



REPORT TO CITY PLAN COMMISSION

Plan Commission Public Hearing Meeting Date: July 6, 2015

Common Council Meeting Date: July 15, 2015

Item: Special Use Permit #7-15 to expand an existing tavern with an outdoor beer garden

Case Manager: Don Harp

GENERAL INFORMATION

Owner/Applicant: Gregg Van Dinter, Riverside Bar - property owner/applicant

Address/Parcel #: 906 South Olde Oneida Street / 31-4-0289-00

Petitioner's Request: The applicant is requesting a Special Use Permit to expand an existing tavern with an outdoor beer garden with alcohol service.

BACKGROUND

Special Use Permit #14-11 was approved for a tavern and outdoor seating with alcohol service at this location by the Plan Commission on December 12, 2011 and approved by the Common Council on January 5, 2011. The applicant currently holds a Class B Beer/Liquor license.

STAFF ANALYSIS

Existing Site Conditions: The property is developed with an existing tavern with outdoor seating and a parking lot.

Operational Information: See attached Plan of Operation and Locational Information.

Proposed Outdoor Seating Area: The proposed 1,248 square foot beer garden with alcohol service is shown on the Development Plan in blue highlight. Access to the outdoor beer garden will be from inside the building only. The property owner is proposing to enclose the outdoor beer garden with a combination six (6) foot and (8) foot high fence.

Off-Street Parking Requirements: The off-street parking requirements are satisfied on-site and by a mutual parking agreement between Riverside Bar and CBC Coating Inc. pursuant to approved Site Plan #11-28.

Ordinance Requirements: The proposed outdoor beer garden constitutes a 60% expansion of the existing tavern use. In order to expand the existing tavern by 10% or more, a new Special Use Permit must be applied for and approved per the current Zoning Ordinance regulations. This request will not increase building capacity and, therefore, does not require additional off-street parking spaces because the intensity of the use remains the same.

If approved, Special Use Permit #7-15 will replace Special Use Permit #14-11.

Surrounding Zoning and Land Uses:

North: PD Planned Development/C-2 General Commercial District – Commercial uses
South: PD Planned Development/C-2 General Commercial District – Commercial uses
West: C-2 General Commercial District – Commercial use
PD Planned Development/C-2 General Commercial District – Commercial uses
East: PD Planned Development/C-2 General Commercial District – Commercial uses

2010-2030 Comprehensive Plan: The 2010-2030 Future Land Use Map currently represents this area to be used for mixed uses. The proposed zoning classification is consistent with the City's Comprehensive Plan and is consistent with the purpose and intent of the C-2 General Commercial District.

Finding of Fact: 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, as long as all stipulations are satisfied.

Technical Review Group Report (TRG): This item was discussed at the June 16, 2015 Technical Review Group meeting. No negative comments were received from participating departments.

RECOMMENDATION

Staff recommends, based on the above, that Special Use Permit #7-15 for a tavern with alcohol sales with outdoor seating areas, **BE APPROVED**, to run with the land, subject to the following conditions:

1. 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.
2. Compliance with the Operational Plan is required at all times. Changes to the Operational Plan shall be submitted to the Community and Economic Development Department for review and approval.
3. The use shall conform to the standards established in Chapter 9, Article III, Alcoholic Beverages, of the Appleton Municipal Code.
4. All applicable Codes, Ordinances and regulations, including but not limited to, Fire, Building and Health Codes and the Noise Ordinance, shall be complied with.

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

Business Information:

Name of business: CORREY Van Dinter / RIVERSIDE BDR / GRILL

Years in operation: 2 1/2 YEARS

Percentage of business derived from restaurant service: 30/40%

Type of proposed establishment (detailed explanation of business):

TAVERN RESTAURANT

Proposed Hours of Operation for Indoor Uses:

Day	From	To
Week Day	10	200
Friday	10	230
Saturday	10	230
Sunday	10	200

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: 99 persons

Gross floor area of the existing building(s): INSIDE BDR, PATIO
60 X 30 / 21 X 23

Gross floor area of the proposed building(s): 27 X 45

Describe Any Potential Noise Emanating From the Proposed Use:

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

Zone Commercial / Paper Coating mill
behind TAVERN also CONEN MECHANICAL

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

Volume Control

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

Same

Outdoor Uses:

Location, type, size and design of outdoor facilities:

See Plan ATTACHED

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

wood / metal / glass 6' to 7' 8'

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:

Volume control

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

Serving food from inside bar

Proposed Hours of Operation for Outdoor Uses: same as indoor

Day	From	To
Week Day		
Friday		
Saturday		
Sunday		

Outdoor Lighting:

Type: LED OR STANDARD

Location: Building

Off-Street Parking:

Number of spaces existing: _____

Number of spaces proposed: 60

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:

Union Jack / Pullmans

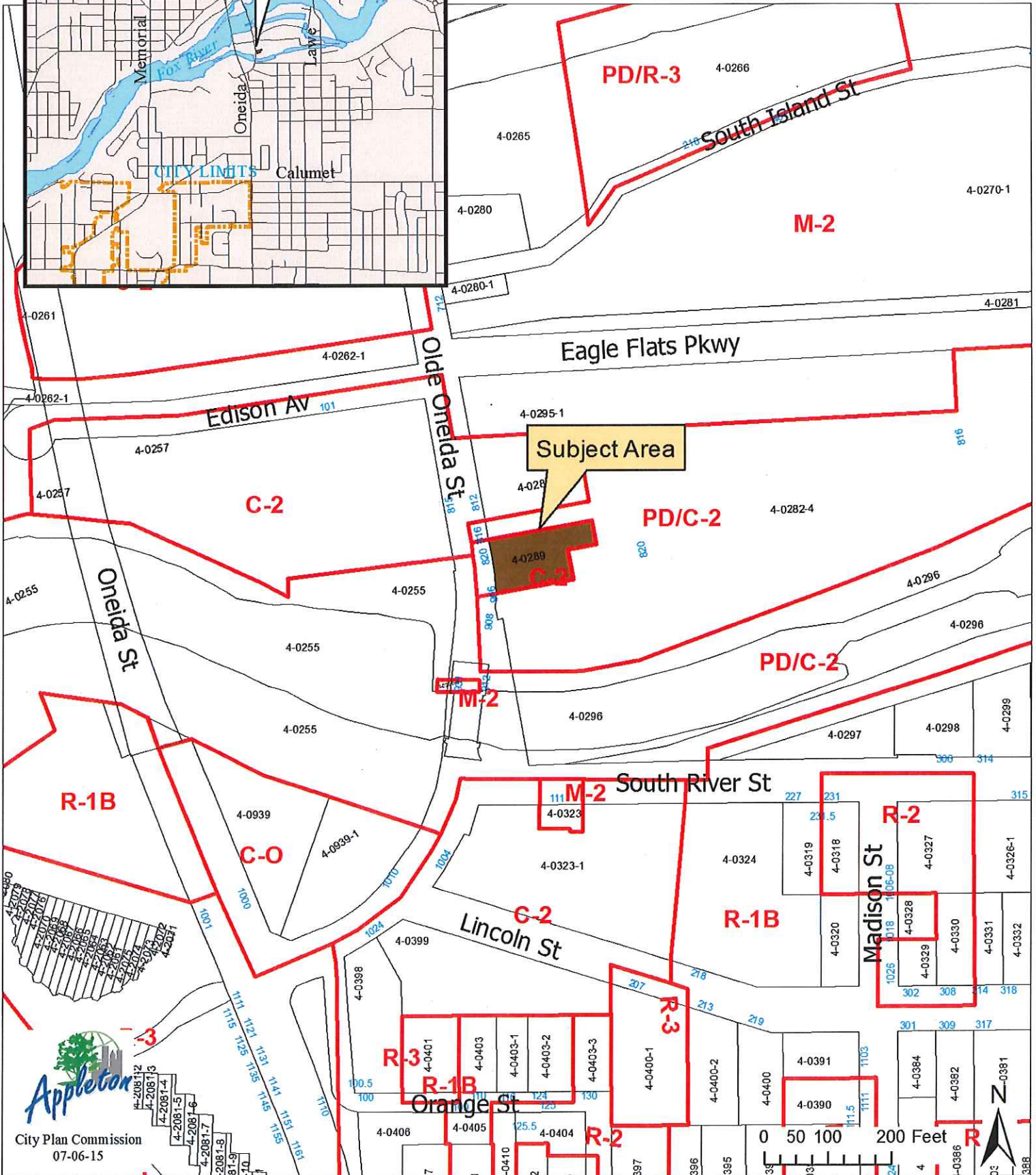
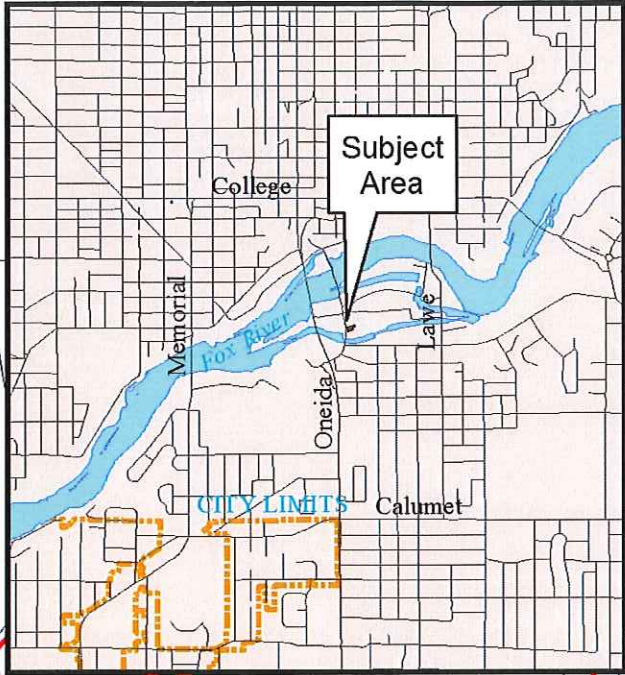
Number of Employees:

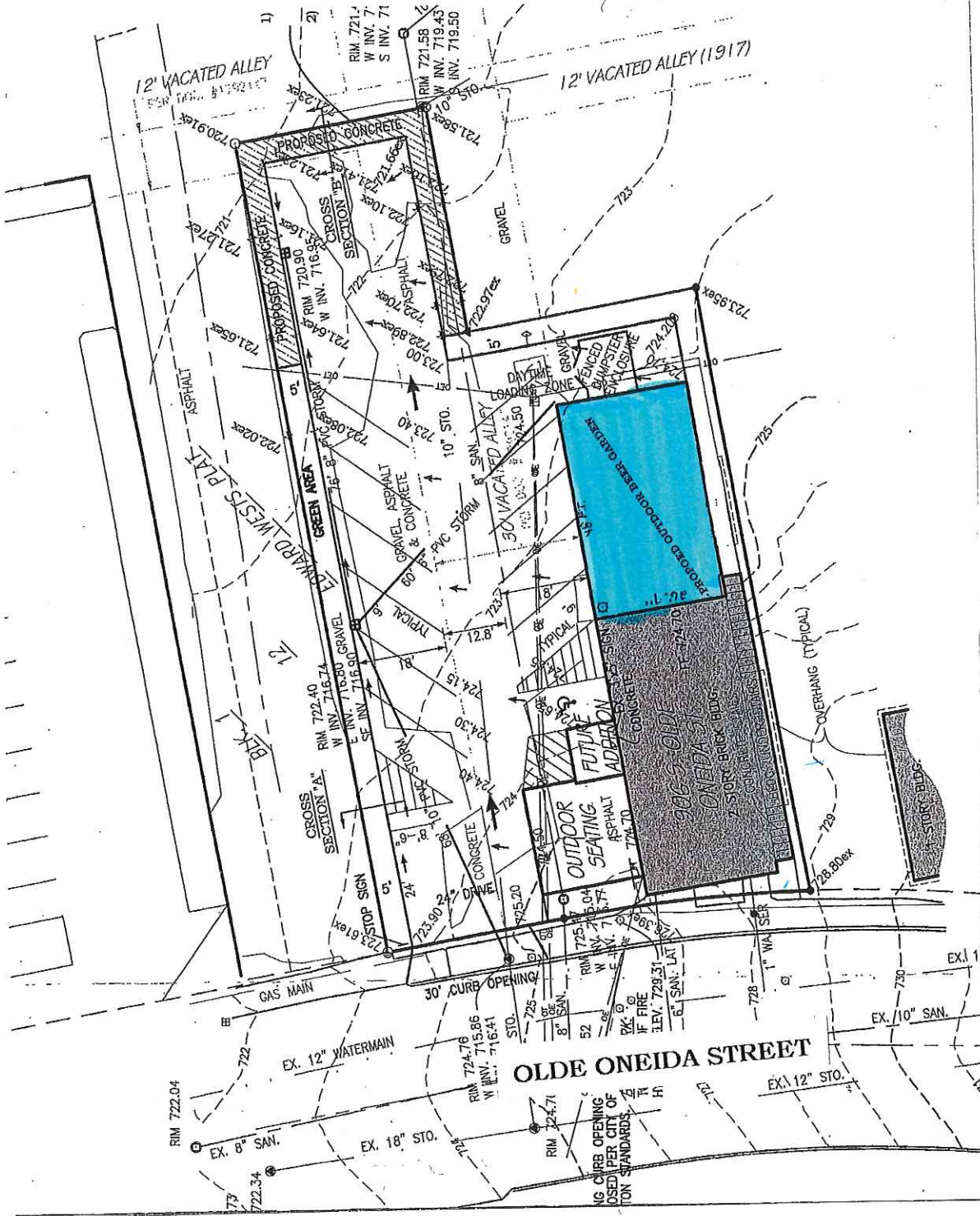
Number of existing employees: 4

Number of proposed employees: 8

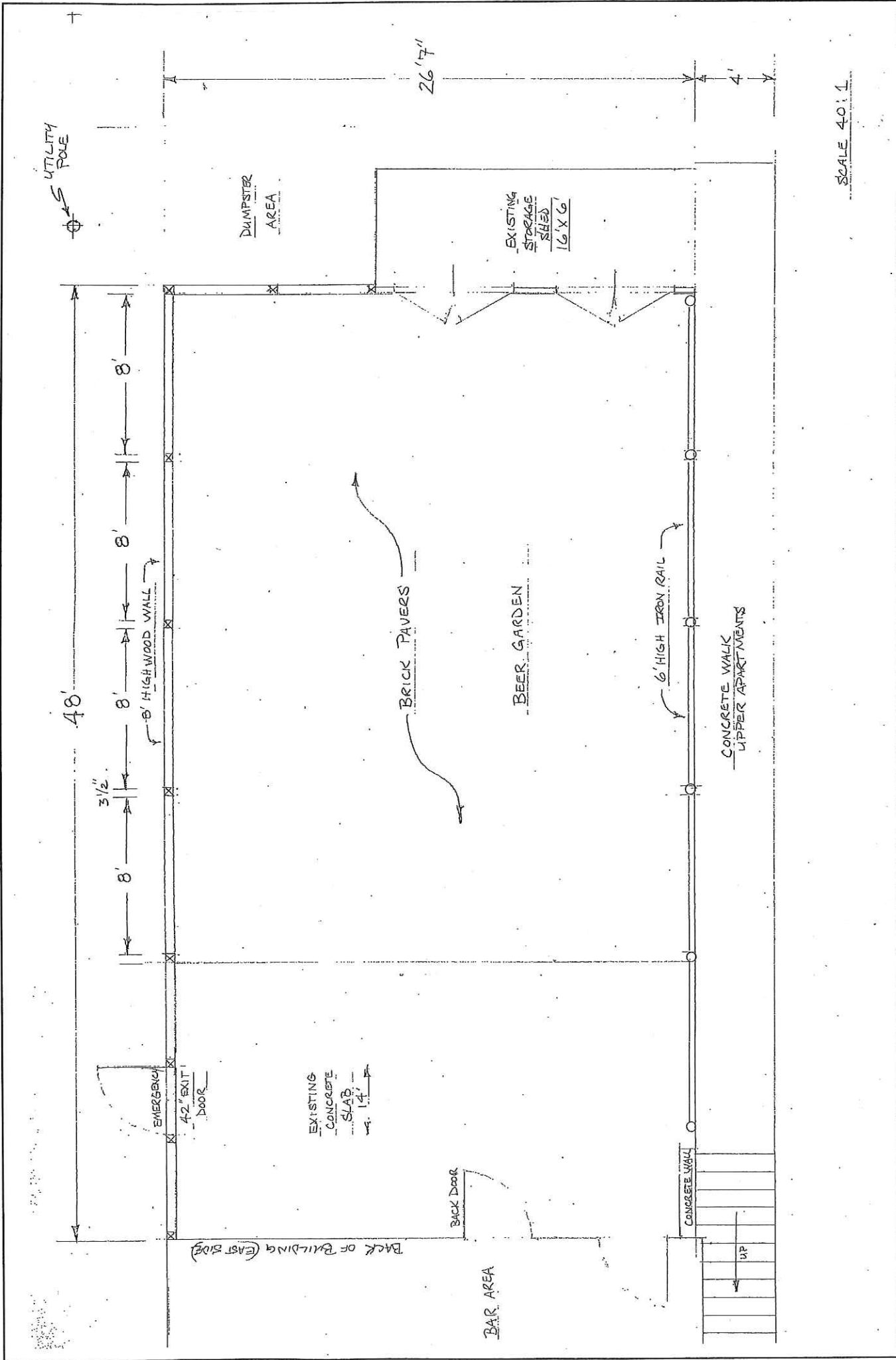
Number of employees scheduled to work on the largest shift: 4

906 South Olde Oneida Street
 Special Use Permit
 Expand Existing Tavern with Outdoor Beer Garden
 Zoning Map



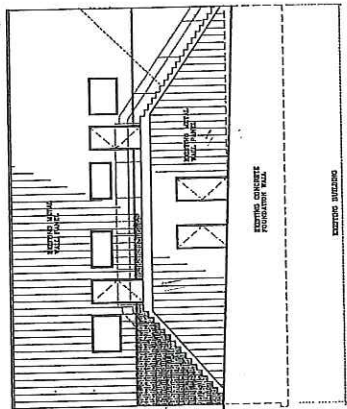


906 South Olde Oneida Street
 Special Use Permit
 Expand Existing Tavern with Outdoor Beer Garden

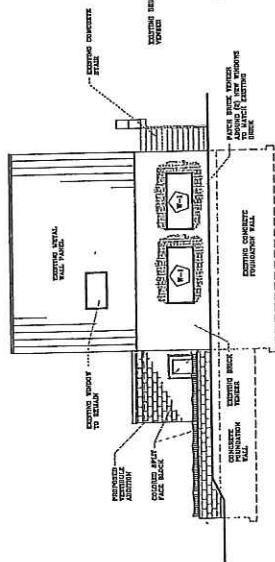


SCALE 40:1

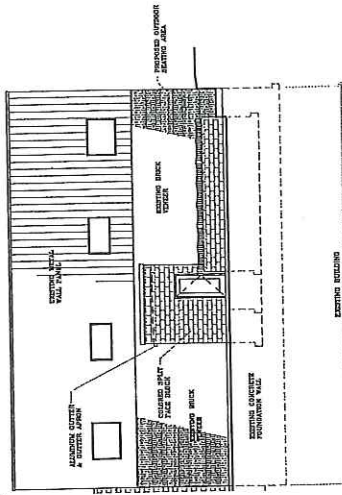
906 South Olde Oneida Street
 Special Use Permit
 Expand Existing Tavern with Outdoor Beer Garden



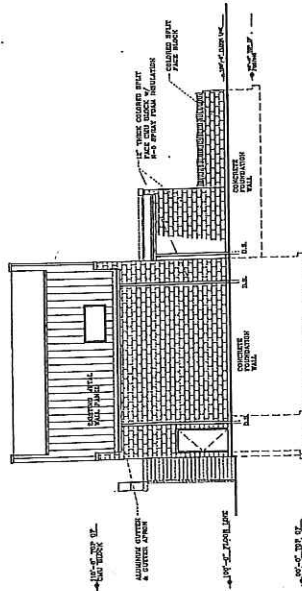
SOUTH ELEVATION



WEST ELEVATION



NORTH ELEVATION



EAST ELEVATION

906 Olde Oneida Street
 Special Use Permit - Alcohol Service

