



## REPORT TO CITY PLAN COMMISSION

**Plan Commission Public Hearing Meeting Date:** June 22, 2015

**Common Council Meeting Date:** July 1, 2015

**Item:** Special Use Permit #6-15 for a restaurant with alcohol sales

**Case Manager:** Don Harp

### GENERAL INFORMATION

**Owner/Applicant:** Property owner: Bell Heights Development - Jim Smith, Managing Partner  
Applicant: Guang Hai Chen

**Building Address/Parcel #:** 1000 West Wisconsin Avenue / 31-5-2676-00

**Tenant Suite Address #:** Unit #3

**Petitioner's Request:** The applicant is requesting a Special Use Permit for a restaurant with alcohol sales.

### BACKGROUND

Site Plan #01-58 was approved for the construction of the existing multi-tenant building and parking lot.

### STAFF ANALYSIS

**Existing Site Conditions:** The existing building is 27,535 square feet in area. The proposed restaurant with alcohol sales occupies 2,100 square feet of the existing building. Adequate parking exists on the north and south sides of the building for the existing tenants, and two (2) curb cuts exist on West Wisconsin Avenue and Kamps Avenue.

**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. This request will not increase existing building area or tenant capacity and, therefore, does not require additional off-street parking spaces because the intensity of the use remains the same.

**Operational Information:** See attached Plan of Operation and Locational Information.

#### **Surrounding Zoning and Land Uses:**

North: R-1B – Single-Family District, Single-Family Residential  
South: C-2 – General Commercial District, Commercial and Single-Family Residential  
West: C-2 – General Commercial District, Commercial  
East: C-2 – General Commercial District, Commercial

**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 retail, 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 2, 2015 Technical Review Group meeting. No negative comments were received from participating departments.

**RECOMMENDATION**

---

Staff recommends, based on the above, that Special Use Permit #6-15 for a restaurant with alcohol sales, **BE APPROVED**, to run with the land, subject to the following conditions:

1. The serving and consumption of alcohol is limited to the interior ground floor of the tenant space identified in blue highlight on the Development Plan dated 6-22-15.
2. Compliance with the Operational Plan is required at all times. Changes to the Operational Plan shall be submitted to the Community and Economic Development Department for review and approval.
3. The use shall conform to the standards established in Chapter 9, Article III, Alcoholic Beverages, of the Appleton Municipal Code.
4. Any deviations from the approved Development Plan may require a major or minor amendment request to this Special Use Permit pursuant to Section 23-66(g) of the Zoning Ordinance.

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

**Business Information:**

Name of business: Min Du Buffet

Years in operation: NEW

Percentage of business derived from restaurant service: 90 %

Type of proposed establishment (detailed explanation of business):

chinese buffet.

---



---



---

**Proposed Hours of Operation for Indoor Uses:**

Day	From	To
Week Day	10:30 AM	10:00 PM
Friday	↓	↓
Saturday	↓	↓
Sunday	↓	↓

*Serve Alcohol till 9:00pm*

**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): 2100 s.f. (Unit Area) Dining Area 820 s.f.

Gross floor area of the proposed building(s): \_\_\_\_\_

**Describe Any Potential Noise Emanating From the Proposed Use:**

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

None no noise anticipated

---



---



---

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

staff

---

---

---

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

staff

---

---

---

**Outdoor Uses:**

Location, type, size and design of outdoor facilities:

N/A

---

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

N/A

---

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:

---

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		

**Outdoor Lighting:**

Type: Cutoff Fixtures

Location: Building Parking Lot.

**Off-Street Parking:**

Number of spaces existing: 127

Number of spaces proposed: —

**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:

N/A  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Number of Employees:**

Number of existing employees: \_\_\_\_\_

Number of proposed employees: 3

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



1000 West Wisconsin Avenue #3  
Special Use Permit  
Restaurant with Alcohol  
Zoning Map



Subject Area

Kamps Av

1000

914

W Wisconsin Av

17 1013 1009 1003

919

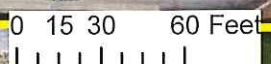
Story St

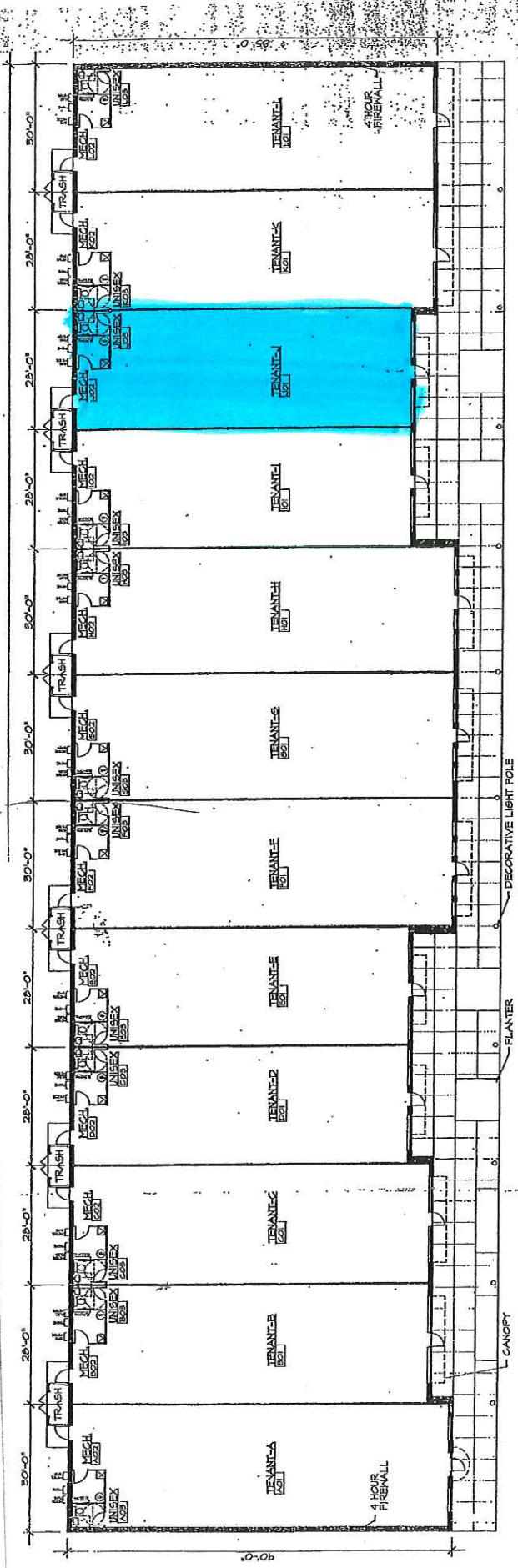
1215

5-0578

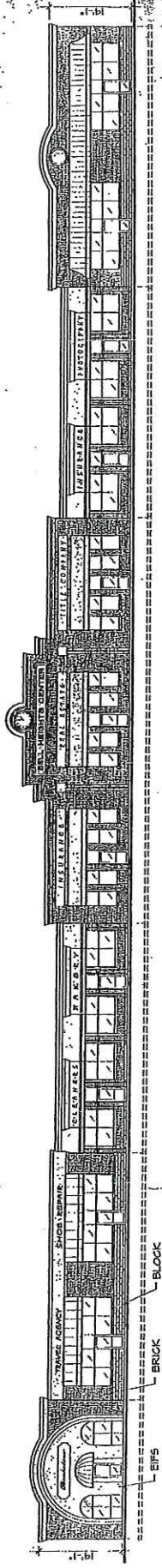


City Plan Commission  
06-22-15





**FLOOR PLAN**  
3/32" = 1'-0"



**SOUTH ELEVATION**  
3/32" = 1'-0"

1000 West Wisconsin Avenue #3  
Special Use Permit  
Restaurant with Alcohol

