



CITY HALL • 100 STATE STREET • BELOIT, WI 53511

**MEETING NOTICE AND AGENDA**  
**Beloit City Plan Commission**  
**Wednesday, April 6, 2016 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 23, 2016 Meeting**
3. **Certified Survey Map – 2401 Stateline Road**  
Review and consideration of a two-lot Certified Survey Map for the property located at 2401 Stateline Road in the City of Beloit
4. **Stormwater and Drainage Way Easement – 555 Willowbrook Road**  
Review and consideration of a request to grant a Stormwater and Drainage Way Easement to Hendricks Commercial Properties, LLC along the southern edge of the property located at 555 Willowbrook Road
5. **Conditional Use Permit – 549 Shirland Avenue**  
Public hearing, review and consideration of a Conditional Use Permit to allow a fitness studio for the property located at 549 Shirland Avenue (103 Eighth Street)
6. **Planned Unit Development (PUD) Master Land Use Plan Amendment – 1810 Sutler Avenue – Tractor Supply (former Staples store)**  
Public hearing, review and consideration of an amendment to the Planned Unit Development (PUD) Master Land Use Plan to allow for outdoor display areas within the Morgan Square shopping center for the property located at 1810 Sutler Avenue
7. **Relocation Order – Branigan Road Re-alignment**  
Review and consideration of a Relocation Order to acquire Right-of-Way (ROW) and a Temporary Limited Easement (TLE) over a portion of 2851 Milwaukee Road (Menards) and a TLE over a portion of 2785 Milwaukee Road (Walmart) in order to Realign the Branigan Road Intersection with the Private Driveways
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 and Building Services Office at 364-6700 **no later than 4:00 PM the day before the meeting.**

Notice Mailed: April 1, 2016

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

**MEETING MINUTES**  
**Beloit City Plan Commission**  
**Wednesday, March 23, 2016 at 7:00 PM**  
**The Forum**  
**Beloit City Hall, First Floor**  
**100 State Street, Beloit**

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

Chairperson Faragher called the meeting to order at 7:04pm. Commissioners Finnegan, Faragher, Ruster, Moore, and Councilor Kincaid were present. Commissioner Johnson was absent.

**2. Approval of the Minutes of the March 9, 2016 Meeting**

Commissioner Tinder moved to approve the minutes. Commissioner Ruster seconded the motion. The motion passed, voice vote.

**3. Zoning Ordinance Amendment – Erosion Control and Storm Water Management**

Public hearing, review and consideration of an Ordinance to Repeal and Recreate Sections 8-900 and 8-1000 of the Zoning Ordinance, Chapter 19, of the Code of General Ordinances of the City of Beloit pertaining to construction site erosion control and post-construction storm water management.

Ms. Julie Christensen, Director of Community Development, presented the staff report and recommendation.

Councilor Kincaid inquired into the specifics of any changes in the Ordinances. William Frisbee, Storm Water Engineer, summarized the updates made to the Ordinance. Essentially, the state law changed two years ago. As a condition of receiving our stormwater permit, we are required to update our Ordinance to include those changes. Bill explained that there were no substantive changes to the Ordinance.

Commissioner Tinder moved to approve the motion. Commissioner Ruster seconded the motion. The motion passed, voice vote.

**4. Zoning Ordinance Amendment – Detached Accessory Structure for Garbage & Recycling**

Public hearing, review and consideration of an Ordinance to Amend Section 6.3.4(d) of the Zoning Ordinance, Chapter 19 of the Code of General Ordinances of the City of Beloit Relating to Detached Accessory Buildings for Garbage and Recycling Storage

Ms. Julie Christensen, Director of Community Development, presented the staff report and recommendation.

Chairperson Faragher asked if there were a large number of these structures to be expected. Ms. Christensen stated that there were not.

Councilor Kincaid inquired into whether screening would be permissible. Ms. Christensen stated that they would be; however, a fence permit would be necessary.

Commissioner Ruster moved to approve the motion. Commissioner Tinder seconded the motion. The motion passed, voice vote.

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

The street vacation on West Grand Avenue was approved by City Council.

6. **Adjournment**

The meeting adjourned at 7:20pm.

# CITY OF BELOIT

## REPORT TO THE BELOIT CITY PLAN COMMISSION

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**Meeting Date:** April 6, 2016

**Agenda Item:** 3

**File Number:** CSM-2016-03

**Applicant:** RH Batterman (on behalf of Hendricks Commercial Properties, LLC)

**Owner:** City of Beloit (Hendricks Commercial Properties, LLC to purchase)

**Location:** 2401 Stateline Road

**Existing Zoning:** M-2, General Manufacturing District

**Existing Land Use:** Agricultural

**Total Area:** 31.59 Acres

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### Request Overview/Background Information:

RH Batterman, on behalf of Hendricks Commercial Properties, LLC (HCP), has submitted an Application for the Review of a Minor Subdivision and a two-lot Certified Survey Map (CSM) for the property located at 2401 Stateline Road in the City of Beloit. The proposed CSM is related to the Stormwater and Drainage Way Easement request for 555 Willowbrook Road. According to Section 12.05(1)(b) of the Subdivision Ordinance, the Plan Commission may approve, conditionally approve, or reject any minor subdivision of land within the City or within the City's extraterritorial jurisdiction where there is no dedication of land to the City.

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### Key Issues:

- The area of the existing parcel located at 2401 Stateline Road is 31.59 acres.
  - Proposed Lot 1 will be approximately 14.78 acres and have frontage on Stateline Road and I-39/90. The lot will be addressed as 2401 Stateline Road.
  - Proposed Lot 2 will be approximately 16.81 acres and have frontage on both Stateline Road and Willowbrook Road. The lot will be addressed as 375 Willowbrook Road.
- A Purchase and Sale Agreement between the City and HCP for the subject parcel was considered by City Council at the April 4, 2016 meeting.
- The subject Purchase and Sale Agreement contains property division and development obligations to be fulfilled by the buyer, HCP, within the first 36 months of ownership.
- The intent of the proposed CSM is to fulfill the obligations of the Purchase and Sale Agreement and to allow for the construction of two buildings on the site.
  - HCP has submitted site plans to Staff for a project involving the construction of a 105,000 sq. ft. manufacturing spec building to be located on proposed Lot 1.
- The forty (40) foot Ingress/Egress Easement on the shared property line will provide both Proposed Lot 1 and Proposed Lot 2 with access to Stateline Road.
- The City's Review Agents have reviewed the proposed CSM and do not have any comments.
- The application, Location and Zoning Map, and proposed CSM are attached to this report.

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### Consistency with Comprehensive Plan and Strategic Plan:

The Comprehensive Plan's Future Land Use Map designates the subject property as appropriate for Community Commercial uses. Although the proposed manufacturing spec building will likely have a use consistent with the recommended use, the M-2, General Manufacturing zoning will allow for the future industrial development intended for the lots. Consideration of this request supports Strategic Goal #5.

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### 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** – The two proposed lots are situated in a prime location that will be attractive to businesses that want I-39/90 exposure, transportation access, and large-sized lots.

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### Staff Recommendation:

The Planning & Building Services Division recommends **approval** of the attached two-lot Certified Survey Map for the property located at 2401 Stateline Road in the City of Beloit, subject to the following conditions:

1. The final CSM shall substantially conform to the preliminary CSM submitted with this application for review.
2. The final CSM shall be recorded with the Rock County Register of Deeds by December 31, 2016.

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

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**Attachments:** Location Map, CSM, Application, Resolution

# Location & Zoning Map

2401 Stateline Road

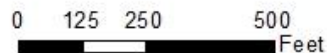
CSM-2016-03



Document Path: S:\data\GIS\MapServer\MapServer\MapServer\355 Willowbrook Rd - Easement.mxd

**Legend**

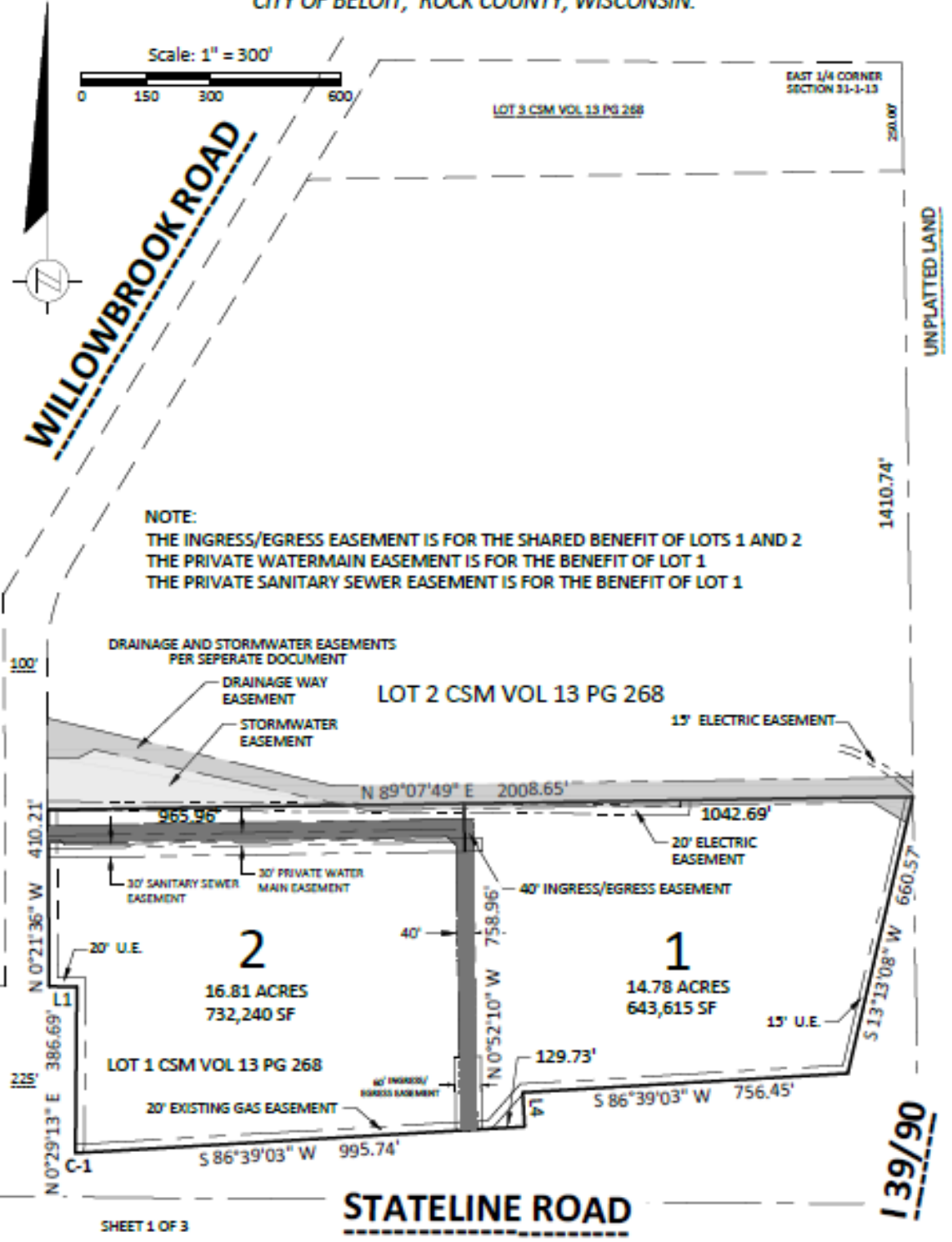
-  Proposed 2-lot CSM
-  Water Pollution Control Facility
-  COB Parcels



## Planning and Building Services Division

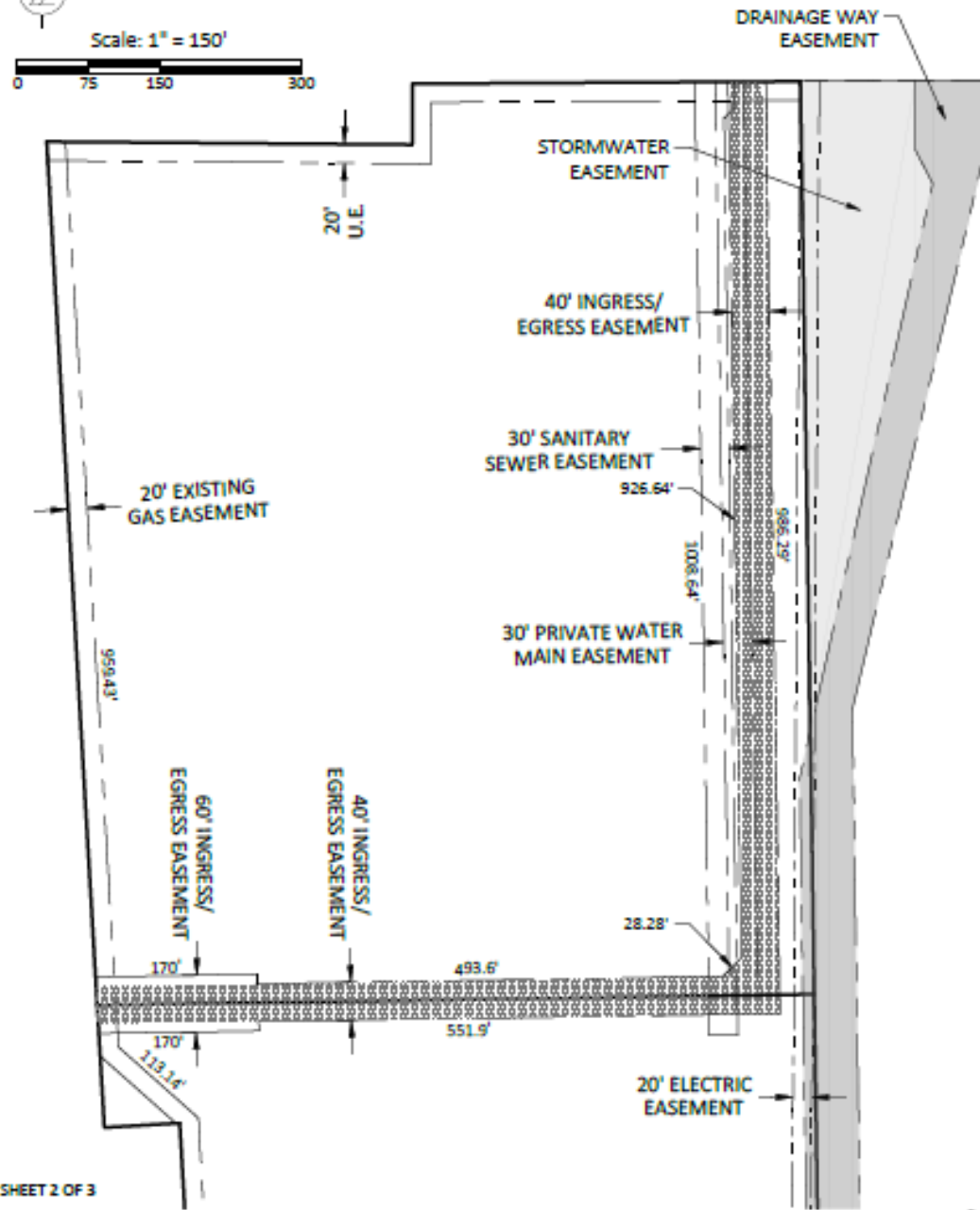
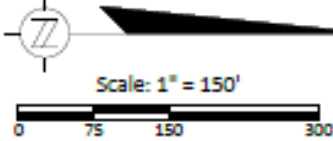
Map prepared by: Alex Morganroth  
 Date: March 2016  
 For: City of Beloit  
 Planning & Building Services  
 Date of Aerial Photography: April 2011

**PRELIMINARY CERTIFIED SURVEY MAP**  
 OF LOT 1 OF CERTIFIED SURVEY MAP DOC. NO. 1073578 AS RECORDED IN  
 VOLUME 13 ON PAGES 268-270 1/2 OF CERTIFIED SURVEY MAPS, BEING PART OF  
 THE S.E. 1/4 OF SECTION 31, T. 1 N., R. 13 E., OF THE 4TH P.M.,  
 CITY OF БЕЛОIT, ROCK COUNTY, WISCONSIN.



<p><b>ORDER NO: 32345</b>                  BOOK: SEE FILE                  FIELD CREW:                  DRAWN BY: RHL                  DATE: FEBRUARY 2, 2016</p>	<p align="center"><b>ORDERED BY:</b>                  HENDRICKS COMMERCIAL PROP                  525 THIRD STREET                  БЕЛОIT, WI 53511</p> <p align="center"><small>File Name: J:\2280-42899\4245 CSM\SURVEY\JOB DRAWING PLS</small></p>	<p align="center"><b>Batterman</b>                  engineers surveyors planners                  2857 Barab's Drive    Beloit, Wisconsin 53521                  608.365.4484        www.batterman.com</p>	
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 CITY OF БЕЛОIT, ROCK COUNTY, WISCONSIN.

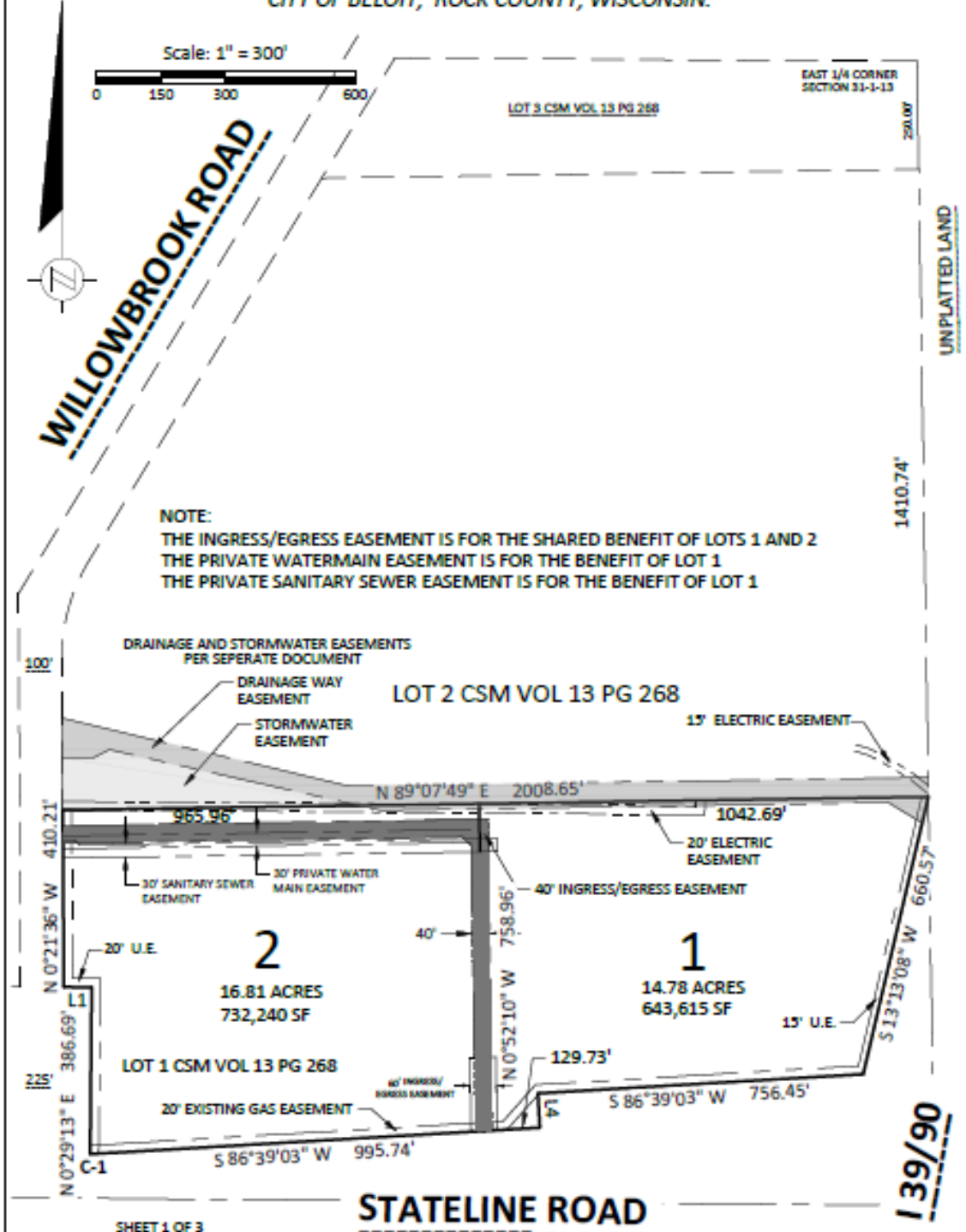




SHEET 2 OF 3

<p><b>ORDER NO: 32345</b>          BOOK: SEE FILE          FIELD CREW:          DRAWN BY: RHL          DATE: FEBRUARY 2, 2016</p>	<p align="center">ORDERED BY:  <b>HENDRICKS COMMERCIAL PROP</b>          525 THIRD STREET          БЕЛОIT, WI 53511</p> <p align="center"><small>File Name: J:\22805-42899\22845 COR\LSURVY\12148 DRAWING PLS</small></p>	<p align="center"><b>Batterman</b>          engineers surveyors planners</p> <p>2857 Barzels Drive    Beloit, Wisconsin 53501          608.365.4464        www.tbatterman.com</p>	
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**PRELIMINARY CERTIFIED SURVEY MAP**  
 OF LOT 1 OF CERTIFIED SURVEY MAP DOC. NO. 1073578 AS RECORDED IN  
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 CITY OF БЕЛОИТ, ROCK COUNTY, WISCONSIN.



<b>ORDER NO: 32345</b> BOOK: SEE FILE FIELD CREW: DRAWN BY: RHL DATE: FEBRUARY 2, 2016	<b>ORDERED BY:</b> HENDRICKS COMMERCIAL PROP 525 THIRD STREET БЕЛОИТ, WI 53511 <small>File Name: J:\2280-3289\3245 CSM\SURVEY\JOB DRAWING PLS</small>	 engineers surveyors planners 2857 Barzels Drive    Beloit, Wisconsin 53521 608.365.4464        www.rbatterman.com	
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**CITY of BELOIT**  
**Neighborhood Planning Division**

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

**SITE ASSESSMENT CHECKLIST**

For property located at: 2401 STATELINE ROAD

Property owner's name: CITY OF BELOIT

ITEM OF INFORMATION	YES	NO
<b>I. Land Resources; Does the project site involve:</b>	----	----
A. Changes in relief and drainage patterns? (Attach a topographical map showing, at a minimum, 2-foot contour intervals)	✓	
B. A landform or topographical feature including perennial streams?		✓
C. A floodplain? (If Yes, attach a copy of the latest FEMA Floodway map with the parcel shown thereon.)		✓
D. An area of soil instability, or slopes greater than 12%, or hydric or alluvial soils as depicted in the "Soils Survey of Rock County"?		✓
E. An area of bedrock within 6 feet of the surface as depicted in the "Soils Survey of Rock County" or a more detailed source?		✓
F. An area with groundwater table within 5 feet of the surface as depicted in the "Soils Survey of Rock County" or a more detailed source?		✓
G. An area with fractured bedrock within 10 feet of the soil surface as depicted in the "Soils Survey of Rock County"		✓
H. Prevention of future gravel extraction?		
I. A drainage-way with a tributary area of 5 or more acres?		✓
J. Lot coverage of more than 50 percent impermeable surfaces?		
K. Prime agricultural land as depicted in the "Soils Survey of Rock County" or any adopted farmland preservation plans?		✓
L. Wetlands as depicted on a DNR wetland inventory map or more detailed source?		✓
<b>II. Water Resources; Does the project site involve:</b>	----	----
A. An area traversed by a stream, intermittent stream or dry run?		✓
B. An impact on the capacity of a storm water storage system or flow of a waterway within one mile?		✓
C. The use of septic systems for on-site wastewater disposal?		✓
D. Lowering of water table by pumping or drainage?		✓
E. Raising of water table by altered drainage?		✓
F. Frontage on a lake, river, or other navigable waterway?		✓
<b>III. Human and Scientific Interest; Does this project site involve:</b>	----	----
A. An area of archeological interest included on the Wisconsin Archeological Site Inventory?		✓
B. An area of historical interest, or historic buildings or monuments listed on the State or National Register of Historic Places?		✓

## Site Assessment Checklist

(continued)

ITEM OF INFORMATION	YES	NO
<b>IV. Biological Resources; Does the project site involve:</b>	----	----
A. Critical habitat for plants and animals of community interest per DNR inventory?		✓
B. Endangered or rare plant or animal species per the DNR Wisconsin Natural Heritage Inventory?		✓
C. Trees with a diameter of 6 or more inches at breast height outside of "mature woodlands" as defined in the subdivision ordinance? (If Yes, all trees of such size must be mapped.)		✓
D. Removal of over 40 % of the trees on the site within a "mature woodland" as defined in the subdivision ordinance?		✓
E. Environmental corridors as mapped by the City of Beloit or Rock County?		✓

<b>V. Energy, Transportation and Communications:</b>	----	----
A. Would the development increase traffic flow on any arterial or collector street by more than 10 % based upon the most recent traffic counts and trip generation rates provided by the Institute of Transportation Engineers (ITE)?	UNKNOWN	
B. Is the land traversed by an existing or planned roadway corridor, as shown on the City's official map or comprehensive plan?		✓
C. Is the land within a highway noise impacted area (within 500 feet of an interstate or state or Federal highway)?	✓	
D. Is the land traversed by an existing or planned utility corridor (gas, electrical, water, sewer, storm, communications)?	✓	

<b>VI. Population:</b>	----	----
A. Which public school service areas (elementary, middle and high school) are affected by the proposed development and what is their current available capacity?		
Elementary; _____ <i>NA</i>	E: Cap=	
Middle; _____ <i>NA</i>	M: Cap=	
High School; _____ <i>NA</i>	H: Cap=	

**NOTES:**

1. "YES" answers must be explained in detail by attaching maps and supportive documentation describing the impacts of the proposed development.
2. The Plan Commission may waive the filing of a Site Assessment Checklist for subdivisions of less than 5 acres in total area.

**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-2016-03

1. Address of property: 2401 STATELINE ROAD
2. Tax Parcel Number(s): 23140900
3. Property is located in (circle one): City of Beloit or Town of: Turtle; Beloit; Rock or LaPrairie  
 In the SE Quarter of Section 31, Township 1 North, Range 13 East of the 4th P.M.
4. Owner of record: CITY OF BELOIT Phone: 608 757 5510  
100 STATE STREET BELOIT WI 53511  
(Address) (City) (State) (Zip)
5. Surveyor's name: BRIAN M CARLSON Phone: 608 365 4464  
2857 BARTELLS DR. 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: 34.95 ACRES
8. Total area of land remaining in parent parcel: 56.62 ACRES
9. Is there a proposed dedication of any land to the City of Beloit? No
10. The present zoning classification of this property is: M2
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;** a pre-application meeting was held on \_\_\_\_\_ 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.

Brian M Carlson (Signature of applicant) BRIAN M CARLSON (Name of applicant) 2/12/2016 (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>\$180.00</u>
Scheduled meeting date: _____	
Application accepted by: _____ Date: _____	

**RESOLUTION  
APPROVING A TWO-LOT CERTIFIED SURVEY MAP  
FOR THE PROPERTY LOCATED AT  
2401 STATELINE ROAD IN THE CITY OF БЕЛОIT**

**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 City; and

**WHEREAS**, the attached two-lot Certified Survey Map for the property located at 2401 Stateline Road, containing 31.59 acres, more or less, is located within the jurisdiction of the City of Beloit; and

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

LOT 1 OF CERTIFIED SURVEY MAP DOC. NO. 1073578 AS RECORDED IN VOLUME 13 ON PAGES 268-270 ½ OF CERTIFIED SURVEY MAPS, BEING PART OF THE S.E. ¼ OF SECTION 31, T. 1 N., R. 13 E. OF THE FOURTH P.M., CITY OF БЕЛОIT, ROCK COUNTY, WISCONSIN. Containing 31.59 acres, more or less.

**NOW, THEREFORE, BE IT RESOLVED THAT** the Plan Commission of the City of Beloit does hereby conditionally approve the attached two-lot Certified Survey Map for the property located at 2401 Stateline Road in the City of Beloit, subject to the following conditions:

1. The final CSM shall substantially conform to the preliminary CSM submitted with this application for review.
2. 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, 2016.

Adopted this 6<sup>th</sup> day of April 2016.

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James Faragher, Plan Commission Chairman

**ATTEST:**

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Julie Christensen,  
Community Development Director

# CITY OF BELOIT

## REPORT TO THE BELOIT CITY PLAN COMMISSION



**Meeting Date:** April 6, 2016

**Agenda Item:** 4

**File Number:** RPB-2016-01

**Applicant:** RH Batterman (on behalf of Hendricks Commercial Properties)

**Current Owner:** City of Beloit

**Location:** 555 Willowbrook Road

**Existing Zoning:** M-2, General Manufacturing District

**Existing Land Use:** Utility

**Parcel Size:** 60 Acres

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### Request Overview/Background Information:

Hendricks Commercial Properties (HCP) has requested that a Stormwater and Drainage Way Easement be established along the southern edge of the property located at 555 Willowbrook Road. The Beloit Water Pollution Control Facility (WPCF) is located on the subject, city-owned property.

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### Key Issues:

- The easement request is related to a 2-lot CSM submitted by RH Batterman, on behalf of HCP, for the land directly south of the WPCF property located at 2401 Stateline Road. This request is being considered concurrently with the proposed CSM.
  - A purchase and sale agreement for the property located at 2401 Stateline Road was considered by City Council at the April 4, 2016 meeting.
  - HCP has submitted plans to City staff for the construction of an industrial spec building on one of the proposed lots.
  - HCP has requested this easement in order to redirect all I-39/90 stormwater from their proposed building site to a drainage swale on the south side of the WPCF property.
  - The proposed easement also allows HCP to construct a stormwater detention area on the WPCF site.
- HCP, the easement grantee, would be responsible for regular maintenance of the stormwater infrastructure located on the conveyed land.
- The City, the easement grantor, would be responsible for any extraordinary costs for maintenance due to wash outs, culvert cleanout, substantial debris removal or other damage due to excess water flow from upstream development in the drainage way portion of the easement area.
- HCP would be required to maintain a general liability insurance policy for the conveyed land and any activities located in the easement area.
- The City Council will review this request on April 18, 2016.

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### Consistency with Strategic Plan:

- Consideration of this request supports Strategic Goal #5.

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### 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** – The proposed easement will ensure that future development meets the City's stormwater and drainage standards that help protect the environment from pollution run-off.
- **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 attached Stormwater and Drainage Way Easement along the south side of the property located at 555 Willowbrook Road.

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

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### Attachments:

Location and Zoning Map, Easement Document and Easement Exhibit

# Location & Zoning Map

2401 Stateline Road

RPB-2016-01



## Legend

-  COB Parcels
-  Proposed 2-lot CSM
-  Water Pollution Control Facility



0 125 250 500 Feet

## Planning and Building Services Division

Map prepared by: Alex Morganroth

Date: March 2016

For: City of Beloit

Planning & Building Services

Date of Aerial Photography: April 2011

Document Path: \\server\public\Information\GIS\Projects\2016\RPB-2016-01\Map\Map.mxd

<p><b>DOCUMENT NO.</b></p>	<p><b>DOCUMENT TITLE</b> <b>STORMWATER AND DRAINAGE WAY</b> <b>EASEMENT</b></p>	<p><b>RECORDING AREA</b></p>
		<p><b>NAME AND RETURN ADDRESS</b></p>
		<p><b>Parcel Identification Number</b></p>



## **STORMWATER AND DRAINAGE WAY EASEMENT (“EASEMENT”)**

For and in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which is acknowledged, City of Beloit (“Grantor”) for itself and its successors and assigns, grants and conveys onto Hendricks Commercial Properties, LLC (“Grantee”), its successors and assigns, a perpetual non-exclusive easement across, over and upon the property depicted on Exhibit A (“Easement Area”), attached hereto and made a part hereof, for the purpose of siting and maintaining storm water management facilities, including the grading, grass seeding and lawn maintenance of the Easement Area, including placement and grading of dirt for a berm and drainage way, the planting of grass cover and/or other drainage improvements subject to applicable legal requirements, if any, to facilitate proper drainage pursuant to an approved grading plan Grantor and Grantee acknowledge that the Easement Area includes both areas depicted for (i) storm water detention “Stormwater Easement” as well as areas depicted for (ii) drainage ways “Drainage Way Easement” to provide for proper drainage of both a portion of Grantor’s property as well as I-90/I-39 highway runoff drainage (collectively the “Storm Water Facilities.”) The Drainage Way Easement as depicted in the Easement Area is designed to facilitate such future water flow.

Grantee shall have the right to enter the Easement Area to survey, construct, reconstruct, operate, use, maintain, repair, upgrade, replace, and remove the Storm Water Facilities made within the Easement Area. Grantee shall maintain the Storm Water Facilities in a safe and attractive condition and in compliance with all applicable laws and regulations. Without limiting the generality of the preceding, existing and applicable future improvements constructed by the Grantee shall meet or exceed all applicable

requirements and specifications of all stormwater management laws, regulations or guidelines. Any future improvements constructed by the Grantee shall be at the Grantee's sole cost and expense.

Except as provided below, Grantee shall, at its sole cost and expense, construct and maintain the Storm Water Facilities. Grantor shall have the right to inspect and monitor any construction activities over and around the city-owned electric lines in the Easement Area. Grantor reserves the right to perform Grantee's maintenance responsibility in the event that Grantee fails to maintain the Storm Water Facilities. Prior to implementing this self-help remedy, Grantor shall notify Grantee and provide to Grantee the right, within fifteen (15) days of notice, to cure the deficiency. If Grantee fails to adequately maintain the Storm Water Facilities and within fifteen (15) days after the date of the written notice from Grantor, fails to correct the problem, or fails to begin to cure the problem with fifteen (15) days if such problem cannot be reasonably cured within fifteen (15) days and fails to diligently pursue such cure, Grantor shall have the right to perform the necessary work. Grantee shall reimburse Grantor for the reasonable cost of such maintenance cure. If Grantee fails to reimburse Grantor for the cost of such maintenance, Grantor reserves the right to assess the cost of any such work as a special charge against the property identified as Lot 1 and 2 of Preliminary Certified Survey Map Property attached hereto as Exhibit A pursuant to §66.0627, Wis. Stats., and shall be included in the current or next tax roll for collection and settlement under Ch. 74, Wis. Stats. Grantee waives any right to contest such special charge provided it was given an opportunity to undertake the work and failed to do so within the time identified in the such notice. Grantee further agrees that Grantor may also pursue any and all other remedies available at law or in equity.

Notwithstanding the above, any extraordinary costs associated with maintaining the Drainage Way Easement, including regrading due to wash out, culvert cleanout, substantial debris removal or other damage due to excess water flow, increased water flow due to upstream development, whether from Grantor's property, from I-90/I-39 or other upstream property which is authorized by the City to drain through this drainage way, shall be at the expense of Grantor. Grantor and Grantee agree to meet and confer from time to time when it is asserted that Grantor is responsible for such extraordinary events.

This Easement may not be modified or amended except by writing executed and delivered by the Grantor and Grantee, their respective successors and assigns.

Grantee shall release and defend, indemnify and hold harmless Grantor and its respective successors and assigns, from and against any and all claim, cost, expense, damage and liability that Grantor may incur as a result of any act or omission by Grantee, its agents, employees, invitees occurring on, over, upon, along, under or across the easement area in connection with Grantee's use of this easement.

Grantee shall, at all times this Agreement is in effect, maintain a policy of general liability insurance with respect to the Easement Area and Grantee's activities upon the Easement Area. The amount of insurance shall be \$1,000,000 and shall be increased to an amount then commercially reasonable upon notice from Grantor. Such policy shall name Grantor as an additional named insured. All such policies shall provide that they shall not be amended or terminated except upon at least 30 days' prior written notice to Grantor. Grantee shall provide evidence of this coverage to Grantor within 30 days of the execution of this Agreement and upon request of Grantor thereafter.

Grantor acknowledges that municipal approval and all action necessary to authorize the granting of this easement has been duly performed. Signatory on behalf of

Grantor is the duly authorized representative of Grantor. Grantee acknowledges that approval and all action necessary to authorize the acceptance of this easement and its attendant obligations has been duly performed. Signatory on behalf of Grantee is the duly authorized representative of Grantee.

This Easement may be executed in several counterparts, each of which shall be deemed an original, but all such counterparts shall together constitute one and the same Easement. Any counterparts of this Easement may be executed and delivered by any party by facsimile or by e-mail transmission in portable document format "(PDF)" and any document so executed and delivered shall be considered an original for all purposes.

Whenever possible, each provision of this Agreement shall be interpreted in such a manner as to be effective and valid under applicable law, but if any provision of this Agreement is held to be prohibited by or invalid under applicable law, such provision shall be ineffective only to the extent such prohibition or invalidity, without invalidating the remainder of this Agreement.

This Agreement shall be governed, interpreted, construed and enforced in accordance with the internal laws of the State of Wisconsin. All the terms, conditions and provisions of this Agreement relating to this Easement shall be appurtenant to and shall inure to the benefit of and shall run with the land.

This Agreement constitutes the entire agreement of the parties hereto.

{Signature pages to follow}

**IN WITNESS WHEREOF**, the Grantor has hereunder set its hand and seal this

\_\_\_\_ day of \_\_\_\_\_, 2016.

GRANTOR:  
CITY OF БЕЛОIT

By: \_\_\_\_\_  
Lori S. Curtis Luther, City Manager

ATTEST:

By: \_\_\_\_\_  
Lorena Rae Stottler, City Clerk

STATE OF WISCONSIN    )  
                                      ) SS.  
ROCK COUNTY            )

Before me personally appeared on the \_\_\_\_ day of \_\_\_\_\_, 2016, Lori S. Curtis Luther and Lorena Rae Stottler , the City Manager and City Clerk of City of Beloit and the person who executed the foregoing LANDSCAPE AND DRAINAGE WAY EASEMENT and acknowledged the same as the voluntary act and deed of said City of Beloit.

\_\_\_\_\_  
Elizabeth A. Krueger  
Notary Public, State of Wisconsin  
My Commission is permanent.

GRANTEE:  
HENDRICKS COMMERCIAL PROPERTIES,  
LLC

By: \_\_\_\_\_  
Diane M. Hendricks, Manager and  
Chairperson of the Board

STATE OF WISCONSIN    )  
  ) SS.  
ROCK COUNTY                )

Before me personally appeared on the \_\_\_\_ day of \_\_\_\_\_, 2016,  
Diane M. Hendricks the Manager and Chairperson of the Board of Hendricks Commercial  
Properties, LLC and the person who executed the foregoing LANDSCAPE AND  
DRAINAGE WAY EASEMENT and acknowledged the same as the voluntary act and deed  
of said Hendricks Commercial Properties, LLC.

\_\_\_\_\_  
Notary Public, State of Wisconsin  
My Commission \_\_\_\_\_

This instrument was drafted by and  
after recording return to:

George B. Erwin, III  
Schmidt, Darling & Erwin  
2300 North Mayfair Road  
Suite 1175  
Milwaukee, WI 53226

# EXHIBIT A - Easement Area

## STORMWATER AND DRAINAGE WAY EASEMENT

PART OF LOTS 1 AND 2 OF CERTIFIED SURVEY MAP DOC. NO. 1073578 AS RECORDED IN VOLUME 13 ON PAGES 268-270 1/2 OF CERTIFIED SURVEY MAPS, BEING PART OF THE S.E. 1/4 OF THE SE 1/4, AND SW 1/4 OF THE SE 1/4, OF SECTION 31, T. 1 N., R. 13 E., OF THE 4TH P.M., CITY OF BELOIT, ROCK COUNTY, WISCONSIN.

CITY OF BELOIT, ROCK COUNTY, WISCONSIN.

### LEGAL DESCRIPTION

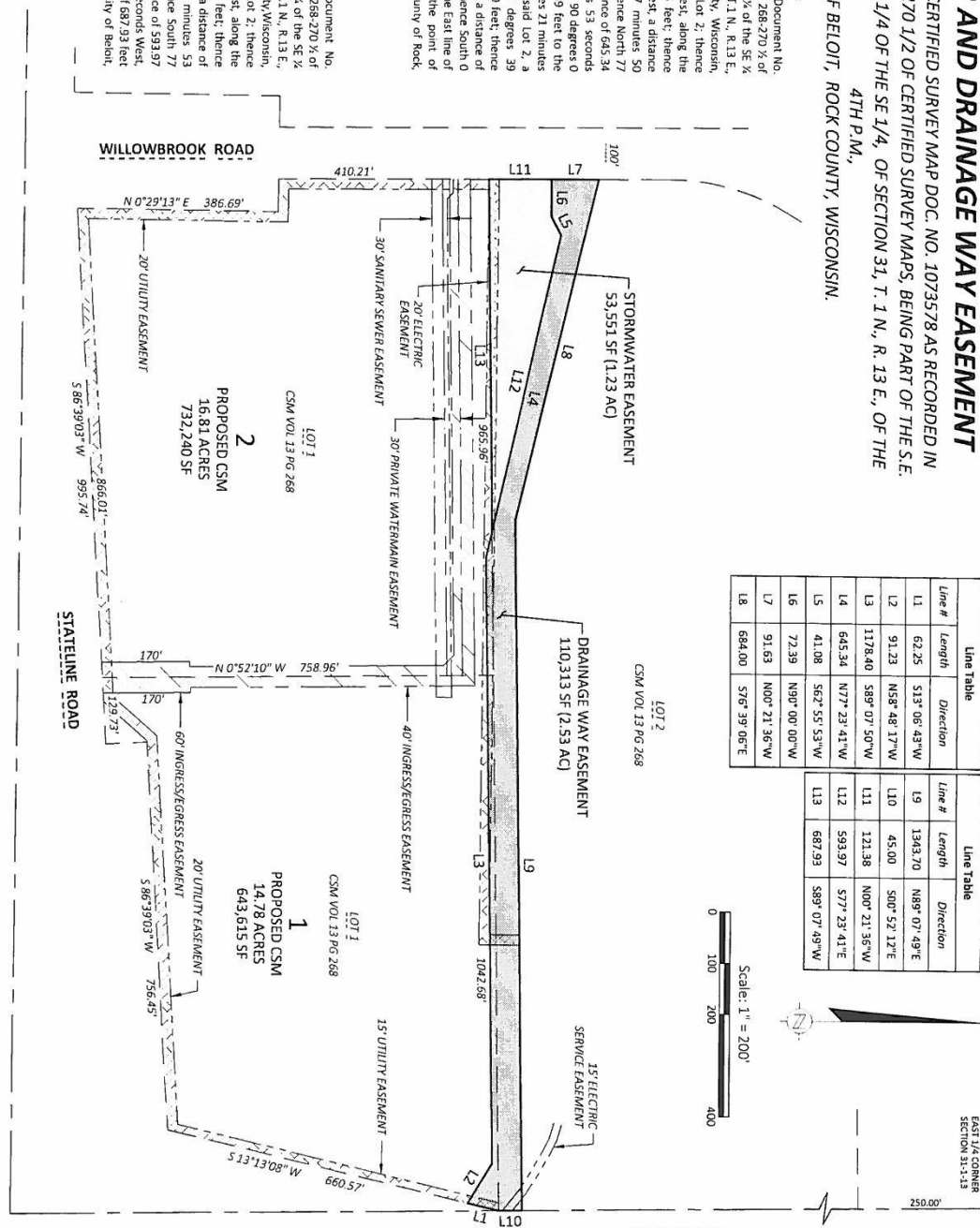
#### OF DRAINAGE WAY EASEMENT DESCRIBED AS:

Part of Lots 1 and 2 of Certified Survey Map Document No. 1073578 as recorded in Volume 13 on pages 268-270 1/2 of Certified Survey Maps, being part of the SE 1/4 of the SE 1/4 and part of SW 1/4 of the SE 1/4 of Section 31, T. 1 N., R. 13 E., of the 4th P.M., City of Beloit, Rock County, Wisconsin, beginning at the Southeast corner of said Lot 2; thence South 13 degrees 6 minutes 43 seconds West, along the East line of said Lot 1, a distance of 62.25 feet; thence North 58 degrees 48 minutes 17 seconds West, a distance of 91.23 feet; thence South 89 degrees 7 minutes 50 seconds West, a distance of 1178.40 feet; thence North 77 degrees 23 minutes 41 seconds West, a distance of 645.34 feet; thence South 62 degrees 55 minutes 53 seconds West, a distance of 41.08 feet; thence South 90 degrees 0 minutes 0 seconds West, a distance of 72.39 feet to the West line of said Lot 2; thence North 0 degrees 21 minutes 36 seconds West, along the West line of said Lot 2, a distance of 91.63 feet; thence South 76 degrees 39 minutes 6 seconds East, a distance of 684.00 feet; thence North 89 degrees 7 minutes 49 seconds East, a distance of 1343.70 feet to the East line of said Lot 2; thence South 0 degrees 52 minutes 12 seconds East, along the East line of said Lot 2, a distance of 45.00 feet to the point of beginning. Situated in the City of Beloit, County of Rock, and State of Wisconsin.

### LEGAL DESCRIPTION

#### OF STORMWATER EASEMENT DESCRIBED AS:

Part of Lot 2 of Certified Survey Map Document No. 1073578 as recorded in Volume 13 on Pages 268-270 1/2 of Certified Survey Maps, being part of the SE 1/4 of the SE 1/4 and part of SW 1/4 of the SE 1/4 of Section 31, T. 1 N., R. 13 E., of the 4th P.M., City of Beloit, Rock County, Wisconsin, beginning at the Southeast corner of said Lot 2; thence North 0 degrees 21 minutes 36 seconds West, along the West line of said Lot 2, a distance of 121.38 feet; thence North 90 degrees 0 minutes 0 seconds East, a distance of 72.39 feet; thence North 62 degrees 55 minutes 53 seconds East, a distance of 41.08 feet; thence South 77 degrees 23 minutes 41 seconds East, a distance of 593.97 feet; thence South 89 degrees 7 minutes 49 seconds West, along the South line of said Lot 2, a distance of 687.93 feet to the point of beginning. Situated in the City of Beloit, County of Rock, and State of Wisconsin.



Line Table			Line Table		
Line #	Length	Direction	Line #	Length	Direction
L1	62.25	S13° 06' 43" W	L9	1343.70	N89° 07' 49" E
L2	91.23	N58° 48' 17" W	L10	45.00	S00° 52' 12" E
L3	1178.40	S89° 07' 50" W	L11	121.38	N00° 21' 36" W
L4	645.34	N77° 23' 41" W	L12	593.97	S77° 23' 41" E
L5	41.08	S62° 55' 53" W	L13	687.93	S89° 07' 49" W
L6	72.39	N90° 00' 00" W			
L7	91.63	N00° 21' 36" W			
L8	684.00	S76° 39' 06" E			



<p>ORDER NO: 32345 BOOK: SEE FILE FIELD CREW: -- DRAWN BY: CM DATE: March 4, 2016</p>	<p>FOR THE EXCLUSIVE USE OF: HENDRICKS COMMERCIAL PROPERTIES 525 THIRD STREET BELOIT, WI 53511</p>	<p><b>STORMWATER AND DRAINAGE WAY EASEMENT</b></p>	<p><b>Batterman</b> engineers surveyors planners 2857 Barrells Drive Beloit, Wisconsin 53511 608.365.4464 www.rhbatterman.com</p>
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# CITY OF BELOIT

## REPORT TO THE BELOIT CITY PLAN COMMISSION



**Meeting Date:** April 6, 2016

**Agenda Item:** 5

**File Number:** CU-2016-01

**Applicant:** Anabel Salgado

**Owner:** Anabel Salgado

**Location:** 103 Eighth Street

**Existing Zoning:** R-1B, Single-Family Residential District

**Existing Land Use:**  
Commercial, East Side of Building  
Residential, West Side of Building

**Parcel Size:** .27 Acre

Anabel Salgado has filed an application for a Conditional Use Permit to allow a fitness studio in an R-1B, Single-Family Residential District, for the property located at 549 Shirland Avenue (103 Eighth Street) in the City of Beloit. The applicant is seeking permission to hold a single daily, one-hour class. The adjacent zoning and land uses are as follows:

- **North:** R-1B, Single-Family Residential
- **South:** South Beloit, Commercial/Residential
- **East:** R-1B, Single-Family Residential
- **West:** R-1B, Single-Family Residential

### Key Issues:

- The applicant is seeking permission to hold fitness classes in the garage attached to the commercial building.
  - The applicant has stated the intent to hold one hour-long exercise class for one hour daily, with the possibility of additional classes being added.
  - The space will not function as a traditional gym or fitness center, but will instead provide an indoor area to hold classes like Zumba that do not need traditional gym equipment.
- A clothing store currently occupies a part of the commercial building on the subject property and is a legal non-conforming use.
- According to Section 9.2.1 of the Zoning Code (Chapter 19), a legal non-conforming use may be altered in accordance with the conditional use procedures if the new use will have a “lesser negative impact”.
  - The operation of a new business constitutes a change in the non-conforming use for the property and therefore requires the applicant to obtain a Conditional Use Permit.
- The applicant is seeking permission to hold fitness classes in the garage attached to the commercial building.
- The minimum off-street parking requirements for a fitness studio, classified as a *Retail Sales/Service – Entertainment Oriented* use, is one parking space per 150 sq. ft. The garage area where the exercise classes will be held is approximately 350 sq. ft. and therefore requires 3 parking spaces. The existing lot has enough space to fulfill the parking requirements for both uses on the property.
- The Fire Department commented that a new fire exit plan for the new occupancy is required if the exit routes change. The City’s other Review Agents did not submit any comments on the proposed use.
- The attached Public Notice was sent to seventeen nearby property owners. Planning staff has not received any comments.
- A Location & Zoning Map and site photos are attached.
- **Findings of Fact**
  - *Whether the establishment, maintenance, or operation of the conditional use will be detrimental to or endanger the public health, safety, morals, comfort, or general welfare;*
    - Planning Staff feels that general public health and safety will not be negatively impacted by the proposed fitness studio. Instead, the studio has the potential to positively impact the general public health in the surrounding neighborhood by adding a close, convenient space to exercise.
  - *Whether the conditional use will be injurious to the use and enjoyment of other property in the immediate vicinity for purposes already permitted;*
    - The conditional use will not injure the use and enjoyment of nearby properties as the use will be entirely contained to the garage space.
  - *Whether the conditional use will substantially diminish or impair property values within the neighborhood of the subject property;*
    - The property is already being used by a commercial business and the addition of a low-intensity use would not diminish or impair property values within the neighborhood.
  - *Whether the establishment of the conditional use will impede the normal and orderly development and improvement of the surrounding property;*
    - The structure is located in a fully developed area.



- *Whether the exterior architectural design or site layout of the proposed conditional use is so dissimilar or otherwise incompatible with existing or proposed development in the immediate neighborhood that it will cause a depreciation in property values;*
  - Not applicable.
- *Whether adequate utilities, access roads, drainage or other necessary facilities will be available to serve the proposed use at the time of its occupancy or use;*
  - The building where the garage space is located already is adequately served by utilities and will not require new infrastructure.
- *Whether adequate measures will be taken to minimize traffic congestion; and*
  - The subject property has adequate space to handle the anticipated demand for parking and should not have a noticeable impact on traffic on Shirland Avenue.
- *Whether the conditional use will comply with all applicable regulations of the Zoning Ordinance.*
  - The conditional use will comply with all other applicable regulations of the Zoning Ordinance.

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**Consistency with Comprehensive Plan and Strategic Plan:**

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

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**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** – The fitness studio will fill a currently unused space and will provide residents in the neighborhood with a convenient, nearby location to take exercise classes.

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**Staff Recommendation:**

The Planning and Building Services Division recommends **approval** of a Conditional Use Permit to allow the operation of a fitness studio, classified as a *Retail Sales/Service – Entertainment Oriented* use, in an R-1B Single-Family Residential District, for the property located at 549 Shirland Avenue, based on the above Findings of Fact, under the following conditions of approval:

1. This Conditional Use Permit authorizes the operation of a fitness studio in the attached garage on the commercial building located at 549 Shirland Avenue.
2. The applicant must obtain an Architectural Review Certificate for any proposed signage.
3. Classes may only be held between the hours of 6:00am and 10:00pm.
4. The fitness studio must adhere to the noise regulations in accordance with Section 15.12 of the Municipal Code (Chapter 15, Public Peace and Good Order)
5. Customers must park in the designated parking lot on the property.
6. If City Staff receives frequent complaints about parking or excessive noise from neighbors or observes any illegal parking or unreasonable loud activity at the property, this Conditional Use Permit shall be null and void and the site shall be restored to its prior condition. This restoration order shall only be issued after the Plan Commission has reviewed the complaints and the applicant has been afforded the opportunity to explain and/or cure the circumstances giving rise the parking or noise issues.
7. A Building Official must perform an inspection to ensure the space is adequately lit and ventilated before the use is established.
8. Any major changes in the adopted conditions or use of the property shall be approved by the Plan Commission and City Council by amending this Conditional Use Permit. The Planning and Building Services Director may approve minor changes administratively.

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**Fiscal Note/Budget Impact:**

N/A

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**Attachments:**

Location & Zoning Map, CUP Application, Site Photos, Public Notice, and Mailing List



# CITY of BELOIT

## Planning and Building Services Division

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

### Conditional Use Permit Application

(Please Type or Print)

File Number: \_\_\_\_\_

1. Address of subject property: 549 Shirland Avenue, Beloit, WI 53511

2. Legal description: see attached

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

Property dimensions are: 182 feet by 132 feet = 28,006 square feet.

If more than two acres, give area in acres: \_\_\_\_\_ acres.

3. Tax Parcel Number(s): 1355-0275, 1355-0440, 1355-0275

4. Owner of record: Anabel Salgado Phone: (608) 362-3553

103 8th St., Beloit, WI 53511

(Address)

(City)

(State)

(Zip)

5. Applicant's Name: Anabel Salgado

103 8th St., Beloit, WI 53511

(Address)

(City)

(State)

(Zip)

(608) 362-3553 / \_\_\_\_\_ / \_\_\_\_\_

(Office Phone #)

(Cell Phone #)

(E-mail Address)

6. All existing use(s) on this property are: Residential and clothing store

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

A Conditional Use Permit for: 549 Shirland Avenue

\_\_\_\_\_ in a(n) K-1B Zoning District.

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

Principal use: clothing store (already permitted)

Secondary use: Zumba exercise classes one hour per day with maximum  
10 people, located in garage attached to the clothing store building

Accessory use: \_\_\_\_\_ AM

9. Project timetable: Start date: \_\_\_\_\_ Completion date: \_\_\_\_\_

10. I/We represent that I/we have a vested interest in this property in the following manner:

(X) Owner

( ) Leasehold, length of lease: \_\_\_\_\_

(X) Contractual, nature of contract: Land Contract

( ) Other, explain: \_\_\_\_\_

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

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

Anabel Salgado / Anabel Salgado / 2/25/16  
(Signature of Owner) (Print name) (Date)

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

In order for your request to be heard and considered in a timely manner, you must submit the completed application, and all accompanying documents, to the Planning and Building Services Division for acceptance by the filing deadline date prior to a scheduled Plan Commission meeting.

This application must be submitted with one copy of a scaled drawing showing the layout of the proposed development in accordance with all code requirements, and the \$275.00 application fee. Applicants will also be charged a fee for mailing public notices at the rate of \$0.50 per notice. An invoice for this fee will be sent to the applicant and these costs are typically between \$5.00 and \$15.00.

To be completed by Planning Staff

Filing fee: \$275.00 Amount paid: 275 Meeting date: March 23 (PL), April 7 (C)

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

Application accepted by: AKM Date: 2/26/16

**Site Photos – 549 Shirland Ave – Garage on north side of building**



**Site Photos – 549 Shirland Ave – Attached garage space**



March 21, 2016

## **NOTICE TO THE PUBLIC**

To Whom It May Concern:

Anabel Salgado has filed an application for a Conditional Use Permit to allow the holding of dance classes in an R-1B, Single-Family Residential District, for the property located at:

**549 Shirland Avenue.**

A Conditional Use Permit is required for the change of a legal non-conforming use on a property. A clothing store, an existing legal non-conforming use, currently operates on the property. Holding dance classes in a space adjacent to the clothing store but on the same property would change the non-conforming use of property. Therefore, the applicant is required to obtain a Conditional Use Permit in order to hold dance classes on the property. The following public hearings will be held regarding this proposed Conditional Use Permit:

**City Plan Commission:** Wednesday, April 6, 2016 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, April 18, 2016 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 Alex Morganroth in the Planning Division at (608) 364-6708 or [morganrotha@beloitwi.gov](mailto:morganrotha@beloitwi.gov). Comments will be accepted via telephone, email, and U.S. Mail.*

MARIO & MERCEDES  
VIRAMONTES  
133 EIGHTH ST  
BELOIT, WI 53511

JOAN RICE  
923 WILLIAM ST  
BELOIT, WI 53511

EDWARD & BEVERLY  
MULLIGAN  
4344 E WOOD TRL  
BELOIT, WI 53511

PHAY SHU  
2121 MILTON AVE STE 140  
JANESVILLE, WI 53545

MARK & CECILIA JOY  
127 EIGHTH ST  
BELOIT, WI 53511

BETTY JANE KLIINE  
4619 NW 40TH TERR  
GAINESVILLE, FL 32606

JUAN & MARIA D COLON  
COLON-ACATITLAN  
414 MIDDLE ST  
BELOIT, WI 53511

WENDY SVEOM  
106 EIGHTH ST  
BELOIT, WI 53511

FPS RENTAL INC  
P O BOX 41  
BELOIT, WI 53512

JAMES A & JANET C WRIGHT  
550 KENWOOD AVE  
BELOIT, WI 53511

JAMES HAGY  
7236 E FOXHOLLOW RD  
CLINTON, WI 53525

ALLAN & KATHRYN BARTZ  
2150 THOMAS RD  
BELOIT, WI 53511

RICHARD HULBERT  
10251 W CTY K  
BELOIT, WI 53511

DAVID N & JENNIFER L BAACK  
W1703 ST PETERS RD  
EAST TROY, WI 53120

DAVID TYRER  
3550 S AFTON RD  
BELOIT, WI 53511

ROGELIO & ELSA MORENO  
1819 MCKINLEY AVE  
BELOIT, WI 53511

JUANITA ROBBINS  
1767 WISCONSIN AVE  
BELOIT, WI 53511



# CITY OF BELOIT

## REPORT TO THE BELOIT CITY PLAN COMMISSION

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**Meeting Date:** April 6, 2016

**Agenda Item:** 6

**File Number:** PUD-2016-02

**Applicant:** Tractor Supply Company

**Owner:** Morgan Square LLC

**Location:** 1810 Sutler Avenue

**Existing Zoning:** PUD

**Existing Land Use:** Commercial

**Parcel Size:** 9.58 Acres

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

Tractor Supply Company has submitted an amended Planned Unit Development (PUD) - Master Land Use Plan to allow outdoor display areas within the Morgan Square shopping center located at 1810 Sutler Avenue. A copy of the amended PUD - Master Land Use Plan is attached to this report. The PUD District is a special-purpose zoning district that permits greater flexibility in land planning and site design than conventional zoning districts and provides flexibility in land uses.

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### **Key Issues:**

- The Staples store at the southern end of Morgan Square closed in March 2016. The owner of Morgan Square has entered into a preliminary agreement with Tractor Supply Company, who hopes to lease the former Staples space. As shown on the attached PUD plan, Tractor Supply Company has proposed a 1,944 square-foot trailer & equipment display area and a fenced 14,823 square-foot outdoor display area over what is currently passenger vehicle parking stalls.
- The proposed retail store and sidewalk display of outdoor items are permitted uses in the existing PUD. However, the proposed outdoor display areas constitute a major change in use that requires approval of an amended PUD – Master Land Use Plan, as outlined by condition #5 of the attached 2002 Resolution approving this PUD.
- **Proposed Trailer & Equipment Display Area:** As shown in the attached photos, the proposed 1,944 square-foot trailer & equipment display area will be used to display utility trailers and agricultural equipment (e.g. plows, mowers, spreaders, cultivators, etc.) available for purchase, and will be located to the SE of the store. This area was originally proposed along Milwaukee Road, but the applicant agreed to Planning staff's request to relocate the trailer & equipment display area closer to the store entrance. Planning staff is recommending a condition of approval to formalize this compromise.
- **Proposed Fenced Outdoor Display area:** As shown in the attached photos, the proposed 14,823 square-foot fenced outdoor display area will be used to display fence materials, pet & livestock equipment, and miscellaneous/seasonal items, and will be located to the south of the store. The applicant has agreed to Planning staff's request to construct a decorative fence consisting of wrought-iron or similar fencing between brick columns that match the Morgan Square design theme. The applicant also agreed to install perforated metal panels along the south (street) side and west (Morgan School) side of the fence in order to screen the outdoor display area. A photo of the agreed upon fence design is attached. Planning staff is recommending a condition of approval to formalize this compromise.
- **Off-Street Parking Requirements:** According to Section 8-103 of the Zoning Ordinance, retail uses must include at least 1 off-street parking stall per 250 square feet of floor area. Although the proposed PUD would eliminate some existing off-street parking stalls, the proposed PUD includes 97 off-street parking stalls to serve this vacant 24,000 square-foot building, which would satisfy this requirement.
- **Pedestrian Access/Sidewalk Considerations:** Planning staff is recommending a condition of approval that will require the preservation of the existing private sidewalk connections on the Morgan Square property.
- **Review Agents' Comments:**
  - Charter Communications reviewed the applicant's proposal and requested that the applicant avoid all existing Charter infrastructure when constructing the fence.
  - The Fire Department reviewed the applicant's proposal and expressed concern about impaired access to the Fire Department Connection (FDC) at the rear of the store due to air conditioning units & electrical boxes. The Fire Department requested that the FDC be extended to a nearby location free of obstructions.
  - The City Engineer reviewed the applicant's proposal and expressed concern about existing cut-through traffic mixing with the potential increase in truck & trailer traffic associated with the applicant's deliveries and customers. In order to promote traffic safety, the City Engineer requested the closure of one driveway opening (shown in red) and the installation of new stop bars (shown in red), as outlined on the Traffic Control Recommendations attachment.
- The attached Public Notice was sent to property owners within 150 feet of Morgan Square. Planning staff has not received any comments or concerns as of this writing.

- Section 5-305 of the Zoning Ordinance requires the City Council to establish development standards during the PUD process. Development standards are addressed in the Staff Recommendation section of this report.
- Section 2-402(g) of the Zoning Ordinance allows for the approval of a PUD - Master Land Use Plan if the following five criteria can be met:
  - **The plan represents an improvement over what could have been accomplished through strict application of otherwise applicable standards, based on the purpose and intent of the Zoning Ordinance.** Planning staff is recommending several conditions of approval that will protect the character, appearance, and function of this urban shopping center following the introduction of agricultural equipment, vehicles, and other items that have the potential to create a cluttered & chaotic retail site.
  - **The PUD - Master Land Use Plan complies with the standards of Section 5-300.** The PUD - Master Land Use Plan complies with the standards of Section 5-300.
  - **Service providers will be able to provide necessary public services, facilities, and programs to serve the development proposed.** Planning staff has drafted several conditions of approval that will address the review agents' concerns related to the proposed outdoor display areas and their impact upon fire protection and traffic safety, specifically the relocation of the FDC and new traffic control measures.
  - **The development is consistent with and implements the planning goals and objectives contained in the Comprehensive Plan and other adopted policies and documents.** See section below.
  - **The PUD - Master Land Use Plan is consistent with sound planning practice and the development will promote the general welfare of the community.** The subject property is located on the main arterial into Beloit, within a commercial district that has experienced tremendous public & private investment during the past five years. So long as the applicant and/or owner comply with the recommended conditions of approval below, the applicant's proposed outdoor display areas will be compatible with surrounding land uses and are preferable to a vacant retail building.

**Consistency with Comprehensive Plan and Strategic Plan:**

The Comprehensive Plan recommends Community Commercial uses for the Morgan Square site, and the requested PUD Amendment is consistent with this recommendation. Consideration of this request supports Strategic Goal #5.

**Sustainability:**

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

**Staff Recommendation:**

The Planning & Building Services Division recommends approval of the amended PUD - Master Land Use Plan to allow outdoor display areas within the Morgan Square shopping center located at 1810 Sutler Avenue, based on its consistency with the Zoning Ordinance and subject to the following conditions:

1. This approval authorizes the 1,944 square-foot trailer & equipment display area and fenced 14,823 square-foot outdoor display area as shown on the application, provided the outdoor display area is surrounded by a wrought iron (or similar) fence with screening at least six feet in height with brick columns that match the existing bricks in the Morgan Square development. An Architectural Review Certificate and Fence Permit are required.
2. Trailers & equipment may only be stored in the approved display area, which must be concrete with curb & gutter.
3. All existing private sidewalks shall be preserved, and a clear path of travel must be maintained at all times. The sidewalk displays may not interfere with a clear 4-foot pedestrian pathway to/from the store entrance.
4. No outdoor display of any kind is allowed in the parking lot, or in any unauthorized outdoor display area.
5. Prior to occupancy, the applicant and/or owner shall relocate the FDC to a location approved by the Fire Chief.
6. Prior to occupancy, the applicant and/or owner shall install the traffic control measures required by Engineering.
7. All other approved uses and conditions associated with the original PUD approval remain in full force and effect.
8. Any major changes in the adopted conditions or use of the property shall be approved by the Plan Commission and City Council by amending this PUD – Master Land Use Plan. The Director of Planning & Building Services may approve minor changes administratively and allow accessory structures and uses that comply with and meet all of the standards and requirements of the City of Beloit Municipal Code.

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

**Attachments:** Location & Zoning Map, Photo of Fence Type, Photos of Site, Photos of Display Area Examples, Proposed PUD – Master Land Use Plan, Traffic Control Recommendations, Application, 2002 PUD Resolution, and Public Notice.

# Location & Zoning Map

Morgan Square, 1810 Sutler Avenue

PUD-2016-02



1 inch = 218 feet

0 3060 120 180 Feet

## Legend

- City Limits
- Zoning District

Map prepared by: Drew Pennington, AICP

Date: March 2016

For: City of Beloit Planning & Building Services

Date of Aerial Photography: March 2011

# PLANNING & BUILDING SERVICES DIVISION

## Proposed Fence Type – Outdoor Display Area



## Photos of Former Staples Parking Lot



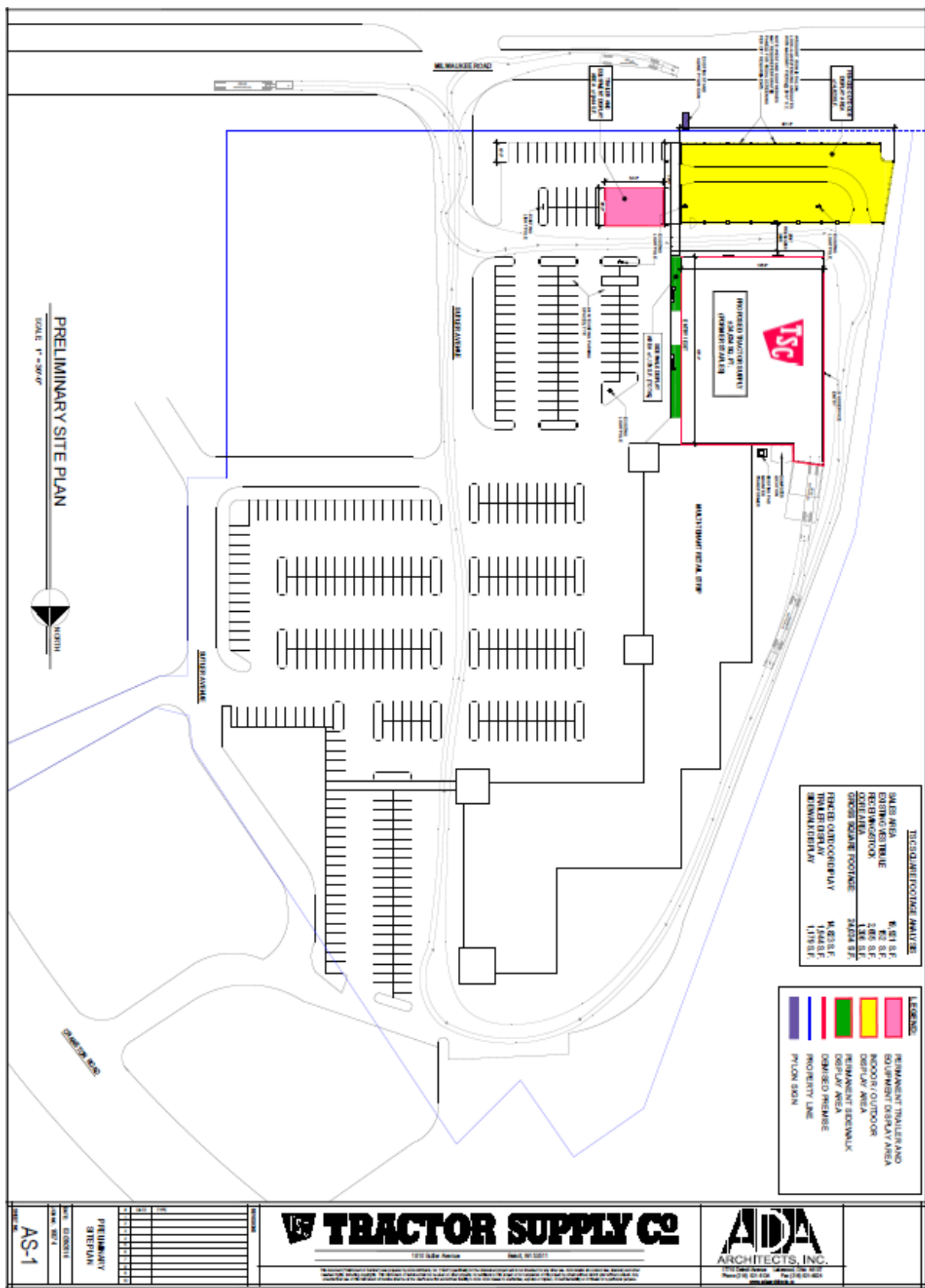
## Photos – Examples of Trailer/Equipment Display Area



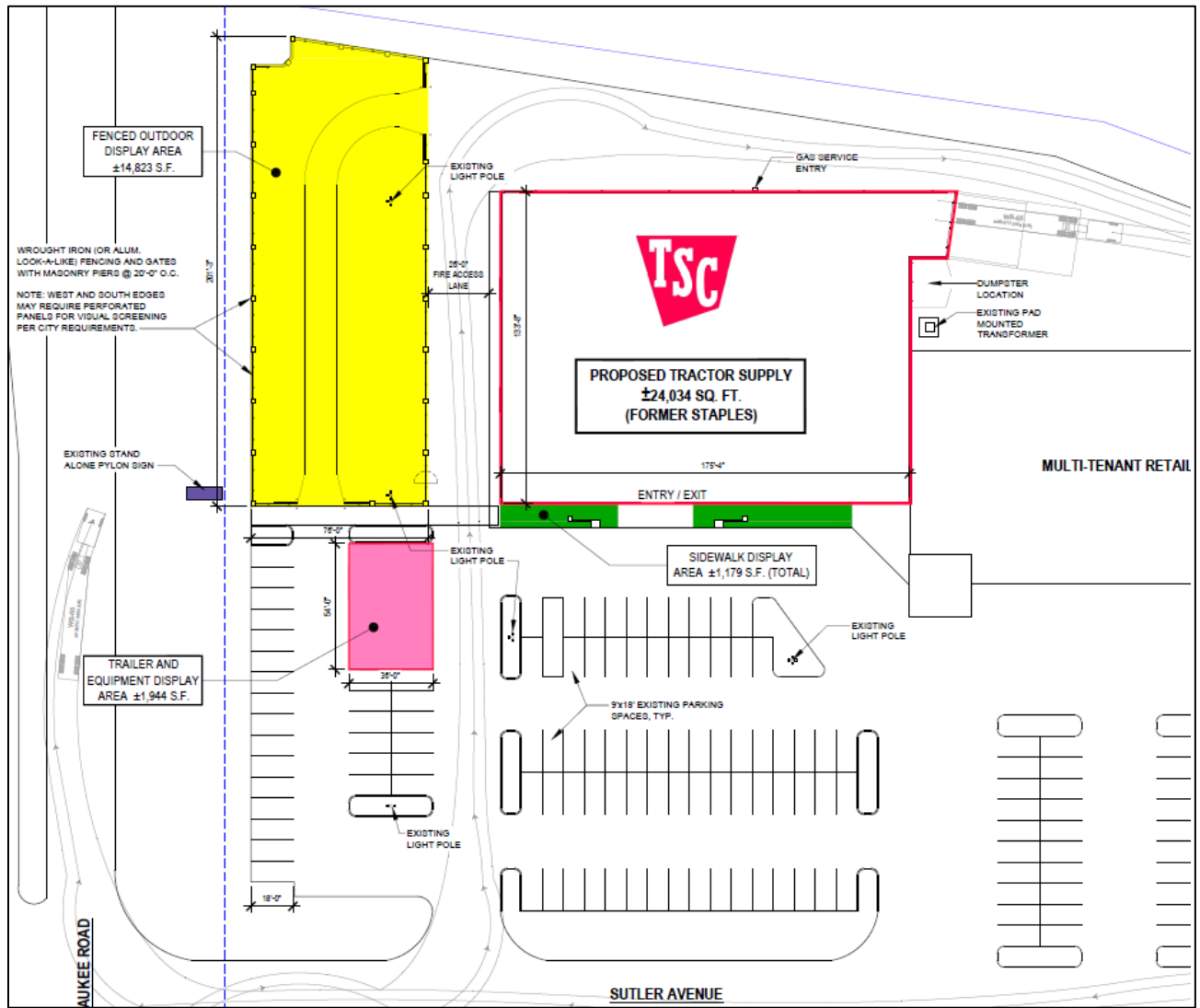
**Photos – Examples of Fenced Outdoor Display Area**



**2016 Proposed Amended PUD Plan**







# Traffic Control Recommendations From City Engineer



# CITY of BELOIT

## Planning & Building Services Division

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

### PUD - Master Land Use Plan Application

(Please Type or Print)

File Number: PUD-2016-02

1. Address of subject property: 1810 Sutliver Ave., Beloit, WI 53511
2. Legal description: Attached legal description  
If necessary attach a copy of the complete legal description.
3. Area of parcel in square feet or acres: 417,305 sf / 9.58 acres
4. Tax Parcel Number(s): Parcel: 22980340 Tax ID #: 206 22980340
5. Owner of record: Morgan Square LLC Phone: 608-531-0097  
400 Midland Ct., Ste. 101 Beloit WI 53511  
(Address) (City) (State) (Zip)
6. Applicant's Name: Tractor Supply Company  
5401 Virginia Way Brentwood TN 37027  
(Address) (City) (State) (Zip)  
615-440-4675 / 615-319-4655 / mgillman@tractorsupply.com  
(Office Phone #) (Cell Phone #) (E-mail Address)
7. All existing use(s) on this property are: Morgan Square Retail Development
8. The applicant requests review and approval of a PLANNED UNIT DEVELOPMENT /  
Master Land Use Plan: in a(n) PUD Zoning District.
9. A Preapplication Conference was held on: 2/29/2016.
10. All the proposed use(s) for this property will be:  
Principal use(s): Tractor Supply Company (retail store)  
Secondary use(s): fenced outdoor and permanent trailer & equipment display areas
11. State how the proposed development differs from the type of development that would  
be permitted under the existing zoning regulations. Tractor Supply Company is a  
large retail chain of stores that offers products for home improvement, agriculture,  
lawn and garden maintenance (requires fenced outdoor and permanent trailer &  
equipment display areas), and livestock, equine and pet care.
12. Describe how the proposed development provides greater benefits to the City of Beloit  
than an otherwise permitted development. Tractor Supply Company would be unique  
in the above offerings, particularly the agriculture, lawn and garden maintenance,  
and livestock and equine care.

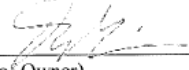
**13. Project timetable:** Start date: 4/6/2016 Completion date: 4/18/2016

**14. I/We** represent that I/we have a vested interest in this property in the following manner:

- ( ) Owner
- ( ) Leasehold, length of lease: \_\_\_\_\_
- (x) Contractual, nature of contract: \_\_\_\_\_
- ( ) Other, explain: \_\_\_\_\_

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

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

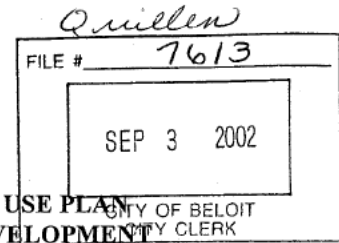
 / Terry McGuire, Partner / 3/3/16  
 (Signature of Owner) (Print name) (Date)

Mark Gillman / Mark Gillman, Director of R.E. / 3/3/16  
 (Signature of Applicant, if different) (Print name) (Date)

In order for your request to be heard and considered in a timely manner, you must submit the completed application and all accompanying documents to the Planning & Building Services Division for acceptance by the filing deadline date prior to a scheduled Plan Commission meeting.

This application must be submitted with one copy of a scaled drawing showing the layout of the proposed development in accordance with all code requirements, and the \$200.00 application fee. Applicants will also be charged a fee for mailing public notices at the rate of \$0.50 per notice. An invoice for this fee will be sent to the applicant and these costs are typically between \$5.00 and \$15.00.

To be completed by Planning Staff		
Filing fee: <b>\$200.00</b>	Amount paid: <u>\$200.<sup>00</sup></u>	Meeting date: <u>April 6, 2016</u>
No. of notices: _____	x mailing cost (\$0.50) = cost of mailing notices: \$ _____	
Application accepted by: <u>Drew Pennington</u>	Date: <u>3/7/16</u>	



**RESOLUTION AUTHORIZING A PUD - MASTER LAND USE PLAN  
TO ALLOW REVISIONS TO THE MORGAN SQUARE DEVELOPMENT  
ON PROPERTY LOCATED IN THE 1800-2000 BLOCK OF SUTLER AVENUE  
AND 2676 CRANSTON ROAD**

**WHEREAS**, the application of Terry McGuire for Morgan Square LLC for approval of a PUD – Master Land Use Plan for a 106,000 square foot commercial retail and office development , additional signage and an annual outdoor tent sale for Rogan’s Shoes on property located in the 1800-2000 block of Sutler Avenue and 2676 Cranston Road, having been considered by the City Council of the City of Beloit, Wisconsin at a public hearing held for that purpose and due notice of said hearing having been given by publication as appears by the Proof of Publication on file in the office of the City Clerk.

**NOW THEREFORE IT IS HEREBY RESOLVED** that the City Council of the City of Beloit, Rock County, Wisconsin does hereby approve the proposed PUD - Master Land Use Plan to allow a 106,000 square foot commercial retail and office development , additional signage and an annual outdoor tent sale for Rogan’s Shoes on property located in the 1800-2000 block of Sutler Avenue and 2676 Cranston Road in the City of Beloit, for the following described premises:

Lots 2 and 3 of Certified Survey Map number 1344924 recorded in Volume 20, pages 315-319 of Certified Survey Maps of Rock County, Wisconsin, being part of the Southwest ¼ of the Southwest ¼ of Section 20 and part of the Northwest ¼ of the Northwest ¼ of Section 29, Township 1 North, Range 13 East of the 4th P.M., City of Beloit, Rock County, Wisconsin.

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

1. The Morgan Square development may contain up to 106,000 square feet of commercial, retail and office space as shown on the development plan submitted with this application.
2. Only Rogan's Shoes may have an annual outdoor tent sale, with a tent not to exceed 2,400 square feet, for no more than 75 days. Rogan’s Shoes shall inform the City Planning Division of the exact dates of the outdoor tent sale each year. Perimeter roping shall be provided around the entire tent, four feet from the outside of the tent, for pedestrian safety. The area around the tent shall be kept free of trash and debris.
3. A second sign is permitted for Morgan Square at the northwest corner of the property located at 2676 Cranston Road.
4. The Staples office supply store freestanding business identification sign can be raised from 20 to 30 feet.
5. Any changes to this Conditional Use Permit shall be approved by the Plan Commission and City Council, except that the Director of Neighborhood Planning may approve minor changes administratively and allow accessory structures and uses permitted by the Zoning Ordinance.

Adopted this 3rd day of September, 2002.

*William B. Watson*

William B. Watson, Council President

ATTEST:

*Carol S. Alexander*  
Carol S. Alexander, CMC, City Clerk

PUD-02-02, Morgan Square (Sutler Avenue)



## NOTICE TO THE PUBLIC

March 23, 2016

To Whom It May Concern:

Tractor Supply Company has submitted an application for review and consideration of an amended Planned Unit Development (PUD) - Master Land Use Plan to allow outdoor display areas within the Morgan Square shopping center located at:

**1810 Sutler Avenue.**

The owner of Morgan Square has entered into a preliminary agreement with Tractor Supply Company, who hopes to lease the former Staples store at the southern end of Morgan Square. As shown on the attached preliminary plan, Tractor Supply Company has proposed a 2,600 square-foot trailer & equipment display area and a fenced 14,800 square-foot outdoor display area over what is currently passenger vehicle parking stalls. The proposed outdoor display areas constitute a major change in use that requires approval of an amended PUD – Master Land Use Plan.

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

**City Plan Commission:** Wednesday, April 6, 2016, 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, April 18, 2016, at 7:00 PM, or as soon thereafter as the matter can be heard in The Forum, Beloit City Hall, 100 State Street.

### **THE PUBLIC IS INVITED TO ATTEND THESE HEARINGS.**

#### **We are interested in your opinion.**

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

*For additional information, please contact Drew Pennington, AICP in the Planning & Building Services Division at (608) 364-6711 or [penningtond@beloitwi.gov](mailto:penningtond@beloitwi.gov). Comments will be accepted via telephone, email, and U.S. Mail.*

# CITY OF BELOIT

## REPORT TO THE BELOIT CITY PLAN COMMISSION



**Meeting Date:** April 6, 2016

**Agenda Item:** 7

**File Number:** RPB-2016-02

**Applicant:** Engineering Division

**Owners:** Menards & Walmart

**Location:** Branigan Road

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### Request Overview/Background Information:

The Engineering Division has requested the review and approval of Relocation Orders to acquire Right-of-Way (ROW) and a Temporary Limited Easement (TLE) over a portion of the Menards property at 2851 Milwaukee Road and a TLE over a portion of the Walmart property at 2785 Milwaukee Road in order to realign the Branigan Road intersection with the private driveways serving the subject properties. A Relocation Order is one of the first steps in the Eminent Domain process.

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### Key Issues:

- Currently, the Branigan Road ROW ends where the McDonalds, Menards, and Walmart driveways intersect in an awkward 5-point intersection. The proposed Relocation Order would extend the Branigan Road ROW by 60 feet in order to realign this problematic intersection as shown on the attached plat maps.
- The first proposed Relocation Order involves the acquisition of 4,200 square feet of Menards' property to be used as public ROW to extend Branigan Road.
- The second proposed Relocation Order involves the acquisition of an easement (TLE) over 5,014 square feet of Menards' property to allow the alteration/realignment of the privately owned driveway and the acquisition of a TLE over approximately 1 acre of Walmart's property to allow the alteration/realignment of the privately owned driveway. As shown on the attachments, the proposed alteration of the Walmart driveway is more significant and involves changes to pavement, curb & gutter, landscape islands, and pavement marking.
- All affected properties will retain full access at the conclusion of this project, and public safety & traffic flow will be greatly improved.

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### Consistency with Strategic Plan:

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

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### 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

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### Staff Recommendation:

The Planning & Building Services Division recommends **approval** of the attached Relocation Orders to acquire Right-of-Way and a Temporary Limited Easement over a portion of the Menards property at 2851 Milwaukee Road and a Temporary Limited Easement over a portion of the Walmart property at 2785 Milwaukee Road.

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**Fiscal Note/Budget Impact:** This \$325,000 project is located in TIF 13 will be funded by the 2016 CIP.

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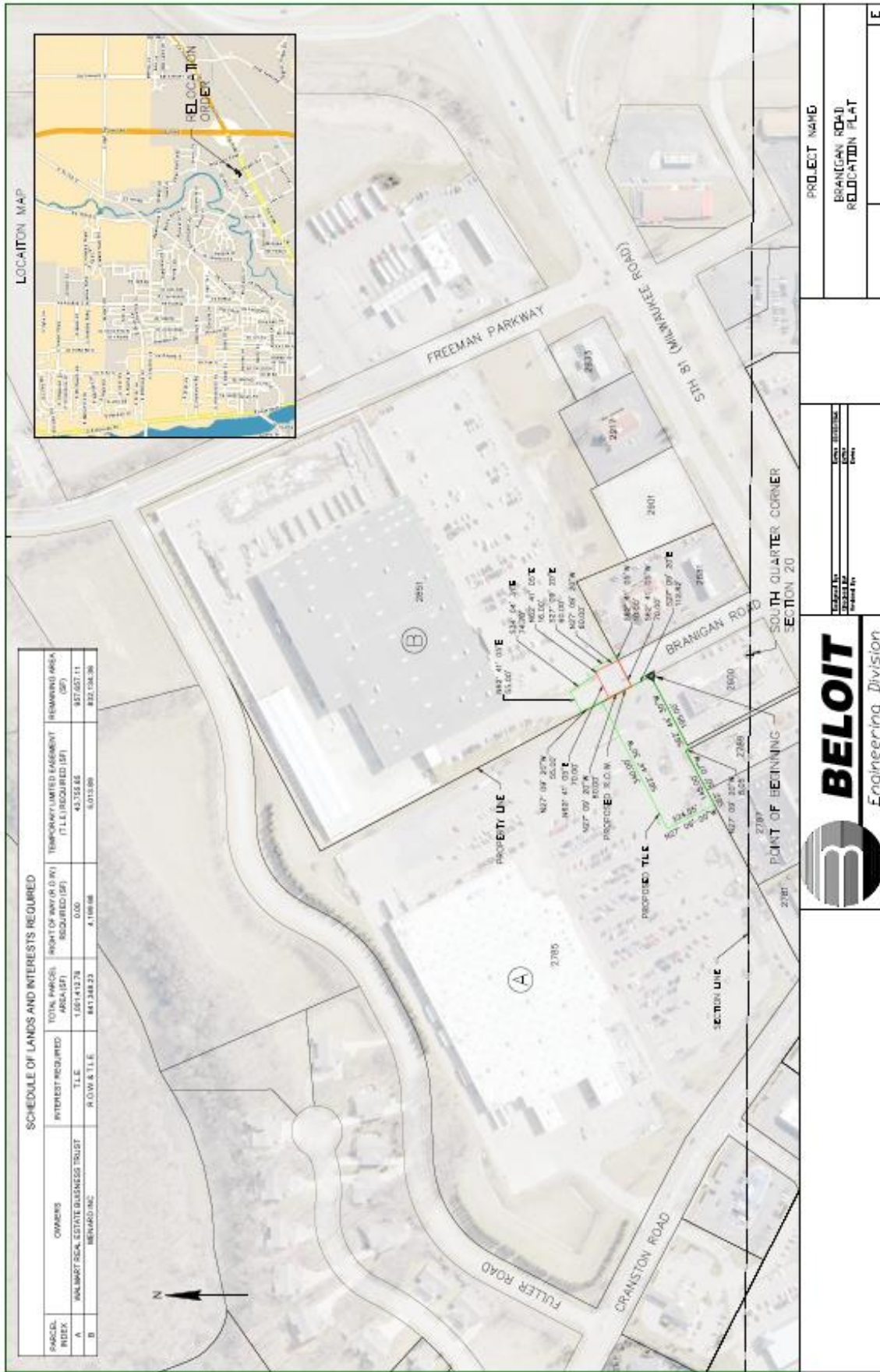
**Attachments:** Relocation Plat Maps (ROW in red, TLE in green) and Proposed Relocation Orders



**BRANIGAN ROAD REALIGNMENT**  
 PROJECT NO. 15-001  
 SHEET NO. 1 OF 1

	PROJECT NAME <b>BRANIGAN REALIGNMENT</b>
	RELOCATION ORDER OVERVIEW RIGHT OF WAY
	ID: C-6-01    SHEET: 1
<b>BELOIT</b> ENGINEERING DIVISION	<b>E</b>





**SCHEDULE OF LANDS AND INTERESTS REQUIRED**

PARCEL INDEX	OWNER	TOTAL PARCEL AREA (SF)	RIGHT OF WAY (R.O.W.) REQUIRED (SF)	TEMPORARY LIMITED EASEMENT (TLE) REQUIRED (SF)	REMAINING AREA (SF)
A	WALMART REAL ESTATE BUSINESS TRUST	1,051,412.78	0.00	43,758.65	1,007,654.13
B	BEWARD INC.	843,388.23	4,189.66	6,013.89	833,184.68



DESIGNED BY	DATE
CHECKED BY	DATE
APPROVED BY	DATE

PROJECT NAME	BRANIGAN ROAD RELOCATION PLAN
SECTION	E

**RELOCATION ORDER**

LPA1708 (revised) 4/2010 (Replaces LPA 3006)

Project C16-01	Name of Road BRANIGAN ROAD	Utility Right of Way	County ROCK
Right of Way Plat Date 03/04/2016	Plat Sheet Numbers 1	Date of Previously Approved Relocation Order n/a	

Description of Termini of Project:

A tract of land being part of Lot 1 and Lot 2 of Certified Survey Map recorded in Volume 19, Pages 280-285, Document No. 1303363 of Rock County, Wisconsin, also being part of the Southeast Quarter of the Southwest Quarter of Section 20, all in Township 1 North, Range 13 East of the 4<sup>th</sup> Prime Meridian, City of Beloit, Rock County, Wisconsin, to wit:

Commencing at the northeast corner of Lot 1 of Certified Survey Map recorded in Volume 12, Pages 97-98, Document No. 1006618, also being in the west right-of-way line of Branigan Road; thence N27°09'20"W 112.82 ft. to the point of beginning; thence N27°09'20"W 60 ft. to a point; thence N62°41'05"E 70 ft. to a point; thence S27°09'20"E 60 ft. to a point; thence S62°41'05"W 70 ft. to the point of beginning.

To properly establish, lay out, widen, enlarge, extend, construct, reconstruct, improve, or maintain a portion of the utilities designated above, it is necessary to relocate or change and acquire certain lands or interests in lands as shown on the right of way plat for the above project.

To effect this change, pursuant to authority granted under Sections 32.02, Wisconsin Statutes, the CITY OF BELOIT orders that:

1. The said utilities are laid out and established to the lines and widths as shown on the plat.
2. The required lands or interests in lands as shown on the plat shall be acquired by the CITY OF BELOIT.
3. This order supersedes and amends any previous order issued by the CITY OF BELOIT.

\_\_\_\_\_  
(Name/Title)

\_\_\_\_\_  
(Date)

## RELOCATION ORDER

LPA1708 (revised) 4/2010 (Replaces LPA 3006)

Project C16-01	Name of Road BRANIGAN ROAD	Utility Temporary Limited Easement	County ROCK
Right of Way Plat Date 03/04/2016	Plat Sheet Numbers 1	Date of Previously Approved Relocation Order n/a	

Description of Termini of Project:

A tract of land being part of Lot 1 and Lot 2 of Certified Survey Map recorded in Volume 19, Pages 280-285, Document No. 1303363 of Rock County, Wisconsin, also being part of the Southeast Quarter of the Southwest Quarter of Section 20, all in Township 1 North, Range 13 East of the 4<sup>th</sup> Prime Meridian, City of Beloit, Rock County, Wisconsin, to wit:

Commencing at the northeast corner of Lot 1 of Certified Survey Map recorded in Volume 12, Pages 97-98, Document No. 1006618, also being in the west right-of-way line of Branigan Road and the point of beginning; thence leaving said right-of-way line S62°-44'-30"W 195 ft. along the north line of said lot to a point; thence N27°09'20"W 8.06 ft. to the northwest corner of Lot 3 of Certified Survey Map recorded in Volume 19, Pages 280-285; thence S62°30'07"W 145 ft. to a point; thence N27°09'20"W 124.55 ft. to a point; thence N62°44'30" 340 ft. to a point; thence N27°09'20"W 55 ft. to a point; thence N62°41'05"E 55 ft. to a point; thence S34°04'31" 74.70 ft. to a point; thence N62°41'05"E 16 ft. to a point; thence S27°09'20"E 60 ft. to a point; thence S62°41'05"W 10 ft. to the northwest property corner of Lot 2 of Certified Survey Map recorded in Volume 16, Page 78; thence N27°09'20"W 60 ft. to a point; thence S62°41'05"W 70ft. to a point; thence S27°09'20"E 112.82 ft. to the point of beginning.

To properly establish, lay out, widen, enlarge, extend, construct, reconstruct, improve, or maintain a portion of the utilities designated above, it is necessary to relocate or change and acquire certain lands or interests in lands as shown on the right of way plat for the above project.

To effect this change, pursuant to authority granted under Sections 32.02, Wisconsin Statutes, the CITY OF BELOIT orders that:

1. The said utilities are laid out and established to the lines and widths as shown on the plat.
2. The required lands or interests in lands as shown on the plat shall be acquired by the CITY OF BELOIT.
3. This order supersedes and amends any previous order issued by the CITY OF BELOIT.

\_\_\_\_\_  
(Name/Title)

\_\_\_\_\_  
(Date)