



CITY HALL • 100 STATE STREET • BELOIT, WI 53511

MEETING NOTICE AND AGENDA
Beloit City Plan Commission
Wednesday, March 22, 2017 at 7:00 PM
The Forum
Beloit City Hall, First Floor
100 State Street, Beloit

1. **Call to Order and Roll Call**
2. **Approval of the Minutes of the February 22, 2017 Meeting**
3. **Extraterritorial Certified Survey Map – 4200 Block of Walters Road**
Review and consideration of a one-lot Certified Survey Map for the property located on the 4200 Block of Walters Road in the Town of Beloit
4. **Conditional Use Permit – 2787 Milwaukee Road – Drive-Through Use and Outdoor Seating Area**
Public hearing, review and consideration of a Conditional Use Permit to allow a drive-through use and outdoor seating area for the property located at 2787 Milwaukee Road
5. **Architectural Review Exception – 2787 Milwaukee Road – Green Space Requirement**
Public hearing, review and consideration of 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
6. **Conditional Use Permit – 1827 Prairie Avenue – Food Production and Distribution**
Public hearing, review and consideration of a Conditional Use Permit to food production and distribution for the property located at 1827 Prairie Avenue
7. **Relocation Order – Powerhouse Riverwalk**
Review and consideration of a Relocation Order to acquire a Highway Easement (HE) and Temporary Limited Easement (TLE) over portions of the properties located at 810, 830, and 850 Pleasant Street in order to construct the multi-use path known as the Powerhouse Riverwalk
8. **Conditional Use Permit – 310 State Street – Ground-floor Office Use in CBD-1**
Public hearing, review and consideration of a Conditional Use Permit to allow ground-floor office uses for the property located at 310 State Street
9. **Status Report on Prior Plan Commission Items**
10. **Adjournment**

If you are unable to attend this meeting, please contact Amber DesRoberts in the Community Development Department at 364-6650 **no later than 4:00 PM the day before the meeting.**

Notice Mailed: March 17, 2017

Approved: Julie Christensen, Community
Development Director

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



CITY HALL • 100 STATE STREET • BELOIT, WI 53511

MEETING MINUTES
Beloit City Plan Commission
Wednesday, February 22, 2017 at 7:00 PM
The Forum
Beloit City Hall, First Floor
100 State Street, Beloit

1. Call to Order and Roll Call

Chairperson Faragher called the meeting to order at 7:00pm. Commissioners Faragher, Haynes, Johnson, Weeden were present. Commissioner Ruster, Finnegan, and Councilor Leavy were absent.

2. Approval of the Minutes of the February 8, 2017 Meeting

Commissioner Johnson moved to approve the minutes from February 8, 2017 meeting. Commissioner Weeden seconded the motion. The motion passed, voice vote.

3. Certified Survey Map – Beloit School District – 2251 Trevino Court

Public hearing, review and consideration of a three-lot Certified Survey Map for the property at 2251 Trevino Court

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

Ms. Christensen confirmed that there were special assessments on the lots and that the City agreed the special assessments would not be charged until they were sold. Once the school district builds a house on the lot, then the special assessments will become due.

Commissioner Weeden questioned if the school district intends to build houses on the lots. Ms. Christensen confirmed that to be the case. The school district is seeking inexpensive lots and has thus far sold every house built.

Commissioner Haynes moved to approve the Certified Survey Map. Commissioner Johnson seconded the motion. The motion passed, voice vote.

4. Conditional Use Permit – The Blender Café at Beloit Public Library – Outdoor Seating Area

Public hearing, review and consideration of a Conditional Use Permit to allow an outdoor seating area for the Blender Café at the Beloit Public Library for the property located at 605 Eclipse Boulevard

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

Commissioner Johnson asked for clarification on where the blender café is located.

Nick Dimassis, Beloit Public Library Director, explained where the Blender Café will be located. Mr. Dimassis also mentioned the support from the Hendricks Family Foundation in utilizing the Hendricks Garden for the Blender Café outdoor seating area.

Commissioner Faragher asked for further information regarding the proposed fence. Mr. Dimassis stated that the fence is going to be as close to the original as possible and will extend to the building with a gate.

Commissioner Faragher voiced his support for the project and stated it would be a beneficial addition.

Commissioner Haynes moved to approve the Conditional Use Permit. Commissioner Johnson seconded the motion. The motion passed, voice vote.

5. Status Report on Prior Plan Commission Items

City Council held the public hearing on the zoning for the brewing company and it was uneventful. The Kadlec Drive Condominiums were laid over to the next City Council meeting due to a controversial discussion regarding whether there should be that much rental property located in that neighborhood.

Commissioner Johnson asked for clarification on what the concern was regarding the rentals. Ms. Christensen explained that a neighbor had voiced their concern with having additional rental property in the area. The condominiums are not selling that were built previously.

The Commission discussed the history of the lots on Kadlec Drive and what zoning City Council would approve.

6. Adjournment

The meeting adjourned at 7:20pm.

Minutes respectfully submitted by Amber DesRoberts.

CITY OF BELOIT

REPORT TO THE BELOIT CITY PLAN COMMISSION

Meeting Date: March 22, 2017

Agenda Item: 3

File Number: CSM-2017-03

Applicant: R.H. Batterman & Company

Owner: Town of Beloit

Location: 4200 Block of South Walters Road

Existing Zoning: I-1, Industrial

Existing Land Use: Vacant Land

Total CSM Area: 1,306,800 SF (30 AC)

Request Overview/Background Information:

R.H. Batterman & Co., on behalf of the Town of Beloit, has submitted an Application for the Review of a Minor Subdivision and a 1-Lot Certified Survey Map (CSM) for the property located on the 4200 Block of South Walters Road. According to Section 12.05(1)(b) of the Subdivision Ordinance, the Plan Commission may approve, conditionally approve, or reject any minor subdivision of land within the City of Beloit's extraterritorial jurisdiction where there is no dedication of land to the City.

Key Issues:

- The proposed lot has 1,634 feet of frontage along Walters Road.
- The proposed lot will have a 100 ft. wide utility easement crossing from east to west, and will be used by Alliant Energy for utility purposes.
- The City's Review Agents have reviewed the proposed CSM and have not submitted any objections.
- The application and proposed CSM are attached for your review.

Consistency with Comprehensive Plan and Strategic Plan:

N/A

Sustainability:

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

Staff Recommendation:

The Planning & Building Services Division recommends **approval** of the attached 1-Lot Certified Survey Map (CSM) for the property located on the 4200 Block of South Walters Road in the Town of Beloit, subject to the following conditions:

1. The final CSM shall be recorded with the Rock County Register of Deeds by December 31, 2017.

Fiscal Note/Budget Impact: N/A

Attachments: Location Map, CSM, Application, and Resolution

Location & Zoning Map

4200 Block of South Walters Road

CSM-2017-03



1 inch = 467 feet

0 70 140 280 420 Feet

Legend

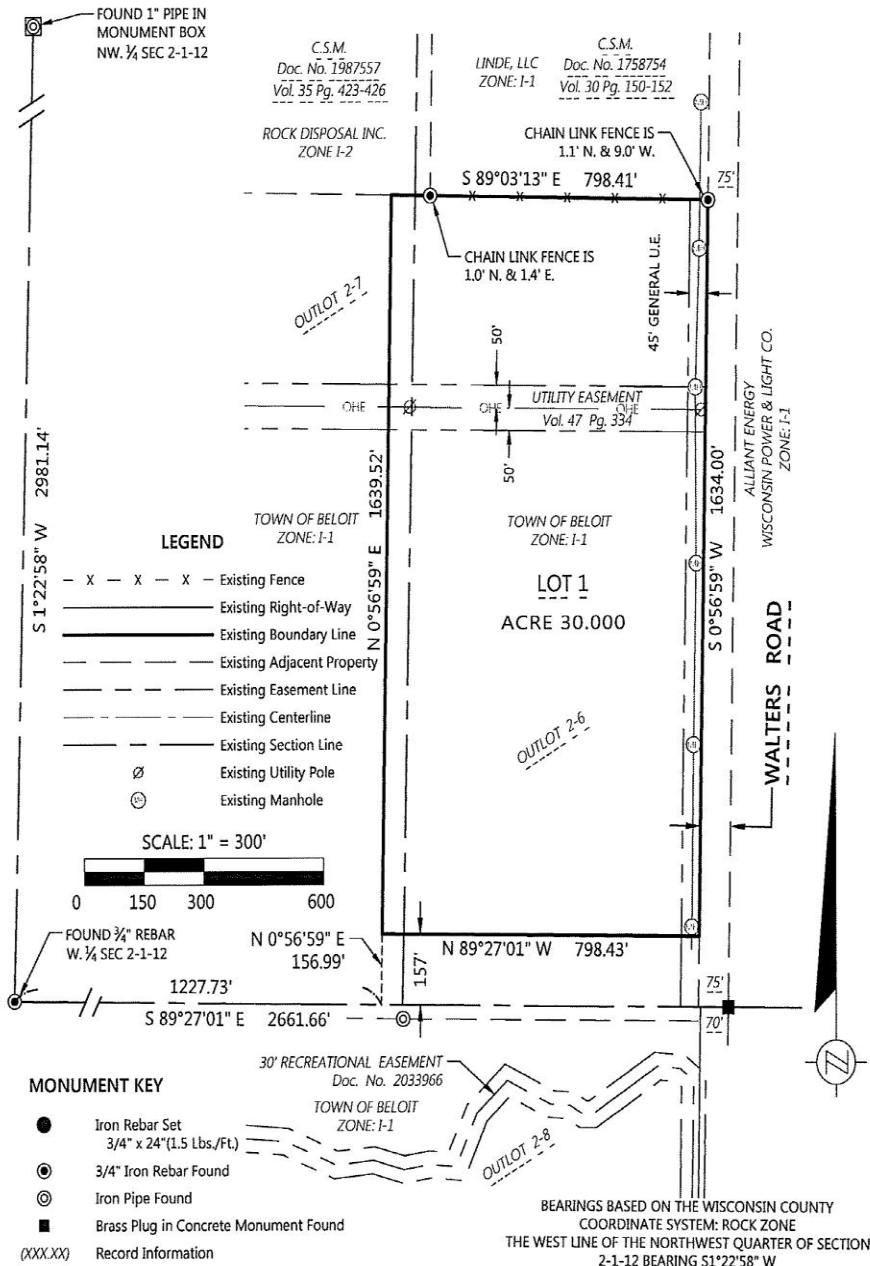
 Parcel Boundaries

Map prepared by: Rudy Moreno, Planner II
Date: March 16
For: City of Beloit Planning & Building Services
Date of Aerial Photography: March 2011

PLANNING & BUILDING SERVICES DIVISION

PRELIMINARY CERTIFIED SURVEY MAP

OF PART OF THE NORTHEAST QUARTER, NORTHWEST QUARTER,
SOUTHWEST QUARTER AND SOUTHEAST QUARTER OF THE
NORTHWEST QUARTER OF SECTION 2, T. 1 N., R. 12 E., OF THE
4TH P.M., TOWN OF BELOIT, ROCK COUNTY, WISCONSIN.



ORDER NO: 32527 BOOK: SEE FILE FIELD CREW: DGM DRAWN BY: DGM/KJB DATE: March 14, 2017	FOR THE EXCLUSIVE USE OF: TOWN OF BELOIT 2871 S AFTON ROAD BELOIT, WI 53511	Batterman engineers surveyors planners 2857 Bartells Drive Beloit, Wisconsin 53511 608.365.4464 www.rtbatterman.com	
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File Name: 1\32500-32599\32527 TOR Outline and Walters CSMSURVEY\RTB DRAWING FILES

CITY of BELOIT
Neighborhood Planning Division

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

Application for Review of a Minor Subdivision

(Please Type or Print) 4200 Blk File Number: CSM-2017-03

1. Address of property: S. WALKERS ROAD
2. Tax Parcel Number(s): 6-2-15A
3. Property is located in (circle one): City of Beloit or Town of: Turtle; Beloit Rock or LaPrairie
 In the NW Quarter of Section 2 Township 1 North, Range 12 East of the 4th P.M.
4. Owner of record: TOWN OF BELOIT Phone: (608) 364-2960
2871 S. AFTON ROAD BELOIT WI 53511
(Address) (City) (State) (Zip)
5. Surveyor's name: BARTERMAN Phone: (608) 365-4464
2857 BARTZELS DRIVE BELOIT WI 53511
(Address) (City) (State) (Zip)
6. Number of new lots proposed with this land division is DNE lot(s).
7. Total area of land included in this map: 30 ACRES
8. Total area of land remaining in parent parcel: 142 +/- ACRES
9. Is there a proposed dedication of any land to the City of Beloit? NO
10. The present zoning classification of this property is: A-1
11. Is the proposed use permitted in this zoning district: _____

12. THE FOLLOWING ITEMS MAY NEED TO BE COMPLETED AND/OR ATTACHED:

- Site Assessment Checklist;** is required if the total area of CSM is over 5 acres.
- Pre-application meeting;** a pre-application meeting was held on 2/23/2017 with City of Beloit Staff.
- Developer's Statement;** as required by section 12.02(7) of the Subdivision Ordinance.
- Phase One Environmental Assessment;** as per section 12.05(1)(c) of the Subdivision Ordinance.
- Certified Survey Map;** one copy as required by section 12.05(1) of the Subdivision Ordinance.

The applicant's signature below indicates the information contained in this application and on all accompanying documents is true and correct. The undersigned does hereby respectfully make application for and petition the City Plan Commission or City Council for approval of this Certified Survey Map for the purpose stated herein. The undersigned also agrees to abide by all applicable federal, state and local laws, rules, and regulations.

TOWN OF BELOIT / BARTERMAN ON BEHALF OF WP&L / 2/15/2017
(Signature of applicant) (Name of applicant) (Date)

This application must be submitted at least 21 days prior to the Plan Commission meeting date.

Review fee: <u>\$150 plus \$10 per lot</u>	Amount paid: <u>\$160.00</u>
Scheduled meeting date: <u>March 22, 2017</u>	
Application accepted by: <u>Don Pennington</u>	Date: <u>2/17/17</u>

**RESOLUTION
APPROVING A ONE-LOT CERTIFIED SURVEY MAP
FOR THE PROPERTY LOCATED ON
THE 4200 BLOCK OF SOUTH WALTERS ROAD**

WHEREAS, Section 12.05(1)b of Chapter 12 of the Code of General Ordinances of the City of Beloit entitled “*Subdivision and Official Map Ordinance*” authorizes the City Plan Commission of the City of Beloit to approve, conditionally approve, or reject any minor subdivision of land within the extraterritorial jurisdiction of the City; and

WHEREAS, the attached one-lot Certified Survey Map for the property located on the 4200 Block of South Walters Road, containing 30 acres, more or less, is located within the jurisdiction of the Town of Beloit; and

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

PART OF THE NE $\frac{1}{4}$, NW $\frac{1}{4}$, SW $\frac{1}{4}$, AND SE $\frac{1}{4}$ OF THE NW $\frac{1}{4}$ OF
SECTION 2, T. 1 N., R. 12 E., OF THE 4TH P.M., TOWN OF BELOIT, ROCK
COUNTY, WISCONSIN.

NOW, THEREFORE, BE IT RESOLVED THAT the Plan Commission of the City of Beloit does hereby conditionally approve the attached one-lot Certified Survey Map for the property located on the 4200 Block of South Walters Road, subject to the following conditions:

1. The final CSM shall be recorded with the Rock County Register of Deeds by December 31, 2017.

Adopted this 22nd day of March, 2017.

James Faragher, Plan Commission Chairman

ATTEST:

Julie Christensen,
Community Development Director

CITY OF BELOIT

REPORT TO THE BELOIT CITY PLAN COMMISSION



Meeting Date: March 22, 2017

Agenda Item: 4

File Number: CU-2017-02

Applicant: Todd Waller

Owner: Beloit Capital LLC

Location: 2787 Milwaukee Road

Existing Zoning: C-3, Community Commercial District & MRO, Milwaukee Road Overlay District

Existing Land Use: Retail

Parcel Size: 1.78 Acres

Request 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. If the uses are approved, the City Council is authorized to impose conditions it deems necessary to reduce or minimize any potential adverse effects on surrounding properties.

Key Issues:

- The proposed northbound 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.
- According to Section 8-112 of the Zoning Ordinance, restaurant drive-through lanes shall include at least 5 stacking spaces for the order box and at least 3 stacking spaces between the order box and pick-up window for a total of 8 spaces, unless otherwise approved by the Zoning Administrator.
- The applicant has proposed 4 stacking spaces for the order box and 3 stacking spaces between the order box and pick-up window for a total of 7 stacking spaces. The applicant worked with Planning & Engineering staff to make significant changes to the original plan, which are now reflected in the attached site plan.
- The L-shaped parking lot island design was selected so that stacked vehicles will not impede the shared access easement that provides bidirectional access to Doc's Restaurant. In addition, vehicles leaving the drive-through will be required to turn left to exit through the rear parking lot as opposed to veering right across the incoming traffic lane. The drive-through will function in a counter-clockwise motion.
- The existing curbed median will be replaced with a striped median adjacent to the stacking spaces (to allow bypass or change-of-mind exiting). However, the curbed median will be left in place where vehicles are leaving the pick-up window in order to force the left-turn exiting movement described above.
- According to the applicant, all of the food is prepared in advance and the average wait time is 2 minutes per vehicle. The applicant believes that no more than 5 cars will be waiting at once. However, staff is recommending a condition of approval that will allow the Plan Commission to revisit the drive-through layout in the event that the drive-through is causing congestion at the shared driveway on westbound Milwaukee Road.
- 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.
- 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 87 off-street parking stalls, which complies with the Zoning Ordinance.
- The applicant has proposed an 18' x 18' outdoor seating area consisting of two tables with up to eight chairs.
- Public facilities and infrastructure exist in this area and the property receives the full range of municipal services.
- The City's Review Agents have reviewed this application and do not have any comments or concerns.
- The attached Public Notice was sent to four nearby property owners. Several have called staff with questions.
- **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 uses are commercial in nature and will occur in the middle of a large commercial district.
 - 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 subject property is located in the City's busiest commercial area, and any additional traffic, noise, and glare generated by this development is compatible with existing conditions.
 - Planning & Engineering staff have worked closely with the applicant to refine the drive-through design so as to avoid congestion that will affect nearby businesses.
- c. *Whether the conditional use will substantially diminish or impair property values within the neighborhood of the subject property;*
- On the contrary, this proposed development is likely to enhance property values nearby.
- d. *Whether the establishment of the conditional use will impede the normal and orderly development and improvement of the surrounding property;*
- This is an urbanized area and the surrounding properties are fully developed.
- e. *Whether the exterior architectural design or site layout of the proposed conditional use is so dissimilar or otherwise incompatible with existing or proposed development in the immediate neighborhood that it will cause a depreciation in property values;*
- The proposed improvements on the attached site plan will encourage a counter-clockwise traffic flow on the site, and may actually organize the overall layout of this retail center.
- 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 conditional uses.
- g. *Whether adequate measures will be taken to minimize traffic congestion; and*
- The proposed drive-through has been designed with a new parking lot island arrangement and counter-clockwise traffic flow that will prevent stacked vehicles from causing traffic congestion that would impede access to nearby businesses. In addition, vehicles exiting the drive-through will be forced to turn left and exit the property from the westernmost driveway onto the Walmart frontage road.
 - The existing street network in this area is capable of handling the additional traffic that will be generated by this development.
- h. *Whether the conditional use will comply with all applicable regulations of the Zoning Ordinance.*
- The conditional uses will comply with all other applicable regulations of the Zoning Ordinance.

Consistency with Comprehensive Plan and Strategic Plan:

The Comprehensive Plan recommends Community Commercial uses for the subject property. This proposed development and the underlying zoning classification are consistent with this recommendation. Consideration of this request supports City of Beloit Strategic Goal #3.

Staff Recommendation:

The Planning & Building Services Division recommends **approval** of 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, based on the above Findings of Fact and subject to the following conditions:

1. This Conditional Use Permit authorizes the construction and establishment of a drive-through as shown on the attached site plan, provided all of the site improvements are completed beforehand. This approval also authorizes an outdoor seating area consisting of up to two tables and up to eight chairs in the location shown.
2. This approval is contingent upon concurrent approval of an Exception to the Landscape Code to allow the southbound one-way drive lane shown on the attached site plan.
3. Alcoholic beverages may not be sold through the drive-through window or within the outdoor seating area.
4. Prior to use, the outdoor seating area shall be enclosed by a 4-foot wrought iron or similar fence on the east and south sides, both of which are adjacent to stacked vehicles.
5. If the operation of the drive-through begins to cause traffic congestion that prevents free use of the approved joint access easement on the site plan, and such congestion is a threat to public health & safety in the opinion of the City Engineer, the applicant will be ordered to remedy the problems through the use of additional directional signs, striping, or other measures. If these additional measures are not successful, the City Council reserves the right to consider revocation of this permit, following lawful notice to the property owner and a public hearing.
6. Any major changes in the adopted conditions or use of the property shall be approved by the Plan Commission and City Council by amending this Conditional Use Permit. The Director of Planning & Building Services may approve minor changes administratively.

Fiscal Note/Budget Impact: N/A

Attachments: Location & Zoning Map, Site Photos, Site Plan, Application, Public Notice, and Mailing List.

Location & Zoning Map

2787 Milwaukee Road

CU-2017-02



1 inch = 114 feet

0 1530 60 90 Feet

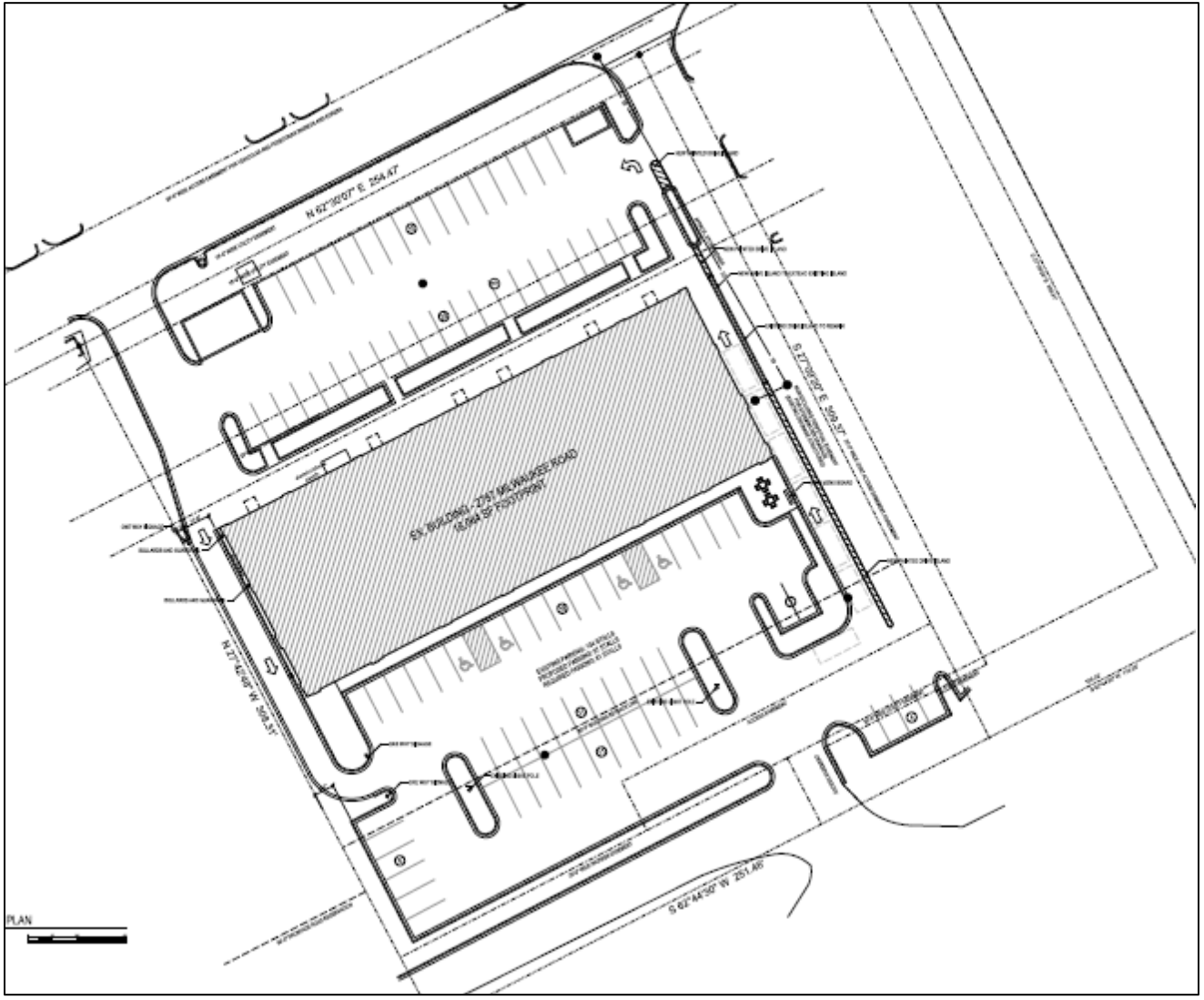
Legend

- City Limits
- Zoning District

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

PLANNING & BUILDING SERVICES DIVISION





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 / 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: \$275.⁰⁰ 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



NOTICE TO THE PUBLIC

March 3, 2017

To Whom It May Concern:

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. 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 an Exception to Section 34.21(2)(b) of the Landscape Code, as it would encroach into the required open green space along the western lot line. The applicant has submitted a separate request for an Exception to the Architectural Review & Landscape Code.

The following public hearings will be held regarding these applications:

City Plan Commission: Wednesday, March 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, April 3, 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. Comments will be accepted via telephone, email, and U.S. Mail.

Williams Property Management LLC
7348 Lone Cedar Trail
South Beloit, IL 61080

McGuire Properties Inc.
400 Midland Court Ste 101
Janesville, WI 53546

Walmart Real Estate Business Trust
P.O. Box 8050
MS 0555
Bentonville, AR 72712-8050

Speedway LLC
539 South Main Street
Findlay, OH 45840

CITY OF BELOIT

REPORT TO THE BELOIT CITY PLAN COMMISSION



Meeting Date: March 22, 2017

Agenda Item: 5

File Number: ARC/EXP-2017-01

Applicant: Todd Waller

Owner: Beloit Capital LLC

Location: 2787 Milwaukee Road

Existing Zoning: C-3

Existing Land Use: Retail

Parcel Size: 1.78 Acres

Request 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 at 2787 Milwaukee Road.

Key Issues:

- 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.
- As shown on the attached site plan, the applicant has proposed a new one-way (southbound) drive lane around the western end of the building, which requires a Landscape Code Exception, as it would encroach into the required 5 feet of open green space along the western lot line. The open green space requirement applies to interior side and rear lot lines, where at least 5 feet of grass must be provided. The applicant has stated that the drive lane would encroach up to 3 feet into the open space, leaving 2 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.
- **Findings of Fact** – Section 34.22(5) of the Architectural Review and Landscape Code states that the City Council may grant exceptions to the regulations contained in this chapter when:
 - (a) **Such exceptions are in harmony with the general purpose and intent of this chapter;** The proposed exception will still maintain separation and at least two feet of open space between the subject property and the adjacent Speedway gas station property to the west.
 - (b) **The City Council finds that special circumstances exist involving the size, shape, topography, location or surroundings of the property referred to in the application;** The applicant has limited options with respect to changing the layout of this existing retail center. Planning & Engineering staff have worked with the applicant to design the proposed drive-through to function in a counter-clockwise manner, and the new southbound drive lane is an important element.
 - (c) **Denial of the exception will cause unreasonable or unnecessary hardship;** Approval of the drive-through is contingent upon the requested landscape exception, so denial of the exception would prevent the applicant from establishing a drive-through coffee shop at this location.
 - (d) **Granting the exception will not cause substantial injury to the value of other property in the vicinity nor be detrimental to the general welfare of the neighborhood or the public.** Granting the exception will not cause substantial injury to the value of nearby properties nor be detrimental to the general welfare of the neighborhood or the public. Planning staff is recommending several conditions of approval on the drive-through that will ensure adequate traffic flow on site.

Consistency with Comprehensive Plan and Strategic Plan:

- The City's Comprehensive Plan recommends *Community Commercial* uses. Consideration of this request supports Strategic Goal #3.

Staff Recommendation:

The Planning & Building Services Division recommends **approval** of 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 at 2787 Milwaukee Road, based upon the standards for granting an exception and subject to the following conditions:

1. This approval is contingent upon concurrent approval of a CUP to allow a drive-through use.
2. Any major changes to this Exception shall be approved by the Plan Commission and City Council. The Director of Planning & Building Services may approve minor changes administratively.

Fiscal Note/Budget Impact: N/A

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

Location & Zoning Map

2787 Milwaukee Road

CU-2017-02




1 inch = 114 feet

0 1530 60 90 Feet

Legend

 City Limits

 Zoning District

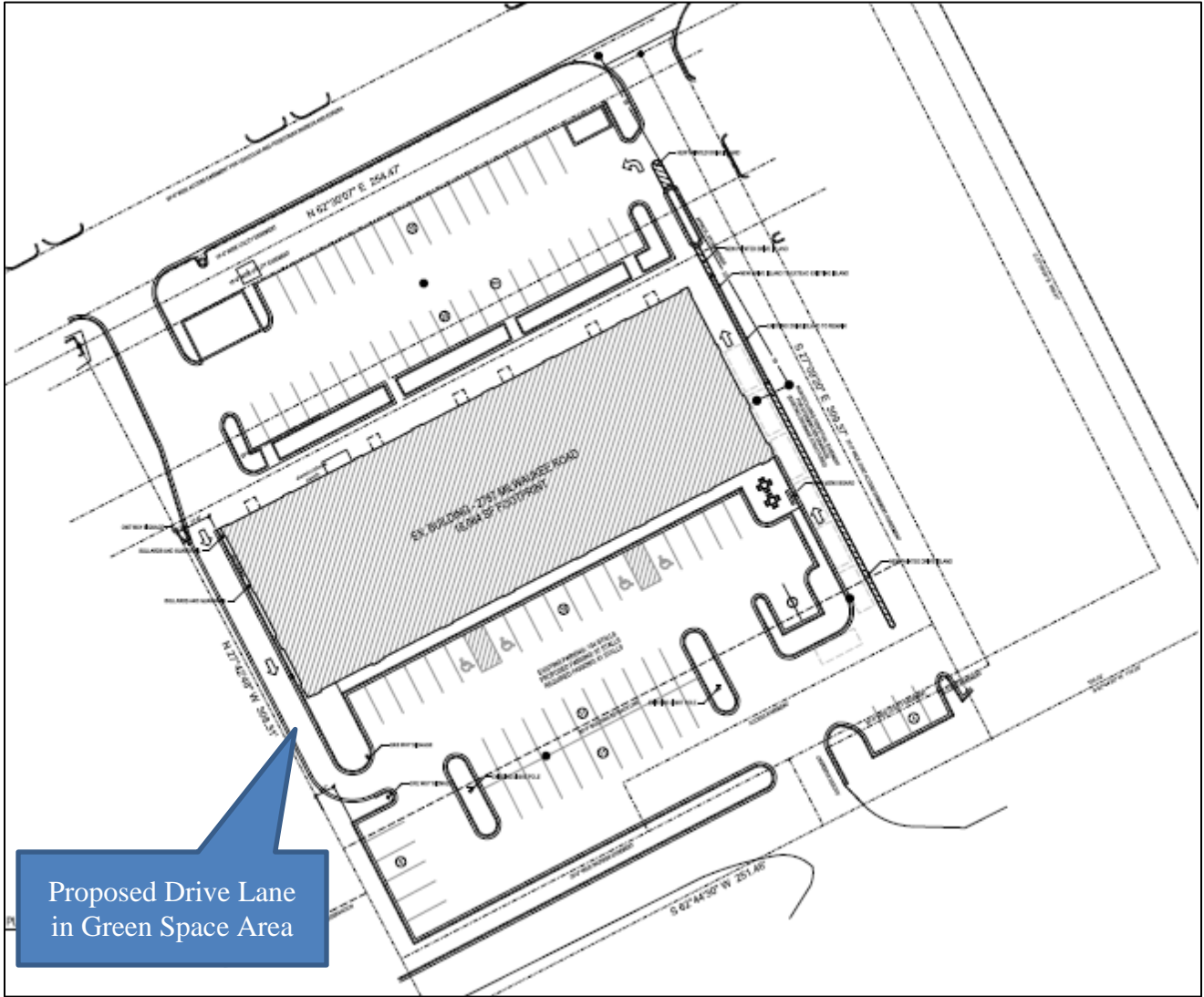
Map prepared by: Drew Pennington, AICP

Date: February 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

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 (X) 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.

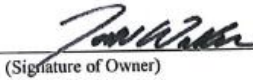
10. State specific hardship experienced by the applicant: (Use separate sheet if necessary)

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

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: <u>\$100.00</u> Meeting date: <u>March 8, 2017</u>
Application accepted by: <u>Don Panajter</u>	Date: <u>2/6/17</u>
No. of notices: _____	x mailing cost (\$0.50) = cost of mailing notices: \$ _____
Date Notice Published: _____	Date Notice Mailed: _____



NOTICE TO THE PUBLIC

March 3, 2017

To Whom It May Concern:

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. 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 an Exception to Section 34.21(2)(b) of the Landscape Code, as it would encroach into the required open green space along the western lot line. The applicant has submitted a separate request for an Exception to the Architectural Review & Landscape Code.

The following public hearings will be held regarding these applications:

City Plan Commission: Wednesday, March 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, April 3, 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. Comments will be accepted via telephone, email, and U.S. Mail.

Williams Property Management LLC
7348 Lone Cedar Trail
South Beloit, IL 61080

McGuire Properties Inc.
400 Midland Court Ste 101
Janesville, WI 53546

Walmart Real Estate Business Trust
P.O. Box 8050
MS 0555
Bentonville, AR 72712-8050

Speedway LLC
539 South Main Street
Findlay, OH 45840

CITY OF BELOIT

REPORT TO THE BELOIT CITY PLAN COMMISSION

Meeting Date: March 22, 2017

Agenda Item: 6

File Number: CU-2017-03

Applicant: Miguel Guzman

Owner: PJR Properties LLC

Location: 1827 Prairie Avenue

Existing Zoning: C-3, Community
Commercial District

Existing Land Use: Grocery Store

Parcel Size: 7.15 Acres

Request Overview/Background Information:

Miguel Guzman has filed an application for a Conditional Use Permit to allow food production and distribution in a C-3, Community Commercial District, for the Piggly Wiggly property located at 1827 Prairie Avenue.

Key Issues:

- The applicant has proposed the renovation of a vacant rear portion of the Piggly Wiggly building into a spice blending and sausage production room. The sausage produced on-site will be sold both on and off-site.
- Manufacturing & Production uses require a Conditional Use Permit in the C-3 district.
- The applicant has also proposed renovations at the front of the building to the east of the store entrance, although that retail project is permitted by-right in the C-3 district.
- Of the existing 84,000 square-foot Piggly Wiggly building, the proposed spice blending area is approximately 1,500 square feet, and the proposed walk-in cooler is approximately 900 square feet in area.
- The proposed spice blending and sausage production operation will not involve on-site slaughtering, as meat will be purchased in bulk just as it is for the grocery store butcher shop.
- The proposed spice blending and sausage production operation will only operate during the grocery store's regular hours. The applicant has stated that any additional truck traffic will be negligible (1-2 per day), and will utilize the existing loading docks where trucks deliver products to the grocery store.
- The application and proposed floor plan are attached.
- The attached Public Notice was sent to 21 nearby property owners. Planning staff received one phone call in support and one email with questions about the proposed use.
- **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 spice blending and sausage production operation will be within the existing building envelope, and will not create any noise, odors, or disruption to the public.
 - 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 applicant's grocery store has revitalized this commercial district, which was previously vacant and deteriorating for more than a decade. The Piggly Wiggly store is an important source of fresh & healthy food for the entire community, but especially for those living in the nearby neighborhoods with limited vehicle access.
 - The proposed food production use will allow the applicant to produce sausage products on-site, and will enhance the overall Piggly Wiggly business at this location, which also provides dozens of part and full-time jobs.
 - c. *Whether the conditional use will substantially diminish or impair property values within the neighborhood of the subject property;*
 - The continued build-out of the Piggly Wiggly shopping center, which includes the grocery store and Planet Fitness, will have a positive impact upon property values in the neighborhood.
 - 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;*
 - N/A

- 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 use.
- g. *Whether adequate measures will be taken to minimize traffic congestion; and*
 - The proposed use is expected to generate negligible truck traffic, and will utilize an existing loading dock that serves the grocery store.
- h. *Whether the conditional use will comply with all applicable regulations of the Zoning Ordinance.*
 - The proposed use will comply with all applicable regulations of the Zoning Ordinance.

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.

Sustainability:

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

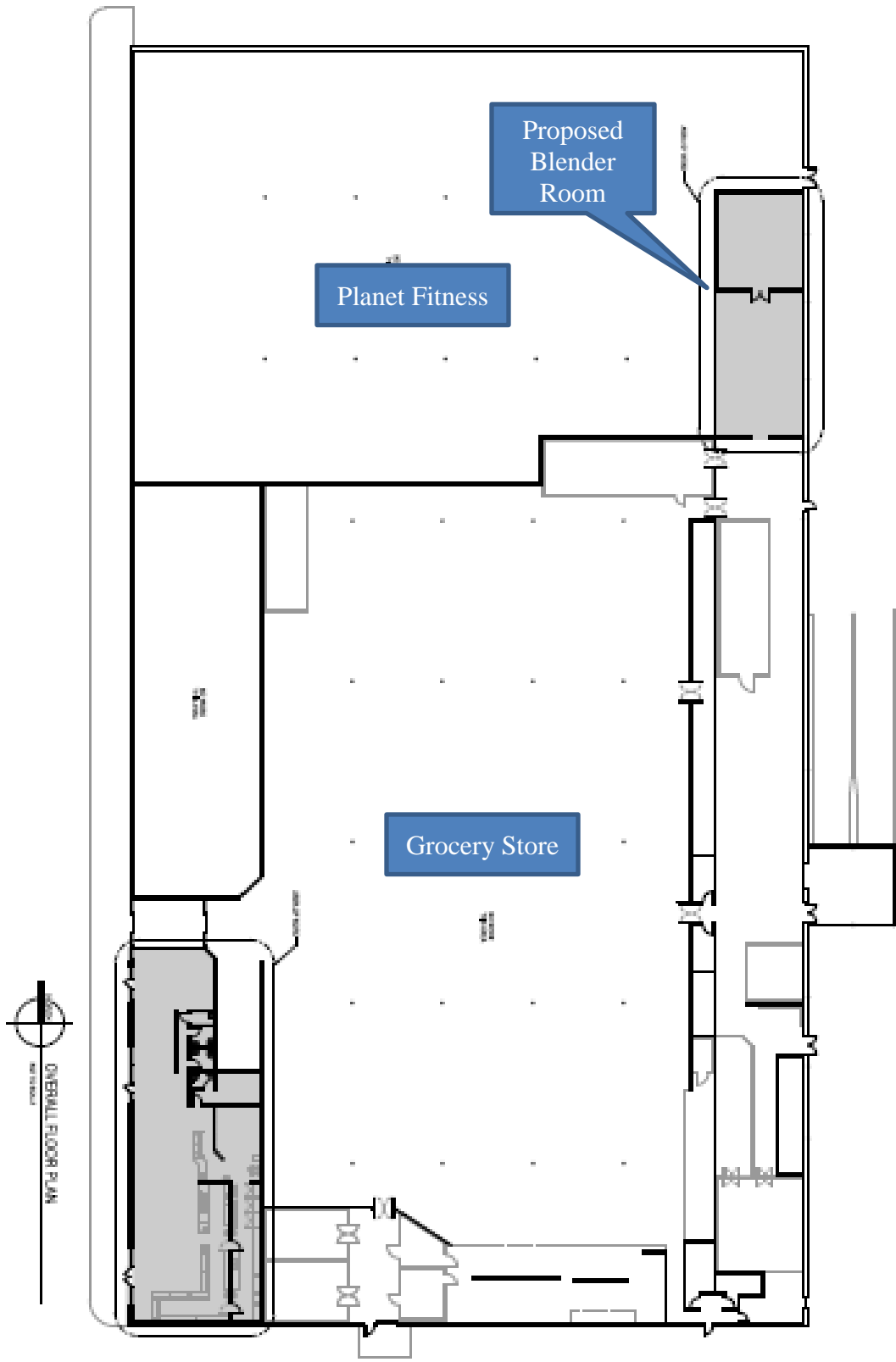
Staff Recommendation:

The Planning & Building Services Division recommends **approval** of a Conditional Use Permit to allow food production and distribution in a C-3, Community Commercial District, for the Piggly Wiggly property located at 1827 Prairie Avenue, based on the above Findings of Fact and subject to the following conditions:

1. This approval authorizes the renovation of a vacant rear portion of the Piggly Wiggly building into a spice blending and sausage production facility, as shown on the floor plan submitted with the application.
2. Slaughtering is prohibited on the subject property. The applicant must utilize the store's existing loading docks.
3. The applicant shall obtain a Building Permit prior to beginning construction of this project.
4. Any major changes in the adopted conditions or use of the property shall be approved by the Plan Commission and City Council by amending this Conditional Use Permit. The Director of Planning & Building Services may approve minor changes administratively.

Fiscal Note/Budget Impact: N/A

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



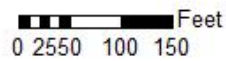
Location & Zoning Map

1827 Prairie Avenue

CU-2017-03



1 inch = 167 feet



Legend

- City Limits
- Zoning District

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

PLANNING & BUILDING SERVICES DIVISION

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: CU-2017-03

1. Address of subject property: 1827 Prairie Ave. BELOIT WI.

2. Legal description: Blend spices & sausage Processing SAUSAGE

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

Property dimensions are: 27 feet by 81 feet = 2187^{sf} square feet.

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

3. Tax Parcel Number(s): 23080400

4. Owner of record: Miguel Guzman Phone: (608) 362-1950 BUS 708) 774-8461 cel

(Address)

(City)

(State)

(Zip)

5. Applicant's Name: Miguel Guzman

5989 W. St Lawrence Ave. BELDIT WI 53511

(Address)

(City)

(State)

(Zip)

(608) 362-1950

(708) 774-8461

mguzman@shopthepig.com

(Office Phone #)

(Cell Phone #)

(E-mail Address)

6. All existing use(s) on this property are: open space back in Piggly Wiggly store.

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

A Conditional Use Permit for:

_____ in a(n) _____ Zoning District.

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

Principal use: Blend spices

Secondary use: process sausage and meat marinate.

Accessory use: Blending Machine, meat Grinder, sausage stuffer, Meat slicer, Meat saw.

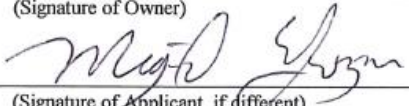
*in the back of Piggly Wiggly STORE
708) 774-8461 cel*

9. Project timetable: Start date: ASAP Completion date: 09-20-16

10. I/We) represent that I/we have a vested interest in this property in the following manner:
 Owner
 Leasehold, length of lease: 15 years.
 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.

(Signature of Owner)	(Print name)	(Date)
	<u>Miguel Gorman</u>	<u>09-20-16</u>
(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: \$275.⁰⁰ Meeting date: March 22, 2017

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

Application accepted by: Drew Panninger Date: 2/16/17



NOTICE TO THE PUBLIC

March 9, 2017

To Whom It May Concern:

Miguel Guzman has filed an application for a Conditional Use Permit to allow food production and distribution in a C-3, Community Commercial District, for the Piggly Wiggly property located at:

1827 Prairie Avenue.

The applicant has proposed the renovation of a vacant rear portion of the Piggly Wiggly building into a spice blending and sausage processing facility. The sausage produced on-site will be sold both on and off-site. Manufacturing & Production uses require a Conditional Use Permit in the C-3 district.

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

City Plan Commission: Wednesday, March 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, April 3, 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. Comments will be accepted via telephone, email, and U.S. Mail.

BEREAN BAPTIST CHURCH
1992 SHOPIERE RD
BELOIT, WI 535113773

DBA WALGREEN CO GNI OF BELOIT LLC
P O BOX 1159
DEERFIELD, IL 60015

CABIN FEVER ENTERPRISE LLC
P O BOX 861
BELOIT, WI 535120861

KIM WALL
3886 S LAKE DR
ST FRANCIS, WI 53235

WANDA PURIFOY
1810 CHIPPEWA TRL
BELOIT, WI 535113818

JOHN BRUNER
1846 CHIPPEWA TRL
BELOIT, WI 53511

JEROME BLAKLEY
2284 COBBLESTONE LN
BELOIT, WI 53511

LEFEBER ENTERPRISES LLC
637 WISCONSIN AVE
BELOIT, WI 53511

MARLENE STURDEVANT
1842 PRAIRIE AVE
BELOIT, WI 535113758

PHAY SHU
2121 MILTON AVE STE 140
JANESVILLE, WI 53545

FRANKLIN & CAROLYN RUBITSKY
1878 CHIPPEWA TRL
BELOIT, WI 535113818

DENNIS SEELEY
1872 CHIPPEWA TRL
BELOIT, WI 53511

PJR PROPERTIES LLC
2215 UNION AVE
SHEBOYGAN, WI 53081

JOSHUA & ALESSIA WARD
1858 CHIPPEWA TRL
BELOIT, WI 53511

LADDER PROPERTY VENTURES LLC
828 NAKOMA CT
BELOIT, WI 53511

ROY R & JULIE A GRAM REVOCABLE
TRUST
1830 CHIPPEWA TRL
BELOIT, WI 535113818

SAMRA & SINGH INC
1902 SHOPIERE RD
BELOIT, WI 535117262

CHAD D & HEIDI MILLER
1730 E RIDGE RD
BELOIT, WI 53511

DEANNA CHEKOURAS
1836 CHIPPEWA TRL
BELOIT, WI 53511

WAHL'S APPLIANCES
3629 CREEK RD
BELOIT, WI 53511

MEGAN LANG
1852 CHIPPEWA TRL
BELOIT, WI 53511

DANIEL L & MELODY WEAVER
1864 CHIPPEWA TRL
BELOIT, WI 53511



CITY OF BELOIT

REPORT TO THE BELOIT CITY PLAN COMMISSION

Meeting Date: March 22, 2017	Agenda Item: 7	File Number: RPB-2017-01
Applicant: City of Beloit	Owner: Various	Location: 810-850 Pleasant Street
Existing Zoning: PLI, Public Lands/Institutions	Existing Land Use: Utilities	Total CSM Area: 123,710.4 SF (2.84 Acres)

Request Overview/Background Information:

The Engineering Division has requested the review and approval of a Relocation Order to acquire a Highway Easement (HE) and a Temporary Limited Easement (TLE) over portions of the properties located at 810, 830, & 850 Pleasant Street in order to construct the multi-use path known as the Powerhouse Riverwalk.

Key Issues:

- In 2016, the City and Beloit College received a grant from the Wisconsin Department of Transportation (WisDOT) in order to construct this project, which will add a riverwalk along the west (river) side of the powerplant building and will form a more direct connection between existing multi-use paths.
 - This project is being completed in advance of Beloit College's plans to buy and renovate the former powerplant building into a student activity and recreation center.
 - The proposed Relocation Order acquires a permanent Highway Easement along the proposed path route, along with a Temporary Limited Easement to allow for the construction of a multi-use path, bridge structure, fence, and related materials. The proposed easements are over properties owned by the City, Midwest Hydro Inc., and Wisconsin Power & Light Co.
-

Consistency with Comprehensive Plan and Strategic Plan:

- Consideration of this request supports 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**
-

Staff Recommendation:

The Planning & Building Services Division recommends **approval** of the attached relocation order.

Fiscal Note/Budget Impact: N/A

Attachments: Relocation Order, Location Map, and Relocation Order Map

RELOCATION ORDER

LPA1708 08/2011 (Replaces LPA3006)

Project 5989-05-25	Road name City of Beloit, Powerhouse Riverwalk (Pleasant Street to South of Portland Ave)	Highway Non HWY	County Rock
Right of way plat date -	Plat sheet number(s) 4.01-4.06	Previously approved Relocation Order date N/A	

Description of termini of project:

BEGIN RELOCATION ORDER:

From 73.43 feet West of and 820.95 feet North of the East Quarter corner of Section 35, Town 1 North, Range 12 East.

END RELOCATION ORDER:

From 306.37 feet West of and 1079.48 feet South of the Northeast Quarter corner of Section 35, Town 1 North, Range 12 East.

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

To effect this change, pursuant to authority granted under Section 62.22, Wisconsin Statutes, the City of Beloit orders that:

1. The said road is laid out and established to the lines and widths as shown on the plat.
2. The required lands or interests in lands as shown on the plat shall be acquired by: City of Beloit
3. This order supersedes and amends any previous order issued by the: City of Beloit

(Name/Title)

(Date)

Location & Zoning Map

810-850 Pleasant Street

RPB-2017-01



1 inch = 146 feet

0 2040 80 120 Feet

Legend

 COB Parcels

 Bike Paths

Map prepared by: Rudy Moreno, Planner II

Date: March 16

For: City of Beloit Planning & Building Services

Date of Aerial Photography: March 2011

PLANNING & BUILDING SERVICES DIVISION

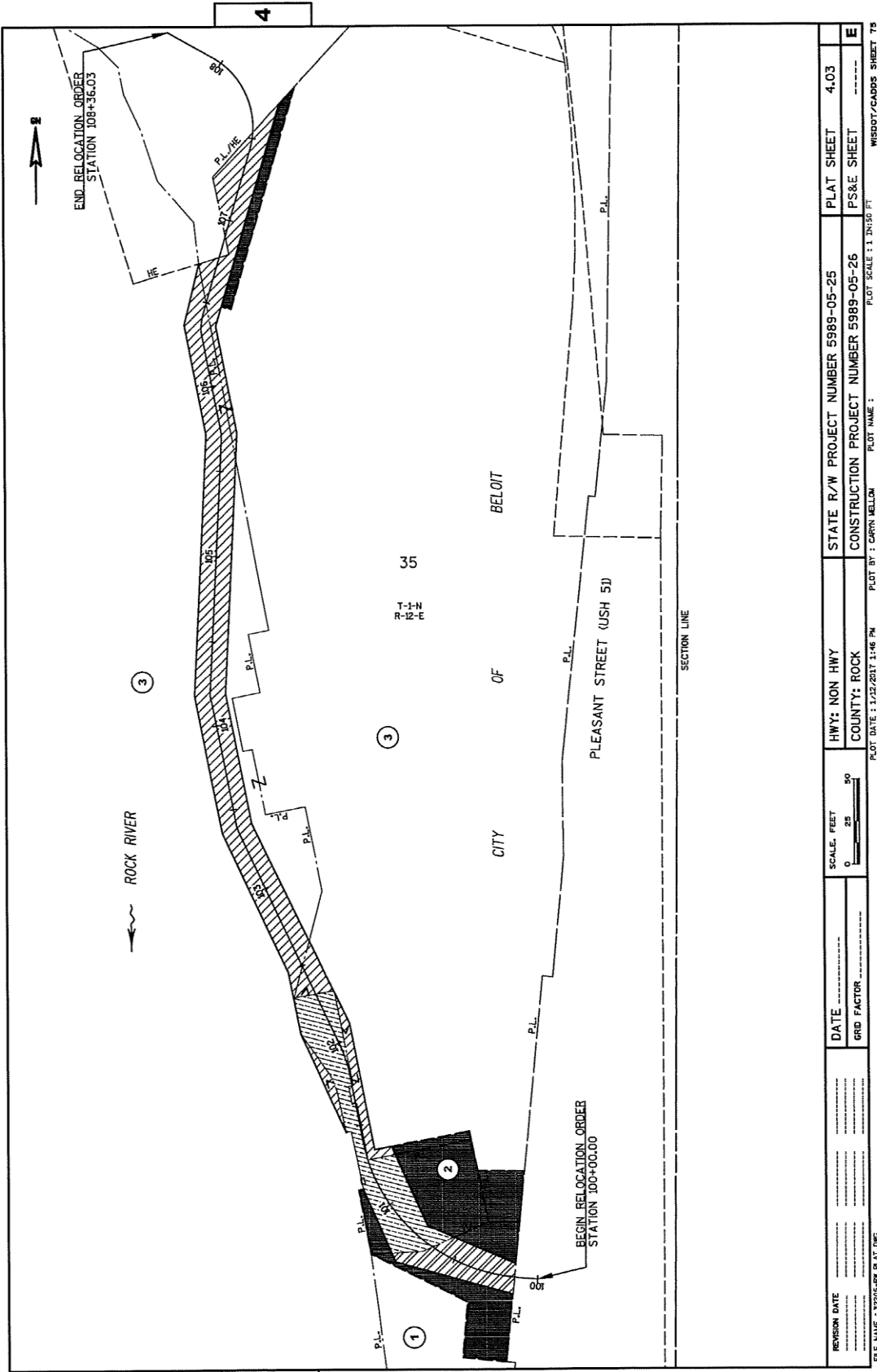
PARCEL NUMBER	SHEET NUMBER	OWNER(S)	INTEREST REQUIRED	R/W ACRES OR SQUARE FEET REQUIRED			HE (SF)	TLE (SF)
				NEW	EXISTING	TOTAL		
1	4.04	CITY OF BELOIT	HE & TLE	---	---	1180	1989	
2	4.04	MIDWEST HYDRO INC	HE & TLE	---	---	2960	2297	
3	4.04-4.06	WISCONSIN POWER & LIGHT CO	HE & TLE	---	---	10158	1685	
6	4.04	AT&T WISCONSIN (WISCONSIN BELL, INC)	RELEASE OF RIGHTS	---	---	---	---	
7	4.04	MIDWEST HYDRO INC	RELEASE OF RIGHTS	---	---	---	---	
8	4.04, 4.06	WISCONSIN POWER & LIGHT	RELEASE OF RIGHTS	---	---	---	---	

AREAS SHOWN IN THE TOTAL AREA COLUMN MAY BE APPROXIMATE AND ARE DERIVED FROM TAX ROLLS OR OTHER AVAILABLE SOURCES AND MAY NOT INCLUDE LANDS OF THE OWNER WHICH ARE NOT CONTIGUOUS TO THE AREA TO BE ACQUIRED.

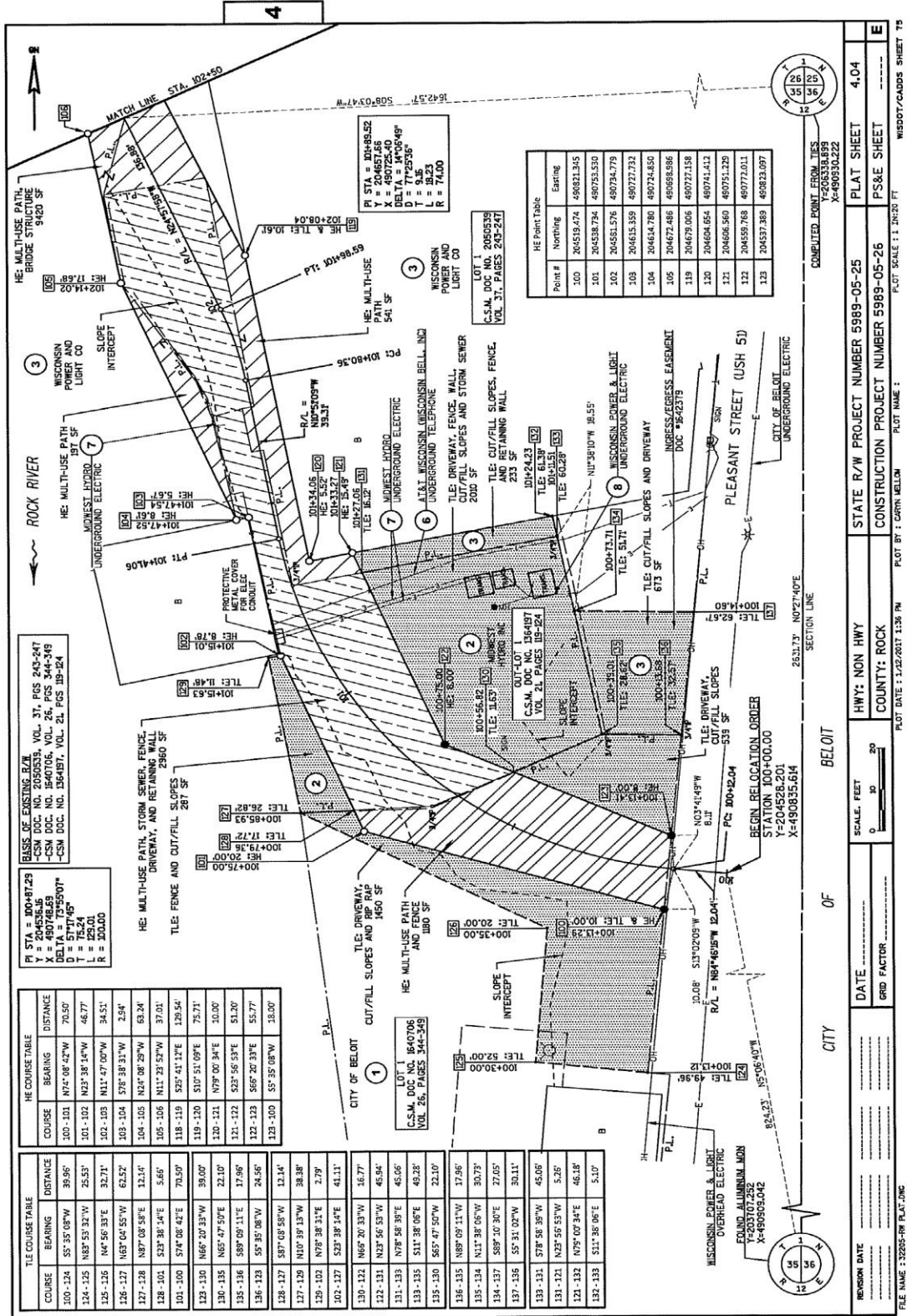
OWNERS' NAMES ARE SHOWN FOR REFERENCE PURPOSES ONLY AND ARE SUBJECT TO CHANGE PRIOR TO TRANSFER OF LAND INTEREST TO THE CITY.

SCHEDULE OF LANDS & INTERESTS REQUIRED

REVISION DATE FILE NAME : 3285-RW PLAT.DWG LAYOUT NAME : ***	DATE GRID FACTOR	SCALE: FEET 	HWY: NON HWY COUNTY: ROCK	PLOT DATE 11/22/2017 1:38 PM PLOT BY: GARRN WELLM PLOT NAME : *****	STATE R/W PROJECT NUMBER 5989-05-25 CONSTRUCTION PROJECT NUMBER 5989-05-26	PLAT SHEET 4.02 PS&E SHEET	E WISDOT/CADDS SHEET 75
--	---------------------	-----------------	------------------------------	---	---	-------------------------------	----------------------------



REVISION DATE: _____ DATE: _____ HWY: NON HWY _____ STATE R/W PROJECT NUMBER 5989-05-25 PLAT SHEET 4.03
 GRID FACTOR: _____ COUNTY: ROCK _____ CONSTRUCTION PROJECT NUMBER 5989-05-26 PS&E SHEET E
 FILE NAME: 23205-RV PLAT.DWG PLOT DATE: 11/22/2017 1:46 PM PLOT BY: GARY BELLOW PLOT NAME: PLOT SCALE: 1:25150 FT WISDOT/CADDIS SHEET 75
 LAYOUT NAME: 1444



PI STA = 100+47.23
 Y = 204536.26
 X = 430748.63
 DELTA = 73°55'07"
 L = 74.74
 T = 129.01
 R = 200.00

HE MULTI-USE PATH, STORM SEWER, FENCE, DRIVEWAY, AND RETAINING WALL
 TLE: 287 SF
 HE MULTI-USE PATH, STORM SEWER, FENCE, DRIVEWAY, AND RETAINING WALL
 TLE: 286 SF

HE MULTI-USE PATH, STORM SEWER, FENCE, DRIVEWAY, AND RETAINING WALL
 TLE: 287 SF
 HE MULTI-USE PATH, STORM SEWER, FENCE, DRIVEWAY, AND RETAINING WALL
 TLE: 286 SF

PI STA = 104+86.52
 Y = 204522.40
 X = 430722.40
 DELTA = 14°06'49"
 L = 9.36
 T = 74.00
 R = 74.00

HE MULTI-USE PATH, STORM SEWER, FENCE, DRIVEWAY, AND RETAINING WALL
 TLE: 287 SF
 HE MULTI-USE PATH, STORM SEWER, FENCE, DRIVEWAY, AND RETAINING WALL
 TLE: 286 SF

HE MULTI-USE PATH, STORM SEWER, FENCE, DRIVEWAY, AND RETAINING WALL
 TLE: 287 SF
 HE MULTI-USE PATH, STORM SEWER, FENCE, DRIVEWAY, AND RETAINING WALL
 TLE: 286 SF

HE COURSE TABLE

COURSE	BEARING	DISTANCE
100-101	N72°08'42"W	70.50'
101-102	N23°38'14"W	46.77'
102-103	N11°47'00"W	34.51'
103-104	S78°38'31"W	2.94'
104-105	N24°08'29"W	63.24'
105-106	N17°20'52"W	37.01'
106-107	S27°41'12"E	128.54'
107-108	S17°51'09"E	75.71'
108-109	N79°09'34"E	30.00'
109-110	S23°56'53"E	51.20'
110-111	S62°20'33"E	55.77'
111-112	S5°35'08"W	38.00'
112-113	N107°39'13"W	38.38'
113-114	N72°38'24"E	2.79'
114-115	S23°38'14"E	41.11'
115-116	N65°20'33"W	16.77'
116-117	N23°56'53"W	46.94'
117-118	N79°09'34"E	45.06'
118-119	S17°51'09"E	49.28'
119-120	S62°20'33"E	22.10'
120-121	N89°09'11"W	37.96'
121-122	N17°38'05"W	30.73'
122-123	S89°09'34"E	27.05'
123-124	S5°31'02"W	30.11'
124-125	S78°38'31"W	45.06'
125-126	N23°56'53"W	5.26'
126-127	N79°09'34"E	46.18'
127-128	S17°38'05"W	5.10'

HE COURSE TABLE

COURSE	BEARING	DISTANCE
100-101	N72°08'42"W	70.50'
101-102	N23°38'14"W	46.77'
102-103	N11°47'00"W	34.51'
103-104	S78°38'31"W	2.94'
104-105	N24°08'29"W	63.24'
105-106	N17°20'52"W	37.01'
106-107	S27°41'12"E	128.54'
107-108	S17°51'09"E	75.71'
108-109	N79°09'34"E	30.00'
109-110	S23°56'53"E	51.20'
110-111	S62°20'33"E	55.77'
111-112	S5°35'08"W	38.00'
112-113	N107°39'13"W	38.38'
113-114	N72°38'24"E	2.79'
114-115	S23°38'14"E	41.11'
115-116	N65°20'33"W	16.77'
116-117	N23°56'53"W	46.94'
117-118	N79°09'34"E	45.06'
118-119	S17°51'09"E	49.28'
119-120	S62°20'33"E	22.10'
120-121	N89°09'11"W	37.96'
121-122	N17°38'05"W	30.73'
122-123	S89°09'34"E	27.05'
123-124	S5°31'02"W	30.11'
124-125	S78°38'31"W	45.06'
125-126	N23°56'53"W	5.26'
126-127	N79°09'34"E	46.18'
127-128	S17°38'05"W	5.10'

HE POINT TABLE

Point #	Northing	Easting
100	204519.74	430821.245
101	204538.754	430753.510
102	204531.576	430734.779
103	204635.539	430727.332
104	204634.780	430724.850
105	204672.486	430688.986
106	204679.006	430727.158
107	204604.654	430741.412
108	204606.560	430751.229
109	204559.788	430777.011
110	204537.388	430833.097

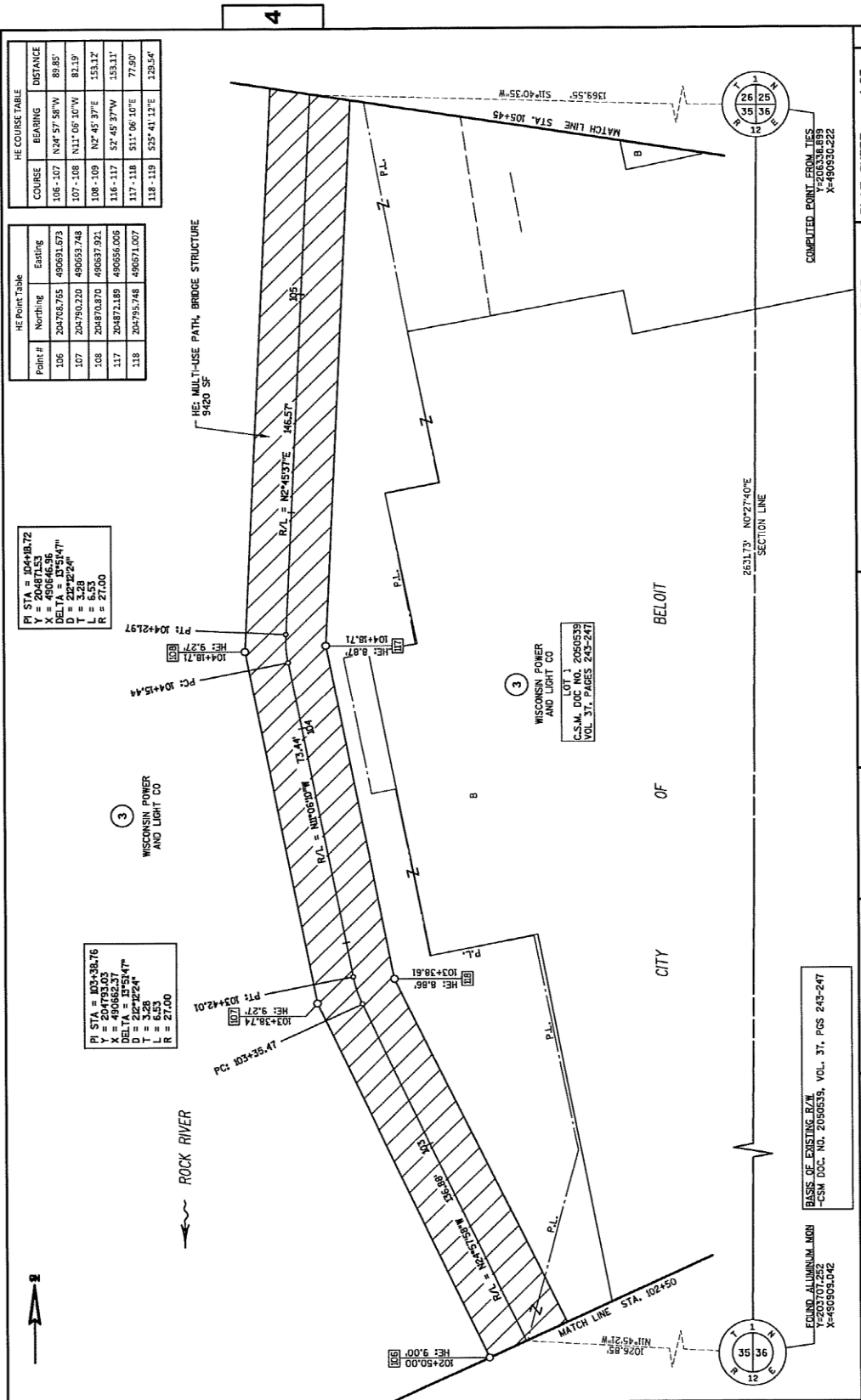
COMPUTED POINT FROM TIES

Point #	Northing	Easting
101	204538.754	430753.510
102	204531.576	430734.779
103	204635.539	430727.332
104	204634.780	430724.850
105	204672.486	430688.986
106	204679.006	430727.158
107	204604.654	430741.412
108	204606.560	430751.229
109	204559.788	430777.011
110	204537.388	430833.097

STATE R/W PROJECT NUMBER 5989-05-25
 COUNTY: ROCK
 CONSTRUCTION PROJECT NUMBER 5989-05-26
 DATE: 1/22/2017 1:36 PM
 PLOT BY: CROWN BELLOTT
 PLOT NAME: CITY OF BELOTT

SCALE: FEET
 0 20 40
 DATE: 1/22/2017 1:36 PM
 PLOT BY: CROWN BELLOTT
 PLOT NAME: CITY OF BELOTT

REVISION DATE: _____
 DATE: _____
 GRID FACTOR: _____
 FILE NAME: 32255-RW PLAT-DWG
 LAYOUT NAME: 444



HE COURSE TABLE		
COURSE	BEARING	DISTANCE
106-107	N24°57'58"W	89.85'
107-108	N11°06'10"W	82.19'
108-109	N2°45'37"E	153.11'
116-117	S2°45'37"W	153.11'
117-118	S11°06'10"E	77.89'
118-119	S35°41'12"E	129.54'

HE Point Table		
Point #	Northing	Easting
106	204706.765	490691.673
107	204790.220	490653.748
108	204870.870	490637.921
117	204872.189	490556.006
118	204795.748	490071.007

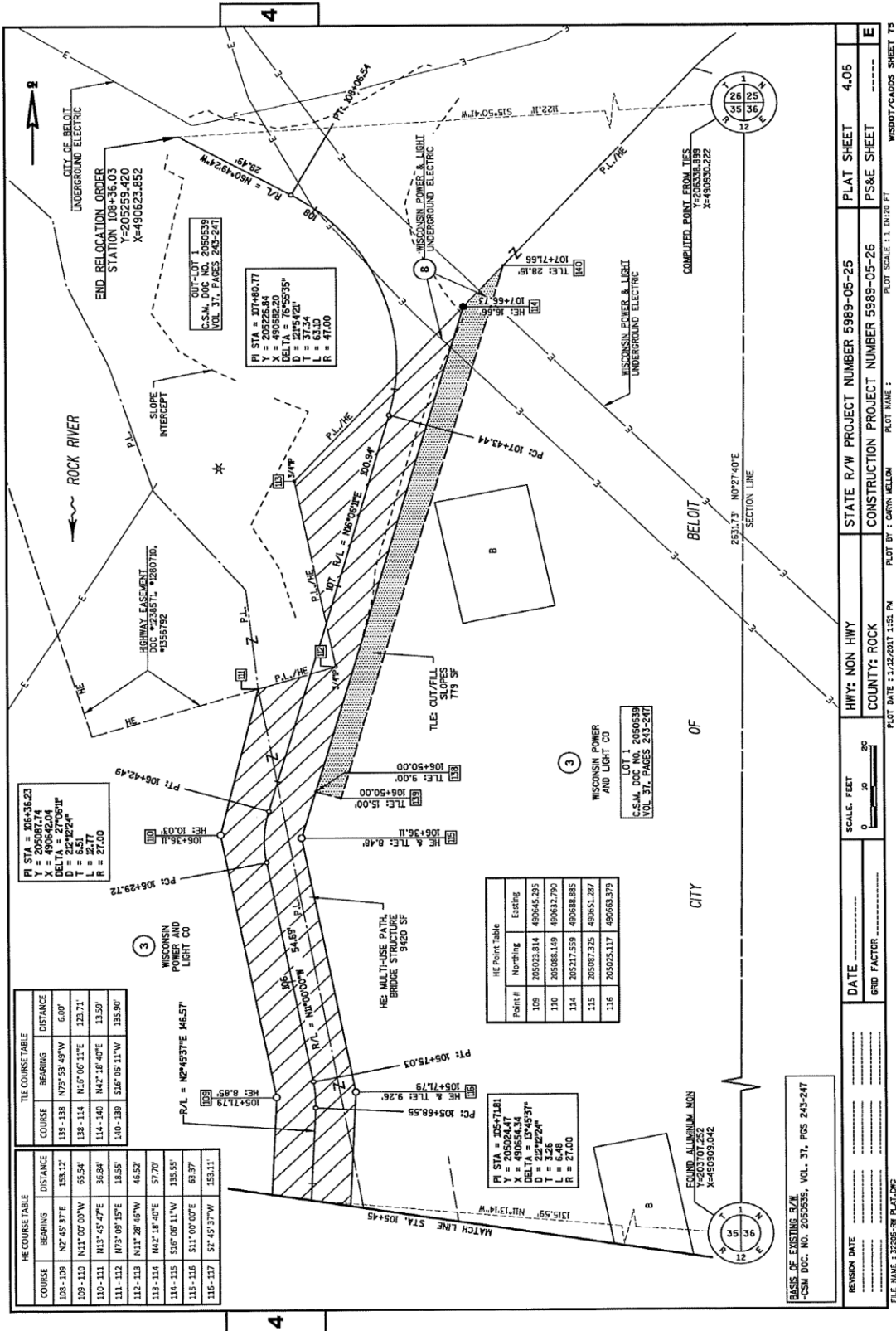
PI STA = 104+18.72
 Y = 204845.38
 DELTA = 13°54'47"
 D = 232°22'24"
 T = 3.28
 R = 27.00

PI STA = 103+38.76
 Y = 204862.37
 DELTA = 13°54'47"
 D = 232°22'24"
 T = 2.63
 R = 27.00

BASIS OF EXISTING R/W
 -CSM DOC. NO. 2050539, VOL. 37, PGS 243-247
 FOUND ALUMINUM MON
 Y=203707.252
 X=450909.042

COMPUTED POINT FROM TIES
 Y=206538.859
 X=490530.222

REVISION DATE	DATE	SCALE: FEET	HWY: NON HWY	STATE R/W PROJECT NUMBER 5989-05-25	PLAT SHEET 4.05
GRID FACTOR	GRID FACTOR	0 10 20	COUNTY: ROCK	CONSTRUCTION PROJECT NUMBER 5989-05-26	PS&E SHEET
FILE NAME: 3285-RP PLAT.DWG	LAYOUT NAME: ***		LOT 1 WISCONSIN POWER AND LIGHT CO C.S.M. DOC. NO. 2050539 VOL. 37, PAGES 243-247	PLAT NAME: ***	E
			PLAT DATE: 1/22/2013 1:38 PM	PLAT BY: GARR MELLOW	WISDOT/CADDS SHEET 75
				PLAT SCALE: 1"=200' FT	



HE COURSE TABLE			TL COURSE TABLE		
COURSE	BEARING	DISTANCE	COURSE	BEARING	DISTANCE
108-109	N7°45'37"E	153.12	138-139	N73°53'49"W	6.00'
109-110	N11°00'00"W	65.54'	138-114	N16°06'11"E	123.71
110-111	N13°45'47"E	36.84'	114-140	N42°18'40"E	13.59'
111-112	N73°08'15"E	18.55'	140-138	S16°05'11"W	135.96'
112-113	N11°28'46"W	46.52'			
113-114	N42°18'40"E	57.70'			
114-115	S16°05'11"W	135.55'			
115-116	S11°00'00"E	63.37'			
116-117	S7°45'37"W	153.11'			

HE Point Table		
Point #	Northing	Easting
109	205023.814	490645.395
110	205088.149	490632.790
114	205217.559	490688.885
115	205067.325	490651.387
116	205025.117	490603.379

PI STA = 105+36.23
 X = 496642.04
 DELTA = 27°08'11"
 D = 282'22.24"
 L = 82.77
 R = 27.00

PI STA = 107+80.77
 X = 496625.26
 DELTA = 76°55'39"
 D = 214'42"
 T = 27.24
 R = 47.00

PI STA = 105+71.81
 X = 490524.47
 DELTA = 105°45'37"
 D = 222'22.24"
 L = 3.25
 R = 27.00

LOT 1 2060639
 C.S.M. DOC. NO. 2050555
 VOL. 37, PAGES 243-247

BASE OF EXISTING R/W
 -CSM DOC. NO. 2050555, VOL. 37, PGS 243-247

REVISION DATE	DATE	SCALE, FEET	STATE R/W PROJECT NUMBER 5989-05-25	PLAT SHEET 4.06
FILE NAME : 32205-RN_PLAT.DWG	GRID FACTOR	0 10 20	CONSTRUCTION PROJECT NUMBER 5989-05-26	PS&E SHEET
LAYOUT NAME : ***	DATE		HWY: NON HWY	
			COUNTY: ROCK	
			PLAT BY : CARR, WELDON	
			PLAT DATE : 11/22/2017 1:55 PM	
			PLAT SCALE : 1:10000 FT	
			PLAT NAME :	
			WISDOT/CADDIS SHEET 73	

CITY OF BELOIT

REPORT TO THE BELOIT CITY PLAN COMMISSION



Meeting Date: March 22, 2017

Agenda Item: 8

File Number: CU-2017-04

Applicant: Erick Johnson

Owner: Jeffrey Johnson

Location: 310 State Street

Existing Zoning: CBD-1, Central Business District – Core

Existing Land Use: Vacant Building

Parcel Size: 0.067 Acre

Request Overview/Background Information:

Erick Johnson has submitted an application for a Conditional Use Permit to allow a ground-floor office use in the CBD-1, Central Business District – Core, for the property located at 310 State Street.

Key Issues:

- This is the former “Overflowing Cup” building, which has been acquired by a new owner and will be rehabilitated into a ground-floor real estate office and upper floor housing. The applicant intends to preserve the storefront.
- In accordance with Section 6.2.10 of the Zoning Ordinance, office uses in the Central Business District are permitted by-right above the ground floor but require a Conditional Use Permit on the ground floor. This provision is intended to encourage retail-oriented uses in the downtown area.
- Uses in the Central Business District are exempt from the off-street parking requirements contained in the Zoning Ordinance, as on-street parking and City-owned parking lots are nearby.
- A proposed floor plan and the application are attached to this report.
- The Fire Inspector reviewed this application and requested that the door to the electrical room swing in to the room if possible, and noted that no combustible storage is allowed in the electrical room. The City’s other Review Agents have reviewed this application and have not submitted any comments or concerns.
- The attached Public Notice was sent to nine nearby property owners. 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 applicant and property owner intend to renovate and revitalize this commercial building in the heart of the downtown district while maintaining a storefront appearance and first floor fenestration. The proposed office use is expected to have a positive impact by bringing clients into the area that may benefit the adjacent retail businesses.
- 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 office use will be quiet and will maintain regular business hours, and will not be injurious to the use and enjoyment of nearby properties. The proposed upper-floor housing will achieve a mixed land use arrangement that is desirable in the downtown area.
- c. *Whether the conditional use will substantially diminish or impair property values within the neighborhood of the subject property;*
 - On the contrary, the proposed improvement of this downtown property is likely to enhance property values within the area.
- 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 will review the proposed exterior alteration plans at a future date to ensure compliance with the Downtown Beloit Design Guidelines.
- 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;*
 - The Water Resources Division has been working with the property owner and applicant to provide a new sewer connection after discovering that the prior owner did not have a connection to the public sewer. This will be a utility expense up to the property line.

- g. *Whether adequate measures will be taken to minimize traffic congestion; and*
 - The proposed office is not expected to result in a significant increase in traffic.
- 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.

Consistency with Comprehensive Plan and Strategic Plan:

The City's Comprehensive Plan recommends *Planned Mixed Use: Office/Residential above Retail* uses for the subject properties. The underlying CBD zoning classification is consistent with this recommendation, and the City retains the right to evaluate ground-floor office uses as a conditional use. Consideration of this request supports City of Beloit Strategic Goal #3.

Sustainability:

- **Reduce dependence upon fossil fuels** – This proposal will increase the amount of office space in the middle of a walkable, mixed-use business district while utilizing existing infrastructure.
- **Reduce dependence on chemicals and other manufacturing substances that accumulate in nature** – N/A
- **Reduce dependence on activities that harm life sustaining eco-systems** – N/A
- **Meet the hierarchy of present and future human needs fairly and efficiently** – N/A

Staff Recommendation:

The Planning & Building Services Division recommends **approval** of a Conditional Use Permit to allow a ground-floor office use in the CBD-1, Central Business District – Core, for the property located at 310 State Street, based on the above Findings of Fact and subject to the following conditions:

1. This Conditional Use Permit authorizes the renovation of the first floor of the commercial building located at 310 State Street into a professional services office.
2. Prior to beginning any exterior alterations, the applicant shall obtain an Architectural Review Certificate and Building Permit. Prior to beginning any interior alterations, the applicant shall obtain a Building Permit.
3. Any major changes in the adopted conditions or use of the property shall be approved by the Plan Commission and City Council by amending this Conditional Use Permit. The Director of Planning & Building Services may approve minor changes administratively.

Fiscal Note/Budget Impact: N/A

Attachments: Location & Zoning Map, Photos, Floor Plan, Application, Public Notice, and Mailing List.

Location & Zoning Map

310 State Street

CU-2017-04



1 inch = 142 feet

0 20 40 80 120 Feet

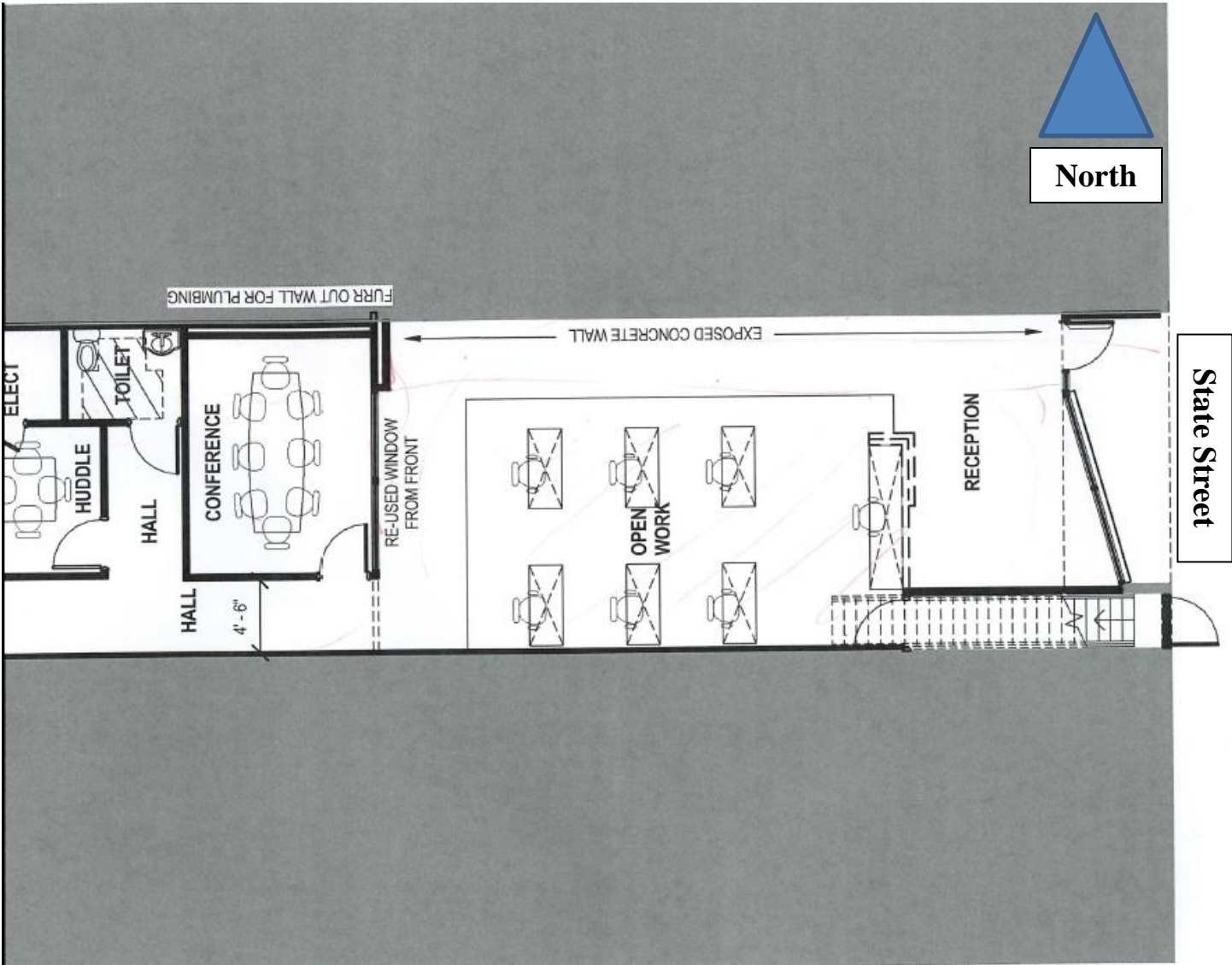
Legend

- City Limits
- Zoning District

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

PLANNING & BUILDING SERVICES DIVISION





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

413 E. Grand Avenue

7-04

(Please Type or Print)

1. Address of subject property: 310 STATE ST
2. Legal description: PART LOTS 2 & 3 B 59 ORIGINAL PLAT

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): 1354 0240

4. Owner of record: JEFF JOHNSON Phone: 608-481-1548
804 MILWAUKEE RD, BELOIT, WI 53511
(Address) (City) (State) (Zip)

5. Applicant's Name: ERICK JOHNSON
2386 TARA CT, BELOIT, WI 53511
(Address) (City) (State) (Zip)

(Office Phone #) 1608-931-8647 (Cell Phone #) Johnson.2386@yahoo.com (E-mail Address) otis.ignite@gmail.com

6. All existing use(s) on this property are: NONE

7. THE FOLLOWING ACTION IS REQUESTED:

A Conditional Use Permit for: SALES OFFICE
in a(n) CBD-1 Zoning District.

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

Principal use: REAL ESTATE SALES OFFICE

Secondary use: _____

Accessory use: POTENTIAL FUTURE BIFF VIEWING LOCATION.

9. Project timetable: Start date: 3/1/17 Completion date: 4/1/17

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

() Owner

Leasehold, length of lease: 5 years

() 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.

[Signature] / JEFFREY T. JOHNSON / 2/23/17
(Signature of Owner) (Print name) (Date)

[Signature] / ERICK JOHNSON / 2/10/17
(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: March 22, 2017

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

Application accepted by: [Signature] Date: 2/24/17



NOTICE TO THE PUBLIC

March 9, 2017

To Whom It May Concern:

Erick Johnson has submitted an application for a Conditional Use Permit to allow a ground-floor office use in the CBD-1, Central Business District – Core, for the property located at:

310 State Street.

This is the former “Overflowing Cup” building, which has been acquired by a new owner and will be rehabilitated into a ground-floor real estate office and upper floor housing. The applicant intends to preserve the storefront. Office uses in the Central Business District are permitted by-right above the ground floor, but require a Conditional Use Permit on the ground floor. This provision is intended to encourage retail-oriented uses in the downtown area.

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

City Plan Commission: Wednesday, March 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, April 3, 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@ci.beloit.wi.us. Comments will be accepted via telephone, email, and U.S. Mail.

DAVID WARNTJES
264 SHENANDOAH CT
BURLINGTON, WI 53105

JACKIE GENNETT
328 STATE ST
BELOIT, WI 53511

MICHAEL & CHARLOTTE JERO
862 PETUNIA LN
BELOIT, WI 53511

WILLIAM T MANSFIELD JR REVOCABLE
TRUST
1900 SHIRLAND AVE
SOUTH BELOIT, IL 610801139

DAVID J & JOAN M SIEKIERSKI
1632 GARFIELD AVE
BELOIT, WI 53511

EDDY ENTERPRISES LLC
400 E GRAND AVE STE 408
BELOIT, WI 53511

PETER PANOS
1727 ARROWHEAD DR
BELOIT, WI 53511

NANCY SPELIUS
1727 ARROWHEAD DR
BELOIT, WI 53511

HAYNES PROPERTIES LLC
11015 MAIN STREET
ROSCOE, IL 61073