

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

RESOLUTION OF THE PLANNING COMMISSION

Project review and approval to demolish the structure located at 305-315 E. Main Street, Stoughton

Committee Action: Planning Commission approves the site plan – 0 with the Mayor voting.

Fiscal Impact: None.

File Number: R - 10 - 2017

Date Introduced: March 13, 2017

RECITALS

- A. Dackprint, LLC (Dennis and Amy Kittleson) (the “Applicant”) is seeking project review and approval, pursuant to Section 78-913 of the City Code, to demolish the structure (“Structure”) at 305-315 E. Main Street in the City of Stoughton, Dane County, Wisconsin (the “Property”).
- B. The Property is zoned CB – Central Business and is within the Downtown Design Overlay Zoning District.
- C. The City Planning Commission reviewed and discussed the request to demolish the structure at their regular March 13, 2017 meeting.
- D. Under Section 78-913(4)(c), when reviewing an application to demolish a building in the Downtown Design Overlay Zoning District, the plan commission “shall focus its review on the application’s compliance with sound aesthetic, land use, site design and economic revitalization practices. In part, this effort shall be guided by the comprehensive plan.”
- E. The City Planning Commission finds that demolition of the Structure [IS / IS NOT] in compliance with sound aesthetic, land use, site design and economic revitalization practices for the following reason(s):
- a. _____.
 - b. _____.
 - c. _____.
 - d. _____.
- F. The City Planning Commission finds that demolition of the Structure [IS / IS NOT] consistent with the City of Stoughton Comprehensive Plan for the following reason(s):
- a. _____.
 - b. _____.
 - c. _____.
 - d. _____.

RESOLUTION

THEREFORE, BE IT RESOLVED by the City of Stoughton Planning Commission that the application for Project Approval to demolish the structure at 305-315 E. Main Street, Stoughton, WI, is [approved/denied].

Mayor Donna Olson
Planning Commission Chair

Date



CITY OF STOUGHTON
DEPARTMENT OF
PLANNING & DEVELOPMENT
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RODNEY J. SCHEEL
DIRECTOR

March 9, 2017

Dennis & Amy Kittleson
109 E. Taft Street
Stoughton, WI. 53589

Dear Property Owner:

I have completed a review of the proposed request to demolish the building at 305 - 315 E. Main Street, Stoughton, WI. - Request received 1/24/2017. A public hearing is scheduled for March 13, 2017 at the Planning Commission meeting of which you will receive notice.

1. The property at 305/315 E. Main Street is zoned CB – Central Business and is within the Downtown Design Overlay Zoning District. Per a request by the Planning Commission, Attorney Matt Dregne provided a memo regarding this demolition request (attached).
2. An application was received on September 27, 2016 to demolish the structure at 305/315 E. Main Street. Per State Statutes Section 66.0143, a request to raze a property listed on the State Register/National Register of Historic Places was provided to the State Historical Office of Preservation. The City received a response from the State Historical Office dated October 28, 2016 which acknowledged the request and waived the 30-day time period which allows the demolition to proceed.
3. Zoning code section 78-913(1) related to the downtown design overlay district, states “Purpose and scope. These districts are intended to implement the urban design recommendations of the comprehensive plan by preserving and enhancing the aesthetic qualities (historical and visual) of the community, and by attaining a consistent visually pleasing image for various portions of the city. As emphasized by said plan, these districts are designed to forward both aesthetic and economic objectives of the city by controlling the site design and appearance of development within the district in a manner which is consistent with sound land use, urban design, and economic revitalization principles. The application of these standards will ensure the long-term progress and broad participation toward these principles.” **The Planning Commission shall take into consideration the purpose of the overlay district during their review and the Commission has final approval authority. Unfortunately, there is no standards to aid in deciding if a demolition would meet any of these recommendations. There currently is no redevelopment plan rather at some point in the future this will likely be an infill project**

area. The current plan is to provide public open space. A conceptual landscaping plan has been submitted.

4. Zoning code section 78-913(3) states in part, “The plan commission shall be involved with all projects involving changes to the building appearance with the downtown design overlay district and the landmarks commission shall be involved only on locally-recognized landmarks.” **The structure at 305/315 E. Main Street is not locally recognized so landmarks commission involvement is not required.**
5. Zoning code section 78-913(3)(c) states, “Applications which involve modification to the physical configuration of a property (such as grading, the erection of a new building, the demolition of an existing building, or the addition or removal of bulk to an existing building) **are subject to project review by the zoning administrator, landmarks commission (for locally-recognized landmarks), and the plan commission.** The zoning administrator shall serve as the liaison between the applicant, landmarks commission, and the plan commission in facilitating the thorough and expedient review of an application, and shall ensure that the technical and procedural requirements of the zoning ordinance are met. The landmarks commission shall serve as the recommending body to the plan commission on locally-recognized landmarks. **The plan commission shall serve as the final discretionary review body on aesthetics and site design, and shall focus its review on the application's compliance with sound aesthetic, land use, site design and economic revitalization practices. In part, this effort shall be guided by the comprehensive plan.**”
6. Zoning code section 78-913(4)(c)1 requires “Project review proposals follow procedures for conditional use permits, refer to section 78-905.” Section 78-905 contains detailed procedures for processing conditional use permits, including requiring a public hearing preceded by publication of a Class 2 notice. Under the CUP procedure, the planning commission makes a recommendation to the city council and the city council makes the final decision regarding the conditional use. **The zoning code conflicts with this requirement since the Planning Commission has final review approval authority. See City Attorney Matt Dregne’s opinion letter.**
7. All project review applications shall meet the requirements of zoning code section 78-913(4)(c)2 as follows:
 - a) A clear depiction of the existing appearance of the property. Clear color photographs are recommended for this purpose. Scaled and dimensioned drawings of existing components such as windows, doors, railings, fencing or other site components, and/or detailed building elevations which are proposed for alteration or replacement may be required by the city. **The City has color photographs of the structure proposed to be demolished. The remainder requirements are not applicable.**
 - b) A clear depiction of the proposed appearance of the property. Paint charts, promotional brochures, and/or clear color photographs of replacement architectural components are recommended for this purpose. Scaled and dimensioned drawings of proposed components such as windows, doors, railings, fencing or other site components, and/or detailed building elevations which are proposed for alteration or replacement may be required by the city. **A conceptual landscaping plan has been provided.**

- c) For all projects involving a new building, or an addition exceeding 100 square feet of gross floor area, a detailed site plan which provides the following information:
 - A. A title block indicating name and address of the current property owner, developer and project consultants;
 - B. The date of the original plan and the latest date of revision to the plan;
 - C. A north arrow and a graphic scale. Said scale shall not be smaller than one inch equals 100 feet;
 - D. All property lines and existing and proposed right-of-way lines with bearings and dimensions clearly labeled;
 - E. All existing and proposed easement lines and dimensions with a key provided and explained on the margins of the plan as to ownership and purpose;
 - F. All existing and proposed buildings, structures, and paved areas, including walks, drives, decks, patios, fences, utility poles, drainage facilities, and walls;
 - G. All required building setback lines;
 - H. A legal description of the subject property;
 - I. The location, type and size of all signage on the site;
 - J. The location, type and orientation of all exterior lighting on the subject property;
 - K. The location of all access points, parking and loading areas on the subject property, including a summary of the number of parking stalls and labels indicating the dimension of such areas;
 - L. The location of all outdoor storage areas;
 - M. The location and type of any permanently protected green space areas;
 - N. The location of existing and proposed drainage facilities;
 - O. In the legend, the following data for the subject property:
 Lot area; Floor area; Floor area ratio; Impervious surface area; Impervious surface ratio; and Building height. **These requirements are not applicable.**
 - d) A detailed landscaping plan of the subject property, at the same scale as the main plan, showing the location, species and size of all proposed plant materials.
A conceptual landscaping plan is provided.
 - e) A written description of the proposed project, including a complete listing of proposed components, materials, and colors. **A short narrative of the project and conceptual landscaping plan have been provided.**
 - f) Written justification for the proposed alteration consisting of the reasons why the applicant believes the requested alteration is in harmony with the standards of the Downtown Design Overlay Zoning District, section 78-517. **This appears to be related to the alteration of a building as outlined in section 78-517. These requirements are not applicable.**
8. Zoning code Appendix F contains an outline of the process for reviewing project proposals in the downtown design overlay district. Under the procedure outlined in Appendix F, **The planning commission makes the final decision on project reviews.**

9. Some of the Goals, Objectives and Policies of the Comprehensive Plan related to this request include:

- Promotion of redevelopment of lands with existing infrastructure;
- Maintenance and rehabilitation of existing commercial structures;
- Encourage the preservation of historically and architecturally significant structures;
- Develop and enforce property maintenance;
- Enhance and maintain the City's downtown area;
- Encourage rehabilitation, redevelopment, and infill development of older areas in the downtown;
- Encourage public-private partnership as a way to promote investment in the downtown area and to spur downtown revitalization.

Arguably, the approval of this demolition request would be promoting redevelopment of a property with a dilapidated building. The request certainly does not meet all of objectives of the Comprehensive Plan but promotion of redevelopment and encouraging the preservation of historically significant structures cannot both be achieved. The fact that the building was vacant for many years contributed to the lack of maintenance especially the roof. At this point, it may not be economically feasible to rehabilitate the building.

10. The Planning Commission is charged with deciding if the proposed demolition is in compliance with sound aesthetic, land use, site design and economic revitalization practices. Additionally, the Commission shall find whether or not the demolition is consistent with the City of Stoughton Comprehensive Plan.

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

Sincerely,

City of Stoughton

Michael P. Stacey

Michael P. Stacey
Zoning Administrator/Assistant Planner