



REPORT TO CITY PLAN COMMISSION

Plan Commission Public Hearing Date: August 12, 2013

Common Council Meeting Date: August 21, 2013

Item: Special Use Permit #10-13 for a restaurant with alcohol sales and consumption

Case Manager: Brad Schmidt, AICP *BS*

GENERAL INFORMATION

Property Owner/Applicant: David Pickett, Java Warung, LLC.

Address/Parcel #: 1915 N Richmond St / 31-5-3432-01

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

BACKGROUND

The building in question has had many uses over the years but most recently it was occupied by Bella's Italian Meat Market. No previous Special Use Permit for alcohol sales and consumption has been issued for this site.

STAFF ANALYSIS

Existing Site Conditions: The building in question was originally constructed for a fast food restaurant which includes a drive-thru lane. Adequate parking exists on all sides of the building and two curb cuts exist on Richmond Street and two on Locust Street.

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.

Proposed Operational Information (inside the building): An operational plan is attached to the Staff Report. The applicant has indicated the business hours are 11:00 a.m. 9:00 p.m., Tuesday – Sunday.

Surrounding zoning and land uses:

North: C2, General Commercial District – Multi-Tenant Retail

South: C2, General Commercial District – Creative Child Learning Center

West: R1-B, Single-Family Residential District

East: R1-B, Single-Family Residential District

2010-2030 Comprehensive Plan: The Community Development staff has reviewed the City's 2010-2030 Comprehensive Plan which indicates this area is appropriate for commercial uses.

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), which were found in the affirmative.

Technical Review Group Report (TRG): This item was reviewed at the July 30, 2013, Technical Review Group meeting. No negative comments were received from participating departments.

RECOMMENDATION

Staff recommends, based on the above, that Special Use Permit #10-13 for alcohol sales in conjunction with a restaurant located at 1915 N Richmond Street as shown on the attached map and per the attached operational plan, subject to the following conditions, **BE APPROVED:**

1. The applicant shall apply for and receive approval of a Liquor License from the Common Council prior to serving or consuming alcohol within the building.
2. The applicant shall comply with the standards established on Chapter 9, Article III, Alcoholic beverages, of the Appleton Municipal Code.

1915 North Richmond Street
Special Use Permit - Java Warung
Restaurant with Alcohol Sales
Zoning Map

