



**AGENDA  
BELOIT CITY COUNCIL  
100 State Street, Beloit WI 53511  
City Hall Forum – 7:00 p.m.  
Monday, March 3, 2014**

1. CALL TO ORDER AND ROLL CALL
2. PLEDGE OF ALLEGIANCE
3. SPECIAL ORDERS OF THE DAY/ANNOUNCEMENTS
4. PUBLIC HEARINGS
  - a. Proposed **Zoning Text Amendment** to amend Section 5-408 of the Zoning Ordinance Chapter 19 of the Code of General ordinances of the City of Beloit relating to Designated Floodplain Maps (Kerry Ingredients) (Christensen) Plan Commission recommendation for approval 6-0 First reading, suspend the rules for Second reading
  - b. Resolution authorizing a **Conditional Use Permit** to allow ground level office uses in the CBD-1, Central Business District- Core, for property located at 430 E. Grand Avenue (Phoenix Building) (Christensen) Plan Commission recommendation for approval 6-0
5. CITIZENS PARTICIPATION
6. CONSENT AGENDA

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

- a. Approval of the **Minutes** of the Regular Meeting of February 17, 2014 and the Special Joint City Council and School District of Beloit Board of Education Meeting of February 24, 2014 (LeMire)
- b. Application for a **Zoning Map Amendment** to change the zoning district classification of the properties located at 9817 and 9949 S. Turtle Townhall Road, from Temporary M-1, Limited Manufacturing District, to Permanent M-1, Limited Manufacturing District (Christensen) Refer to Plan Commission
- c. Application for a **Zoning Map Amendment** to change the zoning district classification of the property located at 1000 Bluff Street from R-1B, Single-family Residential District, to PLI, Public Lands and Institutions District (Christensen) Refer to Plan
- d. Application for review of a proposed building addition within **Telfer Community Park** located at 2301 Skyline Drive (Ramsey) Refer to Plan Commission

- e. Application for an **Amendment to the Premises Description** for the Class “B” Beer and Reserve “Class B” Liquor License for Hourglass Media, LLC, d/b/a The Castle at 501 Prospect, John Wittnebel, Agent (LeMire) Refer to ABLCC
- f. Resolution authorizing **Final Payment** of Public Works Contract C13-02, Sixth Street Resurfacing (Boysen)

## 7. LICENSES

- a. Resolution reaffirming the **Class “B” Beer and Reserve “Class B” Liquor License** for Hourglass Media, LLC, d/b/a The Castle at 501 Prospect, and establishing a Timeline for Completion (LeMire) ABLCC recommendation for approval 7-0

## 8. ORDINANCES- none

## 9. APPOINTMENTS- none

## 10. COUNCILOR ACTIVITIES AND UPCOMING EVENTS

## 11. CITY MANAGER'S PRESENTATION

- a. **City Manager’s Report to the Community** (Arft)

## 12. REPORTS FROM BOARD AND CITY OFFICERS

- a. Resolution authorizing Blackhawk State Bank an **Extension for Outstanding Special Assessments** at 2231 Trevino Court, Beloit, Wisconsin (Casper)
- b. Resolution authorizing **Trans 75 Exception Request** for Pavement Replacement on Bayliss Avenue (Boysen)

## 13. ADJOURNMENT

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

Dated: February 26, 2014  
Rebecca Houseman LeMire  
City of Beloit City Clerk  
<http://www.ci.beloit.wi.us>

<p>You can watch this meeting live on Charter PEG channel 98 or digital channel 992. Meetings are rebroadcast during the week of the Council meeting on Tuesday at 1:00 p.m., Thursday at 8:30 a.m. and Friday at 1:00 p.m.</p>
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ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE TO AMEND SECTION 5-408 OF THE ZONING ORDINANCE, CHAPTER 19 OF THE CODE OF GENERAL ORDINANCES OF THE CITY OF БЕЛОIT RELATING TO DESIGNATED FLOODPLAIN MAPS**

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

**Section 1. Section 5-408 of the Zoning Ordinance, Chapter 19 of the Code of General Ordinances of the City of Beloit, is hereby amended as follows:**

5-408 DESIGNATED FLOODPLAIN MAPS. The boundary of the floodplain district are those areas designated as floodplains or A-Zones on the following reports and maps, which are incorporated into this section by reference. These are the official floodplain maps for the City of Beloit, approved by the Department of Natural Resources and the Federal Emergency Management Agency and are on file with the Department of Community Development for the City of Beloit. If more than one map is referenced, the regional flood profiles govern boundary discrepancies according to Section 5-410 below.

OFFICIAL MAPS: Flood Insurance Rate Map (FIRM) panel number 55105C0309D, 55105C0312D, 55105C0314D, 55105C0316D, 55105C0317D, 55105C0319D, 55105C0336D 55105C0337D, 55105C0338D, 55105C0339D, 55105C0427D, 55105C0431D, 55105C0432D, 55105C0451D, dated August 19, 2006; with corresponding profiles that are based in the Flood Insurance Study (FIS) 55105CV001A and 55105CV002A, dated August 19, 2008.

OFFICIAL MAPS, BASED ON OTHER STUDIES: Letter of Map Revision (LOMR) Case No. 13-05-3956P involving Spring Brook Creek, approved by FEMA on November 18, 2013, effective April 1, 2014.

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

Adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

BELOIT CITY COUNCIL

By: \_\_\_\_\_  
Charles M. Haynes, Council President

ATTEST:

By: \_\_\_\_\_  
Rebecca Houseman LeMire, City Clerk

PUBLISHED: \_\_\_\_\_

EFFECTIVE DATE: \_\_\_\_\_

01-611100-5231- \_\_\_\_\_



# CITY OF BELOIT

## REPORTS AND PRESENTATIONS TO CITY COUNCIL

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**Topic:** Ordinance Relating to Floodplain Maps

**Date:** March 3, 2014

**Presenter:** Julie Christensen

**Department:**

Community Development

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### Overview/Background Information:

Planning staff has drafted and the City Attorney has reviewed an Ordinance to amend Section 5-408 of the Zoning Ordinance, Chapter 19 of the Code of General Ordinances of the City of Beloit, relating to designated floodplain maps.

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### Key Issues (maximum of 5):

- The Federal Emergency Management Agency (FEMA) recently issued a Letter of Map Revision (LOMR) based upon the relocation of Spring Brook Creek that occurred before Kerry Center was developed in the Gateway Business Park. The LOMR includes changes to the floodway and floodplain adjacent to the creek, and has an effective date of April 1, 2014.
- The affected area lies between I-39/90 and Gateway Boulevard, as detailed on the attachments.
- In accordance with FEMA and Wisconsin Department of Natural Resources (WDNR) directives, this LOMR must be adopted by the City of Beloit. The attached Ordinance accomplishes this by incorporating the LOMR into the list of official floodplain maps in Section 5-408 of the Zoning Ordinance.
- The LOMR Determination Document, data tables, profiles, and maps are attached to this report.
- The attached Ordinance has been reviewed and approved by WDNR staff and should not be altered during the adoption process.
- The Plan Commission reviewed this item on February 19, 2014 and voted unanimously (6-0) to recommend approval of this Zoning Text Amendment.

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### Consistency with Strategic Plan:

- 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** – The floodplain ordinance is intended to protect life and property from impacts associated with flooding events.

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### Action required/Recommendation:

- City Council consideration and 1<sup>st</sup> and 2<sup>nd</sup> readings of the proposed Ordinance

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

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**Attachments:** Ordinance and Staff Report to the Plan Commission

# CITY OF BELOIT

## REPORT TO THE BELOIT CITY PLAN COMMISSION

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**Meeting Date:** February 19, 2014

**Agenda Item:** 6

**File Number:** ZTA-2014-03

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### **Request Overview/Background Information:**

Planning staff has drafted and the City Attorney has reviewed an Ordinance to amend Section 5-408 of the Zoning Ordinance, Chapter 19 of the Code of General Ordinances of the City of Beloit, relating to designated floodplain maps.

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### **Key Issues:**

- The Federal Emergency Management Agency (FEMA) recently issued a Letter of Map Revision (LOMR) based upon the relocation of Spring Brook Creek that occurred in advance of the Kerry Center development. The LOMR includes changes to the floodway and floodplain adjacent to the creek, and has an effective date of April 1, 2014.
  - The affected area lies between I-39/90 and Gateway Boulevard, as detailed on the attachments.
  - In accordance with FEMA and Wisconsin Department of Natural Resources (WDNR) directives, this LOMR must be adopted by the City of Beloit. The attached Ordinance accomplishes this by incorporating the LOMR into the list of official floodplain maps in Section 5-408 of the Zoning Ordinance.
  - The LOMR Determination Document, data tables, profiles, and maps are attached to this report.
  - The attached Ordinance has been reviewed and approved by WDNR staff and should not be altered during the adoption process.
- 

### **Consistency with Strategic Plan:**

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

### **Sustainability:**

- **Reduce dependence upon fossil fuels** – N/A
  - **Reduce dependence on chemicals and other manufacturing substances that accumulate in nature** – N/A
  - **Reduce dependence on activities that harm life sustaining eco-systems** – N/A
  - **Meet the hierarchy of present and future human needs fairly and efficiently** – The floodplain ordinance is intended to protect life and property from impacts associated with flooding events.
- 

### **Staff Recommendation:**

The Planning & Building Services Division recommends **approval** of the attached Ordinance to amend Section 5-408 of the Zoning Ordinance, Chapter 19 of the Code of General Ordinances of the City of Beloit, relating to designated floodplain maps.

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

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**Attachments:** Proposed Ordinance, Public Notice, and LOMR Documents

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ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE TO AMEND SECTION 5-408 OF THE ZONING ORDINANCE, CHAPTER 19 OF THE CODE OF GENERAL ORDINANCES OF THE CITY OF БЕЛОIT RELATING TO DESIGNATED FLOODPLAIN MAPS**

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OFFICIAL MAPS: Flood Insurance Rate Map (FIRM) panel number 55105C0309D, 55105C0312D, 55105C0314D, 55105C0316D, 55105C0317D, 55105C0319D, 55105C0336D 55105C0337D, 55105C0338D, 55105C0339D, 55105C0427D, 55105C0431D, 55105C0432D, 55105C0451D, dated August 19, 2006; with corresponding profiles that are based in the Flood Insurance Study (FIS) 55105CV001A and 55105CV002A, dated August 19, 2008.

OFFICIAL MAPS, BASED ON OTHER STUDIES: Letter of Map Revision (LOMR) Case No. 13-05-3956P involving Spring Brook Creek, approved by FEMA on November 18, 2013, effective April 1, 2014.

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

Adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

BELOIT CITY COUNCIL

By: \_\_\_\_\_  
Charles M. Haynes, Council President

ATTEST:

By: \_\_\_\_\_  
Rebecca Houseman LeMire, City Clerk

PUBLISHED: \_\_\_\_\_  
EFFECTIVE DATE: \_\_\_\_\_  
01-611100-5231- \_\_\_\_\_



## **NOTICE TO THE PUBLIC**

January 29, 2014

To Whom It May Concern:

The Beloit Plan Commission and City Council are considering an Ordinance to amend Section 5-408 of the Zoning Ordinance, Chapter 19 of the Code of General Ordinances of the City of Beloit, relating to designated floodplain maps. The Federal Emergency Management Agency (FEMA) recently issued Letter of Map Revision (LOMR) Case No. 13-05-3956P involving Spring Brook Creek, approved by FEMA on November 18, 2013, with an effective date of April 1, 2014. All official documents related to the LOMR are available for public review in the Planning Division at on the third floor of City Hall at 100 State Street, Beloit, WI.

The LOMR is based upon the relocation of Spring Brook Creek, which was completed in advance of the Kerry Center development. The LOMR includes changes to the creek, floodway, and floodplain adjacent to the creek in an area between I-39/90 and Gateway Boulevard. The proposed Ordinance complies with FEMA and Wisconsin Department of Natural Resources (WDNR) regulations by incorporating the LOMR into the list of official floodplain maps in Section 5-408 of the Zoning Ordinance.

The following public hearings will be held regarding this proposed Ordinance:

**City Plan Commission:** Wednesday, February 19, 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, March 3, 2014, at 7:00 PM, or as soon thereafter as the matter can be heard in The Forum, Beloit City Hall, 100 State Street.

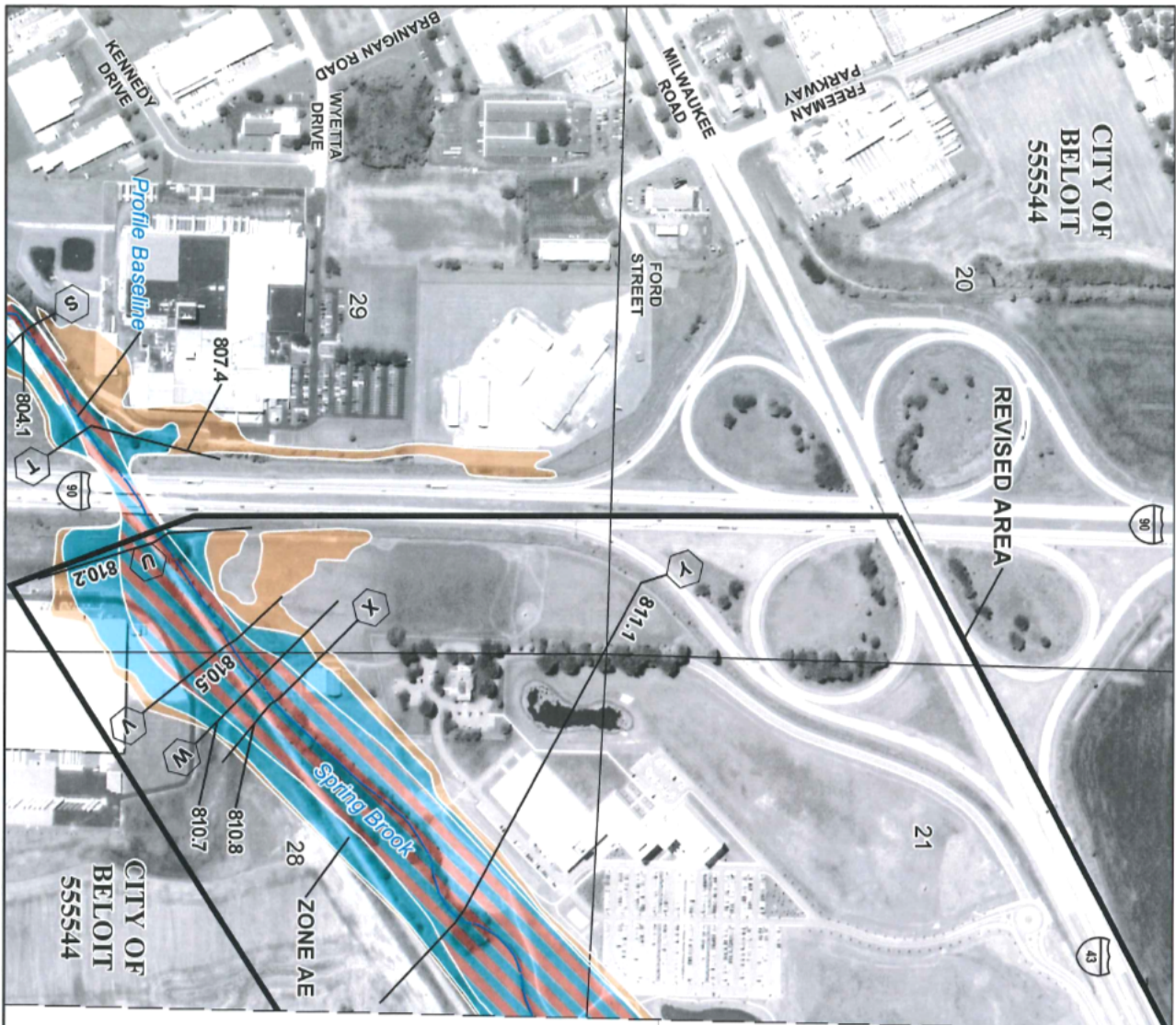
### **THE PUBLIC IS INVITED TO ATTEND THESE HEARINGS.**

**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.***





JOINS PANEL 0339

195000 FT



**National Flood Insurance Program**

Panel Condense:  
**338 of 495**

COMMUNITY: 555544  
 BELT, CITY OF: 0338  
 ROCK COUNTY: 550363

VERSION NUMBER: 1.0.0.0  
 MAP NUMBER: 55105C0338D  
 EFFECTIVE DATE: August 19, 2008

**REVISED TO REFLECT LOMR EFFECTIVE: April 1, 2014**

**SCALE**

Map Projection: NAD 83  
 National Hydrographic Vertical Datum: NAVD 83

1 inch = 500 feet      1:6,000

0 270 540 1,080 Feet

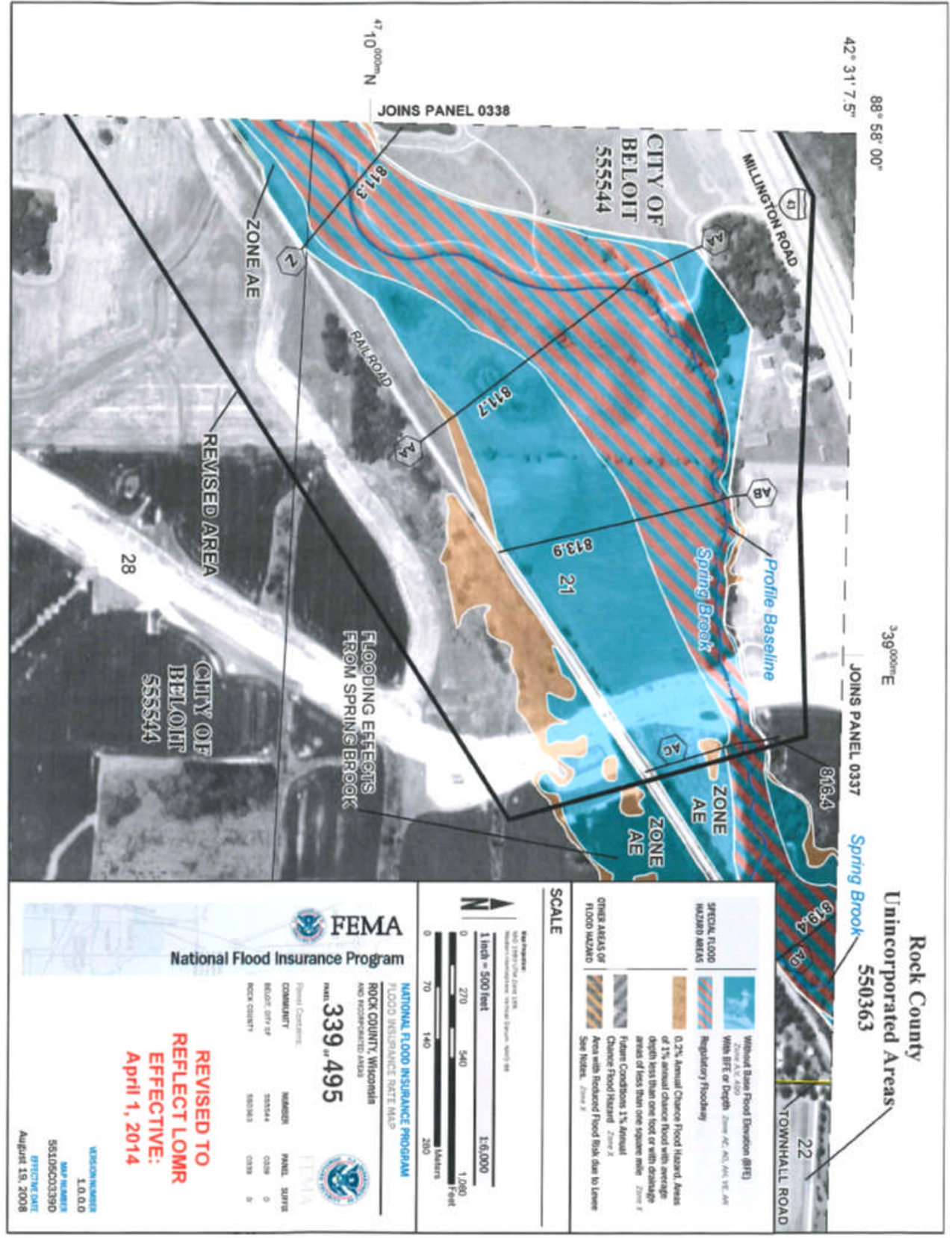
0 70 140 280 Meters

**SPECIAL FLOOD HAZARD AREAS**

- Without Base Flood Elevation (BFE) Zone X, ZONE X
- Regulatory Floodway
- 0.2% Annual Chance Flood Hazard, Areas of 1% Annual Chance Flood with average depth less than one foot or with drainage areas of less than one square mile Zone X
- Future Conditions 1% Annual Chance Flood Hazard Zone X
- Area with Reduced Flood Risk due to Levee See Notes, Zone X

**OTHER AREAS OF FLOOD HAZARD**





**FEMA**  
National Flood Insurance Program

**Rock County, Wisconsin**  
FLOOD INSURANCE RATE MAP

**339 of 495**

**REVISIED TO REFLECT LOMR EFFECTIVE: April 1, 2014**

**VERSION NUMBER 1.0.0.0**  
**MAP NUMBER 55L00003390**  
**EFFECTIVE DATE August 19, 2008**

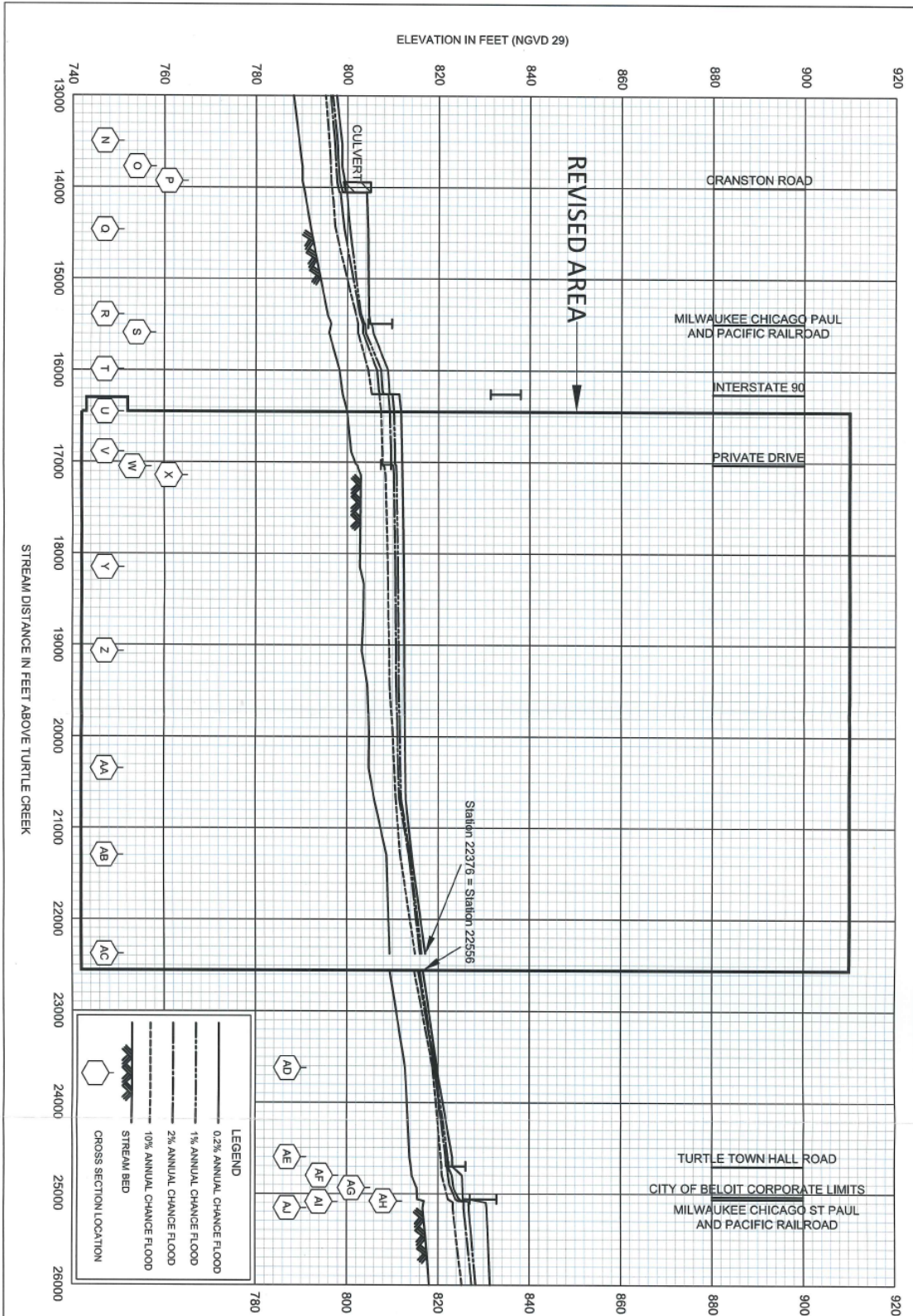
**SCALE**

**1 inch = 500 feet**

**0 270 540 1,080 Feet**

**0 70 140 280 Meters**

SPECIAL FLOOD HAZARD AREAS	Without Base Flood Elevation (BFE) Zone AE-1, AE-2, AE-3, AE-4, AE-5, AE-6, AE-7, AE-8, AE-9, AE-10, AE-11, AE-12, AE-13, AE-14, AE-15, AE-16, AE-17, AE-18, AE-19, AE-20, AE-21, AE-22, AE-23, AE-24, AE-25, AE-26, AE-27, AE-28, AE-29, AE-30, AE-31, AE-32, AE-33, AE-34, AE-35, AE-36, AE-37, AE-38, AE-39, AE-40, AE-41, AE-42, AE-43, AE-44, AE-45, AE-46, AE-47, AE-48, AE-49, AE-50	Regulatory Floodway
	0.2% Annual Chance Flood Hazard. Areas of 1% annual chance flood with average depth less than one foot or with discharge areas of less than one square mile. Zone F	
	Chance Flood Hazard. Zone X	
	Area with Reduced Flood Risk due to Levee. See Notes. Zone F	



76P	FEDERAL EMERGENCY MANAGEMENT AGENCY	<b>REVISED TO REFLECT LOMR</b>	<b>FLOOD PROFILES</b>
	ROCK COUNTY, WI AND INCORPORATED AREAS	<b>EFFECTIVE: April 1, 2014</b>	SPRING BROOK (BELOIT)



Follows Conditional Case No.: 08-05-3540R



**Federal Emergency Management Agency**  
Washington, D.C. 20472

**LETTER OF MAP REVISION  
DETERMINATION DOCUMENT**

COMMUNITY AND REVISION INFORMATION		PROJECT DESCRIPTION	BASIS OF REQUEST
COMMUNITY	City of Beloit Rock County Wisconsin	CHANNELIZATION FILL	FLOODWAY HYDRAULIC ANALYSIS NEW TOPOGRAPHIC DATA
	COMMUNITY NO.: 555544		
IDENTIFIER	Kerry Ingredients & Flavors Americas Regional Headquarters	APPROXIMATE LATITUDE & LONGITUDE: 42.524, -88.970 SOURCE: Other DATUM: NAD 83	
ANNOTATED MAPPING ENCLOSURES		ANNOTATED STUDY ENCLOSURES	
TYPE: FIRM*	NO.: 55105C0338D DATE: August 19, 2008	DATE OF EFFECTIVE FLOOD INSURANCE STUDY: August 19, 2008	
TYPE: FIRM*	NO.: 55105C0338D DATE: August 19, 2008	PROFILE(S): 76P FLOODWAY DATA TABLE: 3	

Enclosures reflect changes to flooding sources affected by this revision.  
\* FIRM - Flood Insurance Rate Map

FLOODING SOURCE & REVISED REACH	See Page 2 for Additional Flooding Sources
Spring Brook - From approximately 150 feet upstream of Interstate Highway 39 to approximately 1.15 miles upstream of Interstate Highway 39	

SUMMARY OF REVISIONS				
Flooding Source	Effective Flooding	Revised Flooding	Increases	Decreases
Spring Brook	Zone AE	Zone AE	YES	YES
	BFEs*	BFEs	YES	YES
	Zone X (shaded)	Zone X (shaded)	YES	YES
	Floodway	Floodway	YES	YES

\* BFEs - Base Flood Elevations

**DETERMINATION**

This document provides the determination from the Department of Homeland Security's Federal Emergency Management Agency (FEMA) regarding a request for a Letter of Map Revision (LOMR) for the area described above. Using the information submitted, we have determined that a revision to the flood hazards depicted in the Flood Insurance Study (FIS) report and/or National Flood Insurance Program (NFIP) map is warranted. This document revises the effective NFIP map, as indicated in the attached documentation. Please use the enclosed annotated map panels revised by this LOMR for floodplain management purposes and for all flood insurance policies and renewals in your community.

This determination is based on the flood data presently available. The enclosed documents provide additional information regarding this determination. If you have any questions about this document, please contact the FEMA Map Information eXchange toll free at 1-877-336-2627 (1-877-FEMA MAP) or by letter addressed to the LOMC Clearinghouse, 847 South Pickett Street, Alexandria, VA 22304-4605. Additional information about the NFIP is available on our website at <http://www.fema.gov/nifp>.

Luis Rodriguez, P.E., Chief  
Engineering Management Branch  
Federal Insurance and Mitigation Administration

13-05-3956P

102-I-A-C





## Federal Emergency Management Agency

Washington, D.C. 20472

### LETTER OF MAP REVISION DETERMINATION DOCUMENT (CONTINUED)

#### OTHER FLOODING SOURCES AFFECTED BY THIS REVISION

##### FLOODING SOURCE & REVISED REACH

Spring Brook - From approximately 150 feet upstream of Interstate Highway 39 to approximately 1.15 miles upstream of Interstate Highway 39

##### SUMMARY OF REVISIONS

Flooding Source	Effective Flooding	Revised Flooding	Increases	Decreases
Spring Brook	Zone X (unshaded)	Zone X (unshaded)	YES	YES

This determination is based on the flood data presently available. The enclosed documents provide additional information regarding this determination. If you have any questions about this document, please contact the FEMA Map Information eXchange toll free at 1-877-336-2627 (1-877-FEMA MAP) or by letter addressed to the LOMC Clearinghouse, 847 South Pickett Street, Alexandria, VA 22304-4805. Additional information about the NFIP is available on our website at <http://www.fema.gov/nfip>.

Luis Rodriguez, P.E., Chief  
Engineering Management Branch  
Federal Insurance and Mitigation Administration

13-05-3956P

102-I-A-C



## Federal Emergency Management Agency

Washington, D.C. 20472

### LETTER OF MAP REVISION DETERMINATION DOCUMENT (CONTINUED)

#### COMMUNITY INFORMATION

##### APPLICABLE NFIP REGULATIONS/COMMUNITY OBLIGATION

We have made this determination pursuant to Section 206 of the Flood Disaster Protection Act of 1973 (P.L. 93-234) and in accordance with the National Flood Insurance Act of 1968, as amended (Title XIII of the Housing and Urban Development Act of 1968, P.L. 90-448), 42 U.S.C. 4001-4128, and 44 CFR Part 65. Pursuant to Section 1361 of the National Flood Insurance Act of 1968, as amended, communities participating in the NFIP are required to adopt and enforce floodplain management regulations that meet or exceed NFIP criteria. These criteria, including adoption of the FIS report and FIRM, and the modifications made by this LOMR, are the minimum requirements for continued NFIP participation and do not supersede more stringent State/Commonwealth or local requirements to which the regulations apply.

We provide the floodway designation to your community as a tool to regulate floodplain development. Therefore, the floodway revision we have described in this letter, while acceptable to us, must also be acceptable to your community and adopted by appropriate community action, as specified in Paragraph 60.3(d) of the NFIP regulations.

NFIP regulations Subparagraph 60.3(b)(7) requires communities to ensure that the flood-carrying capacity within the altered or relocated portion of any watercourse is maintained. This provision is incorporated into your community's existing floodplain management ordinances; therefore, responsibility for maintenance of the altered or relocated watercourse, including any related appurtenances such as bridges, culverts, and other drainage structures, rests with your community. We may request that your community submit a description and schedule of maintenance activities necessary to ensure this requirement.

##### COMMUNITY REMINDERS

We based this determination on the 1-percent-annual-chance flood discharges computed in the FIS for your community without considering subsequent changes in watershed characteristics that could increase flood discharges. Future development of projects upstream could cause increased flood discharges, which could cause increased flood hazards. A comprehensive restudy of your community's flood hazards would consider the cumulative effects of development on flood discharges subsequent to the publication of the FIS report for your community and could, therefore, establish greater flood hazards in this area.

Your community must regulate all proposed floodplain development and ensure that permits required by Federal and/or State/Commonwealth law have been obtained. State/Commonwealth or community officials, based on knowledge of local conditions and in the interest of safety, may set higher standards for construction or may limit development in floodplain areas. If your State/Commonwealth or community has adopted more restrictive or comprehensive floodplain management criteria, those criteria take precedence over the minimum NFIP requirements.

We will not print and distribute this LOMR to primary users, such as local insurance agents or mortgage lenders; instead, the community will serve as a repository for the new data. We encourage you to disseminate the information in this LOMR by preparing a news release for publication in your community's newspaper that describes the revision and explains how your community will provide the data and help interpret the NFIP maps. In that way, interested persons, such as property owners, insurance agents, and mortgage lenders, can benefit from the information.

This determination is based on the flood data presently available. The enclosed documents provide additional information regarding this determination. If you have any questions about this document, please contact the FEMA Map Information eXchange toll free at 1-877-338-2627 (1-877-FEMA MAP) or by letter addressed to the LOMC Clearinghouse, 847 South Pickett Street, Alexandria, VA 22304-4505. Additional information about the NFIP is available on our website at <http://www.fema.gov/nfip>.

Luis Rodriguez, P.E., Chief  
Engineering Management Branch  
Federal Insurance and Mitigation Administration

13-05-3956P

102-I-A-C



Federal Emergency Management Agency  
Washington, D.C. 20472

**LETTER OF MAP REVISION  
DETERMINATION DOCUMENT (CONTINUED)**

This revision has met our criteria for removing an area from the 1-percent-annual-chance floodplain to reflect the placement of fill. However, we encourage you to require that the lowest adjacent grade and lowest floor (including basement) of any structure placed within the subject area be elevated to or above the Base (1-percent-annual-chance) Flood Elevation.

We have designated a Consultation Coordination Officer (CCO) to assist your community. The CCO will be the primary liaison between your community and FEMA. For information regarding your CCO, please contact:

Mr. Norbert Schwartz  
Director, Mitigation Division  
Federal Emergency Management Agency, Region V  
536 South Clark Street, Sixth Floor  
Chicago, IL 60605  
WI: (312) 408-5538

**STATUS OF THE COMMUNITY NFIP MAPS**

We will not physically revise and republish the FIRM and FIS report for your community to reflect the modifications made by this LOMR at this time. When changes to the previously cited FIRM panel(s) and FIS report warrant physical revision and republication in the future, we will incorporate the modifications made by this LOMR at that time.

This determination is based on the flood data presently available. The enclosed documents provide additional information regarding this determination. If you have any questions about this document, please contact the FEMA Map Information eXchange toll free at 1-877-336-2627 (1-877-FEMA MAP) or by letter addressed to the LOMC Clearinghouse, 847 South Pickett Street, Alexandria, VA 22304-4605. Additional information about the NFIP is available on our website at <http://www.fema.gov/nfip>.

Luis Rodriguez, P.E., Chief  
Engineering Management Branch  
Federal Insurance and Mitigation Administration

13-05-3956P

102-I-A-C



## Federal Emergency Management Agency

Washington, D.C. 20472

### LETTER OF MAP REVISION DETERMINATION DOCUMENT (CONTINUED)

#### PUBLIC NOTIFICATION OF REVISION

A notice of changes will be published in the *Federal Register*. This information will be published in your local newspaper on or about the dates listed below and through FEMA's Flood Hazard Mapping website at [https://www.floodmaps.fema.gov/fhm/Scripts/bfe\\_main.asp](https://www.floodmaps.fema.gov/fhm/Scripts/bfe_main.asp).

LOCAL NEWSPAPER      Name: *Beloit Daily News*  
  Dates: 11/25/2013 and 12/02/2013

Within 90 days of the second publication in the local newspaper, a citizen may request that we reconsider this determination. Any request for reconsideration must be based on scientific or technical data. Therefore, this letter will be effective only after the 90-day appeal period has elapsed and we have resolved any appeals that we receive during this appeal period. Until this LOMR is effective, the revised flood hazard information presented in this LOMR may be changed.

This determination is based on the flood data presently available. The enclosed documents provide additional information regarding this determination. If you have any questions about this document, please contact the FEMA Map Information eXchange toll free at 1-877-336-2827 (1-877-FEMA MAP) or by letter addressed to the LOMC Clearinghouse, 847 South Pickett Street, Alexandria, VA 22304-4605. Additional information about the NFIP is available on our website at <http://www.fema.gov/nfip>.

Luis Rodriguez, P.E., Chief  
Engineering Management Branch  
Federal Insurance and Mitigation Administration

13-05-3956P

102-I-A-C

FLOODING SOURCE		FLOODWAY				1-PERCENT-ANNUAL-CHANCE FLOOD WATER SURFACE ELEVATION			
CROSS SECTION	DISTANCE <sup>1</sup>	WIDTH (FEET)	SECTION AREA (SQUARE FEET)	MEAN VELOCITY (FEET PER SECOND)	REGULATORY (FEET NGVD)	WITHOUT FLOODWAY (FEET NGVD)	WITH FLOODWAY (FEET NGVD)	INCREASE (FEET)	
Spring Brook (Beloit) (continued)									
V	16,888	270	1321	1.3	810.5	810.5	810.5	0.0	
W	17,050	279	1064	1.7	810.7	810.7	810.7	0.0	
X	17,142	277	1495	1.3	810.8	810.8	810.8	0.0	
Y	18,151	360	1337	1.2	811.1	811.1	811.1	0.0	
Z	19,066	476	1618	1.0	811.3	811.3	811.3	0.0	
AA	20,346	720	2202	1.2	811.7	811.7	811.7	0.0	
AB	21,296	417	775	3.7	813.9	813.9	813.9	0.0	
AC	22,376	154	855	2.8	816.4	816.4	816.4	0.0	
AD	23,620	443	686	2.5	819.4	819.4	819.4	0.0	
AE	24,599	72	1,270	4.4	822.2	822.2	822.2	0.0	
AF	24,802	99	431	4.0	823.1	823.1	823.1	0.0	
AG	24,937	92	294	5.2	823.4	823.4	823.4	0.0	
AH	25,080	45	337	7.3	825.2	825.2	825.2	0.0	
AI <sup>2</sup>	25,089	57	384	4.9	826.7	826.7	826.7	0.0	
AJ	25,159	141	511	3.5	826.7	826.7	826.7	0.0	
AK	26,523	160	734	2.5	829.2	829.2	829.2	0.0	
AL	27,491	240	658	2.7	830.1	830.1	830.1	0.0	
AM	29,280	120	433	4.4	833.3	833.3	833.3	0.0	
AN	29,419	22	3,221	2.2	851.3	851.3	851.3	0.0	
AO	32,806	125	2,298	2.0	851.4	851.4	851.4	0.0	

REVISED DATA

<sup>1</sup> Feet above confluence with Turtle Creek  
<sup>2</sup> Data for 'AI' through 'BN' from 2005 Spring Brook detailed study

**TABLE 3**

FEDERAL EMERGENCY MANAGEMENT AGENCY  
**ROCK COUNTY, WI**  
 AND INCORPORATED AREAS

REVISED TO REFLECT LOMR EFFECTIVE: April 1, 2014  
**FLOODWAY DATA**  
**SPRING BROOK (BELOIT)**

FLOODING SOURCE		FLOODWAY				1-PERCENT-ANNUAL-CHANCE-FLOOD WATER SURFACE ELEVATION			
CROSS SECTION	DISTANCE <sup>1</sup>	WIDTH (FEET)	SECTION AREA (SQ. FEET)	MEAN VELOCITY (FEET PER SECOND)	REGULATORY (FEET NGVD)	WITHOUT FLOODWAY (FEET NGVD)	WITH FLOODWAY (FEET NGVD)	INCREASE (FEET)	
Spring Brook (Beloit)									
A <sup>2</sup>	4,418	521	1,397	4.3	772.2	767.9 <sup>3</sup>	767.9 <sup>3</sup>	0.0	
B	4,562	425	2,283	1.9	772.2	770.2 <sup>3</sup>	770.2 <sup>3</sup>	0.0	
C	5,468	236	648	4.4	773.9	773.9	773.9	0.0	
D	6,527	259	642	3.0	778.3	778.3	778.3	0.0	
E	6,703	332	678	2.0	779.2	779.2	779.2	0.0	
F	7,148	368	1,051	1.7	779.6	779.6	779.6	0.0	
G	7,593	181	495	5.1	780.1	780.1	780.1	0.0	
H	7,861	151	754	2.6	783.0	783.0	783.0	0.0	
I	8,403	109	777	4.6	783.8	783.8	783.8	0.0	
J	8,552	65	1,363	5.6	785.1	785.1	785.1	0.0	
K	9,380	210	1,303	2.6	787.2	787.2	787.2	0.0	
L	10,196	175	702	4.0	788.5	788.5	788.5	0.0	
M	12,511	157	497	4.1	795.8	795.8	795.8	0.0	
N	13,497	133	572	3.8	797.7	797.7	797.7	0.0	
O	13,775	79	455	3.7	798.0	798.0	798.0	0.0	
P	13,932	53	291	5.9	798.3	798.3	798.3	0.0	
Q	14,464	142	401	4.1	800.5	800.5	800.5	0.0	
R	15,392	73	393	6.5	802.9	802.9	802.9	0.0	
S	15,591	60	339	9.0	804.1	804.1	804.1	0.0	
T	15,991	118	809	3.4	807.4	807.4	807.4	0.0	
U	16,451	182	1,582	1.5	810.2	810.2	810.2	0.0	

REVISED DATA

<sup>1</sup> Feet above confluence with Turtle Creek  
<sup>2</sup> Data for 'A' through 'AH' from 2006 Spring Brook - Beloit detailed study  
<sup>3</sup> Elevation not considering backwater effect from Turtle Creek

FEDERAL EMERGENCY MANAGEMENT AGENCY  
**ROCK COUNTY, WI**  
**AND INCORPORATED AREAS**

REVISED TO REFLECT LOMR EFFECTIVE: April 1, 2014  
**FLOODWAY DATA**  
**SPRING BROOK (BELOIT)**

**TABLE 3**

**RESOLUTION**  
**AUTHORIZING A CONDITIONAL USE PERMIT TO ALLOW GROUND LEVEL**  
**OFFICE USES IN THE CBD-1, CENTRAL BUSINESS DISTRICT-CORE,**  
**FOR THE PROPERTY LOCATED AT 430 EAST GRAND AVENUE**

**WHEREAS**, the application of Hendricks Commercial Properties for a Conditional Use Permit to allow ground level office uses in the CBD-1, Central Business District-Core, for the property located at 430 East Grand Avenue, having been considered by the City Council of the City of Beloit, Wisconsin at a public hearing held for that purpose and due notice of said hearing having been given by publication as appears by the Proof of Publication on file in the office of the City Clerk.

**NOW, THEREFORE, BE IT RESOLVED THAT**, the City Council of the City of Beloit, Rock County, Wisconsin does hereby grant a Conditional Use Permit to allow ground level office uses in the CBD-1, Central Business District- Core, for the property located at 430 East Grand Avenue in the City of Beloit, for the following described premises:

Lot 1, Certified Survey Map Volume 35, Pages 212-214; Also West 20 feet of East 40.32 feet of Lot 12, Block 48 of Original Plat, all situated in the City of Beloit, County of Rock, State of Wisconsin (a/k/a 430 East Grand Avenue). Said parcel contains 0.5528 acre, more or less.

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

1. This Conditional Use Permit authorizes up to 3,806-square feet of office space on the ground level of the subject property.
2. Any major changes in the adopted conditions or use of the property shall be approved by the Plan Commission and City Council by amending this Conditional Use Permit. The Director of Planning & Building Services may approve minor changes administratively.

Adopted this 3rd day of March, 2014.

**BELOIT CITY COUNCIL**

---

Charles M. Haynes, Council President

ATTEST:

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Rebecca Houseman LeMire, City Clerk

# CITY OF BELOIT

## REPORTS AND PRESENTATIONS TO CITY COUNCIL

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**Topic:** Conditional Use Permit Application for the property located at 430 East Grand Avenue

**Date:** March 3, 2014

**Presenter(s):** Julie Christensen

**Department:** Community Development

---

**Overview/Background Information:**

Hendricks Commercial Properties has filed an application for a Conditional Use Permit to allow ground floor offices uses in a CBD-1, Central Business District-Core, for the property located at 430 East Grand Avenue.

---

**Key Issues (maximum of 5):**

- This property is the site of the Phoenix Building. This multi-use building plans to have multi-family residential, retail, and professional services.
  - The applicant is requesting approximately 3,806-square feet of the ground floor of this building be used for office space. The total square footage of the ground floor is 12,000-square feet. The owners have secured one tenant that will use 2,506-square feet of the proposed office square footage, leaving 1,300-square feet for another tenant's office space.
  - Ground floor office use is a conditional use in a CBD-1 district.
  - No exterior renovations have been proposed with this use. The building is currently under construction and is expected to be completed in March 2014.
  - The Plan Commission reviewed this item on February 19, 2014 and voted unanimously (6-0) to recommend approval of the Conditional Use Permit, subject to two conditions of approval.
- 

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

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

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

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

**Action required/Recommendation:**

- City Council consideration and action on the proposed Resolution
- 

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

---

**Attachments:** Resolution and Staff Report to the Plan Commission



# CITY OF BELOIT

## REPORT TO THE BELOIT CITY PLAN COMMISSION

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**Meeting Date:** February 19, 2014

**Agenda Item:** 4

**File Number:** CU-2014-03

**Applicant:** Hendricks Commercial Properties

**Owner:** Hendricks Commercial Properties

**Location:** 430 East Grand Avenue

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

**Existing Land Use:** Various

**Total Area:** 0.5528 acre

---

### Request Overview/Background Information:

Hendricks Commercial Properties has filed an application for a Conditional Use Permit to allow ground floor office uses in a CBD-1, Central Business District- Core, for the property located at 430 East Grand Avenue.

---

### Key Issues:

- This property is the site of the Phoenix Building. This multi-use building plans to have multi-family residential, retail, and professional services.
- The applicant is requesting approximately 3,806-square feet of the ground floor of this building be used for office space. The total square footage of the ground floor is 12,000-square feet. The owners have secured one tenant that will use 2,506-square feet of the proposed office square footage, leaving 1,300-square feet for another tenant's office space.
- Ground floor office use is a conditional use in a CBD-1 district.
- No exterior renovations have been proposed with this use. The building is currently under construction and is expected to be completed in March 2014.
- 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: CBD-1, Central Business District-Core; Commercial, Retail, & Office
  - South: CBD-1, Central Business District-Core; Parking Lot
  - East: CBD-1, Central Business District-Core; Multi-Family Residential & Retail
  - West: CBD-1, Central Business District-Core; Commercial & Residential
- Section 8-102 of the Zoning Ordinance exempts off-street parking requirements in the Central Business Districts.
- The City's Review Agents have reviewed this application and have the following comments:
  - The Fire Department has concerns about loading areas. There will be "No Parking" signs on the south side of the property to ensure emergency access at all times. No designated loading areas are required in this zoning district.
  - No other comments or concerns were submitted.
- The attached Public Notice was sent to 14 nearby property owners. Staff has received no comments or concerns as of this writing.
- **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 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. A conditional of approval will limit the space available for office uses at the subject property.
- c. *Whether the conditional use will substantially diminish or impair property values within the neighborhood of the subject property;*
  - The occupancy 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, but rather bring attention to the project for future tenants.

- 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;*
  - No exterior or site changes have been proposed for this conditional use.
- 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 defers for the Downtown Plan for the subject property. This plan recommends Planned Mixed Use: Office/Residential above Retail 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 ground floor office uses in a CBD-1, Central Business District- Core, for the property located at 430 East Grand Avenue, based on the above Findings of Fact and subject to the following conditions:

1. This Conditional Use Permit authorizes up to 3,806-square feet of office space on the ground level of the subject property.
2. 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 Plan, Application, Photo, Public Notice, and Mailing List.

# Location & Zoning Map

430 East Grand Avenue

CU-2014-03



1 inch = 77 feet

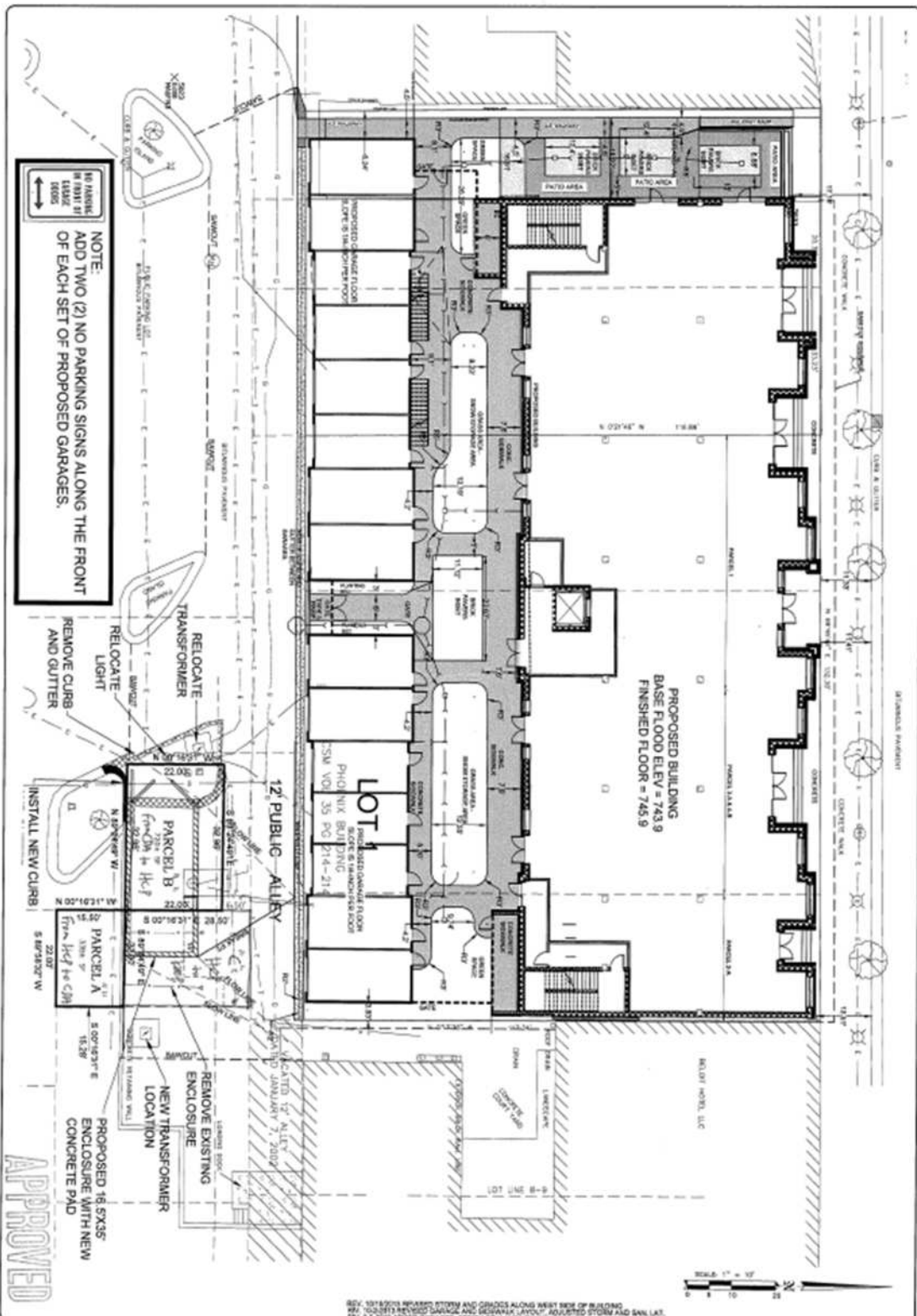


### Legend

- COB Parcels
- Zoning District

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

## PLANNING & BUILDING SERVICES DIVISION



THE PHOENIX  
SITE IMPROVEMENTS  
CITY OF MELT  
ROCK COUNTY, WISCONSIN  
2483 LAYOUT PARKING

LAYOUT PLAN

DATE	DESCRIPTION
10/17/2018	ISSUED FOR PERMITS
10/17/2018	REVISED GARAGE AND GEOTECHNICAL LAYOUT, ADJUSTED STORM AND SAN LAY.
10/17/2018	ADDED GARAGES, STORM SDR AND NEW TRASH CORRAL.

**Batterman**  
engineers surveyors planners

2817 Daniels Drive  
Dubuque, Wisconsin 52811  
608.295.4166  
www.batterman.com





**CITY of BELOIT**  
**Neighborhood Planning 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-2014-05

1. Address of subject property: 430 EAST GRAND AVENUE, BELOIT, WI 53511

2. Legal description: Lots 9 - 12; Block 48; PLEASE SEE ATTACHED LEGAL DESCRIPTION

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

Property dimensions are: 185 feet by 117 feet = 21,740 square feet.

If more than two acres, give area in acres: N/A .5528 acres.

3. Tax Parcel Number(s): 1354-(0715)(0714)(0710)(0700)(0695) 13540700

4. Owner of record: HENDRICKS COMMERCIAL PROPERTIES Phone: (608) 362-8981

655 3RD ST. #301 BELOIT WI 53511

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

5. Applicant's Name: HENDRICKS COMMERCIAL PROPERTIES

655 3RD ST. #301 BELOIT WI 53511

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

(608) 362-8981 / (608) 931-8500 / Tony.Trepasso@hendricksgroup.net

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

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

MULTIFAMILY, RETAIL, AND PROFESSIONAL SERVICES

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

A Conditional Use Permit for: RICK WELLS LTD (approximately 2,506 SF) and other potential office users (approximately 1,300 SF)

Office in a(n) CBD - 1 Zoning District.

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

Principal use: \_\_\_\_\_

MULTIFAMILY, RETAIL, AND PROFESSIONAL SERVICES

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

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

9. Project timetable: Start date: 9/1/2011 Completion date: 4/1/2014

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.

*Daniel W. Barnes* / DANIEL W. BARNES / 1/25/2014  
(Signature of Owner) (Print name) (Date)  
*As V.P. of HENRIK'S COMMERCIAL ENTERPRISES*

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

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

This application must be submitted with 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: <b>\$275.00</b>	Amount paid: <u>\$275.00</u>	Meeting date: <u>2/19/14</u>
No. of notices: _____ x mailing cost (\$0.50) = cost of mailing notices: \$ _____		
Application accepted by: <u><i>STN</i></u>		Date: <u>2/24/14</u>



Street View





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

February 7, 2014

To Whom It May Concern:

Hendricks Commercial Properties has filed an application for a Conditional Use Permit to allow office uses in a CBD-1, Central Business District-Core, for the property located at:

**430 East Grand Avenue.**

This property is the site of the Phoenix Building. This multi-use building plans to have multi-family residential, retail, and professional services in this development. The applicant is requesting approximately 3,806 square feet of the ground floor of this building be used for office uses.

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

**City Plan Commission:** Wednesday, February 19, 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, March 3, 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](mailto:hummels@ci.beloit.wi.us). Comments will be accepted via telephone, email, and U.S. Mail.***



WILLIAM T MANSFIELD JR REVOCABLE  
TRUST  
1900 SHIRLAND AVE  
SOUTH BELOIT, IL 610801139

CENTRE 1 BANCORP INC  
345 E GRAND AVE  
BELOIT, WI 53511

MICHAEL D & CHARLOTTE J JERO  
862 PETUNIA LN  
BELOIT, WI 53511

BETSEY SCHMIECHEN BELOIT VILLAGER  
LLC  
429 E GRAND AVE  
BELOIT, WI 535116228

COMMUNITY DEV AUTH  
100 STATE ST  
BELOIT, WI 53511

PETER PANOS  
1727 ARROWHEAD DR  
BELOIT, WI 53511

SUDS OHANAHANS REAL ESTATE  
435 E GRAND AVE  
BELOIT, WI 53511

TCP HOLDINGS LLC  
431 E GRAND AVE  
BELOIT, WI 53511

TRUST OF 2004 HAROLD E & GARNET E  
BAULING REVOCABLE  
8241 W GROVE SCHOOL RD  
BELOIT, WI 53511

HENDRICKS COMMERCIAL PROPERTIES LLC  
655 THIRD ST STE 301  
BELOIT, WI 53511

EDDY ENTERPRISES LLC  
400 E GRAND AVE STE 408  
BELOIT, WI 53511

BELOIT COLLEGE BOARD OF TRUSTEES  
700 COLLEGE ST  
BELOIT, WI 53511

JAMES DOSCHADIS  
2301 ADVANCE DR  
BELOIT, WI 535112591

BELOIT HOTEL LLC  
2040 S PARK  
MADISON, WI 53713

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



**PROCEEDINGS OF THE BELOIT CITY COUNCIL**  
**100 State Street, Beloit WI 53511**  
**Monday, February 17, 2014**

Presiding: Charles M. Haynes  
Present: Sheila De Forest, Chuck Kincaid, Kevin D. Leavy (arrived at 7:07 p.m.), David F. Luebke, Mark Spreitzer, and James E. Van De Bogart  
Absent: none

1. The meeting was called to order at 7:00 p.m. in the Forum at Beloit City Hall.
2. PLEDGE OF ALLEGIANCE
3. SPECIAL ORDERS OF THE DAY/ANNOUNCEMENTS
  - a. Vice President Mark Spreitzer presented **Certificates of Appreciation** recognizing Mr. Tod Clarey and Mr. James Hoey from Beloit Memorial High School for their extra effort to encourage student interest in community affairs and local government.
  - b. President Charles M. Haynes presented the 2014 **State of the City Report**. He stated that the persistent vision of Beloit's leaders have been instrumental to the resurgence of the City. He said that there will continue to be significant challenges ahead as the budget remains tight and revenue is stagnant but that with persistence and inventiveness, the City's leaders will continue to fulfill their vision for Beloit. File 6384/7757
4. PUBLIC HEARINGS
  - a. Community Development Julie Christensen presented a resolution authorizing a **Conditional Use Permit** to allow a Vehicle Repair use in a C-3, Community Commercial District, for the property located at 1420 Division Street. It was noted that the Plan Commission recommended approval 5-0. Councilor Haynes opened and closed the public hearing without participation. Councilor Luebke made a motion to adopt the resolution, and Councilor De Forest seconded. Councilor De Forest asked about concerns from residents regarding storm water management, and Ms. Christensen said that the applicant will provide a grading and drainage plan with the site plans which will be reviewed by the City Engineer. The motion carried 7-0. File 7040
  - b. Ms. Christensen presented a proposed ordinance amending the **Zoning District Map** of the City of Beloit to change zoning district classification of the property located at 2508 Milwaukee Road from C-1, Office District, to PLI, Public Lands and Institutions District. It was noted that the Plan Commission recommended approval 5-0. Ms. Christensen explained that this property will be included in the Beloit School District's plan for the new intermediate school. Councilor Haynes opened and closed the public hearing without participation. Councilor Spreitzer made a motion to suspend the rules and offer a second reading of the ordinance, and Councilor Luebke seconded. The motion carried 7-0. On the merits of the ordinance, Councilor De Forest made a motion to enact. Councilor Kincaid seconded, and the motion carried 7-0. File 8629 Ordinance 3521
5. CITIZENS PARTICIPATION
  - Dave Alwin, 344 E. Russell Road, Janesville, spoke in opposition to the proposed ordinance that would prohibit alcohol sales at the MDA Tub Run event.
  - Tom Barnes, 2734 Riverside Drive, Beloit, spoke in opposition to the proposed ordinance regarding the MDA Tub Run and encouraged the Council to reconsider the amendment to allow the Tub Run to be in Beloit.
6. CONSENT AGENDA

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

- a. The **Minutes** of the Regular Meeting of February 3, 2014, were approved.
- b. The application for **Class "A" Beer and "Class A" Liquor License** for Guzman's Supermarket, LLC, d/b/a Piggly Wiggly, located at 1827 Prairie Avenue, Miguel Guzman, Sr., Agent, was referred to the ABLCC. File 8590
- c. The application for a **Class "B" Beer and "Class B" Liquor License** for D&D Buck, LLC, d/b/a Bucky's Bunker, located at the Krueger Haskell Golf Course, 1611 Hackett Street, Daniel B. Bucholtz, Agent, was referred to the ABLCC. File 8590
- d. The proposed **Zoning Text Amendment** to amend Section 5-408 of the Zoning Ordinance, Chapter 19 of the Code of General Ordinances of the City of Beloit relating to Designated Floodplain Maps (Kerry Ingredients), was referred to the Plan Commission. File 7724
- f. The application for a **Conditional Use Permit** to allow Office uses in the CBD-1, Central Business District – Core, for the property located at 430 E. Grand Avenue (Phoenix Building), was referred to the Plan Commission. File 8540
- g. The resolution approving a **Class "B" Beer and "Class B" Liquor License** for Pitchers Mound LTD, LLC, d/b/a Pitchers Mound, located at 2745 Prairie Avenue, Robert Lee Lewis, Agent, was adopted. File 8590
- h. The resolution approving a **Change of Agent** for Walgreen Co., d/b/a Walgreens #12136, located at 910 Broad Street, from Brenda Neumann, to Jennifer Boyle, was adopted. File 8590
- e. Ms. Christensen presented a proposed **Zoning Text Amendment** to create Section 5-202(b)(11) of the Zoning Ordinance, Chapter 19 of the Code of General Ordinances of the City of Beloit relating to Contractor Offices and Storage Yards in the DH, Development Holding District. Councilor De Forest requested information regarding similar uses in this type of zoning district in comparable communities be presented at the next meeting. Councilor De Forest made a motion to refer this item to the Plan Commission, and Councilor Spreitzer seconded. The motion carried 7-0. File 7724

## 7. ORDINANCES

- a. City Attorney Tom Casper presented a proposed ordinance (Substitute Amendment #1) to amend Section 15.06(4)(b)1 of the Code of General Ordinances of the City of Beloit relating to **Alcohol Consumption and Possession** on Streets and other Public Places for a second reading. Councilor Van De Bogart made a motion to amend the ordinance to reinstate the language allowing the MDA Tub Run event, and Councilor Luebke seconded. Councilor De Forest said that she does not hold stereotypes about bikers or drinking alcohol and that she would be equally opposed to this event if it included cars. She also stated that she voted against the inclusion of this event when it was proposed in 2012 and that she is concerned with the message this sends the youth of the community regarding drinking and driving. Councilor Spreitzer apologized for the way this ordinance was handled at the last meeting. Councilor Leavy asked Police Chief Norm Jacobs how the Police Department feels about the event. Chief Jacobs stated that there were not any alcohol-related issues in 2012 and that the Police Department supports the event. Councilor Leavy asked Dave Alwin if the event would come back to Beloit without alcohol, and Mr. Alwin stated that it probably could. Councilor Kincaid said that he wanted to hear more about the issues involved with the event and that this discussion provided that information. He said that the event is an asset to the City. Councilor Haynes called the question regarding the proposed amendment to reinstate the language allowing the MDA Tub Run. The motion carried 4-3, with Councilors De Forest, Spreitzer, and Leavy voting in opposition. Councilor Luebke made a motion to enact the amended ordinance, and Councilor Van De Bogart seconded. The motion carried 6-1, with Councilor Leavy voting in opposition. File 8590/5563 Ordinance 3522

## 8. APPOINTMENTS

Councilor Haynes announced the openings and submitted the following appointments to the City Committees, Boards, and Commissions for approval. Councilor Leavy made a motion to approve the appointments, and Councilor Spreitzer seconded. The motion carried 7-0.

- a. **Board of Review:** Craig T. Daskam (Alternate) for a term ending December 31, 2014. File 6063
- b. **Equal Opportunities Commission:** Mary Weaver for a term ending June 30, 2016. File 7465

#### 9. COUNCILOR ACTIVITIES AND UPCOMING EVENTS

- Councilor De Forest congratulated the Town of Beloit Fire Department for obtaining the Paramedic level of service. She said that she met with Janesville City Manager Mark Freitag and is excited about scheduling a joint meeting between the Councils. She thanked the snowplow drivers for their fantastic service this winter.
- Councilor Van De Bogart said that he has enjoyed three films at the Beloit International Film Festival and plans to volunteer as well.
- Councilor Kincaid thanked staff for grooming the cross country ski trails and said that he attended a League of Women Voters event celebrating the birthday of Susan B. Anthony.
- Councilor Luebke said that he attended the Hackett School ribbon-cutting event and that BIFF has been fantastic so far this year.
- Councilor Spreitzer said that he attended the Susan B. Anthony event and will attend the League of Wisconsin Municipalities Lobbying Day in Madison this week. He encouraged the public to attend BIFF and participate in some of the downtown dining specials.
- Councilor Haynes reminded the public to continue to shovel their sidewalks after snow events.

#### 10. CITY MANAGER'S PRESENTATION

- a. Landmarks Commission Chairperson Alex Blazer presented the Annual **Landmarks Commission Report** for 2013. He described the number and type of historic properties in the City and outlined the number of Certificates of Appropriateness issued by the Landmarks Commission and staff. Councilor Haynes said that the Commission is at full strength, which shows the dedication of Beloit's residents to local historic preservation. File 5860

#### 11. REPORTS FROM BOARD AND CITY OFFICERS

- a. Parks and Leisure Services Director Brian Ramsey presented a resolution approving **Clubhouse Food and Beverage Operating Agreement** for Krueger-Haskell Municipal Golf Course. He stated that the agreement is between the City and D&D Buck, LLC. He stated that Dan and Dede Bucholtz, the officers of the corporation, come highly recommended by staff with regard to their existing food and beverage service at Diamond Lanes. Councilor Leavy made a motion to adopt the resolution, and Councilor De Forest seconded. The motion carried 7-0. File 8159
- b. City Manager Larry Arft presented a resolution approving **Arbitration Award** to the International Association of Firefighters, Local Union #583, amending the 2014 Budget and authorizing an Appropriation. He provided a brief history of the grievance by the Fire Union and said that the City appealed the arbitrator's decision. He said that this award represents an agreement by the City's management team and the Fire Union and includes a \$230,000 appropriation for back pay which will be paid from the general fund and the ambulance fund. Councilor Van De Bogart made a motion to adopt the resolution, and Councilor Luebke seconded. Councilor De Forest said that the decision to violate the side letter was never brought to the City Council. Mr. Arft stated that hiring and firing staff is the job of the City Manager and that he did not feel that the side letter was being violated at the time of the decision. The motion carried 7-0. File 6093

12. At 8:14 p.m., Councilor Leavy made a motion to adjourn the meeting, and Councilor Spreitzer seconded. The motion carried 7-0.

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Rebecca Houseman LeMire, City Clerk

[www.ci.beloit.wi.us](http://www.ci.beloit.wi.us)

Date approved by Council:



**PROCEEDINGS OF THE JOINT MEETING OF THE BELOIT CITY COUNCIL  
AND THE SCHOOL DISTRICT OF BELOIT BOARD OF EDUCATION  
Beloit Public Library Community Room, 605 Eclipse Blvd., Beloit, WI 53511  
Monday, February 24, 2014**

Beloit City Council Present: Sheila De Forest, Charles M. Haynes, Chuck Kincaid, David F. Luebke, Mark Spreitzer, and James E. Van De Bogart  
Beloit City Council Absent: Kevin D. Leavy

Beloit Board of Education Present: John Acomb, Nora Gard, Missy Henderson, Michael Ramsdail, Mark Rand, Shannon Scharmer, and John Winkelmann  
Beloit Board of Education Absent: None

1. The meeting was called to order at 6:35 p.m. by the Beloit City Council and the School District of Beloit Board of Education.
2. Board President Shannon Scharmer led the discussion of a proposal to expand the Beloit Hockey Team to include players from other high schools. City Manager Larry Arft said that the City did not find any formal agreement between the School District and the City regarding ice time at the Edwards Ice Arena, and Superintendent Steve McNeal produced a letter from 1982 stating that the Beloit High School team would have free ice time at the City's facility. Mr. Arft said that who is on the team is not as important as the team being from Beloit Memorial High School. Councilor Luebke stated that he sees this as an opportunity to collaborate with other schools and for more people to see Beloit's great facilities. He said that he would like to see some sort of a fee for students who are not from the district so that Beloit's taxpayers are not subsidizing their use of the facility. He also stated that he would like to see the team continue to be called the Beloit Purple Knights. Councilor De Forest asked if the majority of the team would be made up of Beloit students, and Board member Scharmer stated that the team would be a co-op between various schools and would prohibit cutting players. Councilor De Forest said that Beloit's great facilities are a reason for people to choose Beloit Schools and that this would allow those choosing other schools to benefit from our facilities. Councilor Van De Bogart asked if the ice time agreement includes the co-op women's hockey team. Board member Acomb said that the women's hockey co-op, which is based in Beloit, pays for its own ice time and has been very successful in bringing people to Beloit. Board member Winkelmann said that a co-op team would be good for the kids because it will allow them to play hockey even if there are not enough Beloit students to field a team in the future. Councilor Haynes said that the issue would need to be revisited if the team becomes a County-wide team. Councilor Spreitzer asked about the name of the team, and Mr. McNeal stated that some co-op teams include the names of all of the schools involved. Mr. McNeal also stated that the School Board would be discussing this issue at the meeting on February 25<sup>th</sup>. Board member Scharmer said that she is opposed to the idea of a co-op and asked if the City would support the inclusion of Illinois schools. Mr. Arft said that as long as the team remains the Beloit Purple Knights, the City would support the co-op.
3. Mr. McNeal provided an update on the renovations and construction of the school facilities, including discussion of traffic control issues. He stated that five of the six primary school renovations are complete and that he has enjoyed working with the City throughout the processes. Mr. McNeal said that the Natatorium is complete and that construction on the Fitness Center at the high school has begun. He said that the renovations to McNeal Middle School will begin in 2014, Aldrich Middle School will begin in 2015, and Memorial High School will begin in 2015 or 2016. Mr. McNeal stated that the other major project is the Fran Fruzen Intermediate School located on Milwaukee Road. Councilor De Forest said that she is concerned with how students from the Todd neighborhood will walk to the new intermediate school. Mr. McNeal said that there are crossing guards at the intersection of Lee Lane and Milwaukee Road and that they can observe the students

who walk to Morgan now to see how they cross Milwaukee Road. Mr. Arft said that the City has applied for grants to build a bike/pedestrian path along the south side of Milwaukee Road but that there is not a timeline for installation at this point.

4. At 7:30 p.m., Councilor Spreitzer made a motion to adjourn the meeting. Board member Mark Rand seconded, and the motion carried.

[www.ci.beloit.wi.us](http://www.ci.beloit.wi.us)

Date approved by Council:

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Rebecca Houseman LeMire, City Clerk

# CITY OF BELOIT

## REPORTS AND PRESENTATIONS TO CITY COUNCIL

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**Topic:** Zoning Map Amendment Application for the properties located at 9817 & 9949 S. Turtle Townhall Road – Council Referral to the Plan Commission

**Date:** March 3, 2014

**Presenter(s):** Julie Christensen

**Department:** Community Development

---

### **Overview/Background Information:**

The Planning & Building Services Division has submitted an application for a Zoning Map Amendment from temporary M-1, Limited Manufacturing District to permanent M-1, Limited Manufacturing District, for the properties located at 9817 & 9949 S. Turtle Townhall Road in the City of Beloit.

---

### **Key Issues (maximum of 5):**

- The City Council adopted an Ordinance attaching the subject properties to the City of Beloit on December 2, 2013.
  - Section 4 of the Attachment Ordinance assigns a temporary zoning district classification of M-1, Limited Manufacturing District, and directs the Plan Commission to initiate a permanent zoning district classification for the subject properties.
  - Corporate Contractors Inc. owns the subject properties and has proposed a redevelopment involving the demolition of the vacant structures and the construction of a two-story office building. Planning staff is reviewing site plans for this redevelopment project. Office uses are permitted by-right in the M-1 district.
  - The Comprehensive Plan's Future Land Use Map recommends Business Park uses, and the M-1 zoning district classification is consistent with this recommendation.
  - A request to vacate excess S. Turtle Townhall Road right-of-way is being considered on the same timeline as this request. If the vacation request is approved, the vacated right-of-way will be attached to the subject properties.
- 

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

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

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

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

### **Action required/Recommendation:**

- Referral to the Plan Commission for the March 5, 2014 meeting
  - This item will most likely return to the City Council for a public hearing and possible action on March 17, 2014
- 

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

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**Attachments:** Application

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# 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-2014-02

1. **Address of subject property:** 9817 & 9949 S. Turtle Townhall 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: 1.08; 0.948 acres.

3. **Tax Parcel Number(s):** 22280010; 22280015

4. **Owner of record:** Corporate Contractors Inc. Phone: \_\_\_\_\_

655 Third Street Ste 301      Beloit      WI      53511  
(Address)      (City)      (State)      (Zip)

5. **Applicant's Name:** Planning & Building Services Division

100 State Street      Beloit      WI      53511  
(Address)      (City)      (State)      (Zip)

\_\_\_\_\_  
(Office Phone #)

\_\_\_\_\_  
(Cell Phone #)

\_\_\_\_\_  
(E-mail Address)

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

Change zoning district classification from: Temporary M-1 to: Permanent M-1

All existing uses on this property are: Vacant structures & storage

7. **All the proposed uses for this property are:**

Principal use(s): Office building

Secondary use(s): \_\_\_\_\_

Accessory use(s): Existing storage building for company vehicles



8. I/we represent that I/we have a vested interest in this property in the following manner:
- ( ) Owner
  - ( ) Leasehold, Length of lease: \_\_\_\_\_
  - ( ) Contractual, Nature of contract: \_\_\_\_\_
  - (X) Other, explain: Initiated by Planning staff per Section 4 of Attachment Ordinance

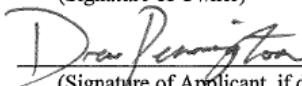
9. Individual(s) responsible for compliance with conditions (if any), if request is granted:

Name(s): \_\_\_\_\_ Phone: \_\_\_\_\_

(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.

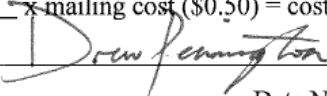
/	/	
(Signature of Owner)	(Print name)	(Date)
	Drew Pennington, Dir. of Planning & I	2/10/14
(Signature of Applicant, if different)	(Print name) <u>81dg svcs</u>	(Date)

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: N/A Meeting Date: March 5, 2014

Number of notices: \_\_\_\_\_ x mailing cost (\$0.50) = cost of mailing notices: \$ \_\_\_\_\_

Application accepted by:  Date: 2/10/14

Date Notice Published: \_\_\_\_\_ Date Notice Mailed: \_\_\_\_\_

# CITY OF БЕЛОIT

## REPORTS AND PRESENTATIONS TO CITY COUNCIL

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**Topic:** Zoning Map Amendment Application for the property located at 1000 Bluff Street – Council Referral to the Plan Commission

**Date:** March 3, 2014

**Presenter(s):** Julie Christensen

**Department:** Community Development

---

### Overview/Background Information:

St. John's Lutheran Church has submitted an application for a Zoning Map Amendment to change the zoning district classification from R-1B, Single-Family District, to PLI, Public Lands & Institutions District, for the property located at 1000 Bluff Street.

---

### Key Issues (maximum of 5):

- The subject property is currently being used as a church. This use would remain as the property's primary use. The applicant is seeking PLI zoning to more accurately represent their proposed secondary uses. Upon approval, the applicant will begin leasing space at the subject property for community organizations.
- The Comprehensive Plan's Future Land Use Map recommends Single-Family Residential Urban uses for the subject property. Public and institutional uses, such as churches, are considered appropriate for this land use recommendation.
- The PLI district is a special purpose district that is intended to accommodate major public and quasi-public uses.
- This application is being considered in accordance with the Zoning Map Amendment procedures contained in Section 2-300 of the Zoning Ordinance.

---

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

- Consideration of this request supports Strategic Goal #5.

---

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

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

---

### Action required/Recommendation:

- Referral to the Plan Commission for the March 5, 2014 meeting
- This item will most likely return to the City Council for a public hearing and possible action on March 17, 2014

---

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

---

**Attachments:** Application

# CITY of BELOIT

## PLANNING & BUILDING SERVICES DIVISION

100 State Street, Beloit, WI 53511

Phone: (608) 364-6700

Fax: (608) 364-6609

### Zoning Map Amendment Application Form

(Please Type or Print)

File No.: ZMA-2014-03

1. Address of subject property: 1000 Bluff St. St. John's Evangelical Lutheran Church

2. Legal description: Lot: 1,2,3,4,15,16,17 & 18 Block: 1 Subdivision: Hopkins Addition  
(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: 1.6549 acres.

3. Tax Parcel Number(s): 206 13581720

4. Owner of record: St. Johns Lutheran Church Phone: (608) 362-8595

1000 Bluff Street Beloit Wisconsin 53511  
(Address) (City) (State) (Zip)

5. Applicant's Name: St. John's Evangelical Lutheran Church

1000 Bluff Street Beloit Wisconsin 53511  
(Address) (City) (State) (Zip)

(608) 362-8595 / Pastor Jonah Burakowski <pastor@stjohnsbeloit.com>  
(Office Phone #) (Cell Phone #) (E-mail Address)

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

Change zoning district classification from: R1B to: PL1

All existing uses on this property are: Church & Former School

#### 7. All the proposed uses for this property are:

Principal use(s): Church & Lease/Use of Former School Space for use of Gymnasium by community organizations;

Lease and/or permit use of former school space for use by community organizations such as Stateline Literacy Council; Rock County, Wisconsin Juvenile Justice and Prevention Services, Family Services of Southern Wisconsin and Northern Illinois, Inc., operating a youth program, and for similar purposes

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): \_\_\_\_\_ Phone: \_\_\_\_\_

(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.

*Randy Bawling* / Randy Bawling / 1-15-2013  
 (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 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: *3/5/14*

Number of notices: \_\_\_\_\_ x mailing cost (\$0.50) = cost of mailing notices: \$ \_\_\_\_\_

Application accepted by: *[Signature]* Date: *1/31/14*

Date Notice Published: \_\_\_\_\_ Date Notice Mailed: \_\_\_\_\_

# CITY OF BELOIT

## REPORTS AND PRESENTATIONS TO CITY COUNCIL

---



**Topic:** Construction of a Building Addition Within Telfer Community Park Located at 2301 Skyline Drive – Council Referral to the Plan Commission

**Date:** March 3, 2014

**Presenter(s):** Julie Christensen

**Department(s):** Community Development

---

**Overview/Background Information:**

Angus Young Associates, on behalf of the Beloit Snappers, has requested that the Plan Commission and City Council review their proposed plans for a 3,420 square-foot addition to the existing locker room building located behind H.C. Pohlman Field within Telfer Community Park located at 2301 Skyline Drive.

---

**Key Issues (maximum of 5):**

- The proposed building addition will consist of indoor batting cages, and will be connected to the existing building by a 20-foot enclosed connector walkway.
  - The proposed building addition will be constructed over an existing asphalt parking area, and will feature vinyl siding, block columns, and symmetrical overhead doors facing east and west.
  - As mentioned below, the Snappers will be fundraising and securing volunteer labor for this project.
  - This project must be reviewed and approved by the Plan Commission, Parks & Recreation Commission, and the City Council.
  - The proposed site plan and building elevations are attached to this report.
- 

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

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

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

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

**Action required/Recommendation:**

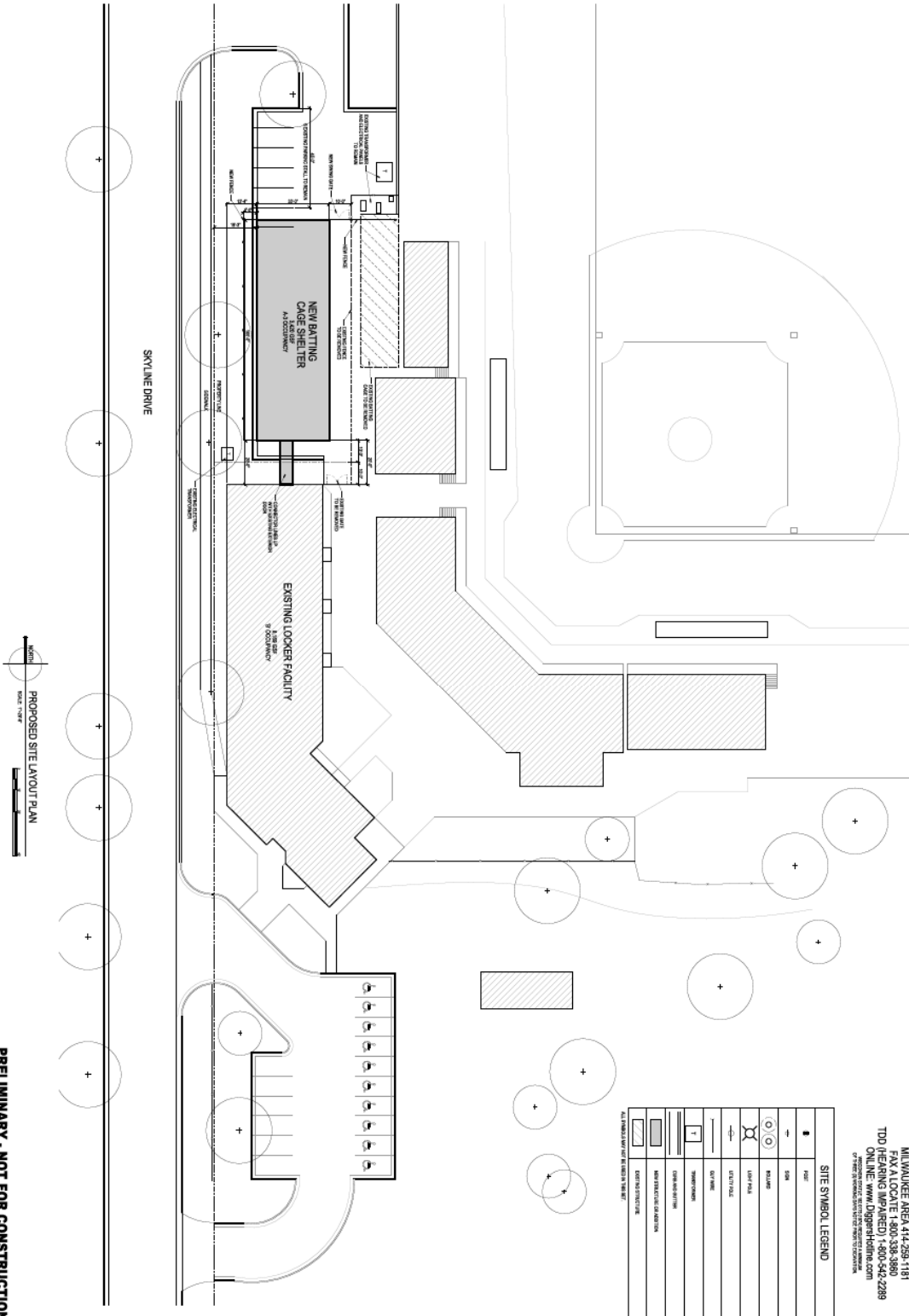
- Referral to the Plan Commission for the March 5, 2014 meeting
  - This item will most likely return to the City Council for review and possible action on March 17, 2014
- 

**Fiscal Note/Budget Impact:** The Snappers will be paying for this project.

---

**Attachments:** Site Plan & Building Elevations

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PRELIMINARY - NOT FOR CONSTRUCTION

**SITE SYMBOL LEGEND**

	POUND
	STREAM
	BUILDING
	OPEN FIELD
	UTILITY POLE
	WATER MAIN
	SEWER MAIN
	STORM SEWER MAIN
	ELECTRICAL CONDUIT
	UTILITY TRENCH

ALL SYMBOLS MUST BE USED AS SHOWN ON THIS SHEET.

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**DISPERSE FUNDING**

CALL TOLL FREE 1-800-242-8511  
 MILWAUKEE AREA 414-259-1181  
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 TDD (HEARING IMPAIRED) 1-800-542-2299  
 ONLINE: www.DisperseFunding.com

OFFICE: 2600 S. WISCONSIN AVENUE, SUITE 200, WISCONSIN, WI 53588

Due to electronic distribution, this drawing may not be printed to the scale indicated on the drawings. Do NOT use scale to determine dimensions or sizes.

**BATTING CAGE SHELTER BUILDING**  
**BELOIT SNAPPERS**  
**BELOIT, WI**

**Snappers**



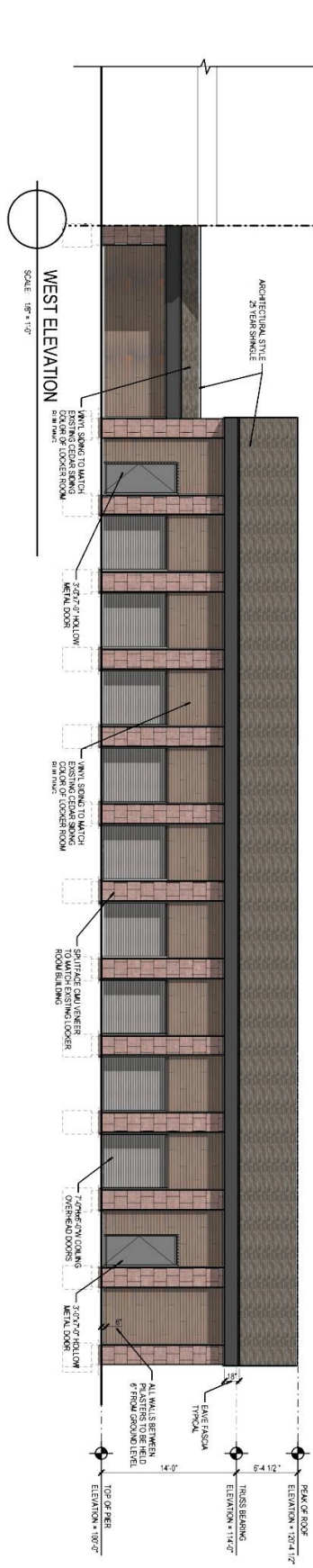
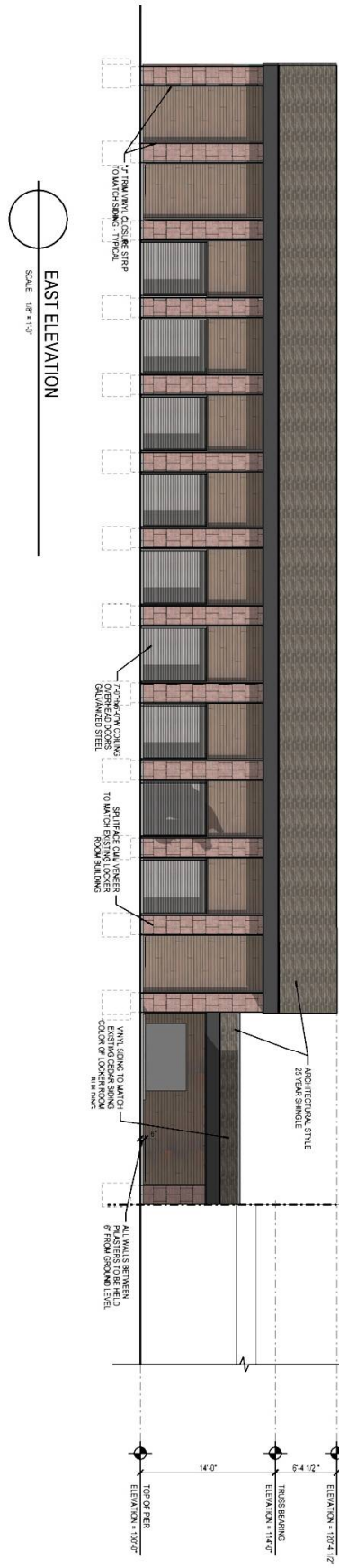
**Angus Young**  
 Architecture  
 Engineering  
 Interior Design

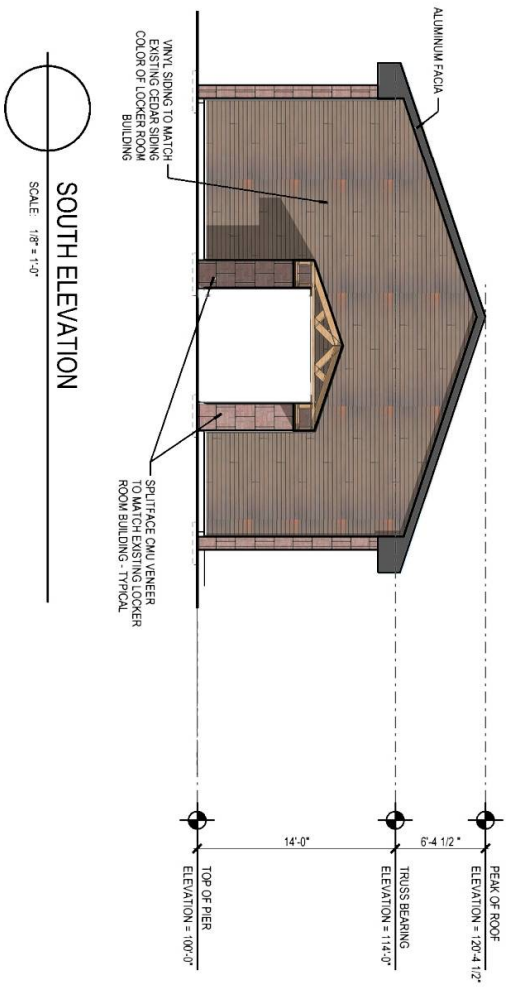
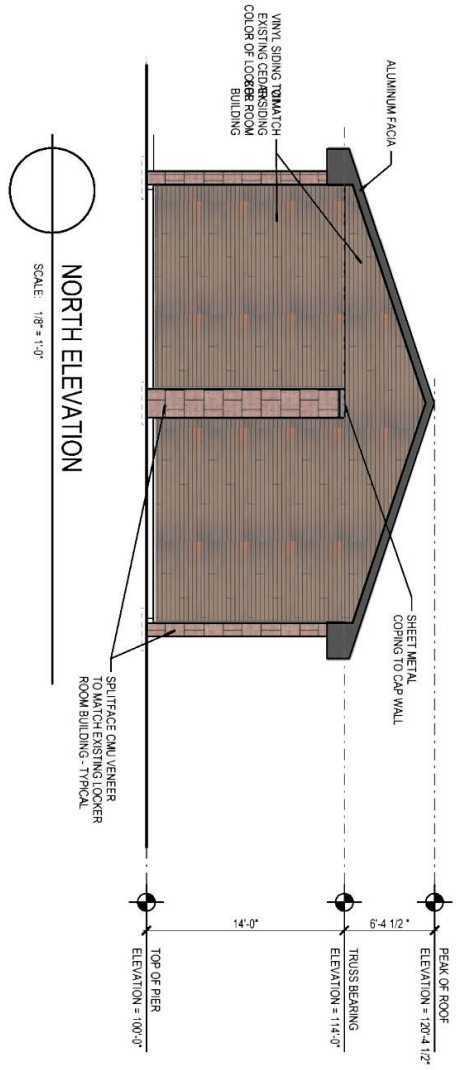
355 South Star Street, Appleton, WI 53411-4310  
 Ph: 920.754.2328 Fax: 920.754.0464  
 www.angusyoung.com

ISSUANCES	REVISIONS

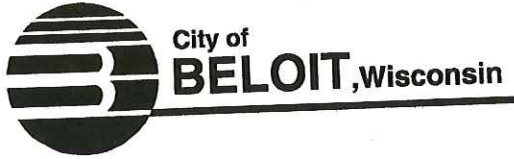
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City Clerk  
100 State Street, Beloit, WI 53511  
Ph: 608-364-6680; Fax: 608-364-6649

**APPLICATION FOR AMENDMENT OF CLASS "B" AND "CLASS B"  
LIQUOR LICENSE PREMISES DESCRIPTION**

Name of Licensed Premises: THE CASTLE AT 501 PROSPECT

Address: 501 PROSPECT ST. BELOIT WI 53511

Applicant's Name: HOURLASS MEDIA, LLC JOHN WITTNEBEL, AGENT

Phone Numbers - business and personal: (608) 346-3249 (608) 346-3114

Purpose for requesting the amendment to premises description:  
CONSTRUCTION/RENOVATION OF THE LOFT AREA IN  
THE 1906 BUILDING IS ONGOING AND WILL NOT  
BE COMPLETE BEFORE JUNE 30, 2014

Detailed description of new premises (attach scaled drawings/floor plans):  
SEE ATTACHED

Signature of Applicant: [Handwritten Signature]

Date of Application: 2/14/14

1. ABLCC meeting date\*: 3/11/14
2. City Council meeting date\*: 3/13/14
3. Applicant amends premises description on license application at City Clerk's Office after Council approval. Date: \_\_\_\_\_

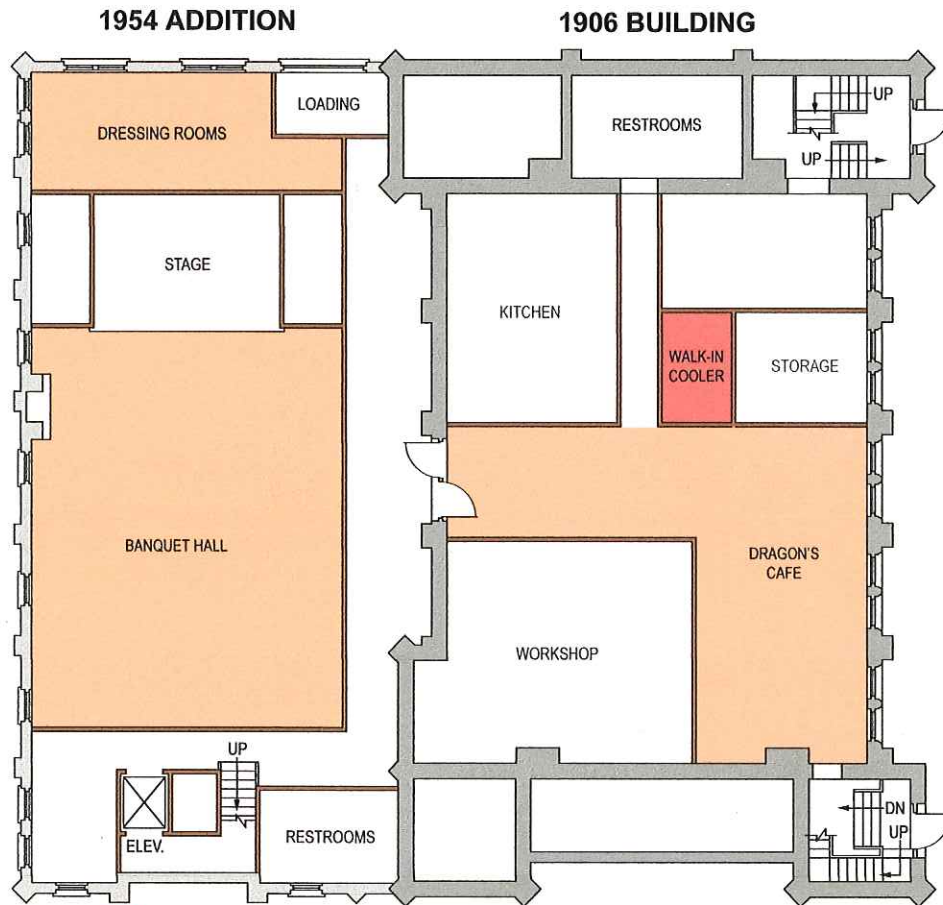
\*Application MUST be present for these meetings.

Detailed description of the new premises:

The premises will mostly remain unchanged from the previously approved plans with the following exceptions:

The upper level restrooms in the 1954 addition and the Belltower Loft in the 1906 building will be excluded and partitioned off until the construction is complete. The Manager's Suite will remain excluded and retain its own private entrance as per the originally approved plan.

# Lower Level Plan



**The Castle**  
at 601 prospect

0 10 ft  
Scale



**LOWER LEVEL PLAN**

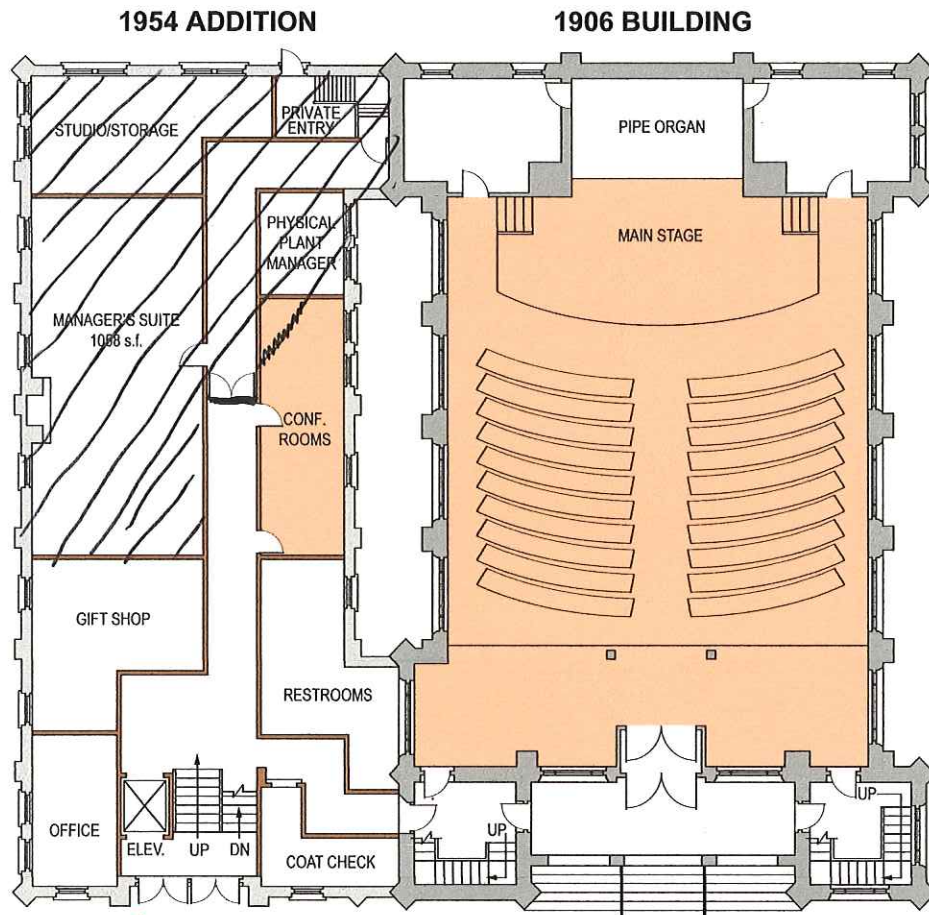


Area where alcohol may be stored



Area where alcohol may be sold/consumed

# Main Level Plan



**The Castle**  
at 501 prospect

0 10 ft  
Scale



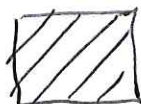
MAIN LEVEL PLAN



Area where alcohol may be stored



Area where alcohol may be sold/consumed



AREA EXCLUDED FROM LICENSE  
PREMISE DESCRIPTION



# Upper Level Plan



**The Castle**  
at 501 prospect

0 10 ft  
Scale



UPPER LEVEL PLAN



Construction Area Partition  
Wall



Area Under Construction  
Until 10/1/2014



AREA EXCLUDED FROM LICENSED  
PREMISE DESCRIPTION

**RESOLUTION  
AUTHORIZING FINAL PAYMENT OF  
PUBLIC WORKS CONTRACT C13-02  
SIXTH STREET RESURFACING**

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

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

**THEREFORE, BE IT IS RESOLVED** that the City Council of the City of Beloit hereby authorizes the final payment for Public Works Contract C13-02, Sixth Street Resurfacing, and that Rock Road Companies, Inc. be paid \$10,617.65 as recommended by the City Engineer.

Dated at Beloit, Wisconsin this 3rd day of March 2014.

**City Council of the City of Beloit**

\_\_\_\_\_  
Charles M. Haynes, President

ATTEST:

\_\_\_\_\_  
Rebecca Houseman LeMire, City Clerk

# CITY OF BELOIT

## REPORTS AND PRESENTATIONS TO CITY COUNCIL



**Topic:** Award Final Pay for C13-02, Sixth Street Resurfacing

**Date:** March 3, 2014

**Presenter(s)** Greg Boysen, Public Works Director

**Department(s):** Public Works/Engineering

---

### Overview/Background Information:

Rock Road Companies Inc. has completed construction of project C13-02 Sixth Street Resurfacing, and has submitted all of the required paperwork and bonds. Final payment has been requested by the contractor.

This project rehabilitated Sixth Street from Liberty Avenue to Maple Avenue. The project repaired portions of the curb and gutter, driveway aprons and sidewalks with new concrete. The existing concrete/asphalt roadway was milled and repaved with asphalt and lane markings.

---

### Key Issues (maximum of 5):

1. The requirements of the contract have been completed to the satisfaction of the City.
2. The awarded contract amount was \$ 342,831.06  
Quantity increases and change orders \$ 347,857.78  
Net payment due contractor \$ 10,617.65
3. The City Engineer, City Attorney, and Director of Accounting recommend that a final payment be made to Rock Road Companies, Inc. in the amount of \$10,617.65

---

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

1. **Develop a high quality community through the responsible stewardship and enhancement of City resources to further Beloit's resurgence as a gem of the Rock River Valley.**
  - This project repaired deteriorated pavement and added landscaping thereby improving the area.

---

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

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

---

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

### Action required/Recommendation:

Approval of the Resolution authorizing the Final Payment to Rock Road Companies, Inc. in the amount of \$10,617.65

---

### Fiscal Note/Budget Impact:

Adequate funding is available in the budget.

**CITY OF BELOIT**  
**DEPARTMENTAL CORRESPONDENCE**

---

**TO:** Mike Flesch, City Engineer

**FROM:** Jason Dupuis, Transportation Engineer

**DATE:** January 13, 2013

**SUBJECT:** Contract C13-02  
Sixth Street Resurfacing

JED  
1/13/14

The work on this project was deemed completed on October 21, 2013. I have inspected the work and find it to be satisfactory and in conformance with the requirements of the contract. The contractor has asked for final payment in the amount of \$10,617.65. The construction of this project was managed and inspected by City staff.

The original contract amount was \$342,831.06, and the final contract amount is \$347,857.78, an increase of approximately 1.47%. The increase was primarily due to quantity differences. A chart of variance is attached for your review and approval. I recommend a final payment in the amount of *\$10,617.65* be made to the contractor.

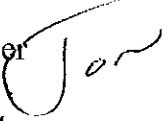
Please sign the attached final pay estimate form and yellow copy of the purchase order.



JAN 30 2014

**CITY OF BELOIT**  
**DEPARTMENTAL CORRESPONDENCE**

---

**TO:** Jason Dupuis  
**FROM:** Thomas R. Casper   
**DATE:** January 29, 2014  
**SUBJECT:** **Public Works Contract C13-02**  
**Sixth Street Resurfacing**  
**Rock Road Companies, Inc.**

I have reviewed, approved and executed the contract materials on the above project. They are being submitted for the other necessary City signatures.

/tdh  
encs.

**RESOLUTION**  
**REAFFIRMING THE CLASS "B" BEER AND RESERVE "CLASS B" LIQUOR LICENSE**  
**FOR HOURGLASS MEDIA, LLC, D/B/A THE CASTLE AT 501 PROSPECT,**  
**AND ESTABLISHING A TIMELINE FOR COMPLETION**

**WHEREAS**, the Beloit City Council granted a Class "B" Beer and Reserve "Class B" Liquor License on July 15, 2013, to Hourglass Media, LLC, d/b/a The Castle at 501 Prospect, located at 501 Prospect Street in the City of Beloit, John Wittnebel, Agent; and

**WHEREAS**, the License was not issued by the City Clerk because the building has been under construction and the business is not ready to open; and

**WHEREAS**, Section 31.04(3) of the City of Beloit Municipal Code indicates that the City Council may rescind a license previously granted if the license has not been issued because of incomplete construction, renovation, or code compliance for more than six month after the original approval; and

**WHEREAS**, the Code allows an opportunity for the Licensee to be heard prior to any decision regarding the License, and State Statutes require a revocation hearing if the decision is made to rescind; and

**WHEREAS**, the Agent appeared at the meeting of the Alcohol Beverage License Control Committee on February 11, 2014, and presented a request and written timeline for the completion of the lower and main floors of the building; and

**WHEREAS**, the ABLCC recommended that the City Council allow the Agent to continue his efforts to remodel the building and open the business with a deadline of the end of the current licensing period, June 30, 2014, to fulfill the inspection requirements and obtain the License from the City Clerk.

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Beloit does hereby reaffirm the License and set a deadline of June 30, 2014, for the Agent to complete construction and obtain the License from the City Clerk and that failure of the Agent to obtain the License by the deadline may result in non-renewal of this License for the 2014-2015 license year.

Adopted this 3<sup>rd</sup> day of March 2014.

**City Council of the City of Beloit**

ATTEST:

\_\_\_\_\_  
Charles M. Haynes, President

\_\_\_\_\_  
Rebecca Houseman LeMire, City Clerk

# CITY OF БЕЛОIT

## REPORTS AND PRESENTATIONS TO CITY COUNCIL

---



**Topic:** Class “B” Beer and Reserve “Class B” Liquor License for Hourglass Media, LCC, d/b/a The Castle at 501 Prospect

**Date:** March 3, 2014

**Presenter(s):** Rebecca Houseman LeMire

**Department:** City Clerk

---

### Overview/Background Information:

On July 15, 2013, the City Council granted a Class “B” Beer and Reserve “Class B” Liquor License to Hourglass Media, LLC, d/b/a The Castle at 501 Prospect, located at 501 Prospect Street in the City of Beloit, John Wittnebel, Agent. The license has not been issued to date because the building continues to be under construction.

Section 31.04(3) of the City of Beloit Municipal Code states that the City Council may rescind a license previously granted if the license has not been issued because of incomplete construction, renovation, or code compliance for more than six months after the original approval. However, the Code allows an opportunity for the licensee to be heard prior to any decision regarding the license, and State Statutes require a due process revocation proceeding should it be recommended that any granted but unissued license be rescinded.

The Alcohol Beverage License Control Committee (ABLCC) requested that the Agent appear before the Committee on February 11, 2014, to discuss the status of the license. At the February 11<sup>th</sup> meeting, the Agent presented the attached request for an extension and indicated that the lower and main levels of the building will be complete and ready occupancy by April 1, 2014. The ABLCC reviewed this request and unanimously recommended that the City Council allow the Agent until the end of the current licensing period, June 30, 2014, to fulfill the inspection requirements and obtain the license.

---

### Key Issues (maximum of 5):

1. Because this is a Reserve License, it is not part of the City’s quota for regular “Class B” Liquor Licenses. The City does have a state-mandated quota for Reserve Licenses, but there are still four available.
2. In addition to the request for an extension to allow the completion of the building, the Agent has also requested that the licensed premise description on the application be amended to exclude the third floor of the building, which will not be complete for several additional months. This application to amend the License is also on the March 3<sup>rd</sup> agenda for referral to the ABLCC. If the ABLCC makes a recommendation regarding this item at the March 11<sup>th</sup> meeting, it will come back to the City Council for possible action on March 17<sup>th</sup>.

---

### Conformance to Strategic Plan:

Taking action regarding this license conforms to the City’s Strategic Plan by encouraging economic development in the entrepreneurial community while applying sound, sustainable practices to promote high quality development.

---

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

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

---

### Action required/Recommendation:

Staff recommends that the City Council follow the recommendation of the Alcohol Beverage License Control Committee and adopt the attached resolution.

---

### Fiscal Note/Budget Impact:

Adopting this Resolution and allowing an extension of time for the existing Reserve License ensures that the City will receive the \$10,000 Reserve License fee (plus the pro-rated cost of the license) to be deposited into the City’s general fund.

---

### Attachments:

Resolution; Request from Hourglass Media, LLC



**ALCOHOL BEVERAGE LICENSE CONTROL COMMITTEE  
RECOMMENDATION**

**TO:** Beloit City Council

**FROM:** Alcohol Beverage License Control Committee

**DATE:** February 11, 2014

**SUBJECT:** **Class "B" Beer and Reserve "Class B" Liquor License for Hourglass Media, LLC**

The Alcohol Beverage License Control Committee recommends the Beloit City Council approve an extension to June 30, 2014 to complete the renovation of Hourglass Media, LLC, d/b/a The Castle, 501 Prospect Street, John Wittnebel, Agent.

The motion carried 7-0.

Rebecca Houseman LeMire  
City Clerk



## **Liquor License Extension Proposal Hourglass Media, LLC**

### **Project to Date**

We were granted the Class B Reserve license on July 15th, 2013, and nothing in our final plans for the building has changed except for the proposed timeline to complete our renovations. We have made tremendous progress with very limited resources and a great deal of help from volunteers, and we are in a position to host our first public event, which has been scheduled for April 12th. This event will be an art and music expo hosted by BARN and the Beloit College, which will take place in the lower and main levels. The area of the building that will not be ready for occupancy will be confined to the upper level loft, with its attendant restroom and lobby areas.

We have had a meeting and correspondence with the City Clerk and Attorney to discuss our situation, and we agree that we are in a position to satisfy the conditions set forth in our license approval with respect to separate entrance requirements for the Manager's Suite and compliance with traffic control within the building via locking doorways. We will be physically separating the unfinished section of the building with temporary construction walls until those areas are fit for occupancy later this year.

### **Request from ABLCC**

1. Hourglass Media, LLC would like to request that our originally granted Reserve License be amended to exclude the upper level of the building at 501 Prospect St. We will construct barriers to prevent public access to the upper level area which will remain under construction. All of the requirements for the lower and main levels of our facility that were set forth in our original license approval will be met. Our intent is to apply for the amended license through the City Clerk's office by February 21st.
2. Hourglass Media, LLC therefore requests that our 6-month period to exercise our license be extended to April 1st, 2014, when we will purchase our license.

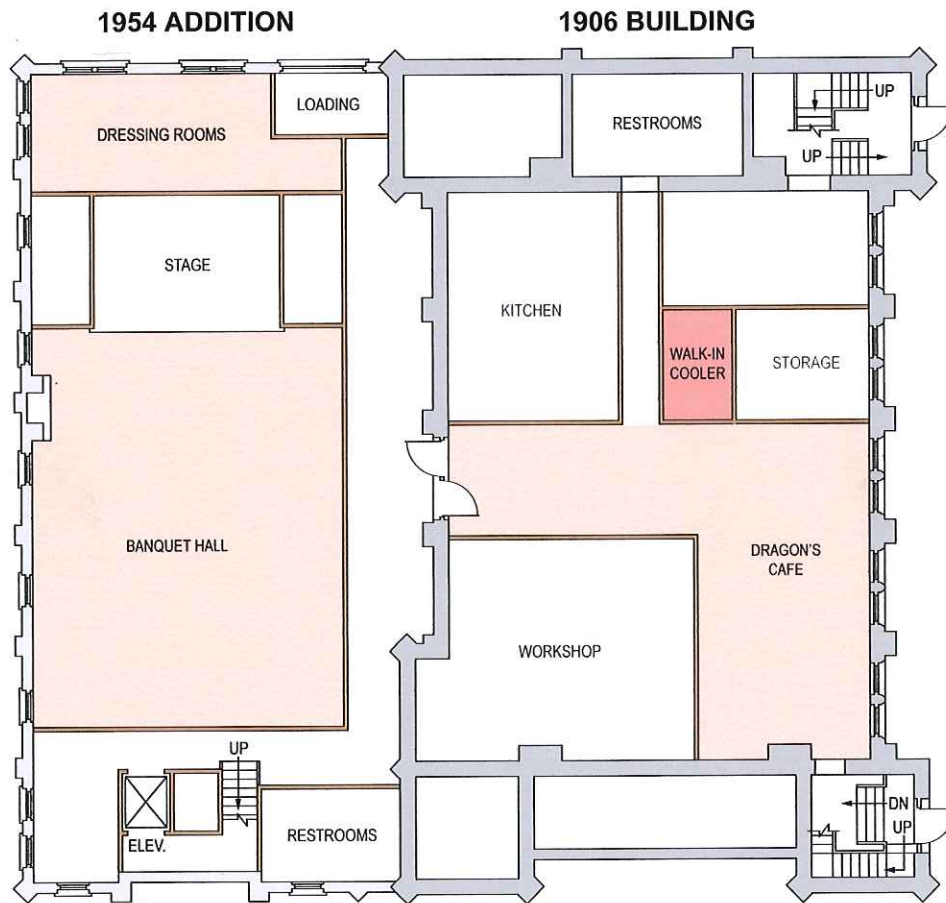
### **Final Completion Timeline**

We have overcome a great many obstacles to be in a position to host an event this spring with the College and BARN. Past experience with renovating and upgrading a 107 year old building has taught us that projects rarely go without unpleasant surprises and unforeseen setbacks. Our plan is to exercise the Reserve license for the completed portions of the building on April 1st, and apply for the entire building no later than October 1st. This timeline reflects a 6 month schedule for the completion of the upper level spaces, and we feel this to be conservative in that all of the demolition work is complete, and the electrical and mechanical upgrades are well underway. For marketing and revenue reasons, we are highly motivated to complete our project well in advance of October, and hope to apply for our full occupancy as soon as our resources will allow.

### **Floorplans**

We have attached floor plans that show the areas of the building that were originally approved for the Reserve License and the areas that we propose to exclude pending completion.

# Lower Level Plan



**The Castle**  
at 501 Prospect

0 10 ft  
Scale



**LOWER LEVEL PLAN**



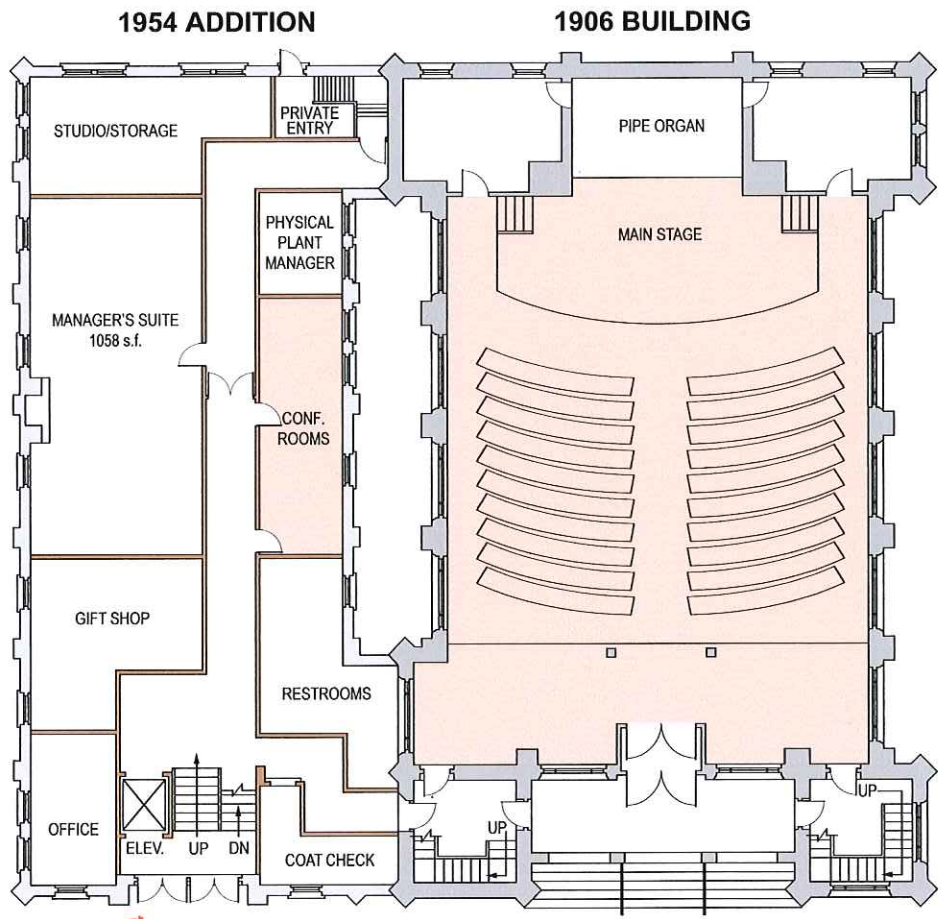
Area where alcohol may be stored



Area where alcohol may be sold/consumed



# Main Level Plan



**The Castle**  
at 501 Prospect

0 10 ft  
Scale



**MAIN LEVEL PLAN**

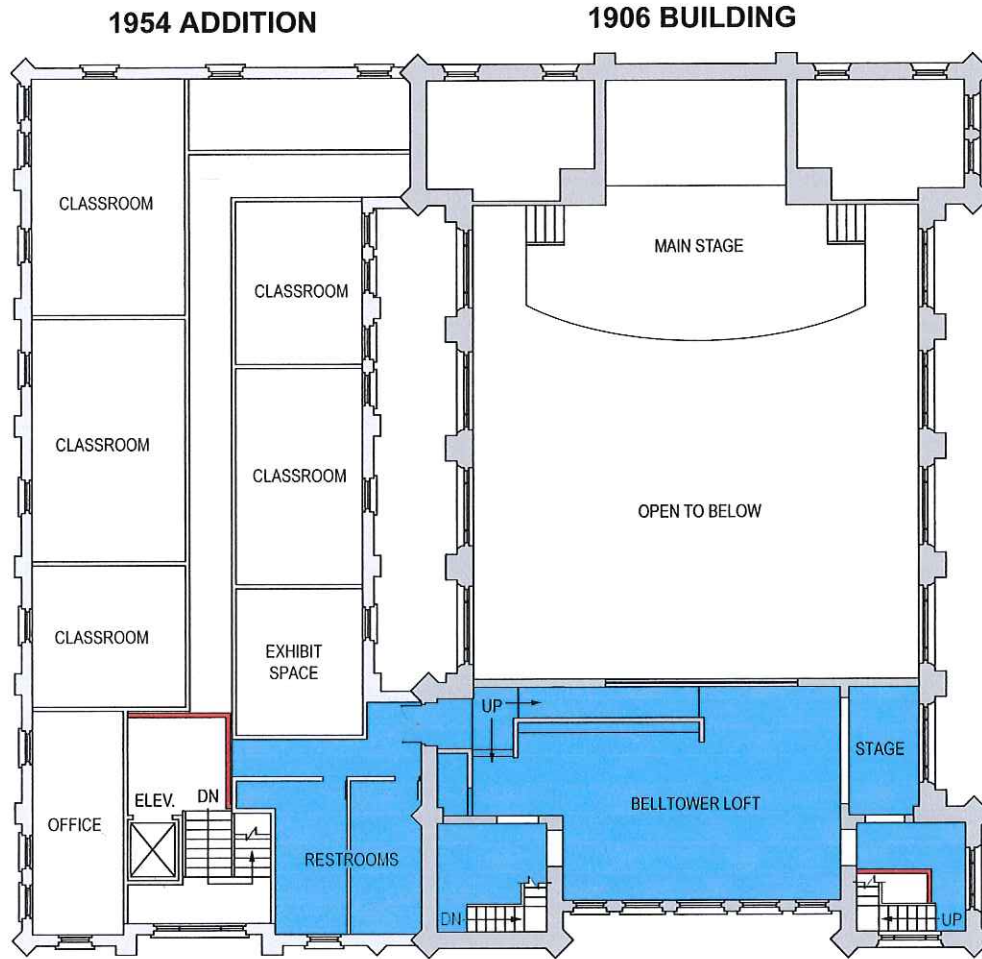


Area where alcohol may be stored



Area where alcohol may be sold/consumed

# Upper Level Plan



**The Castle**  
at 501 Prospect

0 10 ft  
Scale



UPPER LEVEL PLAN



Construction Area Partition  
Wall



Area Under Construction  
Until 10/1/2014

**RESOLUTION AUTHORIZING BLACKHAWK STATE BANK  
AN EXTENSION FOR OUTSTANDING SPECIAL ASSESSMENTS  
AT 2231 TREVINO COURT, BELOIT, WISCONSIN**

WHEREAS, the City Council of the City of Beloit previously provided for a special assessment for the four residential lots located 2231 Trevino Court; and

WHEREAS, Blackhawk State Bank is now the owner of said property and has formally requested a three-year nonuse deferral of said special assessment amounts, as indicated in the attached letter dated January 14, 2014; and

WHEREAS, current market conditions have made it difficult to develop and market the four residential lots located at 2231 Trevino Court; and

WHEREAS, Section 33.08 of the Code of General Ordinances of the City of Beloit allows for the City Council to grant nonuse deferments and further allows the City Council to grant exceptions to the otherwise applicable requirements of submitting a Master Development Plan, a marketing study, a business pro forma and a surety bond or letter of credit; and

WHEREAS, the development was previously reviewed and approved by the City and there is no apparent need at this point for a Master Development Plan, a marketing study or a business pro forma; and

WHEREAS, because of current market conditions and the expense of procuring a surety bond or a letter of credit, it would work a hardship on Blackhawk State Bank to post such a surety bond or letter of credit; and

WHEREAS, the special assessments for 2013 were levied November 15, 2013 and are on the official City of Beloit, Wisconsin tax rolls and may not be removed therefrom.

NOW, THEREFORE, BE IT RESOLVED that Blackhawk State Bank is hereby granted a three-year extension of the outstanding special assessments due for the four residential lots at 2231 Trevino Court for the assessments previously levied for the years 2014, 2015 and 2016.

BE IT FURTHER RESOLVED that Blackhawk State Bank is hereby granted an exception from the requirements to submit a Master Development Plan, a marketing study, a business pro forma, and a surety bond or letter of credit.

Adopted this 3<sup>rd</sup> day of March, 2014.

**City Council of the City of Beloit**

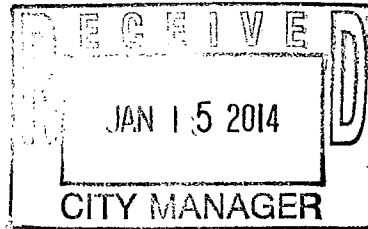
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**Charles M. Haynes, President**

**Attest:**

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**Rebecca Houseman LeMire, City Clerk**  
tdh\res\trevino2231=140219 1447 (cln) 14-1027



BRUCE R. BRINEY  
DENNIS L. HANSCH  
FREDERICK L. WESNER  
DAVID C. MOORE  
CAROL J. HATCH  
KAYLA K. HILLER  
JOHN M. WOOD  
STEVEN T. CAYA  
SARA L. GEHRIG

TIMOTHY H. LINDAU  
JARON L. MOSIER  
KARL R. HANSON  
MICHAEL S. OELLERICH  
JULIE A. LEWIS  
OF COUNSEL:  
JAMES R. CRIPE  
SCOTT F. SHADEL

January 14, 2014

Mr. Larry Aft  
City Manager  
City of Beloit  
100 State Street  
Beloit, WI 53511

RE: 2231 Trevino Court, Beloit, Wisconsin

Dear Mr. Arft:

As you recall, we spoke last week regarding my client, Blackhawk Bank's ownership of the four vacant parcels commonly known as 2231 Trevino Court, Beloit, Wisconsin (collectively "the Property"). As you are aware, each parcel is encumbered by special assessments of \$21,104.11 for improvements that we approved and installed by the City of Beloit pursuant to an amended final resolution dated October 1, 2012 ("Resolution"). Pursuant to the Resolution, the special assessments were deferred until transfer of title to the Property. In February of 2012, Blackhawk Bank acquired the Property by a Deed-in-Lieu of Foreclosure. This acquisition triggered the special assessments, which pursuant to the Resolution, are now payable over the next 10 years, with the first installment due January 31, 2014.

Unfortunately, the special assessments that encumber the Property, which total in excess \$80,000, significantly impair the marketability of the Property. We have been advised by real estate brokers that the actual value of the Property is significantly less than the attached special assessments. In fact, it is likely that the value of the Property does not exceed one-fifth of the accrued special assessments.

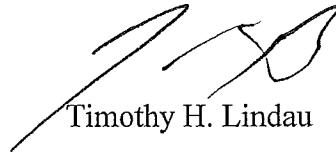
In that regard, Blackhawk Bank would like to continue to market the Property to potential buyers. The hope is that a developer would purchase the Property for the construction of single family residences which was the original intent. Blackhawk Bank is hopeful that, as the economy rebounds, the lots will once again become marketable. In that regard, pursuant to §33.08(2)(f) of the City of Beloit Ordinances, we kindly request an additional deferment of three (3) years for payment of the special assessments. We would ask that the City Council consider this matter at its earliest convenience. While the first of ten installments of the special assessments is currently due and owing, Blackhawk Bank withheld payment. However, it has issued full payment for the 2013 real estate taxes which were due and owing on the Property.

January 14, 2014  
Page 2

We look forward to working with you in resolving this matter in a way that would be beneficial to both Blackhawk Bank and the City of Beloit. If you have any questions, please feel free to contact me.

Sincerely,

NOWLAN & MOUAT LLP



Timothy H. Lindau

THL:TLD

pc: Blackhawk Bank – Attn: Ms. Rebecca Laue  
Century 21 Affiliated – Attn: Mr. Michael Marquette



# CITY OF BELOIT

## REPORTS AND PRESENTATIONS TO CITY COUNCIL

---



**Topic:** Resolution authorizing Blackhawk State Bank an extension for outstanding special assessments at 2231 Trevino Court

**Date:** March 3, 2014

**Presenter(s):** Thomas R. Casper

**Department(s):** City Attorney

---

**Overview/Background Information:**

Blackhawk State Bank is the owner of the four unbuilt residential lots located in Western Hills Subdivision with a common address of 2231 Trevino Court and has requested a three-year nonuse deferral of special assessments levied upon said lots by the City of Beloit. Said deferral is allowed under Section 33.08 of the Code of General Ordinances of the City of Beloit and the staff recommends granting of the requested nonuse deferral along with exceptions to the otherwise applicable requirements of submitting a master development plan, a marketing study, a business pro-forma and a surety bond or letter of credit.

It is noted that the special assessment for the year 2013 was previously levied on November 15, 2013 and is on the official City of Beloit tax roll on November 15, 2013 and may not be removed therefrom. This deferral, if granted, would only affect the years 2014, 2015 and 2016. A map showing the lots is attached hereto.

---

**Key Issues (maximum of 5):**

1. Adoption of the resolution would defer special assessments due for the four unbuilt residential lots located at 2231 Trevino Court for the assessments levied in 2014, 2015 and 2016.
2. Adoption of the resolution would further grant exception to the requirements of submitting a master development plan, a marketing study, a business pro-forma and a surety bond or letter of credit.

---

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

This action would conform with the City's goal #1.

---

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

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

---

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

**Action required/Recommendation:**

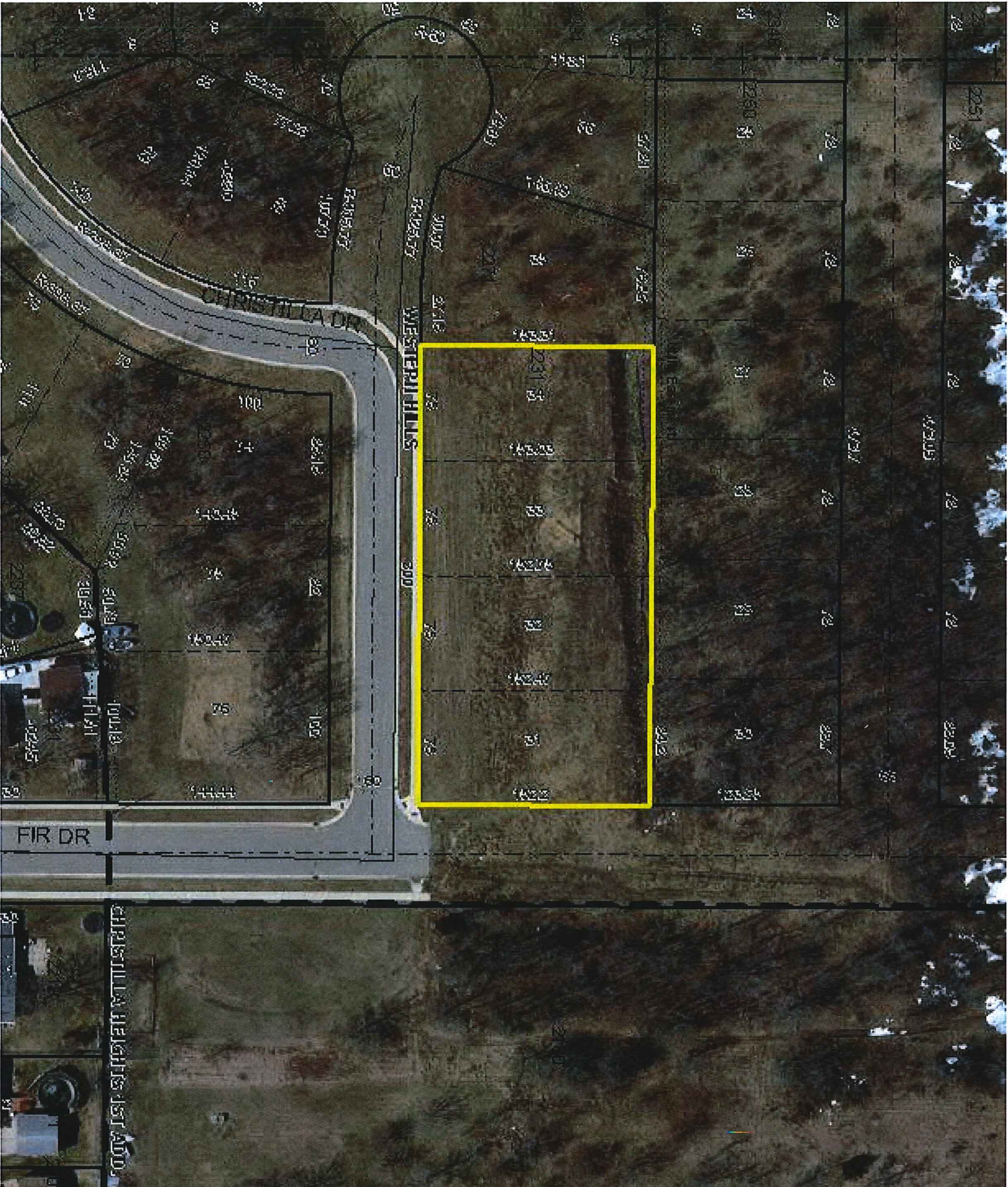
Staff recommends approval of the resolution.

---

**Fiscal Note/Budget Impact:**

Adoption of the resolution would defer payment of special assessments on the four unbuilt residential lots levied in 2014, 2015 and 2016.





**RESOLUTION  
AUTHORIZING TRANS 75 EXCEPTION REQUEST FOR  
PAVEMENT REPLACEMENT ON BAYLISS AVENUE**

**WHEREAS**, Bayliss Avenue, from Park Avenue to the Railroad tracks, in two phases, is in the proposed Street Resurfacing Programs for years 2014 and 2015; and

**WHEREAS**, this street project is proposed to be partially funded with Wisconsin Department of Transportation (WisDOT) Local Road Improvement Project (LRIP) funding; and

**WHEREAS**, in 2009, Wisconsin Act 28 created Statute 84.01 (35) which requires WisDOT to ensure that bicycle and pedestrian facilities are included in all pavement replacement projects funded in whole or part from state funds; and

**WHEREAS**, Bayliss Avenue, within the City limits, meets the pedestrian facilities requirement because it has sidewalk on both sides, but does not meet the bicycle facility requirement; and

**WHEREAS**, Statute 84.01 (35) provides exception conditions under which such facilities may be omitted; and

**WHEREAS**, the City Engineer has determined that the Annual Average Daily Traffic (AADT) is under 1,500 vehicles per day (vpd) on Bayliss Avenue creating an "absence of need" for dedicated bike lanes which is an allowed exception to the statute.

**NOW, THEREFORE, BE IT RESOLVED**, that the City Council of the City of Beloit, Rock County, Wisconsin, find that this project meets the conditions for the exception.

Dated at Beloit, Wisconsin, this 3<sup>rd</sup> day of March, 2014.

**BELOIT CITY COUNCIL**

\_\_\_\_\_  
Charles M. Haynes, President

ATTEST:

\_\_\_\_\_  
Rebecca Houseman LeMire, City Clerk



# CITY OF BELOIT

## REPORTS AND PRESENTATIONS TO CITY COUNCIL



**Topic:** Authorization of Trans 75 Exception request

**Date:** March 3, 2014

**Presenter(s)** Greg Boysen, Public Works Director

**Department(s):** Public Works/Engineering

---

### Overview/Background Information:

An upcoming pavement replacement project for Bayliss Avenue is listed in the 2014 Capital Improvement Plan with a component funding source being the City's State of Wisconsin Local Road Improvement Program (LRIP) entitlement. This funding source includes 'strings' which mandate the installation of a dedicated bicycle lane. The City is requesting an exception to this requirement since the street is not being reconstructed. To obtain the exception a resolution of support by the City Council is required.

---

### Key Issues (maximum of 5):

1. The addition of a bicycle lane to Bayliss Avenue would involve significant changes to the infrastructure which are beyond the intended scope of this pavement replacement project.
2. Bayliss Avenue is not indicated as a bike route on any of the City's master plans for transportation, growth, or land use.
3. An exception to the bicycle requirement because of traffic volumes less than 1500 vehicles per day is available and applicable to this project and requires a resolution confirming the exception by the governing body.
4. The proposed exception will apply to the last two phases of the project. The 2014 phase will improve between Park Avenue and Nelson Avenue, and the 2015 phase will improve from Nelson Avenue to the railroad.
5. The Town of Beloit has jurisdiction over a share of the project. The Town Administration has expressed a desire to continue financial participation as appropriate. Cooperation between the Town and the City was successful in the two prior phases that rehabilitated Bayliss Avenue from Riverside Drive to Park Avenue in 2012 and 2013.

---

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

As an eco-municipality, focus on the sustainable stewardship of City resources, services and infrastructure; to protect both our built and natural environment and enhance the quality of life for current and future generations.

---

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

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

---

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

### Action required/Recommendation:

The Engineering Division recommends approval of the exception request.

---

### Fiscal Note/Budget Impact:

Fifty percent of the project cost is proposed to be reimbursed through the LRIP. Funds are available in the 2014 CIP budget to front the entire cost this year, with reimbursement received applied to next year's phase of work.