



CITY HALL • 100 STATE STREET • BELOIT, WI 53511

**MEETING NOTICE AND AGENDA
Beloit City Plan Commission
Wednesday, April 5, 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 March 22, 2017 Meeting**
3. **Easement – Eagles Ridge Park – 3731 Golden Eagle Drive**
Review and consideration of a request for an Electric Line Easement from American Transmission Company LLC over a portion of the Eagles Ridge Park property located at 3731 Golden Eagle Drive.
4. **Staff-Provided Training - Vacations and Discontinuances of Streets and Alleys**
5. **Status Report on Prior Plan Commission Items**
6. **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 31, 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, 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

Chairperson Faragher called the meeting to order at 7:02pm. Commissioners Haynes, Weeden, Johnson, Faragher, Ruster, Finnegan, Tinder, and Councilor Leavy were present.

2. Approval of the Minutes of the February 22, 2017 Meeting

Commissioner Weeden moved to approve the minutes from the February 22, 2017 meeting. Commissioner Johnson seconded the motion. The motion passed, voice vote.

3. Extraterritorial Certified Survey Map – 4200 Block of Walters Road

Public hearing, 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.

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

Commissioner Tinder moved to approve the Extraterritorial Certified Survey Map. Commissioner Ruster seconded the motion. The motion passed, voice vote.

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.

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

Commissioner Faragher questioned the average drive-through wait time in determining whether there would be a problem with congestion. Ms. Christensen said the City would address issues related to congestion on a complaint basis.

Commissioner Weeden questioned the safety hazard for exiting Dunkin' Donuts. If a customer were to turn left, their view of the oncoming traffic on the frontage road is impaired due to the trees and shed to the left of the property. Ms. Christensen said it is on

a private property and not on a city street so the City could not force Speedway to remove the obstruction. The commissioners continued to discuss potential issues with traffic when exiting the Dunkin' Donuts drive-through. Jason Dupuis, City of Beloit Traffic Engineer, stated they did not look at the adjacent property when reviewing the site plan.

Chairman Faragher opened the public hearing. Steven Williams, owner of Doc's Diner, stated his concern for the curbing and the through traffic on the frontage road.

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

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.

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

Commissioner Ruster moved to approve the Architectural Review Exception. Commissioner Weeden seconded the motion. The motion passed, voice vote.

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.

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

Mr. Miguel Guzman, 5989 W St. Lawrence, Beloit, addressed the commission. Councilor Leavy questioned if there would be any odor from butchering in the store. Mr. Guzman stated he would not be butchering or have any smell coming from the building. Commissioner Faragher questioned how many employees Mr. Guzman will have to start the business. Mr. Guzman stated they will have five employees start in that department and, as they grow, they will increase employees. They have 20 full time employees and various part time employees at Piggly Wiggly currently.

Commissioner Weeden voiced his concern for the operating hours. He inquired if the food production would be occurring during the hours the grocery store was open or if the owner would need additional hours for the production work. Mr. Guzman stated that they would be open 7am-4pm.

Jim Van De Bogart stated that he and his wife were supportive of Mr. Guzman's request and that this was an additional enhancement to the store. Commissioner Weeden stated there is a noticeable difference with the new businesses in that area.

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

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.

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

Commissioner Johnson asked if the existing sidewalk were going along Pleasant Street. Jason Dupuis, City of Beloit Traffic Engineer, stated that it would remain.

Commissioner Weeden asked for clarification regarding what exactly would be relocated. Mr. Dupuis explained that the official path currently is located along Pleasant Street, on the east side of the existing building. Once the Powerhouse Riverwalk is completed, that path will become the "official" path. Mr. Dupuis also explained that if the Powerhouse Riverwalk needed to be temporarily closed for repairs, the existing sidewalk would serve as a detour.

Commissioner Weeden also inquired of what the proposed Riverwalk Bridge would be constructed. Mr. Dupuis explained it would be pre-cast concrete but the surface material has not yet been decided upon.

Ms. Christensen explained the necessity of the Relocation Order. She also explained that Beloit College was obtaining grants, fundraising, and applying for historical tax credits. The City has recently received the paperwork from the Historical Society and is in the process of completing it.

Mr. Dupuis mentioned that the grant for the designated bike path has a start date of June 1, 2018 start date and sunset date in 2021 to finish construction. The college is in the process of finalizing the deal with Wisconsin Power & Light and plans to begin rehabilitation shortly thereafter. The college hopes to finish construction by the fall of 2019. The Commission discussed the future plans from the college, including a pedestrian bridge over Pleasant Street.

Commissioner Johnson moved to approve the Relocation Order. Commissioner Haynes seconded the motion. The motion passed, voice vote.

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

Ms. Julie Christensen, Community Development Director, presented the staff report and recommendation. Commissioner Johnson excused himself from the meeting and abstained from this item due to a conflict of interest.

Commissioner Faragher stated it is nice to see something going in that property because it has been a dead space for a while and hopes the restroom can be used. Ms. Christensen explained the issues surrounding the abandoned sewer lateral and related problems. Ms. Christensen said that Commissioner Otis Johnson is leaving Century 21 and starting his own real estate office that will be located in this building.

Commissioner Ruster moved to approve the Conditional Use Permit. Commissioner Finnegan seconded the motion. The motion passed, voice vote, with Commissioner Johnson abstaining.

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

Ms. Christensen said that the Conditional Use Permit for the Blender Café outdoor seating area was approved by City Council a couple weeks ago and construction has begun.

Commissioner Ruster questioned when the east end of the service road in front of Walmart is going to be reconfigured. Mr. Dupuis said that they have a consultant on board for the right-of-way acquisition. A right-of-way from Walmart would also be needed. The process could take between three and four months, but hopefully it will be completed by the fall of 2017.

10. **Adjournment**

The meeting adjourned at 8:05pm.

Minutes respectfully submitted by Amber DesRoberts.

CITY OF BELOIT

REPORT TO THE BELOIT CITY PLAN COMMISSION

Meeting Date: April 5, 2017

Agenda Item: 3

File Number: RPB-2017-02

Applicant: American Transmission Company LLC
Owner: City of Beloit

Location: Eagles Ridge Park at 3731 Golden Eagle Dr.

Request Overview/Background Information:

American Transmission Company LLC has submitted the attached petition requesting an Electric Transmission Line Easement over a portion of the Eagles Ridge Park property located at 3731 Golden Eagle Drive. A copy of the proposed Electric Transmission Line Easement is attached to this report.

Key Issues:

- This request is related to the applicant's construction of a 69kV transmission line along Townhall Road to accommodate and energize the new Rock Energy Cooperative substation at Townhall Road and Colley Road in the Town of Turtle.
- As shown on the attached Easement Description Map (Exhibit A), the proposed easement area is located in the southeast corner of the park and measures 12 feet in width by 20.8 feet in length (250 square feet).
- According to the applicant, the proposed transmission line (and required clearance zone) will cross over Townhall Road and across the proposed easement area to connect to a light duty steel pole to be constructed along the property line of the adjacent property to the south. Several trees will be relocated or replaced during this project.
- The granting of an easement over a City park requires consideration by the Parks & Recreation Commission, Plan Commission, and City Council. The Parks & Recreation Commission recommended approval on March 8th.
- A photo of the proposed easement area is also attached to this report.

Consistency with Strategic Plan:

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

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

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

Staff Recommendation:

The Planning & Building Services Division recommends **approval** of the attached Electric Transmission Line Easement over a portion of the Eagles Ridge Park property located at 3731 Golden Eagle Drive, subject to the following conditions:

1. This approval is limited to the 250 square-foot area identified and described on Exhibit A.
2. All affected trees shall be relocated or replaced within an approved location within the park.
3. Any boring to allow underground installation of Alliant Energy service lines shall require a separate easement.

Fiscal Note/Budget Impact: The proposed compensation is \$4,200.

Attachments: Location Map, Photo, Petition, Proposed Easement, and Easement Map.

Location Map

Eagles Ridge Park


RPB-2017-02



1 inch = 796 feet

0 12840 480 720 Feet

Legend

 City Limits

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




PETITION

TO THE CITY COUNCIL FOR THE CITY OF БЕЛОIT

Your Petitioner, American Transmission Company LLC, a Wisconsin corporation, respectfully alleges and shows that it is a public utility engaged in the business of the ownership and operation of electric transmission systems which support the energy needs of the State of Wisconsin including the City of Beloit; that in order to accommodate and energize Rock Energy Cooperative's new substation, it needs to build a new tap line and obtain an Electric Transmission Line Easement from the City of Beloit upon land located in Outlot 3, Eagles Ridge Plat No. 1, located in the Northeast Quarter of Section 28, Township 1 North, Range 36 East, in the City of Beloit, Rock County, Wisconsin; and that attached hereto and incorporated herein are copies of the proposed ELECTRIC TRANSMISSION LINE EASEMENT, and a sketch showing the route of the electric line, for the future maintenance and operation of the transmission line.

Wherefore, your petitioner prays that your City Council consider this request and take the appropriate action by resolution authorizing and directing the proper City Officers to execute and convey such easement and other agreements as may be necessary to permit the construction and operation and maintenance of said electric transmission line to American Transmission Company LLC.

AMERICAN TRANSMISSION COMPANY LLC

By: 
Anita J. LaCoursiere, Real Estate & Right of Way Representative

Date: March 27, 2017

ELECTRIC TRANSMISSION LINE EASEMENT

Not subject to Wis. Stat. § 77.22(1).

Document Number

The undersigned Grantor, **City of Beloit, (hereinafter called the "Grantor")**, in consideration of the sum of Four thousand two hundred dollars and no/100, (\$4,200.00), receipt of which is hereby acknowledged, does hereby grant, convey and warrant unto Grantee, **American Transmission Company LLC, a Wisconsin limited liability company, and its manager ATC Management Inc., a Wisconsin Corporation (hereinafter jointly referred to as Grantee)**, its successors, assigns, licensees and manager, the perpetual right and easement to construct, install, operate, maintain, repair, replace, rebuild, remove, relocate, inspect and patrol a line of structures, comprised of wood, concrete, steel or of such material as Grantee may select, and wires, including associated appurtenances for the transmission of electric current, communication facilities and signals appurtenant thereto, upon, in, over and across property owned by the Grantor in the **City of Beloit, County of Rock, State of Wisconsin, described as follows:**

Outlot 3, Eagles Ridge Plat No. 1, City of Beloit, Rock County, Wisconsin being located in the Northeast Quarter (NE ¼) of Section 28, Township 1 North, Range 13 East.

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

The Grantee is also granted the associated necessary rights to:

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

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

The right, permission and authority is also granted to Grantee and it's assigns, to construct, install, operate, maintain and replace electric distribution lines consisting of additional wires, on said transmission line structures and additional poles including crossarms, transformers, anchors, guy wires, conduit and cables underground, together with riser equipment, electric pad-mounted transformers including, but not limited to other necessary appurtenant equipment above and below ground, for the purpose of transmitting electric energy and communications signals appurtenant thereto, upon, over, across, under and within this easement.

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

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

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

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

Recording Area

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

Parcel Identification Number(s)
22823000

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

WITNESS the signature(s) of the Grantor this _____ day of _____, 2017.

Grantor: **CITY OF БЕLOIT**

By: _____

Name: _____

Title: _____

ACKNOWLEDGEMENT

STATE OF WISCONSIN)
) SS
COUNTY OF ROCK)

Personally came before me this _____ day of _____, 2017, the above-named _____, _____, of the City of Beloit, to me known to be the person who executed the foregoing instrument in such capacity and acknowledged the same.

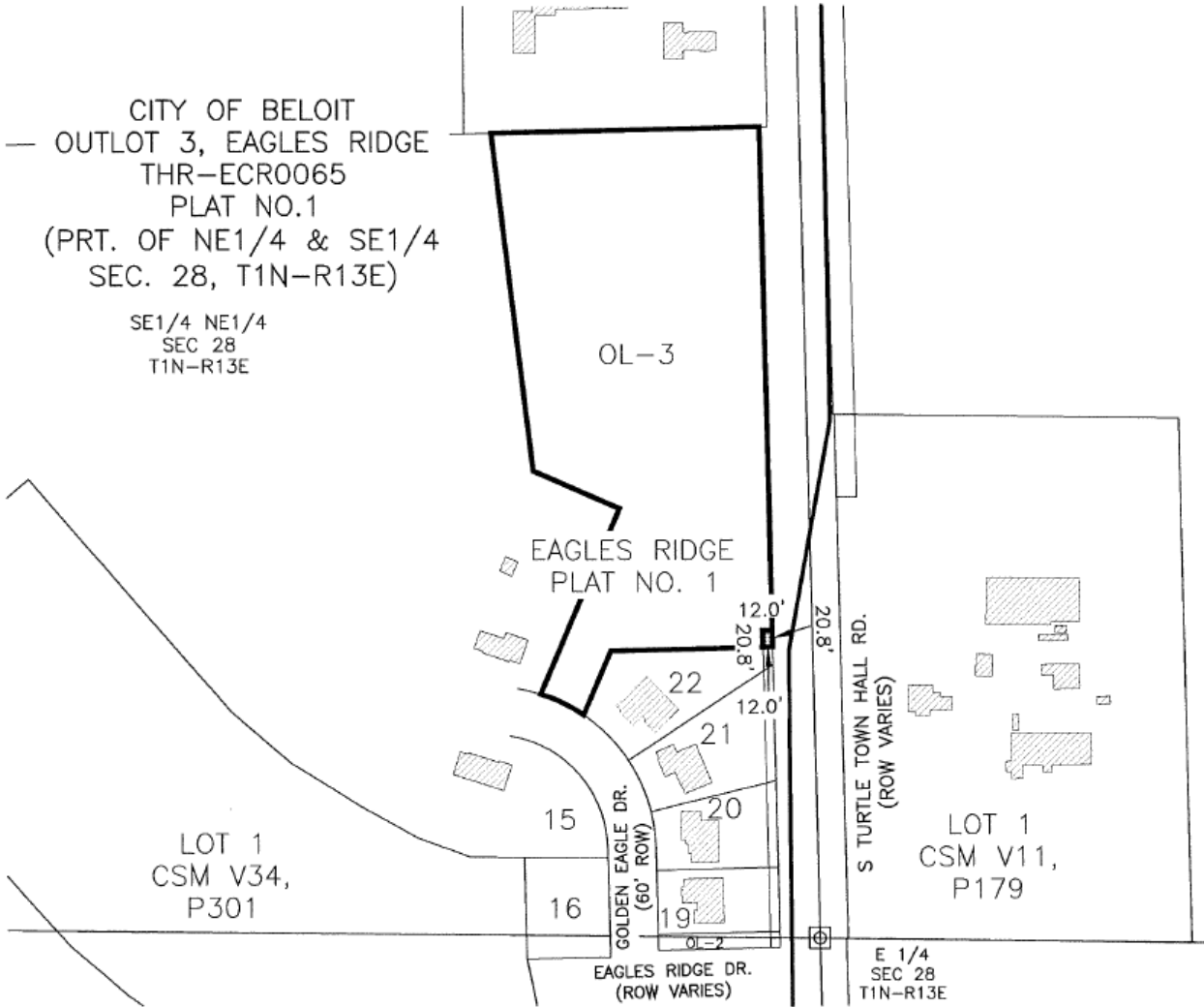
Name:
Notary Public, Wisconsin
My commission expires: _____

EASEMENT DESCRIPTION MAP (EXHIBIT A)

GRANTEE: AMERICAN TRANSMISSION COMPANY, LLC
 W234 W2000 RIDGEVIEW PKWY. CT.
 WAUKESHA, WI 53188

GRANTOR: CITY OF БЕЛОИТ
 100 STATE ST
 БЕЛОИТ, WI 53511
 PIN 22823000

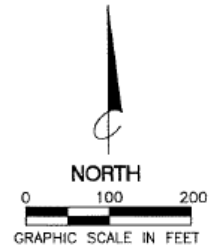
CITY OF БЕЛОИТ
 — OUTLOT 3, EAGLES RIDGE
 THR-ECR0065
 PLAT NO.1
 (PRT. OF NE1/4 & SE1/4
 SEC. 28, T1N-R13E)
 SE1/4 NE1/4
 SEC 28
 T1N-R13E



MAP KEY

ATC TRANSMISSION LINE EASEMENT =
 249 S.F. OR 0.006 ACRES +/-

- | | |
|---|---|
| TRANSMISSION EASEMENT | PROPERTY LINE |
| TRANSMISSION RIGHT OF WAY LINE | ROAD RIGHT OF WAY LINE |
| TRANSMISSION REFERENCE LINE | SECTION CORNER MONUMENT |
| SECTION LINE AND ONE-QUARTER SECTION LINE | TYPICAL EASEMENT WIDTH FROM TRANSMISSION REFERENCE LINE |
| QUARTER-QUARTER SECTION LINE | VARIES |
| EXISTING BUILDING LOCATION | |



ATC
 AMERICAN TRANSMISSION COMPANY

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SPATIAL DATA SURVEYS

SPATIAL DATA SURVEYS, LLC
 580 ARTHUR STREET
 VERONA, WI 53593
 (608)-845-2048

REVISIONS

NOTE: BEARINGS FOR THIS MAP ARE BASED ON THE WISCONSIN STATE PLANE COORDINATE SYSTEM, NAD83 (2011).

© AMERICAN TRANSMISSION COMPANY 2016

Drawn: JDP
Date: 10/08/2016
Scale: 1" = 200'
SHEET NUMBER 1 OF 2

EASEMENT DESCRIPTION MAP (EXHIBIT A)

GRANTEE: AMERICAN TRANSMISSION COMPANY, LLC
 W234 W2000 RIDGEVIEW PKWY. CT.
 WAUKESHA, WI 53188



GRANTOR: CITY OF BELOIT
 100 STATE ST
 BELOIT, WI 53511
 PIN 22823000

LEGAL DESCRIPTION:

AN EASEMENT WHICH CROSSES THE GRANTOR'S PREMISES LOCATED IN OUTLOT 3, EAGLES RIDGE PLAT NO. 1, RECORDED IN OFFICE OF THE REGISTER OF DEEDS OF ROCK COUNTY, WISCONSIN IN VOLUME 32, PAGES 606-607, BEING A PART OF THE NORTHEAST ONE-QUARTER OF SECTION 28, T1N-R13E, CITY OF BELOIT, ROCK COUNTY, WISCONSIN, AS SHOWN ON THE ATTACHED MAP AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE EASTERLY 12.0 FEET OF THE SOUTHERLY 20.8 FEET, LOCATED IN THE SOUTHEASTERLY CORNER OF SAID OUTLOT 3.

SAID EASEMENT CONTAINING 249 SQUARE FEET OR 0.006 ACRES, MORE OR LESS, SUBJECT TO RECORDED AND UNRECORDED RESTRICTIONS, RESERVATIONS, RIGHTS-OF-WAY AND EASEMENTS.

	SPATIAL DATA SURVEYS 	NOTE: BEARINGS FOR THIS MAP ARE BASED ON THE WISCONSIN STATE PLANE COORDINATE SYSTEM, NAD83 (2011). © AMERICAN TRANSMISSION COMPANY 2016	Drawn: JDP
			Date: 10/08/2016
THIS DOCUMENT IS FOR THE USE OF AMERICAN TRANSMISSION COMPANY. AMERICAN TRANSMISSION COMPANY DISCLAIMS ALL WARRANTIES BOTH EXPRESSED AND IMPLIED. USE BY ANYONE OTHER THAN AMERICAN TRANSMISSION COMPANY IS AT THEIR OWN RISK.	SPATIAL DATA SURVEYS, LLC 580 ARTHUR STREET VERONA, WI 53593 (608)-845-2048	REVISIONS	Scale: NA
			SHEET NUMBER 2 OF 2