



CITY HALL • 100 STATE STREET • БЕLOIT, WI 53511

MEETING NOTICE AND AGENDA
Beloit City Plan Commission
Wednesday, February 5, 2014 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 January 8, 2014 Meeting**
3. **Certified Survey Map – 801 Bushnell Street – First Congregational Church**
Review and consideration of a two-lot Certified Survey Map for the property located at 801 Bushnell Street in the City of Beloit
4. **Certified Survey Map – 1601 Gateway Boulevard**
Review and consideration of a two-lot Certified Survey Map for the property located at 1601 Gateway Boulevard in the City of Beloit
5. **Zoning Map Amendment – 2508 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 & Institutions District for the property located at 2508 Milwaukee Road
6. **Conditional Use Permit – 1420 Division Street – Vehicle Repair**
Public hearing, review and consideration of a Conditional Use Permit to allow vehicle repair in a C-3, Community Commercial District, for the property located at 1420 Division Street
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: January 31, 2014

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, January 8, 2014
The Forum, Beloit City Hall
100 State Street, Beloit

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

Chairperson Faragher called the meeting to order at 7:04 PM. Gail Riddle called the roll. Present were Commissioners Jacobsen, Kelly, Ruster, Nee, and Kincaid. Commissioner Moore arrived at 7:06 PM.

2. **Approval of the Minutes of the December 18, 2013 Meeting**

Commissioner Nee moved and Commissioner Kelly seconded a motion to approve the Minutes of the December 18, 2013 Meeting. The minutes were approved (5-0).

3. **Zoning Ordinance Amendment Related to the Public Lands and Institutions District**

Public hearing, review and consideration of an Ordinance to create Section 5-102(a)(15) and to amend Section 5-103 of the Zoning Ordinance, Chapter 19 of the Code of General Ordinances of the City of Beloit, relating to the Public Lands & Institutions (PLI) district uses and standards.

Julie Christensen summarized the Staff Report and Staff Recommendation.

Chairperson Faragher opened and closed the Public Hearing.

Daniel Barolsky, 1301 Chapin Street, Beloit College Professor and president of Little Turtles Playhouse was present for questions.

Commissioner Kincaid asked for clarification on how the children would be dropped off. Mr. Barolsky answered that the parents could park right across the street on Church Street and carry the child across the street or park in the First Congregational Church parking lot and there would be a gate and fence to walk through. The Commissioners discussed a variety of issues with the applicant related to how the daycare would operate at this location.

Commissioner Nee moved to approve the Zoning Ordinance Amendment and Commissioner Ruster seconded the motion. The motion carried (6-0).

4. **Certified Survey Map – 801 Bushnell Street – First Congregational Church**

Review and consideration of a two-lot Certified Survey Map for the property located at 801 Bushnell Street in the City of Beloit

Ms. Christensen summarized the Staff Report and Staff Recommendation.

Commissioner Nee asked why the coach house was being excluded from 627 Church Street. Ms. Christensen commented that it was her understanding that is how the church wanted it. Mr. Barolsky commented that the church wanted to retain it for storage, and the daycare had no need for it. Commissioner Nee suggested that it made sense that the coach house would go along with the lot because if the building ever reverted back to a single family residential, that building would operate as a garage for the property.

Mr. Barolsky stated that he was a little uncomfortable suggesting the re-arrangement of the line without the church's voice, but was willing to put this on hold until someone from the church could be present.

Commissioner Ruster moved and Commissioner Nee seconded a motion to lay the Certified Survey Map over because of concerns in reference to the coach house. The motion carried (6-0).

5. **Certified Survey Map – 4003 S. Walters Road**

Review and consideration of a one-lot Certified Survey Map for the property located at 4003 S. Walters Road in the Town of Beloit

Ms. Christensen summarized the Staff Report and Staff Recommendation.

Commissioner Kelly asked what would be going on the property.

Bob Luenberger, RH Batterman, 2857 Bartells Drive, was present for questions. Mr. Luenberger commented that it may be used for a future expansion of that business.

Commissioner Nee moved and Commissioner Kelly seconded a motion to approve the Certified Survey Map. The motion carried (6-0).

6. **Zoning Ordinance Amendment – Various Properties Located on North and Sixth Street near the Beloit Memorial High School campus**

Public hearing, review and consideration of a Zoning Map Amendment to change the zoning district classification from R-1B, Single Family Residential District, and R-2 Two-Family Residential District, to PLI, Public Lands & Institutions District for the properties located at 219 and 225 North Street; and 1203, 1233, 1249, 1253, 1257 1313, 1317, 1323, 1327, 1333, 1339, 1343, 1349 and 1353 Sixth Street

Ms. Christensen summarized the Staff Report and Staff Recommendation.

Chairperson Faragher opened the Public Hearing.

Janelle Morotz, Executive Director of Business, School District of Beloit, was present for questions. Ms. Morotz commented that the property on the 1200 block of Sixth Street were all vacant and future use plans of those properties would allow them to expand their field and/or parking lot area and that the other side would be for athletic use expansion.

Commissioner Kincaid asked if the School District had plans to purchase the remaining properties. Ms. Morotz answered that they did not at this time.

Chairperson Faragher closed the Public Hearing.

Commissioner Kincaid asked if the school district would be required to provide landscaping for any parking lot additions. Ms. Christensen answered that they would.

Commissioner Jacobsen moved and Commissioner Nee seconded a motion to approve the Zoning Ordinance Amendment. Commissioner Ruster seconded the motion. The motion carried (6-0).

7. **Zoning Ordinance Amendment Relating to Nonconforming Uses and Structures**

Public hearing, review and consideration of an Ordinance to repeal and recreate Sections 9.1.1 and 9.1.2 and to amend Sections 9.1.4, 9.2.1(A) and 9.2.2.(E) of the Zoning Ordinance, Chapter 19 of the Code of General Ordinances of the City of Beloit, relating to nonconforming uses and structures

Ms. Christensen summarized the Staff Report and Staff Recommendation.

Ms. Christensen explained that the sole purpose of this was to get the City compliant with state law. After some discussion about the requirements for state law Chairperson Faragher opened and closed the Public Hearing.

Commissioner Nee asked about the nonconforming use provision of the ordinance. Ms. Christensen explained that the change in state law applied to nonconforming structures only and that the City's nonconforming use provision would still be in place.

Commissioner Moore moved and Commissioner Jacobsen seconded a motion to approve the Zoning Ordinance Amendment. The motion was carried (6-0)

8. **Conditional Use Permit - 1029 Fourth Street - Vehicle Repair**

Public hearing, review and consideration of a Conditional Use Permit to allow vehicle repair in a C-3, Community Commercial District, for the property located at 1029 Fourth Street

Ms. Christensen summarized the Staff Report and Staff Recommendation.

Chairperson Faragher opened the Public Hearing.

The applicant and future owner of the business was present. He stated that he would like to open this business but does not want to store cars there because he also owns the business across the street which has enough room for 20 cars. He added that he wants to use this building for mechanical maintenance use in the building.

Chairperson Faragher closed the Public Hearing.

Commissioner Nee commented that he would want to add a requirement for a fence around the property. He indicated that he felt it was important to screen this use from adjacent residential uses. He went on to say that he thought the fence should not be allowed be chain-link or chain-link with slats.

Commissioner Nee made a motion to approve the Conditional Use Permit subject to the amended conditions and to add a fence requirement on the north, south and east sides of the property which was not chain-link or chain-link with slats. Commissioner Ruster seconded the motion. The motion carried (6-0).

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

Ms. Christensen stated that the Comprehensive Plan Amendment and Zoning for the new school on Milwaukee Road was approved.

The Conditional Use for the Ironworks south was approved.

The developers for the tax credit have decided not to move forward.

10. **Adjournment**

The meeting adjourned at 8:25 PM.

CITY OF BELOIT

REPORT TO THE BELOIT CITY PLAN COMMISSION

Meeting Date: February 5, 2014

Agenda Item: 3

File Number: CSM-2014-02

Applicant: R.H. Batterman & Co., Inc.

Owner: First Congregational Church

Location: 801 Bushnell Street

Existing Zoning: PLI, Public Lands & Institutions District & Wellhead Overlay

Existing Land Use: Church & Vacant Structure

Total Area: 1.496 Acres

Request Overview/Background Information:

R.H. Batterman & Co., Inc. has submitted an Application for the Review of a Minor Subdivision and a 2-Lot Certified Survey Map (CSM) for the property located at 801 Bushnell Street. According to Section 12.05(1)(b) of the Subdivision Ordinance, the Plan Commission may approve, conditionally approve, or reject any minor subdivision of land within the City where there is no dedication of land to the City.

Key Issues:

- The intent of the proposed CSM is to separate the existing, vacant church-owned building addressed as 627 Church Street from the remainder of the parcel in order to convey this parcel to a day care operator. The structure located at 627 Church Street was once on a separate parcel, but was combined with the church campus at some point. The structure was most recently used as the church's resale shop, but has been vacant for many years.
- Proposed Lot 1 is 10,597 square feet in area and includes 66.41 feet of frontage on Church Street, and will be formally reassigned the 627 Church Street address. Proposed Lot 2 is 54,584 square feet in area and includes the remainder of the church campus, with frontage on Church Street, Bushnell Street, and Park Avenue.
- At the request of Planning staff, the City Council recently adopted changes to the permitted use, minimum lot area, and minimum lot width standards in PLI districts that will allow the proposed CSM to be signed and recorded. Proposed Lots 1 & 2 are subject to the minimum lot area and lot width standards applicable in the adjacent R-1B, Single-Family Residential District (8,750 square feet and 50 feet, respectively). Both proposed lots meet these standards.
- The structure located at 627 Church Street is a contributing structure in the College Park Historic District. Planning staff opposed the church's 2010 request to demolish the structure, and urged the church to commission a CSM and to convey the structure for rehabilitation as an alternative to demolition. If the proposed CSM is approved, Lot 1 will remain in the historic district and Lot 2 will remain an Individual Historic Landmark.
- Following the Plan Commission's initial review of the proposed CSM on January 8, 2014, the applicant revised the proposed CSM by redrawing the boundaries of Lot 1 to include the coach house.
- The City's Review Agents have reviewed the proposed CSM and have not submitted any comments.

Consistency with Comprehensive Plan and Strategic Plan:

The City's Comprehensive Plan recommends Single-Family Residential, including supportive institutional uses, for the subject property. Consideration of this request supports City of Beloit Strategic Goal #5.

Sustainability:

- **Reduce dependence upon fossil fuels** – The preservation and enhancement of historic structures reduces dependence upon fossil fuels by capitalizing on the embodied energy that is present in these structures.
- **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 attached two-lot Certified Survey Map (CSM) for the property located at 801 Bushnell Street in the City of Beloit, subject to the following conditions:

1. Lot 1 shall be assigned the address of 627 Church Street.
2. The final CSM shall be recorded with the Rock County Register of Deeds by December 31, 2014.

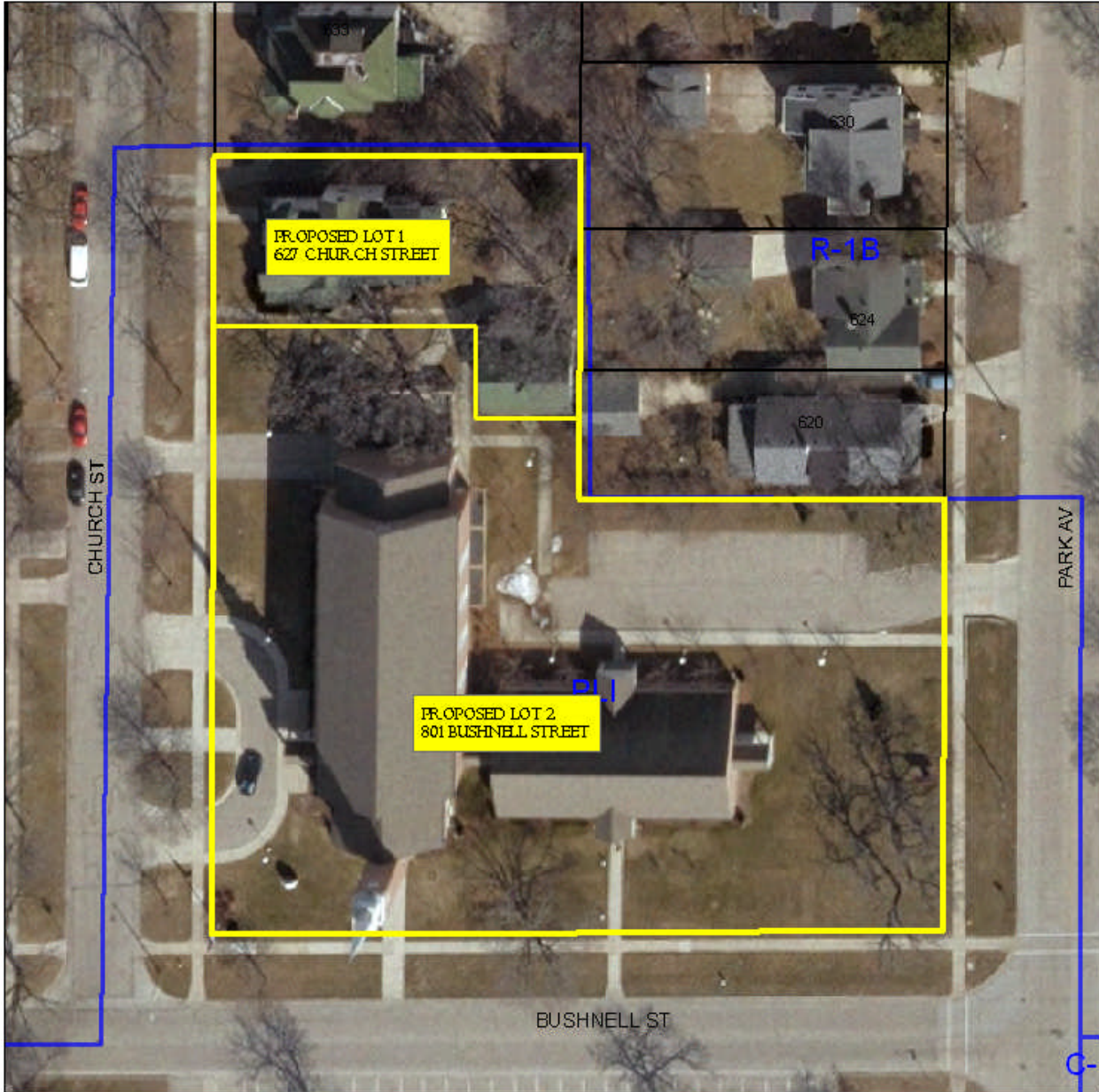
Fiscal Note/Budget Impact: N/A

Attachments: Location & Zoning Map, CSM, Application, and Resolution.

Location & Zoning Map

801 Bushnell Street

CSM-2014-02



1 inch = 55 feet



Legend

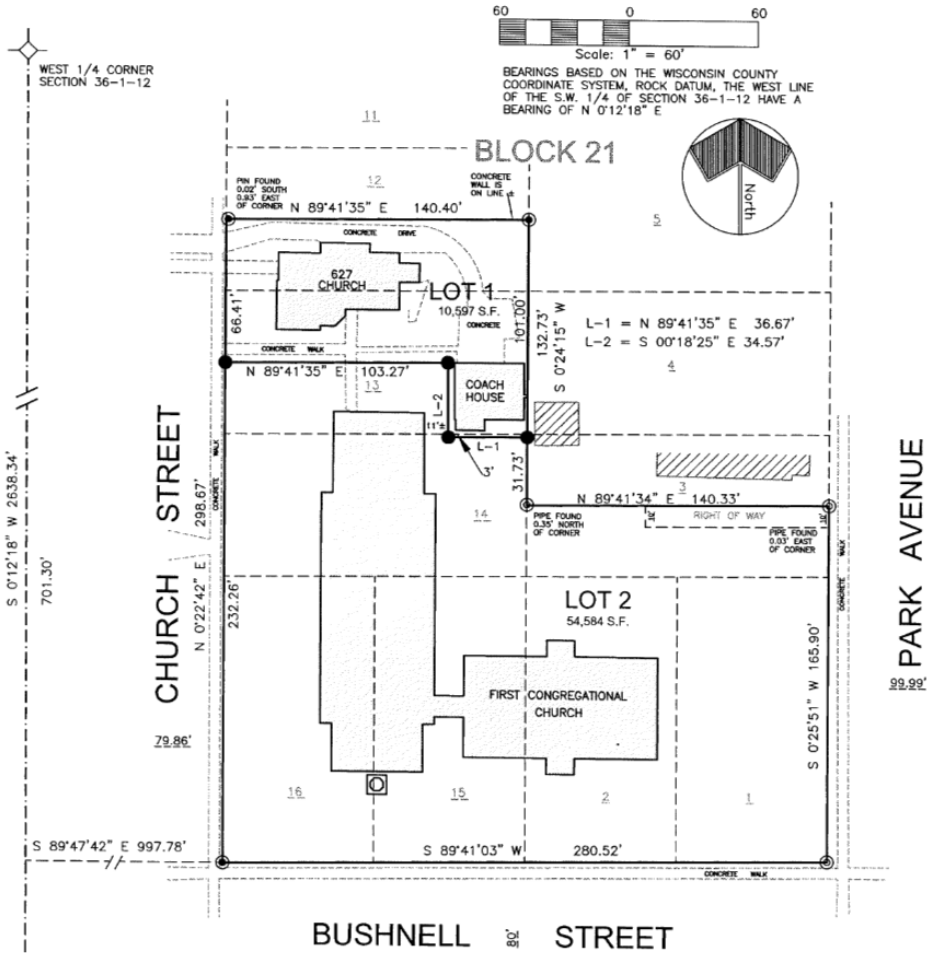
- COB Parcels
- Zoning District

Map prepared by: Drew Pennington
Date: January 2014
For: City of Beloit Planning & Building Services
Date of Aerial Photography: March 2011

PLANNING & BUILDING SERVICES DIVISION

CERTIFIED SURVEY MAP OF

LOTS 1, 2, 13, 14, 15, 16 AND PART OF LOTS 3 AND 12 OF BLOCK 21 OF THE ORIGINAL PLAT OF THE CITY OF БЕЛОIT MADE BY JOHN HOPKINS, BEING ALL A PART OF THE N.W. 1/4 OF THE S.W. 1/4 OF SECTION 36, T. 1 N., R. 12 E. OF THE FOURTH P.M., CITY OF БЕЛОIT, ROCK COUNTY, WISCONSIN.



S.W. CORNER SECTION 36-1-12

ORDER NO. 31741
 BOOK xxx PAGE xx
 DATE DECEMBER 18, 2013
 FOR FIRST CONGREGATIONAL CHURCH
 SHEET 1 OF 3

File Name: d:\31700-31750\31741 FIRST CONG\31741.dwg

MONUMENT KEY

●	Iron Rebar Set	3/4" x 24"(1.5 Lbs./Ft.)	-X-X-	Fences
⊙	Iron Pipes Found		◇	Poly. Mon. Found Cap Missing
⊙	Iron Rebar Found			
⊗	Drill Hole Found			

Batterman
 engineers surveyors planners

2857 Bartells Drive Beloit, Wisconsin 53511
 608.365.4464 www.rhbatterman.com

CERTIFIED SURVEY MAP OF

LOTS 1, 2, 13, 14, 15, 16 AND PART OF LOTS 3 AND 12 OF BLOCK 21 OF THE ORIGINAL PLAT OF THE CITY OF БЕЛОIT MADE BY JOHN HOPKINS, BEING ALL A PART OF THE N.W. 1/4 OF THE S.W. 1/4 OF SECTION 36, T. 1 N., R. 12 E. OF THE FOURTH P.M., CITY OF БЕЛОIT, ROCK COUNTY, WISCONSIN.

CORPORATE OWNERS CERTIFICATE OF DEDICATION

First Congregational Church of Beloit, as Owner, does hereby certify that said church caused the land described on this plat to be surveyed, divided, mapped and dedicated as represented on this plat.

First Congregational Church of Beloit further certifies that this plat is required by Sections 236.10 or 236.12 to be submitted to the following for approval or objection: The Planning Commission of the City of Beloit.

IN WITNESS WHEREOF, First Congregational Church of Beloit has caused these presents to be signed by Charles P. McCleary, Moderator, this _____ day of _____, 2013.

Charles P. McCleary, Moderator

State of Wisconsin) Personally came before me, this _____ day of _____, 2013,
County of Rock)^{ss.} Charles P. McCleary of the above-named church, to me known to be the person who executed the foregoing instrument, and to me known to be such officer of said church, and acknowledged that he executed the foregoing instrument as such officer as the deed of such church, by its authority.

Notary Public, Rock County, Wisconsin

My Commission Expires: _____

ORDER NO. 31741
DATE: DECEMBER 18, 2013
FOR: FIRST CONGREGATIONAL CHURCH
SHEET 2 OF 3



CERTIFIED SURVEY MAP OF

LOTS 1, 2, 13, 14, 15, 16 AND PART OF LOTS 3 AND 12 OF BLOCK 21 OF THE ORIGINAL PLAT OF THE CITY OF БЕЛОIT MADE BY JOHN HOPKINS, BEING ALL A PART OF THE N.W. 1/4 OF THE S.W. 1/4 OF SECTION 36, T. 1 N., R. 12 E. OF THE FOURTH P.M., CITY OF БЕЛОIT, ROCK COUNTY, WISCONSIN.

SURVEYOR'S CERTIFICATE OF COMPLIANCE WITH STATUTE

State of Wisconsin) I, Robert Leuenberger, a Registered Land Surveyor, do hereby certify that I
County of Rock) ss. have surveyed and mapped lots 1, 2, 13, 14, 15, 16 and part of lots 3, and 12 of block 21 of the Original Plat of the City of Beloit made by John Hopkins, being all a part of the N.W. 1/4 of the S.W. 1/4 of Section 36, T. 1 N., R. 12 E. of the Fourth P.M., City of Beloit, Rock County, Wisconsin.

DESCRIBED AS FOLLOWS: Commencing at the West 1/4 corner of Section 36, aforesaid; thence South 0°12'18" West 701.30 feet along the West line of said S.W. 1/4; thence South 89°47'42" East 997.78 feet to the Southwest corner of said Block 21 and the point of beginning; thence North 0°22'42" East 298.67 feet along the West line of said Block 21; thence North 89°41'35" East 140.40 feet; thence South 0°24'15" West 1321.73 feet; thence North 89°41'24" East 140.33 feet; thence South 0°25'51" West 165.90 feet to the Southeast corner of said Block 21; thence South 89°41'03" West 280.52 feet to the place of beginning. Containing 65,181 square feet of land more or less.

Subject to any easements, agreements, covenants or restrictions recorded or unrecorded.

That such map is a correct representation of all exterior boundaries of the land surveyed and the division of that land. That I have made such survey and map by the direction of the Owner of said land, and that I have complied fully with the provisions of Section 236.34 of the Wisconsin Statutes in surveying and mapping the same. Given under my hand and seal, this 18th day of December, 2013 at Beloit, Wisconsin.

Approved by the Planning Commission of the City of Beloit, this ____ day of _____, 2013.

By: _____

I hereby certify that the property taxes on the parent parcel are current and have been paid as of _____, 2013.

By: _____
Rock County Treasurer

DOCUMENT NO. _____ RECEIVED FOR RECORD THIS _____ DAY OF _____ A.D. 2013
AT _____ O'CLOCK ____M. AND RECORDED IN VOLUME _____, PAGES _____ OF
CERTIFIED SURVEY MAPS OF ROCK COUNTY, WISCONSIN.

REGISTER OF DEEDS

ORDER NO. 31741
DATE: DECEMBER 18, 2013
FOR: FIRST CONGREGATIONAL CHURCH
SHEET 3 OF 3



City of Beloit

Neighborhood Planning Division

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

Application for Review of a Minor Subdivision

(Please Type or Print)

File Number: CSM-2014-02

1. Address of property: 627 Church^{Street} and 801 Bushnell^{Street}
2. Tax Parcel Number(s): 1366-0410
3. Property is located in (circle one) City of Beloit or Town of: Turtle; Beloit; Rock or LaPrairie
In the SW Quarter of Section 36, Township 1 North, Range 12 East of the 4th P.M.
4. Owner of Record: First Congregational Church / Pat McCleary Phone: 815-525-3525
801 Bushnell Street BELOIT WI 53511
(Address) (City) (State) (Zip)
5. Surveyor's name: RH Batterman & Co., Inc. Phone: 365-4464
2857 Bartells Drive Beloit WI 53511
(Address) (City) (State) (Zip)
6. Number of new lots proposed with this land division is 2 lot(s).
7. Total area of land included in this map: 65,181 SF
8. Total area of land remaining in parent parcel: NA
9. Is there a proposed dedication of any land to the City of Beloit? No
10. The present zoning classification of this property is: PLI / WPO
11. Is the proposed use permitted in this zoning district: Yes
12. **THE FOLLOWING ITEMS MAY NEED TO BE COMPLETED AND/OR ATTACHED:**
 - Site Assessment Checklist; is required if the total area of CSM is over 5 acres.
 - Pre-application meeting; pre-application meeting was held on 12/5/13 with City of Beloit Staff.
 - Developer's Statement; as required by section 12.02(7) of the Subdivision Ordinance.
 - Phase One Environmental Assessment; as per section 12.05(1)(c) of the Subdivision Ordinance.
 - Certified Survey Map; one copy as required by section 12.05(1) of the Subdivision Ordinance.

The applicant's signature below indicates the information contained in this application and on all accompanying documents is true and correct. The undersigned does hereby respectfully make application for and petition the City Plan Commission or City Council for approval of this Certified Survey Map for the purpose stated herein. The undersigned also agrees to abide by all applicable federal, state and local laws, rules, and regulations.

[Signature] / RH BATTERMAN CO. / 12/16/13
(Signature of applicant) (Name of applicant) (Date)

This application must be submitted at least 21 days prior to the Plan Commission meeting date.

Review fee: <u>\$150 plus \$10 per lot</u>	Amount Paid: <u>\$170.00</u>
Scheduled meeting date: <u>Jan. 8, 2014</u>	
Application accepted by: <u>Drew Perington</u>	Date: <u>12/16/13</u>

**RESOLUTION
APPROVING A TWO-LOT CERTIFIED SURVEY MAP
FOR THE PROPERTY LOCATED AT 801 BUSHNELL STREET**

WHEREAS, Section 12.05(1)b of Chapter 12 of the Code of General Ordinances of the City of Beloit entitled “*Subdivision and Official Map Ordinance*” authorizes the City Plan Commission of the City of Beloit to approve, conditionally approve, or reject any minor subdivision of land within the jurisdiction of the City; and

WHEREAS, the attached two-lot Certified Survey Map for the property located at 801 Bushnell Street, containing 1.496 acres, more or less, is located within the jurisdiction of the City of Beloit; and

WHEREAS, the City Plan Commission of the City of Beloit has reviewed the attached two-lot Certified Survey Map, which pertains to the following described land:

Lots 1, 2, 13, 14, 15, 16 and part of Lots 3 and 12 of Block 21 of the Original Plat of the City of Beloit made by John Hopkins, being all a part of the N.W. ¼ of the S.W. ¼ of Section 36, T. 1 N., R. 12 E. of the Fourth P.M., City of Beloit, Rock County, Wisconsin.

NOW, THEREFORE, BE IT RESOLVED THAT the Plan Commission of the City of Beloit does hereby conditionally approve the attached two-lot Certified Survey Map for the property located at 801 Bushnell Street, subject to the following conditions:

1. Lot 1 shall be assigned the address of 627 Church Street.
2. The final CSM shall be recorded with the Rock County Register of Deeds by December 31, 2014.

Adopted this 5th day of February, 2014.

James Faragher, Plan Commission Chairman

ATTEST:

Julie Christensen,
Community Development Director

CITY OF BELOIT

REPORT TO THE BELOIT CITY PLAN COMMISSION

Meeting Date: February 5, 2014

Agenda Item: 4

File Number: CSM-2014-03

Applicant: R.H. Batterman & Co., Inc.

Owner: City of Beloit

Location: 1601 Gateway Boulevard

Existing Zoning: R-1A, Single-Family Residential District

Existing Land Use: Agricultural

Total Area: 44.04 Acres

Request Overview/Background Information:

R.H. Batterman & Co., Inc. has submitted an Application for the Review of a Minor Subdivision and a 2-Lot Certified Survey Map (CSM) for the property located at 1601 Gateway Boulevard. According to Section 12.05(1)(b) of the Subdivision Ordinance, the Plan Commission may approve, conditionally approve, or reject any minor subdivision of land within the City where there is no dedication of land to the City.

Key Issues:

- The intent of the proposed CSM is to subdivide this City-owned property into a northern parcel that will be rezoned to allow business park development and a southern parcel that will remain open space in order to provide a buffer adjacent to the Eagles Ridge subdivision.
- Once the proposed CSM has been approved and recorded, Planning staff will initiate an amendment to the Comprehensive Plan's Future Land Use Map and a Zoning Map Amendment for both proposed lots.
- Proposed Lot 1 is 35.443 acres in area and includes 2,153 feet of frontage on Gateway Boulevard. Proposed Lot 2 is 8.599 acres in area and includes 288 feet of frontage on Gateway Boulevard.
- Any future development on proposed Lot 1 will need to account for the significant change in grade.
- Both proposed lots meet the relevant minimum lot width and minimum lot area standards.
- The City Engineer has reviewed the attached CSM and has requested that each lot be limited to one driveway.
- The City's other Review Agents have reviewed the proposed CSM and have not submitted any comments.

Consistency with Comprehensive Plan and Strategic Plan:

The City's Comprehensive Plan recommends Planned Neighborhood uses for the subject properties, although Planning staff will be initiating an amendment to recommend Business Park and Parks & Open Space uses once the proposed CSM has been recorded. 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 the attached two-lot Certified Survey Map (CSM) for the property located at 1601 Gateway Boulevard in the City of Beloit, subject to the following conditions:

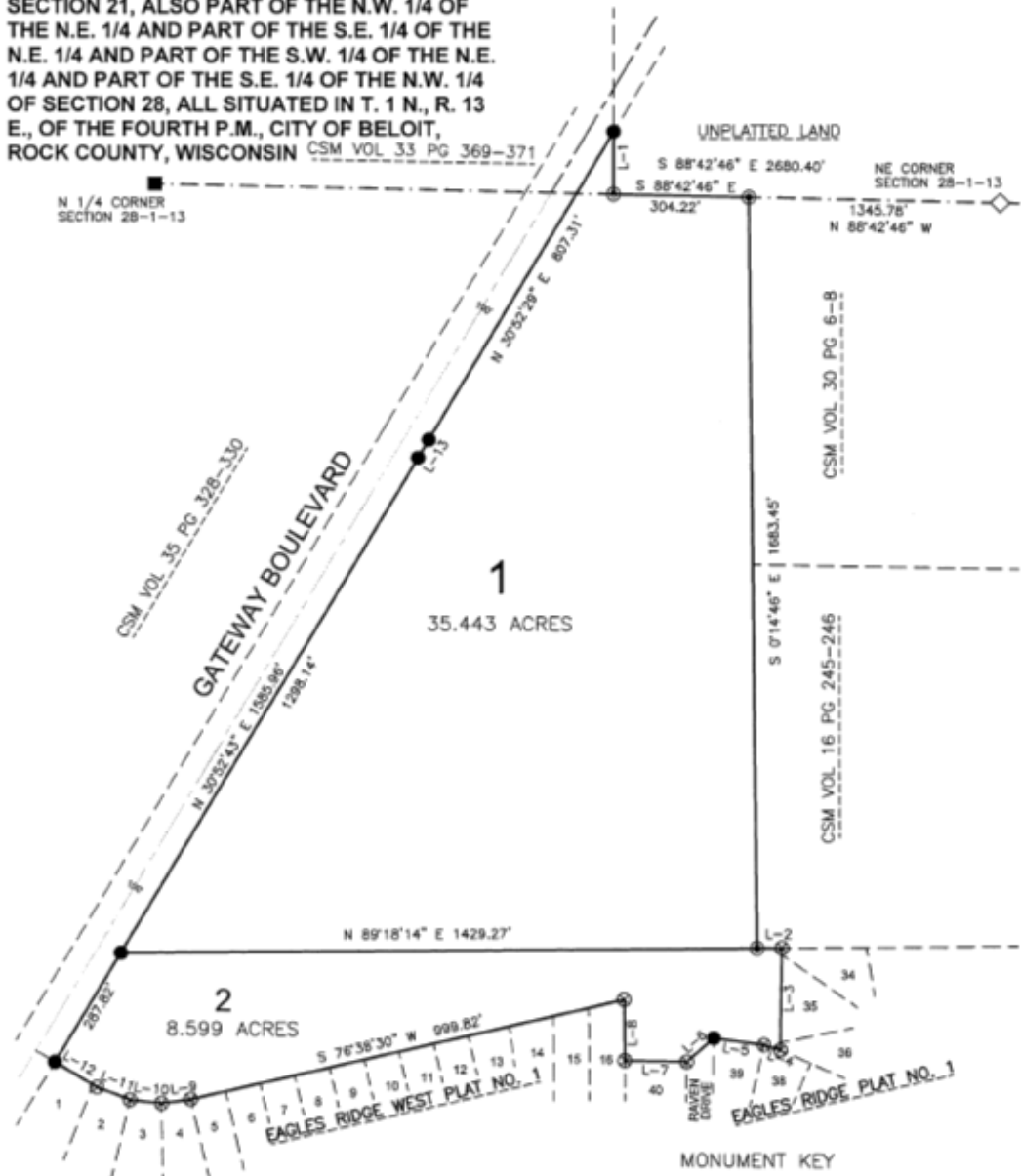
1. Access to Gateway Boulevard shall be limited, and each lot may only have one driveway on Gateway Boulevard, unless additional driveways are authorized during Site Plan Review.
2. The final CSM shall be recorded with the Rock County Register of Deeds by December 31, 2014.

Fiscal Note/Budget Impact: Proposed Lot 1 is listed for sale and will be sold for business park development.

Attachments: Location & Zoning Map, CSM, Application, and Resolution.

CERTIFIED SURVEY MAP

OF PART OF THE S.W. 1/4 OF THE S.E. 1/4 OF SECTION 21, ALSO PART OF THE N.W. 1/4 OF THE N.E. 1/4 AND PART OF THE S.E. 1/4 OF THE N.E. 1/4 AND PART OF THE S.W. 1/4 OF THE N.E. 1/4 AND PART OF THE S.E. 1/4 OF THE N.W. 1/4 OF SECTION 28, ALL SITUATED IN T. 1 N., R. 13 E., OF THE FOURTH P.M., CITY OF BELOIT, ROCK COUNTY, WISCONSIN CSM VOL. 33 PG. 369-371

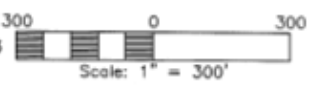


MONUMENT KEY

- Iron Rebar Set 3/4" x 24" (1.5 Lbs./Ft.)
- ⊙ Iron Pipes Found —X—X— Fences
- ⊙ 3/4" Iron Rebar Found
- ⊙ 1 1/2" Round Iron Pin Found
- Conc. Mon. Found
- ◇ C. I. Mon. Box/Pin



ORDER NO. 31613
 BOOK xxx PAGE xx
 DATE DECEMBER 18, 2013
 FOR CITY OF BELOIT
 SHEET 1 OF 4



Batterman
 engineers surveyors planners

2857 Bardsell Drive Beloit, Wisconsin 53511
 608.365.4464 www.tbatterman.com

File Name: J:\31600-31650\31613 COB\FIELDWORK.DWG

CERTIFIED SURVEY MAP

OF PART OF THE S.W. 1/4 OF THE S.E. 1/4 OF SECTION 21, ALSO PART OF THE N.W. 1/4 OF THE N.E. 1/4 AND PART OF THE S.E. 1/4 OF THE N.E. 1/4 AND PART OF THE S.W. 1/4 OF THE N.E. 1/4 AND PART OF THE S.E. 1/4 OF THE N.W. 1/4 OF SECTION 28, ALL SITUATED IN T. 1 N., R. 13 E., OF THE FOURTH P.M., CITY OF БЕЛОIT, ROCK COUNTY, WISCONSIN

LINE TABLE

L-1	S 0°00'05" E 140.34'
L-2	N 89°18'16" E 55.61'
L-3	S 0°46'28" W 228.67'
L-4	N 72°17'20" W 38.85'
L-5	N 82°38'45" W 113.58'
L-6	S 48°20'13" W 81.30'
L-7	N 89°13'32" W 139.23'
L-8	N 0°41'59" W 137.53'
L-9	S 82°08'53" W 66.53'
L-10	N 84°07'16" W 71.24'
L-11	N 69°13'10" W 78.97'
L-12	N 59°07'13" W 110.32'
L-13	N 30°30'43" E 47.38'

ORDER NO. 31613
DATE DECEMBER 18, 2013
FOR THE CITY OF БЕЛОIT
SHEET 2 OF 4



CERTIFIED SURVEY MAP

OF PART OF THE S.W. 1/4 OF THE S.E. 1/4 OF SECTION 21, ALSO PART OF THE N.W. 1/4 OF THE N.E. 1/4 AND PART OF THE S.E. 1/4 OF THE N.E. 1/4 AND PART OF THE S.W. 1/4 OF THE N.E. 1/4 AND PART OF THE S.E. 1/4 OF THE N.W. 1/4 OF SECTION 28, ALL SITUATED IN T. 1 N., R. 13 E., OF THE FOURTH P.M., CITY OF BELOIT, ROCK COUNTY, WISCONSIN

SURVEYOR'S CERTIFICATE OF COMPLIANCE WITH STATUTE

State of Wisconsin) I, Robert Leuenberger, a Registered Land Surveyor, do hereby certify that I
County of Rock)^{ss.} have surveyed and mapped Part of the S.W. 1/4 of the S.E. 1/4 of Section 21, also part of the N.W. 1/4 of the N.E. 1/4 and part of the S.E. 1/4 of the N.E. 1/4 and part of the S.W. 1/4 of the N.E. 1/4 and part of the S.E. 1/4 of the N.W. 1/4 of Section 28, all situated in T. 1 N., R. 13 E. of the Fourth P.M., City of Beloit, Rock County, Wisconsin.

DESCRIBED AS FOLLOWS: Commencing at the Northeast corner of Section 28 aforesaid; thence North 88°42'46" West 1345.78 feet along the North line of the N.E. 1/4 of said Section 28 aforesaid to the Northwest corner of Lot 2 of a Certified Survey Map recorded in volume 30 on pages 6-8 of Certified Survey Maps and being the point of beginning; thence South 0°14'46" East 1683.45 feet to the Southwest corner of Lot 1 of a Certified Survey Map as recorded in volume 16 on pages 245-246 of Certified Survey Maps; thence North 89°18'16" East 55.61 feet to the Northwest corner of Lot 34 of Eagles Ridge Plat No. 1 as platted and recorded; thence along said Eagles Ridge Plat No. 1 as follows: South 0°46'28" West 228.67 feet; thence North 72°17'20" West 38.85 feet; thence North 82°38'45 West 113.58 feet; thence South 48°20'13" West 81.30 feet; thence North 89°13'32 West 139.23 feet to the Northwest corner of Lot 40 of said Eagles Ridge Plat No. 1; thence North 0°41'59" West 137.53 feet to the Northeast corner of Lot 16 of Eagles Ridge West Plat No. 1; thence along the said Eagles Ridge West Plat No. 1 as follows: South 76°38'30" West 999.82 feet; thence South 82°08'53" West 66.53 feet; thence North 84°07'16" West 71.24 feet; thence North 69°13'10" West 78.97 feet; thence North 59°07'13" West 110.32 feet to the Easterly right of way line of Gateway Boulevard as platted in Transportation Project Plat No. 5989-01-21-4.01; thence along Gateway Boulevard as follows: North 30°52'43" East 1585.96 feet; thence North 30°30'43 East 47.38 feet; thence North 30°52'29 East 807.31 feet; thence South 0°00'05" East 140.34 feet to the North line of the Northeast quarter of said Section 28; thence South 88°42'46" East 304.22 feet to the place of beginning. Containing 44.04 acres more or less.

Subject to any and all easements, agreements, covenants or restrictions, recorded or unrecorded.

That such map is a correct representation of all exterior boundaries of the land surveyed and the division of that land. That I have made such survey and map by the direction of the Owner of said land, and that I have complied fully with the provisions of Section 236.34 of the Wisconsin Statutes in surveying dividing and mapping the same. Given under my hand and seal, this 18th day of December, 2013 at Beloit, Wisconsin.

I hereby certify that the property taxes on the parent parcel are current and have been paid as of _____, 2014.

By: _____
Rock County Treasurer

Approved by the Planning Commission of the City of Beloit, this _____ day of _____, 2014.

By: _____

ORDER NO. 31613
DATE DECEMBER 18, 2013
FOR THE CITY OF BELOIT
SHEET 3 OF 4



CERTIFIED SURVEY MAP

OF PART OF THE S.W. 1/4 OF THE S.E. 1/4 OF SECTION 21, ALSO PART OF THE N.W. 1/4 OF THE N.E. 1/4 AND PART OF THE S.E. 1/4 OF THE N.E. 1/4 AND PART OF THE S.W. 1/4 OF THE N.E. 1/4 AND PART OF THE S.E. 1/4 OF THE N.W. 1/4 OF SECTION 28, ALL SITUATED IN T. 1 N., R. 13 E., OF THE FOURTH P.M., CITY OF БЕЛОIT, ROCK COUNTY, WISCONSIN

CORPORATE OWNERS CERTIFICATE

The City of Beloit, a corporation duly organized and existing under and by virtue of the laws of the State of Wisconsin, as Owner, does hereby certify that said corporation caused the land described on this plat to be surveyed, divided, mapped and dedicated as represented on this plat. The City of Beloit does further certify that this plat is required by Sections 236.10 or 236.12 to be submitted to the following for approval or objection: the Plan Commission of the City of Beloit.

IN WITNESS WHEREOF, the City of Beloit has caused these presents to be signed by Larry N. Arft, its City Manager, and countersigned by Rebecca Houseman LeMire, its City Clerk, at Beloit, Wisconsin, and its corporate seal to be hereunto affixed on this _____ day of _____, 2014.

Larry N. Arft, City Manager

Rebecca Houseman LeMire, City Clerk

State of Wisconsin) Personally came before me, this _____ day of _____, 2014, Larry N. Arft,
County of Rock) ss. City Manager, and Rebecca Houseman LeMire, City Clerk, of the above-named Corporation, to me known to be the persons who executed the foregoing instrument, and to me known to be such City Manager and City Clerk of said corporation and acknowledged that they executed the foregoing instrument as such officers as the deed of such corporation, by its authority.

Notary Public, Rock County, Wisconsin

My Commission Expires _____

DOCUMENT NO. _____ RECEIVED FOR RECORD THIS _____ DAY OF _____
A.D. 2014 AT _____ O'CLOCK ____M. AND RECORDED IN VOLUME _____, PAGES
_____ OF CERTIFIED SURVEY MAPS OF ROCK COUNTY, WISCONSIN.

_____ REGISTER OF DEEDS

ORDER NO. 31613
DATE DECEMBER 18, 2013
FOR THE CITY OF БЕЛОIT
SHEET 4 OF 4



City of Beloit

Neighborhood Planning Division

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

Application for Review of a Minor Subdivision

(Please Type or Print)

File Number: CSA-2014-07

1. Address of property: 1601 Gateway Boulevard
2. Tax Parcel Number(s): 2281 0010
3. Property is located in (circle one) City of Beloit or Town of: Turtle; Beloit; Rock or LaPrairie
In the NE Quarter of Section 28, Township 1 North, Range 13 East of the 4th P.M.
4. Owner of Record: City of Beloit Phone: 364-6711
100 State Street Beloit WI 53511
(Address) (City) (State) (Zip)
5. Surveyor's name: RH Batterman & Co., Inc. Phone: 365-4464
2857 Bartells Drive Beloit WI 53511
(Address) (City) (State) (Zip)
6. Number of new lots proposed with this land division is 2 lot(s).
7. Total area of land included in this map: 44.04 Acres
8. Total area of land remaining in parent parcel: NA
9. Is there a proposed dedication of any land to the City of Beloit? No
10. The present zoning classification of this property is: RIA
11. Is the proposed use permitted in this zoning district: Yes
12. **THE FOLLOWING ITEMS MAY NEED TO BE COMPLETED AND/OR ATTACHED:**
 - Site Assessment Checklist;** is required if the total area of CSM is over 5 acres.
 - Pre-application meeting;** pre-application meeting was held on with City of Beloit Staff.
 - Developer's Statement;** as required by section 12.02(7) of the Subdivision Ordinance.
 - Phase One Environmental Assessment;** as per section 12.05(1)(c) of the Subdivision Ordinance.
 - Certified Survey Map;** one copy as required by section 12.05(1) of the Subdivision Ordinance.

The applicant's signature below indicates the information contained in this application and on all accompanying documents is true and correct. The undersigned does hereby respectfully make application for and petition the City Plan Commission or City Council for approval of this Certified Survey Map for the purpose stated herein. The undersigned also agrees to abide by all applicable federal, state and local laws, rules, and regulations.

[Signature] / RH BATTERMAN CO / 12/20/13
(Signature of applicant) (Name of applicant) (Date)

This application must be submitted at least 21 days prior to the Plan Commission meeting date.

Review fee: \$150 plus \$10 per lot Amount Paid: N/A

Scheduled meeting date: Jan. 22, 2014

Application accepted by: *[Signature]* Date: 12/23/13

**RESOLUTION
APPROVING A TWO-LOT CERTIFIED SURVEY MAP
FOR THE PROPERTY LOCATED AT 1601 GATEWAY BOULEVARD**

WHEREAS, Section 12.05(1)b of Chapter 12 of the Code of General Ordinances of the City of Beloit entitled “*Subdivision and Official Map Ordinance*” authorizes the City Plan Commission of the City of Beloit to approve, conditionally approve, or reject any minor subdivision of land within the jurisdiction of the City; and

WHEREAS, the attached two-lot Certified Survey Map for the property located at 1601 Gateway Boulevard, containing 44.04 acres, more or less, is located within the jurisdiction of the City of Beloit; and

WHEREAS, the City Plan Commission of the City of Beloit has reviewed the attached two-lot Certified Survey Map, which pertains to the following described land:

OF PART OF THE S.W. 1/4 OF THE S.E. 1/4 OF SECTION 21, ALSO PART OF THE N.W. 1/4 OF THE N.E. 1/4 AND PART OF THE S.E. 1/4 OF THE N.E. 1/4 AND PART OF THE S.W. 1/4 OF THE N.E. 1/4 AND PART OF THE S.E. 1/4 OF THE N.W. 1/4 OF SECTION 28, ALL SITUATED IN T. 1 N., R. 13 E., OF THE FOURTH P.M., CITY OF БЕЛОIT, ROCK COUNTY, WISCONSIN

NOW, THEREFORE, BE IT RESOLVED THAT the Plan Commission of the City of Beloit does hereby conditionally approve the attached two-lot Certified Survey Map for the property located at 1601 Gateway Boulevard, subject to the following conditions:

1. Access to Gateway Boulevard shall be limited, and each lot may only have one driveway on Gateway Boulevard, unless additional driveways are authorized during Site Plan Review.
2. The final CSM shall be recorded with the Rock County Register of Deeds by December 31, 2014.

Adopted this 5th day of February, 2014.

James Faragher, Plan Commission Chairman

ATTEST:

Julie Christensen,
Community Development Director

CITY OF BELOIT

REPORT TO THE BELOIT CITY PLAN COMMISSION



Meeting Date: February 5, 2014

Agenda Item: 5

File Number: ZMA-2014-01

Applicant: School District of Beloit

Owner: School District of Beloit

Location: 2508 Milwaukee Road

Current Zoning: C-1, Office District

Existing Land Use: Single-Family

Total Area: 1.7421 Acres

Proposed Zoning: PLI, Public Lands
& Institutions District

Residential, Rental

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 property located at 2508 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: PLI, Public Lands/Institutional; Single-Family Res. and Vacant Land
- East: PLI, Public Lands/Institutional; Single-Family Res. and Vacant Land
- West: C-1, Office District; Church Campus

The subject property is 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.

Key Issues:

- The applicant recently acquired the subject property with the intent of constructing a new intermediate school, along with parking lots, athletic fields, and related facilities. In December 2013, three neighboring properties were rezoned to PLI and the Future Land Use Map was amended to reflect this intent.
- The Comprehensive Plan's Future Land Use Map recommends Institutional & Community Service uses for the subject property.
- The PLI district is a special purpose district that is intended to accommodate major public and quasi-public uses.
- If the request to rezone the subject property is 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. 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.
 - b. *The zoning classification of property within the general area of the subject property;*
 - The subject property will be an expansion of the PLI zoning district to the east. The uses allowed in the PLI zoning district are compatible with the uses in the surrounding C-1 zoning districts.
 - c. *The suitability of the subject property for the uses permitted under the existing zoning classification; and*
 - The subject property is 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 properties located at 2554, 2570, and 2600 Milwaukee Road were rezoned to PLI on January 6, 2014. The Milwaukee Road corridor has experienced increased development pressure during the past few years, including the recently opened 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.

Consistency with Comprehensive Plan and Strategic Plan:

The Comprehensive Plan recommends Institutional & Community Service uses for the subject property. 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.

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:

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 property located at 2508 Milwaukee Road.

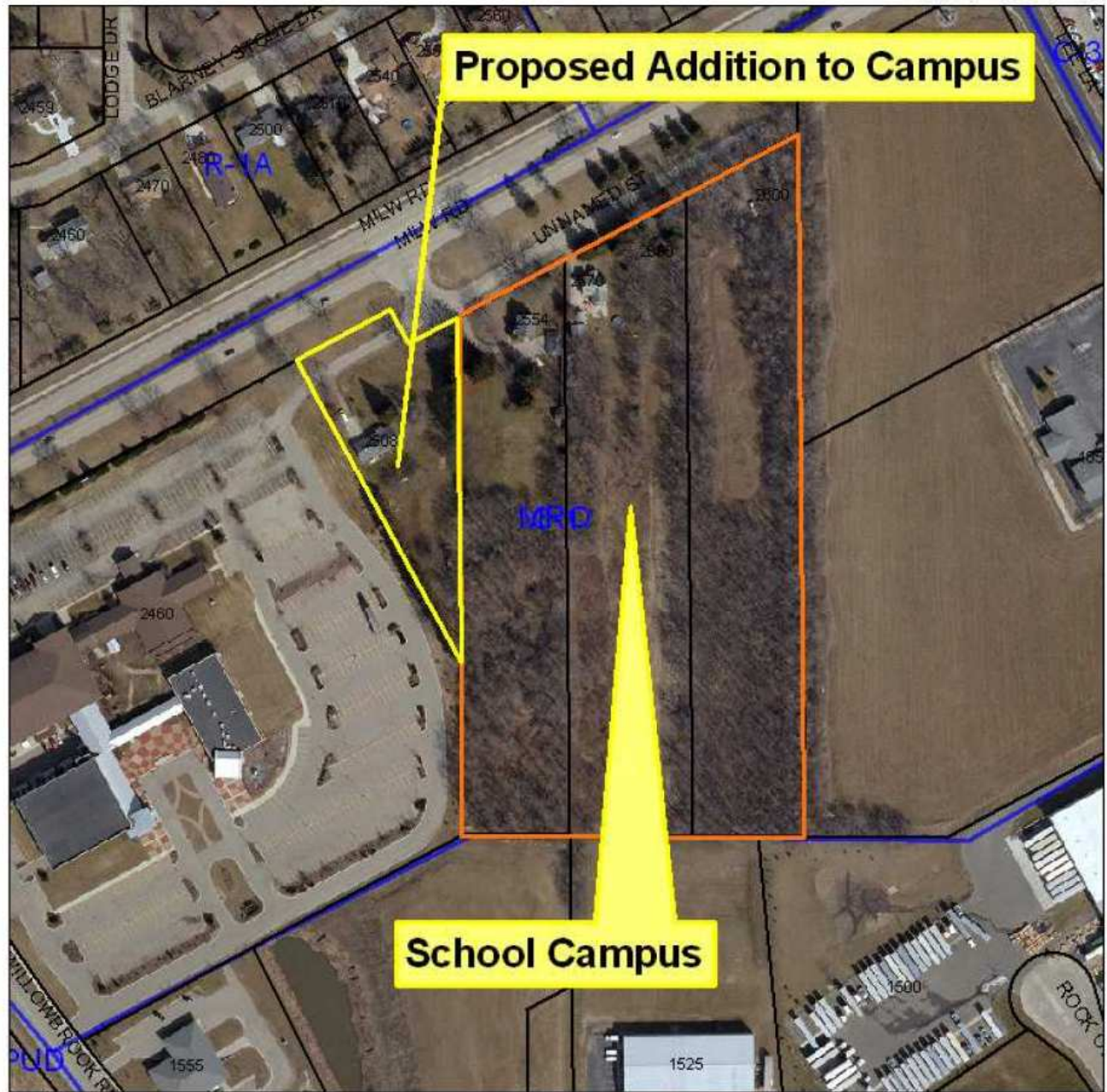
Fiscal Note/Budget Impact: N/A

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

Location & Zoning Map

2508 Milwaukee Road

ZMA-2014-01



1 inch = 219 feet



Legend

- COB Parcels
- Zoning District

Map prepared by: Stephanie Hummel
Date: January 2014
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)

File No.: ZMA-2014-01

1. Address of subject property: 2508 Milwaukee Rd, Beloit, WI 53511

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: 1.7421 acres.

See Attached

3. Tax Parcel Number(s): 23021500

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 / _____ ijmarotk@sdb.k12.wi.us
(Office Phone #) (Cell Phone #) (E-mail Address)

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

Change zoning district classification from: Residential WPO ^{C-1 P} to: PLI

All existing uses on this property are: _____

7. All the proposed uses for this property are:

Principal use(s): School Campus

Secondary use(s): _____

Accessory use(s): _____

106814 511 2=5000 999

City of Beloit Zoning Map Amendment Application Form (continued)

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

- (x) 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 Marotz 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 Marotz (Signature of Owner) Janelle Marotz (Print name) 1-9-14 (Date)
(Signature of Applicant, if different) (Print name) (Date)

In order for your request to be heard and considered in a timely manner, you must submit the completed application and all accompanying documents to the 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: \$275.00 Meeting Date: Feb 5, 2014
Number of notices: x mailing cost (\$0.50) = cost of mailing notices: \$
Application accepted by: [Signature] Date: 1/10/14
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

January 24, 2014

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 property located at:

2508 Milwaukee Road.

The applicant recently acquired the subject property with the intent of constructing a new intermediate school, along with parking lots, athletic fields, and related facilities. In December 2013, three neighboring properties were rezoned to PLI and the Future Land Use Map was amended to reflect this intent.

The following public hearings will be held regarding this application:

City Plan Commission: Wednesday, February 5, 2014, 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, February 17, 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 Stephanie Hummel in the Planning & Building Services Division at (608) 364-6708 or hummels@ci.beloit.wi.us. Comments will be accepted via telephone, email, and U.S. Mail.

CENTRAL CHRISTIAN CHURCH OF BELOIT
2460 MILWAUKEE RD
BELOIT, WI 53511

SCHOOL DISTRICT OF BELOIT
1633 KEELER AVE
BELOIT, WI 53511

NORMA SALADAR
2460 BLARNEY STONE DR
BELOIT, WI 535113961

CODY R & DANISSA A KLINTWORTH
2470 BLARNEY STONE DR
BELOIT, WI 53511

TRUST OF 2004 HAROLD E & GARNET E
BAULING REVOCABLE
2480 BLARNEY STONE DR
BELOIT, WI 53511

RICKY GEORGE
2500 BLARNEY STONE DR
BELOIT, WI 535113904

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

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

DUANE NEUENDORF
2550 BLARNEY STONE DR
BELOIT, WI 535113904

CITY OF BELOIT

REPORT TO THE BELOIT CITY PLAN COMMISSION

Meeting Date: February 5, 2014

Agenda Item: 6

File Number: CU-2014-02

Applicant: William Eggers

Owner: William & Michelle Eggers

Location: 1420 Division Street

Existing Zoning: C-3, Community
Commercial District

Existing Land Use: Vacant Building

Total Area: 0.8688 Acre

Request Overview/Background Information:

William Eggers has filed an application for a Conditional Use Permit to allow vehicle repair in a C-3, Community Commercial District, for the property located at 1420 Division Street.

Key Issues:

- This property currently has two buildings on site. The applicant plans to demolish the front (east) building and convert the back building into a full-scale repair shop. The applicant has combined the subject property at 1420 Division Street with the adjacent lot, 1412 Division Street, to allow for a planned addition to the south side of the building. Vehicle repair is a conditional use in a C-3 district.
- Various site renovations have been proposed, including the addition of garage doors to the building, updating the façade, and the creation of a parking lot and landscaping. Site Plan Review will be done upon approval of this permit.
- The attached **Location & Zoning Map** shows the location of the subject property and the underlying zoning of the surrounding area. The adjacent zoning and land uses are as follows:
 - North: C-3, Community Commercial District; Mini Warehouse
 - South: C-3, Community Commercial District; Landscaping Sales/Services
 - East: R-1A, Single-Family Residential District; Residential
 - West: R-1A, Single-Family Residential District; Residential
- Section 8-103 of the Zoning Ordinance requires vehicle repair uses to provide 4 off-street parking stalls per service bay. Planning staff is recommending a condition of approval that will require the applicant to provide a minimum of 20 parking stalls.
- The City's Review Agents have reviewed this application and have the following comments:
 - Engineering has concerns about the development of the site. These issues will be addressed during Site Plan Review. Engineering has no issue with the proposed use.
 - Alliant Energy would like sufficient notice given from the applicant prior to demolition of the front building to disconnect the gas and electric facilities.
 - No other comments or concerns were submitted.
- The attached Public Notice was sent to 17 nearby property owners. Staff has received one comment from a neighbor concerning storm water management for the site. This will be addressed during Site Plan Review.
- **Findings of Fact**

Based on Section 2-504 of the Zoning Ordinance, the Plan Commission shall make a recommendation based on the following considerations:

 - a. *Whether the establishment, maintenance, or operation of the conditional use will be detrimental to or endanger the public health, safety, morals, comfort, or general welfare;*
 - Subject to certain conditions of approval and Site Plan Review, the proposed conditional use will not be detrimental to or endanger public health, safety, or welfare.
 - b. *Whether the conditional use will be injurious to the use and enjoyment of other property in the immediate vicinity for purposes already permitted;*
 - The proposed use is compatible with the surrounding property uses.
 - c. *Whether the conditional use will substantially diminish or impair property values within the neighborhood of the subject property;*
 - The occupancy and improvement of the subject property is expected to have a positive impact upon property values in the area.
 - d. *Whether the establishment of the conditional use will impede the normal and orderly development and improvement of the surrounding property;*
 - The establishment of the conditional use will not impede nearby development, so long as the site is repaired/upgraded as recommended by staff.
 - e. *Whether the exterior architectural design or site layout of the proposed conditional use is so dissimilar*

or otherwise incompatible with existing or proposed development in the immediate neighborhood that it will cause a depreciation in property values;

- The proposed site layout changes will be a positive enhancement of the site. Planning staff will review any exterior alterations during the Architectural Review process to ensure compatibility with the neighborhood.
- f. *Whether adequate utilities, access roads, drainage or other necessary facilities will be available to serve the proposed use at the time of its occupancy or use;*
 - Adequate facilities and infrastructure are available to serve the conditional use.
- g. *Whether adequate measures will be taken to minimize traffic congestion; and*
 - The existing street network is capable of handling any additional traffic generated by the conditional use.
- h. *Whether the conditional use will comply with all applicable regulations of the Zoning Ordinance.*
 - The conditional use will comply with all other applicable regulations of the Zoning Ordinance.

Consistency with Comprehensive Plan and Strategic Plan:

The City's Comprehensive Plan recommends Community Commercial Uses for the subject property. Consideration of this request supports City of Beloit Strategic Goal #5.

Sustainability:

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

Staff Recommendation:

The Planning & Building Services Division recommends **approval** of a Conditional Use Permit to allow vehicle repair in the C-3, Community Commercial District, for the property located at 1420 Division Street, based on the above Findings of Fact and subject to the following conditions:

1. This Conditional Use Permit authorizes vehicle repair within the existing rear building, but vehicle repair may not occur outside of the building.
2. Junk vehicles (as defined in Chapter 7) shall not be stored outside.
3. Vehicles may not be sold on site unless the applicant obtains an auto dealer's license from the State of Wisconsin.
4. The applicant shall provide at least 20 parking stalls and shall stripe the lot in accordance with Section 8-112 of the Zoning Ordinance.
5. Prior to issuance of Building Permits for this project, the applicant shall submit detailed site & architectural plans for Planning staff review and approval.
6. The applicant shall work with Alliant Energy concerning the disconnection of the gas and electric facilities prior to demolishing the front building.
7. The front building shall be demolished by August 1, 2014.
8. Any major changes in the adopted conditions or use of the property shall be approved by the Plan Commission and City Council by amending this Conditional Use Permit. The Director of Planning & Building Services may approve minor changes administratively.

Fiscal Note/Budget Impact: N/A

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

Location & Zoning Map

1420 Division Street

CU-2014-02



1 inch = 97 feet



Legend

- COB Parcels
- Zoning District

Map prepared by: Stephanie Hummel
Date: January 2014
For: City of Beloit Planning & Building Services
Date of Aerial Photography: March 2011

PLANNING & BUILDING SERVICES DIVISION



Front Building to be Demolished



Back Building to be Renovated

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-2014-02

1. Address of subject property: 1420 Division St.
2. Legal description: L4 Blk 3 Harpers Little Farms, Beloit, WI

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

Property dimensions are: 190.12 feet by 298.5 feet = 56,751 square feet.

If more than two acres, give area in acres: .8088 acres.

3. Tax Parcel Number(s): 20612760510 20612760505 (.4324)

4. Owner of record: William + Michelle Eggers Phone: 608-289-3699
1017 Division St. Beloit WI 53511
(Address) (City) (State) (Zip)

5. Applicant's Name: William Eggers
SAA
(Address) (City) (State) (Zip)

(Office Phone #) 608-289-3699 (Cell Phone #) 608-289-3699 (E-mail Address) berme71997@charter.net

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

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

A Conditional Use Permit for: auto repair
in a(n) C3 Zoning District.

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

Principal use: Auto + tire repair/service

Secondary use: _____

Accessory use: _____

9. Project timetable: Start date: 2/1/14 Completion date: 9/1/14

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: _____
- 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.

[Signature] / William Eggers / 1-4-14
(Signature of Owner) (Print name) (Date)

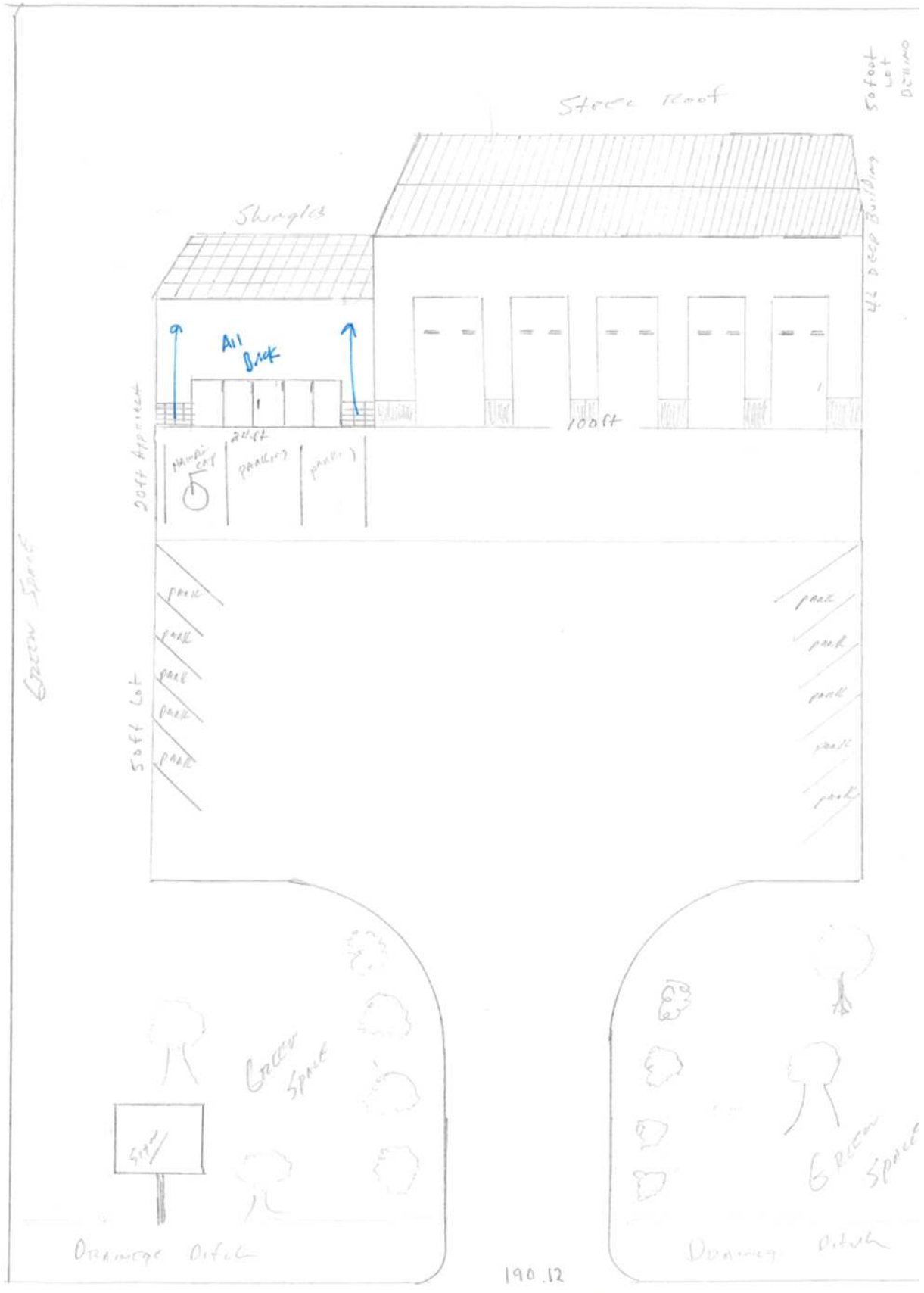
_____/_____/_____
(Signature of Applicant, if different) (Print name) (Date)

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

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

To be completed by Planning Staff

Filing fee: \$275.00 Amount paid: 275.00 Meeting date: 2/5/2014
No. of notices: _____ x mailing cost (\$0.50) = cost of mailing notices: \$ _____
Application accepted by: [Signature] Date: 1/6/14





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

January 24, 2014

To Whom It May Concern:

William Egger has filed an application for a Conditional Use Permit to allow vehicle repair in a C-3, Community Commercial District, for the property located at:

1420 Division Street.

This property currently has two buildings on site. The applicant plans to demolish the front (east) building and convert the back building into a full-scale repair shop. The applicant has also planned an addition on the south side of the building.

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

City Plan Commission: Wednesday, February 5, 2014, 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, February 17, 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 Stephanie Hummel in the Planning & Building Services Division at (608) 364-6708 or hummels@ci.beloit.wi.us. Comments will be accepted via telephone, email, and U.S. Mail.

LONNIE TRUE
1357 BITTEL ST
BELOIT, WI 535114007

JEFFERY ADLEMAN
P O BOX 598
SOUTH BELOIT, IL 61080

TIMOTHY & SYLVIA COTTER
1359 BITTEL ST
BELOIT, WI 535114007

JAMES & HELEN NEHLS
1349 DIVISION ST
BELOIT, WI 53511

DBA TOMS ROCK & READY THOMAS C
LARSON
2303 NORTH ST
BELOIT, WI 53511

WILLIAM MCDONALD
1411 BITTEL ST
BELOIT, WI 53511

EFREN & MARIA A VARGAS
5954 S KIDARE AVE
CHICAGO, IL 60629

CHARLENE MCCONNELL
1351 DIVISION ST
BELOIT, WI 53511

JANE HELSELL
1353 DIVISION ST
BELOIT, WI 53511

WILLIAM J & MICHELLE R EGGERS
1017 DIVISION ST
BELOIT, WI 53511

KENNETH L & BARBARA J CLIFFE
1421 BITTEL ST
BELOIT, WI 53511

THE MOUSE TAVERN INC
1408 MADISON RD
BELOIT, WI 535114042

WAYNE A & DENA J JACOBSEN
1445 DIVISION ST
BELOIT, WI 53511

JEFFREY B ADLEMAN REVOCABLE
TRUST OF 2010
P O BOX 598
SOUTH BELOIT, IL 61080

DARRYL ADDAMS
1431 BITTEL ST
BELOIT, WI 535114009

DAVID A & JEANINE K FROEBER
10548 S SMYTHE SCHOOL RD
BELOIT, WI 53511

JACQUALIN CHAMPLIN
1441 BITTEL ST
BELOIT, WI 535114009

STEPHEN ASMANN
2210 WHIPPLE ST
BELOIT, WI 53511



CITY HALL • 100 STATE STREET • BELOIT, WI 53511
Office: 608/364-6700 • Fax: 608/364-6609
www.ci.beloit.wi.us
Equal Opportunity Employer

Departmental Correspondence

To: Plan Commission
City Council
From: Drew Pennington, Director of Planning and Building Services
Date: February 5, 2014
Re: Civil Dispute Between 1430 Division Street & 2210 Whipple Street

Tonight's agenda includes a request for a Conditional Use Permit (CUP) to allow auto repair in a C-3 district for the property located at 1420 Division Street. As part of processing this request, public notices were sent to neighbors within 150 feet of the subject property. Planning staff has received comments indicating that a civil dispute between nearby property owners may be publicly aired during the public hearing, and that Planning staff may be accused of failing to address stormwater management issues related to this dispute. The intent of this memo is to provide background information on this matter, and to explain that this matter has been investigated and closed.

In November 2010, the City Council approved Jeff Adleman's request for a CUP to allow a storage facility at 1430 Division Street. The CUP includes a condition stating that "the applicant shall ensure that the existing drainage issues are addressed." Planning staff approved the development plans in July 2011 and the storage facility was constructed thereafter.

In July 2013, the owner of 2210 Whipple Street contacted Planning staff and alleged that stormwater from Mr. Adleman's property was filling the private ditch between their properties and flooding the southern portion of his lawn. The complainant also stated that Mr. Adleman failed to follow-through on his promise to clear, grade, and seed the ditch as part of the storage unit development. Planning & Engineering staff inspected both properties, and ultimately ordered Mr. Adleman to make some minor changes to bring his property into compliance with the approved plans. For example, he was ordered to remove rocks & trash from the culvert and to create a drainage swale in the rear. Mr. Adleman complied with the orders, but the owner of 2210 Whipple Street remains unhappy about the condition of the ditch, which cannot be mowed with a riding lawnmower and must be trimmed.

Planning staff has thoroughly investigated this matter, and visited the site during major rain events during September 2013. According to our inspections, Mr. Adleman's property is in compliance with his CUP by effectively conveying the stormwater that it creates to the public ditch along Division Street. Any promises between the parties related to the improvement of the shared private ditch is a civil matter between the private property owners. Like all developments, the project under consideration tonight will be required to prepare detailed site plans that specifically include stormwater management elements. Planning staff will monitor this site during and after construction in order to ensure that stormwater is managed effectively and according to the approved plans. If you have any questions, please contact me.