CITY OF STOUGHTON, 207 S. Forrest Street, Stoughton, WI 53589

ORDINANCE OF THE COMMON COUNCIL

An ordinance amending the zoning classification of Certified Survey Map (CSM) Lots 1, 2, 3 and Outlot 1 at the southeast corner of US Highway 51 and County Highway B, in the City of Stoughton, WI.

Committee Action: Plan Commission recommends Council approval 7 – 0

Fiscal Impact:

File Number:	O-26-2023	**Date Introduced:**	First Reading: 8/22/2023 Second Reading: 9/12/2023

RECITALS

1. Daniele St. Marie Thompson (the "Owner/Applicant") has requested to change the zoning classification of the proposed parcels within Certified Survey Map (CSM) Lots 1, 2, 3 and Outlot 1 at the southeast corner of US Highway 51 and County Highway B.

2. The applicant proposes to rezone CSM Lot 1 to PO – Planned Office; Lot 2 and 3 to RH – Rural Holding and Outlot 1 to I – Institutional (Park and Open Space).

3. On August 14, 2023, the City of Stoughton Plan Commission held a public hearing regarding the proposed zoning changes. The public hearing was preceded by the publication of a class 2 notice, and other notices as required by law.

4. The Plan Commission found that the proposed zoning changes are consistent with the City of Stoughton Comprehensive Plan, and recommend the zoning changes be approved as presented.

5. The Common Council has considered the proposed zoning changes, the Plan Commission's recommendation and finds that the proposed zoning changes are consistent with the City of Stoughton Comprehensive Plan.

ORDINANCE

The Common Council of the City of Stoughton, Dane County, Wisconsin do ordain as follows:

Section 1. The recitals set forth above are material to and are incorporated in this ordinance as if set forth in full.

Section 2. Subject to the conditions set forth in section 3 below, the zoning classification of the proposed parcels within Certified Survey Map (CSM) Lots 1, 2, 3 and Outlot 1 at the southeast corner of US Highway 51 and County Highway B are approved to be rezoned as follows: Lot 1 to PO – Planned Office; Lot 2 and 3 to RH – Rural Holding and Outlot 1 to I – Institutional (Park and Open Space).

Section 3. This ordinance shall take effect upon publication pursuant to law after the Certified Survey Map has been approved by the City and recorded by the applicant.

Dates
Council Adopted: _____

Mayor Approved: _____ _____
Tim Swadley, Mayor

Published: _____

Attest: _____ _____
Candee Christen, City Clerk

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CITY OF STOUGHTON
DEPARTMENT OF
PLANNING & DEVELOPMENT
207 S. Forrest Street, Stoughton, WI. 53589

(608) 873-6619 www.cityofstoughton.com

RODNEY J. SCHEEL
DIRECTOR

Date: July 29, 2023

To: Plan Commission and Common Council

From: Rodney J. Scheel
Director of Planning & Development

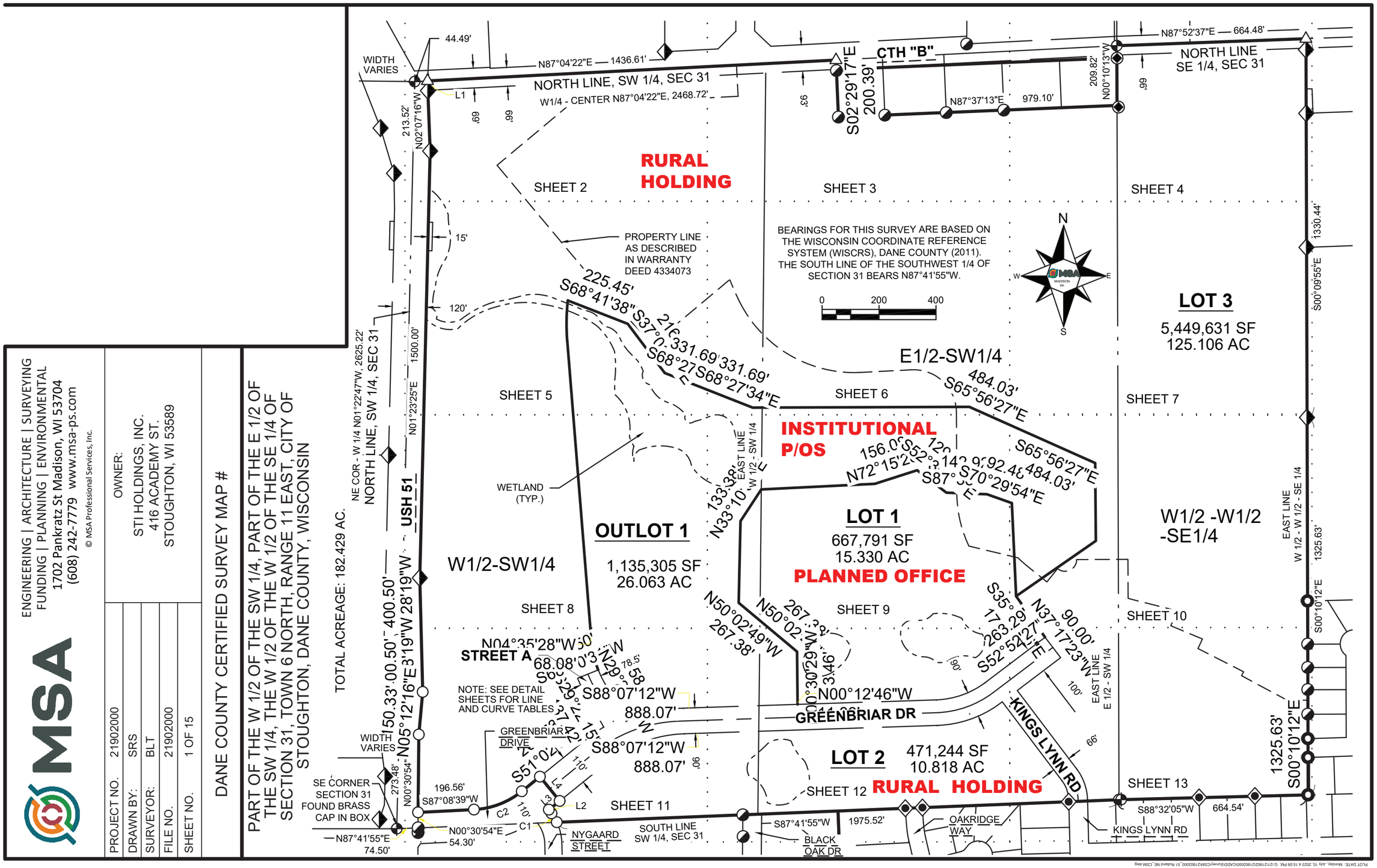
Michael P. Stacey
Zoning Administrator/Assistant Planner

Subject: Agenda Item for the August 14, 2023 Plan Commission Meeting and Common Council meetings of September 12 and 26, 2023

Rezoning of Certified Survey Map, Lots 1, 2, 3 and Outlot 1 in the southeast corner of US Highway 51 and County Highway B.
The applicant is seeking to rezone the proposed parcels as follows: Lot 1 to PO - Planned Office; Lots 2 and 3 to RH - Rural Holding and Outlot 1 to I – Institutional (Park and Open Space). Lot 1 is planned for Stoughton Trailers new headquarters.

The CSM will be on the September 11, 2023 agenda.

The application materials and ordinance are provided. A public hearing and recommendation to the Common Council is necessary.



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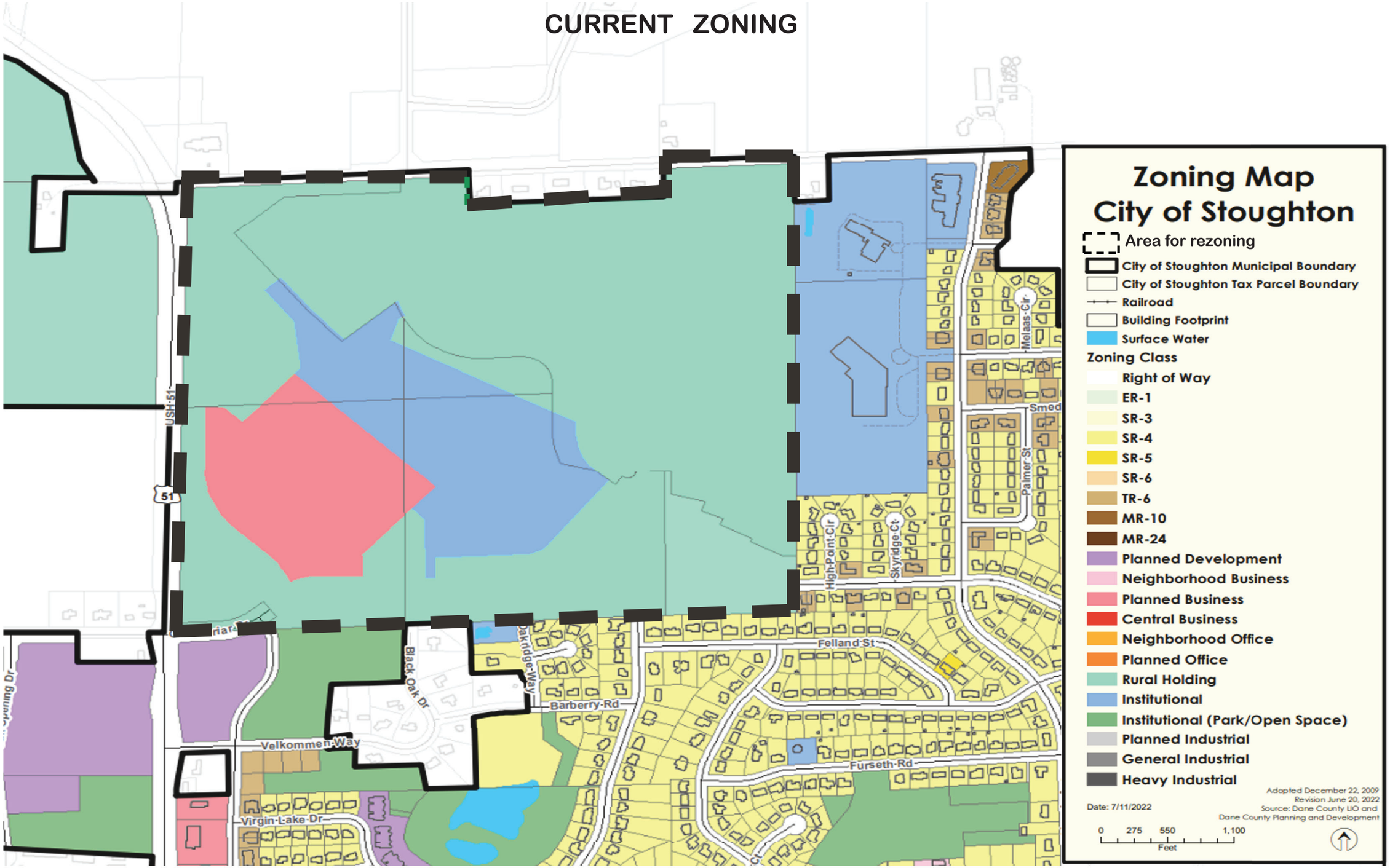
OWNER:
STI HOLDINGS, INC.
416 ACADEMY ST.
STOUGHTON, WI 53589

PROJECT NO.	21902000
DRAWN BY:	SRS
SURVEYOR:	BLT
FILE NO.	21902000
SHEET NO.	1 OF 15

PLOT DATE: Monday, July 10, 2023 4:15:09 PM, G:\21\21902\21902000\CADD\Survey\CSM\21902000_51 Rusland NE_CSM.dwg

CURRENT ZONING



MSA

PUBLIC HEARING NOTICE

The City of Stoughton Plan Commission will hold a Public Hearing on Monday, August 14, 2023, at 6:00 o'clock p.m., or as soon after as the matter may be heard to consider a proposed rezoning of Certified Survey Map, Lots 1, 2, 3 and Outlot 1 at the southeast corner of US Hwy 51 and County Hwy B. Lot 1 is proposed to be rezoned to PO - Planned Office; Lot 2 and Lot 3 are proposed to be rezoned to RH – Rural Holding and Outlot 1 is proposed to be rezoned to I – Institutional (Park/Open Space).

Location: The meeting of the Plan Commission will be conducted as a hybrid meeting. (Virtual and In-Person)

In-Person: Council Chambers (2nd floor of the Public Safety Building)
321 S. Fourth Street, Stoughton, WI

Virtual: You can join the meeting using a computer, tablet or smartphone via Zoom
https://us06web.zoom.us/j/84804793954?pwd=ZDMzSlFWUndSS1NjNkNhYUM5akJJZz09

Phone in: +1 312 626 6799 Meeting ID: 848 0479 3954 Passcode: 586242

If you wish to call in and speak at the meeting, please register at http://speak.cityofstoughton.com by 5:45 on or before the day of the meeting. Any written comments will be forwarded on to the "Organizer" and Commissioners.

For questions regarding this notice, please contact Michael Stacey, Zoning Administrator at 608-646-0421.

Published July 27 and August 3, 2023 Hub

City of Stoughton Application for Amendment of the Official Zoning Map
(Requirements per Section 78-903 attached)

Applicant Name: Daniele St. Marie Thompson

Applicant Address: 214 S.Forrest Street, Ste 8, Stoughton, WI

Applicant Phone and Email: 608-467-8760, dst@stmarie-law.com

Property Owner Name (if different than applicant): STI Holdings, Inc.

Property Owner Phone: 608-873-2500

Subject Property Address: Parcel #s: 281/0611313- 90022, 95802, 92102, 81022, 82102, 85022

This form is designed to be used by the Applicant as a guide to submitting a complete application to amend the Official Zoning Map *and* by the City to process said application. Parts II and III are to be used by the Applicant to submit a complete application; Parts I - IV are to be used by the City when processing said application.

I. Record of Administrative Procedures for City Use

Application form filed with Zoning Administrator Date: 7/11/23

Application fee of $475 received by Zoning Administrator Date: _____

II Application Submittal Packet Requirements for Applicant Use

Prior to submitting the final complete application as certified by the Zoning Administrator, the Applicant shall submit an initial draft application and materials for staff review, followed by one revised application packet based upon staff review and comments.

Application form filed with Zoning Administrator Date: 7/10/2023

- ❑ **(a) A copy of the Current Zoning Map of the subject property and vicinity:**
  - ❑ Showing all lands for which the zoning is proposed to be amended.
  - ❑ Map and all its parts are clearly reproducible with a photocopier.
  - ❑ Electronic map size of 11" by 17" and map scale not less than one inch equals 800 ft.
  - ❑ All lot dimensions of the subject property provided.
  - ❑ Graphic scale and north arrow provided.
- ❑ **(c) Written justification for the proposed text amendment**
  - ❑ Indicating reasons why the Applicant believes the proposed map amendment is in harmony with the recommendations of the City of Stoughton Comprehensive Plan, particularly as evidenced by compliance with the standards set out in Section 78-903(4)(c)1.-3.

III Justification of the Proposed Zoning Map Amendment for Applicant Use

1. How does the proposed Official Zoning Map amendment further the purposes of the Zoning Ordinance as outlined in Section 78-005 (and, for floodplains or wetlands, the applicable rules and regulations of the Wisconsin Department of Natural Resources (DNR) and the Federal Emergency Management Agency (FEMA))?

   This CSM allows for construction of Stoughton Trailers' headquarters, as well as dedicating land for stormwater management and preservation of existing wetland.

2. Which of the following has arisen that are not properly addressed in the current Official Zoning Map? (Please provide explanation in space below if necessary)

   a) The designations of the Official Zoning Map should be brought into conformity with the Comprehensive Plan.

   b) 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.

   c) 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.

   d) Growth patterns or rates have changed, thereby creating the need for an Amendment to the Official Zoning Map.

Factors have changed since the last land division of this land, and this CSM is the first phase in the development plan for Stoughton Trailers based on a recent Comp Plan amendment that aligns with this development.

3. 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 surroundings of the subject property?

This land division extends the collector street from USH 51 to existing roadways, providing greater mobility in this area of the City. It will also allow for growing the local economy and providing jobs in the NW corner of the City. A future plat will further divide the land that can be served by the planned infrastructure shown in this CSM.

IV. Final Application Packet Information for City Use

Receipt of (8.5" by 11" text and 11" by 17" graphic electronic copies of final application packet by Zoning Administrator	Date: 7/11/23
Notified Neighboring Property Owners (within 300 feet)	Date: 8/2/23
Notified Neighboring Township Clerks (within 1,000 feet)	Date: 8/9/23
Class 2 legal notice sent to official newspaper by City Clerk	Date: 7/21/23
Class 2 legal notice published on 7/27/23 and 8/3/23	Date: _____

Plan Commission Meeting Minutes
Monday, August 14, 2023 at 6:00 pm
Hybrid Meeting

Members Present: Mayor Swadley, Chair; Brett Schumacher; Phil Caravello, Vice-Chair; Tom Majewski; Dorann Bradford; Tom Robinson and Al Farrow
Members Absent: None
Staff: Zoning Administrator, Michael Stacey
Guests: Justin Hanson; Dustin Oler; Dean Slaby; Dan Hanson; Jodi Hanson; Daniele St. Marie Thompson; Gary Becker; Katrina Becker; Kirt Andersen; Konner Kearney; Connor Nett; Ingrid McMasters; Attorney Matt Dregne; Tricia Suess; Tyler Denig; Alan Kirchoff; Robert Wahlin; Eric Quam; David Ferris; Amber Cedarstrom; Glenn Prescott and Joe Herr.

1. **Call to Order.** Mayor Swadley called the meeting to order at 6:00 pm.

2. **Roll call and verification of quorum.** Mayor Swadley verified a quorum is present.

3. **Certification and compliance with open meetings law.** Mayor Swadley certified compliance with open meetings law.

4. **Plan Commission meeting minutes of July 10, 2023.**
   Motion by **Caravello** to approve the minutes as presented, 2nd by **Bradford**. Motion carried unanimously.

5. **Council Representative Report.**
   Caravello stated the Common Council approved R-119, R-120 and R-121 on July 25th and O-23 and O-25 on August 8th.

6. **Status of Current Developments.**
   Stacey introduced the status of developments as outlined in the packet of materials. There were no questions.

7. **TID No. 6 – Project Plan & Territory Amendment.**
   David Ferris gave an overview of the project plan including next steps in the process. A public hearing is planned for the September 11th Plan Commission meeting.

8. **Rezoning of Certified Survey Map, Lots 1, 2, 3 and Outlot 1 in the southeast corner of US Highway 51 and County Highway B.**
   Mayor Swadley introduced the rezoning request. Stacey noted the CSM will be reviewed at the September 11th Plan Commission meeting.

   Daniele St. Marie Thompson stated they will be prepared to discuss further next month when the CSM is on the agenda.

   Mayor Swadley opened the public hearing.

No one registered to speak.

Mayor Swadley closed the public hearing.

Motion by **Bradford** to recommend Common Council approval of the rezoning as presented, 2nd by **Schumacher**. Motion carried unanimously.

9. Planned Development – General Development Plan for 211 S. Water Street.
Mayor Swadley introduced the rezoning request. Stacey explained the intent for the Planned Development zoning is to provide flexibility from the Central Business zoning code requirement to first have commercial space in the first 24 feet of building depth on the main floor prior to having residential apartments as an accessory use.

Justin Hanson explained the intent of the requested zoning change.

Dustin Oler explained where they are at in discussions related to leasing parking spaces from the City.

Mayor Swadley gave an overview of parking options and discussions he has had with City Staff and the applicants.

Mayor Swadley opened the public hearing.

Ingrid McMasters spoke with concern about parking and density but is in favor of fixing up the building and affordable housing.

Amber Cedarstrom spoke in support of the project.

Joe Herr spoke in support of the project and explained how the project would move forward.

Mayor Swadley closed the public hearing.

Caravello asked for details about providing bike racks. Dustin Oler stated he had no details for the bike racks yet and will discuss later. Mayor Swadley stated this will be covered when the specific implementation plan is reviewed.

Bradford questioned if the City can legally lease parking stalls to some people but not others. Mayor Swadley stated he had planned on focusing leasing spaces at the north and south municipal lots. Attorney Dregne stated legally the City can lease stalls on a case by case basis, though people could point to whether that is fair or appropriate.

Motion by **Robinson** to recommend Common Council approval of the Planned Development - General Development Plan as presented, 2nd **Farrow**. Motion carried unanimously.