	106	2.64-Acres	40.15-Units/Acre
<b>City Centre Condos*</b>	28	1.55-Acres	18.07-Units/Acre
<b>Velocity</b>	29	1.56-Acres	18.55-Units/Acre
<b>West End*</b>	37	3.66-Acres	10.11-Units/Acre
<b>Sugar Creek Commons</b>	243	6.97-Acres	34.86-Units/Acre
<b>Lincoln Street Apartments*</b>	90	3.62-Acres	25.7-Units/Acre

\* Approved PUD

**Connectivity:**

Currently, the Property can be accessed from Legion Street into an existing parking lot and from Industrial Drive, which has a driveway connecting north to Church Avenue. There are no access points from West Verona Avenue. There are sidewalks on the northern portion of Church Avenue, the western portion of South Marietta Street, and along West Verona Avenue.

The Applicant is proposing to extend two existing roads through the Property. Church Avenue will be extended from the existing end point to Legion Street and is proposed to contain sidewalks and on-street parking. Industrial Drive will be extended from the cul-de-sac north to the Property line and will contain on-street parking. A sidewalk is proposed on the western portion of Industrial Drive when abutting the single-family homes, but is typically on both sides of Industrial Drive interior to the Property.

Access to the Property will continue from Industrial Drive and Church Avenue. Two (2) additional access points are proposed from Legion Street to access the multi-family buildings parking garage and surface parking without having to use Church Avenue. Access is proposed from West Verona Avenue and South Marietta Street to access the mixed-use building underground and surface parking areas.

Sidewalks are proposed throughout the Property linking residential buildings to streets and parking areas. Based on the master plan design, the sidewalk dimensions will vary based on the demand such as wider sidewalks are shown connecting to the green space or where people would gather and taper to a normal sidewalk dimensions closer to the multi-family buildings.

Bicycles are not discussed in detail in the GDP. Bicycles are allowed on all roads in the City and it is understood that the roads are shared with cyclist even if they are not designated. Discussions will continue with the Applicant regarding the ultimate design of Church Avenue and Industrial Drive to determine if a bicycle lane is needed. The results of these discussions would be included in the Precise Implementation Plan review.

Underground parking is provided for apartment tenants for all of the buildings. Surface parking lots are scattered throughout the Property to be used to access the public spaces and overflow parking for tenants. On-street parking is shown on the renderings, but more information is needed to determine if the right-of-way width will be able to support this.

The Applicants are proposing to match the existing right-of-way width for the exiting Church Avenue. Church Avenue is not the typical sixty-six (66)-feet of right-of-way the City requires for new development and the Plan Commission is encouraged to provide feed on the width. Staff is also recommending the applicant remove the public right-of-way component of Industrial Drive north of Church Avenue. This section connects with the former Michael's property and it isn't feasible to provide a road connection to Verona Avenue in this location. Staff recommends this private driveway be labeled as a fire lane and allow for public ingress and egress.

**Drainage/Stormwater:**

Stormwater management details will be reviewed before the PIP application is submitted.

**Residential Phasing Policy:**

Effective October 1, 2012, the City began a Residential Development Policy limiting approvals of multi-family developments to a target range between 25 and 50 new multi-family units each year. The policy has three (3) types of exemptions, which are age-restricted housing, downtown development, and mixed-use development.

**Rezoning Findings:**

The City's Zoning Ordinance requires the Zoning Administrator review the proposed rezoning to ensure the request is in harmony with the recommendations of the City of Verona Master Plan (Sec. 13-1-362). A summary of this review is below.

- a. *How does the proposed Official Zoning Map amendment further the purposes of this Chapter as outlined in [Section 13-1-5](#) and the applicable rules and*

*regulations of the Wisconsin Department of Natural Resources (DNR) and the Federal Emergency Management Agency (FEMA)?*

The zoning map amendment would support the Plan that designated commercial land uses along West Verona Avenue and residential land uses for the remainder of the Property. The Applicant added preserving of New Century School building as it is in the interest of the community to keep this historic building as well as adding a large area designed for a public green space/park. This has met the purposes outlines in Section 13-1-5.

- b. Which of the following factors has arisen that are not properly addressed on the current Official Zoning Map?*
- 1. The designations of the Official Zoning Map should be brought into conformity with the Comprehensive Plan;*
  - 2. A mistake was made in mapping on the Official Zoning Map. (That is, an area is developing in a manner and purpose different from that for which it is mapped.) NOTE: If this reason is cited, it must be demonstrated that the discussed inconsistency between actual land use and designated zoning is not intended, as the City may intend to stop an undesirable land use pattern from spreading;*
  - 3. Factors have changed, (such as the availability of new data, the presence of new roads or other infrastructure, additional development, annexation, or other zoning changes), making the subject property more appropriate for a different zoning district;*
  - 4. Growth patterns or rates have changed, thereby creating the need for an Amendment to the Official Zoning Map.*

The current zoning maps needs to be amended due to above #3 and #4. The Property will no longer be owned by VASD and will no longer be a public school. The current zoning does not support the direction from the Plan if the site were to become redeveloped. The Applicant is requesting a change to allow development that is consistent with recommendation from the Plan.

- c. How does the proposed amendment to the Official Zoning Map maintain the desired consistency of land uses, land use intensities, and land use impacts as related to the environs of the subject property?*

The proposed Zoning Map amendment maintains the desired consistency of land uses, land use intensities, and land use impacts similar to other redevelopment proposals and approvals in the vicinity. The change in the Zoning Map will allow the Applicant to develop townhomes by right, apartments as a conditional use permit, and a mixed-use building by right. Properties along West Verona Avenue are designated or operated as commercial uses with residential multi-family and single-family residences in the vicinity of the Property.

420 Church Ave. & 100 S. Marietta St.  
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Staff finds the Applicant meets the Zoning Ordinance requirements to rezone the Property as requested. Staff supports a Zoning Map amendment to zone 10.37-acres from NR to UR and approximately 2.25-acres to from NR and NO to CC as depicted in Figure 6.

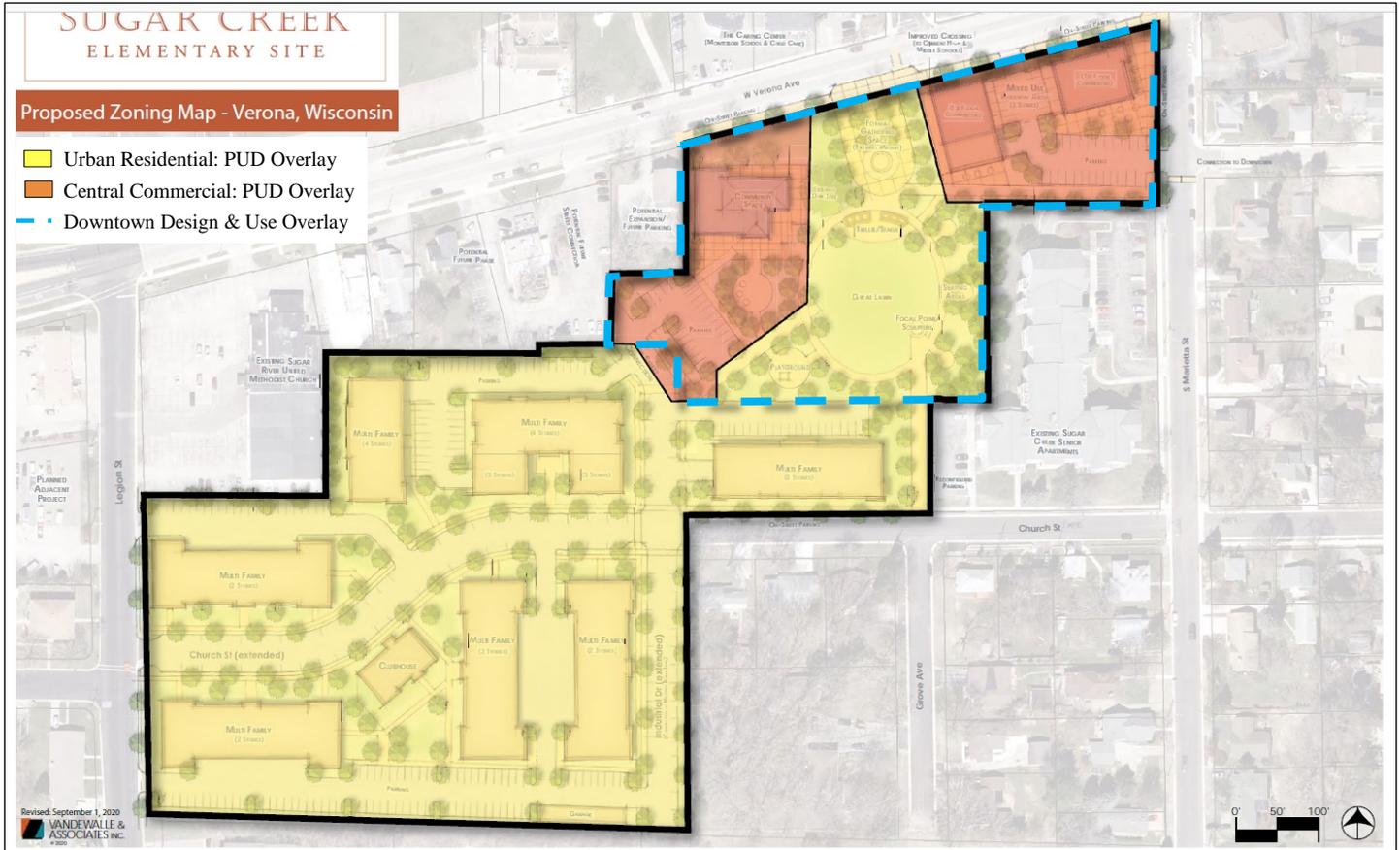


Figure 6 - Zoning Map Amendment

**Staff Comments:**

In general, Staff is supportive of the redevelopment of the Property containing a mixed-use building, maintain the New Century building, and having market rate and workforce apartments. The Applicant has been responsive to comments from Staff and has blended the desires from the CDS process and the Plan. The proposed development helps to create a commercial corridor along West Verona Avenue to the new high school, while providing a housing type that is not prevalent in the City. The Applicant has taken steps to ensure that the buildings near existing residential homes minus the commercial areas are not overbearing in height.

**Recommendation:**

Staff recommends the Plan Commission recommend that the Common Council approve the General Development Plan for 420 Church Avenue and 100 South Marietta Street with the following conditions:

1. Exemptions shall be granted for the following:

420 Church Ave. & 100 S. Marietta St.  
Planned Unit Development – GDP

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- a. The setbacks for the mixed-use building shall conform to the standards for the CC zoning district and not be bound by the Downtown Design and Use Overlay zoning district;
  - b. The setbacks for the market rate apartments will be granted to match the proposal by the developer in Table 2 of the staff report;
  - c. The height for the market rate apartments will be forty-five (45)-feet tall unless it is located in the vicinity of an existing residential building. If this is the case, the building height must conform to the maximum height requirements in the Zoning Ordinance for the UR zone facing that property for the depth of one (1) apartment unit;
  - d. The setbacks for the workforce apartments will be granted to match the proposal by the developer in Table 4 of the staff report;
  - e. The height of the workforce apartments will be forty (40)-feet; and
  - f. Density for the UR zone will be twenty-two (22) dwelling units per acre.
  - g. The approval shall become effective upon Steve Brown Apartments/Alexander Company acquiring the property.
2. Recommend approval of the Zoning Map amendment to zone 10.37-acres from Neighborhood Residential (NR) to Urban Residential (UR) and approximately 2.25-acres to from NR and Neighborhood Office (NO) to Central Commercial (CC) with the following condition:
    - a. The approval shall become effective upon Steve Brown Apartments/Alexander Company acquiring the property.

**Prepared by:** Katherine Holt *KH*  
Community Development Specialist

**Submitted by:** Adam Sayre, AICP *AS*  
City Administrator



**Alexander  
Company**

**brownhouse**  
ARCHITECTURE • INTERIOR DESIGN

**vierbicher**  
planners | engineers | advisors



# SUGAR CREEK ELEMENTARY SITE

Vision for Verona's Next Dynamic Community Hub

REZONING/PLANNED UNIT DEVELOPMENT SUBMITTAL  
SEPTEMBER 2, 2020

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# INTENT OF DOCUMENT

This document provides the first implementation steps for the Sugar Creek Elementary School Redevelopment through the establishment of Planned Unit Development: General Development Plan zoning for the parcels. This request is the first piece of a multi-step zoning process and seeks to establish general zoning standards for each portion of the project. Future Precise Implementation Plan submittals that address site plans, architecture, and landscape details will be developed on a project by project basis.

# PROJECT OWNERS

Verona Graded School/Verona High School/Verona Joint School District #1  
Verona Union Free High School District & School District #2  
700 North Main Street  
Verona, Wisconsin 53593

100 South Marietta LLC.  
120 West Gorham Street  
Madison, WI 53703

# CONTACTS

## APPLICANT

Steve Brown Apartments  
120 West Gorham Street  
Madison, Wisconsin 53703

Dan Seeley  
[dseeley@stevebrownapts.com](mailto:dseeley@stevebrownapts.com)  
608.255.7100

The Alexander Company, Inc.  
2450 Rimrock Road, Suite 100  
Madison, Wisconsin 53713

Colin Cassady  
[ckc@alexandercompany.com](mailto:ckc@alexandercompany.com)  
608.268.8126

## PLANNING

Vandewalle & Associates  
120 East Lakeside Street  
Madison, Wisconsin 53715

Brian Munson, Principal  
[bmunson@vandewalle.com](mailto:bmunson@vandewalle.com)  
608.255.3988

# EXISTING CONDITIONS

**Existing Zoning:** Neighborhood Residential  
Neighborhood Office  
Planned Unit Development

**Existing Parcels:**  
100 South Marietta Drive 0608-153-7481-3  
420 Church Street 0608-153-6726-9  
0608-153-6738-5  
0608-153-6780-3  
0608-153-7495-7  
0608-153-7684-8  
0608-153-9310-5  
0608-153-9430-0

## Adopted Plans from City of Verona

Comprehensive Plan: Land Use

Project Area: Institutional or Governmental  
Adjoining Parcels: Single Family  
Industrial  
Transportation  
Multi-Family  
Commercial Sales or Service

Downtown Mobility & Development Plan: Future Land Use and Proposed Zoning

Project Area: Downtown Mixed Use  
Mixed Residential  
  
See Exhibit A: Downtown Mobility & Development Plan  
Lot Area: 12.6 acres

# SITE INFORMATION

The Sugar Creek Elementary School site, located along West Verona Avenue, is uniquely positioned to grow downtown while offering new housing opportunities and public gathering/community spaces. The 12.6 acre parcel is occupied by the vacant Sugar Creek Elementary School, New Century School House, and an existing building at the corner of Marietta and West Verona Avenue. The large super-block contains frontage on West Verona Avenue, Marietta Street, Church Street and Legion Street. Future street extensions include the potential to extend Industrial Drive and Church Street through the site.

See Exhibit B: Location Map

See Exhibit C: Existing Conditions

# ZONING REQUEST

Rezone the property from Neighborhood Residential and Neighborhood Office to Urban Residential and Central Commercial with a Planned Unit Development Overlay.

Proposed:

Urban Residential

Central Commercial

Planned Unit Development – General Development Plan (PDD-GDP)

See Exhibit D: Proposed Zoning

## ***ZONING REQUEST JUSTIFICATION***

The Planned Unit Development zoning will allow for the flexibility to create the urban mixed-use redevelopment proposed for the site, consistent with the City's goals in the awarded Request for Proposals. This PUD approach creates a framework to guide redevelopment of the site through a multi-step process with significant public review towards the creation of a diverse, sustainable, and high-quality redevelopment of this key site. This document delivers the guidelines and underlying standards for building and site design; guaranteeing that the original team RFP response is codified and confirmed as the overall project character. Detailed Precise Implementation Plans will follow this document on a building by building basis, allowing careful review and inspection of all aspects of the proposed buildings architecture, site plans, and landscaping

## ***VARIANCES FROM STANDARD ZONING***

- Allowance for greater residential densities
- Modifications to lot and bulk standards

# DEVELOPMENT CONCEPT

The vision for this development is an inspiring, multi-generational, pedestrian-friendly community hub knit into the heart of Hometown, USA. This lively destination has a “city scene” vibe that draws people in with its cohesive mix of park and cultural facilities, intriguing experiential activities, and a vibrant mix of street-facing shops – all flanked by a blend of multi-family housing.

### Key Components:

- Community anchor with a civic plaza and open space to accommodate a variety of community events and programming
- Rehabilitation and historic registration of the New Century Schoolhouse, returning it to the community it was built to serve through a public-private partnership
- Mixed use walkable retail/office
- Blend of market rate and affordable workforce apartments



# PROPOSED LAND USE SUMMARY

Projected Construction:	2021-2025
Proposed Use:	up to 10,000 square feet of retail
	130-140 market rate apartments
	100-110 workforce housing apartments
	Community Open Space
	Restoration/Reactivation of Historic New Century School

# DISTRICT DESCRIPTIONS/ ZONING TEXT

## ***DISTRICT I: CIVIC PLAZA & ACTIVITY SPACE***

Urban Residential

General Development Plan

See Exhibit E: Master Plan

See Exhibit F: District Plan



## **Description**

At the heart of every community is a gathering space. This component forms the central hub of the development district—connecting neighborhoods, multiple generational activities, pedestrian and bike traffic, village-style commercial, and the rest of downtown. Ideally located, the area has a visible presence on W. Verona Ave. and serves as a welcoming front door while activating & supporting the adjoining neighborhood, New Century School, Mixed-Use, and Downtown.

The final design and programming will be developed through a public-private partnership with the City and subject to a future approval process.



Potential components:

- Central great lawn feature
- Performance space
- Special events and daily uses including outdoor movies, music, yoga, ice skating, frisbee
- Year-round activities including farmers markets, art cart, reading hours, art installations, holiday lights and tree lighting, night markets, vintage pop-up markets

## ***DISTRICT II: HISTORIC SCHOOL REUSE***

Central Commercial

General Development Plan

See Exhibit E: Master Plan

See Exhibit F: District Plan



### **Description**

The historic reuse of the iconic New Century School offers an opportunity to return the building to the community it was built to serve in 1907.

The development team will engage the community through a public-private partnership with the City to determine desired uses and programming for this civic space.

Proposed Use/Zoning                      To be determined based upon Community Input



Potential components:

- Community Center
- Children's Museum
- Non-profit headquarters
- Maker Space
- Office
- Residential
- Other uses as determined by the public input process

## ***DISTRICT III: MIXED USE CENTER***

Central Commercial

General Development Plan

See Exhibit E: Master Plan

See Exhibit F: District Plan



### **Description**

The mixed-use center creates a link between the walkable downtown commercial, public open space, and Historic New Century School. Designed to create opportunities for upper floor residential lofts and first floor retail/office uses served by underground and surface parking, this project extends Downtown along the West Verona Avenue frontage while expanding the activation of the public open space.

- Potential retail, office, and dining with integrated eating areas on ground floor
- Underground tenant parking
- Surface parking for tenants or businesses located behind building
- Potential rooftop amenities
- First floor retail uses consistent with downtown area

Proposed Dwelling Units      20-25 units

Proposed Retail                      Up to 10,000 square feet

Uses per Central Commercial District



### **District III Zoning Text (CC/PUD)**

Lot Area	Per approved PIP
Lot Depth	Per approved PIP
Front Yard Setback	5 feet minimum 25 feet maximum
Corner Yard Setback	0 feet minimum
Side Yard Setback	0 feet minimum
Minimum Rear Yard Setback	10 feet minimum
Maximum Building Height	50 feet
Maximum Lot Coverage	100%

## ***DISTRICT IV: MARKET RATE HOUSING***

Urban Residential

General Development Plan

See Exhibit E: Master Plan

See Exhibit F: District Plan



### **Description**

The market rate housing offers three-story and four-story interior hallway apartment buildings with on-site management, underground parking, and tenant amenities. Featuring a blend of one/two/and three bedroom apartments, this district will offer additional housing choices for the community.

Proposed Dwelling Units: 110-115 units



## District IV Zoning Text (CC/PUD)

Lot Area	Per approved PIP
Lot Depth	Per approved PIP
Front Yard Setback	10 feet minimum
Corner Yard Setback	10 feet minimum
Side Yard Setback	5 feet minimum
Rear Yard Setback	15 foot minimum
Maximum Building Height	45 feet
Maximum Lot Coverage	90%

## ***DISTRICT V: AFFORDABLE WORKFORCE HOUSING***

Urban Residential

General Development Plan

See Exhibit E: Master Plan

See Exhibit F: District Plan



### **Description**

The affordable workforce housing district offers much needed housing diversity for the community through the creation of new housing affordable to residents making between 50 and 70% of the area median income. These two-story buildings feature tucked under parking, private entries, on-site management, and thoughtfully elevated features and finishes. Additional tenant amenities may include a centralized club house, fitness center, bike storage and service center, co-working space, game lounge, outdoor living room and a community grilling area.

Proposed Dwelling Units: 90-120 units



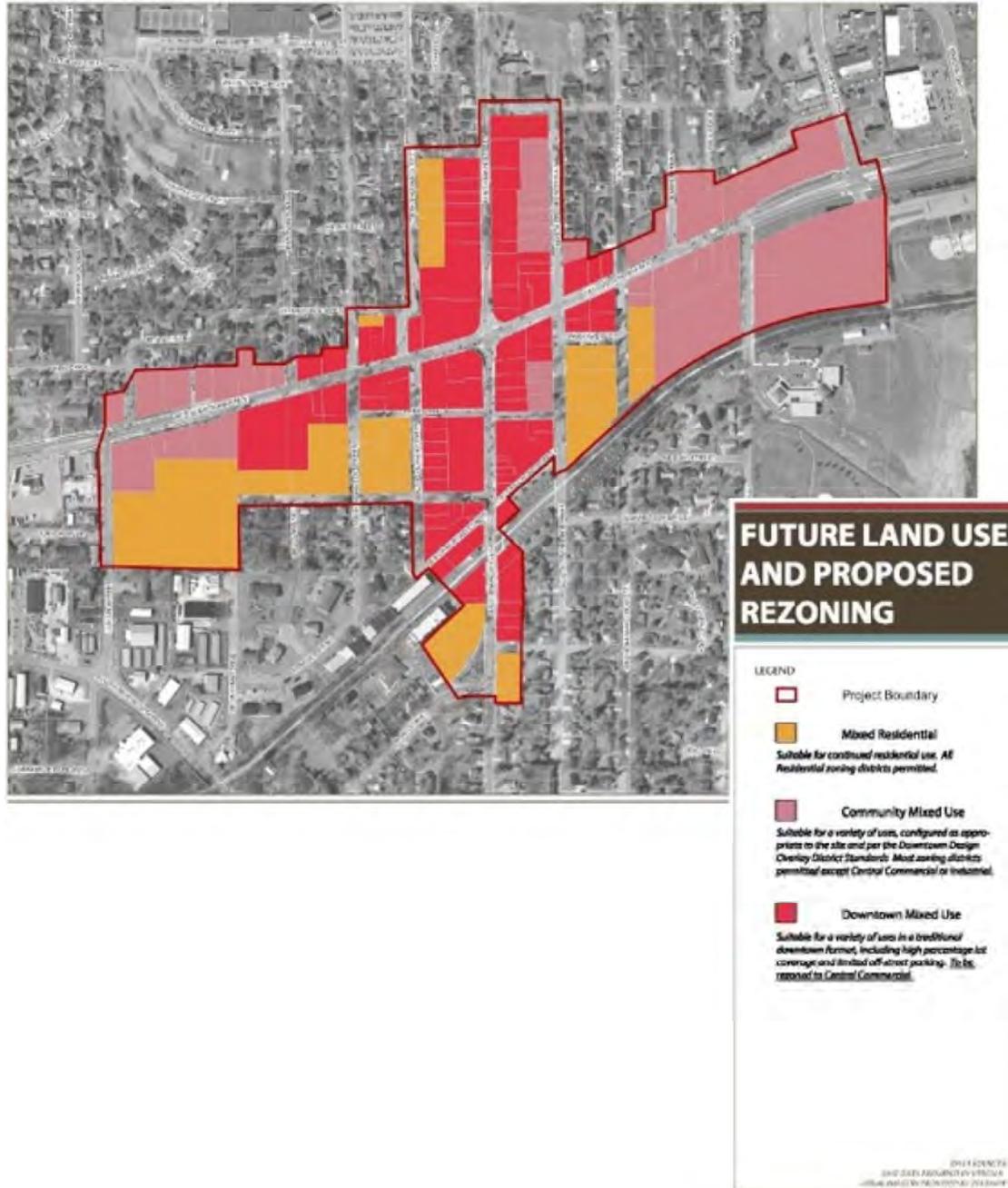
## District IV Zoning Text (CC/PUD)

Lot Area	Per approved PIP
Lot Depth	Per approved PIP
Front Yard Setback	10 feet minimum
Corner Yard Setback	10 feet minimum
Side Yard Setback	5 feet minimum
Rear Yard Setback	15 foot minimum
Maximum Building Height	40 feet
Maximum Lot Coverage	90%

# EXHIBITS

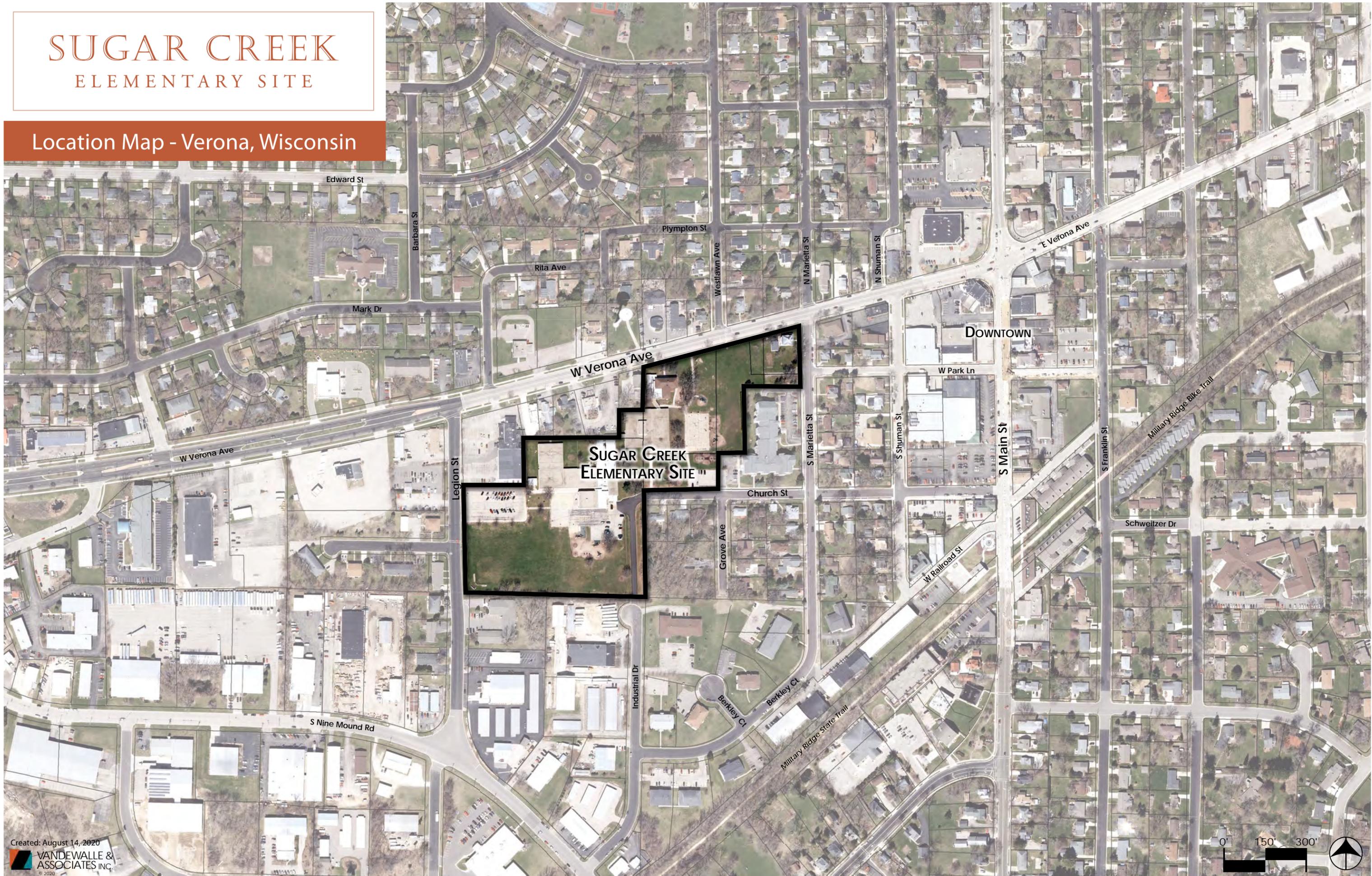
- Exhibit A**      Downtown Mobility & Development Plan
- Exhibit B**      Location Map
- Exhibit C**      Existing Conditions
- Exhibit D**      Zoning Plan
- Exhibit E**      Master Plan
- Exhibit F**      District Plan

Figure 4.1: Future Land Use Map with Proposed Rezoning to Central Commercial



# SUGAR CREEK ELEMENTARY SITE

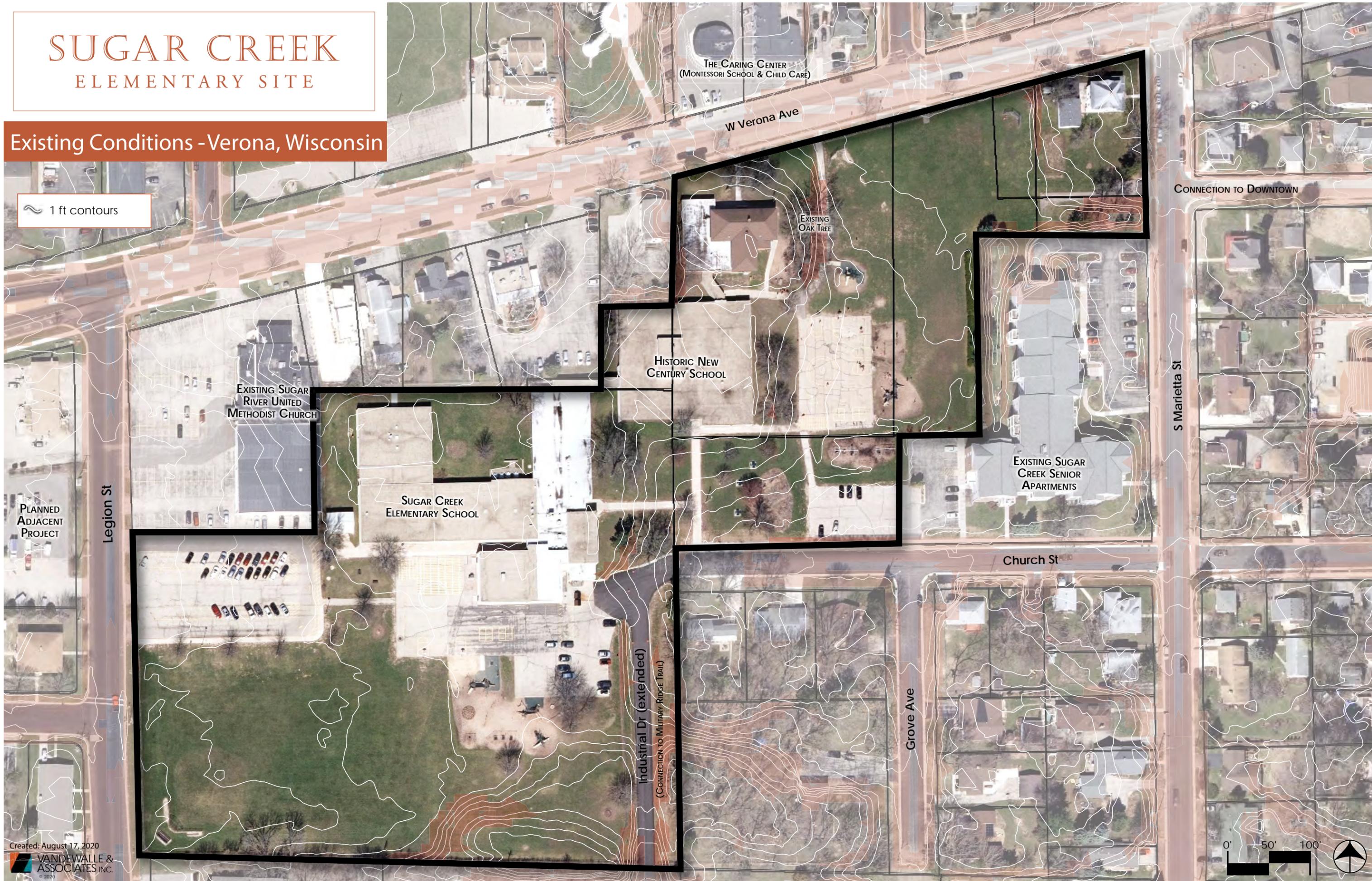
Location Map - Verona, Wisconsin



# SUGAR CREEK ELEMENTARY SITE

## Existing Conditions - Verona, Wisconsin

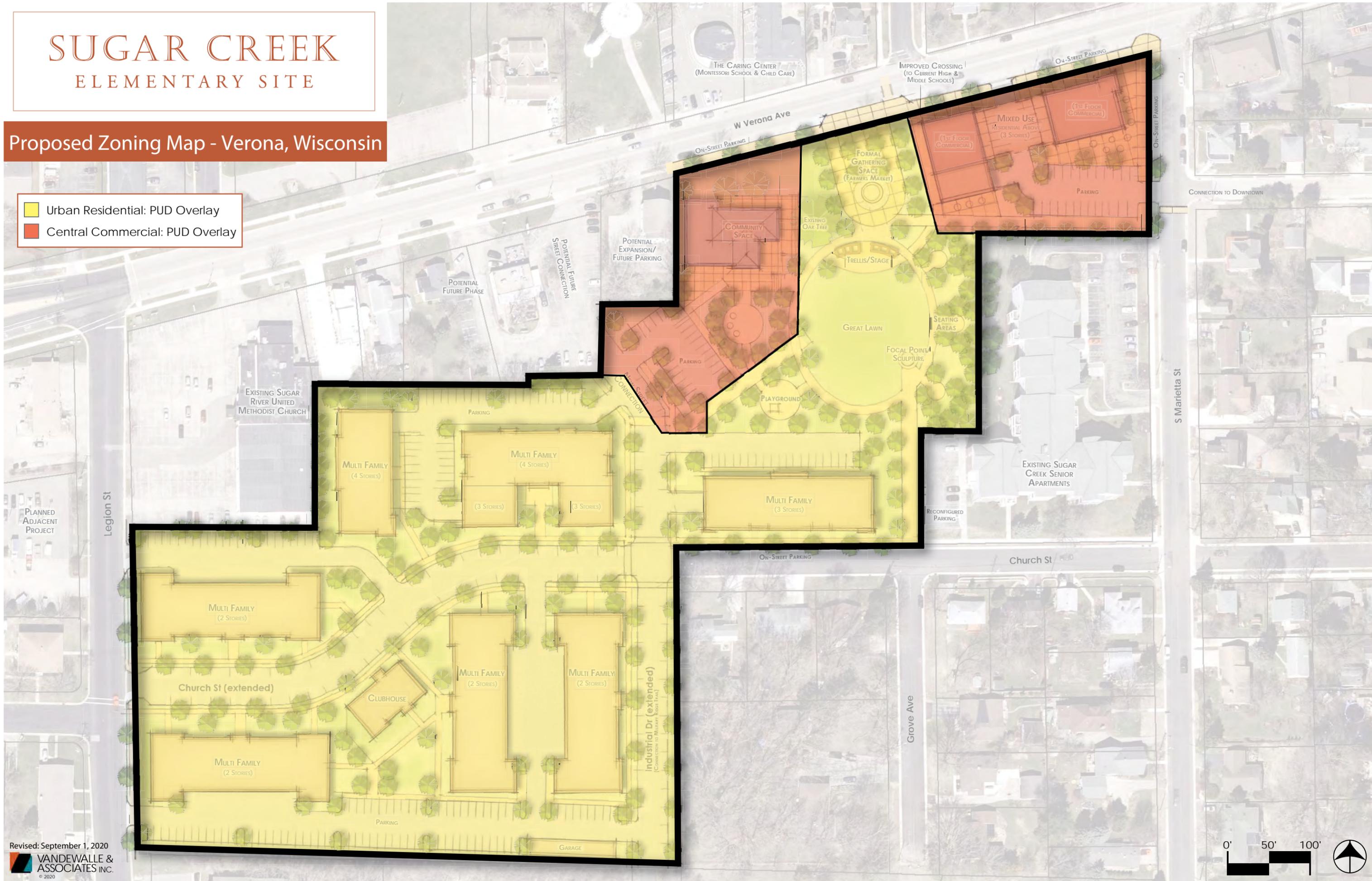
1 ft contours



# SUGAR CREEK ELEMENTARY SITE

## Proposed Zoning Map - Verona, Wisconsin

- Urban Residential: PUD Overlay
- Central Commercial: PUD Overlay



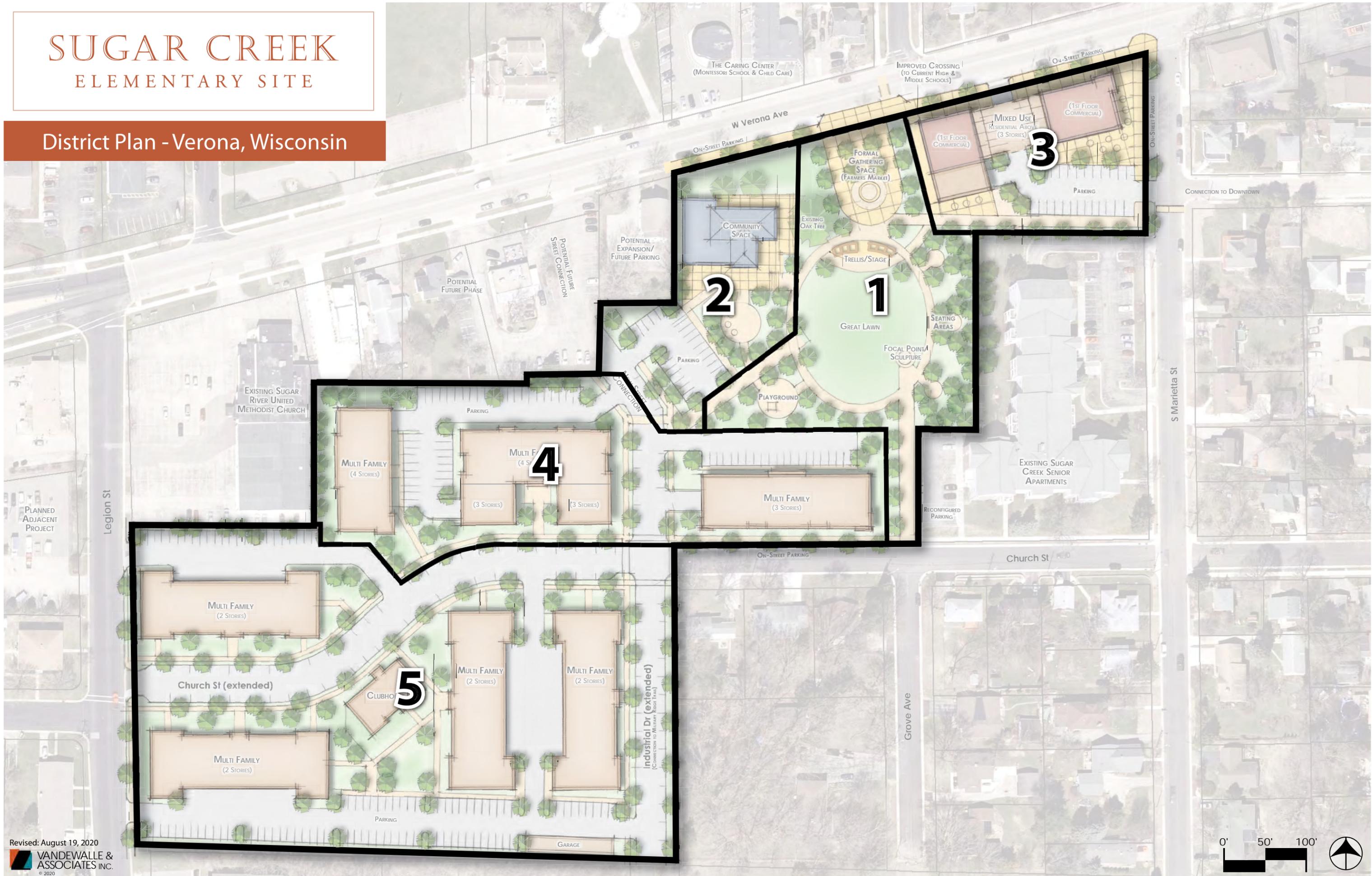
# SUGAR CREEK ELEMENTARY SITE

## Master Plan - Verona, Wisconsin



# SUGAR CREEK ELEMENTARY SITE

## District Plan - Verona, Wisconsin



## **REZONING DESCRIPTION**

LOTS 1, 2, 3, AND PART OF LOT 4, BLOCK 4, DONKLE'S SECOND ADDITION TO VERONA, AS RECORDED IN VOLUME 2 OF PLATS, ON PAGE 40, AS DOCUMENT NUMBER 244369 DANE COUNTY REGISTRY, ALSO LOTS 4, 5, 6, 7, AND PART OF LOT 3, BLOCK 1, DERRICKSON'S PLAT, AS RECORDED IN VOLUME 4 OF PLATS, ON PAGE 10A, AS DOCUMENT NUMBER 354031, DANE COUNTY REGISTRY, ALSO OUTLOTS 86, 87, 89, 90, AND PART OF OUTLOT 88, ASSESSOR'S PLAT OF THE VILLAGE OF VERONA, AS RECORDED IN VOLUME 7 OF PLATS, ON PAGES 13-16, AS DOCUMENT NUMBER 507959, DANE COUNTY REGISTRY, ALSO THAT PART OF VACATED PARK LANE AND LANDS AS CONTAINED IN RESOLUTION 8-91-380, RECORDED AS DOCUMENT NUMBER 2303799 DANE COUNTY REGISTRY, ALSO UNPLATTED LANDS LOCATED IN PART OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER (SW<sub>1/4</sub>-SW<sub>1/4</sub>) OF SECTION 15, TOWNSHIP 06 NORTH, RANGE 08 EAST, CITY OF VERONA, DANE COUNTY, WISCONSIN BEING MORE FULLY DESCRIBED AS FOLLOWS:

### **URBAN RESIDENTIAL PUD PORTION**

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 15; THENCE S88°48'51"E ALONG THE SOUTH LINE OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 15, 616.92 FEET MORE OR LESS TO THE POINT OF BEGINNING; THENCE N01°02'02"W, 390.52 FEET MORE OR LESS; THENCE N89°32'29"E, 260.02 FEET MORE OR LESS; THENCE N00°54'07"W, 170.33 FEET MORE OR LESS; THENCE N88°52'33"E, 258.82 FEET MORE OR LESS; THENCE N02°23'15"E, 12.02 FEET MORE OR LESS; THENCE N88°52'33"E, 88.76 FEET MORE OR LESS TO REFERENCE POINT A; THENCE CONTINUING N88°52'33"E, 12.89 FEET MORE OR LESS; THENCE S35°43'16"E, 92.90 FEET MORE OR LESS; THENCE N89°24'18"E, 52.26 FEET MORE OR LESS; THENCE N00°00'00"E, 42.03 FEET MORE OR LESS; THENCE N53°29'52"E, 131.48 FEET MORE OR LESS; N00°08'13"E, 231.87 FEET MORE OR LESS; THENCE N75°35'57"E, 142.91 FEET MORE OR LESS TO REFERENCE POINT "B"; THENCE S14°24'03"E, 144.80 FEET MORE OR LESS; THENCE N89°30'07"E, 42.23 FEET MORE OR LESS; THENCE S00°53'24"E, 244.41 FEET MORE OR LESS; THENCE S89°24'18"W, 81.81 FEET MORE OR LESS; THENCE S00°59'12"E, 131.97 FEET MORE OR LESS; THENCE S89°24'00"W, 283.84 FEET MORE OR LESS; THENCE S01°01'18"E, 388.98 FEET MORE OR LESS; THENCE N88°48'51"W, 688.10 FEET MORE OR LESS TO THE POINT OF BEGINNING. SAID DESCRIPTION CONTAINS 467,369 SQUARE FEET OR 10.73 ACRES MORE OR LESS.

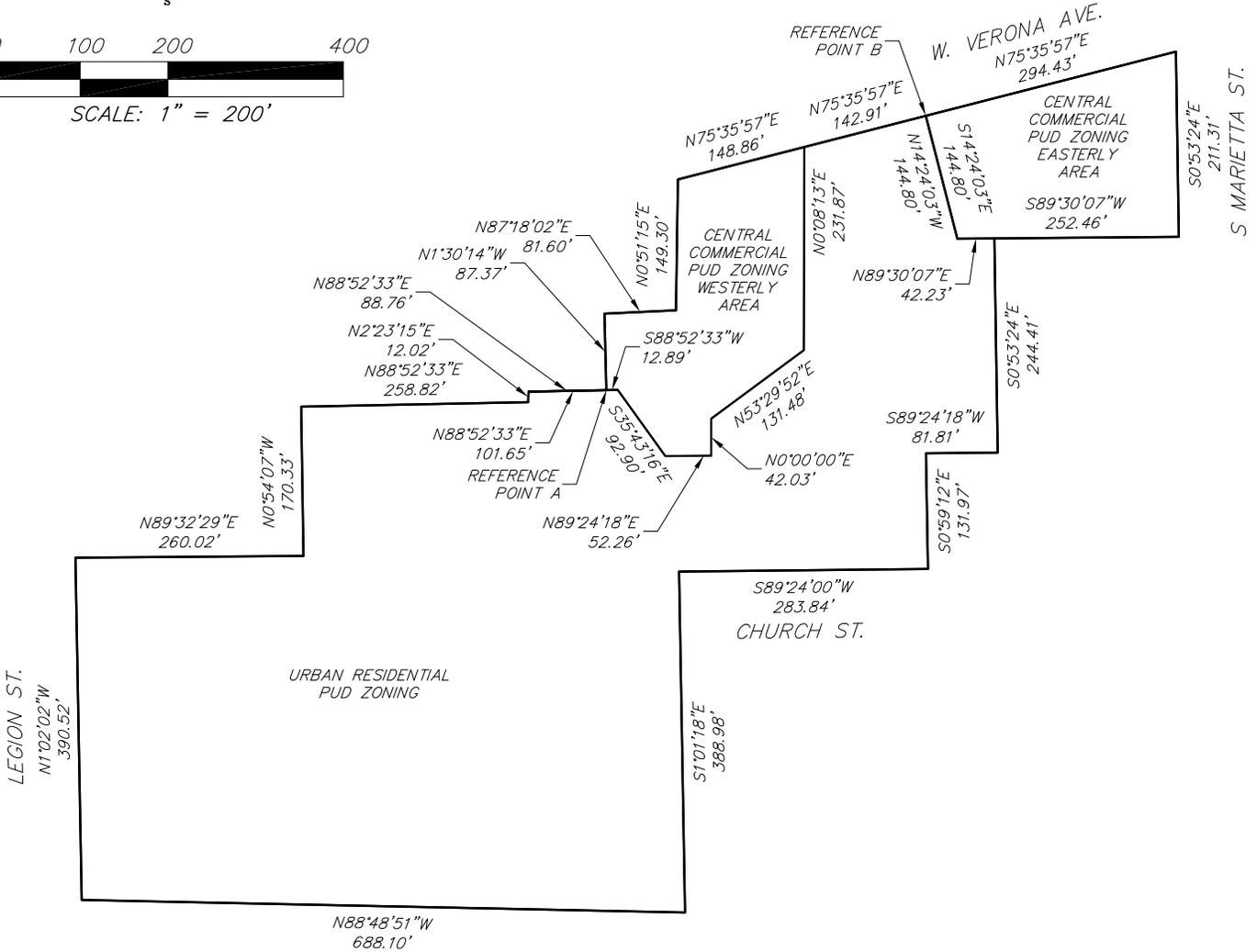
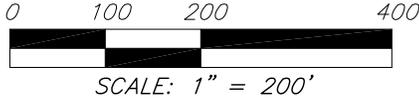
**CENTRAL COMMERCIAL PUD PORTION**  
**WESTERLY AREA**

BEGINNING AT SAID REFERENCE POINT "A"; THENCE N01°30'14"W, 87.37 FEET MORE OR LESS; THENCE N87°18'02"E, 81.60 FEET MORE OR LESS; THENCE N00°51'15"E, 149.30 FEET MORE OR LESS; THENCE N75°35'57"E, 148.86 FEET MORE OR LESS; THENCE S00°08'13"W, 231.87 FEET MORE OR LESS; THENCE S53°29'52"W, 131.48 FEET MORE OR LESS; THENCE S00°00'00"E, 42.03 FEET MORE OR LESS; THENCE S89°24'18"W, 52.26 FEET MORE OR LESS; THENCE N35°43'16"W, 92.90 FEET MORE OR LESS; THENCE S88°52'33"W, 12.89 FEET TO THE POINT OF BEGINNING. SAID DESCRIPTION CONTAINS 50,051 SQUARE FEET OR 1.15 ACRES MORE OR LESS.

**CENTRAL COMMERCIAL PUD PORTION**  
**EASTERLY AREA**

BEGINNING AT SAID REFERENCE POINT "B"; THENCE N75°35'57"E, 294.43 FEET MORE OR LESS; THENCE S00°53'24"E, 211.31 FEET MORE OR LESS; THENCE S89°30'07"W, 252.46 FEET MORE OR LESS; THENCE N14°24'03"W, 144.80 FEET TO THE POINT OF BEGINNING. SAID DESCRIPTION CONTAINS 47,989 SQUARE FEET OR 1.10 ACRES MORE OR LESS.

# PUD ZONING EXHIBIT MAP



REVISIONS		SCALE	1"=200'	SHEET	
		CHECKED	JZAM	1 OF 1	
		DRAFTER	MMAR		
		FILE	200096-PPlat		
JOB NO.	200096	DATE	SEPTEMBER 07, 2020		

**CITY OF VERONA  
RESOLUTION NO. R-20-040**

**RESOLUTION APPROVING A GENERAL DEVELOPMENT PLAN  
LOCATED AT 410 AND 420 WEST VERONA AVENUE THAT WOULD ALLOW FOR  
THE CONSTRUCTION OF AN 75-UNIT APARTMENT BUILDING  
WITH 6,895 SQUARE FEET OF COMMERCIAL SPACE**

**WHEREAS**, a developer is proposing to construct 75-multi-family units and 6,895 square feet of commercial space at 410 and 420 West Verona Avenue; and

**WHEREAS**, the property Applicant has requested approval of the proposed General Development Plan (GDP) to construct the development; and

**WHEREAS**, the Plan Commission held a public hearing on the proposed GDP on September 8, 2020 and voted to postpone action.

**Whereas**, the Plan Commission discussed the project on October 5, 2020 and voted 5-0 to recommend denial of the GDP. with the following conditions:

**NOW, THEREFORE, BE IT RESOLVED** that the City of Verona Common Council approves the General Development Plan to allow for the construction of 75-apartment units with 6,895 square feet of commercial space with the following conditions.

1. Exemptions shall be granted for the following:
  - a. The height of the building will be fifty (50)-feet tall to the parapet; and
  - b. Parking will be reduced to one (1) underground parking space per unit.
2. The approval shall become effective upon Northpointe Development Corporation acquiring the property.

Passed, signed and dated this 12<sup>th</sup> day of October, 2020.

**CITY OF VERONA**

SEAL

\_\_\_\_\_  
Luke Diaz, Mayor

\_\_\_\_\_  
Ellen Clark, City Clerk

# Memorandum

**To:** Plan Commission

**From:** Katherine Holt – Community Development Specialist

**Date:** October 5, 2020

**Re: Modifications to the GDP for 410 & 420 W. Verona Ave.**

---

On September 8, 2020, the Plan Commission reviewed the General Development Plan (GDP) for 410 and 420 West Verona Avenue to allow for the construction of a four (4) story, 80-unit apartment building with 9,319 square feet of commercial space. The Plan Commission postponed action and requested more information from Staff and the Applicant with regards to height of the building, the amount of commercial development, traffic, and parking. The purpose of this memo is to provide additional information to the Plan Commission.

## Proposed Changes:

Table 1 contains a comparison between the GDP from September 2020 that the Plan Commission postponed action and the Applicant's current proposal for the development. Old National Bank will maintain the same amount of commercial space for both plans and will remain in their current location (corner of Rita Avenue and West Verona Avenue) in each proposal due to visibility on the corner of the roads.

Table 1	GDP – Sept. 2020	GDP – Oct. 2020	Difference
<b>Units Total</b>	80	75	-5
Market Rate	16	15	-1
Workforce	64	60	-4
<b>Bedrooms</b>			
1-bedroom	42	40	-2
2-bedrooms	23	21	-2
3-bedrooms	15	14	-1
<b>Commercial Total</b>	9,319 sq. ft.	6,895 sq. ft.	-2,424 sq. ft.
Available space	6,604 sq. ft.	4,180 sq. ft.	-2,424 sq. ft.
<b>Parking Total</b>	139	137	2
Underground	80	72	-8
Surface	59	65	6 (gained)
<b>Height</b>	4-stories	4-stories	Step back location

Other differences between the proposals include shifting of surface parking spaces and additional green space between the surface parking spaces and the residential homes to the north of the property. The footprint of the residential portion of the building has remained the same. The commercial footprint has shrunk towards the north allowing the drive-thru to shift to the south allowing a sidewalk to connect from Rita Avenue to the residential portion of the building. The applicant is still proposing a step back in the height of the building instead of having four (4)-stories of the same style of building.

The applicant was awarded \$1,150,000 of below market rate financing from Dane County's Affordable Housing Fund. The applicant is proposing to add a solar system to handle approximately ninety (90) percent of their common area electric usage.

**Recommendation:**

Staff recommends the Plan Commission recommend that the Common Council approve the General Development Plan for 410 and 420 West Verona Avenue with the following conditions:

1. Exemptions shall be granted for the following:
  - a. The height of the building will be four (4)-stories tall to the parapet; and
  - b. Parking will be reduced to one (1) underground parking space per unit.
2. The approval shall become effective upon Northpointe Development Corporation acquiring the property.

**From:** [Sean O'Brien](#)  
**To:** [Katherine Holt](#)  
**Subject:** Updated site plan  
**Date:** Thursday, September 24, 2020 11:37:39 AM  
**Attachments:** [SITE PLAN - OPTION 1.pdf](#)

---

Katherine,

Attached is the updated first floor site plan for Klassiks. We weren't able to pivot away from the 4 stories for reasons that we discussed but were able to reduce the overall scope of the building.

- We reduced the unit count to 75 taking away 4-two bedrooms and 1- three bedroom. We are now proposing 60 units between 30-60% CMI and 15 market rate units
- We reduced the total commercial to 6,895 feet of which will only leave 4,180 feet to be rented that could be divided into two or three spaces
- The reduction pulls the building significantly away from the neighbors, adds a good amount of green space, and allows us to increase the Verona ave setback if desired by the City
- Without allowing for a small amount of parking in front of Rita Ave I don't believe we will get ONB on board to move the Verona Ave entrance more than 10-20 feet further down Verona road.
- The fourth floor will still have set backs. I'll send over the remaining floor plans this afternoon.
- We were awarded \$1,150,000 of below market rate financing from the County's Affordable Housing Fund which will allow us to make key upgrades to the building including a solar system to handle approximately 90% of our common area usage.

Let me know if there is any other info that you need for your staff report

Sean O'Brien  
Northpointe Development  
2628 Saw Tooth Drive  
Fitchburg WI 53711  
608-334-5665







# NORTHPOINTE DEVELOPMENT

WEST VERONA AVE. VERONA, WISCONSIN

RENDERED PERSPECTIVE

OCTOBER 05, 2020





# NORTHPOINTE DEVELOPMENT

WEST VERONA AVE. VERONA, WISCONSIN

RENDERED PERSPECTIVE

OCTOBER 05, 2020





# NORTHPOINTE DEVELOPMENT

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# NORTHPOINTE DEVELOPMENT

WEST VERONA AVE. VERONA, WISCONSIN

RENDERED PERSPECTIVE

OCTOBER 05, 2020





# NORTHPOINTE DEVELOPMENT

WEST VERONA AVE. VERONA, WISCONSIN

RENDERED PERSPECTIVE

OCTOBER 05, 2020



# Planning Report

City of Verona

Plan Commission 9-8-2020

## ***410 & 420 W. Verona Ave.***

### ***Planned Unit Development – General Development Plan***

**Summary:** The Applicant submitted a request for a planned unit development (PUD) General Development Plan review for 410 and 420 West Verona Avenue to construct a four (4) story, 80-unit apartment building with 9,319 square feet of commercial.

**Property Location:** 410 and 420 West Verona Avenue

**Property Owners:** SMS Main Street LLC  
410 W. Verona Ave.  
Verona, WI 53593

Old National Bank  
420 W. Verona Ave.  
Verona, WI 53593

**Applicant:** Northpointe Development Corp  
230 Ohio Street  
Oshkosh, WI 54902

**Existing Zoning:** Urban Commercial (UC), Downtown Design and Use Overlay District

**Existing Land Use:** In-Vehicle Sales or Service (Bank) and Indoor Entertainment (Restaurant)

**Proposed Land Use:** Commercial and Apartments

**Figure 1 – Location Map**



### **Site Description:**

Northpointe Development (“Application”) has submitted a request to construct 9,319 square feet of commercial space and 80 workforce and market rate apartment units at 410 and 420 West Verona Avenue (“Property” or “Subject Property”). The Property is zoned Urban Commercial (UC) and is located within the Downtown Design and Use Overlay District. The Application is being reviewed as a Planned Unit Development (PUD) as exemptions for parking and building height are requested.

Currently, the Property contains the Klassik Tavern and Old National Bank with drive-through bank tellers.

### **Background:**

In July of 2020, the Plan Commission and the Common Council discussed the Concept Plan for a four (4) story, 79-unit apartment building with 9,319 square feet of commercial and two (2) drive-thrus to be used by the bank. The Concept Plan contained workforce and market rate units with one (1), two (2), and three (3) bedrooms. Comments from the Plan Commission included support for the workforce units, support for three (3) bedroom units, questions regarding the design and location for the commercial units along Rita Avenue instead of West Verona Avenue, concerns for parking the site with residents and commercial users, concerns that there may be too much commercial in the City, and support for pedestrian and bicycle accessibility. Comments from the Common Council included concerns with overflow parking spilling over into the residential neighborhoods surrounding the property, will there be a potential for the commercial portion of the building to be vacant for a long period of time similar to Velocity, is there a possibility of an extra parking space for tenants in the two (2) and three (3)-bedroom units without increasing rent, why place commercial fronting Rita Avenue and not West Verona Avenue, concern for creating a corridor-like feel when driving down West Verona Avenue as the building is proposed to be four (4)-stories tall, is there a potential for a restaurant (preferably a local one) in this location, and the design should be bike-able and walkable.

### **Development Process:**

Any planned unit development for this Property will have to go through the following development process and meet all of the requirements prior to receiving a building permit. Some of these steps may occur concurrently.

- **Planned Unit Development (PUD)** – This is necessary as zoning exemptions are required for the project, which includes a four step review process.
  - *Step 1 – Pre-Application Conference:* The applicant discusses the project with Staff prior to moving on to the Plan Commission. Staff provides the applicant with initial comments on the plan, which was completed and is ongoing.
  - *Step 2 - Concept Plan:* An applicant would create a plan that shows conceptually how the Property would be laid out with transportation (i.e.

roads, paths, etc.), stormwater management areas, parkland dedication, buildings (placement and design), and various land uses. This is a way to gain feedback from Planning Staff and the Plan Commission to determine if there is consensus on the concept, which occurred in July of 2020.

- *Step 3 – General Development Plan (GDP):* The intent of the GDP is to provide general information, but more detailed than the concept plan, about the proposed development. A public hearing is held before the Plan Commission. The City notifies all properties, with a letter, that are located within 200-feet of the property that is requesting the GDP. The Plan Commission makes a recommendation to the Common Council. If the GDP is approved, this step provides the zoning entitlements to the project, which is the current application.
- *Step 4 – Precise Implementation Plan (PIP):* The final step in the PUD process is the final approval of all plans including site plan, landscaping, stormwater, photometric plans, building design, etc. A public hearing is held before the Plan Commission. The City notifies all properties, with a letter, that are located within 200-feet of the property that is requesting the PIP. The Plan Commission makes a recommendation to the Common Council. If the PIP is approved, the applicant can proceed to obtain building permits and start construction of the project.
- **Land Division** – An applicant will need to submit a certified survey map and/or plat to combine property lines. This would go before the Plan Commission and the Common Council for their approvals with the PIP.

### **Downtown Mobility and Development Plan:**

The Property is located in the Downtown Mobility and Development Plan (“Plan”), which was adopted in 2014. The Property is discussed on page 17 of the Plan and states:

“The majority of the commercial properties will remain for the foreseeable future, excluding two sites (415 W. Verona Avenue and 420 W. Verona Avenue). These properties were recommended as redevelopment sites due to their size, location, and ownership. ...The other site (#17) includes a bar, parking and undeveloped land. If the Anchor Bank property (420 W. Verona Avenue) were included in this redevelopment, a significantly larger development is possible. In this case, a new building



410 & 420 West Verona Avenue  
Planned Unit Development – GDP

should anchor the Rita and Verona intersection. Figure 3.16 illustrates how both of these sites could redevelop with the parking located to the site and rear of the sites.”

Although the Plan shows a redevelopment design for the Klassik Tavern property in Figure 3.16, the Applicant was able to include the Old National Bank property, which is the location of the former Anchor Bank property discussed in the Plan. The Applicant is proposing to have commercial at the corner with Rita Avenue and West Verona Avenue that will include Old National Bank as a tenant along with other new tenants. The Plan discusses how this site in 2014 has some viability for reinvestment or redevelopment due to low improvement values (p. 62).



**Tax Incremental District 9:**

The Common Council approved the creation of a 14-acre Tax Incremental District 9 (TID) in September of 2017 as depicted in Figure 2. The proposed Application, shown in bold yellow, is located in this TID as well as the approved Sugar Creek Commons development south of West Verona Avenue. The purpose of the TID is to pay for the cost of public improvements such as public infrastructure and to provide incentives necessary to allow redevelopment to occur. The Applicant has stated in the narrative that “the development plans to apply for TIF funds from the City to accommodate for the affordability as well as the significant amount of retail space. The intent for the TIF funds will be to bridge the funding gap in the project and allow for the retail spaces to be rented to smaller local businesses” (p. 2 of the application narrative).

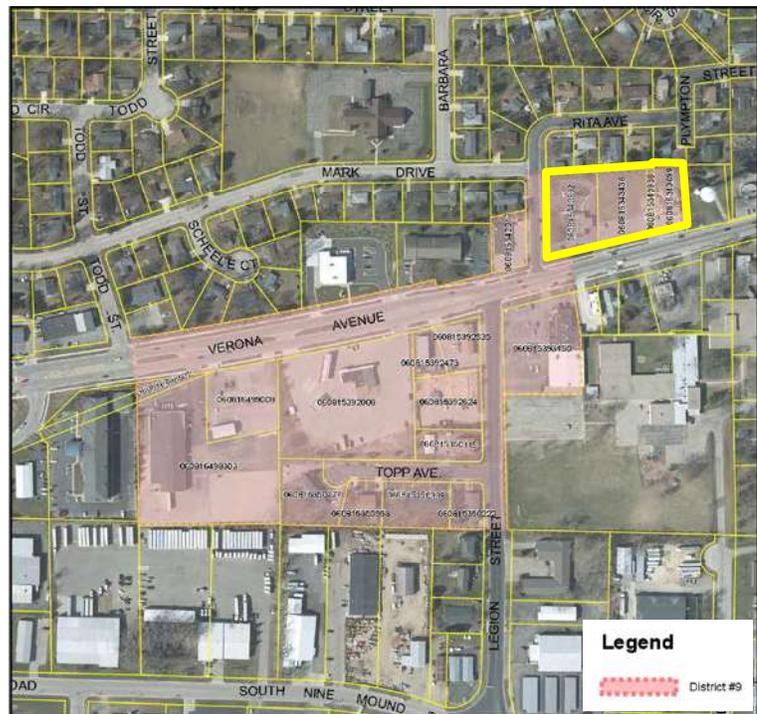


Figure 2 - Tax Increment District

**Public Comments:**

The Applicant hosted a Zoom public meeting on July 30, 2020 at 6 p.m. to gain input from the community. There were eight (8) to ten (10) community members in attendance in addition to the Mayor and Alders. Comments included height as it relates

to solar panels for a neighbor, not enough parking for the proposal, types of commercial tenants, privacy fence to shield headlights into the existing neighbor’s backyards, would this development increase traffic through the neighborhood, and where is the best location for access on West Verona Avenue. Some of the comments from that meeting were addressed in this Application and other comments could be addressed in the PIP application.

A public hearing is required as part of the GDP process. Notifications were mailed out to properties within a 200-foot radius from the Property. A public hearing notification sign was placed on the Property on August 13, 2020. Comments that Staff has received include how to access the Plan Commission meeting to testify and what is being proposed on the Property.

**Affordability/Timeline:**

The Applicant is proposing that most of the multi-family units will be rent restricted for a minimum of thirty (30) years and available to households earning 30-60% of the County median income as depicted in Table 1. The Applicant plans to apply to WHEDA for federal tax credits in December of 2020. The Applicant plans to apply for TIF funds from the City to bridge the funding gap in the project and allow for the retail spaces to be rented to smaller local businesses. Pending the GDP approval, the Applicant will seek PIP approval in the Spring of 2021. The Applicant hopes to begin construction in the fall of 2021 pending financing and approvals are completed with occupancy of the building in fall of 2022.

**Table 1: County Median Income**

County Median Income	# of People in the Household				# Units per Bedroom		
					Estimated Rate per unit		
	1	2	3	4	1	2	3
30%	\$21,030	\$24,030	\$27,030	\$30,030	16		
					\$479		
50%	\$35,050	\$40,050	\$45,050	\$50,050	9	10	13
					\$835	\$1,000	\$1,150
60%	\$42,060	\$48,060	\$54,060	\$60,060	12	4	
					\$1,000	\$1,200	
Market Rate					5	9	2
					\$1,100	\$1,400	\$1,675
<b>Total</b>					<b>42</b>	<b>23</b>	<b>15</b>

**Zoning:**

The Property is zoned Urban Commercial (UC) located in the Downtown Design and Use Overlay Zone. The Applicant is requesting exemptions to the parking and building height requirements, which means this is reviewed as a PUD. An in-vehicle sales or service (bank) land use is permitted by right in this zone. A drive-thru requires a conditional use permit. The Applicant is not applying for conditional uses at this time but the drive-thru approval will be handled during the PIP review.

**Planning Review:**

**Bulk Requirements:**

Staff reviewed the bulk requirements using the non-residential bulk requirements for the UC Zoning District as the first floor is predominately commercial. The Applicant is proposing a sixteen (16) foot front setback, which will meet the minimum setback of fifteen (15) feet and a maximum setback of twenty-five (25) feet in the Downtown Design and Use Overlay District. The building will front onto West Verona Avenue and will be more than seventy (70)-feet between the building and the rear property line. The Applicant is requesting an exception for the maximum height requirement of forty-five (45) feet to allow for fifty (50) feet to the upper parapet. Staff is supportive of five (5) additional feet in height to help hide the roof top mechanicals from view.

**Access/ Parking:**

The Applicant proposes two (2) new access points and the removal of two (2) existing access points as depicted in Figure 3. The Applicant proposes to close the large access point in front of Klassik Tavern on West Verona Avenue and maintain the existing access point for Old National Bank on West Verona Avenue. The access point closest to the intersection of West Verona Avenue and Rita Avenue will be removed and the remaining existing access point on Rita Avenue will move to the north.



410 & 420 West Verona Avenue  
Planned Unit Development – GDP

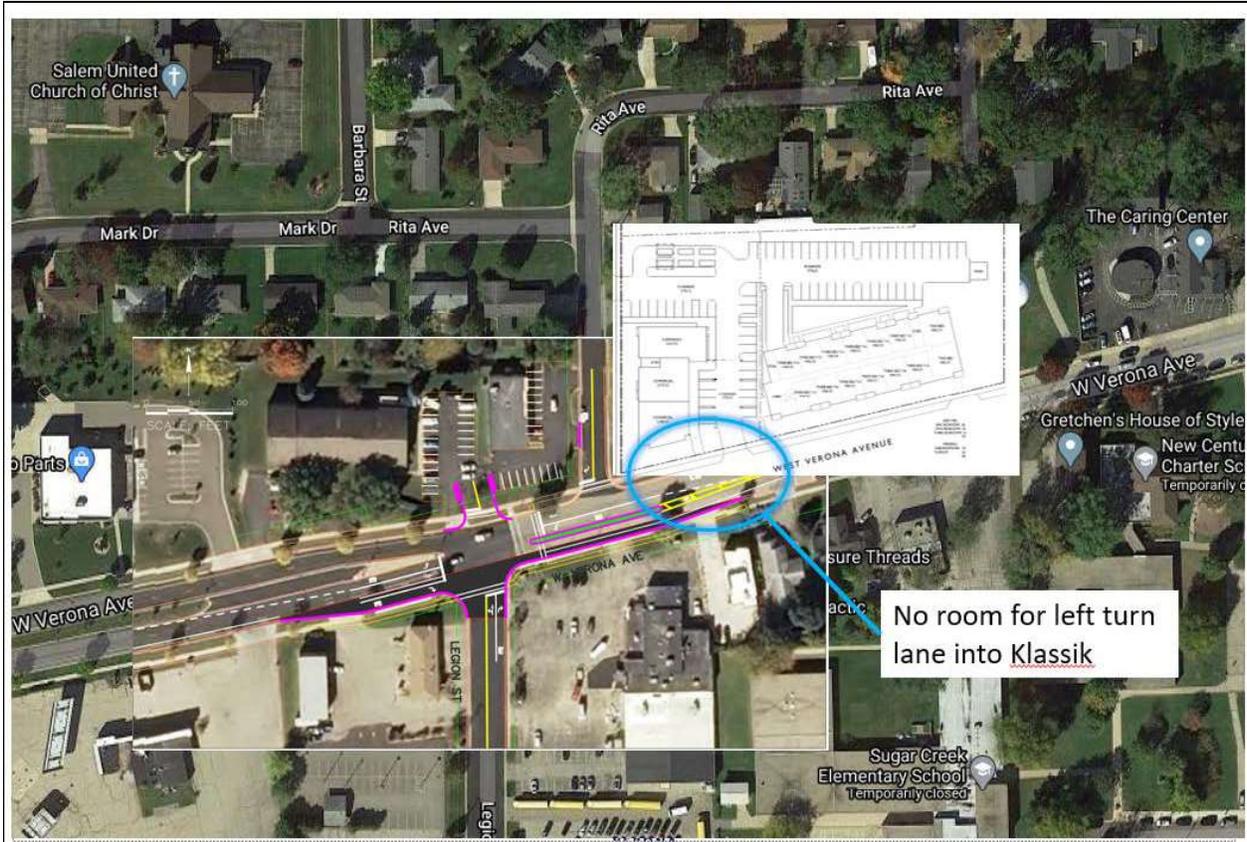


Figure 4 - Lane configuration for West Verona Avenue. Note that the drawing for the Application is from the initial review of the Concept Plan.

The Applicant is proposing 139 parking stalls, which includes eighty (80) underground and fifty-nine (59) surface stalls. The Applicant was able to add six (6) additional surface parking stalls to the Application since the Concept Plan. The conditional use permit for an apartment as an accessory land use to the commercial base requires one (1) parking space per bedroom. Staff has not typically required this to occur as the majority of the mixed-use buildings go through the PUD process such as Sugar Creek Commons. The City has allowed one (1) underground parking space for each apartment unit through the PUD process. The standard parking calculation for an in-vehicle sales or services (bank) per the Zoning Ordinance is one (1) parking space for every 50 square feet of gross floor area (Sec. 13-1-89 (c)(4)), which is 54 stalls. The standard parking calculation for an indoor commercial entertainment land use (gym or restaurant) per the Zoning Ordinance is one (1) space per every three (3) patron seats or lockers of one space per three (3) persons at the maximum capacity of the establishment (whichever is greater). The Applicant mentioned working with the neighbors to gain input on how to prioritize leasing the commercial space as the tenants are unknown. Limited street parking is available in the area but should not be relied upon to fulfill the parking requirements for this development.

Staff is comfortable with the parking on the site remain as proposed as Old National Bank is the only known commercial user and guests visiting the apartments will need parking. Staff recommends the Applicant discourage a fitness user and/or larger restaurant in the same location as parking may be at a premium in the after work hours.

Staff suggests the Applicant include a clause in rental agreements with tenants that parking will be shared and underground parking spaces may be used by apartment tenants and shared with commercial employees during the work week. These shared parking spaces can be marked with different color striping in the underground garage if needed.

The drive-thru as previously discussed requires a conditional use permit. The parking regulations state “Each drive-up lane shall have a minimum stacking length of 100 feet behind the pass through window and 40 feet beyond the pass through window” (Sec. 13-1-89(g)(4)). The Applicant is not applying for a conditional use permit as part of this Application, which is solely showing the intent of having a drive-thru. The Applicant plans to apply for a conditional use permit as part of the PIP application in 2021. The Applicant plans to wait for the new Zoning Ordinance to be approved in hopes of meeting the drive-thru requirements for a bank, which the Applicant is aware.

The Application includes sidewalks connecting Old National Bank as well as residences to West Verona Avenue sidewalks. Patio space with wider sidewalks may be wanted along Rita Avenue for future tenants, but is not required. The Applicant has added ten (10) bicycle stalls to park bicycles near the residential building. Staff recommends that bicycle facilities are added along Rita Avenue if a patio is added as customers want to watch their bicycle while socializing outside. Staff is support of the wider sidewalks by the commercial areas and pedestrian access to West Verona Avenue.

**Drainage/Stormwater:**

Stormwater management details will be reviewed before the PIP application is submitted. The Applicant has shown a bioretention basin located along the northern property line. Staff recommends the Applicant complete infiltration testing to determine whether the bioretention basin location is suitable as well as demonstrate compliance with the Ordinance via modeling.

**Design:**

Conceptual architectural renderings and building floor plans were included in the Application. The rendering shows brick depicted in Figure 5 for the residential portion of the building with potentially a light plank or siding for commercial portion of the building. The building fronts onto West Verona Avenue and has allowed space between the single-family homes to the north and the building. The building will appear shorter due to stepping down the height of the building towards the ends of the building and creating undulations with the porches and brick. For comparison purposes, the residential portion of the building is similar to the recently constructed Lincoln Street Apartments. The Lincoln Street Apartments are 90-units, adjacent to a trail and existing single-family homes, were granted a front setback exemption between seventeen (17) and twenty (20) feet, and had a height exemption from three (3) stories (35-feet) to forty-two (42)-feet tall. The third level for the Lincoln Street Apartments are not as pronounced against the brick coloring, which is the dominate feature. This Application has similar features and should have the same effect where the brick is the dominate feature with the gray becoming muted from sight. Staff recommends the Applicant include a dumpster detail

410 & 420 West Verona Avenue  
Planned Unit Development – GDP

with the PIP application. Overall, Staff has no concerns with the building rendering as depicted in Figure 4.



Figure 5 – Building Rendering

**Residential Phasing Policy:**

Effective October 1, 2012, the City began a Residential Development Policy limiting approvals of multi-family developments to a target range between 25 and 50 new multi-family units each year. The policy has three (3) types of exemptions, which are age-restricted housing, downtown development, and mixed-use development. Table 1 list several residential projects that were recently approved or are in the planning process.

**Table 1: Residential Development**

Name of Project	Location	Proposal	Status	Type
121-125 Berkley Street	121-125 Berkley Street	80-unit apartments (Removal of 20 existing units on site)	Concept Plan is under review	Market Rate
The Edge	1057 North Edge Trail	42-unit apartments (Removal of existing commercial)	Concept Plan is under review	Market Rate
Kettle Creek North	North of Country View Elem. School	174 single-family	Approved & under construction in phases	Single-Family
Klassik/Old National Bank	410 & 420 W. Verona Ave.	9,319 s.f. commercial & 80-unit market rate & affordable apartments	GDP is under review	Mixed-Use Workforce
841 N. Main St.	841 N. Main St.	100-unit age restricted senior housing units with assisted care	Approved & grading site	Age-Restricted

410 & 420 West Verona Avenue  
Planned Unit Development – GDP

Name of Project	Location	Proposal	Status	Type
<b>Sugar Creek Commons</b>	W. Verona Ave. & Legion St.	26,000 s.f. commercial/143-apartment units	Approved & waiting on developer to begin construction	Mixed-Use Market Rate
<b>Velocity</b>	142 Paoli St.	Convert commercial to 3 live-work units	Approved	Market Rate
<b>Whispering Coves</b>	West of CTH M near CTH PD	214 lots with 209 single-family	Waiting on final conditions of approval; It would be built in phases	Single-Family & Apartments
<b>The Woods</b>	Range Trail & CTH M	100-unit multi-family, 18 twin homes, 38 alley single-family, & 101 street accessed single-family	Approved & grading site (PIP will be needed for multi-family). Will be built in phases	Single-Family & Apartments

As an estimate, the City has approximately 528 multi-family housing units either proposed or approved. Staff anticipates additional request for apartments in the North Neighborhood in the near future and for the New Century School property. As an estimate, the City has approximately 500 single-family lots approved. The single-family development is done in phases including Kettle Creek North, and the Woods at Cathedral Point. The multi-family units are generally dispersed throughout the City and are located along larger roadways. This Application is considered mixed-use with the commercial on the first floor. The proposed development has the potential to be exempted from the phasing policy at the discretion of the Common Council. The phasing policy does not distinguish between market rate and affordable residential units. As discussed at the beginning of the Staff report, the City has approved the Plan and TID 9 to support redevelopment of the Property and properties in the vicinity of this Property.

The purpose of highlighting these projects is to make the Plan Commission and Council aware of the upcoming development projects in the City. Most of the projects listed above have been exempted from the Policy; however the City will be seeing a large influx in the near future of apartments in the City.

**Landscape:**

The Applicant has provided a conceptual landscaping plan as part of the GDP Application. The final landscaping plan will be provided as part of the PIP application as

well as a lighting plan. Currently, the Property has minimal amounts of trees and landscaping. The Applicant is proposing various sizes of trees and shrubs. After receiving comments from the northern neighbors, the Applicant has added a six (6) foot tall fence along the northern property line. The Downtown Design and Use Overlay zone states,

“Significant amounts of landscaping shall be required between the building and the front property line; between any paved surfaces and sidewalks; and between any paved areas and the rear property line. Patios, gardens, seating areas, and similar features are encouraged in front yards. Privacy fences at least 6 feet in height and a 10-foot landscaped area shall be required for properties abutting residentially zoned properties.”

Staff recommends the Applicant verify the quality of the two large trees behind the Klassik Tavern to determine if they can be preserved. Staff looks forward to reviewing the species of the plantings for the landscaping plan and a fencing detail.

**Staff Comments:**

In general, Staff is comfortable with the proposed use and redevelopment on the Property. The Applicant has been responsive to comments from Staff as well as the neighbors by modifying their design based on this input. The Applicant is purposing a high-quality development and retaining an existing commercial tenant. The proposed development helps to create a commercial corridor along West Verona Avenue to the new high school, while providing a housing type that is not prevalent in the City.

**Recommendation:**

Staff recommends the Plan Commission recommend that the Common Council approve the General Development Plan for 410 and 420 West Verona Avenue with the following conditions:

1. Exemptions shall be granted for the following:
  - a. The height of the building will be fifty (50)-feet tall to the parapet; and
  - b. Parking will be reduced to one (1) underground parking space per unit.
2. The approval shall become effective upon Northpointe Development Corporation acquiring the property.

**Prepared by:** Katherine Holt *KH*  
Community Development Specialist

**Submitted by:** Adam Sayre, AICP *AS*  
City Administrator



August 6, 2020

City of Verona  
Plan Commission  
111 Lincoln Street  
Verona WI 53593

Re: Narrative - Planned Unit Development (PUD)  
General Plan Approval  
Klassik and Old National Bank Site  
410 & 420 W Verona Ave Verona, WI

Plan Commission Recommendation Date: September 8, 2020

The following is submitted together with the site plan and application for Plan Commission consideration.

**Organizational Structure:**

Developer: Northpointe Development Corp  
230 Ohio Street  
Oshkosh, WI 54902  
Phone: **608-334-5665**  
Contact: Sean O'Brien  
[sean@northpointedev.com](mailto:sean@northpointedev.com)

Architect: Knothe & Bruce Architects, LLC  
760 I University Avenue, Ste. 20 I  
Middleton, WI 53562  
Phone: 608-836-3690  
Contact: Kevin Burow  
[kburow@knothebruce.com](mailto:kburow@knothebruce.com)

**Project Description:**

The property legal descriptions are: JAMIESON ADON PRT LOT 13 BEG SW COR SD LOT TH N75DEGE 150 FT TH N 216.2 FT TH S87DEGW 146.02 FT TH S 246.04 FT TO POB, JAMIESON ADON LOT 13 EXC ELY 20 FT THF, R839/66 I & R88 I /656, JAMIESON ADON ELY 20 FT LOT 13 and ZAVADA-STEINHOFF ADON OUTLOT 109; Parcel numbers: 060815343632, 060815343436, 060815343838 and 060815340699.

The properties are currently zoned Urban Commercial and is consistent with the current City Land Use Map.

City owned land abuts the site on the east side. Existing single-family housing is located to the north and west. Commercial properties are located to the south, across West Verona Ave.

The proposed project is a mixed-use residential development consisting of a single building and will be completed in a single phase. The building is a four story, 80-unit apartment building with an underground parking garage and a mixture of residential units and commercial space on first floor. A portion of the commercial space is slated as the new home to the Old National Bank, so will have a connected, 2-lane drive-through.

### **Standards**

The project is being proposed as a PUD to allow for this Mixed-use development.

This project will not substantially impair or diminish the use, value, and enjoyment of other properties within this neighborhood. Quite the opposite. This project will enhance the character of the neighborhood and bring additional opportunities for housing.

The site has been designed to facilitate safe pedestrian and vehicular traffic flow. Accessible routes will be provided to residential and commercial spaces.

The project will comply with the City Erosion Control and Stormwater Management requirements. Infiltration areas will be provided as required.

Each unit has a private patio or deck. Other amenities include a community room, roof terrace and an exercise room.

The anticipated development schedule is to start construction in the Fall of 2021 with occupancy of the buildings in the Fall of 2022. Most of the units will be rent restricted for a minimum of 30 years and available to households earning 30-60% of the county median income. The project will target households of varying sizes as well as veterans. The developer plans to apply for TIF funds from the City to accommodate for the affordability as well as the significant amount retail of space. The intent for the TIF funds will be to bridge the funding gap in the project and allow for the retail spaces to be rented to smaller local businesses. Old National Bank has made a commitment to Verona and plans to be the anchor tenant in the project. The developer will apply to WHEDA for Federal 9% tax credits in December 2020. The developer will seek Precise Implementation Plan approval in the Spring of 2021 if able to line up all the required financing.

Several Changes have been made to the plan since Concept Review in response to feedback from various parties.

-Parking was noted as a concern and we were able to increase the total parking by six stalls. We also converted one market rate three-bedroom into two market rate one-bedrooms with the intent of reducing the total parking need. Old National and other business with daytime business activity will be able to share the underground parking with the housing tenants as spaces will be available as housing tenants go to work. We will continue to work with the neighbors for business type preferences for the remaining retail.

-We have added bike parking and a fence to the site plan on the north of the site separating the lot from the single-family homes.

-We will work with our architect and electrician to minimize lighting impact from the building and parking lot with our neighbors to the north.

**Written Justification Sec 13-1-371(g)(7):**

Northpointe Development is proposing to redevelop 410-420 W Verona Ave into a mixed-use workforce development project. This proposal is in harmony with many goals and objectives of both the City of Verona's Comprehensive plan and the Downtown Mobility and Development Plan. The workforce and housing with services aspects of the development follow the goals of encouraging a variety of new housing including providing housing for a range of household incomes and providing housing options for special needs populations. Northpointe has signed a Memorandum of Understanding with Lutheran Social Services who will provide a service coordinator to the property. Their role will be to connect tenants with resources and services within the community. The project also proposes to create new retail and additional retail in the City. A plan of action noted in the comp plan calls for the City to "seek to continue to encourage and support Retail Commercial developments along the city's two primary commercial corridors: Verona Ave and Main Street. To promote retail type of commercial development along Verona and Main Street, the City will be supportive of reuse and redevelopment projects that replace residential land uses with non-residential land uses and redevelop older commercial and uses with newer commercial land uses."

The redevelopment of 410 & 420 W Verona Ave ties directly into the City's objective in the comp plan to provide housing that supports mass transit. Also, this site has specifically been identified as a redevelopment target as it is included in TID 9 as well identified in the City's Downtown Mobility and Development Plan. "The majority of the commercial properties will remain for the foreseeable future, excluding two sites (415 W Verona Avenue and 420 W Verona Avenue). These properties were recommended as redevelopment sites due to the size, location and ownership... The other site (#17) includes a bar, parking and undeveloped land. If the Anchor Bank property (420 W Verona Avenue) were included in the redevelopment, a significantly larger development is possible. In this case, a new building should anchor the Rita and Verona intersection." The plan also discusses how this site in 2014 has some viability for reinvestment due to low improvement values.

Also, Effective October 1, 2012, the City began a Residential Development Policy limiting approvals of multi-family developments to a target range between 25 and 50 new multi-family units each year. One (1) of the exceptions to this policy is for mixed-use development. The policy states: "At the discretion for the Common Council, exceptions to the target limit for newly approved residential units may be made for commercial development that include residential uses, also known as "mixed-use development proposals". The City is particularly supportive of mixed-use development in the Downtown area that can accomplish the City's goals of Downtown redevelopment and revitalization and therefore may exempt such projects from the phasing limits".

**Requested Exceptions:**

- Setbacks - The front setback (West Verona Ave) is required to be 35' and we are currently at 16'.
- Building Height - Max allowable is 35', this is a 4-story building with a height of +/- 50' to the upper parapet.
- Parking - 139 stalls shown (surface and underground) however 217 are required (187 for the apartments and 31 for the commercial space).
- ATM drive approach requires 100' queue before the ATM and 40' after. We have 93' before and 30' after so we are in near compliance. The proposal will meet the requirements of the proposed Specific Use Standards. As we do not intend to seek PIP approval until 2021, our proposal will meet zoning requirements at that time.

**Site Development Data:**

**Densities:**

Lot Area	82,877 S.F. 1.90 acres
Dwelling Units	80DU
Lot Area / D.U.	1,035 S.F./D.U.
Density	42.1 units/acre
Usable Open Space	25,400 S.F. = 321 S.F. per dwelling unit
Floor Area Ratio	28%

**Commercial** Area: 9,319 S.F.

**Residential** Area: First Floor = 13,944 S.F.  
Second floor= 28,687 S.F.  
Third Floor = 28,687 S.F.  
Fourth Floor = 23,843 S.F.  
Total= 95,161 S.F.

**Buildin Height** 4 stories= +/-50'-0"

**Dwelling Unit Mix:**

One Bedroom	42
Two Bedroom	23
Three Bedroom	<u>15</u>
Total	80 units

**Vehicle Parking:**

Underground	80
<u>Surface</u>	<u>59</u>
Total	139 vehicle stalls

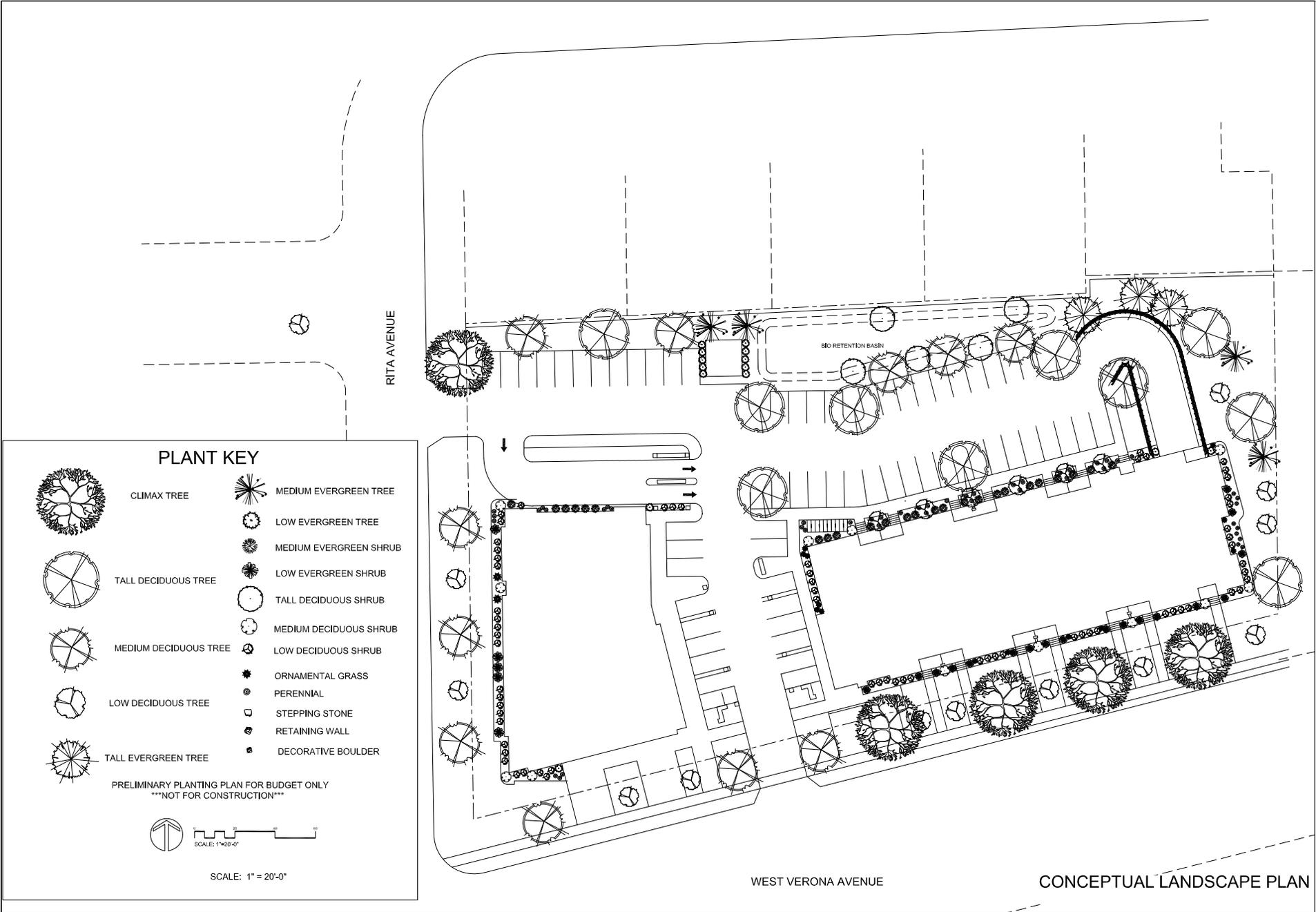
Thank you for your time reviewing our proposal.

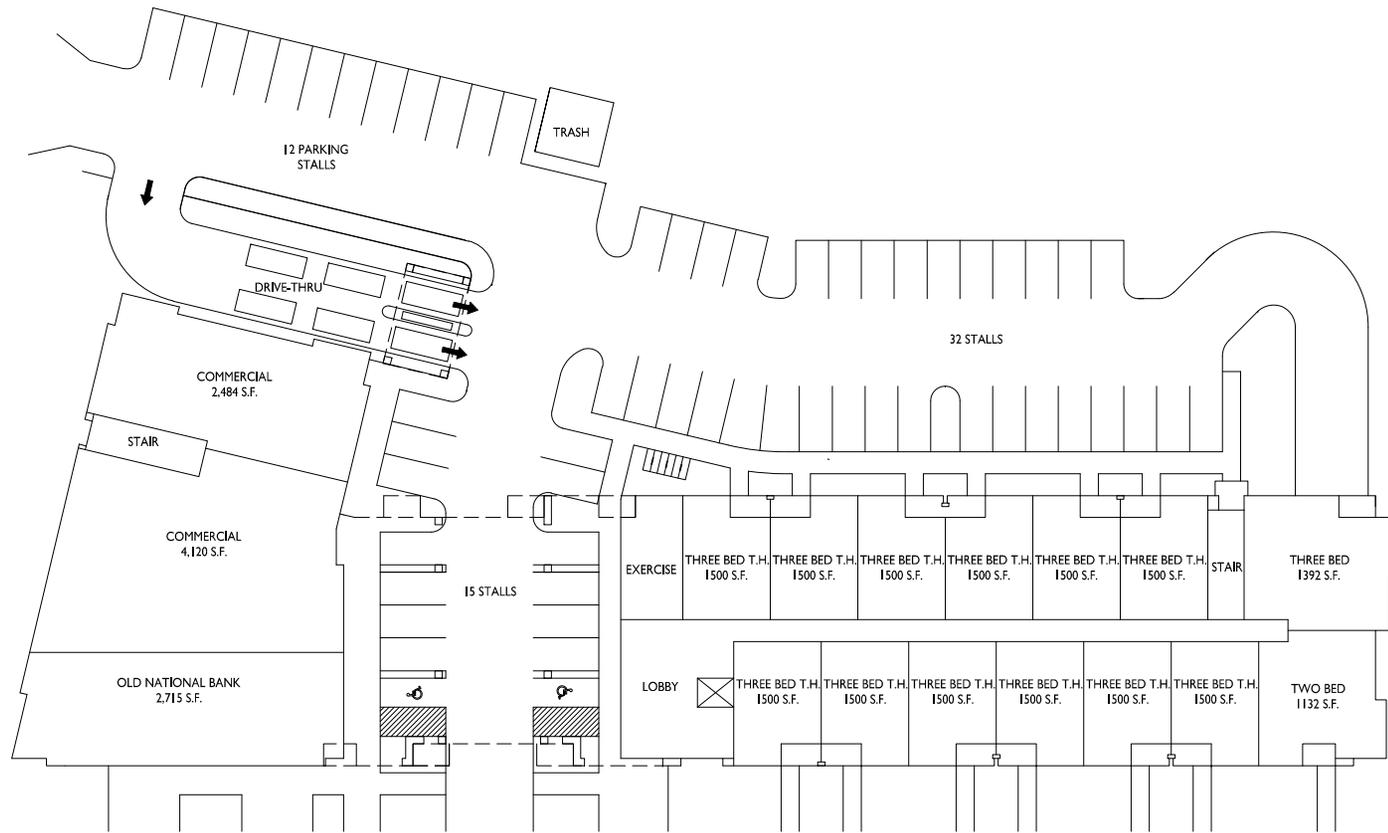
Sincerely,



Kevin Burow, AIA







UNIT MIX:  
 ONE BEDROOMS 42  
 TWO BEDROOMS 23  
 THREE BEDROOMS 15  
 80

**FIRST FLOOR PLAN**  
 1/4" = 1'-0"



ISSUED  
 Issued for Review - June 3, 2020  
 City Submitted - August 6, 2020

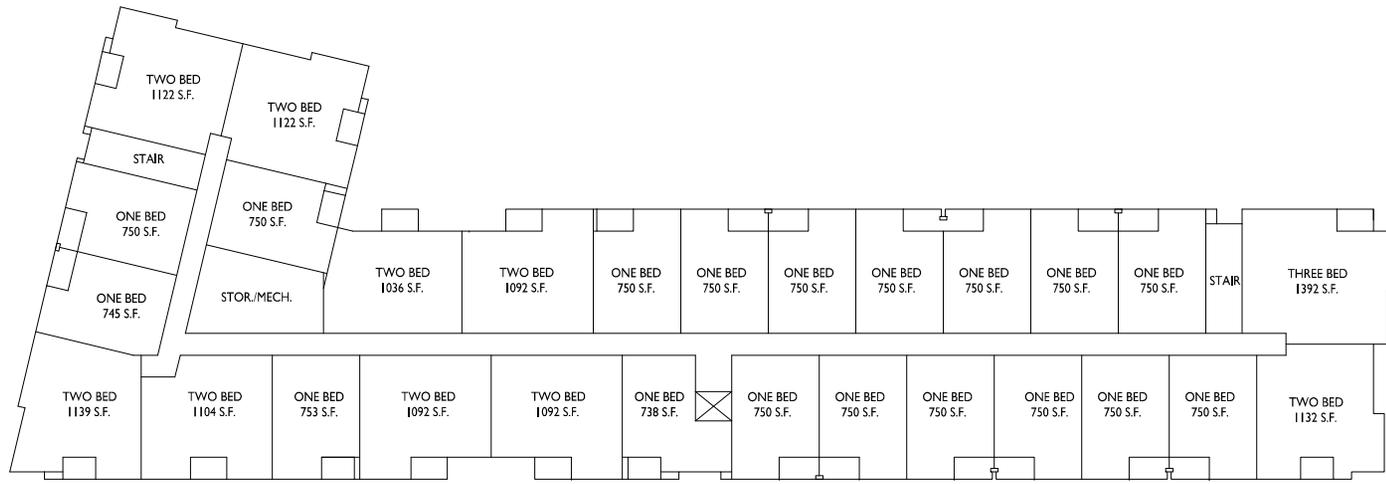
PROJECT TITLE  
**Northpointe  
 Development**

West Verona Avenue  
 Verona, Wisconsin  
 SHEET TITLE  
**First Floor Plan**

SHEET NUMBER

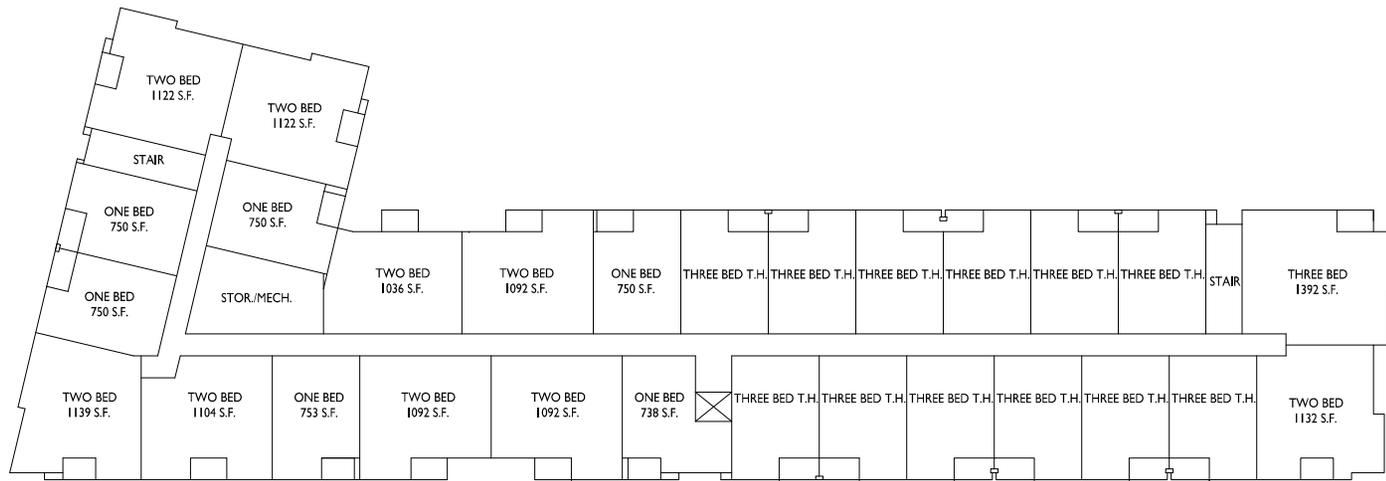
**A-1.1**

PROJECT NO. **2013**  
 © Knothe & Bruce Architects, LLC



**2** THIRD FLOOR PLAN  
 A-1.2 1/16" = 1'-0"

ISSUED  
 Issued for Review - June 3, 2020  
 City Submitted - August 6, 2020



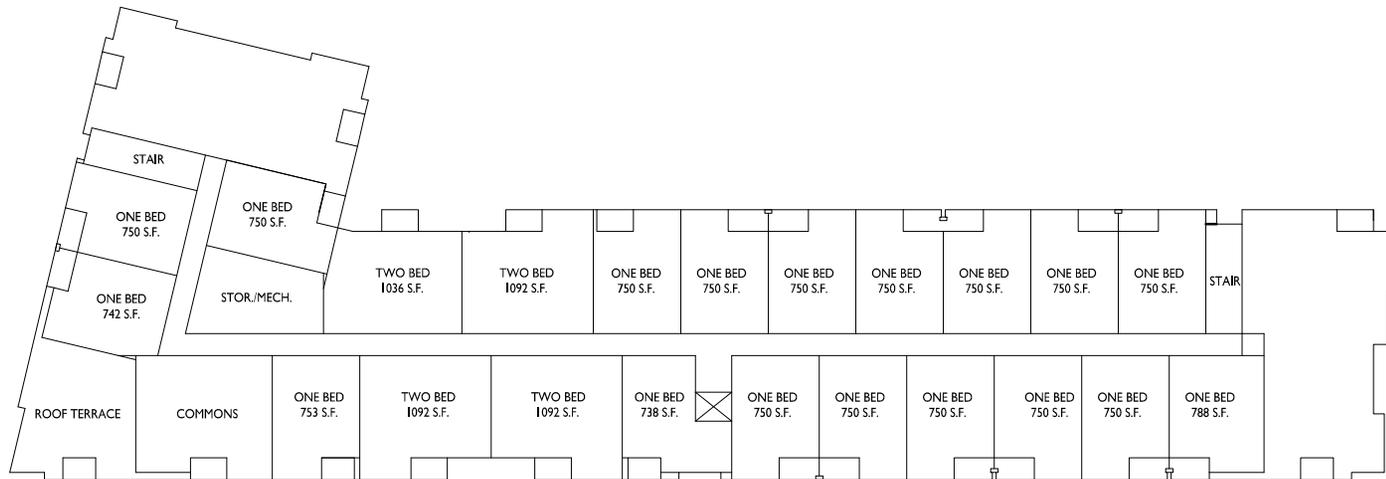
**1** SECOND FLOOR PLAN  
 A-1.2 1/16" = 1'-0"

PROJECT TITLE  
**Northpointe  
 Development**

West Verona Avenue  
 Verona, Wisconsin  
 SHEET TITLE  
**Second & Third  
 Floor Plans**

SHEET NUMBER

**A-1.2**  
 PROJECT NO. **2013**  
 © Knothe & Bruce Architects, LLC



ISSUED  
 Issued for Review - June 3, 2020  
 City Submitted - August 6, 2020

PROJECT TITLE  
**Northpointe  
 Development**

West Verona Avenue  
 Verona, Wisconsin  
 SHEET TITLE  
**Fourth Floor Plan**

**FOURTH FLOOR PLAN**  
 A-1.3 1/16" = 1'-0"

SHEET NUMBER

**A-1.3**

PROJECT NO. **2013**  
 © Knothe & Bruce Architects, LLC



1  
A-2.1  
FRONT ELEVATION  
1/16" = 1'-0"

ISSUED  
August 6, 2020

PROJECT TITLE  
Northpointe  
Development

West Verona Avenue  
Verona, Wisconsin  
SHEET TITLE  
Exterior  
Elevations

SHEET NUMBER

**A-2.1**

PROJECT NO. 2013  
© Knothe & Bruce Architects, LLC

# Planning Report

City of Verona

Plan Commission 10-5-2020

## 300 East Verona Avenue

### Concept Plan

**Summary:** The Applicant has submitted a request for a conceptual plan review for 300 East Verona Avenue to remove and build at two (2)-story, 2,740 square foot building for a clinic and two (2) apartments.

**Property Location:** 300 East Verona Avenue

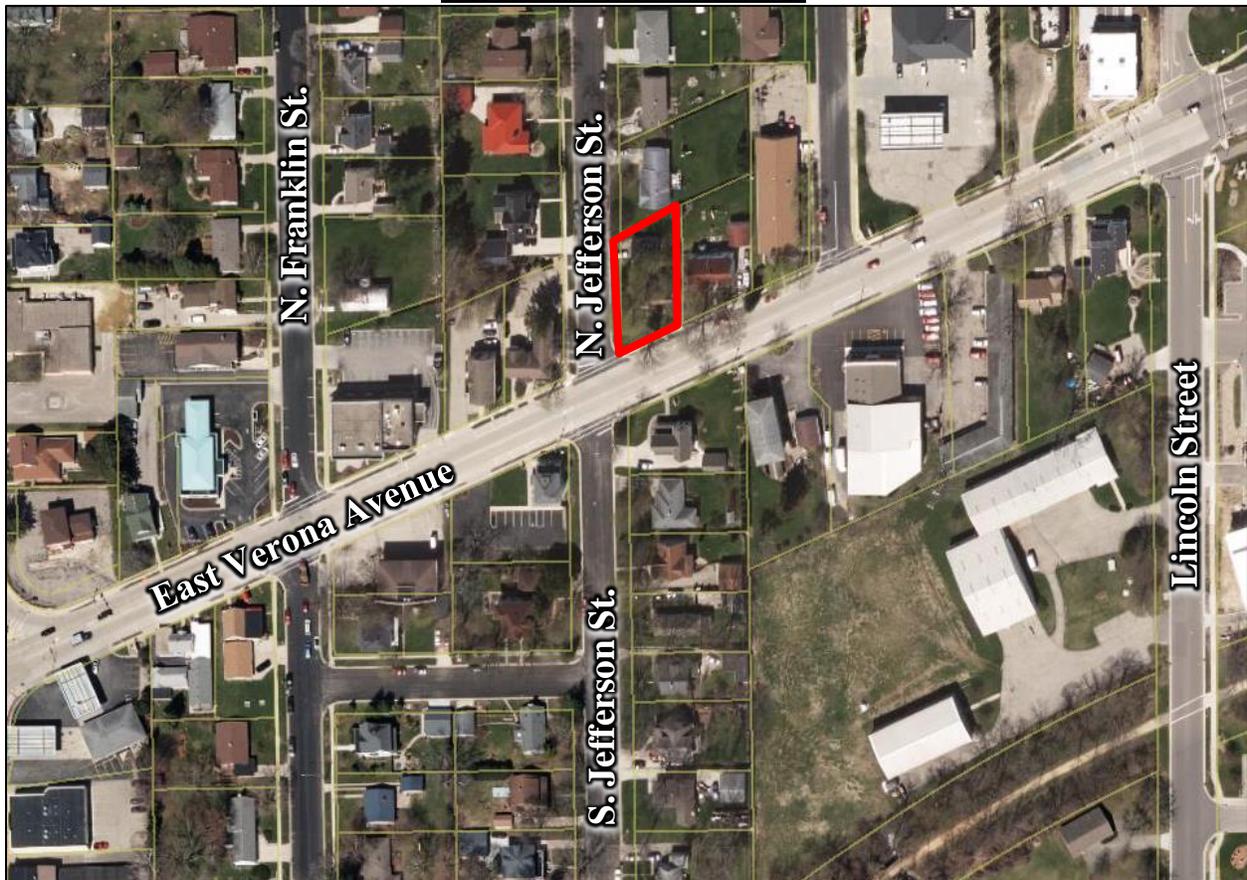
**Property Owner:** Preim Properties, LLC  
Amanda Preimesberger, MD  
10260 Fertile Ridge Road  
Mount Horeb, WI 53572

**Applicant:** Same as above

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**Existing Zoning:** Central Commercial (CC); Downtown Design & Use Overlay  
**Proposed Zoning:** Same as above  
**Existing Land Use:** Residential  
**Proposed Land Use:** Personal or Professional Service (clinic) and two (2) apartments

**Figure 1 – Location Map**



### **Site Description:**

The Applicant is requesting a concept plan review (“Application”) to demolish and construct a two (2)-story building for a clinic on the first floor with two (2) apartments above on approximately 0.22-acres located at 300 East Verona Avenue (“Property”), which is zoned Central Commercial (“CC”) and in the Downtown Design and Use Overlay District. The Property contains one (1) existing residential building. Land uses surrounding the Property include commercial and residential buildings.

### **Background:**

In September of 2019, the Plan Commission and Common Council approved a zoning map amendment for this Property from Neighborhood Residential (NR) to CC. The applicant proposed to renovate the existing building for an office and showroom, while adding a garage to have two (2) apartments in the existing building. Concerns were raised by the neighbors regarding drainage, efficiency apartments, and removal of the Norway maple from the Property. Comments from the Plan Commission included a good location for a transition of the properties along Verona Avenue to commercial or mixed use, concerns regarding the viability of reusing the existing building, and an agreement that this is a reasonable change which aligns with the Downtown area plans.

### **Development Process:**

Any planned unit development for this Property will have to go through the following development process and meet all of the requirements prior to receiving a building permit. Some of these steps may occur concurrently.

- **Planned Unit Development (PUD)** – This is necessary as zoning exemptions are required for the project, which includes a four step review process.
  - *Step 1 – Pre-Application Conference:* The applicant discusses the project with Staff prior to moving on to the Plan Commission. Staff provides the applicant with initial comments on the plan, which was completed and is ongoing.
  - *Step 2 - Concept Plan:* An applicant would create a plan that shows conceptually how the Property would be laid out with transportation (i.e. roads, paths, etc.), stormwater management areas, parkland dedication, buildings (placement and design), and various land uses. This is a way to gain feedback from Planning Staff and the Plan Commission to determine if there is consensus on the concept, which is the current Application.
  - *Step 3 – General Development Plan (GDP):* The intent of the GDP is provide general, but more detailed than the concept plan, about the proposed development. A public hearing is held before the Plan Commission. The City notifies all properties, with a letter, that are located within 200-feet of the property that is requesting the GDP. The Plan Commission makes a recommendation to the Common Council. If the

GDP is approved, this step provides the zoning entitlements to the project.

- *Step 4 – Precise Implementation Plan (PIP):* The final step in the PUD process is the final approval of all plans including site plan, landscaping, stormwater, photometric plans, building design, etc. A public hearing is held before the Plan Commission. The City notifies all properties, with a letter, that are located within 200-feet of the property that is requesting the PIP. The Plan Commission makes a recommendation to the Common Council. If the PIP is approved, the applicant can proceed to obtain building permits and start construction of the project.

### **Downtown Mobility and Development Plan:**

The Property is located in the Downtown Mobility and Development Plan (“Plan”), which was adopted in 2014. The Plan states the following:

#### **“PROPERTIES**

Individual properties (parcels and buildings) can have a lasting impression on a person’s perception of an area, both positively and negatively. For instance, a building could be so well-designed, unique, or historically significant that it is the first thing someone thinks of when someone mentions the City of Verona. Examples of a property that can leave a negative impression would be a poorly designed or dead public space, a rundown/ falling apart building, or a large vacant parcel.

#### ***Building Conditions***

Figure 3.5 illustrates the building conditions within downtown. This is not an evaluation of the structural integrity of the building, but rather a subjective opinion of the condition based on the exterior appearance as viewed from the street.

In general, buildings within the downtown are in fair to good condition. However, there are a few sites that have dilapidated buildings that likely would cost more to update than to tear down” (p. 59).

The Plan was adopted in 2014, which is when this Property was designated as having poor building conditions. This building has continued to fall in disrepair and would leave a negative impression of the City in its current state. The Applicant is proposing to demolish the existing building as it is beyond reasonable repair. The Plan explains that this parcel and others of similar caliber are candidates for reinvestment to improve poor exterior conditions as discussed on page 62.



300 East Verona Avenue  
Concept Plan

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Eliminate the 40% maximum building coverage standard, allowing the underlying zoning to determine building coverage.

Identify a “Downtown Core” area as described in this plan (Lincoln to Legion, Harriet to Paoli). Add standards specific to this area:

**Building Setback from Street**

- Current Standard: Min. 15’
- Downtown Core Standards: Min. 5’, Max. 15’ At least a portion of the building (e.g. 30% of width) must be built to the maximum setback.
- Rationale: Based on Visioning results; will help maintain a consistent downtown character”

While the majority of the recommended changes occurred, the building setback from the street did not change. If the change was approved, the Property and the proposed setbacks would still need an exemption to the Downtown Design and Use Overlay zoning district standards of five (5)-feet instead of the fifteen (15)-feet as depicted in Table 1.

**Planning Review:**

A personal or professional service (clinic) is permitted by right in the CC zone. An apartment is considered an accessory land use to the clinic and is permitted by right in the CC zone.

Although the proposed building is zoned CC, the Property is also in the Downtown Design and Use Overlay District (“Downtown Overlay”) that has additional or modified criteria as depicted in Table 1.

**Table 1**

	CC	Downtown Overlay	Proposed	Compliance
<b>Setbacks</b>				
Front (E. Verona Ave.)	0 ft.	15 ft.	0 ft.	No
Street (N. Jefferson St.)	0 ft.	15 ft.	3 ft.	No
Residential Side	0 ft.	10 ft.	33 ft.	Yes
Residential Rear	25 ft.	25 ft.	15 ft.	No
Max. Front/Street	N/A	25 ft.		No
<b>Height</b>				
Maximum	50 ft.	50 ft.	2-stories	Yes
Minimum	N/A	20 ft.		Yes

## 300 East Verona Avenue Concept Plan

The Applicant has met all of the zoning requirements for the CC zoning except for the rear yard setback requirement; however, the Applicant only meets the zoning requirements for the residential side yard setback in the Downtown Overlay. The Applicant is planning to dedicate seven (7)-feet of land to be used by the City for future right-of-way for East Verona Avenue, which is why the front setback is zero (0)-feet from the property line. The property across North Jefferson Street, 212 East Verona Avenue, has not dedicated any right-of-way and the eastern corner of the building is setback approximately six (6)-feet to the closest property line. 210 East Verona Avenue mirrors the other two (2) properties for the front setback. Staff recommends the Plan Commission give feedback regarding their tolerance for a setback reduction for redevelopment on this Property. Staff is supportive of the reduction as the building is being located outside of area planned for future right-of-way.

Access to the site will continue from the one (1) existing access point from North Jefferson Street. The CC zoning district does not have a parking requirement. The Applicant is proposing a two (2) car garage to be used by the tenants in the above apartment. The three (3) surface parking spaces could be used by clients of the clinic or staff. The Applicant strategically designed the parking area to avoid headlight glare into the residential neighbor's property. At this time, East Verona Avenue has marked on-street parking spaces in front of this building. This parking may be removed in the future if East Verona Avenue has a lane reconfiguration. On-street parking is allowed on North Jefferson Street. The Applicant's narrative explains the number of employees and clients that could be on the Property at one time. "Given that patient visits are longer and patient panels are much smaller, there are no wait times or congested parking areas. One patient has typically completed their visit prior to the next one arriving" (p. 2). Staff has no concerns with parking.

The existing building will be demolished and replaced with a two (2)-story building. The building will be a combination of brick masonry and cement board siding as depicted in Figure 2 and floor plans can be found in the Plan Commission packet. The portion of the building closest to East Verona Avenue will be the client's entrance, which has a one (1)-story entrance feel. The second story is stepped back from the building making the building feel smaller in scale. A terrace is provided on the second floor on the corner of East Verona Avenue and North Jefferson Street to do be used by employees and residents. The garage is located at the rear of the building (north facing) and has an



Figure 2 - Building rendering from East Verona Avenue

300 East Verona Avenue  
Concept Plan

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exterior entrance door on North Jefferson Street for residences of the apartments as depicted in Figure 3. The Applicant has the second floor of the building over the garage stepped back to again make the building feel smaller in scale near the residential neighbor. The Applicant played with two (2) different materials, created different heights, and various dimensions to the building creating visual interest.



Figure 3 - Building rendering from North Jefferson Street

Although a landscaping plan is not part of this review, the Applicant is proposing a landscaping planter on the corner of East Verona Avenue and North Jefferson Street as depicted in Figure 2. This will double as the location for a sign. The conceptual plans note a solid wood fence at the Property line stained to match the siding. This would shield the neighbor from any potential headlight glare. The City's Director of Parks observed the Norway maple on the Property and determined the health of the mature tree is failing. The Applicant's project would remove the tree, which would have occurred at some point in the future as the tree's health is declining.

The Applicant is aware that the previous development proposal had concerns raised by a neighbor regarding how the development would affect the drainage. Currently, the water for central and eastern portion of the Property drains onto 302-304 East Verona Avenue and then northerly onto the eastern portion of 105 North Jefferson Street. Staff recommends the Applicant work with their engineer to ensure that the drainage will be directed towards the public right-of-way rather than onto adjacent private properties. These drainage improvements can be easily completed as part of this development.

**Staff Comments:**

In general, Staff is comfortable with the proposed use and redevelopment on the Property. The type of use allowed in the CC zone will complement the area by supporting a clinic and two (2) apartments along East Verona Avenue and North Jefferson Street. This will create transition between the two areas. The Applicant has requested to combine the General Development Plan (GDP) review and Precise Implementation Plan (PIP) review as the Applicant would like to start construction of the project in 2020. The Plan Commission and Common Council are encouraged to provide feedback to the Applicant on combining the steps in the planned development process.

**Recommendation:**

Staff recommends the Plan Commission review the submitted materials and provide feedback to the applicant. The Applicant requests feedback from the Plan Commission regarding the setback requirements.

**Prepared by:** Katherine Holt *KH*  
Community Development Specialist

**Submitted by:** Adam Sayre, AICP *AS*  
City Administrator

September 3, 2020

Ms. Katherine Holt  
City of Verona  
111 Lincoln Street  
Verona, WI 53593

**Re: 300 East Verona Avenue – Plan Commission Initial Review Submittal**

Ms. Holt,

We are excited to formally introduce the development concept for 300 East Verona Avenue to the Plan Commission for initial review on October 5, 2020. As you know the property is currently zoned Central Commercial (CC) and we are proposing a structure, and uses, that is permitted within this zoning classification. The two-story building is comprised of the grade floor that will hold Amanda Preimesberger's Direct Primary Care Family Medicine Clinic and the second floor is utilized for (2) One-Bedroom Apartments. Attached to this submittal is a letter from Amanda better describing the clinic's concept, goals, and operation. The apartment units will utilize the two-car garage within the building's grade level to meet the parking requirements associated with the units themselves. Though parking is not required for the clinic operation in the CC zoning, we are providing three additional surface stalls that will be dedicated for clinic use during the hours of operation as described by Amanda in her letter. The building layout conforms to all setback requirement, height constraints, and landscaping/fencing requirements.

From an architectural standpoint the structure is looking to work within the transitional character provided at this site where the commercial frontage along East Verona Avenue transitions back to the residential character to North Jefferson Street. The building utilizes a combination of brick masonry as well as cement board siding, in a lap as well as board and batten installation, to breakdown the scale of the building and provide unique architectural elements at the corners of the structure. The masonry masses of the building along East Verona Avenue are tied together with a standing seam metal roof to highlight the entry to the clinic at grade level. The large planter at the corner of East Verona Avenue and North Jefferson Street help to provide an inviting landscaped corner condition that will also contain building signage. The eroded corner at the second floor breaks down the scale of the building and provides an outdoor terrace element for both the clinic and potentially the apartments to utilize during non-clinic hours. As the building moves along North Jefferson the scale is broken down with the metal roof line extending to highlight the apartment entry along the street and the elevation terminates with the masonry massing of the garage; windows within the garage wall help to provide a sense of transparency to pedestrians moving past on the street. The exposed structural members of the framed roof lines at these conditions also help to highlight the entries and provide a textural element to the elevations.

We feel this new business is a major asset to the ever-growing population in Verona and the scale and character of the building continues to improve upon the character of the main east-west corridor through the city. We look forward to discussing this exciting project further on October 5<sup>th</sup>.

Sincerely,

Marc Schellpfeffer, AIA  
Partner

Attachments: Letter from Amanda Preimesberger describing business, Concept Site Plan, Concept Floor Plans, and Exterior Images

## 300 E. Verona Avenue | Direct Primary Care Family Medicine Clinic

Direct Primary Care (DPC) medicine is an innovative and growing model of healthcare that revives the foundation of the patient-physician relationship through affordable, transparent and personalized care. It's very similar to days past when a small town doctor ran their own practice, intimately knew the needs of each of their patients and kept healthcare simple and affordable.

For a low monthly practice membership fee, patients have access directly to their physician for comprehensive primary care, prenatal and office procedure needs and many urgent/sick-care services. Care delivery may occur via office visit, telephone, email, virtual video visit or even house calls when indicated. The physician works directly for the patients. There are no copays or hidden fees. Because a DPC practice does not bill insurance, the physician is not bound to directives from insurance companies or corporate medicine motives and can serve patients in the manner that best optimizes their health and well being, regardless of insurance status or carrier type. By contracting directly with their physician, patients maintain a continuity relationship with their doctor regardless of changes to their insurance carrier or employer benefits status. Many small business owners unable to offer full insurance benefits to their employees find they *are* able to offer DPC memberships for them, and are a major value-added investment in keeping their staff happy, healthy and productive.

Patients receive many benefits of practice membership. A typical full-time DPC physician cares for 400-600 total patients, whereas a system-employed doctor needs to carry a panel of 2000-3000 patients in order to support the administrative overhead of the large medical system. No longer being one of >20 patients on the doc's schedule for the day, patients are one of just 5-8 patients. This translates to more time with their physician, no rushed 10 minute visits, fewer unnecessary additional visits and referrals, and the ability to access a physician that knows them rather than an unfamiliar provider due to overbooked schedules. In addition, patient members are able to obtain generic prescription medications and complete lab work directly through the DPC practice for cash-pay savings of up to 85-90% of typical insurance based pricing. Many DPC practices work to negotiate discounted cash-pay pricing for imaging and outside procedural needs for their patients as well.

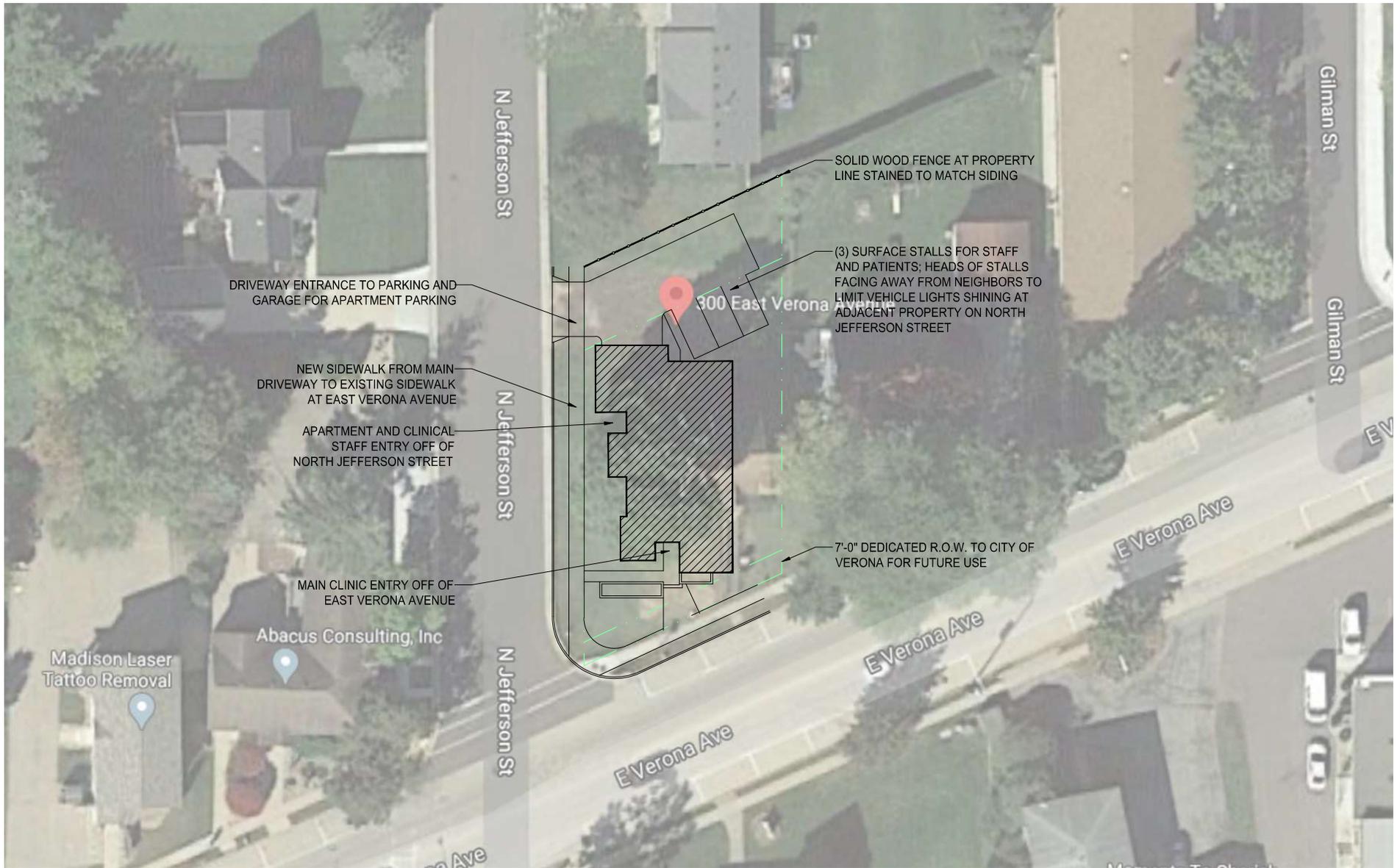
In this model, patient volume and overhead are significantly less than a traditional medical clinic. This means a quiet clinic setting with very low traffic flow. Staffing the first year at this site is projected to be a micropractice: just the physician. By years 2 and 3, this clinic is projected to be fully staffed with 2 physicians and 1-2 medical support staff, with a max of 3 of them on site concurrently in a given day. Given patient visits are longer and patient panels are much smaller, there are no wait times or congested parking areas. One patient has typically completed their visit prior to the next one arriving.

This Family Medicine practice will serve patients of every age. Anticipated practice hours will be Monday through Friday, 8:30am to 4pm. One day per week, clinic may open at 7am to accommodate patients needing on-site visits outside of typical work hours. As noted above, patient care will also occur virtually by several means throughout the clinic day *without* on-site traffic to the clinic. Controlled substances (opiates, stimulants, benzodiazepines, etc) will NOT be dispensed or stored on-site.

As a Mount Horeb native, and former resident physician at the UW Health Verona clinic many years ago, I look forward to returning closer to my small town roots to offer patients more personalized and affordable care. A lifelong Badger, I completed my undergraduate Bachelor of Science in Kinesiology/Athletic Training, and medical school and residency training through the University of Wisconsin-Madison and UW School of Medicine and Public Health. Board-certified in Family Medicine since 2008, I have been practicing in Madison since then, offering comprehensive wellness/preventive and acute care for all ages, as well as prenatal and obstetric care, and multiple office based procedures.

Amanda Preimesberger, MD

[amanda.preimesberger@gmail.com](mailto:amanda.preimesberger@gmail.com) | cell 608-575-2734 | Facebook: [Amanda Preimesberger, MD](#)

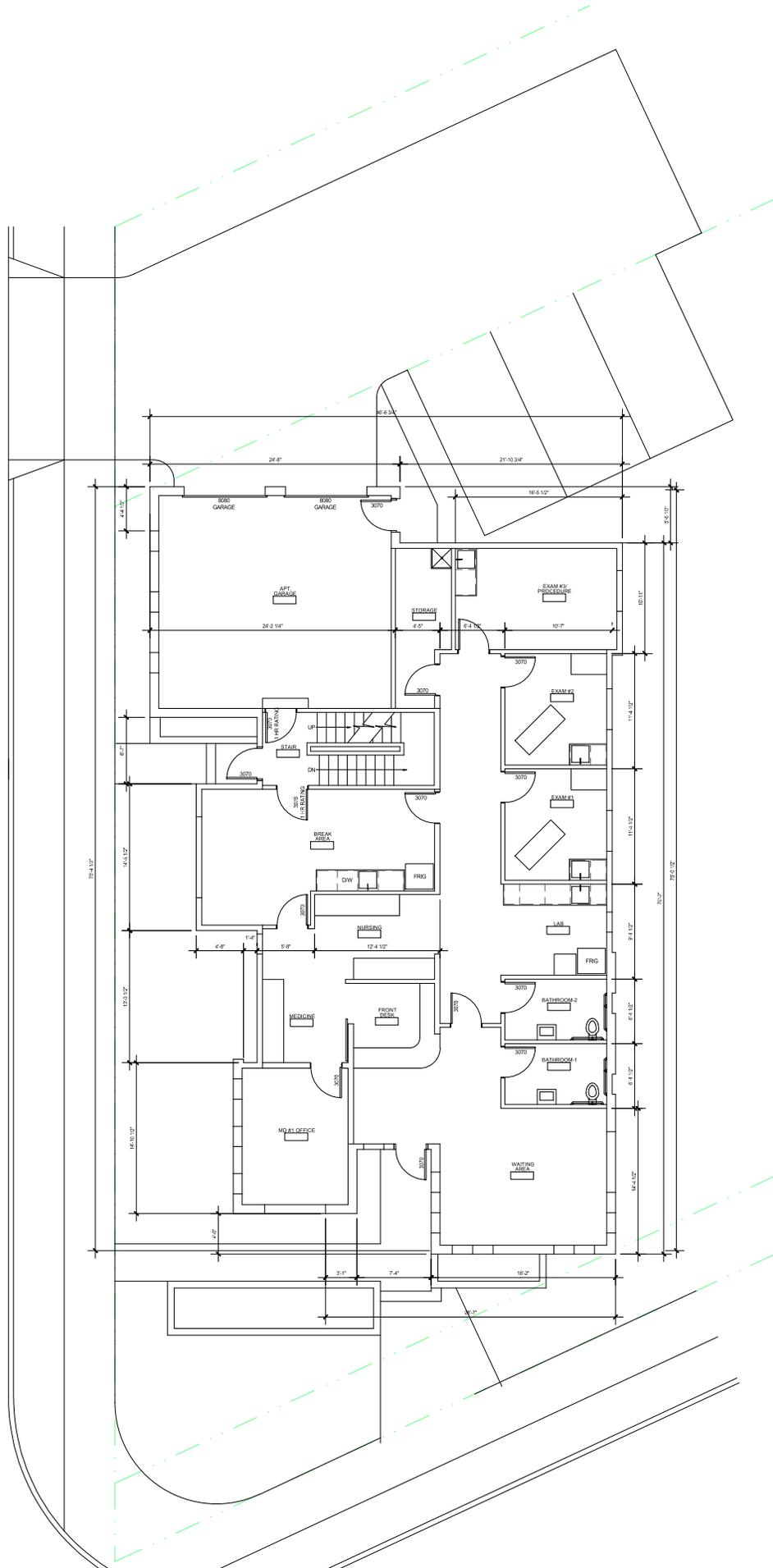


**Conceptual Site Plan**

300 East Verona Avenue; City of Verona Initial Plan Commission Meeting - October 5, 2020

Scale: 1" = 30'-0"

September 3, 2020



20005.00

Conceptual Building Plan - Grade Level (2,740 gsf; 2,078 gsf Clinic)

300 East Verona Avenue; City of Verona Initial Plan Commission Meeting - October 5, 2020

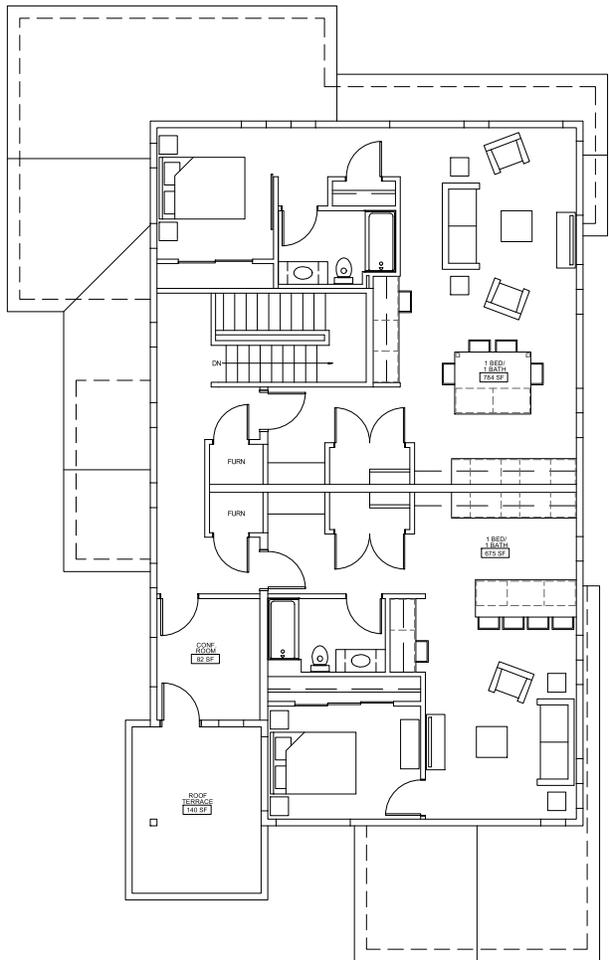
Scale: 1" = 10'-0"

September 3, 2020



© 2020

**Cas<sub>4</sub>**  
architecture, llc



Conceptual Building Plan - Second Level

300 East Verona Avenue; City of Verona Initial Plan Commission Meeting - October 5, 2020

Scale: 1" = 10'-0"

September 3, 2020



© 2020



Building Exterior Images - View from corner of East Verona Ave. and N. Jefferson St.

300 East Verona Avenue; City of Verona Initial Plan Commission Meeting - October 5, 2020

Scale: No Scale

September 3, 2020



Building Exterior Images - View from East Verona Ave.

300 East Verona Avenue; City of Verona Initial Plan Commission Meeting - October 5, 2020

Scale: No Scale

September 3, 2020



Building Exterior Images - View from North Jefferson St.  
300 East Verona Avenue; City of Verona Initial Plan Commission Meeting - October 5, 2020  
Scale: No Scale

September 3, 2020

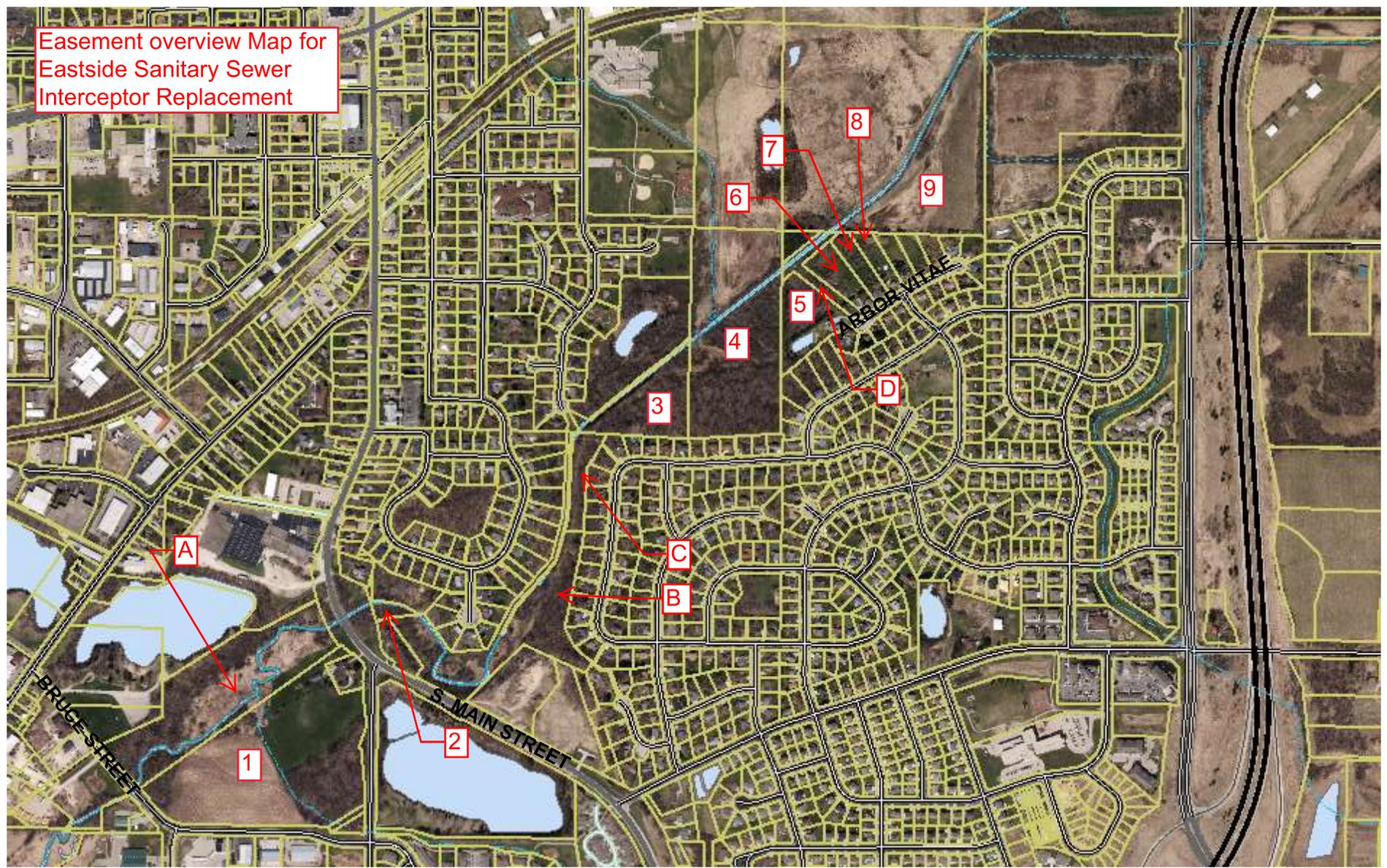


Building Exterior Images - View from Northeast corner of site

300 East Verona Avenue; City of Verona Initial Plan Commission Meeting - October 5, 2020  
Scale: No Scale

September 3, 2020

Easement overview Map for  
Easides Sanitary Sewer  
Interceptor Replacement



**2018-108**  
Easements



SCALE: 1" = 893'



**City of Verona**  
111 Lincoln St  
Verona, WI 53593  
(608) 845 - 6495

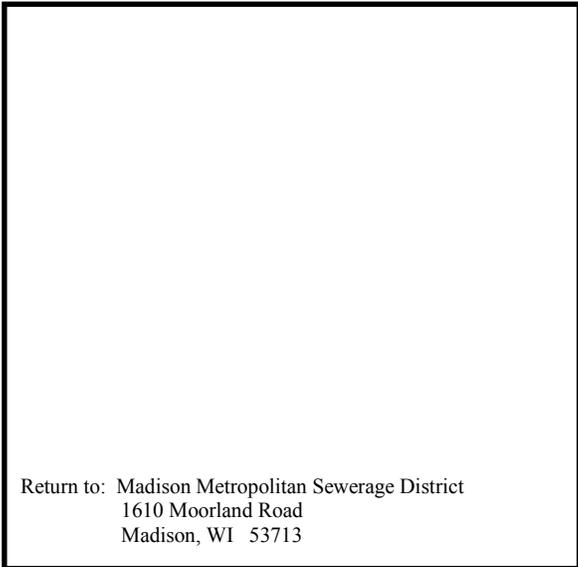
DISCLAIMER: The City of Verona does not guarantee the accuracy of the material contained here in and is not responsible for any misuse or misrepresentation of this information or its derivatives.

Print Date: 7/22/2020

**SANITARY SEWER EASEMENT**

**MMSD Pumping Station 17 Forcemain Relief**

The City of Verona, (“Grantor”) in consideration of the sum of One and 00/100 Dollar (\$1.00) and other good and valuable consideration, receipt of which is hereby acknowledged, hereby grants to the Madison Metropolitan Sewerage District (“Grantee”) the right to construct, operate, repair, replace and maintain a sanitary sewer and any necessary appurtenance for the collection and transmission of residential, industrial, and other wastewater in, above, and across land located in the NE 1/4 and NW 1/4 of the SW 1/4 of Section 22, Town 6 North, Range 8 East, City of Verona, Dane County, Wisconsin (Grantor’s property).



Return to: Madison Metropolitan Sewerage District  
1610 Moorland Road  
Madison, WI 53713

Tax Parcel I.D. 0608-223-8180-2

Grantor hereby conveys unto Grantee a Permanent Limited Easement (PLE) on the following described lands:

Part of Lot 1 of Certified Survey Map No. 14840, being part of the Northeast 1/4 and Northwest 1/4 of the Southwest 1/4 of Section 22, T.6N., R.8E., City of Verona, Dane County, Wisconsin bounded and described as follows;

Commencing at the Northeast corner of Lot 2 of Certified Survey Map No. 14840, thence S53°56’42” West along the Northerly line of said Lot 2 a distance of 21.57 feet to the Southeast corner of Lot 1 of Certified Survey Map No. 14840 and the point of beginning of the lands to be described; thence South 53°37’50” West, 1561.72 feet along the Southerly line of Lot 1 to a point on the Northeasterly line of Bruce Street; thence North 52°13’49” East, 391.55 feet; thence N60°40’06” East, 78.10 feet to the Southerly line of Lot 1 of Certified Survey Map No. 14840; thence North 53°37’50” East along said Southerly line 103.06 feet; thence North 44°50’37” East, 41.91 feet; thence North 51°02’21” East, 763.08 feet; thence North 66°01’52” East, 190.45 feet to the point of beginning.

Containing 21,964 square feet, 0.50 acres

The **PLE** is subject to the following terms and conditions:

1. Grantee’s employees, agents and contractors shall have the right to enter upon the PLE area for purposes of planning, design, construction, maintenance of the sewer lines and for ingress access, egress access, and access to adjoining PLE areas of the sewer lines.
2. Employees and contractors of the Madison Metropolitan Sewerage District shall have the right to enter upon the permanent easement lands of the Grantor for purposes of

planning, design, construction, maintenance, ingress access, egress access, and access to adjoining permanent easement areas of the sewer lines.

3. Grantee shall repair or replace any and all fences damaged or removed during construction to a condition equal to or better than existing if present at the time of executing this easement.
4. During the construction process, all areas within the PLE area will be cleared to facilitate the construction process for the sewer(s) and any other incidental work to complete the project.
5. During the construction process, all disturbed surfaces (turf, topsoil, etc.) within the PLE area will be restored to a condition equal to, or better, than existed prior to construction.
6. After construction is completed the Grantee shall have the right to enter upon the lands of the Grantor for purposes of operation, maintenance, repair, replacement, ingress access, egress access, access to adjoining permanent easement areas, or alteration of the sanitary sewer(s). Following the completion of any such work, the Grantee at its sole expense shall restore the surface of the land to its condition prior to the commencement of the work.
7. No buildings or permanent structures be built over the sewer(s) or placed within the PLE area. If such structures are built and sewer operation, repair, replacement or maintenance require the partial or complete removal or demolition of the structures, the Grantor shall be fully responsible for the expense of such removal or demolition and will not be entitled to any reimbursement from Grantee for repair or replacement of said structures. If said structures are not removed by Grantor, Grantee has the right to remove said structures and all costs shall be charged to Grantor. Permanent structures do not include roads, parking lots, or temporary storage buildings that could be removed or torn down in case of an emergency. Grantee shall not build any structures or parking areas within the PLE area.
8. Any excess fill generated by the project on the PLE area may be disposed of on the Grantor's property as directed by the Grantor as long as a written third party agreement is executed between Grantor and Grantee's contractor. No changes in grades shall occur to adversely affect positive drainage or floodplain management zones.
9. Following installation of the sanitary sewer(s), no permanent grade changes (additional overburden or excavation cuts) shall be placed within the PLE area without Grantee's prior first approval.
10. Following installation of the sanitary sewer(s) but as part of the overall project the City of Verona will construct a paved maintenance path to access the sewer(s) that will also serve as a multi-use path for recreation users. City of Verona will own and maintain the maintenance path.

11. Grantor and Grantee shall be responsible for the consequences of its own acts, errors, or omissions and those of its employees, boards, commissions, agencies, officers, and representatives and shall be responsible for any losses, claims, and liabilities which are attributable to such acts, errors or omissions including providing its own defense. In situations of joint liability, each party shall be responsible for their consequences of its own acts, errors, or omissions and those of its employees, agents, boards, commissions, agencies, officers and representatives. It is not the intent of the parties to impose liability beyond that imposed by state statutes.

Grantor hereby conveys to Grantee a Temporary Construction Easement on the following described land:

Part of Lot 1 of Certified Survey Map No. 14840, being part of the Northeast 1/4 and Northwest 1/4 of the Southwest 1/4 of Section 22, T.6N., R.8E., City of Verona, Dane County, Wisconsin bounded and described as follows;

Commencing at the Northeast corner of Lot 2 of Certified Survey Map No. 14840, thence S53°56'42" West along the Northerly line of said Lot 2 a distance of 21.57 feet to the Southeast corner of Lot 1 of Certified Survey Map No. 14840 and the point of beginning of the lands to be described; thence South 66°01'52" West, 190.45 feet; thence South 51°02'21" West, 763.08 feet; thence South 44°50'37" West, 41.91 feet to the Southerly line of Lot 1 of Certified Survey Map No. 14840; thence South 53°37'50" West along said Southerly line, 103.06 feet; thence South 60°40'06" West, 78.10 feet; thence South 52°13'49" West, 391.55 feet to the Northeasterly line of Bruce Street; thence North 42°37'21" West along said Northeasterly line 25.09 feet; thence North 52°13'49" East, 395.52 feet; thence North 60°40'06" East, 134.20 feet; thence North 44°50'37" East, 86.09 feet; thence North 51°02'21" East, 767.16 feet; thence North 63°30'49" East, 188.00 feet to the Northeasterly line of Lot 1 of Certified Survey Map No. 14840 and the Southwesterly line of Main Street, CTH "M"; thence Southeasterly 33.74 feet along aforesaid line and the arc of a curve to the left, whose radius is 918.60 feet and whose chord bears South 35°00'00" East, 33.74 feet to the point of beginning.

Containing 39,656 square feet, 0.91 acres.

The **temporary construction easement** is subject to the following terms and conditions:

1. This temporary construction easement shall expire upon completion of the project, which shall be no later than November 19, 2021.
2. Grantee's employees, agents and contractors shall have the right to enter upon the lands of the Grantor for purposes of planning, design, construction of the sewer lines and for ingress access, egress access, and access to adjoining temporary easement areas of the sewer line.
3. During the construction process, all areas with the temporary construction easement area will be cleared to facilitate the construction process for the sewer project and other incidental work with Grantor.

4. During the construction process, all disturbed surfaces (turf, topsoil, etc.) within the temporary construction easement area will be restored to a condition equal to, or better, than existed prior to construction.

5. Grantor and Grantee shall be responsible for the consequences of its own acts, errors, or omissions and those of its employees, boards, commissions, agencies, officers, and representatives and shall be responsible for any losses, claims, and liabilities which are attributable to such acts, errors or omissions including providing its own defense. In situations of joint liability, each party shall be responsible for their consequences of its own acts, errors, or omissions and those of its employees, agents, boards, commissions, agencies, officers and representatives. It is not the intent of the parties to impose liability beyond that imposed by state statutes.

END OF CONDITIONS

IN WITNESS WHEREOF, GRANTEE has agreed to and executed this Sanitary Sewer Easement this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

Witnessed in the Presence of:

By \_\_\_\_\_  
.....(Luke Diaz, Mayor)

\_\_\_\_\_  
Witnessed by

By \_\_\_\_\_  
.....(Ellen Clark, City Clerk)

\_\_\_\_\_  
Witnessed by

ACKNOWLEDGEMENT (by a Notary Public)

STATE OF WISCONSIN     )  
  )ss.:  
County of \_\_\_\_\_)

Signed or attested before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_,  
\_\_\_\_\_  
(name(s) of person(s))

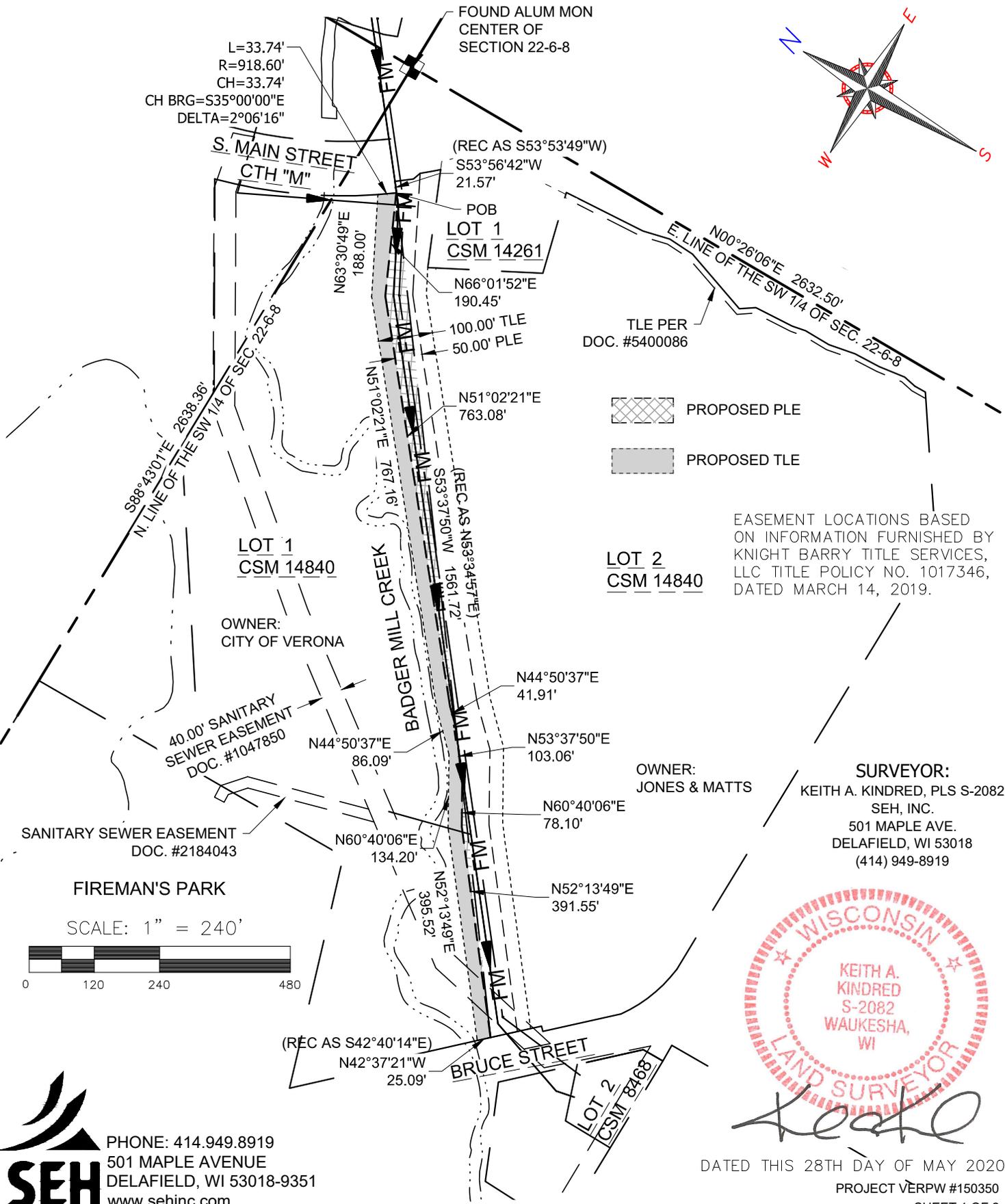
the above named, known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) who executed the foregoing instrument and acknowledged the same.

\_\_\_\_\_  
Notary Public, Dane County, Wisconsin  
My Commission Expires: \_\_\_\_\_

Drafted by the:  
Madison Metropolitan Sewerage District

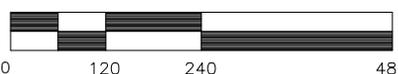
# EXHIBIT

PART OF LOT 1 OF CERTIFIED SURVEY MAP NO. 14840, BEING A PART OF THE NE. 1/4 AND NW. 1/4 OF THE SW. 1/4 OF SECTION 22, T.6N., R.8E., CITY OF VERONA, DANE COUNTY, WISCONSIN.

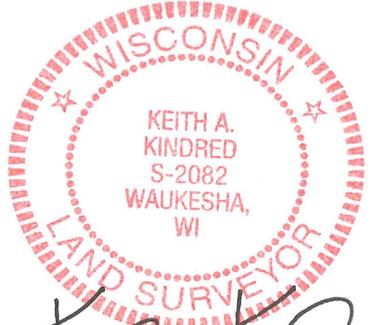


 PROPOSED PLE  
 PROPOSED TLE

EASEMENT LOCATIONS BASED ON INFORMATION FURNISHED BY KNIGHT BARRY TITLE SERVICES, LLC TITLE POLICY NO. 1017346, DATED MARCH 14, 2019.

SCALE: 1" = 240'  


**SURVEYOR:**  
 KEITH A. KINDRED, PLS S-2082  
 SEH, INC.  
 501 MAPLE AVE.  
 DELAFIELD, WI 53018  
 (414) 949-8919




 PHONE: 414.949.8919  
 501 MAPLE AVENUE  
 DELAFIELD, WI 53018-9351  
 www.sehinc.com

DATED THIS 28TH DAY OF MAY 2020  
 PROJECT VERPW #150350  
 SHEET 1 OF 2

# EXHIBIT

PART OF LOT 1 OF CERTIFIED SURVEY MAP NO. 14840, BEING A PART OF THE NE. 1/4 AND NW. 1/4 OF THE SW. 1/4 OF SECTION 22, T.6N., R.8E., CITY OF VERONA, DANE COUNTY, WISCONSIN.

## Permanent Limited Easement

Part of Lot 1 of Certified Survey Map No. 14840, being part of the Northeast 1/4 and Northwest 1/4 of the Southwest 1/4 of Section 22, T.6N., R.8E., City of Verona, Dane County, Wisconsin bounded and described as follows;

Commencing at the Northeast corner of Lot 2 of Certified Survey Map No. 14840, thence S53°56'42" West along the Northerly line of said Lot 2 a distance of 21.57 feet to the Southeast corner of Lot 1 of Certified Survey Map No. 14840 and the point of beginning of the lands to be described; thence South 53°37'50" West, 1561.72 feet along the Southerly line of Lot 1 to a point on the Northeasterly line of Bruce Street; thence North 52°13'49" East, 391.55 feet; thence N60°40'06" East, 78.10 feet to the Southerly line of Lot 1 of Certified Survey Map No. 14840; thence North 53°37'50" East along said Southerly line 103.06 feet; thence North 44°50'37" East, 41.91 feet; thence North 51°02'21" East, 763.08 feet; thence North 66°01'52" East, 190.45 feet to the point of beginning.

Containing 21,964 square feet, 0.50 acres

## Temporary Limited Easement

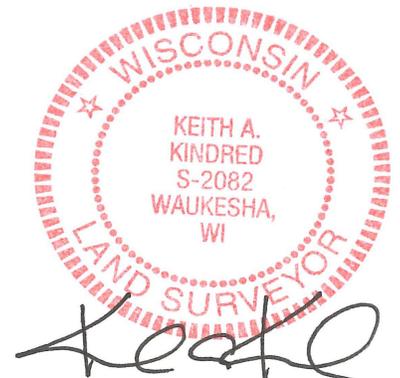
Part of Lot 1 of Certified Survey Map No. 14840, being part of the Northeast 1/4 and Northwest 1/4 of the Southwest 1/4 of Section 22, T.6N., R.8E., City of Verona, Dane County, Wisconsin bounded and described as follows;

Commencing at the Northeast corner of Lot 2 of Certified Survey Map No. 14840, thence S53°56'42" West along the Northerly line of said Lot 2 a distance of 21.57 feet to the Southeast corner of Lot 1 of Certified Survey Map No. 14840 and the point of beginning of the lands to be described; thence South 66°01'52" West, 190.45 feet; thence South 51°02'21" West, 763.08 feet; thence South 44°50'37" West, 41.91 feet to the Southerly line of Lot 1 of Certified Survey Map No. 14840; thence South 53°37'50" West along said Southerly line, 103.06 feet; thence South 60°40'06" West, 78.10 feet; thence South 52°13'49" West, 391.55 feet to the Northeasterly line of Bruce Street; thence North 42°37'21" West along said Northeasterly line 25.09 feet; thence North 52°13'49" East, 395.52 feet; thence North 60°40'06" East, 134.20 feet; thence North 44°50'37" East, 86.09 feet; thence North 51°02'21" East, 767.16 feet; thence North 63°30'49" East, 188.00 feet to the Northeasterly line of Lot 1 of Certified Survey Map No. 14840 and the Southwesterly line of Main Street, CTH "M"; thence Southeasterly 33.74 feet along aforesaid line and the arc of a curve to the left, whose radius is 918.60 feet and whose chord bears South 35°00'00" East, 33.74 feet to the point of beginning.

Containing 39,656 square feet, 0.91 acres



PHONE: 414.949.8919  
501 MAPLE AVENUE  
DELAFIELD, WI 53018-9351  
www.sehinc.com



PROJECT VERPW #150350

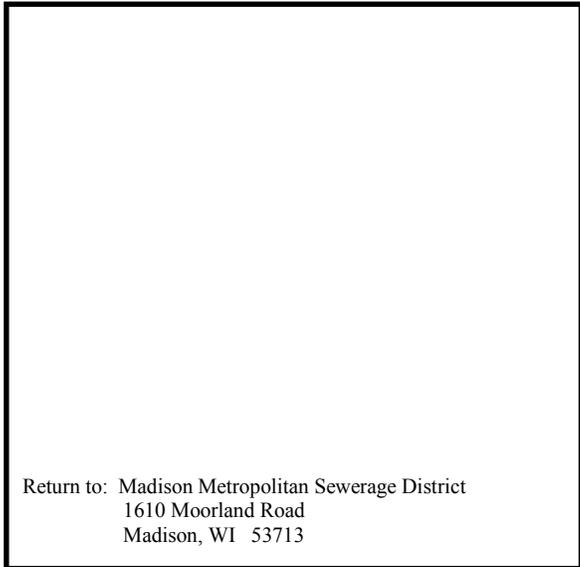
DATED THIS 28TH DAY OF MAY 2020

SHEET 2 OF 2

**SANITARY SEWER EASEMENT**

**MMSD Pumping Station 17 Forcemain Relief**

The City of Verona, (“Grantor”) in consideration of the sum of One and 00/100 Dollar (\$1.00) and other good and valuable consideration, receipt of which is hereby acknowledged, hereby grants to the Madison Metropolitan Sewerage District (“Grantee”) the right to construct, operate, repair, replace and maintain a sanitary sewer and any necessary appurtenance for the collection and transmission of residential, industrial, and other wastewater in, above, and across land located in the SE 1/4 and SW 1/4 of the NE 1/4 and the NW 1/4 of the SE 1/4 of Section 22, Town 6 North, Range 8 East, City of Verona, Dane County, Wisconsin (Grantor’s property).



Return to: Madison Metropolitan Sewerage District  
1610 Moorland Road  
Madison, WI 53713

Tax Parcel I.D. 0608-221-6397-5

Grantor hereby conveys unto Grantee a Permanent Limited Easement (PLE) on the following described lands:

Part of Lot 37 of the First Addition to East View Heights being part of the Southeast 1/4 and Southwest 1/4 of the Northeast 1/4 and the Northwest 1/4 of the Southeast 1/4 of Section 22, T.6N., R.8E., City of Verona, Dane County, Wisconsin bounded and described as follows;

Commencing at the Northeasterly corner of Lot 37 of the First Addition to East View Heights; thence North 86°41’36” West along the Northerly line of said Lot 37 a distance of 41.36 feet to the point of beginning of the lands to be described; thence South 06°39’27” West 149.74 feet; thence South 29°09’27” West 659.99 feet to the Southerly lot line of Lot 37 of the First Addition to East View Heights; thence North 65°49’58” West along said Southerly line 10.07 feet to the Easterly line of Lot 37 of the First Addition to East View Heights; thence South 45°53’41” West along said Easterly line 264.16 feet; thence North 85°01’21” West, 450.46 feet; thence North 36°02’02” West, 386.30 feet; thence North 84°25’44” East, 48.91 feet; thence South 38°09’32” East, 326.06 feet; thence South 83°20’33” East, 406.82 feet; thence North 51°39’27” East, 211.18 feet; thence North 29°09’27” East, 673.42 feet; thence North 06°39’27” East, 136.86 feet to the Northerly line of Lot 37 of the First Addition to East View Heights; thence South 86°41’36” East along said Northerly line 50.09 feet to the point of beginning.

Containing 91,800 square feet, 2.11 acres

The **PLE** is subject to the following terms and conditions:

1. Grantee’s employees, agents and contractors shall have the right to enter upon the PLE area for purposes of planning, design, construction, maintenance of the sewer lines

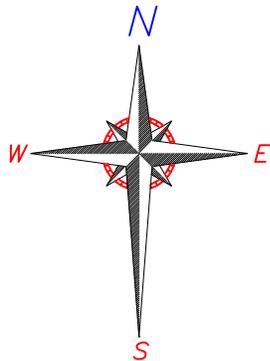
and for ingress access, egress access, and access to adjoining PLE areas of the sewer lines.

2. Employees and contractors of the Madison Metropolitan Sewerage District shall have the right to enter upon the permanent easement lands of the Grantor for purposes of planning, design, construction, maintenance, ingress access, egress access, and access to adjoining permanent easement areas of the sewer lines.
3. Grantee shall repair or replace any and all fences damaged or removed during construction to a condition equal to or better than existing if present at the time of executing this easement.
4. During the construction process, all areas with the PLE area will be cleared to facilitate the construction process for the sewer(s) and any other incidental work to complete the project.
5. During the construction process, all disturbed surfaces (turf, topsoil, etc.) within the PLE area will be restored to a condition equal to, or better, than existed prior to construction.
6. After construction is completed the Grantee shall have the right to enter upon the lands of the Grantor for purposes of operation, maintenance, repair, replacement, ingress access, egress access, access to adjoining permanent easement areas, or alteration of the sanitary sewer(s). Following the completion of any such work, the Grantee at its sole expense shall restore the surface of the land to its condition prior to the commencement of the work.
7. No buildings or permanent structures be built over the sewer(s) or placed within the PLE area. If such structures are built and sewer operation, repair, replacement or maintenance require the partial or complete removal or demolition of the structures, the Grantor shall be fully responsible for the expense of such removal or demolition and will not be entitled to any reimbursement from Grantee for repair or replacement of said structures. If said structures are not removed by Grantor, Grantee has the right to remove said structures and all costs shall be charged to Grantor. Permanent structures do not include roads, parking lots, or temporary storage buildings that could be removed or torn down in case of an emergency. Grantee shall not build any structures or parking areas within the PLE area.
8. Any excess fill generated by the project on the PLE area may be disposed of on the Grantor's property as directed by the Grantor as long as a written third party agreement is executed between Grantor and Grantee's contractor. No changes in grades shall occur to adversely affect positive drainage or floodplain management zones.
9. Following installation of the sanitary sewer(s), no permanent grade changes (additional overburden or excavation cuts) shall be placed within the PLE area without Grantee's prior first approval.



# EXHIBIT

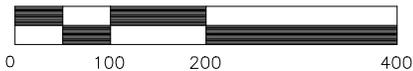
SECOND ADDITION TO NEFF'S  
SUBDIVISION VALLEY VIEW



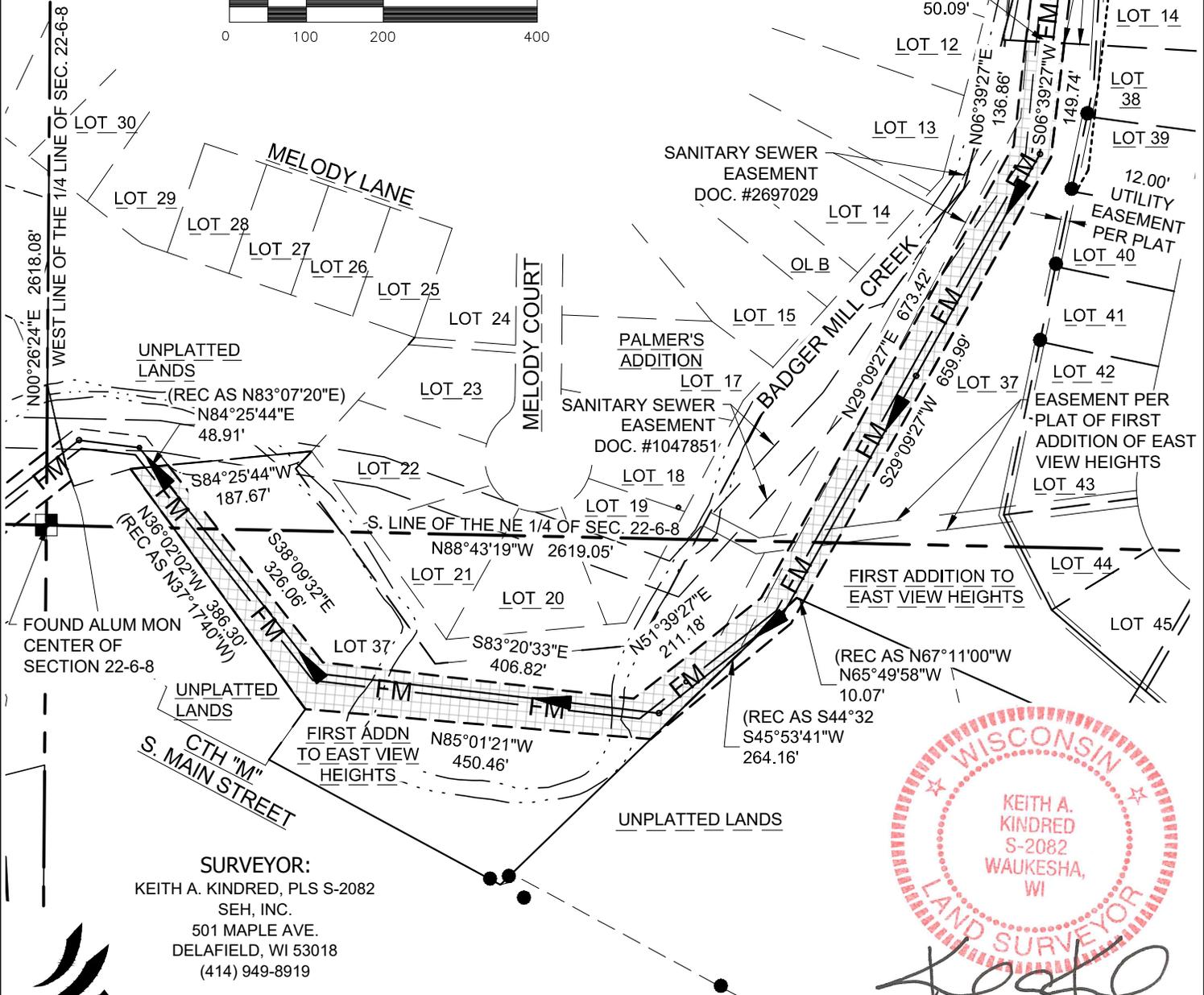
EASEMENT LOCATIONS BASED  
ON INFORMATION FURNISHED BY  
KNIGHT BARRY TITLE SERVICES,  
LLC TITLE POLICY NO. 1017350,  
DATED MARCH 25, 2019.

-  PROPOSED PLE
-  REBAR FOUND

SCALE: 1" = 200'



WEST LINE OF THE 1/4 LINE OF SEC. 22-6-8



**SURVEYOR:**  
KEITH A. KINDRED, PLS S-2082  
SEH, INC.  
501 MAPLE AVE.  
DELAFIELD, WI 53018  
(414) 949-8919



PHONE: 414.949.8919  
501 MAPLE AVENUE  
DELAFIELD, WI 53018-9351  
www.sehinc.com



*Keith A. Kindred*

DATED THIS 28TH DAY OF MAY 2020  
PROJECT VERPW #150350  
SHEET 1 OF 2

# EXHIBIT

## Permanent Limited Easement

Part of Lot 37 of the First Addition to East View Heights being part of the Southeast 1/4 and Southwest 1/4 of the Northeast 1/4 and the Northwest 1/4 of the Southeast 1/4 of Section 22, T.6N., R.8E., City of Verona, Dane County, Wisconsin bounded and described as follows;

Commencing at the Northeasterly corner of Lot 37 of the First Addition to East View Heights; thence North 86°41'36" West along the Northerly line of said Lot 37 a distance of 41.36 feet to the point of beginning of the lands to be described; thence South 06°39'27" West 149.74 feet; thence South 29°09'27" West 659.99 feet to the Southerly lot line of Lot 37 of the First Addition to East View Heights; thence North 65°49'58" West along said Southerly line 10.07 feet to the Easterly line of Lot 37 of the First Addition to East View Heights; thence South 45°53'41" West along said Easterly line 264.16 feet; thence North 85°01'21" West, 450.46 feet; thence North 36°02'02" West, 386.30 feet; thence North 84°25'44" East, 48.91 feet; thence South 38°09'32" East, 326.06 feet; thence South 83°20'33" East, 406.82 feet; thence North 51°39'27" East, 211.18 feet; thence North 29°09'27" East, 673.42 feet; thence North 06°39'27" East, 136.86 feet to the Northerly line of Lot 37 of the First Addition to East View Heights; thence South 86°41'36" East along said Northerly line 50.09 feet to the point of beginning.

Containing 91,800 square feet, 2.11 acres



PHONE: 414.949.8919  
501 MAPLE AVENUE  
DELAFIELD, WI 53018-9351  
www.sehinc.com

SURVEYOR:  
KEITH A. KINDRED, PLS S-2082  
SEH, INC.  
501 MAPLE AVE.  
DELAFIELD, WI 53018  
(414) 949-8919



DATED THIS 28TH DAY OF MAY 2020  
PROJECT VERPW #150350  
SHEET 2 OF 2

## SANITARY SEWER EASEMENT

### MMSD Pumping Station 17 Forcemain Relief

The City of Verona, ("Grantor") in consideration of the sum of One and 00/100 Dollar (\$1.00) and other good and valuable consideration, receipt of which is hereby acknowledged, hereby grants to the Madison Metropolitan Sewerage District ("Grantee") the right to construct, operate, repair, replace and maintain a sanitary sewer and any necessary appurtenance for the collection and transmission of residential, industrial, and other wastewater in, above, and across land located in the SE 1/4 of the NE 1/4 of Section 22, Town 6 North, Range 8 East, City of Verona, Dane County, Wisconsin (Grantor's property).

Return to: Madison Metropolitan Sewerage District  
1610 Moorland Road  
Madison, WI 53713

Tax Parcel I.D. 0608-221-6155-7

Grantor hereby conveys unto Grantee a Permanent Limited Easement (PLE) on the following described lands:

Part of Lot 15 of East View Heights being part of the Southeast 1/4 of the Northeast 1/4 of Section 22, T.6N., R.8E., City of Verona, Dane County, Wisconsin bounded and described as follows;

Commencing at the Southeast corner of Lot 15 of East View Heights; thence North 86°41'36" West along the South line of said Lot 15 a distance of 41 .36 feet to the point of beginning of the lands to be described; thence continuing North 86°41'36"W along said South line 50.09 feet; thence North 06°39'27" East, 91 .18 feet; thence North 05°09'27" East, 449.85 feet; thence North 27°39'27" East, 103.88 feet to the North line of Lot 15 of East View Heights; thence South 86°38'50" East along said North line 63.17 feet; thence South 51°39'27" West, 18.62 feet; thence South 27°39'27" West, 102.92 feet; thence South 05°09'27" West, 440.56 feet; thence South 06°39'27" West, 88.90 feet to the point of beginning.

Containing 32,323 square feet, 0.74 acres

The PLE is subject to the following terms and conditions:

1. Grantee's employees, agents and contractors shall have the right to enter upon the PLE area for purposes of planning, design, construction, maintenance of the sewer lines and for ingress access, egress access, and access to adjoining PLE areas of the sewer lines.
2. Employees and contractors of the Madison Metropolitan Sewerage District shall have the right to enter upon the permanent easement lands of the Grantor for purposes of planning, design, construction, maintenance, ingress access, egress access, and access to adjoining permanent easement areas of the sewer lines.

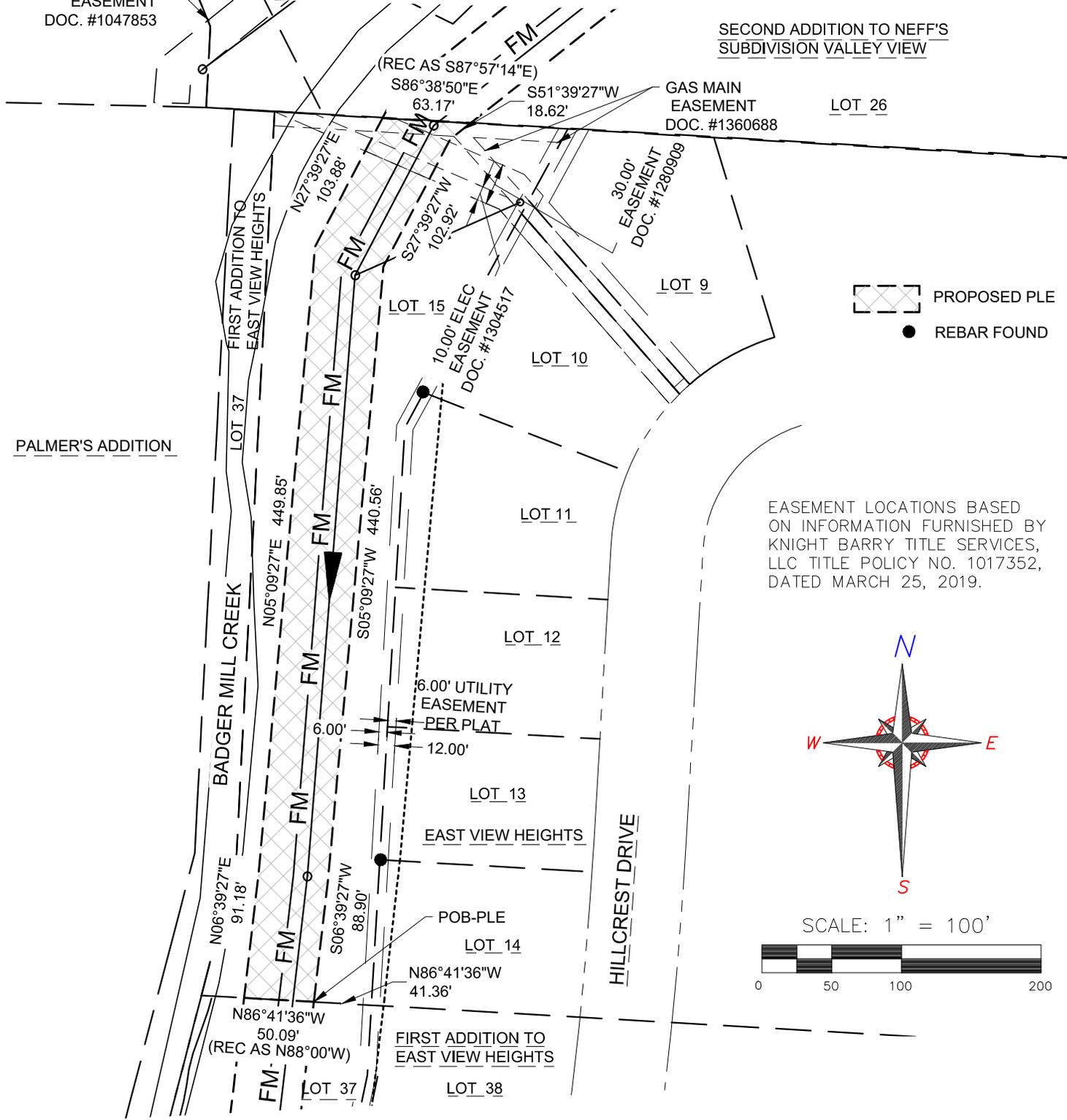
3. Grantee shall repair or replace any and all fences damaged or removed during construction to a condition equal to or better than existing if present at the time of executing this easement.
4. During the construction process, all areas within the PLE area will be cleared to facilitate the construction process for the sewer(s) and any other incidental work to complete the project.
5. During the construction process, all disturbed surfaces (turf, topsoil, etc.) within the PLE area will be restored to a condition equal to, or better, than existed prior to construction.
6. After construction is completed the Grantee shall have the right to enter upon the lands of the Grantor for purposes of operation, maintenance, repair, replacement, ingress access, egress access, access to adjoining permanent easement areas, or alteration of the sanitary sewer(s). Following the completion of any such work, the Grantee at its sole expense shall restore the surface of the land to its condition prior to the commencement of the work.
7. No buildings or permanent structures be built over the sewer(s) or placed within the PLE area. If such structures are built and sewer operation, repair, replacement or maintenance require the partial or complete removal or demolition of the structures, the Grantor shall be fully responsible for the expense of such removal or demolition and will not be entitled to any reimbursement from Grantee for repair or replacement of said structures. If said structures are not removed by Grantor, Grantee has the right to remove said structures and all costs shall be charged to Grantor. Permanent structures do not include roads, parking lots, or temporary storage buildings that could be removed or torn down in case of an emergency. Grantee shall not build any structures or parking areas within the PLE area.
8. Any excess fill generated by the project on the PLE area may be disposed of on the Grantor's property as directed by the Grantor as long as a written third party agreement is executed between Grantor and Grantee's contractor. No changes in grades shall occur to adversely affect positive drainage or floodplain management zones.
9. Following installation of the sanitary sewer(s), no permanent grade changes (additional overburden or excavation cuts) shall be placed within the PLE area without Grantee's prior first approval.
10. Following installation of the sanitary sewer(s) but as part of the overall project the City of Verona will construct a paved maintenance path to access the sewer(s) that will also serve as a multi-use path for recreation users. City of Verona will own and maintain the maintenance path.
11. Grantor and Grantee shall be responsible for the consequences of its own acts, errors, or omissions and those of its employees, boards, commissions, agencies, officers, and representatives and shall be responsible for any losses, claims, and liabilities which



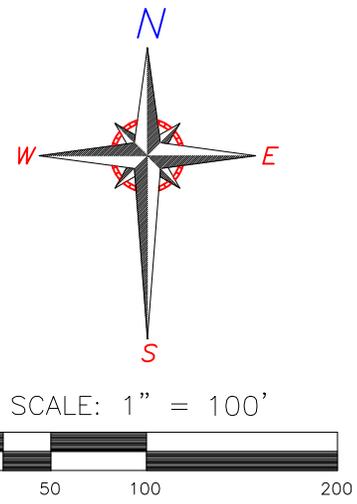
# EXHIBIT

SANITARY SEWER  
EASEMENT  
DOC. #1047853

SECOND ADDITION TO NEFF'S  
SUBDIVISION VALLEY VIEW



EASEMENT LOCATIONS BASED  
ON INFORMATION FURNISHED BY  
KNIGHT BARRY TITLE SERVICES,  
LLC TITLE POLICY NO. 1017352,  
DATED MARCH 25, 2019.



**SURVEYOR:**

KEITH A. KINDRED, PLS S-2082  
SEH, INC.  
501 MAPLE AVE.  
DELAFIELD, WI 53018  
(414) 949-8919



PHONE: 414.949.8919  
501 MAPLE AVENUE  
DELAFIELD, WI 53018-9351  
www.sehinc.com

DATED THIS 29TH DAY OF JUNE 2020  
DATED THIS 28TH DAY OF MAY 2020  
PROJECT VERPW #150350  
SHEET 1 OF 2

# EXHIBIT

## Permanent Limited Easement

Part of Lot 15 of East View Heights being part of the Southeast 1/4 of the Northeast 1/4 of Section 22, T.6N., R.8E., City of Verona, Dane County, Wisconsin bounded and described as follows;

Commencing at the Southeast corner of Lot 15 of East View Heights; thence North  $86^{\circ}41'36''$  West along the South line of said Lot 15 a distance of 41.36 feet to the point of beginning of the lands to be described; thence continuing North  $86^{\circ}41'36''$ W along said South line 50.09 feet; thence North  $06^{\circ}39'27''$  East, 91.18 feet; thence North  $05^{\circ}09'27''$  East, 449.85 feet; thence North  $27^{\circ}39'27''$  East, 103.88 feet to the North line of Lot 15 of East View Heights; thence South  $86^{\circ}38'50''$  East along said North line 63.17 feet; thence South  $51^{\circ}39'27''$  West, 18.62 feet; thence South  $27^{\circ}39'27''$  West, 102.92 feet; thence South  $05^{\circ}09'27''$  West, 440.56 feet; thence South  $06^{\circ}39'27''$  West, 88.90 feet to the point of beginning.

Containing 32,323 square feet, 0.74 acres



PHONE: 414.949.8919  
501 MAPLE AVENUE  
DELAFIELD, WI 53018-9351  
[www.sehinc.com](http://www.sehinc.com)

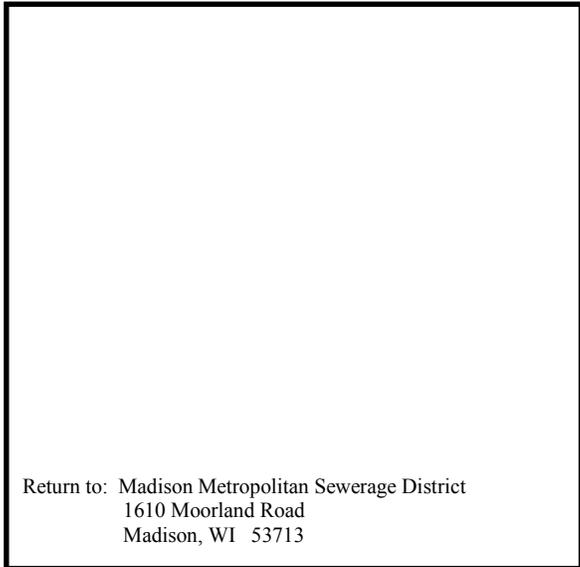
SURVEYOR:  
KEITH A. KINDRED, PLS S-2082  
SEH, INC.  
501 MAPLE AVE.  
DELAFIELD, WI 53018  
(414) 949-8919

DATED THIS 29TH DAY OF JUNE 2020  
DATED THIS 28TH DAY OF MAY 2020  
PROJECT VERPW #150350  
SHEET 2 OF 2

**SANITARY SEWER EASEMENT**

**MMSD Pumping Station 17 Forcemain Relief**

The City of Verona, (“Grantor”) in consideration of the sum of One and 00/100 Dollar (\$1.00) and other good and valuable consideration, receipt of which is hereby acknowledged, hereby grants to the Madison Metropolitan Sewerage District (“Grantee”) the right to construct, operate, repair, replace and maintain a sanitary sewer and any necessary appurtenance for the collection and transmission of residential, industrial, and other wastewater in, above, and across land located in the NW 1/4 of the NW 1/4 of Section 23, Town 6 North, Range 8 East, City of Verona, Dane County, Wisconsin (Grantor’s property).



Return to: Madison Metropolitan Sewerage District  
1610 Moorland Road  
Madison, WI 53713

Tax Parcel I.D. 0608-232-2216-8

Grantor hereby conveys unto Grantee a Permanent Limited Easement (PLE) on the following described lands:

Part of Lot 156 of the Fourth Addition to East View Heights being part of the Northwest 1/4 of the Northwest 1/4 of Section 23, T.6N., R.8E., City of Verona, Dane County, Wisconsin bounded and described as follows;

Beginning at the Northeasterly corner of Lot 156 of the Fourth Addition to East View Heights; thence South 49°45’13” West along the Southerly of said Lot 156 a distance of 322.33 feet to the Westerly line of Lot 157 of the Fourth Addition to East View Heights; thence South 52°14’47” East along said Westerly line 25.13 feet; thence South 51°22’30” West, 67.91 feet to the Easterly line of Lot 155 of the Fourth Addition to East View Heights; thence North 52°14’47” West along said Easterly line 23.16 feet to the Southerly line of Lot 156 of the Fourth Addition to East View Heights; thence South 49°45’13” West along said Southerly line 102.84 feet to the West line of Lot 156 of the Fourth Addition to East View Heights; thence North 00°15’08” East along said West line 39.05 feet; thence North 51°22’30” East, 448.45 feet to the Northerly line of Lot 156 of the Fourth Addition to East View Heights; thence South 88°27’47” East along said Northerly line 25.52 feet to the point of beginning

Contains 12,599 square feet, 0.29 acres

The **PLE** is subject to the following terms and conditions:

1. Grantee’s employees, agents and contractors shall have the right to enter upon the PLE area for purposes of planning, design, construction, maintenance of the sewer lines and for ingress access, egress access, and access to adjoining PLE areas of the sewer lines.

2. Employees and contractors of the Madison Metropolitan Sewerage District shall have the right to enter upon the permanent easement lands of the Grantor for purposes of planning, design, construction, maintenance, ingress access, egress access, and access to adjoining permanent easement areas of the sewer lines.
3. Grantee shall repair or replace any and all fences damaged or removed during construction to a condition equal to or better than existing if present at the time of executing this easement.
4. During the construction process, all areas with the PLE area will be cleared to facilitate the construction process for the sewer(s) and any other incidental work to complete the project.
5. During the construction process, all disturbed surfaces (turf, topsoil, etc.) within the PLE area will be restored to a condition equal to, or better, than existed prior to construction.
6. After construction is completed the Grantee shall have the right to enter upon the lands of the Grantor for purposes of operation, maintenance, repair, replacement, ingress access, egress access, access to adjoining permanent easement areas, or alteration of the sanitary sewer(s). Following the completion of any such work, the Grantee at its sole expense shall restore the surface of the land to its condition prior to the commencement of the work.
7. No buildings or permanent structures be built over the sewer(s) or placed within the PLE area. If such structures are built and sewer operation, repair, replacement or maintenance require the partial or complete removal or demolition of the structures, the Grantor shall be fully responsible for the expense of such removal or demolition and will not be entitled to any reimbursement from Grantee for repair or replacement of said structures. If said structures are not removed by Grantor, Grantee has the right to remove said structures and all costs shall be charged to Grantor. Permanent structures do not include roads, parking lots, or temporary storage buildings that could be removed or torn down in case of an emergency. Grantee shall not build any structures or parking areas within the PLE area.
8. Any excess fill generated by the project on the PLE area may be disposed of on the Grantor's property as directed by the Grantor as long as a written third party agreement is executed between Grantor and Grantee's contractor. No changes in grades shall occur to adversely affect positive drainage or floodplain management zones.
9. Following installation of the sanitary sewer(s), no permanent grade changes (additional overburden or excavation cuts) shall be placed within the PLE area without Grantee's prior first approval.
10. Following installation of the sanitary sewer(s) but as part of the overall project the City of Verona will construct a paved maintenance path to access the sewer(s) that will also serve as a multi-use path for recreation users. City of Verona will own and maintain the maintenance path.



OWNER:  
DANE COUNTY  
UNPLATTED  
LANDS

OWNER:  
DANE COUNTY  
UNPLATTED LANDS

# EXHIBIT

 PROPOSED PLE  
 REBAR FOUND

S88°27'47"E 2612.57'

N. LINE OF THE NW 1/4 OF SEC. 23-6-8

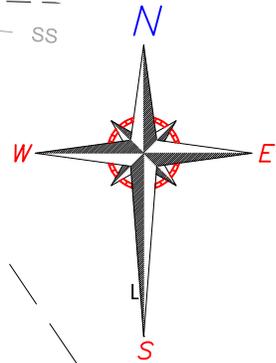
FOUND ALUM MON  
NW CORNER  
NW 1/4 OF  
SECTION 23-6-8

OUTLOT 1

BADGER MILL CREEK  
N51°22'30"E 448.45'  
S49°45'13"W 322.33'  
(REC AS N48°30'00"E)

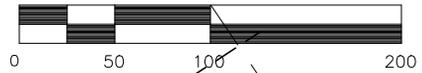
(REC AS S89°43'00"E)  
S88°27'47"E  
25.52'

6.00' UTILITY  
EASEMENT  
PER PLAT



LOT 158

SCALE: 1" = 100'



LOT 157

(REC AS N01°04'19"W)  
N00°15'08"E  
39.05'

(REC AS S53°30'00"E)  
N52°14'47"W  
23.16'

(REC AS N48°30'00"E  
102.31')  
S49°45'13"W  
102.84'

LOT 155

ELECTRIC EASEMENT  
DOC. #1627898

FOURTH ADDITION TO  
EAST VIEW HEIGHTS

ARBOR VITAE PLACE

UNPLATTED LANDS  
OWNER: DANE COUNTY

WEST LINE OF THE NW 1/4 OF SEC. 23-6-8

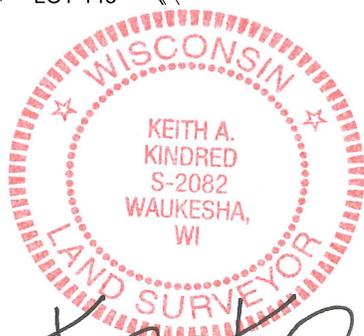
EASEMENT LOCATIONS BASED  
ON INFORMATION FURNISHED BY  
KNIGHT BARRY TITLE SERVICES,  
LLC TITLE POLICY NO. 1017357,  
DATED MARCH 26, 2019.

LOT 154

LOT 143

LOT 142

LOT 141



*Keith A. Kindred*

**SURVEYOR:**  
KEITH A. KINDRED, PLS S-2082  
SEH, INC.  
501 MAPLE AVE.  
DELAFIELD, WI 53018  
(414) 949-8919



PHONE: 414.949.8919  
501 MAPLE AVENUE  
DELAFIELD, WI 53018-9351  
www.sehinc.com

DATED THIS 8TH DAY OF JULY 2020

PROJECT VERPW #150350  
SHEET 1 OF 2

# EXHIBIT

## Permanent Limited Easement

Part of Lot 156 of the Fourth Addition to East View Heights being part of the Northwest 1/4 of the Northwest 1/4 of Section 23, T.6N., R.8E., City of Verona, Dane County, Wisconsin bounded and described as follows;

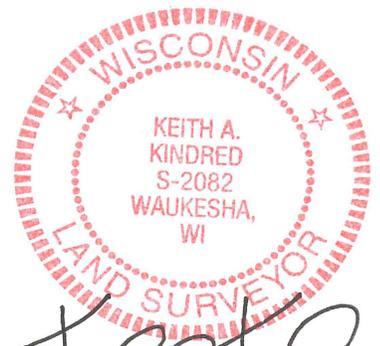
Beginning at the Northeasterly corner of Lot 156 of the Fourth Addition to East View Heights; thence South 49°45'13" West along the Southerly of said Lot 156 a distance of 322.33 feet to the Westerly line of Lot 157 of the Fourth Addition to East View Heights; thence South 52°14'47" East along said Westerly line 25.13 feet; thence South 51°22'30" West, 67.91 feet to the Easterly line of Lot 155 of the Fourth Addition to East View Heights; thence North 52°14'47" West along said Easterly line 23.16 feet to the Southerly line of Lot 156 of the Fourth Addition to East View Heights; thence South 49°45'13" West along said Southerly line 102.84 feet to the West line of Lot 156 of the Fourth Addition to East View Heights; thence North 00°15'08" East along said West line 39.05 feet; thence North 51°22'30" East, 448.45 feet to the Northerly line of Lot 156 of the Fourth Addition to East View Heights; thence South 88°27'47" East along said Northerly line 25.52 feet to the point of beginning

Contains 12,599 square feet, 0.29 acres

SURVEYOR:  
KEITH A. KINDRED, PLS S-2082  
SEH, INC.  
501 MAPLE AVE.  
DELAFIELD, WI 53018  
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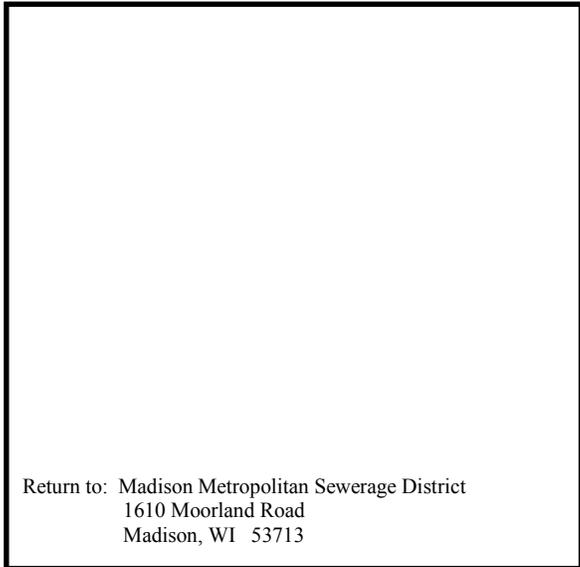


DATED THIS 8TH DAY OF JULY 2020  
PROJECT VERPW #150350  
SHEET 2 OF 2

**SANITARY SEWER EASEMENT**

**MMSD Pumping Station 17 Forcemain Relief**

The City of Verona, (“Grantor”) in consideration of the sum of One and 00/100 Dollar (\$1.00) and other good and valuable consideration, receipt of which is hereby acknowledged, hereby grants to the Madison Metropolitan Sewerage District (“Grantee”) the right to construct, operate, repair, replace and maintain a sanitary sewer and any necessary appurtenance for the collection and transmission of residential, industrial, and other wastewater in, above, and across land located in the NE 1/4 and SE 1/4 of the NE 1/4 of Section 22, Town 6 North, Range 8 East, City of Verona, Dane County, Wisconsin (Grantor’s property).



Return to: Madison Metropolitan Sewerage District  
1610 Moorland Road  
Madison, WI 53713

Tax Parcel I.D. 0608-221-1207-2

Grantor hereby conveys unto Grantee a Permanent Limited Easement (PLE) on the following described lands:

Part of Lot 26, Second Addition to Neff's Subdivision Valley View being part of the Northeast 1/4 and Southeast 1/4 of the Northeast 1/4 of Section 22, T.6N ., R.8E., City of Verona, Dane County, Wisconsin bounded and described as follows;

Commencing at the Southeast corner of Lot 26, Second Addition to Neff's Subdivision Valley View; thence North 01 °15'27" East along the East line of said Lot 26 a distance of 521.44 feet to the point of beginning of the lands to be described; thence S50°13'15" West, 566.61 feet; thence South 51 °39'27" West, 201. 77 feet to the South line of Lot 26, Second Addition to Neff's Subdivision Valley View; thence N86°41'47" West along said South line 63.47 feet; thence N27°39'27" East, 19.24 feet; thence N51 °39'27" East, 231 .00 feet; thence N50°13'15" East, 609.51 feet to the East line of Lot 26, Second Addition to Neff's Subdivision Valley View; thence South 01 °15'27" West along said East line 66.29 feet to the point of beginning.

Contains 40,778 square feet, 0.94 acres

The **PLE** is subject to the following terms and conditions:

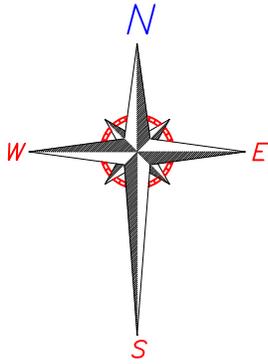
1. Grantee’s employees, agents and contractors shall have the right to enter upon the PLE area for purposes of planning, design, construction, maintenance of the sewer lines and for ingress access, egress access, and access to adjoining PLE areas of the sewer lines.
2. Employees and contractors of the Madison Metropolitan Sewerage District shall have the right to enter upon the permanent easement lands of the Grantor for purposes of

planning, design, construction, maintenance, ingress access, egress access, and access to adjoining permanent easement areas of the sewer lines.

3. Grantee shall repair or replace any and all fences damaged or removed during construction to a condition equal to or better than existing if present at the time of executing this easement.
4. During the construction process, all areas with the PLE area will be cleared to facilitate the construction process for the sewer(s) and any other incidental work to complete the project.
5. During the construction process, all disturbed surfaces (turf, topsoil, etc.) within the PLE area will be restored to a condition equal to, or better, than existed prior to construction.
6. After construction is completed the Grantee shall have the right to enter upon the lands of the Grantor for purposes of operation, maintenance, repair, replacement, ingress access, egress access, access to adjoining permanent easement areas, or alteration of the sanitary sewer(s). Following the completion of any such work, the Grantee at its sole expense shall restore the surface of the land to its condition prior to the commencement of the work.
7. No buildings or permanent structures be built over the sewer(s) or placed within the PLE area. If such structures are built and sewer operation, repair, replacement or maintenance require the partial or complete removal or demolition of the structures, the Grantor shall be fully responsible for the expense of such removal or demolition and will not be entitled to any reimbursement from Grantee for repair or replacement of said structures. If said structures are not removed by Grantor, Grantee has the right to remove said structures and all costs shall be charged to Grantor. Permanent structures do not include roads, parking lots, or temporary storage buildings that could be removed or torn down in case of an emergency. Grantee shall not build any structures or parking areas within the PLE area.
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9. Following installation of the sanitary sewer(s), no permanent grade changes (additional overburden or excavation cuts) shall be placed within the PLE area without Grantee's prior first approval.
10. Following installation of the sanitary sewer(s) but as part of the overall project the City of Verona will construct a paved maintenance path to access the sewer(s) that will also serve as a multi-use path for recreation users. City of Verona will own and maintain the maintenance path.

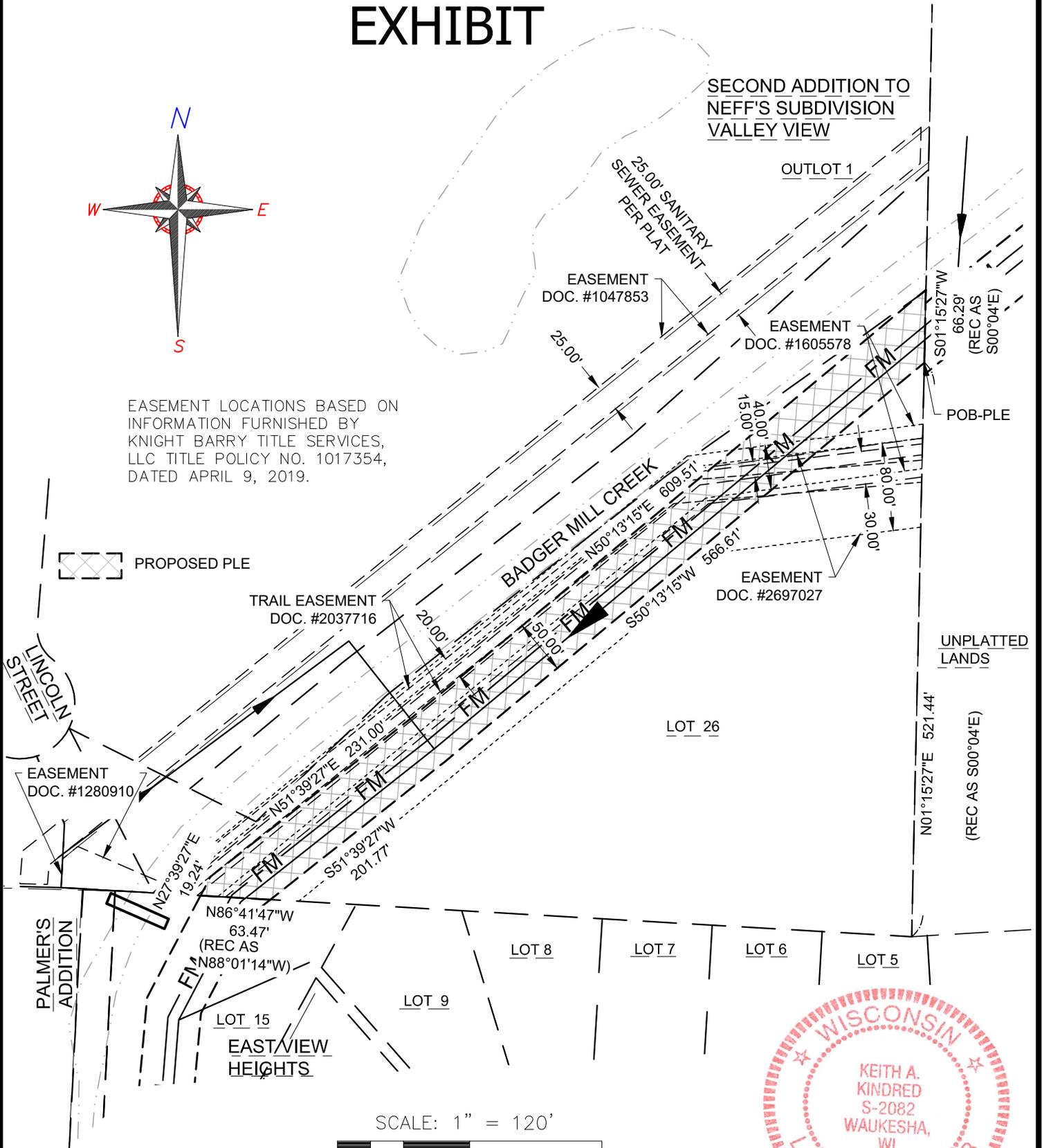


# EXHIBIT

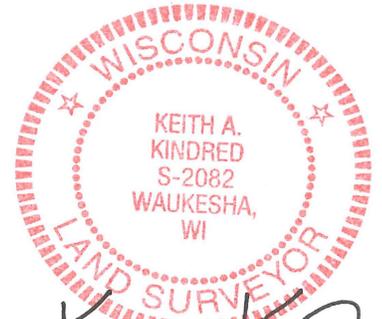
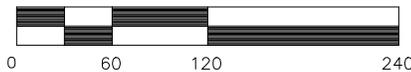


## SECOND ADDITION TO NEFF'S SUBDIVISION VALLEY VIEW

EASEMENT LOCATIONS BASED ON INFORMATION FURNISHED BY KNIGHT BARRY TITLE SERVICES, LLC TITLE POLICY NO. 1017354, DATED APRIL 9, 2019.



SCALE: 1" = 120'



*Keith A. Kindred*



PHONE: 414.949.8919  
501 MAPLE AVENUE  
DELAFIELD, WI 53018-9351  
www.sehinc.com

**SURVEYOR:**  
KEITH A. KINDRED, PLS S-2082  
SEH, INC.  
501 MAPLE AVE.  
DELAFIELD, WI 53018  
(414) 949-8919

REV. THIS 1ST DAY OF OCTOBER 2020  
DATED THIS 12TH DAY OF MAY 2020  
PROJECT VERPW #150350

# EXHIBIT

## Permanent Limited Easement

Part of Lot 26, Second Addition to Neff's Subdivision Valley View being part of the Northeast 1/4 and Southeast 1/4 of the Northeast 1/4 of Section 22, T.6N., R.8E., City of Verona, Dane County, Wisconsin bounded and described as follows;

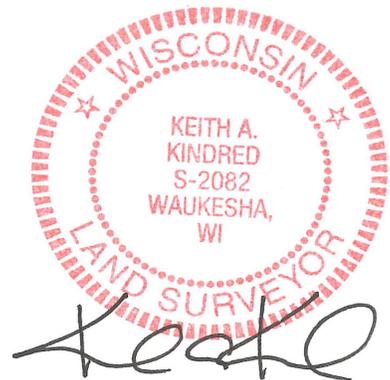
Commencing at the Southeast corner of Lot 26, Second Addition to Neff's Subdivision Valley View; thence North  $01^{\circ}15'27''$  East along the East line of said Lot 26 a distance of 521.44 feet to the point of beginning of the lands to be described; thence  $S50^{\circ}13'15''$  West, 566.61 feet; thence South  $51^{\circ}39'27''$  West, 201.77 feet to the South line of Lot 26, Second Addition to Neff's Subdivision Valley View; thence  $N86^{\circ}41'47''$  West along said South line 63.47 feet; thence  $N27^{\circ}39'27''$  East, 19.24 feet; thence  $N51^{\circ}39'27''$  East, 231.00 feet; thence  $N50^{\circ}13'15''$  East, 609.51 feet to the East line of Lot 26, Second Addition to Neff's Subdivision Valley View; thence South  $01^{\circ}15'27''$  West along said East line 66.29 feet to the point of beginning.

Contains 40,778 square feet, 0.94 acres

SURVEYOR:  
KEITH A. KINDRED, PLS S-2082  
SEH, INC.  
501 MAPLE AVE.  
DELAFIELD, WI 53018  
(414) 949-8919



PHONE: 414.949.8919  
501 MAPLE AVENUE  
DELAFIELD, WI 53018-9351  
www.sehinc.com



REV. THIS 1ST DAY OF OCTOBER 2020  
DATED THIS 12TH DAY OF MAY 2020  
PROJECT VERPW #150350  
SHEET 2 OF 2

## **ADDENDUM TO AGREEMENT FOR PROFESSIONAL SERVICES**

The City of Verona (the “City”), the Madison Metropolitan Sewerage District (“MMSD”), and Short Elliott Hendrickson, Inc. (“Consultant”) agree as follows:

1. The Agreement for Professional Services among the City, MMSD, and Consultant shall consist of:
  - a. This Addendum.
  - b. The Agreement for Professional Services.
  - c. General Conditions of the Agreement for Professional Services
  - d. Exhibit A-1 to Agreement for Professional Services.
  - e. Scope of Services.

Collectively, the above-referenced documents shall be referred to as the Agreement. In the event of any conflict between the terms of this Addendum and the terms of the documents identified in b. – e. above, the terms of this Addendum shall control.

2. The Project is identified as the Construction Related Services for City of Verona Eastside Interceptor Replacement (City Project ID 2018-108) and the MMSD Pump Station 17 Force Main Relief – Phase 1 projects.
3. The Project Scope is identified in the Scope of Work and attached under Exhibit “A”.
4. The total Consultant’s estimated fee is subject to a not-to-exceed amount of \$54,604.00. For the City’s portion of the Project, Consultant’s estimated fee is subject to a not-to-exceed amount of \$32,762.40, including expenses and equipment. For MMSD’s portion of the Project, Consultant’s estimated fee is subject to a not-to-exceed amount of \$21,841.60, including expenses and equipment.
5. Notwithstanding anything to the contrary in the Agreement for Professional Services, Exhibit A-1 to Agreement for Professional Services, the General Conditions of the Agreement for Professional Services, or Scope of Services, the City and MMSD shall own and may use all drawings, specifications, plans, reports, and other documents/records, electronic or otherwise, prepared by Consultant for the Project. For avoidance of doubt, if the City or MMSD terminate the Agreement or choose, for any reason, not to proceed with the Project, the City and MMSD shall own all drawings, specifications, plans, reports, and other documents/records prepared by Consultant for the Project under the Agreement.
6. Notwithstanding anything to the contrary in the Agreement for Professional Services, Exhibit A-1 to Agreement for Professional Services, the General

Conditions of the Agreement for Professional Services, or Scope of Services, the City and MMSD shall be required to furnish information or services related to the Project only to the extent that such information or services are both reasonably required and actually requested by Consultant in order to perform Consultant's services under the Agreement.

7. The Agreement shall be governed by the law of the State of Wisconsin.
8. Consultant shall comply with all applicable federal, state and local laws in the performance of this Agreement.
9. See attached insurance certificates dated September 29, 2020 from Lockton Companies of Kansas City, MO.

SIGNATURE PAGE TO FOLLOW

IN WITNESS WHEREOF, the parties executed this Addendum on \_\_\_\_\_, 2020.

CITY OF VERONA

By: \_\_\_\_\_  
Name: Luke Diaz  
Title: City of Verona Mayor

Attested By: \_\_\_\_\_  
Name: Ellen Clark  
Title: City of Verona Clerk

By: \_\_\_\_\_  
Name: Theran Jacobson, P.E.  
Title: City of Verona, Director of Public Works

MADISON METROPOLITAN SEWERAGE DISTRICT

By: \_\_\_\_\_  
Name: D. Michael Mucha, P.E.  
Title: Chief Engineer and Director, MMSD

SHORT ELLIOTT HENDRICKSON, INC.

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

## Agreement for Professional Services

This Agreement is effective as of October 9, 2020, between the City of Verona, the Madison Metropolitan Sewerage District (Clients) and Short Elliott Hendrickson Inc. (Consultant).

This Agreement authorizes and describes the scope, schedule, and payment conditions for Consultant's work on the Project described as: **Construction Phase Engineering Services for 2018-108 City of Verona East Side Interceptor and MMSD PS 17 Force Main Relief Phase I Project.**

**Client's Authorized Representative:** Theran Jacobson, PE  
**Address:** 410 Investment Court  
Verona, WI 53593  
**Telephone:** 608.845.6695 **email:** theran.jacobson@ci.verona.wi.us

**Client's Authorized Representative:** Eric Hjellen, PE  
**Address:** 1610 Moorland Road  
Madison, WI 53713  
**Telephone:** 608.222.1201 **email:** Erich@madsewer.org

**Project Manager:** Alan Bush, PE  
**Address:** 809 North 8th Street, Suite 205  
Sheboygan, WI 53081  
**Telephone:** 920.287.0828 **email:** abush@sehinc.com

**Scope:** The Basic Services to be provided by Consultant as set forth herein are provided subject to the attached General Conditions of the Agreement for Professional Services (General Conditions Rev. 07.14.16), which is incorporated by reference herein and subject to Exhibits attached to this Agreement, and to the Addendum to Agreement for Professional Services ("Addendum"). See Addendum for project scope.

**Schedule:** final completion of construction is specified for September 17, 2021. Completion of project record drawings by Consultant is anticipated to occur within one month thereafter.

The documents identified in the Addendum and collectively identified as the Agreement supersede all prior contemporaneous oral or written agreements and represents the entire understanding between Clients and Consultant with respect to the services to be provided by Consultant hereunder. This Agreement may not be amended except by written agreement signed by the authorized representatives of each party.

See Addendum for signatures.

**Other Terms and Conditions:** Other or additional terms contrary to the General Conditions that apply solely to this project as specifically agreed to by signature of the Parties and set forth herein:

1. Strike the following from the last sentence in Section I, Part D. 4 "and all termination expenses."

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# General Conditions of the Agreement for Professional Services

## SECTION I – SERVICES OF CONSULTANT

### A. General

1. Consultant agrees to perform professional services as set forth in the Agreement for Professional Services or Supplemental Letter Agreement ("Basic Services"). Nothing contained in this Agreement shall create a contractual relationship with or a cause of action in favor of a third party against either the Client or the Consultant. The Consultant's services under this Agreement are being performed solely for the Client's benefit, and no other party or entity shall have any claim against the Consultant because of this Agreement or the performance or nonperformance of services hereunder.

### B. Schedule

1. Unless specific periods of time or dates for providing services are specified, Consultant's obligation to render services hereunder will be for a period which may reasonably be required for the completion of said services.
2. If Client has requested changes in the scope, extent, or character of the Project or the services to be provided by Consultant, the time of performance and compensation for Consultant's services shall be adjusted equitably. The Client agrees that Consultant is not responsible for damages arising directly or indirectly from delays beyond Consultant's control. If the delays resulting from such causes increase the cost or the time required by Consultant to perform its services in accordance with professional skill and care, then Consultant shall be entitled to a equitable adjustment in schedule and compensation.

### C. Additional Services

1. If Consultant determines that any services it has been directed or requested to perform are beyond the scope as set forth in the Agreement or that, due to changed conditions or changes in the method or manner of administration of the Project, Consultant's effort required to perform its services under this Agreement exceeds the stated fee for Basic Services, then Consultant shall promptly notify the Client regarding the need for additional services. Upon notification and in the absence of a written objection, Consultant shall be entitled to additional compensation for the additional services, and to an extension of time for completion of additional services absent written objection by Client.
2. Additional services shall be billed in accord with agreed upon rates, or if not addressed, then at Consultant's standard rates.

### D. Suspension and Termination

1. If Consultant's services are delayed or suspended in whole or in part by Client, or if Consultant's services are delayed by actions or inactions of others for more than 60 days through no fault of Consultant, then Consultant shall be entitled to either terminate its agreement upon 7 days written notice or, at its option, accept an equitable adjustment of rates and amounts of compensation provided for elsewhere in this Agreement to reflect reasonable costs incurred by Consultant.
2. This Agreement may be terminated by either party upon seven days written notice should the other party fail substantially to perform in accordance with its terms through no fault of the party initiating the termination.
3. This Agreement may be terminated by either party upon thirty days' written notice without cause. All provisions of this Agreement allocating responsibility or liability between the Client and Consultant shall survive the completion of the services hereunder and/or the termination of this Agreement.
4. In the event of termination, Consultant shall be compensated for services performed prior to termination date, including charges for expenses and equipment costs then due and all termination expenses.

## SECTION II – CLIENT RESPONSIBILITIES

### A. General

1. The Client shall, in proper time and sequence and where appropriate to the Project, at no expense to Consultant, provide full information as to Client's requirements for the services provided by Consultant and access to all public and private lands required for Consultant to perform its services.
2. The Consultant is not a municipal advisor and therefore Client shall provide its own legal, accounting, financial and insurance counseling and other special services as may be required for the Project. Client shall provide to Consultant all data (and professional interpretations thereof) prepared by or services performed by others pertinent to Consultant's services, including but not limited to, previous reports; sub-surface explorations; laboratory tests and inspection of samples; environmental assessment and impact statements, surveys, property descriptions; zoning, deed and other land use restrictions; as-built drawings, electronic data base and maps. The costs associated with correcting, creating or recreating any data that is provided by the Client that contains inaccurate or unusable information shall be the responsibility of the Client.
3. Client shall provide prompt written notice to Consultant whenever the Client observes or otherwise becomes aware of any changes in the Project or any defect in Consultant's services. Client shall promptly examine all studies, reports, sketches, opinions of construction costs, specifications, drawings, proposals, change orders, supplemental agreements and other documents presented by Consultant and render the necessary decisions and instructions so that Consultant may provide services in a timely manner.
4. Client shall require all utilities with facilities within the Client's Project site to locate and mark said utilities upon request, relocate and/or protect said utilities as determined necessary to accommodate work of the Project, submit a schedule of the necessary relocation/protection activities to the Client for review and comply with agreed upon schedule. Consultant shall not be liable for damages which arise out of Consultant's reasonable reliance on the information or services furnished by utilities to Client or others hired by Client.
5. Consultant shall be entitled to rely on the accuracy and completeness of information or services furnished by the Client or others employed by the Client and shall not be liable for damages arising from reasonable reliance on such materials. Consultant shall promptly notify the Client if Consultant discovers that any information or services furnished by the Client is in error or is inadequate for its purpose.

## SECTION III – PAYMENTS

### A. Invoices

1. Undisputed portions of invoices are due and payable within 30 days. Client must notify Consultant in writing of any disputed items within 15 days from receipt of invoice. Amounts due Consultant will be increased at the rate of 1.0% per month (or the maximum rate of interest permitted by law, if less) for invoices 30 days past due. Consultant reserves the right to retain Instruments of Service until all invoices are paid in full. Consultant will not be liable for any claims of loss, delay, or damage by Client for reason of withholding services or Instruments of Service until all invoices are paid in full. Consultant shall be entitled to recover all reasonable costs and disbursements, including reasonable attorney's fees, incurred in connection with collecting amounts owed by Client.
2. Should taxes, fees or costs be imposed, they shall be in addition to Consultant's agreed upon compensation.
3. Notwithstanding anything to the contrary herein, Consultant may pursue collection of past due invoices without the necessity of any mediation proceedings.

## SECTION IV – GENERAL CONSIDERATIONS

### A. Standards of Performance

1. The standard of care for all professional engineering and related services performed or furnished by Consultant under this Agreement will be the care and skill ordinarily exercised by members of Consultant's profession practicing under similar circumstances at the same time and in the same locality. Consultant makes no warranties, express or implied, under this Agreement or otherwise, in connection with its services.
2. Consultant neither guarantees the performance of any Contractor nor assumes responsibility for any Contractor's failure to furnish and perform the work in accordance with its construction contract or the construction documents prepared by Consultant. Client acknowledges Consultant will not direct, supervise or control the work of construction contractors or their subcontractors at the site or otherwise. Consultant shall have no authority over or responsibility for the contractor's acts or omissions, nor for its means, methods or procedures of construction. Consultant's services do not include review or evaluation of the Client's, contractor's or subcontractor's safety measures, or job site safety or furnishing or performing any of the Contractor's work.
3. If requested in the scope of a Supplemental Letter Agreement, then Consultant may provide an Opinion of Probable Construction Cost. Consultant's Opinions of Probable Construction Cost provided for herein are to be made on the basis of Consultant's experience and qualifications and represent Consultant's best judgment as a professional generally familiar with the industry. However, since Consultant has no control over the cost of labor, materials, equipment or service furnished by others, or over the Contractor's methods of determining prices, or over competitive bidding or market conditions, Consultant cannot and does not guarantee that proposals, bids or actual construction cost will not vary from Opinions of Construction Cost prepared by Consultant. If Client wishes greater assurance as to probable Construction Cost, Client shall employ an independent cost estimator or negotiate additional services and fees with Consultant.

### B. Indemnity for Environmental Issues

1. Consultant is not a user, generator, handler, operator, arranger, storer, transporter or disposer of hazardous or toxic substances, therefore the Client agrees to hold harmless, indemnify and defend Consultant and Consultant's officers, directors, subconsultant(s), employees and agents from and against any and all claims, losses, damages, liability and costs, including but not limited to costs of defense, arising out of or in any way connected with, the presence, discharge, release, or escape of hazardous or toxic substances, pollutants or contaminants of any kind at the site.

### C. Limitations on Consultant's Liability

1. The Client hereby agrees that to the fullest extent permitted by law, Consultant's total liability to the Client for any and all injuries, claims, losses, expenses, or damages whatsoever arising out of or in any way related to the Project or this Agreement from any cause or causes including, but not limited to, Consultant's negligence, errors, omissions, strict liability, breach of contract or breach of warranty shall not exceed five hundred thousand dollars (\$500,000). In the event Client desires limits of liability in excess of those provided in this paragraph, Client shall advise Consultant in writing and agree that Consultant's fee shall increase by 1% for each additional five hundred thousand dollars of liability limits, up to a maximum limit of liability of five million dollars (\$5,000,000).
2. Neither Party shall be liable to the other for consequential damages, including, without limitation, lost rentals, increased rental expenses, loss of use, loss of income, lost profit, financing, business and reputation and for loss of management or employee productivity, incurred by one another or their subsidiaries or successors, regardless of whether such damages are foreseeable and are caused by breach of contract, willful misconduct, negligent act or omission, or other wrongful act of either of them.
3. It is intended by the parties to this Agreement that Consultant's services shall not subject Consultant's employees, officers or directors to any personal legal exposure for the risks associated

with this Agreement. The Client agrees that as the Client's sole and exclusive remedy, any claim, demand or suit shall be directed and/or asserted only against Consultant, and not against any of Consultant's individual employees, officers or directors, and Client knowingly waives all such claims against Consultant individual employees, officers or directors.

### D. Assignment

1. Neither party to this Agreement shall transfer, sublet or assign any rights under, or interests in, this Agreement or claims based on this Agreement without the prior written consent of the other party. Any assignment in violation of this subsection shall be null and void.

## SECTION V – DISPUTE RESOLUTION

### A. Mediation

1. Any dispute between Client and Consultant arising out of or relating to this Agreement or services provided under this Agreement, (except for unpaid invoices which are governed by Section III), shall be submitted to nonbinding mediation as a precondition to litigation unless the parties mutually agree otherwise. Mediation shall occur within 60 days of a written demand for mediation unless Consultant and Client mutually agree otherwise.

### B. Litigation – Choice of Venue and Jurisdiction

1. Any dispute not settled through mediation shall be settled through litigation in the state where the Project at issue is located.

## SECTION VI – INTELLECTUAL PROPERTY

### A. Proprietary Information

1. All documents, including reports, drawings, calculations, specifications, CADD materials, computers software or hardware or other work product prepared by Consultant pursuant to this Agreement are Consultant's Instruments of Service ("Instruments of Service") and Consultant retains all ownership interests in Instruments of Service, including all available copyrights.
2. Consultant shall retain all of its rights in its proprietary information including, without limitation, its methodologies and methods of analysis, ideas, concepts, expressions, inventions, know how, methods, techniques, skills, knowledge and experience possessed by Consultant prior to, or acquired by Consultant during, the performance of this Agreement and the same shall not be deemed to be Work Product or Work for Hire and Consultant shall not be restricted in any way with respect thereto.

### B. Client Use of Instruments of Service

1. Provided that Consultant has been paid in full for its services, Client shall have the right in the form of a license to use Instruments of Service resulting from Consultant's efforts on the Project. Consultant shall retain full rights to electronic data and the drawings, specifications, including those in electronic form, prepared by Consultant and its subconsultants and the right to reuse component information contained in them in the normal course of Consultant's professional activities. Consultant shall be deemed to be the author of such Instruments of Service, electronic data or documents, and shall be given appropriate credit in any public display of such Instruments of Service.
2. Records requests or requests for additional copies of Instruments of Services outside of the scope of services are available to Client subject to Consultant's current rate schedule.

### C. Reuse of Documents

1. All Instruments of Service prepared by Consultant pursuant to this Agreement are not intended or represented to be suitable for reuse by the Client or others on extensions of the Project or on any other Project. Any reuse of the Instruments of Service without written consent or adaptation by Consultant for the specific purpose intended will be at the Client's sole risk and without liability or legal exposure to Consultant; and the Client shall release Consultant from all claims arising from such use. Client shall also defend, indemnify and hold harmless Consultant from all claims, damages, losses and expenses including attorneys' fees arising out of or resulting from reuse of Consultant documents without written consent.

**Exhibit A-1**  
**to Agreement for Professional Services**  
**Between the City of Verona, the Madison Metropolitan Sewerage District (Clients)**  
**and**  
**Short Elliott Hendrickson Inc. (Consultant)**  
**Dated October 9, 2020**

**Payments to Consultant for Services and Expenses**  
**Using the Hourly Basis Option**

The Agreement for Professional Services is amended and supplemented to include the following agreement of the parties:

**A. Hourly Basis Option**

The Client and Consultant select the hourly basis for payment for services provided by Consultant. Consultant shall be compensated monthly. Monthly charges for services shall be based on Consultant's current billing rates for applicable employees plus charges for expenses and equipment.

Consultant will provide an estimate of the costs for services in this Agreement. It is agreed that after 90% of the estimated compensation has been earned and if it appears that completion of the services cannot be accomplished within the remaining 10% of the estimated compensation, Consultant will notify the Client and confer with representatives of the Client to determine the basis for completing the work.

Compensation to Consultant based on the rates is conditioned on completion of the work within the effective period of the rates. Should the time required to complete the work be extended beyond this period, the rates shall be appropriately adjusted.

**B. Expenses**

The following items involve expenditures made by Consultant employees or professional consultants on behalf of the Client. Their costs are not included in the hourly charges made for services and shall be paid for as described in this Agreement but instead are reimbursable expenses required in addition to hourly charges for services:

1. Transportation and travel expenses.
2. Fees paid, in the name of the Client, for securing approval of authorities having jurisdiction over the Project.
3. Expense of overtime work requiring higher than regular rates, if authorized in advance by the Client.
4. Renderings, models, mock-ups, professional photography, and presentation materials requested by the Client.
5. All taxes levied on professional services and on reimbursable expenses.
6. Other special expenses required in connection with the Project.
7. The cost of special consultants or technical services as required. The cost of subconsultant services shall include actual expenditure plus 10% markup for the cost of administration and insurance.

The Client shall pay Consultant monthly for expenses.

**C. Equipment Utilization**

The utilization of specialized equipment, including automation equipment, is recognized as benefiting the Client. The Client, therefore, agrees to pay the cost for the use of such specialized equipment on the project. Consultant invoices to the Client will contain detailed information regarding the use of specialized equipment on the project and charges will be based on the standard rates for the equipment published by Consultant.

The Client shall pay Consultant monthly for equipment utilization.

c:\data\work\157890.verona - madison msd crs\bush\word\20201005 exhibit a1.docx



# CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)  
9/24/2020

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

**IMPORTANT:** If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

<b>PRODUCER</b> H. Robert Anderson and Associates, Inc. 8201 Norman Center Drive Suite 220 Bloomington MN 55437	<b>CONTACT NAME:</b> Jeanne Danmeier <b>PHONE (A/C No. Ext):</b> (952) 893-1933 <b>E-MAIL ADDRESS:</b>	<b>FAX (A/C No):</b> (952) 893-1819
	<b>INSURER(S) AFFORDING COVERAGE</b>	
<b>INSURED</b> Short-Elliott-Hendrickson, Incorporated 3535 Vadnais Center Drive St. Paul MN 55110	<b>INSURER A:</b> XL Specialty Insurance Co. <b>NAIC #</b> 37885	
	<b>INSURER B:</b>	
	<b>INSURER C:</b>	
	<b>INSURER D:</b>	
	<b>INSURER E:</b>	
	<b>INSURER F:</b>	

**COVERAGES** **CERTIFICATE NUMBER: 2020-2021 1** **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
	<b>COMMERCIAL GENERAL LIABILITY</b> <input type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:						EACH OCCURRENCE \$ DAMAGE TO RENTED PREMISES (Ea occurrence) \$ MED EXP (Any one person) \$ PERSONAL & ADV INJURY \$ GENERAL AGGREGATE \$ PRODUCTS - COMP/OP AGG \$ \$
	<b>AUTOMOBILE LIABILITY</b> <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> NON-OWNED AUTOS						COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
	<b>UMBRELLA LIAB</b> <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> OCCUR <input type="checkbox"/> CLAIMS-MADE DED RETENTION \$						EACH OCCURRENCE \$ AGGREGATE \$ \$
	<b>WORKERS COMPENSATION AND EMPLOYERS' LIABILITY</b> ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N	N/A				<input type="checkbox"/> PER STATUTE <input type="checkbox"/> OTH-ER E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$
A	Professional Liability			DPR9966706	10/1/2020	10/1/2021	Each Claim/ \$5,000,000 Each Policy Year Aggregate \$10,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)  
Project: City of Verona Eastside Interceptor Replacement (City Project ID 2018-108) and the MMSD Pump Station 17 Force Main Relief - Phase 1 projects

This certificate or memorandum of insurance does not affirmatively or negatively amend, extend, or alter the coverage afforded by the insurance policy.

### CERTIFICATE HOLDER

### CANCELLATION

City of Verona 410 Investment Court Verona, WI 53593	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.  AUTHORIZED REPRESENTATIVE Theresa Anderson/DA <i>Theresa M. Anderson</i>
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© 1988-2014 ACORD CORPORATION. All rights reserved.



# CERTIFICATE OF LIABILITY INSURANCE

10/1/2021

DATE (MM/DD/YYYY)

9/29/2020

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

**IMPORTANT:** If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

<b>PRODUCER</b> Lockton Companies 444 W. 47th Street, Suite 900 Kansas City MO 64112-1906 (816) 960-9000	<b>CONTACT NAME:</b> <b>PHONE (A/C. No. Ext):</b> <b>E-MAIL ADDRESS:</b>	<b>FAX (A/C. No):</b>	
	<b>INSURER(S) AFFORDING COVERAGE</b>		
<b>INSURED</b> 1467605 SHORT-ELLIOTT-HENDRICKSON, INCORPORATED 3535 VADNAIS CENTER DRIVE ST. PAUL MN 55110-5196	<b>INSURER A:</b> The Continental Insurance Company		<b>NAIC #</b> 35289
	<b>INSURER B:</b> National Fire Insurance Co of Hartford		<b>NAIC #</b> 20478
	<b>INSURER C:</b>		
	<b>INSURER D:</b>		
	<b>INSURER E:</b>		
	<b>INSURER F:</b>		

**COVERAGES \*\*\*\*\* CERTIFICATE NUMBER: 16322250 REVISION NUMBER: XXXXXXXX**

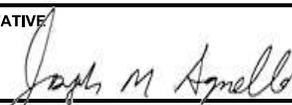
THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR  GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input checked="" type="checkbox"/> PRO-JECT <input checked="" type="checkbox"/> LOC OTHER:	Y	N	6079420587	10/1/2020	10/1/2021	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 500,000 MED EXP (Any one person) \$ 15,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000 \$
A	<input checked="" type="checkbox"/> AUTOMOBILE LIABILITY <input checked="" type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> NON-OWNED AUTOS ONLY	N	N	6079420699	10/1/2020	10/1/2021	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ XXXXXXXX BODILY INJURY (Per accident) \$ XXXXXXXX PROPERTY DAMAGE (Per accident) \$ XXXXXXXX \$ XXXXXXXX
A	<input checked="" type="checkbox"/> UMBRELLA LIAB <input checked="" type="checkbox"/> OCCUR <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> DED <input checked="" type="checkbox"/> RETENTION \$ 10,000	N	N	6079420590	10/1/2020	10/1/2021	EACH OCCURRENCE \$ 10,000,000 AGGREGATE \$ 10,000,000 \$ XXXXXXXX
B	<b>WORKERS COMPENSATION AND EMPLOYERS' LIABILITY</b> ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N <input checked="" type="checkbox"/> N	N/A	6079421254	10/1/2020	10/1/2021	<input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTH-ER E.L. EACH ACCIDENT \$ 1,000,000 E.L. DISEASE - EA EMPLOYEE \$ 1,000,000 E.L. DISEASE - POLICY LIMIT \$ 1,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

The City of Verona, The Madison Metropolitan Sewerage District are Additional Insured as it relates to General Liability & Auto Liability in accordance with the terms and conditions of the policies. Umbrella follows form as it relates to additional insureds. The above coverage is primary and noncontributory where required by written contract.

**CERTIFICATE HOLDER****CANCELLATION** See Attachment

<b>16322250</b> The City of Verona, The Madison Metropolitan Sewerage District 410 Investment Court Verona, WI 53593 Verona WI 53593	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.
	AUTHORIZED REPRESENTATIVE 

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Lockton Companies  
444 W. 47th Street, Suite 900  
Kansas City, MO 64112

SHORT-ELLIOTT-HENDRICKSON, INCORPORATED; 1467605



16322250  
The City of Verona, The Madison  
410 Investment Court Verona, WI 53593  
Verona, WI 53593

**To Whom It May Concern:**

In our continuing effort to provide timely certificate delivery, Lockton Companies is utilizing paperless delivery of Certificates of Insurance.

To ensure electronic delivery for future renewals of this certificate, we need your email address. Please contact us via the email below and reference Certificate ID: **16322250**. You must reference this Certificate ID number in order for us to complete this process.

- Email: [kctsu@lockton.com](mailto:kctsu@lockton.com)**
- Subject Line: Email Address Update**

If you received this certificate through an internet link where the current certificate is viewable, we have your email and no further action is needed.

If you would rather continue to receive printed certificates, no further action is required.

If you no longer need this certificate, please contact us at the email address above.

***NOTE: The above email is a collector email regarding electronic delivery of certificates only. Please do NOT send certificate requests or other insurance inquiries to this inbox as responses will be delayed or missed.***

Thank you for your cooperation and willingness in reducing our environmental footprint.

**Lockton Companies  
Technical Services Unit**

City of Verona / MMSD: 2018-108 ESI and PS 17 FM Relief Phase 1 - Construction Phase Engineering Services  
 SEH Proposal, Estimated Level of Effort - Cost Breakdown

	Labor Hours							Expenses/ODC's			Total	
	Bush	Hemstad	Gabbey	Mountain	Kennedy	Hochevar	Squires	PC& CADD	Printing/ Plotting	Travel	Hours	\$
	Project Manager	Structural	Civil	Survey	Permitting	CAD Tech	Admin					
Billing Rate	\$233.00	\$190.00	\$115.00	\$109.00	\$137.00	\$83.00	\$112.00	\$ 3.00			Hours	\$
<b>Task 1, Project Management Support</b>												
Prepare Project Plan / Project Instructions	4						2	\$ 18			6	\$ 1,174
Complete All Work Associated with Final Permits and Approvals	4				16		2	\$ 66			22	\$ 3,414
<b>Subtotal, Task 1</b>	<b>8</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>16</b>	<b>0</b>	<b>4</b>	<b>\$ 84</b>	<b>\$ -</b>	<b>\$ -</b>	<b>28</b>	<b>\$ 4,588</b>
<b>Task 2, Construction Related Services</b>												
Attend Preconstruction Conference	8						2	\$ 30			10	\$ 2,118
Monthly Construction Progress Meetings (12 each @ 2 hrs per each)	24						12	\$ 108			36	\$ 7,044
Review Shop Drawings												
Verona Std Spec Section 0105 - Construction Progress Schedule	2							\$ 6			2	\$ 472
Verona Std Spec Section 0105.3.4 - Sanitary Sewer and Manhole Submittals	4		8					\$ 36			12	\$ 1,888
Spec Section FM - 03 20 00 Concrete Reinforcement		4						\$ 12			4	\$ 772
Spec Section FM - 03 30 10 Cast In Place Concrete		8						\$ 24			8	\$ 1,544
Spec Section TS - 02 32 14 Vibration Monitoring		2						\$ 6			2	\$ 386
Spec Section TS - 03 61 10 Patching Mortar		2						\$ 6			2	\$ 386
Spec Section TS - 03 62 00 Nonshrink Grout		2						\$ 6			2	\$ 386
Spec Section TS - 03 63 00 Epoxy Grout		2						\$ 6			2	\$ 386
Spec Section TS - 09 96 20 Coating Systems for Sanitary Sewer Manholes	2							\$ 6			2	\$ 472
Spec Section TS - 31 50 00 Excavation Support System		2						\$ 6			2	\$ 386
Spec Section TS - 33 05 22 Pipe Jacking			2					\$ 6			2	\$ 236
Spec Section TS - 33 06 00 Horizontal Directional Drilling			2					\$ 6			2	\$ 236
Spec Section TS - 34 01 00 Trench Dam			2					\$ 6			2	\$ 236
Bid Item 1305 - Base Aggregate, Trail Fines			4					\$ 12			4	\$ 472
Bid Item 1455 - Tack Coat			2					\$ 6			2	\$ 236
Bid Item 1460 - HMA Pavement			2					\$ 6			2	\$ 236
Bid Item 1606 - Rip Rap			2					\$ 6			2	\$ 236
Bid Item 1628 - Erosion Control Mat and Turbidity Barrier			2					\$ 6			2	\$ 236
Bid Item 1630 - Seeding					8			\$ 24			8	\$ 1,120
Bid Item 1628 - Geotextiles			2					\$ 6			2	\$ 236
Bid Item 1650 - Construction Staking			8					\$ 24			8	\$ 944
Bid Item 2252 - RCP Culverts			2					\$ 6			2	\$ 236
Bid Item 4000 - Bypass Pumping & Flow Control	8							\$ 24			8	\$ 1,888
Bid Item 4209 - Crushed Stone Stabilization			2					\$ 6			2	\$ 236
Review Field QC Testing Results for City of Verona and Dane County elements	4	4	16					\$ 72			24	\$ 3,604
Consult and Advise City and MMSD Staff for Contractual Related Elements	8							\$ 24			8	\$ 1,888
Assist City and MMSD with RFI's and Technical Clarifications	8	4	16					\$ 84			28	\$ 4,548
Assist City and MMSD with Minor Variations in the Work	4	2	8					\$ 42			14	\$ 2,274
Assist City and MMSD with Change Orders	16	2	16					\$ 102			34	\$ 6,050
Prepare Record Drawings	4					32		\$ 108	\$100		36	\$ 3,796
<b>Subtotal, Task 2</b>	<b>92</b>	<b>34</b>	<b>96</b>	<b>0</b>	<b>8</b>	<b>32</b>	<b>14</b>	<b>\$ 828</b>	<b>\$ 100</b>	<b>\$ -</b>	<b>276</b>	<b>\$ 45,184</b>
<b>Task 3, Survey</b>												
Survey to Re-establish Horizontal and Vertical Control, if needed				16				\$ 48		\$141	16	\$ 1,933
Manhole As-Built Survey				24				\$ 72		\$211	24	\$ 2,899
<b>Subtotal, Task 3</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>40</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>\$ 48</b>	<b>\$ -</b>	<b>\$ 352</b>	<b>40</b>	<b>\$ 4,832</b>
<b>TOTAL</b>	<b>100</b>	<b>34</b>	<b>96</b>	<b>40</b>	<b>24</b>	<b>32</b>	<b>18</b>	<b>\$ 1,032</b>	<b>\$ 100</b>	<b>\$ 352</b>	<b>344</b>	<b>\$ 54,604</b>

## EXHIBIT "A"

### 2018-108 City of Verona East Side Interceptor and MMSD PS 17 Force Main Relief Phase I Project

#### Scope of Work, Engineering Services During Construction

##### Project Management

1. Prepare a project plan after a notice to proceed is received from the City. The project plan will include members of the project team, and a list of anticipated submittals and their corresponding spec section number in Excel Format.

##### Construction Related Services

1. The Notice to Proceed to the Contractor to begin construction will be issued by the City.

2. Remotely attend the Preconstruction Conference using Go To Meeting teleconference or acceptable equivalent (the City will lead this meeting). Assist the City with preparation of the following handouts/documents related to this meeting:

- City will provide boiler plate meeting agenda from previous projects
- Project submittal requirements listing
- Manufacturer's services requirements listing
- Project transmittal forms (submittal forms, RFIs, etc.), all included in project manual. Consultant to format transmittal forms to project specific requirements.
- Prepare and distribute meeting minutes to attendees

4. Schedule, remotely attend and lead monthly construction progress meetings using Go To Meeting teleconference or acceptable equivalent. Assume 12 monthly construction progress meetings. Provide the following handouts/documents related to these meetings:

- Meeting agenda
- Submittal status log as prepared by MMSD for all elements of the project.
- RFI status log as prepared by MMSD for all elements of the project.
- Change Order status log as prepared by MMSD for all elements of the project.
- Prepare and distribute meeting minutes to attendees

5. Review shop drawings, diagrams, illustrations, catalog data, schedules and samples, the results of test and inspections, manufacturers' operation and maintenance (O&M) manuals, and other data that the Contractor is required to submit. The City expects that the majority of the submittal process will be done

electronically. Consultant will lead the routing of the electronic submittals. The logging and tracking of electronic submittals will be led by MMSD. Consultant shall also review and evaluate the results of testing and inspections performed by sub-consultants and by testing agencies hired by the contractor related to the pipelines. City will review and evaluate the results of testing and inspections performed for all roadway related elements of the projects.

i. Consultant shall review all submittals related to City of Verona elements.

ii. Dane County shall review all submittals related to Dane County elements.

ii. MMSD shall review all submittal related to MMSD project elements. The logging and tracking of electronic submittals will be led by MMSD.

6. Consult with and advise the City and act as the City's representative as needed for any contractual related elements during construction.

7. The City will be the primary reviewer and will process all monthly pay requests.

8. Assist the City with all Requests for Information (RFI) and provide technical clarifications and interpretations of the Contract Documents. Evaluate requested deviations as required. Consultant will route the RFIs and MMSD will track the RFIs.

9. Assist the City in contract change orders. The City will serve as the primary lead for all change orders. City shall initiate changes as required. Consultant shall prepare change order supplemental engineering information, such as diagrams and drawings, and submit them to the City for inclusion with change orders as necessary.

10. Prepare electronic and hard copy record drawings including significant changes made during construction. Record drawings shall be based upon the drawings in the Contract Documents, with modifications based upon marked-up prints, drawings, and other data furnished by the City and Contractors. Provide the City with electronic record drawings in AutoCAD and Adobe Acrobat pdf formats. Provide one full size set of prints of the record drawings as hard copy.

#### Survey

1. The Contractor is required to provide construction staking for the project, in accordance with the special provisions.

2. Consultant shall provide field survey to verify or re-establish horizontal and vertical control, if disturbed by the Contractor's operations.

3. Consultant shall field survey as-built manhole locations and inverts of all new manholes installed.

#### Construction Observation

1. The City and MMSD will provide the services of a Resident Engineer for on-site observation of the work during the construction period.

### 3-18 Compensation

#### Salary Adjustments

On an annual basis or at other times as warranted, the City Council may consider applying an across the board Cost of Living Adjustment or individual position adjustments. ~~in order to keep the City's compensation levels competitive with market rates and the local economy.~~ Consideration of salary adjustments shall be based on the recommendation of the City Administrator to the Personnel Committee. The Finance Committee shall recommend funding for salary adjustments as part of the budget process. All salary adjustments shall be confirmed by the City Council.

If the annual budget includes a cost of living adjustment, the adjustment shall take effect at the start of the pay period closest to January 1<sup>st</sup>. For example, if the start of the pay period is December 30<sup>th</sup>, the cost of living adjustment would begin on December 30<sup>th</sup>. Further, if the start of the pay period is December 27<sup>th</sup>, the cost of living adjustment would begin on December 27<sup>th</sup>. In no instance shall employees receive the cost of living adjustment later than January 1<sup>st</sup>.

See Appendix 2 for a list of current pay rates and schedules.

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**CITY OF VERONA  
RESOLUTION NO. R-20-041**

**A RESOLUTION REQUESTING EXEMPTION  
FROM COUNTY LIBRARY TAX**

**WHEREAS**, the Dane County Board has established a county library and levies a county library tax as authorized under Section 43.57(3) of the Wisconsin Statutes, and

**WHEREAS** the Dane County Library Board has determined that the library serving the City of Verona meets the minimum standards of operation established by County Board Resolution 185, 2011-2012 and later amended by County Board Resolution 98, 2013-2014 in compliance with Section 43.11(3)(d) of the Wisconsin Statutes, and

**WHEREAS**, Section 43.64(2)(b) of the Wisconsin Statutes provides that a village or city which levies a tax for public library service and appropriates and expends for a library fund as defined by s43.52(1) during the year for which the county tax levy is made a sum at least equal to the county tax rate in the prior year multiplied by the equalized valuation of property in the city or village for the current year, and

**WHEREAS**, the City of Verona will appropriate in 2020 and expend in 2021 an amount in excess of that calculated above,

**NOW THEREFORE BE IT RESOLVED**, that the City of Verona hereby requests of the Dane County Board of Supervisors that the City of Verona be exempted from the payment of any tax for the support of the County Library Service as provided in Section 43.64(2).

**BE IT FURTHER RESOLVED** that confirmed copies of this resolution be forwarded by the City Clerk to the following party:

Tracy Herold, Director  
Dane County Library Service  
1874 S. Stoughton Rd.  
Madison, WI 53716

Passed, signed and dated this 12<sup>th</sup> day of October, 2020.

Vote: \_\_\_\_\_

SEAL

**CITY OF VERONA**

\_\_\_\_\_  
Luke Diaz, Mayor

\_\_\_\_\_  
Ellen Clark, Clerk