



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

**REQUEST for
Alcohol License
Premise Amendment**

FEES ARE NON-REFUNDABLE		Date Recv'd <u>9/21/23</u>
License Fee	\$10.00/event	Acct: CLCAGP
Receipt	<u>5642-4</u>	

SECTION 1 – LICENSE INFORMATION

Name of Establishment <u>Antojitos Mexicanos LLC</u>	
Address of Establishment <u>204 E College Ave</u>	
Name of Agent <u>Bruno Alvaran</u>	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

Adding a second bar w/ dining room next door of previous location. Storing liquor in basement. Adding on approximately 1,200 sq ft. ~~Placing~~ ^{Placing} 7-8 tables on the amenity strip.

Is this change Permanent?

YES NO

If this is temporary please specify the reason for the amendment:

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: _____

FOR OFFICE USE ONLY

Department	Approve	Deny	By	Reason		
Comm. Dev.	11/6		Lindsey Smith	SUP #11-23 Approved 11/1		
Finance				<u>Hold LM 9/27 S.A. #1541, 38</u>		
Fire	3/15/24		Derek Henson	<u>Hold - DH 9/27 Hold DM 1/9/24</u>		
Health	3/15/24		Michelle Roberts	<u>Hold - MR 9/27 Hold - MR 1/9/24</u>		
Inspections	3/15/24		Dan Meissner	<u>Overhead doors removed from plan/reno</u>		
Police	10/2		Gadin			
S&L	10/25/23	Council	11/1/23	Date Issued	Exp. Date	License Number

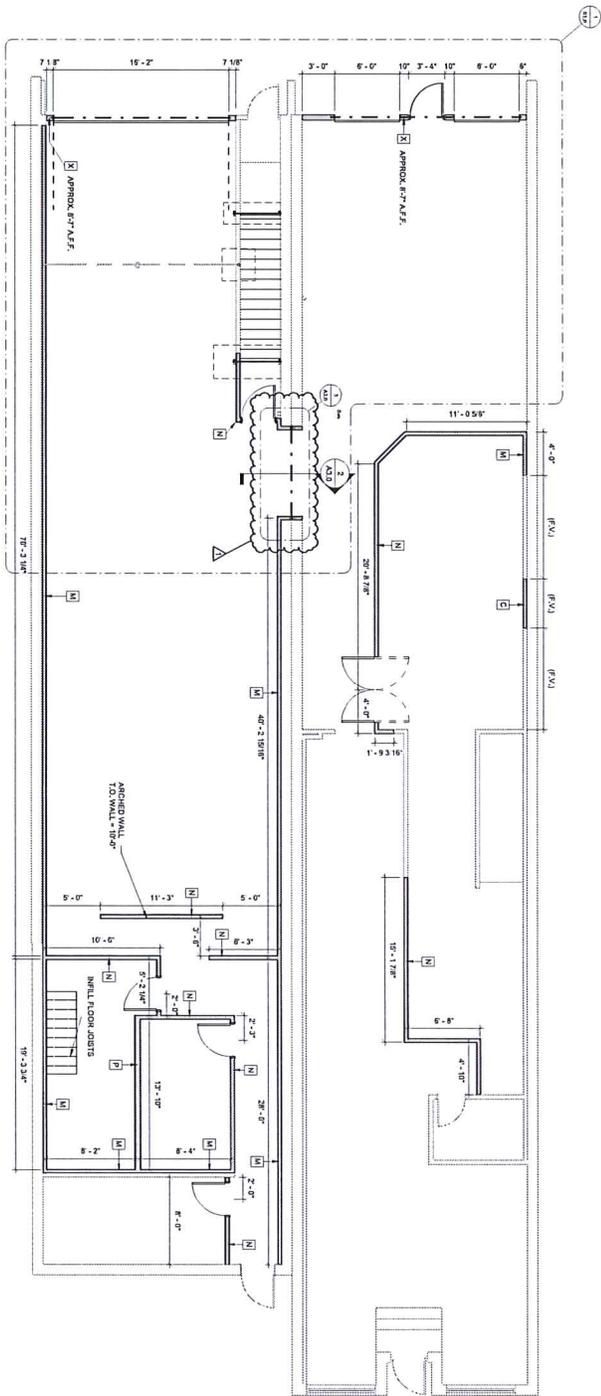
3/20/24

3/20/24

Hold 1-9 outstanding

sent 9/27

- 2x4 studs @ 16" O.C.
- ALUMINUM ANGLES OVER SIDES
- 5/8" GYP ON ONE SIDE
- 5/8" BATT INSUL.
- 2x4 studs @ 16" O.C.
- 5/8" GYP ON ONE SIDE
- 5/8" BATT INSUL.
- 2x4 studs @ 16" O.C.
- 5/8" GYP ON ONE SIDE
- 5/8" BATT INSULATION
- 2x4 studs @ 16" O.C.
- 5/8" GYP ON BOTH SIDES
- 5/8" BATT INSULATION
- 2x4 studs @ 16" O.C.
- 5/8" GYP ON BOTH SIDES
- 5/8" BATT INSULATION



FRAMING PLAN
 1/4"=1'-0" SCALE = 3/16" = 1'-0"
 NORTH

PROPOSED BUILDING FOR:
ANTOJITOS MEXICANOS
 APPLETON, WISCONSIN; COUNTY OF: OUTAGAMIE

SCALE VERIFICATION

THIS PLAN IS THE PROPERTY OF BAYLAND BUILDINGS AND IS NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF BAYLAND BUILDINGS. THE USER OF THIS PLAN AGREES TO HOLD BAYLAND BUILDINGS HARMLESS FROM ANY AND ALL CLAIMS, DAMAGES, LOSSES, AND EXPENSES, INCLUDING REASONABLE ATTORNEY'S FEES, THAT MAY BE INCURRED BY BAYLAND BUILDINGS AS A RESULT OF THE USER'S USE OF THIS PLAN. THE USER OF THIS PLAN AGREES TO HOLD BAYLAND BUILDINGS HARMLESS FROM ANY AND ALL CLAIMS, DAMAGES, LOSSES, AND EXPENSES, INCLUDING REASONABLE ATTORNEY'S FEES, THAT MAY BE INCURRED BY BAYLAND BUILDINGS AS A RESULT OF THE USER'S USE OF THIS PLAN.

JOB NUMBER: 23-5353
PROJECT: NICK VAN LANE
EXECUTIVE: (920) 880-9110
DRAWN BY: JRG
DATE: 05/02/2023
REVISIONS:
 1 05/10/23 JRG

ISSUED FOR: CHECKED **DN**
 BY:
 PRELIMINARY
 NO SET
 DESIGN REVIEW
 CHECKSET
 CONSTRUCTION

FRAMING PLAN - OVERALL

PROPOSED BUILDING FOR:
ANTOJITOS MEXICANOS
 APPLETON, WISCONSIN; COUNTY OF: OUTAGAMIE

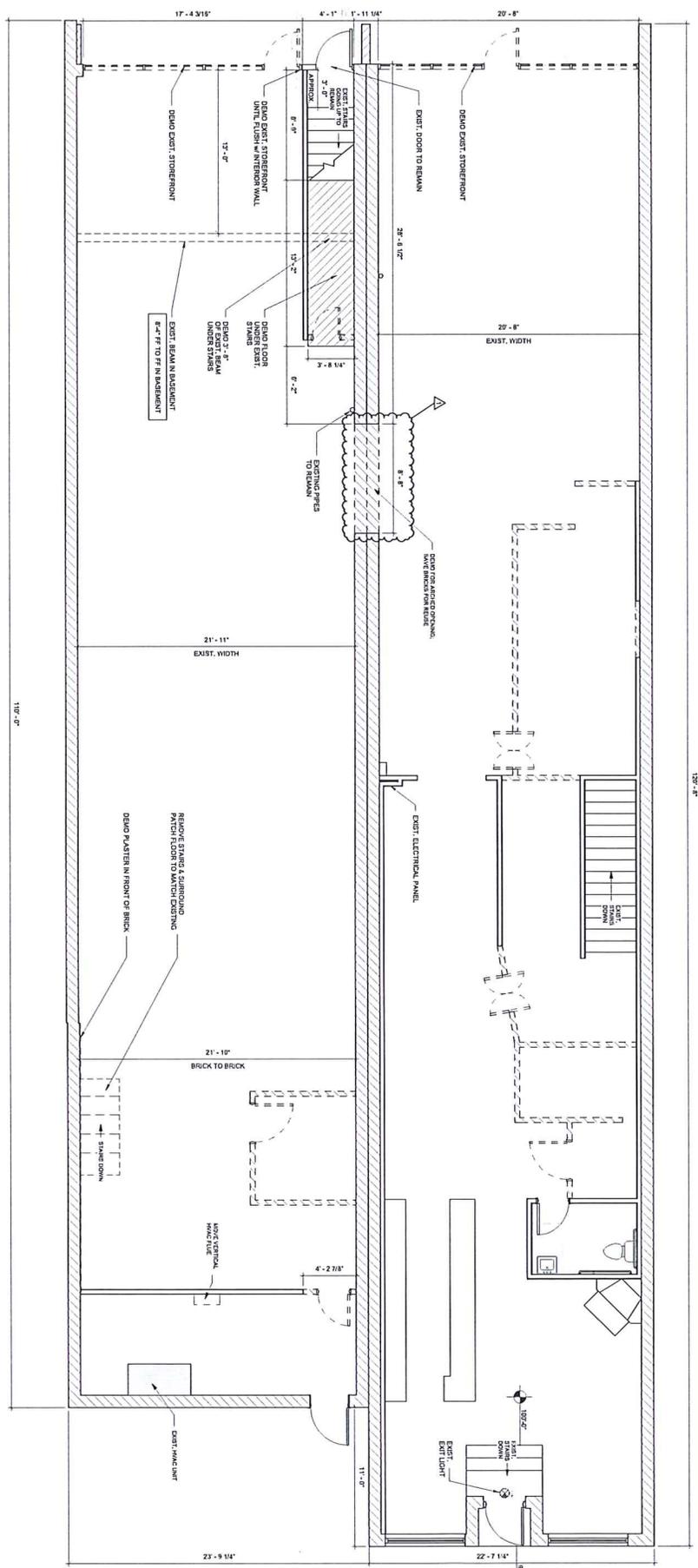
SCALE VERIFICATION
 DRAWN BY: JRG

JOB NUMBER: 232553
PROJECT: NICK VAN LANEN
DESIGNER: (920) 860-8110
DRAWN BY: JRG
DATE: 05/02/2023
REVISIONS:
 1 05/10/23 JRG

FLOOR PLAN - EXISTING/DEMO
 1/4" = 1'-0"



ISSUED FOR: CHECKED DA
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FLOOR PLAN - EXISTING/DEMO
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ANTOJITOS MEXICANOS

PROPOSED BUILDING FOR:

SCALE VERIFICATION

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 136 1/4" = 1635'-0"
 136 1/2" = 1638'-0"
 136 3/4" = 1641'-0"
 137" = 1644'-0"
 137 1/4" = 1647'-0"
 137 1/2" = 1650'-0"
 137 3/4" = 1653'-0"
 138" = 1656'-0"
 138 1/4" = 1659'-0"
 138 1/2" = 1662'-0"
 138 3/4" = 1665'-0"
 139" = 1668'-0"
 139 1/4" = 1671'-0"
 139 1/2" = 1674'-0"
 139 3/4" = 1677'-0"
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 140 1/2" = 1686'-0"
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 141 3/4" = 1701'-0"
 142" = 1704'-0"
 142 1/4" = 1707'-0"
 142 1/2" = 1710'-0"
 142 3/4" = 1713'-0"
 143" = 1716'-0"
 143 1/4" = 1719'-0"
 143 1/2" = 1722'-0"
 143 3/4" = 1725'-0"
 144" = 1728'-0"
 144 1/4" = 1731'-0"
 144 1/2" = 1734'-0"
 144 3/4" = 1737'-0"
 145" = 1740'-0"
 145 1/4" = 1743'-0"
 145 1/2" = 1746'-0"
 145 3/4" = 1749'-0"
 146" = 1752'-0"
 146 1/4" = 1755'-0"
 146 1/2" = 1758'-0"
 146 3/4" = 1761'-0"
 147" = 1764'-0"
 147 1/4" = 1767'-0"
 147 1/2" = 1770'-0"
 147 3/4" = 1773'-0"
 148" = 1776'-0"
 148 1/4" = 1779'-0"
 148 1/2" = 1782'-0"
 148 3/4" = 1785'-0"
 149" = 1788'-0"
 149 1/4" = 1791'-0"
 149 1/2" = 1794'-0"
 149 3/4" = 1797'-0"
 150" = 1800'-0"
 150 1/4" = 1803'-0"
 150 1/2" = 1806'-0"
 150 3/4" = 1809'-0"
 151" = 1812'-0"
 151 1/4" = 1815'-0"
 151 1/2" = 1818'-0"
 151 3/4" = 1821'-0"
 152" = 1

**CITY OF APPLETON
RESOLUTION FOR SPECIAL USE PERMIT #11-23
RESTAURANT AND SIDEWALK CAFE WITH ALCOHOL
204 & 206 E. COLLEGE AVENUE**

WHEREAS, FA & VB, LLC, owner; Antojitos Mexicanos, LLC, applicant, has applied for a Special Use Permit to expand an existing restaurant and sidewalk café with alcohol sales and consumption located at 204 & 206 E. College Avenue, also identified as Parcel Number 31-2-0313-00; and

WHEREAS, the proposed restaurant and sidewalk café with alcohol sales and consumption is located in the CBD Central Business District, and the proposed use may be permitted by Special Use Permit within this zoning district pursuant to Chapter 23 of the Municipal Code; and

WHEREAS, the City of Appleton Plan Commission held a public hearing on October 25, 2023 on Special Use Permit #11-23, 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

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 #11-23 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 November 1, 2023.

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 #11-23 to expand an existing restaurant and sidewalk cafe with alcohol sales and consumption located at 204 & 206 E. College Avenue, also identified as Parcel Number 31-2-0313-00, 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 #11-23 to expand an existing restaurant and sidewalk café with alcohol sales and service located at 204 & 206 E. College Avenue, also identified as Parcel Number 31-2-0313-00, 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 #11-23:

- A. The applicant shall receive approval of a Liquor License premise amendment from the City Clerk prior to serving or consuming alcohol in the expanded interior area and new outdoor area.
 - 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 area identified on the attached development plan and floor plan drawings. Any expansions of the special use, changes to the development plan(s), plan of operation or any conditions of approval may require a major or minor amendment request to this Special Use Permit pursuant to Section 23-66(g) of the Zoning Ordinance. Contact the Community and Economic Development Department to discuss any proposed changes.
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 1st day of November, 2023.



Jacob A. Woodford, Mayor

ATTEST:



Kami Lynch, City Clerk

PLAN OF OPERATION AND LOCATIONAL INFORMATION

Business Information:

Name of business: Antojitos Mexicanos, LLC

Years in operation: 15

(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:

~~The proposed use is restaurant/bar. The renovation will include installation of garage doors along College Avenue. Temporary fencing and railing will be placed along the property line when opening the garage doors to restrict customers from walking in and out.~~

removed

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

(square feet) 2,752 sq. ft.

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

(square feet) 5,546 sq. ft.

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: 249 or less persons.

Proposed Hours of Operation for Indoor Uses:

Day	From	To
Monday thru Thursday	11:00 am	10:00 pm
Friday	11:00 am	12:00 am
Saturday	11:00 am	12:00 am
Sunday	Closed	Closed

Production/Storage Information:

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

- Current production of fermented malt beverages: _____ U.S. gallons per year
- Proposed production of fermented malt beverages: _____ U.S. gallons per year
- Current production of wine: _____ U.S. gallons per year
- Proposed production of wine: _____ U.S. gallons per year
- Current production of intoxicating liquor: _____ proof gallons per year
- Proposed production of intoxicating liquor: _____ proof gallons per year
- None. If none, leave the following two 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:

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

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: 117 sq. ft. sidewalk cafe 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:

Serving drinks to customers at the tables within the amenity strip. The patio is a potential future expansion located on private property at the NE corner of the site adjacent to Johnston Street. The potential patio area is 253 sq. ft.

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	11:00 am	9:00 pm
Friday	11:00 am	9:00 pm
Saturday	11:00 am	9:00 pm
Sunday	Closed	Closed

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:
Normal restaurant music volume with occasional indoor live music.

Describe how the crowd noise will be controlled inside and outside the building:
The employees will handle the crowd noise.

Off-Street Parking:

Number of spaces existing on-site: 0

Number of spaces proposed on-site: 0

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?

No

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: 20

Number of proposed employees: 35

Number of employees scheduled to work on the largest shift: 20