



**AGENDA
BELOIT CITY COUNCIL
100 State Street, Beloit WI 53511
City Hall Forum – 7:00 p.m.
Monday, January 5, 2015**

1. CALL TO ORDER AND ROLL CALL
2. PLEDGE OF ALLEGIANCE
3. SPECIAL ORDERS OF THE DAY/ANNOUNCEMENTS – none
4. PUBLIC HEARINGS
 - a. Resolution authorizing an amended **Planned Unit Development (PUD) – Master Land Use Plan** for the property located at 2250 West Hart Road (Christensen) Plan Commission recommendation for approval 6-0
 - b. Resolution authorizing a **Conditional Use Permit** to allow a day care center in an R-3, Low-density Multi-family Residential Zoning District, for the property located at 819 Clary Street (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 December 15, 2014 and the special meetings of December 22, 2014 (LeMire)
 - b. Resolution authorizing **Final Payment** of Public Works Contract C14-07, Street Resurfacing (Boysen)
 - c. Resolution **Combining Polling Places** for the Spring Primary Election on February 17, 2015 (if primary is necessary) (LeMire)
 - d. Resolution approving **Lease of Office Space** to Congressman Pocan and authorizing City Manager's Execution (Krueger)
7. ORDINANCES – none
8. APPOINTMENTS – none
9. COUNCILOR ACTIVITIES AND UPCOMING EVENTS

10. CITY MANAGER'S PRESENTATION

- a. **Visit Beloit 2014 Year in Review Presentation** (Executive Director, Monica Krysztopa)

11. REPORTS FROM BOARD AND CITY OFFICERS

- a. Resolution approving **Improvements within Stateline Restoration Prairie Park** located at 540 Colby Street (Christensen)
Plan Commission recommendation for approval 6-0
Park, Recreation & Conservation Advisory Commission recommendation for approval 4-0

12. 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: December 30, 2014
Rebecca Houseman LeMire
City of Beloit City Clerk
www.beloitwi.gov

You can watch this meeting live on Charter PEG 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.

RESOLUTION
AUTHORIZING AN AMENDED PLANNED UNIT DEVELOPMENT (PUD) MASTER
LAND USE PLAN FOR THE PROPERTY LOCATED AT 2250 W. HART ROAD

WHEREAS, the application of Chambers IV, LLC for approval of an amended Planned Unit Development (PUD) - Master Land Use Plan for the property located at 2250 W. Hart Road, 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, IT IS HEREBY RESOLVED THAT, the City Council of the City of Beloit, Rock County, Wisconsin does hereby approve the amended PUD - Master Land Use Plan for the property located at 2250 W. Hart Road in the City of Beloit, for the following described premises:

East ½ of Southwest ¼ of Section 18, Township 1N, Range 13E (to be platted as Parkmeadow North), located in the City of Beloit, Rock County, Wisconsin. Said parcel contains 21.18 acres, more or less.

As a condition of approving the amended PUD - Master Land Use Plan, the City Council does hereby stipulate the following conditions and restrictions upon the development, which are hereby deemed necessary for the public interest:

1. This approval authorizes the construction of a licensed assisted living facility with up to 100 units of group living in lieu of the 56 approved multi-family units shown on the original PUD – Master Land Use Plan approved in 2004.
2. Prior to issuance of a Building Permit, the applicant shall record a Certified Survey Map (CSM) that includes the proposed facility site and the remaining 13.71 acres of the subject property. The CSM shall include a utility easement to accommodate existing utility mains and shall include the Tuck-A-Way Lane right-of-way, if it has been vacated.
3. Prior to issuance of a Building Permit, the applicant shall, at developer's cost, relocate the existing public water & sewer mains into an approved utility easement. The City Engineer shall approve relocation plans prior to construction.
4. This project shall include at least one fire hydrant near the Y-shaped turn-around behind the RCAC and all paved non-parking areas shall be signed as a Fire Lane. Both Y-shaped Fire Lanes shall be constructed during the first phase.
5. The new sidewalk connection to W. Hart Road and the landscaped berms shall be included in the first phase.
6. The minimum building setback shall be 30 feet and the maximum height shall be one story. This development may have up to two monument signs of up to 100 square feet in area each.
7. All other approved uses and conditions associated with the original PUD approval remain in full force and effect.
8. Prior to issuance of a Building Permit for this project, the applicant shall submit a PUD Final Plan that reflects the conditions above and detailed site & architectural plans for Planning staff review and approval.

9. 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 PUD – Master Land Use Plan. The Director of Planning & Building Services may approve minor changes administratively and allow accessory structures and uses that comply with and meet all of the standards and requirements of the City of Beloit Municipal Code.

Adopted this 5th day of January, 2015.

BELOIT CITY COUNCIL

Mark Spreitzer, Council President

ATTEST:

Rebecca Houseman LeMire, City Clerk

CITY OF BELOIT

REPORTS AND PRESENTATIONS TO CITY COUNCIL

Topic: Amended Planned Unit Development (PUD) - Master Land Use Plan for the property located at 2250 W. Hart Road

Date: January 5, 2015

Presenter(s): Julie Christensen

Department: Community Development

Overview/Background Information:

Chambers IV, LLC has submitted an amended Planned Unit Development (PUD) - Master Land Use Plan for part of the Parkmeadow North Phase 4 property located at 2250 W. Hart Road. A copy of the amended PUD - Master Land Use Plan is attached to this report.

Key Issues (maximum of 5):

- The proposed (amended) PUD – Master Land Use Plan includes a multi-phase assisted living facility that includes up to 100 units. The proposed facility includes a Residential Care Apartment Complex (RCAC) wing and a Community Based Residential Facility (CBRF) wing with a shared administration, commons, and kitchen area.
- The applicant will be commissioning a CSM to subdivide and purchase the land included in the PUD, leaving the remaining single-family portion of Parkmeadow North Phase 4 undeveloped.
- In 2004, the City Council approved a PUD that included fourteen 4-unit condo buildings on the land that is subject to this request, but the subdivision plat was never recorded and the development never materialized. The prior developer did construct water & sanitary sewer mains that will need to be relocated into a utility easement in order to accommodate the proposed assisted living facility.
- The subject property was rezoned to PUD when Parkmeadow North Phases 3 & 4 were approved a decade ago.
- The Plan Commission reviewed this item on December 17, 2014 and voted unanimously (6-0) to recommend approval of the amended PUD - Master Land Use Plan, subject to the conditions recommended by Planning staff.

Conformance to Strategic Plan:

- Consideration of this request supports Strategic Goal #5.

Sustainability:

- **Reduce dependence upon fossil fuels** – The proposed facility will be located adjacent to medical facilities, retail goods & services, existing bus lines, and existing infrastructure.
- **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** – This project is expect to have a positive impact upon all stakeholders.

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

Meeting Date: December 17, 2014

Agenda Item: 3

File Number: PUD-2014-01

Applicant: Chambers IV, LLC

Owner: DMD Investment Inc.

Location: 2250 W. Hart Road

Existing Zoning: PUD

Existing Land Use: Vacant Land

Parcel Size: 20.18 Acres

Request Overview/Background Information:

Chambers IV, LLC has submitted an amended Planned Unit Development (PUD) - Master Land Use Plan for part of the Parkmeadow North Phase 4 property located at 2250 W. Hart Road. A copy of the amended PUD - Master Land Use Plan is attached to this report. The PUD District is a special-purpose zoning district that permits greater flexibility in land planning and site design than conventional zoning districts and is intended to provide flexibility in architectural design and land uses.

Key Issues:

▪ **Approved 2004 PUD:**

- In 2004, the City Council approved a PUD – Master Land Use Plan that included fourteen, 4-unit buildings on the land that is subject to this request, but the subdivision plat was never recorded and the development never materialized.
- The subject property was rezoned to PUD when Parkmeadow North Phases 3 & 4 were approved a decade ago. The two phases were combined into one PUD, although only the Phase 3 plat was recorded. Phase 4 remains vacant.

▪ **Proposed (Amended) 2014 PUD:**

- The proposed PUD – Master Land Use Plan includes a multi-phase assisted living facility that includes a Residential Care Apartment Complex (RCAC) wing and a Community Based Residential Facility (CBRF) wing, with a shared administration, commons, and kitchen area. The facility will be one story in height.
- The first phase includes the 46,500 square-foot, 46-unit RCAC, the second phase includes the 30-unit CBRF, the third phase includes a possible 14-unit RCAC addition, and the fourth phase includes a possible 10-unit CBRF addition, for a total of 100 units. This total unit count equates to a residential density of 15.5 units per acre.
- The applicant will be commissioning a Certified Survey Map (CSM) to subdivide and purchase the land included in the PUD, leaving the remaining single-family portion of Parkmeadow North Phase 4 unplatted and undeveloped.
- The proposed assisted living facility site encompasses 6.47 acres. If this proposed development moves forward, the remaining phase 4 land will consist of 13.71 acres of vacant land that will need to be subdivided in the future.

▪ **Project Details & Analysis:**

- The attached **Location Map** shows the various land uses surrounding the subject property. The proposed assisted living facility provides an excellent transitional land use between the bustling Shopko plaza and hospital campus to the west & north and the adjacent single-family neighborhood to the east and south.
- As often happened during frenetic pre-recession housing developments, the prior developer actually constructed public water & sanitary sewer mains before formally dedicating the proposed right-of-way to the public. Therefore, due to a conflict between the existing mains and the proposed building placement, the proposed CSM to create the assisted living facility lot will need to establish a utility easement along the northern edge of the subject property to connect the Hart Road right-of-way to the Tuck-A-Way Lane right-of-way, and the existing water & sewer mains will need to be relocated into said utility easement. Alternatively, the sewer main may be relocated to other existing easements.
- According to Section 8-103 of the Zoning Ordinance, Group Living facilities must include at least ½ off-street parking stall per resident room. The proposed PUD includes 62 off-street parking stalls, which satisfies this requirement.
- At Planning staff's request, the proposed PUD includes a sidewalk between the dead-end sidewalk along W. Hart Road and the front entrance of the proposed assisted living facility.
- The Fire Inspector has reviewed the proposed PUD and has requested an additional fire hydrant near the Y-shaped turn-around behind the RCAC and that the turn-around areas be signed as Fire Lanes.
- The City Engineer has reviewed the proposed PUD and has noted that stormwater quality and quantity requirements must be met and has recommended the vacation of Tuck-A-Way Lane.
- The City's other review agents have reviewed the proposed PUD and have not submitted any comments.
- The attached Public Notice was sent to property owners within 150 of the proposed facility. Planning staff has

been contacted by one property owner on Northfield Lane who does not want any development on the subject site.

- Section 5-305 of the Zoning Ordinance requires the City Council to establish development standards during the PUD process. Development standards are addressed in the Staff Recommendation section of this report.
- Section 2-402(g) of the Zoning Ordinance allows for the approval of a PUD - Master Land Use Plan if the following five criteria can be met:
 - **The plan represents an improvement over what could have been accomplished through strict application of otherwise applicable standards, based on the purpose and intent of the Zoning Ordinance.** The proposed assisted living facility is an excellent alternative to the previously approved multi-family development. Although more dense, the proposed facility will have less activity, fewer vehicle trips, and more open space and landscaping than the approved multi-family development. As a result, the proposed facility will be more compatible with the surrounding single-family neighborhoods.
 - **The PUD - Master Land Use Plan complies with the standards of Section 5-300.** The PUD - Master Land Use Plan complies with the standards of Section 5-300.
 - **Service providers will be able to provide necessary public services, facilities, and programs to serve the development proposed.** Service providers will be able to provide necessary services, facilities, and programs to serve the development. The review agents have been notified and have not raised objections. The existing water & sewer mains will be relocated at the developer's cost into a utility easement.
 - **The development is consistent with and implements the planning goals and objectives contained in the Comprehensive Plan and other adopted policies and documents.** See the consistency section below.
 - **The PUD - Master Land Use Plan is consistent with sound planning practice and the development will promote the general welfare of the community.** Subject to certain conditions of approval, the proposed assisted living facility will diversify the land use mix in the immediate area, while providing a logical transition between Shopko plaza, the hospital campus, and the remainder of the Parkmeadow North neighborhood. The proposed site is ideal for group living due to the proximity of existing transit lines, shopping, and clinics.

Consistency with Comprehensive Plan and Strategic Plan:

The Comprehensive Plan recommends Single-Family Residential - Urban uses of this site. The PUD is consistent with the goals, objectives, and policies contained in the Comprehensive 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 – N/A**

Staff Recommendation:

The Planning & Building Services Division recommends **approval** of the amended PUD - Master Land Use Plan for the property located at 2250 W. Hart Road, based on its consistency with the Zoning Ordinance and subject to the following conditions:

1. This approval authorizes the construction of a licensed assisted living facility with up to 100 units of group living in lieu of the 56 approved multi-family units shown on the original PUD – Master Land Use Plan approved in 2004.
2. Prior to issuance of a Building Permit, the applicant shall record a Certified Survey Map (CSM) that includes the proposed facility site and the remaining 13.71 acres of the subject property. The CSM shall include a utility easement to accommodate existing utility mains and shall include the Tuck-A-Way Lane right-of-way, if it has been vacated.
3. Prior to issuance of a Building Permit, the applicant shall, at developer's cost, relocate the existing public water & sewer mains into an approved utility easement. The City Engineer shall approve relocation plans prior to construction.
4. This project shall include at least one fire hydrant near the Y-shaped turn-around behind the RCAC and all paved non-parking areas shall be signed as a Fire Lane. Both Y-shaped Fire Lanes shall be constructed during the first phase.
5. The new sidewalk connection to W. Hart Road and the landscaped berms shall be included in the first phase.
6. The minimum building setback shall be 30 feet and the maximum height shall be one story. This development may have up to two monument signs of up to 100 square feet in area each.
7. All other approved uses and conditions associated with the original PUD approval remain in full force and effect.

8. Prior to issuance of a Building Permit for this project, the applicant shall submit a PUD Final Plan that reflects the conditions above and detailed site & architectural plans for Planning staff review and approval.
9. 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 PUD – Master Land Use Plan. The Director of Planning & Building Services may approve minor changes administratively and allow accessory structures and uses that comply with and meet all of the standards and requirements of the City of Beloit Municipal Code.

Fiscal Note/Budget Impact: N/A

Attachments: Location Map, 2014 Proposed PUD Plan, 2004 Approved PUD Plan, 2004 PUD Resolution, Application, Public Notice, and Mailing List.



City of Beloit, WI
 Date Printed: 11/25/2014

This map is for illustrative purposes only and does not represent a survey. It is provided 'as is' without warranty or any representation of accuracy, timeliness or completeness. The user acknowledges and accepts all inherent limitations of the maps and data, including the fact that the maps and data are dynamic and in a constant state of maintenance, correction and revision. No liability is assumed by City of Beloit as to the accuracy of the data delineated hereon.

2014 Proposed PUD Plan



PLANNING
DESIGN
CONSTRUCTION

PDC MIDWEST, INC.
1400 W. HART ROAD
MILWAUKEE, WI 53204-1300
T: 312-267-7778 F: 312-267-7774
WWW.PDCMIDWEST.COM

PROJECT
BELOIT
SENIOR CAMPUS

HART RD.
BELOIT, WI 53511

OWNER
CHAMBERS IV, LLC
2916 N. HALL ROAD
WHITERIVER, WI 53190

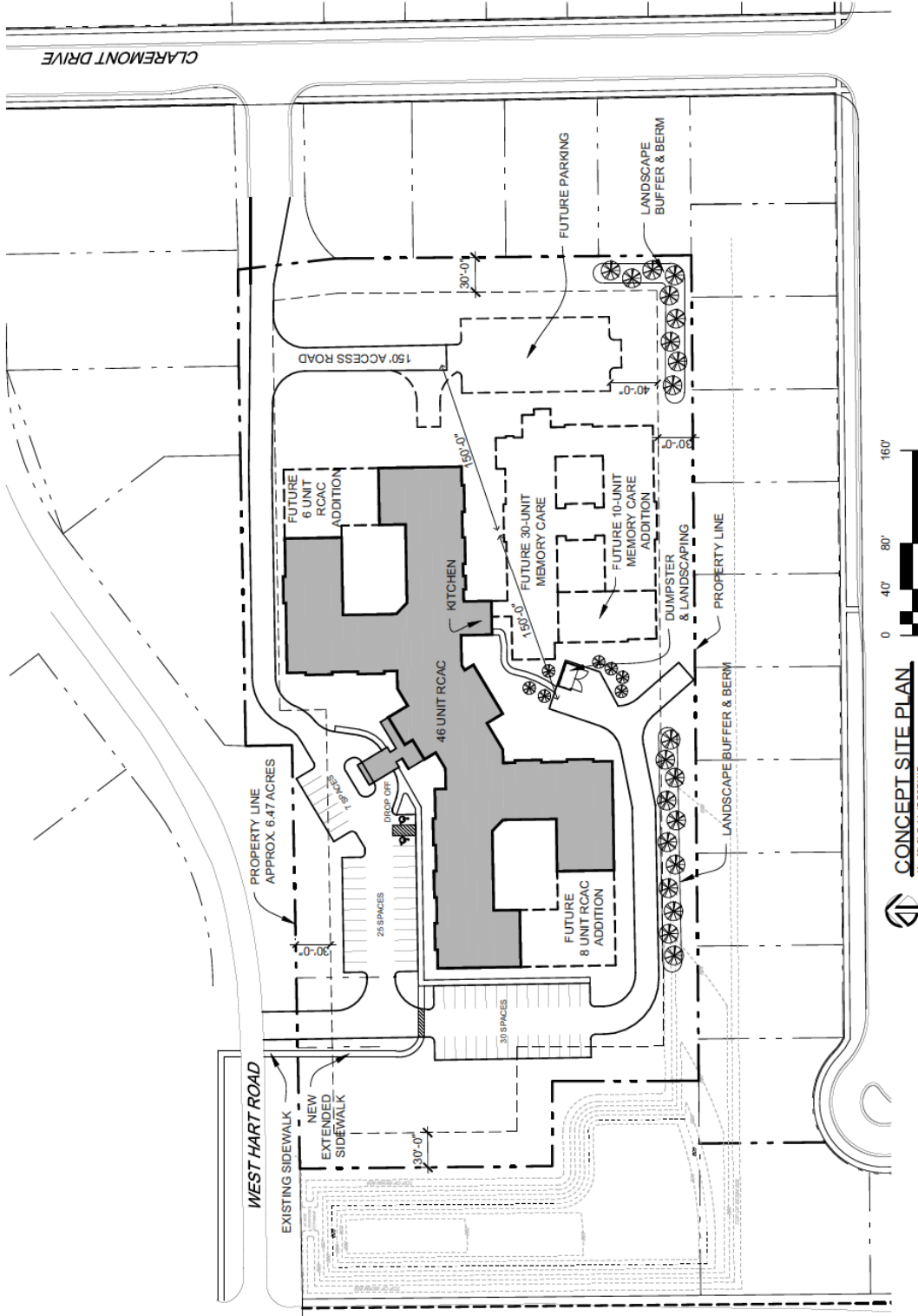
STATUS
PLAN COMMISSION
December 17, 2014

PROJECT NO. DATE
14040 12/17/14
DRAWN BY CHECKED
JMP PDJ

SHEET TITLE
CONCEPT SITE
PLAN

SHEET NUMBER
C1.1

PREPARED BY
PLAN COMMISSION



CONCEPT SITE PLAN
1" = 80'-0" @ 24x36" FORMAT
1" = 40'-0" @ 24x36" FORMAT

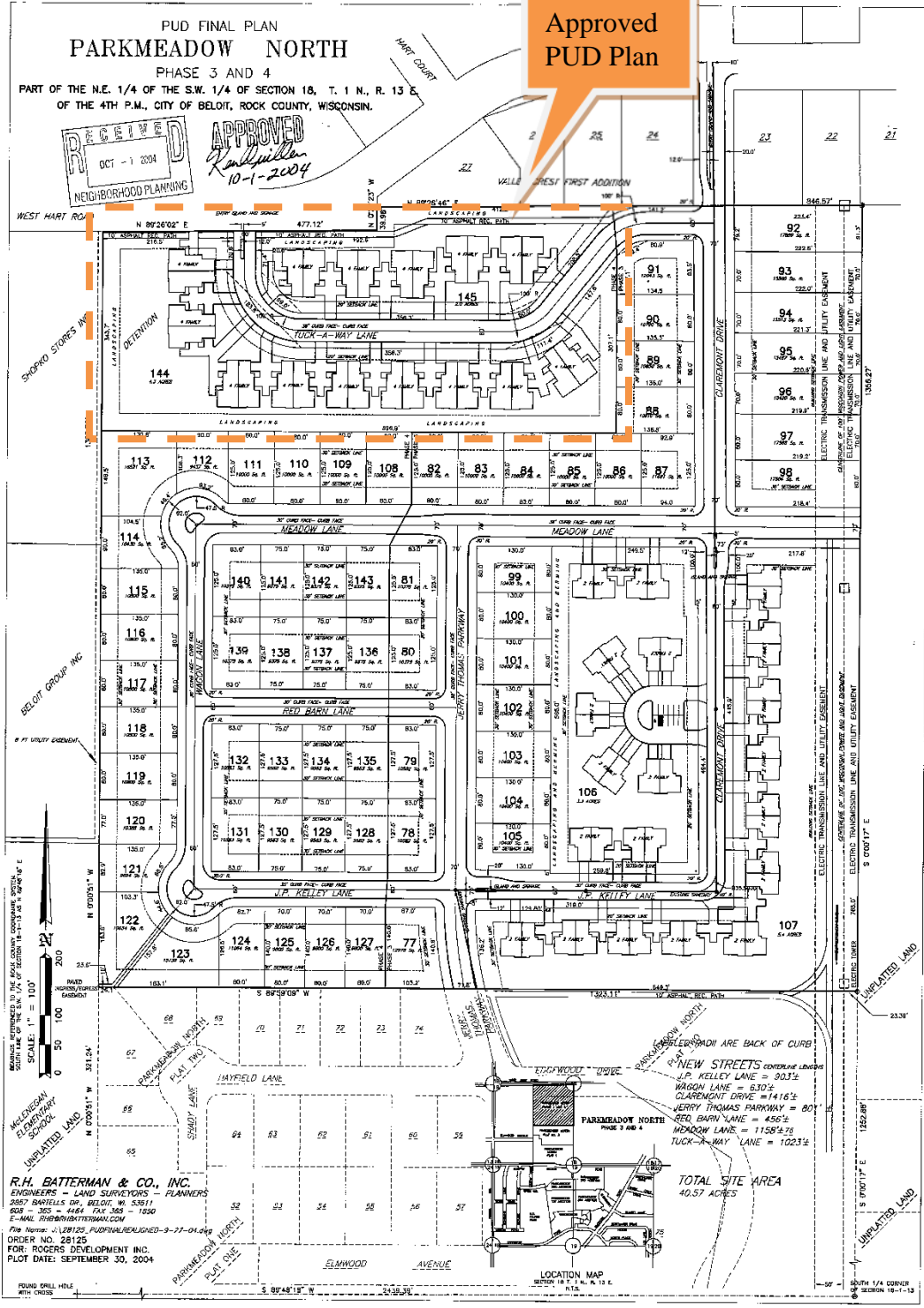
2004
Approved
PUD Plan

PUD FINAL PLAN
PARKMEADOW NORTH

PHASE 3 AND 4
PART OF THE N.E. 1/4 OF THE S.W. 1/4 OF SECTION 18, T. 1 N., R. 13 E.
OF THE 4TH P.M., CITY OF BELDIT, ROCK COUNTY, WISCONSIN.

RECEIVED
OCT - 1 2004
NEIGHBORHOOD PLANNING

APPROVED
Kendall
10-1-2004



R.H. BATTERMAN & CO., INC.
ENGINEERS - LAND SURVEYORS - PLANNERS
2857 BATELLS DR., BELDIT, WI 53611
P.O. BOX 303 - 4464 FAX 535 - 1350
E-MAIL: RH@RHBATTERMAN.COM
File Number: 128120, PUD/FINAL/RELINQ-9-27-04-120
ORDER NO. 28125
FOR: ROGERS DEVELOPMENT INC.
PLOT DATE: SEPTEMBER 30, 2004

FILE # _____

JUL 19 2004

CITY OF БЕЛОIT
CITY CLERK

RESOLUTION
AUTHORIZING A PLANNED UNIT DEVELOPMENT (PUD) MASTER LAND USE
PLAN ON PROPERTY LOCATED AT 2050 WEST HART ROAD

WHEREAS, the application of Rogers Development, Inc. for approval of a Planned Unit Development (PUD) Master Land Use Plan for a residential development of single-family residential lots and multifamily condominium buildings consisting of 162 dwelling units on property located at 2050 West Hart Road, 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 IT IS HEREBY RESOLVED that the City Council of the City of Beloit, Rock County, Wisconsin does hereby approve the proposed Planned Unit Development (PUD) Master Land Use Plan to allow a residential development of single-family residential lots and multifamily condominium buildings consisting of 162 dwelling units on property located at 2050 West Hart Road in the City of Beloit, for the following described premises:

Part of the Northeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 18, Township 1 North, Range 13 East of the 4th P.M., City of Beloit, Rock County, Wisconsin, DESCRIBED AS FOLLOWS: Beginning at the Northeast corner of Parkmeadow North Plat No. 2 as platted and recorded, said point being 1,302.88 feet North $0^{\circ}00'17''$ West of the South $\frac{1}{4}$ corner of Section 18 aforesaid; thence South $89^{\circ}59'09''$ West along the North line of Plat No. 2 aforesaid 1,323.11 feet; thence North $00^{\circ}00'51''$ West 1,303.72 feet; thence North $89^{\circ}26'02''$ East 477.12 feet; thence North $00^{\circ}27'23''$ West 39.98 feet; thence North $89^{\circ}26'46''$ East, 846.57 feet; thence South $00^{\circ}00'17''$ East 1,356.27 feet to the point of beginning. Containing 40.571 acres.

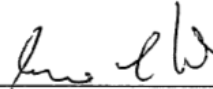
As a condition of granting the Planned Unit Development (PUD) Master Land Use Plan, the City Council does hereby stipulate the following conditions and restrictions upon the development which are hereby deemed necessary for the public interest:

1. No more than 162 dwelling units shall be permitted on this property. Development shall substantially conform to the final PUD Master Land Use Plan, which meets all of the following required conditions.
2. This development shall be constructed according to an approved detailed PUD Final Plan submitted to and approved by the City Zoning Officer prior to the start of construction of any public improvements.
3. Monies in lieu of parkland dedication shall be paid for each net new dwelling unit over and above the 155 dwelling units approved in July 2001 for this property.
4. The street named J.P. Kelly Lane and J.P. Kelly Court shall be changed to "Kelly Lane".

5. The PUD Final Plan shall include a looped water system, where necessary, with the number and location of fire hydrants provided and installed as approved by the City Zoning Officer.
6. The developer shall construct sidewalks on all new streets as required by the Subdivision Ordinance and as specified in the subdivision Development Agreement.
7. The developer shall construct a 10-foot wide recreation path along the easterly edge of the property connecting the recreation path in Parkmeadow North Plat No. 2 with the public sidewalk located on the south side of Meadow Lane.
8. All public improvements to be located in the public rights-of-way, including any landscape islands and/or traffic circles, shall be constructed according to detailed construction drawings approved by the City Engineer prior to construction. These plans shall include a straight street segment for Claremont Drive between Meadow Lane and Kelly Lane.
9. The number of access drives on the public streets shall be the minimum number possible and shall be located as determined by the City Engineer.
10. Tuck-a-Way Lane shall extend easterly to Claremont Drive to provide a second means of access to the condominium units located in the northwestern portion of the development.
11. The Plan Commission and City Council shall approve any major changes in the adopted conditions or use of this property. The Community Development Director may approve minor changes administratively and allow accessory structures and uses that comply with and meet all of these standards.

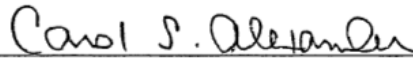
Adopted this 19th day of July, 2004.

BELOIT CITY COUNCIL



Terrence T. Monahan, President

ATTEST:



Carol S. Alexander, CMC
City Clerk

CITY of BELOIT

Planning & Building Services Division

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

PUD - Master Land Use Plan Application

(Please Type or Print) 2250 West Hart Rd - see map File Number: PUD-2014-01

1. Address of subject property: 2250 West Hart Rd - see map
2. Legal description: Survey on order
If necessary attach a copy of the complete legal description.
3. Area of parcel in square feet or acres: 6.47 acres
4. Tax Parcel Number(s): part of 218 60600
5. Owner of record: PMD Investments Inc Phone: 847-343-4925
7450 Logan Av. Belvidere IL 51008
(Address) (City) (State) (Zip)
6. Applicant's Name: Chambers IV, LLC
2916 W. Hall Rd. Whitewater WI 53190
(Address) (City) (State) (Zip)
608-751-1342 / shades5058@gmail.com
(Office Phone #) (Cell Phone #) (E-mail Address)
7. All existing use(s) on this property are: undeveloped - vacant
8. The applicant requests review and approval of a PLANNED UNIT DEVELOPMENT / Master Land Use Plan: in a(n) part of Park Meadows North PUD Zoning District.
9. A Preapplication Conference was held on: 11/5/14
10. All the proposed use(s) for this property will be:
Principal use(s): assisted living - RCAC + CBRF
Secondary use(s): _____
11. State how the proposed development differs from the type of development that would be permitted under the existing zoning regulations. change of existing general multi family use to allow assisted living both RCAC + CBRF less density, RCAC + CBRF currently require different zoning
12. Describe how the proposed development provides greater benefits to the City of Beloit than an otherwise permitted development. market analysis shows great need for these services, current providers have waiting lists. minimal impact on city services, RCAC with CBRF allows for a continuum of care

Phase one

13. Project timetable: Start date: 4/1/15 Completion date: 2/28/16

14. 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.

Chambers IV, LLC
Scott F. Shadel / Scott F. Shadel / 11/5/14
 (Signature of Owner) (Print name) (Date)

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

In order for your request to be heard and considered in a timely manner, you must submit the completed application and all accompanying documents to the Planning & Building Services Division for acceptance by the filing deadline date prior to a scheduled Plan Commission meeting. This application must be submitted with one copy of a scaled drawing showing the layout of the proposed development in accordance with all code requirements, and the \$200.00 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: \$200.00	Amount paid: <u>\$200.⁰⁰</u>	Meeting date: <u>Dec. 3, 2014</u>
No. of notices: _____	x mailing cost (\$0.50) = cost of mailing notices: \$ _____	
Application accepted by: <u>Don Permyer</u>	Date: <u>11/5/14</u>	



NOTICE TO THE PUBLIC

November 20, 2014

To Whom It May Concern:

Chambers IV, LLC has submitted an application for review and consideration of an amended Planned Unit Development (PUD) - Master Land Use Plan for part of the Parkmeadow North Phase 4 property located at:

2250 W. Hart Road.

In 2004, the City Council approved a PUD that included fourteen, 4-unit condo buildings on the land that is subject to this request, but the subdivision plat was never recorded and the development never materialized. The proposed PUD – Master Land Use Plan replaces the 56 approved multi-family units with a single-story assisted living facility that includes up to 100 units to be constructed in phases. The proposed facility includes a Residential Care Apartment Complex (RCAC) wing and a Community Based Residential Facility (CBRF) wing, with a shared administration, commons, and kitchen area. A copy of the PUD - Master Land Use Plan is attached to this notice.

The following public hearings will be held regarding this proposed PUD - Master Land Use Plan:

City Plan Commission: Wednesday, December 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.

City Council: Monday, December 15, 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, AICP in the Planning & Building Services Division at (608) 364-6711 or penningtond@beloitwi.gov. Comments will be accepted via telephone, email, and U.S. Mail.

Deb Bennett, Clerk
Town of Turtle
6916 S. County Rd. J.
Beloit, WI 53511

Tim McKeveatt
Beloit Memorial Hospital
1969 W. Hart Road
Beloit, WI 53511

Shopko SPE Real Estate LLC
P.O. Box 19060
Green Bay, WI 54307

Bardil & Nerdje Ahmedi
2770 Claremont Drive
Beloit, WI 53511

DMD Investment, Inc.
1613 E. Fairfield Trail
Belvidere, IL 61008

Teresa Coronado
2265 Northfield Lane
Beloit, WI 53511

Scott & Shannon Gurka
2255 Northfield Lane
Beloit, WI 53511

Kathleen Cikar
Brad & Karen Viens
2245 Northfield Lane
Beloit, WI 53511

Heather Zick
Kevin Jordan
2235 Northfield Lane
Beloit, WI 53511

Albert & Karen Stuessy
2225 Northfield Lane
Beloit, WI 53511

Rita Costa
830 E. Columbine Drive
Beloit, WI 53511

Dr. Dennis McCarthy
Beloit-Turner School District
1237 Inman Parkway
Beloit, WI 53511

RESOLUTION
AUTHORIZING A CONDITIONAL USE PERMIT TO ALLOW A DAY CARE CENTER
IN AN R-3, LOW-DENSITY, MULTI-FAMILY RESIDENTIAL DISTRICT,
FOR THE PROPERTY LOCATED AT 819 CLARY STREET

WHEREAS, the application of Angus Young Associates for a Conditional Use Permit to allow a day care center in an R-3, Low-Density, Multi-Family Residential District, for the property located at 819 Clary Street, 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 a day care center in an R-3, Low-Density, Multi-Family Residential District, for the property located at 819 Clary Street in the City of Beloit, for the following described premises:

East 116.25 feet of Lot 1 and East 116.25 feet of South 6 feet of Lot 2, Block 24 of Original Plat, all situated in the City of Beloit, County of Rock, State of Wisconsin (a/k/a 819 Clary Street). Said parcel contains 0.1930 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 a licensed child care facility at the subject property.
2. The driveway on Park Avenue shall be removed and the curb and gutter restored to full head prior to the child care use being established at the subject property.
3. Hours of operation shall not extend past 8:00PM.
4. 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 5th day of January, 2015.

BELOIT CITY COUNCIL

Mark Spreitzer, Council President

ATTEST:

Rebecca Houseman LeMire, City Clerk

CITY OF BELOIT

REPORTS AND PRESENTATIONS TO CITY COUNCIL

Topic: Conditional Use Permit Application for the property located at 819 Clary Street

Date: January 5, 2015

Presenter(s): Julie Christensen

Department: Community Development

Overview/Background Information:

Angus Young Associates has filed an application for a Conditional Use Permit to allow child care uses in an R-3, Low-Density, Multi-Family Residential District, for the property located at 819 Clary Street.

Key Issues (maximum of 5):

- Little Turtles Playhouse is seeking approval to move their child care facilities from 706 Emerson Street to the subject property. If the Conditional Use Permit is approved, a purchase agreement will be formalized between Little Turtles Playhouse and Beloit College, the current owner.
 - An outdoor play area and fencing will be added. No other exterior renovations are proposed. Nine (9) terrace parking stalls are available, meeting the minimum required by the Zoning Code.
 - Operations are anticipated to remain the same at the new location. Child care is a conditional use in the R-3 zoning district. The application, Location & Zoning Map, and site plan are attached to this report.
 - The Plan Commission reviewed this item on December 17, 2014 and voted unanimously (6-0) to recommend approval of the Conditional Use Permit, subject to four 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

Meeting Date: December 17, 2014

Agenda Item: 4

File Number: CU-2014-11

Applicant: Angus Young Associates

Owner: Beloit College

Location: 819 Clary Street

Existing Zoning: R-3, Low-Density,
Multi-Family Residential District

Existing Land Use: College
Dormitory

Total Area: 0.1930 acre

Request Overview/Background Information:

Angus Young Associates has filed an application for a Conditional Use Permit to allow child care uses in an R-3, Low-Density, Multi-Family Residential District, for the property located at 819 Clary Street.

Key Issues:

- Little Turtles Playhouse is seeking approval to move their child care facilities from 706 Emerson Street to the subject property. If the Conditional Use Permit is approved, a purchase agreement will be formalized between Little Turtles Playhouse and Beloit College, the current owner.
- An outdoor play area and fencing will be added. No other exterior renovations are proposed. Nine (9) terrace parking stalls are available, meeting the minimum required by the Zoning Code.
- Operations are anticipated to remain the same at the new location. Current hours of operations are 6:00AM - 6:00PM. There are currently 4-5 staff members on site at any given time. They are licensed to have up to 30 children under the age of 6 in their care at any given time.
- Child care is a conditional use in the R-3 zoning district. The application, Location & Zoning Map, and site plan are attached to this report.
- 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: R-3, Low-Density, Multi-Family Residential District; Single-Family Residential
 - South: PUD, Planned Unit Development; College Dormitory
 - East: R-1B, Single-Family Residential District; Single-Family Residential
 - West: R-1B, Single-Family Residential District; Single-Family Residential
- The City's Review Agents have reviewed this application and have the following comments:
 - The Engineering Department would like the driveway on Park Avenue removed and the curb and gutter restored. The driveway serves no purpose and restoring the curb will allow for more on-street parking on Park Avenue. A condition of approval has been added to reflect this.
 - No other comments or concerns were submitted.
- The attached Public Notice was sent to 11 nearby property owners. Staff has not received 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. The establishment of a child care facility with fixed hours will not interfere with the use and enjoyment of neighboring properties.
 - c. *Whether the conditional use will substantially diminish or impair property values within the neighborhood of the subject property;*
 - The proposed use 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. The subject property is located in an established residential area near Beloit College. New development is not likely on neighboring parcels.
- 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 major exterior or site changes have been proposed for this conditional use. The proposed minor changes and any future changes would be subject to the Architectural Review process to ensure compatibility.
- 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. With the removal of the driveway on Park Avenue, public parking facilities will be increased.
- h. *Whether the conditional use will comply with all applicable regulations of the Zoning Ordinance.*
 - The conditional use will comply with all other applicable regulations of the Zoning Ordinance.

Consistency with Comprehensive Plan and Strategic Plan:

The Comprehensive Plan recommends Mixed Residential uses for the subject property. The underlying zoning district classification is consistent with the Comprehensive Plan, as required by Section 66.1001(3) of Wisconsin Statutes. Consideration of this request supports City of Beloit Strategic Goal #5.

Sustainability:

- **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 a day care center in an R-3, Low-Density, Multi-Family Residential District, for the property located at 819 Clary Street, based on the above Findings of Fact and subject to the following conditions:

5. This Conditional Use Permit authorizes a licensed child care facility at the subject property.
6. The driveway on Park Avenue shall be removed and the curb and gutter restored to full head prior to the child care use being established at the subject property.
7. Hours of operation shall not extend past 8:00PM.
8. Any major changes in the adopted conditions or use of the property shall be approved by the Plan Commission and City Council by amending this Conditional Use Permit. The Director of Planning & Building Services may approve minor changes administratively.

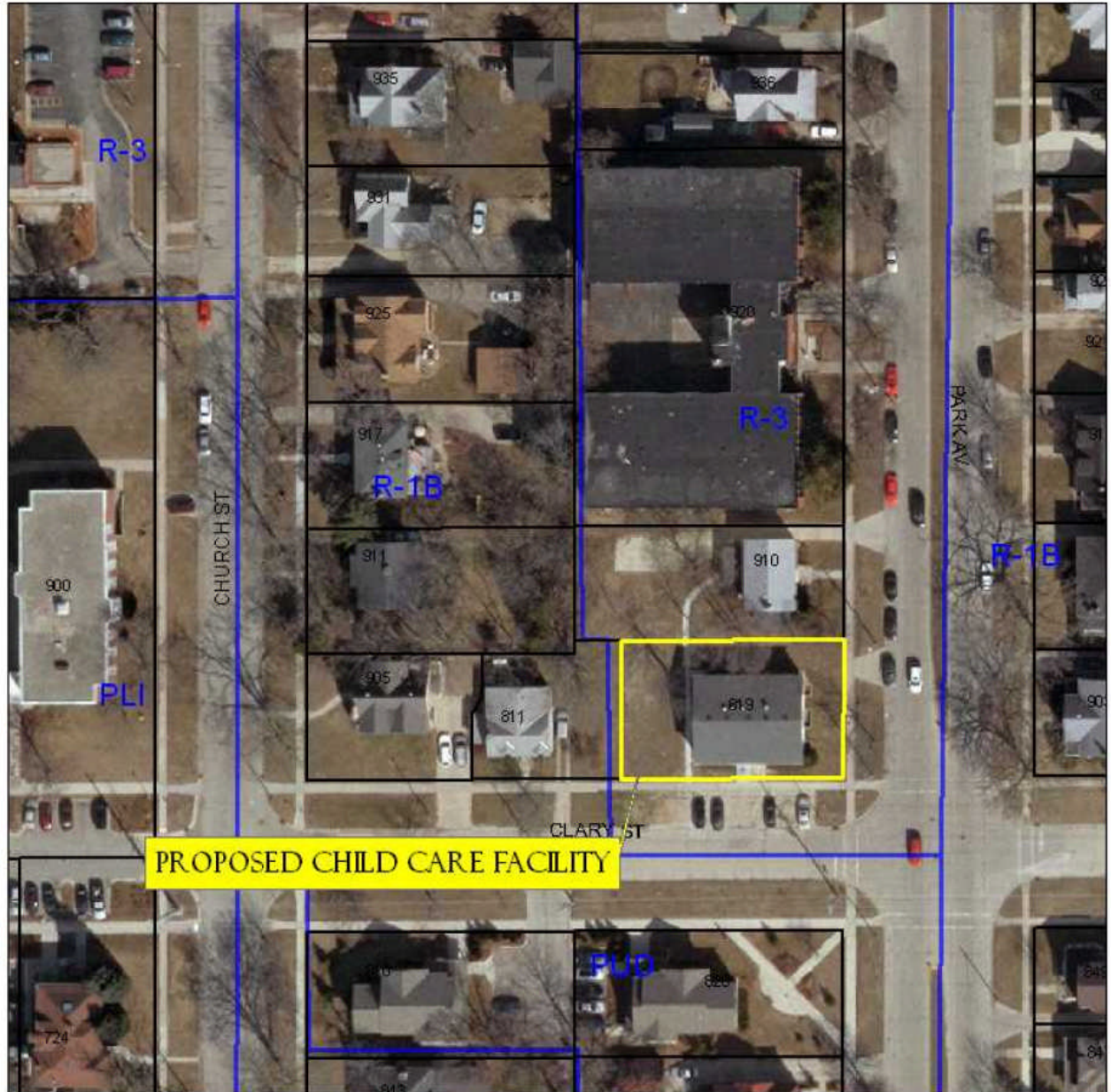
Fiscal Note/Budget Impact: N/A

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

Location & Zoning Map

819 Clary Street

CU-2014-11



1 inch = 75 feet

0 15 30 60 90 Feet

Legend

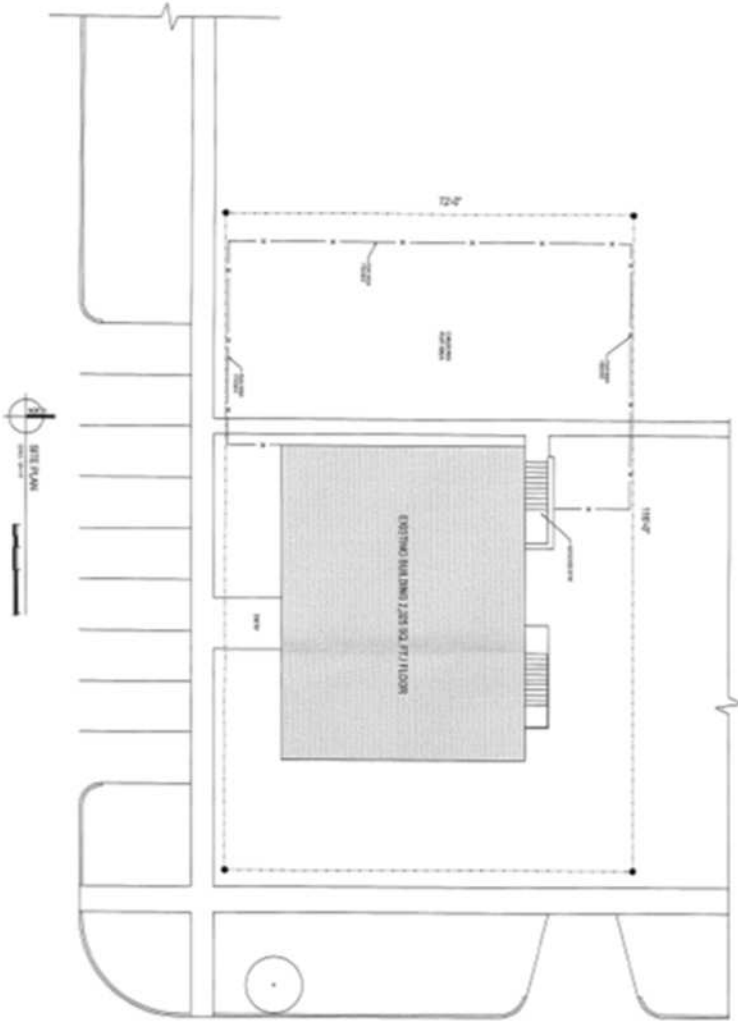
- COB Parcels
- Zoning District

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

PLANNING & BUILDING SERVICES DIVISION

PROJECT NO. 1000000000

DATE 10/10/2010



PRELIMINARY - NOT FOR CONSTRUCTION

C-101

PROJECT NUMBER	1000000000
DATE	10/10/2010
PROJECT NAME	LITTLE TURTLES PLAYHOUSE
CLIENT	BELOIT COLLEGE
LOCATION	BELOIT, WISCONSIN
SCALE	1/8" = 1'-0"

LITTLE TURTLES
PLAYHOUSE
BELOIT COLLEGE
BELOIT, WISCONSIN

Angus Young
Architectural
Engineering
Interior Design
A Division of Angus Young & Partners
1000 UNIVERSITY AVENUE
BELOIT, WISCONSIN 53510

DATE	REVISION

Scale: 1/8" = 1'-0" Angus Young & Partners Inc. 10/10/2010



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-2014-11

1. Address of subject property: 819 Clary Street

2. Legal description: _____

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

Property dimensions are: 116.0 feet by 72 feet = 8,370 square feet.

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

3. Tax Parcel Number(s): 13680055 0.19

4. Owner of record: Beloit College Trustees Phone: (608) 363-2200
700 College Street, Beloit, WI 53511

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

5. Applicant's Name: Joseph J. Stadelman, VP Angus-Young Associates
555 South River Street, Beloit, WI 53548

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

(608) 756-2326 / (608) 751-1546 / joes@angusyoung.com
(Office Phone #) (Cell Phone #) (E-mail Address)

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

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

A Conditional Use Permit for: Change of Use to Child Care Center

_____ in a(n) R-3 :Low Density Residential _____ Zoning District.

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

Principal use: _____

Child Care Center

Secondary use: _____

None

Accessory use: _____

None


9. Project timetable: Start date: 1/1/2015 Completion date: 5/1/2015


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.

 1 LAURIE STICKELMAIER 11/24/14
 (Signature of Owner) (Print name) (Date)

 1 Joseph J STADELMAN 11/24/14
 (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: \$275.00 Amount paid: 275.00 Meeting date: 12/17/14

No. of notices: 11 x mailing cost (\$0.50) = cost of mailing notices: \$ 5.50

Application accepted by: S. Hummel Date: 11/24/14



City of
BELOIT, Wisconsin
Division of Planning and Building Services

CITY HALL • 100 STATE STREET • BELOIT, WI 53511

Office: 608/364-6700 • Fax: 608/364-6609

www.beloitwi.gov

Equal Opportunity Employer

December 5, 2014

NOTICE TO THE PUBLIC

To Whom It May Concern:

Angus Young Associates has filed an application for a Conditional Use Permit to allow child care uses in an R-3, Low-Density, Multi-Family Residential District, for the property located at:

819 Clary Street.

Little Turtles Playhouse is seeking approval to move their child care facilities to the subject property. Child care is a conditional use in the R-3 zoning district.

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

City Plan Commission: Wednesday, December 17, 2014, at 7:00 PM, or as soon thereafter as the matter can be heard in The Forum, Beloit City Hall, 100 State Street.

City Council: Monday, January 5, 2015, 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@beloitwi.gov. Comments will be accepted via telephone, email, and U.S. Mail.

DAN IRELAND
843 CHURCH ST
BELOIT, WI 535115542

THEODORE & PATRICIA KAMLAGER
849 PARK AVE
BELOIT, WI 535115549

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

ROBERT L & LAURA S MORRISON
903 PARK AVE
BELOIT, WI 53511

RICHARD MCGRATH
1747 SHERWOOD DR SW
BELOIT, WI 53511

LAVAUGHN KUNNY
911 CHURCH ST
BELOIT, WI 535115433

DARIAN P & ANGELA R SNOW
911 PARK AVE
BELOIT, WI 53511

THERESA HAWKINS
917 CHURCH ST
BELOIT, WI 53511

DIMITRIOS A & TERESA S HOLEVAS
2817 E CTY RD S
BELOIT, WI 53511

BRIAN & CAROL MORELLO
925 CHURCH ST
BELOIT, WI 53511

JOSEPH MILLER
P O BOX 13123
MILWAUKEE, WI 532130123

ANGUS YOUNG ASSOCIATES
555 S. RIVER STREET
JANESVILLE, WI 53548



PROCEEDINGS OF THE BELOIT CITY COUNCIL
100 State Street, Beloit WI 53511
Monday, December 15, 2014

Presiding: Mark Spreitzer
Present: Sheila De Forest, Charles M. Haynes, Regina Hendrix, Ana Kelly, Chuck Kincaid, and David F. Luebke
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. Councilor Luebke presented a proclamation recognizing the **Beloit Memorial High School 2014 Boys Varsity Soccer Team** to Coach Brian Denu and the team. Mr. Denu thanked the Council for the recognition, thanked the team for their hard work on and off the field, and thanked the community for its support. Team Captain Jose Gutierrez thanked the City Council and said that he is proud to from Beloit. File 7148
4. PUBLIC HEARINGS
 - a. Community Development Director Julie Christensen presented a proposed ordinance amending the City of Beloit **Zoning District Map** to change the zoning district classification of the property located at 1400 Frederick Street from R-1A, Single-family Residential District, to PLI, Public Lands and Institutions District. It was noted that the Plan Commission recommended approval 7-0. Ms. Christensen stated that this zoning change accommodates a Beloit School District project at McNeel School. Councilor Spreitzer opened and closed the public hearing without participation. Councilor De Forest made a motion to suspend the rules and offer a second reading of the ordinance. Councilor Kelly seconded, and the motion carried 7-0. On the merits of the ordinance, Councilor Kincaid made a motion to enact. Councilor Luebke seconded, and the motion carried 7-0. File 8666 Ordinance 3551
5. CITIZENS PARTICIPATION
 - David Dobson, 7321 S. Smythe School Road, said that the City Council should purchase the Girl Scout building because a physical presence in the park is very important.
6. CONSENT AGENDA

Councilor Luebke made a motion to adopt the Consent Agenda, which consists of items 6.a. through 6.f. Councilor Kincaid 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 and special meetings of December 1, 2014, were approved.
 - b. The application for a **Conditional Use Permit** to allow a day care use in a R-3, Low-density Multi-family Residential District, for the property located at 819 Clary Street, was referred to the Plan Commission. File 8667
 - c. The application for a bike path in **Stateline Prairie Restoration Park** located at 540 Colby Street, was referred to the Plan Commission. File 6667
 - d. The resolution approving a **Class "B" Beer and Reserve "Class B" Liquor License** for Eclipse Event Center, LLC, d/b/a Eclipse Event Center, Jayme Braatz, Agent, located at 100 Eclipse Center, was adopted. File 8645

- e. The resolution approving a **Class “B” Beer and Reserve “Class B” Liquor License** for Lucy’s #7 Burger Bar, LLC, d/b/a Lucy’s #7 Burger Bar, Emily Hopper, Agent, located at 430 East Grand Avenue, Suite 102, was adopted. File 8645
- f. The resolution approving a 2-Lot **Certified Survey Map** for the properties located at 1400 and 1524 Frederick Street was adopted. File 8666

7. ORDINANCES

- a. Public Works Director Greg Boysen presented the substitute amendment #1 for a proposed ordinance to add **No-Parking regulations** on Lovell Avenue for a second reading. Councilor Luebke made a motion to enact the ordinance, and Councilor Kelly seconded. The motion carried 7-0. File 7791 Ordinance 3550

8. APPOINTMENTS

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

- a. **Board of Ethics:** Deb Blazer for a term ending December 31, 2017. File 6049
- b. **Business Improvement District (Downtown Beloit Association):** Betsy Schmiechen, Douglas Kelley, Peter Fronk, and Renee Kellogg to terms ending December 31, 2017. File 6716
- c. **Municipal Golf Committee:** Noah Scharmer to a term ending December 31, 2015. File 5991
- d. **Police and Fire Commission:** Mardell Jacobsen to a term ending April 30, 2015. File 6114

9. COUNCILOR ACTIVITIES AND UPCOMING EVENTS

- Councilor De Forest congratulated the soccer team on their achievements and expressed appreciation to Chief Norm Jacobs, City Manager Larry Arft, and Rock County District Attorney David O’Leary for attending a meeting regarding race relations with the NAACP. She wished everyone and a safe and happy holiday season.
- Councilor Luebke reminded the public that there are movie events at the Hendricks Art Center weekly and that the Beloit International Film Festival is coming up in February.
- Councilor Hendrix congratulated the soccer team and wished everyone and a happy holiday and a safe New Year. She said that the Beloit Memorial Nightingales are hosting a fundraising event on December 21st at 4:00 p.m. in the BMHS Auditorium which will feature the movie “Let it Shine” and its star.
- Councilor Kincaid said that he had a great time at Holidazzle and wished everyone happy holidays.
- Councilor Kelly said that she attend the Miracle on 4th Street performance, which is an annual variety show at BMHS.
- Councilor Spreitzer said that Holidazzle was great. He wished everyone happy holidays and encouraged people to run for City Council.

10. CITY MANAGER’S PRESENTATION – none

11. REPORTS FROM BOARD AND CITY OFFICERS

- a. Ms. Christensen presented a resolution authorizing the **Sale of 106 Bluff Street** to John and Pauline Wergin. She indicated that the buyers have committed to building a house on the property and that staff is supportive of selling the lot to put it back on the tax roll. Councilor Haynes made a motion to adopt the resolution, and Councilor De Forest seconded. The motion carried 7-0. File 8669
- b. City Manager Larry Arft presented a resolution authorizing the **Transfer of Ownership of Improvements** at 1201 Big Hill Court from the Girl Scouts of Wisconsin – Badgerland Council, Inc. to the City of Beloit, Wisconsin. He said that the Girl Scouts organization is looking to relocate their offices and that the City recommends purchasing the building for City programming and possible tenant space for \$75,000. Councilor De Forest said that she is concerned about maintaining the facilities the City already owns. Councilor De Forest said that she wants to be

sure that the budget will expand to take over this facility and that funds will not be shifted from existing programming or facilities. Mr. Arft said that other parks and recreation programming will not be displaced. Councilor Haynes made a motion to adopt the resolution, and Councilor Luebke seconded. The motion carried 7-0. File 6667

- c. Mr. Boysen presented a resolution authorizing the City Manager to enter into a **State/Municipal Agreement** with the Wisconsin Department of Transportation for the Design and Construction of the Powerhouse Riverwalk. He indicated that there will be 850 feet of public walkway along the Rock River west of the former Alliant building. Mr. Boysen said that the City and Beloit College will share the cost of the local match for the project, which is roughly \$250,000. Councilor De Forest asked about the City's liability for any environmental issues, and Mr. Boysen said that the City is simply obtaining easements and will not own the property or incur any liability. Councilor Kincaid made a motion to adopt the resolution, and Councilor Haynes seconded. The motion carried 7-0.
File 8637
- d. Economic Development Director Andrew Janke presented a resolution approving a **Development Agreement** between the City of Beloit, the Greater Beloit Economic Development Corporation, Josie Enterprises, LLC, and Chicago Fittings Corporation. Mr. Janke said that the company is currently located in Belvidere, IL, in a leased building and is looking to construct a 30,000 square foot building in the Gateway Industrial Park. He said that the company has hired local firm Klobucar Construction to build the facility. Councilor De Forest thanked the company for its investment and for selecting a local construction company. Councilor Spreitzer echoed those statements. Councilor Luebke made a motion to adopt the resolution, and Councilor Haynes seconded. The motion carried 7-0. File 8668
- e. Finance and Administrative Services Director Eric Miller presented a resolution authorizing the **Transfer of Funds** from the General Fund Contingency Reserve Account for 2014. He indicated that this resolution reallocates \$200,000 to the snow and ice budget and provides an additional supplemental appropriation from the general fund contingency account of \$100,000 to cover the cost of any additional snow events through the end of 2014. Mr. Miller indicated that all of the money would return to the fund balance if not used in 2014. Councilor De Forest made a motion to adopt the resolution, and Councilor Haynes seconded. The motion carried 7-0. File 8618

12. At 7:45 p.m., Councilor De Forest made a motion to adjourn the meeting, and Councilor Hendrix seconded. The motion carried 7-0.

Rebecca Houseman LeMire, City Clerk

www.ci.beloit.wi.us

Date approved by Council:



**PROCEEDINGS OF THE BELOIT CITY COUNCIL
Special Joint Meeting with the
Greater Beloit Economic Development Corporation Board of Directors
605 Eclipse Boulevard, Beloit, WI 53511
Monday, December 22, 2014**

Presiding: Mark Spreitzer
Present: Sheila De Forest, Charles Haynes, Ana Kelly, Chuck Kincaid and David F. Luebke
Absent: Regina Hendrix

1. City Council President Spreitzer called the meeting to order at 5:03 p.m. in the Community Room at the Beloit Public Library
2. Greater Beloit Economic Development Corporation Board of Directors President Jeff Klett called the meeting to order at 5:03 p.m.
3. City Manager Larry Arft and Economic Development Director Andrew Janke presented a resolution approving a **Development Agreement** between the City of Beloit, the Greater Beloit Economic Development Corporation and Pratt Industries, Inc. Mr. Janke presented background information regarding the project including site selection; WEDC, City, and GBEDC incentive packages; and the development agreement. He noted that the company will construct a manufacturing facility in the City's Gateway Business Park and create 140 new jobs. Councilor De Forest asked about the overnight construction noise referred to in the development agreement. Mr. Janke said that the company is planning to pour the building foundation at night in order to meet the aggressive construction timeline. He said that the company will attempt to mitigate construction noise by creating a ring road so trucks do not have to back up. Mr. Arft said that the construction manager will meet with the neighboring residential property owners before construction begins. Councilor Luebke made a motion to adopt the resolution, and Councilor Kincaid seconded. The motion carried by unanimous roll call vote 6-0. The GBEDC Board of Directors moved, seconded, and adopted the resolution by unanimous roll call vote (with one abstention). File 8670
4. Mr. Janke presented a resolution authorizing the City Manager to submit an application for a **Transportation Economic Assistance (TEA) Grant** from the Wisconsin Department of Transportation. He indicated that the grant would cover half of the cost of the rail spur needed for this project. Councilor De Forest asked who would be responsible for the cost if the grant is denied, and Mr. Janke said that the company is responsible to make up the difference per the development agreement. He added that the State has been very supportive of this project and that it is very likely the grant will be approved. Councilor De Forest made a motion to adopt the resolution, and Councilor Kelly seconded. The motion carried 6-0. File 8670
5. Mr. Janke presented a GBEDC Resolution approving a **Grant Agreement** between the Greater Beloit Economic Development Corporation and Pratt Industries, Inc. The GBEDC Board of Directors moved, seconded, and adopted the resolution by unanimous roll call vote (with one abstention).
6. At 5:27 p.m., Councilor Luebke made a motion to adjourn the City Council meeting. Councilor De Forest seconded, and the motion carried. The GBEDC Board of Directors moved, seconded, and adjourned the meeting.

Rebecca Houseman LeMire, City Clerk

www.beloitwi.gov

Date Approved by Council:



**PROCEEDINGS OF THE BELOIT CITY COUNCIL
Special Meeting
605 Eclipse Boulevard, Beloit, WI 53511
Monday, December 22, 2014**

Presiding: Mark Spreitzer
Present: Sheila De Forest, Charles Haynes, Regina Hendrix, Ana Kelly, Chuck Kincaid and David F. Luebke
Absent: None

1. Councilor Spreitzer called the meeting to order at 6:00 p.m. in the Community Room at the Beloit Public Library
2. City Manager Larry Arft introduced Human Resources Director Marianne Marshall who presented the proposals from executive search firms to conduct an **Executive Recruitment for the City Manager Position**. She indicated that the City sent a request for proposals to 23 firms and received seven responses. Ms. Marshall presented a matrix ranking the seven firms based on their proposals, with Waters & Company (Springsted), GovHR USA, and Slavin Management Consultants being the top three. Councilor De Forest stated that she is interested in a firm that can recruit minorities and women. Councilors De Forest, Kincaid, Haynes, and Spreitzer said that they would like to interview the top three firms. Councilor Luebke made a motion to interview Waters & Company (Springsted), GovHR USA, and Slavin Management Consultants on Friday, January 9, 2015, starting at 8:00 a.m. Councilor Kincaid seconded, and the motion carried 7-0.
3. Councilor Hendrix made a motion to adjourn the meeting at 6:58 p.m. Councilor Haynes seconded, and the motion carried.

Rebecca Houseman LeMire, City Clerk

www.beloitwi.gov

Date Approved by Council:

**RESOLUTION
AUTHORIZING FINAL PAYMENT OF PUBLIC WORKS CONTRACT C14-07
Street Resurfacing**

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

WHEREAS, This project placed a new asphalt wearing surface on 19 blocks of city streets; and

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

NOW, THEREFORE, BE IT RESOLVED, by the City of Beloit City Council that Rock Road Companies, Inc. be paid \$10,876.29 as the final payment for Public Works Contract C14-07 Street Resurfacing as recommended by the City Engineer.

Dated at Beloit, Wisconsin, this 5th day of January 2015.

BELOIT CITY COUNCIL

Mark Spreitzer, President

ATTEST:

Rebecca Houseman LeMire, City Clerk

CITY OF BELOIT

REPORTS AND PRESENTATIONS TO CITY COUNCIL



Topic: Final Payment for Contract C14-07, Street Resurfacing

Date: January 5, 2015

Presenter(s): Gregory Boysen

Department(s): Public Works/ Engineering

Overview/Background Information:

This project placed a new asphalt wearing surface on 19 blocks of city streets.

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 \$ 392,956.94
Quantity increases and change orders \$ 42,094.62
Net payment due contractor \$ 435,051.56
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 \$10,876.29.

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 enhances the quality of life in Beloit by improving the appearance and quality of ride and improving pedestrian safety on these streets while lowering street maintenance costs.

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 improved pavement meets the present and future human needs by extending the life of the pavement, increasing pedestrian safety, and reducing pavement maintenance.

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.

Fiscal Note/Budget Impact:

Adequate funding is available in the 2014 Capital Improvement Plan.

14-07 Streets	Block
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Northeast

Porter Ave	Henry to Bayliss
Summit Ave	Fayette to Royce
Summit Ave	Royce to Yates
Summit Ave	Yates to Sherman
Summit Ave	Sherman to RR Tracks

Southeast

Eaton Ave	Strong to White
Leeson Park Rd	Near practice diamond
Cemetery	Between blocks 9, 10, & 11

Northwest


House St	Mckinley to Grant
House St	Grant to Cleveland
Moore St	House to Burton
Whipple St	Johnson to Cleveland
Whipple St	Cleveland to Grant
Whipple St	Grant to Mckinley
Poff St	Townline to Ritsher

Southwest

Adams St	Vernon Ave to Highland Ave
Adams St	Highland Ave to Euclid Ave
Highland Ave	Bluff to Eighth
Townline Ave	Jackson to W Grand

CITY OF BELOIT
DEPARTMENTAL CORRESPONDENCE

TO: Mike Flesch

FROM: Andy Hill, Project Engineer 

DATE: November 20, 2014

SUBJECT: Final Payment Contract C14-07
Street Resurfacing


The work on this project was completed on September 10, 2014. I have inspected the work and find it to be satisfactory and in compliance with the requirements of the contract. The contractor has asked for final payment. The project was inspected by city staff. The final payment quantities have been approved by the contractor.

The original contract amount was for \$392,956.94, and the final contract amount is \$435,051.56. The increase in cost was due to expansions of the work limits in several areas to match conditions or correct adjacent deficiencies. A detail variance report is attached. Payments to date under this contract total \$424,175.27, and all lien waivers from subcontractors are on file.

Therefore, I recommend a final payment in the amount of \$10,876.29 be made to Rock Road Companies, Inc.

CITY OF BELOIT
DEPARTMENTAL CORRESPONDENCE

TO: Andy Hill

FROM: Elizabeth A. Krueger 

DATE: December 10, 2014

SUBJECT: **Final Payment Public Works Contract C14-07**
Rock Road Companies, Inc.
Street Resurfacing

I have reviewed the materials you sent over for final payment approval on the above contract. Everything appears in order and you may process the matter in your normal fashion.

/tdh
encs.

**RESOLUTION
COMBINING POLLING PLACES FOR
FEBRUARY 17, 2015 SPRING PRIMARY ELECTION**

WHEREAS, the City of Beloit has 25 wards and uses nine polling places for all elections; and

WHEREAS, a Spring Primary Election is scheduled for Tuesday, February 17, 2015, but the need for this election will be unknown until at least January 7, 2015; and

WHEREAS, the governing body must establish the location of polling places at least 30 days prior to the election, per §5.25(3) of the Wisconsin Statutes, and action at the City Council's January 20th meeting would not meet this deadline; and

WHEREAS, if a Spring Primary Election is required, voter turnout has traditionally been extremely low; and

WHEREAS, providing open and accessible polling places to the voters is extremely important, as is considering the prudent use of City tax dollars.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Beloit does hereby combine polling places for the February 17, 2015 Spring Primary Election, if that election is necessary.

BE IT FURTHER RESOLVED that the regular nine polling places will be reduced to two, with voters in Wards 1-12 voting at the Beloit Historical Society (845 Hackett Street) and voters in Wards 13-25 voting at Central Christian Church (2460 Milwaukee Road), and all efforts possible will be made to inform the voters of this temporary change if the election is necessary.

Adopted this 5th day of January, 2015.

City Council of the City of Beloit

Mark Spreitzer, President

ATTEST:

Rebecca Houseman LeMire, City Clerk

CITY OF BELOIT

REPORTS AND PRESENTATIONS TO CITY COUNCIL



Topic: Combining Polling Places for February 17, 2015 Spring Primary Election

Date: January 5, 2015

Presenter(s): Rebecca Houseman LeMire

Department(s): City Clerk

Overview/Background Information:

A Spring Primary Election may take place in the City of Beloit on February 17, 2015. If the election is necessary, it is likely that only one contest will be on the ballot in Beloit. In the past, elections with only one contest on the ballot have experienced extremely low voter turnout. Because of the low anticipated voter turnout, the Clerk's office is requesting that the City Council combine the regular nine polling places into two: one on the west side at the Beloit Historical Society, and on the east side at Central Christian Church. Voters who typically vote in Wards 1-12 will vote at the Beloit Historical Society, and voters who typically vote in Wards 13-25 will vote at Central Christian Church. Per Wisconsin Statute §5.25(3), the City Council must establish the location of polling places at least 30 days prior to an election. The next regularly scheduled City Council meeting is January 20, 2015, which does not meet the 30-day requirement.

Key Issues (maximum of 5):

- The earliest possible date that the Government Accountability Board will announce the need for a Spring Primary Election is January 7, 2015, which is the day after the deadline to submit nomination papers and signatures.
- It is unlikely that any local contest scheduled to be on the April ballot will require a primary (City Council, School Boards). However, the Wisconsin Justice of the Supreme Court contest may require a primary.
- The last time polling places were combined was for the February 2011 Spring Primary with much success and without negative impact on the voting process. The cost savings were over \$8,000 including savings in the areas of personnel, computer programming costs, polling place rental, and copy and production costs of voting materials and notices.
- The costs for election workers and training for a similar election using all nine polling places in 2013 were \$11,580.
- The City Council adopted a resolution combining polling places for the Spring Primary Election in 2014. However, after the adoption of the resolution, the GAB notified County and Municipal Clerks that a primary was not necessary.
- Voters will be notified of the combination of polling places by various means including postings on doors of all polling places; public notices, press releases, and articles in the Beloit Daily News and Shopping News; postings on the City's website, at City Hall, the Beloit Public Library, and Grinnell Senior Center; and through information provided to the Beloit School District.
- This model may continue to be used in the future for elections when turnout is anticipated to be extremely low.

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 #1*, which focuses on the sustainable stewardship of City resources.

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**
Combining polling places will save money while establishing one polling place on each side of the City for the convenience of voters.

Action required/Recommendation:

- City Council consideration and adoption of the proposed Resolution

Fiscal Note/Budget Impact:

The reduction in the number of polling places will save several thousand dollars in personnel and material costs.

Attachments:

Resolution

**RESOLUTION APPROVING
LEASE OF OFFICE SPACE TO CONGRESSMAN POCAN
AND AUTHORIZING CITY MANAGER'S EXECUTION**

WHEREAS, Congressman Mark Pocan has requested to extend the current lease at Beloit City Hall for use as a constituent services office; and

WHEREAS, the City currently has excess office space available and unused.

NOW, THEREFORE, BE IT RESOLVED that the attached "District Office Lease Amendment" and the "District Office Lease Attachment" are hereby approved and the City Manager is hereby authorized to execute the same and to do all other things necessary to accomplish the purposes hereof.

Adopted this 5th day of January, 2015.

City Council of the City of Beloit

Mark Spreitzer, President

Attest:

Rebecca Houseman LeMire, City Clerk

CITY OF BELOIT

REPORTS AND PRESENTATIONS TO CITY COUNCIL



Topic: Extension of District Office Space Lease with Congressman Mark Pocan

Date: January 5, 2015

Presenter(s): Elizabeth Krueger

Department(s): City Attorney

Overview/Background Information:

Congressman Mark Pocan's office has contacted the City indicating a desire to extend the current lease agreement with the City of Beloit for the lease of approximately 117 square feet of office space in City Hall for use as a constituent services office. The attached lease documents have been approved by staff and the City does have excess office space available at City Hall.

Key Issues (maximum of 5):

1. The lease payment will be \$350 per month with utilities included.
2. The office will not be used for anything besides constituent services and no campaign activities are allowed.
3. The lease term will expire at the end of the congressman's term, which is January 2, 2017.

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 #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 proposed resolution and lease.

Fiscal Note/Budget Impact:

The City will receive \$350 per month for the duration of the lease.

District Office Lease Amendment – Instructions

NO LEASE AMENDMENT OR ATTACHMENT CAN BE SIGNED BEFORE THEY HAVE BEEN APPROVED BY THE ADMINISTRATIVE COUNSEL.

The term for a District Office Lease Amendment for the 114th Congress may not commence prior to January 3, 2015.

Members should endeavor to lease space through the last day of a congressional term rather than the last day of a calendar year. For the 114th Congress, leases should end on January 2, 2017, not December 31, 2016.

- A. Section 1 has three blank lines to be filled in:
 - 1. the term of the previous lease that is being amended or extended;
 - 2. street address of office being leased; and
 - 3. city, state and ZIP where office is being leased.
- B. Section 2 requires the new ending date (if the lease is going to be extended), which must be on or before January 2, 2017. If the lease is not going to be extended, write “N/A” in the space provided.
- C. Section 3 requires the monthly rent amount for the extended term, and if any other provision is changed, the blank space beneath Section 3 is provided for any changes or additions. If there are no other changes to your existing lease write “NONE” in the space provided.
- D. **The Member/Member-Elect is required to personally sign the documents.**
- E. A District Office Lease Attachment for the 114th Congress must accompany this District Office Lease Amendment (“**Amendment**”).
- F. **Prior to either party signing an Amendment, the Member/ Member-Elect must submit the proposed Amendment, accompanied by a copy of the District Office Lease Attachment for the 114th Congress, to the Administrative Counsel for review and approval.** If the proposed terms and conditions of the Amendment are determined to be in compliance with applicable law and House Rules and Regulations, the Administrative Counsel will notify the Member/Member-Elect that (s)he may proceed with the signing of the Amendment. Please submit the proposed Amendment and District Office Lease Attachment either by e-mail in PDF form (leases@mail.house.gov) or fax (202-225-6999).
- G. Once signed by both parties, the Amendment and District Office Lease Attachment must be submitted to the Administrative Counsel for final approval. They may be sent by email in PDF form or faxed to 202-225-6999, but the originals still must be submitted by inter office mail (217 Ford House Office Building, Washington, D.C. 20515) after emailing or faxing.
- H. If approved, Administrative Counsel will send them to Finance so that payment can begin. If there are errors, you will be contacted and required to correct them before the Amendment is approved.
- I. If you have any additional questions about District Office Leases, please contact the Office of the Administrative Counsel by e-mail (leases@mail.house.gov).

U.S. House of Representatives

Washington, D.C. 20515

District Office Lease Amendment

(Page 1 of 2 – 114th Congress)

1. **Prior Lease Term.** The undersigned Landlord (“Lessor”) and Member of the U. S. House of Representatives (“Lessee”) agree that they previously entered into a District Office Lease (“Lease”) (along with the District Office Lease Attachment), which covered the period from April 16, 2013 to January 2, 2015 for the lease of office space located at City Hall, 100 State Street in the city, state and ZIP of Beloit, WI 53511.

2. **Extended Term.** If applicable, the above referenced Lease is extended through and including January 2, 2017, 20____. (This District Office Lease Amendment (“Amendment”) may not provide for an extension beyond January 2, 2017, which is the end of the constitutional term of the 114th Congress.)

3. **Rent and Any Other Changes.** The monthly rent for the extended term of the Lease shall now be \$350.00. All other provisions of the existing Lease shall remain unchanged and in full effect, except for the following additional terms, which are modified as indicated in the space below [If no additional terms are to be modified, write the word “NONE” below].

None

4. **District Office Lease Attachment for 114th Congress.** This Amendment shall have no force and effect unless and until accompanied by an executed District Office Lease Attachment for the 114th Congress and the District Office Lease Attachment for the 114th Congress attached hereto supersedes and replaces any prior District Office Lease Attachment.

5. **Counterparts.** This Amendment may be executed in any number of counterparts and by facsimile copy, each of which shall be deemed to be an original but all of which together shall be deemed to be one and the same instrument.

6. **Section Headings.** The section headings of this Amendment are for convenience of reference only and shall not be deemed to limit or affect any of the provisions hereof.

[Signature page follows.]

U.S. House of Representatives

Washington, D.C. 20515

District Office Lease Amendment

(Page 2 of 2 – 114th Congress)

IN WITNESS WHEREOF, the parties have duly executed this District Office Lease Amendment as of the later date written below by the Lessor or the Lessee.

City of Beloit

Print Name of Lessor/Landlord/Company

Print Name of Lessee

By: _____

Lessor Signature

Name: Larry N. Arft

Title: City Manager

Lessee Signature

Attest: _____

Rebecca Houseman Lemire, City Clerk

January 5, 2015

Date

Date

This District Office Lease Amendment must be accompanied with an executed District Office Lease Attachment.

District Office Lease Attachment- Instructions

The District Office Lease Attachment is a 4-page document that must accompany *every* Lease or District Office Lease Amendment that is submitted for a Member/Member-Elect's District Office.

NO LEASE, AMENDMENT OR ATTACHMENT CAN BE SIGNED BEFORE THEY HAVE BEEN APPROVED BY THE ADMINISTRATIVE COUNSEL.

The term of a District Office Lease or Amendment for the 114th Congress may not commence prior to January 3, 2015.

Members should endeavor to lease space through the last day of a congressional term rather than the last day of a calendar year. For the 114th Congress, leases should end on January 2, 2017, not December 31, 2016.

Four things are required:

1. the signature of the Landlord and date;
2. the signature of the Member/ Member-Elect of Congress and date;
3. contact information for the person in the Member/ Member-Elect's office whom we should call if there are any problems or questions (scheduler, etc.); and
4. the signature from the Office of the Administrative Counsel.

A few things to keep in mind:

- A. **The Member/ Member-Elect is required to personally sign the documents.**
- B. **The Attachment SHALL NOT have any provisions deleted or changed.**
- C. Even if rent is zero, an Attachment is still required.
- D. **Prior to either party signing a Lease or Amendment, the Member/ Member-Elect must submit the proposed Lease or Amendment, accompanied by a copy of the Attachment, to the Administrative Counsel for review and approval.** If the Administrative Counsel determines that the proposed terms and conditions of the Lease or Amendment are in compliance with applicable law and House Rules and Regulations, the Administrative Counsel will notify the Member/Member-Elect that (s)he may proceed with the execution of the Lease or Amendment. Please submit the proposed Lease or Amendment and Attachment either by e-mail in PDF form (leases@mail.house.gov) or by fax (202-225-6999).
- E. Once signed by both parties, the Lease or Amendment and the Attachment must be submitted to the Administrative Counsel for final approval. The Attachment should be submitted at the same time the Lease or Amendment is sent to the Administrative Counsel. They may be sent by email in PDF form or faxed to (202-225-6999), but the originals still must be submitted by interoffice mail (217 Ford House Office Building, Washington, D.C. 20515) after emailing or faxing.
- F. Without a properly signed and submitted Attachment, the Lease or Amendment cannot be approved and payments will not be made. The parties agree that any charges for default, early termination or cancellation of the Lease or Amendment which result from actions taken by or on behalf of the Lessee shall be the sole responsibility of the Lessee, and are not reimbursable from the Member's Representational Allowance.
- G. **Lessor shall provide a copy of any assignment, estoppel certificate, notice of a bankruptcy or foreclosure, or notice of a sale or transfer of the leased premises to the Administrative Counsel by e-mail in PDF form (leases@mail.house.gov).**

District Office Lease Attachment

(Page 1 of 4 – 114th Congress)

- 1. Incorporated District Office Lease Attachment.** Lessor (Landlord) and Lessee (Member/Member-Elect of the U.S. House of Representatives) agree that this District Office Lease Attachment (“Attachment”) is incorporated into and made part of the Lease (“Lease”) and, if applicable, District Office Lease Amendment (“Amendment”) to which it is attached.
- 2. Performance.** Lessor expressly acknowledges that neither the U.S. House of Representatives (the “House”) nor its Officers are liable for the performance of the Lease. Lessor further expressly acknowledges that payments made by the Chief Administrative Officer of the House (the “CAO”) to Lessor to satisfy Lessee’s rent obligations under the Lease – which payments are made solely on behalf of Lessee in support of his/her official and representational duties as a Member of the House – shall create no legal obligation or liability on the part of the CAO or the House whatsoever. Lessee shall be solely responsible for the performance of the Lease and Lessor expressly agrees to look solely to Lessee for such performance.
- 3. Modifications.** Any amendment to the Lease must be in writing and signed by the Lessor and Lessee. Lessor and Lessee also understand and acknowledge that the Administrative Counsel for the CAO (“Administrative Counsel”) must review and give approval of any amendment to the Lease prior to its execution.
- 4. Compliance with House Rules and Regulations.** Lessor and Lessee understand and acknowledge that the Lease shall not be valid, and the CAO will not authorize the disbursement of funds to the Lessor, until the Administrative Counsel has reviewed the Lease to determine that it complies with the Rules of the House and the Regulations of the Committee on House Administration, and approved the Lease by signing on page 4 of this Attachment.
- 5. Payments.** The Lease is a fixed term lease with monthly installments for which payment is due in arrears on or before the end of each calendar month. In the event of a payment dispute, Lessor agrees to contact the Office of Finance of the House at 202-225-7474 to attempt to resolve the dispute before contacting Lessee.
- 6. Void Provisions.** Any provision in the Lease purporting to require the payment of a security deposit shall have no force or effect. Furthermore, any provision in the Lease purporting to vary the dollar amount of the rent specified in the Lease by any cost of living clause, operating expense clause, pro rata expense clause, escalation clause, or any other adjustment or measure during the term of the Lease shall have no force or effect.
- 7. Certain Charges.** The parties agree that any charge for default, early termination or cancellation of the Lease which results from actions taken by or on behalf of the Lessee shall be the sole responsibility of the Lessee, and shall not be paid by the CAO on behalf of the Lessee.
- 8. Death, Resignation or Removal.** In the event Lessee dies, resigns or is removed from office during the term of the Lease, the Clerk of the House may, at his or her sole option, either: (a) terminate the Lease by giving thirty (30) days’ prior written notice to Lessor; or (b) assume the obligation of the Lease and continue to occupy the premises for a period not to exceed sixty (60) days following the certification of the election of the Lessee’s successor. In the event the Clerk elects to terminate the Lease, the commencement date of such thirty (30) day termination notice shall be the date such notice is delivered to the Lessor or, if mailed, the date on which such notice is postmarked.

District Office Lease Attachment

(Page 2 of 4 – 114th Congress)

- 9. Term.** The term of the Lease may not exceed the constitutional term of the Congress to which the Lessee has been elected. The Lease may be signed by the Member-Elect before taking office. Should the Member-Elect not take office to serve as a Member of the 114th Congress, the Lease will be considered null and void.
- 10. Early Termination.** If either Lessor or Lessee terminates the Lease under the terms of the Lease, the terminating party agrees to promptly file a copy of any termination notice with the Office of Finance, U.S. House of Representatives, B-245 Longworth House Office Building, Washington, D.C. 20515, and with the Administrative Counsel by e-mail at leases@mail.house.gov.
- 11. Assignments.** Lessor shall not have the right to assign (by operation of law or otherwise) any of its rights, interests and obligations under the Lease, in whole or in part, without providing thirty (30) days prior written notice to Lessee, and any such purported assignment without such notice shall be void. Lessor shall promptly file a copy of any such assignment notice with the Administrative Counsel by e-mail at leases@mail.house.gov.
- 12. Sale or Transfer of Leased Premises.** Lessor shall provide thirty (30) days prior written notice to Lessee in the event (a) of any sale to a third party of any part of the leased premises, or (b) Lessor transfers or otherwise disposes of any of the leased premises, and provide documentation evidencing such sale or transfer in such notice. Lessor shall promptly file a copy of any such sale or transfer notice with the Administrative Counsel by e-mail at leases@mail.house.gov.
- 13. Bankruptcy and Foreclosure.** In the event (a) Lessor is placed in bankruptcy proceedings (whether voluntarily or involuntarily), (b) the leased premises is foreclosed upon, or (c) of any similar occurrence, Lessor agrees to promptly notify Lessee in writing. Lessor shall promptly file a copy of any such notice with the Office of Finance, U.S. House of Representatives, B-245 Longworth House Office Building, Washington, D.C. 20515, and with the Administrative Counsel by e-mail at leases@mail.house.gov.
- 14. Estoppel Certificates.** Lessee agrees to sign an estoppel certificate relating to the leased premises (usually used in instances when the Lessor is selling or refinancing the building) upon the request of the Lessor. Such an estoppel certificate shall require the review of the Administrative Counsel, prior to Lessee signing the estoppel certificate. Lessor shall promptly provide a copy of any such estoppel certificate to the Administrative Counsel by e-mail at leases@mail.house.gov.
- 15. Maintenance of Common Areas.** Lessor agrees to maintain in good order, at its sole expense, all public and common areas of the building including, but not limited to, all sidewalks, parking areas, lobbies, elevators, escalators, entryways, exits, alleys and other like areas.
- 16. Maintenance of Structural Components.** Lessor also agrees to maintain in good order, repair or replace as needed, at its sole expense, all structural and other components of the premises including, but not limited to, roofs, ceilings, walls (interior and exterior), floors, windows, doors, foundations, fixtures, and all mechanical, plumbing, electrical and air conditioning/heating systems or equipment (including window air conditioning units provided by the Lessor) serving the premises.

District Office Lease Attachment

(Page 3 of 4 – 114th Congress)

- 17. Lessor Liability for Failure to Maintain.** Lessor shall be liable for any damage, either to persons or property, sustained by Lessee or any of his or her employees or guests, caused by Lessor's failure to fulfill its obligations under Sections 15 and 16.
- 18. Initial Alterations.** Lessor shall make any initial alterations to the leased premises, as requested by Lessee and subject to Lessor's consent, which shall not be unreasonably withheld. The cost of such initial alterations shall be included in the annual rental rate.
- 19. Federal Tort Claims Act.** Lessor agrees that the Federal Tort Claims Act, 28 U.S.C. §§ 2671-80, satisfies any and all obligations on the part of the Lessee to purchase private liability insurance. Lessee shall not be required to provide any certificates of insurance to Lessor.
- 20. Limitation of Liability.** Lessor agrees that neither Lessee nor the House nor any of the House's officers or employees will indemnify or hold harmless Lessor against any liability of Lessor to any third party that may arise during or as a result of the Lease or Lessee's tenancy.
- 21. Compliance with Laws.** Lessor shall be solely responsible for complying with all applicable permitting and zoning ordinances or requirements, and with all local and state building codes, safety codes and handicap accessibility codes (including the Americans with Disabilities Act), both in the common areas of the building and the leased space of the Lessee.
- 22. Electronic Funds Transfer.** Lessor agrees to accept monthly rent payments by Electronic Funds Transfer and agrees to provide the Office of Finance, U.S. House of Representatives, with all banking information necessary to facilitate such payments.
- 23. Refunds.** Lessor shall promptly refund to the CAO, without formal demand, any payment made to the Lessor by the CAO for any period for which rent is not owed because the Lease has ended or been terminated.
- 24. Conflict.** Should any provision of this Attachment be inconsistent with any provision of the attached Lease or attached Amendment, the provisions of this Attachment shall control, and those inconsistent provisions of the Lease or the Amendment shall have no force and effect to the extent of such inconsistency.
- 25. Construction.** Unless the clear meaning requires otherwise, words of feminine, masculine or neuter gender include all other genders and, wherever appropriate, words in the singular include the plural and vice versa.
- 26. Fair Market Value.** The Lease or Amendment is entered into at fair market value as the result of a bona fide, arms-length, marketplace transaction. The Lessor and Lessee certify that the parties are not relatives nor have had, or continue to have, a professional or legal relationship (except as a landlord and tenant).
- 27. District Certification.** The Lessee certifies that the office space that is the subject of the Lease is located within the district the Lessee was elected to represent unless otherwise authorized by Regulations of the Committee on House Administration.

District Office Lease Attachment
(Page 4 of 4 – 114th Congress)

28. **Counterparts.** This Attachment may be executed in any number of counterparts and by facsimile copy, each of which shall be deemed to be an original but all of which together shall be deemed to be one and the same instrument.
29. **Section Headings.** The section headings of this Attachment are for convenience of reference only and shall not be deemed to limit or affect any of the provisions hereof.

IN WITNESS WHEREOF, the parties have duly executed this District Office Lease Attachment as of the later date written below by the Lessor or the Lessee.

City of Beloit, Wisconsin

Print Name of Lessor/Landlord

Congressman Mark Pocan

Print Name of Lessee

By: _____
Lessor Signature
Name: Larry N. Arft
Title: City Manager

Lessee Signature

Attest: _____
Rebecca Houseman Lemire, City Clerk
January 5, 2015

Date

Date

From the Member's Office, who is the point of contact for questions?
Name _____ Phone (____) _____ E-mail _____@mail.house.gov

This District Office Lease Attachment and the attached Lease or Amendment have been reviewed and are approved, pursuant to Regulations of the Committee on House Administration.

Signed _____ Date _____, 20____.
(Administrative Counsel)

Send completed forms to: Administrative Counsel, 217 Ford House Office Building, Washington, D.C. 20515.
Copies may also be faxed to 202-225-6999.

**RESOLUTION APPROVING IMPROVEMENTS WITHIN
STATELINE RESTORATION PRAIRIE PARK LOCATED AT 540 COLBY STREET**

WHEREAS, the City of Beloit Engineering Division has requested that the Plan Commission and City Council review the proposed plans for the construction of a path connecting Wheeler Bridge to the Turtle Creek Path and Stateline Restoration Prairie Park located at 540 Colby Street; and

WHEREAS, the proposed improvements will enhance the visibility, beauty, and utility of Stateline Restoration Prairie Park; and

WHEREAS, the alteration of public parks must be reviewed by the Plan Commission and approved by the City Council to comply with State Statutes; and

WHEREAS, the Plan Commission reviewed this item on December 17, 2014 and voted unanimously (6-0) to recommend approval of the proposed improvements.

NOW, THEREFORE, BE IT RESOLVED THAT the City Council of the City of Beloit, Rock County, Wisconsin, hereby approves the plans for the construction of a path connecting Wheeler Bridge to the Turtle Creek Path and Stateline Restoration Prairie Park located at 540 Colby Street.

Adopted this 5th day of January, 2015.

BELOIT CITY COUNCIL

Mark Spreitzer, Council President

ATTEST:

Rebecca Houseman LeMire, City Clerk

CITY OF BELOIT

REPORTS AND PRESENTATIONS TO CITY COUNCIL



Topic: Construction of Wheeler Bridge Path (near Colby Street) – Council Referral to the Plan Commission

Date: January 5, 2015

Presenter(s): Julie Christensen

Department(s): Community Development

Overview/Background Information:

The City of Beloit Engineering Division has requested that the Plan Commission and City Council review the proposed plans for the construction of a path to connect Wheeler Bridge in South Beloit to the Turtle Creek Path and Stateline Restoration Prairie Park.

Key Issues (maximum of 5):

- The proposed path will connect the Wheeler Bridge in South Beloit to the Turtle Creek Path. The new path will be on the east end of Stateline Restoration Prairie Park and a sidewalk will connect into the existing path system in the park.
 - This project is located in existing park property (540 Colby Street) and public right-of-way (St. Paul Avenue). No easements are required.
 - A project map is attached to this report.
 - The Plan Commission reviewed this item on December 17, 2014 and voted unanimously (6-0) to recommend approval of the proposed improvements. The Parks & Recreation Commission approved this project on December 10, 2014.
-

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:

- City Council consideration and action on the proposed Resolution
-

Fiscal Note/Budget Impact: The budget for this project has not been determined.

Attachments: Resolution and Staff Report to the Plan Commission

CITY OF BELOIT

REPORT TO THE BELOIT CITY PLAN COMMISSION



Meeting Date: December 17, 2014

Agenda Item: 5

File Number: RPB-2014-09

Request: Path from Wheeler Bridge to Stateline Restoration Prairie Park

Owner: City of Beloit

Location: 540 Colby Street

Existing Zoning: PLI, Public Lands and Institutions District

Existing Land Use: Park

Request Overview/Background Information:

The City of Beloit Engineering Division has requested that the Plan Commission and City Council review the proposed plans for the construction of a path to connect Wheeler Bridge in South Beloit to Stateline Restoration Prairie Park.

Key Issues:

- The proposed path will connect the Wheeler Bridge in South Beloit to the existing path infrastructure in Stateline Restoration Prairie Park. The new path will be on the east end of the park.
- This project is located in existing park property (540 Colby Street) and public right-of-way (St. Paul Avenue). No easements are required.
- The path will be either asphalt or concrete depending on cost. It will be 10' in width.
- A project map is attached to this report.
- Parks & Recreation Commission approved this project on December 10, 2014.

Consistency with Comprehensive Plan and Strategic Plan:

- The Comprehensive Plan designates the subject property as appropriate for Parks and Open Space uses. This land use category includes park and public open space facilities devoted to playgrounds, play fields, trails, picnic areas, and related recreational activities.
- 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** – N/A

Staff Recommendation:

The Planning & Building Services Division recommends **approval** of the attached plan for the construction of a path to connect Wheeler Bridge in South Beloit to Stateline Restoration Prairie Park located at 540 Colby Street and in the public right-of-way near St. Paul Avenue.

Fiscal Note/Budget Impact: The budget for this project has not been determined.

Attachments: Project Map and Location & Zoning Map

DIGGERS & HOYLE
3000 W. 10th Street
Cedar Rapids, IA 52402
Phone: 319.244.1111
Fax: 319.244.2299
www.diggersandhoyle.com



PROJECT NAME:
WHEELER BRIDGE PATH
PROJECT OVERVIEW

Location & Zoning Map

540 Colby Street

RPB-2014-09



1 inch = 200 feet



Legend

- COB Parcels
- Zoning District

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

PLANNING & BUILDING SERVICES DIVISION