



**AGENDA
BELOIT CITY COUNCIL
100 State Street, Beloit WI 53511
City Hall Forum – 7:00 p.m.
Monday, September 19, 2016**

1. CALL TO ORDER AND ROLL CALL
2. PLEDGE OF ALLEGIANCE
3. SPECIAL ORDERS OF THE DAY/ANNOUNCEMENTS
 - a. Proclamation recognizing September 21, 2016 as International Day of Peace (De Forest)
4. PUBLIC HEARINGS
 - a. Resolution authorizing an amended Planned Unit Development (PUD) Master Land Use Plan for the property located at 1750 Gateway Boulevard (Christensen)
Plan Commission recommendation for approval 5-0
5. CITIZEN PARTICIPATION
6. CONSENT AGENDA

All items listed under the Consent Agenda are considered routine and will be enacted by one motion. There will be no separate discussion of these items unless a Council member so requests, in which event the item will be removed from the General Order of Business and considered at this point on the agenda.

 - a. Approval of the Minutes of the Regular meeting of September 6, 2016 (Stottler)
 - b. Resolution approving the granting of an Electric Transmission Line Easement to American Transmission Company (ATC) located at 3015 Cranston Road (Christensen) Plan Commission recommendation for approval 5-0
 - c. Resolution approving WG Condominiums Condominium Plat for the properties located at 2260 and 2265 Walnut Street (Christensen)
Plan Commission recommendation for approval 5-0
 - d. Resolution approving an amendment to the Class “B” Beer and “Class B” Liquor License for Last Lap Inc. for an Outdoor Premise Extension, located at 1028 Mary Street (Stottler)
ABLCC recommendation for approval 7-0
 - e. Resolution approving Change of Agent on the Class “B” Beer and “Class C” Wine License for the Noodle Shop, Co.-Colorado, Inc., d/b/a Noodles & Company, located at 2900 Milwaukee Road from Charles Haug to David Babcock for licensing period ending June 30, 2016 (Stottler)
ABLCC recommendation for approval 7-0
 - f. Resolution approving Purchase and Sales Agreement for a small piece of property near the Ironworks Parking Lot from the City of Beloit to Hendricks Commercial Properties (Christensen) Refer to Plan Commission
 - g. Resolution awarding Public Works Contract C16-20, Concrete Pavement Repairs (Boysen)

7. ORDINANCES

- a. Proposed Ordinance amending the Future Land Use Map of the City of Beloit Comprehensive Plan to change the Future Land Use designation of the property located at 1750 Raven Drive (previously Easternmost 2 Acres of 1601 Gateway Blvd) from Parks & Open Spaces to Single-Family Residential - Urban (Christensen)
Plan Commission recommendation for approval 6-0. Second Reading
- b. Proposed Ordinance amending the City of Beloit Zoning District Map for property located at 1750 Raven Drive (previously Easternmost 2 Acres of 1601 Gateway Blvd) from PLI, Public Lands and Institutions District to R-1A, Single Family Residential District (Christensen)
Plan Commission recommendation for approval 6-0. Second Reading
- c. Proposed Ordinance to retitle Section 1.14 and to Create 1.14(3) of the Code of General Ordinances of the City of Beloit pertaining to a Municipal Board of Absentee Canvassers (Stottler/Krueger) First Reading, suspend rules for Second Reading

8. APPOINTMENTS

The individuals named below have been nominated for a seat on a city board, committee or commission. Each nomination is subject to confirmation by the City Council. Approval of appointments will be accomplished by one motion unless a council member requests to take up a nomination separately, in which event the nomination will be removed from the General Order of Business and considered at this point on the agenda

- a. Equal Opportunities Commission
John Mohorko, Jr, (replacing Grace Lee) to a term ending May 31, 2019
- b. Park, Recreation & Conservation Advisory Commission
Incumbent Jeff Johnson to a term ending September 30, 2019
- c. Traffic Review Committee
Incumbent Carol Fryar to a term ending September 30, 2018
Incumbent Robert C. Norder to a term ending September 30, 2018

9. COUNCILOR ACTIVITIES AND UPCOMING EVENTS

10. CITY MANAGER'S PRESENTATION

- a. Resolution supporting the #justfixitwi Transportation Funding Campaign (Pennington)

11. REPORTS FROM BOARDS AND CITY OFFICERS

- a. Resolution authorizing the City Manager to acquire Tax Delinquent Properties from the Rock County Treasurer (Christensen)
- b. Resolution approving the 2016 Capital Improvement Project, The Blender @ Beloit Public Library, Your Learning Café (Dimassis/Luther)

12. ADJOURNMENT

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

Dated: September 15, 2016
Lorena Rae Stottler
City of Beloit City Clerk
www.beloitwi.gov

You can watch this meeting live on Charter PEG digital channel 992. Meetings are rebroadcast during the week of the Council meeting on Tuesday at 1:00 p.m.; Thursday at 8:30 a.m.; and Friday at 1:00 p.m.

WHEREAS, the first International Day of Peace was observed September 21, 1982; and

WHEREAS, Peace Day is a co-operative movement to unite the strengths of existing organizations and projects toward making Peace a practical reality in the 21st century, marked worldwide by millions of people; and

WHEREAS, the International Day of Peace has been celebrated in Rock County annually since 2011; and

WHEREAS, the International Day of Peace provides an opportunity for our citizens to connect with one another and to combat alienation and mistrust; and

WHEREAS, local groups supporting and sponsoring the Day of Peace include Diversity Action Team of Rock County, Rock Valley Fellowship of Reconciliation, Hedberg Public Library, Rock Valley Veterans for Peace; and

WHEREAS, the International Day of Peace will be observed on September 24, 2016 from 1 pm until 4 pm, at Hedberg Public Library in Janesville, as well as special events on September 21 and 23.

NOW, THEREFORE, THE CITY COUNCIL PRESIDENT OF THE CITY OF BELOIT does hereby proclaim Wednesday, September 21, 2016 as INTERNATIONAL DAY OF PEACE in the City of Beloit and calls upon all Beloit residents to support celebrating a day of global ceasefire and non-violence.

Presented this 19th day of September 2016.

David F. Luebke President
Beloit City Council

ATTEST:

Lorena Rae Stottler, City Clerk

RESOLUTION
AUTHORIZING AN AMENDED PLANNED UNIT DEVELOPMENT (PUD) MASTER
LAND USE PLAN FOR THE PROPERTY LOCATED AT 1750 GATEWAY BLVD

WHEREAS, the application of Hawk's Ridge Apartments, LLC, for approval of an amended Planned Unit Development (PUD) - Master Land Use Plan for the property located at 1750 Gateway Blvd, 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 attached amended PUD - Master Land Use Plan for the property located at 1750 Gateway Blvd in the City of Beloit, for the following described premises:

Lot 1 of CSM Volume 27, Pages 193-195, All Situated in the City Of Beloit,
County Of Rock, State Of Wisconsin (also known as 1750 Gateway Blvd, Parcel
Number 22870500). Said parcel contains 19.08 Acres, more or less.

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

1. Six 32-unit buildings, two 75-unit buildings, and one 58-unit building shall be allowed on the site, as indicated on the amended PUD Master Land Use Plan.
2. Three multifamily apartment buildings with a maximum height of four stories will be built in place of the four remaining two-story 32-unit buildings approved in the 2004 PUD.
3. The three new buildings shall add a total of 208 total units to the existing 192 units.
4. The new density of the PUD Master Land Use Plan area shall not exceed 21 units per acre.
5. The looped access drive shall remain in place for the life of the proposed use.
6. The developer shall pay the Park Impact Fee of \$24,699.20 at the time of application for each building permit.
7. The developer shall pay \$9,905.25 for monies in lieu of parkland dedication.
8. All of the conditions set in the original 2004 PUD, except Condition #1, shall continue to be in effect for the development.
9. Any major changes in the adopted conditions or use of the property shall be approved by the Plan Commission and City Council by amending this PUD – Master Land Use Plan. The Director of Planning & Building Services may approve minor changes administratively and allow accessory structures and uses that comply with and meet all of the standards and requirements of the City of Beloit Municipal Code.

Adopted this ____ day of _____, 2016.

BELOIT CITY COUNCIL

David F. Luebke, Council President

ATTEST:

Lorena Rae Stottler, City Clerk

CITY OF BELOIT

REPORTS AND PRESENTATIONS TO CITY COUNCIL



Topic: Planned Unit Development (PUD) - Master Land Use Plan Amendment for the property located at 1750 Gateway Blvd

Date: September 19, 2016

Presenter(s): Julie Christensen

Department: Community Development

Overview/Background Information:

Hawks Ridge Apartments has submitted an application for an amendment to the PUD, Master Land Use Plan for the property located at 1750 Gateway Blvd.

Key Issues:

- The applicant has proposed the construction of two 4-story multifamily apartment buildings with 75 units each and one 3-story apartment building with 58 units on the existing Hawk's Ridge Apartments site.
 - The applicant has proposed the construction of 245 underground parking stalls and 196 outdoor parking stalls for a total of 441 new parking stalls.
- A two-lot CSM was reviewed and approved by the Plan Commission on August 17, 2016. The approved CSM divided the existing Hawks Ridge Apartments parcel into two separate lots for financing purposes.
 - The three new buildings would be constructed on Lot 2 of the proposed CSM.
- The original PUD plan, approved in 2004, sought to construct ten 32-unit buildings. However, only six of the ten buildings were constructed.
 - The original PUD Master Plan with ten 32-unit buildings allowed for a density of up to 16.8 units per acre.
 - If constructed, the new buildings would create a density of 20.76 units per acre for the entire development.
 - Although the new proposal creates a higher unit density than the original PUD Master Land Use Plan, the development will be less dense than the maximum density allowed prior to being rezoned to PUD. The land, originally in the R-3, Low-Density Multifamily District, would have allowed a maximum density of 25 units per acre – an amount 25% greater than the proposed new density of the development.
- The Parks, Recreation and Conservation Advisory Commission reviewed the applicants request to receive open space improvement credit towards the Park Impact Fees on September 14, 2016 and voted unanimously (6-0) to not accept the request for credit.
- The Parks, Recreation and Conservation Advisory Commission reviewed the applicants request to accept \$9,905.25 in lieu of parkland dedication on September 14, 2016 and voted unanimously (6-0) to accept the monies in lieu of parkland dedication.
- The Plan Commission reviewed this item on September 7, 2016 and voted unanimously (5-0) to recommend approval of this request.

Conformance to Strategic Plan:

- Consideration of this request supports Strategic Goal #5.

Sustainability:

- **Reduce dependence upon fossil fuels** – N/A
- **Reduce dependence on chemicals and other manufacturing substances that accumulate in nature** – N/A
- **Reduce dependence on activities that harm life sustaining eco-systems** – N/A
- **Meet the hierarchy of present and future human needs fairly and efficiently** – The construction of new apartments in Hawk's Ridge will provide additional high-quality housing near the growing employment center of Gateway Business Park.

Action required/Recommendation:

- City Council consideration and action on the proposed Resolution

Fiscal Note/Budget Impact: N/A

Attachments: Resolution and Staff Report to the Plan Commission

CITY OF BELOIT

REPORT TO THE BELOIT CITY PLAN COMMISSION

Meeting Date: August 17, 2016	Agenda Item: 6	File Number: PUD-2016-03
Applicant: Hawk's Ridge Apartments, LLC	Owner: Hawk's Ridge Apartments, LLC	Location: 1750 Gateway Blvd
Existing Zoning: PUD, Planned Unit Development District	Existing Land Use: High-density Multifamily	Parcel Size: 19.27 Acres

Request Overview/Background Information:

Hawks Ridge Apartments has submitted an application for an amendment to the PUD, Master Land Use Plan for the property located at 1750 Gateway Blvd. A copy of the proposed amended PUD - Master Land Use Plan is attached to this report. The PUD District is a special-purpose zoning district that permits greater flexibility in land planning and site design than conventional zoning districts and is intended to provide flexibility in architectural design and land uses.

Key Issues:

- The applicant has proposed the construction of two 4-story multifamily apartment buildings with 75 units each and one 3-story apartment building with 58 units on the site of the existing Hawk's Ridge Apartments.
 - The applicant has proposed the construction of 245 indoor parking stalls and 196 outdoor parking stalls for a total of 441 new parking stalls.
 - At approximately 2 stalls per unit, Staff believes this is an adequate amount of parking for the use.
- A two-lot CSM submitted by the applicant is being considered concurrently with the PUD application and would divide the existing Hawks Ridge Apartments parcel into two separate lots for financing purposes.
 - The three new buildings would be constructed on Lot 2 of the proposed CSM.
- The original PUD plan, approved in 2004, sought to construct ten 32-unit buildings. However, only six of the ten buildings were constructed.
 - The original plan for ten 32-unit buildings had a density of 16.8 units per acre.
 - The proposed new buildings would increase the density of the entire development to 20.76 units per acre.
 - Prior to the development of Hawk's Ridge Apartments in 2004, the parcel was zoned R-3, Low-Density Multifamily Residential
 - The R-3 District allows a maximum density of 25 units per acre – an amount 25% greater than the proposed density of the development.
- A copy of the original PUD - Master Land Use Plan Resolution from 2004 is attached to this report.
- The attached Public Notice was sent to property owners within 150 ft. of the subject property. Planning staff has not received any comments from members of the public.
- The proposed project will be subject to both Site Plan Review and Architectural Review by Planning Staff.
- The Fire Inspector reviewed the proposed PUD – Master Land Use Plan Amendment and expressed concern with the operational access issues to the upper floors, space for ladder placement, and an adequate water supply. The applicant will address the Inspector's concerns in the Site Plan Review submittal, and a building permit will only be issued when all concerns raised by the Inspector have been properly addressed.
- The City Engineer reviewed the proposed PUD – Master Land Use Plan Amendment and noted that the applicant would need to insure that the new pond and grading plan is large enough to handle storm water and Total Suspended Solids removal. The applicant will address the City Engineer's concerns in the Site Plan Review submittal, and a building permit will only be issued when all concerns raised by the City Engineer have been properly addressed.
- Section 2-402(g) of the Zoning Ordinance allows for the approval of a PUD - if the following criteria can be met:
 - **The plan represents an improvement over what could have been accomplished through strict application of otherwise applicable standards, based on the purpose and intent of the Zoning Ordinance.** The proposed PUD – Master Land Use Plan Amendment will allow for the applicant to better meet the growing demand for rental housing in that area by allowing for a higher unit density than the original PUD.
 - **The PUD - Master Land Use Plan complies with the standards of Section 5-300.** The proposal for three new buildings (208 total units) complies with the standards outlined in Section 5-300 of the Zoning Code.
 - **Service providers will be able to provide necessary public services, facilities, and programs to serve the development proposed.** All public utilities and City services will be utilized by this proposed development, including public sanitary sewer and water facilities.

- **The development is consistent with and implements the planning goals and objectives contained in the Comprehensive Plan and other adopted policies and documents.** The proposed PUD Amendment is consistent with the adopted Future Land Use Map, which recommends mixed residential uses.
- **The PUD - Master Land Use Plan is consistent with sound planning practice and the development will promote the general welfare of the community.** The proposed amended PUD – Master Land Use Plan will increase the number of housing opportunities in a growing area of the community. The area around Hawk’s Ridge Apartments has a significant amount of room to grow and will likely continue to see commercial growth and increased job opportunities. In addition, higher density residential uses create a sense of community that many people including families, elderly individuals, and young professionals look for in a neighborhood.

Consistency with Comprehensive Plan and Strategic Plan:

The Comprehensive Plan recommends Mixed Residential uses for the subject property. The PUD Amendment, which would allow for a higher unit density, is consistent with the goals, objectives, and policies contained in the Comprehensive Plan. Consideration of this request supports Strategic Goal #5.

Sustainability:

- **Reduce dependence upon fossil fuels – N/A**
- **Reduce dependence on chemicals and other manufacturing substances that accumulate in nature – N/A**
- **Reduce dependence on activities that harm life sustaining eco-systems – N/A**
- **Meet the hierarchy of present and future human needs fairly and efficiently –** The construction of new apartments in Hawk’s Ridge will provide additional high-quality housing near the growing employment center of Gateway Business Park.

Staff Recommendation:

The Planning & Building Services Division recommends **approval** of the proposed amended PUD – Master Land Use Plan for the property located at 1750 Gateway Blvd, based on its consistency with the Zoning Ordinance and subject to the following conditions:

10. Six 32-unit buildings, two 75-unit buildings, and one 58-unit building shall be allowed on the site, as indicated on the amended PUD Master Land Use Plan.
11. Three multifamily apartment buildings with a maximum height of four stories will be built in place of the four remaining two-story 32-unit buildings approved in the 2004 PUD.
12. The three new buildings shall add a total of 208 total units to the existing 192 units.
13. The new density of the PUD Master Land Use Plan area shall not exceed 21 units per acre.
14. The looped access drive shall remain in place for the life of the proposed use.
15. The Park Impact Fee for the 80 additional units shall be paid at the time of application for the building permits required for the three new buildings.
16. Monies in lieu of parkland dedication for the additional 80 units shall be reviewed by the Parks, Recreation and Conservation Advisory Commission.
17. All of the conditions set in the original 2004 PUD, except Condition #1, shall continue to be in effect for the development.
18. 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.

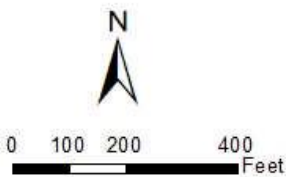
Fiscal Note/Budget Impact: N/A

Attachments: Location and Zoning Map, Application, Site Plan and Rendering, Original PUD Resolution, Public Notice, Mailing List

Location & Zoning Map

1750 Gateway Blvd

CSM-2016-07
PUD-2016-03



Legend	
	1750 Gateway Blvd
	COB Parcels
	Zoning District

Planning and Building Services Division

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

Document Path: \\beloit\public\Information\GIS\MapServer\MapServer\1750_Gateway_Bldg.apr

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

(Amendment)

(Please Type or Print)

File Number: PUD-14-03

1. Address of subject property: 1750 GATEWAY BLVD

2. Legal description: (SEE ATTACHED)

If necessary attach a copy of the complete legal description.

3. Area of parcel in square feet or acres: 19 ACRES

4. Tax Parcel Number(s): PART OF 2282-0010

5. Owner of record: HAWKS RIDGE APARTMENTS, LLC Phone: 262-642-9286

17152 BOWERS RD ELKHORN WI 53121
(Address) (City) (State) (Zip)

6. Applicant's Name: HAWKS RIDGE APARTMENTS, LLC

17152 BOWERS RD ELKHORN WI 53121
(Address) (City) (State) (Zip)

262-642-9286 | 262-903-8906 | tommy@teronomy.com
(Office Phone #) (Cell Phone #) (E-mail Address)

7. All existing use(s) on this property are:

8. The applicant requests review and approval of a PLANNED UNIT DEVELOPMENT / Amendment

Master Land Use Plan: in a(n) PUP Zoning District.

9. A Preapplication Conference was held on: 7/19/16

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

Principal use(s): MULTI-FAMILY RESIDENTIAL

Secondary use(s): RESIDENT & GUEST PARKING

11. State how the proposed development differs from the type of development that would be permitted under the existing zoning regulations.

PLEASE SEE ATTACHED

12. Describe how the proposed development provides greater benefits to the City of Beloit than an otherwise permitted development.

PLEASE SEE ATTACHED

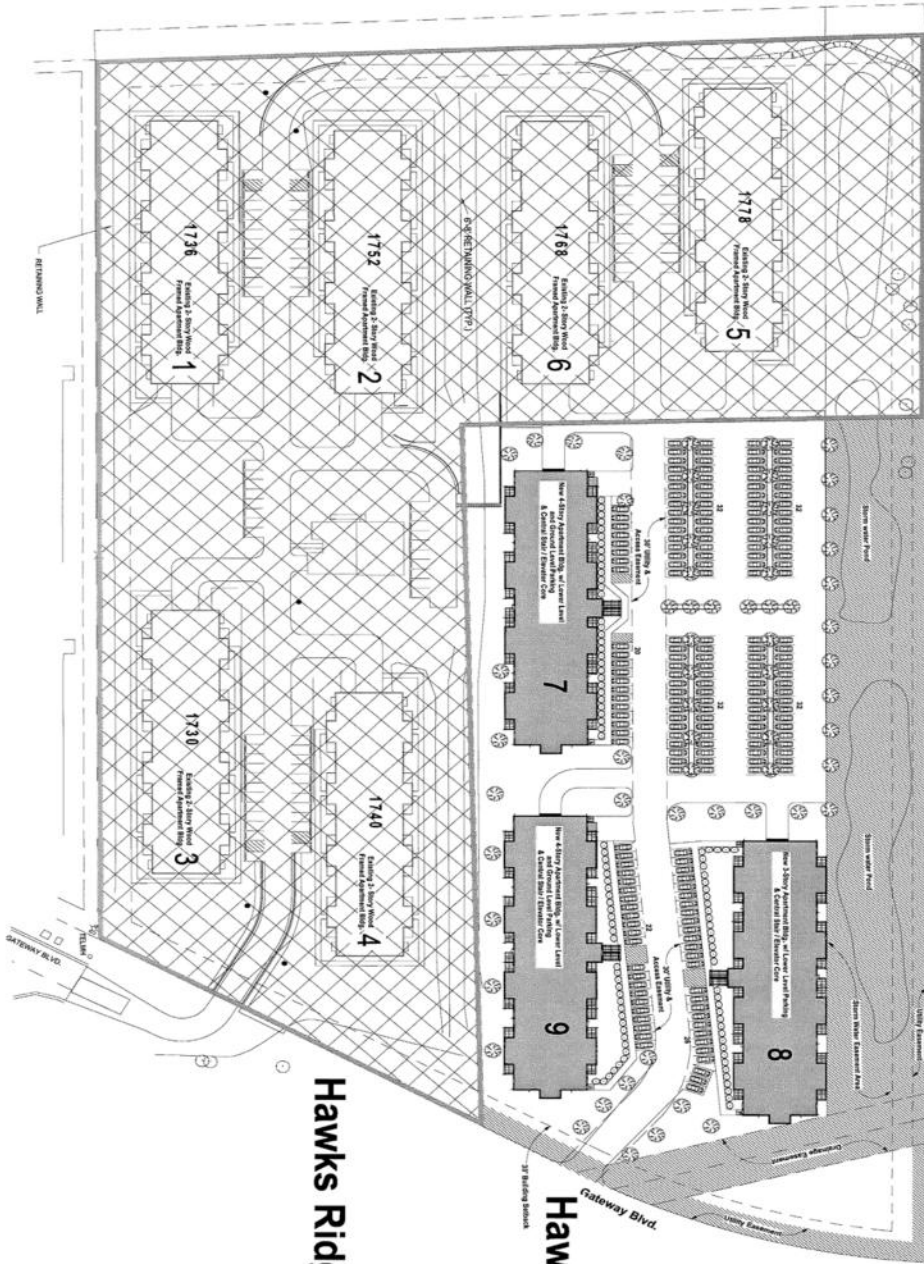
Proposed PUD – Master Land Use Plan Amendment, Phase 1 and Phase 2

Teronomy
DEVELOPERS • BUILDERS • REALTORS

Site Plan
1"=100'

7-17-16

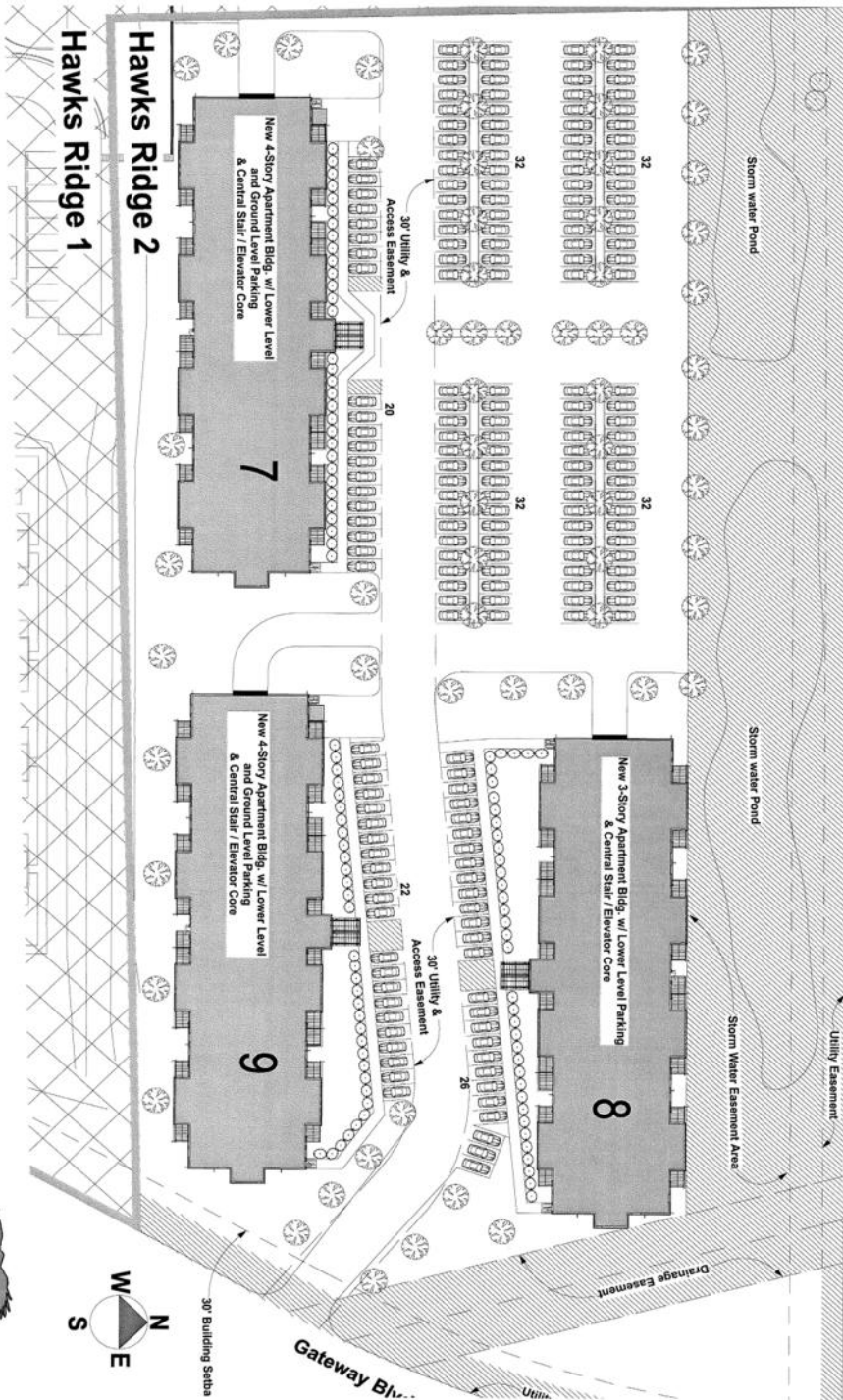
HAWK'S RIDGE
APARTMENTS 2
1750 Gateway Blvd.
Beloit, WI 53511



Hawks Ridge 1

Hawks Ridge 2

Phase 2 Close-Up



Teronomy
DEVELOPERS - BUILDERS - REALTORS

Site Plan
1"=50'

7-17-16

HAWK'S RIDGE
APARTMENTS
1750 Gateway Blvd.
Beloit, WI 53511



Bldg 8 - 58 Apartment Homes

23	1 bed/1 bath	713 sq. ft. - 751 sq. ft.
15	1 bed w/loft/2 bath	980 sq. ft. - 1,136 sq. ft.
11	2 bed/1 bath	1,078 sq. ft. - 1,116 sq. ft.
1	2 bed/2 bath	1,112 sq. ft.
8	3 bed/2 bath	1,246 sq. ft. - 1,270 sq. ft.

Bldg 7 & 9 - 75 Apartment Homes per Building

28	1 bed/1 bath	713 sq. ft. - 751 sq. ft.
15	1 bed w/loft/2 bath	980 sq. ft. - 1,136 sq. ft.
20	2 bed/1 bath	1,078 sq. ft. - 1,116 sq. ft.
12	3 bed/2 bath	1,246 sq. ft. - 1,270 sq. ft.

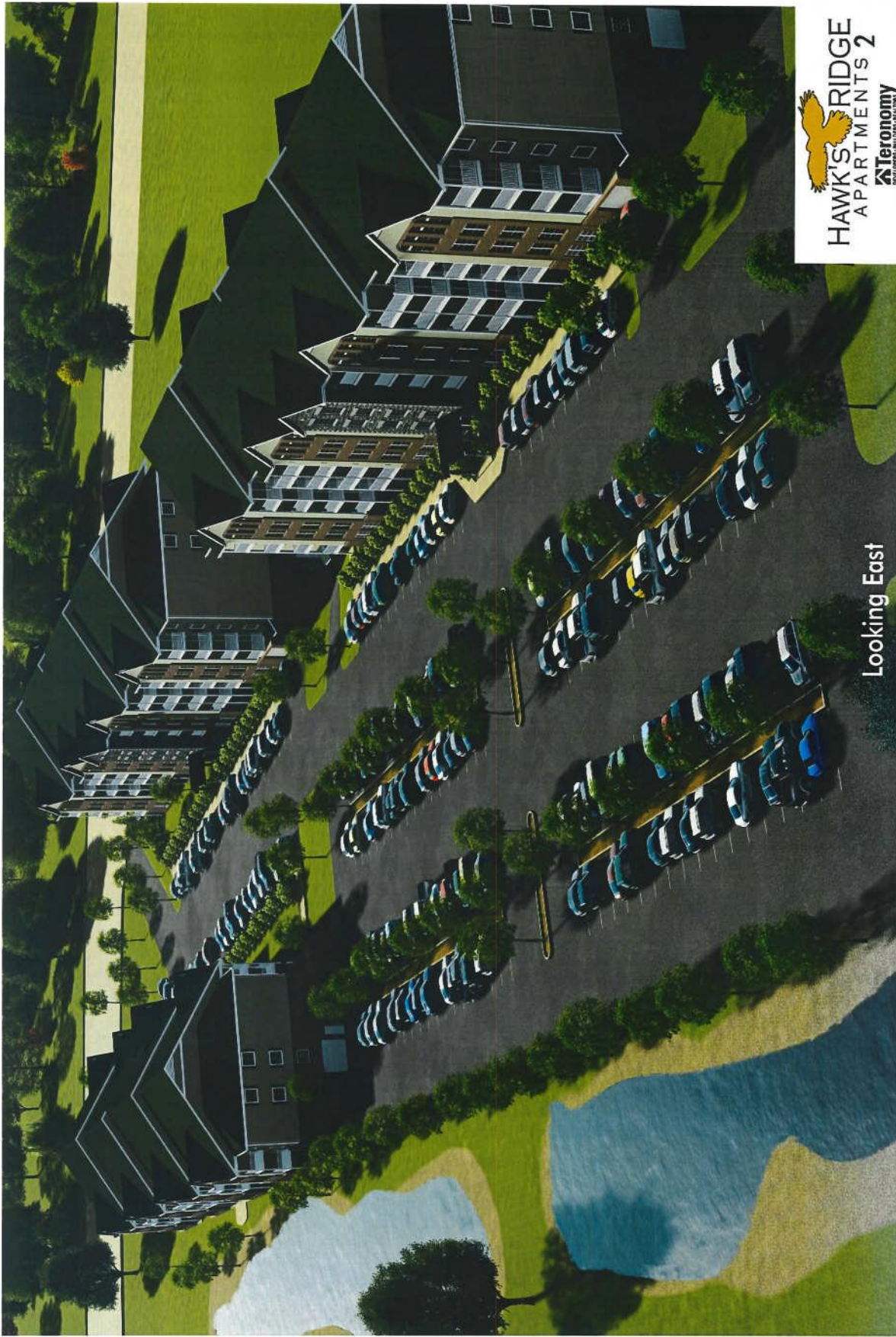
Common & Underground Parking - 441 total stalls

- 128 Common Area Outside Parking
- 20 Bldg 7 Outside Parking
- 26 Bldg 8 Outside Parking
- 22 Bldg 9 Outside Parking

- 97 Bldg 7 Underground Parking (two levels)
- 51 Bldg 8 Underground Parking (one level)
- 97 Bldg 9 Underground Parking (two levels)

Building Amenities

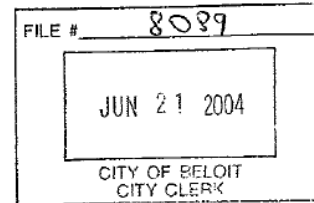
- Fitness Center & Community Room on 1st floor of each building
- 24-hour Onsite Management and Maintenance Service
- Changing from 17 units per acre to 21 units per acre
- 9' high ceilings on each floor, cathedral ceilings on top floor
- Elevator Service in each building plus three common stairwells
- One or two levels of Underground parking garages
- Stone entrance façade and 8' high brick masonry
- Trash and recycling areas with trash chute to underground
- Private Patios and Balconies



Looking East

HAWK'S RIDGE
APARTMENTS 2
Teronomy
AN AFFILIATE OF HUNTER DEVELOPMENT

Original PUD Resolution for 1750 Gateway Blvd (2004)



RESOLUTION AUTHORIZING A PLANNED UNIT DEVELOPMENT (PUD) MASTER LAND USE PLAN ON PROPERTY LOCATED AT 1750 GATEWAY BOULEVARD

WHEREAS, the application of Teronomy Builders, Inc. for approval of a Planned Unit Development (PUD) Master Land Use Plan for a residential development consisting of ten multifamily apartments and a clubhouse on property located at 1750 Gateway Boulevard, having been considered by the City Council of the City of Beloit, Wisconsin at a public hearing held for that purpose and due notice of said hearing having been given by publication as appears by the Proof of Publication on file in the office of the City Clerk.

NOW THEREFORE IT IS HEREBY RESOLVED that the City Council of the City of Beloit, Rock County, Wisconsin does hereby approve the proposed Planned Unit Development (PUD) Master Land Use Plan to allow a development consisting of ten multifamily apartments and a clubhouse on property located at 1750 Gateway Boulevard in the City of Beloit, for the following described premises:

Part of the Southeast ¼ of the Northwest ¼ of Section 28, Township 1 North, Range 13 East of the 4th P.M., City of Beloit, Rock County, Wisconsin, DESCRIBED AS FOLLOWS: Commencing at the East-Quarter corner of Section 28 aforesaid; thence North 88°46'44" West along the East-West centerline of said Section 28 a distance of 3446.20 feet to the Northwesterly right-of-way of Gateway Boulevard; thence North 30°52'47" East along said right-of-way 680.46 feet to the Northeasterly corner of Lot One of Certified Survey Map Document No. 1600107 as recorded in Volume 26, Pages 72 – 74 of Rock County Certified Survey Maps; thence North 88°46'44" West 916.33 feet to the Northwest corner of said Lot One; thence North 0°58'26" West, 738.96 feet; thence South 88°38'55" East 1344.36 feet to the Northwesterly right-of-way of Gateway Boulevard; thence South 30°52'47" West 791.14 feet along said right-of-way to the point of beginning. Containing 19.273 acres, more or less.

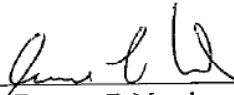
As a condition of granting the Planned Unit Development (PUD) Master Land Use Plan, the City Council does hereby stipulate the following conditions and restrictions upon the development which are hereby deemed necessary for the public interest:

1. Ten, 32-unit multifamily apartment buildings with up to 320 dwelling units, including a clubhouse, swimming pool and fitness center, shall be permitted on subject property if development substantially conforms to the approved Master Land Use Plan submitted with this application and all of the required conditions.
2. This development shall be constructed according to the approved detailed PUD Final Plan submitted to and approved by the City Zoning Officer prior to issuance of any building permits.
3. Roadway access to Gateway Boulevard shall be as indicated on the PUD Final Plan or as otherwise approved by the City Engineer.
4. The PUD Final Plan shall include a looped access drive to provide easy emergency access in and through the site and if this project is constructed in phases then a temporary turn around shall be constructed at the end of any access drive that results in a dead-end.

5. The PUD Final Plan shall include a looped water system with the number and location of fire hydrants provided and installed as approved by the City Zoning Officer.
6. The developer shall include sidewalks in the PUD Final Plan and these sidewalks shall be constructed as per the approved PUD Final Plan as each building is constructed if this development is constructed in two or more phases.
7. The developer shall construct concrete driveway aprons at their access drives and a public concrete sidewalk, five-foot wide, along the entire lot frontage in the Gateway Boulevard right-of-way at the same time as construction of Gateway Boulevard extension is performed.
8. Monies in lieu of parkland dedication shall be paid to the City's Parkland Dedication Fund in the amount of \$46,665.60 (320 x 145.83) prior to issuance of the first building permit for construction on this lot, or as otherwise determined by the Park, Recreation & Conservation Advisory Commission.
9. The Plan Commission and City Council shall approve any major changes in the adopted conditions or use of this property. The Community Development Director may approve minor changes administratively and allow accessory structures and uses that comply with and meet all of these standards.

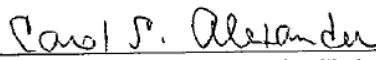
Adopted this 21ST day of June, 2004.

BELOIT CITY COUNCIL



Terrence T. Monahan, President

ATTEST:



Carol S. Alexander, CMC, City Clerk

NOTICE TO THE PUBLIC

August 5, 2016

To Whom It May Concern:

Hawks Ridge Apartments has submitted an application for an amendment of the PUD, Planned Unit Development for the property located at:

1750 Gateway Blvd.

The applicant is proposing the construction three new apartment buildings at the site of the existing Hawk's Ridge Apartments. The proposed apartment buildings are a deviation from the original PUD Master Land Use Plan and therefore an amendment is required. The applicant is requesting an amendment to the original PUD that would allow for an increase in the unit density and reconfiguration of the proposed buildings and parking lot.

The following public hearings will be held regarding these applications:

City Plan Commission: Wednesday, August 17, 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: Tuesday, September 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.

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.

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

Mailing List

owner_last_name	owner_first_name	owner_address_line1	owner_address_line2	owner_city	owner_state	owner_zip
JEV GATEWAY LLC		3431 S 113TH ST #8		WEST ALLIS	WI	53227
NGUYEN	KIEU & BE THI	3505 EAGLES RIDGE DR		BELOIT	WI	53511
TURTLE CREEK DEVELOPMENT LLC		525 THIRD ST STE 300		BELOIT	WI	53511
NORTHSTAR FACILITY DEVELOPMENT LLC		5249 FEMRITE DR		MADISON	WI	53718



PROCEEDINGS OF THE BELOIT CITY COUNCIL
100 State Street, Beloit WI 53511
City Hall Forum – 7:00 p.m.
Tuesday, September 6, 2016

Presiding: David F. Luebke
Present: Sheila De Forest, Regina Dunkin, Regina Hendrix, Kevin Leavy, Mark Preuschl, Marilyn Sloniker
Absent:

1. President Luebke called the meeting to order at 7:03 p.m. in the Forum at Beloit City Hall.
2. PLEDGE OF ALLEGIANCE
3. SPECIAL ORDERS OF THE DAY/ANNOUNCEMENTS
 - a. Councilor Hendrix presented a Proclamation supporting participation in “The Big Read” Program, “*Into the Beautiful North*” to Nick Dimassis, Tina Kakuske, Roger Dutcher, Julie Watson – members of the Big Read committee. Library Director Dimassis distributed copies of the book to City Manager and Councilors and announced that additional books were available at no cost while supplies last at the Beloit Public Library. File 7148
 - b. Councilor Hendrix presented a Proclamation recognizing the 120th Anniversary of the Daughters of American Revolution to several officers of the Chapter. File 7148
 - c. Councilor Hendrix presented a Proclamation celebrating the 175th Anniversary of St. Paul Episcopal Church members Anita Williams, Tom Fallon, Susan Adams and Greg Schneider. File 7148
 - d. Councilor Hendrix presented a Proclamation recognizing September as National Infant Mortality Awareness Month to Wanda Sloan and members of the Marilyn Sloan Kilgore family and other members of the coalition. File 7148
4. PUBLIC HEARINGS
 - a. Community Development Director, Julie Christensen, presented a proposed Ordinance amending the Future Land Use Map of the City of Beloit Comprehensive Plan to change the Future Land Use designation of the property located at 1750 Raven Drive (previously Easternmost 2 Acres of 1601 Gateway Blvd) from Parks & Open Spaces to Single-Family Residential – Urban. New Leaf Homes has submitted an application requesting an amendment to the Future Land Use Map (Map 10) of the City of Beloit Comprehensive Plan.
 - The applicant has made an accepted offer to purchase the subject property from the City of Beloit. If the applicant’s land use applications are approved, the 2 acres subject to this request will be subdivided into five new home sites and Raven Drive will be completed as a cul-de-sac. As part of this process, Raven Drive will be renamed Raven Court.
 - The remaining 6.7 acres behind the existing homes on Eagles Ridge Drive will remain as City-owned open space and are not subject to this request. The proposed map amendment is related to the applicant’s concurrent request to rezone the 2 acres under contract from PLI, Public Lands & Institutions District to R-1A, Single-Family Residential. The applicant recently recorded a CSM to subdivide the 2 acres to be rezoned & purchased.
 - The proposed Map Amendment will allow New Leaf Homes to construct a low-density, suburban-style cul-de-sac development that is compatible with the density and character of the neighborhood. Raven Drive was designed and constructed to extend to the north, and the applicant’s proposal will establish a fixed northern edge for this residential subdivision, while leaving nearly 7 acres of public open space between the originally constructed homes on Eagles Ridge Drive and the business park land to the north.
 - The Plan Commission held a public hearing to consider the requested amendment on July 20, 2016 and voted unanimously (6-0) to recommend approval of the requested amendment. President Luebke opened the public hearing. No one spoke. President Luebke closed the public hearing. Councilors Preuschl and Sloniker made a motion to lay the item over to the September 19,

2016 meeting. Motion carried. File 8642

- b. Community Development Director, Julie Christensen, presented a proposed Ordinance amending the City of Beloit Zoning District Map for property located at 1750 Raven Drive (previously Easternmost 2 Acres of 1601 Gateway Blvd) from PLI, Public Lands and Institutions District to R-1A, Single Family Residential District. New Leaf Homes has submitted an application for a Zoning Map Amendment to change the zoning district classification from PLI, Public Lands & Institutions District to R-1A, Single-Family Residential District, for the property located at 1750 Raven Drive (previously known as the easternmost 2 acres of 1601 Gateway Blvd).
- The applicant has made an accepted offer to purchase the subject property from the City of Beloit. The applicant has constructed and sold numerous spec houses in the Eagles Ridge subdivision. If the applicant's land use applications are approved, the 2 acres subject to this request will be subdivided into five new home sites and Raven Drive will be completed as a cul-de-sac. As part of this process, Raven Drive will be renamed Raven Court.
 - The proposed R-1A classification will allow New Leaf Homes to construct a low-density, suburban-style cul-de-sac development that is compatible with the density and character of the neighborhood. Raven Drive was designed and constructed to extend to the north, and the applicant's proposal will establish a fixed northern edge for this residential subdivision, while leaving nearly 7 acres of public open space between the originally constructed homes on Eagles Ridge Drive and the business park land to the north.
 - The Plan Commission reviewed this item on July 20, 2016 and voted unanimously (6-0) to recommend approval of this Zoning Map Amendment.

President Luebke opened the public hearing. No one spoke. President Luebke closed the public hearing. Councilors Leavy and Dunkin made a motion to lay the item over to the September 19, 2016 meeting. Motion carried. File 8642

- c. Community Development Director, Julie Christensen, introduced a resolution authorizing a Conditional Use Permit to allow an indoor entertainment venue with beer sales & consumption in an M-2, General Manufacturing District, for a golf simulation lab within the Ironworks complex located at 625-701 Third Street. Jeff Whiteman of Geronimo Hospitality Group has filed an application for a Conditional Use Permit to allow an indoor entertainment venue with beer sales & consumption in an M-2, General Manufacturing District, for a proposed golf simulation lab within the Ironworks complex located at 625-701 Third Street. The proposed use is classified as "Entertainment-Oriented Retail Sales/Service," which requires a Conditional Use Permit to operate in an M-2, General Manufacturing District. If the Conditional Use Permit is approved, the City Council is authorized to impose conditions it deems necessary to reduce or minimize any potential adverse effects on surrounding properties.
- The proposed golf simulation lab is approximately 8,000 square-feet in area, and will include digital simulators, a putting surface, a driving range, and a lobby/bar area near the entrance from the new Ironworks "spine" roadway. The proposed facility will be open to the public, and will utilize a shared corridor with ADA access and bathrooms.
 - As the Ironworks campus has evolved, the availability of off-street parking stalls has become an emerging issue. According to Section 8-103 of the Zoning Ordinance, the proposed golf lab must be served by at least 53 off-street parking stalls. As of right now, there are at least 53 off-street parking stalls on the Ironworks campus to satisfy this code requirement. The completion of the YMCA in Ironworks South in 2017 and the continued build-out of office space in Ironworks North has led to increased scrutiny of the current and expected parking shortage, and this issue is currently being studied by Planning staff, the Metropolitan Planning Organization (MPO/SLATS), and Hendricks officials. Numerous short- and medium-term solutions are being discussed.
 - The City's Review Agents have reviewed this application and have not submitted any comments or concerns.
 - The Plan Commission reviewed this item on August 17, 2016 and voted unanimously (6-0) to recommend approval of the Conditional Use Permit, subject to the three conditions listed on the Resolution being presented.

President Luebke opened the public hearing. Tom Hankins of 1804 Henderson spoke about concerns over the number of liquor licenses the City has available to other businesses. President Luebke closed the public hearing. Councilors Leavy and Dunkin made a motion to adopt the Resolution as presented. Motion carried. File 8074

- d. Community Development Director, Julie Christensen, introduced a resolution authorizing a Conditional Use Permit to allow an outdoor seating area and outdoor sales, possession & consumption of alcoholic beverages in a C-2, Neighborhood Commercial District, for the property

located at 1028 Mary Street. Bradley Sandmire has filed an application for a Conditional Use Permit to allow an outdoor seating area and outdoor sales, possession, & consumption of alcoholic beverages in a C-2, Neighborhood Commercial District, for the property located at 1028 Mary Street.

- The applicant owns The Last Lap tavern, and has proposed a fenced outdoor seating area to the northwest of the tavern building as shown on the attached site sketch. The proposed outdoor area would be surrounded by a wood privacy fence and would include emergency exits to the east and south. The privacy fence will be installed next to the existing tavern and storage buildings, which will ensure that customers may only access the outdoor seating area by entering the tavern and exiting the northern door into the fenced area. The fenced area will be approximately 3,000 square feet in area. The fence is outside of the front setback area, and therefore is allowed to be up to 8 feet in height.
- The proposed furniture within the outdoor seating area will consist of picnic tables with seating for 20-30 customers. Section 4-704 of the Zoning Ordinance states that outdoor seating areas in C-2 are only allowed if reviewed and approved in accordance with the Conditional Use Permit review procedures.
- There are existing public housing units to the south and west of the subject property. A Public Notice was sent to 10 nearby property owners. Planning staff has not received any comments.
- The Plan Commission reviewed this item on August 17, 2016 and voted unanimously (6-0) to recommend approval of the Conditional Use Permit, subject to the six conditions included on the Resolution being presented for approval.

President Luebke opened the public hearing. Tom Hankins of 1804 Henderson asked about the proximity to Cunningham school. President Luebke closed the public hearing. Councilors Leavy and Hendrix made a motion to adopt the Resolution as presented. Motion carried. File 7374/8721

5. CITIZEN PARTICIPATION

6. CONSENT AGENDA

Councilors De Forest and Leavy made a motion to adopt the consent Agenda as presented. Motion carried.

- a. The Minutes of the Regular meeting of August 15 and Special Meeting of August 23, 2016 were approved.
- b. An application for American Transmission Company (ATC) for a Utility Easement located at 3015 Cranston Road was referred to Plan Commission. File 8727
- c. An application for Condominium Plat for Walnut Grove Condominiums located at 2260 and 2265 Walnut Street was referred to Plan Commission. File 8142

7. ORDINANCES

- a. Community Development Director, Julie Christensen, presented a proposed Ordinance attaching the property located at 2028 E Ridge Road to the City of Beloit. Steve Manteufel has submitted a petition for attachment to the City of Beloit for his property located at 2028 E. Ridge Road in the Turtle Ridge Island in the Town of Turtle, along with the attached Plat showing the territory to be attached. The applicant has requested a zoning district classification of R-1A, Single-Family Residential.
 - A failing septic system is the impetus for this attachment request. This property is located within the 208 Sewer Service Area and the City of Beloit extended sanitary sewer service to this area several years ago. The Boundary Agreement with the Town of Turtle governs this property, stating "if the sanitary septic system on a property in a Town island fails and the Rock County Health Department determines that the septic system cannot be repaired or replaced, the property owner may petition the City of Beloit to attach to the City for the purpose of obtaining City sewer service."
 - The Wisconsin Department of Administration (DOA) does not need to review this attachment, as the DOA does not review attachments pursuant to a boundary agreement [Wis. Stat. § 66.0307(10)].
 - The Rock County Health Department has been notified of the failing septic system and supports connections to public sewer service systems when one is available.
 - The Plan Commission reviewed this item on August 17, 2016 and voted unanimously (6-0) to recommend approval of this request. Staff is asking council to suspend the rules for a second reading and adopt immediately to allow the owner to finalize the sale of property Sept. 13, 2016.

Councilors Preuschl and De Forest made a motion to suspend the rules for a second reading. Motion carried. Councilors De Forest and Preuschl made a motion to adopt the proposed ordinance as presented. Motion carried. File 8337 Ordinance

8. APPOINTMENTS - None

9. COUNCILOR ACTIVITIES AND UPCOMING EVENTS

- Councilor De Forest volunteered for the LULAC school supply drive. She thanked President Luebke and Tom Hankins for their efforts in the 1st Annual Beloit Community Spirit Day on September 4. She congratulated the recent Trans graduates. She attended the ribbon cutting of the Beloit College Emerson housing building. She's looking forward to the next Beloit Community Conversations that will take place September 15th at 5:30pm at Emmanuel Baptist Church, 1151 E. Grand Avenue.
- Councilor Sloniker enjoyed the 1st annual Beloit Community Spirit Day and hopes it can continue.
- Councilor Dunkin attended the first community conversation meeting at New Zion Baptist August 24th and believed it was informative and positive. She thanked President Luebke and City Manager Luther for attending the Golf Fundraiser at the Beloit Club for the Merrill Community Center and was pleased to announce that the Merrill Community Center will be merging with the YMCA in the near future. She visited the Transit department and thinks they are doing a great job over there.
- Councilor Preuschl promoted the Eagle Scout project of Orion Regenold, 13, whose project was titled "Beloit Rocks". His project involves painting "Beloit Rocks" on rocks and then hiding in public places where they are likely to get noticed by following hints placed on Facebook. He said that the 1st annual Beloit Community Spirit Day was a wild success. He is pleased with the new steps at Big Hill park and encouraged residents to enjoy the park as it is a great resource.
- Councilor Leavy echoed the sentiments of the 1st Annual Beloit Community Spirit Day. He also encouraged all youth to attend the next Beloit Community Conversations that will take place September 15th at 5:30pm at Emmanuel Baptist Church, 1151 E. Grand Avenue.
- Councilor Hendrix had nothing to add that the other councilors haven't covered.
- President Luebke thanked Stan Stricker of WCLO for attending the meeting. He also expressed that the Bike across Wisconsin stop at Riverside Park was a wonderful way to showcase what a great City Beloit is and he was proud to hear the comments from people who commented on the great things we have to offer here.

10. CITY MANAGER'S PRESENTATION - None

11. REPORTS FROM BOARDS AND CITY OFFICERS

- a. Community Development Director, Julie Christensen, presented a resolution authorizing the Purchase of 106 Bluff Street from John Wergin. 106 Bluff is a vacant lot located at the northwest corner of Bluff Street and Shirland Avenue). It was originally owned by the City. It was declared as surplus in 2003 and made available for sale. The lot was sold to John Wergin in December, 2014. His intention was to build a house on the property. In December 2014, the City sold the lot located at 106 Bluff Street to John Wergin subject to the following conditions:
- The Buyer (John Wergin) must construct a single-family residential building in keeping with the character of the neighborhood and in compliance with all municipal ordinances, including but not limited to, all zoning and planning ordinances with an assessed value of not less than \$75,000.
 - Buyer must grant to Seller (City) a right of first refusal to purchase the property. Seller may execute its right of first refusal if (a) Buyer lists the property for sale without having first constructed a residential building on the property listed for sale; or (b) Buyer fails to build a residential building on the lot, as contemplated by this Counter-Offer, within 18 months of closing.
 - If Seller exercises its right of first refusal, the purchase price shall be \$500
- Earlier this year, John Wergin contacted the City about the lot located at 106 Bluff Street. He indicated that he is no longer interested in owning the property or constructing a house on this lot. The City Attorney prepared the attached Offer to Purchase which is contingent upon City Council approval and the Seller (John Wergin) paying all costs of providing evidence of title and all closing costs and fees. The purchase price is \$500. 106 Bluff Street is an odd-shaped parcel, 34,194 square feet in size. The Community Development Department is interested in dividing off the portion of this lot located adjacent to the intersection and installing a "Bluff Street Historic District" sign. The remaining land would be available to sell to another buyer. The sign would be installed on the existing sign posts.

Councilors Dunkin and Sloniker made a motion to adopt the resolution as presented. Motion carried. File 8669

- b. Director of Finances and Administrative Services, Eric Miller, presented a Resolution providing for the Sale of approximately \$13,450,000 Water System Revenue Refunding Bonds, Series 2016C. Michael Harrigan of Ehlers presented the data. The City of Beloit, Rock County, Wisconsin (the "City") deems it to be necessary, desirable and in the best interest of the City to refund the outstanding maturities of the City's Water System Revenue Refunding Bonds, Series 2007, dated January 24, 2007 (the "Refunded Obligations") for the purpose of achieving debt service cost savings. It has been determined that \$13,450,000 water system revenue bonds should be issued for the purpose of refunding the Refunded Obligations pursuant to Section 66.0621, Wisconsin Statutes. He shared a Pre-sale report with councilors and staff that summarized the proposed debt and stated the estimated refunding savings could equal 14.93% or \$1,999,234. Councilors Leavy and De Forest made a motion to adopt the resolution as presented. Motion carried. File 8695
- c. Public Works Director, Greg Boysen and City Manager, Lori Luther presented a resolution denying a Petition to remove the Public Sidewalk adjacent to 1650 Ritsher Street. The owners of the property at 1650 Ritsher, Joseph and Jeanette Hansen, have petitioned the City Council to remove the public sidewalk in front of their rental property. The Hansen's are currently under an order to repair the sidewalk in that location due to hazardous conditions.
- The Engineering Division of the Department of Public Works has reviewed the Hansen's request. The Engineering Division is supportive of the City ordinances and policies that require sidewalks for the safety of pedestrian travel. Property owners within 200 feet have been notified of the Hansen's petition and the September 6, 2016 council meeting where the item will be considered. The Engineering Division encourages the closing of gaps in sidewalks to complete the connectivity of pedestrians within neighborhoods, not removing public sidewalks. The Engineering Division's recommendation is to deny the petition requesting the removal of the sidewalk adjacent to 1650 Ritsher Street.
 - The City did receive comment from the School District wherein Superintendent Dr. Tom Johnson indicated the District's opposition to the removal of the sidewalk. In this instance, the sidewalk that is requested to be removed is less than a block from Converse Elementary School and removal of the sidewalk would not promote the health, safety and welfare of pedestrian travel, particularly small children.
 - City Manager Luther explained that on an annual basis recommendations for sidewalk repairs are made based on a review of criteria. The CIP holds a \$100,000 for such repair of public property and individual property owner are ordered repaired at the expense of the property owners. She explained that this process will be reviewed to address where gaps exist and the need to connect those gaps as a more consistent pattern will need to be explored.
 - Mr. Hansen presented his petition and explained that he currently does not believe that students are walking to school and that the sidewalk in front of this location has little or no foot traffic in his neighborhood, there are many areas where there are currently no sidewalks.
 - Discussion followed. City Manager Luther explained that this sidewalk is a known hazard and doing nothing is not an option because that presents additional liability. The sidewalk must either be removed or repaired. Councilor De Forest shared concerns about the sidewalks and said that they do not exist around the school property on Ritsher as well as the lack of a third option to allow the property owner to remove the sidewalk with the right to require it reinstalled at a later date. Attorney Krueger explained that the decision today is strictly whether or not to allow the removal of the sidewalk at 1650 Ritsher Street at this time. She stated that the Council does not need to condition the decision to remove the sidewalk upon a reservation of authority to order the installation of the sidewalk at some point in the future. Attorney Krueger further indicated that no decision tonight would have any affect upon a future decision of this Council or a future Council to order the installation of sidewalk adjacent to this property if that matter was later brought before the Council for consideration.
 - Councilor Preuschl expressed that he didn't like that the proposed resolution was not written in the affirmative to approve the petition because he'd rather vote on the petition, not the staff's recommendation. He also shared concerns about how the City handles sidewalks where our terrace trees are causing a bulk of the damage and would like the City to explore a policy for that.
 - Councilor Leavy shared concerns about setting a precedent for making decisions that are case by case without full consideration of the staff recommendation whereby they are recommending closing gaps and we may vote to increase gaps.

Councilors De Forest and Preuschl made a motion to accept the citizens petition to remove the sidewalk at 1650 Ritscher Street because it does not connect to a continuous sidewalk on the route to Converse School. Motion to accept the petition to remove the sidewalk failed on a vote of 3-4 with councilors De Forest, Preuschl and Sloniker voting in favor and councilors Dunkin, Leavy, Luebke and Hendrix voting against the motion. The petition to remove is denied. File 8728

- d. Police Chief David Zibolski and City Attorney Elizabeth Krueger presented a resolution approving an Intergovernmental Agreement between the School District of Beloit and the City of Beloit for Adult School Crossing Guards. The agreement is a continuation of the collaborative efforts between the City of Beloit and the School District of Beloit for the provision of adult crossing guards and keeping our children safe walking to or around schools. The prior IGA expired and is due for renewal. The IGA provides for a one-year agreement with two automatic annual renewal periods. The maximum financial contribution for the City is \$47,000 per year. Councilors De Forest and Leavy made a motion to adopt the resolution as presented. Motion carried. File 7749
- e. City Attorney Elizabeth Krueger presented a resolution approving Intergovernmental Agreement between the School District of Beloit and the City of Beloit for the Truancy Intervention Coordinator/Juvenile First Time Offender Program Coordinator. This agreement is a continuation of the collaborative efforts between the City of Beloit and the School District of Beloit for the provision of an employee to work as a truancy intervention coordinator for the school district and as the Juvenile First-Time Offender Program Coordinator for the Municipal Court. The prior IGA expired and is due for renewal. The IGA provides for a one-year agreement with two automatic annual renewal periods. The maximum financial contribution is ¼ of the employee's \$52,619 annual salary. Councilor Leavy asked for a progress report at a future meeting on how this program is going. Councilors De Forest and Leavy made a motion to adopt the resolution as presented. Motion carried. File 8565

12. Councilors Slonikor and Preuschl made a motion to adjourn at 8:54 p.m. Motion Carried.

Lorena Rae Stottler, City Clerk

www.beloitwi.gov

Date approved by City Council: September 19, 2016

**RESOLUTION APPROVING THE GRANTING OF AN
ELECTRIC TRANSMISSION LINE EASEMENT TO
AMERICAN TRANSMISSION COMPANY AT 3015 CRANSTON ROAD**

WHEREAS, the City of Beloit is the owner of the parcel of land located at 3015 Cranston Road; and

WHEREAS, American Transmission Company desires an Electric Transmission Line Easement to install and maintain two monopole structures on the northern edge of the property, as described on Page 2 of Easement Exhibit B; and

WHEREAS, the City of Beloit Plan Commission voted unanimously (5-0) on September 7, 2016 to recommend approval of the requested easement.

NOW, THEREFORE, BE IT RESOLVED THAT the City Council of the City of Beloit, Rock County, Wisconsin, hereby approves the attached Electric Transmission Line Easement and authorizes the City Manager to execute said easement and any other required documents on behalf of the City of Beloit and to do all other things necessary to effectuate the purposes of this Resolution.

Adopted this 19th day of September, 2016.

BELOIT CITY COUNCIL

David F. Luebke, Council President

ATTEST:

Lorena Rae Stottler, City Clerk

CITY OF BELOIT

REPORTS AND PRESENTATIONS TO CITY COUNCIL



Topic: American Transmission Company Transmission Line Easement at 3015 Cranston Road

Date: September 19, 2016

Presenter: Julie Christensen

Department: Community Development

Overview/Background Information:

The American Transmission Company (ATC) has requested that a utility easement be established along the north side of the city-owned property located at 3015 Cranston Road and directly south of the Union Pacific Railroad right-of-way.

Key Issues:

- ATC has requested this easement to allow the construction of high-voltage transmission lines on the property.
- The total land area of the proposed easement is approximately 33,692 sq. ft., or .77 acres.
- ATC will use the proposed easement to install two monopole transmission structures on the parcel.
- The subject property includes a substantial floodplain area and has no street frontage.
- The Plan Commission reviewed this item on September 7, 2016 and voted unanimously (5-0) to recommend approval of this request.

Conformance to Strategic Plan:

- Consideration of this request supports Strategic Goal #5.

Sustainability:

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

Action required/Recommendation:

- City Council consideration and action on the proposed Resolution

Fiscal Note/Budget Impact: : ATC will pay the City of Beloit a total of \$41,150.00 for the easement, appraisal waivers, and tree and brush clearing duties.

Attachments: Resolution and Staff Report to the Plan Commission

CITY OF BELOIT

REPORT TO THE BELOIT CITY PLAN COMMISSION



Meeting Date: September 7, 2016

Agenda Item: 5

File Number: RPB-2016-08

Applicant: American Transmission Company (ATC)

Current Owner: City of Beloit

Location: 3015 Cranston Road

Existing Zoning: M-2, General Manufacturing

Existing Land Use: Open Space (floodplain)

Parcel Size: 7 Acres

Request Overview/Background Information:

The American Transmission Company (ATC) has requested that an Electric Transmission Line Easement be established along the north side of the city-owned property located at 3015 Cranston Road and directly south of the Union Pacific Railroad right-of-way.

Key Issues:

- ATC has requested this easement to allow the construction of high-voltage transmission lines on the property.
- The total land area of the proposed easement is approximately 33,692 sq. ft., or .77 acres.
- ATC will use the proposed easement to install two monopole transmission structures on the parcel.
 - The monopole structures will reach a maximum height 130 ft from grade.
 - ATC will be responsible for maintaining the area around the transmission line facilities (see attachment "Exhibit A" for grantee responsibilities).
- The subject property includes a substantial floodplain area and has no street frontage.
- The attached Location & Zoning Map shows the location of the proposed easement area along the north side of the subject parcel.

Consistency with Strategic Plan:

- Consideration of this request supports Strategic Goal #5.

Sustainability:

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

Staff Recommendation:

The Planning and Building Services Division recommends **approval** of the requested Electric Transmission Line Easement along the north side of the city-owned property located at 3015 Cranston Road to allow the installation of ATC transmission line infrastructure.

Fiscal Note/Budget Impact: ATC will pay the City of Beloit a total of \$41,150.00 for the easement, appraisal waivers, and tree and brush clearing duties.

Attachments:

Location and Zoning Map, Easement Agreement, Easement Exhibits A and B, ATC Offer Letter

Location & Zoning Map

3015 Cranston Road

RPB-2016-07



ATC Easement

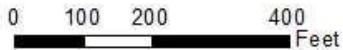
M-2

M-1

CRANSTON RD

I-90 EB

I-90 WB



Legend

-  3015 Cranston Rd
-  COB Parcels
-  Zoning District

Planning and Building Services Division

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

Downloaded from the Web City of Beloit Planning and Building Services Division, 3015 Cranston Road, Council Report

ELECTRIC TRANSMISSION LINE EASEMENT

Wis. Stat. Sec. 182.017(7)

Document Number

Wis. Stat. Sec. 196.491(3e)

The undersigned Grantor, **the City of Beloit, a Wisconsin municipal corporation (hereinafter called the "Grantor")**, in consideration of the sum of one dollar (\$1.00), and other good and valuable consideration, receipt of which is hereby acknowledged, does hereby grant, convey and warrant unto Grantee, **American Transmission Company LLC, a Wisconsin limited liability company, and its manager ATC Management Inc., a Wisconsin Corporation (hereinafter jointly referred to as Grantee)**, its successors, assigns, licensees and manager, the perpetual right and easement to construct, install, operate, maintain, repair, replace, rebuild, remove, relocate, inspect and patrol a line of structures, comprised of wood, concrete, steel or of such material as Grantee may select, and wires, including associated appurtenances for the transmission of electric current, communication facilities and signals appurtenant thereto, upon, in, over and across property owned by the Grantor in the **City of Beloit, County of Rock, State of Wisconsin, described as follows:**

A parcel of land located in part of the Southeast 1/4 of the Northeast 1/4 of Section 29, Town 1 North, Range 13 East, described as follows: Beginning at a point in the West Right-of-Way line of Interstate Highway 90, said point being 826.97 feet North 88° 48' 04" West of the East Quarter corner of Section 29; aforesaid; thence continuing North 88° 48' 04" West along the East and West centerline of said Section 500.58 feet; thence North 0° 18' 26" West 345.34 feet to the South Right-of-Way line of the Chicago Milwaukee St. Paul and Pacific Railroad; thence North 55° 38' 51" East along said Right-of-Way 717.18 feet to the West Right-of-Way line of Interstate 90 aforesaid; thence South 1° 19' 04" West along said Right-of-Way line 93.15 feet to a point of curve; thence Southerly along a curve convexed Easterly 674.32 feet, having a radius of 3134.17 feet, the chord being South 7° 28' 53" West 673.02 feet to the point of beginning. Said land being in the City of Beloit, County of Rock, State of Wisconsin.

Recording Area

Name and Return Address
Land Service Company
Attn: Real Estate Dept.
222 N Midvale Blvd
Madison, WI 53705

Parcel Identification Number(s)
206-22921000

The legal description and location of the easement strip is as described and shown on the attached drawing, marked Exhibit "B", and made a part of this document.

The easement has the following specifications:

EASEMENT STRIP:

Length: Approximately 650 feet

Width: Approximately 80 feet

TRANSMISSION STRUCTURES:

Type: Monopole

Number: Two (2)

Maximum height above existing ground level: 130 feet

TRANSMISSION LINES:

Maximum nominal voltage: 138,000 kV

Number of circuits: Two (2)

Number of conductors: Six (6)

Number of static wires: Two (2)

Minimum height above existing landscape (ground level): 24 feet

The Grantee is also granted the associated necessary rights to:

- 1) Enter upon the easement strip for the purposes of exercising the rights conferred by this easement.
- 2) Construct, install, operate, maintain, repair, replace, rebuild, remove, relocate, inspect and patrol the above described facilities and other appurtenances that the Grantee deems necessary.
- 3) Trim, cut down and remove any or all brush, trees and overhanging branches now or hereafter existing on said easement strip.
- 4) Cut down and remove such dead, dying, diseased, decayed, leaning trees or tree parts now or hereafter existing on the property of the Grantor located outside of said Perpetual Easement Strip that in Grantee's judgment, may interfere with Grantee's full use of the Perpetual Easement Strip for the purposes stated herein or that pose a threat to the safe and reliable operation of the Electric Transmission Facilities; together with the right, permission and authority to enter in a reasonable manner upon the property of the Grantor adjacent to said Perpetual Easement Strip for such purpose.

The Grantee shall pay a reasonable sum for all damages to property, crops, fences, livestock, lawns, roads, fields and field tile (other than trees trimmed or cut down and removed), caused by the construction, maintenance, replacement or removal of said facilities.

Grantor, for itself, its successors and assigns, agrees that it will not locate any dwelling or mobile home intended for residential occupancy within the limits of the easement strip. Grantor, for itself, its successors and assigns, further agrees that within the limits of the easement strip it will not construct, install or erect any structures or fixtures, including but not limited to swimming pools, construct any non-residential type buildings or store any inflammable goods or products, plant trees or shrubs, place water, sewer or drainage facilities, or change the grade more than one (1) foot without first securing the prior written consent of the Grantee.

The parties hereto do hereby agree to the terms and conditions set forth in Exhibit "A" attached hereto and incorporated herein. The term "utility" on said Exhibit "A" shall mean Grantee.

Grantor warrants and represents that Grantor has clear, merchantable, fee simple title to said property, and that Grantor knows of no claim, pending contract for sale, or negotiation for such contract of sale for any of the lands described herein.

This agreement is binding upon the heirs, successors and assigns of the parties hereto, and shall run with the lands described herein.

The Grantor shall not be responsible for, and Grantee shall hold Grantor harmless from and against, any penalties, claims, demands, liabilities, expenses (including, but not limited to, attorney's fees), injury to persons or property caused by the exercise by Grantee of the rights granted to it hereunder.

As provided by PSC 113, the Grantor shall have a minimum period of five days to examine materials approved or provided by the Public Service Commission of Wisconsin describing the Grantor's rights and options in the easement negotiating process. The Grantor hereby voluntarily waives the five-day review period, or acknowledges that they have had at least five (5) days to review such materials.

WITNESS the signature(s) of the Grantor this _____ day of September, 2016.

GRANTOR CITY OF BELOIT

By: _____
Lori S. Curtis Luther, City Manager

ATTEST:

By: _____
Lorena Rae Stottler, City Clerk

ACKNOWLEDGEMENT

STATE OF WISCONSIN)
) SS
COUNTY OF)

Personally came before me this _____ day of September, 2016, the above-named Lori S. Curtis Luther and Lorena Rae Stottler, as City Manager and City Clerk of the City of Beloit, a Wisconsin municipal corporation, to me known to be the person who executed the foregoing instrument in such capacity and acknowledged the same.

Elizabeth A. Krueger
Notary Public, Wisconsin
My commission is permanent.

APPROVED AS TO FORM:

By: _____
Elizabeth A. Krueger, City Attorney

This instrument was drafted by Jerrold P. Rohland on behalf of American Transmission Company, PO Box 47, Waukesha, WI 53187-0047.

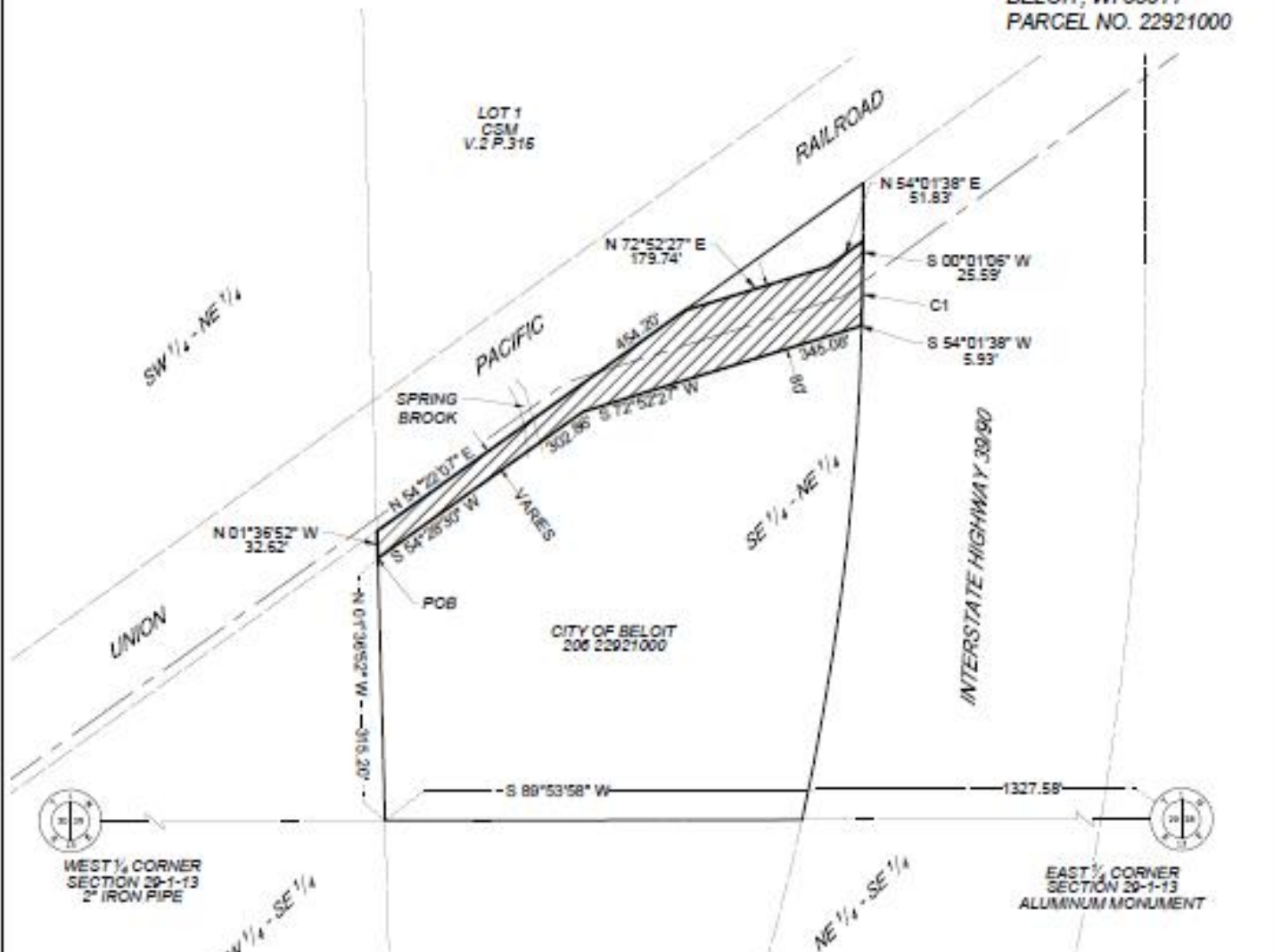
EXHIBIT "A"
[WI Sta. 182.017(7)]

1. In constructing and maintaining high-voltage transmission lines on the property covered by the easement, the utility shall:
 - a) If excavation is necessary, ensure that the topsoil is stripped, piled and replaced upon completion of the operation.
 - b) Restore to its original condition any slope, terrace, or waterway, which is disturbed by the construction or maintenance.
 - c) Insofar as is practicable and when the Grantor requests, schedule any construction work in an area used for agricultural production at times when the ground is frozen in order to prevent or reduce soil compaction.
 - d) Clear all debris and remove all stones and rocks resulting from construction activity upon completion of construction.
 - e) Satisfactorily repair to its original condition any fence damaged as a result of construction or maintenance operations. If cutting a fence is necessary, a temporary gate shall be installed. Any such gate shall be left in place at the Grantor's request.
 - f) Repair any drainage tile line within the easement damaged by such construction or maintenance.
 - g) Pay for any crop damage caused by such construction or maintenance.
 - h) Supply and install any necessary grounding of a Grantor's fences, machinery or buildings.
2. The utility shall control weeds and brush around the transmission line facilities. No herbicidal chemicals may be used for weed and brush control without the express written consent of the Grantor. If weed and brush control is undertaken by the Grantor under an agreement with the utility, the Grantor shall receive from the utility a reasonable amount for such services.
3. The Grantor shall be afforded a reasonable time prior to commencement of construction to harvest any trees located within the easement boundaries, and if the Grantor fails to do so, the Grantor shall nevertheless retain title to all trees cut by the utility.
4. The Grantor shall not be responsible for any injury to persons or property caused by the design, construction or upkeep of the high-voltage transmission lines or towers.
5. The utility shall employ all reasonable measures to ensure that the Grantor's television and radio reception is not adversely affected by the high-voltage transmission lines.
6. The utility may not use any lands beyond the boundaries of the easement for any purpose, including ingress to and egress from the right-of-way, without the written consent of the Grantor.

EASEMENT DESCRIPTION MAP (EXHIBIT "B")

GRANTEE: AMERICAN TRANSMISSION COMPANY
 W234 N2000 RIDGEVIEW PARKWAY COURT
 WAUKESHA, WI 53188-1022

GRANTOR: CITY OF БЕЛОИТ
 COR-BCH0120
 100 STATE ST
 БЕЛОИТ, WI 53511
 PARCEL NO. 22921000



ATC
 AMERICAN TRANSMISSION COMPANY

AYRES ASSOCIATES
 5201 EAST TERRACE DRIVE
 SUITE 300
 MADISON, WI 53718
 (608) 443-1200

NOTE: BEARINGS FOR THIS MAP ARE BASED ON THE WISCONSIN STATE PLANE COORDINATE SYSTEM (SOUTH ZONE) NAD83(2007). DISTANCES ARE GROUND.

Drawn: CRB / Ayres Associates

Date: 04/17/2015

Scale: 1" = 200'

REVISIONS

09/21/2015

SHEET NUMBER

1 OF 2

EASEMENT DESCRIPTION MAP (EXHIBIT "B")

GRANTEE: AMERICAN TRANSMISSION COMPANY
 W234 N2000 RIDGEVIEW PARKWAY COURT
 WAUKESHA, WI 53188-1022


GRANTOR: CITY OF БЕЛОIT
 COR-BCH0120
 100 STATE ST
 БЕЛОIT, WI 53511
 PARCEL NO. 22921000

TAX KEY 206 22921000 EASEMENT LEGAL DESCRIPTION:

A variable width easement which crosses a part of the grantor's premises, being a part of the Southeast Quarter of the Northeast Quarter of Section 29, Township 1 North, Range 13 East, City of Beloit, Rock County, Wisconsin described as:

Commencing at the East Quarter Corner of Section 29;
 thence South 89°53'58" West along the East-West Quarter line of Section 29, 1327.58 feet to the West line of the Southeast Quarter of the Northeast Quarter;
 thence North 01°36'52" West along said West line, 315.20 feet to the **Point of Beginning**;
 thence, continuing along said West line, North 01°36'52" West, 32.62 feet to the Southeasterly right of way line of the Union Pacific Railroad;
 thence North 54°22'07" East along said Southeasterly right of way line, 454.20 feet;
 thence North 72°52'27" East, 179.74 feet;
 thence North 54°01'38" East, 51.83 feet to the West right of way line of Interstate Highway 39/90;
 thence South 00°01'06" West along said West right of way line, 25.59 feet;
 thence continuing along said West right of way line and the arc of a curve 73.93 feet to the right, said curve having a radius of 3134.17 feet, and a chord which bears South 00°41'30" West for 73.93 feet
 thence continuing along said West right of way line, South 54°01'38" West, 5.93 feet;
 thence South 72°52'27" West, 345.08 feet;
 thence South 54°28'30" West, 302.86 feet to the **Point of Beginning**.

The described easement, as shown on Sheet 1 of 2 hereof, contains 33,692 square feet or 0.77 acres, more or less, and is subject to restrictions, reservations, rights-of-way and easements of record.

	AYRES ASSOCIATES 5201 EAST TERRACE DRIVE SUITE 200 MADISON, WI 53718 (608) 443-1200	NOTE: BEARINGS FOR THIS MAP ARE BASED ON THE WISCONSIN STATE PLANE COORDINATE SYSTEM (SOUTH ZONE) NAD83(2007). DISTANCES ARE GROUND.	Drawn: CRB / Ayres Associates
			Date: 04/17/2015
			Scale: NA
THIS DOCUMENT IS FOR THE USE OF AMERICAN TRANSMISSION COMPANY, AMERICAN TRANSMISSION COMPANY DISCLAIMS ALL WARRANTIES BOTH EXPRESS AND IMPLIED, AND BY APPOINTMENT OTHER THAN AMERICAN TRANSMISSION COMPANY BUT THEIR OWNERS.		REVISIONS 09/21/2015	SHEET NUMBER 2 OF 2

© AMERICAN TRANSMISSION COMPANY 2015



VIA (TRACKING #)
HAND DELIVERED

February 3, 2016

CITY OF БЕЛОIT, A MUNICIPAL CORPORATION
100 STATE STREET
BELOIT, WI 53511

**RE: TRANSMISSION LINE EASEMENT; TRANSMISSION LINE PROJECT Y32;
ATC FILE NO. COR-BCH0120**

To Whom It May Concern and other parties in interest:

In the recent past, you may have been advised that American Transmission Company LLC (ATC) proposes to acquire a transmission line easement that affects your property in the City of Beloit, Rock County, Wisconsin. The easement is for the purpose of constructing, maintaining and operating an overhead transmission line across your property.

Enclosed are the names of other landowners involved, and a map showing all property affected by the project. You have the right, upon request, to examine any maps in the possession of the Company relating to this project, and may obtain copies of such maps from the Company.

Pursuant to Sections 32.06(2)(a) and (b) of the Wisconsin Statutes, you are entitled to receive two (2) appraisals addressing the easement rights which affect your property. In lieu of performing the first appraisal, ATC has based the offering price for the easement rights on a recent Market Study. The market study (Page 11 of that study has been enclosed for your review) has been used to establish an offering price for the easement in the amount of **\$34,650.00**

If you believe that ATC's offering price of **\$34,650.00** is fair and reasonable for the easement and if you wish to dispense with the requirements for two appraisals, then ATC, upon receipt of the enclosed easement executed by you and properly notarized, together with the enclosed appraisal waiver and W-9 forms executed by you, will pay to you an additional payment of \$6000.00

This offer is available for 14 days as of your receipt of this package. If I do not hear back from you within 14 days, the appraisal will be ordered and prepared.


We are also asking for a temporary permission to apply chemicals in the easement corridors for vegetation management purposes. This permission is voluntary and would only be valid for three (3) years after the construction of the new line. There is an additional payment of \$500.00 for this permission

Helping to **keep the lights on**, businesses running and communities strong®

By agreeing to and signing the easement, all waivers and the permission for temporary chemical use in the proposed easement area, the total amount of compensation offered at this time is **\$ 41,150.00**, as set forth on the enclosed payment summary sheets

After you have had a chance to review these materials, please contact me at (920) 366-1789 or email me at jrohland@landservicecompany.com to schedule an appointment or to discuss any questions or concerns you may have regarding this project. Thank you for your consideration of this information.

Sincerely,



Jerry Rohland

Enclosures:
Project Map
Listing of other landowners
Transmission Line Easement(s)
Appraisal Waiver Form(s)
W-9 Form
Tree Disposition Agreement(s)
Temporary Chemical Permission(s)
Payment Summary Sheet(s)
Vegetation Management Brochure
Ag Inventory Form(s)
Page 11 of sales study
Return Envelope(s)

Helping to **keep the lights on**, businesses running and communities strong®

RESOLUTION
APPROVING WG CONDOMINIUMS CONDOMINIUM PLAT FOR THE
PROPERTIES LOCATED AT 2260 AND 2265 WALNUT STREET

WHEREAS, RH Batterman, on behalf of Intrinsic I LLC, has submitted WG Condominiums Condominium Plat (Part of Walnut Grove Plat No. 2), for the properties located at 2260 and 2265 Walnut Street; and

WHEREAS, this Condominium Plat includes the construction of 12 additional units in six additional buildings for a total of 38 units, as authorized by a Planned Unit Development (PUD) Resolution in 2004; and

WHEREAS, the City of Beloit Plan Commission has reviewed and recommended approval of this Condominium Plat, subject to one condition outlined below; and

WHEREAS, the City Council of the City of Beloit has reviewed this proposed Condominium Plat, which pertains to the following described land:

Lots 7 and 8 of Walnut Grove Plat No. 2, recorded in Volume 21 of Plats on Page 706 as Document No. 1712296 being all a part of the S.W. ¼ of the N.E. ¼ of Section 20, T. 1 N., R. 13 E. of the 4th P.M., City of Beloit, Rock County, Wisconsin.

NOW, THEREFORE, BE IT RESOLVED THAT the City Council of the City of Beloit does hereby conditionally approve this Condominium Plat known as WG Condominiums Condominium Plat, for the properties located at 2260 and 2265 Walnut Street, subject to the following condition:

1. The applicant shall record the plat with the Rock County Register of Deeds and shall provide the Planning and Building Services Division with a copy of the recorded plat by December 31, 2016.

Adopted this 19th day of September, 2016.

BELOIT CITY COUNCIL

David F. Luebke, Council President

ATTEST:

Lorena Rae Stottler, City Clerk

CITY OF BELOIT

REPORTS AND PRESENTATIONS TO CITY COUNCIL



Topic: WG Condominiums Condominium Plat, Walnut Grove Plat #2 (2260 and 2265 Walnut Street)

Date: September 19, 2016

Presenter(s): Julie Christensen

Department: Community Development

Overview/Background Information:

RH Batterman, on behalf of Intrinsic I LLC, has submitted the attached Condominium Plat, to be officially known as WG Condominiums, for the properties located at 2260 and 2265 Walnut Street. The proposed Condo Plat includes the construction of 6, two-unit buildings on the two lots directly north of the existing condo units.

Key Issues:

- The proposed Condo Plat, a part of the original Walnut Grove Plat #2, includes the construction of 6 duplex buildings on Lot 7 and 6 duplex buildings on Lot 8 for a total of 12 condo units.
- This project was originally approved and zoned as a Planned Unit Development (PUD) in 2004, and the PUD Resolution authorized up to 65 dwelling units.
- The developer has completed the construction of 24 units to date with two more units currently under construction. If approved, the new buildings proposed will bring the total number of units to 38.
- The Plan Commission reviewed this item on September 7, 2016 and voted unanimously (5-0) to recommend approval of this request.

Conformance to Comprehensive Plan and Strategic Plan:

The Comprehensive Plan Future Land Use Map recommends Single-Family Residential - Urban as the most appropriate use for the subject property. The developer's existing and proposed one or two unit condo buildings are in conformance with this land use recommendation.

Consideration of this request supports Strategic Goal #5 by enabling the construction of new, high quality housing.

Sustainability:

- **Reduce dependence upon fossil fuels** – The proposed plat will allow the developer to construct new high quality dwelling units in an area already planned for residential uses. The new units will be in close proximity to the amenities, transportation, and job opportunities in Gateway Business Park and along Milwaukee Road.
- **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 demand for high quality housing is increasing in Beloit and the construction of new units in Walnut Grove will help meet that need. The new units could be especially attractive to retirees or empty-nesters seeking to downsize and own a property with fewer maintenance responsibilities. The units will provide be an affordable option for young-professionals looking to buy their first home.

Action required/Recommendation:

- City Council consideration and action on the proposed Resolution

Fiscal Note/Budget Impact: N/A

Attachments: Resolution and Staff Report to the Plan Commission

CITY OF BELOIT

REPORT TO THE BELOIT CITY PLAN COMMISSION



Meeting Date: September 7, 2016

Agenda Item: 4

File Number: FS-2016-02

Applicant: RH Batterman

Owner: Intrinsic I LLC

Location: 2260 and 2265 Walnut Street

Zoning: PUD, Planned Unit Development

Land Use: Vacant Residential Land

Lot Area: 1.9 Acres and 2.12 Acres

Request Overview/Background Information:

RH Batterman, on behalf of Intrinsic I LLC, has submitted the attached Condominium Plat, to be officially known as WG Condominiums, for the properties located at 2260 and 2265 Walnut Street. The proposed Condo Plat includes the construction of 6, two-unit buildings on the two lots directly north of the existing condo units. The attached **Location & Zoning Map** shows the location of the property involved in this request. Section 12.04 of the Subdivision Ordinance directs the Plan Commission to review the plat prior to City Council consideration.

Key Issues:

- The proposed Condo Plat, a part of the original Walnut Grove Plat #2, includes the construction of 6 duplex condo units on Lot 7 and 6 duplex condo units on Lot 8 for a total of 12 units.
- This project was originally approved and zoned as a Planned Unit Development (PUD) in 2004, and the PUD Resolution authorized up to 65 dwelling units.
- An amended PUD Master Land Use Plan was approved in 2005 that allowed the developer to have 20-foot front-yard setbacks for nine buildings instead of the 30-foot setback for all buildings approved in the original PUD buildings. The amended PUD also changed the total allowed dwelling units to 59 units instead of the originally approved 65 units.
- The developer has completed 24 units to date with two more units currently under construction. If the proposed plat is approved, the new buildings to be constructed will bring the total number of units to 38.
- The applicant will need to submit a future plat for the expansion areas indicated on the attached plat.
- The City's Review Agents have reviewed the plat and have not submitted any comments or concerns.
- The attached **Location & Zoning Map** shows the location of the two subject lots.

Consistency with Comprehensive Plan and Strategic Plan:

The Comprehensive Plan Future Land Use Map recommends Single-Family Residential - Urban as the most appropriate use for the subject property. The developer's existing and proposed one or two unit condo buildings are in conformance with this land use recommendation. Consideration of this request supports Strategic Goal #5.

Sustainability:

- **Reduce dependence upon fossil fuels** – The proposed plat will allow the developer to construct new high quality dwelling units in an area already planned for residential uses. The new units will be in close proximity to the services and job opportunities in Gateway Business Park and along Milwaukee Road.
- **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 demand for high quality housing is increasing in Beloit and the construction of new units in Walnut Grove will help meet that need. The new units could be especially attractive to retirees or empty-nesters seeking to downsize and own a property with fewer maintenance responsibilities. The units will provide be an affordable option for young-professionals seeking to buy their first home.

Staff Recommendation:

The Planning & Building Services Division recommends **approval** of the attached Condominium Plat, to be officially known as WG Condominiums, for the property located at 2260 and 2265 Walnut Street in the City of Beloit, subject to the following conditions:

1. The applicant shall record the plat with the Rock County Register of Deeds and shall provide the Planning Division with a copy of the recorded plat by December 31, 2016.

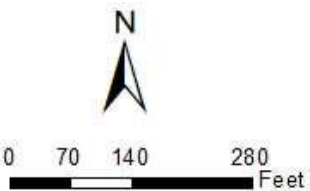
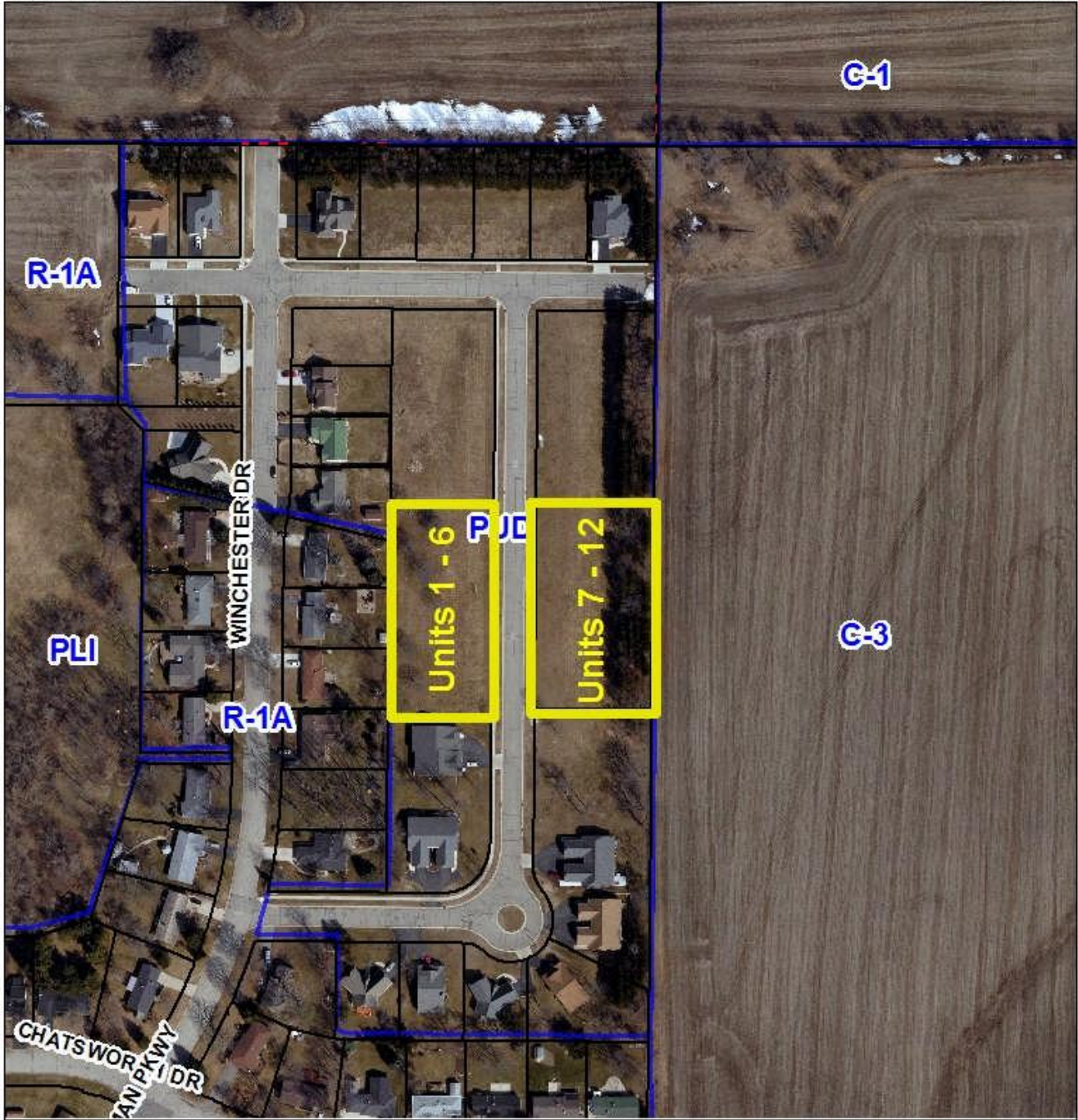
Fiscal Note/Budget Impact: N/A

Attachments: Location & Zoning Map, Application, Proposed Plat, and 2005 PUD Amendment

Location & Zoning Map

2265 Walnut Street

FS-2016-02



Legend	
	COB Parcels
	Zoning District

Planning and Building Services Division

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

Document Path: \\s01h01\public\GIS\workspace\MapServer\2265WalnutStreet.aprx

CITY of BELOIT

Neighborhood Planning Division

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

Application for a Final Subdivision or Condominium Plat

(Please Type or Print)

File Number: FS-2016-02

1. Proposed subdivision name: WG Condominiums
2. Address of property: 2265 Walnut Street
3. Tax Parcel Number(s): 2202 0775
4. Property is located in (circle one): City of Beloit or Town of: Turtle; Beloit; Rock or LaPrairie
In the NE Quarter of Section 20, Township 1 North, Range 13 East of the 4th P.M.
5. Owner of record: Intrinsic I LLC Phone: 815 988 7380
4447 E. Falcon Drive Byron IL 610109177
(Address) (City) (State) (Zip)
6. Applicant's Name: RH Batterman Co., Inc
2857 Bartells Dr. Beloit WI 53511
(Address) (City) (State) (Zip)
608.365.4464 / rhb@rhbatterman.com
(Office Phone #) (Cell Phone #) (E-mail Address)
7. Present zoning classification is: PUD
8. Is the proposed use permitted in this zoning district: Yes
9. THE FOLLOWING ITEMS MAY NEED TO BE COMPLETED AND/OR ATTACHED:
 - Copy of Preliminary Plat to Utility Providers: A written statement confirming that the developer submitted copies of the approved preliminary plat to all utility providers as per section 12.03(2).
 - Covenants and Deed Restrictions: copies of any covenants or deed restrictions.
 - Development Agreement & Fee: a copy of a Final Draft or Approved Development Agreement;
 - Contract: A contract for construction of required utilities and public improvements or;
 - A Bond; guarantying the contract for construction or,
 - Letter from the City Engineer; stating that the developer has constructed the required improvements and the City has found they are acceptable to the City Engineer and;
 - Final Plat Map; 10 copies as required by section 12.04(1) including all information required by section 12.04(2) 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 and City Council to review and approve the Preliminary Subdivision Plat for the purpose stated herein. The undersigned also agrees to abide by all applicable federal, state and local laws, rules, and regulations.

[Signature] / BATTERMAN CO. / 7-28-16
(Signature of applicant) (Print name of applicant) (Date)

This application must be submitted at least 30 days prior to the Plan Commission meeting date.

Review fee: \$300 plus \$15 per lot; \$100 Development Agreement Fee Amount paid: 498.00
Scheduled meeting date: 9/7/16
Application accepted by: ASM Date: 8/31/16

WG CONDOMINIUMS
ANNEXED AND MADE A PART OF THE
"DECLARATION"
 BY INTRINSIC I, LLC

LOTS 7 AND 8 OF WALNUT GROVE PLAT NO. 2, RECORDED IN VOLUME 32 OF PLATS ON PAGE 706 AS DOCUMENT NO. 1712296 BEING ALL A PART OF THE S.W. 1/4 OF THE N.E. 1/4 OF SECTION 20, T. 1 N., R. 13 E. OF THE 4TH P.M., CITY OF BELLOTT, ROCK COUNTY, WISCONSIN.

LEGEND

- 3/4" x 24" Iron Rebar Found
- 1 1/4" Round Iron Pin Found
- 3/4" x 24" Iron Rebar Found
- 1 1/2" Round Pin



Scale: 1" = 60'

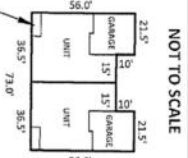
BEARINGS BASED ON THE WEST LINE OF LOT 8, RECORDED IN VOLUME 32 OF PLATS ON PAGE 706 AS DOCUMENT NO. 1712296 BEING ALL A PART OF THE S.W. 1/4 OF THE N.E. 1/4 OF SECTION 20, T. 1 N., R. 13 E. OF THE 4TH P.M., CITY OF BELLOTT, ROCK COUNTY, WISCONSIN.

NOTES
 EASEMENT NOTE AS SHOWN ON WALNUT GROVE PLAT NO. 2 A BARRIET EASEMENT ACROSS LOTS 7, 8 AND 9 FOR THE INSTALLATION OF UTILITIES IS HEREBY GRANTED TO SBC, ALLIANT ENERGY COMPANY, CHARTER COMMUNICATIONS AND THE CITY OF BELLOTT.
 ALL BUILDINGS SHOWN HEREON ARE PROPOSED AS OF THE DATE OF THIS PLAT.

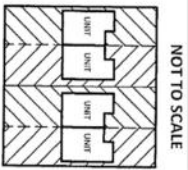
I hereby certify that the plat shown herein is a correct representation of the plat as shown on the ground and that the identification and location of each unit and common elements can be determined from the plat.
 Given under my hand and seal this 28th day of July, 2015 at Beloit, Wisconsin
 Robert Leuenberger M.S. 1244

State of Wisconsin
 County of Rock ss.

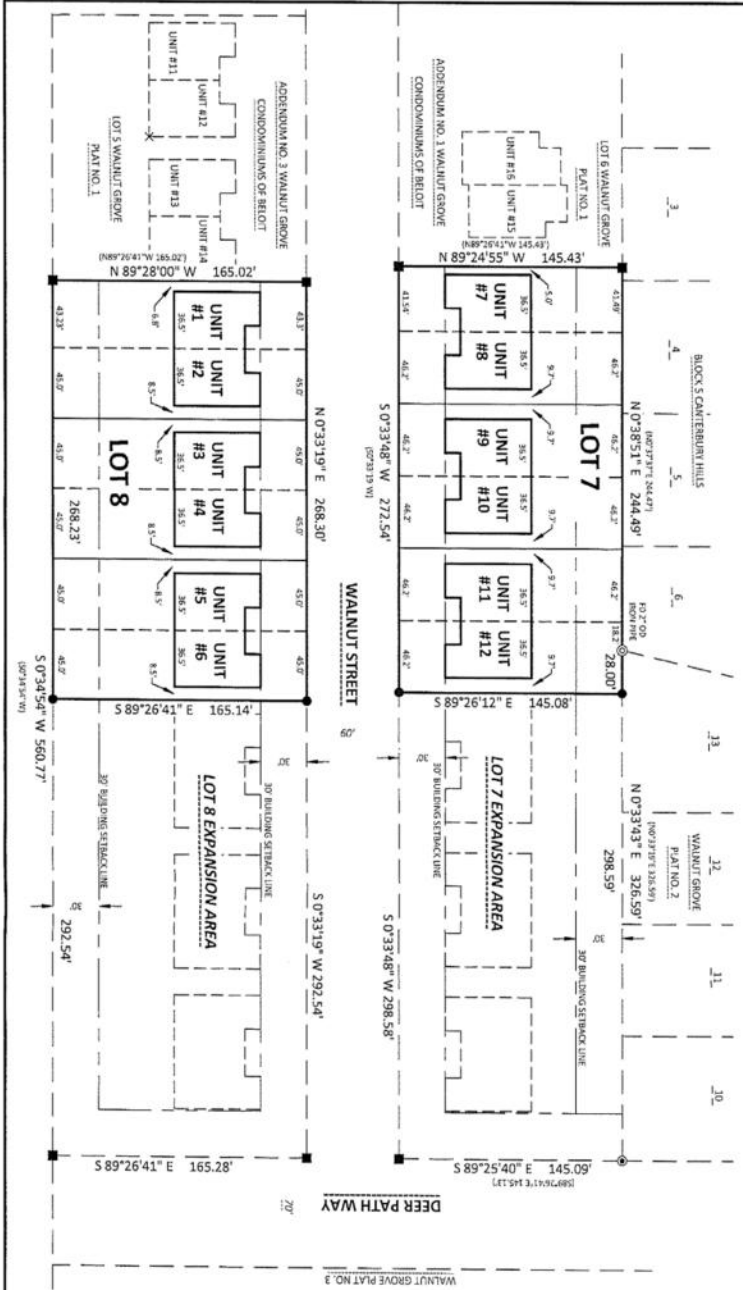
5' x 120' CONCRETE PAVEMENT TYPICAL TO ALL UNITS
 LIMITED COMMON ELEMENTS CONSIST OF PORCHES, PATIOS, DECKS, BALCONIES, ROOF WALKS, DRIVEWAYS, HICRO, SOIL AND ROCKS, AND STREETS (AS UNITS, DRIVEWAYS AND HATCHES)



NOT TO SCALE



NOT TO SCALE



DECLARED AREA

PART OF LOT 7 OF WALNUT GROVE PLAT NO. 2, RECORDED IN VOLUME 32 OF PLATS ON PAGE 706 AS DOCUMENT NO. 1712296, BEING ALL A PART OF THE S.W. 1/4 OF THE N.E. 1/4 OF SECTION 20, T. 1 N., R. 13 E. OF THE 4TH P.M., CITY OF BELLOTT, ROCK COUNTY, WISCONSIN AS FOLLOWS:

Beginning at the southeast corner of said lot 7; thence North 89°25'07" West 145.43 feet to the southeast corner of said lot; thence North 0°33'19" East 28.00 feet along said West line; thence South 89°26'12" East 145.08 feet to the East line of said lot; thence South 0°33'48" West 272.54 feet to the place of beginning. Containing 30,580 square feet more or less.

PART OF LOT 8 OF WALNUT GROVE PLAT NO. 2, RECORDED IN VOLUME 32 OF PLATS ON PAGE 706 AS DOCUMENT NO. 1712296, BEING ALL A PART OF THE S.W. 1/4 OF THE N.E. 1/4 OF SECTION 20, T. 1 N., R. 13 E. OF THE 4TH P.M., CITY OF BELLOTT, ROCK COUNTY, WISCONSIN AS FOLLOWS:

Beginning at the Southwest corner of said lot 8; thence North 0°33'19" East 288.30 feet along the West line of said lot; thence South 89°26'41" East 165.14 feet to the East line of said lot; thence South 0°33'48" West 292.54 feet to the Southeast corner of said lot; thence North 89°28'00" West 165.02 feet to the place of beginning. Containing 44,286 square feet more or less.

EXPANSION AREA
 PART OF LOT 7 OF WALNUT GROVE PLAT NO. 2, RECORDED IN VOLUME 32 OF PLATS ON PAGE 706 AS DOCUMENT NO. 1712296, BEING ALL A PART OF THE S.W. 1/4 OF THE N.E. 1/4 OF SECTION 20, T. 1 N., R. 13 E. OF THE 4TH P.M., CITY OF BELLOTT, ROCK COUNTY, WISCONSIN AS FOLLOWS:

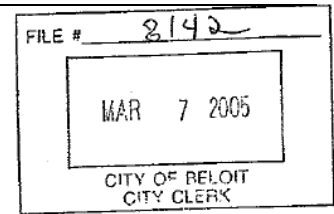
Beginning at the Northwest corner of said lot 7; thence South 89°25'07" East 145.09 feet to the Northwest corner of said lot; thence South 0°33'48" West 292.54 feet along the East line of said lot; thence North 89°26'12" East 145.08 feet to the West line of said lot; thence North 0°33'19" East 292.54 feet to the place of beginning. Containing 48,331 square feet more or less.

PREPARED BY
R.H. BATTERMAN & CO., INC.
 LAND SURVEYORS - ENGINEERS - PLANNERS
 2857 BARTHELIS DRIVE, BELLOTT, WI 53511

ORDER NO. 32490
 FOR: INTRINSIC I, LLC

DRAWN BY RHL
 SHEET NO. 1 OF 1

2005 PUD Resolution (Amended)



**RESOLUTION
AUTHORIZING AN AMENDED PLANNED UNIT DEVELOPMENT (PUD)
MASTER LAND USEPLAN FOR PROPERTY LOCATED AT
2217 AND 2271 WINCHESTER DRIVE**

WHEREAS, the application of Tim McParlan for approval of an Amended PUD Master Land Use Plan to allow 20-foot front-yard setbacks for nine buildings in a mixed residential development consisting of 59 dwelling units on property located at 2217 and 2271 Winchester Drive, having been considered by the City Council of the City of Beloit, Wisconsin at a public hearing held for that purpose and due notice of said hearing having been given by publication as appears by the Proof of Publication on file in the office of the City Clerk.

NOW THEREFORE IT IS HEREBY RESOLVED that the City Council of the City of Beloit, Rock County, Wisconsin does hereby approve the Amended PUD Master Land Use Plan to allow 20-foot front-yard setbacks for nine buildings in a mixed residential development consisting of 59 dwelling units on property located at 2217 and 2271 Winchester Drive in the City of Beloit, for the following described premises:

Part of the Northeast ¼ of Section 20, Township 1 North, Range 13 East of the 4th P.M., City of Beloit, Rock County, Wisconsin, DESCRIBED AS FOLLOWS: Lot 2 of Certified Survey Map, recorded as Document No. 980076, in Volume 11 on pages 355, 356 and 357; ALSO, Lot 2 of Certified Survey Map, recorded as Document No. 999142, in Volume 12 on pages 5, 6 and 7 of Certified Survey Maps for Rock County, Wisconsin.

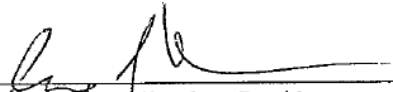
As a condition of granting the Amended Planned Unit Development (PUD) Master Land Use Plan, the City Council does hereby stipulate the following conditions and restrictions upon the development which are hereby deemed necessary for the public interest:

1. No more than 59 dwelling units shall be permitted on this property. Development shall substantially conform to the final PUD Master Land Use Plan, which meets all of the following required conditions.
2. This development shall be constructed according to an approved detailed PUD Final Plan submitted to and approved by the City Zoning Officer prior to the start of construction of any public improvements.
3. Walnut Street shall be 30 feet wide (curb-face to curb-face) with on-street parking provided on one side of the street. Off-street parking spaces shall not be constructed in the front yards of any of the lots included in this PUD Master Land Use Plan.
4. Monies in lieu of parkland dedication shall be paid for each net new dwelling unit based on the fee in effect at the time of approval of the final plat for each phase of development.

5. All public improvements to be located in the public rights-of-way, including any landscape islands, shall be constructed according to detailed construction drawings approved by the City Engineer prior to construction.
6. The number of access drives on the public streets shall be the minimum number possible and shall be located as determined by the City Engineer.
7. The Plan Commission and City Council shall approve any major changes in the adopted conditions or use of this property. The Community Development Director may approve minor changes administratively and allow accessory structures and uses that comply with and meet all of these standards.

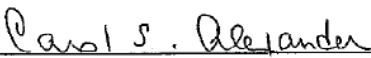
Adopted this 7th day of March, 2005.

BELOIT CITY COUNCIL



Terrence T. Monahan, President

ATTEST:



Carol S. Alexander, CMC
City Clerk

RESOLUTION
APPROVING AN AMENDMENT TO THE CLASS “B” BEER AND “CLASS B”
LIQUOR LICENSE FOR LAST LAP INC. D/B/A THE LAST LAP FOR AN OUTDOOR
PREMISE EXTENSION

WHEREAS, an application has been received to amend the licensed premise description for The Last Lap Inc. d/b/a The Last Lap, located at 1028 Mary Street; and

WHEREAS, the Alcohol Beverage License Control Committee recommended approval of the amendment for the purpose of adding an outdoor seating area to the licensed premise description; and

WHEREAS, the Division of Planning & Building Services and Beloit City Council has approved a Conditional Use Permit to allow an outdoor seating and outdoor sales in a C-2, Neighborhood Commercial District, for this property with appropriate conditions.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Beloit that the amendment to the licensed premise description is hereby approved and the applicant is authorized to amend the alcohol application currently on file in the City Clerk’s Office to include the outdoor premise extension.

Dated this 19th day of September 2016

David F. Luebke, City Council President

Attest:

Lorena Rae Stottler, City Clerk

CITY OF BELOIT

REPORTS AND PRESENTATIONS TO CITY COUNCIL

Topic: Application for Amendment of "Class B" Fermented Malt Beverage & Intoxicating Liquor License Outdoor Premises Extension for The Last Lap, Inc. ~ Bradley J. Sandmire, Agent located at 1028 Mary Street, Beloit

Date: September 19, 2016

Presenter(s): Lori Stottler

Department: City Clerk

Overview/Background Information:

Bradley Sandmire has filed an application Amendment of "Class B" Fermented Malt Beverage & Intoxicating Liquor License Outdoor Premises Extension for The Last Lap, Inc. ~ Bradley J. Sandmire, Agent located at 1028 Mary Street, Beloit. The multi-step process required a Conditional Use Permit be approved prior to application to amend the liquor license.

Key Issues (maximum of 5):

- The applicant owns The Last Lap tavern, and has proposed a fenced outdoor seating area to the northwest of the tavern building as shown on the attached site sketch. The proposed outdoor area would be surrounded by a wood privacy fence and would include emergency exits to the east and south. The privacy fence will be installed next to the existing tavern and storage buildings, which will ensure that customers may only access the outdoor seating area by entering the tavern and exiting the northern door into the fenced area. The fenced area will be approximately 3,000 square feet in area. The fence is outside of the front setback area, and therefore is allowed to be up to 8 feet in height.
- The Plan Commission reviewed this item on August 17, 2016 and voted unanimously (6-0) to recommend approval of the Conditional Use Permit, subject to the six conditions included on the attached Resolution.
- The City Council reviewed this item on September 6, 2016 and voted unanimously (7-0) to adopt a resolution authorizing a CUP to allow an outdoor seating area with Alcoholic Beverages in a C-2 Neighborhood Commercial District, for the property located at 1028 Mary Street.
- The next step in the process is to apply with the City Clerk to amend their liquor license to cover the outdoor extension. The application was made on August 19, 2016 and placed on the September 13th ABLCC agenda for review.
- The Alcohol Beverage License Control Committee reviewed this application on September 13, 2016. The Committee voted 7-0 to recommend approval.
- This item is required to be considered for approval of the City Council at their September 19th regular meeting.

Conformance to Strategic Plan (List key goals this action would support and briefly discuss its impact on the City's mission.):

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

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

Action required/Recommendation:

- City Council consideration and action on the proposed Resolution

Fiscal Note/Budget Impact: N/A

Attachments: Resolution, Approved Resolution authorizing CUP on Sept 6 2016 (with backup)



City of
BELOIT, Wisconsin

City Clerk
100 State Street, Beloit, WI 53511
Ph: 608-364-6680; Fax: 608-364-6649

**APPLICATION FOR AMENDMENT OF "CLASS B" FERMENTED MALT
BEVERAGE & INTOXICATING LIQUOR LICENSE
OUTSIDE PREMISES EXTENSION**

Name of Licensed Premises: THE LAST LAP

Address: 1028 MARY ST.

Applicant's Name: BRAD SANDMIRE

Phone Numbers - business and personal: 608 322 5968

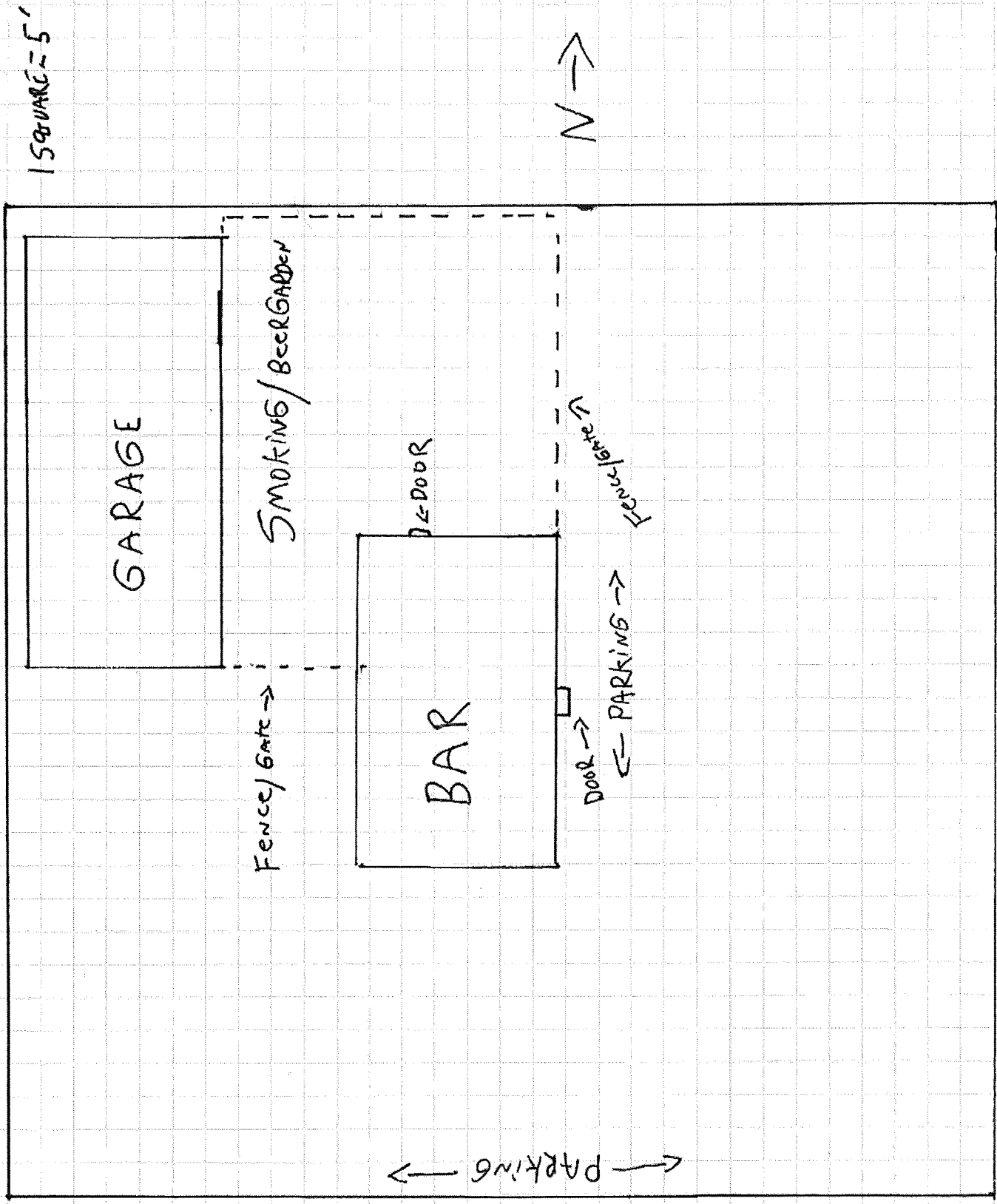
Purpose for requesting the outside extension:
BEER GARDEN

Detailed description of outside extension - include detailed drawing with dimensions:
See Attached

Signature of Applicant: *Brad Sandmire*

Date of Application: 8-19-16

1. ABLCC meeting date: 9-13-16 Note: Applicant must be present.
2. City Council Agenda item for approval. Date: 9-19-16
(Applicant is encouraged to be present).
3. Applicant amends application at City Clerk's Office after Council approval.
Date of amendment: 9-20-16.



FIVE STAR
 FIVE STAR
 MARY ST
 FIVE STAR



City Clerk's Office, City Hall
100 State Street
Beloit, WI 53511
www.beloitwi.gov

NOTICE TO ATTEND ABLCC MEETING

September 7, 2016

The Last Lap
Bradley J. Sandmire, Agent
1028 Mary Street
Beloit, WI 53511

Dear Mr. Sandmire:

The Last Lap, Inc. has submitted an application to amend a "Class B" Fermented Malt Beverage & Intoxicating Liquor License for an outdoor premises extension.

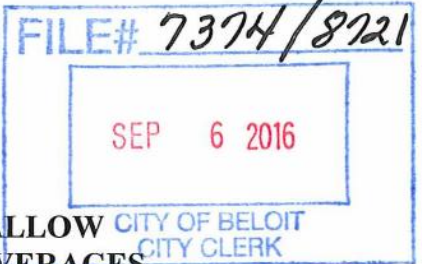
This application will be discussed at the regular meeting of the Alcohol Beverage License Control Committee on **September 13, 2016 at 4:00 p.m. in The Forum of Beloit City Hall, 100 State Street, Beloit, WI.**

As the Owner/Agent you should be present **September 13, 2016 at 4:00 p.m.** to answer any questions or concerns from the committee or the application will not go forward to the City Council.

If you have any questions, please call the City Clerk's Office at 364-6680

Sincerely,

Lorena Rae Stottler
City Clerk



RESOLUTION
AUTHORIZING A CONDITIONAL USE PERMIT TO ALLOW
AN OUTDOOR SEATING AREA WITH ALCOHOLIC BEVERAGES
IN A C-2, NEIGHBORHOOD COMMERCIAL DISTRICT,
FOR THE PROPERTY LOCATED AT 1028 MARY STREET

WHEREAS, the application of Bradley Sandmire of The Last Lap tavern for a Conditional Use Permit to allow an outdoor seating area and outdoor sales, possession, & consumption of alcoholic beverages in a C-2, Neighborhood Commercial District, for the property located at 1028 Mary Street, having been considered by the City Council of the City of Beloit, Wisconsin at a public hearing held for that purpose and due notice of said hearing having been given by publication as appears by the Proof of Publication on file in the office of the City Clerk.

NOW, THEREFORE, BE IT RESOLVED THAT, the City Council of the City of Beloit, Rock County, Wisconsin does hereby grant a Conditional Use Permit to allow an outdoor seating area and outdoor sales, possession, & consumption of alcoholic beverages in a C-2, Neighborhood Commercial District, for the property located at 1028 Mary Street in the City of Beloit, for the following described premises:

Lots 19, 20, & 21, Block 3 of McGavocks Heights, City of Beloit, Rock County Wisconsin. Said parcel contains 0.4649 acres, more or less.

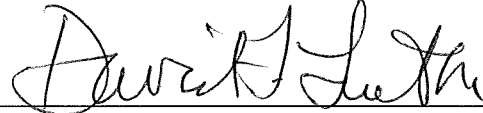
As a condition of granting the Conditional Use Permit, the City Council does hereby stipulate the following conditions and restrictions upon the Conditional Use, which are hereby deemed necessary for the public interest:

1. This Conditional Use Permit authorizes a fenced outdoor seating area no larger than 3,000 square feet, in the location shown on the applicant's site sketch. Outdoor entertainment/performances are prohibited in the outdoor seating area and all outdoor music speakers shall be turned off at 10 PM.
2. Prior to use of the outdoor seating area, the applicant shall obtain an Architectural Review Certificate and construct a wood privacy fence as proposed. The fence shall be no more than 6 feet in height where it attaches to the tavern building, which will allow adjustments for grade to occur at the bottom of the fence as it extends north. The fence shall be at least 6 feet in height.
3. Prior to use of the outdoor seating area, the applicant shall stripe the existing asphalt parking lot to identify at least 33 parking stalls, including 2 accessible stalls that share a striped 8-foot access aisle.
4. Prior to use of the outdoor seating area, the applicant shall amend the liquor license for the premises to include the outdoor seating area.
5. The outdoor seating area shall include marked exits, clear 36" exit pathways, and gates with exit-only hardware. The Fire Inspector and Building Official will inspect the completed outdoor seating area and establish a maximum occupancy, which shall be posted inside the building and within the outdoor seating area.

6. Any major changes in the adopted conditions or use of the property shall be approved by the Plan Commission and City Council by amending this Conditional Use Permit. The Director of Planning & Building Services may approve minor changes administratively.

Adopted this 6th day of September, 2016.

BELOIT CITY COUNCIL



David F. Luebke, Council President

ATTEST:



Lorena Rae Stottler, City Clerk

CITY OF BELOIT

REPORTS AND PRESENTATIONS TO CITY COUNCIL

Topic: Conditional Use Permit Application for the property located at 1028 Mary Street

Date: September 6, 2016

Presenter(s): Julie Christensen

Department: Community Development

Overview/Background Information:

Bradley Sandmire has filed an application for a Conditional Use Permit to allow an outdoor seating area and outdoor sales, possession, & consumption of alcoholic beverages in a C-2, Neighborhood Commercial District, for the property located at 1028 Mary Street.

Key Issues (maximum of 5):

- The applicant owns The Last Lap tavern, and has proposed a fenced outdoor seating area to the northwest of the tavern building as shown on the attached site sketch. The proposed outdoor area would be surrounded by a wood privacy fence and would include emergency exits to the east and south. The privacy fence will be installed next to the existing tavern and storage buildings, which will ensure that customers may only access the outdoor seating area by entering the tavern and exiting the northern door into the fenced area. The fenced area will be approximately 3,000 square feet in area. The fence is outside of the front setback area, and therefore is allowed to be up to 8 feet in height.
 - The proposed furniture within the outdoor seating area will consist of picnic tables with seating for 20-30 customers. Section 4-704 of the Zoning Ordinance states that outdoor seating areas in C-2 are only allowed if reviewed and approved in accordance with the Conditional Use Permit review procedures.
 - The attached **Location and Zoning Map** shows the location of the parcel involved in this application. The subject business is a neighborhood-scale tavern on a local street, and is part of a C-2 zoning district that runs along Liberty Avenue/State Hwy 81. There is an auto-based business to the north of the subject property, and single-family homes (zoned R-1B, Single-Family Residential) to the east. There are existing public housing units to the south and west of the subject property. The attached Public Notice was sent to 10 nearby property owners. Planning staff has not received any comments.
 - According to Section 8-103 of the Zoning Ordinance, the applicant will need to provide at least 33 off-street parking stalls. There is adequate paved area on the subject property to meet this requirement, but the existing asphalt lot will need to be striped to identify the stalls and accessible stalls required by the Ordinance.
 - The Plan Commission reviewed this item on August 17, 2016 and voted unanimously (6-0) to recommend approval of the Conditional Use Permit, subject to the six conditions included on the attached Resolution.
-

Conformance to Strategic Plan (List key goals this action would support and briefly discuss its impact on the City's mission.):

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

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

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

Action required/Recommendation:

- City Council consideration and action on the proposed Resolution
-

Fiscal Note/Budget Impact: N/A

Attachments: Resolution and Staff Report to the Plan Commission

CITY OF BELOIT

REPORT TO THE BELOIT CITY PLAN COMMISSION

Meeting Date: August 17, 2016

Agenda Item: 4

File Number: CU-2016-05

Applicant: Bradley Sandmire

Owner: The Last Lap Inc.

Location: 1028 Mary Street

Existing Zoning: C-2, Neighborhood Commercial District

Existing Land Use: Tavern

Parcel Size: 0.46 Acre

Request Overview/Background Information:

Bradley Sandmire has filed an application for a Conditional Use Permit to allow an outdoor seating area and outdoor sales, possession, & consumption of alcoholic beverages in a C-2, Neighborhood Commercial District, for the property located at 1028 Mary Street.

Key Issues:

- The applicant owns The Last Lap tavern, and has proposed a fenced outdoor seating area to the northwest of the tavern building as shown on the attached site sketch.
- The proposed outdoor area would be surrounded by a wood privacy fence and would include emergency exits to the east and south. The privacy fence will be installed next to the existing tavern and storage buildings, which will ensure that customers may only access the outdoor seating area by entering the tavern and exiting the northern door into the fenced area. The fenced area will be approximately 3,000 square feet in area. The fence is outside of the front setback area, and therefore is allowed to be up to 8 feet in height.
- The proposed furniture within the outdoor seating area will consist of picnic tables with seating for 20-30 customers.
- Section 4-704 of the Zoning Ordinance states that outdoor seating areas in C-2 are only allowed if reviewed and approved in accordance with the Conditional Use Permit review procedures.
- The application and site sketch are attached to this report.
- The attached **Location and Zoning Map** shows the location of the parcel involved in this application. The subject business is a neighborhood-scale tavern on a local street, and is part of a C-2 zoning district that runs along Liberty Avenue/State Hwy 81. There is an auto-based business to the north of the subject property, and single-family homes (zoned R-1B, Single-Family Residential) to the east. There are existing public housing units to the south and west of the subject property.
- The attached Public Notice was sent to 10 nearby property owners. Planning staff has not received any comments.
- According to Section 8-103 of the Zoning Ordinance, the applicant will need to provide at least 33 off-street parking stalls. There is adequate paved area on the subject property to meet this requirement, but the existing asphalt lot will need to be striped to identify the 9' x 18' stalls and accessible stalls required by the Ordinance.
- **Findings of Fact**

Based on Section 2-504 of the Zoning Ordinance, the Plan Commission shall make a recommendation based on the following considerations:

- a. *Whether the establishment, maintenance, or operation of the conditional use will be detrimental to or endanger the public health, safety, morals, comfort, or general welfare;*
 - Outdoor seating areas have become a ubiquitous feature of taverns in the City, and have not caused any widespread or persistent problems.
 - The applicant agreed to Planning staff's request to locate the outdoor seating area on the north side of the tavern, which will be away from the surrounding private and public dwellings nearby.
- b. *Whether the conditional use will be injurious to the use and enjoyment of other property in the immediate vicinity for purposes already permitted;*
 - Planning staff is recommending standard conditions of approval dealing with hours of operation and noise that will ensure continued compatibility between the tavern and the adjacent residential uses.
- c. *Whether the conditional use will substantially diminish or impair property values within the neighborhood of the subject property;*
 - The 35-seat tavern is a longstanding component of this mixed use block, and the addition of an outdoor seating area subject to time & noise limitations will not affect property values.
- d. *Whether the establishment of the conditional use will impede the normal and orderly development*

- and improvement of the surrounding property;
- The surrounding area is fully developed.
- e. *Whether the exterior architectural design or site layout of the proposed conditional use is so dissimilar or otherwise incompatible with existing or proposed development in the immediate neighborhood that it will cause a depreciation in property values;*
- The proposed outdoor seating area will be surrounded by a wood privacy fence, and Planning staff is recommending a condition of approval that will require the applicant to improve the existing parking lot prior to use.
- f. *Whether adequate utilities, access roads, drainage or other necessary facilities will be available to serve the proposed use at the time of its occupancy or use;*
- Adequate facilities and infrastructure are available to serve the proposed outdoor seating area.
- g. *Whether adequate measures will be taken to minimize traffic congestion; and*
- The proposed outdoor seating area is not expected to generate a significant increase in traffic. Planning staff is recommending a condition of approval that will require the applicant to stripe the existing parking lot in order to identify the 33 required parking stalls.
- h. *Whether the conditional use will comply with all applicable regulations of the Zoning Ordinance.*
- The conditional use will comply with all other applicable regulations of the Zoning Ordinance. If the garbage & recycling containers are visible, an enclosure will be required.

Consistency with Comprehensive Plan and Strategic Plan:

The City's Comprehensive Plan recommends *Neighborhood Commercial uses* for the subject property. This request and the underlying C-2 zoning classification are consistent with this recommendation. Consideration of this request supports City of Beloit Strategic Goal #5.

Sustainability:

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

Staff Recommendation:

The Planning & Building Services Division recommends **approval** of a Conditional Use Permit to allow an outdoor seating area and outdoor sales, possession, & consumption of alcoholic beverages in a C-2, Neighborhood Commercial District, for the property located at 1028 Mary Street, based on the above Findings of Fact and subject to the following conditions:

1. This Conditional Use Permit authorizes a fenced outdoor seating area no larger than 3,000 square feet, in the location shown on the applicant's site sketch. Outdoor entertainment/performances are prohibited in the outdoor seating area and all outdoor music speakers shall be turned off at 10 PM.
2. Prior to use of the outdoor seating area, the applicant shall obtain an Architectural Review Certificate and construct a wood privacy fence as proposed. The fence shall be no more than 6 feet in height where it attaches to the tavern building, which will allow adjustments for grade to occur at the bottom of the fence as it extends north.
3. Prior to use of the outdoor seating area, the applicant shall stripe the existing asphalt parking lot to identify at least 33 parking stalls, including 2 accessible stalls that share a striped 8-foot access aisle.
4. Prior to use of the outdoor seating area, the applicant shall amend the liquor license for the premises to include the outdoor seating area.
5. The outdoor seating area shall include marked exits, clear 36" exit pathways, and gates with exit-only hardware. The Fire Inspector and Building Official will inspect the completed outdoor seating area and establish a maximum occupancy, which shall be posted inside the building and within the outdoor seating area.
6. Any major changes in the adopted conditions or use of the property shall be approved by the Plan Commission and City Council by amending this Conditional Use Permit. The Director of Planning & Building Services may approve minor changes administratively.

Fiscal Note/Budget Impact: N/A

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

Location & Zoning Map

1028 Mary Street



CU-2016-05



1 inch = 83 feet

0 12.5 50 75 Feet

Legend

-  City Limits
-  Zoning District

Map prepared by: Drew Pennington, AICP
Date: August 2016
For: City of Beloit Planning & Building Services
Date of Aerial Photography: March 2011

PLANNING & BUILDING SERVICES DIVISION

View From Mary Street (East)

Approx. Seating Location

Google

**RESOLUTION APPROVING CHANGE OF AGENT ON THE CLASS “B” BEER
AND “CLASS C” WINE LICENSE FOR THE NOODLE SHOP, CO.-COLORADO,
INC., D/B/A NOODLES & COMPANY**

WHEREAS, the Agent of record for The Noodle Shop, Co.-Colorado, Inc., d/b/a Noodles & Company, located at 2900 Milwaukee Road is Charles Haug;

WHEREAS, The Noodle Shop, Co.-Colorado, Inc., d/b/a Noodles & Company, has requested and the Alcohol Beverage License Control Committee has recommended that the Agent be changed to David Babcock.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Beloit that the Agent for the alcohol beverage license for The Noodle Shop, Co.-Colorado, Inc., d/b/a Noodles & Company, located at 2900 Milwaukee Road, is hereby changed to David Babcock.

Dated this 19th day of September 2016.

David F. Luebke, City Council President

ATTEST:

Lorena Rae Stottler, City Clerk

CITY OF BELOIT

REPORTS AND PRESENTATIONS TO CITY COUNCIL

Topic: Resolution approving **Change of Agent** on the Class “B” Beer and “Class C” Wine License for The Noodle Shop, Co. – Colorado, Inc. d/b/a Noodles & Company, located at 2900 Milwaukee Avenue, Beloit from Charles Haug to David Babcock.

Date: September 19, 2016

Presenter(s): Lorena Rae Stottler

Department: City Clerk

Overview/Background Information:

Noodles & Company, located at 2900 Milwaukee Avenue, in the City of Beloit has requested that Dave Babcock be appointed the new agent for the license period July 1, 2016 to June 30, 2017.

Key Issues (maximum of 5):

1. Noodles & Company located at 2900 Milwaukee Avenue, in the City of Beloit, has filed a Schedule for Appointment of Agent by Corporation appointing Dave Babcock as Agent.
2. A complete application with fees has been submitted to the Clerk’s office and is being placed on the September 13th ABLCC agenda for consideration. The Committee recommends approval of agent by a vote of 7-0
3. Captain Risse certified that he checked municipal and state criminal records and to the best of his knowledge, with the available information, the character, record and reputation are satisfactory and therefore, has no objection to the agent appointment.
4. Attorney Krueger asked Mr. Babcock to reaffirm his answer to question #9 on his supplemental questionnaire for agents which asks if he understands that he can be personally given citations by the Police Department for such things as underage sales, open after hours or other related violations, even when he is not on the premises. Mr. Babcock reaffirmed that he understood this responsibility.

Conformance to Strategic Plan: N/A

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

Action required/Recommendation:

Staff recommends that City Council approve of the Change of Agent.

Fiscal Note/Budget Impact: N/A

Attachments:

Resolution, Schedule of Appointment and Auxiliary Questionnaire

SCHEDULE FOR APPOINTMENT OF AGENT BY CORPORATION/NONPROFIT ORGANIZATION OR LIMITED LIABILITY COMPANY

Submit to municipal clerk.

All corporations/organizations or limited liability companies applying for a license to sell fermented malt beverages and/or intoxicating liquor must appoint an agent. The following questions must be answered by the agent. The appointment must be signed by the officer(s) of the corporation/organization or members/managers of a limited liability company and the recommendation made by the proper local official.

To the governing body of: Town Village of Beloit County of Rock
 City

The undersigned duly authorized officer(s)/members/managers of The Noodle Shop, Co. - Colorado, Inc.
(registered name of corporation/organization or limited liability company)

a corporation/organization or limited liability company making application for an alcohol beverage license for a premises known as Noodles & Company
(trade name)

located at 2900 Milwaukee Road, Beloit, WI 53511

appoints Dave Babcock
(name of appointed agent)
1920 South Oakhill Avenue, Janesville, WI
(home address of appointed agent)

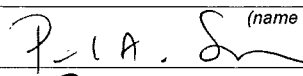
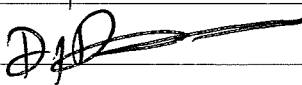
to act for the corporation/organization/limited liability company with full authority and control of the premises and of all business relative to alcohol beverages conducted therein. Is applicant agent presently acting in that capacity or requesting approval for any corporation/organization/limited liability company having or applying for a beer and/or liquor license for any other location in Wisconsin?

Yes No If so, indicate the corporate name(s)/limited liability company(ies) and municipality(ies).

Is applicant agent subject to completion of the responsible beverage server training course? Yes No

How long immediately prior to making this application has the applicant agent resided continuously in Wisconsin? 46 years

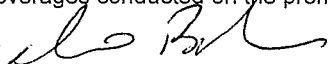
Place of residence last year _____

For: The Noodle Shop, Co. - Colorado, Inc.
(name of corporation/organization/limited liability company)
By:  (Paul Strasen, President)
(signature of Officer/Member/Manager)
And:  (David Boennighausen, Secretary)
(signature of Officer/Member/Manager)

ACCEPTANCE BY AGENT

I, Dave Babcock, hereby accept this appointment as agent for the
(print/type agent's name)

corporation/organization/limited liability company and assume full responsibility for the conduct of all business relative to alcohol beverages conducted on the premises for the corporation/organization/limited liability company.

 8/1/16 Agent's age
(signature of agent) (date)
1920 South Oakhill Avenue, Janesville, WI 53545 Date of birth
(home address of agent)

**APPROVAL OF AGENT BY MUNICIPAL AUTHORITY
(Clerk cannot sign on behalf of Municipal Official)**

I hereby certify that I have checked municipal and state criminal records. To the best of my knowledge, with the available information, the character, record and reputation are satisfactory and I have no objection to the agent appointed.

Approved on 09/07/16 by  Title Captain BRO
(date) (signature of proper local official) (town chair, village president, police chief)

AUXILIARY QUESTIONNAIRE ALCOHOL BEVERAGE LICENSE APPLICATION

Submit to municipal clerk.

Individual's Full Name (please print) (last name) Babcock		(first name) David		(middle name)	
Home Address (street/route) 1920 South Oakhill Ave		Post Office	City Janesville	State WI	Zip Code 53545
Home Phone Number 608-757-1664		Age [REDACTED]	Date of Birth [REDACTED]	Place of Birth Beloit, WI	

The above named individual provides the following information as a person who is (check one):

- Applying for an alcohol beverage license as an **individual**.
- A member of a **partnership** which is making application for an alcohol beverage license.
- Manager/Agent** of **The Noodle Shop, Co.- Colorado, Inc.**
(Officer/Director/Member/Manager/Agent) (Name of Corporation, Limited Liability Company or Nonprofit Organization)

which is making application for an alcohol beverage license.

The above named individual provides the following information to the licensing authority:

- How long have you continuously resided in Wisconsin prior to this date? 46 years
- Have you ever been convicted of any offenses (other than traffic unrelated to alcohol beverages) for violation of any federal laws, any Wisconsin laws, any laws of any other states or ordinances of any county or municipality? Yes No
If yes, give law or ordinance violated, trial court, trial date and penalty imposed, and/or date, description and status of charges pending. (If more room is needed, continue on reverse side of this form.)
- Are charges for any offenses presently pending against you (other than traffic unrelated to alcohol beverages) for violation of any federal laws, any Wisconsin laws, any laws of other states or ordinances of any county or municipality? Yes No
If yes, describe status of charges pending.
- Do you hold, are you making application for or are you an officer, director or agent of a corporation/nonprofit organization or member/manager/agent of a limited liability company holding or applying for any other alcohol beverage license or permit? Yes No
If yes, identify. The Noodle Shop, Co. - Colorado, Inc. holds numerous alcohol beverage permits in Wisconsin and throughout the US. This is the only permit I personally have involvement with.
- Do you hold and/or are you an officer, director, stockholder, agent or employee of any person or corporation or member/manager/agent of a limited liability company holding or applying for a wholesale beer permit, brewery/winery permit or wholesale liquor, manufacturer or rectifier permit in the State of Wisconsin? Yes No
If yes, identify.
(Name of Wholesale Licensee or Permittee) (Address By City and County)

6. Named individual must list in chronological order last two employers.

Employer's Name Noodles & Company	Employer's Address 520 Zang St, Broomfield, CO 80021	Employed From 12/16/2015	To Present
Employer's Name Buffalo Wild Wings	Employer's Address	Employed From	To

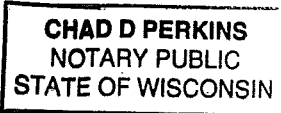
The undersigned, being first duly sworn on oath, deposes and says that he/she is the person named in the foregoing application; that the applicant has read and made a complete answer to each question, and that the answers in each instance are true and correct. The undersigned further understands that any license issued contrary to Chapter 125 of the Wisconsin Statutes shall be void, and under penalty of state law, the applicant may be prosecuted for submitting false statements and affidavits in connection with this application.

S

this 1 day of August, 20 16
Chad Perkins
(Clerk/Notary Public)

[Signature]
(Signature of Named Individual)

My commission expires 1-18-19



SUPPLEMENTAL QUESTIONNAIRE FOR AGENTS

You are required to provide the following information to the City of Beloit to assist determining whether you meet the qualifications necessary to act as agent for the corporation or limited liability company that has submitted your appointment as agent. (Wis. Stats. 125.04(5) and (6)).

Please attach as many sheets as necessary to provide your answers to the questions below. Your notarized signature is required on the next page and constitutes your sworn statement that the information provided by you is truthful and accurate. It is also necessary that you have a corporate officer sign the second page and have that signature notarized also. The signing and notarization by the corporate officer constitutes a representation to the city that the corporation is requesting that the city rely on the information provided by the agent, which you attach.

QUESTIONS

1. The law requires that the entity appointing you as agent vest in you, by properly authorized and executed written delegation, full authority and control of the premises described in the license or permit of the entity, and of the conduct of all business on the premises relative to alcohol beverages, that the licensee or permittee could have and exercise if it were a natural person. Please state in your own words how you intend to fulfill those duties and exercise your authority.
2. Please describe any previous experience you have had in retail alcohol sales.
3. Please state how many other people will be under your supervision and engaged in alcohol beverage business.
4. Please describe what type of training you will offer to those under your supervision, describe whether the training will be ongoing and attach any written training materials or policy manuals you intend to rely on.
5. Please describe in detail what training, policy and procedures you intend to implement to ensure against underage sales.
6. Please describe what other employees will hold licenses to directly dispense alcohol.
7. Please describe whether you are going to be a full time employee and further state whether you either act as an alcohol agent for any other business or hold any other employment.

8. Please state your intended hours or schedule of being physically present at the licensed premises. Your intended hours should be set out on a daily, weekly or monthly basis as appropriate.

9. Please state whether you understand that you can be personally given citations by the police department for such things as underage sales, open after hours or other alcohol related violations even when you are not on the premises.

10. Please describe any alcohol related violations you have been charged with in the last five (5) years. Provide the date of the offense, the nature of the charge and the disposition of the matter. If there are none, so state.

11. Please provide any other information you believe that the City of Beloit should be aware of in deciding whether you satisfactorily qualify to be an alcohol beverage agent.

[Handwritten Signature]
Agent Signature

David Babcock
(Print Agent Name)

Subscribed and sworn to before me this 6th day of Sept, 2016.

CHAD D PERKINS
NOTARY PUBLIC
STATE OF WISCONSIN

[Handwritten Signature]
Notary Public State WI County Rock
My commission: 1/18/2019



SIGN
HERE

Corporate Officer Signature
(Designate Office)

(Print Corporate Officer Name)

Subscribed and sworn to before me this _____ day of _____, 20____.

Notary Public _____
My commission: _____

Noodles & Co. 240

Supplemental Questionnaire For Agents Response

1. The law requires that the entity appointing you as agent vest in you, by properly authorized and executed written delegation, full authority and control of the premises described in the license or permit of the entity, and of the conduct of all business on the premises relative to alcohol beverages, that the license or permittee could have and exercise if it were a natural person. Please state in your own words how you intend to fulfill those duties and exercise your authority.

As a General Manager for Noodles & Co. I take the responsibility for serving alcohol very seriously. Properly training my staff and managers is a key to this, enforcing both state and local laws as well as our company policies. Prohibiting the service of alcohol to minors, as well as guests who may be intoxicated, these are non-negotiable to me. Communicating with Team members regarding my expectations about guests who have been consuming alcohol, working to be sure everyone is safe. Personally handle all issues while I am on the premise, reporting any issues as required. In conclusion, I will not do anything to jeopardize our guests safety, the restaurant's reputation, and in the end our license.

2. Please describe any previous experience you have had in retail alcohol sales.

I have been in the restaurant and liquor business since 1989, my experience is as follows:

- **Held a bartenders license in Janesville since 1989, serving the following establishments: Milwaukee Grill (Cornerstone), Chi Chi's, Janesville Holiday in and Convention Center, Pizza Hut, Olive Garden, Buffalo Wild Wings.**
- **Agent in Janesville for Pizza Hut, Olive Garden, and Buffalo Wild Wings.**
- **Have previously held a bartenders license in Beloit while working for Pizza Hut.**
- **Worked for Everett's Liquors after high school.**
- **Managed Campbell's 5 points liquor store.**

3. Please state how many other people will be under your supervision and engaged in alcohol beverage business.

I will have roughly 20-25 people under my supervision engaged in the alcohol beverage business they are as follows:

- **4 Managers**
- **10 to 20 Greeters**
- **20 to 30 servers**
- **5 to 7 bartenders**

4. Please describe what type of training you will offer to those under your supervision, describe whether the training will be ongoing, and attach any written training materials or policy manuals you intend to rely on.

All managers are required during their training to complete serve safe alcohol program.

5. Please describe in detail what training, policy, and procedures you intend to implement to ensure against underage sales.

- 1. Noodles & Co. will not serve alcohol to a guest who appears to be under the age of 40, without a valid form of identification.**
- 2. Ambassadors will request ID and verify at the time the first alcoholic beverage is ordered.**
- 3. Noodles & Co. prohibits the service of alcohol to minors including: to a parent or guardian purchasing for a minor child, to minor children in conjunction with any religious event or celebration.**
- 4. Managers monitor and communicate with staff; also managers address any issues adults may have regarding this policy.**

6. Please describe what other employees will hold licenses to directly dispense alcohol.**All Managers will hold valid local servers permits from the city.**

7. Please describe whether you are going to be a full time employee and further state whether you either act as an alcohol agent for any other business or hold any other employment.

I will be a full time General Manager at the Beloit location, and do not act as an agent for any other business. Noodles & Co. will be my sole employer.

8. Please state your intended hours or schedule of being physically present at the licensed premises. Your intended hours should be set on a daily, weekly, or monthly basis as appropriate.

I will be physically at the restaurant 48 to 50 hours per week. I will work a mix of lunch and dinner shifts, along with opening and closing the restaurant.

9. Please state whether you understand that you can be personally given citations by the police department for such things as underage sales, open after hours, or other alcohol related violations even when you are not on the premises.

I understand the above statement.

10. Please describe any alcohol related violations you have been charged with in the last five (5) years. Provide the date of the offense, the nature of the charge, and the disposition of the matter. If there are none, so state.

I have no alcohol related violations.

11. Please provide any other information you believe that the City of Beloit should be aware of in deciding whether you satisfactorily qualify to be an alcohol beverage agent.

For the past 25 years I have been in the restaurant business, I have been a licensed bartender for those years and have served as agent for businesses. I have a strong track record and high standards; this will continue at the Noodles & Co. in Beloit, WI.



City Clerk's Office, City Hall
100 State Street
Beloit, WI 53511
www.beloitwi.gov

NOTICE TO ATTEND ABLCC MEETING

September 7, 2016

Noodles & Company
David Babcock, Agent
2900 Milwaukee Road
Beloit, WI 53511

Dear Mr. Babcock:

Speedway LLC has submitted an application for a Change of Agent for The Noodle Shop, Co. – Colorado, Inc., d/b/a Noodles & Company, 2900 Milwaukee Avenue, Beloit, naming you as the new Agent.

This application will be discussed at the regular meeting of the Alcohol Beverage License Control Committee on **September 13, 2016 at 4:00 p.m. in The Forum of Beloit City Hall, 100 State Street, Beloit, WI.**

As the proposed Agent you must be present **September 13, 2016 at 4:00 p.m.** to answer any questions or concerns from the committee or the application will not go forward to the City Council.

If you have any questions, please call the City Clerk's Office at 364-6680

Sincerely,

Lorena Rae Stottler
City Clerk

C: The Noodle Shop, Co. – Colorado, Inc.
Attention: David Boenninghausen
520 Zang Street
Broomfield, CO 80021

CITY OF BELOIT

REPORTS AND PRESENTATIONS TO CITY COUNCIL



Topic: Sale of Land to Hendricks Commercial Properties – Council Referral to Plan Commission

Date: September 19, 2016

Presenter(s): Julie Christensen

Department(s): Community Development

Overview/Background Information:

Hendricks Commercial Properties (HCP) has submitted an offer to purchase a 4,231 square-foot portion of the City-owned land located at 650 Third Street. This land is a landscaped section of the Ironworks South municipal parking lot property. If approved and acquired, HCP's intent is to combine this land into the Ironworks West parking lot currently under construction on their property located at 690 Third Street as shown on the attached map. The sale of municipal land is required to be referred to and reviewed by the Plan Commission in accordance with Section 62.23(5) of Wisconsin Statutes.

Key Issues (maximum of 5):

- Earlier this year, HCP demolished the one-story sections of the office building located at 690 Third Street with the intent of creating a new parking lot known as Ironworks West. There is an existing 30-foot "jog" in the property line between the City and HCP parcels, which prevents the most efficient parking lot layout. To address this issue, HCP prepared site plans for the Ironworks West parking lot that included only their property, as well as an alternative layout that incorporated the land that is the subject of this request. Planning staff approved the site plans for the Ironworks West parking lot on June 30th, contingent upon City Council approval of this land transfer.
 - The attached Plat of Survey establishes a legal description of the land to be transferred, which has been incorporated into a Purchase and Sale Agreement between the City and HCP.
 - The Ironworks West parking lot expansion is one of many short- and long-term efforts underway to increase the supply of off-street parking to serve all of the employment growth in and around the Ironworks campus.
-

Conformance to Strategic Plan (List key goals this action would support and its impact on the City's mission):

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

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

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

Action required/Recommendation:

- Referral to the Plan Commission for consideration at the September 21, 2016 meeting
 - This item will likely return to the City Council for consideration on October 3, 2016
-

Fiscal Note/Budget Impact: The proposed purchase price is \$1.

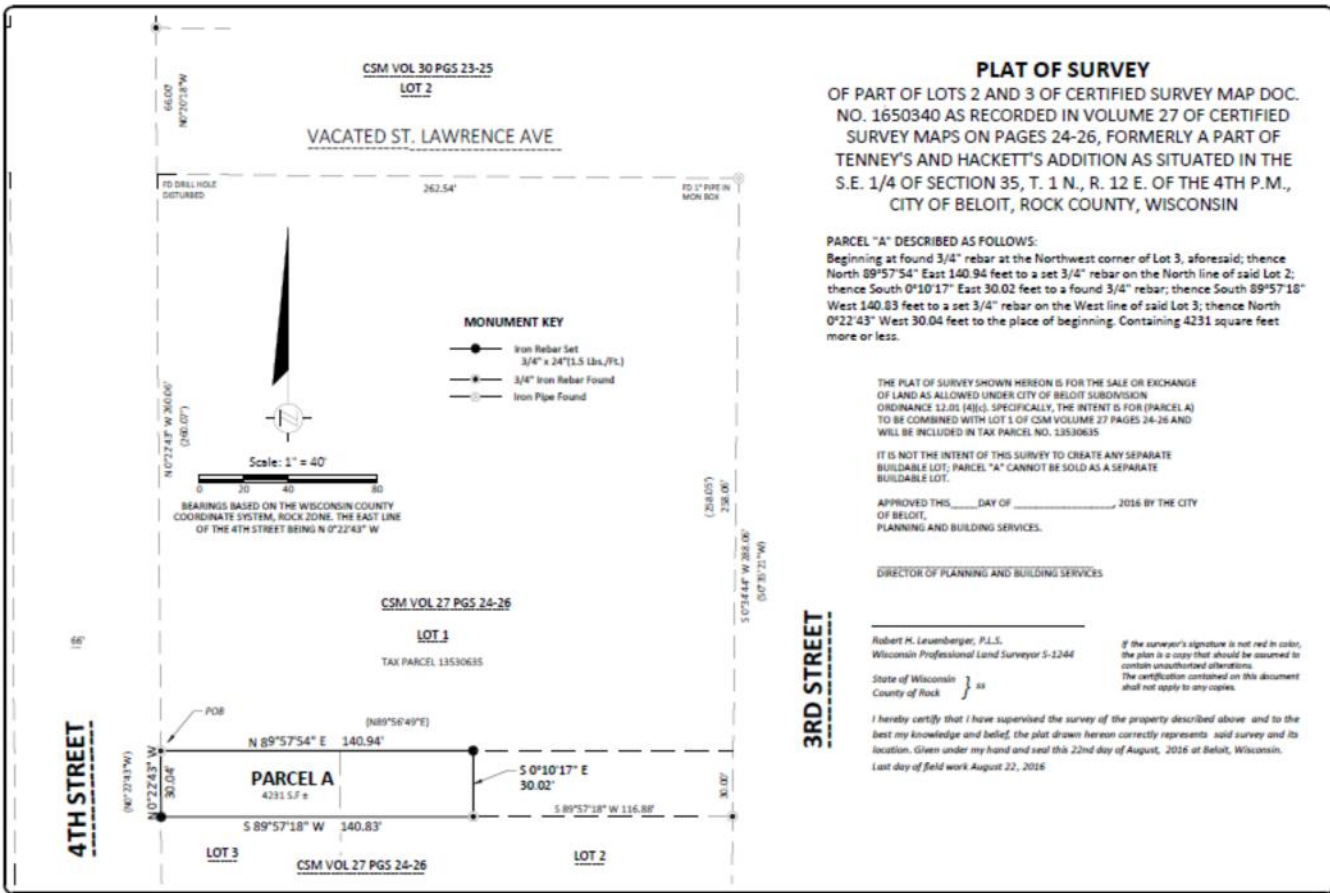
Attachments: Ironworks Parking Layout Map & Plat of Survey



IRONWORKS

**PARKING LAYOUT
EXISTING & PHASE 2**

21/22/2024 12:27:03 PM 2215 ACOPY/CONCEPTS/CONCEPTS/2215-107-22 Public Set Overview.dwg



PLAT OF SURVEY
 OF PART OF LOTS 2 AND 3 OF CERTIFIED SURVEY MAP DOC. NO. 1650340 AS RECORDED IN VOLUME 27 OF CERTIFIED SURVEY MAPS ON PAGES 24-26, FORMERLY A PART OF TENNEY'S AND HACKETT'S ADDITION AS SITUATED IN THE S.E. 1/4 OF SECTION 35, T. 1 N., R. 12 E. OF THE 4TH P.M., CITY OF БЕЛОИТ, ROCK COUNTY, WISCONSIN

PARCEL "A" DESCRIBED AS FOLLOWS:
 Beginning at found 3/4" rebar at the Northwest corner of Lot 3, aforesaid; thence North 09°57'54" East 140.94 feet to a set 3/4" rebar on the North line of said Lot 2; thence South 0°10'17" East 30.02 feet to a found 3/4" rebar; thence South 89°57'18" West 140.83 feet to a set 3/4" rebar on the West line of said Lot 3; thence North 0°22'43" West 30.04 feet to the place of beginning. Containing 4231 square feet more or less.

THE PLAT OF SURVEY SHOWN HEREON IS FOR THE SALE OR EXCHANGE OF LAND AS ALLOWED UNDER CITY OF БЕЛОИТ SUBDIVISION ORDINANCE 22.02 (4)(c). SPECIFICALLY, THE INTENT IS FOR (PARCEL A) TO BE COMBINED WITH LOT 1 OF CSM VOLUME 27 PAGES 24-26 AND WILL BE INCLUDED IN TAX PARCEL NO. 13530635

IT IS NOT THE INTENT OF THIS SURVEY TO CREATE ANY SEPARATE BUILDABLE LOT; PARCEL "A" CANNOT BE SOLD AS A SEPARATE BUILDABLE LOT.

APPROVED THIS _____ DAY OF _____, 2016 BY THE CITY OF БЕЛОИТ, PLANNING AND BUILDING SERVICES.

DIRECTOR OF PLANNING AND BUILDING SERVICES

Robert M. Leuenberger, P.L.S.
 Wisconsin Professional Land Surveyor 5-1244
 State of Wisconsin } ss
 County of Rock }

If the surveyor's signature is not red in color, the plan is a copy that should be assumed to contain unauthorized alterations. The certification contained on this document shall not apply to any copies.

I hereby certify that I have supervised the survey of the property described above and to the best of my knowledge and belief, the plat drawn hereon correctly represents said survey and its location. Given under my hand and seal this 22nd day of August, 2016 at Beloit, Wisconsin.
 Last day of field work August 22, 2016

Batteman
 SURVEYING & ENGINEERING, INC.
 2027 North One South, Waterloo, WI 53188
 TEL: 608.848.1100
 WWW.BATTEMAN.SURV

PLAT OF SURVEY

FOR THE RECORD HEREON:
 HCP, LLC
 525 THIRD ST., SUITE 300
 БЕЛОИТ, WI 53511
 E-mail: hcp@hcppro.com

ORDER NO. 3353
 BOOK 346 PAGE 73
 FIELD DRAWING NO. 14
 DATE: 8/22/16

RESOLUTION
AWARDING PUBLIC WORKS CONTRACT C16-20
Concrete Pavement Repair

WHEREAS, on September 8, 2016, two competitive bids were received, the low bid being from CPR, Inc.; and

WHEREAS, CPR, Inc. is a qualified bidder.

THEREFORE, BE IT RESOLVED that Public Works Contract C16-20, Concrete Pavement Repair, is hereby awarded to CPR, Inc., Brookfield, WI, in the following amounts:

CPR, Inc.
PO Box 1177
Brookfield, WI 53008-1177

Base Bid	\$ 63,040.00
Allowance for Change Orders and/or Extra Work	\$ 8,960.00
TOTAL PROJECT COST	\$ 72,000.00

BE IT FURTHER RESOLVED that the amount of \$ 72,000.00 is hereby funded as follows:

P2902187-5514-2015 Street Maintenance	\$72,000.00
TOTAL	\$72,000.00

Dated at Beloit, Wisconsin this 19th day of September, 2016.

City Council of the City of Beloit

David F. Luebke, President

ATTEST:

Lorena Rae Stottler, City Clerk

CITY OF BELOIT

REPORTS AND PRESENTATIONS TO CITY COUNCIL



Topic: Award of Contract C16-20, Concrete Pavement Repair

Date: September 19, 2016

Presenter(s): Greg Boysen P.E., Public Works Director

Department(s): Public Works/ Engineering

Overview/Background Information:

This project will repair broken slabs at six locations.

Key Issues (maximum of 5):

1. Two bids were received for this project. The low bid of \$ 63,040.00 was from CPR, Inc. and is 59.6% more than the engineer's estimate of \$ 39,488.00.
2. CPR, Inc. is considered a responsible bidder for this project.
3. The costs for this project are as follows: \$ 63,040.00 for construction, \$ 8,960.00 for Change Orders or extra work, for a total of \$ 72,000.00.

Conformance to Strategic Plan (List key goals this action would support and briefly discuss its impact on the City's mission.):

1. **Develop a high quality community through the responsible stewardship and enhancement of City resources to further Beloit's resurgence as a gem of the Rock River Valley.**

This project will enhance the quality of life in Beloit by repairing broken pavement.

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

- **Reduce dependence upon fossil fuels**
n/a
- **Reduce dependence on chemicals and other manufacturing substances that accumulate in nature**
n/a
- **Reduce dependence on activities that harm life sustaining eco-systems**
n/a
- **Meet the hierarchy of present and future human needs fairly and efficiently**
The smooth pavement meets the present and future human needs by supporting industry and creating jobs.

If any of the four criteria are not applicable to your specific policy or program, an N/A should be entered in that space.

Action required/Recommendation:


The Engineering Division recommends awarding this Public Works Contract to CPR, Inc. in the amount of \$ 63,040.00.

Fiscal Note/Budget Impact:

Funding is available from the Street Maintenance budget.

CITY OF BELOIT

DEPARTMENTAL CORRESPONDENCE

TO: Mike Flesch
FROM: Andy Hill, Project Engineer 
DATE: September 08, 2016
SUBJECT: Bid Results for Contract C16-20
Concrete Pavement Repair

Pursuant to advertisements placed August 24 and August 31, bids were received until 3:00 PM on September 8 for the Concrete Pavement Repair. A tabulation of bids is attached.

Two bids were received for this project as follows:

1. CPR, Inc.	Brookfield, WI	\$ 63,040.00	*Low
2. CCI, Inc.	Beloit, WI	\$ 87,868.00	
Engineer's Estimate		\$ 39,488.00	

Upon review of the Contractor's Proof of Responsibility Statement, CPR, Inc. is determined to be a responsible bidder.

I recommend that the contract be awarded to CPR, Inc. of Brookfield, WI. The following is a breakdown of the proposed project cost:

COSTS

CPR, Inc.	\$ 63,040.00
Allowance for Change Orders and/or Extra Work	\$ 8,960.00
TOTAL PROJECT COST	\$ 72,000.00

PROJECT INFORMATION

This project will repair broken slabs at six locations.

**Tabulation of Bids
Contract C16-20
Concrete Pavement Repair
Bids Opened September 8, 3:00 PM**

Item No.	Bid Item Description	Quantity	Unit	Engineer's Estimate		CPR, Inc. Brookfield, WI		CCI, Inc. Beloit, WI	
				Price	Extended	Price	Extended	Price	Extended
Site Preparation									
1	Mobilization - (C & D are one, E & F are one)	4	SITE	\$200.00	\$800.00	\$2,500.00	\$10,000.00	\$850.00	\$3,400.00
2	Traffic Control(E & F are one)	5	SITE	\$1,200.00	\$6,000.00	\$1,500.00	\$7,500.00	\$750.00	\$3,750.00
3	Manhole Adjustments	2	EACH	\$200.00	\$400.00	\$500.00	\$1,000.00	\$670.00	\$1,340.00
Pavements									
4	Base Aggregate Dense 1-1/4 Inch	2	TON	\$20.00	\$40.00	\$50.00	\$100.00	\$133.00	\$266.00
5	Urban Doweled Concrete Pavement, 9-Inch Remove and Replace Complete	504	SY	\$62.00	\$31,248.00	\$85.00	\$42,840.00	\$153.00	\$77,112.00
6	Concrete Curb & Gutter, Type K 30-Inch Remove and Replace	40	LF	\$25.00	\$1,000.00	\$40.00	\$1,600.00	\$50.00	\$2,000.00
Total Proposal					\$39,488.00		\$63,040.00		\$87,868.00

ORDINANCE NO. _____

**AN ORDINANCE AMENDING THE
CITY OF БЕЛОIT COMPREHENSIVE PLAN**

The City Council of the City of Beloit, Rock County, Wisconsin do ordain as follows:

Section 1. The Future Land Use Map (Map 10) of the City of Beloit Comprehensive Plan, adopted in §12.015 of the Code of General Ordinances of the City of Beloit, is hereby amended as follows:

The future land use category of the following described land is hereby changed from Parks & Open Spaces to Single-Family Residential – Urban:

Legal Description:

Lot 1 of Certified Survey Map Document No. 2059860 as recorded in Volume 37 on Pages 394-396 of the Certified Survey Maps of Rock County, located in the City of Beloit, County of Rock, State of Wisconsin (also known as 1750 Raven Drive). Said parcel contains 1.867 acres, more or less.

Section 2. This ordinance shall take effect and be in force upon its passage and publication.

Adopted this 19th day of September, 2016.

City Council of the City of Beloit

David F. Luebke, Council President

Attest:

Lorena Rae Stottler, City Clerk

Published this _____ day of _____, 2016.

Effective this _____ day of _____, 2016.

01-611100-5231-_____

CITY OF BELOIT

REPORTS AND PRESENTATIONS TO CITY COUNCIL



Topic: Comprehensive Plan Amendment – 1750 Raven Drive (Previously Easternmost 2 Acres of 1601 Gateway Blvd)

Date: September 6, 2016

Presenter(s): Julie Christensen

Department(s): Community Development

Overview/Background Information:

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

Key Issues:

- The applicant is requesting the following amendment to the Future Land Use Map:
 - 1750 Raven Drive (Previously Easternmost 2 Acres of 1601 Gateway Blvd) – From Parks & Open Spaces to Single-Family Residential – Urban.
 - The applicant has made an accepted offer to purchase the subject property from the City of Beloit. If the applicant's land use applications are approved, the 2 acres subject to this request will be subdivided into five new home sites and Raven Drive will be completed as a cul-de-sac. As part of this process, Raven Drive will be renamed Raven Court. A rendering of this concept is attached.
 - The remaining 6.7 acres behind the existing homes on Eagles Ridge Drive will remain as City-owned open space and are not subject to this request. The proposed map amendment is related to the applicant's concurrent request to rezone the 2 acres under contract from PLI, Public Lands & Institutions District to R-1A, Single-Family Residential. The applicant recently recorded a CSM to subdivide the 2 acres to be rezoned & purchased.
 - A Location & Zoning Map is attached to this report. As shown on the attached map, there are existing single-family homes and/or lots to the west, south, and east of the land that is subject to this request. The land to the north of the subject property is planned and zoned for office/business park uses.
 - The existing Future Land Use Map is attached to this report, along with the land use legend.
 - The proposed Map Amendment will allow New Leaf Homes to construct a low-density, suburban-style cul-de-sac development that is compatible with the density and character of the neighborhood. Raven Drive was designed and constructed to extend to the north, and the applicant's proposal will establish a fixed northern edge for this residential subdivision, while leaving nearly 7 acres of public open space between the originally constructed homes on Eagles Ridge Drive and the business park land to the north.
 - The Plan Commission held a public hearing to consider the requested amendment on July 20, 2016 and voted unanimously (6-0) to recommend approval of the requested amendment. Their Resolution is attached.
-

Conformance to Strategic Plan:

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

Sustainability:

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

Action required/Recommendation:

- City Council consideration and 1st and 2nd readings of the proposed Ordinance
-

Fiscal Note/Budget Impact: The proposed purchase price is \$20,000, and once purchased, the subject property will become taxable residential land.

Attachments: Ordinance, Plan Commission Resolution, and Staff Report to the Plan Commission

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

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

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

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

WHEREAS, "amendments" are generally defined as minor changes to the Plan's maps or text; and

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

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


Easternmost 2 Acres of 1601 Gateway Blvd (adjacent to Raven Drive – tentatively 1750 Raven Drive) – From Parks & Open Spaces to Single-Family Residential – Urban

Adopted this 20th day of July, 2016.



James Faragher, Plan Commission Chairman

ATTEST:



Julie Christensen,
Community Development Director

CITY OF БЕЛОIT

REPORT TO THE БЕЛОIT CITY PLAN COMMISSION



Meeting Date: July 20, 2016

Agenda Item: 6

File Number: RPB-2016-05

Request Overview/Background Information:

New Leaf Homes has submitted an application requesting an amendment to the Future Land Use Map (Map 10) of the City of Beloit Comprehensive Plan. Wisconsin's Comprehensive Planning Law, §66.1001 of the Wisconsin Statutes, requires all cities that regulate land use through land use ordinances (e.g. zoning) to adopt a Comprehensive Plan. Comprehensive Plans are intended to guide development and redevelopment over a 20-year timeframe. The law also requires that land use decisions be consistent with the plan.

The Beloit City Council approved the City's Comprehensive Plan in 2008 after an extensive public participation program. All land use decisions made by the City of Beloit, including any actions regarding official mapping, local subdivision regulation, and zoning regulations, must be consistent with the plan. The Beloit City Council established a process for amendments (minor changes) to the Comprehensive Plan in 2010. The Plan Commission's recommendation to approve or deny this request will be forwarded to the City Council for consideration on September 6, 2016.

Key Issues:

- The applicant is requesting the following amendment to the Future Land Use Map:
 - Easternmost 2 Acres of 1601 Gateway Blvd (adjacent to Raven Drive) – From Parks & Open Spaces to Single-Family Residential – Urban.
- The applicant has made an accepted offer to purchase the subject property from the City of Beloit. If the applicant's land use applications are approved, the 2 acres subject to this request will be subdivided into five new home sites and Raven Drive will be completed as a cul-de-sac. As part of this process, Raven Drive will be renamed Raven Court. A rendering of this concept is attached.
- The remaining 6.7 acres behind the existing homes on Eagles Ridge Drive will remain as City-owned open space and are not subject to this request. The proposed map amendment is related to the applicant's concurrent request to rezone the 2 acres under contract from PLI, Public Lands & Institutions District to R-1A, Single-Family Residential. The applicant has also submitted a CSM to subdivide the 2 acres to be rezoned & purchased.
- A Location & Zoning Map is attached to this report. As shown on the attached map, there are existing single-family homes and/or lots to the west, south, and east of the land that is subject to this request. The land to the north of the subject property is planned and zoned for office/business park uses.
- The existing Future Land Use Map is attached to this report, along with the land use legend.
- **Recent History**
 - The City purchased the subject property in late 2012, following the completion of Gateway Blvd. At the time of purchase, the subject property was part of a larger 44-acre parcel zoned R-1A that extended to the north. In February 2014, the City subdivided the 44-acre parcel into a 35-acre future office/business park development parcel along Gateway Blvd and an 8.6-acre parcel to serve primarily as a buffer behind the then-existing homes along Eagles Ridge Drive. The Raven Drive dead-end existed at the time and was always contemplated for completion, but during the recession there was absolutely no demand for single-family lots, nor was there a clear answer for how this subdivision might evolve. Accordingly, the northern 35-acre parcel (subsequently addressed as 1801 Gateway Blvd) was rezoned from R-1A to C-1, Office District in June 2014 to allow future office/business park development. The southern 8.6-acre parcel was rezoned to PLI, Public Lands & Institutions during the same rezoning action in June 2014.
- **Public Comments**
 - Planning staff has been contacted by two neighboring property owners who are concerned about changes to their existing views following this single-family development.
- **Land Use Analysis – Proposed Single-Family Residential Use**
 - The proposed Map Amendment will allow New Leaf Homes to construct a low-density, suburban-style cul-de-sac development that is compatible with the density and character of the neighborhood. Raven Drive was designed and constructed to extend to the north, and the applicant's proposal will establish a fixed northern edge for this residential subdivision, while leaving nearly 7 acres of public open space between the originally constructed homes on Eagles Ridge Drive and the business park land to the north.

Consistency with Comprehensive Plan and Strategic Plan:

- The City's compliance with the Comprehensive Planning law's consistency requirement is the impetus for this request.

- Consideration of this request supports Strategic Goal #5.

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

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

Staff Recommendation:

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

- Easternmost 2 Acres of 1601 Gateway Blvd (adjacent to Raven Drive) – From Parks & Open Spaces to Single-Family Residential – Urban.

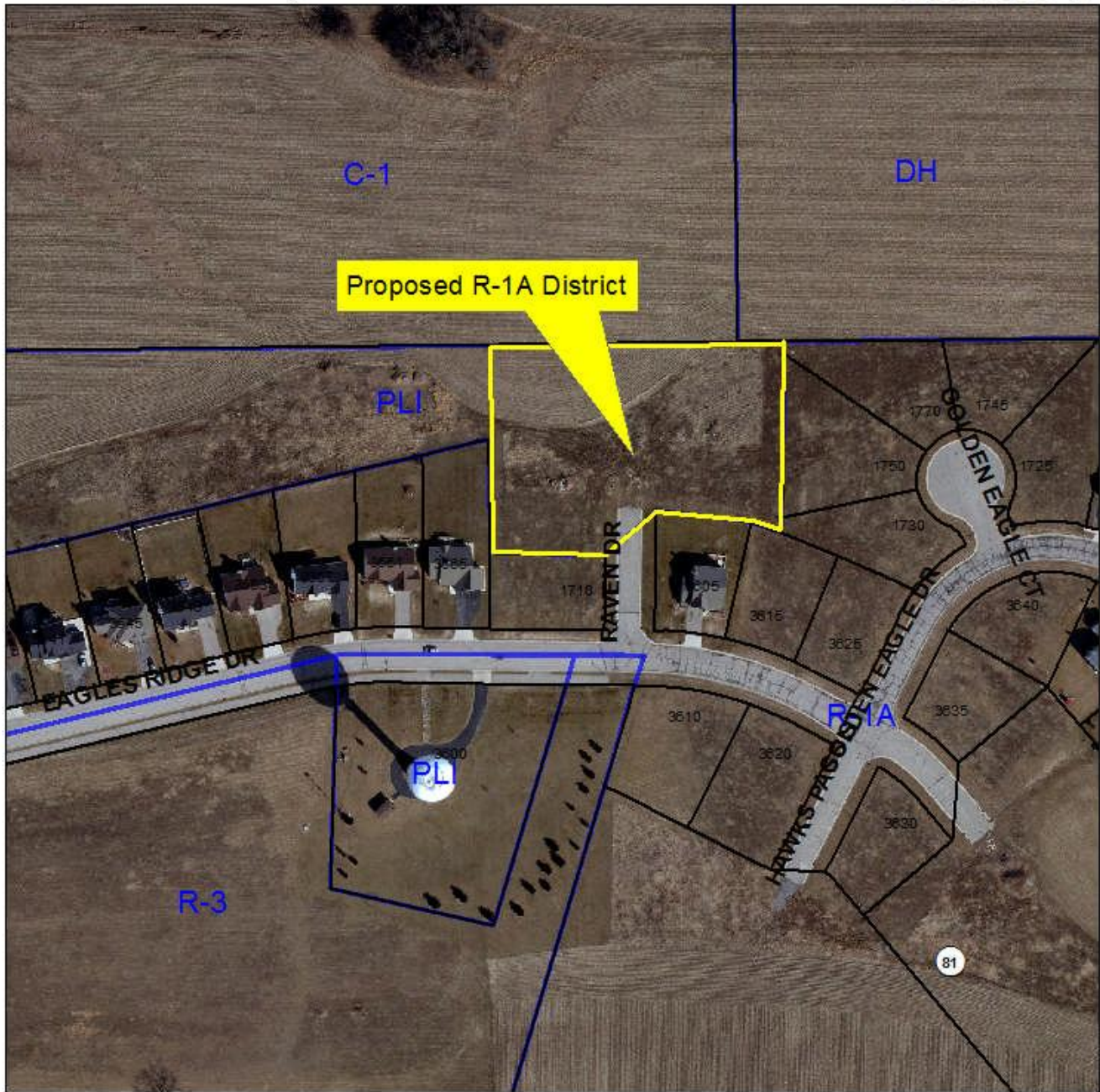
Fiscal Note/Budget Impact: The proposed purchase price is \$20,000, and once purchased, the subject property would become taxable residential land.

Attachments: Location & Zoning Map, Future Land Use Map, Concept, Public Notice, Mailing List, and Resolution.

Location & Zoning Map

Part of 1601 Gateway Blvd

ZMA-2016-03



1 inch = 171 feet

0 2550 100 150 Feet

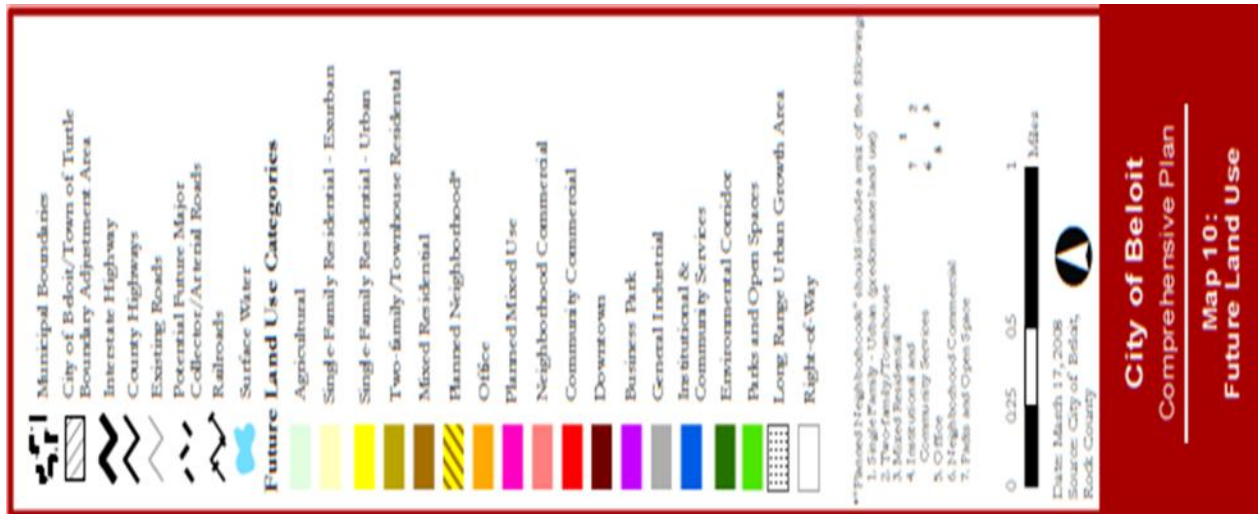
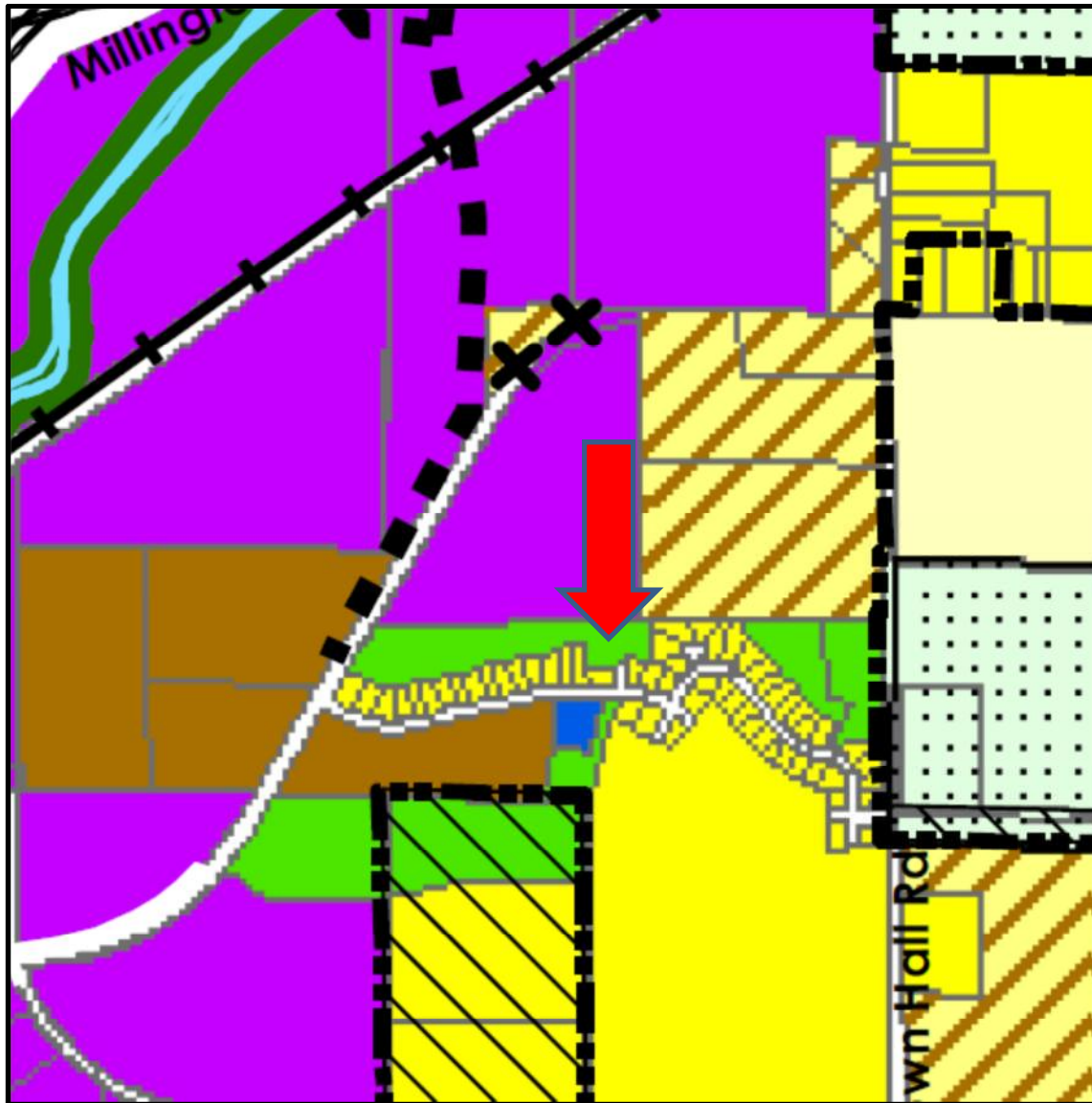
Legend

- City Limits
- Zoning District

Map prepared by: Drew Pennington, AICP
Date: July 2016
For: City of Beloit Planning & Building Services
Date of Aerial Photography: March 2011

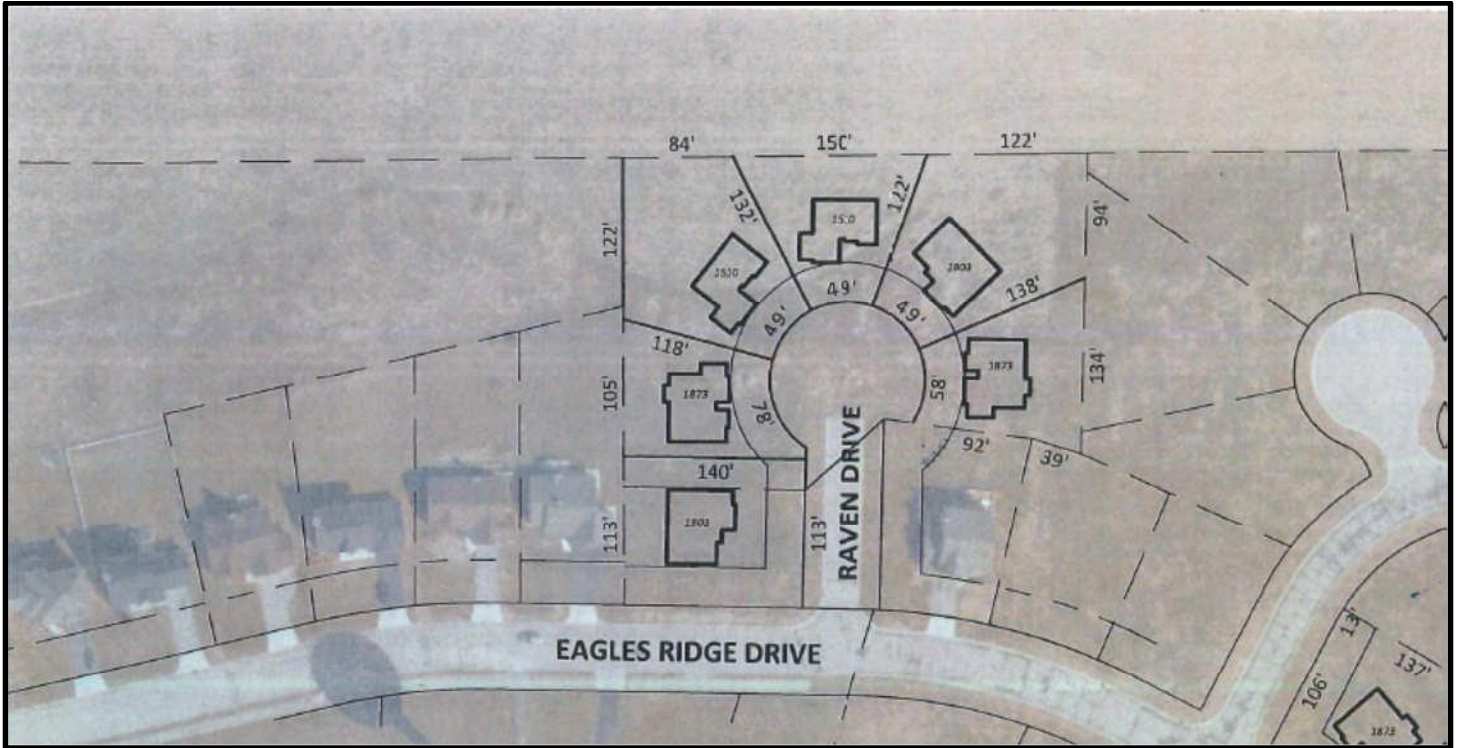
PLANNING & BUILDING SERVICES DIVISION

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



City of Beloit
 Comprehensive Plan
 Map 10:
 Future Land Use

Raven Court Concept





NOTICE TO THE PUBLIC

July 6, 2016

To Whom It May Concern:

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

Easternmost 2 Acres of 1601 Gateway Blvd (adjacent to Raven Drive) –
From Parks & Open Spaces to Single-Family Residential – Urban.

The applicant has made an accepted offer to purchase the subject property from the City of Beloit. If approved, the 2 acres subject to this request would be subdivided into five new home sites and Raven Drive would be completed as a cul-de-sac. The remaining 6.7 acres behind the existing homes on Eagles Ridge Drive would remain as City-owned open space. The proposed map amendment is related to the applicant's concurrent request to rezone the subject property from PLI, Public Lands & Institutions District to R-1A, Single-Family Residential.

Information regarding the location, zoning, and land use of this property is available for review in the Planning & Building Services Division on the 3rd floor of City Hall, 100 State Street.

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

City Plan Commission: Wednesday, July 20, 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 (Public Hearing): Tuesday, September 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.

THE PUBLIC IS INVITED TO ATTEND THESE MEETINGS.

We are interested in your opinion.

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

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

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

Frank Management Inc.
2501 Morse Street
Janesville, WI 53545

Dr. Tom Johnson
School District of Beloit
1633 Keeler Avenue
Beloit, WI 53511

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

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

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

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

Superintendent
Clinton Community School District
112 Milwaukee Road
Clinton, WI 53525

Nick Dimassis
Beloit Public Library Director
VIA I/O MAIL

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

Brad Austin
Corporate Contractors Inc.
3800 Gateway Blvd #200
Beloit, WI 53511

ORDINANCE NO. _____

**AN ORDINANCE AMENDING THE
ZONING DISTRICT MAP OF THE CITY OF БЕЛОIT**

The City Council of the City of Beloit, Rock County, Wisconsin do ordain as follows:

Section 1. The Zoning District Map of the City of Beloit, mentioned in the Zoning Code, Chapter 19 of the Code of General Ordinances of the City of Beloit, is amended as follows:

The following described land, also known as 1750 Raven Drive, is hereby changed from PLI, Public Lands & Institutions District to R-1A, Single-Family Residential District:

Legal Description:

Lot 1 of Certified Survey Map Document No. 2059860 as recorded in Volume 37 on Pages 394-396 of the Certified Survey Maps of Rock County, located in the City of Beloit, County of Rock, State of Wisconsin (also known as 1750 Raven Drive). Said parcel contains 1.867 acres, more or less.

Section 2. This Ordinance shall take effect and be in force upon its passage and publication.

Adopted this 19th day of September 2016.

City Council of the City of Beloit

David F. Luebke, Council President

Attest:

Lorena Rae Stottler, City Clerk

Published this ____ day of _____, 2016

Effective this ____ day of _____, 2016

01-611100-5231-_____

CITY OF BELOIT

REPORTS AND PRESENTATIONS TO CITY COUNCIL



Topic: Zoning Map Amendment – 1750 Raven Drive (Previously Easternmost 2 Acres of 1601 Gateway Blvd)

Date: September 6, 2016

Presenter(s): Julie Christensen

Department: Community Development

Overview/Background Information:

New Leaf Homes has submitted an application for a Zoning Map Amendment to change the zoning district classification from PLI, Public Lands & Institutions District to R-1A, Single-Family Residential District, for the property located at 1750 Raven Drive (previously known as the easternmost 2 acres of 1601 Gateway Blvd).

Key Issues (maximum of 5):

- The applicant has made an accepted offer to purchase the subject property from the City of Beloit. The applicant has constructed and sold numerous spec houses in the Eagles Ridge subdivision. If the applicant's land use applications are approved, the 2 acres subject to this request will be subdivided into five new home sites and Raven Drive will be completed as a cul-de-sac. As part of this process, Raven Drive will be renamed Raven Court. A rendering of this concept is attached.
- The remaining 6.7 acres behind the existing homes on Eagles Ridge Drive will remain zoned PLI as City-owned open space and are not subject to this request. The applicant recently recorded a CSM to subdivide the 2 acres to be rezoned & purchased, hence the new address of 1750 Raven Drive. A Location & Zoning Map is attached to this report. As shown on the attached map, there are existing single-family homes and/or lots to the west, south, and east of the land that is subject to this request. The land to the north of the subject property is planned and zoned (C-1) for office/business park uses.
- Planning staff mailed the attached Public Notice to the owners of nearby properties and installed a sign on the property. Planning staff has been contacted by two neighboring property owners who are concerned about changes to their existing views following this single-family development.
- The proposed R-1A classification will allow New Leaf Homes to construct a low-density, suburban-style cul-de-sac development that is compatible with the density and character of the neighborhood. Raven Drive was designed and constructed to extend to the north, and the applicant's proposal will establish a fixed northern edge for this residential subdivision, while leaving nearly 7 acres of public open space between the originally constructed homes on Eagles Ridge Drive and the business park land to the north.
- The Plan Commission reviewed this item on July 20, 2016 and voted unanimously (6-0) to recommend approval of this Zoning Map Amendment.

Consistency with Comprehensive Plan and Strategic Plan:

The Comprehensive Plan's Future Land Use Map (#10) recommends Parks & Open Spaces for the subject property, although the applicant has submitted a separate request to amend Map #10 to recommend Single-Family Residential – Urban uses. Consideration of this request supports City of Beloit Strategic Goal #5.

Sustainability:

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

Action required/Recommendation:

- City Council consideration and 1st and 2nd readings of the proposed Ordinance

Fiscal Note/Budget Impact: The proposed purchase price is \$20,000, and once sold, the property will become taxable.

Attachments: Ordinance and Staff Report to the Plan Commission

CITY OF BELOIT

REPORT TO THE BELOIT CITY PLAN COMMISSION



Meeting Date: July 20, 2016

Agenda Item: 7

File Number: ZMA-2016-03

Applicant: New Leaf Homes

Owner: City of Beloit

Location: 1601 Gateway Blvd

Current Zoning: PLI, Public Lands

Existing Land Use: Vacant Land

Parcel Size: 1.9 Acres

Proposed Zoning: R-1A, Single-Fam.

Request Overview/Background Information:

New Leaf Homes has submitted an application for a Zoning Map Amendment to change the zoning district classification from PLI, Public Lands & Institutions District to R-1A, Single-Family Residential District, for the easternmost 2 acres of the property located at 1601 Gateway Blvd (adjacent to Raven Drive).

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

Key Issues:

- The applicant has made an accepted offer to purchase the subject property from the City of Beloit. The applicant has constructed and sold numerous spec houses in the Eagles Ridge subdivision. If the applicant's land use applications are approved, the 2 acres subject to this request will be subdivided into five new home sites and Raven Drive will be completed as a cul-de-sac. As part of this process, Raven Drive will be renamed Raven Court. A rendering of this concept is attached.
- The remaining 6.7 acres behind the existing homes on Eagles Ridge Drive will remain zoned PLI as City-owned open space and are not subject to this request. The applicant has also submitted a CSM to subdivide the 2 acres to be rezoned & purchased.
- A Location & Zoning Map is attached to this report. As shown on the attached map, there are existing single-family homes and/or lots to the west, south, and east of the land that is subject to this request. The land to the north of the subject property is planned and zoned (C-1) for office/business park uses.
- Planning staff mailed the attached Public Notice to the owners of nearby properties and installed a sign on the property. Planning staff has been contacted by two neighboring property owners who are concerned about changes to their existing views following this single-family development.
- **Findings of Fact** - Based on Section 2-304 of the Zoning Ordinance, the Plan Commission shall make a recommendation based on the following considerations:
 - a. *The existing use of property within the general area of the subject property;*
 - The proposed R-1A classification will allow New Leaf Homes to construct a low-density, suburban-style cul-de-sac development that is compatible with the density and character of the neighborhood. Raven Drive was designed and constructed to extend to the north, and the applicant's proposal will establish a fixed northern edge for this residential subdivision, while leaving nearly 7 acres of public open space between the originally constructed homes on Eagles Ridge Drive and the business park land to the north.
 - b. *The zoning classification of property within the general area of the subject property;*
 - The subject property is surrounded by an existing R-1A district and will simply expand the size of that single-family district.
 - c. *The suitability of the subject property for the uses permitted under the existing zoning classification;*
and
 - The subject property is suitable for open space uses, but leaving an incomplete dead-end street and the associated infrastructure in place would be inefficient planning & design.
 - d. *The trend of development and zoning map amendments in the general area of the subject property.*
 - The City purchased the subject property in late 2012, following the completion of Gateway Blvd. At the time of purchase, the subject property was part of a larger 44-acre parcel zoned R-1A that extended to the north. In February 2014, the City subdivided the 44-acre parcel into a 35-acre future office/business park development parcel along Gateway Blvd and an 8.6-acre parcel to serve primarily as a buffer behind the then-existing homes along Eagles Ridge Drive. The Raven Drive dead-end existed at the time and was always contemplated for completion, but during the recession there was absolutely no demand for single-family lots,

nor was there a clear answer for how this subdivision might evolve. Accordingly, the northern 35-acre parcel (subsequently addressed as 1801 Gateway Blvd) was rezoned from R-1A to C-1, Office District in June 2014 to allow future office/business park development. The southern 8.6-acre parcel was rezoned to PLI, Public Lands & Institutions during the same rezoning action in June 2014.

Consistency with Comprehensive Plan and Strategic Plan:

The Comprehensive Plan's Future Land Use Map (#10) recommends Parks & Open Spaces for the subject property, although the applicant has submitted a separate request to amend Map #10 to recommend Single-Family Residential – Urban uses for the 2 acres that are subject to this rezoning request.

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

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

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

Staff Recommendation:

Based upon the above Findings of Fact and the City's Comprehensive Plan, the Planning & Building Services Division recommends approval of a Zoning Map Amendment to change the zoning district classification from PLI, Public Lands & Institutions District to R-1A, Single-Family Residential District, for the easternmost 2 acres of the property located at 1601 Gateway Blvd (adjacent to Raven Drive).

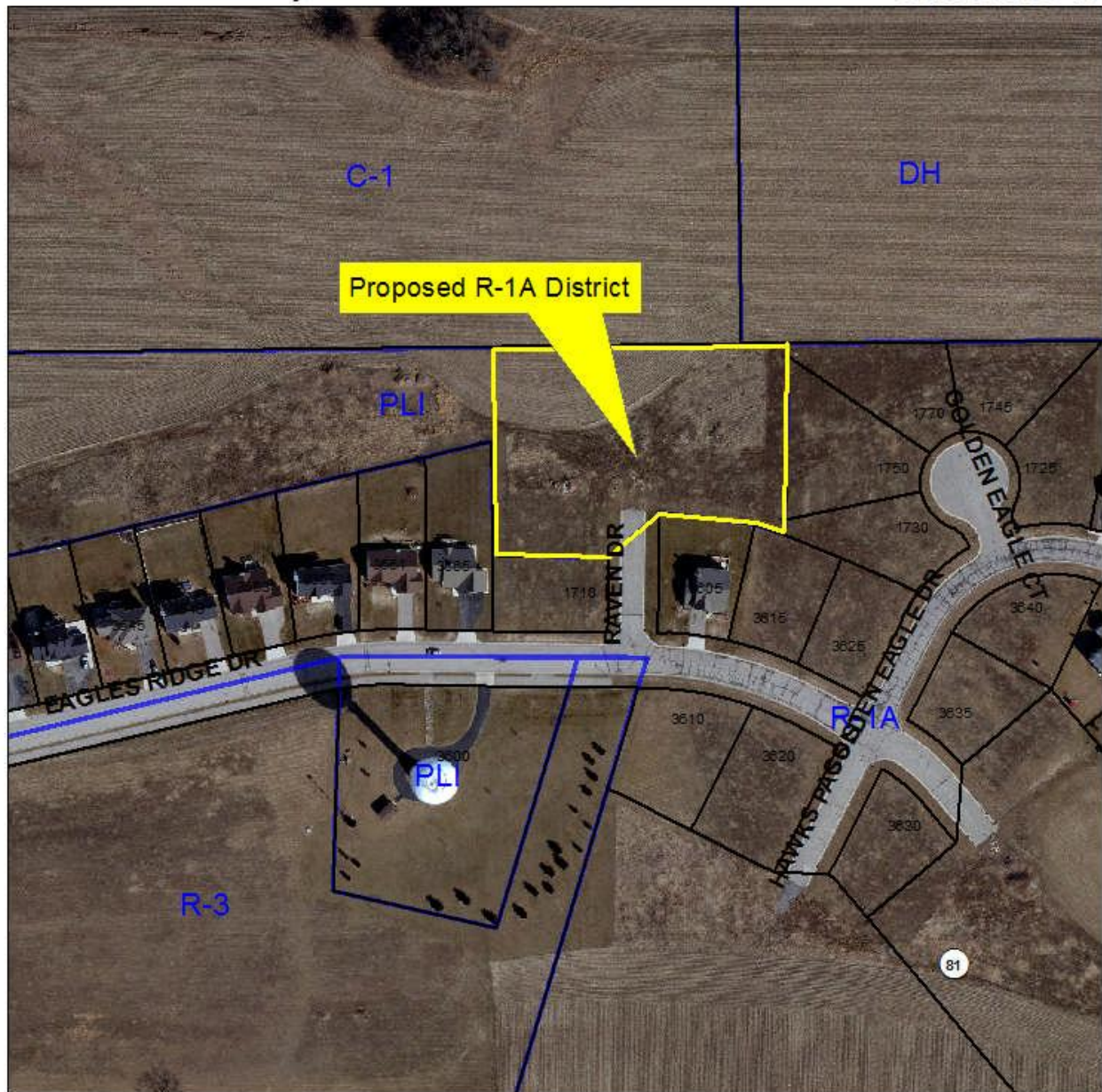
Fiscal Note/Budget Impact: The proposed purchase price is \$20,000.

Attachments: Location & Zoning Map, Raven Court Concept, Application, Public Notice, and Mailing List.

Location & Zoning Map

Part of 1601 Gateway Blvd

ZMA-2016-03



1 inch = 171 feet
0 25 50 100 150 Feet

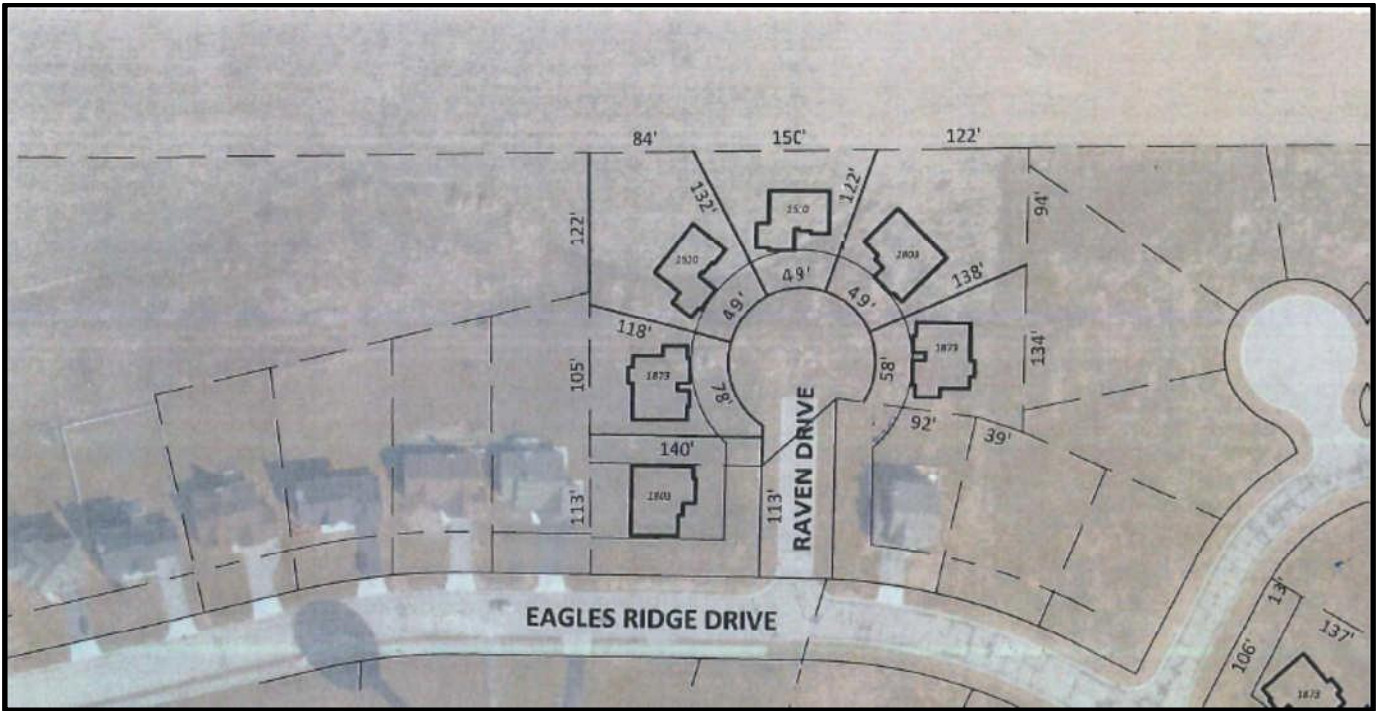
Legend

- City Limits
- Zoning District

Map prepared by: Drew Pennington, AICP
Date: July 2016
For: City of Beloit Planning & Building Services
Date of Aerial Photography: March 2011

PLANNING & BUILDING SERVICES DIVISION

Raven Court Concept



CITY of BELOIT

PLANNING & BUILDING SERVICES DIVISION

100 State Street, Beloit, WI 53511

Phone: (608) 364-6700

Fax: (608) 364-6609

Zoning Map Amendment Application Form

(Please Type or Print)

File No.: ZMA-2016-03

1. Address of subject property: 1601 GATEWAY BLVD (a portion of)

2. Legal description: Lot: 2 Block: PAET Subdivision: CSMV36 P.110-103
(If property has not been subdivided, attach a copy of the complete legal description from deed.)

Property dimensions are: 355± feet by 230± feet = 81,312 square feet.

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

3. Tax Parcel Number(s): 22810010

4. Owner of record: CITY OF BELOIT Phone: 364.6711

100 STATE ST BELOIT WI 53511
(Address) (City) (State) (Zip)

5. Applicant's Name: NEW LEAF ~~LONGST.~~ HOMES c/o JOHN KNABE

6551 E. RIVERSIDE ROCKFORD IL 61114
(Address) (City) (State) (Zip)

815.904.6006 | 815.978.4132 | JOHN@NEWLEAFREMODELING.COM
(Office Phone #) (Cell Phone #) (E-mail Address)

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

Change zoning district classification from: PLI to: R-1A

All existing uses on this property are: VACANT LAND

7. All the proposed uses for this property are:

Principal use(s): SINGLE FAMILY RESIDENCE

Secondary use(s): N/A

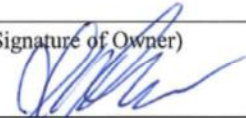
Accessory use(s): _____

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

9. Individual(s) responsible for compliance with conditions (if any), if request is granted:
 Name(s): JOHN KNABE Phone: 815.904.6006
6551 E. RIVERSIDE ROCKFORD IL 61114
(Address) (City) (State) (Zip)

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

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

 <small>(Signature of Owner)</small>	<u>JOHN KNABE</u> <small>(Print name)</small>	<u>6/28/16</u> <small>(Date)</small>
<small>(Signature of Applicant, if different)</small>	<u>MANAGER, NEW LEAF HOMES LLC</u> <small>(Print name)</small>	<small>(Date)</small>

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

To be completed by Planning Staff

Filing Fee: **\$275.00** Amount Paid: \$275.⁰⁰ Meeting Date: July 20, 2016

Number of notices: _____ x mailing cost (\$0.50) = cost of mailing notices: \$ _____

Application accepted by: Drew Pennington Date: 4/28/16

Date Notice Published: _____ Date Notice Mailed: _____



NOTICE TO THE PUBLIC

July 6, 2016

To Whom It May Concern:

New Leaf Homes has submitted an application for a Zoning Map Amendment to change the zoning district classification from PLI, Public Lands & Institutions District to R-1A, Single-Family Residential District, for the easternmost 2 acres of the property located at **1601 Gateway Blvd (adjacent to Raven Drive)**.

The applicant has made an accepted offer to purchase the subject property from the City of Beloit. If approved, the 2 acres subject to this request will be subdivided into five new home sites and Raven Drive will be completed as a cul-de-sac. The remaining 6.7-acre portion of the property located at 1601 Gateway Blvd behind the existing homes on Eagles Ridge Drive will remain as City-owned open space, and will remain zoned PLI.

The following public hearings will be held regarding this application:

City Plan Commission: Wednesday, July 20, 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: Tuesday, September 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.

THE PUBLIC IS INVITED TO ATTEND THESE HEARINGS.

We are interested in your opinion.

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

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

Owner Name	O Owner Address 1	Owner Address 2
New Leaf		
Chad R and Kimberly A Brosier	3620 Eagles Ridge Drive	Beloit, WI 53511
Joseph R and Barbara A Spencer	3610 Eagles Ridge Drive	Beloit, WI 53511
City of Beloit		
City of Beloit		
New Leaf Homes		
MLG/ BRC Beloit LLC	Attn: Andy Bruce	13400 Bishops Ln Brookfield WI
New Leaf		
MLG/ BRC Beloit LLC		
James E Mueller	3615 Eagles Ridge Drive	Beloit, WI 53511
Adnan & Shpezime Fadilovski Rev Trust and D	3605 Eagles Ridge Drive	Beloit, WI 53511
MLG/ BRC Beloit LLC		
Barbara Hahn	3561 Eagles Ridge Drive	Beloit, WI 53511
George Stathopoulos	3565 Eagles Ridge Drive	Beloit, WI 53511
Gerald Pulaski	1750 Golden Eagle CT	Beloit, WI 53511
Jeffrey L Anderson	1770 Golden Eagle CT	Beloit, WI 53511
MLG/ BRC Beloit LLC		
MLG/ BRC Beloit LLC		
Rolf A Lund & Linda L Lund Rev Trust of 201C,	1610 Townhall Road	Beloit, WI 53511
City of Beloit		

ORDINANCE NO. _____

AN ORDINANCE TO RETITLE SECTION 1.14 AND TO CREATE 1.14(3) OF THE CODE OF GENERAL ORDINANCES OF THE CITY OF БЕЛОIT PERTAINING TO A MUNICIPAL BOARD OF ABSENTEE CANVASSERS

The City Council of the City of Beloit, Rock County, Wisconsin, do ordain as follows:

Section 1. The title heading of section 1.14 of the Code of General Ordinances of the City of Beloit is hereby retitled to read as follows:

“1.14 ELECTIONS”

Section 2. Section 1.14(3) of the Code of General Ordinances of the City of Beloit is hereby created to read as follows:

“(3) BOARD OF ABSENTEE CANVASSERS.

- (a) The Board of Absentee Canvassers shall be composed of the City Clerk or a qualified elector of the city designated by the City Clerk, and two other qualified electors of the city appointed by the City Clerk for a term of two years commencing on January 1 of each odd-numbered year. The initial terms of appointment shall expire on January 1, 2017, unless reappointed. All appointments shall comply with Wis. Stats. §§7.52 and 7.53.
- (b) The Board of Absentee Ballot Canvassers shall operate pursuant to the provisions of Wis. Stats. §§7.52 and 7.53, as applicable.
- (c) Pursuant to Wis. Stats. §7.52(1)(b), the City Clerk may appoint additional inspectors to assist the absentee ballot board of canvassers in canvassing absentee ballots under this section.
- (d) The City Council, in lieu of canvassing absentee ballots at polling places, hereby provides for the canvassing of absentee ballots by the Board of Absentee Ballot Canvassers, which shall canvass all absentee ballots at all elections held in the city pursuant to procedures established by the state division governing elections.

- (e) The City Clerk shall give at least 48 hours' notice of any meeting of the Board of Absentee Canvassers under this section.
- (f) The City Clerk, no later than the closing hour of the polls, shall post at the City Clerk's office and on the Internet at a site announced by the City Clerk before the poll opens, and shall make available to any person upon request, a statement of the number of absentee ballots that the City Clerk has mailed or transmitted to electors and that have been returned by the closing hour on election day."

Section 3. If any section, clause, provision or portion of this ordinance is judged unconstitutional or invalid by a court of competent jurisdiction, the remainder of the ordinance shall remain in force and not be affected by such judgment.

Section 4. All resolutions, ordinances, orders or parts thereof in conflict in whole or in part with any of the provisions of this ordinance are, to the extent of such conflict, hereby repealed.

Section 5. This ordinance shall be in force and take effect upon passage and publication.

Dated this ____ day of September, 2016.

CITY COUNCIL FOR THE CITY OF БЕLOIT

By: _____
David F. Luebke, President

ATTEST:

By: _____
Lorena Rae Stottler, City Clerk

PUBLISHED: _____
EFFECTIVE DATE: _____
01-611100-5231- _____

CITY OF BELOIT

REPORTS AND PRESENTATIONS TO CITY COUNCIL



Topic: An Ordinance to retitle section 1.14 and to create 1.14(3) of the Code of General Ordinances of the City of Beloit pertaining to a Municipal Board of Absentee Canvassers.

Date: September 19, 2016

Presenter(s): Lori Stottler

Department: City Clerk

Overview/Background Information: Absentee balloting has become very popular over the last several years. The AP reported this week that 35% of the national electorate voted prior to elections in 2012 and expects that number to increase for 2016! Managing this increase in absentee ballots being processed at the polls has required a full review of how to best handle making sure those ballots get processed and counted on Election Day with the least amount of disruption at polling place. Wisconsin state law allows the City of Beloit to hold a "Central Count" of absentee ballots by creating Board of Absentee Ballot Canvassers who will count ALL absentee ballots at City Hall on Election Day and cast those ballots into one central tabulator. Counting for November will begin at 7am when the polls open and will go until ALL ballots have been processed. Totals will be transmitted to the County after the polls close at 8pm and final totals will be posted to the City and County Webpage.

Key Issues (maximum of 5):

1. Wisconsin law allows for voters to vote absentee. Wisconsin has "no excuse" absentee voting which means a voter may cast an absentee ballot without providing a reason. The City has experienced an increase in absentee voters in the last 10 years. Absentee ballots present a challenge to poll workers on Election Day because the resources required to process an absentee ballot.
2. Two poll workers are required to process every absentee ballot received at the polling place. The poll workers must check the ballot envelope for defects, open the envelope, announce the voters name, receive a tally slip, and put the ballot into the tabulator. Poll workers often have to disrupt voters who vote in person at the polls by creating lines at the check in table and the tabulator.
3. Wisconsin Statutes 7.52 and 7.53(2)(m) allow for the creation of a Board of Absentee Ballot Canvassers. These individuals are appointed by the City Clerk to serve two year terms. The Board of Absentee Ballot Canvassers process all absentee ballots in the City regardless of ward. In order to create a Board of Absentee Ballot Canvassers the City Council must adopt an ordinance under State Statutes 7.52 and 7.53(2)(m). The ordinance must be created at least 30 days prior to the election it will be implemented. Adoption of this Ordinance will allow for the Absentee Board of Canvassers to work the November Presidential Election.
4. Removing absentee ballot processing from polling places and to a centralized count facility should make voting at the polling places more efficient for citizens and poll workers. Chief Election Inspectors will no longer need to dedicate two or more poll workers to the processing of absentee ballots. This will allow those poll workers to be put into other positions to serve the citizens voting in person at the polling place on Election Day.
5. The November General Election is expected to be very busy. In the last 2 Presidential Elections the City has had 3,219 (2008) and 3,045 (2012) absentee voters. It is important to create a Board of Absentee Ballot Canvassers prior to the August Partisan Primary so the board can be appointed, trained and have one election to work before the Presidential Election.

Conformance to Strategic Plan (List key goals this action would support and briefly discuss its impact on the City's mission.): This plan aligns with Goal #1 in that we will not be driving back and forth to polling places to deliver absentee ballots and this will enhance the voting process for people going to the polls. It also aligns with Goal #4 in collaboration to foster effective and efficient service delivery.

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.): N/A

Action required/Recommendation: The City Clerk is recommending adoption of the Central Count Ordinance and seeks to suspend the rules for a second hearing so the staff can properly structure, plan and staff the new Municipal Board of Absentee Canvassers well in advance of November 8, 2016.

Fiscal Note/Budget Impact: We will need to rent an additional DS-200 tabulator for on-site tabulation (\$1300) – money is available in the City Clerk's budget to do so. The Clerk may ask to purchase an additional machine in the future to accommodate this process if necessary.

Attachments: Ordinance, Procedures

September 19, 2016

**APPOINTMENT REVIEW COMMITTEE
REPORT TO CITY COUNCIL
APPOINTMENT RECOMMENDATION**

The undersigned David F. Luebke, duly elected President of the Beloit City Council, subject to confirmation by the Beloit City Council, does hereby appoint the following citizen members to the vacancies and terms indicated below, said appointments being pursuant to nominations made and approved by the Appointment Review Committee at the Regular meeting held September 12, 2016:

David F. Luebke, President, Beloit City

Council

Appointments

Equal Opportunities Commission

John Mohorko, Jr., 1115 Jackson St. (replacing Grace Lee) to a term ending June 30, 2019

Park, Recreation & Conservation Advisory Commission

Incumbent **Jeff Johnson** to a term ending September 30, 2019

Traffic Review Committee

Incumbent **Carol Fryar** to a term ending September 30, 2018

Incumbent **Robert C. Norder** to a term ending September 30, 2018

PLEASE ANNOUNCE THE FOLLOWING VACANCIES

Alcohol Beverage License Control Committee (1 vacancy for Tavern League Rep.)

Appointment Review Committee

Board of Appeals (1 vacancy for 2nd Alternate)

Board of Review

Community Development Authority

Equal Opportunities Commission

Landmarks Commission

Municipal Golf Committee (1 vacancy for youth representative)

**RESOLUTION SUPPORTING THE #JUSTFIXITWI
TRANSPORTATION FUNDING CAMPAIGN**

WHEREAS, local governments in Wisconsin are responsible for about 90% of the road miles in the state and Wisconsin's diverse economy is dependent upon county and town roads as well as city and village streets and transit systems across the state; and

WHEREAS, according to "Filling Potholes: A New Look at Funding Local Transportation in Wisconsin," commissioned by the Local Government Institute of Wisconsin (LGI), the condition of Wisconsin's highways is now in the bottom third of the country; and

WHEREAS, state funding for local roads in Wisconsin has failed to keep up with costs over the past several decades, which has adversely affected local transportation finances. According to "Filling Potholes," municipal transportation spending declined from \$275 per capita in 2000 to \$227 in 2012; and

WHEREAS, high quality and fast transit systems are critical to attracting businesses and people to urban areas, yet state funding for transit is less today than it was five years ago; and

WHEREAS, levy limits do not allow local government to make up for the deterioration of state funding; and

WHEREAS, Wisconsin's over-reliance on borrowing eats away at the state's segregated funding sources – the state gas tax and vehicle registration fees – which increasingly pay debt service rather than funding transportation needs; and

WHEREAS, the Beloit City Council recognizes that our state highway and interstate system is the backbone of our surface transportation system and plays a vital role in the economy of Wisconsin. Both local *and* state roads need to be properly maintained in order for our economy to grow; and

WHEREAS, from a competitive standpoint, Wisconsin motorists pay significantly less than any of our neighbors when you combine the annual cost of the state gas tax and vehicle registration fees; and

WHEREAS, the Transportation Finance and Policy Commission, appointed by the Governor and Legislature clearly found that if Wisconsin does not adjust its user fees, the condition of our state and local roads as well as local transit systems will deteriorate significantly over the next decade.

NOW, THEREFORE, BE IT RESOLVED THAT, the City Council of the City of Beloit, Rock County, Wisconsin does hereby urge the Governor and Legislature to #JustFixItWI and to agree upon a sustainable solution: one that includes a responsible level of bonding and adjusts our user fees to adequately and sustainably fund Wisconsin's multi-modal transportation system. Furthermore, the City Council hereby directs the City Clerk to send a copy of this Resolution to our State Legislators, Governor Scott Walker and the League of Wisconsin Municipalities.

Adopted this 19th day of September, 2016.

BELOIT CITY COUNCIL

David F. Luebke, Council President

ATTEST:

Lorena Rae Stottler, City Clerk

CITY OF BELOIT

REPORTS AND PRESENTATIONS TO CITY COUNCIL

Topic: Resolution Supporting the #JustFixItWI Transportation Funding Campaign

Date: September 19, 2016

Presenter(s): Lori S. Curtis Luther

Department: City Manager

Overview/Background Information:

The #JustFixItWI Transportation Funding Campaign is a bipartisan, public-private effort led by the League of Wisconsin Municipalities and Transportation Development Association (TDA) to urge the Legislature and Governor to address the existing and looming transportation infrastructure funding crisis in Wisconsin. Nearly 300 urban and rural local governments all over Wisconsin have adopted Resolutions urging legislative action.

Key Issues (maximum of 5):

- The #JustFixItWI campaign is related to the report entitled "Filling Potholes: A New Look at Funding Local Transportation in Wisconsin," commissioned by the Local Government Institute of Wisconsin (LGI) and the "Keep WI Moving" report by the Legislature-appointed Wisconsin Commission on Transportation Finance and Policy.
- The campaign's focus is roads & bridges, which are now rated among the worst in the country, but the campaign is multi-modal and includes transit, ports, and bicycle/pedestrian infrastructure. The campaign recognizes growing statewide concern that too much cost burden is shifting to levy-capped local governments, which must choose between increasing local fees or neglecting infrastructure and the associated economic distress.
- The campaign urges the Legislature and Governor to acknowledge the dual forces of increasing road maintenance costs due to inflation and decreasing revenues (gas taxes & registration fees) due to vehicle efficiency and less driving. The campaign is critical of over-reliance on borrowing as a statewide solution, as debt service is increasingly diverting funds away from actual construction and is projected to consume ¼ of the state transportation fund by 2023.
- The campaign urges the Legislature to adopt fair, user-pays-based revenue reforms that would increase taxes and/or fees on those actually using the infrastructure. These reforms may include additional revenue through increasing and/or indexing gas taxes, vehicle registration fees, driver's license fees, miles driven-based registration, authorizing Regional Transit Authorities, etc.
- If adopted, the attached Resolution will be shared with our elected representatives and the Governor's Office.

Conformance to Strategic Plan (List key goals this action would support and briefly discuss its impact on the City's mission.):

- Consideration of this request supports Strategic Goal #5.

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

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

Action required/Recommendation:

- City Council consideration and adoption of the proposed Resolution

Fiscal Note/Budget Impact: N/A

Attachments: Resolution

RESOLUTION
AUTHORIZING THE CITY MANAGER TO ACQUIRE TAX DELINQUENT PROPERTIES FROM
THE ROCK COUNTY TREASURER

WHEREAS, the City Council has established a strategic goal to apply sound, sustainable practices to promote a high quality community through historic preservation, community revitalization, and successful new development.; and

WHEREAS, Rock County has taken numerous properties through court action on September 8, 2016, and the Rock County properties are offered for sale to the City of Beloit; and

NOW THEREFORE, the City Council of the City of Beloit hereby resolves that, contingent on Rock County successfully obtaining fee title to these properties through the tax foreclosure process, the City Manager be, and is hereby, authorized to purchase the following real estate from Rock County on behalf of the city for a price to be determined by Rock County Treasurer through the tax foreclosure process.

1702 Porter Avenue
1235 Dewey Avenue
1115 Summit Avenue

206 Eighth Street
321, 329 & 335 Highland Avenue
354 Euclid Avenue

BE IT FURTHER RESOLVED, that the City Manager be, and is hereby, authorized to negotiate terms and authorize the sales of those properties for the purpose of promoting redevelopment of new housing in the City of Beloit.

AND IT IS FURTHER RESOLVED, that the estimated amount of \$113,767 be and hereby is, funded as follows:

P2967520-5240-2015	CIP - Property Acquisition	\$22,099
P2967520-5510-2016	CIP - Property Acquisition	\$80,366
73675200-524023-10479	NSP1	\$11,302

Adopted this 19th day of September, 2016.

BELOIT CITY COUNCIL

David F. Luebke, President

ATTEST:

Lori Stottler, City Clerk

CITY OF БЕЛОIT



REPORTS AND PRESENTATIONS TO CITY COUNCIL

Topic: Purchase of properties from the Rock County Tax Foreclosure Proceedings

Date: September 21, 2016

Presenter: Julie Christensen

Department: Community Development

Overview/Background Information:

Each year, the Rock County Treasurer provides a list of properties proposed to be taken through the tax foreclosure process. The City of Beloit has the ability to purchase properties in the City of Beloit before the properties are sold at Sheriff's Sale.

Key Issues (maximum of 5):

1. Exhibit A identifies all of the properties being acquired by Rock County through the Tax Foreclosure process. The exhibit lists the existing land use, taxes, special assessments, interest and expenses that the City would have to pay Rock County to acquire these properties.
 2. Similar to the last several years, the City does not have enough money to purchase all of the properties going into foreclosure. Therefore, staff developed priorities for potential purchase. First, we wanted to purchase houses within the Westside Target Area (Between Bluff & Eighth and Shirland & West Grand) which could be rehabbed and resold to a new owner. Second, we wanted to purchase vacant lots within the Westside Target Area which could be used for New Construction. Third, we wanted to purchase houses in the NRSA Areas (Merrill & Hackett neighborhoods) which were vacant and dilapidated. These will most likely be demolished. The remaining lots could be resold to adjacent neighbors or be redeveloped with new housing depending on the size and location.
 3. Staff has identified several properties for purchase. Four properties are being selected for purchase and possible demolition. All four properties appear to be vacant, and one of the structures is currently slated for demolition under our Condemnation program. All four lots recommended for purchase are located in the Westside Target Area and are planned to be used for new construction with either Neighborhood Stabilization Program (NSP) or Home Investment Partnership Program (HOME) funds. Exhibit B includes a summary of the properties proposed for purchase.
 4. Most of the remaining houses are located outside of the NRSA neighborhoods. The houses on the list that are located within those neighborhoods are not being recommended for purchase because they are occupied or have potential rehab for rehab but are not located within the Westside Target Area.
-

Conformance to Strategic Plan (List key goals this action would support and briefly discuss its impact on the City's mission.):

Approval of this project would conform with Goal #5's stated purpose of applying sound, sustainable practices to promote a high quality community through historic preservation, community revitalization and new development.

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

- **Reduce dependence upon fossil fuels** N/A
- **Reduce dependence on chemicals and other manufacturing substances that accumulate in nature** N/A
- **Reduce dependence on activities that harm life sustaining eco-systems** N/A
- **Meet the hierarchy of present and future human needs fairly and efficiently** - The purchase of this house will mitigate any negative impact on that neighborhood as a result of the foreclosure process.

If any of the four criteria are not applicable to your specific policy or program, an N/A should be entered in that space

Action required/Recommendation:

Approve the resolution authorizing the City Manager to acquire and sell the foreclosed property and to handle the negotiation and sale of the property.

Fiscal Note/Budget Impact:

Funds are available in the CIP Property Acquisition Account and Neighborhood Stabilization Program to acquire these properties.

Attachments:

Exhibit A & B

Exhibit A

Properties Available Through Tax Foreclosure Sale

Recommended Residential Properties for Purchase by the City of Beloit for Demolition

Address	Land Use	County			Special Assessments		Estimated Expenses	Total
		Taxes	Interest	Penalty	Assessment	Interest		
1702 Porter Ave	Condemned Single Family House	\$3,753.83	\$1,452.23	\$513.00	\$4,230.51	\$1,025.99	\$300.00	\$11,275.56
1235 Dewey Ave	Vacant Single Family House	\$3,776.06	\$1,460.81	\$643.44	\$3,835.21	\$1,286.89	\$300.00	\$11,302.41
1115 Summit Ave	Vacant Single Family House	\$4,091.29	\$1,539.24	\$338.69	\$3,190.12	\$677.39	\$300.00	\$10,136.73
206 Eighth St	Vacant Single Family House	\$5,297.91	\$2,047.75	\$414.07	\$3,314.18	\$828.13	\$300.00	\$12,202.04
321 Highland Ave	Vacant Lot	\$1,837.01	\$1,129.26	\$2,723.30	\$10,360.51	\$5,446.59	\$300.00	\$21,796.67
329 Highland Ave	Vacant Lot	\$3,057.66	\$1,349.89	\$1,180.01	\$7,779.51	\$2,360.01	\$300.00	\$16,027.08
335 Highland Ave	Vacant Lot	\$992.57	\$470.40	\$2,758.32	\$10,165.43	\$5,516.64	\$300.00	\$20,203.36
354 Euclid Ave	Vacant Lot	\$3,699.47	\$1,308.34	\$321.09	\$4,551.63	\$642.17	\$300.00	\$10,822.70
Totals		\$26,505.80	\$10,757.92	\$8,891.92	\$47,427.10	\$17,783.81	\$2,400.00	\$113,766.55

All Others Not Selected

Address	Land Use	County			Special Assessments		Estimated Expenses	Total Cost
		Taxes	Interest	Penalty	Assessment	Interest		
2066 Masters Str	Single Family	\$7,479.42	\$2,396.60	\$0.00	\$2,623.35	\$821.78	\$300.00	\$13,621.15
1903 Frederick St	Single Family	\$8,340.81	\$3,189.06	\$341.42	\$3,408.17	\$682.84	\$300.00	\$16,262.30
1875 Greenview Dr	Single Family	\$4,670.84	\$1,801.55	\$342.98	\$2,459.74	\$685.96	\$300.00	\$10,261.07
1265 Porter Ave	Single Family	\$3,304.48	\$1,274.58	\$406.33	\$2,764.80	\$812.66	\$300.00	\$8,862.85
1240 Partridge Ave	Single Family	\$6,864.22	\$2,651.83	\$2,228.34	\$20,808.71	\$4,456.67	\$300.00	\$37,309.77
1716 Dewey Ave	Single Family	\$3,065.14	\$1,186.61	\$374.89	\$2,751.57	\$749.78	\$300.00	\$8,427.99
1252 Vine St	Single Family	\$6,237.13	\$2,405.63	\$304.50	\$2,349.23	\$608.99	\$300.00	\$12,205.48
1437 McKinley Ave	Single Family	\$7,505.34	\$2,867.83	\$366.70	\$2,944.69	\$733.39	\$300.00	\$14,717.95
1241 Townline Ave	Single Family	\$5,695.94	\$2,228.17	\$321.12	\$2,625.65	\$642.25	\$300.00	\$11,813.13
802 McKinley Ave	Single Family	\$7,741.76	\$2,990.28	\$132.30	\$1,420.56	\$264.60	\$300.00	\$12,849.50
1316 Vernon Ave	Single Family	\$6,603.67	\$2,546.99	\$327.16	\$2,747.32	\$654.32	\$300.00	\$13,179.46
730 Highland Ave	Single Family	\$5,741.43	\$2,186.56	\$1,807.33	\$11,684.51	\$3,614.67	\$300.00	\$25,334.50
726 Bluff St	Single Family	\$3,704.40	\$1,428.81	\$1,956.00	\$12,668.13	\$3,912.00	\$300.00	\$23,969.34
418 Wisconsin Ave	Single Family	\$6,170.46	\$2,379.90	\$473.07	\$3,191.55	\$946.15	\$300.00	\$13,461.13
831 Harrison Ave	Single Family	\$4,804.15	\$1,852.96	\$283.49	\$3,126.47	\$566.97	\$300.00	\$10,934.04
1118 White Ave	Single Family	\$2,819.93	\$1,059.80	\$282.11	\$2,091.05	\$564.21	\$300.00	\$7,117.10
1018 Ritsher St	Vacant Lot	\$1,521.86	\$586.95	\$0.00	\$0.00	\$0.00	\$300.00	\$2,408.81
845 Harrison Ave	Vacant Lot	\$1,821.78	\$702.61	\$0.00	\$0.00	\$0.00	\$300.00	\$2,824.39
909 Clary St	Vacant Lot	\$5,158.71	\$1,980.32	\$198.07	\$2,440.60	\$396.13	\$300.00	\$10,473.83

Exhibit B
Properties Recommended for Purchase from Rock County

Below is the list of properties we are recommending for purchase by the City of Beloit.

1702 Porter Avenue

Land Use: Condemned Single Family House
Parcel Size: 45' X 120'/5,404.05 square feet
Zoning: R-1B, Single-Family Residential
Assessment \$40,700

Cost to Acquire: Estimated at \$11,276
Source of Funds: CIP

The former owner of this property died in 2011, and the house has been vacant since that time. It is currently condemned and will be demolished in the next 30 to 60 days. We would purchase the lot and offer it for sale to an adjacent property owner.



1235 Dewey Avenue

Land Use: Single Family House
Zoning: R-1B, Single-Family Residential
Parcel Size: 60' X 124'/7,440 square feet
Assessment: \$40,900

Cost to Acquire: Estimated at \$11,303
Source of Funds: NSP1

This house has been vacant since 2012. We are proposing this house for purchase and demolition.



1115 Summit Avenue

Land Use: Single Family House
Zoning: R-1B, Single-Family Residential
Parcel Size: 62.92' X 100'/6,292 square feet
Assessment: \$41,500

Cost to Acquire: Estimated at \$10,137
Source of Funds: CIP

This single family house is vacant. We are proposing this house for purchase and demolition.



206 Eighth Street

Land Use: Single Family House

Zoning: R-1B, Single-Family Residential

Parcel Size: 50' X 122'/6,100 square feet

Assessment: \$54,600

Cost to Acquire: Estimated at \$12,202

Source of Funds: CIP

The owner of this house is deceased, and the house has been vacant since approximately 2012. Our plan is to purchase the house and demolish it.



321, 329, and 335 Highland Avenue

Land Use: Vacant Lots

Zoning: R-1B, Single-Family Residential

Parcel Sizes: Varies – total of 24,816 sq. ft.

Assessment: \$8,200; \$12,200; \$7,200, respectively

Cost to Acquire: Estimated at \$21,797; \$16,027; and \$20,203, respectively

Source of Funds: CIP

Houses were condemned, and the remaining lots still have the special assessment remaining which would be paid off as part of this purchase. The plan would be to combine the three lots into two and to construct two new houses.



354 Euclid Avenue

Land Use: Vacant Lot

Zoning: R-1B, Single-Family Residential

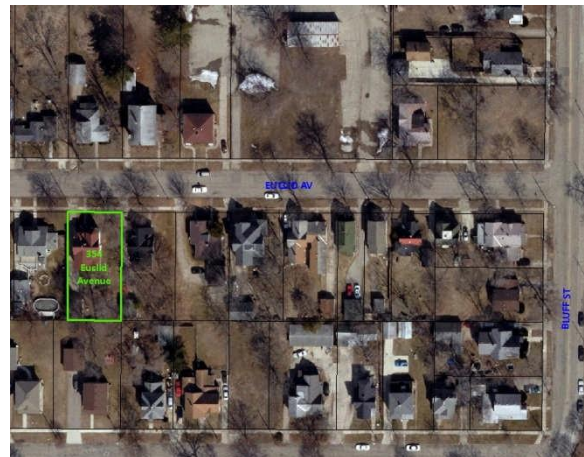
Parcel Sizes: 66' X 133'/8,778 square feet

Assessment: \$9,700

Cost to Acquire: Estimated at \$10,823

Source of Funds: CIP

The house was condemned and demolished, and the remaining lot still has the special assessment remaining which would be paid off as part of this purchase. The plan would be to construct a new house on this lot.



**RESOLUTION APPROVING THE
2016 CAPITAL IMPROVEMENT PROJECT
The Blender @ Beloit Public Library, Your Learning Cafe**

WHEREAS, the Beloit Public Library Board of Trustees administers the municipal public library, organized and existing under and by virtue of Wisconsin State Statute 43.52; and

WHEREAS, the Beloit Public Library serves all citizens regardless of race, age, ethnicity, creed, ability, sexual orientation, gender identity, or socio-economic status; and

WHEREAS, the Beloit Public Library strategic goals are Literacy, Jobs and Careers, and Quality of Life; and

WHEREAS, the Beloit Public Library is partnering with the School District of Beloit and Kerry Ingredients to provide a coffee/snack shop to be called "The Blender @ Beloit Public Library, Your Learning Cafe." This project will provide real life job experience for the students of Beloit Memorial High School Hospitality Program with the possibility to receive a scholarship for continued education beyond high school in a Nutrition or Food Science Program. The project further provides learning opportunities for the community through programming and hands-on experiences from Kerry Ingredients' scientists. Furthermore, the project will provide citizens with healthy food and drink options as well as a place to meet, relax, and enjoy your public library; and

WHEREAS, the Beloit City Council approved funding of \$100,000 through the Capital Improvement Plan (CIP) in support of this project on November 2, 2015; and

WHEREAS, when the 2016 CIP project was approved two different physical locations were under consideration and thus, staff committed to bringing the project back to the Library Board and the City Council for final approval prior to funds being expended; and

WHEREAS, the Library Director recommends the larger of the two locations; and

WHEREAS, the City's financial contributions to the project are limited to the \$100,000 previously allocated in the 2016 CIP and, any and all, additional capital expense required and/or any future operating expense not covered by the operations of The Blender shall be the full responsibility of the Library without additional tax levy appropriation by the City.

NOW, THEREFORE, BE IT RESOLVED that the Beloit City Council concurs with the Beloit Public Library Board of Trustees unanimous approval of the project proposal and authorizes the Library Director to continue moving this project forward as stipulated above.

Adopted this 19th day of September, 2016

David F. Luebke, Council President

ATTEST:

Lorena Rae Stottler, City Clerk

CITY OF БЕЛОIT

REPORTS AND PRESENTATIONS TO CITY COUNCIL



Topic: Resolution supporting The Blender at the Beloit Public Library – Your Learning Cafe

Date: September 19, 2016

Presenter(s): Lori Luther/Nick Dimassis **Department(s):** City Manager

Overview/Background Information:

The City Council previously approved a 2016 CIP Project in the amount of \$100,000 to create a café at the Beloit Public Library. At the time two physical locations at the library were under consideration. The background information for the CIP Project committed to the Council and Library Board having an opportunity to review and approve the final recommended location prior to funds being expended. This resolution supports the larger of the two spaces as recommended by the Library Director.

Background Information:

1. The City's financial commitment is limited to the originally approved \$100,000 for capital construction costs.
 2. The Beloit Public Library is partnering with the School District of Beloit and Kerry Ingredients to provide a coffee/snack shop to be called The Blender @ Beloit Public Library, Your Learning Cafe.
 3. Staff committed to revisit this project with both the Library Board and the City Council prior to expending funds on the project.
 4. The Library wishes to pursue design of the project for planned opening in Spring of 2017 and recognizes that the project is contingent upon adoption of the 2017 Operating Budget.
 5. Given that the City has no future financial obligation for this project, staff recommends approval of the Resolution, finalization of design and ultimate construction.
-

Conformance to Strategic Plan (List key goals this action would support and briefly discuss its impact on the City's mission.):

All goals are applicable.

Action required/Recommendation:

Staff will ensure finalization of design, prepare bid documents, and oversee construction with an anticipated opening in Spring of 2017.

Fiscal Note/Budget Impact: The City's commitment to this project is limited to the \$100,000 toward construction. Any additional capital expense and any future operating impact must be covered by the Library.