



CITY HALL • 100 STATE STREET • BELOIT, WI 53511

MINUTES
BELOIT CITY PLAN COMMISSION
Wednesday, March 4, 2015
The Forum, Beloit City Hall
100 State Street, Beloit

1. Call to Order and Roll Call

Chairperson Faragher called the meeting to order at 7:01 pm. Present were Commissioners Faragher, Mathis, Ruster, Finnegan, and Tinder. Absent were Commissioners Moore, Kincaid, and Johnson.

2. Approval of the Minutes of the February 18, 2015 Meeting

Commissioner Ruster moved to approve the minutes of the February 18th meeting. Commissioner Finnegan seconded the motion. The motion passed (5-0).

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

Julie Christensen summarized the Staff Report and Recommendation.

Commissioner Tinder moved to approve. Commissioner Mathis seconded the motion. The motion passed (5-0).

4. Certified Survey Map – 1401 Townhall Road

Review and consideration of two-lot Certified Survey Map for the property located at 1401 Townhall Road.

Julie Christensen summarized the Staff Report and Recommendation.

Commissioner Finnegan moved to approve. Commissioner Tinder seconded the motion. The motion passed (5-0).

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.

Julie Christensen summarized the Staff Report and Recommendation.

Commissioner Ruster inquired about concerns from the existing neighbors as well as a requirement for a road to be put in. According to Mrs. Christensen, there was a desire from the board members that the road be a requirement, which is why we investigated the option of conditional zoning. Per the Attorney's office, making the road a requirement is not something that can be done at this time. Currently, in the approved preliminary Plat plans, there is a road planned, but it is not yet dedicated to the City.

Commissioner Tinder wondered if the Plan Commission could include a recommendation that the street would be considered for the final plat. Mrs. Christensen stated that in the final development, it would come back with that street dedication due to the manner in which the Plat is laid out. If the proposal came back as a PUD, the City would require the street dedication be formally added to the plans.

Commissioner Tinder followed up by asking if without the requirement for the street dedication, if the street were likely to happen. Mrs. Christensen assured Commissioner Tinder that is extremely likely that a street would be going through, no matter what developed in that area (while zoned as residential).

Chairperson Faragher opened and closed the Public Hearing.

Commissioner Faragher summarized the main concern (street dedication) with the Plan Amendment, which will be allayed by requirements in the final planning.

Commissioner Ruster also inquired about concerns the neighborhood had about the type of housing in the neighborhood. Mrs. Christensen answered that the issue was that the neighbors felt there was already enough multi-family units in the neighborhood.

Commissioner Ruster asked why this proposal was being brought back to the Plan Commission if it had already been denied.

Mrs. Christensen clarified that this proposal was the same proposal as before, that the applicant did not apply twice. A previous proposal similar to this one had been submitted and denied before in the past and those units were north of this site.

Commissioner Finnegan asked if it would become contiguous to what is already multi-family. Commissioner Tinder stated that there is a parcel that is still vacant between the proposed units and the existing units. Mrs. Christensen added a brief history of the parcels in the area. Commissioner Finnegan asked if the Commission was creating spot zoning by approving this. Mrs. Christensen assured him that it is not really a spot zoning situation due to the size of the parcel.

Mr. Frank McKearn, Engineer from Batterman's, clarified that part of the concern with the units to the north was that they wanted a roadway which would have needed to go through another owner's land.

Commissioner Mathis asked Mr. McKearn about the issues the current owner of the parcel has encountered while trying to develop the land as single-family units. Mr. McKearn said that he has been unsuccessful in finding someone to develop the land as it is currently zoned. Ms. Christensen added that the current owner has been trying to develop that land since at least 2006. She assured the commissioners that the owner marketed the land, first as single family, then for duplexes, and now is proposing low-density multi-family residential.

Mr. McKearn asked if the zoning is approved tonight and the owner is successful in finding someone to purchase the land, if the plan would go back through staff or if a site plan would need to come back to the Plan Commission. Ms. Christensen explained that if there were only one building then it would not be necessary to be reviewed by Plan Commission, but if there is more than one building, then it would need to come back to the commission.

Commissioner Ruster asked why this multi-family proposal would be approved when a similar proposal had been denied previously. Ms. Christensen explained that this proposal would front on Elmwood Avenue, so even with the street going through to the rest of the neighborhood, traffic would most likely not move through the neighborhood, but rather would use Elmwood Avenue.

Commissioner Tinder moved to approve. Commissioner Ruster seconded the motion. The motion passed (5-0).

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

Julie Christensen summarized the Staff Report and Staff Recommendation.

Commissioner Tinder moved to approve. Commissioner Mathis seconded the motion. The motion passed (5-0).

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.

Julie Christensen summarized the Staff Report and Staff Recommendation.

Chairperson Faragher opened the Public Hearing.

Gary Zimmerman, 1819 Portland Avenue, explained that his neighbor, Mr. Quillen, desired to vacate the alley due to the speeding cars, vandalism, illegal drug usage, and the middle school students utilizing the alleyway. If approved, Mr. Quillen would erect a fence between his property and the property adjacent to his. This fence would not obstruct any

of the neighbors as far as them being able to access their garages and/or parking spaces as long as the fence is the only change to the alley.

Mr. Zimmerman also stated that he has no intentions of moving his driveway east towards 1815 Portland. According to Mr. Zimmerman, if the chain-link fence that is currently on 1815 Portland were to be opened and additional gravel were added, there would be more than enough room for two, or even more than two, cars.

David Quillen, 916 Johnson, addressed the council and further explained their desires to close the alleyway. According to Mr. Quillen, he wants to attach his fence with his neighbor's fence so that cars cannot speed through the alley and kids would not be utilizing the route and vandalizing their property.

Commissioner Finnegan asked Mr. Zimmerman if he would be willing to enter into a legal easement with the new owners of 1815 Portland Avenue.

Commissioner Finnegan brought up the point that if the alley were vacated, the City has no control over what each individual land owner would do with their portion of the alley. Even though the people currently living in the neighborhood have no intentions of blocking the alley passageway, future landowners might.

Mr. Zimmerman asked for more information regarding the legal easement previously suggested. Commissioner Finnegan explained his previous dealing with easements. Ms. Christensen also explained other aspects of the legal easement.

Commissioner Ruster brought up the point that there is more room on the east side of the house on 1815 Portland Avenue. Unfortunately, a new driveway on the east side of the home would require time and resources of the new homeowner. Ms. Christensen suggested that the current homeowners wait until the empty house is sold and then approach the new owners with the alleyway issues.

Chairperson Faragher closed the Public Hearing.

Mr. Zimmerman asked the council what would happen if, in the future, the new homeowners are agreeable to closing the alley and they are interested in having a driveway. Ms. Christensen stated that it is unlikely that Engineering would allow the new homeowners to have a driveway that is less than 10' wide.

Chairperson Faragher asked for a motion to deny closing the alleyway.

Commissioner Tinder stated that, according to state laws and regulations, the commission has no other choice but to deny the proposal.

Commissioner Finnegan asked if it would be possible to table the proposal for discussion at a later date. In this way, the petitioners would not have to resubmit another petition or pay another \$75 fee.

Commissioner Tinder moved to table the alley vacation proposal until the property is sold. Commissioner Mathis seconded the motion. The motion passed (5-0).

8. Status Report on Prior Plan Commission Items

Ms. Christensen stated that the Comprehensive Plan Amendment and rezoning for 1401 Townhall Road was approved on Monday.

The Conditional Use permit for Buffalo Wild Wings was also approved by council. According to the Clerk's office, there is only one full liquor license still available (per the population of the City of Beloit) and so Buffalo Wild Wings was encouraged to apply for it before it was gone. Construction on Buffalo Wild Wings is anticipated to begin in the next few weeks.

Chairperson Faragher asked whether or not the new Sushi restaurant was able to obtain a liquor license. Ms. Christensen informed the commission that the Sushi restaurant, Locals' Pub, and Lucy's Burger Bar all have licenses in process.

Commissioner Ruster wondered if the ice cream parlor was undergoing any construction. As of yet, there has been no action.

9. Adjournment

The meeting was adjourned at 7:45 pm.