



CITY HALL • 100 STATE STREET • BELOIT, WI 53511

**MEETING NOTICE AND AGENDA  
Beloit City Plan Commission  
Wednesday, April 8, 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 March 18, 2015 Meeting**
3. **Release of Utility Easements – Gateway Business Park**  
Review and consideration of a request to release utility easements in the Gateway Business Park located east of Gateway Boulevard, south of Apex Drive, and north of Colley Road
4. **AT&T Easement – Stateline Restoration Prairie Park - 540 Colby Street**  
Review and consideration of a 20-foot easement to AT & T along Prospect Street in the Stateline Restoration Prairie Park located at 540 Colby Street
5. **Installation of a Bike Path in Big Hill Park – 1101 Big Hill Road**  
Review and consideration of a bike path proposed to be constructed in Big Hill Park located at 1101 Big Hill Road
6. **Status Report on Prior Plan Commission Items**
7. **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: April 1, 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, March 18, 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 7:06pm. Commissioners Mathis, Johnson, Faragher, Ruster, Finnegan, and Tinder were present. Commissioner Moore was absent.

**2. Approval of the Minutes of the March 4, 2015 Meeting**

Commissioner Tinder moved to approve the minutes. Commissioner Finnegan seconded the motion. The motion passed unanimously (6-0).

**3. Certified Survey Map – 2250 West Hart Road – DMD Investment Inc.**

Review and consideration of two-lot Certified Survey Map for the land located at 2250 West Hart Road in the City of Beloit

Julie Christensen summarized the Staff report and recommendation.

There were no comments or questions from either the Commission or the Public.

Commissioner Tinder moved to approve the motion. Commissioner Johnson seconded. The motion passed unanimously.

**4. Certified Survey Map – 3800 Gateway Boulevard – Corporate Contractors Inc.**

Review and consideration of one-lot Certified Survey Map for the property located at 3800 Gateway Boulevard in the City of Beloit

Julie Christensen summarized the Staff report and recommendation.

There were no comments or questions from either the Commission or the Public.

Commissioner Johnson moved to approve the motion. Commissioner Ruster seconded. The motion passed unanimously.

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

A public hearing was held at the City Council meeting on Elmwood Commons on March 9<sup>th</sup>. A public notice is being posted on the lot to alert the public of a Public Hearing on April 6<sup>th</sup>.

Big Hill Bike Path will be brought to the next meeting for a second review. The bike group requested some additional connections be added to the path, which Engineering did. This change required a second approval.

Buffalo Wild Wings applied for their liquor license. Construction has started on the rehabilitation of the building. Their sign request is within code.

Peter Gabriel came in the previous week. He plans to put a restaurant in the building on 4<sup>th</sup> street where he had been planning to put the kitchen for Palermo's. He was interested in a liquor license, but there are no more available at this time. Contractors and financing have been procured and rehabilitation is ready to start this year. Mr. Gabriel does not have plans for an ice cream parlor at this location at this time.

Drew Pennington approved the sign for Lucy's #7 Burger Bar. The sign request complies with the sign ordinance. Locals opened on March 17<sup>th</sup> (former Rivals). They received their liquor license on Monday.

The bar, formally known as Rose's, is now known as Charlie's.

## 6. **Adjournment**

The meeting adjourned at 7:42pm.

# CITY OF BELOIT

## REPORT TO THE BELOIT CITY PLAN COMMISSION

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**Meeting Date:** April 8, 2015

**Agenda Item:** 3

**File Number:** RPB-2015-06

**Applicant:** City Attorney

**Owner:** City of Beloit & Pratt

**Location:** Gateway Business Park

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### **Request Overview/Background Information:**

The City Attorney has drafted the attached Release of Platted Easements, which pertains to unused and unnecessary utility easements over fifteen platted lots in the Gateway Business Park. According to State Statutes, the release of platted easements requires Plan Commission and City Council approval.

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### **Key Issues:**

- When the Gateway Business Park was subdivided a decade ago, the approved subdivision plat included 12- and 20-foot utility easements along many interior and rear lot lines, which were intended to provide internal utility connections as the lots were individually developed. More often than not, development in the Gateway Park is occurring on multiple platted lots which are combined in order to create larger buildable parcels.
  - There are no utilities in the easements that are subject to this release request.
  - This request originated as part of the Pratt Industries development, although the Release as drafted applies to all of the properties in the affected block of the business park.
  - The existing 20-foot utility easements along Gateway Blvd, Apex Drive, Tubbs Drive, and Colley Rd will remain.
  - AT&T, Charter Communications and Rock Energy Cooperative have already released their easement rights for the affected lots.
- 

### **Consistency with Strategic Plan:**

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

### **Staff Recommendation:**

The Planning & Building Services Division recommends **approval** of the attached Release of Platted Easements, which pertains to unused and unnecessary utility easements over fifteen platted lots in the Gateway Business Park.

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**Fiscal Note/Budget Impact:** N/A

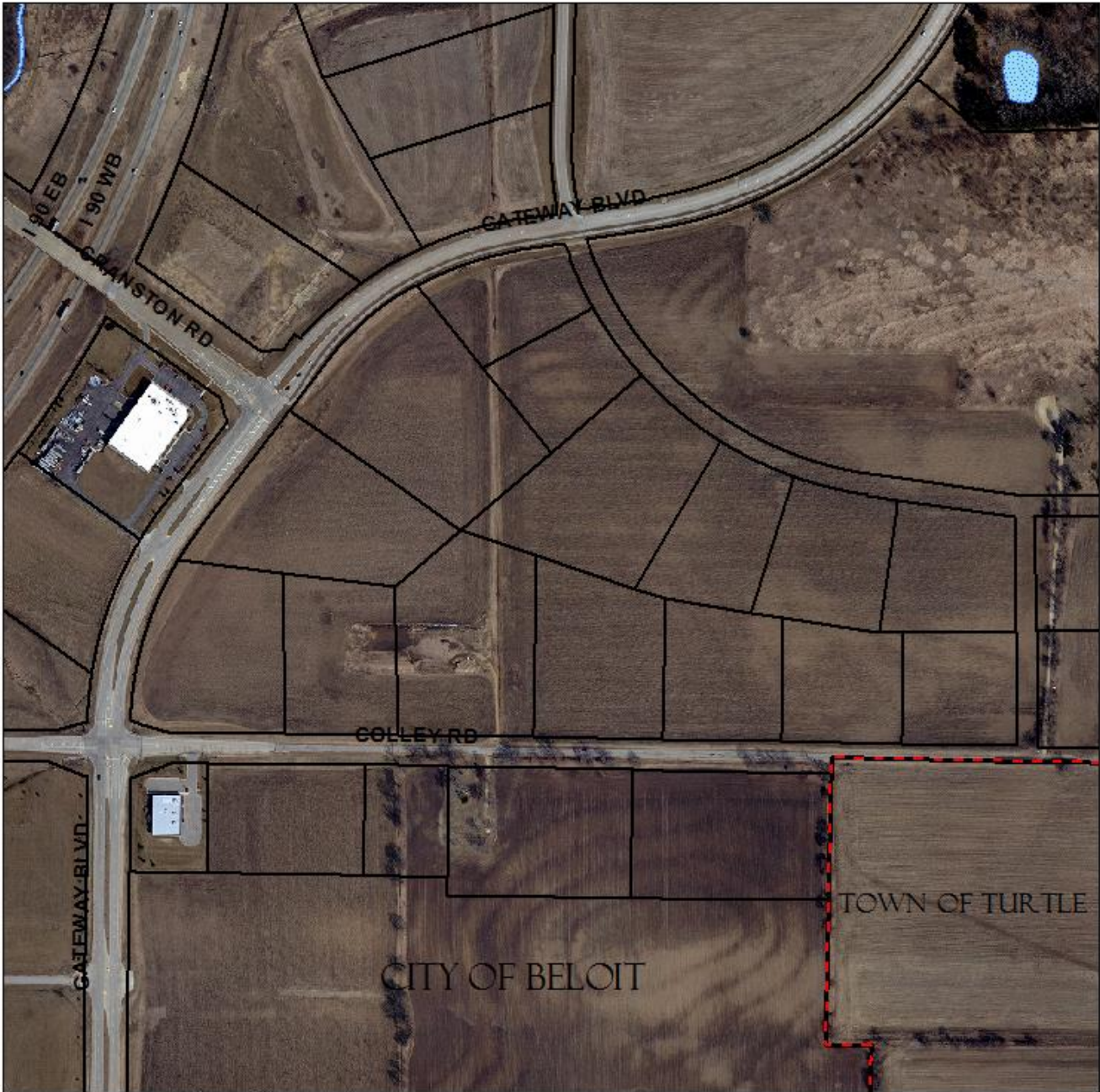
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**Attachments:** Location Map, Proposed Release of Platted Easements, and Exhibits

# Location Map



Release of Platted Easements

RPB-2015-06



1 inch = 467 feet  
0 105210 420 630 Feet

**Legend**

-  City Limits
-  COB Parcels

Map prepared by: Drew Pennington, AICP  
Date: April 2015  
For: City of Beloit Planning & Building Services  
Date of Aerial Photography: March 2011

## PLANNING & BUILDING SERVICES DIVISION



# EASEMENT RELEASE

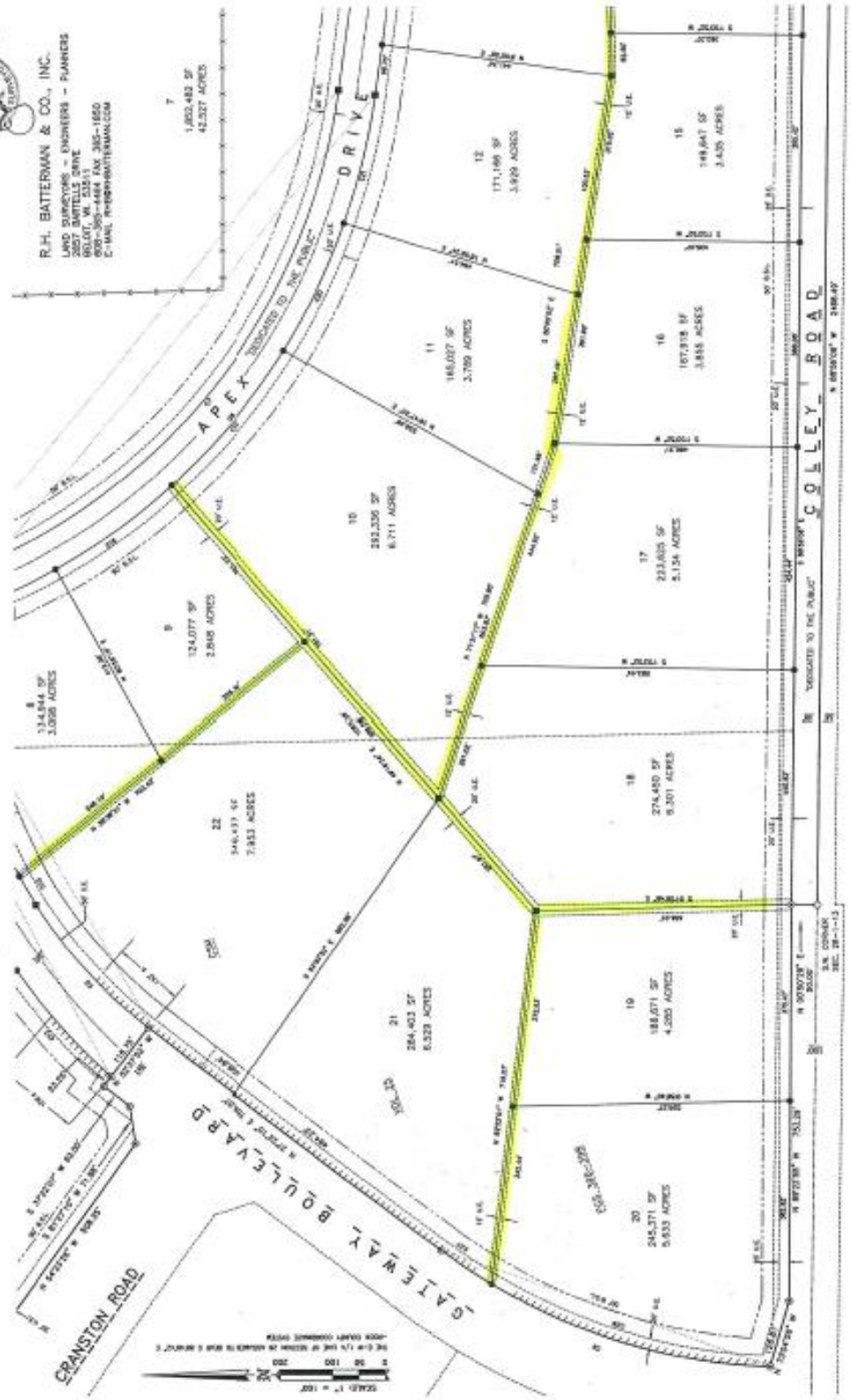
## GATEWAY BUSINESS PARK

PLAT NO. 1  
 LOTS ONE AND TWO OF CERTIFIED SURVEY MAP DOCUMENT NO. 1579865 AS RECORDED IN VOLUME 25, PAGES 398-399,  
 LOT ONE OF CERTIFIED SURVEY MAP DOCUMENT NO. 1579866 AS RECORDED IN VOLUME 25, PAGES 399-401 OF ROCK COUNTY  
 CERTIFIED SURVEY MAPS, SITUATED IN PARTS OF THE S.E. 1/4 AND N.E. 1/4 OF THE S.E. 1/4 OF SECTION 29 AND PARTS  
 OF THE N.W. 1/4 AND N.E. 1/4 OF SECTION 28, ALSO PARTS OF THE S.E. 1/4 AND S.W. 1/4 OF THE S.W. 1/4  
 OF SECTION 28, ALL SITUATED IN T. 1 N., R. 13 E. OF THE FOURTH P.M., CITY OF BELLEVILLE, ROCK COUNTY, WISCONSIN.

There are no encumbrances shown with respect to:  
 s. 2143.5, 216, 16, 174, 28 and 294.31 (1) and 225, 214  
 Subj. registered by: 1579865, 1579866  
 Certified *Supriya Laha*  
 Registered Professional Land Surveyor  
 State of Wisconsin  
 Commission Expires 12/31/2018



R.H. BATTERMAN & CO., INC.  
 LAND SURVEYORS - ENGINEERS - PLANNERS  
 2007 BARTLETT DRIVE  
 BELLEVILLE, WISCONSIN 53510  
 608-366-4844 FAX 365-1820  
 E-MAIL: RH@RHBATTERMAN.COM



File Name: \3\2018-2019\2018\_2019\_2018\_2018.dwg  
 ORDER NO. 2018  
 FOR BELLEVILLE ECONOMIC DEVELOPMENT CORPORATION





# CITY OF BELOIT

## REPORT TO THE BELOIT CITY PLAN COMMISSION

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**Meeting Date:** April 8, 2015

**Agenda Item:** 4

**File Number:** RPB-2015-05

**Applicant:** AT&T

**Current Owner:** City of Beloit

**Location:** 540 Colby Street

**Existing Zoning:** Public Lands and Institutions

**Existing Land Use:** Park

**Parcel Size:** 6.69 Acres

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### Request Overview/Background Information:

AT&T - Wisconsin has requested that a Utility Easement be established along the east side of the park property located at 540 Colby Street to allow maintenance of existing AT&T infrastructure.

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### Key Issues:

- AT&T - Wisconsin has requested an easement to allow maintenance of existing infrastructure located within the proposed easement area.
- The attached Location & Zoning Map shows the location of the proposed easement area along the east side of 540 Colby Street.

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### Consistency with Strategic Plan:

- Consideration of this request supports Strategic Goal #5.

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**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

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### Staff Recommendation:

The Planning and Building Services Division recommends **approval** of the requested Utility Easement along the east side of the park property located at 540 Colby Street to allow maintenance of existing AT&T infrastructure.

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**Fiscal Note/Budget Impact:** N/A

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### Attachments:

Location and Zoning Map, Easement Exhibit, Legal Description

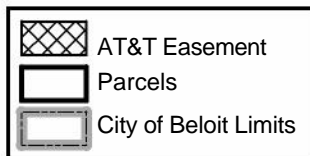
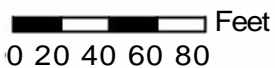
# Location & Zoning Map

540 Colby Street

RPB-2015-05



1 inch = 80 feet



Map prepared by: Keith Houston  
Date: March 2015  
For: City of Beloit Planning & Building  
Date of Aerial Photography: March 2011

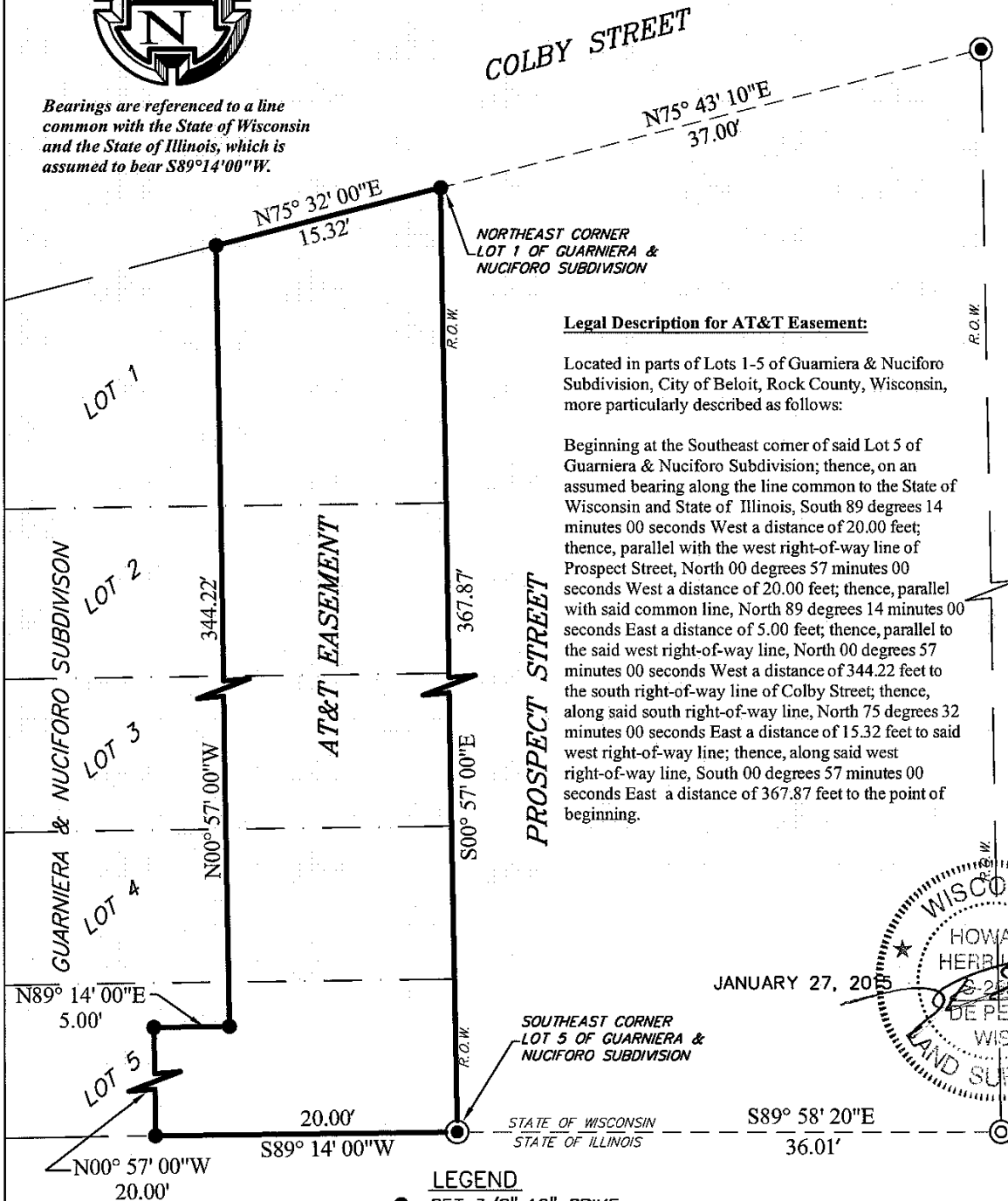
## PLANNING & BUILDING SERVICES DIVISION

# EXHIBIT "A" FOR AT&T EASEMENT

LOCATED IN PARTS OF LOTS 1-5 OF GUARNIERA & NUCIFORO SUBDIVISION, CITY OF БЕЛОIT, ROCK COUNTY, WISCONSIN.



Bearings are referenced to a line common with the State of Wisconsin and the State of Illinois, which is assumed to bear S89°14'00"W.

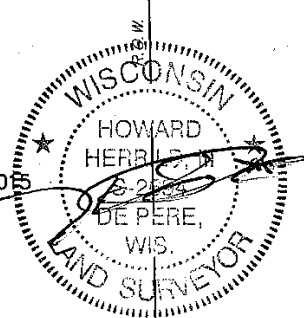


**Legal Description for AT&T Easement:**

Located in parts of Lots 1-5 of Guarniera & Nuciforo Subdivision, City of Beloit, Rock County, Wisconsin, more particularly described as follows:

Beginning at the Southeast corner of said Lot 5 of Guarniera & Nuciforo Subdivision; thence, on an assumed bearing along the line common to the State of Wisconsin and State of Illinois, South 89 degrees 14 minutes 00 seconds West a distance of 20.00 feet; thence, parallel with the west right-of-way line of Prospect Street, North 00 degrees 57 minutes 00 seconds West a distance of 20.00 feet; thence, parallel with said common line, North 89 degrees 14 minutes 00 seconds East a distance of 5.00 feet; thence, parallel to the said west right-of-way line, North 00 degrees 57 minutes 00 seconds West a distance of 344.22 feet to the south right-of-way line of Colby Street; thence, along said south right-of-way line, North 75 degrees 32 minutes 00 seconds East a distance of 15.32 feet to said west right-of-way line; thence, along said west right-of-way line, South 00 degrees 57 minutes 00 seconds East a distance of 367.87 feet to the point of beginning.

JANUARY 27, 2015



**LEGEND**

- SET 3/8"x12" SPIKE
- ⊙ FOUND 3/4" REBAR
- ⊙ FOUND 2.5" PIPE



UT. NO. 9677118  
RW 2015-3  
EASE 74092

**AT&T - WISCONSIN GENERAL EASEMENT**

DOCUMENT NUMBER

UT # 9677118                      Ease # 74092                      R/W # 2015-3

For a valuable consideration of one dollar (\$1.00), receipt of which is hereby acknowledged, the undersigned City of Beloit, a Wisconsin municipal corporation (Grantor) hereby grant and convey to Wisconsin Bell, Inc. d/b/a AT&T - Wisconsin, a Wisconsin Corporation, and its affiliates and licensees, successors and assigns (collectively "Grantees") an easement in, under, over, upon and across the Utility Easement Area (described herein) for the purpose of and in order to construct, reconstruct, maintain, operate, supplement, and remove underground broadband, communications, video and/or information services facilities, and other related fixtures, equipment, and appurtenances that may from time to time be required, with the right of ingress and egress for the purpose of this grant, within the Utility Easement Area. All improvements shall be located below grade, and the Grantees shall not install anything above grade or in any fashion that would affect the appearance of the surface of the real property or limit access to the real property.

RETURN ADDRESS:  
Matthew D. Grimm  
AT&T - Wisconsin  
2005 Pewaukee Rd.  
Waukesha, WI 53188

PARCEL NUMBER: 206 13540375

The Property is legally described as: Lots 1, 2, 3, 4, and 5 of Guarniera & Nuciforo's Subdivision being a part of the parcel fully described in Document #1855744, recorded on March 10, 2009, in the Register of Deeds office, Rock County, Wisconsin.

The Easement Area is legally described as: The Easterly 15 feet of the above described property, lying Westerly of and abutting the Westerly line of Prospect Street and also the Westerly 5 feet of the Easterly 20 feet of the Southerly 20 feet of the above described property. See Exhibit "A"; incorporated into and made a part hereof, by reference.

Address: Prospect Street

The Grantor represents and warrants to the Grantee that Grantor is the true and lawful owner of the Property and has full right and power to grant and convey the rights conveyed herein.

The Grantees shall indemnify the Grantor from and against all loss, costs (including reasonable attorney fees), injury, death, or damage to persons or property that at any time during the term of this Agreement may be suffered or sustained by any person or entity in connection with the Grantees' activities conducted on the Property, regardless of the cause of the injury, except to the extent caused by the gross negligence or misconduct of the Grantor or its agents or employees.

The Grantor reserves the right to use the Utility Easement Area for purposes that will not interfere with the Grantees' full enjoyment of the Easement rights granted in this Agreement. The Grantor specifically reserves the right to alter and improve the surface area of the Easement for purposes consistent with use of the

Property as a park, and the Grantees agree that the elevation of the surface area may be increased, but not permanently decreased and landscaping consistent with park purposes may occur.

The Grantees, at its own expense, and with all due diligence, shall observe and comply with all laws, ordinances, rules, and regulations which are now in effect or may later be adopted by any governmental authority, and which may be applicable to the Utility Easement Area or any improvement on it or any use of it.

In furtherance and not in limitation of the foregoing paragraph, the Grantees must, at its own expense, comply with all laws, ordinances, regulations and administrative agency or court orders relating to health, safety, noise, environmental protection, waste disposal, hazardous or toxic materials, and water and air quality. In the event any discharge, leakage, spillage, emission or pollution of any type occurs caused by the Grantees upon or from the Utility Easement Area the Grantees shall immediately notify Grantor and shall, at the Grantees' own expense, clean and restore the Utility Easement Area to the satisfaction of the Grantor and any governmental body or court having jurisdiction of the matter.

The Grantees shall restore the surface disturbed by any construction or maintenance of any equipment located within the Utility Easement Area to its condition before the disturbance. Grantor intends to construct a bike path on the property in which this Easement is located and the Grantees shall coordinate with the City Engineer during the construction phase of this easement. The City Engineer may waive all or portions of the restoration obligations of the Grantees. In no case shall the Grantees disturb any trees nor shall any underground boring activities be done in such a fashion as to damage the root systems of any trees or otherwise damage the viability of the trees without written permission from the City Engineer.

Grantees hereby agree to restore all property disturbed by its activities in use of the easement to the condition existing prior to the disturbance.

All terms and conditions in this Agreement, including the benefits and burdens, shall run with the land and shall be binding upon, inure to the benefit of, and be enforceable by the Grantor and the Grantees and their respective successors and assigns. The party named as Grantor in this Agreement and any successor or assign to the Grantor as fee simple owner of the Property shall cease to have any liability under this Agreement with respect to facts or circumstances arising after the party has transferred its fee simple interest in the Property.

This Agreement sets forth the entire understanding of the parties and may not be changed except by a written document executed and acknowledged by all parties to this Agreement and duly recorded in the office of the Register of Deeds of Rock County, Wisconsin.

***Signature page to follow***

Signed this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Signed this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

CITY OF BELOIT

WISCONSIN BELL, INC. D/B/A AT&T - WISCONSIN, A WISCONSIN CORPORATION

By: \_\_\_\_\_  
Larry N. Arft, City Manager

By: \_\_\_\_\_  
(signature)

ATTEST:

\_\_\_\_\_  
(print name)

By: \_\_\_\_\_  
Rebecca S. Houseman, City Clerk

Its \_\_\_\_\_  
(print title)

APPROVED AS TO FORM:

STATE OF WISCONSIN )  
 )SS  
COUNTY OF \_\_\_\_\_ )

By: \_\_\_\_\_  
Elizabeth A. Krueger, City Attorney

\*\*\*\*\*

STATE OF WISCONSIN )  
 )SS  
COUNTY OF ROCK )

I, \_\_\_\_\_, being a notary public in and for the state and county aforesaid, do hereby certify that

\_\_\_\_\_  
\_\_\_\_\_

Personally appeared before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, the above-named Larry Arft, City Manager and Rebecca Houseman LeMire, City Clerk, to me known to be such City Manager and Clerk, and to me known to be the persons who executed the foregoing agreement as such officers of said entity, by its authority.

personally known to me to be the same persons whose name is subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that they signed and delivered the said instrument as their free and voluntary act for the uses and purposes therein set forth.

\_\_\_\_\_  
Elizabeth A. Krueger  
Notary Public, Rock County, Wisconsin  
My commission is permanent.

Given under my hand and notarial seal this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Notary Public

My Commission expires: \_\_\_\_\_

This document was drafted by Gerald A. Friederichs, Wis. Bar Member No. 1014144, AT&T Services, Inc. Room 03A400 N17W24300 Riverwood Dr. Waukesha, WI. 53188.

Insertions by: Linda Kurtz, MI-TECH SERVICES, INC.

# CITY OF BELOIT

## REPORT TO THE BELOIT CITY PLAN COMMISSION

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**Meeting Date:** April 8, 2015

**Agenda Item:** 5

**File Number:** RPB-2015-02

**Request:** Path in Big Hill Park

**Owner:** City of Beloit

**Location:** 1101 Big Hill Road

**Existing Zoning:** PLI, Public Lands and Institutions District

**Existing Land Use:** Park

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### 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 in Big Hill Park.

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### Key Issues:

- The proposed path will be a 10' asphalt path with 2' wide gravel shoulders.
- This path will be a shared-use path. Casual bicyclists will especially benefit from this path as other trails in Big Hill Park have a steep grade.
- This project will occur in existing park property. No easements are required.
- Tree removal will be required to construct this path in the proposed location.
- A project map and details are attached to this report.
- Parks & Recreation Commission approved this project on March 11, 2015. Their approval acknowledged that the grant funding specifies that the trail will be on existing park roads in the lower level, and there would therefore be no improvements beyond "Point #4" as shown on Exhibit B. The trail will therefore extend from the Girl Scout Road along the alignment shown on "Sheet 2", down the hill at a 5% grade, through point #2 on Exhibit B, and re-join the park road at Point #4 on Exhibit B.

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### 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.

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### Sustainability:

- **Reduce dependence upon fossil fuels** – Increased trails and accessibility to bicycle routes promotes alternative transportation.
- **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

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### Staff Recommendation:

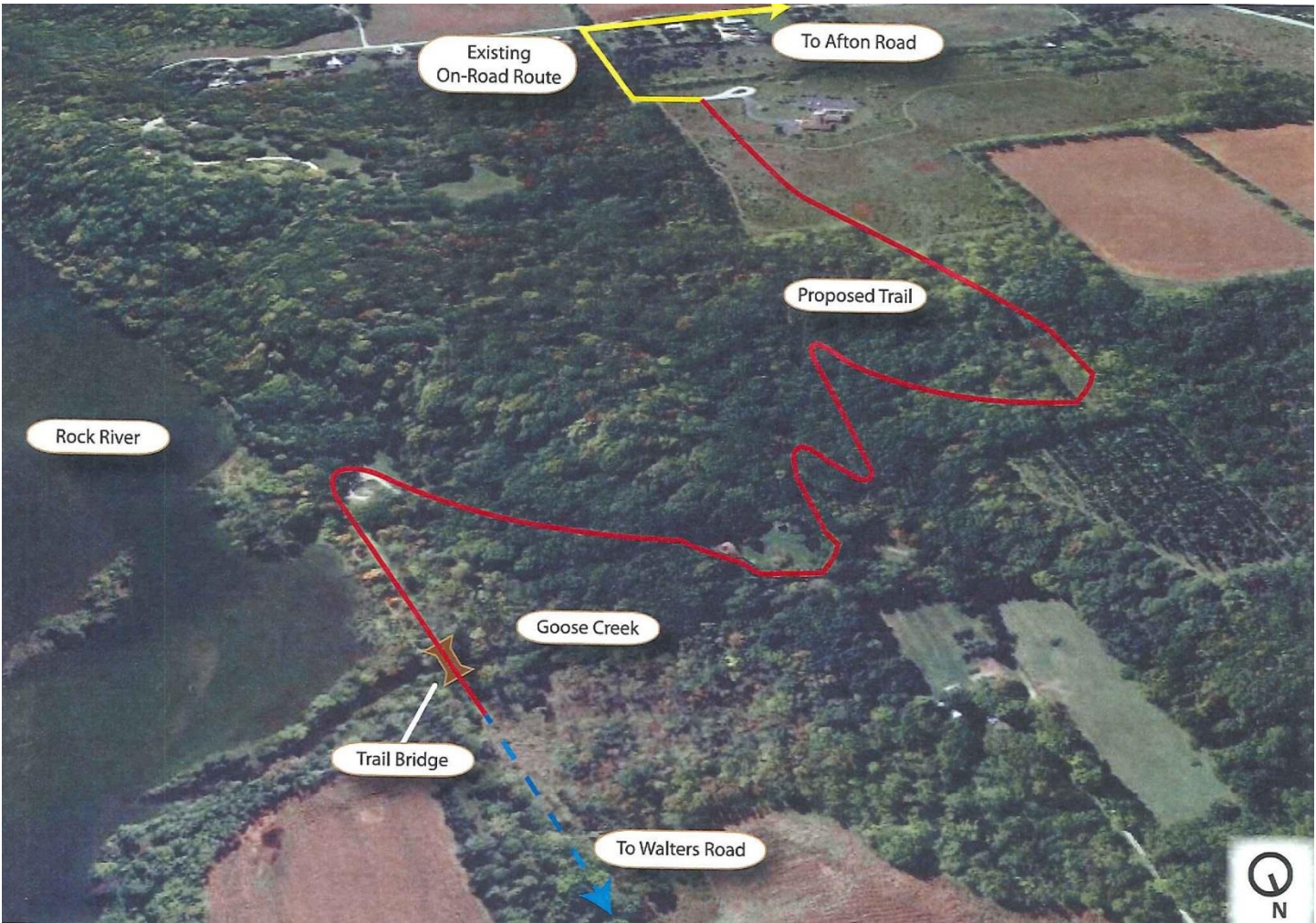
The Planning & Building Services Division recommends **approval** of the attached plan for the construction of a path in Big Hill Park.

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**Fiscal Note/Budget Impact:** Grant funding for this project has been secured through the Wisconsin Department of Natural Resources.

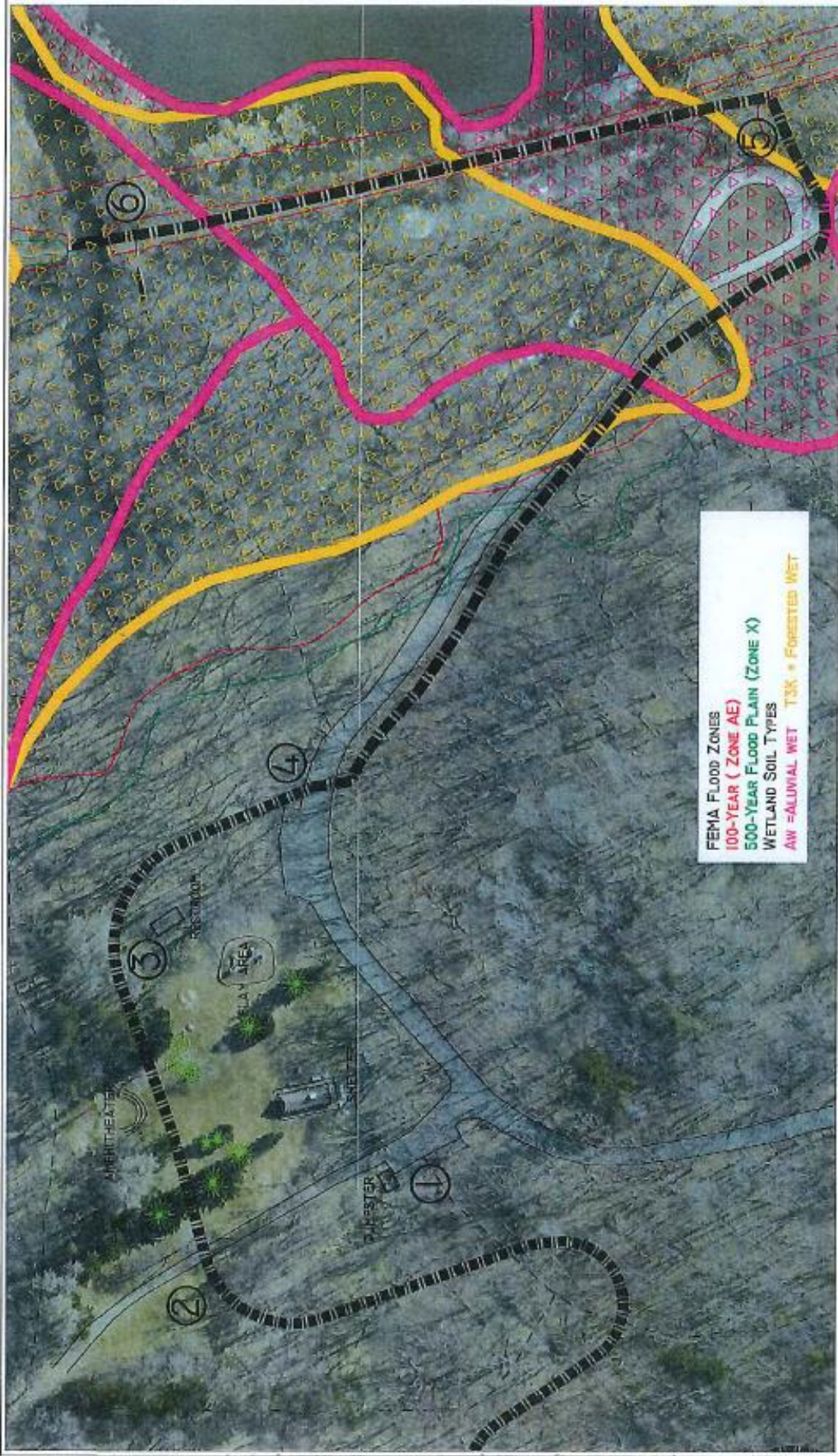
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**Attachments:** Project Map, Project Details, and Location & Zoning Map









PROJECT NAME:  
 BIG HILL PARK PATH  
 EXHIBIT B

ID: C15-09      SHEET 1      E

**BELOIT**  
 ENGINEERING DIVISION

Scale: 1" = 100' (Horizontal), 1" = 20' (Vertical)

## Design Considerations:

The proposed improvement section will feature the following:

- 10' wide asphalt path with centerline stripe
- 2' wide gravel shoulders and an additional 3' width graded to edge of slope
- 56' minimum radius curvature on the switchbacks

Additional considerations:

Trees will be removed in order to create this corridor through the woods.  
Cut and fill slopes will be built in order to create this smooth profile.

*Figure 4-27:  
Shared-use paths  
should be  
designed for all  
ages. Grades  
should be carefully  
considered and  
should be safe for  
kids riding coaster  
brake bicycles.*



### 4.8 Grades

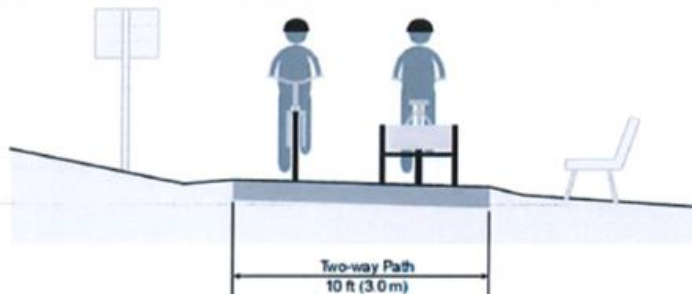
Shared-use paths generally attract less-skilled bicyclists, so it is important to avoid steep grades, to the extent possible (Table 4-2). Many bicyclists will find themselves walking on long, steep uphill grades. People with disabilities, especially those with stamina problems and using wheelchairs and walkers, will also have problems negotiating difficult grades. On downhills, bicyclists may exceed the speed at which they can safely control their bicycles. As a result, paths with long, steep grades are difficult for many bicyclists.

The maximum grade rate recommended for shared-use paths is 5%. Sustained grades should be limited to 2 or 3% if a wide range of riders is to be accommodated. The AASHTO *Guide for the Development of Bicycle Facilities* acknowledges that on recreational routes, designers may need to exceed a 5% grade for short sections. Whenever exceeding 5%, flattened, intermittently-spaced rest intervals are needed to comply with ADA.

#### 4.4. Path width

The paved width required for a shared-use path is a primary design consideration. Figure 4-8 shows a shared-use path on a separate right of way. Under most conditions, the paved width for a two-way shared-use path is 10 ft (3.0 m).

Figure 4-8: The standard width of a shared-use path. In areas with greater potential use, adding extra width may be appropriate.



Where the path is next to a canal or ditch, with a sloped drop-off steeper than 3:1 as shown in Figure 4-14, a wider separation should be considered. A minimum 5 ft (1.5 m) separation from the edge of the path pavement to the top of the slope or a safety rail should be provided where the slope/drop conditions in Figure 4-14 cannot be met. Depending on the height of embankment and condition at the bottom, a physical barrier, such as a safety railing, dense shrubbery, or a chain link fence, may be needed at the top of the slope (fig. 4-14).

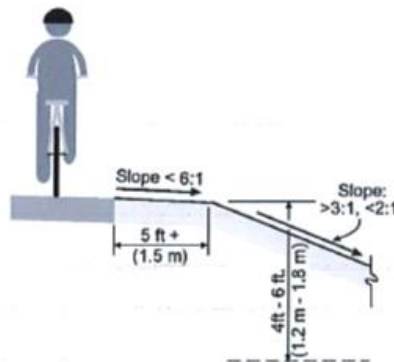
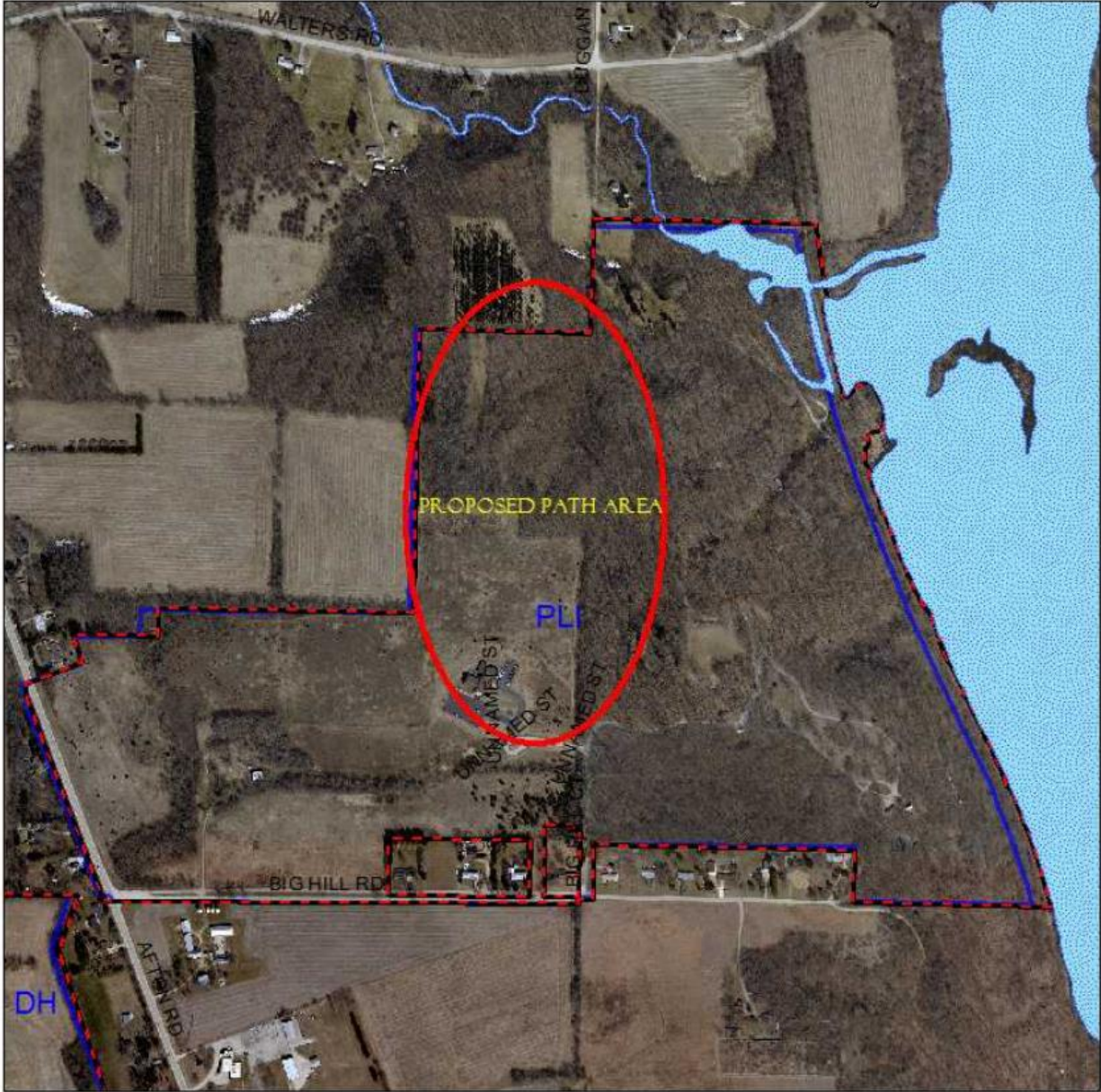


Figure 4-14: Paths next to slopes should be evaluated to determine if mitigation measures are needed.

# Location & Zoning Map

1101 Big Hill Road

RPB-2015-02



1 inch = 667 feet



Legend	
1,440	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