

MEETING NOTICE AND AGENDA Beloit City Plan Commission Wednesday, June 6, 2018 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 May 23, 2018 Meeting
- Conditional Use Permit Beloit International Film Festival Outdoor Event 701 Third Street
 Public hearing, review and consideration of a Conditional Use Permit to allow an outdoor
 entertainment event with the possession, sale, and consumption of alcoholic beverages in an
 M-2, General Manufacturing District, for the Ironworks property located at 701 Third Street

4. Conditional Use Permit – Royalty Lounge – 530 E Grand Avenue

Public hearing, review and consideration of a Conditional Use Permit to allow an outdoor seating area (deck) with the possession, sale and consumption of alcoholic beverages in a CBD-1, Central Business District Core, for the property located at 530 E Grand Avenue

5. Zoning Map Amendment – Our Savior's Lutheran Church –737 and 749 Bluff Street Public hearing, review and consideration of a Zoning Map Amendment to change the zoning district classification from R-3, Low-Density Multi-Family Residential to PLI, Public Lands and Institutions, for the church property located at 749 Bluff Street and from R-1B, Single-Family Residential to PLI, Public Lands and Institutions, for a portion of the residential property located at 737 Bluff Street

6. Status Report on Prior Plan Commission Items

7. Adjournment

If you are unable to attend this meeting, please contact Frank Fuerte in the Community Development Department at 364-6700 <u>no later than 4:00 PM the day before the meeting</u>.

Notice Posted: June 1, 2018 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, May 23, 2018 at 7:00 PM The Forum Beloit City Hall 100 State Street, Beloit

1. Call to Order and Roll Call

The meeting was called to order at 7:01pm. Commissioners Haynes, Weeden, Johnson, Faragher, Ruster, and Finnegan were present. City Councilor Mark Preuschl was absent.

2. Nomination and Election of Officers

- a. Nomination and Election of Chairperson
 Commissioner Haynes nominated Commissioner James Faragher, Commissioner
 Finnegan seconded the motion. Motion passed, voice vote.
- Nomination and Election of Vice-Chairperson
 Commissioner Ruster nominated Commissioner Timothy Weeden, Commissioner
 Finnegan seconded the motion. Motion passed, voice vote.

3. Approval of the Minutes of the April 18, 2018 Meeting

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

4. Extraterritorial Certified Survey Map – 9520 South Clinic Road

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

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

5. Sign Ordinance Exception – Truk't – 443 E Grand Avenue

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

Commissioner Ruster asked Ms. Christensen why staff was recommending approval of the sign exception if it was still outside the city's sign ordinance guidelines. Ms. Christensen directed the commissioner to the staff report outlining the staff's opinion on why an exception to the ordinance should be granted. However, the final decision on the

exception will be made by the commission. She also explained that due to the 45 degree angle at the intersection, only a portion of the projecting sign is in the right-of-way.

Commissioner Haynes commented on the uniqueness of the building, that he believes this exception would not create precedence because of those unique features (45 degree angle which means that the hardship was not created by the applicant), thus giving the committee an adequate reason to apply an exception.

Commissioner Johnson asked if this would be the primary and only sign for the business. Ms. Christensen commented that the building includes two separate businesses, and each would have its own sign, one for Truk't and one for Blue Collar Coffee. Commissioner Johnson mentioned that if the sign was any smaller, it would not be visible from all four sides of the intersection. He also believed that the uniqueness of the building contributes to his recommendation to grant an exception for the sign. Commissioner Weeden agreed and commented that the referenced sign would be less intrusive than a typical sign projecting 4 feet from the building wall. Commissioner Weeden also commented that if the City Engineer has not expressed any evidence regarding the obstruction of any traffic signals, there should not be an issue for granting the exception.

Commissioner Faragher asked staff if the Downtown Beloit Association (DBA) had expressed any concerns regarding the proposed sign. Planning and Building Services Director, Drew Pennington, discussed the review of the sign exception by the DBA Design Review Board, a subcommittee of the DBA. While some individuals had concerns, others did like the design of the original sign, which would have projected 10 feet from the building.

Bill Dorr, 836 Church Street, directed the commission to the city ordinance regarding projecting signs. Mr. Dorr argued that the owners should abide by the city regulations and the sign ordinance. He indicated that he believed that the sign face and sign structure were required to be included in the calculation of sign area. Ms. Christensen directed the commissioners to the city's sign ordinance regarding Projecting Signs and commented on the definition of *sign area* which is defined as sign face and does not include structure.

Commissioner Ruster asked if the attached rendering of the proposal was to scale. Josh Mory representing Hendricks Commercial Properties, located at 525 Third Street, Suite 300 in Beloit, stated that the rendering was to scale within inches, and the structure would not be far from what was proposed. Mr. Mory also discussed some concerns by the City Engineer regarding the obstruction of traffic signals. He indicated that he did not believe that the sign, as proposed, would obstruct the signals. He also indicated that the proposed signage met their corporate design standards.

Commissioner Johnson moved to approve the sign ordinance exception. Commissioner Haynes seconded the motion. The motion passed, voice vote.

6. **Presentation by the Planning Staff on the Comprehensive Plan Update**

Director of Planning and Building Services, Drew Pennington, presented a progress report and next steps in the Comprehensive Plan Update. He explained that the next steps include two Community Open House(s) in June, Plan Commission public hearings in June or July (followed by a 30-day public comment period) and a City Council public hearing and adoption in August. Mr. Pennington also addressed questions regarding the Comprehensive Plan updates. Commissioner Weeden asked Mr. Pennington if there was a statement included in the plan that prioritized housing in any ongoing boundary agreements or negotiations with any of the city's surrounding towns. Mr. Pennington commented that the steering committee did discuss whether it was appropriate to take a position for or against incorporation, but decided against it. Mr. Pennington stated that a policy position on prioritizing housing in any boundary negotiations could be considered and added to the plan.

7. Status Report on Prior Plan Commission Items

Ms. Christensen explained that the City is moving forward with temporary closure of Fourth Street in front of the Beloit Memorial High School. A public meeting was held on the closure, and the City will be taking ordinance amendments related to parking and turn lanes to allow for better traffic flow on the side streets. The City is working with DBA and Engineering on how to implement the Downtown parking study and although there were not any current parking problems, the collaboration is to plan and prevent any future problems. Judy Robson has been appointed to the Planning Commission and will be attending the next meeting. City Councilor Mark Preuschl has been appointed to the Planning Commission as the new Council Representative.

8. Adjournment

Meeting adjourned at 8:03pm.

Minutes respectfully submitted by Frank Fuerte.



REPORT TO THE BELOIT CITY PLAN COMMISSION

Meeting Date: June 6, 2018	Agenda Item: 3	File Number: CU-2018-04
Applicant: Max Maiken, BIFF	Owner: Hendricks Commercial Prop.	Location: 701 Third Street
Existing Zoning: M-2, General Manufacturing District	Existing Land Use: Ironworks Office Campus	Parcel Size: 18.6 Acres

Request Overview/Background Information:

Beloit International Film Festival (BIFF) has filed an application for a Conditional Use Permit to allow an outdoor entertainment event with the possession, sale, & consumption of alcoholic beverages in an M-2, General Manufacturing District, for the Ironworks property located at 701 Third Street.

Key Issues:

- Last summer, BIFF held their inaugural "Summer Blockbuster" fundraising concert on Third Street, which was
 closed for the day. BIFF has proposed moving this event to the eastern end of the Ironworks Spine, which is the
 private driveway leading from Third Street to the cul-de-sac along the river.
- The proposed event on Saturday, August 11, 2018 will include a stage featuring several bands, food & beverage vendors, portable toilets, and a portable movie screen.
- The event area will be surrounded by fencing and will be accessible from the Spine driveway on the west and
 from the new bike/pedestrian bridge over the river. Due to public access easements, the applicant will need to
 maintain a public pathway through the Spine for bicyclists and pedestrians not attending the event.
- Due to the proposed activities, there are numerous approvals required including an outdoor vendor's permit, a
 license to serve alcoholic beverages, and a public entertainment license. If approved, the requested Conditional
 Use Permit would allow this event to occur annually on the Ironworks property.
- The applicant and the Review Agents conducted a site visit on May 23, 2018. The applicant agreed to provide temporary fencing around the event area, and to ensure that a fire lane is provided at all times. There is a wall-mounted fire hydrant within the event area that may not be blocked during the event. The applicant intends to have only one entrance gate near the convergence of the bike/pedestrian bridge and spine driveway as shown on the attached site sketch. The applicant will work with the property owner to determine the best location for traffic barricades along the Spine driveway. The applicant will not allow attendees to sit on the elevated flood wall, as the rip-rap sloping from the flood wall to the river may present a fall hazard to those on top of the wall.
- The YMCA is the only other property owner within the mandatory 150-foot notice radius. However, the applicant
 intends to notify the owners of condo units in the Heritage View building on the opposite side of the river.
- The application and site sketch are attached.
- 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 one-day event will occur in the middle of a bustling urban environment that includes noise, glare, and heavy foot traffic. The proposed event will end by 11 PM and will otherwise comply with the noise ordinance.
- 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 event will occur on a Saturday, when most offices at the Ironworks campus are not open. The YMCA has been notified of this proposed event and has not raised any objections. The Heritage View condo owners will be notified in advance. While some owners may find the event temporarily disruptive, others may enjoy the availability of free entertainment from their balconies.
- c. Whether the conditional use will substantially diminish or impair property values within the neighborhood of the subject property;
 - The proposed event is a one-day annual event that is not expected to impact property values.
- d. Whether the establishment of the conditional use will impede the normal and orderly development

and improvement of the surrounding property;

- Not applicable
- 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;
 - Not applicable
- 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 existing nearby public and private parking lots include sufficient off-street parking, and the new bike/pedestrian bridge further enhances the accessibility of the site.
 - As requested by the Fire Department, the applicant will maintain a Fire Lane.
- g. Whether adequate measures will be taken to minimize traffic congestion; and
 - Most attendees will be parking in nearby lots and walking 1-3 blocks to the event.
 - The applicant will work with the property owner to discourage vehicles from turning into the Spine driveway on the day of the event, as turn-around space will be limited.
- h. Whether the conditional use will comply with all applicable regulations of the Zoning Ordinance.
 - The applicant will comply with all other applicable regulations of the Zoning Ordinance.

Consistency with Comprehensive Plan and Strategic Plan:

The City's Comprehensive Plan recommends *General Industrial* uses for the subject property. The underlying M-2 zoning classification is consistent with this recommendation. Consideration of this request supports City of Beloit Strategic Goal #4 by creating and sustaining a high quality of life through unique community events.

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 <u>approval</u> of a Conditional Use Permit to allow an outdoor entertainment event with the possession, sale, & consumption of alcoholic beverages in an M-2, General Manufacturing District, for the Ironworks property located at 701 Third Street, based on the above Findings of Fact and subject to the following conditions:

- 1. This Conditional Use Permit authorizes BIFF to hold one, single-day outdoor event on the Ironworks property each calendar year, provided that the property owner authorizes each event.
- 2. Prior to the first and each subsequent event, the applicant (and/or their vendors) shall obtain all required permits and licenses, including an outdoor vendor's permit, a license to serve alcoholic beverages, and a public entertainment license.
- 3. To control the possession, sale, & consumption of alcoholic beverages, the entire event area shall be contained by existing building walls and temporary fencing. The fencing shall allow quick removal to allow access to a 20foot fire lane throughout the event space. Access to the existing wall hydrant shall not be impeded.
- 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: Photos, Site Sketch, Application, and Public Notice.

Location Map



Site Sketch



CITY of BELOIT Planning and Building Services Division

00 State Street, Beloit, WI 53511 Phone: (608) 364-6700 Fax: (608) 364-6609	
Conditional Use Permit Application	
Please Type or Print) File Number:	
. Address of subject property: 701 Third Street, Beloit, WI 53511	"IronTek Dri
. Legal description: LOT 1 CSM VOL37 @PG5 445-452	
If property has not been subdivided, attach a copy of the complete legal description from deed.	
Property dimensions are: $\frac{1}{100}$ feet by $65'$ feet = 26000 square feet.	
If more than two acres, give area in acres: acres.	
. Tax Parcel Number(s): 13530710	
. Owner of record: Handrick's Commercial PropertPhone: 608-361-6622	
$\frac{525}{(\text{Address})} \xrightarrow{3'}{5l} 5 \xrightarrow{1}{5} \xrightarrow{3'}{5l} \xrightarrow{3'}{5l} \xrightarrow{3'}{5l} \xrightarrow{3'}{5l} \xrightarrow{1}{5} 1$	
. Applicant's Name: Belait International Film Festival	
444 £ Grand 5te 100 Be 15.+ WI 53511 (Address) (City) (State) (Zip)	
(Address) (City) (State) (Zip)	
608-312-4256 1 608-481-0182 1 Max@bel: +5: Imfast.o (Office Phone #) (Cell Phone #) (E-mail Address)	C
All existing use(s) on this property are: Parking through street business	access
. THE FOLLOWING ACTION IS REQUESTED:	
A Conditional Use Permit for: Outdoor Event/ Beloit International Film F.	stivel
$max_{n} = max_{n} + 2$ Zoning District.	
3. All the proposed use(s) for this property will be:	
Principal use: "Summer Blockbash" Event / Belit International	
Film Festivel East hasting live entertainment and	_
Ala practices	
Secondary'use:	
Accessory use:	

City of Beloit

Conditional Use Permit Application Form (continued)

9. Project timetable: Start date: A-2012 II+ 2018 Completion date: August 11+ 2018

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.

POBLER GERETE 15-7-18 (Signature (Signature of Applicant, if different)

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. Meeting date: June 6, 2018
No. of notices: x mailing cost (\$0.50) = cost of mailing notices: \$ Application accepted by: Torum from Date: 5/9/18

Planning Form NO. 12	Planning	Form No. 1	12
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Established: January 1998



CITY HALL • 100 STATE STREET • BELOIT, WI 53511 Office: 608/364-6700 • Fax: 608/364-6609 www.beloitwi.gov Equal Opportunity Employer

NOTICE TO THE PUBLIC

May 24, 2018

To Whom It May Concern:

Beloit International Film Festival (BIFF) has filed an application for a Conditional Use Permit to allow an outdoor entertainment event with the possession, sale, & consumption of alcoholic beverages in an M-2, General Manufacturing District, for the Ironworks property located at:

701 Third Street.

The proposed "Summer Blockbuster" fundraising event on Saturday, August 11, 2018 will be held along the Ironworks "spine" driveway and will include a stage featuring several bands, food & beverage vendors, portable toilets, and a portable movie screen. The event area will be surrounded by fencing and will be accessible from the Spine driveway on the west and from the new bike/pedestrian bridge over the river.

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

<u>City Plan Commission:</u> Wednesday, June 6, 2018, at 7:00 PM, or as soon thereafter as the matter can be heard in The Forum, Beloit City Hall, 100 State Street.

<u>City Council:</u> Monday, June 18, 2018, 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 <u>must</u> bring <u>ten</u> (10) copies and submit them to the Recording Secretary <u>before</u> 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.



REPORT TO THE BELOIT CITY PLAN COMMISSION

Meeting Date: June 6, 2018	Agenda Item: 4	File Number: CU-2018-05
Applicant: Donta Evans	Owner: Roberta Ciulla Revocable Trust	Location: 530 E. Grand Avenue
Existing Zoning: CBD-1 Central Business District-Core	Existing Land Use: Tavern	Parcel Size: 0.1 Acre

Request Overview/Background Information:

Donta Evans, DBA Royalty Lounge, has filed an application for a Conditional Use Permit to allow an outdoor seating area (deck) with the possession, sale, & consumption of alcoholic beverages in the CBD-1 Central Business District-Core, for the property located at 530 E. Grand Avenue.

Key Issues:

- The applicant has proposed the construction of a 7-foot by 20-foot covered deck at the southwestern corner of the building. As shown on the attachments, the deck would serve as the designated smoking area for patrons, and would be accessible through the lounge only.
- The applicant has provided a title report demonstrating that the property owner owns the L-shaped parcel known as Lot 1 of Smith's Subdivision, which is attached to the subject property. The proposed deck will be located on Lot 1 of Smith's Subdivision, which appears to be an alley but is private property. The title report does not include any mention of an easement over Lot 1 for the benefit of adjacent owners.
- The attached photos illustrate the design concept. The applicant has noted that the deck will include an awning and railings. The application and site sketch are also attached.
- Section 4-902 of the Zoning Ordinance states that outdoor seating areas in CBD-1 are only allowed if reviewed and approved in accordance with the Conditional Use Permit review procedures.
- The applicant has indicated that he intends to seek an agreement with an adjacent property owner to store his dumpsters, which will not be accessible from the private alley once the deck has been constructed.
- The applicant has indicated that he intends to install security cameras that will cover the proposed deck area, and will have an employee stationed at the building exit to the deck when it is in use.
- The attached Public Notice was sent to the owners of surrounding properties. Planning staff has not received any comments.
- The Fire Department has requested standard conditions relating to an emergency exit. The Police Department
 has requested completion of the applicant's ongoing surveillance camera project and assignment of an employee
 at the exit to the deck to control access and to monitor capacity and noise. No other comments were received.

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;
 - Subject to conditions of approval relating to access, capacity, and visibility, the proposed deck is not expected to be detrimental to public health or welfare.
- b. Whether the conditional use will be injurious to the use and enjoyment of other property in the immediate vicinity for purposes already permitted;
 - Due to the proximity of upper-floor housing, staff is recommending a condition of approval that will prohibit music in the deck area after 10 PM and will limit the number of patrons using the deck at any one time.
 - The surrounding property owners (tattoo shop, bank, and auto sales lot) have been notified of this proposed outdoor seating area.
- c. Whether the conditional use will substantially diminish or impair property values within the neighborhood of the subject property;
 - The proposed deck is part of the applicant's ongoing improvements to the subject property, which he currently leases but may eventually purchase.
- d. Whether the establishment of the conditional use will impede the normal and orderly development and improvement of the surrounding property;

- The surrounding area is fully developed.
- e. Whether the exterior architectural design or site layout of the proposed conditional use is so dissimilar or otherwise incompatible with existing or proposed development in the immediate neighborhood that it will cause a depreciation in property values;
 - The proposed deck will include a railing and awning, and detailed plans will be reviewed by staff during Architectural Review.
- 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 and currently serve the property.
- g. Whether adequate measures will be taken to minimize traffic congestion; and
 - The deck will prevent the use of 2-3 angled parking stalls on the adjacent tattoo shop property, which currently utilize the private alley on the subject property for in/out movements. The applicant has provided title work showing the absence of an easement for these movements. Any dispute over this issue is a civil matter between the property owners. Planning staff is recommending a condition of approval relating to dumpster storage and access, given the public health issues associated with trash & recycling accumulation.
 - There are no off-street parking requirements in the Central Business District. Customers will continue to utilize on-street parking.
- h. Whether the conditional use will comply with all applicable regulations of the Zoning Ordinance.
 - The applicant will comply with all other applicable regulations of the Zoning Ordinance.

Consistency with Comprehensive Plan and Strategic Plan:

The City's Downtown Plan recommends *Mixed Uses* for the subject property. This request and the underlying CBD-1 zoning classification are consistent with this recommendation. Consideration of this request supports City of Beloit Strategic Goal #3 by encouraging economic growth.

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 **<u>approval</u>** of a Conditional Use Permit to allow an outdoor seating area (deck) with the possession, sale, & consumption of alcoholic beverages in the CBD-1 Central Business District-Core, for the property located at 530 E. Grand Avenue, based on the above Findings of Fact and subject to the following conditions:

- 1. This Conditional Use Permit authorizes the deck shown in the application attachments and the extension of the possession, sale & consumption of alcohol onto said deck, subject to all of the conditions below. Prior to establishment of the conditional uses, the applicant shall amend the liquor license for the premises to include the outdoor seating area.
- 2. Before constructing the deck, the applicant shall obtain an Architectural Review Certificate and a Building Permit.
- 3. Prior to issuance of permits to construct the deck, the applicant shall provide a copy of a written agreement allowing off-site placement of the trash & recycling dumpsters.
- 4. Prior to use of the deck, the applicant shall finish his current project involving the installation of at least two security cameras that will cover the deck area.
- 5. The maximum capacity of the deck shall be six (6) persons. This maximum capacity shall be posted inside the building and within the outdoor seating area. The applicant shall have an employee stationed at the building exit to the deck to prevent unauthorized entry to the tavern and to enforce the maximum capacity.
- 6. The deck shall include an emergency exit-only door or gate. The door or gate shall be at least three (3) feet wide and a clear path between the building door and the emergency exit shall be maintained.
- 7. Music may not be played in the outdoor seating area after 10:00 PM.
- 8. 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: Example Photos, Site Photos, Site Sketch, Application, Public Notice, and Mailing List.





Site Sketch



C	onditional Use Permit Applic	cation
lease Type or Print)		ber: Cu-2018-05
Address of subje	et property: 530 E. Grand AVE	
Legal description	:	
If property has not	been subdivided, attach a copy of the complete l	legal description from deed.
Property dimension	ns are: feet by feet =	square feet.
	cres, give area in acres:	acres.
Tax Parcel Num	ber(s): 13540840	
Owner of record	: Koberta Ciulla Phone: (
173304	KlefF Dr. S. Beloit IL	61080
(Address) Applicant's Nam	e: Danta Ezans	ate) (Zip)
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Planning Form No. 12

City of Beloit	Conditional Use Permit Application Form (continued)
9. Project timetable:	Start date: June 1st Completion date: June 30th
10. I/We) represent that I	/we have a vested interest in this property in the following manner:
() Owner	-
(X) Leasehold, lengt	h of lease: SYR
() Contractual, nat	h of lease: <u>Syr</u>
() 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 lays, ordinances, rules, and regulations.

provided Verbal anthonization during phone call on S/1/18. DJ (Date) (Print name) Signature of Qwner (Signature of Applicant, if different)

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:	Meeting date:		
No. of notices: Application accepted		50) - cost of mailing notices:	\$ Date: <u>5/11/18</u>	
Planning Form No. 12	Established: January 1998	(Revised: November, 2012)	Page 2 of 2	



CITY HALL • 100 STATE STREET • BELOIT, WI 53511 Office: 608/364-6700 • Fax: 608/364-6609 www.beloitwi.gov Equal Opportunity Employer

NOTICE TO THE PUBLIC

May 23, 2018

To Whom It May Concern:

Donta Evans, DBA Royalty Lounge, has filed an application for a Conditional Use Permit to allow an outdoor seating area (deck) with the possession, sale, & consumption of alcoholic beverages in the CBD-1 Central Business District-Core, for the property located at:

530 E. Grand Avenue.

The applicant has proposed the construction of a 7-foot by 20-foot covered deck at the southwestern corner of the building. The deck would serve as the designated smoking area for patrons, and would be accessible through the lounge only.

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

<u>City Plan Commission</u>: Wednesday, June 6, 2018, at 7:00 PM, or as soon thereafter as the matter can be heard in The Forum, Beloit City Hall, 100 State Street.

<u>City Council:</u> Monday, June 18, 2018, 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 <u>must</u> bring ten (10) copies and submit them to the Recording Secretary <u>before</u> 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.

CU-2018-05, 530 E. Grand Avenue, Royalty Lounge Deck

BOLGRIEN, KOEPKE, KIMES, & LIVINGSTON	ANNA GABRIELE LIVING TRUST 313 OAKLEAF CT	KELLEY PROPERTIES LLC
542 E GRAND AVE BELOIT, WI 53511	SOUTH BELOIT, IL 61080	BELOIT, WI 53511
BELOIT COLLEGE BOARD OF TRUSTEES 700 COLLEGE ST BELOIT, WI 53511	HENDRICKS COMMERCIAL PROPERTIES LLC 525 THIRD ST STE 300 BELOIT, WI 535116211	RVB PARTNERSHIP 548 BROAD ST BELOIT, WI 53511
ROBERTA CUILLA 530 E GRAND AVE BELOIT, WI 53511	JESS CAP LLC 7756 DEER TRKS ROCKFORD, IL 611022350	BMO HARRIS BANK 500 E GRAND AVE BELOIT, WI 53511
T&M DEVELOPMENT LLC 335 WHITEWATER AVE FORT ATKINSON, WI 53538	KNUEPPEL INVESTMENTS LLC 540 E GRAND AVE BELOIT, WI 53511	



REPORT TO THE BELOIT CITY PLAN COMMISSION

Meeting Date: June 6, 2018	Agenda Items: 5	File Number: ZMA-2018-04	
	Owner: Our Savior's Lutheran Church	Location: 737 & 749 Bluff Street	
Church			
Existing Zoning: R-1B & R-3	Existing Land Use: Institutional	Parcel Size: 0.4 & 1.23 Acres	

Request Overview/Background Information:

Our Savior's Lutheran Church has submitted an application for a Zoning Map Amendment to change the zoning district classification from R-3, Low-Density Multi-Family Residential to PLI, Public Lands & Institutions, for the church property located at 749 Bluff Street and from R-1B, Single-Family Residential to PLI, Public Lands & Institutions, for the rear portion of the residential property located at 737 Bluff Street.

Key Issues:

- In addition to the main church parcel located at 749 Bluff Street, the applicant owns the adjacent residential parcel addressed as 737 Bluff Street. For more than a decade, the residential structure at 737 Bluff Street has been used as a day shelter for homeless individuals. In addition to the residential structure, there is a garage and dumpster pad located on the 737 Bluff Street parcel, which is contiguous to the church's main parking lot.
- The church intends to sell the 737 Bluff Street parcel, but desires to retain use of the detached garage, dumpster area, and vacant land for possible future parking expansion. In order to accomplish these objectives, Planning staff recommended and the applicant commissioned the attached Plat of Survey.
- The attached Plat of Survey includes a lot line adjustment that will incorporate two-thirds of the 737 Bluff Street parcel into the church parcel. Proposed Parcel A is 11,050 square feet and includes the garage and dumpster pad, and will be attached to the church parcel. The remaining 737 Bluff parcel is 6,360 square feet, and will be offered for sale. The remaining parcel meets the minimum requirements in the R-1B District.
- Parcel A must be rezoned from R-1B to PLI as part of this process, which will allow it to be combined with the church parcel at 749 Bluff Street. The applicant has also proposed rezoning the main church parcel from R-3 to PLI, as PLI is the most appropriate classification for a large-scale religious institution.
- Both affected properties are located in and will remain in the Bluff Street Historic District, and the Landmarks Commission has been advised of this proposed rezoning action.
- Findings of Fact Based on Section 2-304 of the Zoning Ordinance, the Plan Commission shall make a recommendation based on the following considerations:
 - a. **The existing use of property within the general area of the subject property.** The proposed Zoning Map Amendment does not involve a change in land use, as the applicant will incorporate the rear 11,000 square feet of the property at 737 Bluff Street into the main church parcel and will continue to use the garage, dumpster pad, and open space as accessory to the church use. The uses that are permitted in the PLI district include public and quasi-public institutional uses that are compatible with nearby land uses.
 - b. *The zoning classification of property within the general area of the subject property.* PLI is a special purpose zoning district that is frequently adjacent to single-family zoning districts. There are several existing PLI districts along Bluff Street due to the concentration of parks, churches, and other institutional uses.
 - c. The suitability of the subject property for the uses permitted under the existing zoning classification. The church property located at 749 Bluff Street is not suitable for the uses permitted in the R-3 district, which is primarily a multifamily residential district. Including 749 Bluff Street in this proposed rezoning action to PLI will clean-up an existing mismatch in suitability. After Parcel A is transferred, the remaining 6,360 square-foot residential parcel (737 Bluff Street) is likely to be sold as a single-family dwelling and is large enough to accommodate a new detached garage for future use.
 - d. **The trend of development and zoning map amendments in the general area of the subject property.** The most recent nearby Zoning Map Amendment involved the properties located at 631-657 Bluff Street in 2016, when they were rezoned to facilitate the rehabilitation and occupancy of the historic apartment building located at 640 Bluff Street.

Consistency with Comprehensive Plan and Strategic Plan:

Although the Comprehensive Plan recommends residential uses for the subject properties, the plan specifically recommends the inclusion of supportive institutional uses such as churches, schools, and parks within residential neighborhoods. Consideration of this request supports Strategic Goal #4 by creating and sustaining a high quality of life. June 6 Staff Report 5, ZMA-2018-04, 737-749 Bluff Street

Sustainability:

- Reduce dependence upon fossil fuels The proposed rezoning action will allow the preservation and reuse of an existing residential structure. Adaptive reuse capitalizes on the embodied energy in existing structures.
- Meet the hierarchy of present and future human needs fairly and efficiently The proposed rezoning action will help the applicant to reach their strategic objectives.

Staff Recommendation:

The Planning & Building Services Division recommends <u>approval</u> of a Zoning Map Amendment to change the zoning district classification from R-3, Low-Density Multi-Family Residential to PLI, Public Lands & Institutions, for the church property located at 749 Bluff Street and from R-1B, Single-Family Residential to PLI, Public Lands & Institutions, for the rear portion of the residential property located at 737 Bluff Street.

Fiscal Note/Budget Impact: N/A

Attachments: Plat of Survey, Application, Public Notice, & Mailing List



	Zoning	Map Amendment A	Application For	m
P	lease Type or Print)		File No.: Z	MA-2018-04
ι.	Address of subject prop	erty: 737 & 749 Bluff Str	reet	La parte de la composición de la composicinde la composición de la composición de la composición de la
2.	Legal description: Lot:	and 6 & Pt. 13 Block: 9 Subdivided, attach a copy of the comp	ivision: Walker's Addi plete legal description from	ition (See attached Plat of Surv for legal of Parcel A being m deed.) part of tax parcel 1352008
		Irr. feet by Ir		
		ve area in acres:		acres.
3.	Tax Parcel Number(s):	13520070 & Pt. of 135200	080	
1.	Owner of record: Our S	aviors Lutheran Church	Phone: 608-295	5-4825 (Steve Christensen)
	749 Bluff Street	Beloit	WI	53115
	(Address)	(City)	(State)	(Zip)
5.	Applicant's Name: <u>OU</u>		eran Church	
			1.115	53511
	749 BLUF	FST. Beloit	WIS (State)	
	(Address)	(City)	(State)	(Zip)
	<u>749</u> <u>B</u> <u>Luf</u> (Address) <u>608</u> <u>362-0716</u> (Office Phone #)	(City)	(State)	
6.	(Address) 608 362-0716	(City) <u>1 608 - 362 - 071</u> (Goll Phone #) FAX TION IS REQUESTED:	(State) <u>I DFFice C</u> (E-mail Address)	^(Zip) 2- <i>oursaviors</i> beloit.org
6.	(Address) <u>608</u> <u>362-0716</u> (Office Phone #) <u>THE FOLLOWING AC</u>	(City) <u>1 608 - 362 - 071</u> (Goll Phone #) FAX TION IS REQUESTED:	(State) (State) (E-mail Address) 20070)/R-1B (13520080	^(Zip) <u>e oures aviors bel</u> oit.org
6.	(Address) <u>608</u> <u>362-0716</u> (Office Phone #) <u>THE FOLLOWING AC</u>	(City) <u> 608 - 362 - 077</u> (Cell Phone #) FAX <u>FION IS REQUESTED:</u> R-3 (1352 R-3 (1352)	(State) (State) (E-mail Address) 20070)/R-1B (13520080	^(Zip) 2- <i>oursaviors</i> beloit.org
5.	(Address) <u>608</u> <u>362-0716</u> (Office Phone #) <u>THE FOLLOWING ACC</u> Change zoning district cla	(City) <u> 608 - 362 - 077</u> (Cell Phone #) FAX <u>FION IS REQUESTED:</u> R-3 (1352 R-3 (1352)	(State) (State) (E-mail Address) 20070)/R-1B (13520080	^(Zip) 2- <i>oursaviors</i> beloit.org
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	(Address) <u>608</u> <u>362-0716</u> (Office Phone #) <u>THE FOLLOWING AC</u> Change zoning district cla All existing uses on this p	(City) <u> 608 - 362 - 071</u> (Gell Phone #) FAX <u>FION IS REQUESTED:</u> R-3 (1352 assification from: property are:Church	(State) (State) (E-mail Address) 20070)/R-1B (13520080	(Zip) <u>Puresaviorsbel</u> oit.org
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	(Address) <u>608</u> <u>362-0716</u> (Office Phone #) <u>THE FOLLOWING ACC</u> Change zoning district cla All existing uses on this p <u>All the proposed uses fo</u> Principal use(s):	(City) <u> 608 - 362 - 071</u> (Gell Phone #) FAX <u>FION IS REQUESTED:</u> R-3 (1352 assification from: property are: Church r this property are: (No	(State) // <u>DFFice @</u> (E-mail Address) 20070)/R-1B (13520080 to:to:	(Zip) <u>Puresaviorsbel</u> oit.org
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Ci	ty of Beloit	Zoning Map Amendment Application Form	(continued)
8.		e have a vested interest in this property in the followir	ig manner:
	 () Leasehold, Length 	n of lease:	
	() Contractual, Natu		
	() Other, explain:		

9. Individual(s) responsible for compliance with conditions (if any), if request is granted: S15-222-0374 cell Name(s): <u>Jon Lang (Board President)</u> Phone: <u>B15-389-4321</u> Req <u>14102 White School Rd So. Beloit <u>ILL</u> <u>G1080</u> (Address) (City) (State) (Zip)</u>

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.

	1		/	_
(Signature of Owner)		(Print name)	(Date)	
(Signature of Applicant, if different)	/	JON LANG	1 05-10-18	_
 (Signature of Applicant, if different) 		(Print name)	(Date)	

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

To be completed by Planning Staff				
Filing Fee: \$275.00 Amount Paid: \$275. Meeting Date: June 6, 2018				
Number of notices: x mailing cost (\$0.50) = cost of mailing notices: \$				
Application accepted by: Implementation Date: Date:				
Date Notice Published: Date Notice Mailed:				



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NOTICE TO THE PUBLIC

May 23, 2018

To Whom It May Concern:

Our Savior's Lutheran Church has submitted an application for a Zoning Map Amendment to change the zoning district classification from R-3, Low-Density Multi-Family Residential to PLI, Public Lands & Institutions, for the church property located at 749 Bluff Street and from R-1B, Single-Family Residential to PLI, Public Lands & Institutions, for part of the residential property located at 737 Bluff Street.

In addition to the residential structure, there is a garage and dumpster pad located on the 737 Bluff Street parcel, which is contiguous to the church's main parking lot. The church intends to sell the 737 Bluff Street parcel, but desires to retain use of the detached garage, dumpster area, and vacant land. In order to accomplish these objectives, the church intends to adjust the lot lines so that approximately 11,000 square feet of the rear portion of 737 Bluff Street is transferred to the main church parcel at 749 Bluff Street. The land to be transferred must be rezoned to PLI as part of this process. The house and remaining 737 Bluff Street parcel will remain zoned R-1B.

The applicant has also proposed rezoning the main church parcel from R-3 to PLI, as PLI is the most appropriate classification for a large-scale religious institution. The following public hearings will be held regarding these applications:

<u>City Plan Commission</u>: Wednesday, June 6, 2018, at 7:00 PM, or as soon thereafter as the matter can be heard in The Forum, Beloit City Hall, 100 State Street.

<u>City Council:</u> Monday, June 18, 2018, 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 <u>must bring ten (10)</u> copies and submit them to the Recording Secretary <u>before</u> the meeting begins.

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

ZMA-2018-04, 737-749 Bluff Street

SCOTT WEIDNER 259 ST LAWRENCE AVE BELOIT, WI 53511

ALLEN CARLEY 729 BLUFF ST BELOIT, WI 53511

JOHN P SCHNEIDER LLC 4123 TERMINAL DR MC FARLAND, WI 53558

SHAWN TOWNSEND 2020 GLEN AVE BELOIT, WI 53511

STEVEN HINCH 131 HILL DALE AVE HAVERHILL, MA 01832

DAVID & NANCY HEPLER 2150 MERRILL ST BELOIT, WI 535114822

IGNACIO & ELIZABETH DOMINGUEZ 708 PARKER AVE BELOIT, WI 53511

SANDRA HINTZ 720 FIFTH ST BELOIT, WI 53511

ROGER E & JOANN OSTENSON 743 VINE ST BELOIT, WI 535115305

ANA DE LA TORRE 731 VINE ST BELOIT, WI 53511 GENARO GILES 716 FIFTH ST BELOIT, WI 53511

LONNEL DERRING 1222 ELEVENTH ST BELOIT, WI 53511

GLEN MCCAULEY P O BOX 725 BELOIT, WI 535120725

NEIGHBORHOOD HOUSING SERVICES OF BELOIT INC 520 W GRAND AVE BELOIT, WI 53511 LAURIE TUTTLE 227 ST LAWRENCE AVE BELOIT, WI 535115318

GERALD & LINDA REIGLE 717 PARKER AVE BELOIT, WI 535115354

LINDA SUMMERS 730 PARKER AVE BELOIT, WI 535115355

JOAN DAVISSON 810 BENTSEN PALM DR W-3 MISSION, TX 78572

FPS RENTAL INC P O BOX 41 BELOIT, WI 535120041

NANCY BRUSVEN 35W472 ELMWOOD AVE ST CHARLES, IL 60174 OUR SAVIORS LUTHERAN CHURCH 749 BLUFF ST BELOIT, WI 53511

ILDEFONSO XIQUE 720 PARKER AVE BELOIT, WI 53511

DODI CUMMINGS 707 PARKER CT BELOIT, WI 53511

BENJAMIN HUDSON 239 ST LAWRENCE AVE BELOIT, WI 53511

RICHARD & REBECCA FERNANDES 739 PARKER AVE BELOIT, WI 53511

DARIAN & ANGELA SNOW 911 PARK AVE BELOIT, WI 53511

MARY ADAMS 727 PARKER AVE BELOIT, WI 535115354

EDWARD J & EMILY K RAY 744 BLUFF ST BELOIT, WI 53511

TMG RENTALS LLC P O BOX 293 JANESVILLE, WI 53547

DAVID AMSTUTZ 710 BLUFF ST BELOIT, WI 53511 KIM A HOWARTH HOWSWORK LLC 354 SEYMOUR CT ELKHORN, WI 531214236

SCOTT D & HOLLY M MUTH 736 BLUFF ST BELOIT, WI 53511

J & C REAL ESTATE LLC 321 OBISPO AVE MACHESNEY PARK, IL 611151257

MONICA CLEVELAND 2063 SUN VALLEY DR BELOIT, WI 53511

FPS RENTAL INC P O BOX 41 BELOIT, WI 535120041

ESTEFANNY SANCHEZ-RICO 820 PARKER CT BELOIT, WI 53511

GARY WEINKAUF 1822 EMERSON ST BELOIT, WI 53511

DENNIS & ROSE KEENEY 817 BLUFF ST BELOIT, WI 535115253

OSCAR DELGADO 823 PARKER CT BELOIT, WI 53511

THEODORE CRAIG 202 ST LAWRENCE AVE JANESVILLE, WI 53545 RJK PROPERTIES LLC P O BOX 33 BELOIT, WI 535120033

LORENA DIAZ 737 VINE ST BELOIT, WI 53511

FREEDOM PROPERTY INVESTMENTS LLC 1655 COPELAND AVE #130 BELOIT, WI 53511 JASON HAKIM 717 VINE ST BELOIT, WI 53511

RYKNO INVESTMENTS LLC 3572 BEE LN BELOIT, WI 53511

JORGE MURILLO 820 PARKER CT BELOIT, WI 53511

PAMELA HARRIS 751 PARKER AVE BELOIT, WI 535115354

STEVEN JOHNSTON W943 TAYLOR TRL BRODHEAD, WI 53520

DONALD BERG 218 ROOSEVELT AVE BELOIT, WI 535115261

JOE WALL W7947 TOWNHALL RD SHARON, WI 53585 SUSAN LEONARD 714 BLUFF ST BELOIT, WI 535115351

TITO RODRIGUEZ 737 VINE ST BELOIT, WI 53511

MARVIN MILNER P O BOX 1161 BELOIT, WI 535121161

GENESIS CONSTRUCTION 8749 S CREEK RD BELOIT, WI 53511

JOHN MITCHELL 811 BLUFF ST BELOIT, WI 53511

ANDREW MAURIZZI 807 BLUFF ST BELOIT, WI 53511

JEAN A BLUM REVOCABLE TRUST DTD 9/13/06 1610 14TH ST MONROE, WI 53566 GUADALUPE NUNEZ 823 PARKER CT BELOIT, WI 53511

JASIBE SANTIAGO-RUIZ 716 MOORE ST BELOIT, WI 53511

KENNETH & THEO RYER W7947 TOWN HALL RD SHARON, WI 53585 JOANNA GURESTTLE 630 SPRUCE MADISON, WI 53715

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