



City of Appleton

100 North Appleton Street
Appleton, WI 54911-4799
www.appleton.org

Meeting Agenda - 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.*

Tuesday, October 24, 2017

4:00 PM

Council Chambers, 6th Floor

1. Call meeting to order
2. Roll call of membership
3. Approval of minutes from previous meeting
[17-1670](#) City Plan Minutes from 9-26-17

Attachments: [City Plan Minutes 9-26-17.pdf](#)

4. Public Hearings/Apearances

- [17-1671](#) Special Use Permit #11-17 for a wine bar located at 220 W. College Avenue (Tax Id #31-2-0257-00), including a sidewalk café directly in front of the establishment within the College Avenue amenity strip with alcohol sales and service, 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 and approve attached Resolution (Associated with Action Item #17-1673)

Attachments: [ClassIIPublicHearingNoticeNewspaper 220WCollege SUP.pdf](#)
[PublicHearingNoticeNeighborhood 220WCollege SUP.pdf](#)

- [17-1675](#) Amendment to the City of Appleton Official Map to remove lands previously identified for a future stormwater pond generally located at the northeast corner of Kensington Drive and Express Court (part of Tax Id #31-4-5568-00) as shown on the attached maps (Associated with Action Item #17-1676)

Attachments: [InformalPublicHearingNotice KensingtonDrExpressCt OfficialMapAmendment.](#)

5. Action Items

[17-1673](#)

Request to approve Special Use Permit #11-17 for a wine bar located at 220 W. College Avenue (Tax Id #31-2-0257-00), including a sidewalk café directly in front of the establishment within the College Avenue amenity strip with alcohol sales and service, 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 and approve attached Resolution (2/3 vote required)

Attachments: [StaffReport SpecialUsePermit #11-17 220 W College Ave.pdf](#)

[17-1676](#)

Request to approve Amendment to the City of Appleton Official Map to remove lands previously identified for a future stormwater pond generally located at the northeast corner of Kensington Drive and Express Court (part of Tax Id #31-4-5568-00) as shown on the attached maps

Attachments: [StaffReport KensingtonDrExpressCt OfficialMapAmendment For10-24-17.pdf](#)

6. Information Items

[17-1677](#)

Neighborhood Program Fall Meeting

Attachments: [NeighborhoodProgramFallMeeting2017 Flyer.pdf](#)

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
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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.*

Tuesday, September 26, 2017

4:00 PM

Council Chambers, 6th Floor

1. Call meeting to order

Meeting called to order at 4:02 p.m.

2. Roll call of membership

Palm arrived at 4:04 p.m.

Present: 5 - Mayor Hanna, Buetow, Rabec, Martin and Palm

Excused: 1 - Uslabar

*Others present:
Matty Wegehaupt, Harmony Pizza
Dominica Chang, Harmony Pizza
Marcia A. Klein, 230 N. Catherine Street*

3. Approval of minutes from previous meeting

[17-1449](#)

City Plan Minutes from 9-12-17

Attachments: [City Plan Minutes 9-12-17.pdf](#)

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

Motion carried by the following vote:

Aye: 4 - Mayor Hanna, Buetow, Rabec and Martin

Excused: 2 - Uslabar and Palm

4. Public Hearings/Appearances

[17-1450](#)

Special Use Permit #9-17 for an exhibition center and outdoor plaza area with alcohol sales and consumption located at 355 W. Lawrence Street (Tax Id #31-2-0116-00), 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 and approve attached Resolution (Associated with Action Item #17-1451)

Attachments: [ClassIIPublicHearingNoticeNewspaper_ExhibitionCenter_SUP.pdf](#)
[PublicHearingNoticeNeighborhood_ExhibitionCenter_SUP.pdf](#)

This public hearing was held, and no one spoke on the item.

[17-1452](#)

Special Use Permit #10-17 for a restaurant with alcohol sales and service located at 432 W. Wisconsin Avenue, Unit B (Tax Id #31-6-0677-00), 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 and approve attached Resolution (Associated with Action Item #17-1453)

Attachments: [ClassIIPublicHearingNoticeNewspaper_HarmonyPizza_SUP.pdf](#)
[PublicHearingNoticeNeighborhood_HarmonyPizza_SUP.pdf](#)

This public hearing was held, and no one spoke on the item.

5. Action Items

[17-1451](#)

Request to approve Special Use Permit #9-17 for an exhibition center and outdoor plaza area with alcohol sales and consumption located at 355 W. Lawrence Street (Tax Id #31-2-0116-00), 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 and approve attached Resolution (2/3 vote required)

Attachments: [StaffReport_Exhibition Center_SUP_For09-26-17.pdf](#)

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

Aye: 5 - Mayor Hanna, Buetow, Rabec, Martin and Palm

Excused: 1 - Usabar

[17-1453](#)

Request to approve Special Use Permit #10-17 for a restaurant with alcohol sales and service located at 432 W. Wisconsin Avenue, Unit B (Tax Id #31-6-0677-00), 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 and approve attached Resolution (2/3 vote required)

Attachments: [StaffReport_HarmonyPizza_SUP_For09-26-17.pdf](#)

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

Aye: 5 - Mayor Hanna, Buetow, Rabec, Martin and Palm

Excused: 1 - Usabar

[17-1221](#)

Request for Comprehensive Plan 2010-2030 Future Land Use Map Amendment #1-17 for two vacant parcels located along the north side of W. Washington Street, west of N. Bennett Street and east of N. Story Street, (Tax Id #31-5-1225-00 and #31-5-1229-00) from One and Two-Family Residential land use designation to Central Business District land use designation as shown on the attached map

Attachments: [StaffReport_CompPlanAmend#1-17&Rz#5-17_For09-26-17.pdf](#)
[Resolution_CompPlanAmend#1-17.pdf](#)
[Req. to Withdraw RZ#5-17 &CompPlanAmend #1-17 J. May 9-15-17.pdf](#)

Martin moved, seconded by Buetow, that the Report Action Item be recommended for denial. Roll Call. Motion carried by the following vote:

Aye: 5 - Mayor Hanna, Buetow, Rabec, Martin and Palm

Excused: 1 - Usabar

[17-1223](#)

Request for Rezoning #5-17 for two vacant parcels located along the north side of W. Washington Street, west of N. Bennett Street and east of N. Story Street, (Tax Id #31-5-1225-00 and #31-5-1229-00), including to the centerline of the adjacent right-of-way, as shown on the attached map, from R-1C Central City Residential District to CBD Central Business District (3/4 vote required)

Attachments: [StaffReport_CompPlanAmend#1-17&Rz#5-17_For09-26-17.pdf](#)
[Req. to Withdraw RZ#5-17 &CompPlanAmend #1-17 J. May 9-15-17.pdf](#)

Martin moved, seconded by Buetow, that the Report Action Item be recommended for denial. Roll Call. Motion carried by the following vote:

Aye: 5 - Mayor Hanna, Buetow, Rabec, Martin and Palm

Excused: 1 - Usabar

6. Information Items

7. Adjournment

**Martin moved, seconded by Rabec, that the meeting be adjourned at 4:10 p.m.
Roll Call. Motion carried by the following vote:**

Aye: 5 - Mayor Hanna, Buetow, Rabec, Martin and Palm

Excused: 1 - Uslabar

CITY OF APPLETON
NOTICE OF PUBLIC HEARING
PROPOSED SPECIAL USE PERMIT

NOTICE IS HEREBY GIVEN of a Public Hearing to be held before the City Plan Commission on Tuesday, October 24, 2017, at 4:00 P.M., in Council Chambers, 6th Floor, City Hall, 100 North Appleton Street, or as soon thereafter as can be heard, for the purpose of considering a Special Use Permit.

Pursuant to Sections 23-66 and 23-114 of the Appleton Municipal Code, to consider a request by David Oliver, applicant, for property located at 220 West College Avenue (Tax Id #31-2-0257-00) to obtain a Special Use Permit for a wine bar and sidewalk café with alcohol sales and consumption (Mondo Wine Bar & Retail). In the CBD Central Business District, a Special Use Permit is required for a wine bar and sidewalk café with alcohol sales.

All persons interested are invited to attend this meeting and will be given an opportunity to be heard. Any questions regarding this matter should be directed to Don Harp in the Community and Economic Development Department at (920) 832-6466.

CITY PLAN COMMISSION
APPLETON, WISCONSIN

COMMUNITY & ECONOMIC DEVELOPMENT
CITY HALL - 100 NORTH APPLETON STREET
APPLETON, WISCONSIN 54911-4799
(920) 832-6468

Reasonable accommodations for persons with disabilities will be made upon request and if feasible.

RUN: October 10, 2017
October 17, 2017

NOTICE OF PUBLIC HEARING
OF THE
APPLETON CITY PLAN COMMISSION

Dear property owner(s):

The City of Appleton Plan Commission will conduct a Public Hearing on Tuesday, October 24, 2017, at 4:00 P.M., or as soon thereafter as can be heard, in Common Council Chambers, 6th Floor, City Hall, 100 North Appleton Street, for the purpose of considering the following proposed Special Use Permit:

- Pursuant to Sections 23-66 and 23-114 of the Appleton Municipal Code, to consider a request by David Oliver, applicant, for property located at 220 West College Avenue (Tax Id #31-2-0257-00) to obtain a Special Use Permit for a wine bar and sidewalk café with alcohol sales and consumption (Mondo Wine Bar & Retail). In the CBD Central Business District, a Special Use Permit is required for a wine bar and sidewalk café with alcohol sales.
- ALDERMANIC DISTRICT: 1 – Alderperson William Siebers

You are being notified as a policy of the City of Appleton Community and Economic Development Department. This notification invites you to appear before the Appleton City Plan Commission, and you will be given an opportunity to express your views or concerns regarding the above-described request. You may also address the City Plan Commission by letter at the address below. The City Plan Commission makes a recommendation to the Common Council who makes the final decision on the matter.

Any questions regarding this matter should be directed to Don Harp, Principal Planner, in the Community and Economic Development Department at 920-832-6466.

CITY PLAN COMMISSION

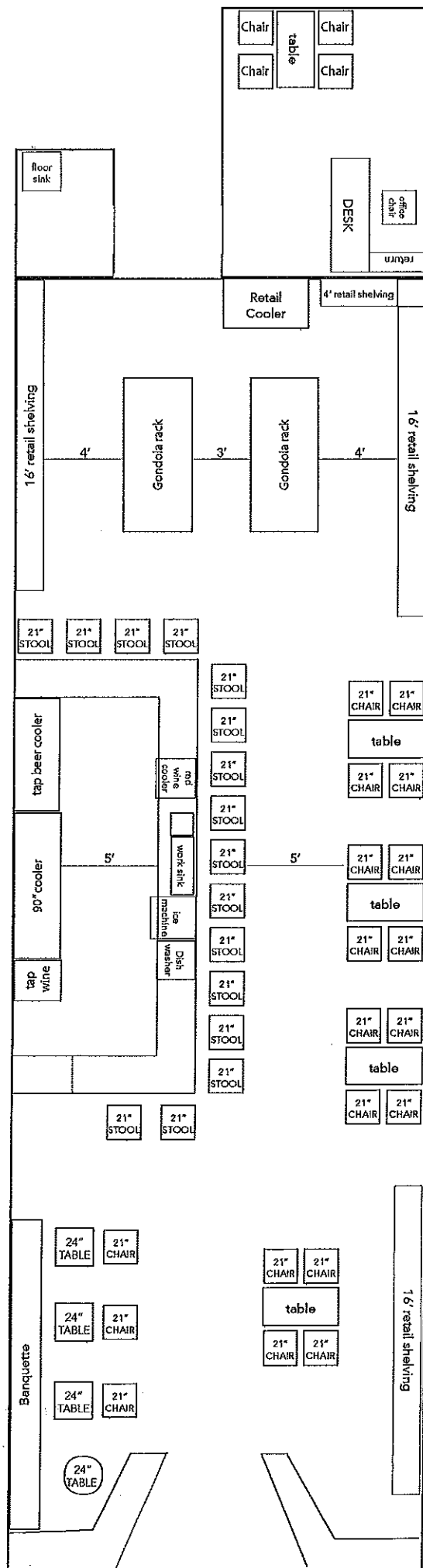
COMMUNITY & ECONOMIC DEVELOPMENT
CITY HALL - 100 NORTH APPLETON STREET
APPLETON, WISCONSIN 54911-4799
920-832-6468

Reasonable accommodations for persons with disabilities will be made upon request and if feasible.



.125" = 1'

Prepared September 21, 2017



220 W. College Ave
Special Use Permit
Wine Bar & Retail Shop/
Sidewalk Cafe with Alcohol Sales & Service
Zoning Map

2-0251

Subject Area

2-0257

2-0260

2-0263

Sidewalk Cafe Area
8' x 18'

2-0074

2-0078

2-0079

2-0080

2-0081

2-0082

2-0083

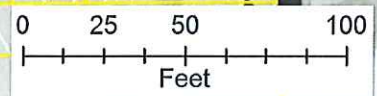
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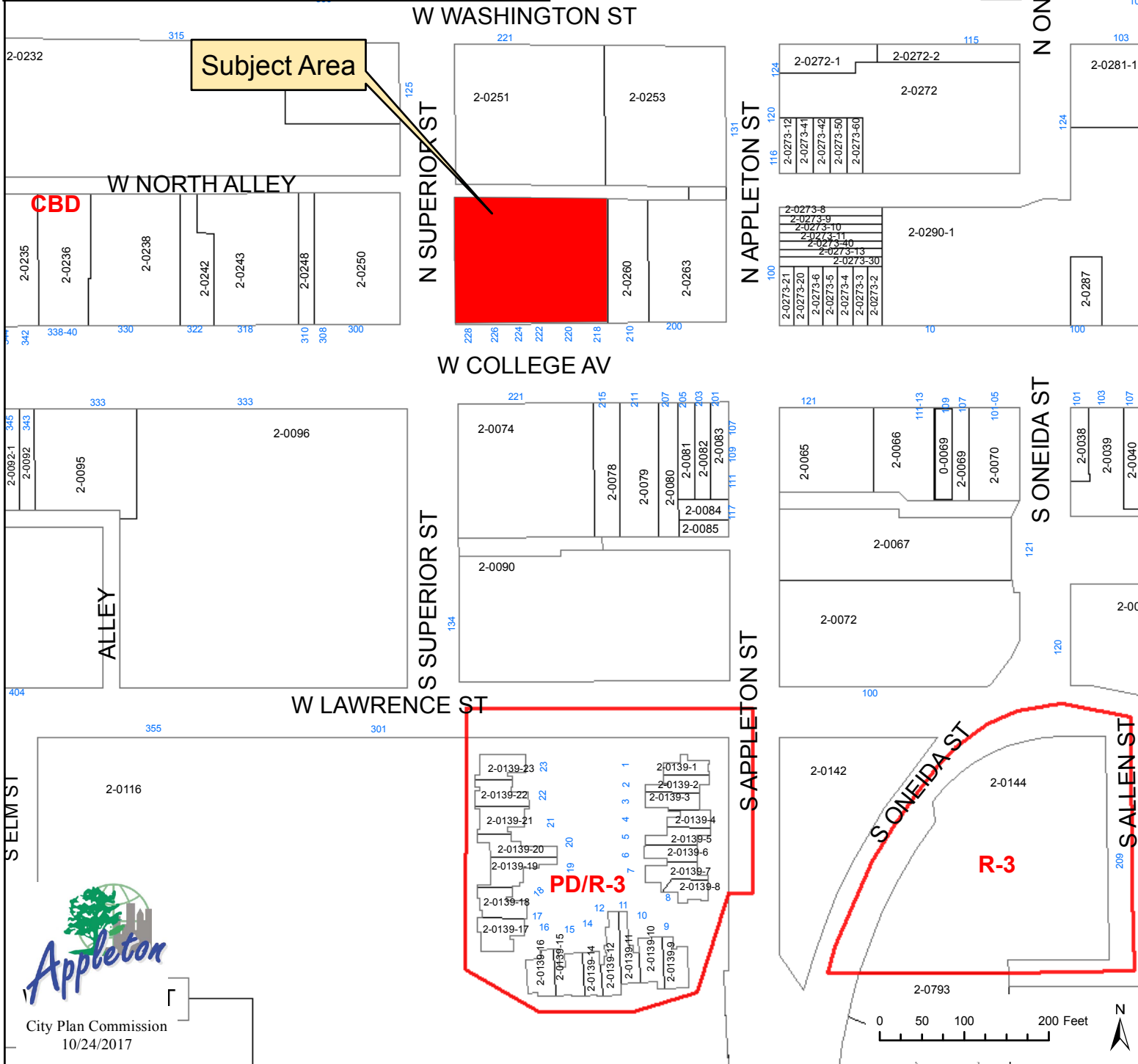
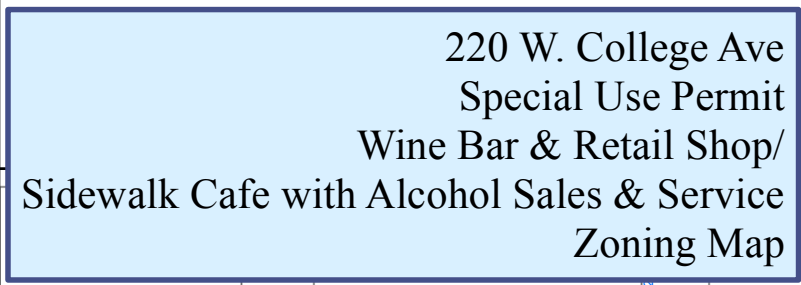
2-0085

2-0090



City Plan Commission
10/24/2017





NOTICE OF INFORMAL PUBLIC HEARING
OF THE
APPLETON CITY PLAN COMMISSION

NOTICE IS HEREBY GIVEN THAT a request to amend the City of Appleton Official Map has been initiated by the City of Appleton Department of Public Works and will be presented to the Appleton City Plan Commission in Common Council Chambers, 6th Floor, City Hall, 100 North Appleton Street, on Tuesday, October 24, 2017, at 4:00 P.M., or as soon thereafter as can be heard, in the matter of the City Plan Commission to amend the Official Map described as follows:

COMMON DESCRIPTION: The Department of Public Works is requesting to amend the City of Appleton Official Map to remove lands previously identified for a future stormwater pond, generally located at the northeast corner of the intersection of Express Court and Kensington Drive and characterized by parcel number 31-4-5568-00.

ALDERMANIC DISTRICT: 3 – Alderperson Curt Konetzke

You are being notified as a policy of the City of Appleton Community and Economic Development Department. This notification invites you to appear before the Appleton City Plan Commission, and you will be given an opportunity to express your views or concerns regarding the above-described request. You may also address the City Plan Commission by letter at the address below. The City Plan Commission makes a recommendation to the Common Council who makes the final decision on the matter.

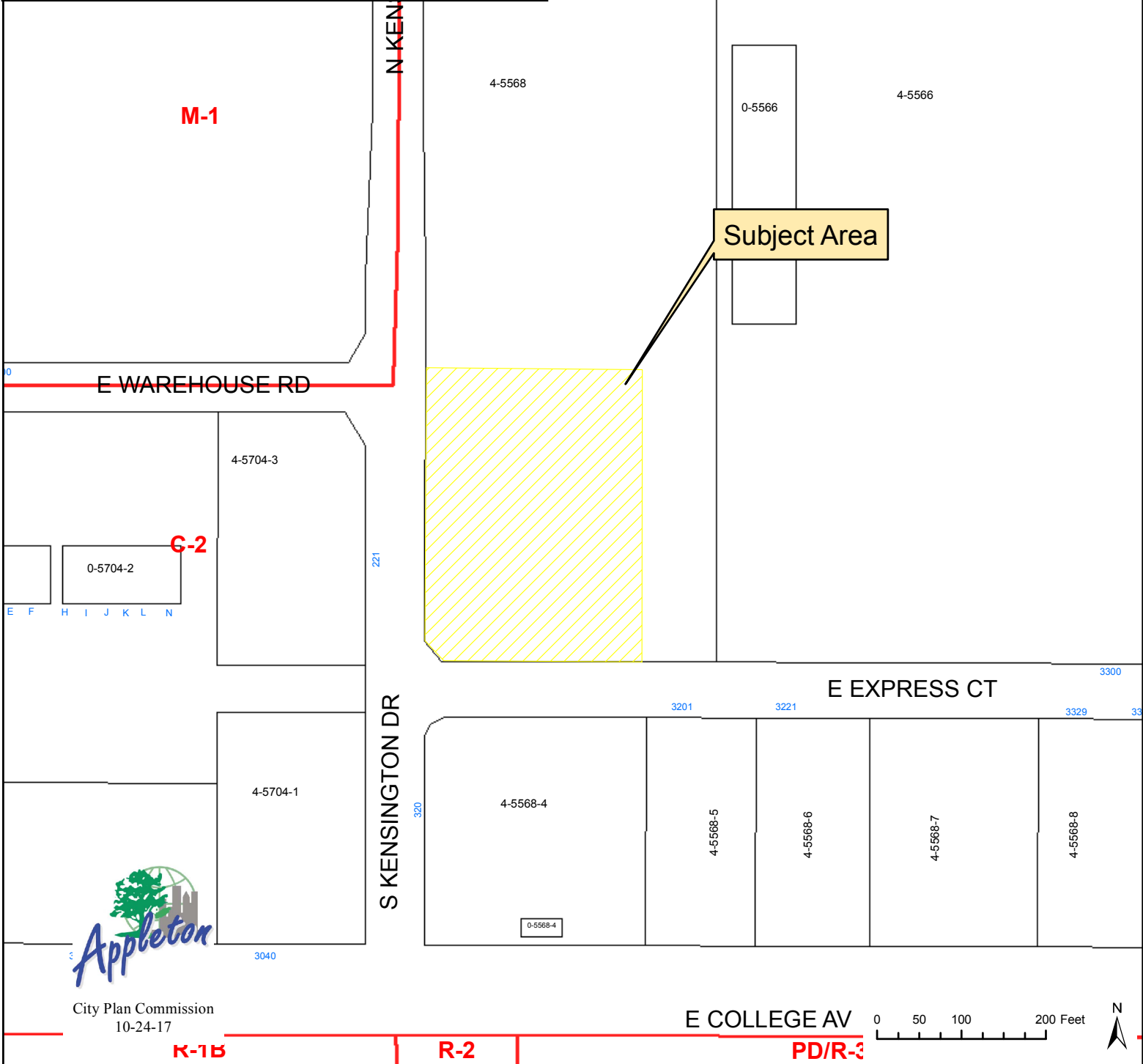
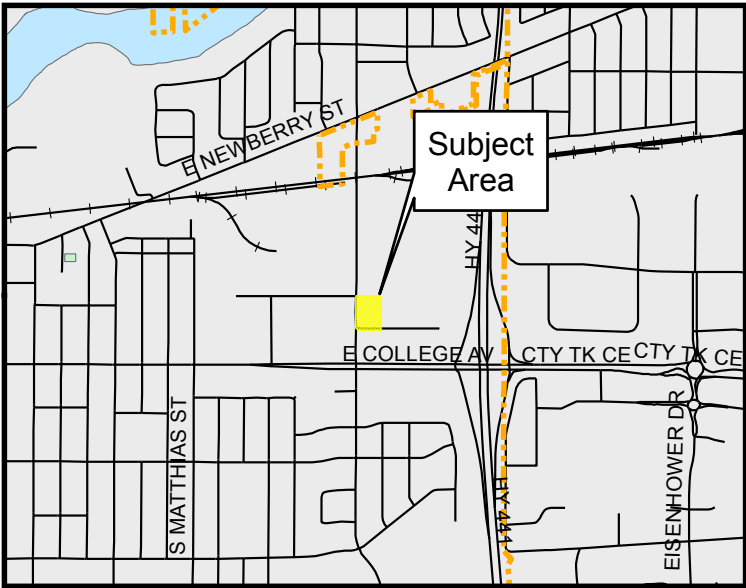
Any questions regarding this matter should be directed to David Kress, Principal Planner, in the Community and Economic Development Department at 920-832-6428.

CITY PLAN COMMISSION

COMMUNITY & ECONOMIC DEVELOPMENT
CITY HALL - 100 NORTH APPLETON STREET
APPLETON, WISCONSIN 54911-4799
920-832-6468

Reasonable accommodations for persons with disabilities will be made upon request and if feasible.

Kensington Drive and Express Court
Official Map Amendment
Delete Stormwater Pond
Zoning Map



Kensington Drive and Express Court
Official Map Amendment
Delete Stormwater Pond
Aerial Map



City Plan Commission
10-24-17

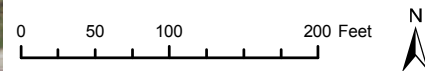
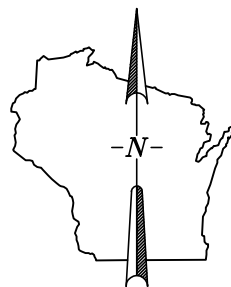
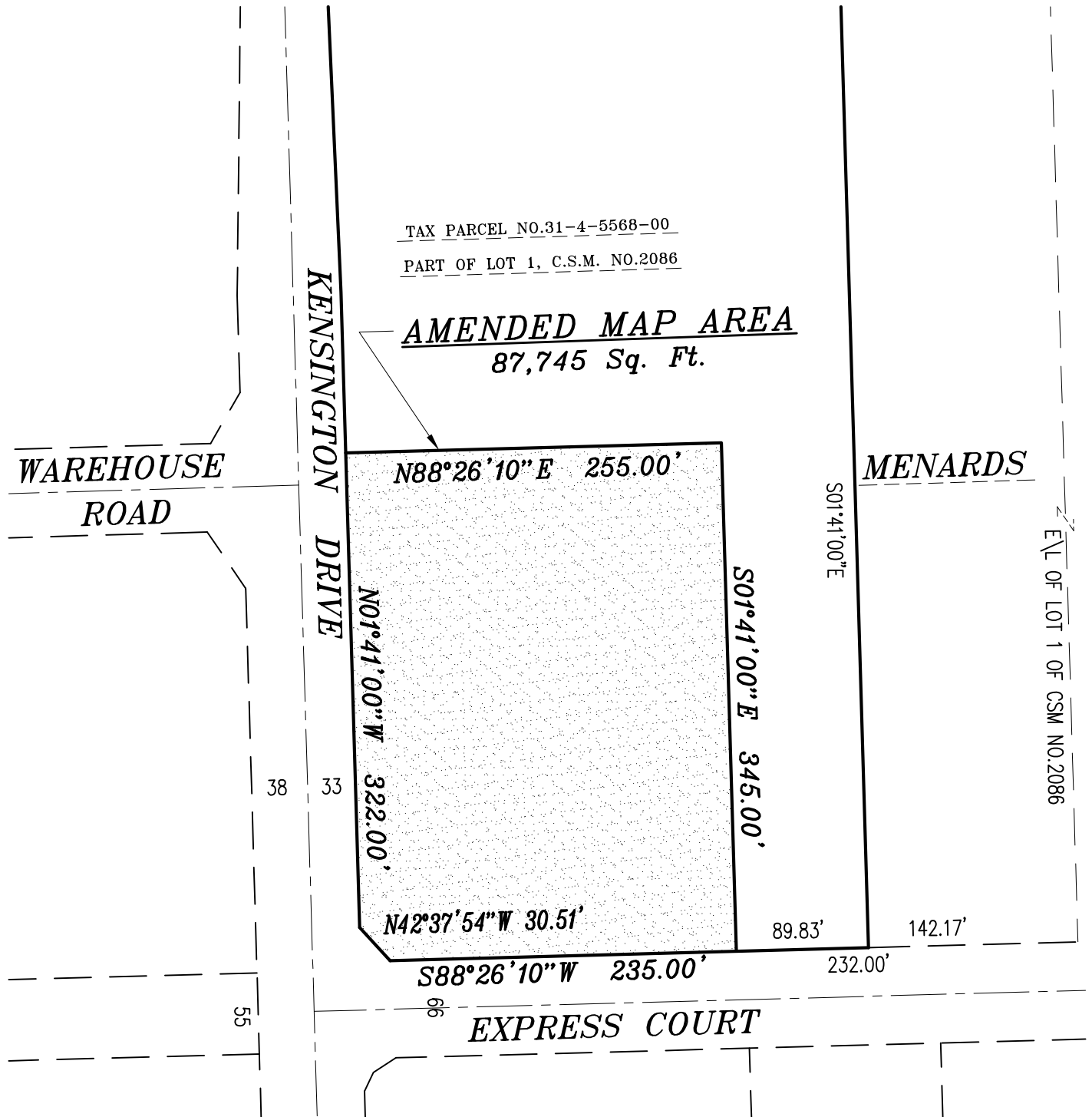


EXHIBIT "A"



CITY OF APPLETON

DEPT. OF PUBLIC WORKS

ENGINEERING DIVISION

100 NORTH APPLETON STREET

APPLETON, WI 54911

920-832-6474

DRAFTED BY: T. KROMM

H:\ACAD\OFFICIAL MAP\EXPRESS POND_Map_Amend_0912_2017



REPORT TO CITY PLAN COMMISSION

Plan Commission Public Hearing Date: October 24, 2017

Common Council Meeting Date: November 1, 2017

Item: Special Use Permit #11-17 for a wine bar including a sidewalk café with alcohol sales and service

Case Manager: Don Harp

GENERAL INFORMATION

Owner: 222 Building, LLC c/o John Pfefferle

Applicant: Mondo Wine Bar & Retail c/o David Oliver

Address/Parcel #: 220 West College Avenue (Tax Id #31-2-0257-00)

Petitioner's Request: The applicant is requesting a Special Use Permit for alcohol sales and service in conjunction with a wine bar and a sidewalk café.

BACKGROUND

On October 4, 2017, the Common Council approved the Reserve Beer/Liquor License application for Mondo Wine Bar and Retail, contingent upon approval from all departments.

STAFF ANALYSIS

Project Summary: The applicant proposes to establish a wine bar with alcohol sales and service on the subject site. Mondo Wine Bar and Retail will occupy approximately 2,076 square feet of tenant space located on the first floor of the 222 Building. The applicant also proposes a sidewalk café, with alcohol sales and service, in the College Avenue amenity strip located directly in front of their tenant space.

Existing Site Conditions: The existing commercial building totals approximately 242,902 square feet. No off-street parking is provided on the subject site, which is allowable in the CBD Central Business District.

Zoning Ordinance Requirements: The subject property has a zoning designation of CBD Central Business District. Per Section 23-114(e) of the Municipal Code, wine bars and sidewalk cafés with alcohol sales and service require a Special Use Permit in the CBD District. In order to permit alcohol sales and service in conjunction with the proposed wine bar and sidewalk café, the Plan Commission makes a recommendation to the Common Council who will make the final decision on the Special Use Permit. A two-thirds (2/3) vote of the Common Council is required for approval.

Operational Information: A plan of operation is attached to the Staff Report.

Proposed Outdoor Seating Area: The proposed sidewalk café area is shown on the development plan and described in the plan of operation. The actual location, size, and hours of operation for the sidewalk café shall follow the regulations identified in Chapter 9, Article VI, Division 4, Sidewalk Cafes, of the Municipal Code. Staff provided the applicable sidewalk café provisions to the applicant. Prior to establishing the sidewalk café, the applicant must also obtain a Street Occupancy Permit from the Department of Public Works.

Surrounding Zoning and Land Uses: The surrounding area is under the jurisdiction of the City of Appleton (north, south, east, and west). The uses are commercial in nature.

North: CBD Central Business District. The adjacent land uses to the north are currently a mix of commercial uses.

South: CBD Central Business District. The adjacent land uses to the south are currently a mix of commercial uses.

East: CBD Central Business District. The adjacent land uses to the east are currently a mix of commercial uses.

West: CBD Central Business District. The adjacent land uses to the west are currently a mix of commercial uses.

Appleton Comprehensive Plan 2010-2030: Community and Economic Development staff has reviewed this proposal and determined it is compatible with the Central Business District designation shown on the City's *Comprehensive Plan 2010-2030* Future Land Use Map. Listed below are related excerpts from the City's *Comprehensive Plan 2010-2030*.

Goal 1 – Community Growth

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.

Goal 8 – 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.

OBJECTIVE 9.4 Economic Development:

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

OBJECTIVE 9.5 Economic Development:

Encourage new development and redevelopment activities that create vital and attractive neighborhoods and business districts.

Finding of Fact: Prior to the granting of any Special Use Permit, the City Plan Commission may recommend and the Common Council 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 Section 23-66 (e) (1-6). This request was reviewed in accordance with the standards for granting a Special Use Permit under Section 23-66 (e) (1-6), which were found in the affirmative.

The applicant's proposed plan of operation does not appear to be incompatible with the neighborhood character, purpose and intent of the Zoning Ordinance and Central Business District or the *Comprehensive Plan 2010-2030*. Conditions are drafted for this request to offset any potential impacts to the public interest (welfare or well-being of the general public).

Technical Review Group (TRG) Report: This item was discussed at the October 3, 2017 Technical Review Group meeting. No negative comments were received from participating departments.

Written Public Comments: No questions, concerns, or comments have been received from the surrounding neighborhood.

RECOMMENDATION

Staff recommends, based on the above, that Special Use Permit #11-17 for a wine bar located at 220 West College Avenue, including a sidewalk café directly in front of the establishment within the College Avenue amenity strip with alcohol sales and service, as shown on the attached maps and per attached plan of operation along with the attached resolution, **BE APPROVED** to run with the land, subject to the following conditions:

1. All applicable codes, ordinances, and regulations, including but not limited to Fire, Building, and Health Codes and the Noise Ordinance, shall be complied with.
2. The applicant shall receive approval of a Liquor License from the City Clerk prior to serving or consuming alcohol on the premise.
3. Any future expansions for the serving and/or consumption of alcohol may require a major or minor amendment request to this Special Use Permit, pursuant to Section 23-66(g) of the Municipal Code.
4. Prior to establishing the sidewalk café, the applicant must apply for and receive approval of a Permanent Street Occupancy Permit from the Common Council. All aspects of the sidewalk café, including its location, size, and hours of operation for serving alcoholic beverages, shall comply with the regulations identified in Chapter 9, Article VI, Division 4, Sidewalk Cafes, of the Municipal Code.

Special Use Permit #11-17
October 24, 2017
Page 4

5. Compliance with the plan of operation is required at all times. Changes to the plan of operation shall be submitted to the Community and Economic Development Department for review and approval.
6. The use shall conform to the standards established in Chapter 9, Article III, Alcoholic Beverages, of the Municipal Code.

RESOLUTION

CITY OF APPLETON RESOLUTION APPROVING SPECIAL USE PERMIT #11-17

WHEREAS, David Oliver has applied for a Special Use Permit for a wine bar located at 220 West College Avenue, including a sidewalk café directly in front of the establishment within the College Avenue amenity strip with alcohol sales and service and also identified as Parcel Number 31-2-0257-00; and

WHEREAS, the location for the proposed wine bar and sidewalk café with alcohol sales and service 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 October 24, 2017, on Special Use Permit #11-17 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 #11-17 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 #11-17 for a wine bar located at 220 West College Avenue, including a sidewalk café directly in front of the establishment within the College Avenue amenity strip with alcohol sales and service also identified as Parcel Number 31-2-0257-00 and orders as follows:

CONDITIONS OF SPECIAL USE PERMIT #11-17

1. All applicable codes, ordinances, and regulations, including but not limited to Fire, Building, and Health Codes and the Noise Ordinance, shall be complied with.
2. The applicant shall receive approval of a Liquor License from the City Clerk prior to serving or consuming alcohol on the premise.
3. Any future expansions for the serving and/or consumption of alcohol may require a major or minor amendment request to this Special Use Permit, pursuant to Section 23-66(g) of the Municipal Code.

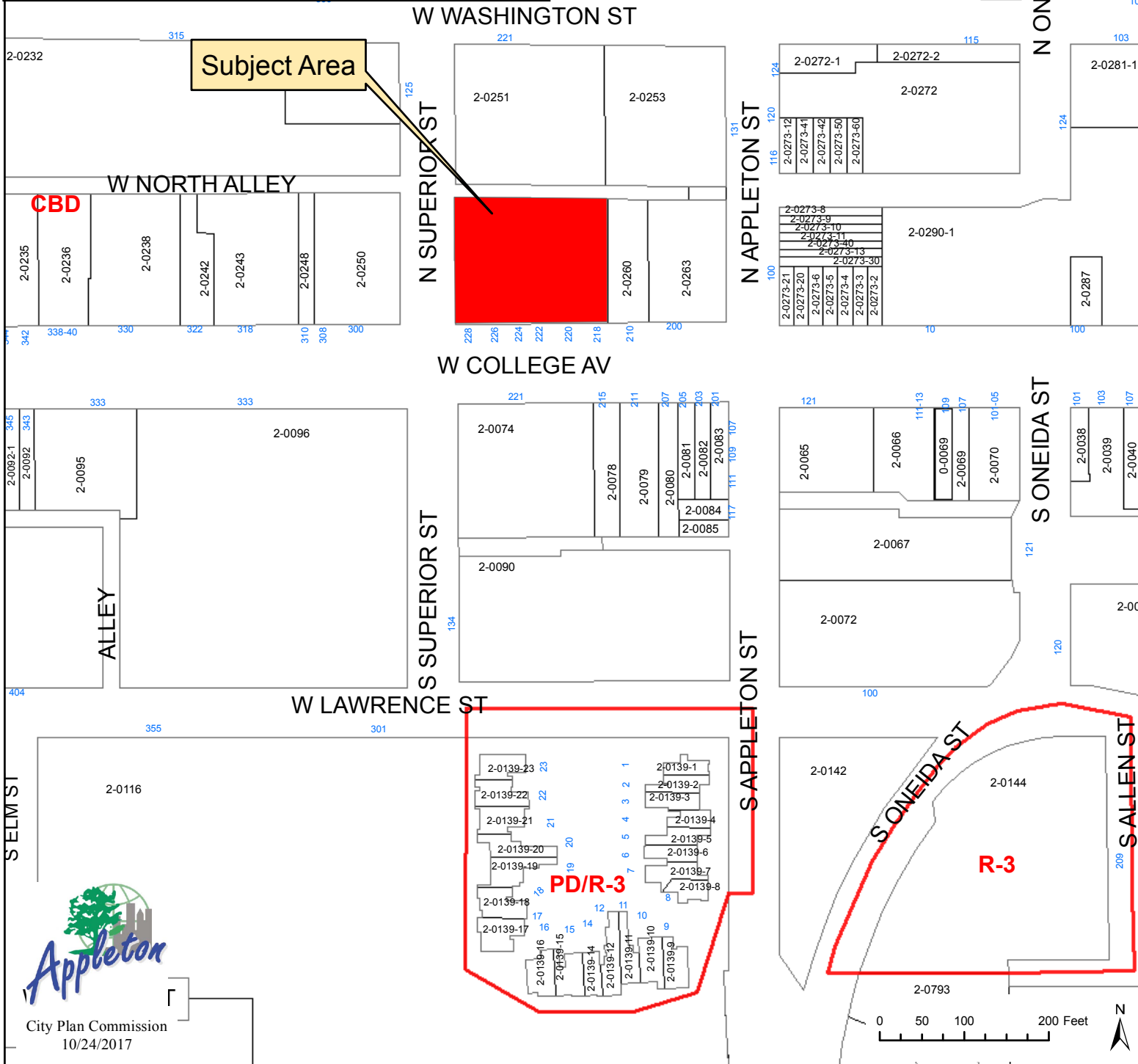
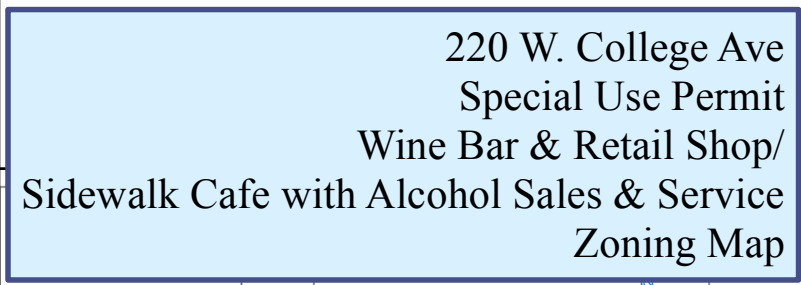
4. Prior to establishing the sidewalk cafe, the applicant must apply for and receive approval of a Permanent Street Occupancy Permit from the Common Council. All aspects of the sidewalk cafe, including its location, size, and hours of operation for serving alcoholic beverages, shall comply with the regulations identified in Chapter 9, Article VI, Division 4, Sidewalk Cafes, of the Municipal Code.
5. Compliance with the plan of operation is required at all times. Changes to the plan of operation shall be submitted to the Community and Economic Development Department for review and approval.
6. The use shall conform to the standards established in Chapter 9, Article III, Alcoholic Beverages, of the Municipal Code.

Adopted this _____ day of _____, 2017.

Timothy M. Hanna, Mayor

ATTEST:

Kami Lynch, City Clerk



220 W. College Ave
Special Use Permit
Wine Bar & Retail Shop/
Sidewalk Cafe with Alcohol Sales & Service
Zoning Map

2-0251

Subject Area

2-0257

2-0260

2-0263

Sidewalk Cafe Area
8' x 18'

2-0074

2-0078

2-0079

2-0080

2-0081

2-0082

2-0083

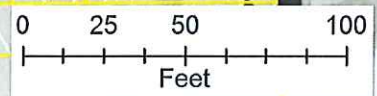
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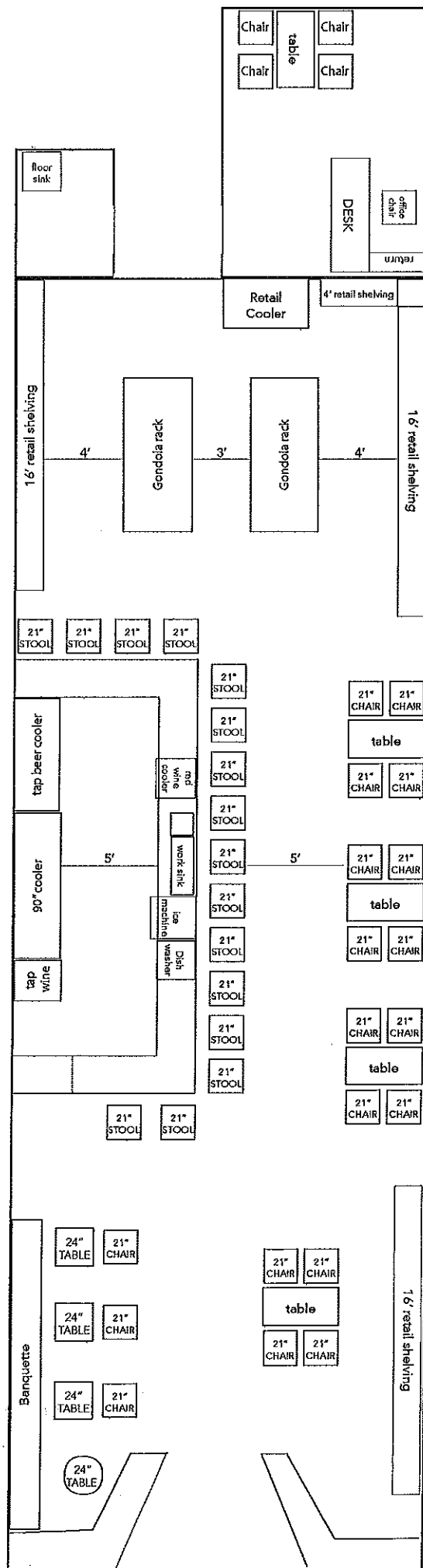
City Plan Commission
10/24/2017





.125" = 1'

Prepared September 21, 2017



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

Business Information:

Name of business: Mondo Wine Bar & Retail

Years in operation: Zero

Percentage of business derived from restaurant service: 0 %

Type of proposed establishment (detailed explanation of business):

Mondo will be a combination of wine bar and retail wine shop. The expected breakdown will be approximately 70% wine bar, 30% retail wine, though there will be a constant push to expand retail to get to a mix closer to 60/40.

Proposed Hours of Operation for Indoor Uses:

Day	From	To
Week Day	3:00pm	10:00pm
Friday	3:00pm	10:00pm
Saturday	12:00pm	10:00pm
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): 2,076 square feet

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 expected.

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

Inside the building there will be acoustic panels to absorb sound.

There are no anticipated issues with crowd noise outside the building.

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

Outdoor Uses:

Location, type, size and design of outdoor facilities:

4 tables accommodating 4 people each in the approved sidewalk area.

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

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	4:00pm	9:30pm
Friday	4:00pm	9:30pm
Saturday	12:00pm	9:30pm
Sunday	closed	

Outdoor Lighting:

Type: None

Location: _____

Off-Street Parking:

Number of spaces existing: N.A.

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:

Bad Badger Sports Bar, Gibson Music Hall, Home Burger Bar,

Cleo's Brown Beam Tavern

Number of Employees:

Number of existing employees: 0

Number of proposed employees: 5

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



REPORT TO CITY PLAN COMMISSION

Plan Commission Informal Hearing Meeting Date: October 24, 2017

Common Council Public Hearing Meeting Date: November 15, 2017
(Public Hearing on Official Map Amendment)

Item: Official Map Amendment to remove lands previously identified for future stormwater pond

Case Manager: David Kress

GENERAL INFORMATION

Owner: Menard, Inc.

Applicant: City of Appleton Department of Public Works

Address/Parcel: East Express Court (part of Tax Id #31-4-5568-00)

Petitioner's Request: The applicant is requesting to amend the City of Appleton Official Map to remove lands previously identified for a future stormwater pond.

BACKGROUND

On July 20, 2011, Common Council adopted Ordinance 153-11, which amended the City's Official Map to officially map land area for a future stormwater pond generally located at the northeast corner of Kensington Drive and Express Court. This action by Common Council was based on a July 10, 2009 report by AECOM of the Kensington North Drainage Area and was meant to preserve land in case a stormwater pond was determined to be needed. Since that time, discussions with the impacted property owner indicates they are not experiencing flooding issues to the degree shown through the modeling process. Therefore, based on staff field observations to date and the support of potentially impacted properties, the Department of Public Works has initiated this current Official Map amendment.

STAFF ANALYSIS

Existing Site Conditions: The subject area is approximately 87,745 square feet (2.01 acres) in size and is located at the northeast corner of Kensington Drive and Express Court. Kensington Drive is classified as a collector street on the City's Arterial/Collector Plan. Currently, the entire subject parcel is undeveloped.

Changes to Official Map: Per Section 16-37 of the Municipal Code, the Common Council may, whenever necessary and as provided in Wisconsin Statutes §62.23(6), change the Official Map so as to widen, narrow, extend, or close existing streets, highways, and parkways. Any changes to the Official Map shall be filed with the County Register of Deeds. Removing the subject area from the Official Map would allow this property to be developed with fewer limitations in the future.

Surrounding Zoning and Land Uses: The surrounding area is under the jurisdiction of the City of Appleton (north, south, east, and west). The uses are generally commercial and industrial in nature.

Official Map Amendment
October 24, 2017
Page 2

North: M-2 General Industrial District. The adjacent land uses to the north are currently industrial.

South: C-2 General Commercial District. The adjacent land uses to the south are currently a mix of commercial uses, including a gasoline sales station.

East: C-2 General Commercial District. The adjacent land uses to the east are currently commercial, including a retail business.

West: M-1 Industrial Park District and C-2 General Commercial District. The adjacent land uses to the west are currently a mix of industrial and commercial uses, including a restaurant.

Appleton Comprehensive Plan 2010-2030: The City of Appleton *Comprehensive Plan 2010-2030* identifies this area for future commercial uses. The proposed Official Map amendment is supported by the City's *Comprehensive Plan 2010-2030*, including the related excerpts listed below.

Goal 1 – Community Growth

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.

OBJECTIVE 10.1 Land Use:

Provide an adequate supply of suitable land meeting the demand for development of various land uses.

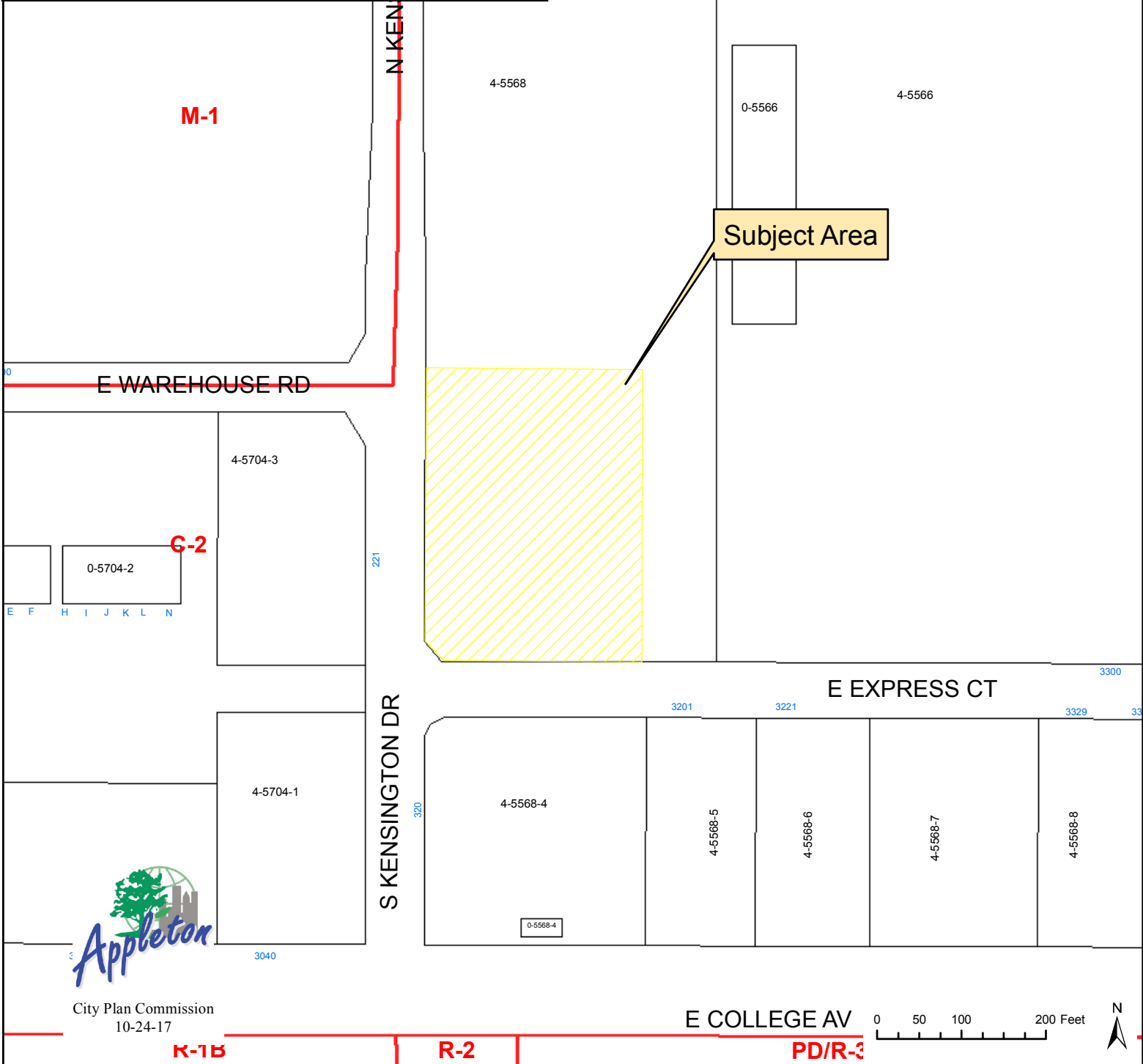
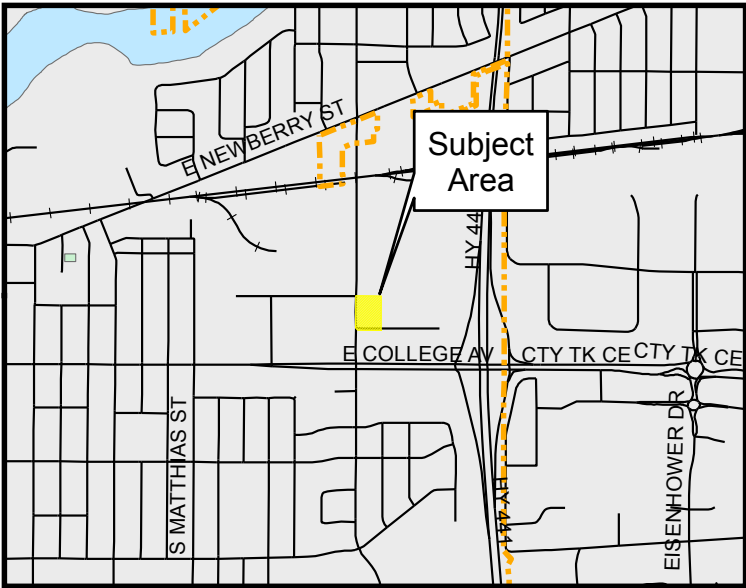
Policy 10.1.2 Adopt, and as necessary, amend an Official Map that designates street right-of-way requirements, existing and future city parks, school sites, and utility locations, along with other features permitted by state statute.

Technical Review Group (TRG) Report: This item was discussed at the September 19, 2017 Technical Review Group meeting. No negative comments were received from participating departments.

RECOMMENDATION

Staff recommends, based on the above, that the amendment to the City of Appleton Official Map, to remove lands previously identified for a future stormwater pond generally located at the northeast corner of Kensington Drive and Express Court (part of Tax Id #31-4-5568-00), as shown on the attached maps, **BE APPROVED.**

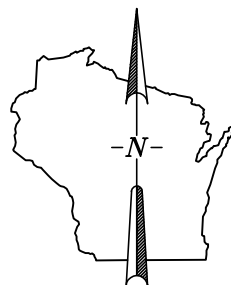
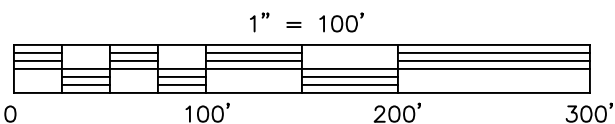
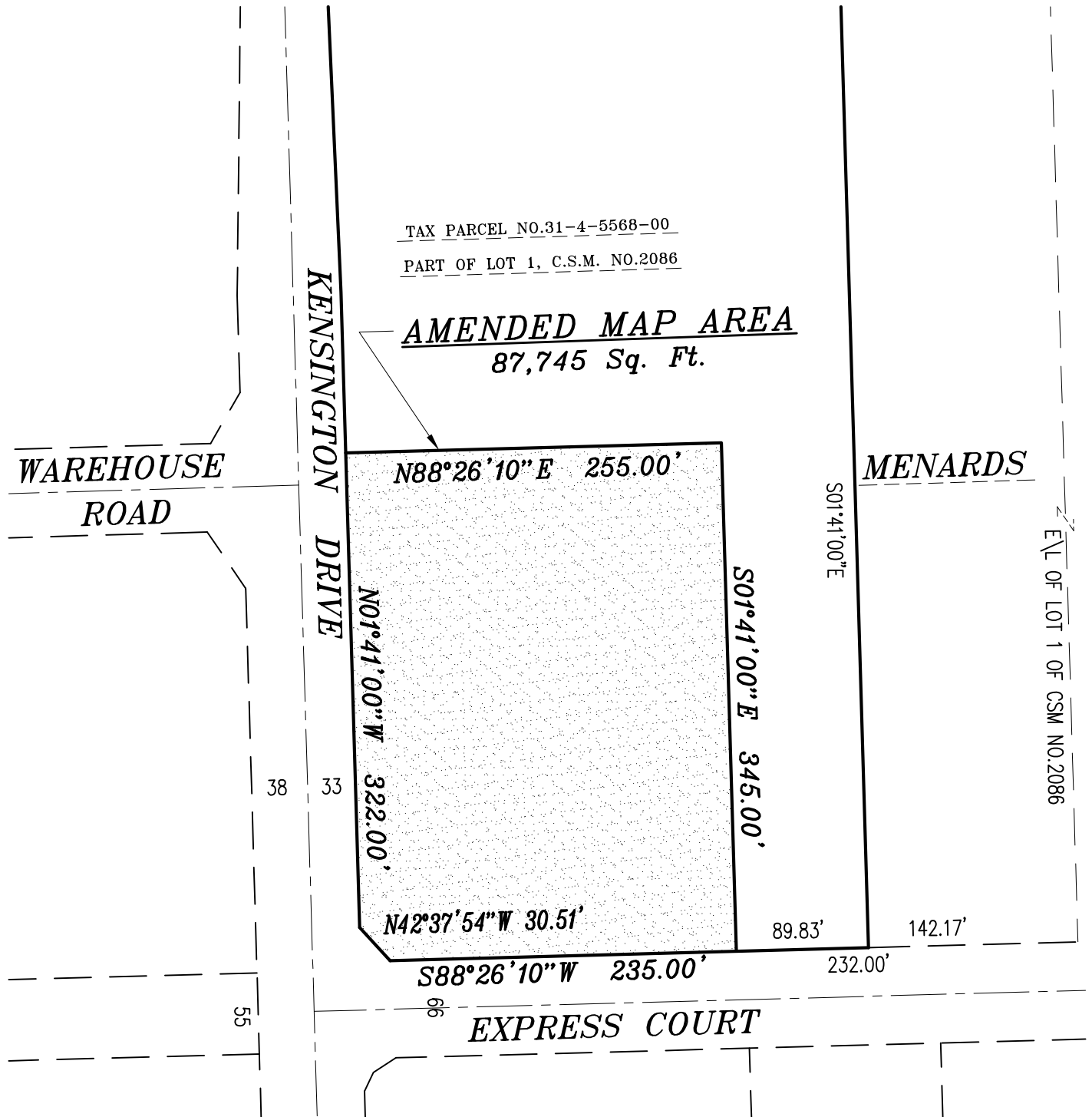
Kensington Drive and Express Court
Official Map Amendment
Delete Stormwater Pond
Zoning Map



Kensington Drive and Express Court
Official Map Amendment
Delete Stormwater Pond
Aerial Map



EXHIBIT "A"



CITY OF APPLETON

DEPT. OF PUBLIC WORKS

ENGINEERING DIVISION

100 NORTH APPLETON STREET

APPLETON, WI 54911

920-832-6474

DRAFTED BY: T. KROMM

H:\ACAD\OFFICIAL MAP\EXPRESS POND_Map_Amend_0912_2017

**OFFICIAL MAP
OF
STORMWATER POND**

A part of Lot One (1) of Certified Survey Map No. 2086, recorded in Volume 11 on Page 2086 of Certified Survey Maps as Document No. 1142153 in the Outagamie County Register of Deeds Office, being located in Government Lot 4, Section 29, T.21N., R.18E., City of Appleton, Outagamie County, Wisconsin, containing 87,745 square feet of land m/l and being further described as follows:

Commencing at the Southeast corner of Lot 1 of said Certified Survey Map 2086;
Thence S.88°26'10"W. 232.00 feet, along the South line of said Lot 1 to the point of beginning;
Thence continue S.88°26'10"W. 235.00 feet, to a vision corner;
Thence N.42°37'54"W. 30.51 feet, along said vision corner to the East line of Kensington Drive;
Thence N.01°41'00"W. 322.00 feet, along the East line of said Kensington Drive;
Thence N.88°26'10"E. 255.00 feet;
Thence S.01°41'00"E. 345.00 feet, to the point of beginning.

Neighborhood Program Fall Meeting



The Neighborhood Program Fall Meeting is intended to be an informal, “roundtable” discussion among representatives from the 16 registered neighborhoods within the City. Whether you are interested in strengthening social bonds, watching out for children and the elderly, keeping the area looking good, pursuing enhancement projects, or other neighborhood initiatives, this meeting will provide an opportunity to ask questions and share experiences. Please be prepared to share a brief update on your recent neighborhood activities.

Highlights include:

- Overview on Erb Park & Pool improvements; updates on other park projects
- Summary of Neighborhood Bike Challenge
- Insight from guest speakers
- Peer review, success stories among neighborhoods

An opportunity for people who care about their neighborhoods to exchange ideas and learn from one another.

Participants must reside in a neighborhood registered through the City’s Neighborhood Program (16 already registered). To register your neighborhood, contact Community & Economic Development Dept. at (920) 832-6468. It is helpful, but not required, that you participate with at least one other person from your neighborhood.

TO JOIN: RSVP online at <http://www.appleton.org/residents/neighborhood-program>

DATE: Monday, October 30, 2017 **TIME:** 6:00-7:30 p.m.

LOCATION: Erb Park, Multi-Purpose Room 1800 N. Morrison Street

