

Item 23-0552 Request to approve Special Use Permit #4-23 for an indoor commercial entertainment use

Item 23-0554: Special Use Permit #5-23 for a bar and grill with alcohol sales and consumption use located at 2811 East Newberry Street

Item 23-0556 Request to approve Rezoning #2-23 to rezone the Future Providence Avenue and Baldeagle Drive (Right-of-Way) Annexation

Item 23-0557 Request to approve The Villas at Meade Pond Final Plat

City Plan Commission

Wed, May 24, 2023, 3:30PM

Mayor Jake Woodford 01:17

All right, we're on to our public hearings and appearances. The first is item 23-0551 special use permit number 423 for an indoor commercial entertainment use with alcohol sales and consumption located at 2701 North Oneida Street. To tell us about that is Dave Kress. Your mic? Four. All right. Go ahead.

Deputy Director David Kress (Community and Economic Development) 01:40

Thank you, Mayor. So, the area in question is located near the intersection at Oneida Street and Northland Avenue. There's an existing multi-tenant building at the subject location. The proposal from the applicant is to repurpose one of the existing tenant spaces and to use it for indoor axe throwing, or as we would define it in the zoning ordinance indoor commercial entertainment in conjunction with on-site alcohol sales and consumption, which requires a special use permit due to the onsite alcohol sales and consumption. Staff has performed the typical review against the Comprehensive Plan and the findings of fact in the zoning ordinance and is recommending approval.

Mayor Jake Woodford 02:22

Thank you. This is a public hearing. Is there anyone who wishes to speak? This is a public hearing. Is there anyone who wishes to speak? I have to say it three times. This is a public hearing. Is there anyone who wishes to speak? I'm not trying to pressure you. I declare that public hearing closed.

Mayor Jake Woodford 02:41

All right. What we're going to do then is move to the associated action item number 423. The associated action item is item 23-0552 request to approve special use permit number 423 for an indoor commercial entertainment use with alcohol sales and consumption located at 2701 North Oneida Street. Is there a motion? We have a motion to approve. Is there a second?

Andrew Dane (City Plan Commissioner) 03:08

I'll second.

Mayor Jake Woodford 03:09

We have a motion and a second to approve. Is there any discussion from the Commission? Okay. All right, hearing none, all those in favor, please signify by saying aye. Aye. Any opposed? Hearing none, item has been approved.

Mayor Jake Woodford 03:27

Alright, move back to our second public hearing. This is item 23-0553. This is special use permit number 5-23 for a bar and grill with alcohol sales and consumption located at 2811 East Newbury Street. And to tell us about that is Jess Titel. Jess, all right, go ahead.

Principal Planner Jessica Titel 03:50

Okay, this property is located on Newbury Street, and they are proposing to establish a bar and grill with alcohol sales and service which is a special use permit in the C-2 general commercial zoning district. The building is currently being used as a gas station and convenience store. The applicant's proposing to convert the back half of the building into the bar and grill. It's a former automobile maintenance shop. They are working with the building inspection and health department to meet all the code requirements for the conversion. They will also be required to have site plan review for a couple additional parking spaces that they need in order to meet our zoning code standards. And staff has reviewed the request and would recommend approval.

Mayor Jake Woodford 04:34

Okay, thank you. All right. This is a public hearing. Is there anyone who wishes to speak? This is a public hearing. Is there anyone who wishes to speak? This is a public hearing. Is there anyone who wishes to speak? Hearing none I declare that public hearing closed.

Mayor Jake Woodford 04:53

We will then move to the associated action item. This is item 23-0554 request to approve special use permit number 5-23 for a bar and grill with alcohol sales and consumption located at 2811 East Newbury Street. Is there a motion?

Andrew Dane (City Plan Commissioner) 05:11

I'll make a motion to approve.

Mayor Jake Woodford 05:12

Have a motion.

Mayor Jake Woodford 05:13

A motion and a second to approve. Any discussion from the commission? So, in terms of process from here, there are some items contingent in the approval that they'll have to meet, including the health department, inspections, and any other inspections involved. Is that right?

Pete Neuberger (Commissioner) 05:13

Second.

Mayor Jake Woodford 05:41

Is it on? Did it turn off? Okay. Go ahead.

Principal Planner Jessica Titel 05:45

That's correct. They'll also have to work through the liquor license process as well as part of being able to actually serve the alcohol in this space.

Mayor Jake Woodford 05:54

Okay, so the special use permit is one piece of a much larger process. Correct. Okay. Thank you. Yes? Commissioner Palm?

Adrienne Palm (Commissioner) 06:05

I was just curious. I just noticed the proximity to the railroad and was curious if there—is there active rail behind that space?

Principal Planner Jessica Titel 06:21

Yes.

Adrienne Palm (Commissioner) 06:21

And I guess I was just curious if there were any—from a code or any kind of anything that was being considered in regard—is there any kind of restriction on that as it relates to? I guess, my just seeing it on the face, like, people stumbling out of an establishment after maybe imbibing too much and being that close to a rail track. Are there any kind of things in place regarding that to—from a cautionary perspective?

Principal Planner Jessica Titel 06:50

Not from the special use side. That that back half of the property is not going to be used for parking or anything, so, you know, hopefully, people wouldn't be back there. So, nothing on the special use or zoning code side of things?

Adrienne Palm (Commissioner) 07:03

Okay.

Mayor Jake Woodford 07:04

I would just say from a from an overall city design perspective, we happen to have a very active railroad line that runs on a diagonal through the city and happens to be in close proximity to a number of such establishments. So, we also just have ample experience with that as a community but appreciate the concern.

Mayor Jake Woodford 07:28

Any further discussion from the Commission? Hearing none, we have a motion and a second to approve. All those in favor, please signify by saying aye. Aye. Any opposed? Hearing none, the item has been approved.

Mayor Jake Woodford 07:47

On to our third and final public hearing this afternoon. This is item 23-0555. This is rezoning number 2-23 to rezone the future Providence Avenue and Baldeagle Drive right of way annexation, formerly in the town of Grand Chute. And to tell us about that is Jess Titel. Jess, go ahead.

Principal Planner Jessica Titel 08:11

Okay, this land is was recently annexed to the city for public right of way and stormwater management purposes. It was before the planning commission, I believe two meetings ago. It was officially annexed into the city on May 9 of this year. At the—when the annexation was presented to the plan commission, the plan commission initiated the rezoning to establish a permanent zoning classification. When properties come into the city, they have a temporary zoning classification. PI is the appropriate zoning considering the proposed use of the property. Staff has reviewed against the zoning code requirements and would recommend approval.

Mayor Jake Woodford 08:50

Thank you. This is a public hearing is there anyone who wishes to speak? Yes, please. Please state your name and address for the record. And then go ahead.

Tom P. (Resident) 09:03

Thank you, sir. My name is [Tom P.] I am a resident of the area involved. My address is [XXXXXX] which is the—from what I understand and in the annexation exhibit A sent to me last week to me and my wife—is at the very north corner of the area's affected. A bridge of for a Providence Avenue is just a couple of houses south of me. So I have some general questions, with no real concerns to oppose anything, but I'm just curious because I live up against this and wasn't told anything when I bought a house 10 months ago that that beautiful farmer's field by to my to my east is got some plans and so I've just got some general questions if I may.

Mayor Jake Woodford 09:56

Go ahead.

Tom P. (Resident) 09:56

Okay. One would be a PI classification as it's described here, does that immediately facilitate housing to go into that space?

Principal Planner Jessica Titel 10:09

The area that we're talking about today, in this subject area will be used for future public right away. That Baldeagle will be extended to future Lightning Drive, and then Providence Avenue will be extended to future Lightning. And then there's one portion that will be used for stormwater management purposes. So there—this is plan—city owned property.

Tom P. (Resident) 10:30

Okay, right now Providence is at least a quarter mile away, if not even a third mile away. Baldeagle is 20 yards. So, I'm just curious, at this point, how far is Lightning Drive actually okayed or scheduled to go? Is it to go up to Broadway? It is?

Mayor Jake Woodford 10:54

Yes.

Principal Planner Jessica Titel 10:55

Yes.

Tom P. (Resident) 10:56

Okay.

Mayor Jake Woodford 10:58

Okay.

Tom P. (Resident) 10:59

That will—just appreciate it. Thank you very much. I know I'll be—we walked by each other a lot in this HOA community in which we live right there called Apple Ridge. So, I'm gonna have fun telling a lot of folks what the latest is on this.

City Staff Member 11:10

Sure. So. So lightning drive is contiguous with these with these three parcels in question. And it's planned to be built in two phases. So lightning drive is going to be constructed from the current stub approximately 600 feet north of county trunk JJ, up to approximately 150 feet north of where you see Providence Avenue coming in there in 2024.

Tom P. (Resident) 11:43

Okay.

City Staff Member 11:44

And then the second phase is scheduled to be built in the future. I believe it's planned for approximately 2029. And that would continue from the north end of the 2024 project that I just described, up to Broadway drive.

Tom P. (Resident) 12:01

Thank you. That first phase ends pretty much at my property, as I looked at it and hear your description. Is that then an area that will probably be developed with residential housing within the next few years?

City Staff Member 12:15

I would like to defer to community development for that question.

Tom P. (Resident) 12:20

And if there isn't any nose to that, we're expecting it. It's just fun to ask the question.

Mayor Jake Woodford 12:25

Sure. All right. Deputy Director, Kress, go ahead.

Deputy Director David Kress (Community and Economic Development) 12:30

Sure. I think all we can really share at this point is that our future land use map, which is an important part of our overall comprehensive plan, the overarching vision document for growth and development of the city, does identify that area for future one- and two-family residential, but there's no formal submittal of any kind that's been made for any additional development of any kind.

Tom P. (Resident) 12:49

Because not even all of it is technically a next to Appleton yet, is it?

Deputy Director David Kress (Community and Economic Development) 12:53

That's correct.

Tom P. (Resident) 12:54

Okay. Okay, so consistent on a few things. So that probably sounds like as far as I can go up my questions. Apple Ridge Community, which is now within its last 40 homes to finish in that HOA just to the west of future Lightning Drive, they seem from the maps that I see to have a parcel of land between our housing and Lightning Drive. And I'm assuming those are questions, I'd have to ask them if I'm to understand any further what's going to happen directly across from my property.

Mayor Jake Woodford 13:33

Yes.

Tom P. (Resident) 13:34

Okay. Very good. My goodness, thank you for your time.

Mayor Jake Woodford 13:36

Thank you. And just so you know, we're happy to connect with you or anybody in the neighborhood with questions. So, if folks weren't able to be here today, we'd be happy to get in touch. So, if folks would just reach out to our community and economic development department, if they have more questions, we'd be happy to do our best to get those answers to folks.

Tom P. (Resident) 13:57

Sure, so it's the economic development department?

Mayor Jake Woodford 13:59

Yes, the Department of Community and Economic Development.

Tom P. (Resident) 14:01

One random one, one more random if I could.

Mayor Jake Woodford 14:04

If it's pertaining to the hearing, go ahead.

Tom P. (Resident) 14:06

Is this area at all under consideration for a new grade school?

Mayor Jake Woodford 14:12

I think—I think you're thinking about the parcel near Fire station Six.

Tom P. (Resident) 14:18

Correct.

Mayor Jake Woodford 14:19

And as far as I know, the school district is planning to build a new school,

Tom P. (Resident) 14:23

But that is south of Edgewood?

Mayor Jake Woodford 14:25

Yes.

Tom P. (Resident) 14:25

Yes. Thank you.

Mayor Jake Woodford 14:27

Yep. All right. This is a public hearing. Is there anyone who wishes to speak? This is a public hearing. Is there anyone who wishes to speak? This is a public hearing. Is there anyone who wishes to speak? Hearing no further declare that public hearing closed, and we'll move now to the associated action item.

Mayor Jake Woodford 14:51

This is item 23-0556 request to approve rezoning number 2-23 to rezone the future Province Avenue and Baldeagle Drive right of way annexation, formerly in the town of Grand Chute. We have a motion? Have a motion. Is there a second?

Andrew Dane (City Plan Commissioner) 15:10

Second.

Mayor Jake Woodford 15:11

Okay. We have a motion and a second to approve. Is there any discussion from the Commission? Hearing none, all those in favor please signify by saying aye. Aye. Any opposed? None opposed. The item is approved.

Mayor Jake Woodford 15:27

Alright, we'll move on to our next action item. This is item 23-0557 request to approve the Villas at Mead pond final plat as shown on attached maps. And, right, Deputy Director Kress, go ahead.

Deputy Director David Kress (Community and Economic Development) 15:43

Thank you, Mayor. The subject area is located near the intersection of Mead Street and Edgewood drive. The item before you all today is the final plat. Just by way of background, the preliminary plat came before planning commission earlier this year and was ultimately approved by Common Council, as was a rezoning to amend the plan development overlay district that was in place for this property since the early 2000s. Really the proposal here is to take what at one point was developed as a condo development and separate each unit into its own independent lot. So as proposed, there'll be 28 independent lots. Each single family detached dwelling would be on its own lot. And staff has performed the typical review as we would for any final plat and is recommending approval subject to the conditions in the staff report.

Mayor Jake Woodford 16:32

Thank you. Is there a motion? We have a motion to approve. Is there a second?

Pete Neuberger (Commissioner) 16:40

Second.

Mayor Jake Woodford 16:40

We have a motion and a second to approve. Is there any discussion? We've seen a number of episodes of this one. So glad to be approving a final plat today. If there's no further discussion from the Commission, we'll vote. Okay, all those in favor, please signify by saying aye. Aye. Any opposed? Motion passes. Item has been approved.