



REPORT TO CITY PLAN COMMISSION

Plan Commission Public Hearing Date: May 23, 2017

Common Council Meeting Date: June 7, 2017

Item: Special Use Permit #4-17 for a woodworking studio with alcohol sales and consumption at 109 North Durkee Street

Case Manager: Don Harp

GENERAL INFORMATION

Owner/Applicant: Property Owner: CJW Properties, LLC
Applicant: Katie Forman – Board & Brush Creative Studio

Address/Tax Parcel #: 109 North Durkee Street/Tax Id #31-2-0325-00

Owner/Applicant Request: The owner/applicant is requesting a Special Use Permit for alcohol sales and consumption in conjunction with a woodworking studio. Customers take a 2.5 to 3 hour instruction class while enjoying food and beverage.

BACKGROUND

The tenant space on the first floor of the building is currently vacant.

STAFF ANALYSIS

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

Indoor Alcohol Sales and Consumption Area: 1st floor of the building (see attached Development and Operational Plan)

Outdoor Alcohol Consumption Area: No outdoor alcohol sales and consumption is requested as part of this application for a Special Use Permit.

2010-2030 Comprehensive Plan: The 2010-2030 Future Land Use Map currently represents this area to be Central Business District. The proposed use is consistent with the City's Comprehensive Plan and is consistent with the purpose and intent of the CBD Central Business District.

Overall Community Goals and Objectives:

Goal 8 – Community Growth (Chapter 9) - 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.

Special Use Permit #4-17

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Objective 8.4: Support the organizations, events, and venues that make Appleton the arts and cultural center of the Fox Cities.

Objective 9.4: Ensure the continued vitality of downtown and the City's neighborhood commercial districts.

Initiative 2.1 - (Chapter 14) - Downtown Plan: Maintain and strengthen the vitality of the arts and entertainment niche.

Initiative 2.2 - (Chapter 14) - Downtown Plan: Pursue opportunities to attract more artists and arts-related businesses to the downtown.

Purpose of CBD Central Business District:

This district is intended to provide a centrally located and readily accessible area that offers a wide variety of retail, service, financial, entertainment and governmental uses. A broad range of uses is permitted to reflect downtown's role as a commercial, cultural and government center. Development is intended to be intense with maximum lot coverage, increased building scale and height density and buildings placed close together. Development is intended to be pedestrian-oriented with a strong emphasis on a safe and attractive streetscape.

Surrounding Zoning Classification and Current Land Uses:

- **North:** Zoning: CBD, Central Business District
Current Land Use – Surface Parking Lot
- **South:** Zoning: CBD, Central Business District
Current Land Use – Personal Service
- **East:** Zoning: CBD, Central Business District
Current Land Use – Retail
- **West:** Zoning: CBD, Central Business District
Current Land Use – Retail

Technical Review Group Report (TRG): This item was discussed at the May 2, 2017 Technical Review Group meeting. No negative comments were received from participating departments.

- Inspections Department indicated no sawdust shall be created from woodworking, unless a dust collection system is installed per Building Code.

Finding of Fact: Prior to the granting of any Special Use Permit, the City Plan Commission may recommend and the Common Council may place such conditions and restrictions upon the establishment, location, construction, maintenance and method or hours of operation of the special use as is deemed necessary for the protection of the public interest and to secure compliance with the standards specified in 23-66 (e) (1-6). This request was reviewed in accordance with the standards for granting a Special Use Permit under 23-66 (e) (1-6), which were found in the affirmative.

RECOMMENDATION

Staff recommends, based on the above, that Special Use Permit #4-17 to allow alcohol sales and consumption located at 109 North Durkee Street (Tax Id #31-2-0325-00) and attached Resolution, **BE APPROVED** as shown on the attached maps and per attached plan of operation, to run with the land, subject to the following conditions:

1. Compliance with the attached Development Plan showing site layout and the floor plan and Operation Plan is required at all times per 23-66(d)(5). Changes to the Development Plan drawings and Operation Plan may require an amendment to the Special Use Permit or a new Special Use Permit.
2. The applicant shall comply with the standards established on Chapter 9, Article III, Alcoholic Beverages, of the Appleton Municipal Code and all applicable State Statutes.
3. All applicable codes, ordinances, and regulations, including but not limited to, Fire and Building Codes and the Noise Ordinance, shall be complied with.

RESOLUTION

CITY OF APPLETON RESOLUTION APPROVING SPECIAL USE PERMIT #4-17

WHEREAS, Katie Forman (Board & Brush Creative Studio) has applied for a Special Use Permit for a woodworking studio with alcohol sales and consumption located at 109 North Durkee Street, also identified as Parcel Number 31-2-0325-00; and

WHEREAS, the location for the proposed woodworking studio is located in the CBD Central Business District and the proposed use is permitted by special use within this zoning district; and

WHEREAS, the City of Appleton Plan Commission held a public hearing on May 23, 2017, on Special Use Permit #4-17 at which all those wishing to be heard were allowed to speak or present written comments, and other materials presented at the public hearing; and

WHEREAS, the City of Appleton Plan Commission has considered the application, the staff reports, oral and written, the Comprehensive Plan and zoning on the subject property, the testimony, written comments, and other materials 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)(1-6) and 23-66(h)(6) of the Municipal Code, and forwarded Special Use Permit #4-17 to the City of Appleton Common Council with a _____ favorable 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 _____, 2017 and found it to be acceptable.

NOW, THEREFORE, BE IT RESOLVED, that the City of Appleton Common Council approves Special Use Permit #4-17 for a woodworking studio with alcohol sales and consumption located at 109 North Durkee Street, also identified as Parcel Number 31-2-0325-00 and orders as follows:

CONDITIONS OF SPECIAL USE PERMIT #4-17

1. Compliance with the attached Development Plan showing site layout and the floor plan and Operation Plan is required at all times per 23-66(d)(5). Changes to the Development Plan drawings and Operation Plan may require an amendment to the Special Use Permit or a new Special Use Permit.
2. The applicant shall comply with the standards established on Chapter 9, Article III, Alcoholic Beverages, of the Appleton Municipal Code and all applicable State Statutes.

3. All applicable codes, ordinances, and regulations, including but not limited to, Fire and Building Codes and the Noise Ordinance, shall be complied with.

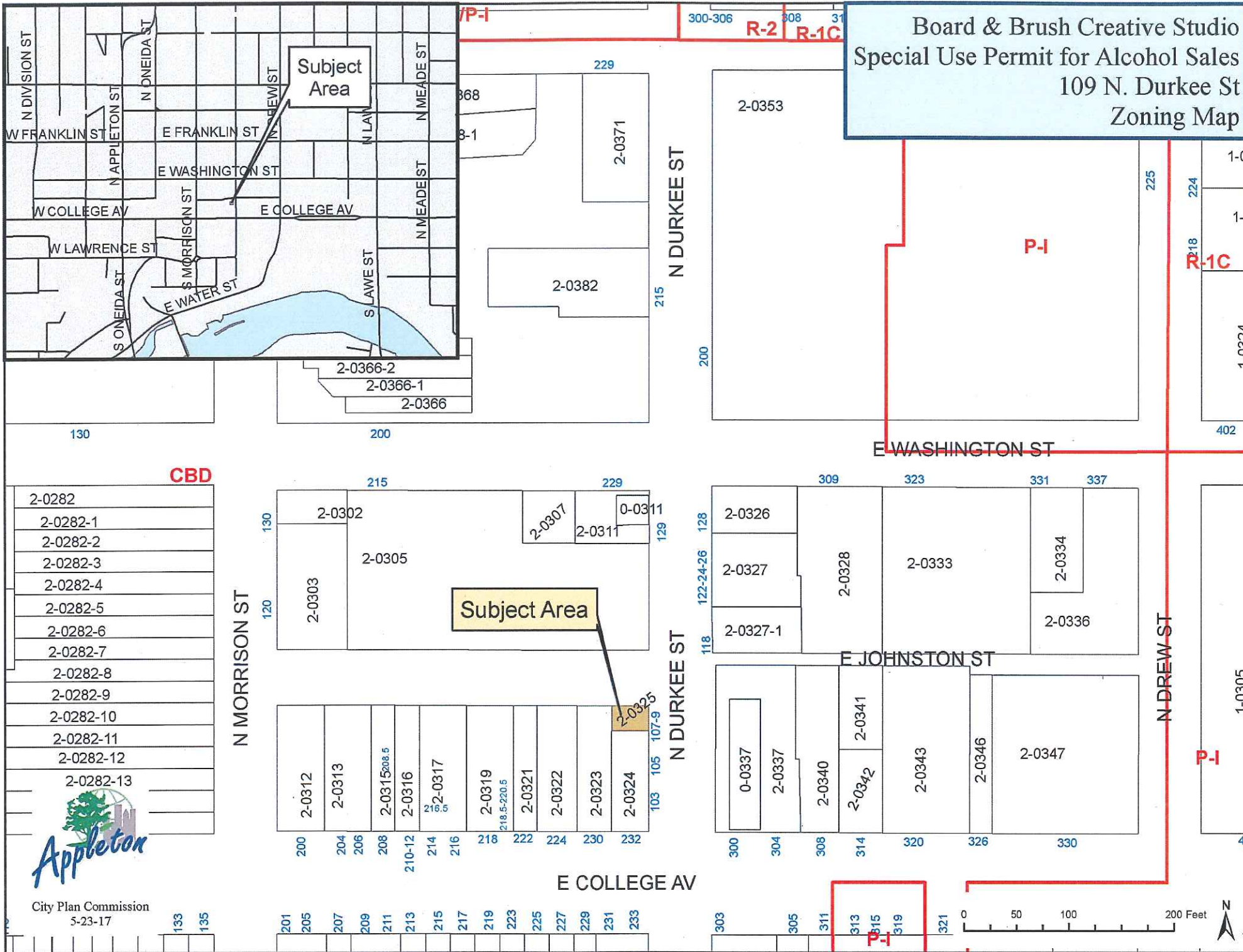
Adopted this _____ day of _____, 2017.

Timothy M. Hanna, Mayor

ATTEST:

Kami Lynch, City Clerk

Board & Brush Creative Studio
 Special Use Permit for Alcohol Sales
 109 N. Durkee St
 Zoning Map



Subject Area

Subject Area

CBD

2-0282
2-0282-1
2-0282-2
2-0282-3
2-0282-4
2-0282-5
2-0282-6
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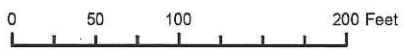


City Plan Commission
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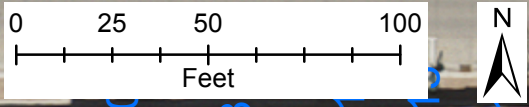
Board & Brush Creative Studio
Special Use Permit for Alcohol Sales
109 N. Durkee St
Aerial Map



Subject Area



City Plan Commission
5-23-17



Don Harp

From: Katie Forman <bbgreenbaywi@gmail.com>
Sent: Thursday, April 20, 2017 12:44 PM
To: Don Harp
Subject: Appleton Special Use Permit - 109 North Durkee Street
Attachments: Scan 4.jpeg; IMG_2652.JPG

Hi Don,

Attached is a rough sketch of the space.

We will be adding the following to the current space:

Bathrooms: ADA toilets, grab bars, and blade handles on the sinks (if required).

Main Space: 3 rolling craft tables, a check-in desk, and bar with 2 beverage coolers below (see example photo attached).

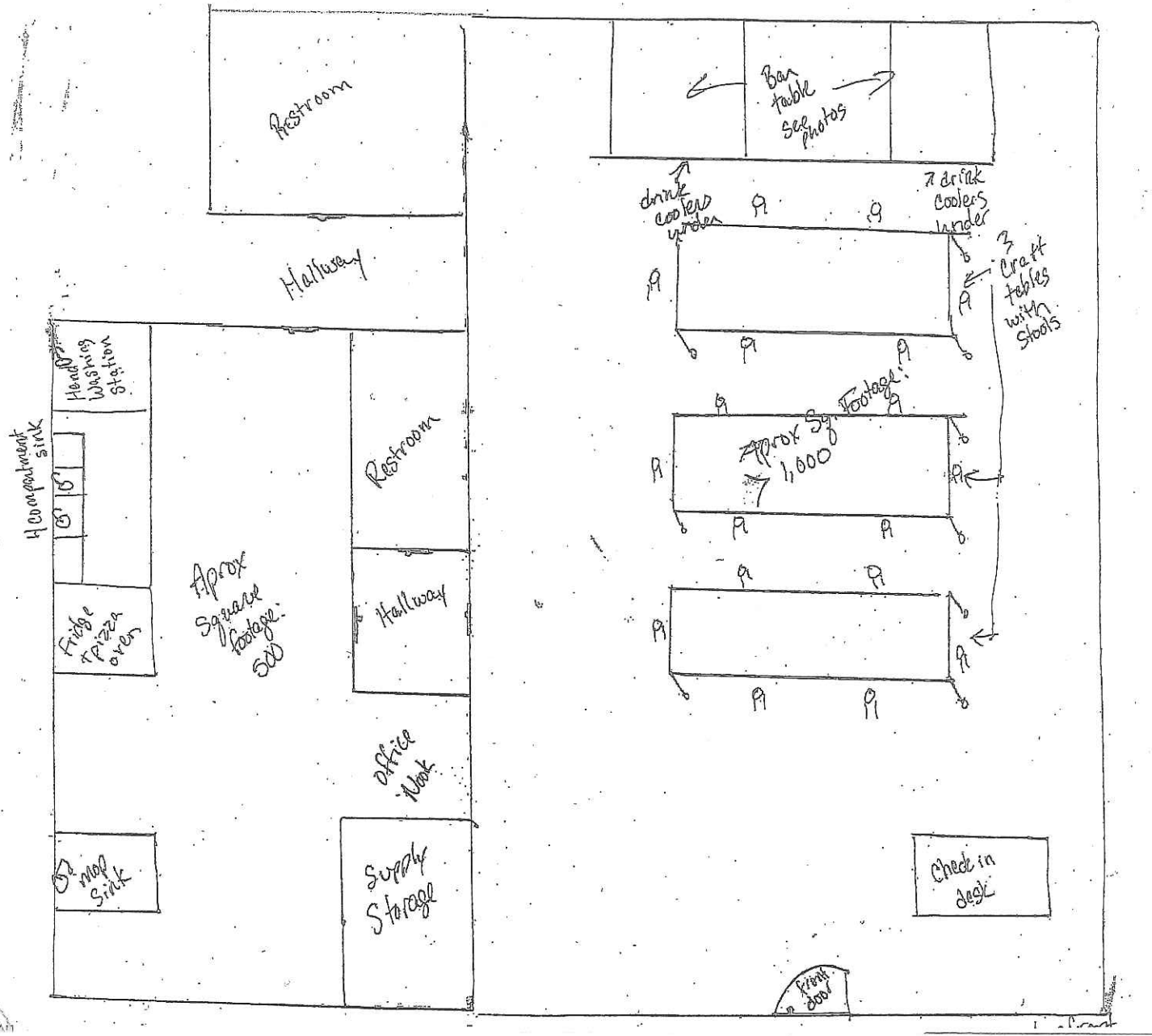
Kitchen Space: Fridge, pizza oven, and hand washing station (4 compartment sink and mop sink already exist).

HVAC: outside air intake and vent.

I'll be submitting my liquor license application as soon as I receive confirmation of my federal & state #'s.

Thanks,

Katie



Board & Brush Creative Studio
Special Use Permit for Alcohol Sales
109 N. Durkee St
Development Plan

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

Business Information:

Name of business: Board and Brush Creative Studio - Green Bay, LLC

Years in operation: 1

Percentage of business derived from restaurant service: 50 %

Type of proposed establishment (detailed explanation of business):

Weekly DIY woodworking classes. Creative experience for
adults. Sale of pizza, cheese and cracker trays, and
vegetable and dip platters. Wine, beer, soda, and water
also for sale.

Proposed Hours of Operation for Indoor Uses:

Day	From	To
Week Day	6:30 Pm	9:30 Pm
Friday	6:30 Pm	9:30 Pm
Saturday	9:00 Am	9:30 Pm
Sunday	closed	

Building Capacity and Area:

Maximum number of persons permitted to occupy the building or tenant space as determined by the International Building Code (IBC) or the International Fire Code (IFC), whichever is more restrictive: _____ persons

Gross floor area of the existing building(s): > 1,000

Gross floor area of the proposed building(s): > 1,000

Describe Any Potential Noise Emanating From the Proposed Use:

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

5-10 minutes at beginning of workshop: noise from
customer use of hammers. Light music and minimal
customer chatter.

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

Instructors lead all customers through classroom-style guided steps to complete projects. Minimal customer chatter involved.

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

NA

Outdoor Uses:

Location, type, size and design of outdoor facilities:

NA

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

NA

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

Are there plans for outdoor music/entertainment? Yes ___ No

If yes, describe how the noise will be controlled:

NA

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

Proposed Hours of Operation for Outdoor Uses:

Day	From	To
Week Day		
Friday		
Saturday		
Sunday		

