

## **MEETING NOTICE**

The City of Stoughton will hold a Regular meeting of the **Planning Commission** on **Monday, June 13, 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 minutes of May 9, 2011.
  3. Council Representative Report.
  4. Status of Developments/Projects. (Page 5)
  5. Request by Stoughton Area Little League to install a storage shed at Racetrack Park. (Page 8)
  6. Request by David & Linda Mayfield to Rezone 607 Kensington Square from PD – Planned Development to PD-GDP – Planned Development-General Development Plan for a deck addition. (Page 10)
    - Public Hearing
    - Recommendation to Council
  7. Request by Aaron Chupp, Chipman Design Architecture representing McDonald's USA, LLC, 1429 US Highway 51 & 138 for Conditional Use approval for an addition and other building and site improvements. (Page 27)
    - Public Hearing
    - Recommendation to Council
  8. Request by A.J. Arnett to annex approximately 301 acres from the Town of Pleasant Springs and Town of Dunkirk. (Page 44)
    - Recommendation to Council
  9. Request by Ted Cone, representing Convenience Store Investments requests approval for a walk-in cooler addition at Kwik Trip west, 517 W. Main Street. (Page 53)
  10. Proposed ordinance amendment to amend chapter 30, Floodplain Zoning of the Stoughton Municipal Code which will allow the Fourth Street Dam Rating to be assigned a Low Hazard. (Page 63)
    - Public Hearing
    - Recommendation to Council
  11. Future agenda items
  12. Adjournment
- 6/7/11mps

### **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  
Area Townships

Council members  
Peter Sveum  
Autumn Dressell – HUB  
Sean Brusegar

Steve Kittelson  
Derek Westby  
City Attorney Matt Dregne

**MAIL NOTICES:**

David & Linda Mayfield, 607 Kensington Square, Stoughton; Convenience Store Investments, Ted Cone, 1626 Oak Street, LaCrosse, WI. 54601; AJ Arnett, 2255 Tower Drive, Stoughton; Chipman Design Architecture, Aaron Chupp, 1550 N. Northwest Highway, Suite 400, Park Ridge, IL. 60068-1463; McDonalds, 1429 US Highway 51 & 138. Stoughton; McDonalds USA, LLC, 1650 W. 82<sup>nd</sup> Street Suite 900, Bloomington, MN. 55431; John Orr, N3250 COUNTY HIGHWAY J, POYNETTE, WI 53955;

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, May 9, 2011 - 6:00 p.m.**

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

**Members Present:** Eric Hohol, Vice-Chair; Carl Chenoweth; Ron Christianson; Rollie Odland; and Troy Wieser.

**Absent and Excused:** Mayor Donna Olson, Chair and Todd Krcma,

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

**Guests:** Ryan Quam; Erin Ruth; A.J. Arnett; Robert Arnett;

1. **Call to order.** Hohol called the meeting to order at 6:00 pm.
2. **Elect Vice-Chair.**  
**Chenoweth** nominated **Hohol** as Vice-Chair, 2<sup>nd</sup> by **Wieser**. There being no other nominations, a unanimous vote was cast for **Hohol** as Vice-Chair.
3. **Discuss Meeting Times and Dates.**  
Motion by **Christianson** to continue the Planning meetings the second Monday of the month at 6:00 pm, 2<sup>nd</sup> by **Chenoweth**. Motion carried 5 – 0.
4. **Consider approval of the Planning Commission minutes of April 11, 2011.**  
Motion by **Chenoweth** to approve the Planning Commission minutes of April 11, 2011, 2<sup>nd</sup> by **Christianson**. Motion carried 5 – 0.
5. **Council Representative Report.**  
Hohol stated there was a first reading for the multiple zoning code amendments with the second reading coming Tuesday night.
6. **Status of Developments/Projects.**  
Scheel gave an overview of the status of developments including an update on the Westend Development.
7. **Request to review zoning ordinance section 78-206(9)(i) related to temporary structures.**  
Scheel stated the ordinance does not allow temporary structures and the City has been receiving complaints. A brief discussion took place related to course of action, timing for removal, other options for owners of the structures, enforcement action. The consensus was to recognize the ordinance does not allow temporary structures and to pursue first with letters with a time table for removal.
8. **Request by A.J. Arnett to discuss preliminary conceptual plan and preliminary land use plan for property located north of the County Garage on County Highway N. (Settlers Point)**  
Scheel gave an introduction to the request. Erin Ruth of Graef gave an overview of the conceptual plans. A.J. Arnett explained his vision and the history of the property.

Christianson is concerned about access and transportation in and out of the site. Chenoweth echoed Christianson with the potential for a lot of truck traffic if a Highway 51 bypass goes through at Highway B and N. Scheel gave an overview of the discussions that have taken place for this development such as connection of city water and sewer services; Annexation; Neighborhood Plan; and Comprehensive Plan amendment. Ryan Quam explained how the site would address County and Local stormwater standards. Overall, the Commissioner's liked the conceptual plan.

**9. Proposed resolution approving an easement amendment between Movin' Out and the City of Stoughton for the property at 623 Eighth Street.**

Scheel explained the reasoning for the easement amendment is to more accurately accommodate the existing underground storm sewer.

Motion by **Chenoweth** to recommend Council approve the resolution for an easement amendment between Movin' Out and the City of Stoughton, 2<sup>nd</sup> by **Wieser**. Motion carried 5-0.

**10. Closed Session – Discuss future meetings and negotiations with the Town of Rutland.**

**\*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.**

Motion by **Wieser** to close the meeting pursuant to section 19.85(1)(e) to discuss future meetings and negotiations with the Town of Rutland, 2<sup>nd</sup> by **Chenoweth**. Motion carried 5 – 0.

Motion by **Chenoweth** to reopen the meeting, 2<sup>nd</sup> by **Christianson**. Motion carried 5 – 0.

**11. Future agenda items.** No discussion

**12. Adjournment.** Motion by **Chenoweth** to adjourn at 7:55 pm, 2<sup>nd</sup> by **Wieser**. Motion carried 5 – 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](http://www.cityofstoughton.com/planning)

RODNEY J. SCHEEL  
DIRECTOR

Date: June 7, 2011

To: Planning Commission Members

From: Rodney J. Scheel  
Director of Planning & Development

Michael Stacey  
Zoning Administrator/Assistant Planner

Subject: June 13, 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.
- Nordic Ridge Development – No improvements.
- Proposed Westend Neighborhood at NW corner of US Hwy 51 & State Hwy 138 – status to be provided at meeting.
- Movin' Out (Elven Sted) project – Under Construction.

**Department of Planning & Development Information/Happenings:**

Planning staff has been working primarily on the following:

- Budgeting for outcomes
- CIP updates
- Interior painting at City Hall
- Grounds maintenance
- Proposed McDonald's addition
- Proposed Kwik Trip west addition
- Proposed new building at Park Place, 160 Business Park Circle
- Continued building and zoning inspections
- Sidewalk inspections for last year's contract
- Seeking new software for permitting, inspections and code enforcement (current software company is out of business, so no maintenance available)
- Continued meetings with the Forward Development Group and the Capital Area Regional Planning Commission (CARPC) to gain an Urban Service Area Amendment for the proposed Westend Development
- Minimum maintenance inspections.

## **Meeting Summary:**

**Item #5 – Request by Stoughton Area Little League (SALL) to install a storage shed at Racetrack Park.** The proposed shed will allow SALL to store equipment at Racetrack Park. The shed meets all zoning requirements. A plan is provided in the packet. Planning Commission approval is necessary. Staff recommends approval.

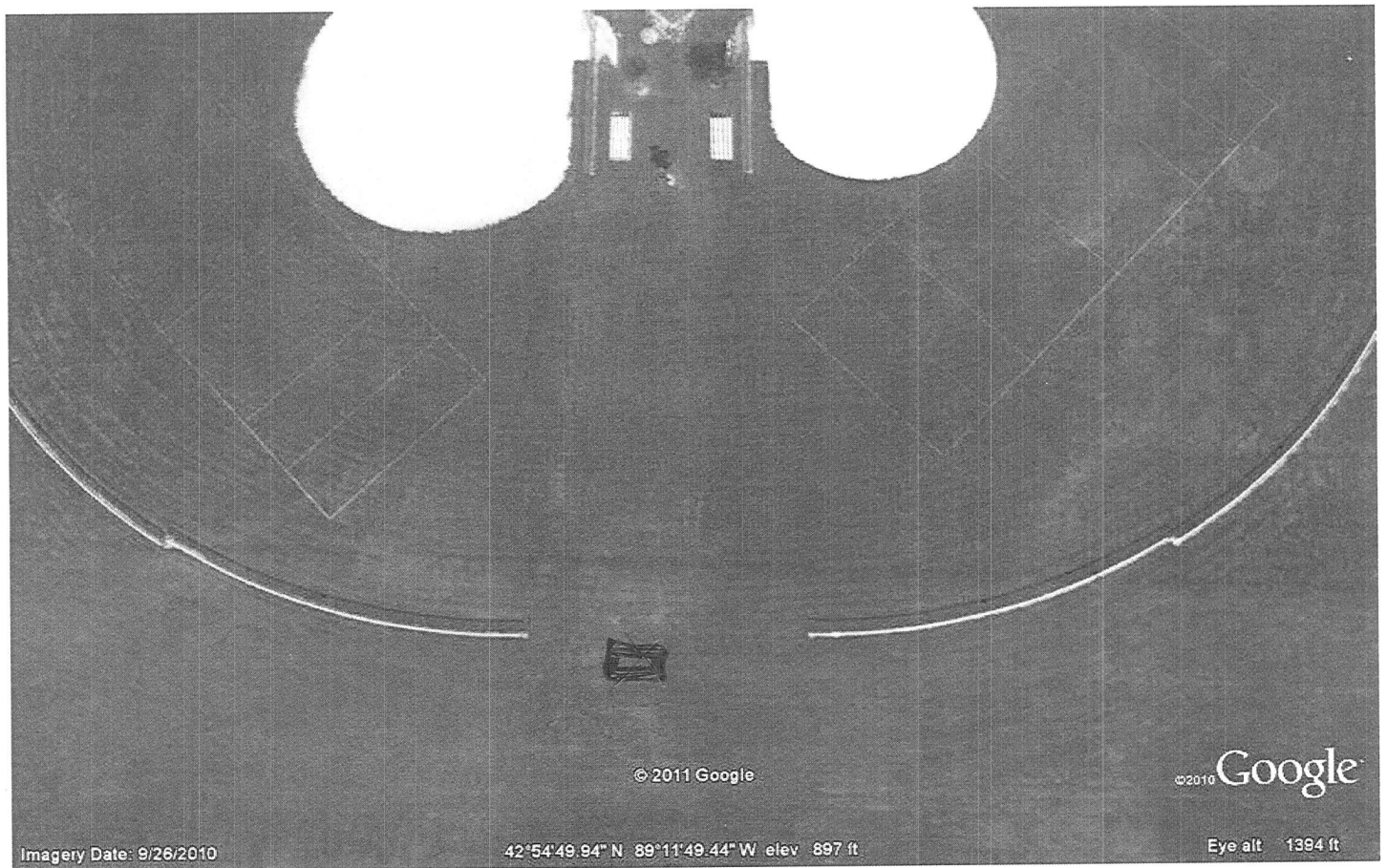
**Item #6 - Request by David & Linda Mayfield to Rezone 607 Kensington Square from PD – Planned Development to PD-GDP – Planned Development-General Development Plan for a deck addition.** The property at 607 Kensington Square is part of an existing Planned Development. The owner is proposing to amend the Planned Development to install a small deck addition. The procedure to expand a structure within a Planned Development when there is no change to the use is by rezoning the property from PD – Planned Development to PD-GDP – Planned Development – General Development Plan. The General Development Plan; supporting documents and staff review letter are provided. The Comprehensive Plan Planned Land Use Map depicts this property as Two-Family Residential. The Comprehensive Plan should be updated to reflect the existing Mixed Residential uses within Kensington Square. A public hearing is scheduled and a recommendation to Council is necessary. Staff recommends approval.

**Items #7 - Request by Aaron Chupp, Chipman Design Architecture representing McDonald's USA, LLC, 1429 US Highway 51 & 138 for Conditional Use approval for additions and other building and site improvements.** The property at 1429 US Highway 51 & 138 is zoned Planned Business. Restaurants are considered Indoor Entertainment uses and are Conditional Uses within the Planned Business District. This proposal is for a dining room addition at the front of the building; a cash booth addition along the east side of the building; an additional drive-thru lane added; façade improvements and other internal building improvements. The site and building plans and conditional use application are provided including a staff review letter. A public hearing is scheduled and a recommendation to Council is necessary. Staff recommends approval.

**Item #8 - Request by A.J. Arnett to annex approximately 301 acres from the Town of Pleasant Springs and Town of Dunkirk.** This annexation request has been provided to the Wisconsin Department of Administration (WDOA). We are expecting a letter from the WDOA any day. The annexation ordinance and related materials are provided. A recommendation to Council is necessary. Staff would like to discuss with the Commissioner's how to develop an annexation agreement. Staff recommends approval contingent on WDOA finding the annexation to be in the public interest and potentially contingent on an annexation agreement.

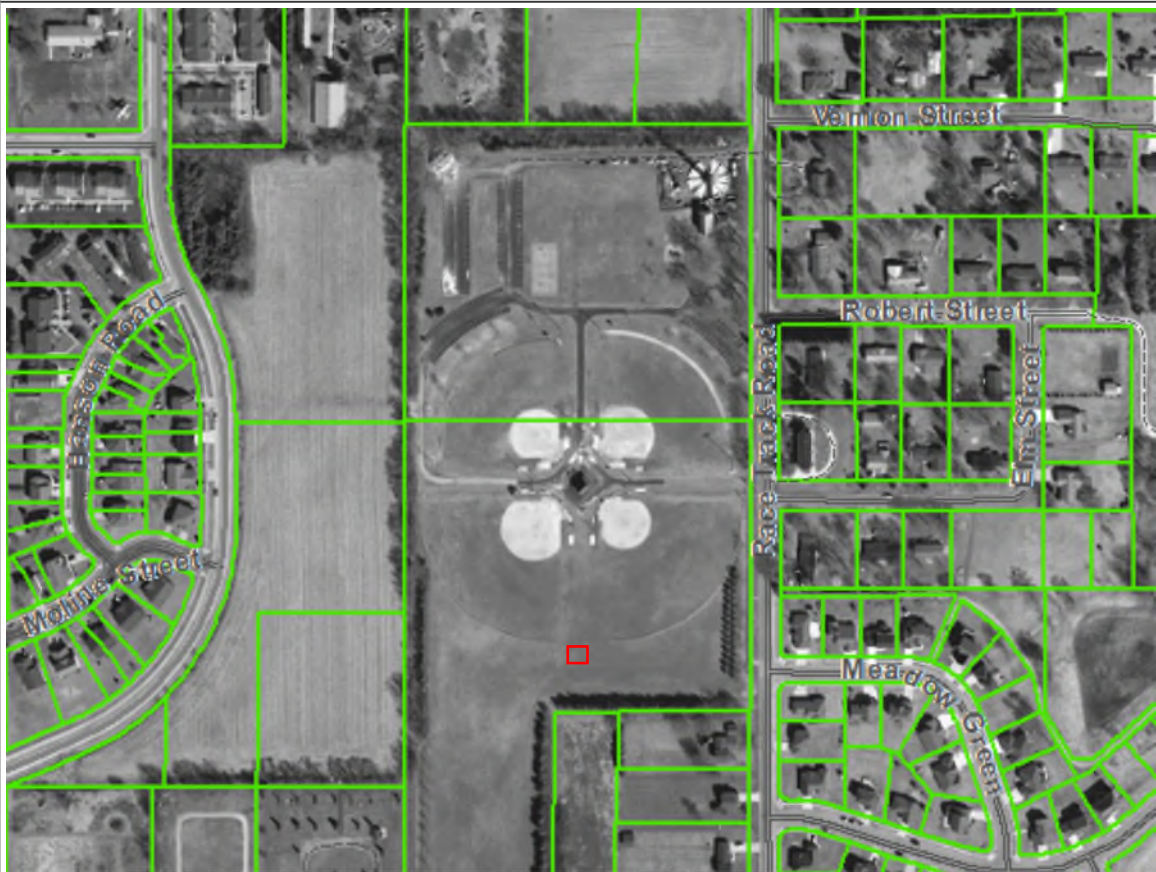
**Item #9 – Request by Ted Cone, representing Convenience Store Investments requests approval for a walk-in cooler addition at Kwik Trip west, 517 W. Main Street.** The property at 517 W. Main Street is zoned Planned Business. Convenience Stores are considered an Indoor Sales and Service land use which is a permitted use within the Planned Business District. Site and building plans and a staff review letter is provided. Planning Commission approval is necessary. Staff recommends approval.

**Item #10 - Proposed ordinance amendment to amend chapter 30, Floodplain Zoning of the Stoughton Municipal Code which will allow the Fourth Street Dam Rating to be assigned a Low Hazard.** Based on the results of a recent Dam Failure Analysis Study by Mead & Hunt for the City, the Fourth Street Dam could be assigned a hazard rating of Low Hazard. Adoption of this ordinance amendment will allow the City to request the WDNR lower the hazard rating from High Hazard to Low Hazard. This will save the City approximately \$20,000 over the next 10 years because a Dam Failure Analysis will not have to be done.



A 10' x 12' Wood Storage Shed  
will be placed at Race-track Park  
for Stoughton Area Little League usage  
In the approximate area above,  
Gravel Base will be used.

# Racetrack Park Shed for SALL



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

**ORDINANCE OF THE PLANNING COMMISSION**

Rezoning 607 Kensington from PD – Planned Development to PD-GDP – Planned Development-General Development Plan. Public hearing held on June 13, 2011.

Committee Action:

Fiscal Impact:       None

**File Number:**       O- -2011

**Date Introduced:**   June 28, 2011 – 1<sup>st</sup> Reading

**Re-Introduced:**    July 12, 2011 – 2<sup>nd</sup> Reading

The Common Council of the City of Stoughton do ordain as follows:

1. David & Linda Mayfield (the “Owner’s”) have requested that the zoning classification of the property described in #2 below (the “Property”) be changed to Planned Development – General Development Plan (“PD-GDP”), subject to certain conditions being satisfied.
2. The property known as 607 Kensington Square is more formally described as follows:  
Parcel #281/0511-063-1543-2; KENSINGTON SQUARE CONDOMINIUM UNIT 607
3. The Owner’s have submitted a General Development Plan (the “GDP Documents”), attached.
4. For purposes of this Ordinance, all GDP Documents shall collectively be the General Development Plan for the Property pursuant to Section 78-914(7) of the City of Stoughton Code of Ordinances.
5. 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.
6. On June 13, 2011, the City of Stoughton Planning Commission held a public hearing regarding the application to change the zoning classification of the Property to Planned Development-General Development Plan (PD-GDP), which was preceded by the publication of a class 2 notice under chapter 985 of the Wisconsin Statutes. The Planning Commission considered the application, and recommended that the Common Council approve the proposed PD District and General Development Plan subject to the Planning & Development staff review letter dated May 3, 2011.
7. The Common Council determines that, subject to certain conditions, changing the zoning classification of the Property to PD-GDP is consistent with the spirit and intent of the City’s Zoning Code, has the potential for producing significant community benefits in terms of

environmental and aesthetic design, promotes the public health, safety and general welfare of the City, and allows appropriate use of the Property.

NOW THEREFORE BE IT RESOLVED, that 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 4 below, the zoning classification of the Property is hereby changed to Planned Development, pursuant to section 78-914 of the City Code and Wis. Stat. § 62.23(7)(d).

*Section 3* - The Property shall be developed and used in full compliance with the General Development Plan. The General Development Plan shall constitute the zoning regulations for the Property, may be enforced as any other zoning regulation in the City of Stoughton, and shall be maintained and kept on file by the Department of Planning & Development.

*Section 4* - This ordinance shall take effect upon publication.

*Section 5* - Upon the effective date of this ordinance, the zoning classification of the Property shall be changed on the zoning map of the City of Stoughton from its present PD (Planned Development) to PD (Planned Development - GDP).

*Section 6* - All ordinances and parts of ordinances in conflict herewith shall hereby be repealed.

Dates

Council Adopted: \_\_\_\_\_

Mayor Approved: \_\_\_\_\_

Published: \_\_\_\_\_

Attest: \_\_\_\_\_

\_\_\_\_\_  
Donna Olson, Mayor

\_\_\_\_\_  
Kelly Michaels, City Clerk

# PUBLIC HEARING NOTICE

The City of Stoughton **Planning Commission** will hold a Public Hearing on **Monday, June 13, 2011, at 6:00 o'clock p.m.**, or as soon after as the matter may be heard, in the **Council Chambers, Second Floor, 321 S. Fourth Street**, Stoughton, Wisconsin, 53589, to consider the proposed **rezoning of the following parcel of land, owned by David & Linda Mayfield, from PD - Planned Development to PD-GDP Planned Development-General Development Plan** to accommodate a deck addition, in the City of Stoughton, Dane County, WI, more fully described:

607 Kensington Square, Parcel # 281/0511-063-1543-2, Kensington Square Condominium – Phase 1, Unit 607.

Kelly Michaels  
City Clerk

Published May 5, 2011 and May 12, 2011 HUB

s:/common/lja/pubhear/planningrez – GDP 607 Kensington Sq.

\*\*\*  
**PUBLIC HEARING NOTICE**

The City of Stoughton Planning Commission will hold a Public Hearing on Monday, June 13, 2011, at 6:00 o'clock p.m., or as soon after as the matter may be heard, in the Council Chambers, Second Floor, 321 S. Fourth Street, Stoughton, Wisconsin, 53589, to consider the proposed rezoning of the following par-

cel of land, owned by David & Linda Mayfield, from PD - Planned Development to PD-GDP Planned Development-General Development Plan to accommodate a deck addition, in the City of Stoughton, Dane County, WI, more fully described:

607 Kensington Square, Parcel # 281/0511-063-1543-2, Kensington Square Condominium - Phase 1, Unit 607.

Kelly Michaels  
City Clerk

Published May 5 and 12, 2011  
WNAXLP



RECEIVED

MAY 24 2011

CITY OF STOUGHTON

May 23, 2011

Mr. Michael P. Stacey  
Zoning Administrator/Assistant Planner  
Department of Planning & Development  
City of Stoughton  
381 E. Main St.  
Stoughton, WI 53589

Re: 607 Kensington Square, Parcel # 281/0511-063-1543-2  
Kensington Square Condominium, Unit 607

Dear Mr. Stacey:

In conjunction with our rezoning request, you asked that we submit a short summary of the proposed project.

As you know, we wish to extend our existing deck by an additional three (3) feet, as depicted on the site plan previously submitted. The depth of the existing deck is currently too narrow to accommodate a standard-sized table, with chairs, and still allow room for passage behind individuals seated at the table.

The construction materials and design of the proposed extension will replicate the materials and design of the existing deck. No additional footings will be needed, and the proposed extension will be cantilevered using existing supports. The proposed extension will not extend beyond the semi-circular window well, as depicted on the site plan. If approved, we intend to use Don Kuptz Construction of Sun Prairie, WI. Of course, all required permits will be applied for prior to construction.

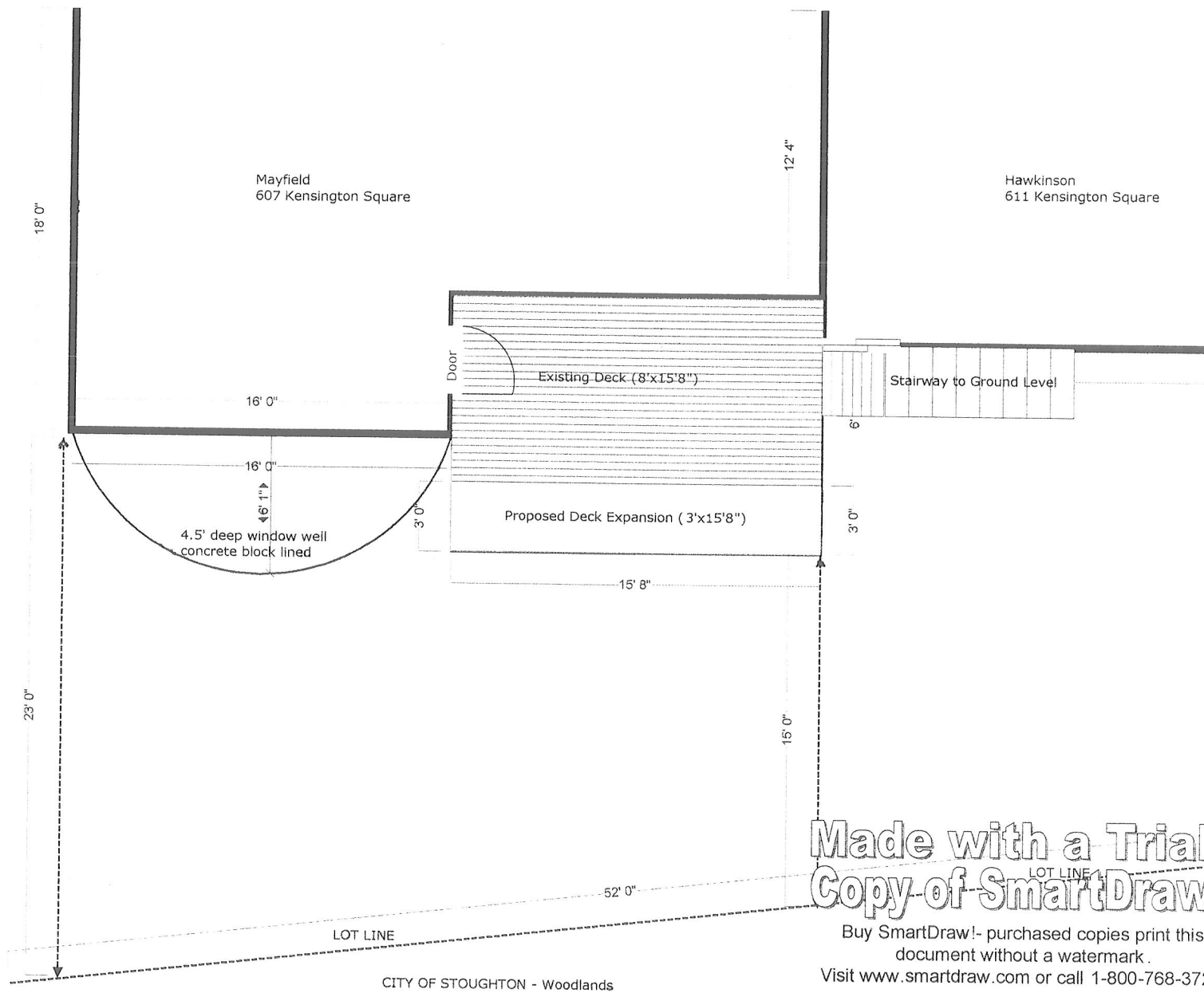
We also submitted previously a signed Kensington Square Deck Modification Agreement showing approval by the Board of the Kensington Square Condominium Association. In addition, we also provided the written approval of our only adjacent neighbor, Donna Hawkinson, who resides in Unit 611.

We look forward to attending the Planning Commission hearing on June 13, 2011, at 6:00 p.m. Thank you for your consideration.

Respectfully submitted,

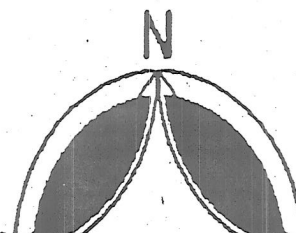
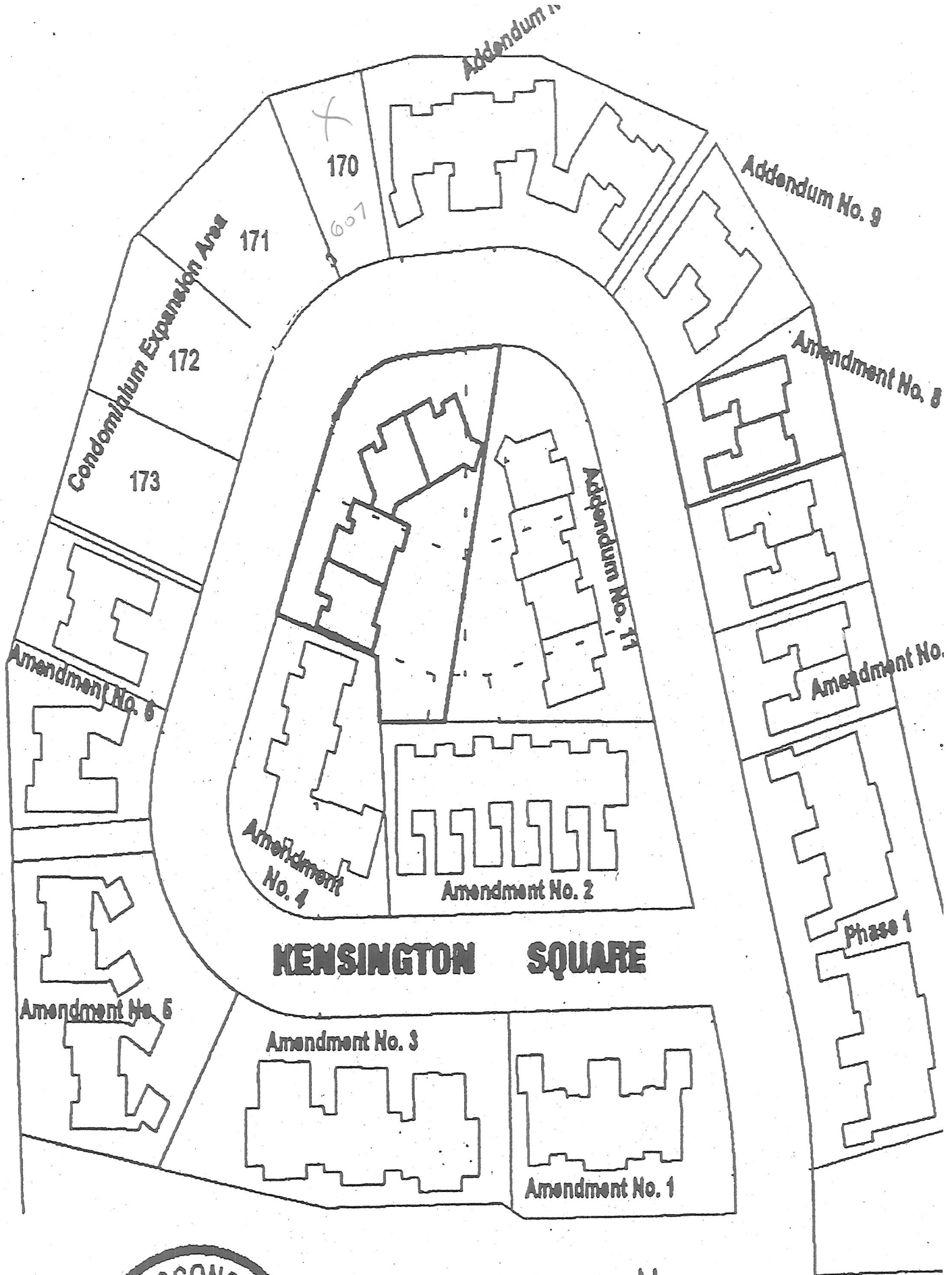
  
David Mayfield

  
Linda Mayfield



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Friday, April 29, 2011

Parcel information updated on Friday, April 29, 2011 unless otherwise noted.

**Parcel Number - 281/0511-063-1543-2**[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	06
Quarter	SW
Quarter-Quarter	NE
Plat Name	KENSINGTON SQUARE CONDOMINIUM - PHASE I
Block/Building	
Unit	607

**Zoning Information**

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

**Owner Name and Address**

Owner Status	CURRENT OWNER
Name	DAVID E MAYFIELD
Property Address	607 KENSINGTON SQ
City State Zip	STOUGHTON, WI 53589
Country	USA

[- Edit Owner Address](#)

Owner Status	CURRENT CO-OWNER
Name	LINDA L MAYFIELD
Property Address	607 KENSINGTON SQ
City State Zip	STOUGHTON, WI 53589
Country	USA

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

Primary Address 607 KENSINGTON SQ

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

Attention	
Street	607 KENSINGTON SQ
City State Zip	STOUGHTON, WI 53589

**Assessment Information**

Assessment Year	2011	2010
Valuation Classification	G1	G1
Assessment Acres	0.13	0.13
Land Value	\$15,000.00	\$15,000.00
Improved Value	\$168,800.00	\$175,300.00
Total Value	\$183,800.00	\$190,300.00
Valuation Date	04/05/2011	03/24/2010

[About Annual Assessments](#)**Tax Information****2010 Tax Values**

Category	Assessed Value	Average Assessment Ratio	Estimated Fair Market Value
Land	\$15,000.00 /	0.972	\$15,433.00
Improvement	\$175,300.00 /	0.972	\$180,350.00
Total	\$190,300.00 /	0.972	\$195,782.00

2010 Taxes:	\$3,869.12
2010 Lottery Credit(-):	\$82.88
2010 First Dollar Credit(-):	\$65.73
2010 Specials(+):	\$153.00
2010 Amount:	\$3,873.51

[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  
KENSINGTON SQUARE CONDOMINIUM UNIT 607**Recorded Documents**

Doc. Type	Date Recorded	Doc. Number	Volume	Page
CD	07/07/2003	3752044		

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

- For questions on property and assessment information, contact [Real Property Listing](#)



CITY OF STOUGHTON  
DEPARTMENT OF PLANNING & DEVELOPMENT  
381 East Main Street, Stoughton, WI. 53589  
[www.cityofstoughton.com/planning](http://www.cityofstoughton.com/planning)

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

May 4, 2011

David & Linda Mayfield  
607 Kensington Square  
Stoughton, WI. 53589

Dear Mr. & Mrs. Mayfield:

I have completed a review of the proposed rezoning request (General Development Plan) for a deck addition at 607 Kensington Square, Stoughton. Site plan submitted 4/29/11. The following items are identified for your review.

1. The property at 607 Kensington Square is currently zoned PD -Planned Development. **This request is for a deck addition which is an expansion of an approved building envelope for the Kensington Square Condominiums. The proposed expansion requires rezoning of the property to PD-GDP (Planned Development-General Development Plan). Since there is no change proposed for the use of the property, the General Development Plan (GDP) is all that is required. A public hearing is scheduled for the Planning Commission meeting on June 13, 2011 of which you will receive notice. A Planning Commission recommendation is sent on to the City Council for final review/approval (expected approval date: 7/12/11).**
2. The Comprehensive Plan, Planned Land Use Map depicts the Kensington Condominium development as Two Family Residential. **The Comprehensive Plan should be amended in the future to reflect the current Mixed Residential use.**
3. The Planned Development District is intended to provide incentives for redevelopment in areas of the community which are experiencing a lack of reinvestment, or which require flexible zoning treatment because of factors which are specific to the site. This district is designed to forward both aesthetic and economic objectives of the City by controlling the site design and the land use, appearance, density or intensity of development within the district in a manner which is consistent with the sound land use, urban design, and economic revitalization principles. The application of these standards will ensure long-term progress and broad participation toward these principles. Section 78-914 provides regulations which govern the procedure and requirements for review and approval/denial, of the proposed Planned Development, and to provide for the possible relaxation of certain development standards pertaining to the underlying standard zoning district. **The standard zoning district for this type of 4-unit structure is MR-10 - Multi-Family Residential. Since this is an existing structure, only the proposed addition portion of the structure will be reviewed using the MR-10 district requirements. These requirements are only used as a guide since the Planned Development district allows special considerations to modify any and all requirements.**

4. The MR-10 district requires a rear lot line setback to a house of 40 feet. **The GDP proposes a rear setback to the relatively small (47 sq. ft.) deck addition of 15 feet. The side and front setbacks are not an issue.**
5. If approved, all appropriate City of Stoughton building permits and State of Wisconsin approved plans 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     Planning Commissioners

## City of Stoughton Procedural Checklist for Planned Development Review and Approval (Requirements per Section 78-914)

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. Parts II, III, V, and VII are to be used by the Applicant to submit a complete application; Parts I and VIII are to be used by the City as a guide when processing said application.

Name of Applicant: DAVID & LINDA MAYFIELD, 607 KENSINGTON SQ.  
Project Description: DECK ADDITION - GDP 873-1081

### I. Recordation of Administrative Procedures for City Use

Presubmittal staff meeting scheduled

Date of Meeting: 4/29/11 Time of Meeting: 11:00 AM Date:      By: MPS

Follow-up pre-submittal staff meetings scheduled if necessary

Date of Meeting:      Time of Meeting:      Date:      By:     

Application form filed with Zoning Administrator

Date: 4/29/11 By: MPS

Application fee of \$ 370 received by Zoning Administrator

Date: 4/29 By: MPS

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

### II. Application Submittal Packed Requirements for Applicants Use

#### PD Process Step 1: Pre-application

Step 1 does not require the submittal of an application packet; however, Steps 2-4 does require submittal of all draft and the final application to the Zoning Administrator prior to Plan Commission review.

- ☒ A. Contact the Zoning Administrator to place an informal discussion item for the PD on the Plan Commission agenda. No details beyond the name of the Applicant and the identification of the discussion item as a PD is required to be given in the agenda.
- ☒ B. Engage in an informal discussion with the Plan Commission 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.

**NOTE:** Points of discussion and conclusions reached in this stage of the process shall in no way be binding upon the Applicant or the City, but should be considered as the informal, non-binding basis for proceeding to the next step.

### III. Application Submittal Packet Requirements for Applicants Use

#### PD Process Step 2: Concept Plan

N/A

GO TO STEP 3 - GDP

Prior to submitting the final 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 based upon staff review and comments.

*Initial Application*

Date: \_\_\_\_\_ By: \_\_\_\_\_

↓

*Final Application*

Date: \_\_\_\_\_ By: \_\_\_\_\_

↓

↓

☐

☐

A. Provide Zoning Administrator with draft 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 *location map* of the subject property and its vicinity at 11" x 17", as depicted on a copy of the City of Stoughton Planned Land Use Map.
- ☐ (2) 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 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 *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. The Applicant may submit copies of a larger version of the plan in addition to the 11" x 17" reduction.

#### IV. Final Application Packet Information for City Use

##### PD Process Step 2: Concept Plan

N/A

Receipt of one full scale copy in blue/line or black/line  
of complete final application packet by Zoning Administrator

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: \_\_\_\_\_ By: \_\_\_\_\_

Certification of complete Final Application Packet and  
required copies to the Zoning Administrator

Date: \_\_\_\_\_ By: \_\_\_\_\_

#### V. Application Submittal Packet Requirements for City Use

##### PD Process Step 3: General Development Plan (GDP)

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

Initial Application

Date: 4/29/11 By: MS

↓ Final Application

Date: 5/1/11 By: MS

↓ ↓

- ☐ ☒ A. Provide Zoning Administrator with a draft GDP Submittal Packet 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:

☒ (1) A *location map* of the subject property and its vicinity at 11" x 17", as depicted on a copy of the City of Stoughton Planned Land Use Map.

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

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

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

☒ Clearly indicating the current zoning of the subject property and its environs, and the jurisdiction(s) which maintains that control.

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

STAFF

- ☒ 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.
- ☒ (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 exemption 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 *General Development Plan Drawing* at a minimum scale of 1"=100' (11" x 17" reduction shall also be provided by Applicant) 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. The Applicant may submit copies of a larger version of the plan in addition to the 11" x 17" reduction.

- ☒ 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. N/A
- ☒ Notations relating the written information provided in (3), above to specific areas on the GDP Drawing.
- ☒ (5) *General conceptual landscaping plan* for subject property, noting approximate locations of foundation, street, yard and paving, landscaping, and the compliance of development with all landscaping requirements of this Ordinance (except as noted in the listing of exceptions) and the use of extra landscaping and bufferyards.
- ☒ (6) *A general signage plan* for the project, including all
  - ☒ Project identification signs.
  - ☒ Concepts for public fixtures and signs (street light fixtures and/or poles or street sign faces and/or poles) which are proposed to vary from City standards or common practices. N/A
- ☒ (7) *Written justification* for the proposed Planned Development. (See Section 78-905 for requirements of the conditional use procedure.)

## VI. Final Application Packet Information for Applicant Use

### PD Step 3: General Development Plan (GDP)

The process for review and approval of the PD shall be identical to that for conditional use permits per Section 78-905 of the Zoning Ordinance and (if land is to be divided) to that for preliminary and final plats of subdivision 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.

Receipt of one full scale copy in blueline or blackline of complete final application packet by Zoning Administrator

Date: 4/29/16 By: MS

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

Date: 4/29/16 By: MS

Certification of complete Final Application Packet and required copies to the Zoning Administrator

Date: 4/29/16 By: MS

Notified Neighboring Property Owners (within 300 feet)

Date: 5/12/16 By: MS

Notified Neighboring Township Clerks (within 1,000 feet) Date: \_\_\_\_\_ By: \_\_\_\_\_

Class 2 legal notice sent to official newspaper by City Clerk Date: 4/29/16 By: MP S

Class 2 legal notice published on 5/5/16 and 5/12/16 Date: \_\_\_\_\_ By: MP S

## VII. Application Submittal Requirements for Applicant Use

### PD Step 4: Specific Implementation Plan (SIP)

N/A

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

*Initial Application*

Date: \_\_\_\_\_ By: \_\_\_\_\_

↓ *Final Application*

Date: \_\_\_\_\_ By: \_\_\_\_\_

↓ ↓

- ☐ **A.** After the effective date of the rezoning to PD/GDP, the Applicant may file an application for the proposed SIP with the Plan Commission. This submittal packet shall contain the following items, prior to its acceptance by the Zoning Administrator and placing the item on the Plan Commission agenda for SIP review.
- ☐ (1) A *location map* of the subject property and its vicinity at 11" x 17", as depicted on a copy of the City of Stoughton Planned Land Use Map.
  - ☐ (2) A *map of the subject property* for which the PD is proposed:
    - ☐ Showing all lands within 300 feet of the boundaries of the subject property.
    - ☐ Referenced to a list of the names and addresses of the owners of all lands on said map as the same appear on the current records of the Register of Deeds of Dane County (as provided by the City of Stoughton);
    - ☐ Clearly indicating the current zoning of the subject property and its environs, and the jurisdiction(s) which maintains that control.
    - ☐ Map and all its parts clearly reproducible with a photocopier.
    - ☐ Map size of 11" by 17" and map scale not less than one inch equals 800 feet.
    - ☐ All lot dimensions of the subject property provided.
    - ☐ Graphic scale and north arrow provided.
  - ☐ (3) A *general written description* of proposed SIP, including:
    - ☐ Specific project themes and images.
    - ☐ The specific mix of dwelling unit types and/or land uses.
    - ☐ Specific residential densities and non-residential intensities as described by dwelling units per acre, floor area ratio and impervious surface area ratio.
    - ☐ The specific treatment of natural features.

N/A



**ANCHOR PROPERTY MANAGEMENT LLC**  
6525 Grand Teton Plaza Madison, Wisconsin 53719 (608) 826-1000 Fax: (608) 826-1012

## Enclosed Porch / Deck Modification Agreement

The Board of Directors of Kensington Square Condominiums Inc., in accordance with the Bylaws and Rules and Regulations, which are located in the Kensington Square Condominiums condominium disclosure materials, hereby approves David & Linda Mayfield [Unit Owner(s)] of 607 Kensington Square, Stoughton, WI [Unit Address] to install an enclosed porch and / or modify the exterior deck.

The Unit Owner(s) agree to install the enclosed porch or deck enlargement in accordance with all rules and conditions set forth by Kensington Square Condominiums Inc. The enclosed porch or deck enlargement will be installed in a safe and proper manner. The Unit Owner(s) is responsible for any additional exterior maintenance of the building resulting from the installation of the enclosed porch or deck enlargement, and for any maintenance that would be required to restore the building to its original condition if the enclosed porch or deck needs to be removed. The Unit Owner(s) will continue to comply with the Declaration and Rules and Regulations of the Kensington Square Condominiums including rules on structural integrity, unsightliness, obstructions, nuisances, and entry by the Association. The Unit Owner is responsible for the cost to install the enclosed porch or deck enlargement and repair and maintenance of the immediate area attached to the enclosed porch or deck. The Unit Owner indemnifies the Kensington Square Condominiums, its Board of Directors, its Agent/Manager, and its contractors from any and all damage caused to and by the enclosed porch or deck enlargement and its installation. This agreement shall run with the Unit, shall be binding on and inure to the benefit of all parties having any right, title or interest in the Unit or any part thereof, their heirs, legal representatives, successors, and assigns and shall inure to the benefit of each owner thereof.

The Unit owner(s) will make the changes as specified on the plans and specifications submitted to the Board and assume all responsibility for meeting all code and permit requirements including boundary set back requirements of local and state jurisdictions.

Date: April 14, 2011


David E Mayfield  
Unit Owner

Linda B Mayfield  
Unit Owner

[Signature] President  
Manager / Board Member *Kens. Sq. Board*

Re: David and Linda Mayfield  
607 Kensington Square  
Stoughton, WI 53589

I approve the attached plan of my next-door neighbors, David and Linda Mayfield, to extend their deck by as much as three feet.

  
\_\_\_\_\_  
Donna Hawkinson  
611 Kensington Square  
Stoughton, WI 53589

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

**RESOLUTION OF THE PLAN COMMISSION**

Approving a Conditional Use Permit to allow a building addition and other site improvements for McDonalds at 1429 US Highway 51 & 138, Stoughton, Wisconsin.

Committee Action:

Fiscal Impact:           None.

**File Number:**       R- -2011

**Date Introduced:**   June 28, 2011

**WHEREAS**, on June 13, 2011 the City of Stoughton Planning Commission reviewed the Conditional Use request by Chipman Design Architecture, Inc., Agent for McDonalds, 1429 US Highway 51 & 138, Stoughton, Wisconsin; and

**WHEREAS**, the Conditional Use request was reviewed by the City Director of Planning & Development and Zoning Administrator and found to be in compliance with the City zoning ordinance and land division ordinance; and

**WHEREAS**, the City Zoning Administrator has confirmed the Conditional Use 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 Conditional Use Permit request by Chipman Design Architecture, Inc., Agent for McDonalds, 1429 US Highway 51 & 138, Stoughton, Wisconsin, is hereby approved with the following conditions:

1.

**Council Action:**       ☐ **Adopted**       ☐ **Failed**       **Vote** \_\_\_\_\_

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

\_\_\_\_\_  
Donna Olson, Mayor

\_\_\_\_\_  
Date

**Council Action:**   \_\_\_\_\_   ☐ **Override**       **Vote** \_\_\_\_\_

## PUBLIC HEARING NOTICE

The City of Stoughton Planning Commission will hold a Public Hearing on Monday, June 13, 2011 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 to expand the building at McDonalds, 1429 US Highway 51 & 138, Stoughton, Wisconsin by Chipman Design Architecture, Inc. The owner is requesting approval to construct a dining area addition at the front of the building; exterior façade renovation; add an additional drive thru; and upgrade other elements within the building. The property at 1429 US Highway 51 & 138, Stoughton, Wisconsin is more fully described as follows:

Parcel Number: 281/0511-071-8560-9

SEC 7-5-11 PRT NW1/4NE1/4 COM SEC N1/4 COR TH S89DEG2MINE 75 1.88 FT TO POB TH S3DEG31MIN37SECW 254.03 FT TH N89DEG2MINW 203.59 FT TH N3DEG31MIN37SECE 254.03 FT TO SEC N LN TH S89DE G2MINE 203.59 FT TO POB SUBJ TO USH 51 ACR NLY 33 FT THF.

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

Michael P Stacey  
Zoning Administrator

Published May 26, 2011 Hub

Published June 2, 2011 Hub



## Public Access System

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

Friday, May 20, 2011

Parcel information updated on Friday, May 20, 2011 unless otherwise noted.

**Parcel Number - 281/0511-071-8560-9**[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 07  
 Quarter NE  
 Quarter-Quarter NW  
 Plat Name METES AND BOUNDS  
 Block/Building

**Assessment Information**

<b>Assessment Year</b>	<b>2011</b>	<b>2010</b>
<b>Valuation Classification</b>	<u>G2</u>	<u>G2</u>
<b>Assessment Acres</b>	1.19	1.19
<b>Land Value</b>	\$269,400.00	\$269,400.00
<b>Improved Value</b>	\$581,000.00	\$581,000.00
<b>Total Value</b>	\$850,400.00	\$850,400.00
<b>Valuation Date</b>	04/05/2011	03/24/2010

[About Annual Assessments](#)**Tax Information****2010 Tax Values**

Category	Assessed Value	Average Assessment Ratio	Estimated Fair Market Value
Land	\$269,400.00 /	0.972	\$277,161.00
Improvement	\$581,000.00 /	0.972	\$597,737.00
Total	\$850,400.00 /	0.972	\$874,898.00

**Zoning Information**

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

**Owner Name and Address**

Owner Status CURRENT OWNER  
 Name MCDONALD'S CORP 048/0154  
 Property Address 2670 SYLVER RIDGE LN  
 City State Zip SUN PRAIRIE, WI 53590  
 Country USA

[- Edit Owner Address](#)

**2010 Taxes: \$17,290.10**  
**2010 Lottery Credit(-): \$0.00**  
**2010 First Dollar Credit(-): \$65.73**  
**2010 Specials(+): \$0.00**  
**2010 Amount: \$17,224.37**

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

Primary Address 1429 US HIGHWAY 51

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

Attention % JOHN ORR  
 Street N3250 COUNTY HIGHWAY J  
 City State Zip POYNETTE, WI 53955  
 Country USA

[- Edit Billing Address](#)**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 7-5-11 PRT NW1/4NE1/4 COM SEC N1/4 COR TH S89DEG2MINE  
 75 1.88 FT TO POB TH S3DEG31MIN37SECV 254.03 FT TH  
 N89DEG2MINW 203.59 FT TH N3DEG31MIN37SECE 254.03 FT TO  
 SEC N LN TH S89DE G2MINE 203.59 FT TO POB SUBJ TO USH 51  
 ACR NLY 33 FT THF







**Recorded Documents**

Doc.Type	Date Recorded	Doc. Number	Volume	Page
WD			6637	12

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



## Zoning Map

-  City of Stoughton Boundary
-  Town Boundary
-  Parcel Lines
-  Surface Water
-  Right of Way
-  Railroad

### Base Zoning Districts

-  ER-1 - Exurban Residential
-  SR-3 - Single-Family Residential
-  SR-4 - Single-Family Residential
-  SR-5 - Single-Family Residential
-  SR-6 - Single-Family Residential
-  TR-6 - Two-Family Residential
-  MR-10 - Multi-Family Residential
-  MR-24 - Multi-Family Residential
-  NO - Neighborhood Office
-  PO - Planned Office
-  NB - Neighborhood Business
-  PB - Planned Business
-  CB - Central Business
-  PD - Planned Development
-  PI - Planned Industrial
-  GI - General Industrial
-  HI - Heavy Industrial
-  I - Institutional
-  I - Institutional (Park)
-  RH - Rural Holding

PROPERTY LOCATION  
1429 HWY 51 W

MCDONALDS  
1429 HWY 51 W, STOUGHTON, WI

2011.19.05 CONDITIONAL USE REVIEW AND APPROVAL

Adopted: December 22, 2009  
Source: Dane County LIO

0 500 1,000 2,000  
Feet

 **VANDEWALLE & ASSOCIATES INC.**  
Shaping places. shaping change



LEGEND

- 1. 1/2" STAKE FOUND
- 2. 1/2" STAKE PLACED 7/8" x 2 1/2", 2.04" x 2.04"
- 3. PROPERTY LINE
- 4. SANITARY SEWER
- 5. WATER MAIN
- 6. GAS MAIN
- 7. TELEPHONE UNDERGROUND
- 8. ELECTRIC OVERHEAD
- 9. EXISTING BUILDING
- 10. BITUMINOUS PAVEMENT
- 11. CONCRETE
- 12. GRAVEL
- 13. GRAVEL
- 14. P.K. NAIL
- 15. RAILROAD SPIKE
- 16. LIGHT POLE
- 17. DRAINAGE APPROX.
- 18. GAS VALVE

NOTES

1) ELEVATIONS ARE CITY OF STOUGHTON DATUM

2) BENCH MARK IS TOP OF HYDRANT LOCATED ON HAMILTON STREET AT LINCOLN AVE. ELEVATION: 899.66

3) SANITARY SEWER INFORMATION OBTAINED FROM THE CITY OF STOUGHTON ENGINEERING DEPARTMENT

4) WATER INFORMATION OBTAINED FROM THE CITY OF STOUGHTON WATER UTILITY

5) GAS & ELECTRIC INFORMATION OBTAINED FROM WISCONSIN POWER AND LIGHT COMPANY

6) STREET ADDRESS - 1429 HIGHWAY 51 WEST

7) TAX PARCEL NUMBERS - 58-01-1919.13.1  
58-01-1919.13.2

DESCRIPTION

A parcel of land being part of the NW 1/4 of the NE 1/4 of Section 7, T5N, R11E, (Town of Dunkirk) City of Stoughton, Dane County, Wisconsin, To-wit:

Commencing at a R.R. spike marking the N 1/4 corner of said Section 7; thence S89°02'00"E, 751.88 feet to a point which is N89°02'00"W, 570.92 feet from a P.K. nail marking the NE corner of the NW 1/4 of the NE 1/4 of said Section 7, said point being the point of beginning; thence S03°31'37"W, 234.03 feet; thence N89°02'00"W, 203.59 feet; thence N03°31'37"E, 234.03 feet to the North line of said NW 1/4 of the NE 1/4; thence along said North line S89°02'00"E, 203.59 feet to the point of beginning.

Subject to an easement for U.S.H. 51 across the northerly 33.00 feet thereof.

This parcel contains 1.186 acres.

Previously described as follows:

Part of the Northwest 1/4 of the Northeast 1/4, Section 7, Township 5 North, Range 11 East (Township of Dunkirk) described as follows:

Beginning at a point on the North line of said Northwest 1/4 of the Northeast 1/4, North 89°02' West 371.7 feet from the Northeast corner thereof; thence North 89°02' West along the North line of said Section 204.0 feet; thence South 3923' West parallel to the West line of Buckman's Addition to Pleasant Hill 234.0 feet to an iron stake; thence South 89°02' East 204.0 feet to an iron stake; thence North 3923' East, 234 feet to the point of beginning. Containing 1.19 acres.

EXISTING LOT AREA :

+/- 44,993.39 SQ.FT.

EXISTING FLOOR AREA :

+/- 3,610.00 SQ.FT.

NEW FLOOR AREA:

+/- 700.00 SQ.FT.

TOTAL BUILDING:

+/- 4,310.00 SQ.FT.

PARKING INFORMATION:

HANDICAP PARKING

56 Stalls

STANDARD PARKING

59 Stalls

TOTAL PARKING

115 Stalls

LOCATION MAP

0 15' 30' 60'

SCALE: 1" = 30'-0"

1

PROPOSED SITEPLAN

1" = 30'-0"

CITY OF STOUGHTON  
CONDITIONAL USE REVIEW  
AND APPROVAL  
SITE PLAN REVIEW  
AND APPROVAL

McDonalds

1429 HWY 51 W, STOUGHTON, WI

McDONALDS USA, LLC

1650 W. 82ND ST. SUITE 900

BLOOMINGTON, MN 55431

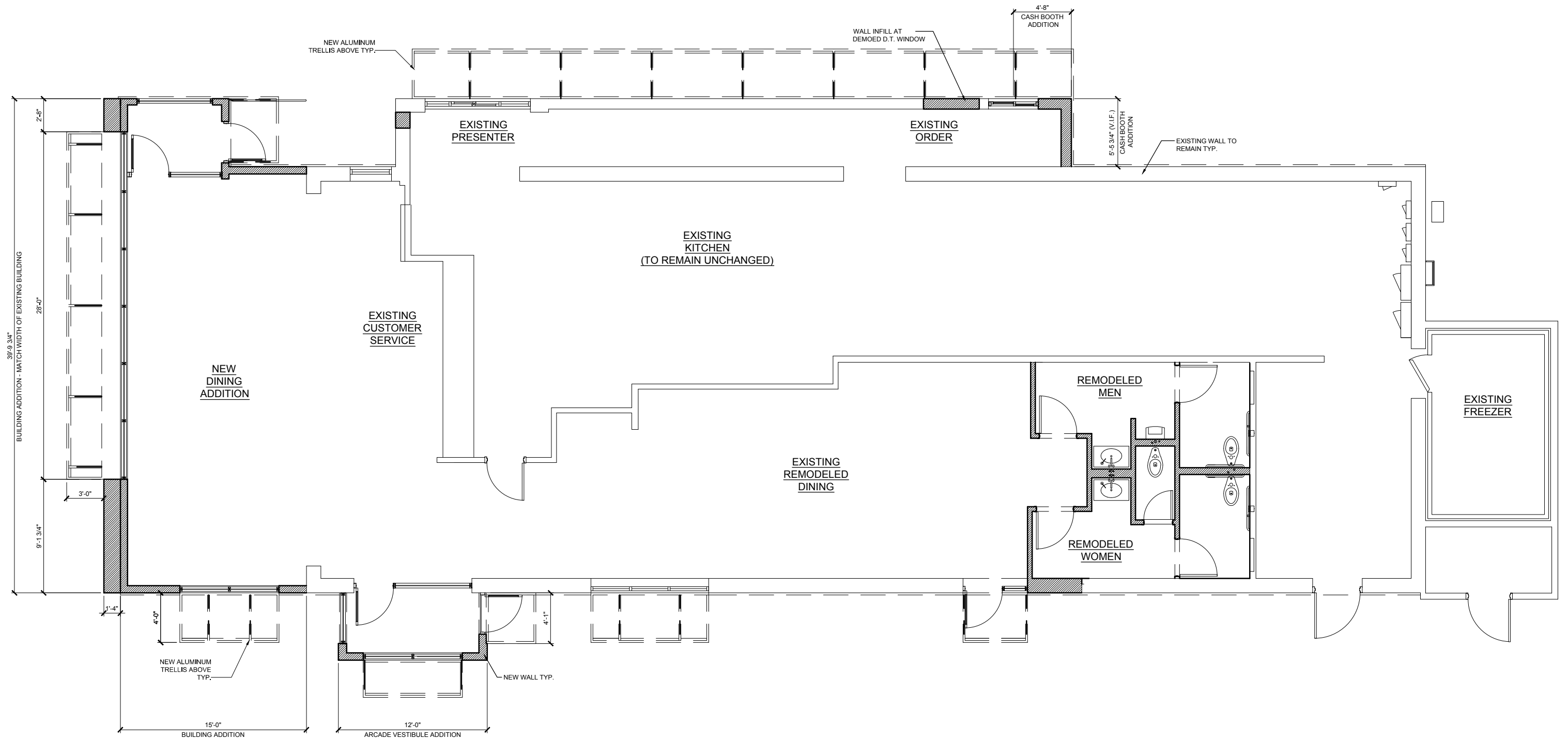
TEL. (952 ) 885-4770 SITE ID. 048-0154

ChipmanDesign  
Architecture Inc.  
1550 N. Northwest Highway, Suite 400  
Park Ridge, Illinois 60068-1463  
T 847.298.6900 F 847.298.6966

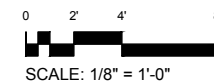
PROPOSED  
SITE PLAN

06-03-11 11-3762

SP-1




1 PROPOSED FLOOR PLAN OF ADDITION AND REMODEL  
1/8" = 1'-0"



CITY OF STOUGHTON SITE PLAN REVIEW AND APPROVAL

**McDonalds**  
1429 HWY 51 W, STOUGHTON, WI

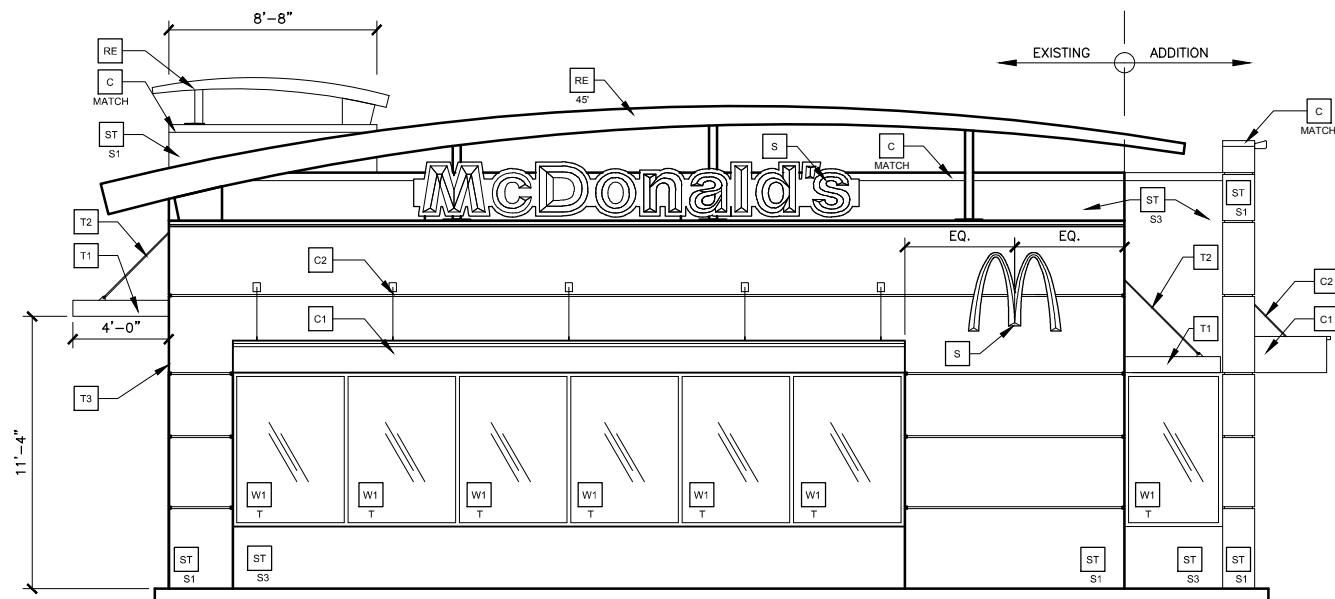
 **McDONALDS USA, LLC**  
1650 W. 82ND ST. SUITE 900  
BLOOMINGTON, MN 55431  
TEL. (952 ) 885-4770 SITE ID. 048-0154

 **ChipmanDesign**  
Architecture Inc.  
1550 N. Northwest Highway, Suite 400  
Park Ridge, Illinois 60068-1463  
T 847.298.6900 F 847.298.6966

**PROPOSED  
FLOOR PLAN**

06-03-11 11-3762

**FP-1**



2 PROPOSED REMODELED FRONT ELEVATION (NORTH)  
1/8" = 1'-0"

T.O. ROOF CAP ELEMENT  
ELEV. + 20'-1"

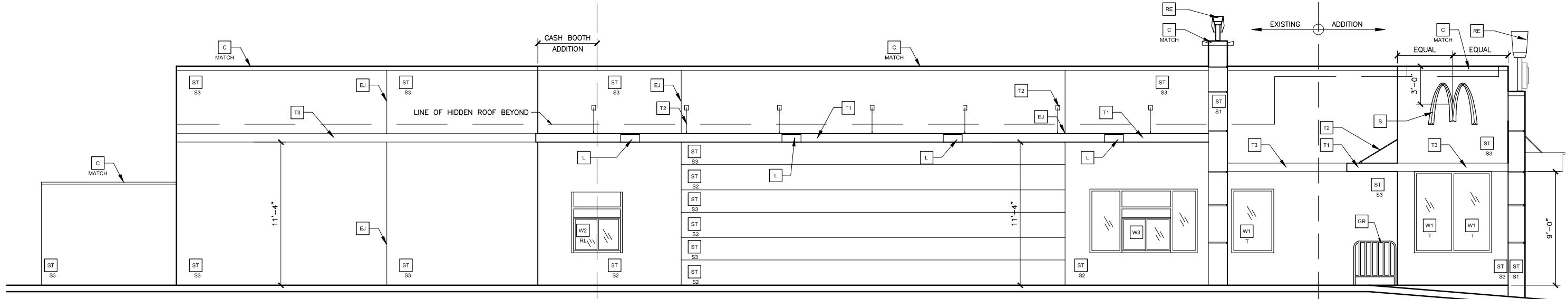
T.O. PARAPET  
ELEV. + 17'-4"

T.O. ARCADE  
ELEV. + 15'-4"

T.O. WINDOW (⊗ ADDITION)  
ELEV. + 9'-0"

T.O. WINDOW (EXISTING)  
ELEV. + 7'-7.5"

T/SLAB  
ELEV. + 0'-0"



1 PROPOSED REMODELED DRIVE THRU ELEVATION (EAST)  
1/8" = 1'-0"

#### KEY NOTES:

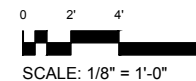
- C METAL COPING - COLOR TO MATCH SURROUNDING MATERIAL
- C1 YELLOW 18X18 CANOPY
- C2 YELLOW 18 CANOPY WITH TIE BACKS
- D HOLLOW METAL DOOR - PAINT TO MATCH COLOR OF SURROUNDING MATERIAL

- EJ EXPANSION JOINT, SEE DETAIL 7/A4.1
- L LIGHT FIXTURE (WALL SCONCE) - SEE ELECTRICAL
- ML METAL LETTERING - BY OTHERS
- GR GUARDRAIL

- S McDONALD'S SIGNAGE BY OTHERS - UNDER SEPARATE PERMIT.
- SF NEW STOREFRONT AND GLAZING
- ST STUCCO OR STONE EXTERIOR FINISH
- ST COLOR OR FINISH: (CHOCOLATE)  
S1 = BENJAMIN MOORE "SNOW WHITE 2122-70" OR EQUAL  
S2 = BENJAMIN MOORE "MINK 2122-10" OR EQUAL  
S3 = BENJAMIN MOORE "HUNTINGTON BEIGE HC-21" OR EQUAL

- T1 ALUMINUM TRELLIS
- T2 TRELLIS TIE-BACK
- T3 2" x 8" WALL FASCIA - REFER TO SIM. DETAIL 3 ON SHEET A5.1

- W1 EXTERIOR WINDOW ASSEMBLY - SEE ASSEMBLY NOTES ON SHEET A5.0
- T = TEMPERED GLASS
- W2 DRIVE-THRU WINDOW BY READY ACCESS - CONFIRM MODEL, OPTIONS, AND SIZE WITH MCD AREA CONSTRUCTION MANAGER. OPTIONS INCLUDE: TRANSOM (SHOWN)
- XX SLIDE DIRECTION: RL = RIGHT TO LEFT, LR = LEFT TO RIGHT
- W3 EXISTING WINDOW



CITY OF STOUGHTON SITE PLAN REVIEW AND APPROVAL

**McDonalds**  
1429 HWY 51 W, STOUGHTON, WI

**McDONALDS USA, LLC**  
1650 W. 82ND ST.  
BLOOMINGTON, MN 55431  
TEL. (952) 885-4770 SITE ID. 048-0154

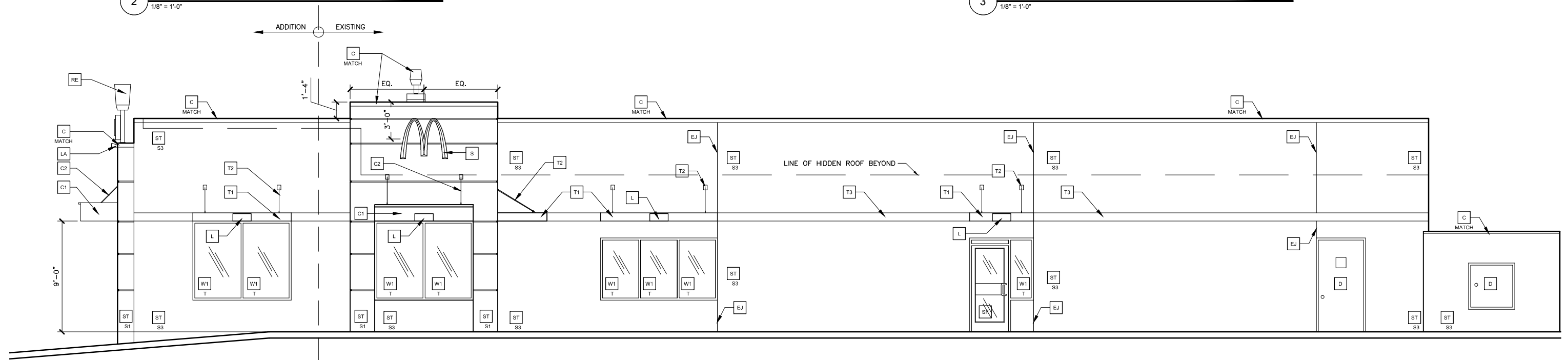
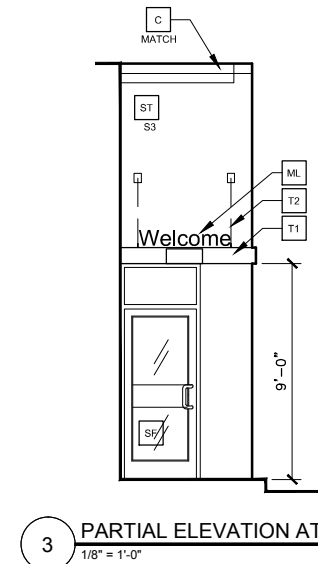
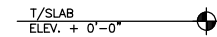
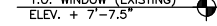
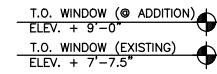
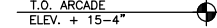
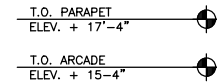
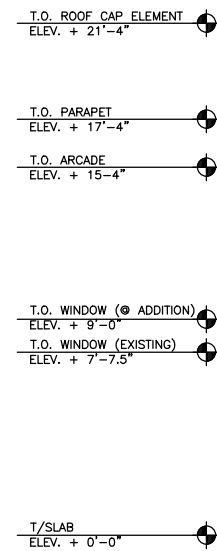
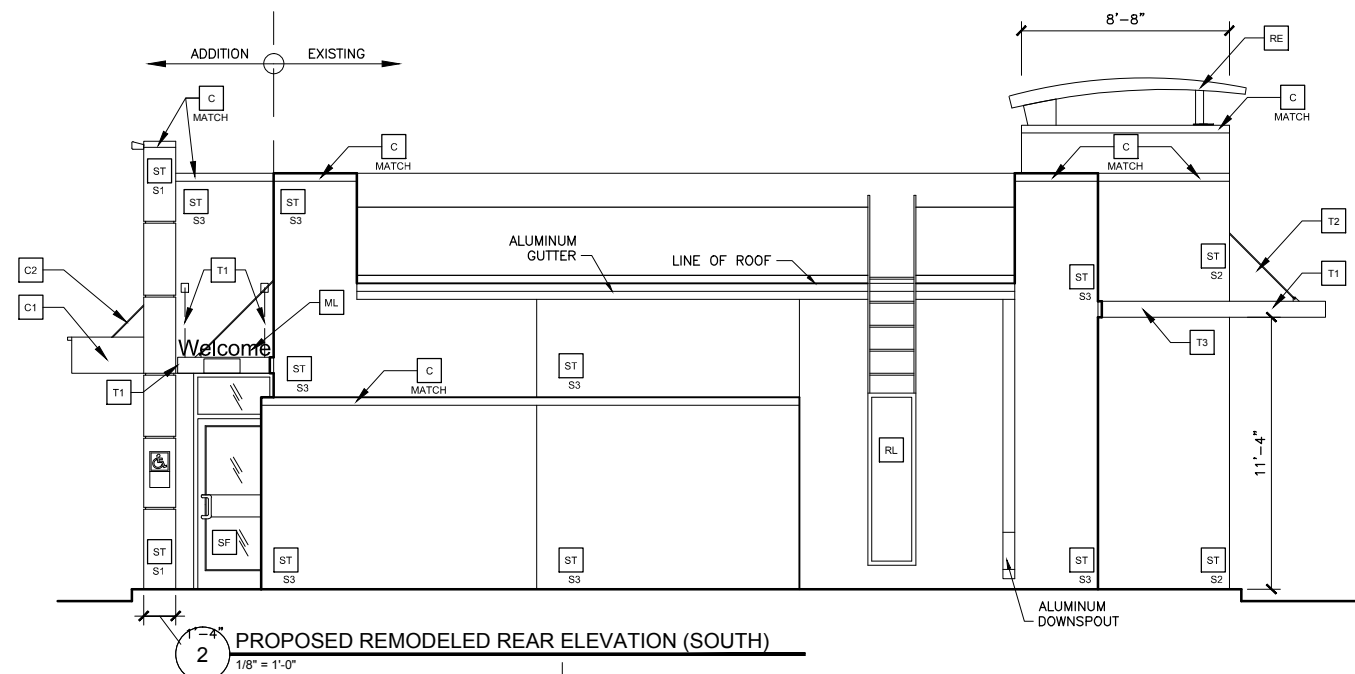
**ChipmanDesign**  
Architecture Inc.  
1550 N. Northwest Highway, Suite 400  
Park Ridge, Illinois 60068-1463  
T 847.298.6900 F 847.298.6966

**PROPOSED  
ELEVATIONS**

06-03-11

11-3762

**EL-1**



KEY NOTES:

- |       |  |
|-------|--|
| C     | METAL COPING — COLOR TO MATCH SURROUNDING MATERIAL               |
| MATCH |  |
| C1    | YELLOW 18X18 CANOPY  |
| C2    | YELLOW 18 CANOPY WITH TIE BACKS                                  |
| D     | HOLLOW METAL DOOR — PAINT TO MATCH COLOR OF SURROUNDING MATERIAL |

- |    |  |
|----|--|
| EJ | EXPANSION JOINT, SEE DETAIL 7/A4.1           |
| L  | LIGHT FIXTURE (WALL SCONCE) - SEE ELECTRICAL |
| ML | METAL LETTERING - BY OTHERS                  |
| GR | GUARDRAIL                                    |

- |    |   |
|----|---|
| S  | MCDONALD'S SIGNAGE BY OTHERS - UNDER SEPARATE PERMIT. |
| SF | NEW STOREFRONT AND GLAZING                            |
| ST | STUCCO OR STONE EXTERIOR FINISH                       |
| S1 | COLOR OR FINISH: (CHOCOLATE)                          |
| S1 | BENJAMIN MOORE "SNOW WHITE 2122-70" OR EQUAL          |
| S2 | BENJAMIN MOORE "MINK 2122-10" OR EQUAL                |
| S3 | BENJAMIN MOORE "HUNTINGTON BEIGE HC-21" OR EQUAL      |

- T1 ALUMINUM TRELLIS
- T2 TRELLIS TIE-BACK
- T3 2" x 8" WALL FASCIA - REFER TO SIM. DETAIL 3 ON SHEET A5.1

- W1 EXTERIOR WINDOW ASSEMBLY – SEE ASSEMBLY NOTES  
ON SHEET A5.0
- T = TEMPERED GLASS
- W2 DRIVE-THRU WINDOW BY READY ACCESS – CONFIRM MODEL,  
XX OPTIONS, AND SIZE WITH MCD AREA CONSTRUCTION MANAGER  
OPTIONS INCLUDE: TRANSOM (SHOWN)
- SLIDE DIRECTION: RL = RIGHT TO LEFT  
LR = LEFT TO RIGHT
- W3 EXISTING WINDOW

0 2' 4' 8'

SCALE: 1/8" = 1'-0"

CITY OF STOUGHTON SITE PLAN REVIEW AND APPROVAL

**McDonalds**  
1429 HWY 51 W, STOUGHTON, WI

**McDONALDS USA, LLC**  
1650 W. 82ND ST. SUITE 900  
BLOOMINGTON, MN 55431  
TEL. (952) 885-4770 SITE ID. 048-0154

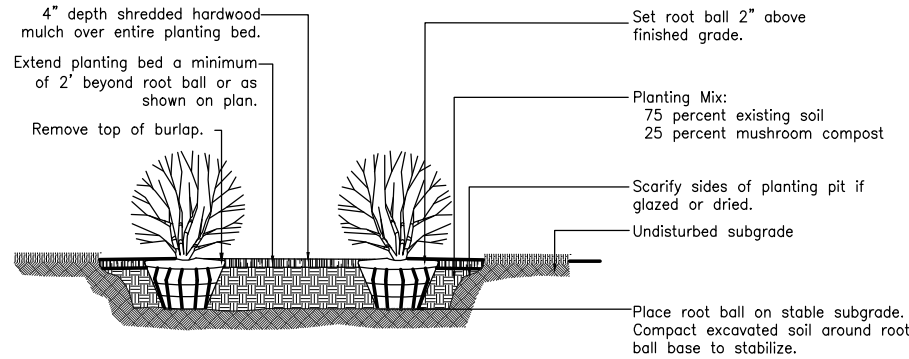
## PROPOSED ELEVATIONS

06-03-11 11-3762

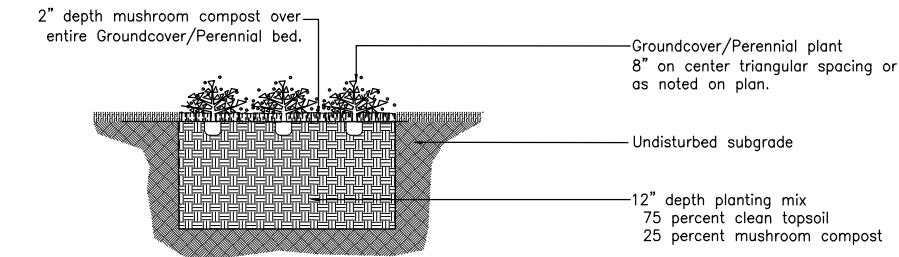
# EL-2







Detail  
**Shrub Planting**



Detail  
**Groundcover/Perennial Planting**

**Plant List**

KEY	QTY.	SIZE	BOTANICAL NAME	COMMON NAME	REMARKS
AMC	1	6'	Amelanchier canadensis	Shadblow Serviceberry	BB/Clump
EFC	450	3"	Euonymus fortunei var. coloratus	Purpleleaf Wintercreeper	Pots
GJB	12	#1	Geranium 'Jolly Bee'	Jolly Bee Geranium	Container
TMD	9	24"	Taxus x media 'Densififormis'	Dense Yew	BB
VIC	5	24"	Viburnum carlesii	Koreanspice Viburnum	BB

**Landscape Calculations**

New building perimeter foundation planting – 98 l.f.	REQUIRED: 40 points	PROPOSED: 42 points
Building footprint planting – 673 s.f.	7 points	10 points

0 15' 30' 60'



SCALE: 1" = 30'-0"

**McDonalds**

1429 HWY 51 W, STOUGHTON, WI



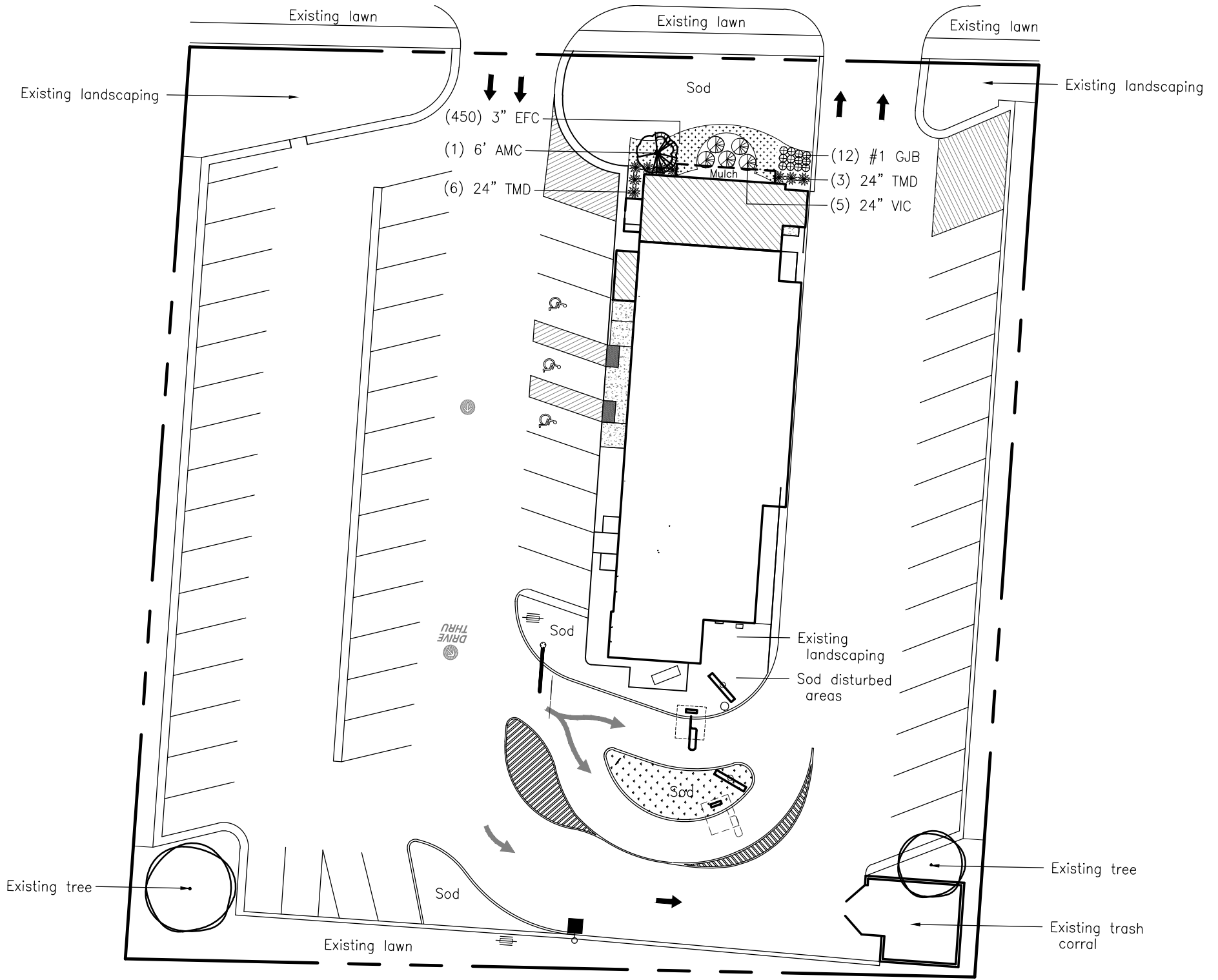
**McDONALDS USA, LLC**

1650 W. 82ND ST. SUITE 900

BLOOMINGTON, MN 55431

TEL. (952 ) 885-4770

SITE ID. 048-0154



**1 LANDSCAPE PLAN**  
1" = 30'-0"

CITY OF STOUGHTON SITE PLAN REVIEW AND APPROVAL



**ChipmanDesign**  
Architecture Inc.  
1550 N. Northwest Highway, Suite 400  
Park Ridge, Illinois 60068-1463  
T 847.298.6900 F 847.298.6966

**LANDSCAPE  
PLAN**

06.03.11

11-3762

**LP-1**

**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: MCDONALDS USA, LLC BY CHIPMAN DESIGN ARCHITECTURE (AGENT)

Conditional Use Requested: INDOOR COMMERCIAL ENTERTAINMENT: MAINTAIN EXISTING FAST FOOD RESTAURANT WITH EXISTING DRIVE UP WINDOW

**I. Record of Administrative Procedures for City Use**

Presubmittal staff meeting scheduled

Date of Meeting: April 2011 Time of Meeting: \_\_\_\_\_ Date: \_\_\_\_\_ By: \_\_\_\_\_

Follow-up staff meeting scheduled if necessary

Date of Meeting: \_\_\_\_\_ Time of Meeting: \_\_\_\_\_ Date: \_\_\_\_\_ By: \_\_\_\_\_ N/A

Application form filed with Zoning Administrator Date: 5/20/11 By: MPS

Application fee of \$ 410 received by Zoning Administrator Date: 5/20/11 By: MPS

If necessary, reimbursement of consultant costs agreement executed: Date: \_\_\_\_\_ By: \_\_\_\_\_ N/A

**II Application Submittal Packet Requirements for City and Applicant Use**

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

Final Application (1 copy to Zoning Administrator) Date: 5/20/11 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).
- ☐ 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 100 ft.
- ☐ 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.
- ☒ (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)

### 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?

THE EXISTING USE AS A FASTFOOD DINE IN AND DRIVE-THRU RESTAURANT IS TO BE MAINTAINED.

---

2. How is the proposed conditional use, in its specific 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?

THIS APPLICATION IS TO MAINTAIN THE EXISTING USE.

---

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?

NO. THIS APPLICATION IS TO MAINTAIN THE EXISTING  
USE, CURRENTLY IN CONFORMANCE AND PREVIOUSLY  
APPROVED AS SUCH.

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?

THE APPLICATION IS TO MAINTAIN THE EXISTING  
USE WITH RENOVATIONS TO EXISTING BRAND ELEMENTS.

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?

YES. THIS APPLICATION IS TO MAINTAIN THE  
EXISTING USE, CURRENTLY SERVED BY EXISTING  
FACILITIES, UTILITIES, OR SERVICES AND DOES NOT/NOR  
WILL IMPOSE AN BURDEN ON ANY OF THE ABOVE.

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 ameliorate such impacts?

THIS APPLICATION IS TO MAINTAIN THE EXISTING  
CONDITIONAL USE.

#### IV. Final Application Packet Information for City Use

Receipt of 20 reduced (8.5" by 11" text and 11" by 17" graphics) copies of final application packet by Zoning Administrator Date: \_\_\_\_\_ By: \_\_\_\_\_ *N/r*

Notified Neighboring Property Owners (within 300 feet) Date: \_\_\_\_\_ By: \_\_\_\_\_ *5/25/11*

Notified Neighboring Township Clerks (within 1,000 feet) Date: \_\_\_\_\_ By: \_\_\_\_\_ *5/24/11*

Class 2 legal notice sent to official newspaper by City Clerk Date: 5/25/11 By: MS

Class 2 legal notice published on 5/26/11 and 6/2/11 By: MS

Conditional Use recorded with the County Register of Deeds Office By: \_\_\_\_\_



May 19, 2011

Corporate Office  
1550 N. Northwest Highway  
Suite 400  
Park Ridge, IL 60068-1463  
T 847.298.6900  
F 847.298.6966

CHICAGO  
LOS ANGELES  
NEW YORK

chipmandesignarch.com

City of Stoughton  
381 E Main Street  
Stoughton, WI

Site Plan Review and Approval  
Written Description of Intended Use  
McDonalds 1429 Hwy 51 W

Response to Part II (a) written description of intended use.

McDonald's is proposing an approximate 670 SF dining area addition to the north side of the existing facility to help improve operational efficiencies, allow for the expansion of restrooms, and provide for more area to be used for customer service. The exterior elevations of the building will be renovated to modernize the building aesthetics, while maintaining the McDonald's image and brand. The accessible parking and building access will be reconfigured to meet ADA standards, as well the existing drive thru will be reconfigured adding a secondary drive thru order point to improve drive thru operations and overall traffic flow.

This existing property conforms to its zoning as (PB) Planned Business. It has approximately 40 employees, serves approximately 800 daily customers, and operates 24 hours a day.

If you have any questions, please feel free to contact me.

Thank you.

For  
McDonalds USA LLC  
Chipman Design Architecture  
Aaron Chupp



May 19, 2011

Corporate Office  
1550 N. Northwest Highway  
Suite 400  
Park Ridge, IL 60068-1463  
T 847.298.6900  
F 847.298.6966

CHICAGO  
LOS ANGELES  
NEW YORK

chipmandesignarch.com

City of Stoughton  
381 E Main Street  
Stoughton, WI

Conditional Use Review and Approval  
Written Description of Conditional Use  
McDonalds 1429 Hwy 51 W

Response to Part II (c) written description of conditional use.

McDonald's is proposing to maintain its existing use as indoor commercial entertainment in the Planned Business zoning.

The proposed scope of work includes a building additional and exterior façade renovation, maintaining its existing use.

Response to Part II (e) written justification of conditional use.

McDonald's is proposing to maintain its existing use as indoor commercial entertainment in the Planned Business zoning, currently in conformance and previously approved as such.

If you have any questions, please feel free to contact me.

Thank you.

Sincerely,

For  
McDonalds USA LLC  
Chipman Design Architecture  
Aaron Chupp

A handwritten signature in black ink, appearing to read 'A. Chupp', is written over the printed name.



CITY OF STOUGHTON  
DEPARTMENT OF PLANNING & DEVELOPMENT  
381 East Main Street, Stoughton, WI. 53589  
[www.cityofstoughton.com/planning](http://www.cityofstoughton.com/planning)

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

June 6, 2011

Chipman Design Architecture, Inc.  
Aaron Chupp  
1550 N. Northwest Hwy, Suite 400  
Park Ridge, IL. 60068-1463

Dear Mr. Chupp:

I have completed a review of the proposed conditional use request for building additions and other site improvements at McDonalds, 1429 US Highway 51 & 138, Stoughton. (Revised site plans received June 3, 2011). This item is scheduled for public hearing at the June 13, 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 1429 US Highway 51 & 138 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 and other site improvements. The Commission will offer a recommendation to the City Common Council. The Common Council should make their decision on June 28, 2011. The Common Council may place conditions on the use related to screening; lighting; parking requirements, etc...**
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.
3. The parking requirement for indoor commercial entertainment is one space per every three patron seats; or one space per three persons at the maximum capacity of the establishment; (whichever is greater). Currently there are 59 parking stalls which will allow a maximum of up to 177 patron seats or capacity. **We have been informed there is a seating capacity of approximately 56 which meets this requirement.**
4. The minimum front yard setback requirement is 20 feet while the minimum side yard setback is 10 feet. **The building additions meet the setback requirements.**
5. The minimum width for a driveway is 18 feet. **We believe there is ample room to meet this requirement getting around the proposed new drive-thru lane.**

6. 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.**

7. The Comprehensive Plan, planned land use map designates this property as General Business. Restaurants are consistent with this type of designation. **This property does not interfere with and is consistent with the City Comprehensive Plan.**
8. 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 98 feet of perimeter which will require 40 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 673 square feet which requires 7 landscaping points. See Appendix B of the City zoning code for the landscaping chart which indicates the number of points for each plant species. **A landscaping plan has been submitted to meet these requirements.**
9. **There are no bufferyard requirements when adjacent properties have the same zoning classification.**
10. **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. McDonalds, 1429 US Highway 51 & 138. Stoughton  
McDonalds USA, LLC, 1650 W. 82<sup>nd</sup> Street Suite 900, Bloomington, MN. 55431  
John Orr, N3250 COUNTY HIGHWAY J, POYNETTE, WI 53955  
Planning Commissioners

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

**ORDINANCE OF THE PLANNING COMMISSION**

Request by AJ Arnett Land and Development LLC for Direct Annexation by one half approval pursuant to section 66.0217 (3), Wis. Stats.

Committee Action:

Fiscal Impact:       None

**File Number:**       O- -2011

**Date Introduced:**   June 28, 2011 – 1<sup>st</sup> Reading

**Re-Introduced:**    July 12, 2011 – 2<sup>nd</sup> Reading

The Common Council of the City of Stoughton do ordain as follows:

1. AJ Arnett Land and Development LLC (the “Owner”) has requested Direct Annexation of lands owned and located within the Town of Pleasant Springs including lands (Cemetery) owned the Village of Brooklyn in the Town of Pleasant Springs and lands owned by Dane County (County Garage and Park) in the Town of Pleasant Springs and Town of Dunkirk.

2. The properties are more formally described as follows:

Parcel’s owned by AJ Arnett Land and Development LLC: 046/0611-332-8000-8; 046/0611-332-8500-3; 046/0611-332-9000-6; 046/0611-332-9500-1; 046/0611-334-8501-0; 046/0611-334-8000-6.

Parcel owned by the Village of Brooklyn: 046/0611-332-8390-7

Parcel’s owned by Dane County: 046/0611-332-9810-6; 046/0611-333-8000-7; 046/0611-333-9500-0; 026/0511-042-8000-1; 026/0511-042-9500-4; 026/0511-042-9440-7.

Legal Description of annexation area:

Parts of the NW ¼ of Section 4, T.5N., 11E., Town of Dunkirk, and parts of the SW ¼, the NW ¼ and the SE ¼ of Section 33, T.6N., R.11E., Town of Pleasant Springs, all in Dane County, Wisconsin, being more fully described as follows:

Beginning at the N ¼ corner of Section 33; thence S00°46'29"W, 2702.45 feet to the Northwest corner of the SE ¼ of said section; thence S00°46'29"W along the West line of said SE ¼, 432.67 feet to the South line of Dane County Certified Survey Map number 8617; thence N87°05'52"E, 425.23 feet to the Southeast corner of Lot 1 of said survey; thence N02°06'10"E along the East line of said survey, 431.11 feet to the North line of the aforesaid SE 1/4; thence N87°24'06"E along said North line, 122.55 feet to the extended West line of Lot 2 of said certified survey; thence S00°00'21"W, 429.58 feet to the Southwest corner of said lot 2; thence N87°05'52"E, 520.96 feet to the Southeast corner of said lot; thence N00°33'36"E along the East line of said lot, 426.83 feet to the aforesaid North line of the SE 1/4; thence N87°24'06"E along said North line, 1616.33 feet to the Northeast corner of the SE 1/4; thence S01°26'23"W along the East line of said SE ¼, 1111.06 feet to a point described as 1667 feet North of the Southeast corner of said SE 1/4; thence S88°22'13"W along the extended and North line of the Viking Village Campground lands, 1274 feet more or less; thence N72°07'08"W along said North line, 51.36 feet to the Northeast corner of Dane County Certified Survey Map number 8157; thence



S89°36'39"W along the North line of said survey, 396.21 feet; thence S87°22'53"W along said line, 961.02 feet to the Northwest corner of said survey and the West line of the aforesaid SE ¼ of Section 33; thence S00°46'29"W along said West line, 1679.79 feet to the Southwest corner of said SE 1/4; thence N88°12'19"E, 19.22 feet to the Northeast corner of the NW ¼ of Section 4, T5N., R.11E., thence S02°03'04"E along the East line of said NW ¼, 1991 feet more or less to the Southeast corner of the N ½ of the SE ¼ of the NW 1/4; thence S89°19'53"W along the South line of said N ½ and the South line of the N ½ of the SW ¼ of the NW ¼, 2315 feet more or less to a point in the centerline of the Yahara River, said point lying N89°19'53"E, 354.48 feet from the Southwest corner of said N ½ of the SW ¼ - NW ¼; thence Northerly along the centerline of the Yahara River and the current corporate boundary of the City of Stoughton, the following 10 courses, N47°42'02"E, 582.72 feet; thence N38°23'25"E, 660.24 feet; thence N35°57'50"E, 713.67 feet; thence N12°42'25"E, 1195.13 feet; thence N06°03'42"W, 899.27 feet; thence N17°22'05"E, 432.04 feet; thence N67°43'14"E, 195.43 feet; thence N38°05'20"E, 196.44 feet; thence N17°28'12"W, 288.51 feet; thence N47°54'12"W, 378.59 feet to the North line of the SW ¼ of Section 33 thence continue along the centerline of the Yahara River, the following 4 courses, N57°24'55"W, 480.87 feet; thence N35°25'38"W, 733.07 feet; thence N77°11'44" W, 561.15 feet; thence N59°19'04"W, 623.01 feet to the Southwest corner of the NW ¼ of the NW ¼ of Section 33; thence N00°23'50"E, 1386 feet more or less to the Northwest corner of said Section 33; thence N88°53'07"E along the North line of said section, 2711 feet more or less to the point of beginning. The above described containing 13,128,367 square feet, or 301.4 acres more or less.

3. The temporary zoning classification for the proposed properties is RH – Rural Holding except that the properties owned by Dane County shall temporarily remain their current County Zoning.
4. On June 13, 2011, the City of Stoughton Planning Commission reviewed this request for direct annexation and recommend the Common Council approve the direct annexation subject to:

- 

NOW THEREFORE BE IT RESOLVED, that 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 4 below, the zoning classification of the Properties is hereby changed to RH – Rural Holding except the properties owned by Dane County shall temporarily remain their current County Zoning., pursuant to section 78-914 of the City Code and Wis. Stat. § 62.23(7)(d).

*Section 3* - The Property shall be developed and used in full compliance with the City Comprehensive Plan.

*Section 4* - This ordinance shall take effect upon publication.

*Section 5* - Upon the effective date of this ordinance, the properties and zoning classifications of the Property shall be changed on the zoning map of the City of Stoughton.

*Section 6* - All ordinances and parts of ordinances in conflict herewith shall hereby be repealed.

Dates

Council Adopted: \_\_\_\_\_

Mayor Approved: \_\_\_\_\_

Published: \_\_\_\_\_

Attest: \_\_\_\_\_

\_\_\_\_\_  
Donna Olson, Mayor

\_\_\_\_\_  
Kelly Michaels, City Clerk

**DIRECT ANNEXATION BY ONE HALF APPROVAL  
PURSUANT TO SECTION 66.0217 (3), WISCONSIN STATUTES**

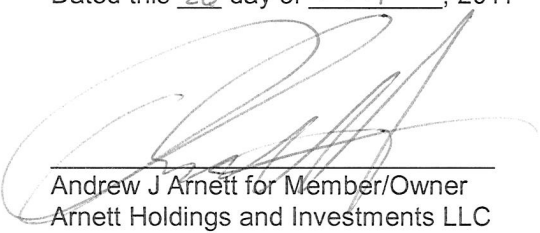
We, the undersigned, constituting of more than one-half of the owners of the real property in which no electors reside in the following territory of the Towns of Pleasant Springs, Dane County, Wisconsin and the Town of Dunkirk, Dane County, Wisconsin, lying contiguous to the City of Stoughton, petition the Honorable Mayor and Common Council of the City of Stoughton to annex the territory described below and shown upon the attached map and legal description, as permitted by Chapter 66 of the Wisconsin Statutes, to the city of Stoughton, Dane County, Wisconsin

Legal Description and Exhibit attached.


This Annexation Contains 1,311,560 Square feet or 301 acres of real estate.

The current population of such territory is 0 people.

Dated this 26 day of MAY, 2011



\_\_\_\_\_  
Andrew J Arnett for Member/Owner  
Arnett Holdings and Investments LLC  
2255 Tower Dr. Stoughton WI



\_\_\_\_\_  
Andrew J Arnett for Member/Owner  
AJ Arnett Land and Development LLC.  
2255 Tower Dr Stoughton WI

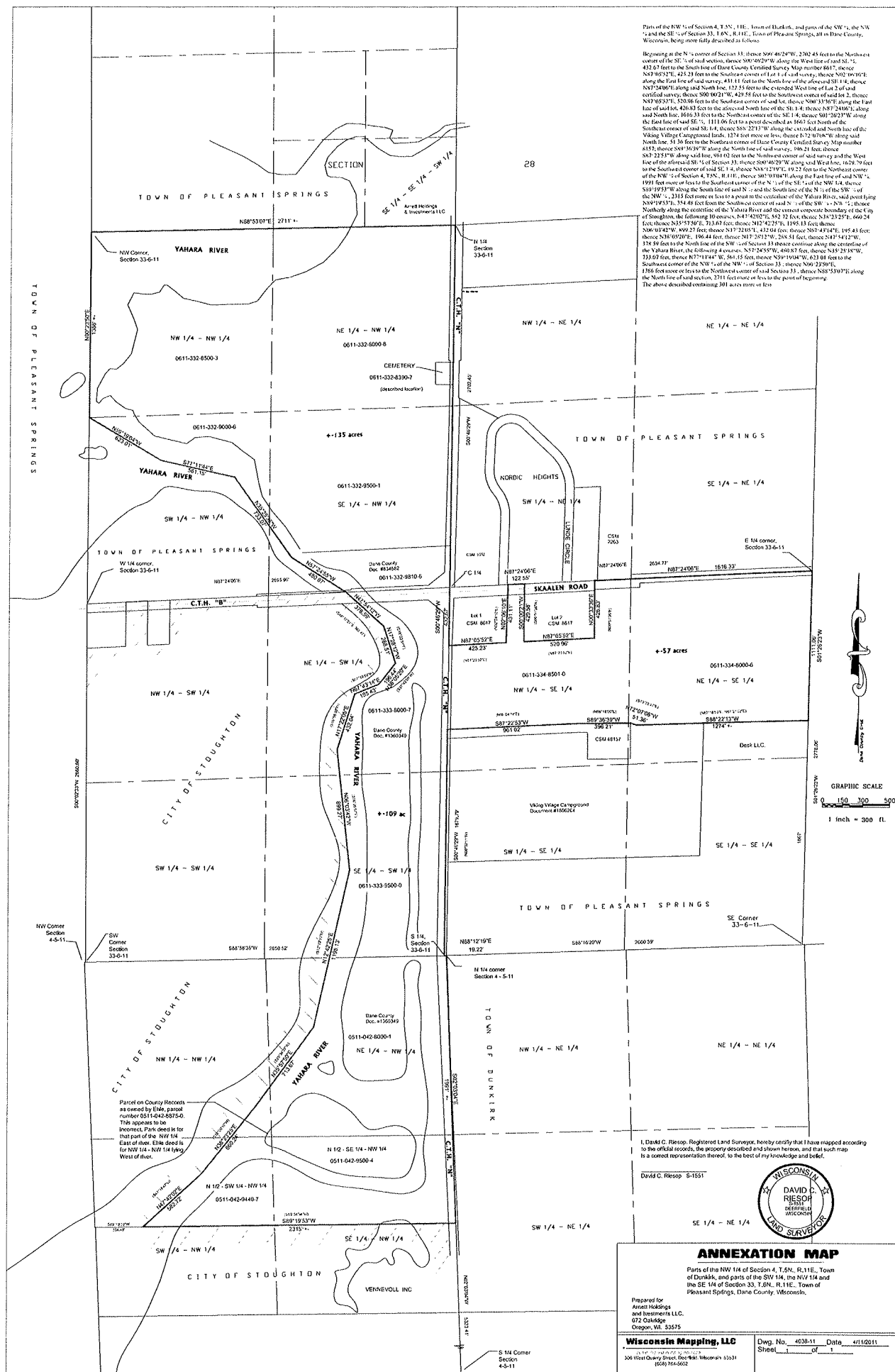
## **ANNEXATION DESCRIPTION**

Parts of the NW ¼ of Section 4, T.5N., 11E., Town of Dunkirk, and parts of the SW ¼, the NW ¼ and the SE ¼ of Section 33, T.6N., R.11E., Town of Pleasant Springs, all in Dane County, Wisconsin, being more fully described as follows:

Beginning at the N ¼ corner of Section 33; thence S00°46'29"W, 2702.45 feet to the Northwest corner of the SE ¼ of said section; thence S00°46'29"W along the West line of said SE ¼, 432.67 feet to the South line of Dane County Certified Survey Map number 8617; thence N87°05'52"E, 425.23 feet to the Southeast corner of Lot 1 of said survey; thence N02°06'10"E along the East line of said survey, 431.11 feet to the North line of the aforesaid SE 1/4; thence N87°24'06"E along said North line, 122.55 feet to the extended West line of Lot 2 of said certified survey; thence S00°00'21"W, 429.58 feet to the Southwest corner of said lot 2; thence N87°05'52"E, 520.96 feet to the Southeast corner of said lot; thence N00°33'36"E along the East line of said lot, 426.83 feet to the aforesaid North line of the SE 1/4; thence N87°24'06"E along said North line, 1616.33 feet to the Northeast corner of the SE 1/4; thence S01°26'23"W along the East line of said SE ¼, 1111.06 feet to a point described as 1667 feet North of the Southeast corner of said SE 1/4; thence S88°22'13"W along the extended and North line of the Viking Village Campground lands, 1274 feet more or less; thence N72°07'08"W along said North line, 51.36 feet to the Northeast corner of Dane County Certified Survey Map number 8157; thence S89°36'39"W along the North line of said survey, 396.21 feet; thence S87°22'53"W along said line, 961.02 feet to the Northwest corner of said survey and the West line of the aforesaid SE ¼ of Section 33; thence S00°46'29"W along said West line, 1679.79 feet

to the Southwest corner of said SE 1/4; thence N88°12'19"E, 19.22 feet to the Northeast corner of the NW 1/4 of Section 4, T5N., R.11E., thence S02°03'04"E along the East line of said NW 1/4, 1991 feet more or less to the Southeast corner of the N 1/2 of the SE 1/4 of the NW 1/4; thence S89°19'53"W along the South line of said N 1/2 and the South line of the N 1/2 of the SW 1/4 of the NW 1/4, 2315 feet more or less to a point in the centerline of the Yahara River, said point lying N89°19'53"E, 354.48 feet from the Southwest corner of said N 1/2 of the SW 1/4 - NW 1/4; thence Northerly along the centerline of the Yahara River and the current corporate boundary of the City of Stoughton, the following 10 courses, N47°42'02"E, 582.72 feet; thence N38°23'25"E, 660.24 feet; thence N35°57'50"E, 713.67 feet; thence N12°42'25"E, 1195.13 feet; thence N06°03'42"W, 899.27 feet; thence N17°22'05"E, 432.04 feet; thence N67°43'14"E, 195.43 feet; thence N38°05'20"E, 196.44 feet; thence N17°28'12"W, 288.51 feet; thence N47°54'12"W, 378.59 feet to the North line of the SW 1/4 of Section 33 thence continue along the centerline of the Yahara River, the following 4 courses, N57°24'55"W, 480.87 feet; thence N35°25'38"W, 733.07 feet; thence N77°11'44" W, 561.15 feet; thence N59°19'04"W, 623.01 feet to the Southwest corner of the NW 1/4 of the NW 1/4 of Section 33; thence N00°23'50"E, 1386 feet more or less to the Northwest corner of said Section 33; thence N88°53'07"E along the North line of said section, 2711 feet more or less to the point of beginning.

The above described containing 13,128,367 square feet, or 301.4 acres more or less.



8. What are the **basic service needs** that precipitated the request for annexation?

Sanitary sewer	<u>  x  </u>	Police/Fire protection	<u>      </u>
Water supply	<u>  x  </u>	EMS	<u>      </u>
Storm sewers	<u>  x  </u>	Zoning	<u>  x  </u>
Other			

9. Is the city/village or town capable of providing needed utility services?

City/Village X Yes \_\_\_ No. Town \_\_\_ Yes X No

If yes, approximate time table for providing service:

Sanitary Sewers immediately  
or, write in number of years.

City/Village

X  
\_\_\_\_\_

Town

\_\_\_\_\_  
\_\_\_\_\_

Water Supply immediately,  
or, write in number of years.

X  
\_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

Will provision of sanitary sewers and/or water supply to the territory proposed for annexation require capital expenditures (i.e. treatment plant expansion, new lift stations, interceptor sewers, wells, water storage facilities)?

X Yes \_\_\_ No. If yes, identify the nature of the anticipated improvements and their probable costs: The property owner will be required to extend sewer and water services to the property at their expense. This area is anticipated for future City development and included in the City's Comprehensive Plan for urban development. The timeline for extension of services will be considered as part of the Detailed Neighborhood Planning process for this area following annexation.

10. Parks and Recreation:

Total acreage: 144 Annual park program appropriation: \$ \_\_\_\_\_

Describe proximity of parks from annexation territory: Parkland will be dedicated as part of this development. The size and location will be worked out as part of the Neighborhood Planning process. A significant portion of this annexation includes Dane County Park Lands.

11. Schools:

What school district(s) serve the territory to be annexed? Stoughton Area School District

12. Planning:

1. Do you have a comprehensive plan for the City/Village/Town? X Yes \_\_\_ No

If yes, when was it prepared? 2005 When Updated? May 31, 2005

Who prepared the plan? City of Stoughton w/ assistance from Vandewalle Associates.

2. Annual appropriation for planning? \$ \_\_\_\_\_

3. How is the annexation territory now zoned? Under County Zoning

4. How will the land be zoned and used if annexed? The City anticipates this property will initially be zoned RH – Rural Holding until development plans are finalized. The end use zoning is likely to be a mixture of City classifications but is expected to be for primarily residential, recreational and ancillary uses.

14. Other relevant information and comments bearing upon the public interest in the annexation: This annexation request includes a Viking Park that is owned and operated by Dane County. It also contains a Public Works Facility owned and operated by Dane County. Land and improved values for this questionnaire were based on the AccessDane tax records. This request includes property in both Pleasant Springs and Dunkirk. The annexation request is found in the City's Comprehensive Plan to become part of the City of Stoughton. Specific development plans will need to be developed and approved by the City.

Prepared by: Rodney Scheel  
Title: Director of Planning & Development  
Phone: 608-873-6619  
Date: June 1, 2011

Please **RETURN PROMPTLY** to:  
Municipal Boundary Review  
101 E. Wilson Street, 10<sup>th</sup> Floor  
Madison, WI 53702-0001



## 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, 517 W. Main Street, Stoughton

Project Description: Walk-in freezer addition.

### I. Record of Administrative Procedures for City Use

Presubmittal staff meeting scheduled N/A

Date of Meeting: \_\_\_\_\_ Time of Meeting: \_\_\_\_\_ By: \_\_\_\_\_

Follow-up pre-submittal staff meetings scheduled if necessary N/A

Date of Meeting: \_\_\_\_\_ Time of Meeting: \_\_\_\_\_ By: \_\_\_\_\_

Application form filed with Zoning Administrator Date: 6/2/11 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: June 2, 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). LI
- ☒ 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. PROVIDED
- ☒ 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.

- ☒ 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). N/A
  - ☒ 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.)**
- ☐ ☒ (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.
  - ☒ 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". N/A
  - ☒ 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.
  - ☒ 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.
  - ☒ All existing and proposed buildings, structures, and paved areas, including building entrances, walks, drives, decks, patios, fences, utility poles, drainage facilities, and walls.
  - ☒ The location and dimension (cross-section and entry throat) of all access points onto public streets. N/A
  - ☒ 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. N/A
  - ☒ The location and dimension of all loading and service areas on the subject property and labels indicating the dimension of such areas. N/A
  - ☒ 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 *N/A*
  - a. Lot Area
  - 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:**
  - ☒ Scale same as main plan (> or equal to 1" equals 100'). *N/A*
  - ☒ Map reduction at 11" x 17". *N/A*
  - ☐ Showing the location of all required bufferyard and landscaping areas.
  - ☒ Showing existing and proposed Landscape Point fencing. *N/A*
  - ☒ Showing berm options for meeting said requirements. *N/A*
  - ☐ 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. *match existing*
  - ☒ With adequate labels provided to clearly depict exterior materials, texture, color and overall appearance. *N/A*
  - ☒ 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.

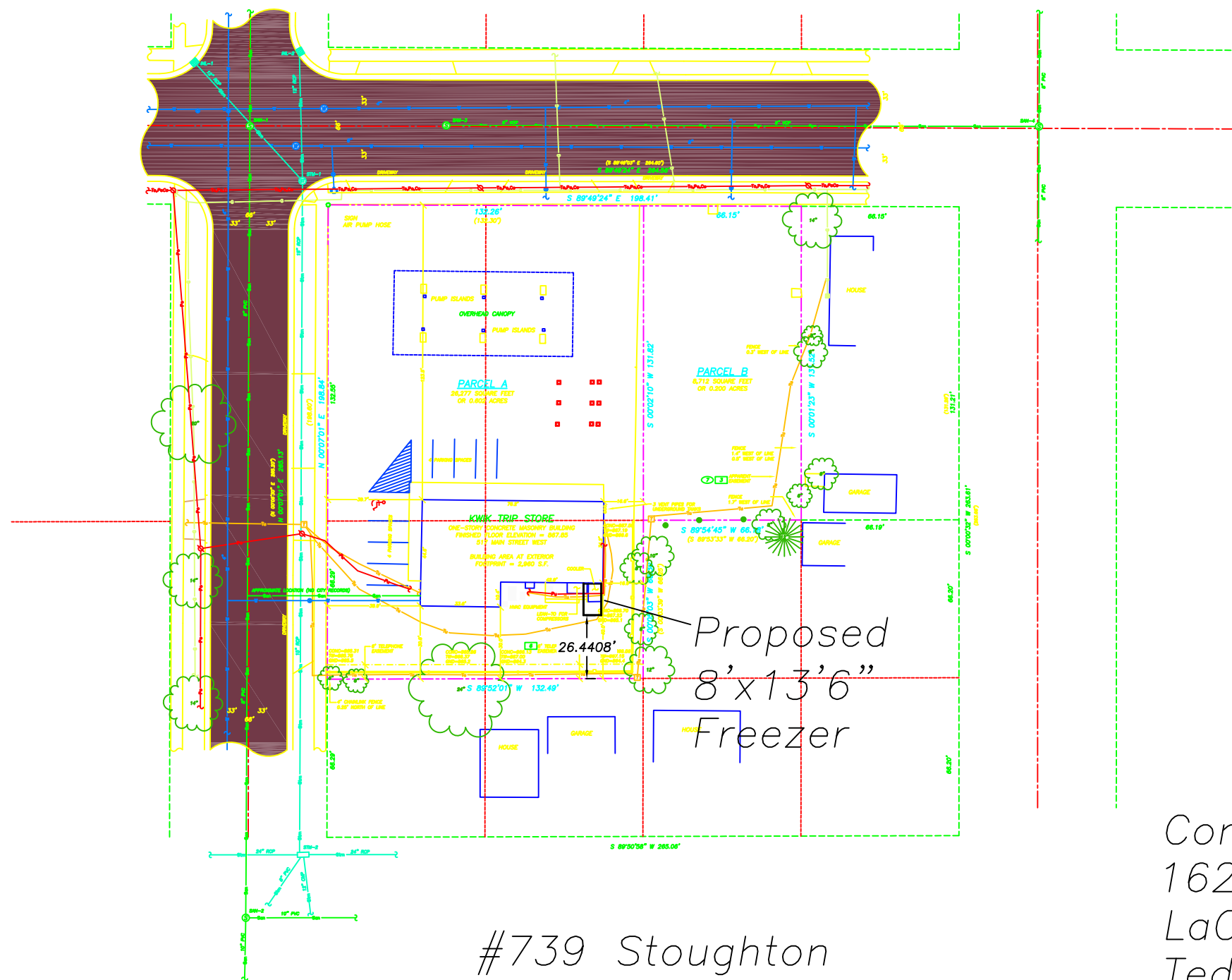
### **III. Final Application Packet Information for City Use**

Receipt of one full-scale copy in blueline or blackline  
of complete Final Application Packet by Zoning Administrator

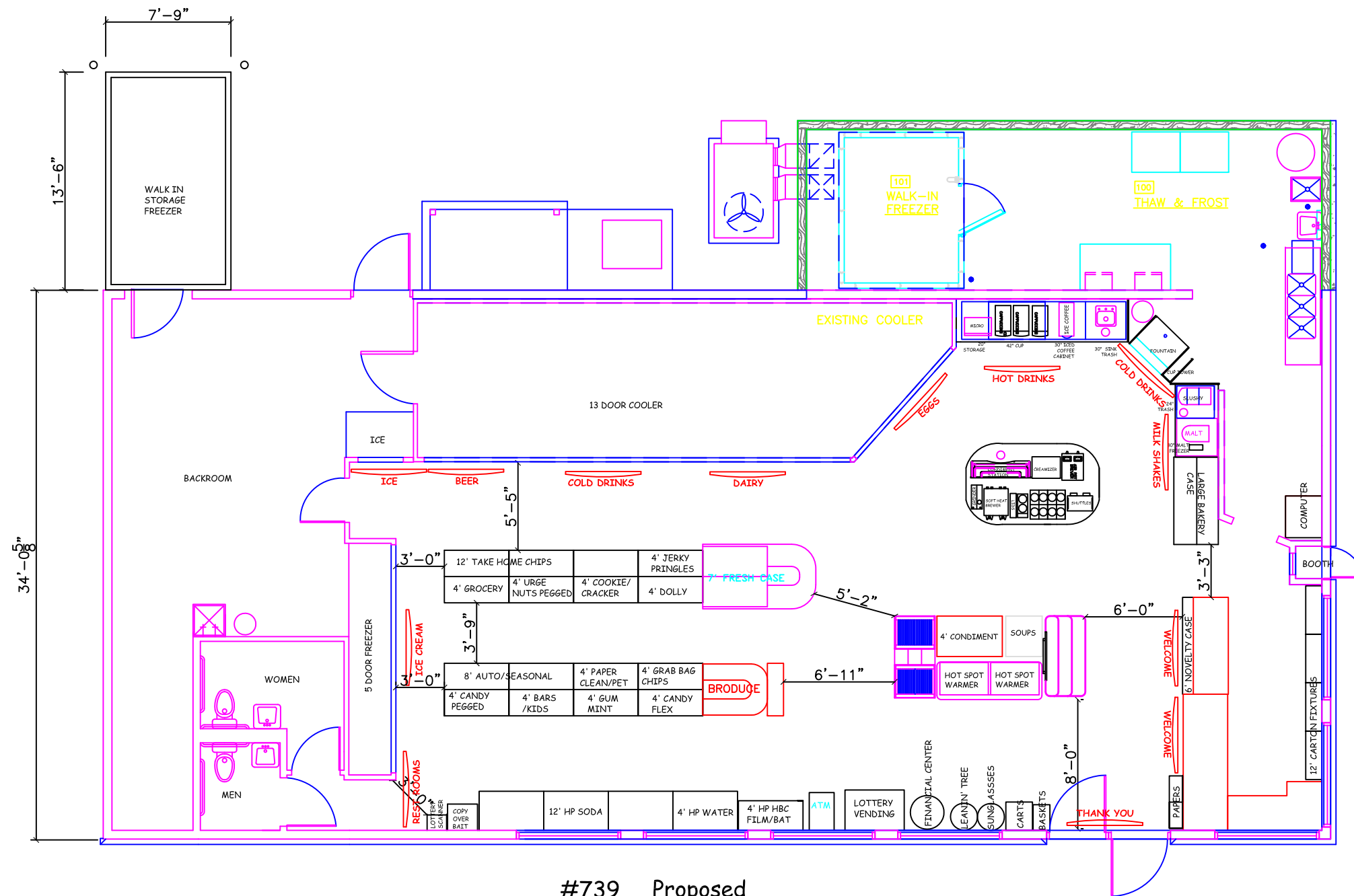
Date: 2/14 By: \_\_\_\_\_

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

Date: 6/2/14 By: RRS



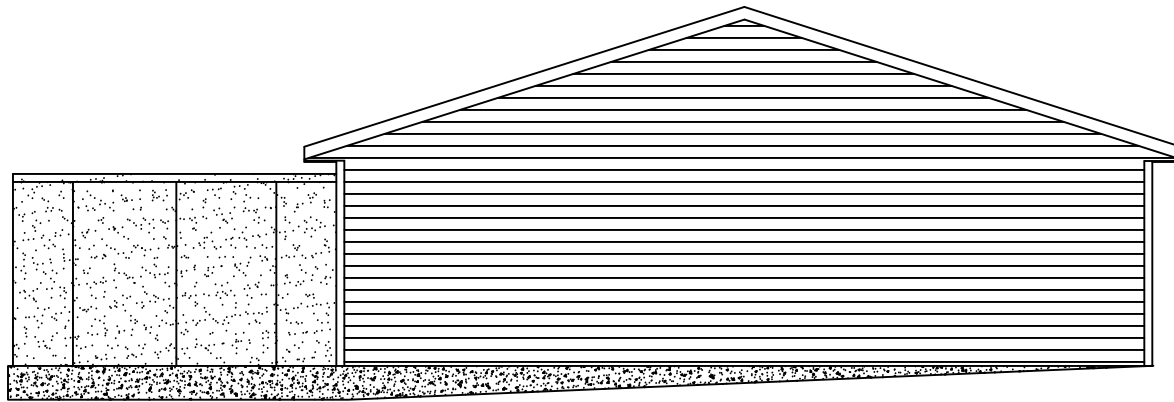
Convenience Store Investments  
 1626 Oak Street  
 LaCrosse, WI 54601  
 Ted Cone Agent For:  
 608-793-5976  
 Fax 608-793-6237  
 6-2-11



#739 Proposed

Convenience Store Investments  
1626 Oak Street  
LaCrosse, WI 54601  
Ted Cone-Agent For: 608-793-5976  
Fax 608-793-6237  
6-2-11





739 Elevation

Convenience Store Investments  
1626 Oak Street  
LaCrosse, WI 54601  
Ted Cone-Agent For: 608-793-5976  
Fax 608-793-6237  
6-2-11





CITY OF STOUGHTON  
DEPARTMENT OF PLANNING & DEVELOPMENT  
381 East Main Street, Stoughton, WI. 53589  
[www.cityofstoughton.com/planning](http://www.cityofstoughton.com/planning)

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

June 2, 2011

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

Dear Mr. Cone:

I have completed a review of the proposed building addition at Kwik Trip West, 517 W. Main Street, Stoughton. (Application and site plans received June 2, 2011). This item is scheduled for review at the June 13, 2011 Planning Commission meeting of which you will receive notice. The owner and/or a representative are required to attend the meeting. The following items are identified for your review.

1. The property at 517 W. 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 a permitted use within the Planned Business district. **The Planning Commission will review your request to expand the building/use.**
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. **The use is primarily related to indoor sales and service.**
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 18 parking stalls provided while 11 parking stalls are required.**
4. The rear yard setback requirement is 20 feet while the side yard setback requirement is 10 feet. **The proposed addition meets the setback requirements.**
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 will require 9 points of foundation

June 6, 2011

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 that meets these requirements.**

7. **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

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

<b>ORDINANCE OF THE PLANNING COMMISSION</b>	
<b>TO AMEND CHAPTER 30, FLOODPLAIN ZONING OF THE STOUGHTON MUNICIPAL CODE</b>	
Committee Action: Approved ?-?	
Fiscal Impact: Will save the City approximately \$20,000 over the next 10 years.	
<b>File Number:</b> O- -2011	<b>Date Introduced:</b> June 28, 2011

The Common Council of the City of Stoughton do ordain as follows:

1. Chapter 30, Section 30–5 (b)(2) of the Stoughton Municipal Code is hereby amended and shall read as follows:

Sec. 30-5(b)(2). Official maps: Based on other studies.

- a. United States Geological Survey Quadrangle Maps revised and dated 1961 (photo revised 1982) and subsequent revisions. Approved by: The DNR and FEMA
- b. Wisconsin Wetland Inventory Map stamped "Final" on 9/5/1989 and subsequent revisions. Approved by: The DNR and FEMA
- c. Dane County Flood Storage District Map – Panel number 1 of 8. Approved by: The DNR and FEMA.
- d. Yahara River, Fourth Street Dam failure analysis - including floodplain map, water surface profile, and floodway data table from dam failure analysis report dated November 2010, prepared by Mead & Hunt. Approved by: The DNR.

2. This ordinance shall be in full force and effect from and after its date of publication.

Dates

Council Adopted: \_\_\_\_\_

Mayor Approved: \_\_\_\_\_

Published: \_\_\_\_\_

Attest: \_\_\_\_\_

\_\_\_\_\_  
Donna Olson, Mayor

\_\_\_\_\_  
Kelly Michaels, City Clerk

State of Wisconsin  
DEPARTMENT OF NATURAL RESOURCES  
South Central Region Headquarters  
3911 Fish Hatchery Road  
Fitchburg WI 53711-5397

Scott Walker, Governor  
Cathy Stepp, Secretary  
Lloyd L. Eagan, Regional Director  
Telephone 608-275-3266  
FAX 608-275-3338  
TTY Access via relay - 711



April 28, 2011

Michael P. Stacey  
Zoning Administrator/Assistant Planner  
City of Stoughton  
381 E. Main Street  
Stoughton, WI. 53589

Subject: Stoughton Dam, City of Stoughton. Field File # 13.10, Yahara River, Floodplain Mapping, City of Stoughton, Dane County. Ordinance adoption notice.

Dear Mr. Stacey:

On March 15, 2011 the Department of Natural Resources (DNR) approved the dam failure analysis for the for the Stoughton Dam, located across the Yahara River in the SW ¼ of the NE ¼ of Section 8, Township 5 North, Range 11 East, City of Stoughton, Dane County. Based on the results of the approved study the dam could be assigned a hazard rating of Low Hazard, however, due to the lack of sufficiently restrictive floodplain zoning within the estimated dam failure floodplain (hydraulic shadow) downstream of the dam, the dam was assigned a hazard rating of High Hazard. On April 25, 2011 Mead & Hunt submitted to the DNR copies of the floodplain map, flood profile and the floodway data table suitable for adoption into the City's floodplain zoning ordinance.

The review of the submitted materials indicates that the areas of potential dam failure inundation (hydraulic shadow) are adequately reflected on the map with additional information on stationing, water surface profile, floodplain widths, etc. provided on the profile plot and in the floodway data table. In order to minimize the risk of potential loss of life and property damage in case of dam failure, the entire inundation area should designated floodway.

Under the requirements of chapter 87.30 Wisconsin Statutes and chapter NR 116.05, Wisconsin Administrative Code the enclosed materials, including:

- a) Inundation Map, Hydraulic Shadow - Dam Failure, City of Stoughton, Fourth Street Dam
- b) Water Surface Profile for Hydraulic Shadow (Dam Failure) Condition, dated 10/28/2010
- c) Floodway Data Table for Failure of Fourth Street Dam, Stoughton, Wisconsin

need to be formally adopted into your floodplain zoning ordinance within six months from the date this decision was mailed to you. When the zoning has been adopted the owner of the dam may request, in writing, that we lower the hazard rating for the dam. Assuming there has been no additional development within the hydraulic shadow, we will be able to assign a hazard rating of Low Hazard to the dam.

To assist you in the adoption process, refer to chapter NR 116 Wisconsin Administrative Code and the procedures outlined in the Floodplain/Shoreland guidebook. Please pay particular attention to the Class 2 notice requirements for public hearings. The second publication must be at least one week before the hearing. A certified copy of the ordinance amendment adopting the study along with evidence of the Class 2 public hearing notice must be sent to this office for approval.

Attachments


cc: Bill Sturtevant, P.E. - WT/3  
Warren Hayden, P.E. - Mead & Hunt (via e-mail)  
Karl Manthe - City of Stoughton (via e-mail)

**NOTICE OF APPEAL RIGHTS**

If you believe that you have a right to challenge this decision, you should know that the Wisconsin statutes and administrative rules establish time periods within which requests to review Department decisions must be filed. For judicial review of a decision pursuant to sections 227.52 and 227.53, Wis. Stats., you have 30 days after the decision is mailed, or otherwise served by the Department, to file your petition with the appropriate circuit court and serve the petition on the Department. Such a petition for judicial review must name the Department of Natural Resources as the respondent.

To request a contested case hearing pursuant to section 227.42, Wis. Stats., you have 30 days after the decision is mailed, or otherwise served by the Department, to serve a petition for hearing on the Secretary of the Department of Natural Resources. All requests for contested case hearings must be made in accordance with section NR 2.05(5), Wis. Adm. Code, and served on the Secretary in accordance with section NR 2.03, Wis. Adm. Code. The filing of a request for a contested case hearing does not extend the 30 day period for filing a petition for judicial review.

STATE OF WISCONSIN DEPARTMENT OF NATURAL RESOURCES  
For the Secretary

By   
Robert R. Davis, P.E.  
Water Management Engineer