



**Meeting Minutes  
Beloit City Plan Commission  
Wednesday, September 5, 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 7:00pm. Commissioners Weeden, Johnson, Faragher, Ruster, Finnegan, Robson and City Councilor Preuschl were present. Commissioner Haynes was absent.

**2. Approval of the Minutes of the September 5, 2018 Meeting**

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

**3. Consideration of a Conditional Use Permit to allow a drive-in use with alcoholic beverage sales in a C-2, Neighborhood Commercial District, for the property located at 2667 Prairie Avenue.**

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

Councilor Prueschl asked if the applicant had to apply for a license. Ms. Christensen responded that if a new entity would be operating the business, a new license would be required. Fiesta Cancun gave up their license in November, 2017. Councilor Preuschl questioned if the conditional use they are approving tonight has any bearing on the sale of alcohol. Ms. Christensen stated that the sale of alcohol will be done as a separate action item through the Alcohol Beverage License Control Committee. Commissioner Faragher states his concerns about the evidence that was provided. Ms. Christensen explained that we recently discovered the 2009 Conditional Use Permit which allowed the alcohol use. However, the Police Department memo mostly relates to the alcohol use. If the Plan Commission prefers, the item can be laid over until the next meeting, and we can get an updated report from the Police Department.

Councilor Prueschl asked about the 2009 Conditional Use Permit, specifically the condition prohibiting the use of the drive-through. Ms. Christensen indicated that she would check with the City Attorney and let them know at their next meeting.

Melissa Plood, 7204 W Mill pond Road, representing her father Dewey Lethaby, Iva Court Condominiums #5, mentioned some of her father's concerns about noise, lights shining in home, and the alcohol being sold through the drive-through.

Mark Miller, 2675 Iva Court, stated his concerns about the traffic crossing through the parking lot, noise echoing into the neighborhood, and trash being thrown out behind the building.

Alice Blue, 2621 Prairie Ave, owner of Badger Spirits, indicated that the City urged Ms. Blue to not put a drive-through at her liquor store, and she feels she is put at a disadvantage if this is approved.

Nicholas Lerma, applicant, 5008 Walnut Grove Drive, Beloit, made the argument that a drive-through is appropriate at this location. He noted that Prairie Ave was already a main street constructed for people to travel through the City, so it is already a busy street. Mr. Lerma stated that the back side of the business already has plenty of trees to block lights from shining through the condos, and the hours of business will be based on what the City will allow them to operate.

Commissioner Robson made a motion to lay over the item. Commissioner Weeden seconded the motion. The motion passed, voice vote.

**4. Consideration of a Resolution Recommending Approval of an Update to the City's Comprehensive Plan**

Planning and Building Services Director, Drew Pennington, presented the staff report on the update to the City's Comprehensive Plan.

Commissioner Johnson asked if there were any concerns raised about the proposed land use for Kolak or any other future land uses. Mr. Pennington stated there were not any concerns raised about Kolak, but there was a lot of discussion about Royce School and the proposed single family use.

Commissioner Robson stated that she has received comments from the East Ridge neighborhood regarding Morgan School, and they would like to see the zoning changed to single family residential. Mr. Pennington stated that speaking for the Steering Committee, they believed there were no good options for this site at this time, and it was best not to change the future land use. Ms. Christensen explained that the Comprehensive Plan update is not proposing to change the zoning, it is proposing changes to the future land use. Commissioner Weeden questioned if it is a normal procedure that the zoning would not be in an agreement with the land use plan. Ms. Christensen said we are doing a Comprehensive Plan update first, and the rezoning would be the next step. Mr. Pennington stated that under the Wisconsin Comprehensive Planning Law, the plan is the overriding vision, and all land use and subdivision decisions must be consistent with the plan. Commissioner Robson questioned if it would discourage developers who would want to put in condos or single family because it is not zoned single family. Ms. Christensen explained that when developers contact the City about a site, staff shares the

Comprehensive Plan with the developer and lets them know the neighborhood vision for the site as well. Mr. Pennington explained that there could be unintended consequences to changing the zoning of Royce school to single family because if a developer wanted to open a church or educational facilities they could not if they changed the zoning.

Commissioner Finnegan said that he was disappointed that the plan would not include any ability for non-conforming duplexes that were constructed as duplexes to continue to be used as they were. The Commissioners discussed the different consequences to this issue. Ms. Christensen explained that property owners in an area could propose an R-2, Two-family Zoning District if there were a number of duplexes, but that many neighborhoods in the past had specifically requested to be downzoned to single family. Mr. Pennington noted that revisiting the density issue was a large, long-term project that was too broad to fit into the Plan Update.

Commissioner Faragher opened and closed the public hearing.

Commissioner Johnson moved to approve the Resolution recommending approval of the Comprehensive Plan Update. Commissioner Weeden seconded the motion. The motion passed, voice vote.

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

The Conditional Use Permit (CUP) was approved for the drive-in use at 2667 Prairie Avenue but the CUP for alcohol sales was denied. The Zoning Text Amendment to allow outdoor vending as a temporary use in the PLI Zoning District was approved, and the Historical Society will be holding an event on September 9, 2018 at Heritage Days.

**6. Adjournment**

Commissioner Robson moved to adjourn the meeting. Commissioner Ruster seconded the motion.

Meeting adjourned at 8:30pm.

Minutes respectfully submitted by Amber DesRoberts.