



CITY HALL • 100 STATE STREET • БЕLOIT, WI 53511

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

1. **Call to Order and Roll Call**
2. **Approval of the Minutes of the November 20, 2013 Meeting**
3. **Comprehensive Plan Amendment – 2508, 2554, 2570 & 2600 Milwaukee Road**  
Public hearing, review and consideration of an amendment to the Future Land Use Map of the City of Beloit Comprehensive Plan from Community Commercial to Institutional and Community Services for the properties located at 2508, 2554, 2570, and 2600 Milwaukee Road
4. **Zoning Map Amendment – 2554, 2570 and 2600 Milwaukee Road**  
Public hearing, review and consideration of a Zoning Map Amendment to change the zoning district classification from C-1, Office District, to PLI, Public Lands and Institutions District, for the properties located at 2554, 2570, and 2600 Milwaukee Road
5. **Sign Ordinance Exception – Buttita Brothers – 856 Fourth Street**  
Public hearing, review and consideration of an Exception to Section 30.40(2)(c) of the Outdoor Sign Regulations to allow two (2) secondary, on-premises wall signs to be larger than 30 square feet in area for the property located at 856 Fourth
6. **Conditional Use Permit – 204 Park Avenue – Domino’s Pizza**  
Public hearing, review and consideration of a Conditional Use Permit to allow a pick-up window in a C-3, Community Commercial District, for the property located at 204 Park Avenue
7. **Status Report on Prior Plan Commission Items**
8. **Adjournment**

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

Notice Mailed: November 26, 2013

Approved: Julie Christensen  
Community Development Director

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



CITY HALL • 100 STATE STREET • BELOIT, WI 53511

**MINUTES  
BELOIT CITY PLAN COMMISSION  
Wednesday, November 20, 2013  
The Forum, Beloit City Hall  
100 State Street, Beloit**

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

Chairperson Faragher called the meeting to order at 7:00 PM. Gail Riddle called the roll. Present were Commissioners Jacobsen, Kelly, Moore, Ruster, and Kincaid. Commissioner Nee was absent.

2. **Approval of the Minutes of the November 6, 2013 Meeting**

Commissioner Jacobsen moved and Commissioner Ruster seconded a motion to approve the Minutes of the November 6, 2013 Meeting. The minutes were approved (5-0).

3. **Referral from Public Bodies - Locating a Historic Marker in Riverside Park**

Review and consideration of a Request to Install a Historic Marker about Roy Chapman Andrews in Riverside Park

Julie Christensen summarized the Staff Report and Staff Recommendation.

Commissioner Moore moved to approve the Referral and Commissioner Jacobsen seconded the motion. The motion carried (5-0).

4. **Referral from Public Bodies - Natural Gas Easement for Wisconsin Power and Light**

Review and consideration of an easement to Wisconsin Power and Light from the City of Beloit for natural gas infrastructure on lands located along the Fifth Street bike path adjacent to the Railroad Bridge

Ms. Christensen summarized the Staff Report and Staff Recommendation.

Commissioner Kincaid asked Ms. Christensen for clarity on Item #7 in the easement agreement.

Commissioner Kelly moved and Commissioner Ruster seconded approval of the easement. The motion carried (5-0).

5. **Petition of Attachment to the City – 9817 and 9847 S. Turtle Townhall Road**

Review and consideration of a Petition for Attachment for the properties located at 9817 and 9847 S. Turtle Townhall Road from the Town of Turtle to the City of Beloit

Ms. Christensen summarized the Staff Report and Staff Recommendation.

Brad Austin of Corporate Contractors Inc. was present and reviewed drawings of the building he is proposing to construct on the land once it is attached to the City of Beloit.

Commissioner Ruster moved and Commissioner Kelly seconded a motion to approve the Petition of Attachment to the City. The motion carried (6-0).

6. **Planned Unit Development Master Land Use Plan – 1907 and 2000 Aspen Drive and 1907, 2000 and 2001 Dell Drive**

Public hearing, review and consideration of a Planned Unit Development Master Land Use Plan for the properties located at 1907 & 2000 Aspen Drive and 1907, 2000, & 2001 Dell Drive

Ms. Christensen summarized the Staff Report and Staff recommendation.

Commissioner Ruster asked if there were any statistics to prove or disapprove devaluation of existing properties in that area. Ms. Christensen answered that we do not have statistics one way or the other.

Commissioner Jacobsen asked about no blasting of the limestone base and Ms. Christensen stated that condition has been included.

Commissioner Ruster asked what is different now from the last time this went before the Commission. Ms. Christensen commented that last time it was senior housing and this time it is family housing, otherwise, it is the same.

Vice Chairperson Faragher opened the Public Hearing.

Kristi Morgan, Mirus Partners, 7447 University Avenue, Middleton, WI, was present and stated that the proposed project will consist of 72 single story units, with separate entrances and separate garages. Ms. Morgan added that the general occupancy will be both family and senior.

Commissioner Kelly asked Ms. Morgan if she would be the manager for the units and Ms. Morgan committed that the management company will be Oakbrook Corporation out of Madison Wisconsin and there will be an on-site manager living there. There will also be a key person on-site.

Commissioner Jacobsen asked if this would be low-income housing and Ms. Morgan answered that it would be work-force housing. She indicated that the marketing study

being prepared for this development shows that there is currently a five percent vacancy rate in these types of developments.

Commissioner Moore asked if about the 5 percent vacancy rate was for the City of Beloit and Ms. Morgan stated that is for the City of Beloit, and it is actually less than 5 percent, with these figures coming from a third party marketing study. However, this vacancy rate refers to similar types of projects, not rental property city-wide.

Ms. Christensen added that we have had pretty good luck with tax credit projects.

Commissioner Ruster asked if there was a big turnover rate and Ms. Morgan stated that there is some turnover, about average, but they are full all the time.

Commissioner Kincaid asked Ms. Christensen if there would be providing a playground, and she answered that she did not know as they did not discuss playgrounds. The applicant indicated that they would be providing a playground on-site.

Heidi Johns, 1961 Meridith Dr., Beloit stated that she opposes this development. Ms. Johns reviewed some history of the land. Ms. Johns feels this land is continually becoming a target for low-income and public housing. Ms. Johns stated that she has an issue with tax credits being used. She said that she struggles with the fact that a high percentage of Beloit's population is low income. Ms. Johns stated that with all the warehouse additions and apartment development in the area, it is starting to feel more like an industrial park instead of a residential neighborhood. Ms. Johns commented that she would ask that if this is approved that we would ask fair market value for the land.

Roger Allen, 2128 Staborn Drive, Beloit, wanted to know why we would put low income families on the very northwest side of town instead of putting them close to where they could get jobs and other services. Mr. Allen also commented he did not believe that the picture was to scale, that the buildings look much closer than 30 feet from the lot line.

Joel Steinke, 2027 Meridith Drive, remarked about the sidewalk gaps on Burton Street and that the population density keeps going up.

Rosalyn Ackley, 1920 Frederick, Beloit, commented that they already have three apartments surrounding them now and does not think that they need anymore. Ms. Ackley asked how long the apartment manager would be employed there and why the low income housing was not dispersed throughout city. Ms. Christensen stated that low income housing is dispersed throughout the city. Kristi Morgan indicated that the apartment manager would live on-site.

Eunice Steinke, 2027 Meridith Drive, Beloit, commented that she is proud of the neighborhood and hopes there is some kind of program to encourage renters to become owners.

Michael Quinn, 1910 Frederick, Beloit, commented that he and his wife have lived in Beloit for over 50 years. Mr. Quinn stated that there is widespread opposition to the project and they want no part of it.

Matt Finnegan, 2212 Knollview, Beloit, stated that the amount of rental properties in Beloit is not out of sync compared to most cities, but the problem is the type of rental property Beloit has. Mr. Finnegan commented that what concerns him is how many rental single family homes are in our neighborhoods because of unavailability of what he considers affordable housing. He commented that speculators are coming in from out of town and buying up homes and turning those into rentals. Mr. Finnegan stated that he thinks that is a worse situation. Mr. Finnegan commented that he is not necessarily in favor of this but he would prefer to see this project than to see continued investment in the single-family homes with investors. Mr. Finnegan added that his company now is to trying to work with people to become homeowners. He commented that it is all about property management.

Monty Kenny, 1930 Frederick Street, commented that he does believe that there needs to be a place for low-income people. Mr. Kenny commented that if you look at the concentration of low income housing in this area, there is nowhere else in the City of Beloit that you will find this kind of concentration. Mr. Kenny commented that he also owns several properties in Rockford and he understands that it comes down to good property management. Mr. Kenny said that if this project goes through there will be another house up for sale.

Chairperson Faragher closed the Public Hearing.

Commissioner Jacobsen asked Ms. Christensen to review what the Commissioners job is for this agenda item. Ms. Christensen said that the commissioners are to review the plan to see if this is an appropriate use of this piece of land and Council will make the final decision.

Commissioner Jacobsen asked if the City owns the property and Ms. Christensen said yes.

Commissioner Faragher commented that his concern revolves around the tax credit availability. He added that he can understand them wanting to put this forward but he is a little skeptical about the use of the time for both of them based on his understanding.

Commissioner Jacobsen stated that she feels it is an appropriate use for the land. Part of their role is to look at the big picture for the City and what they need to do.

Commissioner Jacobsen moved to approve the Planned Unit Development with the conditions recommended by Staff. Commissioner Kelly seconded the motion. Commissioners Jacobsen and Kelly voted in favor of the PUD and Commissioners Moore, Ruster, and Faragher voted in opposition. The PUD was denied (3-2).

7. **Zoning Map Amendment – 1907 and 2000 Aspen Drive and 1907, 2000, and 2001 Dell Drive**

Public hearing, review and consideration of a Zoning Map Amendment to change the zoning district classification from R-1A-Single-Family Residential District, to Planned Unit Development District, for the properties located at 1907 & 2000 Aspen Drive and 1907, 2000, & 2001 Dell Drive

Ms. Christensen summarized the Staff Report and Recommendation.

Chairperson Faragher opened and closed the Public Hearing.

Commissioner Jacobsen moved to approve the Zoning Map Amendment and Commissioner Kelly seconded the motion. Commissioners Moore, Ruster, and Faragher voted in opposition. The ZMA was denied (3-2).

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

The re-zoning for the Woodman's gas station/carwash was approved. The site plan is currently being reviewed.

The Conditional Use for 443 E. Grand Avenue, Rivals Bar & Grill was approved with a change in the condition to restrict the music to 10:00 PM.

The Council also reviewed and approved the Comprehensive Plan Amendment and rezoning for 903 and 911 E. Grand Avneue.

9. **Adjournment**

The meeting adjourned at 8:28 PM.

# CITY OF БЕЛОIT

## REPORT TO THE БЕЛОIT CITY PLAN COMMISSION



Meeting Date: December 4, 2013

Agenda Item: 3

File Number: RPB-2013-15

### Request Overview/Background Information:

The School District of Beloit has submitted an application requesting several 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. This legislation is commonly known as Wisconsin's "smart growth" law, although the law does not prescribe or require a particular type of development pattern. The Comprehensive Planning law requires all cities, towns, and villages that regulate land use through land use ordinances (e.g. zoning) to adopt a Comprehensive Plan. Comprehensive Plans are intended to guide development and redevelopment over a 20-year timeframe. The law also requires that land use decisions be consistent with the plan.

The Beloit City Council approved the City's Comprehensive Plan in March 2008 after an extensive public participation program. All land use decisions made by the City of Beloit, including any actions regarding official mapping, local subdivision regulation, and zoning regulations, must be consistent with the plan. The Beloit City Council established a process for amendments (minor changes) to the Comprehensive Plan on February 1, 2010. If the Plan Commission votes to recommend approval of the proposed amendments, the attached Resolution will be forwarded to the City Council for consideration on January 6, 2014.

### Key Issues:

- The applicant is requesting the following amendments to the Future Land Use Map (Map 10) of the City's Comprehensive Plan:
  - 2554, 2570, & 2600 Milwaukee Road – From Community Commercial to Institutional & Community Services.
- The applicant recently acquired the subject properties with the intent of constructing a new intermediate school, along with parking lots, athletic fields, and related facilities. Planning staff is recommending the addition of the adjacent property located at 2508 Milwaukee Road to the applicant's request, which is located between the district's property and Central Christian Church. The property owner has been notified of this proposal.
- A Location & Zoning Map and Future Land Use Map are attached to this report.
- The following table describes the status of the subject properties:

Property	Current Use	Zoning	Future Land Use	Proposed Future Land Use
2554 Milwaukee Road	SF Residential	C-1, Office	Comm. Commercial	Institutional & Comm. Services
2570 Milwaukee Road	SF Residential	C-1, Office	Comm. Commercial	Institutional & Comm. Services
2600 Milwaukee Road	Vacant Land	C-1, Office	Comm. Commercial	Institutional & Comm. Services
2508 Milwaukee Road	SF Residential	C-1, Office	Comm. Commercial	Institutional & Comm. Services

- All of the subject properties are located in the WPO, Wellhead Protection Overlay District and MRO, Milwaukee Road Overlay District. These overlay districts will not be affected by a change in the plan and underlying zoning classification.
- **Land Use Analysis – Proposed Institutional & Community Service Uses**
  - The current Future Land Use Plan identifies the subject properties as the western end of the Milwaukee Road commercial corridor. The Central Christian Church campus is planned for Institutional & Community Service uses, although the campus is still zoned C-1.
  - The proposed plan amendments will allow the applicant to rezone the subject properties to PLI, Public Lands & Institutions District, in order to construct the proposed school campus. Following this rezoning, the applicant will submit detailed site & architectural plans for Planning staff review and approval.
  - The subject properties are bound by Milwaukee Road, the Beloit Health System Cancer Center, the Industrial Park, and the church campus. Milwaukee Road is also State Highway 81, a busy arterial street with an average daily traffic volume of 10,600 vehicles.
  - The subject properties are located on the south side of Milwaukee Road, while the East Ridge Neighborhood and the off-road bike/pedestrian path to and from the central City are located on the north side of Milwaukee Road. Planning & Engineering staff are opposed to a southern driveway connection to the industrial park, which would lead to conflicts between parents, school buses, and heavy industrial users and vehicles. As part of this development, the district is required to commission a traffic study, which will analyze these issues and will include recommendations for safety improvements.
  - The proposed intermediate school campus will add another state-of-the-art institutional facility to the bustling Milwaukee Road corridor. The proposed intermediate school campus is compatible with the medical offices to the east and the church campus to the west. The proposed site plan, which is attached to this report in a conceptual format, includes cooperative arrangements with these neighbors for athletic facilities and driveway access, respectively.

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**Consistency with Comprehensive Plan and Strategic Plan:**

- The City's compliance with the Comprehensive Planning law's consistency requirement is the impetus for this request.
- Consideration of this request supports Strategic Goal #5.

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**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

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**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. 2508, 2554, 2570, & 2600 Milwaukee Road – From Community Commercial to Institutional & Community Services.

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**Fiscal Note/Budget Impact:** The properties located at 2554, 2570, & 2600 Milwaukee Road were purchased by the applicant for a total of \$528,000. The conversion of privately owned commercial land to tax-exempt institutional land will reduce the overall tax base, resulting in a negative fiscal impact. This impact may be offset by the sale of district-owned property to private developers, and the economic stimulus provided by a state-of-the-art school campus along a major gateway into the City.

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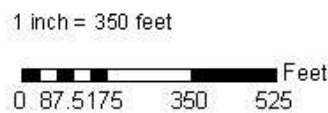
**Attachments:** Location & Zoning Map, FLU Map, Site Plan, Public Notice, Mailing List, and Resolution.



# Location & Zoning Map

Southeast Intermediate School

RPB-2013-15

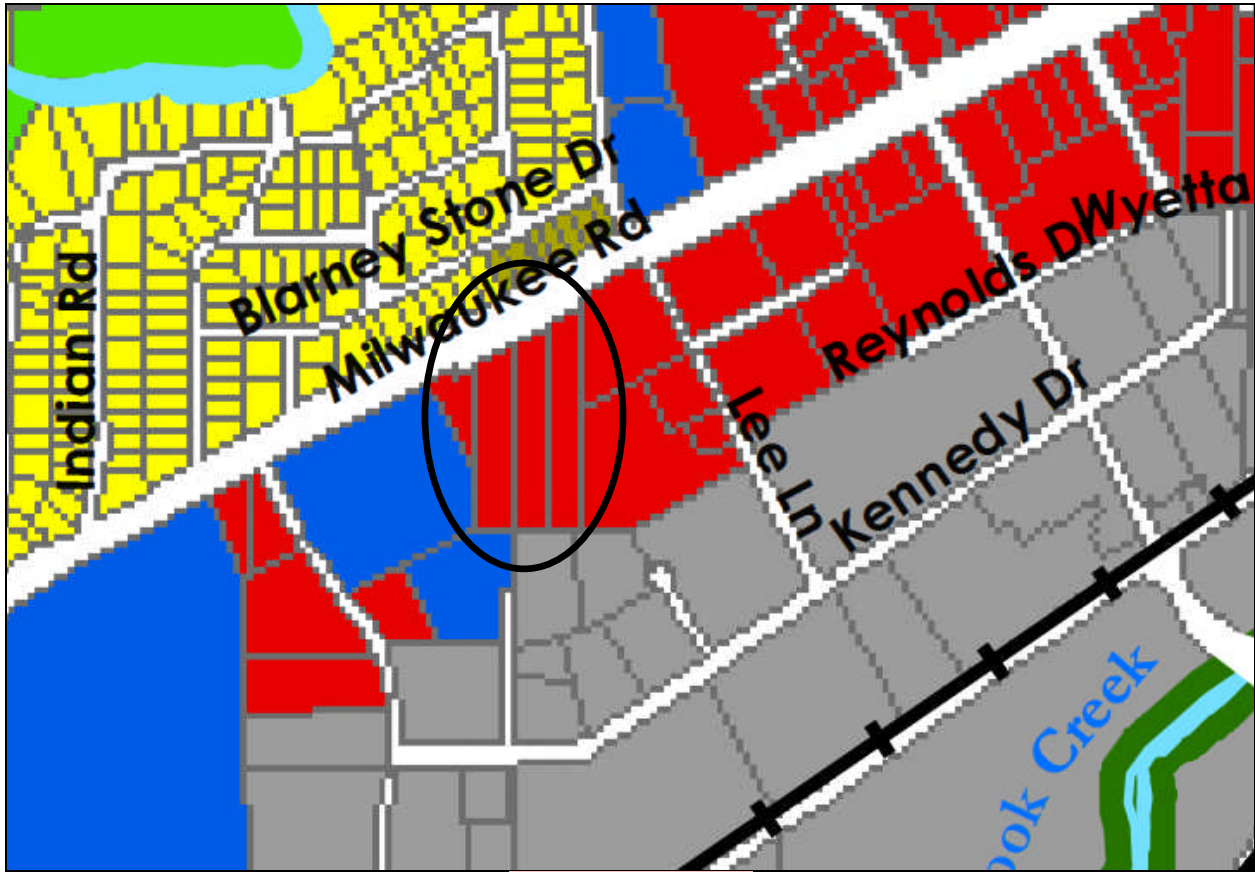


Legend	
	COB Parcels
	Zoning District

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

**PLANNING & BUILDING SERVICES DIVISION**

# Map 10, Future Land Use (Narrowed to Subject Properties)



**Legend**

- Municipal Boundaries
- City of Beloit/Town of Turtle Boundary Adjustment Area
- Interstate Highway
- County Highways
- Existing Roads
- Potential Future Major Collector/Arterial Roads
- Railroads
- Surface Water

**Future Land Use Categories**

- Agricultural
- Single-Family Residential - Exurban
- Single-Family Residential - Urban
- Two-family/Townhouse Residential
- Mixed Residential
- Planned Neighborhood\*
- Office
- Planned Mixed Use
- Neighborhood Commercial
- Community Commercial
- Downtown
- Business Park
- General Industrial
- Institutional & Community Services
- Environmental Corridor
- Parks and Open Spaces
- Long Range Urban Growth Area
- Right-of-Way

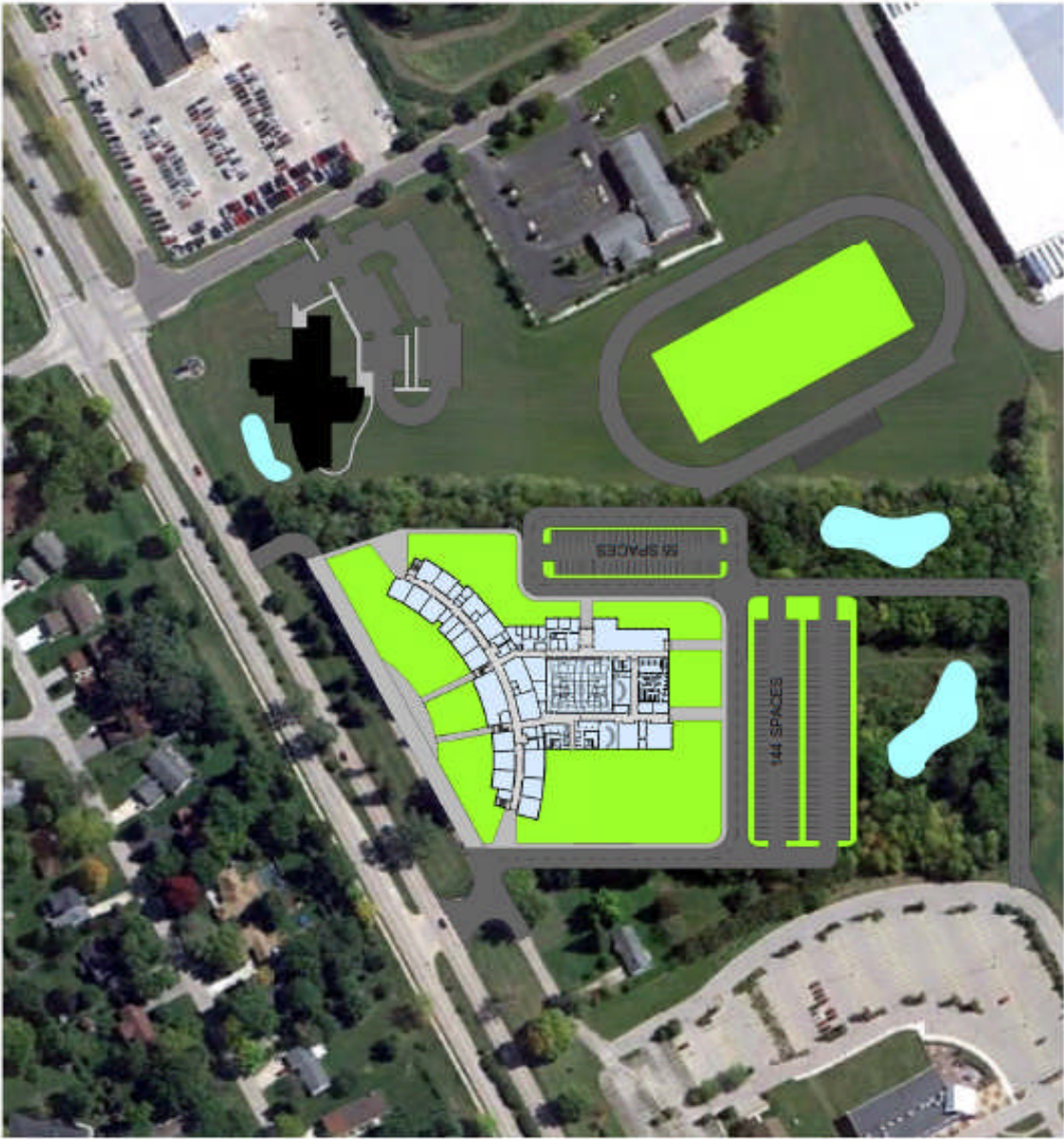
\*Planned Neighborhood\* should include a mix of the following:

1. Single-Family - Urban (predominant use)
2. Two-Family/Townhouse
3. Mixed Residential
4. Institutional and Community Services
5. Office
6. Neighborhood Commercial
7. Parks and Open Space

0 0.25 0.5 1 Miles

Date: March 17, 2008  
Source: City of Beloit, Rock County

**City of Beloit**  
Comprehensive Plan  
Map 10:  
Future Land Use



*Proposed Site Plan - MKE Road - Option 3*

Scale: 1:2,100



## **NOTICE TO THE PUBLIC**

November 18, 2013

To Whom It May Concern:

The School District of Beloit has submitted an application requesting the following amendments to the Future Land Use Map (Map 10) of the City of Beloit Comprehensive Plan:

1. 2554, 2570, & 2600 Milwaukee Road – From Community Commercial to Institutional & Community Services.

The applicant recently acquired the subject properties with the intent of constructing a new intermediate school, along with parking lots, athletic fields, and related facilities. Planning staff is recommending the addition of the adjacent property located at 2508 Milwaukee Road to the applicant's request, which located between the district's property and Central Christian Church.

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

**City Council (Public Hearing):** Monday, January 6, 2014, 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](mailto: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

Nate Deprey  
Beloit Public Library Director  
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 3<sup>rd</sup> Street, Suite 101  
Beloit, WI 53511

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

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

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

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

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

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

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

1. 2508, 2554, 2570, & 2600 Milwaukee Road – From Community Commercial to Institutional & Community Services.

Adopted this 4<sup>th</sup> day of December, 2013.

\_\_\_\_\_  
James Faragher, Plan Commission Chairman

ATTEST:

\_\_\_\_\_  
Julie Christensen,  
Community Development Director

# CITY OF BELOIT

## REPORT TO THE BELOIT CITY PLAN COMMISSION



**Meeting Date:** December 4, 2013

**Agenda Item:** 4

**File Number:** ZMA-2013-17

**Applicant:** School District of Beloit

**Owner:** School District of Beloit

**Location:** 2554, 2570, & 2600 Milwaukee Road

**Current Zoning:** C-1, Office District

**Existing Land Use:** Single-Family

**Total Area:** 11.56 Acres

**Proposed Zoning:** PLI, Public Lands & Institutions District

Residential and Vacant Land

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### Request Overview/Background Information:

The School District of Beloit has submitted an application for a Zoning Map Amendment to change the zoning district classification from C-1, Office District to PLI, Public Lands & Institutions District, for the properties located at 2554, 2570, & 2600 Milwaukee Road.

The attached **Location & Zoning Map** shows the location of the subject properties and the zoning of the surrounding area. The adjacent zoning and land uses are as follows:

- North: R-1A, Single-Family Res. District & R-2, Two-Family Res. District; Single- and Two-Family Dwellings
- South: M-2, General Manufacturing District; Industrial Park
- East: C-1, Office District; Medical Offices
- West: C-1, Office District; Single-Family Res. and Church Campus

All of the above-referenced properties are located in the WPO, Wellhead Protection Overlay District and MRO, Milwaukee Road Overlay District. These overlay districts will not be affected by this proposed Zoning Map Amendment. The Zoning Ordinance directs the Plan Commission to hold a hearing and 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.

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### Key Issues:

- The applicant recently acquired the subject properties with the intent of constructing a new intermediate school, along with parking lots, athletic fields, and related facilities.
- The applicant also submitted an application to amend the Comprehensive Plan's Future Land Use Map to recommend Institutional & Community Service uses for the subject properties. The request to amend the plan will be reviewed concurrently during the Plan Commission and City Council hearings.
- For future planning purposes, Planning staff has included the adjacent property at 2508 Milwaukee Road in the proposed plan amendment. However, Planning staff recommends excluding the 2508 property from this rezoning request, which will allow the owners to remain living in their home while giving them the flexibility to rezone their property to PLI and to sell it to one of their institutional neighbors in the future.
- The PLI district is a special purpose district that is intended to accommodate major public and quasi-public uses.
- If the requests to amend the plan and rezone the subject properties are approved by the City Council, the applicant will need to submit detailed site & architectural plans for Planning staff review and approval.
- Planning staff mailed the attached Public Notice to the owners of nearby properties and posted a public notice sign on one of the subject properties. As of this writing, staff has not received any comments.
- This application is being considered in accordance with the Zoning Map Amendment procedures contained in Section 2-300 of the Zoning Ordinance.
- **Findings of Fact** - Based on Section 2-304 of the Zoning Ordinance, the Plan Commission shall make a recommendation based on the following considerations:
  - a. *The existing use of property within the general area of the subject property;*
    - The proposed PLI district and school campus are compatible with the medical offices to the east and the church campus to the west. As detailed in the plan amendment report, this site presents numerous vehicle and pedestrian challenges, including the adjacent state highway and the industrial park. These challenges will be addressed in the applicant's traffic impact analysis, which will include recommendations for safety enhancements.
  - b. *The zoning classification of property within the general area of the subject property;*
    - The properties to the east will remain zoned C-1, while the adjacent properties to the west will eventually be rezoned to PLI as planned. The uses that are permitted in the PLI district are

compatible with uses allowed in the C-1 district, and the proposed school campus will not be allowed direct access to the industrial park in order to maintain separation of incompatible uses.

- c. *The suitability of the subject property for the uses permitted under the existing zoning classification; and*
  - The subject properties are suitable for the uses permitted under the existing zoning classification.
- d. *The trend of development and zoning map amendments in the general area of the subject property.*
  - The Milwaukee Road corridor has experienced increased development pressure during the past few years. The adjacent property to the east is being developed as a medical office, and several commercial developments are under construction in the 2700 & 2800 blocks of Milwaukee Road. In addition, several businesses in the industrial park along Office Park Lane and Kennedy Drive have recently expanded and more will be expanding within the next year.

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**Consistency with Comprehensive Plan and Strategic Plan:**

The applicant has submitted an application to amend the Comprehensive Plan's Future Land Use Map to recommend Institutional & Community Service uses and a zoning district classification of PLI for the subject properties. This proposed Zoning Map Amendment is consistent with the Comprehensive Plan, as required by Section 66.1001(3) of Wisconsin Statutes.

Consideration of this request supports City of Beloit Strategic Goal #5.

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**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

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**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 PLI, Public Lands & Institutions District, for the properties located at 2554, 2570, & 2600 Milwaukee Road.

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**Fiscal Note/Budget Impact:** The properties located at 2554, 2570, & 2600 Milwaukee Road were purchased by the applicant for a total of \$528,000. The conversion of privately owned commercial land to tax-exempt institutional land will reduce the overall tax base, resulting in a negative fiscal impact. This impact may be offset by the sale of district-owned property to private developers, and the economic stimulus provided by a state-of-the-art school campus along a major gateway into the City.

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



# Location & Zoning Map

Southeast Intermediate School

ZMA-2013-17



1 inch = 246 feet  
0 60 120 240 360 Feet

**Legend**

- COB Parcels
- Zoning District

Map prepared by: Drew Pennington  
Date: November 2013  
For: City of Beloit Planning & Building Services  
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)

File No.: ZMA-2013-17

1. Address of subject property: (200, 2570, 2554) Milwaukee Road

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: 4.29 Acres, 4.07, 3.20 acres.

3. Tax Parcel Number(s): 22970040, 22970010, 23021600

4. Owner of record: School District of Beloit Phone: 608-361-4015  
1633 Keeler Ave, Beloit WI 53511  
(Address) (City) (State) (Zip)

5. Applicant's Name: School District of Beloit  
1633 Keeler Ave Beloit WI 53511  
(Address) (City) (State) (Zip)

608-361-4015 715-577-8367 ijmarok@sd6.k12.wi.us  
(Office Phone #) (Cell Phone #) (Email Address)

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

Change zoning district classification from: ~~R13 Residential (S)~~ <sup>C-1 DP</sup> to: PLI

All existing uses on this property are: vacant land

7. All the proposed uses for this property are:

Principal use(s): School Campus (Intermediate)

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): Janelle Maratz Phone: 608-361-4015  
1633 Keeler Ave Beloit WI 53511  
(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.

Janelle Maratz / Janelle Maratz / 11-31-13  
(Signature of Owner) (Print name) (Date)  
 \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_  
(Signature of Applicant, if different) (Print name) (Date)

**PAID**  
 In order for your request to be heard and considered in a timely manner, you must submit the complete application and all accompanying documents to the Division for acceptance by the filing deadline 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: <b>\$275.00</b>	Amount Paid: <u>\$275.<sup>00</sup></u>	Meeting Date: <u>Dec. 4, 2013</u>
Number of notices: _____	x mailing cost (\$0.50) = cost of mailing notices: \$ _____	
Application accepted by: <u>[Signature]</u>	Date: <u>11/8/13</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](http://www.ci.beloit.wi.us)

Equal Opportunity Employer

## NOTICE TO THE PUBLIC

November 19, 2013

To Whom It May Concern:

The School District of Beloit has submitted an application for a Zoning Map Amendment to change the zoning district classification from C-1, Office District to PLI, Public Lands & Institutions District, for the properties located at:

**2554, 2570, & 2600 Milwaukee Road.**

The applicant recently acquired the subject properties with the intent of constructing a new intermediate school, along with parking lots, athletic fields, and related facilities. The applicant also submitted an application to amend the Comprehensive Plan's Future Land Use Map to recommend Institutional & Community Service uses for the subject properties.

The following public hearings will be held regarding this application:

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

**City Council:** Monday, January 6, 2014, 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](mailto:penningtond@ci.beloit.wi.us). Comments will be accepted via telephone, email, and U.S. Mail.*

ZMA-2013-17, Southeast Intermediate School

OFFICE PARKWAY  
PROPERTIES LLC  
1525 OFFICE PARK LN  
BELOIT, WI 53511  
DUANE ERSCHEN  
2508 MILWAUKEE RD  
BELOIT, WI 53511

DAVID & SUSAN VOGELSON  
2510 BLARNEY STONE DR  
BELOIT, WI 535113904

D RICHARD BARDER  
2560 BLARNEY STONE DR  
BELOIT, WI 535113904

CARLA BOOTH  
P O BOX 391  
BELOIT, WI 535120391

CENTRAL CHRISTIAN  
CHURCH OF BELOIT  
2460 MILWAUKEE RD  
BELOIT, WI 53511  
TRUST OF 2004 HAROLD E & GARNET  
E BAULING REVOCABLE  
2480 BLARNEY STONE DR  
BELOIT, WI 53511

ELTON A & MARY LYNN  
PHILLIPS  
2540 BLARNEY STONE DR  
BELOIT, WI 53511

MARJORIE PEARSON  
2570 BLARNEY STONE DR  
BELOIT, WI 53511

ATTN: GREG BRITTON  
BELOIT MEMORIAL HOSPITAL  
1969 WEST HART RD  
BELOIT, WI 53511

SERTA DIVISION MIDSTATES  
BEDDING CO  
1500 LEE LN  
BELOIT, WI 53511  
RICKY GEORGE  
2500 BLARNEY STONE DR  
BELOIT, WI 535113904

DUANE NEUENDORF  
2550 BLARNEY STONE DR  
BELOIT, WI 535113904

JAHANARA BEGUM  
14 BYARS CIR  
MADISON, WI 53719

# CITY OF BELOIT

## REPORT TO THE BELOIT CITY PLAN COMMISSION

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**Meeting Date:** December 4, 2013

**Agenda Item:** 5

**File Number:** SOE-2013-04

**Applicant:** Jon Thompson

**Owner:** JLT LLC

**Location:** 856 Fourth Street

**Existing Zoning:** CBD-2, Central  
Business-Fringe District

**Land Use:** Automotive Mechanical  
Repair

**Parcel Size:** 0.5656 Acres

---

### Request Overview/Background Information:

Jon Thompson has filed an application, on behalf of JLT LLC, for an exception to Section 30.40(2)(c) of the Outdoor Sign Regulations (the "Sign Ordinance") to allow two (2) secondary, on-premises wall signs to be larger than 30 square feet in area for the property located at 856 Fourth Street.

---

### Key Issues:

- Butitta Brothers, an automotive repair shop, is located at the subject property.
- The applicant has proposed a total of two (2) secondary wall signs on the façade of the building. The first sign will face Fourth Street and read "Butitta Bros Auto" in yellow channel letters. This will be 2'x30' for a total of 60 square feet. The second sign will be on the south side of the building. It will have the company's logo and read "Butitta Bros Complete Auto Repair" in yellow letters with a blue background. This will be 8'x18' for a total of 144 square feet. Graphics of the proposed wall signs are attached to this report.
- The primary sign for this property is located on the north side of the building. It was approved at 6'x36' (216 square feet) in size and reads "Butitta Brothers Complete Auto Repair" with the company's logo. This sign also has a blue background with yellow text (photo attached). The maximum allowed square footage for a Primary Sign in this zoning district is 300 square feet.
- The previous use of this building had signage totaling 760 square feet. The proposed sign package has a total of 420 square feet.
- The attached **Location and Zoning Map** shows the location of the parcel involved in this application. The adjacent zoning and land uses are as follows:
  - North: C-3, Community Commercial District; Commercial (Restaurant)
  - South: CBD-2, Central Business-Fringe District; Commercial (Retail)
  - East: CBD-2, Central Business-Fringe District; Commercial (Retail)
  - West: CBD-2, Central Business-Fringe District; Commercial (Tavern)
- According to the Sign Ordinance, the Plan Commission may grant an exception if it determines that compliance will create an economic hardship, the hardship is not self-created, and the exception will not undermine the purpose of the Sign Ordinance or the public interest.
- The application, which is attached to this report, includes a statement relating to hardship. According to the applicant, compliance with the strict letter of the Sign Ordinance would limit their ability to advertise the company name.
- The attached Public Notice was sent to four (4) nearby property owners. As of this writing, staff has not received any comments or concerns.
- **Findings of Fact**

Section 30.48(2) of the Sign Ordinance outlines standards for granting an exception. The Ordinance states that the Plan Commission may grant an exception if it determines that:

  - a. *Compliance with the strict letter of the Sign Ordinance would create an economic hardship by either unreasonably restricting an on-premises sign owner from advertising a business or rendering conformity with such regulations unnecessarily burdensome upon an owner of an on-premises sign.*
    - The applicant states that advertising for the business will be diminished without this exception to the Sign Ordinance.
  - b. *The hardship is not self-created.*
    - The hardship resulting from strict compliance with the secondary, on-premises wall sign standards is not self-created. The existing businesses in this area have large signs that create an environment that requires larger signs for new businesses to advertise effectively.
  - c. *The exception will not undermine the purpose of the Sign Ordinance or the public interest.*
    - The proposed signs are compatible with the building façade and surrounding properties. The exceptions to the secondary, on-premises wall sign standards will not undermine the purpose

of the Sign Ordinance.

---

**Consistency with Comprehensive Plan and Strategic Plan:**

The subject property's underlying zoning district classification is consistent with the Comprehensive Plan. Consideration of this request supports City of Beloit 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**

---

**Staff Recommendation:**

The Planning & Building Services Division recommends **approval** of an exception to Section 30.40(2)(c) of the Outdoor Sign Regulations (the "Sign Ordinance") to allow two (2) secondary, on-premises wall signs to be larger than 30 square feet in area for the property located at 856 Fourth Street, based on the above Findings of Fact and subject to the following conditions:

1. The applicant may install one (1) secondary, on-premises wall sign at a maximum size of 60 square feet.
2. The applicant may install one (1) additional secondary, on-premises wall sign at a maximum size of 144 square feet.
3. The applicant or sign contractor shall obtain an Architectural Review Certificate and a Sign Permit before installing the signs.
4. Any major changes in the adopted conditions of this Sign Ordinance Exception shall be approved by the Plan Commission. The Director of Planning & Building Services may approve minor changes administratively.

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**Fiscal Note/Budget Impact:** N/A

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**Attachments:** Location & Zoning Map, Sign Specifications, Application, Public Notice, and Resolution.

# Location & Zoning Map

856 Fourth Street

SOE-2013-04



1 inch = 64 feet

0 15 30 60 90 Feet

### Legend

-  COB Parcels
-  Zoning District

Map prepared by: Stephanie Hummel

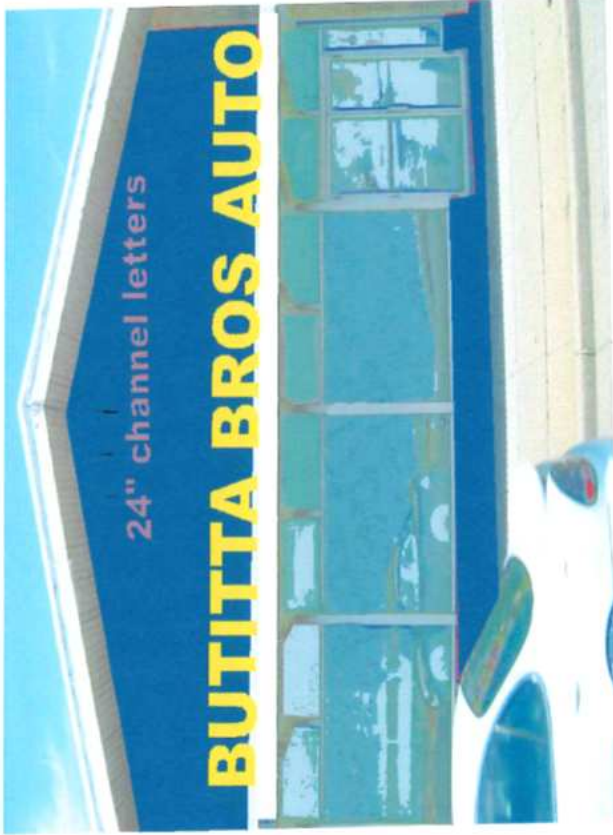
Date: November 2013

For: City of Beloit Planning & Building Services

Date of Aerial Photography: March 2011

## PLANNING & BUILDING SERVICES DIVISION





24" CHANNEL LETTERS

— \* 26" x 300" = 60 SQ. FT.

\* = ASKING FOR VARIANCE



66" x 380" ALREADY ORDERED

Excess Dibond Panels

PRIMARY SIGN  
 . approved 11/1/2013



\* 8x18 = 144 sq ft  
 Dibond Panel

# CITY of BELOIT

## Planning & Building Services Division

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

### Sign Ordinance Exception Application Form

(Please Type or Print)

File number: SOE-2013-04

1. Name of applicant: JON THOMPSON Phone #: 815-218-1341  
856 4<sup>th</sup> ST. BELOIT WI  
(Address) (City) (State) (Zip)

2. Address of subject property: 856 4<sup>th</sup> ST.

3. Tax Parcel Number(s): 206 13520610

4. Legal description:

5. Present zoning: \_\_\_\_\_ Present use: AUTOMOTIVE MECHANICAL REPAIR

6. Proposed use (if different): \_\_\_\_\_

7. Owner of record: JLT LLC Phone: 815-218-1341

2233 CHARLES ST. ROCKFORD IL  
(Address) (City) (State) (Zip)

E-mail address: JTHOMPSON@BUTITTA.COM

8. State specific sections of code and exception(s) requested: (Use separate sheet if necessary)

30.40 To allow a secondary wall sign larger than 45 square feet.

9. State specific hardship experienced by the applicant: (Use separate sheet if necessary)

ASKING FOR VARIANCE ON TWO SIGNS, 1 @ 60 SQ FT AND 1 @ 144 SQ. FT. TOTAL FOR 3 SIGNS IS 472 SQ. FT. VS. 760 SQ. FT RIGHT NOW. WE NEED TO HAVE THE SIGNS LARGE ENOUGH FOR PEOPLE TO READ OUR NAME.

10. In order for this application to be considered complete, the applicant must attach a scale drawing (1" = 20' usually works best) showing the location of property lines and their dimensions, existing buildings and improvements, all abutting properties and improvements thereon, and the proposed changes or additions. A professional drawing is not required. You are required to furnish a legible drawing with enough detail that will adequately advise and inform the Commission.

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

Signature of Owner: [Handwritten Signature] / Print name: JON THOMPSON / Date: 11-1-13
Signature of Applicant, if different: / Print name: / Date:

The applicant acknowledges that this application is not deemed filed until dated and receipt acknowledged by a person authorized to receive the application. The applicant is entitled to receive a copy of the acknowledged application once it is officially reviewed and accepted.

Hearings are usually held in City Hall Forum, City Hall, 100 State Street at 7:00 P.M.

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

The application fee will be \$100 and applicants will be charged actual out-of-pocket costs for mailing public notices at the rate of \$0.50 per notice.

To be completed by Planning staff

Filing fee: \$100.00 Amount paid: 100.00 Meeting date: 12/4/13
Application accepted by: [Handwritten Signature] Date: 11/4/13
No. of notices: x mailing cost (\$0.50) = cost of mailing notices: \$
Date Notice Published: Date Notice Mailed:



City of  
**BELOIT, Wisconsin**  
Division of Planning and Building Services

CITY HALL • 100 STATE STREET • BELOIT, WI 53511

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## **NOTICE TO THE PUBLIC**

November 22, 2013

To Whom It May Concern:

Jon Thompson has filed an application on behalf of JLT LLC for an exception to Section 30.40(2)(c) of the Outdoor Sign Regulations (the "Sign Ordinance") to allow two (2) secondary, on-premises wall signs to be larger than 30 square feet in area for the property located at:

**856 Fourth Street.**

An automotive repair shop will be located at the subject property. The applicant has proposed two secondary wall signs that exceed 30 square feet as on-premise signs. The east elevation sign will be 60 square feet and the south elevation sign will be 144 square feet. The approved primary sign for this property is 216 square feet.

The following public hearing will be held regarding the proposed exceptions:

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

### **THE PUBLIC IS INVITED TO ATTEND THIS HEARING.**

**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 Stephanie Hummel in the Planning & Building Services Division at (608) 364-6708 or [hummels@ci.beloit.wi.us](mailto:hummels@ci.beloit.wi.us). Comments will be accepted via telephone, email, and U.S. Mail.*

**RESOLUTION AUTHORIZING AN EXCEPTION TO  
THE SIGN ORDINANCE FOR THE PROPERTY  
LOCATED AT 856 FOURTH STREET**

**WHEREAS**, the application of Jon Thompson, on behalf of JLT LLC, for an exception to Section 30.40(2)(c) of the Outdoor Sign Regulations (the “Sign Ordinance”) to allow two (2) secondary, on-premises wall signs to be larger than 30 square feet in area for the property located at 856 Fourth Street, having been considered by the Plan Commission of the City of Beloit, Wisconsin at a public hearing held for that purpose.

**NOW, THEREFORE, IT IS HEREBY RESOLVED**, that the Plan Commission of the City of Beloit, Rock County, Wisconsin does hereby grant an exception to Section 30.40(2)(c) of the Sign Ordinance to allow two (2) secondary, on-premises wall signs to be larger than 30 square feet in area for the property located at 856 Fourth Street in the City of Beloit, for the following described premises:

LOTS 9 & 10 B 10, E 60 FT LOTS 11 & 12 B 10 HANCHETT & LAWRENCES ADD,  
SUBJECT TO P.L.E. GRANTED TO CITY OF БЕЛОIT, RECORDED DOCUMENT  
#1284140, LOCATED IN THE CITY OF БЕЛОIT, COUNTY OF ROCK, STATE OF  
WISCONSIN. SAID PARCEL CONTAINS 0.5656 ACRES, MORE OR LESS. (A/K/A  
856 FOURTH STREET).

This exception is subject to the following conditions:

1. The applicant may install one (1) secondary, on-premises wall sign at a maximum size of 60 square feet.
2. The applicant may install one (1) additional secondary, on-premises wall sign at a maximum size of 144 square feet.
3. The applicant or sign contractor shall obtain an Architectural Review Certificate and a Sign Permit before installing the signs.
4. Any major changes in the adopted conditions of this Sign Ordinance Exception shall be approved by the Plan Commission. The Director of Planning & Building Services may approve minor changes administratively.

Adopted this 4<sup>th</sup> day of December, 2013.

**PLAN COMMISSION**

---

James Faragher, Plan Commission Chairman

ATTEST:

---

Julie Christensen, Community Development Director

# CITY OF BELOIT

## REPORT TO THE BELOIT CITY PLAN COMMISSION



**Meeting Date:** December 4, 2013

**Agenda Item:** 6

**File Number:** CU-2013-19

**Applicant:** JNB Investments LLC

**Owner:** Valenti Midwest Inc.

**Location:** 204 Park Avenue

**Existing Zoning:** C-3, Community Commercial District, & WPO, Wellhead Protection Overlay

**Existing Land Use:** Vacant Building

**Parcel Size:** .8650 Acres

---

### Request Overview/Background Information:

JNB Investments LLC has filed an application for a Conditional Use Permit to allow a pick-up window in a C-3, Community Commercial District, for the property located at 204 Park Avenue. The applicant intends to occupy and rehab the existing building into a Domino's Pizza. While the restaurant is permitted, the drive-through needs a Conditional Use Permit.

---

### Key Issues:

- The attached **Location and Zoning Map** shows the location of the parcel involved in this application. The adjacent zoning and land uses are as follows:
  - North: C-3, Community Commercial District & WPO; Commercial (Auto Repair)
  - South: C-3, Community Commercial District & WPO; Railroad & Vacant Land
  - East: C-3, Community Commercial District & WPO; Commercial (Retail)
  - West: C-3, Community Commercial District & WPO; Commercial (Office) & Residential (Multi-Family)
- According to Section 8-112 of the Zoning Ordinance, restaurant pick-up lanes shall include at least 3 stacking spaces. The existing abandoned pick-up window has an adequate number of stacking spaces.
- According to Section 8-103 of the Zoning Ordinance, the proposed development requires 25 off-street parking stalls. The site includes 46 off-street parking stalls, 1 being handicap-accessible. A minimum of 2 handicap-accessible spots are required with the proposed number of parking stalls.
- Public facilities and infrastructure exist in this area and the property receives the full range of municipal services.
- The City's Review Agents have reviewed this application. The only concern is from Water Resources. An exterior grease trap will need to be utilized for this property.
- The attached Public Notice was sent to nine (9) nearby property owners, which has not resulted in 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 uses will not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare. All uses of this development will be governed by franchise safety measures.
- 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 subject property is located in the center of a C-3, Community Commercial District. Any additional traffic, noise, and glare generated by this development is compatible with existing conditions.
- c. *Whether the conditional use will substantially diminish or impair property values within the neighborhood of the subject property;*
  - The proposed use will not diminish or impair property values within the neighborhood. It will likely increase property values due to increased economic activity and exterior appearance.
- d. *Whether the establishment of the conditional use will impede the normal and orderly development and improvement of the surrounding property;*
  - This is an urbanized area and the surrounding properties are 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 pick-up window that is being proposed is already part of the structure's design. During Architectural Review, Planning staff will ensure that the proposed building façade is attractive.
- f. *Whether adequate utilities, access roads, drainage or other necessary facilities will be available to*

- serve the proposed use at the time of its occupancy or use;*
- Adequate facilities and infrastructure are available to serve the conditional use.
- g. *Whether adequate measures will be taken to minimize traffic congestion; and*
- The proposed pick-up window is designed in a manner that will not cause traffic congestion.
  - The existing street network in this area is capable of handling the additional traffic that will be generated by this development.
- h. *Whether the conditional use will comply with all applicable regulations of the Zoning Ordinance.*
- The conditional use will comply with all other applicable regulations of the Zoning Ordinance.

---

**Consistency with Comprehensive Plan and Strategic Plan:**

The Comprehensive Plan recommends Community Commercial uses for the subject property. This proposed development and the underlying 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 pick-up window in a C-3, Community Commercial District, for the property located at 204 Park Avenue, based on the above Findings of Fact and subject to the following conditions:

1. This Conditional Use Permit authorizes the pick-up window, which will be established in the existing structure at the subject property.
2. Any existing order-box structures shall be removed from the exterior of the building.
3. The applicant shall work with Planning Staff to bring landscaping up to code, or as close to code as possible given the existing site layout. Re-mulching, tree and shrubbery trimming, and general landscape clean-up is required by June 1, 2014.
4. The applicant shall maintain a minimum of three (3) stacking spaces for the pick-up window.
5. The applicant shall sealcoat and stripe the lot prior to opening the business.
6. One (1) additional handicap-accessible parking spot is required. This new parking spot or the existing spot must be van-accessible.
7. 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

204 Park Avenue



CU-2013-19



1 inch = 75 feet



### Legend

-  COB Parcels
-  Zoning District

Map prepared by: Stephanie Hummel  
Date: November 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-2013-19

1. Address of subject property: 204 Park Ave. Beloit WI
2. Legal description: Lots 7,8,9 & 10 B52 Original Plat, and that vacated part of St. Paul Adjacent

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

Property dimensions are: \_\_\_\_\_ feet by \_\_\_\_\_ feet = 37,680.90 square feet.

If more than two acres, give area in acres: .8050 acres.

3. Tax Parcel Number(s): 13650425

4. Owner of record: Valenti Midwest Inc. Phone: \_\_\_\_\_

3450 Buschwood Park Dr. STE 195 Tampa FL 33618

(Address) (City) (State) (Zip)

5. Applicant's Name: JNB Investments LLC

5100 Washington Ave. Racine WI 53406

(Address) (City) (State) (Zip)

262-898-1754 / 262-989-6099 / imburton@amnpizza.com

(Office Phone #) (Cell Phone #) (E-mail Address)

6. All existing use(s) on this property are: Vacant

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

A Conditional Use Permit for: Pick up window

\_\_\_\_\_ in a(n) C-3 Zoning District.

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

Principal use: Pizza Delivery, Carry out, Dine in, and Pickup

Secondary use: \_\_\_\_\_

Accessory use: \_\_\_\_\_

9. Project timetable: Start date: 12/13 Completion date: 5/14

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

Owner

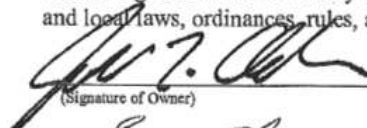
Leasehold, length of lease: \_\_\_\_\_


Contractual, nature of contract: Offer to Purchase

Other, explain: \_\_\_\_\_

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

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

 / Joseph T. Adams / 11/05/2013  
 (Signature of Owner) (Print name) (Date)

 / Joel Burton / 10/30/2013  
 (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 Planning and Building Services Division for acceptance by the filing deadline date prior to a scheduled Plan Commission meeting.

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

**To be completed by Planning Staff**

Filing fee: \$275.00 Amount paid: 275.00 Meeting date: 11/4/13

No. of notices: \_\_\_\_\_ x mailing cost (\$0.50) = cost of mailing notices: \$ \_\_\_\_\_

Application accepted by:  Date: 11/7/13



## **NOTICE TO THE PUBLIC**

November 22, 2013

To Whom It May Concern:

JNB Investments Inc. has filed an application for a Conditional Use Permit to allow a pick-up window in a C-3, Community Commercial District, for the property located at:

**204 Park Avenue.**

The applicant has proposed the development of a Dominos restaurant in the existing structure. The proposed restaurant will include a pick-up window.

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

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

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

### **THE PUBLIC IS INVITED TO ATTEND THESE HEARINGS.**

#### **We are interested in your opinion.**

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

*For additional information, please contact Stephanie Hummel in the Planning & Building Services Division at (608) 364-6708 or [hummels@ci.beloit.wi.us](mailto:hummels@ci.beloit.wi.us). Comments will be accepted via telephone, email, and U.S. Mail.*

SUPERVALU STORES INC  
P O BOX 990  
MINNEAPOLIS, MN 55440

COLE WG BELOIT WI LLC  
P O BOX 1159  
DEERFIELD, IL 60015

845 BROAD STREET LLC  
1300 HARVEY ST  
BELOIT, WI 53511

CYRIL & BARBARA FINNEGAN REVOCABLE  
TRUST  
P O BOX 26  
BELOIT, WI 535120026

VALENTI MIDWEST INC  
3450 BUSCHWOOD PARK DR STE 195  
TAMPA, FL 33618

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

SOO LINE RAILROAD COMPANY  
120 S 6TH ST STE 190  
ATTN: REAL ESTATE  
MINNEAPOLIS, MN 55402

JAGGER BAY PROPERTIES LLC  
250 GARDEN LN STE 250  
BELOIT, WI 53511

BINDI R INC  
903 BROAD ST  
BELOIT, WI 53511