



City of Appleton

100 North Appleton Street
Appleton, WI 54911-4799
www.appleton.org

Meeting Agenda - Final-revised Safety and Licensing Committee

Wednesday, December 8, 2021

5:30 PM

Council Chambers, 6th Floor

1. Call meeting to order
2. Roll call of membership
3. Approval of minutes from previous meeting
[21-1683](#) Safety & Licensing Minutes from October 27th, 2021

Attachments: [S & L Minutes 10-27-21.pdf](#)

4. Public Hearings/Apearances

5. Action Items

- [21-1345](#) Class "A" Beer and "Class A" Liquor License application for Tee Tees Nachos LLC, Timasha Thornton, Agent, located at 550 N Morrison St #C, contingent upon approval from all departments.

Attachments: [Tee Tees Nachos LLC Class A Combo.pdf](#)

[StaffReport_PaintCraft Studio_SUP_For12-8-21.pdf](#)

Legislative History

10/13/21	Safety and Licensing Committee	recommended for approval
10/20/21	Common Council	referred to the Safety and Licensing Committee
10/27/21	Safety and Licensing Committee	recommended for denial
11/3/21	Common Council	referred to the Safety and Licensing Committee

- [21-1439](#) Class "B" Beer License application for Tee Tee's Nachos LLC d/b/a Tee Tee's Nachos, Timasha Thornton, Agent, located at 550 N Morrison St Suite D, contingent upon approval from all departments.

Attachments: [Tee Tees Nachos LLC Class B Beer.pdf](#)

[StaffReport_PaintCraft Studio_SUP_For12-8-21.pdf](#)

Legislative History

10/27/21	Safety and Licensing Committee	held
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[21-1419](#) Reserve "Class B" Liquor and Class "B" Beer License Permanent Premise Amendment application for Fox River Boat Holdings Co. d/b/a River Tyme Bistro, Candice Mortara, Agent, located at 425 W Water St Unit 100.

Attachments: [River Tyme Bistro S&L.pdf](#)
[Denial Recommendation -River Tyme Bistro.pdf](#)
[River Tyme Bistro Request to Withdraw Premise Amendment.pdf](#)

Legislative History

10/13/21	Safety and Licensing Committee	held
10/27/21	Safety and Licensing Committee	recommended for approval
	<i>The Premise amendment was recommended for approval contingent upon approval and recommendations from the Community & Economic Development Department, Fire Department, and Inspections Department.</i>	
11/3/21	Common Council	held
11/17/21	Common Council	referred to the Safety and Licensing Committee

[21-1700](#) Resolution #16-R-21 Alcohol License Demerit Point System

Attachments: [#16-R-21 Alcohol License Demerit Points.pdf](#)

[21-1543](#) "Class A" Liquor License application for SG Petroleums LLC d/b/a SG Petroleums and Change of Agent to Sudhansh Goel, located at 2811 E Newberry St.

Attachments: [SG Petroleums.pdf](#)

[21-1567](#) Class "A" Beer and "Class A" Liquor License Change of Agent application for Walgreens Co d/b/a Walgreens #02921, Stephanie Schroeder, New Agent, located at 1901 S Oneida St.

Attachments: [Stephanie S Schroeder S&L.pdf](#)

[21-1628](#) Temporary Class "B" Beer License application for Appleton Downtown Inc, Jennifer Stephany, Person in Charge, various College Ave Retailers, December 16, 2021, contingent upon approval from all departments.

Attachments: [Seltzer Stroll - Shop, Sip & Stroll S&L.pdf](#)

[21-1597](#) 2022 Secondhand Article, Secondhand Jewelry and Pawnbroker License renewal applications, contingent upon approval from all departments.

Attachments: [2022 Secondhand Renewals.pdf](#)

6. Information Items

- [21-1704](#) Special Issuance of Temporary Class "B" License by Mayor
Attachments: [Special Issuance of License - Light Up Appleton.pdf](#)
- [21-1616](#) Special Events:
Light Up Appleton, Downtown Appleton, November 20, 2021
Festival Foods Turkey Trot, College Ave, November 25, 2021
- [21-1685](#) Police Department information on alcohol law violations.
- [21-1682](#) Director's Reports
1. City Clerk
 - Redistricting Process Update
 - Candidate Filing Information
 2. Police Chief
 - New Facility K9, "Edison"
 - Christmas Parade Wrap-up
 3. Fire Chief
 - Hiring Update

7. Adjournment

Notice is hereby given that a quorum of the Common Council may be present during this meeting, although no Council action will be taken.

Reasonable Accommodations for Persons with Disabilities will be made upon Request and if Feasible.



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Meeting Minutes - Final Safety and Licensing Committee

Wednesday, October 27, 2021

5:30 PM

Council Chambers, 6th Floor

1. Call meeting to order

The meeting was called to order by Chair Van Zeeland at 5:30 p.m.

2. Roll call of membership

Present: 5 - Reed, Schultz, Van Zeeland, Smith and Hartzheim

3. Approval of minutes from previous meeting

[21-1524](#)

Approval of minutes from previous meeting

Attachments: [S & L Minutes 10-13-21.pdf](#)

**Hartzheim moved, seconded by Reed, that the Minutes be approved. Roll Call.
Motion carried by the following vote:**

Aye: 5 - Reed, Schultz, Van Zeeland, Smith and Hartzheim

4. **Public Hearings/Appearances**

5. **Action Items**

[21-1419](#)

Reserve "Class B" Liquor and Class "B" Beer License Permanent Premise Amendment application for Fox River Boat Holdings Co. d/b/a River Tyme Bistro, Candice Mortara, Agent, located at 425 W Water St Unit 100.

Attachments: [River Tyme Bistro S&L.pdf](#)
[Denial Recommendation -River Tyme Bistro.pdf](#)

The Premise amendment was recommended for approval contingent upon approval and recommendations from the Community & Economic Development Department, Fire Department, and Inspections Department.

Smith moved, seconded by Reed, that the Report Action Item be recommended for approval. Roll Call. Motion carried by the following vote:

Aye: 5 - Reed, Schultz, Van Zeeland, Smith and Hartzheim

[21-1345](#)

Class "A" Beer and "Class A" Liquor License application for Tee Tees Nachos LLC, Timasha Thornton, Agent, located at 550 N Morrison St #C, contingent upon approval from all departments.

Attachments: [Tee Tees Nachos LLC Class A Combo.pdf](#)

Smith moved, seconded by Schultz, that the license be recommended for denial. Roll Call. Motion carried by the following vote:

Aye: 4 - Reed, Schultz, Van Zeeland and Smith

Nay: 1 - Hartzheim

[21-1439](#)

Class "B" Beer License application for Tee Tee's Nachos LLC d/b/a Tee Tee's Nachos, Timasha Thornton, Agent, located at 550 N Morrison St Suite D, contingent upon approval from all departments.

Attachments: [Tee Tees Nachos LLC Class B Beer.pdf](#)

Smith moved, seconded by Reed, that the license application be held until the next Safety & Licensing Committee meeting. Roll Call. Motion carried by the following vote:

Aye: 5 - Reed, Schultz, Van Zeeland, Smith and Hartzheim

Balance of the action items on the agenda.

Smith moved, Reed seconded, to approve the balance of the agenda. The motion carried by the following vote:

Aye: 5 - Reed, Schultz, Van Zeeland, Smith and Hartzheim

[21-1471](#)

Class "A" Beer License application for True North Energy LLC d/b/a True North #822, Daniel J Pamperin, Agent, located at 3411 N Ballard Rd, contingent upon approval from all departments.

Attachments: [True North #822.pdf](#)

This Report Action Item was recommended for approval

[21-1427](#)

Temporary "Class B" Wine License application for Creative Downtown Appleton Inc, Jennifer Stephany, Person in Charge, Houdini Plaza, November 20, 2021, Light Up Appleton, contingent upon approval from all departments.

Attachments: [Light Up Appleton S&L.pdf](#)

This Report Action Item was recommended for approval.

[21-1445](#) Temporary Class "B Beer and "Class B" Wine License application for St. Bernard Catholic Parish, Michael Eash, Person in Charge, located at 1617 W Pine St, November 13, 2021, contingent upon approval from all departments.

Attachments: [St Bernard Parish Family Game Night S&L.pdf](#)

This Report Action Item was recommended for approval.

6. Information Items

[21-1526](#) Director's Reports
-City Clerk
-Fire Chief
-Police Chief

[21-1527](#) Police Department information on alcohol law violations.

7. Adjournment

Hartzheim moved, seconded by Smith, that the meeting be adjourned at 6:13 p.m. Roll Call. Motion carried by the following vote:

Aye: 5 - Reed, Schultz, Van Zeeland, Smith and Hartzheim

Original Alcohol Beverage Retail License Application

(Submit to municipal clerk.)

For the license period beginning: 05/01/2021 ending: 06/30/2022
(mm dd yyyy) (mm dd yyyy)

To the Governing Body of the: Town of } Appleton
 Village of }
 City of }

County of Outagamie Aldermanic Dist. No. _____
 (if required by ordinance)

Check one: Individual Limited Liability Company
 Partnership Corporation/Nonprofit Organization

Applicant's Wisconsin Seller's Permit Number	
FEIN Number	
TYPE OF LICENSE REQUESTED	FEE
<input checked="" type="checkbox"/> Class A beer	\$ <u>500</u>
<input type="checkbox"/> Class B beer	\$ _____
<input type="checkbox"/> Class C wine	\$ _____
<input checked="" type="checkbox"/> Class A liquor	\$ <u>300</u>
<input type="checkbox"/> Class A liquor (cider only)	\$ N/A
<input type="checkbox"/> Class B liquor	\$ _____
<input type="checkbox"/> Reserve Class B liquor	\$ _____
<input type="checkbox"/> Class B (wine only) winery	\$ _____
Publication fee	\$ <u>60</u>
TOTAL FEE	\$ <u>560</u>

Name (individual / partners give last name, first, middle; corporations / limited liability companies give registered name)
TEE TEES NACHOS LLC

An "Auxiliary Questionnaire," Form AT-103, must be completed and attached to this application by each individual applicant, by each member of a partnership, and by each officer, director and agent of a corporation or nonprofit organization, and by each member/manager and agent of a limited liability company. List the full name and place of residence of each person.

President / Member Last Name	(First)	(Middle Name)	Home Address (Street, City or Post Office, & Zip Code)
<u>Thornton</u>	<u>Timasha</u>	<u>F</u>	<u>500 S Pierce Ave, Appleton WI 54914</u>
<u>Unitna</u>	<u>Lewis</u>	<u>L</u>	<u>311 S Kools St Apt 1 Appleton WI 54914</u>
<u>Purnell</u>	<u>Jasmonique</u>	<u>D</u>	<u>500 S Pierce Ave Appleton WI 54914</u>
<u>James</u>	<u>Thornton</u>	<u>D</u>	<u>500 S Pierce Ave Appleton WI 54914</u>
<u>Thornton</u>	<u>Timasha</u>	<u>F</u>	<u>500 S Pierce Ave, Appleton WI 54914</u>
Directors / Managers Last Name	(First)	(Middle Name)	Home Address (Street, City or Post Office, & Zip Code)

1. Trade Name TEE TEES NACHOS LLC Business Phone Number 920-515-5520
 2. Address of Premises 550 N Morrison St #2 Post Office & Zip Code 54911

3. Premises description: Describe building or buildings where alcohol beverages are to be sold and stored. The applicant must include all rooms including living quarters, if used, for the sales, service, consumption, and/or storage of alcohol beverages and records. (Alcohol beverages may be sold and stored only on the premises described.)
It would be kept in the building and the back room of the offices, stack on top of the shelves. In a colder in suite C. Suite C is 12 on the Diagram.

4. Legal description (omit if street address is given above): _____
 5. (a) Was this premises licensed for the sale of liquor or beer during the past license year? Yes No
 (b) If yes, under what name was license issued? _____

6. Is individual, partners or agent of corporation/limited liability company subject to completion of the responsible beverage server training course for this license period? If yes, explain Yes No
yes I take the online course on Security Alcohol Inc - Wisconsin Alcohol Seller/Server course
7. Is the applicant an employe or agent of, or acting on behalf of anyone except the named applicant? Yes No
 If yes, explain.
8. Does any other alcohol beverage retail licensee or wholesale permittee have any interest in or control of this business? If yes, explain Yes No
9. (a) Corporate/limited liability company applicants only: Insert state WI and date 05-13-2021 of registration.
- (b) Is applicant corporation/limited liability company a subsidiary of any other corporation or limited liability company? If yes, explain Yes No
- (c) Does the corporation, or any officer, director, stockholder or agent or limited liability company, or any member/manager or agent hold any interest in any other alcohol beverage license or permit in Wisconsin? If yes, explain. Yes No
10. Does the applicant understand they must register as a Retail Beverage Alcohol Dealer with the federal government, Alcohol and Tobacco Tax and Trade Bureau (TTB) by filing (TTB form 5630.5d) before beginning business? [phone 1-877-882-3277] Yes No
11. Does the applicant understand they must hold a Wisconsin Seller's Permit? [phone (608) 266-2776] Yes No
12. Does the applicant understand that they must purchase alcohol beverages only from Wisconsin wholesalers, breweries and brewpubs? Yes No

READ CAREFULLY BEFORE SIGNING: Under penalty provided by law, the applicant states that each of the above questions has been truthfully answered to the best of the knowledge of the signer. Any person who knowingly provides materially false information on this application may be required to forfeit not more than \$1,000. Signer agrees to operate this business according to law and that the rights and responsibilities conferred by the license(s), if granted, will not be assigned to another. (Individual applicants, or one member of a partnership applicant must sign; one corporate officer, one member/manager of Limited Liability Companies must sign.) Any lack of access to any portion of a licensed premises during inspection will be deemed a refusal to permit inspection. Such refusal is a misdemeanor and grounds for revocation of this license.

Contact Person's Name (Last, First, M.I.) <u>Thornton Timasha F</u>	Title/Member <u>President</u>	Date <u>09-29-21</u>
Signature <u>Timasha Thornton</u>	Phone Number 	Email Address

TO BE COMPLETED BY CLERK

Date received and filed with municipal clerk <u>9-24-2021</u>	Date reported to council / board	Date provisional license issued	Signature of Clerk / Deputy Clerk
Date license granted	Date license issued	License number issued	



City of Appleton Alcohol License Questionnaire

1. Name of Applicant: Timasha Thornton

2. Name of Business: Tee Tee's Nachos

(Check Applicable Box(s) to identify primary business activity)

- Restaurant
- Tavern/Night Club/Wine Bar
- Microbrewery/Brewpub
- Painting/Craft Studio
- Other (describe) Retail/Nachos Bar

3. Address of Business: 550 W Morrison Ave Appleton, WI 54911

4. Have you or any member of your organization ever been convicted of a misdemeanor or ordinance violation? Yes No

AND/OR been convicted of a felony? Yes No

If yes to either question, please explain in detail below:

James Thornton - Had a family fight become a misdemeanor

5. List all partners, shareholders or investors of your business. Include full name, middle initial and date of birth. Please use additional sheets if necessary.

<u>Junitra</u>	<u>L</u>	<u>Lewis</u>	● ● / ● ●
First name	M.I.	Last name	Date of Birth
<u>James</u>	<u>D</u>	<u>Thornton</u>	● ● / ● ●
First name	M.I.	Last name	Date of Birth
<u>Jasmonique</u>	<u>D</u>	<u>Dunnell</u>	● ● / ● ●
First name	M.I.	Last name	Date of Birth
<u>Janiya</u>	<u>D</u>	<u>Thornton</u>	● ● / ● ●
First name	M.I.	Last name	Date of Birth

6. Name of person/corporation you are buying the premise and equipment from?

Name: Alan Ament
First name Middle Initial Last name

Address: W6442 Firelane B Menasha WI 54952
City State ZIP

7. What was the previous name and primary nature of the business operating at this location?

Name: N/A Unsure

(Check Applicable Box(s) to identify primary business activity)

- Restaurant
- Tavern/Night Club/Wine Bar
- Microbrewery/Brewpub
- Painting/Craft Studio
- Other (describe) _____

8. Was this premise licensed for alcohol sales/consumption during the past license year?

Yes _____ If yes, please contact the Community and Economic Development Department at 832-6468 about obtaining a copy of an existing Special Use Permit and related requirements that may run with property.

No If no, please contact the Community and Economic Development Department at 832-6468 about obtaining a Special Use Permit. A Special Use Permit may be required for your business activity prior to the issuance of a Liquor License, pursuant to the City of Appleton Zoning Ordinance.

9. If alcohol sales were a previous use in this building, when did the operation cease?

N/A months ago.

10. Seating capacity: Inside 30 Outside 15

11. Operating hours (Inside the building): Monday - Saturday 9am - 9pm
Operating hours (Outdoor seating areas): Monday - Saturday 9am - 6pm

12. Employees/Staff

Number of floor personnel 2 Number of door checkers —

13. In general, state the size and operational details of the proposed establishment:

- a. Gross floor building area of the premises to be licensed: _____ square feet.
- b. Gross outdoor seating areas of the premises to be licensed: _____ square feet.
- c. Below, identify the operational details of the proposed establishment:

In Suite C is were we going have
Nachos Bar, Candy, Soda, and etc. In suite
D were we going have Painting/Craft studio,
Selling wine and beer in Suite C.

Amish
Signature

09-29-21
Date

Schedule for Appointment of Agent by Corporation / Nonprofit Organization or Limited Liability Company

Submit to municipal clerk.

All corporations/organizations or limited liability companies applying for a license to sell fermented malt beverages and/or intoxicating liquor must appoint an agent. The following questions must be answered by the agent. The appointment must be signed by an officer of the corporation/organization or one member/manager of a limited liability company and the recommendation made by the proper local official.

To the governing body of: Town Village of APPLETON County of Outagamie
 City

The undersigned duly authorized officer/member/manager of TEE TEE'S Nachos LLC
(Registered Name of Corporation / Organization or Limited Liability Company)

a corporation/organization or limited liability company making application for an alcohol beverage license for a premises known as
TEE TEE'S Nachos LLC
(Trade Name)

located at 550 N Morrison St Appleton WI 54911

appoints Timasha Thornton
(Name of Appointed Agent)

500 S pierce Ave Appleton WI 54914
(Home Address of Appointed Agent)

to act for the corporation/organization/limited liability company with full authority and control of the premises and of all business relative to alcohol beverages conducted therein. Is applicant agent presently acting in that capacity or requesting approval for any corporation/organization/limited liability company having or applying for a beer and/or liquor license for any other location in Wisconsin?

Yes No If so, indicate the corporate name(s)/limited liability company(ies) and municipality(ies).

Is applicant agent subject to completion of the responsible beverage server training course? Yes No
How long immediately prior to making this application has the applicant agent resided continuously in Wisconsin? 44 years

Place of residence last year 500 S pierce Ave Appleton WI 54914

For: TEE TEE'S Nachos LLC
(Name of Corporation / Organization / Limited Liability Company)

By: [Signature]
(Signature of Officer / Member / Manager)

Any person who knowingly provides materially false information in an application for a license may be required to forfeit not more than \$1,000.

ACCEPTANCE BY AGENT

I, Timasha Thornton, hereby accept this appointment as agent for the
(Print / Type Agent's Name)

corporation/organization/limited liability company and assume full responsibility for the conduct of all business relative to alcohol beverages conducted on the premises for the corporation/organization/limited liability company.

[Signature] 9/23/2021
(Signature of Agent) (Date)

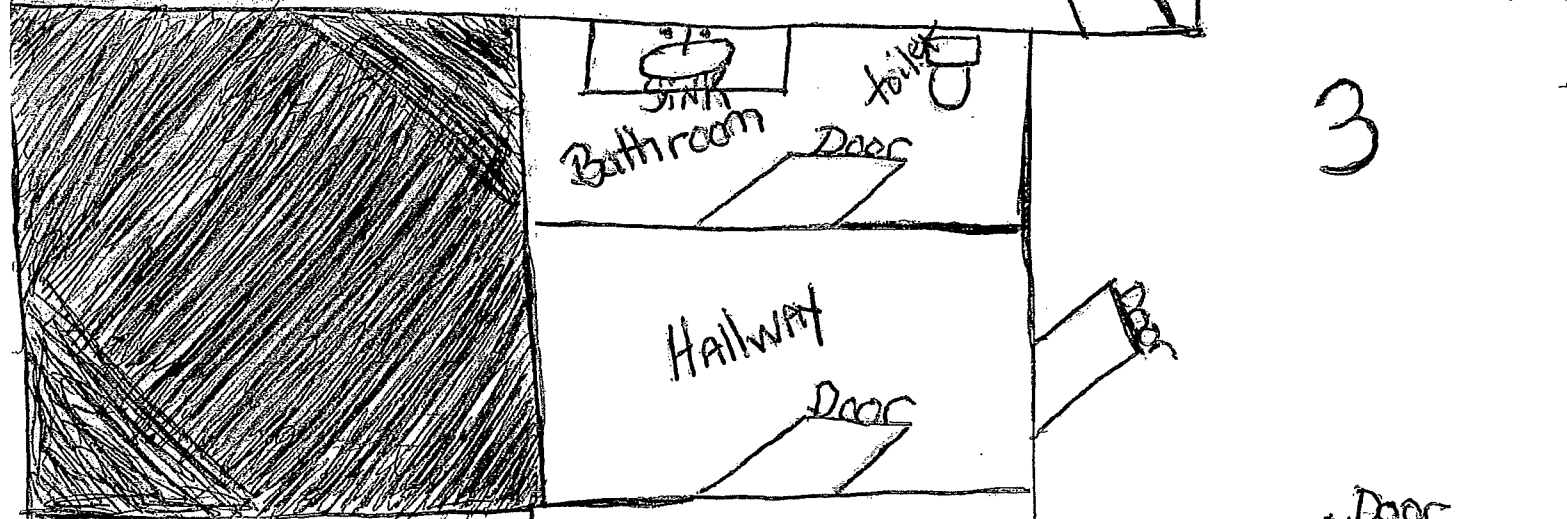
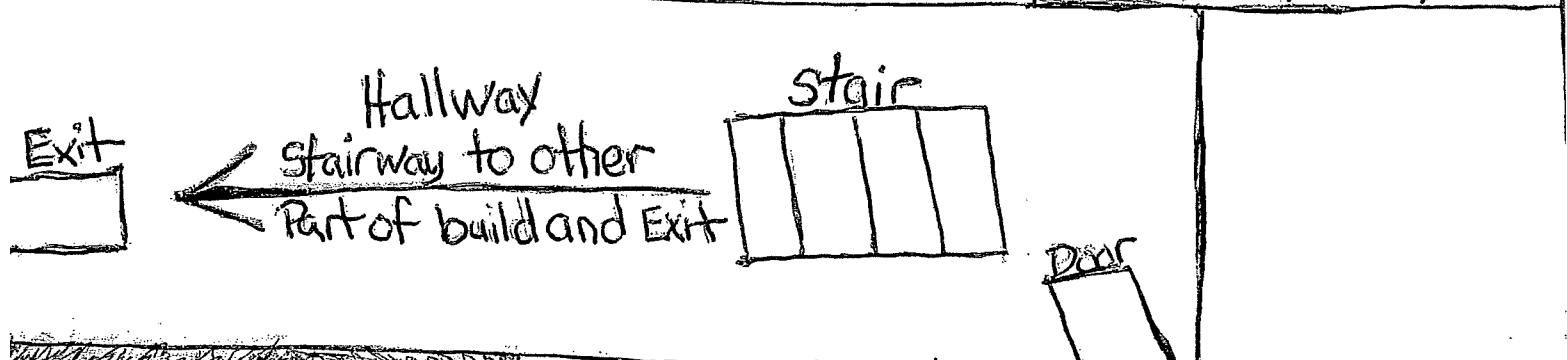
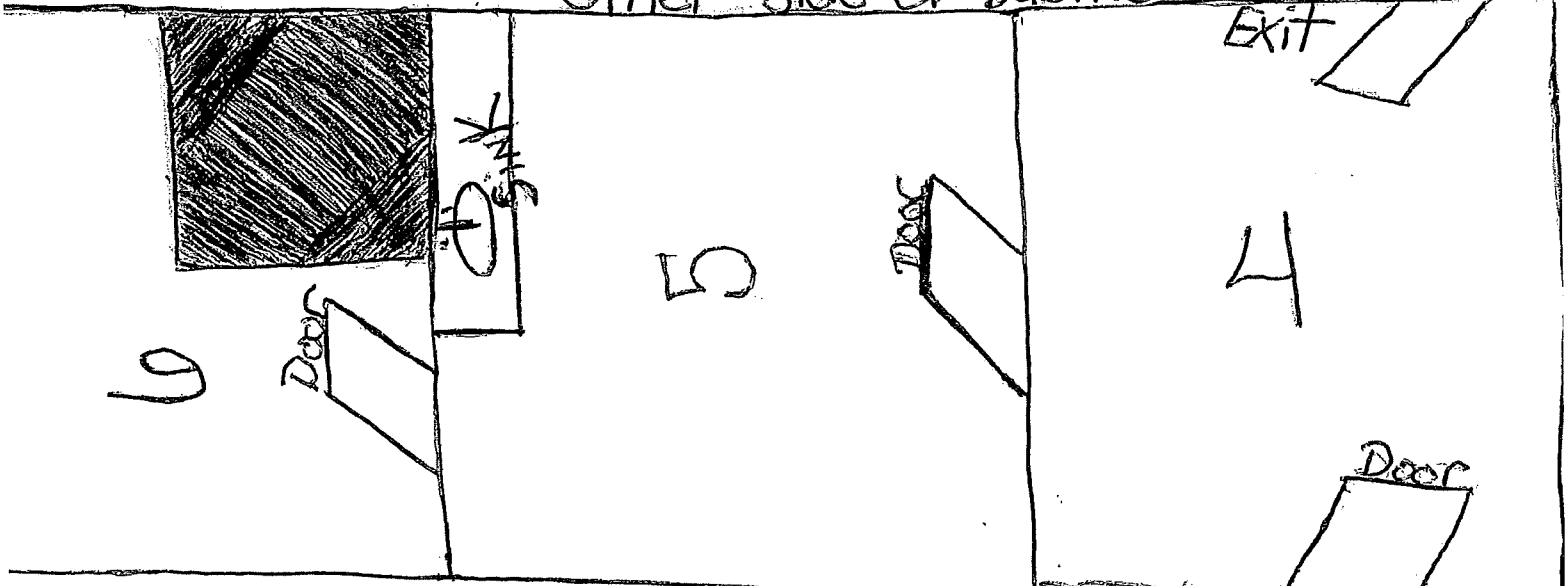
500 S pierce Ave Appleton WI 54914
(Home Address of Agent) Agent's age [Redacted]
Date of birth [Redacted]

APPROVAL OF AGENT BY MUNICIPAL AUTHORITY (Clerk cannot sign on behalf of Municipal Official)

I hereby certify that I have checked municipal and state criminal records. To the best of my knowledge, with the available information, the character, record and reputation are satisfactory and I have no objection to the agent appointed.

Approved on _____ by _____ Title _____
(Date) (Signature of Proper Local Official) (Town Chair, Village President, Police Chief)

Other side of business





REPORT TO CITY PLAN COMMISSION

New Information identified ***Bold, Italic and strikethrough***

Plan Commission Public Hearing Date: November 10, 2021

Plan Commission Meeting Dates: *Held at November 10, 2021 meeting to December 8, 2021 meeting*

Common Council Meeting Date: ~~November 17, 2021~~ ***December 15, 2021***

Item: Special Use Permit #3-21 for Paint/Craft Studio with Alcohol Sales

Case Manager: Don Harp, Principal Planner

GENERAL INFORMATION

Owner: Alan Ament

Applicant: Timasha Thornton, Tee Tees Nachos, paint/craft studio with alcohol sales

Address/Parcel #: 550 North Morrison Street, Unit D – Rooms 3, 4, 5 and 6 (Tax Id #31-2-0586-00)

Petitioner's Request: The applicant is requesting a Special Use Permit for a paint/craft studio with alcohol sales.

BACKGROUND

On March 18, 2020, the Common Council adopted ordinances 24-20 - 57-20 related to Chapter 23 of the Zoning Ordinance relating to allowing paint/craft studios with alcohol sales by Special Use Permit in the CBD Central Business District, C-2 General Commercial District and C-1 Neighborhood Mixed Use District.

Painting/Craft Studio with alcohol sales means a use that is primarily engaged in the business of providing to customers instruction in the art of painting and/or making crafts and that offers customers the opportunity to purchase food and alcoholic beverages for consumption while they paint and/or make crafts.

On October 8, 2021, the applicant applied for and filed a Class B Beer license with the City Clerk's Office.

On November 10, 2021, the Plan Commission held this item until their December 8, 2021 meeting to allow time for the applicant to attend the Plan Commission meeting to address questions related to the daily business operations.

On November 16, 2021, staff contacted the applicant by telephone and via email to provide an update of what happened at the November 10, 2021 Plan Commission meeting. Staff recommended the applicant make arrangements to attend the December 8, 2021 Plan Commission meeting to answer any questions that may be asked about the daily business operations of the proposed paint/craft studio use.

STAFF ANALYSIS

Project Summary: The applicant proposes to establish a painting/craft studio with alcohol sales. The proposed painting/craft studio with alcohol sales will occupy approximately 892 feet in a lower level tenant space (Unit D, Rooms 3, 4, 5, and 6) of the existing building. The operations of the business will primarily focus on the production of arts and crafts, and the service of beer is offered as an additional amenity (customers are not required to purchase alcohol). The proposed alcohol service will be ancillary and subordinate to the primary use as a painting/crafts studio (i.e., an amenity for the customers).

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

Outdoor Seating Area: No outdoor alcohol sales and service is requested with this application.

Existing Site Conditions: The existing multi-tenant building totals approximately 17,800 square feet, including other lower level, first and second floor commercial uses. The 32,288 square foot site also includes a 43 stall off-street parking lot. Access is provided by curb cuts on North Morrison Street and East Pacific Street.

Current Zoning and Procedural Findings: The subject property has a zoning designation of C-2 General Commercial District. Per Section 23-113(e) of the Municipal Code, a paint/craft studio with alcohol sales requires a Special Use Permit in the C-2 District. The Plan Commission makes a recommendation to the Common Council who will make the final decision on the Special Use Permit. A two-thirds 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 commercial and residential in nature.

North: R-1C Central City Residential District and CBD Central Business District. The adjacent land uses to the north are currently a mix and single-family residential and the railroad.

South: R-2 Two-family District and R-1C Central City Residential District. The adjacent land uses to the south are currently a mix of single and two-family residential.

East: C-2 General Commercial District, R-2 Two-family District and R-1C Central City Residential District. The adjacent land uses to the east are currently a mix of single and two-family residential.

West: CBD Central Business District and P-I Public Institutional District. The adjacent land uses to the west are Appleton Area School District facility office building and railroad tracks.

Appleton Comprehensive Plan 2010-2030: Community and Economic Development staff has reviewed this proposal and determined it is compatible with the Mixed Use District 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.

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.

Technical Review Group (TRG) Report: This item originally appeared on the October 19, 2021 TRG agenda. No negative comments were received from participating departments.

The following TRG comments are provided for additional background history:

Health Department and City Clerk's Office: On September 29, 2021, staff met with the applicant to obtain clarification on the responses listed on the initial liquor license application. In this meeting, the applicant was informed to contact the Community and Economic Development Department to discuss the Special Use Permit process.

Community and Economic Development Department: On September 30, 2021, staff had an initial conversation with the applicant and an email follow up explaining the Special Use Permit process for the proposed paint/craft studio with alcohol sales. Staff assisted the applicant with completing the Special Use Permit application form and provided the applicant with written correspondence on October 11, 2021, October 27, 2021, and November 4, 2021, of the initial date, time and location of the Plan Commission meeting held on November 10, 2021.

Inspections Division and Health Department: An on-site inspection of the premises was conducted on October 1, 2021 by the Inspections Division and Health Department staff. The following items were discussed with the applicant:

- 1. Food Preparation: The need for a grease hood. The applicant decided to use pre-cooked ground beef for the nachos. Since no longer planning to cook from raw meat, a grease hood would no longer needed.*

2. *Kitchen Area Improvements: The carpeting will need to be replaced with an approved floor covering, the installation of approved warewashing sinks, prep sink, mop sink, handwash sink, a grease trap and other equipment requirements.*
3. *Scaled floor plan: A scaled floor plan identifying room dimensions, restroom location with fixtures, room exits and details about the proposed use of the respective lease area would need to be prepared and be submitted to the Inspections Division for review.*
4. *Occupancy limits: Inspections indicated, 15 person maximum occupant limit for Units C and D – Rooms numbers 1, 2, 3, 4, 5 and 6 because the lease area only has one toilet fixture in the restroom. Adding an additional toilet, restroom, would allow a total of 80 occupants per DSPS building codes (Table 2902.1).*
5. *Exit Doors: The maximum number occupants that can occupy the lease area for one exit door is 49 persons per DSPS building codes (DSPS Table 1006.2.1). Two code compliant exit doors within the lease area would require additional review to establish maximum number of occupants.*

NOTE: The second door located on south wall of Unit 4 is labeled as an exit but is not a legal exit as it leads through an adjacent,/independent lease space to reach the actual exit door.

6. *Expectations: The applicant was asked to submit a scaled floor plan to the Inspections Division for their review so further assistance can be provided related to satisfying the applicable Building Codes.*

Health Department: On November 16, 2021, staff contacted the applicant. The applicant indicated the carpeting in the proposed kitchen area was replaced with new floor covering. A plumbing contractor was hired and is in the process of drawing up plans to submit to the Health Department and the Plumbing Inspector for review.

Zoning Ordinance Requirements and Substantial Evidence: When reviewing an application for a Special Use Permit, the City must determine if the applicant's proposal satisfies Municipal Code requirements and conditions. Pursuant to Section 23-66(c)(5) of the Municipal Code, the Plan Commission and Common Council must provide substantial evidence supporting their decision to approve, approve with conditions, or deny the Special Use Permit. Substantial evidence means "facts and information, other than merely personal preferences or speculation, directly pertaining to the requirements and conditions an applicant must meet to obtain a Special Use Permit and that reasonable persons would accept in support of a conclusion." Any requirements and conditions listed for approval must be reasonable, and to the extent practicable, measurable.

Section 23-172(m) of the Municipal Code requires a minimum number of off-street parking spaces based on the use of a property. In this case, the property has historically functioned as a shopping center building, per Assessor's Office records. The proposal will not increase the gross floor area of the existing multi-tenant building. Therefore, additional off-street parking spaces are not required for the applicant's request.

Finding of Fact: This request was reviewed in accordance with the standards (proper zoning district, district regulations, special regulations, comprehensive plan and other plans, traffic, landscaping and screening, neighborhood compatibility, and impact on services) for granting a Special Use Permit under

Section 23-66(e)(1-8) of the Municipal Code, which were found in the affirmative, as long as all stipulations are satisfied.

The proposed alcohol service will be ancillary and subordinate to the primary use as a painting/crafts studio (i.e., an amenity for the customers). With the implementation of proposed stipulations of approval, the proposed use is not expected to cause or aggravate any problems in the neighborhood created by the sale of alcohol such as disturbance of the peace, excessive loud noises, traffic violations, or impact on city services.

RECOMMENDATION

Staff recommends, based on the above analysis, that Special Use Permit #3-21 for a paint/craft studio with alcohol sales located at 550 North Morrison Street Unit D – Rooms 3, 4, 5 and 6 (Tax Id #31-2-0586-00) 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. The applicant shall receive approval of a Liquor License from the City Clerk prior to serving alcohol on the premises.

Substantial Evidence: This condition provides notice to the applicant that a Liquor License is also needed prior to serving alcohol.

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

Substantial Evidence: This condition is one of the special regulations included in Section 23-66(h)(6) of the Zoning Ordinance for this particular use.

3. The site shall be kept free of litter and debris.

Substantial Evidence: This condition is one of the special regulations included in Section 23-66(h)(6) of the Zoning Ordinance for this particular use.

4. All Zoning, Building, Fire, Engineering, Utility and other Municipal Codes, and all applicable State and Federal laws shall be complied with.

Substantial Evidence: This condition is one of the special regulations included in Section 23-66(h)(6) of the Zoning Ordinance for this particular use.

5. The serving and consumption of alcohol is limited to the interior lower level tenant space, as identified on the attached development plan and floor plan drawings. Any future expansions for the serving and/or consumption of alcohol may require a major or minor amendment request to this Special Use Permit, pursuant to Section 23-66(g) of the Municipal Code.

Substantial Evidence: Standardized condition that establishes parameters for the current application and identifies the process for review of any future changes to the special use.

6. The serving and consumption of alcohol is limited to customers who are participating in the production of an arts and crafts project.

Substantial Evidence: This condition provides notice to the applicant that alcohol can only be consumed by customers when they paint and/or make crafts which is specified in the definition term for "Painting/Craft Studio with alcohol sales" pursuant to Section 23-22 of the Zoning Ordinance.

7. This Special Use Permit is needed for a paint/craft studio with on-site alcohol sales and consumption. Compliance with the plan of operation is required at all times. Changes to the plan of operation, including any future changes to the agent/operator, shall be submitted to the Community and Economic Development Department for review and approval.

Substantial Evidence: Standardized condition that establishes parameters for the current application and identifies the process for review of any future changes to the special use.

**CITY OF APPLETON
RESOLUTION FOR SPECIAL USE PERMIT #3-21
PAINT/CRAFT STUDIO WITH ALCOHOL SALES
550 NORTH MORRISON STREET, UNIT D – LOWER LEVEL ROOMS 3, 4, 5 and 6**

WHEREAS, Timasha Thornton has applied for a Special Use Permit for Paint/Craft Studio with Alcohol Sales located at 550 North Morrison Street, Unit D – Lower Level Rooms 3, 4, 5 and 6 (Tax Id #31-2-0586-00); and

WHEREAS, the location for the proposed Paint/Craft Studio with Alcohol Sales is located in the C-2 General Commercial District, and the proposed use may be permitted by Special Use Permit within this zoning district pursuant to Chapter 23 of the Municipal Code. As defined by Chapter 23 of the Municipal Code, a Painting/Craft Studio with Alcohol Sales means a use that is primarily engaged in the business of providing to customers instruction in the art of painting and/or making crafts and that offers customers the opportunity to purchase food and alcoholic beverages for consumption while they paint and/or make crafts; and

WHEREAS, the City of Appleton Plan Commission held a public hearing on November 10, 2021 on Special Use Permit #3-21, at which all those wishing to be heard were allowed to speak or present written comments and other materials at the public hearing; and

WHEREAS, the City of Appleton Plan Commission has reviewed and considered the Community and Economic Development Department’s staff report and recommendation, as well as other spoken and written evidence and testimony presented at the public hearing and subsequent City Plan Commission meeting on December 8, 2021; and

WHEREAS, the City of Appleton Plan Commission reviewed the standards for granting a Special Use Permit under Sections 23-66(e)(1-8) of the Municipal Code; and

WHEREAS, the City of Appleton Plan Commission reviewed the standards for imposing conditions on the Special Use Permit under Section 23-66(c)(5) of the Municipal Code and forwarded Special Use Permit #3-21 to the City of Appleton Common Council with a favorable conditional 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 December 15, 2021.

NOW, THEREFORE, BE IT RESOLVED, DETERMINED AND ORDERED by the Common Council, based on Community and Economic Development Department’s staff report and recommendation, as well as other spoken and written evidence and testimony presented at the public hearing and Common Council meeting, and having considered the recommendation of the City Plan Commission, that the Common Council:

1. Determines all standards listed under Sections 23-66(e)(1-8) of the Municipal Code are found in the affirmative YES or NO (CIRCLE ONE)
2. If NO, the City of Appleton Common Council hereby denies Special Use Permit #3-21 for a Paint/Craft Studio with alcohol sales located at 550 North Morrison Street, Unit D – Lower Level Rooms 3, 4, 5 and 6

(Tax Id #31-2-0586-00), based upon the following standards and determinations: (List reason(s) why the Special Use Permit was denied)

3. If YES, the City of Appleton Common Council hereby approves Special Use Permit #3-21 for a Paint/Craft Studio with Alcohol Sales located at 550 North Morrison Street, Unit D – Lower Level Rooms 3, 4, 5 and 6 (Tax Id #31-2-0586-00), subject to the following conditions as they are related to the purpose of the City of Appleton Municipal Code and based on substantial evidence:

CONDITIONS OF APPROVAL FOR SPECIAL USE PERMIT #3-21

- A. The applicant shall receive approval of a Liquor License from the City Clerk prior to serving alcohol on the premises.
 - B. The use shall conform to the standards established in Chapter 9, Article III, Alcoholic Beverages, of the Appleton Municipal Code.
 - C. The site shall be kept free of litter and debris.
 - D. All Zoning, Building, Fire, Engineering, Utility and other Municipal Codes, and all applicable State and Federal laws shall be complied with.
 - E. The serving and consumption of alcohol is limited to the interior lower level tenant space, as identified on the attached development plan and floor plan drawings. Any future expansions for the serving and/or consumption of alcohol may require a major or minor amendment request to this Special Use Permit, pursuant to Section 23-66(g) of the Municipal Code.
 - F. The serving and consumption of alcohol is limited to customers who are participating in the production of an arts and crafts project.
 - G. This Special Use Permit is needed for a paint/craft studio with on-site alcohol sales and consumption. Compliance with the plan of operation is required at all times. Changes to the plan of operation, including any future changes to the agent/operator, shall be submitted to the Community and Economic Development Department for review and approval.
4. The City Clerk’s Office is hereby directed to give a copy of this resolution to the owner/applicant, Community and Economic Development Department, Inspections Division, and any other interested party.

Adopted this _____ day of _____, 2021.

Jacob A. Woodford, Mayor

ATTEST:

Kami Lynch, City Clerk

PLAN OF OPERATION AND LOCATIONAL INFORMATION

Business information:

Name of business: TEE TEES NACHOS LLC

Years in operation: New Business

(Check applicable proposed business activity(s) proposed for the premises)

- Restaurant
- Tavern/Night Club/Wine Bar
- Painting/Craft Studio
- Microbrewery/Brewpub (manufacturing a total of not more than 310,000 U.S. gallons of fermented malt beverages per calendar year)
- Brewery (manufacturing a total of more than 310,000 U.S. gallons of fermented malt beverages per calendar year)
- Winery (manufacturing of wine)
- Craft-Distillery (manufacturing a total of not more than 100,000 proof gallons of intoxicating liquor per calendar year)
- Distillery (manufacturing a total of more than 100,000 proof gallons of intoxicating liquor per calendar year)
- Tasting room offering fermented malt beverages, wine or intoxicating liquor for consumption and/or retail sales on the premises where the fermented malt beverages, wine or intoxicating liquor is manufactured and/or at an off-premises location associated with premises. Tasting rooms may include food sales.
- Other _____

Detailed explanation of proposed business activities:

Proposed to operate a painting/craft studio with alcohol sales by providing customers instruction in the art of painting and/or making crafts and offering customers the opportunity to purchase alcoholic beverages for consumption on-site while they paint and/or make crafts.

Existing gross floor area of building/tenant space, including outdoor spaces:

(square feet) 892 sq.ft. Unit D, Lower Level of Building Unit D, Room# 3,4,5 and 6. See floor plan

Proposed gross floor area of building/tenant space, including outdoor spaces:

(square feet) Same as existing, no change

Occupancy limits:

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.

Proposed Hours of Operation for Indoor Uses:

Day	From	To
Monday thru Thursday	9AM	10PM
Friday	9AM	10PM
Saturday	9AM	10PM
Sunday	N/A	N/A

Production/Storage information:

(Check applicable proposed business activity(s) proposed for the premises)

- Current production of fermented malt beverages: N/A U.S. gallons per year
- Proposed production of fermented malt beverages: N/A U.S. gallons per year
- Current production of wine: N/A U.S. gallons per year
- Proposed production of wine: N/A U.S. gallons per year
- Current production of intoxicating liquor: N/A proof gallons per year
- Proposed production of intoxicating liquor: N/A proof gallons per year
- None. If none, leave the following 2 storage questions blank.

Identify location of grains and/or juice, grapes, other fruits or other agricultural product storage and type of storage container(s) used:

Not Applicable to the proposed use.

Identify the storage location of spent grains and/or grapes, other fruits or other agricultural products and type of storage container(s) used:

Not Applicable to the proposed use.

Outdoor Space Uses:

(Check applicable outdoor space uses)

- Patio
- Deck
- Sidewalk Café
- Other _____.

None. If none, leave the following questions in this section blank.

Size: _____ square feet

Type of materials used and height of material to enclose the perimeter of the outdoor space:

- Fencing Landscaping Other _____ Height _____ feet

Is there any alcohol consumption incorporated within the outdoor facility? Yes No

If yes, please describe:

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 Space:

Day	From	To
Monday thru Thursday		
Friday		
Saturday		
Sunday		

NOTE: Hours of Operation for Outdoor Uses (Sidewalk Café with Alcohol):

*******Municipal Code Section 9-262(b)(4): The permit holder can begin serving alcoholic beverages in the sidewalk café at 4:00 p.m. Monday through Friday and 11:00 a.m. on Saturday and Sunday. All alcoholic beverages must be removed from the sidewalk café by 9:30 p.m.**

Describe Any Potential Noise Emanating From the Proposed Use:

Describe the noise levels anticipated from all equipment or other mechanical sources:
The noise level will be a medium level

Describe how the crowd noise will be controlled inside and outside the building:
by posting signs in and out the building, as well as reminding by staff

Off-Street Parking:

Number of spaces existing on-site: 43.00

Number of spaces proposed on-site: 0.00

Street Access:

Is street access to the subject property adequate or are any street improvements, such as a new turning lane, necessary to minimize impacts on traffic flow?

Existing driveway access is from North Morrison Street and Pacific Street. No accesses improvements are proposed with this request.

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:

Number of Employees:

Number of existing employees: 4

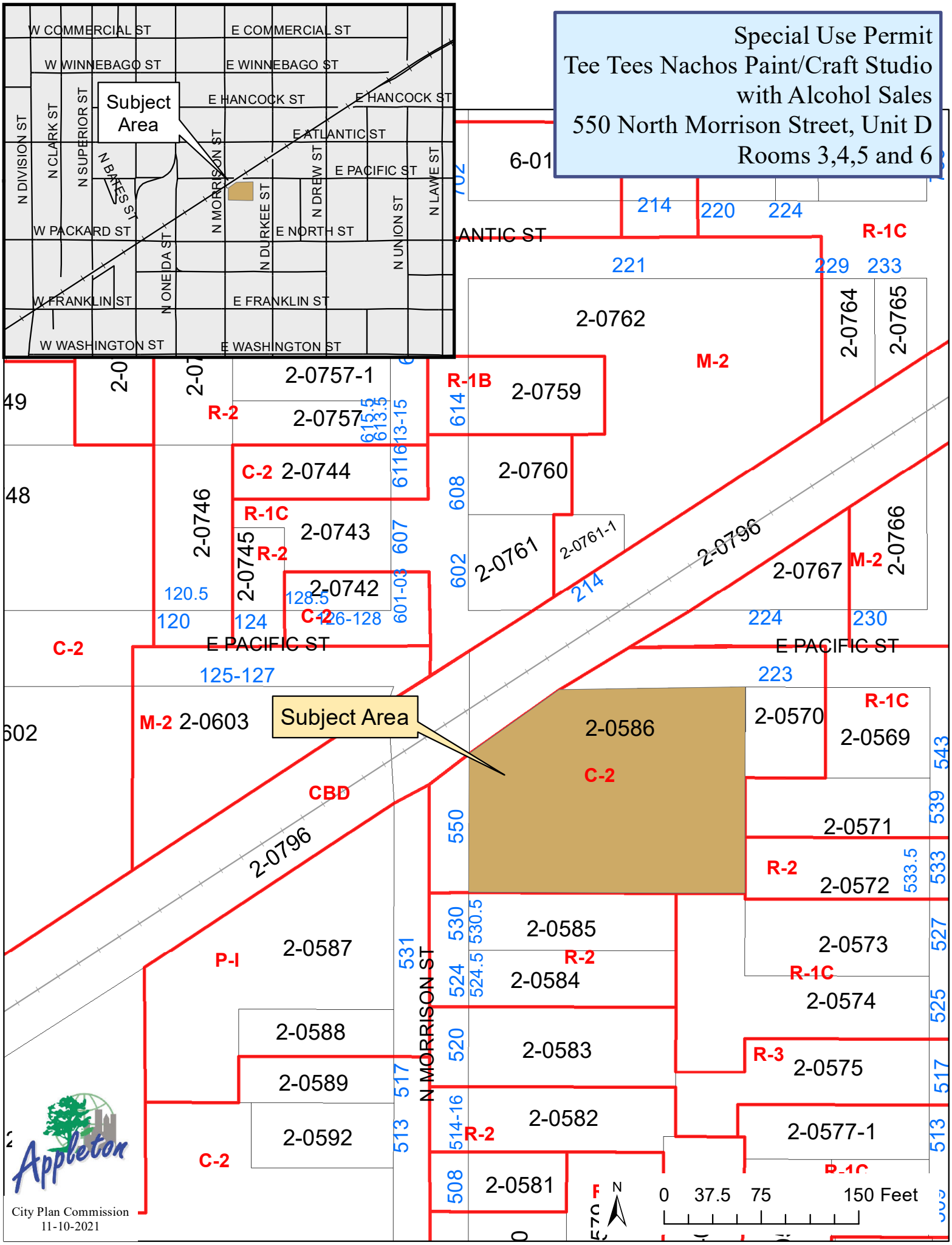
Number of proposed employees: 2

Number of employees scheduled to work on the largest shift: 3

Special Use Permit
 Tee Tees Nachos Paint/Craft Studio
 with Alcohol Sales
 550 North Morrison Street, Unit D

Subject Area

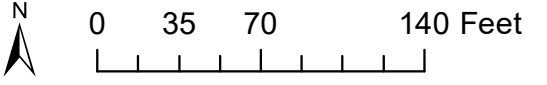
Subject Area



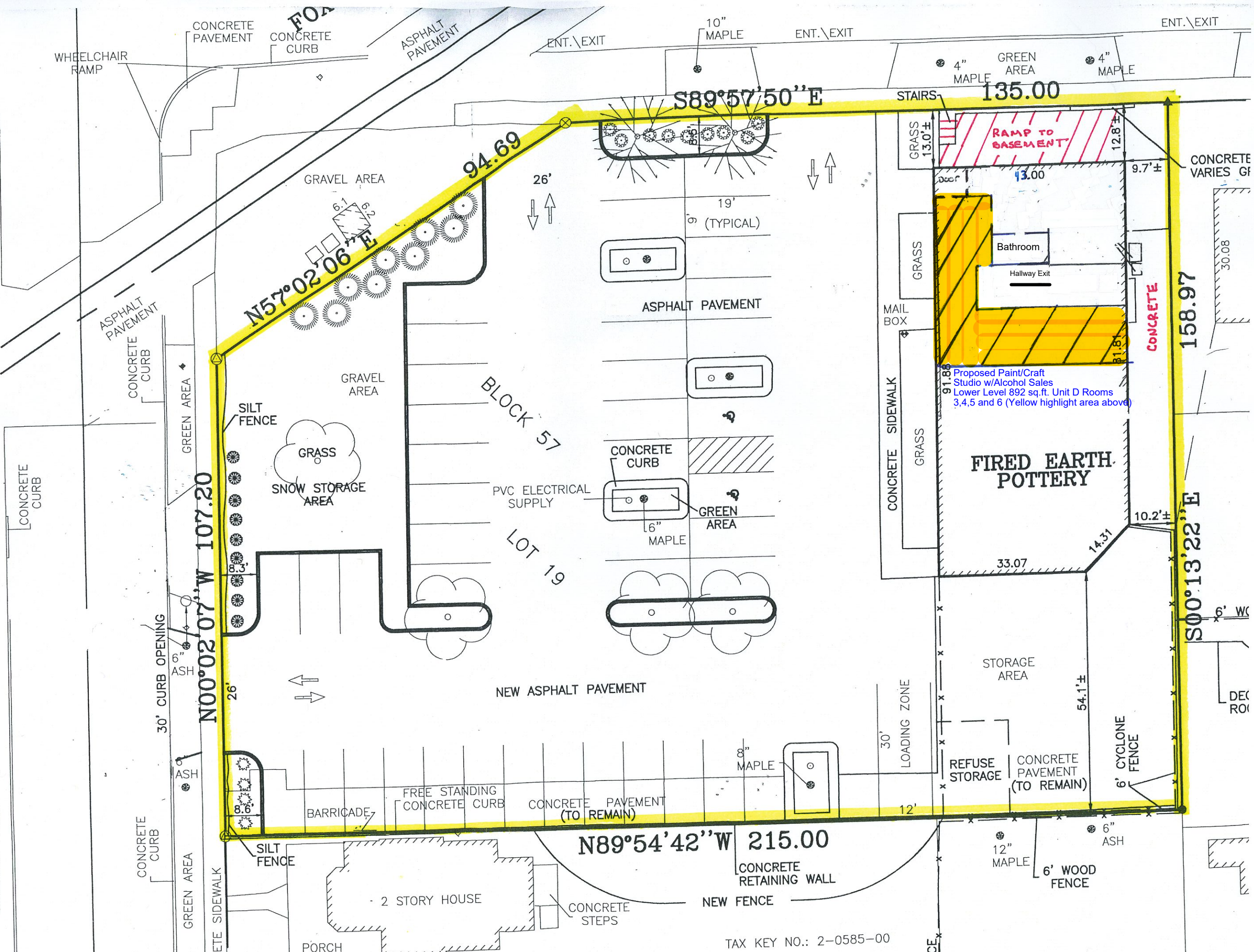
Special Use Permit
 Tee Tees Nachos Paint/Craft Studio
 with Alcohol Sales
 550 North Morrison Street, Unit D
 Rooms 3,4,5 and 6
 Aerial Map



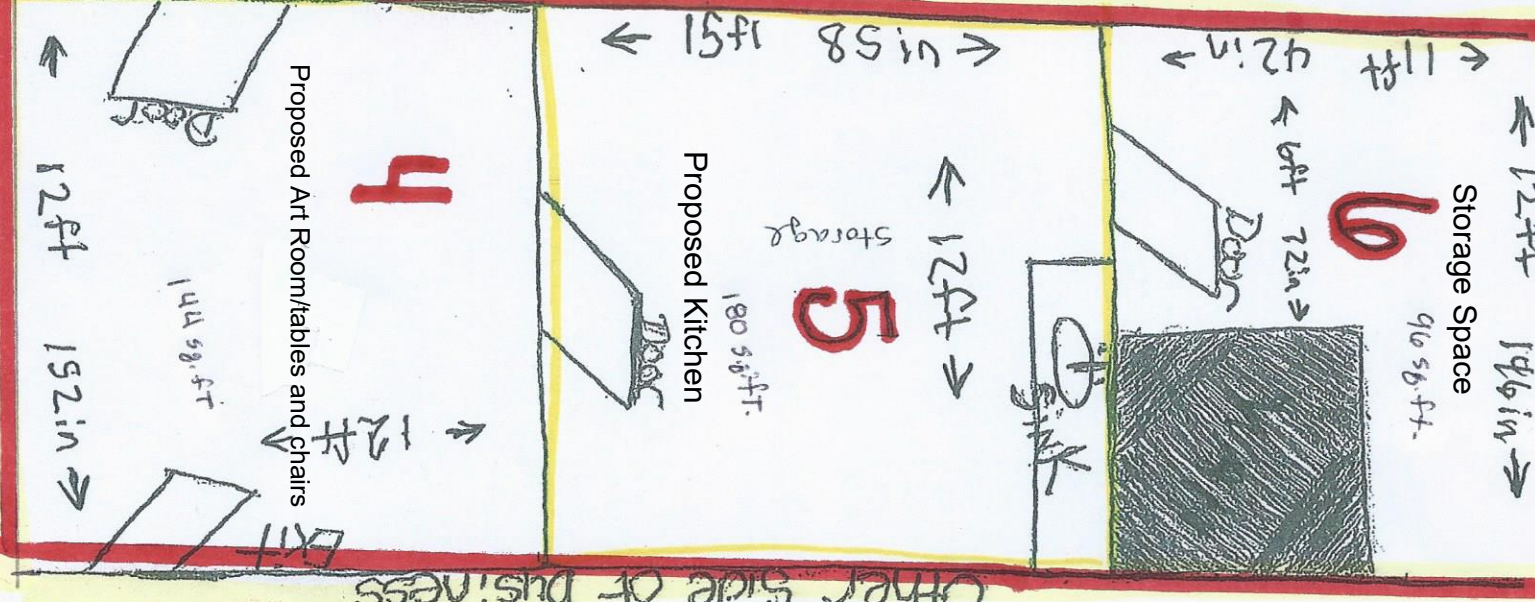
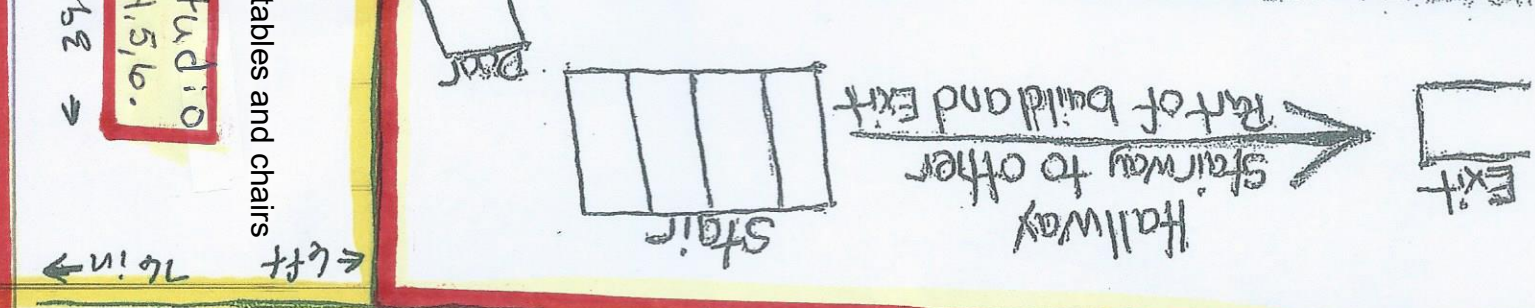
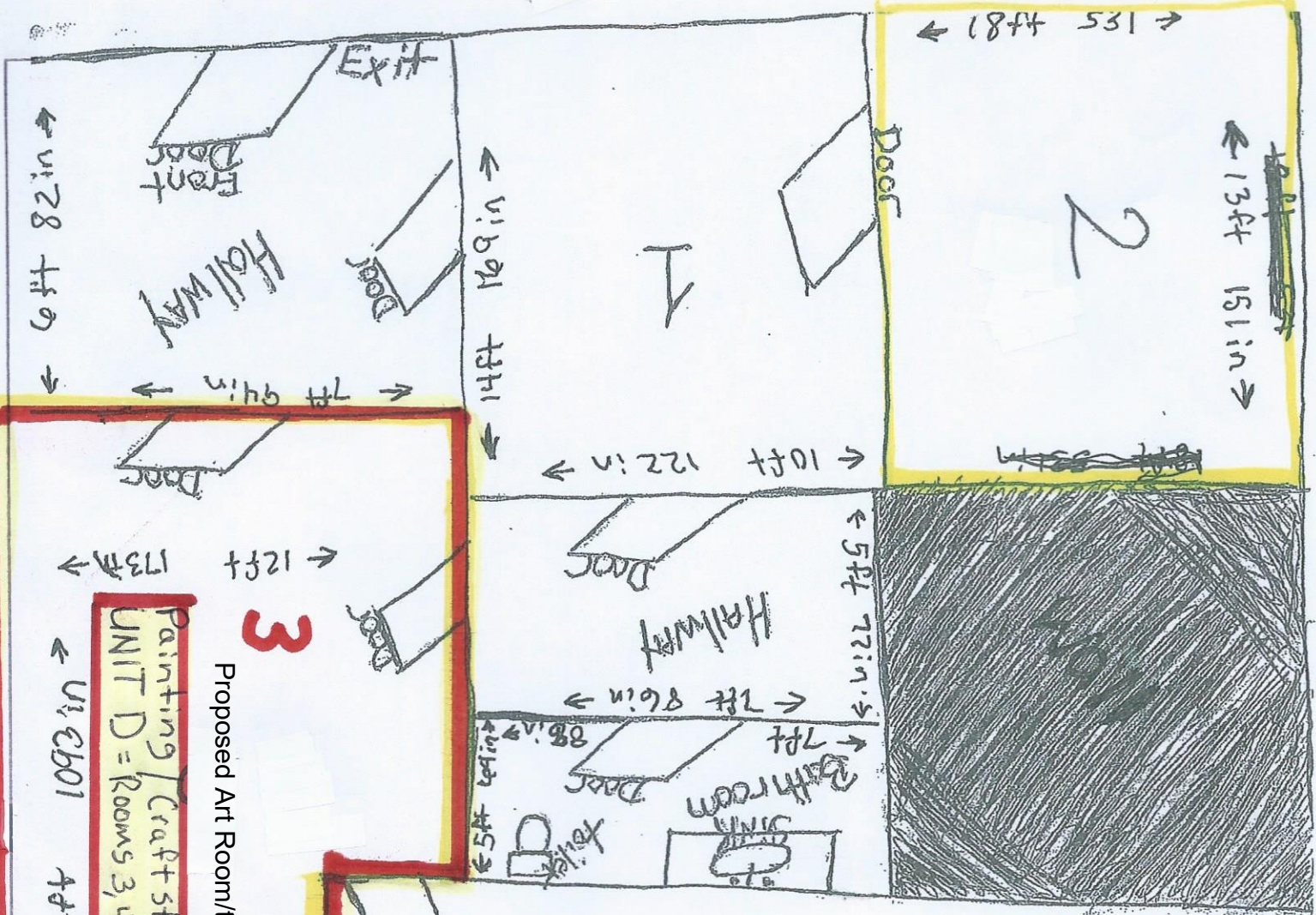
Subject Area



MORRISON STREET (60')
CONCRETE PAVEMENT (FAIR CONDITION) PUBLIC ROADWAY



FOA
CONCRETE PAVEMENT
CONCRETE CURB
ASPHALT PAVEMENT
ENT.\EXIT
10" MAPLE
ENT.\EXIT
4" MAPLE
GREEN AREA
4" MAPLE
STAIRS
135.00
GRASS 13.0'±
RAMP TO BASEMENT
12.8'±
9.7'±
CONCRETE VARIES GF
30.08
Bathroom
Hallway Exit
CONCRETE
158.97
MAIL BOX
GRASS
CONCRETE SIDEWALK
GRASS
91.88
Proposed Paint/Craft Studio w/Alcohol Sales Lower Level 892 sq.ft. Unit D Rooms 3,4,5 and 6 (Yellow highlight area above)
81.81
FIRE EARTH POTTERY
10.2'±
33.07
14.31
54.1'±
6' CYCLONE FENCE
6' WOOD FENCE
6" ASH
12" MAPLE
NEW ASPHALT PAVEMENT
NEW FENCE
CONCRETE RETAINING WALL
CONCRETE PAVEMENT (TO REMAIN)
REFUSE STORAGE
CONCRETE PAVEMENT (TO REMAIN)
LOADING ZONE
30'
8" MAPLE
12'
30' CURB OPENING
30'
ASH
N00°02'07" W 107.20
26'
CONCRETE CURB
GREEN AREA
SIDEWALK
SILT FENCE
GRASS
SNOW STORAGE AREA
PVC ELECTRICAL SUPPLY
6" MAPLE
GREEN AREA
CONCRETE CURB
CONCRETE CURB
GRASS
ASPHALT PAVEMENT
19' (TYPICAL)
10" MAPLE
ENT.\EXIT
26'
26'
N57°02'06" E 94.69
S89°57'50" E
BLOCK 57
LOT 19
NEW ASPHALT PAVEMENT
FREE STANDING CONCRETE CURB
BARRICADE
SILT FENCE
2 STORY HOUSE
PORCH
CONCRETE STEPS
N89°54'42" W 215.00
TAX KEY NO.: 2-0585-00
S00°13'22" E
6' WC
DEC ROU



Other side of business

E

W

N

Original Alcohol Beverage Retail License Application

(Submit to municipal clerk.)

For the license period beginning: 07-01-2021 ending: 06-30-2022
(mm dd yyyy) (mm dd yyyy)

To the Governing Body of the: Town of } Appleton
 Village of }
 City of }

County of Outagamie Aldermanic Dist. No. _____
 (if required by ordinance)

Check one: Individual Limited Liability Company
 Partnership Corporation/Nonprofit Organization

Applicant's Wisconsin Seller's Permit Number <u>[REDACTED]</u>	
FEIN Number <u>[REDACTED]</u>	
TYPE OF LICENSE REQUESTED	FEE
<input type="checkbox"/> Class A beer	\$
<input checked="" type="checkbox"/> Class B beer	\$ <u>100</u>
<input type="checkbox"/> Class C wine	\$
<input type="checkbox"/> Class A liquor	\$
<input type="checkbox"/> Class A liquor (cider only)	\$ N/A
<input type="checkbox"/> Class B liquor	\$
<input type="checkbox"/> Reserve Class B liquor	\$
<input type="checkbox"/> Class B (wine only) winery	\$
Publication fee	\$ <u>60</u>
TOTAL FEE	\$ <u>160</u>

Name (individual / partners give last name, first, middle; corporations / limited liability companies give registered name)
Tee Tee's Nachos LLC

An "Auxiliary Questionnaire," Form AT-103, must be completed and attached to this application by each individual applicant, by each member of a partnership, and by each officer, director and agent of a corporation or nonprofit organization, and by each member/manager and agent of a limited liability company. List the full name and place of residence of each person.

President / Member Last Name	(First)	(Middle Name)	Home Address (Street, City or Post Office, & Zip Code)
<u>Thornton</u>	<u>Timasha</u>	<u>F</u>	<u>500 S Pierce Ave Appleton, WI 54914</u>
Vice President / Member Last Name	(First)	(Middle Name)	Home Address (Street, City or Post Office, & Zip Code)
<u>Lewis</u>	<u>Junitha</u>	<u>L</u>	<u>311 S tools st Apt 1 Appleton, WI 54914</u>
Secretary / Member Last Name	(First)	(Middle Name)	Home Address (Street, City or Post Office, & Zip Code)
<u>Durnell</u>	<u>Jasmonique</u>	<u>D</u>	<u>500 S Pierce Ave Appleton, WI 54914</u>
Treasurer / Member Last Name	(First)	(Middle Name)	Home Address (Street, City or Post Office, & Zip Code)
<u>Thornton</u>	<u>James</u>	<u>D</u>	<u>500 S Pierce Ave Appleton, WI 54914</u>
Agent Last Name	(First)	(Middle Name)	Home Address (Street, City or Post Office, & Zip Code)
<u>Thornton</u>	<u>Timasha</u>	<u>F</u>	<u>500 S Pierce Ave Appleton, WI 54914</u>
Directors / Managers Last Name	(First)	(Middle Name)	Home Address (Street, City or Post Office, & Zip Code)
<u>Thornton</u>	<u>Janiya</u>	<u>D</u>	<u>500 S Pierce Ave Appleton, WI 54914</u>

1. Trade Name Tee Tee's Nachos Business Phone Number _____

2. Address of Premises 250 N Morrison St Unit D Post Office & Zip Code Appleton, WI 54911

3. Premises description: Describe building or buildings where alcohol beverages are to be sold and stored. The applicant must include all rooms including living quarters, if used, for the sales, service, consumption, and/or storage of alcohol beverages and records. (Alcohol beverages may be sold and stored only on the premises described.)

We are consuming in unit D and storing in unit D in the sack storage rooms. Base on the Diagram unit D is number 3, 4, 5.

4. Legal description (omit if street address is given above): _____

5. (a) Was this premises licensed for the sale of liquor or beer during the past license year? Yes No

(b) If yes, under what name was license issued? _____

6. Is individual, partners or agent of corporation/limited liability company subject to completion of the responsible beverage server training course for this license period? **If yes, explain** Yes No
7. Is the applicant an employe or agent of, or acting on behalf of anyone except the named applicant? Yes No
If yes, explain.
8. Does any other alcohol beverage retail licensee or wholesale permittee have any interest in or control of this business? **If yes, explain** Yes No
9. (a) **Corporate/limited liability company applicants only:** Insert state _____ and date _____ of registration.
- (b) Is applicant corporation/limited liability company a subsidiary of any other corporation or limited liability company? **If yes, explain** Yes No
- (c) Does the corporation, or any officer, director, stockholder or agent or limited liability company, or any member/manager or agent hold any interest in any other alcohol beverage license or permit in Wisconsin? **If yes, explain.** Yes No
10. Does the applicant understand they must register as a Retail Beverage Alcohol Dealer with the federal government, Alcohol and Tobacco Tax and Trade Bureau (TTB) by filing (TTB form 5630.5d) before beginning business? [phone 1-877-882-3277] Yes No
11. Does the applicant understand they must hold a Wisconsin Seller's Permit? [phone (608) 266-2776] Yes No
12. Does the applicant understand that they must purchase alcohol beverages only from Wisconsin wholesalers, breweries and brewpubs? Yes No

READ CAREFULLY BEFORE SIGNING: Under penalty provided by law, the applicant states that each of the above questions has been truthfully answered to the best of the knowledge of the signer. Any person who knowingly provides materially false information on this application may be required to forfeit not more than \$1,000. Signer agrees to operate this business according to law and that the rights and responsibilities conferred by the license(s), if granted, will not be assigned to another. (Individual applicants, or one member of a partnership applicant must sign; one corporate officer, one member/manager of Limited Liability Companies must sign.) Any lack of access to any portion of a licensed premises during inspection will be deemed a refusal to permit inspection. Such refusal is a misdemeanor and grounds for revocation of this license.

Contact Person's Name (Last, First, M.I.) Thornton Timasha F	Title/Member President	Date 10-8-2021
Signature <i>Timasha F Thornton</i>	Phone Number [REDACTED]	Email Address [REDACTED]

TO BE COMPLETED BY CLERK

Date received and filed with municipal clerk 10-8-21	Date reported to council / board	Date provisional license issued	Signature of Clerk / Deputy Clerk
Date license granted	Date license issued	License number issued	



City of Appleton

Alcohol License Questionnaire

1. Name of Applicant: Timasha Thornton

2. Name of Business: Tee Tee's nachos

(Check Applicable Box(s) to identify primary business activity)

- Restaurant
- Tavern/Night Club/Wine Bar
- Microbrewery/Brewpub
- Painting/Craft Studio
- Other (describe) _____

3. Address of Business: 550 N Morrison St Appleton, WI

4. Have you or any member of your organization ever been convicted of a misdemeanor or ordinance violation? Yes No

AND/OR been convicted of a felony? Yes _____ No

If yes to either question, please explain in detail below:

Family Fight

5. List all partners, shareholders or investors of your business. Include full name, middle initial and date of birth. Please use additional sheets if necessary.

<u>Jynitra</u>	<u>L</u>	<u>Lewis</u>	●	/	●	/	●●●●
First name	M.I.	Last name			Date of Birth		
<u>Jasmonique</u>	<u>D</u>	<u>Purwell</u>	●	/	●	/	●●●●
First name	M.I.	Last name			Date of Birth		
<u>James</u>	<u>D</u>	<u>Thornton</u>	●	/	●	/	●●●●
First name	M.I.	Last name			Date of Birth		
<u>Janiya</u>	<u>D</u>	<u>Thornton</u>	●	/	●	/	●●●●
First name	M.I.	Last name			Date of Birth		

6. Name of person/corporation you are buying the premise and equipment from?

Name: Timasha L Thornton

First name Middle Initial Last name

Address: 500 S Pierce Ave Appleton WI 54914

City State ZIP

7. What was the previous name and primary nature of the business operating at this location?

Name: N/A

(Check Applicable Box(s) to identify primary business activity)

- Restaurant
 Tavern/Night Club/Wine Bar
 Microbrewery/Brewpub
 Painting/Craft Studio
 Other (describe) _____

8. Was this premise licensed for alcohol sales/consumption during the past license year?

Yes _____ If yes, please contact the Community and Economic Development Department at 832-6468 about obtaining a copy of an existing Special Use Permit and related requirements that may run with property.

No If no, please contact the Community and Economic Development Department at 832-6468 about obtaining a Special Use Permit. A Special Use Permit may be required for your business activity prior to the issuance of a Liquor License, pursuant to the City of Appleton Zoning Ordinance.

9. If alcohol sales were a previous use in this building, when did the operation cease?

N/A months ago.

10. Seating capacity: Inside 15 Outside 0

11. Operating hours (Inside the building): Monday-Saturday 9am-10pm
Operating hours (Outdoor seating areas): Monday-Saturday 9am-6pm

12. Employees/Staff

Number of floor personnel 2 Number of door checkers 1

13. In general, state the size and operational details of the proposed establishment:

- a. Gross floor building area of the premises to be licensed: 892 square feet.
b. Gross outdoor seating areas of the premises to be licensed: ----- square feet.
c. Below, identify the operational details of the proposed establishment:

Painting/Craft studio while drinking
Beer, and serving nachos.

Amasha M. O.
Signature

10-8-2021
Date

Schedule for Appointment of Agent by Corporation / Nonprofit Organization or Limited Liability Company

Submit to municipal clerk.

All corporations/organizations or limited liability companies applying for a license to sell fermented malt beverages and/or intoxicating liquor must appoint an agent. The following questions must be answered by the agent. The appointment must be signed by an officer of the corporation/organization or one member/manager of a limited liability company and the recommendation made by the proper local official.

To the governing body of: Town Village City of Appleton County of Outagamie

The undersigned duly authorized officer/member/manager of Tee Tee's Nachos
(Registered Name of Corporation / Organization or Limited Liability Company)

a corporation/organization or limited liability company making application for an alcohol beverage license for a premises known as Tee Tee's Nachos
(Trade Name)

located at 550 N Morrison St Appleton, WI

appoints Timasha Thornton
(Name of Appointed Agent)

500 S Pierce Ave Appleton, WI
(Home Address of Appointed Agent)

to act for the corporation/organization/limited liability company with full authority and control of the premises and of all business relative to alcohol beverages conducted therein. Is applicant agent presently acting in that capacity or requesting approval for any corporation/organization/limited liability company having or applying for a beer and/or liquor license for any other location in Wisconsin?

Yes No If so, indicate the corporate name(s)/limited liability company(ies) and municipality(ies).
Tee Tee's Nachos

Is applicant agent subject to completion of the responsible beverage server training course? Yes No

How long immediately prior to making this application has the applicant agent resided continuously in Wisconsin? 44 years

Place of residence last year 500 S Pierce Ave Appleton, WI

For: Tee Tee's Nachos
(Name of Corporation / Organization / Limited Liability Company)

By: [Signature]
(Signature of Officer / Member / Manager)

Any person who knowingly provides materially false information in an application for a license may be required to forfeit not more than \$1,000.

ACCEPTANCE BY AGENT

I, Timasha Thornton, hereby accept this appointment as agent for the
(Print / Type Agent's Name)

corporation/organization/limited liability company and assume full responsibility for the conduct of all business relative to alcohol beverages conducted on the premises for the corporation/organization/limited liability company.

[Signature] 10-8-2021
(Signature of Agent) (Date)

Agent's age 44

500 S Pierce Ave Appleton, WI
(Home Address of Agent)

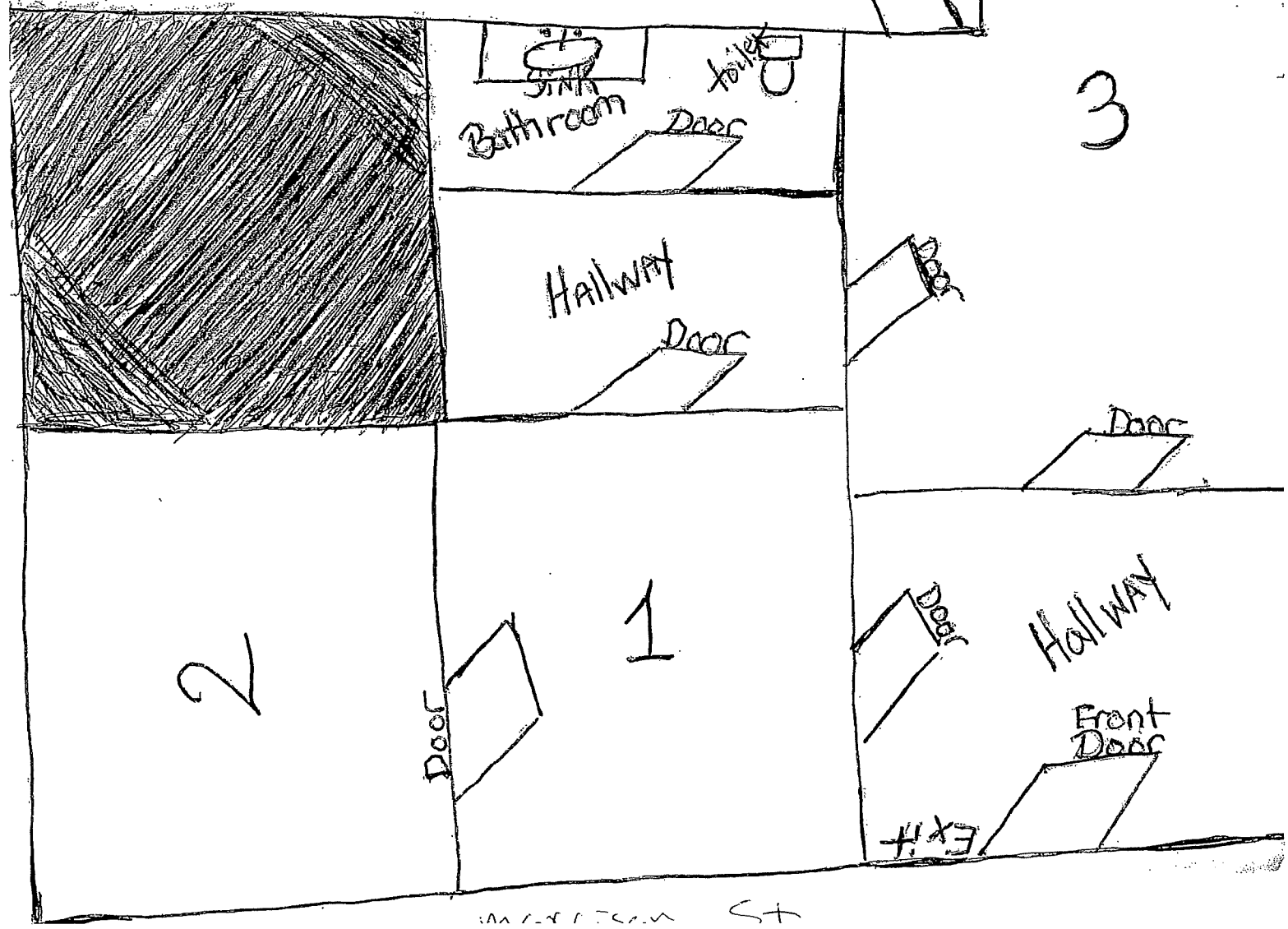
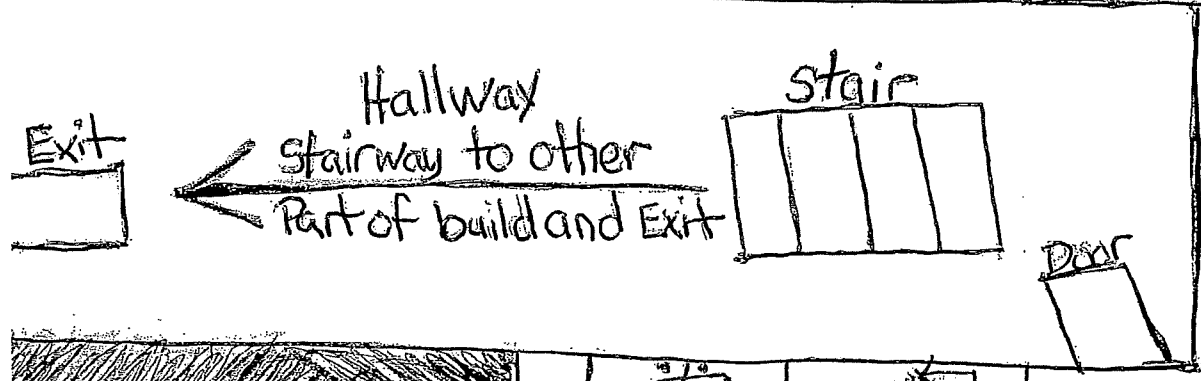
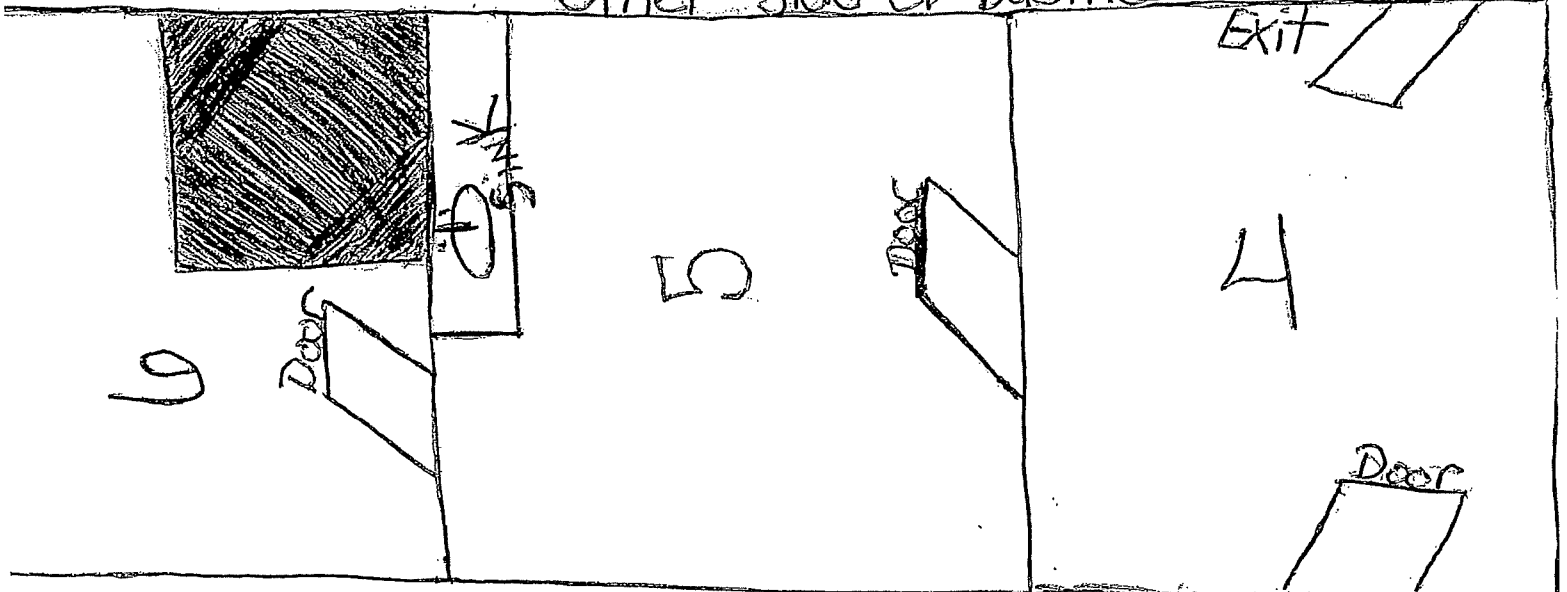
Date of birth [Redacted]

APPROVAL OF AGENT BY MUNICIPAL AUTHORITY (Clerk cannot sign on behalf of Municipal Official)

I hereby certify that I have checked municipal and state criminal records. To the best of my knowledge, with the available information, the character, record and reputation are satisfactory and I have no objection to the agent appointed.

Approved on _____ by _____ Title _____
(Date) (Signature of Proper Local Official) (Town Chair, Village President, Police Chief)

Other side of business





REPORT TO CITY PLAN COMMISSION

New Information identified *Bold, Italic and strikethrough*

Plan Commission Public Hearing Date: November 10, 2021

Plan Commission Meeting Dates: *Held at November 10, 2021 meeting to December 8, 2021 meeting*

Common Council Meeting Date: ~~November 17, 2021~~ *December 15, 2021*

Item: Special Use Permit #3-21 for Paint/Craft Studio with Alcohol Sales

Case Manager: Don Harp, Principal Planner

GENERAL INFORMATION

Owner: Alan Ament

Applicant: Timasha Thornton, Tee Tees Nachos, paint/craft studio with alcohol sales

Address/Parcel #: 550 North Morrison Street, Unit D – Rooms 3, 4, 5 and 6 (Tax Id #31-2-0586-00)

Petitioner's Request: The applicant is requesting a Special Use Permit for a paint/craft studio with alcohol sales.

BACKGROUND

On March 18, 2020, the Common Council adopted ordinances 24-20 - 57-20 related to Chapter 23 of the Zoning Ordinance relating to allowing paint/craft studios with alcohol sales by Special Use Permit in the CBD Central Business District, C-2 General Commercial District and C-1 Neighborhood Mixed Use District.

Painting/Craft Studio with alcohol sales means a use that is primarily engaged in the business of providing to customers instruction in the art of painting and/or making crafts and that offers customers the opportunity to purchase food and alcoholic beverages for consumption while they paint and/or make crafts.

On October 8, 2021, the applicant applied for and filed a Class B Beer license with the City Clerk's Office.

On November 10, 2021, the Plan Commission held this item until their December 8, 2021 meeting to allow time for the applicant to attend the Plan Commission meeting to address questions related to the daily business operations.

On November 16, 2021, staff contacted the applicant by telephone and via email to provide an update of what happened at the November 10, 2021 Plan Commission meeting. Staff recommended the applicant make arrangements to attend the December 8, 2021 Plan Commission meeting to answer any questions that may be asked about the daily business operations of the proposed paint/craft studio use.

STAFF ANALYSIS

Project Summary: The applicant proposes to establish a painting/craft studio with alcohol sales. The proposed painting/craft studio with alcohol sales will occupy approximately 892 feet in a lower level tenant space (Unit D, Rooms 3, 4, 5, and 6) of the existing building. The operations of the business will primarily focus on the production of arts and crafts, and the service of beer is offered as an additional amenity (customers are not required to purchase alcohol). The proposed alcohol service will be ancillary and subordinate to the primary use as a painting/crafts studio (i.e., an amenity for the customers).

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

Outdoor Seating Area: No outdoor alcohol sales and service is requested with this application.

Existing Site Conditions: The existing multi-tenant building totals approximately 17,800 square feet, including other lower level, first and second floor commercial uses. The 32,288 square foot site also includes a 43 stall off-street parking lot. Access is provided by curb cuts on North Morrison Street and East Pacific Street.

Current Zoning and Procedural Findings: The subject property has a zoning designation of C-2 General Commercial District. Per Section 23-113(e) of the Municipal Code, a paint/craft studio with alcohol sales requires a Special Use Permit in the C-2 District. The Plan Commission makes a recommendation to the Common Council who will make the final decision on the Special Use Permit. A two-thirds 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 commercial and residential in nature.

North: R-1C Central City Residential District and CBD Central Business District. The adjacent land uses to the north are currently a mix and single-family residential and the railroad.

South: R-2 Two-family District and R-1C Central City Residential District. The adjacent land uses to the south are currently a mix of single and two-family residential.

East: C-2 General Commercial District, R-2 Two-family District and R-1C Central City Residential District. The adjacent land uses to the east are currently a mix of single and two-family residential.

West: CBD Central Business District and P-I Public Institutional District. The adjacent land uses to the west are Appleton Area School District facility office building and railroad tracks.

Appleton Comprehensive Plan 2010-2030: Community and Economic Development staff has reviewed this proposal and determined it is compatible with the Mixed Use District 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.

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.

Technical Review Group (TRG) Report: This item originally appeared on the October 19, 2021 TRG agenda. No negative comments were received from participating departments.

The following TRG comments are provided for additional background history:

Health Department and City Clerk's Office: On September 29, 2021, staff met with the applicant to obtain clarification on the responses listed on the initial liquor license application. In this meeting, the applicant was informed to contact the Community and Economic Development Department to discuss the Special Use Permit process.

Community and Economic Development Department: On September 30, 2021, staff had an initial conversation with the applicant and an email follow up explaining the Special Use Permit process for the proposed paint/craft studio with alcohol sales. Staff assisted the applicant with completing the Special Use Permit application form and provided the applicant with written correspondence on October 11, 2021, October 27, 2021, and November 4, 2021, of the initial date, time and location of the Plan Commission meeting held on November 10, 2021.

Inspections Division and Health Department: An on-site inspection of the premises was conducted on October 1, 2021 by the Inspections Division and Health Department staff. The following items were discussed with the applicant:

- 1. Food Preparation: The need for a grease hood. The applicant decided to use pre-cooked ground beef for the nachos. Since no longer planning to cook from raw meat, a grease hood would no longer needed.*

2. *Kitchen Area Improvements: The carpeting will need to be replaced with an approved floor covering, the installation of approved warewashing sinks, prep sink, mop sink, handwash sink, a grease trap and other equipment requirements.*
3. *Scaled floor plan: A scaled floor plan identifying room dimensions, restroom location with fixtures, room exits and details about the proposed use of the respective lease area would need to be prepared and be submitted to the Inspections Division for review.*
4. *Occupancy limits: Inspections indicated, 15 person maximum occupant limit for Units C and D – Rooms numbers 1, 2, 3, 4, 5 and 6 because the lease area only has one toilet fixture in the restroom. Adding an additional toilet, restroom, would allow a total of 80 occupants per DSPS building codes (Table 2902.1).*
5. *Exit Doors: The maximum number occupants that can occupy the lease area for one exit door is 49 persons per DSPS building codes (DSPS Table 1006.2.1). Two code compliant exit doors within the lease area would require additional review to establish maximum number of occupants.*

NOTE: The second door located on south wall of Unit 4 is labeled as an exit but is not a legal exit as it leads through an adjacent,/independent lease space to reach the actual exit door.

6. *Expectations: The applicant was asked to submit a scaled floor plan to the Inspections Division for their review so further assistance can be provided related to satisfying the applicable Building Codes.*

Health Department: On November 16, 2021, staff contacted the applicant. The applicant indicated the carpeting in the proposed kitchen area was replaced with new floor covering. A plumbing contractor was hired and is in the process of drawing up plans to submit to the Health Department and the Plumbing Inspector for review.

Zoning Ordinance Requirements and Substantial Evidence: When reviewing an application for a Special Use Permit, the City must determine if the applicant's proposal satisfies Municipal Code requirements and conditions. Pursuant to Section 23-66(c)(5) of the Municipal Code, the Plan Commission and Common Council must provide substantial evidence supporting their decision to approve, approve with conditions, or deny the Special Use Permit. Substantial evidence means "facts and information, other than merely personal preferences or speculation, directly pertaining to the requirements and conditions an applicant must meet to obtain a Special Use Permit and that reasonable persons would accept in support of a conclusion." Any requirements and conditions listed for approval must be reasonable, and to the extent practicable, measurable.

Section 23-172(m) of the Municipal Code requires a minimum number of off-street parking spaces based on the use of a property. In this case, the property has historically functioned as a shopping center building, per Assessor's Office records. The proposal will not increase the gross floor area of the existing multi-tenant building. Therefore, additional off-street parking spaces are not required for the applicant's request.

Finding of Fact: This request was reviewed in accordance with the standards (proper zoning district, district regulations, special regulations, comprehensive plan and other plans, traffic, landscaping and screening, neighborhood compatibility, and impact on services) for granting a Special Use Permit under

Section 23-66(e)(1-8) of the Municipal Code, which were found in the affirmative, as long as all stipulations are satisfied.

The proposed alcohol service will be ancillary and subordinate to the primary use as a painting/crafts studio (i.e., an amenity for the customers). With the implementation of proposed stipulations of approval, the proposed use is not expected to cause or aggravate any problems in the neighborhood created by the sale of alcohol such as disturbance of the peace, excessive loud noises, traffic violations, or impact on city services.

RECOMMENDATION

Staff recommends, based on the above analysis, that Special Use Permit #3-21 for a paint/craft studio with alcohol sales located at 550 North Morrison Street Unit D – Rooms 3, 4, 5 and 6 (Tax Id #31-2-0586-00) 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. The applicant shall receive approval of a Liquor License from the City Clerk prior to serving alcohol on the premises.

Substantial Evidence: This condition provides notice to the applicant that a Liquor License is also needed prior to serving alcohol.

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

Substantial Evidence: This condition is one of the special regulations included in Section 23-66(h)(6) of the Zoning Ordinance for this particular use.

3. The site shall be kept free of litter and debris.

Substantial Evidence: This condition is one of the special regulations included in Section 23-66(h)(6) of the Zoning Ordinance for this particular use.

4. All Zoning, Building, Fire, Engineering, Utility and other Municipal Codes, and all applicable State and Federal laws shall be complied with.

Substantial Evidence: This condition is one of the special regulations included in Section 23-66(h)(6) of the Zoning Ordinance for this particular use.

5. The serving and consumption of alcohol is limited to the interior lower level tenant space, as identified on the attached development plan and floor plan drawings. Any future expansions for the serving and/or consumption of alcohol may require a major or minor amendment request to this Special Use Permit, pursuant to Section 23-66(g) of the Municipal Code.

Substantial Evidence: Standardized condition that establishes parameters for the current application and identifies the process for review of any future changes to the special use.

6. The serving and consumption of alcohol is limited to customers who are participating in the production of an arts and crafts project.

Substantial Evidence: This condition provides notice to the applicant that alcohol can only be consumed by customers when they paint and/or make crafts which is specified in the definition term for "Painting/Craft Studio with alcohol sales" pursuant to Section 23-22 of the Zoning Ordinance.

7. This Special Use Permit is needed for a paint/craft studio with on-site alcohol sales and consumption. Compliance with the plan of operation is required at all times. Changes to the plan of operation, including any future changes to the agent/operator, shall be submitted to the Community and Economic Development Department for review and approval.

Substantial Evidence: Standardized condition that establishes parameters for the current application and identifies the process for review of any future changes to the special use.

**CITY OF APPLETON
RESOLUTION FOR SPECIAL USE PERMIT #3-21
PAINT/CRAFT STUDIO WITH ALCOHOL SALES
550 NORTH MORRISON STREET, UNIT D – LOWER LEVEL ROOMS 3, 4, 5 and 6**

WHEREAS, Timasha Thornton has applied for a Special Use Permit for Paint/Craft Studio with Alcohol Sales located at 550 North Morrison Street, Unit D – Lower Level Rooms 3, 4, 5 and 6 (Tax Id #31-2-0586-00); and

WHEREAS, the location for the proposed Paint/Craft Studio with Alcohol Sales is located in the C-2 General Commercial District, and the proposed use may be permitted by Special Use Permit within this zoning district pursuant to Chapter 23 of the Municipal Code. As defined by Chapter 23 of the Municipal Code, a Painting/Craft Studio with Alcohol Sales means a use that is primarily engaged in the business of providing to customers instruction in the art of painting and/or making crafts and that offers customers the opportunity to purchase food and alcoholic beverages for consumption while they paint and/or make crafts; and

WHEREAS, the City of Appleton Plan Commission held a public hearing on November 10, 2021 on Special Use Permit #3-21, at which all those wishing to be heard were allowed to speak or present written comments and other materials at the public hearing; and

WHEREAS, the City of Appleton Plan Commission has reviewed and considered the Community and Economic Development Department’s staff report and recommendation, as well as other spoken and written evidence and testimony presented at the public hearing and subsequent City Plan Commission meeting on December 8, 2021; and

WHEREAS, the City of Appleton Plan Commission reviewed the standards for granting a Special Use Permit under Sections 23-66(e)(1-8) of the Municipal Code; and

WHEREAS, the City of Appleton Plan Commission reviewed the standards for imposing conditions on the Special Use Permit under Section 23-66(c)(5) of the Municipal Code and forwarded Special Use Permit #3-21 to the City of Appleton Common Council with a favorable conditional 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 December 15, 2021.

NOW, THEREFORE, BE IT RESOLVED, DETERMINED AND ORDERED by the Common Council, based on Community and Economic Development Department’s staff report and recommendation, as well as other spoken and written evidence and testimony presented at the public hearing and Common Council meeting, and having considered the recommendation of the City Plan Commission, that the Common Council:

1. Determines all standards listed under Sections 23-66(e)(1-8) of the Municipal Code are found in the affirmative YES or NO (CIRCLE ONE)
2. If NO, the City of Appleton Common Council hereby denies Special Use Permit #3-21 for a Paint/Craft Studio with alcohol sales located at 550 North Morrison Street, Unit D – Lower Level Rooms 3, 4, 5 and 6

(Tax Id #31-2-0586-00), based upon the following standards and determinations: (List reason(s) why the Special Use Permit was denied)

3. If YES, the City of Appleton Common Council hereby approves Special Use Permit #3-21 for a Paint/Craft Studio with Alcohol Sales located at 550 North Morrison Street, Unit D – Lower Level Rooms 3, 4, 5 and 6 (Tax Id #31-2-0586-00), subject to the following conditions as they are related to the purpose of the City of Appleton Municipal Code and based on substantial evidence:

CONDITIONS OF APPROVAL FOR SPECIAL USE PERMIT #3-21

- A. The applicant shall receive approval of a Liquor License from the City Clerk prior to serving alcohol on the premises.
 - B. The use shall conform to the standards established in Chapter 9, Article III, Alcoholic Beverages, of the Appleton Municipal Code.
 - C. The site shall be kept free of litter and debris.
 - D. All Zoning, Building, Fire, Engineering, Utility and other Municipal Codes, and all applicable State and Federal laws shall be complied with.
 - E. The serving and consumption of alcohol is limited to the interior lower level tenant space, as identified on the attached development plan and floor plan drawings. Any future expansions for the serving and/or consumption of alcohol may require a major or minor amendment request to this Special Use Permit, pursuant to Section 23-66(g) of the Municipal Code.
 - F. The serving and consumption of alcohol is limited to customers who are participating in the production of an arts and crafts project.
 - G. This Special Use Permit is needed for a paint/craft studio with on-site alcohol sales and consumption. Compliance with the plan of operation is required at all times. Changes to the plan of operation, including any future changes to the agent/operator, shall be submitted to the Community and Economic Development Department for review and approval.
4. The City Clerk’s Office is hereby directed to give a copy of this resolution to the owner/applicant, Community and Economic Development Department, Inspections Division, and any other interested party.

Adopted this _____ day of _____, 2021.

Jacob A. Woodford, Mayor

ATTEST:

Kami Lynch, City Clerk

PLAN OF OPERATION AND LOCATIONAL INFORMATION

Business information:

Name of business: TEE TEES NACHOS LLC

Years in operation: New Business

(Check applicable proposed business activity(s) proposed for the premises)

- Restaurant
- Tavern/Night Club/Wine Bar
- Painting/Craft Studio
- Microbrewery/Brewpub (manufacturing a total of not more than 310,000 U.S. gallons of fermented malt beverages per calendar year)
- Brewery (manufacturing a total of more than 310,000 U.S. gallons of fermented malt beverages per calendar year)
- Winery (manufacturing of wine)
- Craft-Distillery (manufacturing a total of not more than 100,000 proof gallons of intoxicating liquor per calendar year)
- Distillery (manufacturing a total of more than 100,000 proof gallons of intoxicating liquor per calendar year)
- Tasting room offering fermented malt beverages, wine or intoxicating liquor for consumption and/or retail sales on the premises where the fermented malt beverages, wine or intoxicating liquor is manufactured and/or at an off-premises location associated with premises. Tasting rooms may include food sales.
- Other _____

Detailed explanation of proposed business activities:

Proposed to operate a painting/craft studio with alcohol sales by providing customers instruction in the art of painting and/or making crafts and offering customers the opportunity to purchase alcoholic beverages for consumption on-site while they paint and/or make crafts.

Existing gross floor area of building/tenant space, including outdoor spaces:

(square feet) 892 sq.ft. Unit D, Lower Level of Building Unit D, Room# 3,4,5 and 6. See floor plan

Proposed gross floor area of building/tenant space, including outdoor spaces:

(square feet) Same as existing, no change

Occupancy limits:

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.

Proposed Hours of Operation for Indoor Uses:

Day	From	To
Monday thru Thursday	9AM	10PM
Friday	9AM	10PM
Saturday	9AM	10PM
Sunday	N/A	N/A

Production/Storage information:

(Check applicable proposed business activity(s) proposed for the premises)

- Current production of fermented malt beverages: N/A U.S. gallons per year
- Proposed production of fermented malt beverages: N/A U.S. gallons per year
- Current production of wine: N/A U.S. gallons per year
- Proposed production of wine: N/A U.S. gallons per year
- Current production of intoxicating liquor: N/A proof gallons per year
- Proposed production of intoxicating liquor: N/A proof gallons per year
- None. If none, leave the following 2 storage questions blank.

Identify location of grains and/or juice, grapes, other fruits or other agricultural product storage and type of storage container(s) used:

Not Applicable to the proposed use.

Identify the storage location of spent grains and/or grapes, other fruits or other agricultural products and type of storage container(s) used:

Not Applicable to the proposed use.

Outdoor Space Uses:

(Check applicable outdoor space uses)

- Patio
- Deck
- Sidewalk Café
- Other _____.

None. If none, leave the following questions in this section blank.

Size: _____ square feet

Type of materials used and height of material to enclose the perimeter of the outdoor space:

- Fencing Landscaping Other _____ Height _____ feet

Is there any alcohol consumption incorporated within the outdoor facility? Yes No

If yes, please describe:

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 Space:

Day	From	To
Monday thru Thursday		
Friday		
Saturday		
Sunday		

NOTE: Hours of Operation for Outdoor Uses (Sidewalk Café with Alcohol):

*******Municipal Code Section 9-262(b)(4): The permit holder can begin serving alcoholic beverages in the sidewalk café at 4:00 p.m. Monday through Friday and 11:00 a.m. on Saturday and Sunday. All alcoholic beverages must be removed from the sidewalk café by 9:30 p.m.**

Describe Any Potential Noise Emanating From the Proposed Use:

Describe the noise levels anticipated from all equipment or other mechanical sources:
The noise level will be a medium level

Describe how the crowd noise will be controlled inside and outside the building:
by posting signs in and out the building, as well as reminding by staff

Off-Street Parking:

Number of spaces existing on-site: 43.00

Number of spaces proposed on-site: 0.00

Street Access:

Is street access to the subject property adequate or are any street improvements, such as a new turning lane, necessary to minimize impacts on traffic flow?

Existing driveway access is from North Morrison Street and Pacific Street. No accesses improvements are proposed with this request.

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:

Number of Employees:

Number of existing employees: 4

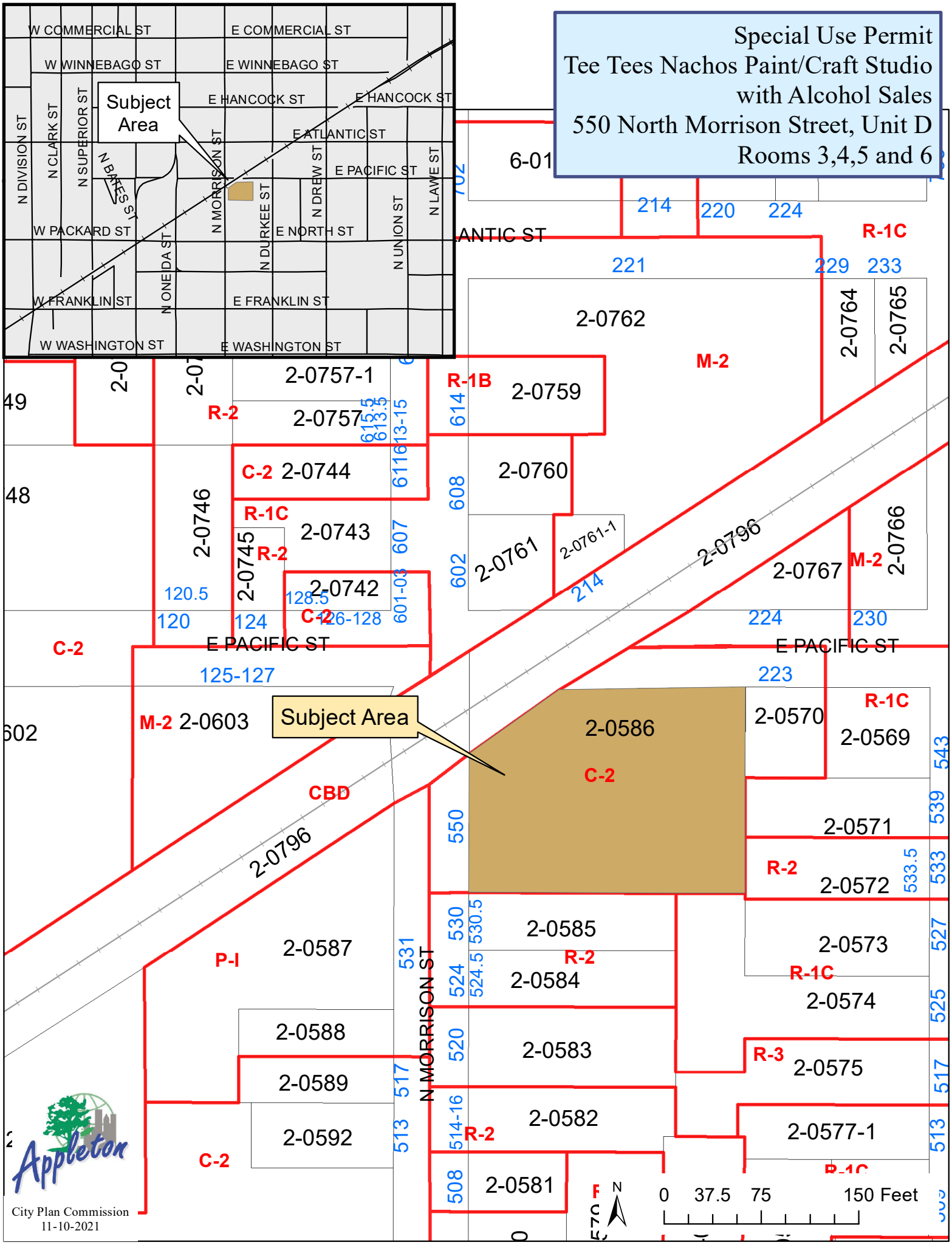
Number of proposed employees: 2

Number of employees scheduled to work on the largest shift: 3

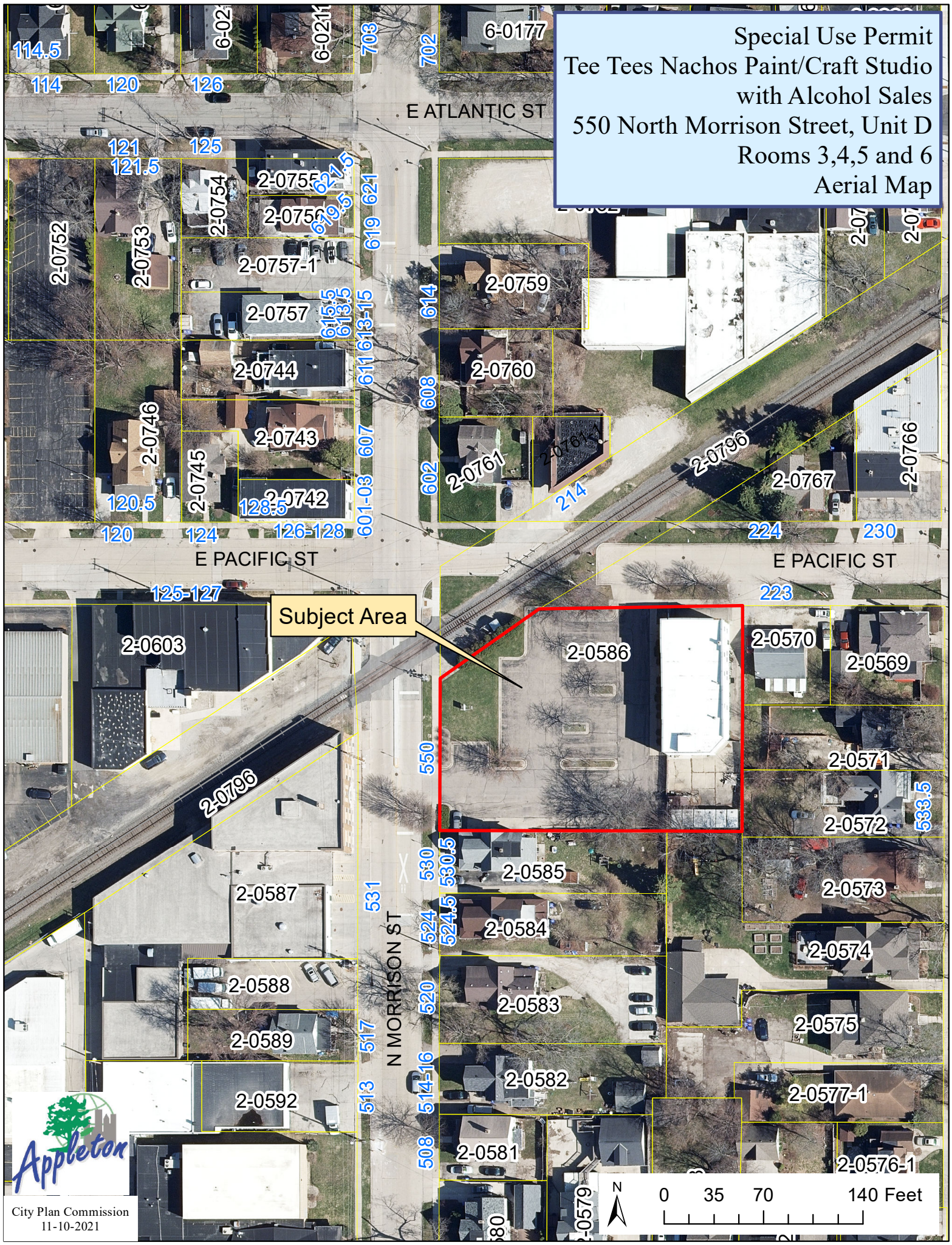
Special Use Permit
 Tee Tees Nachos Paint/Craft Studio
 with Alcohol Sales
 550 North Morrison Street, Unit D
 Rooms 3,4,5 and 6

Subject Area

Subject Area



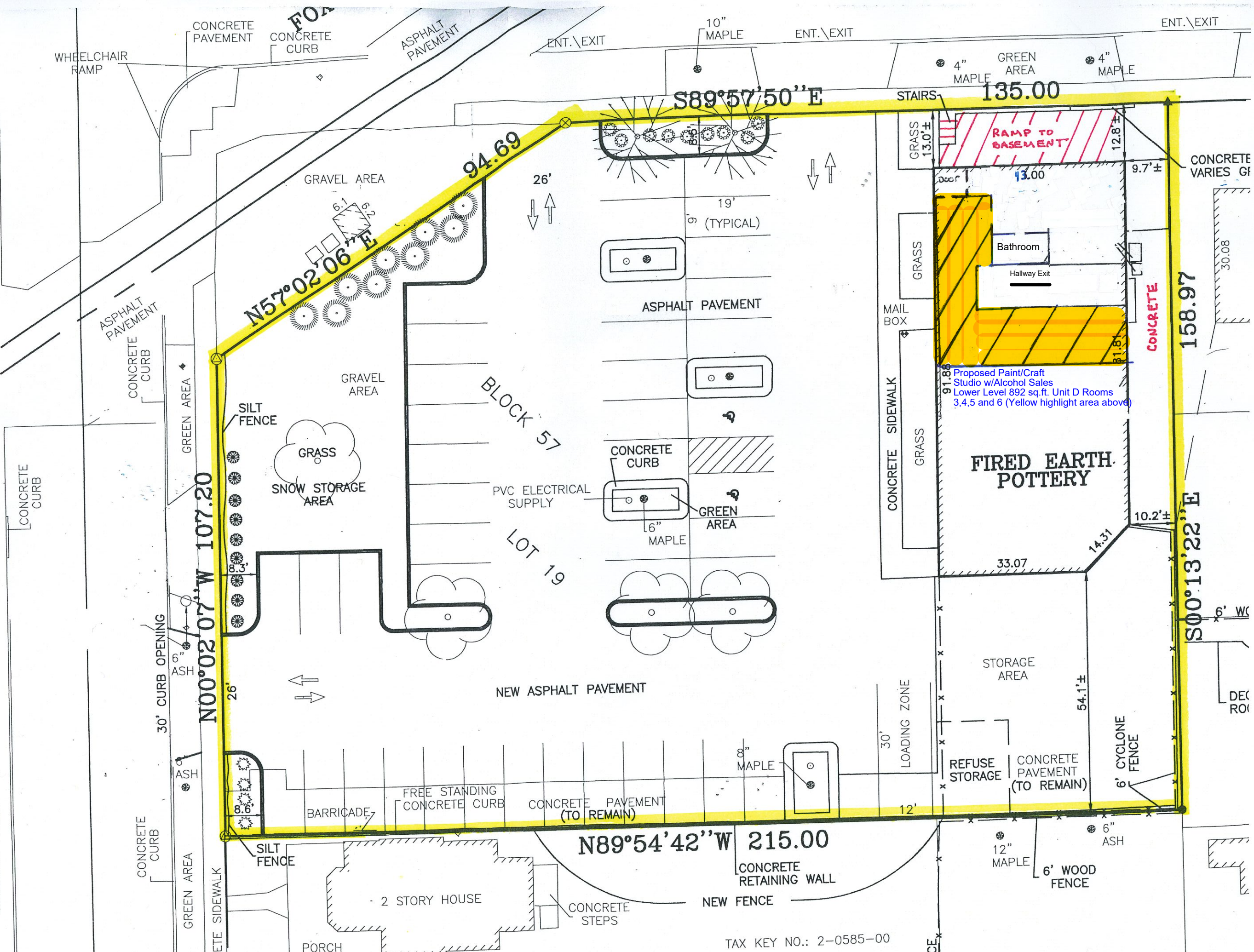
Special Use Permit
 Tee Tees Nachos Paint/Craft Studio
 with Alcohol Sales
 550 North Morrison Street, Unit D
 Rooms 3,4,5 and 6
 Aerial Map



Subject Area



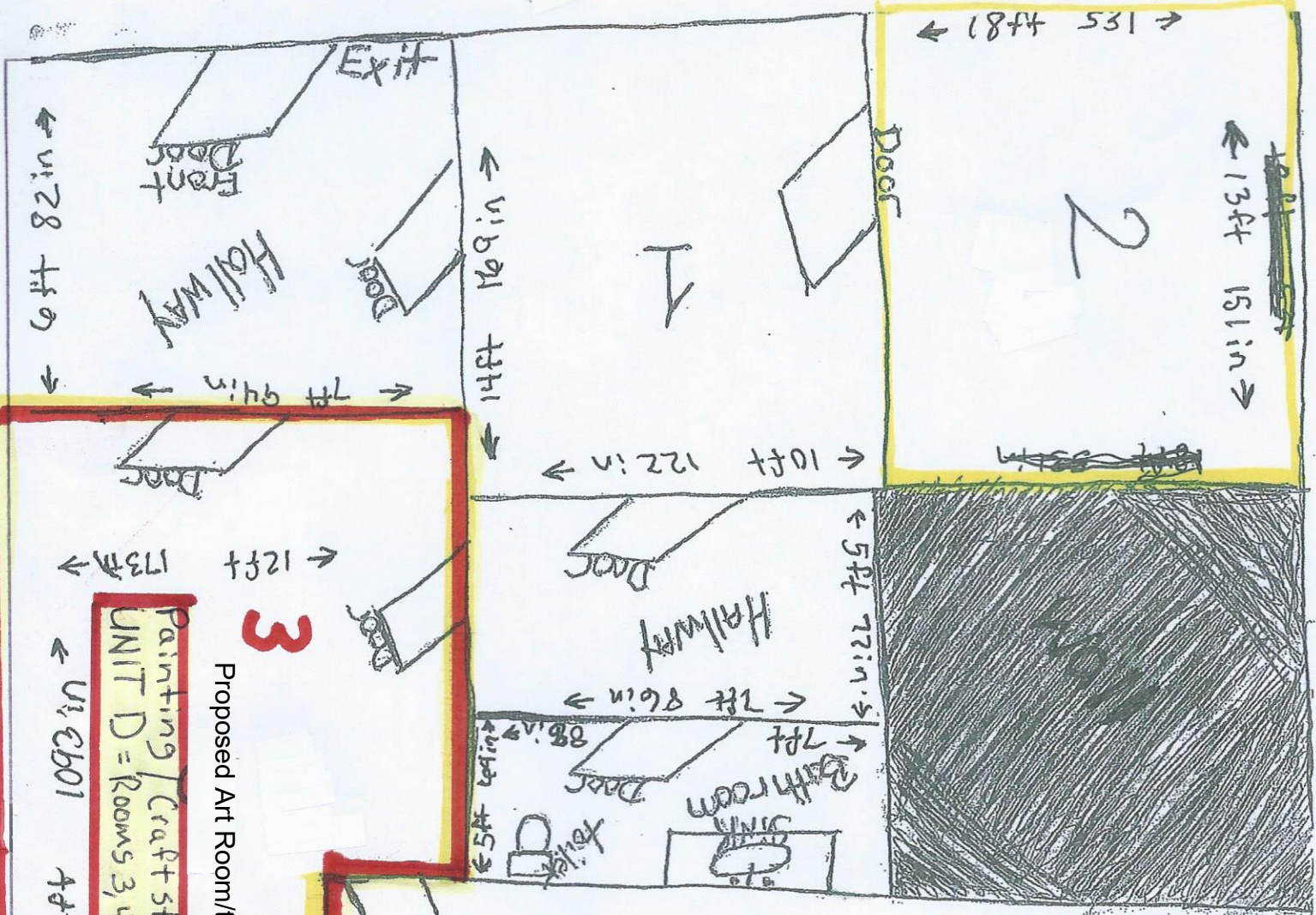
MORRISON STREET (60')
CONCRETE PAVEMENT (FAIR CONDITION) PUBLIC ROADWAY



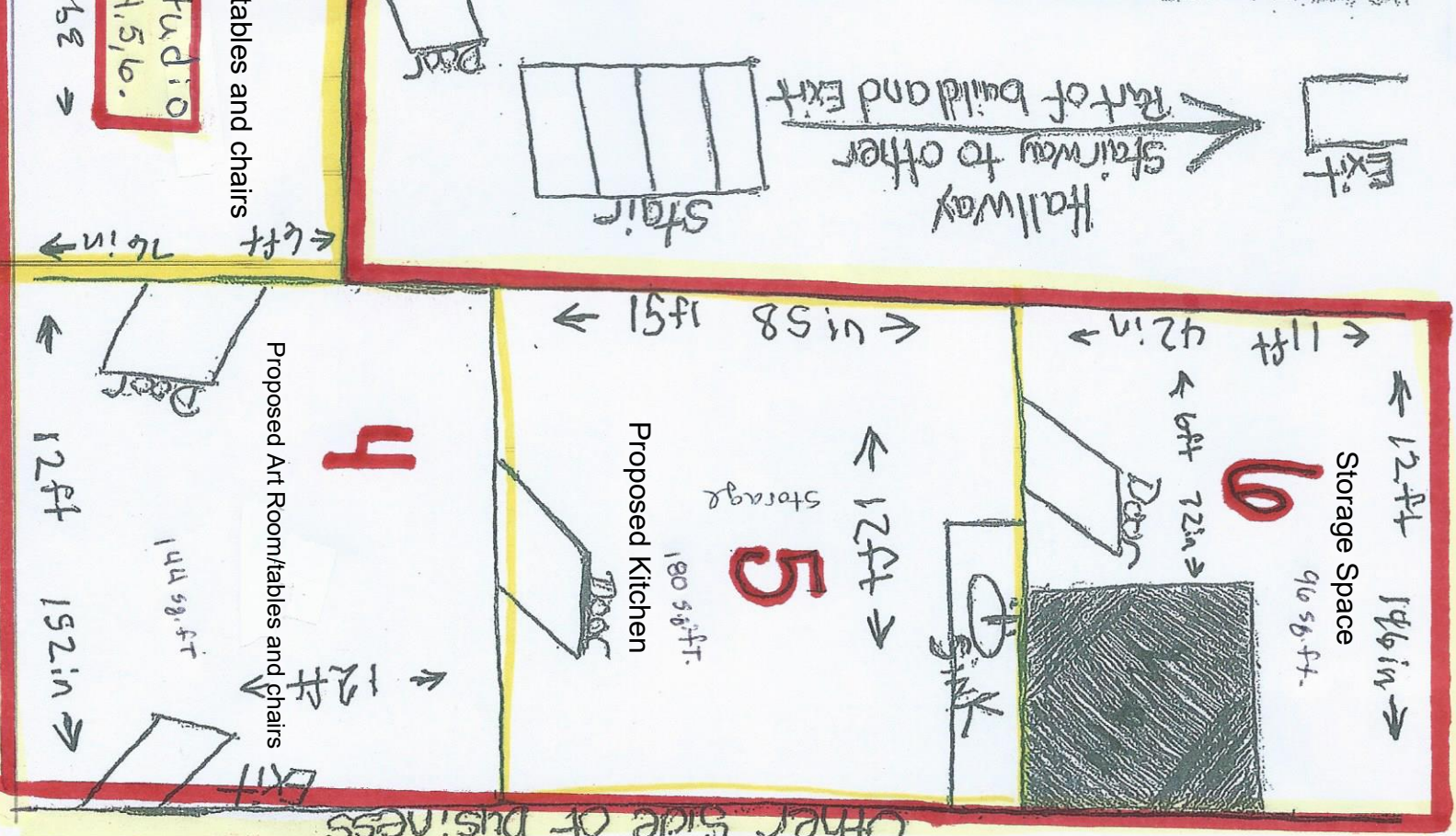
Proposed Paint/Craft Studio w/Alcohol Sales Lower Level 892 sq.ft. Unit D Rooms 3,4,5 and 6 (Yellow highlight area above)

TAX KEY NO.: 2-0585-00

2



E



Other side of business

5

W

W

W



"meeting community needs
.....enhancing quality of life"

REQUEST for

Alcohol License Premise Amendment

FEES ARE NON-REFUNDABLE		Date Recv'd <u>10/11/21</u>
License Fee	\$10.00/event	Acct: CLCAGP
Receipt	<u>2694-2</u>	

SECTION 1 – LICENSE INFORMATION

Name of Establishment	River Tyme Bistro		
Address of Establishment	425 W Water Street, Appleton 54915		
Name of Agent	Candice Mortara	Phone Number	

SECTION 2 – PREMISE AMENDMENT

Please describe the change in premises:
A drawing/diagram of the proposed area must also be submitted with this application
 Due to instability of the ground under the patio, and subsequent closing of our current patio, we would like to extend our liquor license to the ground level area to the West, East and South of the patio. (The area highlighted in green) This allows us to offer our customers outdoor dining with the option of cocktails, as well as allows us the flexibility of accommodating private event customers who need outdoor seating. Once the patio is stabilized, it will allow for much sought after additional outdoor seating. The closing of the patio has cut our revenue in half. Also, we request to extend to the rest of Unit 1. Again, we have private event requests for that room, and being able to accommodate them would help immensely. We greatly appreciate your consideration.

Is this change Permanent?	If this is temporary please specify the reason for the amendment:
<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	

Please list the date(s) and time(s) that this temporary premise amendment will be utilized:

SECTION 3 – PENALTY NOTICE

I certify that I am familiar with Section 9-52 of the Municipal Code of the City of Appleton and agree that any license granted under this application may be suspended for cause at any time by the Common Council.
 Under penalty of law, I swear that the information provided in this application is true and correct to the best of my knowledge and belief.
 Signature of Applicant: Candice L Mortara

FOR OFFICE USE ONLY

Department	Approve	Deny	By	Reason
Comm. Dev.				
Finance				
Fire				
Health				
Inspections				
Police				

WATER

RIGHT-OF-WAY

C.S.M.

LOT 1

NO. 7627

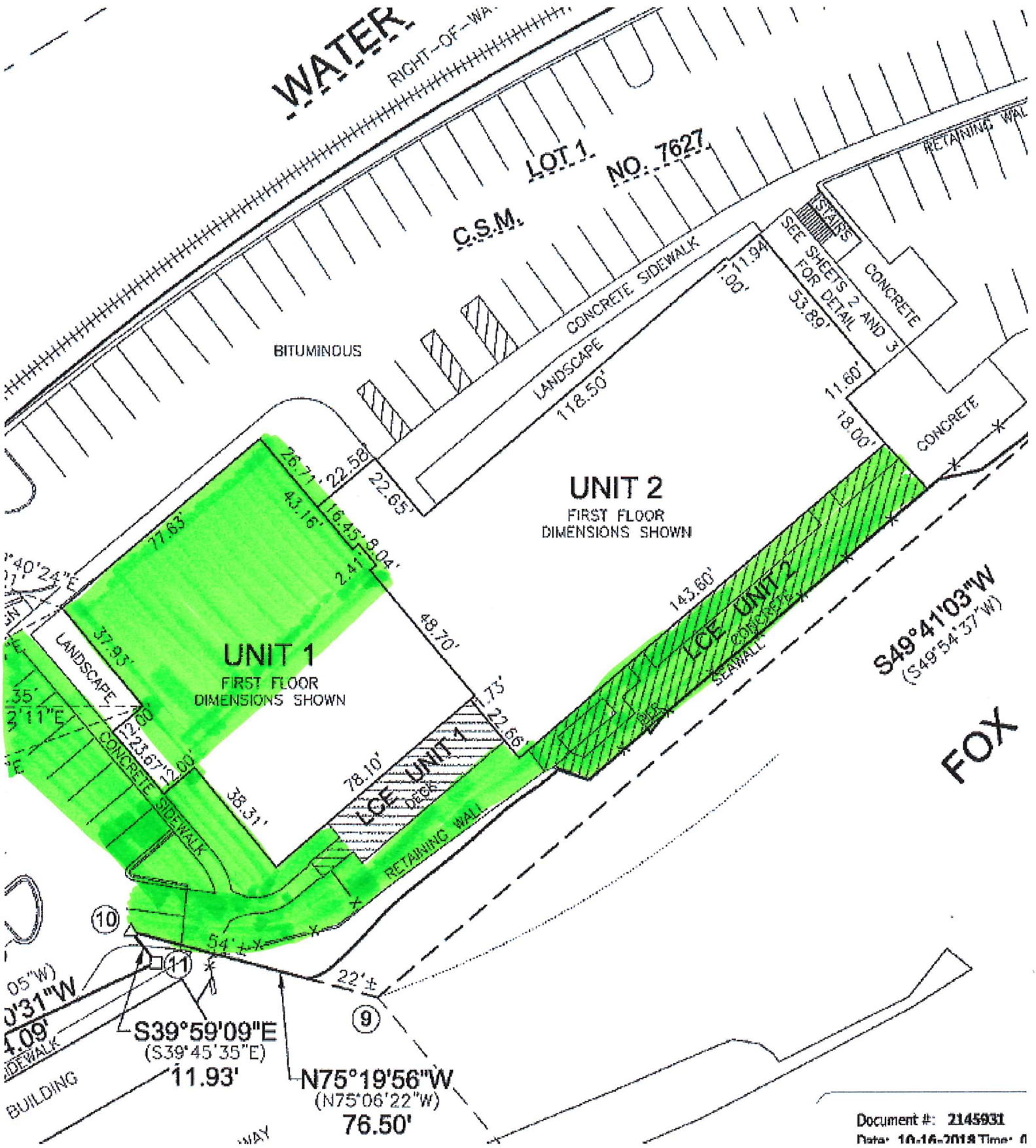
RETAINING WALL

UNIT 2
FIRST FLOOR
DIMENSIONS SHOWN

UNIT 1
FIRST FLOOR
DIMENSIONS SHOWN

S49°41'03"W
(S49°54'37"W)

FOX





REPORT TO SAFETY AND LICENSING COMMITTEE

Meeting Date: October 27, 2021

Premise Amendment Request Received from City Clerk's Office:
October 11, 2021

Item: Reserve "Class B" Liquor and Class "B" Beer License Permanent Premise Amendment Application for Fox River Boat Holdings Co. d/b/a River Tyme Bistro, Candice Mortara, Agent, Located at 425 W. Water Street Unit 100

From: Don Harp, Principal Planner

Pursuant to Section 9-77 of the Municipal Code and Section V. Procedures of the current General Policy Statement on Beer/Liquor Licensing, the Community and Economic Development Department investigation determines the following:

Outdoor Dining Request With or Without Alcohol Service

1. Currently, the site has 128 off-street parking spaces to accommodate customer and employee parking for the Atlas Mill building and Fratello's Riverfront Restaurant. In accordance with Sections 23-42(c) and 23-172(m) of the Zoning Ordinance, all existing off-street parking spaces shall be maintained as parking spaces. The proposed expansion of the outdoor dining into the 10 off-street parking spaces (highlighted green) located on the west side of the building will cause a deficiency of 10 parking spaces on the site.
2. The proposed expansion of the outdoor dining into the interior parking lot landscape island (highlighted green) located on the west side of the building will cause a deficiency in the required amount of interior parking lot landscape islands. In accordance with Section 23-172(f)(1)a. of the Zoning Ordinance, the interior parking lot landscape islands shall be maintained as is for their intended purpose.

Recommendation: Based on the above findings, staff recommends the request for alcohol license permanent premise amendment for the expansion of the outdoor dining with or without alcohol service within the 10 off-street parking spaces and the interior parking lot landscape islands (highlighted green) be ***DENIED*** because request causes the property to be ***NOT*** in compliance with Section(s) 23-42(c), 23-172(m) and 23-172(f)(1)a. of the Zoning Ordinance as specified above.

Interior Expansion Within Unit 1

3. Special Use Permit #01-06 was transferred to River Tyme Bistro on January 20, 2020 (see attached). Condition Number 2 of said transfer states, " Any future expansions into any area of building/property not part of this approval for the purpose of serving and/or consumption of

alcohol will require a *new Special Use Permit* application or a minor amendment request to be applied for and approved.”

Note: A new Special Use Permit has not been applied for by the owner/applicant. Approval of a new Special Use Permit for a restaurant with alcohol sales is required prior to the issuance of the amended liquor license.

Section III of the General Policy Statement on Beer/Liquor Licensing states, “Where required, no corporation, partnership or individual will be issued a beer/liquor license for the premises until a Special Use Permit application has been submitted. This would allow for the Community and Economic Development Department to review and determine whether or not the applicant must apply for and receive approval of a Special Use Permit pursuant to the current Zoning Code.”

Recommendation: Based on the above findings, the owner/applicant shall apply for and receive approval of a new Special Use Permit from the Common Council prior to the issuance of the request to expand alcohol service into the remaining area of Unit 1 located inside the building and the expanded outdoor premises area in compliance with all applicable Municipal Codes.

We recommend applicant/owner contact the Community and Economic Development Department at (920) 832-6468 to discuss the Special Use Permit approval process and assist with working out a solution to develop a proposal that satisfies the applicable Municipal Code regulations regarding the outdoor dining area.



"meeting community needs
.....enhancing quality of life"

REQUEST for

Alcohol License Premise Amendment

FEES ARE NON-REFUNDABLE		Date Recv'd <u>10/11/21</u>
License Fee	\$10.00/event	Acct: CLCAGP
Receipt	<u>2694-2</u>	

SECTION 1 – LICENSE INFORMATION				
Name of Establishment	River Tyme Bistro			
Address of Establishment	425 W Water Street, Appleton 54915			
Name of Agent	Candice Mortara			
Phone Number	920-209-7789			
SECTION 2 – PREMISE AMENDMENT				
<p>Please describe the change in premises: *A drawing/diagram of the proposed area must also be submitted with this application* Due to instability of the ground under the patio, and subsequent closing of our current patio, we would like to extend our liquor license to the ground level area to the West, East and South of the patio. (The area highlighted in green) This allows us to offer our customers outdoor dining with the option of cocktails, as well as allows us the flexibility of accommodating private event customers who need outdoor seating. Once the patio is stabilized, it will allow for much sought after additional outdoor seating. The closing of the patio has cut our revenue in half. Also, we request to extend to the rest of Unit 1. Again, we have private event requests for that room, and being able to accommodate them would help immensely. We greatly appreciate your consideration.</p>				
<p>Is this change Permanent?</p> <p><input checked="" type="checkbox"/> YES <input type="checkbox"/> NO</p>	<p>If this is temporary please specify the reason for the amendment:</p>			
<p>Please list the date(s) and time(s) that this temporary premise amendment will be utilized:</p>				
SECTION 3 – PENALTY NOTICE				
<p>I certify that I am familiar with Section 9-52 of the Municipal Code of the City of Appleton and agree that any license granted under this application may be suspended for cause at any time by the Common Council. Under penalty of law, I swear that the information provided in this application is true and correct to the best of my knowledge and belief.</p>				
<p>Signature of Applicant: <u>Candice L Mortara</u></p>				
FOR OFFICE USE ONLY				
Department	Approve	Deny	By	Reason
Comm. Dev.				
Finance				
Fire				
Health				
Inspections				
Police				

WATER

RIGHT-OF-WAY

C.S.M. LOT 1

NO. 7627

RETAINING WALL

CONCRETE SIDEWALK

BITUMINOUS

LANDSCAPE 118.50'

STAIRS
SEE SHEETS 2 AND 3
FOR DETAIL
53.89'

CONCRETE

CONCRETE

UNIT 2
FIRST FLOOR
DIMENSIONS SHOWN

UNIT 1
FIRST FLOOR
DIMENSIONS SHOWN

LCE UNIT 2

LCE UNIT 1

S49°41'03"W
(S49°54'37"W)

FOX

1°40'24"E

35°2'11"E

05°(W)
0°31'W

4.09'

BUILDING

WAY

S39°59'09"E
(S39°45'35"E)

11.93'

N75°19'56"W
(N75°06'22"W)

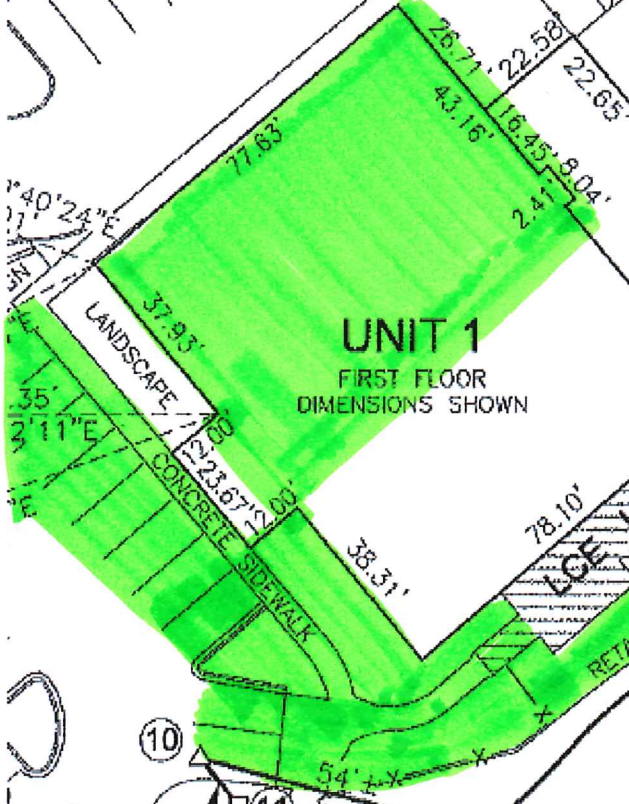
76.50'

9

10

11

22'±



Special Use Permit #01-06
Restaurant/Outdoor Deck with onsite alcohol sales and consumption
425 West Water Street, Suite #100

The previous tenant (Atlas Coffee Mill & Cafe) was allowed to operate a restaurant with alcohol sales and consumption, including the use of the deck (outside space) on the south side of the building located at 425 West Water Street, Suite #100 per Special Use Permit #01-06.

Conditions of Special Use Permit #01-06:

1. The applicant shall apply for and receive a Liquor License from the City Clerk prior to serving alcohol on the subject site and shall conform to the standards established in Chapter 9, Article III, Alcoholic beverages, of the Appleton Municipal Code.
2. Any future expansions into any area of building/property not part of this approval for the purpose of serving and/or consumption of alcohol will require a new Special Use Permit application or a minor amendment request to be applied for and approved.
3. The applicant shall install a building code compliant emergency exit gate between the existing level #2 outside dining deck and future level #1 outside dining deck prior to the City Clerk issuing the Liquor License for the level #2 and #3 outside dining decks. *(Building Permit B10-0186 was reviewed and approved for single level deck located on the south side of the building. Deck levels #2 and #3 have not been constructed)*
4. The applicant shall install a building code compliant emergency exit gate, a minimum 42" inch high railing to enclose the level #1 outside dining deck, and install the landscape areas (barberry species) as shown on the development plan prior to the City Clerk issuing the Liquor License for the level #1 outside dining deck.

Analysis:

The Plan of Operation/Floor Plan submitted for River Tyme Bistro, appears to meet the general intent and character of previously approved Special Use Permit #01-06. Therefore, Special Use Permit #01-06 can be transferred from Atlas Coffee Mill & Cafe to the owner of River Tyme Bistro for the operation of a restaurant with alcohol sales and consumption, including the use of the deck (outside space) on the south side of the building located at 425 West Water Street, Suite #100 within the highlighted area shown on the attached floor plan Sheet A-2, provided the above listed conditions are complied with.

Contact the Community and Economic Development Department at (920)832-6468 to discuss the amendment approval, if alcohol sales and consumption is being proposed outside of the highlighted area shown on the attached floor plan Sheet A-2.

January 20, 2020

**ONSITE ALCOHOL CONSUMPTION
PLAN OF OPERATION AND LOCATIONAL INFORMATION**

Business information:

Name of Business: River Tyme Bistro

(Check applicable proposed business activity(s) proposed for the building or tenant space)

Restaurant Bar/Night Club Wine Bar Microbrewery Other event space

Provide detailed explanation of the type of business occupying the building or tenant space:

Coffee shop, breakfast + lunch items, meeting + event space. Liquor license for liquor, wine + beer for events

Any planned remodeling of the building or tenant space proposed (please describe):

Kitchen being moved from current location to location on architectural drawing

Proposed Hours of Operation for Indoor Space:

Day	From	To
Week Days: Monday thru Thursday	7 am	3pm (midnight if events)
Friday	7 am	3 pm (midnight if events)
Saturday	8 am	3 pm (midnight if events)
Sunday	9 am	2pm (midnight if events)

Building capacity and area:

Anticipated maximum number of persons occupying the building or tenant space: 150 persons.

Gross floor area of the existing building or tenant space the business will occupy: 4325 sq.ft.

Describe any potential noise emanating from the proposed use:

- A. Describe the noise levels anticipated from all equipment/amplified music.
- dishwasher noise (minimum)
amplified music (will be contained within walls)

B. How will the noise be controlled to comply with the Municipal Code Regulations?

It will not be loud enough to not be
(contained in walls)

Outdoor Space uses:

(Check applicable proposed area)

None Patio Sidewalk Café Deck Other _____

Is there any alcohol service incorporated within the outdoor space? Yes No _____

Are there plans for outdoor music/entertainment? Yes _____ No maybe acoustic)

If yes, describe how will the noise be controlled: will not be loud enough to leave
property - acoustic only)

Is there any food service incorporated in the outdoor space? Yes No _____

Hours of Operation for Outdoor Uses (Sidewalk Café with Alcohol):

*****Municipal Code Section 9-262(b)(4): The permit holder can begin serving alcoholic beverages in the sidewalk café at 4:00 p.m. Monday through Friday and 11:00 a.m. on Saturday and Sunday. All alcoholic beverages must be removed from the sidewalk café by 9:30 p.m.

Proposed Hours of Operation for the Outdoor Space:

Day	From	To
Week Days: Monday thru Thursday	7 AM	3pm (midnight if event)
Friday	7 AM	3pm (midnight if event)
Saturday	8 AM	3pm (midnight if event)
Sunday	9 AM	2pm (midnight if event)

Number of Employees:

Number of Proposed Employees: max. 6

Number of employees scheduled to work on the largest shift: max. 6

Number of off-street parking spaces:

Total Number of off-street parking space located on-site: 170

Sup # 01-06

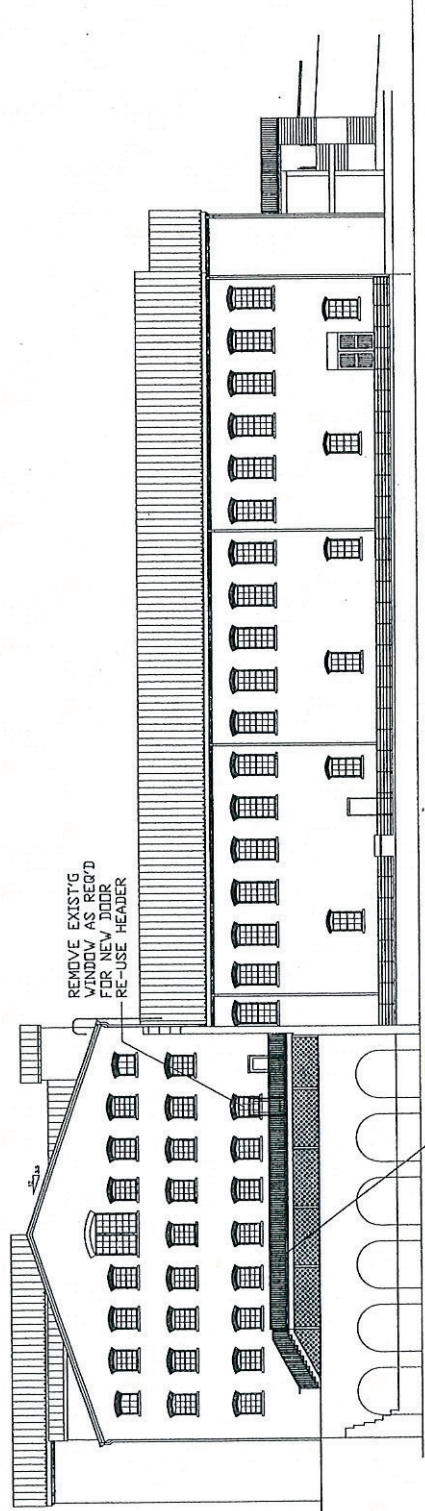
REVISIONS
SEE SHEET A2.0
FOR REVISION

PHONE: (920) 886-8700
FAX: (920) 886-8703
EMAIL: info-ca@new.r.com

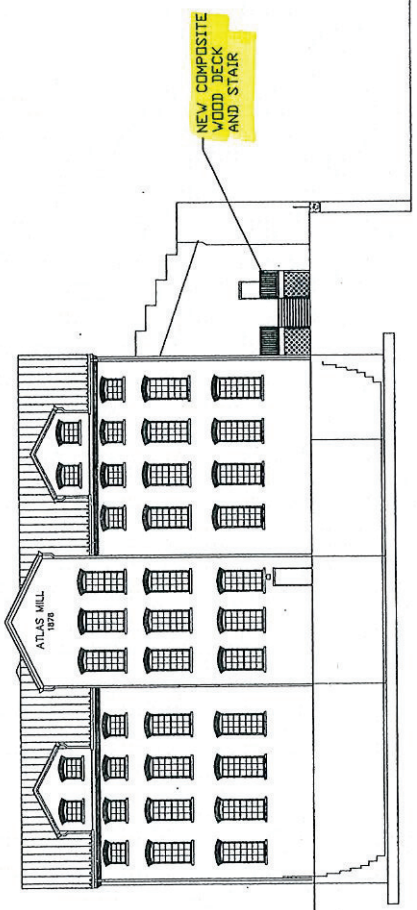
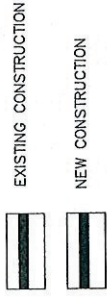
CONTRACTING SPECIALISTS INC.
333 N. COMMERCIAL STREET
SUITE 175
NEENAH, WI 54956

PROPOSED TENANT BUILD-OUTS & DECK FOR:
ATLAS MILL
425 W. WATER ST/8357
APPLETON, WI 54911

DATE: 05 APR 10
PROJECT NUMBER: 2010-01
SHEET: A-5



SOUTH ELEVATION
SCALE: 1/16" = 1'



WEST ELEVATION
SCALE: 1/16" = 1'

Building Permits: B10-0186

Kami L. Lynch

From: candicemortara <candice@foxrivertours.com>
Sent: Friday, December 3, 2021 9:42 AM
To: Kami L. Lynch
Subject: Re: Follow-up Re: Premise Amendment

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Hi Kami,

I am so sorry – that completely fell off of my radar.

I very much would like to request that the premise amendment be withdrawn until it is known what repair is able to be done to the deck and surrounding area. I am sorry for the delay –

Candice Mortara
River Tyme Bistro

From: Kami L. Lynch <Kami.Lynch@Appleton.org>
Date: Thursday, December 2, 2021 at 1:09 PM
To: candicemortara <candice@foxrivertours.com>
Subject: Follow-up Re: Premise Amendment

Hi Candice,

Your premise amendment is on next week's Safety & Licensing Committee meeting. It will have to be held if I do not receive something from you stating that you wish to withdraw the Premise Amendment application. I have attached the email that I sent previously which outlines our earlier phone conversation regarding this.

Please let me know if you have any questions or if anything has changed regarding this matter.

Thank you!

Kami

Kami Lynch, WCMC
City Clerk

City of Appleton
100 N Appleton Street
Appleton, WI 54911
920-832-6443

Attention: This message was sent from a source external to the City of Appleton. Please use caution when opening attachments or clicking links.

Resolution #16-R-21
Alcohol License Demerit Point System

December 1, 2021

Submitted By: Alderperson Smith, District 10

Referred To: Safety & Licensing Committee

Whereas the possession of a liquor license comes with and required a great deal of responsibility and;

Whereas it is good practice to review and consider amending parts or all of an ordinance when times and conditions warrant,

Therefore Be It Resolved that Sec. 9-54 Demerit point system is hereby submitted for review with changes for consideration.

Effective July 1, 2022

Sec. 9-54. Demerit point system.

(c) *Calculating violations.* In determining the accumulated demerit points, the date of ~~the violation~~conviction-is shall be used as the basis for assigning demerit points per violation. Points shall be assigned only after conviction for violations.

(d) *Suspension and revocation of license.* The Police Department shall notify the Safety and Licensing Committee of any convictions which result in the assessment of demerit points against any licensee. Following this notification, or the filing of a complaint pursuant to W.S.A. §125.12, the Committee shall hold a hearing if required by W.S.A. §125.12 or this section, and shall take the following action, after first determining the number of demerit points to be assessed against the licensee:

- (1) For demerit points totaling 25-149 within a ~~12~~24-month period, a warning to the licensee of the consequences of additional violations. The licensee shall appear before the Safety and Licensing Committee and inform the Committee of the licensee's efforts to rectify the issues that caused the imposition of the demerit points.
- (2) For demerit points totaling 150-199 within a ~~12~~24-month period, suspension of the license for a period of not less than ten (10) days nor more than ninety (90) days.
- (3) For demerit points totaling two hundred (200) or more within a ~~18~~36-month period, revocation of the license. Whenever any license is revoked, at least six (6) months from the time of such revocation shall elapse before another license shall be granted for the same premises, and twelve (12) months shall elapse before any other license shall be granted to the person whose license was revoked.

Original Alcohol Beverage Retail License Application

(Submit to municipal clerk.)

For the license period beginning: 07/01/2021 ending: 06/30/2022
(mm dd yyyy) (mm dd yyyy)

To the Governing Body of the: Town of } Appleton
 Village of }
 City of }

County of Outagamie Aldermanic Dist. No. _____
 (if required by ordinance)

Check one: Individual Limited Liability Company
 Partnership Corporation/Nonprofit Organization

Applicant's Wisconsin Seller's Permit Number ●●●●●●●●●●●●●●●●●●●●	
FEIN Number ●●●●●●●●●●●●●●●●●●●●	
TYPE OF LICENSE REQUESTED	FEE
<input type="checkbox"/> Class A beer	\$
<input type="checkbox"/> Class B beer	\$
<input type="checkbox"/> Class C wine	\$
<input checked="" type="checkbox"/> Class A liquor	\$ 300
<input type="checkbox"/> Class A liquor (cider only)	\$ N/A
<input type="checkbox"/> Class B liquor	\$
<input type="checkbox"/> Reserve Class B liquor	\$
<input type="checkbox"/> Class B (wine only) winery	\$
Publication fee	\$ 60
TOTAL FEE	\$ 360

Name (individual / partners give last name, first, middle; corporations / limited liability companies give registered name)
SG Petroleums LLC

An "Auxiliary Questionnaire," Form AT-103, must be completed and attached to this application by each individual applicant, by each member of a partnership, and by each officer, director and agent of a corporation or nonprofit organization, and by each member/manager and agent of a limited liability company. List the full name and place of residence of each person.

President / Member Last Name	(First)	(Middle Name)	Home Address (Street, City or Post Office, & Zip Code)
Goel	Sudhansh	Prakash	4401N. Marshall Heights Ave Appleton, WI54913
Vice President / Member Last Name	(First)	(Middle Name)	Home Address (Street, City or Post Office, & Zip Code)
Goel	Suyash		4401N. Marshall Heights Ave Appleton, WI54913
Secretary / Member Last Name	(First)	(Middle Name)	Home Address (Street, City or Post Office, & Zip Code)
Treasurer / Member Last Name	(First)	(Middle Name)	Home Address (Street, City or Post Office, & Zip Code)
Agent Last Name	(First)	(Middle Name)	Home Address (Street, City or Post Office, & Zip Code)
GOEL	SUDHANSH	Prakash	4401 N. Marshall Heights Ave Appleton, WI, 54913
Directors / Managers Last Name	(First)	(Middle Name)	Home Address (Street, City or Post Office, & Zip Code)

1. Trade Name SG Petroleums LLC Business Phone Number 920-731-5498
 2. Address of Premises 2811 E. Newberry St Appleton WI Post Office & Zip Code 54915

3. Premises description: Describe building or buildings where alcohol beverages are to be sold and stored. The applicant must include all rooms including living quarters, if used, for the sales, service, consumption, and/or storage of alcohol beverages and records. (Alcohol beverages may be sold and stored only on the premises described.)
Alcohol will be sold in the main lobby, behind the counter and wine will be sold in the main lobby as well.

4. Legal description (omit if street address is given above): _____
 5. (a) Was this premises licensed for the sale of liquor or beer during the past license year? Yes No
 (b) If yes, under what name was license issued? SG Petroleums LLC

6. Is individual, partners or agent of corporation/limited liability company subject to completion of the responsible beverage server training course for this license period? **If yes, explain** Yes No
7. Is the applicant an employe or agent of, or acting on behalf of anyone except the named applicant? Yes No
If yes, explain.
8. Does any other alcohol beverage retail licensee or wholesale permittee have any interest in or control of this business? **If yes, explain** Yes No
9. (a) **Corporate/limited liability company applicants only:** Insert state Wisconsin and date 08/12/15 of registration.
- (b) Is applicant corporation/limited liability company a subsidiary of any other corporation or limited liability company? **If yes, explain** Yes No
- (c) Does the corporation, or any officer, director, stockholder or agent or limited liability company, or any member/manager or agent hold any interest in any other alcohol beverage license or permit in Wisconsin? **If yes, explain.** Yes No
10. Does the applicant understand they must register as a Retail Beverage Alcohol Dealer with the federal government, Alcohol and Tobacco Tax and Trade Bureau (TTB) by filing (TTB form 5630.5d) before beginning business? [phone 1-877-882-3277] Yes No
11. Does the applicant understand they must hold a Wisconsin Seller's Permit? [phone (608) 266-2776] Yes No
12. Does the applicant understand that they must purchase alcohol beverages only from Wisconsin wholesalers, breweries and brewpubs? Yes No

READ CAREFULLY BEFORE SIGNING: Under penalty provided by law, the applicant states that each of the above questions has been truthfully answered to the best of the knowledge of the signer. Any person who knowingly provides materially false information on this application may be required to forfeit not more than \$1,000. Signer agrees to operate this business according to law and that the rights and responsibilities conferred by the license(s), if granted, will not be assigned to another. (Individual applicants, or one member of a partnership applicant must sign; one corporate officer, one member/manager of Limited Liability Companies must sign.) Any lack of access to any portion of a licensed premises during inspection will be deemed a refusal to permit inspection. Such refusal is a misdemeanor and grounds for revocation of this license.

Contact Person's Name (Last, First, M.I.) GOEL SUDHANSH P.	Title/Member Member	Date 10/25/21
Signature <i>[Handwritten Signature]</i>	Phone Number [REDACTED]	Email Address [REDACTED]

TO BE COMPLETED BY CLERK

Date received and filed with municipal clerk 10/26/2021	Date reported to council / board	Date provisional license issued	Signature of Clerk / Deputy Clerk
Date license granted	Date license issued	License number issued	



City of Appleton

Alcohol License Questionnaire

1. Name of Applicant: SUDHANSH GOEL

2. Name of Business: SG Petroleum LLC

(Check Applicable Box(s) to identify primary business activity)

- Restaurant
- Tavern/Night Club/Wine Bar
- Microbrewery/Brewpub
- Painting/Craft Studio
- Other (describe) Convenience Store with Gas

3. Address of Business: 2811 E. Newberry St. Appleton, WI, 54915

4. Have you or any member of your organization ever been convicted of a misdemeanor or ordinance violation? Yes _____ No

AND/OR been convicted of a felony? Yes _____ No _____

If yes to either question, please explain in detail below:

5. List all partners, shareholders or investors of your business. Include full name, middle initial and date of birth. Please use additional sheets if necessary.

<u>SUDHANSH</u>	<u>P.</u>	<u>Goel</u>	<u>[REDACTED]</u>
First name	M.I.	Last name	Date of Birth
<u>SUYASH</u>		<u>Goel</u>	<u>[REDACTED]</u>
First name	M.I.	Last name	Date of Birth
			/ /
First name	M.I.	Last name	Date of Birth
			/ /
First name	M.I.	Last name	Date of Birth

6. Name of person/corporation you are buying the premise and equipment from?

Name: _____

First name
Middle Initial
Last name

Address: _____

City
State
ZIP

7. What was the previous name and primary nature of the business operating at this location?

Name: _____

(Check Applicable Box(s) to identify primary business activity)

- Restaurant
- Tavern/Night Club/Wine Bar
- Microbrewery/Brewpub
- Painting/Craft Studio
- Other (describe) _____

8. Was this premise licensed for alcohol sales/consumption during the past license year?

27 Yes If yes, please contact the Community and Economic Development Department at 832-6468 about obtaining a copy of an existing Special Use Permit and related requirements that may run with property.

No If no, please contact the Community and Economic Development Department at 832-6468 about obtaining a Special Use Permit. A Special Use Permit may be required for your business activity prior to the issuance of a Liquor License, pursuant to the City of Appleton Zoning Ordinance.

9. If alcohol sales were a previous use in this building, when did the operation cease?

0 months ago.

10. Seating capacity: Inside _____ Outside _____

11. Operating hours (Inside the building): 6AM - 11PM
Operating hours (Outdoor seating areas): _____

12. Employees/Staff
Number of floor personnel 1 Number of door checkers _____

13. In general, state the size and operational details of the proposed establishment:

- a. Gross floor building area of the premises to be licensed: 2500 square feet.
- b. Gross outdoor seating areas of the premises to be licensed: — square feet.
- c. Below, identify the operational details of the proposed establishment:

Alcohol will be sold behind the counter, Wine and bigger packages will be sold in the main lobby.

Rehman
Signature

10/25/21
Date

Schedule for Appointment of Agent by Corporation / Nonprofit Organization or Limited Liability Company

Submit to municipal clerk.

All corporations/organizations or limited liability companies applying for a license to sell fermented malt beverages and/or intoxicating liquor must appoint an agent. The following questions must be answered by the agent. The appointment must be signed by an officer of the corporation/organization or one member/manager of a limited liability company and the recommendation made by the proper local official.

To the governing body of: Town
 Village of Appleton County of Outagamie
 City

The undersigned duly authorized officer/member/manager of SG Petroleums LLC
(Registered Name of Corporation / Organization or Limited Liability Company)

a corporation/organization or limited liability company making application for an alcohol beverage license for a premises known as SG Petroleums LLC
(Trade Name)

located at 2811 E. Newberry St Appleton WI 54915

appoints Sudhansh Goel
(Name of Appointed Agent)

4401 N. Marshall Heights Ave Appleton WI 54913
(Home Address of Appointed Agent)

to act for the corporation/organization/limited liability company with full authority and control of the premises and of all business relative to alcohol beverages conducted therein. Is applicant agent presently acting in that capacity or requesting approval for any corporation/organization/limited liability company having or applying for a beer and/or liquor license for any other location in Wisconsin?


Yes No If so, indicate the corporate name(s)/limited liability company(ies) and municipality(ies).

Is applicant agent subject to completion of the responsible beverage server training course? Yes No

How long immediately prior to making this application has the applicant agent resided continuously in Wisconsin? 6 years

Place of residence last year 4401 N. Marshall Heights Ave Appleton WI 54913

For: SG Petroleums LLC
(Name of Corporation / Organization / Limited Liability Company)

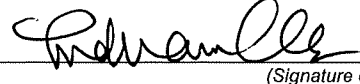
By: 
(Signature of Officer / Member / Manager)

Any person who knowingly provides materially false information in an application for a license may be required to forfeit not more than \$1,000.

ACCEPTANCE BY AGENT

I, SUDHANSH GOEL, hereby accept this appointment as agent for the
(Print / Type Agent's Name)

corporation/organization/limited liability company and assume full responsibility for the conduct of all business relative to alcohol beverages conducted on the premises for the corporation/organization/limited liability company.

 10/25/21 Agent's age 30
(Signature of Agent) (Date)

4401 N. Marshall Heights Ave Appleton, WI, 54913 Date of birth 01/01/1991
(Home Address of Agent)

APPROVAL OF AGENT BY MUNICIPAL AUTHORITY (Clerk cannot sign on behalf of Municipal Official)

I hereby certify that I have checked municipal and state criminal records. To the best of my knowledge, with the available information, the character, record and reputation are satisfactory and I have no objection to the agent appointed.

Approved on _____ by _____ Title _____
(Date) (Signature of Proper Local Official) (Town Chair, Village President, Police Chief)

Schedule for Appointment of Agent by Corporation / Nonprofit Organization or Limited Liability Company

Submit to municipal clerk.

All corporations/organizations or limited liability companies applying for a license to sell fermented malt beverages and/or intoxicating liquor must appoint an agent. The following questions must be answered by the agent. The appointment must be signed by an officer of the corporation/organization or one member/manager of a limited liability company and the recommendation made by the proper local official.

To the governing body of: Town
 Village of APPLETON County of OUTAGAMIE
 City

The undersigned duly authorized officer/member/manager of WALGREEN CO.
(Registered Name of Corporation / Organization or Limited Liability Company)

a corporation/organization or limited liability company making application for an alcohol beverage license for a premises known as WALGREENS #02921
(Trade Name)

located at 1901 S ONEIDA ST

appoints STEPHANIE SCHROEDER
(Name of Appointed Agent)
215 W. Wilson ave. Appleton WI, 54915
(Home Address of Appointed Agent)

to act for the corporation/organization/limited liability company with full authority and control of the premises and of all business relative to alcohol beverages conducted therein. Is applicant agent presently acting in that capacity or requesting approval for any corporation/organization/limited liability company having or applying for a beer and/or liquor license for any other location in Wisconsin?

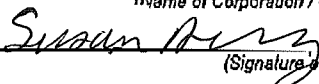
Yes No If so, indicate the corporate name(s)/limited liability company(ies) and municipality(ies).

Is applicant agent subject to completion of the responsible beverage server training course? Yes No

How long immediately prior to making this application has the applicant agent resided continuously in Wisconsin? 39 years

Place of residence last year Appleton, WI

For: Walgreens
(Name of Corporation / Organization / Limited Liability Company)

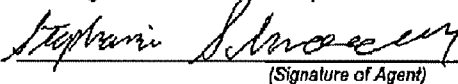
By: 
(Signature of Officer / Member / Manager)

Any person who knowingly provides materially false information in an application for a license may be required to forfeit not more than \$1,000.

ACCEPTANCE BY AGENT

I, STEPHANIE SCHROEDER, hereby accept this appointment as agent for the
(Print / Typo Agent's Name)

corporation/organization/limited liability company and assume full responsibility for the conduct of all business relative to alcohol beverages conducted on the premises for the corporation/organization/limited liability company.

 10-29-21 Agent's age 31
(Signature of Agent) (Date)
215 W. Wilson Ave., Appleton, WI 54915 Date of birth 01-11-90
(Home Address of Agent)

APPROVAL OF AGENT BY MUNICIPAL AUTHORITY (Clerk cannot sign on behalf of Municipal Official)

I hereby certify that I have checked municipal and state criminal records. To the best of my knowledge, with the available information, the character, record and reputation are satisfactory and I have no objection to the agent appointed.

Approved on _____ by _____ Title _____
(Date) (Signature of Proper Local Official) (Town Chair, Village President, Police Chief)

Auxiliary Questionnaire Alcohol Beverage License Application

Submit to municipal clerk.

Individual's Full Name (please print) (last name)		(first name)		(middle name)	
Schroeder		Stephanie		Sue	
Home Address (street/route)		Post Office		City	
215 W. Wilson Ave.		Appleton		Appleton	
Home Phone Number		Age		Date of Birth	
[REDACTED]		[REDACTED]		[REDACTED]	
				Place of Birth	
				Appleton	

The above named individual provides the following information as a person who is (check one):

- Applying for an alcohol beverage license as an individual.
- A member of a partnership which is making application for an alcohol beverage license.
- AGENT** of **WALGREEN CO.**
- (Officer / Director / Member / Manager / Agent) (Name of Corporation, Limited Liability Company or Nonprofit Organization)

which is making application for an alcohol beverage license.

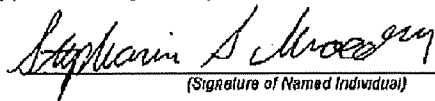
The above named individual provides the following information to the licensing authority:

- How long have you continuously resided in Wisconsin prior to this date? 39 years
- Have you ever been convicted of any offenses (other than traffic unrelated to alcohol beverages) for violation of any federal laws, any Wisconsin laws, any laws of any other states or ordinances of any county or municipality? Yes No
If yes, give law or ordinance violated, trial court, trial date and penalty imposed, and/or date, description and status of charges pending. (If more room is needed, continue on reverse side of this form.)
- Are charges for any offenses presently pending against you (other than traffic unrelated to alcohol beverages) for violation of any federal laws, any Wisconsin laws, any laws of other states or ordinances of any county or municipality? Yes No
If yes, describe status of charges pending.
- Do you hold, are you making application for or are you an officer, director or agent of a corporation/nonprofit organization or member/manager/agent of a limited liability company holding or applying for any other alcohol beverage license or permit? Yes No
If yes, identify. (Name, Location and Type of License/Permit)
- Do you hold and/or are you an officer, director, stockholder, agent or employee of any person or corporation or member/manager/agent of a limited liability company holding or applying for a wholesale beer permit, brewery/winery permit or wholesale liquor, manufacturer or rectifier permit in the State of Wisconsin? Yes No
If yes, identify. (Name of Wholesale License or Permit) (Address By City and County)

6. Named individual must list in chronological order last two employers.

Employer's Name	Employer's Address	Employed From	To
Employer's Name	Employer's Address	Employed From	To

READ CAREFULLY BEFORE SIGNING: Under penalty provided by law, the undersigned states that each of the above questions has been truthfully answered to the best of the knowledge of the signer. The signer agrees that he/she is the person named in the foregoing application; that the applicant has read and made a complete answer to each question, and that the answers in each instance are true and correct. The undersigned further understands that any license issued contrary to Chapter 125 of the Wisconsin Statutes shall be void, and under penalty of state law, the applicant may be prosecuted for submitting false statements and affidavits in connection with this application. Any person who knowingly provides materially false information on this application may be required to forfeit not more than \$1,000.


(Signature of Named Individual)



"meeting community needs
.....enhancing quality of life"

21-1628

FEES ARE NON-REFUNDABLE	Date Rec'd <u>11/14/21</u>
License Fee - \$10.00 per event	Acct Code: CLCSPB
Investigation Fee 7.00	Acct Code: CLCPIF
Total Amount Paid <u>90</u>	Receipt <u>2804-5</u>

Application for Temporary Class "B" Beer or "Class B" Wine License

Application MUST be on file for 10 days prior to event, please allow 2-3 weeks for processing

The named organization applies for: (Please check one or both)

A temporary Class "B" license to sell FERMENTED MALT BEVERAGES at picnics or similar gathering under s. 125.26(6) Wis. Stats.

A temporary "Class B" license to sell WINE at picnics or similar gathering under s. 125.51(10) Wis. Stats. (Limit 2 licenses in a 12 month period)

SECTION 1 - ORGANIZATION INFORMATION - Answer all questions completely. Please PRINT clearly

Name of Organization (Bona fide club, lodge or society, veteran's organization or fair association) Appleton Downtown Inc. Date Organized 4.2.1993

Address 333 W. College Ave. Ste 100 City Appleton State WI Zip 54911

Person in Charge of Event: Name: Last Stephany First Jennifer M. I. L. Date of Birth ●●●●●●

Address AD1 333 W. College Ave Ste 100 City Appleton State WI Zip 54911 Person in charge phone number: ●●●●●●●●●● (c)

President Last Vargasko First Laura Middle Initial E Date of Birth ●●●●●● Male Female

Address 4321 N Ballard Rd City Appleton State WI Zip 54919

Vice President Last King First Lyssa Middle Initial M Date of Birth ●●●●●● Male Female

Address 211 W. College Ave City Appleton State WI Zip 54912

Secretary Last Kliester First Tom Middle Initial J Date of Birth ●●●●●● Male Female

Address 100 W. Lawrence St Ste 214 City Appleton State WI Zip 54911

Treasurer Last Lonsway First Steve Middle Initial T Date of Birth ●●●●●● Male Female

Address 1004 S Old Oneida St City Appleton State WI Zip 54911

SECTION 2 - EVENT INFORMATION SECTION

Date(s) of Event: Beginning 12/10/21 Ending: 12/14/2021 Hours 4 AM PM 8 AM PM

Please describe the type of event you are going to have: Seltzer Stroll - shop, sip & stroll

Do you plan to serve food at this event? No Yes If yes, contact the Appleton Health Department. (920.832.6429)

Location where beer or wine will be sold or served: Alcohol will not be sold. Samples are given to those over 21 from retail establishments.

Address College Ave. Retailers City Appleton State WI Zip 54911

Describe actual location and dimensions of area to be licensed below: - BE PRECISE! only retail businesses that sign up. Will minors be present? No Yes

If yes, how will you prevent minors from obtaining alcoholic beverages? AD1 staff will ID and have a central location to wristband those 21 and over.

SECTION 3 - PENALTY SECTION

This application must be on file in the Office of the City Clerk for at least ten (10) business days prior to granting the license.

If the event will last more than four (4) days, the application shall be filed 15 days prior to the granting of the license.

This organization also agrees to comply with all laws, resolutions, ordinances and regulations (state, federal or local) affecting the sale of fermented malt beverages if the license is granted. The officer(s) of the organization, individually and together, declare under penalties of law that the information provided in this application is true and correct to the best of their knowledge and belief.

Signature of Officer Maighan Warner

FOR OFFICE USE ONLY

Dept.	Approve	Deny	By	Reason
Police				
Fire	<u>11-16</u>		<u>Patterson</u>	
Health	<u>11-16</u>		<u>Kiki</u>	
Inspection				
S&L <u>12-8-21</u>	Date Issued		Exp. Date	License Number

R. 9-19 Return application to: City Clerk, 100 North Appleton Street, Appleton, WI 54911-4799

sent 11-16

Seltzer Stroll – 10 TOTAL

Alphabetical

- Appleton Downtown Inc., 333 W College Ave.
- Casting On, 305 E. College Ave.
- Cedar Harbor, 611 N. Morrison St.
- Hoot & Company, 103 E. College Ave.
- La Belle Maison, LLC, 229 E. College Ave.
- Lillians of Appleton, 115 E College Ave
- Mile of Music Pop-Up Store
- Olive & Rose Boutique, 121 E. College Ave
- Trout Museum of Art, 111 W. College Ave. (Own license)
- The Vintage Garden, 119 E College Ave

Secondhand Jewelry Dealers

COMPANY	AGENT/CONTACT	ADDRESS	CITY	STATE	ZIP
Appleton Trophy & Engraving	Jay J Parish	2401 N Richmond St	Appleton	WI	54911
Avenue Jewelers	Jason A Druxman	303 E College Ave	Appleton	WI	54911
Expert Jewelry Repair	Randy Kester	636 W College Ave	Appleton	WI	54911
Kay Jewelers	Trenton Christian	3845 E Calumet St	Appleton	WI	54915
Krieger Jewelers	Jamie Boyce	934 W Northland Ave	Appleton	WI	54914
Tennies Jewelry	Rebecca Juedes	208 E College Ave	Appleton	WI	54911

Secondhand Article Dealers

Active Bike & Fitness	Mark Fluette	1131 N Badger Ave	Appleton	WI	54914
Beatnik Bettys Resale Butik	Monika Austin	214 E College Ave	Appleton	WI	54911
ecoATM	Hunter Bjorkman	2700 N Ballard Rd	Appleton	WI	54911
ecoATM	Hunter Bjorkman	511 W Calumet St	Appleton	WI	54915
ecoATM	Hunter Bjorkman	3701 E Calumet St	Appleton	WI	54915
Game Stop #5520	Nathan Edwards	3825 E Calumet St Suite 5	Appleton	WI	54915
Heid Music	Todd Heid	308 E College Ave	Appleton	WI	54911
Replay Toys	Chris Freimuth	127 E Wisconsin Ave	Appleton	WI	54911
Richmond Resale	Dean VandenHoy	204 N Richmond St	Appleton	WI	54911
Side Quest Gaming	John Steudel	609A W. College Ave	Appleton	WI	54911
T&S Sports-Play It Again Sports	Michael Milloy	611 W Northland Ave	Appleton	WI	54911
Tiffani's Bridal	Tiffani Ebben	1314 W College Ave #6	Appleton	WI	54914
The Attique Resale	James Boylan	415 N Oneida St	Appleton	WI	54911
The Exclusive Company	Mark Hillstrom	770 W Northland Ave	Appleton	WI	54914
The Statement Piece	Lena-Sara Gustman	745 W College Ave	Appleton	WI	54914
Warehouse Office Products	Jeff Lemery	1825 N Richmond St	Appleton	WI	54911

Pawnbroker

JGB LLC d/b/a Mister Money	Gregory Baer	1933B N Richmond St	Appleton	WI	54911
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City of Appleton Special Issuance of License by Mayor

Pursuant to Sec. 9-25 of the municipal code, the Mayor may issue a license or permit when an applicant appears they are entitled to such license/permit and a meeting of the governing body is the only obstacle for the applicant in obtaining such license/permit.


Applicant: Creative Downtown Appleton (ADI)

Event: Light Up Appleton 11-20-2021

Meeting Date: Recommended for approval at 10/27/21 S&L

Notes: As outlined in the Municipal Code, the Safety & Licensing Committee has the authority to issue temporary alcohol licenses without requiring Council approval. ADI (Creative Downtown) contacted the Clerk's office indicating that they inadvertently did not check the box for a Temporary Class "B" Fermented Malt Beverage license in addition to the Temporary "Class B" Wine License that was approved by Safety & Licensing Committee. ADI (Creative Downtown) is requesting the issuance of the Temporary Class "B" Beer license, in addition to the Temporary "Class B" Wine license that was previously approved.

Approval by Mayor

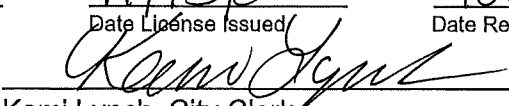


Jacob A. Woodford, Mayor

11/5/21
Date

Notification/Issuance by Clerk

11/5/2021 11/15/2021 12/08/2021
Date Applicant Notified Date License Issued Date Reported to Committee



Kami Lynch, City Clerk

City of Appleton Municipal Code Sec. 9-25

Special issuance by Mayor. Whenever an applicant for a license or permit shall by *their* application make it appear that if *they are* entitled to such license or permit it ought to be issued before the next meeting of the Common Council, the Mayor may, except when otherwise specifically provided, by an order signed by *them*, direct the City Clerk to issue such license or permit, to be effective only until the next meeting of the Common Council, when the City Clerk shall report the application and the action thereon. The Common Council may then approve, modify or rescind such license or permit. (Code 1965, §11.01(6))