



**APPLICATION FOR SPECIAL USE PERMIT  
FOR TAVERNS AND RESTAURANTS WITH ALCOHOL**

Community and Economic Development Department  
100 N. Appleton St. PH: 920-832-6468  
Appleton, WI 54911 FAX: 920-832-5994

Stamp date received

PROPERTY OWNER		APPLICANT (owner's agent)	
Name		Name	
Mailing Address		Mailing Address	
Phone	Fax	Phone	Fax
E-mail		E-mail	

PROPERTY INFORMATION	
Property Tax # (31-0-0000-00)	
Site Address/Location	
Legal Description of Land (may be attached as separate sheet)	
Current Zoning:	Proposed Zoning:
Current Uses:	Proposed Uses:
Lot Dimensions and Area:	

DESCRIPTION OF THE PROPOSED USE FOR THIS PROPERTY

Date	Owner/Agent Signature (Agents must provide written proof of authorization)

OFFICE USE ONLY			
FILE # _____	Application Complete _____	____/____/____	Date Filed ____/____/____
Fee \$450.00	Acct #PWZNIG	Receipt # _____	Date Paid ____/____/____

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

**Business Information:**

Name of business: \_\_\_\_\_

Years in operation: \_\_\_\_\_

Percentage of business derived from restaurant service: \_\_\_\_\_%

Type of proposed establishment (detailed explanation of business):

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**Proposed Hours of Operation for Indoor Uses:**

Day	From	To
Week Day		
Friday		
Saturday		
Sunday		

**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): \_\_\_\_\_

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:

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

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

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**Outdoor Uses:**

Location, type, size and design of outdoor facilities:

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

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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:

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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		
Friday		
Saturday		
Sunday		

**Outdoor Lighting:**

Type: \_\_\_\_\_

Location: \_\_\_\_\_

**Off-Street Parking:**

Number of spaces existing: \_\_\_\_\_

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:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Number of Employees:**

Number of existing employees: \_\_\_\_\_

Number of proposed employees: \_\_\_\_\_

Number of employees scheduled to work on the largest shift: \_\_\_\_\_

## **WHAT IS A SPECIAL USE PERMIT?**

Special Uses are those uses having some uniqueness or unusual impact which require careful review of their location, design, and configuration to determine against fixed standards, the desirability of permitting their establishment at any given site. There are uses which may or may not be appropriate in a particular location depending on a weighing, in each case, of the public need and benefit against the community and neighborhood impact and effect as well as consistency to the 2010-2030 Comprehensive Plan. Each zoning district has a list of uses requiring a Special Use Permit.

## **WHERE DO I START?**

Contact the Community and Economic Development Department to discuss interest in a Special Use Permit. The staff will provide information regarding the 2010-2030 Comprehensive Plan, the criteria for evaluation, surrounding uses and possible nonconformities.

## **WHAT'S NEXT?**

A complete submittal includes a completed application, a detailed development plan of the proposed development and the appropriate fee. The Community and Economic Development Department files the complete submittal with the City Clerk.

City departments make recommendations to the Plan Commission. The Plan Commission holds a Public Hearing to review staff comments and the Findings of Fact (Section 23-66 (e)) and makes its recommendations to the Common Council. A notice of the Public Hearing will be advertised in The Post-Crescent for two consecutive weeks prior to the Plan Commission meeting. Notice of the hearing is sent to the petitioner, Alderperson of the district, property owners within 100 feet of the proposed Special Use Permit lot and/or the town clerk. A recommendation to the Common Council is made within 45 days of the Public Hearing.

The Common Council formally approves or denies the Special Use Permit within 45 days of the Plan Commission action. Two-thirds of the entire Common Council must vote in favor of the permit in order for it to be granted.

## **WHAT IS THE FINAL ACTION?**

Common Council approval is the final action for a Special Use Permit.

**NOTE:** *A Special Use Permit shall expire if the use is discontinued for a period of 12 months. Also, the Common Council has the ability to revoke a Special Use Permit for failure to comply with the provisions of approval.*

## DEVELOPMENT PLAN CHECKLIST FOR SPECIAL USE PERMITS

Development plan of property being proposed for a special use permit, which shall supply the information as identified below:

- a. North arrows, date of preparation and scale on 8½" x 11" paper.
- b. Name(s) of all adjacent or surrounding streets and right-of-way width(s).
- c. Recorded property lines and their dimensions.
- d. All existing and proposed buildings and structures accessory to the principal use, including the use of each building or structure, dimensions and their locations on the parcel.
- e. Dimensions of existing and proposed yard setbacks for buildings and structures.
- f. Dimensions of existing and proposed parking, loading and unloading areas, sidewalks and interior and perimeter landscaping areas. Identify proposed and existing surface material(s).
- g. The location of existing and proposed trees, shrubs and grass.
- h. The location and details of proposed and existing refuse containers and their enclosures.
- i. The location of proposed and existing signage.
- j. The location and type of all proposed and existing exterior lighting fixtures.
- k. The location, height and materials of all proposed and existing fences or retaining walls.
- l. The location and size of existing and proposed driveways.
- m. The location of snow storage areas.
- n. The location and use of buildings and structures on adjoining land.
- o. Show the general landscaping concept for the site.
- p. Indicate proposed hours of operation and number of employees.
- q. Submit preliminary architectural plans for the existing and proposed buildings that show sufficient detail to permit an understanding of the style of the development and the design of the building(s).
- r. Submit floor plan of the building(s), including room dimensions.
- s. Other additional information that may be deemed appropriate by the Community and Economic Development Director.

## FINDINGS OF FACT

### To be reviewed by Community and Economic Development Department Staff

Section 23-66 (e) **Standards for granting special use permits.** No special use permit shall be recommended by the Plan Commission, or approved by the Common Council, unless it shall find that:

1. **Zoning.** The proposed use conforms to the underlying zone district purpose and development standards and is in harmony with the general purposes and intent of the Appleton Zoning Ordinance. When there is an existing nonconforming structure, the development standards may be waived by the Common Council.

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2. **Plans.** The proposed use conforms to the 2010-2030 Comprehensive Plan, any applicable urban design or other plan officially adopted by Common Council.

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3. **Traffic.** Adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets.

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4. **Landscaping and Screening.** Appropriate landscaping and screening has been or will be provided to protect adjacent uses or properties from light, noise and other visual impacts that are associated with the proposed use as established in §23-172(g), Perimeter parking lot and loading space landscaping and §23-601, Landscaping and screening standards.

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5. **Neighborhood Compatibility.** The proposed use is compatible with the predominant or prevailing land use of the neighborhood surrounding the proposed development.

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6. **Services.** Adequate facilities, access roads, drainage and/or necessary services have been or will be provided.

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