CITY OF STOUGHTON
DEPARTMENT OF
PLANNING & DEVELOPMENT
207 S. Forrest Street, Stoughton, WI. 53589

(608) 873-6619 www.ci.stoughton.wi.us

RODNEY J. SCHEEL
DIRECTOR

Date: September 6, 2022

To: Plan Commissioners and Common Council

From: Rodney J. Scheel
Director of Planning & Development

Michael P. Stacey
Zoning Administrator/Assistant Planner

Subject: Agenda Item for the September 12, 2022 Plan Commission Meeting and Common Council Meetings of September 27 and October 11, 2022.

Request by Bob Dvorak to rezone the property at 2232 Otteson Drive from I – Institutional to PD – Planned Development – General Development Plan.
This lot was planned for a tot lot park but it was decided the small park did not fit with the City Park Plan. Bob Dvorak has an offer to acquire the lot to sell for single-family development. The adjacent lots are zoned Planned Development with reduced setbacks so this lot is planned to follow similar requirements. The ordinance and related materials are provided. A public hearing and recommendation to the Council are necessary.

CITY OF STOUGHTON, 207 S. Forrest Street, Stoughton, WI 53589

ORDINANCE OF THE COMMON COUNCIL			
An ordinance amending the zoning classification at 2232 Otteson Drive in the City of Stoughton, WI.			
Committee Action:	Plan Commission recommends Council approval – 0		
Fiscal Impact:			
File Number:	O - - 2022	**Date Introduced:**	First Reading: Second Reading:

RECITALS

1. Bob Dvorak has requested to change the zoning classification of the parcel at 2232 Otteson Drive from I - Institutional (Park) to Planned Development-General Development Plan.

2. The Planned Development District is intended to provide a voluntary regulatory framework designed to encourage and promote improved environmental and aesthetic design in the City by allowing for greater design freedom, imagination and flexibility in the development of land while insuring substantial compliance with the basic intent of the City's Zoning Ordinance and Comprehensive Plan. The comparable zoning district for the land proposed to be zoned PD-Planned Development, used for establishing base-line zoning requirements and identifying needed flexibility is SR-5 Single-Family Residential.

3. This lot was originally planned for a park however; the City has gone through a legal process to vacate the area in preparation for a single-family use.

4. The minimum principal building setback and lot size requirements for SR-5 Single Family Residential are: Front yard setback = 25 feet; Rear yard setback = 25 feet; Side yard setback = 6 feet, 14 feet combined and Minimum lot area = 7200 square feet.

5. The applicant is seeking the following flexibility from the SR-5 requirements: Minimum Lot Size = 6565 square feet.

6. On September 14, 2022, the City of Stoughton Plan Commission held a public hearing regarding the proposed zoning change. The public hearing was preceded by the publication of a class 2 notice, and other notices required by law.

7. The Plan Commission found that the proposed zoning change is consistent with the City of Stoughton Comprehensive Plan, and recommend that the zoning change be approved as presented.

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

ORDINANCE

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

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

Section 2. Subject to the conditions set forth in section 3 and 4 below, the zoning classification of the parcel at 2232 Otteson Drive from I - Institutional to Planned Development-General Development Plan.

Section 3. The minimum lot area is approved to be 6565 square feet. The Specific Implementation Plan shall be considered approved as long as all SR-5 District requirements are met; including the minimum lot area deviation found in this section.

Section 4. This ordinance shall take effect upon publication pursuant to law as presented.

Dates
Council Adopted: _____

Mayor Approved: _____ _____
Tim Swadley, Mayor

Published: _____

Attest: _____ _____
Candee Christen, City Clerk

PUBLIC HEARING NOTICE

The City of Stoughton Plan Commission will hold a Public Hearing on Monday, September 12, 2022, at 6:00 o'clock p.m., or as soon after as the matter may be heard to consider an application by Harvest Farms, Bob Dvorak to rezone the property at 2232 Otteson Drive from I – Institutional (Park) to PD-GDP – Planned Development – General Development Plan, in the Nordic Ridge Development, City of Stoughton, WI.

Location: The meeting of the Plan Commission will be conducted as a hybrid meeting. (Virtual and In-Person)

In-Person: Council Chambers (2nd floor of the Public Safety Building)
321 S. Fourth Street, Stoughton, WI

Virtual: You can join the meeting using a computer, tablet or smartphone via Zoom
https://us06web.zoom.us/j/85778016234?pwd=MEdMMmxrYkdkMGl3Tjg5S29pWGlaQT09

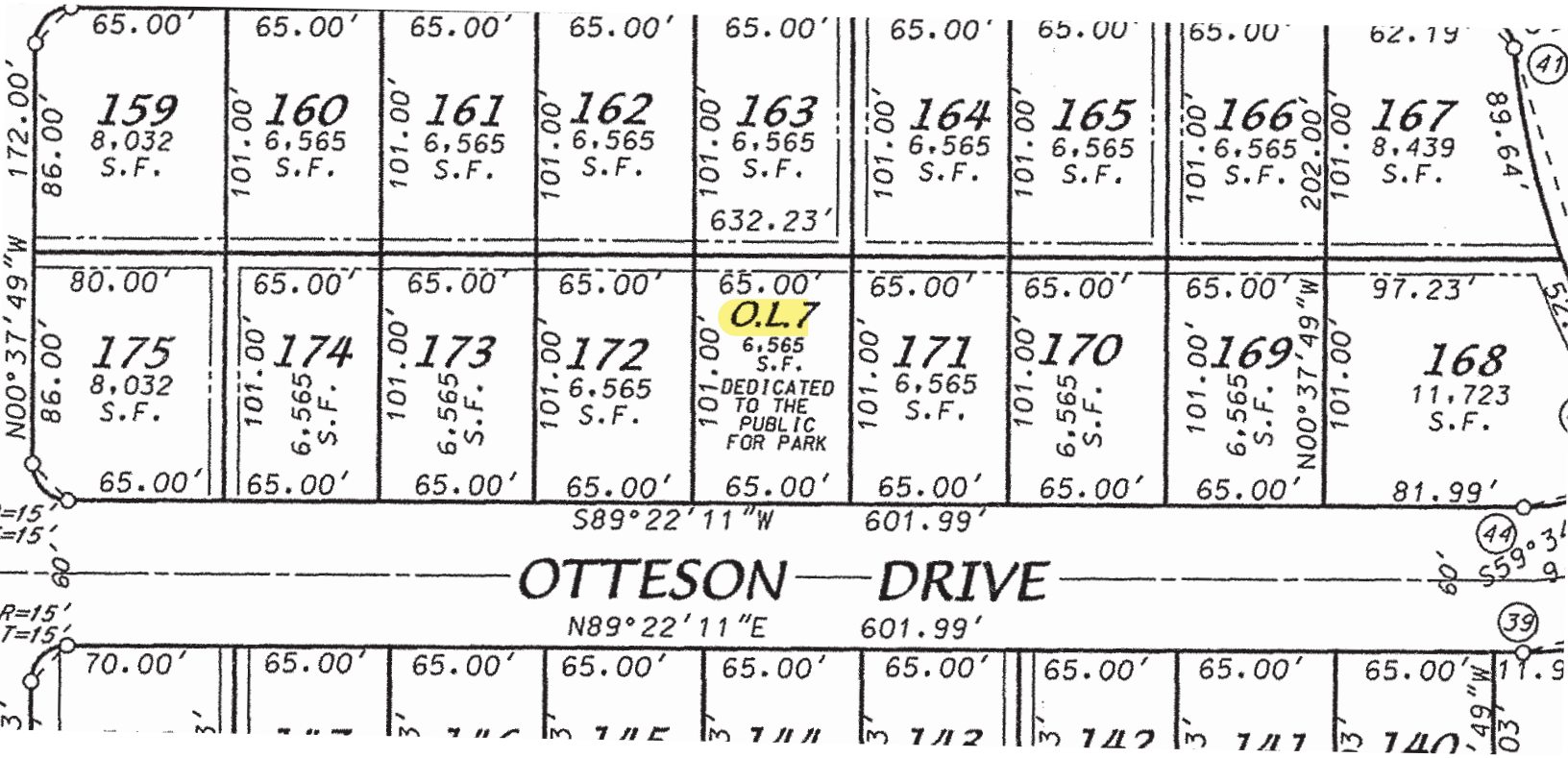
Phone in: +1 312 626 6799 Meeting ID: 857 7801 6234 Passcode: 750148

If you wish to call in and speak at the meeting, please register at:
http://speak.cityofstoughton.com by 5:45 on or before the day of the meeting. Any written comments will be forwarded on to the "Organizer" and Commissioners.

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

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

Published August 4 and August 11, 2022 Hub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41
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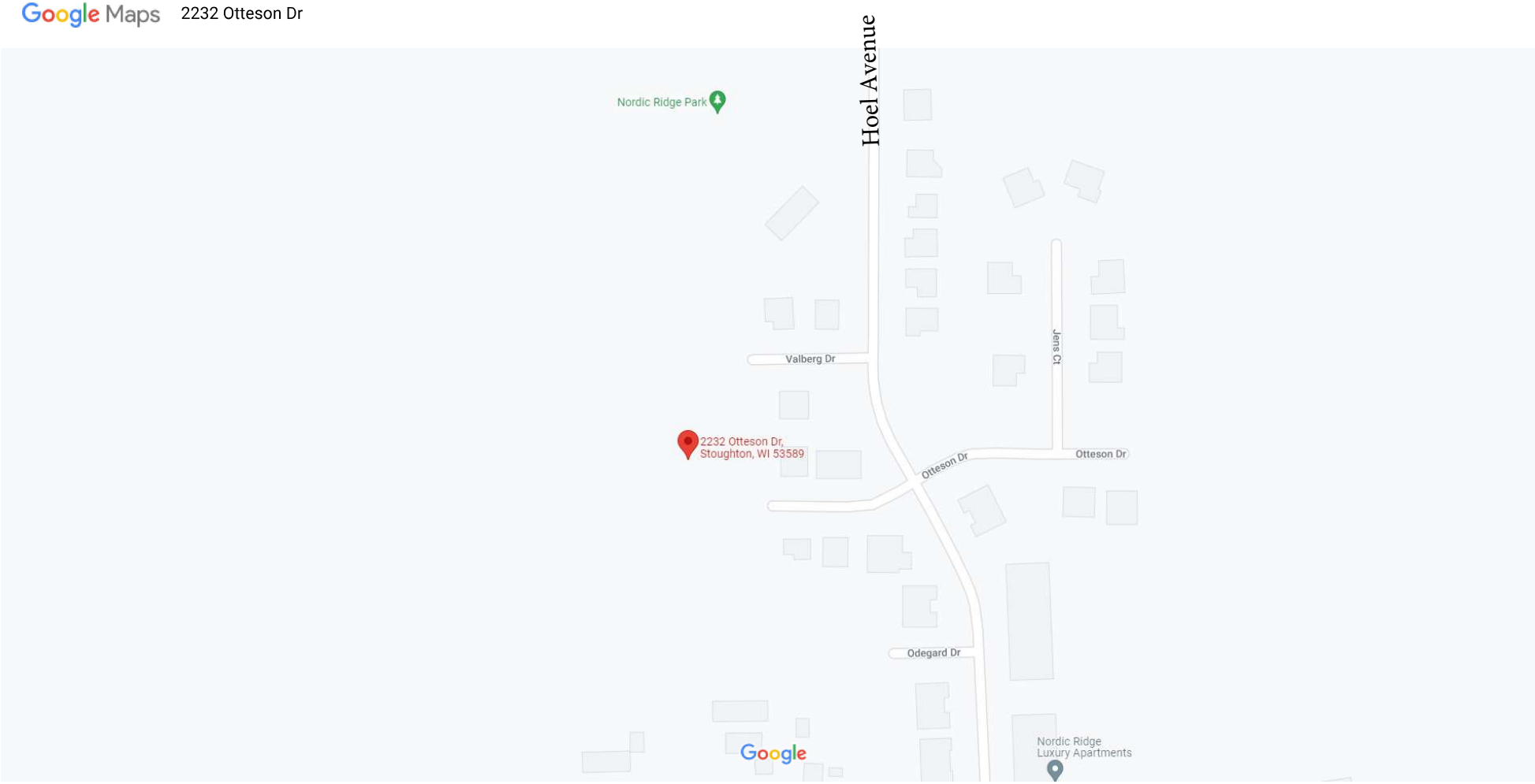
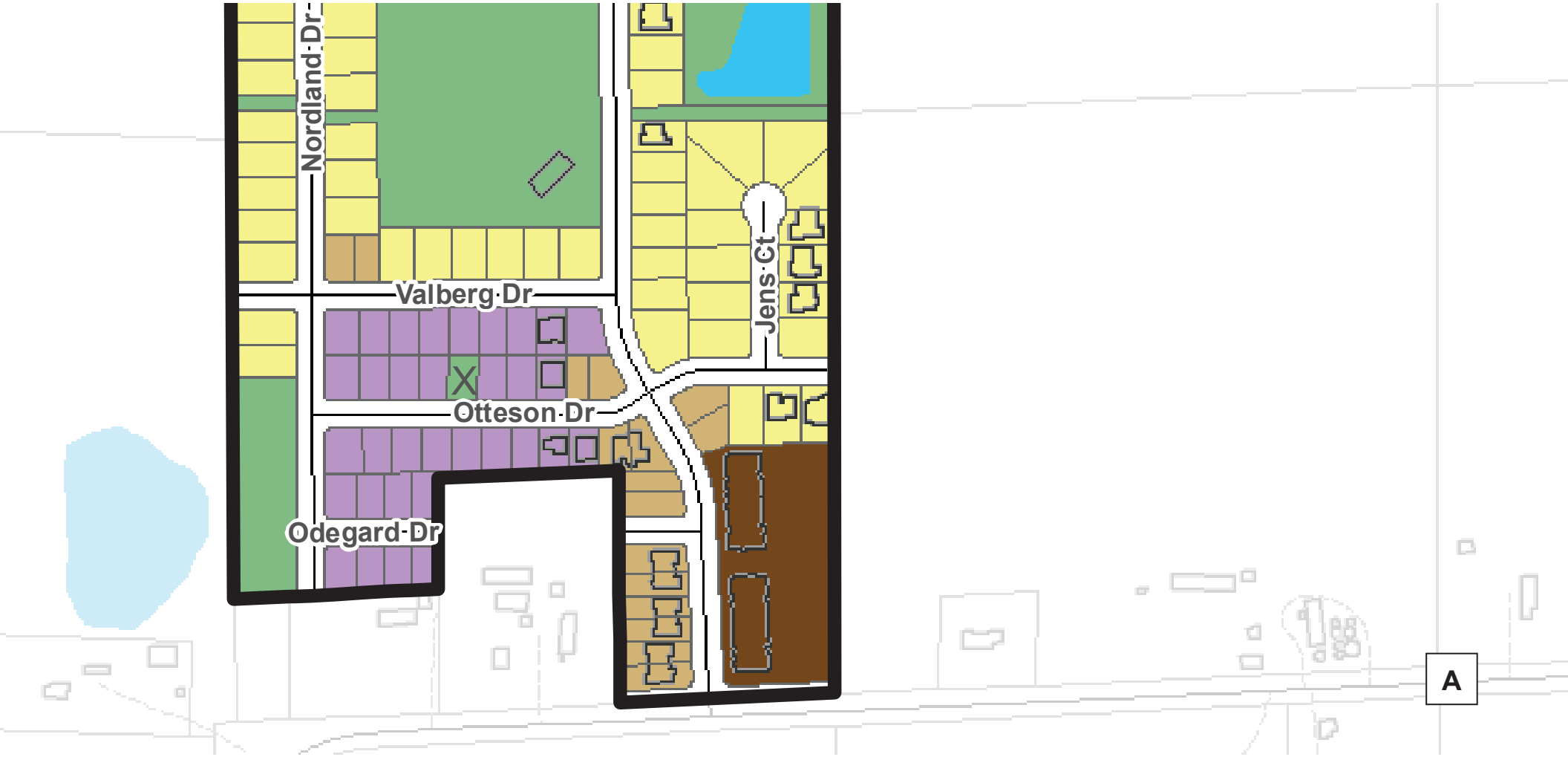
Google Maps 2232 Otteson Dr



Map data ©2022 100 ft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Valberg Dr
Jens Ct
Otteson Dr
Odegard Dr
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City of Stoughton Application for Planned Development (PD) Review and Approval (Requirements per Section 78-914)

Applicant Name: Harvest Farms LLC - Robert H. Dvorak Member

Applicant Address: 1081 Eagle Court, Edgerton, WI. 53534

Applicant Phone and Email: 608.712.2048 bob@rhdproperties.com

Property Owner Name (if different than applicant): City of Stoughton

Property Owner Phone: _____

Subject Property Address: 2232 Otteson Drive – Outlot 7, Nordic Ridge

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

I. Recordation of Administrative Procedures for City Use

Application form filed with Zoning Administrator — Date: 7.22.22

Application fee of $440 received by Zoning Administrator — Date: 8.1.22

II. Application Submittal Packet Requirements for Applicant Use

PD Process Step 1: Pre-application

Step 1 does not require the submittal of an application packet; however, Steps 2-4 do require submittal of all application materials to the Zoning Administrator prior to Plan Commission review. This step is not mandatory but optional at the discretion of the applicant or Zoning Administrator.

X **A.** Contact the Zoning Administrator to discuss the proposed planned development with City staff.

N/A **B.** Engage in an informal discussion with City staff regarding the potential PD. Appropriate topics may include: location, project themes and images, general mix of dwelling unit types and/or land uses being considered, approximate residential densities, and non-residential intensities, general treatment of natural features, general relationship to nearby properties and public streets, and relationship to the Comprehensive Plan.

PD Process Step 2: Concept Plan

The Applicant shall provide a draft application for staff and Planning Commission review as follows: N/A

- ❑ **A.** Provide Zoning Administrator with draft electronic PD Concept Plan Submittal Packet for determination of completeness prior to placing the proposed PD on the Plan Commission agenda for Concept Plan review. The submittal packet shall contain all of the following items**:**
  - ❑ **(1)** A *general written description* of proposed PD including the following:
    - ❑ General project themes and images.
    - ❑ The general mix of dwelling unit types and/or land uses.
    - ❑ Approximate residential densities and non-residential intensities as described by dwelling units per acre, floor area ratio and impervious surface area ratio.
    - ❑ The general treatment of natural features.
    - ❑ The general relationship to nearby properties and public streets.

- ❑ The general relationship of the project to the Comprehensive Plan.
- ❑ An initial draft list of zoning standards which will not be met by the proposed PD and the location(s) in which they apply and, a complete list of zoning standards which will be more than met by the proposed PD and the location(s) in which they apply. Essentially, the purpose of this listing shall be to provide the Plan Commission with information necessary to determine the relative merits of the project in regard to private benefit versus public benefit, and in regard to the mitigation of potential adverse impacts created by design flexibility.

❑ **(3)** A *written description* of potentially requested exemption(s) from the requirements of the underlying zoning district, in the following order:

1. Land Use Exemptions
2. Density and Intensity Exemptions
3. Bulk Exemptions
4. Landscaping Exceptions
5. Parking and Loading Requirements Exceptions

❑ **(4)** A *conceptual plan drawing* (at 11" x 17") of the general land use layout and the general location of major public streets and/or private drives.

PD Process Step 3: General Development Plan (GDP)

The Applicant shall submit an application for staff and Planning Commission review as follows:

X **A.** Provide Zoning Administrator with an electronic draft GDP Submittal Packet at least 4 weeks prior to the next available Plan Commission meeting for determination of completeness prior to placing the proposed PD on the Plan Commission agenda for GDP review. The submittal packet shall contain all of the following items:

X **(2)** A *map of the subject property* for which the PD is proposed:

- ❑ Clearly indicating the current zoning of the subject property and its surroundings, and the jurisdiction(s) which maintains that control.
- ❑ Map and all its parts clearly reproducible with a photocopier.
- ❑ Map size of 11" x 17" and map scale not less than one inch equals 100 feet.
- ❑ All lot dimensions of the subject property provided.
- ❑ Graphic scale and north arrow provided.

N/A **(3)** A *general written description* of proposed PD including:

- ❑ General project themes and images.
- ❑ The general mix of dwelling unit types and/or land uses.
- ❑ Approximate residential densities and non-residential intensities as described by dwelling units per acre, floor area ratio and impervious surface area ratio.
- ❑ The general treatment of natural features.
- ❑ The general relationship to nearby properties and public streets.
- ❑ The general relationship of the project to the Comprehensive Plan.
- ❑ A statement of Rationale as to why PD zoning is proposed. This shall identify barriers that the Applicant perceives in the form of requirements of standard zoning districts and opportunities for community betterment the Applicant suggests are available through the proposed PD zoning.

- ❑ A complete list of zoning standards which will not be met by the proposed PD and the location(s) in which they apply and a complete list of zoning standards which will be more than met by the proposed PD and the location(s) in which they apply shall be identified. Essentially, the purpose of this listing shall be to provide the Plan Commission with information necessary to determine the relative merits of the project in regard to private benefit versus public benefit, and in regard to the mitigation of potential adverse impacts created by design flexibility.
- ❑ A written description of potentially requested exemptions from the requirements of the underlying zoning district, in the following order:
  1. Land Use Exemptions.
  2. Density and Intensity Exemptions.
  3. Bulk Exemptions.
  4. Landscaping Exceptions.
  5. Parking and Loading Requirements Exceptions.

N/A **(4)** A *General Development Plan Drawing* at a minimum scale of 1"=100' (11" x 17" electronic copy shall also be provided) of the proposed project showing at least the following information in sufficient detail to make an evaluation against criteria for approval:

- ❑ A conceptual plan drawing (at 11" x 17") of the general land use layout and the general location of major public streets and/or private drives.
- ❑ Location of recreational and open space areas and facilities and specifically describing those that are to be reserved or dedicated for public acquisition and use.
- ❑ Statistical data on minimum lot sizes in the development, the approximate areas of large development lots and pads, density/intensity of various parts of the development, floor area ratio, impervious surface area ratio and landscape surface area ratio of various land uses, expected staging, and any other plans required by the Plan Commission or Common Council.
- ❑ Notations relating the written information provided in (3), above to specific areas on the GDP Drawing.

N/A **(5)** *General conceptual landscaping plan* for subject property, noting approximate landscape locations at building foundation, street frontage, developed lot, paved area and bufferyard (except as noted in the listing of exceptions).

N/A **(6)** A *general signage plan* for the project, including all

- ❑ Project identification signs.

N/A **(7)** *Written justification* for the proposed Planned Development.

PD Step 3: General Development Plan (GDP)

The process for review and approval of the PD shall be identical to that for zoning map amendments per Section 78-903 of the Zoning Ordinance and (if land is to be divided) to that for certified survey maps, preliminary plats and final plats of subdivisions per the Municipal Code. All portions of an approved PD/GDP not fully developed within five years of final Common Council approval shall expire, and no additional PD-based development shall be permitted. The Common Council may extend this five years period by up to five additional years via a majority vote following a public hearing.

Notified Neighboring Property Owners (within 300 feet) Date: August 15, 2022

Notified Neighboring Township Clerks (within 1,000 feet) Date:September 6, 2022

Class 2 legal notice sent to official newspaper by City Clerk Date: July 29, 2022

Class 2 legal notice published on 8/4/22 and 8/11/22

Sec. 78-914. - Planned development zoning district procedures.

(1) *Purpose.*

(a) The purpose of this Section is to provide regulations which govern the procedure and requirements for the review and approval, or denial, of proposed planned developments, and to provide for the possible relaxation of certain development standards pertaining to the most comparable standard zoning district as determined by the zoning administrator.