

MEETING NOTICE

The City of Stoughton will hold a Regular meeting of the **Planning Commission** on **Monday, October 4, 2010 at 6:00pm** in the **Council Chambers, Second Floor, Public Safety Building, 321 S. Fourth Street**, Stoughton WI.

AGENDA

1. Call to order
 2. Consider approval of the Planning Commission minutes of September 13, 2010.
 3. Council Representative Report.
 4. Status of Developments/Projects. (Page 6)
 5. Dave Atkins, owner of Water's Edge Tavern requests a conditional use permit to construct an enclosed patio addition at the rear of the building and install fencing in the backyard to the Yahara River at 324 S. Water Street to allow patrons to smoke outdoors per State of Wisconsin requirements. (Page 8)
 - Public Hearing
 - Recommendation to Council
 6. Dave Knop, owner of Pack R Place Bar requests a conditional use permit to construct a deck addition at the rear of the building at 208 W. Main Street to allow patrons to smoke outdoors per State of Wisconsin requirements. (Page 22)
 - Public Hearing
 - Recommendation to Council
 7. Dale Hanson of Rite-Way Construction representing William Chritton requests building addition approval at 113 E. Main Street. (Page 35)
 8. James Shebesta of Alliant Energy requests approval to construct bunker silos for storage of gravel, black dirt and clean stone at 1521 Progress Lane. (Page 38)
 9. Dennis Steinkraus of Forward Development Group, LLC, to provide an update regarding the proposed neighborhood development at the northwest corner of US Highway 51 and State Highway 138.
 10. Future agenda items
 11. Adjournment
- 9/28/10mps

COMMISSIONERS:

Mayor Donna Olson, Chair
Eric Hohol, Vice-Chair
Rollie Odland

Todd Krcma
Carl Chenoweth

Ron Christianson
Troy Wieser

CC: PACKETS:

Rodney Scheel
Troy Wieser

Michael Stacey (3)
Todd Krcma

Rollie Odland
Mayor Donna Olson

E-MAIL NOTICES:

All Department Heads
Pili Hougan
Scott Wegner

Council members
Peter Sveum
Autumn Dressell – HUB

Area Townships
Derek Westby
City Attorney Matt Dregne

MAIL NOTICES:

Dale Hanson, 2384 Vernon Road, Stoughton; Dave Knop, 2108 Wood View Drive, Stoughton; Dave Atkins, 917 Eisenhower Road, Stoughton; James Shebesta, 4902 North Biltmore Lane, Madison, WI. 53718; JSD Professional Services Inc., Jim Bricker, 161 Horizon Drive, Suite 101, Verona, WI. 53593; Oakbrook Corporation, Charles Redjinski, 2 Science Drive, Madison, WI., 53744; Forward Development Group, LLC, Dennis Steinkraus, 161 Horizon Drive, Suite 101, Verona, WI. 53593; Kayser Development Group, 2303 W. Beltline Highway, Madison, WI. 53713; Emerald Ridge Developers, LLC, PO Box 415, Mount Horeb, WI. 53572;

IF YOU ARE DISABLED & IN NEED OF ASSISTANCE, PLEASE CALL 873-6677 PRIOR TO THIS MEETING.

NOTE: AN EXPANDED MEETING MAY CONSTITUTE A QUORUM OF THE COUNCIL.

Planning Commission Meeting Minutes

Monday, September 13, 2010 - 6:00 p.m.

Public Safety Building, Council Chambers, Second Floor, 321 S. Fourth Street, Stoughton, WI.

Members Present: Mayor Donna Olson, Chair; Eric Hohol, Vice-Chair, Todd Krcma; and Ron Christianson.

Absent and Excused: Troy Wieser; Carl Chenoweth; and Rollie Odland.

Staff: Director of Planning & Development, Rodney Scheel; and Zoning Administrator, Michael Stacey.

Guests: Dave Porterfield; Peter & Laura Burno; Betsy Johnson; Bob & Meg Veek; Wade Wyse; Dave Jenkins; Jim Glueck; Keith Comstock; Bill Buglass; Jim Bricker; Dennis Steinkraus; Richard Tofte; Paul Lawrence and Charles Redjinski.

1. **Call to order.** Mayor Olson called the meeting to order at 6:00 pm.
2. **Consider approval of the August 9, 2010 Planning Commission meeting minutes and the August 23, 2010 joint Business Park North and Planning Commission meeting minutes.**

Motion by **Christianson** to approve the minutes of August 9, 2010 and August 23, 2010 as presented, 2nd by **Krcma**. Motion carried 4 - 0.

3. **Council Representative Report.**

Hohol stated 3 rezonings were approved at Council.

4. **Status of Developments/Projects.**

Scheel gave an overview on the status of specific projects. There were no questions.

5. **Dave Porterfield, Movin' Out, Inc., requests to rezone the property at 623 Eighth Street from PD-GDP – Planned Development–General Development Plan to PD-SIP – Planned Development-Specific Implementation Plan.**

Dave Porterfield gave an overview of the proposed Specific Implementation Plan and stated they anticipate starting in early November. Jim Glueck stated they are still seeking the 15-foot front setback for the 4-unit buildings. Scheel discussed the joint effort for stormwater management. Hohol questioned the deck encroachment. Scheel stated the City is working to resolve the encroachment issue with the current property owner.

Mayor Olson opened the public hearing.

The following people registered to speak in favor of the proposed rezoning:

Dave Porterfield

Jim Glueck

No one registered in opposition of the rezoning.

Mayor Olson closed the public hearing.

Motion by **Christianson** to recommend Council approve the rezoning ordinance for 623 Eighth Street from PD-GDP – Planned Development-General Development Plan to PD-SIP – Planned Development-Specific Implementation Plan, 2nd by **Hohol**. Motion carried 4 – 0.

6. Steve Shulfer representing Richard & Karen Tofte requests to rezone 623 Kensington Square from PD – Planned Development to PD-GDP – Planned Development – General Development Plan to allow a deck addition.

Scheel gave an overview of the proposed General Development Plan.

Mayor Olson opened the public hearing.

The following people registered in favor of the rezoning.
Richard Tofte

No one registered in opposition of the rezoning.

Mayor Olson closed the public hearing.

Motion by **Krcma** to recommend Council approve the rezoning ordinance for 623 Kensington Square from PD – Planned Development to PD-GDP – Planned Development – General Development Plan, 2nd by **Christianson**. Motion to carried 4 – 0.

7. Request by Bill Buglass of Payne & Dolan, Inc. to annex approximately 78.89 acres at 793 US Highway 51 east from the Town of Dunkirk to the City of Stoughton.

Scheel gave an overview of the proposed annexation. Christianson questioned whether gravel pits are allowed within the City of Stoughton. Scheel stated the City has a district where it would be allowed and noted they have made sure through the County that their permit for extraction will be allowed to continue after annexation.

Motion by **Hohol** to recommend Council approve the annexation at 793 US Highway 51 east as presented, 2nd by **Krcma**. Motion carried 4 – 0.

8. Keith Comstock requests site plan approval to remodel the façade at 215 S. Gjertson Street.

Scheel explained the request. Keith Comstock was available for questions.

Motion by **Hohol** to approve the façade remodel at 215 S. Gjertson Street contingent on staff review letter dated August 26, 2010, 2nd by **Christianson**. Motion carried 4 – 0.

9. Dennis Steinkraus of Forward Development Group, LLC, requests conceptual approval of a proposed neighborhood development at the northwest corner of US Highway 51 and State Highway 138.

Dennis Steinkraus gave an overview of the request. Jim Bricker gave a powerpoint presentation and explained the conceptual plan. There was a lengthy discussion related to transportation; stormwater management; types of potential uses and the need for a neighborhood plan. Scheel discussed the positive aspects of development in this area.

Motion by Hohol to go on record as being supportive of the proposed neighborhood development, 2nd by Krcma. Motion carried 4 – 0.

10. Discuss a proposed ordinance amendment to amend sections 78-206(1)(a)3 & 78-206(1)(a)2 to clarify that existing duplexes are not required to install separate water and sewer laterals when converting to a twin house (zero lot line).

Scheel explained the proposed amendments.

Motion by Hohol to recommend staff move forward with the proposed zoning amendments, 2nd by Krcma. Motion carried 4 – 0

11. Future agenda items.

Payne & Dolan annexation; Forward Development proposal; and Zoning ordinance amendment related to duplexes and twin houses.

12. Adjournment. Motion by Christianson to adjourn at 6:44 pm, 2nd by Hohol. Motion carried 4 – 0.

Respectfully Submitted,
Michael Stacey



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

(608) 873-6619

www.cityofstoughton.com/planning

RODNEY J. SCHEEL
DIRECTOR

Date: September 28, 2010

To: Planning Commission Members

From: Rodney J. Scheel
Director of Planning & Development

Michael Stacey
Zoning Administrator/Assistant Planner

Subject: October 4, 2010 Planning Commission Meeting - Status of Developments and Meeting Summary.

Status of Developments:

- West View Ridge - 33 improved lots remaining.
- Stone Crest - 11 improved lots remaining.
- North American Fur Expansion – In Process.
- Lean Distribution Expansion – In Process.
- 7 single family home permits issued for 2010 compared to 1 in 2009.

Meeting Summary:

Item #5 – Dave Atkins, owner of Water's Edge Tavern requests a conditional use permit to construct an enclosed patio addition at the rear of the building and install fencing in the backyard to the Yahara River at 324 S. Water Street to allow patrons to smoke outdoors per State of Wisconsin requirements.

This conditional use permit request is to allow patrons to smoke outdoors according to the requirements set forth by the State of Wisconsin. If approved, the applicant intends to seek an outdoor alcohol consumption permit for the enclosed patio area. Property owners within 300 feet of this property were given notice of this public hearing and 2 notices were published with the last notice being at least 10 days prior to the public hearing. Conditions may be placed on the outdoor use related to screening; noise buffering; lighting; time of use; size of area, etc... Application materials and the staff review letter are provided. A recommendation to Council is necessary.

Item #6 – Dave Knop, Pack R Place Bar requests a conditional use permit to construct a deck addition at the rear of the building at 208 W. Main Street to allow patrons to smoke outdoors per State of Wisconsin requirements.

This conditional use permit request is proposed to allow patrons to smoke outdoors according to the requirements set forth by the State of Wisconsin. If approved, the applicant intends to seek an outdoor alcohol consumption permit for the deck area. Property owners within 300 feet of this property were given notice of this public hearing and 2 notices were published with the last notice being at least 10 days prior to the public hearing. Conditions may be placed on the outdoor use related to screening; noise buffering; lighting; time of use; size of area, etc... Application materials and the staff review letter are provided. A recommendation to Council is necessary.

Item #7 – Dale Hanson of Rite-Way Construction representing William Chritton requests building addition approval at 113 E. Main Street.

This request is to construct a roof over an area at the rear of the building to prevent water from getting into the basement. The rear of the building is not visible from a public street. A plan and the staff review letter are provided. Planning Commission approval is necessary.

Item #8 – James Shebesta of Alliant Energy requests approval to construct bunker silos for storage of gravel, black dirt and clean stone at 1521 Progress Lane.

This request is to construct an accessory structure to store gravel, black dirt and clean stone. Plans of the project and the staff review letter are provided. Planning Commission approval is necessary.

Item #9 - Dennis Steinkraus of Forward Development Group, LLC, to provide an update regarding the proposed neighborhood development at the northwest corner of US Highway 51 and State Highway 138.

Forward Development Group will be on hand to provide an update to the Commissioners.

April 6, 2010

To Whom It May Concern:

In Preparation for the July 5th smoking ban, I would like to fence in the back yard of the building with a 6' high cedar fence, and pour a 36' x 12' patio. I would then build a shed-style roof of corrugated fiberglass panels for coverage. I would also like to enclose a 12' x 12' section of the patio so my customers who smoke could have an area during inclement weather.

**David J. Atkins
Dave's Water's Edge
324 South Water Street
Stoughton, WI 53589.**

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

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

Name of Applicant: David J. Atkins, owner of Dave's Water's Edge

Request Description: Install a 3 season porch, patio and fence the rear of the property to the river at 324 S. Water Street.

I. Record of Administrative Procedures for City Use

Staff meeting:

Date of Meeting: 4/15/10 Time of Meeting: 4:00 p.m. By: MPS

Application form filed with Zoning Administrator Date: 4/15/10 By: MPS

Application fee of \$365.00 received by City Treasurer Date: 4/15/10 By: MPS

II Application Submittal Packet Requirements for City and Applicant Use

Prior to submitting the 20 final complete applications as certified by the Zoning Administrator, the Applicant shall submit 5 initial draft application packets for staff review, followed by one revised draft final application packet based upon staff review and comments.

Initial Packet (5 copies to Zoning Administrator) Date: _____ By: _____

↓ Draft Final Packet (1 copy to Zoning Administrator) Date: 4/15/10 By: MPS

↓

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

☒ Showing all lands for which the zoning is proposed to be amended.

☒ Showing all other lands within 300 feet of the boundaries of the subject property.

☒ Referenced to a list of the names and addresses of the owners of said lands as they appear on the current records of the Register of Deeds of Dane County (as provided by the City of Stoughton). STAFF

☒ Map and all its parts are clearly reproducible with a photocopier.

☒ Map size of 11" by 17" and map scale not less than one inch equals 800 ft. N/A

☒ All lot dimensions of the subject property provided.

☒ Graphic scale and north arrow provided.

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

☐ ☒ (c) A written description of the proposed conditional use describing the type of activities, buildings, and structures proposed for the subject property and their general locations

☐ ☒ (d) A site plan (conforming to the requirements of Section 78-908(3)) of the subject

property as proposed for development OR if the proposed conditional use is a large development (per Sections 78-205(11)) or a group development (per Section 78-205(12)) a proposed preliminary plat or conceptual plat may be substituted for the required site plan, provided said plat contains all information required on said site plan per Section 78-908.

- ☐ ☒ (e) Written justification for the proposed conditional use:
 - ☐ Indicating reasons why the Applicant believes the proposed conditional use is appropriate with the recommendations of the City of Stoughton Comprehensive Plan, particularly as evidenced by compliance with the standards set out in Section 78-905(4)(b)1.-6.

III Justification of the Proposed Zoning Ordinance Amendment for Applicant Use

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

Staff: We believe this proposed conditional use request is consistent with most of the goals and objectives of the Comprehensive Plan and Zoning Ordinance. This request may very well help the business succeed, however it also moves the smoking issue outside which may create additional issues. The applicant is also requesting to allow alcohol consumption outside at the Public Safety Committee meeting on April 28, 2010. We hope to have minutes from that meeting available.

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

Staff: One of the land use goals within the Comprehensive Plan is to enhance and maintain the City's downtown area by providing for mixed use development in the downtown area and encouraging infill of older areas of the downtown in a manner which respects Stoughton's character. This proposal does provide for an expansion of an allowable mixed-use development. The Zoning Code allows a tavern as a conditional use within the Central Business district. The benefit may be that patrons will be primarily smoking at the rear of the property rather than in the front. Conditions may be placed on the use such as screening; landscaping; hours of operation, etc...

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

Staff: We don't believe the proposed tavern expansion will result in any substantial or undue adverse impact on nearby property, character of the neighborhood, environmental factors, traffic factors, parking, public improvements or matters affecting public health, safety or general welfare. However, consideration should be given to the potential noise that may occur with respect to residential properties across the Yahara River to the west.

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

Staff: We believe the proposed tavern expansion is consistent with the land uses and intensities of the Central Business district.

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

Staff: We believe the proposed tavern expansion will not pose any undue burden regarding improvements, facilities, utilities or services provided to the existing property at 324 S. Water Street, Stoughton.

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

Staff: We believe the potential public benefits of having patrons smoke at the back of the property rather than patrons smoking out front on the sidewalk does outweigh some of the potential adverse impacts of the proposed conditional use. One condition may be to encourage patrons to only smoke at the designated area at the rear of the property.

IV. Final Application Packet Information for City Use

Receipt of one reduced (8.5" by 11" text and 11" by 17" graphics) Date: 4/15/10 By: MPS
copies of final application packet by Zoning Administrator

Notified Neighboring Property Owners (within 300 feet) Date: 4/15/10 By: MPS

Notified Neighboring Township Clerks (within 1,000 feet) Date: By: N/A

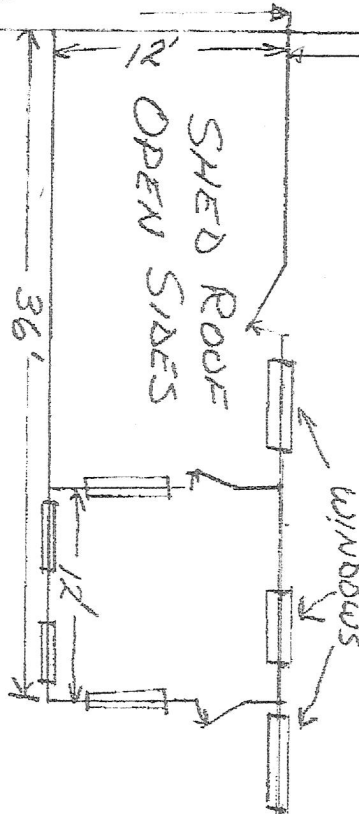
Class 2 legal notice sent to official newspaper by City Clerk Date: 4/16/10 By: MPS

Class 2 legal notice published on 4/22/10 and 4/29/10 By: MPS

Conditional Use recorded with the County Register of Deeds Office

RIVER

← 40'x6'H CEDAR FENCE



EXISTING BUILDING

32'x6'H

10' DOUBLE GATE

36'x12' CONCRETE PATIO
12'x12' TO BE WALLED WITH A
MINIMUM OF 25% WALL
SPACE FOR VENTILATION



1"=10'

PUBLIC HEARING NOTICE

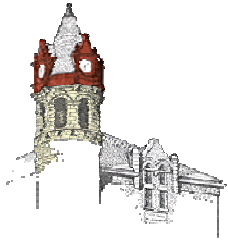
The City of Stoughton Planning Commission will hold a Public Hearing on Monday, May 10, 2010 at 6:00 o'clock p.m., or as soon after as the matter may be heard, in the Council Chambers, Public Safety Building, 321 South Fourth Street, Second Floor, Stoughton, Wisconsin, 53589, to consider a proposed Conditional Use Permit Application by David Atkins, owner of Waters Edge Tavern, to expand the use of Waters Edge Tavern at 324 S. Water Street, in the City of Stoughton, Dane County, Wisconsin. In preparation of the July 5, 2010 smoking ban the applicant is requesting to construct an enclosed patio and fence in the backyard. The property is more fully described as follows:

Parcel Number: 281/0511-082-1412-9 - ORIGINAL PLAT BLOCK 17, LOT 2 EXC N 22 FT

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

Luann J. Alme
City Clerk

Published April 22, 2010 Hub
Published April 29, 2010 Hub



CITY OF STOUGHTON
DEPARTMENT OF PLANNING & DEVELOPMENT
381 East Main Street, Stoughton, WI. 53589
www.cityofstoughton.com/planning

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

April 21, 2010

David Atkins
PO Box 471
Stoughton, WI. 53589

Dear Mr. Atkins:

I have completed a review of the proposed site plan for Dave's Waters Edge, 324 S. Water Street, Stoughton. Site plan received April 15, 2010. This item is scheduled for the May 10, 2010 Planning Commission meeting of which you will receive notice. You or your representatives are required to attend the meeting. The following items are identified for your review.

1. The property at 324 S. Water Street is zoned CB – Central Business. Per Zoning Code section 78-206 (4) (h) Indoor Commercial Entertainment such as Taverns are permitted as a conditional use within the Central Business district. The Planning Commission will conduct a public hearing and review your request for a conditional use permit to expand the tavern use. The Commission will send a recommendation to the City Council. The City Council should make their decision on May 25, 2010.
2. The only setback requirement pertaining to the proposed building addition is a 10-foot setback from a nonresidential rear lot line. The proposed addition complies with this requirement.
3. The proposed building addition was verified that it is not located within a Floodplain.
4. The regulations pertaining to Indoor Commercial Entertainment uses are as follows:
 - If located on the same side of the building as abutting residentially zoned property, no customer entrance of any kind shall be permitted within 150 feet, or as far as possible, of a residentially zoned property.
 - Facility shall provide bufferyard with minimum opacity of .60 along all borders of the property abutting residentially zoned property. **There is no residentially zoned property abutting the subject property. Additionally, there are some existing trees along the river which will aid in screening the property. Examples to achieve .60 opacity are: A twenty foot minimum in length, six foot tall solid fence or a thirty five foot minimum in length, forty four inch tall, picket fence. I will provide pictures for the Planning meeting.**
5. State approved plans and a City of Stoughton building permit is required before construction.

April 21, 2010

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

Sincerely,
City of Stoughton

Michael P. Stacey
Zoning Administrator//Assistant Planner

cc. Planning Commissioners

15

AMERICAN CONCEPTS
1394 ATTLEGATE
MADISON
608 275 0710
A-1 B-6475 6244-1110

A1

EXISTING
BUILDING TO REMAIN
UNCHANGED

EXISTING
BUILDING TO REMAIN
UNCHANGED

REAR ELEVATION

SECTION THROUGH
NO SCALE

LEFT ELEVATION
SCALE 1/4" = 10'

RIGHT ELEVATION
SCALE: 1/4" = 1'-0"

THIS PLAN WAS CREATED AS A DRAFTING
SERVICE ONLY. THE DESIGNER IN NO WAY EXPRESSLY
OR ASSUMES ANY RESPONSIBILITY FOR THE
ACCURACY OR COMPLIANCE OF THESE PLANS
IN ANY FORM.

FOUNDATION PLAN
SCALE: 1/4" = 1'-0"

NEW COVERED
SMOKING PATIO

NEW ENCLOSED
SMOKING PATIO

1ST FLOOR LAYOUT
SCALE: 1/4" = 1'-0"

UNEXCAVATED

UNEXCAVATED

8X6 PC875 W/
2' BOND TYPE
EASTING

- EXISTING -

- EXISTING

— EXISTING

EXISTING -

- EXISTING

[illegible]

The architectural drawing shows a first-floor layout with two proposed smoking areas. On the left is a "NEW COVERED SMOKING PATIO" measuring 14'-0" by 24'-0". It features a roof supported by "8x6 POSTS w/ T-BOND TIE ROOFING". To its right is a "NEW ENCLOSED SMOKING PATIO" measuring 9'-0" by 9'-0". A note indicates it has a "CONCRETE LVL. HINDER FOR SUPPLY". The overall building footprint is 34'-0" wide and 7'-0" deep. Other dimensions include 18'-2" and 10'-0" for the main interior space, and various smaller segments like 1'-0", 4'-0", 6'-2", 3'-10", 3'-2", 5'-6", 5'-2", and 2'-10". Structural details include "O.C. TO FIELD OBSERVE FLATTER CONNECTION TO EXISTING STRUCTURE" and "EXIST'G CONCRETE FLOOR".

EXISTING BUILDING TO REMAIN UNCHANGED

EXISTING

UNEXCAVATED

—EAS ON GRADE
1/2" EXPANSION JOINTS AT
ALL JDR FOOTINGS

8x8 POSTS &
12" DIA. GIR
FOOTINGS

UNEXCAVATED

FOUNDATION PLAN
SCALE 1/4" = 1'-0"

24'-0"

12'-0"

18'-0"

8'-0"

RIGHT ELEVATION







CITY COUNCIL RESOLUTION NO. -2010

Resolution Approving a Conditional Use Permit allowing an expansion of the tavern use at Dave's Water's Edge, 324 S. Water Street, Stoughton, Wisconsin.

WHEREAS, notice was given that the City of Stoughton Planning Commission is conducting a public hearing at 6:00 p.m. on May 10, 2010 in the Stoughton Council Chambers, 321 S. Fourth Street, at which time any persons wishing, could be heard regarding the above Conditional Use Permit and the City of Stoughton Planning Commission would at that time make a recommendation to the City of Stoughton Common Council. Notices were mailed to property owners within 300 feet of the property located at 324 S. Water Street, Stoughton, Wisconsin, legally described as:

Parcel Number: 281/0511-082-1412-9 – ORIGINAL PLAT, BLOCK 17, LOT 2 EXC. N. 22 FT.

WHEREAS, the Common Council of the City of Stoughton, Wisconsin, has review the application for a Conditional Use permit by Dave Atkins, owner of Dave's Water's Edge, under the provisions of zoning code section 78-905 and has considered the recommendation from the City Planning Commission and has considered all comments from persons speaking at the public hearing.

WHEREAS, an Indoor Commercial Entertainment use such as a Tavern at 324 S. Water Street is consistent with the Comprehensive Plan.

THEREFORE BE IT RESOLVED, that the City of Stoughton Common Council approves the conditional use permit for Dave's Water's Edge, 324 S. Water Street, Stoughton, Wisconsin, to allow an expansion of the Tavern use, with the following conditions:

1.

This Resolution is duly adopted by the City Council of the City of Stoughton at a regularly scheduled meeting on _____, 2010.

Donna L. Olson, Mayor

Luann J. Alme, City Clerk

CERTIFICATION

I, Luann J. Alme, Clerk of the City of Stoughton, certify that the foregoing Resolution was duly and regularly adopted by the City Council at a duly scheduled meeting held at the City Hall on _____, 2010. Motion by _____, seconded by _____, to adopt the Resolution.

Vote: Yes Noe

Resolution Adopted.

_____, City Clerk

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

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

Name of Applicant: K & K of Stoughton LLC owners of Pack R Place.

Request Description: Construct a deck addition at the rear of the building at 208 W. Main Street.

I. Record of Administrative Procedures for City Use

Staff meeting:

Date of Meeting: 9/7/10 Time of Meeting: 4:30 p.m. By: MPS

Application form filed with Zoning Administrator Date: 9/9/10 By: MPS

Application fee of \$365.00 received by City Treasurer Date: 9/9/10 By: MPS

II Application Submittal Packet Requirements for City and Applicant Use

Prior to submitting the 20 final complete applications as certified by the Zoning Administrator, the Applicant shall submit 5 initial draft application packets for staff review, followed by one revised draft final application packet based upon staff review and comments.

Initial Packet (5 copies to Zoning Administrator) Date: _____ By: _____

↓ Draft Final Packet (1 copy to Zoning Administrator) Date: 9/7/10 By: MPS

↓ ↓

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

☒ Showing all lands for which the zoning is proposed to be amended.

☒ Showing all other lands within 300 feet of the boundaries of the subject property. *STAFF*

☒ Referenced to a list of the names and addresses of the owners of said lands as they appear on the current records of the Register of Deeds of Dane County (as provided by the City of Stoughton). *STAFF*

☒ Map and all its parts are clearly reproducible with a photocopier.

☒ Map size of 11" by 17" and map scale not less than one inch equals 800 ft. *N/A*

☒ All lot dimensions of the subject property provided.

☒ Graphic scale and north arrow provided.

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

☐ ☒ (c) A written description of the proposed conditional use describing the type of activities, buildings, and structures proposed for the subject property and their general locations

☐ ☒ (d) A site plan (conforming to the requirements of Section 78-908(3)) of the subject

property as proposed for development OR if the proposed conditional use is a large development (per Sections 78-205(11)) or a group development (per Section 78-205(12)) a proposed preliminary plat or conceptual plat may be substituted for the required site plan, provided said plat contains all information required on said site plan per Section 78-908.

- ☐ ☒ (e) Written justification for the proposed conditional use:
- ☐ Indicating reasons why the Applicant believes the proposed conditional use is appropriate with the recommendations of the City of Stoughton Comprehensive Plan, particularly as evidenced by compliance with the standards set out in Section 78-905(4)(b)1.-6.

III Justification of the Proposed Zoning Ordinance Amendment for Applicant Use

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

Staff: We believe this proposed conditional use request is consistent with most of the goals and objectives of the Comprehensive Plan and Zoning Ordinance. The intent of this request is to provide an area for patrons to smoke and drink outdoors in a controlled specific area. If the conditional use permit is granted, the applicant intends to make a request to the Public Safety Committee to allow outdoor alcohol consumption.

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

Staff: One of the land use goals within the Comprehensive Plan is to enhance and maintain the City's downtown area by providing for mixed use development in the downtown area and encouraging infill of older areas of the downtown in a manner which respects Stoughton's character. This proposal does provide for an expansion of an allowable mixed-use development. The Zoning Code allows a tavern as a conditional use within the Central Business district. The benefit may be that patrons will be primarily smoking at the rear of the property rather than in the front. Conditions may be placed on the use such as screening; sound buffering; hours of operation, etc...

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

Staff: We don't believe the proposed tavern expansion will result in any substantial or undue adverse impact on nearby property, character of the neighborhood, environmental factors, traffic factors, parking, public improvements or matters affecting public health, safety or general welfare. However, consideration should be given to the potential noise that may occur with respect to nearby residential dwellings. Additionally, consideration should be given to the potential health hazard for upper dwellings from cigarette smoke.

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

Staff: We believe the proposed tavern expansion is consistent with the land uses and intensities of the Central Business district.

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

Staff: We believe the proposed tavern expansion will not pose any undue burden regarding improvements, facilities, utilities or services provided to the existing property.

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

Staff: We believe the potential public benefits of having patrons primarily smoke at the back of the property rather than patrons smoking anywhere they want does outweigh some of the potential adverse impacts of the proposed conditional use. One condition may be to encourage patrons to only smoke at the designated area at the rear of the property.

IV. Final Application Packet Information for City Use

Receipt of one reduced (8.5" by 11" text and 11" by 17" graphics) Date: 9/7/10 By: MPS
copies of final application packet by Zoning Administrator

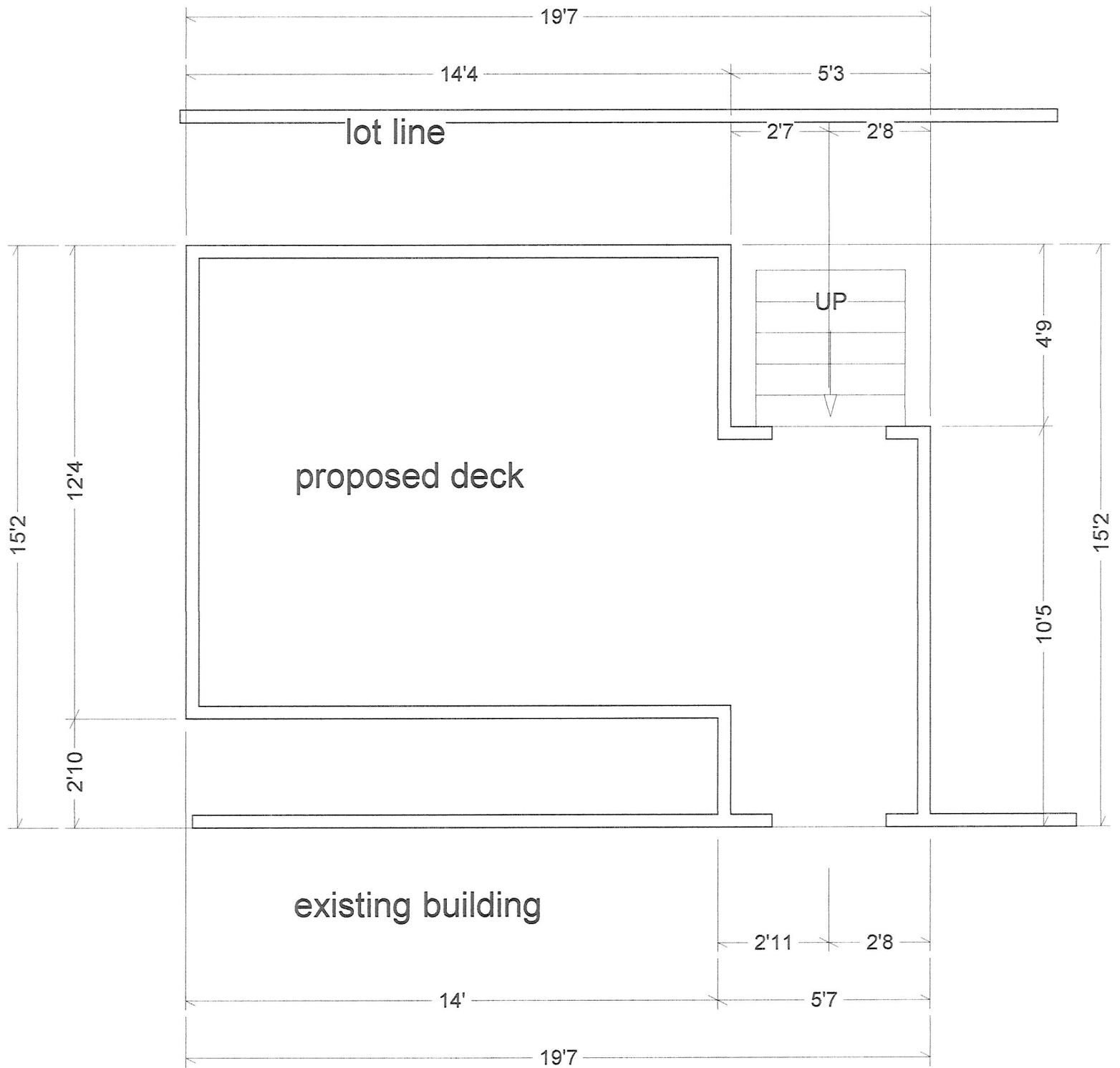
Notified Neighboring Property Owners (within 300 feet) Date: 9/16/10 By: MPS

Notified Neighboring Township Clerks (within 1,000 feet) Date: _____ By: _____ N/A

Class 2 legal notice sent to official newspaper by City Clerk Date: 9/8/10 By: MPS

Class 2 legal notice published on 9/16/10 and 9/23/10 By: MPS

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









PUBLIC HEARING NOTICE

The City of Stoughton Planning Commission will hold a Public Hearing on Monday, October 4, 2010 at 6:00 o'clock p.m., or as soon after as the matter may be heard, in the Council Chambers, Public Safety Building, 321 South Fourth Street, Second Floor, Stoughton, Wisconsin, 53589, to consider a proposed Conditional Use Permit Application by K & K of Stoughton LLC, owner of Pack R Place Bar, to expand the use of Pack R Place Bar at 208 W. Main Street, in the City of Stoughton, Dane County, Wisconsin. The applicant is requesting to construct a deck at the rear of the building at 208 W. Main Street, Stoughton to allow patrons to smoke outdoors. The property is more fully described as follows:

Parcel Number: 281/0511-082-1446-9, ORIGINAL PLAT BLOCK 18 PRT LOT 1 W 23 FT OF E 47 FT OF S 99 FT THF

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

Luann J. Alme
City Clerk

Published September 16, 2010 Hub
Published September 23, 2010 Hub



CITY OF STOUGHTON
DEPARTMENT OF PLANNING & DEVELOPMENT
381 East Main Street, Stoughton, WI. 53589
www.cityofstoughton.com/planning

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

September 8, 2010

K & K of Stoughton LLC
Dave Knop
2108 Wood View Drive
Stoughton, WI. 53589

Dear Mr. Knop:

I have completed a review of the proposed site plan for Pack R Place, 208 W. Main Street, Stoughton. Site plan received September 7, 2010. This item is scheduled for a public hearing at the October 4, 2010 Planning Commission meeting of which you will receive notice. The following items are identified for your review.

1. The property at 208 W. Main Street is zoned CB – Central Business. Per Zoning Code section 78-206 (4) (h) Indoor Commercial Entertainment such as Taverns are permitted as a conditional use within the Central Business district. The Planning Commission will conduct a public hearing and review your request for a conditional use permit to expand the tavern use. The Commission will send a recommendation to the City Council. The City Council should make their decision on October 26, 2010.
2. The property is also located within the Downtown Design Overlay District. This proposal is required to be reviewed as a project. I have attached the Process for Proposal Review for a project within this overlay district. Most of the items within the Process will be covered as part of the conditional use request. The property is not a locally recognized landmark, so Landmarks Commission approval is not necessary.
3. The proposed building addition is not located within a Floodplain.
4. The only setback requirement pertaining to the proposed building addition is a 10-foot setback from a nonresidential rear lot line. The proposed addition complies with this requirement.
5. The regulations pertaining to Indoor Commercial Entertainment uses are as follows:
 - If located on the same side of the building as abutting residentially zoned property, no customer entrance of any kind shall be permitted within 150 feet, or as far as possible, of a residentially zoned property.
 - Facility shall provide bufferyard with minimum opacity of .60 along all borders of the property abutting residentially zoned property.There is no residentially zoned property abutting the subject property. The property is surrounded by buildings except for a rear alley. I will provide pictures for the Planning meeting.

September 8, 2010

6. State approved plans and City of Stoughton building permits are required before construction.

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

Sincerely,
City of Stoughton

A handwritten signature in cursive script that reads "Michael P. Stacey".

Michael P. Stacey
Zoning Administrator//Assistant Planner

cc. Planning Commissioners

City of Stoughton Process for Proposal Review within Downtown Design Overlay District (Requirements per Section 78-517)

Procedure	Type of Proposal		
	Renovation ¹	Design ²	Project ³
1. Optional meeting with the Department of Planning and Development to confirm type of proposal.	Recommended	Recommended	Recommended
1. Optional meeting with Plan Commission to discuss proposal	No	Optional	Recommended
2. Submit building permit application to the Department of Planning and Development, including:	No	Yes	Yes
a. Color photos/drawings of existing property, with close-ups of details	No	Yes	Yes
b. Drawings/depictions of proposed changes to the site & bldg. exterior	No	Yes	Yes
c. For new projects or additions provide Site Plan including: 1) Title block with name of current property owner and Applicant; 2) Date of original plan graphic and date of most recent revision; 3) North arrow and graphic scale; 4) Property lines and right-of-way lines (with distances & bearings); 5) Easements; 6) Existing and proposed buildings, structures and paved areas; 7) Required building setback lines; 8) Legal description of the property; 9) Location, size, type and orientation of all exterior signage; 10) Location, type and orientation of all exterior lighting; 11) Location of all vehicle access drives, circulation areas, loading areas and parking stalls; 12) Location of all outdoor storage and display areas (including trash facilities); 13) Location and purpose of all drainage facilities; 14) Location of all permanent green space areas; and, 15) Site Summary Data: Lot Area, Floor Area, Floor Area Ratio, Impervious Surface Area, Impervious Surface Ratio	No	No	Yes
d. Landscaping Plan showing the location, size and type of plants	No	No	Yes
e. Written description of proposal, including exterior materials & colors	No	Yes	Yes
f. Written justification of proposal answering: How does the proposal comply with the design standards?	No	Yes	Yes
3. Review and action by the Zoning Administrator/City Staff	No	Yes	Yes
4. Review and action by the Landmarks Commission on aesthetics (Certificate of Appropriateness) ⁴	No	Yes/No ⁴	Yes/No ⁴
5. Review and action by the Plan Commission on site design	No	No	Yes
6. If proposal is approved: a. Record documents with Register of Deeds; b. Work must start within 365 days and be complete within 730 days; c. Conditions of approval run with the property. If the proposal is denied: It may not be resubmitted for 12 months.	No	Yes	Yes

KEY: Yes: Step is required. No: Step is not required.

¹Only a replacement to or maintenance of the exterior of a property.

²Only a change in the appearance of a property.

³Modification to the physical configuration of a property.

⁴Yes = for properties which are locally-recognized landmarks. No = for properties which are not locally-recognized landmarks.

CITY COUNCIL RESOLUTION NO. -2010

Resolution Approving a Conditional Use Permit allowing an expansion of the tavern use at Pack R Place, 208 W. Main Street, Stoughton, Wisconsin.

WHEREAS, notice was given that the City of Stoughton Planning Commission is conducting a public hearing at 6:00 p.m. on September 13, 2010 in the Stoughton Council Chambers, 321 S. Fourth Street, at which time any persons wishing, could be heard regarding the above Conditional Use Permit request and the City of Stoughton Planning Commission would at that time make a recommendation to the City of Stoughton Common Council. Notices were mailed to property owners within 300 feet of the property located at 208 W. Main Street, Stoughton, Wisconsin, legally described as:

Parcel Number: 281/0511-082-1446-9 – ORIGINAL PLAT, BLOCK 18, PRT LOT 1, W 23 FT OF E 47 FT OF S 99 FT THF.

WHEREAS, the Common Council of the City of Stoughton, Wisconsin, has review the application for a Conditional Use permit by K & K of Stoughton LLC, owner of Pack R Place Bar, under the provisions of zoning code section 78-905 and has considered the recommendation from the City Planning Commission and has considered all comments from persons speaking at the public hearing.

WHEREAS, an Indoor Commercial Entertainment use such as a Tavern at 208 W. Main Street is consistent with the Comprehensive Plan.

THEREFORE BE IT RESOLVED, that the City of Stoughton Common Council approves/disapproves the conditional use permit for Pack R Place, 208 W. Main Street, Stoughton, Wisconsin, to allow an expansion of the Tavern use, with the following conditions:

1.

This Resolution is duly adopted by the City Council of the City of Stoughton at a regularly scheduled meeting on _____, 2010.

Donna L. Olson, Mayor

Luann J. Alme, City Clerk

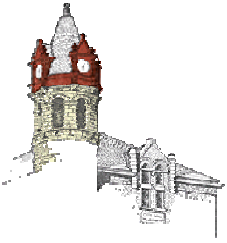
CERTIFICATION

I, Luann J. Alme, Clerk of the City of Stoughton, certify that the foregoing Resolution was duly and regularly adopted by the City Council at a duly scheduled meeting held at the City Hall on _____, 2010. Motion by _____, seconded by _____, to adopt the Resolution.

Vote: Yes Noe

Resolution Adopted.

_____, City Clerk



CITY OF STOUGHTON
DEPARTMENT OF PLANNING & DEVELOPMENT
381 East Main Street, Stoughton, WI. 53589
www.cityofstoughton.com/planning

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

September 14, 2010

Rite-Way Construction
Dale Hanson
2384 Vernon Road
Stoughton, WI. 53589

Dear Mr. Hanson:

I have completed a review of the proposed addition at Chritton Law Office, 113 E. Main Street - Plan submitted 9/10/10. This request will be on the October 4, 2010 Planning Commission agenda, of which you will receive notice. The following items are identified for your review:

1. The property at 113 E. Main Street is zoned CB - Central Business. Personal or Professional Services are permitted by right within the Central Business District.
2. The property is located within the Downtown Design Overlay District. The Downtown Design Overlay District regulations only apply to portions of any structure that are visible from any public street right-of-way. This proposed addition is not visible from any street.
3. The property is not a locally recognized landmark, so Landmarks Commission approval is not necessary.
4. We will need a letter summarizing the proposed addition.
5. The City of Stoughton Comprehensive Plan, Planned Land Use Map depicts this property as Planned Mixed Use. The use complies with the Comprehensive Plan.
6. The proposed addition meets the setback requirements of the Central Business district.
7. Appropriate City of Stoughton building permits are required before construction.

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

Sincerely,
City of Stoughton

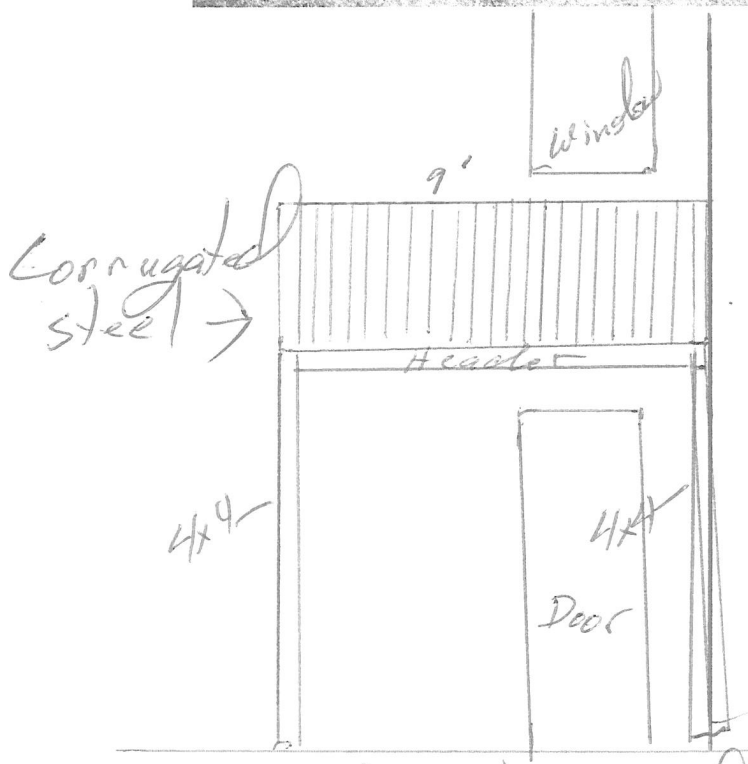
Michael P. Stacey

Michael P. Stacey
Zoning Administrator

cc. Planning Commissioners



Rear view 113 E Main



Grade
4x4 posts and beam 8' from building



View from alley

City of Stoughton Procedural Checklist for Zoning Permit Review and Approval (Requirements per Section 78-904)

This form should be used by the Applicant as a guide to submitting a complete application for a zoning permit and by the City to process said application. Parts I and III should be used by the Applicant to submit a complete application; Parts I - III should be used by the City as a guide when processing said application.

I. GENERAL INFORMATION

Applicant Name: James Shebesta Construction Manager Celliant Energy/WPL

Applicant Address: 4902 N Billmore Lane Madison WI 53718 608-4584853

Property Owner Name: Wisconsin Power & Light

Property Owner Address: 4902 N Billmore Lane Madison WI 53718

Architect Name: Angus Young

Architect Address: 555 South River Street Janesville WI 53548-4783

Engineer Name: Angus Young

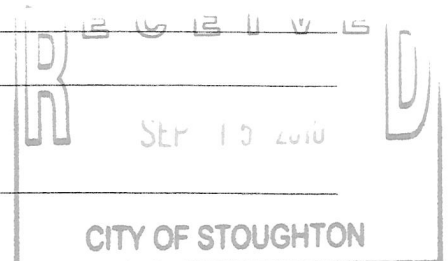
Engineer Address: 555 South River Street Janesville WI 53548-4783

Contractor Name: TRI-North Builders

Contractor Address: 2625 Research Park Fitchburg WI

Description of the site (lot, block, recorded subdivision or metes and bounds):

Address of the subject site: 1521 Progress Lane



Type of structure: Concrete structure 8' concrete wall Structural Galvanized Metal studs, Concealed fastened metal wall + roof panels to match Building roof fascia color Color: Teal

Existing and proposed operation or use of the structure or site:

Structure replace existing concrete precast walls for storage of gravel, black dirt and clean stone used by electrical and gas crews installing new electrical and gas services

Number of existing and proposed employees: 28

Zoning district within which the subject site lies: Stoughton Industrial Park

II. RECORDATION OF ADMINISTRATIVE PROCEDURES

☒ Pre-submittal staff meeting scheduled:

Date of Meeting: 9/10/10 Time of Meeting: 4:00 pm Date: by: MPS

Follow-up pre-submittal staff meetings scheduled for:

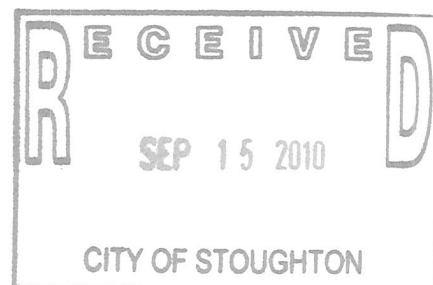
Date of Meeting: Time of Meeting: Date: by:

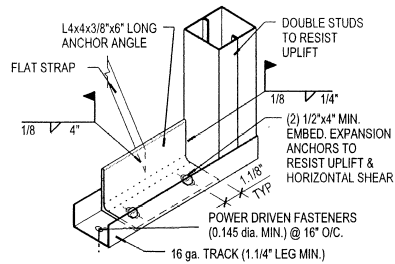
Date of Meeting: Time of Meeting: Date: by:

☒ Application form filed with Zoning Administrator: Date: 9/15/10 by: MPS

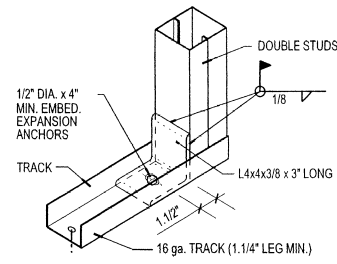
☒ Application fee of \$ 60 received by City Treasurer: Date: 9/15/10 by: MPS

N/A Reimbursement of professional consultant costs agreement executed: Date: by:



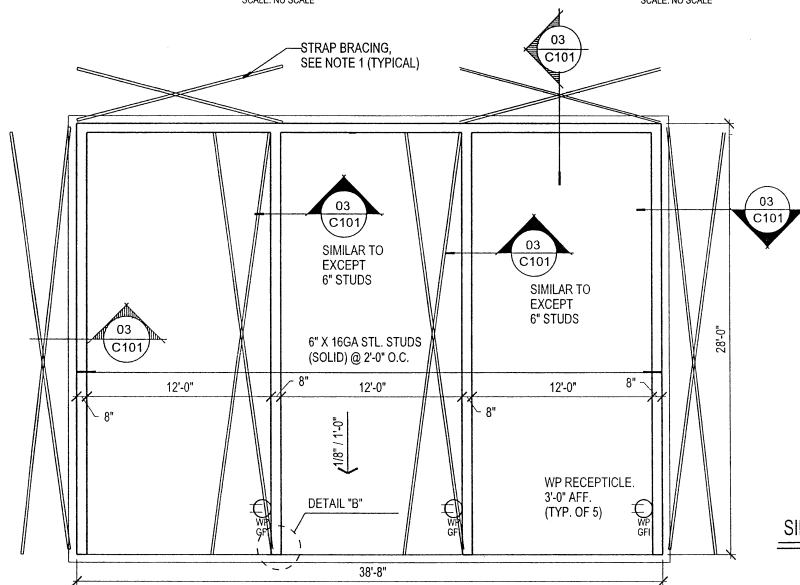


DETAIL 'A' ANCHOR & STRAP
SCALE: NO SCALE

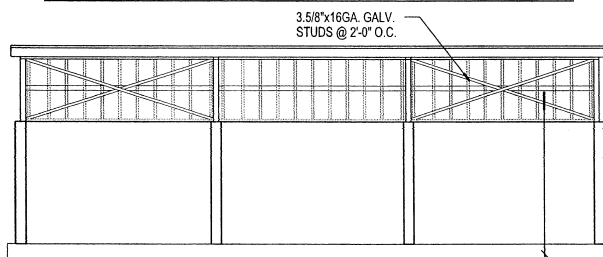


DETAIL 'B' ANCHOR
SCALE: NO SCALE

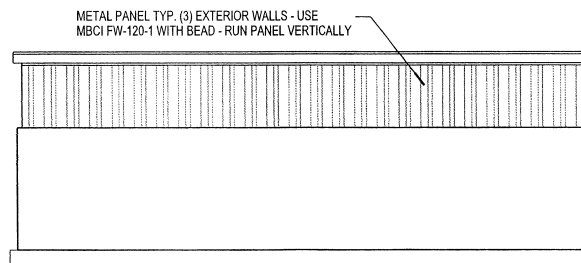
NOTE 1: PROVIDE 2\"/>



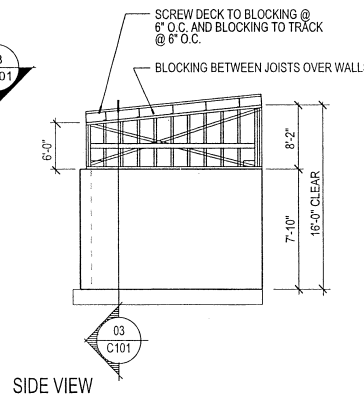
PLAN VIEW



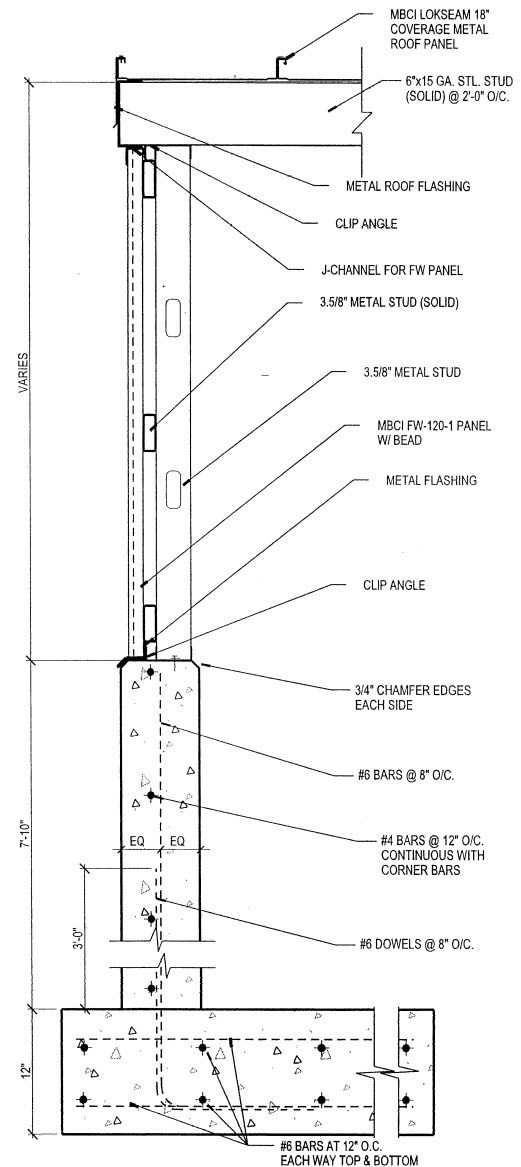
FRONT VIEW



FRONT VIEW

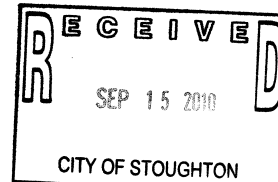


SIDE VIEW



WALL SECTION AT BUNKER SILO

SCALE: 1\"/>



Architecture
Engineering
Interior Design
Angus Young
Balance in Creativity
555 South River Street, Janesville, WI 53448-4783
Ph: 608.756.2326 Fx: 608.756.0464
www.angusyoung.com

BUNKER SILO DETAILS
May 20, 2010
X:\45580\cad\Bunker Project\dc0101.dgn

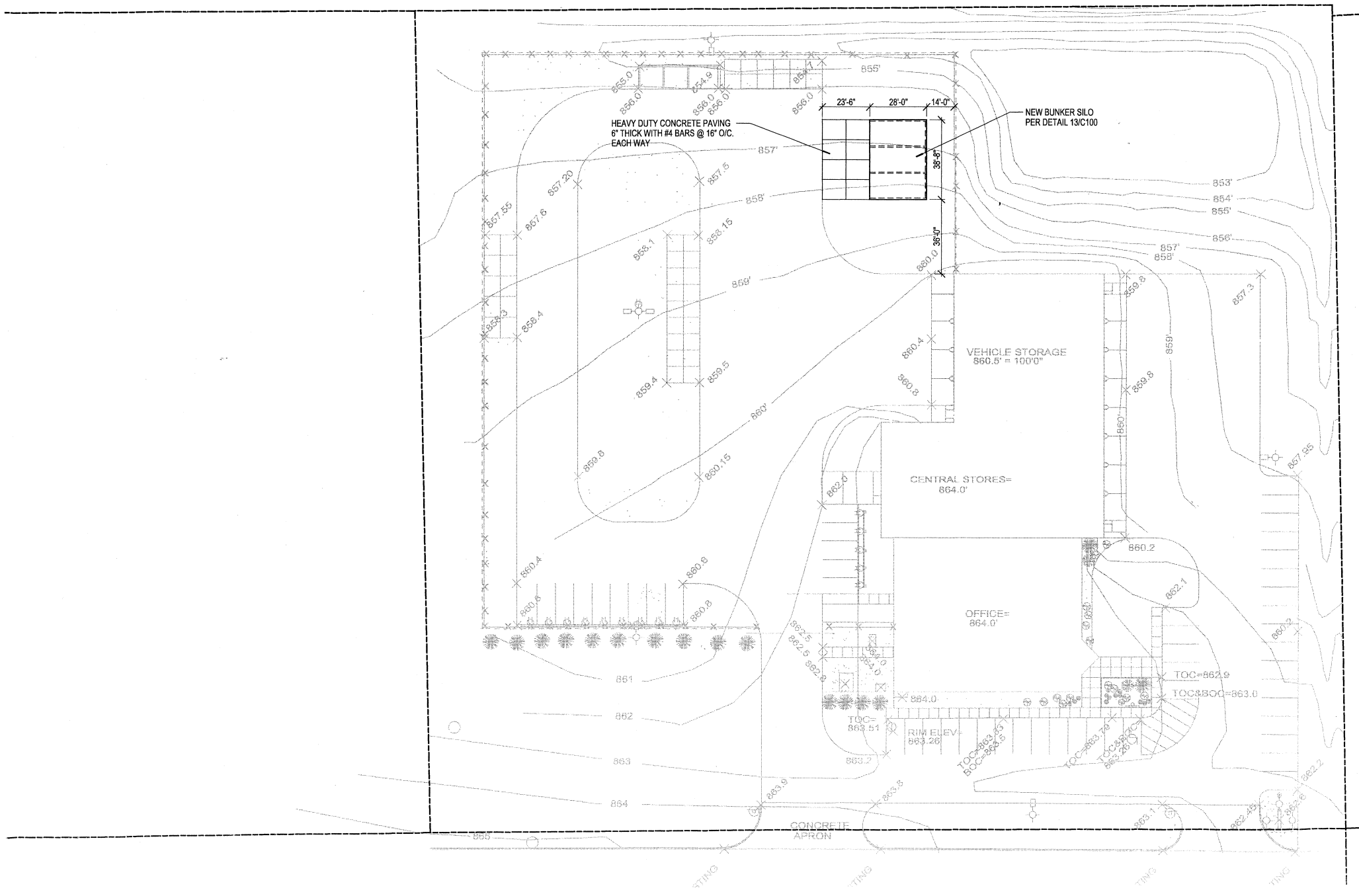


C101

01 BUNKER SILO DETAIL

C101

SCALE: 1/8\"/>

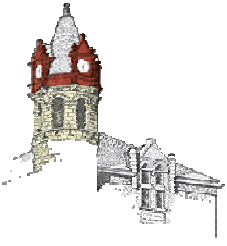












CITY OF STOUGHTON
DEPARTMENT OF PLANNING & DEVELOPMENT
381 East Main Street, Stoughton, WI. 53589
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RODNEY J. SCHEEL
DIRECTOR
(608) 873-6619
fax: (608) 873-5519

September 16, 2010

Jim Shebesta
4902 North Biltmore Lane
Madison, WI. 53718

Dear Mr. Shebesta:

I have completed a review of the site plan for the proposed bunker silo installation at the Alliant Energy facility, 1521 Progress Lane, Stoughton - Materials submitted 9/15/10. This request will be on the Planning Commission agenda of October 4, 2010 of which you will receive notice.

1. The property at 1521 Progress Lane is zoned I – Institutional. Public Services and Utilities are permitted land uses within an Institutional district.
2. The regulations pertaining to public services and utilities are as follows:
 - Outdoor storage areas shall be located a minimum of 50 feet from any residentially zoned property.
 - All outdoor storage areas adjoining a residentially zoned property shall install and continually maintain a bufferyard with a minimum opacity of .60 (see Section 78-610). Said bufferyard shall be located at the property line adjacent to said residentially zoned property.
 - All structures shall be located a minimum of 20 feet from any residentially zoned property.
 - The exterior of all buildings shall be compatible with the exteriors of surrounding buildings.

Since there are no adjoining residentially zoned properties, the first three points are not applicable. The exterior of the proposed bunker silo is compatible with the existing principal structure.

3. The minimum side lot line setback and rear lot line setback for an accessory structure is 4 feet. The proposed bunker silo meets this requirement.
4. The maximum building height is 40 feet. The proposed bunker silo meets this requirement.
5. The property is encompassed by fencing which meets the bufferyard requirements.
6. Appropriate City of Stoughton building permits are required before construction.

September 16, 2010

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

Sincerely,
City of Stoughton

Michael P. Stacey

Michael P. Stacey
Zoning Administrator

cc. Planning Commissioners