



MEETING NOTICE AND AGENDA
Beloit City Plan Commission
Wednesday, September 20, 2017 at 7:00 PM
The Forum
Beloit City Hall
100 State Street, Beloit

1. **Call to Order and Roll Call**
2. **Approval of the Minutes of the September 6, 2017 Meeting**
3. **Certified Survey Map – 2850/2900, 2956 & 2960 Milwaukee Road**
Review and consideration of a three-lot Certified Survey Map for the properties located at 2850/2900, 2956 & 2960 Milwaukee Road
4. **Conditional Use Permit – 800 Wisconsin Avenue – Community Living Arrangement**
Public hearing, review and consideration of a Conditional Use Permit to allow a Class II Community Living Arrangement in an R-1B, Single-Family Residential District, for the property located at 800 Wisconsin Avenue
5. **Status Report on Prior Plan Commission Items**
6. **Adjournment**

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

Notice Mailed: September 15, 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



**Meeting Minutes
Beloit City Plan Commission
Wednesday, September 6, 2017 at 7:00 PM
The Forum
Beloit City Hall
100 State Street, Beloit**

1. Call to Order and Roll Call

Chairperson Faragher called the meeting to order at 7:00pm. Commissioner Weeden, Faragher, Ruster, Finnegan, Tinder were present. Commissioner Haynes was absent. Commissioner Johnson arrived at 7:05pm.

2. Approval of the Minutes of the August 23, 2017 Meeting

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

3. Final Plat of Eagles Ridge No. 3 – New Leaf Homes

Review and consideration of the Final Plat of Eagles Ridge No. 3 for the properties located at 3650 Eagles Ridge Drive and 1510 Townhall Road

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

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

4. Status Report on Prior Plan Commission Items

Ms. Christensen stated that the City Council approved the Ironworks Industrial Bridge Project, the easement for Telfer Park, and the Zoning Map Amendment for portions of 2956 Milwaukee Road.

On the next Plan Commission agenda, there will be a Conditional Use Application from Erick Williams. He is proposing to buy a house in the 800 block of Wisconsin Avenue for use as a Community Living Facility for youth awaiting placement in the foster care system. A neighborhood meeting is being held in advance of the meeting, as we are anticipating there may be neighborhood opposition to this proposal.

Commissioners were asking when the next Kolak Neighborhood meeting was going to be held. Julie Christensen said that the School District had indicated that they would hold a

meeting sometime in September and will notify us when the meeting is set. We have not yet been notified of a potential meeting date.

5. **Adjournment**

The meeting adjourned at 7:11pm.

Minutes respectfully submitted by Amber DesRoberts.

CITY OF BELOIT

REPORT TO THE BELOIT CITY PLAN COMMISSION

Meeting Date: September 20, 2017

Agenda Item: 3

File Number: CSM-2017-15

Applicant: R.H. Batterman and Co., Inc.

Owner: Premier Oil Holdings, LLC.

Location: 2850/2900, 2956, & 2960 Milwaukee Road

Existing Zoning: PUD, Planned Unit Development District, and C-3, Community Commercial District

Existing Land Use: Retail, Restaurant, and Office Use

Total CSM Area: 7.41 Acres

Request Overview/Background Information:

R.H. Batterman and Co., Inc., on behalf of McBain Enterprises, Inc., has submitted an Application for the Review of a Minor Subdivision and a 3-Lot Certified Survey Map (CSM) for the properties located at 2850/2900, 2956, & 2960 Milwaukee Road, in the City of Beloit. 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 where there is no dedication of land to the City.

Key Issues:

- The intent of this CSM is to subdivide the subject properties in order to improve parking and driveway connectivity, and clean-up parcel boundaries for future sale of lots.
- Proposed Lot 1 includes 332.36 ft. of frontage off the service road running parallel to Milwaukee Road and will be 1.763 acres in area. Lot 1 includes the existing Arby's strip mall and Noodles & Company building.
- Proposed Lot 2 includes 131.7 ft. of frontage off Branigan Road and will be approximately 1.102 acres in area. Lot 2 has a 10 ft. wide sewer easement, running northeast from west property line, approximately 146 feet in length.
- Proposed Lot 3 includes 242.53 feet of frontage off the service road running parallel to Milwaukee Road, 133.9 feet of frontage off Ford Street, and will be 4.541 acres in area. Lot 3 will combine the properties located at 2960 and 2956 Milwaukee Road into one lot. Lot 3 will have a 12 ft. wide sanitary sewer easement running along its furthest western boundary and a 15 ft. W.P.L easement along its eastern boundary. Lot 3 includes the commercial building containing the Road Dawg Restaurant & Patti's Pub and the Rodeway Inn.
- On August 21, 2017, City Council approved a PUD-Master Land Use Plan Amendment for 2856/2900 Milwaukee Road to include two portions of 2956 Milwaukee Road, which the proposed CSM will consolidate.
- On September 5, 2017, City Council approved a Zoning Map Amendment to change the zoning of two portions of the property located at 2956 Milwaukee Road from C-3, Community Commercial District, to PUD, Planned Unit Development District.
- Zoning of proposed Lots 1 & 2 will remain PUD, Planned Unit Development District. The zoning for Lot 3 will remain C-3, Community Commercial District.
- 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:

The City's Comprehensive Plan recommends *Community Commercial Use* for the subject property. Consideration of this request supports Strategic Goal #5 which is to create and sustain high quality infrastructure and connectivity.

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 3-Lot Certified Survey Map (CSM) for the properties located at 2850/2900, 2956, & 2960 Milwaukee Road, in the City of Beloit, subject to the following conditions:

1. The applicant shall record the CSM with the Rock County Register of Deeds and shall provide the Planning and Building Services Division with a copy of the recorded CSM by December 31, 2017.

Fiscal Note/Budget Impact: N/A

Attachments: Location Map, CSM, Application, Photos, Site Assessment Checklist, and Resolution

Location & Zoning Map




2850/2900, 2956, & 2960 Milwaukee Road

CSM-2017-15



1 inch = 134 feet
0 20 40 80 120 Feet

Legend

-  Parcel Boundaries
-  Existing Lot Lines to Be Removed
-  Proposed Lot Lines

Map prepared by: Rudy Moreno, Planner II
Date: September 1, 2017
For: City of Beloit Planning & Building Services
Date of Aerial Photography: March 2011

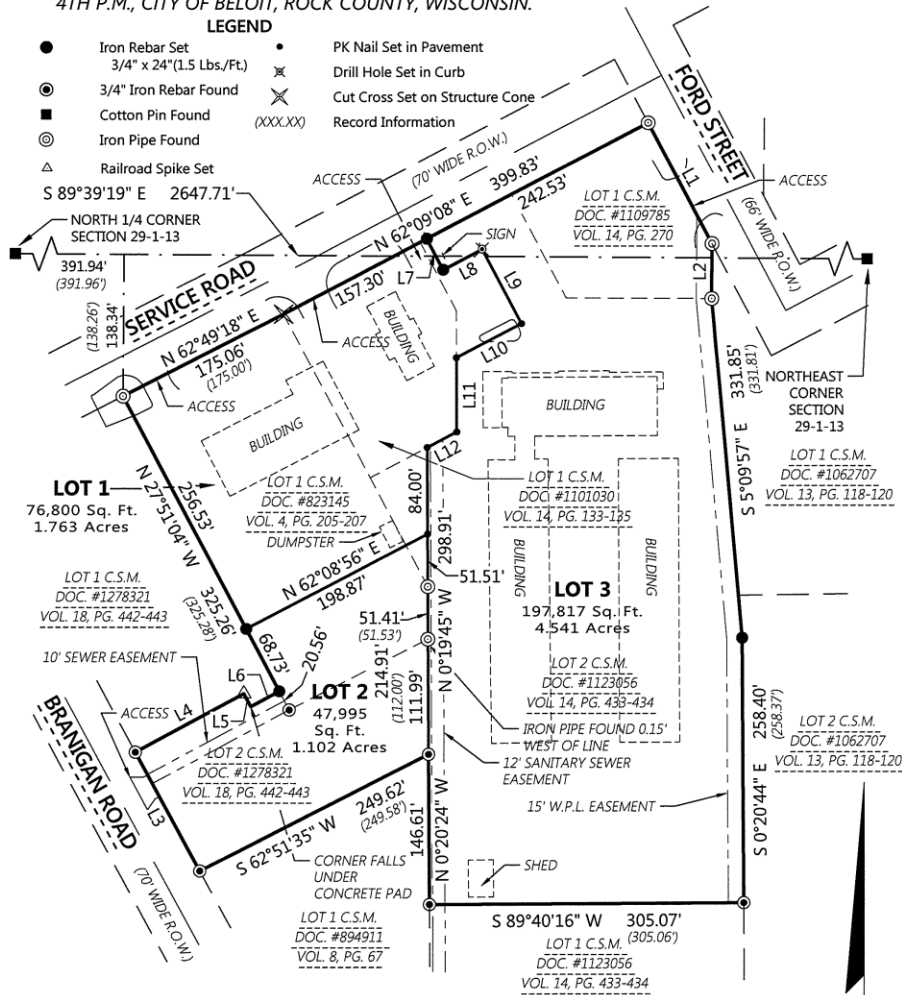
PLANNING & BUILDING SERVICES DIVISION

CERTIFIED SURVEY MAP

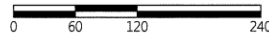
OF LOT 1 OF C.S.M. REC. AS DOC. NO. 1109785 IN VOL. 14 ON PG. 270,
 LOT 2 OF C.S.M. RECORDED AS DOC. NO. 1123056 IN VOL. 14 ON
 PGS. 433-434, LOT 1 OF C.S.M. DOC. NO. 823145 REC. IN VOL. 4 ON
 PGS. 205-207, LOT 2 OF C.S.M. REC. AS DOC. NO. 1278321 IN VOL. 18
 ON PGS. 442-443 AND LOT 1 OF C.S.M. DOC. NO. 1101030 IN VOL. 14
 ON PGS. 133-135, BEING PART OF THE SOUTHWEST 1/4 OF THE
 SOUTHEAST 1/4 OF SECTION 20, AND PART OF THE NORTHWEST 1/4
 OF THE NORTHEAST 1/4 OF SECTION 29, AS SITUATED IN PART OF
 LOTS 4 & 5 OF THE PLAT OF MORGAN FARM, T. 1 N., R. 13 E., OF THE
 4TH P.M., CITY OF BELOIT, ROCK COUNTY, WISCONSIN.

LEGEND

- Iron Rebar Set
- 3/4" Iron Rebar Found
- Cotton Pin Found
- ⊙ Iron Pipe Found
- △ Railroad Spike Set
- PK Nail Set in Pavement
- ⊗ Drill Hole Set in Curb
- ⊗ Cut Cross Set on Structure Cone
- (XXX.XX) Record Information



Scale: 1" = 120'



BEARINGS BASED ON THE WISCONSIN COUNTY COORDINATE SYSTEM, ROCK ZONE. THE NORTH LINE OF THE NORTHEAST QUARTER OF SECTION 29-1-13 BEING S 89°39'19" E

<p>ORDER NO: 32751 BOOK: SEE FILE FIELD CREW: RHL DRAWN BY: KJB SHEET 1 OF 4</p>	<p>FOR THE EXCLUSIVE USE OF: MCBAIN ENTERPRISES, INC. 2951 KENNEDY DRIVE BELOIT, WI 53511</p>	<p>Batterman engineers surveyors planners 2857 Bartells Drive Beloit, Wisconsin 53511 608.365.4464 www.rhbatterman.com</p>
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File Name: J:\32700-32799\32751 - Joel Patch - CSM Milwaukee Rd\SURVEY\RH B DRAWING FILES

CERTIFIED SURVEY MAP

OF LOT 1 OF C.S.M. REC. AS DOC. NO. 1109785 IN VOL. 14 ON PG. 270, LOT 2 OF C.S.M. RECORDED AS DOC. NO. 1123056 IN VOL. 14 ON PGS. 433-434, LOT 1 OF C.S.M. DOC. NO. 823145 REC. IN VOL. 4 ON PGS. 205-207, LOT 2 OF C.S.M. REC. AS DOC. NO. 1278321 IN VOL. 18 ON PGS. 442-443 AND LOT 1 OF C.S.M. DOC. NO. 1101030 IN VOL. 14 ON PGS. 133-135, BEING PART OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 20, AND PART OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 29, AS SITUATED IN PART OF LOTS 4 & 5 OF THE PLAT OF MORGAN FARM, T. 1 N., R. 13 E., OF THE 4TH P.M., CITY OF БЕЛОIT, ROCK COUNTY, WISCONSIN.

LINE TABLE		
LINE #	LENGTH	DIRECTION
L1	133.49' <i>(133.42')</i>	S 27°50'19" E
L2	53.48' <i>(53.48')</i>	S 00°11'42" W
L3	131.66' <i>(131.70')</i>	N 28°19'27" W
L4	119.70' <i>(119.67')</i>	N 61°38'59" E
L5	14.21' <i>(14.21')</i>	S 28°20'56" E
L6	31.31' <i>(31.31')</i>	N 61°39'02" E
L7	34.00'	S 27°50'52" E
L8	42.70'	N 62°09'08" E
L9	82.00'	S 27°50'52" E
L10	71.47'	S 62°09'08" W
L11	72.21'	S 00°12'57" E
L12	32.40'	S 62°08'06" W

ORDER NO: 32751 BOOK: SEE FILE FIELD CREW: RHL DRAWN BY: KJB SHEET 2 OF 4	FOR THE EXCLUSIVE USE OF: MCBAIN ENTERPRISES, INC. 2951 KENNEDY DRIVE БЕЛОIT, WI 53511	<div style="display: flex; align-items: center;"> <div style="font-size: 8px;"> Batterman engineers surveyors planners 2857 Bartells Drive Beloit, Wisconsin 53511 608.365.4464 www.rhbatterman.com </div> </div>
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File Name: J:\32700-32799\32751 - Joel Patch - CSM Milwaukee Rd\SURVEY\RH B 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)

File Number: CSM-2017-15

1. Address of property: 2900 Milwaukee Road/2956 Milwaukee Road/2960 Milwaukee Road
2. Tax Parcel Number(s): 22910805/22912000/22910860
3. Property is located in (circle one): City of Beloit or Town of: Turtle; Beloit; Rock or LaPrairie
 In the Various Quarter of Section 20/29 Township 1 North, Range 13 East of the 4th P.M.
4. Owner of record: McBain Enterprises, Inc. Phone: 608-365-0699
2951 Kennedy Drive Beloit WI 53511
(Address) (City) (State) (Zip)
5. Surveyor's name: R.H. Batterman & Co., Inc. Phone: 608-365-4464
2857 Bartells Drive Beloit WI 53511
(Address) (City) (State) (Zip)
6. Number of new lots proposed with this land division is 3 (no new lots) lot(s).
7. Total area of land included in this map: 7.406 Acres
8. Total area of land remaining in parent parcel: 0 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: PUD/C-3
11. Is the proposed use permitted in this zoning district: Yes

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

- Site Assessment Checklist;** is required if the total area of CSM is over 5 acres.
- Pre-application meeting;** a pre-application meeting was held on August 24, 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.

[Signature] | John Patch | 8-30-17
(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: \$150 plus \$10 per lot Amount paid: \$170.00

Scheduled meeting date: Sept. 20, 2017

Application accepted by: [Signature] Date: 8/30/17



September 20, Staff Report, CSM-2017-15, 2856-2900, 2956, & 2960 Milwaukee Rd, 3-Lot CSM

CITY of BELOIT
Neighborhood Planning Division

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

SITE ASSESSMENT CHECKLIST

For property located at: 2900 Milwaukee Road/2956 Milwaukee Road/2960 Milwaukee Road

Property owner's name: McBain Enterprises, Inc.

ITEM OF INFORMATION	YES	NO
I. Land Resources; Does the project site involve:	----	----
A. Changes in relief and drainage patterns? (Attach a topographical map showing, at a minimum, 2-foot contour intervals)		X
B. A landform or topographical feature including perennial streams?		X
C. A floodplain? (If Yes, attach a copy of the latest FEMA Floodway map with the parcel shown thereon.)		X
D. An area of soil instability, or slopes greater than 12%, or hydric or alluvial soils as depicted in the "Soils Survey of Rock County"?		X
E. An area of bedrock within 6 feet of the surface as depicted in the "Soils Survey of Rock County" or a more detailed source?		X
F. An area with groundwater table within 5 feet of the surface as depicted in the "Soils Survey of Rock County" or a more detailed source?		X
G. An area with fractured bedrock within 10 feet of the soil surface as depicted in the "Soils Survey of Rock County"		X
H. Prevention of future gravel extraction?	X	
I. A drainage-way with a tributary area of 5 or more acres?		X
J. Lot coverage of more than 50 percent impermeable surfaces?	X	
K. Prime agricultural land as depicted in the "Soils Survey of Rock County" or any adopted farmland preservation plans?		X
L. Wetlands as depicted on a DNR wetland inventory map or more detailed source?		X

II. Water Resources; Does the project site involve:	----	----
A. An area traversed by a stream, intermittent stream or dry run?		X
B. An impact on the capacity of a storm water storage system or flow of a waterway within one mile?		X
C. The use of septic systems for on-site wastewater disposal?		X
D. Lowering of water table by pumping or drainage?		X
E. Raising of water table by altered drainage?		X
F. Frontage on a lake, river, or other navigable waterway?		X

III. Human and Scientific Interest; Does this project site involve:	----	----
A. An area of archeological interest included on the Wisconsin Archeological Site Inventory?		X
B. An area of historical interest, or historic buildings or monuments listed on the State or National Register of Historic Places?		X

Site Assessment Checklist

(continued)

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

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

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

NOTES:

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

**RESOLUTION
APPROVING A THREE-LOT CERTIFIED SURVEY MAP
FOR THE PROPERTIES LOCATED AT 2850/2900, 2956, & 2960 MILWAUKEE 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 jurisdiction of the City; and

WHEREAS, the attached three-lot Certified Survey Map for the properties located at 2850/2900, 2956, & 2960 Milwaukee Road, in the City of Beloit, containing 7.41 acres, more or less, is located within the jurisdiction of the City of Beloit; and

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

OF LOT 1 OF C.S.M. REC. AS DOC. NO. 1109785 IN VOL. 14 ON PG. 270, LOT 2 OF C.S.M. RECORDED AS DOC. NO. 1123056 IN VOL. 14 ON PGS. 433-434, LOT 1 OF C.S.M. DOC. NO. 823145 REC. IN VOL. 4 ON PGS. 205-207, LOT 2 OF C.S.M. REC. AS DOC. NO. 1278321 IN VOL. 18 ON PGS. 442-443 AND LOT 1 OF C.S.M. DOC. NO. 1101030 IN VOL. 14 ON PGS. 133-135, BEING PART OF THE SOUTHWEST ¼ OF THE SOUTHEAST ¼ OF SECTION 20, AND PART OF THE NORTHWEST ¼ OF THE NORTHEAST ¼ OF SECTION 29, AS SITUATED IN PART OF LOTS 4 & 5 OF THE PLAT OF MORGAN FARM, T. 1 N., R. 13 E., OF THE 4TH P.M., CITY 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 three-lot Certified Survey Map for the properties located at 2850/2900, 2956, & 2960 Milwaukee Road, in the City of Beloit, subject to the following condition:

1. The applicant shall record the CSM with the Rock County Register of Deeds and shall provide the Planning and Building Services Division with a copy of the recorded CSM by December 31, 2017.

Adopted this 20th day of September, 2017.

James Faragher, Plan Commission Chairman

ATTEST:

Julie Christensen,
Community Development Director

CITY OF BELOIT

REPORT TO THE BELOIT CITY PLAN COMMISSION



Meeting Date: September 20, 2017

Agenda Item: 4

File Number: CU-2017-11

Applicant: Erick Williams

Owner: David L. Seeley

Location: 800 Wisconsin Avenue

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

Existing Land Use: Residential

Parcel Size: 0.32 Acres

Request Overview/Background Information:

Erick Williams, Derrick's House LLC, has filed an application for a Conditional Use Permit to allow a Class II Community Living Arrangement for children ages 10-17 in an R-1B, Single-Family Residential District, for the property located at 800 Wisconsin Avenue.

Key Issues:

- The applicant has a pending offer to the subject property that is contingent on the approval of the proposed conditional use.
- The applicant has proposed a Class II Community Living Arrangement for up to 10 children, ages 10-17, with a 30 day maximum stay. Under unusual circumstances, Rock County Family Court may extend the stay of a youth in the proposed shelter.
- This facility would temporarily house both male and female youths who are exclusively from Rock County and are either awaiting a longer term placement in foster care, group care, or in a brief respite before returning to their caregiver. The proposed facility will only accept children who have been assessed by Rock County Human Services.
- The goal of Derrick's House LLC, is to provide an opportunity to place youths in a safe and stable residential setting. The property located at 800 Wisconsin Avenue offers an ideal residential setting and is located within close proximity to the Beloit Public Library, Beloit College, the Stateline YMCA, and public transportation. The applicant has detailed collaboration opportunities with the Beloit College on the attached details document.
- The applicant has expressed a need to relocate the current shelter care facility, known as the Youth Services Center (YSC), to a more inviting, residential setting. The current YSC location has an institutional setting despite the County's best efforts to soften its institutional appearance. Once Derrick's House is operational, the current YSC location will operate exclusively as a secure detention facility and will no longer provide shelter care.
- If the proposed use were to reach the maximum capacity of 10 children, the county will provide temporary shelter at other shelter care facilities.
- Class II Community Living Arrangements require a Conditional Use Permit in an R-1B district. Class I Community Living Arrangements are permitted. Please see the attached Community Living Arrangement (CLA) definition as described in the Zoning Ordinance.
- Required off-street parking for a Group Living Use is ½ parking space per resident room. The residential structure located at 800 Wisconsin Avenue has five bedrooms and currently has 3 off-street parking spaces. The applicant plans on widening the existing driveway to accommodate two more parking spaces.
- The application and details are attached.
- The attached Public Notice was sent to 22 nearby property owners. Planning staff received no comments about the proposed use; however, the Community Development Director has received a few concerns from community members.
- **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 use would not be detrimental to public health, safety, morals, comfort, or general welfare; the applicant plans on limiting traffic, noise, loitering, and visitation on the subject property, as described in the attached details. The goal of Derrick's House LLC is to provide a safe and stable residential setting for youth in need of shelter care.
 - b. *Whether the conditional use will be injurious to the use and enjoyment of other property in the immediate vicinity for purposes already permitted;*
 - A Class I Community Living Arrangement in an R-1B is permitted by right for up to 8 individuals. A Conditional Use to house two additional individuals would not significantly differ from what is permitted in an R-1B District.

- The applicant is proposing temporary shelter for up to 10 youths ages 10-17, which would make this a Class II Community Living Arrangement; however, the applicant estimates approximately 7 youths would be housed on average.
 - The applicant has expressed an emphasis on privacy and limited interaction with the surrounding area. While at Derrick's House, youth will be required to stay within the confines of the yard to ensure their safety and confidentiality.
 - The applicant has provided details in regard to hours of operation, curfew, loitering, visitation, and 24 hour supervision. As depicted in the attached details document submitted by the applicant, shelter staff will provide the youth with transportation to and from school and off site activities.
- c. *Whether the conditional use will substantially diminish or impair property values within the neighborhood of the subject property;*
- The proposed conditional use should not diminish or impair property values. The applicant plans on making few exterior changes to the exterior of the subject property.
 - The applicant is aware that the subject property is contributing to the Near East Side/ College-Park Historic District, and will comply with the regulations and design standards described in the Historic Preservation Ordinance.
- d. *Whether the establishment of the conditional use will impede the normal and orderly development and improvement of the surrounding property;*
- The surrounding area is fully developed.
- e. *Whether the exterior architectural design or site layout of the proposed conditional use is so dissimilar or otherwise incompatible with existing or proposed development in the immediate neighborhood that it will cause a depreciation in property values;*
- The applicant has proposed the installation of a new 6 foot wooden privacy fence and the widening of the existing driveway in order to reduce on street parking.
 - The applicant is aware that the subject property is contributing to the Near East Side/ College-Park Historic District, and will comply with the regulations and design standards described in the Historic Preservation Ordinance.
- 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 applicant plans on widening the existing driveway in order to reduce on street parking.
 - The shelter staff will provide transportation for the youth housed on the subject property and will establish a curfew.
 - Visitation will be limited to case workers and family members and will be scheduled in a way that does not overwhelm the capacity of the house or available parking. Visitation from non-family members and friends will be prohibited.
- 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 *Single-Family Residential Use* for the subject property. This request and the underlying R-1B zoning classification are consistent with this recommendation.

Consideration of this request supports City of Beloit Strategic Goal #1, which is to create and sustain safe and healthy neighborhoods.

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 a Class II Community Living Arrangement for children ages 10-17 in an R-1B, Single-Family Residential District, for the property located at 800 Wisconsin Avenue, based on the above Findings of Fact and subject to the following conditions:

1. The applicant shall provide a copy of the Child Welfare License prior to housing youth at the subject property.
2. The proposed privacy fence shall have a gate installed for emergency access to the rear yard.

3. Shelter Staff shall work with the Beloit Police Department to draft operational policies.
4. If it is determined that the Community Living Arrangement's existence poses a threat to the health, safety or welfare of the residents of the City in the future, the City Council may order the Community Living Arrangement to cease operation.
5. 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, Application, Details, CLA Definition, Photos, Public Notice, and Mailing List.

Location & Zoning Map

800 Wisconsin Avenue

CU-2017-11



1 inch = 42 feet
0 5 10 20 30 Feet

Legend

-  Parcel Boundaries
-  Zoning District

Map prepared by: Rudy Moreno, Planner II
Date: August 28, 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-2017-11

1. Address of subject property: 800 WISCONSIN AVE.

2. Legal description: 136 70755

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): _____

4. Owner of record: DAVID Seely Phone: (608) 261-2377
725 N Michigan Ave Hastings WI 49058
(Address) (City) (State) (Zip)

5. Applicant's Name: ERICK Williams
1990 Colony Ct Apt 11 Beloit, WI 53511
(Address) (City) (State) (Zip)

(608) 313-1324 1815 721-5701 erwilliams2008@ymail.com
(Office Phone #) (Cell Phone #) (E-mail Address)

6. All existing use(s) on this property are: Single Family Home

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

A Conditional Use Permit for: Class 2 Community Living
in a(n) R1B Zoning District.

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

Principal use: Community Living for Kids Age 10-17

Secondary use: _____

Accessory use: _____

9. Project timetable: Start date: _____ Completion date: _____

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

- 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.

<u>David Sealey</u> (Signature of Owner)	<u>David Sealey</u> (Print name)	<u>8/25/17</u> (Date)
<u>Erick Williams</u> (Signature of Applicant, if different)	<u>ERICK WILLIAMS</u> (Print name)	<u>8/23/17</u> (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: <u>\$275.00</u>	Amount paid: <u>275.⁰⁰</u>	Meeting date: <u>SEPTEMBER 20, 2017</u>
No. of notices: _____	x mailing cost (\$0.50) = cost of mailing notices: \$ _____	
Application accepted by: <u>Randy Muns</u>	Date: <u>8/28/17</u>	

Details

DERRICK'S HOUSE

The Need

Rock County Human Services in collaboration with Erick Williams d/b/a Derrick's House, LLC seek to relocate the County's shelter care home to 800 Wisconsin Avenue in Beloit.

At present, the County places Children ages 10 to 17 in its shelter care facility. The shelter care facility, known as the Youth Services Center (YSC) is located at 210 East Highway 14, Janesville. The children in shelter are either awaiting a longer term placement in foster care, group care or in a brief respite before returning to their caregiver. The average daily census for shelter is 7 children, and their average length of stay is 14 days.

The YSC shelter is non-secure and the children do not pose a threat to the community. The most common reasons youth are placed in the shelter are awaiting another foster care or group care home, parental abuse/neglect, mental health issues, and sex trafficking. Unfortunately, the shelter area has the look and feel of a "jail" despite the County's best efforts to soften its institutional appearance. The County strongly believes children in shelter care belong in a residential setting rather than the YSC.

Through no fault of their own, youth are temporarily placed in the YSC shelter. Being housed in the Youth Services Center does carry strong associations of shame, stigma and trauma. Thus, Derrick's House is an opportunity to place youth in a safe and stable residential community setting.

About the Facility

The 800 Wisconsin Avenue location fulfills the requirements of Rock County Human Services. Lance Horozewski, Children, Youth, and Families Division Manager wishes to contract with Derrick's House to operate the shelter. The population served are males and females between the ages of 10 to 17 with stays of a maximum of 30 days. The youth are exclusively from Rock County and at any given time, a portion of that population will likely come from homes in Beloit. In unusual circumstances the County may ask the Family Court for approval to extend the stay of a youth in shelter. The home will be licensed by the State of Wisconsin for a maximum of 10 youth. The County will hold the license and monitor the home.

Impact on the Neighborhood:

Erick Williams and Rock County Human Services staff are making a concerted effort to reach out to the community regarding the project. The outreach includes canvassing the neighbors, inviting the community to an open house at 800 Wisconsin Avenue, meeting with community leaders, Beloit College, the School District and City of Beloit. The goal is to clearly explain the project, answer questions, seek input and give assurances Derrick's House will be a good fit for the neighborhood. In essence, the Derrick's House will appear to outsiders as a well-disciplined family that keeps to themselves and does not interfere with the quiet enjoyment of the neighbors.

Visitors to Derrick's House include County Social Workers and Family members. In order to protect confidentiality and safety, non-family members and friends are not permitted to visit. On average the YSC Shelter has 10 family visits per week. Family visits will be staggered by appointments so not to overwhelm the capacity of the house or parking.

Transportation. Derrick's House staff will transport youth to school and appointments. Youth who able to navigate public transportation to school or appointments may use the City Bus, which has a stop conveniently close to 800 Wisconsin Avenue.

Hours of Operation. The house will operate as a shelter 24/7. Youth will be required to be in their rooms by 9:00 p.m. and lights out by 10:00 p.m..

Yard Space and exterior. Derrick's House will abide by the Historic District guidelines for the R1B district, and follow the application processes for any exterior modifications or landscaping. The yard perimeter is presently fenced with a mix of 6' fence, 3' picket fence, and 3' wire fence. Derrick's House will make a request to erect a 6' wood fence to replace picket and wiring fencing found on the existing fenced perimeter. The goal is to keep the youth within the confines of the yard and ensure their safety and confidentiality.

At present the driveway and garage can accommodate three vehicles parked end to end. Derrick's House will likely make application to widen the driveway to add capacity for two additional vehicles. It is anticipated that five off street parking spaces will reduce the demand for on-street parking. If the conditional use requires additional off street parking, Erick Williams will work with City Planning to meet the requirement.

Curfew and Loitering. Youth residing at the shelter will not be allowed to wander the neighborhood. Most activities will occur inside the house or staff will take youth to community locations such as the library, YMCA or Community Action. Outside yard activities will cease at 9:00 p.m during the summer months and sundown for the rest of the year. Derrick's House will not condone or permit any gathering of non-resident youth on the yard or terrace that attempts to communicate or socialize with shelter residents.

About Staffing

Erick Williams is the Executive Director/Administrator of Derrick's House. In this capacity, Erick is responsible for full oversight of overall operations of Derrick's House including supervision of personnel, fiscal responsibilities, planning, implementation and evaluation of policies and procedures, compliance assurance with all operating regulations as required both internally and externally, facility maintenance, and acting as the public relations liaison.

Erick has worked for over six years as a Program Manager at Community Action, Inc. of Rock and Walworth Counties. Through his work at Community Action, Inc. he spearheads a mentoring program for high-risk intermediate and high school youth, as well as manages services for youth expelled from the School District of Beloit. Recently, he led the development of a youth training center in the Beloit Eclipse Center. In addition, Mr. Williams was the Executive Director of Grounds for Life and for eight years, oversaw three group homes for men who were formerly incarcerated and struggling with substance abuse issues.

Direct Services Staffing Plan

During times when youth are not in school, a minimum of two Youth Specialists will staff the facility at all times. One full-time Unit Manager will be onsite from 7 a.m. to 5 p.m. allowing for completion of both administrative and supervisory tasks including de-briefing with staff at all shift changes. Additionally, the Unit Manager will be readily available for youth during the school day should they have any appointments or emergencies that would require attention.

The Unit Manager will be responsible for day-to-days tasks including maintaining documentation and files for individual youth, staff scheduling and coordinating programming activities and other various administrative tasks. Weekend shifts will be managed by a Weekend Coordinator providing direct services to youth in 12-hour shifts.

All on-site staff and administration will receive background and caregiver checks and receive extensive training in collaboration with Rock County Human Services. Furthermore, the Rock County Human Services Children, Youth and Families Division Manager will serve in an advisory role to inform effective programming and provide staffing support.

Programming and services for the youth will include:

Focusing on strength-based practices, staff will engage with youth utilizing intentional, meaningful interactions and provide structured daily programming. Emphasizing academics, healthy relationships, life skills, and interactive activities, programming will include: study time in both group and a one-on-one environment with tutoring available as needed, leadership skills groups involving facilitation of evidence based curricula and recreational time both on-grounds and off-grounds.

Depending on the needs of the individuals, topics such as anger management, self-esteem development and independent living skills will be explored through self-reflection activities, community involvement, various field trips and appropriate curricula. Empowering the youth to understand their individual potential will be a primary focus during their stay through the use of both recreational and therapeutic modalities.

Opportunities for collaboration with Beloit College:

Beloit College over the years has demonstrated a commitment to collaborating on innovative projects that improve outcomes for Beloit's most at-risk youth. Recently representatives from Beloit College engaged in dialogue with several Beloit Leaders to explore submitting a funding proposal for the Federal "Promise Neighborhoods RFP". The group determined that there was not sufficient time to submit a funding proposal by the deadline but agreed that the *"bottom-line is that there was a sense of urgency in developing and funding a collaborative effort to support our youth to be poised for success"*.

Given Beloit College's commitment to Beloit's youth and the mission and objectives of Derrick's House there are many opportunities for Beloit College to collaborate on the project: Students from the Law & Justice Department, Sociology Department and/or the Center for Entrepreneurship in Liberal Education Additionally Derrick's House has secured a commitment from Tammie King, King Consulting Services (KCS) to serve in an advisory role to inform best-practice during the program's implementation. Ms. King is the owner of King Consulting Services (KCS) a social justice firm whose mission is *"Helping Families Thrive, Not Just Survive"*. KCS provides a wide range of professional services for those interested in social justice through systems improvement, organization/program development and community capacity building. Ms. King has nearly 20 years' experience as an administrator in child well-being and maternal and child health programs; she holds a 'BA in Business Management and Communications, is a Certified Family Development Specialist through the National Resource Center-Family Centered Practice, Iowa School of Social Work and is a graduate of the Healthy Wisconsin Leadership Institute, Medical College of Wisconsin and University of Wisconsin School of Medicine & Public Health.

COMMUNITY LIVING ARRANGEMENT - Any of the following facilities licensed or operated or permitted under the authority of the State Department of Health and Social Services; child welfare agencies under §48.60, Wis. Stats.; group homes for children under §48.02(7), Wis. Stats.; a foster family home or adult family home under §50.01(1), Wis. Stats.; and community-based residential facilities under §50.01(1)(g), Wis. Stats. Such facilities are further classified as follows:

- a. Class I Facility. A CLA that has capacity for 8 or fewer persons being served by the program.
- b. Class II Facility. A CLA which has capacity for 9—15 individuals being served by the program.
- c. Class III Facility. A CLA, which has a capacity for serving 16, or more persons.

800 Wisconsin Ave. Beloit, WI 53511



Stunning Victorian home that is filled with character, space, and charm. Situated on almost 1/3 acre, this home boasts five bedrooms, original woodwork and hardwood floors, bright and sunny rooms, two staircases, three inviting porches to relax and enjoy your day, and beautiful built ins and reading nooks galore! Within walking distance to Beloit College and downtown, you won't find a better deal! New furnace/AC-2014, Water heater 2016.

www.zillow.com

Parcel #: 20613670755
MLS #: 1775393



Year Built: 1870
Heating: Forced Air
Cooling: Central
Parking: Detached garage



Interior
Bedrooms: 5
Bathroom: 2
Basement: 1,323 sq. ft.
Flooring: 2,646 sq. ft./Hardwood
Exterior:
Deck, porch
Lot: 0.32 acres





NOTICE TO THE PUBLIC

September 5, 2017

To Whom It May Concern:

Erick Williams, of Derrick's House LLC, has filed an application for a Conditional Use Permit to allow Class II Group Living Arrangement in an R-1B, Single-Family Residential District, for the property located at:

800 Wisconsin Avenue

The applicant has proposed a Class II Community Living facility for up to 10 children, ages 10-17, with a 30 day maximum stay. This facility would temporarily house both male and female youths who are exclusively from Rock County and are either awaiting a longer term placement in foster care, group care, or in a brief respite before returning to their caregiver. Under unusual circumstances, Rock County Family Court may extend the stay of a youth in the proposed shelter. Class II Group Living Arrangements require a Conditional Use Permit in the R-1B district.

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

City Plan Commission: Wednesday, September 20, 2017, at 7:00 PM, or as soon thereafter as the matter can be heard in The Forum, Beloit City Hall, 100 State Street.

City Council: Monday, October 2, 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 Rudy Moreno, Planner II, in the Planning & Building Services Division at (608) 364-6708 or morenor@beloitwi.gov. Comments will be accepted via telephone, email, and U.S. Mail.



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JOHN & SUSAN WAXLER
1841 SHORE DR
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