

PUBLIC HEARING NOTICE

The City of Stoughton Plan Commission will hold a Hybrid Public Hearing on Monday, January 9, 2023 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 Alexandra Tepp-Marwitz (Black Cat Café and Gallery) at 183 W. Main Street, Stoughton, WI. 53589. The applicant is requesting approval for an Indoor Commercial Entertainment use (Restaurant). The property description is as follows:

Parcel Number: 281/0511-082-1656-5

Description for tax purposes: ORIGINAL PLAT BLOCK 22 E 22 FT OF W 44 FT LOT 4

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

See additional information including location map at can be viewed at:

<http://stoughtoncitydocs.com/planning-commission>

In-Person: Council Chambers (2nd floor of the Public Safety Building), 321 S. Fourth Street, Stoughton, WI

Virtual: You can join the meeting via Zoom or Phone below:

<https://us06web.zoom.us/j/81157545973?pwd=SHIWS0ZaVWZaQ0Y2aDdvL3h5c1BwZz09>

Phone in: +1 312 626 6799

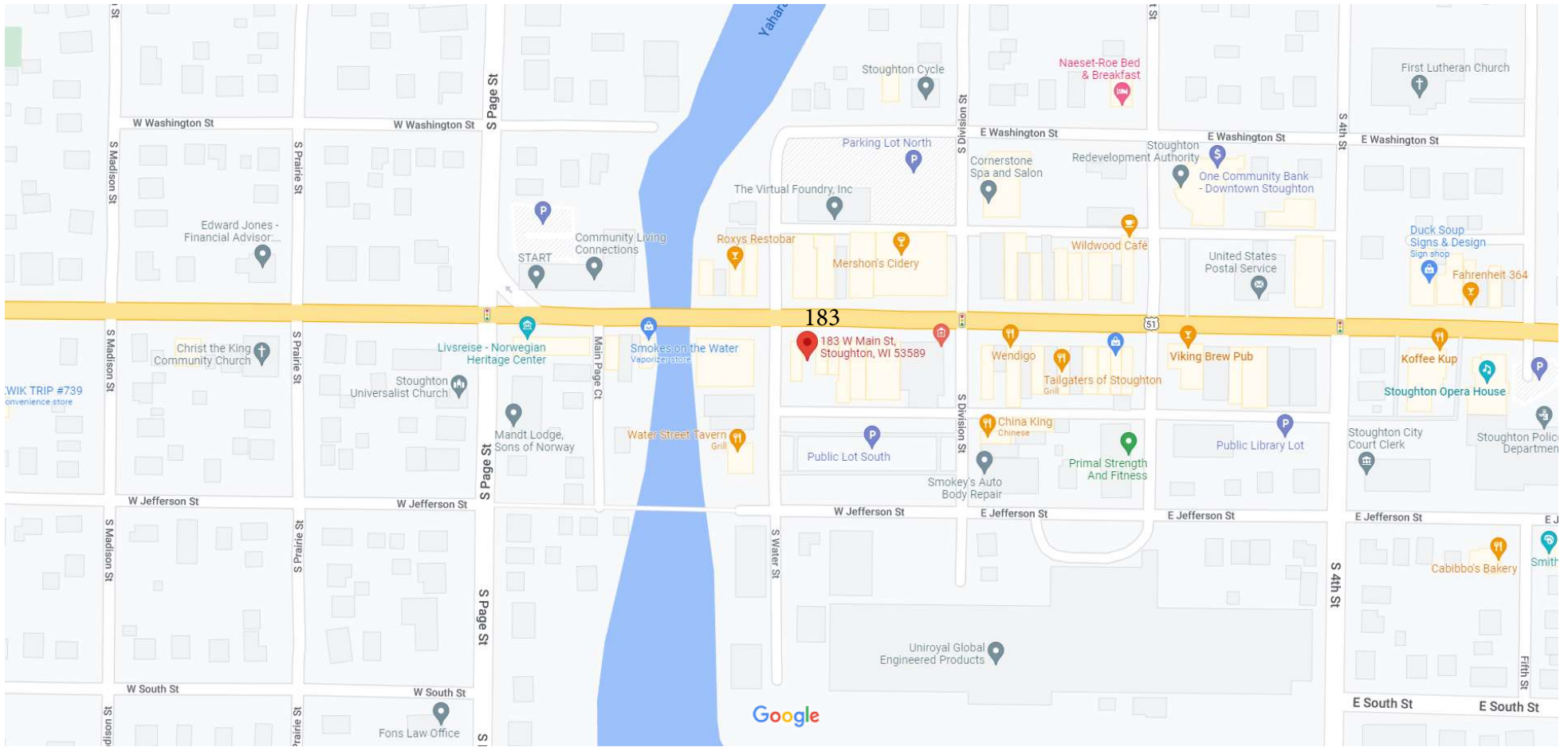
Meeting ID: 811 5754 5973

Passcode: 595103

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 December 22 and 29, 2022 Hub



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

Applicant Name: Alexandra Tepp-Marwitz
Applicant Address: 410 S Lewis Street, Columbus, WI 53925
Applicant Phone and Email: 608-957-2554 blackcatcafe.gallery@gmail.com
Property Owner Name (if different than applicant): Erica Beckman
Property Owner Phone: 612-655-9294
Subject Property Address: 183 W Main Street, 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: 12/9/2022
Application fee of \$ 480 received by Zoning Administrator Date: 12/12/22

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: _____

Final Packet

(1 electronic 11 x 17 copy of plans
and if necessary one large scalable copy of plans to Zoning Administrator) Date: 12/12/22

(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.**

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?

The proposed conditional use and location is in harmony with the purposes, goals, objectives, policies and standards of the City of Stoughton. We've worked with the mayor of Stoughton along the way and we've spoken with multiple other business owners in the downtown area to generate ideas and understand where we can fit in making the downtown area more attractive to potential shoppers. We also want to ensure our cafe and gallery is welcoming and can be considered a place where members of the community can hang out, read, and listen to music without being pressured to buy anything.

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?

No, it does not have 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 and etc.

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?

The proposed conditional use maintains the desired consistency of land uses, land use intensities, and land use impacts as related to the surroundings in many ways.

- Opening a gallery and cafe in this building helps maintain its use and consistency as an operating place of business within the downtown area.

- There are currently no designated gluten free, dairy free AND allergen sensitive places within the Madison and Stoughton area. The proposed changes for the property will open up a location for an underserved portion of the community to dine out safely. Our hope is that this will attract more people to Stoughton and other downtown businesses.

-We hope that our gallery will encourage artists and those in a younger demographic to come to the area.

-Our business and products are tailored towards validating marginalized groups. This will likely have a positive effect on said groups within the community and may serve to draw additional traffic to nearby downtown businesses.

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?

The proposed conditional use is located where it can be adequately served by and will not impose any undue burden on any of the improvements, facilities, utilities or services provided by public agencies serving the property.

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?

Yes, the potential public benefits of the proposed conditional use outweigh all potential adverse impacts of the proposed conditional use.

IV. Application Information for City Use

Notified Neighboring Property Owners (within 300 feet)

Date: 12/16/22

Notified Neighboring Township Clerks (within 1,000 feet)

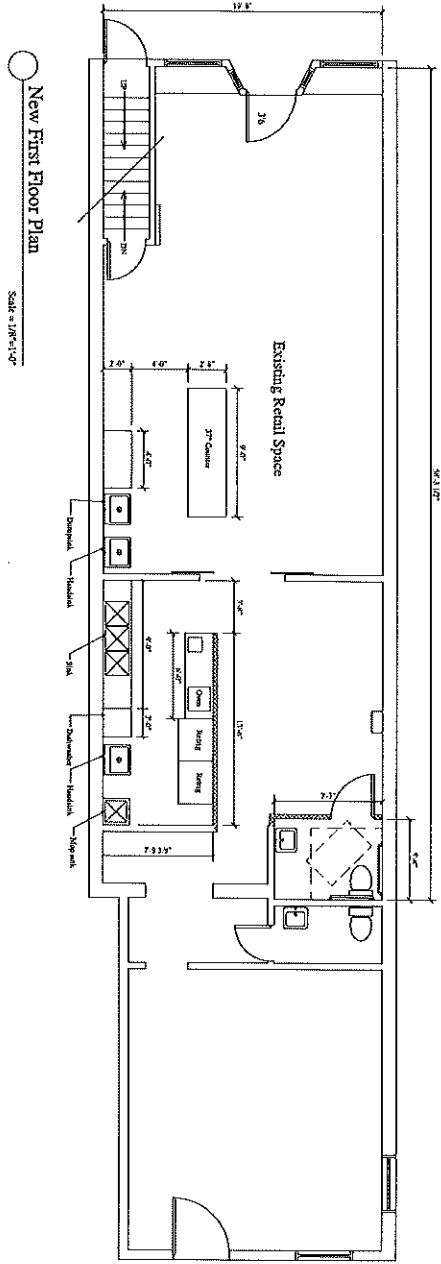
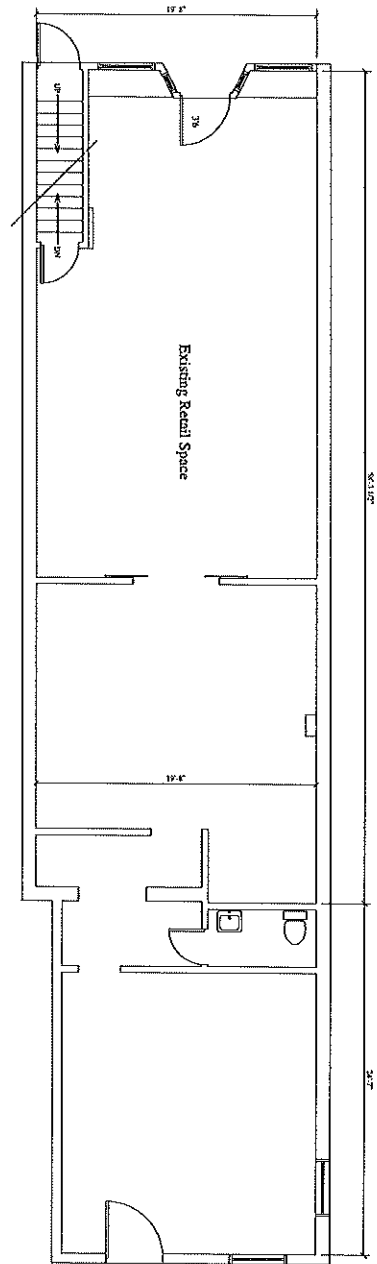
Date: 12/27/22

Class 2 legal notice sent to official newspaper by City Clerk

Date: 12/13/22

Class 2 legal notice published on DEC 22 and DEC 29 2022

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



SHEET 1	Date: 10-18-2023 Scale: As Noted Job #: 05-01	Project: 183 W. Main Street Address: Stoughton, WI Sheet Title: First Floor Plan	Proposed for: Black Cat Cafe and Gallery, LLC Address: 183 W. Main Street Stoughton, WI 608-957-2554	Concepts In Architecture, LLC	Jeffery Grecoiler, Architect W125 Armidon Road Brooklyn, WI 53521 608-698-3196 <small>This document contains confidential or proprietary information of Concepts In Architecture, LLC. Neither this document nor the information herein is to be reproduced, distributed, used or disclosed without authorization.</small>
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Black Cat Cafe & Gallery is focused on providing designated gluten free, dairy free, and allergen friendly foods to vegetarians, vegans, and those with food allergies like lactose intolerance, gluten intolerance, and celiac disease. The National Foundation for Celiac Awareness says about 1% (1 in every 133 people or 3.19 million) of the general population has been diagnosed with celiac disease, while 83% of people with the condition aren't even diagnosed.* People with celiac disease are often found to be lactose intolerant and sometimes even fructose intolerant too. When you consider these people, who have no choice but to go gluten free and possibly dairy free, alongside the people that choose to have a plant based diet, those groups represent a large chunk of the population. At Black Cat Cafe & Gallery such people would have a safe place to eat where they would not have to worry about cross contamination and they can eat healthy versions of some of their favorite foods. Black Cat Cafe & Gallery wants to create a safe and comfortable space for everyone no matter their age, race, sexual preferences, or health issues.

The renovations needed inside Black Cat Cafe & Gallery at 183 W Main Street are mainly for the creation of a bathroom and a kitchen/prep area.

A 13' 6" wall will be placed in the second room in order to separate the kitchen/prep area from the customer space. The wall will extend out from the corner of the hallway and towards the barn doors. In addition to the wall, a series of sinks will be put into place along the wall opposite the newly placed wall. These sinks include a handwashing sink, a prep sink, 2 sinks for washing dishes (in case dishwasher breaks) and a mop sink. Depending on the size of these sinks, the kitchen may only have 1 dish sink that would be used for rinsing dishes before placing them in the dishwasher.

A 7' 7" wall and door will be placed in the second room to close off space to create a new handicap accessible bathroom. The wall will extend from the corner of the hallway and over towards the brick wall. The bathroom will have a toilet on the back bathroom wall with a sink placed along the hallway wall.

In the front room a hand wash sink and dump sink will be installed. The hand wash sink will be placed on the outer wall, in the corner where it meets with the wall the double doors are on. Next to the hand wash sink will be the second smaller sink for dumping drink waste.

These changes are justified, in order for a food establishment to meet health code and city guidelines it must have a designated area for preparing food and drinks that is kept separate from customer space. A handicap accessible restroom is needed to also meet these guidelines. The several sinks are needed to meet health codes for washing produce, dishes, and for employees to wash their hands. Without meeting all of the guidelines, the cafe will not be able to supply healthy food and beverages to customers in a safe and timely manner. The cafe will not be able to open in general if it does not meet these guidelines.

Sources:

<https://www.beyondceliac.org/celiac-disease/facts-and-figures/>