




## REPORT TO CITY PLAN COMMISSION

**Plan Commission Public Hearing Date:** June 23, 2014

**Common Council Meeting Date:** July 2, 2014

**Item:** Special Use Permit #7-14 for a restaurant with alcohol sales

**Case Manager:** Brad Schmidt, AICP 

### GENERAL INFORMATION

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**Owner/Applicant:** Property owner and applicant: Hector Mosqueda, Fronteras, LLC

**Building Address/Parcel #:** 2311 W. College Avenue/31-7-0050-00

**Petitioner's Request:** The applicant is requesting a Special Use Permit for a restaurant with alcohol sales. Fronteras, LLC will sell Mexican food with seating capacity under 50 persons.

### STAFF ANALYSIS

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**Existing Site Conditions:** The property contains an existing 9,000 square-foot multi-tenant building which includes a grocery store and a laundry mat. Parking is provided in the front and rear of the building.

**Zoning Ordinance Requirements:** In order to obtain a Special Use Permit for alcohol sales and consumption in conjunction with the proposed restaurant, the Plan Commission makes a recommendation to the Common Council, who will make the final decision.

**Operational Information:** The proposed business hours are 10:00 a.m. – 4:00 a.m., seven days a week. The applicant has applied for a license to serve beer and wine only.

At this time, there are no plans for an outdoor patio.

**Surrounding zoning and land uses:**

North: C-2 – General Commercial District, Multi-Tenant retail building

South: T. of Grand Chute, Railroad right-of-way

East: C-2 – General Commercial District, Auto Sales

West: C-2 – Commercial District, Telecommunications building

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

### Overall Community Goals

- **Goal 1 – Community Growth** (Chapter 10 – Land Use)  
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.

*Findings:* This business is located within a building along a major corridor of the City that contains existing auto sales, gasoline sales, retail uses, professional and personal services. This request serves to expand the range of goods and services provided in the area and facilities continued viability of the commercial corridor.

**Finding of Fact:** This request was reviewed in accordance with the standards for granting a Special Use Permit under 23-66 (e)(1-6) and (h)(6), which were found in the affirmative.

**Technical Review Group Report (TRG):** This item was reviewed at the June 10, 2014, Technical Review Group meeting. No negative comments were received from participating departments.

### RECOMMENDATION

Staff recommends, based on the above, that Special Use Permit #7-14 for a restaurant with alcohol sales, **BE APPROVED**, to run with the land, subject to the following conditions:

1. Any deviations from the approved Development Plan or Operational Plan may require a major or minor amendment request to this Special Use Permit pursuant to Section 23-66(g) of the Zoning Ordinance.
2. Hours of operation in regards to alcohol sales and consumption are limited to those times regulated by the liquor license.
3. All building permits must be approved prior to final occupancy.
4. The applicant shall comply with the standards established on Chapter 9, Article III, Alcoholic beverages, of the Appleton Municipal Code.
5. The serving and consumption of alcohol is limited to the interior ground floor of the tenant space identified on the development plan. Any future expansions beyond the areas identified on the submitted development plan for the serving and/or consumption of alcohol may require a new Special Use Permit application to be applied for and approved.

RECEIVED



APPLICATION FOR SPECIAL USE PERMIT FOR TAVERNS AND RESTAURANTS WITH ALCOHOL Community Development Department 100 N. Appleton St. PH: 920-832-6468 Appleton, WI 54911 FAX: 920-832-5994

MAY 27 2014

CITY OF APPLETON COMMUNITY DEVELOPMENT

Table with 2 columns: PROPERTY OWNER and APPLICANT (owner's agent). Rows include Name, Mailing Address, Phone, Fax, and E-mail.

PROPERTY INFORMATION table with rows for Property Tax #, Site Address/Location, Legal Description of Land, Current and Proposed Zoning, Current and Proposed Uses, and Lot Dimensions and Area.

DESCRIPTION OF THE PROPOSED USE FOR THIS PROPERTY: Family restaurant with seating capacity under 50 customers. No bar, no patio.

Date: 5/19/14, Owner/Agent Signature

OFFICE USE ONLY table with fields for Application Complete, Date Filed, Fee, Acct #, Receipt #, and Date Paid.

Reasonable accommodations for persons with disabilities will be made upon request and if feasible. 5/12

SW 1/4 of SE 1/4 SEC 28 T14N R137E

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

**Business information:**

Name of Business: Fronteros

Years in operation: New

Percentage of business derived from restaurant service: 100%

Type of the proposed establishment (detailed explanation of business): small Mexican food

family restaurant without a bar or patio.

Seating for under 50 customers. Want the ability to offer beer while customers enjoy their meal.

Hours of Operation: 10:00AM - 4:00AM Days of Operation: Seven Days Per Week

Noise, crowd, parking lot control methods: current customers use

restaurant within the grocery store expanding to separate business from current store clientele so all current parking in place

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: 49 persons.

**Outdoor uses:** Not planned at this time.

Location, type, size and design of outdoor facilities: \_\_\_\_\_

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

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

Hours of Operation: \_\_\_\_\_ Days of Operation: \_\_\_\_\_

Are there plans for outdoor music/entertainment? Yes \_\_\_ No \_\_\_

If yes, describe soundproofing measures: \_\_\_\_\_

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

**Outdoor lighting:**

Type: \_\_\_\_\_

Location: \_\_\_\_\_

Off-street parking:

Number of spaces provided 35 Total Front of back of building.

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 taverns: no nearby Mexican restaurants  
with authentic food and beer. Other establishments  
are Glass Nickel Pizzeria and Burger King.

Amusement Devices:

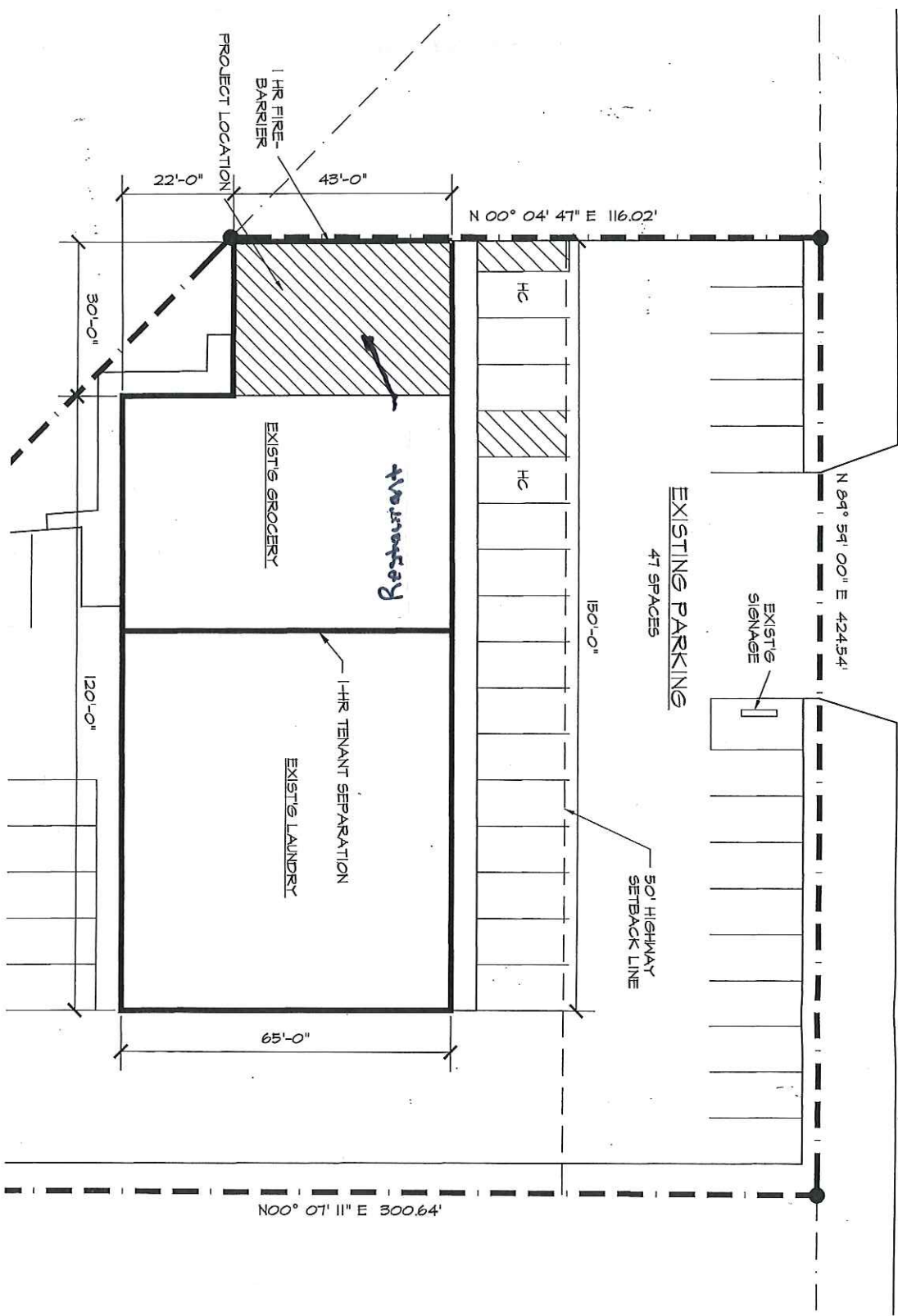
Number of video games: 0 Pool Tables: 0

Other amusement devices: not at this time

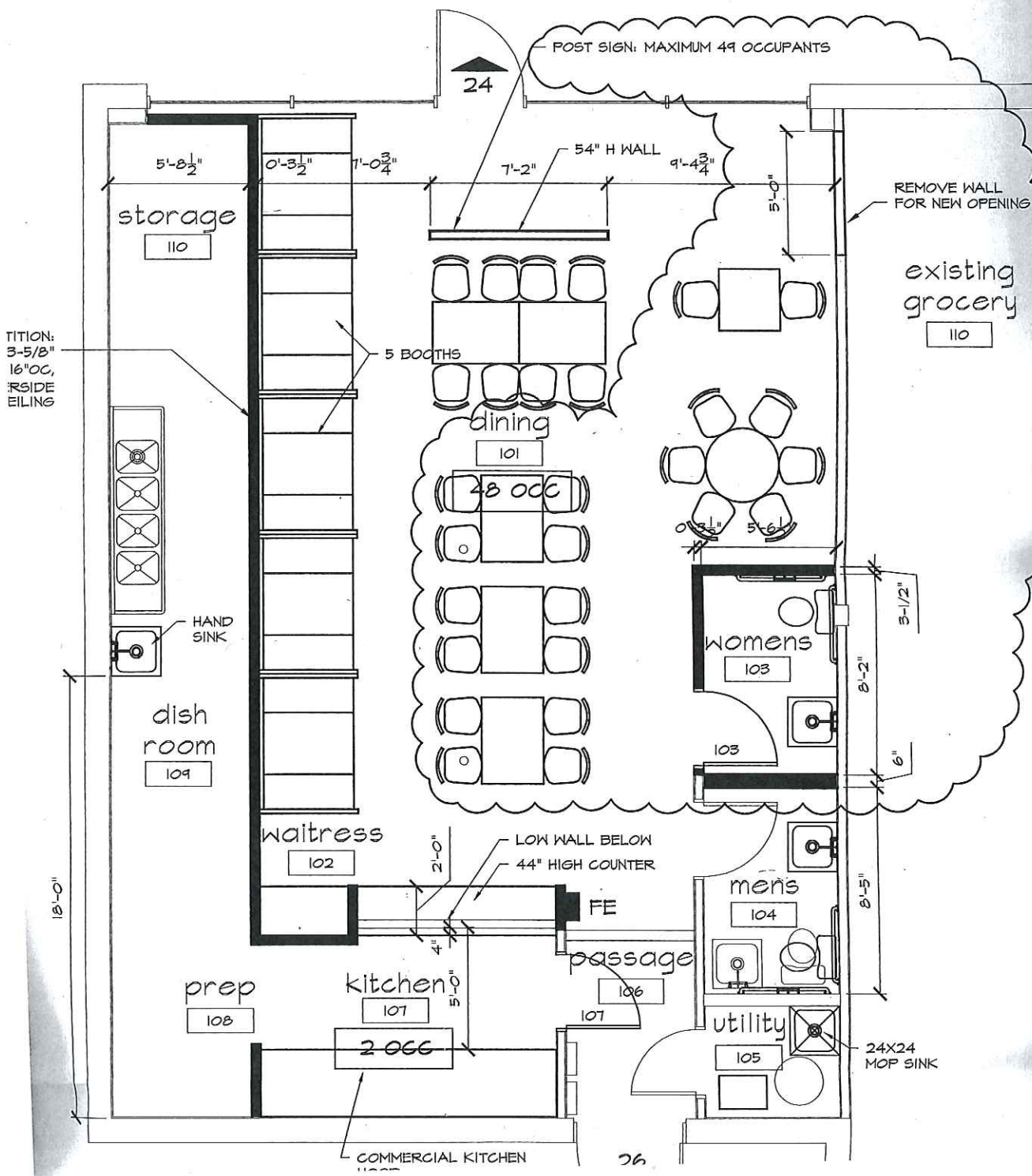
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Notes:

1. Restaurant currently housed in the grocery store will be located in the proposed Fronteras location
2. There will be an expansion of seating capacity to accommodate more seating
3. Expansion of the restaurant will allow for an increase in types of Mexican dishes offered
4. No plans to increase parking as current customers use the same space to launder their clothes, shop at the retail grocery location.



2311 West College Avenue  
 Special Use Permit - Fronteras, LLC  
 Restaurant with Alcohol Sales and Consumption



City Plan Commission  
06-23-14

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Special Use Permit - Fronteras, LLC  
Restaurant with Alcohol Sales and Consumption

2311 West College Avenue  
 Special Use Permit - Fronteras, LLC  
 Restaurant with Alcohol Sales and Consumption  
 Zoning Map

