



CITY HALL • 100 STATE STREET • BELOIT, WI 53511

MEETING NOTICE AND AGENDA
Beloit City Plan Commission
Wednesday, March 4, 2015 at 7:00 PM
The Forum
Beloit City Hall, First Floor
100 State Street, Beloit

1. **Call to Order and Roll Call**
2. **Approval of the Minutes of the February 18, 2015 Meeting**
3. **Extraterritorial Certified Survey Map – Elmwood Avenue**
Review and consideration of three-lot extraterritorial Certified Survey Map for the land located on Elmwood Avenue in the Town of Beloit
4. **Certified Survey Map – 1401 Townhall Road**
Review and consideration of two-lot Certified Survey Map for the property located at 1401 Townhall Road
5. **Comprehensive Plan Amendment – 1715 Elmwood Avenue**
Public hearing, review and consideration of an amendment to the Future Land Use Map of the City's Comprehensive Plan from Planned Neighborhood to Mixed Residential for the property located at 1715 Elmwood Avenue
6. **Zoning Map Amendment – 1715 Elmwood Avenue**
Public hearing, review and consideration of a Zoning Map Amendment to change the zoning from R-2, Two-Family Residential District, to R-3, Low-Density, Multi-Family Residential District, for the property located at 1715 Elmwood Avenue
7. **Alley Vacation – 900 Blocks of Johnson Street and Townline Avenue**
Public hearing, review and consideration of the vacation of an unnamed east-west alley located between the 900 blocks of Johnson Street and Townline Avenue
8. **Status Report on Prior Plan Commission Items**
9. **Adjournment**

If you are unable to attend this meeting, please contact Ashley Rosenbaum in the Planning Office at 364-6700 **no later than 4:00 PM the day before the meeting.**

Notice Mailed: February 27, 2015

Approved: Julie Christensen, Community
Development Director

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



CITY HALL • 100 STATE STREET • BELOIT, WI 53511

MINUTES
BELOIT CITY PLAN COMMISSION
Wednesday, February 18, 2015
The Forum, Beloit City Hall
100 State Street, Beloit

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

Commissioner Faragher called the meeting to order at 7:03 PM. Ashley Rosenbaum called the roll. Commissioners Moore and Tinder were absent. Commissioners Ruster, Finnegan, Kincaid, Johnson, and Mathis were present.

2. **Approval of the Minutes of the February 4th, 2015 Meeting**

Commissioner Mathis moved and Commissioner Ruster seconded a motion to approve the February 4th, 2015 minutes. The minutes were approved. (5-0)

3. **Conditional Use Permit – 2747 Milwaukee Road-Buffalo Wild Wings**

Public hearing, review and consideration of a Conditional Use Permit to allow an outdoor seating area as well as the indoor and outdoor sales, possession, and consumption of alcohol in a C-2, Neighborhood Commercial District, for the property located at 2747 Milwaukee Road.

Julie Christensen summarized the Staff Report and Staff Recommendation.

Chairperson Faragher opened the Public Hearing after receiving no comments from the commissioners.

David Babcock, the General Manager of the Buffalo Wild Wings (scheduled to open at 2747 Milwaukee Road), addressed the Commissioners.

Mr. Babcock described the planned changes to the building as well as the wait staff. He stated that the outdoor patios were designed to enhance their guest's experiences. Mr. Babcock stated that all of the servers were required to go through alcohol training with alcohol procedures in place. Also mentioned is the fact that the patios are a smoke-free and a pet-free zone.

Chairperson Faragher double checked that the patios will be a smoke-free zone. Mr. Babcock outlined the history of dealing with the smoke-free patio in Janesville. He went on to explain that, although there are individuals that try to smoke on the patio, they are heavily managed so as to ensure a pleasant dining experience for all diners. Buffalo Wild Wings strives to offer guests the same service outside as inside.

Commissioner Kincaid asked about the type of covering the patio would have. According to the information Mr. Babcock had, it appears that the new design will include a complete covering for the outdoor patio. The location in Janesville tried to do a partial metal covering, supplementing that with umbrellas, however, the umbrellas proved to be more detrimental than beneficial. Heavy winds will and have carried away the umbrellas before. The metal covering will be more permanent and safe.

There was also a question raised about the changes planned for the roofline, which, according to Mrs. Christensen, are all included in the plans previously submitted and approved.

Commissioner Kincaid asked for further explanation regarding where the extra parking would be coming from to meet the necessary ratio of seats to parking stalls available.

According to Mrs. Christensen, the additional parking spots would most likely come from Morgan Square (owned by Terry McGuire L.L.C). She continued to explain the history of negotiating shared parking areas, listing the accord between Culvers and Mr. McGuire as an example. She explained that there is a standing agreement which is in place as long as Culvers exists. The likelihood that a similar union would exist between Mr. McGuire and Buffalo Wild Wings is good.

Mr. Babcock explained that in the restaurant business, most people tend to come in their own vehicles, in place of carpooling. This heavily influences the need for the extra parking, no matter the time of day. Mrs. Christensen refers to the building designs, noting that Buffalo Wild Wings intends to fully utilize all of the available space inside the structure, unlike Perkins and Atlanta Bread. Both of these previous tenants had a "meeting" space, whereas Buffalo Wild Wings will implement a stadium type seating arrangement.

It was also asked what the projected opening date would be. According to Mr. Babcock, it looks as though it will be opening sometime in June; however, he is not privy to all of the details. Mrs. Christensen also added that they are still not under construction.

Commissioner Kincaid asked if Buffalo Wild Wings would be purchasing the building. Mr. Babcock explained that it would be a lease deal, although he does not know the duration of the lease.

Commissioner Mathis asked if there would be any other external changes to the building beyond the ones already discussed.

Mr. Babcock explained that the building is already set up well for the planned signage. He also mentioned that the drive-thru will not be utilized (as it's not part of the business plan). He states that the building is almost ready to open.

Commissioner Kincaid asked Mrs. Christensen if there had been any requests for waivers for the signage ordinances. She states that as far as she knows, there hasn't been any need for changes and the architectural review has been approved. One of the big changes to the

building would be raised ceilings since Buffalo Wild Wings has vaulted ceilings. The building inspector had mentioned a change to the roofline, but that that was the biggest change for the building. She also states that Buffalo Wild Wings was probably waiting for the conditional use permit to be approved before entering into the lease. Finally, it is also mentioned that although it is not set in stone, there should be no changes to the signage, depending upon the sign company.

Commissioner Johnson moved to approve the Conditional Use Permit and Commissioner Ruster seconded the motion. The motion passed (5-0).

4. **Sale of Right of Way to Rock County for the Inman Parkway Extension:**

Review and consideration of a request by Rock County to acquire right-of-way for the Inman Parkway Extension project.

Julie Christensen summarized the Staff Report and the Staff Recommendation. She also introduced Michael Flesch, as the City Engineer.

Mr. Flesch summarized the project, stating that since more of the land was out of the city than was in it, Rock County desires to buy the land straight out from the City of Beloit. He stated that the project will connect Prairie Ave to Shopiere and that it will be used as an alternative to the I-90 project. Along with this project, Prairie Ave will also be under construction. He mentioned that this needs to be fully finalized by March 15th to meet the deadlines for bidding. If this deadline is not met, then the improvements will be put on hold, making it quite important that it is approved.

Mr. Flesch explained how this road will be an alternate to I-90, much like Hart Road and Murphy Woods Road. This would create an option for traffic to exit the interstate in the event of an accident while also keeping the traffic away from Cranston Road. He also explained the history of this project and others similar to this.

Commissioner Ruster asked what would be changing on Prairie Ave. Mr. Flesch explained that from Huebbe Parkway to Highway 11/Avalon Road, Prairie Ave will become a three lane urban section, with a bi-directional turn lane accounting for one of the lanes. In addition, from Inman Parkway to Philhower Road (where the school will be built), there will be a sidewalk on the East side; possibly the West side, and that the sidewalk will stop around Thomas Lane. The care of the sidewalks will be the responsibility of the property owners, not the City.

There will also be on-road bike lanes, one going north and south respectively, continuing to Janesville.

Commissioner Kincaid asked if the City's portion would be 1/3 due to the Frontage Road and whether there would be curb cuts. According to Mr. Flesch, the City's portion is due to the amount that is within City limits and that there will be curb cuts. The section along

Inman Parkway is a rural area; there will be no decorative lighting, no utilities, no sewer or water, and no sidewalks. There will be an on road bike lane, which necessitates striped lines for motor vehicles.

Commissioner Ruster asked where stoplights would be and also mentioned that the new road will be going over the creek. Mr. Flesch stated that there will be stoplights at Inman Parkway and Shopiere Road. He also explained plans for a new bridge to cross the creek. Mr. Flesch stated that this will fall under county jurisdiction, seeing as most of the project is in the Town of Turtle.

Commissioner Kincaid verified that the City will be called upon for 1/3 of the cost for the improvements, but that the City will not be responsible for maintenance of the Highway BT.

Commissioner Faragher asked about whether it was a surprise that the right-of-way was to be sold to Rock County. Mr. Flesch stated that the City has known about this since the project started in the 70s, and that the only surprise was the way in which it was conveyed.

Commissioner Ruster asked how the exit at Shopiere Road for I-90 would be changed and whether that would include round-a bout. Mr. Flesch stated that he doesn't believe that there are round-a bouts planned for this exit. He mentioned that the new bridge and approaches will be moved approximately 100 feet south of the current bridge.

Commissioner Kincaid asked about the truck traffic anticipated for this new highway. Mr. Flesch stated that the City is hopeful that the numbers will be significant. This is based on the belief that the highway will be an alternative for the truck traffic that currently utilizes the Shopiere Road to Cranston Road to Prairie Avenue route. Mr. Flesch also expressed the idea that regular traffic will use this roadway as a faster alternative to access I-90, instead of having to travel to Milwaukee road.

Commissioner Faragher inquired into property acquisition along the planned highway. Mr. Flesch states that he has been told they are meeting their deadlines.

Commissioner Mathis wondered about the project timeline. Mr. Flesch stated that the project will be advertised in April, that the bidding would be opened about a month or so later, and construction would begin this summer. The construction will take between 18 and 24 months.

Commissioner Mathis also wondered how it would impact current traffic flow. Mr. Flesch stated that it should not cause any significant traffic changes.

Commissioner Kincaid requested information regarding the price of the property, whether the City of Beloit was indeed receiving a fair amount of money for the land. Mr. Flesch assured him that Rock County is offering the standard \$100.

Commissioner Johnson moved to approve the sale of the right-of-way and Commissioner Finnegan seconded the motion. The motion passed (5-0).

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

Julie Christensen indicated that the Conditional Use permit to sell alcohol at Liberty Mart was denied by City Council. The relocation order for the sidewalks for the Milwaukee Road project was approved. The City has also received an application for a liquor license for a Sushi restaurant in the Phoenix Building. This would fill all of the spaces for businesses on the street level of the Phoenix Building.

Commissioner Ruster asked if there are new owners for Rivals. Mrs. Christensen confirmed that Mike Duddard is the new owner of Rivals. The reopening is slated for St. Patrick's Day; however, they will not be obtaining their liquor license until a day before that.

Commissioner Faragher requested information regarding what needed to be completed before opening, dealing with code violations. Com. Johnson stated that the kitchen needed to be cleaned up a great deal. Mrs. Christensen confirmed that Rivals would be dealing with the Rock County Health Department concerning hygiene. Beyond that, the building itself is still in good condition and what is left is mostly logistics and obtaining their liquor license.

Commissioner Ruster inquired as to whether or not Rivals had opened their outdoor smoking area or not. Com. Faragher confirmed that it had not yet been done.

6. **Adjournment**

The meeting adjourned at 7:35 PM.

CITY OF BELOIT

REPORT TO THE BELOIT CITY PLAN COMMISSION



Meeting Date: March 4, 2015

Agenda Item: 3

File Number: CSM-2015-04

Applicant: RH Batterman

Owner: Forward Construction

Location: Elmwood Avenue, Town of Beloit

Existing Zoning: R2, Single and Town Family Residential District (Town Zoning)

Existing Land Use: Vacant

CSM Area: 1.44 Acres

Request Overview/Background Information:

In accordance with Section 12.05 of the Subdivision Ordinance, the applicant has submitted an Application for Review of a Minor Subdivision and three-lot Certified Survey Map (CSM) for the property located at Elmwood Avenue in the Town of Beloit within the City's Extraterritorial Jurisdiction. The attached Location & Zoning Map shows the location of the property involved in this application.

Key Issues:

- The proposed CSM will create three lots from four existing platted lots. These lots are proposed to be developed for residential uses in the Town of Beloit.
- All proposed lots will be 21,000-square feet.
- The property to the east will also be divided into three (3) lots in the future as part of this development.
- Water Resources noted that hook-up to City water will be required for this development. A conditional of approval has been added to reflect this.
- No other comments, concerns, or recommendations were received from the City Review Agents.

Consistency with Comprehensive Plan and Strategic Plan:

The subject property is intended for Single Family Residential-Urban uses according to the Future Land Use Map. 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 and Building Services Division recommends **approval** of the attached three-lot Certified Survey Map (CSM) for the property located at Elmwood Avenue in the Town of Beloit, subject to the following conditions:

1. The applicant shall record the CSM with the Rock County Register of Deeds and shall provide the Planning and Building Services Division with a copy of the recorded CSM by December 31, 2015.
2. As part of the development of this land, hook-up to the City's water utility is required.

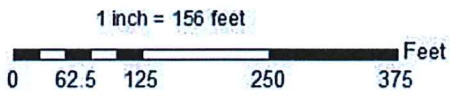
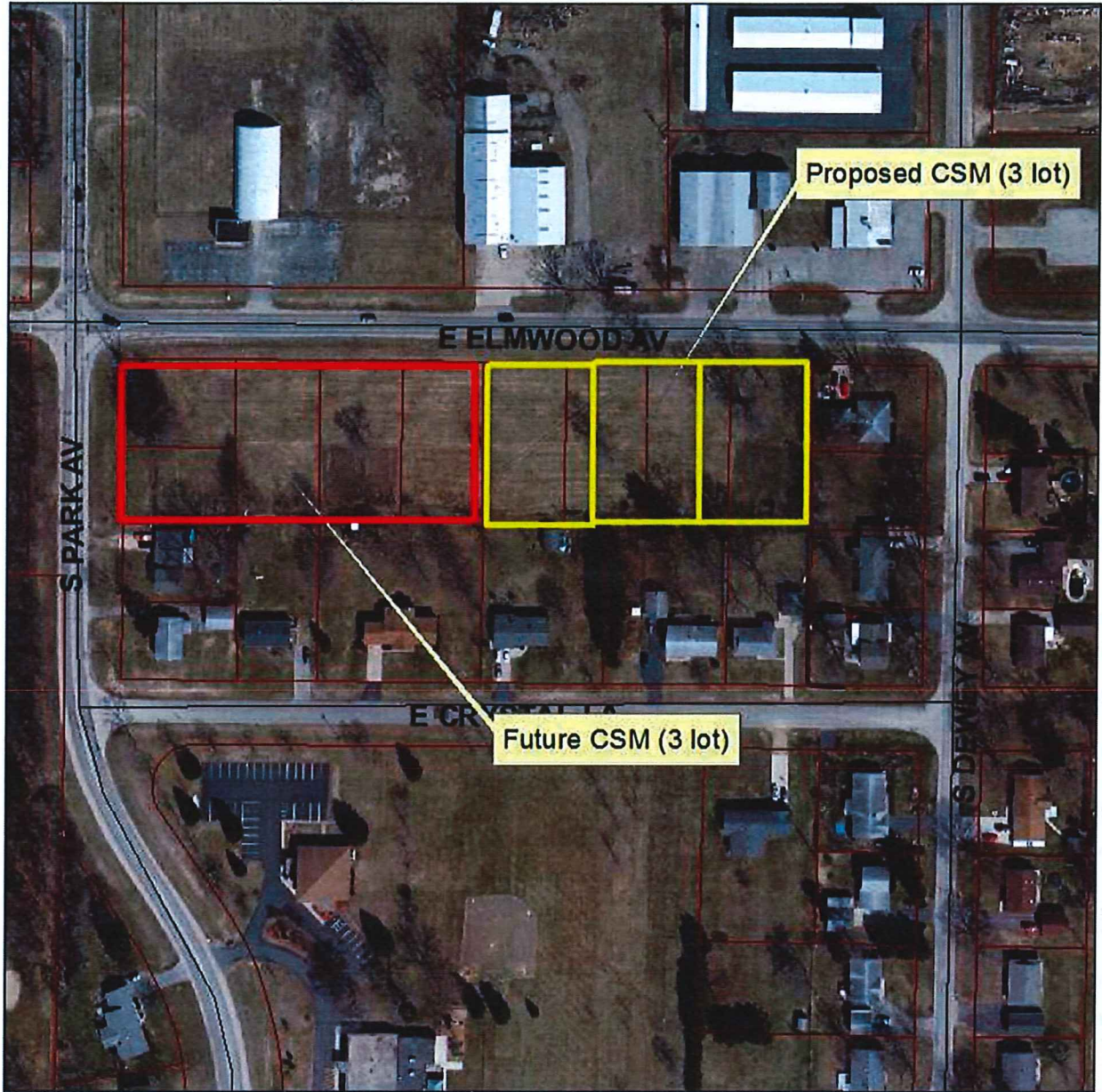
Fiscal Note/Budget Impact: N/A

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

Location Map

Elmwood Avenue (TOB)

CSM-2015-04



Map prepared by: Stephanie Hummel
Date: February 2015
For: City of Beloit, Planning and Building Services
Date of Aerial Photography: April 2011

PLANNING & BUILDING SERVICES DIVISION

City of Beloit

Neighborhood Planning Division

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

Application for Review of a Minor Subdivision

(Please Type or Print)

File Number:

CSM-2015-04

1. Address of property: South side E. Elmwood Avenue between S Park Ave and Dewey Ave
2. Tax Parcel Number(s): 6-2-693.25, 26, 27, 28, 29, 30, 31, 32 and 33
3. Property is located in (circle one): City of Beloit or Town of: Turtle; Beloit; Rock or LaPrairie
In the SW Quarter of Section 13, Township 1 North, Range 12 East of the 4th P.M.
4. Owner of Record: Forward Construction c/o Scott Ward Phone: 201-2600
1011 E. Elmwood Ave Beloit WI 53511
(Address) (City) (State) (Zip)
5. Surveyor's name: RH Batterman & Co., Inc. Phone: 365-4464
2857 Bartells Drive Beloit WI 53511
(Address) (City) (State) (Zip)
6. Number of new lots proposed with this land division is 3 lot(s).
7. Total area of land included in this map: 3.0 Acres
8. Total area of land remaining in parent parcel: NA
9. Is there a proposed dedication of any land to the City of Beloit? No
10. The present zoning classification of this property is: R2
11. Is the proposed use permitted in this zoning district: Yes
12. **THE FOLLOWING ITEMS MAY NEED TO BE COMPLETED AND/OR ATTACHED:**

- Site Assessment Checklist; is required if the total area of CSM is over 5 acres.
- Pre-application meeting; pre-application meeting was held on 1-29-15
with City of Beloit Staff.
- Developer's Statement; as required by section 12.02(7) of the Subdivision Ordinance.
- Phase One Environmental Assessment; as per section 12.05(1)(c) of the Subdivision Ordinance.
- Certified Survey Map; one copy as required by section 12.05(1) of the Subdivision Ordinance.

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


(Signature of applicant)

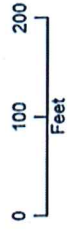
RH BATTERMAN
(Name of applicant)

1-4-15
(Date)

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

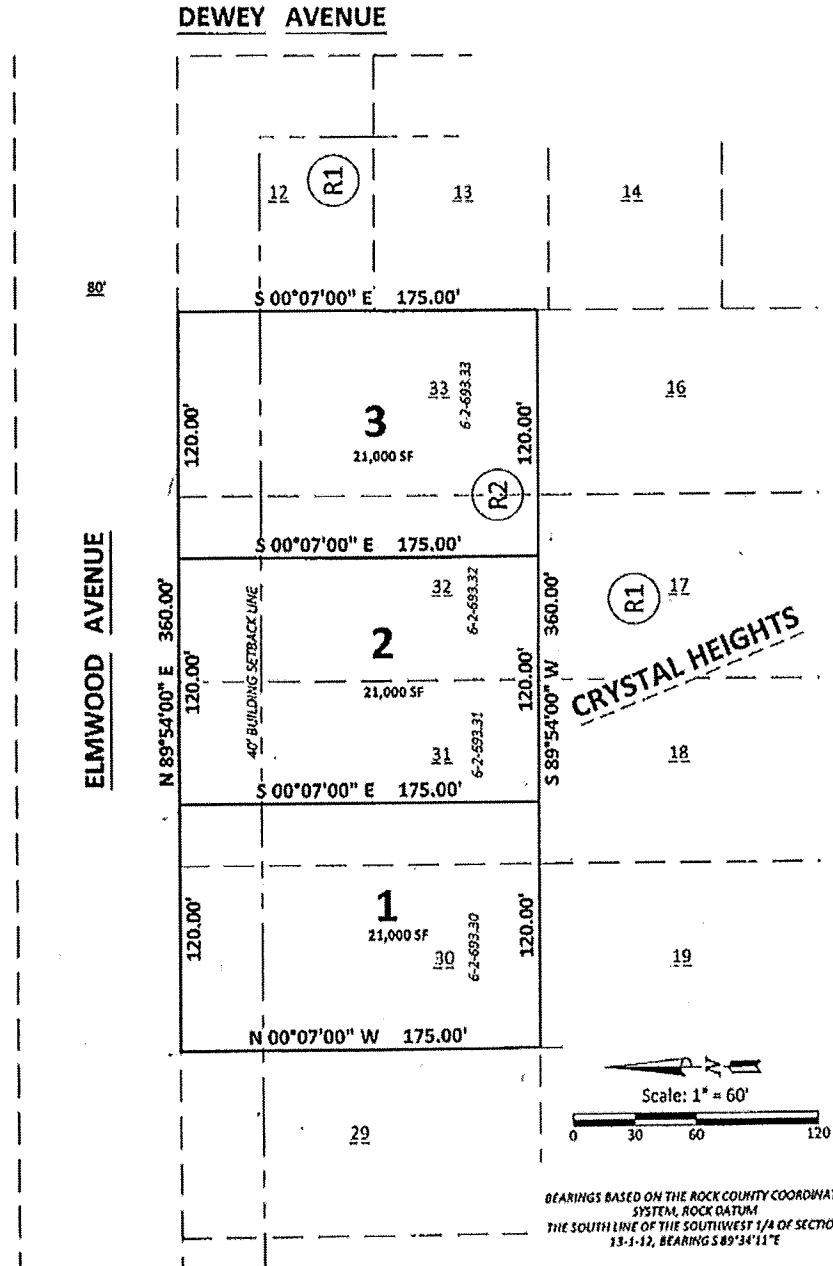
Review fee: <u>\$150 plus \$10 per lot</u>	Amount Paid: <u>\$ 210</u>
Scheduled meeting date: <u>3/4/2015</u>	
Application accepted by: <u>S. Hummel</u>	Date: <u>2/4/2015</u>

LD 2015 005
Forward Construction - Scott Ward
SE 1/4 of the SW 1/4 Section 13 Town of Beloit



**PRELIMINARY CSM FOR A SALE/TRANSFER
BETWEEN ADJACENT LOTS**

LOTS 30, 31, 32, 33 OF CRYSTAL HEIGHTS SUBDIVISION BEING A PART OF THE
S.E.1/4 OF THE S.W.1/4 OF SECTION 13, T. 1 N., R. 12 E.
BELOIT TOWNSHIP, ROCK COUNTY, WISCONSIN



ORDER NO: 32022
DATE: 1-20-2015
BOOK ---- PG -
PAGE 1 OF 1

CERTIFIED SURVEY MAP
FOR THE EXCLUSIVE USE OF:
FORWARD CONSTRUCTION
11011 E. ELMWOOD AVENUE
BELOIT, WISCONSIN

Batterman
engineers surveyors planners
2857 Baraboo Drive Beloit, Wisconsin 53511
608.365.4164 www.batterman.com

File Name: 2\32001-32051\32022 Forward Const CSM\3 SURVEY\DWG\DWG\32022-CSM.dwg

**RESOLUTION
APPROVING A THREE-LOT CERTIFIED SURVEY MAP
FOR THE PROPERTY LOCATED AT ELMWOOD AVENUE
IN THE TOWN OF BELOIT**

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

WHEREAS, the attached three-lot Certified Survey Map for the property located at Elmwood Avenue in the Town of Beloit is located within the extraterritorial jurisdiction of the City; and

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

LOTS 30, 31, 32, 33 OF CRYSTAL HEIGHTS SUBDIVISION BEING A PART OF
THE SE ¼ OF THE SW ¼ OF SECTION 13, T. 1 N., R. 12 E., BELOIT
TOWNSHIP, ROCK COUNTY, WISCONSIN, Containing 1.44 Acres, more or less.

NOW, THEREFORE, BE IT RESOLVED THAT the City Plan Commission of the City of Beloit does hereby approve the attached three-lot Certified Survey Map for the property located at Elmwood Avenue in the Town of Beloit, subject to the following conditions:

1. The applicant shall record the CSM with the Rock County Register of Deeds and shall provide the Planning and Building Services Division with a copy of the recorded CSM by December 31, 2015.
2. As part of the development of this land, hook-up to the City’s water utility is required.

Adopted this 4th day of March, 2015.

James Faragher, Plan Commission Chairperson

ATTEST:

Julie Christensen, Community Development Director

CITY OF BELOIT

REPORT TO THE BELOIT CITY PLAN COMMISSION

Meeting Date: March 4, 2015

Agenda Item: 4

File Number: CSM-2015-03

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

Owner: School District of Beloit

Location: 1401 Townhall Road

Existing Zoning: PLI, Public Lands & Institutions District

Existing Land Use: Vacant land

Total CSM Area: 47.75 Acres

Request Overview/Background Information:

R.H. Batterman & Co., Inc. has submitted an Application for the Review of a Minor Subdivision and a 2-Lot Certified Survey Map (CSM) for the property located at 1401 Townhall Road. According to Section 12.05(1)(c) of the Subdivision Ordinance, the Plan Commission shall recommend to the City Council approval, conditional approval, or rejection of any minor subdivision of land within the City that involves the dedication of land to the public.

Key Issues:

- The subject property is currently under review for approval of both Comprehensive Plan and Zoning Map Amendments. City Council will vote on these applications on March 2, 2015. Once approved, the property will be designated for Planned Neighborhood uses on the Future Land Use map and zoned DH, Development Holding.
- The proposed CSM will split the subject property to allow for two separate owners to build single-family residences on each proposed lot.
- Proposed Lot 1 will be 23.481 acres and Proposed Lot 2 will be 23.146 acres.
- The proposed CSM also reaffirms a 40-foot dedication of Townhall Road half right-of-way along the western boundary of the subject property. The proposed CSM must be reviewed by the City Council because of the right-of-way dedication.
- Both proposed lots meet the minimum development standards for properties zoned DH.
- The City's Review Agents have reviewed the proposed CSM and did not submit any comments or concerns.

Consistency with Comprehensive Plan and Strategic Plan:

The Comprehensive Plan recommends Planned Neighborhood uses for the subject property. This proposed land division is consistent with the Comprehensive Plan. Consideration of this request supports City of Beloit Strategic Goal #5.

Sustainability:

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

Staff Recommendation:

The Planning & Building Services Division recommends **approval** of the attached 2-Lot Certified Survey Map (CSM) for the property located at 1401 Townhall Road, subject to the following condition:

1. The final CSM shall be recorded with the Rock County Register of Deeds by December 31, 2015.

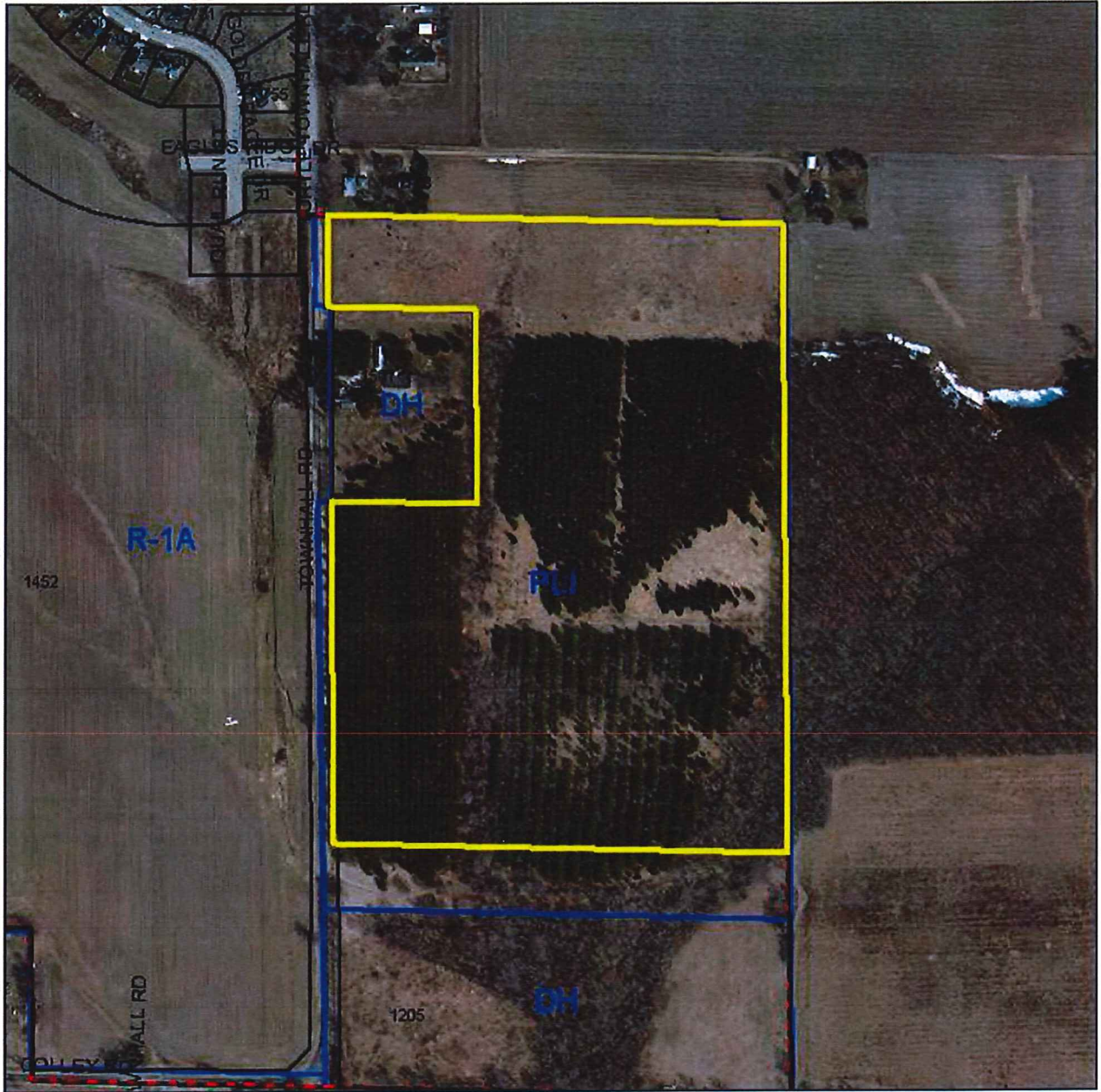
Fiscal Note/Budget Impact: N/A

Attachments: Zoning & Location Map, CSM and Application

Location & Zoning Map

1401 Townhall Road

ZMA-2015-01



1 inch = 400 feet

0 80 160 320 480 Feet

Legend

 COB Parcels

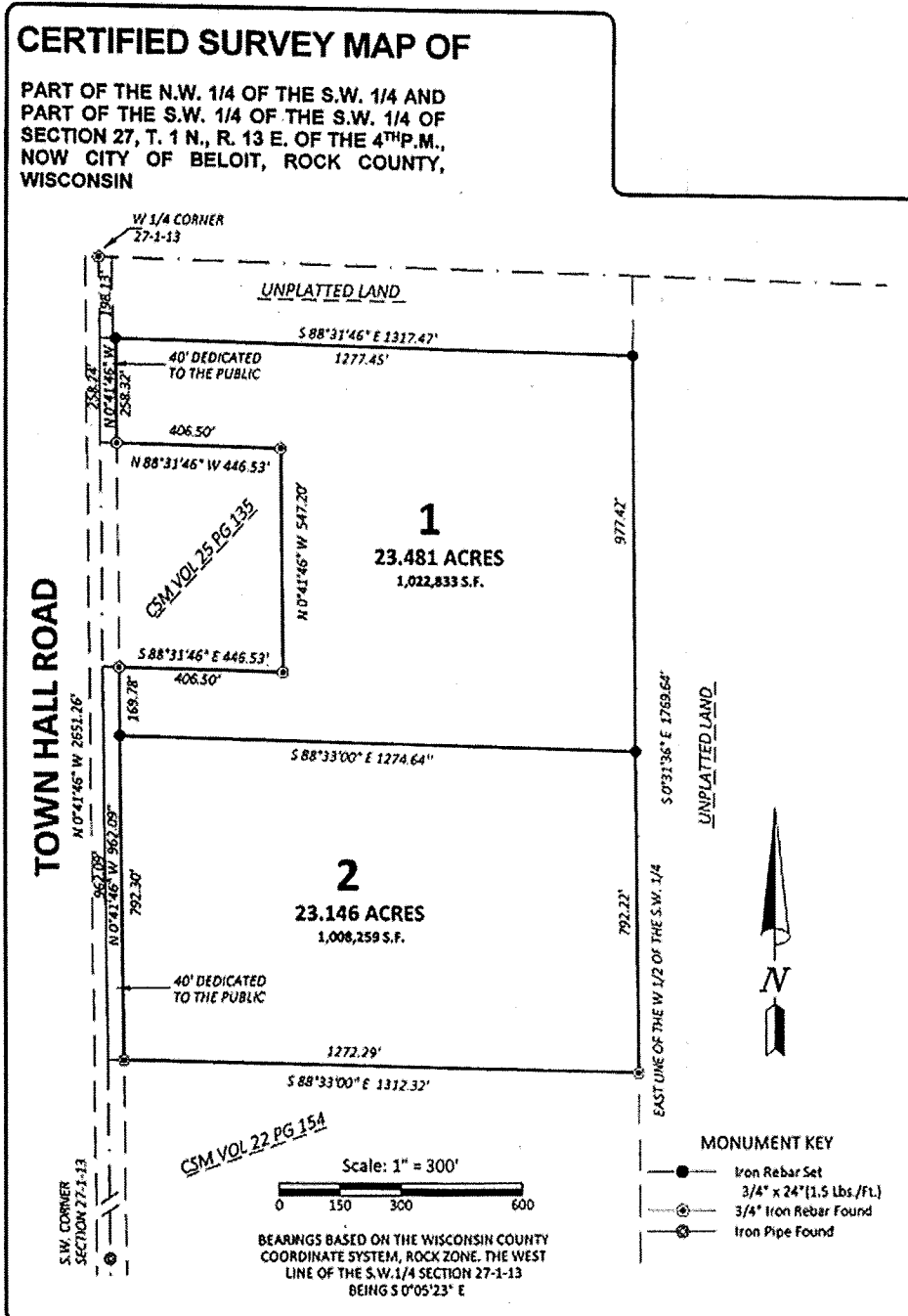
 Zoning District

Map prepared by: Stephanie Hummel
Date: January 2015
For: City of Beloit Planning & Building Services
Date of Aerial Photography: March 2011

PLANNING & BUILDING SERVICES DIVISION

CERTIFIED SURVEY MAP OF

PART OF THE N.W. 1/4 OF THE S.W. 1/4 AND
PART OF THE S.W. 1/4 OF THE S.W. 1/4 OF
SECTION 27, T. 1 N., R. 13 E. OF THE 4THP.M.,
NOW CITY OF БЕЛОИТ, ROCK COUNTY,
WISCONSIN



ORDER NO. 32046
FOR: DAN HAYNES
DATE: January 8, 2015
BOOK: SEE FILE
PAGE: 1 OF 3

Batterman
engineers surveyors planners
2857 Bartells Drive Beloit, Wisconsin 53511
608.365.4464 www.rhbatterman.com



CERTIFIED SURVEY MAP OF

PART OF THE N.W. 1/4 OF THE S.W. 1/4 AND PART OF THE S.W. 1/4 OF THE S.W. 1/4 OF SECTION 27, T. 1 N., R. 13 E. OF THE 4TH P.M., NOW CITY OF БЕЛОIT, ROCK COUNTY, WISCONSIN

SURVEYOR'S CERTIFICATE OF COMPLIANCE WITH STATUTE

State of Wisconsin) I, Robert Leuenberger, a Professional Land Surveyor, do hereby certify that I
County of Rock)^{ss} have surveyed and mapped part of the N.W. 1/4 of the S.W. 1/4 and part of the
S.W. 1/4 of the S.W. 1/4 of Section 27, T. 1 N., R. 13 E. of the Fourth P.M., now City of Beloit, Rock County,
Wisconsin.

DESCRIBED AS FOLLOWS: Commencing at the West 1/4 corner of Section 27, aforesaid; thence South 0°41'46" East 198.13 feet along the West line of said S.W. 1/4 to the place of beginning; thence South 88°31'46" East 1317.47 feet parallel with the East-West centerline of said Section 27 to the East line of the West half of said S.W. 1/4; thence South 0°31'36" East 1769.64 feet along said East line to the Northeast corner of Lot 1 of a Certified Survey Map recorded in Volume 22 on Pages 154 and 155 of Certified Survey Maps; thence North 88°33'00" West 1312.32 feet along the North line of said Lot 1 to the West line of said S.W. 1/4; thence North 0°41'46" West 962.09 feet along said West line; thence South 88°31'46" East 446.53 feet along the Southerly line of Lot 1 of a Certified Survey Map recorded in Volume 25 on Pages 135 through 137 of Certified Survey Maps to the Southeast corner of said Lot 1; thence North 0°41'46" West 547.20 feet to the Northeast corner of said Lot 1; thence North 88°31'46" West 446.53 feet along the North line of said Lot 1 to the West line of said S.W. 1/4; thence North 0°41'46" West 258.24 feet to the place of beginning. Containing 47.75 acres more or less.

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

That such map is a correct representation of all exterior boundaries of the land surveyed and the division of that land. That I have made such survey and map by the direction of the Owner of said land, and that I have complied fully with the provisions of Section 236.34 of the Wisconsin Statutes in surveying and mapping the same. Given under my hand and seal, this 15th day of January, 2015 at Beloit, Wisconsin.

Approved by the City Council of the City of Beloit, this
_____ day of _____, 2015.

By: _____

I hereby certify that the property taxes on the parent
parcel are current and have been paid as of
_____, 2015.

By: _____
Rock County Treasurer

ORDER NO. 31748
DATE: JANUARY 15, 2015
FOR: SCHOOL DISTRICT OF БЕЛОIT
SHEET 2 OF 3

Batterman
engineers surveyors planners

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



CERTIFIED SURVEY MAP OF

PART OF THE N.W. 1/4 OF THE S.W. 1/4 AND PART OF THE S.W. 1/4 OF THE S.W. 1/4 OF SECTION 27, T. 1 N., R. 13 E. OF THE 4THP.M., NOW CITY OF БЕЛОIT, ROCK COUNTY, WISCONSIN

OWNERS CERTIFICATE OF DEDICATION

The School District of Beloit, as Owner, does hereby certify that they caused the land described on this plat to be surveyed, divided, mapped and dedicated as represented on this plat.

The School District of Beloit further certifies that this plat is required by Sections 236.10 or 236.12 to be submitted to the following for approval or objection: The City Council of the City of Beloit.

IN WITNESS WHEREOF, The School District of Beloit has caused these presents to be signed by Janelle Marotz, Executive Director of Business Services, this ____ day of _____, 2015.

Janelle Marotz, Executive Director of Business Services

State of Wisconsin) Personally came before me, this ____ day of _____, 2015,
County of Rock)** Janelle Marotz of the above-named School District, to me known to be the person who executed the foregoing instrument, and to me known to be such officer of said School District, and acknowledged that she executed the foregoing instrument as such officer as the deed of such School District, by its authority.

Notary Public, Rock County, Wisconsin

My Commission Expires: _____

DOCUMENT NO. _____ RECEIVED FOR RECORD THIS ____ DAY OF _____ A.D. 2015
AT _____ O'CLOCK ____M. AND RECORDED IN VOLUME _____, PAGES _____ OF
CERTIFIED SURVEY MAPS OF ROCK COUNTY, WISCONSIN.

REGISTER OF DEEDS

ORDER NO. 31748
DATE: JANUARY 15, 2015
FOR: SCHOOL DISTRICT OF БЕЛОIT
SHEET 3 OF 3



City of Beloit

Neighborhood Planning Division

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

Application for Review of a Minor Subdivision

(Please Type or Print)

File Number: CSM-2015-03

1. Address of property: 1401 Townhall Road
2. Tax Parcel Number(s): 22760005
3. Property is located in (circle one): City of Beloit or Town of: Turtle; Beloit; Rock or LaPrairie
In the SW Quarter of Section 27, Township 1 North, Range 13 East of the 4th P.M.
4. Owner of Record: School District of Beloit Phone: 361-4011
1633 Keeler Ave Beloit WI 53511
(Address) (City) (State) (Zip)
5. Surveyor's name: RH Batterman & Co., Inc. Phone: 365-4464
2857 Bartells Drive Beloit WI 53511
(Address) (City) (State) (Zip)
6. Number of new lots proposed with this land division is 2 lot(s).
7. Total area of land included in this map: 47.75 Acres
8. Total area of land remaining in parent parcel: NA
9. Is there a proposed dedication of any land to the City of Beloit? Yes
10. The present zoning classification of this property is: DH
11. Is the proposed use permitted in this zoning district: Yes
12. **THE FOLLOWING ITEMS MAY NEED TO BE COMPLETED AND/OR ATTACHED:**

- Site Assessment Checklist; is required if the total area of CSM is over 5 acres.
- Pre-application meeting; pre-application meeting was held on 1-29-15
with City of Beloit Staff.
- Developer's Statement; as required by section 12.02(7) of the Subdivision Ordinance.
- Phase One Environmental Assessment; as per section 12.05(1)(c) of the Subdivision Ordinance.
- Certified Survey Map; one copy as required by section 12.05(1) of the Subdivision Ordinance.

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

[Signature] / RH BATTERMAN / 1-29-15
(Signature of applicant) (Name of applicant) (Date)

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

Review fee: <u>\$150 plus \$10 per lot</u>	Amount Paid: <u>\$170.00</u>
Scheduled meeting date: <u>3/4/2015</u>	
Application accepted by: <u>S. Hummel</u>	Date: <u>1/29/2015</u>



CITY OF BELOIT

REPORT TO THE BELOIT CITY PLAN COMMISSION

Meeting Date: March 4, 2015

Agenda Item: 5

File Number: RPB-2014-07

Request Overview/Background Information:

Jack Meyers has submitted an application requesting an amendment to the Future Land Use Map (Map 10) of the City of Beloit Comprehensive Plan.

Wisconsin's Comprehensive Planning Law, §66.1001 of the Wisconsin Statutes, was signed into law in 1999. This legislation is commonly known as Wisconsin's "smart growth" law, although the law does not prescribe or require a particular type of development pattern. The Comprehensive Planning law requires all cities, towns, and villages that regulate land use through land use ordinances (e.g. zoning) to adopt a Comprehensive Plan. Comprehensive Plans are intended to guide development and redevelopment over a 20-year timeframe. The law also requires that land use decisions be consistent with the adopted plan, a requirement that became effective in 2010.

The Beloit City Council approved the City's Comprehensive Plan in March 2008 after an extensive public participation program. All land use decisions made by the City of Beloit, including any actions regarding official mapping, local subdivision regulation, and zoning regulations, must be consistent with the plan. The Beloit City Council established a process for amendments (minor changes) to the Comprehensive Plan on February 1, 2010. The state law requires that the Plan be updated at least once every ten years. As opposed to an amendment, an update is often a substantial re-write of the entire document and maps.

This public meeting of the Plan Commission serves as the second step in the process to amend the Comprehensive Plan. If the Plan Commission votes to recommend approval of the proposed amendment, the attached Resolution will be forwarded to the City Council for consideration during the regularly scheduled meeting on March 16, 2015.

Key Issues:

- The Plan Commission recommended denial of this application on July 9, 2014. City Council then reviewed the application on August 18, 2014 and referred it back to the Plan Commission for further review. This referral was based on a new exhibit provided by the applicant that City Council felt the Plan Commission should review.
- Planning Staff held the application while seeking a legal opinion concerning the use of Conditional Zoning. After review, it was determined that Conditional Zoning is not an appropriate practice. Therefore, the application is coming back to the Plan Commission as originally submitted with the addition of the attached exhibit showing a possible layout for the development.
- The applicant is proposing the following amendment to the Future Land Use Map (Map 10) of the City's Comprehensive Plan:
 - 1715 Elmwood Avenue – From Planned Neighborhood to Mixed Residential.
- The Plan Commission approved the attached Preliminary Subdivision Plat on October 9, 2013. Since this approval, the property owner has decided to pursue a low-density, multi-family development. A revised Plat will be needed for this development if the proposed amendment is approved.
- The section of the 14-acre development from Kadlec Drive to the east will be developed as single- and two-family dwellings, while the rest of the development will be a mix of multi-family dwellings.
- This property is currently vacant land. The lands surrounding the properties are:
 - North: R-1A, Single-family Residential District: Vacant Residential Land
 - South: R-1A, Single-family Residential District: Single-family Dwellings
 - East: R-3, Low-density Multi-family Residential District: Single-family Dwellings, Two-family Dwellings, and Low-rise Apartment Buildings
 - West: B3, General Business District; and I1, Light Industrial District (Town of Beloit Zoning): Business and Industrial uses
- The applicant is also congruently proposing to rezone the subject property to R-3, Low-Density Multi-Family Residential. This amendment must be approved to allow this rezoning.
- Close proximity to the railroad and industry make this an ideal location for a mixed residential development. The eastern-most section of the development will act as a transition from multi-family dwellings to the established two- and single-family neighborhood.
- A Location/Land Use/Zoning Map and the Future Land Use Map are attached to this report.

Consistency with Comprehensive Plan and Strategic Plan:

- The City's compliance with the Comprehensive Planning law's consistency requirement is the impetus for this request.
- 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** – The development of this parcel will connect existing roadways and infrastructure, meeting the present needs of the neighborhood. Additionally, future needs of the community will be met by offering diverse housing opportunities and increasing the municipal tax base.

Staff Recommendation:

The Planning & Building Services Division recommends **approval** of the following proposed amendment to the Future Land Use Map (Map 10) of the City's Comprehensive Plan:

1. 1715 Elmwood Avenue – From Planned Neighborhood to Mixed Residential.

Fiscal Note/Budget Impact: N/A

Attachments: Location/Land Use/Zoning Map, Future Land Use Map, Preliminary Plat, Public Notices, Mailing List, Resolution and Layout Exhibit

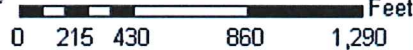
Location, Land Use, & Zoning Map

1715 Elmwood Avenue

RPB-2014-07



1 inch = 634 feet



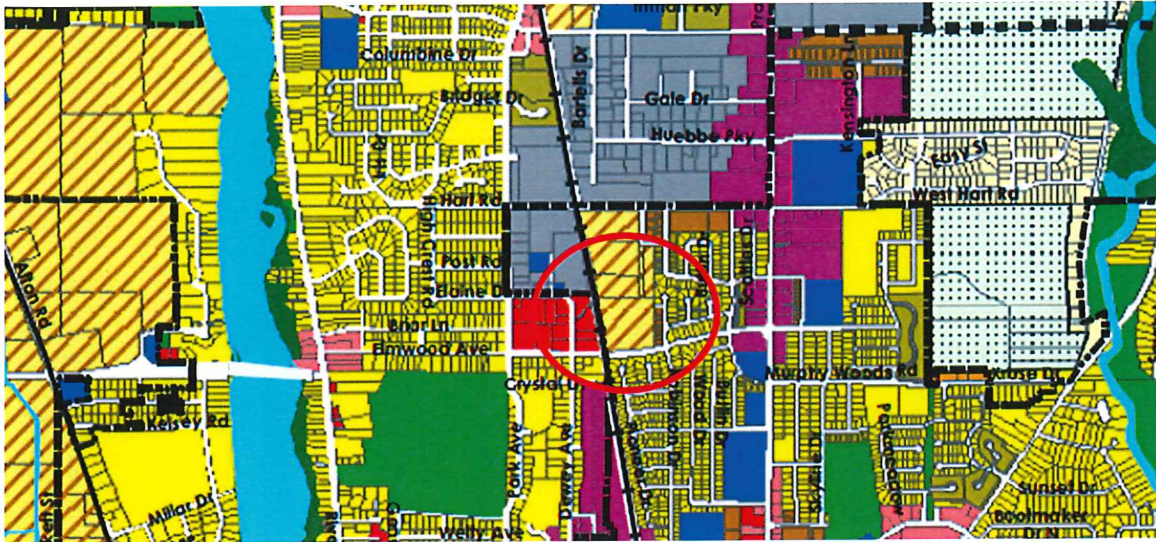
Legend

- Zoning District
- City Limits
- COB Parcels

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

PLANNING & BUILDING SERVICES DIVISION

Map 10, Future Land Use (Narrowed to Subject Property)



Legend

- Municipal Boundaries
- City of Beloit, Town of Turtle, Boundary Adjustment Area
- Interstate Highway
- County Highways
- Existing Roads
- Potential Future Major Collector/Arterial Roads
- Railroads
- Surface Water

Future Land Use Categories

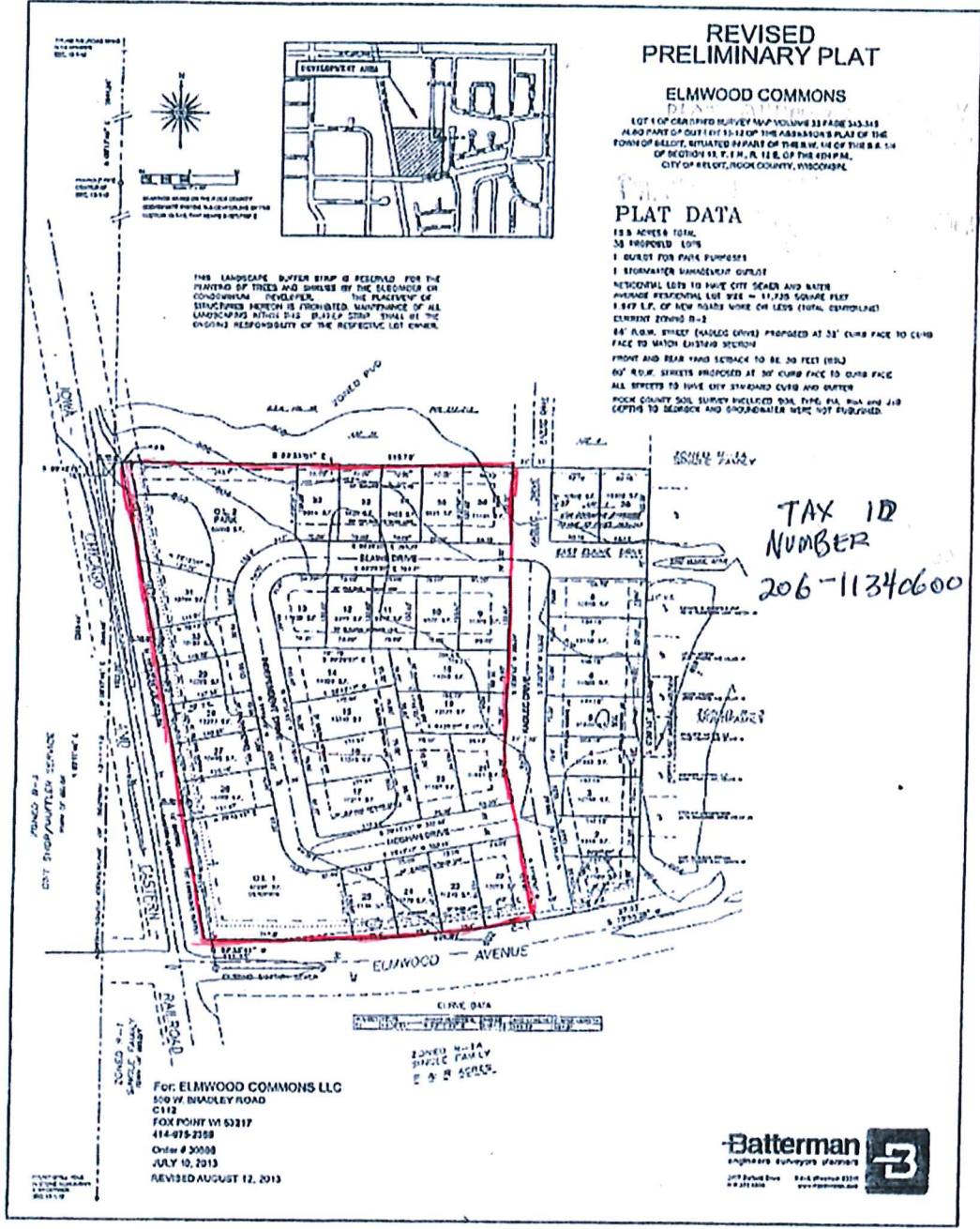
- Agricultural
- Single Family Residential - Exurban
- Single Family Residential - Urban
- Two-family/Townhouse Residential
- Mixed Residential
- Planned Neighborhood
- Office
- Planned Mixed Use
- Neighborhood Commercial
- Community Commercial
- Downtown
- Business Park
- General Industrial
- Institutional & Community Services
- Environmental Corridor
- Parks and Open Spaces
- Long Range Urban Growth Area
- Right of Way

**Planned Neighborhoods should include a mix of the following:
 1. Single Family - Urban (pre-dominant land use)
 2. Two-family/Townhouse
 3. Mixed Residential
 4. Institutional and Community Services
 5. Office
 6. Neighborhood Commercial
 7. Parks and Open Spaces

0 0.25 0.5 1 Miles

Date: March 17, 2008
 Source: City of Beloit, Rock County

City of Beloit
 Comprehensive Plan
 Map 10:
 Future Land Use





NOTICE TO THE PUBLIC

June 27, 2014

To Whom It May Concern:

Jack Meyers has submitted an application requesting the following amendment to the Future Land Use Map (Map 10) of the City of Beloit Comprehensive Plan:

1. 1715 Elmwood Avenue – From Planned Neighborhood to Mixed Residential

Information regarding the location, zoning, and land use of this property is available for public review in the Planning & Building Services Division on the third floor of City Hall, 100 State Street.

The following public meetings will be held regarding the proposed amendments:

City Plan Commission: Wednesday, July 9, 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 (Public Hearing): Monday, August 18, 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 MEETINGS.

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.



NOTICE TO THE PUBLIC

July 10, 2014

To Whom It May Concern:

The City of Beloit Plan Commission has recommended denial of the following amendment to the Future Land Use Map (Map 10) of the City of Beloit Comprehensive Plan:

1. 1715 Elmwood Avenue– From Planned Neighborhood to Parks and Mixed Residential

Information regarding the location, zoning, and land use of these properties is available for public review in the Planning & Building Services Division on the third floor of City Hall, 100 State Street.

The Plan Commission's recommendation will be reviewed by the City Council, which will hold the following public hearing regarding the proposed amendments:

City Council (Public Hearing): Monday, August 18, 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 THIS HEARING.

We are interested in your opinion.

Anyone bringing handouts to the meeting must bring ten (10) copies and submit them to the City Clerk 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.

Karry DeVault, Clerk
Town of Beloit
2871 S. Afton Rd.,
Beloit 53511

Frank Management Inc.
2501 Morse Street
Janesville, WI 53545

Janelle Marotz
School District of Beloit
1633 Keeler Avenue
Beloit, WI 53511

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

Rock County Planning Director
Rock County Courthouse, Room 266
51 South Main Street,
Janesville, WI 53545

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

City Clerk
City of South Beloit
519 Blackhawk Blvd. Suite 2
South Beloit, IL 61080

Dr. Pamela Kiefert, Superintendent
Clinton Community School District
112 Milwaukee Road
Clinton, WI 53525

Beloit Public Library Director
605 Eclipse Boulevard
Beloit, WI 53511
Via I/O Mail

Peter Herreid, Grant Administrator
Department of Administration
101 E. Wilson Street, 10th Floor
Madison, WI 53702-0001

Brad Austin
Corporate Contractors Inc.
655 3rd Street, Suite 101
Beloit, WI 53511

**RESOLUTION
RECOMMENDING APPROVAL OF AN AMENDMENT TO THE
CITY OF БЕЛОIT COMPREHENSIVE PLAN**

WHEREAS, the Plan Commission of the City of Beloit recommended approval of the Comprehensive Plan of the City of Beloit (the Plan) on January 23, 2008, and the City Council of the City of Beloit approved an Ordinance adopting the Plan on March 17, 2008; and

WHEREAS, the Plan may be amended and changed in the years following adoption, particularly in instances where the Plan is becoming irrelevant or contradictory to emerging policies or trends, or does not provide specific advice or guidance on an emerging issue; and

WHEREAS, “Amendments” are generally defined as minor changes to the Plan’s maps or text; and

WHEREAS, the City Council of the City of Beloit approved a Resolution to Adopt a Process for Amending the City of Beloit Comprehensive Plan on February 1, 2010; and

WHEREAS, the approved process directs the Plan Commission to hold a public meeting on the proposed amendments, and following said public meeting, make a recommendation by Resolution to the City Council by majority vote of the entire Commission.

NOW, THEREFORE, BE IT RESOLVED that the Plan Commission of the City of Beloit, Rock County, Wisconsin, hereby recommends approval of the following amendment to the Future Land Use Map (Map 10) of the City of Beloit Comprehensive Plan:

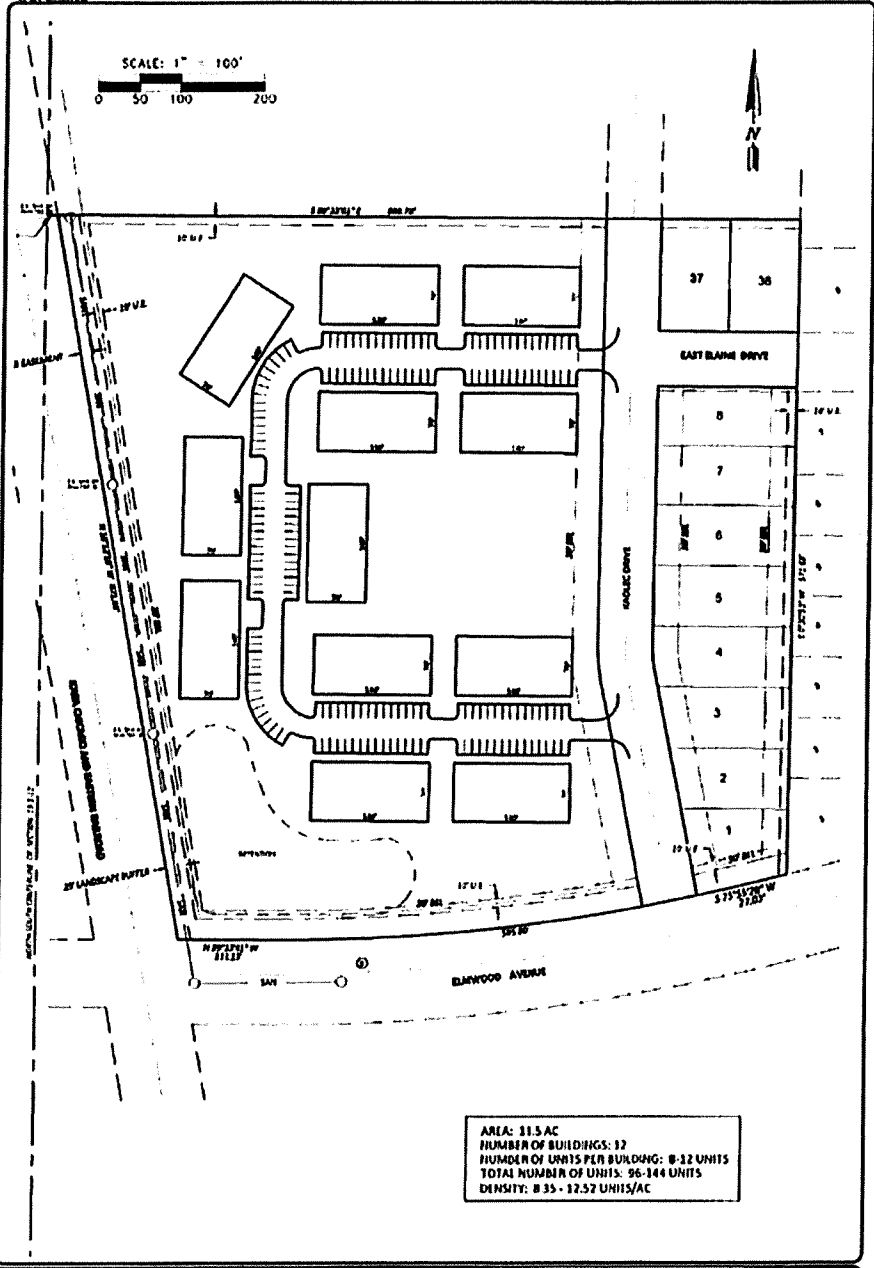
1715 Elmwood Avenue (Parcel No. 11340600) – From Planned Neighborhood to Mixed Residential.

Adopted this 4th day of March, 2015.

James Faragher, Plan Commission Chairman

ATTEST:

Julie Christensen,
Community Development Director



<p>2101</p>	<p>ELMWOOD EDWARDS, LLC CITY OF MILWAUKEE ROCK COUNTY, WISCONSIN</p>	<p>PLANNED UNIT DEVELOPMENT CONCEPT PLAN</p>	<p>DATE: 11/11/11</p> <p>PROJECT: 11-11-11</p> <p>SCALE: 1" = 100'</p> <p>PROJECT NO: 11-11-11</p> <p>DRAWN BY: [Name]</p> <p>CHECKED BY: [Name]</p> <p>DATE: 11/11/11</p>	<p>Batterman engineers surveyors planners</p>	<p>1111 North Lake Suite 1000 Milwaukee, WI 53211 414.354.4444 www.Batterman.com</p>	
	<p>PLANNED UNIT DEVELOPMENT CONCEPT PLAN</p>	<p>DATE: 11/11/11</p> <p>PROJECT: 11-11-11</p> <p>SCALE: 1" = 100'</p> <p>PROJECT NO: 11-11-11</p> <p>DRAWN BY: [Name]</p> <p>CHECKED BY: [Name]</p> <p>DATE: 11/11/11</p>				



A2 ELMPACKED COMMERCIAL S.E.
 C1 CITY OF BRISTOL
 R2 ROCK COUNTY, WISCONSIN

**PLANNED UNIT DEVELOPMENT
 CONCEPTUAL EXHIBIT**

WITH ADDITIONAL DEVELOPMENT OF THE 100' WIDE BUFFER ZONE

NO.	DESCRIPTION	AREA (SQ. FT.)	PERCENTAGE
1
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Batterman
 engineers surveyors planners

2007 South Lake
 Bristol, Wisconsin 53103
 608.781.4114
www.batterman.com



CITY OF BELOIT



REPORT TO THE BELOIT CITY PLAN COMMISSION

Meeting Date: March 4, 2015

Agenda Item: 6

File Number: ZMA-2014-08

Applicant: Jack Meyers

Owner: Jack Meyers, Elmwood Commons LLC

Location: 1715 Elmwood Avenue

Current Zoning: R-2, Two-Family Residential District

Existing Land Use: Vacant Land

Parcel Size:
14.4 Acres

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

Request Overview/Background Information:

Jack Meyers has submitted an application for a Zoning Map Amendment to change the zoning district classification from R-2, Two-Family Residential District, to R-3, Low-Density Multi-Family Residential District, for the property located at 1715 Elmwood Avenue.

The attached **Location & Zoning Map** shows the location of the subject properties and the zoning of the surrounding area. The adjacent zoning and land uses are as follows:

- North: R-1A, Single-family Residential District: Vacant Residential Land
- South: R-1A, Single-family Residential District: Single-family Dwellings
- East: R-3, Low-density Multi-family Residential District: Single-family Dwelling, Two-family Dwellings, and Low-rise Apartment Buildings
- West: B3, General Business District; and I1, Light Industrial District (Town of Beloit Zoning): Business and Industrial uses

The Zoning Ordinance directs the Plan Commission to hold a hearing and make a recommendation regarding a Zoning Map Amendment when the specific site and context are suitable for the uses permitted in the proposed zoning district.

Key Issues:

- The Plan Commission recommended denial of this application on July 9, 2014. City Council then reviewed the application on August 18, 2014 and referred it back to the Plan Commission for further review. This referral was based on a new exhibit provided by the applicant that City Council felt the Plan Commission should review.
- Planning Staff held the application while seeking a legal opinion concerning the use of Conditional Zoning. After review, it was determined that Conditional Zoning is not an appropriate practice. Therefore, the application is coming back to the Plan Commission as originally submitted with the addition of the attached exhibit showing a possible layout for the development.
- The Plan Commission approved a Preliminary Subdivision Plat for the subject property on October 9, 2013. Since this approval, the property owner has decided to pursue a low-density, multi-family development. A revised Plat will be needed for this development if the proposed zoning change is approved.
- The section of the development from Kadlec Drive to the East will be developed as single- and two-family dwellings, while the rest of the development will be a mix of multi-family dwellings.
- This property is currently vacant land. It is approximately 14.4 acres. It was zoned for multi-family housing until the late 1990's when the neighborhood proposed down-zoning to single-family residential. This was approved and has been the zoning classification since.
- In 2009, the property directly north of the subject property (2500 Kadlec Drive) filed an application for rezoning to PUD. This application was withdrawn. The property north of that (2660 Kadlec Drive) also filed to add five 12-unit condominium buildings as part of their existing PUD. This was denied.
- This application is being processed congruently with the application to amend the Comprehensive Plan's Future Land Use Map to recommend Mixed Residential for the subject property.
- Planning staff mailed the attached Public Notice to the owners of nearby properties. As of this writing, staff has not received any comments.
- This application is being considered in accordance with the Zoning Map Amendment procedures contained in Section 2-300 of the Zoning Ordinance.

Findings of Fact - Based on Section 2-304 of the Zoning Ordinance, the Plan Commission shall make a recommendation based on the following considerations:

- a. *The existing use of property within the general area of the subject property;*
 - The subject property is located near a variety of housing types, including low-density apartments, two-family duplexes, and single-family homes. There is also vacant residential land to the north of this property. The R-3 classification is compatible with existing and planned uses within the general area.
- b. *The zoning classification of property within the general area of the subject property;*
 - The subject property is adjacent to residential (R-1A and R-3) districts. It is also adjacent to a Business and Industrial district in the Town of Beloit, separated by railroad tracks. The R-3 zoning will allow for both multi-family, two-family, and single-family development.
- c. *The suitability of the subject property for the uses permitted under the existing zoning classification; and*
 - The subject property is suitable for the uses permitted in the R-2 district, but the applicant intends to integrate multi-family dwellings into this development. This is not allowed in the R-2 zoning district.
- d. *The trend of development and zoning map amendments in the general area of the subject property.*
 - This neighborhood is an established residential area. Its close proximity to major commercial uses along Prairie Avenue makes it ideal for mixed residential development.
 - A proposed PUD to allow a multi-family development of 66 units at 2660 Kadlec Drive was denied in 2009.

Consistency with Comprehensive Plan and Strategic Plan:

The Comprehensive Plan currently recommends Planned Neighborhood for the subject property. Upon approval from City Council, the Comprehensive Plan will recommend Mixed Residential for the subject property. This proposed Zoning Map Amendment is consistent with the Comprehensive Plan, as required by Section 66.1001(3) of Wisconsin Statutes.

Consideration of this request supports City of Beloit Strategic Goal #5.

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

- **Reduce dependence upon fossil fuels** – N/A
- **Reduce dependence on chemicals and other manufacturing substances that accumulate in nature** – N/A
- **Reduce dependence on activities that harm life sustaining eco-systems** – N/A
- **Meet the hierarchy of present and future human needs fairly and efficiently** – The development of this parcel will connect existing roadways and infrastructure, meeting the present needs of the neighborhood. Additionally, future needs of the community will be met by offering diverse housing opportunities and increasing the municipal tax base.

Staff Recommendation:

Based upon the above Findings of Fact and the City's Comprehensive Plan, the Planning & Building Services Division recommends **approval** of a Zoning Map Amendment to change the zoning district classification from R-2, Two-Family Residential District, to R-3, Low-Density Multi-Family Residential District, for the property located at 1715 Elmwood Avenue.

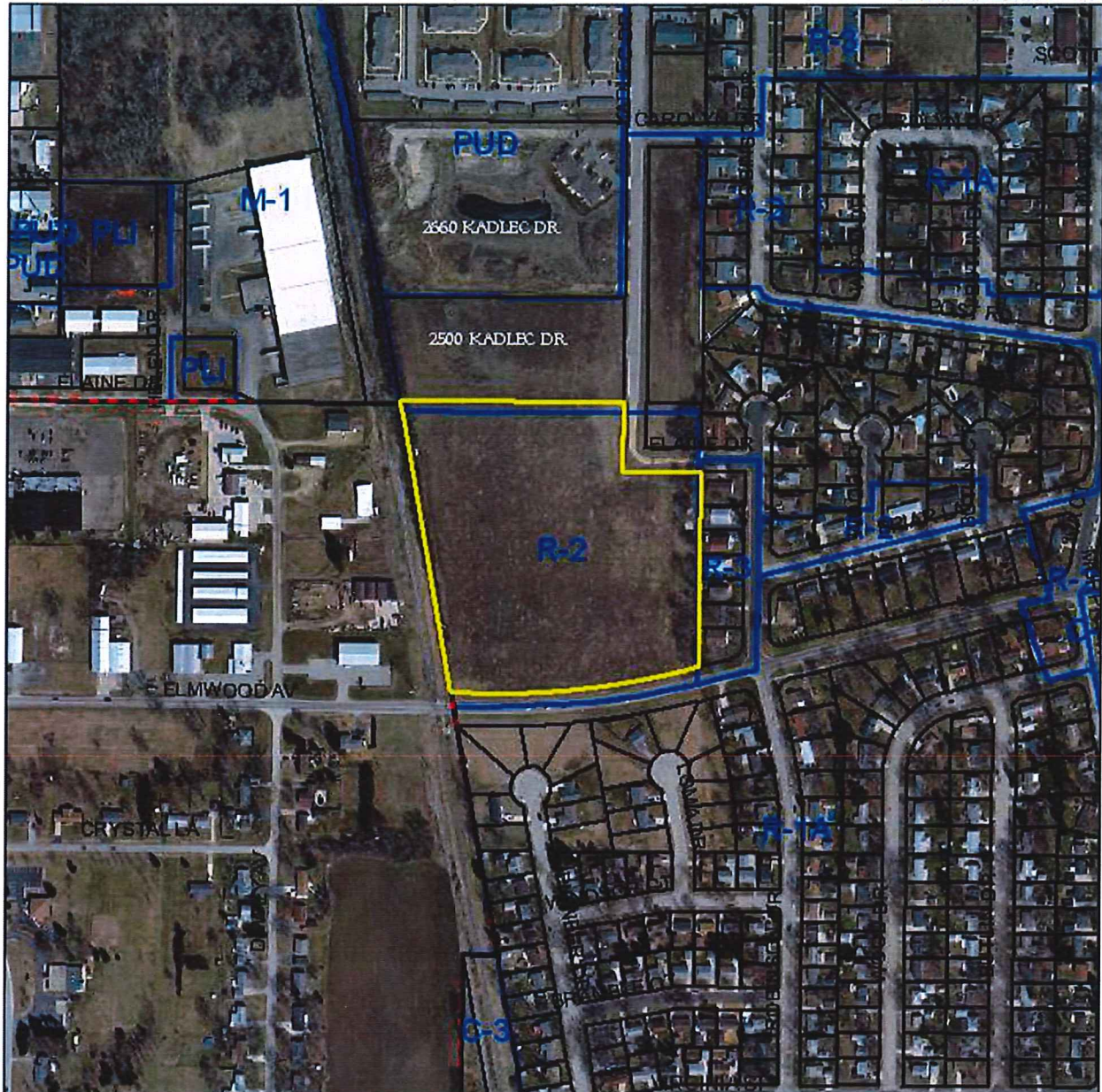
Fiscal Note/Budget Impact: N/A

Attachments: Location & Zoning Map, Application, Preliminary Plat, Public Notice, Mailing List, and Layout Exhibit

Location & Zoning Map

1715 Elmwood Avenue

ZMA-2014-08



1 inch = 420 feet

0 105 210 420 630 Feet

Legend

-  COB Parcels
-  Zoning District

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

PLANNING & BUILDING SERVICES DIVISION

CITY of BELOIT

PLANNING & BUILDING SERVICES DIVISION

100 State Street, Beloit, WI 53511

Phone: (608) 364-6700

Fax: (608) 364-6609

Zoning Map Amendment Application Form

(Please Type or Print)

File No.: ZMA-2014-08

1. Address of subject property: 1715 Elmwood Ave.

2. Legal description: Lot: Block: Subdivision: documents attached
(If property has not been subdivided, attach a copy of the complete legal description from deed.)

Property dimensions are: feet by feet = square feet.

If more than two acres, give area in acres: 12.5 acres.

3. Tax Parcel Number(s): 206-11340600

4. Owner of record: Elmwood Commons LLC Phone: 414-975-2359

500 W. Bradley Rd #C112 Fox Point, Wisconsin 53217

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

5. Applicant's Name: Elmwood Commons LLC (Jack E. Meyers)

500 W. Bradley Rd #C112 Fox Point, Wisconsin 53217

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

414-975-2359

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

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

Change zoning district classification from: R-2 to: R-3

All existing uses on this property are: R-2, revised preliminary plat

Elmwood Commons, approved October 9, 2013

7. All the proposed uses for this property are:

Principal use(s): portion of development west of Kadlec Drive to

be rezoned from R-2 to R-3. Lots 1-8,37,38 will remain R-2

Secondary use(s):

Accessory use(s):

8. I/we represent that I/~~we~~ have a vested interest in this property in the following manner:
 Owner
 Leasehold, Length of lease: _____
 Contractual, Nature of contract: _____
 Other, explain: _____

9. Individual~~s~~ responsible for compliance with conditions (if any), if request is granted:
 Name(s): Jack E. Meyers Phone: 414-975-2359
500 W. Bradley Rd. #C112 Fox Point, Wisconsin 53217
(Address) (City) (State) (Zip)

The applicant's signature below indicates the information contained in this application and on all accompanying documents is true and correct.

I/we, the undersigned, do hereby respectfully make application for and petition the City Plan Commission and City Council to grant the requested action for the purpose stated herein. I/we represent that the granting of the proposed request will not violate any of the required standards of the Zoning Ordinance of the City of Beloit. I/we also agree to abide by all applicable federal, state and local laws, ordinances, rules, and regulations.

Jack E. Meyers, Jack E. Meyers, 6/4/2014
(Signature of Owner) (Print name) (Date)

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

In order for your request to be heard and considered in a timely manner, you must submit the completed application and all accompanying documents to the Division for acceptance by the filing deadline date prior to a scheduled Plan Commission meeting. This application must be submitted with the \$275.00 application fee. Applicants will also be charged a fee for mailing public notices at the rate of \$0.50 per notice. An invoice for this fee will be sent to the applicant, and it is typically between \$5.00 and \$20.00.

To be completed by Planning Staff		
Filing Fee: <u>\$275.00</u>	Amount Paid: <u>275.00</u>	Meeting Date: <u>7/9/14</u>
Number of notices: _____ x mailing cost (\$0.50) = cost of mailing notices: \$ _____		
Application accepted by: <u>SANJ</u>		Date: <u>6/5/14</u>
Date Notice Published: _____		Date Notice Mailed: _____

REVISED PRELIMINARY PLAT

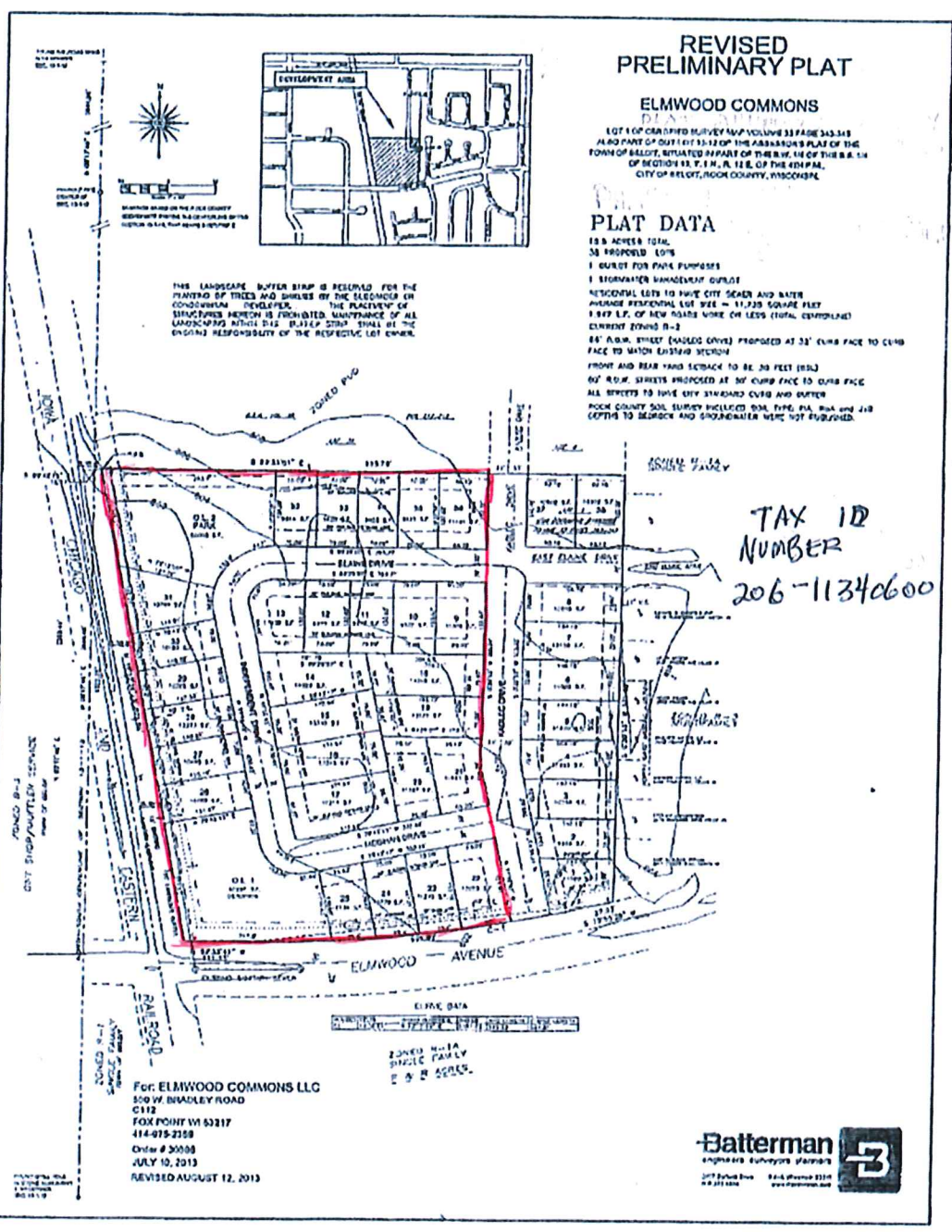
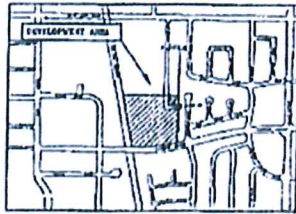
ELMWOOD COMMONS

LOT 1 OF CADDIS SURVEY MAP VOLUME 33 PAGE 343.348
 ALSO PART OF LOT 33-32 OF THE ARBARD'S PLAT OF THE
 TOWN OF BELLOT, SITUATED PART OF THE B. & L. OF THE B. & L.
 OF SECTION 12, T. 14 N., R. 12 E. OF THE CAPITAL
 CITY OF BELLOT, ROCK COUNTY, WISCONSIN.

PLAT DATA

- 12.8 ACRES TOTAL
- 38 PROPOSED LOTS
- 1 CURB FOR PARK PURPOSES
- 1 STORMWATER MANAGEMENT OUTLET
- RESIDENTIAL LOTS TO HAVE CITY SEWER AND WATER
- MINIMUM PERMITTED LOT SIZE = 11,225 SQUARE FEET
- 1 PER L.F. OF NEW ROADS WIDE OR LESS (TOTAL CENTERLINE)
- EXISTING ZONING R-2
- 44' R.O.W. STREET (RAISED DRIVE) PROPOSED AT 32' CURB FACE TO CURB FACE TO MATCH EXISTING SECTION
- FRONT AND REAR YARD SETBACK TO BE 30 FEET (MIN)
- 60' R.O.W. STREETS PROPOSED AT 30' CURB FACE TO CURB FACE
- ALL STREETS TO HAVE CITY STANDARD CURB AND GUTTER
- ROCK COUNTY SOIL SURVEY INDICATED B3M, P3M, P3A, R3M and J10
- LOT 10 TO BE ROCK AND SANDSTONE NOT SUBMITTED

THIS LANDSCAPE BUFFER STRIP IS REQUIRED FOR THE PLANTING OF TREES AND SHRUBS BY THE DESIGNER OR CONSTRUCTION DEVELOPER. THE PLACEMENT OF STRUCTURES HEREON IS FORBIDDEN. MAINTENANCE OF ALL LANDSCAPING WITHIN THIS BUFFER STRIP SHALL BE THE ENTIRE RESPONSIBILITY OF THE RESPECTIVE LOT OWNER.



TAX ID
 NUMBER
 206-11346600

For: ELMWOOD COMMONS LLC
 500 W. BRADLEY ROAD
 C112
 FOX POINT WI 53217
 414-975-2158
 Order # 20008
 JULY 10, 2013
 REVISED AUGUST 12, 2013





City of
BELOIT, Wisconsin
Division of Planning and Building Services

CITY HALL • 100 STATE STREET • BELOIT, WI 53511

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

www.ci.beloit.wi.us

Equal Opportunity Employer

NOTICE TO THE PUBLIC

June 27, 2014

To Whom It May Concern:

Jack Meyers has submitted an application for a Zoning Map Amendment to change the zoning district classification from R-2, Two-Family Residential District, to R-3, Low-Density Multi-Family District, for the property located at:

1715 Elmwood Avenue.

The applicant is planning a low-density, multi-family development. The section of the development from Kadlec Drive to the east will be developed as single- or two-family dwellings, while the rest of the development will be a mix of multi-family dwellings.

The following public hearings will be held regarding this application:

City Plan Commission: Wednesday, July 9, 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, August 18, 2014, at 7:00 PM, or as soon thereafter as the matter can be heard in The Forum, Beloit City Hall, 100 State Street.

THE PUBLIC IS INVITED TO ATTEND THESE HEARINGS.

We are interested in your opinion.

Anyone bringing handouts to the Plan Commission meeting must bring ten (10) copies and submit them to the Recording Secretary before the meeting begins. Staff is unable to leave the meeting area to make copies.

For additional information, please contact Stephanie Hummel in the Planning & Building Services Division at (608) 364-6708 or hummels@beloitwi.gov. Comments will be accepted via telephone, email, and U.S. Mail.

LEWIS C & MARY I WASHINGTON
2520 PIONEER DR
BELOIT, WI 53511

MARCOS ACEVES
2524 ROBINSON DR
BELOIT, WI 535112222

REBECCA HENNING
2550 LOMA DR
BELOIT, WI 53511

STEPHEN & TINA ANDREWS
1768 ELMWOOD AVE
BELOIT, WI 535112264

KATHRYN HOUGH
2581 ROBINSON DR
BELOIT, WI 535112260

HELEN KIESOW
2680 PRAIRIE AVE
BELOIT, WI 53511

CAROLINA DEQUINO
2617 ROBINSON DR
BELOIT, WI 53511

LAWRENCE & TERRY BROWN
2629 ROBINSON DR
BELOIT, WI 535112223

JACK E MEYERS ELMWOOD COMMONS
LLC
500 W BRADLEY RD #C112
FOX POINT, WI 53217

SANDRA TESS
2638 ROBINSON DR
BELOIT, WI 535119473

JEROME S & BONNIE E KNOLL
2530 LOMA DR
BELOIT, WI 53511

MOHAMED FAROUK GANI
504 N BROCKWAY
PALATINE, IL 60067

ALBERT PEGESEE
2533 ROBINSON DR
BELOIT, WI 535112221

GARY & SUSAN BEEMAN
3647 O'RILEY RD
DARIEN, WI 53114

FRANK & PAULA PHILLIPS
5408 YERBA BUENA RD
SANTA ROSA, CA 95409

CHRISTINE L & EDWARD M JR ZHE
4512 PLANTATION LN
MILTON, WI 53563

EDWARD & CHRISTINE ZHE
4512 PLANTATION LN
MILTON, WI 53563

JUAN PEREZ-LAVARIEGA
2632 ROBINSON DR
BELOIT, WI 53511

ARTHUR & KAREN JAMES
2641 ROBINSON DR
BELOIT, WI 535112223

JERALD SWANSON
2644 ROBINSON DR
BELOIT, WI 53511

CLIFFORD GRICE
2535 PIONEER DR
BELOIT, WI 53511

JAMES MARTIN
2532 ROBINSON DR
BELOIT, WI 535112222

MARY TRUMPY
1756 ELMWOOD AVE
BELOIT, WI 535112211

STEPHEN ENGBRETSON
2576 ROBINSON DR
BELOIT, WI 53511

BROCKER-KIESOW LLC
2680 PRAIRIE AVE
BELOIT, WI 53511

HELEN KIESOW
2680 PRAIRIE AVE
BELOIT, WI 53511

DAWN SADEWATER
2623 ROBINSON DR
BELOIT, WI 53511

THOMAS G & DEBORAH L VAIL
2009 KELMSCOTT ST
THE VILLAGES, FL 32162

DOROTHY DOWLING
2647 ROBINSON DR
BELOIT, WI 535113032

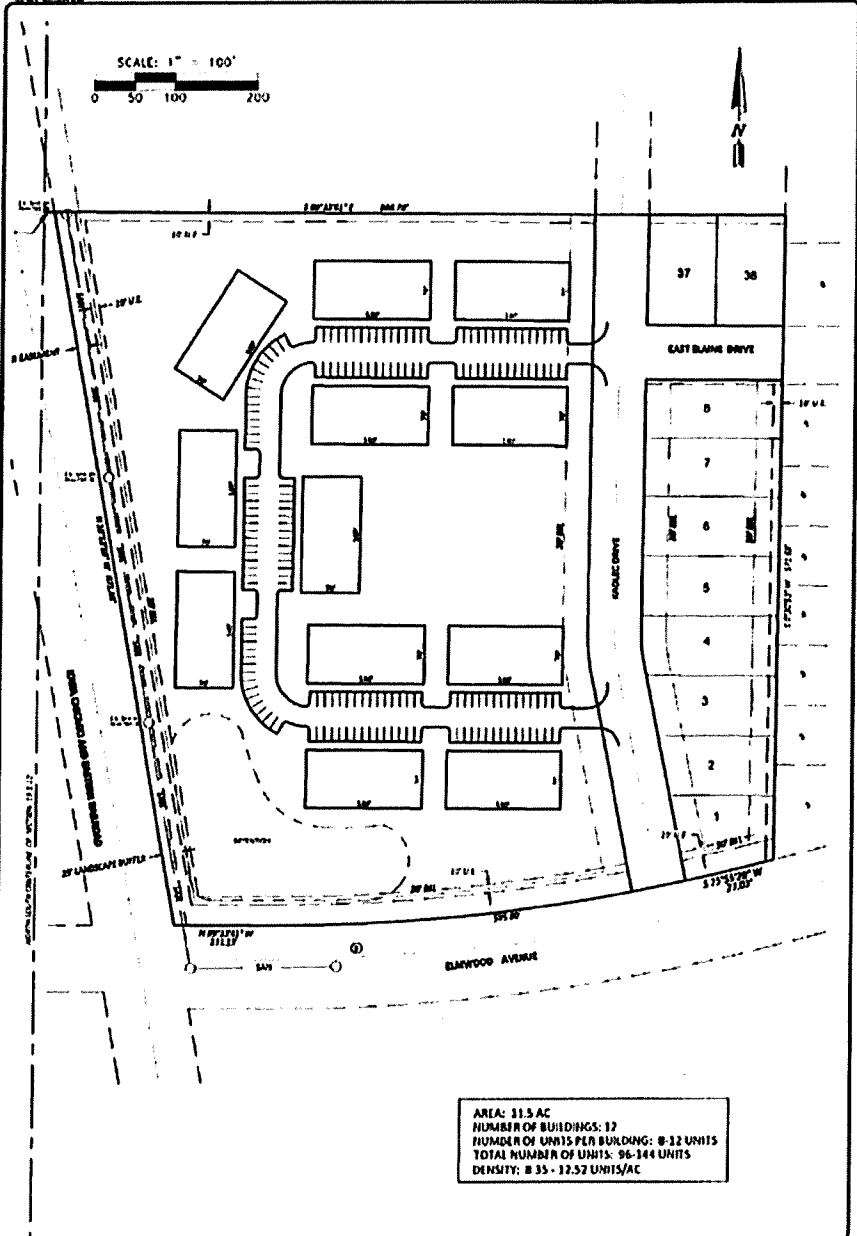
MICHAEL & LINDA STAPLEFORD
1774 POST RD
BELOIT, WI 53511

**NIEL DEVOE
2700 N ROBINSON DR
BELOIT, WI 535112249**

**TYCORE BUILT LLC
2170 VELD AVE STE 106
GREEN BAY, WI 54303**

**SOO LINE RAILROAD COMPANY
120 S 6TH ST STE 190
MINNEAPOLIS, MN 55402**

**MURRAY BELOIT PROPERTY LLC
1011 FLORAL LN
DAVENPORT, IA 52802**



210 200	115 WOOD EASTWOOD, LLC CITY OF MILWAUKEE ROCK COUNTY, WISCONSIN FOUR BARRIERS APARTS	PLANNED UNIT DEVELOPMENT CONCEPTUAL LAYOUT	DATE: 11/11/11 DRAWN BY: [Name] CHECKED BY: [Name] APPROVED BY: [Name]	Batterman engineers surveyors planners 3017 North Drive Oak Creek, Wisconsin 53011 414-763-3344 www.Batterman.com	
	115 WOOD EASTWOOD, LLC CITY OF MILWAUKEE ROCK COUNTY, WISCONSIN FOUR BARRIERS APARTS		DATE: 11/11/11 DRAWN BY: [Name] CHECKED BY: [Name] APPROVED BY: [Name]		
	115 WOOD EASTWOOD, LLC CITY OF MILWAUKEE ROCK COUNTY, WISCONSIN FOUR BARRIERS APARTS		DATE: 11/11/11 DRAWN BY: [Name] CHECKED BY: [Name] APPROVED BY: [Name]		



P2 Q W P2	ELMPROD COMMONS LLC CITY OF BILDOT ROCK COUNTY, WISCONSIN 2017 10/20/2017	PLANNED UNIT DEVELOPMENT CONCEPT PLAN SHEETS	ALL INFORMATION IS FOR INFORMATIONAL PURPOSES ONLY THIS PLAN IS NOT TO BE USED FOR CONSTRUCTION	Batterman engineers surveyors planners	2017 Barkus Drive Rock, Wisconsin 53153 608.781.4144 www.Batterman.com	
	2017 10/20/2017		SHEET NO. 101 TOTAL SHEETS 101	DATE: 10/20/2017 DRAWN BY: [illegible] CHECKED BY: [illegible]		

CITY OF BELOIT

REPORT TO THE BELOIT CITY PLAN COMMISSION

Meeting Date: March 4, 2015

Agenda Item: 7

File Number: VA-2014-03

Applicants: David & Diana Quillen
and Four Adjacent Property Owners

Adjacent Zoning: R-1B, Single-
Family Residential District

Adjacent Land Use: Single-Family
Dwellings

Request Overview/Background Information:

The Planning & Building Services Division has received a petition to vacate an unnamed east-west alley located between the nine hundred blocks of Johnson Street and Townline Avenue. The attached Plat of Vacation shows this alley, and the requested vacation would return the entire land area to the owners of the abutting lots.

The Plan Commission first considered this petition on August 20, 2014 and laid over this request until Planning staff received a legal opinion on the legality of vacating an alley in spite of property owner opposition. The Plan Commission also directed staff to evaluate additional access options for the property located at 1815 Portland Avenue.

Key Issues:

▪ **Facts**

- This east-west alley is perpendicular to a north-south alley that was vacated in 1981 and 2009.
- There are seven lots with frontage on this alley, and five of the seven property owners signed the petition.
- One of the non-petitioning properties (1815 Portland Avenue) was acquired by Community Bank CBD through foreclosure in October 2014, and Community Bank has formally objected to this petition.

▪ **Wisconsin Statutes**

- According to Section 66.1003(3) of Wisconsin Statutes, the City Council may vacate an unpaved alley upon the written petition of the owners of more than 50% of the frontage of the lots abutting upon the portion of the unpaved alley to be vacated. The petition that has been submitted meets this requirement.
- According to Section 66.1003(4)(d) of Wisconsin Statutes, "no discontinuance of an unpaved alley shall be ordered if a written objection to a proposed discontinuance is filed with the city, village or town clerk by the owner of one parcel of land that abuts the portion of the alley to be discontinued *and if the alley provides the only access to off-street parking for the parcel of land owned by the objector.*"

▪ **Off-Street Parking Issue**

- According to Section 8-103 of the Zoning Ordinance, all single-family dwellings must have at least two off-street parking spaces.
- The bank-owned property at 1815 Portland Avenue has a narrow, gravel driveway with a shared apron on Portland Avenue, and at least two paved off-street parking stalls on a rear slab accessed from the alley.
- A Plat of Survey of 1815 Portland Avenue has not been conducted, but based upon use of the City's Geographic Information System (GIS), staff believes that the front driveway serving 1815 Portland Avenue is too narrow (less than 10 feet) and too short (within the setback area) to constitute a legal driveway. It is also possible that the driveway is encroaching onto the adjacent property.
- Options to bring the driveway into compliance include surveying the property and acquiring an easement (if needed) from the adjacent property owner and pouring a wider and longer driveway that extends into the yard.
- Another option is removing the narrow gravel driveway and constructing a new, legal driveway to the east of the house.
- Either option would require the owner of 1815 Portland Avenue to expend time & resources.

▪ **Legal Opinion**

- Planning staff asked the City Attorney to review the relevant statutes and the facts at hand.
- The City Attorney also reviewed the attached objection letter from Community Bank CBD.
- Given the ambiguity of the statute (italicized above), the formal objection by an abutting owner, and the lack of clear evidence that 1815 Portland Avenue has at least two legal parking spaces, the City Attorney recommends denial of the petition to vacate this unnamed east-west alley.

- If vacated, AT&T, Alliant Energy, and Charter have requested a utility easement over the entire alley.
-

Consistency with Strategic Plan:

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 **denial** of the petition to vacate an unnamed east-west alley located between the nine hundred blocks of Johnson Street and Townline Avenue, as doing so may violate Section 66.1003(4)(d) of Wisconsin Statutes and Section 8-103 of the City of Beloit Zoning Ordinance.

Fiscal Note/Budget Impact: N/A

Attachments: Vacation Petition, Plat of Vacation, Location & Zoning Map, Photo, Objection Letter, Petitioner's Letter, and Letter to Property Owners.

VA-2014-03

PETITION FOR VACATION OF A PUBLIC RIGHT-OF-WAY

We, the undersigned hereby petition the City of Beloit to vacate the following portion(s) of the public right-of-way known as: _____

The portion of the right-of-way proposed to be vacated is further described on the attached *Plat of Vacation* prepared by Registered Land Surveyor:

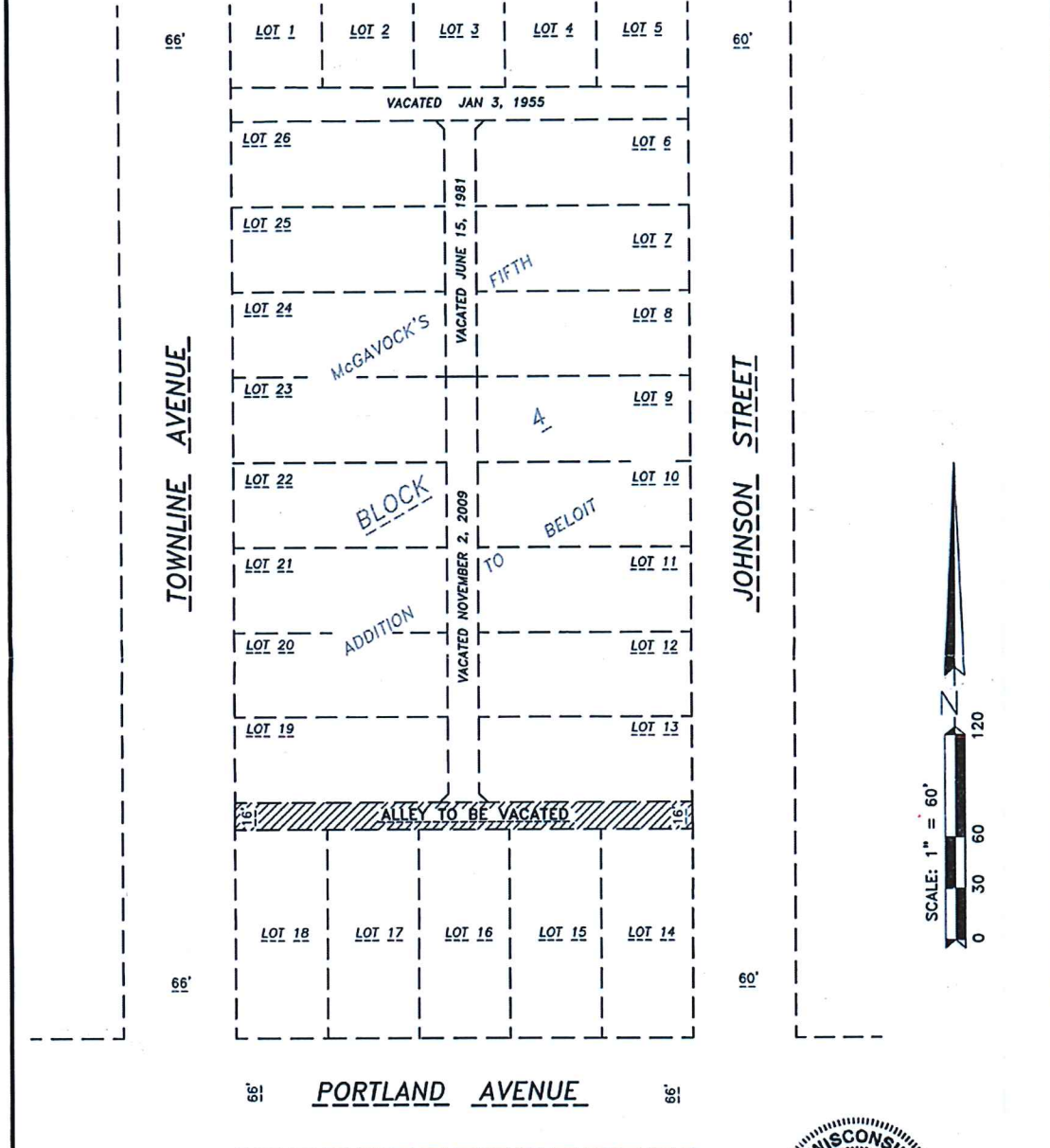
Print NAME and ADDRESS of PETITIONER:	SIGNATURE: (If jointly owned, both owners should sign petition.)	DATE SIGNED:
Name: David & Diana Quillen Address: 716 Johnson St	<i>[Signature]</i> Darl B Quillen	3-27-14 3-29-14
Name: Gary Zimmerman Address: 1819 Portland	<i>[Signature]</i> Gary Zimmerman	3-29-14
Name: Graciela Demopoulos Address: 1825 Portland	<i>[Signature]</i> Graciela Demopoulos	3-29-14
Name: Carol Baurtsch Address: 1809 Portland	<i>[Signature]</i> Carol Baurtsch	3-29-14
Name: Patrick Maroney Address: 921 TOWNSEND AV	<i>[Signature]</i> Patrick Maroney	4-5-14
Name: Address:		
Name: Address:		
Name: Address:		
Name: Address:		

Contact person responsible for circulating this petition: David B Quillen
 Address of contact person: 916 Johnson
 Phone number of contact person: (608) 363-1043
 Signature of contact person: *[Signature]*

To be completed by Planning Staff	
Filing fee: <u>\$75.00</u> Amount paid: <u>\$75.⁰⁰</u> Meeting date: <u>Aug. 20, 2014</u>	
Application accepted by: <u><i>[Signature]</i></u> Date: <u>6/16/14</u>	

PLAT OF VACATION

OF THE EAST-WEST ALLEY LYING BETWEEN TOWNLINE AVENUE AND JOHNSON STREET AND LYING ADJACENT TO LOTS 13, 14, 15, 16, 17, 18, AND 19, AND THAT PORTION OF THE PREVIOUSLY VACATED ALLEY, ALL BEING SITUATED IN BLOCK 4 OF MCGAVOCKS'S FIFTH ADDITION, CITY OF БЕЛОИТ, ROCK COUNTY, WISCONSIN.



A RESOLUTION TO VACATE A PORTION OF THE ALLEY AS SHOWN HEREON WAS ADOPTED _____ 2014 AND IS REFERENCED AS CITY OF БЕЛОИТ CLERK FILE NO. _____



ORDER NO. 31852
FOR THE EXCLUSIVE USE OF:
David and Diane Quillen
SCALE: 1" = 60 FEET
File Name: J:\31850-31899\31852-Quillen\31852.DWG
Plotted on 05/16/14 at 16:53:05.

Jeffrey R. Garde
JEFFREY R. GARDE, P.L.S.
WISCONSIN PROFESSIONAL LAND SURVEYOR S-2768
DATED THIS 16th DAY OF MAY, 2014

Batterman
engineers surveyors planners

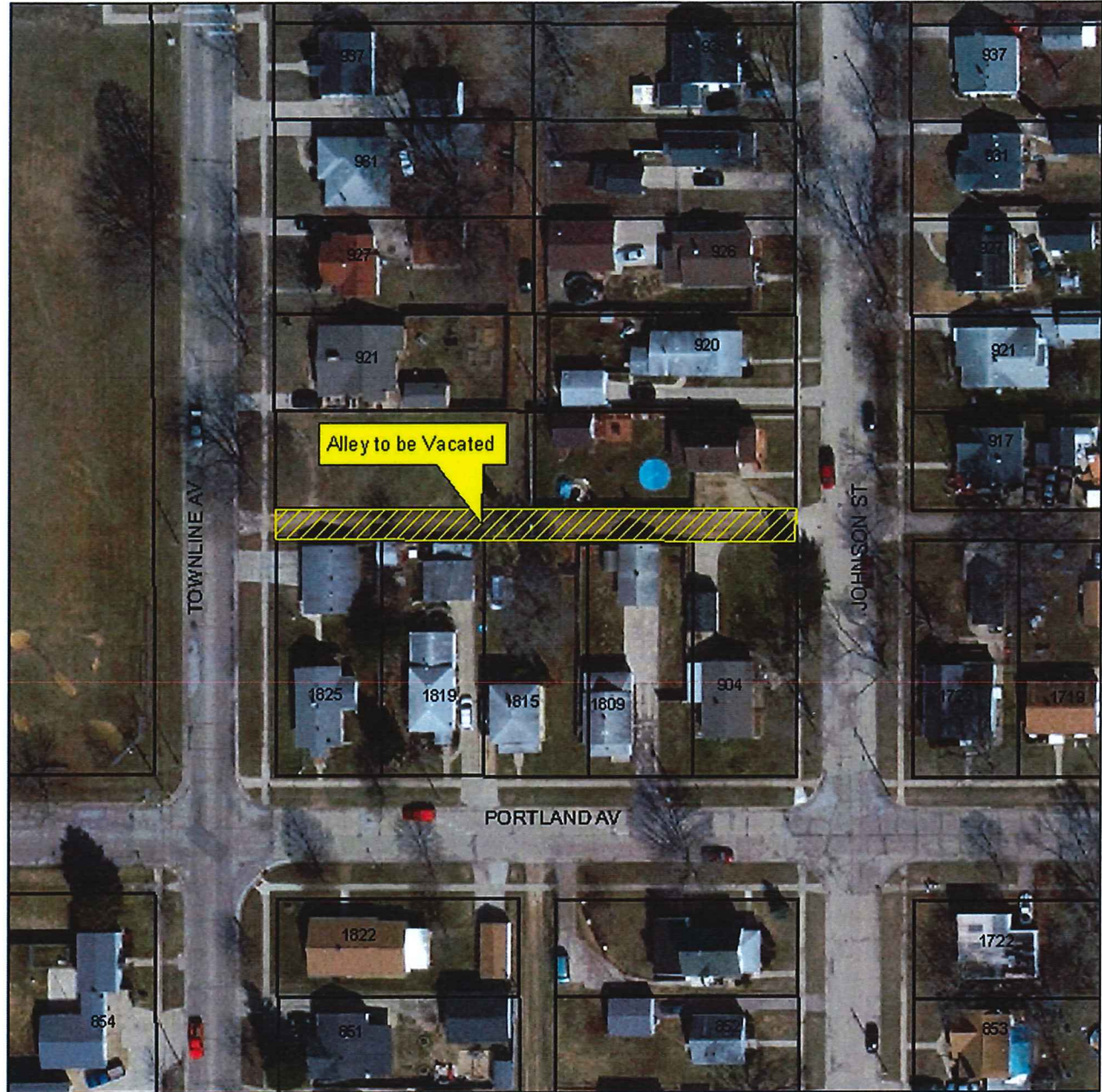
2857 Bartells Drive
608.355.4464

Beloit, Wisconsin 53511
www.rhbatterman.com

Location Map

Unnamed E-W Alley

VA-2014-03



1 inch = 73 feet



Legend

 COB Parcels

Map prepared by: Drew Pennington, AICP

Date: July 2014

For: City of Beloit Planning & Building Services

Date of Aerial Photography: March 2011

PLANNING & BUILDING SERVICES DIVISION





November 25, 2014

Drew Pennington
Director of Planning and Building Services
City of Beloit
100 E State Street
Beloit, WI 53511

RE: Proposed Action to Vacate Alley at 1815 Portland

Drew,

Community Bank CBD is objecting to the proposed alley vacation at 1815 Portland for the following reasons:

1. Vacating the alley would eliminate access to the second off street parking space which is required by City Code.
2. Extending the driveway farther into the back yard to allow both parking spaces accessible only from Portland appears to be problematic. The space is narrow and vehicles parked side by side in both our driveway and the neighbor's driveway could have trouble entering and exiting the cars without damage.
3. If a new owner wants to rebuild a garage on the existing slab then access to that garage is best suited by way of the current alley.

These concerns are crucial to the present and future value of this property and may negatively impact our ability to find an interested buyer.

We respectfully ask the City to deny the vacation and to explore other options.

Sincerely,

A handwritten signature in black ink that reads "Ronald G. Moersfelder".

Ronald G Moersfelder, VP
Community Bank CBD
820 E Geneva St/ PO Box 648
Delavan, WI 53115

Phone: 262-740-7755

August 19, 2014

To Whom It May Concern; City Council Members,

We are bringing a neighborhood request before you tonight. We are requesting to have the alley that runs between 916 Johnson Street and 921 Townline Avenue closed to through traffic. We have the support of the surrounding neighbors.

Cost savings to the city would include not having to:

- Lay new gravel each year
- Grading
- Snow Plowing
- (See attached photos)

Traffic from this alley has resulted in the following:

- Graffiti to our properties
- Vandalism to our properties (i.e. broken fences, trash to yards, stolen property)
- Vandalism to cars
- Broken windows from gravel damage from dirt bikes, ATV's
- Drug trafficking and paraphernalia in the alleyway
- Beer bottles, liquor bottles and other refuse tossed from cars

Benefits of closing alley other than financial:

- Sense of safe neighborhood
- Community of neighbors
- Clean neighborhood
- No longer a cut-through for traffic endangering children on sidewalks as people speed through

We respectfully request your consideration of closing this dangerous alleyway.

Thank for your time and consideration.

In closing again, I would like to thank you for your consideration and ask one final thing, If it this was your neighborhood what would your decision be?





City of
BELOIT, Wisconsin
Division of Neighborhood Planning

CITY HALL • 100 STATE STREET • BELOIT, WI 53511
Office: 608/364-6700 • Fax: 608/364-6609

www.ci.beloit.wi.us

Equal Opportunity Employer

February 13, 2015

David and Diana Quillen
916 Johnson Street
Beloit, WI 53511

Dear Mr. & Mrs. Quillen:

On Wednesday, August 20, 2014, the City of Beloit Plan Commission considered and ultimately laid over your petition to vacate an unnamed east-west alley located between the nine hundred blocks of Johnson Street and Townline Avenue. The Plan Commission instructed City staff to obtain a legal opinion on the legality of vacating an alley in spite of property owner opposition, and to evaluate additional access options for the property located at 1815 Portland Avenue.

I am writing in order to notify you that the above-referenced steps have been completed, and that your petition has been scheduled for additional review by the Plan Commission on Wednesday, March 4, 2015. Following the Plan Commission's vote, your petition will be forwarded to the City Council for a public hearing on Monday, March 16, 2015.

If you have any questions, please feel free to contact me at (608) 364-6711.

Sincerely,

Drew Pennington, AICP
Director of Planning & Building Services

c: PATRICK & ELLEN MORONEY
GRACIELA OCAMPO DE TAPIA
GARY ZIMMERMAN
COMMUNITY BANK CBD
CAROL BAERTSCHI
HEATHER TIKKANEN
File, VA-2014-03