



**PUBLIC NOTICE & AGENDA  
PLAN COMMISSION  
City Hall Forum - 100 State Street, Beloit, WI 53511  
7:00 PM  
Wednesday, July 03, 2019**

1. CALL TO ORDER AND ROLL CALL
2. MINUTES
  - 2.a. Consideration of the minutes of the June 19, 2019 Plan Commission meeting  
[Attachment](#)
3. PUBLIC HEARINGS
  - 3.a. Consideration of a proposed Ordinance to Amend Section 8-500 of the Zoning Ordinance, Chapter 19 of the Code of General Ordinances of the City of Beloit, pertaining to the number of buildings on zoning lots  
[Attachment](#)
4. REPORTS
  - 4.a. Consideration of the Final Plat named The Oaks, Plat 2 for the property located at 2750 Rachel Terrace  
[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  
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**

Chairperson Faragher called the meeting to order at 7:03 PM. City Councilor Preuschl and Commissioners Haynes, Weeden, Johnson, Faragher, Finnegan, and Robson were present.

**2. MINUTES**

**a. Consideration of the minutes of the June 5, 2019 Plan Commission meeting**

Commissioner Weeden noted that the address of the applicant for the Burger King project did not include the city. It indicates John Kazier, 1624 West 18th Street. Chicago should be added to the minutes. Commissioner Robson made a motion to amend the minutes to reflect the correct address; it was seconded by Commissioner Weeden. The motion passed, voice vote.

**3. PUBLIC HEARINGS**

**a. Consideration of a Resolution approving a Preliminary Subdivision Plat named The Oaks, Plat 2 for the property located at 2750 Rachel Terrace**

Community Development Director, Julie Christensen, presented the staff report and recommendation which included a revised resolution for approval of the Preliminary Plat.

Commissioner Robson asked about the Tree Preservation Plan requirement. Ms. Christensen explained the concept to her.

Chairperson Faragher opened the Public Hearing.

Bill Cunningham, 2601 Sarah Lane, indicated that he built his house in the Oaks, Phase 1 over 16 years ago. They own three lots north of the proposed subdivision. Their backyard backs on this subdivision. The prior owner was going to preserve the woods. They have deer and other animals in the woodlands. He indicated that a mature tree would have to be cut down for the extension of Deerfield Drive and that the owners on the other side of Deerfield Drive were supportive of moving the street to keep the

tree. It is a habitat for animals. He and his neighbors are concerned about the potential loss of the woodlands.

Commissioner Robson asked what we could do about keeping the tree that would be located in the right-of-way for Deerfield Drive.

Commissioner Johnson suggested that the developer or the city could buy privately held land to make it possible to construct Deerfield Drive work and keep the tree.

Commissioner Finnegan said that he didn't think that the City could require privately held land to be included in the plat.

Commissioner Robson said that it would enhance the neighborhood to keep the tree and suggested a condition to keep the mature woodland and still construct Deerfield Drive.

Councilor Preuschl expressed concerns about the storm water pond and the potential runoff. He was wondering how that will work. Charles Haynes explained that the site would be graded to ensure that the storm water would collect in the pond. It would be the low spot of the development.

Commissioner Faragher closed the Public Hearing.

Commissioner Robson indicated that this is a nice development that would be enhanced by preserving the trees. She made a motion to preserve the trees within the Deerfield Drive right-of-way as part of the Final Plat submittal.

Commissioner Weeden asked Frank McKearn from Battermans if he was familiar with the tree and if it was possible to save it. Mr. McKearn said they would perform a survey and determine whether the street could be constructed around it. Commissioner Robson asked if you could make the street a Y so that the street can go around it. Mr. McKearn said that those accommodations would probably require land outside of this plat.

Commissioner Johnson said that any developer would try to save any trees that they could and thinks the verbiage should be "if at all possible, the tree should be saved". If you have a large canopy, you could be taking out some of the lots or moving the right-of-way over 50 feet or more.

Commissioner Robson indicated that she doesn't think that we should include the language "if possible." Commissioner Johnson expressed concern that this condition could kill the development. He indicated that he didn't think we should require this condition.

Commissioner Faragher said that perhaps we should have language “if it is possible” in the condition. He indicated that he was uncomfortable with a strict requirement that they work around that tree. Commissioner Robson asked if he would be more comfortable if they added the language, “if possible.”

Commissioner Haynes indicated that he would not vote to approval the plat with the strict language proposed regarding the tree. Commissioner Weeden said that he felt the same way. He indicated that he thinks that this is about more than a tree, and more than a subdivision. He said that we don’t have the right mix of housing, and we don’t have enough of this type of housing. He does not want us to endanger this development by imposing a strict standard.

Commissioner Robson indicated that she agrees that we need this type of housing, but that we also want to look at the big picture. Commissioner Robson said that she would accept an amendment.

Commissioner Robson modified her motion to approve the plat with the requirement that the developer must evaluate whether the tree can be saved and if possible, save the mature woodland. Commissioner Haynes seconded the motion. The motion passed, voice vote.

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

Commissioner Haynes asked if the other project was dead. Ms. Christensen explained that City Council denied the Conditional Use Permit for the prior application.

Commissioner Weeden asked about the drain and if it was required to be removed no matter what. Ms. Christensen indicated that it was required to be removed.

Commissioner Weeden wanted to know what the warehouse would be used for.

Commissioner Faragher opened the public hearing.

Lance Baskin, 1753 Fayette Avenue, and Walter Knight, 2028 Masters Street, representing the W.B. Kennedy Lodge addressed the commission. Mr. Baskin indicated that the short-term plan is to use it for storage. The long-term plan is to use it as a banquet hall.

Councilor Preuschl indicated that he thought that this was the best use for the building. Commissioner Haynes concurred.

Councilor Preuschl said that he remembered going to candidate forums on the lodge and hadn't seen them for a while. He has fond memories of events at the lodge. He was glad to see them go into this building.

Commissioner Johnson asked what the plans are for the existing building. Mr. Baskin indicated that Diane Hendricks is purchasing the property to expand her headquarters and that their site is going to be a parking lot.

Walter Knight said that he would answer any questions they had, that the lodge needs a home.

Commissioner Johnson asked if the applicant agreed to the conditions. Mr. Baskin indicated that they do agree to comply with the conditions and are already working on them.

A motion was made by Commissioner Haynes, seconded by Commissioner Johnson to approve the Conditional Use Permit with the conditions required by staff. The motion passed, voice vote 7-0.

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**

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

Commissioner Weeden expressed concerns about the language in the ordinance. He indicated that the way it is written, it doesn't limit the City Manager's approval to only temporary uses. It gives her authority to approve livestock permanently on a property.

Commissioner Haynes said that he thought we could add some language to ensure that the City Manager can only authorize livestock to be there temporarily.

Public hearing was opened.

Commissioner Weeden asked Nick Dimassis, Beloit Public Library Director, what the temporary authorization would do for the library. Nick said that it would allow them to have a petting zoo along with other programming for a day. There would be a beginning and an end to the event. They do not intend to have animals for more than one day.

Commissioner Weeden explained that he still believes that the City Manager could authorize something permanently as the ordinance is currently written.

Public hearing was closed.

Commissioner Johnson made a motion to amend the ordinance to add language to make it clear that the City Manager is only authorized to allow livestock temporarily in the City. The motion was seconded by Commissioner Haynes. Motion passed, voice vote.

A motion was made by Commissioner Haynes, seconded by Commissioner Johnson to approve the ordinance as amended. Motion passed, voice vote.

#### 4. **REPORTS**

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**

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

A motion was made by Commissioner Finnegan, seconded by Commissioner Johnson to approve the extraterritorial condominium plat with the conditions recommended by staff. Motion passed, voice vote.

b. **Consideration of a Resolution approving a two-lot Certified Survey Map for the property located at 1878 Elmwood Avenue**

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

A motion was made by Commissioner Weeden, seconded by Commissioner Haynes to approve the Certified Survey Map with the conditions recommended by staff. Motion passed, voice vote.

#### 5. **STATUS REPORT ON PRIOR PLAN COMMISSION ITEMS**

Julie Christensen indicated that the PUD for the Burger King development was approved subject to the conditions imposed by Plan Commission. City Council also held a public hearing on the Comprehensive Plan Amendment for 2426 Prairie Avenue. The PUD plan will be on the City Council's July 1 meeting.

#### 6. **ADJOURNMENT**

A motion was made by Commissioner Robson, seconded by Commissioner Ruster to adjourn the meeting. The motion passed, voice vote.

Meeting adjourned at 8:10 PM.

Minutes respectfully submitted by Julie Christensen



## **REPORT TO THE PLAN COMMISSION**

**Plan Commission Meeting Date:** July 3, 2019

**Agenda Item:** 3(a)

**File Number:** ZTA-2019-02

### **General Information**

---

**Request:** Consideration of an Ordinance to Amend Section 8-500 the Zoning Ordinance, Chapter 19 of the Code of General Ordinances of the City of Beloit pertaining to the number of buildings on a zoning lot.

**Background:** The purpose of the Zoning Text Amendment which was initiated by staff, is to clean up the PUD, Planned Unit Development regulations in advance of major multi-building projects. PUDs are often used to accommodate mixed use projects involving multiple buildings, such as the request related to 2426 Prairie Avenue.

### **Staff Analysis**

---

1. The current ordinance explicitly states “Only one principal detached residential building shall be permitted per zoning lot unless expressly approved as part of a PUD, Planned Unit Development”. The intent is to remove the word “residential” and have the ordinance be applicable for all principal detached buildings regardless of type or use.
2. This item must be considered by the Plan Commission as the proposed Ordinance amends the Zoning Ordinance.
3. All required public notices have been posted and distributed.

### **STAFF RECOMMENDATION:**

The Planning & Building Services Division recommends **approval** of the attached Ordinance to Amend Section 8-500 of the Zoning Ordinance, Chapter 19 of the Code of General Ordinances of the City of Beloit pertaining to the number of buildings on a zoning lot.

**ATTACHMENTS:** Proposed Ordinance and Public Notice





ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE TO AMEND SECTION 8-500 OF THE ZONING ORDINANCE, CHAPTER 19 OF THE CODE OF GENERAL ORDINANCES OF THE CITY OF BELOIT PERTAINING TO NUMBER OF BUILDINGS ON ZONING LOTS

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

**Section 1.** Section 8-500 of the Zoning Ordinance, Chapter 19 of the Code of General Ordinances of the City of Beloit, is hereby amended to read as follows:

“8-500 NUMBER OF ~~RESIDENTIAL~~ BUILDINGS PER LOT. Unless expressly approved as part of a planned unit development (see Section 5.3), no more than one principal detached ~~residential~~ building shall be permitted per zoning lot and no principal detached ~~residential~~ building shall be located on the same zoning lot with ~~in~~ any other principal building.”

**Section 2.** If any section, clause, provision or portion of this ordinance is judged unconstitutional or invalid by a court of competent jurisdiction, the remainder of the ordinance shall remain in force and not be affected by such judgment.

**Section 3.** 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 BELOIT

\_\_\_\_\_  
Regina Dunkin, President

ATTEST:

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

PUBLISHED: \_\_\_\_\_

EFFECTIVE DATE: \_\_\_\_\_

01-611100-5231- \_\_\_\_\_

tdh/ordinances/19-8-500 = ORD 20190604 (19-1107)

---

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:** July 3, 2019

**Agenda Item:** 4(a)

**File Number:** FS-2019-01

### **General Information**

---

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

**Owner:** Shopiere Oaks, LLC

**Address/Location:** 2750 Rachel Terrace

**Applicant's Request:** Final Subdivision Plat (23 lots)

### **Staff Analysis**

---

**Plat Approval Process:** R.H. Batterman & Co., Inc. has submitted the attached Final Plat of The Oaks Plat 2 for the 19-acre property located at 2750 Rachel Terrace. The subdivision of land requires approval of a Preliminary Plat, followed by approval of a detailed Final Plat, which must substantially conform to the layout of the Preliminary Plat. A recorded Final Plat actually creates the lots, and may include the entire Preliminary Plat area or phases. The Preliminary Plat of The Oaks Plat 2 was approved by the Plan Commission on June 19, 2019.

**Proposed Lots:** As shown on the attached plat, the applicant has proposed the construction of a second phase of The Oaks subdivision consisting of 21 buildable single-family lots, an out-lot for stormwater detention, and an unbuildable lot (#22) for future development. 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. The Final Plat substantially conforms to the approved Preliminary Plat with respect to the number of lots, lot sizes, and the proposed right-of-way layout.

**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. Woodside Drive and Oakfield Drive have a proposed right-of-way width of 66 feet. The proposed streets will include sidewalks, utilities, curb & gutter, and proposed Out-Lot 1 is designed for stormwater detention. The City and developer are negotiating a Development

Agreement regarding the needed infrastructure, which must be approved by the City Council before the Final Plat may be recorded. The developer is not proposing any additional parkland at this time, and will be required to pay fees in lieu of parkland dedication [Section 12.11(1) of the Subdivision Ordinance]. The proposed plat includes numerous utility and drainage easements along the rear and side lot lines of the new residential lots.

Note that proposed Lot 22 on the Final Plat is unbuildable and consists of five separate lots on the approved Preliminary Plat. Lot 22 will remain unbuildable until it is subdivided into individual lots during a future phase of development and Deerfield Drive and all utilities are constructed and accepted by the City.

**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.

**Preliminary Plat Conditions:** The Preliminary Plat was approved by the Plan Commission, subject to seven conditions of approval, several of which are intended to address comments raised by the City Engineer and neighboring property owners. The relevant conditions, along with staff commentary on the status of each, are as follows:

- The proposed water main and corresponding easement shall be looped through the eastern edge of the parcel (edge of Lot 26 of Preliminary Plat) and the Deerfield Drive right-of-way as requested by the City Engineer. The Final Plat shall dedicate this easement.
  - *Staff Comment: A revised Final Plat showing the water main easement as requested was received on June 26, 2019 and is attached to this report.*
- A draft of any proposed subdivision restrictive covenants shall be submitted prior to Final Plat approval, currently scheduled for July 15, 2019.
  - *Staff Comment: Draft covenants have been requested from the applicant.*
- The impact upon the mature woodland area shall be evaluated as part of the infrastructure design process, and if applicable, a Tree Protection and Preservation Plan shall be submitted for City staff approval prior to the start of grading activity.
  - *Staff Comment: City staff met with the surveyor on 6/24/19 and reviewed the tree protection provisions. The surveyor is evaluating whether 40% or more of the mature woodland area will be removed for public infrastructure.*

- Unless waived by the USPS Postmaster for Beloit, the Final Plat shall include a designated area for a cluster mailbox delivery system.
  - *Staff Comment: The applicant intends to seek a waiver from USPS to allow curbside delivery, since another version of the Final Plat of The Oaks Plat 2 was approved last year before the cluster mailbox requirement went into effect.*
- When the developer proposes a final plat that includes the Deerfield Drive extension, they shall evaluate whether the mature oak tree in its path can be saved, and if possible, save the mature woodland.
  - *Staff Comment: The preservation of the mature oak tree in question will be evaluated during the water main design process for this phase, along with roadway design for future phases to extend Deerfield Drive.*

**Review Agent Comments:** The City Engineer’s memo is attached, which includes several requests related to infrastructure design and easement descriptions, rights, and overlap. The recommended conditions below will ensure that these concerns are addressed before the Final Plat is signed, which must occur before it may be recorded with the Register of Deeds.

**STAFF RECOMMENDATION:**

The Planning & Building Services Division recommends approval of the Final Plat of The Oaks Plat 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. All of the conditions of approval of the Preliminary Plat remain in full force and effect.
2. City staff will not sign the Final Plat, which is a prerequisite for recording the plat, until a complete set of engineering plans and specifications for the public infrastructure has been approved by the City Engineer.
3. City staff will not sign the Final Plat, which is a prerequisite for recording the plat, until a Development Agreement between the City and developer has been approved by the City Council.
4. City staff will not sign the Final Plat, which is a prerequisite for recording the plat, until detailed easement descriptions and rights are included within the plat and approved by the City Engineer. Easement locations may need to be changed depending upon grading and utility locations to be evaluated as part of the engineering plans and specifications.
5. Fees in lieu of parkland dedication shall be paid by the developer prior to issuance of the first Building Permit in the subdivision. Park Improvement Impact Fees shall be paid by individual lot owners or their builders at the time of application for each Building Permit.
6. The applicant shall record the Final Plat with the Rock County Register of Deeds within one year of approval, and shall provide City staff with a copy of the recorded plat.

**ATTACHMENTS:** Location & Zoning Map, Photo, Final Plat, Engineer’s Memo, and Application.

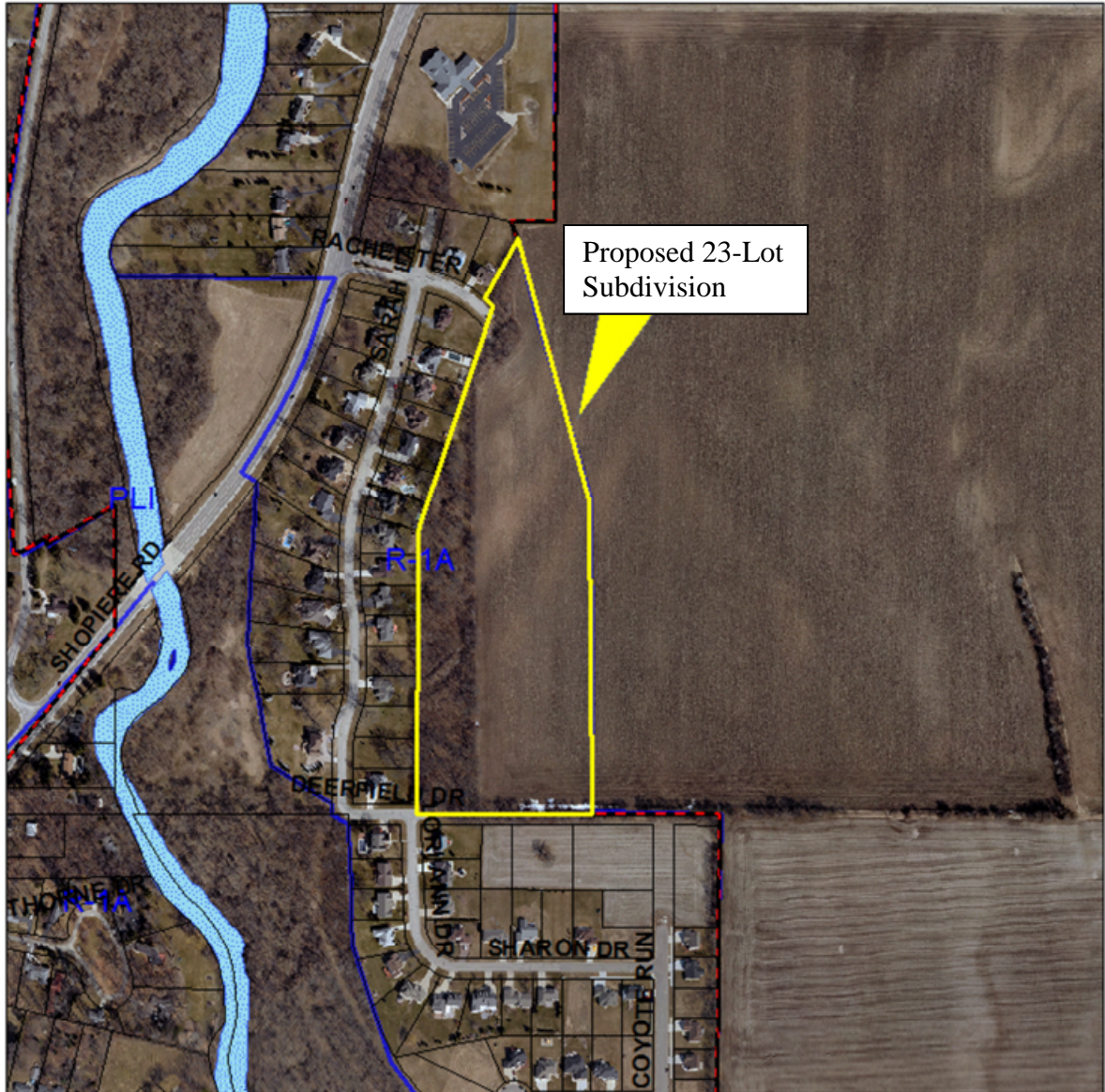


# Location & Zoning Map

Final

Plat of The Oaks No. 2

FS-2019-01



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

View From North, Looking South



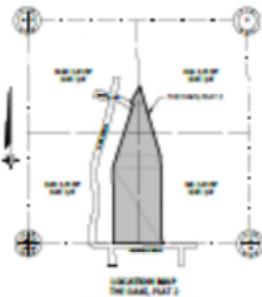
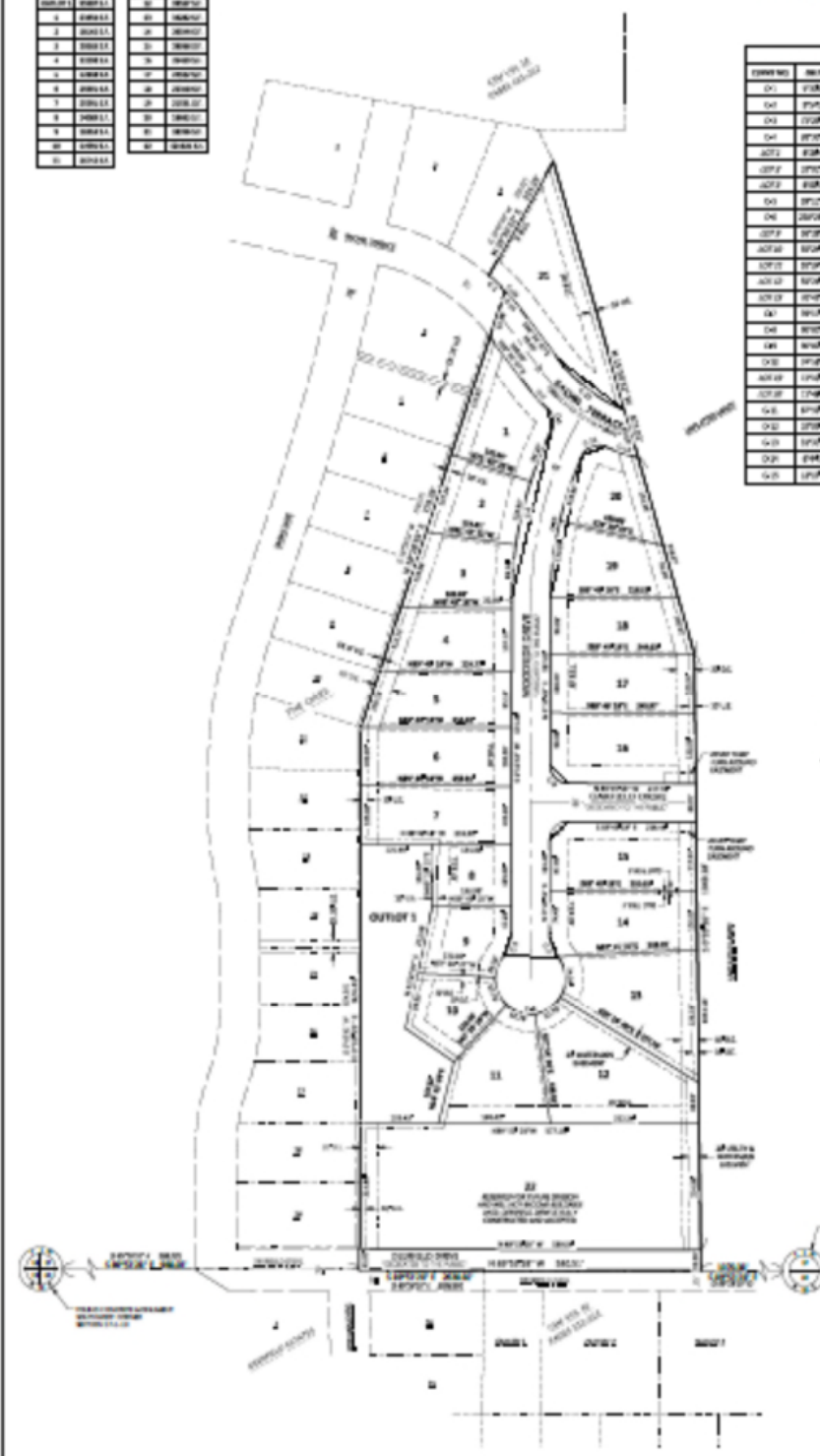


**THE OAKS, PLAT 2**

PART OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4, PART OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4, PART OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4, AND PART OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 17, TOWNSHIP 3 NORTH, RANGE 18 EAST, OF THE 4TH PM, CITY OF MILWAUKEE, WISCONSIN.

Parcel #	Area	Parcel #	Area
1	0.0000	17	0.0000
2	0.0000	18	0.0000
3	0.0000	19	0.0000
4	0.0000	20	0.0000
5	0.0000	21	0.0000
6	0.0000	22	0.0000
7	0.0000	23	0.0000
8	0.0000	24	0.0000
9	0.0000	25	0.0000
10	0.0000	26	0.0000
11	0.0000	27	0.0000
12	0.0000	28	0.0000
13	0.0000	29	0.0000
14	0.0000	30	0.0000
15	0.0000	31	0.0000
16	0.0000	32	0.0000

Corner No.	Area	Area	Area	Area	Area	Area	Area
1	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
2	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
3	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
4	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
5	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
6	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
7	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
8	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
9	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
10	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
11	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
12	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
13	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
14	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
15	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
16	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
17	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
18	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
19	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
20	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
21	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
22	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
23	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
24	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
25	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
26	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
27	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
28	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
29	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
30	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
31	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
32	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000



- LEGEND**
- 1" = 100' (Horizontal Scale)
  - 1" = 100' (Vertical Scale)
  - 1" = 100' (Diagonal Scale)
  - 1" = 100' (Curved Scale)
  - 1" = 100' (Circular Scale)
  - 1" = 100' (Irregular Scale)
  - 1" = 100' (Other Scale)

Scale 1" = 100'

North Arrow

Department of Administration

<p><b>OWNER</b></p> <p>CRENSHAW REAL ESTATE, LLC</p> <p>1200 N. MILWAUKEE AVENUE</p> <p>MILWAUKEE, WI 53233</p>	<p><b>FOR THE EXCLUSIVE USE OF:</b></p> <p>SHOPPING OAKS, LLC</p> <p>525 3RD STREET, SUITE 300</p> <p>MILWAUKEE, WI 53211</p>	<p><b>THE OAKS, PLAT 2</b></p>	<p><b>Batteman</b></p> <p>engineers surveyors planners</p>	

**THE OAKS, PLAT 2**

PART OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4, PART OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4, PART OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4, AND PART OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 17, TOWN 1 NORTH, RANGE 13 EAST, OF THE 4TH P.M., CITY OF BELoit, ROCK COUNTY, WISCONSIN.

**SURVEYOR'S CERTIFICATE**

State of Wisconsin } ss. I, Kristin J. Belongia, a Professional Land Surveyor, do hereby certify that I have surveyed, subdivided, and mapped the within described land, to be hereafter known as designated as "THE OAKS, PLAT 2", that said subdivision is laid out upon and includes part of the Northeast 1/4 of the Southwest 1/4, part of the Northwest 1/4 of the Southwest 1/4, part of the Southwest 1/4 of the Southwest 1/4, and part of the Southwest 1/4 of the Southwest 1/4 of Section 17, T. 1 N., R. 13 E., of the 4th P.M., City of Beloit, Rock County, Wisconsin.

**DESCRIBED AS FOLLOWS:**

Commencing at the Southwest quarter corner of Section 17, aforesaid; thence South 89°53'28" East, 988.03 feet along the South line of said Southwest quarter to the Southwest corner of The Oaks as platted and recorded in Volume 32 of Plats on pages 163 and 164 as Document Number 1203987, being also the place of beginning; thence North 0°10'22" East, 524.45 feet along the East line of The Oaks to the Northeast corner of Lot 11 of The Oaks; thence North 18°18'39" East, 779.38 feet along the east line of The Oaks to the Northerly right-of-way of Rachel Terrace; thence along said right-of-way, 38.55 feet along the arc of a curve to the left, having a radius of 397.83 feet with a chord of North 46°25'18" West, 38.54 feet to the Southeast corner of Lot 3 of The Oaks; thence North 29°30'22" East, 223.39 feet to the Northeast corner of Lot 3 of The Oaks; thence South 15°59'32" East, 871.03 feet; thence South 0°35'16" East, 1049.16 feet to the South line of said Southwest quarter; thence North 89°53'28" West, 580.51 feet to the place of beginning. Containing 18.963 acres more or less.

The said subdivision was surveyed, subdivided and mapped at the request of SHOPERE OAKS, LLC, owners of said land. That such plat is a correct representation of all exterior boundaries of the land surveyed and subdivision thereof. That all dimensions are given in feet and decimal fractions thereof and angles are measured to the nearest second. That I have fully complied with the provisions of Chapter 236 of the Wisconsin Statutes and the Subdivision Regulations of the City of Beloit in surveying, dividing and mapping the same.

Given under my hand and seal this \_\_\_ day of \_\_\_\_\_, 2019 at Beloit, Wisconsin.

Kristin J. Belongia, Professional Land Surveyor  
State of Wisconsin, No. S-2943

**CORPORATE OWNER'S CERTIFICATE**

SHOPERE OAKS, LLC, a Wisconsin limited liability company duly organized and existing under and by virtue of the laws of the State of Wisconsin, as Owner of the land described in the foregoing description, does hereby certify that said company caused the land described on this plat to be surveyed, divided, mapped and dedicated as represented on the plat.

SHOPERE OAKS, LLC does further certify that this plat is required by Sections 236.10 and 236.12 of the Wisconsin Statutes to be submitted to the following for approval or objection: the City of Beloit and the Department of Administration.

**IN WITNESS WHEREOF**, said SHOPERE OAKS, LLC has caused these presents to be signed by

\_\_\_\_\_ of the above named company on this \_\_\_ day of \_\_\_\_\_, 2019.

State of Wisconsin } ss. Personally came before me, this \_\_\_ day of \_\_\_\_\_, 2019,

\_\_\_\_\_ of the above-named company, to me known to be the person who executed the foregoing instrument, and to me known to be the representative of said company and acknowledged that they executed the foregoing instrument as representative as the deed of such company, by its authority.

Notary Public, Rock County, Wisconsin

My Commission Expires \_\_\_\_\_

**COUNTY TREASURER'S CERTIFICATE**

State of Wisconsin } ss. I, Michelle Roettger, being the duly elected, qualified and acting Treasurer of the County of Rock, do hereby certify that the records in my office show no unredemmed tax sales and no unpaid taxes or special assessments as of the \_\_\_ day of \_\_\_\_\_, affecting the lands in the plat of "THE OAKS, PLAT 2".

Michelle Roettger, Rock County Treasurer

**CITY TREASURER'S CERTIFICATE**

State of Wisconsin } ss. I, Lori Stottler, being the duly elected, qualified and acting Treasurer of the City of Beloit, do hereby certify that the records in my office show no unredemmed tax sales and no unpaid taxes or special assessments as of the \_\_\_ day of \_\_\_\_\_, affecting the lands in the plat of "THE OAKS, PLAT 2".

Lori Stottler, City Treasurer

**CITY COUNCIL APPROVAL CERTIFICATE**

Resolved that the Plat of THE OAKS, PLAT 2, located in the City of Beloit, Rock County, SHOPERE OAKS, LLC, Owner, is approved by the City Council of the City of Beloit.


Date \_\_\_\_\_ Approved \_\_\_\_\_  
Lori S. Curtis Luther, City Manager


I hereby certify that the foregoing is a copy of a resolution adopted by the City Council of the City of Beloit.

Lori Stottler, City Clerk

DOCUMENT NO. \_\_\_\_\_ RECEIVED FOR RECORD THIS \_\_\_ DAY OF \_\_\_\_\_ A.D. 2019 AT \_\_\_\_\_ O'CLOCK \_\_\_ M. AND RECORDED IN VOLUME \_\_\_\_\_ OF PLATS ON PAGES \_\_\_\_\_

\_\_\_\_\_ REGISTER OF DEEDS

There are no objections to this plat with respect to Secs. 236.15, 236.16, 236.20 and 236.21(1) and (2), Wis. Stats. as provided by s. 236.12, Wis. Stats.  
Certified \_\_\_\_\_, 20\_\_\_\_  
Department of Administration 

2 of 2	<p>ORDER NO: 33232 BOOK: SEE FILE FIELD CREW: JDT DRAWN BY: CMJ DATE: May 9, 2019</p>	<p>FOR THE EXCLUSIVE USE OF: SHOPERE OAKS, LLC 525 3RD STREET, SUITE 300 BELOIT, WI 53511</p>	<p>THE OAKS, PLAT 2</p>	<p><b>Batterman</b> engineers surveyors planners</p> <p>2057 Daniels Drive Beloit, Wisconsin 53511 908.365.4864 www.batterman.com</p> 
--------	---	---	-------------------------	---

**CITY OF BELOIT**  
**DEPARTMENTAL CORRESPONDENCE**

---

**TO:** Drew Pennington, Director of Planning & Building Services

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

**DATE:** June 26, 2019

**SUBJECT:** Final Plat Review – The Oaks, Plat 2

Engineering has reviewed the Final 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 12.04(2) of City Code, Engineering Design Plans are to be submitted along with the final plat. Engineering plans have not been submitted which make it difficult to review the final plat. We are unable to review items like the size of the outlot for storm water detention because those calculations and improvements have not been provided to us. Further we can't review the size and location of all easements because we don't know the locations and depths of all utilities or drainage swales. We also have not been provided any designs on a potential cluster mailbox required by the USPS so we can't tell if any extra right-of-way or easements may be required to accommodate the cluster mailbox installation.
- 236.15
- The easement for the watermain loop should go between lots 12 and 13 and then along the east side of lots 12 and 22 to the east end of Deerfield Road.
- 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.
- There are no easement provisions provided on the plat. Easement provisions should be provided for U.E. , D.E., and Temp Turnaround Easement indicating who easement rights are being granted to, what the grantee is or is not allowed to do within the easement, what the grantor is or is not allowed to do in the easement, and any requirements for how the land is to be left after work is performed by the grantee. In the case of the temp easement the timeline of the easement would also need to be stated.
- A C.U.E. (City Utility Easement) is to be granted in areas where there is a City utility. C.U.E.'s shall not be platted in the same location as other easements unless allowed by the City. The easement provisions shall be as follows:



**CITY OF BELOIT UTILITY EASEMENT PROVISIONS**

THE CITY OF BELOIT, IT'S SUCCESSORS, LICENSEES AND ASSIGNS, ARE HEREBY GRANTED A PERMANENT EASEMENT TO SUCH AREAS DESIGNATED AS "CITY UTILITY EASEMENT OR C.U.E." SAID EASEMENTS SHALL BE USED SOLELY TO INSTALL, OPERATE, MAINTAIN, REPAIR, AND REMOVE FROM TIME TO TIME UNDERGROUND UTILITY FACILITIES AND APPURTENANCES USED IN CONNECTION WITH THE WATER, SANITARY SEWER OR STORM DRAINAGE SYSTEMS OF THE CITY OF BELOIT, INCLUDING ENTRY, INGRESS OR EGRESS BY THE EMPLOYEES, WORKERS, AGENTS, OR INDEPENDENT CONTRACTORS OF THE CITY. NO PERMANENT BUILDING OR TREES SHALL BE PLACED ON SAID EASEMENT, BUT SAME MAY BE USED FOR GARDENS, SHRUBS, LANDSCAPING AND OTHER PURPOSES THAT DO NOT THEN OR LATER INTERFERE WITH THE AFORESAID USES OR RIGHTS OF THE CITY HEREIN GRANTED. THE OWNER SHALL NOT CAUSE THE SURFACE GRADE OF SAID EASEMENT TO CHANGE BY MORE THAN 4 INCHES WITHOUT WRITTEN AUTHORIZATION OF THE CITY. FOLLOWING ANY WORK PERFORMED BY THE CITY OF BELOIT IN THE EXERCISE OF ITS EASEMENT RIGHTS HEREIN GRANTED, THE CITY SHALL HAVE NO OBLIGATION WITH RESPECT TO SURFACE RESTORATION, INCLUDING BUT NOT LIMITED TO, THE RESTORATION, REPAIR OR REPLACEMENT OF PAVEMENT, CURB, GUTTERS, TREES, LAWN OR SHRUBBERY, PROVIDED, HOWEVER, THAT THE CITY SHALL BE OBLIGATED, FOLLOWING SUCH WORK, TO BACKFILL AND MOUND ALL TRENCHES CREATED SO AS TO RETAIN SUITABLE DRAINAGE, TO COLD PATCH ANY ASPHALT OR CONCRETE SURFACE, TO REMOVE ALL EXCESS DEBRIS AND SPOIL, AND TO LEAVE THE MAINTENANCE AREA IN A GENERALLY CLEAN AND WORKMANLIKE CONDITION.

- Once easement provisions have been added to the plat and engineering plans have been submitted consideration will be given to allow for the C.U.E and D.E. to overlap. This can't be determined until we see the final grading in the drainage easements and the associated location and depth of the proposed City Utility.

# 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-2019-010

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. Present zoning classification is: R-1A
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.

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

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

Review fee: <u>\$300 plus \$15 per lot; \$100 Development Agreement Fee</u> Amount paid: <u>\$745</u>
Scheduled meeting date: <u>July 3, 2019</u>
Application accepted by: <u>Dora Pennington</u> Date: <u>5/21/19</u>