

MEETING NOTICE

The City of Stoughton will hold a Regular meeting of the **Planning Commission** on **Monday, November 14, 2011 at 6:00 pm** 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 meeting minutes of October 10, 2011.
 3. Council Representative Report.
 4. Meeting Summary & Status of Developments/Projects. (Page 5)
 5. Ted Cone, Convenience Store Investments requests Certified Survey Map (CSM) approval to combine 2 parcels and approval for a walk-in cooler addition at Kwik Trip East, 1231 E. Main Street. (Page 7) (Tabled October 10, 2011)
 - Recommendation to Council (CSM)
 6. Mike Ashiku of Sunrise Family Restaurant requests approval of a one year extension of the conditional use permit originally approved on November 23, 2010. (Page 28)
 - Recommendation to Council
 7. Discuss the zoning requirements related to garden/landscape features & accessory structures. (Page 37)
 8. Future agenda items
 9. Adjournment
- 11/8/11mps

COMMISSIONERS:

Mayor Donna Olson, Chair
Eric Hohol, Vice-Chair
Scott Truehl

Todd Krcma
Dave McKichan

Ron Christianson
Rollie Odland

CC:PACKETS:

Rodney Scheel
Todd Krcma
Scott Truehl

Michael Stacey (3)
Mayor Donna Olson
Dave McKichan

Rollie Odland

E-MAIL NOTICES:

All Department Heads
Area Townships
Pili Hougan
City Attorney Matt Dregne

Council members
Stoughton Hub
Peter Sveum

Steve Kittelson
Derek Westby
Scott Wegner

MAIL NOTICES:

Ted Cone, 1626 Oak Street, LaCrosse, WI. 54601; Richard Johnson, 215 N. Page Street, Stoughton;
Mike Ashiku, 1052 W. Main Street, Stoughton;

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, October 10, 2011 - 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; Rollie Odland; Ron Christianson; Todd Krcma; and Scott Truehl

Absent and Excused: Dave McKichan

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

Press: Mark Ignatowski

Guests: Ted Cone; Dennis Barkenhagen; and Richard Johnson

1. **Call to order.** Mayor Olson called the meeting to order at 6:00 pm. Mayor Olson welcomed Scott Truehl to the Commission.
2. **Consider approval of the Planning Commission minutes of September 12, 2011.**
Motion by **Christianson** to approve the Planning Commission minutes of September 12, 2011, 2nd by **Krcma**. Motion carried 6 – 0.
3. **Council Representative Report.**
Hohol reported the Lynn rezoning for 425 S. Fifth Street was approved.
4. **Status of Developments/Projects.**
Scheel introduced the status of developments. There were no questions.
5. **Dennis Barkenhagen, Stoughton Area School District requests approval for a garage addition at 320 North Street.**
Scheel explained the request. Dennis Barkenhagen was available for questions.

Motion by **Odland** to approve the garage addition as presented, 2nd by **Christianson**.
Motion carried 6 - 0
6. **Ted Cone, Convenience Store Investments requests Certified Survey Map (CSM) approval to combine 2 parcels and for a walk-in cooler addition at Kwik Trip East, 1231 E. Main Street.**
Scheel gave an overview of the request and stated the addition cannot meet the side yard setback requirement of 10 feet. Scheel stated there may be an opportunity for the City to sell a portion of the adjacent City owned property to the property owner. Ted Cone explained the intent of the request and answered questions. Scheel stated that staff will have to work with the applicant and do some background checking of the adjacent City owned property.

Motion by **Christianson** to Table the request, 2nd by **Krcma**. Motion carried 6 – 0

7. Richard Johnson, 215 N. Page Street requests to discuss the zoning requirements related to site location for accessory structures.

Scheel gave an overview of the request. Richard Johnson explained the reasoning behind the request. A lengthy discussion took place regarding how accessory structures and accessory uses are defined. Christianson stated a variance request is a viable option for the property owner. Krcma believes this is an exception to the rules related to accessory structures.

Motion by Hohol to Table the request until the next meeting, 2nd by Odland. Hohol stated he would like to check to see how other communities define accessory structures. Motion carried 6 - 0

8. Alderman Carl Chenoweth requests to discuss Temporary Shelters for Seasonal Use.

Scheel gave an overview of the request. Hohol stated the definition for a temporary shelter is a good one. It was discussed that a greenhouse could be allowed for a period of time. Scheel stated that most temporary shelters we see stay up all year long. A lengthy discussion took place regarding how temporary shelters are regulated. The consensus was to not change the ordinance.

Motion by Hohol to take no action, 2nd by Christianson. Hohol stated Mr. Chenoweth can reintroduce in the future if he chooses. Motion carried 6 – 0

9. Discuss Future Urban Development Area (FUDA) with Capital Area Regional Planning Commission (CARPC).

Scheel introduced Kamran Mesbah. Kamran Mesbah of CARPC explained the role of the Capital Area Regional Planning Commission and gave an overview of the purpose of a Future Urban Development Area. Mesbah stated FUDA which is a component of the Dane County Water Quality Plan identifies development areas for communities 25 – 30 years out. According to Mesbah, the benefits of FUDA are: Better preparation for future Urban Service Area Amendments; Providing an inventory of natural resources and conditions to help refine land use plans; Intergovernmental cooperation between Cities, Villages and Towns; Providing assistance to Cities, Villages and Towns to advance goals such as infill and redevelopment.

10. Resolution Opposing Assembly Bill 260 Regarding Components in County Comprehensive Plans.

Scheel explained the resolution. Hohol expressed concern about the Assembly Bill especially the striking of the last 2 words, without change.

Motion by Hohol to recommend Council approve the resolution opposing Assembly Bill 260 regarding components in County Comprehensive Plans, 2nd by Krcma. Motion carried 6 – 0

11. Closed Session – Discuss Town of Rutland boundary agreement negotiations.

*The Planning Commission may convene in closed session pursuant to §19.85(1)(e) Wis. Stats to discuss future meetings and negotiations with the Town of Rutland. The Planning Commission will reconvene into Open Session to continue the meeting.

Motion by **Christianson** to go into closed session pursuant to Wis. Stats. 19.85(1)(e), 2nd by **Truehl**. Motion carried 6 – 0

Motion by **Hohol** to reopen the meeting, 2nd by **Christianson**. Motion carried 6 – 0

12. Future agenda items. Accessory structures and Kettle Park West Detailed Neighborhood Planning.

13. Adjournment. Motion by **Hohol** to adjourn at 8:33 pm, 2nd by **Christianson**. Motion carried 6 – 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: November 8, 2011

To: Planning Commission Members

From: Rodney J. Scheel
Director of Planning & Development

Michael Stacey
Zoning Administrator/Assistant Planner

Subject: November 14, 2011 Planning Commission Meeting - Status of Developments and Meeting Summary.

Status of Developments:

- West View Ridge - 30 improved lots remaining.
- Stone Crest - 11 improved lots remaining.
- Proposed Kettle Park West development at NW corner of US Hwy 51 & State Hwy 138 – status provided at the meeting.
- Park Place New Building under construction.

Department of Planning & Development Information:

Planning staff has been working primarily on the following:

- Grounds/building maintenance.
- Proposed Kettle Park West Development.
- Continued building and zoning inspections.

Meeting Summary:

Item #5 – Ted Cone, Convenience Store Investments requests approval for Certified Survey Map to combine 2 parcels and for a walk-in cooler addition at Kwik Trip East, 1231 E. Main Street. This request was tabled on October 10, 2011 to allow the applicant and staff to work through the setback issues for the proposed addition to occur on the east side of the building. Staff found it very difficult to transfer property that has been dedicated as part of a plat. The walk-in cooler addition is now proposed on the west side of the building. Combining the 2 parcels owned by Kwik Trip is necessary to meet the zoning setback requirements. The site plan, CSM, application materials and the staff review letter are provided. Staff recommends approval contingent on the staff review letter.

Item #6 - Mike Ashiku of Sunrise Family Restaurant requests approval of a one year extension for the conditional use permit originally approved on November 23, 2010. A letter is provided from Mike Ashiku, owner of Sunrise Family Restaurant requesting an extension as allowed per zoning code section 78-905(10). The ordinance section is also provided. Code requires Common Council approval. Staff recommends approval.

Item #7 – Discuss the zoning requirements related to garden/landscape features & accessory structures. Staff proposes an interpretation for accessory structures whose only purpose is for garden and landscape features.

CITY OF STOUGHTON
DEPARTMENT OF PLANNING & DEVELOPMENT
BUILDING/ZONING PERMIT APPLICATION

Date 9/20/11
Owners Name Convenience Store Investments Address 1626 Oak St, La Crosse, WI 54601
Property Address (if different than above) 1231 East Main St. Stoughton, WI
Telephone # 608-793-5976 Zoning District PB
Permit for Walk-in freezer addition
Proposed use Indoor Sales Project area (sq. ft.) 104 sq. ft.
Estimated cost including labor 20,000.- Permit fee _____

.....
Contractor Information:

Construction Kwik Trip Inc. Phone# 608-793-5976 Lic# 240539
Electrical TBD Phone# _____ Lic# _____
Plumbing N/A Phone# _____ Lic# _____
HVAC TBD Phone# _____ Lic# _____

Cautionary Statement to Owners Obtaining Building Permits

Section 101.65 (1r) of the Wisconsin Statutes requires municipalities that enforce the Uniform Dwelling Code to provide an owner who applies for a building permit with a statement advising the owner that:

If the owner hires a contractor to perform work under the building permit and the contractor is not bonded or insured as required under Section 101.654(2)(a), the following consequences might occur:

The owner may be held liable for any bodily injury to or death of others or for any damage to the property of others that arises out of the work performed under this building permit or that is caused by any negligence by the contractor that occurs in connection with the work performed under this building permit.

The owner may not be able to collect from the contractor, damages for any loss sustained by the owner because of a violation by the contractor of the one and two-family dwelling code or an ordinance enacted under sub. (1)(a), because of any bodily injury to or death of others or damage to property of others that arises out of the work performed under this building permit or because of any bodily injury to or death of others or damage to property of others that is caused by any negligence by the contractor that occurs in connection with the work performed under this building permit.

Cautionary Statement to Contractors for Projects Involving Buildings Built Before 1978

If this project is in a dwelling or child-occupied facility, built before 1978, and disturbs 6 sq. ft. or more of paint per room, 20 sq. ft. or more of exterior paint, or involves windows, then the requirements of Chapter DHS 163 requiring Lead-Safe Renovation Training and Certification apply. Call (608)266-6876 or go to <http://dhs.wisconsin.gov/lead/WisconsinRRPRule.htm>

Wetlands Notice to Permit Applicants

"You are responsible for complying with state and federal laws concerning construction near or on wetlands, lakes, and streams. Wetlands that are not associated with open water can be difficult to identify. Failure to comply may result in removal or modification of construction that violates the law or other penalties or costs. For more information, visit the Department of Natural Resources wetlands identification web page: (<http://dnr.wi.gov/wetlands/delineation.html>) or contact a department of Natural Resources service center."

Additional Responsibilities for Owners with Projects Disturbing One or More Acres of Soil

I understand that this project is subject to Chapter NR 151 regarding additional erosion control and stormwater management and will comply with those standards.

IF APPLICABLE, A PLAN MUST BE SUBMITTED SHOWING LOT LINES AND ALL DIMENSIONS OF THE PROJECT. NO WORK SHALL BEGIN WITHOUT A BUILDING PERMIT. ANY QUESTIONS, CALL THE DEPARTMENT OF PLANNING & DEVELOPMENT AT 608-873-6677. THERE IS ADDITIONAL INFORMATION AT WWW.CITYOFSTOUGHTON.COM/PLANNING

Owner/Applicant/Contractor Signature *Tom Case agent for:* Date 9/20/11

Approved By _____ Date _____

City of Stoughton Procedural Checklist for Site Plan Review and Approval (Requirements per Section 78-908)

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

Name of Applicant: Kwik Trip West, 1231 E. Main Street, Stoughton

Project Description: Walk-in freezer addition.

I. Record of Administrative Procedures for City Use

Pre-submittal staff meeting scheduled N/A

Date of Meeting: _____ Time of Meeting: _____ N/A By: _____

Follow-up pre-submittal staff meetings scheduled if necessary

Date of Meeting: _____ Time of Meeting: _____ N/A By: _____

Application form filed with Zoning Administrator Date: 9/22/11 By: MPS

Application fee of \$65.00 received by Zoning Administrator Date: _____ By: _____

If necessary, reimbursement of professional consultant costs agreement executed: Date: _____ By: _____ N/A

II Application Submittal Packet Requirements for Applicants Use

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

Initial Draft Application Date: _____ By: _____

↓ Final Application Packet (1 copy to Zoning Administrator) Date: September 22, 2011 By: MPS

↓
☐ ☒ (a) A written description of the intended use describing in reasonable detail the following:

- ☒ Existing zoning district(s) (and proposed zoning district(s) if different). PB
- ☒ Planned Land Use Map designation(s). GENERAL BUSINESS
- ☒ Current land uses present on the subject property. CONVENIENCE STORES
- ☒ Proposed land uses for the subject property (per Section 78-206). SAME
- ☒ Projected number of residents, employees, and daily customers. N/A
- ☒ Proposed amount of dwelling units, floor area, impervious surface area, and landscape surface area, and resulting site density, floor area ratio, impervious surface area ratio, and landscape surface area ratio. N/A
- ☒ Operational considerations relating to hours of operation, projected normal and peak water usage, sanitary sewer or septic loadings, and traffic generation. N/A
- ☒ Operational considerations relating to potential nuisance creation pertaining to noncompliance with the performance standards addressed in Article VII N/A

(Sections 78-701 through 721) including: street access, traffic visibility, parking, loading, exterior storage, exterior lighting, vibration, noise, air pollution, odor, electromagnetic radiation, glare and heat, fire and explosion, toxic or noxious materials, waste materials, drainage, and hazardous materials. N/A

- ☒ If no nuisances will be created (as indicated by complete and continuous compliance with the provisions of Article VII), then include the statement "The proposed development shall comply with all requirements of Article VII". N/A
 - ☒ Exterior building and fencing materials (Sections 78-716 and 78-718). PROVIDED
 - ☒ Possible future expansion and related implications for points above. N/A
 - ☒ Any other information pertinent to adequate understanding by the Plan Commission of the intended use and its relation to nearby properties.
- ☐ ☒ (b) A *Small Location Map* at 11" x 17" showing the subject property, all properties within 300 feet, and illustrating its relationship to the nearest street intersection. (A photocopy of the pertinent section of the City's Official Zoning Map with the subject property clearly indicated shall suffice to meet this requirement.) N/A
- ☐ ☒ (c) A *Property Site Plan* drawing which includes the following:
- ☒ A title block which indicates the name, address and phone/fax number(s) of the current property owner and/or agent(s) (developer, architect, engineer, planner) for project.
 - ☒ The date of the original plan and the latest date of revision to the plan. N/A
 - ☒ A north arrow and a graphic scale (not smaller than one inch equals 100 feet). N/A
 - ☒ A reduction of the drawing at 11" x 17". PROVIDED
 - ☒ A legal description of the subject property. N/A
 - ☒ All property lines and existing and proposed right-of-way lines with bearings and dimensions clearly labeled. PROVIDED
 - ☒ 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. N/A
 - ☒ All required building setback lines. PROVIDED
 - ☒ All existing and proposed buildings, structures, and paved areas, including building entrances, walks, drives, decks, patios, fences, utility poles, drainage facilities, and walls. PROVIDED
 - ☒ The location and dimension (cross-section and entry throat) of all access points onto public streets. PROVIDED
 - ☒ The location and dimension of all on-site parking (and off-site parking provisions if they are to be employed), including a summary of the number of parking stalls provided versus required by the Ordinance. PROVIDED
 - ☒ The location and dimension of all loading and service areas on the subject property and labels indicating the dimension of such areas. PROVIDED
 - ☒ The location of all outdoor storage areas and the design of all screening devices. N/A
 - ☒ The location, type, height, size and lighting of all signage on the subject property. N/A

- ☒ The location, height, design/type, illumination power and orientation of all exterior lighting on the subject property—including the clear demonstration of compliance with Section 78-707. *N/A*
- ☒ The location and type of any permanently protected green space areas. *N/A*
- ☒ The location of existing and proposed drainage facilities. *N/A*
- ☒ In the legend, data for the subject property on the following
 - a. Lot Area *N/A*
 - b. Floor Area
 - c. Floor Area Ratio (b/a)
 - d. Impervious Surface Area
 - e. Impervious Surface Ratio (d/a)
 - f. Building height
- ☐ ☒ (d) **A Detailed Landscaping Plan of the subject property:** *N E E O E O*
 - ☒ Scale same as main plan (> or equal to 1" equals 100').
 - ☐ Map reduction at 11" x 17".
 - ☐ Showing the location of all required bufferyard and landscaping areas.
 - ☐ Showing existing and proposed Landscape Point fencing.
 - ☐ Showing berm options for meeting said requirements.
 - ☐ Demonstrating complete compliance with the requirements of Article VI.
 - ☐ Providing individual plant locations and species, fencing types and heights, and berm heights.
- ☐ ☒ (e) **A Grading and Erosion Control Plan:** *N/A*
 - ☐ Scale same as main plan (> or equal to 1" equals 100').
 - ☐ Map reduction at 11" x 17"
 - ☐ Showing existing and proposed grades including retention walls and related devices, and erosion control measures.
- ☐ ☒ (f) **Elevation Drawings of proposed buildings or remodeling of existing buildings:**
 - ☒ Showing finished exterior treatment. *provided*
 - ☒ With adequate labels provided to clearly depict exterior materials, texture, color and overall appearance. *provided*
 - ☒ Perspective renderings of the proposed project and/or photos of similar structures may be submitted, but not in lieu of adequate drawings showing the actual intended appearance of the buildings. *N/A*

NOTE: Initiation of Land Use or Development Activity: Absolutely no land use or development activity, including site clearing, grubbing, or grading shall occur on the subject property prior to the approval of the required site plan. Any such activity prior to such approval shall be a violation of law and shall be subject to all applicable enforcement mechanisms and penalties.

NOTE: Modification of an Approved Site Plan: Any and all variation between development and/or land use activity on the subject property and the approved site plan is a violation of law. An approved site plan shall be revised and approved via the procedures of Subsections 78-908(2) and (4) so as to clearly and completely depict any and all proposed modifications to the previously approved site plan, prior to the initiation of said modifications.

III. Final Application Packet Information for City Use

Receipt of one full-scale copy in blueline or blackline
of complete Final Application Packet by Zoning Administrator (N/A)

Date: _____ By: _____

Receipt of one reduced (8.5" by 11" text and 11" by 17" graphics)
copy of complete final application packet by Zoning Administrator

Date: 9/22/11 By: MPS

As prepared by:

GROTHMAN & ASSOCIATES S.C.
LAND SURVEYORS
625 EAST SLIFER STREET, P.O. BOX 373 PORTAGE, WI. 53901
PHONE: PORTAGE: (808) 742-7788 SAUK: (808) 644-8877
FAX: (808) 742-0434 E-MAIL: surveying@grothman.com
(RED LOGO REPRESENTS THE ORIGINAL MAP)

SEAL:



G & A FILE NO. 1011-370

DRAFTED BY: J. ABEGGLEN

CHECKED BY: TLG

PROJ. 507-312

DWG. 1011370 SHEET 1 OF 3

OCT. 5, 2011

DANE COUNTY CERTIFIED SURVEY MAP NO.

GENERAL LOCATION

Volume _____ Page _____

BEING A PART OF THE NW1/4 OF THE NW1/4, SECTION 9, T. 5 N, R. 11 E, CITY OF STOUGHTON, DANE COUNTY, WISCONSIN.

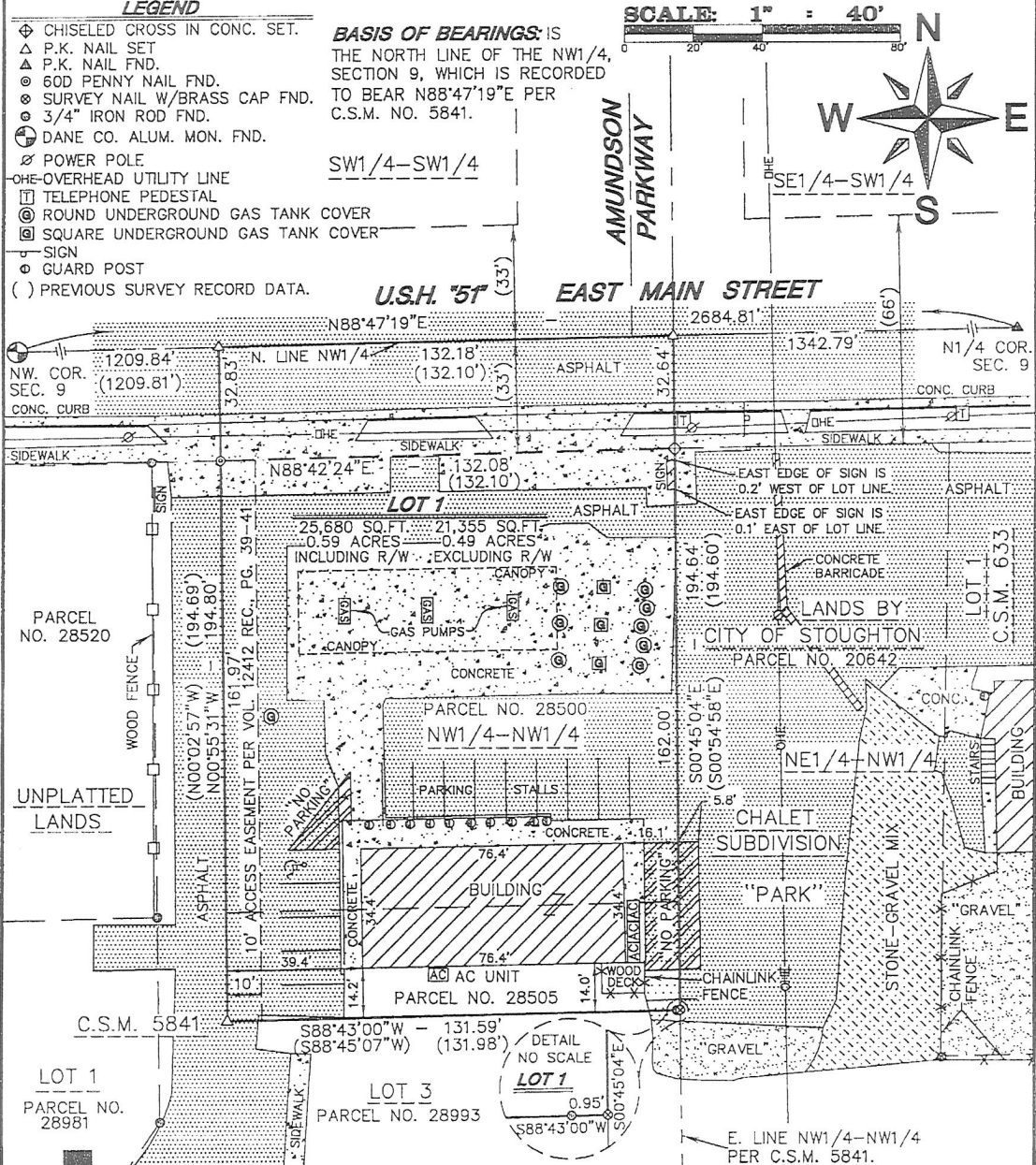
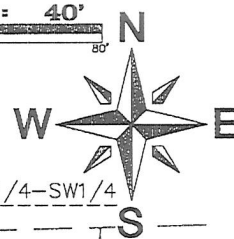
LEGEND

- ⊕ CHISELED CROSS IN CONC. SET.
- △ P.K. NAIL SET
- ▲ P.K. NAIL FND.
- ⊙ 60D PENNY NAIL FND.
- ⊙ SURVEY NAIL W/BRASS CAP FND.
- ⊙ 3/4" IRON ROD FND.
- ⊙ DANE CO. ALUM. MON. FND.
- ⊕ POWER POLE
- OVERHEAD UTILITY LINE
- TELEPHONE PEDESTAL
- ⊙ ROUND UNDERGROUND GAS TANK COVER
- ⊙ SQUARE UNDERGROUND GAS TANK COVER
- SIGN
- ⊙ GUARD POST
- () PREVIOUS SURVEY RECORD DATA.

BASIS OF BEARINGS: IS
THE NORTH LINE OF THE NW1/4,
SECTION 9, WHICH IS RECORDED
TO BEAR N88°47'19"E PER
C.S.M. NO. 5841.

SW1/4-SW1/4

SCALE: 1" = 40'



OWNER:
ZRH PARTNERSHIP
1231 E. MAIN STREET
STOUGHTON, WI 53589


CLIENT:
KWIK TRIP INC.
1620 OAK STREET
LA CROSSE, WI 54601

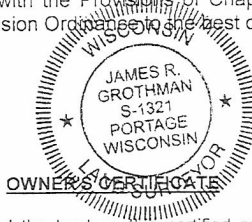
SURVEYOR'S CERTIFICATE

I, JAMES R. GROTHMAN, Registered Land Surveyor, do hereby certify that by the order of the Kwik Trip, Inc., I have surveyed, monumented and mapped a part of the Northwest Quarter of the Northwest Quarter of Section 9, Town 5 North, Range 11 East, City of Stoughton, Dane County, Wisconsin, described as follows:

Commencing at the northwest corner of Section 9;
thence North 88°47'19" East along the north line of the Northwest Quarter of said Section 9, 1,209.84 feet to the point of beginning;
thence continuing North 88°47'19" East along the north line of the Northwest Quarter of said Section 9, 132.18 feet to the northeast corner of the Northwest Quarter of the Northwest Quarter of said Section 9;
thence South 00°45'04" East along the east line of the Northwest Quarter of the Northwest Quarter of said Section 9 and the west line of Chalet Subdivision, 194.64 feet to the northeast corner of Lot 3, Certified Survey Map No. 5841;
thence South 88°43'00" West along the northerly line of said Lot 3, 131.59 feet;
thence North 00°55'31" West along the easterly line of said Lot 3 and the northerly extension thereof, 194.80 feet to the point of beginning.
Containing 25,680 square feet, (0.59 acres), more or less. And being subject to East Main Street right-of-way along the northerly side thereof and servitudes and easements of use or record, if any.

I DO FURTHER CERTIFY that this is a true and correct representation of the boundaries of the land surveyed and that I have fully complied with the Provisions of Chapter 236.34 of the Wisconsin State Statutes and the City of Stoughton Subdivision Ordinance to the best of my knowledge and belief.


JAMES R. GROTHMAN
Registered Land Surveyor, No. 1321
Dated: October 5, 2011
File No. 1011-370



As Owners, we hereby certify that we caused the land on this certified survey to be surveyed and mapped as represented on this certified survey map.

Witness the hand and seal of said Owner(s) this _____ day of _____, 20____

STATE OF WISCONSIN) SS)
COUNTY OF DANE)

Personally came before me this _____ day of _____, 2011, the above named _____ to me known to be the persons who executed the foregoing instrument and acknowledged the same.

Notary Public

County, Wisconsin

My commission expires: _____

CITY APPROVAL

This Certified Survey Map, having been approved by Plan Commission action of _____, and Common Council action of _____, is hereby approved for recording.

City Clerk, City of Stoughton

CERTIFICATE OF COUNTY REGISTER OF DEEDS

Received for recording this _____ day of _____, 2011, at _____ o'clock, ____ M. and recorded in Volume _____ of Certified Surveys on Pages _____ as Document Number _____.

COPY

Ylviski Chlebowski, Register of Deeds

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

RESOLUTION OF THE PLAN COMMISSION

Approving a Certified Survey Map (CSM) for Ted Cone, Convenience Store Investments at 1231 E. Main Street, Stoughton, Wisconsin. (Kwik Trip)

Committee Action:

Fiscal Impact: None.

File Number: R- -2011

Date Introduced: November 22, 2011

WHEREAS, on November 14, 2011 the City of Stoughton Planning Commission reviewed the Certified Survey Map approval request by Ted Cone, Convenience Store Investments for property located at 1231 E. Main Street, Stoughton, Wisconsin; and

WHEREAS, the Certified Survey Map was reviewed by the City Zoning Administrator and found to be in compliance with the City Zoning ordinance and Land Division ordinance; and

WHEREAS, the Certified Survey Map is requested to combine lots owned by Convenience Store Investments with parcel numbers: 281/0511-092-8500-6 & 281/0511-092-8505-1, to allow a walk-in cooler addition for the building at 1231 E. Main Street, Stoughton, Wisconsin, and

WHEREAS, the City Zoning Administrator has confirmed the Certified Survey Map will not interfere with and is consistent with the City's Comprehensive Plan; now therefore

BE IT RESOLVED by the Common Council of the City of Stoughton that the Certified Survey Map request by Ted Cone, Convenience Store Investments for property located at 1231 E. Main Street, Stoughton, Wisconsin, is hereby approved, as presented.

Council Action: ☐ **Adopted** ☐ **Failed** **Vote** _____

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

Donna Olson, Mayor

Date

Council Action: _____ ☐ **Override** **Vote** _____



Public Access System

Public Access | Public Agency Access | Subscription Access | Log Out

Tuesday, October 4, 2011

Parcel information updated on Tuesday, October 04, 2011 unless otherwise noted.

Parcel Number - 281/0511-092-8500-6[Return to Previous Page](#)**Parcel Status: Active Parcel**[Show Map](#)
[Map Questions?](#)**Parcel Information**

Municipality CITY OF STOUGHTON
 State Municipality Code 281
 Township 05
 Township Direction N
 Range 11
 Range Direction E
 Section 09
 Quarter NW
 Quarter-Quarter NW
 Plat Name NELSON'S ADDITION, JOHN, TO STOUGHTON
 Block/Building

Restrictive Covenants [Show Restrictions for this Plat, CSM, or Quarter](#)

Zoning Information

Contact your local city or village office for municipal zoning information.

Owner Name and Address

Owner Status CURRENT OWNER
 Name ZRH PARTNERSHIP
 Property Address 1626 OAK ST
 City State Zip LACROSSE, WI 54601
 Country USA

[- Edit Owner Address](#)**Parcel Address**

Primary Address 1231 E MAIN ST

[- Edit Parcel Address](#)[- Add More Addresses](#)**Billing Address**

Attention
 Street PO BOX 2107
 City State Zip LACROSSE, WI 54601
 Country USA

[- Edit Billing Address](#)**Assessment Information**

Assessment Year	2011	2010
Valuation Classification	G2	G2
Assessment Acres	0.491	0.491
Land Value	\$72,000.00	\$72,000.00
Improved Value	\$330,400.00	\$330,400.00
Total Value	\$402,400.00	\$402,400.00
Valuation Date	04/05/2011	03/24/2010

The assessment values for this parcel includes values from parcel(s) **051109285051**.

[About Annual Assessments](#)**Tax Information****2010 Tax Values**[E-Bill](#) [E-Receipt](#)

Category	Assessed Value	Average Assessment Ratio	Estimated Fair Market Value
Land	\$72,000.00 /	0.972	\$74,075.00
Improvement	\$330,400.00 /	0.972	\$339,918.00
Total	\$402,400.00 /	0.972	\$413,992.00

2010 Taxes:	\$8,181.49
2010 Lottery Credit(-):	\$0.00
2010 First Dollar Credit(-):	\$65.73
2010 Specials(+):	\$0.00
2010 Amount:	\$8,115.76

[Show Tax Information Details](#)[Show Tax Payment History](#)**District Information**

Type	State Code	Description
SCHOOL DISTRICT	5621	STOUGHTON SCHOOL DIST
TECHNICAL COLLEGE	0400	MADISON TECH COLLEGE

Tax Property Description

For a complete legal description, see the recorded documents
 SEC 9-5-11 PRT NW1/4NW1/4 PRT JOHN NELSON ADDN DESCR AS
 BEG NE COR SD 1/41/4 THS00DEG12'E 165 FT TH S89DEG21'W
 131.8 FT TH N00DEG16'W 165 FT TH N89DEG21'E 132 FT TO POB
 SUBJ TO ACC ESS ESMT AS DESCR IN R12412/39

Recorded Documents

Doc.Type	Date Recorded	Doc. Number	Volume	Page
QCD			11481	13
			11279	32

[Document Types and their Abbreviations](#)

Public Access System

Public Access | Public Agency Access | Subscription Access | Log Out

Tuesday, October 4, 2011

Parcel information updated on Tuesday, October 04, 2011 unless otherwise noted.

Parcel Number - 281/0511-092-8505-1[Return to Previous Page](#)**Parcel Status:** [Active Parcel](#)[Show Map](#)
[Map Questions?](#)**Parcel Information**

Municipality CITY OF STOUGHTON
State Municipality Code 281
Township 05
Township Direction N
Range 11
Range Direction E
Section 09
Quarter NW
Quarter-Quarter NW
Plat Name NELSON'S ADDITION, JOHN, TO STOUGHTON
Block/Building

Restrictive Covenants [Show Restrictions for this Plat, CSM, or Quarter](#)

Zoning Information

Contact your local city or village office for municipal zoning information.

Owner Name and Address

Owner Status CURRENT OWNER
Name ZRH PARTNERSHIP
Property Address 1626 OAK ST
City State Zip LA CROSSE, WI 54601
Country USA
 - [Edit Owner Address](#)

Parcel Address

Primary Address 1231 E MAIN ST
 - [Edit Parcel Address](#)
 - [Add More Addresses](#)

Billing Address

Attention
Street 1626 OAK ST
City State Zip LA CROSSE, WI 54601
Country USA
 - [Edit Billing Address](#)

Assessment Information

The assessments for this parcel have been added to parcel **051109285006**.

[About Annual Assessments](#)**Tax Information**

No tax information available

Please click on the [Show Tax Payment History](#) link to verify if a recent payment has been processed. Processed payments and payment history are updated nightly.

District Information

Type	State Code	Description
SCHOOL DISTRICT	5621	STOUGHTON SCHOOL DIST
TECHNICAL COLLEGE	0400	MADISON TECH COLLEGE

Tax Property Description

For a complete legal description, see the recorded documents SEC 9-5-11 PRT NW1/4NW1/4 PRT JOHN NELSON ADDN DESCR AS COM SEC NW COR TH N88DEG47'19"E 1209.81 FT TH S0DEG2'57"E 164.69 FT TO POB TH N88DEG45'7"E 132 FT TH S0DEG54'58"E 30 FT TH S 88DEG45'7"W 131.98 FT TH N0DEG2'57"W 30 FT TO POB SUBJ TO AC CESS ESMT AS DESCR IN R12412/39

Recorded Documents

Doc.Type	Date Recorded	Doc. Number	Volume	Page
QCD			11481	13
QCD			11279	32

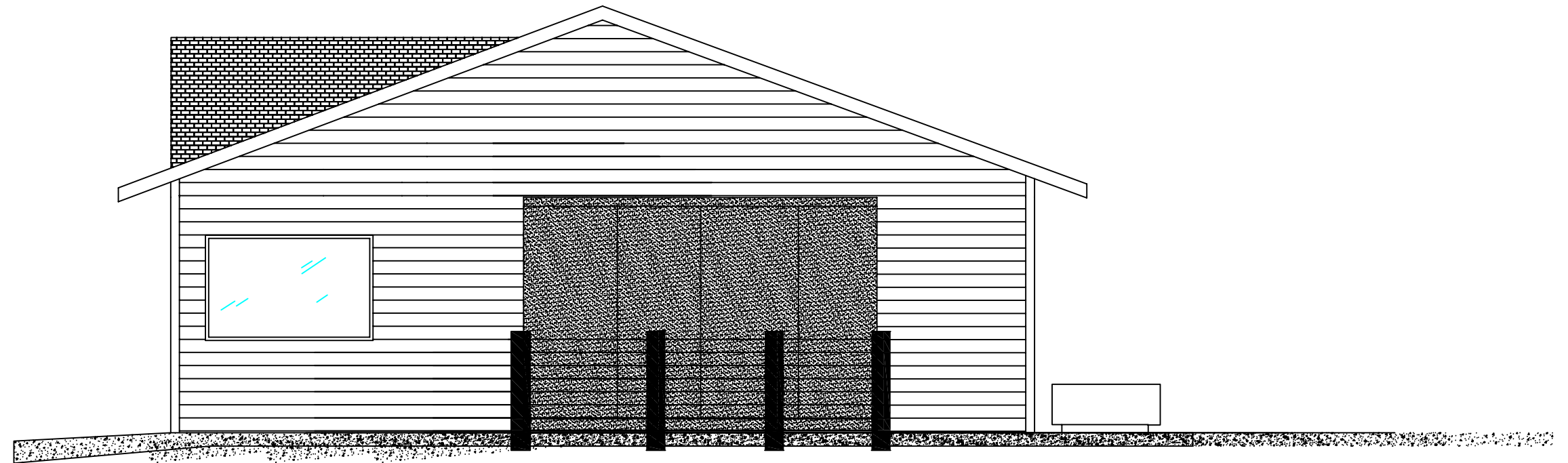
[Document Types and their Abbreviations](#)[Document Types and their Definitions](#)

- For questions on property and assessment information, contact [Real Property Listing](#)
- For questions on zoning information, contact the [Division of Zoning](#)
- For questions on tax information, contact the [Treasurer's Office](#)
- For questions on real property transactions and Recordings, contact the [Register of Deeds Office](#)

[Back to Parcel Search Page](#)

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 210 Martin Luther King Jr. Blvd
 City-County Bldg, Room 360
 Madison, WI 53703
 Email - accessdane@countyofdane.com

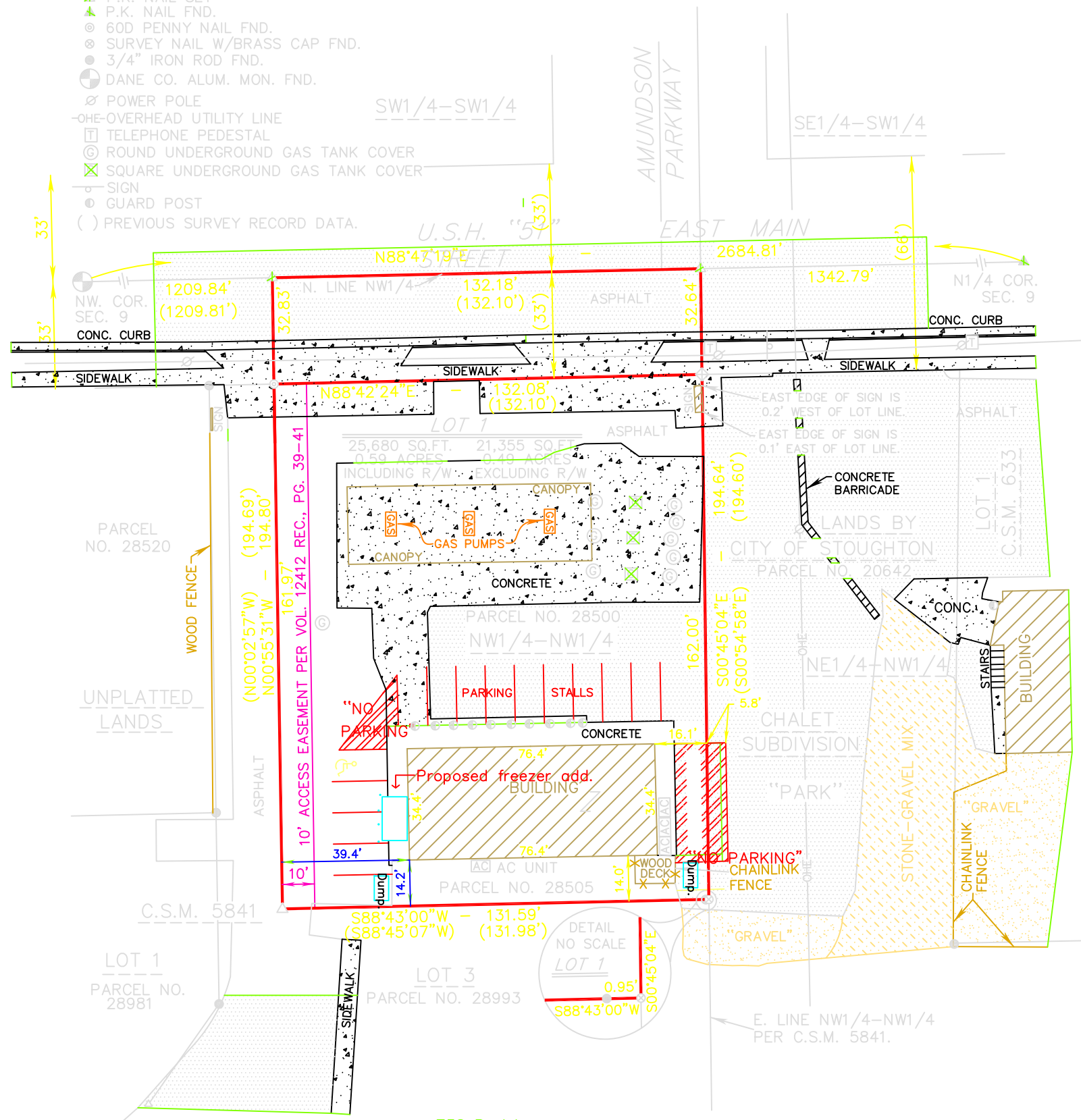


738 Elevation

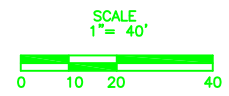
Kwik Trip Inc.
1626 Oak St.
LaCrosse, WI 54601
608-793-5976
Fax-608-793-6237
Ted Cone-Project Manager



- LEGEND
- CHISELED CROSS IN CONC. SET.
 - P.K. NAIL SET
 - P.K. NAIL FND.
 - 60D PENNY NAIL FND.
 - SURVEY NAIL W/BRASS CAP FND.
 - 3/4" IRON ROD FND.
 - DANE CO. ALUM. MON. FND.
 - POWER POLE
 - OVERHEAD UTILITY LINE
 - TELEPHONE PEDESTAL
 - ROUND UNDERGROUND GAS TANK COVER
 - SQUARE UNDERGROUND GAS TANK COVER
 - SIGN
 - GUARD POST
 - () PREVIOUS SURVEY RECORD DATA.



738 Revision



STORES



STORES

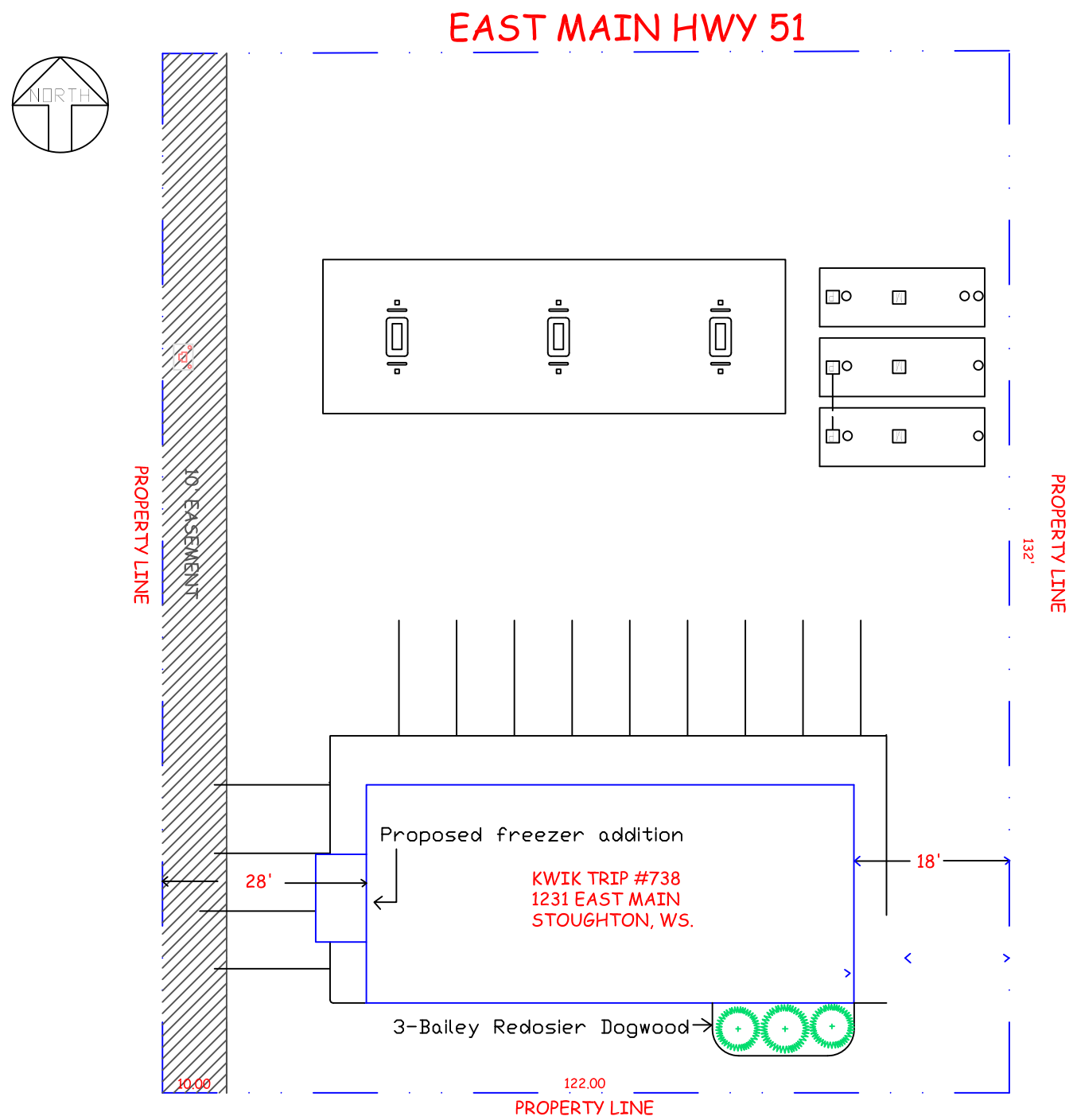
KWIK TRIP, Inc.
P.O. BOX 2107
1626 OAK STREET
LACROSSE, WI 54602-2107
PH. (608) 781-8988
FAX (608) 781-8960

Stoughton, WI
CONVENIENCE STORE

NO.	DATE	DESCRIPTION

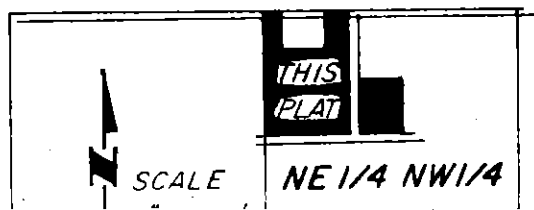
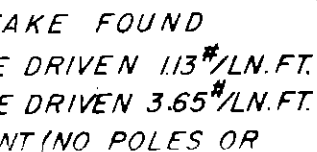
DRAWN BY
SCALE 1" = 50'-0"
PROJ. NO. 0001
DATE 2009 12-2
SHEET

SP1



Site Plan

Kwik Trip Inc.
 1626 Oak St.
 LaCrosse, WI 54601
 608-793-5976
 Fax-608-793-6237
 Ted Cone-Project Manager



POINT		RAD.	CENTRAL	LONG CHORD	
FROM	TO		ANGLE	LENG.	BEARING
1	2	50'	75°41'40"	61.36'	N75°04'20"W
2	3	50'	49°40'10"	42.00'	S42°14'45"W
3	4	50'	80°31'00"	64.62'	S22°50'50"E



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

October 25, 2011

Convenience Store Investments
Ted Cone, Agent
1626 Oak Street
LaCrosse, WI. 54601

Dear Mr. Cone:

I have completed a review of the proposed walk-in freezer addition at Kwik Trip East, 1231 E. Main Street, Stoughton. (Application and site plans received October 24, 2011). This item is scheduled for review at the November 14, 2011 Planning Commission meeting of which you will receive notice. The owner and/or representative are required to attend the meeting. The following items are identified for your review.

1. The property at 1231 E. Main Street is zoned PB – Planned Business. Per Zoning Code section 78-206 (4) (c), Indoor Sales and Service land uses such as convenience stores are permitted uses within the Planned Business district.
2. Indoor sales and service is defined as follows: Indoor sales and service land uses include all land uses which conduct or display sales or rental merchandise or equipment, or non-personal or non-professional services, entirely within an enclosed building. This includes self-service facilities such as coin-operated laundromats. Depending on the zoning district, such land uses may or may not display products outside of an enclosed building. Such activities are listed as “Outdoor Display Incidental to Indoor Sales” under “Accessory Uses” in the Table of Land Uses, (subsection 78-206(8)(f)). A land use which contains both indoor sales and outdoor sales exceeding 15 percent of the total sales area of the building(s) on the property shall be considered an outdoor sales land use. **We believe the use is primarily related to indoor sales.**
3. The parking requirement for indoor sales and service is one space per 300 square feet of gross floor area. **Currently, there appears to be 11 parking stalls provided while 10 parking stalls are required. We need a scalable plan to verify setbacks and parking requirements. The color yellow does not come through very well on the site plan.**
4. The rear yard setback requirement is 20 feet while the side yard setback requirement is 10 feet. **The plan will meet the rear yard setback once the CSM is approved. The side yard setback has been met. The Planning Commission will make a recommendation to Council for the CSM. The CSM will likely be considered for approval by the Common Council on November 22, 2011.**
5. The Comprehensive Plan, planned land use map designates this property as General Business. Convenience Stores are consistent with this type of designation. **This property does not interfere with and is consistent with the City Comprehensive Plan.**

6. Building additions are required to be accented by a minimum amount of landscaping placed near the building foundation. For each 100 feet of building foundation perimeter, the landscaping installed shall at a minimum have 40 points of landscaping. The proposed addition has approximately 22 feet of additional perimeter which requires 9 points of foundation landscaping. Additionally, developed lots require 10 points of landscaping per 1,000 square feet of building foot-print. The proposed addition is 104 square feet which requires 2 landscaping points. See article VI and Appendix B of the City zoning code for the landscaping requirements and chart which indicates the number of points for each plant species. **We will need a landscaping plan to meet these requirements.**
7. Per Section 78-716. Exterior construction material standards. The purpose of this section is to regulate exterior construction materials to attain a degree of uniformity in exterior appearance to enhance the attractiveness and property values within certain zoning districts. Only high quality, decorative exterior construction materials shall be used on the building exterior which is visible from a public street. The following exterior materials shall not be considered "high quality, decorative:" non-decorative concrete block or cinder block, non-decorative concrete foundation walls or panels, non-decorative plywood, asphaltic siding, or other materials using exposed fastener systems or non-decorative surfaces as determined by the plan commission. However, such materials may be allowed by the plan commission as decorative elements. Metal panels with exposed exterior fasteners of the same color may be used on a maximum of 50 % of the front side of the building, however this material may not be allowed within 50 feet of any customer or visitor entrance. Architectural and design elements shall be compatible with the surrounding area and is subject to the site review process. **We will need more information related to the proposed exterior construction materials.**
8. There are dumpsters located on the adjacent city owned property which need to be moved onto the Kwik Trip property. The dumpsters need to be delineated on the plan.
9. **State of Wisconsin approved building plans will be necessary prior to issuance of a building permit but are not necessary to begin the City review process.**

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

cc. Planning Commissioners

Mike Ashiku-Sunrise Family Restaurant
1052 W Main St
Stoughton, WI 53589
October 21, 2011

Common Council and Planning Commission
Dept. of Planning and Development
City of Stoughton

Dear Common Council and Planning Commission:

Foremost, I would like to thank you for approving the conditional use permit for Sunrise Family Restaurant regarding the addition to the building. As of today, we have not yet submitted our expansion plan to the state for approval.

As we started defining the project scope, we came across many impediments concerning ADA compliance. In early spring, we contacted an architect to design our project comprised of the 5-foot addition. Collaborating with the architect, we discovered that our restrooms were not ADA compliant, and in order to be granted a state approval, we had to allocate 20% of our project expenses to handicapped accessibility improvements. Subsequently, mid-June, we contacted a contracting company to provide an estimate for the cost of the addition along with handicapped accessibility and improvements. Consequently, we come to find out that cost of the defined project outweighed the benefits. Ultimately, in early August, we decided to redefine the project scope and instead we choose to exploit options of how to make our restrooms ADA compliant, improve handicapped accessibility throughout the premises, and expand the vestibule on the south side along with a new façade and redesigned roof which in term will compliment the Stoughton plaza and preserve the manifestation of the Stoughton community.

In early September, we were able to get a preliminary plan designed by our architect, and have since contacted numerous contracting companies for estimate. Thus far, we have been able to receive one estimate and awaiting others. Pending upon other estimates in comparison to the budget set aside for the project, we will further analyze and alter as needed, and finally submit plans to state for approval in the very near future.

I, Mike Ashiku, co-owner of the Sunrise family restaurant, my associate, Sam Useini, and the staff of the business do hereby entreat the Common Council and Planning Commission for corroboration and extension of the conditional use permit approved in November of 2010.

Please let me know if further information is necessary to facilitate the approval of our request.

Sincerely,

Mike Ashiku

78-905

(10) Time limits on the development of conditional use. The start of construction of any and all conditional uses shall be initiated within 365 days of their approval by the common council and shall be operational within 730 days of said approval. Failure to initiate development within this period shall automatically constitute a revocation of the conditional use. For the purposes of this section, "operational" shall be defined as the granting of a certificate of occupancy for the conditional use. Prior to such a revocation, the applicant may request an extension of this period. Said request shall require formal approval by the common council and shall be based upon a showing of acceptable justification (as determined by the common council).

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

RESOLUTION OF THE PLAN COMMISSION

Approving a One Year Conditional Use Permit Extension for Mike Ashiku, Sunrise Family Restaurant, 1052 W. Main Street, Stoughton, Wisconsin.

Committee Action:

Fiscal Impact: None.

File Number: R- -2011

Date Introduced: November 22, 2011

WHEREAS, notice was originally given that the City of Stoughton Planning Commission was conducting a public hearing at 6:00 p.m. on November 22, 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 1052 W. Main Street, Stoughton, Wisconsin, legally described as:

Parcel Number: 281/0511-071-0264-4 - REPLAT OF BLOCK 2 EMERSON PARK BLOCK 3 LOT 3 & PRT LOT 4 & TH PRT LOTS 5 & 6 LYG N OF USH 51 & PRT VAC PARK AVE DESCR AS BEG INTERSECTION OF NLY LN USH 51 WITH E LN LOT 3 TH N0DEG15'10"W ALG SDE LN 224.12 FT TH S87DEG02'00"W 116.75 FT TH S2DEG28'40"E 137.20 FT TH S26DEG47'W 39.49 FT TO NLY LN USH 51 TH ALG ARC OF CURVE RAD 1096 FT L/C S70DEG32'41"E 137.35 FT TO POB SUBJ TO & TOG W/ESMT IN DOC #2780298; and

WHEREAS, on November 23, 2010, the Common Council of the City of Stoughton, Wisconsin, reviewed and approved the application for a Conditional Use permit by Mike Ashiku, owner of Sunrise Family Restaurant, under the provisions of zoning code section 78-905 and considered the recommendation from the City Planning Commission and all comments from persons speaking at the public hearing; and

WHEREAS, on November 14, 2011, the City of Stoughton Planning Commission reviewed the request by Mike Ashiku for a One Year Conditional Use Permit Extension for Sunrise Family Restaurant, 1052 W. Main Street, Stoughton, Wisconsin; and

WHEREAS, the request is consistent with the requirements of zoning code section 78-905(10); and

WHEREAS, an Indoor Commercial Entertainment use such as a Restaurant at 1052 W. Main Street is consistent with the Comprehensive Plan; and

THEREFORE BE IT RESOLVED, that the City of Stoughton Common Council approves a one year conditional use permit extension, to November 23, 2012 for Sunrise Family Restaurant, 1052 W. Main Street, Stoughton, Wisconsin, to allow an addition to the building, with the following conditions:

1. All requirements of the November 1, 2010 city staff review letter must be met.

This Resolution is duly adopted by the City Council of the City of Stoughton at a regularly scheduled meeting on November 22, 2011.

Council Action: ☐ Adopted ☐ Failed **Vote** _____

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

Donna Olson, Mayor

Date _____

Council Action: _____ ☐ **Override** **Vote** _____



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

November 1, 2010

Sunrise Family Restaurant
Mike Ashiky
1052 W. Main Street
Stoughton, WI. 53589

Dear Mr. Ashiky:

I have completed a review of the proposed conditional use request for Sunrise Family Restaurant, Stoughton. Application and site plans received October 27, 2010. This item is scheduled for public hearing at the November 22, 2010 Special Planning Commission meeting of which you will receive notice. You and/or a representative are required to attend the meeting. The following items are identified for your review.

1. The property at 1052 W. Main Street is zoned PB – Planned Business. Per Zoning Code section 78-206 (4) (b)2b, Indoor Commercial land uses such as restaurants are permitted as a conditional use within the Planned Business district. The Planning Commission will conduct a public hearing and review your request for a conditional use permit to expand the building/use. The Commission will offer a recommendation to the City Council. The City Council could make their decision as early as November 23, 2010.
2. Indoor Commercial Entertainment is defined as follows: Indoor commercial entertainment land uses include all land uses which provide entertainment services primarily within an enclosed building. Outdoor seating or patio areas associated with a proposed indoor commercial entertainment land use shall be allowed subject to city approval of a site plan showing any such proposed outdoor seating or patio area. Such activities often have operating hours which extend significantly later than most other commercial land uses. Examples of such land uses include restaurants, taverns, theaters, health or fitness centers, all forms of training studios (dance, art, martial arts, etc.), bowling alleys, arcades, roller rinks, and pool halls.
The City Council may place conditions on the use related to screening; lighting; parking requirements, etc...
3. The proposed addition is setback 5 feet from the east side lot line. The side yard setback requirement is 10 feet. A variance was recently granted by the Board of Appeals on October 25, 2010 to allow the building addition to be 5 feet from the east lot line with the condition that the Common Council approve a conditional use permit and that all landscaping requirements for the additions be waived. The minutes from the Board of Appeals meeting will be provided to the Planning Commission and Common Council.

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 are no residentially zoned properties abutting the subject property. Pictures of the property will be provided for the Planning meeting.**
5. As discussed with your contractor Dave McKichan, the intent is to install signage to attempt to control customer parking for the restaurant. Additionally, a planting area is planned for east of the proposed addition which will help eliminate customers parking along the east side of the building.
6. Adjacent property owner, Lee Madden has expressed concern over a grease collection container being stored on his property, north of the Sunrise Family Restaurant property line. This should be moved onto your property.
7. The Comprehensive Plan, planned land use map designates this property as Planned Mixed Use. Restaurants are consistent with this type of use.
8. State approved plans and 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//Assistant Planner

cc. Dave McKichan, 1324 Vernon Street, Stoughton
Planning Commissioners

11/23 council

Moved by Tone, seconded by Scovotti, to approve the benefit renewals (Option 5) regarding health & dental Insurance through Tricor Insurance. Motion carried 12-0 on roll call.

Moved by Hohol, seconded by Chenoweth, to approve the proposed Stoughton Utilities Electric Rate Adjustments schedule as presented to be effective January 1, 2011. Motion fails 7-5 on roll call with Alderpersons Chenoweth, Jenson, McKichan, Olstad, Scovotti, Tone, and Weiss voting no.

Moved by Hohol, seconded by Olstad, to recommend proposed ordinance amendments for sections 78-206 (1) (a) 3 & 78-206 (1) (a) to clarify the existing duplexes are not required to install separate water and sewer laterals when converting to a twin house (zero lot line) and newly constructed duplexes and twin homes are required to install separate water and sewer laterals for a second reading and adoption. Motion carried unanimously by acclamation.

X Moved by Hohol, seconded by Chenoweth, to approve a request for a conditional use permit by Mike Ashiku owner of the Sunrise Family Restaurant, located at 1052 W Main Street, to construct an addition to the east side of the building. Motion carried 11-0 on roll call with Alderperson McKichan abstaining.

Moved by Hohol, seconded by Christianson, to approve a request for a conditional use permit by Mitch Gilbertson, Stevens Construction Corp. representing the owner of B&G Foods Inc. to construct an addition at 430 Industrial Circle to allow employees to smoke outdoors in a sheltered area according to State of Wisconsin requirements. Motion carried 12-0 on roll call.

Moved by Hohol, seconded by Christianson, to table a request due to a lack of information presented for a conditional use permit by Curt Davey, representing Uniroyal Engineered Products LLC, to construct a 20,000 square foot accessory building expansion of the parking area at 501 S Water Street, to provide more storage space. Motion carried unanimously by acclamation on roll call.

Moved by Jenson, seconded by Swangstu, to extend an offer of employment to Kelly Michaels for the City Clerk/Personnel Director position starting January 3, 2011. Motion carried unanimously by acclamation.

Moved by Jenson, seconded by Swangstu to close the meeting per State Statute 19.85 (1)(e) deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified business, whenever competitive or bargaining reasons require a closed session. Motion carried unanimously.

Moved by Lawrence, seconded by Olstad, to adjourn the meeting at 9:00 p.m. Motion carried unanimously by acclamation.

Special Planning Commission Meeting Minutes

Monday, November 22, 2010 - 6:00 p.m.

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

Members Present: Mayor Donna Olson, Chair; Todd Krcma; Troy Wieser; Carl Chenoweth; Rollie Odland and Ron Christianson.

Absent and Excused: Eric Hohol, Vice-Chair

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

Guests: Mike Ashiku; Dave McKichan; Mitch Gilbertson; Curt Davey; Sue Moe; Katharine Giansante; Ted DeGroff; Tim Carter; Paul Lawrence; Dave Phillips; David Handt; and Dave GlouDEMans.

1. **Call to order.** Mayor Olson called the meeting to order at 6:00 pm.
2. **Consider approval of the November 8, 2010 Planning Commission meeting minutes.** Motion by Christianson to approve the minutes of November 8, 2010 as presented, 2nd by Wieser. Motion carried 6 - 0.
3. **Status of Developments/Projects.**
Scheel referred to the status of developments section of the packet and gave an update of the Movin' Out project (Elven Sted). Krcma questioned the status of the deck encroachment. Scheel stated the property owner removed the deck so there is no encroachment.
4. **Mike Ashiku, owner of Sunrise Family Restaurant requests a conditional use permit to construct an addition to the east side of the building at 1052 W. Main Street for dining area expansion.**
Scheel gave an overview of the request.

Mayor Olson opened the public hearing.

The following people registered to speak for the proposed conditional use:

Lee Madden – in support and has 3 concerns:

- East building exits to a public way.
- Wants all activities to occur on site.
- Parking should be as per plan.

The following people registered in favor of the request:

David Handt
Larry Roberts

Mayor Olson closed the public hearing.

Motion by Chenoweth to recommend Council approve the conditional use resolution conditioned on the staff review letter dated November 1, 2010, 2nd by Krcma.

Krcma questioned the eastern exit. Dave McKichan (contractor for applicant) stated they plan to add a strip of green space along the east side of the building to prohibit people from parking along there. McKichan added that signage will be installed to identify the parking for patrons and the eastern building exit is an emergency exit. Chenoweth questioned the trash and grease collection location. McKichan stated the trash is in the enclosure and the grease collection may have been placed in the wrong location. Motion carried 6 - 0.

5. **Mitch Gilbertson, Stevens Construction Corp., representing the owner of B & G Foods, Inc., requests a conditional use permit to construct an addition at 430 Industrial Circle to allow employees to smoke outdoors in a sheltered area according to State of Wisconsin requirements.**

Mayor Olson gave introduction of the request.

Mayor Olson opened the public hearing.

The following people registered to speak in favor of the request:

Mitch Gilbertson gave an overview of the request.

No one registered against the proposed request.

Mayor Olson closed the public hearing.

Motion by Christianson to recommend Council approve the conditional use resolution conditioned on the staff review letter dated November 1, 2010, 2nd by Krcma. Motion carried 6 - 0.

6. **Curt Davey, representing Uniroyal Engineered Products LLC, requests a conditional use permit to construct a 20,000 square foot accessory building; construct a 1,200 square foot accessory building expansion; and to expand the parking area at 501 S. Water Street; all to provide more storage.**

Scheel gave an overview of the request.

Mayor Olson opened the public hearing.

The following people registered for the public hearing:

Katharine Giansante registered to ask questions if necessary.

Mayor Olson asked Curt Davey to explain the request.

Mike Stacey

From: Rick Johnson [tindoctor@gmail.com]
Sent: Tuesday, October 04, 2011 10:14 PM
To: Mike Stacey
Subject: Structure at 215 N Page St.

Michael,

I am writing for the reason of trying to save a structure I had built for my wife as well as all of our friends and neighbors in Stoughton. As you may know my wife and I take great pride in our yard. We are continuously trying to improve the beauty of our landscape for all to enjoy. Before we had started building the arbor/trellis we had taken in consideration cost, building permits and of coarse aesthetics. It was fairly inexpensive (\$450.00). The structures only purpose is to grow bittersweet vines on. Assuming the trellis were able to stay, in a matter of years it would disappear behind tight groupings of intermingled vines. Additionally our yard is constantly growing and changing. Yearly, the gardens grow wider and the trees get taller, therefore the living trellis would probably become unnoticed in a matter of time. We are not trying to show boat by building things that are illegal, we are simply just trying to make the most wonderful yard Stoughton has ever seen. As I mentioned to you on the phone, I believe if my trellis had a large green awning, swings and a tornado slide I wouldn't be writing this right now. I have seen plenty of playgrounds in front yards in Stoughton and I would say they are not quite as pleasing to the eye. I realize playgrounds don't last forever, but neither will our trellis. I'm sure the hundreds of Stoughtonites and out of town folk who love walking the corner of Forton St. and Page St. to admire our garden sanctuary would be disappointed to see such a focal point of the gorgeous flowers go away. I thank you for you time and consideration. Please email me once you have confirmed my attendance at the next planning meeting.

Sincerely,

Richard J Johnson
608-334-7507
Home Owner
215 N. Page St.

(1) **Accessory Land Uses**

Accessory uses are land uses which are incidental to the principal activity conducted on the subject property. Only those accessory uses listed below shall be permitted within the jurisdiction of this Chapter. With the exception of a commercial apartment (see (a), below), or a farm residence (see (b), below), in no instance shall an accessory use, cellar, basement, tent or recreational trailer be used as a residence. With the exception of farm buildings, accessory buildings located within a residential district shall be constructed or finished in a complimentary architectural style and with complimentary materials to the principal residential buildings in the neighborhood. Accessory uses shall not be located between a principal building and a street frontage on the same lot, nor within any required front yard or street side yard, except when there is a shoreyard. In instances where there is a shoreyard, shoreyards shall be treated as front yards and street yards as rear yards, whereby accessory structures may be located between a principal building and a street frontage on the same lot.

78-206 (8) Accessory Land Uses

Accessory uses are land uses which are incidental to the principal activity conducted on the subject property. Only those accessory uses listed below shall be permitted within the jurisdiction of this Chapter. With the exception of a commercial apartment (see (a), below), or a farm residence (see (b), below), in no instance shall an accessory use, cellar, basement, tent or recreational trailer be used as a residence. With the exception of farm buildings, accessory buildings located within a residential district shall be constructed or finished in a complimentary architectural style and with complimentary materials to the principal residential buildings in the neighborhood. Accessory uses shall not be located between a principal building and a street frontage on the same lot, nor within any required front yard or street side yard, except when there is a shoreyard. In instances where there is a shoreyard, shoreyards shall be treated as front yards and street yards as rear yards, whereby accessory structures may be located between a principal building and a street frontage on the same lot. Garden and landscape features such as walks, steps, terraces, trellises, arbors, bird feeders/baths, swing sets, sandboxes, compost storage, sprinkler systems, landscape battery operated lighting, clothes lines and similar items are exempt and do not require a permit. Roofed structures such as a gazebo and structures that are attached to a principle structure such as a pergola are required to meet all zoning requirements.

78-206 (8)(o) Private Residential Recreational Facility

Description: This land use includes all active outdoor recreational facilities located on a private residential lot which are not otherwise listed in the Table of Land Uses in the Appendix. Materials and lighting shall limit light levels at said property line are to be equal to or less than 0.5 foot candles (see Section 78-707). All private residential recreation facilities and their attendant structures shall comply with the bulk requirements for accessory structures. (See Article IV.) Common examples of these accessory uses include ~~swing sets~~, tree houses, basketball courts, tennis courts, and swimming pools, ~~and recreation-type equipment~~.

1. Regulations:

- a. Swimming pools shall be regulated by the performance standards provided in Section 78-723.
- b. Treehouses and similar platforms shall not exceed a platform height of eight feet and shall be setback twice their elevation from any property line.





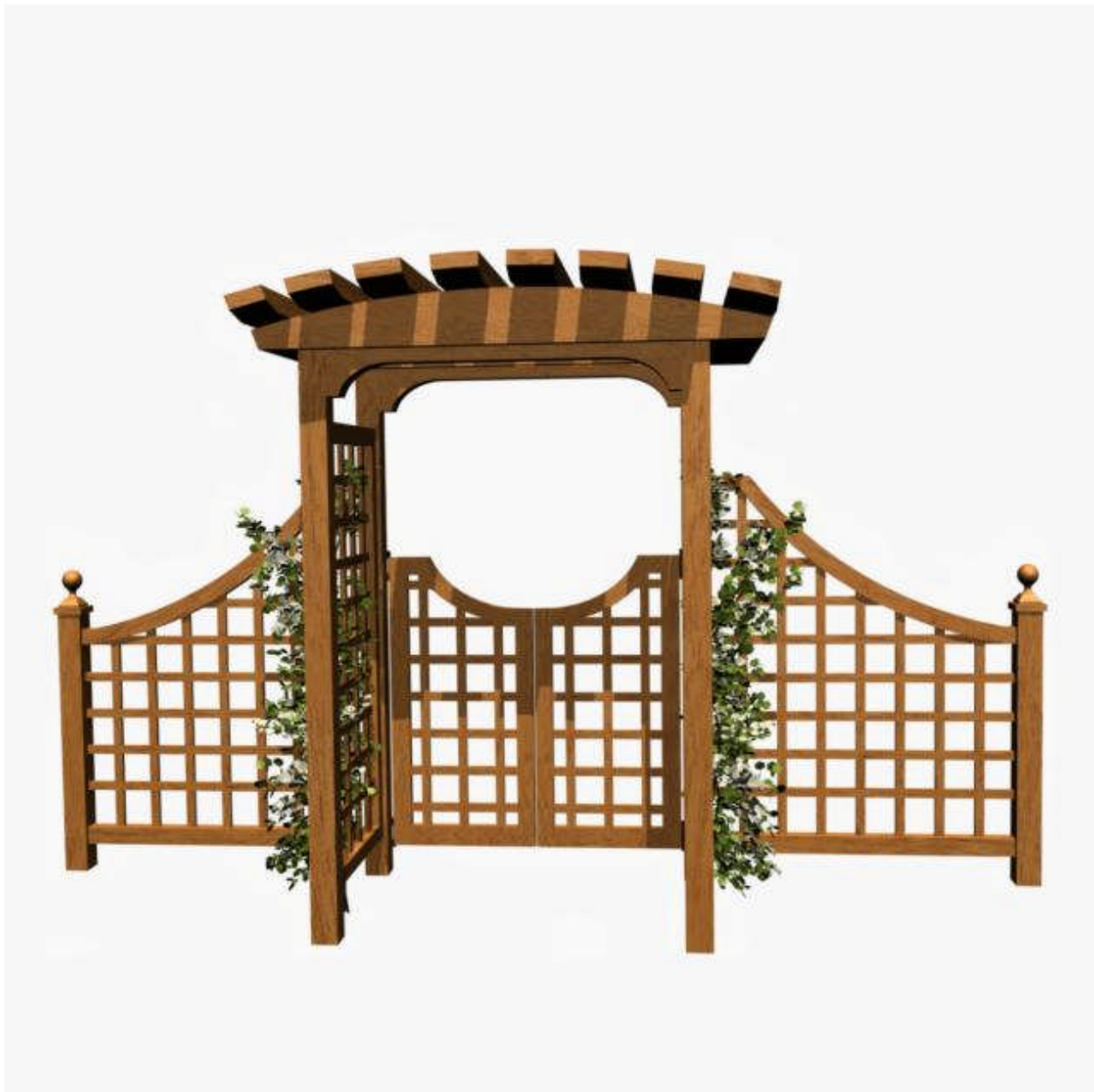
GAZEBO



GAZEBO



ARBOR



ARBOR





PERGOLA



TRELLIS