



AGENDA
BELOIT CITY COUNCIL
100 State Street, Beloit WI 53511
City Hall Forum – 7:00 p.m.
Monday, November 18, 2013

1. CALL TO ORDER AND ROLL CALL
2. PLEDGE OF ALLEGIANCE
3. SPECIAL ORDERS OF THE DAY/ANNOUNCEMENTS – none
4. PUBLIC HEARINGS
 - a. Proposed Ordinance amending the Future Land Use Map of the City of Beloit's **Comprehensive Plan** to change the future land use designation for the properties located at 903 and 911 E. Grand Avenue from Office to Neighborhood Commercial (Christensen) Plan Commission recommendation for approval 4-0
First Reading, suspend rules for Second Reading
 - b. Proposed Ordinance amending the City of Beloit's **Zoning District Map** to change the zoning district classification of the properties located at 903 and 911 E. Grand Avenue from C-1, Office District, to C-2, Neighborhood Commercial District (Christensen)
Plan Commission recommendation for approval 4-0
First Reading, suspend rules for Second Reading
 - c. Proposed Ordinance amending the City of Beloit's **Zoning District Map** to change the zoning district classification of the property located at 1877 Madison Road from C-3, Community Commercial District, to PUD, Planned Unit Development District (Woodman's) (Christensen) Plan Commission recommendation for approval 6-0
First reading, suspend rules for Second Reading
 - d. Resolution approving a **Conditional Use Permit** to allow an outdoor seating area and outdoor sales, possession, and consumption of alcohol in a CBD-1 Central Business District – Core, for the property located at 443 E. Grand Avenue (Rival's) (Christensen)
Plan Commission recommendation for approval 6-0
5. CITIZENS PARTICIPATION
6. CONSENT AGENDA

All items listed under the Consent Agenda are considered routine and will be enacted by one motion. There will be no separate discussion of these items unless a Council member so requests, in which event the item will be removed from the General Order of Business and considered at this point on the agenda.

- a. Approval of the **Minutes** of the Regular and Special Meetings of November 4, 2013 (LeMire)
- b. Resolution authorizing the **Final Payment** of Public Works Contract C13-03, Portland Avenue Reconstruction (Boysen)

- c. Resolution authorizing the **Final Payment** of Public Works Contract C12-16, Riverside Park North Gateway (Boysen)
- d. Resolution of the City Council accepting a **Petition for Attachment** of the properties located at 9817 and 9847 S. Turtle Townhall Road from the Town of Turtle (Christensen) Accept and Refer to Plan Commission
- e. Application for a **Planned Unit Development (PUD) – Master Land Use Plan** for the properties located at 1907 and 2000 Aspen Drive and 1907, 2000, and 2001 Dell Drive (Christensen) Refer to Plan Commission
- f. Application for a **Zoning Map Amendment** to change the zoning district classification of the properties located at 1907 and 2000 Aspen Drive and 1907, 2000, and 2001 Dell Drive from R-1B, Single-family Residential District, to PUD, Planned Unit Development District (Christensen) Refer to Plan Commission
- g. Application for a Natural Gas **Easement** for Wisconsin Power and Light along the City of Beloit Bike/Pedestrian Path south of West Grand Avenue to Water Street (Christensen) Refer to Plan Commission
- h. Proposed installation of a Roy Chapman Andrews **Historical Marker** in Riverside Park (1160 Riverside Drive) (Christensen) Refer to Plan Commission

7. ORDINANCES – none

8. APPOINTMENTS

9. COUNCILOR ACTIVITIES AND UPCOMING EVENTS

10. CITY MANAGER'S PRESENTATION

- a. **Economic Development Update** (Janke)

11. REPORTS FROM BOARD AND CITY OFFICERS

- a. Resolution supporting the League of Wisconsin Municipalities' Resolution No. 2013-1: **Improving Wisconsin's Economy by State and Local Governments Working Together** (Arft)

12. ADJOURNMENT

** 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.

Dated: November 13, 2013
Rebecca Houseman LeMire
City of Beloit City Clerk
<http://www.ci.beloit.wi.us>

You can watch this meeting live on Charter PEG channel 98 or digital channel 992. Meetings are rebroadcast during the week of the Council meeting on Tuesday at 1:00 p.m., Thursday at 8:30 a.m. and Friday at 1:00 p.m.

ORDINANCE NO. _____

**AN ORDINANCE AMENDING THE
CITY OF БЕЛОIT COMPREHENSIVE PLAN**

The City Council of the City of Beloit, Rock County, Wisconsin do ordain as follows:

Section 1. The Future Land Use Map (Map 10) of the City of Beloit Comprehensive Plan, adopted in §12.015 of the Code of General Ordinances of the City of Beloit, is hereby amended as follows:

The future land use category of the following described land is hereby changed from Office to Neighborhood Commercial:

West 99 feet of Lot 16 and South 17.61 feet of West 99 feet of Lot 15, Block 20 of the Original Plat, all situated in the City of Beloit, County of Rock, State of Wisconsin (a/k/a 903 E. Grand Avenue). Said parcel contains 0.1915 acre, more or less.

Part of Lots 14, 15, & 16, Block 20 of the Original Plat, commencing in the Southeast corner of Lot 16, thence westerly 43 feet, thence northerly 150.35 feet, thence easterly 10 feet, thence northerly 16.5 feet, thence easterly 33 feet, thence southerly 166.85 feet more or less to the point of beginning, all situated in the City of Beloit, County of Rock, State of Wisconsin (a/k/a 911 E. Grand Avenue). Said parcel contains 0.1599 acre, more or less.

Section 2. This ordinance shall take effect and be in force upon its passage and publication.

Adopted this 18th day of November 2013.

City Council of the City of Beloit

Charles M. Haynes, Council President

Attest:

Rebecca Houseman LeMire, City Clerk

Published this _____ day of _____, 2013.

Effective this _____ day of _____, 2013.

01-611100-5231-_____

CITY OF BELOIT

REPORTS AND PRESENTATIONS TO CITY COUNCIL



Topic: Comprehensive Plan Amendments

Date: November 18, 2013

Presenter(s): Julie Christensen

Department(s): Community Development

Overview/Background Information:

William & Dianne Zawadzki have submitted an application requesting two amendments to the Future Land Use Map (Map 10) of the City of Beloit Comprehensive Plan.

Key Issues (maximum of 5):

- The applicants are requesting the following amendments to the Future Land Use Map (Map 10):
 - 903 & 911 E. Grand Avenue – From Office to Neighborhood Commercial.
 - The applicants have also submitted a Zoning Map Amendment (rezoning to C-2) application for the subject properties.
 - The applicants own the vacant commercial structure located at 911 E. Grand Avenue, which they are attempting to lease to a retail sales-oriented business. Retail sales-oriented uses are prohibited in the C-1 district, but permitted by-right in the C-2 district. Both properties are located in the WPO, Wellhead Protection Overlay District.
 - When the applicants approached Planning staff regarding the possibility of rezoning their property to C-2, Planning staff advised the applicant of the need to partner with an adjacent property owner to avoid a spot zoning situation.
 - The owner of the adjacent commercial building located at 903 E. Grand Avenue co-signed the application. The 903 property has legal nonconforming status as a retail sales use in the C-1 district.
 - Planning staff supports the establishment of a small commercial district in this location that will meet the needs of the neighborhood, while utilizing an existing vacant structure.
 - The Plan Commission held a public hearing to consider the requested amendments on October 9, 2013 and voted unanimously (4-0) to adopt the attached Resolution recommending approval of the requested amendments to the Comprehensive Plan.
-

Conformance to Strategic Plan (List key goals this action would support and briefly discuss its impact on the City's mission.):

- Consideration of this request 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
-

Action required/Recommendation:

- City Council consideration and 1st and 2nd readings of the proposed Ordinance
-

Fiscal Note/Budget Impact: N/A

Attachments: Ordinance, Plan Commission Resolution, and Staff Report to the Plan Commission.

**RESOLUTION
RECOMMENDING APPROVAL OF AMENDMENTS TO THE
CITY OF BELOIT 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. 903 & 911 E. Grand Avenue – From Office to Neighborhood Commercial.

Adopted this 9th day of October, 2013.



James Faragher, Plan Commission Chairman

ATTEST:



Julie Christensen,
Community Development Director

CITY OF BELOIT

REPORT TO THE BELOIT CITY PLAN COMMISSION



Meeting Date: October 9, 2013

Agenda Item: 3

File Number: RPB-2013-11

Request Overview/Background Information:

William & Dianne Zawadzki 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 and 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 November 18, 2013.

Key Issues:

- The applicants are requesting the following amendments to the Future Land Use Map (Map 10):
 - 903 & 911 E. Grand Avenue – From Office 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
903 E. Grand Ave	Nhbd Commercial	C-1	0.19	Office	Neighborhood Commercial
911 E. Grand Ave	Vacant Building	C-1	0.16	Office	Neighborhood Commercial

- The applicants have also submitted a Zoning Map Amendment (rezoning to C-2) application for the subject properties.
- The applicants own the vacant commercial structure located at 911 E. Grand Avenue, which they are attempting to lease to a retail sales-oriented business. Retail sales-oriented uses are prohibited in the C-1 district, but permitted by-right in the C-2 district. Both properties are located in the WPO, Wellhead Protection Overlay District.
- When the applicants approached Planning staff regarding the possibility of rezoning their property to C-2, Planning staff advised the applicant of the need to partner with an adjacent property owner to avoid a spot zoning situation.
- The owner of the adjacent commercial building located at 903 E. Grand Avenue co-signed the application. The 903 property has legal nonconforming status as a retail sales use in the C-1 district.
- **Land Use Analysis**
 - The proposed amendments will create a small Neighborhood Commercial District at the intersection of two arterial streets, adjacent to a large C-1, Office District. Surrounding uses include a park, office buildings, two-family dwellings, and multi-family dwellings.
 - The uses that are allowed in the Neighborhood Commercial district include a variety of retail sales & service uses, as exemplified by the floral shop & home furnishings store already operating at 903 E. Grand Avenue.
 - Potentially incompatible uses such as vehicle repair & taverns are not permitted in the C-2 district.
 - Planning staff supports the establishment of a small commercial district in this location that will meet the needs of the neighborhood, while utilizing an existing vacant structure.

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. 903 & 911 E. Grand Avenue – From Office to Neighborhood Commercial.

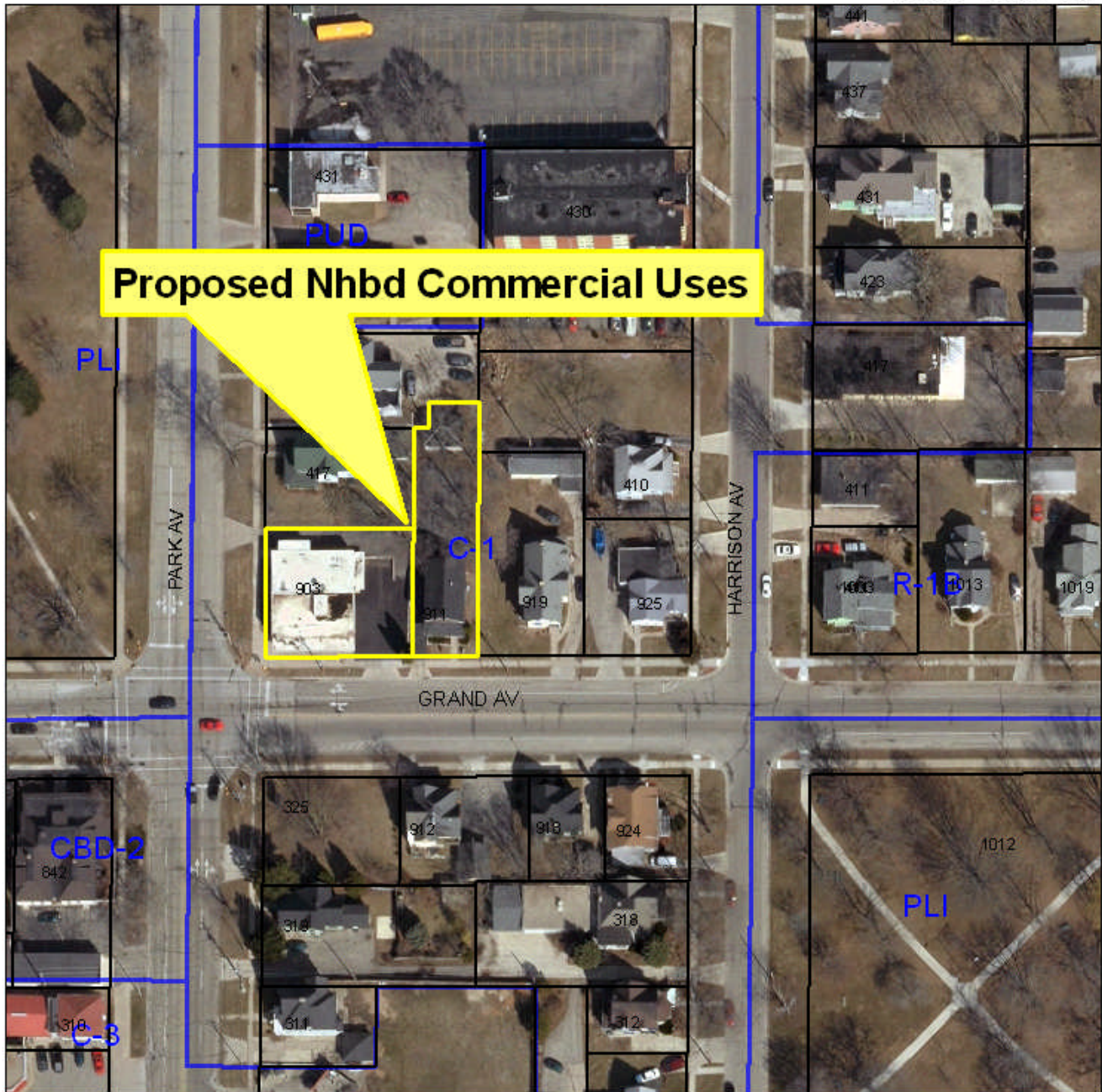
Fiscal Note/Budget Impact: N/A

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

Location & Zoning Map

903 & 911 E. Grand Avenue

RPB-2013-11



1 inch = 94 feet
0 20 40 80 120 Feet

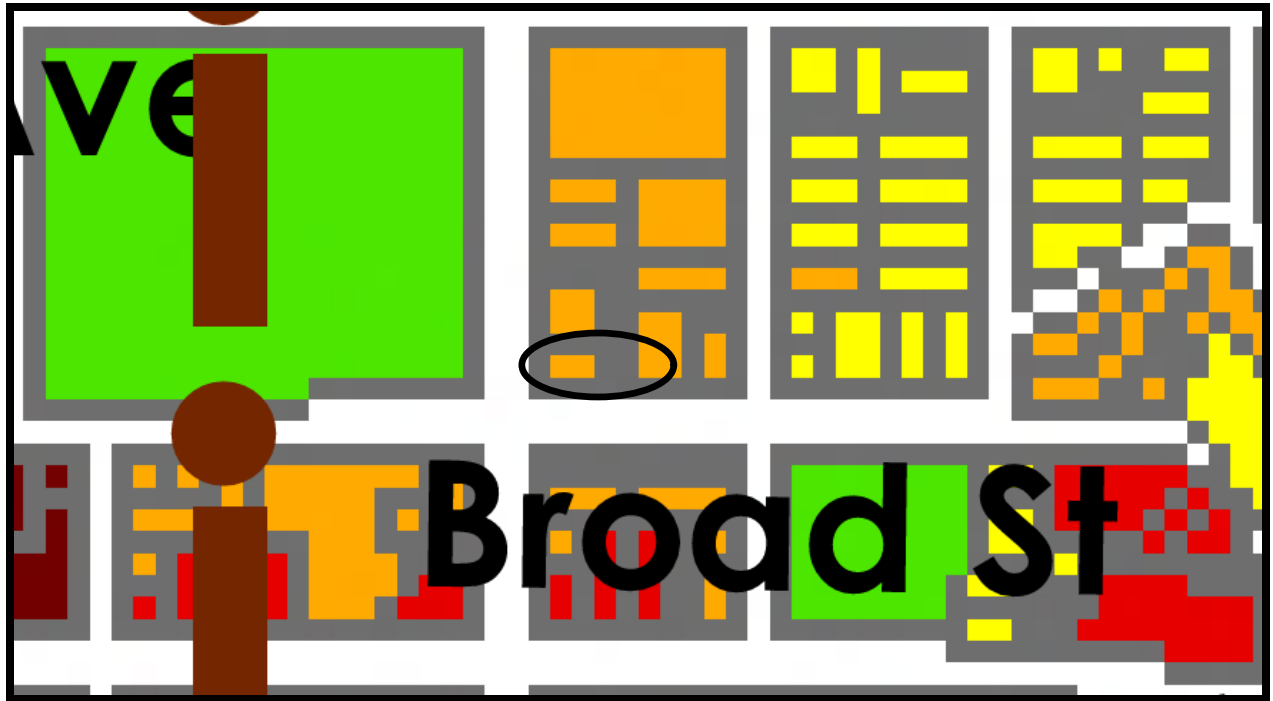
Legend

- COB Parcels
- Zoning District

Map prepared by: Drew Pennington
Date: September 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

September 17, 2013

To Whom It May Concern:

William & Dianne Zawadzki have submitted an application requesting the following amendments to the Future Land Use Map (Map 10) of the City of Beloit Comprehensive Plan:

1. 903 & 911 E. Grand Avenue – From Office 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, October 9, 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, November 18, 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

ORDINANCE NO. _____

**AN ORDINANCE AMENDING THE
ZONING DISTRICT MAP OF THE CITY OF БЕЛОIT**

The City Council of the City of Beloit, Rock County, Wisconsin do ordain as follows:

Section 1. The Zoning District Map of the City of Beloit, mentioned in the Zoning Code, Chapter 19 of the Code of General Ordinances of the City of Beloit, is amended as follows:

The following described land, also known as 903 & 911 E. Grand Avenue, is hereby changed from C-1, Office District to C-2, Neighborhood Commercial District:

West 99 feet of Lot 16 and South 17.61 feet of West 99 feet of Lot 15, Block 20 of the Original Plat, all situated in the City of Beloit, County of Rock, State of Wisconsin (a/k/a 903 E. Grand Avenue). Said parcel contains 0.1915 acre, more or less.

Part of Lots 14, 15, & 16, Block 20 of the Original Plat, commencing in the Southeast corner of Lot 16, thence westerly 43 feet, thence northerly 150.35 feet, thence easterly 10 feet, thence northerly 16.5 feet, thence easterly 33 feet, thence southerly 166.85 feet more or less to the point of beginning, all situated in the City of Beloit, County of Rock, State of Wisconsin (a/k/a 911 E. Grand Avenue). Said parcel contains 0.1599 acre, more or less.

Section 2. This Ordinance shall take effect and be in force upon its passage and publication.

Adopted this 18th day of November 2013.

City Council of the City of Beloit

Charles M. Haynes, Council President

Attest:

Rebecca Houseman LeMire, City Clerk

Published this ____ day of _____, 2013

Effective this ____ day of _____, 2013

01-611100-5231-_____

CITY OF BELOIT

REPORTS AND PRESENTATIONS TO CITY COUNCIL



Topic: Zoning Map Amendment Application for the properties located at 903 & 911 E. Grand Avenue

Date: November 18, 2013

Presenter(s): Julie Christensen

Department: Community Development

Overview/Background Information:

William & Dianne Zawadzki have submitted an application for a Zoning Map Amendment to change the zoning district classification from C-1, Office District to C-2, Neighborhood Commercial District, for the properties located at 903 & 911 E. Grand Avenue.

Key Issues (maximum of 5):

- The applicants own the vacant commercial structure located at 911 E. Grand Avenue, which they are attempting to lease to a retail sales-oriented business, which is prohibited in the C-1 district, but permitted by-right in the C-2 district.
 - The C-2 district is primarily intended to accommodate neighborhood-oriented retail sales & service uses.
 - When the applicants approached Planning staff regarding the possibility of rezoning their property to C-2, Planning staff advised the applicant of the need to partner with an adjacent property owner to avoid a spot zoning situation.
 - The owner of the adjacent commercial building located at 903 E. Grand Avenue co-signed the application. The 903 property has legal nonconforming status as a retail sales use in the C-1 district.
 - 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. Planning staff has received three calls in support of this request.
 - The Plan Commission reviewed this item on October 9, 2013 and voted unanimously (4-0) to recommend approval of this Zoning Map Amendment.
-

Consistency with Comprehensive Plan and Strategic Plan:

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

Sustainability: (Briefly comment on the sustainable long term impact of this policy or program related to how it will impact both the built and natural environment utilizing the four following eco-municipality guidelines)

- **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
-

Action required/Recommendation:

- City Council consideration and 1st and 2nd readings of the proposed Ordinance
-

Fiscal Note/Budget Impact: N/A

Attachments: Ordinance and Staff Report to the Plan Commission

CITY OF BELOIT

REPORT TO THE BELOIT CITY PLAN COMMISSION



Meeting Date: October 9, 2013	Agenda Item: 4	File Number: ZMA-2013-12
Applicant: William & Dianne Zawadzki	Owner: Ronald & Lily Dickinson and William & Dianne Zawadzki	Location: 903 & 911 E. Grand Avenue
Current Zoning: C-1, Office District & WPO, Wellhead Protection Overlay	Existing Land Use: Neighborhood Commercial & Vacant	Parcel Size: 0.19 Acre & 0.16 Acre

Request Overview/Background Information:

William & Dianne Zawadzki have submitted an application for a Zoning Map Amendment to change the zoning district classification from C-1, Office District to C-2, Neighborhood Commercial District, for the properties located at 903 & 911 E. Grand Avenue. 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 applicants own the vacant commercial structure located at 911 E. Grand Avenue, which they are attempting to lease to a retail sales-oriented business, which is prohibited in the C-1 district, but permitted by-right in the C-2 district.
- The C-2 district is primarily intended to accommodate neighborhood-oriented retail sales & service uses.
- When the applicants approached Planning staff regarding the possibility of rezoning their property to C-2, Planning staff advised the applicant of the need to partner with an adjacent property owner to avoid a spot zoning situation.
- The owner of the adjacent commercial building located at 903 E. Grand Avenue co-signed the application. The 903 property has legal nonconforming status as a retail sales use in the C-1 district.
- 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. The property owner to the east of the subject properties supports this request.
- **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 a mix of two- and multi-family residential and parkland. Neighborhood commercial uses are already established at the 903 site.
 - b. *The zoning classification of property within the general area of the subject property;*
 - The proposed C-2 district is compatible with the adjacent C-1 & PLI districts.
 - c. *The suitability of the subject property for the uses permitted under the existing zoning classification; and*
 - The properties are relatively small with small off-street parking lots, and are suitable for C-1 or C-2 uses.
 - d. *The trend of development and zoning map amendments in the general area of the subject property.*
 - The properties at 427-431 Park Avenue were rezoned to PUD (office/residential) in 2009, and the entire block to the south was rezoned from CBD-2 to C-1 in 2008. The Clark Station is being redeveloped one block south.

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 C-1, Office District to C-2, Neighborhood Commercial District, for the properties located at 903 & 911 E. Grand Avenue.

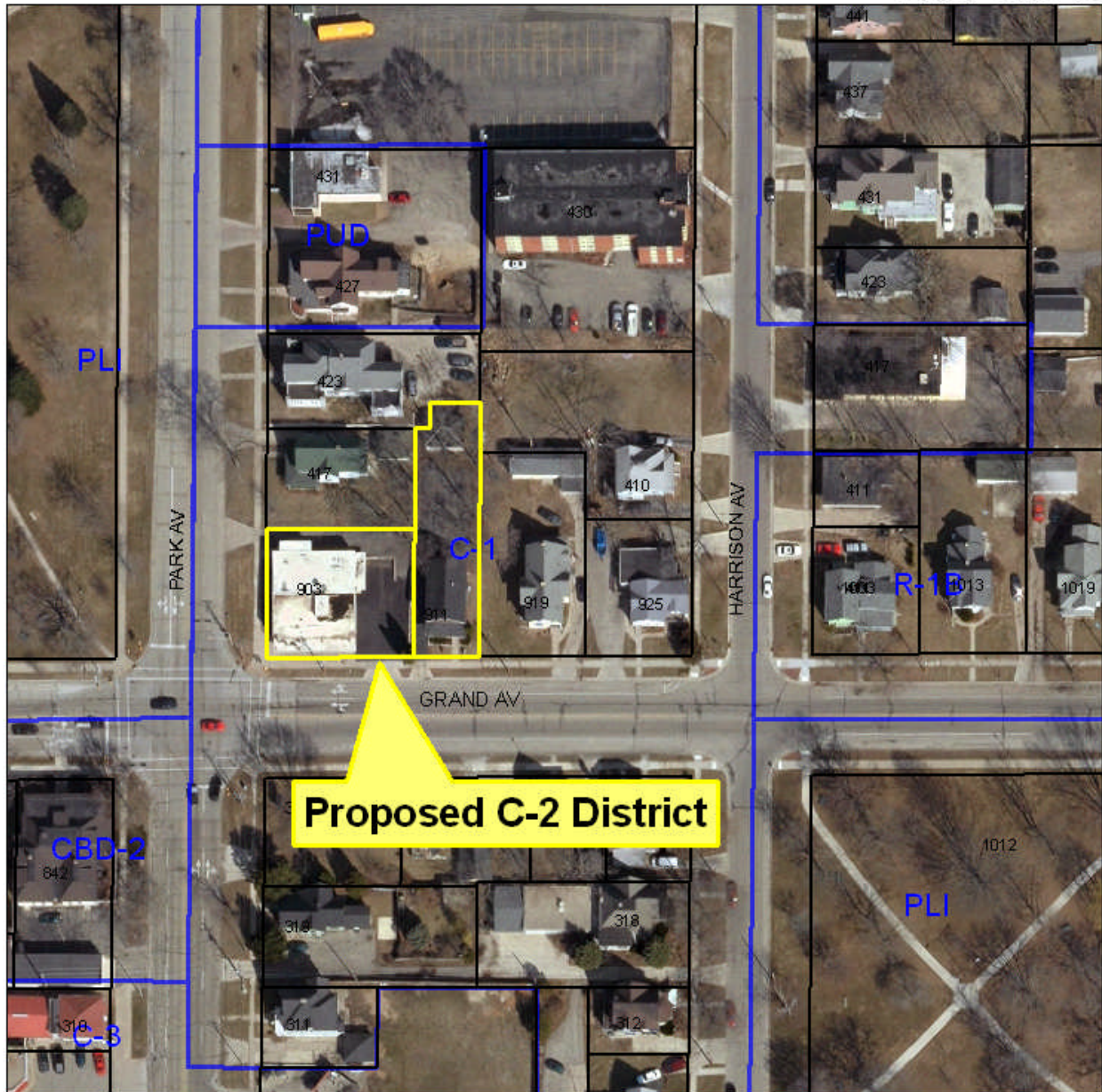
Fiscal Note/Budget Impact: N/A

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

Location & Zoning Map

903 & 911 E. Grand Avenue

ZMA-2013-12



1 inch = 94 feet
0 20 40 80 120 Feet

Legend

- COB Parcels
- Zoning District

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

PLANNING & BUILDING SERVICES DIVISION



CITY of BELOIT

PLANNING & BUILDING SERVICES DIVISION

100 State Street, Beloit, WI 53511

Phone: (608) 364-6700

Fax: (608) 364-6609

Zoning Map Amendment Application Form

(Please Type or Print)

9038

File No.: ZMA-2013-12

1. Address of subject property: 911 E GRAND AVE

2. Legal description: Lot: _____ Block: _____ Subdivision: _____

(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): 206 13660085

4. Owner of record: William & DIANNE ZAWADZKI Phone: 815-289-5527 or 5528

9998 TYBOW TRAIL ROSCOE ILL 61073
(Address) (City) (State) (Zip)

5. Applicant's Name: Bill & DIANNE ZAWADZKI

9998 TYBOW TRAIL ROSCOE ILL 61073
(Address) (City) (State) (Zip)

608 362-1190 1815-289-5527 BILLYZ6565@YAHOO.COM
(Office Phone #) (Cell Phone #) (E-mail Address)

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

Change zoning district classification from: C-1 to: C-2

All existing uses on this property are: SERVICE

7. All the proposed uses for this property are:

Principal use(s): RETAIL SERVICE

RETAIL ANTIQUE BUSINESS

Secondary use(s): _____

Accessory use(s): _____

8. 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: _____

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

Name(s): BILL DIANNE ZAWADZKI Phone: 815-289-5527
9998 TYBOW TRAIL ROSCOE ILL 61073
(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.

Bill Zawadzki *Dianne Zawadzki* BILL ZAWADZKI
(Signature of Owner) (Print name) (Date)
1 AUG 27 2013

(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 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: \$275.00	Amount Paid: <u>\$275.⁰⁰</u>	Meeting Date: <u>Oct. 9, 2013</u>	
Number of notices: _____	x mailing cost (\$0.50) = cost of mailing notices: \$ _____		
Application accepted by: <u>Drew Pennington</u>	Date: <u>8/28/13</u>		
Date Notice Published: _____	Date Notice Mailed: _____		



NOTICE TO THE PUBLIC

September 17, 2013

To Whom It May Concern:

William & Dianne Zawadzki have submitted an application for a Zoning Map Amendment to change the zoning district classification from C-1, Office District to C-2, Neighborhood Commercial District, for the properties located at:

903 & 911 E. Grand Avenue.

Mr. and Mrs. Zawadzki own the vacant commercial structure located at 911 E. Grand Avenue, which they are attempting to lease to a retail sales-oriented business. Retail sales-oriented uses are prohibited in the C-1 district, but permitted by-right in the C-2 district. The owner of the adjacent commercial building located at 903 E. Grand Avenue co-signed the application. The 903 property has legal nonconforming status as a retail sales use in the C-1 district. The applicants also submitted an application to amend the Comprehensive Plan's Future Land Use Map to recommend Neighborhood Commercial uses for the subject properties.

The following public hearings will be held regarding this application:

City Plan Commission: Wednesday, October 9, 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, November 18, 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-2013-12, 903-911 E. Grand Avenue

MARVIN MAUEL
925 BROAD ST
BELOIT, WI 535116350

MURMACS 845 BROAD STREET LLC
1300 HARVEY ST
BELOIT, WI 535114014

GARY WEINKAUF
1822 EMERSON ST
BELOIT, WI 53511

DAVID FROEMMING
928 W PECK ST
WHITEWATER, WI 53190

ST THOMAS CATHOLIC CHURCH
822 E GRAND AVE
BELOIT, WI 535116317

GEORGE PANTUSO
318 HARRISON AVE
BELOIT, WI 53511

LORRAINE WITKINS
2625 IVA CT UNIT 22
BELOIT, WI 53511

TLC PROPERTIES INC
5101 HWY 51 SOUTH
JANESVILLE, WI 53546

JUAN PAGAN
7805 CANNELLWOOD DR
SOUTH BELOIT, IL 61080

RONALD & LILY DICKINSON
3709 OAK LN DR
BELOIT, WI 535111937

TRINA TUCKER
1003 E GRAND AVE
BELOIT, WI 53511

KHOOM PROPERTIES LLC
3655 BEE LN
BELOIT, WI 53511

MARVIN MILNER/EDWARD
LAUGHLIN LLC
P O BOX 1161
BELOIT, WI 535121161

JAMES & PENNY RICHARDS
2723 N WOOD DR
BELOIT, WI 535112226

VIVIAN GAVARRETE
1013 E GRAND AVE
BELOIT, WI 53511

MARY BOTTOMS
417 PARK AVE
BELOIT, WI 53511

JOHN E & MARY L DUMMER
11229 S CTY RD K
BELOIT, WI 53511

KENNETH PAULSON
749 PHILHOWER RD
BELOIT, WI 53511

JAMES M & SHELLY J CRONIN
1719 EMERSON ST
BELOIT, WI 53511

J ANTHONY GROVER
430 HARRISON AVE APT 302
BELOIT, WI 53511

SALVADOR VALLES
1157 PRAIRIE AVE
BELOIT, WI 53511

MARTHA PUKERUD
W9492 CLINTON ST
DARIEN, WI 531141331

ROCK COUNTY CHRISTIAN SCHOOL
916 BUSHNELL ST
BELOIT, WI 535116306

BINDI R INC
903 BROAD ST
BELOIT, WI 53511

ORDINANCE NO. _____

**AN ORDINANCE AMENDING THE
ZONING DISTRICT MAP OF THE CITY OF БЕЛОIT**

The City Council of the City of Beloit, Rock County, Wisconsin do ordain as follows:

Section 1. The Zoning District Map of the City of Beloit, mentioned in the Zoning Code, Chapter 19 of the Code of General Ordinances of the City of Beloit, is amended as follows:

The following described land, also known as 1877 Madison Road, is hereby changed from C-3, Community Commercial District to PUD, Planned Unit Development District:

Lot 1 of a Certified Survey Map as recorded in Volume 29, Pages 83-86 in the Certified Survey Maps of Rock County, located in the City of Beloit, Rock County, Wisconsin (also known as 1877 Madison Road, parcel number 12810060). Said parcel contains 17.05 acres, more or less.

Section 2. This Ordinance shall take effect and be in force upon its passage and publication.

Adopted this 18th day of November 2013.

City Council of the City of Beloit

Charles M. Haynes, Council President

Attest:

Rebecca Houseman LeMire, City Clerk

Published this ____ day of _____, 2013

Effective this ____ day of _____, 2013

01-611100-5231-_____

CITY OF BELOIT

REPORTS AND PRESENTATIONS TO CITY COUNCIL



Topic: Zoning Map Amendment Application for the property located at 1877 Madison Road

Date: November 18, 2013

Presenter(s): Julie Christensen

Department: Community Development

Overview/Background Information:

Building Systems General Corp., on behalf of Woodman's Food Markets, Inc., has submitted an application for a Zoning Map Amendment to change the zoning district classification from C-3, Community Commercial District to PUD, Planned Unit Development District, for the property located at 1877 Madison Road. The attached **Location & Zoning Map** shows the location of the subject property and the zoning of the surrounding area.

Key Issues (maximum of 5):

- On September 3, 2013, the City Council approved a PUD – Master Land Use Plan authorizing the demolition of the existing gas station/carwash/quick lube facility, the demolition of an existing 34,000 square-foot warehouse, and the construction of a new gas station/carwash/quick lube facility at the southern end of the subject property near the intersection of Madison Road and Woodman Lane.
 - The applicant pursued PUD approval in order to keep all of their buildings on one parcel.
 - The second phase of a PUD involves rezoning the subject property to PUD, which may be done concurrently or following approval of a PUD – Master Land Use Plan.
 - Planning staff posted an informational sign on the subject property and mailed the attached Public Notice to the owners of nearby properties. Planning staff has not received any comments.
 - The Plan Commission reviewed this item on November 6, 2013 and voted unanimously (6-0) to recommend approval of this Zoning Map Amendment.
-

Consistency with Comprehensive Plan and Strategic Plan:

The Comprehensive Plan recommends Community Commercial uses of the subject property. This PUD is consistent with the goals, objectives, and policies contained in the Comprehensive Plan. Consideration of this request supports Strategic Goal #5.

Sustainability: (Briefly comment on the sustainable long term impact of this policy or program related to how it will impact both the built and natural environment utilizing the four following eco-municipality guidelines)

- **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
-

Action required/Recommendation:

- City Council consideration and 1st and 2nd readings of the proposed Ordinance
-

Fiscal Note/Budget Impact: N/A

Attachments: Ordinance and Staff Report to the Plan Commission

CITY OF BELOIT

REPORT TO THE BELOIT CITY PLAN COMMISSION



Meeting Date: November 6, 2013	Agenda Item: 3	File Number: ZMA-2013-16
Applicant: Building Systems Gen. Corp.	Owner: Woodman's Food Markets, Inc.	Location: 1877 Madison Road
Current Zoning: C-3, Community Commercial District	Existing Land Use: Grocery Store, Warehouses, & Gas Station/Service	Parcel Size: 17.05 Acres

Request Overview/Background Information:

Building Systems General Corp., on behalf of Woodman's Food Markets, Inc., has submitted an application for a Zoning Map Amendment to change the zoning district classification from C-3, Community Commercial District to PUD, Planned Unit Development District, for the property located at 1877 Madison Road. The attached **Location & Zoning Map** shows the location of the subject property and the zoning of the surrounding area.

Key Issues:

- On September 3, 2013, the City Council approved a PUD – Master Land Use Plan authorizing the demolition of the existing gas station/carwash/quick lube facility, the demolition of an existing 34,000 square-foot warehouse, and the construction of a new gas station/carwash/quick lube facility at the southern end of the subject property near the intersection of Madison Road and Woodman Lane.
- The applicant pursued PUD approval in order to keep all of their buildings on one parcel.
- The second phase of a PUD involves rezoning the subject property to PUD, which may be done concurrently or following approval of a PUD – Master Land Use Plan.
- Planning staff posted an informational sign on the subject property and mailed the attached Public Notice to the owners of nearby properties. Planning 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;*
 - This PUD involves rearranging the current mix of land uses, and does not involve any new uses.
 - The Resolution approving this PUD limits the uses to those permitted and conditional in the C-3 district.
 - b. *The zoning classification of property within the general area of the subject property;*
 - The proposed PUD district is compatible with surrounding zoning classifications, which include C-2, R-1A, R-2, R-3, and PLI. To ensure compatibility, this PUD is subject to C-3 use & development standards.
 - c. *The suitability of the subject property for the uses permitted under the existing zoning classification; and*
 - The subject property is suitable for C-3 uses, but the applicant decided to pursue this PUD approval to allow the new gas station/carwash/quick lube facility to remain on the same parcel as the other buildings.
 - d. *The trend of development and zoning map amendments in the general area of the subject property.*
 - The subject property has been continuously improved and developed during the past several years, including a 32,639 square-foot warehouse addition in 2011 and a 91,546 square-foot addition under construction.

Consistency with Comprehensive Plan and Strategic Plan:

The Comprehensive Plan recommends Community Commercial uses of the subject property. This PUD is consistent with the goals, objectives, and policies contained in the Comprehensive Plan. Consideration of this request supports 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:

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 C-3, Community Commercial District to PUD, Planned Unit Development District, for the property located at 1877 Madison Road.

Fiscal Note/Budget Impact: N/A

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

Location & Zoning Map

1877 Madison Road

ZMA-2013-16



1 inch = 208 feet
0 45 90 180 270 Feet

Legend

- COB Parcels
- Zoning District

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

PLANNING & BUILDING SERVICES DIVISION



RESOLUTION
AUTHORIZING A PLANNED UNIT DEVELOPMENT (PUD) MASTER
LAND USE PLAN FOR THE PROPERTY LOCATED AT 1877 MADISON ROAD

WHEREAS, the application of Building Systems General Corp., on behalf of Woodman's Food Markets, Inc., for approval of a Planned Unit Development (PUD) - Master Land Use Plan for the property located at 1877 Madison Road, having been considered by the City Council of the City of Beloit, Wisconsin at a public hearing held for that purpose and due notice of said hearing having been given by publication as appears by the Proof of Publication on file in the office of the City Clerk.

NOW, THEREFORE, IT IS HEREBY RESOLVED THAT, the City Council of the City of Beloit, Rock County, Wisconsin does hereby approve the PUD - Master Land Use Plan for the property located at 1877 Madison Road in the City of Beloit, for the following described premises:

Lot 1 of a Certified Survey Map as recorded in Volume 29, Pages 83-86 in the Certified Survey Maps of Rock County, located in the City of Beloit, Rock County, Wisconsin. Said parcel contains 17.05 acres, more or less.

As a condition of approving the PUD - Master Land Use Plan, the City Council does hereby stipulate the following conditions and restrictions upon the development, which are hereby deemed necessary for the public interest:

1. This approval authorizes the construction of a detached 3,150 square-foot convenience store with 3 quick lube bays, a new canopy over 5 dual gasoline & diesel pumps, and a detached 2,112 square-foot automatic drive-through carwash with 2 bays on the Woodman's property located at 1877 Madison Road. These improvements may be located on the same zoning lot/tax parcel as the existing grocery store and warehouses.
2. The proposed drive-through carwash is hereby approved, and a separate Conditional Use Permit is not required.
3. For allowable use & dimensional standard purposes, the regulations applicable in the C-3, Community Commercial District shall apply to the subject property.
4. For outdoor sign purposes, the regulations applicable in the C-3 District shall apply to the subject property.
5. All of the recently approved Conditional Use Permits for the subject property and the conditions imposed thereon remain in full force and effect.
6. The final site plan shall include and the applicant shall construct a new sidewalk that will connect the new convenience store to the public sidewalk along the north side of Madison Road. The applicant shall provide a bike rack near the new convenience store that can accommodate at least 4 bicycles.
7. Full-scale vehicle repair as defined in the Zoning Ordinance is prohibited on the subject property.

PUD-2013-01, Woodman's, 1877 Madison Road, Council Report

8. Prior to issuance of a Building Permit for this project, the applicant shall rezone the subject property to PUD and submit detailed site & architectural plans for Planning staff review and approval.
9. 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 PUD – Master Land Use Plan. The Director of Planning & Building Services may approve minor changes administratively and allow accessory structures and uses that comply with and meet all of the standards and requirements of the City of Beloit Municipal Code.

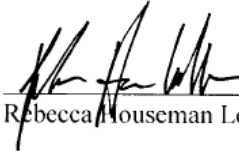
Adopted this 3rd day of September 2013.

BELOIT CITY COUNCIL



Charles M. Haynes, Council President

ATTEST:



Rebecca Houseman LeMire, City Clerk

CITY of BELOIT

PLANNING & BUILDING SERVICES 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-2013-16

1. Address of subject property: 1877 MADISON RD.

2. Legal description: Lot: _____ Block: _____ Subdivision: _____

(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: 17.05 acres.

3. Tax Parcel Number(s): 12810060

4. Owner of record: WOODMAN'S FOOD MARKET, INC Phone: 608-752-8382

2631 LIBERTY LANE, JAMESVILLE, WI. 53545

(Address)

(City)

(State)

(Zip)

5. Applicant's Name: BUILDING SYSTEMS GENERAL CORP - GARY FOX

5972 EXECUTIVE DR. MADISON, WI. 53714

(Address)

(City)

(State)

(Zip)

608-276-4400

(Office Phone #)

608-575-7503

(Cell Phone #)

G.FOX@BSGC-WI.COM

(E-mail Address)

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

Change zoning district classification from: C-3 to: POD

All existing uses on this property are: GROCERY STORE, LIQUOR STORE,

WAREHOUSING, CONVENIENCE STORE, LUBE CENTER, GAS STATION

CAR WASH AND THOSE USED IN C-3

7. All the proposed uses for this property are:

Principal use(s): GROCERY STORE, LIQUOR STORE, CONVENIENCE, GAS,

LUBE CENTER, CAR WASH

Secondary use(s): WAREHOUSING

Accessory use(s): _____

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

() Owner

() Leasehold, Length of lease: _____

(X) Contractual, Nature of contract: CONSTRUCTION LAWYER

() Other, explain: _____

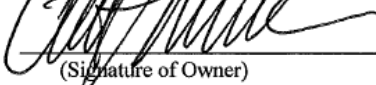
9. Individual(s) responsible for compliance with conditions (if any), if request is granted:

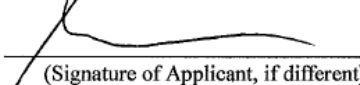
Name(s): CLINT WOODMAN Phone: 608-752-8382

2631 LIBERTY LANE JANESVILLE , WI. 53545
(Address) (City) (State) (Zip)

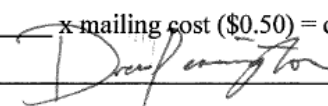
The applicant's signature below indicates the information contained in this application and on all accompanying documents is true and correct.

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.

 / CLINT WOODMAN / 9-18-13
(Signature of Owner) (Print name) (Date)

 / GARY FOX / 9-18-13
(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 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>Nov. 6, 2013</u>
Number of notices: _____ x mailing cost (\$0.50) = cost of mailing notices: \$ _____		
Application accepted by: 		Date: <u>10/11/13</u>
Date Notice Published: _____	Date Notice Mailed: _____	



City of
BELOIT, Wisconsin
Division of Planning and Building Services

CITY HALL • 100 STATE STREET • BELOIT, WI 53511

Office: 608/364-6700 • Fax: 608/364-6609

www.ci.beloit.wi.us

Equal Opportunity Employer

NOTICE TO THE PUBLIC

October 24, 2013

To Whom It May Concern:

Building Systems General Corp., on behalf of Woodman's Food Markets, Inc., has submitted an application for a Zoning Map Amendment to change the zoning district classification from C-3, Community Commercial District to PUD, Planned Unit Development District, for the property located at:

1877 Madison Road.

On September 3, 2013, the City Council approved a PUD – Master Land Use Plan authorizing the demolition of the existing gas station/carwash/quick lube facility, the demolition of an existing 34,000 square-foot warehouse, and the construction of a new gas station/carwash/quick lube facility at the southern end of the subject property near the intersection of Madison Road and Woodman Lane. The second phase of a PUD involves rezoning the subject property to PUD, which may be done concurrently or following approval of a PUD – Master Land Use Plan.

The following public hearings will be held regarding this application:

City Plan Commission: Wednesday, November 6, 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, November 18, 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-2013-16, 1877 Madison Road

MARK A & KATHRYN RYAN VIVIAN
2002 HIGHVIEW CT
BELOIT, WI 53511

DENISE HOWARD
1812 MADISON RD
BELOIT, WI 53511

JOHNSON BANK
1 SOUTH MAIN ST
JANESVILLE, WI 53545

WOODMANS FOOD MARKETS INC
2631 LIBERTY LN
JANESVILLE, WI 535450319

LAYMON BLAKE
1339 BITTEL ST
BELOIT, WI 53511

CLAUDIA FOLIACO
1911 FREDERICK ST
BELOIT, WI 535112709

ROGER NULL
1914 FREDERICK ST
BELOIT, WI 53511

CLEORA APARTMENTS LLC
3156 MUIR FIELD RD
MADISON, WI 53719

STATELINE VETERINARY
HOSPITAL
P O BOX 100
CLINTON, WI 53525

FIRST NATIONAL BANK &
TRUST CO
345 E GRAND AVE
BELOIT, WI 53511

BELOIT HEALTH SYSTEMS
INC
1969 WEST HART RD
BELOIT, WI 53511

PAUL SUNDE
2545 S VICTORY DR
BELOIT, WI 53511

ALBERT ENGLESON
1904 FREDERICK ST
BELOIT, WI 535112710

MICHAEL & ULLA BRITH QUINN
1910 FREDERICK ST
BELOIT, WI 535112710

DBA WOODSIDE TERRACE
APARTMENTS SUMMERSET LLC
7447 UNIVERSITY AVE #210
MIDDLETON, WI 53562

THOMAS & LAUREN HARTUNG
1804 MADISON RD
BELOIT, WI 53511

THOMAS H & MARY M
SWEZEY
2450 S CLOVER LN
BELOIT, WI 53511

MUKESHBHAI V &
HINABAHEN M PATEL
1850 MADISON RD
BELOIT, WI 53511

FOUR STAR PARTNERSHIP
P O BOX 253
BELOIT, WI 535120253

SHIRLEY SHEAR
2013 GRANT ST
BELOIT, WI 535112837

KATIE FLORES
1915 FREDERICK ST
BELOIT, WI 53511

FREE METHODIST CHURCH OF
BELOIT
1919 CLEORA DR
BELOIT, WI 535120385

RESOLUTION
AUTHORIZING A CONDITIONAL USE PERMIT TO ALLOW AN OUTDOOR SEATING AREA AND OUTDOOR SALES, POSSESSION, & CONSUMPTION OF ALCOHOL IN THE CBD-1, CENTRAL BUSINESS DISTRICT – CORE, FOR THE PROPERTY LOCATED AT 443 E. GRAND AVENUE

WHEREAS, the application of Brad McCaslin for a Conditional Use Permit to allow an outdoor seating area and outdoor sales, possession, & consumption of alcohol in the CBD-1, Central Business District – Core, for the property located at 443 E. Grand Avenue, having been considered by the City Council of the City of Beloit, Wisconsin at a public hearing held for that purpose and due notice of said hearing having been given by publication as appears by the Proof of Publication on file in the office of the City Clerk.

NOW, THEREFORE, BE IT RESOLVED THAT, the City Council of the City of Beloit, Rock County, Wisconsin does hereby grant a Conditional Use Permit to allow an outdoor seating area and outdoor sales, possession, & consumption of alcohol in the CBD-1, Central Business District – Core, for the property located at 443 E. Grand Avenue in the City of Beloit, for the following described premises:

PART L 6 B 47 ORIGINAL PLAT COM SE COR L 6, TH NLY 102.57 FT, TH WLY 25.7 FT, TH SLY 2.65 FT, TH WLY 16.3 FT, TH SLY 99.92 FT, TH ELY 42 FT TO POB, ALL SITUATED IN THE CITY OF БЕЛОIT, ROCK COUNTY, WISCONSIN (A/K/A 443 E. GRAND AVENUE, PARCEL NUMBER 1353-0830). CONTAINING 0.09 ACRE.

As a condition of granting the Conditional Use Permit, the City Council does hereby stipulate the following conditions and restrictions upon the Conditional Use, which are hereby deemed necessary for the public interest:

1. This Conditional Use Permit authorizes the use of the existing, separate room with large openings in the walls facing Pleasant Street and the alley in the northeast corner of the existing building as an outdoor seating area with alcohol.
2. Prior to establishment of the outdoor seating area, the applicant shall amend the liquor license for the premises to include the outdoor seating area.
3. The Fire Inspector and Building Official will inspect the outdoor seating area and establish a maximum occupancy, which shall be posted inside the building and within the outdoor seating area. The door leading to the outdoor seating area shall be marked as an exit.
4. The applicant shall provide a visible and/or audible fire alarm within the outdoor seating area.
5. Music may not be played in the outdoor seating area between 12:00 – 7:00 AM.
6. 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.

Adopted this 18th day of November 2013.

BELOIT CITY COUNCIL

Charles M. Haynes, Council President

ATTEST:

Rebecca Houseman LeMire, City Clerk

CITY OF BELOIT

REPORTS AND PRESENTATIONS TO CITY COUNCIL

Topic: Conditional Use Permit Application for the property located at 443 E. Grand Avenue

Date: November 18, 2013

Presenter(s): Julie Christensen

Department: Community Development

Overview/Background Information:

Brad McCaslin of Rival's Bar & Grill has filed an application for a Conditional Use Permit to allow an outdoor seating area and outdoor sales, possession, & consumption of alcohol in the CBD-1, Central Business District – Core, for the property located at 443 E. Grand Avenue. The attached **Location and Zoning Map** shows the location of the parcel involved in this application.

Key Issues (maximum of 5):

- The applicant has partially constructed an outdoor seating area in the northeast corner of the existing building by creating a separate room with large openings in the walls facing Pleasant Street and the alley. This project was under construction when a Building Official posted a Stop Work Order on June 19th. The attached application was submitted on June 28th, but has been on hold due to delinquencies. All delinquencies have now been paid.
 - Section 4-902 of the Zoning Ordinance states that outdoor seating areas for bars in the CBD are only allowed if reviewed and approved in accordance with the Conditional Use Permit review procedures.
 - If the requested Conditional Use Permit is granted, the applicant will be allowed to complete this project. The applicant must expand the tavern's liquor license to include the outdoor area before serving alcoholic beverages. If the requested permit is denied, the applicant will be ordered to install windows in all openings. According to the applicant, the proposed outdoor seating area includes 3 tables and 12 chairs.
 - The City's Review Agents have reviewed this application and have not submitted any comments or concerns. The attached Public Notice was sent to ten nearby property owners. Planning staff has not received any comments.
 - The Plan Commission reviewed this item on November 6, 2013 and voted unanimously (6-0) to recommend approval of the Conditional Use Permit, subject to the six conditions recommended by Planning staff.
 - Councilor Kincaid requested information regarding time limits for music in other approved outdoor seating areas. Staff prepared the attached table with this information.
-

Conformance to Strategic Plan (List key goals this action would support and briefly discuss its impact on the City's mission.):

- Consideration of this request supports Strategic Goal #5.
-

Sustainability (Briefly comment on the sustainable long term impact of this policy or program related to how it will impact both the built and natural environment utilizing the four following eco-municipality guidelines.):

- **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
-

Action required/Recommendation:

- City Council consideration and action on the proposed Resolution
-

Fiscal Note/Budget Impact: N/A

Attachments: Resolution, Staff Report to the Plan Commission, Outdoor Seating Area Music Time Limits table

Outdoor Seating Areas - Conditions Related to Music

Business Name	Address	Conditions Related to Music and/or Hours of Operation	Year Approved
Beloit Inn	500 Pleasant Street	No condition imposed related to music	2001
Suds O'Hanahan's	433-435 E Grand Avenue	No condition imposed related to music	2001
Geri's	1006 Park Avenue	No condition imposed related to music	2001
Beloit Inn	500 Pleasant Street	Weekly music series in the area behind Beloit Inn - a condition restricted its use to 6:00 p.m. - 9:00 p.m.	2002
La Casa Grande	618 Fourth Street	No condition imposed related to music, but a condition restricting the sales, possession, and consumption of alcohol after 12:00 a.m. in the outdoor seating area.	2003
The Rock	1600 Fourth Street	No condition imposed related to music	2005
Jersey's	2750 Milwaukee Road	No condition imposed related to music, but a condition restricting the sale, possession, and consumption of alcohol after 12:00 a.m. in the outdoor seating area.	2007
Pleasant Street Coffeeshouse	604 Pleasant Street, Suite 140	No condition imposed related to music	2008
Atlanta Bread	2747 Milwaukee Road	No condition imposed related to music	2008
Domenico's	541 and 547 E Grand Avenue	No condition imposed related to music	2009
The Alibi	1180 Madison Road	No condition imposed related to music	2009
Jersey's	2750 Milwaukee Road	No condition imposed related to music	2010
Turtle Tap	1344 E Grand Avenue	No music in the outdoor seating area after 10:00 p.m.	2010
The Alibi	1180 Madison Road	No music condition, but a condition restricting its use after 9:00 p.m	2010
Rose's	201 Short Street	No music in the outdoor seating area after 10:00 p.m.	2010
Road Dawg Pub	2956 Milwaukee Road	No music in the outdoor seating aread after 10:00 p.m. and a condition restricting the sale, possession, and consumption of alcohol in the outdoor seating after after 12:00 a.m.	2010
Carom Room	614 E Grand Avenue	No music in the outdoor seating area after 10:00 p.m.	2010
The Mouse	1426 Ritsher Street/1420 Madison Road	No music in the outdoor seating area after 10:00 p.m.	2010
Sara's Pub	1565 Madison Road	Music may not be played in the outdoor seating area	2010
Club 88	65 Portland Avenue	No music in the outdoor seating area after 10:00 p.m.	2011
Tilley's	900 Fourth Street	No music in the outdoor seating area after 10:00 p.m.	2012
Thirsty Badger	2683 Prairie Avenue	No music in the outdoor seating area after 10:00 p.m.	2012
Qdoba's	2777 Milwaukee Road	No condition imposed related to music	2013

CITY OF BELOIT

REPORT TO THE BELOIT CITY PLAN COMMISSION



Meeting Date: November 6, 2013

Agenda Item: 4

File Number: CU-2013-13

Applicant: Brad McCaslin

Owner: Michael & Charlotte Jero

Location: 443 E. Grand Avenue

Existing Zoning: CBD-1, Central Business District – Core

Existing Land Use: Tavern

Parcel Size: 0.09 Acre

Request Overview/Background Information:

Brad McCaslin of Rival's Bar & Grill has filed an application for a Conditional Use Permit to allow an outdoor seating area and outdoor sales, possession, & consumption of alcohol in the CBD-1, Central Business District – Core, for the property located at 443 E. Grand Avenue. The attached **Location and Zoning Map** shows the location of the parcel involved in this application.

Key Issues:

- The applicant has partially constructed an outdoor seating area in the northeast corner of the existing building by creating a separate room with large openings in the walls facing Pleasant Street and the alley. This project was under construction when a Building Official posted a Stop Work Order on June 19th. The attached application was submitted on June 28th, but has been on hold due to delinquencies. All delinquencies have now been paid.
- Section 4-902 of the Zoning Ordinance states that outdoor seating areas for bars in the CBD are only allowed if reviewed and approved in accordance with the Conditional Use Permit review procedures.
- If the requested Conditional Use Permit is granted, the applicant will be allowed to complete this project. The applicant must expand the tavern's liquor license to include the outdoor area before serving alcoholic beverages. If the requested permit is denied, the applicant will be ordered to install windows in all openings.
- According to the applicant, the proposed outdoor seating area includes 3 tables and 12 chairs.
- The City's Review Agents have reviewed this application and have not submitted any comments or concerns.
- The attached Public Notice was sent to ten nearby property owners. Planning staff has not received any comments.

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;*
 - The proposed outdoor seating area will create a designated area for patrons who smoke, which will end the practice of patrons smoking on the public sidewalk outside the entrance. Therefore, subject to certain conditions of approval, the proposed outdoor seating area will not be detrimental to or endanger the public health, safety, morals, comfort, or general 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;*
 - The proposed outdoor seating area is located in the middle of the City's downtown core, surrounded by commercial uses. Noise, smoke, and glare created by the outdoor seating area will not affect the use & enjoyment of nearby properties. The outdoor seating area is similar to others in the area, including the outdoor seating area at Sud's tavern.
- c. *Whether the conditional use will substantially diminish or impair property values within the neighborhood of the subject property;*
 - The proposed outdoor seating area will not diminish or impair property values within the neighborhood.
- d. *Whether the establishment of the conditional use will impede the normal and orderly development and improvement of the surrounding property;*
 - The surrounding area is fully developed.
- 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 proposed outdoor seating area is within the footprint of the existing building. While the vertical fence/bars are not an ideal aesthetic, they are necessary in order to secure the area while complying with the statewide smoking ban.
- 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 proposed outdoor seating area.

- g. *Whether adequate measures will be taken to minimize traffic congestion; and*
 - There are no off-street parking requirements in the CBD and the proposed outdoor seating area is not expected to cause traffic congestion.
- h. *Whether the conditional use will comply with all applicable regulations of the Zoning Ordinance.*
 - The conditional uses will comply with all other applicable regulations of the Zoning Ordinance.

Consistency with Comprehensive Plan and Strategic Plan:

The City's Comprehensive Plan defers to the Downtown Plan, which recommends *Planned Mixed Use: Office/Residential Above Retail* uses for the subject property. This request and the underlying CBD zoning classification are 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 an outdoor seating area and outdoor sales, possession, & consumption of alcohol in the CBD-1, Central Business District – Core, for the property located at 443 E. Grand Avenue, based on the above Findings of Fact and subject to the following conditions:

1. This Conditional Use Permit authorizes the use of the existing, separate room with large openings in the walls facing Pleasant Street and the alley in the northeast corner of the existing building as an outdoor seating area with alcohol.
2. Prior to establishment of the outdoor seating area, the applicant shall amend the liquor license for the premises to include the outdoor seating area.
3. The Fire Inspector and Building Official will inspect the outdoor seating area and establish a maximum occupancy, which shall be posted inside the building and within the outdoor seating area. The door leading to the outdoor seating area shall be marked as an exit.
4. The applicant shall provide a visible and/or audible fire alarm within the outdoor seating area.
5. Music may not be played in the outdoor seating area between 12:00 – 7:00 AM.
6. 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.

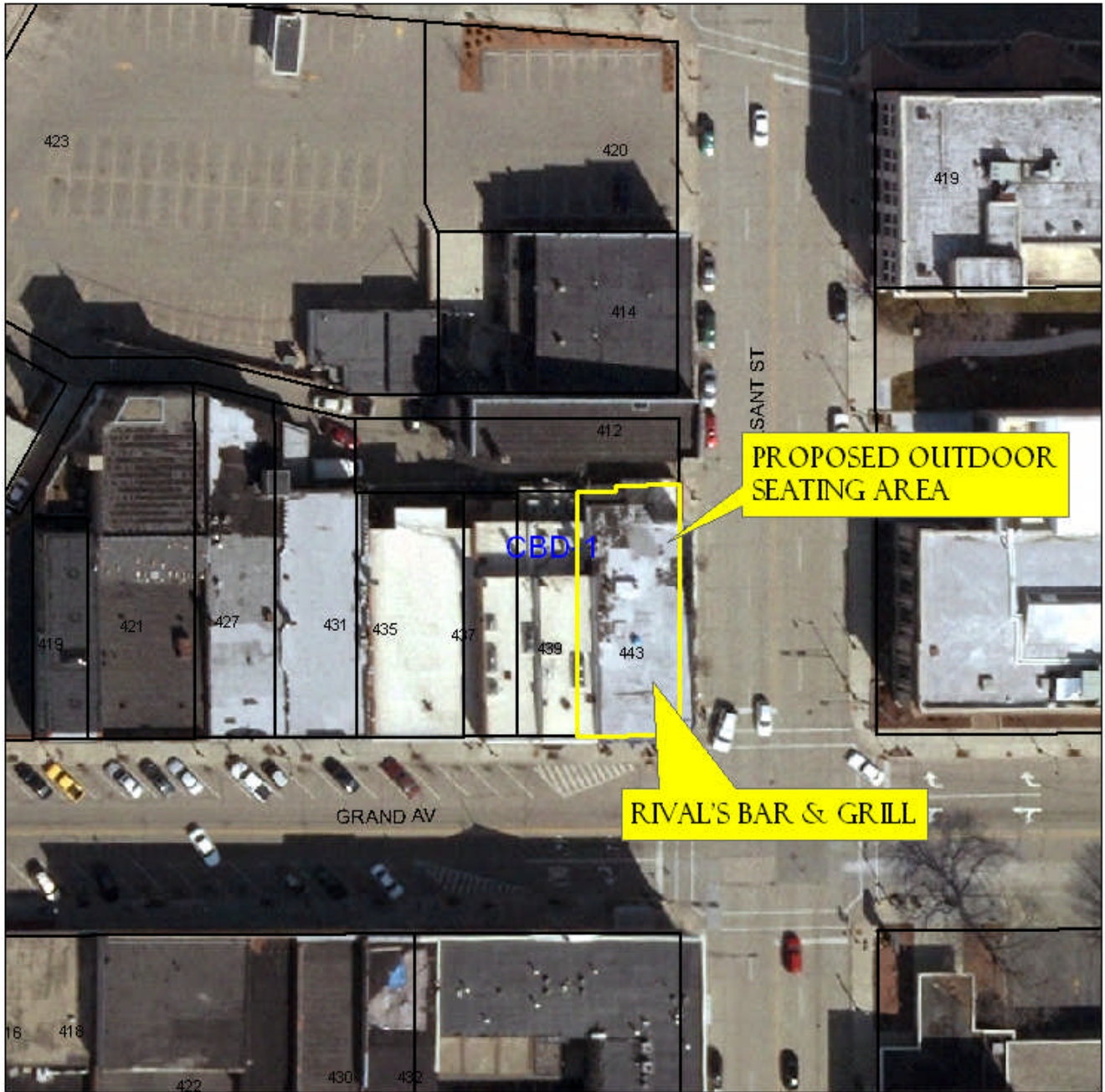
Fiscal Note/Budget Impact: N/A

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

Location & Zoning Map

443 E. Grand Avenue

CU-2013-13



1 inch = 58 feet
0 12.5 25 50 75 Feet

Legend

- COB Parcels
- Zoning District

Map prepared by: Drew Pennington
Date: October 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-2013-13

1. Address of subject property: 443 E. GRAND AVE

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): 13530830

4. Owner of record: MIKE & CHARLOTTE JERO Phone: 608 365 1209

862 PETUNIA LN BELOIT WI 53511
(Address) (City) (State) (Zip)

5. Applicant's Name: BRAD MCCASLIN

15515 WALNUT LN SBELOIT IL 61080
(Address) (City) (State) (Zip)

608 299 8580 1608 322 2493 brivals@outlook.com
(Office Phone #) (Cell Phone #) (E-mail Address)

6. All existing use(s) on this property are: BAR & GRILL

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

A Conditional Use Permit for: OUTSIDE SEATING & SMOKING AREA

_____ in a(n) CDD-1 pp Zoning District.

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

Principal use: BAR & GRILL

Secondary use: OUTDOOR PATIO AREA WHICH MEETS WI
STATE LAW ON TWO EXTERIOR WALLS WITH AT
LEAST 25% OPEN AIR EXPOSURE

Accessory use: _____

9. Project timetable: Start date: 6/1/13 Completion date: 7/10/13

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: FAMILY OWNED & OPERATED

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.

Charlotte Jero (Signature of Owner) CHARLOTTE JERO (Print name) 6/28/13 (Date)
[Signature] (Signature of Applicant, if different) BRAD McCASLIN (Print name) 6/20/13 (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		<u>Nov. 6, 2013</u>
Filing fee: \$275.00	Amount paid: <u>\$275.00</u>	Meeting date: <u>August 7, 2013</u>
No. of notices: _____	x mailing cost (\$0.50) = cost of mailing notices: \$ _____	
Application accepted by: <u>[Signature]</u>	Date: <u>6/20/13</u>	



NOTICE TO THE PUBLIC

October 15, 2013

To Whom It May Concern:

Brad McCaslin of Rival's Bar & Grill has filed an application for a Conditional Use Permit to allow an outdoor seating area and outdoor sales, possession, & consumption of alcohol in the CBD-1, Central Business District – Core, for the property located at:

443 E. Grand Avenue.

The applicant has partially constructed an outdoor seating area in the northeast corner of the existing building by creating a separate room with large openings in the walls facing Pleasant Street and the alley. If the requested Conditional Use Permit is granted, the applicant will be allowed to complete this project.

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

City Plan Commission: Wednesday, November 6, 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, November 18, 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.

HERITAGE BANK
500 E GRAND AVE
BELOIT, WI 53511

MICHAEL D & CHARLOTTE J
JERO

862 PETUNIA LN
BELOIT, WI 53511

BETSEY SCHMIECHEN BELOIT
VILLAGER LLC

429 E GRAND AVE
BELOIT, WI 535116228

BELOIT HOTEL LLC

2040 S PARK

MADISON, WI 53713

SUDS OHANAHANS REAL
ESTATE

P O BOX 116
BELOIT, WI 535120116

ARNOLD BELOIT COMPANY
LLC

1835 N FREEMONT
CHICAGO, IL 60614

FIRST NATIONAL BANK &
TRUST COMPANY OF BELOIT

345 E GRAND AVE
BELOIT, WI 53511

BELOIT COLLEGE BOARD OF
TRUSTEES

700 COLLEGE ST
BELOIT, WI 53511

TCP HOLDINGS LLC
431 E GRAND AVE
BELOIT, WI 53511

HENDRICKS COMMERCIAL
PROPERTIES LLC

655 THIRD ST STE 301
BELOIT, WI 53511



**PROCEEDINGS OF THE BELOIT CITY COUNCIL
Special Meeting
100 State Street, Beloit, WI 53511
Monday, November 4, 2013**

Presiding: Mark Spreitzer

Present: Chuck Kincaid, Kevin D. Leavy, David F. Luebke, and James E. Van De Bogart

Absent: Sheila De Forest and Charles M. Haynes

1. Vice President Spreitzer called the meeting to order at 5:33 p.m. in the 4th Floor City Manager's Conference Room at City Hall in accordance with Section 2.02(3) of the City of Beloit Municipal Code.
2. Councilor Van De Bogart made a motion to adjourn into closed session pursuant to Wis. Stats. 19.82(1)(g) to **confer with legal counsel with respect to the settlement of pending litigation**. Councilor Luebke seconded. The motion carried, and the Council adjourned into closed session at 5:34 p.m.
3. At 6:05 p.m., Councilor Luebke made a motion to adjourn the closed session, and Councilor Leavy seconded. The motion carried.

Rebecca Houseman LeMire, City Clerk

www.ci.beloit.wi.us

Date approved by Council:



PROCEEDINGS OF THE BELOIT CITY COUNCIL
100 State Street, Beloit WI 53511
Monday, November 4, 2013

Presiding: Charles M. Haynes
Present: Sheila De Forest (arrived at 7:04 p.m.), Chuck Kincaid, David F. Luebke, Mark Spreitzer,
and James E. Van De Bogart
Absent: None

1. The meeting was called to order at 7:00 p.m. in the Forum at Beloit City Hall.
2. PLEDGE OF ALLEGIANCE
3. SPECIAL ORDERS OF THE DAY/ANNOUNCEMENTS – none
4. PUBLIC HEARING – none
5. CITIZENS PARTICIPATION
 - Elizabeth Weiderholdt, 2700 E. Ridge Road, requested that left turn arrows be included in the signalized intersection at Cranston Road and Shopiere Road.
6. CONSENT AGENDA

Councilor Leavy made a motion to adopt the Consent Agenda, which consists of items 6.a. through 6.e. Councilor Luebke seconded, and the motion carried that the Consent Agenda be accepted, approved, adopted, or referred and acted upon as required by state and local codes by a vote of 7-0.

 - a. The **Minutes** of the Regular Meeting of October 21, 2013, were approved.
 - b. The application for a **Conditional Use Permit** to allow an outdoor seating area and outdoor sales, possession, and consumption of alcohol in a CBD-1 Central Business District – Core, for the property located at 443 E. Grand Avenue (Rival's), was referred to the Plan Commission. File 8620
 - c. The application for a **Zoning Map Amendment** to change the zoning district classification of the property located at 1877 Madison Road from C-3, Community Commercial District, to PUD, Planned Unit Development District (Woodman's) was referred to the Plan Commission. File 7614
 - d. The application for a **Zoning Map Amendment** to change the zoning district classification of the property located at 1556 Forest Avenue from R-1B, Single-family Residential District, to PLI, Public Lands and Institutions District (Gaston School) was referred to the Plan Commission. File 8621
 - e. The resolution approving **Water Tower and Ground Space Lease** with First National Bank and Trust Company for Space on the Water Tower Site at 138 Mill Street was adopted. File 7595
7. ORDINANCES – none
8. APPOINTMENTS – none
9. COUNCILOR ACTIVITIES AND UPCOMING EVENTS
 - Councilor De Forest said that she was late because a family member had a medical emergency but that he is doing well.

- Councilor Van De Bogart said that he attended the Wisconsin League of Municipalities lobbying meeting where they spoke of items of interest around the state.
- Councilor Luebke said that he is pleased to see how beautiful the Phoenix building looks.
- Councilor Spreitzer said that he enjoyed attending the last farmers market of the season and the pumpkin painting festival at the Porter Avenue Sharing Garden.

10. CITY MANAGER'S PRESENTATION – none

11. REPORTS FROM BOARD AND CITY OFFICERS

- a. Community Development Director Julie Christensen presented a resolution approving the **2014 Annual Action Plan and Community Development Block Grant (CDBG) Budget**. It was noted that the Community Development Authority recommended approval 5-0. She said that this is the 5th year of the 5-year annual action plan. Councilor Van De Bogart made a motion to adopt the resolution, and Councilor Leavy seconded. The motion carried 7-0. File 8601
- b. Ms. Christensen presented a resolution approving the **2014 HOME Investment Partnership Budget**. It was noted that the Community Development Authority recommended approval 5-0. Councilor Leavy made a motion to adopt the resolution, and Councilor Luebke seconded. Councilor De Forest asked how the CHODO will be decided, and Ms. Christensen said that there will be a Request for Proposals and the CDA will make a recommendation to the City Council for approval. The motion carried 7-0. File 8617
- c. Downtown Beloit Association Executive Director Shauna El-Amin presented a resolution approving the **2014 Business Improvement District Operating Plan and Budget**. Ms. El-Amin provided a recap of the DBA's 2013 events, including Social Media Mondays and Little Free Libraries. She discussed the goals for 2014, the proposed addition of six properties on the west side of the Rock River to the Business Improvement District (BID), and the 2014 budget. Councilor Luebke asked about the large amount of revenue that will be carried over to 2014, and Ms. El-Amin stated that the Board is developing a policy to address carry-over funds. Councilor De Forest asked about the money set aside for marketing, and Ms. El Amin said that the 2014 money is to hire a marketing person for all four organizations at the Vision Center. Councilor De Forest inquired about allowing dogs at the farmers market, and Ms. El-Amin said that the Board has been contacted by individuals on both sides of the issue and that the Board has decided to continue to allow dogs at this time. Councilor De Forest asked about changing the lay-out of the market to have vendors face the businesses, and Ms. El-Amin stated that it has been studied and tried but did not prove feasible. Councilor Kincaid said that the Little Free Libraries are a great addition to the downtown. Councilor Van De Bogart asked about the expansion of the BID. Ms. El-Amin said that each parcel will be assessed based on the 2014 value when they enter the BID in 2015. She said that all of the tenants of the buildings will receive the full range of services provided by the DBA. Councilor Spreitzer asked about the addition of SNAP benefits at the farmers market, and Ms. El-Amin said that implementation went well but that the machine and transaction costs were paid by the DBA instead of the vendors or consumers. Councilor Luebke expressed interest in more information regarding allowing dogs at the farmers market, and Ms. El-Amin said that there would be another survey done in 2014. Councilor De Forest thanked Ms. El-Amin for her excellent work. Councilor Van De Bogart made a motion to adopt the resolution, and Councilor Leavy seconded. The motion carried 7-0. File 8479
- d. Finance and Administrative Services Director Paul York presented a resolution authorizing changes to the **2014 Schedule of Fees, Charges, and Rates** for the City of Beloit, Wisconsin. Mr. York briefly discussed the proposed fee changes for 2014. Councilor Luebke made a motion to adopt the resolution, and Councilor Spreitzer seconded. Councilor De Forest said that she is concerned with the second re-inspection fee for smoke detectors and carbon monoxide detectors. Councilor De Forest made a motion to remove the second re-inspection fee, and Councilor Luebke seconded. Councilor Leavy said that providing working smoke detectors and carbon monoxide detectors is a safety issue and is the responsibility of the landlord. Councilor Spreitzer asked Ms. Christensen about the timing of inspections, and Ms. Christensen said that inspectors may be at the property early but would wait to for the landlord before they leave if they know the landlord is coming. Councilor Kincaid said that this is a health and safety issue and that it is the cost of doing business as a landlord. The amendment failed by a vote of 1-6 with Councilor De Forest voting in favor. The underlying motion to adopt the resolution carried 7-0. File 8618

- e. City Manager Larry Arft presented a resolution approving the **Operating Budgets, Appropriating Funds, and Levying Property Taxes necessary for the Operation and Administration of the City of Beloit for the Year 2014** including the 2014 Capital Improvement Budget, the Beloit Public Library Budget; and further authorizing the City Treasurer to spread the City Property Tax along with the apportionments certified for other Jurisdictions upon the current tax roll of the City. It was noted that the budget documents are available for review at www.ci.beloit.wi.us. Mr. Arft reviewed the budget process including the previous meetings, presentations, and workshop. He said that this budget represents an increase of less than ½ of 1 percent over the 2013 budget and includes a 1 percent cost of living adjustment for employees and the implementation of the classification and compensation plan. Councilor Luebke made a motion to adopt the budget, and Councilor Van De Bogart seconded. Councilor De Forest asked about additional compensation for the employees of the Library, and Library Director Nate Deprey said that the Library has a separate pay plan that is similar to the City's. The motion carried 7-0. File 8618

12. At 7:57 p.m., Councilor Leavy made a motion to adjourn the meeting, and Councilor De Forest seconded. The motion carried 7-0.

Rebecca Houseman LeMire, City Clerk

www.ci.beloit.wi.us

Date approved by Council:

RESOLUTION
AUTHORIZING FINAL PAYMENT FOR PUBLIC WORKS CONTRACT C13-03
PORTLAND AVENUE RECONSTRUCTION

WHEREAS, this project rehabilitated three blocks of Portland Avenue from Bluff Street to Fourth Street. The existing pavement was milled to the underlying concrete and overlaid with 3” of new asphalt. New concrete curb and gutter, driveway approaches, drainage improvements and sod restoration were also part of the project; and

WHEREAS, work under this contract has been completed satisfactorily and in conformance with the requirements of the contract; and

WHEREAS, the city engineer, comptroller, and attorney recommend final payment to the contractor.

NOW, THEREFORE, BE IT RESOLVED, by the City of Beloit City Council that Rock Road Companies, Inc., Janesville, Wisconsin, and hereby is, paid \$3,814.16 for the final payment for Public Works Contract C13-03 Portland Avenue Reconstruction.

Dated at Beloit, Wisconsin, this 18th day of November 2013.

BELOIT CITY COUNCIL

Charles M. Haynes, President

ATTEST:

Rebecca Houseman LeMire, City Clerk

CITY OF BELOIT

REPORTS AND PRESENTATIONS TO CITY COUNCIL



Topic: Award Final Pay for C13-03, Portland Avenue Reconstruction

Date: November 18, 2013

Presenter(s) Greg Boysen, Public Works Director

Department(s): Public Works/Engineering

Overview/Background Information:

Rock Road Companies Inc. has completed construction of project C13-03 Portland Avenue Reconstruction, and has submitted all of the required paperwork and bonds. Final payment now needs to be issued.

This project rehabilitated three blocks of Portland Avenue from Bluff Street to Fourth Street. The existing pavement was milled to the underlying concrete and overlaid with 3" of new asphalt. New concrete curb and gutter, driveway approaches, drainage improvements and sod restoration were also part of the project.

Key Issues (maximum of 5):

1. Rock Road Companies Inc. was the low bidder for this project, and they have completed construction to the satisfaction of Engineering.
2. The contractor is due \$3,814.16 for the completion of the project.

Conformance to Strategic Plan (List key goals this action would support and briefly discuss its impact on the City's mission.):

Sustainability (Briefly comment on the sustainable long term impact of this policy or program related to how it will impact both the built and natural environment utilizing the four following eco-municipality guidelines.):

- 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

If any of the four criteria are not applicable to your specific policy or program, an N/A should be entered in that space.

Action required/Recommendation:

The Engineering Division recommends approval of the final payment to Rock Road Companies Inc. for \$3,814.16

Fiscal Note/Budget Impact:

Funds are available in the 2013 CIP budget.

CITY OF BELOIT
DEPARTMENTAL CORRESPONDENCE

TO: Michael Flesch, City Engineer

FROM: Bill Frisbee, Storm Water Engineer

DATE: October 8, 2013

SUBJECT: Final Payment Contract C13-03
Portland Avenue Reconstruction

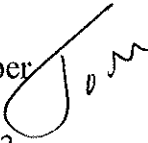
The work on this project was completed on September 30, 2012. I have inspected the work and find it to be satisfactory and in compliance with the requirements of the contract. The contractor has asked for final payment. The project was inspected by city staff. The final payment quantities have been approved by the contractor.

The original contract amount was for \$127,989.05, and the final contract amount is \$131,719.51 which is a 2.9% increase. The increase in cost was primarily due to a small overage in the asphalt surface as well as switching from straw to erosion mat on the restoration. Payments to date under this contract total \$127,905.35. All lien waivers from subcontractors are on file.

Therefore, I recommend a final payment in the amount of \$3,814.16 be made to Rock Road Companies, Inc.

CITY OF BELOIT
DEPARTMENTAL CORRESPONDENCE

TO: Bill Frisbee

FROM: Thomas R. Casper 

DATE: October 29, 2013

SUBJECT: **Final Payment Public Works Contract C13-03**
Rock Road Companies, Inc.
Portland Avenue Reconstruction

I have reviewed the materials you sent over for final payment approval on the above contract. Everything appears in order and you may process the matter in your normal fashion.

/tdh
encs.

**RESOLUTION
AUTHORIZING FINAL PAYMENT OF PUBLIC WORKS CONTRACT C12-16
RIVERSIDE PARK NORTH GATEWAY**

WHEREAS, work under this contract has been completed satisfactorily and in conformance with the requirements of the contract; and

WHEREAS, This project constructed an arched entrance feature and sign, sidewalks, bike path, and landscape elements near the intersection of Henry Avenue and Riverside Drive; and

WHEREAS, the city engineer, comptroller, and attorney recommend final payment to the contractor.

NOW, THEREFORE, BE IT RESOLVED, by the City of Beloit City Council that Corporate Contractors, Inc. be paid \$16,773.29 as the final payment for Public Works Contract C12-16 Riverside Park North Gateway as recommended by the City Engineer.

Dated at Beloit, Wisconsin, this 18th day of November 2013.

BELOIT CITY COUNCIL

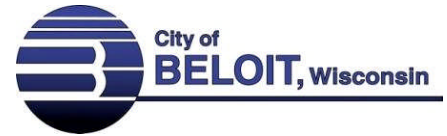
Charles M. Haynes, President

ATTEST:

Rebecca Houseman LeMire, City Clerk

CITY OF БЕЛОIT

REPORTS AND PRESENTATIONS TO CITY COUNCIL



Topic: Final Payment for Contract C12-16, Riverside Park North Gateway

Date: November 18, 2013

Presenter(s): Gregory Boysen, P.E.

Department(s): Public Works/ Engineering

Overview/Background Information:

This project constructed an arched entrance feature and sign, sidewalks, bike path, and landscape elements near the intersection of Henry Avenue and Riverside Drive.

Key Issues (maximum of 5):

1. The requirements of the contract have been completed to the satisfaction of the City.
2. The awarded contract amount was \$ 291,151.53
Quantity increases and change orders \$ 15,053.53
Net payment due contractor \$ 306,205.06
3. The City Engineer, City Attorney, and Director of Accounting recommend that a final payment be made to Corporate Contractors, Inc. in the amount of \$16,773.29.

Conformance to Strategic Plan (List key goals this action would support and briefly discuss its impact on the City's mission.):

1. **Develop a high quality community through the responsible stewardship and enhancement of City resources to further Beloit's resurgence as a gem of the Rock River Valley.**
 - This project welcomes visitors and promotes the beauty of Riverside Park to enhance tourism.

Sustainability (Briefly comment on the sustainable long term impact of this policy or program related to how it will impact both the built and natural environment utilizing the four following eco-municipality guidelines.):

- **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**
This project welcomes visitors and promotes the beauty of Riverside Park to enhance tourism.

If any of the four criteria are not applicable to your specific policy or program, an N/A should be entered in that space.

Action required/Recommendation:

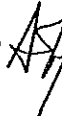
Approval of the Resolution authorizing the Final Payment.

Fiscal Note/Budget Impact:

Funds are available.

CITY OF BELOIT
DEPARTMENTAL CORRESPONDENCE

TO: Mike Flesch

FROM: Andy Hill, Project Engineer 

DATE: October 8, 2013

SUBJECT: Final Payment Contract C12-16
Riverside Park North Gateway

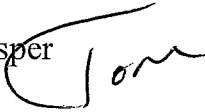
The work on this project was completed on September 24, 2012. I have inspected the work and find it to be satisfactory and in compliance with the requirements of the contract. The contractor has asked for final payment. The project was inspected by city staff. The final payment quantities have been approved by the contractor.

The original contract amount was for \$291,151.53, and the final contract amount is \$306,205.06. The increase in cost was primarily due to an increase in the lawn area restored with sod. A detailed variance report is attached. Payments to date under this contract total \$289,431.77, and seven lien waivers from eight subcontractors are on file. The missing lien waiver is for work done by Jeff Voegeli Landscape, Inc. I was told by Corporate Contractors that the dispute between them is due to the subcontractor's misunderstanding that the lump sum item for bike rack (item #24) includes 4 individual racks. This is described clearly on page 92 of the contract book. Voegeli Landscape, Inc. has not contacted me by either letter or phone regarding this dispute. More than a year has passed since the work was acceptably completed, so I believe nothing is to be gained or risked by putting closure on this project.

Therefore, I recommend a final payment in the amount of \$16,773.29 be made to Corporate Contractors, Inc.

CITY OF BELOIT
DEPARTMENTAL CORRESPONDENCE

TO: Andy Hill

FROM: Thomas R. Casper 

DATE: November 6, 2013

SUBJECT: **Final Payment Public Works Contract C12-16**
Riverside Park North Gateway
Corporate Contractors, Inc.

I have reviewed the materials you sent over for final payment approval on the above contract. Everything appears in order and you may process the matter in your normal fashion.

/tdh
encs.

**RESOLUTION OF THE CITY COUNCIL
ACCEPTING PETITION FOR ATTACHMENT**

WHEREAS, a petition for attachment of the following territory of the Town of Turtle, Rock County, Wisconsin, lying contiguous to the City of Beloit, Wisconsin, was filed with the City Clerk on April 29, 2013 for the following described property:

Lots 1 and 2 of Certified Survey Map Doc. No. 1580041 as recorded in Volume 25 on Pages 408-410 of Certified Survey Maps, being also a part of the Northwest Quarter of Section 22, T. 1 N., R. 13 E. of the 4th P.M., Turtle Township, Rock County, Wisconsin. Containing 3.06 acres, more or less (a/k/a 9817 & 9847 S. Turtle Townhall Road).

WHEREAS, the Planning & Building Services Division has investigated the petition and certified to the City Council that it was signed by the owner of all the real property in the territory to be attached, is properly described in the petition and shown on the scale map attached thereto, is contiguous to the City of Beloit, and is unincorporated;

WHEREAS, this property is not within the Boundary Adjustment Area (BAA) as outlined in the Cooperative Boundary Agreement between the City of Beloit and the Town of Turtle;

WHEREAS, Section 4.2.A. of this Cooperative Boundary Agreement regulating Boundary Changes outside the BAA governs the attachment of this property; and

WHEREAS, the State Department of Administration and the Town Clerk of the Town of Turtle have been properly notified of the applicant's intent to attach to the City of Beloit.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Beloit, Wisconsin, determines that the petition for attachment of the above-described territory is a sufficient and legal petition conforming to the requirements of Wisconsin Statutes and the Cooperative Boundary Agreement and that the petition be accepted.

Adopted this 18th day of November 2013.

BELOIT CITY COUNCIL

Charles M. Haynes, Council President

ATTEST:

Rebecca Houseman LeMire, City Clerk

CITY OF BELOIT

REPORTS AND PRESENTATIONS TO CITY COUNCIL



Topic: Attachment of 9817 & 9847 S. Turtle Townhall Road from the Town of Turtle – Council Acceptance and Referral to the Plan Commission

Date: November 18, 2013

Presenter: Julie Christensen

Department: Community Development

Overview/Background Information:

Brad Austin of Corporate Contractors Inc. has requested attachment to the City of Beloit for the properties located at 9817 & 9847 S. Turtle Townhall Road in the Town of Turtle.

Key Issues (maximum of 5):

- The subject properties are not located within the Boundary Adjustment Area (BAA) designated in the *Cooperative Boundary Plan between the City of Beloit and the Town of Turtle*.
- The subject properties are surrounded by the City of Beloit on three sides, and the land to the north is within the BAA. Because the subject properties were intentionally or unintentionally left outside of the BAA, they are subject to Section 4.2(A) of the Boundary Agreement, specifically the provision stating that “no lands lying outside the BAA shall be attached to the City of Beloit from the Town of Turtle except by mutual consent of both municipalities.”
- The City of Beloit and Town of Turtle have negotiated a separate agreement regarding this proposed attachment.
- The applicant intends to redevelop the subject properties into an office & industrial facility. The City is currently evaluating the provision of utilities to serve the subject properties.

Conformance to Strategic Plan (List key goals this action would support and briefly discuss its impact on the City’s mission.):

- Consideration of this request supports Strategic Goal #5.

Sustainability (Briefly comment on the sustainable long term impact of this policy or program related to how it will impact both the built and natural environment utilizing the four following eco-municipality guidelines.):

- **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

Action required/Recommendation:

- Action on the proposed Resolution Accepting the Petition for Attachment
- Referral of this item to the Plan Commission for the November 20, 2013 meeting
- This item will most likely return to the City Council for a first reading on December 2, 2013

Fiscal Note/Budget Impact: N/A

Attachments: Resolution Accepting Petition, Petition for Attachment, and Plat.



PETITION FOR ANNEXATION AND/OR ATTACHMENT TO THE CITY OF БЕЛОИТ

Address of Property: 9817 & 9847 South Turtle Townhall Road, Beloit WI 53511

Property is located in (circle one): Town of Turtle Town of Beloit

If applicable, please circle the Town of Turtle island in which the property is located:

Lindale Place Turtle Ridge Sherwood Drive N/A

If this property is located within the Town of Turtle, is it located within the **Boundary Adjustment Area** as outlined in the *Cooperative Boundary Agreement between the City of Beloit and Town of Turtle*? (If you are not sure, please leave blank for Planning staff to answer.) YES NO

The current population or territory to be annexed and/or attached is 0 persons.

We the undersigned, constituting all of the owners of the real property in Rock County, Wisconsin, lying contiguous to the City of Beloit, or lying in a town island, respectfully petition the City Council of the City of Beloit to annex the territory described and shown on the attached scale map to the City of Beloit, Rock County, Wisconsin. (Plat of Annexation or Attachment must include a legal description of the subject property.)

We the undersigned, elect that this annexation shall take effect to the full extent consistent with outstanding priorities of other annexation, incorporation or consolidation proceedings, if any.

We further respectfully request that this property be zoned M1.

Owner/Petitioner Signature:	Print Name:	Address:	Date:
	Corporate Contractors c/o Brad Austin	655 Third St Suite 301 Beloit WI 53511	4-26-13

Personally came before me this 26 day of April, 2013, the above named,
(day) (month) (year)

Brad Austin to me known to be the persons who executed the foregoing instrument and acknowledged the same.

Lori A. Goff
Notary Public, Rock County, Wisconsin (SEAL)



My Commission is permanent or expires on: 6-5-16

PLAT SHOWING TERRITORY ANNEXED TO THE CITY OF БЕЛОИТ

LOTS 1 AND 2 OF CERTIFIED SURVEY MAP DOC. NO. 1580041 AS RECORDED IN VOLUME 25 ON PAGES 408-410 OF CERTIFIED SURVEY MAPS, BEING ALSO A PART OF THE NORTHWEST QUARTER OF SECTION 22, T. 1 N., R. 13 E. OF THE 4TH P.M., TURTLE TOWNSHIP, ROCK COUNTY, WISCONSIN

FURTHER DESCRIBED AS FOLLOWS:

Commencing at the Northwest corner of Section 22, aforesaid; thence South 0°00'14" West 1017.01 feet along the West line of said Northwest Quarter to the North right of way line of Millington Road and the place of beginning; thence Northeastly 37.95 feet along a curve to the right, having a radius of 1050.00 feet, the chord bearing North 61°19'12" East 37.95 feet; thence continuing along said right of way line, North 63°41'33" East 183.77 feet; thence South 0°00'14" West 289.49 feet; thence South 89°59'46" East 30.00 feet; thence South 0°00'14" West 376.60 feet; thence North 89°59'46" West 228.00 feet to the West line aforesaid; thence North 0°00'14" East 566.43 feet to the place of beginning. Containing 3.06 acres more or less.

STATE OF WISCONSIN } ss.
COUNTY OF ROCK }

I, Rebecca Houseman LeMire, Clerk of the City of Beloit, Rock County, Wisconsin, do hereby certify that the above described parcel of real estate has by ordinance duly adopted by the City of Beloit, Rock County, Wisconsin, been annexed from the Town of Beloit, Rock County, Wisconsin, to the City of Beloit, Rock County, Wisconsin. That the plat hereon drawn is a correct representation of the annexation of said territory.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed the official seal of the City of Beloit, Rock County, Wisconsin,

this _____ day of _____, A.D. 2013.

Rebecca Houseman LeMire, Clerk

STATE OF WISCONSIN } ss.
COUNTY OF ROCK }

I HEREBY CERTIFY THAT THE PLAT OF ANNEXATION AS DESCRIBED ABOVE AND HEREON DRAWN CORRECTLY REPRESENTS SAID TERRITORY AS DESCRIBED ABOVE AND SAID PLAT IS TRUE AND CORRECT.

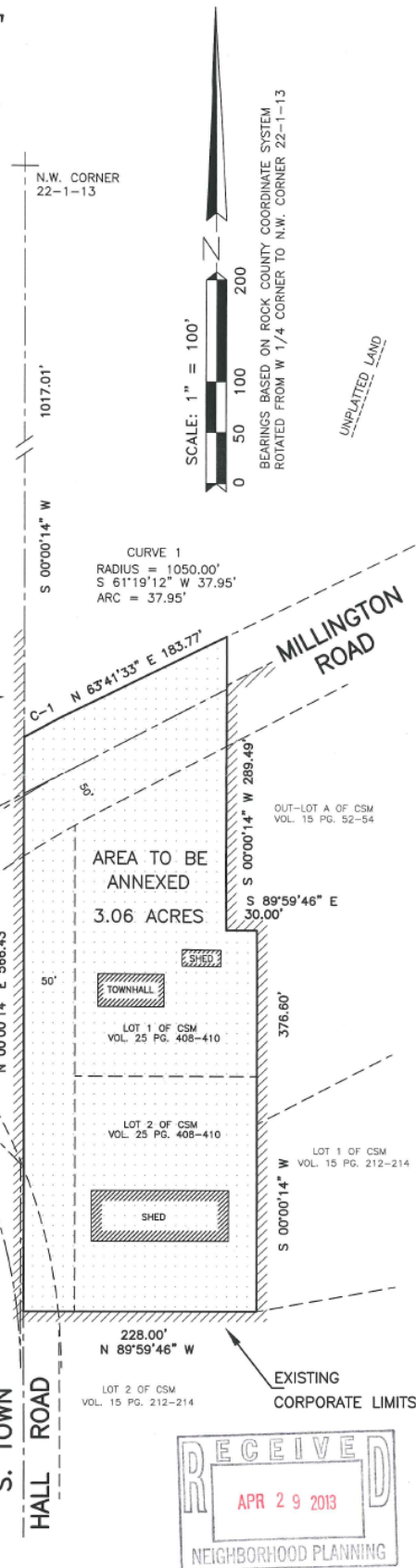
DATED THIS 16TH DAY OF APRIL, 2013.

Robert Leuenberger RLS 1244

ORDER NO. 31582

CORPORATE CONTRACTORS INC.

File Name: J:\31551-31599\31582-CCI\31582-ANNEX.DWG



CITY OF BELOIT

REPORTS AND PRESENTATIONS TO CITY COUNCIL

Topic: Planned Unit Development (PUD) - Master Land Use Plan Application for properties located on Aspen Drive & Dell Drive– Council Referral to the Plan Commission

Date: November 18, 2013

Presenter(s): Julie Christensen

Department: Community Development

Overview/Background Information:

Mirus Partners, Inc. has submitted an application for review and consideration of a Planned unit Development (PUD) – Master Land use Plan for the properties located at 1907 & 2000 Aspen Drive and 1907, 2000, & 2001 Dell Drive. A copy of the PUD – Master Land Use Plan is attached to this report.

Key Issues (maximum of 5):

- This proposed PUD – Master Land Use Plan involves the development of cottage-style affordable apartments. There will be nine single story, eight unit attached dwellings for a total of 72 units. The PUD is necessary in order to construct multiple eight-unit dwellings on these lots.
 - The subject properties are currently zoned R-1A, Single-Family Residential. If the requested PUD – Master Land Use Plan is approved, the applicant will need to rezone the subject properties to PUD and submit detailed site & architectural plans for Planning staff review and approval.
-

Conformance to Strategic Plan (List key goals this action would support and briefly discuss its impact on the City's mission.):

- Consideration of this request supports Strategic Goal #5.
-

Sustainability (Briefly comment on the sustainable long term impact of this policy or program related to how it will impact both the built and natural environment utilizing the four following eco-municipality guidelines.):

- 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
-

Action required/Recommendation:

- Referral to the Plan Commission for the November 20, 2013 meeting
 - This item will most likely return to the City Council for a public hearing and possible action on December 2, 2013
-

Fiscal Note/Budget Impact: N/A

Attachments: PUD – Master Land Use Plan and Application.

CITY of BELOIT

Planning & Building Services Division

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

PUD - Master Land Use Plan Application

(Please Type or Print)

File Number: PUD-2013-03

1. Address of subject property: 1907 & 2000 Aspen Drive, 2000 & 2001 Dell Drive
2. Legal description: Lots 185-197, 200-226, 229-236, 248-255 Poff's Fourth Sun Valley Subdivision
If necessary attach a copy of the complete legal description.
3. Area of parcel in square feet or acres: 16.9 Acres
4. Tax Parcel Number(s): _____
5. Owner of record: City of Beloit Phone: (608) 364-6708

<u>100 State Street</u> (Address)	<u>Beloit</u> (City)	<u>WI</u> (State)	<u>53511</u> (Zip)
--------------------------------------	-------------------------	----------------------	-----------------------
6. Applicant's Name: Mirus Partners, Inc.

<u>7447 University Avenue, Suite 210</u> (Address)	<u>Middleton</u> (City)	<u>WI</u> (State)	<u>53562</u> (Zip)
<u>(608) 824-2292</u> (Office Phone #)	<u>/ (608) 212-3982</u> (Cell Phone #)	<u>/ morgan@miruspartners.com</u> (E-mail Address)	
7. All existing use(s) on this property are: Vacant Land
8. The applicant requests review and approval of a **PLANNED UNIT DEVELOPMENT / Master Land Use Plan: in a(n)** PUD from R1A & R2 **Zoning District.**
9. A Preapplication Conference was held on: August 26, 2013
10. All the proposed use(s) for this property will be:
Principal use(s): Cottage Style Affordable Apartments
Secondary use(s): _____
11. State how the proposed development differs from the type of development that would be permitted under the existing zoning regulations. Current zoning is R1A & R2 which allows for 2-5 units and 4-10 units/acre in 1-2 unit buildings. We propose 8 unit single story buildings at a density of approximately 4.25 units/acre.
12. Describe how the proposed development provides greater benefits to the City of Beloit than an otherwise permitted development. The proposed development will provide much needed affordable housing and eliminate an underutilized property as well as provide tax revenue for the site.

**Proposed Development
At
1907 and 2000 Aspen Drive
1907, 2000, and 2001 Dell Drive**

The proposed development will comprise of nine single story, 8 unit attached dwellings, for a total of 72 units. Each unit will have its own individual entry, washer and dryer in the unit as well as a garage and a parking stall. The proposed development will also have a clubhouse available to all residents and will contain a community room with a full kitchen, exercise room, business center along with a rental office. The common area grounds will also have walking path, retention pond, and playground area. The land area is 16.9 acres; the proposed development will be 2.1 acres of dwelling units, .8 acres for the clubhouse, and 1.6 acres of paved surface for parking areas and driveways, leaving 12.4 acres or 73% of the site as open space. The proposed development will be buffered from the single family residents by a landscape berm to the east and north.

The proposed development will target work force housing, which our market study shows there is a strong need for in Beloit. The development will target families making 60% of the median income or below, which equates to \$37,320 a year for a family of four. As per City-Data.com the neighborhood surrounding the proposed development's median income is \$35,652. The proposed development would in no way change the economic or social makeup of the neighborhood, but instead create needed work force housing in the community with no changes to the makeup of the neighborhood.

There have been numerous studies done to examine the impact of affordable housing on the surrounding property values. The studies have shown that affordable housing does not depress the neighboring property values and in some cases may even raise them. The only negative factor in the surrounding housing values from affordable housing seemed to be poor property management of the project. The property management firm Oakbrook Corporation has managed the adjacent property "Woodside Terrace", which we purchased and renovated in 2007. Oakbrook will also handle of all the management functions for the proposed development, so there will be no risk of inadequate management.

We believe that with the strong management of the property along with a strong need for work force housing in the community that this would be a great asset to a neighborhood which we already have a substantial stake in.



1315860
SHEET

OWNER:
MILLS PARTNERS
7407 BURNBERRY AVENUE, SUITE 210
MIDDLETON, WISCONSIN 53562

PROJECT:
PROPOSED COTTAGE DEVELOPMENT
BAYTON STREET
BELLEVUE, WISCONSIN

PRELIMINARY
SHEET DATES:
10/15/2013
07/15/2013
07/15/2013

1315860
SHEET

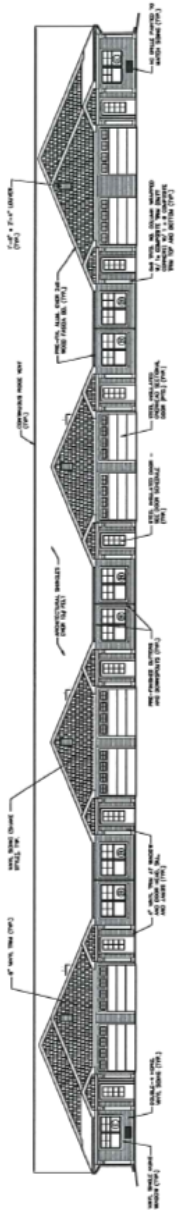
A1.1



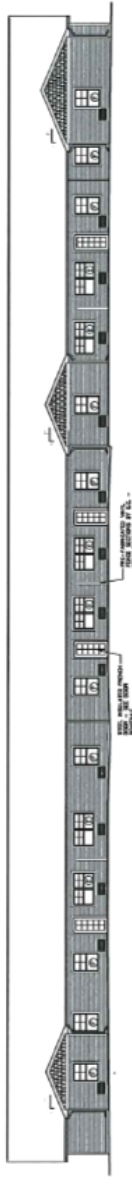
PRELIMINARY DRAWING - NOT FOR CONSTRUCTION

WINDOW SCHEDULE		
NO.	SYMBOL	DESCRIPTION
1	W1	12" x 16" DOUBLE HUNG
2	W2	12" x 16" DOUBLE HUNG
3	W3	12" x 16" DOUBLE HUNG
4	W4	12" x 16" DOUBLE HUNG
5	W5	12" x 16" DOUBLE HUNG
6	W6	12" x 16" DOUBLE HUNG
7	W7	12" x 16" DOUBLE HUNG
8	W8	12" x 16" DOUBLE HUNG
9	W9	12" x 16" DOUBLE HUNG
10	W10	12" x 16" DOUBLE HUNG
11	W11	12" x 16" DOUBLE HUNG
12	W12	12" x 16" DOUBLE HUNG
13	W13	12" x 16" DOUBLE HUNG
14	W14	12" x 16" DOUBLE HUNG
15	W15	12" x 16" DOUBLE HUNG
16	W16	12" x 16" DOUBLE HUNG
17	W17	12" x 16" DOUBLE HUNG
18	W18	12" x 16" DOUBLE HUNG
19	W19	12" x 16" DOUBLE HUNG
20	W20	12" x 16" DOUBLE HUNG
21	W21	12" x 16" DOUBLE HUNG
22	W22	12" x 16" DOUBLE HUNG
23	W23	12" x 16" DOUBLE HUNG
24	W24	12" x 16" DOUBLE HUNG
25	W25	12" x 16" DOUBLE HUNG
26	W26	12" x 16" DOUBLE HUNG
27	W27	12" x 16" DOUBLE HUNG
28	W28	12" x 16" DOUBLE HUNG
29	W29	12" x 16" DOUBLE HUNG
30	W30	12" x 16" DOUBLE HUNG

1. WINDOW SCHEDULE LISTED ABOVE IS TO BE USED FOR ALL WINDOWS UNLESS OTHERWISE NOTED.
 2. WINDOW SCHEDULE LISTED ABOVE IS TO BE USED FOR ALL WINDOWS UNLESS OTHERWISE NOTED.
 3. WINDOW SCHEDULE LISTED ABOVE IS TO BE USED FOR ALL WINDOWS UNLESS OTHERWISE NOTED.



BUILDING 1 & 3
FRONT ELEVATION
SCALE 1/8" = 1'-0"



BUILDING 1 & 3
REAR ELEVATION
SCALE 1/8" = 1'-0"



BUILDING 1 & 3
LEFT ELEVATION
SCALE 1/8" = 1'-0"



BUILDING 1 & 3
RIGHT ELEVATION
SCALE 1/8" = 1'-0"

CITY OF BELOIT

REPORTS AND PRESENTATIONS TO CITY COUNCIL



Topic: Zoning Map Amendment Application for properties located on Aspen Drive & Dell Drive – Council Referral to the Plan Commission

Date: November 18, 2013

Presenter(s): Julie Christensen

Department: Community Development

Overview/Background Information:

Mirus Partners, Inc. has submitted an application for a Zoning Map Amendment to change the zoning district classification from R-1A, Single-Family Residential District, to PUD, Planned Unit Development, for the properties located 1907 & 2000 Aspen Drive and 1907, 2000, & 2001 Dell Drive.

Key Issues (maximum of 5):

- The applicant intends to develop these properties as cottage-style affordable apartments. There will be nine single story, eight unit attached dwellings for a total of 72 units. A PUD and rezoning is necessary in order to construct multiple eight-unit dwellings on these lots.
- The R-1A district is intended for single-family residential purposes. The PUD district is a special purpose zoning district that permits greater flexibility of land planning and site design.
- The property located at 1907 Aspen Drive is .8120 acres. The property located at 2000 Aspen Drive is 1.8525 acres. The property located at 1907 Dell Drive is .4090 acres. The property located at 2000 Dell Drive is 6.3244 acres. The property located at 2001 Dell Drive is 3.2780 acres.
- The PUD – Master Land Use Planning application for these parcels has not yet been approved and is also being referred to Plan Commission.
- This application is being considered in accordance with the Zoning Map Amendment procedures contained in Section 2-300 of the Zoning Ordinance.

Conformance to Strategic Plan (List key goals this action would support and briefly discuss its impact on the City's mission.):

- Consideration of this request supports Strategic Goal #5.

Sustainability (Briefly comment on the sustainable long term impact of this policy or program related to how it will impact both the built and natural environment utilizing the four following eco-municipality guidelines.):

- 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

Action required/Recommendation:

- Referral to the Plan Commission for the November 20, 2013 meeting
- This item will most likely return to the City Council for a public hearing and possible action on December 2, 2013.

Fiscal Note/Budget Impact: N/A

Attachments: Application

CITY of BELOIT

PLANNING & BUILDING SERVICES 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-2013-15

1. Address of subject property: 1907, 2000 & 2001 Dell Drive

2. Legal description: Lot: _____ Block: _____ Subdivision: _____

(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: 16.9 acres.

3. Tax Parcel Number(s): _____

4. Owner of record: City of Beloit Phone: (608) 364-6708

100 State Street
(Address)

Beloit
(City)

WI
(State)

53511
(Zip)

5. Applicant's Name: Mirus Partners, Inc.

7447 University Avenue, Suite 210
(Address)

Middleton
(City)

WI
(State)

53562
(Zip)

(608) 824-2292
(Office Phone #)

/(608) 212-3982
(Cell Phone #)

/morgan@miruspartners.com
(E-mail Address)

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

Change zoning district classification from: R1A & R2 to: PUD

All existing uses on this property are: Vacant Land

7. All the proposed uses for this property are:

Principal use(s): Cottage Style Affordable Apartments

Secondary use(s): _____

Accessory use(s): _____

8. 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: _____
 - (X) Other, explain: Discussions with land owner. It is our intention to enter into contract to purchase with the seller.

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

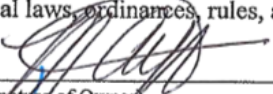
Name(s): Kristi Morgan & Chris Jaye Phone: (608) 824-2292

7447 University Avenue, Suite 210 Middleton WI 53562


(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.

 LARRY N. ARFETTI 10-29-13

(Signature of Owner) (Print name) (Date)

 / Kristi Morgan /

(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 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>Nov. 20, 2013</u>	
Number of notices: _____	x mailing cost (\$0.50) = cost of mailing notices: \$ _____		
Application accepted by: <u>[Signature]</u>	Date: <u>10/4/13</u>		
Date Notice Published: _____	Date Notice Mailed: _____		

**RESOLUTION APPROVING NATURAL GAS EASEMENT
FOR WISCONSIN POWER AND LIGHT COMPANY**

WHEREAS, the City of Beloit has been asked to grant an underground natural gas easement in favor of Wisconsin Power and Light Company in the area depicted upon the attached easement document; and

WHEREAS, the City of Beloit Plan Commission has considered the request and recommends that the City Council approve such request; and

WHEREAS, the form of easement adequately protects the City's interest in the surface area of the land.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Beloit, Rock County, Wisconsin, hereby approves the attached easement and authorizes the City Manager of the City of Beloit to execute the same and to do all other things necessary to implement the purposes hereof.

Adopted this _____ day of _____, 2013.

City Council of the City of Beloit

Charles M. Haynes, President

Attest:

Rebecca Houseman LeMire, City Clerk

CITY OF BELOIT

REPORTS AND PRESENTATIONS TO CITY COUNCIL



Topic: Natural Gas Easement for Wisconsin Power and Light Company – Council Referral to Plan Commission.

Date: November 18, 2013

Presenter(s): Thomas R. Casper

Department(s): City Attorney

Overview/Background Information:

Wisconsin Power and Light Company has requested that the City grant it an underground easement for a natural gas pipeline in the area of the bike path along Water Street as shown on the attached exhibit.

Key Issues (maximum of 5):

1. The proposed easement has been prepared on the standard City template protecting the City's interests in the surface area.
2. It is anticipated that the Plan Commission recommendation will be referred back to the Council at its December 2, 2013 meeting.

Conformance to Strategic Plan (List key goals this action would support and briefly discuss its impact on the City's mission.):

Consideration of this request supports strategic goal #5.

Sustainability (Briefly comment on the sustainable long term impact of this policy or program related to how it will impact both the built and natural environment utilizing the four following eco-municipality guidelines.):

- **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

If any of the four criteria are not applicable to your specific policy or program, an N/A should be entered in that space.

Action required/Recommendation:

Referral to the Plan Commission for its November 20, 2013 meeting.

Fiscal Note/Budget Impact:

N/A

Attachments:

Proposed easement with map.

Document No.

**EASEMENT
NATURAL GAS**

The undersigned **Grantor(s) City of Beloit, a municipal corporation, (hereinafter called the "Grantor")**, in consideration of the sum of one dollar (\$1.00) and other good and valuable consideration, receipt of which is hereby acknowledged, does hereby grant, convey and warrant unto **Wisconsin Power and Light Company, a Wisconsin corporation, (hereinafter called the "Grantee")**, the Grantee's successors and assigns, the perpetual right and easement to construct, install, maintain, operate, repair, inspect, replace, add, relocate and remove the Designated Facilities, as indicated below, upon, in, over, through and across lands owned by the Grantor **in the City of Beloit, County of Rock, State of Wisconsin**, said Easement Area to be described as follows:

See attached Exhibits A and B.

Record this document with the Register of Deeds

This Easement is subject to the following conditions:

1. **Designated Facilities:** This easement is for underground natural gas line facilities, including but not limited to pipelines with valves, main and service laterals, and other appurtenant equipment above and underground associated with the transmission and distribution of natural gas products.
2. **Grant of Easement.** The Grantor grants to the Grantee, and its successors and assigns, a perpetual easement and right-of-way to construct, reconstruct, maintain, operate, supplement, and remove the Designated Facilities as described in Section 1 that may from time to time be required, with the right of ingress and egress for the purpose of this grant, within the Easement Area. All improvements shall be located below grade, and the Grantee shall not install anything above grade or in any fashion that would affect the appearance of the surface of the real property or limit access to the real property. The Grantee acknowledges that the real property is used for park purposes. The Grantee agrees to construct all such improvements no later than July 1, 2014 (the Final Completion Date). The Grantee also agrees to use the grant of easement only for the specific purposes described above and for no other purpose, and this grant is not assignable by the Grantee to others for other uses nor shall it be construed to create a common utility corridor.
3. **Access:** The Grantee and its agents shall have the right of reasonable ingress and egress to, over and across the Grantor's land adjacent to the Easement Area.
4. **Buildings and Structures:** The Grantor agrees within the Easement Area not to construct or place buildings, structures, or other improvements, or place water, sewer or drainage facilities; all without the express written consent of the Grantee.
5. **Landscaping and Vegetation:** No plantings and landscaping are allowed within the Easement Area that will interfere with the easement rights herein granted. The Grantee has the right to trim or remove trees, bushes and brush within the Easement Area without replacement or compensation to Grantor hereinafter. The Grantee may treat the stumps of any trees, bushes or brush to prevent re-growth and apply herbicides in accordance with applicable laws, rules and regulations, for tree and brush control.
6. **Elevation:** After the installation of the facilities and final grading of the Easement Area, the Grantor agrees not to alter the elevation of the existing ground surface by more than six (6) inches or place rocks or boulders more than eight (8) inches in diameter, within the Easement Area, without the express written consent of the Grantee, with which consent shall not be unreasonably withheld. None of the foregoing provisions shall apply to nor limit Grantor's shoreline maintenance activities along the banks of the Rock River which include, but are not limited to, grading, vegetation planting, or the placement of sand, gravel, or riprap for purposes of erosion control.
7. **Restoration and Damages:** The Grantee shall at its option, restore, cause to have restored or pay a reasonable sum for all damages to property, crops, fences, livestock, lawns, roads, fields and field tile (other than trees trimmed or cut down and removed), caused by the construction, maintenance or removal of said facilities.
8. **Rights not granted to the Grantee:** The Grantee shall not have the right to construct or place fences, buildings or any other facilities other than the above Designated Facilities.
9. **Reservation of use by the Grantor:** The right is hereby expressly reserved to the Grantor, the heirs, successors and assigns, of every use and enjoyment of said land within the Easement Area consistent with rights herein granted.
10. **Binding Effect:** This agreement is binding upon the heirs, successors and assigns of the parties hereto, and shall run with the lands described herein.

Name and Return Address:

Alliant Energy
Attn: Real Estate Department
4902 North Biltmore Lane, Suite 1000
Madison, WI 53718-2148

Parcel Identification Number(s):

**13530066, 13540060,
13540073, 13540080**

11. **Temporary Construction Easement:** During the period of construction or installation of improvements within the Property, the Grantee shall have a Temporary Construction Easement as described on Exhibit A for the purpose of transporting equipment and materials in connection with the construction or installation of improvements within the Property. The Temporary Construction Easement shall expire on the earlier to occur of (a) completion of installation as contemplated in Section 2 above, or (b) the Final Completion Date as specified in Section 2 above.
12. **Indemnification:** The Grantee shall indemnify the Grantor from and against all loss, costs (including reasonable attorney fees), injury, death, or damage to persons or property that at any time during the term of this Agreement may be suffered or sustained by any person or entity in connection with the Grantee's activities conducted on the Property, except to the extent caused by the negligence or misconduct of the Grantor or its agents or employees.
13. **Consistent Uses Allowed:** The Grantor reserves the right to use the Easement and the Temporary Construction Easement for purposes that will not interfere with the Grantee's full enjoyment of the Easement rights granted in this Agreement. The Grantor specifically reserves the right to alter and improve the surface area of the Easement for purposes consistent with use of the Property as a bike path and green space, and the Grantee agrees that the elevation of the surface area may be increased, but not permanently decreased, that paved bike paths and walkways may be installed, and landscaping consistent with such purposes may occur.
14. **General Compliance:** The Grantee, at its own expense, and with all due diligence, shall observe and comply with all laws, ordinances, rules, and regulations which are now in effect or may later be adopted by any governmental authority, and which may be applicable to the Easement Area or any improvement on it or any use of it.
15. **Environmental Laws:** In furtherance and not in limitation of the foregoing paragraph, the Grantee must, at its own expense, comply with all laws, ordinances, regulations and administrative agency or court orders relating to health, safety, noise, environmental protection, waste disposal, hazardous or toxic materials, and water and air quality. In the event any discharge, leakage, spillage, emission or pollution of any type occurs caused by the Grantee upon or from the Utility Easement Area the Grantee shall immediately notify Grantor and shall, at the Grantee's own expense, clean and restore the Easement Area to the satisfaction of the Grantor and any governmental body or court having jurisdiction of the matter.
16. **Disturbance of Surface and Restoration of Surface:** The Grantee shall restore the surface disturbed by any construction or maintenance of any equipment located within the Easement or the Temporary Construction Easement to its condition before the disturbance.
17. **Covenants Run with Land:** All terms and conditions in this Agreement, including the benefits and burdens, shall run with the land and shall be binding upon, inure to the benefit of, and be enforceable by the Grantor and the Grantee and their respective successors and assigns. The party named as Grantor in this Agreement and any successor or assign to the Grantor as fee simple owner of the Property shall cease to have any liability under this Agreement with respect to facts or circumstances arising after the party has transferred its fee simple interest in the Property.
18. **Non-Use:** Non-use or limited use of the Easement or Temporary Construction Easement rights granted in this Agreement shall not prevent the benefiting party from later use of the Easement or Temporary Construction Easement rights to the fullest extent authorized in this Agreement.
19. **Governing Law:** This Agreement shall be construed and enforced in accordance with the laws of the State of Wisconsin.
20. **Entire Agreement:** This Agreement sets forth the entire understanding of the parties and may not be changed except by a written document executed and acknowledged by all parties to this Agreement and duly recorded in the office of the Register of Deeds of Rock County, Wisconsin.
21. **Notices:** All notices to either party to this Agreement shall be delivered in person or sent by certified mail, postage prepaid, return receipt requested, to the other party at that party's last known address. If the other party's address is not known to the party desiring to send a notice, the party sending the notice may use the address to which the other party's property tax bills are sent. Either party may change its address for notice by providing written notice to the other party.
22. **Invalidity:** If any term or condition of this Agreement, or the application of this Agreement to any person or circumstance, shall be deemed invalid or unenforceable, the remainder of this Agreement, or the application of the term or condition to persons or circumstances other than those to which it is held invalid or unenforceable, shall not be affected thereby, and each term and condition shall be valid and enforceable to the fullest extent permitted by law.
23. **Waiver:** No delay or omission by any party in exercising any right or power arising out of any default under any of the terms or conditions of this Agreement shall be construed to be a waiver of the right or power. A waiver by a party of any of the obligations of the other party shall not be construed to be a waiver of any breach of any other terms or conditions of this Agreement.
24. **Enforcement:** Enforcement of this Agreement may be by proceedings at law or in equity against any person or persons violating or attempting or threatening to violate any term or condition in this Agreement, either to restrain or prevent the violation or to obtain any other relief. If a suit is brought to enforce this Agreement, the prevailing party shall be entitled to recover its costs, including reasonable attorney's fees, from the non-prevailing party.
25. **No Public Dedication:** Nothing in this Agreement shall be deemed a gift or dedication of any portion of the easements granted under this Agreement to the general public or for any other public purpose whatsoever.

WITNESS the signature(s) of the Grantor this _____ day of _____, 20_____.

City of Beloit, a municipal corporation

_____(SEAL)
Signature

Larry N. Aft, City Manager

Printed Name and Title

_____(SEAL)
Signature

Rebecca Housman LeMire, City Clerk

Printed Name and Title

_____(SEAL)
Signature

Printed Name and Title

_____(SEAL)
Signature

Printed Name and Title

ACKNOWLEDGEMENT

STATE OF WISCONSIN)
) SS
COUNTY OF ROCK

Personally came before me this _____ day of _____, 20_____, the above named _____ to me known _____ to be the person(s) who executed the foregoing instrument and acknowledged the same.

Signature of Notary

Printed Name of Notary

Notary Public, State of Wisconsin

My Commission Expires (is) _____

This instrument drafted by:

Steve M. Betz

Jason A. Hogan

Checked by:

City of Beloit Easement.docx
November 8, 2013

Project Title:	Rock River Gas Line Bore
ERP Activity ID:	WR# 3773737
Tract No.:	2 of 2
PPN:	None

Exhibit A

North Side of the Rock River:

A 20 foot wide easement, lying 10 feet on each side of the following described reference line:

Commencing at the Northeast Corner of Lot 4 of a Certified Survey Map being recorded April 8, 1987, in Volume 12 of Certified Survey Maps, on pages 552-554, as Document Number 1048301, in the office of the Register of Deeds for Rock County, Wisconsin; thence S00°04'40"E, 372.23 feet to the Point of Beginning; thence N12°57'49"E, 43.00 feet, and there terminating.

The side margins of the easement strip are lengthened or shortened to end at the property lines that are intersected by the above described reference line.

ALSO, a temporary construction easement over lands owned by the City of Beloit described as all that part of the Beloit-Madison Railroad, as depicted on the Plat of Hackett's Alteration, being recorded November 30, 1854, in Volume 2 of Plats, on page 47, as Document Number P2P47, in the office of the Register of Deeds for Rock County, Wisconsin.

Grantor's property being located in Government Lot 3 of the Southeast Quarter of Section 35, Township 1 North, Range 12 East, City of Beloit, Rock County, Wisconsin.

Grantor's quit claim deed being recorded January 22, 1965, in Volume 153 of Records, on pages 463-470, as Document number 684076, in the office of the Register of Deeds for Rock County, Wisconsin.

South Side of the Rock River:

A 20 foot wide easement across Lot 1, Outlot 1, Outlot 3, Outlot 4, and Vacated Water Street of the Final Plat of Riverbend, being recorded March 19, 2010, in Volume 32 of Plats, on pages 870-872, as Document Number 1887635, in the office of the Register of Deeds for Rock County, Wisconsin, and lying 10 feet on each side of the following described reference line:

Beginning at the Southwest Corner of Outlot 4 of said final Plat of Riverbend; thence N12°57'49"E, 131.00 +/- feet to the river, and there ending.

The Notice of Pendency for the Vacation of a Portion of the Water Street Right-of-Way in the City of Beloit, Rock County, Wisconsin, being recorded June 22, 2010, as Document Number 1894627, in the office of the Register of Deeds for Rock County, Wisconsin.

ALSO, A 50 foot wide temporary construction easement being across a part of Lot 2 of said Final Plat of Riverbend, being adjacent to and south of the road right of way for Water Street, and lying 25 feet on each side of the following described reference line:

Beginning at the Southwest Corner of Outlot 4 of said final Plat of Riverbend; thence S12°57'49"W, 70.02 feet to the southerly boundary of Water Street, and the Point of Beginning for this description; thence S12°57'48"W, 100.00 feet, and there terminating.




The side margins of the easement strip are lengthened or shortened to end at the property lines that are intersected by the above described reference line.

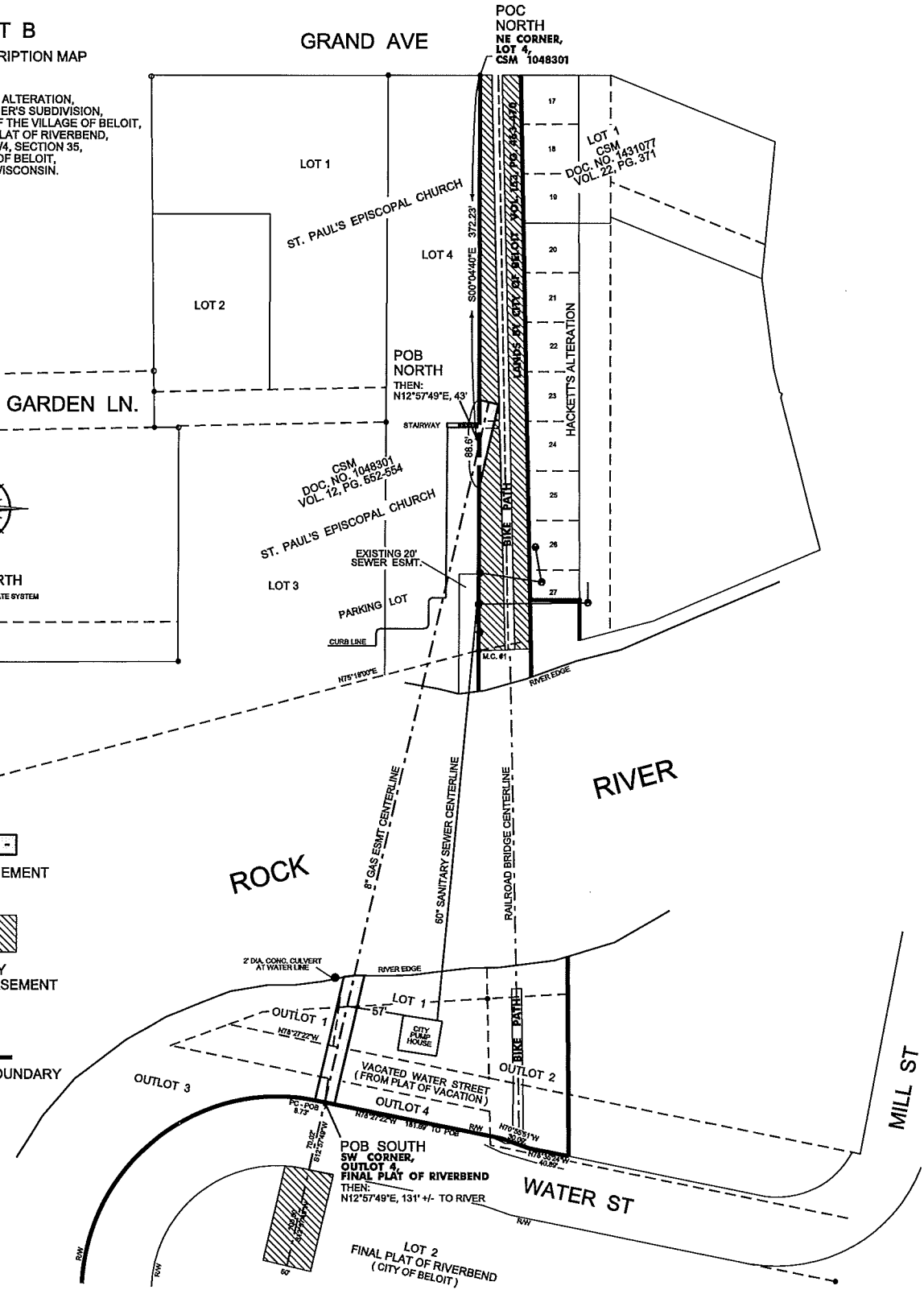
Grantor's property being located in Government Lot 7 of the Southeast Quarter of Section 35, Township 1 North, Range 12 East, City of Beloit, Rock County, Wisconsin.

EXHIBIT B
EASEMENT DESCRIPTION MAP

PART OF HACKETT'S ALTERATION,
PART OF BROWN & FISCHER'S SUBDIVISION,
PART OF THE ORIGINAL PLAT OF THE VILLAGE OF BELOIT,
AND PART OF THE FINAL PLAT OF RIVERBEND,
LOCATED IN THE SE 1/4, SECTION 35,
T1N, R12E, CITY OF BELOIT,
ROCK COUNTY, WISCONSIN.



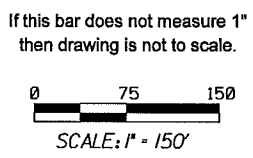
-  20' WIDE GAS EASEMENT
-  TEMPORARY CONSTRUCTION EASEMENT
-  CITY PROPERTY BOUNDARY



File: X:\Office\Annex\Surveyor\Gas Projects\Rock River Crossing (beloit gas)\CITY ESMT.DGN



This drawing shall be used solely for easement description purposes and thus may only be relied upon for such purpose.



CITY OF BELOIT GAS EASEMENT	
PRT OF LOT 1, 2 & OL 1, FNL. PLT. OF RIVERBND AND PART OF RR. CORRIDOR N. OF RIVER	
Drawn: SJF	Date: 09/11/2013
Scale: 1" = 150'	SHEET 1 OF 1

CITY OF BELOIT

REPORTS AND PRESENTATIONS TO CITY COUNCIL



Topic: Installation of a Historical Marker in Riverside Park (1160 Riverside Drive) – Council Referral to the Plan Commission

Date: November 18, 2013

Presenter(s): Julie Christensen

Department(s): Community Development

Overview/Background Information:

The Roy Chapman Andrews Society has requested that the Plan Commission and City Council review their proposal to install a historical marker about Roy Chapman Andrews in Riverside Park located at 1160 Riverside Drive.

Key Issues (maximum of 5):

- As shown on the attachments, the applicant has proposed two possible installation locations within Riverside Park: Turtle Island or the Riverside Promenade.
 - The proposed historical marker text is attached to this report, along with an example of the proposed historical marker.
 - The Parks, Recreation, and Conservation Advisory Commission reviewed this request on October 9, 2013 and voted unanimously (4-0) to recommend approval of installation of the historical marker on Turtle Island.
-

Conformance to Strategic Plan (List key goals this action would support and its impact on the City's mission):

- Consideration of this request supports Strategic Goal #5.
-

Sustainability (Briefly comment on the sustainable long term impact of this policy or program related to how it will impact both the built and natural environment utilizing the four following eco-municipality guidelines):

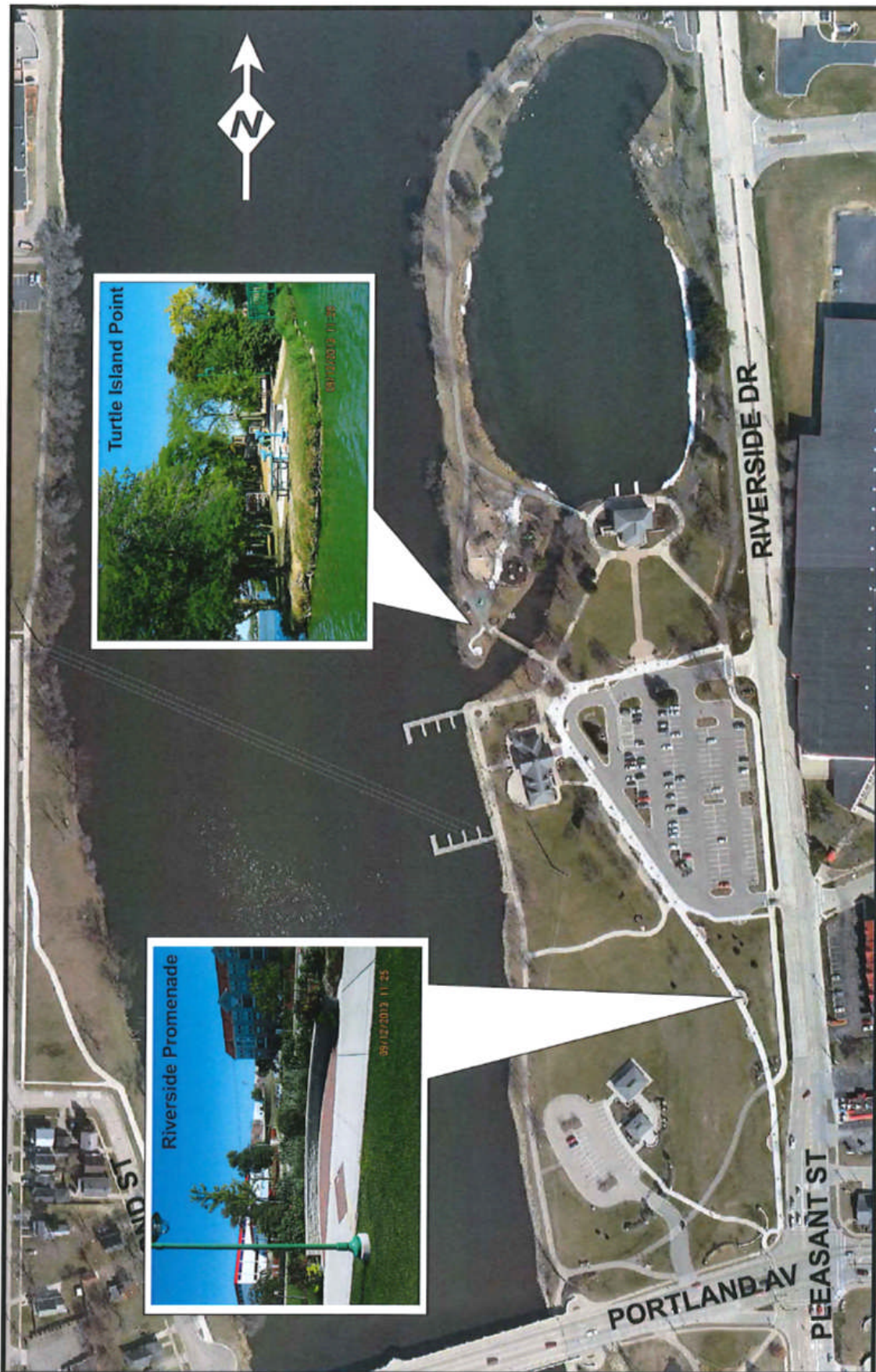
- Reduce dependence upon fossil fuels – N/A
 - Reduce dependence on chemicals and other manufacturing substances that accumulate in nature – N/A
 - Reduce dependence on activities that harm life sustaining eco-systems – N/A
 - Meet the hierarchy of present and future human needs fairly and efficiently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

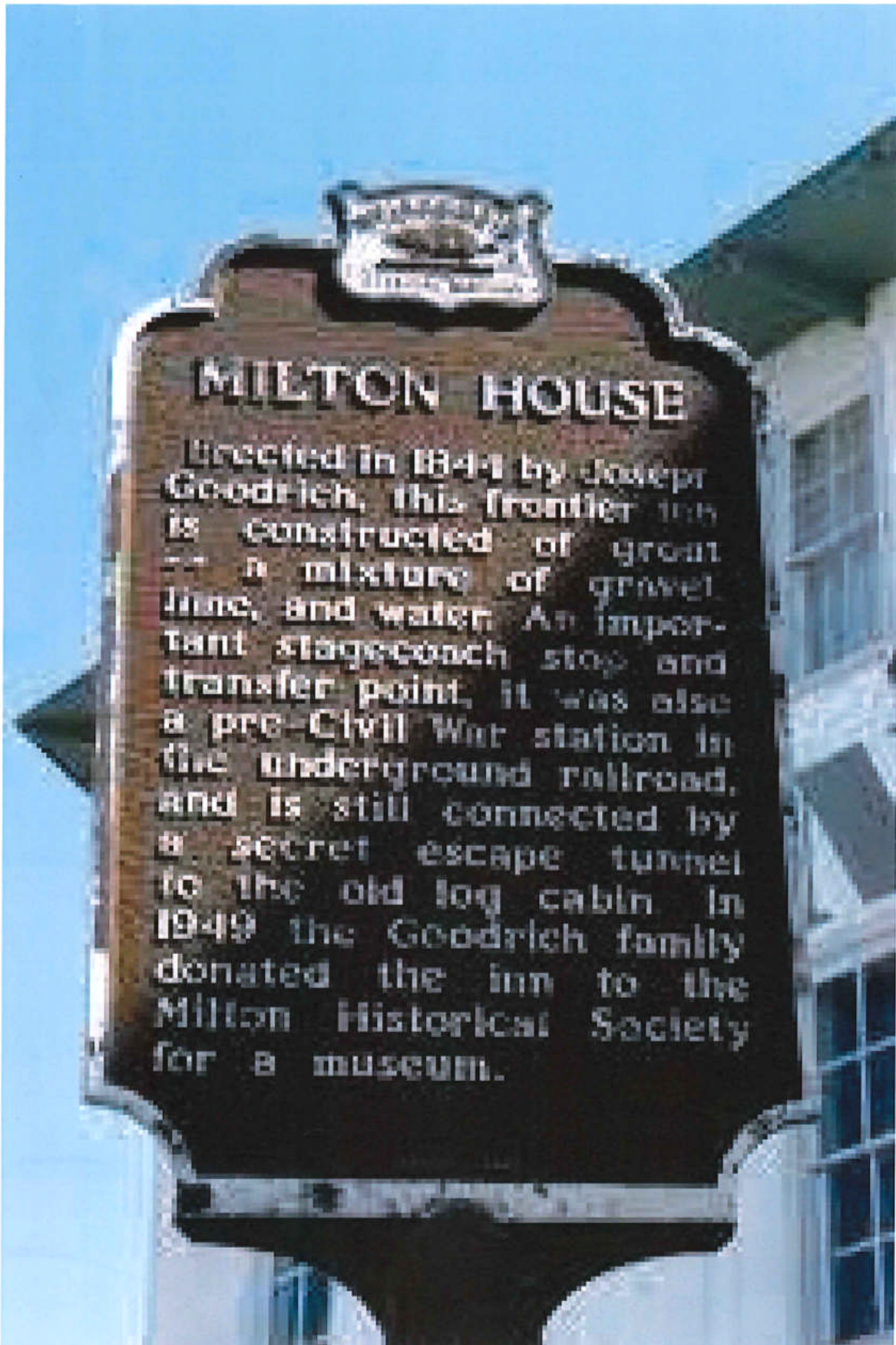
Action required/Recommendation:

- Referral to the Plan Commission for the November 20, 2013 meeting
 - This item will most likely return to the City Council for review and possible action on December 2, 2013
-

Fiscal Note/Budget Impact: The Roy Chapman Andrews Society will be paying for this project.

Attachments: Location Map, Historical Marker Example, and Proposed Historical Marker Text





Suggested Text
Historical Marker about Roy Chapman Andrews

Roy Chapman Andrews

Roy Chapman Andrews, a native of Beloit who became one of the most celebrated explorers of the twentieth century, grew up on and near the Rock River that winds through his hometown's city center. During his childhood he lived beyond its western banks at 419 St. Lawrence Avenue, and he earned his undergraduate degree at Beloit College on the east side of the river.

As a youth Andrews nurtured a passion for the natural world and his interest in exploration while traversing the woods, waterways, and prairies of this river valley. In March of 1905, as a college junior, he experienced a near-fatal boating accident upriver from this point; the event claimed the life of his companion, English professor Montague White.

A year later Andrews graduated from Beloit and he headed east, talking his way into a job at the American Museum of Natural History in New York City. His first post there included responsibility for sweeping lab room floors; his last assignment, nearly three decades later, found him serving as the museum's director. In between Andrews embarked on a career of field work that is most remembered for the series of five interdisciplinary expeditions he led to the Gobi of Mongolia and China from 1922 to 1930. Using a unique blend of ancient and modern forms of transportation—camel caravans and motorized vehicles—his team of explorers discovered new species of dinosaurs, the first nests of dinosaur eggs, evidence of early mammals that coexisted with dinosaurs, and colossal Ice Age mammals.

Andrews collected a lifetime of adventure as well, crediting a lucky star with seeing him through encounters with snakes, standoffs with bandits, and accidental tumbles over cliffs, among other escapades. Andrews, an accomplished storyteller, wrote extensively about his exploits and discoveries, inspiring new generations of young people to take up the profession of exploration.

The intrepid explorer, who died in 1960 at the age of 76, is buried with other family members in Beloit's Oakwood Cemetery, east of this marker. Contemporary explorers covet the local award presented in his name, the Roy Chapman Andrews Society Distinguished Explorer Award.

Dedicated by the Roy Chapman Andrews Society _____, 2014

November 18, 2013

**APPOINTMENT REVIEW COMMITTEE
REPORT TO CITY COUNCIL
APPOINTMENT RECOMMENDATION**

The undersigned Charles M. Haynes, duly elected President of the Beloit City Council, subject to confirmation by the Beloit City Council, does hereby appoint the following citizen members to the vacancies and terms indicated below, said appointments being pursuant to nominations made and approved by the Appointment Review Committee at the regular meeting held November 11, 2013:

Charles M. Haynes, President
Beloit City Council

Appointments

Alcohol Beverage License Control Committee

Betty Barnett, 2740 E. Ridge Road (replacing Frank Marsden) for a term ending June 30, 2014

Business Improvement District/Downtown Beloit Association

Ramiro Vargas, Blackhawk Bank, 400 Broad Street (replacing Mathew Reynolds as Owner Occupant) for a term ending December 31, 2013

Community Development Authority

Gail G. Johnson, 2614 Sunshine Lane (replacing Crystal Simpkins) for a term ending December 31, 2014

Landmarks Commission

Incumbent **Steve Vollmer** (East Side Rep) for a term ending October 31, 2016

Incumbent **Donna Johnson** (West Side Rep) for a term ending October 31, 2016

Alex Blazer, 312 W. Grand Ave. (replacing Lynnette Johnson) for a term ending October 31, 2015

Terri J. Kaye, 410 Bluff Street (replacing Sandra Williams) for a term ending October 31, 2016

Traffic Review Committee

Mike Ramsden, 1720 E. Ridge Road (replacing Carol Fryar) for a term ending September 30, 2015

PLEASE ANNOUNCE THE FOLLOWING VACANCIES

Appointment Review Committee (2 vacancies for residents)
Board of Appeals (2 vacancies [Alternate] for resident)
Board of Ethics (1 vacancy for former City Councilor, 4 vacancies for residents)
Board of Review (1 vacancy [Alternate] for resident, 1 vacancy for resident)
Community Development Authority (1 vacancy for resident)
Equal Opportunities Commission (1 vacancy for resident)
Municipal Golf Committee (1 vacancy for youth, 1 vacancy for resident)
Park, Recreation & Conservation Advisory Commission (1 vacancy for resident)
Plan Commission (1 vacancy for resident)
Traffic Review Committee (1 vacancy for resident)

RESOLUTION
SUPPORTING THE LEAGUE OF WISCONSIN MUNICIPALITIES' RESOLUTION
No.2013-1: IMPROVING WISCONSIN'S ECONOMY BY STATE AND LOCAL
GOVERNMENTS WORKING TOGETHER

WHEREAS, Governor Walker and legislative leaders have made job creation and economic growth their top priority; and

WHEREAS, municipalities are the foundation of Wisconsin's economy, and local leaders share the same goal of job creation and economic vitality; and

WHEREAS, the majority of Wisconsin's residents live, work, and become educated; and

WHEREAS, industry, manufacturing, and commerce occur almost exclusively in municipalities in municipalities; and

WHEREAS, for the State of Wisconsin to flourish, state and local leaders must work collaboratively; and

WHEREAS, a thriving state-local relationship is critical to the success of our state and should be invested in and nurtured.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Beloit, Rock County, Wisconsin, urges the Governor and the Legislature to work collaboratively with municipal leaders to accomplish the critical goals of job creation and economic growth, and further urges the Legislature and the Governor to consult with the League of Wisconsin Municipalities on future policy initiatives relevant to or impactful on Cities or Villages.

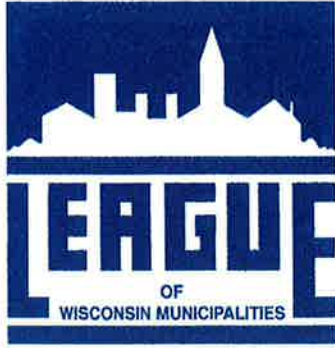
Adopted this 18th day of November 2013.

BELOIT CITY COUNCIL

Charles M. Haynes, President

ATTEST:

Rebecca Houseman LeMire, City Clerk



122 W. Washington Avenue
Suite 300
Madison, Wisconsin 53703-2715

608/267-2380
800/991-5502
Fax: 608/267-0645

E-mail: league@lwm-info.org
www.lwm-info.org

Resolution No. 2013-1

**Improving Wisconsin's Economy by State and Local Governments
Working Together**

Whereas, Governor Walker and legislative leaders have made job creation and economic growth their top priority; and

Whereas, municipalities are the foundation of Wisconsin's economy and local leaders share the same goal of job creation and economic vitality;

Whereas, municipalities are where most of Wisconsin lives, works, and becomes educated;

Whereas, industry, manufacturing, and commerce occur almost exclusively in municipalities;

Whereas, for the state to flourish, state and local leaders must work collaboratively;

Whereas, a thriving state-local relationship is critical to the success of our state and should be invested in and nurtured.

Now, Therefore, Be It Resolved, that the League of Wisconsin Municipalities in conference assembled on October 17, 2013, urges the Governor and the Legislature to work collaboratively with municipal leaders to accomplish the critical goals of job creation and economic growth.

Be it Further Resolved, that the League of Wisconsin Municipalities urges the Legislature and the Governor to enact the following three economic development bills:

- AB 147/SB 132, Increasing the Historic Rehabilitation Income and Franchise Tax Credit from 10% to 20%.
- AB 289/SB 252, Allowing Municipalities to Require DOR to Redetermine the Base Value of Certain Poorly Performing TIF Districts.
- AB 416, Allowing an Environmental Remediation TID to Receive Tax Increments from a Donor TID.



Attest:



Dan Thompson, Executive Director