



## REPORT TO CITY PLAN COMMISSION

**Plan Commission Meeting Date:** November 9, 2015

**Common Council Meeting Date:** November 18, 2015

**Item:** Special Use Permit #15-15 for a restaurant/bar with an outdoor patio area with alcohol sales

**Case Manager:** Jeff Towne

### GENERAL INFORMATION

**Owner/Applicant:** Property owner/Applicant: Steven Carrow

**Address/Parcel #:** 325 North Appleton Street/31-2-0491-00

**Petitioner's Request:** The applicant is requesting a Special Use Permit to expand an existing restaurant/bar with alcohol sales in order to serve and allow on-site consumption of alcohol on an expanded outdoor patio area along the west side of the building.

### BACKGROUND

Special Use Permit #24-01 was approved for a tavern with alcohol sales at this location in 2001 to conform the existing tavern use and allow for the construction of an outdoor patio area for alcohol consumption. A time extension to implement SUP #24-01 was granted in 2003 when the patio was constructed.

### STAFF ANALYSIS

**Existing Site Conditions:** The subject site is currently occupied by Rookie's, a restaurant/bar with alcohol sales and an outdoor patio. The existing building is 2,296 square feet, and the patio is 480 square feet. The proposed patio addition will be 625 square feet. Although on-site parking is not required in the CBD, there are several parking spaces on the parcel.

**Zoning Ordinance Requirements:** The proposed patio addition will be approximately 22.5% of the existing area. In order to expand the patio area in excess of 10% of the existing area covered by SUP #24-01, a new Special Use Permit must be approved by Common Council per the Zoning Ordinance regulations. If approved, Special Use Permit #15-15 will replace Special Use Permit #24-01.

**Operational Information:** The existing business hours are 11:00 a.m. – 2:00 a.m. Sunday – Thursday and from 11:00 a.m. – 2:30 a.m. on Friday and Saturday.

**Outdoor Seating with Alcohol Service Area:** The proposed outdoor patio area design plans consist of the following as shown on the development plan:

- Approximately 625 square feet of new patio area;
- The outdoor patio is surrounded by a 6 foot high vinyl fence;

**Surrounding Zoning and Land Uses:**

North: CBD Central Business District – Vacant lot  
South: CBD Central Business District – Commercial building  
West: CBD Central Business District – Union Place parking lot  
East: CBD Central Business District – Commercial building

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

- **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.

**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 shared with the Technical Review Group. The Police Department expressed concerns that have been reviewed by staff.

**RECOMMENDATION**

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Staff recommends, based on the above, that Special Use Permit #15-15 for a restaurant/bar with an outdoor patio area with alcohol sales, located at 325 North Appleton Street, as shown on the attached maps and per the attached operational plan, **BE APPROVED**, to run with the land, subject to the following conditions.

1. Any deviations from the approved Development Plan or Operational 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. An emergency exit only gate with push/panic hardware shall be installed as part of the proposed fence enclosure adjacent to the outdoor patio area and be inspected by the Appleton Fire Department prior to the issuance of the liquor license for the outdoor patio area.
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 and Building Codes and the Health and Noise Ordinances, shall be complied with.

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

Business Information:

Name of business: ROOKIES SPORTS BAR + GRILL

Years in operation: 8

Percentage of business derived from restaurant service: 20 %

Type of proposed establishment (detailed explanation of business):

500sf outside sitting area,  
(Beer Garden)

Proposed Hours of Operation for Indoor Uses:

Day	From	To
Week Day	11:00AM	2:00AM
Friday	11:00AM	2:30AM
Saturday	11:00AM	2:30AM
Sunday	11:00AM	2:00AM

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: 100 persons 50 outside

Gross floor area of the existing building(s): 2296

Gross floor area of the proposed building(s): OUTDOOR 500sf

Describe Any Potential Noise Emanating From the Proposed Use:

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

RADIO MUSIC LOW. SAME AS OUR OUTSIDE  
NOISE NOW. (WE ARE IN A COMMERCIAL AREA)

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

MANAGER'S AND DOOR CHECKERS

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

MANAGERS

#### Outdoor Uses:

Location, type, size and design of outdoor facilities:

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

PLANT'S 4' height FENCE 6' height

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

Are there plans for outdoor music/entertainment? Yes ☐ No ☒

NOT AT THIS TIME

If yes, describe how the noise will be controlled:

By MANAGERS

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	11:00 AM	2:00 AM
Friday	11:00 AM	2:30 AM
Saturday	11:00 AM	2:30 AM
Sunday	11:00 AM	2:00 AM

**Outdoor Lighting:**

Type: SECURITY LIGHTING

Location: PARKING LOT

**Off-Street Parking:**

Number of spaces existing: 16

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:

UNCLE JIMS  
\_\_\_\_\_  
\_\_\_\_\_

**Number of Employees:**

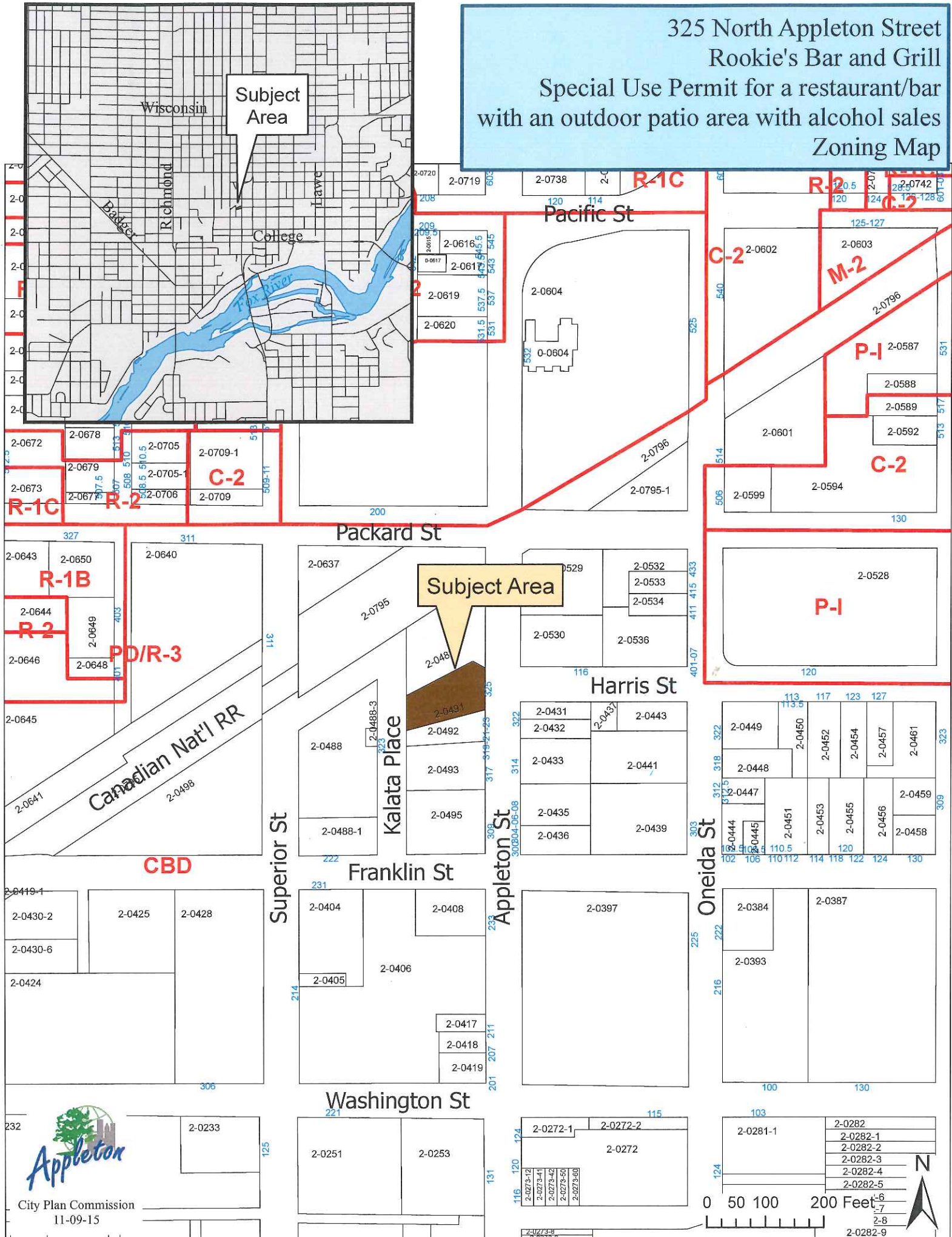
Number of existing employees: 9

Number of proposed employees: 12

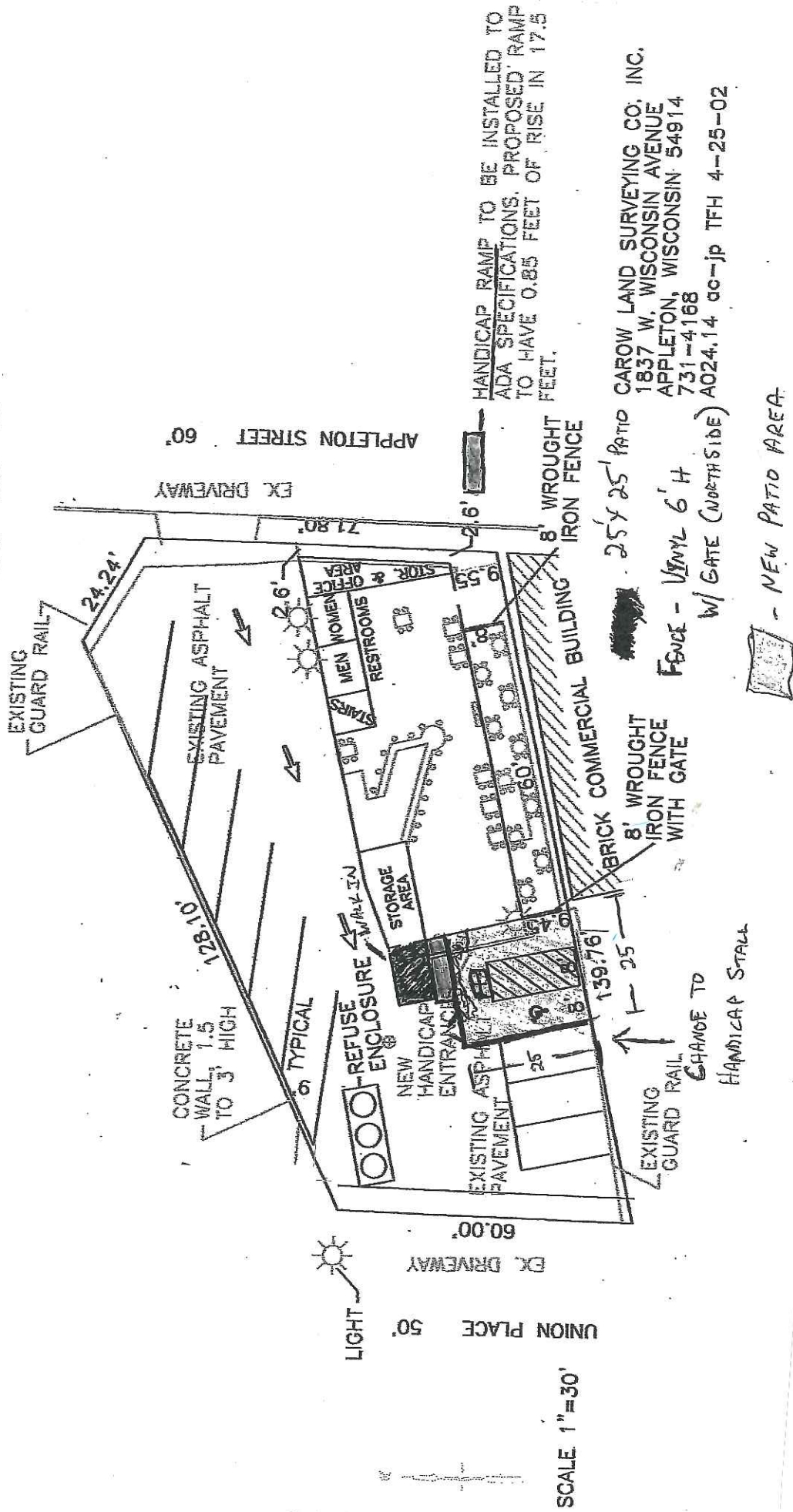
Number of employees scheduled to work on the largest shift: 5



325 North Appleton Street  
 Rookie's Bar and Grill  
 Special Use Permit for a restaurant/bar  
 with an outdoor patio area with alcohol sales  
 Zoning Map



# ROOKIES SPORTS BAR & GRILL



City Plan Commission

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with outdoor patio area with alcohol sales



