

CITY OF STOUGHTON, 381 E. Main Street, Stoughton, WI 53589

ORDINANCE OF THE COMMON COUNCIL

Approving a Specific Implementation Plan ("SIP") for certain property on the north side of State Highway 138, west of US Highway 51.

(Walmart)

Committee Action: Recommend Approval with the Mayor voting -

Fiscal Impact: None

File Number: O-30-2014

Date Introduced: November 11, 2014 – 1st Reading
November 25, 2014 – 2nd Reading

RECITALS

- A. On November 12, 2013, the Common Council adopted Ordinance No. 0-23-2013, (the "GDP Ordinance"), changing the zoning classification of the property described on Exhibit A (the "Property") to PD and approving the components of a proposed General Development Plan (the "GDP") incorporated into the GDP Ordinance with the changes specifically noted in such GDP Ordinance.
- B. On November 25, 2014, the Common Council adopted Ordinance No. 0-29-2014, attached hereto as Exhibit B approving an amended and restated GDP Ordinance (the "Amended GDP Ordinance") and an amended GDP Plan (the "Amended GDP").
- C. Walmart Real Estate Business Trust (the "Applicant") desires to develop those portions of the Property described on Exhibit C (the "Walmart Site") and has submitted a specific implementation plan dated September 2014 (the "SIP") for the Walmart Site, consisting of the following:
- a. Specific Implementation Plan General Written Description updated November 6, 2014 and attached hereto as Exhibit D;
 - b. Site Plan and Design Information/Written Description of The Intended Use updated November 6, 2014 and attached hereto as Exhibit E;
 - c. Specific Implementation Plan Supplemental Submittal - Narrative Statement updated November 6, 2014 and attached hereto as Exhibit F;
 - d. Specific Implementation Plan Supplemental Submittal - Narrative Statement updated November 6, 2014 and attached hereto as Exhibit G;
 - e. Comprehensive Plan Map 6a depicting the Walmart Site and attached hereto as Exhibit H;
 - f. Site Aerial Exhibit dated August 6, 2014, revised November 5, 2014, and attached hereto as Exhibit I;
 - g. Overall Site Dimensional and Paving Plan dated May 29, 2014, last revised November 5, 2014, and attached hereto as Exhibit J;
 - h. Colored Landscape Plan dated May 29, 2014, last revised November 5, 2014, and attached hereto as Exhibit K;
 - i. Landscape Surface Ratio Exhibit dated July 23, 2014, last revised November 5, 2014, and attached hereto as Exhibit L;
 - j. Cross Section of West Buffer Area dated May 29, 2014, revised October 31, 2014, and attached hereto as Exhibit M;
 - k. Landscape Island Details, dated May 29, 2014, last revised November 5, 2014 (2 sheets), and attached hereto as Exhibit N;

- l. Photometrics Plan dated August 13, 2014, last revised November 5, 2014, and attached hereto as Exhibit O;
 - m. Building Elevations dated August 11, 2014 and attached hereto as Exhibit P;
 - n. Building and Site Signage dated August 11, 2014 and attached hereto as Exhibit Q;
 - o. Renderings dated August 11, 2014 and attached hereto as Exhibit R; and
 - p. Garden Center Enclosure dated October 29, 2014 and attached hereto as Exhibit S.
- D. On October 27, 2014, the City of Stoughton Planning Commission held a public hearing regarding the SIP application which was preceded by the publication of a Class 2 notice under Chapter 985 of the Wisconsin Statutes.
- E. On November 10, 2014, the Planning Commission recommended approving the SIP and approving certain deviations from the City's Code.
- F. The Common Council hereby approves the SIP and those deviations from the City's Code set forth below.

ORDINANCE

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

1. The recitals set forth above are material to and are incorporated in this ordinance as if set forth in full.
2. The SIP is approved, and this ordinance is hereby adopted as set forth herein, pursuant to section 78-914 of the City Code and Wis. Stat. § 62.23(7)(d). Those deviations from the City's Code set forth below are specifically approved:
 - a) Installation of two significant landscaped medians and landscape islands at each end cap may be provided in lieu of the parking lot landscaping described in City Code sections 78-205(11)(f)6.g. and 78-604(3)(d). See Exhibit D Item 7b and Exhibit F Item 8b.
 - b) The landscaping, fences and screen walls depicted on the submitted plans shall be deemed consistent with City Code section 78-205(11)(f)6.f.C. although truck docks are not entirely screened to the south. See Exhibit G Item 2a.
 - c) Striping and signage (not different pavement materials) shall distinguish crosswalks to meet the intent of City Code section 78-205(11)(f)6.h.D. See Exhibit D Item 7c.
 - d) A 37 foot stacking lane shall be deemed sufficient for the pharmacy drive-thru under City Code section 78-206(4)(g)(2). See Exhibit F Item 8c.
 - e) Recognizing that foundation plantings attract rodents to food stores, enhancing landscaping away from building foundations will meet the intent of City Code sections 78-604 and 78-612. See Exhibit F Item 8a.
 - f) To separate truck and customer traffic, the director of planning and development has approved two access points to the customer parking lot at the Walmart Site and a third access point for delivery trucks along State Highway 138 which are deemed consistent with City Code section 78-702(3)(a). See Exhibit D Item 7d.
 - g) Parking stalls may be located not more than 415 feet from store vestibules, parking stalls will be 9.5 feet in width, and drive aisles will be 24 feet wide, all of which is deemed permitted under City Code sections 78-704(2), 78-704(8)(b) and Table 78-704(6)(j). See Exhibit D Item 7e.
 - h) Planning Commission approved access openings in excess of 30 feet as well as 50 foot radius curb returns consistent with City Code section 78-702(10). See Exhibit D Item 7f.

- i) The two sides of the store building not exposed to public view shall be screened with vegetation, landscaping and fencing in lieu of articulation under City Code section 78-205(11)(f)6.c.A. and need not include the repeating pattern contemplated under City Code section 78-205(11)(f)6.c.F. See Exhibit D Item 7h and Item 7k.
- j) On store facades, protrusions and recesses ranging from 8 inches to 4 feet in depth shall be deemed consistent with City Code section 78-205(11)(f)6.c.B. See Exhibit D Item 7i.
- k) Roof height differences of less than six feet shall be deemed consistent with City Code section 78-205(11)(f)6.c.C. See Exhibit D Item 7j.
- l) Rooftop mechanical equipment on the north and west store elevations are deemed sufficiently screened by grading and landscaping and without parapets under City Code section 78-205(11)(f)6.f.B. See Exhibit D Item 7l.
- m) Aluminum ornamental fencing as depicted in the submitted plans meets the intent of City Code section 78-205(11)(f)6.f.D. See Exhibit D Item 7m and Exhibit S.
- n) Provision of bench seats interior and exterior to the store building as depicted on the submitted plans shall be deemed consistent with City Code section 78-205(11)(f)6.h.G. See Exhibit F Item 8e.
- o) Light spillover at the southeast corner of the Walmart Site shall be permitted to light a main entrance to the Property despite City Code section 78-707(4)(b). See Exhibit G Item 2c.
- p) Given the size of the store facades and lot size, the wall signage, way-finding signs and monument signs depicted on the submitted plans is deemed appropriate under City Code section 78-814. See Exhibit F Item 8d and Exhibit G Item 2b.

3. The approved SIP shall expire for the Walmart Site if it is not fully developed by November 12, 2023.
4. The Walmart Site shall be developed and used in full compliance with all standards and requirements in Chapter 78 of the City Code that apply to lands zoned Planned Business, except those standards and requirements that are expressly modified in Ordinance No. 0-29-2014 or this ordinance. Chapter 78 of the City Code, the Amended GDP Ordinance, and the approved SIP, constitute the zoning regulations for the Walmart Site, and may be enforced as any other zoning regulation in the City of Stoughton. A copy of the Amended GDP Ordinance and the SIP shall be maintained and kept on file by the City Clerk.
5. This ordinance shall take effect upon publication.

Council Adopted: _____

Mayor Approved: _____

Donna Olson, Mayor

Published: _____

Attest: _____

City Clerk

Attachment: Exhibit A - Legal Description of the Property
 Exhibit B - Ordinance No. 0-____-2014
 Exhibit C - Legal Description of the Walmart Site
 Exhibit D - Specific Implementation Plan General Written Description updated November 6, 2014
 Exhibit E - Site Plan and Design Information/Written Description of The Intended Use updated November 6, 2014

- Exhibit F - Specific Implementation Plan Supplemental Submittal - Narrative Statement updated November 6, 2014
- Exhibit G - Specific Implementation Plan Supplemental Submittal - Narrative Statement updated November 6, 2014
- Exhibit H - Comprehensive Plan Map 6a depicting the Walmart Site
- Exhibit I - Site Aerial Exhibit dated August 6, 2014, last revised November 5, 2014
- Exhibit J - Overall Site Dimensional and Paving Plan dated May 29, 2014, last revised November 5, 2014
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- Exhibit Q - Building and Site Signage dated August 11, 2014
- Exhibit R - Renderings dated August 11, 2014
- Exhibit S - Garden Center Enclosure dated October 29, 2014

EXHIBIT A
Legal Description of Property

Part of Lot 2, Certified Survey Map No. 3430, Lots 1, 2, and 3, Certified Survey Map No. 3435, Lot 1, Certified Survey Map No. 9632, and Part of the Northwest Quarter, Northeast Quarter, Southeast Quarter and Southwest Quarter of the Southeast Quarter of Section 01, Township 05 North, Range 10 East, City of Stoughton, Dane County, Wisconsin, more particularly described as follows:

Commencing at the Southeast Corner of said Section 01; thence North 00 degrees 17 minutes 13 seconds West along the East line of the Southeast Quarter of Section 01, aforesaid, 185.11 feet; thence North 87 degrees 07 minutes 28 seconds West, 33.05 feet to the Westerly right-of-way line of Veek Road and the Point of Beginning; thence continuing North 87 degrees 07 minutes 28 seconds West, 260.52 feet; thence South 00 degrees 16 minutes 13 seconds East, 5.01 feet to the Northerly right-of-way line of State Trunk Highway '138'; thence North 87 degrees 07 minutes 28 seconds West, 21.50 feet; thence South 00 degrees 12 minutes 45 seconds East, 8.67 feet; thence North 89 degrees 53 minutes 46 seconds West, 343.76 feet; thence North 87 degrees 53 minutes 44 seconds West, 1054.08 feet; thence North 02 degrees 12 minutes 57 seconds East, 63.44 feet; thence North 49 degrees 55 minutes 54 seconds East, 297.24 feet; thence South 87 degrees 53 minutes 44 seconds East, 156.18 feet; thence North 00 degrees 10 minutes 51 seconds West, 468.76 feet; thence South 90 degrees 00 minutes 00 seconds West, 32.23 feet to a point on a curve; thence Northwesterly 337.17 feet along an arc of a curve to the left, having a radius of 1669.65 feet, the chord bearing North 55 degrees 34 minutes 42 seconds West, 336.60 feet; thence South 90 degrees 00 minutes 00 seconds West, 37.73 feet; thence North 00 degrees 00 minutes 00 seconds East, 130.76 feet; thence North 49 degrees 24 minutes 07 seconds East, 363.28 feet; thence South 44 degrees 06 minutes 47 seconds East, 30.27 feet to a point of curve; thence Southeasterly 773.77 feet along an arc of a curve to the left, having a radius of 960.00 feet, the chord bearing South 67 degrees 12 minutes 12 seconds East, 752.99 feet; thence North 00 degrees 06 minutes 55 seconds West, 886.79 feet; thence South 89 degrees 53 minutes 05 seconds West, 230.62 feet; thence North 45 degrees 33 minutes 02 seconds West, 245.18 feet; thence North 44 degrees 26 minutes 58 seconds East, 217.29 feet; thence North 30 degrees 35 minutes 56 seconds East, 51.27 feet; thence South 86 degrees 41 minutes 54 seconds East, 257.20 feet to the West line of Lot 2, Certified Survey Map No. 8144; thence South 00 degrees 05 minutes 12 seconds East along said West line, 195.44 feet to the Southwest corner of said Lot 2 also being the Northwest corner of Lot 4, Certified Survey Map No. 9632; thence South 00 degrees 06 minutes 55 seconds East along said West line of Certified Survey Map No. 9632, a distance of 888.03 feet; thence South 87 degrees 57 minutes 29 seconds East, 1.15 feet; thence South 00 degrees 19 minutes 58 seconds West, 198.79 feet to the Southwest corner of Lot 2, Certified Survey Map No. 9632; thence North 89 degrees 42 minutes 22 seconds East along the South line of said Lot 2 a distance of 519.75 feet to the Westerly right-of-way line of U.S.

Highway '51'; thence South 01 degrees 40 minutes 47 seconds West along said right-of-way line, 170.46 feet to a point of curve; thence Southeasterly 487.72 feet along an arc of a curve to the left, having a radius of 981.47 feet, the chord bearing South 12 degrees 31 minutes 39 seconds East, 482.72 feet to the Westerly right-of-way line of Veek Road; thence South 00 degrees 17 minutes 13 seconds East along said right-of-way line, 322.71 feet to the point of beginning.

Said parcel contains 1,609,687 square feet or 36.953 acres.

EXHIBIT B
Ordinance No 0-29-2014

EXHIBIT C
Legal Description of Walmart Site

PART OF LOTS 2 AND 3, CERTIFIED SURVEY MAP No. 3435, AND PART OF LOT 1, CERTIFIED SURVEY MAP No. 9632, AND PART OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER, PART OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER, PART OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER AND PART OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 01, TOWNSHIP 05 NORTH, RANGE 10 EAST, CITY OF STOUGHTON, DANE COUNTY, WISCONSIN, DESCRIBED MORE PARTICULARLY AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SECTION 01, AFORESAID; THENCE NORTH 87 DEGREES 05 MINUTES 45 SECONDS WEST, ALONG THE SOUTH LINE OF THE SOUTHEAST QUARTER, 484.66 FEET; THENCE NORTH 00 DEGREES 13 MINUTES 27 SECONDS WEST, 162.99 FEET TO THE NORTHERLY RIGHT-OF-WAY LINE OF S.T.H. '138' AND THE POINT OF BEGINNING; THENCE NORTH 89 DEGREES 53 MINUTES 46 SECONDS WEST ALONG SAID RIGHT-OF-WAY LINE, 174.62 FEET; THENCE NORTH 87 DEGREES 53 MINUTES 44 SECONDS WEST ALONG SAID RIGHT-OF-WAY LINE, 1,054.08 FEET; THENCE NORTH 02 DEGREES 12 MINUTES 57 SECONDS EAST, 63.44 FEET; THENCE NORTH 49 DEGREES 55 MINUTES 54 SECONDS EAST, 297.24 FEET; THENCE SOUTH 87 DEGREES 53 MINUTES 44 SECONDS EAST, 156.18 FEET; THENCE NORTH 00 DEGREES 10 MINUTES 51 SECONDS WEST, 390.89 FEET; THENCE NORTH 89 DEGREES 43 MINUTES 46 SECONDS EAST, 861.46 FEET; THENCE SOUTH 00 DEGREES 16 MINUTES 13 SECONDS EAST, 189.50 FEET TO A POINT OF CURVE; THENCE SOUTHEASTERLY 77.75 FEET ALONG AN ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 49.50 FEET, THE CHORD BEARING SOUTH 45 DEGREES 16 MINUTES 14 SECONDS EAST, 70.00 FEET; THENCE NORTH 89 DEGREES 43 MINUTES 46 SECONDS EAST, 77.61 FEET TO A POINT OF CURVE; THENCE NORTHEASTERLY 166.86 FEET ALONG AN ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 484.50 FEET, THE CHORD BEARING NORTH 79 DEGREES 51 MINUTES 48 SECONDS EAST, 166.04 FEET; THENCE NORTH 69 DEGREES 59 MINUTES 50 SECONDS EAST, 74.91 FEET TO A POINT ON A CURVE; THENCE SOUTHEASTERLY 31.06 FEET ALONG AN ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 981.47 FEET, THE CHORD BEARING SOUTH 16 DEGREES 32 MINUTES 19 SECONDS EAST, 31.06 FEET; THENCE SOUTH 69 DEGREES 59 MINUTES 50 SECONDS WEST, 73.03 FEET TO A POINT OF CURVE; THENCE SOUTHWESTERLY 177.54 FEET ALONG AN ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 515.50 FEET, THE CHORD BEARING SOUTH 79 DEGREES 51 MINUTES 48 SECONDS WEST, 176.66 FEET; THENCE SOUTH 89 DEGREES 43 MINUTES 46 SECONDS WEST, 102.61 FEET TO A POINT OF CURVE; THENCE SOUTHWESTERLY 38.48 FEET ALONG AN ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 24.50 FEET, THE CHORD BEARING SOUTH 44 DEGREES 43 MINUTES 46 SECONDS WEST, 34.65 FEET; THENCE SOUTH 00 DEGREES 16 MINUTES 13 SECONDS EAST, 57.88 FEET TO A POINT OF CURVE; THENCE SOUTHEASTERLY 62.69 FEET ALONG AN ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 174.50 FEET, THE CHORD BEARING SOUTH 10 DEGREES 33 MINUTES 43 SECONDS EAST, 62.35 FEET; THENCE SOUTH 20 DEGREES 51 MINUTES 12 SECONDS EAST, 52.01 FEET TO A POINT OF CURVE; THENCE SOUTHEASTERLY 81.01 FEET ALONG AN ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 225.50 FEET, THE CHORD BEARING SOUTH 10 DEGREES 33 MINUTES 43 SECONDS EAST, 80.57 FEET; THENCE SOUTH 00 DEGREES 16 MINUTES 10 SECONDS EAST, 66.62 FEET; THENCE NORTH 89 DEGREES 53 MINUTES 46 SECONDS WEST, 64.78 FEET; THENCE SOUTH 00 DEGREES 06 MINUTES 14 SECONDS WEST, 75.00 FEET TO THE POINT OF BEGINNING.

EXHIBIT D
Specific Implementation Plan General Written Description
updated November 6, 2014

**SPECIFIC IMPLEMENTATION PLAN
GENERAL WRITTEN DESCRIPTION**

1. Project themes and images. Wal-Mart Real Estate Business Trust ("Walmart") has contracted to purchase the property located at the northwest corner of the intersection of U.S. Highway 51 and State Highway 138 (the "Site"), within the Kettle Park West Commercial Center ("KPWCC") in the City of Stoughton, Wisconsin (the "City") consisting of approximately 13.81 acres. The KPWCC is a 35+ acre commercial development proposed by the Forward Development Group ("FDG"). Walmart is currently leasing an approximately 41,000 square foot store located at 1800 U.S. Highway 51. The existing store is too small to adequately serve Walmart's customers and is subject to a restriction on grocery sales. Walmart proposes to build a new approximately 153,000 square foot store on the Site (the "Store"). Relocating and expanding the existing store allows Walmart to improve services to area customers, including providing a full grocery department. The proposed Store will provide customers a new store shopping experience with Walmart's latest store design, including many environmentally sustainable features. Please see the enclosed architectural renderings and elevations.
2. Uses. The Store will include several departments, such as a general merchandising/department store, full service grocery with deli, produce, bakery, liquor and dry goods departments, a pharmacy with drive-thru and a garden center. In addition, the Store may include some or all of a bank or savings and loan, dental, optical and medical clinics, a photography studio and processing lab, and various other customer service components such as a beauty shop and restaurants, etc., as well as customary accessory uses. Walmart is seeking approval for 24 hour operations. Notwithstanding the foregoing, all applicable state and City regulations as to hours shall be complied with, including the hour's restrictions for liquor sales pursuant to Wisconsin Statutes Chapter 125.
3. Floor area ratio and impervious surface area ratio. The floor area ratio will be approximately 23%. Approximately 75% of the Site will be impervious surface and 25% will consist of landscaped and open space.
4. The specific treatment of natural features. Walmart's development activities will not disturb any wetlands on the Site. The KPWCC encompasses a small wetland to the north of the Site. FDG is preparing a comprehensive wetland management strategy that will serve as the framework for managing the rehabilitation and enhancement of this wetland area.
5. Relationship to nearby properties and public streets. The Site is located in the KPWCC which is bounded by State Highway 138 to the south, U.S. Highway 51 to the east and the future extension of Jackson Street to the north. The lots adjacent to the Store are planned for future development of additional retail, offices and professional services. The KPWCC is part of a larger mixed-use neighborhood on the west side of the City called Kettle Park West. The commercial and retail portion is the first phase of the proposed development. Vehicular access will be provided to and from the Site off of U.S. Highway 51 and State Highway 138, and on the northwest corner from an access drive off of Jackson Street, as shown on the enclosed Site Plan.
6. Rationale for PD Zoning. Please see the KPWCC, Planned Development District, General Development Plan.

7. Deviations from the Zoning Code.

- a. Intentionally omitted.
- b. Sec. 78-205.11.f.6.g. Landscaped and curbed medians are required a minimum of ten feet in width from the back of curb to back of curb, to create distinct parking areas of no more than 120 parking stalls.
 - Walmart will provide two landscaped medians splitting the parking lot into three sections as well as landscaped islands at each end cap. Providing additional landscaped medians that would further divide the parking lot would interfere with the safe flow of traffic and customers' access to cart corrals throughout the parking lot.
- c. Sec. 78-205.11.f.6.h. Crosswalks shall be distinguished from driving surfaces to enhance pedestrian safety by using different pavement materials, or pavement color or pavement textures, and signage.
 - Walmart will provide striping and signage to distinguish crosswalks. Different types of pavement can cause uneven settling and may result in tripping hazards and damage from snow plows. Textured pavement is difficult for cart traffic to maneuver.
- d. Sec. 78-702.3.a. Each lot shall have not more than two access points on any street frontage adjacent to any lot. Said access shall require approval by the director of planning and development.
 - There will be three access points along State Highway 138. Two of these will provide parking lot access while the third, westernmost access point will be designated solely for delivery trucks.
- e. Sec. 78-704.2 and Sec. 78-704.8.b. Every on-site parking space designed to serve as required parking shall not be located farther than 300 feet, except as permitted by a conditional use permit, of shortest walking distance from the access to all of the various areas it is designated to serve.
 - Due to constraints of the Site design and in order to provide adequate parking for customers and employees, some parking spaces are located greater than 300 feet from the two vestibules of the Store. The majority of spaces are located within 300 feet of the vestibules. No parking space is more than 415 feet from a vestibule access.
 - The proposed parking lot design exceeds the zoning ordinance minimum parking stall width of nine feet. The proposed parking stalls will be 9.5 feet wide. In Walmart's extensive experience, parking stalls with these dimensions are safest for customer traffic.
- f. Sec. 78-702.10. Access drives shall have a minimum width of 18 feet for all land uses (other than one and two-family dwellings). All curb openings for access drives shall have a maximum width of 30 feet for all non-residential uses, as measured at the right-of-way line. Access drives may be flared between the right-of-way line and the roadway up to a maximum of five additional feet. This may be exceeded with Plan Commission approval for uses other than single family.
 - Walmart proposes access openings in excess of 30 feet at the right-of-way as well as 50 foot radius curb returns at the access points along State Highway 138. The larger curb openings and 50 foot radius points are needed to allow truck traffic, emergency safety vehicles and larger customer vehicles to safely access the Site and safely accommodate 2-way traffic. FDG is working with the Wisconsin Department of Transportation ("WisDOT") to have all access points and their geometry approved as part of the WisDOT permit for KPWCC.
- g. Intentionally omitted.

- h. Sec 78-205.11.f.6.c.A. The building shall employ varying setbacks, heights, roof treatments, doorways, window openings, and other structural or decorative elements to reduce apparent size and scale of the building.
- The two sides of the Store visible to public view will comply with this requirement. Varying parapet heights, setbacks, roof treatments, doorways, window opens and other decorative and structural elements will be integrated into the Store design to maintain a strong connection to human scale. The two sides not exposed to public view are heavily screened with vegetation, landscaping and fencing. Less, but appropriate, articulation is proposed on these facades.
- i. Sec 78-205.11.f.6.c.B. A minimum of 20 percent of the structure's facades that are visible from a public street shall employ actual protrusions or recesses with a depth of at least six feet. No uninterrupted facade shall extend more than 100 feet.
- A minimum of 20 percent of the Store's facades that are visible from a public street will employ actual protrusions or recesses. No uninterrupted facade facing a public street will extend more than 100 feet. However, the protrusions vary from 8 inches to 4 feet. The smaller protrusions create a design theme more consistent with Stoughton's downtown, where storefronts minimize their protrusions to create a downtown feel. The facade along the pharmacy drive-thru requires a straight drive aisle to access the pneumatic tubes to pick up prescriptions and to enable drivers to easily see pedestrians.
 - The proposed design significantly exceeds this requirement on the front facade of the Store.
- j. Sec 78-205.11.f.6.c.C. A minimum of 20 percent of all of the combined linear roof eave or parapet lines of the structure shall employ differences in height, with such differences being six feet or more as measured eave to eave or parapet to parapet.
- A minimum of 20 percent of all of the combined linear roof eave or parapet lines will employ differences in height along all of the Store facades. However, in some areas, the combined linear or roof eave or parapet lines will have less than six feet of height differential. The parapets have been designed to minimize the visibility of HVAC equipment from public view and to enable the Store infrastructure and systems to operate consistent with Walmart's sustainability goals.
 - The proposed design significantly exceeds the minimum of 20 percent required by the zoning ordinance on the front facade of the Store.
- k. Sec 78-205.11.f.6.c.F. Building facades shall include a repeating pattern that includes no less than three of the following elements: (i) color change, (ii) texture change, (iii) material modular change, and (iv) expression of architectural or structural bay through a change in plane no less than 24 inches in width, such as an offset, reveal or projecting rib. At least one of these elements shall repeat horizontally. All elements shall repeat at intervals of no more than 30 feet, either horizontally or vertically.
- These requirements have been met on the two facades facing a public street. The two facades not facing the public streets are less visible due to the screening provided by landscaping and fencing. In addition, these two facades are designed for their functional uses: receiving, compactors, bale and pallet and garden center staging.
 - The front façade of the store is designed to include significantly more repeating patterns than is required by ordinance.
- l. Sec 78-205.11.f.6.f.B. All rooftop mechanical equipment shall be screened by parapets, upper stories, or other areas of exterior walls or roofs so as to not be visible from public streets adjacent or within 1,000 feet of the subject property. Fences or similar rooftop screening devices may not be used to meet this requirement.

- Parapets have been designed to screen all roof HVAC equipment from view on public streets. Parapet screening on the north and west elevations is not provided due the nature of the surrounding Site and grading conditions. Proposed future development and landscaping will provide a limited view from Jackson Street.

m. Sec 78-205.11.f.6.f.D. Gates and fencing may be used for security and access, but not for screening, and they shall be of high aesthetic quality. Decorative metal picket fencing and screening is acceptable. Chain link, wire mesh or wood fencing is unacceptable. Decorative, heavy-duty wood gates may be used.

- The garden center is designed with an ornamental metal fence and arcade arches will be added to significantly elevate the aesthetic integrity of this area. The fence will sit behind these arches pushing it to the background and making the arches more prominent to the design.

8. Statistical data. The Site contains approximately 13.81 acres. The Store will be approximately 153,000 square feet as shown on the enclosed Site Plan. The floor area ratio will be approximately 25%. Approximately 25% of the Site will consist of landscaped and open space and 75% will consist of impervious surface. Walmart's proposed improvements would be constructed in a single phase. Walmart intends to open the Store about one year after Store construction commences.
9. Intended organizational structure for a property owners association. N/A. The responsibilities and costs associated with the KPWCC common areas, including the stormwater treatment system and access drives, will be apportioned according to covenants, conditions and restrictions running with the Site.
10. A written description which demonstrates the full consistency of the proposed SIP with the approved GDP. The Site lies within the KPWCC which has an approved General Development Plan ("GDP"). The development in the KPWCC is intended to be predominately commercial in character along the highway frontages. *GDP*, page 5. The uses anticipated for this area include businesses focused on customers who typically travel by car and larger scale retailers and service uses. *GDP*, page 14. The Site itself was designed to accommodate up to 155,000 square feet of retail space, including development of one large format retail building. *GDP*, page 14. The proposed Store is approximately 153,000 square feet and will provide essential retail services, including grocery, pharmacy and general merchandise, to the community.

All proposed uses at the Store are permitted uses under the GDP. Walmart is requesting limited dimensional variations from the underlying zoning code as noted in Number 7.

In 2012, the City completed an economic analysis of the retail and service sector in the Stoughton community which concluded that over \$80 million of local consumer demand was not being met within the community. *Retail and Service Sector Analysis*: April 2012, Vierbicher, 2012, page 3. This included a \$19.5 million dollar grocery gap. Vierbicher, Page 4. The proposed Walmart will provide needed retail and grocery services to a currently underserved population.
11. Variations between the requirements of the approved PD/GDP zoning district and the proposed SIP development. Please see Number 7 above.
12. Proof of financing capability. Please see the SEC filings at <http://www.sec.gov/cgi-bin/browse-edgar?action=getcompany&CIK=0000104169&owner=exclude&count=40&hidefilings=0>.

EXHIBIT E
Site Plan and Design Information/Written Description of
The Intended Use updated November 6, 2014

**SITE PLAN AND DESIGN INFORMATION
WRITTEN DESCRIPTION OF THE INTENDED USE**

1. Existing zoning district. The Site is zoned Planned Development ("PD"). All of Walmart's proposed uses are currently permitted in the PD district.
2. Land Use Map designation. The City of Stoughton Comprehensive Plan designates the Site as Planned Business and General Business.
3. Natural Resources Site Evaluation Worksheet. Please see the attached worksheet. Walmart's development activities will not disturb any wetlands on the Site. The slopes will be modified by FDG prior to Walmart's construction activities on the Site.
4. Current land uses present on the subject property. The Site is currently vacant.
5. Proposed land uses. Walmart proposes to build an approximately 153,000 square foot Store on the Site. The Store will include indoor sales and service, outdoor displays and possible personal and professional services. The Store will include several departments, such as a general merchandising/department store, full service grocery with deli, produce, bakery, liquor and dry goods departments, a pharmacy (with drive-thru) and a garden center. In addition, the Store may include some or all of a bank or savings and loan, dental, optical and medical clinics, a photography studio and processing lab, and various other customer service components such as a beauty shop and restaurants, etc., as well as customary accessory uses.
6. Projected number of residents, employees, and daily customers. There will not be any residents on the Site. Walmart will offer all approximately 70 associates at its current Stoughton store jobs at its new store. In addition, 100-130 new jobs will be created. It is anticipated that there will be an estimated 3,000 daily customers at the new Store.
7. Proposed amount of dwelling units, floor area, impervious surface area, and landscape surface area, and resulting site density, floor area ratio, impervious surface area ratio, and landscape surface area ratio. There will not be any dwelling units on the Site. The approximate floor area ratio will be 23%. Approximately 75% of the Site will be impervious surface and 25% will be landscaped and open space.
8. Operational considerations. Walmart seeks to operate the proposed Store 24 hours per day, seven days a week. Delivery truck parking will be only for the reasonable time required to load and unload the trucks. All loading activities will occur on-Site and outside of the public right of way. There will be no fleet vehicles stored on the Site. Only an average of one to three Walmart fleet delivery trucks are expected to visit the Store each day. In addition, several smaller vendor trucks/vans will deliver merchandise, such as milk, soda and snack foods, several times each week.

The Store will not be a heavy user of water or sewer service. The sanitary sewer loading is estimated to be approximately 5,415 gallons per day (54 PE). Walmart's stormwater detention, water quality and infiltration requirements will be provided within a regional facility located to the north of the Site. The design, permitting and construction of the regional stormwater/infiltration facilities will be the responsibility of

FDG. As a method of on-Site pre-treatment, Walmart will install inlet filters within all proposed catch basins.

For traffic, please see the Traffic Impact Analysis prepared for FDG.

The Site lighting is designed to provide safety for customers while meeting the City's requirements. All luminaires will utilize downward facing, full cutoff fixtures on 22 foot poles with three foot bases. The lighting is modeled horizontally on a 10 foot by 10 foot grid that extends 10 feet outside of the property line. All spill light at the property lines is designed to meet the code requirement of 0.5 maximum. Pedestrian and parking areas are kept above a minimum of 0.9 footcandles.

Consistent with its company-wide sustainability initiatives, Walmart will implement multiple sustainability measures both in the development and operation of the Store to maximize recycling and energy conservation opportunities. This initiative includes utilizing LED lighting, energy efficient HVAC, ozone friendly refrigerants, recycled water heating and various recycling methods. Walmart will attempt to recycle as much as possible. Any food service garbage that relates to earth grown products will be put into a composting bin. Cardboard, paper and plastics will be recycled in bales. Grease from food service and grocery will be picked up by a recycler.

9. Operational considerations relating to potential nuisance creation. The proposed development will comply with all requirements of Article VII, subject to items 7(d) through 7(g) of the enclosed Specific Implementation Plan General Written Description.
10. Exterior building and fencing materials. The Store will utilize tilt-up concrete panels as the structural shell. The exterior surface of the concrete panels will be painted and treated with a decorative "brick" stamped pattern. Store accents will consist of cultured stone water table with precast cap, areas of Calstar Brick architectural masonry with soldier coursing accents and EIFS cornices, and aluminum storefront systems with spandrel glazing. The proposed design will also utilize standing seam metal accent roofs at the pharmacy drive-thru locations and the main facade colonnade. The colonnade will consist of fiberglass columns on cultured stone bases. The main building entries will utilize EIFS, cultured stone, and aluminum storefront systems. The main entries will also feature canopies of Trespa phenolic resin panels over rigid metal frames.

Screening walls at bale and pallet areas, compactor and loading docks will consist of either nine foot high or 12 foot high tilt-up concrete panels to match the Store structure with metal coping.

The proposed fencing along the right side and rear elevations will be a wooden board-on-board fence.

11. Possible future expansion and related implications for 1 through 10, above. Not applicable.

EXHIBIT F
Specific Implementation Plan Supplemental Submittal - Narrative
Statement updated November 6, 2014

**SPECIFIC IMPLEMENTATION PLAN
SUPPLEMENTAL SUBMITTAL-NARRATIVE STATEMENT**

1. Certified Survey Map. Forward Development Group ("FDG") will provide a Certified Survey Map.
2. Pedestrian and Bicycle Access. FDG will provide an overall plan that incorporates the entire commercial center development that addresses pedestrian and bicycle access to all uses within the development, connections to existing and planned public pedestrian and bicycle facilities and connections to adjacent properties.
3. Bike Racks. Two bike racks totaling fourteen spaces will be provided. Please see the enclosed revised plans.
4. Outdoor Display Areas. All exterior display areas will be separate from motor vehicle routes by a minimum of ten feet. Please see the enclosed revised Site Plan.
5. Lighting. Exterior lighting will not exceed more than one-half foot-candles above ambient levels along the northwest and south property lines. However, the eastern property line, which is internal to the commercial development, includes a pedestrian crosswalk running perpendicular to the east property line. In this location, the photometrics are designed to meet the minimum 0.9 foot-candles requirement at the pedestrian walkway. Please see the enclosed revised lighting plans. The color and design of the pole lighting will be compatible with the building and the entire Site.
6. Grading, Erosion Control and Stormwater. Grading and erosion control plans for Walmart's activities on the Site are enclosed. Walmart's stormwater detention, water quality and infiltration requirements will be provided within a regional facility located to the north of the Site. The design, permitting and construction of the regional stormwater/infiltration facilities will be the responsibility of FDG. FDG will provide a stormwater management plan and related applications. FDG will also submit applications and plans for erosion control and grading. FDG will be responsible for obtaining the WPDES permit for the overall commercial development.
7. Access to Loading Area. Per Sec. 78-705, each loading berth shall be located so as to facilitate access to a public street or alley, and shall not interfere with other vehicular or pedestrian traffic per Sec. 78-704 and shall not interfere with the function of the parking areas. In no instance shall loading areas rely on backing movements into public rights of way. A plan showing the truck route scenario is enclosed. As depicted, there will not be any backing movements into the public rights of way. Trucks will pull forward leaving 47 feet of clearance from the front of the truck to the edge of State Highway 138. In addition, this access point will be for delivery traffic only. The trucks will not interfere with any vehicular traffic on the Site or within the State Highway 138 right of way.
8. Deviations from the Zoning Code.
 - a. Sec. 78-604 and 78-612. As indicated in Table 78-604, certain buildings or building additions constructed after the effective date of this chapter are required to be accented by a minimum amount of landscaping placed near the building foundation. For each 100 feet of building foundation perimeter, the landscaping installed shall at a minimum meet the number of landscaping points specified in Table 78-604. The actual number of points required for such landscaping shall be

computed on a prorated basis, and installed and permanently maintained per the requirements of section 78-612.

- The ordinance requires 721 points. The enclosed plans propose 325 points due to the building size and orientation as well as adjacent pavement and sidewalk locations. To address this, Walmart proposes to exceed other portions of the landscape code including providing 3,770 points where only 2,045 points are required for parking lot pavement landscaping and 3,359 points where only 1,523 points are required based on the building square footage.
- b. Sec. 78-604(3)(d). Parking lot design shall employ interior landscaped islands with a minimum of 400 square feet at all parking aisle ends, and in addition shall provide a minimum of one landscaped island of a minimum of 400 square feet in each parking aisle for every 20 cars in that aisle. Aisle-end islands shall count toward meeting this requirement. Landscaped medians shall be used to break large parking areas into distinct pods, with a maximum of 100 spaces in any one pod.
- The site plan provides two landscaped medians splitting the parking lot into three sections. Providing additional landscaped medians that would further divide the parking lot would interfere with the intended and safe flow of traffic and customers' access to cart corrals throughout the parking lot.
 - To provide a safe and clear accessible route from the handicap parking spaces to the front of the building, curbed landscaped islands have been excluded from the west ends of the parking rows that contain handicap parking spaces. Adding landscaped islands at these locations would not allow for unobstructed routes from the 5 foot wide walkway in the middle of the parking trees to the pedestrian crosswalks in front of the Store.
- c. Sec. 78-206(4)(g)(2). Parking requirements: Refer to the parking requirements of the other land use activities on the site . . . 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.
- Walmart proposes to include a drive-thru pharmacy on the Site. There will be 37 feet of stacking past the second drive through window. As this is a pharmacy drive-thru there should not be any stacking of vehicles beyond the window.
- d. Sec. 78-814(1)(a). A sign shall be permitted on the front wall of any principal building. The total area of such sign shall not exceed one-tenth of the area of the front face, including doors and windows, of the principal building, provided that the total area of such sign shall not exceed 165 square feet.
- Walmart is proposing one wall sign that is 298 square feet. The proposed Store will be set more than 750 feet back from US Highway 51. The Store is over 150,000 square feet in floor area with a single main building identification wall sign. The proposed wall signage is appropriate for the use, size, location and scale of the building and the property and will visually match the size of the building, both architecturally and aesthetically. In addition to the main wall sign and one monument sign, Walmart intends to install several way-finding images to direct customers and visitors to the home and pharmacy, market, outdoor living, and pharmacy drive-thru areas of the Store. These way-finding images will facilitate access to the sought after areas of the Store. They also will reduce pedestrian-auto conflicts and discourage idling of vehicles. Walmart's overall sign package will promote a safe, convenient, and aesthetically pleasing shopping environment.
- e. Sec. 28-205(11)(f)6.h.G. *Interior Pedestrian Furniture*. The development shall provide interior pedestrian furniture in appropriate locations at a minimum rate of one bench seat for every 10,000 square feet of gross floor area. Seating in food service areas, or other areas where food or merchandise purchasing activities occur shall not count toward this requirement. A minimum of four seats shall be located within the store, with a clear view through exit doors to a passenger pick-up or drop-off area.

- The development will provide at least the minimum required 16 bench seats within the Store. However, Walmart does not propose to locate any of the interior seats within a clear view through the exit doors to a passenger pick-up or drop-off area. Eight bench seats will be provided outside of the vestibule, under cover. Locating benches within the vestibule would be a safety concern as customers would be congregating in heavily trafficked entry and exit areas.

EXHIBIT G
Specific Implementation Plan Supplemental Submittal - Narrative
Statement updated November 6, 2014

**SPECIFIC IMPLEMENTATION PLAN
SUPPLEMENTAL SUBMITTAL-NARRATIVE STATEMENT**

1. Intentionally omitted.
2. Additional Deviations from the Zoning Code.
 - a. 78-205(11)(f)6.f.C. Loading docks shall be completely screened from surrounding roads and properties. Said screening may be accomplished through loading areas internal to buildings, screen walls, which match the building exterior in materials and design, fully opaque landscaping at time of planting, or combinations of the above.
 - Based upon the proposed split truck dock configuration at the Site, two of the truck docks are facing south toward State Highway 138. Substantial landscaping, fences and screening walls will be provided along the south and west property lines to screen the truck docks from view; however, complete screening is not possible directly south of the truck docks due to the street access to State Highway 138.
 - b. Sec. 78-814(1). A sign shall be permitted on the front wall of any principal building. The total area of such sign shall not exceed one-tenth of the area of the front face, including doors and windows, of the principal building, provided that the total area of such sign shall not exceed 165 square feet. Front wall signs shall not exceed 165 square feet in area. Side wall signs shall not exceed 100 square feet in area. Rear wall signs shall not exceed 83 square feet in area. The total area of all on premise signs for an individual business is 300 square feet.
 - Walmart is proposing one wall sign that is 298 square feet. The proposed Store will be set more than 750 feet back from US Highway 51, which hinders the visibility of the single main building identification wall sign. In addition, the Store is over 150,000 square feet in floor area. The proposed wall signage is appropriate for the use, size, location and scale of the building and the property and will visually match the size of the building, both architecturally and aesthetically. In addition to the main wall sign and one monument sign (95 square feet), Walmart intends to install several way-finding images, as shown on the included plans, to safely direct customers and visitors to the home and pharmacy, market, outdoor living, and pharmacy drive-thru areas of the Store. These way-finding images will facilitate access to the sought after areas of the Store. They will also reduce pedestrian-auto conflicts and discourage idling of vehicles. Walmart's overall sign package will promote a safe, convenient and aesthetically pleasing shopping environment. The total square footage of the Walmart building identification wall sign, way-finding images and monument sign is approximately 786 square feet.
 - c. Section 78-707(4)(b). In no instance shall the amount of illumination attributable to exterior lighting, as measured at the property line, exceed 0.50 footcandles above ambient lighting conditions on a cloudless night.
 - At the southeast corner of the Site, a portion of land will be dedicated to the City as right-of-way ("ROW") for the entrance to the overall Kettle Park West Commercial Center ("Commercial Center"). Due to the proximity of the edge of the ROW to the proposed

parking area, the lighting levels at the property line are above 0.50 foot candles. However, this lighting will be beneficial as it is at one of the main entrances to the overall Commercial Center.

**City of Stoughton
Comprehensive Plan**

Planned Land Use

Planned Single-Family Urban Development Areas*

2012 Urban Service Areas

2012 Municipal Boundaries

Planned Land Use Legend:

- Agricultural/Bund
- Single Family Residential
- Two Family Residential
- Mixed Residential
- Planned Neighborhood
- General Rural Use
- Planned Mixed Use
- Planned Office
- Neighborhood Office
- Planned Business
- Neighborhood Business
- General Business
- Planned Industrial
- General Industrial
- Landfill/Extension
- Intentional
- Public Open Space
- Environmental Corridor*
- Sideline Street
- Rights-of-Way

*See Table F for Average Totals.

Steps on any represent general recommendations for future land use. zoning districts may vary throughout from representations on this map.

*Environmental Corridor identified on this map are generalized boundaries of environmental features identified on air photos by the DNR and the State of Vermont. These generalized boundaries are intended to guide future development and are not intended to be used as legal boundaries.

Scale: 0 to 2,000 Feet

Map Date: Mar. 21, 2005
Revised Date: June 16, 2012

Source: Deane County GIS, City of Stoughton

VANDEWALLE & ASSOCIATES INC.
Professional Services

EXHIBIT J

Overall Site Dimensional and Paving Plan dated May 29, 2014, last revised November 5, 2014

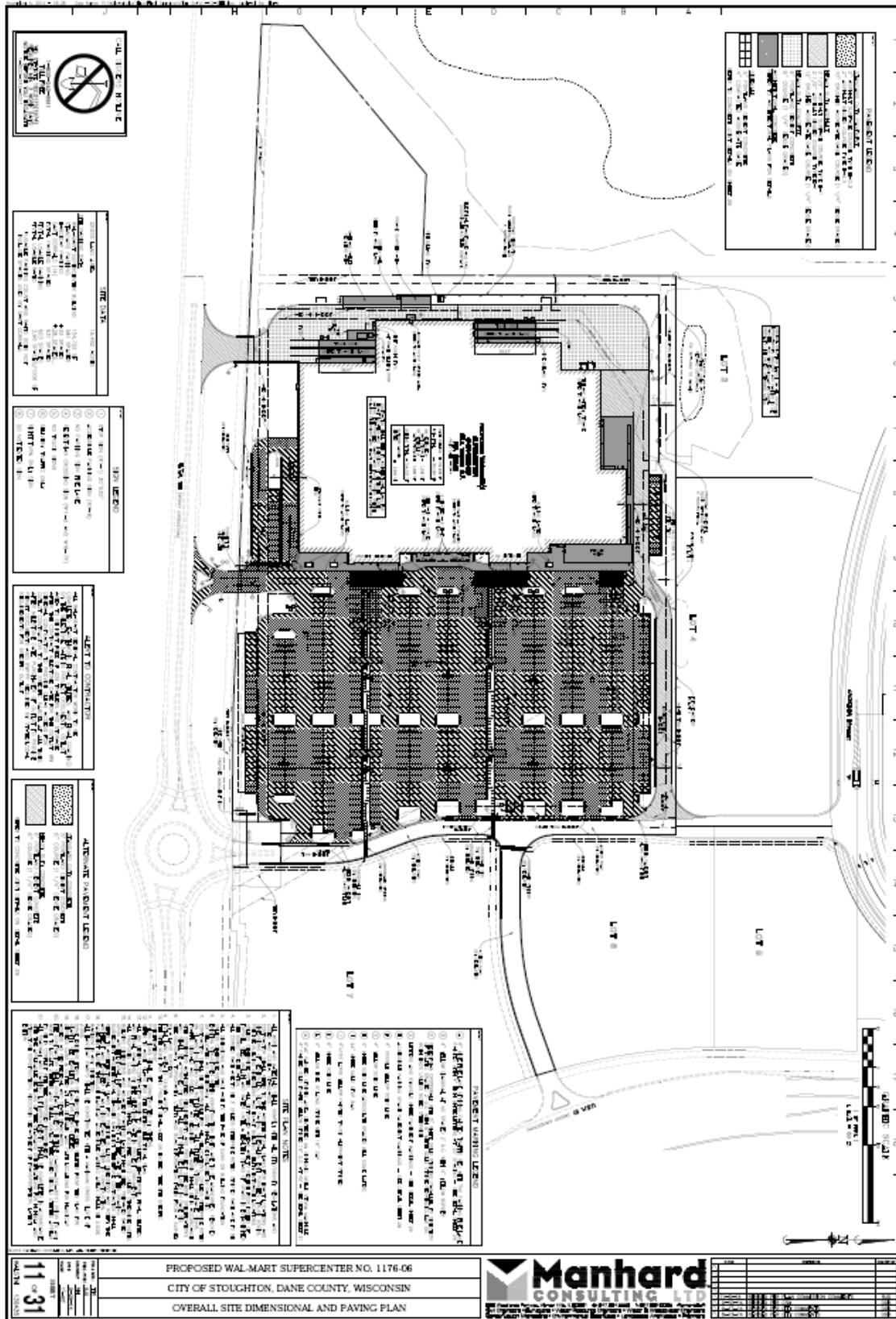
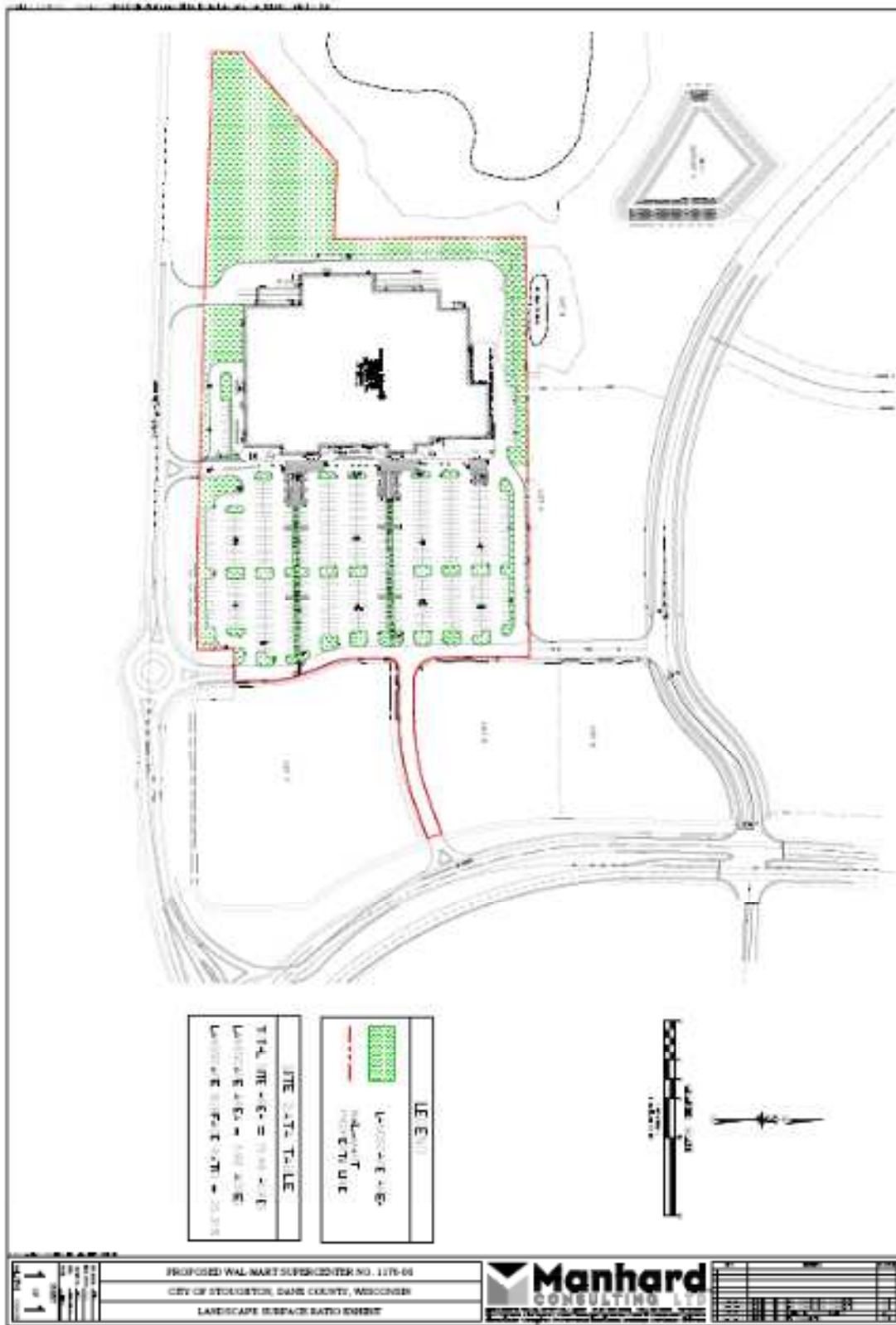


EXHIBIT L
Landscape Surface Ratio Exhibit dated July 23, 2014, last revised November 5, 2014



Cross Section of West Buffer Area dated May 29, 2014, revised October 31, 2014

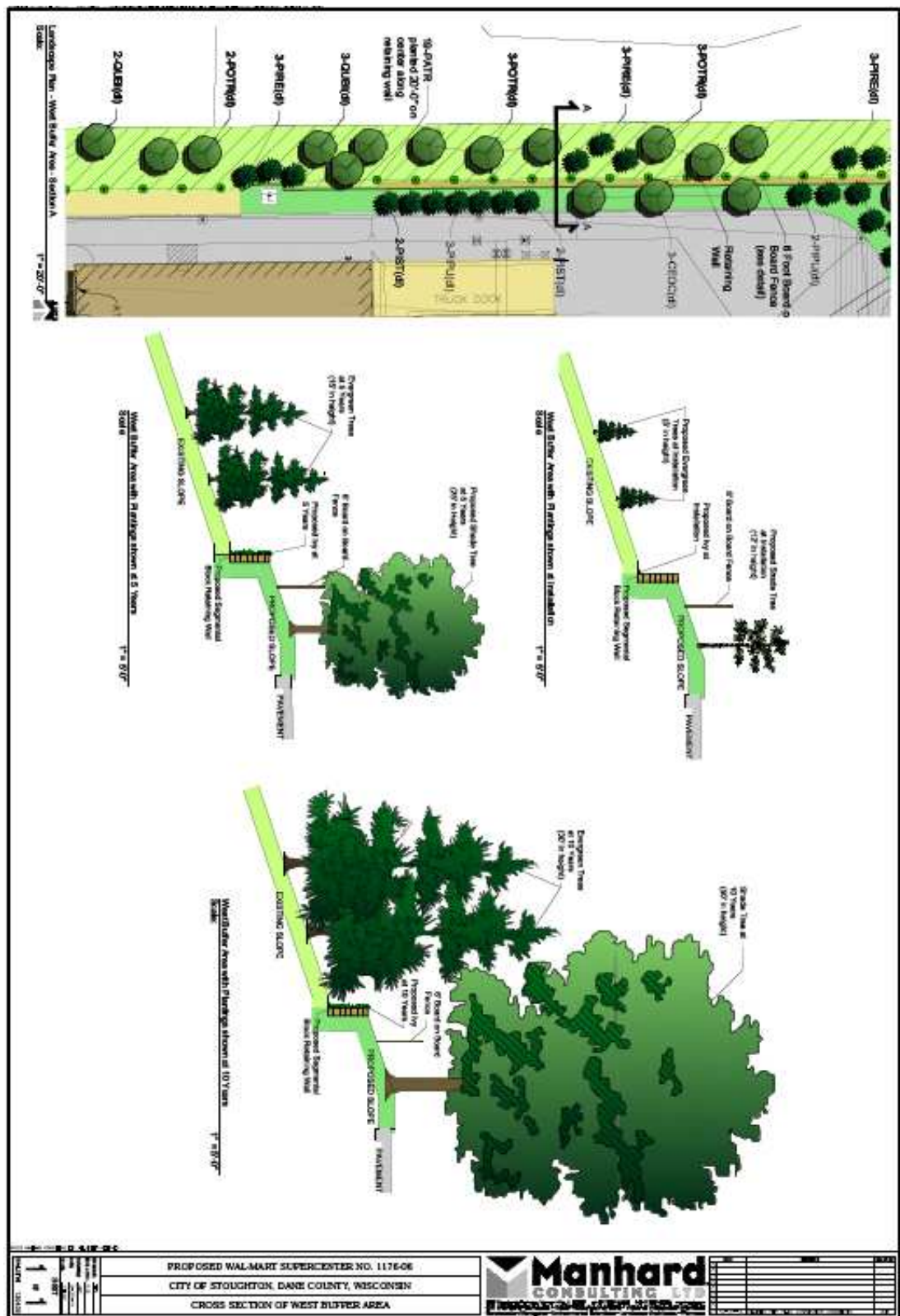
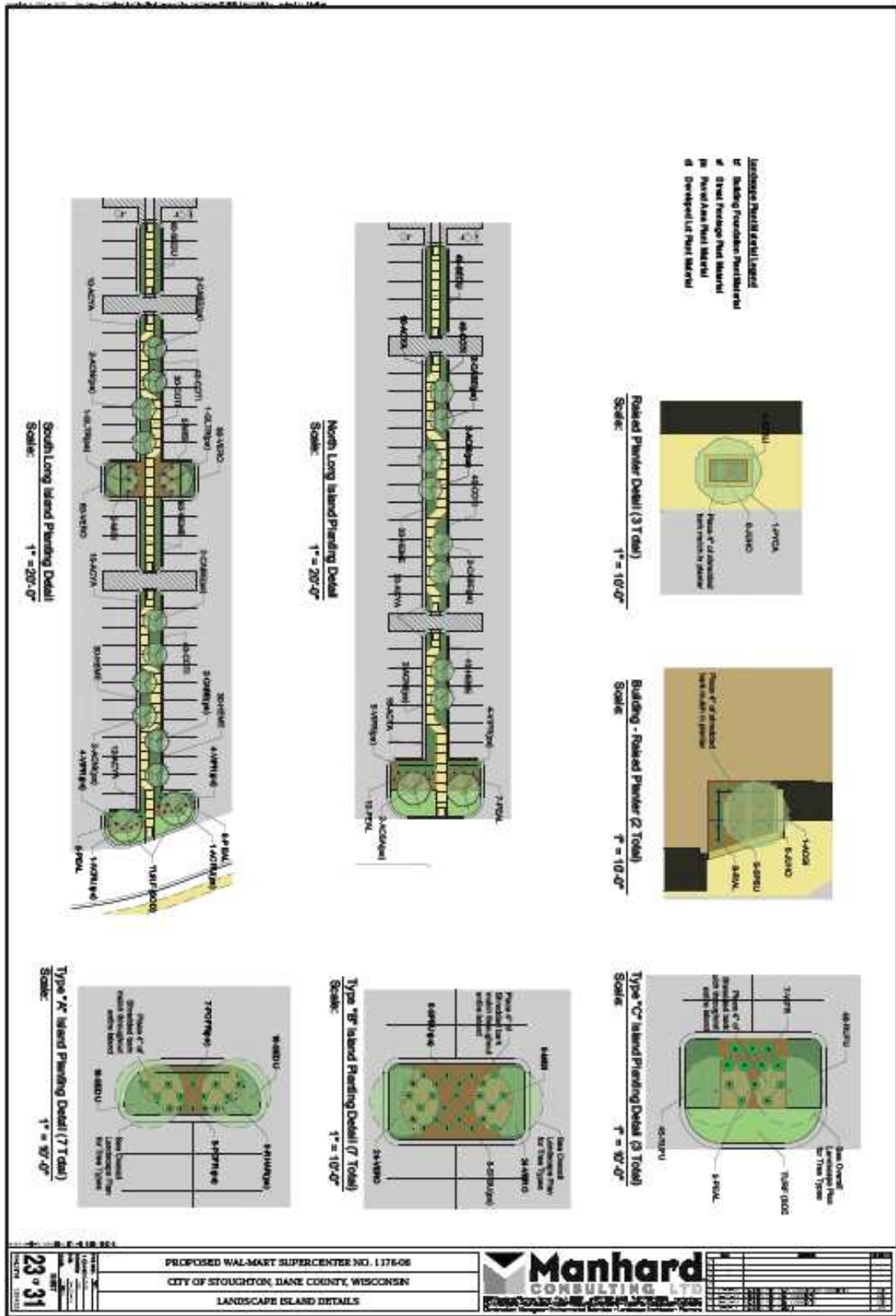
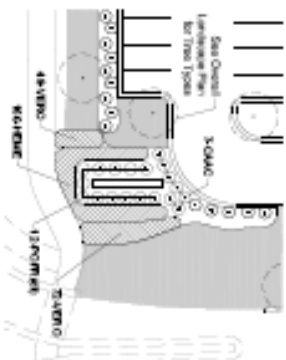


EXHIBIT N

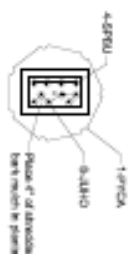
Landscape Island Details dated May 29, 2014, last revised November 5, 2014



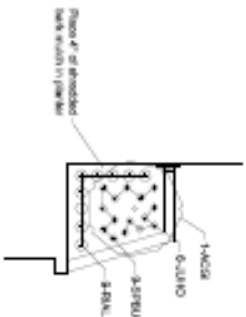


Monument Sign Planting Detail

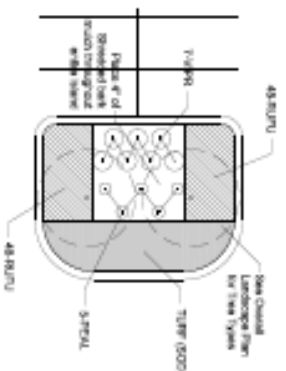
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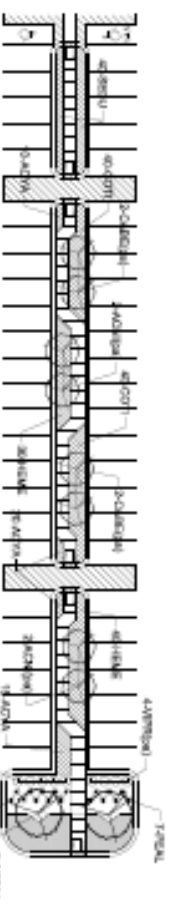
Printed: 11/10/2015 10:00 AM
Scale: 1" = 10'-0"



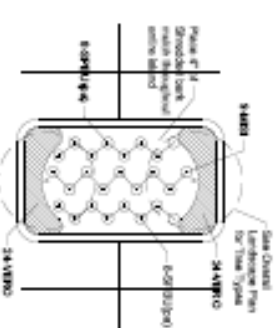
Building - Paved Paver (2 Total)
 Scale: 1" = 10'-0"



Type "C" is bend Parting Detail (3) Total
Scale: 1" = 10'-0"

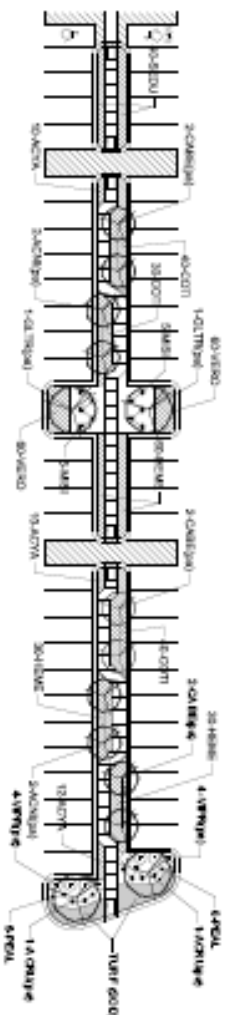


North Long Island Planting Detail
Scale: 1" = 20'-0"

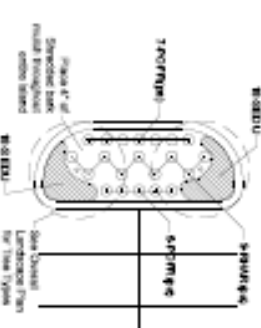


Type "B" Island Planting Detail (7 Total)

Scale: 1" = 10'-0"



South Long Island Planting Data



Type "A" Island Planting Detail (7 Total)
Scale: 1" = 10'-0"

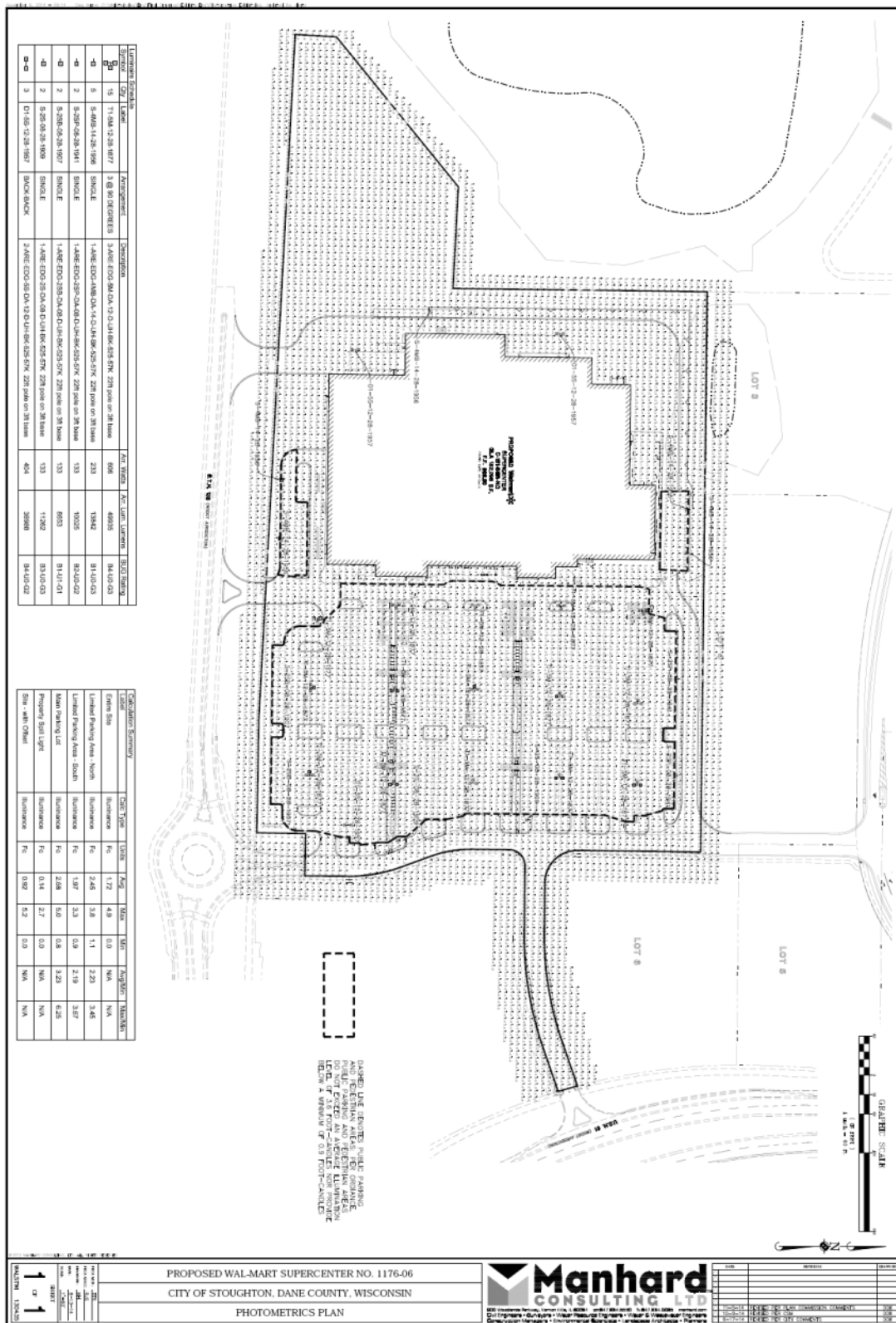
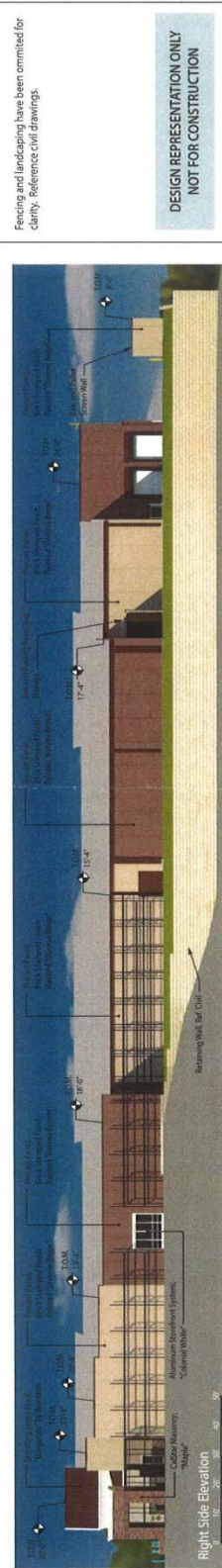
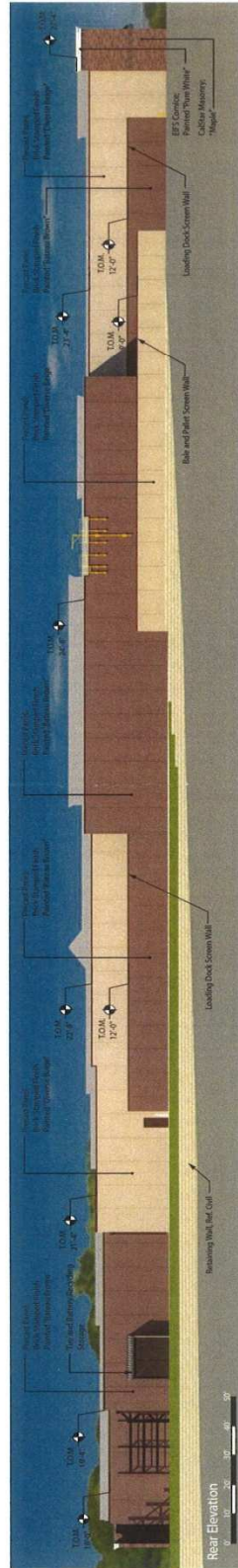


EXHIBIT P

Building Elevations dated August 11, 2014



General Notes

The building images shown are a representation of the current design intent only. The building images may not reflect variations in color, tone, hue, tint, shading, ambient light intensity, materials, texture, contrast, font style, construction variations required by building codes or inspectors, material availability or final detailing.

Color shown on elevations are for illustrative purposes only. Please refer to manufacturer's color samples for actual color.

All building elevations are to top of steel or top of masonry.

Fencing and landscaping have been omitted for clarity. Reference civil drawings.

**DESIGN REPRESENTATION ONLY
NOT FOR CONSTRUCTION**

EXHIBIT Q Building and Site Signage dated August 11, 2014



Building Signage					
Sign	#	Type	Color	Height	Illumination
Walmart Main Sign	1	Business	White/Yellow	8'-0"	Internally Lit
Home & Pharmacy	1	Directional	White	3'-6"	Non Lit.
Market	1	Directional	White	2'-9"	Non Lit.
Outdoor Living	1	Directional	White	3'-5"	Non Lit.
Pharmacy Drive-Thru	2	Directional	White	2'-10"	Non Lit.
Pharmacy Drive-Thru	1	Directional	White	8'-0"	Non Lit.
* Business & Signage Total Sq. Ft. (Excludes Monument Signage)					690.22

Site Signage					
Sign	#	Type	Color	# of Panels	Illumination
Walmart Monument Sign	1	Directional	Blue/White/Yellow	2 Sided	Internal
* Site Signage Total Sq. Ft.					95.00

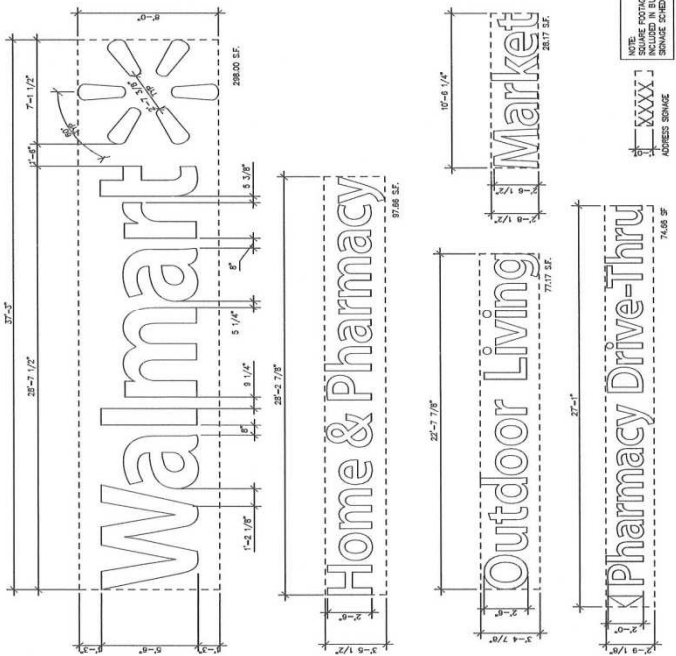


EXHIBIT R
Renderings dated August 11, 2014

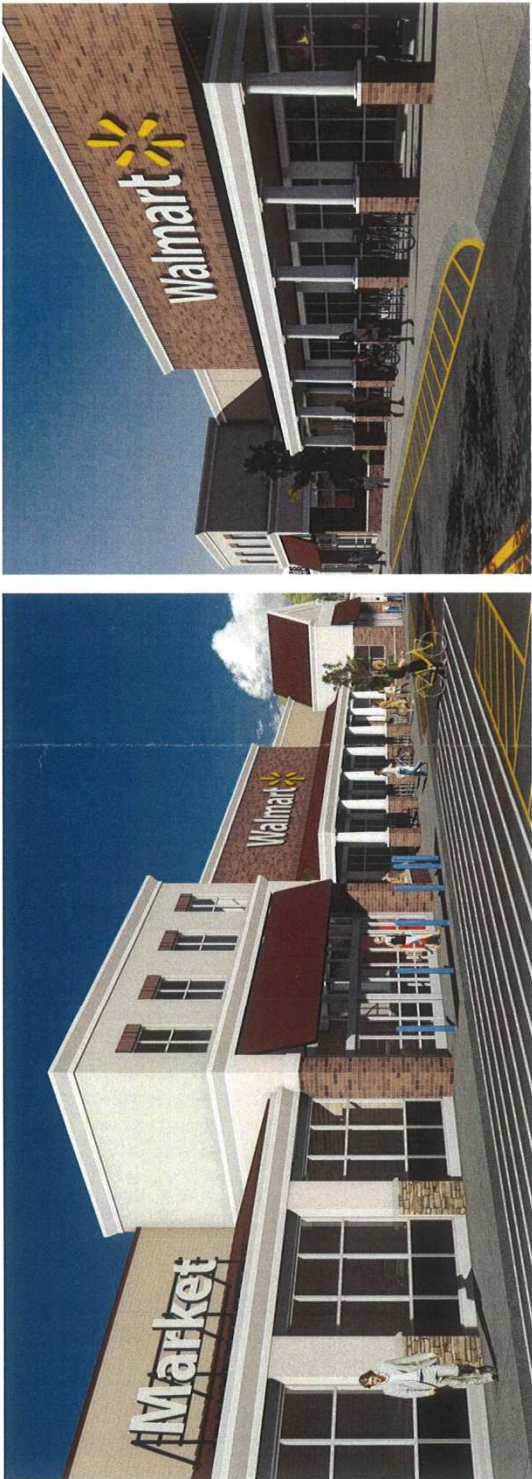


EXHIBIT S
Garden Center Enclosure dated October 29, 2014



GARDEN CENTER - ALUMINUM ORNAMENTAL FENCE

Walmart Stoughton, Wisconsin
151-GC | Store Number: 1176-06

Garden Center Enclosure
October 28, 2014



PUBLIC HEARING NOTICE

The City of Stoughton Planning Commission will hold a Public Hearing on Monday, October 27, 2014 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 an application by Walmart for approval of a proposed Specific Implementation Plan (SIP) for the development of certain property located within the Kettle Park West Commercial Center proposed to be located at the Northwest corner of STH 138 and US Highway 51, in the City of Stoughton, Wisconsin.

For questions regarding this notice please contact Rodney Scheel at 608-873-6619

Michael P Stacey
Zoning Administrator

Published October 9, 2014 Hub

Published October 16, 2014 Hub

Sara Downie

The following people spoke in favor:

Gregory Lee

Summary of hearing:

- Petition to cancel public hearing entered into record.
- Should have been more notice.
- Too many ordinance changes to accommodate this development.
- Not enough time to review the documents.
- Agenda item should be tabled.

Mayor Olson closed the public hearing.

Motion by **Hohol** to recommend the Common Council approve O-28-14 regarding the Specific Implementation Plan (SIP) on the North Side of STH 138 and West of USH 51 for Kwik Trip contingent on Council approval of the General Development Plan and staff review letter dated October 21, 2014, 2nd by **Truehl**. Motion carried 7 – 0.

6. Request by Forward Development Group for Specific Implementation Plan (SIP) approval – Walmart Supercenter. (O-30-14)

Deb Tomczyk; Gabe Mason and Ryan Solum gave an overview of the specific implementation plan for Walmart.

Mayor Olson opened the public hearing.

The following people spoke in opposition:

Michael Engelberger

Kathleen Johnson

Buzz Davis

Gregory Lee

Roger Springman

The following people registered opposed:

Mary Fons

Gale Stone

Sara Downie

Summary of hearing:

- This approval should be postponed until the economic impact study has been approved.
- More time is needed to review the materials.
- Petition to cancel public hearing entered into record.
- Should have been more notice.
- Where is the separate liquor area going to be?
- No TIF funding needed.

- Questions about access safety with large trucks.
- Too many deviations from the code.

Mayor Olson closed the public hearing.

Christianson questioned the truck access and pedestrian walkway. Hohol would like to see an answer to how the lands added to the west of Lot 2 will be owned, landscaped, maintained, etc to meet their 25% greenspace requirement and questioned the lack of a second pedestrian walkway through the parking lot.

Motion by **Hohol** to Table this agenda item until Monday, November 3, 2014 allowing the applicant to alleviate concerns raised about pedestrian access and greenspace, 2nd by **Truehl**.

Krcma stated it is not appropriate to have chain-link fencing at the garden center; would like to see another median put in for pedestrian access and believes the screening at the rear and north elevation are inadequate for screening, especially in the first five years.

Hanna also agrees with the pedestrian access points and questioned the plant choices/species. Hanna would like to see modification to the plant species.

The Walmart team acknowledged the commissioners comments and indicated they will be able prepare responses for the November 3rd meeting.

Motion carried 7 – 0.

6. Future agenda items

Motion by **Hohol** to have a single comment period at the Monday, November 3, 2014 meeting, 2nd by **Christianson**. Motion carried 7 – 0.

7. Adjournment

Motion by **Hohol** to adjourn at 11:05 pm, 2nd by **Krcma**. Motion carried 7 – 0.

Respectfully Submitted,
Michael Stacey

City Attorney Matt Dregne explained specifics of the project plan.

Motion by Hohol to approve R-133-14 for the Boundary and Project Plan for TID #7 as presented, 2nd by Christianson. Motion carried 7 – 0.

5. O-29-14: Request by Forward Development Group for General Development Plan (GDP) Amendment approval.

Scheel gave an introduction of the amended and restated GDP. Jim Bricker of JSD Professional Services gave a presentation.

Dan O’Callaghan, Attorney for Forward Development Group explained their intentions for Outlot 3. Mr. O’Callaghan stated the developer would like to maintain control of Outlot 3 through the first phase of the development.

After much discussion about the ownership and maintenance of Outlot 3, the Commissioner’s all agree that Outlot 3 needs to be integrated with Lot 2. This will take care of any questions related to who will maintain and take ownership of the property in the future.

Motion by Hohol to recommend the Common Council approve O-29-14 regarding amending and restating the General Development Plan, contingent on integrating Outlot 3 with Lot 2, 2nd by Truehl.

Mayor Olson closed the meeting for a 5 minute recess to allow the applicants to discuss the motion on the floor.

Mayor Olson reopened the meeting.

Mr. O’Callaghan stated they will integrate Outlot 3 with Lot 2 if that is the desire of the Commission.

It was agreed that the landscaping plan for Outlot 3, now part of Lot 2 will be addressed as part of the Walmart SIP.

Motion carried 7 – 0.

6. R-124-14: Request by Forward Development Group for approval of 3 Certified Survey Maps for the Kettle Park West Development.

Dennis Steinkraus of Forward Development Group gave an overview the request for approval of 3 CSM’s.

Motion by Hohol to recommend Council approve R-124-14 regarding 3 Certified Survey Maps for the Kettle Park West Development contingent on integrating Outlot 3 with Lot 2 within the specific CSM, 2nd by Truehl. Motion carried 7 – 0.

7. O-30-14: Request by Walmart Representatives for Specific Implementation Plan (SIP) approval – Walmart Supercenter.

Debbie Tomczyk, Attorney for Walmart, gave an overview of the updated materials provided in response to the Commissioner's concerns from the October 27, 2014 meeting.

Ryan Solum of Manhard Consulting gave a presentation of the landscaping, fencing and sight lines.

The group discussed changes that are now necessary due to the integration of Outlot 3 with Lot 2 and the lack of a landscaping plan for the Outlot 3 area.

Scheel noted the need to amend several Exhibits.

Hanna gave an extensive overview and recommendations for changes to the landscaping plan.

Mr. Solum will work on those recommendations.

Motion by Hohol to Table this request until Monday November 10, 2014 to allow the applicant time to provide the requested updates, 2nd by Truehl. Motion carried 7 – 0.

8. Future agenda items.

Walmart SIP on Monday November 10, 2014

9. Adjournment

Motion by Hohol to adjourn at 8:40 pm, 2nd by Christianson. Motion carried 7 – 0.

Respectfully Submitted,
Michael Stacey



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: November 4, 2014

To: Lana Kropf
City Clerk

From: Rodney J. Scheel
Director of Planning & Development

Subject: Items for the November 11, 2014 Common Council Meeting.

Council Agenda:

New Business

1. **O-26-14 Proposed ordinance amendments to the City of Stoughton Municipal Code of Ordinances, Chapter 78, Section 78-105(5)(a)3b and to Appendix C. This ordinance is related to allowing outdoor storage as a conditional accessory use within the Planned Industrial district. SECOND READING**

On October 13, 2014 the Planning Commission held a public hearing, reviewed this proposed ordinance amendment and recommend Council approval. This proposed amendment originally came as a request by Rob Boettcher, Midwest Construction Materials to allow expansion of his business in the Business Park North. The proposed ordinance amendment and related materials are provided. Staff recommends approval.

Planning Commission recommends approval 6-0.

2. **O-29-14 Request for General Development Plan (GDP) Amendment approval. FIRST READING**

On October 27, 2014 the Planning Commission held a public hearing and on November 3, 2014 the Planning Commission reviewed the amended and restated GDP. The Planning Commission recommend approval contingent on Outlot 3 being integrated with Lot 2. Due to the size and volume of documents, most of the materials related to this request are located at the City Document Storage Site and at the City Planning Department website. **Planning Commission recommends approval 7-0**

3. **R-124-14 Request for Certified Survey Map's (3) approval for the Kettle Park West Development.**

On October 27, 2014 and November 3, 2014 the Planning Commission reviewed this CSM request and on November 3, 2014 the Planning Commission recommended Council approval

contingent on Outlot 3 being integrated with Lot 2. The resolution and related materials are provided.

4. O-28-14 Request for Specific Implementation Plan (SIP) approval – Kwik Trip.

FIRST READING

On October 27, 2014 the Planning Commission held a public hearing and recommend approval of this request. The ordinance and related materials are provided. Due to the size and volume of documents, most of the materials related to this request are located at the City Document Storage Site and at the City Planning Department website. **Planning Commission recommends approval 7-0.**

5. O-30-14 Request for Specific Implementation Plan (SIP) approval – Walmart Supercenter.

FIRST READING

On October 27, 2014 the Planning Commission held a public hearing and on November 3, 2014 and November 10, 2014 the Planning Commission reviewed the Walmart SIP materials. The Planning Commission will provide a recommendation. The ordinance and related materials are provided. Due to the size and volume of documents, most of the materials related to this request are located at the City Document Storage Site and at the City Planning Department website.