



CITY OF STOUGHTON
DEPARTMENT OF
PLANNING & DEVELOPMENT
381 East Main Street, Stoughton, WI. 53589

(608) 873-6619

www.ci.stoughton.wi.us

RODNEY J. SCHEEL
DIRECTOR

Date: June 5, 2017

To: Planning Commissioners

From: Rodney J. Scheel
Director of Planning & Development

Michael P. Stacey
Zoning Administrator/Assistant Planner

Subject: Agenda Item for the June 12, 2017 Planning Commission Meeting.

Request by Laura Viney for a conditional use permit (CUP) approval to allow a group daycare at 320 Dvorak Court.

This request is to convert a historically vacant property to a group daycare. We are still waiting for site plan and CSM information but can move forward with the conditional use permit review/approval. The resolution and submittal materials are provided. The 3 lots will need to be combined by CSM. The site plan and CSM review will likely be at the July 10th meeting. A public hearing and recommendation to Council are necessary. Staff recommends approval of the conditional use contingent on the CSM and site plan approval.

CITY OF STOUGHTON, 381 E. MAIN STREET, STOUGHTON, WISCONSIN

RESOLUTION OF THE COMMON COUNCIL

Approving a Conditional Use Permit for Laura Viney to operate a Group Daycare at 320 Dvorak Court, Stoughton, Wisconsin.

Committee Action: Planning Commission recommend Council approval – 0

Fiscal Impact: None.

File Number: R- -2017

Date Introduced:

The City of Stoughton, Wisconsin, Common Council does proclaim as follows:

WHEREAS, on June 12, 2016 the City of Stoughton Planning Commission held a public hearing and reviewed the proposed conditional use permit request by Laura Viney, for property located at 320 Dvorak Court, Stoughton, Wisconsin; and

WHEREAS, the conditional use permit is requested to operate a Group Daycare (9 or more children); and

WHEREAS, the Zoning Administrator has determined:

- The proposed conditional use (the use in general and at the proposed specific location) is in harmony with the purposes, goals, objectives, policies and standards of the City of Stoughton comprehensive Plan, zoning ordinance or any other plan;
- The conditional use in its proposed location and as depicted on the required site plan does not result in a substantial or undue adverse impact on nearby property, the character of the neighborhood, environmental factors, traffic factors, parking, public improvements, public property or rights-of-way, or other matters affecting the public health, safety, or general welfare, either as they now exist or as they may in the future be developed as a result of the implementation of the provisions of this chapter, the comprehensive plan, or any other plan, program, map, or ordinance adopted or under consideration pursuant to official notice by the city of other government agency having jurisdiction to guide development;
- The proposed conditional use maintains the desired consistency of land uses, land use intensities, and land use impacts as related to the environs of the subject property;
- The proposed conditional use is located in an area that will be adequately served by and will not impose an undue burden on any of the improvements, facilities, utilities or services provided by public agencies serving the subject property;
- The potential public benefits of the proposed conditional use outweigh any and all potential adverse impacts of the proposed conditional use, after taking into consideration the applicant's proposal and any requirements recommended by the applicant to ameliorate such impacts; and

WHEREAS, the Planning Commission and Common Council determined the proposed conditional use permit will not create undesirable impacts on nearby properties, the environment, nor the community as a whole; now therefore

BE IT RESOLVED, by the City of Stoughton Common Council that the Conditional Use Permit request for Laura Viney to operate a Group Daycare at 320 Dvorak Court, Stoughton, Wisconsin is hereby approved contingent on:

- Site plan and CSM approval

PUBLIC HEARING NOTICE

The City of Stoughton Planning Commission will hold a Public Hearing on Monday, June 12, 2017 at 6:00 o'clock p.m., or as soon after as the matter may be heard, in the Council Chambers, Public Safety Building, 321 South Fourth Street, Second Floor, Stoughton, Wisconsin, 53589, to consider a proposed Conditional Use Permit Application by Laura Viney, for a Group Daycare at 320 Dvorak Court, Stoughton, Wisconsin. The property at 320 Dvorak Court is currently owned by LUTHERAN SOCIAL SERVICES OF WI & UPPER MICH INC, and is more fully described as follows:

Parcel Numbers: 281/0511-063-4280-6, 281/0511-063-4295-9, and 281/0511-063-4310-9

Dvorak's Addition: Outlots 7, 8 and 9

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

Michael P Stacey
Zoning Administrator

Published May 25, 2017 Hub

Published June 1, 2017 Hub

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**City of Stoughton Procedural Checklist for Conditional Use Review and
Approval (Requirements per Section 78-905)**

This form is designed to be used by the Applicant as a guide to submitting a complete application for a conditional use *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.

Name of Applicant: Lauren Viney

Address & Phone of Applicant: 2236 US Hwy 12 #18 Cottage Grove WI 53527

Conditional Use Requested: Childcare Center

Property Address: 320 Dorak Ct.

I. Record of Administrative Procedures for City Use

Meetings with Staff:

Date of Meeting: _____ Met with: _____

Date of Meeting: _____ Met with: _____

Application form filed with Zoning Administrator Date: _____

Application fee of \$ 440. received by Zoning Administrator Date: 5-22-17

If necessary, reimbursement of consultant costs agreement executed: Date: _____

II Application Submittal Packet Requirements for City and Applicant Use

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

Application (1 copy to Zoning Administrator)

Date: 5.18.2017

☐ (a) **A map of the proposed conditional use:**

- ☐ Map and all its parts are clearly reproducible with a photocopier.
- ☐ Map size of 11" by 17" and map scale not less than one inch equals 100 ft.
- ☐ All lot dimensions of the subject property provided.
- ☐ Graphic scale and north arrow provided.

☐ (b) **A map, such as the Planned Land Use Map, of the generalized location of the subject property in relation to the City as a whole.**

- ☐ (c) A written description of the proposed conditional use describing the type of activities, buildings, and structures proposed for the subject property and their general locations.
- ☐ (d) A site plan (conforming to the requirements of Section 78-908(3)) of the subject property as proposed for development OR if the proposed conditional use is a large development (per Sections 78-205(11)) or a group development (per Section 78-205(12)) a proposed preliminary plat or conceptual plat may be substituted for the required site plan, provided said plat contains all information required on said site plan per Section 78-908.
- ☐ (e) Written justification for the proposed conditional use:
 - ☐ Indicating reasons why the Applicant believes the proposed conditional use is appropriate with the recommendations of the City of Stoughton Comprehensive Plan, particularly as evidenced by compliance with the standards set out in Section 78-905(4)

III Justification of the Proposed Zoning Ordinance Amendment for Applicant Use

1. How is the proposed conditional use (the use in general, independent of its location) in harmony with the purposes, goals, objectives, policies and standards of the City of Stoughton Comprehensive Plan, the Zoning Ordinance, and any other plan, program, or ordinance adopted, or under consideration pursuant to official notice by the City?

We will be increasing our capacity, which will intern
offer more jobs and bring in more revenue.

2. How is the proposed conditional use, in its specific location, in harmony with the purposed, goals, objectives, policies and standards of the City of Stoughton Comprehensive Plan, the Zoning Ordinance, and any other plan, program, or ordinance adopted, or under consideration pursuant to official notice by the City?

We are helping to improve the lot by taking care of
the building and lot since it has been sitting vacant
for many year. This site is also very close to the new
Kettlepark west which will help to increase value.

3. Does the proposed conditional use, in its proposed location and as depicted on the required site plan (see Section 78-905(3)(d)), result in any substantial or undue adverse impact on nearby property, the character of the neighborhood, environmental factors, traffic factors, parking, public improvements, public property or rights-of-way, or other matters affecting the public health, safety, or general welfare, either as they now exist or as they may in the future be developed as a result of the implementation of the provisions of the Zoning Ordinance, the Comprehensive Plan, or any other plan, program, map ordinance adopted or under consideration pursuant to official notice by the City or other governmental agency having jurisdiction to guide development?

I do not see having a childcare in that location impact or have an adverse impact on the neighborhood.

4. How does the proposed conditional use maintain the desired consistency of land uses, land use intensities, and land use impacts as related to the environs of the subject property?

We aren't changing the land use of the property, just adding a playground for the children and more parking.

5. Is the proposed conditional use located in an area that will be adequately served by and will not impose an undue burden on, any of the improvements, facilities, utilities or services provided by public agencies serving the subject property?

Yes the proposed conditional use will be adequately served by and not put an undue burden on public agencies.

6. Do the potential public benefits of the proposed conditional use outweigh all potential adverse impacts of the proposed conditional use (as identified in Subsections 78-905(4)(b)1.5.), after taking into consideration the Applicant's proposal and any requirements recommended by the Applicant to ameliorate such impacts?

The public will benefit by allowing our childcare center to grow and give more families the option to enroll if desired.

IV. Final Application Packet Information for City Use

Receipt of (8.5" by 11" text and 11" by 17" graphics)
copies of final application packet by Zoning Administrator

Date: _____.

Notified Neighboring Property Owners (within 300 feet)

Date: 5-24-17.

Notified Neighboring Township Clerks (within 1,000 feet)

Date: _____.

Class 2 legal notice sent to official newspaper by Planning Staff

Date: _____.

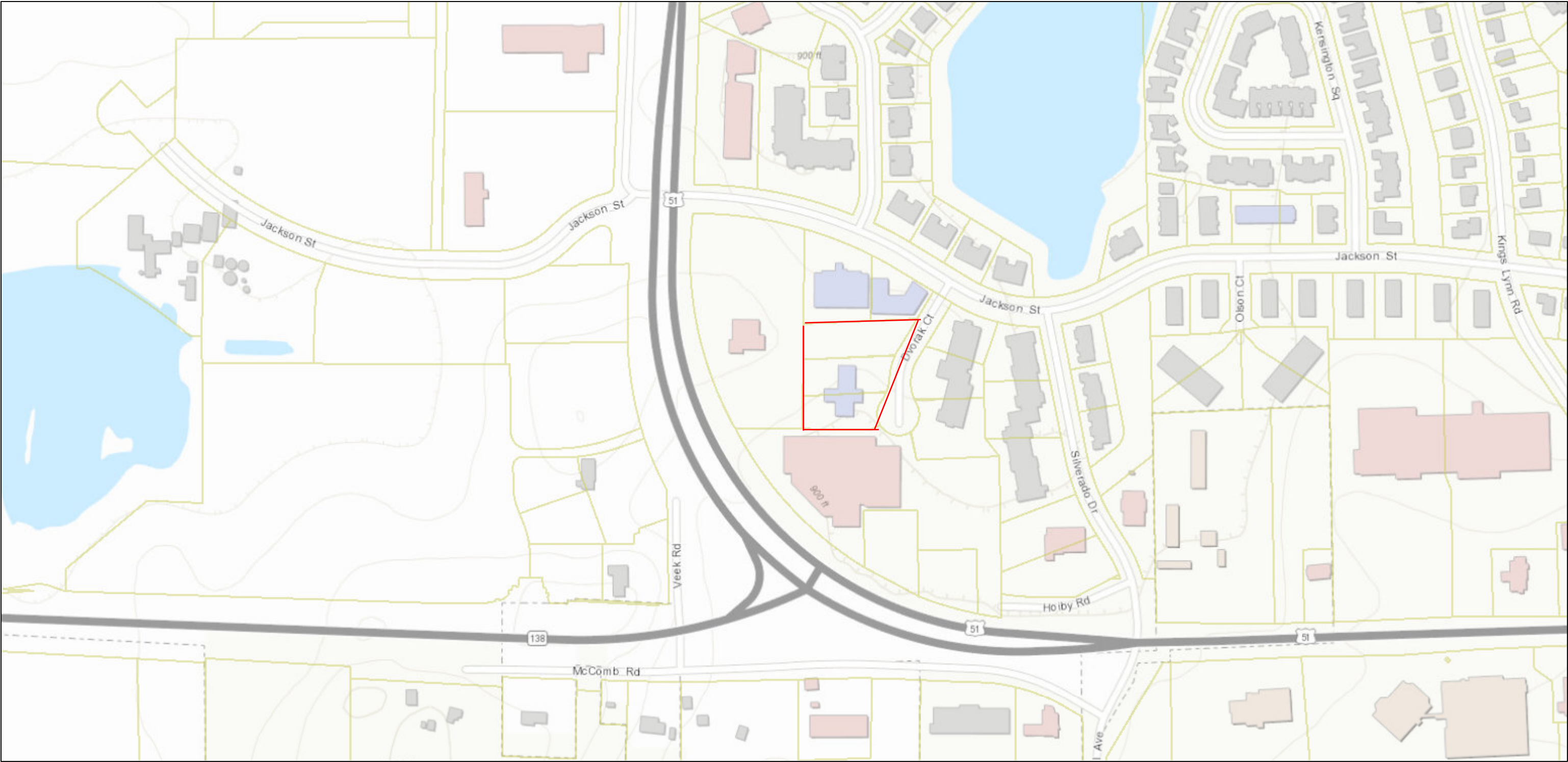
Class 2 legal notice published on 5-25-17 and 6-1-17.

Conditional Use recorded with the County Register of Deeds Office: Date: _____.

Conditional use permit

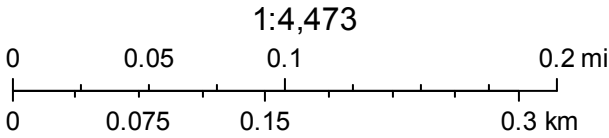
c. The proposed conditional use of dvorak ct. will be for a childcare center. The structure of the building will remain the same. We will be adding a fenced in playground and will be adding 12-14 more parking spot to accommodate staff and the families enrolled for drop off and pick up. The building will be used Monday through Friday 6am to 6pm year round.

e. This property is already zoned for a group home or daycare center. So I believe that this proposed conditional use plan fits with the recommendations of the City of Stoughton. We will only be enhancing what the exisiting site looks like by improving landscaping, installing a nice fence and increasing the amount of parking stalls.

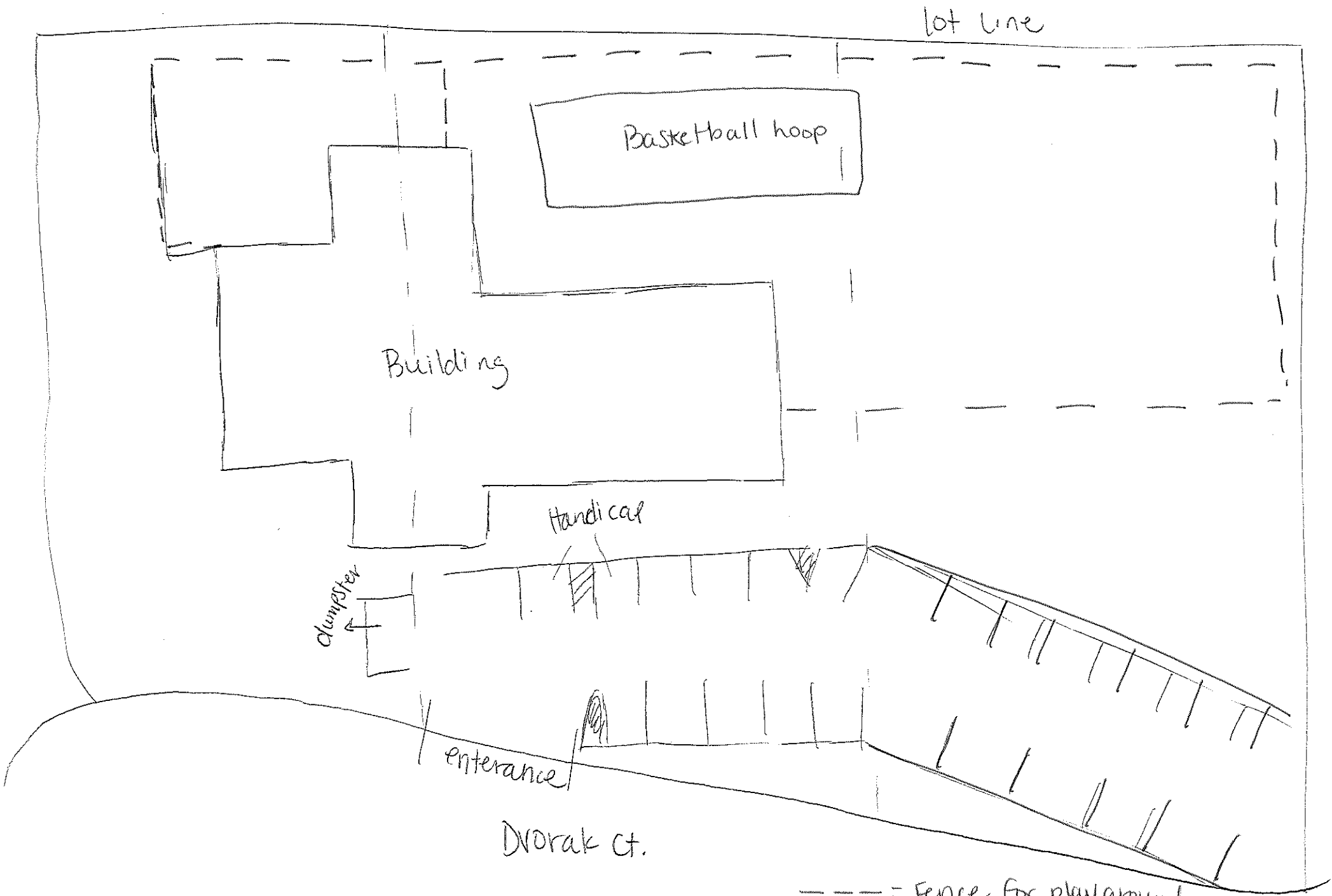


June 7, 2017

Tax Parcels



Planning
Sources: Esri, HERE, DeLorme, Intermap, increment P Corp.,
GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL,
Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong),
swisstopo, MapmyIndia, © OpenStreetMap contributors, and the



--- = Fence for playground
— = new parking lot. 12-14
more spots



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RODNEY J. SCHEEL
DIRECTOR
(608) 873-6619
fax: (608) 873-5519

May 24, 2017

Laura Viney
2236 US Highway 12 & 18
Cottage Grove, WI. 53527

Dear Ms. Viney:

I have completed a preliminary review of the proposed request for a conditional use permit and site plan review for a Group Daycare at 320 Dvorak Court, Stoughton. A detailed fully dimensioned plan will need to be submitted for final review.

1. The property at 320 Dvorak Court is zoned I – Institutional. A Group Daycare is permitted as a conditional use within the Institutional district. The conditional use process includes a public hearing at a Planning Commission meeting and Common Council approval/denial with or without conditions. **The public hearing is scheduled for June 12, 2017 of which you will receive notice. You and or a representative will need to attend the Planning Commission meeting. The Common Council should make a decision on June 27, 2017.**
2. The Comprehensive Plan, Planned Land Use Map depicts this property as Planned Business which is consistent with the proposed use. **The Comprehensive Plan Rewrite proposes to change the Future Land Use Map as Planned Mixed Use for this location which will be consistent with the use and zoning.**
3. The institutional district requires a minimum lot area of 20,000 square feet, minimum street frontage of 50 feet, and minimum lot width of 100 feet. **The site meets these requirements.**
4. A Group Daycare (nine or more children) is described as follows:
Group day care centers are land uses in which qualified persons provide child care services for nine or more children. Examples of such land uses include day care centers and nursery schools. Such land uses shall not be located within a residential building. Such land uses may be operated on a for-profit or a not for profit basis. Such land uses may be operated in conjunction with another principal land use on the same environs, such as a church, school, business, or civic organization. In such instances, group day care centers are not considered as accessory uses and therefore require review as a separate land use. **The use meets this description.**
5. The parking requirement for a Group Daycare is one space per five students, plus one space for each employee on the largest work shift. **We will need details to confirm this requirement.**
6. The regulations pertaining to a Group Daycare are as follows:
 - The facility shall provide a bufferyard with a minimum opacity of .50 along property borders abutting residentially zoned property (See zoning code section 78-610).

There are no abutting residentially zoned properties.

- Property owner's permission is required as part of the conditional use permit application.
We will need a letter from the current owner.

6. **The 3 lots will need to be combined by a certified survey map and approved by the City Council. This can run in conjunction with this request. A CSM would need to be provided by June 29 including the \$160 fee to make the June 12th agenda.**
7. **The additional parking will need to be part of the site design. We'll also need details related to the proposed fencing. There is a 12-foot easement along the west/rear property line and a 6-foot easement along the north side lot line which will need to be delineated on the plan since fencing is not allowed there.**
6. The minimum paved surface setback is 5 feet from a side or rear lot line and ten feet from a right-of-way. **We'll need details to confirm this requirement.**
7. The required aisle width for the proposed 90 degree parking area is 24 feet. **We'll need details to confirm this requirement.**
8. The landscaping requirements for paved areas is 60 points per 20 parking stalls or 10,000 square feet of parking area whichever is greater. **See additional requirements in section 78-604.**
9. Handicapped parking spaces shall be provided at a size, number, location and with signage as specified by state and federal regulations. **Expected.**
10. Required off-street parking and traffic circulation areas shall not be used for snow storage. **Expected.**
11. Per section 78-704 (13) (a), bicycle parking is required equal to 10% of the automobile parking space requirement. **We'll need details to confirm this requirement.**
12. There are bufferyard requirements according to Section 78-610 as follows:
 - Along the southern side lot line: 0.1 opacity which requires a minimum of a 10-foot bufferyard width including potentially fencing and landscaping or 91 points of landscaping to eliminate the fencing requirement.
This requirement may already be met with existing landscaping. Details will need to be provided.
13. Article VII of the city zoning code provides the following requirements related to lighting:
"Parking and traffic circulation areas serving 6 or more vehicles shall be lit so as to ensure the safe and efficient use of said areas during the hours of use. An illumination level of between 0.4 and 1.0 footcandles is recommended for said areas, and said illumination shall not exceed 0.5 footcandles measured at the property lines." Section 78-707, Exterior lighting standards, requires a maximum average on-site lighting of 2.4 footcandles. Exterior lighting shall be oriented so that the lighting element is not visible from a property located within a residential district. **A photometric plan is necessary to verify these requirements. Lighting will likely need to be added.**

14. A gated trash enclosure may be required with 6-foot fencing/screening. An enclosure shall be constructed of some or all of the materials used on the main building. **We will need details for how trash will be handled.**
15. All proposed signage must meet the requirements of Article VIII. **A plan will need to be provided and a zoning permit issued prior to placement of any signage.**
16. A stormwater management and erosion control plan, application and fee are required for this proposed redevelopment. Dane County Land and Water Resources, the City's consultant, will review the plans and perform inspections. The plans, applications and fees shall be submitted to the Department of Planning & Development office at City Hall. **Expected.**
17. Contact the Brett Hebert, Public Works Director at 608-873-6303 to discuss terrace tree requirements. **A building permit cannot be issued until this requirement is met.**
18. State approved building plans may be necessary and City building permits are required before interior construction. **Contact Building Inspector Steve Kittelson regarding these requirements.**

If you have any questions, please contact me at 608-646-0421

Sincerely,
City of Stoughton

Michael P. Stacey

Michael P. Stacey
Zoning Administrator/Assistant Planner