



## REPORT TO CITY PLAN COMMISSION

**Plan Commission Meeting Date:** April 7, 2014

**Common Council Meeting Date:** No action required

**Item:** The Trout Museum of Art, Minor Amendment to Special Use Permit #32-05 – To allow alcohol sales and consumption on the 3<sup>rd</sup> floor in lieu of the 1<sup>st</sup> and 2<sup>nd</sup> floors of the building located at 111 West College Avenue on April 19, 2014.

**Case Manager:** Don Harp

### GENERAL INFORMATION

**Owner/Applicant:** Property owner: Appleton Art Center, Inc.  
Applicant: Pamela Williams-Lime, President - The Trout Museum of Art

**Address/Parcel #:** 111 West College Avenue/31-2-0066-00

**Owner/Applicant Request:** The owner/applicant is requesting a minor amendment to Special Use Permit #32-05. The Trout Museum of Art is requesting approval to allow alcohol sales and consumption on the 3<sup>rd</sup> floor in lieu of the 1<sup>st</sup> and 2<sup>nd</sup> floors of the building in conjunction with a reception for a new art exhibit opening on April 19, 2014. (See the attached request)

### BACKGROUND

Special Use Permit #32-05 was approved for alcohol sales **on the 1<sup>st</sup> and 2<sup>nd</sup> Floors** of 111 West College Avenue by the Plan Commission on December 12, 2005 and approved by the Common Council on December 21, 2005. The approval was granted with two (2) conditions listed as follows:

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, Article III, Alcoholic beverages, of the Appleton Municipal Code.
  - *On-going condition. Currently, the owner/applicant possesses a valid Liquor License for the sale and consumption of alcohol on the subject site.*
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 minor amendment request to be applied for and approved.
  - *No expansions are proposed with this request, therefore, the applicant is not required to apply for and receive approval of a new Special Use Permit with this request. However, the applicant is requesting a minor amendment to Special Use Permit #32-05, to allow alcohol sales and consumption on the 3<sup>rd</sup> floor in lieu of the 1<sup>st</sup> and 2<sup>nd</sup> floors of the building located at 111 West College Avenue in conjunction with a reception for a new art exhibit opening on April 19, 2014. If the minor amendment to Special Use Permit #32-05 is approved by the Plan Commission, this*

**Minor Amendment Special Use Permit #32-05**

April 7, 2014

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*approval will expire on April 20, 2014, per staff recommendation.*

**STAFF ANALYSIS**

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**Outdoor Seating with Alcohol Service Area:** None proposed

**2010-2030 Comprehensive Plan:** The 2010-2030 Future Land Use Map currently represents this area to be used for central business district. The proposed zoning classification 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**

- **Goal 1 – Community Growth** (Chapter 11 – 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.

**Ordinance Requirements:**

This item has been referred to the Plan Commission per Section 23-66(g) of the Zoning Ordinance, which states:

(1) *Minor change.* Minor changes shall be submitted to and reviewed by the Plan Commission. Minor changes include:

- a. Expansions of special uses of less than ten percent (10%).

*The combined floor area of the 1<sup>st</sup> and 2<sup>nd</sup> floor of the building is approximately 8,198 square feet in area and the 3<sup>rd</sup> floor of the building is approximately 4,300 square feet in area. The applicant's request to utilize Special Use Permit #32-05 for alcohol sales and consumption on the 3<sup>rd</sup> floor in lieu of the 1<sup>st</sup> and 2<sup>nd</sup> floors of the building in conjunction with a reception for a new art exhibit opening on April 19, 2014 is not deemed to constitute an expansion of 10% or greater. Therefore, no expansions are proposed with this request.*

- b. Other changes which keep with the general intent and character of the Special Use Permit previously issued.

*Alcohol sales and consumption will occur in conjunction with a reception for a new art exhibit opening on the 3<sup>rd</sup> floor of the building. This minor amendment request is consistent with the general intent and character of Special Use Permit #32-05.*

Note: Minor amendments to existing Special Use Permit do not require Common Council action.

**Minor Amendment Special Use Permit #32-05**

**April 7, 2014**

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**RECOMMENDATION**

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Staff recommends, based on the above, that Minor Amendment to Special Use Permit #32-05 to allow alcohol sales and consumption on the 3<sup>rd</sup> floor of the building in lieu of the 1<sup>st</sup> and 2<sup>nd</sup> floors of the building located at 111 West College Avenue for April 19, 2014, as shown on the attached map, **BE APPROVED** subject to the following condition:

1. Minor amendment to Special Use Permit 32-05 shall expire on April 20, 2014 for alcohol sales and consumption on the 3<sup>rd</sup> floor of the building.

RECEIVED

MAR 25 2014

CITY OF APPLETON  
COMMUNITY DEVELOPMENT

March 25, 2014



City of Appleton  
Community and Economic Development  
Don Harp  
100 N. Appleton St.  
Appleton, WI 54911

Dear Mr. Harp,

We are requesting a minor amendment to Special Use Permit #3205. Our request is to utilize our liquor license, No. 22-14R, on the 3<sup>rd</sup> floor of our building from 12 A.M. to 11:59 P.M. on Saturday, April 19, 2014. During this time we will not utilize our liquor license on the 1<sup>st</sup> and 2<sup>nd</sup> floors of our building.

For your reference, a drawing of the 3<sup>rd</sup> floor is attached. The total square footage of the 3<sup>rd</sup> floor is approximately 4,300 sq. feet, which is about half of the total square footage for the 1<sup>st</sup> and 2<sup>nd</sup> floors.

In order to accommodate our needs in the future, we will request a permanent change to the Special Use Permit at a later date.

Thank you for your assistance with this matter. We appreciate your help and guidance.

Sincerely,

Pamela Williams-Lime  
President  
The Trout Museum of Art  
(920) 733-4089 ext. 1001

*The Reigel Building*

*111 W. College Ave.*

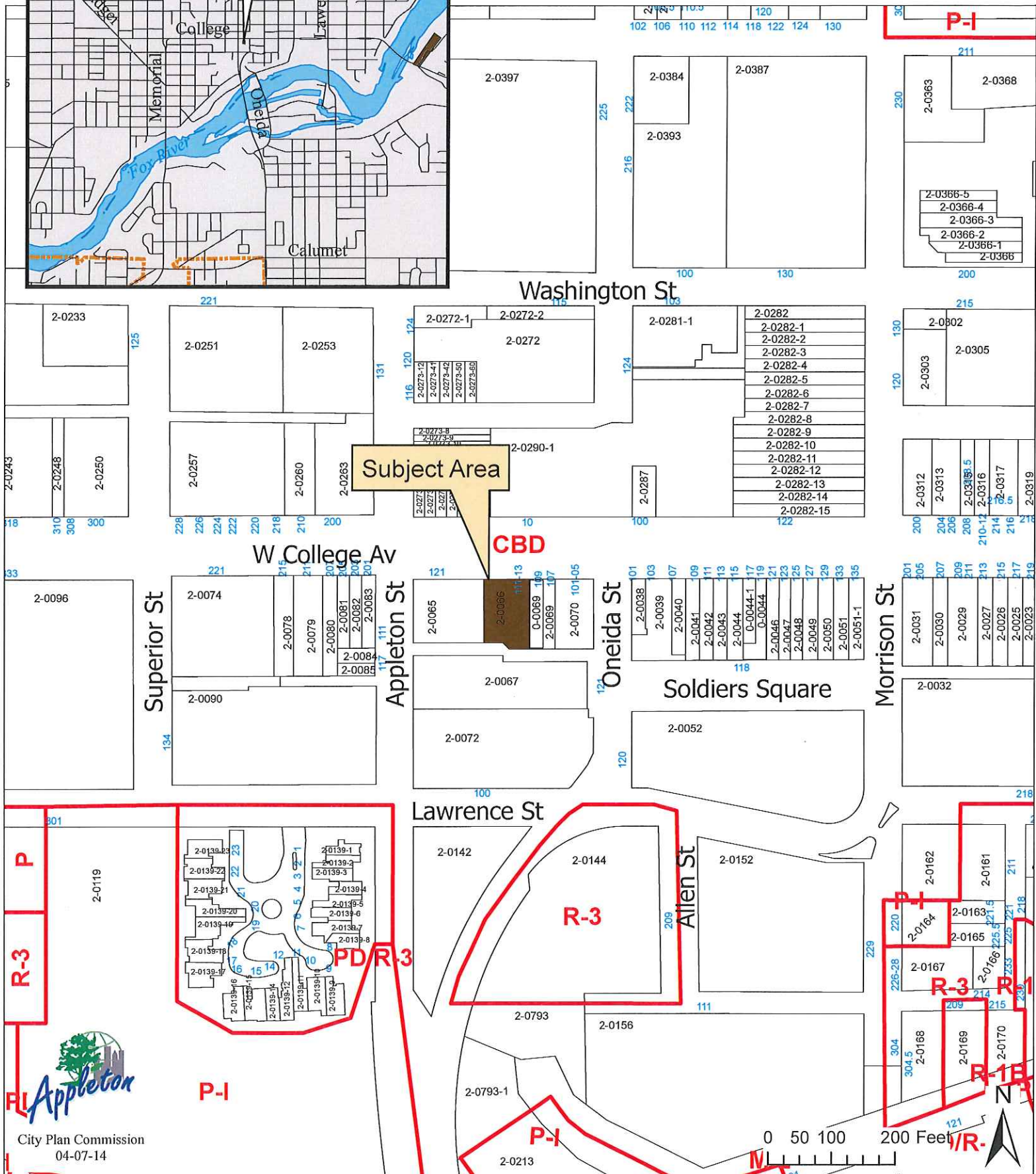
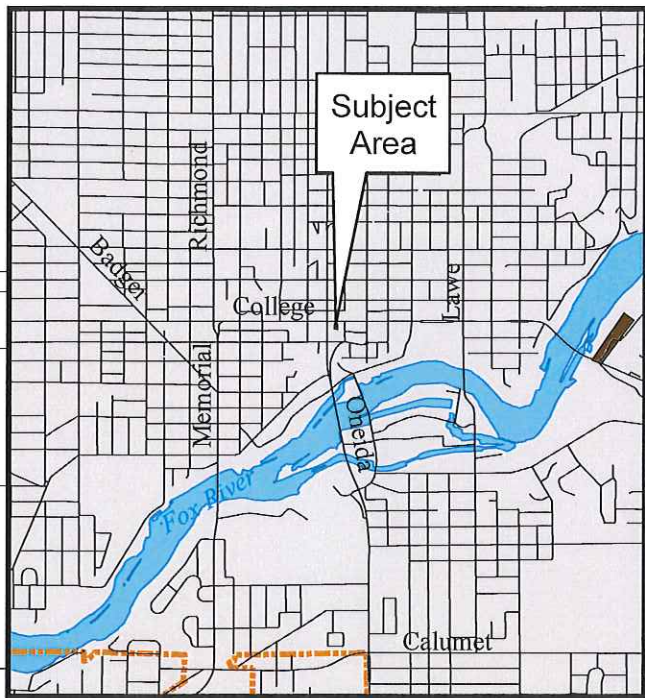
*Appleton, WI 54911*

*Phone: 920.733.4089*

*Fax: 920.733.4149*

*www.troutmuseum.org*

111 West College Avenue  
 Minor Amendment to Special Use Permit #32-05  
 The Trout Museum of Art  
 Zoning Map



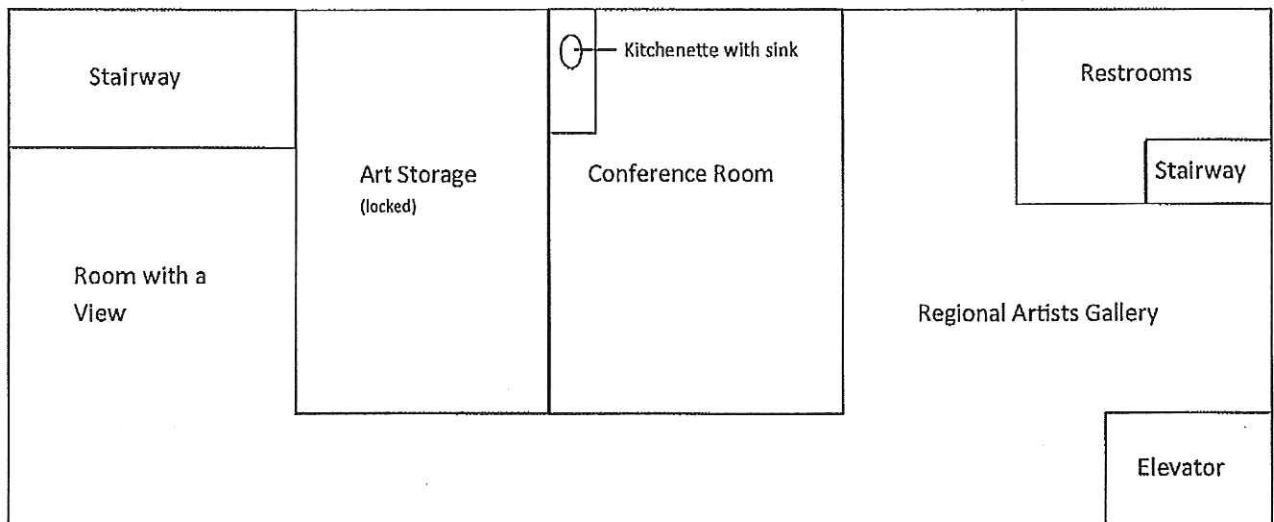
Subject Area



The Trout Museum of Art  
Fox Cities Building for the Arts  
111 West College Avenue  
Appleton, WI 54911

FLOOR AREA: 4,300 SQ.FT.

### Third Floor Footprint



**Appleton Art Center with Alcohol Sales  
 Special Use Permit  
 First Floor Development Plan**

**City Plan Commission  
 Appleton, Wisconsin  
 12-12-05**



1/8" = 1'-0"



1/8" = 1'-0"

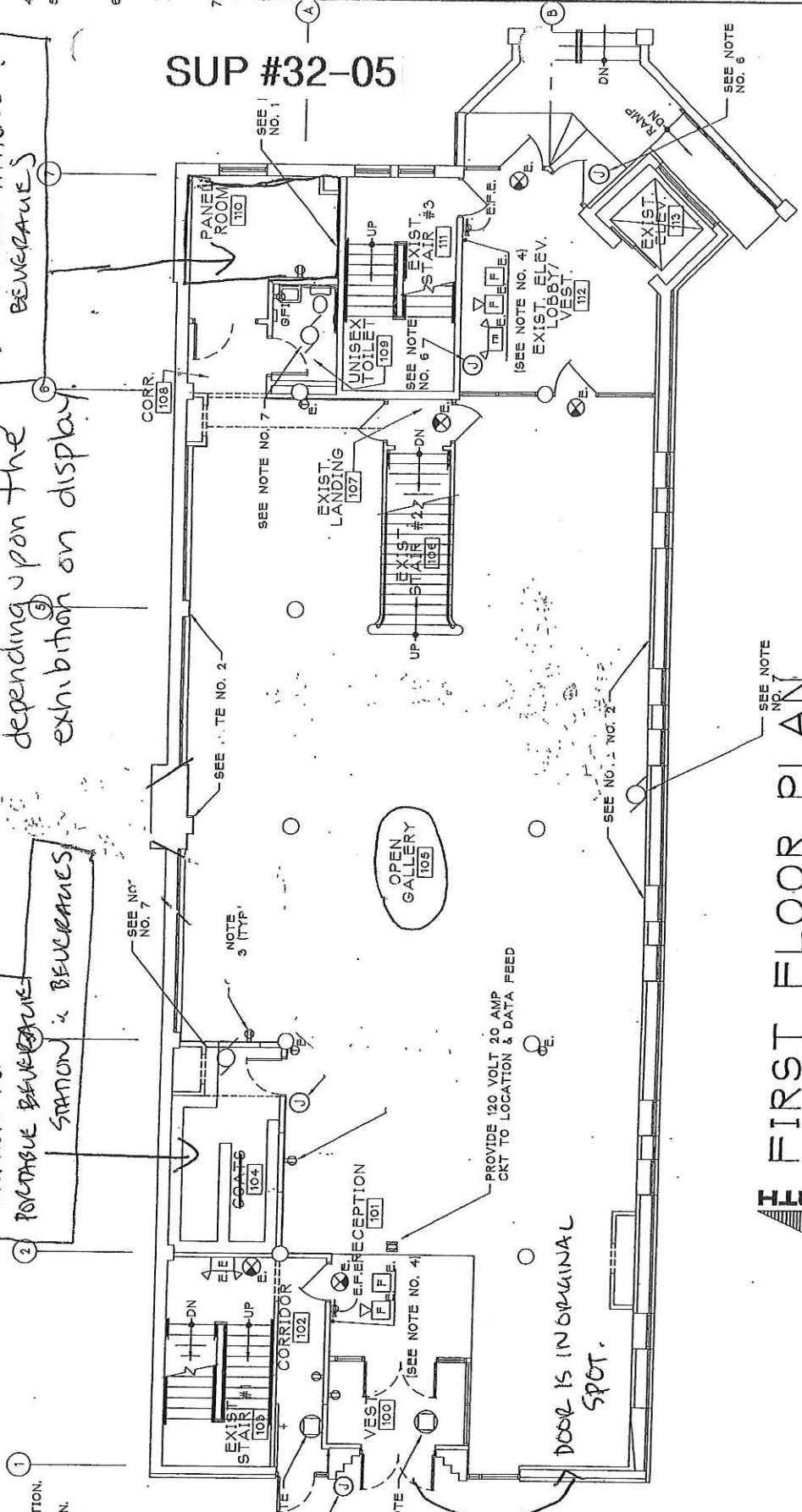
The moveable beverage station would be pulled out for receptions and placed in an area that does not interfere with traffic flow or sculptural artwork on 1st or 2nd floor.

STORAGE FOR PORTABLE BEVERAGE STATIONS & BEVERAGES

STORAGE FOR PORTABLE BEVERAGE STATIONS & BEVERAGES

location may change depending upon the exhibition on display.

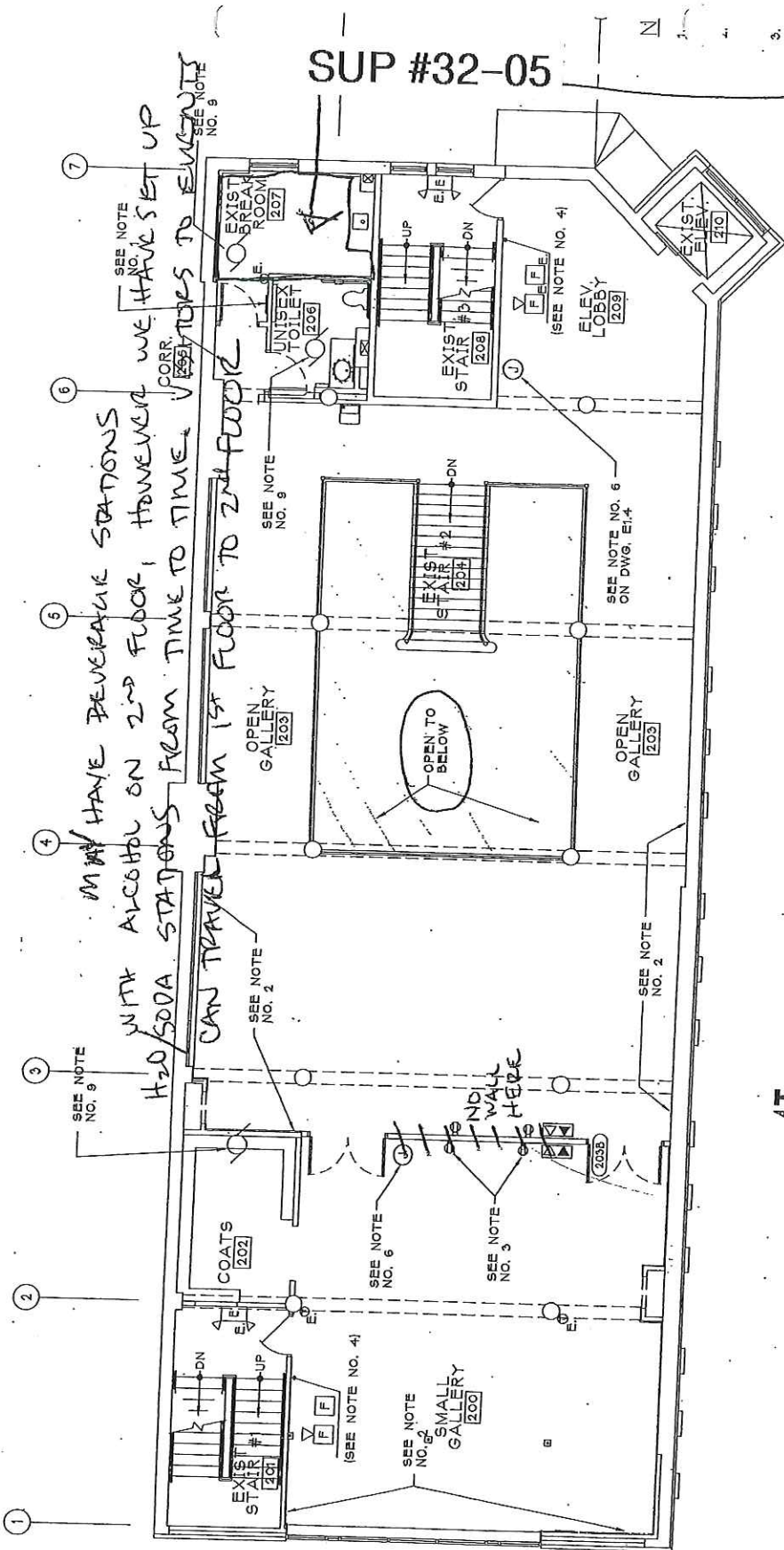
SUP #32-05



FIRST FLOOR PLAN

SUP #32-05

1. 2. 3. 4. 5.



7. SEE NOTE NO. 9  
 6. SEE NOTE NO. 9  
 5. WE MAY HAVE BEVERAGE STATIONS WITH ALCOHOL ON 2ND FLOOR, HOWEVER WE HAVE SET UP H<sub>2</sub>O/500A STATIONS FROM TIME TO TIME. VESTIBULES TO ELEVATORS CAN TRAVEL FROM 1ST FLOOR TO 2ND FLOOR  
 4. SEE NOTE NO. 2  
 3. SEE NOTE NO. 9  
 2. SEE NOTE NO. 6  
 1. SEE NOTE NO. 4

Storage for beverages for beverage stations

SECOND FLOOR PLAN  
 1/8" = 1'-0"  
 NORTH

Appleton Art Center with Alcohol Sales  
 Special Use Permit  
 Second Floor Development Plan

City Plan Commission  
 Appleton, Wisconsin  
 12-12-05

NTS  
 prepared by: