



**PUBLIC NOTICE & AGENDA
PLAN COMMISSION
2400 Springbrook Court, Beloit, WI 53511
7:00 PM
Wednesday, October 09, 2019**

1. CALL TO ORDER AND ROLL CALL
2. MINUTES
 - 2.a. Consideration of the minutes of the September 18, 2019 Plan Commission meeting
[Attachment](#)
3. PUBLIC HEARINGS
 - 3.a. Consideration of a Conditional Use Permit to allow an outdoor seating area in the CBD-1, Central Business District-Core, for the property located at 414 Pleasant Street.
[Attachment](#)
 - 3.b. Consideration of Planned Unit Development Master Land Use Plan Amendment to add an additional duplex in lieu of storm water detention at the property located at 1920 Whipple Street.
[Attachment](#)
4. STATUS REPORT ON PRIOR PLAN COMMISSION ITEMS
5. ADJOURNMENT

** Please note that, upon reasonable notice, at least 24 hours in advance, efforts will be made to accommodate the needs of disabled individuals through appropriate aids and services. For additional information to request this service, please contact the City Clerk's Office at 364-6680, 100 State Street, Beloit, WI 53511.



**MEETING MINUTES
PLAN COMMISSION
2400 Springbrook Court, Beloit, WI 53511
Wednesday, September 18, 2019
7:00 PM**

1. CALL TO ORDER AND ROLL CALL

Meeting was called to order at 7:00PM. Commissioners Haynes, Johnson, Weeden, Faragher, Ruster, Finnegan, Robson, and Councilor Preuschl were present.

2. MINUTES

a. Consideration of the minutes from the September 4th, 2019 Plan Commission meeting

Commissioner Weeden made a motion to approve the minutes. Commissioner Johnson seconded the motion. Motion carried, voice vote.

3. REPORTS

a. Consideration of Planned Unit Development Master Land Use Plan for a mixed use/ rowhouse redevelopment for the property located at 511 Public Ave

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

Commissioner Robson asked what a Condo Plat was. Ms. Christensen stated that it is similar to the Preliminary Plan that identifies where each condominium unit will be located on the site. Once approved, it is recorded.

Commissioner Faragher opened the public hearing.

Commissioner Robson asked how much the townhomes will sell for. Glenn Serdar, Hendricks Commercial Properties, said that they do not have a number range, that it will be determined by the market but they are working on it. Commissioner Robson asked if the parking in the back is above ground. Mr. Serdar stated there will be a parking lot with 45-47 stalls in the back.

Commissioner Johnson asked if each of the units will be about 2,500-2,700 square feet. Mr. Serdar said somewhere in the 2,400 square foot range with no basement,

ground floor, and two car garage parking. Commissioner Weeden asked if the parking lot would be open to the public. Mr. Serdar said it would be overflow parking, allowing access to all of the surrounding areas. Commissioner Finnegan asked who would own the parking lot. Mr. Serdar said Hendricks Commercial Properties said they will retain ownership, and they will develop it as a single parcel.

Commissioner Weeden asked who will control the retail space. Mr. Serdar indicated that Hendricks Commercial Properties would continue to own it and lease out the space. Commissioner Weeden asked if they would put a buffer between the property line and Scoville parking lot. Mr. Serdar said they will put up a 3-4 foot retaining wall, due to the grade difference between the sites. Councilor Preuschl asked if they have to remove the bus shelter. Ms. Christensen stated that it didn't need to be moved.

Commissioner Haynes moved to approve the PUD Master Land Use Plan, seconded by Commissioner Johnson. Motion carried, voice vote.

b. Consideration of a Zoning Map Amendment from R-4, Moderate-Density Multifamily Residential, to PUD, Planned Unit Development, for the property located at 511 Public Ave

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

Commissioner Faragher opened and closed the public hearing.

Commissioner Haynes moved to approve the Zoning Map Amendment, seconded by Commissioner Weeden. Motion carried, voice vote.

c. Consideration of Planned Unit Development Master Land Use Plan for a mixed use/apartment redevelopment for the property located at 200 West Grand Ave and 525 Cross St

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

Commissioner Weeden asked if there are limited first floor commercial uses in the Central Business District or in what way are the commercial uses limited. Ms. Christensen stated they are putting a limited amount of commercial uses, that description refers to the amount of space and not the type of use. Commissioner Johnson stated that the City is not setting any limits on the commercial use.

Commissioner Faragher opened the public hearing.

Commissioner Johnson asked what the total number of parking spaces would be on the property, and would there be enough parking. Ms. Christensen said there were at least 200 stalls in the development including parking underneath the building.

Dan Barkes and Kevin Biskey, 525 Third St, representing Hendricks Commercial Properties, introduced themselves to the Commission. Mr. Barkes stated that the buildings would have 27 to 30 parking spaces under the ground, and they are working with Batterman's and City Staff with site plans to have the most efficient layout to provide the most parking for that property. Mr. Barkes stated that by code they do not have to have parking on site, but are offering it.

Ms. Christensen mentioned that the site can be developed without any parking required at all since the underlying zoning district is Central Business District. Mr. Biskey said that they have looked at going beneath ground, but with being right by the river, the ground water is only 4-5 feet down, and they would not be able to go as deep. Councilor Preuschl asked if they need to build the site up in order to accommodate flooding, and if they meet the setbacks. Mr. Barkes said the building pads will be built up, keeping the parking garage out of the flood plain. Ms. Christensen stated that there are no front setbacks, buildings in the downtown can be constructed up to the sidewalk.

Commissioner Faragher asked about the location of the pedestrian walk way which would be used as a fire lane access. Mr. Barkes said they are going to lift the curb, and it will be gated and pedestrian friendly, not vehicle friendly, and the Fire Department will have access to the key. Councilor Preuschl asked what the time lines will be on finishing the project. Mr. Barkes said they are working with contractors and designers for a foundation release, and want to get in the ground within the next couple of weeks. Mr. Barkes stated building A should be done by fall 2020.

Commissioner Johnson asked how much they would lease the units for. Mr. Barkes said they would be leased in the 1,200-1,300 range. Commissioner Faragher asked if they are doing anything with the landscape. Mr. Barkes said they are working with the City Staff on some ideas on how to create interconnectivity with the bike path and the development. Ms. Christensen said the City Staff met, and they may want to keep some separation until they get buildings occupied and see where it goes.

Commissioner Faragher closed the public hearing.

Commissioner Finnegan moved to approve the PUD Master Land Use Plan, seconded by Commissioner Johnson. Motion carried, voice vote.

d. Consideration of a Zoning Map Amendment from CBD-1, Central Business District-Core, to PUD, Planned Unit Development, for the property located at 200 West Grand Ave and 525 Cross St

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

Commissioner Faragher opened and closed public hearing.

Commissioner Johnson moved to approve the Zoning Map Amendment, seconded by Commissioner Haynes. Motion carried, voice vote.

4. **STATUS REPORT ON PRIOR PLAN COMMISSION ITEMS**

Julie Christensen stated that the City Council approved the sidewalk easement at 1750 Branigan Road and the three lot certified survey map that was referred back to Plan Commission. City Council also approved the Comprehensive Plan Amendment for downtown and the Development Agreement for the Oaks.

5. **ADJOURNMENT**

Motion was made by Commissioner Ruster, seconded by Commissioner Robson to adjourn the meeting. Motion passed, voice vote. Meeting adjourned at 7:50pm.

Minutes respectfully submitted by Amber DesRoberts.



REPORT TO THE PLAN COMMISSION

Plan Commission Meeting Date: October 9, 2019

Agenda Item: 3(a)

File Number: CU-2019-05

General Information

Applicant: Thomas Morgan

Owner: Amy Arnold

Address/Location: 414 Pleasant Street

Applicant's Request: The applicant has applied for a Conditional Use Permit to allow an outdoor seating area in the CBD-1, Central Business District Core, for the property located at 414 Pleasant Street.

Background

The applicant has proposed the construction of a 44-foot by 27.5-foot enclosed outdoor seating area behind the building for a Tap Room. The outdoor area would serve as seating for patrons. The Zoning Ordinance states that outdoor seating areas in the CBD are only allowed if reviewed and approved in accordance with the CUP review procedures.

Staff Analysis

Existing Conditions: The building is part of a mixed-use development. The second floor has two residential rental units and the first floor has two commercial tenants. One is an office use for State Farm Insurance and the other a Tap Room for Cheez Head Brewery that is currently under construction.

Surrounding Land Use and Zoning: To the north, east, south, and west of the subject property zoning is CBD-1, Central Business District Core, and includes the following uses: The Ironworks Hotel, Hotel Goodwin, The Hendricks Center for the Arts, Truck't, and Blue Collar Coffee.

Proposed Outdoor Seating Area: The attached renderings illustrate the design concept. The applicant has noted that the seating area will include decorative fencing, seasonal landscaping, and lighting. The attached Public Notice was sent to the owners of surrounding properties. Planning staff has not received any comments.

Off-Street Parking Requirements: There are no minimum off-street parking requirements in the Central Business District, which is served by on-street parking and City-owned public parking lots.

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

economic growth.

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

Review Agent Comments: The following comment has been received:

- AT&T: There are existing facilities on the property. Any relocation will be compensable.
- Alliant Energy: The string lights proposed in the renderings need to keep a clearance of five feet from overhead service lines.
- Police Department: The police department would like to make sure there is adequate lighting to the outdoor seating area.

Findings of Fact: Based on Section 2-504 of the Zoning Ordinance, the Plan Commission shall make a recommendation based on the following considerations:

- Whether the establishment, maintenance, or operation of the conditional use will be detrimental to or endanger the public health, safety, morals, comfort, or general welfare;*
 - Subject to conditions of approval the proposed outdoor seating area is not expected to be detrimental to public health or welfare.
- Whether the conditional use will be injurious to the use and enjoyment of other property in the immediate vicinity for purposes already permitted;*
 - The improvement and occupancy of the subject property as a Tap Room establishment is fully compatible with the adjacent food service and other commercial uses.
- Whether the conditional use will substantially diminish or impair property values within the neighborhood of the subject property;*
 - The proposed outdoor seating area will enhance the central business district and is consistent with retail and entertainment-oriented nature of the surrounding land uses.
- Whether the establishment of the conditional use will impede the normal and orderly development and improvement of the surrounding property;*
 - The surrounding area is fully developed.
- Whether the exterior architectural design or site layout of the proposed conditional use is so dissimilar or otherwise incompatible with existing or proposed development in the immediate neighborhood that it will cause a depreciation in property values;*
 - The proposed outdoor seating area will consist of materials, furnishings, and accessories that are compatible with the contemporary urban design of the district.
- Whether adequate utilities, access roads, drainage or other necessary facilities will be available to serve the proposed use at the time of its occupancy or use;*
 - Adequate facilities and infrastructure are available and currently serve the property.
- Whether adequate measures will be taken to minimize traffic congestion; and*
 - Customers will continue to utilize on-street parking and City-owned parking lots. A recent SLATS study concluded that there is ample parking in downtown Beloit.
- Whether the conditional use will comply with all applicable regulations of the Zoning Ordinance.*
 - The applicant will comply with all other applicable regulations of the Zoning Ordinance.

STAFF RECOMMENDATION:

The Planning & Building Services Division recommends **approval** of a Conditional Use Permit to allow an outdoor seating area in the CBD-1, Central Business District Core, for the property located at 414 Pleasant Street, based on the above Findings of Fact and subject to the following conditions:

1. This Conditional Use Permit authorizes the outdoor seating area as shown in the application attachment A and the extension of the possession, sale & consumption of alcohol onto said area, subject to all of the conditions below.
2. Music may not be played in the outdoor seating area after 10:00 PM.
3. The addition of a meat smoker is not approved at this time and requires Plan Commission approval if proposed in the future.
4. Any major changes in the adopted conditions or use of the property shall be approved by the Plan Commission and City Council by amending this Conditional Use Permit. The Director of Planning & Building Services may approve minor changes administratively.

Code Requirements:

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

1. Before constructing the outdoor seating area, the applicant shall obtain an Architectural Review Certificate and a Building Permit as required by Code.
2. The maximum capacity of the outdoor seating area shall be determined by the Building Official prior to issuance of a Certificate of Occupancy for the building, and shall be posted accordingly.
3. If required the applicant shall obtain the appropriate liquor license for the premises to include the outdoor seating area.
4. In accordance with Section 2-506 of the Zoning Ordinance, the applicant shall have twelve (12) months from the date of CUP issuance to complete construction and commence use of the outdoor seating area, or the CUP shall lapse and be of no further effect.

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

**Beloit Plan Commission
Conditional Use Permit Decision Form**

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

Ordinance Requirements

List ordinance requirements related to the conditional use permit:

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

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

3. If required the applicant shall obtain the appropriate liquor license for the premises to include the outdoor seating area.
Substantial Evidence: In order to sell, consume, or possess alcohol in the outdoor seating area or in 414 Pleasant building, a liquor license must be obtained.

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

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

Permit Conditions

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

List conditions imposed on the permit:

1. This Conditional Use Permit authorizes the outdoor seating area shown in the application attachments and the extension of the possession, sale & consumption of alcohol onto said area, subject to all of the conditions below.
Substantial Evidence: The Zoning Ordinance states that outdoor seating areas in the CBD are only allowed if reviewed and approved in accordance with the CUP review procedures.
2. Music may not be played in the outdoor seating area after 10:00PM.
Substantial Evidence: To ensure that this commercial business does not interfere with the use and enjoyment of adjacent properties, including the upstairs apartments, this condition is being imposed.
3. The addition of a meat smoker is not approved at this time and requires Plan Commission approval if the proposed in the future.
Substantial Evidence: The addition of a meat smoker to an outdoor seating area with the central business district is an increase in land use intensity that impacts the general welfare of the adjacent properties. This addition must comply with the Conditional Use Permit review procedure.
4. Any major changes in the adopted conditions or use of the property shall be approved by the Plan Commission and City Council by amending this Conditional Use Permit. The Director of Planning & Building Services may approve minor changes administratively.
Substantial Evidence: Standardized condition to establish a process for future changes.

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

- Approved, with the conditions stated above
 Denied, for the following reasons:

Location & Zoning Map

414 Pleasant Street

CU-2019-05



1 inch = 42 feet



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

PLANNING & BUILDING SERVICES DIVISION

Legend

Zoning Classification

<all other values>

REGULATION CLASSIFICATION

- C-1
- C-2
- C-3
- CBD-1
- CBD-2
- DH
- M-1
- M-2
- MRO
- PLI
- PUD
- R-1A
- R-1B
- R-2
- R-3
- R-4
- Parcel Poly
- City Limits (Corp Poly)

Attachment A

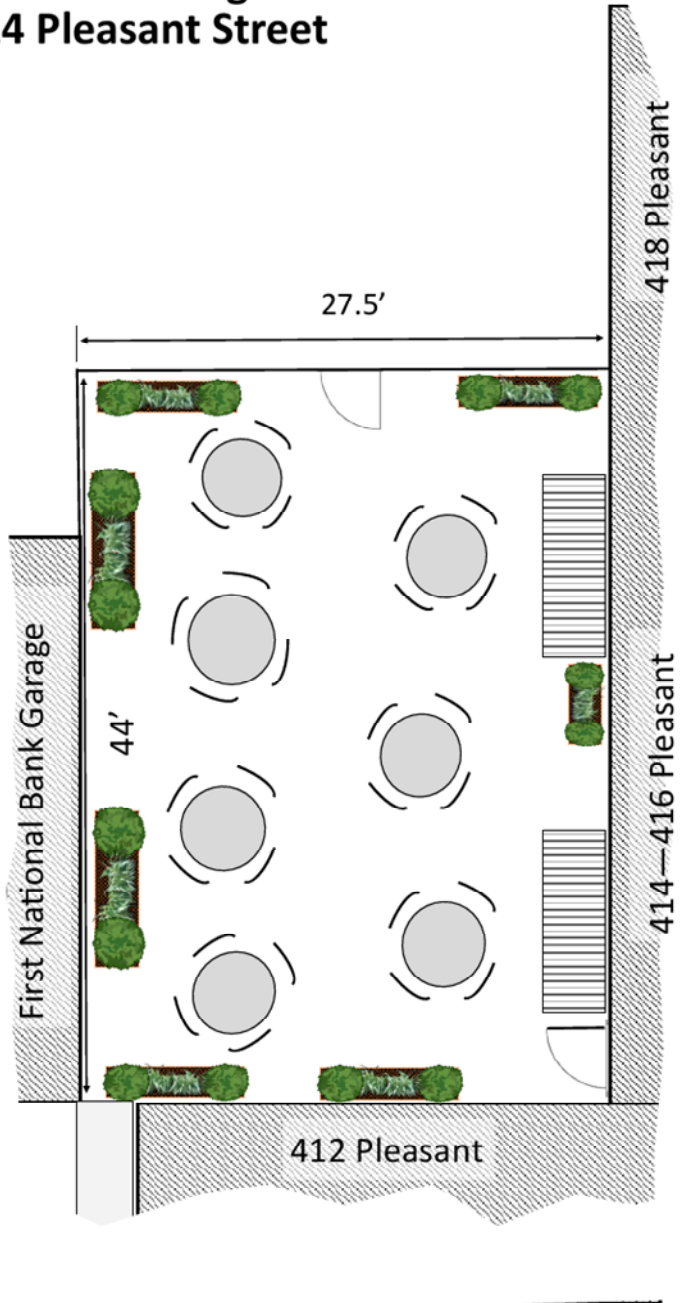
Outdoor Seating Area 414 Pleasant Street

Notes:

The outdoor seating area will be secured through a decorative fence and latched gate at the north end of the 44' x 27.5' area . This gate will be exit only. The two existing stair wells will be secured with a latched gate to match the existing lattice. The area will be beautified with planters filled with evergreen plants, seasonal flowers, and climbing vines. Decorative lattice climbers and string lighting will further help beautify the space.

The outdoor seating area will be closed by 10 p.m. weekdays, 11:00 p.m. on Friday and Saturday, or at such a time as is agreeable with the City of Beloit.

The Outdoor seating area will be accessible from the rear doorway of 414 Pleasant (Southwest corner of the building / Southeast corner of the garden area)





Entire area for outdoor Seating are to be enclosed by decorative fencing with gate for deliveries and to exit in emergency. Area will be in use no later than 10 p.m. 5m - Thur and no later than 11 p.m. on Friday & Saturday.

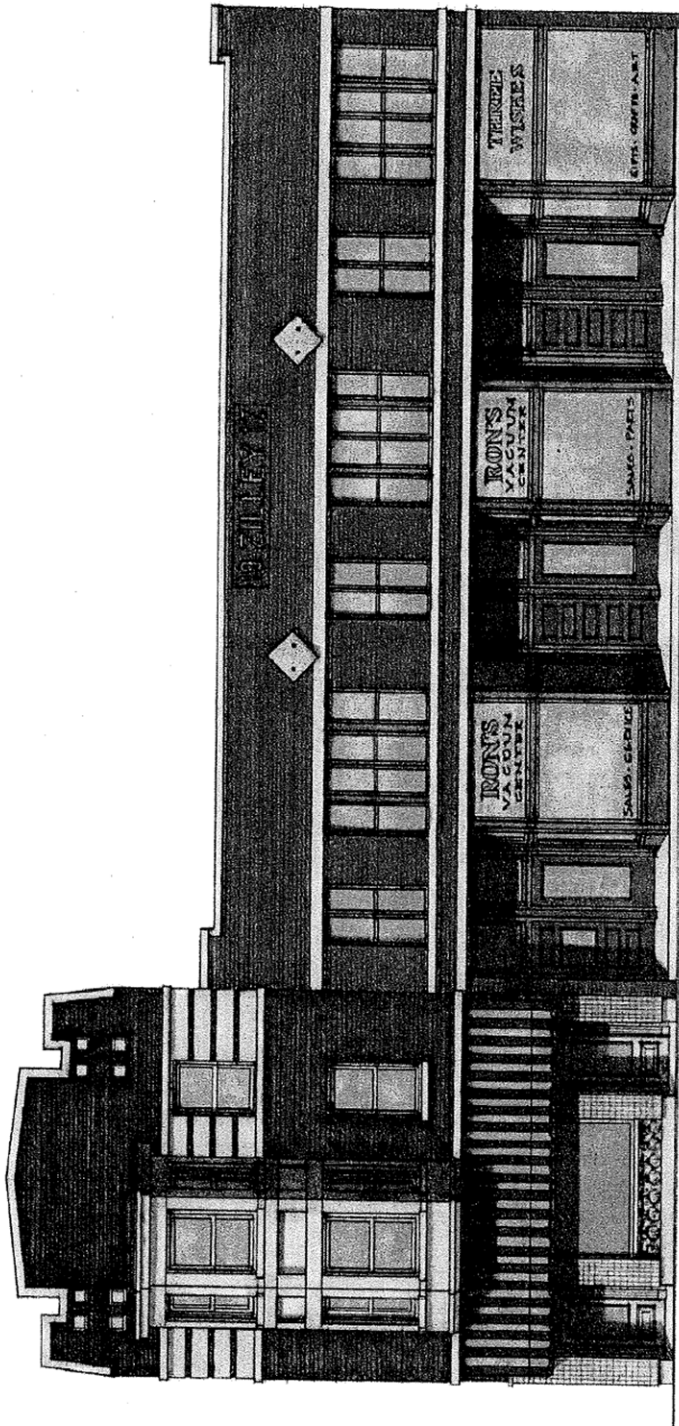


CHEEZ HEAD BREWERY PATIO -
 SEPTEMBER 4, 2019

BELOIT, WI
 JOE LAWNICZAK

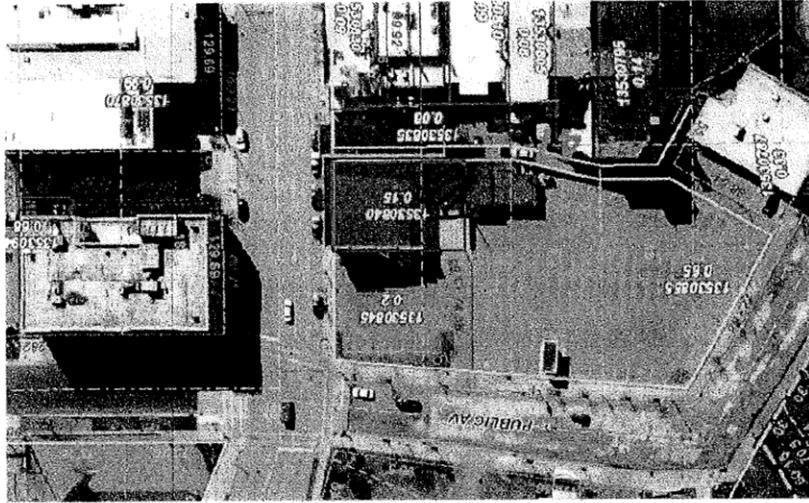


CHEEZ HEAD BREWERY PATIO - BELOIT, WI
SEPTEMBER 4, 2019 JOE LAWNICZAK

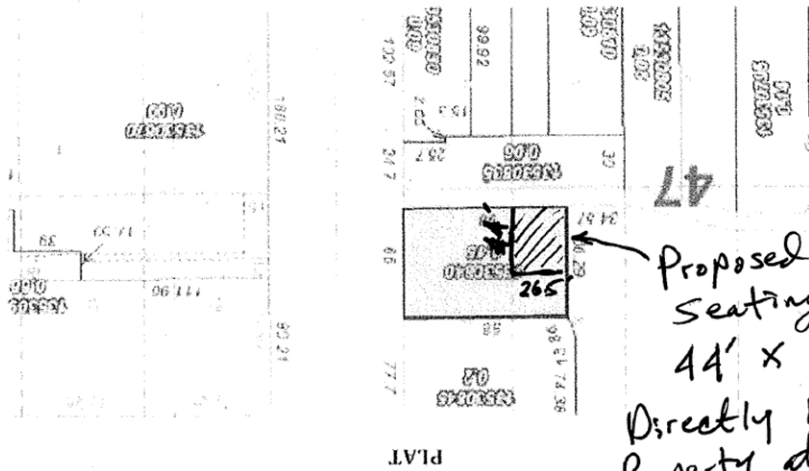


ZILLEY BUILDING
 JANUARY 13, 2009

BELOIT, WI
 JOE LAWNICZAK



AERIAL PHOTO OF THE SUBJECT PROPERTY



Proposed Outdoor Seating Area
 44' x 26.5'
 Directly Behind the Property at 414 + 416 Pleasant St.

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)

(418 Permit)

File Number: CU-2019-05

1. Address of subject property: 414 Pleasant St., Beloit, WI 53511 (storefronts of 414-16)
2. Legal description: 13530840

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

Property dimensions are: Building 44 x 70' garden 44 x 34' feet by 3,080' feet = 1,496' square feet.

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

3. Tax Parcel Number(s): # 206 135308340 414 Pleasant Street

4. Owner of record: Amy Arnold Arnold Bebit Phone: 312-961-7806
1835 N. Fremont Chicago Co., LLC FL 60614
(Address) (City) (State) (Zip)

5. Applicant's Name: Thomas Morgan
829 Church Street, Beloit, WI 53511
(Address) (City) (State) (Zip)

(Office Phone #) 608-346-6845 (Cell Phone #) thomasmorgan757@gmail.com (E-mail Address)

6. All existing use(s) on this property are: Available for rent - previously "Ron's Vacuum Store"

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

A Conditional Use Permit for: Outdoor Seating Area in back of storefronts 414:416
in a(n) CBD-1 Zoning District.

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

Principal use: Business to promote & market Wisconsin Products - Beer, cheeses, Condiments - anything Wisconsin. Small Brewery/Brew Pub, Brew Pub Garden in back. Smoker in back to prepare smoked meats.

Secondary use: * The proposed smoker is not necessary at this time IF it will delay the permit process. Outdoor seating is of greatest priority.

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 Amy Arnold Arnold Beloit Co LLC
- () Leasehold, length of lease: 7yrs(+)
- () Contractual, nature of contract: _____
- () Other, explain: _____

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

I/We, the undersigned, do hereby respectfully make application for and petition the City Plan Commission and City Council to grant the requested action for the purpose stated herein. I/We represent that the granting of the proposed request will not violate any of the required standards of the Zoning Ordinance of the City of Beloit. I/We also agree to abide by all applicable federal, state and local laws, ordinances, rules, and regulations.

Amy E. Arnold / Amy E. Arnold / 9/9/2019
(Signature of Owner) (Print name) (Date)

Thomas M. Morgan / Thomas M. Morgan / 9/12/2019
(Signature of Applicant, if different) (Print name) (Date)

In order for your request to be heard and considered in a timely manner, you must submit the completed application, and all accompanying documents, to the Planning and Building Services Division for acceptance by the filing deadline date prior to a scheduled Plan Commission meeting. This application must be submitted with one copy of a scaled drawing showing the layout of the proposed development in accordance with all code requirements, and the \$275.00 application fee. Applicants will also be charged a fee for mailing public notices at the rate of \$0.50 per notice. An invoice for this fee will be sent to the applicant and these costs are typically between \$5.00 and \$15.00.

To be completed by Planning Staff		
Filing fee: \$275.00	Amount paid: <u>\$275.00</u>	Meeting date: <u>10/9/19</u>
No. of notices: _____	x mailing cost (\$0.50) = cost of mailing notices: \$ _____	
Application accepted by: <u>Nancy Kattmann</u>	Date: <u>9/13/19</u>	

SEP 13 2019



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NOTICE TO THE PUBLIC

September 23, 2019

To Whom It May Concern:

Thomas Morgan has filed an application for a Conditional Use Permit to allow an outdoor seating area with the possession, sale, & consumption of alcoholic beverages in the CBD-1 Central Business District-Core, for the property located at:

414 Pleasant Street.

The applicant has proposed the construction of a 44-foot by 26-foot enclosed outdoor seating area behind the building. The outdoor area would serve as seating for patrons, and a meat smoker.

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

City Plan Commission: Wednesday, October 9, 2019, at 7:00 PM, or as soon thereafter as the matter can be heard in the Engineering & Utilities Building, 2400 Springbrook Court, Beloit, Wisconsin.

City Council: Monday, October 21, 2019, at 7:00 PM, or as soon thereafter as the matter can be heard in the Engineering & Utilities Building, 2400 Springbrook Court, Beloit, Wisconsin.

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. Comments will be accepted via telephone, email, and U.S. Mail.

HENDRICKS COMMERCIAL
PROPERTIES LLC
525 THIRD ST STE 300
BELOIT WI 535116225

FIRST NATIONAL BANK & TRUST
COMPANY OF BELOIT
345 E GRAND AVE
BELOIT WI 53511

BELOIT COLLEGE BOARD OF
TRUSTEES
700 COLLEGE ST
BELOIT WI 53511

C/O JAMES E DOSCHADIS
JAMES E DOSCHADIS REVOCABLE
TRUST OF 2014
2634 CHATSWORTH DR
BELOIT WI 53511

CENTRE 1 BANCORP INC
345 E GRAND AVE
BELOIT WI 53511

BETSEY SCHMIECHEN BELOIT
VILLAGER LLC
429 E GRAND AVE
BELOIT WI 535116228

THE FLYING PIG TREAT SHOPS INC
431 E GRAND AVE
BELOIT WI 53511

SUDS OHANAHANS REAL ESTATE
1804 HENDERSON AVE
BELOIT WI 53511



REPORT TO THE PLAN COMMISSION

Plan Commission Meeting Date: October 9, 2019

Agenda Item: 3(b)

File Number: PUD-2019-06

General Information

Applicant: R.H Batterman

Owner: Jeff Adleman

Address/Location: 1920 Whipple Street

Applicant's Request/Proposal:

R.H. Batterman, on behalf of Jeff Adleman, has submitted an application for review and consideration of a Planned Unit Development (PUD) - Master Land Use Plan Amendment for 1920 Whipple Street to add an additional duplex on the subject property in lieu of storm water detention.

Planned Unit Development (PUD) Process: A PUD is a type of special purpose zoning district and a type of development plan. PUD zoning districts are inextricably linked to PUD plans; no rights of development apply to a PUD zoning designation other than those of the approved PUD plan. PUDs are processed in three stages: Master Land Use Plan; Rezoning to PUD district and Final (Site) Plan. Master Land Use Plans and Zoning Map Amendments may be processed concurrently, provided that no rezoning to the PUD district may occur until approval of a PUD Master Land Use Plan.

The PUD Master Land Use Plan application is reviewed with respect to such issues as density, including the number, type, and location of dwelling units and other uses; impacts on surrounding areas; and the adequacy of facilities and services. The result of this review is the establishment of the basic parameters for development of the PUD. The PUD Final (Site) Plan is the document upon which building permits and other applicable approvals are issued. The applicant must submit the detailed and technical information necessary to demonstrate that all applicable standards, requirements, and conditions have been met.

Staff Analysis

Project Summary:

The applicant has submitted an application for a PUD – Master Land Use Plan Amendment to add an additional duplex on the subject property in lieu of storm water detention. The applicant was approved for a PUD – Master Land Use Plan for a redevelopment project involving the construction of storage unit buildings and duplexes on the properties located at 1405 Madison Road & 1402 Townline Avenue in 2016. The subject property is Lot 1 of a CSM that subdivided this PUD. The storage units have been constructed, but the 21 duplexes have not.

Existing Site Conditions: The subject property is currently vacant undeveloped land.

Surrounding Land Use and Zoning: To the north is Converse Elementary School zoned PLI, Public Lands and Institutions. To the East are single-family homes zoned R-1B Single-Family Residential. To the south is the self-storage unit development that is a part of the applicants' PUD, Planned Unit Development. To the west is Advanced Autosports zoned C-2, Neighborhood Commercial.

City of Beloit Comprehensive and Strategic Plan: The Future Land Use Map (Map 10) of the City of Beloit Comprehensive Plan, states Community Commercial for this property. The approved PUD mixes commercial use (storage units) with residential (duplexes) making the redevelopment compatible with surrounding land uses and zoning.

Zoning Ordinance Requirements:

Density/Intensity and Dimensional Standards: Staff is proposing a 20 foot front and street side yard setback and 10 foot setback on interior side yards. The proposed density is 2 units on 0.25 acres or 8 units per acre. The proposed PUD development includes open space in excess of the 15% required for PUD projects.

Building Design: The maximum height shall be two stories for the duplex building. A landscape buffer shall be installed between the storage units and duplexes consisting of 15 landscaping units per linear foot. The owner will need to install public sewer in the easement along the rear lot line to serve the three duplex buildings. Construct of public sidewalks along Whipple Street in front of the duplexes to connect to Townline Avenues sidewalk is required.

Roadway Access: The City Engineer shall approve the location of the duplex driveways.

Review Agent Comments: The review agents have reviewed the proposed PUD and offered the following comments:

- AT&T: There are existing facilities on the property. Any relocation will be compensable.
- Water Resources: Each building will need a separate lateral connection to the public sewer. There is an existing manhole in the terrace on the west side of Townline Road that can be connected to. A development agreement is required for public improvements

PUD Master Land Use Plan Review Criteria: Applications may be approved if the following criteria are met:

1. **The plan represents an improvement over what could have been accomplished through strict application of otherwise applicable zoning ordinance standards, based on the purpose and intent of this chapter.**

Amending the current Master Land Use Plan will allow for development of vacant underutilized land and contribute to infill development.

2. **The PUD Master Land Use Plan complies with the PUD district standards of Section 5-300.**

The proposed PUD will provide for efficient use of public utilities and vacant land, and will be an attractive addition to the Madison Road Corridor. The development will increase housing stock within the City.

3. **The City and other service providers will be able to provide necessary public services, facilities, and programs to serve the development proposed, at the time the property is developed;**
As a redevelopment site, the property is already served with some utilities and facilities. Any relocation/replacement costs will be borne by the developer.
4. **The development is consistent with and implements the planning goals and objectives contained in the Comprehensive Plan and other adopted policy documents; and**
The proposed development is consistent with the Comprehensive Plan's recommended commercial uses. The proposed development will create two new dwelling units (a total of six in the PUD) in close proximity to an elementary school, and will bring a significant redevelopment to an area that has experienced very limited redevelopment activity.
5. **The PUD Master Land Use Plan is consistent with sound planning practice and the development will promote the general welfare of the community.**
The proposed PUD is compatible with existing nearby uses and the surrounding residential and institutional zoning classifications, and will allow redevelopment of an underutilized parcel.

STAFF RECOMMENDATION – PUD MASTER LAND USE PLAN:

The Planning & Building Services Division recommends **approval** of the PUD – Master Land Use Plan Amendment for the property located at 1920 Whipple Street, subject to the following conditions:

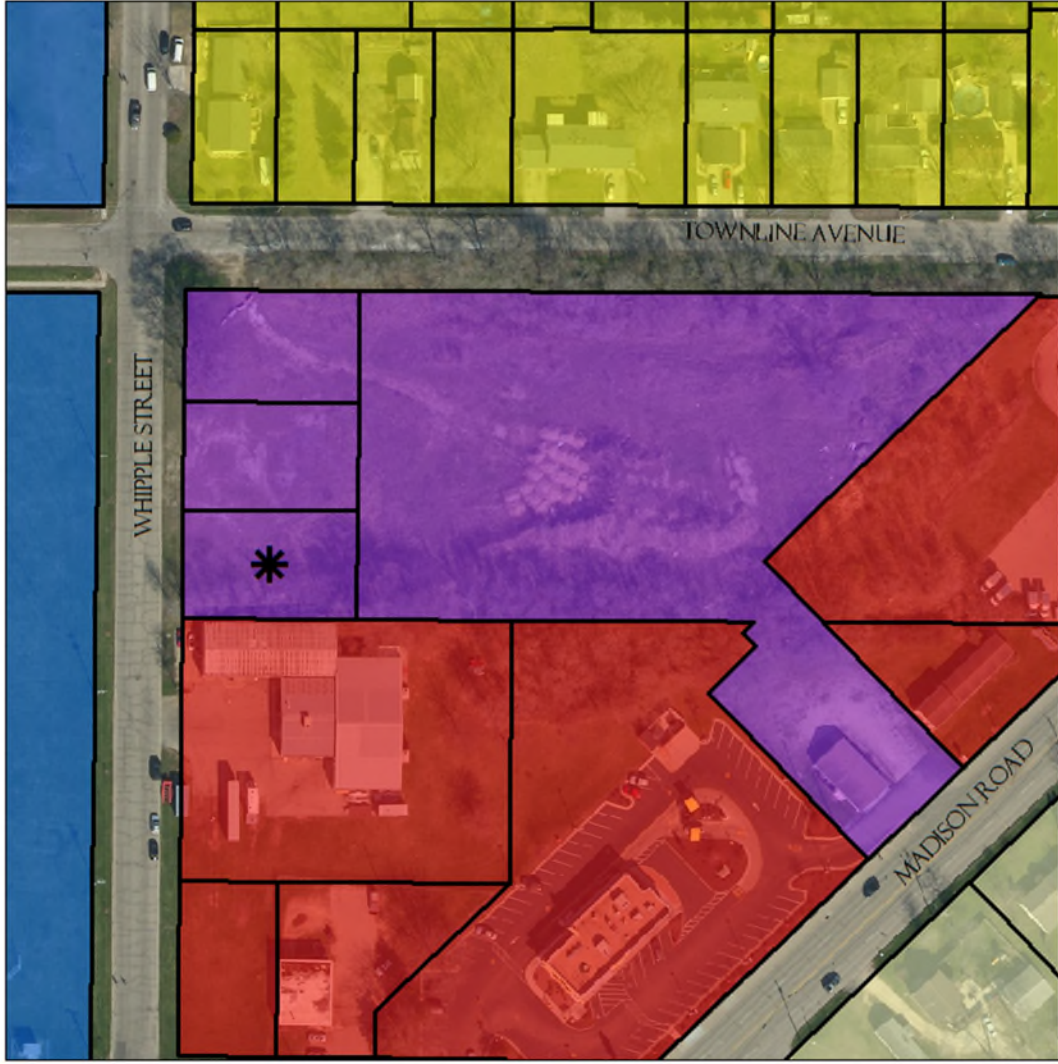
1. This approval authorizes the construction of one duplex building.
2. The permitted use includes R-2 Two-Family uses. The front and street side building setbacks shall be 20 feet and 10 feet on the interior side yard for all three duplexes. The maximum height shall be two stories for the duplex building.
3. A landscape buffer shall be installed between the storage units and duplexes consisting of 15 landscaping units per linear foot.
4. The location of the duplex driveways must be approved by the City Engineer.
5. Public Sanitary Sewer shall be installed in an easement along the rear lot lines to serve the proposed duplexes. A development agreement will be required for sewer construction.
6. Prior to issuance of a Certificate of Occupancy, the applicant shall, at applicant's cost, construct public sidewalks along Whipple Street in front of the duplexes and connect to Townline Avenue sidewalk.
7. Prior to issuance of a Building Permit for this project, the applicant shall submit a PUD Final Plan that reflects the conditions above and detailed site & architectural plans for Planning staff review and approval.
8. All conditions from the previous PUD resolution remain in full force and effect.
9. 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 PUD – Master Land Use Plan. The Director of Planning & Building Services may approve minor changes administratively and allow accessory structures and uses that comply with and meet all of the standards and requirements of the City of Beloit Municipal Code.

ATTACHMENTS: Location Map, Amended PUD - Master Land Use Plan, 2016 PUD Master Land Use Plan, 2016 Resolution, Application, Public Notice, and Mailing List.

Location & Zoning Map

PUD-2019-06

1920 Whipple Street



1 inch = 105 feet



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

PLANNING & BUILDING SERVICES DIVISION

Legend

Zoning Classification

<all other values>

REGULATION CLASSIFICATION

C-1

C-2

C-3

CBD-1

CBD-2

DH

M-1

M-2

MRO

PLI

PUD

R-1A

R-1B

R-2

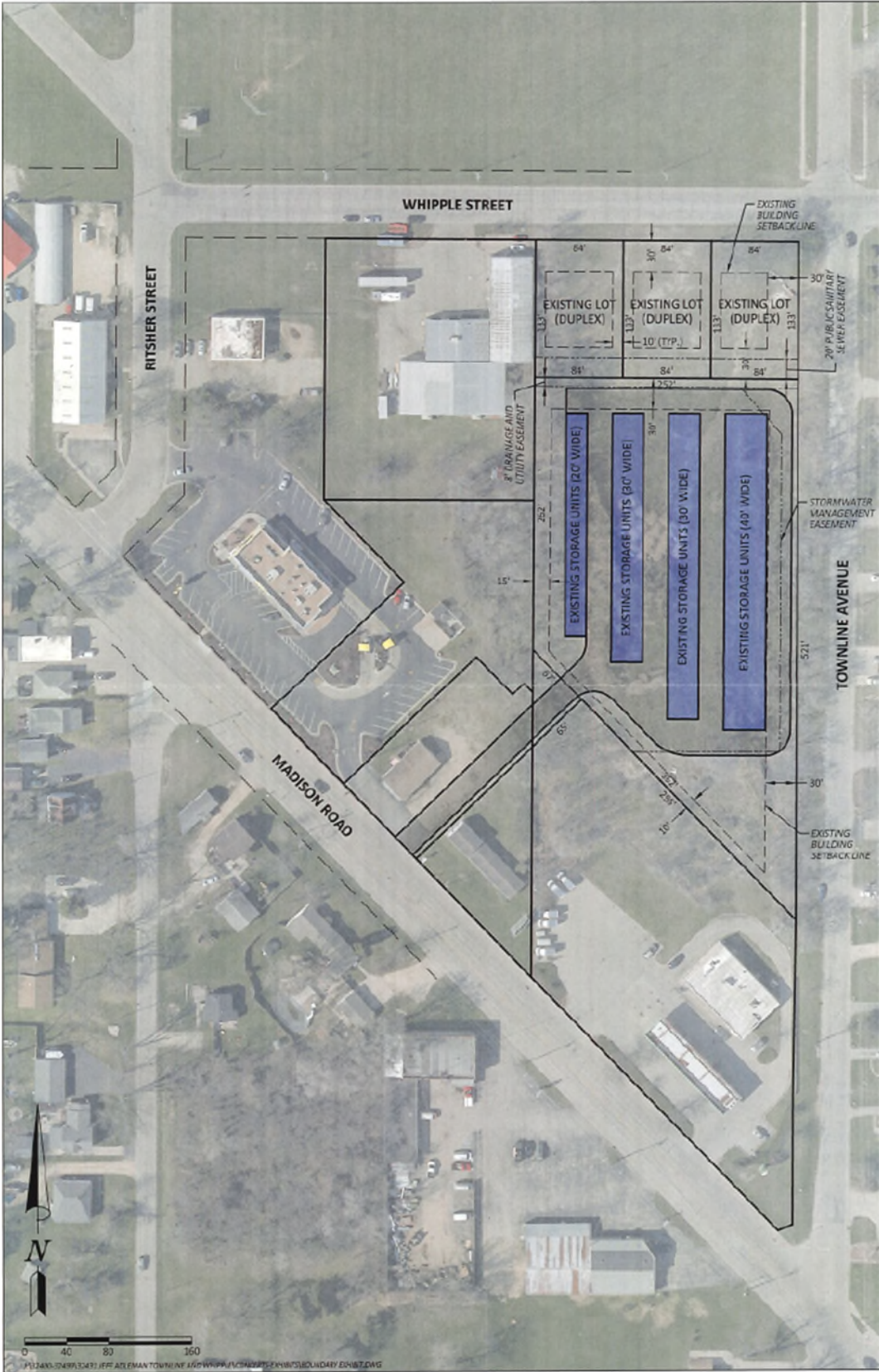
R-3

R-4

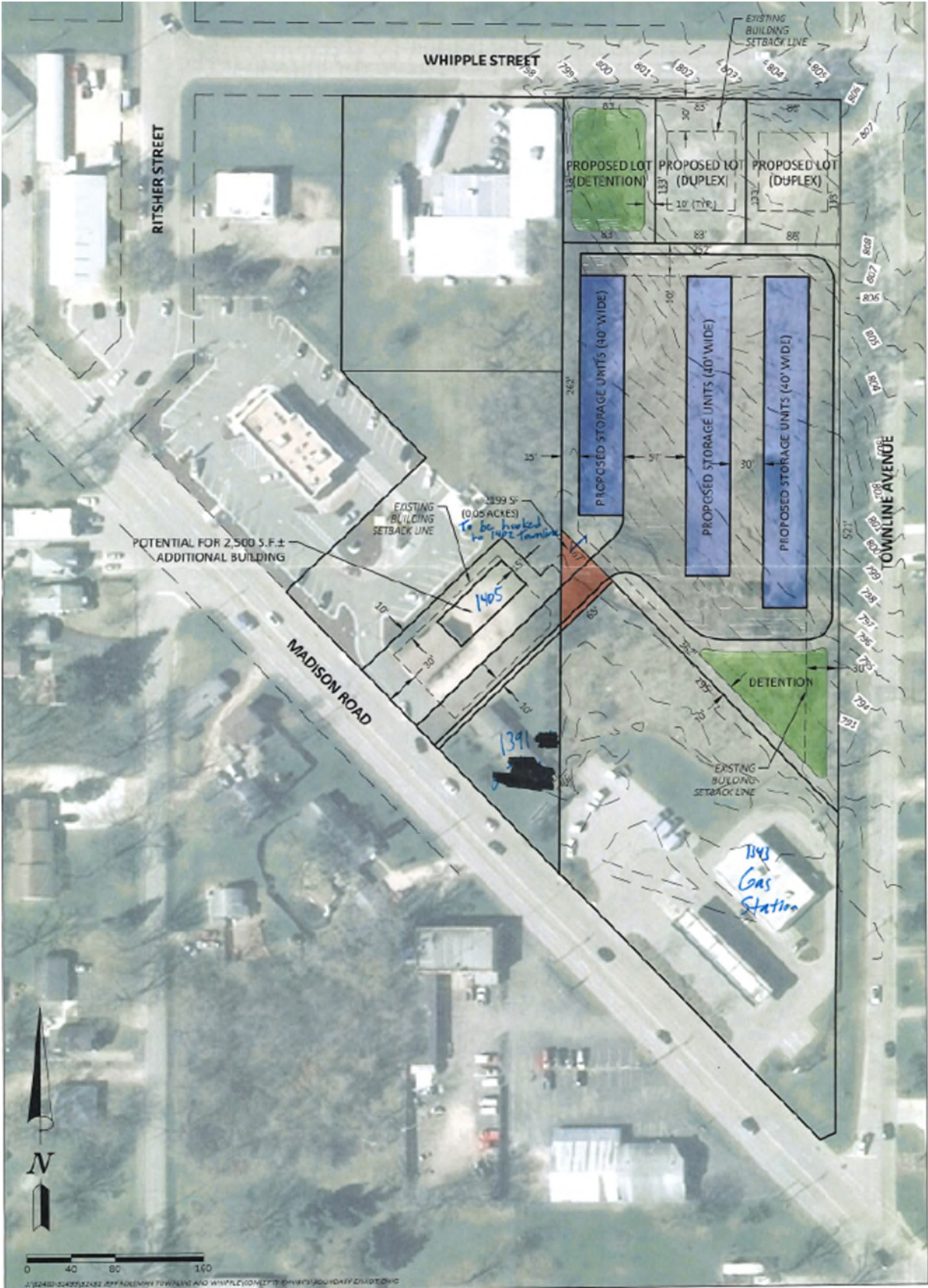
Parcel Poly

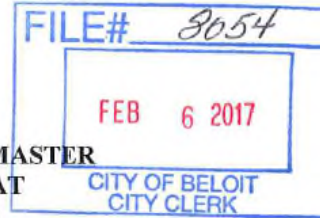
City Limits (Corp Poly)

Proposed PUD – Master Land Use Plan



2016 PUD – Master Land Use Plan





**RESOLUTION
AUTHORIZING A PLANNED UNIT DEVELOPMENT (PUD) MASTER
LAND USE PLAN FOR THE PROPERTIES LOCATED AT
1405 MADISON ROAD & 1402 TOWNLINE AVENUE**

WHEREAS, the application of R.H. Batterman, on behalf of Jeff Adleman, for approval of a Planned Unit Development (PUD) - Master Land Use Plan for the properties located at 1405 Madison Road & 1402 Townline Avenue, having been considered by the City Council of the City of Beloit, Wisconsin at a public hearing held for that purpose and due notice of said hearing having been given by publication as appears by the Proof of Publication on file in the office of the City Clerk.

NOW, THEREFORE, IT IS HEREBY RESOLVED THAT, the City Council of the City of Beloit, Rock County, Wisconsin does hereby approve a PUD - Master Land Use Plan for the properties located at 1405 Madison Road & 1402 Townline Avenue in the City of Beloit, for the following described premises:

Lot 1 of Certified Survey Map Document No. 991634 as recorded in Volume 11 on Pages 538-539 of the Certified Survey Maps of Rock County, located in the City of Beloit, County of Rock, State of Wisconsin (also known as 1405 Madison Road). Said parcel contains 0.404 acre, more or less.

Lot 1 of Certified Survey Map Document No. 1349992 as recorded in Volume 20 on Pages 381-383 of the Certified Survey Maps of Rock County, located in the City of Beloit, County of Rock, State of Wisconsin (also known as 1402 Townline Avenue). Said parcel contains 3.546 acres, more or less.

As a condition of approving the PUD - Master Land Use Plan, the City Council does hereby stipulate the following conditions and restrictions upon the development, which are hereby deemed necessary for the public interest:

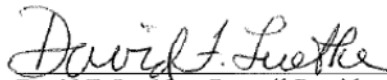
1. This approval authorizes the construction of up to three storage unit buildings containing up to 140 units and two duplex buildings on the properties located at 1405 Madison Road & 1402 Townline Avenue as shown on the PUD – Master Land Use Plan. No other commercial or residential uses are allowed on the subject properties.
2. Prior to issuance of a Building Permit, the applicant shall record a Certified Survey Map (CSM) that consolidates the subject properties and the 2,200 square-foot parcel being purchased from an adjoining owner for driveway access. The duplexes may be placed on individual lots via CSM.
3. The building setbacks shall be those shown on the attached PUD – Master Land Use Plan. The maximum height shall be one story for the storage unit buildings and two stories for the duplex buildings.
4. Prior to issuance of a Certificate of Occupancy, the applicant shall, at applicant’s cost, construct public sidewalks along Whipple Street in front of the duplexes and along Townline Avenue from Whipple Street to Madison Road.
5. The site plan shall include, and the applicant shall construct, a gated emergency-access-

only driveway on Townline Avenue.

6. The proposed storage unit buildings shall be constructed using materials that are suitable for residential garages including vinyl siding, asphalt singles, and aluminum overhead doors. If a security fence is provided, it shall be vinyl-coated chainlink or better and may not include barbed wire.
7. This development is limited to one pole or ground-mounted sign up to 100 square feet per face along Madison Road, and may not include wall signs on the storage unit buildings.
8. Prior to issuance of a Building Permit for this project, the applicant shall submit a PUD Final Plan that reflects the conditions above and detailed site & architectural plans for Planning staff review and approval.
9. 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 PUD – Master Land Use Plan. The Director of Planning & Building Services may approve minor changes administratively and allow accessory structures and uses that comply with and meet all of the standards and requirements of the City of Beloit Municipal Code.
10. This development shall include a Landscape Strip along Townline Avenue consisting of evergreen shrubs at least 3 feet in height when planted to address neighborhood view & light trespass concerns.

Adopted this 6th day of February, 2017.

City Council of the City of Beloit


David F. Luebke, Council President

Attest:


Jelene J. Ahrens, Deputy City Clerk

CITY of BELOIT

Planning & Building Services Division

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

PUD - Master Land Use Plan Application

(Please Type or Print)

File Number: POD-2019-06

1. Address of subject property: 1920 WHIPPLE
2. Legal description: LOT 1 CSM V 3B P. 136-13B
If necessary attach a copy of the complete legal description.
3. Area of parcel in square feet or acres: 11,068 SF
4. Tax Parcel Number(s): 12760024
5. Owner of record: JEFF ADLEMAN Phone: 289.6340
P.O. Box 59B S. BELoit IL 61000
(Address) (City) (State) (Zip)
6. Applicant's Name: RH BATTENMAN - FRANK MCKEAN
2457 BATELL'S BELoit WI 53511
(Address) (City) (State) (Zip)
608.355.4464 N/A fmckean@rhbattenman.com
(Office Phone #) (Cell Phone #) (E-mail Address)
7. All existing use(s) on this property are: VACANT
8. The applicant requests review and approval of a **PLANNED UNIT DEVELOPMENT /**
Master Land Use Plan: in a(n) C-2 Zoning District.
9. A Preapplication Conference was held on: 8.18.16
10. All the proposed use(s) for this property will be:
Principal use(s): DUPLEX
Secondary use(s): N/A
11. State how the proposed development differs from the type of development that would be permitted under the existing zoning regulations. THE PUD APPLICATION IN 2016 INDICATED THIS LOT WOULD BE USED FOR STORM WATER STORAGE. AFTER DESIGN WAS COMPLETED THE LOT WAS NO LONGER NEEDED FOR STORAGE
12. Describe how the proposed development provides greater benefits to the City of Beloit than an otherwise permitted development. NEW HOUSING ON THE WEST SIDE OF BELOIT, DEVELOPMENT OF AN EMPTY LOT, INCREASED TAX BASE

13. Project timetable: Start date: OCT 2019 Completion date: JUNE 2020

14. I/We) represent that I/we have a vested interest in this property in the following manner:

- Owner
- Leasehold, length of lease: _____
- Contractual, nature of contract: _____
- Other, explain: _____

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

I/We, the undersigned, do hereby respectfully make application for and petition the City Plan Commission and City Council to grant the requested action for the purpose stated herein. I/We represent that the granting of the proposed request will not violate any of the required standards of the Zoning Ordinance of the City of Beloit. I/We also agree to abide by all applicable federal, state and local laws, ordinances, rules, and regulations.

_____ (Signature of Owner)	_____ (Print name)	_____ (Date)
<u>Frank McKeann</u>	<u>Frank McKeann</u>	<u>9.10.19</u>
_____ (Signature of Applicant, if different)	_____ (Print name)	_____ (Date)

In order for your request to be heard and considered in a timely manner, you must submit the completed application and all accompanying documents to the Planning & 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 \$200.00 application fee. Applicants will also be charged a fee for mailing public notices at the rate of \$0.50 per notice. An invoice for this fee will be sent to the applicant and these costs are typically between \$5.00 and \$15.00.

To be completed by Planning Staff		
Filing fee: <u>\$200.00</u>	Amount paid: <u>\$000.00</u>	Meeting date: <u>Oct 9, 2019</u>
No. of notices: _____	x mailing cost (\$0.50) = cost of mailing notices: \$ _____	<u>3</u> copy
Application accepted by: <u>Nelany Bottmann</u>	Date: <u>9/11/19</u>	

COMMUNITY DEVELOPMENT DEPARTMENT

NOTICE TO THE PUBLIC

September 23, 2019

To Whom It May Concern:

R.H. Batterman, on behalf of Jeff Adleman, has submitted an application for review and consideration of a Planned Unit Development (PUD) - Master Land Use Plan Amendment for the property located at:

1920 Whipple Street

The applicant is seeking approval of a PUD Amendment to construct an additional duplex to the Master Land Use. The original PUD for this site was approving back in 2016, which included construction of self-service storage buildings with two duplexes. A copy of the proposed plan is attached.

The following public hearings will be held regarding these applications:

City Plan Commission: Wednesday, October 9, 2019, at 7:00 PM, or as soon thereafter as the matter can be heard in the Engineering & Utilities Building, 2400 Springbrook Court, Beloit, Wisconsin.

City Council: Monday, October 21, 2019, at 7:00 PM, or as soon thereafter as the matter can be heard in the Engineering & Utilities Building, 2400 Springbrook Court, Beloit, Wisconsin.

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.

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

SCHOOL DISTRICT OF BELOIT
1500 FOURTH ST
BELOIT WI 53511

DAVID WHEELER
1928 WHIPPLE ST
BELOIT WI 53511

AMERCO REAL ESTATE COMPANY
2727 NORTH CENTRAL AVE STE 500
PHOENIX AZ 85004