

CITY OF APPLETON MEMO

To: Board of Zoning Appeals

From: Kurt W. Craanen, Inspections Supervisor



Date: September 21, 2022

RE: Variance Application for 1000 W. Northland Ave. (31-5-9494-06)

Description of Proposal

The applicant proposes to construct a drive -thru facility in the front yard. Section 23-49(a) of the Zoning Ordinance prohibits drive-thru facilities in the front yard. Section 23-49(b)(2) of the Zoning Ordinance prohibits maneuvering in the front yard.

Impact on the Neighborhood

In the application, the applicant states that having the drive-thru in the front yard will not adversely impact surrounding properties because the development is in a commercially zoned area and the proposed design will best accommodate traffic and prevent back-ups.

Unique Condition

In the application, the applicant states that the development is unique in that it is carved out of the existing mall parking lot, not a standalone lot. The applicant also states that, because of this, the site had to be configured in such a way so that pedestrians are not continually crossing the drive-thru lane.

Hardship

In the application, the applicant states that if the variance is not granted, a hardship would be created in the form of traffic congestion and pedestrian safety.

Staff Analysis

This lot is 356,106 sq. ft (8.17 acres). The minimum size of a parcel in the C2 zoning district is 14,000. However, the applicant plans to create a new, smaller parcel, separate from the current parcel.

This is a unique case because a new lot will be created within a much larger lot and situated within an existing parking lot. The amount of traffic that is created by this particular business is also unique and meeting the standard may create issues with traffic congestion. This application meets the review criteria for a variance.

Return to: Department of Public Works
Inspection Division
100 North Appleton Street
Appleton, Wisconsin 54911
(920) 832-6411

Questionnaire

In order to be granted a variance each applicant must be able to prove that an unnecessary hardship would be created if the variance were not granted. The burden of proving an unnecessary hardship rest upon the applicant. The attached sheet provides information on what constitutes a hardship. (Attach additional sheets, if necessary, to provide the information requested. Additional information may be requested as needed.

1. Explain your proposed plans and why you are requesting a variance:
2. Describe how the variance would not have an adverse impact on the surrounding properties:
3. Describe the special conditions that apply to your lot or structure that do not apply to surrounding lots or structures:
4. Describe the hardship that would result if your variance were not granted:



▶ 1391 Corporate Drive | Suite 203
McHenry, IL 60050
Main 815.385.1778 + Fax 713.965.0044
▶ HRGREEN.COM

Variance Questionnaire – Chick-fil-A – Appleton, WI

The following variances are being request from the City's Municipal Code:

- ❖ Section 23-49(a) – Drive-thru facilities shall not be located in the front of the principal building.
 - Chick-fil-A is proposing to install the drive-thru lane and associated drive-thru lane canopy within the front yard.

• Explain your proposed plans and why you are requesting a variance:

Chick-fil-A (CFA) is proposing the construction of a free-standing restaurant, dual drive-thru lane facility with free-standing canopies, and parking lot improvements within the existing Northland Mall parking lot. The proposed CFA improvements will be located on the south side of the mall parking lot along the W. Northland Avenue (CTH OO) frontage.

The CFA site has been configured in way to achieve the following: provide/maintain the maximum number of parking stalls around the new building & within the overall mall development; provide a sufficiently long drive-thru lane to promote efficient restaurant operations; and to provide adequate visibility to the new store. The drive-thru lane has been positioned along the south side of the building and within the front yard to create a separation between dine-in and drive-thru traffic. Providing this separation creates a safe/unobstructed path of travel from the parking lot to the CFA building for customers. This separation will also help promote efficient traffic flow throughout the mall parking lot by reducing potential congestion between the two types of customers.

If the drive-thru lane was positioned on the north side of the building, dine-in customers would need to cross the drive-thru lane in order to access the building, potentially creating safety concerns. CFA has a shared parking agreement with the mall and installing the drive-thru lane on the north side of the building would create a barrier between this available parking and the building.

• Describe how the variance would not have an adverse impact on the surrounding properties:

Chick-fil-A believes that granting a variance to allow the drive-thru facility to be located within the front yard will not have an adverse impact to the surrounding properties. The CFA development is located within a commercially zoned district and is completely surrounded by other commercial properties. Positioning the drive-thru lane within the front yard will allow for a maximized and efficient site layout that promotes a safe and free-flowing traffic pattern throughout the mall parking lot. The CFA drive-thru lane has been designed to accommodate a sufficient queue of cars and by positioning it along the Northland Avenue frontage will help prevent backups within the mall parking lot and adjacent access drives.



- **Describe the special conditions that apply to your lot or structure that do not apply to surrounding lots or structures:**

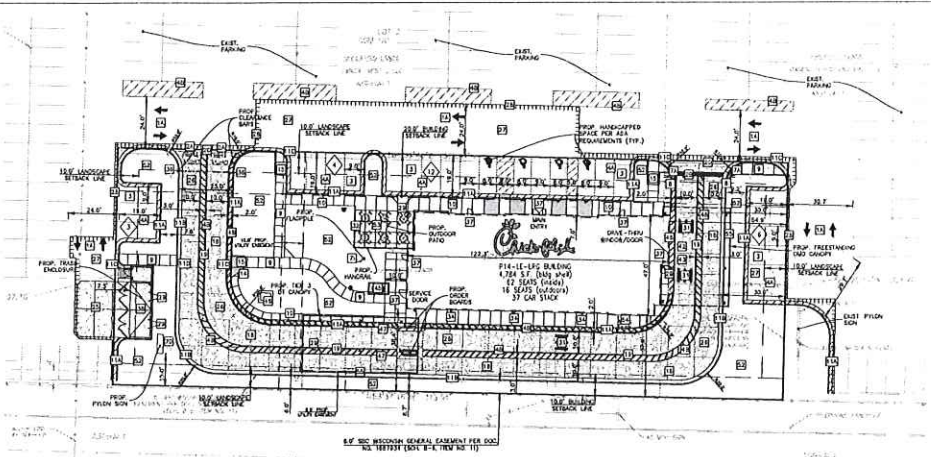
The CFA development is unique since it is a carve out of the existing mall parking lot, not a standalone lot. As a result, the CFA site had to be configured in a way to provide/maintain as much parking as possible within the overall development while separating dine-in and drive-thru lane traffic. Providing this separation will help alleviate traffic issues and backups within the mall parking lot. Also since CFA has a shared parking agreement with the mall, a safe path of travel from the mall parking lot and CFA building needs to be provided. Having pedestrians continually cross the drive-thru lane could lead to safety concerns.

- **Describe the hardship that would result if your variance were not granted:**

Chick-fil-A believes that if this variance were not granted, it could lead to traffic congestion within the mall parking lot as well as creating pedestrian safety issues. It is CFA's goal to configure the site in a way that promotes the highest safety for its' customers, reduces potential traffic congestion & backups within the parking lot, and provides efficient restaurant operations.

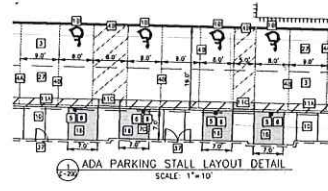
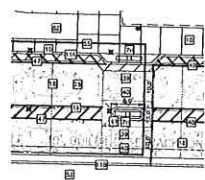
SITE PLAN DESIGN NOTES & KEY PLAN

- 1) DIRECTIONAL ARROW
 - 2) PAINTED WIDENUP MARKING
 - 3) DRIVE-SHOU GRASSING
 - 4) STOP LINE GRADING
 - 5) SIGNAGE PARKING (SEE LIST) FOR CODE
 - 6) SIGNAGE-NO-ENTRY-PARKING
 - 7) 4" SOLID WHITE STRIPING
 - 8) 4" SOLID YELLOW STRIPING
 - 9) YELLOW-PAINT WHITE-STRIPING
 - 10) ROADWAY MOUNTED SIGN
 - 11) ADA ACCESSIBLE PARKING
 - 12) DIRECTIONAL SIGNAGE
- ALL SIGNS SHALL CONFORM TO THE MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES BY THE U.S. DEPARTMENT OF TRANSPORTATION (SEE SIGN LEGEND) IN THIS SET (SEE SIGNAGE LEGEND, THIS SHEET)
- 13) CHICK-FIL-A PROP. SIGN SEE SIGNAGE PACKAGE
 - 14) CHICK-FIL-A PROP. SIGN SEE SIGNAGE PACKAGE
 - 15) CHICK-FIL-A PROP. SIGN SEE SIGNAGE PACKAGE
 - 16) CHICK-FIL-A PROP. SIGN SEE SIGNAGE PACKAGE
 - 17) CHICK-FIL-A PROP. SIGN SEE SIGNAGE PACKAGE
 - 18) CHICK-FIL-A PROP. SIGN SEE SIGNAGE PACKAGE
 - 19) CHICK-FIL-A PROP. SIGN SEE SIGNAGE PACKAGE
 - 20) CHICK-FIL-A PROP. SIGN SEE SIGNAGE PACKAGE
 - 21) CHICK-FIL-A PROP. SIGN SEE SIGNAGE PACKAGE
 - 22) CHICK-FIL-A PROP. SIGN SEE SIGNAGE PACKAGE
 - 23) CHICK-FIL-A PROP. SIGN SEE SIGNAGE PACKAGE
 - 24) CHICK-FIL-A PROP. SIGN SEE SIGNAGE PACKAGE
 - 25) CHICK-FIL-A PROP. SIGN SEE SIGNAGE PACKAGE
 - 26) CHICK-FIL-A PROP. SIGN SEE SIGNAGE PACKAGE
 - 27) CHICK-FIL-A PROP. SIGN SEE SIGNAGE PACKAGE
 - 28) CHICK-FIL-A PROP. SIGN SEE SIGNAGE PACKAGE
 - 29) CHICK-FIL-A PROP. SIGN SEE SIGNAGE PACKAGE
 - 30) CHICK-FIL-A PROP. SIGN SEE SIGNAGE PACKAGE
 - 31) CHICK-FIL-A PROP. SIGN SEE SIGNAGE PACKAGE
 - 32) CHICK-FIL-A PROP. SIGN SEE SIGNAGE PACKAGE
 - 33) CHICK-FIL-A PROP. SIGN SEE SIGNAGE PACKAGE
 - 34) CHICK-FIL-A PROP. SIGN SEE SIGNAGE PACKAGE
 - 35) CHICK-FIL-A PROP. SIGN SEE SIGNAGE PACKAGE
 - 36) CHICK-FIL-A PROP. SIGN SEE SIGNAGE PACKAGE
 - 37) CHICK-FIL-A PROP. SIGN SEE SIGNAGE PACKAGE
 - 38) CHICK-FIL-A PROP. SIGN SEE SIGNAGE PACKAGE
 - 39) CHICK-FIL-A PROP. SIGN SEE SIGNAGE PACKAGE
 - 40) CHICK-FIL-A PROP. SIGN SEE SIGNAGE PACKAGE
 - 41) CHICK-FIL-A PROP. SIGN SEE SIGNAGE PACKAGE
 - 42) CHICK-FIL-A PROP. SIGN SEE SIGNAGE PACKAGE
 - 43) CHICK-FIL-A PROP. SIGN SEE SIGNAGE PACKAGE
 - 44) CHICK-FIL-A PROP. SIGN SEE SIGNAGE PACKAGE
 - 45) CHICK-FIL-A PROP. SIGN SEE SIGNAGE PACKAGE
 - 46) CHICK-FIL-A PROP. SIGN SEE SIGNAGE PACKAGE
 - 47) CHICK-FIL-A PROP. SIGN SEE SIGNAGE PACKAGE
 - 48) CHICK-FIL-A PROP. SIGN SEE SIGNAGE PACKAGE
 - 49) CHICK-FIL-A PROP. SIGN SEE SIGNAGE PACKAGE
 - 50) CHICK-FIL-A PROP. SIGN SEE SIGNAGE PACKAGE
 - 51) CHICK-FIL-A PROP. SIGN SEE SIGNAGE PACKAGE
 - 52) CHICK-FIL-A PROP. SIGN SEE SIGNAGE PACKAGE
 - 53) CHICK-FIL-A PROP. SIGN SEE SIGNAGE PACKAGE
 - 54) CHICK-FIL-A PROP. SIGN SEE SIGNAGE PACKAGE
 - 55) CHICK-FIL-A PROP. SIGN SEE SIGNAGE PACKAGE
 - 56) CHICK-FIL-A PROP. SIGN SEE SIGNAGE PACKAGE
 - 57) CHICK-FIL-A PROP. SIGN SEE SIGNAGE PACKAGE
 - 58) CHICK-FIL-A PROP. SIGN SEE SIGNAGE PACKAGE
 - 59) CHICK-FIL-A PROP. SIGN SEE SIGNAGE PACKAGE
 - 60) CHICK-FIL-A PROP. SIGN SEE SIGNAGE PACKAGE
 - 61) CHICK-FIL-A PROP. SIGN SEE SIGNAGE PACKAGE
 - 62) CHICK-FIL-A PROP. SIGN SEE SIGNAGE PACKAGE
 - 63) CHICK-FIL-A PROP. SIGN SEE SIGNAGE PACKAGE
 - 64) CHICK-FIL-A PROP. SIGN SEE SIGNAGE PACKAGE
 - 65) CHICK-FIL-A PROP. SIGN SEE SIGNAGE PACKAGE
 - 66) CHICK-FIL-A PROP. SIGN SEE SIGNAGE PACKAGE
 - 67) CHICK-FIL-A PROP. SIGN SEE SIGNAGE PACKAGE
 - 68) CHICK-FIL-A PROP. SIGN SEE SIGNAGE PACKAGE
 - 69) CHICK-FIL-A PROP. SIGN SEE SIGNAGE PACKAGE
 - 70) CHICK-FIL-A PROP. SIGN SEE SIGNAGE PACKAGE
 - 71) CHICK-FIL-A PROP. SIGN SEE SIGNAGE PACKAGE
 - 72) CHICK-FIL-A PROP. SIGN SEE SIGNAGE PACKAGE
 - 73) CHICK-FIL-A PROP. SIGN SEE SIGNAGE PACKAGE
 - 74) CHICK-FIL-A PROP. SIGN SEE SIGNAGE PACKAGE
 - 75) CHICK-FIL-A PROP. SIGN SEE SIGNAGE PACKAGE
 - 76) CHICK-FIL-A PROP. SIGN SEE SIGNAGE PACKAGE
 - 77) CHICK-FIL-A PROP. SIGN SEE SIGNAGE PACKAGE
 - 78) CHICK-FIL-A PROP. SIGN SEE SIGNAGE PACKAGE
 - 79) CHICK-FIL-A PROP. SIGN SEE SIGNAGE PACKAGE
 - 80) CHICK-FIL-A PROP. SIGN SEE SIGNAGE PACKAGE
 - 81) CHICK-FIL-A PROP. SIGN SEE SIGNAGE PACKAGE
 - 82) CHICK-FIL-A PROP. SIGN SEE SIGNAGE PACKAGE
 - 83) CHICK-FIL-A PROP. SIGN SEE SIGNAGE PACKAGE
 - 84) CHICK-FIL-A PROP. SIGN SEE SIGNAGE PACKAGE
 - 85) CHICK-FIL-A PROP. SIGN SEE SIGNAGE PACKAGE
 - 86) CHICK-FIL-A PROP. SIGN SEE SIGNAGE PACKAGE
 - 87) CHICK-FIL-A PROP. SIGN SEE SIGNAGE PACKAGE
 - 88) CHICK-FIL-A PROP. SIGN SEE SIGNAGE PACKAGE
 - 89) CHICK-FIL-A PROP. SIGN SEE SIGNAGE PACKAGE
 - 90) CHICK-FIL-A PROP. SIGN SEE SIGNAGE PACKAGE
 - 91) CHICK-FIL-A PROP. SIGN SEE SIGNAGE PACKAGE
 - 92) CHICK-FIL-A PROP. SIGN SEE SIGNAGE PACKAGE
 - 93) CHICK-FIL-A PROP. SIGN SEE SIGNAGE PACKAGE
 - 94) CHICK-FIL-A PROP. SIGN SEE SIGNAGE PACKAGE
 - 95) CHICK-FIL-A PROP. SIGN SEE SIGNAGE PACKAGE
 - 96) CHICK-FIL-A PROP. SIGN SEE SIGNAGE PACKAGE
 - 97) CHICK-FIL-A PROP. SIGN SEE SIGNAGE PACKAGE
 - 98) CHICK-FIL-A PROP. SIGN SEE SIGNAGE PACKAGE
 - 99) CHICK-FIL-A PROP. SIGN SEE SIGNAGE PACKAGE
 - 100) CHICK-FIL-A PROP. SIGN SEE SIGNAGE PACKAGE



PROJECT NOTES:

- ALL CONSTRUCTION FROM PUBLIC RIGHT-OF-WAY AND OR CONNECTION TO PUBLIC SEWER AND STREET SHALL COMPLY WITH THE CITY OF APPLETON STANDARD CONSTRUCTION SPECIFICATIONS.
- AT LEAST ONE AREA PRIOR TO ANY CONSTRUCTION WITHIN PUBLIC ROW / EASEMENTS AND/OR ANY CONNECTION TO PUBLIC SEWER AND STREET, THE CONTRACTOR SHALL CONTACT THE CITY TO OBTAIN APPLICABLE CITY PERMITS.
- ADDRESS/FENCES SHALL BE PROVIDED INTERNAL AND EXTERNAL TO THIS SITE.
- ALL CONCRETE CURBS & OUTLET SHALL BE 3" (88.15) UNLESS OTHERWISE NOTED ON THE PLANS.
- ALL PAVEMENT DIMENSIONS ARE MEASURED TO THE FACE OF CURB UNLESS OTHERWISE NOTED.
- ALL CONSTRUCTION MATERIALS, QUANTITIES, DETACHED TRAILERS OR SIMILAR ITEMS ARE PROVIDED ON PUBLIC STREETS OR WITHIN THE PUBLIC RIGHT-OF-WAY.



SIGN LEGEND

1	1A	SIGNAGE "WIDENUP"
2	2A	SIGNAGE "STOP LINE"
3	3A	SIGNAGE "NO ENTRY"
4	4A	SIGNAGE "FIRETRUCK CROSSWALK"
5	5A	SIGNAGE "VAN ACCESSIBLE" (9'-6" SQUARE MOUNTED WITH 4)
6	6A	SIGNAGE "STOP"

SITE DATA

- CITY PARCEL ID # PART OF 31044040 & 31044014
- ZONING C-2 (GENERAL COMMERCIAL DISTRICT)
- PROPOSED LOT SIZE 34,824 SQ. FT. (0.795 ACRES)
- PROPOSED PERMITS AREA 30,171 SQ. FT. (0.693 ACRES)
- PROPOSED IMPROVEMENT 24,954 SQ. FT. (0.571 ACRES)

BUILDING DATA:

- BUILDING FLOOR AREA 4,784 SQ. FT.
- NUMBER OF EMPLOYEES DURING LARGEST SHIFT = 15 EMPLOYEES
- TOTAL NUMBER OF SEATS = 44
- FLOOR SEATS = 43
- OUTDOOR SEATS = 1

PARKING DATA:

- ROUGH OF PROPOSED CITY PROPERTY LINES
- NUMBER OF REGULAR PARKING SPACES 24
- NUMBER OF ADA SPACES 1
- TOTAL NUMBER OF SPACES PROVIDED 25
- TOTAL NUMBER OF SPACES OUTSIDE PARCEL BOUNDARY 18
- TOTAL NUMBER OF SPACES REQUIRED 43
- TYPICAL PARKING WIDTH 9'-0"
- TYPICAL ROW PARKING LENGTH 18'-0"
- MINIMUM WALK WIDTH 24'-0" (8'-0")

PARKING FORMULA (RESTAURANT - FAST FOOD)

- 1 PARKING SPACE FOR EACH 2 PERSONS ALLOWED SEATED ON MAXIMUM CAPACITY.
- 50% REQUIRED PARKING (22/2) = 43 SPACES

HATCH LEGEND

1	1A	SIGNAGE STIPPLED PAVEMENT SECTION
2	2A	SIGNAGE CONCRETE SECTION
3	3A	SIGNAGE PROP. SECCALMA
4	4A	SIGNAGE AREA OF DEPRESSED VARIANCE
5	5A	SIGNAGE AREA OF DEPRESSED CURB AND OUTLET WITH LENGTH NOTED ON PLANS
6	6A	SIGNAGE REVERSE CURB & OUTLET



Chick-fil-A
 5200 Buffington Road
 Atlanta, Georgia
 30349-2998



CHICK-FIL-A
 APPLETON NORTH (WI)
 1000 W. NORTHLAND AVENUE
 APPLETON, WI 54914

FSR# 05266

FORMER SIGNAGE

PRELIMINARY

DATE: 10/1/2014
 DRAWN BY: [Name]
 CHECKED BY: [Name]
 SITE PLAN
 C-200

EXTERIOR FINISHES



EAST PERSPECTIVE VIEW



SOUTH PERSPECTIVE VIEW



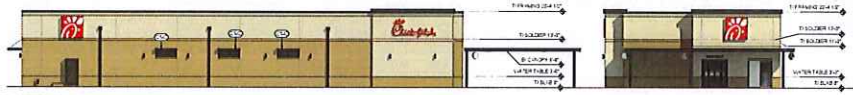
WEST PERSPECTIVE VIEW



NORTH PERSPECTIVE VIEW



PERSPECTIVE VIEW



SOUTH EXTERIOR ELEVATION

EAST EXTERIOR ELEVATION



PERSPECTIVE VIEW



NORTH EXTERIOR ELEVATION

WEST EXTERIOR ELEVATION



Chick-fil-A

Chick-fil-A
5200 Buffington Road
Atlanta, Georgia
30349-2959

CHICK-FIL-A
APPLETON NORTH FSU
1000 W NORTHLAND AVE
APPLETON, WI 54914

FSR#00000
ARCHITECTURE PROJECT
REVISIONS
DATE: 02/20/2014

PROJECT STATUS

DESIGN OVERVIEW	004
CONCEPT	001
SCHEMATIC	001
PRELIMINARY DESIGN	001
FINAL DESIGN	001

X-900