



# City of Appleton

100 North Appleton Street  
Appleton, WI 54911-4799  
[www.appleton.org](http://www.appleton.org)

## Meeting Agenda City Plan Commission

*Any questions about items on this meeting are to be directed to  
the Community and Economic Development Department,  
920-832-6468.*

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Monday, July 6, 2015

4:00 PM

Council Chambers, 6th Floor

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1. Call meeting to order
2. Roll call of membership
3. Approval of minutes from previous meeting  
[15-1114](#) City Plan Minutes from 6-22-15

**Attachments:** [City Plan Minutes 6-22-15.pdf](#)

### 4. Public Hearings/Apearances

- [15-1115](#) Special Use Permit #7-15 to expand an existing tavern, with an outdoor beer garden, with alcohol service, at 906 S. Olde Oneida Street, as shown on the attached maps and per attached plan of operation, to run with the land subject to the conditions in the attached staff report (Associated with Action Item #15-1116)

### 5. Action Items

- [15-1116](#) Request to approve Special Use Permit #7-15 to expand an existing tavern, with an outdoor beer garden, with alcohol service, at 906 S. Olde Oneida Street, as shown on the attached maps and per attached plan of operation, to run with the land subject to the conditions in the attached staff report

**Attachments:** [SUP #7-15 Staff Review.pdf](#)

### 6. Information Items

7. Adjournment

*Notice is hereby given that a quorum of the Common Council may be present during this meeting, although no Council action will be taken.*

*Reasonable Accommodations for Persons with Disabilities will be made upon Request and if Feasible.*



# City of Appleton

100 North Appleton Street  
Appleton, WI 54911-4799  
[www.appleton.org](http://www.appleton.org)

## Meeting Minutes - Final City Plan Commission

*Any questions about items on this meeting are to be directed  
to the Community and Economic Development Department,  
920-832-6468.*

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Monday, June 22, 2015

4:00 PM

Council Chambers, 6th Floor

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1. Call meeting to order

**Meeting called to order at 4:00 p.m.**

2. Roll call of membership

**Present:** 4 - Dukelow, Buetow, Konetzke and Uslabar

**Excused:** 2 - Mayor Hanna and Priddis

*Others present:*

*Aldersperson Vered Meltzer, District #2*

*Aldersperson Joe Martin, District #4*

*Aldersperson Kyle Lobner, District #13*

*Aldersperson Jeff Jirschele, District #15*

*Peter Schau, Ton 80 Realty Services, Inc.*

*Jim Smith, W.E. Smith Realty, 1000 W. Wisconsin Avenue, Ste. #1*

*Guang Hai Chen, Min Du Buffet, 1000 W. Wisconsin Avenue, Ste. #3*

3. Approval of minutes from previous meeting

[15-1028](#)

City Plan Minutes from 6-8-15

**Attachments:** [City Plan Minutes 6-8-15.pdf](#)

**Buetow moved, seconded by Uslabar, that the Minutes be approved. Roll Call.**

**Motion carried by the following vote:**

**Aye:** 4 - Dukelow, Buetow, Konetzke and Uslabar

**Excused:** 2 - Mayor Hanna and Priddis

4. Public Hearings/Apearances

[15-1029](#)

Special Use Permit #5-15 for a 105-foot monopole wireless telecommunication tower with related ground equipment located at 1610 W. Wisconsin Avenue, as shown on the attached maps and per attached plan of operation, subject to the conditions in the attached staff report (Associated with Action Item #15-1031)

**This Appearance was presented.**

[15-1030](#)

Special Use Permit #6-15 for a restaurant with alcohol sales at 1000 W. Wisconsin Avenue, Unit #3, as shown on the attached maps and per attached plan of operation, to run with the land subject to the conditions in the attached staff report (Associated with Action Item #15-1032)

**This Appearance was presented.**

## 5. Action Items

[15-1031](#)

Request to approve Special Use Permit #5-15 for a 105-foot monopole wireless telecommunication tower with related ground equipment located at 1610 W. Wisconsin Avenue, as shown on the attached maps and per attached plan of operation, subject to the conditions in the attached staff report

**Attachments:**     [SUP #5-15 Staff Review.pdf](#)

**Uslabar moved, seconded by Konetzke, that the Report Action Item be recommended for approval. Roll Call. Motion carried by the following vote:**

**Aye:**    4 -    Dukelow, Buetow, Konetzke and Uslabar

**Excused:**    2 -    Mayor Hanna and Priddis

[15-1032](#)

Request to approve Special Use Permit #6-15 for a restaurant with alcohol sales at 1000 W. Wisconsin Avenue, Unit #3, as shown on the attached maps and per attached plan of operation, to run with the land subject to the conditions in the attached staff report

**Attachments:**     [SUP #6-15 Staff Review.pdf](#)

**Konetzke moved, seconded by Uslabar, that the Report Action Item be recommended for approval. Roll Call. Motion carried by the following vote:**

**Aye:**    4 -    Dukelow, Buetow, Konetzke and Uslabar

**Excused:**    2 -    Mayor Hanna and Priddis

## 6. Information Items

[15-967](#)

Resolution #8-R-15 - Dalton/Meltzer

"Whereas, the City of Appleton approved amended language to allow for the keeping of honeybees on areas zoned Public Institution in 2011, and areas zoned Urban Farm in 2013,

Whereas, there have been no reported incidents or problems related to the maintained honeybee populations,

Now, Therefore, Be it Resolved, the Appleton Municipal Code 3-52 be amended to include the following language:

"All zoned areas may, with the Health Officer's written consent, maintain up to 5 hives" and approved Beekeeping Permit requirements."

**Attachments:**     [Reso 8-R-15 Staff Review.pdf](#)

**Buetow moved, seconded by Konetzke, that the Report Action Item be referred to the Board of Health. Roll Call. Motion carried by the following vote:**

**Aye:** 4 - Dukelow, Buetow, Konetzke and Uslabar

**Excused:** 2 - Mayor Hanna and Priddis

## 7. Adjournment

**Konetzke moved, seconded by Uslabar, that the meeting be adjourned at 4:15 p.m. Roll Call. Motion carried by the following vote:**

**Aye:** 4 - Dukelow, Buetow, Konetzke and Uslabar

**Excused:** 2 - Mayor Hanna and Priddis



## REPORT TO CITY PLAN COMMISSION

**Plan Commission Public Hearing Meeting Date:** July 6, 2015

**Common Council Meeting Date:** July 15, 2015

**Item:** Special Use Permit #7-15 to expand an existing tavern with an outdoor beer garden

**Case Manager:** Don Harp

### GENERAL INFORMATION

**Owner/Applicant:** Gregg Van Dinter, Riverside Bar - property owner/applicant

**Address/Parcel #:** 906 South Olde Oneida Street / 31-4-0289-00

**Petitioner's Request:** The applicant is requesting a Special Use Permit to expand an existing tavern with an outdoor beer garden with alcohol service.

### BACKGROUND

Special Use Permit #14-11 was approved for a tavern and outdoor seating with alcohol service at this location by the Plan Commission on December 12, 2011 and approved by the Common Council on January 5, 2011. The applicant currently holds a Class B Beer/Liquor license.

### STAFF ANALYSIS

**Existing Site Conditions:** The property is developed with an existing tavern with outdoor seating and a parking lot.

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

**Proposed Outdoor Seating Area:** The proposed 1,248 square foot beer garden with alcohol service is shown on the Development Plan in blue highlight. Access to the outdoor beer garden will be from inside the building only. The property owner is proposing to enclose the outdoor beer garden with a combination six (6) foot and (8) foot high fence.

**Off-Street Parking Requirements:** The off-street parking requirements are satisfied on-site and by a mutual parking agreement between Riverside Bar and CBC Coating Inc. pursuant to approved Site Plan #11-28.

**Ordinance Requirements:** The proposed outdoor beer garden constitutes a 60% expansion of the existing tavern use. In order to expand the existing tavern by 10% or more, a new Special Use Permit must be applied for and approved per the current Zoning Ordinance regulations. This request will not increase building capacity and, therefore, does not require additional off-street parking spaces because the intensity of the use remains the same.

If approved, Special Use Permit #7-15 will replace Special Use Permit #14-11.



**Surrounding Zoning and Land Uses:**

North: PD Planned Development/C-2 General Commercial District – Commercial uses  
South: PD Planned Development/C-2 General Commercial District – Commercial uses  
West: C-2 General Commercial District – Commercial use  
PD Planned Development/C-2 General Commercial District – Commercial uses  
East: PD Planned Development/C-2 General Commercial District – Commercial uses

**2010-2030 Comprehensive Plan:** The 2010-2030 Future Land Use Map currently represents this area to be used for mixed uses. 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.

**Finding of Fact:** 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, as long as all stipulations are satisfied.

**Technical Review Group Report (TRG):** This item was discussed at the June 16, 2015 Technical Review Group meeting. No negative comments were received from participating departments.

**RECOMMENDATION**

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Staff recommends, based on the above, that Special Use Permit #7-15 for a tavern with alcohol sales with outdoor seating areas, **BE APPROVED**, to run with the land, subject to the following conditions:

1. 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.
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. All applicable Codes, Ordinances and regulations, including but not limited to, Fire, Building and Health Codes and the Noise Ordinance, shall be complied with.

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

Business Information:

Name of business: COREY Van Dinter / RIVERSIDE BDR / GRILL

Years in operation: 2 1/2 YEARS

Percentage of business derived from restaurant service: 30/40%

Type of proposed establishment (detailed explanation of business):

TAVERN RESTAURANT

Proposed Hours of Operation for Indoor Uses:

Day	From	To
Week Day	10	200
Friday	10	230
Saturday	10	230
Sunday	10	200

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: 99 persons INSIDE BDR, PATIO

Gross floor area of the existing building(s): 60 X 30 / 21 X 23

Gross floor area of the proposed building(s): 27 X 45 1'

Describe Any Potential Noise Emanating From the Proposed Use:

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

Zone Commercial / Paper Coating mill  
behind TAVERN also CONEN MECHANICAL



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

Volume Control

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

Same

**Outdoor Uses:**

Location, type, size and design of outdoor facilities:

See Plan ATTACHED

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

wood / metal / glass 6' to 7' 8'

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:

Volume control

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

Serving food from inside bar

Proposed Hours of Operation for Outdoor Uses: same as indoor

Day	From	To
Week Day		
Friday		
Saturday		
Sunday		

**Outdoor Lighting:**

Type: LED or standard

Location: Building

**Off-Street Parking:**

Number of spaces existing: \_\_\_\_\_

Number of spaces proposed: 60

**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:

Union Jack / Pullmans  
\_\_\_\_\_  
\_\_\_\_\_

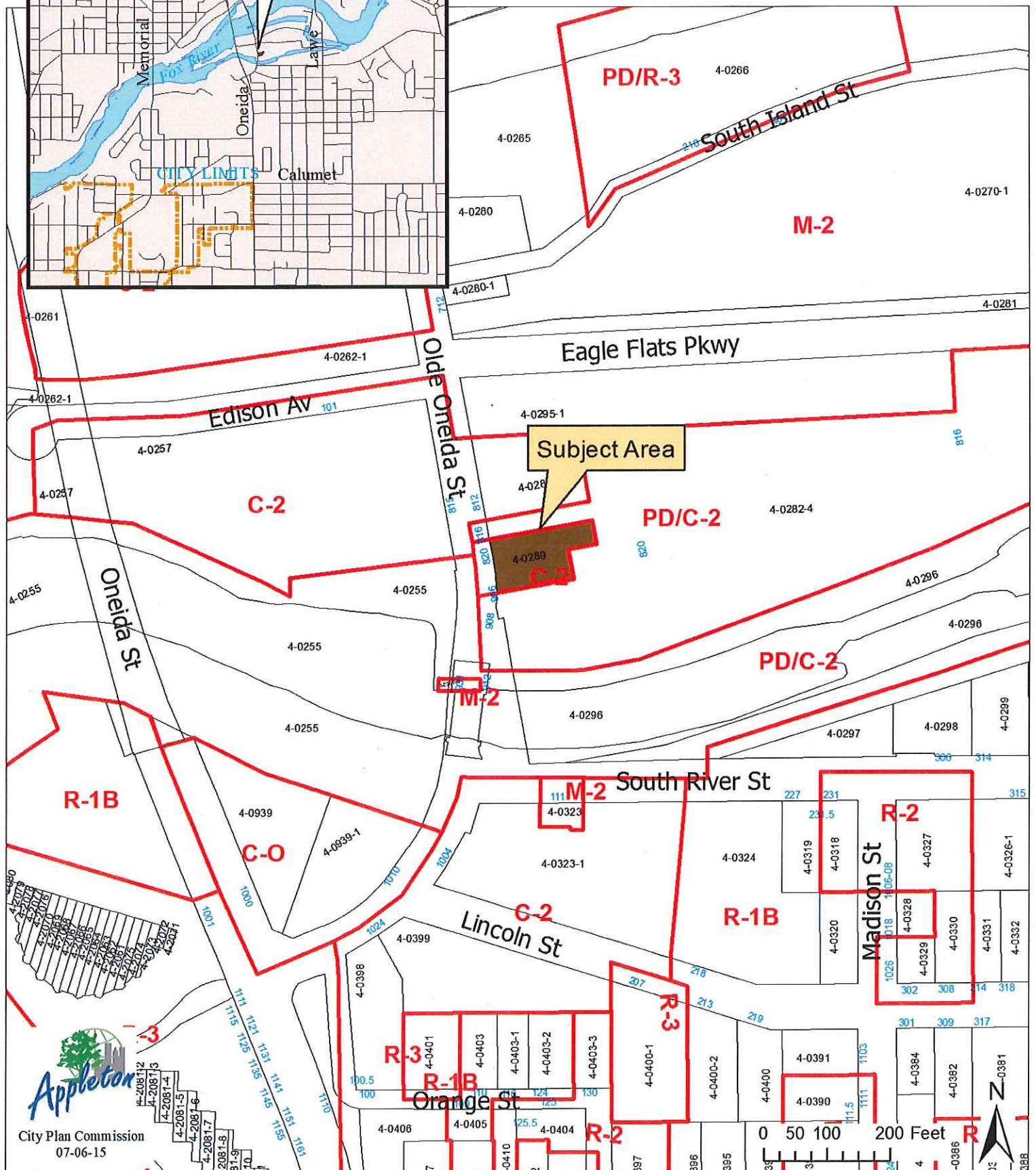
**Number of Employees:**

Number of existing employees: 4

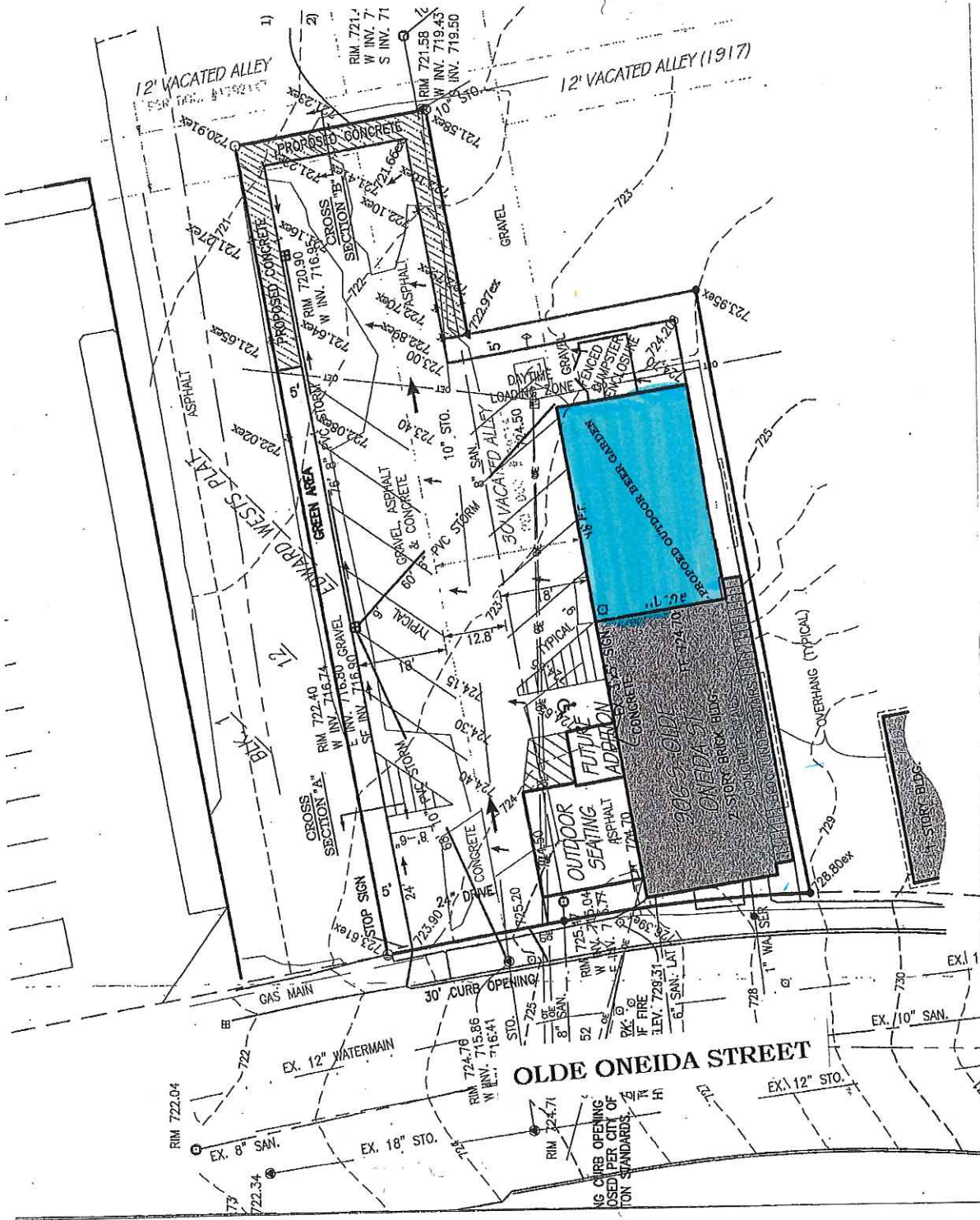
Number of proposed employees: 8

Number of employees scheduled to work on the largest shift: 4

A map of the Fox River area in Rock Island, Illinois. The Fox River is shown in blue, flowing from the top right towards the bottom left. A callout box labeled "Subject Area" points to a specific location on the river. The map includes labels for Memorial, College, Oneida, Calumet, and Lawe. The city limits are indicated by a dashed orange line.



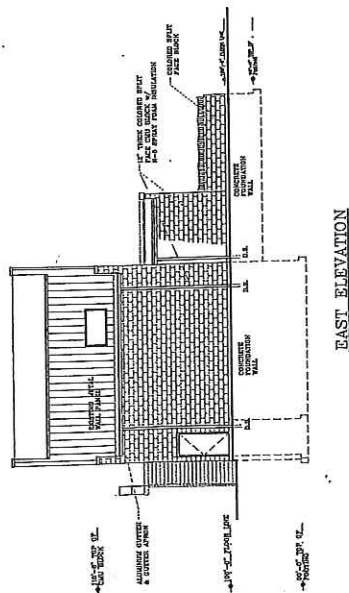
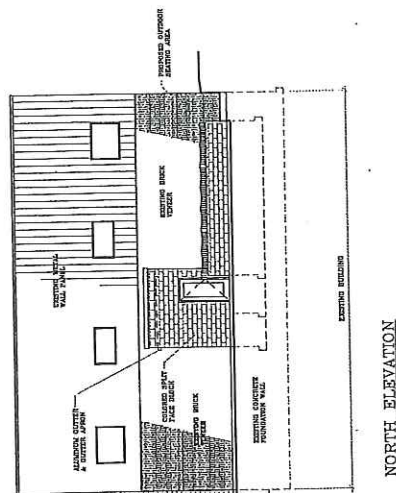
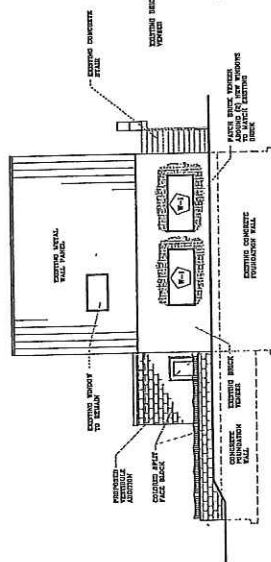
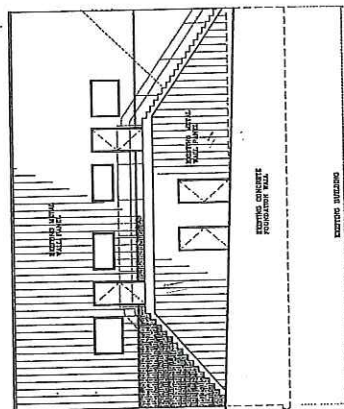




906 South Olde Oneida Street  
 Special Use Permit  
 Expand Existing Tavern with Outdoor Beer Garden







906 Olde Oneida Street  
Special Use Permit - Alcohol Service