

City Plan Commission

Wed, Jun 14, 2023, 3:30PM • 15:39

Mayor Jake Woodford 00:04

Good afternoon. I now call to order the Wednesday June 14, 2023, meeting of the Appleton City Planning Commission. attendance has been taken—oh, excuse me. First, please rise and join me in the Pledge of Allegiance.

All 00:21

I pledge allegiance to the flag of the United States of America, and to the republic for which it stands, one nation, under God, indivisible, with liberty and justice for all.

Mayor Jake Woodford 00:41

Alright, attendance has been taken, and all are present with the exception of Commissioner Palm who's excused. All right, we'll move on now to approval of the minutes. Is there a motion to approve the minutes? Motion and a second to approve the minutes. Any discussion of the minutes? Hearing none, all those in favor, please signify by saying aye. Aye. Any opposed? Hearing none, the motion passes. The minutes have been approved.

Mayor Jake Woodford 01:10

All right number of public hearings today. We'll get started with item 23-0628 special use permit number 6-23 to expand the existing microbrewery brewpub operations occupying the third floor of the building for event space with alcohol sales and consumption, located at 1004 South Olde Oneida Street. And Don Harp is going to tell us about that one. Number seven. Okay, go ahead.

Principal Planner Don Harp 01:37

Thank you, Mayor. Stone Arch Brewpub is currently operating at this location under special use permit 1-12, and the condition on that special use permit limited the alcohol sales and service to the first floor only. So that's the rationale for the new special use permit being applied for by the applicant. So, they're expanding to the third floor for event space to expand the alcohol sales and service. Staff had reviewed the findings of fact, and we're recommending approval subject to the conditions in the staff report.

Principal Planner Don Harp 02:10

Also, the current special use permit 1-12 will be eliminated and therefore the 6-23 special use permit will replace that one. So, in the packet, we included the original plan of operation for the first floor, also the plan of operation for the third floor with the associated development plans that would go along with those plan of operations.

Mayor Jake Woodford 02:32

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 02:50

We'll take up the associated action item. This is item 23-0629 request to approve special use permit number 6-23. Is there a motion?

Alderson Denise Fenton (District 6) 03:01

Move to approve.

Mayor Jake Woodford 03:02

A motion. Is there a second? 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? Motion passes. Item has been approved.

Mayor Jake Woodford 03:24

Alright, back to our public hearings. Next is item 23-0630 special use permit number 7-23 to expand the existing tavern with a proposed outdoor patio with alcohol sales and consumption located at 336 West Wisconsin Avenue and 1312 North Division Street. And to tell us about that is Jessica Titel. Jess, what mic? Okay, go ahead.

Principal Planner Jessica Titel 03:50

Okay, this property is at the corner of Division Street and Wisconsin Avenue a special use permit for a new outdoor patio that will be added on to the back of the existing tavern. Because the tavern—or because the patio is more than 10% of the existing space, a new special use permit's required. Since the bar has been around for so long prior to special use permits it doesn't it didn't have an existing special use permit so this special use permit will bring them into conformance and include the outdoor patio area. The applicant—you can see there's two addresses on the application. The applicants also applied for a certified survey map to combine the two parcels that will allow the patio—proposed patio—to cross the property line, and that will need to be recorded as a condition of this approval. The staff has reviewed the request in regards to zoning code requirements and would recommend approval.

Mayor Jake Woodford 04:43

Thank you. This is a public hearing. Is there anyone who wishes to speak? Alder Siebers.

Alderson William Siebers (District 1) 04:56

I wanted to let the owner speak first before I could slam him.

Mayor Jake Woodford 05:02

Very well. Please state your name and address for the record.

Dan B. (Maritime Bar Owner) 05:06

[Dan B. at XXXXX]. I live just across the river. And I'm one of the five partners at the Maritime, and it's nice to meet you. I'm Dan. She has to deal with me, so I feel sorry for her. **[Note: I took him to be saying Jessica Titel had to deal with him.]** But yeah, so we're just looking at do a patio out the back so we can serve some beers, a couple TVs, possibly special use permit once in a while for a band, but that's like not something that we're into. Any questions?

Mayor Jake Woodford 05:33

Okay. Very good. Thank you. Alder Siebers.

Alderson William Siebers (District 1) 05:38

Thank you, Alderman Siebers **[XXXXX]** district one. This is in my district. I've been around for quite some time. These kinds of situations make me very uneasy. I know of a bar on the East Wisconsin Avenue that had a patio that was a problem for the neighbors. There was a bar on West Wisconsin Avenue that was a problem for the

neighbors. There's a bar on South Walnut Street that has a patio that's a problem for the neighbors. And I could go on.

Aldersperson William Siebers (District 1) 06:16

I have some concerns. But I also want to state that the Maritime Bar tavern has been a good neighbor. I had some problems way back when before anybody was on the Council with Maritime, but they were very, very responsible—responsive. And I have not had any problems since then. So—and I have not heard from any of their neighbors being in opposition. So, I am supportive of this. Thank you.

Mayor Jake Woodford 06:48

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? This is a public hearing. Is there anyone who wishes to speak? Hearing no further, I declare that public hearing closed.

Mayor Jake Woodford 07:05

We'll move now to the associated action item. This is item 23-0631 request to approve special use permit number 7-23 to expand the existing tavern with a proposed outdoor patio with alcohol sales and consumption at 336 West Wisconsin and 1312 North Division. Do we have a motion? Motion and a second to approve. Discussion from the Commission.

Mayor Jake Woodford 07:37

I'll just say to the point that was raised during the hearing, there are occasionally challenges when we have commercial abutting residential in the community, and it's incumbent upon the owners of those businesses and establishments to maintain relationships with the neighborhood and to keep the community informed about what's happening, events that are happening, extend invitations. And we've seen in in a number of instances in the community issues get headed off just by having good working relationships between businesses and neighbors. So would just encourage that for the Maritime to continue those efforts in the neighborhood as you move into having an outdoor patio space. But I have no reservation so long as the conditions of the approval are met with supporting this proposal.

Mayor Jake Woodford 08:30

Any discussion from the Commission? All right, hearing none, all those in favor, please signify by saying aye. Aye. Any opposed? Motion is approved unanimously. All right. Thank you.

Mayor Jake Woodford 08:55

All right on to our next public hearing. This is item 23-0632 Comprehensive Plan 2020 to 2030 future land use map amendment number 1-23 for the subject parcels located at 313, 315, and 319 East College Avenue, 321 East College Avenue and vacant lots located along east College Avenue on the southwest corner of East College and Drew Street from public institutional to central business district. And to tell us about that is Don Harp.

Principal Planner Don Harp 09:32

We have a comprehensive land use amendment request for—from Lawrence University who is interested in proposing a mixed-use project on four parcels that are located on East College Avenue which is west of Drew Street. In order to do that uniform, land use designation and also zoning district classification is required so that they're all under the same land use designation and zoning district classification. So, the second action item that's after this one would be related to the rezoning. But in regards to the future land use amendment, that would entail the four parcels and those numbers are 2-0052, 2-007, 2-008 and 2-009. And staff had reviewed the

goals and objectives of the comprehensive land use plan and were recommended approval of this comprehensive land use amendment from public institutional to central business district.

Mayor Jake Woodford 10:34

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

Mayor Jake Woodford 10:52

We'll move on to the associated action item this is item 23—0633 request to approve comprehensive plan 2010 to 2030 future land use map amendment number 1-23. Is there a motion? Motion—motion and second to approve. Any discussion from the Commission? Okay. Hearing none, all those in favor please signify by saying aye. Aye. Any opposed? Motion passes unanimously. That item has been approved.

Mayor Jake Woodford 11:31

All right on to our next public hearing. This is item 23-0634 rezoning number 3-23 for the subject parcels located at 313, 315, and 319 East College Avenue and vacant lots located along east College Avenue on the southwest corner of East College Avenue and Drew St. Don?

Principal Planner Don Harp 11:54

The proposed zoning map amendment only relates to three of these properties. One of them is currently zoned Central Business District and that's parcel 2-007. So, the other three properties are currently zoned PI public institutional districts. So, the rezoning request is to rezone from public institutional to Central Business District, and staff had reviewed the findings of fact based on the current zoning code requirements and we're recommending approval of that rezoning request.

Mayor Jake Woodford 12:25

Thank you. Could you speak to the limitations of a public institutional zoning?

Principal Planner Don Harp 12:34

The setback regulations in the public institutional zoning district requires a greater setback than central business districts. So, we're looking at building height, in addition to a minimum of a 20-foot setback. So, the current properties that are zoned to central—uh, PI right now would be limited into the building footprints. So, the central business district gives greater flexibility in terms of setback, which is primarily like a zero lot line to the front, sides, and rear so you can maximize the property. Also, there's a lot coverage that you can cover 100% in Central Business District versus there's a lot coverage maximum in PI so that they would be limited in terms of footprint and also building height—gives them greater flexibility to go higher in the central business district as well. There's a 200-foot maximum in CBD versus much lower in PI District.

Mayor Jake Woodford 13:29

Thank you. And just another question about the zoning for this. When zoning—or when this when this is assigned, when zoning is assigned, is it based on the nature of the owner of the property or is it about the property itself? I—you talked a little bit about this in the memo in terms of when the zoning was established, it was established based on the fact that it was owned by the university, but when we when we established zoning, does that have a relationship with the ownership of the parcel or is it about use?

Principal Planner Don Harp 14:01

Yeah, historically, when our zoning code changed in 2004, is when the PI zoning district was introduced when we adopted a new zoning map—or excuse me new zoning code. There were conversations with Lawrence University in the past to assemble their campus boundaries and look at zoning because there was different zoning classifications on various properties throughout the campus. So, through conversations, there was a recommendation to rezone various properties to the PI district. So that's where you see the Lawrence University owned properties along College Avenue of a PI district rather than CBD. So, at one point in time, I think they were CBD zoned, but it was more or less the use of the property was public institutional. That's how zoning was amended to reflect the PI district as it currently is today.

Mayor Jake Woodford 14:59

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? This is a public hearing. Is there anyone who wishes to speak? Hearing none, I declare this public hearing closed, and we'll take up the associated action item.

Mayor Jake Woodford 15:20

This is item 23-0635 request to approve rezoning number 3-23. A motion? We have a motion and a second to approve. Discussion from the Commission?

[The audio recording ended at this point even though the meeting was not over. Per the meeting minutes, the meeting was only 16 minutes long, so it ended around 30-60 seconds after the recording cut out. The rezoning request was approved, and one can infer that there was minimal to no further discussion that took place.]