



CITY HALL • 100 STATE STREET • BELOIT, WI 53511

MINUTES
BELOIT CITY PLAN COMMISSION
Wednesday, April 9, 2014
The Forum, Beloit City Hall
100 State Street, Beloit

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

Chairperson Faragher called the meeting to order at 7:00 PM. Gail Riddle called the roll. Present were Commissioners Jacobsen, Moore, Kelley, and Ruster.

2. **Approval of the Minutes of the March 19, 2014 Meeting**

Commissioner Moore moved and Commissioner Kelly seconded a motion to approve the March 19, 2014 minutes. The minutes were approved. (5-0)

3. **Conditional Use Permit – 1901 Liberty Avenue – Clara Bo Steak & Seafood Restaurant and Gatsby Wine Lounge**

Public hearing, review and consideration of a Conditional Use Permit to allow an outdoor seating area and outdoor sales, possession & consumption of alcohol in a C-2 Neighborhood Commercial District, for the property located at 1901 Liberty Avenue

Julie Christensen summarized the Staff Report and Staff Recommendation.

Commissioner Kincaid arrived at 7:05 PM.

Chairperson Faragher opened and closed the Public Hearing.

Ms. Christensen added that as the condition stands the fence has to be 4-foot and 50% visible because that is what the Zoning Ordinance requires. The applicant would need a variance to construct the proposed 6-foot solid fence.

Scott Murray, owner of Clara Bo's, 1517 N. Parker Court, Janesville, was present for questions.

Commissioner Kelly asked if there was any reason that they did not want the fence to be four feet high and 50% visible.

Mr. Murray commented that one reason they want an outside seating area is to provide an environment for their guests to be outside and a taller privacy fence would not only keep their noise in but will help keep noise out. This would serve both the neighborhood and

patrons. In addition, a solid fence will limit any garbage or debris from leaving the restaurant. Mr. Murray stated that they are proposing a six (6) foot privacy fence.

Commissioner Faragher asked if the Police Department would have a problem with a 6-foot privacy fence, and Ms. Christensen answered that the Police Department had no comment about this proposal.

Chairperson Faragher asked if there were any issues with the water lateral.

Katie Udell, 555 S. River Street, Janesville, answered that they tried locating the water and sanitary laterals and will be digging carefully in that area because they know it is there. She added that it is a private lateral so it will be on the owner to make sure it is working.

Chairperson Faragher asked about the communications with property owners in the area and their concerns. Mr. Murray stated that he had not seen the communications but that they share similar concerns as the neighbors and feel that a higher fence would make sense for them and the neighbors.

Commissioner Kincaid asked about landscaping. Ms. Christensen commented that they currently meet the landscaping code. Mr. Kincaid commented that the landscape ordinance is the bare minimum. Ms. Udell commented that they do have plans for landscaping that goes beyond the minimum.

Ms. Udell added that what's unique to the site is that the building has been there a long time, and the building is set really close to the intersection which makes them limited to where the patio can go. This is what they will be discussing at the Board of Appeals meeting.

Commissioner Ruster commented that she did not have a problem with the fence being taller but she does have concerns with it being a totally solid fence.

Following more discussion among Commissioners it was decided to include an amendment to the request.

Commissioner Jacobsen moved to approve the Conditional Use Permit with an amendment to Staff Recommendation Item #3 to read as follows: "The outdoor seating area shall be surrounded by 4-foot fence that must be at least 50% see-through or whatever is approved by Board of Appeals". Commissioner Ruster seconded the motion. The motion carried. (5-0)

4. **Planned Unit Development – 1877 Madison Road – Woodman's**
Public Hearing, Review, and consideration of an amendment to an approved Planned Unit Development Master Land Use Plan for the property located at 1877 Madison Road

Ms. Christensen summarized the Staff Report and Staff Recommendation.

Chairperson Faragher opened the Public Hearing.

Jim Arneson, Building Systems, 5972 Executive Drive, Suite 100, Madison, was present. Mr. Arneson commented that Woodman's felt that the orientation involved too many maneuvers for customers to get into the gas pumps and felt a better design was to rotate the station so that it turned off Woodman Lane onto the private drive and then made one turn directly into the gas dispensers as opposed to having to fish their way in. Also, in working with Drew and staff, they chose to situate the building so that the convenience store was on the corner of Madison Road and Woodman Lane because that was the most pleasing element for people to see as they approach the facility.

Chairperson Faragher closed the Public Hearing.

Commissioner Ruster moved to approve the Planned Unit Development. Commission Moore seconded the motion. The motion was approved. (5-0)

5. Status Report on Prior Plan Commission Items

Ms. Christensen stated that the Conditional Use Permit for 3 Frank's on 2100 Newark Road was approved by City Council. City Council also approved the re-zoning for 319-333 Bluff Street along the river.

6. Adjournment

The meeting adjourned at 7:47 PM.