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

RESOLUTION OF THE COMMON COUNCIL		
Approving a Conditional Use Permit for Brianna Fero to allow an Indoor Commercial Entertainment use at 193 W. Main Street, Stoughton, Wisconsin.		
Committee Action:	Plan Commission recommends approval - 0	
Fiscal Impact:	None.	
File Number:	R- -2019	**Date Introduced:**

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

WHEREAS, on September 9, 2019 the City of Stoughton Plan Commission held a public hearing and reviewed the conditional use permit application by Brianna Fero, for property located at 193 W. Main Street, Stoughton, Wisconsin; and

WHEREAS, the conditional use permit is requested to operate a business named Gemini Games which includes selling and playing games, sales and serving of beverages and snacks; and

WHEREAS, the conditional use application was reviewed by the Zoning Administrator and found to be in compliance with the City zoning ordinance; 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 Comprehensive Plan, Planned Land Use Map is used as a guide for the general pattern of permanent zoning as determined by the Plan Commission and Common Council. The Comprehensive Plan depicts this property as Central Business which is consistent with the zoning and proposed use; now therefore

BE IT RESOLVED, by the City of Stoughton Common Council that the Conditional Use Permit request for an Indoor Commercial Entertainment use at 193 W. Main Street, Stoughton, Wisconsin is hereby approved subject to:

- The staff review letter dated August 13, 2019

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

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

_____

Tim Swadley, Mayor Date

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

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PUBLIC HEARING NOTICE

The City of Stoughton Plan Commission will hold a Public Hearing on Monday, September 9, 2019 at 6:00 o'clock p.m., or as soon after as the matter may be heard, in the Council Chambers, Public Safety Building, 321 South Fourth Street, Second Floor, Stoughton, Wisconsin, 53589, to consider a proposed conditional use permit application by Brianna Fero, for an Indoor Commercial Entertainment use at 193 W. Main Street, Stoughton, Wisconsin. The use is proposed to serve beverages, snacks and allow customers to play board games, card games and other similar games. There will also be retail sales onsite.

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

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

Michael P. Stacey
Zoning Administrator

Published August 22, 2019 Hub
Published August 29, 2019 Hub

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

Applicant Name: Brianna Fero, Gemini Games LLC

Applicant Address: 401 W South St Stoughton

Applicant Phone and Email: 9209151338 briannafero@gmail.com

Property Owner Name (if different than applicant): Jordan Tilleson

Property Owner Phone: 4022272937

Subject Property Address: 193 W Main St

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: 8/12/19

Application fee of $450 received by Zoning Administrator — Date: 8/12/19

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: 8/12/19

(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.

Written Description of Proposal

(b) Gemini Games is a board game lounge and novelty & hobby shop located on the corner of 193 W Main St. and Water St. We are requesting an Indoor Commercial Entertainment conditional use permit to allow us to serve beverages and shelf-stable snacks to the customers that play board and card games within our store. While we are a retail store, it is common for nearly all hobby shops around the state/country to also provide their customers with play-space for hobbies like collectible card games, tactical miniature games, and a variety of board games. Outside of retail shopping and typical games, common activities for customers might include structured game tournaments, miniature painting evenings, and game tutorial weekends. Accompanying these events with pre-packaged snacks and beverages is common for this type of business and would serve our customers' needs as well as benefit our business.

The Gemini Games building is a rented space in downtown Stoughton surrounded by other retail businesses, various restaurants/bars, and art & entertainment establishments. The building itself was previously used as a retail space and no structural changes are necessary to the interior or exterior of the building to accommodate the needs of this request.

Written Justification for Proposal

(d) As a hobby game store, sometimes referred to as a "Friendly Local Game Store", it is very common to provide to play-space for the hobby games that our customers are interested in. This particular aspect allows brick & mortar stores to compete with big-box and online retailers and is essential to any hobby store's sustainability. As we expect to potentially host customers for multiple hours, it would be natural for these customers to look for shelf-stable snacks and beverages.

This lines up with the goals of the Stoughton Comprehensive Plan in a myriad of ways. As a destination spot, it brings another specialty retailer to downtown Stoughton and aligns with the Plan's desire to add more arts & entertainment to the area. While appealing to all ages, these hobbies and services are particularly appealing to those between the ages of 20-40. In addition to these benefits to the downtown area, it is worth noting that our play-space and serving of shelf-stable snacks and beverages should not have any notable adverse effects to the surrounding area or community.

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?

   Attached

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?

   Attached

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?

Attached

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?

Attached

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?

Attached

III. 1. Gemini Games conditional use request is in harmony with the Comprehensive Plan in a number of ways. Firstly, as a destination store, we expect it to help improve the city's economy by bringing people in from the surrounding areas that may not have come to Stoughton otherwise. We will provide an exciting service that is not already found within the city or surrounding area, but will maintain the local, family-run, small business aesthetic that our community identifies as a key trait of Stoughton's downtown district. Additionally, the current and expected population increase will likely be young professionals who wish to buy or rent in a city with a "small town" feel, but with "big city" amenities. The hobby game industry has doubled in size since 2013 and, even though our food offerings are shelf-stable snacks, Gemini Games could be considered in the same category as the very popular and fast growing "Gaming Cafes" businesses throughout the country, and will be the first of its kind in the area. Our business will be targeting the same demographic that will be a growing portion of the population.

III. 2. Gemini Games does not have very many foreseeable impacts on the surrounding area. The game lounge will be relatively quiet, as many people will be playing games and will be required to be respectful to other guests. In addition, we expect guests to be respectful to the other businesses, patrons, and residents in the area. It is our intention to have a respectable, clean, well-run, and attractive looking business that we believe will only positively affect the character of the neighborhood. The only significant impact on the area will be an increase in parking. As we will have estimated that we will have anywhere from 5-30 person weekly events, there could be some expectation of increased parking needs for the area.

We also believe that we will impact other local businesses positively by referring our guests to nearby bars and restaurants to order food to eat in our lounge. We are not a restaurant and only intend to have beverages and shelf-stable snacks, and expect that people will want to bring food in from nearby businesses. Since we will not be constructing anything and are moving into an already established building on Main Street, our impact on public health, traffic, safety, the environment, and otherwise will be minimal if it exists at all. We intend to work with the City of Stoughton if improvements or changes to our building become part of the Comprehensive Plan.

III. 3. Gemini Games will fit in very well with the surrounding businesses and land uses currently in place on Main Street and Downtown Stoughton. As a destination shop, we will bring people in from surrounding communities to experience other shops and businesses in the area. Walking traffic, shopping, dining, and entertainment are the main focus of Downtown Stoughton and a free-to-play board game lounge and novelty / hobby specialty retailer serves to only improve those aspects for the area. Our shop is designed to be extremely welcoming and emulate that kitchen-table feel of playing games at home, making the store a warm, yet fun place to step into.

III. 4. Gemini Games is in an established building and its needs will not cause any undue strain on any public agency.

III. 5. Yes. The negative impacts that we, the owners, have been able to identify (minor parking needs) would come with any business and are significantly outweighed by the positive ones, namely increases in entertainment, cultural, and economic growth for the City.

IV. Application Information for City Use

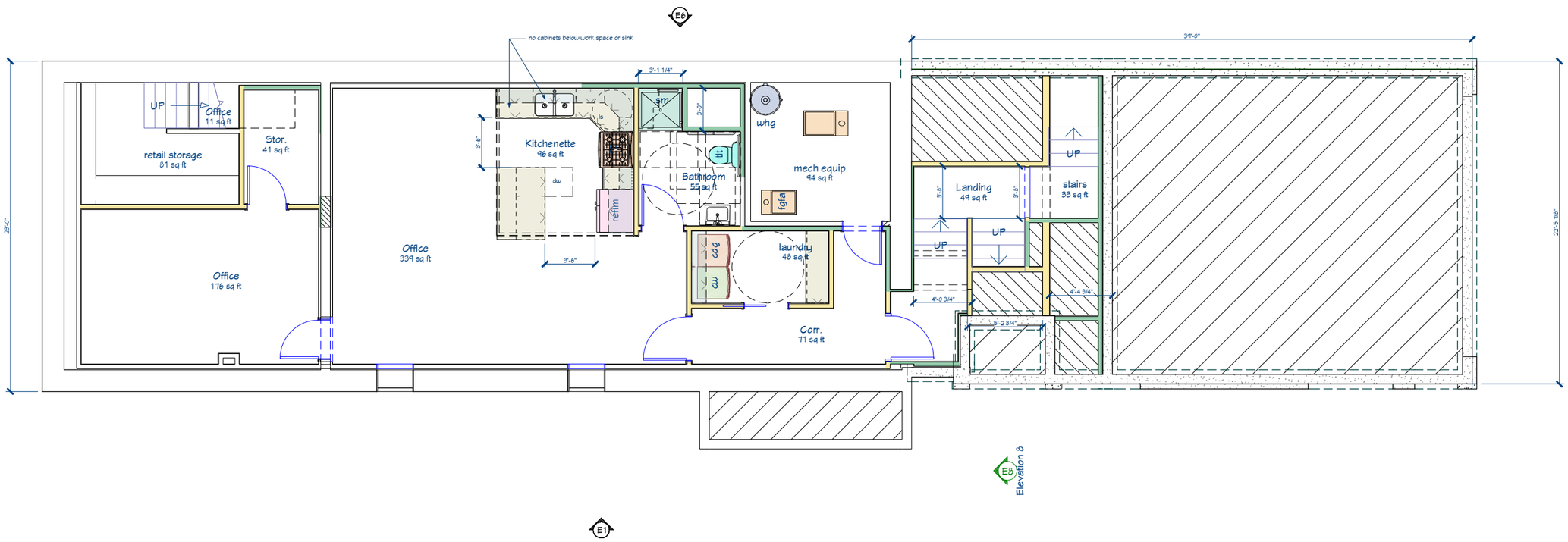
Notified Neighboring Property Owners (within 300 feet) Date: 8/19/19

Notified Neighboring Township Clerks (within 1,000 feet) Date: N/A

Class 2 legal notice sent to official newspaper by City Clerk Date: 8/12/19

Class 2 legal notice published on 8/22/19 and 8/29/19 Date: ~~_____~~

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



1 **Ground Floor Plan**

SCALE: 1/4" = 1'-0"

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Preliminary Design

Not for Construction

Bouril Design Studio, LLC
6425 Odana Road, Suite #2
Madison, WI 53719
(608) 833-3400 www.bouridesign.com

Remodel/Addition for
Jordan Tilleson
193 West Main Street, Stoughton, WI, 53589

revision index		
#	date	reference

project: 18020
date: 6/6/2018
drawn by: abc

A1

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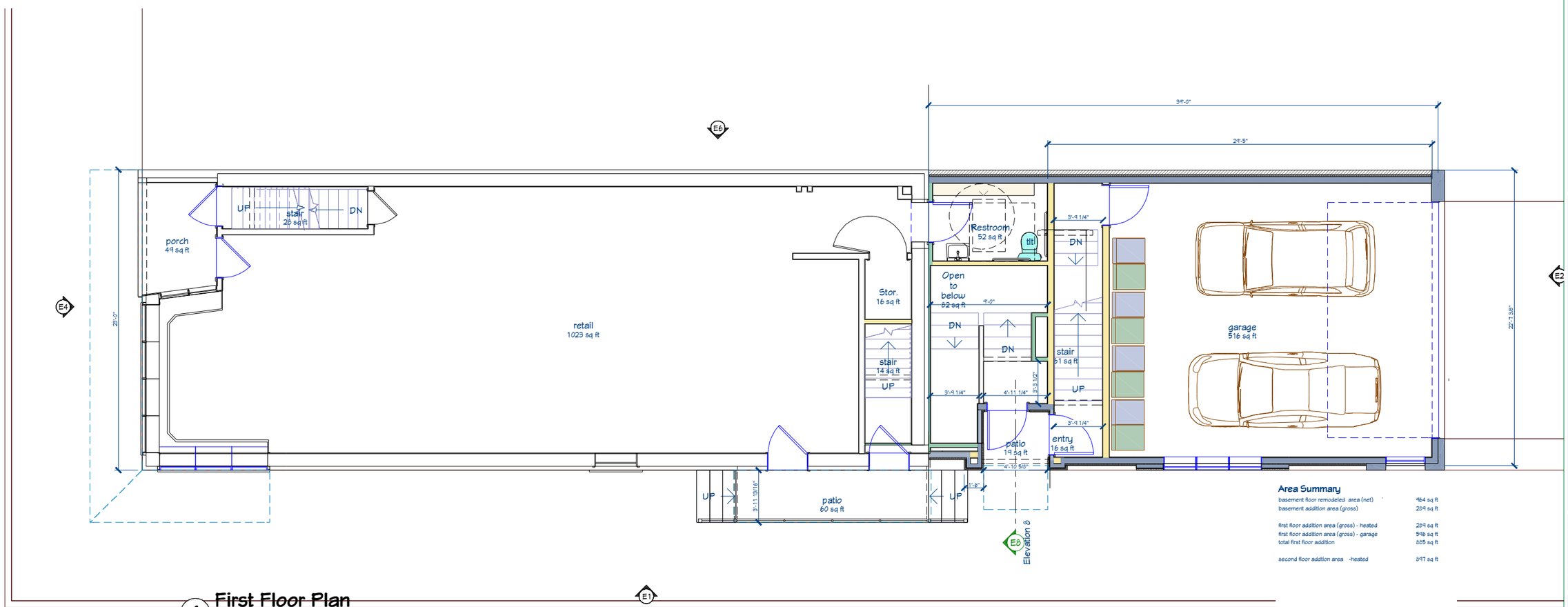
Keynotes - First Floor Plan

1	Laundry Chute
2	Attic access hatch



Area Summary

basement floor remodeled area (net)	964 sq ft
basement addition area (gross)	284 sq ft
first floor addition area (gross) - heated	284 sq ft
first floor addition area (gross) - garage	516 sq ft
total first floor addition	885 sq ft
second floor addition area -heated	847 sq ft

1 First Floor Plan

SCALE: 1/4" = 1'-0"

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6425 Odana Road, Suite #2
Madison, WI 53719
(608) 833-2400 www.bouril design.com

Remodel/Addition for
Jordan Tilleson
113 West Main Street, Stoughton, WI, 53589

revision index

#	date	reference

project: 18020
date: 6/6/2018
drawn by: abc

A2

J:\2018 Projects\18020 JNT Developments Stoughton\3 - Technical\18020 Tilleson layout 6-6-2018 - 5:33:12 PM

Google Maps 318 S Water St

Image capture: Aug 2011 © 2018 Google

Stoughton, Wisconsin

Google, Inc.

Street View - Aug 2011

P. OF H. NO. 267
1875.
THE LILYSTONE
Firehouse
Tattoo

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 13, 2019

Brianna Fero
401 W. South Street
Stoughton, WI. 53589

Dear Ms. Fero:

I have completed a review of the proposed conditional use permit application for Gemini Games LLC, 193 W. Main Street, Stoughton, WI. 53589 – application received 8/12/19. This is an existing site/building in the Central Business district so many zoning requirements will not be applicable.

1. The property at 193 W. Main Street, Stoughton is zoned CB – Central Business. An Indoor Commercial Entertainment use such as an establishment that serves beverages and snacks is allowable as a conditional land use. **A description summarizing the proposed use has been provided. A conditional use procedural checklist has also been provided and the fee has been paid. A public hearing is scheduled for the September 9, 2019 Plan Commission meeting. You and/or a representative will need to attend the meeting to present your request and answer questions. A recommendation will be sent by the Plan Commission to the Common Council for review/approval of the conditional use permit. The City Council may place conditions on the use if deemed necessary.**

2. Indoor Commercial Entertainment is defined as follows: Indoor commercial entertainment land uses include all land uses which provide entertainment services primarily within an enclosed building. Outdoor seating or patio areas associated with a proposed indoor commercial entertainment land use shall be allowed subject to city approval of a site plan showing any such proposed outdoor seating or patio area. Such activities often have operating hours which extend significantly later than most other commercial land uses. Examples of such land uses include <u>restaurants</u>, <u>taverns</u>, theaters, health or fitness centers, …
   The proposed use meets this description.

3. The regulations pertaining to Indoor Commercial Entertainment uses are as follows:
   - If located on the same side of the building as abutting residentially zoned property, no customer entrance of any kind shall be permitted within 150 feet, or as far as possible, of a residentially zoned property. **N/A**
   - Facility shall provide bufferyard with minimum opacity of .60 along all borders of the property abutting residentially zoned property. **N/A**

4. The Comprehensive Plan, planned land use map designates this property as Central Business which is consistent with the zoning and proposed use.

5. The parking requirement for Indoor Commercial Entertainment is one space per every three patron seats or one space per three persons at maximum capacity of the establishment (whichever is greater). **There are no parking requirements within the Central Business district.**

6. The property is also within the Downtown Design Overlay Zoning District which requires approval of any exterior updates including changes in paint color and any proposed signage. **There is a separate application for this if necessary.**

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

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