

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

**RESOLUTION OF THE COMMON COUNCIL**

Resolution by the Common Council of the City of Stoughton  
Conditionally Approving the Preliminary Plat of Kettle Park West

Committee Action: Planning Commission recommends Council approval – with the Mayor voting.

Fiscal Impact: N/A

**File Number:**

**Date Introduced:**

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

**RECITALS**

- A. A preliminary plat entitled “Preliminary Plat of Kettle Park West” ~~with revision date March 3, 2016~~ (the “Plat”) was submitted by Forward Development Group (the “Developer”) to the City of Stoughton (the “City”) on ~~March 3~~ January 14, 2016 ~~for review and action, and the statutory review period will expire on June 1, 2016, and was subsequently revised by the Developer based on feedback from the City. The latest version of the Plat, with revision date April 26, 2016, was received by the City on April 26, 2016, a copy of which is attached as Exhibit A.~~
- B. The Plat was referred to the Plan Commission for review and recommendation to the City Council.
- C. The Plan Commission has reviewed the Plat, ~~and determined that the Plat will only be consistent for consistency~~ with the City of Stoughton ordinances, Chapter 236 of Wisconsin Statutes, and the City of Stoughton Comprehensive Plan ~~if all of the conditions set forth below are satisfied. The Plan Commission and has~~ recommended approving the Plat subject to ~~the certain~~ conditions ~~set forth below~~ as communicated to the Common Council.
- D. The double frontage of Outlots 4 and 3 are found to be necessary to overcome disadvantages of topography and orientation, pursuant to Section 66.714 of the Stoughton Municipal Code.
- E. Those portions of Wild Senna Trail that fall outside the block-length requirements specified in Section 66.713 of the Stoughton Municipal Code are found acceptable due to limiting factors of good design, pursuant to Section 66.713(b).

- F. The Common Council has reviewed the Plat; and ~~agrees with the Plan Commission recommendations.~~ Commission's recommendation, and has determined that the Plat will only be consistent with the City of Stoughton ordinance, Chapter 236 of Wisconsin Statutes, and the City of Stoughton Comprehensive Plan if all of the conditions set forth below are satisfied.

## RESOLUTION

The Common Council of the City of Stoughton hereby approves the Preliminary Plat of Kettle Park West (revision date ~~March 3~~April 26, 2016) subject to the following conditions:

1. A development agreement providing for the phased construction of all on-site and off-site public improvements needed to serve the Plat, and meeting the requirements of Section 66-903 of the City of Stoughton Code of Ordinances, must be approved and executed by the City and Developer (the “Development Agreement”) before the City will sign ~~a Final Plat~~one or more final plats implementing the approved preliminary plat.

The Development Agreement will make reference to four subareas within the Plat (“Area A”, “Area B”, “Area C”, and “Area D”), corresponding with the areas depicted on Exhibit B attached to this resolution. The Development Agreement shall anticipate that a separate final plat for Area A will be submitted for the City’s approval, first, and that one or more final plats for Areas B, C and D will follow once all conditions for such areas have been satisfied.

With regard to the phasing of construction, the Development Agreement will include the following conditions:

- (a) Area A. No building permits for construction on Lot 16 of Area A will be available until the Developer has caused Jackson Street to be extended to the western boundary of Lot 16.
  - (b) Areas B, C and D. Before the City will sign a final plat for Areas B, C and D:
    - (i) the Developer must be obligated to install all of the streets, utilities, sidewalks, street lighting, and other public improvements required to serve those areas; (ii) a plan or agreement, acceptable to the City, must be in place for the completion of street improvements within the Town of Rutland, including bike/pedestrian accommodations and traffic signals at the Roby Road/Deer Point Drive and USH 51 intersection); and (iii) the connection of Oak Opening Drive to Highway 138 has been resolved to the City’s satisfaction.
2. The City must adopt an ordinance changing the zoning classification of the lots within the Plat as follows:
  - A. Lots 1-12 and ~~29~~26-56 must be zoned SR-5 Single-Family Residential 5;
  - B. Lots 13 and ~~24~~22-~~28~~25 must be zoned MR-10 – Multi-Family Residential 10;
  - C. Lots 17-20 must be zoned MR-24 – Multi-Family Residential 24;

D. Outlots 1-~~4~~5 and Lot 16 must be zoned I – Institutional;

E. Lots 14-15 must be zoned PB – Planned Business-;

F. Lot 21 is zoned to SR-6 – Single Family Residential.

3. An agreement that provides access to and connectivity between the proposed “Oak Opening Drive” within the Plat, and Oak Opening Drive and Deer Point Drive within the Town of Rutland continuing to U.S.H. 51, must be approved and executed by the City and the Town of Rutland. The agreement must provide for the improvement of Oak Opening Drive and Deer Point Drive within the Town of Rutland in a manner that is acceptable to the Town of Rutland and the City. The agreement must also contain assurances acceptable to the City that the Town will not act unilaterally in a manner that would prevent Oak Opening Drive and Deer Point Drive from serving as a means of entering and exiting the lands within the Plat, except when necessary for emergency or maintenance purposes. The City shall have no obligation to negotiate or enter such an agreement, except in the manner and on such terms as the City, in its sole discretion, deems appropriate. Improvements within the Town of Rutland shall provide bike/pedestrian accommodations and traffic signals (whether temporary or permanent) at the Roby Road/Deer Point Drive and USH 51 intersection.

~~4. Deed restrictions must be recorded that prohibit any development of Lots 21-23 until the proposed “Oak Opening Drive” is improved and connected to S.T.H. 138.~~

4. ~~5.~~ All unpaid special assessments levied against any lands within the Plat must be paid before the City will sign a Final Plat.

5. ~~6.~~ Before the City will sign a Final Plat, Developer must provide written confirmation from the Capital Area Regional Planning Commission (“CARPC”) that the Plat and the proposed development of the lands within the Plat are consistent with and meet all of the conditions and recommendations adopted by CARPC or the Department of Natural Resources in connection with the addition of the lands within the Plat to the City of Stoughton Urban Service Area.

6. ~~7.~~ Before the City will sign a Final Plat, Developer must provide evidence that the Plat has been submitted to all necessary objecting and approving authorities, that all objections have been addressed, and that all necessary approvals have been given.

~~8. Parkland shall be dedicated on the final plat, or fees in lieu of parkland dedication shall be paid before the City will sign the final plat, in such manner as is determined by the City in accordance with applicable City ordinances.~~

7. Outlot 5, which is located within Area C on the attached Exhibit B and Outlot 4, which is located within Area D, are intended to be dedicated to the public for park purposes on the

final plats that will implement the preliminary plat. If the Developer wishes to record a final plat for land within Area A prior to the dedication of Outlots 4 and 5, the Developer will be required to provide the City a cash escrow, at the time of building permit issuance for any residential use, in an amount equal to the City's standard fee-in-lieu of parkland dedication, as surety for the Developer's obligation to dedicate Outlots 4 and 5. If a final plat dedicating Outlots 4 and 5 has not been recorded within three (3) years of the date the cash escrow was deposited with the City, the escrow shall be released to the City. The final plat shall include a notation informing prospective purchasers of the obligation to pay park improvement fees to the City at the time a building permit is issued.

- ~~9. The final plat shall include a notation informing prospective purchasers of the obligation to pay park improvement fees to the City at the time a building permit is issued.~~
8. ~~10.~~ Before the City will sign a Final Plat, Developer must reimburse the City for all expenses incurred by the City in connection with its review and processing of the Plat, a Final Plat, and the development of the lands within the Plat. Such reimbursement shall include all fees the City has paid to legal, planning, engineering, financial and other consultants.
9. ~~11.~~ Before the City will sign a Final Plat, Developer must provide either a letter of credit or a performance bond in the amount of 120 percent of the estimated total cost to complete the required public improvements within each applicable phase of development. The form and substance of the letter of credit must be acceptable to and approved by the city attorney.
- ~~12. The following items required by Section 66-303 of the City of Stoughton Code of Ordinances shall be provided, addressed or both to the satisfaction of the City Planning Director:~~
- ~~A. The location, right-of-way width, and pavement width of easements or rights-of-way adjacent to the plat shall be shown on the Plat. Detailed information describing the dedication of and existing improvements to Oak Opening Drive within the Town of Rutland shall be provided to the City Planning Director.~~
- ~~B. Subsurface soil, rock and water conditions including depth to bedrock and average depth to ground water table shall be established through appropriate investigation and reported to the City Planning Director. Where the investigation indicates the potential for groundwater less than 10 feet from a proposed street centerline elevation, that information and the lots affected shall be noted on the face of the Final Plat.~~
- ~~C. Existing land use and zoning within 300 feet of the Plat shall be provided to the City Planning Director.~~
- ~~D. The lowest building elevation must be designated on the Plat to be one foot above the seasonal high water table. The minimum elevation must be shown on the Plat for each affected parcel.~~

10.     ~~13.~~ Plans and specifications for the construction of all public improvements needed to serve the Plat shall be approved by the City before the City will sign a Final Plat. Among other things, construction plans must show street tree locations, sizes and species and incorporate traffic calming features on Oak Opening Drive.
11.     ~~14.~~ Erosion controls and stormwater management plans must be approved by the City before the City will sign a Final Plat. Stormwater management will be evaluated as part of the construction plan review for each applicable phase of development.
12.     ~~15.~~ All easements the City or Stoughton Utilities identify as necessary during the course of reviewing the Plat or the construction plans and specifications must be dedicated on the Final Plat for each applicable phase of development.
13.     ~~16.~~ Proposed street names must be investigated for conflicts within the City of Stoughton School and Fire Districts, and are subject to approval by the City Council.

**Council Action:** ☐ Adopted ☐ Failed **Vote** \_\_\_\_\_

**Mayoral Action:** ☐ **Accept** ☐ **Veto**

Donna Olson, Mayor Date \_\_\_\_\_

**Council Action:** \_\_\_\_\_ ☐ **Override**      **Vote** \_\_\_\_\_

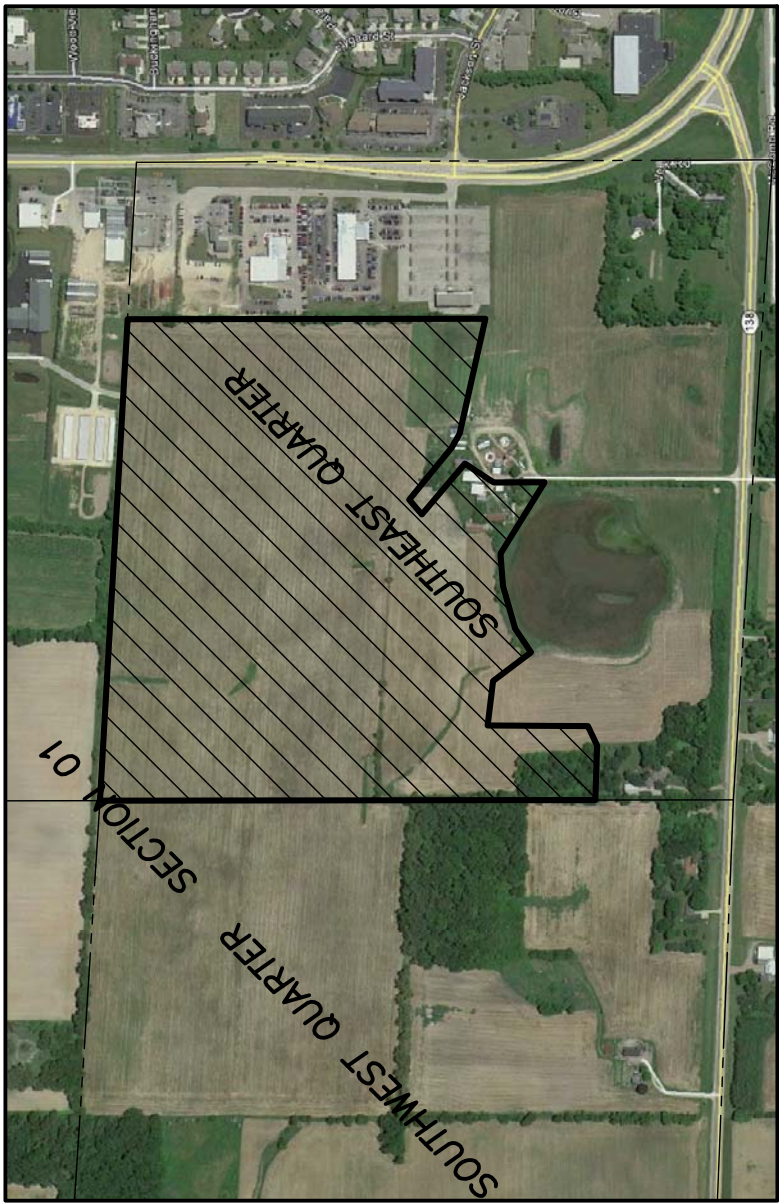
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<b>Intelligent Table Comparison:</b> Active	
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<b>Modified DMS :</b> iw://imanager/MBF/18975770/1	
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<u>Add</u>	46
<del>Delete</del>	44
<del>Move From</del>	5
<u>Move To</u>	5
<u>Table Insert</u>	0
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<u>Table moves to</u>	0
<del>Table moves from</del>	0
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Embedded Excel	0
Format changes	0
<b>Total Changes:</b>	100



PRELIMINARY PLAT OF

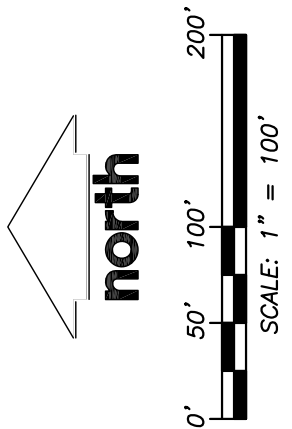
# KETTLE PARK WEST

PART OF LOT 2, CERTIFIED SURVEY MAP No. 3430 AND OUTLOT 1, CERTIFIED SURVEY MAP No. 14057 AND ALL OF CERTIFIED SURVEY MAP No. 14059 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 ALL OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 01, TOWNSHIP 05 NORTH, RANGE 10 EAST, CITY OF STOUGHTON, DANE COUNTY, WISCONSIN



## Exhibit A

- LEGEND**
- GOVERNMENT CORNER
  - PLAT BOUNDARY
  - PLAT RIGHT-OF-WAY LINE
  - PLAT PROPERTY LINE
  - PLAT CENTERLINE
  - CHORD LINE
  - RIGHT-OF-WAY LINE
  - SECTION LINE
  - PROPERTY LINE
  - EASEMENT LINE
  - SETBACK LINE



### NOTES

- BEARINGS FOR THIS SURVEY AND MAP ARE REFERENCED TO GRID NORTH OF THE NATIONAL GRID. THE GRID NORTH OF THE NATIONAL GRID FOR THE LINE OF THE SOUTHEAST 1/4 OF SECTION 1, TOWNSHIP 5 NORTH, RANGE 10 EAST, BEARS N 00°04'33" W.
- ALL STREET RIGHT-OF-WAYS WITHIN THE PLAT BOUNDARY ARE TO BE DEDICATED TO THE PUBLIC.
- OUTLOTS 4 AND 5 OF THIS PLAT WILL BE DEDICATED AS A PARK ON THE FINAL PLAT.
- OUTLOTS 1, 2 AND 3 ARE FOR STORMWATER IMPROVEMENTS: SUBJECT TO SEPARATE STORMWATER AGREEMENTS.
- DISTANCES SHOWN ALONG CURVES ARE ARC LENGTHS.
- 43 LOTS WITHIN THIS PLAT ARE DESIGNATED AS SINGLE FAMILY RESIDENTIAL, OUTLOTS 4 AND 5 ARE DESIGNATED AS COMMERCIAL/INSTITUTIONAL, 1 LOT AS PEAKED OFFICE, AND 1 LOT AS BUSINESS.
- ALL INTERSECTION CORNERS HOLD RADII OF 25 FEET (TYPICAL).
- SEE ATTACHED SOIL REPORT BY CGC, INC. FOR SOIL INFORMATION. NO BEDROCK WAS ENCOUNTERED AT ANY OF THE SOIL BORING LOCATIONS.



**ISD Professional Services, Inc.**  
• Engineers • Surveyors • Planners

PROJECT NO:	15-20165	SUBMITTED BY:	—
FILE NO:	0-09	DRAWN BY:	GGD
		CHECKED BY:	JEB
		APPROVED BY:	DMU
<b>SHEET 1</b>			
CONCEPTUAL SUBMITTAL DATE: DECEMBER 18, 2015			
FINAL SUBMITTAL DATE: JANUARY 14, 2016			
REVISION SUBMITTAL DATE: FEBRUARY 26, 2016			
REVISION SUBMITTAL DATE: MARCH 01, 2016			
REVISION SUBMITTAL DATE: MARCH 03, 2016			
REVISION SUBMITTAL DATE: APRIL 04, 2016			
REVISION SUBMITTAL DATE: APRIL 22, 2016			

### PREPARED FOR:

FORWARD DEVELOPMENT GROUP, LLC  
161 HORIZON DRIVE, STE. 101A  
VERONA, WISCONSIN 53593  
(608) 848-9050

### PREPARED BY:

ISD PROFESSIONAL SERVICES, INC.  
161 HORIZON DRIVE, SUITE 101  
VERONA, WISCONSIN 53593  
(608) 848-5060

STREET AREA = 471,730 SQUARE FEET OR 10.830 ACRES

TOTAL AREA = 3,350,015 SQUARE FEET OR 76.906 ACRES

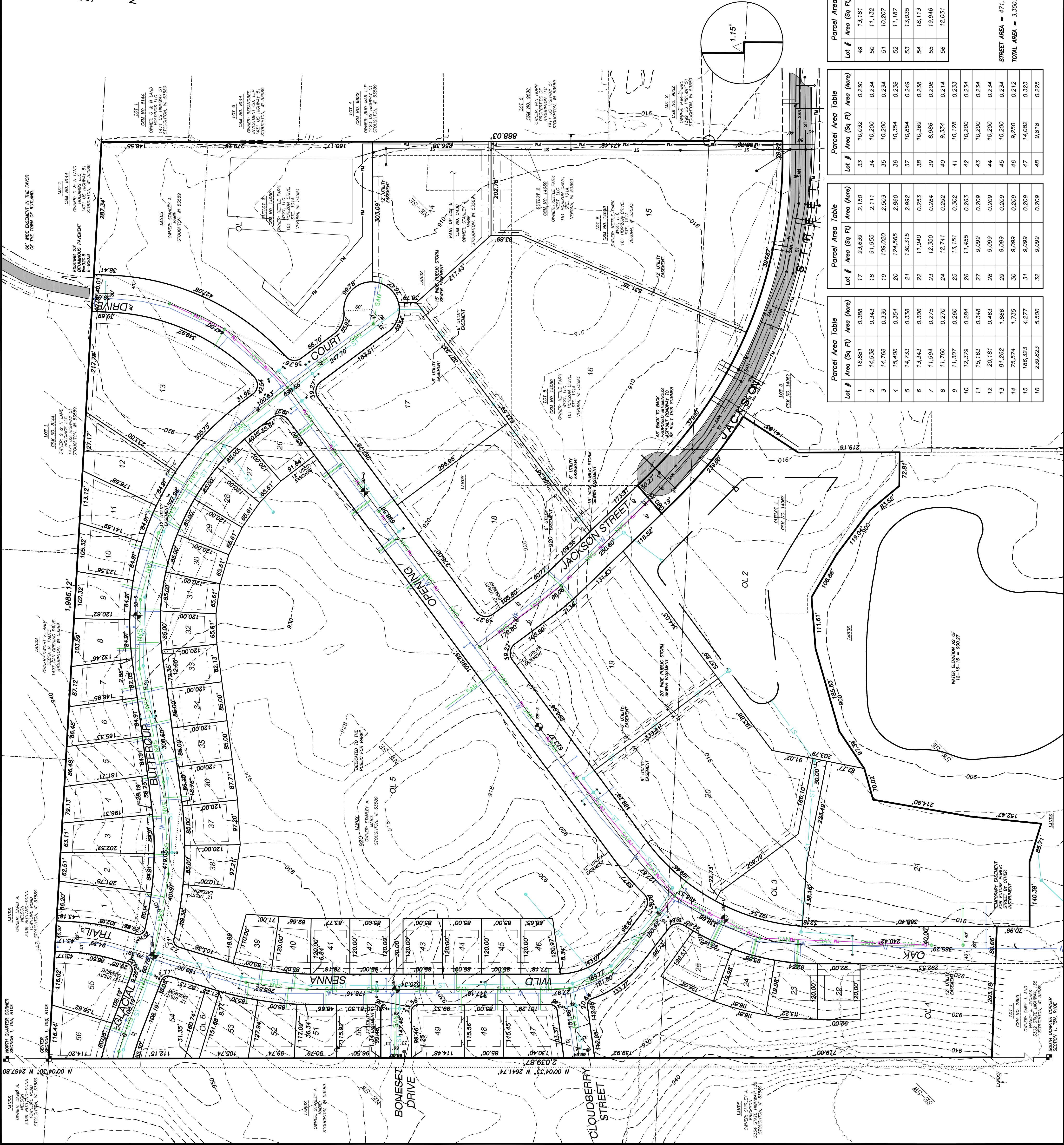
Parcel Area Table		
Lot #	Area (Sq Ft)	Area (Acre)
OL.1	213,971	4.912
OL.2	223,345	5.127
OL.3	28,362	0.651
OL.4	135,480	3.110
OL.5	576,542	13.281
OL.6	4,686	0.108

Parcel Area Table		
Lot #	Area (Sq Ft)	Area (Acre)
49	13,181	0.303
50	11,132	0.256
51	10,207	0.234
52	11,187	0.257
53	13,035	0.299
54	18,113	0.416
55	19,946	0.458
56	12,031	0.276

Parcel Area Table		
Lot #	Area (Sq Ft)	Area (Acre)
33	10,032	0.230
34	10,200	0.234
35	10,200	0.234
36	10,354	0.238
37	10,854	0.249
38	10,369	0.238
39	8,986	0.206
40	9,334	0.214
41	10,128	0.233
42	10,200	0.234
43	10,200	0.234
44	10,200	0.234
45	10,200	0.234
46	9,250	0.212
47	14,082	0.323
48	9,818	0.225

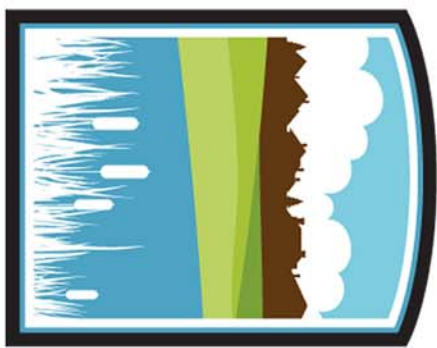
Parcel Area Table		
Lot #	Area (Sq Ft)	Area (Acre)
17	93,639	2.150
18	91,955	2.111
19	109,020	2.503
20	124,605	2.860
21	130,315	2.992
22	11,040	0.253
23	12,350	0.284
24	12,741	0.292
25	13,151	0.302
26	11,455	0.263
27	9,099	0.209
28	9,099	0.209
29	9,099	0.209
30	9,099	0.209
31	9,099	0.209
32	9,099	0.209

Parcel Area Table		
Lot #	Area (Sq Ft)	Area (Acre)
1	16,881	0.388
2	14,938	0.343
3	14,768	0.339
4	15,406	0.354
5	14,733	0.338
6	13,343	0.306
7	11,994	0.275
8	11,760	0.270
9	11,307	0.260
10	12,379	0.284
11	15,163	0.348
12	20,181	0.463
13	81,262	1.866
14	75,574	1.735
15	186,323	4.277
16	239,823	5.506





# Exhibit B



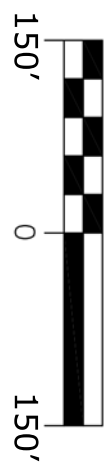
**KETTLE  
PARK  
WEST**

## ZONING KEY

- (I) INSTITUTIONAL (PARK & STORMWATER)
- (I) INSTITUTIONAL (RESIDENTIAL)
- (PB) PLANNED BUSINESS
- (PO) PLANNED OFFICE
- (SR-5) SINGLE-FAMILY RESIDENTIAL - 5
- (SR-6) SINGLE-FAMILY RESIDENTIAL - 6
- (MR-10) MULTI-FAMILY RESIDENTIAL - 10
- (MR-24) MULTI-FAMILY RESIDENTIAL - 24

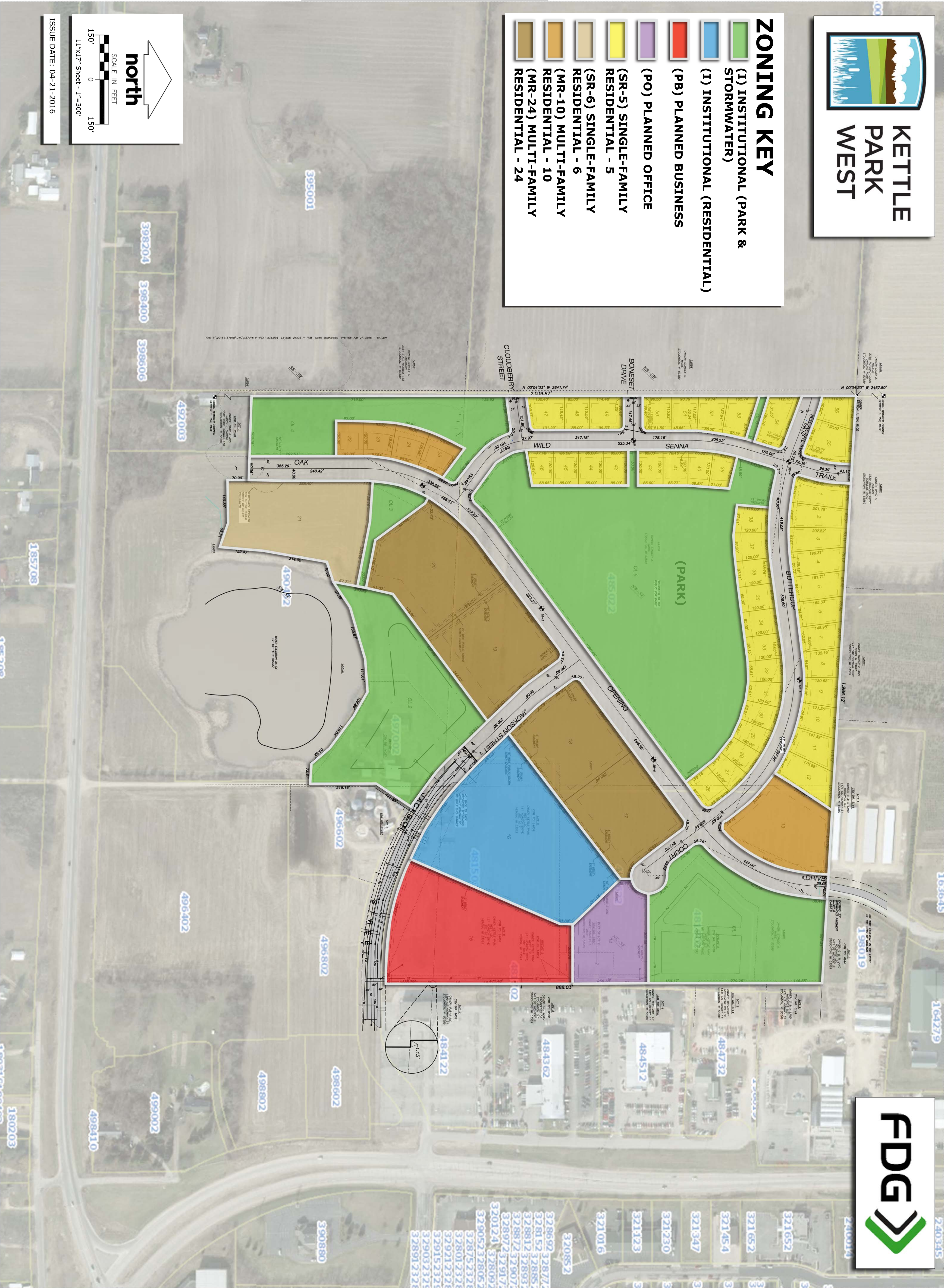
north

SCALE IN FEET



11"X17" Sheet - 1"=300'

ISSUE DATE: 04-21-2016



**KETTLE PARK WEST II  
PHASE II ZONING EXHIBIT  
STOUGHTON, WI**

FOR PLANNING PURPOSES ONLY

**JSD** Professional Services, Inc.  
• Engineers • Surveyors • Planners