



CITY HALL • 100 STATE STREET • BELOIT, WI 53511

MEETING NOTICE AND AGENDA
Beloit City Plan Commission
Wednesday, September 4, 2013 at 7:00 PM
The Forum
Beloit City Hall, First Floor
100 State Street, Beloit

1. **Call to Order and Roll Call**
2. **Approval of the Minutes of the August 21, 2013 Meeting**
3. **Comprehensive Plan Amendment – 2091 and 2105 Shopiere Road**
Public hearing, review and consideration of an amendment to the Future Land Use Map of the City's Comprehensive Plan from Single Family Residential-Urban to Neighborhood Commercial for the properties located at 2091 and 2105 Shopiere Road
4. **Zoning Map Amendment – 2091 and 2105 Shopiere Road**
Public hearing, review and consideration of a Zoning Map Amendment from R-1B, Single Family Residential District, to C-2, Neighborhood Commercial District, for the properties located at 2091 and 2105 Shopiere Road
5. **Conditional Use Permit – 1119 Broad Street**
Public hearing, review and consideration of a Conditional Use Permit to allow vehicle repair in the C-3, Community Commercial District, for the property located at 1119 Broad Street
6. **Architectural Review Exception – 105 Dearborn Street – Cornelier's**
Public hearing, review and consideration of an Exception to Section 34.15(1) of the Architectural Review and Landscape Code to allow more than 25 percent of the exterior surface of the walls on a non-industrial building to be metal
7. **Status Report on Prior Plan Commission Items**
8. **Adjournment**

If you are unable to attend this meeting, please contact Gail Riddle in the Planning Office at 364-6700 **no later than 4:00 PM the day before the meeting.**

Notice Mailed: August 16, 2013

Approved: Julie Christensen
Community Development Director

**Please note that, upon reasonable notice, at least 24 hours in advance, efforts will be made to accommodate the needs of disabled individuals through appropriate aids and services. For additional information to request this service, please contact the City Clerk's Office at 364-6680, 100 State Street, Beloit, WI 53511



CITY HALL • 100 STATE STREET • BELOIT, WI 53511

MINUTES
BELOIT CITY PLAN COMMISSION
Wednesday, August 21, 2013
The Forum, Beloit City Hall
100 State Street, Beloit

1. **Call to Order and Roll Call**

Chairperson Faragher called the meeting to order at 7:05 PM. Gail Riddle called the roll. Present were Commissioners Moore, Kelly, and Nee. Commissioners Jacobsen and Kincaid were absent.

2. **Approval of the Minutes of the August 7, 2013 Meeting**

Commissioner Moore moved and Commissioner Kelly seconded a motion to approve the August 7, 2013 minutes. The minutes were approved (4-0).

3. **Planned Unit Development – Woodman’s – 1877 Madison Road**

Public hearing, review and consideration of a Planned Unit Development Master Land Use Plan for the property located at 1877 Madison Road

Drew Pennington summarized the staff report and recommendation.

Chairperson Faragher opened the public hearing.

Gary Fox, Building Systems General, 5972 Executive Drive, Madison, WI, was present for questions. Mr. Fox commented that the main reason they were doing this is because City code only allows for one retail operation on the same site.

Chairperson Faragher asked Mr. Fox if there were going to be any concerns with the new public/private sidewalk recommendation. Mr. Fox answered that there will be some grade issues in order to keep it ADA compliant and that they will have to work with the City on that.

Mike Zoril, 1756 Carlyle Road, Beloit, was present and encouraged the Plan Commission to vote in favor of the PUD with the exception of staff’s recommended condition #6, as he feels that requiring a bike rack and sidewalk will eliminate or prevent jobs in the City. Chairperson Faragher reminded Mr. Zoril that the applicant had already agreed to install a bike rack and sidewalks. Chairperson Faragher asked Mr. Zoril if he truly feels that bike racks and sidewalks affect job creation. Mr. Zoril stated “yes” and that businesses should make that decision.

Chairperson Faragher closed the Public Hearing.

Commissioner Moore moved to approve the Conditional Use Permit, subject to staff's recommended conditions, and Commissioner Kelly seconded the motion. The motion carried (4-0).

4. **Certified Survey Map – 2157 Schuster Drive**

Review and consideration of a two-lot Certified Survey Map for the property located at 2157 Schuster Drive

Mr. Pennington summarized the staff report and recommendation.

Commissioner Nee moved to approve the Certified Survey Map, subject to staff's recommended conditions. Commissioner Moore seconded the motion. The motion carried (4-0).

5. **Status Report on Prior Plan Commission Items**

Mr. Pennington stated that the Conditional Use Permit for the assisted living facility was approved with recommended conditions.

In addition, the Conditional Use Permit for the Qdoba and retail development was approved subject to recommended conditions, plus an additional condition restricting the sale of alcoholic beverages through the drive-thru.

Finally, the Conditional Use Permit for 946 Wisconsin Avenue was approved as recommended.

6. **Adjournment**

The meeting adjourned at 7:20 PM.

CITY OF BELOIT

REPORT TO THE BELOIT CITY PLAN COMMISSION



Meeting Date: September 4, 2013

Agenda Item: 3

File Number: RPB-2013-10

Request Overview/Background Information:

PALU Enterprises LLC and Sharon Granberg have submitted an application requesting two amendments to the Future Land Use Map (Map 10) of the City of Beloit Comprehensive Plan.

Wisconsin's Comprehensive Planning Law, §66.1001 of the Wisconsin Statutes, was signed into law in 1999. Comprehensive Plans are intended to guide development and redevelopment over a 20-year timeframe. The law also requires that land use decisions be consistent with the plan. The Beloit City Council approved the City's Comprehensive Plan in March 2008 after an extensive public participation program. All land use decisions made by the City of Beloit, including any actions regarding official mapping, local subdivision regulation, and zoning regulations, must be consistent with the plan. The Beloit City Council established a process for amendments (minor changes) to the Comprehensive Plan on February 1, 2010. If the Plan Commission votes to recommend approval of the proposed amendments, the attached Resolution will be forwarded to the City Council for consideration on October 7, 2013.

Key Issues:

- The applicants are requesting the following amendments to the Future Land Use Map (Map 10):
 - 2091 & 2105 Shopiere Road – From Single-Family Residential – Urban to Neighborhood Commercial.
- The following table describes the status of the subject properties:

Property	Current Use	Zoning	Ac	Future Land Use	Proposed Future Land Use
2091 Shopiere Rd	Nhbd Commercial	R-1B	0.29	SF Residential - Urban	Neighborhood Commercial
2105 Shopiere Rd	SF Residential	R-1B	0.29	SF Residential - Urban	Neighborhood Commercial

- The applicants have also submitted a Zoning Map Amendment (rezoning to C-2) application for the subject properties.
- **Land Use Analysis**
 - The property located at 2091 Shopiere Road is a commercial property that has legal nonconforming status, and the applicant has obtained several Conditional Use Permits to change the nonconforming uses. There are three tenant spaces in this building that house a bakery, hair salon, and transportation service. If the applicants' requests are approved, neighborhood commercial uses will become permitted by-right. Ms. Granberg can continue to use her property as a single-family dwelling, but will have the option of using or selling her property for neighborhood commercial development.
 - The subject properties are corner properties on an arterial street, across from a large-scale multi-family apartment building. The subject properties are adjacent to the City limits and single-family dwellings, but the landscape standards include a buffer requirement that will ensure compatibility. Planning staff supports the establishment of a small commercial district in this location that will meet the needs of the neighborhood.
 - When Mr. Brown (PALU Enterprises) approached Planning staff about rezoning his property, staff advised Mr. Brown that he would need to partner with an adjacent property owner in order to avoid a spot zoning situation.

Consistency with Comprehensive Plan and Strategic Plan:

- This request is consistent with the Comprehensive Plan and supports Strategic Goal #5.

Sustainability:

- **Reduce dependence upon fossil fuels** – The subject properties are within walking distance of existing dwellings.
- **Reduce dependence on chemicals and other manufacturing substances that accumulate in nature** – N/A
- **Reduce dependence on activities that harm life sustaining eco-systems** – N/A
- **Meet the hierarchy of present and future human needs fairly and efficiently** – N/A

Staff Recommendation:

The Planning & Building Services Division recommends **approval** of the following proposed amendments to the Future Land Use Map (Map 10) of the City's Comprehensive Plan:

1. 2091 & 2105 Shopiere Road – From Single-Family Residential – Urban to Neighborhood Commercial.

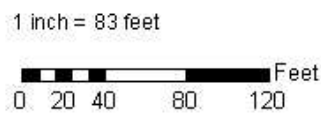
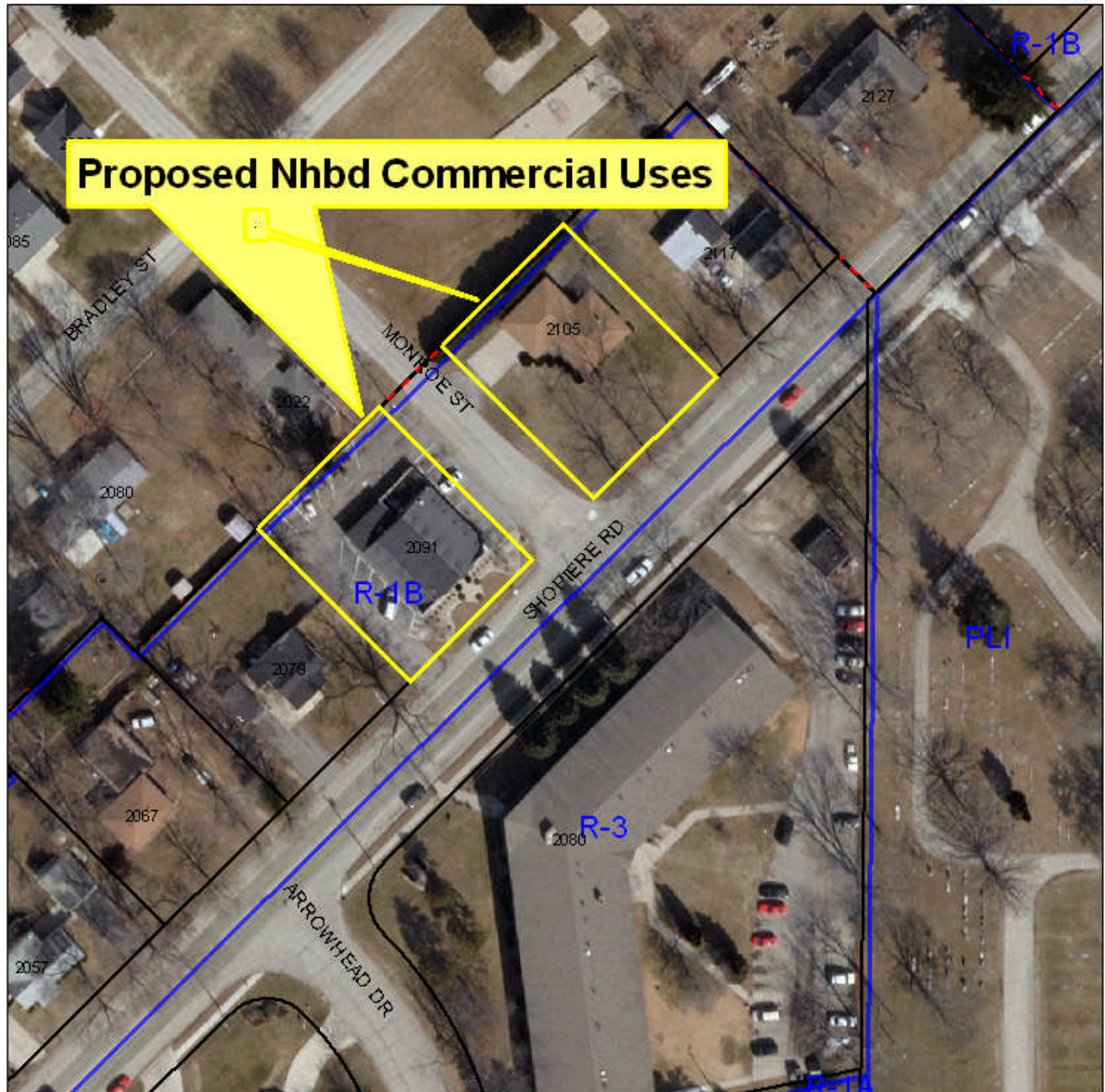
Fiscal Note/Budget Impact: N/A

Attachments: Location & Zoning Map, Future Land Use Map, Public Notice, Mailing List, and Resolution.

Location & Zoning Map

2091 & 2105 Shopiere Road

RPB-2013-10



Legend	
	COB Parcels
	Zoning District

Map prepared by: Drew Pennington
Date: August 2013
For: City of Beloit Planning & Building
Date of Aerial Photography: March 2011

PLANNING & BUILDING SERVICES DIVISION

Map 10, Future Land Use (Subject Properties Are Circled)





NOTICE TO THE PUBLIC

August 19, 2013

To Whom It May Concern:

PALU Enterprises LLC and Sharon Granberg have submitted an application requesting the following amendments to the Future Land Use Map (Map 10) of the City of Beloit Comprehensive Plan:

1. 2091 & 2105 Shopiere Road – From Single-Family Residential – Urban to Neighborhood Commercial.

Information regarding the location, zoning, and land use of these properties is available for public review in the Planning & Building Services Division on the third floor of City Hall, 100 State Street.

The following public meetings will be held regarding the proposed amendments:

City Plan Commission: Wednesday, September 4, 2013, at 7:00 PM, or as soon thereafter as the matter can be heard in The Forum, Beloit City Hall, 100 State Street.

City Council (Public Hearing): Monday, October 7, 2013, at 7:00 PM, or as soon thereafter as the matter can be heard in The Forum, Beloit City Hall, 100 State Street.

THE PUBLIC IS INVITED TO ATTEND THESE MEETINGS.

We are interested in your opinion.

Anyone bringing handouts to the Plan Commission meeting must bring ten (10) copies and submit them to the Recording Secretary before the meeting begins. Staff is unable to leave the meeting area to make copies.

For additional information, please contact Drew Pennington in the Planning & Building Services Division at (608) 364-6711 or penningtond@ci.beloit.wi.us. Comments will be accepted via telephone, email, and U.S. Mail.

Karry DeVault, Clerk
Town of Beloit
2871 S. Afton Rd.,
Beloit 53511

Frank Management Inc.
2501 Morse Street
Janesville, WI 53545

Janelle Marotz
School District of Beloit
1633 Keeler Avenue
Beloit, WI 53511

Deb Bennett, Clerk
Town of Turtle
6916 S. County Rd. J.
Beloit, WI 53511

Rock County Planning Director
Rock County Courthouse, Room 266
51 South Main Street,
Janesville, WI 53545

Dr. Dennis McCarthy
Beloit-Turner School District
1237 Inman Parkway
Beloit, WI 53511

City Clerk
City of South Beloit
519 Blackhawk Blvd. Suite 2
South Beloit, IL 61080

Dr. Pamela Kiefert, Superintendent
Clinton Community School District
112 Milwaukee Road
Clinton, WI 53525

Library Director
Beloit Public Library
605 Eclipse Boulevard
Beloit, WI 53511

Peter Herreid, Grant Administrator
Department of Administration
101 E. Wilson Street, 10th Floor
Madison, WI 53702-0001

Brad Austin
Corporate Contractors Inc.
655 3rd Street, Suite 101
Beloit, WI 53511

**RESOLUTION
RECOMMENDING APPROVAL OF AMENDMENTS TO THE
CITY OF БЕЛОIT COMPREHENSIVE PLAN**

WHEREAS, the Plan Commission of the City of Beloit recommended approval of the Comprehensive Plan of the City of Beloit (the Plan) on January 23, 2008, and the City Council of the City of Beloit approved an Ordinance adopting the Plan on March 17, 2008; and

WHEREAS, the Plan may be amended and changed in the years following adoption, particularly in instances where the Plan is becoming irrelevant or contradictory to emerging policies or trends, or does not provide specific advice or guidance on an emerging issue; and

WHEREAS, “Amendments” are generally defined as minor changes to the Plan’s maps or text; and

WHEREAS, the City Council of the City of Beloit approved a Resolution to Adopt a Process for Amending the City of Beloit Comprehensive Plan on February 1, 2010; and

WHEREAS, the approved process directs the Plan Commission to hold a public meeting on the proposed amendments, and following said public meeting, make a recommendation by Resolution to the City Council by majority vote of the entire Commission.

NOW, THEREFORE, BE IT RESOLVED that the Plan Commission of the City of Beloit, Rock County, Wisconsin, hereby recommends approval of the following amendments to the Future Land Use Map (Map 10) of the City of Beloit Comprehensive Plan:

1. 2091 & 2105 Shopiere Road – From Single-Family Residential – Urban to Neighborhood Commercial.

Adopted this 4th day of September, 2013.

James Faragher, Plan Commission Chairman

ATTEST:

Julie Christensen,
Community Development Director

CITY OF BELOIT

REPORT TO THE BELOIT CITY PLAN COMMISSION



Meeting Date: September 4, 2013 **Agenda Item:** 4 **File Number:** ZMA-2013-11
Applicant: D. Brown & S. Granberg **Owner:** D. Brown & S. Granberg **Location:** 2091 & 2105 Shopiere Road
Current Zoning: R-1B, SF Residential **Existing Land Use:** Commercial & SF **Parcel Size:** 0.29 Acre (each)

Request Overview/Background Information:

David Brown & Sharon Granberg have submitted an application for a Zoning Map Amendment to change the zoning district classification from R-1B, Single-Family Residential District to C-2, Neighborhood Commercial District, for the properties located at 2091 & 2105 Shopiere Road. The attached **Location & Zoning Map** shows the location of the subject properties and the zoning of the surrounding area. The Zoning Ordinance directs the Plan Commission to make a recommendation regarding a Zoning Map Amendment when the specific site and context are suitable for the uses permitted in the proposed zoning district.

Key Issues:

- The property located at 2091 Shopiere Road is a commercial property that has legal nonconforming status, and the applicant has obtained several Conditional Use Permits to change the nonconforming uses. There are three tenant spaces in this building that house a bakery, hair salon, and transportation service. If the applicants' requests are approved, neighborhood commercial uses will become permitted by-right. Ms. Granberg can continue to use her property as a single-family dwelling, but will have the option of using or selling her property for neighborhood commercial development.
- The applicants also submitted an application to amend the Comprehensive Plan's Future Land Use Map to recommend Neighborhood Commercial uses and C-2 zoning classification for the subject properties.
- Planning staff posted an informational sign on the subject properties and mailed the attached Public Notice to the owners of nearby properties. As of this writing, staff has not received any comments.
- **Findings of Fact** - Based on Section 2-304 of the Zoning Ordinance:
 - a. *The existing use of property within the general area of the subject property;*
 - The proposed C-2 district is compatible with and will serve the neighborhood, which includes single-family dwellings to the northwest and a multifamily complex to the southeast.
 - b. *The zoning classification of property within the general area of the subject property;*
 - The proposed C-2 district is compatible with the adjacent residential (R-1B & R-3) districts.
 - c. *The suitability of the subject property for the uses permitted under the existing zoning classification; and*
 - The 2091 property, which has always been commercial, is not suitable for uses in R-1B.
 - d. *The trend of development and zoning map amendments in the general area of the subject property.*
 - There has been limited development pressure in this neighborhood during the past decade, although a new assisted living facility is planned 1/5 mile to the north and a new convenience store is planned 1/2 mile to the northeast.

Consistency with Comprehensive Plan and Strategic Plan:

The applicant's Comprehensive Plan amendments are being reviewed concurrently, which supports Strategic Goal #5.

Sustainability:

- **Reduce dependence upon fossil fuels** – The subject properties are within walking distance of existing dwellings.
- **Reduce dependence on chemicals and other manufacturing substances that accumulate in nature** – N/A
- **Reduce dependence on activities that harm life sustaining eco-systems** – N/A
- **Meet the hierarchy of present and future human needs fairly and efficiently** – N/A

Staff Recommendation:

Based upon the above Findings of Fact and the City's Comprehensive Plan, the Planning & Building Services Division recommends **approval** of a Zoning Map Amendment to change the zoning district classification from R-1B, Single-Family Residential District to C-2, Neighborhood Commercial District, for the properties located at 2091 & 2105 Shopiere Road.

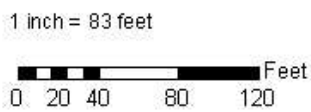
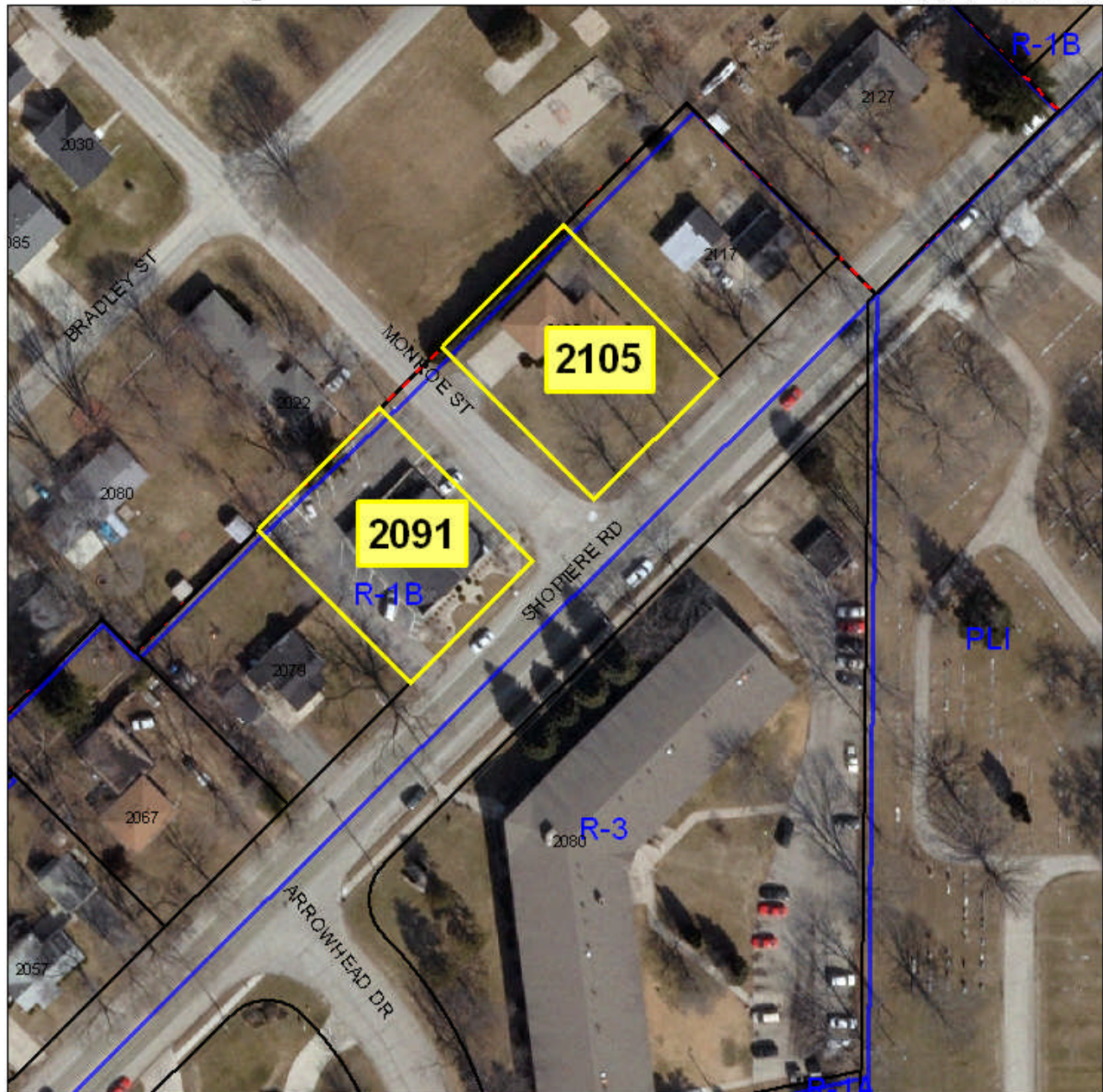
Fiscal Note/Budget Impact: N/A

Attachments: Location & Zoning Map, Photos, Application, Public Notice, and Mailing List.

Location & Zoning Map

2091 & 2105 Shopiere Road

ZMA-2013-11



Legend

- COB Parcels
- Zoning District

Map prepared by: Drew Pennington
Date: August 2013
For: City of Beloit Planning & Building
Date of Aerial Photography: March 2011

PLANNING & BUILDING SERVICES DIVISION



CITY of BELOIT

NEIGHBORHOOD PLANNING DIVISION

100 State Street, Beloit, WI 53511

Phone: (608) 364-6700

Fax: (608) 364-6609

Zoning Map Amendment Application Form

(Please Type or Print)

File No.: ZMA-2013-11

1. Address of subject property: 2091 Myriam Road and 2105 Shopiere Road

2. Legal description: Lot: 10 Block: 88 Subdivision: Lincoln Block Dundale Place
(If property has not been subdivided, attach a copy of the complete legal description from deed.)

Property dimensions are: 100.00 feet by 125.00 feet = 12,500.00 square feet.

If more than two acres, give area in acres: _____ acres.

3. Tax Parcel Number(s): 21951140 & 21962020

4. Owner of record: Patricia K. Shanberg Phone: 608-362-8802
2105 Shopiere Road Beloit, WI 53511
2105 Daitmouth Drive Janesville, WI 53518
(Address) (City) (State) (Zip)

5. Applicant's Name: David Shanberg
2105 Shopiere Road Beloit, WI 53511
2105 Daitmouth Drive Janesville, WI 53518
(Address) (City) (State) (Zip)

608-362-8802 / 608-201-1962 / besonda@firstwebel.com
(Office Phone #) (Cell Phone #) (E-mail Address)

6. **THE FOLLOWING ACTION IS REQUESTED:**

Change zoning district classification from: RF Residential to: Neighborhood Commercial
All existing uses on this property are: Hispanic Bakery, Hair Salon (C-2)
Transportation Service

7. All the proposed uses for this property are:

Principal use(s): any business that is in C-2 classification

Secondary use(s): Salon

Accessory use(s): Transportation Service

8. I/we represent that I/we have a vested interest in this property in the following manner:

- Owner David H Brown + Sharon Granberg
- Leasehold, Length of lease: _____
- Contractual, Nature of contract: _____
- Other, explain: _____

9. Individual(s) responsible for compliance with conditions (if any), if request is granted:

Name(s): David H Brown Phone: 608-201-1962
2905 Dartmouth Drive Janesville WI 53548
(Address) (City) (State) (Zip)

The applicant's signature below indicates the information contained in this application and on all accompanying documents is true and correct.

I/we, the undersigned, do hereby respectfully make application for and petition the City Plan Commission and City Council to grant the requested action for the purpose stated herein. I/we represent that the granting of the proposed request will not violate any of the required standards of the Zoning Ordinance of the City of Beloit. I/we also agree to abide by all applicable federal, state and local laws, ordinances, rules, and regulations.

Sharon Granberg | SHARON GRANBERG | 8/2/13
(Signature of Owner) (Print name) (Date)

David H Brown | David H Brown | 8/2/13
(Signature of Applicant, if different) (Print name) (Date)

In order for your request to be heard and considered in a timely manner, you must submit the completed application and all accompanying documents to the Neighborhood Planning Division for acceptance by the filing deadline date prior to a scheduled Plan Commission meeting. This application must be submitted with the \$275.00 application fee. Applicants will also be charged a fee for mailing public notices at the rate of \$0.50 per notice. An invoice for this fee will be sent to the applicant, and it is typically between \$5.00 and \$20.00.

To be completed by Planning Staff	
Filing Fee: <u>\$275.00</u>	Amount Paid: <u>\$275.⁰⁰</u> Meeting Date: <u>Sept. 4, 2011</u>
Number of notices: _____	x mailing cost (\$0.50) = cost of mailing notices: \$ _____
Application accepted by: <u>[Signature]</u>	Date: <u>8/2/13</u>
Date Notice Published: _____	Date Notice Mailed: _____



NOTICE TO THE PUBLIC

August 21, 2013

To Whom It May Concern:

David Brown & Sharon Granberg have submitted an application for a Zoning Map Amendment to change the zoning district classification from R-1B, Single-Family Residential District to C-2, Neighborhood Commercial District, for the properties located at:

2091 & 2105 Shopiere Road.

Mr. Brown owns the commercial building located at 2091 Shopiere Road, which has legal nonconforming status as a commercial building in a residential zoning district. Ms. Granberg owns the property located at 2105 Shopiere Road, which is currently used as a single-family dwelling. The applicants also submitted an application to amend the Comprehensive Plan's Future Land Use Map to recommend Neighborhood Commercial uses and C-2 zoning classification for the subject properties.

The following public hearings will be held regarding this application:

City Plan Commission: Wednesday, September 4, 2013, at 7:00 PM, or as soon thereafter as the matter can be heard in The Forum, Beloit City Hall, 100 State Street.

City Council: Monday, October 7, 2013, at 7:00 PM, or as soon thereafter as the matter can be heard in The Forum, Beloit City Hall, 100 State Street.

THE PUBLIC IS INVITED TO ATTEND THESE HEARINGS.

We are interested in your opinion.

Anyone bringing handouts to the Plan Commission meeting must bring ten (10) copies and submit them to the Recording Secretary before the meeting begins. Staff is unable to leave the meeting area to make copies.

For additional information, please contact Drew Pennington in the Planning & Building Services Division at (608) 364-6711 or penningtond@ci.beloit.wi.us. Comments will be accepted via telephone, email, and U.S. Mail.

ZMA-2013-11, 2091-2105 Shopiere Road

SHELDON JOHNS
1983 ARROWHEAD DR
BELOIT, WI 535113811

DARCIE WARE
2079 SHOPIERE RD
BELOIT, WI 53511

SHARON GRANBERG
2105 SHOPIERE RD
BELOIT, WI 535113839

GATEWAY REDEVELOPMENT LLC
P O BOX 41
BELOIT, WI 53512

BRIAN P & TRACEY J WALSH
& BAERTSCHI
2080 E BRADLEY ST
BELOIT, WI 53511

GARY L WITZACK
2127 SHOPIERE RD
BELOIT, WI 53511

SUSAN L KIMPLING
2079 E BRADLEY ST
BELOIT, WI 53511

RICHARD A & ELLEN J KING
2134 E BRADLEY ST
BELOIT, WI 53511

JEAN G REIDEL
2074 E BRADLEY ST
BELOIT, WI 53511

CLIFFORD & SHARON
KEIERLEBER
2057 SHOPIERE RD
BELOIT, WI 535113761

PALU ENTERPRISES LLC
2905 DARTMOUTH DR
JANESVILLE, WI 53548

LAURI ALLEN
2117 SHOPIERE RD
BELOIT, WI 535113839

PHILIP A RAYMER
2067 E BRADLEY ST
BELOIT, WI 53511

JOAN A KASHEW-HUTCHENS
2022 S MONROE ST
BELOIT, WI 53511

MARJORY L MONDON
2085 E BRADLEY ST
BELOIT, WI 53511

ANTHONY P & SUSAN E FLORA
2115 E BRADLEY ST
BELOIT, WI 53511

MARY J WAITE TRUST
2136 E BRADLEY ST
BELOIT, WI 53511

JUDITH PIPPENGER
302 JULIE LN
HAMPSHIRE, IL 60140

JAMES BENNETT
2067 SHOPIERE RD
BELOIT, WI 53511

AP APARTMENTS LLC
3190 GATEWAY RD STE 201
BROOKFIELD, WI 53045

MOUNT THABOR CEMETERY
P O BOX 1944
JANESVILLE, WI 53547

JESSICA M & PHYLISS M
WANNINGER & BURKHAMER
14734 LEAHY RD
JSHULLSBURG, WI 53586

TOWN OF TURTLE
6916 S COUNTY RD J
BELOIT, WI 53511

WALTER D HOPPER
2030 S MONROE ST
BELOIT, WI 53511

DONALD E & PATRICIA K
WHALEN
2284 ROBINSON DR
BELOIT, WI 53511

JEFFREY M STAFFORD
2133 BRADLEY
BELOIT, WI 53511

CITY OF BELOIT

REPORT TO THE BELOIT CITY PLAN COMMISSION

Meeting Date: September 4, 2013

Agenda Item: 5

File Number: CU-2013-14

Applicant: Cornellier Enterprises

Owner: Cornellier Enterprises

Location: 1119 Broad Street

Existing Zoning: C-3, Community
Commercial District

Existing Land Use: Vacant Building

Total Area: 0.83 Acre

Request Overview/Background Information:

Cornellier Enterprises has filed an application for a Conditional Use Permit to allow vehicle repair in the C-3, Community Commercial District, for the property located at 1119 Broad Street.

Key Issues:

- Ace Auto Sales & Repair operated at this location until closing earlier this year. Because the prior use was discontinued, a Conditional Use Permit is required before vehicle repair may be reestablished in the C-3 district. Auto sales is permitted by-right in the C-3 district. Although the subject property is located in the WPO, Wellhead Protection Overlay District, the proposed uses are permitted by-right in the WPO district.
- The applicant intends to lease the subject property to a business that will sell and repair vehicles. The applicant has not proposed any changes to the building or site.
- The attached **Location & Zoning Map** shows the location of the subject properties and the underlying zoning of the surrounding area. The entire area is included in the WPO District. The adjacent zoning and land uses are as follows:
 - North: C-3, Community Commercial District; Vacant Land
 - South: C-3, Community Commercial District; Auto Sales & Repair
 - East: R-1B, Single-Family Residential District; Right-of-Way
 - West: R-1B, Single-Family Residential District; Single-Family Dwelling
- The subject property includes a 7,800 square-foot building with one overhead door and a fenced outdoor storage area to the east of the building. The building was constructed in 1961.
- The subject property is served by three driveways on Broad Street. The westernmost driveway is not needed; therefore, Planning staff is recommending a condition of approval that will require elimination of this driveway & restoration of the terrace.
- As shown in the attached photos, the existing parking lot is in a deteriorated condition. Therefore, Planning staff is recommending a condition of approval that will require repair or replacement of the parking lot.
- The subject property does not have any landscaping, and the area between the parking lot and public sidewalk is uneven and unsightly. Planning staff is recommending a condition that will require landscape strips on both East Grand Avenue and Broad Street.
- According to Section 8-103 of the Zoning Ordinance, the subject property must include 4 off-street parking stalls per service bay and 2 off-street parking stalls per employee. The subject property meets these requirements.
- The City's Review Agents have reviewed this application and have not submitted any comments or concerns.
- The Water Resources Division conducted a walk-through on August 22nd and verified the presence of a solid concrete floor and the absence of any above-ground fuel tanks.
- The attached Public Notice was sent to nine nearby property owners. As of this writing, staff has not received any comments or concerns.
- **Findings of Fact**
 - Based on Section 2-504 of the Zoning Ordinance, the Plan Commission shall make a recommendation based on the following considerations:
 - a. *Whether the establishment, maintenance, or operation of the conditional use will be detrimental to or endanger the public health, safety, morals, comfort, or general welfare;*
 - Subject to certain conditions of approval, the proposed conditional use will not be detrimental to or endanger public health, safety, or welfare.
 - b. *Whether the conditional use will be injurious to the use and enjoyment of other property in the immediate vicinity for purposes already permitted;*
 - There is vacant land to the north, identical land uses to the south, and a large section of right-of-way to the east. Existing trees & open space separate the subject property from the dwellings to the west. Therefore, the conditional use is compatible with existing nearby uses.

- c. *Whether the conditional use will substantially diminish or impair property values within the neighborhood of the subject property;*
 - Subject to certain conditions of approval that will bring the subject property closer to compliance with the City's land use ordinances, the conditional use will not impair property values. If the auto repair & sales use is established without conditions and the site & building continue to deteriorate, it is conceivable that property values may be adversely affected.
- d. *Whether the establishment of the conditional use will impede the normal and orderly development and improvement of the surrounding property;*
 - The establishment of the conditional use will not impede nearby development, so long as the site is repaired/upgraded as recommended by staff.
- e. *Whether the exterior architectural design or site layout of the proposed conditional use is so dissimilar or otherwise incompatible with existing or proposed development in the immediate neighborhood that it will cause a depreciation in property values;*
 - The existing building includes two prominent examples of inappropriate window replacement, whereby large windows were replaced with small windows and/or vinyl siding. Planning staff is recommending a condition of approval to correct these inappropriate alterations.
- f. *Whether adequate utilities, access roads, drainage or other necessary facilities will be available to serve the proposed use at the time of its occupancy or use;*
 - Adequate facilities and infrastructure are available to serve the conditional use.
- g. *Whether adequate measures will be taken to minimize traffic congestion; and*
 - The existing street network is capable of handling any additional traffic generated by the conditional use. Planning staff is recommending a condition of approval that will require the removal of the unnecessary westernmost driveway and terrace restoration.
- h. *Whether the conditional use will comply with all applicable regulations of the Zoning Ordinance.*
 - The conditional use will comply with all other applicable regulations of the Zoning Ordinance.

Consistency with Comprehensive Plan and Strategic Plan:

The City's Comprehensive Plan recommends Community Commercial uses for the subject properties, and the underlying C-3 zoning district classification is consistent with this recommendation. Consideration of this request supports City of Beloit Strategic Goal #5.

Sustainability:

- **Reduce dependence upon fossil fuels** – N/A
- **Reduce dependence on chemicals and other manufacturing substances that accumulate in nature** – N/A
- **Reduce dependence on activities that harm life sustaining eco-systems** – N/A
- **Meet the hierarchy of present and future human needs fairly and efficiently** – N/A

Staff Recommendation:

The Planning & Building Services Division recommends **approval** of a Conditional Use Permit to allow vehicle repair in the C-3, Community Commercial District, for the property located at 1119 Broad Street, based on the above Findings of Fact and subject to the following conditions:

1. This Conditional Use Permit authorizes vehicle repair within the existing building, in conjunction with auto sales inside and/or outside on the subject property.
2. Vehicle repair may not occur outside of the enclosed building.
3. Junk vehicles (as defined in Chapter 7) shall not be stored outside.
4. The applicant shall obtain an automobile dealer's license from the State of Wisconsin prior to selling vehicles.
5. The applicant shall patch, sealcoat, and stripe the asphalt parking lot by November 15, 2013.
6. The applicant shall install landscape strips (as defined & specified in Chapter 34) along the perimeter of the asphalt parking lot facing Broad Street and Grand Avenue by November 15, 2013.
7. The applicant shall replace the inappropriate vinyl siding & window on the front façade with a contemporary, commercial grade window by November 15, 2013 after obtaining an Architectural Review Certificate and permit.
8. The applicant shall refurbish/reface or remove the existing pole sign & cabinet by November 15, 2013.
9. The applicant shall remove the westernmost driveway and restore the curb & gutter and grass by November 15, 2013.
10. Any major changes in the adopted conditions or use of the property shall be approved by the Plan Commission and City Council by amending this Conditional Use Permit. The Director of Planning & Building Services may approve minor changes administratively.

Fiscal Note/Budget Impact: N/A

Attachments: Location & Zoning Map, Photos, Application, Floor Plan, Public Notice, and Mailing List.

Location & Zoning Map

1119 Broad Street

CU-2013-14



1 inch = 59 feet
0 12.525 50 75 Feet

Legend

- COB Parcels
- Zoning District

Map prepared by: Drew Pennington
Date: August 2013
For: City of Beloit Planning & Building Services
Date of Aerial Photography: March 2011

PLANNING & BUILDING SERVICES DIVISION



CITY of BELOIT

Planning and Building Services Division

100 State Street, Beloit, WI 53511 Phone: (608) 364-6700 Fax: (608) 364-6609

Conditional Use Permit Application

(Please Type or Print)

File Number: CU-2013-14

1. Address of subject property: 1119 BROAD ST

2. Legal description: _____

If property has not been subdivided, attach a copy of the complete legal description from deed.

Property dimensions are: _____ feet by _____ feet = _____ square feet.

If more than two acres, give area in acres: _____ acres.

3. Tax Parcel Number(s): 13650806

4. Owner of record: CORNELLIER ENT. Phone: 608-362-0555
123 DEARBORN ST. BELOIT WI. 53511
(Address) (City) (State) (Zip)

5. Applicant's Name: CORNELLIER ENT.
123 DEARBORN ST. BELOIT WI. 53511
(Address) (City) (State) (Zip)

608-362-0555 1-608-751-0975 BRADLAWVER@YAHOO.COM
(Office Phone #) (Cell Phone #) (E-mail Address)

6. All existing use(s) on this property are: CAR REPAIR & CAR SALES

7. **THE FOLLOWING ACTION IS REQUESTED:**

A Conditional Use Permit for: VEHICLE REPAIR
in a(n) C-3 Zoning District.

8. All the proposed use(s) for this property will be:

Principal use: CAR SALES

Secondary use: VEHICLE REPAIR

Accessory use: AUTO BODY REPAIR

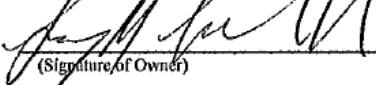
9. **Project timetable:** Start date: _____ Completion date: _____

10. I/We represent that I/we have a vested interest in this property in the following manner:

- Owner
- Leasehold, length of lease: _____
- Contractual, nature of contract: _____
- Other, explain: _____

The applicant's signature below indicates the information contained in this application and on all accompanying documents is true and correct.

I/We, the undersigned, do hereby respectfully make application for and petition the City Plan Commission and City Council to grant the requested action for the purpose stated herein. I/We represent that the granting of the proposed request will not violate any of the required standards of the Zoning Ordinance of the City of Beloit. I/We also agree to abide by all applicable federal, state and local laws, ordinances, rules, and regulations.


LARRY N. CORNELLI SA
8-8-13
(Signature of Owner) (Print name) (Date)

(Signature of Applicant, if different) (Print name) (Date)

In order for your request to be heard and considered in a timely manner, you must submit the completed application, and all accompanying documents, to the Planning and Building Services Division for acceptance by the filing deadline date prior to a scheduled Plan Commission meeting.

This application must be submitted with one copy of a scaled drawing showing the layout of the proposed development in accordance with all code requirements, and the \$275.00 application fee. Applicants will also be charged a fee for mailing public notices at the rate of \$0.50 per notice. An invoice for this fee will be sent to the applicant and these costs are typically between \$5.00 and \$15.00.

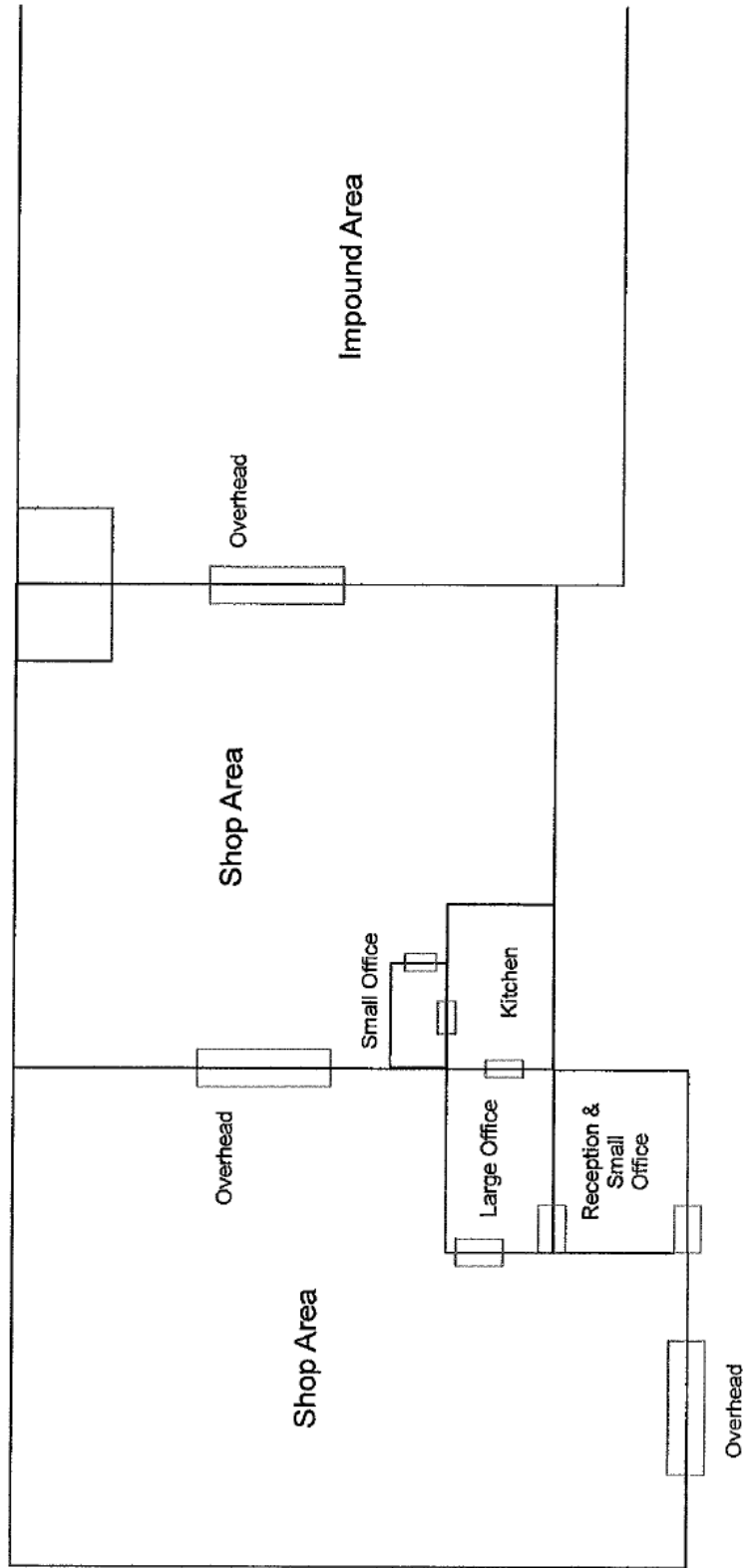
To be completed by Planning Staff		
Filing fee: \$275.00	Amount paid: <u>\$275.⁰⁰</u>	Meeting date: <u>Sept. 4, 2013</u>
No. of notices: _____ x mailing cost (\$0.50) = cost of mailing notices: \$ _____		
Application accepted by: <u>Drew Pennington</u>		Date: <u>8/8/13</u>

DISCLAIMER:
Floor Plan is an approximation

E. Grand Avenue

Extra Land

Former Paint Booth



1119 Broad Street



NOTICE TO THE PUBLIC

August 21, 2013

To Whom It May Concern:

Cornellier Enterprises has filed an application for a Conditional Use Permit to allow vehicle repair in the C-3, Community Commercial District and Wellhead Protection Overlay District, for the property located at:

1119 Broad Street.

Ace Auto Sales & Repair operated at this location until closing earlier this year. Because the prior use was discontinued, a Conditional Use Permit is required before vehicle repair may be reestablished in the C-3 district. The applicant intends to lease the subject property to a business that will sell and repair vehicles.

The following public hearings will be held regarding this proposed Conditional Use Permit:

City Plan Commission: Wednesday, September 4, 2013, at 7:00 PM, or as soon thereafter as the matter can be heard in The Forum, Beloit City Hall, 100 State Street.

City Council: Monday, September 16, 2013, at 7:00 PM, or as soon thereafter as the matter can be heard in The Forum, Beloit City Hall, 100 State Street.

THE PUBLIC IS INVITED TO ATTEND THESE HEARINGS.

We are interested in your opinion.

Anyone bringing handouts to the Plan Commission meeting must bring ten (10) copies and submit them to the Recording Secretary before the meeting begins. Staff is unable to leave the meeting area to make copies.

For additional information, please contact Drew Pennington in the Planning & Building Services Division at (608) 364-6711 or penningtond@ci.beloit.wi.us. Comments will be accepted via telephone, email, and U.S. Mail.

SOO LINE RAILROAD
COMPANY

120 S 6TH ST STE 190
MINNEAPOLIS, MN 55402

VOSS INVESTMENTS LLC
2566 RIVERSIDE DR
BELOIT, WI 53511

JOSE L & CHRISTINA B CRUZ
317 WISCONSIN AVE
BELOIT, WI 53511

MARK CAREY
11518 SALADINO CT
ROSCOE, IL 61073

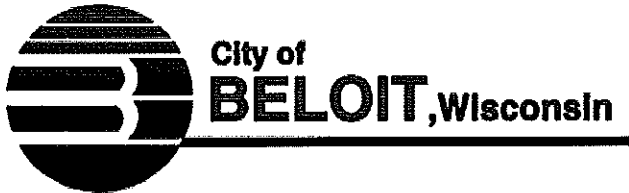
ESTATE OF HELEN GOODALL
RYAN
1335 CHAPIN ST
BELOIT, WI 53511

EMMANUEL BAPTIST CHURCH
1151 E GRAND AVE
BELOIT, WI 535116476

DBA CROCKERS MOTORS
EDWARD G CROCKER
19891 SW 97TH LN
DUNNELLON, FL 344324175

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www.ci.beloit.wi.us
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Departmental Correspondence

To: Plan Commission

From: Drew Pennington, Director of Planning and Building Services *DP*

Date: August 30, 2013

Re: Agenda Item #6, Architectural Review Exception – 105 Dearborn Street

The applicant for the above-referenced item has indicated that he will be unable to attend the regularly scheduled September 4th Plan Commission meeting. Therefore, he has requested that consideration of this request be delayed until the September 18th meeting.

The public notices and meeting agenda have already been distributed and published for this item. Therefore, we are leaving the item on the agenda, but respectfully request that the Plan Commission lay this item over until the September 18th meeting. Thank you.

c: File, ARC/EXP-2013-01