



**PUBLIC NOTICE & AGENDA  
PLAN COMMISSION  
City Hall Forum - 100 State Street, Beloit, WI 53511  
7:00 PM  
Wednesday, June 19, 2019**

1. CALL TO ORDER AND ROLL CALL
2. MINUTES
  - 2.a. Consideration of the minutes of the June 5, 2019 Plan Commission meeting  
[Attachment](#)
3. PUBLIC HEARINGS
  - 3.a. Consideration of a Resolution approving a Preliminary Subdivision Plat named The Oaks, Plat 2 for the property located at 2750 Rachel Terrace  
[Attachment](#)
  - 3.b. Consideration of a Conditional Use Permit to allow community service uses in a C-2, Neighborhood Commercial District, for the property located at 2034 Liberty Avenue  
[Attachment](#)
  - 3.c. Consideration of an Ordinance to amend Section 7.243(3) and Section 6.2.8 of the Zoning Ordinance, Chapter 19 of the Code of General Ordinances of the City of Beloit pertaining to Livestock  
[Attachment](#)
4. REPORTS
  - 4.a. Consideration of a Extraterritorial Condominium Plat named Addendum No. 1 to River Bay Estates, a Condominium for the property located along East River Bay Drive in the Town of Beloit  
[Attachment](#)
  - 4.b. Consideration of a Resolution approving a two-lot Certified Survey Map for the property located at 1878 Elmwood Avenue  
[Attachment](#)
5. STATUS REPORT ON PRIOR PLAN COMMISSION ITEMS
6. 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, June 5, 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, Robson, and City Councilor Preuschl were present. Commissioner Ruster was absent.

**2. Approval of the Minutes of the May 22, 2019 Meeting**

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

**3. Public Hearings**

**a. Consideration of an amendment to a Planned Unit Development Master Land Use Plan for the property located at 2851 Milwaukee Rd**

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

Commissioner Faragher opened the public hearing.

Commissioner Robson explained that she was concerned about increasing traffic on Freeman Parkway, as it is already very congested due to the volume of semi-trucks and cars on this section of street. She asked how the I-90 project would impact this intersection and when the construction would be complete.

Scot Prindiville, 2400 Springbrook Court, City Engineer, stated that the layout of the Burger King for exiting will be towards the north towards Menards. He explained that he anticipated that the drive-through traffic would go left towards Branigan Road when Freeman Parkway is congested.

Regarding the intersection improvements, Scot mentioned that the intersection of Freeman Parkway, Ford Street, and Milwaukee Road will be reconstructed as a part of the state's project widening the interstate. Construction is supposed to start 2020 and will be finished 2021.

Commissioner Robson asked Mr. Prindiville if they have considered adding a stop sign on the Menard's frontage road. Mr. Prindiville stated that they had discussed requesting that Menard's install stop sign on Menard's private property.

Councilor Prueschl asked Mr. Prindiville what would happen if the traffic flow went the opposite of what it is listed right now. Mr. Prindiville indicated that the traffic would flow out to Freeman Parkway.

Commissioner Faragher closed the public hearing.

Ms. Christensen stated that Commissioner Robson could recommend adding a condition of approval to require a stop sign at the intersection with Freeman Parkway.

Commissioner Robson wanted to confirm that the three trees on the property were not going to be cut down and asked if she could include the three trees to the conditions of approval too.

John Kazier, 1624 West 18<sup>th</sup> St, representing Cave Enterprises Operations LLC, mentioned that they would try their best to save the trees and if they could not save them, they would replant new ones.

Commissioner Robson made a motion to add a condition that a stop sign be installed at the site's intersection with Freeman Parkway. Commissioner Haynes seconded the motion. The motion passed, voice vote.

Commissioner Haynes moved to approve the PUD Amendment with all conditions requested by staff and the additional condition approved by the Plan Commission. Commissioner Johnson seconded the motion. The motion passed, voice vote.

#### 4. Reports

a. **Consideration of an amendment to Plan Commission Resolution approving a site plan for the replacement and expansion of an office building at 3 ABC Dr/555 Lawton Ave**

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

Commissioner Robson asked if who will pay for the infrastructure improvements if the TEA grant is not approved. Ms. Christensen stated ABC Supply would pay for the improvements.

Commissioner Weeden made a motion to amend the second condition to allow the temporary certificate to be issued if the signal is within 12 months of operation, a

increase from the 6 months in the staff report. Commissioner Haynes seconded the motion.

Commissioner Johnson moved to approve the motion with amendments. Commissioner Robson seconded the motion. The motion passed, voice vote.

b. **Consideration of a Resolution approving a two-lot Certified Survey Map at the property located at 2851 Milwaukee Rd**

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

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

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

Ms. Christensen indicated that City Council approved the vacation of the 1200 block of Fourth Street, the conditional use permit for an outdoor rooftop seating area at 648-658 Fourth St, the conditional use permit for 1750 Branigan Road, and the applications for 2426 Prairie Ave will be on next City Council meeting agenda.

6. **Adjournment**

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

Meeting adjourned at 7:35pm.

Minutes respectfully submitted by Amber DesRoberts.



## REPORT TO THE PLAN COMMISSION

**Plan Commission Meeting Date:** June 19, 2019

**Agenda Item:** 3(a)

**File Number:** PS-2019-01

### **General Information**

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**Applicant:** R. H. Batterman & Co. Inc on behalf of Shopiere Oaks, LLC

**Owner:** Shopiere Oaks, LLC

**Address/Location:** 2750 Rachel Terrace

**Applicant's Request:** Preliminary Subdivision Plat (26 buildable lots)

### **Staff Analysis**

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**Proposed Lots:** R.H. Batterman & Co., Inc. has submitted the attached Preliminary Plat of The Oaks No. 2 for the 19-acre property located at 2750 Rachel Terrace. As shown on the attached plat, the applicant has proposed the construction of a second phase of The Oaks subdivision consisting of 26 new single-family lots and an out-lot for stormwater management. This is a larger-lot subdivision with lot areas ranging from 14,069 square feet to 39,527 square feet. The subject property is already zoned R-1A, Single-Family Residential. The minimum lot width in the R-1A district is 70 feet, and the minimum lot area is 8,750 square feet. All of the proposed lots meet these minimums.

**Proposed Public Improvements:** Twenty of the proposed lots will have frontage upon a proposed street to be named "Woodside Drive," which will be accessed from an extended Rachel Terrace right-of-way. Woodside Drive will connect with a new dead-end street to the eastern City limits proposed as "Oakfield Drive" to be constructed with a temporary turn-around. The applicant has indicated that proposed Lots 22-26 and the extension of Deerfield Drive will not be included in the forthcoming Final Plat, and won't be constructed until future phases. Woodside Drive and Oakfield Drive have a proposed right-of-way width of 66 feet. The proposed streets will include sidewalks, utilities, and curb & gutter, and proposed Out-Lot 1 is designed for stormwater detention. The City and developer will be negotiating a Development Agreement regarding the needed infrastructure. The developer is not proposing any additional parkland at this time, and may be required to pay fees in lieu of parkland dedication [Section 12.11(1) of the Sub. Ordinance].

**Platting Process:** Residential subdivisions require approval of a preliminary (conceptual) plat and a final (detailed) plat. According to Section 12.03(2)(e) of the Subdivision Ordinance, the Plan Commission may approve, conditionally approve, or reject any preliminary plat.

**Surrounding Uses:** A Location & Zoning Map is attached to this report. As shown on the attached map, there are existing single-family homes to the west and south of the subject property, and agricultural land to the east and north. The land to the east of the subject property is located in the Town of Turtle, and is outside of the Boundary Adjustment Area, which means that it can only be annexed with both City and Town approval.

**City of Beloit Comprehensive Plan and Strategic Plan:** The Future Land Use Map of the City's Comprehensive Plan recommends Single-Family Residential – Urban uses of the subject property. The proposed subdivision plat is consistent with this recommendation. Consideration of this request supports City of Beloit Strategic Goals #3 and #5 by encouraging residential growth with high quality infrastructure.

**Review Agent Comments:** The Rock Co. 911 Communications Center does not have any objections to the proposed street names. The City Engineer submitted the attached memo with numerous requests, which will need to be addressed prior to the final plat stage.

**STAFF RECOMMENDATION:**

The Planning & Building Services Division recommends approval of the Preliminary Plat of The Oaks No. 2 for the property located at 2750 Rachel Terrace, based on its consistency with the Comprehensive Plan, Subdivision Ordinance, and Zoning Ordinance, subject to the following conditions:

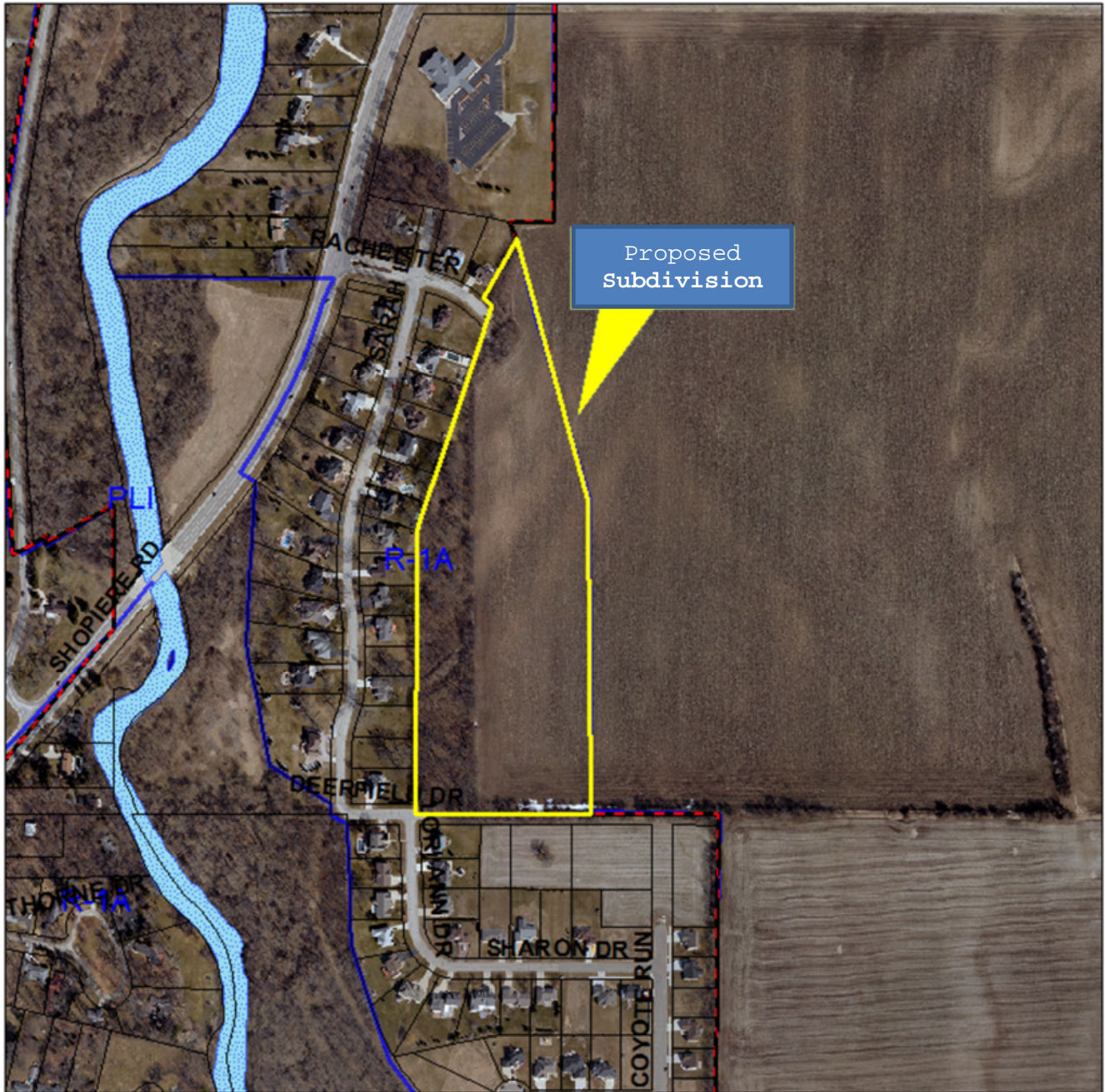
1. The Final Plat shall substantially conform to the approved Preliminary Plat with respect to the number of lots, lot sizes, and the proposed right-of-way layout.
2. Any major changes in the adopted conditions or use of the property shall be approved by the Plan Commission. The Director of Planning & Building Services may approve minor changes administratively.

**ATTACHMENTS:** Location & Zoning Map, Preliminary Plat, Application, City Engineer's Memo, Public Notice, Mailing List, and Resolution.

# Location & Zoning Map

Preliminary Plat of The Oaks No. 2

PS-2017-02



1 inch = 467 feet

0 70 140 280 420 Feet

### Legend

- COB Parcels
- City Limits
- Zoning District

Map prepared by: Drew Pennington, AICP  
Date: July 2017  
For: City of Beloit Planning & Building Services  
Date of Aerial Photography: March 2011

## PLANNING & BUILDING SERVICES DIVISION





# CITY of BELOIT

## Neighborhood Planning Division

100 State Street, Beloit, WI 53511

Phone: (608) 364-6700

Fax: (608) 364-6609

### Application for Review of a Preliminary Subdivision Plat

(Please Type or Print)

File Number: PS-2019-01

1. Proposed subdivision name: The Oaks Plat 2
2. Address of property: 2750 Rachel Terrace
3. Tax Parcel Number(s): 21750200
4. Property is located in (circle one): City of Beloit or Town of: Turtle; Beloit; Rock or LaPrairie  
In the SW Quarter of Section 17, Township 1 North, Range 13 East of the 4th P.M.
5. Owner of record: Shopiere Oaks, LLC Phone: \_\_\_\_\_  
525 3rd Street, Suite 300 Beloit WI 53511  
(Address) (City) (State) (Zip)
6. Applicant's Name: Hendricks Commercial Properties, LLC (John Gackstetter)  
525 3rd Street, Suite 300 Beloit WI 53511  
(Address) (City) (State) (Zip)  
\_\_\_\_\_/ 608-449-9627 \_\_\_\_\_/ John.Gackstetter@hendricksgroup.net  
(Office Phone #) (Cell Phone #) (E-mail Address)
7. The present zoning classification is: R-1A
8. All existing uses on the property are: Residential
9. Proposed future zoning classification(s) is (are): R-1A (no change)
10. Proposed future uses of the property are: Residential (no change)
11. **THE FOLLOWING ITEMS MAY NEED TO BE COMPLETED AND/OR ATTACHED:**
  - Site Assessment Checklist**; as required for all major subdivision plats by section 12.02(1).
  - Pre-application meeting**; a pre-application meeting was held on June 29th  
with City of Beloit Staff as per section 12.02(2).
  - Site Assessment Report**; if required as per section 12.02(5) of the Subdivision Ordinance.
  - Concept Plan**; as required by section 12.02(6) of the Subdivision Ordinance.
  - Developer's Statement**; as required by section 12.02(7) of the Subdivision Ordinance.
  - Preliminary Plat Map**; 10 copies as required by section 12.03(2) including all information required by section 12.03(3) of the Subdivision Ordinance.

The applicant's signature below indicates the information contained in this application and on all accompanying documents is true and correct. The undersigned does hereby respectfully make application for and petition the City Plan Commission to review and approve the Preliminary Subdivision Plat for the purpose stated herein. The undersigned also agrees to abide by all applicable federal, state and local laws, rules, and regulations.

John Gackstetter / JOHN GACKSTETTER / 5/20/19  
(Signature of applicant) (Name of applicant) (Date)

This application must be submitted at least **30 days** prior to the Plan Commission meeting date.

Review fee: \$500 plus \$15 per lot Amount paid: \$905  
Scheduled meeting date: June 19, 2019  
Application accepted by: Don Pennington Date: 5/21/19

# CITY OF BELOIT

## DEPARTMENTAL CORRESPONDENCE

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**TO:** Drew Pennington, Director of Planning & Building Services  
**FROM:** Scot Prindiville, P.E., City Engineer/Deputy Public Works Director  
**DATE:** June 13, 2019  
**SUBJECT:** Preliminary Plat Review – The Oaks, Plat 2

Engineering has reviewed the Preliminary Plat of The Oaks, Plat 2 dated May 17, 2019 prepared by R.H. Batterman & Co. We offer the following comments:

- In accordance with Section 12.03(3)(b)(4) of City Code the outer edge of mature woodlands should be shown on the plat. The existing tree line is already shown, so either the legend should be altered or call outs shall be added to reflect the limits of the mature woodland.
- In accordance with Section 12.03(3)(b)(3) of City Code the floodplain limits should be indicated on the plat.
- Section 12.03(3)(c)(2) of City Code states that a draft of any proposed subdivision covenants should be included with the plat.
- In accordance with Section 12.03(3)(b)(8) of City Code the plat shall contain information related to subsurface soil, rock and water conditions including depth to bedrock and average depth to groundwater table.
- Section 12.03(3)(c)(9) of City Code discusses Tree Protection and Preservation plans. The developer should identify how they plan to adhere to this section or whether this section does not apply because they will not be impacting enough of the mature woodland area.
- The watermain loop from Woodside Drive to Deerfield Drive should occur through the north side of lot 26 rather than between lots 22 and 23 so that there is not a dead end watermain along Deerfield Drive. Easements will need to be changed to accommodate this layout.
- Any City utilities on private property shall be constructed in City Utility Easements that only give rights to the City to be in the easement. This would include the watermain being looped to Deerfield and any storm sewers running to or from outlot 1. It is possible that the D.E. identified on the lot could be used as a storm sewer easement but the easement provisions would need to be reviewed and approved by the City.
- New subdivisions are being required by the USPS to implement cluster mailboxes. There does not appear to be any land set aside for these cluster mailboxes. The developer should comment on how they intend to satisfy this requirement.

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COMMUNITY DEVELOPMENT DEPARTMENT

## **NOTICE TO THE PUBLIC**

June 7, 2019

To Whom It May Concern:

R.H. Batterman & Co., Inc. has submitted an Application for Review of a Preliminary Subdivision Plat and the attached Preliminary Plat of The Oaks No. 2 for the 19-acre property located at **2750 Rachel Terrace**.

As shown on the attached plat, the applicant has proposed the construction of a second phase of The Oaks subdivision consisting of 26 new single-family lots and an out-lot for stormwater management. Twenty of the proposed lots will have frontage upon proposed "Woodside Drive," which will be accessed from an extended Rachel Terrace right-of-way. Woodside Drive will connect with a new dead-end street proposed as "Oakfield Drive" to be constructed with a temporary turn-around. The applicant has indicated that proposed Lots 22-26 and the extension of Deerfield Drive will not be included in the forthcoming Final Plat, and won't be constructed until future phases.

The following public hearing will be held regarding this proposed Preliminary Plat:

**City of Beloit Plan Commission**: Wednesday, June 19, 2019, at 7:00 PM, or as soon thereafter as the matter can be heard in The Forum, Beloit City Hall, 100 State Street, Beloit, Wisconsin.

### **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 Drew Pennington, AICP in the Planning & Building Services Division at (608) 364-6711 or [penningtond@beloitwi.gov](mailto:penningtond@beloitwi.gov). Comments will be accepted via telephone, email, and U.S. Mail.*

WILLIAM M & GRACE J  
CUNNINGHAM  
2601 SARAH LN  
BELOIT, WI 53511

JULIETA POSLA  
2669 SARAH LN  
BELOIT, WI 53511

MICHAEL J & CYNTHIA L FOGLE  
2661 SARAH LN  
BELOIT, WI 53511

JAMES & JOAN BURSINGER  
2719 SARAH LN  
BELOIT, WI 53511

JOHN J & SHEILA M CHANDLER  
2691 SARAH LN  
BELOIT, WI 53511

MICHAEL G & AMANDA A  
BUCKLEY  
2416 FAWN LN  
JANESVILLE, WI 53548

MICHAEL W & JESSICA LERVIK-  
MARQUETTE  
2549 LORI ANN DR  
BELOIT, WI 53511

MARSHALL & ILLSLEY TRUST CO  
HARRY C MOORE TRUST  
P O BOX 238  
BELOIT, WI 535120238

TIMOTHY J & KATHRYN  
JOHNSON  
2710 RACHEL TER  
BELOIT, WI 53511

PASCAL PATILLIET  
2669 SARAH LN  
BELOIT, WI 53511

RONALD & BETTY WILLIAMS  
2729 SARAH LN  
BELOIT, WI 53511

THOMAS & MAUREEN  
PANATTONI  
2631 SARAH LN  
BELOIT, WI 53511

ENRIQUE & ISELA LOERA  
2702 RACHEL TER  
BELOIT, WI 53511

JEREMY D & DENA K MORTIMER  
2641 SARAH LN  
BELOIT, WI 53511

KAY F SHAW TRUSTEE KAY  
FRANCES OBRIEN SHAW  
REVOCABLE TRUST  
2535 LORI ANN DR  
BELOIT, WI 53511

ROGER & SUZANNE KEMMAN  
2550 LORI ANN DR  
BELOIT, WI 53511

ROCK VALLEY CHAPEL  
2780 SHOPIERE RD  
BELOIT, WI 53511

IGNACIO G & ESPERANZA  
M GAMBOA  
2702 RACHEL TERR  
BELOIT, WI 53511

CHRISTIAN C & JINJER C  
MILLER  
2709 SARAH LN  
BELOIT, WI 53511

MICHAEL K & LESLEY  
JUSTUS  
2677 SARAH LN  
BELOIT, WI 53511

RONALD I & PATRICIA I  
BLUM  
2617 SARAH LN  
BELOIT, WI 53511

GARY L & TRACY  
STEVENSON OLSON  
2685 SARAH LN  
BELOIT, WI 53511

ACORN DEVELOPMENT  
LLC  
P O BOX 931  
BELOIT, WI 535120931

Town of Turtle Clerk

**RESOLUTION**  
**APPROVING A PRELIMINARY PLAT OF THE OAKS NO. 2**  
**FOR THE PROPERTY LOCATED AT 2750 RACHEL TERRACE**

**WHEREAS**, the City Plan Commission of the City of Beloit has heretofore held a public hearing on June 19, 2019 regarding the Preliminary Plat of The Oaks No. 2 for the property located at 2750 Rachel Terrace in the City of Beloit.

**NOW, THEREFORE, BE IT RESOLVED THAT** the Plan Commission of the City of Beloit does hereby approve the Preliminary Plat of The Oaks No. 2 for the property located at 2750 Rachel Terrace, subject to the following conditions:

1. The Final Plat shall substantially conform to the approved Preliminary Plat with respect to the number of lots, lot sizes, and the proposed right-of-way layout.
2. Any major changes in the adopted conditions or use of the property shall be approved by the Plan Commission. The Director of Planning & Building Services may approve minor changes administratively.

Adopted this 19<sup>th</sup> day of June, 2019.

By: \_\_\_\_\_  
James Faragher, Plan Commission Chairman

ATTEST:

\_\_\_\_\_  
Julie Christensen, Community Development Director



## **REPORT TO THE PLAN COMMISSION**

**Plan Commission Meeting Date:** June 19, 2019

**Agenda Item:** 3(b)

**File Number:** CU-2019-04

### **General Information**

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**Applicant:** Linda Ward, on behalf of W.B. Kennedy Lodge

**Owner:** Joel & Charlotte Vandenberg

**Address/Location:** 2034 Liberty Avenue

**Applicant's Request:** Linda Ward, on behalf of W.B. Kennedy Lodge, has filed an application for a Conditional Use Permit to allow a community service use in a C-2, Neighborhood Commercial District, for the property located at 2034 Liberty Avenue.

### **Background**

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The applicant is requesting to use the existing building at 2034 Liberty Avenue for the location of a fraternal organization. The W.B. Kennedy Lodge is currently located at 1111 Prince Hall Drive and is looking for a new location. A Fraternal Organization is considered a Community Service use and requires a Conditional Use Permit in the C-2, Neighborhood Commercial District.

### **Staff Analysis**

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**Existing Conditions:** The subject property is ½ acre in area and includes a 4,165 square-foot retail building and a 3,500 square-foot storage warehouse, along with parking areas that are both gravel and asphalt. The property was previously occupied by Custom Bookbinding, and the warehouse was used for storage/distribution functions. There is a driveway on Liberty Avenue/State Highway 81 that serves the property, which is located within an unimproved public right-of-way as shown on the attached map. One business (Rock City Art Complex) currently operate on this property.

**Surrounding Land Use and Zoning:** There is an R-2, Two-Family Residential District to the west and south of the subject property, along with single-family dwellings. There is a commercial use (zoned C-2) to the west of the subject property along Liberty Avenue and a two-family use (zoned C-2) to the east along Liberty Avenue. There is a nonconforming outdoor storage yard to

the southeast of the subject property.

**Site Improvements Needed:** Planning staff has advised the applicants and the property owner that several areas of the property must be brought up to code if the CUP is to be issued and used. There are several areas of the site that are gravel, which is problematic given increased vehicle traffic. All gravel areas, including both private property and the unimproved right-of-way, need to be paved with asphalt or concrete. The sign along Liberty Avenue is technically an “abandoned sign” because it advertises a business that no longer operates. Therefore, it must be removed, professionally covered, or changed to advertise one of the existing businesses. Parking shall be provided in the amount of 30% of building capacity. Based on the 25 parking stalls provided on the site plan the maximum occupancy cannot exceed 83 people to reduce overcrowding.

**Building Improvements Needed:** Building Inspection and Fire Department staff have advised the applicant that several building alterations are needed in order to legally occupy the building as an assembly use. Also the floor drains in the warehouse space must be either connected to public sanitary sewer or removed.

**Review Agent Comments:** The City Engineer has agreed with Planning staff regarding the need to pave all gravel areas of the site, including the unimproved right-of-way.

**City of Beloit Comprehensive Plan:** The City’s Future Land Use Map (Map #10 of the Comprehensive Plan) recommends Neighborhood Commercial uses and C-2 zoning for the subject property.

**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;*
  - Planning Staff feels that general public health and safety will not be negatively impacted by the proposed fraternal origination use. The relocation of the organization has the potential to positively impact the general public health in the surrounding neighborhood.
- 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 organization intends to use the building for meetings and will have little impact on the enjoyment of other neighboring properties.
- c. *Whether the conditional use will substantially diminish or impair property values within the neighborhood of the subject property;*
  - The proposed use is less intense than previous uses and will not impair property values. The staff-recommended conditions below are intended to



address potential issues.

- 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 site and building must be improved and brought up to code to accommodate the new use of the existing building and site. For example, all gravel areas must be paved to control dust. The abandoned sign must be covered or replaced to avoid confusion and blight.
- 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*
  - As a condition of approval all gravel areas must be paved with asphalt or concrete to help traffic flow.
- 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 a community service use in a C-2, Neighborhood Commercial District, for the property located at 2034 Liberty Avenue, based on the above Findings of Fact and subject to the following conditions:

1. This Conditional Use Permit (CUP) authorizes a Community Service Organization (W.B. Kennedy Lodge) to utilize the existing 4,165 square-foot building and 3,500 square-foot storage warehouse on the subject property, subject to the conditions below.
2. All gravel areas on the subject property and the adjacent unimproved right-of-way on which the driveway is located shall be paved to the City Engineer's standards with asphalt or concrete to control dust by September 1, 2019.
3. 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 Sign Ordinance, the abandoned sign along Liberty Avenue shall be professionally covered or replaced to reflect the current businesses to avoid public confusion by September 1, 2019.
2. As required by the Fire Code, compliance with assembly occupancy-based regulations as directed by the Building Official and Fire Inspector is required, to promote fire safety by September 1, 2019.
3. As required by the Zoning Ordinance, parking shall be provided in the amount of 30% of building capacity. Based on the 25 parking stalls provided on the site plan, the maximum occupancy cannot exceed 83 people.
4. As required by the Wastewater Treatment Ordinance, floor drains in the warehouse must be connected to public sanitary sewer or removed by September 1, 2019.

**ATTACHMENTS:** Decision Worksheet, Location & Zoning Map, Site Plan, Application, and Public Notice.

**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. As required by the Sign Ordinance, the abandoned sign along Liberty Avenue must be professionally covered or replaced to reflect the current business.  
**Substantial Evidence:** The sign panels currently advertise a business that no longer occupies the site.
  
2. As required by the Fire Code, compliance with assembly occupancy-based regulations as directed by the Building Official and Fire Inspector is required, to promote fire safety.  
**Substantial Evidence:** The new use, community service, presents a higher hazard than the former uses that occupied this space or the other businesses in this building. Therefore, it is required to provide improvements to the building to meet this requirement. The Fire Inspectors have determined that these improvements do not exist at this site.
  
3. As required by the Zoning Ordinance, parking shall be provided in the amount of 30% of building capacity.  
**Substantial Evidence:** Based on the 25 parking stalls provided on the site plan, the maximum occupancy cannot exceed 83 people.
  
4. As required by the Wastewater Treatment Ordinance, all floor drains in the warehouse must be connected to public sanitary sewer or removed.  
**Substantial Evidence:** The Water Resources Division completed some dye testing to determine where the sanitary and storm sewers drain to. It appears that the floor drain in the warehouse drains into the ground, if not addressed can lead to contaminated groundwater.

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 (CUP) authorizes Community Service Organization (W.B. Kennedy Lodge) to utilize the existing 4,165 square-foot building and 3,500 square-foot storage warehouse on the subject property, subject to the conditions below.  
**Substantial Evidence:** The Zoning Ordinance states that community service use in the C-2 are only allowed if reviewed and approved in accordance with the CUP review procedures.
2. All gravel areas on the subject property and the adjacent unimproved right-of-way on which the driveway is located shall be paved to the City Engineer's standards with asphalt or concrete to control dust by September 1, 2019.  
**Substantial Evidence:** The Zoning Ordinance requires the paving of off-street parking and loading areas. This increase in intensity of use will make the gravel parking lot problematic. Therefore, we are requiring the off-street parking and loading areas to be paved to help traffic flow and minimize dust.
3. 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:

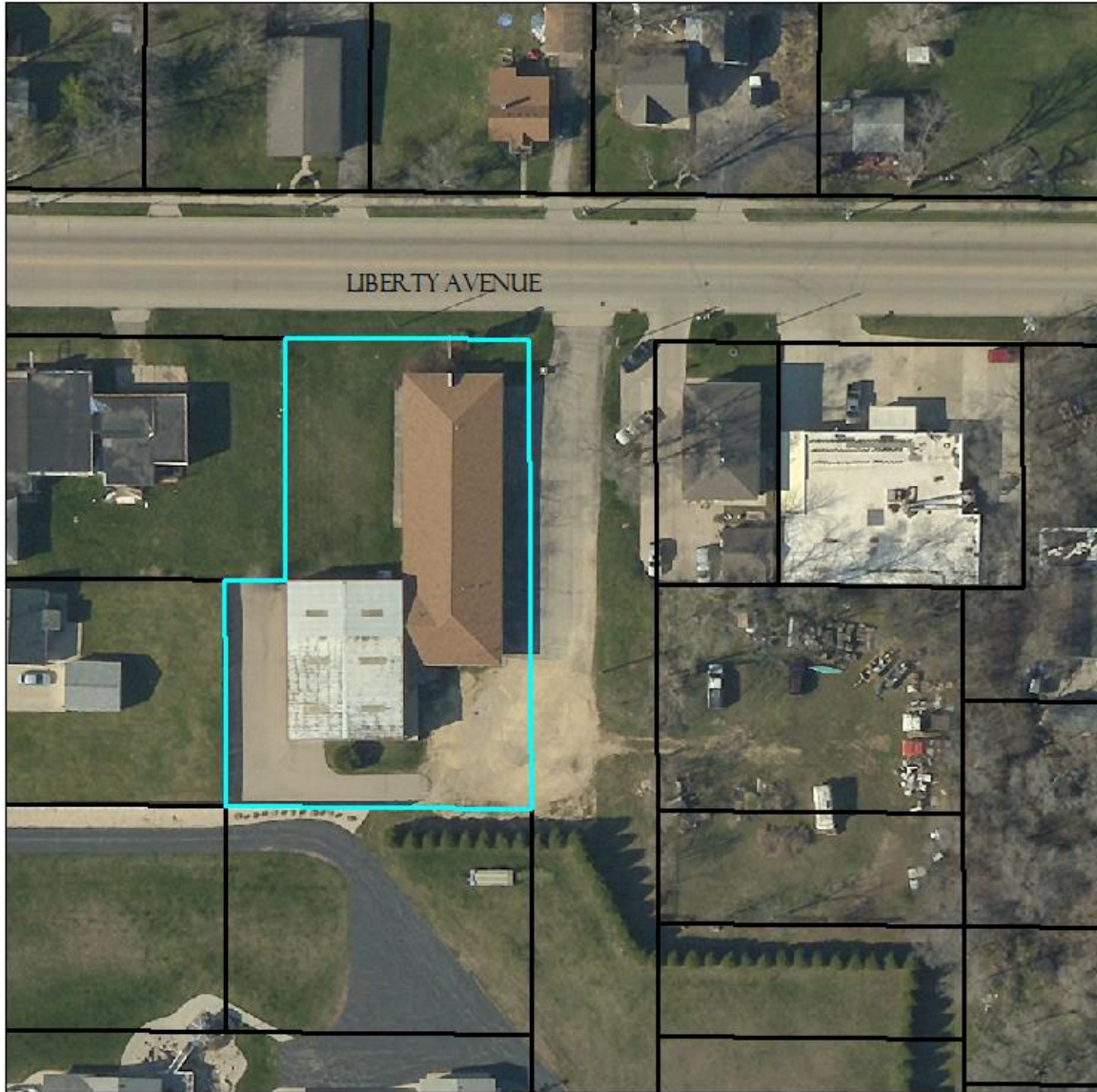
Approved, with the conditions stated above

Denied, for the following reasons:

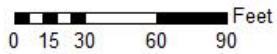
# Location Map

2034 Liberty Avenue



CU-2019-04



1 inch = 63 feet

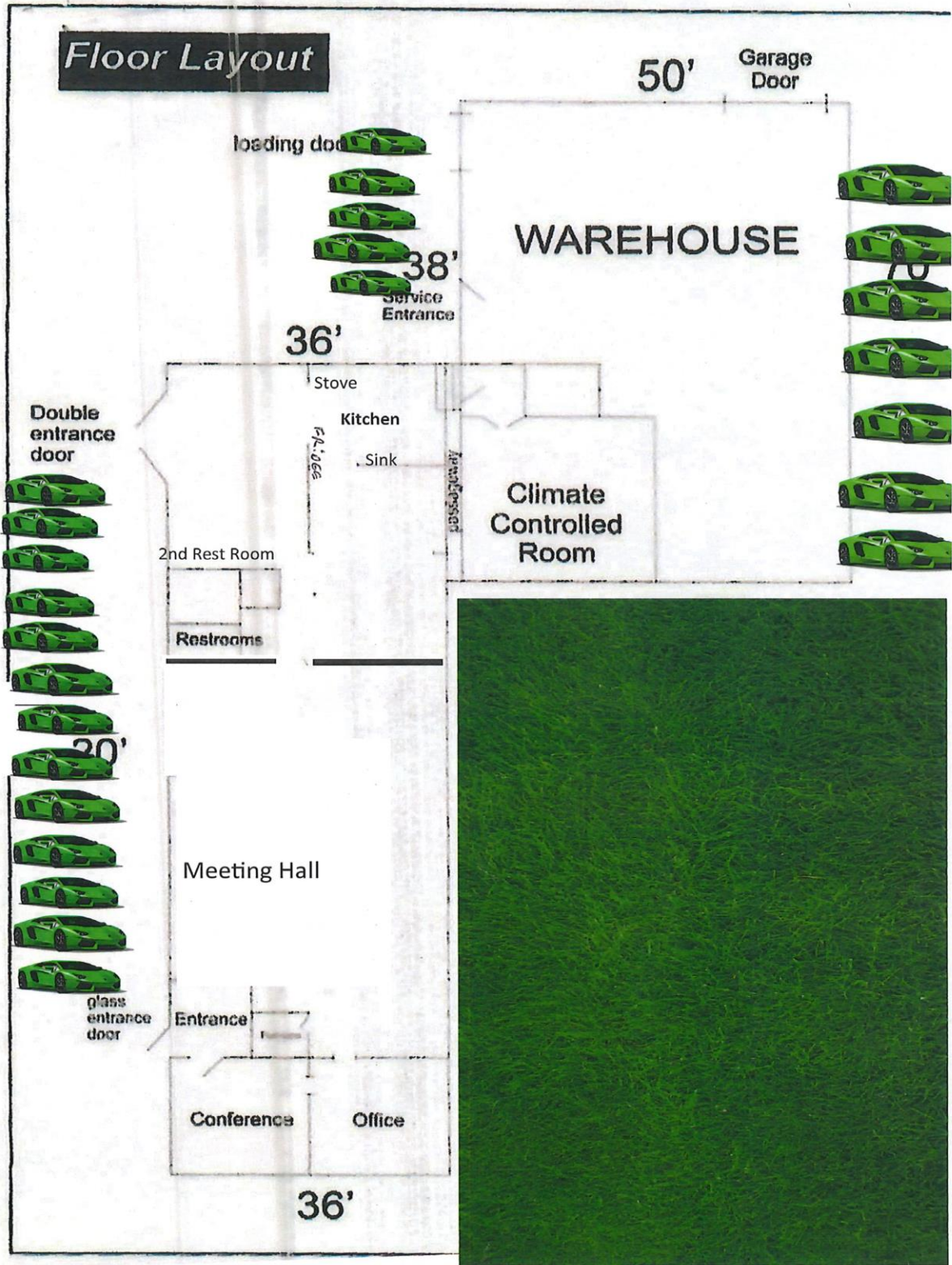


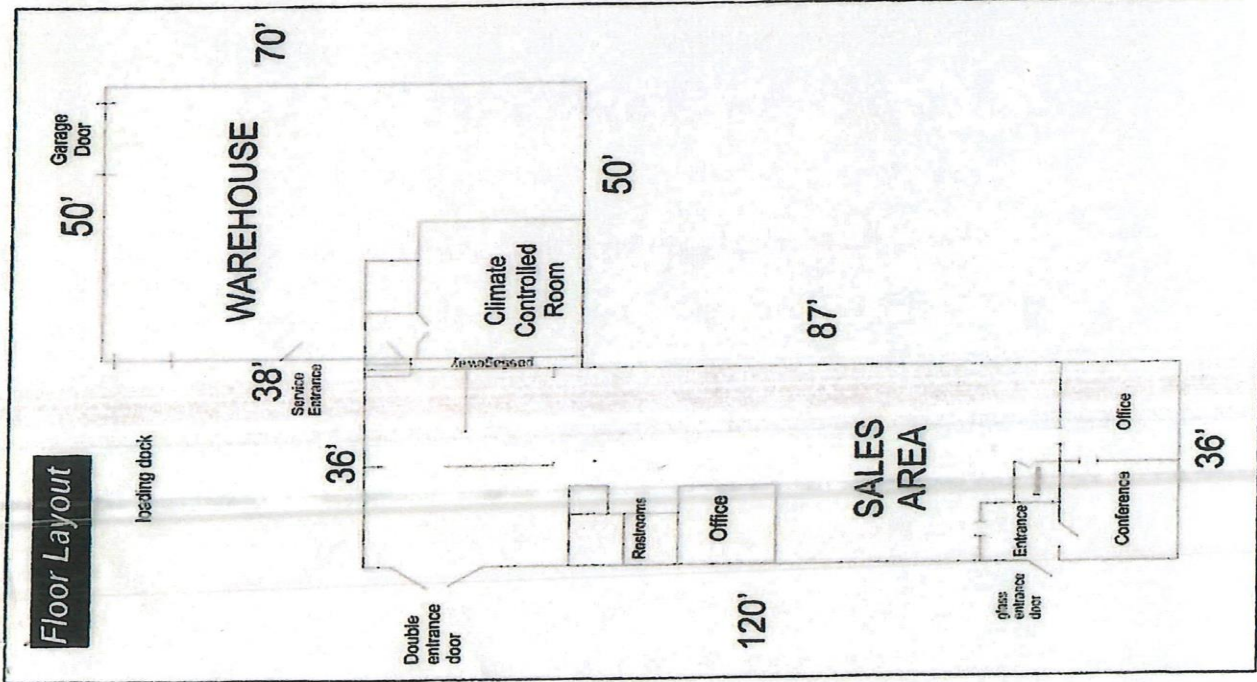
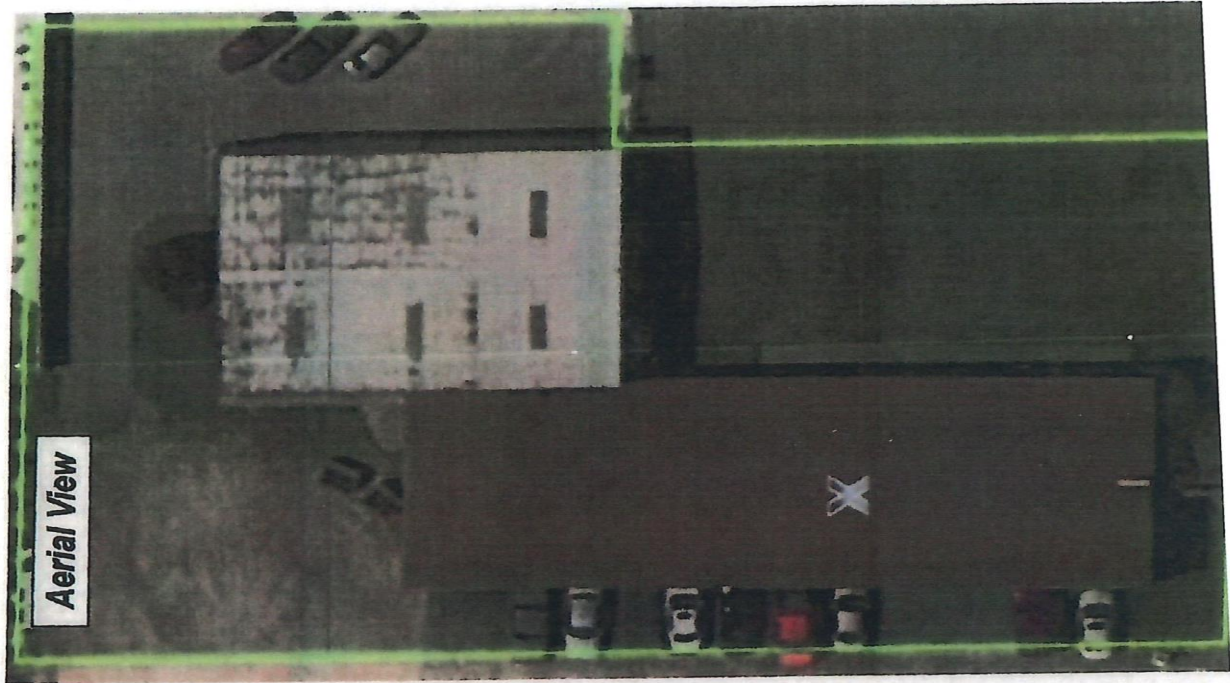
### Legend

-  Parcel Poly
-  City Limits (Corp Poly)

Map prepared by: Hilary Rottmann  
Date: May 2019  
For: City of Beloit Planning & Building  
Date of Aerial Photography: April 2016

## PLANNING & BUILDING SERVICES DIVISION





# CITY of BELOIT

## Planning and Building Services Division

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

### Conditional Use Permit Application

(Please Type or Print)

File Number: CU-2019-04

1. Address of subject property: 2034 Liberty Ave

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): 13480880

4. Owner of record: Joel Vanden Berg Phone: 608-774-3982  
2071 S. Natures Ridge Rd Beloit WI 53511  
(Address) (City) (State) (Zip)

5. Applicant's Name: W. B. Kennedy Lodge No 3  
1111 Prince Hall Dr. Beloit, WI 53511  
(Address) (City) (State) (Zip)

608 365-2412 / 608-481-0638 / LINDAWHRO774@gmail.com  
(Office Phone #) (Cell Phone #) (E-mail Address)

6. All existing use(s) on this property are: \_\_\_\_\_

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

A Conditional Use Permit for: Fraternal Lodge  
\_\_\_\_\_ in a(n) C-2 Zoning District.

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

Principal use: FRATERNAL MEETINGS

MASONIC MEETINGS - EASTERN STAR MEETINGS

SCOTTISH RITE MEETINGS

Secondary use: COAT GIVE AWAY FUNERAL REPASS

MASONIC & EASTERN STAR MEETINGS

HOLIDAY FOOD CARD GIVE AWAY

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: \_\_\_\_\_
- (x) Other, explain: We would like to purchase  
The building

**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.

Joel Vandenberg / Joel Vandenberg / May 21, 2019  
(Signature of Owner) (Print name) (Date)

Walter E. Ward / WALTER E. WARD / 5/23/2019  
(Signature of Applicant, if different) (Print name) (Date)

W.B. Kennedy Lodge (Rep)

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: <b>\$275.00</b>	Amount paid: <u>\$275.00</u> Meeting date: <u>June 19, 2019</u>
No. of notices: _____	x mailing cost (\$0.50) = cost of mailing notices: \$ _____
Application accepted by: <u>Velony Kattmann</u>	Date: <u>5/24/2019</u>

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COMMUNITY DEVELOPMENT DEPARTMENT

## **NOTICE TO THE PUBLIC**

June 5, 2019

To Whom It May Concern:

Linda Ward on behalf of the W.B. Kennedy Lodge No. 3, has filed an application for a Conditional Use Permit to allow a community service use in a C-2, Neighborhood Commercial District, for the property located at:

**2034 Liberty Avenue.**

The W. B. Kennedy Lodge currently located at 1111 Prince Hall Drive, is looking for a new location for their fraternal organization.

The following public hearings will be held regarding this application:

**City Plan Commission:** Wednesday, June 19, 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, July 1, 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 Hilary Rottmann in the Planning & Building Services Division at (608) 364-6708 or [rottmannh@beloitwi.gov](mailto:rottmannh@beloitwi.gov). Comments will be accepted via telephone, email, and U.S. Mail.*

RICHARD A & PHYLLIS M  
CHRISTOPHERSEN  
9149 W GROVE SHOOL RD  
BELOIT WI 53511

ERICA L PENNINGTON  
1037 DIVISION ST  
BELOIT WI 53511

CRAIG WIEMER  
2043 LIBERTY AVE  
BELOIT WI 53511

SANDY MANNING  
1127 RIDGEWAY ST  
BELOIT WI 53511

RICKY L SAUNDERS  
917 ELEVENTH ST  
BELOIT WI 53511

DENNIS HENNING  
746 MCKINLEY AVE  
BELOIT WI 53511

JEFFREY J & HOLLY A KORBOL  
1750 E RIDGE RD  
BELOIT WI 53511

JEFFREY J & HOLLY A KORBOL  
2016 LIBERTY AVE  
BELOIT WI 53511

WILLIAM J & MICHELLE R  
EGGERS  
1017 DIVISION ST  
BELOIT WI 53511

ALEX & DEBRA BLAZER  
312 W GRAND AVE  
BELOIT WI 53511



## REPORT TO THE PLAN COMMISSION

**Plan Commission Meeting Date:** June 19, 2019

**Agenda Item:** 3(c)

**File Number:** ZTA-2019-01

### General Information

**Request:** Consideration of an Ordinance to Amend Section 7.243(3) and to Amend Section 6.2.8 of the Zoning Ordinance, Chapter 19 of the Code of General Ordinances of the City of Beloit pertaining to livestock

**Background:** The Beloit Public Library is requesting an amendment to city ordinances to allow for City Manager approval for livestock at the library to enhance programming. The Library's mission is "to provide enriching and inspiring learning opportunities for all members of our diverse community." Programming that includes animals, birds, reptiles, bugs, etc. can provide a unique learning opportunity to our community that may not otherwise experience such programming and interaction with animals and their owners.

### Staff Analysis

1. The proposed changes will allow the City Manager to temporarily authorize the presence of livestock in the city limits for various community events, such as temporary petting zoos or educational displays.
2. Library staff worked with the City Manager and City Attorney regarding this request. Library staff has programming plans ready for implementation upon approval of this request. Although this request originated with the library, it will apply to special events City-wide such as petting zoos during church and school events.
3. This item must be considered by the Plan Commission as the proposed Ordinance amends the Zoning Ordinance.
4. Livestock will continue to be permitted on a permanent basis only in the Development Holding (DH) zoning district or in accordance with a valid Backyard Chicken Permit.

### **STAFF RECOMMENDATION:**

The Planning & Building Services Division recommends approval of the attached Ordinance to Amend Section 7.243(3) and to Amend Section 6.2.8 of the Zoning Ordinance, Chapter 19 of the Code of General Ordinances of the City of Beloit pertaining to livestock.

**ATTACHMENTS:** Proposed Ordinance and Public Notice

**ORDINANCE NO. 3656**

**AN ORDINANCE TO AMEND SECTION 7.243(3) AND TO AMEND SECTION 6.2.8 OF THE ZONING ORDINANCE, CHAPTER 19 OF THE CODE OF GENERAL ORDINANCES OF THE CITY OF БЕЛОIT PERTAINING TO LIVESTOCK**

The City Council of the City of Beloit, Rock County, Wisconsin, do ordain as follows:

Section 1. Section 7.243(3) of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

“(3) LIVESTOCK IN THE CITY. No person may keep any livestock on any lands in the City which the person owns, occupies or controls, unless the livestock is kept in a "Development Holding" zoning district or unless such livestock is temporarily allowed under the provisions of §7.244 or by written authorization from the City Manager.”

Section 2. Section 6.2.8 of the Zoning Ordinance, Chapter 19 of the Code of General Ordinances of the City of Beloit, is hereby amended to read as follows:

“6.2.8 LIVESTOCK. Livestock, as defined in ~~S~~section 7.243(1) of the Code of General Ordinances, may be kept:

a. \_\_\_\_\_ in the DH, Development Holding District; ~~or~~

b. \_\_\_\_\_ under the provisions of ~~S~~section 7.244, provided that all required permits are obtained; or

c. by written authorization of the City Manager under section 7.243(3).”

Section 3. The provisions of this Ordinance shall be deemed severable and it is expressly declared that the City Council would have passed the other provisions of this Ordinance irrespective of whether or not one or more provisions may be declared invalid and if any provision of this Ordinance, or the application thereof to any person or circumstances is held invalid, the remainder of the Ordinance, and the application of such provision to other persons or circumstances, shall not be affected thereby.

Section 4. This ordinance shall be in force and take effect upon passage and publication.

Adopted this \_\_\_\_ day of June, 2019.

**CITY COUNCIL FOR THE CITY OF БЕЛОIT**

By: \_\_\_\_\_  
Regina Dunkin, President

ATTEST:

By: \_\_\_\_\_  
Lorena Rae Stottler, City Clerk-Treasurer

PUBLISHED: \_\_\_\_\_  
EFFECTIVE DATE: \_\_\_\_\_  
01-611100-5231- \_\_\_\_\_

tch/ordinances/7.243(3), 19-6.2.8 = ORD 20190520 (19-1079)



Division of Planning and  
Building Services  
City Hall  
100 State Street  
Beloit, Wisconsin 53511

608-364-6700 (Office)  
608-364-6609 (Fax)  
beloitwi.gov  
Equal Opportunity Employer

COMMUNITY DEVELOPMENT DEPARTMENT

## **NOTICE TO THE PUBLIC**

June 5, 2019

To Whom It May Concern:

The Beloit Plan Commission and City Council are considering an Ordinance to amend Section 6.2.8 of the Zoning Ordinance, Chapter 19 and Section 7.243(3) of the Code of General Ordinances of the City of Beloit, pertaining to keeping livestock in the City.

The proposed amendments will allow the City Manager to authorize livestock within the City on a temporary basis during community events, such as petting zoos or educational displays. The amendments were requested by the Beloit Public Library, but would apply City-wide.

The following public hearings will be held regarding this proposed Ordinance:

**City Plan Commission:** Wednesday, June 19, 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, July 1, 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](mailto:penningtond@beloitwi.gov). Comments will be accepted via telephone, email, and U.S. Mail.*



## REPORT TO THE PLAN COMMISSION

**Plan Commission Meeting Date:** June 19, 2019

**Agenda Item:** 4(a)

**File Number:** FS-2019-02

### **General Information**

---

**Applicant:** R. H. Batterman & Co., Inc on behalf of Forward Property Investments, LLC

**Owner:** Forward Property Investments, LLC

**Address/Location:** River Bay Estates in the Town of Beloit

**Applicant's Request:** Addendum to Approved Condo Plat

### **Staff Analysis**

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**Background:** R.H. Batterman & Co., Inc., on behalf of Forward Property Investments, has submitted the attached Condo Plat, which is officially known as Addendum No. 1 to River Bay Estates, a Condominium. The proposed Condo Plat includes land in the Town of Beloit within the City's Extraterritorial Jurisdiction; therefore, the City reviews the plat but cannot deny it based upon land use nor require public improvements. The previous developer constructed the public streets and infrastructure, but the project stalled during the recession and only one dwelling has been constructed to-date. The land was acquired by the Town of Beloit, which has conveyed the property to Forward Property Investments as the developer.

**Proposed Changes:** The proposed Condo Plat reduces the density of this previously platted mixed residential development, which was originally approved in 2005. The main change to the proposed Condo Plat involves replacement of seven proposed 4-unit buildings on the south side of River Bay Drive with seven proposed single-family homes shown as units 11-17.

**City of Beloit Comprehensive Plan:** The Future Land Use Map of the City's Comprehensive Plan recommends Agricultural uses of the subject property. The proposed plat is inconsistent with this recommendation.

**Review Agent Comments:** No concerns have been received. Alliant, Charter, and AT&T are working with the developer to provide necessary utilities.

#### **STAFF RECOMMENDATION:**

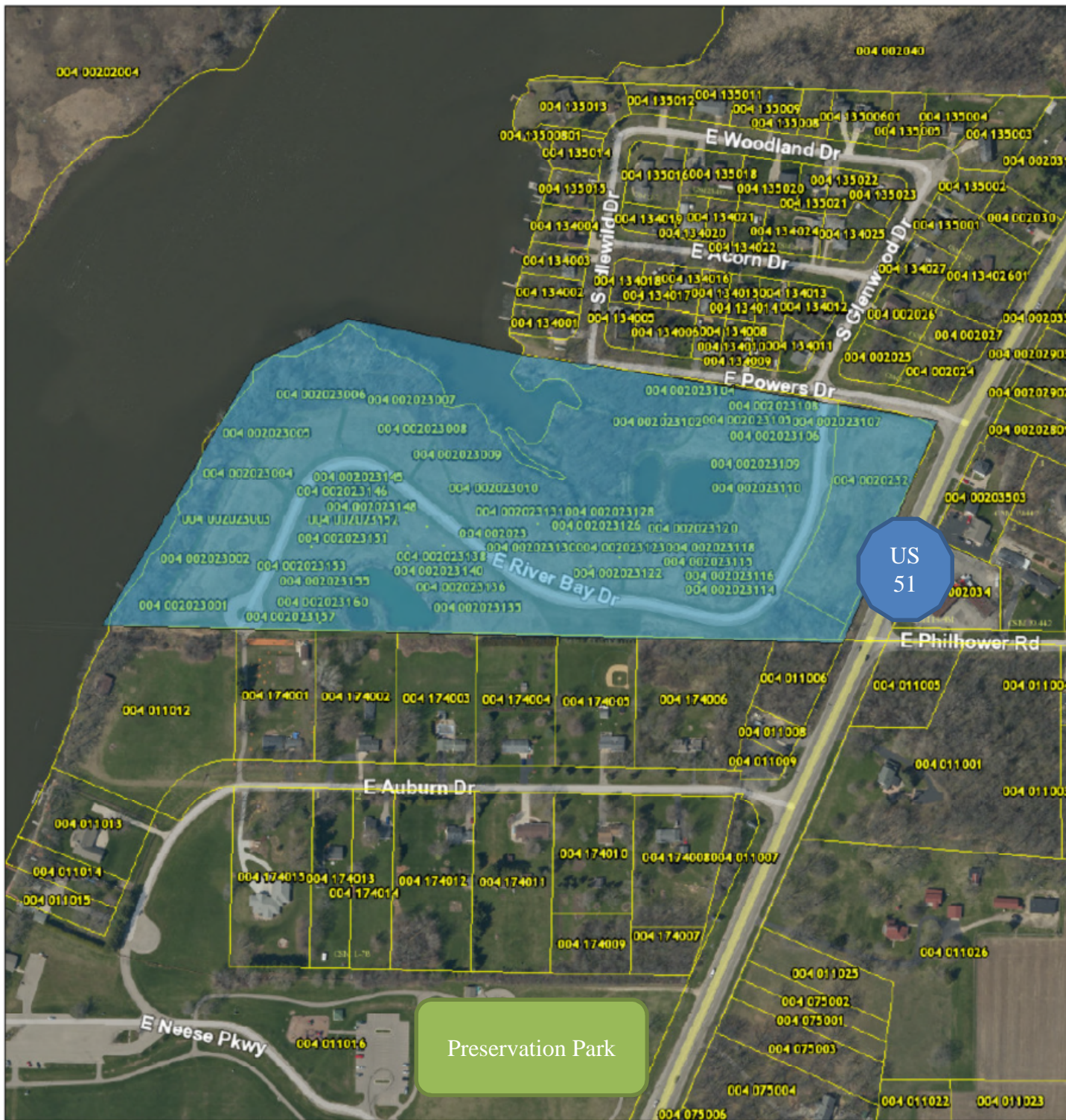
The Planning & Building Services Division recommends **approval** of Addendum No. 1 to River Bay Estates, a Condominium, subject to the following condition:

1. The applicant shall record the plat with the Rock County Register of Deeds and shall provide the Planning Division with a copy of the recorded plat by December 31, 2019.

**ATTACHMENTS:** Location Map, Proposed Addendum No. 1, Approved Plat (2005), and Application.



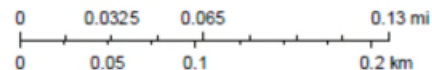
# River Bay Estates



May 24, 2019

Parcels

1:2,937



Preservation Park

US  
51









# CITY of BELOIT

## Neighborhood Planning Division

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

### Application for a Final Subdivision or Condominium Plat

(Please Type or Print)

File Number: FS-2019-02

1. Proposed ~~subdivision~~ name: Addendum No. 1, River Bay Estates, A Condominium
2. Address of property: River Bay Drive (Multiple)
3. Tax Parcel Number(s): Multiple
4. Property is located in (circle one): City of Beloit or Town of: Turtle **Beloit**; Rock or LaPrairie  
In the <sup>SW/SE</sup> 2 Quarter of Section 2, Township 1 North, Range 12 East of the 4th P.M.
5. Owner of record: Forward Property Investment, LLC Phone: 608-365-1984 (Scott Ward)  
1011 Elmwood Avenue Beloit WI 53511  
(Address) (City) (State) (Zip)
6. Applicant's Name: R.H. Batterman & Co. Inc. (Kristin J. Belongia, PLS)  
2857 Bartells Drive Beloit WI 53511  
(Address) (City) (State) (Zip)  
608-365-4464 / / kbelongia@rhbatterman.com  
(Office Phone #) (Cell Phone #) (E-mail Address)
7. Present zoning classification is: R4 (PUD)
8. Is the proposed use permitted in this zoning district: Yes
9. THE FOLLOWING ITEMS MAY NEED TO BE COMPLETED AND/OR ATTACHED:
  - Copy of Preliminary Plat to Utility Providers: A written statement confirming that the developer submitted copies of the approved preliminary plat to all utility providers as per section 12.03(2).
  - Covenants and Deed Restrictions: copies of any covenants or deed restrictions.
  - Development Agreement & Fee: a copy of a Final Draft or Approved Development Agreement;
  - Contract: A contract for construction of required utilities and public improvements or;
  - A Bond; guarantying the contract for construction or,
  - Letter from the City Engineer; stating that the developer has constructed the required improvements and the City has found they are acceptable to the City Engineer and;
  - Final Plat Map; 10 copies as required by section 12.04(1) including all information required by section 12.04(2) of the Subdivision Ordinance.

The applicant's signature below indicates the information contained in this application and on all accompanying documents is true and correct. The undersigned does hereby respectfully make application for and petition the City Plan Commission and City Council to review and approve the Preliminary Subdivision Plat for the purpose stated herein. The undersigned also agrees to abide by all applicable federal, state and local laws, rules, and regulations.

\_\_\_\_\_  
(Signature of applicant)

\_\_\_\_\_  
(Print name of applicant)

\_\_\_\_\_  
(Date)

This application must be submitted at least **30 days** prior to the Plan Commission meeting date.

Review fee: **\$300 plus \$15 per lot; \$100 Development Agreement Fee** Amount paid: 300.<sup>00</sup>  
Scheduled meeting date: June 19, 2019  
Application accepted by: Draw Pennington Date: 5/20/19



## **REPORT TO THE PLAN COMMISSION**

**Plan Commission Meeting Date:** June 19, 2019

**Agenda Item:** 4(b)

**File Number:** CSM-2019-05

### **General Information**

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**Applicant:** R. H. Batterman & Co., Inc.

**Owner:** Sarah Klawitter & William D. Riemer

**Address/Location:** 1878 Elmwood Avenue

**Applicant's Request:** The applicant has proposed a 2-Lot Certified Survey Map (CSM) for the property located at 1878 Elmwood Avenue in the City of Beloit.

### **Staff Analysis**

---

**Existing Conditions:** The subject property is a 3.21-acre commercial property that includes the existing Ace Hardware store and parking lot at the corner of Elmwood Avenue and Prairie Avenue, along with approximately one acre of undeveloped land extending west to Murphy Woods Road. The intent of the proposed CSM is to create a separate, buildable lot to allow future development of the vacant land. The property is zoned C-3, Community Commercial.

**Proposed Land Division:** Proposed Lot 2 consists of the existing Ace Hardware store at Prairie & Elmwood, and is 88,300 square feet in area. Proposed Lot 1 consists of approximately 51,600 square feet of vacant land at the corner of Elmwood and Murphy Woods Road, and will be marketed for future development after this division. There is an existing driveway and utilities serving Ace Hardware across proposed Lot 1 that will need to be relocated to a proposed 40-foot access and utility easement before Lot 1 can be built upon. Both lots meet the minimum dimensional standards in the C-3 district.

**Surrounding Land Use and Zoning:** There is a church zoned R-2, Two-Family Residential immediately south of the subject property. There are existing dwellings zoned both R-2 and R-1A, Single-Family Residential to the west and north of the subject property. There are commercial uses zoned C-2, Neighborhood Commercial to the north and east of the subject property.

**City of Beloit Comprehensive Plan and Strategic Plan:** The Comprehensive Plan's Future Land

Use Map recommends Planned Mixed Use redevelopment of the subject property. The proposed land division is consistent with this recommendation. This request supports Strategic Goal #3 by creating residential growth.

**Municipal Utilities:** The subject property is served by municipal utilities. There are existing sewer & water laterals serving the Ace Hardware building from utility mains along Murphy Woods Road, which will need to be relocated prior to development of proposed Lot 1.

**Review Agent Comments:** The City Engineer has reviewed the proposed CSM and noted that both proposed lots must share only one driveway onto Murphy Woods Road, with the exact location determined by the future use of Lot 1. The shared driveway will need to be paved prior to development of proposed Lot 1. The Fire Inspector has noted that there are state-imposed setbacks for propane filling stations, and that the surveyor will need to confirm that the existing propane filling station will comply with those setbacks following this land division.

**STAFF RECOMMENDATION:**

The Planning & Building Services Division recommends approval of the attached 2-Lot Certified Survey Map (CSM) for the property located at 1878 Elmwood Avenue in the City of Beloit, subject to the following conditions:

1. Only one driveway shall be allowed onto Murphy Woods Road, which shall be shared by Lots 1 and 2. The driveway location shall be determined prior to development of Lot 1. The shared driveway, regardless of location, shall be paved as part of the development of Lot 1.
2. The final CSM shall be recorded with the Rock County Register of Deeds within one year of approval and a copy provided to the Planning and Building Services Division.

**ATTACHMENTS:** Site Photo, Preliminary Certified Survey Map, Application, and Resolution.

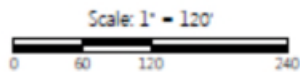
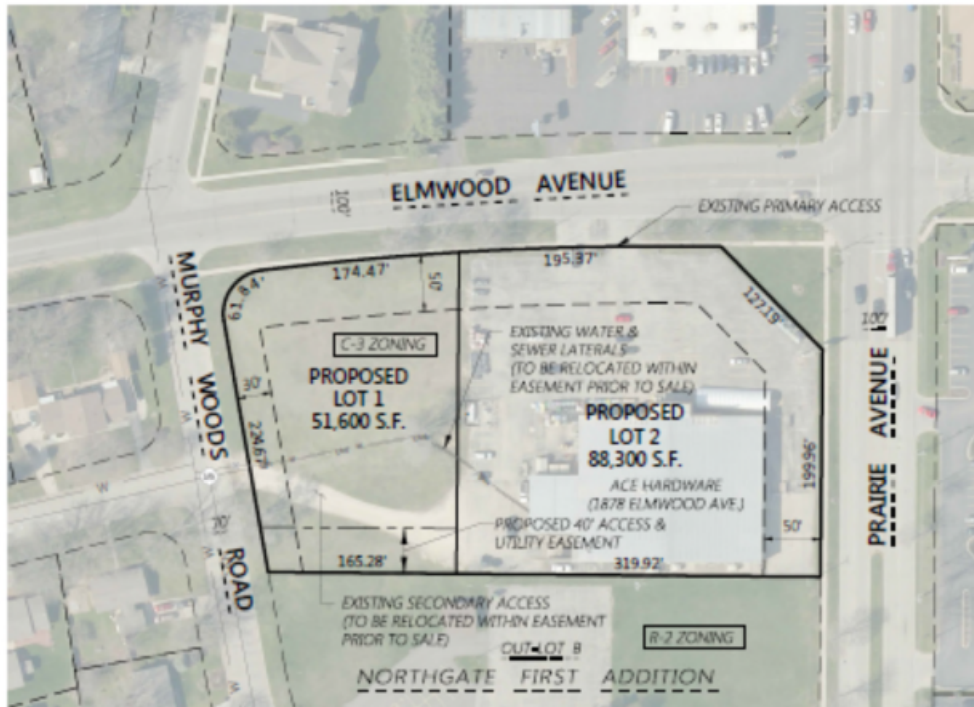




# PRELIMINARY CERTIFIED SURVEY MAP

OF PART OF OUT-LOT B OF NORTHGATE FIRST  
ADDITION, BEING PART OF THE SE 1/4 OF THE SE 1/4  
OF SECTION 13, T. 1 N., R. 12 E., OF THE 4TH P.M.,  
CITY OF БЕЛОIT, ROCK COUNTY, WISCONSIN.

NOTE: SETBACKS SHOWN HEREON ARE FROM  
THE NORTHGATE FIRST ADDITION PLAT  
AND MAY NOT BE THE SAME AS THE  
ZONING DISTRICT MINIMUMS.



<p>ORDER NO: 32985 BOOK: SEE FILE FIELD CREW: n/k DRAWN BY: KJB DATE: May 28, 2019</p>	<p>FOR THE EXCLUSIVE USE OF: <b>ACE HARDWARE</b> 1878 ELMWOOD AVENUE BELOIT, WI 53511</p>	<p><b>Batterman</b> engineers surveyors planners 2857 North Drive Beloit, Wisconsin 53511 808.385.4164 www.batterman.com</p>	
--	---	--	--

File Name: J:\2000-2099\2019 - CSM - Ace Hardware\GIVE\PS&B DRAWING FILES

**CITY of BELOIT**  
**Neighborhood Planning Division**

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

**Application for Review of a Minor Subdivision**

(Please Type or Print)

File Number: CSM-2019-05

1. Address of property: 1878 Elmwood Avenue
2. Tax Parcel Number(s): 11340418
3. Property is located in (circle one): City of Beloit or Town of: Turtle; Beloit; Rock or LaPrairie  
 In the SE Quarter of Section 13, Township 1 North, Range 12 East of the 4th P.M.
4. Owner of record: William D. Riemer (Dave Riemer, applicant) Phone: 608-755-6123  
200 S. River St. Janesville WI 53545  
(Address) (City) (State) (Zip)
5. Surveyor's name: R.H. Batterman (Kristin Belongia PLS) Phone: 608-365-4464  
2857 Bartells Drive Beloit WI 53511  
(Address) (City) (State) (Zip)
6. Number of new lots proposed with this land division is 2 lot(s).
7. Total area of land included in this map: 139,900 S.F.
8. Total area of land remaining in parent parcel: 0
9. Is there a proposed dedication of any land to the City of Beloit? No
10. The present zoning classification of this property is: C-3
11. Is the proposed use permitted in this zoning district: No Proposed Use at This Time

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

- Site Assessment Checklist; is required if the total area of CSM is over 5 acres.
- Pre-application meeting; a pre-application meeting was held on May 16th with City of Beloit Staff.
- Developer's Statement; as required by section 12.02(7) of the Subdivision Ordinance.
- Phase One Environmental Assessment; as per section 12.05(1)(c) of the Subdivision Ordinance.
- Certified Survey Map: one copy as required by section 12.05(1) of the Subdivision Ordinance.

The applicant's signature below indicates the information contained in this application and on all accompanying documents is true and correct. The undersigned does hereby respectfully make application for and petition the City Plan Commission or City Council for approval of this Certified Survey Map for the purpose stated herein. The undersigned also agrees to abide by all applicable federal, state and local laws, rules, and regulations.

Kristin Belongia / Kristin Belongia / 5/28/2019  
(Signature of applicant) (Name of applicant) (Date)

**This application must be submitted at least 21 days prior to the Plan Commission meeting date.**

Review fee: <u>\$150 plus \$10 per lot</u>	Amount paid: <u>\$170.<sup>00</sup></u>
Scheduled meeting date: <u>June 19, 2019</u>	
Application accepted by: <u>Dave Pennington</u>	Date: <u>5/29/19</u>

**RESOLUTION  
APPROVING A TWO-LOT CERTIFIED SURVEY MAP  
FOR THE PROPERTY LOCATED AT  
1878 ELMWOOD AVENUE**

**WHEREAS**, Section 12.05(1)b of Chapter 12 of the Code of General Ordinances of the City of Beloit entitled “*Subdivision and Official Map Ordinance*” authorizes the City Plan Commission of the City of Beloit to approve, conditionally approve, or reject any minor subdivision of land within the jurisdiction of the City; and

**WHEREAS**, the attached two-lot Certified Survey Map for the property located at 1878 Elmwood Avenue, containing 3.21 acres, more or less, is located within the jurisdiction of the City of Beloit; and

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

PART OF OUT-LOT B OF NORTHGATE FIRST ADDITION, BEING PART  
OF THE SE ¼ OF THE SE ¼ OF SECTION 13, T. 1 N., R. 12 E., OF THE 4<sup>TH</sup>  
P.M., CITY OF БЕЛОIT, ROCK COUNTY, WISCONSIN.

**NOW, THEREFORE, BE IT RESOLVED THAT** the Plan Commission of the City of Beloit does hereby conditionally approve the attached two-lot Certified Survey Map for the property located at 1878 Elmwood Avenue, subject to the following conditions:

1. Only one driveway shall be allowed onto Murphy Woods Road, which shall be shared by Lots 1 and 2. The driveway location shall be determined prior to development of Lot 1. The shared driveway, regardless of location, shall be paved as part of the development of Lot 1.
2. The final CSM shall be recorded with the Rock County Register of Deeds within one year of approval and a copy provided to the Planning and Building Services Division.

Adopted this 19<sup>th</sup> day of June, 2019.

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James Faragher, Plan Commission Chairman

**ATTEST:**

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Julie Christensen,  
Community Development Director