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

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

RODNEY J. SCHEEL
DIRECTOR

Date: March 8, 2022

To: Plan Commissioners and Common Council

From: Rodney J. Scheel
Director of Planning & Development

Michael P. Stacey
Zoning Administrator/Assistant Planner

Subject: Agenda Item for the March 14, 2022 Plan Commission Meeting and Common Council Meeting of March 22, 2022.

Proposed conditional use permit request to allow an Indoor Commercial Entertainment Use (restaurant/tavern type uses) at 183/187 E. Main Street.
This request is to allow restaurant/tavern type uses to be located at 183/187 E. Main Street. The owner is proposing to expand the uses to include various classes, demonstrations, tastings and other events. A public hearing and recommendation to Council is necessary. The resolution and related materials are provided.

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

RESOLUTION OF THE COMMON COUNCIL

Approving a Conditional Use Permit request for an Indoor Commercial Entertainment use (restaurant/tavern type uses) at 183/187 E. Main Street, Stoughton, Wisconsin.

Committee Action: Plan Commission recommends approval - 0

Fiscal Impact: None.

File Number:	R- -2022	**Date Introduced:**

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

WHEREAS, on March 14, 2022 the City of Stoughton Plan Commission held a public hearing and reviewed the proposed conditional use permit application for an Indoor Commercial Entertainment use (restaurant/tavern type uses) at 183/187 E. Main Street, Stoughton, Wisconsin; and

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 for Indoor Commercial Entertainment use (restaurant/tavern type uses) at 183/187 E. Main Street is hereby approved as presented.

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, March 14, 2022 at 6:00 o'clock p.m., or as soon after as the matter may be heard, to consider a Conditional Use Permit Application by J & S Nordic Enterprises LLC (Cheesers). The applicant is requesting conditional use approval for an Indoor Commercial Entertainment use at 183 E. Main Street, Stoughton, WI. 53589. The property description is as follows:

Parcel Number: 281/0511-081-2111-2

Description for tax purposes: ORIGINAL PLAT BLOCK 27 W 22 FT OF E 44 FT LOT 1
*This property description is for tax purposes. It may be abbreviated. For the complete legal description please refer to the deed.

See additional information including location map at: http://stoughtoncitydocs.com/planning-commission/

You can join the meeting via Zoom or Phone below:
https://zoom.us/j/94609974784?pwd=eUUyV3g3anpKSzRkQWVHTUtHT3NFQT09

Phone in: +1 312 626 6799 Meeting ID: 946 0997 4784 Passcode: 427325

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

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

Published February 17 and 24, 2022 Hub

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

Applicant Name: J & S Nordic Enterprises LLC

Applicant Address: 183 E Main St. Stoughton WI 53589

Applicant Phone and Email: 608-873-1777 brian@cheesers.com

Property Owner Name (if different than applicant): Brian Johnson

Property Owner Phone: 608-216-6184 or 608-873-1777

Subject Property Address: 183 E Main 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: 2.2.22

Application fee of $480 received by Zoning Administrator — Date: 2.8.22

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: 2.2.22

Final Packet
(1 electronic 11 x 17 copy of plans
and if necessary one large scalable copy of plans to Zoning Administrator) — Date: 2.2.22

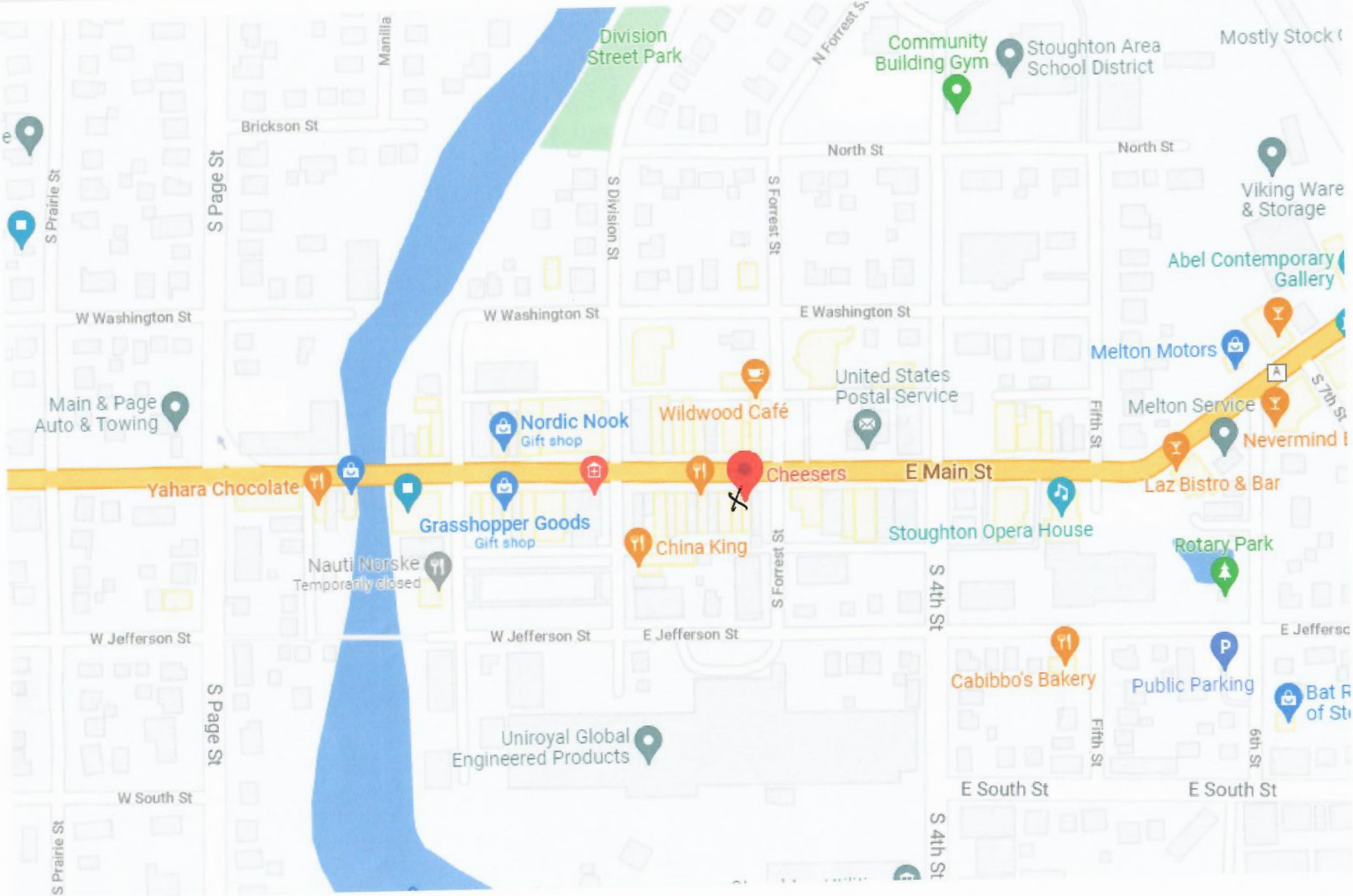
(a) A map of the proposed conditional use:

- ☐ 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.


Division Street Park
Community Building Gym
Stoughton Area School District
Mostly Stock
Brickson St
Manilla
N Forrest St
North St
North St
Viking Ware & Storage
S Prairie St
S Page St
S Division St
S Forrest St
Abel Contemporary Gallery
W Washington St
W Washington St
E Washington St
Melton Motors
United States Postal Service
Main & Page Auto & Towing
Nordic Nook
Gift shop
Wildwood Café
Melton Service
Fifth St
S 7th St
Nevermind
Yahara Chocolate
Cheesers
E Main St
Laz Bistro & Bar
Grasshopper Goods
Gift shop
China King
Stoughton Opera House
Rotary Park
Nauti Norske
Temporarily closed
S Forrest St
S 4th St
W Jefferson St
W Jefferson St
E Jefferson St
E Jefferso
Cabibbo's Bakery
Public Parking
Bat R of St
S Page St
Uniroyal Global Engineered Products
Fifth St
6th St
W South St
E South St
E South St
S Prairie St
S 4th St

City of Stoughton Procedural Checklist for Conditional Use Review and Approval (Requirements per Section 79-905)

Prepared by: Brian Johnson and Amy Brashi

Owners J & S Nordic Enterprises LLC DBA: Cheesers Lokal Market

II c – A written description of the proposed conditional use describing the type of activities, buildings and structures proposed for the subject property and their general locations.

Cheesers Lokal Market is a privately owned business that offers artisan cheese, meats, curated wines, local craft beer, locally made jams, pickles, etc, gourmet gift baskets/boxes, wine and cheese tasting/pairings to the community of Stoughton and surrounding communities. We also ship cheese and gifts nationwide through our website and on Amazon. We have become a premier destination store for downtown Stoughton. Cheesers has been operating at its current location since 2006.

A. A map of the proposed Conditional use:
   Address: 183 E Main St and 187 E Main St, Stoughton WI 53589
   Legal Description: The Center 1/3 of Lot 2, Block 27, Original Plat of Stougton, in the City of Stoughton, Dane County Wisconsin
   Parcels: 281/051108121112

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.

Indoor commercial entertainment (per subsection 78-206(4)(h)) (restaurants, taverns, theaters, health or fitness centers, all forms of training studios (dance, art, martial arts, etc.), bowling alleys, arcades, roller rinks, and pool halls.)

Primary use of conditional use will be for:

Offering:

1. Charcuterie board building classes
2. Wine and cheese pairing classes
3. Special events/demonstrations with industry experts
4. New cheese and wine release events
5. Tasting events for wine, beer, cider, bourbon, etc.

In addition, we will expand our retail offerings to include glassware, bar ware, etc.

Current Hours of Operation:

M-F 10am-5pm Sat 9am-5pm Sun Closed

We would maintain the current hours with classes and tastings held from 5-9pm on a scheduled basis.

Cheesers currently holds:

Food and Drink -Retail Food Establishment License from Dane County Public Health

Class B Reserve Liquor & Class "B"Beer License from City of Stoughton

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?

   Cheesers Lokal Market is located in the Historic Downtown district

   City of Stoughton Comprehensive Plan
   Top Priorities: When asked to select the top three issues that the City should prioritize in the next five years, the issues that received the highest ratings included improving the school system, **attracting new business and retail development**, and redeveloping vacant downtown buildings.
   When asked to select from five choices for their top vision for Stoughton, the most commonly chosen option was "a full-service city where all work, shopping, service, housing, healthcare, and educational needs can be met."
   When asked to list specific stores, offices, or industries, many respondents described a need for more restaurants, another grocery store, clothing stores, coffee shops, and specialty shops in the downtown.

2. 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? 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?

Fits into the city planning goals and guidelines.
City of Stoughton-Overall Planning Goals
Strengthen and diversify the local job and tax base, and retail opportunities
The proposed use will have no impact on the surrounding area

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?

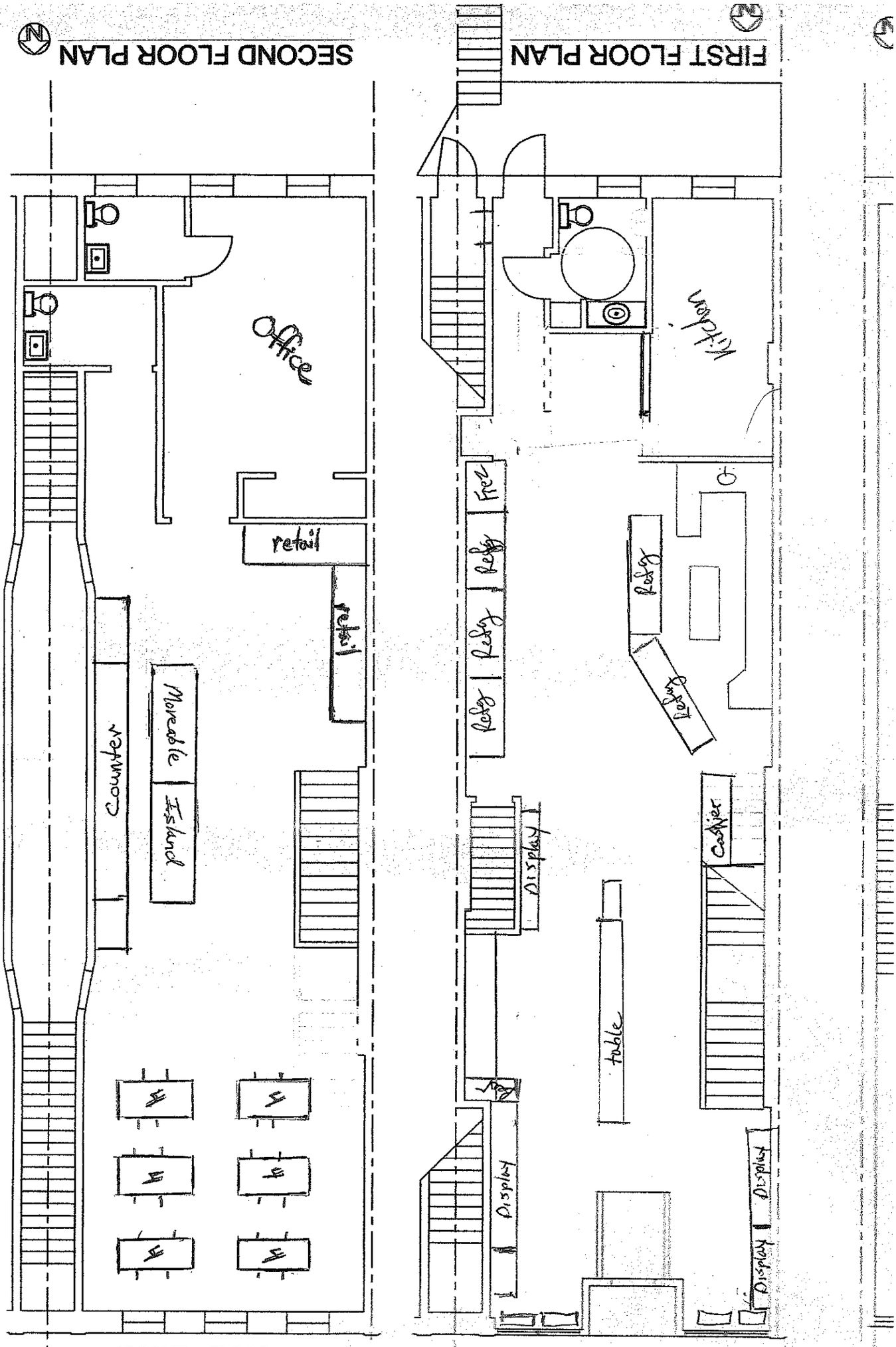
   Located in the heart of downtown Stoughton with two restaurants, one bar and numerous retail stores on the same block the proposed use has no impact on the surrounding buildings

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?

   Yes, the use is located in the middle of downtown Stoughton with the no additional services necessary.

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?

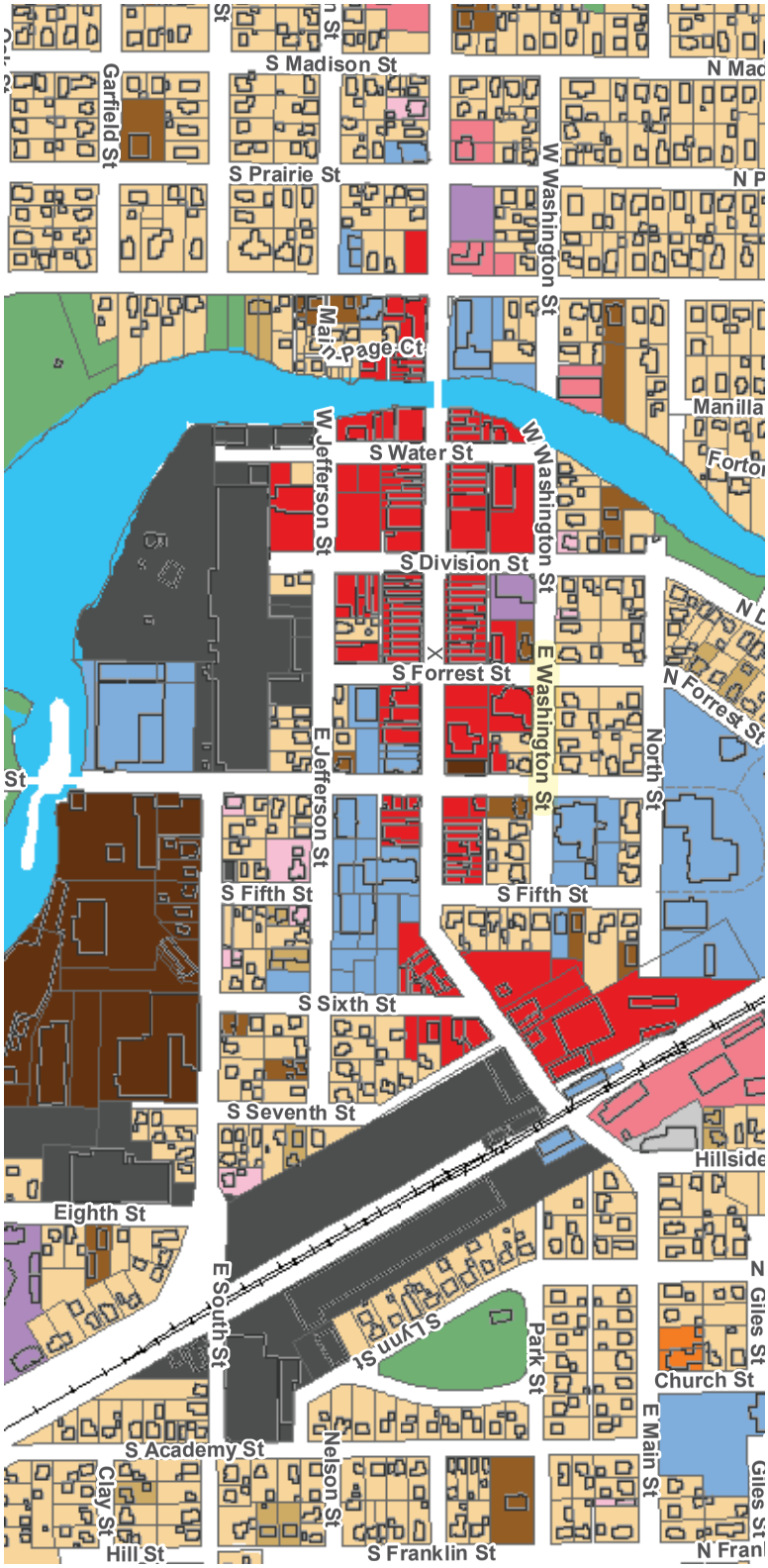
   When our property was renovated in 2005 the owners spent a considerable amount of money adding an interior stairwell that connects the first floor with the second. This interior stairwell provides convenient access to both floors and having one store using both floors facilitates Cheesers continued growth.



SECOND FLOOR

MAIN FLOOR

MAIN STREET


S Madison St
Garfield St
S Prairie St
W Washington St
Page Ct
Manilla
W Jefferson St
S Water St
W Washington St
S Division St
S Forrest St
E Washington St
N Forrest St
E Jefferson St
North St
S Fifth St
S Fifth St
S Sixth St
S Seventh St
Hillside
Eighth St
E South St
Park St
Church St
E Main St
S Academy St
Nelson St
Clay St
Hill St
S Franklin St

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

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

February 16, 2022

J & S Nordic Enterprises LLC
Brian Johnson
183 E. Main Street
Stoughton, WI. 53589

Dear Mr. Johnson:

I have completed a review of the proposed conditional uses for Cheeser's, 183 E. Main Street, Stoughton, WI. (Application provided 2/2//22) A conditional use public hearing (indoor commercial entertainment uses) is planned for the Plan Commission meeting of March 14, 2022. **We need an indoor layout showing how you plan to use the building for alcohol consumption.**

1. The property at 183 E. Main Street is zoned CB - Central Business. **All current and proposed uses are allowable per zoning code.**

   Indoor Commercial Entertainment uses such as a tavern use and training studio are permitted as a conditional use. **Conditional use permit application submitted.**

2. Indoor Commercial Entertainment is defined as follows:
   Description: Indoor commercial entertainment land uses include all land uses which provide entertainment services primarily within an enclosed building. Outdoor seating or patio areas associated with a proposed indoor commercial entertainment land use shall be allowed subject to city approval of a site plan showing any such proposed outdoor seating or patio area. Such activities often have operating hours which extend significantly later than most other commercial land uses. Examples of such land uses include restaurants, taverns, theaters, health or fitness centers, all forms of training studios (dance, art, martial arts, etc.), bowling alleys, arcades, roller rinks, and pool halls. **The proposed uses meet this definition.**

3. Regulations related to Indoor Commercial Entertainment uses are as follows:
   - If located on the same side of the building as abutting residentially zoned property, no customer entrance of any kind shall be permitted within 150 feet, or as far as possible, of a residentially zoned property. **N/A**

   - 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**

- *Parking requirements:* One space per every three patron seats or lockers (whichever is greater); or one space per three persons at the maximum capacity of the establishment; (whichever is greater). **N/A is the downtown area zoned Central Business.**

4. The proposed use and zoning meets the intent of the City Comprehensive Plan.

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

Sincerely,
City of Stoughton

Michael P. Stacey

Michael P. Stacey
Zoning Administrator

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