



REPORT TO CITY PLAN COMMISSION

Plan Commission Public Hearing Date: July 9, 2019

Common Council Meeting Date: July 10, 2019

Item: Special Use Permit #7-19 for a wine bar/tasting room with alcohol sales and consumption

Case Manager: Don Harp

GENERAL INFORMATION

Owner/Applicant: Alan Ament, Ament Properties, LLC (owner) / George Koenig, Tandem Wine & Beer (applicant)

Address/Parcel #: 101 West Edison Avenue – Suite 100 (Tax Id #31-4-0257-00)

Petitioner's Request: The applicant is requesting a Special Use Permit for a wine bar/tasting room with alcohol sales and consumption.

BACKGROUND

- In the mid 1980's, this building was converted from an office building once occupied by Wisconsin Electric to a multi-tenant building pursuant to various remodeling permits issued by the Inspections Division.
- A portion of this building was used as a streetcar barn for the Appleton Electric Street Railway Company.

The State of Wisconsin State Historic Marker affixed to the building reads as follows:

"On August 16, 1886 the Appleton Electric Street Railway Company began operation of the world's first commercially successful electric street railway. The cars were driven by Van Depoele direct current motors which received power from a hydroelectric generator through two trolley wires. In 1930, the expanded electric street railway system serving the cities of Appleton, Neenah, Menasha and Kaukauna was retired when bus service was begun to better serve the transportation needs of these communities."

STAFF ANALYSIS

Project Summary: The applicant is proposing to establish a wine bar/tasting room with alcohol sales and consumption in conjunction with a retail wine, beer and spirits store. The proposed use will occupy approximately 2,178 square feet of the first floor and 631 square feet of the second floor within tenant space Suite 100.

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Existing Site Conditions: The existing multi-tenant building area totals approximately 160,368 square feet. No building expansions are proposed with this request. Therefore, the applicable provisions for number of off-street parking spaces will be regulated by Site Plan #94-49. There were 145 off-street parking spaces approved for this site pursuant to Site Plan #94-49. Access is provided by curb cuts on West Edison Avenue and Olde Oneida Street.

Outdoor Alcohol Consumption Area: No outdoor alcohol sales and consumption is requested as part of this application for a Special Use Permit.

Operational Information: A plan of operation is attached to the staff report.

Zoning Ordinance Requirements: The subject property has a zoning designation of C-2 General Commercial District. Per Section 23-113(e) of the Municipal Code, a wine bar/tasting room with alcohol sales and consumption requires a Special Use Permit in the C-2 District. In order to permit alcohol sales and consumption in conjunction with a wine bar/tasting room, the Plan Commission makes a recommendation to the Common Council who will make the final decision on the Special Use Permit. A two-thirds (2/3) vote of the Common Council is required for approval.

Surrounding Zoning and Land Uses: The surrounding area is under the jurisdiction of the City of Appleton (north, south, east, and west). The uses are generally industrial and commercial in nature.

North: C-2 General Commercial District. The adjacent land use to the north is currently a restaurant with alcohol sales (Pullmans at Trolley Square).

South: PD/C-2 Planned Development General Commercial District. The adjacent land use to the south is the river canal for the Appleton Locks system.

East: C-2 General Commercial District. The adjacent land use to the east is currently a bar (Union Jack).

West: M-2 General Industrial District. The adjacent land use to the west is currently a hydroelectric facility (Wisconsin Electric Power Company).

Appleton Comprehensive Plan 2010-2030: Community and Economic Development staff has reviewed this proposal and determined it is compatible with the mixed use designation shown on the City's *Comprehensive Plan 2010-2030* Future Land Use Map. Listed below are related excerpts from the City's *Comprehensive Plan 2010-2030*.

Goal 1 – Community Growth

Appleton will continue to provide opportunities for residential, commercial, and industrial growth, including appropriate redevelopment sites within the downtown and existing neighborhoods, and greenfield development sites at the City's edge.

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Goal 8 – Economic Development

Appleton will pursue economic development that retains and attracts talented people, brings good jobs to the area, and supports the vitality of its industrial areas, downtown, and neighborhood business districts.

OBJECTIVE 9.4 Economic Development:

Ensure the continued vitality of downtown and the City’s neighborhood commercial districts.

Policy 9.6.2 Encourage the creation of vibrant mixed-use urban areas in the downtown and along the Fox River that are both walkable and bicycle-friendly.

OBJECTIVE 10.5 Land Use:

Support the continued redevelopment and revitalization of land uses adjacent to Appleton’s key transportation corridors and downtown.

OBJECTIVE 13.3 Fox River Corridor Plan:

Promote an economically viable mix of existing and redeveloped uses along the riverfront.

Policy 13.3.2 Most of the new development occurring within the corridor is expected to be commercial and residential. Commercial uses will primarily consist of restaurant and small retail uses serving the neighborhood and visitors attracted to the river. (Commercial uses may also tend to cluster on the frontage of Olde Oneida Street)

Finding of Fact: Prior to the granting of any Special Use Permit, the City Plan Commission may recommend and the Common Council may place such conditions and restrictions upon the establishment, location, construction, maintenance and method or hours of operation of the special use as is deemed necessary for the protection of the public interest and to secure compliance with the standards specified in 23-66 (e) (1-6). This request was reviewed in accordance with the standards for granting a Special Use Permit under 23-66 (e) (1-6), which were found in the affirmative.

Technical Review Group (TRG) Report: This item was discussed at the June 18, 2019 Technical Review Group meeting. No negative comments were received from participating departments.

RECOMMENDATION

Staff recommends, based on the above, that Special Use Permit #7-19 for a wine bar/tasting room with alcohol sales and consumption at 101 W. Edison Avenue, Suite 100 (Tax Id #31-4-0257-00), as shown on the attached maps and per attached plan of operation, along with the attached resolution, **BE APPROVED** to run with the land, subject to the following conditions:

1. All applicable codes, ordinances, and regulations, including but not limited to Fire, Building, and Health Codes and the Noise Ordinance, shall be complied with.
2. Any changes to the plan of operation shall be submitted to the Community and Economic Development Department for review and approval.

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3. Any deviations from the attached Development Plan may require a major or minor amendment request to this Special Use Permit pursuant to Section 23-66(g) of the Zoning Ordinance.
4. The use shall conform to the standards established in Chapter 9, Article III, Alcoholic Beverages, of the Municipal Code.

RESOLUTION

CITY OF APPLETON RESOLUTION APPROVING SPECIAL USE PERMIT #7-19

WHEREAS, George Koenig, Tandem Wine & Beer (applicant) has applied for a Special Use Permit for a wine bar/tasting room with alcohol sales and consumption located at 101 W. Edison Avenue, Suite 100, also identified as Parcel Number 31-4-0257-00; and

WHEREAS, the location for the proposed wine bar/tasting room with alcohol sales and consumption is located in the C-2 General Commercial District and the proposed use is permitted by special use within this zoning district; and

WHEREAS, the City of Appleton Plan Commission held a public hearing on July 9, 2019, on Special Use Permit #7-19 at which all those wishing to be heard were allowed to speak or present written comments, and other materials presented at the public hearing; and

WHEREAS, the City of Appleton Plan Commission has considered the application, the staff reports, oral and written, the Comprehensive Plan and zoning on the subject property, the testimony, written comments, and other materials presented at the public hearing; and

WHEREAS, the City of Appleton Plan Commission reviewed the standards for granting a Special Use Permit under Sections 23-66(e)(1-6) and 23-66(h)(6) of the Municipal Code, and forwarded Special Use Permit #7-19 to the City of Appleton Common Council with a favorable or not favorable (CIRCLE ONE) recommendation; and

WHEREAS, the City of Appleton Common Council has reviewed the report and recommendation of the City of Appleton Plan Commission at their meeting on _____, 2019 and found it to be acceptable.

NOW, THEREFORE, BE IT RESOLVED, that the City of Appleton Common Council approves Special Use Permit #7-19 for a wine bar/tasting room with alcohol sales and consumption located at 101 W. Edison Avenue, Suite 100, also identified as Parcel Number 31-4-0257-00 and orders as follows:

CONDITIONS OF SPECIAL USE PERMIT #7-19

1. All applicable codes, ordinances, and regulations, including but not limited to Fire, Building, and Health Codes and the Noise Ordinance, shall be complied with.
2. Any changes to the plan of operation shall be submitted to the Community and Economic Development Department for review and approval.
3. Any deviations from the approved Development Plan may require a major or minor amendment request to this Special Use Permit pursuant to Section 23-66(g) of the Zoning Ordinance.

4. The use shall conform to the standards established in Chapter 9, Article III, Alcoholic Beverages, of the Municipal Code.

Adopted this _____ day of _____, 2019.

Timothy M. Hanna, Mayor

ATTEST:

Kami Lynch, City Clerk

**TAVERN AND/OR RESTAURANT WITH ALCOHOL SALES
PLAN OF OPERATION AND LOCATIONAL INFORMATION**

Business Information:

Name of business: Tandem Wine & Beer

Years in operation: 4

Percentage of business derived from restaurant service: 0 %

Type of proposed establishment (detailed explanation of business):

Tandem Wine & Beer would like to relocate to 101 E. Edison St, Suite 100. The business would be Retail - boutique wine beer & spirits with a small lounge/wine bar. We are also exploring options for serving coffee, tea, & bagels in the morning.

Proposed Hours of Operation for Indoor Uses:

Day	From	To
Week Day <i>MTWR</i>	<i>11am</i>	<i>9pm</i>
Friday	<i>11AM</i>	<i>10 PM</i>
Saturday	<i>11AM</i>	<i>10 PM</i>
Sunday	<i>-</i>	<i>-</i>

Building Capacity and Area:

Maximum number of persons permitted to occupy the building or tenant space as determined by the International Building Code (IBC) or the International Fire Code (IFC), whichever is more restrictive: _____ persons

Gross floor area of the existing building(s): 87000 Sq Ft

Gross floor area of the proposed building(s): _____

Describe Any Potential Noise Emanating From the Proposed Use:

Describe the noise levels anticipated from all equipment or other mechanical sources:

We do not expect to have any activities which would cause noise

Describe how the crowd noise will be controlled inside and outside the building:

We do not expect to generate Crowd noise

If off-street parking is available for the business, describe how noise from the parking lot will be controlled:

We do not expect our customers to Create noise. if this does occur we will Address with signage & monitoring

Outdoor Uses:

Location, type, size and design of outdoor facilities:

NA

Type and height of screening of plantings/fencing/gating:

NA

Is there any alcohol service incorporated in this outdoor facility proposal? Yes ___ No

Are there plans for outdoor music/entertainment? Yes ___ No

If yes, describe how the noise will be controlled:

Is there any food service incorporated in this outdoor facility proposal? Yes ___ No

Proposed Hours of Operation for Outdoor Uses: No Proposed outdoor uses

Day	From	To
Week Day		
Friday		
Saturday		
Sunday		

Outdoor Lighting:

Type: Commercial Commercial Outdoor Fixtures

Location: _____

Off-Street Parking:

Number of spaces existing: Large parking lots (3)

Number of spaces proposed: Ample parking for all tenants

Other Licensed Premises:

The number of licensed premises within the immediate geographic area of the proposed location will be considered in order to avoid an undue concentration that may have the potential of creating public safety problems or deterring neighborhood development.

List nearby licensed premises:

Stone Arch Brewing - Union Jack

Pullman's

Riverside

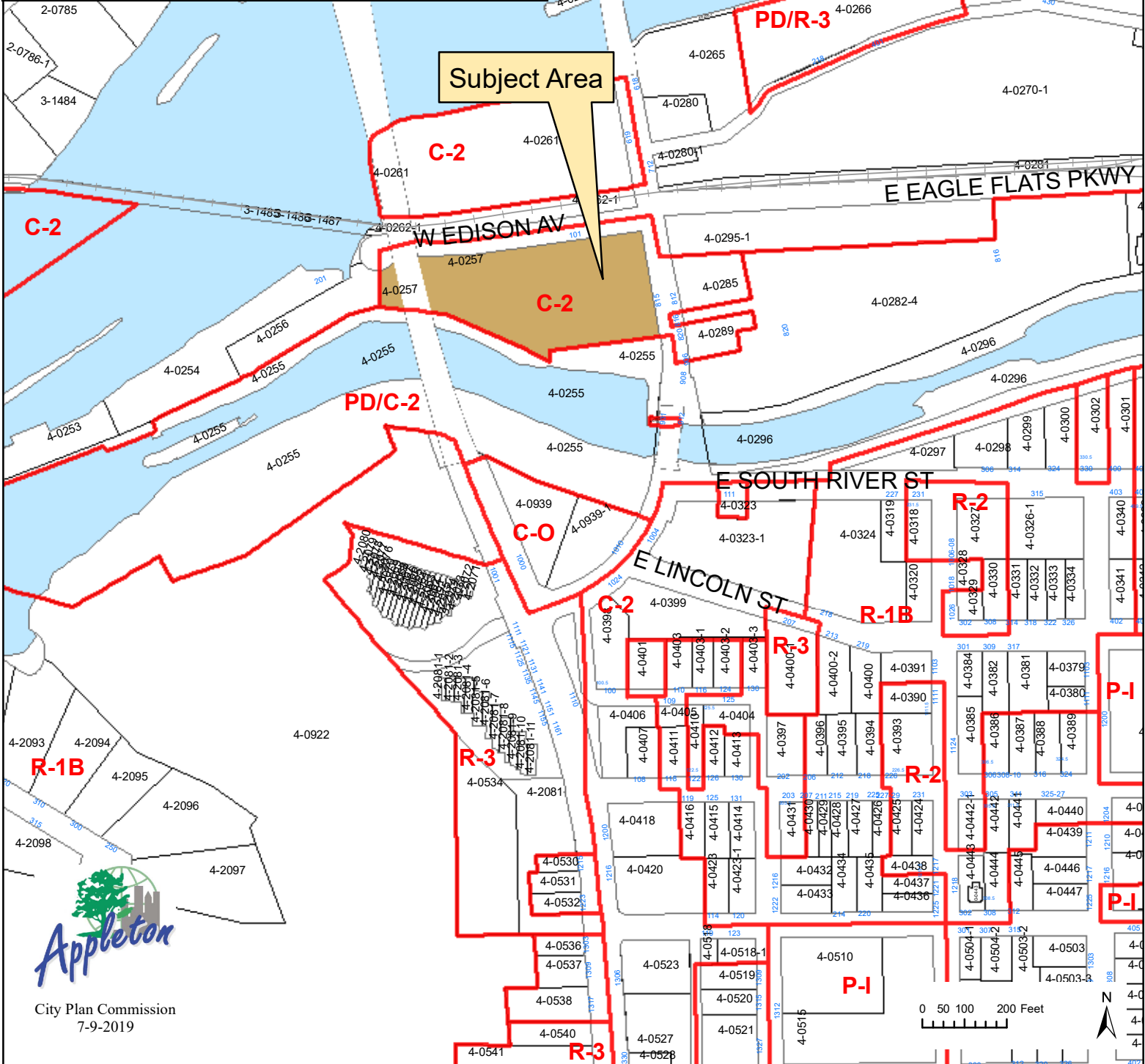
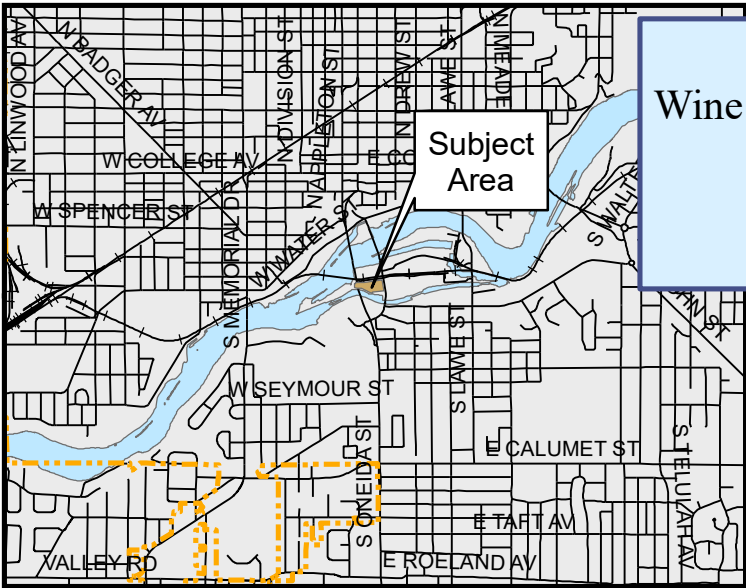
Number of Employees:

Number of existing employees: 2

Number of proposed employees: 4

Number of employees scheduled to work on the largest shift: 2

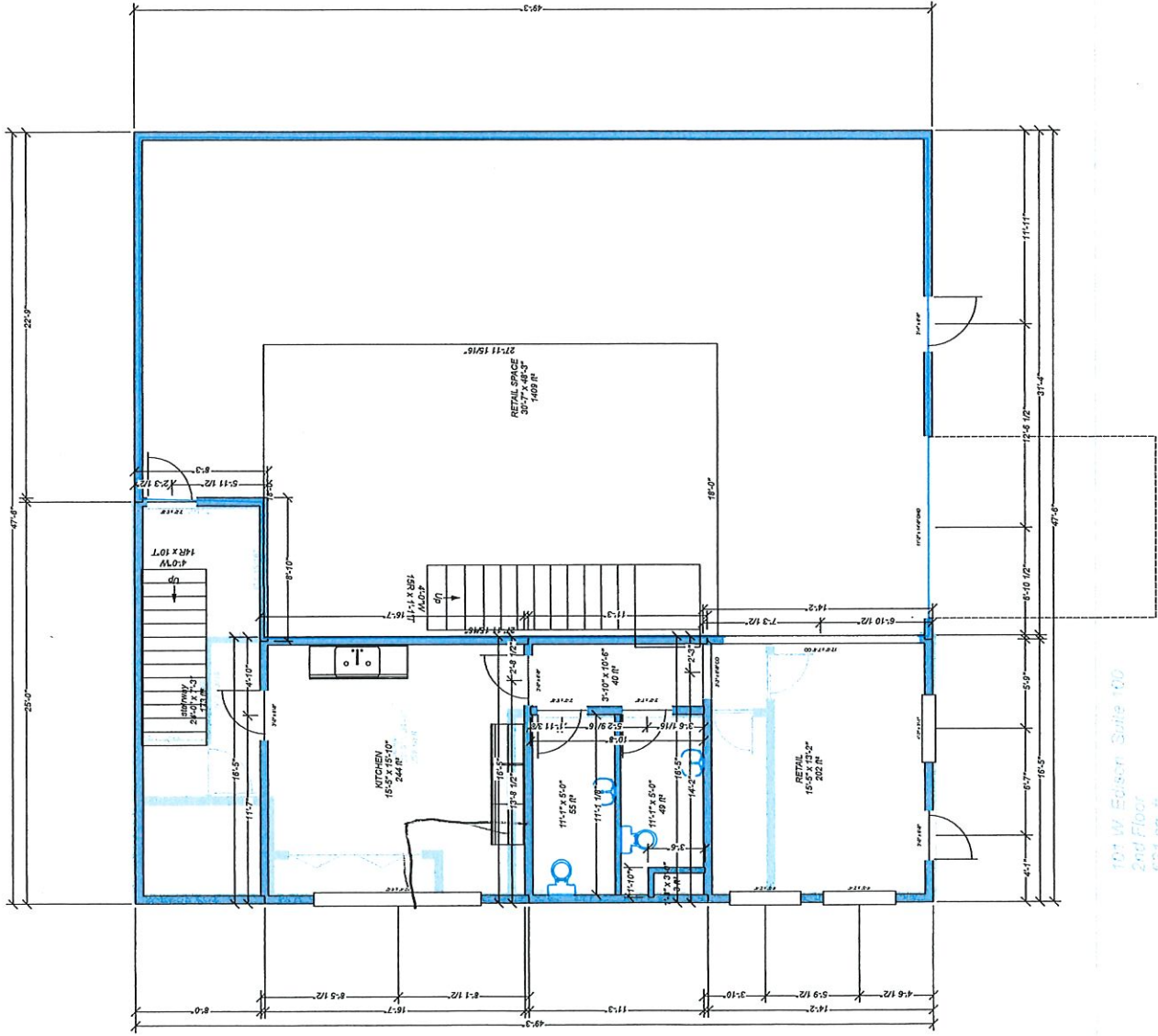
Special Use Permit
Wine Bar/ Wine, Beer, Spirits Tasting Room for the
Tandem Wine Shop
100 W Edison Avenue, Suite 100
Zoning Map



Special Use Permit
Wine Bar/ Wine, Beer, Spirits Tasting Room for the
Tandem Wine Shop
100 W Edison Avenue, Suite 100
Aerial Map



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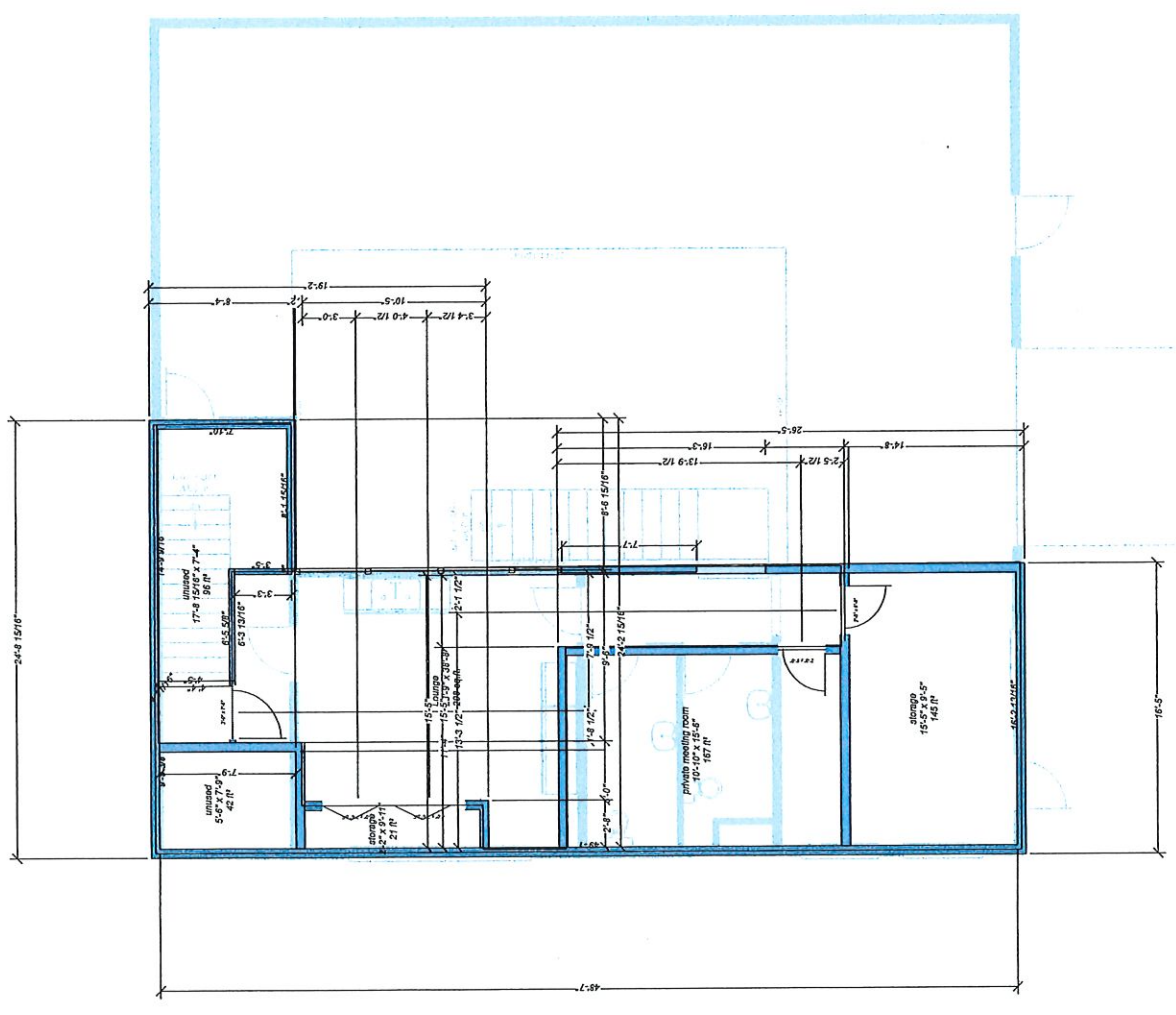
101 W. Edison Suite 100
2nd Floor
531 sq. ft.

101 W. Edison Suite 100
1st floor
2178 sq. ft.



TOTAL sq. ft. 2809

2nd floor
631 sq. ft.



101 W. Edison Suite 100
2nd Floor
631 sq. ft.



101 W. Edison Suite 100
1st floor
278 sq. ft.

101 W. Edison Suite 100
2nd floor
631 sq. ft.

TOTAL sq. ft. 2609

