



**AGENDA  
BELOIT CITY COUNCIL  
100 State Street, Beloit WI 53511  
City Hall Forum – 7:00 p.m.  
Monday, March 6, 2017**

1. CALL TO ORDER AND ROLL CALL
2. PLEDGE OF ALLEGIANCE
3. SPECIAL ORDERS OF THE DAY/ANNOUNCEMENTS
  - a. Proclamation in Recognition of Emmanuel Baptist Church celebrating a Century of Service (Leavy)
4. PUBLIC HEARINGS
  - a. Resolution approving a Conditional Use Permit to allow an outdoor seating area in a C-3, Community Commercial District, for the property located at 605 Eclipse Blvd (Christensen) Plan Commission recommendation for approval 5-0
5. PUBLIC COMMENTS
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 February 20, 2017 (Stottler)
  - b. Resolution approving a Farm Lease between the City of Beloit and Walsh Family Farm, LLC for Burton Street Property (Janke)
  - c. Application for a Conditional Use Permit to allow a drive-through use and an outdoor seating area in a C-3, Community Commercial District for property located at 2787 Milwaukee Road (Christensen) Refer to Plan Commission
  - d. Application for Exception to Architectural Review and the Landscape Code for property located at 2787 Milwaukee Road (Christensen) Refer to Plan Commission
  - e. Application for a new Class “B” Beer and “Class B” Liquor License for J T Hankins LLC, d/b/a The Restaurant at “Muni”, located at 1611 Hackett Street, (Krueger-Haskell Golf Course Clubhouse) Joelle K. Hankins, Agent (Stottler) Refer to ABLCC
  - f. Application for a new Class “B” Beer and “Class B” Liquor License for Inked Sports Bar LLC, d/b/a Inked Sports Bar, located at 443 E. Grand Avenue, Justin A. Christophersen, Agent (Stottler) Refer to ABLCC

## 7. ORDINANCES

- a. Proposed Ordinance amending the Zoning District Map to change the zoning district classification from C-1, Office District to M-1, Limited Manufacturing District for property located at 1895 Gateway Blvd (Christensen)  
Plan Commission recommendation for approval 6-0 Second Reading

## 8. APPOINTMENTS

## 9. COUNCILOR ACTIVITIES AND UPCOMING EVENTS

## 10. CITY MANAGER'S PRESENTATION

## 11. REPORTS FROM BOARDS AND CITY OFFICERS

- a. Resolution approving an Addendum No. 2 to Kadlec Drive Condominium Plat for property located at 2660 Kadlec Drive (Christensen)  
Plan Commission recommendation for approval 6-0
- b. Resolution approving 2017 Community Development Block Grant (CDBG) Local funding Priorities (Christensen)
- c. Resolution Waiving Right of First Refusal for 1 Reynolds Drive (Krueger)

## 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: March 1, 2017  
Lorena Rae Stottler  
City of Beloit City Clerk  
[www.beloitwi.gov](http://www.beloitwi.gov)

City Council meetings occur on the first and third Mondays of the month. Meetings are televised on Charter Cable Access digital channel 992, and are live streamed via the Beloit Access Television (BATV) YouTube Channel. Council meetings are rebroadcast on Charter Cable Access digital channel 992 multiple times throughout the week, and are archived on the BATV YouTube Channel for viewing at your leisure.

**WHEREAS**, the Second Emmanuel Baptist Church was established on April 15, 1917 by a group of 14 residents who wished to fulfill the spiritual needs of African American workers migrating from the south; and

**WHEREAS**, Emmanuel Baptist Church was officially recognized and chartered by the Rock County Registrar on July 12, 1917, with the formal incorporation papers filed on June 3, 1927; and

**WHEREAS**, after meeting in various locations in downtown Beloit, the present church lot was purchased in 1924 and a concrete structure was completed in 1927 at a cost of \$5,500; and

**WHEREAS**, that edifice was destroyed by fire in 1958 but was rebuilt and completed in 1960, with several additions made over the years, resulting in the Educational Center, Family Life Center and new administrative offices; and

**WHEREAS**, over the last 100 years Emmanuel Baptist Church has been blessed by the leadership and vision of fifteen (15) God driven and dedicated ministers who have each enriched the church family; and

**WHEREAS**, in addition to its long history of providing worship and educational programs for its members, Emmanuel Baptist Church has maintained an active outreach program in the community, including the Good Samaritan's Closet, a food pantry and the still functioning free hot lunch program, following their mission to be "in tune with God and in touch with Man;" and

**WHEREAS**, in 2017 Emmanuel Baptist Church celebrates a century of service, continuing to uphold the values and traditions of its founders while moving forward with the times and making a positive difference in the Greater Beloit community.

**NOW, THEREFORE, BE IT PROCLAIMED THAT**, in recognition of 100 years of commitment and generous service to the Beloit community, growing in faith and spirituality, the City of Beloit does hereby honor and congratulate Emmanuel Baptist Church on their Centennial Celebration and extends best wishes on continuing their ministry far into the future.

Presented this 6<sup>th</sup> day of March, 2017.

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David F. Luebke, City Council President

ATTEST:

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Lorena Rae Stottler, City Clerk

**RESOLUTION  
AUTHORIZING A CONDITIONAL USE PERMIT  
TO ALLOW AN OUTDOOR SEATING AREA IN A  
C-3, COMMUNITY COMMERCIAL DISTRICT,  
FOR THE PROPERTY LOCATED AT 605 ECLIPSE BLVD**

**WHEREAS**, the application of Beloit Public Library Director Nick Dimassis for a Conditional Use Permit to allow an outdoor seating area in a C-3, Community Commercial District, for the property located at 605 Eclipse 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, 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 in a C-3, Community Commercial District, for the property located at 605 Eclipse Blvd in the City of Beloit, for the following described premises:

Lot 1 of Certified Survey Map Document No. 1831390 as recorded in Volume 32 on Pages 139-144 of the Certified Survey Maps of Rock County, also Parcel "A" of Plat of Survey recorded on March 1, 2016 as Document No. 2046663, located in the City of Beloit, County of Rock, State of Wisconsin (also known as 605 Eclipse Blvd). Said parcel contains 5.33 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 the renovation of the outdoor children's garden area into a patio area for Blender Café customers with stamped concrete, up to 8 tables, and up to 32 chairs.
2. The existing foundation landscaping and seating wall shall not be altered during this project.
3. If extended along the sidewalk, the new sections of fence shall be identical to the existing fence around the garden area in style, color, and height.
4. Alcoholic beverages may not be sold, possessed, or consumed within the outdoor seating area.
5. The outdoor seating area shall include marked exits, clear 36'' exit pathways, and gates with operable 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 6<sup>th</sup> day of March, 2017.

**BELOIT CITY COUNCIL**

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David F. Luebke, Council President

ATTEST:

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Lorena Rae Stottler, City Clerk

# CITY OF BELOIT

## REPORTS AND PRESENTATIONS TO CITY COUNCIL

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**Topic:** Conditional Use Permit Application for the property located at 605 Eclipse Blvd

**Date:** March 6, 2017

**Presenter(s):** Julie Christensen

**Department:** Community Development

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**Overview/Background Information:**

Beloit Public Library Director Nick Dimassis has filed an application for a Conditional Use Permit to allow an outdoor seating area in a C-3, Community Commercial District, for the property located at 605 Eclipse Blvd.

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**Key Issues (maximum of 5):**

- The proposed outdoor seating area is related to the Blender Café project, which involves the renovation of the children's programming room into a restaurant. The applicant has proposed the renovation of the outdoor children's garden area into a patio area with stamped concrete, tables, and chairs. This request does not involve alcoholic beverages.
- The existing fence around the outdoor children's garden area will be extended to the south along the sidewalk, and a gate will be constructed to serve as a secondary path in & out of the café. The applicant has requested authorization to place up to 8 tables and 32 chairs in the outdoor patio area.
- The existing foundation plantings along the library façade are a required landscaping element and will need to be preserved, while the other trees & landscaping in the children's garden area may be modified or removed.
- The application, site plan, and photos are attached to this report. The proposed outdoor seating area, as part of the café, will enhance the vitality of the Eclipse Center as an employment and institutional activity center. The proposed outdoor seating area is adjacent to the parking lot and an outdoor access corridor leading to the adjacent mall space. The introduction of dining noise and activity will not impact the use and enjoyment of nearby properties.
- The Plan Commission reviewed this item on February 22, 2017 and voted unanimously (5-0) to recommend approval of the Conditional Use Permit, subject to the six conditions included on the attached Resolution.

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**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 #3.

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

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

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**Action required/Recommendation:**

- City Council consideration and action on the proposed Resolution

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

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**Attachments:** Resolution and Staff Report to the Plan Commission

# CITY OF BELOIT

## REPORT TO THE BELOIT CITY PLAN COMMISSION

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**Meeting Date:** February 22, 2017

**Agenda Item:** 4

**File Number:** CU-2017-01

**Applicant:** Nick Dimassis

**Owner:** City of Beloit

**Location:** 605 Eclipse Blvd

**Existing Zoning:** C-3, Community  
Commercial District

**Existing Land Use:** Public Library

**Parcel Size:** 5.33 Acres

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### Request Overview/Background Information:

Beloit Public Library Director Nick Dimassis has filed an application for a Conditional Use Permit to allow an outdoor seating area in a C-3, Community Commercial District, for the property located at 605 Eclipse Blvd.

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### Key Issues:

- The proposed outdoor seating area is related to the Blender Café project, which involves the renovation of the children's programming room into a restaurant.
- The applicant has proposed the renovation of the outdoor children's garden area into a patio area with stamped concrete, tables, and chairs. This request does not involve alcoholic beverages.
- The existing fence around the outdoor children's garden area will be extended to the south along the sidewalk, and a gate will be constructed to serve as a secondary path in & out of the café.
- The applicant has requested authorization to place up to 8 tables and 32 chairs in the outdoor patio area.
- The existing foundation plantings along the library façade are a required landscaping element and will need to be preserved, while the other trees & landscaping in the children's garden area may be modified or removed.
- Section 4-804 of the Zoning Ordinance states that outdoor seating areas in C-3 are only allowed if reviewed and approved in accordance with the Conditional Use Permit review procedures.
- The application, site plan, and photos are attached to this report.
- The attached Public Notice was sent to the owner of surrounding properties. Planning staff has not received any comments.
- **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;*
  - The proposed outdoor seating area, as part of the café, will enhance the vitality of the Eclipse Center as an employment and institutional activity center.
- b. *Whether the conditional use will be injurious to the use and enjoyment of other property in the immediate vicinity for purposes already permitted;*
  - The proposed outdoor seating area is adjacent to the parking lot and an outdoor access corridor leading to the adjacent mall space. The introduction of dining noise and activity will not impact the use and enjoyment of nearby properties.
- c. *Whether the conditional use will substantially diminish or impair property values within the neighborhood of the subject property;*
  - On the contrary, the proposed outdoor seating area and café are expected to have a positive impact upon nearby property values by creating a neighborhood gathering space.
- 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;*
  - Planning staff is recommending conditions of approval that will ensure that the fence, surface, and landscaping materials are compatible with the existing library materials.
- 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 Eclipse Center includes ample parking areas, and is well served by bike & pedestrian infrastructure and the Beloit Transit System.
- 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.

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

The City's Comprehensive Plan recommends *Planned Mixed Use* for the subject property. This request and the underlying C-3 zoning classification are consistent with this recommendation. Consideration of this request supports City of Beloit Strategic Goal #3.

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**Sustainability:**

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

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**Staff Recommendation:**

The Planning & Building Services Division recommends **approval** of a Conditional Use Permit to allow an outdoor seating area in a C-3, Community Commercial District, for the property located at 605 Eclipse Blvd, based on the above Findings of Fact and subject to the following conditions:

1. This Conditional Use Permit authorizes the renovation of the outdoor children's garden area into a patio area for Blender Café customers with stamped concrete, up to 8 tables, and up to 32 chairs.
2. The existing foundation landscaping and seating wall shall not be altered during this project.
3. If extended along the sidewalk, the new sections of fence shall be identical to the existing fence around the garden area in style, color, and height.
4. Alcoholic beverages may not be sold, possessed, or consumed within the outdoor seating area.
5. The outdoor seating area shall include marked exits, clear 36" exit pathways, and gates with operable 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.

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

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**Attachments:** Photos, Site Plan, Application, and Public Notice.







Engberg  
Anderson  
MILWAUKEE • MADISON • TUCSON

**BELOIT PUBLIC LIBRARY**

BELOIT, WISCONSIN  
Owner:  
City of Beloit  
100 Main Street  
Beloit, Wisconsin 53511  
Project No. 071718.00

Issued For:  
No. Designer: EAB  
By: Issued for Construction: ES-21-08

# CITY of BELOIT

## Planning and Building Services Division

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

### Conditional Use Permit Application

(Please Type or Print)

File Number: CN-2017-01

1. Address of subject property: 605 Eclipse Blvd.

2. Legal description: lot 1 of Volume 32 page 139

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

Property dimensions are: \_\_\_\_\_ feet by \_\_\_\_\_ feet = \_\_\_\_\_ square feet.

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

3. Tax Parcel Number(s): 1262 0450

4. Owner of record: City Of Beloit Phone: \_\_\_\_\_

100 State St. Beloit WI 53511  
(Address) (City) (State) (Zip)

5. Applicant's Name: Beloit Public Library

605 Eclipse Blvd. Beloit WI 53511  
(Address) (City) (State) (Zip)

608-364-2917 / 608-314-5091 / ndimassis@beloitlibrary.org  
(Office Phone #) (Cell Phone #) (Email Address)

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

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

A Conditional Use Permit for: Outside patio for Blender Cafe  
\_\_\_\_\_ in a(n) C3 \_\_\_\_\_ Zoning District.

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

Principal use: Public Library

Secondary use: \_\_\_\_\_

Accessory use: Blender Cafe - serving breakfast, lunch, + supper items. Beverages, soups, salads, sandwiches.

9. Project timetable: Start date: 2-1-17 Completion date: 4-15-17

10. 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: \_\_\_\_\_
- (X) Other, explain: Library Director

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.

Jodi Luther / Lori Luther / 1-30-17  
 (Signature of Owner) (Print name) (Date)

Nick Dimassis / Nick Dimassis / 1/26/17  
 (Signature of Applicant, if different) (Print name) (Date)

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

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

To be completed by Planning Staff

Filing fee: \$275.00 Amount paid: — Meeting date: Feb. 22, 2017

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

Application accepted by: Drew Pennington Date: 1/31/17



## **NOTICE TO THE PUBLIC**

February 8, 2017

To Whom It May Concern:

Beloit Public Library Director Nick Dimassis has filed an application for a Conditional Use Permit to allow an outdoor seating area in a C-3, Community Commercial District, for the property located at:

**605 Eclipse Blvd.**

The proposed outdoor seating area is related to the Blender Café project, which involves the renovation of the children's programming room into a restaurant. The applicant has proposed the renovation of the outdoor children's garden area into a patio area.

The following public hearings will be held regarding this proposed Conditional Use Permit:

**City Plan Commission:** Wednesday, February 22, 2017, at 7:00 PM, or as soon thereafter as the matter can be heard in The Forum, Beloit City Hall, 100 State Street.

**City Council:** Monday, March 6, 2017, at 7:00 PM, or as soon thereafter as the matter can be heard in The Forum, Beloit City Hall, 100 State Street.

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

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

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

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



**PROCEEDINGS OF THE BELOIT CITY COUNCIL**  
**100 State Street, Beloit WI 53511**  
**City Hall Forum – 7:00 p.m.**  
**Monday, February 20, 2017**

Presiding: David F. Luebke  
Present: Sheila De Forest, Regina Dunkin, Regina Hendrix, Kevin Leavy, Mark Preuschl  
Absent: None  
Vacant: Marilyn Sloniker

1. President Luebke called the meeting to order at 7:00 p.m. in the Forum at Beloit City Hall.
2. PLEDGE OF ALLEGIANCE
3. SPECIAL ORDERS OF THE DAY/ANNOUNCEMENTS
  - a. Vice President Leavy presented a proclamation in Recognition of Beloit International Film Festival. Marty Densch, BIFF Board President, was present to accept the proclamation and introduced the incoming Executive Director, Max Maiken as well as recognizing the current Executive Director, Rod Beaudoin for his significant contributions to BIFF. BIFF begins February 24<sup>th</sup> and runs through Sunday, March 5, 2017. Learn more at <https://beloitfilmfest.org> File 7148
4. PUBLIC HEARINGS
  - a. Director of Planning and Building Services, Drew Pennington, presented a proposed Ordinance amending the Zoning District Map to change the zoning district classification from C-1, Office District to M-1, Limited Manufacturing District for property located at 1801 Gateway Blvd. Gateway Brewing Company LLC has submitted an application for a Zoning map Amendment to change the zoning district classification from C-1, Office District to M-1, Limited Manufacturing District, for the northernmost 5.1 acres of the property located at 1801 Gateway Blvd. The Plan Commission recently approved a Certified Survey Map that would create a separate 5.1-acre parcel to be known as 1895 Gateway Blvd, which would be purchased by the applicant and developed as a microbrewery that will do business as G5 Brewing Company. The Gateway Business Park is planned to include a diverse mix of high-quality office, manufacturing, and warehouse uses with some supporting uses including day care centers, hotels and restaurants. The Plan Commission recommended approval 6-0 at their February 8, 2017 meeting. This is a first reading. President Luebke opened the public hearing. No one spoke. President Luebke closed the public hearing. Councilors De Forest and Dunkin made a motion to lay the Ordinance over to the March 6, 2017 regular meeting. Motion Carried. File 8642
5. CITIZEN PARTICIPATION
  - a. Jasmine Carbajal, 2327 Wood Drive, Beloit spoke as the President of Council of the LULAC (League of Latin American Citizens), whose mission is to represent, advocate and support the Latino Community. She recognized several members in the audience who also represent and support the Latino community. She presented a petition with more than 180 signatures requesting the Beloit City Council explore the potential for a municipal ID card for residents of Beloit who do not have means to obtain a state issued Driver's License or ID due to documentation issues or legal status. This ID would only be used for Identification allowing residents to have equal access to community services but would not be used for voting purposes. The City of Milwaukee has already passed this measure and can be a model for our City. City Manager Luther responded to the guests present by expressing gratitude for their presence and the work they do to advocate for the Latino population. The City of Beloit is supportive of the opportunity for all people to have an official Driver's License and the city will continue to lobby for legislation that will allow this in Wisconsin. There are 12 other states including the District of Columbia that have already implemented these laws. The city will also continue to research how other communities, like Milwaukee, are implementing municipal ID cards.

She hopes there is a way to accomplish the goals of LULAC by the State of Wisconsin. The City is committed to the safety and representation of all people and she stated that Beloit's diversity is one of our greatest strengths and the City will continue to work with their organization on issues important to them.

- b. Ellen Page, 1798 Post Road, Beloit spoke with concerns of the Kadlec Drive Condominium Addendum that is on the agenda this evening. She has addressed the City Council before on this issue and continues to have concerns for the community safety and traffic flow in this neighborhood. She is concerned that the original plan was for the Condos to be sold but due to a low market, they've been rented and the potential for these condos to all be rented exists. She expressed belief that buyers are not coming forward because of the 90 apartments in the Ravenwood apartment building. These condos becoming rentals increases the rental density and the traffic flow in an out through West Hart Road and N. Robinson to Post Road. Ms. Page is concerned about crime and home values if these condos all get rented out. She would like the City to explore extending Kadlec to Elmwood, also putting a stop sign and Robinson and Caroline Drive. She asked that if the City approves this addendum that there be a temporary entrance for construction off Elmwood for the trucks.

## 6. CONSENT AGENDA

Councilor De Forest asked to remove item b. from the consent agenda. Councilors Leavy and Hendrix made a motion to adopt consent Agenda items a, c and d. Motion carried.

- a. The Minutes of the regular meeting of February 6, 2017 were approved.
- b. Director of Planning and Building Services, Drew Pennington, presented a resolution approving an Addendum No. 2 to Kadlec Drive Condominium Plat for property located at 2660 Kadlec Drive. Harris & Associates, on behalf of DMW Development, has submitted the attached Condo Plat, which is officially known as Addendum No. 2 to Kadlec Drive Condominium Plat, for the property located at 2660 Kadlec Drive. The proposed Condo Plat includes the construction of 42 additional units in 4 additional buildings to complete the Kadlec Drive Condominium project.

This project was originally approved and zoned as a Planned Unit Development (PUD) in 2006, and the PUD Resolution authorizes up to 48 condo units. The proposed change to the condo plat is consistent with the property's existing PUD zoning classification, and no additional zoning actions are necessary. In 2007, the developer obtained approval of a Condo Plat for 36 units. The developer constructed the first 6-unit condo building before discontinuing this development during the recession. In 2016, the applicant obtained approval of a Condo Plat for 42 additional units in 5 additional buildings, but that layout has been changed and the approved 2016 Condo Plat will not be recorded.

Addendum No. 2 includes a different building type and layout as shown on the attachments, for a total of 48 units. Of the four proposed buildings, one is a 6-unit, 1-story building similar to the existing building and three are 12-unit, 2-story buildings for a total of 42 new units. Additional accessory features include a mailroom building, office/maintenance building, and visitor parking stalls. The Water Resources Director has reviewed the plat and noted that the existing water & sewer mains that are looped through the development are public mains according to a 2014 agreement with the property owner. The City's other Review Agents have reviewed the plat and have not submitted any comments or concerns. The Plan Commission reviewed the proposed Condo Plat on February 8, 2017 and voted unanimously (6-0) to recommend approval, subject to two conditions.

Councilor De Forest expressed concerns about the rental density in this area since it seems very likely that these condos will be rented. She will be voting against this item because of that. She asked Mr. Pennington if the City had authority in seeking to extend Kadlec to Elmwood. Mr. Pennington explained that it can always be explored but is not a condition of this Condo Plat. The developer has not changed the number of units being constructed and therefore, doesn't open the plan to new approval conditions. There is a key piece of undeveloped property at 1715 Elmwood that has an approved preliminary plat that does have the connection in it. The property is currently for sale and upon sale, that connection can be made. Mr. Pennington explained that the addendum as it exists before them this evening does not affect the roadways. This plan was previously approved with the same number of units and this plan only changes the building layout and location of the buildings. Councilor De Forest commented that this plan was approved in 2006 from a prior council and she believes the council has the authority to change the direction of this development.

Councilor Preuschl explained he doesn't have problems per se with this resolution, but does have concerns for the roads in and out of the development. Councilor Leavy asked what the impact would be if the Council didn't approve this addendum? It was explained that then Addendum 1

remains in effect and there are six buildings, not five in that addendum. Tom Wood with Harris & Associates was present to discuss the reasons for this addendum and he explained that the condo market is basically nonexistent right now and economically not being built. He told the council that it is likely to see these units rented out due to the current market. The developer is anxious to see this Addendum No. 2 approved so they can complete the project that has been ongoing for several years. If the council does not adopt this resolution, the developer has concerns on financial ability to construct the buildings per Addendum No. 1 and the property could remain undeveloped indefinitely. He reminded the council that they are not changing the number of units in this Addendum, but changing the layout of the buildings on the property. He too would like to see Kadlec extend down Elmwood but that is not within their control.

Councilors Leavy and Dunkin made a motion to lay this item over to the March 6, 2017 meeting so the council can gain more clarity on the matter. Motion carried 5-1 with Preuschl voting against. File 8242

- c. An application for a Conditional Use Permit to allow an outdoor seating area in a C-3, Community Commercial District, for the property located at 605 Eclipse Blvd was referred to Plan Commission. File 8256
- d. A resolution authorizing Final Payment of Public Works Contract C15-23, Milwaukee Road Concrete Repair was approved. File 8699

7. ORDINANCES - None

8. APPOINTMENTS - None

9. COUNCILOR ACTIVITIES AND UPCOMING EVENTS

- a. Councilor De Forest expressed gratitude to those attending this evening representing LULAC to advocate for the City to explore a municipal ID card. She attended the immigration resources workshop that was held at Hackett School and she thanked the volunteers who made that event possible. She is looking forward to BIFF and expressed thanks to the many volunteers and leaders of the organization for making it such a success. This event really allows Beloit to shine.
- b. Councilor Preuschl thanked the BIFF volunteers and organizers for their efforts. The Hendricks CareerTrek ribbon cutting is this Thursday.
- c. Councilor Dunkin attended the Downtown Beloit Association awards dinner. She congratulated the MVPs who were recognized for their success. She toured the Hendricks family heart hospital. She thanked Mark Preuschl for his photography of events around the City.
- d. Councilor Hendrix is excited to see one of the BIFF documentaries titled *Tied to the System* as it was directed by Leah Jones who is a Beloit graduate. The 10<sup>th</sup> annual father-daughter dance is this Saturday at BMHS from 3-5 p.m.
- e. Councilor Luebke represented the City at the 25<sup>th</sup> celebration of the Rock Trail Coalition.

10. CITY MANAGER'S PRESENTATION

- a. Alex Blazer, Chairperson of the Landmarks Commission presented the Annual Landmarks Commission Report for 2016. This annual report is provided in accordance with Section 32.05(10) of the Historic Preservation Ordinance. This report documents the activities and accomplishments of the Landmarks Commission during 2016.

The Commission currently consists of Chair Alex Blazer, Rick McGrath, Mary Anne Carroll, Steve Truesdale, Ruth Vater, Kris Jacobsen, and Ellen Joyce. The Landmarks Commission met 11 times in 2016 to review Certificate of Appropriateness (COA) applications. Many of these applications included more than one item concerning repairs, replacements, additions, or demolitions. Planning Division staff also reviewed and approved COA applications throughout the year.

The number and types of requests considered by the Commission and staff are as follows:

Additions/New Construction: 1  
Historic Plaques: 0  
Chimneys and Tuckpointing: 4  
Local Landmark Designations: 0  
Demolitions: 1  
Ramps/Sidewalks/Steps/Pavement: 3  
Fences and retaining walls: 6  
Roof repair/replacement: 11



Garage repair/construction: 4  
Signs and miscellaneous items: 2  
Gutters/fascia/soffit: 4  
Siding: 4  
Handrails and Porches: 6  
Windows and Doors: 9

Of the 38 COA applications processed in 2016, 18 (47%) were approved by staff. The Commission also completed the Historic District Identification Signs project and supported the completion of an Intensive Survey update and the creation of a new district known as the Milwaukee Road-Emerson Street Historic District. The Commission currently monitors 115 properties in the Bluff Street Historic District, 156 properties in the College Park Historic District, 4 properties in the Merrill Street Historic District, and 46 individually listed Landmarks and Landmark Sites.

## 11. REPORTS FROM BOARDS AND CITY OFFICERS

- a. Director of Planning and Building Services, Drew Pennington, presented a resolution approving the 2017 Annual Action Plan and CDBG Budget. Staff asked that this item be laid over to the March 6, 2017 regular meeting. Councilors De Forest and Dunkin recused themselves. Councilors Hendrix and Leavy made a motion to lay this item over to the March 6<sup>th</sup> regular meeting. Motion carried 4-0 with De Forest and Dunkin not voting.
- b. Councilors De Forest and Dunkin made a motion to adjourn into closed session for the following purposes: (Council will convene in the City Manager's Conference Room -- 4<sup>th</sup> floor of City Hall for the closed session items and will not reconvene in open session)
  - (1) Pursuant to Wis. Stats. §19.85(1)(e) to deliberate or negotiate the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session, in particular to discuss 949 Third Street and 936 Second Street.
  - (2) Pursuant to §19.85(1)(g), Wis. Stats. for the purposes of conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved; namely, to discuss the Town of Beloit's request for a possible boundary agreement.

Motion carried. Council proceeded into closed session at 8:05 p.m.

12. Councilors De Forest and Leavy made a motion to adjourn at 8:55 p.m. Motion carried.

---

Lorena Rae Stottler, City Clerk

[www.beloitwi.gov](http://www.beloitwi.gov)

Date approved by City Council: March 6, 2017

**RESOLUTION APPROVING FARM LEASE BETWEEN  
THE CITY OF БЕЛОIT AND WALSH FAMILY FARM, LLC  
FOR BURTON STREET PROPERTY**

**BE IT RESOLVED** that the City Council of the City of Beloit, Rock County, Wisconsin, hereby finds that the attached "Burton Street Property Farm Lease" is in the best interests of the City of Beloit and the City Manager of the City of Beloit is hereby, authorized to execute said farm lease on behalf of the City of Beloit and to do all other things necessary to implement the provisions therein.

Adopted this 6<sup>th</sup> day of March, 2017.

**CITY COUNCIL OF THE CITY OF БЕЛОIT**

\_\_\_\_\_  
**David F. Luebke, President**

**Attest:**

\_\_\_\_\_  
**Lorena Rae Stottler, City Clerk**

Tdh/files/16-1197/Res=Burton Street Property Farm Lease (2017-2018) 20170212

# CITY OF БЕЛОIT

## REPORTS AND PRESENTATIONS TO CITY COUNCIL



**Topic:** Resolution approving Farm Lease between the City of Beloit and Walsh Family Farm, LLC

**Date:** 3/6/17

**Presenter(s):** Andrew Janke

**Department(s):** Economic Development

---

### Overview/Background Information:

Staff is recommending approval of farm Leases to Walsh Farm, LLC for land owned by the City of Beloit. The subject property is commonly known as the Burton Street Property located on the City's west side and consists of approximately 23.06 tillable acres. This two year lease will expire at the end of 2018. All of the current City Farm Leases are aligned to expire on that date as well. Prior to that date this site along with all the other Farm Lease properties will be completely BID via a RFP process.

---

### Key Issues (maximum of 5):

1. RFPs were sent October 31, 2016 to 22 farming operations; with the deadline of 5:00 PM, November 25, 2016, the following two (2) bids for each farm lease were received.
2. Walsh Family Farms, LLC  
BID per acre: \$177  
Bid Annual Total \$4,081.62
3. Crawford Farms  
BID per acre: \$130  
BID Annual Total: \$2,997.80
4. The highest overall bidder therefore was Walsh Family Farm, LLC for a total annual rental rate of \$4,081.62 (See attached Bid Sheet)

---

**Conformance to Strategic Plan (List key goals this action would support and briefly discuss its impact on the City's mission.):** As the lease provide revenue to the City if supports Goal #2 Create and sustain a "High Performing Organization" as it relates to fiscal responsibility. Goal #3 Create and sustain economic and residential growth as the site may be developed in the future for new residential 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** – The Lease may reduce the use of Fossil Fuels as it will remain undeveloped while in Agricultural Use.
- **Reduce dependence on chemicals and other manufacturing substances that accumulate in nature** – NA
- **Reduce dependence on activities that harm life sustaining eco-systems** – The proposed development will not impact wetlands or sensitive wildlife.
- **Meet the hierarchy of present and future human needs fairly and efficiently** – Some of the crops harvested may meet human needs by being put into food production.

**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:** Staff recommends approval of the resolution.

---

**Fiscal Note/Budget Impact:** Lease revenue will be applied to the General Fund.

## BURTON STREET PROPERTY

### FARM LEASE

**THIS LEASE** is made this 31<sup>st</sup> day of December, by and between the **City of Beloit**, a Wisconsin municipal corporation, with its principal place of business located at 100 State Street, Beloit, Wisconsin 53511 (hereinafter referred to as "**Lessor**"), and Walsh Family Farm, LLC (hereinafter referred to as "**Lessee**").

1. **Leased Premises:** **Lessor** hereby leases to **Lessee** the properties described on Exhibit A (map) which is attached hereto. The leased premises consist of approximately 23.06 tillable acres of farmland. There are no buildings on the leased premises as shown on Exhibit A. **Lessee** acknowledges that **Lessee** has had ample opportunity to inspect the leased premises and is satisfied with the amount of tillable acres and agrees that lease payments will be calculated based on a lease of 23.06 acres.

2. **Term:** This Lease shall commence upon the date of execution hereof and end on December 31, 2018.

3. **Rent:** The **Lessee** shall pay to the **Lessor** as rent for the leased premises described above the sum of \$4,081.62 payable at the Office of the City Treasurer, City Hall (Attn: Treasurer), 100 State Street, Beloit, Wisconsin, as follows:

\$2,040.81 on or before May 20<sup>th</sup> of 2017 and 2018; and

\$2,040.81 on or before November 18<sup>th</sup> of 2017 and 2018.

4. **Rent Abatement:** **Lessor** shall have the right to sell any portion of the leased premises during the term of this Lease, and upon closing of such sale, this Lease shall automatically terminate with respect to that portion of the leased premises that is sold. **Lessee** hereby permits the **Lessor** and any prospective buyer or their agents or designees of the leased premises to enter upon the same for

the purpose of conducting soil borings and/or surveying the leased premises; provided that buyer gives **Lessee** five days' notice of buyer's intent to enter thereon. Neither **Lessor** nor the prospective buyer shall be liable for any crop damage resulting from soil borings or surveying activities; provided that such damage is kept to the minimum amount necessary to accomplish the same. If **Lessor** sells any portion of the leased premises during the term of this Lease, **Lessor** shall require the buyer, as a condition of sale, to either:

- (a) Permit **Lessee** to harvest the crops during the term of this Lease; or
- (b) Pay **Lessee** for any crops damaged by buyer upon such terms and conditions the **Lessee** and buyer shall agree.

5. **Condition of Premises:** **Lessee** has examined the leased premises and knows the condition thereof. No representations have been made to **Lessee** by **Lessor** regarding the condition of the leased premises, and **Lessor** shall not make any improvements to the leased premises or perform any maintenance on the leased premises. **Lessee** shall perform maintenance as required to comply with local ordinances, including maintenance of sidewalks and terrace areas adjacent to the leased premises. Such maintenance will include, but is not limited to: mowing grass terrace areas, snow removal from any adjacent sidewalks, repair or replacement of sidewalks damaged by farming operations, and removal of litter and other debris from the property. **Lessee** may make limited improvements, at the **Lessee's** expense, to the suitability of the leased premises for the purposes of growing crops. Such improvements can be, but are not limited to: removal of trees and weeds, application of commercial fertilizers, herbicides, insecticides, or any other product in the planting of all crops in a manner, quality and quantity consistent with all applicable laws, ordinances, regulations, and manufacturer's specifications.

6. **Permitted Uses:** The leased premises shall be used solely for the purpose of growing crops. Lessee agrees that it will not permit any hazardous substance or hazardous materials to be discharged upon the leased premises and will not commit waste upon the leased premises.

7. **Indemnification:** The Lessee shall indemnify and hold the City, its officers, agents and employees harmless from any and all claims, including claims for damages to property, personal injury, consequential and incidental damages, loss of income or revenue, costs and expenses, including reasonable attorneys' fees, arising out of any acts or omissions of the Lessee, its employees, agents and subcontractors during the performance of this Lease.

8. **Sublease and Assignment Prohibited:** Lessee may not assign this Lease or sublet the leased premises without the written consent of the Lessor.

9. **Best Management Practices:** Lessee agrees to follow the Soil Conservation Plan for the land or otherwise engage in such soil conservation and soil improvement practices that shall comply with any and all government regulations, rules, and requirements.

10. **Insurance - Certificate of Insurance:** Lessee shall, at Lessee's expense, procure the following insurance policies from insurance companies licensed to do business in the State of Wisconsin, in amounts and coverages not less than hereinafter set forth:

(a) **General Liability Insurance:**

(1) Each Occurrence Limit \$1,000,000.00

(b) **Automobile Liability Insurance:** The Lessee shall provide Automobile Liability insurance covering all vehicles used by Lessee in the amount of \$500,000.00.

Lessee shall provide Lessor with a certificate of insurance and shall name Lessor as an additional

insured. The certificate shall name the **Lessor** as certificate holder and shall unequivocally provide that the policies of insurance shall not be canceled or altered without sixty (60) days prior written notice to **Lessor**. Said certificate shall be provided to **Lessor** at the time of execution hereof and further certificates shall be provided immediately upon expiration of any policy or policies subject to the initial certificate.

11. **Removal of Crops:** **Lessee** shall remove all crops from the leased premises prior to the expiration of this Lease. Any crops or equipment remaining on the leased premises at the time of expiration of this Lease shall be deemed abandoned and become the property of the **Lessor**.

12. **Storage of Farm Equipment:** **Lessee** shall not store farm equipment or other moveable property on the leased premises at any time. However, during the planting and harvesting seasons, farm equipment may be kept on the leased premises overnight, but only while the **Lessee** is actively engaged in planting or harvesting.

13. **Hunting Prohibited:** Neither party shall permit any person to enter the leased premises for the purpose of hunting, shooting or capturing any wild animals during the term of this Lease. **Lessee** may, as **Lessor's** agent, post "No Hunting" signs on the property.

14. **Default:** If **Lessee** commits waste, fails to repair damage to adjacent terraces or sidewalks, or stores any farm equipment or moveable property upon the leased premises in violation of this Lease, **Lessor** shall give **Lessee** five (5) days' notice to cure **Lessee's** default. If **Lessee** does not cure the default within five (5) days, **Lessee** shall pay to **Lessor** a penalty of \$100.00 per day for each day that **Lessee** continues to commit waste, fails to repair damage, or continues to store equipment or moveable property on the leased premises in violation of this Lease.

15. **Access To Property:** **Lessee** shall access the leased premises from the north end of Fir Drive adjacent to the leased premises on Burton Street. Any damage resulting from farming operations

to terrace areas or sidewalks adjacent to the premises shall be restored by the **Lessee** within 15 calendar days.

16. **Nondiscrimination:** Lessee will not discriminate against any qualified employee or qualified applicant for employment because of race, color, national origin, ancestry, religion, age, marital status, disability, sex, or sexual orientation. In the event any portion of this Lease is subcontracted by Lessee, Lessee shall include in such subcontract, a provision prohibiting the subcontractor from discriminating against any qualified employee or qualified applicant for employment because of race, color, national origin, ancestry, religion, age, marital status, disability, sex, or sexual orientation. This provision is inserted herein in compliance with Section 1.09 of the Code of General Ordinances of the City of Beloit, and shall be interpreted so as to carry out the intent of said ordinance.

18. **Amendments:** This Lease may be amended only by written mutual agreement of the Lessor and Lessee.

19. **Notices:** Notices to the parties to this Lease shall be as follows:

To Lessor: City of Beloit  
Attn: Andrew L. Janke, CPM  
100 State Street  
Beloit WI 53511

To Lessee:

**IN WITNESS WHEREOF**, the parties have executed this Lease as of the date first written above.

**LESSOR:**

CITY OF БЕЛОIT

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

**LESSEE:**

WALSH FAMILY FARM, LLC

By:  \_\_\_\_\_  
Aaron H. Walsh, Manager

**ATTEST:**

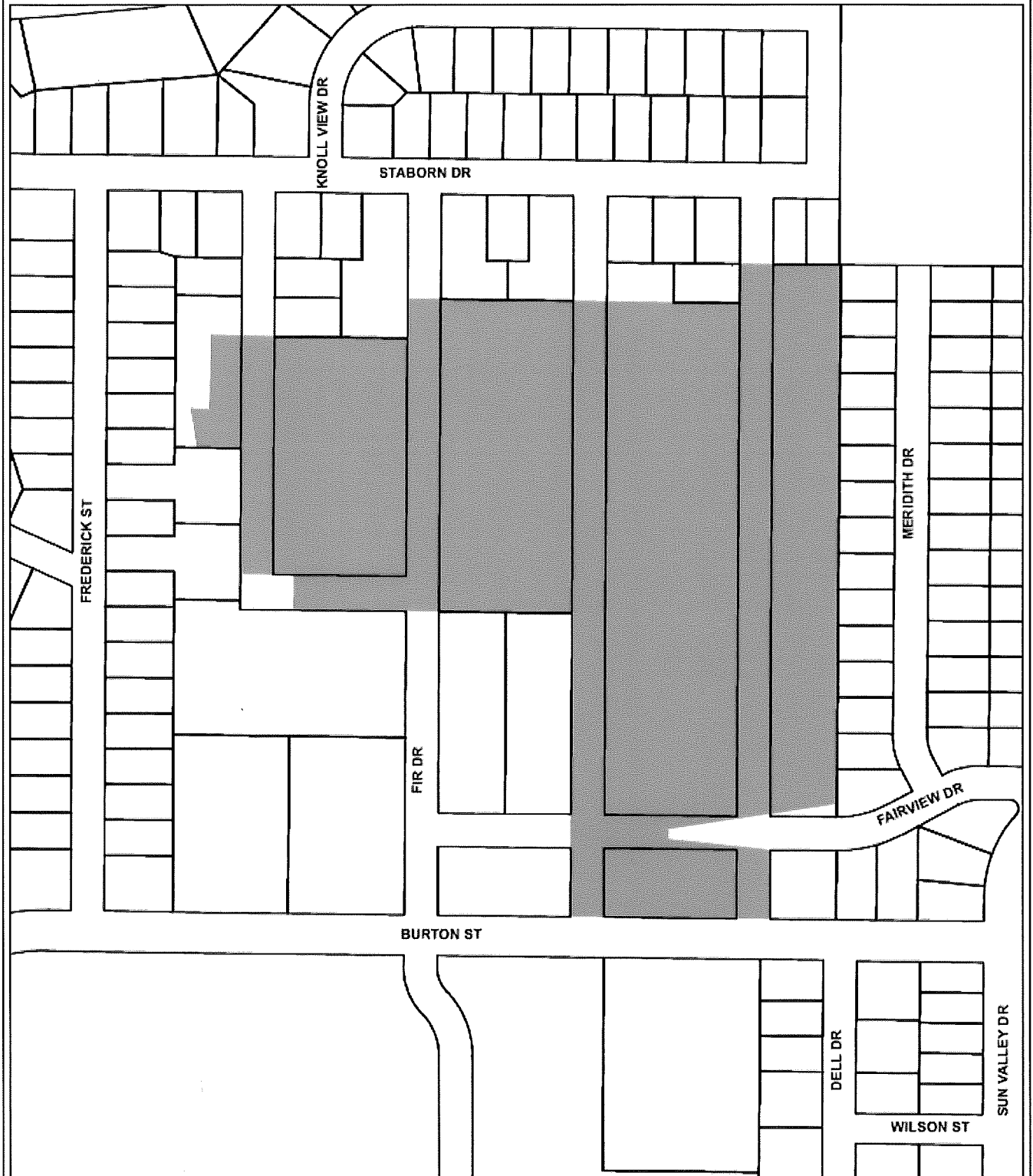





By: \_\_\_\_\_  
Lorena Rae Stottler, City Clerk

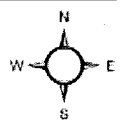
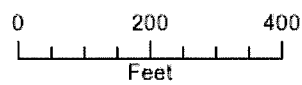
APPROVED AS TO FORM:

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

# City of Beloit Burton St. Property Farm Lease Map



-  Burton Street Property - 23.06 Tillable Acres
-  Parcels
-  City of Beloit Limits



August 10, 2015

# CITY OF BELOIT

## REPORTS AND PRESENTATIONS TO CITY COUNCIL

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**Topic:** Conditional Use Permit Application for the property located at 2787 Milwaukee Road – Council Referral to the Plan Commission

**Date:** March 6, 2017

**Presenter(s):** Julie Christensen

**Department:** Community Development

---

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

Todd Waller of Beloit Capital LLC has filed an application for a Conditional Use Permit to allow a drive-through use and an outdoor seating area in a C-3, Community Commercial District, for the property located at 2787 Milwaukee Road. The applicant has proposed the opening of a Dunkin Donuts restaurant in the existing Asia Buffet space at the eastern end of this existing retail strip center. The proposed restaurant includes a drive-through window and an outdoor seating area, both of which require a Conditional Use Permit.

---

### **Key Issues (maximum of 5):**

- The proposed drive-through window is located on the eastern side of the building. The building was designed with a drive-through window in this location, but a drive-through use was never established.
  - As shown on the attached site plan, the applicant has proposed the reconfiguration of the parking lot and the construction of a new one-way (southbound) drive lane around the western end of the building. The proposed one-way drive lane requires a Landscape Code Exception, as it would encroach into the required green space along the western lot line. The applicant has submitted a separate request for a Landscape Code Exception.
  - The applicant has proposed 2 stacking spaces for the order board and 4 stacking spaces for the pick-up window, to be framed by the extension of a landscape island to be used as an outdoor seating area.
  - This property is located in the Milwaukee Road Overlay (MRO) District. In the MRO District, direct driveway access to Milwaukee Road is prohibited unless the subject property has no other reasonable access to the street network. The applicant has not proposed a change in access, and will continue to use the shared driveway.
  - The applicant has proposed 97 off-street parking stalls, which complies with the Zoning Ordinance.
- 

### **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 #3.
- 

### **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
- 

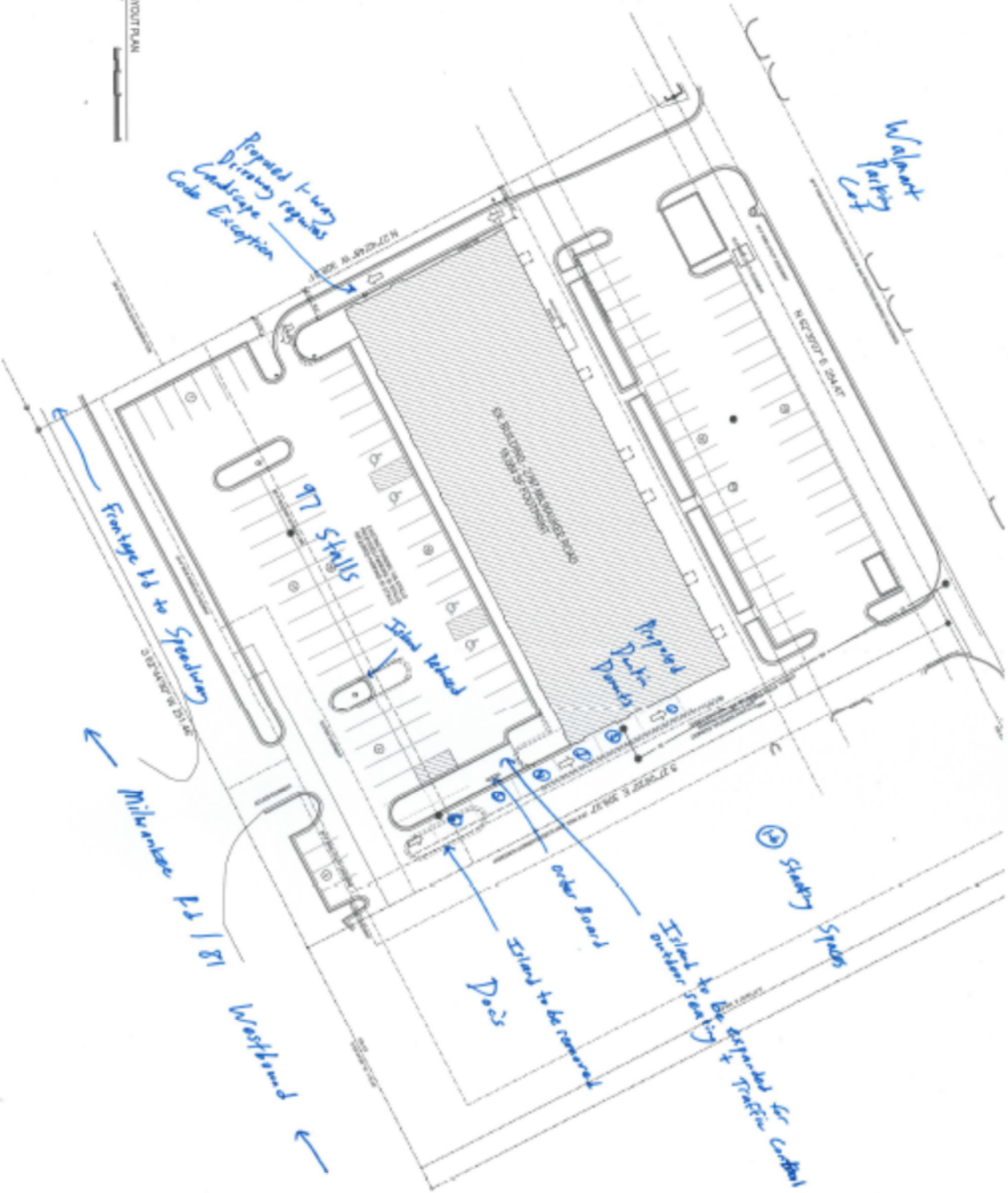
### **Action required/Recommendation:**

- Referral to the Plan Commission for the March 8, 2017 meeting
  - This item will most likely return to the City Council for a public hearing and possible action on March 20, 2017
- 

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

---

**Attachments:** Site Plan and Application



PRELIMINARY - NOT FOR CONSTRUCTION

<p><b>C101</b></p> <p>PROJECT NUMBER DATE APPROVED BY REVISIONS DRAWN BY BY DATE</p>	<p><b>DUNKIN DONUTS TENANT SPACE</b></p> <p>LEE AND ASSOCIATES 2787 MILWAUKEE ST, BELOIT, WI</p>	<p><b>Angus Young</b> Architect Engineering Interior Design</p> <p>1000 1st Street, Beloit, WI 53510 608.733.1111 www.angusyong.com</p>	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 50%;">REVISED</th> <th style="width: 50%;">REVISIONS</th> </tr> </thead> <tbody> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> </tbody> </table> <p style="font-size: small; text-align: center;">Copyright © 2017 Angus Young Inc. All Rights Reserved</p>	REVISED	REVISIONS																				
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# CITY of BELOIT

## Planning and Building Services Division

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

### Conditional Use Permit Application

(Please Type or Print)

File Number: CN-2017-02

1. Address of subject property: 2787 Milwaukee Road

2. Legal description: L 3 CSM Vol 20, Pgs 36-42, except the East 106.32 feet

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

Property dimensions are: 254.47 and 308.31 feet by 251.46 and 309.37 feet = 78,123 square feet.

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

3. Tax Parcel Number(s): 22980900

4. Owner of record: Beloit Capital, LLC Phone: \_\_\_\_\_

6430 Bridge Road, Suite 230, Madison WI 53713  
(Address) (City) (State) (Zip)

5. Applicant's Name: Todd Waller, Sole Member, Beloit Capital, LLC

6430 Bridge Road, Suite 230, Madison, WI 53713  
(Address) (City) (State) (Zip)

608-347-4001 / 608-333-7636 / twaller@lee-associates.com  
(Office Phone #) (Cell Phone #) (E-mail Address)

6. All existing use(s) on this property are: Mixed Use - Business/Restaurant/Retail

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

A Conditional Use Permit for: Drive Up Window and Outdoor Dining

\_\_\_\_\_ in a(n) C3 Zoning District.

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

Principal use: Restaurant - Dunkin Donuts, Firehouse Subs, Little Mexico, Papa Murphys

Secondary use: Retail - Cricket, Game Stop, Pinnon Meats


Accessory use: Business - Check N Go, US Nails

9. Project timetable: Start date: March, 2017 Completion date: May, 2017

10. I/We) represent that I/we have a vested interest in this property in the following manner:
- Owner
  - Leasehold, length of lease: \_\_\_\_\_
  - Contractual, nature of contract: \_\_\_\_\_
  - Other, explain: \_\_\_\_\_

**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.

	Todd Waller	1/27/2017
(Signature of Owner)	(Print name)	(Date)
(Signature of Applicant, if different)	(Print name)	(Date)

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

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

**To be completed by Planning Staff**

Filing fee: \$275.00 Amount paid: \$275.<sup>00</sup> Meeting date: March 8, 2017

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

Application accepted by: Drew Pennington Date: 2/6/17

# CITY OF BELOIT

## REPORTS AND PRESENTATIONS TO CITY COUNCIL

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**Topic:** Exception to the Architectural Review and Landscape Code for the property located at 2787 Milwaukee Road – Council Referral to the Plan Commission

**Date:** March 6, 2017

**Presenter:** Julie Christensen

**Department:** Community Development

---

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

Todd Waller of Beloit Capital LLC has filed an application for an Exception to Section 34.21(2)(b) of the Architectural Review and Landscape Code to waive the open green space requirement for the property located at 2787 Milwaukee Road.

---

### **Key Issues (maximum of 5):**

- The applicant has proposed the opening of a Dunkin Donuts restaurant in the existing Asia Buffet space at the eastern end of this existing retail strip center. The proposed restaurant includes a drive-through window. The building was designed with a drive-through window in this location, but a drive-through use was never established.
  - As shown on the attached site plan, the applicant has proposed the reconfiguration of the parking lot and the construction of a new one-way (southbound) drive lane around the western end of the building. The proposed one-way drive lane requires a Landscape Code Exception, as it would encroach into the required 5 feet of open green space along the western lot line. The applicant has stated that the proposed drive lane would encroach approximately 1 foot into the open space, leaving approximately 4 feet of grass along the lot line.
  - According to the applicant, the proposed drive lane is a requirement of Dunkin Donuts in order to provide better access to their proposed drive-through lane, which is the subject of a Conditional Use Permit request.
  - The application and site plan are attached to this report.
- 

### **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 #3.
- 

### **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:**

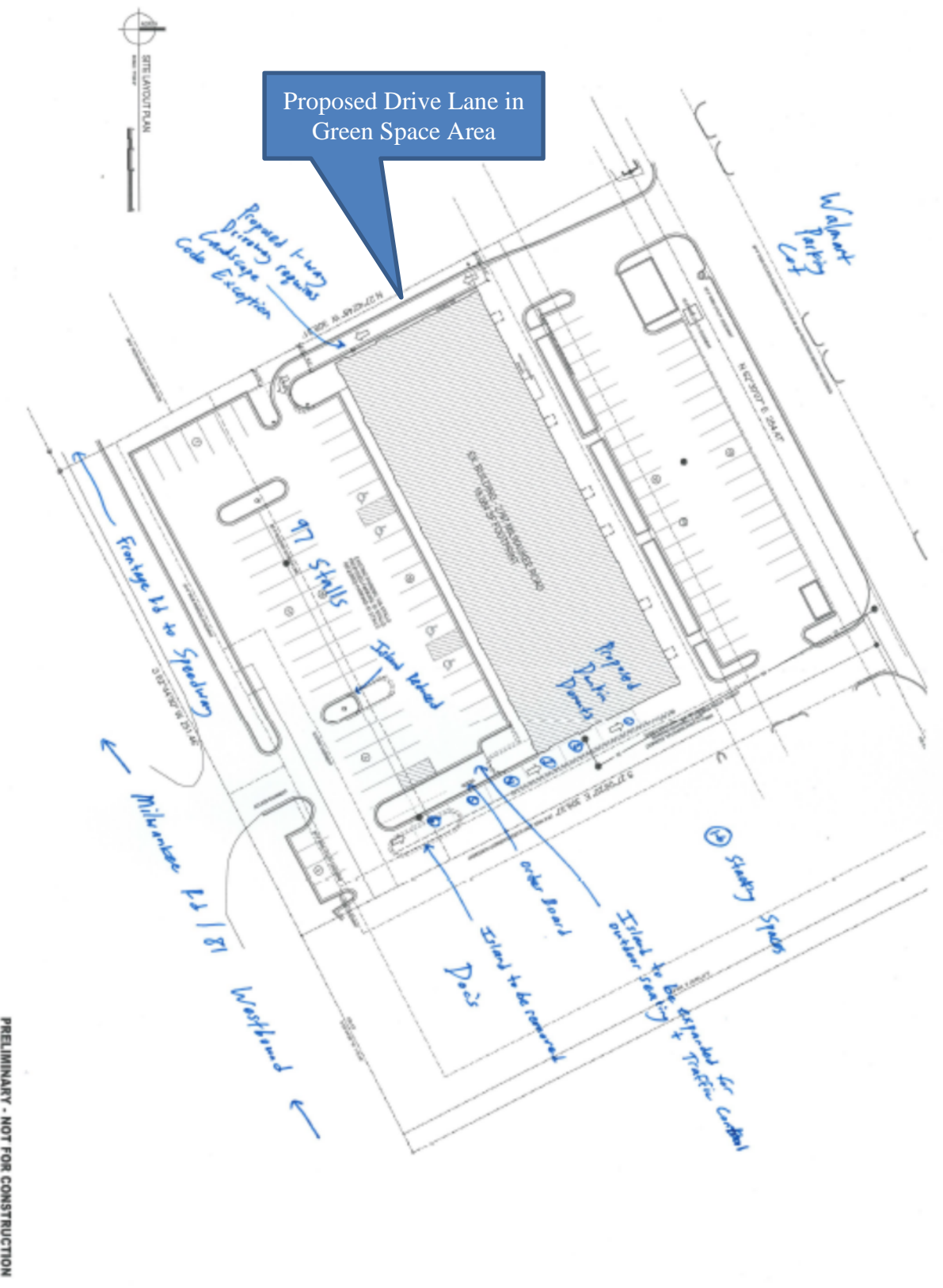
- Referral to the Plan Commission for the March 8, 2017 meeting
  - This item will most likely return to the City Council for a public hearing and possible action on March 20, 2017
- 

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

---

**Attachments:** Site Plan and Application

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Proposed Drive Lane in Green Space Area

PRELIMINARY - NOT FOR CONSTRUCTION

<p><b>C101</b></p> <p>PROJECT NUMBER: 0000          DATE: 08/14/17          APPROVED BY: [Signature]          REVIEWED BY: [Signature]          DRAWN BY: [Signature]          DATE: 08/14/17</p>	<p><b>DUNKIN' DONUTS          TENANT SPACE</b>          LEE AND ASSOCIATES          2787 MILWAUKEE ST, BELOIT, WI</p>	<p><b>Angus Young</b>          Architecture          Engineering          Interior Design</p> <p>411 East State Street, Beloit, WI 53510          P: 608.733.2222 F: 608.733.2244          www.angusyoung.com</p>	<table border="1"> <thead> <tr> <th>NO.</th> <th>REVISIONS</th> </tr> </thead> <tbody> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> </tbody> </table>	NO.	REVISIONS																				
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# CITY of BELOIT

## Planning & Building Services Division

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

### Architectural Review Exception Application Form

(Please Type or Print)

File number: ARC/EXP-2017-01

1. Name of applicant: Todd Waller, Beloit Capital, LLC Phone #: 608-327-4001

6430 Bridge Road, Suite 230, Madison, WI, 53713  
(Address) (City) (State) (Zip)

2. Address of subject property: 2787 Milwaukee Road

3. Tax Parcel Number(s): 22980900

4. Legal description: L 3 CSM Vol 20, Pgs 36-42, except the East 106.32 feet

5. Present zoning: C3 Present use: Mixed Use - Business/Restaurant/Retail

6. Proposed use (if different): None

7. Owner of record: Beloit Capital, LLC Phone: \_\_\_\_\_

6430 Bridge Road, Suite 230, Madison WI 53713  
(Address) (City) (State) (Zip)

8. Code from which relief is sought or exception is taken:

Architectural Review  Landscape Regulations

9. State specific sections of code and exception(s) requested: (Use separate sheet if necessary)

34.21 - Landscaping, 2(b) Open Green Space, 1. Open Green Space must be provided along the interior side and rear property lines. Open Green Space must be at least 5 feet wide ...

Request to reduce 5 foot wide requirement in order to provide 9 foot wide access road, 1 foot wide curb/space between access road and building, and 4 foot wide Open Green Space along a portion of the building/site at West end of building.

10. State specific hardship experienced by the applicant: (Use separate sheet if necessary)

Limits access to drive up window in tenant space at East end of building which is a requirement of the lease/tenant terms.

(Continued on back)

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

**11. In order for this application to be considered complete, the applicant must attach a scale drawing (1" = 20' usually works best) showing the location of property lines and their dimensions, existing buildings and improvements, all abutting properties and improvements thereon, and the proposed changes or additions. A professional drawing is not required. You are required to furnish a legible drawing with enough detail that will adequately advise and inform the Commission.**

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

*Todd Waller* / Todd Waller / 1/27/2017  
 (Signature of Owner) (Print name) (Date)

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

The applicant acknowledges that this application is not deemed filed until dated and receipt acknowledged by a person authorized to receive the application. The applicant is entitled to receive a copy of the acknowledged application once it is officially reviewed and accepted.

**Hearings are usually held in City Hall Forum, City Hall, 100 State Street at 7:00 P.M.**

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

The application fee will be \$100 and applicants will be charged actual out-of-pocket costs for mailing public notices at the rate of \$0.50 per notice.

**To be completed by Planning staff**

Filing fee: \$100.00 Amount paid: \$100.00 Meeting date: March 8, 2017  
 Application accepted by: *Don Panajota* Date: 2/6/17  
 No. of notices: \_\_\_\_\_ x mailing cost (\$0.50) = cost of mailing notices: \$ \_\_\_\_\_  
 Date Notice Published: \_\_\_\_\_ Date Notice Mailed: \_\_\_\_\_



# CITY OF БЕЛОIT

## REPORTS AND PRESENTATIONS TO CITY COUNCIL

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**Topic:** Application for a Class “B” Beer and “Class B” Liquor License for JT Hankins LLC d/b/a The Restaurant at “Muni”, located at 1611 Hackett Street, Joelle K. Hankins (Agent) for the license period ending June 30, 2017.

**Date:** March 6, 2017

**Presenter(s):** Lorena Rae Stottler

**Department:** City Clerk

**Overview/Background Information:**

Thomas Hankins of JT Hankins LLC is making application to establish his business to be located at 1611 Hackett Street (Krueger-Haskell Golf Course Clubhouse) to be known as The Restaurant at “Muni” and is applying for a Class “B” Beer and “Class B” Liquor License for the license period ending June 30, 2017.

**Key Issues (maximum of 5):**

1. JT Hankins LLC d/b/a The Restaurant at “Muni” to be located at 1611 Hackett Street, in the City of Beloit is requesting to establish a business with a Class “B” Beer and “Class B” Liquor License for the license period ending June 30, 2017.
2. An application with publication fees has been submitted to the Clerk’s office and is being referred to the ABLCC for their March 14<sup>th</sup> agenda by the City Council on March 6<sup>th</sup> via the consent agenda. The City is in negotiations with Mr. Hankins to operate the concessions at the clubhouse for the golf course.
3. The ABLCC will review the application to assure conformity with existing rules, regulations and zoning ordinances of the city and state and will make a recommendation to the Council based on their review.
4. D & D Buck, LLC d/b/a Bucky’s Bunker has submitted a letter relinquishing its license upon approval of this application by the City Council at its March 20, 2017 meeting.

**Conformance to Strategic Plan (List key goals this action would support and briefly discuss its impact on the City’s mission.):** Taking action regarding this license conforms to the City’s Strategic Plan by encouraging economic development in the entrepreneurial community while applying sound, sustainable practices to promote high quality 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 – N/A

**Action required/Recommendation:** Staff recommends that the City Council approve this referral to the ABLCC and will expect to see this application return to the Council for a decision at its March 20<sup>th</sup> Regular City Council Meeting.

**Fiscal Note/Budget Impact:** Action on this item does not have a significant impact on the City’s budget.

**Attachments:** Original Alcohol Beverage Retail License Application, Schedule of Appointment of Agent.

# ORIGINAL ALCOHOL BEVERAGE RETAIL LICENSE APPLICATION

Submit to municipal clerk.

For the license period beginning April 1 20 17  
ending June 30 20 17

TO THE GOVERNING BODY of the:  Town of } Beloit  
 Village of }  
 City of }

County of Rock Aldermanic Dist. No. \_\_\_\_\_ (if required by ordinance)

1. The named  INDIVIDUAL  PARTNERSHIP  LIMITED LIABILITY COMPANY  
 CORPORATION/NONPROFIT ORGANIZATION

hereby makes application for the alcohol beverage license(s) checked above.

2. Name (individual/partners give last name, first, middle; corporations/limited liability companies give registered name): J. Hankins LLC

An "Auxiliary Questionnaire," Form AT-103, must be completed and attached to this application by each individual applicant, by each member of a partnership, and by each officer, director and agent of a corporation or nonprofit organization, and by each member/manager and agent of a limited liability company. List the name, title, and place of residence of each person.

Title	Name	Home Address	Post Office & Zip Code
President/Member	<u>Thomas Hankins</u>	<u>V. Pres.</u>	<u>1804 Henderson, Beloit</u>
Vice President/Member	<u>Joelle Hankins</u>	<u>V. Pres.</u>	<u>"</u>
Secretary/Member			
Treasurer/Member			
Agent	<u>Joelle K. Hankins</u>	<u>1804 Henderson</u>	<u>Beloit</u>
Directors/Managers			

3. Trade Name "The Restaurant at Muni" Business Phone Number 608 314 5939  
4. Address of Premises 1611 Hackett St Post Office & Zip Code Beloit 53511

5. Is individual, partners or agent of corporation/limited liability company subject to completion of the responsible beverage server training course for this license period?  Yes  No  
6. Is the applicant an employe or agent of, or acting on behalf of anyone except the named applicant?  Yes  No  
7. Does any other alcohol beverage retail licensee or wholesale permittee have any interest in or control of this business?  Yes  No  
8. (a) Corporate/limited liability company applicants only: Insert state WI and date 09/19/16 of registration.  
(b) Is applicant corporation/limited liability company a subsidiary of any other corporation or limited liability company?  Yes  No  
(c) Does the corporation, or any officer, director, stockholder or agent or limited liability company, or any member/manager or agent hold any interest in any other alcohol beverage license or permit in Wisconsin?  Yes  No  
(NOTE: All applicants explain fully on reverse side of this form every YES answer in sections 5, 6, 7 and 8 above.)

9. Premises description: Describe building or buildings where alcohol beverages are to be sold and stored. The applicant must include all rooms including living quarters, if used, for the sales, service, consumption, and/or storage of alcohol beverages and records. (Alcohol beverages may be sold and stored only on the premises described.) see Muni G&B course Contract/lease

10. Legal description (omit if street address is given above):  
11. (a) Was this premises licensed for the sale of liquor or beer during the past license year?  Yes  No  
(b) If yes, under what name was license issued?  
12. Does the applicant understand they must file a Special Occupational Tax return (TTB form 5630.5) before beginning business? [phone 1-800-937-8864]  Yes  No  
13. Does the applicant understand they must hold a Wisconsin Seller's Permit? [phone (608) 266-2776].  Yes  No  
14. Does the applicant understand that they must purchase alcohol beverages only from Wisconsin wholesalers, brewerles and brewpubs?  Yes  No

**READ CAREFULLY BEFORE SIGNING:** Under penalty provided by law, the applicant states that each of the above questions has been truthfully answered to the best of the knowledge of the signers. Signers agree to operate this business according to law and that the rights and responsibilities conferred by the license(s), if granted, will not be assigned to another. (Individual applicants and each member of a partnership applicant must sign; corporate officer(s), members/managers of Limited Liability Companies must sign.) Any lack of access to any portion of a licensed premises during inspection will be deemed a refusal to permit inspection. Such refusal is a misdemeanor and grounds for revocation of this license.

**SUBSCRIBED AND SWORN TO BEFORE ME**

this 24th day of February  
[Signature] (Clerk/Notary Public)  
[Signature] (Officer of Corporation/Member/Manager of Limited Liability Company/Partner/Individual)  
[Signature] (Officer of Corporation/Member/Manager of Limited Liability Company/Partner)  
My commission expires 8/10/18  
(Additional Partner(s)/Member/Manager of Limited Liability Company If Any)

**TO BE COMPLETED BY CLERK**

Date received and filed with municipal clerk <u>2-23-17</u>	Date reported to council/board	Date provisional license issued	Signature of Clerk / Deputy Clerk
Date license granted	Date license issued	License number issued	

Applicant's WI Seller's Permit No. <u>Pending</u> FEIN Number:	
LICENSE REQUESTED	
TYPE	FEE
<input type="checkbox"/> Class A beer	\$
<input checked="" type="checkbox"/> Class B beer	\$
<input type="checkbox"/> Class C wine	\$
<input type="checkbox"/> Class A liquor	\$
<input type="checkbox"/> Class A liquor (cider only)	\$ N/A
<input checked="" type="checkbox"/> Class B liquor	\$
<input type="checkbox"/> Reserve Class B liquor	\$
<input type="checkbox"/> Class B (wine only) winery	\$
Publication fee	\$ <u>50.00</u>
<b>TOTAL FEE</b>	\$

AD

## 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  City of Beloit County of Rock

The undersigned duly authorized officer(s)/members/managers of J Hankins LLC (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 The Restaurant at "Muni" (trade name)

located at 1611 Hackett St Beloit WI 53511

appoints Joelle K Hankins (name of appointed agent)

1804 Henderson Beloit (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? 21 years

Place of residence last year 1804 Henderson Ave., Beloit

For: \_\_\_\_\_ (name of corporation/organization/limited liability company)

By: \_\_\_\_\_ (signature of Officer/Member/Manager)

And: \_\_\_\_\_ (signature of Officer/Member/Manager)

### ACCEPTANCE BY AGENT

Joelle K. Hankins (print/type agent's name), hereby accept this appointment as agent for the corporation/organization/limited liability company and assume full responsibility for the conduct of all business relative to alcohol beverages conducted on the premises of the corporation/organization/limited liability company.

Joelle K. Hankins (signature of agent) 02-24-17 (date) Agent's age \_\_\_\_\_

1804 Henderson Ave., Beloit, WI (home address of agent) Date of birth \_\_\_\_\_

### 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 \_\_\_\_\_ (date) by \_\_\_\_\_ (signature of proper local official) Title \_\_\_\_\_ (town chair, village president, police chief)

**AUXILIARY QUESTIONNAIRE  
ALCOHOL BEVERAGE LICENSE APPLICATION**

Submit to municipal clerk.

Individual's Full Name (please print) (last name) <b>Hankins</b>		(first name) <b>Joelle</b>		(middle name) <b>Katherine</b>	
Home Address (street/route) <b>1804 Henderson</b>		Post Office	City <b>Beloit</b>	State <b>WI</b>	Zip Code <b>53511</b>
Home Phone Number <b>608 931 0458</b>		Age	Date of Birth	Place of Birth <b>Beloit WI</b>	

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.

**Joelle K Hankins** of **DBA The Restaurant** **JT Hankins LLC**  
(Officer/Director/Member/Manager/Agent) (Name of Corporation, Limited Liability Company or Nonprofit Organization)  
 at "muni"  
 which is making application for an alcohol beverage license.

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

1. How long have you continuously resided in Wisconsin prior to this date? 26 years

2. 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.)

3. 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.

4. 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. \_\_\_\_\_  
(Name, Location and Type of License/Permit)

5. Do you hold and/or are you an officer, director, stockholder, agent or employe 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. Suds O'Hanahan's Irish Pub Inc. 433 E. Grand Ave. Beloit  
(Name of Wholesale Licensee or Permittee) (Address By City and County)

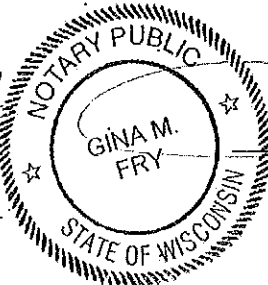
6. Named individual must list in chronological order last two employers.

Employer's Name <b>CFS Head Start Rock/Walworth</b>	Employer's Address <b>1221 Henry Ave, Beloit</b>	Employed From <b>Aug. 1990</b>	To <b>Present</b>
Employer's Name <b>Cartunes</b>	Employer's Address <b>Prairie Ave. Beloit</b>	Employed From <b>June '92</b>	To <b>Oct. '95</b>

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.

Subscribed and sworn to before me

this 24<sup>th</sup> day of February, 2017  
Gina M. Fry  
(Clerk/Notary Public)



Joelle K Hankins  
(Signature of Named Individual)

My commission expires 8/10/18



**AUXILIARY QUESTIONNAIRE  
ALCOHOL BEVERAGE LICENSE APPLICATION**

Submit to municipal clerk.

Individual's Full Name (please print) (last name)		(first name)		(middle name)	
Hankins		Thomas		Leo	
Home Address (street/route)		Post Office	City	State	Zip Code
1804 Henderson			Beloit	WI	53511
Home Phone Number		Age	Date of Birth	Place of Birth	
608 314 5939				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.

Thomas L Hankins of JT Hankins LLC  
(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? 5.8 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. Tim Hankins @ Side of Hankins Irish Pub Class B Beer & Lg  
(Name, Location and Type of License/Permit)
- Do you hold and/or are you an officer, director, stockholder, agent or employe 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	Employer's Address	Employed From	To
<u>Trigbag Too</u>		<u>92</u>	<u>95</u>
Employer's Name	Employer's Address	Employed From	To
<u>The Landings</u>		<u>90</u>	<u>92</u>

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.

Subscribed and sworn to before me

this 24 day of February, 20 17  
Alexa A. Mianec  
(Clerk/Notary Public)

Thomas L Hankins  
(Signature of Named Individual)

My commission expires 1/6/2018



Printed on Recycled Paper

Wisconsin Department of Revenue



## CITY OF БЕЛОIT

### REPORTS AND PRESENTATIONS TO CITY COUNCIL

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**Topic:** Application for a Class "B" Beer and "Class B" Liquor License for Inked Sports Bar LLC, 443 E. Grand Ave, Justin A. Christophersen (Agent) for the license period ending June 30, 2017.

**Date:** March 6, 2017

**Presenter(s):** Lorena Rae Stottler

**Department:** City Clerk

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**Overview/Background Information:**

Justin A. Christophersen is making application to establish his business to be located at 443 E Grand Ave to be known as Inked Sports Bar and is applying for a Class "B" Beer and "Class B" Liquor License for the license period ending June 30, 2017.

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**Key Issues (maximum of 5):**

1. Inked Sports Bar LLC, located at 443 E. Grand Avenue (old location of Game On Bar & Grill and formerly The Local), in the City of Beloit is requesting to establish a business with a Class "B" Beer and "Class B" Liquor License for the license period ending June 30, 2017.
  2. A complete application with fees has been submitted to the Clerk's office and is being referred to the ABLCC for their March 14<sup>th</sup> agenda by the City Council on March 6<sup>th</sup> via the consent agenda.
  3. The ABLCC will review the application to assure conformity with existing rules, regulations and zoning ordinances of the city and state and will make a recommendation to the Council based on their review.
  4. This license is contingent on Joseph A. Jensen of Game On Bar & Grill relinquishing his license upon approval of this application by the City Council at their March 20, 2017 meeting who has given us a letter stating such.
- 

**Conformance to Strategic Plan (List key goals this action would support and briefly discuss its impact on the City's mission.):** Taking action regarding this license conforms to the City's Strategic Plan by encouraging economic development in the entrepreneurial community while applying sound, sustainable practices to promote high quality development.

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

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

**Action required/Recommendation:** Staff recommends that the City Council approve this referral to the ABLCC and will expect to see this application return to the Council for a decision at its March 20<sup>th</sup> Regular City Council Meeting.

**Fiscal Note/Budget Impact:** Action on this item does not have a significant impact on the City's budget.

**Attachments:** Original Alcohol Beverage Retail License Application, Schedule of Appointment of Agent.



# ORIGINAL ALCOHOL BEVERAGE RETAIL LICENSE APPLICATION

Submit to municipal clerk.

For the license period beginning \_\_\_\_\_ 20\_\_\_\_; ending June 30 2017

TO THE GOVERNING BODY of the:  Town of } Beloit  
 Village of }  
 City of }

County of Rock Aldermanic Dist. No. \_\_\_\_\_ (if required by ordinance)

1. The named  INDIVIDUAL  PARTNERSHIP  LIMITED LIABILITY COMPANY  
 CORPORATION/NONPROFIT ORGANIZATION

hereby makes application for the alcohol beverage license(s) checked above.

2. Name (individual/partners give last name, first, middle; corporations/limited liability companies give registered name): Inked Sports Bar LLC

An "Auxiliary Questionnaire," Form AT-103, must be completed and attached to this application by each individual applicant, by each member of a partnership, and by each officer, director and agent of a corporation or nonprofit organization, and by each member/manager and agent of a limited liability company. List the name, title, and place of residence of each person.

Title	Name	Home Address	Post Office & Zip Code
President/Member	<u>Justin Christopher</u>	<u>404 W Tutton St</u>	<u>Edgemoor WI 53534</u>
Vice President/Member	<u>Michael E. Perlebug</u>	<u>2140 Polzin Rd</u>	<u>Janesville WI 53546</u>
Secretary/Member			
Treasurer/Member			
Agent	<u>Justin A Christopher</u>		
Directors/Managers			

3. Trade Name Inked Sports Bar Business Phone Number 608-312-4040  
 4. Address of Premises 443 E Grand Ave Post Office & Zip Code 53511

5. Is individual, partners or agent of corporation/limited liability company subject to completion of the responsible beverage server training course for this license period?  Yes  No
6. Is the applicant an employe or agent of, or acting on behalf of anyone except the named applicant?  Yes  No
7. Does any other alcohol beverage retail licensee or wholesale permittee have any interest in or control of this business?  Yes  No
8. (a) Corporate/limited liability company applicants only: Insert state WI and date 2-24-17 of registration.  
 (b) Is applicant corporation/limited liability company a subsidiary of any other corporation or limited liability company?  Yes  No  
 (c) Does the corporation, or any officer, director, stockholder or agent or limited liability company, or any member/manager or agent hold any interest in any other alcohol beverage license or permit in Wisconsin?  Yes  No

(NOTE: All applicants explain fully on reverse side of this form every YES answer in sections 5, 6, 7 and 8 above.)

9. Premises description: Describe building or buildings where alcohol beverages are to be sold and stored. The applicant must include all rooms including living quarters, if used, for the sales, service, consumption, and/or storage of alcohol beverages and records. (Alcohol beverages may be sold and stored only on the premises described.) Bar Room Area, Liquor Room, Washin cooler & kitchen

10. Legal description (omit if street address is given above): \_\_\_\_\_  
 11. (a) Was this premises licensed for the sale of liquor or beer during the past license year?  Yes  No  
 (b) If yes, under what name was license issued? Same as

12. Does the applicant understand they must file a Special Occupational Tax return (TTB form 5630.5) before beginning business? [phone 1-800-937-8864]  Yes  No
13. Does the applicant understand they must hold a Wisconsin Seller's Permit? [phone (608) 266-2776].  Yes  No
14. Does the applicant understand that they must purchase alcohol beverages only from Wisconsin wholesalers, breweries and brewpubs?  Yes  No

**READ CAREFULLY BEFORE SIGNING:** Under penalty provided by law, the applicant states that each of the above questions has been truthfully answered to the best of the knowledge of the signers. Signers agree to operate this business according to law and that the rights and responsibilities conferred by the license(s), if granted, will not be assigned to another. (Individual applicants and each member of a partnership applicant must sign; corporate officer(s), members/managers of Limited Liability Companies must sign.) Any lack of access to any portion of a licensed premises during inspection will be deemed a refusal to permit inspection. Such refusal is a misdemeanor and grounds for revocation of this license.

## SUBSCRIBED AND SWORN TO BEFORE ME

this 24th day of February, 2017

John J Ahrens  
 (Clerk/Notary Public)

My commission expires 10-12-19

[Signature]  
 (Officer of Corporation/Member/Manager of Limited Liability Company/Partner/Individual)

[Signature]  
 (Officer of Corporation/Member/Manager of Limited Liability Company/Partner)

[Signature]  
 (Additional Partner(s)/Member/Manager of Limited Liability Company if Any)

## TO BE COMPLETED BY CLERK

Date received and filed with municipal clerk <u>2-29-17</u>	Date reported to council/board	Date provisional license issued	Signature of Clerk / Deputy Clerk
Date license granted	Date license issued	License number issued	

Applicant's WI Seller's Permit No.:	FEIN Number:
<u>756-1089318893-02</u>	<u>81-5416575</u>
LICENSE REQUESTED ▶	
TYPE	FEE
<input type="checkbox"/> Class A beer	\$
<input checked="" type="checkbox"/> Class B beer	\$
<input type="checkbox"/> Class C wine	\$
<input type="checkbox"/> Class A liquor	\$
<input type="checkbox"/> Class A liquor (cider only)	\$ N/A
<input checked="" type="checkbox"/> Class B liquor	\$
<input type="checkbox"/> Reserve Class B liquor	\$
<input type="checkbox"/> Class B (wine only) winery	\$
Publication fee	\$ <u>50.00, Paid</u>
TOTAL FEE	\$

# AUXILIARY QUESTIONNAIRE ALCOHOL BEVERAGE LICENSE APPLICATION

Submit to municipal clerk.

Individual's Full Name (please print) (last name) <b>Christophersen</b>		(first name) <b>Justin</b>	(middle name) <b>Alan</b>	
Home Address (street/route) <b>404 West Fulton St</b>	Post Office	City <b>Edgerton</b>	State <b>WI</b>	Zip Code <b>53534</b>
Home Phone Number <b>715-401-0066</b>	Age	Date of Birth	Place of Birth <b>Rockford IL</b>	

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.
- \_\_\_\_\_ of \_\_\_\_\_  
(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? 27 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. \_\_\_\_\_  
(Name, Location and Type of License/Permit)
- Do you hold and/or are you an officer, director, stockholder, agent or employe 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)
- Named individual must list in chronological order last two employers.

Employer's Name <b>Verizon Wireless</b>	Employer's Address <b>2185 Deming way Middleton WI 53562</b>	Employed From <b>06-17-15</b>	To <b>Current</b>
Employer's Name <b>Boucher Ford</b>	Employer's Address <b>2727 US-14 Janesville WI 53545</b>	Employed From <b>11-15-13</b>	To <b>06-17-15</b>

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.

Subscribed and sworn to before me

this 27th day of February, 2017

Jelene J. Ahrens  
(Clerk/Notary Public)

My commission expires 10-12-19

[Signature]  
(Signature of Named Individual)



Printed on Recycled Paper

# AUXILIARY QUESTIONNAIRE ALCOHOL BEVERAGE LICENSE APPLICATION

Submit to municipal clerk.

Individual's Full Name (please print) (last name)		(first name)		(middle name)	
Perleberg		Michael		Edward	
Home Address (street/route)		Post Office	City	State	Zip Code
2140 Polzin Rd			Janesville	WI	53546
Home Phone Number		Age	Date of Birth	Place of Birth	
608-718-7763					

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.
- \_\_\_\_\_ of Inked Sports Bar LLC  
(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? 45 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. \_\_\_\_\_  
(Name, Location and Type of License/Permit)
- Do you hold and/or are you an officer, director, stockholder, agent or employe 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	Employer's Address	Employed From	To
Diamond Jems	6530 S. Hwy 51	March 10 13	Present
Mrs. Harley Davidson	300 Hwy 100 Kenosha	Sept 5 13	April 9 15

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.

Subscribed and sworn to before me

this 28th day of February, 2017  
Jill J. Ahrens  
(City/Notary Public)  
 My commission expires 10-12-19

W.A. Deff  
(Signature of Named Individual)



Printed on  
Recycled Paper

Wisconsin Department of Revenue

**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 Inked Sports Bar LLC  
(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

Inked Sports Bar LLC  
(trade name)

located at 443 E Grand Ave Beloit WI 53511

appoints Justin A Christopher  
(name of appointed agent)

404 West Fulton St Edgerton WI 53534  
(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?

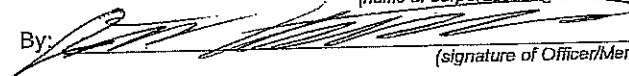
Yes  No If so, indicate the corporate name(s)/limited liability company(ies) and municipality(ies).

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?

Place of residence last year 404 West Fulton St Edgerton WI 53511

For: Inked Sports Bar LLC  
(name of corporation/organization/limited liability company)

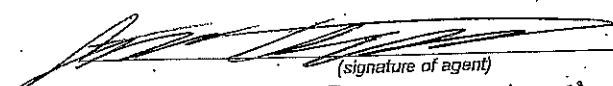
By:   
(signature of Officer/Member/Manager)

And: \_\_\_\_\_  
(signature of Officer/Member/Manager)

**ACCEPTANCE BY AGENT**

I, Justin A Christopher  
(print/type agent's name), hereby accept this appointment as agent for the

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.

 2-27-17  
(signature of agent) (date)

Agent's age \_\_\_\_\_

404 West Fulton St Edgerton WI 53534  
(home address of agent)

Date of birth \_\_\_\_\_

**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 \_\_\_\_\_ by \_\_\_\_\_ Title \_\_\_\_\_  
(date) (signature of proper local official) (town chair, village president, police chief)

**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 1895 Gateway Blvd, is hereby changed from C-1, Office District to M-1, Limited Manufacturing District:

Lot 1 of Certified Survey Map Document No. 2072567 as recorded in Volume 38 on Pages 38-40 of the Certified Survey Maps of Rock County, located in the City of Beloit, County of Rock, State of Wisconsin (also known as 1895 Gateway Blvd). Said parcel contains 5.116 acres, more or less.

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

Adopted this \_\_\_\_ day of \_\_\_\_\_, 2017.

**City Council of the City of Beloit**

\_\_\_\_\_  
David F. Luebke, Council President

Attest:

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

Published this \_\_\_\_ day of \_\_\_\_\_, 2017

Effective this \_\_\_\_ day of \_\_\_\_\_, 2017

01-611100-5231-\_\_\_\_\_

# CITY OF BELOIT

## REPORTS AND PRESENTATIONS TO CITY COUNCIL

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**Topic:** Zoning Map Amendment Application for 1895 Gateway Blvd (Previously Part of 1801 Gateway Blvd)

**Date:** March 6, 2017

**Presenter(s):** Julie Christensen

**Department:** Community Development

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

Gateway Brewing Company LLC has submitted an application for a Zoning Map Amendment to change the zoning district classification from C-1, Office District to M-1, Limited Manufacturing District, for the property located at 1895 Gateway Blvd (previously known as the northernmost 5.1 acres of the property located at 1801 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 Plan Commission recently approved a Certified Survey Map (CSM) that created a separate 5.1-acre parcel known as 1895 Gateway Blvd, which would be purchased by the applicant and developed as a microbrewery that will do business as G5 Brewing Company.
  - The proposed microbrewery use is the impetus for the requested M-1 zoning district classification. The M-1 zoning district classification will give the applicant greater long-term flexibility by allowing the production & distribution functions that are associated with a growing microbrewery. The City will retain ownership of the remaining 30-acre parent parcel, which will retain its address of 1801 Gateway Blvd and will remain zoned C-1, Office District.
  - A Location & Zoning Map is attached to this report. As shown on the attached map, the subject property is across from the Northstar property and the Alliant Energy substation, both of which are zoned M-1. The majority of the Gateway Business Park is already zoned M-1, and if approved, this rezoning would simply extend an existing M-1 district that currently ends at the Alliant Energy substation property on the west side of Gateway Blvd.
  - The Gateway Business Park is planned to include a diverse mix of high-quality office, manufacturing, and warehouse uses with some supporting uses including day care centers, hotels, and restaurants. The subject property is surrounded by undeveloped agricultural land, although the Northstar facility and Alliant Energy substation are nearby. The requested M-1 zoning district classification and planned microbrewery are compatible with the existing nearby uses and the planned business park uses.
  - The Plan Commission reviewed this item on February 8, 2017 and voted unanimously (6-0) to recommend approval of this Zoning Map Amendment.
- 

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

The City's Comprehensive Plan recommends Business Park uses, and the requested M-1 zoning district classification is consistent with this recommendation. Consideration of this request supports City of Beloit Strategic Goal #3.

---

### **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 2<sup>nd</sup> reading of the proposed Ordinance
- 

**Fiscal Note/Budget Impact:** The proposed purchase price is \$25,600, and once sold, the property will become taxable.

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**Attachments:** Ordinance and Staff Report to the Plan Commission

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# CITY OF BELOIT

## REPORT TO THE BELOIT CITY PLAN COMMISSION



**Meeting Date:** February 8, 2017

**Agenda Item:** 4

**File Number:** ZMA-2017-01

**Applicant:** Gateway Brewing Co. LLC

**Owner:** City of Beloit

**Location:** Part of 1801 Gateway Blvd

**Current Zoning:** C-1, Office District

**Existing Land Use:** Vacant Land

**Parcel Size:** 5.1 Acres

---

### Request Overview/Background Information:

Gateway Brewing Company LLC has submitted an application for a Zoning Map Amendment to change the zoning district classification from C-1, Office District to M-1, Limited Manufacturing District, for the northernmost 5.1 acres of the property located at 1801 Gateway Blvd.

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's surveyor has submitted a separate request for approval of a Certified Survey Map (CSM) that would create a separate 5.1-acre parcel to be known as 1895 Gateway Blvd, which would be purchased by the applicant and developed as a microbrewery that will do business as G5 Brewing Company.
- The proposed microbrewery use is the impetus for the requested M-1 zoning district classification. The M-1 zoning district classification will give the applicant greater long-term flexibility by allowing the production & distribution functions that are associated with a growing microbrewery.
- The City will retain ownership of the remaining 30-acre parent parcel, which will retain its address of 1801 Gateway Blvd and will remain zoned C-1, Office District.
- A Location & Zoning Map is attached to this report. As shown on the attached map, the subject property is across from the Northstar property and the Alliant Energy substation, both of which are zoned M-1.
- Planning staff mailed the attached Public Notice to the owners of nearby properties and published all required notices. As of this writing, staff has not received any comments or concerns.
- **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 Gateway Business Park is planned to include a diverse mix of high-quality office, manufacturing, and warehouse uses with some supporting uses including day care centers, hotels, and restaurants. The subject property is surrounded by undeveloped agricultural land, although the Northstar facility and Alliant Energy substation are nearby. The requested M-1 zoning district classification and planned microbrewery are compatible with the existing nearby uses and the planned business park uses.
  - b. *The zoning classification of property within the general area of the subject property;*
    - The majority of the Gateway Business Park is already zoned M-1, and if approved, this rezoning would simply extend an existing M-1 district that currently ends at the Alliant Energy substation property on the west side of Gateway Blvd.
  - c. *The suitability of the subject property for the uses permitted under the existing zoning classification; and*
    - The subject property is suitable for the uses that are permitted in the C-1 district, but the applicant's proposed microbrewery use is not permitted in the C-1 district.
  - 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, Single-Family Residential 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. 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.

- This rezoning request relates to 5.1 acres of the 35-acre parcel known as 1801 Gateway Blvd, to be known in the future as 1895 Gateway Blvd. The remaining 30-acre parent parcel, which will retain its address of 1801 Gateway Blvd, will remain zoned C-1, Office District and will be marketed for office development.

---

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

The City's Comprehensive Plan recommends Business Park uses, and the requested M-1 zoning district classification is consistent with this recommendation. Consideration of this request supports City of Beloit Strategic Goal #3.

---

**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 C-1, Office District to M-1, Limited Manufacturing District, for the northernmost 5.1 acres of the property located at 1801 Gateway Blvd.

---

**Fiscal Note/Budget Impact:** The proposed purchase price is \$25,600.

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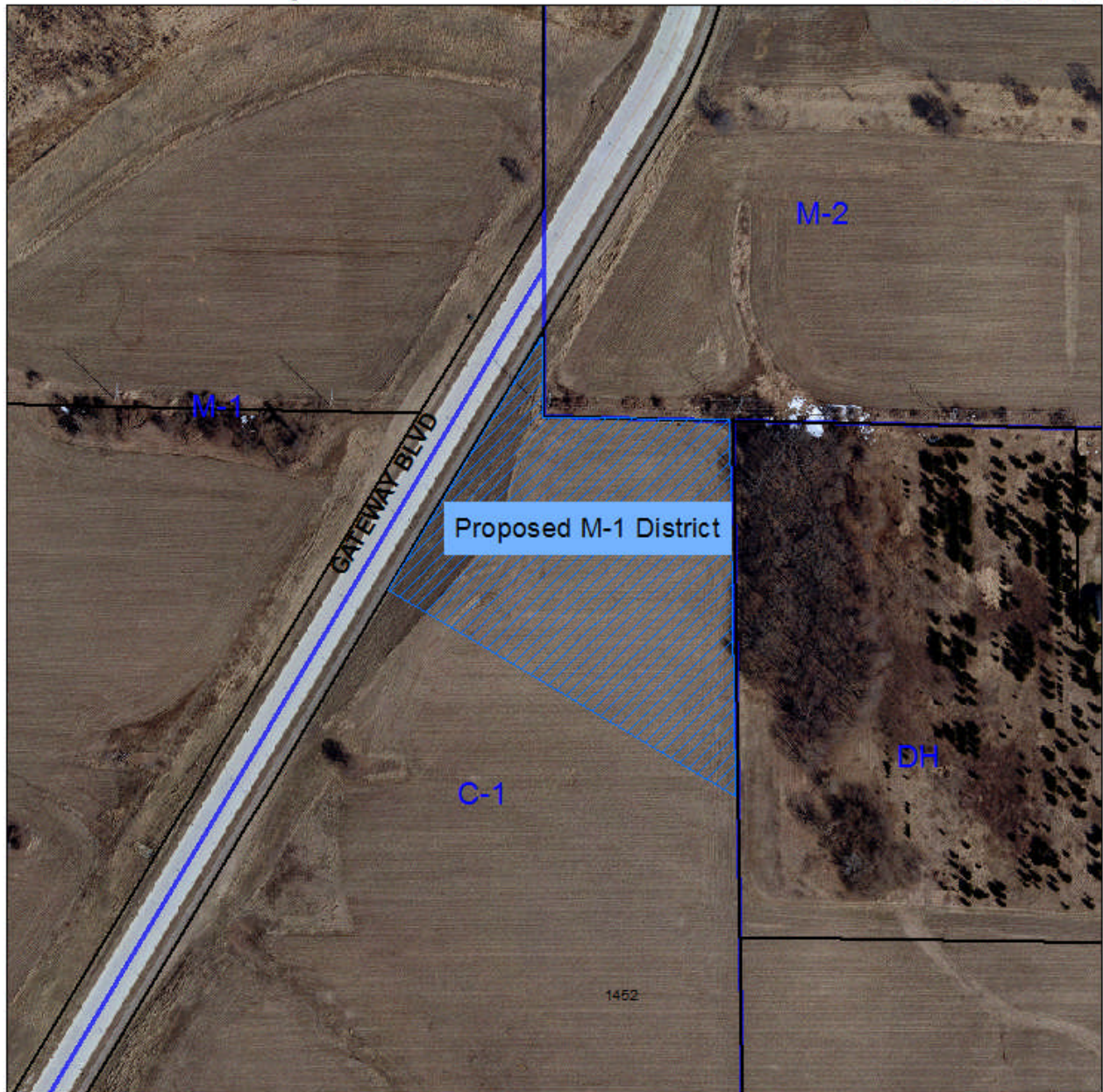
**Attachments:** Location & Zoning Map, Application, Public Notice, and Mailing List.



# Location & Zoning Map

Part of 1801 Gateway Blvd

ZMA-2017-01



1 inch = 227 feet

0 3060 120 180 Feet

## Legend

- City Limits
- Zoning District

Map prepared by: Drew Pennington, AICP  
Date: January 2017  
For: City of Beloit Planning & Building Services  
Date of Aerial Photography: March 2011

# PLANNING & BUILDING SERVICES DIVISION

# CITY of BELOIT

## PLANNING & BUILDING SERVICES DIVISION

100 State Street, Beloit, WI 53511

Phone: (608) 364-6700

Fax: (608) 364-6609

### Zoning Map Amendment Application Form

(Please Type or Print)

File No.: ZMA-2017-01

1. Address of subject property: 1801 Gateway Blvd (Part of)  
2. Legal description: Lot: \_\_\_\_\_ Block: \_\_\_\_\_ Subdivision: See attached exhibits  
(If property has not been subdivided, attach a copy of the complete legal description from deed.)

Property dimensions are: \_\_\_\_\_ feet by \_\_\_\_\_ feet = \_\_\_\_\_ square feet.

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

3. Tax Parcel Number(s): unknown 22810015

4. Owner of record: City of Beloit Phone: 608-364-6700  
100 State Street Beloit WI 53511  
(Address) (City) (State) (Zip)

5. Applicant's Name: Gateway Brewing Company LLC  
9414 S Clinic Rd Beloit WI 53511  
(Address) (City) (State) (Zip)

(Office Phone #) 1608-774-4684 (Cell Phone #) 195brewingcompany@gmail.com (Email Address)

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

Change zoning district classification from: C-1 to: M-1

All existing uses on this property are: C-1

7. All the proposed uses for this property are:

Principal use(s): Craft Beer Brewery

Secondary use(s): Brew-Pub Restaurant

Accessory use(s): Potentially growing our own hops

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

- Owner
- Leasehold, Length of lease: \_\_\_\_\_
- Contractual, Nature of contract: \_\_\_\_\_
- Other, explain: \_\_\_\_\_

9. Individual(s) responsible for compliance with conditions (if any), if request is granted:

Name(s): Lee Gunderson Phone: 608-774-4684  
9414 S Clinic Rd Beloit WI 53511  
(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.

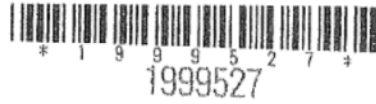
*Lori S Curtis Luther* Lori S Curtis Luther 12-21-16  
(Signature of Owner) (Print name) (Date)

*[Signature]* Lee Gunderson 12-21-16  
(Signature of Applicant, if different) (Print name) (Date)

In order for your request to be heard and considered in a timely manner, you must submit the completed application and all accompanying documents to the 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.

<b>To be completed by Planning Staff</b>		
Filing Fee: <b>\$275.00</b>	Amount Paid: <u>—</u>	Meeting Date: <u>Feb. 8, 2017</u>
Number of notices: _____ x mailing cost (\$0.50) = cost of mailing notices: \$ _____		
Application accepted by: <u><i>Dave Pennington</i></u>		Date: <u>12/21/16</u>
Date Notice Published: _____		Date Notice Mailed: _____

Exhibit A

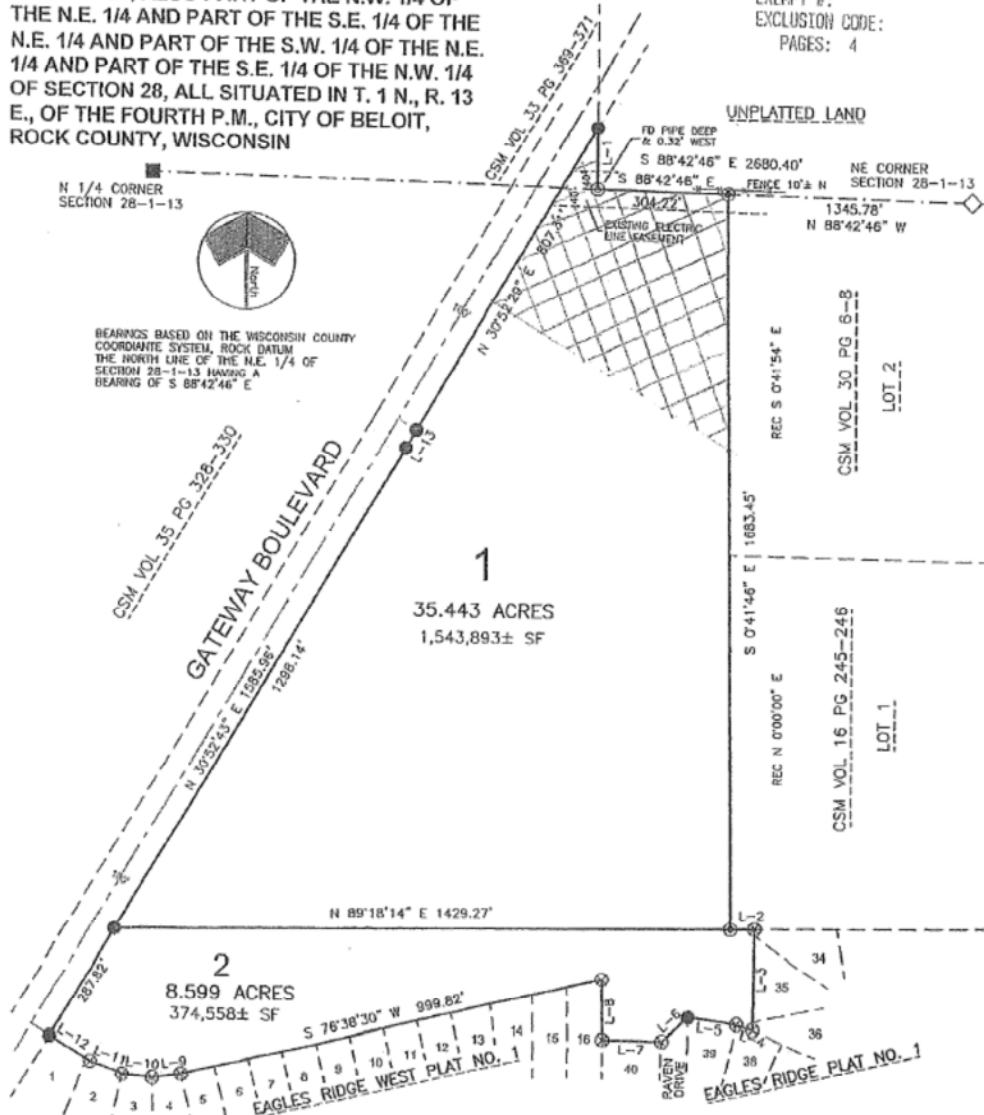


# CERTIFIED SURVEY MAP

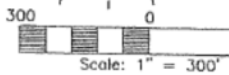
RANDAL LEVES  
REGISTER OF DEEDS  
ROCK COUNTY, WI  
RECORDED ON  
03/18/2014 01:53:52PM

REC FEE: 30.00  
EXEMPT #:   
EXCLUSION CODE:   
PAGES: 4

OF PART OF THE S.W. 1/4 OF THE S.E. 1/4 OF SECTION 21, ALSO PART OF THE N.W. 1/4 OF THE N.E. 1/4 AND PART OF THE S.E. 1/4 OF THE N.E. 1/4 AND PART OF THE S.W. 1/4 OF THE N.E. 1/4 OF SECTION 28, ALL SITUATED IN T. 1 N., R. 13 E., OF THE FOURTH P.M., CITY OF BELOIT, ROCK COUNTY, WISCONSIN



BEARINGS BASED ON THE WISCONSIN COUNTY COORDINATE SYSTEM, ROCK DATUM THE NORTH LINE OF THE N.E. 1/4 OF SECTION 28-1-13 HAVING A BEARING OF S 88°42'46" E



- MONUMENT KEY
- Iron Rebar Set 3/4" x 24" (1.5 Lbs./Ft.)
  - Iron Pipes Found -X-X- Fences
  - ⊙ 3/4" Iron Rebar Found
  - ⊗ 1 1/4" Round
  - ⊘ Iron Pin Found
  - Conc. Mon. Found
  - ◇ C. I. Mon. Box/Pin

ORDER NO. 31613  
BOOK 553 PAGE 39  
DATE FEBRUARY 28, 2014  
FOR CITY OF BELOIT  
SHEET 1 OF 4



**Batterman**  
engineers surveyors planners

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

100

*Exhibit A continued*

PART OF LOT 1 OF CERTIFIED SURVEY MAP DOCUMENT NO. 1999527 AS RECORDED IN VOLUME 36 OF CERTIFIED SURVEY MAPS ON PAGES 100-103, BEING A PART OF THE N.W.  $\frac{1}{4}$  OF THE N.E.  $\frac{1}{4}$  OF SECTION 28, T. 1 N., R. 13 E. OF THE 4<sup>TH</sup> P.M., CITY OF БЕЛОIT, ROCK COUNTY, WISCONSIN.

DESCRIBED AS FOLLOWS:

Beginning at the Northeast corner of Lot 1 aforesaid; thence South 0°41'46" East 594.37 feet along the East line of said Lot 1; thence North 59°07'30" West 647.75 feet to the Easterly right of way line of Gateway Boulevard; thence North 30°52'29" East 476.63 feet along said right of way line to the most Northerly corner of said Lot 1; thence South 0°00'05" East 140.34 feet; thence South 88°42'46" East 304.22 feet to the place of beginning. Containing 5.12 acres more or less.

RHB ORDER NO. 32347

G5 BREWING COMPANY



## **NOTICE TO THE PUBLIC**

January 27, 2017

To Whom It May Concern:

Gateway Brewing Company LLC has submitted an application for a Zoning Map Amendment to change the zoning district classification from C-1, Office District to M-1, Limited Manufacturing District, for the northernmost 5.1 acres of the property located at **1801 Gateway Blvd.**

The applicant has made an accepted Offer to Purchase the subject property from the City of Beloit, which will be subdivided into a 5.1-acre parcel to be known in the future as **1895 Gateway Blvd** and developed as a microbrewery. The City will retain ownership of the remaining 30-acre parent parcel, which will retain its address of 1801 Gateway Blvd and will remain zoned C-1, Office District.

The following public hearings will be held regarding this application:

**City Plan Commission:** Wednesday, February 8, 2017, at 7:00 PM, or as soon thereafter as the matter can be heard in The Forum, Beloit City Hall, 100 State Street.

**City Council:** Monday, February 20, 2017, at 7:00 PM, or as soon thereafter as the matter can be heard in The Forum, Beloit City Hall, 100 State Street.

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

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

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

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

David W. Lundahl  
1890 Townhall Rd  
Beloit, WI 53511

Lund Rev. Trust of 2015  
c/o Rolf & Linda Lund  
1610 Townhall Rd  
Beloit, WI 53511

Northstar Facility Development LLC  
5249 Femrite Drive  
Madison, WI 53718

WI Power & Light Co.  
Attn: Real Estate Dept.  
4902 N. Biltmore Ln  
Madison, WI 53707

**RESOLUTION**  
**APPROVING ADDENDUM NO. 2 TO KADLEC DRIVE CONDOMINIUM PLAT**  
**FOR THE PROPERTY LOCATED AT 2660 KADLEC DRIVE**

**WHEREAS**, Harris & Associates, on behalf of DMW Development, has submitted Addendum No. 2 to Kadlec Drive Condominium Plat, for the property located at 2660 Kadlec Drive; and

**WHEREAS**, this Condominium Plat includes the construction of 42 additional units in four additional buildings for a total of 48 units to complete the Kadlec Drive Condominium project, as authorized by a Planned Unit Development (PUD) Resolution in 2006; and

**WHEREAS**, the City of Beloit Plan Commission has reviewed and recommended approval of this Condominium Plat, subject to two conditions 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:

Lot 2 of Certified Survey Map Doc. #1765369, as recorded in Volume 30 on Pages 217-219 of the Certified Survey Maps of Rock County, 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 Addendum No. 2 to Kadlec Drive Condominium Plat, for the property located at 2660 Kadlec Drive, subject to the following conditions:

1. The City Assessor's Office shall assign all unit numbers before the plat may be recorded.
2. 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, 2017.

Adopted this 6th day of March, 2017.

**BELOIT CITY COUNCIL**

\_\_\_\_\_  
David F. Luebke, Council President

ATTEST:

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



# CITY OF BELOIT

## REPORTS AND PRESENTATIONS TO CITY COUNCIL

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**Topic:** Addendum No. 2 to Kadlec Drive Condominium Plat (2660 Kadlec Drive)

**Date:** February 20, 2017

**Presenter(s):** Julie Christensen

**Department:** Community Development

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

Harris & Associates, on behalf of DMW Development, has submitted the attached Condo Plat, which is officially known as Addendum No. 2 to Kadlec Drive Condominium Plat, for the property located at 2660 Kadlec Drive. The attached **Location & Zoning Map** shows the location of the property involved in this request.

---

### **Key Issues (maximum of 5):**

- The proposed Condo Plat includes the construction of 42 additional units in 4 additional buildings to complete the Kadlec Drive Condominium project. This project was originally approved and zoned as a Planned Unit Development (PUD) in 2006, and the PUD Resolution authorizes up to 48 condo units. The proposed change to the condo plat is consistent with the property's existing PUD zoning classification, and no additional zoning actions are necessary.
  - In 2007, the developer obtained approval of a Condo Plat for 36 units. The developer constructed the first 6-unit condo building before discontinuing this development during the recession. In 2016, the applicant obtained approval of a Condo Plat for 42 additional units in 5 additional buildings, but that layout has been changed and the approved 2016 Condo Plat will not be recorded. Addendum No. 2 includes a different building type and layout as shown on the attachments, for a total of 48 units.
  - Of the four proposed buildings, one is a 6-unit, 1-story building similar to the existing building and three are 12-unit, 2-story buildings for a total of 42 new units. Additional accessory features include a mailroom building, office/maintenance building, and visitor parking stalls.
  - The Water Resources Director has reviewed the plat and noted that the existing water & sewer mains that are looped through the development are public mains according to a 2014 agreement with the property owner. The City's other Review Agents have reviewed the plat and have not submitted any comments or concerns.
  - The Plan Commission reviewed the proposed Condo Plat on February 8, 2017 and voted unanimously (6-0) to recommend approval, subject to two conditions.
- 

### **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 #3.
- 

### **Sustainability:**

- **Reduce dependence upon fossil fuels** – The proposed plat will allow the developer to construct the previously approved number of dwelling units, which are in close proximity to existing goods, services, and employment.
  - **Meet the hierarchy of present and future human needs fairly and efficiently** – This project will increase the availability of new, high-quality residential units that are demanded by existing and potential residents, specifically young professionals who work in the greater Beloit area but are not interested in buying a house.
- 

### **Action required/Recommendation:**

- City Council consideration and action on the proposed Resolution
- 

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

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**Attachments:** Resolution and Staff Report to the Plan Commission

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# CITY OF BELOIT

## REPORT TO THE BELOIT CITY PLAN COMMISSION

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**Meeting Date:** February 8, 2017

**Agenda Item:** 5

**File Number:** FS-2017-01

**Applicant:** Harris & Associates, Inc.

**Owner:** DMW Development

**Location:** 2660 Kadlec Drive

**Zoning:** PUD, Planned Unit Develop.

**Land Use:** Multifamily Residential

**Lot Area:** 9 Acres

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

Harris & Associates, on behalf of DMW Development, has submitted the attached Condo Plat, which is officially known as Addendum No. 2 to Kadlec Drive Condominium Plat, for the property located at 2660 Kadlec Drive. 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.

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### **Key Issues:**

- The proposed Condo Plat includes the construction of 42 additional units in 4 additional buildings to complete the Kadlec Drive Condominium project.
  - This project was originally approved and zoned as a Planned Unit Development (PUD) in 2006, and the PUD Resolution authorizes up to 48 condo units. The proposed change to the condo plat is consistent with the property's existing PUD zoning classification, and no additional zoning actions are necessary.
  - In 2007, the developer obtained approval of a Condo Plat for 36 units. The developer constructed the first 6-unit condo building before discontinuing this development during the recession.
  - In 2016, the applicant obtained approval of a Condo Plat for 42 additional units in 5 additional buildings, but that layout has been changed and the approved 2016 Condo Plat will not be recorded.
  - Addendum No. 2 includes a different building type and layout as shown on the attachments, for a total of 48 units.
  - Of the four proposed buildings, one is a 6-unit, 1-story building similar to the existing building and three are 12-unit, 2-story buildings for a total of 42 new units. Additional accessory features include a mailroom building, office/maintenance building, and visitor parking stalls.
  - Public facilities and infrastructure exist in this area and the properties receive the full range of municipal services.
  - The Water Resources Director has reviewed the plat and noted that the existing water & sewer mains that are looped through the development are public mains according to a 2014 agreement with the property owner.
  - The City's other Review Agents have reviewed the plat and have not submitted any comments or concerns.
- 

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

The City's Comprehensive Plan recommends Planned Neighborhood uses for the subject property. This recommendation is intended to encourage a mix of residential housing types, with overall densities of 4 to 8 units per acre. At 5.3 units per acre, the proposed plat is consistent with this recommendation. Consideration supports City of Beloit Strategic Goal #3.

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### **Sustainability:**

- **Reduce dependence upon fossil fuels** – The proposed plat will allow the developer to construct the previously approved number of dwelling units, which are in close proximity to existing goods, services, and employment.
  - **Meet the hierarchy of present and future human needs fairly and efficiently** – This project will increase the availability of new, high-quality residential units that are demanded by existing and potential residents, specifically young professionals who work in the greater Beloit area but are not interested in buying a house.
- 

### **Staff Recommendation:**

The Planning & Building Services Division recommends **approval** of the attached Addendum No. 2 to Kadlec Drive Condominium Plat, for the property located at 2660 Kadlec Drive in the City of Beloit, subject to the following conditions:

1. The City Assessor's Office shall assign all unit numbers before the plat may be recorded.
  2. 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, 2017.
- 

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

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**Attachments:** Location & Zoning Map, Proposed 2017 Plat, Original 2007 Plat, Application, PUD Resolution.

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# Location & Zoning Map

2660 Kadlec Drive

FS-2016-01



1 inch = 284 feet  
0 4080 160 240 Feet

## Legend

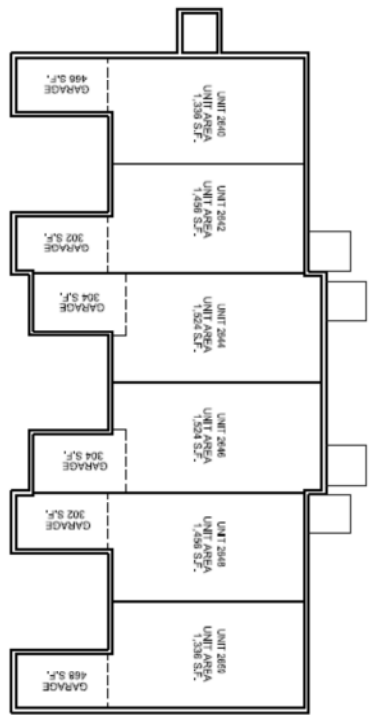
- City Limits
- Zoning District

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

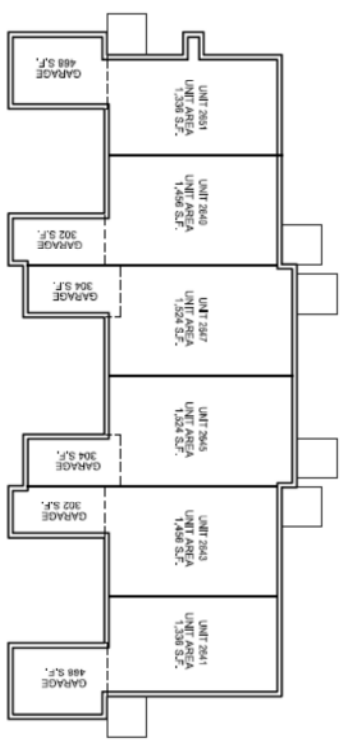
# PLANNING & BUILDING SERVICES DIVISION



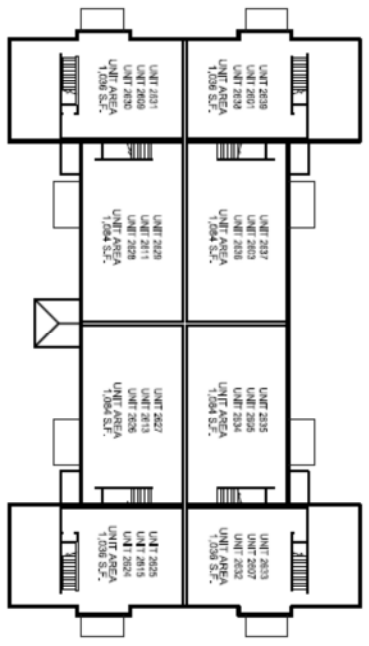
ADDENDUM NO. 2 TO  
**KADLEC DRIVE CONDOMINIUM**  
 ALL OF LOT TWO (2), VOLUME 30 OF CERTIFIED SURVEY MAPS ON PAGES 211-218 AS  
 DOCUMENT NO. 1765364, SECTION 13, T4N, R12E, CITY OF BELLOIT, ROCK COUNTY, WISCONSIN.



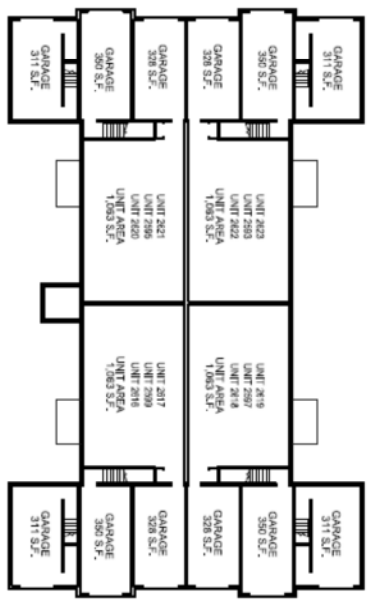
**BUILDING E FLOOR PLAN**  
 N.T.S.



**BUILDING A FLOOR PLAN**  
 N.T.S.



**BUILDINGS B, C & D SECOND FLOOR PLAN**  
 N.T.S.



**BUILDINGS B, C & D FIRST FLOOR PLAN**  
 N.T.S.

**NOTES:**  
 For Operability of each unit, the square footage is computed to the exterior surfaces of the walls, floor and beams which support this roof, and the exterior surfaces of any windows, window frames, doors and door frames of the unit. Refer to the Condominium Declaration for further clarification.

This plat contains private roads, and as a result, certain public services may be limited. The extent of these limitations may be spelled out in a document called a development agreement which is directly related to this plat and is filed as a public document in the office of the Beloit City Clerk and the City Engineer for the City of Beloit.

All portions depicted on this plat are to be considered Limited Common Elements, as defined in the condominium declaration.

**CITY OF BELLOIT APPROVAL**

There are no objections to this condominium plat with respect to Section 703.115 of the Wisconsin Statutes, and it is hereby approved.

Authorized Representative \_\_\_\_\_ Date \_\_\_\_\_  
**SHEET 2 OF 2**

**SURVEYOR'S CERTIFICATE**

I hereby certify that this Plat is a correct representation of the Condominium described in the declaration for Addendum No. 2 to KADLEC DRIVE CONDOMINIUM, and that the identification and location of each unit and common elements can be determined from this plat.

\_\_\_\_\_  
 Thomas W. Wood R.L.S.-1887 Date \_\_\_\_\_

# Approved 36-Unit Condo Plat (2007)

**CITY OF BELLEVUE APPROVAL**  
 There has been submitted to the City of Bellevue for approval and the City Council has approved the following plat for the 36-unit condominium project located at 1115 of the Wisconsin Avenue, Bellevue, Washington, D.C. 20007.  
 Approved by the City Council on 12/15/07.  
 Mayor: *[Signature]*  
 City Clerk: *[Signature]*

**NOTES:**  
 1. For the purposes of this plat, the applicant has submitted the plat for the entire lot and the applicant has agreed to submit the plat for the entire lot. The applicant has agreed to submit the plat for the entire lot and the applicant has agreed to submit the plat for the entire lot. The applicant has agreed to submit the plat for the entire lot and the applicant has agreed to submit the plat for the entire lot.



SHEET 1 OF 1

**STATEMENT OF CERTIFICATE**  
 I, the undersigned, certify that the above plat is a correct representation of the actual conditions of the land and that the same is in accordance with the laws of the State of Wisconsin and the laws of the City of Bellevue, Washington, D.C. and that the same has been prepared by me or under my supervision and that the same is a true and correct representation of the actual conditions of the land.

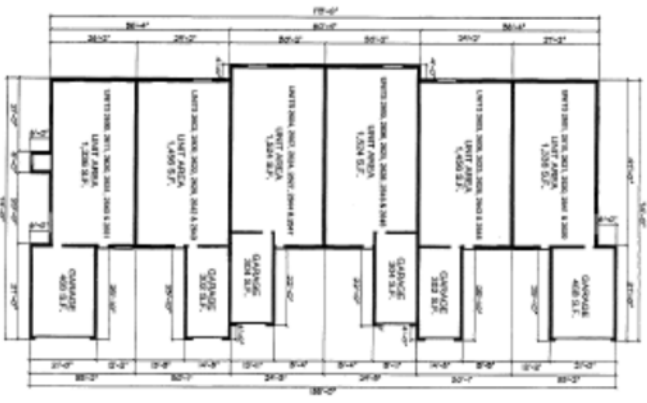
**HARRIS**  
 LAND SURVEYING & ENGINEERING, INC.  
 1115 Wisconsin Avenue, N.W., Suite 100  
 Washington, D.C. 20007  
 Tel: 202-331-1115  
 Fax: 202-331-1116  
 www.harrisland.com



## KADLEC DRIVE CONDOMINIUM

ALL OF LOT 1115 (7.1 ACRES) OF SECTION 16, T14N, R12E, CITY OF BELLEVUE, WASHINGTON, D.C. AS SHOWN ON THE PLAT OF THE 36-UNIT CONDOMINIUM PROJECT, BEHAVIOR, WASHINGTON, D.C.

- LEGEND**
- = SURVEY POINT
  - = SURVEY POINT FOUND
  - = LIMITED COMMON ELEMENT
  - = COMMON ELEMENT
  - ▨ = FRONT LAINE



*Klo*  
 1/12/08  
 1/12/08  
 11/12/08

# 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-2017-01

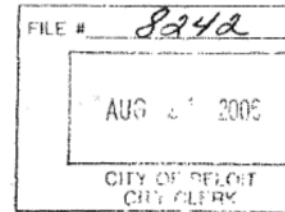
- Proposed subdivision name: Addendum No. 2 to Kadlec Drive Condominium Plat
- Address of property: 2660 Kadlec Drive
- Tax Parcel Number(s): 1133-0006 0200
- Property is located in (circle one) City of Beloit or Town of: Turtle; Beloit; Rock or LaPrairie  
In the SE Quarter of Section 13, Township 1 North, Range 12 East of the 4th P.M.
- Owner of record: DMW Development Phone: (920) 866-2629  
4050 Nicolet Dr. Green Bay WI 54311  
(Address) (City) (State) (Zip)
- Applicant's Name: Thomas M. Wood - Harris & Associates, Inc.  
2718 N. Meade St. Appleton WI 54911  
(Address) (City) (State) (Zip)  
(920) 733-8377 / (920) 850-0704 / twood@harrisinc.net  
(Office Phone #) (Cell Phone #) (E-mail Address)
- Present zoning classification is: PUD (Ordinance No. 3251)
- Is the proposed use permitted in this zoning district: Yes
- 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.

Thomas M. Wood / Thomas M. Wood / 12/29/16  
(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: <u>\$300 plus \$15 per lot; \$100 Development Agreement Fee</u>	Amount paid: <u>\$480.<sup>00</sup></u>
Scheduled meeting date: <u>Feb 8, 2017</u>	
Application accepted by: <u>Don Pennington</u>	Date: <u>1/6/17</u>



**RESOLUTION**  
**AUTHORIZING A PLANNED UNIT DEVELOPMENT (PUD)**  
**MASTER LAND USE PLAN FOR PROPERTY LOCATED AT 2660 KADLEC DRIVE**

**WHEREAS**, the application of Thomas Wood for approval of a Planned Unit Development - Master Land Use Plan to allow a condominium complex consisting of ten multifamily buildings with 48 dwelling units on property located at 2660 Kadlec 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 Master Land Use Plan to allow a condominium complex consisting of ten multifamily buildings with 48 dwelling units on property located at 2660 Kadlec Drive in the City of Beloit for the following described premises:

Part of Out-Lots 13-8 and 13-12, Assessor's Plat of the Town of Beloit, located in the Northwest  $\frac{1}{4}$  of the Southeast  $\frac{1}{4}$ , and in the Northeast  $\frac{1}{4}$  of the Southwest  $\frac{1}{4}$ , all in Section 13, T1N, R12E, City of Beloit, Rock County, Wisconsin, DESCRIBED AS FOLLOWS: Commencing at the North  $\frac{1}{4}$  corner of said Section 13; thence S00°17'49"W, along the North-South  $\frac{1}{4}$  line of Section 13, 2644.48 feet to the center  $\frac{1}{4}$  corner of Section 13; thence S89°33'01"E, along the East-West  $\frac{1}{4}$  line of Section 13, 676.17 feet to the West line of Kadlec Drive; thence S00°31'43"W, along said West line, 500.28 feet to the POINT OF BEGINNING; thence continuing S00°31'43"W, along said West line and its southerly extension, 516.50 feet; thence N89°29'30"W, 716.72 feet to the East line of the Iowa-Chicago and Eastern Railroad; thence N10°12'19"W, along said East line, 526.66 feet; thence S89°29'30"E, 814.62 feet to the point of beginning (containing 9.08 Acres of land, 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. The permitted use in this PUD-development shall include ten condominium buildings not exceeding 48 dwelling units total, which shall substantially conform to the approved PUD-Master Land Use Plan and meet all City codes and the following required conditions.
2. This development shall be constructed according to an approved detailed PUD Final Plan, Site Plan and Architectural Plans, which shall be submitted to and approved by the City prior to issuance of any building permits.
3. The property owner and/or their successors and assigns shall pay an impact fee per new dwelling unit constructed for parkland acquisition to fill the need created by the residents that will live in this development. Said fee shall be paid prior to issuance of any building permits.



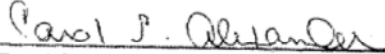
4. The property owner and/or their successors and assigns shall construct Kadlec Drive, between Carolyn Drive and the south property line of Lots #3, including a public sidewalk along the west side of Kadlec Drive.
5. A reduced setback of 25 feet shall be allowed for building #1 only. All other buildings shall be at least 30 feet from all property lines and the maximum height for all principal buildings shall be 35 feet.
6. 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 August 2006.

**City Council of the City of Beloit**

  
\_\_\_\_\_  
Martin Densch, President

Attest:

  
\_\_\_\_\_  
Carol S. Alexander, WCPC/CMC, City Clerk

**RESOLUTION**  
**APPROVING 2017 COMMUNITY DEVELOPMENT**  
**BLOCK GRANT (CDBG) LOCAL FUNDING PRIORITIES**

**WHEREAS**, 2017 local funding priorities were recommended by the Community Development Authority on June 22, 2016 and approved by the City Council on July 25, 2016 in order to ensure the funds were allocated to projects which meet the greatest needs; and

**WHEREAS**, the local funding priorities were included in the 2017 CDBG application which was sent to agencies in July, and the City Council approved a 2017 CDBG Budget which awarded funds to agencies who meet the local funding priorities; and

**WHEREAS**, Councilor DeForest and Family Services have informed the City that Councilor DeForest has been working for Family Services of Southern Wisconsin and Northern Illinois (Family Services) since May 28, 2016 which constitutes a conflict interest under the CDBG Program; and

**WHEREAS**, Councilor DeForest voted on the 2017 CDBG Local Funding Priorities that were approved by City Council on July 25, 2016, which requires the City Council to reconsider these funding priorities a second time; and

**WHEREAS**, Councilor DeForest has abstained from voting on the 2017 CDBG Local Funding Priorities and pursuant to past practice removed herself from the council chambers to ensure that her participation and presence does not present or create a conflict of interest.

**NOW THEREFORE BE IT RESOLVED**, that the City Council of the City of Beloit hereby repeals all prior resolutions approving 2017 CDBG funding priorities and hereby approves the attached 2017 CDBG local funding priorities as shown on the attached Exhibit A.

Adopted this 6<sup>th</sup> day of March, 2017.

**BELOIT CITY COUNCIL**

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Dave F. Luebke, Council President

ATTEST:

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Lorena Rae Stottler, City Clerk

**Exhibit A**  
**2017 COMMUNITY DEVELOPMENT**  
**BLOCK GRANT (CDBG) LOCAL FUNDING PRIORITIES**

1. Public Service Programs which focus on comprehensive case management strategies, with priority given to neighborhood stabilization activities, education in budgeting and life skills, and employment training that corresponds with local employment opportunities.
2. Code Enforcement
3. Housing Rehabilitation
4. Economic Development Activities, with priority given to Technical Job Training
5. Program Administration
6. Fair Housing

## REPORTS AND PRESENTATIONS TO CITY COUNCIL

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**Topic:** Resolution Establishing Local Funding Priorities for the 2017 CDBG Program

**Date:** March 6, 2017

**Presenter:** Julie Christensen

**Department:** Community Development

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

The Department of Housing and Urban Development requires that we provide an opportunity each year for citizens to give input on public housing, community development, homeless and housing needs and to prepare an Annual Action Plan in order to qualify to receive CDBG funding.

The Community Development Authority (CDA) board is recommending that City Council approve funding priorities for inclusion in the 2017 CDBG Application. These priorities were developed based on the needs identified in the 2015-2019 Consolidated Plan, which is a 5-year strategic plan for the use of CDBG funds. In preparation of the Consolidated Plan, staff held three Steering Committee meetings with local agencies and community leaders to obtain input about the needs of the community and gaps in services.

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### **Key Issues (maximum of 5):**

1. The CDA recommended the local funding priorities listed on Exhibit A on June 22, 2016.
  2. A public hearing was held during the July 5, 2016 City Council meeting to allow public input on the housing, homeless, and community development needs in the Community. Three people spoke during this hearing:
    - a. Ian Hedges from HealthNet spoke about the importance of wellness and assistance with costs of medication. He requested that health and dental services be a priority and explained that 40% of their clients are from Beloit.
    - b. Donna Ambrose from Caritas and also a Beloit resident spoke about the need for emergency housing assistance and said that Beloit residents need assistance and free education with landlord/tenant issues. She gave examples of Beloit tenants who had property maintenance issues with their units, and once they reported the issues, the landlords retaliated. She also said there is a need in the community for food and security deposit assistance.
    - c. Lynn Vollbrecht from Community Action, Inc. spoke about the various programming provided by Community Action and explained that they have a renewed focus on youth programming.
  3. The funding priorities were included in the CDBG application, which was sent out to agencies in July. The City Council subsequently adopted a 2017 CDBG Budget which awarded funds to agencies who meet the local funding priorities.
  4. Councilor DeForest and John Pfeleiderer, Executive Director of Family Services, have informed the City that Councilor DeForest works part-time for Family Services as a Client Support Specialist for the Domestic Violence Center on weekends. Her employment began with the agency on May 28, 2016.
  5. Although Councilor DeForest did abstain from voting on the 2017 CDBG Budget and left the room during the discussion and subsequent vote, she did participate in the discussion and vote on the 2017 CDBG Local Funding Priorities at the July 25, 2016 City Council Meeting, which constitutes a conflict of interest under the CDBG Program. Councilor Dunkin voted on the funding priorities on February 6, 2017 which is a prohibited conflict of interest due to her prior relationship with the Merrill Community Center
  6. Therefore, we are bringing forward the 2017 CDBG Local Funding Priorities at this meeting for action. The CDBG budget will then be submitted to the CDA who will make a recommendation to the City Council. Councilor DeForest and Councilor Dunkin will abstain from these items and will leave the room during the discussion and subsequent vote on the items.
- 

**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 #1's stated purpose creating and sustaining safe and health neighborhoods.

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

- **Reduce dependence upon fossil fuels** N/A
- **Reduce dependence on chemicals and other manufacturing substances that accumulate in nature** N/A
- **Reduce dependence on activities that harm life sustaining eco-systems** N/A
- **Meet the hierarchy of present and future human needs fairly and efficiently** Establishing local funding priorities will allow the City to fund the City's most pressing needs with its CDBG funding.

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

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**Action required/Recommendation:**

Recommendation to Council to approve the resolution establishing 2017 CDBG funding priorities.

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**Fiscal Note/Budget Impact:**

Although establishing CDBG local funding priorities will not impact the amount of our CDBG dollars, it will allow the City to use these funds in the most effective manner possible.

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**Attachments:**

Resolution

## **RESOLUTION WAIVING RIGHT OF FIRST REFUSAL FOR 1 REYNOLDS DRIVE**

**WHEREAS**, the City of Beloit, by virtue of that certain Declaration of Restrictive Covenants for Industrial Park, recorded in Volume 413, Page 415, may hold rights of first refusal to purchase the property commonly known as 1 Reynolds Drive, Beloit, Wisconsin (the "Property") and other related rights (collectively, the "Rights") as more particularly described herein;

**WHEREAS**, the Declaration of Restrictive Covenants at Section II, paragraph (2) provides that the City shall have the first right of refusal to repurchase the property proposed for sale or transfer, which may be waived by City Council resolution; and

**WHEREAS**, the current owner of the Property, One Reynolds Drive, LLC, a Wisconsin limited liability company ("Seller"), wishes to sell the Property to Phoenix Acquisition LLC, a Wisconsin limited liability company ("Buyer"); and

**WHEREAS**, as a necessary prerequisite to the sale of the property from Seller to Buyer, the City of Beloit must waive and release its Rights; and

**WHEREAS**, the City Council has determined that it is in the best interests of the City to waive its Rights thereunder.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Beloit, Rock County, Wisconsin that the City does hereby waive, release and relinquish its right of first refusal to repurchase the property at 1 Reynolds Drive, approves the attached "Waiver and Release" and hereby consents that One Reynolds Drive, LLC may sell and convey the referenced property to Phoenix Acquisition LLC.

**BE IT FURTHER RESOLVED** that the City Manager of the City of Beloit be, and is hereby, authorized to execute the attached Waiver and Release and any other documents necessary to carry out the terms and conditions of this resolution.

Adopted this 6<sup>th</sup> day of March, 2017.

**City Council of the City of Beloit**

---

**David F. Luebke, President**

**Attest:**

---

**Lorena Rae Stottler, City Clerk**

# CITY OF БЕЛОIT

## REPORTS AND PRESENTATIONS TO CITY COUNCIL



**Topic:** RESOLUTION WAIVING RIGHT OF FIRST REFUSAL FOR 1 REYNOLDS DRIVE

**Date:** March 6, 2017

**Presenter:** Elizabeth A. Krueger

**Department:** City Attorney

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### Overview/Background Information:

The City was approached about the potential sale of 1 Reynolds Drive. The City, by virtue of Declaration of Restrictive Covenants, has repurchase rights related to the property. The City has no interest in exercising those rights and wishes to consent to the transfer of the property from One Reynolds Drive, LLC to Phoenix Acquisition LLC.

The attached Waiver and Release to effectuate the release of the City's rights has been drafted and is included in the packet for council's consideration.

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### Key Issues:

1. Declaration of Restrictive Covenants permits the City to exercise the Right of First Refusal related to the potential sale of 1 Reynolds Drive.
2. The City has no interest in the property and wishes to consent to the sale of the property.
3. The attached Waiver and Release will accomplish that purpose.

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

This agreement supports Strategic Goal #1 to create and sustain safe and healthy neighborhoods and Goal #4 to create and sustain a high quality of life.

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

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

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

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### Action required/Recommendation:

Staff recommends approval of the agreement

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### Fiscal Note/Budget Impact:

There is no fiscal impact related to this item.

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### Attachments:

Waiver and Release

Resolution

20170227

17-1056

**WAIVER AND RELEASE**

Document Number

Document Name

THIS WAIVER AND RELEASE OF RIGHT OF FIRST REFUSAL ("Waiver") is given as of the date set forth at the end of this Waiver, by the City of Beloit, a political subdivision of the State of Wisconsin.

**WITNESSETH:**

WHEREAS, it appears that the City of Beloit, by virtue of that certain Declaration of Restrictive Covenants for Industrial Park, dated November 16, 1971, filed of record November 17, 1971 in Vol. 413 of Records on Page 415 as Document No. 775389, as amended by Waiver of Restrictions and Amendment dated July 19, 1982, filed of record July 22, 1982 on Card 109 Image 774 as Document 955466, may hold rights of first refusal to purchase the property, described as follows:

Part of Lot 5, Morgan Farm, f/k/a Lots 1, 2, 3, 4, 5, 6 Beloit Industrial Park I-90 (now vacated), part of Lot 7, Beloit Industrial Park I-90 and vacated Blodgett Street, City of Beloit, Rock County, Wisconsin, all described as follows: Beginning at the NW corner of Lot 1 (now vacated); thence N.62°18'E. 900.00 feet; thence S.27°42'E. 35.00 feet; thence N.62°18'E. 600.00 feet; thence S.27°43'05"E. 619.74 feet; thence S.56°19'W. 1480.36 feet to a point of curve; thence Northwesterly along a curve convex Southwesterly 41.88 feet, having a radius of 25 feet, the chord bearing N.75°41'41.5"W. 37.15 feet; thence N.27°43'15"W. 784.11 feet to the place of beginning.

commonly known as One Reynolds Drive, Beloit Wisconsin (the "Property") and other related rights (collectively, the "Rights") as more particularly described herein; and

WHEREAS, the current owner of the Property, One Reynolds Drive, LLC, a Wisconsin limited liability company ("Seller"), wishes to sell the Property to Phoenix Acquisition LLC, a Wisconsin limited liability company ("Buyer");

WHEREAS, as a necessary prerequisite to the transfer of the property from Seller to Buyer, the City of Beloit must waive and release its Rights; and

WHEREAS, the City of Beloit is willing to waive and release its right of first refusal on the terms and conditions set forth herein.

NOW, THEREFORE, in consideration of the foregoing and the representations, warranties and agreements contained herein, and for other good and valuable consideration, the adequacy and receipt of which are hereby acknowledged, it is agreed as follows:

1. **Release and Waiver.** The City of Beloit hereby agrees to release and waive any Rights it may have, may have had, or may have in the future with respect to any right of first refusal to purchase the Property, any right of repurchase of the Property, or any right to prohibit the leasing of the Property to any entity that would otherwise be qualified to own the Property, as evidenced by, but not limited to Section II(1), (2) and (3) of the Declaration of Restrictive Covenants for Industrial Park, recorded in Volume 413, Page 415.

2. **Beneficiaries.** This Waiver is being executed for the benefit of the Buyer and Seller and will inure to the benefit of their respective successors, assigns and legal representatives.

IN WITNESS WHEREOF, the City of Beloit has executed this Waiver and Release of Right of First Refusal effective as of March \_\_\_, 2017.

**CITY OF БЕЛОIT**

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

THIS INSTRUMENT WAS DRAFTED BY:

Elizabeth A. Krueger  
City Attorney  
City of Beloit, Wisconsin

**ACKNOWLEDGEMENT**

STATE OF WISCONSIN    )  
  ) SS  
COUNTY OF ROCK     )

Personally came before me this \_\_\_ day of March 2017, the above-named Lori S. Curtis Luther to me known to be the person executing the foregoing instrument and acknowledging the same.

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

Name and Return Address  
City Attorney's Office  
100 State Street  
Beloit, WI 53511

2297-0100

Parcel Identification Number (PIN)

This \_\_\_ is not \_\_\_ homestead property.