#### **MEETING NOTICE**

The City of Stoughton will hold a Regular meeting of the Planning Commission on Monday, September 13, 2010 at 6:00pm in the Council Chambers, Public Safety Building, Second Floor, 321 S. Fourth Street, Stoughton WI.

#### **AGENDA**

- 1. Call to order
- 2. Consider approval of the Planning Commission minutes of August 9, 2010 and the Joint Business Park North and Planning Commission minutes of August 23, 2010.
- 3. Council Representative Report.
- 4. Status of Developments/Projects. (Page 8)
- 5. Dave Porterfield of Movin' Out, Inc., requests to rezone the property at 623 Eighth Street from PD-GDP Planned Development General Development Plan to PD-SIP Planned Development Specific Implementation Plan. (Page 10)
  - Public Hearing
  - Recommendation to Council
- 6. Steve Shulfer representing Richard & Karen Tofte requests to rezone 623 Kensington Square from PD Planned Development to PD-GDP Planned Development General Development Plan to allow a deck addition. (Page 53)
  - Public Hearing
  - Recommendation to Council
- 7. Request by Bill Buglass of Payne & Dolan, Inc. to annex approximately 78.89 acres at 793 US Highway 51 east from the Town of Dunkirk to the City of Stoughton. (Page 65)
- 8. Keith Comstock requests site plan approval to remodel the façade at 215 S. Gjertson Street. (Page 69)
- Dennis Steinkraus of Forward Development Group, LLC, requests conceptual approval of a proposed neighborhood development at the northwest corner of US Highway 51 and State Highway 138. (Page 73)
- 10. Discuss a proposed ordinance amendment to amend sections 78-206(1)(a)3 & 78-206(1)(a)2 to clarify that existing duplexes are not required to install separate water and sewer laterals when converting to a twin house (zero lot line). (Page 75)
- 11. Future agenda items
- 12. Adjournment

9/8/10mps

#### **COMMISSIONERS:**

Mayor Donna Olson, Chair Todd Krcma Ron Christianson Eric Hohol, Vice-Chair Carl Chenoweth Troy Wieser Rollie Odland

CC: PACKETS:

Rodney Scheel Michael Stacey (3) Rollie Odland
Troy Wieser Todd Krcma Mayor Donna Olson

**E-MAIL NOTICES:** 

All Department Heads Council members Steve Kittelson Pili Hougan Peter Sveum Derek Westby

Scott Wegner Autumn Dressell – HUB City Attorney Matt Dregne

#### Area Townships

#### **MAIL NOTICES:**

Movin' Out, Inc., Dave Porterfield, 600 Williamson Street, Madison, WI. 53703; Glueck Architects, Jim Glueck, 116 N. Few Street, Madison, WI. 53703; Vierbicher Associates, Gary Becker, 999 Fourier Drive #201, Madison, WI. 53717; Keith Comstock, 201 Business Park Circle, Stoughton; Steve Shulfer, 1918 Parmenter Street, Suite 2, Middleton, WI. 53562; Payne & Dolan, Bill Buglass, 6295 Lacy Road, Fitchburg, WI. 53593; JSD Professional Services Inc., Jim Bricker, 161 Horizon Drive, Suite 101, Verona, WI. 53593; Oakbrook Corporation, Charles Redjinski, 2 Science Drive, Madison, WI., 53744; Forward Development Group, LLC, Dennis Steinkraus, 161 Horizon Drive, Suite 101, Verona, WI. 53593; Kayser Development Group, 2303 W. Beltline Highway, Madison, WI. 53713; Emerald Ridge Developers, LLC, PO Box 415, Mount Horeb, WI. 53572; Richard & Karen Tofte, 623 Kensington Square, Stoughton; Tom Matson, 1601 E. Main Street, Stoughton;

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

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

#### **Planning Commission Meeting Minutes**

Monday, August 9, 2010 - 6:00 p.m.

Fire Department Training Room, 401 E. Main Street, Stoughton, Wl.

<u>Members Present:</u> Mayor Donna Olson, Chair; Eric Hohol, Vice-Chair, Carl Chenoweth; Rollie Odland; Todd Krcma; Troy Wieser and Ron Christianson.

#### **Absent and Excused:**

**<u>Staff:</u>** Director of Planning & Development, Rodney Scheel; and Zoning Administrator, Michael Stacey.

<u>Guests:</u> Joe Hanson; Dalyce Goldade; Jim Glueck; Robert & Donna Jensen; Tom & Philayne Chose; George & Kathy Thode; Ken Wahlin; Tom Selsor; Jim Wilcox; Sig Strautmanis; DuWayne Ree; and Gary Oien.

1. Call to order. Mayor Olson called the meeting to order at 6:00 pm.

#### 2. Consider approval of the July 12, 2010 minutes.

Motion by **Christianson** to approve the minutes of July 12, 2010 as presented, 2<sup>nd</sup> by **Chenoweth**. Motion carried 7 - 0.

#### 3. Council Representative Report.

Hohol stated there were three first readings for ordinance amendments related to the Keeping of Chickens; Indoor/Outdoor Entertainment; and Solid Fuel Fired Furnaces. The second readings are scheduled for the Common Council meeting of August 10, 2010.

#### 4. Status of Developments/Projects.

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

# 5. Dave Porterfield, Movin' Out, Inc., requests to rezone the property at 623 Eighth Street from HI – Heavy Industrial to PD-GDP – Planned Development – General Development Plan.

Scheel gave an overview of the proposed amended General Development Plan. Sig Strautmanis and Jim Gluek, representing Movin' Out, explained the proposed project. There was a brief discussion between an adjacent neighbor, DuWayne Ree and the presenters related to an encroachment from the adjacent neighbor's property. Scheel stated there will need to be further discussion related to the adjacent property.

Mayor Olson opened the public hearing.

No one spoke or registered in favor or in opposition of the amendment.

Mayor Olson closed the public hearing.

Christianson questioned whether or not the Commission will get another chance to review and discuss this request. Scheel stated that now is the time to address any major items of concern with the General Development Plan. Scheel added the next

Planning Commission Meeting Minutes 8/9/10
Page 2 of 4

plan that will be brought before the Commission will be the Specific Implementation Plan.

Motion by <u>Chenoweth</u> to recommend Council approve the rezoning ordinance for 623 Eighth Street from HI – Heavy Industrial to PD-GDP – Planned Development-General Development Plan subject to the staff review letter dated July 28, 2010, 2<sup>nd</sup> by <u>Wieser.</u>

Krcma questioned stormwater. Scheel explained there may be a joint venture between the City and the developer. Krcma questioned garage access for the adjacent neighbor. Scheel stated they have their own on-site access. Krcma questioned changes to the elevations since the last approval. Jim Glueck stated there is a slightly different profile but the finishes will be the same.

Motion carried 7 - 0.

6. Robert Jensen, C & J Property Development, requests to rezone the property at 1117 Hamilton Street from PD – Planned Development to PD-GDP – Planned Development – General Development Plan.

Scheel gave an overview of the proposed General Development Plan. Robert Jensen, Tom Chose and Gary Oien were available for questions. Robert Jensen explained the reasoning behind the proposed change from a 10 unit condominium building to a 27 unit apartment building is due to the deteriorating condominium market.

Mayor Olson opened the public hearing.

No one registered or spoke in favor of the amendment.

The following people spoke in opposition of the amendment: George Thode, 1124 US Highway 51 & 138 spoke in opposition related to building height; rental vs ownership; height of fencing and privacy.

Mayor Olson closed the public hearing.

Krcma suggested taller landscaping such as Arbor Vitae to address some of Mr. Thode's concerns. Robert Jensen explained they are working with the Thode's on a fence style and height. Chenoweth questioned what considerations have been made for parking. Jensen stated they have been corresponding with the Gallina Companies, who have vast experience in developing property for apartments. Gary Oien provided a summary comparing the zoning requirements of the MR-24 Multi-Family Residential district and the proposed General Development Plan. Chenoweth suggested lease agreements to address some of the Thode's concerns. Jensen reiterated how they will use the Gallina Companies to assist with many items including the lease agreements. Hohol questioned the need for a variance since they cannot meet requirements of the zoning code. Scheel stated the zoning is PD —

Planned Development which allows flexibility for all zoning related items, so no variance is needed. Krcma questioned why no three bedroom apartments. Jensen stated the twenty seven proposed units is not in stone, twenty five is also being considered. It was noted that a three bedroom unit requires more parking. Odland questioned the selling of apartments. Jensen stated their intent is to convert the apartments to condominiums in the future and sell them. Currently, the renting of condominiums as apartments is common.

Motion by <u>Hohol</u> to recommend Council approve rezoning 1117 Hamilton Street from PD – Planned Development to PD-GDP – Planned Development – General Development Plan contingent on the staff review letter dated July 27, 2010, 2<sup>nd</sup> by <u>Krcma.</u>

Chenoweth questioned the timing with all the items in the letter. Jensen stated the sooner the better to get financing.

Motion carried 7-0.

7. Morgan & Janet Kinney request to rezone the property at 400 & 402 Hyland Drive from SR-4 – Single Family Residential to TR-6 – Two Family Residential.

Scheel explained the history of the zoning for the proposed site.

Mayor Olson opened the public hearing.

One person spoke in favor of the rezoning: Jim Wilcox, representing the owner's spoke in favor.

No one spoke /registered in opposition of the rezoning.

Mayor Olson closed the public hearing.

Motion by <u>Hohol</u> to recommend Council approve the rezoning of 400 & 402 Hyland Drive from SR-4 – Single Family Residential to TR-6 - Two Family Residential,  $2^{nd}$  by <u>Wieser.</u> Motion carried 7 – 0.

8. Joe Hanson representing Dalyce Goldade requests to rezone 521 Kensington Square from PD – Planned Development to PD-GDP – Planned Development – General Development Plan.

Scheel explained the Planned Development process related to this request. Joe Hanson and Dalyce Goldade were available for questions.

Mayor Olson opened the public hearing.

No one spoke or registered in favor or in opposition of the amendment.

Planning Commission Meeting Minutes 8/9/10
Page 4 of 4

Mayor Olson closed the public hearing.

Motion by <u>Hohol</u> to recommend Council approve rezoning 521 Kensington Square from PD – Planned Development to PD-GDP – Planned Development – General Development Plan,  $2^{nd \ by}$  <u>Wieser.</u> Motion to carried 7 – 0.

9. Discuss the fencing regulations, specifically the requirement to allow maintenance free fencing to be installed 6 inches from the property line. Scheel gave an overview of the current fencing regulations. Odland questioned changing the requirement to placing the fence on the lot line. Scheel stated that changing the requirement to placing maintenance free fencing right on the lot line will require a survey which will add to the cost of the fence installation. Odland questioned the cost of a survey. Scheel guessed at least \$500.00. Wieser suggested no change to the ordinance at this time.

Motion by **Christianson** to take no action,  $2^{nd}$  by **Hohol**. Motion carried 7 - 0.

#### 10. Future Agenda Items.

Movin' Out will be bringing back the SIP – Specific Implementation Plan. C&J Properties will also be coming back with the SIP; Condominium Plat amendment and Certified Survey.

**11. Adjournment.** Motion by <u>Christianson</u> to adjourn at 7:07 pm,  $2^{nd}$  by <u>Krcma</u>. Motion carried 7 - 0.

Respectfully Submitted, Michael Stacey

## MINUTES OF THE JOINT MEETING OF THE BUSINESS PARK NORTH COMMITTEE AND PLANNING COMMISSION

Monday August 23, 2010 – 6:00 P.M. Council Chamber, Public Safety Building 321 S. Fourth Street, Stoughton, WI.

#### Present:

<u>Business Park North Committee</u>: Director of Planning & Development Rodney Scheel; Finance Director Laurie Sullivan; Keith Comstock, Vice-Chair; Randy McLaury, Chair; Dick Entwistle; Dave Phillips; and Eric Olstad.

<u>Planning Commission</u>: Mayor Donna Olson, Chair; Eric Hohol, Vice-Chair; Ron Christianson; Carl Chenoweth; and Rollie Odland.

Absent and Excused: Todd Krcma; Dave McKichan and Troy Wieser.

**Guests:** Scott Truehl; Mark Halverson; and Martin Briggs.

**Staff:** Zoning Administrator/Assistant Planner Michael Stacey.

1. Call to Order: Scheel called the meeting to order at 6:00 p.m.

#### 2. Elect Chair & Vice-Chair of the Business Park North Committee.

Scheel suggested the group consider the future role of the Business Park North Committee. A discussion took place about the future role of the Committee related to a potential Business Park addition. The group decided to discuss the subject at a future meeting.

Sullivan nominated Scheel as Chair, 2<sup>nd</sup> by Phillips. Comstock nominated McLaury as Chair, 2<sup>nd</sup> by Phillips. There were no other nominations. Scheel respectfully declined the nomination. Motion by Scheel to close the nominations and cast a unanimous vote for McLaury. Motion carried unanimously.

McLaury nominated Comstock as Vice-Chair. There were no other nominations. Motion by McLaury to close the nominations and cast a unanimous vote for Comstock. Motion carried unanimously.

3. Mark Halverson, Lean Distribution, LLC requests site plan approval for a building addition at 241 Business Park Circle, Stoughton Business Park.

Scheel introduced the request. Mark Halverson explained the intent of the building expansion and answered questions.

Motion by **Phillips** to approve the building addition contingent on the staff letter dated August 19, 2010, 2<sup>nd</sup> by **Comstock.** Motion carried 12 - 0.

**4.** <u>Adjournment:</u> Motion by <u>McLaury</u> to adjourn at 6:15 pm,  $2^{nd}$  by <u>Phillips.</u> Motion carried 12 - 0.

Respectfully submitted, Michael Stacey



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

RODNEY J. SCHEEL DIRECTOR

(608) 873-6619

www.cityofstoughton.com/planning

Date: September 8, 2010

To: Planning Commission Members

From: Rodney J. Scheel

Director of Planning & Development

Michael Stacey

Zoning Administrator/Assistant Planner

Subject: September 13, 2010 Planning Commission Meeting - Status of Developments and

Meeting Summary.

#### **Status of Developments:**

• West View Ridge - 33 improved lots remaining.

- Barberry Fields 3 improved lots remaining.
- Stone Crest 12 improved lots remaining.
- Nordic Ridge No improvements.
- North American Fur Expansion In Process.
- 5 single family home permits issued for 2010 compared to 1 in 2009.
- Payne & Dolan property annexation on agenda.

#### **Meeting Summary:**

Item #5 – Dave Porterfield of Movin' Out, Inc., requests to rezone the property at 623 Eighth Street from PD-GDP – Planned Development-General Development Plan to PD-SIP – Planned Development-Specific Implementation Plan. The applicant has received recent Council approval to rezone this property from HI – Heavy Industrial to PD-GDP – Planned Development – General Development Plan. The final phase of the Planned Development process is to provide a Specific Implementation Plan that encompasses all of the conditions of previous approvals. This proposed use complies with the Comprehensive Plan through the Rail Corridor Neighborhood Plan. The Specific Implementation Plan and supporting materials including a staff review letter are provided. A public hearing is scheduled and a recommendation to the Common Council is necessary. If approved, the rezoning will become effective after publication and when the City takes ownership of the property.

Item #6 – Steve Shulfer representing Richard & Karen Tofte requests to rezone 623
Kensington Square from PD – Planned Development to PD-GDP – Planned Development
– General Development Plan to allow a deck addition. The property at 623 Kensington
Square is part of an existing Planned Development. The owner is proposing to amend the
Planned Development to install a 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 Comprehensive Plan Planned Land Use Map depicts this property as being Two Family Residential which is not consistent with the use. The Comprehensive Plan will need to be amended to depict the actual use of mixed residential. The General Development Plan; supporting documents and staff review letter are provided. A public hearing is scheduled and a recommendation to Council is necessary.

Item #7 – Request by Bill Buglass of Payne & Dolan, Inc., to annex approximately 78.89 acres at 793 US Highway 51 east from the Town of Dunkirk to the City of Stoughton. This annexation request has been reviewed by the Wisconsin Department of Administration and found to be in the public interest. The letter from the Wisconsin DOA and the annexation ordinance are provided. A recommendation to Council is necessary.

Item #8 – Keith Comstock requests site plan approval to remodel the façade at Salon X, 215 S. Gjertson Street.

The applicant is requesting to remove the existing front overhang and improve that façade at 215 S. Gjertson Street. The applicant plan & letter and staff review letter are provided.

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

The applicant has provided a conceptual plan and summary letter.

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

One of the intentions of the recent comprehensive zoning code update was to eliminate non-conformities for existing development. While the above code section does not create any non-conformities for existing duplexes or twin homes; because of the way the code is currently written, when someone wants to convert a duplex to a twin house (zero lot line) they are required to install separate water and sewer laterals. That was not the intent of this ordinance requirement. We propose to amend zoning code sections to clarify that only newly constructed duplexes and twin homes after the effective date of this ordinance are required to have separate water and sewer laterals. This will also require an amendment to the duplex requirements in section 78-206(1)(a)2 (provided).

# Residential Development 623 Eighth Street Stoughton, Wisconsin PD Process Step 4:Specific Implementation Plan August 13, 2010

This Specific Implementation Plan closely matches the recently-approved GDP for this property, with only minor changes.

The proposed project consists of 33 residential multifamily units, to be located on a site at the south end of 8<sup>th</sup> Street in the central area of the City of Stoughton. It is bounded by the Yahara River to the South, Dunkirk Avenue on the East, a mixed residential area (single and multifamily) to the North and 8<sup>th</sup> Avenue to the West. It is located within the boundaries of Stoughton Redevelopment Area #1. The site is currently a vacant site utilized as outdoor storage by Stoughton Trailer Company. The current zoning is Industrial/Warehouse; however, the Stoughton Redevelopment Plan has identified the future use of this site as residential multifamily.

The project will be designed, financed, marketed and operated in a fashion to provide an increase of affordable and accessible rental housing options for a combination of future tenants/ household types including:

- Households that include people with disabilities,
- Workers who provide direct support/ residential services for disabled residents in Stoughton who would benefit from having more affordable housing and living in close proximity to those they support.
- Families who are also part of the Stoughton workforce who are in need of affordable housing and interested in living near the downtown

The project developer, Movin' Out, Inc., is a statewide nonprofit housing organization who specializes in assisting people with disabilities in attaining affordable housing solutions including both home ownership and rental housing arrangements. This project will be developed as permanent rental housing and will have rents affordable to a range of household incomes. The completed units will be reserved for--and the projected rents will be affordable to--households with incomes below 60% of the area median income. For a family of four, that translates into an annual income of no more than \$48,000. This income level is squarely within the typical income range of working families who live in Stoughton.

Movin' Out will be financing the project in part with affordable housing tax credits through a program administered by the Wisconsin Housing and Economic Development Authority (WHEDA).

Additionally Movin' Out is working with the Stoughton Redevelopment Authority to obtain direct City financial support for the project through the utilization of Tax Incremental Financing to help cover land, utility and infrastructure costs.

Because a portion of the units will be intended for occupancy by people with disabilities, the buildings, site grading and features will be designed to maximize accessibility for people with mobility impairments. This includes universal design and visitability principles: all ground floor units will have no-step entries and all site pathways will maintain a grade allowing use of wheelchairs to move about the site easily. There will be elevator access to all second floor units. The design is not yet developed to a point that we can confirm the exact details but we will be able to do so at the conclusion of the zoning approval process.

There will be three buildings to accommodate the 33 units. Buildings facing the streets will be two story townhouse style structures and will contain 4 units each. Units in these two buildings are all three-bedroom. The interior building at the center of the site will be a two story apartment-style building with 4 one-bedroom, 17 two-bedroom and 4 three-bedroom units.

There will be 4 one-bedroom, 17 two-bedroom and 12 three-bedroom units total in the development. In addition, we will have common space for the residents' shared use, located in the center building.

The total area of the site is approximately 2.443 acres. The density will be approximately 13.5 units per acre. Approximate floor area ratio will be 0.40. Impervious surface area ratio will be approximately 0.47.

The architectural style of the buildings will be designed to reflect the dominant architectural themes of the surrounding residential portion of the neighborhood. We are proposing a smaller townhouse-style building facing each street, articulated to blend in with the visual rhythm of the residential neighborhood.. Included in this submittal are exterior elevations for the street-facing buildings. We feel our design will strengthen the existing residential character of the neighborhood. The interior building is two stories tall, with an elevator, set to take advantage of the river frontage. It is articulated to break the scale of the building into residential-scale elements. Included in this submittal are exterior elevations for the street-facing buildings. Materials are indicated on all of the elevations. Colors will be selected from a palette of earthtones, with medium colors for the siding and lighter colors for the trim. Samples can be brought to the meeting upon your request.

Thirteen units will have detached garages and twenty units will utilize surface parking. There will be a total of 36 surface parking spaces to serve the site. We are providing 49 off-street spaces for 33 units, which amounts to 1.48 parking spaces per unit. Please note that the typical Movin' Out client has no car, and 8 to 10 of these units will be occupied by our clients.

The units will also be designed to be highly energy efficient and overall design will follow sustainable development practices. Movin' Out intends to work with Stoughton Utilities, Wisconsin Public Power and Wisconsin Focus on Energy to ensure the buildings' energy performance is as efficient as possible within the constraints of the project budget.

The predominant natural feature of this site is the Yahara River. There is river frontage of approximately 295 feet on this site. All structures will remain outside the required 75 foot setback from the river. This area will be landscaped to provide both a visual barrier as well as an environmental buffer to protect the river by preventing runoff of storm water from the site directly into the river. This area will be landscaped with native plants and appropriately graded to attain this goal. This area will also provide either a public easement or corridor dedicated to the City to provide public access to the waterfront and to allow for the construction of public improvements such as a river walk and associated outdoor furnishings.

The site surface is currently composed largely of compacted gravel. The proposed future use will have considerably less impervious area, and provide a substantial improvement in terms of treatment of storm water. The site will be landscaped to meet the requirements of Stoughton's zoning ordinance.

The site plan includes providing substantial open space which will accommodate the needs of the future residents.

The Comprehensive Plan shows this site as General Industrial usage. However, the Redevelopment Plan references this particular site as a future Residential usage. We feel this usage, and specifically our proposed plan, will be an asset to both the neighborhood and to the city of Stoughton.

We are seeking an exemption for the Group Development Requirements. Also, I have compared our proposed development with the MR-24 District requirements. My results are as follows: (non-conforming items in bold and underlined)

**ORDINANCES** 

THIS DEVELOPMENT

MGD of 24 units per acre

13.5 units per acre

Multiplex/apartment (12 du or less per building)
permitted by right

Multiplex/apartment (25 du in one building)

Minimum lot area (1815 sf per unit) permitted by right Landscaping regulations required

3225 sf per unit

Will meet requirements

Performance regulations required Will meet requirements

Signage regulations required Will meet requirements

Minimum lot area 12,000 sf 2.443 acre site (106,415 sf)

Minimum LSR 50% LSR of approximately 51%

Minimum lot width 90' Meets requirements

Minimum street frontage 50' Meets requirements

Minimum front setback 25' 15' requested, with 4' porch

encroachment into the 15' setback

Side lot line setback 20' 15' requested (10' for garages/sheds)

Total side lot lines setback 40' Meets requirements except for

garages/sheds

Rear lot line setback 50' Not applicable (2 fronts)

Minimum paved surface setback 5' from side or rear,

10' from ROW

Will meet requirements

Minimum dwelling unit separation 40' Will meet requirements

Maximum height 40' Will meet requirements

Minimum Off-Street Parking (not noted) 1.48 spaces per unit

Minimum dwelling core dimensions 24' by 40' Not applicable

We are seeking exemptions for the above underlined items.

Our planned signage will consist of two small development signs and small signs to indicate location of addresses at the start and end of each parking area to help visitors and firefighters. We will provide pole-mount, cutoff type exterior lighting for parking areas, meeting the City of Stoughton requirements. Designs for signage and lighting will be submitted as soon as they are available.

Please contact me if you have further questions.

Thank you for considering our development.

David Porterfield Movin' Out, Inc.



### Wisconsin Housing and Economic Development Authority

Reservation Agreement for Low-Income Housing Tax Credits

#### Issued July 9, 2010

RECEIVED JUL 1 2 2010 MOVIN' OUT, INC.

Application Number: 5594

Project Name: Elven Sted

Project Address(es): 623 Eighth Street

Stoughton, WI 53589

Owner/Taxpayer Name: Movin' Out Stoughton LLC

Owner/Taxpayer Contact Person: David Porterfield

Owner/Taxpayer Address: 600 Williamson Street

Madison, WI 53703

Owner/Taxpayer response required: July 29, 2010

Statement of Election due date: August 5, 2010

Project Type: New Construction

Land Use Restriction Agreement ("LURA") term: 30 Years

Set-aside election: 40% of Units at 60% of CMI

**Review Two and Credit Award documents** 

submission-Postmark must be on or before: November 8, 2010

Mandatory construction commencement date: NA

Last date to place in service: December 31, 2012

Credit percentage month/year for purposes of Reservation

Agreement (not binding): July 2010

Credit calculations:

Reasonably expected project basis:

Eligible basis:

Anticipated applicable fraction:

\* Anticipated qualified basis:

Credit percentage for purposes of Reservation Agreement

(not binding):

Annual housing Credit dollar amount(s) requested:

Total reserved annual Credit to Project:

Nonrefundable 5% Reservation fee:

30% PV	70% PV			
\$0	\$6,411,284			
\$0	\$6,411,284			
N/A	96.08392%			
\$0	\$8,008,276			
N/A	9.00%			
\$0	\$720,744			
\$720,743	_ (A)			
\$36,037				

<sup>\*</sup> Includes estimated adjustment for QCT if applicable

Express Mail Responses: Wisconsin Housing and Economic Development Authority 201 West Washington Avenue, Suite 700 Madison, Wi 53703

Postal Responses:

Wisconsin Housing and Economic Development Authority

P.O. Box 1728

Madison, WI 53701-1728

#### RECEIPT OF RESERVATION:

Your Low-Income Housing Tax Credit ("LIHTC") application has been reviewed, scored and ranked. As a result, the Wisconsin Housing and Economic Development Authority ("WHEDA") hereby issues this reservation of LIHTC for the Project. The LIHTC application (Review 1) is incorporated into this document by reference and made a part of it.

#### **ACCEPTANCE OF RESERVATION:**

To secure the Reservation of Credit, Owner/Taxpayer must complete the signature page of this **original** Reservation Agreement ("the Agreement"), postmark or deliver the original to WHEDA by the "Owner/Taxpayer response required" date on page one of this Agreement, and remit the specified 5% nonrefundable reservation fee. This Reservation Agreement expires if it is not accepted and returned to WHEDA in strict accordance with this paragraph.

#### **CALCULATION OF CREDIT AMOUNT:**

The reserved credit amount was established based on information supplied in your first application (Review 1) and WHEDA's evaluation of that application.

The reserved dollar amount may change based on two subsequent reviews by WHEDA. The second review (Review 2) will occur after you execute and returned this Agreement, the 5% reservation fee, and an updated project application to WHEDA. The third review (Review 3) will occur after the Project has been placed in service.

#### **ELECTION OF CREDIT PERCENTAGE:**

Owner/Taxpayer may lock in the Tax Credit percentage by signing the enclosed "Statement of Election of Appropriate Percentage Month" (the "Election"). The signed and notarized election form must be executed in the month this Agreement is signed, and must be RECEIVED by WHEDA no later than the due date specified in this Agreement. If the Election is not made, or if the Project is placed in service prior to application for the LIHTC, the Tax Credit percentage for the final allocation will be based on the prevailing Tax Credit percentage for the month in which the Project building(s) is/are placed in service. Please note that under section 42(b)(2), the applicable percentage for non-federally subsidized new buildings placed in service after July 30, 2008 and before December 31, 2013, shall not be less than 9%.

This Agreement, if executed by Owner/Taxpayer and received or postmarked by WHEDA no later than the "Owner/Taxpayer response required" date specified on page one of this agreement, is intended to serve as a binding agreement for purposes of section 42(b)(2) of the Code. The accompanying "Statement of Election of Appropriate Percentage Month," if executed by Owner/Taxpayer as provided above, is intended to serve as an election document for the purposes of Department of Treasury Regulation §1.42-8. However, the IRS is not bound by this Agreement or the Election and could determine that this Agreement and/or the Election do not meet the requirements of Section 42 of the Code and the Treasury regulations relating to Section 42.

#### TERMS OF THE RESERVATION AGREEMENT:

This Agreement is intended to be binding under the laws of the State of Wisconsin on WHEDA, Owner/Taxpayer and all successors in interest. Owner/Taxpayer assumes the risk that this Agreement may not be considered binding by the IRS. Subject to the foregoing, Owner/Taxpayer agrees as follows:

#### Changes to the Project -

Owner/Taxpayer must notify WHEDA in writing of <u>any</u> changes to the Project differing from the Project application(s) at the time these changes occur. Failure to do so could jeopardize wholly or in part the LIHTC Reservation under this Agreement. Requests for changes will be reviewed by WHEDA and a determination made as to whether the proposed changes are acceptable. A fee, determined in WHEDA's sole discretion may be charged for this review.

No changes are allowed to the selection criteria on which the Project was ranked and awarded LIHTC by WHEDA without prior written authorization by WHEDA. By accepting this Reservation, you agree to build and operate the project as it was scored by WHEDA. If the project is not built and operated in strict accordance with the selection criteria submitted by you to WHEDA, WHEDA will have the right, in its sole discretion, to terminate this Agreement and the allocation of credit to the Project.

#### To Maintain the LIHTC RESERVATION THE Owner/Taxpayer Must:

- 1. FOR 2010. No later than 60 days from the date of this agreement, provide to WHEDA a nonrefundable fee of 2.5% (two and one-half percent) of the annual credit amount.
- 2. Provide an updated application (Review 2), including Credit Award Documents, both via WHEDA's online application system and in paper format for review by WHEDA no later than the "review two submission due date" on page one of this Agreement. Failure to comply with the requirements of the following paragraph may result in loss of LIHTC for the Project. Following review and acceptance of the second application, WHEDA will either:

Issue a Carryover Allocation Agreement ("Carryover Agreement"). (Note: See the Carryover Provision Request form and instructions)

or

Request clarification and/or documentation from the Owner/Taxpayer if the information in Review 2 is not adequate. WHEDA must receive additional requested information by December 1 of the current calendar year in order to issue a Carryover Allocation for the Project.

Review 3 application materials must be received by WHEDA on or before the 3rd Friday of November in order for WHEDA to issue form(s) 8609 for the Project in a given year. WHEDA will not be responsible for delays in the processing of form(s) 8609 prior to the close of the year if Review 3 documentation is incomplete at submission. Review 3 application must be submitted no later than the third Friday in November of the second year following the calendar year of the credit allocation.

An updated Review 3 application must be furnished to WHEDA both via WHEDA's online application system and in paper format immediately after the Project has been placed in service. WHEDA will then conduct Review 3. If all information submitted is satisfactory to WHEDA, IRS form(s) 8609 will be issued. The required documentation for Review 3 is specified in the Qualified Allocation Plan for the current calendar year and is subject to change for items not affecting the scoring or rank of the Project.

Reviews 2 and 3 must reflect any change in facts. The Credit amount is subject to a reduction if subsequent evaluation by WHEDA indicates a need for less Credit than originally reserved (required by the Code). Additionally, any increase to the LIHTC amount of the Reservation Agreement is in WHEDA's sole discretion.

Fees - Post-Reservation or Review 2:

At the time of Review 2, a nonrefundable fee of 2.5% (two and one-half percent) of the annual credit amount allocated must be paid to WHEDA. If the payment required is not made by the deadline for Review 2, the credit reservation for the Project will be cancelled by WHEDA.

If Owner/Taxpayer requests a reissuance of the Carryover Agreement, WHEDA, in its sole discretion, may charge a reissuance fee or fees.

Restrictive Covenants - Land Use Restriction Agreement ("LURA"):

Owner/Taxpayer must maintain the Project units set aside as low-income housing for 30 years, unless otherwise permitted under the Code and Regulations or by WHEDA. Before a final allocation of credit will be issued, Owner/Taxpayer must execute such documents as WHEDA requires (collectively, the "Restrictive Covenants") evidencing this "extended low-income housing commitment" between WHEDA and Owner/Taxpayer.

The Restrictive Covenants will provide that: a) each Project building will be maintained throughout the 30-year period with the same low-income occupancy percentage on which the original LIHTC allocation was based, b) Owner/Taxpayer will execute such additional documents as WHEDA deems necessary to implement and enforce the terms of the LURA, and c) all successors to the original Owner/Taxpayer will be bound by the Restrictive Covenants. The Restrictive Covenants will be recorded with the Register of Deeds for the county in which the Project is located.

The Restrictive Covenants will also require that the Project meet all the goals upon which ranking points were awarded. Owner/Taxpayer further agrees that the Project will be monitored for compliance with the Project Goals during the entire 30-year period.

It is the sole responsibility of Owner/Taxpayer to determine that the Project can meet and will continue to meet all federal requirements to qualify for the actual use of the LIHTC allocated to the Project by WHEDA, and to meet all necessary federal income tax requirements in order to use the LIHTC.

Owner/Taxpayer hereby releases WHEDA from all responsibility to notify Owner/Taxpayer regarding laws affecting the LIHTC as it applies to the Project.

Owner/Taxpayer must comply with the following:

- Opportunities for training and employment arising in connection with the planning and implementation of the Project should be made available to minority individuals and/or women;
- Contracts for work to be performed in connection with the Project should be made available to businesses which are owned in whole or in part by minority individuals and/or women, including, but not limited to, those in the field of finance, planning, consulting, design, architecture, marketing, building construction, property management and or/maintenance;

### LOW-INCOME HOUSING TAX CREDIT (LIHTC) PROGRAM

## STATEMENT OF ELECTION OF APPROPRIATE PERCENTAGE MONTH

The Wisconsin Housing and Economic Development Authority ("WHEDA"), as the housing credit agency for the State of Wisconsin, as that term is defined in Section 42 of the Internal Revenue Code (the "Code"), has reserved a total of \$720,743 of 2010 Wisconsin Low Income housing credit authority for Elven Sted (the "Project"), LIHTC #5594, as referenced in the LIHTC Reservation Agreement (the "Agreement") dated July 9, 2010. Movin' Out Stoughton LLC is the owner of the Project covered by the Agreement (the "Owner/Taxpayer").

The Owner/Taxpayer hereby irrevocably elects, pursuant to section 42(b)(2)(A)(ii)(I) of the Code, to fix the applicable tax credit percentage(s) for the Project as the percentage(s) prescribed by the Secretary of the Treasury for the month of July 2010, which is the month of the Agreement. The Owner/Taxpayer acknowledges that the Agreement is binding upon the Owner/Taxpayer, and all successors in interest to the Owner/Taxpayer, as to the allocation of housing credit dollar amount to the buildings in the Project in accordance with the terms of the Agreement.

Ackno

cknowledged, agreed and accepted this 26 <sup>th</sup> day of <b>July, 2010</b> .
OWNER/TAXPAYER:
By: Howard Mander Me
Howard Mandeville Signature
EXEC. TIRECTOR MOVIN-OUT STUMBLETO, CLE
Type/Print Name and Title
STATE OF WISCONSIN  (1) IS CONSIN SS
COUNTY OF
On this 1/2 day of July, 2010, How and Mandurille, being first duly sworn and to me personally known, acknowledged that (s)he executed the above document for the purposes recited therein.
Notary Public, State of Wisconsin
My Commission expires: October 20, 2013
, and managered to

This Statement of Election must be completed by Owner/Taxpayer, signed before a notary, and received by WHEDA no later than August 5, 2010 or it is not valid.

- The Project should be affirmatively marketed and available for occupancy by all persons, regardless of race, national origin, religion, creed, sex, age or handicap; and

- The Project should minimize the involuntary displacement of any existing low-income households.

Owner/Taxpayer will continue to cooperate with and furnish to WHEDA or WHEDA's counsel such documents, reports, exhibits or showings required by Section 42 or the Code and applicable Treasury regulations.

The reservation of LIHTC under this Agreement and any subsequent allocation of LIHTC provided by WHEDA are based on information provided by Owner/Taxpayer. The issuance of a reservation of LIHTC and/or any subsequent allocation of LIHTC does not ensure the project buildings do qualify for or will continue to qualify for the use of the LIHTC being reserved and/or allocated.

Owner/Taxpayer is required to comply with the terms and conditions set forth herein as well as all applicable laws and regulations, and if issued, the terms and conditions set forth in the Carryover Agreement. Failure to comply with any of the above requirements may result in the loss of LIHTC for the Project, at the sole discretion of WHEDA.

Acknowledged,	agreed and	accepted this	 day of J	uly, 20	ήυ.

OWNER/TAXPAYER (Type entity name):

By: Signature

Typed/Printed Name and Title:

HOWARD MAR DEVICE, EXEC DIRECTOR

WISCONSIN HOUSING AND ECONOMIC DEVELOPMENT

AUTHORITY:

Agency ID Number: 39-1209764

Dated: July 9, 2010

MOVIN' OUT, INC. 600 WILLIAMSON STREET MADISON, WI 53703 608-251-4446 WWW.MOVIN-OUT.ORG GREAT WISCONSIN CREDIT UNION MADISON, WI 53708 79-7903/2759

7/27/2010

PAY TO THE WHEDA ORDER OF

**\$** \*\*36,037.00

DOLLARS 🗓

4680

WHEDA

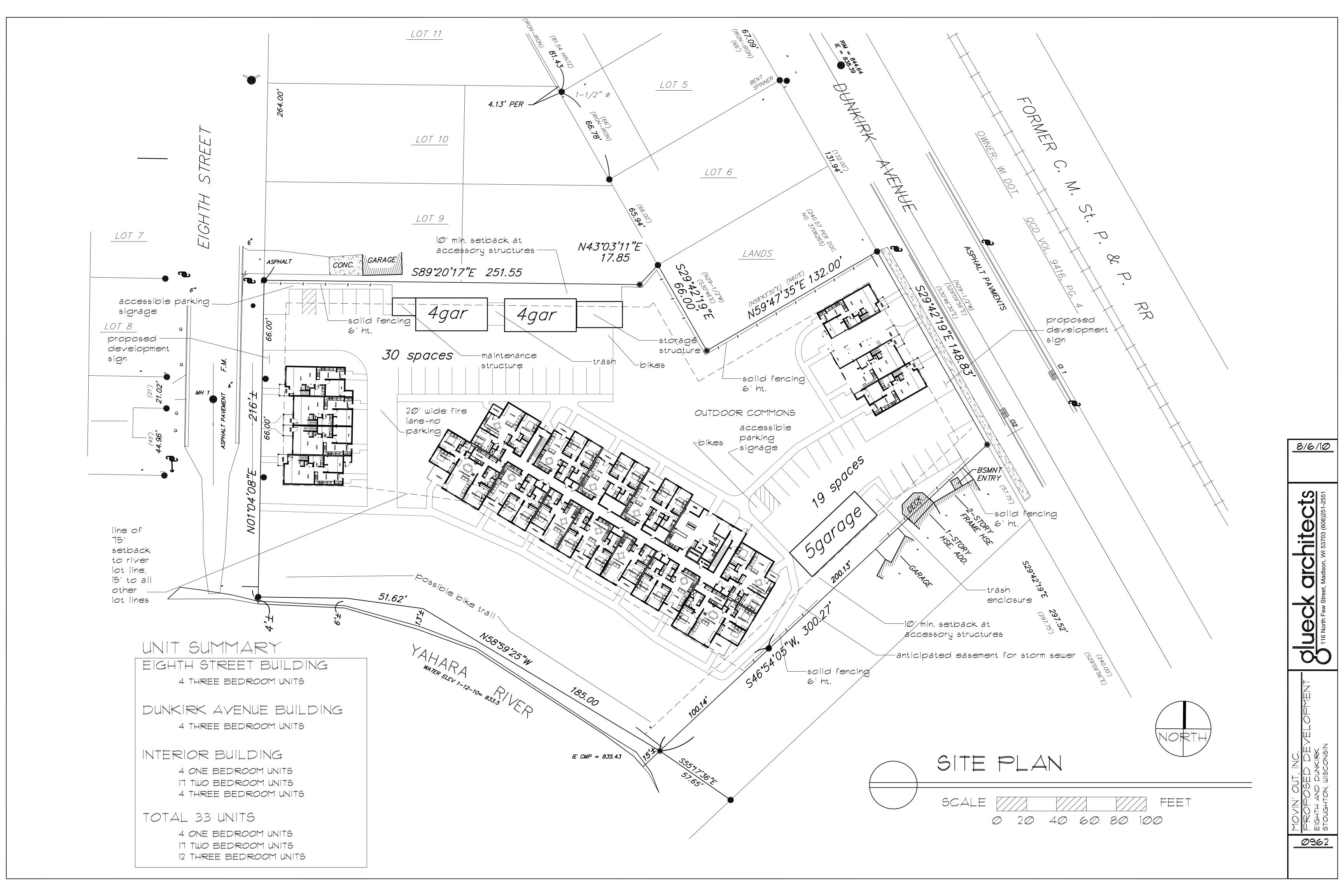
PO Box 1728

Madison, WI 53701-1728

MEMO

Howardhandirle M.

##OO4680# 1:27597903440094383098#





RIVER (SOUTHWEST) ELEVATION

SCALE 1/8'=1'-0'



PREDE CONSTRUCTION

SIDE (SOUTHEAST) ELEVATION

SCALE 1/8"=1'-0"

8/16/10 MOVIN' OUT, INC.

PROPOSED DEVELOPMENT
EIGHTH AND DUNKIRK
STOUGHTON, WISCONSIN

Sueck architects
116 North Few Street, Madison, WI 53703 (608)251-2551

0962



# NORTHEAST ELEVATION SCALE 1/8"=1'-0"



PEFE CONSTRUCTION

SIDE (NORTHWEST) ELEVATION

SCALE 1/8"=1'-0"

8/16/10 MOVIN' OUT, INC.

PROPOSED DEVELOPMENT

EIGHTH AND DUNKIRK

STOUGHTON, WISCONSIN

Jueck architects
116 North Few Street, Madison, WI 53703 (608)251-2551

A FOR CONSTRUCTION



FRONT ELEVATION

SCALE 1/4" = 1'-0"

8/16/10

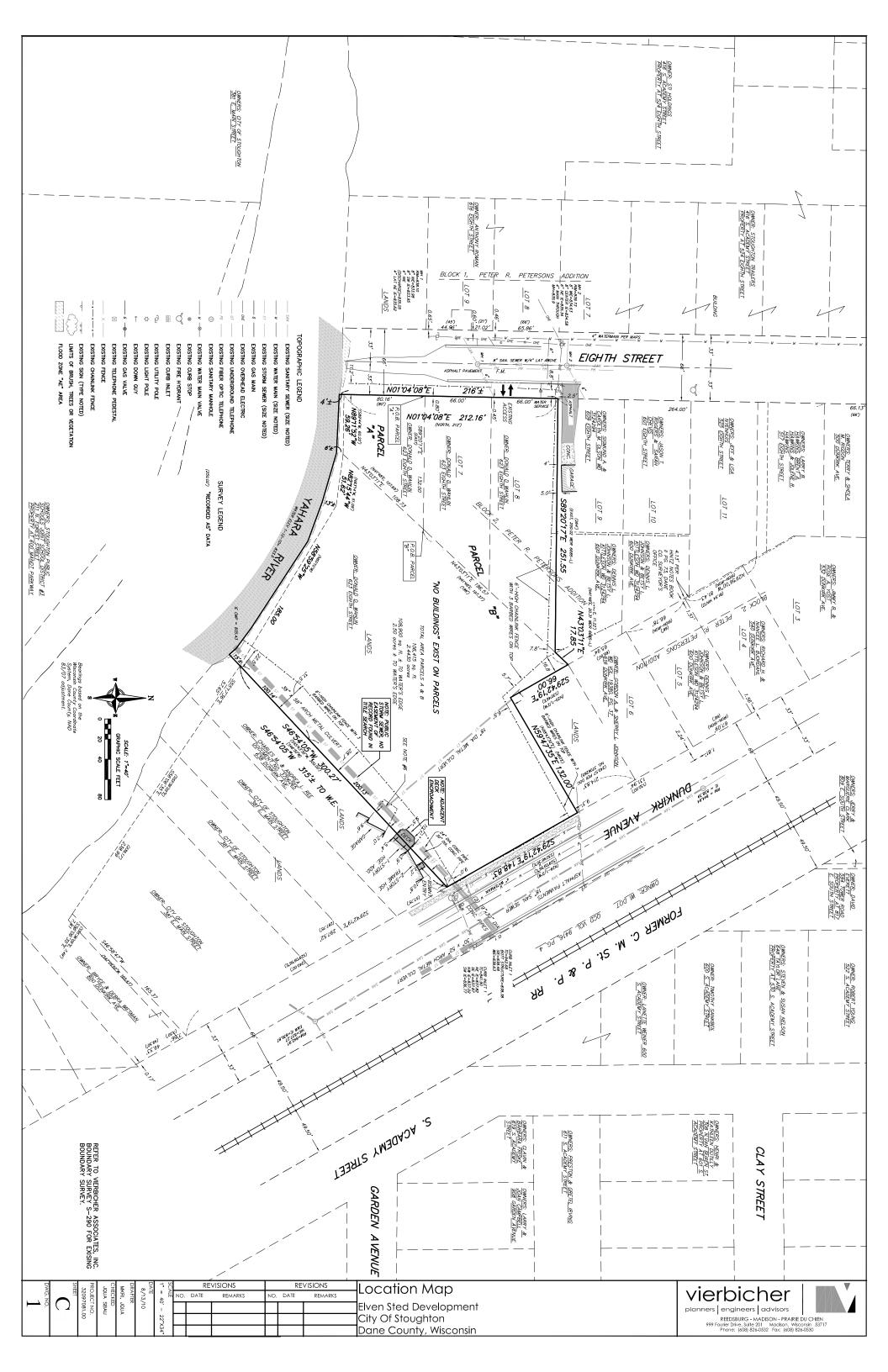
dueck architects

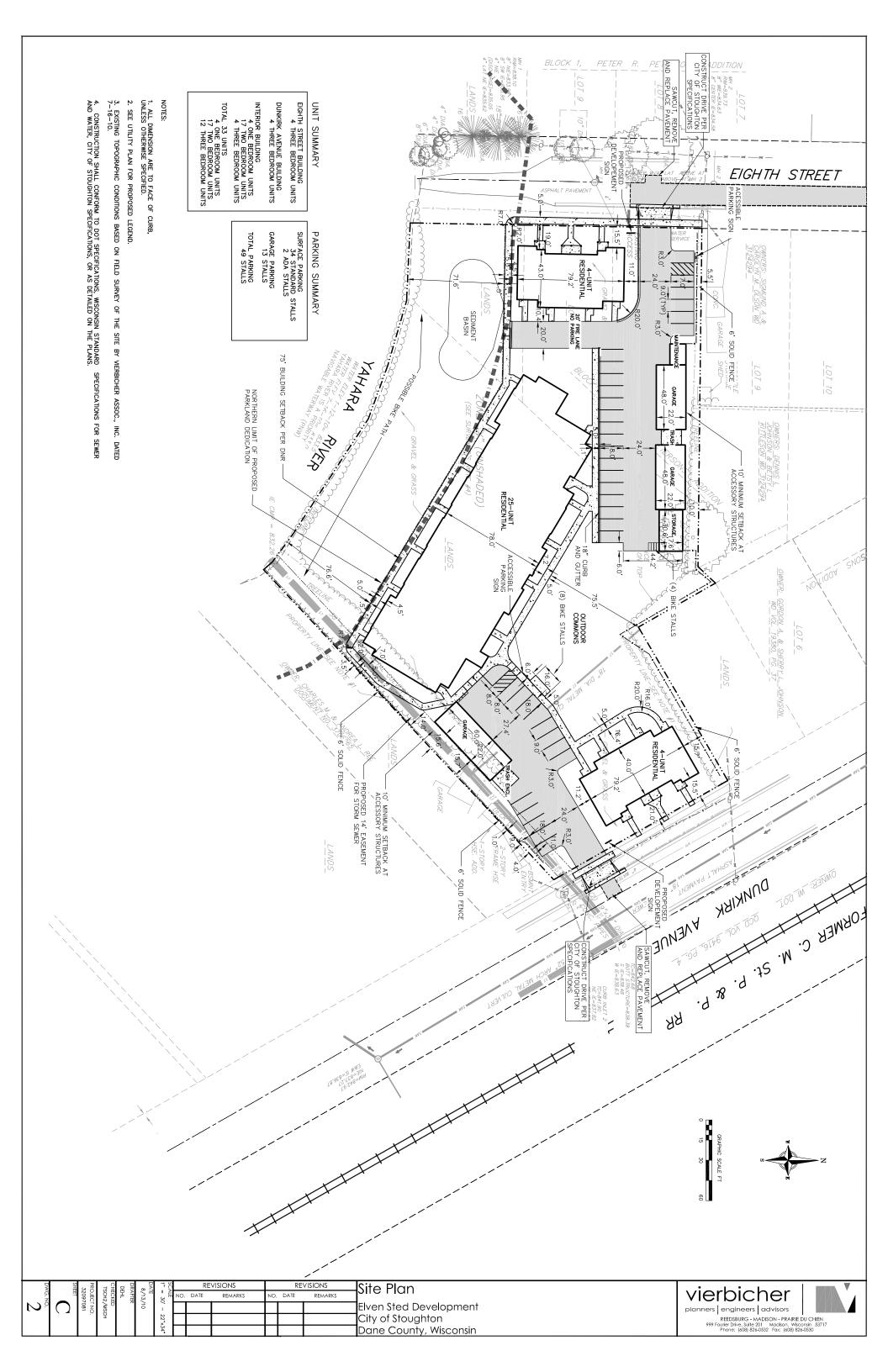
July 116 North Few Street, Madison, WI 53703 (608)251-2551

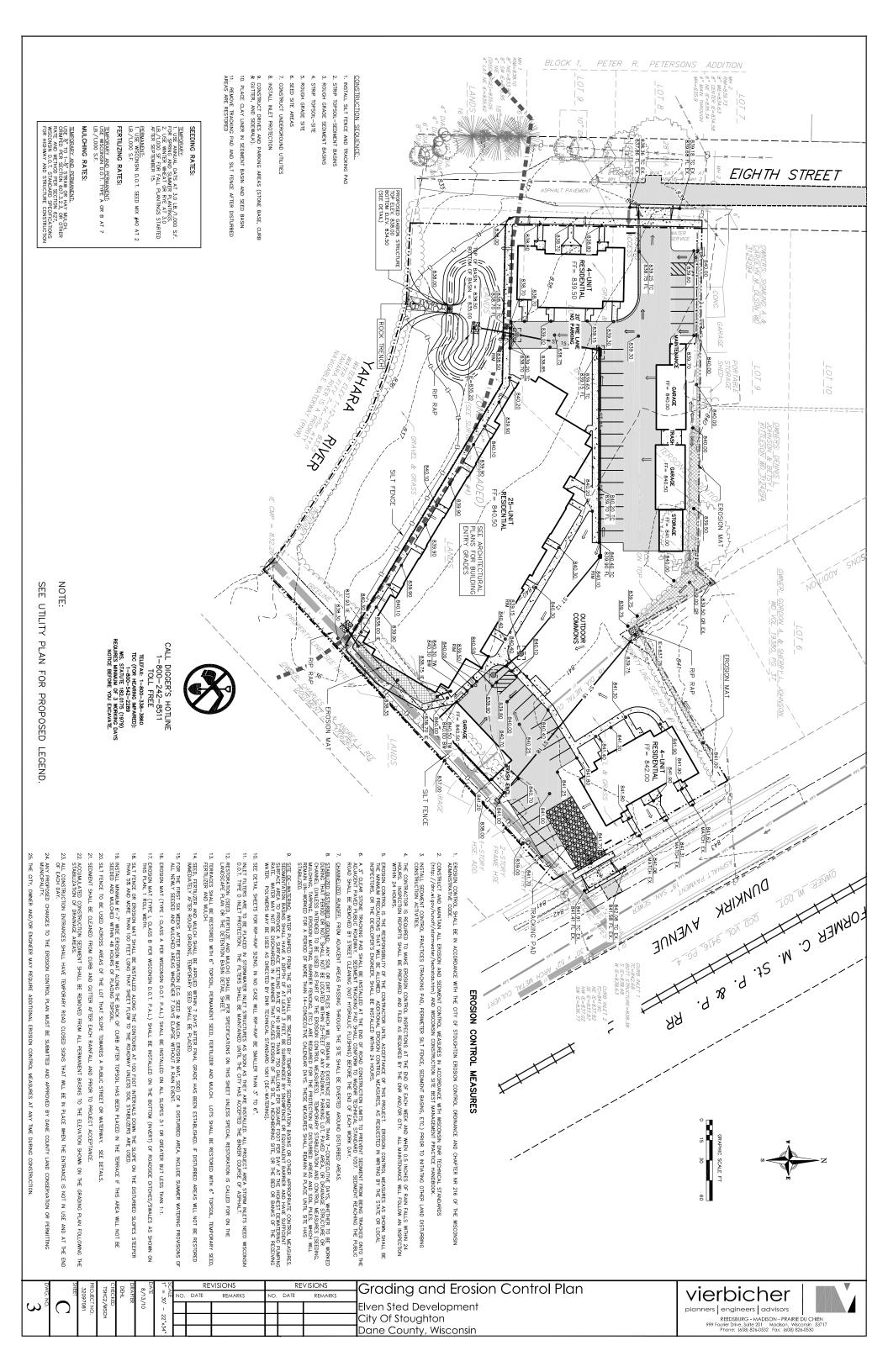
TROPOSED DEVELOPMENTE AND DUNKIRK

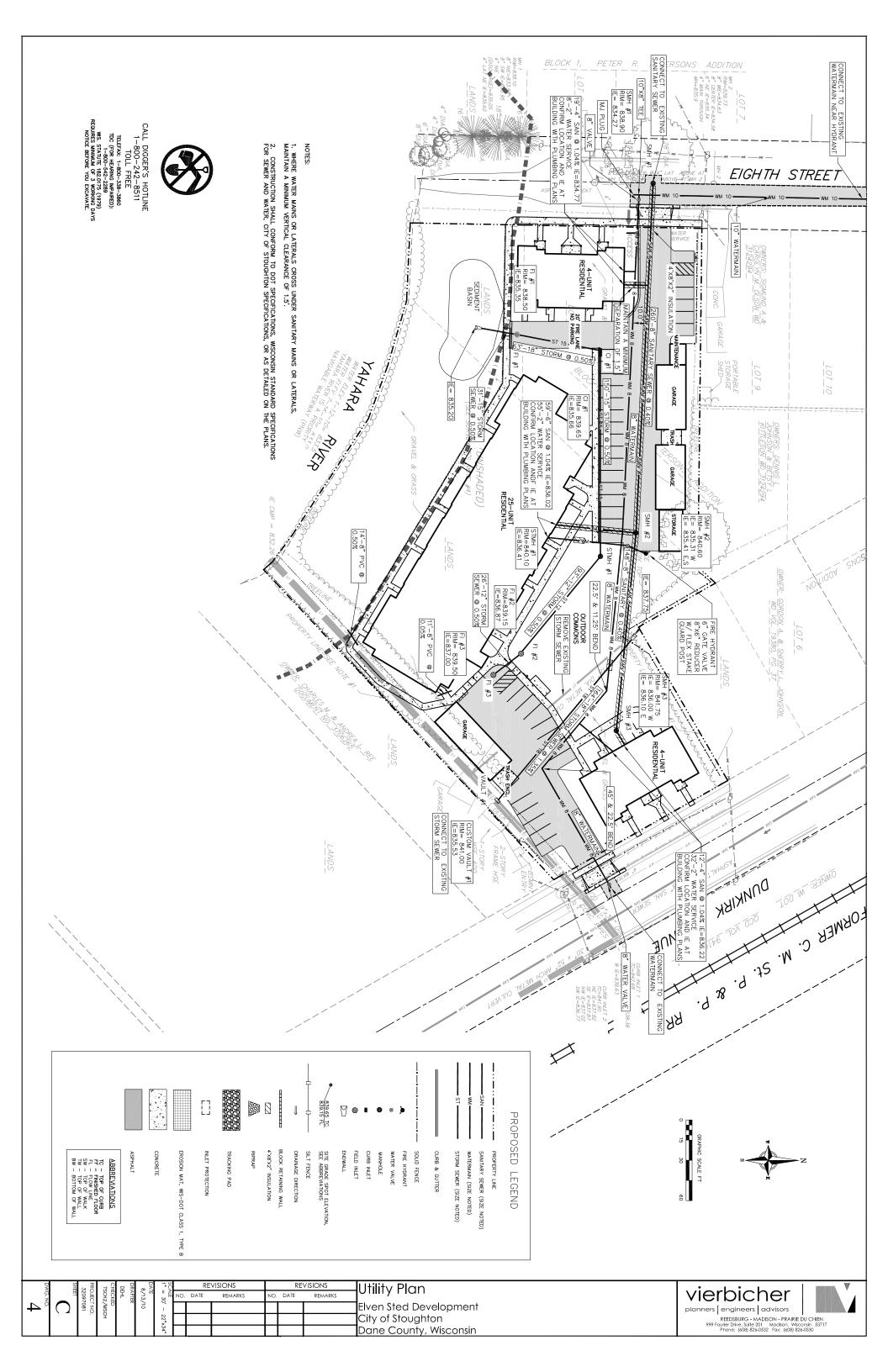
**Ø962** 

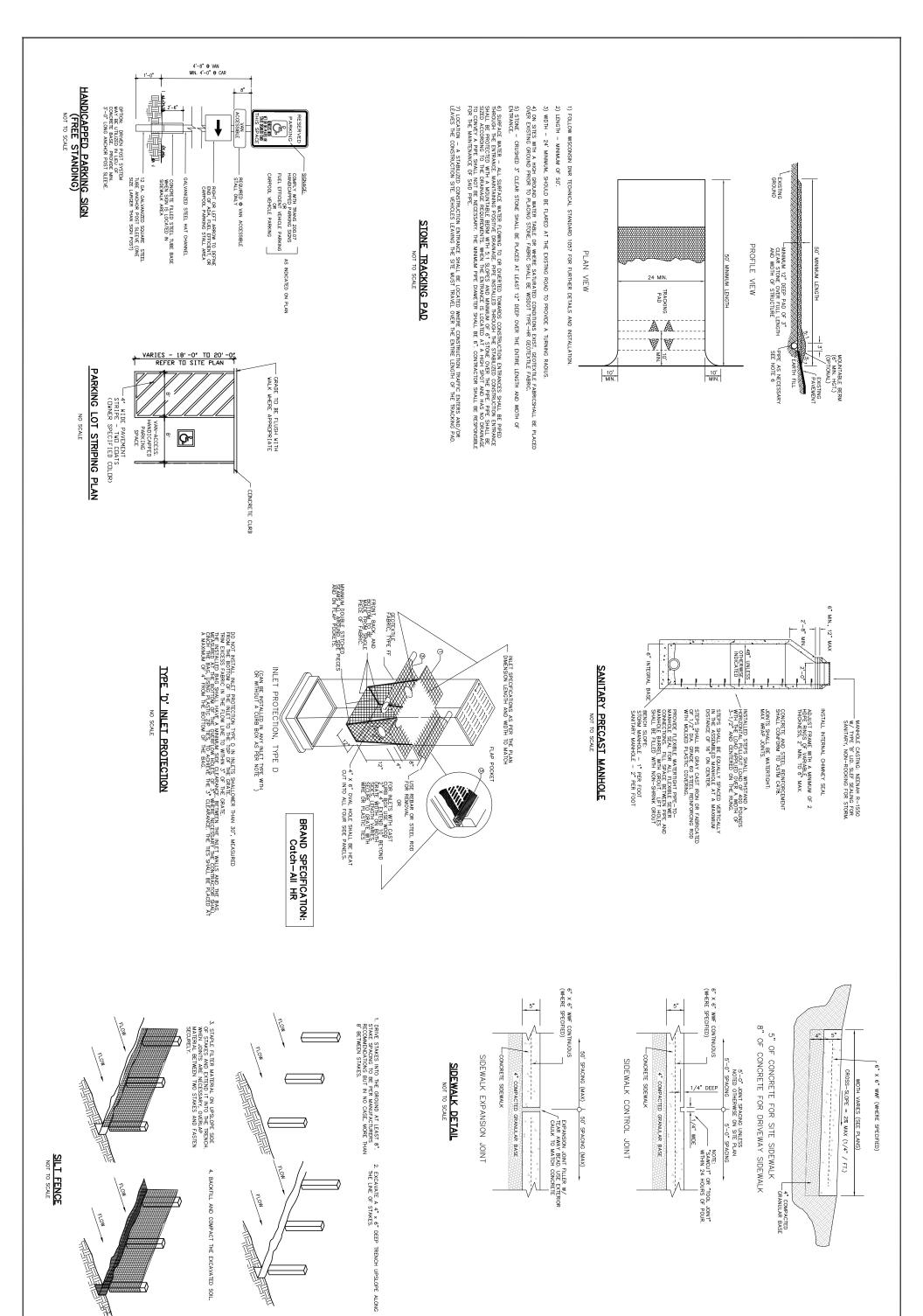












REVISIONS TE REMARKS

DATE

Construction Details

Elven Sted Development

City Of Stoughton Dane County, Wisconsin vierbicher

planners | engineers | advisors REEDSBURG - MADISON - PRAIRIE DU CHIEN 999 Fourier Dirve, Sulfe 201 Madiston, Wisconsin 53717 Phones: (608) 826-45332 \* Tax: (608) 826-4530

REVISIONS

REMARKS

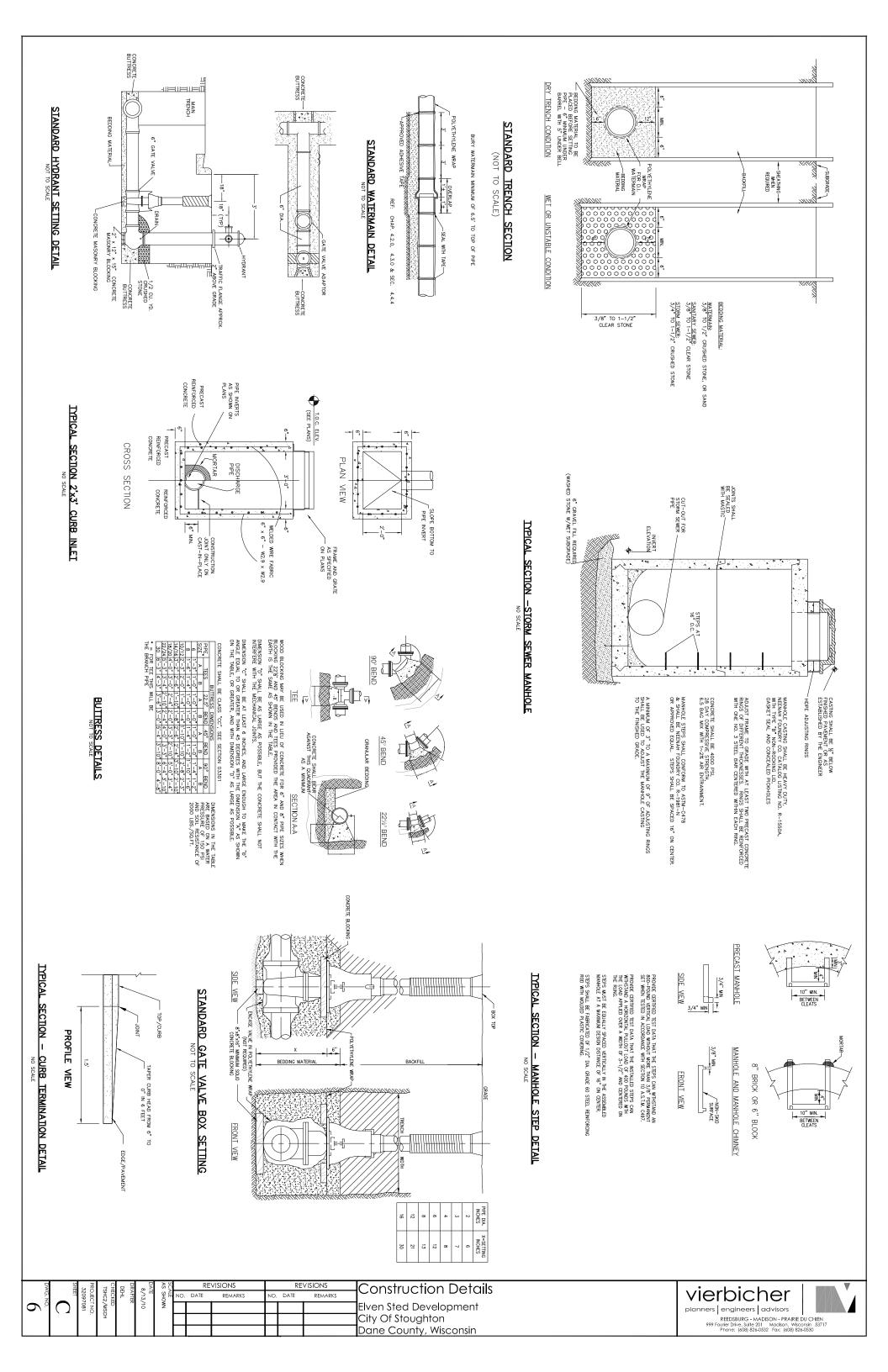
ROJECT NO. 32097081

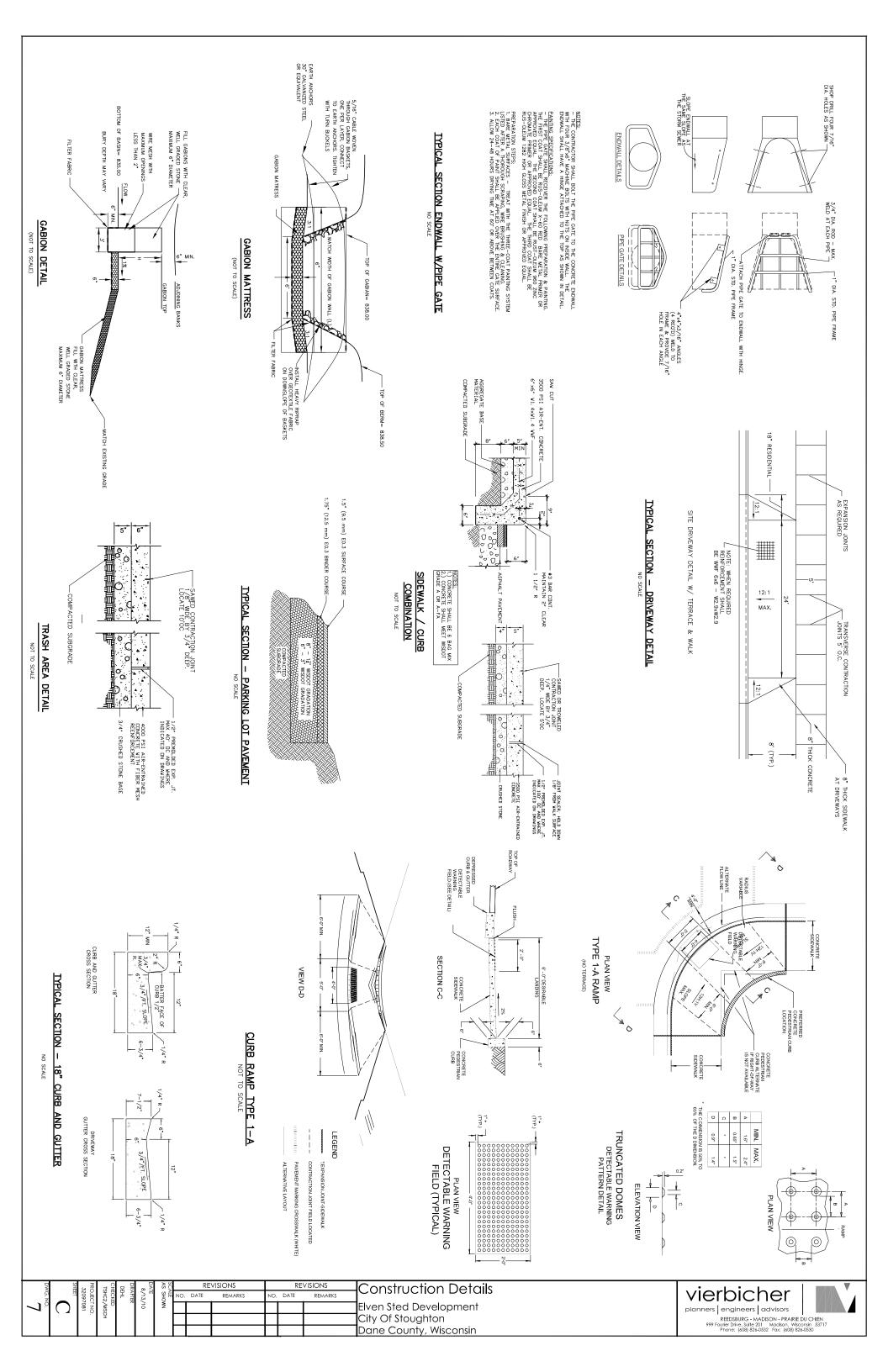
 $\bigcirc$ 

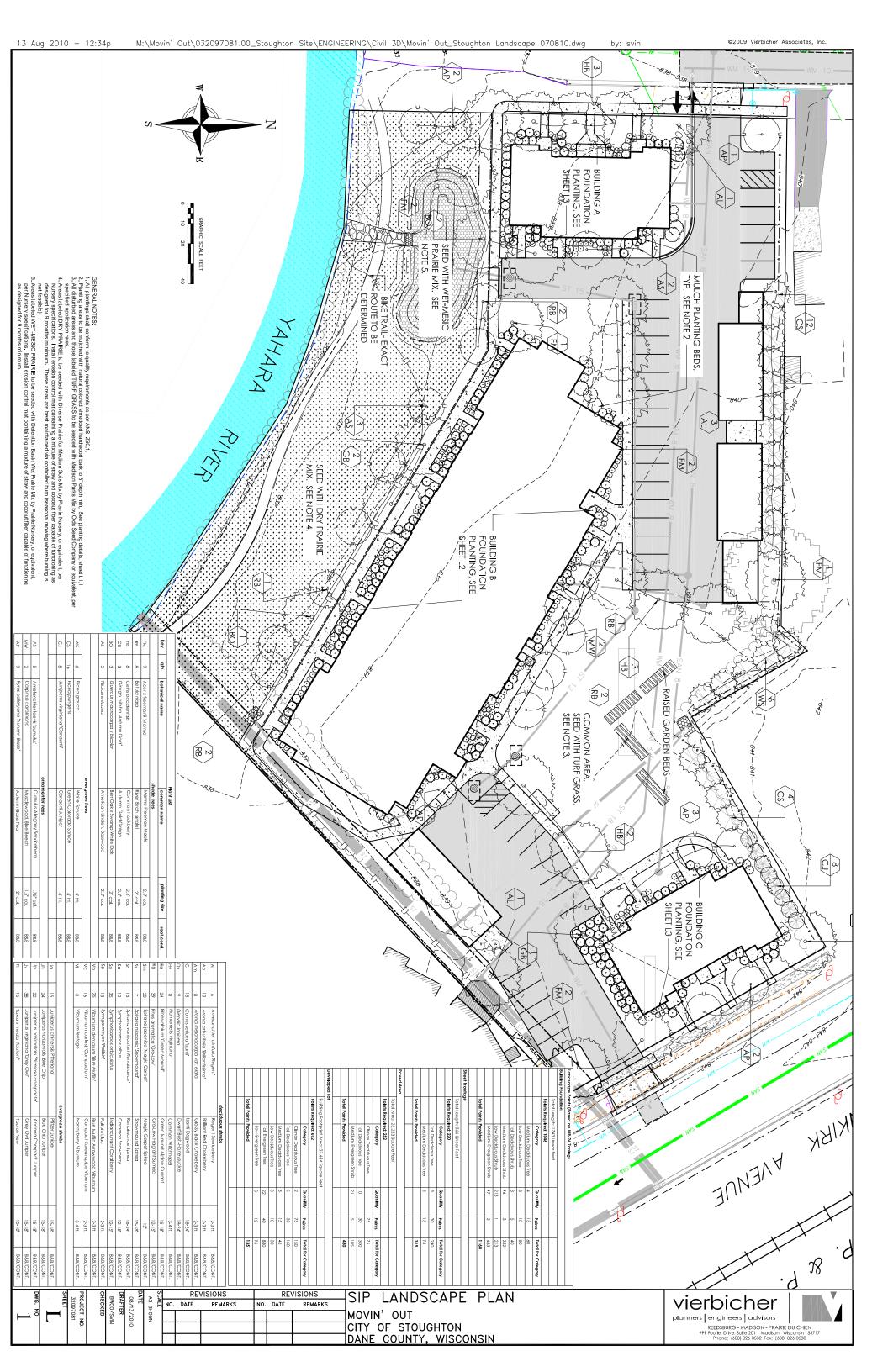
TSHC2/MSCH

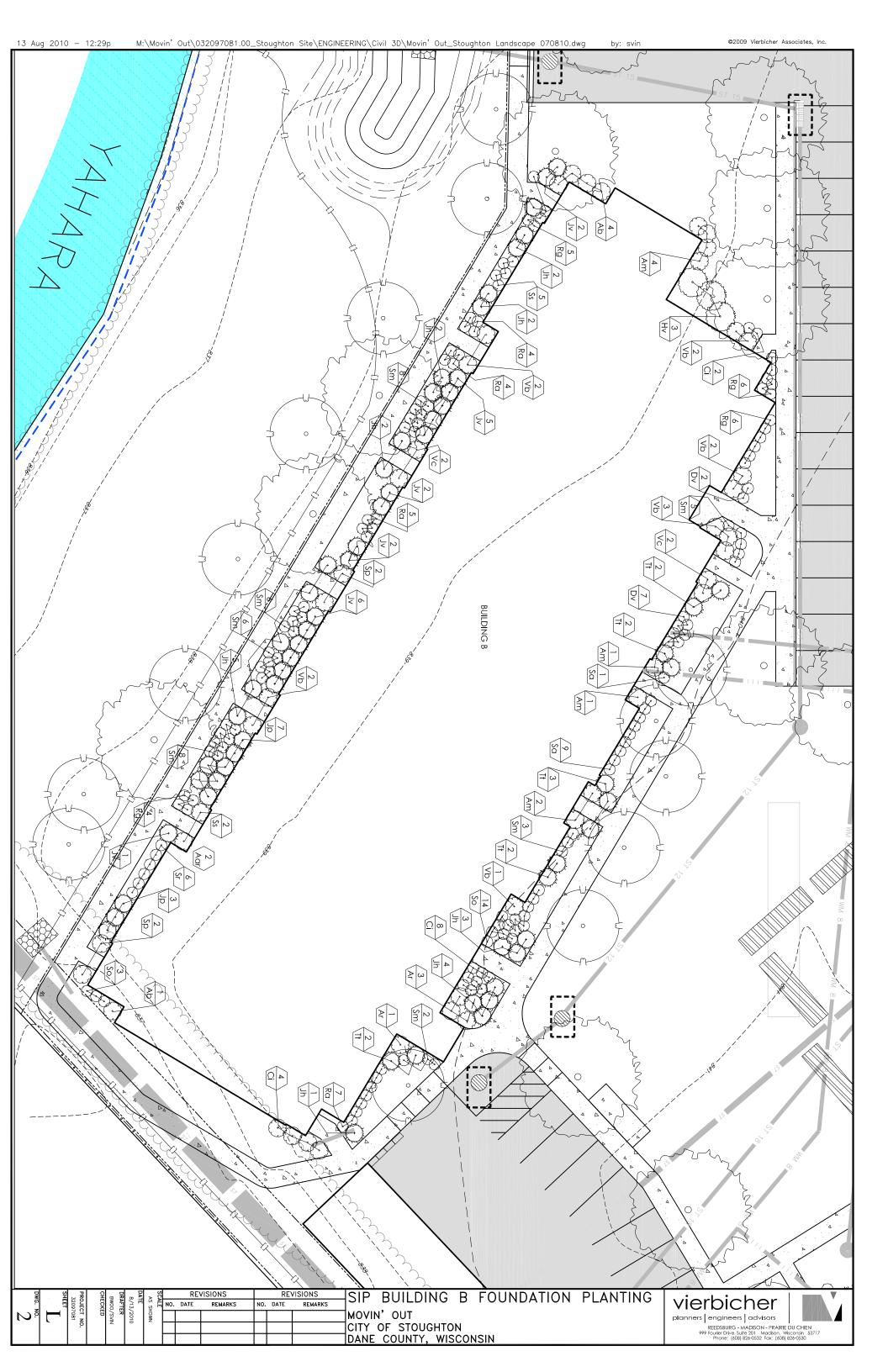
8/13/10 DRAFTER DEHL

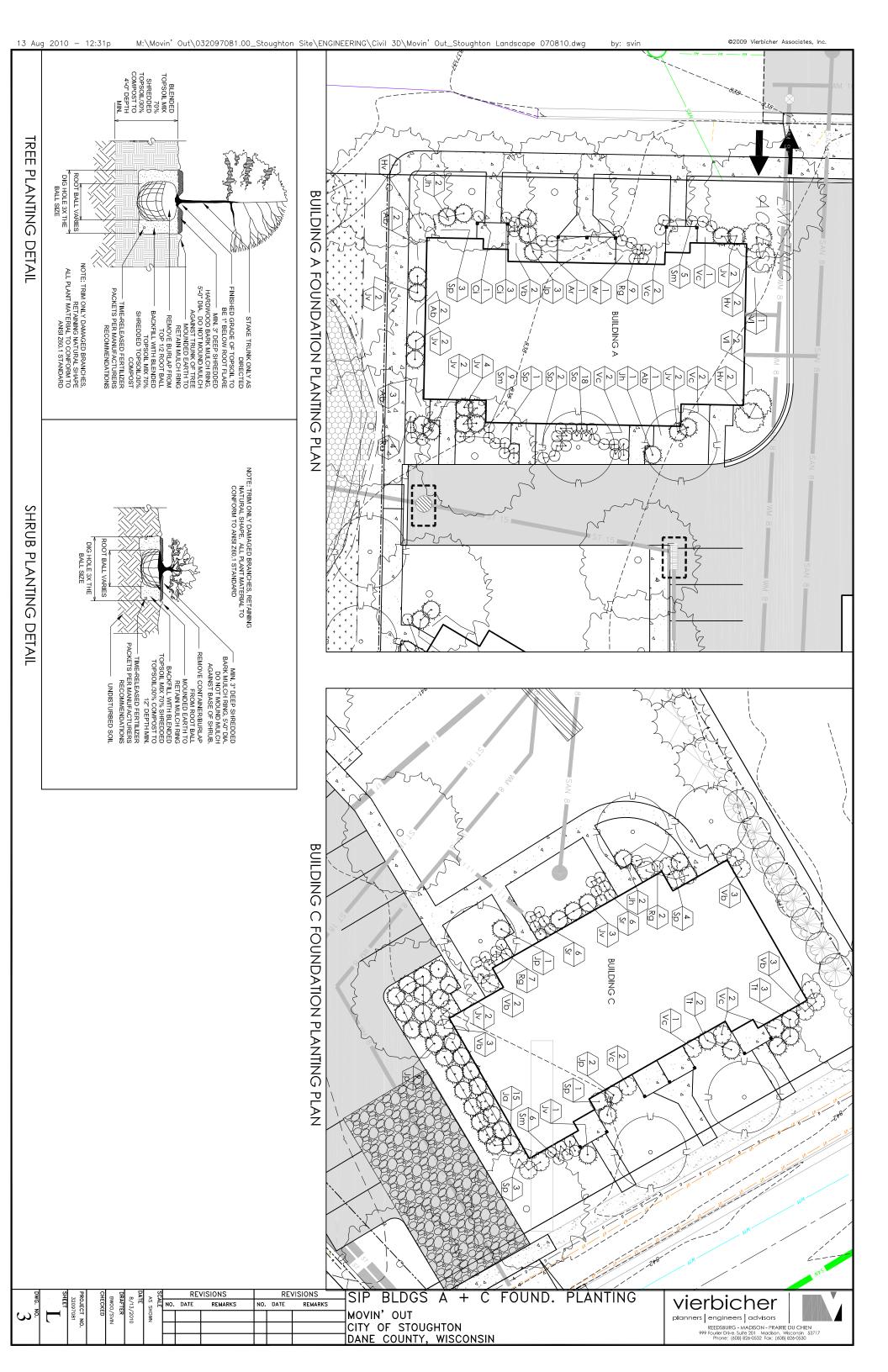
NWOHS

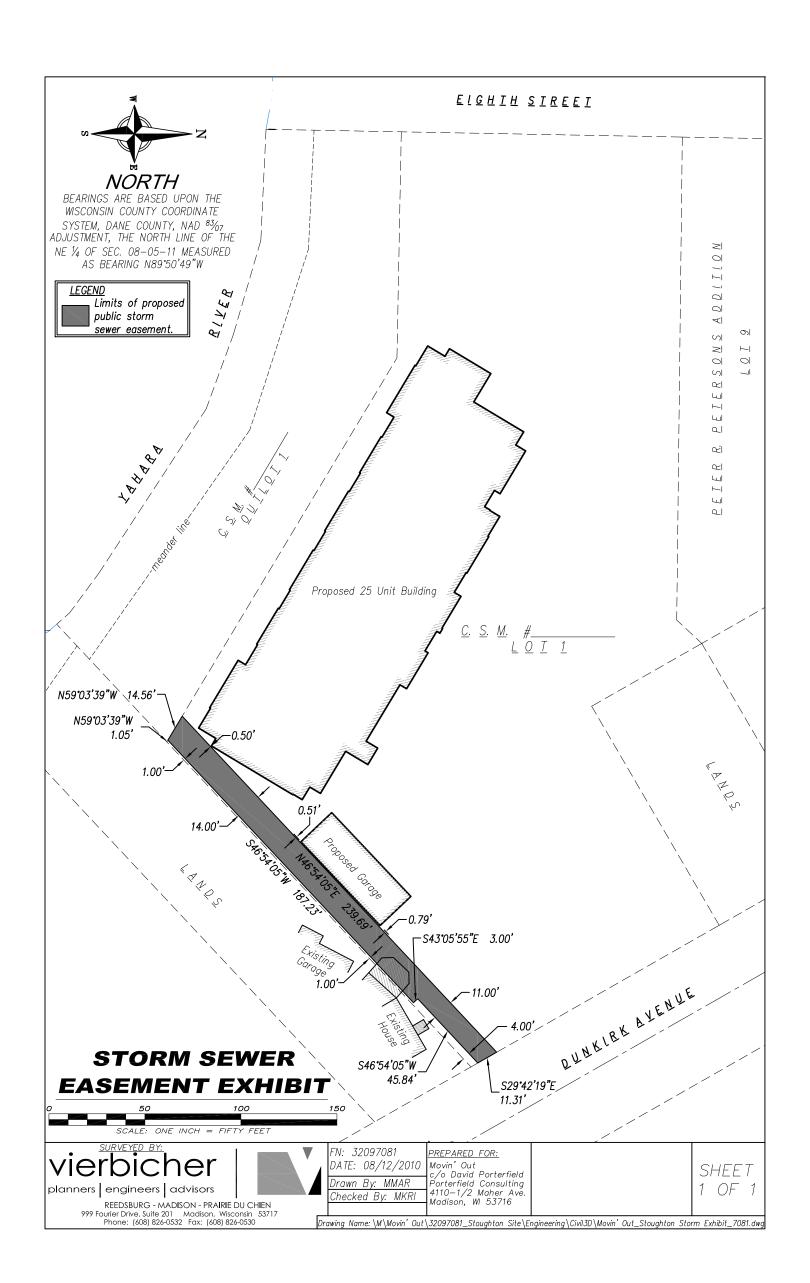


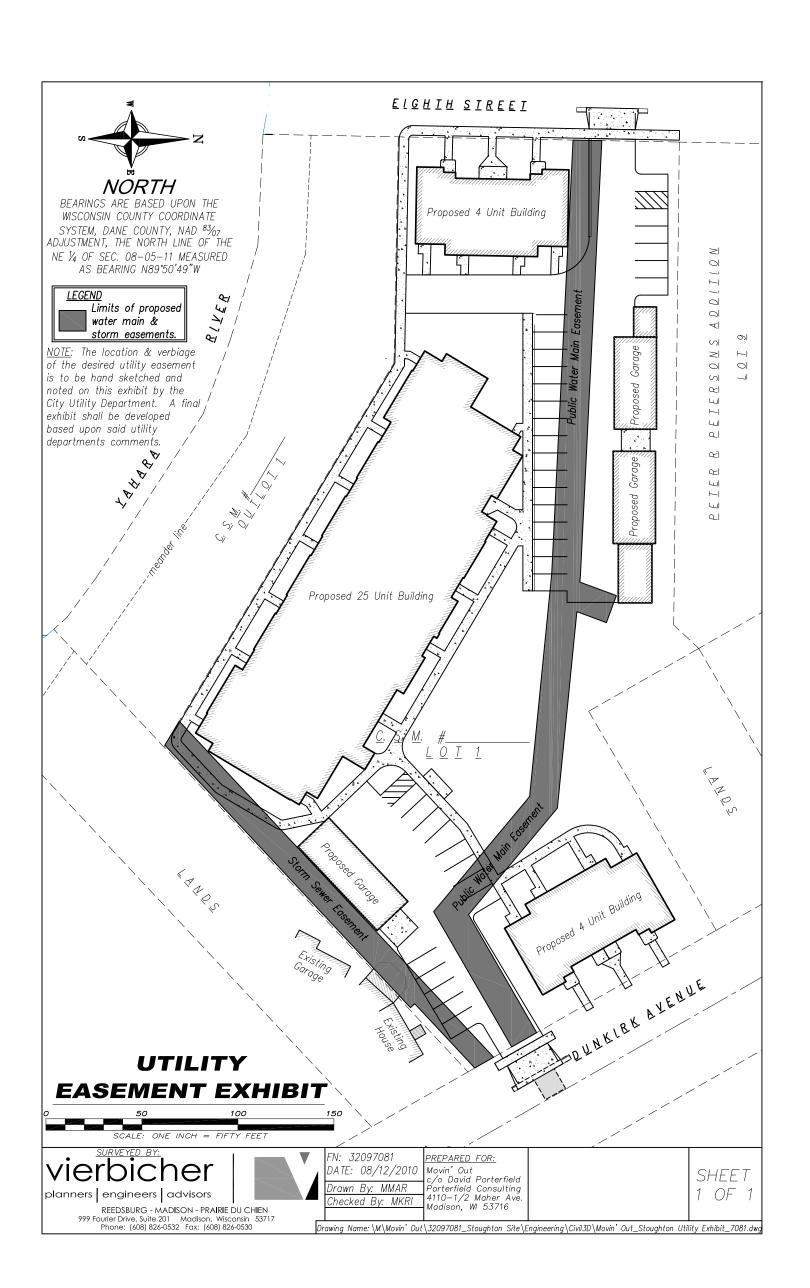


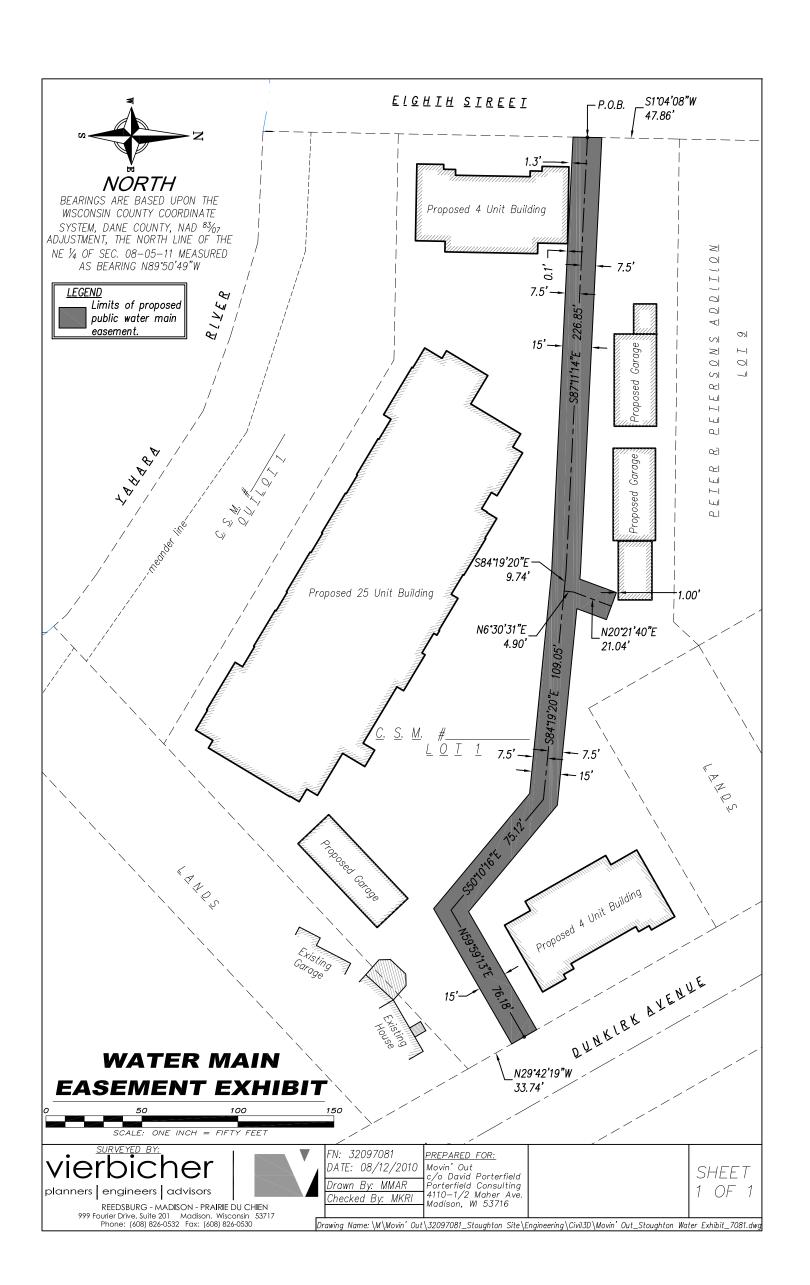




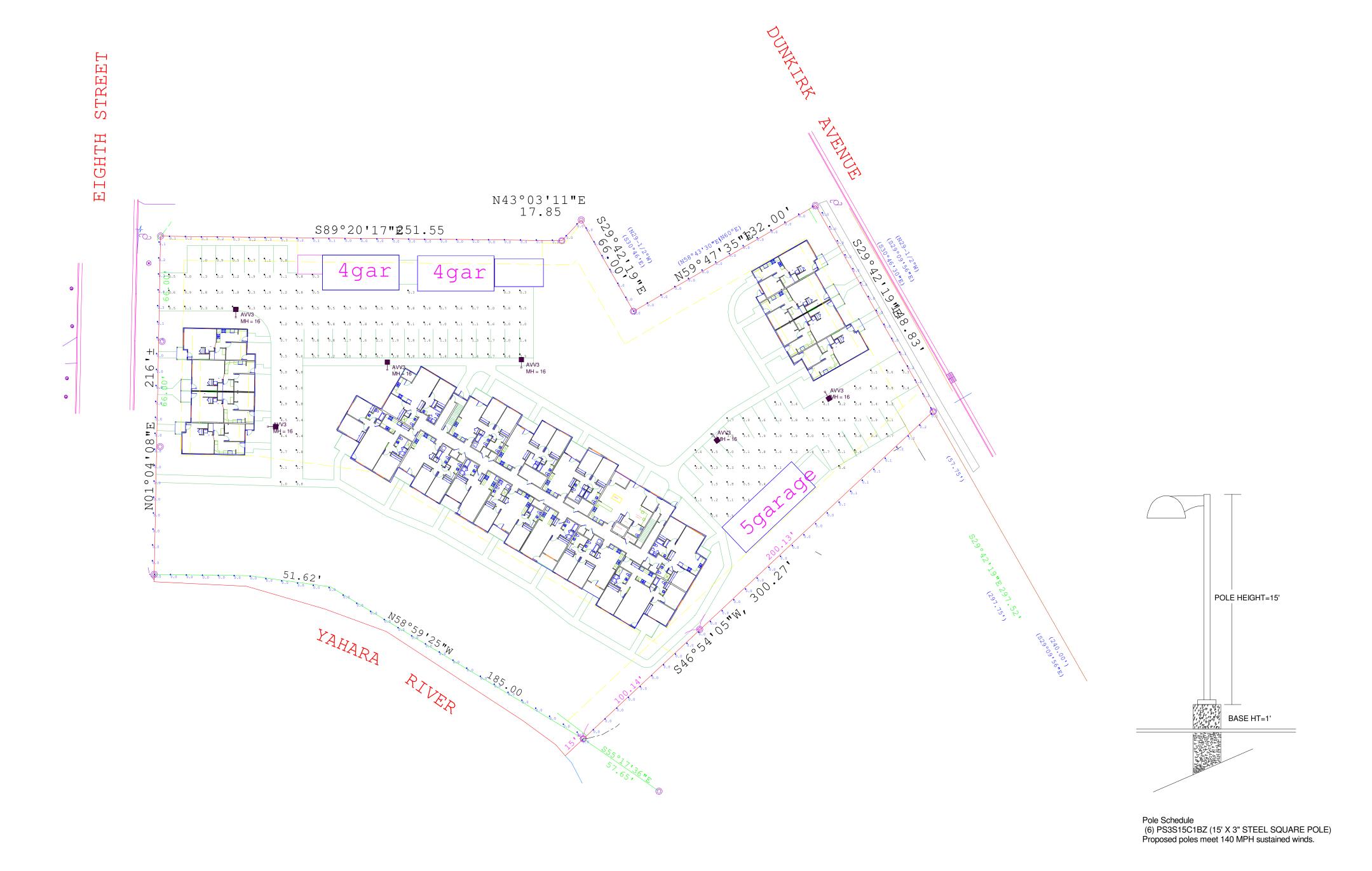












Luminaire	Schedule	)					
Symbol	Qty	Label	Arrangement	Lumens	LLF	Total Watts	Description
	6	AVV3	SINGLE	14000	0.750	1110	AVV30615-M 150W PSMH

	Calculation Summary Label	Avg	Max	Min	Avg/Min	Max/Min
	CalcPts	1.56	4.8	0.3	5.20	16.00
	PROPERTY LINE	0.04	0.4	0.0	N.A.	N.A.
,		•				

FX: (800) 236-7500 www.ruudlighting.com

	Date:8/13/2010	Scale: 1"=40'	) Layout by: LINDA SCI	HALLER
	Project Name: ELV	/EN STED LIGHTING		Customer No: 79551
•	Elana and a 1/1/0 and		-/4000400 A41 10 A01	

Project Name: ELVEN STED LIGHTING

9201 Washington Ave
Racine, WI 53406
PH: (800) 236-7000
FX: (800) 236-7500

Date:8/13/2010 Scale: 1"=40' Layout by: LINDA SCHALLER
Project Name: ELVEN STED LIGHTING Custome

Project Name: V:\Common\AppEng\Working\Ljs\100813GA1LJS.AGI

Footcandles calculated at grade using mean lumen values

Illumination results shown on this lighting design are based on project parameters provided to Ruccused in conjunction with luminaire test procedures conducted under laboratory conditions. Actual properties of the project parameters and affect field results. The customer is response to the project parameters and affect field results. The customer is response to the project parameters and affect field results. The customer is response to the project parameters and affect field results. The customer is response to the project parameters and affect field results. The customer is response to the project parameters and affect field results. The customer is response to the project parameters and affect field results. The customer is response to the project parameters and affect field results. The customer is response to the project parameters and affect field results. The customer is response to the project parameters and affect field results. Illumination results shown on this lighting design are based on project parameters provided to Ruud Lighting used in conjunction with luminaire test procedures conducted under laboratory conditions. Actual project conditions differing from these design parameters may affect field results. The customer is responsible for verifying compliance with any applicable electrical, lighting, or energy code.

0	80

#### CERTIFIED SURVEY MAP No. LOTS 7 & 8, BLOCK 2, PETER R. PETERSONS ADDITION TO THE CITY OF STOUGHTON, AS RECORDED IN VOLUME A OF PLATS, ON PAGE 34, AS DOCUMENT NUMBER 169091A, DANE COUNTY REGISTRY, ALSO PART OF THE SE 1/4 OF THE NE 1/4 OF SECTION 08, TOWNSHIP 05 NORTH, RANGE 11 EAST, CITY OF STOUGHTON, DANE COUNTY, WISCONSIN 160 240 Lot Area Lot Area-To Meander Line ONE INCH = EIGHTY EIER R. PEIERSONS ADDIILON IO, IHE CIIX OF SIO,UGHION BLOCK 1 85,024 st 1.9519 Acres 23,914 sf± 0.5490 Acres± 16,835 sf *NORTH* <u>L A N D S</u> <u>LOI9 | LOI8</u> <u>L O T Z</u> 0.3865 Acres BEARINGS ARE BASED UPON THE WISCONSIN COUNTY COORDINATE SYSTEM, DANE COUNTY, NAD $^{83}\!\!\!/_{07}$ ADJUSTMENT, THE NORTH LINE OF THE NE 1/4 OF SEC. 08-05-11 MEASURED AS BEARING N89\*50'49"W ELGHIH SIREEI N01°04'08"E 216.16'± (North) N01°04'08"E 191.81' to meander line 4'+ -*20.35*' 33, <u>146.37</u>' S01°04'08"W 1825.39' NOTES: See sheet 2 for map of N87.18'38"W existing conditions. See sheet 3 for legend, ,66 V88\*54'00"W 117.80 0 61 section tie detail and description. Dates of field work: January 5, 6, 12, 18 and July 16, 2010. 264, 0 99.04' Q0 (East $\leq A$ (Social Parties of Social Parties of Partie H 5 $\geq$ 55, 0 251. S <u>Q</u> <u>0</u> <u>1</u> **S89°20'17"E 2** P E I E R § S LL. 0 انح $\alpha$ $\sim$ I $\bigcirc$ $|\mathbf{u}|$ $\times$ LOT 1 **-**| $\bigcirc$ . Ш II 0/7 Q.I 0 $\omega$ `95) ۍ \* S. B. S. F. O. M. Strict Made the Section of Sectio رم بن 529.42.19"E 148.83' 530.46' 30"E) رين DUNKIBK AYENUE FORMER C. M. St. P. & P. RR LINE TABLE Bearing Length No N43°03'11"E L1 17.85 (11.22')(N40°E) L2 S29°42'19"E 66.00 (N29-1/2°W) (S30°46'E) FN: 32097081 SURVEYED FOR: C.S.M. No. vierbicher Movin' Out c/o David Porterfield Porterfield Consulting 4110-1/2 Maher Ave. Madison, WI 53716 DATE: 08/13/2010 SHEET Doc. No. Drawn By: MMAR

Checked By: MKRI

OF

Page

 $\textit{Drawing Name: } \\ \label{eq:main} \\ \textit{Movin' Out } \\ 32097081\_Stoughton \ \ \textit{Site} \\ \\ \textit{Engineering } \\ \ \textit{Civil 3D } \\ \ \textit{Movin' Out\_Stoughton CSM\_7081.dwg} \\ \ \textit{Site} \\ \ \textit{Constitution of the property of the pr$ 

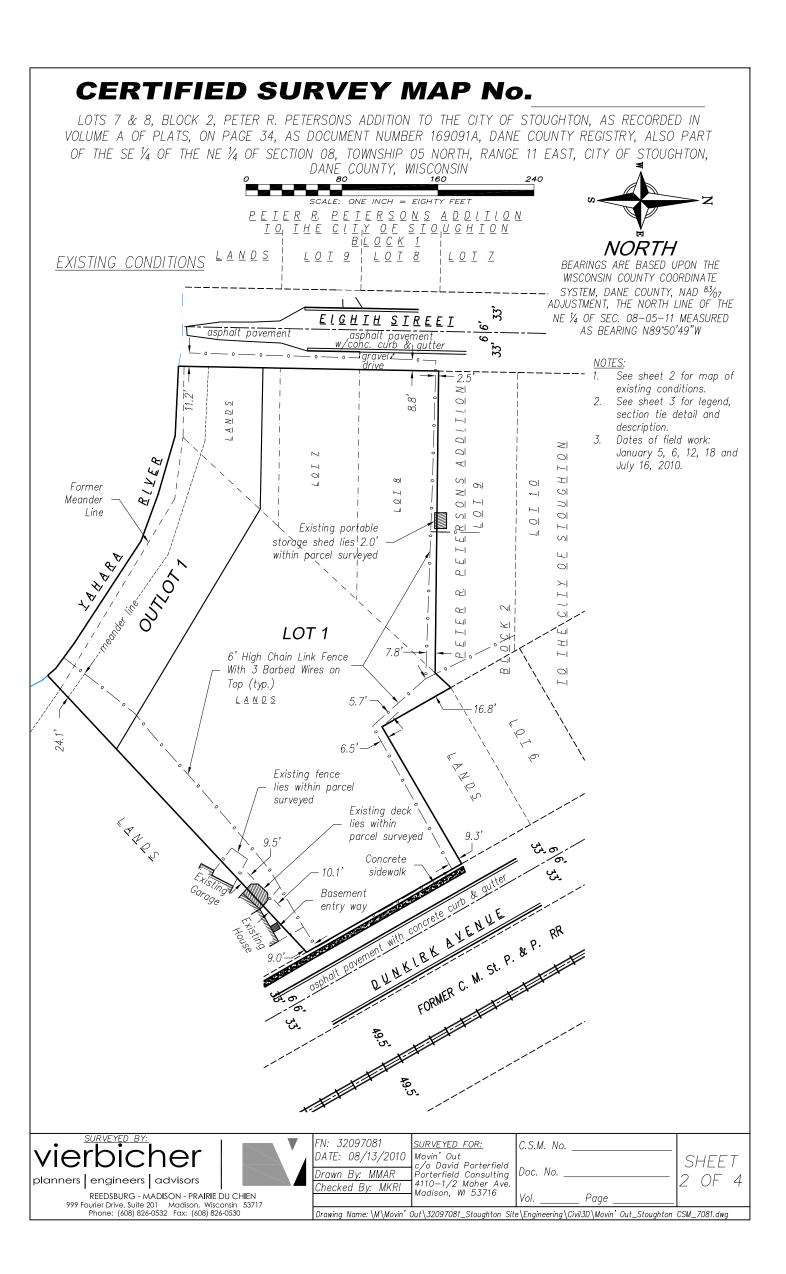
Lot

No.

Lot

planners engineers advisors

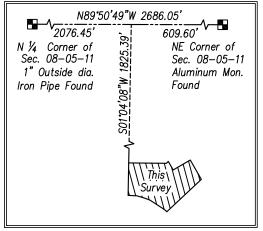
REEDSBURG - MADISON - PRAIRIE DU CHIEN 999 Fourier Drive, Suite 201 Madison, Wisconsin 53717 Phone: (608) 826-0532 Fax: (608) 826-0530



### CERTIFIED SURVEY MAP No.

LOTS 7 & 8, BLOCK 2, PETER R. PETERSONS ADDITION TO THE CITY OF STOUGHTON, AS RECORDED IN VOLUME A OF PLATS, ON PAGE 34, AS DOCUMENT NUMBER 169091A, DANE COUNTY REGISTRY, ALSO PART OF THE SE 1/4 OF THE NE 1/4 OF SECTION 08, TOWNSHIP 05 NORTH, RANGE 11 EAST, CITY OF STOUGHTON, DANE COUNTY, WISCONSIN





#### **LEGEND**

- FOUND 3/4" Ø IRON ROD
- (0) IRON PIPE FOUND, OUTSIDE DIAMETER NOTED
- SET 3/4 " REBAR, 24" LONG, 1.51 LBS PER LINEAL FOOT WEIGHT
- "RECORDED AS" DATA

SECTION TIE DETAIL

(Not to scale)

SURVEYOR'S CERTIFICATE:

I, Mark T. Krizan, Professional Land Surveyor No. 1928, hereby certify: that under the direction of Movin' Out, owner of said land, I have surveyed, divided, and mapped Lots 7 & 8, Block 2, Peter R. Petersons Addition to the City of Stoughton, as recorded in Volume A of Plats, on Page 34, as Document Number 169091A, Dane County Registry, also part of the SE ¼ of the NE ¼ of Section 08, Township 05 North, Range 11 East, City of Stoughton, Dane County, Wisconsin, more fully described as follows:

Commencing at the Northeast corner of said Section 08; thence North 89 degrees 50 minutes 49 seconds West along the North line of the NE  $\frac{1}{4}$  of said Section 08, 609.60 feet to a point of intersection with the northerly extension of the easterly right-of-way line of Eighth Street; thence South 01 degree 04 minutes 07 seconds West along said easterly right-of-way line and its northerly extension thereof, 1825.39 feet to the Northwest corner of aforementioned Lot 8, and the point of beginning; thence South 89 degrees 20 minutes 17 seconds East along the northerly line of said Lot 8, 251.55 feet to a point on the southeasterly line of said Block 2; thence North 43 degrees 03 minutes 11 seconds East along said southeasterly line of Block 2, 17.85 feet to the southerly most corner of Lot 6 of said Block 2, Peter R. Petersons Addition to the City of Stoughton, said point also lying South 59 degrees 47 minutes 35 seconds West, 132.00 feet from the westerly right-of-way line of Dunkirk Avenue; thence South 29 degrees 42 minutes 19 seconds East along a line parallel with said Dunkirk Avenue, 66.00 feet; thence North 59 degrees 47 minutes 35 seconds East along a line parallel with the southerly line of aforementioned Lot 6, 132.00 feet – to the aforementioned westerly right–of–way line of Dunkirk Avenue; thence South 29 degrees 42 minutes 19 seconds East along said westerly right–of–way line, 148.83 feet; thence South 46 degrees 54 minutes 05 seconds West, 290.76 feet to a point lying North 46 degrees 54 minutes 05 seconds East, 25.00 feet more or less from the existing shoreline of the Yahara River, said point also being the point of beginning of a meander line along the northerly shoreline of the Yahara River; thence North 55 degrees 02 minutes 08 seconds West along said meander line, 145.69 feet; thence North 72 degrees 02 minutes 09 seconds West along said meander line, 99.04 feet; thence North 87 degrees 18 minutes 38 seconds West along said meander line, 61.99 feet to a point lying North 01 degree 04 minutes 07 seconds East, 25.00 feet more or less from the existing shoreline of the Yahara River, said point also being the end of said described meander line and a point lying on the aforementioned easterly right—of—way line of Eighth Street; thence North 01 degree 04 minutes 07 seconds East along said easterly right—of—way line, 191.81 feet to the point of beginning. Said description contains 108,900 square feet or 2.50 acres more or less including all lands lying between the aforementioned meander line and the existing shoreline of the Yahara River.

I further certify that the map on sheet one is a correct representation of the exterior boundaries of the land surveyed and that I have fully complied with the provisions of Chapter 236.34 of the State Statutes and the Subdivision Regulations of the City of Stoughton in surveying, dividing, and mapping the same.

Vierbicher Associates, Inc. by Mark T. Krizan	
Dated this day of	, 201
Signed:  Mark T. Krizan, P.L.S. No. 1928	





FN: 32097081 DATE: 08/13/2010 Drawn By: MMAR Checked By: MKRI

SURVEYED FOR: Movin' Out c/o David Porterfield Porterfield Consulting 4110-1/2 Maher Ave. Madison, WI 53716 C.S.M. No. SHEET Doc. No. 3 OF Paae

 $\textit{Drawing Name: } \\ \text{M} \\ \text{Movin' Out } \\ \text{32097081\_Stoughton Site} \\ \text{Engineering} \\ \text{Civil 3D} \\ \text{Movin' Out\_Stoughton CSM\_7081.dwg} \\ \text{descending Name: } \\ \text{Civil 3D} \\ \text{Movin' Out\_Stoughton CSM\_7081.dwg} \\ \text{descending Name: } \\ \text{Civil 3D} \\ \text{Movin' Out\_Stoughton CSM\_7081.dwg} \\ \text{descending Name: } \\ \text{Civil 3D} \\ \text{Movin' Out\_Stoughton CSM\_7081.dwg} \\ \text{descending Name: } \\ \text{Civil 3D} \\ \text{Movin' Out\_Stoughton CSM\_7081.dwg} \\ \text{descending Name: } \\ \text{Civil 3D} \\ \text{Movin' Out\_Stoughton CSM\_7081.dwg} \\ \text{descending Name: } \\ \text{Civil 3D} \\ \text{Movin' Out\_Stoughton CSM\_7081.dwg} \\ \text{descending Name: } \\ \text{Civil 3D} \\ \text{Movin' Out\_Stoughton CSM\_7081.dwg} \\ \text{descending Name: } \\ \text{Civil 3D} \\ \text{Movin' Out\_Stoughton CSM\_7081.dwg} \\ \text{descending Name: } \\ \text{Civil 3D} \\ \text{Movin' Out\_Stoughton CSM\_7081.dwg} \\ \text{descending Name: } \\ \text{Civil 3D} \\ \text{Movin' Out\_Stoughton CSM\_7081.dwg} \\ \text{descending Name: } \\ \text{Civil 3D} \\ \text{Movin' Out\_Stoughton CSM\_7081.dwg} \\ \text{descending Name: } \\ \text{Civil 3D} \\ \text{Movin' Out\_Stoughton CSM\_7081.dwg} \\ \text{descending Name: } \\ \text{Civil 3D} \\ \text{Movin' Out\_Stoughton CSM\_7081.dwg} \\ \text{descending Name: } \\ \text{Civil 3D} \\ \text{Movin' Out\_Stoughton CSM\_7081.dwg} \\ \text{descending Name: } \\ \text{Civil 3D} \\ \text{Movin' Out\_Stoughton CSM\_7081.dwg} \\ \text{descending Name: } \\ \text{Civil 3D} \\ \text{Movin' Out\_Stoughton CSM\_7081.dwg} \\ \text{descending Name: } \\ \text{Civil 3D} \\ \text{Movin' Out\_Stoughton CSM\_7081.dwg} \\ \text{descending Name: } \\ \text{Civil 3D} \\ \text{Movin' Out\_Stoughton CSM\_7081.dwg} \\ \text{descending Name: } \\ \text{Civil 3D} \\ \text{Movin' Out\_Stoughton CSM\_7081.dwg} \\ \text{descending Name: } \\ \text{Civil 3D} \\$ 

### **CERTIFIED SURVEY MAP No.**

LOTS 7 & 8, BLOCK 2, PETER R. PETERSONS ADDITION TO THE CITY OF STOUGHTON, AS RECORDED IN VOLUME A OF PLATS, ON PAGE 34, AS DOCUMENT NUMBER 169091A, DANE COUNTY REGISTRY, ALSO PART OF THE SE 1/4 OF THE NE 1/4 OF SECTION 08, TOWNSHIP 05 NORTH, RANGE 11 EAST, CITY OF STOUGHTON, DANE COUNTY, WISCONSIN

IN WITNESS WHEREOF, said	, has caused these presents to be signed by
, its	, has caused these presents to be signed by, at Madison, Wisconsin, this, day of
Signed:	
Authorized Representative	
State of Wisconsin )	
County of Dane )	
Personally came before me this day of	, 201, the
Personally came before me this day of, to the content of the content	to me known to be the person daed the same.
no checuto and horogony medianone and combine	350 1.10 04.110.
lotary Public:	
My Commission Expires/Is Permanent:	
CONSENT OF MORTGAGEE:	
a banki State of Wisconsin, mortgagee of the above describe	ing association duly organized and existing under and by virtue of the laws of the dand, does hereby consent to the surveying, dividing, mapping, and dedicating of
and described on this Certified Survey Map and does	
N WITNESS WHEREOF, saidito	, has caused these presents to be signed by, at Madison, Wisconsin, this, day of
	, at wadison, misconsin, this, ady of
Signed:	
Authorized Representative	
, '	
State of Wisconsin ) )	
State of Wisconsin ) ) County of Dane )	, 201, the
State of Wisconsin ) ) County of Dane )	, 201, the to me known to be the person dged the same.
State of Wisconsin ) ) County of Dane )	, 201, the to me known to be the person dged the same.
State of Wisconsin ) ) County of Dane ) Personally came before me this day of, to the content of the	
State of Wisconsin ) ) County of Dane ) Personally came before me this day of, to the dependence of the foregoing instrument and acknowled the foregoing the foregoing instrument and acknowled the foregoing the foregoing instrument and acknowled the foregoing the for	
State of Wisconsin ) ) County of Dane ) Personally came before me this day of, to the content of the	
State of Wisconsin ) ) County of Dane ) Personally came before me this day of, to the content of the	
State of Wisconsin ) ) County of Dane ) Personally came before me this day of, to the second the foregoing instrument and acknowled who executed the foregoing instrument and acknowled with the second the foregoing instrument and acknowled with the second the foregoing instrument and acknowled with the second	
State of Wisconsin )  County of Dane  Personally came before me this day of, to the executed the foregoing instrument and acknowled who executed the foregoing instrument and acknowled with the executed	
State of Wisconsin )  County of Dane )  Personally came before me this day of, to prove named, to prove named	
State of Wisconsin ) ) County of Dane ) Personally came before me this day of, to the executed the foregoing instrument and acknowled dotary Public:  My Commission Expires/Is Permanent:  CONSENT OF MORTGAGEE: Approved for recording by the Secretary of the City of Stoughton Plan Commission.	REGISTER OF DEEDS CERTIFICATE:  Received for recording on this day of, 20
State of Wisconsin ) ) County of Dane ) Personally came before me this day of, tho executed the foregoing instrument and acknowled lotary Public:  My Commission Expires/Is Permanent:  CONSENT OF MORTGAGEE: Approved for recording by the Secretary of the City of Stoughton Plan Commission.  Dated this day of, 201	REGISTER OF DEEDS CERTIFICATE:  Received for recording on this day of, 20
State of Wisconsin ) ) County of Dane ) Personally came before me this day of, to the executed the foregoing instrument and acknowled who executed the foregoing instrument and acknowled with the the foregoing instrument and	REGISTER OF DEEDS CERTIFICATE:  Received for recording on this day of, 20 at o'clock,m. and recorded in Volume of Certified Survey M
State of Wisconsin ) ) County of Dane ) Personally came before me this day of, tho executed the foregoing instrument and acknowled lotary Public:  My Commission Expires/Is Permanent:  CONSENT OF MORTGAGEE: Approved for recording by the Secretary of the City of Stoughton Plan Commission.  Dated this day of, 201  Signed:, Secretary of Planning Commission,	REGISTER OF DEEDS CERTIFICATE:  Received for recording on this day of, 20 at o'clock,m. and recorded in Volume of Certified Survey M
State of Wisconsin ) ) County of Dane ) Personally came before me this day of, those very considered the foregoing instrument and acknowled distance of the foregoing instrument and acknowled distanc	REGISTER OF DEEDS CERTIFICATE:  Received for recording on this day of, 20 at o'clock,m. and recorded in Volume of Certified Survey M
County of Dane )  County of Dane )  Personally came before me this day of, tho executed the foregoing instrument and acknowled dotary Public:  My Commission Expires/Is Permanent:  CONSENT OF MORTGAGEE:  Approved for recording by the Secretary of the City of Stoughton Plan Commission.  Dated this day of, 201  Signed:  Secretary of Planning Commission, City of Stoughton, Dane County, Wisconsin	REGISTER OF DEEDS CERTIFICATE:  Received for recording on this day of, 20 at o'clockm. and recorded in Volume of Certified Survey Mon pages  Kristi Chlebowski, Dane County Register of Deeds  FN: 32097081 SURVEYED FOR: C.S.M. No.
State of Wisconsin )  County of Dane )  Personally came before me this day of, to above named, to who executed the foregoing instrument and acknowled.  Notary Public:  My Commission Expires/Is Permanent:  CONSENT OF MORTGAGEE:  Approved for recording by the Secretary of the City of Stoughton Plan Commission.  Dated this day of, 201  Signed:  Secretary of Planning Commission, City of Stoughton, Dane County, Wisconsin	REGISTER OF DEEDS CERTIFICATE:  Received for recording on this day of, 20 at o'clock,m. and recorded in Volume of Certified Survey M on pages  Kristi Chlebowski, Dane County Register of Deeds



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

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

August 31, 2010

Movin' Out, Inc. Dave Porterfield 600 Williamson Street Madison, WI. 53703

#### Dear Mr. Porterfield:

I have completed a review of the proposed rezoning request (Specific Implementation Plan) for Movin' Out, Inc., 623 Eighth Street, Stoughton. Site plan dated 8/6/10. Note: Not all plans provided are to scale. The following items are identified for your review.

- 1. The property at 623 Eighth Street is currently zoned PD-GDP (Planned Development-General Development Plan). This request is to rezone the property to PD-SIP (Planned Development-Specific Implementation Plan). The Specific Implementation Plan (SIP) is the final step of the Planned Development process. A public hearing is scheduled at the Planning Commission meeting on September 13, 2010. A Planning Commission recommendation is sent on to the City Council for final review/approval.
- 2. Monies in lieu of park acquisition and park impact fees or land dedication are required as follows:
  - 1. Monies in lieu of park acquisition:
    - \$1,420.23 per studio or one bedroom apt.
    - \$2,131.35 per two or more bedroom apt.

### 2. Park impact fees:

- \$461.93 for park facilities and \$1,420.23 for parkland per unit for one bedroom unit or less.
- \$692.89 for park facilities and \$2,131.35 for parkland per unit for two bedroom units or more.

#### 3. If land is dedicated:

• 1,468 square feet per unit. This will reduce or eliminate the dedication fees accordingly. Further discussions are necessary regarding the potential bike trail.

Though negotiations continue, the public parkland dedication should be depicted on the plan to accommodate the bike trail only.

3. The Specific Implementation Plan is consistent with the Comprehensive Plan through the Rail Corridor Neighborhood Plan which was adopted on March 24, 2009.

- 4. 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 development is Multi-Family Residential 24 (MR-24). The SIP will be reviewed according to the MR-24 district requirements. These requirements are used as a guide during the review/approval of the Planned Development.
- 5. The minimum zoning district area for the MR-24 district is 12,000 square feet. **The project site** has 106,415 square feet.
- 6. The MR-24 district requires 90 feet of lot width and 50 feet of street width. **The SIP complies** with this requirement.
- 7. The MR-24 district permits a multiplex/apartment of 12 dwelling units or less per building and allows a multiplex/apartment with 13 to 24 dwelling units as a conditional use. **The SIP proposes 25 dwelling units in one building.**
- 8. The MR-24 district requires a front or street side lot line setback of 25 feet. **The SIP proposes a** 15-foot setback for the buildings along Eighth Street and Dunkirk Avenue.
- 9. The MR-24 district requires a side lot line setback to house or attached garage of 20 feet. **The SIP** proposes a setback of 15 feet for the Main building and the building along Dunkirk Avenue.
- 10. The MR-24 district requires a rear lot line setback to house or attached garage of 50 feet. In the case of lots which have frontage on more than one street, the rear lot line shall be selected by the property owner. The obvious choice would be the south lot line (Yahara river side). The SIP proposes a setback of 75 feet.
- 11. The MR-24 district requires a side lot line setback to an accessory structure of 4 feet. **The SIP meets this requirement.**
- 12. The maximum dwelling height allowed within the MR-24 district is 40 feet. **The SIP meets this requirement.**
- 13. The maximum accessory building height allowed within the MR-24 district is 15 feet. We will need detailed plans of all accessory structures including the garages; storage building; maintenance building and trash enclosure.
- 14. The maximum dwelling units per acre for the MR-24 district is 24. **The SIP proposes 13.5 units per acre.**

15. The minimum lot area required for the MR-24 district is 1,815 square feet per dwelling unit. **The SIP proposes 3,225 square feet per dwelling unit.** 

- 16. The maximum accessory building coverage for the MR-24 district is 10%. **The SIP complies with this requirement.**
- 17. The required bufferyard for the MR-24 district with an adjacent property zoned SR-6 is 0.4 level of opacity. The SIP proposes a 6-foot solid fence to comply with this requirement. Considerations will have to be made to allow the fence along the SE side lot line where an easement is necessary. The fence on the east side of the property shall extend the full length of the side lot line. The fence at the west property line shall terminate 15 feet from the property line. We propose that the easement start 1-foot from the property line which will leave room for a 14-foot easement to allow for a recommended maintenance free fence installation. We will need a detail of materials to confirm maintenance free fencing. Maintenance free fencing can be: chain-link, vinyl, treated wood, etc... Also see #28. The Glueck Architect's site plan dated 8/6/10 shows a different fence detail than sheet C, drawing 2.
- 18. The parking requirement for the MR-24 district is as follows including garages: 2.5 spaces per 3 bedroom, 2 spaces per 2-bedroom, 2 spaces per 1-bedroom or efficiency. The project would require 72 parking stalls including garage space. The SIP proposes 49 stalls including garage space. Information was provided at a previous meeting regarding parking for similar housing projects for people with disabilities. The Planning Commission recommended approval of the proposed amount of parking and the Common Council approved.
- 19. The minimum paved surface setback for the MR-24 district is 5 feet from the side or rear; 10 feet from a right of way. **The SIP meets this requirement.**
- 20. The minimum landscape surface ratio (LSR) for the MR-24 district is 50%. **The SIP proposes approximately 52%.**
- 21. The landscaping points required per zoning code section 78-604 and Table 78-604 for the MR-24 district is: 60 points per 100 feet of building foundation; 60 points per 100 lineal feet of street frontage; Greater of: 100 points per 20 parking stalls or 10,000 square feet of parking area; 25 points per 1,000 square feet of building footprint. A compliant landscaping plan has been provided.
- 22. Lighting is required for all off-street parking space and circulation areas serving 6 or more cars and shall be lit to ensure the safe and efficient use of said areas. Exterior lighting shall meet the requirements of zoning code section 78-707. **A compliant photometric plan is required.**
- 23. No driveway across public property or requiring a curb cut shall exceed a width of 25 feet for residential land uses. **The plan complies with this requirement.**
- 24. The parking stall minimum dimension required for 90 degree parking is 9 feet wide by 18 feet of length. The aisle width required minimum is 24 feet. The west parking stalls are shown as 17 feet in length and need to be changed to 18 feet on sheet C, drawing 2.

- 25. Sidewalk is required to be installed along Eighth Street and the sidewalk shall be at least 6" thick through the drives, otherwise 4" thick. 8" thick concrete is recommended when garbage trucks are anticipated. Sidewalk is expected to be installed at all frontages and extended to connect with the onsite sidewalk south of the proposed 4-unit building along Eighth Street.
- 26. A stormwater management/erosion control plan is required. Dane County Land Conservation, the City's consultant, will review the plan and perform inspections. The application and fee shall be taken care of at the Department of Planning & Development Office at Stoughton City Hall. Two complete sets of plans will need to be submitted.
- 27. The project site will need to be consolidated into one parcel by Certified Survey. **A Certified Survey has been provided.**
- 28. There will need to be further discussions regarding the need for a 14-foot easement to accommodate the existing storm sewer along the southeast side lot line. There is a deck encroachment over the storm sewer from the adjacent property that is being addressed. Trees and parking stalls are also proposed over or near the existing storm sewer and into the proposed easement area.
- 29. Eighth Street shall be improved to the 75-foot setback from the river and shall be shown on plan sheet C, drawing 2.
- 30. The trash enclosure shall be screened with a 6-foot gated fence. **Details will need to be provided.**
- 31. A detailed plan, application and fees are required prior to signage placement. **Will need to be provided if signage is proposed.**
- 32. Once approved, we will want a full set of compliant, scalable plans.
- 33. State approved plans and all appropriate building permits are required before construction.
- 34. Sanitary sewer, water and electrical requirements will need to be confirmed with Stoughton Utilities.

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 Jim Gluek (via-email) Dave Porterfield (via-email)

 $s:\\ common\\ mps\\ plancom\\ MovinOutInc10\ SIP.doc$ 

### CITY OF STOUGHTON DANE COUNTY, WISCONSIN

# AN ORDINANCE CHANGING THE ZONING CLASSIFICATION OF PROPERTY LOCATED AT 623 EIGHTH STREET FROM PLANNED DEVELOPMENT – GENERAL DEVELOPMENT PLAN (PD-GDP) TO PLANNED DEVELOPMENT – SPECIFIC IMPLEMENTATION PLAN (PD-SIP)

### RECITALS

- 1. Donald Wahlin (the "Applicant") has requested that the zoning classification of the property described in Attachment A (the "Property") be changed to Planned Development Specific Implementation Plan ("PD-SIP"), subject to certain conditions being satisfied.
- 2. The Planned Development District is intended to provide a voluntary regulatory framework designed to encourage and promote improved environmental and aesthetic design in the City by allowing for greater design freedom, imagination and flexibility in the development of land while insuring substantial compliance with the basic intent of the City's Zoning Ordinance and Comprehensive Plan.
- 3. The Applicant has submitted a Specific Implementation Plan (the "SIP Documents"), attached as Attachment B, and consisting of the following:
  - a. Specific Implementation Plan dated 8/6/10.
  - b. PD Process Step 3: General Development Plan Summary.
  - c. Procedural Checklist for Planned Development Review and Approval.
  - d. Draft Stoughton Technical Advisory Committee Meeting Minutes of February 25, 2010.
- 4. For purposes of this Ordinance, the SIP Documents shall collectively be the Specific Implementation Plan for the Property pursuant to Section 78-914(8) of the City of Stoughton Code of Ordinances.
- 5. On <u>September 13, 2010</u>, the City of Stoughton Planning Commission held a public hearing regarding the application to change the zoning classification of the Property to PD-SIP, which was preceded by the publication of a class 2 notice under ch.

985 of the Wisconsin Statutes. The Planning Commission considered the application, and recommended that the Common Council approve the proposed PD classification and Specific Implementation Plan with certain conditions.

6. The Common Council determines that, subject to certain conditions, changing the zoning classification of the Property to PD 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 approved Specific Implementation Plan. The Specific Implementation Plan shall constitute the zoning regulations for the Property, which may be enforced as any other zoning regulation in the City of Stoughton, and shall be maintained and kept on file by the City Clerk
- Section 4. This ordinance shall take effect upon the purchase by and conveyance of the Property to the City of Stoughton Redevelopment Authority, or another party to which the Redevelopment Authority has assigned its option to purchase the Property. The effective date of this ordinance shall be the date on which such the Property is purchased by and conveyed to the City of Stoughton Redevelopment Authority or its assignee. If the Property has not been purchased by and conveyed to the City of Stoughton Redevelopment Authority or its assignee by 12:00 noon on December 31, 2011, then this ordinance shall automatically, and without any further action, become null and void and of no force or effect.
- 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-GDP (Planned Development-General Development Plan) to PD-SIP (Planned Development-Specific Implementation Plan.

The above and foregoing ordinance was duly adopted by the Common Council of the City of Stoughton at its meeting held on  $\,$ , 2010 by a vote of  $\,$  in favor,  $\,$  opposed, and  $\,$  not voting.

	APPROVED:
	Donna L. Olson, Mayor
	Dolina L. Olson, Wayor
	ATTEST:
	Luann J. Alme, City Clerk
Adopted:	
Published:	
Attachment A – Legal Description Attachment B – General Development I	Plan

### **ATTACHMENT A**

### **LEGAL DESCRIPTION**

SEC 8-5-11 PRT SE1/4NE1/4 BEG SW COR LOT 7 BLOCK 2 PETER R PETERSONS ADD TH E 132 FT TH N41DEGE 197.37 FT TO S COR LOT 6 SD BLOCK TH S30DEGE 66 FT TH N58DEGE 132 FT TO SW R/W LN DUNKIRK AVE TH ALG SD LN S30DEGE 148.83 FT TH S45DEGW 300 FT M/L TO RIVER MEANDER LN TH ALG SD LN N60DEGW 185 FT N83DEGW 51.09 FT & S89DEGW 60.22 FT TH N 80 FT TO POB ALSO PETERSONS ADD LOTS 7 & 8, BLOCK 2 2.53 ACRES



### **ATTACHMENT B**

### SPECIFIC IMPLEMENTATION PLAN

### \*TO BE PROVIDED LATER WHEN THE CITY RECEIVES THE UPDATED APPROVED PLAN



### PUBLIC HEARING NOTICE

The City of Stoughton **Planning Commission** will hold a Public Hearing on **Monday, September 13, 2010,** 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 Richard & Karen Tofte, 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:** 

623 Kensington Square, Parcel # 281/0511-063-1551-2, Kensington Square Condominium – Phase 1, Unit 623.

Luann J. Alme City Clerk

Published August 26, 2010 and September 2, 2010 HUB

 $s:/common/lja/pubhear/planningrez-GDP\ Kensington\ Sq.$ 

GREENSPACE NO OPENINGS BELOW 897.4' 101.64' S89D42'00"E BUILDING (O) 4-UNIT EXISTING 72.00' S85D30'00' ASSUMED PROPERTY LINE BETWEEN BUILDINGS KENSINGTON SQUARE 500 8" WATER \_\_\_\_\_\_ 8" SAN. SEWER RIM 97.29 INV. 91.24 RIM 98.64 INV. 92.79 MH () BUILDING (R2) 4-UNIT EXISTING BUILDING R1 4-UNIT EXISTING NO OPENINGS BELOW 897.4' SITE PLAN

4-UNIT CONDOMINIUM, BUILDING Q KENSINGTON SQUARE STOUGHTON, WI 53589

### OWNER: HILL-OLSON PARTNERSHIP

DEVELOPERS 1712 HIGHWAY 51/138 STOUGHTON, WI 53589 (608) 873-6661

> PATRICIA MICETIC **ARCHITECT**

219 EAST TAFT ST. STOUGHTON, WI (608) 877-0788

### INDEX TO DRAWINGS

SHEET 1- SITE PLAN

SHEET 2- FOUNDATION PLAN

FOUNDATION DETAILS

SHEET 3- UNIT PLANS NOTES

SHEET 4- ELEVATIONS

SHEET 5- ROOF FRAMING PLAN

TRUSS PROFILE

SHEET 6- BUILDING/WALL SECTIONS INTERIOR ELEVATIONS

## STRUCTURAL DESIGN LOADS

WIND LOAD- 20 PSF ROOF- SNOW LOAD, 24.5 PSF - DEAD LOAD 20 PSF

RECEIVED

NOV 13 2003

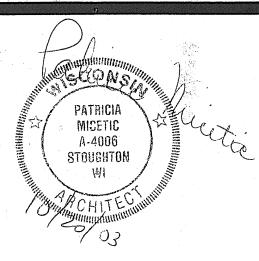
FLOOR- LIVE LOAD 40 PSF

- DEAD LOAD 10 PSF

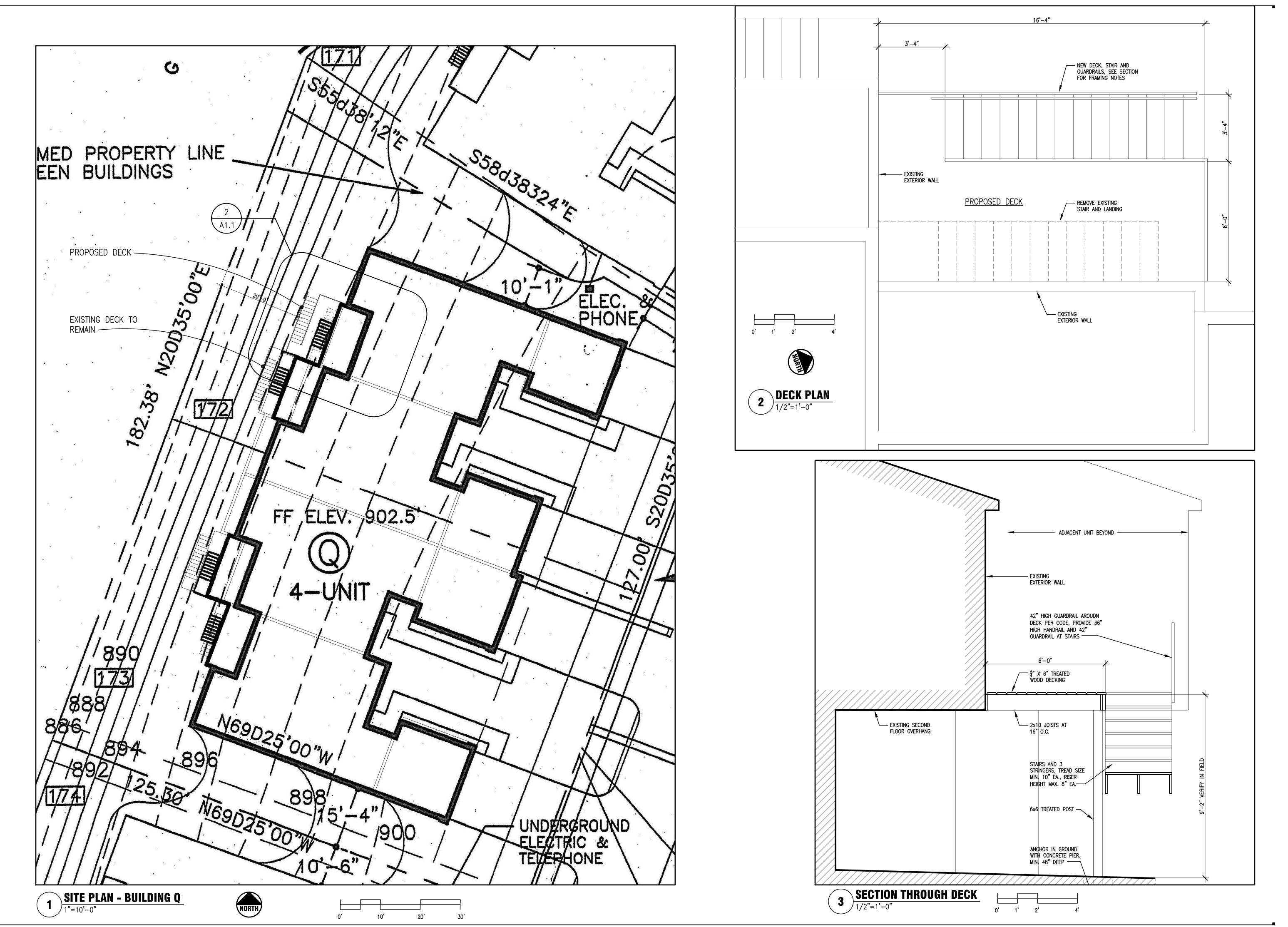
SOIL BEARING- 2,000 PSF (ASSUMED)

SEISMIC DESIGN CATEGORY- A



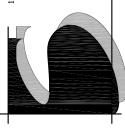


OCT 20, 2003



SHULFER

ARCHITECTS, LLC



TE CONDOMINIUM
DECK RECONSTRUCTION
KENSINGTON SOURBE, BUILDING O

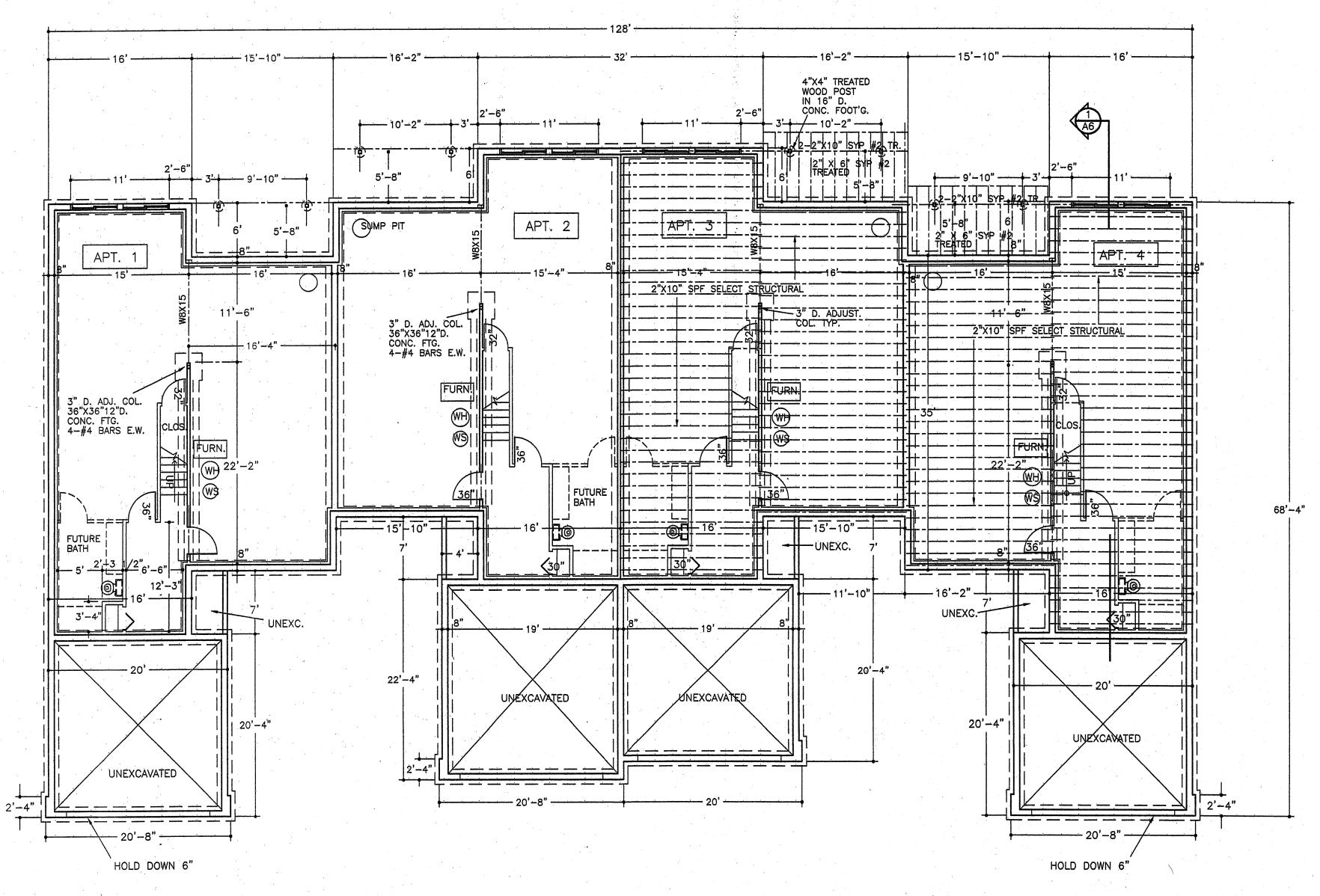
DECK PLAN AND DETAILS

08/20/2010 Zoning Review

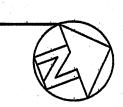
A1.1

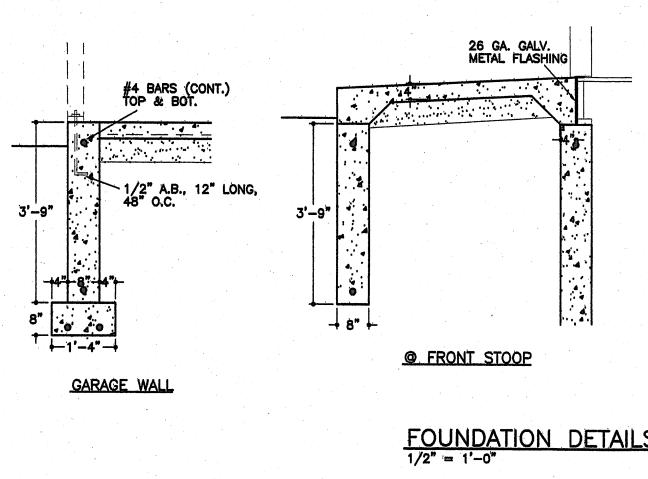
TOP OF CONC. ELEV. 901.5' NO OPG'S BELOW ELEV. 897.4'

GENERAL NOTES: INTERIOR DIMENSIONS AND NOTES SPECIFIED ON THE PLAN OF APTS. 1 & 2, APPLY TO ALL ALL HEADERS SHALL BE 2- 2"X10" HEM-FIR #2 OR BETTER, UNLESS NOTED. BACKFILL W/ GRANULAR MATERIAL

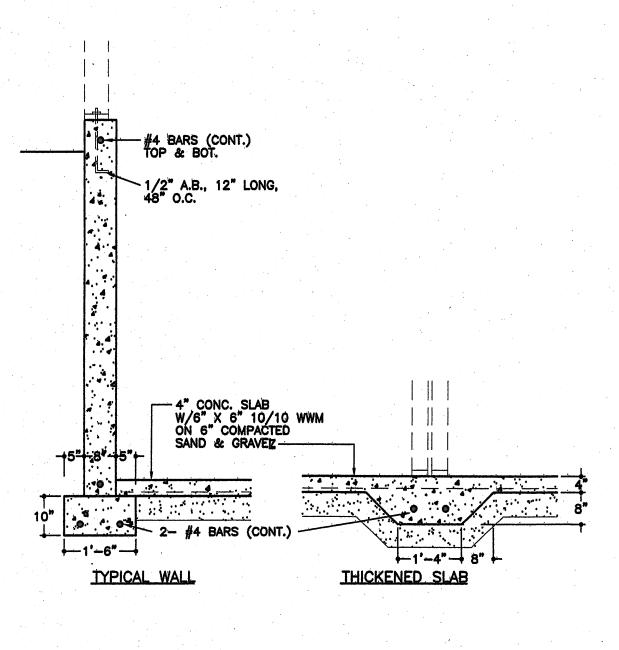


FOUNDATION/BASEMENT PLAN 1/8" = 1'-0"





FOUNDATION DETAILS

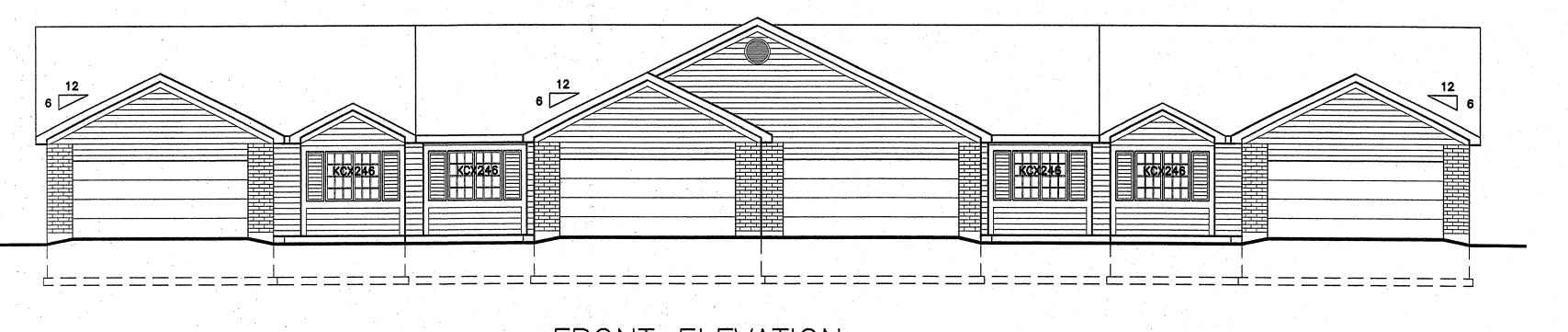


FOUNDATION PLAN FOUNDATION DETAILS

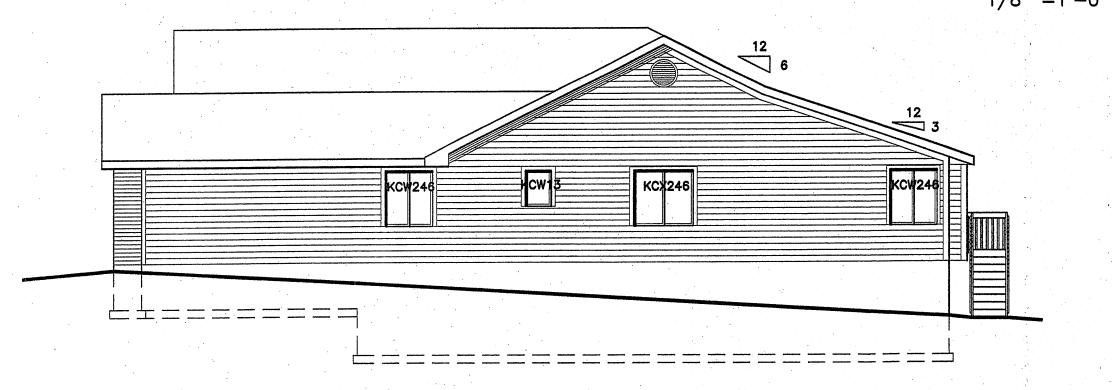
OCT 20, 2003

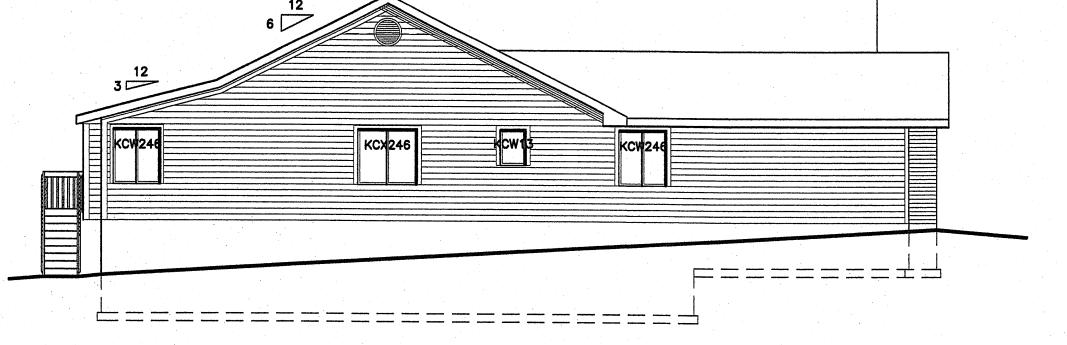


OCT 20, 2003



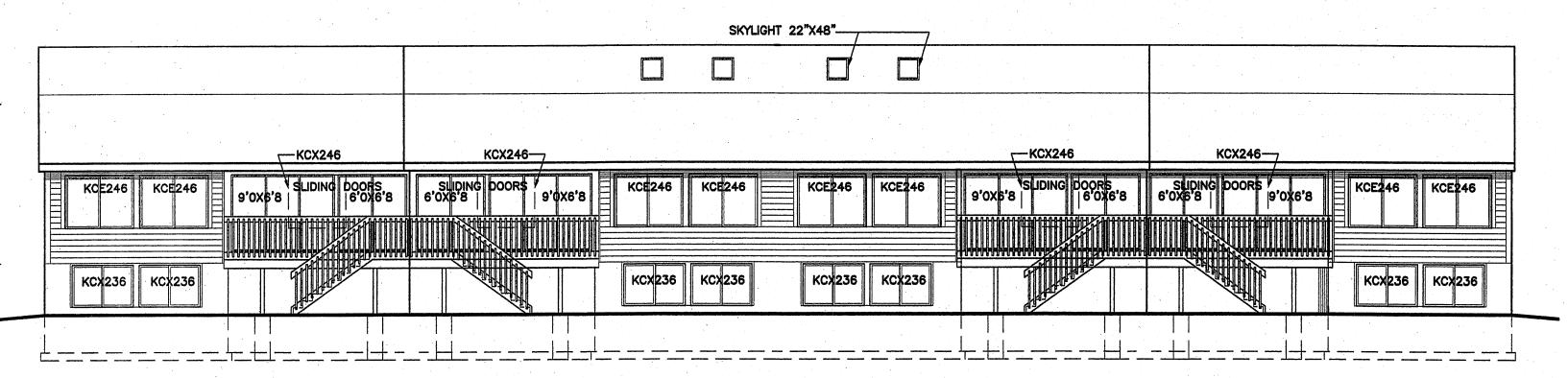
# FRONT ELEVATION 1/8" =1'-0"





LEFT SIDE ELEVATIONS

RIGHT SIDE ELEVATIONS
1/8" =1'-0"



# REAR ELEVATION 1/8" = 1'-0"

	TABLE 2304.9.1 FASTENING SCHEDULE	
CONNECTION	FASTENING <sup>a,m</sup>	LOCATION
1. Joist to sill or girder	3-8d common 3-3" × 0.131" nail 3-3" 14 gage staple	toenail
2. Bridging to joist	2-8d common 2 - 3" × 0.131" nail 2 - 3"14 gage staple	toenail each end
3. 1" × 6" subfloor or less to each joist	2-8d common	face nail
4. Wider than 1" × 6" subfloor to each joist	3-8d common	face nail
5. 2" subfloor to joist or girder	2-16d common	blind and face nail
6. Sole plate to joist or blocking	16d at 16" o.c. 3" × 0.131" nail at 8" o.c. 3" 14 gage staple at 12" o.c.	typical face nail
Sole plate to joist or blocking at braced wall panel	3-16d at 16" 3" × 0.131" nail at 16" 3" 14 gage staple per 16"	braced wall panels
7. Top plate to stud	2-16d common 3 - 3" × 0.131" nail 3 - 3" 14 gage staple	end nail
8. Stud to sole plate	4-8d common 4 - 3" × 0.131" nail 3 - 3" 14 gage staple	toe nail
	2-16d common 3 - 3" × 0.131" nail 3 - 3" 14 gage staple	end nail
9. Double studs	16d at 24" o.c. 3" × 0.131" nail at 8" o.c. 3" 14 gage staple at 8" o.c.	face nail
0. Double top plates	16d at 16" o.c. 3" × 0.131" nail at 12" o.c. 3" 14 gage staple at 12" o.c.	typical face nail

CONNECTION	FASTENING <sup>a,m</sup>	LOCATION
11. Blocking between joists or rafters to top plate	3-8d common 3 - 3" × 0.131" nail 3 - 3" 14 gage staple	toenail
12. Rim joist to top plate	8d at 6" (152 mm) o.c. 3" × 0.131" nail at 6" o.c. 3" 14 gage staple at 6" o.c.	toenail
13. Top plates, laps and intersections	2-16d common 3 - 3" × 0.131" nail 3 - 3" 14 gage staple	face nail
14. Continuous header, two pieces	16d common	16" o.c. along edge
15. Ceiling joists to plate	3-8d common 5 - 3" × 0.131" nail 5 - 3" 14 gage staple	toenail
16. Continuous header to stud	4-8d common	toenail
17. Ceiling joists, laps over partitions (See Section 2308.10.4.1, Table 2308.10.4.1)	3-16d common minimum, Table 2308.10.4.1 4 - 3" × 0.131" nail 4 - 3" 14 gage staple	face nail
18. Ceiling joists to parallel rafters (See Section 2308.10.4.1, Table 2308.10.4.1)	3-16d common minimum, Table 2308.10.4.1 4 - 3" × 0.131" nail 4 - 3" 14 gage staple	face nail
19. Rafter to plate (See Section 2308.10.1, Table 2308.10.1)	3-8d common 3 - 3" × 0.131" nail 3 - 3" 14 gage staple	toenail
20. 1" diagonal brace to each stud and plate	2-8d common 2 - 3" × 0.131" nail 2 - 3" 14 gage staple face nail	face nail
21. 1" × 8" sheathing to each bearing wall	2-8d common	face nail
22. Wider than 1"× 8" sheathing to each bearing	3-8d common	face nail
23. Build-up corner studs	16d common 3" × 0.131" nail 3" 14 gage staple	24" o.c. 16" o.c. 16" o.c.
24. Built-up girder and beams	20d common 32" o.c. 3" × 0.131" nail at 24" o.c. 3" 14 gage staple at 24" o.c.	face nail at top and bottom staggered on opposite sides
	2-20d common 3-3" × 0.131" nail 3-3" 14 gage staple	face nail at ends and at each splice
25. 2" planks	16d common	at each bearing
26. Collar tie to rafter	3-10d common 4 - 3" × 0.131" nail 4 - 3" 14 gage staple face nail	face nail
27. Jack rafter to hip	3-10d common 4-3" × 0.131"nail 4-3" 14 gage staple	toenail
	2-16d common 3 - 3" × 0.131" nail 3 - 3" 14 gage stanle	face nail

CONNECTION	FAS	TENING <sup>a,m</sup>	LOCATION
28. Roof rafter to 2-by ridge beam	2-16d common 3 - 3" × 0.131" nail 3 - 3"14 gage staple		toenail
	2-16d common 3 - 3" × 0.131" nail . 3 - 3" 14 gage staple	#	face nail
29. Joist to band joist	3-16d common 5 - 3" × 0.131" nail 5 - 3" 14 gage staple		face nail
30. Ledger strip	3-16d common 4 - 3" × 0.131" nail 4 - 3" 14 gage staple		face nail
31. Wood structural panels and particleboard: <sup>b</sup> Subfloor, roof and wall sheathing (to framing):	<sup>1</sup> / <sub>2</sub> " and less	$6d^{c,1}$ $2\sqrt[3]{8}'' \times 0.113'' \text{ nail}^n$ $1\sqrt[3]{4}'' 16 \text{ gage}^o$ $8d^d \text{ or } 6d^c$ $2\sqrt[3]{8}'' \times 0.113'' \text{ nail}^p$	
Single Floor (combination subfloor-underlayment to framing):	<sup>7</sup> / <sub>8</sub> " to 1" 1 <sup>1</sup> / <sub>8</sub> " to 1 <sup>1</sup> / <sub>4</sub> " <sup>3</sup> / <sub>4</sub> " and less <sup>7</sup> / <sub>8</sub> " to 1" 1 <sup>1</sup> / <sub>8</sub> " to 1 <sup>1</sup> / <sub>4</sub> "	2" 16 gage <sup>p</sup> 8d <sup>c</sup> 10d <sup>d</sup> or 8d <sup>c</sup> 6d <sup>c</sup> 8d <sup>e</sup> 10d <sup>d</sup> or 8d <sup>c</sup>	
32. Panel siding (to framing)	1/2" or less 5/8"	6d <sup>f</sup> 8d <sup>f</sup>	
33. Fiberboard sheathing: <sup>g</sup>	1/ <sub>2</sub> "  25/ <sub>32</sub> "	No. 11 gage roofing nail <sup>h</sup> 6d common nail No. 16 gage staple <sup>i</sup> No. 11 gage roofing nail <sup>h</sup> 8d common nail No. 16 gage staple <sup>i</sup>	
34. Interior paneling	1/4"		4dj

For SI: 1 inch = 25.4 mm.

a. Common or box nails are permitted to be used except where otherwise stated.
b. Nails spaced at 6 inches on center at edges, 12 inches at intermediate supports except 6 inches at supports where spans are 48 inches or more. For nailing of wood structural panel and particleboard diaphragms and shear walls, refer to Section 2305. Nails for wall sheathing are permitted to be common, box or casing. c. Common or deformed shank.

d. Common.e. Deformed shank.

f. Corrosion-resistant siding or casing nail.

g. Fasteners spaced 3 inches on center at exterior edges and 6 inches on center at intermediate supports.

h. Corrosion-resistant roofing nails with <sup>7</sup>/<sub>16</sub>-inch diameter head and 1 <sup>1</sup>/<sub>2</sub>-inch length for <sup>1</sup>/<sub>2</sub>-inch sheathing and 1 <sup>3</sup>/<sub>4</sub>-inch length for <sup>25</sup>/<sub>32</sub>-inch sheathing.

i. Corrosion-resistant staples with nominal <sup>7</sup>/<sub>16</sub>-inch crown and 1 <sup>1</sup>/<sub>8</sub>-inch length for <sup>1</sup>/<sub>2</sub>-inch sheathing and 1 <sup>1</sup>/<sub>2</sub>-inch length for <sup>25</sup>/<sub>32</sub>-inch sheathing. Panel supports at 16 inches (20 inches if strength axis in the long direction of the panel, unless otherwise marked).

j. Casing or finish nails spaced 6 inches on panel edges, 12 inches at intermediate supports. k. Panel supports at 24 inches. Casing or finish nails spaced 6 inches on panel edges, 12 inches at intermediate supports.

1. For roof sheathing applications, 8d nails are the minimum required for wood structural panels.

m. Staples shall have a minimum crown with of <sup>7</sup>/<sub>16</sub> inch.

n. For roof sheathing applications, fasteners spaced 4 inches on center at edges, 8 inches at intermediate supports. o. Fasteners spaced 4 inches on center at edges, 8 inches at intermediate supports for subfloor and wall sheathing and 3 inches on center at edges, 6 inches at intermediate diate supports for roof sheathing. p. Fasteners spaced 4 inches on center at edges, 8 inches at intermediate.





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

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

August 25, 2010

Shulfer Architects, LLC Steve Shulfer 1918 Parmenter Street, Suite 2 Middleton, WI. 53562

### Dear Mr. Shulfer:

I have completed a review of the proposed rezoning request (General Development Plan) for a deck addition at 623 Kensington Square, Stoughton. Site plan dated 8/20/10. The following items are identified for your review.

- 1. The property at 623 Kensington Square is currently zoned PD -Planned Development. This request is for a deck addition which is an expansion of an approved building envelope. The proposed expansion requires rezoning of the property to PD-GDP (Planned Development-General Development Plan). Since there is no change proposed to 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 September 13, 2010 of which you will receive notice. A Planning Commission recommendation is sent on to the City Council for final review/approval (expected approval date: 10/12/10).
- 2. The Comprehensive Plan, Planned Land Use Map depicts this property as Two Family Residential. The Comprehensive Plan should be amended to reflect the current uses within the Kensington Condominium which is Mixed Residential. The proposed building is a 4 unit residential structure.
- 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 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

• Page 2 August 25, 2010

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 deck addition of 20 feet 9 inches. 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 DANE COUNTY, WISCONSIN

### ORDINANCE NO. 0- -2010

AN ORDINANCE CHANGING THE ZONING CLASSIFICATION OF PROPERTY LOCATED AT 623 KENSINGTON SQUARE FROM PD – PLANNED DEVELOPMENT TO PLANNED DEVELOPMENT – GENERAL DEVELOPMENT PLAN (PD-GDP)

### **RECITALS**

- 1. Steve Shulfer (the "Applicant") representing Richard & Karen Tofte (the "Owner's") has requested that the zoning classification of the property described in Attachment A (the "Property") be changed to Planned Development General Development Plan ("PD-GDP"), subject to certain conditions being satisfied.
- 2. The Planned Development District is intended to provide a voluntary regulatory framework designed to encourage and promote improved environmental and aesthetic design in the City by allowing for greater design freedom, imagination and flexibility in the development of land while insuring substantial compliance with the basic intent of the City's Zoning Ordinance and Comprehensive Plan.
- 3. The Applicant has submitted a General Development Plan (the "GDP Documents"), attached as Attachment B, and consisting of the following:
  - a. General Development Plan.
- 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. On <u>September 13, 2010</u>, the City of Stoughton Planning Commission held a public hearing regarding the application to change the zoning classification of the Property to PD District, which was preceded by the publication of a class 2 notice under ch. 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 with certain conditions.
- 6. The Common Council determines that, subject to certain conditions, changing the zoning classification of the Property to PD 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 City Clerk

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).

The above and foregoing ordinance was duly adopted by the Common Council of the City of Stoughton at its meeting held on , 2010 by a vote of in favor, opposed, and not voting.

	APPROVED:
	Donna L. Olson, Mayor
	ATTEST:
	Luann J. Alme, City Clerk
Adopted:	
Published:	
Attachment A – Legal Description	

Attachment B – General Development Plan

### ATTACHMENT A

### **LEGAL DESCRIPTION**

623 Kensington Square, Parcel # 281/0511-063-1551-2, Kensington Square Condominium – Phase 1, Unit 623.

# ATTACHMENT B GENERAL DEVELOPMENT PLAN \*TO BE ATTACHED LATER.

### RECEIVED

Wis

20 2010

CITY OF STOUGHTON

WISCONSIN DEPARTMENT OF ADMINISTRATION

JIM DOYLE GOVERNOR

DANIEL J. SCHOOFF

SECRETARY

Municipal Boundary Review PO Box 1645, Madison WI 53701

Voice (608) 264-6102 Fax (608) 264-6104 Email: wimunicipalboundaryreview@wi.gov

Web: http://doa.wi.gov/municipalboundaryreview/

August 4, 2010

PETITION FILE NO. 13481

LUANN ALME, CLERK CITY OF STOUGHTON 381 E MAIN ST STOUGHTON, WI 53589

MELANIE HUCHTHAUSEN, CLERK TOWN OF DUNKIRK 654 COUNTY ROAD N STOUGHTON, WI 53589

Subject: PAYNE & DOLAN, INC. ANNEXATION

The proposed annexation submitted to our office on July 23, 2010, has been reviewed and found to be in the public interest. The subject petition is for territory that is reasonably shaped and contiguous to the CITY OF STOUGHTON. The City has indicated the ability to provide municipal services to the territory.

Note: The map that accompanies the annexation ordinance must include a graphic scale (ref: s. 66.0217 (1) (g), Wis. Stats.).

The Department reminds clerks of annexing municipalities of the requirements of s. 66.0217 (9)(a), Wis. Stats., which states:

"The clerk of a city or village which has annexed shall file immediately with the secretary of state a certified copy of the ordinance, certificate and plat, and shall send one copy to each company that provides any utility service in the area that is annexed. The clerk shall record the ordinance with the register of deeds and file a signed copy of the ordinance with the clerk of any affected school district..."

State and federal aids based on population and equalized value may be significantly affected through failure to file with the Secretary of State. Please file a copy of your annexing ordinance, including a statement certifying the population of the annexed territory. Please also include the MBR number with your ordinance as this assists with record keeping. Your MBR number is: 13481 The address of the Office of the Secretary of State is:

Annexations and Railroads Division of Government Records Office of the Secretary of State PO Box 7848 Madison WI 53707-7848

Please call me at (608) 264-6102, should you have any questions concerning this annexation review letter.

Sincerely,

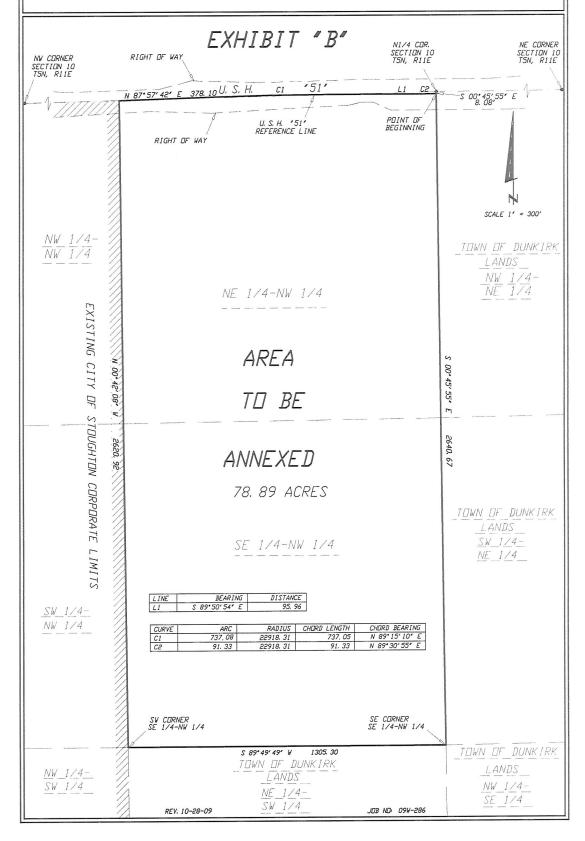
Erich Schmidtke

Municipal Boundary Review

cc: petitioner

### WILLIAMSON SURVEYING AND ASSOCIATES LLC

104 A WEST MAIN STREET, WAUNAKEE, WISCONSIN, 53597.
PHONE: 608-255-5705 FAX: 608-849-9760 E-MAIL: WILLSURV@TDS. NET



### ANNEXATION ORDINANCE

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

Section 1. The following described tract of land owned by the following: City of Stoughton, in the Town of Dunkirk, County of Dane, State of Wisconsin, is hereby annexed to the City of Stoughton, and hereby made and constituted a part of the Second Aldermanic District and Census Ward 5 of said City, viz.:

Parcel No. 026/0511-102-8001-7 and 026/0511-102-9500-1

A parcel of land being all of the Southeast <sup>1</sup>/4 of the Northwest <sup>1</sup>/4 and part of the Northeast <sup>1</sup>/4 of the Northwest <sup>1</sup>/4 all in Section 10, T05N, R11 E, Town of Dunkirk, Dane County, Wisconsin being more particularly described as follows:

Commencing at the North <sup>1</sup>/4 Corner of Said Section 10; thence S 00°45'55" E along the east line of the Northwest <sup>1</sup>/4, 8.08 feet to the reference line of United States Highway "51" as per right of project no.5845-02-21 and the point of beginning.

Thence continue S 00°45′55″ E along the east line of the Northwest ¹/4, 2,640.67 feet to the Southeast corner of the Southeast ¹/4 of the Northwest ¹/4; thence S 89°49′49″ W along the South line of the Southeast ¹/4 of the Northwest ¹/4, 1305.30 feet to the Southwest corner of the Southeast ¹/4 of the Northwest ¹/4 and the existing City of Stoughton corporate limits; thence N 00°42′08″ W along said corporate limits 2620.92 feet to the reference line of United States Highway "51" as per right of project no.5845-02-21; thence N 87°57′42″ E along said reference line 378.10 feet; thence continue along said reference line and arc of a curve concaved Southerly having a radius of 22,918.31 feet and a long chord bearing N 89°15′10″ E a distance of 737.05 feet; thence continue along said reference line S 89°50′54″ E, 95.96 feet; thence continue along said reference line and arc of a curve concaved Southerly having a radius of 22,918.31 feet and a long chord bearing N 89°30′55″ E a distance of 91.33 feet to the point of beginning. Said parcel contains 78.89 acres.

The temporary zoning shall be assigned as RH-Rural Holding.

<u>Section 2</u>. This ordinance shall take effect upon its passage and publication.

Adopted on roll call at a regular meeting of the Common Council of the City of Stoughton held on the day of , 2010.

VOTE:	APPROVED:	
Ayes:		
Noes:	Donna L. Olson, Mayor	
Adopted:	ATTEST:	
Published:	Luann J. Alme, City Clerk	_

S:\LJA\ORD&RES\annex payne & dolan - 2010.doc

August 26, 2010

To: Planning/Zoning Department

Re: Facade alterations @ 215/216 S. Gjertson St.

Salon X, (tenant of owner Weber Mclain LLC) plans to remove an existing 6'x42' overhang which is currently supported by 7 aluminum posts wraps. The wraps are designed to enclose 4"x4" wood posts which do not exist. The overhang its self has wood structural members which are beginning to split. The entire overhang is showing signs of movement and needs to be removed.

We request approval for a new entryway to be constructed as detailed on the plan.

The plans do not call for any egress changes.

No parking spaces will be added or deleted.

Keith & Roxanne Comstock



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

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

August 26, 2010

Weber McLain LLC Keith Comstock 215 S. Gjertson Street Stoughton, WI. 53589

### Dear Mr. Comstock:

I have completed a review of the proposed façade improvements at Salon X, 215 S. Gjertson Street - Plan dated 8/23/10. This request will be on the September 13, 2010 Planning Commission agenda, of which you will receive notice. The following items are identified for your review:

- 1. The property at 215 S. Gjertson Street is zoned PB Planned Business. Personal or Professional Services are permitted by right within the Planned Business district.
- 2. There are no proposed changes to the use or gross floor area of the structure that would require a review of the parking requirements.
- 3. The City of Stoughton Comprehensive Plan, Planned Land Use Map depicts this property as Planned Office. The Planned Land Use Map should be amended to reflect the existing Planned Business use.
- 4. The façade improvement meets the setback and height requirements of the Planned Business district.
- 5. Appropriate City of Stoughton building permits are required before construction.

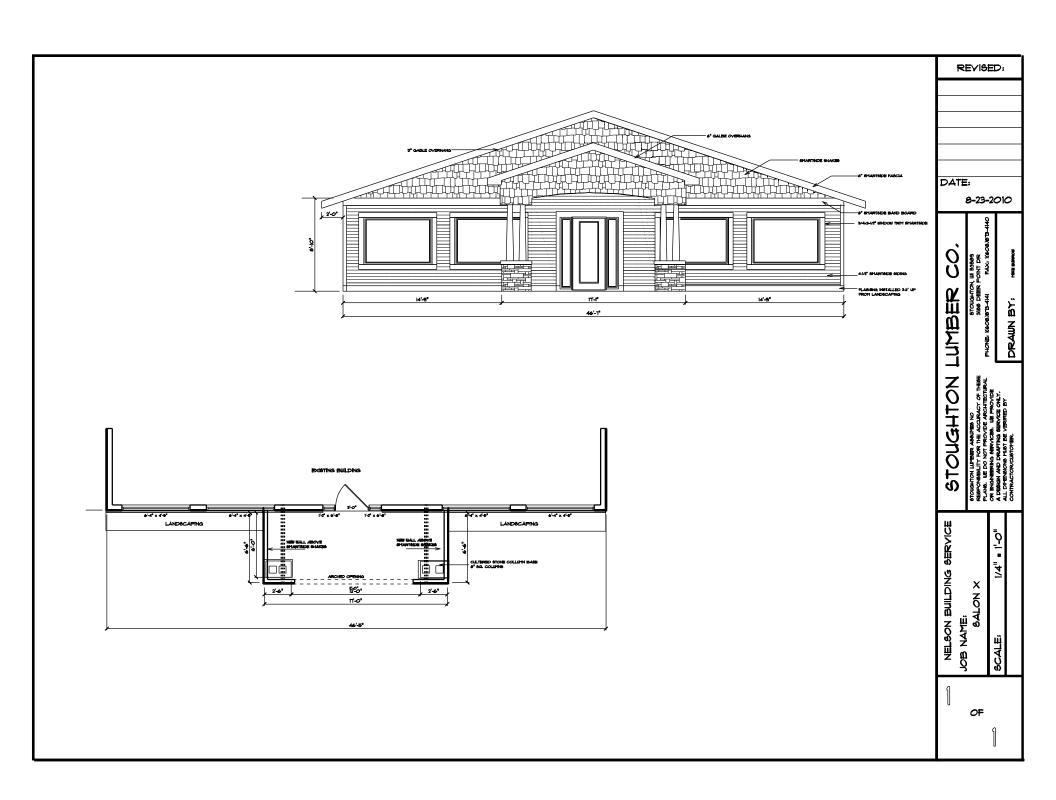
If you have any questions, please contact me at 608-646-0421

Sincerely, City of Stoughton

Michael P. Stacey

Michael P. Stacey Zoning Administrator

cc. Planning Commissioners





### FORWARD DEVELOPMENT GROUP, LLC

August 31, 2010

City of Stoughton Planning Commission 381 East Main Street Stoughton, Wisconsin, 53589

RE:

WestEnd Neighborhood - Phase 1

Located at the NW Corner US 51 and STH 138, Stoughton, Wisconsin

Dear Commissioner:

Recently, the Forward Development Group (FDG) obtained signed contracts and working agreements for the purchase of approximately 30 acres at the northwest corner of US 51 and STH 138. Our initial analysis and development concept indicate that this location will be a very viable for a mixed use commercial and neighborhood center. FDG selected this site for commercial development because it's contiguous to the existing major arterials and accessible to the nearby utilities in Jackson Street. Before we progress to the next phase of our planning effort, we would like to introduce ourselves and our initial concept in order to gauge community interest and support for business development at this location.

The attached concept plan has been prepared to facilitate a conversation within the community and to open initial development discussions with potential users. Our goal and challenge is to create a viable commercial center that will be embraced by the community, satisfies the needs of end users, and meets the investment expectations of our partners. Our initial vision is a mixed use center with a variety of complimentary users that meet the needs of the Stoughton community.

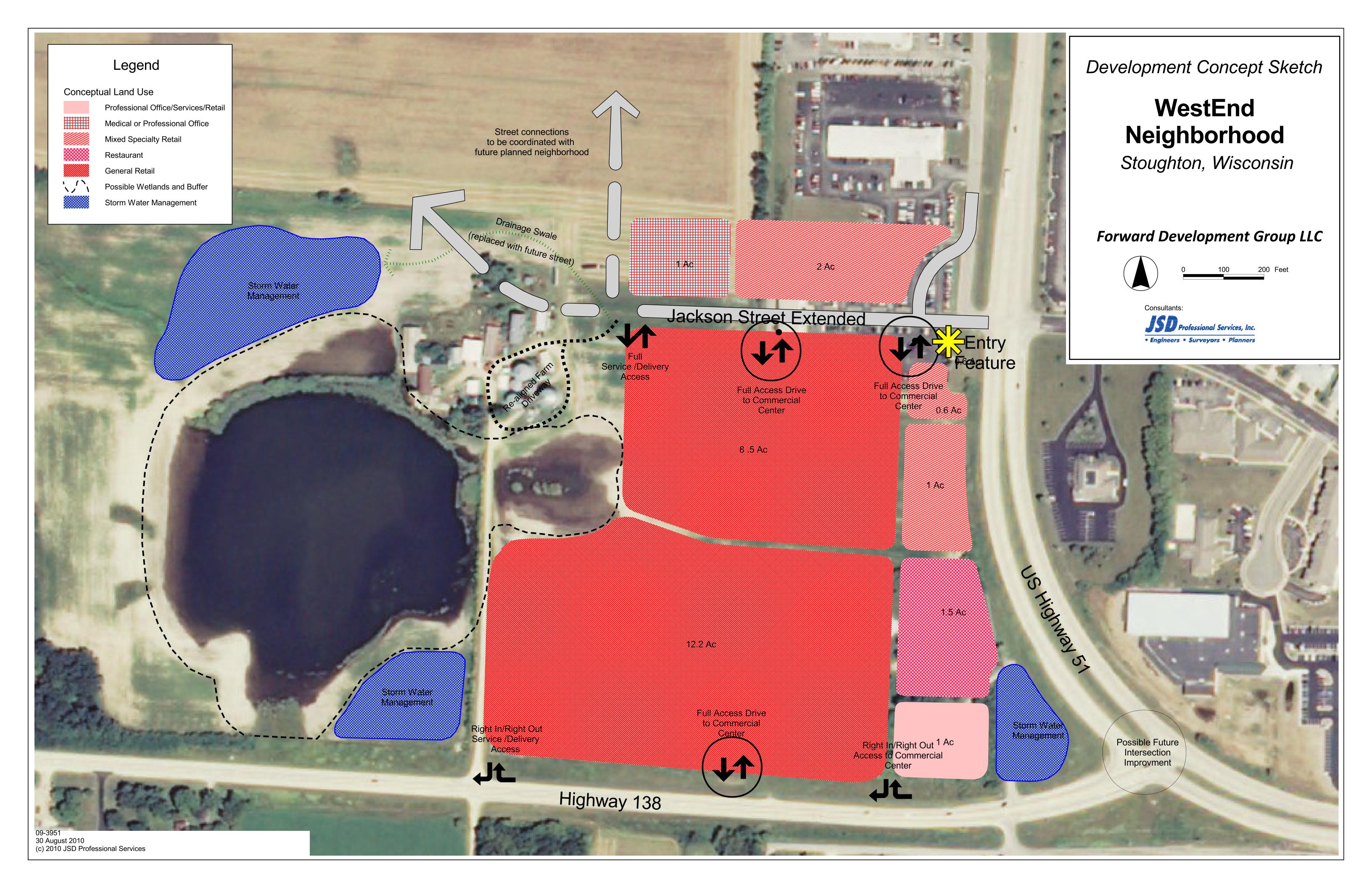
The concept plan you have before you is the result of many internal meetings with our development team and potential end users. We have also had several productive and insightful discussions with city staff. The upcoming Planning Commission meeting is the first step in the consensus building process and we are looking forward to engaging in a meaningful dialogue about access, utility extensions, and neighborhood/commercial center character. I am sure the end result will be a marquee development at the southwesterly gateway to the City of Stoughton. We appreciate your time and comments at this early stage of the project.

Sincerely,

Forward Development Group, LLC

Dennis Steinkraus Development Manager

Enclosure



### AN ORDINANCE TO AMEND SECTION 78-206(1)(a)2 OF THE STOUGHTON MUNICIPAL CODE

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

1. Section 78-206(1)(a)2 of the Stoughton Municipal Code are hereby amended and shall read as follows:

Sec. 78-206. (1)(a)2 – Duplex.

Description: These dwelling unit types consist of a single-family dwelling which is attached on one side to another single-family residence. A minimum building code required fire rated wall assembly division, separating living areas from the lowest level to flush against the underside of the roof is required between each dwelling unit. Upon the effective date of this ordinance amendment, all newly constructed Duplexes are required to install a sanitary sewer lateral and public water lateral for each individual dwelling unit. The two residences are located on the same lot. These dwelling unit types may not be split into additional residences. Refer to the illustration below and to Article I for setback requirements labeled in capital letters:

2. This ordinance shall take effect upon its passage and publication.

Adopted on roll call at a regular meeting of the Common Council of the City of Stoughton held on the day of , 2010.

VOTE:	APPROVED:
Ayes:	
Noes:	Donna L. Olson, Mayor
Adopted:	ATTEST:
Published:	
	Luann J. Alme, City Clerk

S:\mps\Ordinances\Chapter 78\Amend 78-206(1)(a)2.doc

### AN ORDINANCE TO AMEND SECTION 78-206(1)(a)3 OF THE STOUGHTON MUNICIPAL CODE

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

1. Section 78-206(1)(a)3 of the Stoughton Municipal Code are hereby amended and shall read as follows:

Sec. 78-206. (1)(a)3 - Twin House.

Description: These dwelling unit types consist of a single-family dwelling which is attached on one side to another single-family residence. A minimum building code required fire rated wall assembly division, separating living areas from the lowest level to flush against the underside of the roof is required between each dwelling unit., Upon the effective date of this ordinance amendment, all newly constructed Twin Homes are required to install a and individual sanitary sewer lateral and public water laterals, for between each individual dwelling unit. Separate water and sewer laterals are not required when converting an existing Duplex to a Twin Home. The two residences are located on separate lots. The Twin House is distinguished from the Duplex House merely by having each unit located on an individual lot or within a group or large development. These dwelling unit types may not be split into additional residences. A mutual maintenance agreement is recommended to be drafted and recorded between property owners to address for example; repair and/or replacement of the exterior components of the structure. Refer to the illustration on the following page and to Article I for setback requirements labeled in capital letters:

2. This ordinance shall take effect upon its passage and publication.

, 2010.

Adopted on roll call at a regular meeting of the Common Council of the City of Stoughton

VOTE:	APPROVED:
Ayes:	Donna L. Olson, Mayor
Noes:	Donna E. Oison, Mayor
Adopted:	ATTEST:
Published:	Luann J. Alme, City Clerk

held on the day of