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

ORDINANCE OF THE COMMON COUNCIL			
An ordinance amending the zoning classifications at 2439 County Highway A and 1101 Collins Road in the City of Stoughton (CSM Lot 1 and 2 attached as Exhibit A)			
Committee Action:	Planning Commission approved 6 – 0 with the Mayor voting on Feb. 12, 2018		
Fiscal Impact:			
File Number:	O - 8 - 2018	**Date Introduced:**	First Reading: Feb. 27, 2018 Second Reading: March 13, 2018

RECITALS

1. The City of Stoughton (the "Applicant") has applied to change the zoning classification of the property at 2439 County Highway A (CSM Lot 1 in Exhibit A) from RH - Rural Holding to I - Institutional and 1101 Collins Road (CSM Lot 2 in Exhibit A) from RH - Rural Holding to HI – Heavy Industrial.

2. The applicant proposes changing the zoning classification of these lands to allow a public works facility to be constructed at 2439 County Highway A and a composting operation at 1101 Collins Road.

3. On February 12, 2018, the City of Stoughton Planning Commission held a public hearing regarding Applicant's proposed zoning changes. The public hearing was preceded by the publication of a class 2 notice, and other notice required by law.

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

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

ORDINANCE

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

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

Section 2. The zoning classification of the property at 2439 County Highway A (CSM Lot 1 in Exhibit A) is changed from RH - Rural Holding to I - Institutional and 1101 Collins Road (CSM Lot 2 in Exhibit A) shall be changed from RH - Rural Holding to HI – Heavy Industrial.

Section 3. This ordinance shall take effect upon publication pursuant to law as presented.

Dates
Council Adopted: _____

Mayor Approved: _____

_____
Donna Olson, Mayor

Published: _____

Attest: _____

_____
Holly Licht, City Clerk

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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: January 29, 2018

To: Planning Commissioners and Common Council

From: Rodney J. Scheel
Director of Planning & Development

Michael P. Stacey
Zoning Administrator/Assistant Planner

Subject: Agenda Item for the February 12, 2018 Planning Commission Meeting and Common Council meetings of February 27, 2018 and March 13, 2018.

Request by the City of Stoughton to rezone the parcels at 2439 County Highway A from RH – Rural Holding to I – Institutional to accommodate a public works facility and 1101 Collins Road from RH – Rural Holding to HI – Heavy Industrial to accommodate a composting operation.

The City of Stoughton is proposing to rezone the properties described above to move forward with the public works facility and composting operation. All lands have been annexed to the City. A public hearing and recommendation to Council are necessary.

PUBLIC HEARING NOTICE

The City of Stoughton Planning Commission will hold a Public Hearing on Monday, February 12, 2018 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 S. Fourth Street, Second Floor, Stoughton, Wisconsin, 53589, to consider the proposed rezoning of the following parcels of land at 2439 County Highway A, Stoughton, WI., and 2431 County Highway A, Town of Dunkirk, WI., owned by City of Stoughton. The Town of Dunkirk properties are owned by the City of Stoughton and are in process to be annexed to the City of Stoughton. The properties described below with the address of 2439 and 2431 County Highway A are proposed to be rezoned from RH – Rural Holding to I – Institutional and the Other Town of Dunkirk properties listed are proposed to be rezoned from Rural Holding to HI – Heavy Industrial. The properties are more fully described below:

<u>2439 County Highway A</u>
Parcel number: 281/0511-094-8111-2
Legal Description: LOT 1 CSM 433 CS2/219-11/10/70 DESCR AS SEC 9-5-11 PRT NE1/4SE1/4 (0.55 ACRES INCL R/W)

<u>2439 County Highway A</u>
Parcel number: 281/0511-094-8201-2
Legal Description: SEC 9-5-11 PRT NE1/4 SE1/4 LYG S C/L CTH A EXC LOTS 1&2 CSM 433 & EXC DOC 947748 & EXC RR R/W & ALSO EXC PRT REMAINING IN TOWN OF DUNKIRK

<u>2431 County Highway A</u>
Parcel number: 026/0511-094-8100-8
Legal Description: LOT 2 CSM 433 CS2/219-11/10/70 DESCR AS SEC 9-5-11 PRT NE1/4SE1/4 (0.50 ACRES INCL R/W)

<u>Other Town of Dunkirk Parcels owned by the City of Stoughton with no listed address:</u>
Parcel number: 026/0511-094-82700
Legal Description: SEC 9-5-11 PRT NE1/4 SE1/4 LYG S C/L CTH A EXC LOTS 1&2 CSM 433 & EXC DOC 947748 & EXC RR R/W & ALSO EXC PRT ANNEXED TO CITY OF STOUGHTON BY ORD. NO. O-19-2013 IN DOC #5046520

Parcel number: 026/0511-094-9500-2
Legal Description: SEC 9-5-11 SE1/4 SE1/4 EXC R96/20 TO TOWN

Parcel number: 026/0511-161-8040-9
Legal Description: SEC 16-5-11 PRT NE1/4NE1/4 COM SEC NE COR TH S85DEG W 443.66 FT TO POB TH CON S85DEG W 702.98 FT ALG SEC N LN TH S75DEG E 742.31 FT ALG N R/W LN CMSTP&P RR TH N4DEG W 242.15 FT TO POB 1.954 ACRES

This property descriptions are for tax purposes. They may be abbreviated. For the complete legal description please refer to the deed.

Additional information including a location map can be found at: http://stoughtoncitydocs.com/planning-commission/

For questions related to this notice contact Michael Stacey at 608-646-0421 or Rodney Scheel at 608-873-6619

Michael Stacey
Zoning Administrator

Published January 25, 2018 and February 1, 2018 HUB

EXHIBIT A

CERTIFIED SURVEY MAP No._____

ALL OF LOTS 1 AND 2, CERTIFIED SURVEY MAP NUMBER 433, RECORDED AS DOC. No. 1277244 AND PART OF THE NE 1/4 AND THE SE 1/4 OF THE SE 1/4 OF SECTION 09 AND PART OF THE NE 1/4 OF THE NE 1/4 OF SECTION 16, ALL IN TOWNSHIP 05 NORTH, RANGE 11 EAST, CITY OF STOUGHTON, DANE COUNTY, WISCONSIN.

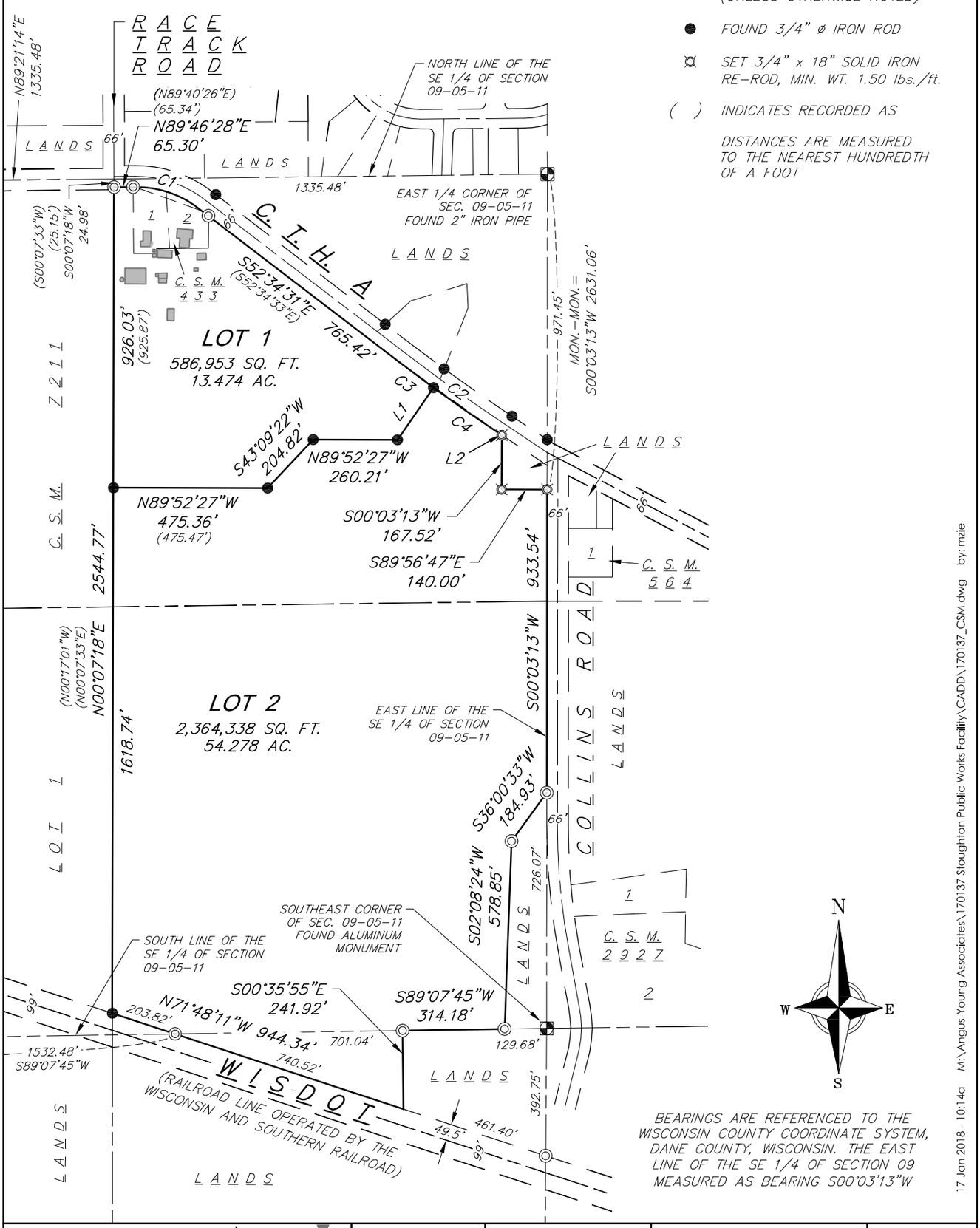
NOTE:
SEE SHEET 2 FOR SECTION MONUMENT TIES, SEE SHEET 3 FOR THE LINE TABLE AND CURVE DATA.

0 400 800
SCALE: 1" = 400'

SURVEY LEGEND

- FOUND 1" ø IRON PIPE (I.P.) (UNLESS OTHERWISE NOTED)
- FOUND 3/4" ø IRON ROD
- SET 3/4" x 18" SOLID IRON RE-ROD, MIN. WT. 1.50 lbs./ft.
- ( ) INDICATES RECORDED AS

DISTANCES ARE MEASURED TO THE NEAREST HUNDREDTH OF A FOOT



BEARINGS ARE REFERENCED TO THE WISCONSIN COUNTY COORDINATE SYSTEM, DANE COUNTY, WISCONSIN. THE EAST LINE OF THE SE 1/4 OF SECTION 09 MEASURED AS BEARING S00°03'13"W

17 Jan 2018 - 10:14a M:\Angus-Young Associates\170137 Stoughton Public Works Facility\CADD\170137_CSM.dwg by: mzie

vierbicher planners | engineers | advisors REEDSBURG - MADISON - PRAIRIE DU CHIEN 999 Fourier Drive, Suite 201 Madison, Wisconsin 53717 Phone: (608) 826-0532 Fax: (608) 826-0530	FN: 170137 DATE: 01/15/2018 REV: Drafted By: MZIE Checked By: MMAR	SURVEYED FOR: City of Stoughton 381 E. Main Street Stoughton, WI 53589	C.S.M. No._____ Doc. No._____ Vol._____ Page_____	SHEET 1 OF 4

CERTIFIED SURVEY MAP No._____

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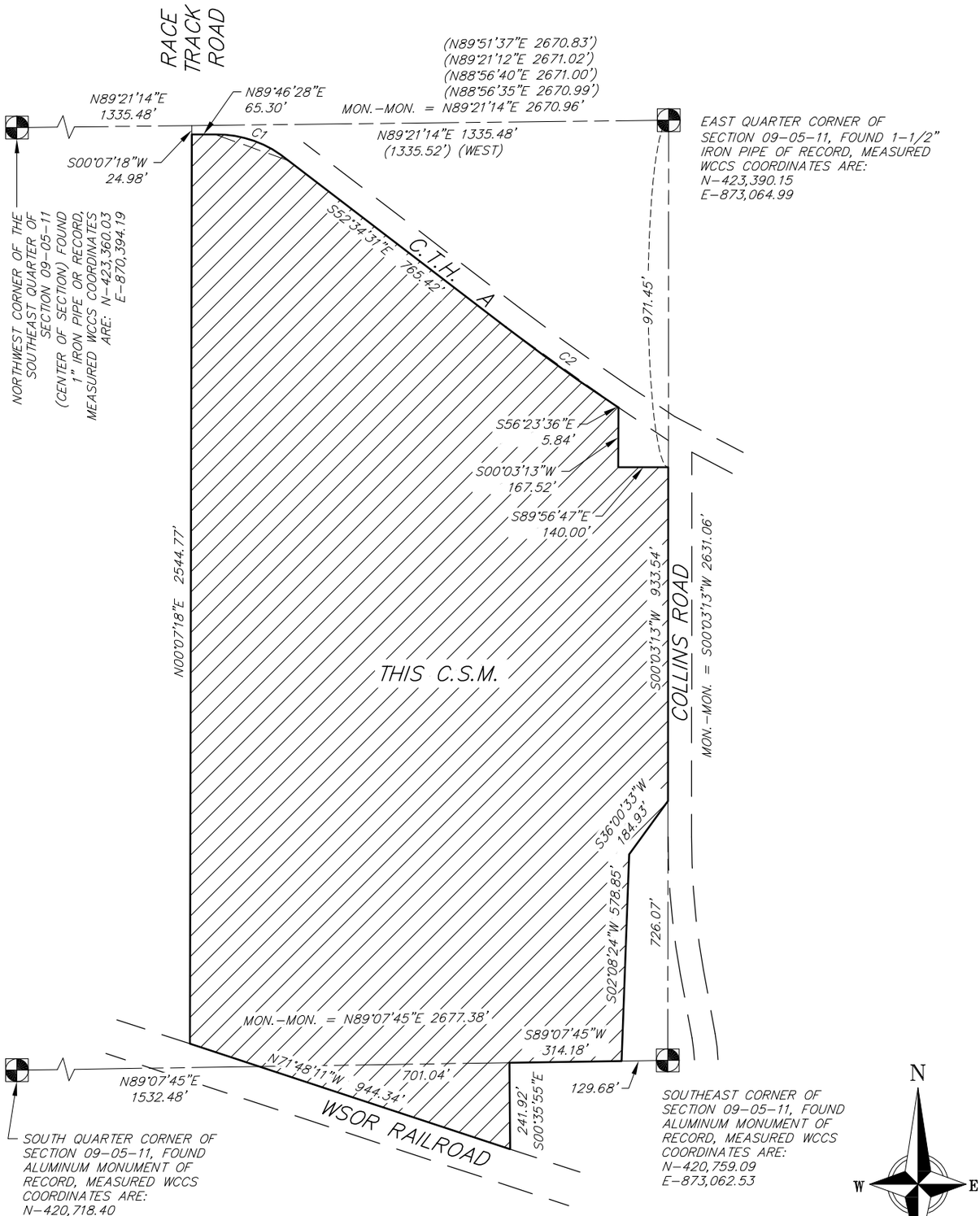

SECTION TIE DETAIL

(NOT TO SCALE)

BEARINGS ARE REFERENCED TO THE WISCONSIN COUNTY COORDINATE SYSTEM, DANE COUNTY, WISCONSIN. THE EAST LINE OF THE SE 1/4 OF SECTION 09 MEASURED AS BEARING S00°03'13"W

17 Jan 2018 - 10:14a M:\Angus-Young Associates\170137 Stoughton Public Works Facility\CADD\170137_CSM.dwg by: mzie

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REEDSBURG - MADISON - PRAIRIE DU CHIEN
999 Fourier Drive, Suite 201 Madison, Wisconsin 53717
Phone: (608) 826-0532 Fax: (608) 826-0530

FN: 170137 DATE: 01/15/2018 REV: Drafted By: MZIE Checked By: MMAR	SURVEYED FOR: City of Stoughton 381 E. Main Street Stoughton, WI 53589	C.S.M. No._____ Doc. No._____ Vol._____ Page_____	SHEET 2 OF 4

CERTIFIED SURVEY MAP No._____

ALL OF LOTS 1 AND 2, CERTIFIED SURVEY MAP NUMBER 433, RECORDED AS DOC. No. 1277244 AND PART OF THE NE 1/4 AND THE SE 1/4 OF THE SE 1/4 OF SECTION 09 AND PART OF THE NE 1/4 OF THE NE 1/4 OF SECTION 16, ALL IN TOWNSHIP 05 NORTH, RANGE 11 EAST, CITY OF STOUGHTON, DANE COUNTY, WISCONSIN.

LEGAL DESCRIPTION

All of Lots 1 and 2, Certified Survey Map (C.S.M.) Number 433, recorded as Document Number 1277244 and part of the Northeast Quarter and the Southeast Quarter of the Southeast Quarter of Section 9 and part of the Northeast Quarter of the Northeast Quarter of Section 16, all in Township 05 North, Range 11 East, City of Stoughton, Dane County, Wisconsin, more fully described as follows:

Commencing at the Northwest corner of the Southeast Quarter of said Section 09; thence North 89 degrees 21 minutes 14 seconds East, along the North line of said Southeast Quarter of Section 09, a distance of 1335.48 feet, more or less, to the West line of the Northeast Quarter of the Southeast Quarter of said Section 09; thence South 00 degrees 07 minutes 18 seconds West, along said West line, 24.98 feet to the Southerly and Southwesterly right-of-way line of County Trunk Highway "A" and the point of beginning of this description; thence North 89 degrees 46 minutes 28 seconds East, along said Southerly right-of-way line, 65.30 feet to a point of curvature; thence along said Southerly and Southwesterly right-of-way line and the arc of a curve to the right through a central angle of 40°33'30", an arc distance of 222.82 feet, a radius of 314.78 feet and a chord bearing South 70 degrees 18 minutes 56 seconds East, 218.20 feet; thence South 52 degrees 34 minutes 31 seconds East, along said Southwesterly right-of-way line, 765.42 feet to a point curvature; thence along said Southwesterly right-of-way line and the arc of a curve to the left through a central angle of 03 degrees 49 minutes 12 seconds, an arc distance of 382.44 feet, a radius of 5736.00 feet and a chord bearing South 54 degrees 29 minutes 04 seconds East, 382.37 feet; thence South 56 degrees 23 minutes 36 seconds East, along said Southwesterly right-of-way line, 5.84 feet, more or less, to the West line of lands currently owned by Ross and Carol Van Deusen (2371 C.T.H. A) Parcel No. 0511-094-8410-3; thence South 00 degrees 03 minutes 13 seconds West, along said West line, 167.52 feet, more or less, to the Southwest corner thereof; thence South 89 degrees 56 minutes 47 seconds East, along the South line of said Van Deusen parcel, 140.00 feet, more or less, to the East line of the Southeast Quarter of said Section 09, also being the Westerly right-of-way line of Collins Road; thence South 00 degrees 03 minutes 13 seconds West, along said East line and said Westerly right-of-way line, 933.54 feet, more or less, to the Northeasterly corner of lands currently owned by the Town of Dunkirk, Parcel No. 0511-094-9860-7; thence South 36 degrees 00 minutes 33 seconds West, along the Northerly line of said Town of Dunkirk lands, 184.93 feet, more or less; thence South 02 degrees 08 minutes 24 seconds West, along the West line of said Town of Dunkirk lands, 578.85 feet to the South line of the Southeast Quarter of said Section 09; thence South 89 degrees 07 minutes 45 seconds West, along said South line, 314.18 feet, more or less, to its intersection with the West line of lands currently owned by the Town of Dunkirk, Parcel No. 0511-161-8000-7; thence South 00 degrees 35 minutes 55 seconds East, along said West line of the Town of Dunkirk lands, 241.92 feet, more or less, to the Northerly right-of-way line of lands currently owned by the Wisconsin Department of Transportation (currently a railroad line being operated by the Wisconsin and Southern Railroad); thence North 71 degrees 48 minutes 11 seconds West, along said Northerly right-of-way line, 944.34 feet, more or less, to the West line of the Southeast Quarter of the Southeast Quarter of said Section 09, also being the Easterly line of C.S.M. Number 7211; thence North 00 degrees 07 minutes 18 seconds East, along said Easterly C.S.M. line and said West line and the West line of the Northeast Quarter of the Southeast Quarter of said Section 09, a distance of 2544.77 feet to the point of beginning. This description contains approximately 2,951,291 square feet or 67.752 acres.

CURVE DATA

NUMBER	CENTRAL ANGLE	RADIUS	ARC LENGTH	CHORD BEARING	CHORD
C1	40°33'30"	314.78'	222.83'	S 70°18'56" E	218.20'
C2	03°49'12"	5736.00'	382.44'	S 54°29'04" E	382.37'
C3	01°19'19"	5736.00'	132.33'	S 53°14'07" E	132.33'
C4	02°29'54"	5736.00'	250.11'	S 55°08'43" E	250.09'

LINE TABLE

LINE	DIRECTION	LENGTH
L1	S34°37'33"W	195.20' (195.17')
L2	S56°23'36"E	5.84'

17 Jan 2018 - 10:14a M:\Angus-Young Associates\170137 Stoughton Public Works Facility\CADD\170137_CSM.dwg by: mzie

vierbicher
planners | engineers | advisors
REEDSBURG - MADISON - PRAIRIE DU CHIEN
999 Fourier Drive, Suite 201 Madison, Wisconsin 53717
Phone: (608) 826-0532 Fax: (608) 826-0530

FN: 170137
DATE: 01/15/2018
REV:
Drafted By: MZIE
Checked By: MMAR

SURVEYED FOR:
City of Stoughton
381 E. Main Street
Stoughton, WI 53589

C.S.M. No._____
Doc. No._____
Vol._____ Page_____

CERTIFIED SURVEY MAP No._____

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OWNER'S CERTIFICATE

The City of Stoughton, a Wisconsin municipal corporation, hereby certifies that it is the owner of the lands described on this Certified Survey Map and further certifies that it caused these lands to be surveyed, divided and mapped as represented on this map. Witness the hand and seal of said owner this _____ day of _____, 2018.

City of Stoughton

By: _____
City Clerk, City of Stoughton

CITY OF STOUGHTON APPROVAL

Approved for recording by the City of Stoughton Common Council this _____ day of _____, 2018.

_____
City Clerk, City of Stoughton

SURVEYOR'S CERTIFICATE

I, Michael J. Ziehr, Professional Land Surveyor, S-2401, do hereby certify to the best of my knowledge and belief, that I have surveyed, divided and mapped the lands described herein and that the map on sheet one (1) is a correct representation of the exterior boundaries of the land surveyed and the division of that land in accordance with the information provided. I further certify that this Certified Survey Map is in full compliance with Chapter 236.34 of the Wisconsin State Statutes, Chapter A-E7 of the Wisconsin Administrative Code and the Subdivision Ordinance of the City of Madison in surveying, dividing and mapping the same.

Vierbicher Associates, Inc.
By: Michael J. Ziehr

Date: _____

Signed: _____
Michael J. Ziehr, P.L.S. S-2401

REGISTER OF DEEDS CERTIFICATE

Received for recording this _____ day of _____, 20_____, at _____ o'clock _____.m. and recorded in Volume _____ of Certified Survey Maps on pages _____, as Doc. No. _____.

_____
Kristi Chlebowski,
Dane County Register of Deeds

17 Jan 2018 - 10:15a M:\Angus-Young Associates\170137 Stoughton Public Works Facility\CADD\170137_CSM.dwg by: mzie

vierbicher
planners | engineers | advisors
REEDSBURG - MADISON - PRAIRIE DU CHIEN
999 Fourier Drive, Suite 201 Madison, Wisconsin 53717
Phone: (608) 826-0532 Fax: (608) 826-0530

FN: 170137 DATE: 01/15/2018 REV: Drafted By: MZIE Checked By: MMAR	SURVEYED FOR: City of Stoughton 381 E. Main Street Stoughton, WI 53589	C.S.M. No._____ Doc. No._____ Vol._____ Page_____	SHEET 4 OF 4

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

Applicant Name: City of Stoughton

Applicant Address: 381 E. Main Street

Applicant Phone and Email: 608-873-6619 and rjscheel@ci.stoughton.wi.us

Property Owner Name (if different than applicant): _____

Property Owner Phone: _____

Subject Property Address: 2439 County Highway A

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

I. Record of Administrative Procedures for City Use

Application form filed with Zoning Administrator — Date: 1/8/18

Application fee of $400 received by Zoning Administrator — Date: 1/8/18

II Application Submittal Packet Requirements for Applicant Use

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

Application form filed with Zoning Administrator — Date: 1/8/18

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

III Justification of the Proposed Zoning Map Amendment for Applicant Use

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

   Section 78-005 is related to the implementation and consistency with the City Comprehensive Plan. The future land use map indicates this property will be used for institutional purposes

which meets the proposed zoning and use. The moving of the public works facility out of the downtown area near the Yahara River is crucial for the redevelopment of that area. This location is in an area that has been historically used for Industrial which is more consistent with the use of the public works facility.

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

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

   b) A mistake was made in mapping on the Official Zoning Map. (That is, an area is developing in a manner and purpose different from that for which it is mapped.) NOTE: If this reason is cited, it must be demonstrated that the discussed inconsistency between actual land use and designated zoning is not intended, as the City may intend to stop an undesirable land use pattern from spreading.

   c) Factors have changed, (such as the availability of new data, the presence of new roads or other infrastructure, additional development, annexation, or other zoning changes), making the subject property more appropriate for a different zoning district.

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

   The City of Stoughton has recently purchased several properties at this location and have either annexed or is in the process of annexation to the City of Stoughton. The Public Works Facility site development is moving forward and the rezoning is part of this process.

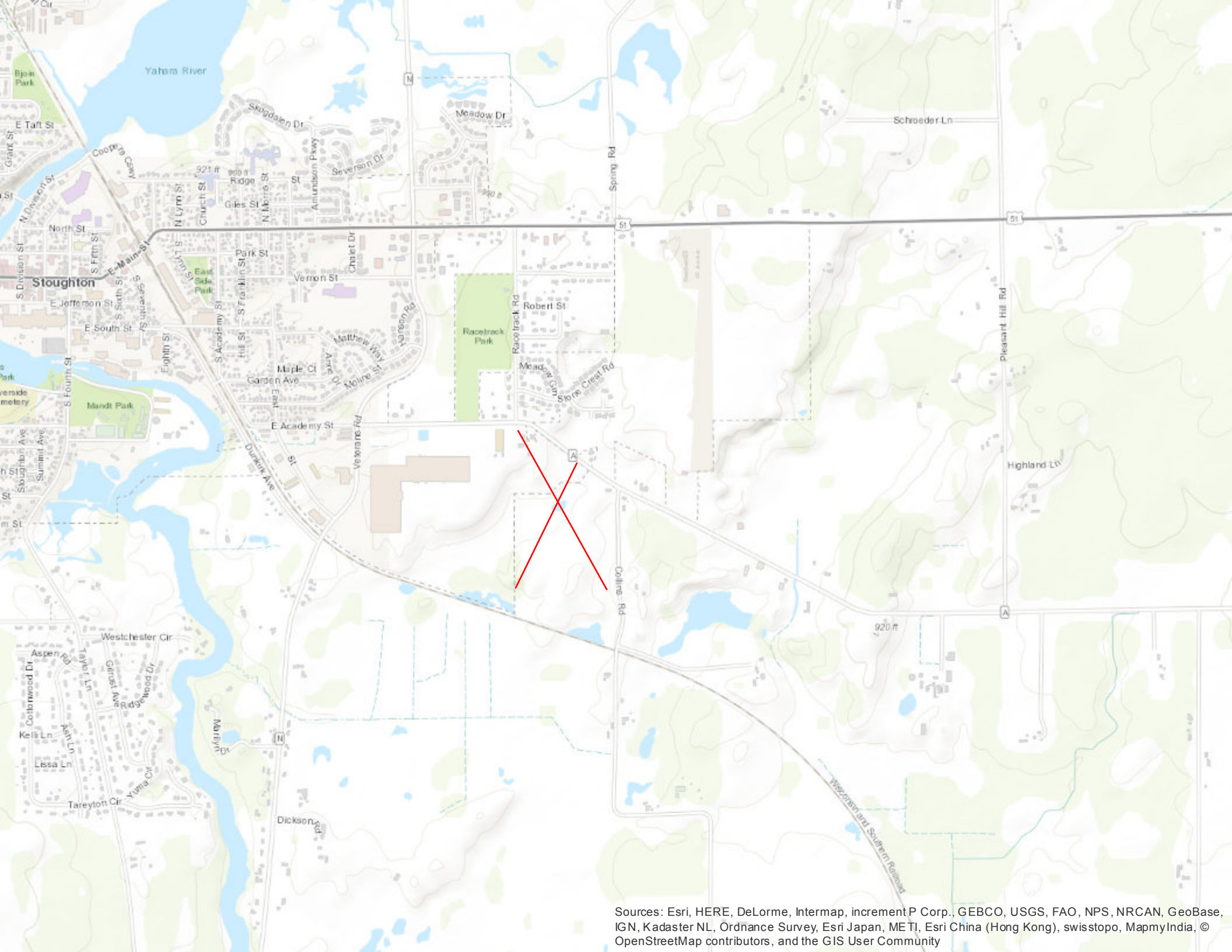
3. How does the proposed amendment to the Official Zoning Map maintain the desired consistency of land uses, land use intensities, and land use impacts as related to the surroundings of the subject property?

   We believe moving the public works facility to this property which is adjacent to the Industrial Park South is consistent with the goals and purposes of the Comprehensive Plan and we believe there will be fewer land use impacts in this location than at the current location.

IV. Final Application Packet Information for City Use

Receipt of (8.5" by 11" text and 11" by 17" graphic electronic copies of final application packet by Zoning Administrator	Date: 1/8/18
Notified Neighboring Property Owners (within 300 feet)	Date: 1/16/18
Notified Neighboring Township Clerks (within 1,000 feet)	Date: 2/7/18
Class 2 legal notice sent to official newspaper by City Clerk	Date: 1/16/18

Class 2 legal notice published on 1/25/18 and 2/1/18



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 GIS User Community

10. **Request by the City of Stoughton for certified survey map (CSM) approval to combine the parcels at 2439 County Highway A for the new public works facility and 1101 Collins Road for a composting operation.**
Scheel explained the request.

Motion by **Engelberger** to recommend the Common Council approved the resolution as presented, 2nd by **Truehl**.

Bartlett questioned if the heavy industrial zoning is required for the composting operation. Scheel stated it is.

Motion carried 6 - 0.

11. **Request by the City of Stoughton to rezone the parcels at 2439 County Highway A from RH – Rural Holding to I – Institutional to accommodate a public works facility and 1101 Collins Road from RH – Rural Holding to HI – Heavy Industrial to accommodate a composting operation.**
Scheel explained the request.

Mayor Olson opened the public hearing.

No one registered to speak.

Mayor Olson closed the public hearing.

Motion by **Truehl** to recommend the Common Council approve the rezoning ordinance as presented, 2nd by **Engelberger**. Motion carried 6 - 0.

12. **Request by the City of Stoughton for a conditional use permit to allow more than 120% of the required parking stalls for a public works facility at 2439 County Highway A.**
Scheel explained the request.

Mayor Olson opened the public hearing.

No one registered to speak.

Mayor Olson closed the public hearing.

Motion by **Truehl** to recommend the Common Council approve the resolution as presented, 2nd by **Hanna**. Motion carried 6 - 0.

13. **Discuss proposed ordinance amendments as recommended by the Landmarks Commission related to the request by the Common Council to develop an ordinance for consideration by the council that would amend existing City ordinances such that no building in a historic district listed on the National Register of Historic Places may be demolished without review and recommendation by Landmarks Commission and a decision by the Common Council based on appropriate and lawful standards. (Tabled from January 8, 2018)**