



**PUBLIC NOTICE & AGENDA
PLAN COMMISSION
City Hall Forum - 100 State Street, Beloit, WI 53511
7:00 PM
Wednesday, May 22, 2019**

1. CALL TO ORDER AND ROLL CALL
2. MINUTES
 - 2.a. Consideration of the minutes of the May 8, 2019 Plan Commission meeting
[Attachment](#)
3. PUBLIC HEARINGS
 - 3.a. Consideration of a Conditional Use Permit to allow an outdoor (rooftop) seating area including the possession, sale and consumption of alcoholic beverages in the CBD, Central Business District, for the property located at 648-658 Fourth Street
[Attachment](#)
 - 3.b. Consideration of Conditional Use Permit to allow warehouse and distribution in the C-3, Community Commercial District, for the property located at 1750 Branigan Road
[Attachment](#)
 - 3.c. Consideration of an Exception to 30.40(2)(c) of the Outdoor Sign Regulations (the "Sign Ordinance") to allow three secondary on-premise signs larger than 30 square feet in area for the property located at 3022 Ford Street (Holiday Inn Express & Suites)
[Attachment](#)
4. STATUS REPORT ON PRIOR PLAN COMMISSION ITEMS
5. ADJOURNMENT

** 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 8, 2019 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. Commissioners Haynes, Weeden, Johnson, Faragher, Finnegan, Ruster, Robson, and City Councilor Preuschl were present.

2. Nomination and Election of Officers

a. Nomination and Election of Chairperson

Commissioner Haynes nominated Commissioner James Faragher; Commissioner Johnson seconded the motion. Motion passed, voice vote.

b. Nomination and Election of Vice-Chairperson

Commissioner Ruster nominated Commissioner Timothy Weeden; Commissioner Robson seconded the motion. Motion passed, voice vote.

3. Approval of the Minutes of the April 3, 2019 Meeting

Commissioner Robson moved to approve the minutes. Commissioner Haynes seconded the motion. The motion passed, voice vote.

4. Public Hearings

a. Consideration of a request to change the Future Land Use Map of the Comprehensive Plan from Two-Family/Townhouse Residential to Planned Mixed Use for the property located at 2426 Prairie Ave

Community Development Director, Julie Christensen, presented the staff report and recommendation for items a, b and c.

Commissioner Weeden asked what would be the result if the residential portion of the mixed use did not get developed. Ms. Christensen explained that the area where the duplexes/townhomes are proposed would remain undeveloped. She went on to explain that if Plan Commission wanted to approve the development but not the duplexes, the Commission could remove the duplexes from the list of approved uses. Commissioner Weeden asked if the recommendation from staff would change if the

duplexes would not be part of the plan. Ms. Christensen stated that staff would still recommend approval.

Commissioner Faragher opened the public hearing.

Aaron Nilson, 2333 Fischer Road, South Beloit, Illinois, owner of Aurum Contracting, said that he was here representing Aurum Contracting. Commissioner Robson asked Mr. Nilson where he would have the trucks parked. Mr. Nilson stated the trucks and trailers will be parked north of the main structure. Councilor Preuschl asked if Mr. Nilson is moving the entire company to this new property or leaving that business there. Mr. Nilson stated that he is moving the entire business to this new location. Commissioner Robson asked Mr. Nilson what kind of landscaping and improvements he will be doing to the building. Mr. Nilson stated that he wants to paint the brick a different color, remove the bushes out front, add a fountain and benches, and have it dedicated with a memorial plaque in the front of building.

Commissioner Faragher asked Mr. Nilson what the time frame for potential duplexes would be. Mr. Nilson stated that within five years, he would construct the duplexes and that he did not want to have an empty field. Commissioner Ruster asked if the median they are proposing to put in on Prairie Ave was going to be extended and take over some of the land on 2426 Prairie Ave. Jason Dupuis, Assistant City Engineer of the City of Beloit, stated the median is in the center of the road and will not affect Mr. Nilson's property. Commissioner Weeden asked if there will be left turns onto Prairie Avenue or only right turns. Mr. Dupuis stated he was not sure where the existing driveway was located but suspected that it would be a right-in and right-out only.

Ronald Mauthe, 2447 Iva Court, lives northwest of the 2426 Prairie Ave, and was just wondering if Mr. Nilson will be building on the northwest corner of the property. Mr. Nilson indicated that he has no intention on building on that corner of the property, and was just planning on cleaning up the brush.

Patricia Pickering, 2506 Iva Ct, could not make the meeting, and sent an email opposing the rezoning. Ms. Pickering's concerns were about storage units being put up and a mechanic shop with noises all day and night. Mr. Nilson stated that he has no intentions on adding storage units; he just plans to keep the existing structures, remove the barbed wire and put blinders in the fence. He stated that this building was used as a mechanic shop since the 1960's, working on military equipment, and if operation hours are from 7am to 7pm, he does not believe it will disturb the neighboring properties.

Commissioner Finnegan asked if the only mechanical work would be on the contractor's vehicles. Mr. Nilson stated the mechanic located by his current building will be renting out the garage, working on their work vehicles and operating a

mechanic shop. Commissioner Weeden asked if he would be the landlord to go to for direct contact if there were any issues. Mr. Nilson answered yes.

Commissioner Faragher closed the public hearing.

Commissioner Haynes moved to approve the motion. Commissioner Johnson seconded the motion. Motion passed, voice vote.

b. Consideration of a Planned Unit Development Master Land Use Plan for the property located at 2426 Prairie Ave

Commissioner Faragher opened and closed the public hearing.

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

c. Consideration of a Zoning Map Amendment from PLI, Public Lands and Institutions District to PUD, Planned Unit Development District, for the property located at 2426 Prairie Ave

Commissioner Faragher opened and closed the public hearing.

Commissioner Johnson moved to approve the motion. Commissioner Haynes seconded the motion. Motion passed, voice vote.

d. Consideration of a Conditional Use Permit to allow a limited vehicle service use in a C-2, Neighborhood Commercial District, for the property located at 2034 Liberty Ave

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

Commissioner Robson asked if there is a requirement to pay the delinquent fines before getting to step one. Ms. Christensen did not know if we could list that as a condition of approval, but would check before it went to City Council.

Commissioner Faragher opened the public hearing.

Waylon Daniel, 319 Hancock Street, provided a number of handouts including photos, site layouts, Fire Inspection Report marked with items completed, and a letter to the Commission. He stated that he did not know he needed this permit to operate his business. He indicated that they are in the progress of cleaning up the fence outside and fixing the fire barrier wall on the inside to meet the code requirements. Commissioner Johnson asked Mr. Daniel if he had corrected the issues that Fire Department has requested except the fire barrier wall. Mr. Daniel said yes. Commissioner Johnson asked if there are plans to solve the oil draining issues in the floor. Mr. Daniel said that Water Resources said the drain is fine, but they will be fixing

the other issue. He indicated that he is just waiting to make the improvements until the Conditional Use Permit is approved. Commissioner Robson asked Mr. Daniel if he still owes on the delinquencies. Mr. Daniel said he believes they are paid off. Commissioner Faragher asked if Mr. Daniel will be comfortable in paving the parking lot and meeting the requirements. He answered yes.

Dwight Miller, 1804 Glen Avenue, the person leasing the building from the owner, stated they are in the process of getting everything cleaned up and have a quote to get the lot paved in the next few days. Commissioners discussed if Mr. Miller is comfortable with the time frame for getting everything met to code. Commissioner Faragher outlined the concerns raised by the e-mails received by City staff, specifically the fence, loud music, vehicle storage, people trespassing onto their properties, and cars parked on both sides of Liberty Ave. Mr. Miller stated that people come in and out of the parking lot blasting music, and they ask people to turn their music down. Mr. Daniel also mentioned that his son had a car stereo put in for a car show, and they tested the stereo a few days. Mr. Miller mentioned that the owner will be taking care of the fence out back.

Malcolm Reed, 2041 Merrill Street, explained that he has lived in his house for 50 years and wanted to express his concerns of the property at 2034 Liberty Avenue. Mr. Reed expressed his concerns about the business hours, loud music all night, and a lot of vehicles being stored there. He mentioned that the property is located in a residential area and believes that the business is not a good fit in the neighborhood.

Ruth Linneman, 2021 Merrill Street, indicated that there is loud music played late in the evening, not just from the vehicles pulling into the parking lot, and there is traffic coming in and out late at night.

Angela McCollum, 2018 Merrill Street, indicated that the vehicles being stored on the property is an eyesore, and there is loud music playing all the time.

Cynthia Macnees, 2009 North Street, indicated that this business is not taking care of the property. The fence is falling down, and there is junk on the outside of the fence.

Alex Blazer, 312 W Grand Avenue, indicated that he has a business next door to 2034 Liberty Ave at 2056 Liberty Ave, and he supports people that run small businesses. Mr. Blazer explained Mr. Miller will take care of all the businesses located in this building and that he has been successful in running his businesses. The City should give him a chance to move forward and solve these issues.

Commissioner Robson asked Mr. Miller about the storage of the vehicles that are not licensed or registered. Mr. Miller stated the City said he can keep up to three unregistered vehicles onsite. Ms. Christensen stated that with this CUP, one of the

conditions listed is that after hours you cannot have any cars parked there and that the hours of operation are limited to 7 am to 7pm each day. Mr. Miller said that City staff told him he can have three cars there, but he does agree and understand the conditions.

Commissioner Faragher closed the public hearing.

Commissioner Johnson stated that if the business owners can agree, get the issues resolved, and establish good relations with the residents nearby he recommends approval. Commissioner Haynes stated that if the applicant does not comply by July 1, 2019 the CUP for the automotive shop is taken away.

Commissioner Johnson moved to approve the Conditional Use Permit with the conditions prepared by staff. Commissioner Finnegan seconded the motion. Motion passed, voice vote.

5. Reports

a. **Consideration of a petition to vacate the 1200 block of Fourth Street located between Middle Street and North Street**

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

Chief of Police, David Zibolski, outlined the safety concerns with having an active traffic lane immediately adjacent to the high school. Chief Zibolski stated that throughout the day, traffic is stopping in the middle of the street, and kids are dodging the cars as they walk across the street to the high school. Chief Zibolski presented videos of traffic in front of the high school before the street was temporarily closed last year.

Commissioner Johnson asked Chief Zibolski how many accidents have happened in front of the school. Chief stated a lot of accidents have happened in the intersections surrounding, but none outside of the high school have occurred. Commissioner Robson asked Chief Zibolski if the vacation of Fourth Street will solve the problems with the buses parking and driving on the bike path. Ms. Christensen said that Frank McKearn, R.H. Batterman and Co., can answer that question.

Gary Rasmussen, 1025 Ninth Street, stated his concerns about closing Fourth Street. He mentioned that the referendum clearly stated that the residents did not want this street closed and asked why City Council would ask neighboring properties for their opinion on the closing of Fourth Street if they are going to close it anyway.

Mary Ann Sveom, 1131 Ritsher Street, mentioned that City Council had two referendums to close Fourth Street, and City Council is not acknowledging the opinions represented by these referendums. Ms. Sveom stated that the school just wants to

close the street down in order to put the soccer field across the street, which she did not think was needed.

Frank McKearn, R.H. Batterman, indicated that there was a master plan that was developed. It was joint effort with the school district and the City. It included the closing of Fourth Street, a turn around by the pool, and additional parking by the tennis courts. The intention is to provide a more inviting campus and increase safety. The turnaround and parking lot are scheduled for construction this summer, and the turnaround will help to ensure that vehicles do not have to drive behind the school.

Commissioner Weeden asked where the designated drop off areas going to be at and will there be congestion as cars try to make the corner from Fourth Street to Middle Street or Fourth Street to North Street. Frank McKearn said that to the City's credit, they worked with the school district when they closed the street with barricades, and they took the time to educate parents, students, and monitor the situation to see if there are issues. Mr. McKearn stated the people are figuring it out and have not had any complaints.

Commissioner Haynes wanted to know what the City was going to do with the traffic at the intersection of Liberty Avenue and Fourth Street and stated his concerns about the street vacation. He feels that there is no way for people who live on the westside to go north out of the city.

Jason DuPuis, Assistant City Engineer, mentioned that the intersection of Fourth Street and Liberty Ave is already a controlled intersection. He went on to explain that a traffic impact analysis was prepared, and it indicated that with the addition of turn lanes planned at the intersections of North and Sixth and Middle and Sixth, there was the closing of Fourth Street was not expected to negatively impact traffic patterns in the surrounding area. He also noted that there was a transportation study ongoing which included the freeflow of Liberty Avenue to Fourth Street.

Sean Winters, School District of Beloit, stated the spot in the back is for maintenance and special needs drop off. Mr. Winters mentioned that there will be new parking by the tennis courts with more than 70 parking spots. The School Board is working with all departments throughout the City to have a plan to get the kids to school safely. Councilor Preuschl stated that the School Board should communicate better to the public what is going on with the projects around the high school.

Commissioner Johnson moved to approve the vacation. Commissioner Robson seconded the motion. Motion passed, voice vote. Commissioners Faragher and Haynes were opposed and voted against.

b. Consideration of the acquisition of land for public right-of-way at the northeast corner of Sixth Street and Middle Street

Commissioner Johnson moved to approve the item. Commissioner Weeden seconded the motion. Motion passed, voice vote.

c. Consideration of a Resolution approving one-lot Certified Survey Map for properties located at 3 ABC Drive and 1132 Prince Hall Drive

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

6. Status Report on Prior Plan Commission Items

Ms. Christensen indicated that the City Council approved the sign and markers identifying the Walter R Knight Honorary Bridge and approved the Development Agreement for the Cranston Road Assisted Living Facility.

7. Adjournment

Commissioner Ruster moved to adjourn the meeting. Commissioner Johnson seconded the motion. Motion passed, voice vote.

Meeting adjourned at 9:11pm.

Minutes respectfully submitted by Amber DesRoberts.



REPORT TO THE PLAN COMMISSION

Plan Commission Meeting Date: May 22, 2019

Agenda Item: 3(a)

File Number: CU-2019-03

General Information

Applicant: Peter Gabriele

Owner: DOMLAPAL Enterprises LLC

Address/Location: 648-658 Fourth Street

Applicant's Request: The applicant has applied for a Conditional Use Permit to allow an outdoor (rooftop) seating area including the possession, sale, & consumption of alcoholic beverages in the CBD, Central Business District, for the property located at 648-658 Fourth Street.

Background

The applicant is in the process of renovating the buildings on the subject property into a banquet/special event space to be known as Grande Hall II. The applicant recently combined the subject properties into one zoning & tax parcel. This CUP request has been on hold since August 2018 while the applicant took the necessary steps to place the properties under the same corporate ownership. Planning staff advised the applicant of the need to combine parcels on August 30, 2018. Parcels must have the same ownership in order to be combined into one. The Zoning Ordinance states that outdoor seating areas in the CBD are only allowed if reviewed and approved in accordance with the CUP review procedures.

Staff Analysis

Existing Conditions: The buildings on the subject property have been internally connected through new doorway openings. The first floor banquet hall in the southern building (648) has been mostly completed, and the applicant intends to remodel the northern former service station building (658) into a lobby and seating area with internal & external staircases leading to a new rooftop seating area as shown on the attachments.

Surrounding Land Use and Zoning: Both buildings are located in the Central Business District, with the southern (648) parcel zoned CBD-1 and the northern (658) parcel zoned CBD-2. There are office uses to the north and east of the subject property. There are storage and mixed use buildings to the west and a tavern (Brass Rail) to the south of the subject property.

Proposed Outdoor Seating Area: The attached renderings illustrate the design concept. The applicant has noted that the seating area will include a railing and pergola. The rooftop seating area will be accessible through an internal stairway, and will include an external stairway at the near for emergency egress. The applicant will need to expand his current alcoholic beverage license to include the outdoor area. The attached Public Notice was sent to the owners of surrounding properties. Planning staff has not received any comments.

Off-Street Parking Requirements: There are no minimum off-street parking requirements in the Central Business District, which is served by on-street parking and City-owned public parking lots. The subject property will be served by on-street parking, the Fourth Street Public Parking Lot, and the Ironworks Public Parking Lot.

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

Municipal Utilities: The subject property receives the full range of municipal services.

Review Agent Comments: No comments or concerns have been submitted.

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 railings, 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;*
 - The improvement and occupancy of the subject property as an event space will have differing hours than the nearby office uses, and is fully compatible with the adjacent tavern and other commercial uses.
- c. *Whether the conditional use will substantially diminish or impair property values within the neighborhood of the subject property;*
 - On the contrary, the proposed use is expected to further revitalize the Fourth Street corridor and the adjacent Ironworks District, which has experienced a profound transformation within the past decade.
- 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 rooftop seating area will include 2,230 square feet of seating area and architectural features such as a pergola.
- 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*
 - Fourth Street and St. Lawrence Avenue are capable of handling any additional traffic that will be generated by the Conditional Use. All damaged/missing curb must be replaced, as vehicle parking between the buildings and right-of-way would be unsafe and unattractive.
 - Customers will continue to utilize on-street parking and City-owned parking lots.
- h. *Whether the conditional use will comply with all applicable regulations of the Zoning Ordinance.*
 - The existing gravel areas need to be finished for pedestrian and patron use, and should remain free of vehicle access and parking. This is addressed by condition #3 below.

STAFF RECOMMENDATION:

The Planning & Building Services Division recommends **approval** of a Conditional Use Permit to allow an outdoor (rooftop) seating area including the possession, sale, & consumption of alcoholic beverages in the CBD, Central Business District, for the property located at 648-658 Fourth Street, based on the above Findings of Fact and subject to the following conditions:

1. This Conditional Use Permit authorizes the rooftop seating area shown in the application attachments and the extension of the possession, sale & consumption of alcohol onto said area, subject to all of the conditions below.
2. In order to promote architectural harmony and safety, the rooftop seating area shall be surrounded by a railing that is designed to appear as a parapet wall as depicted in the renderings provided with the application, and shall include a pergola as shown.
3. The applicant shall submit a plan for finishing the existing gravel areas with concrete and/or landscaping by July 1, 2019 and shall complete the approved improvements prior to occupancy. No parking shall be permitted between the buildings and public right-of-way on the properties in order to promote an attractive, pedestrian-friendly environment and safe vehicular travel at the intersection.
4. The existing damaged curb & gutter surrounding the property shall be replaced with new curb & gutter meeting the City's specifications prior to occupancy of the rooftop seating area. All excess driveway aprons shall also be removed. This will require a Right-of-Way Permit from the Engineering Division.
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.

Code Requirements:

In addition to the above permit conditions, the following provisions of existing City Ordinances shall apply:

1. Before constructing the rooftop seating area, the applicant shall obtain an Architectural Review Certificate and a Building Permit as required by Code.
2. The railing/parapet wall shall be at least forty-two (42) inches in height as required by the Building Code.
3. The maximum capacity of the rooftop seating area shall be determined by the Building Official prior to issuance of a Certificate of Occupancy for the building, and shall be posted accordingly.
4. Prior to serving alcoholic beverages in the rooftop area, the applicant shall amend the liquor license for the premises to include the outdoor seating area.
5. In accordance with Section 2-506 of the Zoning Ordinance, the applicant shall have twelve (12) months from the date of CUP issuance to complete construction and commence use of the outdoor seating area, or the CUP shall lapse and be of no further effect.

ATTACHMENTS: CUP Decision Form, Location & Zoning Map, Photos, Renderings, Floor Plan, Application, Public Notice, & Mailing List.

Beloit Plan Commission
Conditional Use Permit Decision Form

When reviewing an application for a conditional use, the local government must look to the requirements and conditions found in the local zoning ordinance and determine if the applicant meets those requirements and conditions. The local government must provide **substantial evidence** supporting their decision to grant or deny the permit, and to impose additional conditions on the permit. Substantial evidence means **facts and information**, directly relating to the requirements and conditions, that a reasonable person would accept in support of a conclusion. Personal preferences and speculation are not sufficient forms of evidence. All requirements and conditions imposed by the local government must be reasonable, and to the extent, practicable, measurable.

Ordinance Requirements

List ordinance requirements related to the conditional use permit:

1. Before constructing the rooftop seating area, the applicant shall obtain an Architectural Review Certificate and a Building Permit as required by Code.
Substantial Evidence: The Architectural Review Code requires review & approval of all exterior changes to commercial buildings. There are no active permits or approvals in place for this project.

2. The railing/parapet wall shall be at least forty-two (42) inches in height as required by the Building Code.
Substantial Evidence: The rendering shows a railing, but does not include dimensions. The railing is required by Code to ensure the safety of rooftop patrons.

3. The maximum capacity of the rooftop seating area shall be determined by the Building Official prior to issuance of a Certificate of Occupancy for the building, and shall be posted accordingly.
Substantial Evidence: All commercial buildings must have a maximum occupancy posted in order to protect against overcrowding and to ensure patron safety.

4. Prior to serving alcoholic beverages in the rooftop area, the applicant shall amend the liquor license for the premises to include the outdoor seating area.
Substantial Evidence: The City Clerk's Office has noted that the liquor license for the subject property only includes interior areas in the 648 building at this time. In order to sell, consume, or possess alcohol in the rooftop area or 658 building, the liquor license must be amended.

5. In accordance with Section 2-506 of the Zoning Ordinance, the applicant shall have twelve (12) months from the date of CUP issuance to complete construction and commence use of the outdoor seating area, or the CUP shall lapse and be of no further effect.
Substantial Evidence: This requirement encourages the applicant to proceed with construction of the approved improvements in a timely manner.

Does the applicant meet **all** of the ordinance requirements? No Yes, after the steps above

Permit Conditions

A local government is authorized to impose conditions on the permit that relate to the purpose of the ordinance. Conditions must be **reasonable**, and to the extent, practicable and **measurable**. Conditions may limit the permit's duration, transfer, or renewal.

List conditions imposed on the permit:

1. This Conditional Use Permit authorizes the rooftop seating area shown in the application attachments and the extension of the possession, sale & consumption of alcohol onto said area, subject to all of the conditions below.

Substantial Evidence: The Zoning Ordinance states that outdoor seating areas in the CBD are only allowed if reviewed and approved in accordance with the CUP review procedures.

2. In order to promote architectural harmony and safety, the rooftop seating area shall be surrounded by a railing that is designed to appear as a parapet wall as depicted in the renderings provided with the application, and shall include a pergola as shown.

Substantial Evidence: Design and materials are critically important to the aesthetics of the Central Business District, and this condition ensures that the design presented to the Plan Commission and City Council will actually be implemented. The parapet wall is a more architecturally pleasing and compatible design than an open railing system.

3. The applicant shall submit a plan for finishing the existing gravel areas with concrete and/or landscaping by July 1, 2019 and shall complete the approved improvements prior to occupancy. No parking shall be permitted between the buildings and public right-of-way on the properties in order to promote an attractive, pedestrian-friendly environment and safe vehicular travel at the intersection.

Substantial Evidence: The applicant's plans do not adequately address the gravel areas. The areas between the buildings and right-of-way are too close to the intersection for safe access in and out of parking spaces, and the Downtown Design Guidelines and urban design principles speak to the need for walkability and landscaping along the street sides of a property.

4. The existing damaged curb & gutter surrounding the property shall be replaced with new curb & gutter meeting the City's specifications prior to occupancy of the rooftop seating area. All excess driveway aprons shall also be removed. This will require a Right-of-Way Permit from the Engineering Division.

Substantial Evidence: The existing curb cuts and damaged curb & gutter are relics from the former service station use, and must be replaced with new curb & gutter to achieve the urban design and intersection safety objectives referenced above.

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.

Substantial Evidence: Standardized condition to establish a process for future changes.

Decision: Based on the findings of fact, conclusions of law, and the record in this matter, the permit is:

Approved, with the conditions stated above

Denied, for the following reasons:

Location & Zoning Map

648-658 Fourth Street

CU-2019-03



1 inch = 53 feet

0 12.5 25 50 75 Feet

Map prepared by: Drew Pennington, AICP
Date: May 2019
For: City of Beloit Planning & Building
Date of Aerial Photography: March 2011

PLANNING & BUILDING SERVICES DIVISION



FEB 08 2019 Via Email



Front

Angus Architecture | Engineering
Young Interiors | Landscape

648 4TH STREET
BELOIT, WI

SEPTEMBER 5, 2018



Rear

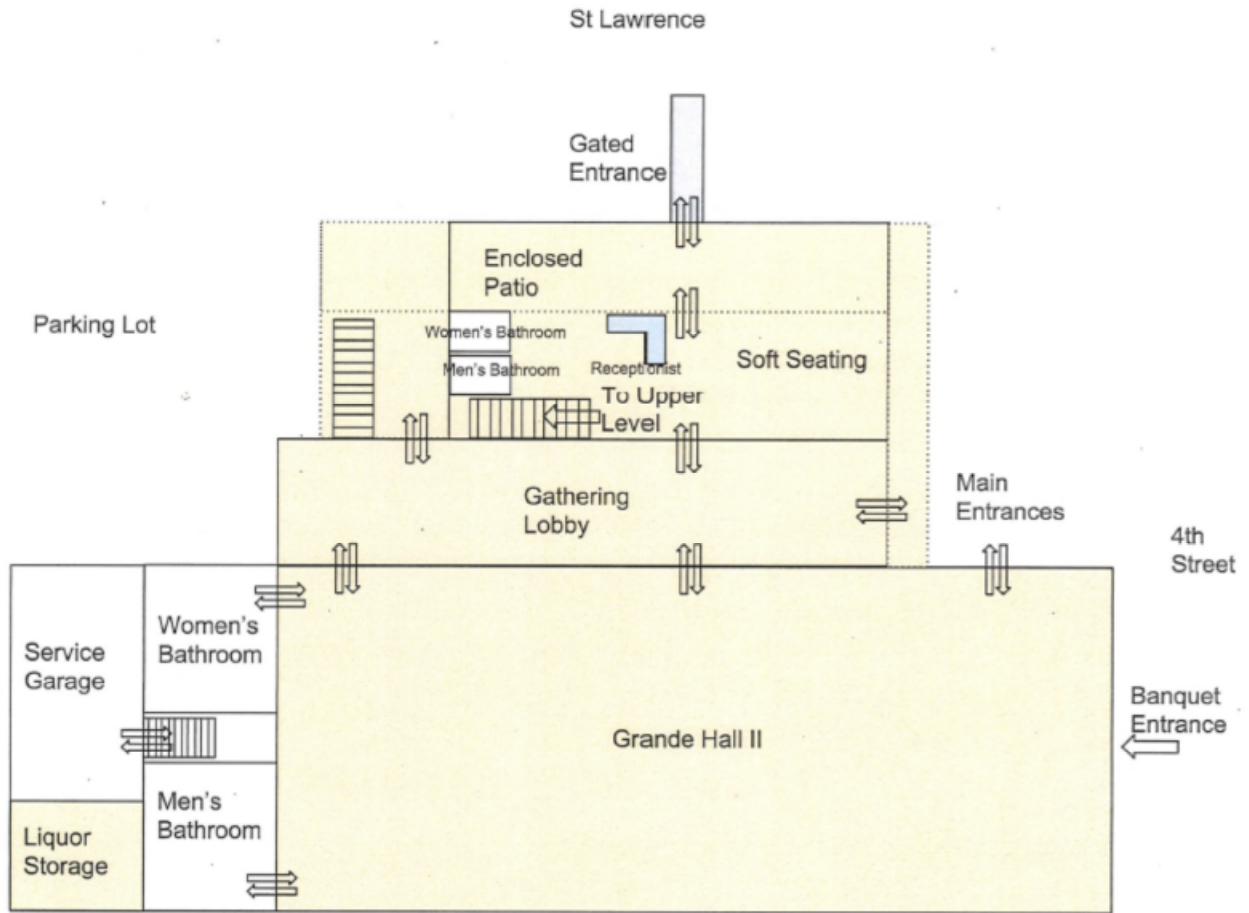
Angus
Young
Architecture | Engineering
Interiors | Landscape

648 4TH STREET
BELOIT, WI

SEPTEMBER 5, 2018



Floor Plan



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-2019-03

1. Address of subject property: 648⁵⁸ 4th

2. Legal description: _____

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): 1353 ~~0535~~ 0535

4. Owner of record: Peter Gabriele Phone: 608 289 0843

2200 Riverside Beloit WI 53511
(Address) (City) (State) (Zip)

5. Applicant's Name: Same

(Address) (City) (State) (Zip)

(Office Phone #) (Cell Phone #) (E-mail Address)

6. All existing use(s) on this property are: vacant commercial

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

A Conditional Use Permit for: Outdoor Seating / Roof Deck
in a(n) CBD Zoning District.

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

Principal use: Restaurant / Banquet

Secondary use: Rooftop Seating

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.

X P. Babule / _____ / _____
 (Signature of Owner) (Print name) (Date)

_____/ _____ / _____
 (Signature of Applicant, if different) (Print name) (Date)

In order for your request to be heard and considered in a timely manner, you must submit the completed application, and all accompanying documents, to the Planning and Building Services Division for acceptance by the filing deadline date prior to a scheduled Plan Commission meeting.

This application must be submitted with one copy of a scaled drawing showing the layout of the proposed development in accordance with all code requirements, and the \$275.00 application fee. Applicants will also be charged a fee for mailing public notices at the rate of \$0.50 per notice. An invoice for this fee will be sent to the applicant and these costs are typically between \$5.00 and \$15.00.

To be completed by Planning Staff <i>May 22, 2019</i>		
Filing fee: \$275.00	Amount paid: \$275.	Meeting date: [REDACTED]
No. of notices: _____	x mailing cost (\$0.50) = cost of mailing _____	
Application accepted by: <u>Don Penington</u>	Date: <u>8/2/18</u>	

APR 24 2019



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

NOTICE TO THE PUBLIC

May 9, 2019

To Whom It May Concern:

Peter Gabriele has filed an application for a Conditional Use Permit to allow an outdoor (rooftop) seating area including the possession, sale, & consumption of alcoholic beverages in the CBD, Central Business District, for the property located at:

648-658 Fourth Street.

The applicant is in the process of renovating the buildings on the subject property into a banquet/special event space. The buildings on the subject property have been internally connected through new doorway openings. The first floor banquet hall in the southern building (648) has been mostly completed, and the applicant intends to remodel the northern former service station building (658) into a lobby and seating area with internal & external staircases leading to a new rooftop seating area.

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

City Plan Commission: Wednesday, May 22, 2019, 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, June 3, 2019, at 7:00 PM, or as soon thereafter as the matter can be heard in The Forum, Beloit City Hall, 100 State Street.

THE PUBLIC IS INVITED TO ATTEND THESE HEARINGS.

We are interested in your opinion.

Anyone bringing handouts to the Plan Commission meeting must bring ten (10) copies and submit them to the Recording Secretary before the meeting begins. Staff is unable to leave the meeting area to make copies.

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

CU-2019-03, 648-658 Fourth Street, Rooftop Seating Area

McBain Enterprises Inc.
2951 Kennedy Drive
Beloit, WI 53511

Eugene & Teresa Kaye
410 Bluff Street
Beloit, WI 53511

Hendricks Commercial Properties
525 Third Street Suite 300
Beloit, WI 53511

John Wergin
156 St. Lawrence Ave
Beloit, WI 53511

P & E Enterprises LLC
P.O. Box 875
Beloit, WI 53512



REPORT TO THE PLAN COMMISSION

Plan Commission Meeting Date: May 22, 2019

Agenda Item: 3(b)

File Number: CU-2019-02

General Information

Applicant: Stephen Kramer on behalf of TRU Aseptic LLC

Owner: McBain Enterprises INC (Note: Applicant Provided Copy of Owner Consent)

Address/Location: 1750 Branigan Road

Applicant's Request: The applicant has applied for a Conditional Use Permit (CUP) to allow a warehouse use in a C-3, Community Commercial District, for the property located at 1750 Branigan Road.

Background

TRU Aseptic LLC is currently located at 2924 Wyetta Drive and is remodeling and expanding their headquarters which is directly south of the subject property. The subject property will be utilized for warehousing and employee parking for TRU Aseptic LLC. If this use is approved, the City Council is authorized to impose conditions it deems necessary to reduce or minimize any potential adverse effects on surrounding properties. In addition, any requirements or conditions established must be related to the purpose of the ordinance and, to the extent practicable, be measurable. Wisconsin Statutes 62.23(7)(de) requires that all conditions be supported by substantial evidence, which is defined as facts and information, not merely speculation or personal preference.

Staff Analysis

Existing Conditions: The subject property is 2.45 acres of vacant land with a paved driveway through the center currently being farmed. This parcel has road frontage along both Branigan Road to the east and Wyetta Drive to the south.

Surrounding Land Use and Zoning: There is C-3, Community Commercial zoning to the north, east, and west of the subject property; with land uses consisting of Motel, Hotel, Retail, and Theater. There is M-2, General Manufacturing, zoning to the south of the subject property with land uses for warehousing and manufacturing for TRU Aseptic LLC.

Review Agent Comments: The City Engineer and Fire inspector have provided comments that will be addressed during site plan review. See attached document.

City of Beloit Comprehensive Plan: The City's Future Land Use Map (Map #10 of the Comprehensive Plan) recommends Community Commercial uses and C-3 zoning for the subject property.

Public Notices and Comment: A public notice was mailed to neighboring property within 150 feet of the subject property. Comments have not been received by neighboring property owners.

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 addition of warehousing land use is not expected to have any detrimental impacts on the general area. Approval of the Conditional Use would allow TRU Aseptic LLC to expand their operations efficiently considering the proximity of their current location to the subject property.
- 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 site is directly adjacent to M-2, General Manufacturing Zoning District, and is cohesive with many existing land uses south of the subject property. The proposed warehouse building and site improvements will have to meet current building codes and zoning regulations. Site improvements, such as visibility, traffic controls, landscaping, and exterior lighting, will be required.
- c. *Whether the conditional use will substantially diminish or impair property values within the neighborhood of the subject property;*
 - The proposed warehouse building would have a positive impact on the surrounding property values and image, as it is currently vacant and being farmed.
- d. *Whether the establishment of the conditional use will impede the normal and orderly development and improvement of the surrounding property;*
 - The adjacent properties are already 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 subject property is located in the MRO, Milwaukee Road Overlay District and is subject to the design standards of the district along with the Architectural Review and Landscape Code.
- 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*
 - During the site plan review process, adequate off-street parking, loading, sidewalks, and ADA compliance will be addressed. At minimum, there needs to be 1 parking stall per 2,000 square feet or 1 parking stall per employee allocated for the warehouse building.
- 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.

STAFF RECOMMENDATION:

The Planning & Building Services Division recommends **approval** of a Conditional Use Permit to allow warehouse use in a C-3, Community Commercial District, for the property located at 1750 Branigan Road, based on the above Findings of Fact and Conditional Use Permit decision form and subject to the following conditions:

1. This approval authorizes the construction of a warehouse building in a C-3, Community Commercial District, for the property located at 1750 Branigan Road, as shown on the site plan submitted with the application.
2. 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.

Code Requirements:

In addition to the above permit conditions, the following provisions of existing City Ordinances shall apply:

1. As required by the Section 8-100 of the Zoning Ordinance, The applicant shall allocate one parking stall per 2,000 square feet of warehouse or one parking stall per employee for the warehouse building.
2. As required by the Section 5-600 of the Zoning Ordinance, The architectural and site design of the project must adhere to the MRO, Milwaukee Road Overlay District.
3. Before constructing on site, the applicant shall obtain an Architectural Review Certificate and a Building Permit as required by Code.
4. As required by the NFPA, The applicant shall provide appropriate fire access to the subject property.

ATTACHMENTS: Location & Zoning Map, Photos, Application, Review Comments, and Public Notice.

PLAN COMMISSION
Conditional Use Permit Decision Form - Approval

When reviewing an application for a conditional use, the City must look to the requirements and conditions found in the City’s zoning ordinance and determine if the applicant meets those requirements and conditions. The City must provide **substantial evidence** supporting their decision to grant or deny the permit, and to impose additional conditions on the permit. Substantial evidence means **facts and information**, directly relating to the requirements and conditions, that a reasonable person would accept in support of a conclusion. Personal preferences and speculation are not sufficient forms of evidence. All requirements and conditions imposed by the City must be reasonable, and to the extent, practicable, measurable.

Ordinance Requirements

List ordinance requirements related to the conditional use permit:

1. As required by the Section 8-100 of the Zoning Ordinance, The applicant shall allocate one parking stall per 2,000 square feet of warehouse or one parking stall per employee for the warehouse building.
 - **Substantial Evidence:** New development must provide adequate parking and loading areas established by the use of the property.

2. As required by the Section 5-600 of the Zoning Ordinance, The architectural and site design of the project must adhere to the MRO, Milwaukee Road Overlay District.
 - **Substantial Evidence:** The Milwaukee Road Overlay District is intended to encourage and better articulate positive visual experiences along Milwaukee Road, which serves as a major gateway to the City.

3. Before constructing on site, the applicant shall obtain an Architectural Review Certificate and a Building Permit as required by Code.
 - **Substantial Evidence:** The Architectural Review Code requires review & approval of all exterior changes to commercial buildings. There are no active permits or approvals in place for this project.

4. As required by the NFPA, The applicant shall provide appropriate fire access to the subject property.
 - **Substantial Evidence:** Review of the purposed site plan may need revisions to accommodate these code requirements.

Does the applicant meet **all** of the ordinance requirements? Yes No

Permit Conditions

The City is authorized to impose conditions on the permit that relate to the purpose of the ordinance. Conditions must be **reasonable**, and to the extent, practicable and **measurable**. Conditions may limit the permit's duration, transfer, or renewal.

1. This approval authorizes the construction of a warehouse building in a C-3, Community Commercial District, for the property located at 1750 Branigan Road, as shown on the site plan submitted with the application.
 - **Substantial Evidence:** The Zoning Ordinance states that warehouse use in the C-3 are only allowed if reviewed and approved in accordance with the CUP review procedures.

2. 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.
 - **Substantial Evidence:** Standardized condition to establish a process for future changes.

Decision:

The applicant Stephen Kramer has acknowledged, meets, or agrees to meet, all of the requirements found in the zoning ordinance and all conditions imposed on the permit.

Based on the findings of fact, conclusions of law, and the record in this matter, the permit is:

Approved, with the conditions stated above

Denied, for the following reasons:

CITY OF BELOIT

DEPARTMENTAL CORRESPONDENCE

TO: Hilary Rottmann, Planner II

FROM: Scot Prindiville, P.E., City Engineer/Deputy Public Works Director

DATE: May 14, 2019

SUBJECT: CUP Review – 1750 Branigan Road

Engineering has been provided a copy of the Site Plan dated April 19, 2019 prepared by Hixson for the above referenced project. Our comments are as follows:

- There is existing storm sewer that runs from the Theatre property east across the proposed lot and out to Branigan Road. The City considers this private storm sewer. The site plan shall incorporate provisions to where drainage from the Theatre property is not affected negatively.
- The storm water requirements of Chapter 19-8-1000 apply to this development.
- The addition of this many parking spaces will likely require additional handicap spaces being provided on the site to the south. This will need to be looked at as a more detailed site plan is submitted that shows the parking provided on the south side of Wyetta Drive.

Rottmann, Hilary

From: Schenck, Gary
Sent: Thursday, May 16, 2019 5:54 PM
To: Rottmann, Hilary; Prindiville, Scot; Liggett, Bradley; Anderson, Danny; Frisbee, William; Dean Copp (DeanCopp@Alliantenergy.com); Dupuis, Jason; Phillips, Thomas; GARTLAND, JEFFREY M (jg5181@att.com); Davis, Laurie; Zibolski, David
Cc: Pennington, Drew
Subject: RE: CUP Application for warehouse use in a C-3, Community Commercial District at 1750 Branigan Road

If the building is sprinkled it is must have all portions of the exterior within 450 feet of an approved fire access road. (NFPA 1-18.2.3.2.2.1)

If the fire access road is a dead end and is in excess of 150 feet long then means to turn around must be provided for fire vehicles. (NFPA 1-18.2.3.4.4)

These provisions appear to be met, but it depends on how the parking lot/driveway are laid out & how they are intended to be used. May need to be addressed further depending on details.

From: Rottmann, Hilary
Sent: Monday, May 6, 2019 8:48 AM
To: Prindiville, Scot; Liggett, Bradley; Anderson, Danny; Frisbee, William; Dean Copp (DeanCopp@Alliantenergy.com); Dupuis, Jason; Phillips, Thomas; GARTLAND, JEFFREY M (jg5181@att.com); Schenck, Gary; Davis, Laurie; Zibolski, David
Cc: Pennington, Drew
Subject: CUP Application for warehouse use in a C-3, Community Commercial District at 1750 Branigan Road

Good Morning,

Stephen Kramer on behalf of Lyons -Tru to Nature, has filed an application for a Conditional Use Permit to allow a warehouse use in a C-3, Community Commercial District for 1750 Branigan Road. As shown on the attached site plan, the proposed development includes construction of a 10,000 square-foot warehouse and employee parking.

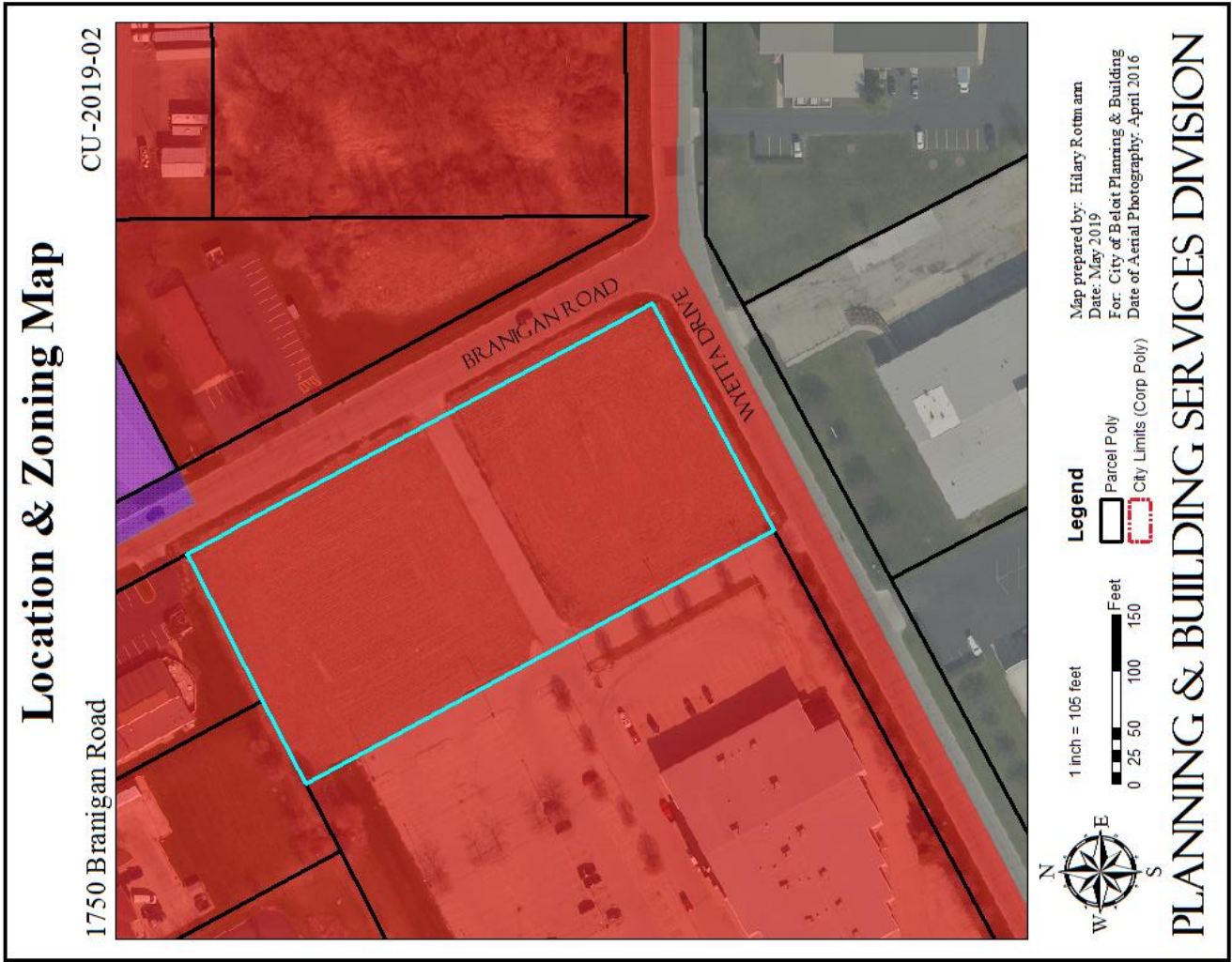
I have attached a copy of the site plan for your review. This is the time to inform the applicant of any conditions of approval that you would like to be taken into consideration based on the proposed project. Please submit any comments or concerns that you have regarding the proposal by Friday, May 17, 2019.

Thank you,

c: File, CU-2019-02

Hilary Rottmann | Planner II
rottmanh@beloitwi.gov
City of Beloit | 100 State Street | Beloit, WI 53511 | beloitwi.gov
Office: (608) 364-6708 | Fax: (608) 364-6609

- Legend**
- Zoning Classification**
- <all other values>
- REGULATIONCLASSIFICATION**
- C-1
 - C-2
 - C-3
 - CBD-1
 - CBD-2
 - DH
 - M-1
 - M-2
 - MRO
 - PLI
 - PUD
 - R-1A
 - R-1B
 - R-2
 - R-3
 - R-4
 - Parcel Poly
 - City Limits (Corp Poly)



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-2019-02

1. Address of subject property: 1750 BRANIGAN RD BELOIT WI, 53511

2. Legal description: LOT 2 CSM VOL 31 PGS 132 - 134 22981810

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

Property dimensions are: 228 feet by 470 feet = 107,160 square feet.

If more than two acres, give area in acres: 2.45 acres.

3. Tax Parcel Number(s): 22981810

4. Owner of record: MCBAIN ENTERPRISES INC Phone: _____

2951 KENNEDY DR BELOIT WI, 53511
(Address) (City) (State) (Zip)

5. Applicant's Name: Stephen Kramer

2924 Wyetta Dr Beloit WI 53511
(Address) (City) (State) (Zip)

608-362-5092 1608-921-2809 Kramer@truaseptics.com
(Office Phone #) (Cell Phone #) (E-mail Address)

6. All existing use(s) on this property are: D-AGRICULTURAL

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

A Conditional Use Permit for: CONSTRUCT PARKING LOT AND 10,000 SF WAREHOUSE
in a(n) C-3 COMMUNITY COMMERCIAL DISTRICT Zoning District.

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

Principal use: _____
120 SPACES EMPLOYEE PARKING LOT AND CONSTRUCT 10,000 SF WAREHOUSE

Secondary use: _____

Accessory use: _____

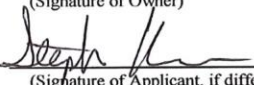
9. Project timetable: Start date: 6-1-19 Completion date: 6-1-2020

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.

_____ <small>(Signature of Owner)</small>	_____ <small>(Print name)</small>	_____ <small>(Date)</small>
	Stephen Kramer	4-23-19
<small>(Signature of Applicant, if different)</small>	<small>(Print name)</small>	<small>(Date)</small>

In order for your request to be heard and considered in a timely manner, you must submit the completed application, and all accompanying documents, to the Planning and Building Services Division for acceptance by the filing deadline date prior to a scheduled Plan Commission meeting.

This application must be submitted with one copy of a scaled drawing showing the layout of the proposed development in accordance with all code requirements, and the \$275.00 application fee. Applicants will also be charged a fee for mailing public notices at the rate of \$0.50 per notice. An invoice for this fee will be sent to the applicant and these costs are typically between \$5.00 and \$15.00.

To be completed by Planning Staff

Filing fee: **\$275.00** Amount paid: \$275.00 Meeting date: May 22nd

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

Application accepted by: Allyson Kottmann Date: 4/24/2019



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 8, 2019

To Whom It May Concern:

Stephen Kramer, Tru Aseptic LLC, has filed an application for a Conditional Use Permit to allow warehouse use in the C-3 Community Commercial District, for the property located at:

1750 Branigan Road.

The applicant has proposed construction of 10,000 square-foot warehouse and employee parking.

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

City Plan Commission: Wednesday, May 22, 2019, at 7:00 PM, or as soon thereafter as the matter can be heard in The Forum, Beloit City Hall, 100 State Street.

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For additional information, please contact Hilary Rottmann, in the Planning & Building Services Division at (608) 364-6708 or rottmannh@beloitwi.gov. Comments will be accepted via telephone, email, and U.S. Mail.

MCBAIN ENTERPRISES INC
2951 KENNEDY DR
BELOIT WI 53511

WENDYS 082591 ARC
CAFEUSA001 LLC
3309 COLLINS LN
LOUISVILLE KY 40245

NNDYM WI INC
2790 MILWAUKEE RD
BELOIT WI 53511

APEX PROPERTIES LLC
600 BOULDER TRL
WAUNAKEE WI 53597

LODGING INVESTORS LLC
5131 E CHERYL PKWY #205
FITCHBURT WI 53711

SCHUBERT THEATRES SOUTH
LLC
2448 102ND ST STE 125
WEST ALLIS WI 53227

BROASTER REAL ESTATE LLC
2859 CRANSTON RD
BELOIT WI 53511

JOHN PATCH AMUSEMENT
BROKERS LTD
1875 BRANIGAN RD
BELOIT WI 535113984



REPORT TO THE PLAN COMMISSION

Plan Commission Meeting Date: May 22, 2019

Agenda Item: 3(c)

File Number: SOE-2019-02

General Information

Applicant: La Crosse Sign Group on behalf of KDN Hospitality LLC

Owner: KDN Hospitality LLC –Dan Weitzel

Address/Location: 3022 Ford Street

Applicant's Request: The applicant has filed an application for an exception to Section 30.40(2)(c) of the Outdoor Sign Regulations (the "Sign Ordinance") to allow three secondary, on-premise signs larger than 30 square feet in area.

Staff Analysis

Project: The applicant is developing the Holiday Inn Express & Suites on the subject property, and has proposed the installation of four wall signs on the building, one on each side of the building at 122 square feet in area each. The east facing wall sign along the I-90 is considered the primary sign and is compliant with the sign ordinance.

Sign Details: As shown on the attached rendering, the proposed signs will consist of internally illuminated channel letters installed at or near the top of the six-story hotel building. According to the Sign Ordinance, each business property is allowed up to three (3) secondary signs up to 30 square-foot in area each. The applicant has proposed three secondary signs, at the same square footage as the primary sign. The applicant will also install a 24 square-foot monument sign at the entrance of the site. We are requesting the applicant add directional information to create a directional sign. The Sign Ordinance does not limit directional signs.

Applicant's Hardship Argument: The application, which is attached to this report, includes a statement relating to hardship. According to the applicant, compliance with the strict letter of the Sign Ordinance would result in wall signs that are difficult to read, appear under-sized, and cast a negative impression of the building's exterior appearance based on the location and size of the building.

Exception Standards: Section 30.48(2) of the Sign Ordinance outlines standards for granting an exception. The Ordinance states that the Plan Commission may grant an exception if it determines that:

- a. *Compliance with the strict letter of the Sign Ordinance would create an economic hardship by either unreasonably restricting an on-premises sign owner from advertising a business or rendering conformity with such regulations unnecessarily burdensome upon an owner of an on-premises sign.*
 - Compliance with the ordinance would require the applicant to install wall signs that would appear out-of-scale with the large, six-story building. This is especially true given the building's location, in proximity to Milwaukee Road and the I-90 and I-43 interchange. Requiring the use of out-of-scale and difficult to read signage would cause an unnecessary burden.
- b. *The hardship is not self-created.*
 - The applicant is attempting to accommodate reasonable brand-specific identification requirements that happen to conflict with the City's Sign Ordinance. The existing secondary sign limitation of 30 square feet is somewhat ill-fitting when applied to tall commercial buildings such as the proposed hotel. The Home2 Suites and Hampton Inn hotel in the area have also obtained a Sign Ordinance Exception for their wall signs.
- c. *The exception will not undermine the purpose of the Sign Ordinance or the public interest.*
 - The proposed sign package for the subject property is scaled appropriately, uses attractive materials, and does not negatively impact neighboring properties or the public in general.

STAFF RECOMMENDATION:

The Planning & Building Services Division recommends ***approval*** of an exception to Section 30.40(2)(c) of the Sign Ordinance to allow three secondary, on-premises signs larger than 30 square feet in area for the property located at 3022 Ford Street, based on the Sign Ordinance Exception Criteria and subject to the following conditions:

1. This exception allows up to four, 122 square-foot channel letters wall signs on the Holiday Inn Express & Suites building (one primary sign, and three secondary signs).
2. Directional information must be added to the monument sign located at the entrance of the parcel to classify the sign as a directional sign.
3. Prior to installation, the applicant shall obtain an Architectural Review Certificate and Sign Permit.
4. Any major changes in the adopted conditions of this Sign Ordinance Exception shall be approved by the Plan Commission. The Director of Planning & Building Services may approve minor changes administratively.

ATTACHMENTS: Building Rendering/Photo, Application, Public Notice, and Resolution.

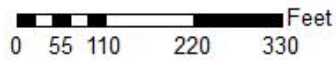
Location Map

3022 Ford Street

SOE-2019-02



1 inch = 210 feet



Map prepared by: Hilary Rottmann

Date: May 2019

For: City of Beloit Planning & Building

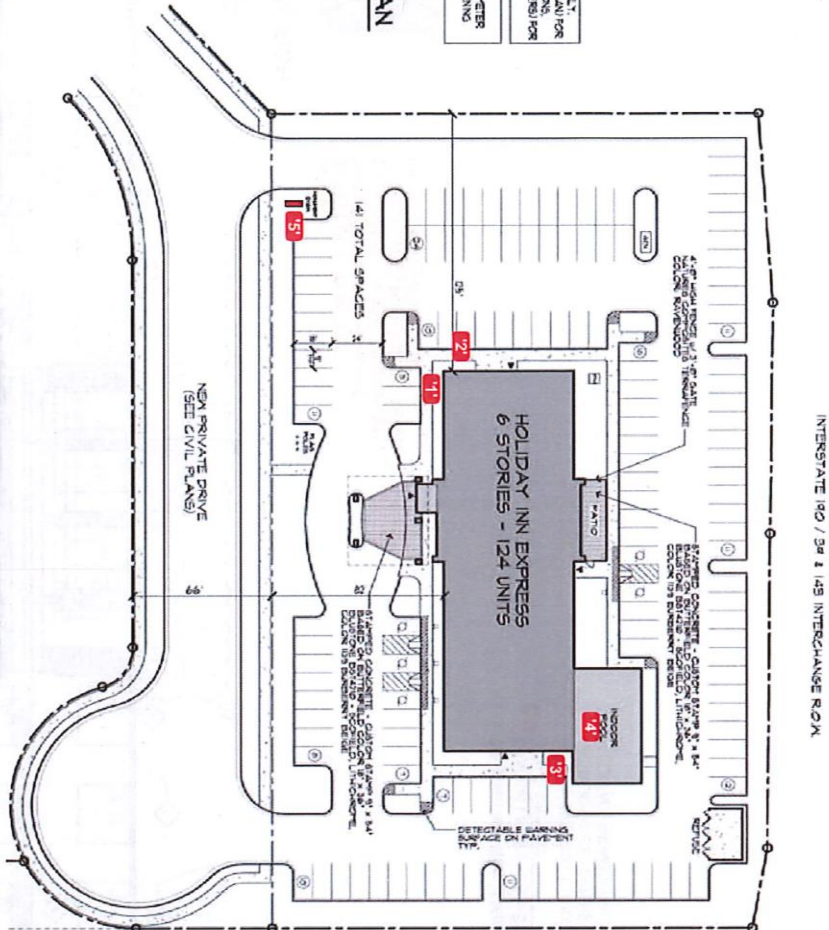
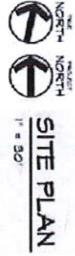
Date of Aerial Photography: March 2016

PLANNING & BUILDING SERVICES DIVISION

SIGN LOCATION MAP

THIS PLAN IS FOR GENERAL SITE INFORMATION ONLY. SEE CIVIL ENGINEERING PLANS FOR ALL UTILITY, BATTERING, OR OTHER DATA ON FOUNDATION, GRADE ELEVATIONS, AND OTHER DATA. SEE LANDSCAPE ARCHITECTURE PLANS FOR ALL TREES, SHRUBS, PLANTINGS AND PLANS.

NOTE: THE DOTS IN THE SEEDED AREA AT THE PERimeter OF THE SITE IS NOT INTENDING AT THE TIME OF OPENING FOR THE SITE TO BE SEEDED.



11 S/F Internally Illum'd Monogram/
Channel Letters - XLS-SM-5W
122 SF

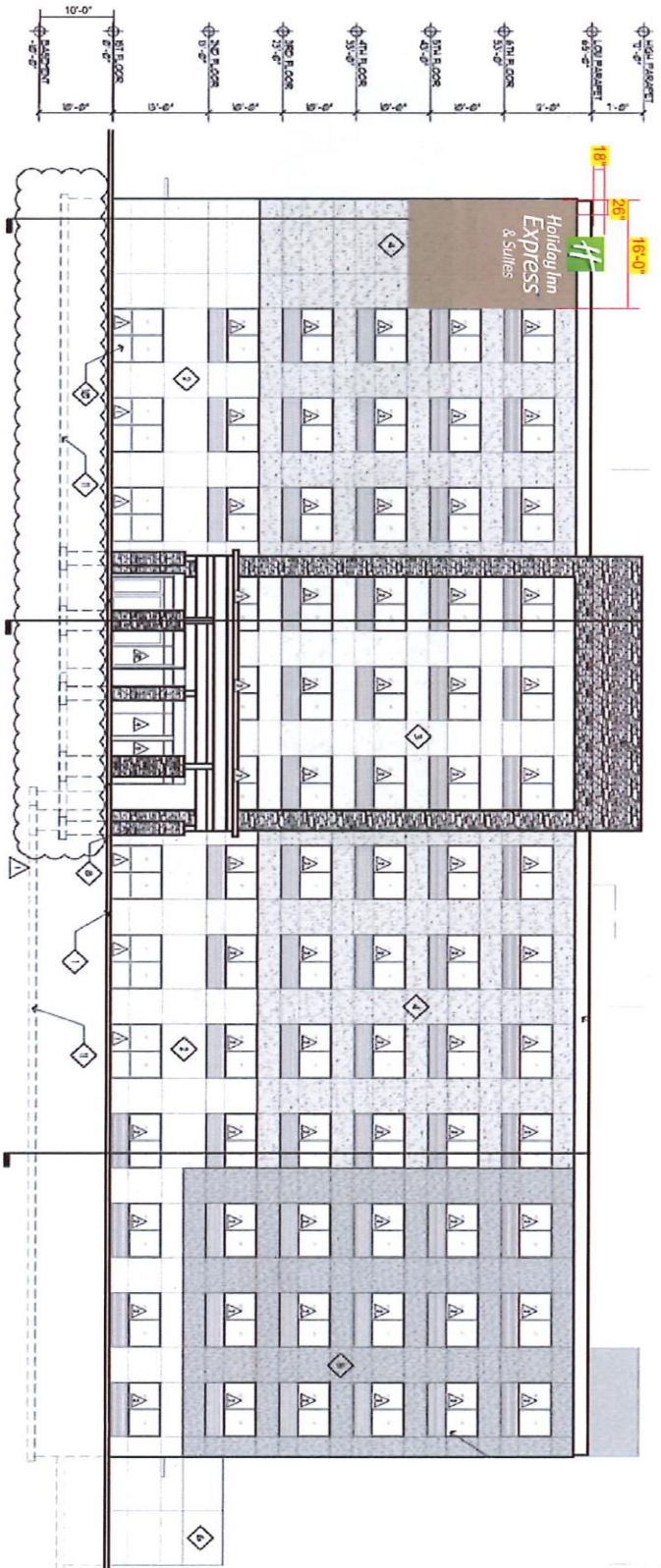
2 S/F Internally Illum'd Monogram/
Channel Letters - XLS-SM-5W
122 SF

3 S/F Internally Illum'd Monogram/
Channel Letters - XLS-SM-5W
122 SF

4 S/F Internally Illum'd Monogram/
Channel Letters - XLS-SM-5W
122 SF

5 XPS-20-6 D/F MONUMENT
24 SF

3000 Milwaukee Rd.
Beloit, WI

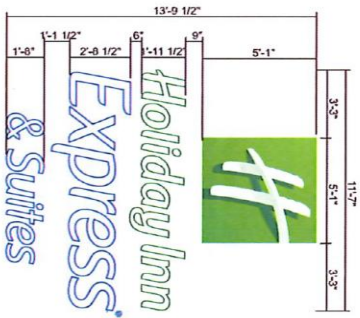


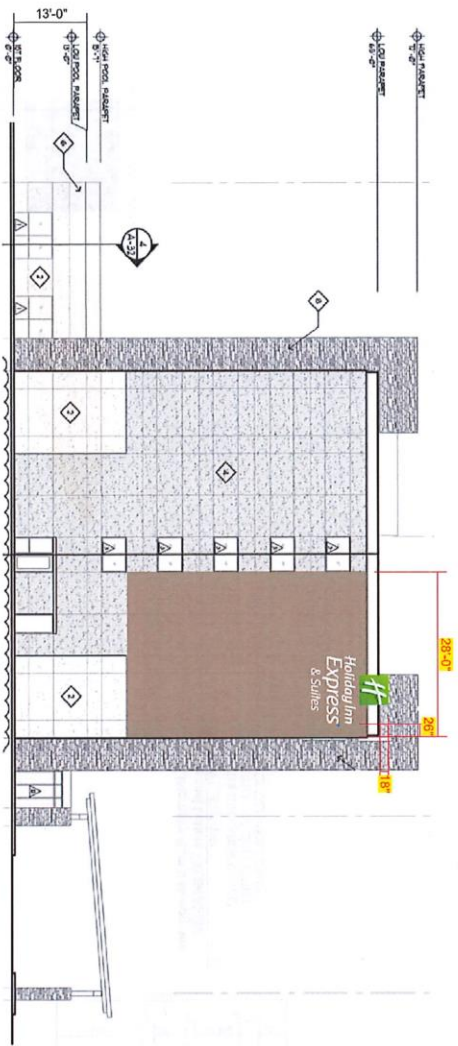
WEST ELEVATION
SCALE: 1/16"=1'-0"

NOTE:
SHEETROCK TO NOT BE
INSTALLED BEHIND SIGNAGE
UNTIL INSTALLATION IS COMPLETE.
COORDINATE A PRE-DRILL / PRE-WIRE
INSTALLATION IF NECESSARY

TWIG 3021L

S/F Internally Illum'd Monogram/
Channel Letters - XLS-SM-SW
SCALE: 3/16"=1'-0" 122 SF
• LED ILLUMINATION 120 VOLT
• ACRYLIC FACES (LETTERS)
• FLEX FACE (MONOGRAM)



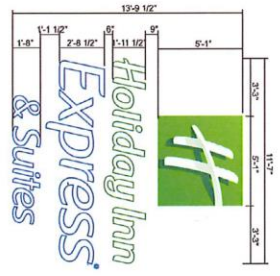


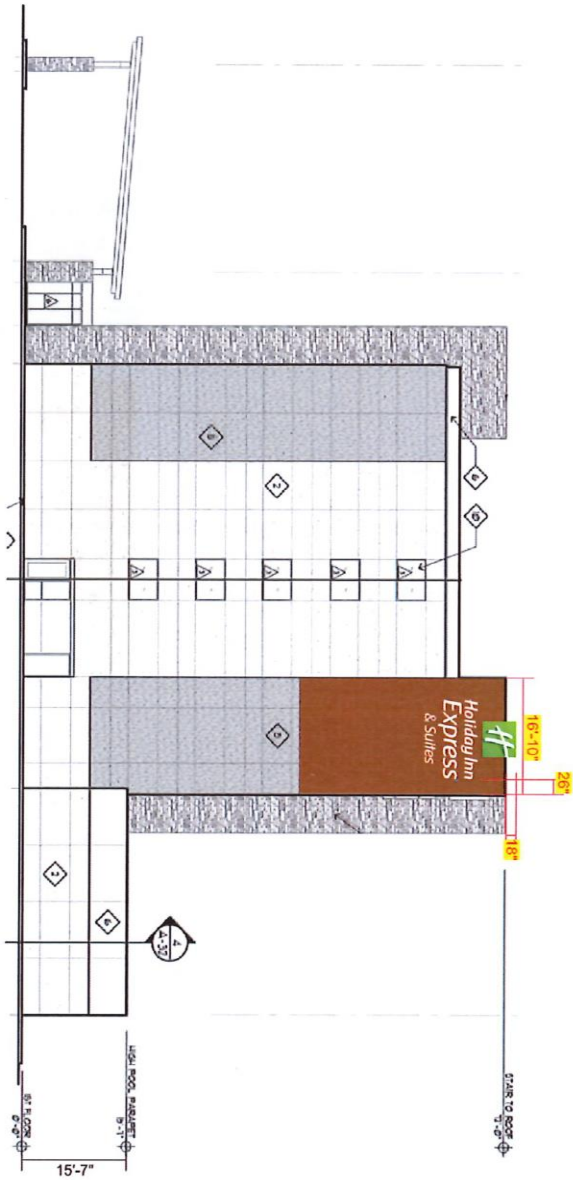
NORTH ELEVATION
SCALE: 1/8"=1'-0"

NOTE
SIGNAGE TO NOT BE
INSTALLED BEHIND SIGNAGE
UNTIL INSTALLATION IS COMPLETE.
COORDINATE A PRE-DRILL / PRE-WIRE
INSTALLATION IF NECESSARY

TMIG 3021L

SF Internally Illum'd Monogram/
Channel Letters - XLS-SM-SV
SCALE: 3/16"=1'-0"
122 SF
• LED ILLUMINATION (20 VOLT)
• FRONT FACES (LETTERS)
• REAR FACE (MONOGRAM)



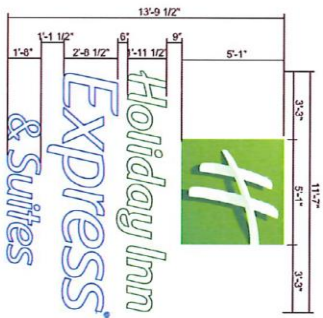


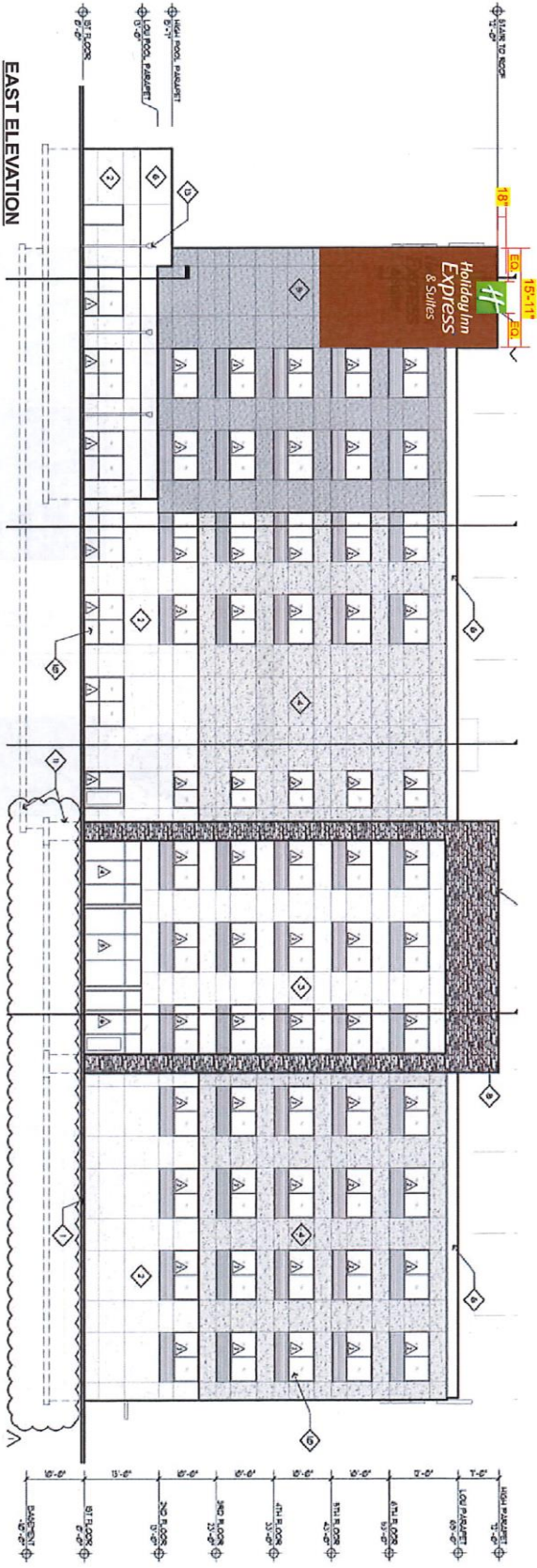
SOUTH ELEVATION
SCALE: 1/16"=1'-0"

NOTE:
SHEETROCK TO NOT BE
INSTALLED BEHIND SIGNAGE
UNTIL INSTALLATION IS COMPLETE.
COORDINATE A PRE-DRILL / PRE-WIRE
INSTALLATION IF NECESSARY

PAREX RED ROCK 3043 D

S/F Internally Illum'd Monogram/
Channel Letters - XLS-SM-5W
SCALE: 3/16"=1'-0" 122 SF
• LED ILLUMINATION (120 VOLT)
• ACRYLIC FACES (LETTERS)
• FLEX FACE (MONOGRAM)



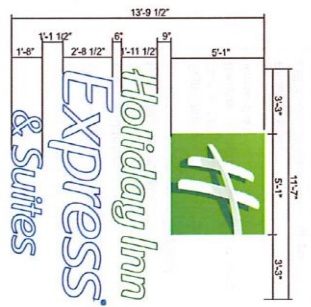


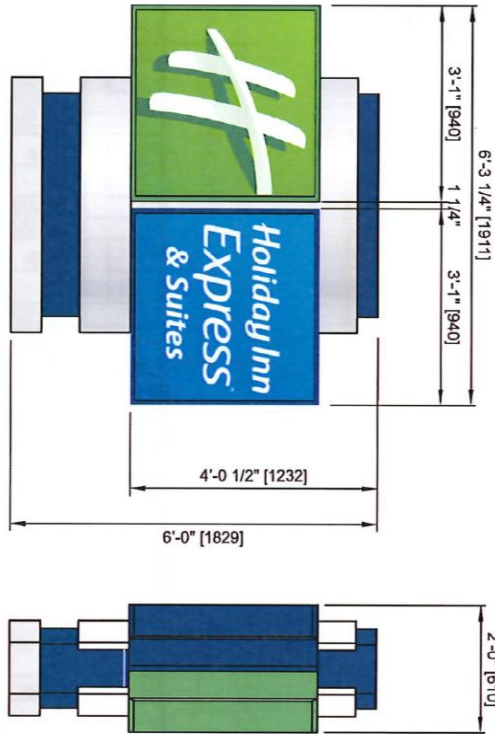
EAST ELEVATION
SCALE: 1/16"=1'-0"

NOTE:
SHEETROCK TO NOT BE
INSTALLED BEHIND SIGNAGE
UNTIL INSTALLATION IS COMPLETE.
COORDINATE A PRE-DRILL / PRE-WIRE
INSTALLATION IF NECESSARY

PAREX RED ROCK 3043 D

2.2 S/F Internally Illum'd Monogram/
Channel Letters - XL-S-SM-SW
SCALE: 3/16"=1'-0"
122 SF
• LED ILLUMINATION (120 VOLT)
• ACRYLIC FACES (LETTERS)
• FLEX FACE (MONOGRAM)





- XPS-20-6 D/F LED ILLUM. MONUMENT
- SCALE: 1/2"=1'-0"
- 24 SF
- WHITE ACRYLIC FACES
- WITH FIRST SURFACE VINYL GRAPHICS
- LED ILLUMINATION 120 VOLT

Electrical Information

p Cap:
ds: (34) GE Mini Max 7100
Power Supply: Shared w/ Pedestal

Sign Cabinet:
Lamps: (6) F36T12
Ballasts: (1) ESB 848-46 @ 3.41 Amps
Amps: 3.41

Pedestal Sides:
LEDs: (2) GE Tetra Power Strips 7100
Power Supply: (1) GEPS12-60-U Shared
Amps: .65

XPS-20-6

CITY of BELOIT
Planning & Building Services Division

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

Sign Ordinance Exception Application Form

(Please Type or Print)

File number: SOE-2019-02

1. Name of applicant: KDN Hospitality LLP Phone #: 608-289-2598
616 Midland Road Janesville WI 53546
(Address) (City) (State) (Zip)
2. Address of subject property: 3022 Ford Street, Beloit, WI 53511
3. Tax Parcel Number(s): 206 22910015
4. Legal description: LOT 2 CSM VOL 38 PGS 202-205
5. Present zoning: C-3 Present use: Vacant Lot
6. Proposed use (if different): Hotel Construction
7. Owner of record: KDN Hospitality, LLP Phone: 608 289 2598
616 Midland Road Janesville WI 53546
(Address) (City) (State) (Zip)
E-mail address: Dweitzel@rockhospitality.com
8. State specific sections of code and exception(s) requested: (Use separate sheet if necessary)

The Zoning Ordinance allows one primary sign to be a max of 150 sqft and two secondary signs not to exceed 30 sqft in area or 10% of the sign area of the primary sign. A primary sign is the principal and largest on premises sign. The secondary sign (allowed three max) is subordinated & smaller than the primary.

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

IHG minimum branding requirement is a minimum of one building sign and one ground sign. IHG request is to have the largest sign that will fit on the building. The smallest sign to fit on their building without looking like a postage stamp is the requested signage of 159.75 sqft. We are requesting four elevations of this size sign as two of the elevations are seen from the highway and two elevations face major roadways. The signage being near to the top of this building makes it more visible since it is not on the major fairway. This hotel has opted to not have a high rise sign like other retailers in the area in order to be approved for the building signage. Also they have opted for a smaller ground sign to be used as a marker to their driveway. The hardship would be that with the allowance of the secondary signage of a combined 30 sqft there would be no visible signage on their hotel at their more remote location.

10. In order for this application to be considered complete, the applicant must attach a scale drawing (1" = 20' usually works best) showing the location of property lines and their dimensions, existing buildings and improvements, all abutting properties and improvements thereon, and the proposed changes or additions. A professional drawing is not required. You are required to furnish a legible drawing with enough detail that will adequately advise and inform the Commission.

The applicant's signature below indicates the information contained in this application and on all accompanying documents is true and correct.

Daniel J Weitzel / Daniel J Weitzel / 4-10-19
(Signature of Owner) (Print name) (Date)
[Signature] / AMERICA DAVIS / 04/25/19
(Signature of Applicant, if different) (Print name) (Date)

The applicant acknowledges that this application is not deemed filed until dated and receipt acknowledged by a person authorized to receive the application. The applicant is entitled to receive a copy of the acknowledged application once it is officially reviewed and accepted.

Hearings are usually held in City Hall Forum, City Hall, 100 State Street at 7:00 P.M.

In order for your request to be heard and considered in a timely manner, you must submit the completed application to the Planning & Building Services Division for acceptance by the filing deadline date prior to a scheduled Plan Commission meeting.

The application fee will be \$100 and applicants will be charged actual out-of-pocket costs for mailing public notices at the rate of \$0.50 per notice.

To be completed by Planning staff		
Filing fee: \$100.00	Amount paid: <u>\$100.00</u>	Meeting date: <u>May 22nd</u>
Application accepted by: <u>Nancy Rothman</u>	Date: <u>4/30/2019</u>	
No. of notices: _____	x mailing cost (\$0.50) = cost of mailing notices: \$ _____	
Date Notice Published: _____	Date Notice Mailed: _____	



LETTER OF AUTHORIZATION

Teksign Inc. authorizes LaCrosse Signs to act on our behalf as our subcontractor
Holiday Inn Express & Suites.
for site 3000 Milwaukee Rd when applying for municipal approvals, permits and
Beloit, WI 53511
variances (if required).

Teksign Inc also authorizes LaCrosse Signs authorization to install signage on this
property on the location mentioned above as contracted.

Date: Feb 27/19

Teksign Inc Rep: AMELIA DAVIS

Teksign Inc Rep Signature: [Signature]



Quote: 42657R0

Letter of Authorization

DKU LLP , the property owners of
Ford Street
Holiday Inn Express Beloit WI 53511 hereby grant Teksign Inc.

authorization to install the signage on the property as contracted.

This letter shall also serve to authorize Teksign Inc. to act as our agent when applying for the necessary municipal approvals and permits.

Date: 1-29-19

Owner: DKU LLP N.
Print Name

Owner: Norm Weitzel
Signature



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 8, 2019

To Whom It May Concern:

La Crosse Sign Group, on behalf of KDN Hospitality, LLC, has filed an application for an exception to Section 30.40(2)(c) of the Outdoor Sign Regulations (the “Sign Ordinance”) to allow three secondary, on-premises signs larger than 30 square feet in area, for the property located at:

3022 Ford Street.

The applicant is developing the Holiday Inn Express on the subject property, and has proposed the installation of four wall signs on the building. The first proposed wall sign is 122 square feet in area and will face east towards I-90. The three other proposed signs are 122 square feet in area and will face north, south, and west.

The following public hearing will be held regarding the proposed exception:

City Plan Commission: Wednesday, June 22, 2019, 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 THIS HEARING.

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 Hilary Rottmann, in the Planning & Building Services Division at (608) 364-6708 or rottmanh@beloitwi.gov. Comments will be accepted via telephone, email, and U.S. Mail.

CORNELLIER LIMITED
2909 FORD ST
BELOIT WI 53511

SUN LODGING INC
558 INDIAN BOUNDARY RD
CHESTERTON IN 46304

**RESOLUTION AUTHORIZING AN EXCEPTION TO
THE SIGN ORDINANCE FOR THE PROPERTY
LOCATED AT 3022 FORD STREET**

WHEREAS, the application of La Cosse Sign Group LLC, on behalf of KDN Hospitality LLC, for an exception to Section 30.40(2)(c) of the Outdoor Sign Regulations (the “Sign Ordinance”) to allow three secondary, on-premises signs larger than 30 square feet in area, for the property located at 3022 Ford Street, having been considered by the Plan Commission of the City of Beloit, Wisconsin at a public hearing held for that purpose.

NOW, THEREFORE, IT IS HEREBY RESOLVED, that the Plan Commission of the City of Beloit, Rock County, Wisconsin does hereby grant an exception to Section 30.40(2)(c) of the Sign Ordinance to allow three secondary, on-premises signs larger than 30 square feet in area, for the property located at 3022 Ford Street in the City of Beloit based upon sign ordinance exception written decision which is attached hereto and incorporated herein by reference, for the following described premises:

Lot 2 of a Certified Survey Map as recorded in Volume 38 on Pages 202-205 of the Certified Survey Maps of Rock County, located in the City of Beloit, County of Rock, State of Wisconsin. Said parcel contains 3.307 acres, more or less.

This exception is subject to the following conditions:

1. This exception allows up to four, 122 square-foot channel letters wall signs on the Holiday Inn Express & Suites building (one primary sign, and three secondary signs).
2. Directional information must be added to the monument sign located at the entrance of the parcel to classify the sign as a directional sign.
3. Prior to installation, the applicant shall obtain an Architectural Review Certificate and Sign Permit.
4. Any major changes in the adopted conditions of this Sign Ordinance Exception shall be approved by the Plan Commission. The Director of Planning & Building Services may approve minor changes administratively.

Adopted this 22nd day of May, 2019.

PLAN COMMISSION

James Faragher, Plan Commission Chairman

ATTEST:

Julie Christensen
Community Development Director

Sign Ordinance Exception Staff's Written Decision

Exception #1: Exception to 30.40(2)(c) of the Outdoor Sign Regulations that restricts Secondary On-Premise Signs to not exceed 30 square feet in area or 10 percent of the sign area of the primary, on-premises sign, whichever is less, unless a larger sign area is permitted by 30.31(3)

Under the standards for Exceptions in Section 30.48 of the Outdoor Sign Regulations, the Planning and Building Services staff finds that:

- (a) Compliance with the strict letter of the sign ordinance would create an economic hardship by either:
- (1) Unreasonably restricting an on-premises sign owner from advertising his business; or
 - (2) Rendering conformity with such regulations unnecessarily burdensome upon an owner of an on-premises sign.

Compliance with the ordinance would require the applicant to install wall signs that would appear out-of-scale with the large, six-story building. This is especially true given the building's location, in proximity to Milwaukee Road and the I-90 and I-43 interchange. Requiring the use of out-of-scale and difficult to read signage would cause an unnecessary burden.

- (b) The hardship **is not** self-created.

The applicant is attempting to accommodate reasonable brand-specific identification requirements that happen to conflict with the City's Sign Ordinance. The existing secondary sign limitation of 30 square feet is somewhat ill-fitting when applied to tall commercial buildings such as the proposed hotel. The Home2 Suites and Hampton Inn hotel in the area have also obtained a Sign Ordinance Exception for their wall signs.

- (c) The exception will **not** undermine the purpose of the sign ordinance or the public interest.

The proposed sign package for the subject property is scaled appropriately, uses attractive materials, and does not negatively impact neighboring properties or the public in general.

The Planning & Building Services Division recommends ***approval*** of an exception to Section 30.40(2)(c) of the Sign Ordinance to allow three secondary, on-premises signs larger than 30 square feet in area for the property located at 3022 Ford Street, based on the Sign Ordinance Exception Criteria and subject to the following conditions:

5. This exception allows up to four, 122 square-foot channel letters wall signs on the Holiday Inn Express & Suites building (one primary sign, and three secondary signs).
6. Directional information must be added to the monument sign located at the entrance of the parcel to classify the sign as a directional sign.
7. Prior to installation, the applicant shall obtain an Architectural Review Certificate and Sign Permit.
8. Any major changes in the adopted conditions of this Sign Ordinance Exception shall be approved by the Plan Commission. The Director of Planning & Building Services may approve minor changes administratively.