



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

RODNEY J. SCHEEL
DIRECTOR

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

Date: September 8, 2020

To: Plan Commissioners and Common Council

From: Rodney J. Scheel
 Director of Planning & Development

 Michael P. Stacey
 Zoning Administrator/Assistant Planner

Subject: Agenda Item for the September 14, 2020 Plan Commission Meeting and September 22, 2020 Common Council Meeting.

Request by Deirdre Bouzek for a conditional use permit for an indoor commercial entertainment use (youth theater group) at 318 Water Street.

This conditional use permit request will allow an indoor commercial entertainment use (youth theater group) at 318 Water Street. This is a change of use for this property which has been used as a laundromat on the main level for quite some time. The space would now be used for rehearsals and small events for a theater company. The upper story will remain as a boarding house. A Plan Commission public hearing and recommendation to Council is necessary. The resolution, application information, and staff review are provided.

CITY OF STOUGHTON, 207 S. FORREST STREET, STOUGHTON, WISCONSIN

RESOLUTION OF THE COMMON COUNCIL

Approving a Conditional Use Permit request by Deirdre Bouzek for property at 318 Water Street, Stoughton, Wisconsin.

Committee Action: Plan Commission recommends Common Council approval – 0

Fiscal Impact: None.

File Number: R- -2020

Date Introduced:

The City of Stoughton, Wisconsin, Common Council does proclaim as follows:

WHEREAS, on September 14, 2020 the City of Stoughton Plan Commission held a public hearing and reviewed the proposed conditional use permit application by Deirdre Bouzek for property at 318 Water Street, Stoughton, Wisconsin; and

WHEREAS, the conditional use permit is requested for the following:

- Indoor Commercial Entertainment (youth theater group)

WHEREAS, the Zoning Administrator has determined:

- The proposed conditional use (the use in general and at the proposed specific location) is in harmony with the purposes, goals, objectives, policies and standards of the City of Stoughton comprehensive Plan, zoning ordinance or any other plan;
- The conditional use in its proposed location and as depicted on the required site plan does not result in a substantial or undue adverse impact on nearby property, the character of the neighborhood, environmental factors, traffic factors, parking, public improvements, public property or rights-of-way, or other matters affecting the public health, safety, or general welfare, either as they now exist or as they may in the future be developed as a result of the implementation of the provisions of this chapter, the comprehensive plan, or any other plan, program, map, or ordinance adopted or under consideration pursuant to official notice by the city of other government agency having jurisdiction to guide development;
- The proposed conditional use maintains the desired consistency of land uses, land use intensities, and land use impacts as related to the environs of the subject property;
- The proposed conditional use is located in an area that will be adequately served by and will not impose an undue burden on any of the improvements, facilities, utilities or services provided by public agencies serving the subject property;
- The potential public benefits of the proposed conditional use outweigh any and all potential adverse impacts of the proposed conditional use, after taking into consideration the applicant’s proposal and any requirements recommended by the applicant to ameliorate such impacts; and

WHEREAS, the Plan Commission and Common Council determined the proposed conditional use permit will not create undesirable impacts on nearby properties, the environment, nor the community as a whole; now therefore

BE IT RESOLVED, by the City of Stoughton Common Council that the Conditional Use Permit request by Deirdre Bouzek for property at 318 Water Street is hereby approved as presented subject to:

- Staff review dated August 26, 2020

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

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

Tim Swadley, Mayor Date

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

PUBLIC HEARING NOTICE

The City of Stoughton Plan Commission will hold a Virtual Public Hearing on Monday, September 14, 2020 at 6:00 o'clock p.m., or as soon after as the matter may be heard, to consider a proposed conditional use permit application by Deirdre Bouzek for an Indoor Commercial Entertainment use (Youth Theater Group) at 318 Water Street, Stoughton, WI.

The property is more formally described as:

Parcel # 281/0511-082-1408-5

Legal Description: ORIGINAL PLAT N 22 FT LOT 2 BLOCK 17

This property description is for tax purposes. It may be abbreviated. For the complete legal description please refer to the deed.

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

Due to the COVID-19 Pandemic, this meeting will not be open to the public in an in-person capacity. For those wishing to view the meeting and/or ask questions, you may do so via the following options:

Please join the meeting from your computer, tablet or smartphone.

<https://global.gotomeeting.com/join/547935901>

You can also dial in using your phone.

(For supported devices, tap a one-touch number below to join instantly.)

United States (Toll Free): 1 877 309 2073

- One-touch: <tel:+18775684106,,547935901#>

United States: +1 (571) 317-3129

- One-touch: <tel:+15713173129,,547935901#>

Access Code: 547-935-901

New to GoToMeeting? Get the app now and be ready when your first meeting starts:

<https://global.gotomeeting.com/join/547935901>

If you wish to speak at or have your comments read aloud at the meeting, please register at <http://speak.cityofstoughton.com> by 5:45 on the day of the meeting. The Clerk will receive comments and forward them on to the "Organizer". The public can click on the link or call in and use the access code. When connected the public will have to identify themselves in order for the "Organizer" to rename them on the "Attendee" screen. If you plan to speak, please mute TV or stream volume (if online) and do not use speakerphone, as it creates feedback, there may be a delay. The Public Comment participant will be unmuted by the "Organizer" when it is their turn and have up to 3 minutes to speak. After speaking, the "Organizer" will mute the Public Comment participant. The participant can log out or hang up and stream at WSTO, or watch on Channel 981 on Charter/Spectrum.

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

Published August 20 and August 27, 2020 Hub

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

Applicant Name: Deirdre Bouzek
Applicant Address: 2640 Westchester Cir, Stoughton, WI 53589
Applicant Phone and Email: 608-658-0462, dd.bouzek@msn.com
Property Owner Name (if different than applicant): _____
Property Owner Phone: _____
Subject Property Address: 318 S. Water St, Stoughton, WI 53589

This form is designed to be used by the Applicant as a guide to submitting a complete application for a conditional use review *and* by the City to process said application. Parts II and III are to be used by the Applicant to submit a complete application. (See conditional use review and approval procedures attached)

I. Record of Administrative Procedures for City Use

Application form filed with Zoning Administrator Date: 8/10/20
Application fee of \$ 455 received by Zoning Administrator Date: 8/12/20

II Application Submittal Packet Requirements

Prior to submitting the final complete application as certified by the Zoning Administrator, the Applicant shall submit an initial draft application for staff review at least 30 days prior to a Planning Commission meeting, followed by one revised draft final application packet based upon staff review and comments. The final application materials are required to be submitted at least 2 weeks prior to the Planning Commission meeting.

Initial Packet

(1 electronic 11 x 17 copy of plans to Zoning Administrator) Date: _____

Final Packet

(1 electronic 11 x 17 copy of plans
and if necessary one large scalable copy of plans to Zoning Administrator) Date: 8/10/20

(a) A map of the proposed conditional use:

- Showing all lands under conditional use consideration.
- All lot dimensions of the subject property provided.
- Graphic scale and north arrow provided.

- (b) A written description of the proposed conditional use describing the type of activities, buildings, and structures proposed for the subject property and their general locations.
- (c) A site plan (conforming to the requirements of Section 78-908(3)) of the subject property as proposed for development OR if the proposed conditional use is a large development (per Sections 78-205(11)). A proposed preliminary plat or conceptual plat may be substituted for the required site plan, provided said plat contains all information required on said site plan per Section 78-908.
- (d) Written justification for the proposed conditional use indicating reasons why the Applicant believes the proposed conditional use is appropriate with the recommendations of the City of Stoughton Comprehensive Plan, particularly as evidenced by compliance with the standards set out in Section 78-905(5)(c)1.-6, as follows.

III Justification of the Proposed Conditional Use Request.

1. How is the proposed conditional use and location in harmony with the purposes, goals, objectives, policies and standards of the City of Stoughton Comprehensive Plan, the Zoning Ordinance, and any other plan, program, or ordinance adopted?

As the home to Aligning Stars Theatre, a youth theatre company, I believe that the use is in direct harmony with the City of Stoughton purposes and goals. It will give the cities youth more opportunities in town so they dont need to travel to Madison with the 50 person capacity, I believe it meets all zoning ordinances.

2. Does the proposed conditional use, in its proposed location and as depicted on the required site plan (see Section 78-905(4)(d)), result in any substantial or undue adverse impact on nearby property, the character of the neighborhood, environmental factors, traffic factors, parking, public improvements, public property or rights-of-way, or other matters affecting the public health, safety, or general welfare, either as they now exist or as they may in the future be developed as a result of the implementation of the provisions of the Zoning Ordinance, the Comprehensive Plan, or any other plan, program, map or ordinance adopted?

I dont believe so. We are not making any major structural changes to the property and I dont foresee any major traffic or parking issues. All attendees of the building will use public parking.

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

All of the activities planned are to happen inside the building. ~~It~~ with the 50 person capacity and little to no outdoor space, I don't believe there will be any issues with noise or property impact at all.

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

I don't believe it will impose an undue burden.

5. Do the potential public benefits of the proposed conditional use outweigh all potential adverse impacts of the proposed conditional use (as identified in Subsections 78-905(5)(c)1-5.), after taking into consideration any proposed options to minimize such impacts?

I believe so. Not only will it bring more youth opportunities to town, but the plan is to update the often neglected building. I believe the updates will improve the neighborhood and make the street, along with Nauti Norske, a destination.

IV. Application Information for City Use

Notified Neighboring Property Owners (within 300 feet)

Date: 8/24/20

Notified Neighboring Township Clerks (within 1,000 feet)

Date: 8/24/20

Class 2 legal notice sent to official newspaper by City Clerk

Date: 8/12/20

Class 2 legal notice published on 8/20/20 and 8/27/20

Date: _____

Conditional Use recorded with the County Register of Deeds Office after approval

Deirdre Bouzek

2640 Westchester Cir

Stoughton, WI 53589

608-658-0462

ddbouzek@msn.com

Proposed conditional use of 318 South Water Street, Stoughton Wisconsin

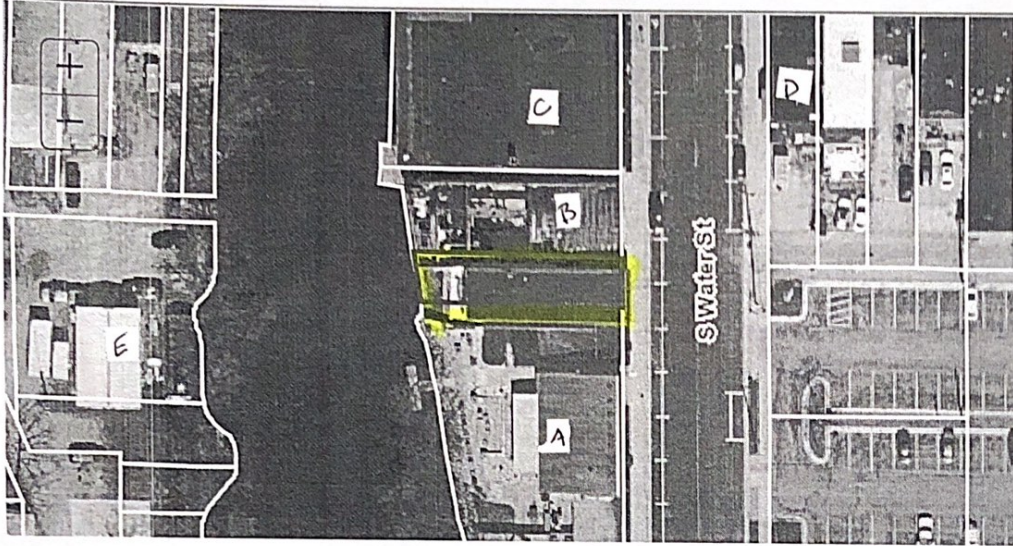
I am proposing to change the use of the main level at 318 South Water Street. The upstairs living units will remain the same. No major structural changes planned for the building.

On the main level of the building, I plan to use the space primarily as a rehearsal area for my youth theatre group. These rehearsals will contain no more than 50 people and will generally end before 10pm. In the case of small events for the theatre company, there will be a capacity of 50 attendees and will generally end before 11pm. When the building is not being used for rehearsals, I hope to rent the space out for meetings and small events such as birthday parties or showers maintaining the 50 person capacity. All of these events will remain inside the building. All attendees will utilize public parking.

This plan will give a much needed home to local youth theatre. Stoughton has a long history of supporting the arts, and Aligning Stars Theatre has call Stoughton home for 10 years. However, the group has never had a place of its own. This building is the next step in order to provide more opportunities for area youth.

I believe my plan for the building will also improve the neighborhood by giving attention to a long neglected building. In the next couple of years I hope find the beauty in the building and make it a destination instead of an eyesore.

Parcel Maps



Property 318 S. water St
 .05 acres
 2134 sq feet (28 x 75 feet)



A

DAVID P EUGSTER
324 S WATER ST
1760 DUNWOOD WAY
OREGON WI 53575

B
 C
 +

C MARK SCHROEDER
217 W MAIN ST + 312 S. water
14 SAUTHOFF RD
MADISON WI 53704

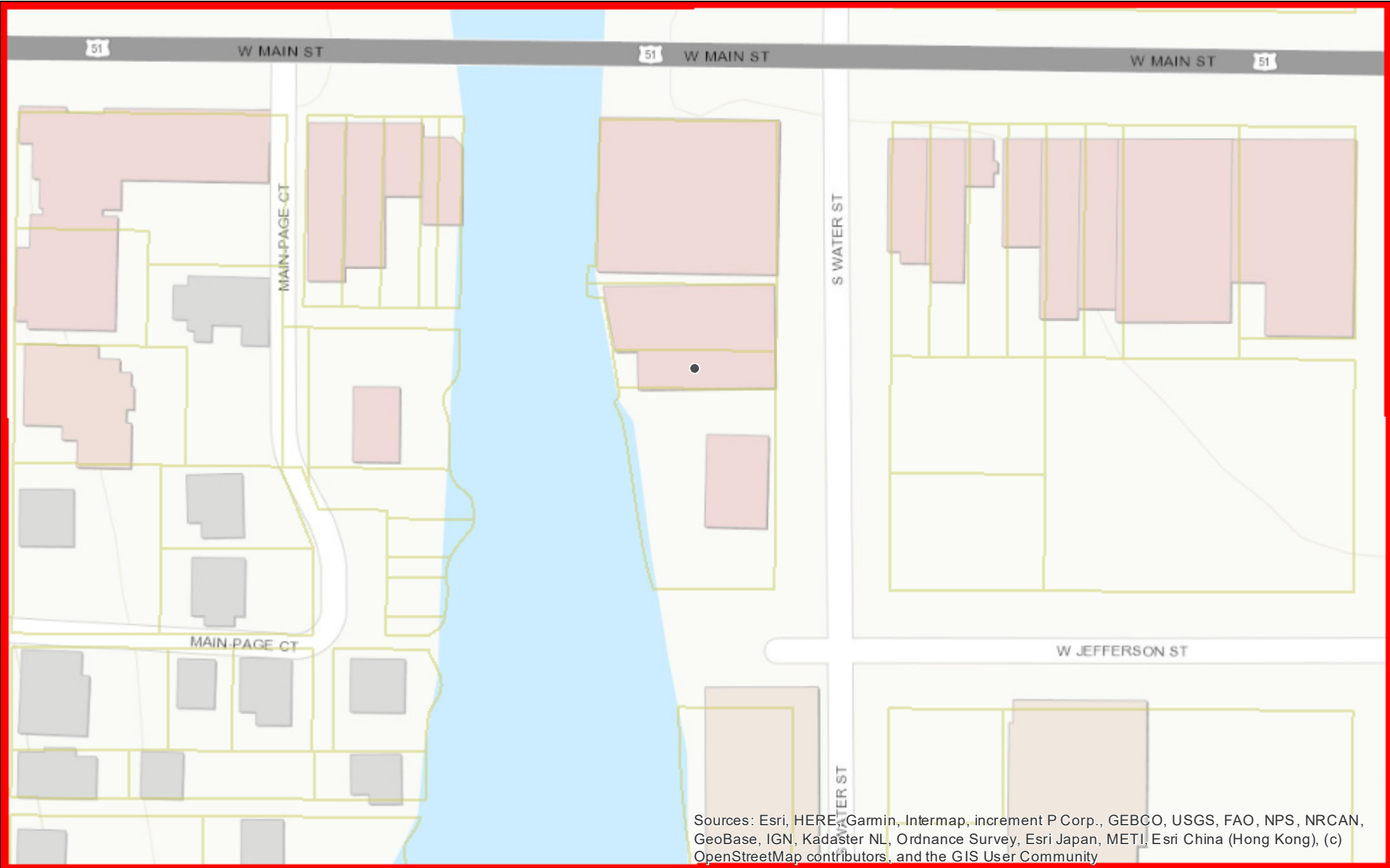
D

JNT DEVELOPMENTS LLC
193 W MAIN ST
2858 UNIVERSITY AVE STE 206
MADISON WI 53705

E

MICHAEL OLSON
251 W MAIN ST
251 W MAIN ST
STOUGHTON WI 53589

318 Water Street

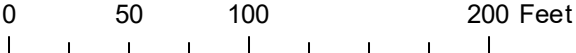


Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), (c) OpenStreetMap contributors, and the GIS User Community

September 3, 2020

Dane County Mask

- Dane County Mask
- Parcels



Google Maps

Stoughton, Wisconsin



Google

Image capture: Aug 2018 © 2020 Google



CITY OF STOUGHTON
DEPARTMENT OF PLANNING & DEVELOPMENT
207 S. Forrest Street, Stoughton, WI. 53589
www.cityofstoughton.com/planning

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

August 26, 2020

Deirdre Bouzek
2640 Westchester Circle
Stoughton, WI. 53589

Dear Ms. Bouzek:

I have completed a review of the proposed conditional use for an Indoor Commercial Entertainment use (Youth Theater Group) at 318 Water Street, Stoughton - application provided 8/10/20. As noted, additional information may be required or shown on the plans.

1. The property at 318 Water Street is currently zoned CB – Central Business. **An Indoor Commercial Entertainment use is allowed as a conditional use within the CB district. The application and fee has been submitted. A public hearing is planned for the September 14, 2020 Plan Commission meeting to review the conditional use application. It is anticipated that the Common Council will act on this request at their September 22, 2020 meeting.**
2. Ordinance section 78-905(5)(c) provides the following criteria which the Zoning Administrator may use to evaluate the conditional use application to determine whether the request is in harmony with the recommendations of the Comprehensive Plan:
 - a) Is the proposed conditional use (the use in general, independent of its location) in harmony with the purposes, goals, objectives, policies and standards of the City of Stoughton Comprehensive Plan, this chapter, and any other plan, program, or ordinance adopted, or under consideration pursuant to official notice by the city?
We believe the conditional use is consistent with the Comprehensive Plan.
 - b) Is the proposed conditional use (in its specific location) in harmony with the purposes, goals, objectives, policies and standards of the City of Stoughton comprehensive plan, this chapter, and any other plan, program, or ordinance adopted, or under consideration pursuant to official notice by the city?
We believe the conditional use is consistent with the Comprehensive Plan.
 - c) Does the proposed conditional use, in its proposed location and as depicted on the required site plan (see subsection (4)(d), above), result in a substantial or undue adverse impact on nearby property, the character of the neighborhood, environmental factors, traffic factors, parking, public improvements, public property or rights-of-way, or other matters affecting the public health, safety, or general welfare, either as they now exist or as they may in the future be developed as a result of the implementation of the provisions of this chapter, the comprehensive plan, or any other plan, program, map, or ordinance adopted or under consideration pursuant to official notice by the city or other governmental agency having jurisdiction to guide development? **We do not see any**

substantial or major adverse impacts related to the group daycare use and we have not received any complaints from neighboring property owners related to this request.

- d) Does the proposed conditional use maintain the desired consistency of land uses, land use intensities, and land use impacts as related to the environs of the subject property? **The use is consistent with the Central Business zoning classification.**
 - e) Is the proposed conditional use located in an area that will be adequately served by, and will not impose an undue burden on, any of the improvements, facilities, utilities or services provided by public agencies serving the subject property? **The use should not impose a burden on utilities or services.**
 - f) Do the potential public benefits of the proposed conditional use outweigh any and all potential adverse impacts of the proposed conditional use (as identified in subsections 1. through 5., above), after taking into consideration the applicant's proposal and any requirements recommended by the applicant to ameliorate such impacts? **No adverse impacts have been identified.**
3. The Comprehensive Plan, planned land use map designates the property at 318 Water Street as Central Business. **This request is consistent with the Comprehensive Plan.**
4. Regulations applicable to an indoor commercial entertainment are as follows:
- a. If located on the same side of the building as abutting residentially zoned property, no customer entrance of any kind shall be permitted within 150 feet, or as far as possible, of a residentially zoned property. **N/A**
 - b. Facility shall provide bufferyard with minimum opacity of .60 along all borders of the property abutting residentially zoned property (see section 78-610). **N/A**
5. There are no parking requirements within the Central Business district.
6. Any proposed signage will require a detailed plan and zoning permit prior to installation. **The fee for signage is \$75 at the time of application.**

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

Sincerely,
City of Stoughton

Michael P. Stacey

Michael P. Stacey
Zoning Administrator