

MINUTES
BELOIT CITY PLAN COMMISSION
Wednesday, August 20, 2014
The Forum, Beloit City Hall
100 State Street, Beloit

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

Chairperson Faragher called the meeting to order at 7:04 PM. Gail Riddle called the roll. Present were Commissioners Moore, Ruster, Finnegan, Tinder, and Kincaid.

2. **Approval of the Minutes of the August 6, 2014 Meeting**

Commissioner Tinder moved and Commissioner Ruster seconded a motion to approve the Minutes of the August 6, 2014 Meeting. The minutes were approved (5-0).

3. **Extraterritorial Certified Survey Map - 5558 E Freedom Lane**

Review and consideration of a one-lot Certified Survey Map for the property located at 5558 E. Freedom Lane in the Town of Turtle

Julie Christensen summarized the Staff Report and Staff Recommendation.

Commissioner Tinder moved to approve the Extraterritorial Certified Survey Map and Commissioner Finnegan seconded the motion. The motion carried (5-0).

4. **Alley Vacation - 900 Blocks of Johnson Street and Townline Avenue**

Public hearing, review and consideration of the vacation of an unnamed east-west alley located between in the 900 blocks of Johnson Street and Townline Avenue

Ms. Christensen summarized the Staff Report and Staff Recommendation.

Chairperson Faragher wanted to know what impact the vacation would have on the utilities such as, AT&T, Alliant, Charter, etc. Ms. Christensen commented that many times when a right-of-way is vacated, there are utilities in the right-of-way. In those cases, an easement is maintained over the utility area, and in that case, you cannot build on top of the easement area so that if utility companies need to access their utilities, they can.

Commissioner Kincaid commented that he thought we should get a legal opinion to determine whether the Plan Commission could vote on this alley vacation.

Chairperson Faragher opened the Public Hearing.

Applicant David Quillen, 916 Johnson Street, was present to represent everyone who signed the petition. Mr. Quillen commented that in a way this is not a shared driveway, adding that the driveway went back to where a garage used to be and the cement slab is still there.

Chairperson Faragher asked Mr. Quillen if there has been a serious problem with drug trafficking, garbage, or graffiti. Mr. Quillen stated that the police have been called many times for individuals in the alley drinking and loitering. Ms. Christensen asked what they would do to avoid this if the alley was vacated. Mr. Quillen commented that they put up fences to keep them from coming through.

Ron Moersfelder, Community Bank CBD, 820 E Geneva St., Delavan, WI, the lender and court appointed receiver for the property, was present and commented that the property was in foreclosure, with an anticipated sale date of October 8th. Mr. Moersfelder stated that they do have an objection to the vacation because they feel that it hurts them not only in reference to the second parking stall, but also they feel that it would have a negative impact on the value of the property.

Chairperson Faragher closed the Public Hearing.

Commissioner Tinder commented that he understands why the neighbors want the alley closed but if it is approved, it would violate City Ordinance.

Commissioner Tinder moved and Commissioner Finnegan seconded a motion to lay over the Alley Vacation until more information is received from the City Attorney. The motion carried (5-0).

5. **Conditional Use Permit – OLA Church – Alcohol Sales**

Public hearing, review and consideration of a Conditional Use Permit to allow alcohol sales, possession, and consumption in a PLI, Public Lands and Institutions, District for the property located at 2222 Shopiere Road

Ms. Christensen summarized the Staff Report and Staff Recommendation.

Chairperson Faragher opened the Public Hearing.

Commission Finnegan asked if they would still have to get a special event license. Ms. Christensen answered that they would still have to get the license for the special event.

Randy Gracyalny was present to represent OLA. Mr. Gracyalny commented that the letter they received from the City states that they are not allowed to ‘sell, have available, or allow to be consumed on the premises any alcohol’. Mr. Gracyalny stated this is why they applied for the Conditional Use Permit.

Chairperson Faragher closed the Public Hearing.

Commissioner Tinder moved to approve the Conditional Use Permit with the restrictions that are listed in the Staff Recommendations, and Commissioner Ruster seconded the motion. The motion carried (5-0).

6. **Appointment of a Plan Commission Representative to the GBEDC Board**

Commissioner Tinder nominated Commissioner Finnegan for the appointment of Plan Commission Representative to the GBEDC Board. Commissioner Moore seconded the motion. The motion carried (5-0). Commissioner Finnegan accepted the appointment.

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

Julie Christensen indicated that the Street Vacation for the Milwaukee Frontage Road was approved by City Council.

She also mentioned that the Jack Meyers Comprehensive Plan Amendment and Re-Zoning was remanded back to the Plan Commission for their review and consideration.

8. **Adjournment**

The meeting adjourned at 7:42 PM.