



**PUBLIC NOTICE & AGENDA
PLAN COMMISSION
City Hall Forum - 100 State Street, Beloit, WI 53511
7:00 PM
Wednesday, September 09, 2020**

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Members of the media or the public may participate in the open session portion of this agenda by calling 1 (646) 749-3122, access code 786-008-773. All participants' phones will be muted. Attendance at the meeting in person will be limited. If you would like to provide comments for the any of the items on the agenda, please submit those to planning@beloitwi.gov by 12:00 noon on Wednesday, September 9, 2020.

1. CALL TO ORDER AND ROLL CALL
2. MINUTES
 - 2.a. Consideration of the minutes of the August 19, 2020 Plan Commission meeting
[Attachment](#)
3. PUBLIC HEARINGS
 - 3.a. Consideration of a Planned Unit Development (PUD) - Master Land Use Plan for the properties located at 202 Maple Avenue, 1500 Shore Drive, and a portion of 1459 Sixth Street
[Attachment](#)
 - 3.b. Consideration of a Zoning Map Amendment from R-1B, Single-Family Residential, to PUD, Planned Unit Development, for the property located at 202 Maple Avenue and from PLI, Public Lands & Institutions, to PUD for the properties located at 1500 Shore Drive and a portion of 1459 Sixth Street
 - 3.c. Consideration of a Conditional Use Permit to allow a first-floor office use in a CBD-1, Central Business District-Core, Zoning District for the property located at 557 E Grand Avenue
[Attachment](#)
 - 3.d. Consideration of a Conditional Use Permit to allow an outdoor seating area in a C-1, Office District, for the property located at 1545 Prairie Avenue
[Attachment](#)
 - 3.e. Consideration of an exception to Section 30.40(2)(c) to allow all three secondary wall signs to be larger than 30 square feet in area for the property located at 2777 Milwaukee Road
[Attachment](#)
4. REPORTS

4.a. Consideration of a two-lot Certified Survey Map (CSM) for the City-owned properties located at 202 Maple Avenue, 1500 Shore Drive, and 1459 Sixth Street

[Attachment](#)

4.b. Consideration of the vacation of the unimproved part of the West Street right-of-way lying north of Laundale Drive and adjacent to 2543 Laundale Drive

[Attachment](#)

4.c. Consideration of a Resolution approving a two-lot Certified Survey Map for the property located at 2901 Milwaukee Road

[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.



**MINUTES
PLAN COMMISSION
City Hall Forum - 100 State Street, Beloit, WI 53511
7:00 PM
Wednesday, August 19, 2020**

1. CALL TO ORDER AND ROLL CALL

Meeting was called to order at 7:00 PM. Chairman Weeden, Commissioners Finnegan, Robson, Ruster, Toral, and Councilor Preuschl were present. Commissioners Haynes and Zick were absent.

2. MINUTES

2.a. Consideration of the minutes of the August 5, 2020 Plan Commission meeting

A motion was made by Commissioner Robson, seconded by Commissioner Ruster to approve the minutes, as submitted. Motion passed, roll call vote.

3. PUBLIC HEARINGS

3.a. Consideration of a Conditional Use Permit to allow a pick-up window in a C-3, Community Commercial District, for the Beloit Public Library property located at 605 Eclipse Boulevard

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

Motion made by Commissioner Robson, seconded by Commissioner Ruster to approve the Conditional Use Permit. Motion carried, roll call vote.

3.b. Consideration of Zoning Map Amendment from C-3, Community Commercial District, to PUD, Planned Unit Development District, for the properties located at 1405 Cranston Road and 2213 Advanced Drive

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

Chairman Weeden asked if the plan had changed since the Commission reviewed it. Ms. Christensen indicated that it had not.

Motion made by Commissioner Robson, seconded by Commissioner Ruster to approve the Zoning Map Amendment. Motion carried, roll call vote.

4. REPORTS

4.a. Resolution approving a one-Lot Extraterritorial Certified Survey Map (CSM) for the property located along S. Schroeder Road south of I-43 in the Town of Turtle

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

Commissioner Weeden asked if this parcel has always been one parcel. Ms. Christensen indicated that it is one parcel at this point, but the CSM will divide in into two. Commissioner Robson asked what this does for the property owner. Ms. Christensen states that it dedicates the additional right-of-way, and the remaining land still remains in agricultural use.

Frank McKearn mentioned when the Interstate went through initially, there was right-of-way dedicated, but there was not a requirement to plat the unplatted farm land.

Motion made by Commissioner Finnegan, seconded by Commissioner Robson to approve the CSM. Motion carried, roll call vote.

5. STATUS REPORT ON PRIOR PLAN COMMISSION ITEMS

The Council approved the easement for Prince Hall drive and the sidewalk easement for Beloit College on Monday.

Julie Christensen indicated that the next meeting will be September 9, 2020 with 8 items on the agenda. The vacation of short stub street on the west side, a CSM on Milwaukee Road, a sign ordinance exception, a conditional use permit (CUP) for an outdoor seating area, a CUP for DBA offices, and three applications related to new Boys and Girls Club.

6. ADJOURNMENT

Motion made by Commissioner Ruster, and seconded by Commissioner Robson. Motion passed, roll call vote. Meeting adjourned at 7:18 PM.



REPORT TO THE PLAN COMMISSION

Plan Commission Meeting Date: September 9, 2020

Agenda Item: 3(a) & 3(b)

File Number: PUD-2020-05 & ZMA-2020-05

General Information

Applicant: Stateline Boys & Girls Club

Owner: City of Beloit

Address/Location: 202 Maple Avenue, 1500 Shore Drive, and part of 1459 Sixth Street

Applicant's Request/Proposal: The Stateline Boys & Girls Club has submitted an application for review and consideration of a Planned Unit Development (PUD) - Master Land Use Plan for the redevelopment of the City-owned properties located at 202 Maple Avenue, 1500 Shore Drive, and part of 1459 Sixth Street. A copy of the PUD - Master Land Use Plan is attached to this report. The applicant has also submitted an application for a Zoning Map Amendment to change the zoning district classification from R-1B, Single-Family Residential to PUD, for the property located at 202 Maple Avenue and from PLI, Public Lands & Institutions District to PUD for the properties located at 1500 Shore Drive and part of 1459 Sixth Street.

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 buildings 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: This proposed redevelopment consists of the construction of a 23,700 square-foot Boys & Girls Club building, off-street parking lot, athletic fields, primary driveways on Shore Drive, and a secondary driveway on Sixth Street. A proposed Certified Survey Map (CSM) to create a 4.4-acre parcel for this redevelopment and a 1.9-acre parcel to be retained by the City as protected open space along the creek is also under review. The subject properties consist of vacant land along Maple Avenue and a gravel yard that was previously used as a west side storage area by the Public Works Department. The City acquired most land in this area as part of the Maple Avenue Redevelopment Plan in 2002-2004. The street was realigned and improved at that time, and the remaining residential structures were removed for future redevelopment possibilities. The City Council recently accepted the applicant's offer to purchase land for this project, contingent upon approval of a PUD-Master Land Use Plan, PUD zoning, and the CSM described above. The applicant is seeking approval of a PUD in order to allow institutional uses and to provide flexibility in building location.

Surrounding Land Use and Zoning: The subject properties are immediately west of the School District of Beloit Administrative Office, which was also developed as a PUD and completed last year. Lennigan Creek lies to the South and La Mexicana Grocery/Restaurant (C-3) lies west but is surrounded by the subject property.

Review Agent Comments: The City Engineer has reviewed the PUD Master Land Use Plan and made requests relating to driveway locations & design, and additional right-of-way dedication (on the CSM).

Zoning Ordinance Requirements:

Off-Street Parking: Community Service Uses must provide parking spaces in an amount equal to or exceeding 30% of capacity. The PUD Plan proposes 59 parking stalls, including 3 accessible stalls, which is ample parking for a youth club.

Density/Intensity and Dimensional Standards: The applicant has proposed a 16-foot setback from the Maple Avenue lot line and a 26-foot setback from the western side lot line shared with La Mexicana. The proposed parking lot with parent drop-off/pick-up areas is located east of the building on the Shore Drive side, and there is a proposed athletic field to the south on the creek side of the development. Note that the City Engineer’s review memo requests changes to the driveway layout.

Building Design: As shown in the attached renderings, the proposed building includes brick, precast concrete, and metal exterior finishes. The building also includes a fenced playground and entrance canopies. Note that the building will include a full-size gymnasium.

Signage: The applicant is proposing a monument sign at each driveway entrance and a Electronically Variable Message (EVM) sign at the corner of Maple Avenue and Sixth Street.

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.**

Although youth clubs are permitted under the current PLI zoning classification, they are not permitted on those portions of the site zoned R-1B. In addition, the PUD allows the proposed building to be closer to Maple Avenue than conventional zoning, which increases the overall walkability of the site.

2. **The PUD Master Land Use Plan complies with the PUD district standards of Section 5-300.**
As an infill project of significant scale, the proposed PUD will provide for efficient use of public utilities and vacant land, and will be an attractive campus that is compatible with adjacent uses.

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 properties are already served with the necessary utilities and facilities. The site is within walking distance of the BMHS campus and is served by bike/ped paths and transit.

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 recommendations to redevelop the site as a mixed use district.

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 plan will redevelop an underutilized site that has slim prospects of developing as a retail or mixed-use (residential over retail) site due to its distance from the interstate and downtown. The proposed plan will allow the Boys & Girls Club to be centrally located near the BMHS campus.

Zoning Map Amendment Findings of Fact: Based on Section 2-304 of the Zoning Ordinance, the Plan PUD-2020-05, Boys and Girls Club Redevelopment

Commission shall make a recommendation based on the following considerations:

1. **The existing use of property within the general area of the subject property.**
The proposed PUD is compatible with the adjacent commercial, institutional, and open space uses.
2. **The zoning classification of property within the general area of the subject property.**
The proposed PUD is consistent with both the adjacent School District PUD and the nearby restaurant.
3. **The suitability of the subject property for the uses permitted under the existing zoning classification.**
The subject property is suitable for the uses allowed in the PLI district, but not the R-1B district given its location on a relatively busy roadway.
4. **The trend of development and zoning map amendments in the general area of the subject property.**
The School District Administrative Office was developed as a PUD to the east of the subject property in 2018-2019, which extended the educational campus to Maple Avenue. The School District has prepared but not yet adopted a Campus Master Plan that would expand the campus to include the land south of the subject property, which could possibly include the extension of Shore Drive with a vehicle or pedestrian bridge over the creek. The Rock Bar & Grill lies across Maple Avenue and recently completed a substantial renovation of their outdoor dining and entertainment facilities.

STAFF RECOMMENDATION – PUD MASTER LAND USE PLAN:

The Planning & Building Services Division recommends **approval** of the PUD – Master Land Use Plan for the properties located at 202 Maple Avenue, 1500 Shore Drive, and part of 1459 Sixth Street, subject to the following conditions:

1. This approval authorizes the construction of a 23,700 square-foot Boys & Girls Club building, off-street parking lot, athletic fields, primary driveways on Shore Drive, and a secondary driveway on Sixth Street.
2. This approval shall not become effective unless and until the CSM creating the parcel to be conveyed from the City to the applicant is recorded, and the applicant purchases (closes) on Lot 1 of the CSM.
3. The minimum building setback shall be 15 feet from all lot lines for all buildings on site. The maximum building height shall be three stories. Two detached accessory buildings may be constructed on site.
4. The final site plan shall include driveway locations and designs that are acceptable to the City Engineer.
5. The applicant is allowed to construct a total of 3 (three) freestanding ground-mounted monument signs of no more than 150 square feet each. One of the signs may have an EVM panel up to 75 square feet as a secondary component to a non-EVM sign panel. A freestanding, exclusive EVM is prohibited.
6. Prior to issuance of a Building Permit, the applicant shall obtain site plan and architectural approval, which shall include a detailed review of all site, grading, utility, landscape, and lighting plans.
7. 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.

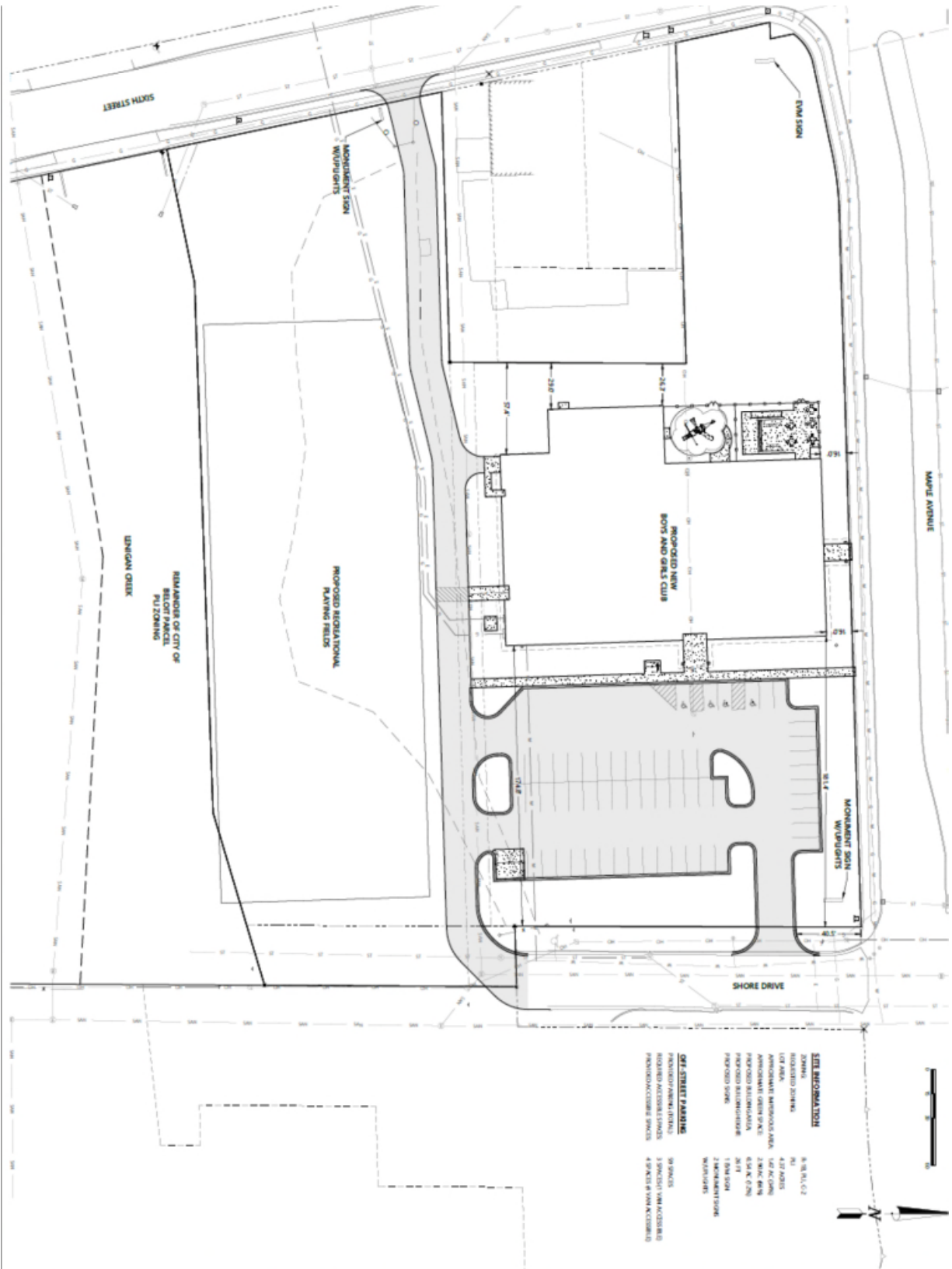
STAFF RECOMMENDATION – ZONING MAP AMENDMENT:

The Planning & Building Services Division recommends **approval** of a Zoning Map Amendment to change the zoning district classification from R-1B, Single-Family Residential to PUD, for the property located at 202 Maple Avenue and from PLI, Public Lands & Institutions District to PUD for the properties located at 1500 Shore Drive and part of 1459 Sixth Street.

ATTACHMENTS: Location Map, PUD - Master Plan, Renderings, Application, Public Notice, & Mailing List.

Location Map





SITE INFORMATION

APPLICANT	BOYS AND GIRLS CLUB
PROJECT NAME	BOYS AND GIRLS CLUB
PROJECT ADDRESS	1001 MONUMENT ST
PROJECT CITY	ST. LOUIS, MO
PROJECT COUNTY	ST. LOUIS COUNTY
PROJECT STATE	MISSOURI
PROJECT ZIP	63103
PROJECT PHONE	(314) 433-1234
PROJECT FAX	(314) 433-1234
PROJECT EMAIL	info@bgc.org
PROJECT WEBSITE	www.bgc.org
PROJECT CONTACT	BOYS AND GIRLS CLUB
PROJECT CONTACT TITLE	BOYS AND GIRLS CLUB
PROJECT CONTACT PHONE	(314) 433-1234
PROJECT CONTACT FAX	(314) 433-1234
PROJECT CONTACT EMAIL	info@bgc.org

NOT FOR CONSTRUCTION - NOT FOR CONSTRUCTION - NOT FOR CONSTRUCTION - NOT FOR CONSTRUCTION - NOT FOR CONSTRUCTION - NOT FOR CONSTRUCTION

1 OF 1 SHEETS	DESIGNED BY: ML DRAWN BY: LC CHECKED BY: ---	BOYS AND GIRLS CLUB PROPOSED SITE IMPROVEMENTS CITY OF BELLEVILLE	PUD SUBMITTAL EXHIBIT	SUBMITTED: 2020-08-14 REVIEWED: --- APPROVED: ---	
	PROJECT NO: --- SHEET NO: ---			DATE: --- TIME: ---	
	SCALE: ---				



STATELINE BOYS AND GIRLS CLUBS
JULY 13, 2020



STATELINE BOYS AND GIRLS CLUBS
JULY 13, 2020



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: _____

1. Address of subject property: 202 Maple Avenue, 1500 Shore Drive, part of 1459 Sixth Street
2. Legal description: See attached Preliminary CSM - Lot 1
If necessary attach a copy of the complete legal description.
3. Area of parcel in square feet or acres: 4.374 acres
4. Tax Parcel Number(s): 12620025, 12620045, part of 12630350
5. Owner of record: City of Beloit Phone: _____

<u>100 State Street</u>	<u>Beloit</u>	<u>WI</u>	<u>53511</u>
(Address)	(City)	(State)	(Zip)
6. Applicant's Name: Stateline Boys & Girls Clubs, Inc.

<u>1851 Moore Street</u>	<u>Beloit</u>	<u>WI</u>	<u>53511</u>
(Address)	(City)	(State)	(Zip)

608.365.8874 / _____ / _____
(Office Phone #) (Cell Phone #) (E-mail Address)
7. All existing use(s) on this property are: Vacant - Residential, Vacant - Commercial, Right-of-Way
8. The applicant requests review and approval of a **PLANNED UNIT DEVELOPMENT / Master Land Use Plan**: in a(n) R-1B, PLI, C-2 Zoning District.
9. A Preapplication Conference was held on: 08/12/2020.
10. All the proposed use(s) for this property will be:
Principal use(s): Physical Education Building
Secondary use(s): Outdoor Recreational Fields
11. State how the proposed development differs from the type of development that would be permitted under the existing zoning regulations. This project will provide a new Boys & Girls Club community center, parking lot, and outdoor playing fields.

12. Describe how the proposed development provides greater benefits to the City of Beloit than an otherwise permitted development. This proposed development addresses the need for a renovated physical education building and community center for the youth of the City of Beloit.

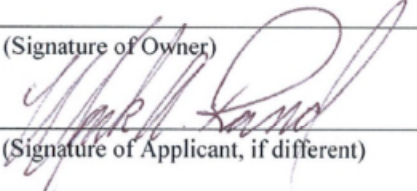
13. Project timetable: Start date: September 2020 Completion date: October 2021

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) <u>MARK A. RAND</u>	(Date) <u>8-13-2020</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: **\$200.00** Amount paid: _____ Meeting date: _____

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

Application accepted by: _____ Date: _____

COMMUNITY DEVELOPMENT DEPARTMENT

NOTICE TO THE PUBLIC

August 24, 2020

To Whom It May Concern:

The Stateline Boys & Girls Club has submitted an application for review and consideration of a Planned Unit Development (PUD) - Master Land Use Plan for the redevelopment of the City-owned properties located at **202 Maple Avenue, 1500 Shore Drive, and part of 1459 Sixth Street**. A copy of the PUD - Master Land Use Plan is attached. The applicant has also submitted an application to rezone the subject properties from R-1B, Single-Family Residential and PLI, Public Lands & Institutions to PUD.

This proposed redevelopment consists of the construction of a 23,700 square-foot Boys & Girls Club building, off-street parking lot, athletic fields, primary driveways on Shore Drive, and a secondary driveway on Sixth Street. A proposed Certified Survey Map (CSM) to create a 4.4-acre parcel to be acquired by the applicant for this redevelopment and a 1.9-acre parcel to be retained by the City as protected open space along the creek is also under review.

The following public hearings will be held regarding these applications:

City Plan Commission: Wednesday, September 9, 2020, 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, September 21, 2020, at 7:00 PM, or as soon thereafter as the matter can be heard in The Forum, Beloit City Hall, 100 State Street.

We are interested in your opinion.*

***Due to the COVID-19 crisis, members of the public are highly encouraged to provide oral or written comments to the Commission and City Council via alternative means. You may mail your comments to the attention of Drew Pennington at 100 State Street or via email to penningtond@beloitwi.gov. You may also call (608) 364-6711 to provide your comments over the phone. In-person attendance at Commission and Council meetings will be limited.**

PUD-2020-05 & ZMA-2020-05 Mailing List

Mark Rand
Boys & Girls Club

Tim Lindau
Attorney

Joe Stadelman
Architect

Nicholas Jayne
Engineer

JERD Company
1504 Sixth Street
Beloit, WI 53511

Beloit Special Machining Inc.
1504 Sixth Street
Beloit, WI 53511

Carniceria Y Taqueria La Mexicana LLC
1501 Sixth Street
Beloit, WI 53511

Agate & Lock Properties LLC
9531 S. Hidden Creek
Beloit, WI 53511

Sean Winters
School District of Beloit
1500 Fourth Street
Beloit, WI 53511

1450 4th Street LLC
C/O Adam Velarde
1624 West 18th Street
Chicago, IL 60608



REPORT TO THE PLAN COMMISSION

Plan Commission Meeting Date: September 9, 2020

Agenda Item: 3(c)

File Number: CU-2020-05

General Information

Applicant: Shauna El-Amin on behalf of the Downtown Beloit Association

Owner: Mickey and Doris Mattison

Address/Location: 557 E. Grand Avenue

Applicant's Request: The applicant has filed an application for a Conditional Use Permit to allow ground-floor office space in the CBD-1, Central Business District - Core, for the property located at 557 E. Grand Avenue.

Background

The applicant would like to use the first floor of the building as an office and event space. The application and elevations are attached. In an effort to encourage retail storefronts in the downtown, office uses are only allowed on the ground-floor in the CBD zoning district when reviewed & approved through a Conditional Use Permit.

Staff Analysis

Existing Conditions: The subject property contains a 1-story 5,000 square foot building with a small paved area. The previous tenant was Beloit Sports Center and Thorns Golf Carts. The subject property shares a small portion of driveway with the neighbor to the east. The building is near the intersection of E. Grand Avenue and Prospect Street and on the east side of the Business Improvement District.

Surrounding Land Use and Zoning: A parking lot and Hansen-Gravitt Funeral Home are located to the north, Infused Solace Massage Therapy and a multi-family residential building are to the east, F & F Tire World is to the south, and Domenico's is to the west of the subject property. All of the surrounding properties are zoned CBD-1, Central Business District – Core.

Proposed Ground-Floor Office Use:

The attached elevations illustrate the design concept. The applicant has proposed to relocate the Downtown Beloit Association office to the subject property. They intend to have an office space, a conference room, and an event space to host community events.

The attached Public Notice was sent to the owners of surrounding properties. An Architectural Review will need to be issued for any exterior changes. All exterior improvements and repairs must meet the Design Guidelines and Zoning Code requirements.

Off-Street Parking Requirements: There are no minimum off-street parking requirements in the Central Business District, which is served by on-street parking and City-owned public parking lots. The subject property will be served by the existing on-street parking along E. Grand Ave and Public Avenue. The existing off-street parking area on site will not be used as public or customer parking.

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 proposed Conditional Use Permit was sent to the City of Beloit Staff and Utility Contacts and they do not have comments.

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

- a. *Whether the establishment, maintenance, or operation of the conditional use will be detrimental to or endanger the public health, safety, morals, comfort, or general welfare;*
 - The proposed office use will not create any negative externalities in the CBD.
- 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 proposed office uses will largely operate during weekday daytime hours. The proposed events would be coordinated with the City and engage surrounding businesses.
- c. *Whether the conditional use will substantially diminish or impair property values within the neighborhood of the subject property;*
 - The addition of the Downtown Beloit Association would be a positive to this area of the city; the organization provides engaging events for local businesses and residents.
- d. *Whether the establishment of the conditional use will impede the normal and orderly development and improvement of the surrounding property;*
 - The surrounding area is fully developed.
- e. *Whether the exterior architectural design or site layout of the proposed conditional use is so dissimilar or otherwise incompatible with existing or proposed development in the immediate neighborhood that it will cause a depreciation in property values;*
 - Any proposed exterior changes will need an Architectural Review.
- f. *Whether adequate utilities, access roads, drainage or other necessary facilities will be available to serve the proposed use at the time of its occupancy or use;*
 - Adequate facilities and infrastructure are available and currently serve the property.
- g. *Whether adequate measures will be taken to minimize traffic congestion; and*
 - The proposed office use is not expected to generate any significant traffic, and parking demands will be fulfilled by existing on-street parking along E. Grand Ave.
- h. *Whether the conditional use will comply with all applicable regulations of the Zoning Ordinance.*
 - The proposed office use will comply with all other applicable regulations.

STAFF RECOMMENDATION:

The Planning & Building Services Division recommends **approval** of a Conditional Use Permit to allow ground-floor office space in the CBD-1, Central Business District - Core, for the property located at 557 E. Grand Avenue, based on the above Findings of Fact and subject to the following conditions:

1. This Conditional Use Permit authorizes the use of the ground floor in the building located at 557 E. Grand Avenue as office space.
2. All improvements and repairs to the exterior of the building must be in accordance with the Downtown Beloit Association Guidelines In order to promote an attractive main street environment.
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

Ordinance Requirements:

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

1. All proposed exterior changes must obtain an Architectural Review Certificate from the City's Planning Division. All alterations shall comply with the ground-floor transparency requirements for properties zoned CBD-1 and the Design Guidelines published by the Downtown Beloit Association.
2. All renovations to the space require a building permit and shall comply with the International Building Code and the Americans with Disabilities Act.
3. The maximum occupancy of the building shall be determined by the Building Official prior to issuance of a Certificate of Occupancy for the building, and shall be posted accordingly. The preliminary maximum occupancy has been determined to be 50 persons.
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 offices, or the CUP shall lapse and be of no further effect.

ATTACHMENTS: CUP Decision Form, Location & Zoning Map, Elevations, 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. All proposed exterior changes must obtain an Architectural Review Certificate from the City's Planning Division. All alterations shall comply with the ground-floor transparency requirements for properties zoned CBD-1.
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. All renovations to the space require a building permit and shall comply with the International Building Code and the Americans with Disabilities Act.
Substantial Evidence: The change in use from commercial to office and event space may require modifications to the building to meet code requirements. All building alterations must comply with the Building Code.

3. The maximum capacity of the building shall be determined by the Building Official prior to issuance of a Certificate of Occupancy for the building, and shall be posted accordingly. The preliminary maximum occupancy has been determined to be 50 persons.
Substantial Evidence: All commercial buildings must have a maximum occupancy posted in order to protect against overcrowding and to ensure patron safety.

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 offices, 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, **measurable**. Conditions may limit the permit's duration, transfer, or renewal.

List conditions imposed on the permit:

1. This Conditional Use Permit authorizes the use of the ground floor in the commercial building located at 557 E. Grand Avenue as office space.
Substantial Evidence: In an effort to encourage retail storefronts in the downtown, office uses are only allowed on the ground-floor in the CBD zoning district when reviewed & approved through a Conditional Use Permit.
2. All improvements and repairs to the exterior of the building must be in accordance with the Downtown Beloit Association Guidelines In order to promote an attractive main street environment.
Substantial Evidence: First floor fenestration, or the ability to see into a business, is a long-accepted Main Street design principle and is adopted into the zoning code for CBD properties.
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 & Zoning Map

557 E. Grand Avenue

CU-2020-05



Legend

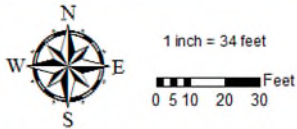
Zoning Classification

<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)



Legend
 Parcel Poly
 City Limits (Corp Poly)

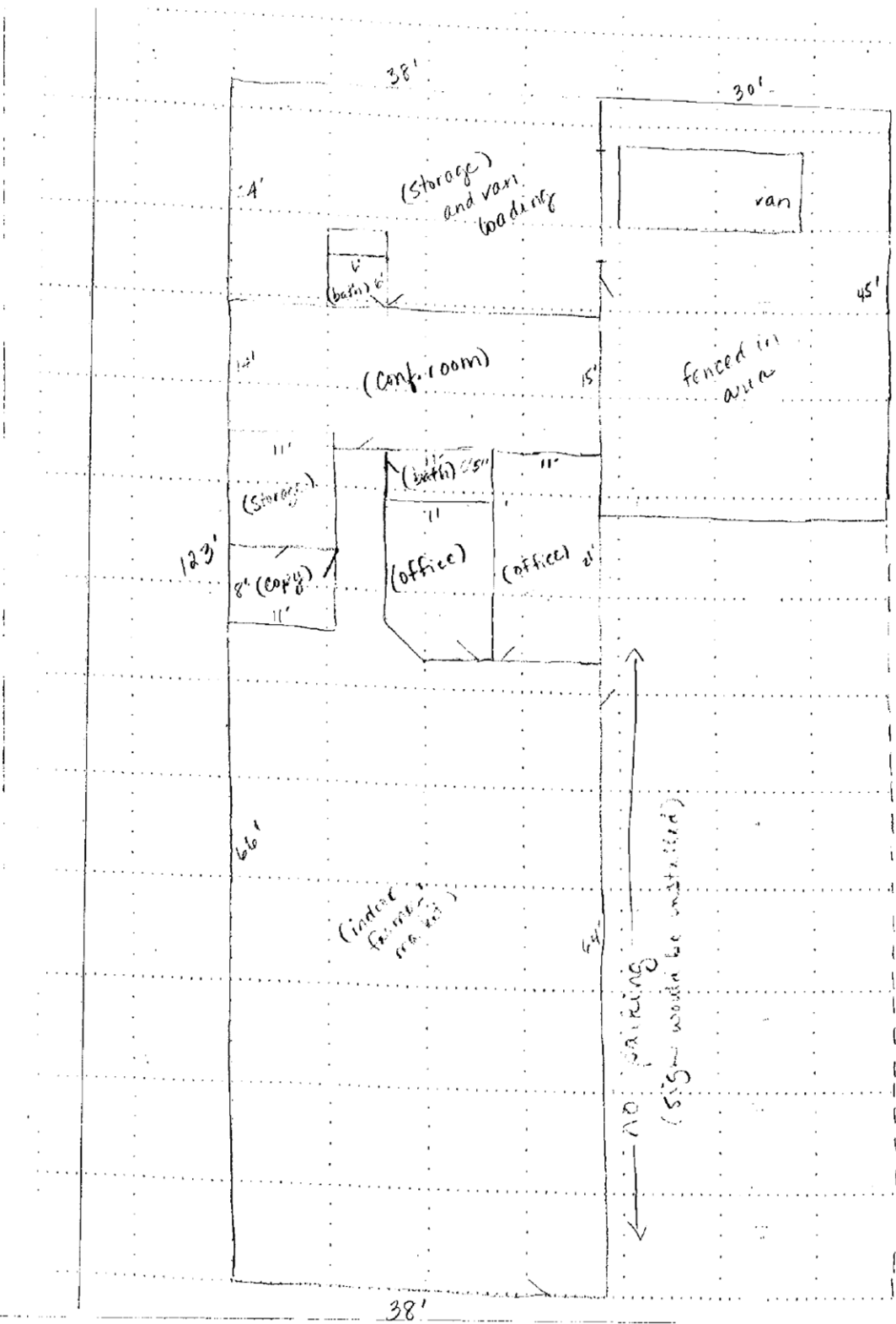
Map prepared by: Hilary Rottmann
 Date: May 2020
 For: City of Beloit Planning & Building
 Date of Aerial Photography: April 2016

PLANNING & BUILDING SERVICES DIVISION



DBA OFFICE / EVENT CENTER
FEBRUARY 22, 2020

- BELOIT, WI
JOE LAWNICZAK











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: _____

1. **Address of subject property:** 557 E. Grand Ave. _____

2. **Legal description:** L 8 B 57 Original Plat _____

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

Property dimensions are: 40 _____ feet by 125 _____ feet = 5,000 _____ square feet.

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

3. **Tax Parcel Number(s):** 13530900 _____

4. **Owner of record:** Mickey and Doris Mattison _____ Phone: 608-751-1201 _____

6261 W. Liberty Ave.	Beloit	WI	52511
(Address)	(City)	(State)	(Zip)

5. **Applicant's Name:** Shauna El-Amin, City of Beloit, doing business as Downtown Beloit Association

400 E. Grand Ave., Suite 300	Beloit	WI	53511
(Address)	(City)	(State)	(Zip)

608-313-1370	/ 608-481-0752	/ shauna@downtownbeloit.com
(Office Phone #)	(Cell Phone #)	(E-mail Address)

6. **All existing use(s) on this property are:** _____
formerly used as Beloit Sports Center and Thorns Golf Cars, currently vacant

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

A Conditional Use Permit for: 557 E. Grand Ave. _____

_____ in a(n) Central Business District _____ Zoning District.

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

Principal use: _____

Downtown Beloit Association offices, conference room and event space (would allow us to have a year round farmers market and hold other events inside during inclement weather)

Secondary use: _____

Accessory use: _____

9. Project timetable: **Start date:** May 1, 2020 **Completion date:** June 1, 2020

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

() Owner

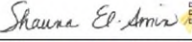
(✓) Leasehold, length of lease: 5 years

() 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>Shauna El-Amin</u>	/ <u>April 23, 2020</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 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: _____ Meeting date: _____

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

Application accepted by: _____ Date: _____



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

NOTICE TO THE PUBLIC

August 25, 2020

To Whom It May Concern:

Shauna El-Amin on behalf of the Downtown Beloit Association has filed an application for a Conditional Use Permit to allow ground-floor office space in the CBD-1, Central Business District - Core, for the property located at:

557 E. Grand Avenue.

The applicant would like to use the first floor of the building as an office and event space. In an effort to encourage retail storefronts in the downtown, office uses are only allowed on the ground-floor in the CBD when reviewed & approved through a Conditional Use Permit.

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

City Plan Commission: Wednesday, September 9, 2020, 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, September 21, 2020, 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.*

***Due to the COVID-19 crisis, members of the public are highly encouraged to provide oral or written comments to the Commission and City Council via alternative means. You may mail your comments to the attention of Hilary Rottmann at 100 State Street or via email to rottmanh@beloitwi.gov. Public comments and public input for the public hearing will be required, in writing, by noon on the day of the meeting. You may also call (608) 247-2965 to provide your comments over the phone. In-person attendance at Commission and Council meetings will be limited.**

HANSEN-GRAVITT FUNERAL
HOME INC
424 PROSEPCT ST
BELOIT WI 53511

PETER GABRIELE TRUSTEE
ANNA GABRIELE IRREVOCABLE
TRUST
313 OAK LEAF CT
ADAM W & CASSIE M
FJALSTAD
5000 E CTY RD X
BELOIT WI 53511

KNUEPPEL INVESTMENTS LLC
2745 FAWN CT
BELOIT WI 53511

HATTON FAMILY LLC
564 E GRAND AVE
BELOIT WI 535116314

JAY A CARPER
P O BOX 472
BELOIT WI 535120472

RVB PARTNERSHIP
548 BROAD ST
BELOIT WI 535116345

DAVID L COLES
942 DIVISION ST
BELOIT WI 53511

LEON & WILMA FOXEN NISSI
PROPERTIES
10703 S HICKORY CT
BELOIT WI 53511

REPORT TO THE PLAN COMMISSION

Plan Commission Meeting Date: September 9, 2020

Agenda Item: 3(d)

File Number: CU-2020-07

General Information

Applicant: Jesus Abreu

Owner: Julian Martinez

Address/Location: 1545 Prairie Avenue

Applicant's Request: The applicant has applied for a Conditional Use Permit to allow an outdoor seating area in the C-1, Office District, for the property located at 1545 Prairie Avenue.

Background

The applicant has proposed the construction of a 330 square foot enclosed outdoor seating area behind the building. The outdoor area would serve as seating for patrons. The Zoning Ordinance states that outdoor seating areas in the C-1 district are only allowed if reviewed and approved in accordance with the CUP review procedures. The applicant's client operates Johnny's Café, which will be relocating to the subject property. The restaurant use is permitted by-right in the C-1 district.

Staff Analysis

Existing Conditions: The building is currently vacant but was previously a screen printing and dog accessory businesses. An addition was demolished in the past year and the remaining building is 2,480 square-feet.

Surrounding Land Use and Zoning: To the north, is a single-family home zoned C-1 Office. To the east is the railroad and vacant land zoned R-1B Single-Family Residential. To the south are single-family homes zoned R-1B Single-Family. To the west is Luety Park zoned R-1B Single-Family Residential.

Proposed Outdoor Seating Area: The attached renderings illustrate the design concept. The attached Public Notice was sent to the owners of surrounding properties. Planning staff has not received any comments.

Off-Street Parking Requirements: The minimum off-street parking requirement is 11 parking spots and the site plan provides 13 parking spaces.

City of Beloit Comprehensive and Strategic Plan: The Comprehensive Plan's Future Land Use Map recommends Planned Mixed Use; this land use category is intended to facilitate a carefully controlled mix of commercial and residential uses. This request supports Strategic Goals #3 by creating economic growth.

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

Review Agent Comments: No comments were received from staff or utilities regarding 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:

- a. *Whether the establishment, maintenance, or operation of the conditional use will be detrimental to or endanger the public health, safety, morals, comfort, or general welfare;*
 - Subject to conditions of approval the proposed outdoor seating area is not expected to be detrimental to public health or welfare.
- b. *Whether the conditional use will be injurious to the use and enjoyment of other property in the immediate vicinity for purposes already permitted;*
 - The improvement and occupancy of the subject property as a restaurant will be a positive addition to the neighborhood.
- c. *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 business and is consistent with commercial uses in the zoning district.
- d. *Whether the establishment of the conditional use will impede the normal and orderly development and improvement of the surrounding property;*
 - The surrounding area is fully developed.
- e. *Whether the exterior architectural design or site layout of the proposed conditional use is so dissimilar or otherwise incompatible with existing or proposed development in the immediate neighborhood that it will cause a depreciation in property values;*
 - The proposed outdoor seating area will consist of materials, furnishings, and accessories that are compatible with the architectural and landscaping code.
- f. *Whether adequate utilities, access roads, drainage or other necessary facilities will be available to serve the proposed use at the time of its occupancy or use;*
 - Adequate facilities and infrastructure are available and currently serve the property.
- g. *Whether adequate measures will be taken to minimize traffic congestion; and*
 - The amount of parking provided exceeds the minimum code requirement.
- h. *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 C-1, Office District, for the property located at 1545 Prairie Avenue, 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.
2. Music may not be played in the outdoor seating area after 10:00 PM.
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.

Ordinance 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. 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. 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 as shown in the application attachment A.

Substantial Evidence: The Zoning Ordinance states that outdoor seating areas in the C-1 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, this condition is being imposed.

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:

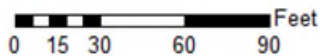
Location Map

1545 Prairie Avenue

CU-2020-07



1 inch = 57 feet



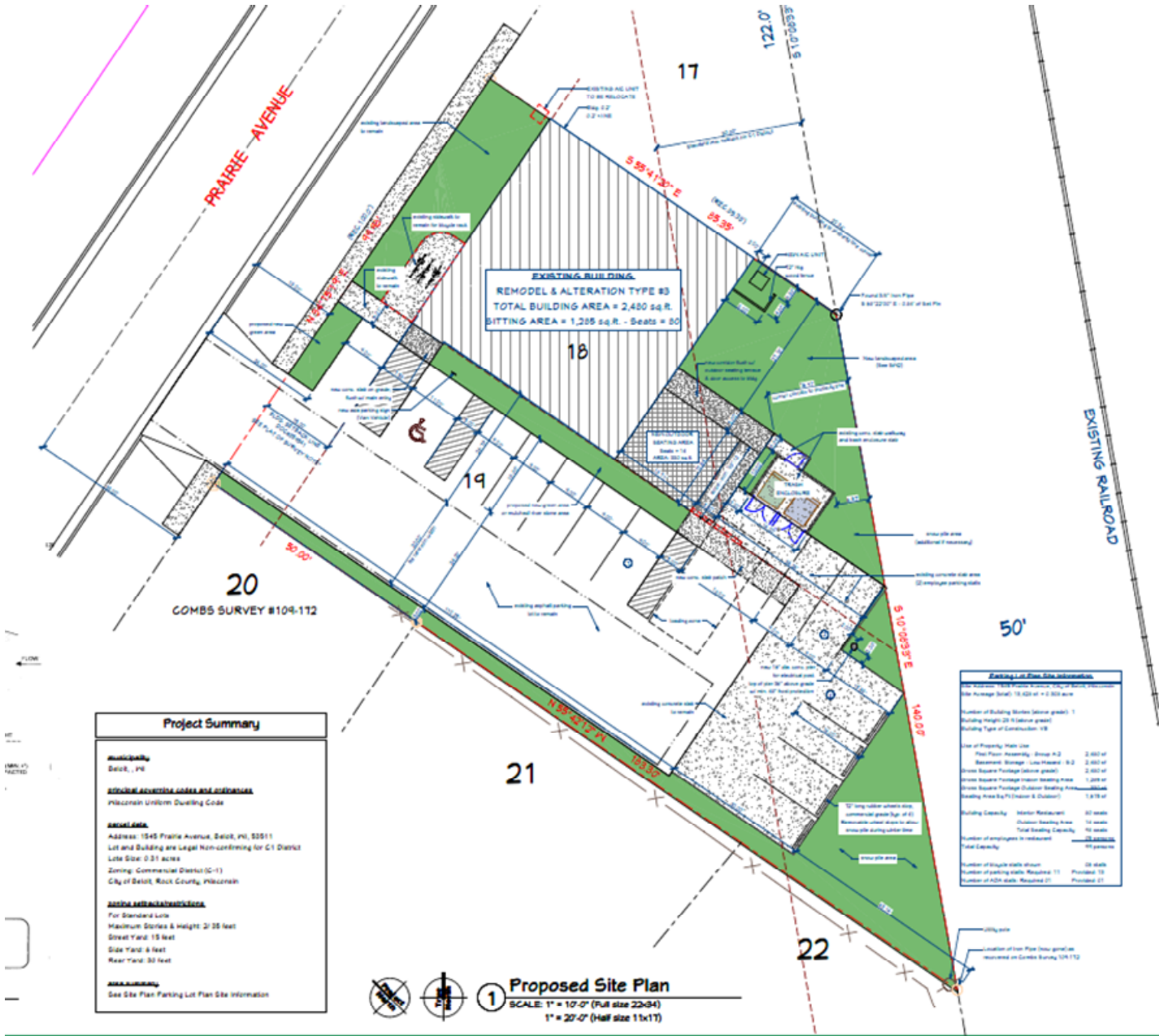
Legend

- Parcel Poly
- City Limits (Corp Poly)

Map prepared by: Hilary Rottmann
Date: September 2020
For: City of Beloit Planning & Building
Date of Aerial Photography: April 2016

PLANNING & BUILDING SERVICES DIVISION

Attachment A



Proposed Renovation



STREET VIEW



REAR VIEW



SIDE VIEW

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: _____

1. Address of subject property: 1545 PRAIRIE AVENUE

2. Legal description: Lots 18 & 19 of George Luetz Addition

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

Property dimensions are: 100ft (w) feet by VARIABLES ^(TRIANGULAR SHAPE) feet = 13,428 square feet. (0.308 AC)

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

3. Tax Parcel Number(s): _____

4. Owner of record: _____ Phone: _____

(Address)

(City)

(State)

(Zip)

5. Applicant's Name: Julian Martinez

(Address)

(City)

(State)

(Zip)

(Address)

(City)

(State)

(Zip)

(Office Phone #)

(Cell Phone #)

(E-mail Address)

6. All existing use(s) on this property are: B-Commercial

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

A Conditional Use Permit for: Outdoor Seating Area

in a(n) Nonconforming Lot & Bldg - C1 Zoning District.

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

Principal use: Restaurant with less than 100 people

w/ a Basement (Non-occupied) for low Hazard
Storage only

Secondary use: _____

Accessory use: Outdoor Seating Area (330 sf) as a result
of easy & less expensive answer for the owner to
provide Roof/Floor Cap to an uncovered existing basement
area.

9. Project timetable: Start date: September 2020 Completion date: December 2020

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

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

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

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

_____ / Julian Martinez / 08/07/20
(Signature of Owner) (Print name) (Date)
 _____ / _____ / _____
(Signature of Applicant, if different) (Print name) (Date)

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

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

To be completed by Planning Staff	
Filing fee: \$275.00 Amount paid: _____ Meeting date: _____	
No. of notices: _____ x mailing cost (\$0.50) = cost of mailing notices: \$ _____	
Application accepted by: _____ Date: _____	



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www.beloitwi.gov
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NOTICE TO THE PUBLIC

August 25, 2020

To Whom It May Concern:

Jesus Abreu on behalf of Julian Martinez, has filed an application for a Conditional Use Permit to allow an outdoor seating area in the C-1 Office District, for the property located at:

1545 Prairie Avenue

The applicant has proposed the construction of a 330 square foot enclosed outdoor seating area behind the building. The outdoor area would serve as seating for patrons.

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

City Plan Commission: Wednesday, September 9, 2020, 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, September 21, 2020, 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.*

***Due to the COVID-19 crisis, members of the public are highly encouraged to provide oral or written comments to the Commission and City Council via alternative means. You may mail your comments to the attention of Hilary Rottmann at 100 State Street or via email to rottmanh@beloitwi.gov. Public comments and public input for the public hearing will be required, in writing, by noon on the day of the meeting. You may also call (608) 247-2965 to provide your comments over the phone. In-person attendance at Commission and Council meetings will be limited.**

JAMES A RELERFORD
1961 S WISCONSIN AVE
BELOIT WI 53511

SOO LINE RAILROAD COMPANY
120 S 6TH ST STE 190 ATTN: REAL ESTATE
MINNEAPOLIS MN 55402

ATTN: REAL ESTATE DEPT WISCONSIN
POWER & LIGHT CO
4902 N BILTMORE LN
MADISON WI 53707

RENT A STALL INC
612 FOURTH ST
BELOIT WI 535116208

THERESE M MASANZ RICKY E
MARR
1471 CENTRAL AVE
BELOIT WI 53511

JOHN AND BARBARA SARNOW
REV TRUST
780 W PLACITA NUEVA GREEN
VALLEY AZ 85614

SERGIO SANCHEZ
1463 CENTRAL AVE
BELOIT WI 53511

KRISTA'S INC
1300 BUSHNELL ST
BELOIT WI 53511



REPORT TO THE PLAN COMMISSION

Plan Commission Meeting Date: September 9, 2020

Agenda Item: 3(e)

File Number: SOE-2020-02

General Information

Applicant: Eric Rohs of Sign Effectz, Inc.

Owner: PH Beloit LLC

Address/Location: Qdoba, 2777 Milwaukee Road

Applicant's Request: Exception to Section 30.40(2)(c) of the Sign Ordinance to allow three (3) secondary, on-premises signs larger than 30 square feet in area.

Staff Analysis

Request Details: There are three existing wall signs on the Qdoba restaurant: two 45 square-foot channel letter signs allowed by a 2014 Sign Ordinance Exception and one 70 square-foot channel letter sign facing Milwaukee Road that serves as the primary sign. The applicant is seeking this approval to classify all three existing signs as secondary, thereby allowing the construction of a new primary ground sign closer to the Milwaukee Road/Cranston Road intersection. The applicant intends to replace the existing wall signs with new brand imagery as shown in the attached renderings.

Property Info: This commercial development was constructed in 2014 and includes the Qdoba restaurant space and a dental clinic. The 1.16-acre property is zoned C-2, Neighborhood Commercial and is located at the corner of Milwaukee Road & Cranston Road. The property is accessed from shared driveways utilized by the adjacent businesses. The property has 360-degree visibility due to these shared driveways and includes a drive-through for Qdoba allowed by a Conditional Use Permit issued when the site was developed. After the City constructed sidewalks along Milwaukee Road and Cranston Road, Planning staff reached out to the property owner to encourage them to construct private sidewalk connections, and they completed that work last fall so that the site is fully walkable.

Applicant's Hardship Argument: According to the applicant, keeping the largest wall sign classified as the primary sign would prevent Qdoba from constructing a primary ground sign closer to the Milwaukee Road/Cranston Road intersection and stoplights. A primary ground sign in this location can be up to 150 square feet in area and 20 feet in height.

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

determines that:

- a. *Compliance with the strict letter of the Sign Ordinance would create an economic hardship by either unreasonably restricting an on-premises sign owner from advertising a business or rendering conformity with such regulations unnecessarily burdensome upon an owner of an on-premises sign.*
 - Preventing the construction of a ground-mounted sign for this commercial development, or limiting said sign to only 30 square feet as a secondary sign, may create hardship for the business by limiting its visibility to interstate travelers stopping in the City of Beloit.
- b. *The hardship is not self-created.*
 - The need for a ground sign was still being evaluated when the 2014 exception and original sign package were approved, and six years of operations has demonstrated the need for greater visibility along this busy commercial corridor.
- c. *The exception will not undermine the purpose of the Sign Ordinance or the public interest.*
 - If approved and constructed, Qdoba will have one primary sign and three secondary signs as allowed by the Sign Ordinance. Although the secondary signs will exceed thirty square feet in area, they are proportionate to the size of the building and compatible with surrounding development. In addition, the front wall sign will actually be smaller than the existing sign by five square feet.

STAFF RECOMMENDATION:

The Planning & Building Services Division recommends approval of an exception to Section 30.40(2)(c) of the Sign Ordinance to allow three (3) secondary, on-premises signs larger than 30 square feet in area, for the Qdoba property located at 2777 Milwaukee Road, based on the above Findings of Fact and subject to the following conditions:

1. This approval authorizes three (3) secondary, on-premises wall signs consisting of channel letters as depicted on the attached renderings. The approved signs are limited to 65, 45, and 45 square feet in area. A Sign Permit is required prior to construction of any and all signs.
2. Any major changes in the adopted conditions of this Sign Ordinance Exception shall be approved by the Plan Commission. The Director of Planning & Building Services may approve minor changes administratively.

ATTACHMENTS: 2014 Exception, Sign Renderings, Application, Public Notice, and Resolution.

**RESOLUTION AUTHORIZING AN EXCEPTION TO SECTION 30.40 (2)(C) OF
THE OUTDOOR SIGN ORDINANCE FOR THE PROPERTY
LOCATED AT 2777 MILWAUKEE ROAD**

WHEREAS, the application of Sign Effectz, Inc. on behalf of Qdoba for an exception to Section 30.40(2)(c) to allow two (2) secondary, on-premises wall signs to exceed 30 square feet in area in a C-2, Neighborhood Commercial District, for the property located at 2777 Milwaukee Road, having been considered by the Plan Commission of the City of Beloit, Wisconsin at a public hearing held for that purpose.

NOW, THEREFORE, IT IS HEREBY RESOLVED, that the Plan Commission of the City of Beloit, Rock County, Wisconsin does hereby grant an exception to Section 30.40(2)(c) of the Sign Ordinance to allow two (2) secondary, on-premises wall signs to exceed 30 square feet in area, for the property located at 2777 Milwaukee Road in the City of Beloit, for the following described premises:

Lot 1 of Certified Survey Map, Recorded in Volume 1 on Page 75 and Parcel A of a Plat of Survey recorded 08/07/2012 as part of DOC1954530, located in the City of Beloit, Rock County, Wisconsin. Said parcel contains 1.1600 acres, more or less (a/k/a 2777 Milwaukee Road).

This exception is subject to the following conditions:

1. The applicant may mount two (2) secondary wall signs, both 45-square feet in area, on the North and ~~South~~^{West} elevations of the building.
2. The applicant shall obtain an Architectural Review Certificate and Sign Permit before installing the signs.
3. Any major changes in the adopted conditions of this Sign Ordinance Exception shall be approved by the Plan Commission. The Director of Planning & Building Services may approve minor changes administratively.

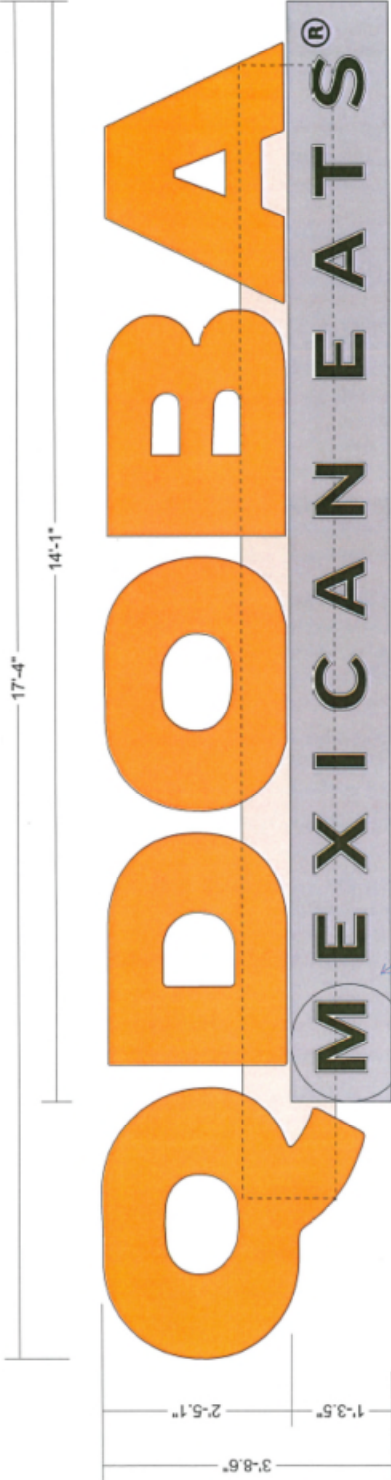
Adopted this 21st day of May, 2014.

PLAN COMMISSION


James Faragher, Plan Commission Chairman

ATTEST:

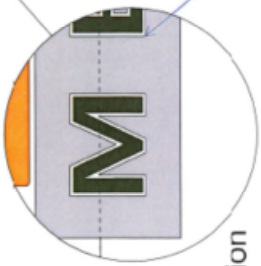

Julie Christensen, Community Development Director



65 Sq. Ft.

.150" THK WHITE POLY FACE W/ 1ST SURFACE
 APPLIED 3M 7725-120 'SATIN ALUMINUM' W/
 COPY 'WEDED TO SHOW LETTER REVEAL IN 'WHITE'
 * TRIMCAP COLOR IS JEWELITE METALLIC SILVER

COPY IS MASKED/ PAINTED TO MATCH PMS 5743C 'DARK GREEN'
 DIRECTLY TO 1ST SURFACE OF #7328 WHITE ACRYLIC. 3/16" REVEAL TO
 SHOW 3/16" OUTLINE TO GREEN COPY ALL AROUND



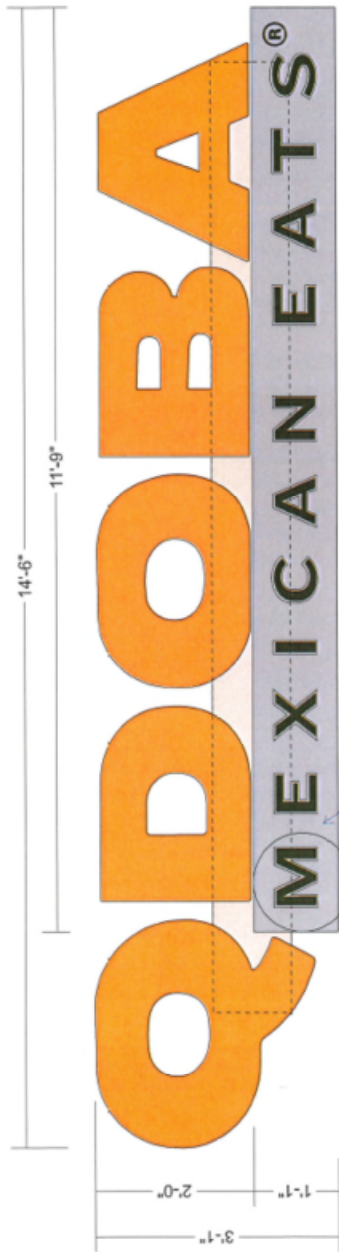
South Elevation



Existing sign



SignEffectz, Inc SIGN / LIGHTING www.signeffectz.com		CUSTOMER: Qdoba 2777 Milwaukee Rd. Beloit WI 53511	Signature: _____ Date: _____																		
DISCLAIMER: This is an original design created for Sign Effectz. The submitted design protected under copyright laws of the United States and other countries. All rights reserved. No liability is assumed for any reproduction or use of this design without the written consent of Sign Effectz.																					
REVISIONS: <table border="1"> <tr><td>Rev A</td><td>By _____</td><td>Date _____</td></tr> <tr><td>Rev B</td><td>By _____</td><td>Date _____</td></tr> <tr><td>Rev C</td><td>By _____</td><td>Date _____</td></tr> <tr><td>Rev D</td><td>By _____</td><td>Date _____</td></tr> <tr><td>Rev E</td><td>By _____</td><td>Date _____</td></tr> <tr><td>Rev F</td><td>By _____</td><td>Date _____</td></tr> </table>				Rev A	By _____	Date _____	Rev B	By _____	Date _____	Rev C	By _____	Date _____	Rev D	By _____	Date _____	Rev E	By _____	Date _____	Rev F	By _____	Date _____
Rev A	By _____	Date _____																			
Rev B	By _____	Date _____																			
Rev C	By _____	Date _____																			
Rev D	By _____	Date _____																			
Rev E	By _____	Date _____																			
Rev F	By _____	Date _____																			
DRAWING:		Order #:	Date: 06/10/23																		
Scale: DLX - Drawn by: DLX		Scale: 1/2"=1'																			



45 Sq. Ft.

- .150" THK WHITE POLY FACE W/ 1ST SURFACE APPLIED 3M 7725-120 'SATIN ALUMINUM' W/ COPY WEED TO SHOW LETTER REVEAL IN 'WHITE'
- * TRIMCAP COLOR IS JEWELITE METALLIC SILVER

COPY IS MASKED/ PAINTED TO MATCH PMS 5743C 'DARK GREEN' DIRECTLY TO 1ST SURFACE OF #7328 WHITE ACRYLIC. 3/16" REVEAL TO SHOW 3/16" OUTLINE TO GREEN COPY ALL AROUND

North Elevation



Existing sign



SignEffectz, Inc
SIGN / LIGHTING
www.signeffectz.com

CUSTOMER: Qdoba
2777 Milwaukee Rd.
Beloit WI 53511

Signature: _____ **Date:** _____

DISCLAIMER:
This is an original design created by Sign Effectz. The submitted design protected under copyright laws of the United States. Any reproduction or use of this design without the written consent of Sign Effectz, Inc. is strictly prohibited. Any use of this design by you with any other party, nor will you permit any other party to use this design without the written consent of Sign Effectz, Inc.

REVISIONS:

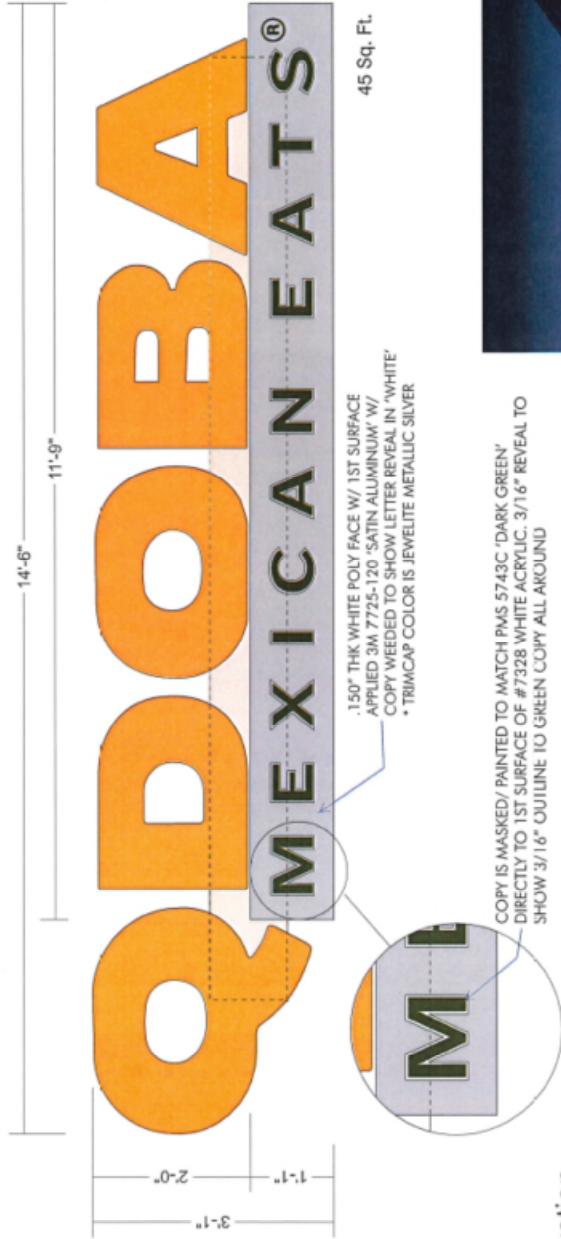
Rev	By	Date
Rev A		
Rev B		
Rev C		
Rev D		
Rev E		
Rev F		

DRAWING:

Order #: _____

Date: 08/10/23 **Drawn by:** DUL

Scale: 1/2"=1'



COPY IS MASKED/ PAINTED TO MATCH PMS 5743C "DARK GREEN" DIRECTLY TO 1ST SURFACE OF #7328 WHITE ACRYLIC. 3/16" REVEAL TO SHOW 3/16" OUTLINE TO GREEN COPY ALL AROUND

West Elevation



Recover Awning to be determined.



Existing sign

SignEffectz, Inc
SIGN / LIGHTING
www.signeffectz.com

CUSTOMER: Qdoba
2777 Milwaukee Rd.
Beloit WI 53511

Signature: _____ Date: _____

DISCLAIMER:
This is an original design created by Sign Effectz. The client agrees to indemnify and hold Sign Effectz, Inc. harmless for any and all liability arising out of the foregoing and shall be responsible for obtaining all necessary permits and approvals from the appropriate authorities. Sign Effectz, Inc. shall not be held liable for any damages or loss of any kind resulting from the use of the foregoing without the written consent of Sign Effectz.

REVISIONS:

Rev A	By _____	Date _____
Rev B	By _____	Date _____
Rev C	By _____	Date _____
Rev D	By _____	Date _____
Rev E	By _____	Date _____
Rev F	By _____	Date _____

DRAWING:

Order #: _____
Date: 06/10/20
Sales: DLJ Drawn by: DLN
Scale: 1/2"=1'

AUG 06 REC'D

CITY of BELOIT

Planning & Building Services Division

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

Sign Ordinance Exception Application Form

(Please Type or Print) File number: SOE-2020-02

1. Name of applicant: Eric Rohs - Sign Effectz, Inc. Phone #: 262-220-9220
1823 W. Glendale Ave. Milwaukee WI 53209
(Address) (City) (State) (Zip)

2. Address of subject property: 2777 Milwaukee Road, Unit A

3. Tax Parcel Number(s): 22980800

4. Legal description: L 1 CSM VOL 1 PG 75 & PARCEL A OF POS REC 08/07/12 AS DOC 1954530

5. Present zoning: C-2 Present use: Multi Tenant Retail/Restaurant - Qdoba

6. Proposed use (if different): _____

7. Owner of record: PH BELOIT LLC Phone: _____
241 N Broadway, STE 501 Milwaukee WI 53202
(Address) (City) (State) (Zip)

E-mail address: _____

8. State specific sections of code and exception(s) requested: (Use separate sheet if necessary)
We are requesting the 2014 approval, which allowed for (1) One "primary" wall sign at 70 sq. ft. and (2) Two "secondary" wall signs at 45 sq. ft. each, be amended to classify all (3) Three as "secondary" wall signs. We are requesting the 70/45/45 sq. ft. allowed remains the same. These (3) Three wall signs will be the only signs on the building. We want to remove the signs that were approved in 2014 and install new signs that reflect Qdoba's new corporate image.

9. State specific hardship experienced by the applicant: (Use separate sheet if necessary)
We would like to install a new ground sign as the "primary" sign.

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

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

Michael Pranke / Michael Pranke / 7/28/2020
 (Signature of Owner) (Print name) (Date)

Eric Rohs / Eric Rohs / July 8th, 2020
 (Signature of Applicant, if different) (Print name) (Date)

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

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

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

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

To be completed by Planning staff	
Filing fee: \$100.00	Amount paid: <u>\$100.-</u> Meeting date: <u>Sept. 9, 2020</u>
Application accepted by: <u>Don Pennington</u>	Date: <u>AUG 06 REC'D</u>
No. of notices: _____	x mailing cost (\$0.50) = cost of mailing notices: \$ _____
Date Notice Published: _____	Date Notice Mailed: _____

COMMUNITY DEVELOPMENT DEPARTMENT

NOTICE TO THE PUBLIC

August 25, 2020

To Whom It May Concern:

Eric Rohs of Sign Effectz, Inc. has filed an application for an exception to Section 30.40(2)(c) of the Outdoor Sign Regulations (the "Sign Ordinance") to allow three (3) secondary, on-premises signs larger than 30 square feet in area, for the property located at:

Qdoba, 2777 Milwaukee Road.

There are three existing wall signs on the Qdoba restaurant: two 45 square-foot signs allowed by a 2014 exception approval and one 70 square-foot sign that serves as the primary sign. The applicant is seeking this approval to classify all three existing signs as secondary, thereby allowing the construction of a new primary ground sign closer to the Milwaukee Road/Cranston Road intersection. The applicant will be replacing the existing wall signs with new brand imagery.

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

City Plan Commission: Wednesday, September 9, 2020, at 7:00 PM, or as soon thereafter as the matter can be heard in The Forum, Beloit City Hall, 100 State Street.

We are interested in your opinion.*

***Due to the COVID-19 crisis, members of the public are highly encouraged to provide oral or written comments to the Commission via alternative means. You may mail your comments to the attention of Drew Pennington at 100 State Street or via email to penningtond@beloitwi.gov. You may also call (608) 364-6711 to provide your comments over the phone. In-person attendance at Commission meetings will be limited.**

**RESOLUTION AUTHORIZING AN EXCEPTION TO SECTION 30.40 (2)(C) OF
THE SIGN ORDINANCE FOR THE PROPERTY
LOCATED AT 2777 MILWAUKEE ROAD**

WHEREAS, the application of Sign Effectz, Inc. on behalf of Qdoba for an exception to Section 30.40(2)(c) of the Sign Ordinance to allow three (3) secondary, on-premises signs larger than 30 square feet in area in a C-2, Neighborhood Commercial District, for the property located at 2777 Milwaukee Road, having been considered by the Plan Commission of the City of Beloit, Wisconsin at a public hearing held for that purpose.

NOW, THEREFORE, IT IS HEREBY RESOLVED, that the Plan Commission of the City of Beloit, Rock County, Wisconsin does hereby grant an exception to Section 30.40(2)(c) of the Sign Ordinance to allow three (3) secondary, on-premises signs larger than 30 square feet in area, for the property located at 2777 Milwaukee Road in the City of Beloit, for the following described premises:

Lot 1 of a Certified Survey Map recorded in Volume 1 on Page 75 and Parcel A of a Plat of Survey recorded 08/07/2012 as Document No. 1954530, located in the City of Beloit, Rock County, Wisconsin. Said parcel contains 1.16 acres, more or less.

This exception is subject to the following conditions:

1. This approval authorizes three (3) secondary, on-premises wall signs consisting of channel letters as depicted on the attached renderings. The approved signs are limited to 65, 45, and 45 square feet in area. A Sign Permit is required prior to construction of any and all signs.
2. Any major changes in the adopted conditions of this Sign Ordinance Exception shall be approved by the Plan Commission. The Director of Planning & Building Services may approve minor changes administratively.

Adopted this 9th day of September, 2020.

PLAN COMMISSION

Tim Weeden, Plan Commission Chairman

ATTEST:

Julie Christensen, Community Development Director



REPORT TO THE PLAN COMMISSION

Plan Commission Meeting Date: September 9, 2020

Agenda Item: 4(a)

File Number: CSM-2020-16

General Information

Applicant: R.H. Batterman & Co., Inc., on behalf of the Stateline Boys & Girls Club

Owner: City of Beloit

Address/Location: 202 Maple Avenue, 1500 Shore Drive, and 1459 Sixth Street

Applicant's Request: 2-Lot Certified Survey Map (CSM)

Staff Analysis

Background Info: R.H. Batterman & Co., Inc., on behalf of the Stateline Boys & Girls Club, has submitted an Application for the Review of a Minor Subdivision and a 2-Lot CSM for the City-owned properties located at 202 Maple Avenue, 1500 Shore Drive, and 1459 Sixth Street.

CSM Details: The City Council recently accepted an offer to purchase a portion of the subject properties for redevelopment as a new Boys & Girls Club facility, contingent upon approval of a PUD-Master Land Use Plan, PUD zoning, and the CSM attached hereto. As shown on the CSM, the Boys & Girls Club will acquire proposed Lot 1 (4.4 acres) between the creek and Maple Ave. The City will retain proposed Lot 2 (1.9 acres) along both sides of the creek and corresponding floodplain. The proposed PUD-Master Land Use Plan includes a proposed 23,700 square-foot building, off-street parking lot, athletic fields, and driveways on proposed Lot 1. Lot 2 will remain undeveloped. Proposed Lot 1 includes a 15-foot sanitary sewer easement for an existing sewer main to be retained and protected during construction, along with two proposed stormwater easements for existing stormwater mains. Proposed Lot 2 will remain City-owned and protected open space, and will remain zoned PLI, Public Lands & Institutions. The CSM dedicates the northernmost 20 feet of Lot 1 to the public. This area is already improved as Maple Avenue roadway/terrace/sidewalk, and the dedication simply reaffirms this public use.

Review Agent Comments: The City Engineer has requested the dedication of right-of-way to extend Shore Drive to the creek in the event that a future bridge connection to the future BMHS campus is needed. This will reduce the size of Lot 1 slightly. A 10-foot access easement along the south line of Lot 1 and detailed easement language for all City easements was also requested on the final CSM.

STAFF RECOMMENDATION:

The Planning & Building Services Division recommends **approval** of the attached 2-Lot Certified Survey Map (CSM) for the properties located at 202 Maple Avenue, 1500 Shore Drive, and 1459 Sixth Street, subject to the following conditions:

1. The final CSM shall include the easement language requested by City staff.
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.

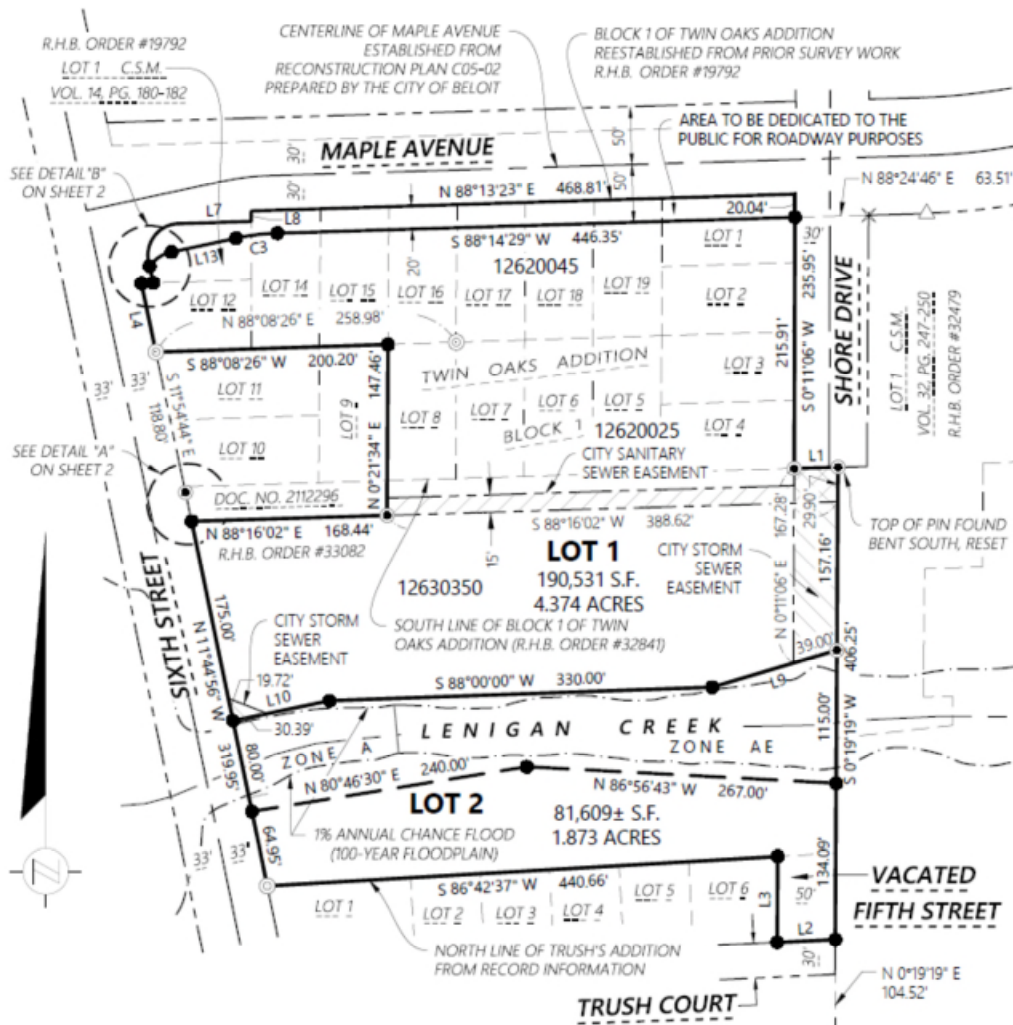
ATTACHMENTS: Location Map, Proposed CSM, and Application.

Location Map (CSM Boundary in Blue)



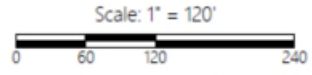
PRELIMINARY CERTIFIED SURVEY MAP


OF LOTS 1, 2, 3, 4, 5, 6, 7, 8, 12, 14, 15, 16, 17, 18, 19 OF BLOCK 1
OF TWIN OAKS ADDITION, LOT 1 OF CERTIFIED SURVEY MAP
DOCUMENT NO. 1103863, AND ALSO LANDS PART OF
GOVERNMENT LOT 3 OF SECTION 26, T. 1 N., R. 12 E., OF THE
4TH P.M., CITY OF BELOIT, ROCK COUNTY, WISCONSIN.



- LEGEND**
- Iron Rebar Set
3/4" x 24"(1.5 Lbs./Ft.)
 - 3/4" Iron Rebar Found
 - ⊙ Iron Pipe Found
 - ⊗ Scribe Found
 - (XXX.XX) Record Information

NOTE: SEE SHEET 2 FOR LINE AND CURVE
DIMENSION TABLES.

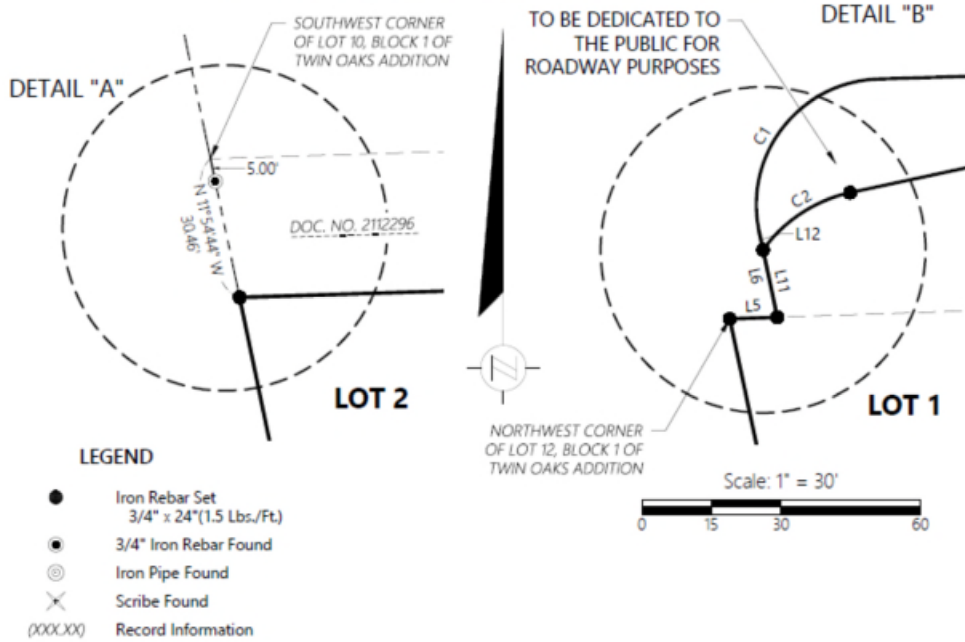


<p>ORDER NO: 33596 FIELD CREW: DE DRAWN BY: KJB DATED: AUGUST 5, 2020 SHEET 1 OF 2</p>	<p>FOR THE EXCLUSIVE USE OF: CITY OF BELOIT 100 STATE STREET BELOIT, WI 53511</p>	<p>Batterman engineers surveyors planners 2857 Bertels Drive Beloit, Wisconsin 53511 608.365.4464 www.rhbatterman.com</p> 
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File Name: J:\33500-33599\33596 - AYA - Maple Ave\SURVEY\RHB DRAWING FILES

PRELIMINARY CERTIFIED SURVEY MAP

OF LOTS 1, 2, 3, 4, 5, 6, 7, 8, 12, 14, 15, 16, 17, 18, 19 OF BLOCK 1
OF TWIN OAKS ADDITION, LOT 1 OF CERTIFIED SURVEY MAP
DOCUMENT NO. 1103863, AND ALSO LANDS PART OF
GOVERNMENT LOT 3 OF SECTION 26, T. 1 N., R. 12 E., OF THE
4TH P.M., CITY OF БЕЛОIT, ROCK COUNTY, WISCONSIN.



LINE TABLE		
LINE #	LENGTH	DIRECTION
L1	37.73	N 88°25'12" E
L2	50.07	S 87°19'18" W
L3	73.88	N 00°19'19" E
L4	59.94	N 12°03'03" W
L5	10.27	N 88°04'28" E
L6	18.93	N 12°03'03" W
L7	62.89	N 88°13'23" E
L8	9.02	N 00°08'17" E
L9	112.13	S 73°21'59" W
L10	85.00	S 78°15'04" W
L11	14.79	N 12°03'03" W
L12	4.14	N 12°03'03" W
L13	56.92	N 77°58'07" E

CURVE TABLE					
CURVE NO.	DELTA	RADIUS	ARC	CHORD BEARING	CHORD LENGTH
C1	100°16'26"	27.00'	47.25'	S 38°05'10" W	41.45'
C2	42°23'24"	31.00'	22.94'	S 56°46'26" W	22.42'
C3	10°16'22"	200.00'	35.86'	N 83°06'18" E	35.81'

ORDER NO: 33596 FIELD CREW: DE DRAWN BY: KJB DATED: AUGUST 5, 2020 SHEET 2 OF 2	FOR THE EXCLUSIVE USE OF: CITY OF БЕЛОIT 100 STATE STREET БЕЛОIT, WI 53511	Batterman engineers surveyors planners 2857 Barrille Drive Beloit, Wisconsin 53511 608.365.4464 www.batterman.com
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File Name: J:\335500-33599\33596 - AYA - Maple Ave.SURVEY\RH-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: _____

1. Address of property: 202 Maple Avenue, 1500 Shore Drive, 1459 Sixth Street
2. Tax Parcel Number(s): 12620045, 12620025, 12630350
3. Property is located in (circle one) **City of Beloit** or Town of: Turtle; Beloit; Rock or LaPrairie
 In the ^{Govt. 3} 3 Quarter of Section 26, Township 1 North, Range 12 East of the 4th P.M.
4. Owner of record: City of Beloit Phone: _____
100 State Street Beloit WI 53511
(Address) (City) (State) (Zip)
5. Surveyor's name: R.H. Batterman & Co., Inc. 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 (Parcel Consolidation) lot(s).
7. Total area of land included in this map: 6.50 Acres (Gross)
8. Total area of land remaining in parent parcel: 0 Acres
9. Is there a proposed dedication of any land to the City of Beloit? Yes (right-of-way and easements)
10. The present zoning classification of this property is: R-1B, PLI, C-2 (PUD requested)
11. Is the proposed use permitted in this zoning district: Yes, with PUD
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 August 6, 2020 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 J Belongia / Kristin Belongia / 08/13/2020
(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: _____
Scheduled meeting date: _____	
Application accepted by: _____	Date: _____



REPORT TO THE PLAN COMMISSION

Plan Commission Meeting Date: September 9, 2020

Agenda Item: 4(b)

File Number: VA-2020-02

General Information

Applicant/Owner: City of Beloit

Address/Location: Unimproved West Street (North of Laundale Drive)

Applicant's Request: Vacation of Public Street (Right-of-Way)

Staff Analysis

Overview: The Planning & Building Services Division has received a petition to vacate the unimproved part of West Street right-of-way lying north of Laundale Drive adjacent to 2543 Laundale Drive. As required by Wisconsin Statutes, the City Council has adopted a Resolution which sets a date for a public hearing for this vacation request of October 5, 2020. The proposed Plat of Vacation is attached to this report.

Background: The 66' wide by 188' deep section of right-of-way in this request was dedicated to the public in 1956, but never constructed. The applicant is the adjacent property owner, who intends to incorporate the vacated area into their private property. The west and north sides of the area to be vacated coincide with the City's boundary with the Town of Beloit. Signatures from supportive neighbors are also attached to this report.

Review Agent Comments: The City Engineer has reviewed this request and noted that there are no utilities in the area proposed for vacation, nor are there plans or funds budgeted to extend the roadway. The City Engineer has no objections to granting the requested vacation. Planning staff notified the Town of Beloit Clerk and the Wisconsin Department of Transportation of this request.

STAFF RECOMMENDATION:

The Planning & Building Services Division recommends **approval** of the vacation of a portion of West Street as described in the attached Plat of Vacation, returning the right-of-way to the adjacent property owner.

ATTACHMENTS: Location Map, Photo, Plat of Vacation, Petitions, Public Hearing Resolution, & Public Notice.



West Street at Laundale
Looking North Over
Unimproved Street

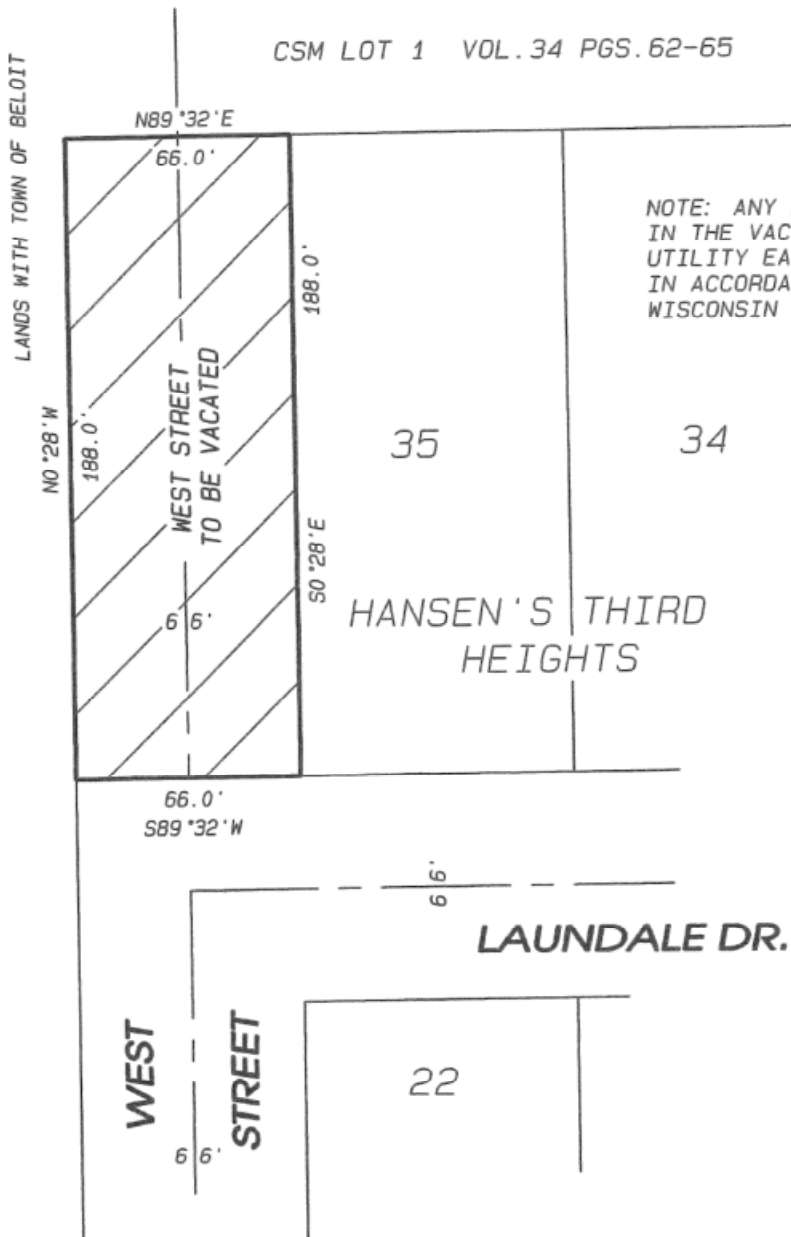


PLAT OF VACATION

OF THAT PART OF WEST STREET LYING NORTH OF THE NORTH LINE OF LAUNDALE DRIVE AND ADJACENT TO LOT 35, HANSENS THIRD ADDITION, CITY OF БЕЛОIT, ROCK COUNTY, WISCONSIN.

THE RESOLUTION TO VACATE A PART OF WEST STREET AS SHOWN
 HEREON WAS ADOPTED _____, 2020 AND IS REFERENCED AS
 CITY OF БЕЛОIT CLERK FILE 2020- _____

JUL 30 REC'D



NOTE: ANY EXISTING UTILITY FACILITIES IN THE VACATED RIGHT-OF-WAY SHALL RETAIN UTILITY EASEMENT AND INCIDENTAL RIGHTS IN ACCORDANCE WITH SECTION 66.1005 OF WISCONSIN STATUTES.



DATE: JULY 21, 2020

Project No. 120 - 379 For: HEIDT

Combs & Associates

- LAND SURVEYING
- LAND PLANNING
- CIVIL ENGINEERING

109 W. Milwaukee St.
 Janesville, WI 53548
 www.combsurvey.com

tel: 608 752-0575
 fax: 608 752-0534

Petition to Vacate an Unused Street Right-of-Way

We, the undersigned adjacent land owners, petition the City of Beloit to vacate the unused street right-of-way, a portion of West Street in Hansen's Third Heights Subdivision being a part of the S.W. ¼, of the S.E. ¼, of Section 28, Township 1N, Range 12E of the 4th Principle Meridian in the City of Beloit, an area measuring 66.00' x 188.00' as noted on the attached copy of the subdivision plat (the designated area of land) dated July 15, 1956 as surveyed by Clayton Shimeall, R.L.S.

Whereas the designated street right-of-way was originally platted July 15, 1956 and dedicated to the public but has remained undeveloped and unused; and

Whereas there have been no plans for development or use of the designated street right-of-way in the past sixty-four (64) years; and

Whereas there are no plans for development or use of the designated street right-of-way in the foreseeable future; and

Whereas the adjacent lands are currently being used as farmland with no plans for development or subdivision in the foreseeable future; and

Whereas the subdivision property line is the boundary between the City of Beloit and the Town of Beloit, the subdivision is landlocked for future development within the City of Beloit; and

Whereas the designated area of land is currently being maintained by the City of Beloit through periodic mowing of grass; and

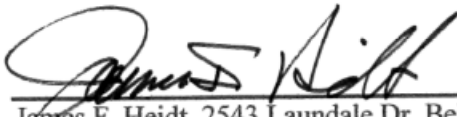
Whereas the designated area of land is currently not on the tax rolls of the City of Beloit; and

Whereas if vacation of the right-of-way is approved, the designated area of land would revert to the adjacent land owner who would be paying property taxes to the City of Beloit; and

Whereas the Section 236.43 of the Wisconsin Statutes provides for "*Parts of a plat dedicated to and accepted by the public for public use may be vacated or altered as follows:*

- (1) *The court may vacate streets, roads, or other public ways on a plat if:*
 - a. *The plat was recorded more than 40 years previous to the filing of the application for vacation or alteration; and*
 - b. *During all that period the areas dedicated for streets, roads, or other public ways were not improved as streets, roads, or other public ways; and*
 - c. *Those areas are not necessary to reach other platted property; and*
 - d. *All the owners of all the land in the plat or part thereof sought to be vacated and governing body of the city, village, or town in which the street, road, or other public way is located have joined in the application for vacation."*

We, the undersigned adjacent land owners, support and petition the City of Beloit to vacate the street right-of-way on the designated parcel of land and agree that it remain in the City of Beloit, but ownership revert to the Owner of the adjacent property.



James F. Heidt, 2543 Laundale Dr. Beloit, WI

06/02/2020

Date

Petition to Vacate an Unused Street Right-of-Way

Signature	Printed Name	Address	Phone
<i>James F. Heidt</i>	JAMES F. HEIDT	2543 LAUNDALE DR.	608-931-7184
<i>Nancy K. Heidt</i>	Nancy K. Heidt	2543 Laundale Dr.	608-999-0263
<i>Mary Meade</i>	Mary Meade	2524 Laundale Dr.	608-362-6711
<i>Richard L. Smith</i>	Richard L. Smith	1244 Ridgeway St.	815-624-6314
<i>Linda K. Hess</i>	Linda K Hess	1238 S Ridgeway St	608-713-2827
<i>Kurt A. Wald</i>	Kurt A. Wald	2514 Laundale Dr.	608-290-0629
<i>Ronald W. Culver</i>	Ronald W Culver	2530 Laundale Dr.	608-362-6343
<i>Tania Silva</i>	Tania Silva	2542 Laundale Dr.	608-481-3332
<i>USA BERRONES</i>	USA BERRONES	2545 CRESTVIEW DR	608-345-8983
<i>Phyllis Menet</i>	Phyllis Menet	2542 W Springs Dr	
<i>Thomas M. Miller</i>	Thomas M Miller	2509 LAUNDALE DR	365-9267
<i>Michael T. Meade</i>	MICHAEL T. MEADE	2524 LAUNDALE DR	608-362-6711

8861

AUG 17 2020

CITY OF БЕЛОИТ

RESOLUTION 2020-142

RESOLUTION ACCEPTING THE INTRODUCTION OF AND REFERRING FOR PUBLIC HEARING AND PROCEEDINGS A RESOLUTION REGARDING THE VACATION OF A PORTION OF WEST STREET IN THE CITY OF БЕЛОИТ, ROCK COUNTY, WISCONSIN

WHEREAS, the City of Beloit has received a petition to vacate a portion of unimproved West Street in the City of Beloit, Wisconsin. The property is described as follows and shown on Exhibit A, attached hereto and incorporated herein by reference:

Part of West Street lying North of the North line of Laundale Drive and adjacent to Lot 35, Hansen's Third Heights Addition, City of Beloit, Rock County, Wisconsin.

WHEREAS, §66.1003(4), Wis. Stats. authorizes the City Council to initiate proceedings to abandon, vacate and discontinue a public right-of-way in accordance with the statute; and

WHEREAS such proceedings under §66.1003(4), Wis. Stats., are initiated by the introduction of a resolution declaring that since the public interest requires it, a particular public way is abandoned, vacated and discontinued; and

WHEREAS, the City of Beloit has determined pursuant to §66.1003, Wis. Stats., that the public interest requires that a portion of unimproved West Street, City of Beloit, Rock County, Wisconsin be abandoned, vacated and discontinued as a public street and the same is set forth and shown on the Plat of Vacation attached hereto and incorporated by reference herein; and

WHEREAS, a public hearing must be held on the proposed vacation of this right-of-way in accordance with §66.1003(4)(b), Wis. Stats.

NOW, THEREFORE, BE IT HEREBY RESOLVED by the City Council of the City of Beloit that the public interest requires that a portion of unimproved West Street be abandoned, vacated and discontinued as a public street and that the attached resolution is hereby accepted, subject to necessary amendments required due to information received during the public review process; and


BE IT FURTHER RESOLVED that the attached resolution is hereby referred for public hearing on October 5, 2020 at 7:00 p.m. and further proceedings as required by Wis. Stats. §66.1003(4).

Adopted this 17th day of August, 2020.

CITY COUNCIL OF THE CITY OF БЕЛОИТ


Regina Dunkin, President

Attest:


Lorena Rae Stottler, City Clerk-Treasurer

COMMUNITY DEVELOPMENT DEPARTMENT

NOTICE TO THE PUBLIC

August 18, 2020

To Whom It May Concern:

The Planning & Building Services Division has received a petition to vacate the unimproved part of West Street right-of-way lying north of Laundale Drive adjacent to 2543 Laundale Drive. This 66' wide by 188' deep section of right-of-way was dedicated to the public in 1956, but never constructed. The applicant is the adjacent property owner, who intends to incorporate the vacated area into their private property. The west and north sides of the area to be vacated coincide with the City's boundary with the Town of Beloit. The proposed Plat of Vacation is attached.

This proposed vacation will be considered during the following meetings:

City Plan Commission: Wednesday, September 9, 2020, 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 (Public Hearing): Monday, October 5, 2020, at 7:00 PM, or as soon thereafter as the matter can be heard in The Forum, Beloit City Hall, 100 State Street.

We are interested in your opinion.*

***Due to the COVID-19 crisis, members of the public are highly encouraged to provide oral or written comments to the Commission and City Council via alternative means. You may mail your comments to the attention of Drew Pennington at 100 State Street or via email to penningtond@beloitwi.gov. You may also call (608) 364-6711 to provide your comments over the phone. In-person attendance at Commission and Council meetings will be limited.**



REPORT TO THE PLAN COMMISSION

Plan Commission Meeting Date: September 9, 2020

Agenda Item: 4(c)

File Number: CSM-2020-15

General Information

Applicant: Combs & Associates, Inc., on behalf of M & W Development

Owner: Shirley M. Carlson Revocable Trust

Address/Location: 2901 Milwaukee Road

Applicant's Request: 2-Lot Certified Survey Map (CSM) to create 2 buildable parcels

Staff Analysis

Background Info: This office has received a request for review of a 2-Lot Certified Survey Map (CSM) to subdivide the parcel located at 2901 Milwaukee Road. The intent of this CSM is to create two buildable parcels in advance of a proposed commercial redevelopment.

CSM Details: Proposed Lot 1 is 20,889 square feet in area and includes 104 feet of frontage along Milwaukee Road. Lot 1 will share the existing access driveway on Lot 2. There are no imminent site plans for Lot 1, but it is the potential site of a future auto-oriented business. Proposed Lot 2 is 22,820 square feet in area and includes 104 feet of frontage along Milwaukee Road, along with an existing access driveway for access to both proposed lots. Planning staff is reviewing plans for a proposed 2,500 square-foot commercial building (Verizon store) on Lot 2. In the northeast corner of Lot 2, the proposed CSM extends an existing 20-foot sanitary sewer easement by 52 feet in order to extend the public sewer main to serve both proposed lots.

Review Agent Comments: Planning staff has noted the need for cross-access easements where needed for vehicle circulation around both lots and to/from the shared driveway. A Development Agreement will be required for the extension of the sanitary sewer at the developer's cost, as it will become public infrastructure. Planning staff has also noted the need for a private sewer maintenance agreement since the sewer lateral for Lot 1 will cross Lot 2. The Water Resources Division has provided detailed easement language for the sewer easement. The other Review Agents have not submitted any comments as of this writing.

STAFF RECOMMENDATION:

The Planning & Building Services Division recommends **approval** of the attached 2-Lot Certified Survey Map (CSM) for the property located at 2901 Milwaukee Road in the City of Beloit, subject to the following conditions:

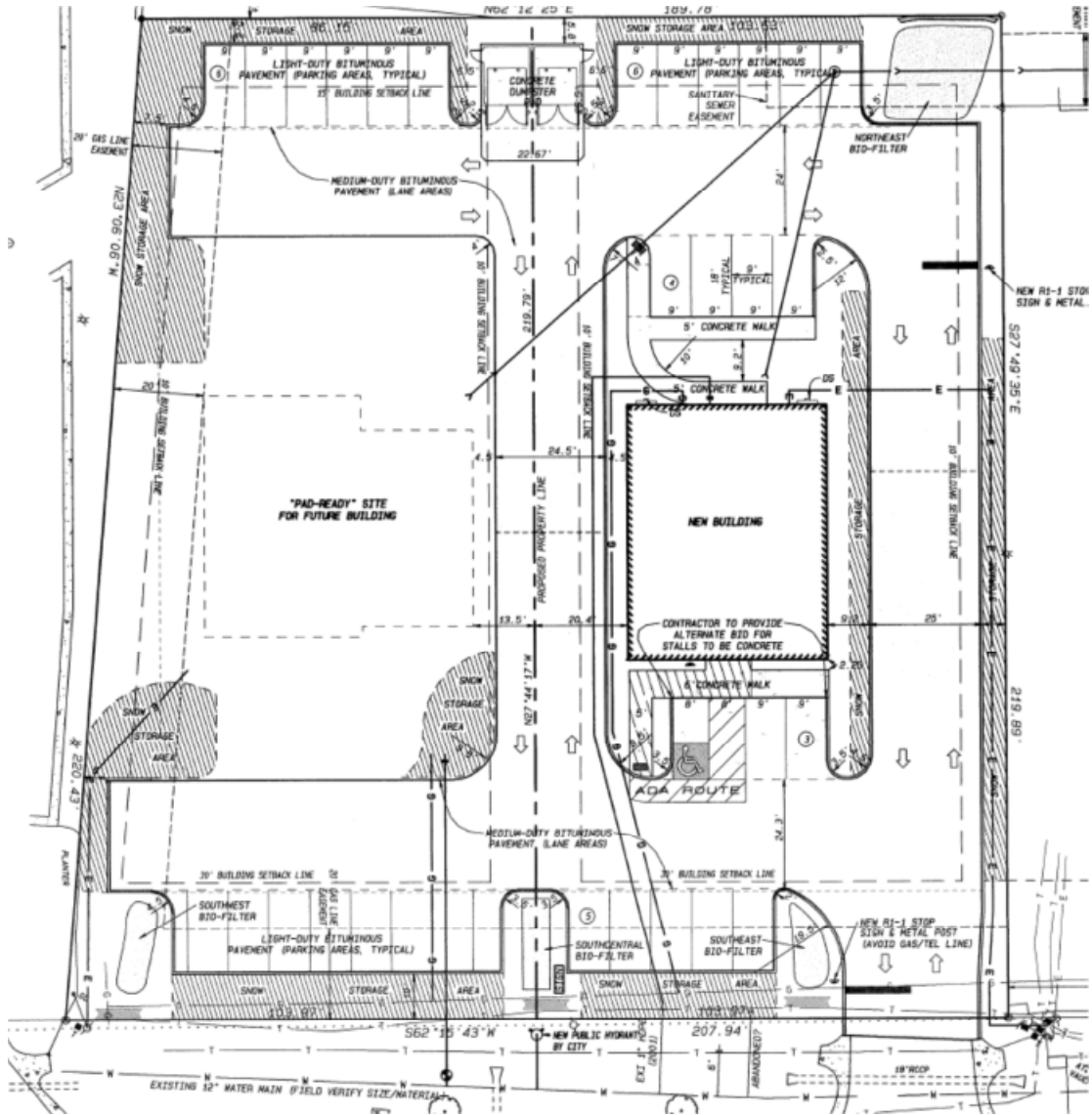
1. The final CSM shall include the easement language requested by City staff. A Development Agreement is required prior to extension of the sanitary sewer main.
2. The final CSM shall be recorded with the Rock County Register of Deeds within one year of approval and a copy provided to the Planning and Building Services Division.

ATTACHMENTS: Location Map, Proposed Site Plan, Proposed CSM, Application, and Resolution.

Location Map

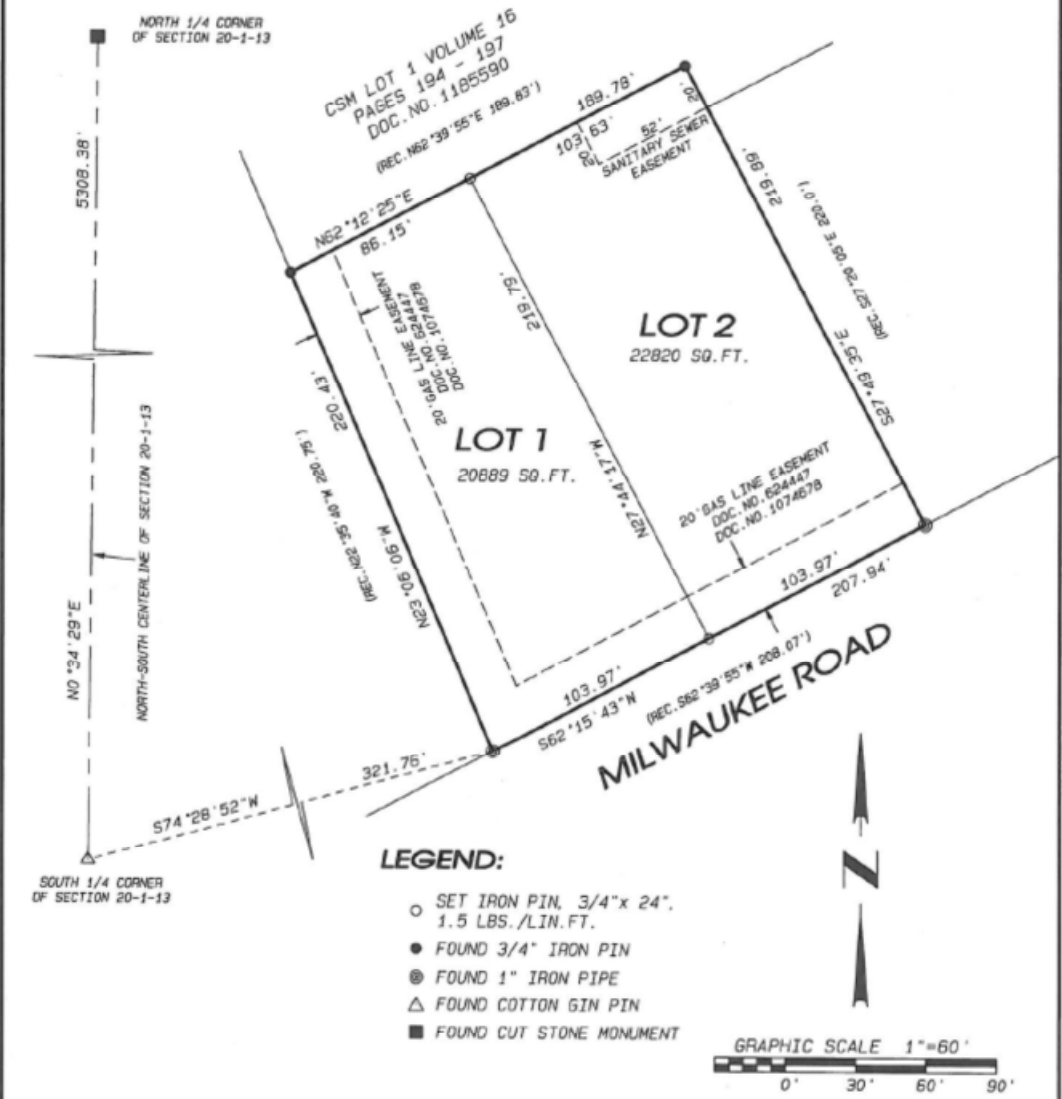


Proposed Site Plan – Commercial Redevelopment



CERTIFIED SURVEY MAP

LOT 2 OF A CERTIFIED SURVEY MAP RECORDED IN VOLUME 13, PAGES 265 THRU 287 OF CERTIFIED SURVEY MAPS OF ROCK COUNTY, WISCONSIN, AS DOCUMENT NO. 1074678 AND LOCATED IN THE SW 1/4 OF THE SE 1/4 OF SECTION 20, T. 1N., R. 13E OF THE 4TH P.M., CITY OF BELDIT, ROCK COUNTY, WISCONSIN. FORMERLY BEING PART OF LOT 4, MORGAN FARM.



NOTES:
 FIELDWORK COMPLETED _____
 ASSUMED N0°34'29"E ALONG THE NORTH-SOUTH CENTERLINE OF SECTION 20-1-13.
 Project No. 119-412 For: M&W Development SHEET 1 OF ___ SHEETS

Combs & Associates

- LAND SURVEYING
- LAND PLANNING
- CIVIL ENGINEERING

109 N. Milwaukee St.
 Janesville, WI 53548
 www.combssurvey.com

tel: 608 752-0575
 fax: 608 752-0534

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: _____

1. Address of property: 2901 Milwaukee Rd, Beloit, WI 53511
2. Tax Parcel Number(s): 22040170
3. Property is located in (circle one) City of Beloit or Town of: Turtle; Beloit; Rock or LaPrairie
In the SE Quarter of Section 20, Township 1 North, Range 13 East of the 4th P.M.
4. Owner of record: M & W Development Phone: 865-295-5692
P.O. Box 10667, Knoxville, TN 37939
(Address) (City) (State) (Zip)
5. Surveyor's name: Combs & Associates, Inc. Phone: 608-752-0575
109 W. Milwaukee Street Janesville WI 53548
(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: 43709 Sq.Ft.
8. Total area of land remaining in parent parcel: 43709 Sq.Ft.
9. Is there a proposed dedication of any land to the City of Beloit? NO
10. The present zoning classification of this property is: COMMERCIAL
11. Is the proposed use permitted in this zoning district: YES WITH CUP
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 _____
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.

By M. Cal (agent) , Ryan Combs (Agent) , 7/30/20
(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: \$150 plus \$10 per lot Amount paid: _____
Scheduled meeting date: _____
Application accepted by: _____ Date: _____

**RESOLUTION
APPROVING A TWO-LOT CERTIFIED SURVEY MAP
FOR THE PROPERTY LOCATED AT 2901 MILWAUKEE ROAD**

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 2901 Milwaukee Road, containing 1 acre, 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:

LOT 2 OF A CERTIFIED SURVEY MAP RECORDED IN VOLUME 13,
PAGES 285-287 OF CERTIFIED SURVEY MAPS OF ROCK COUNTY,
WISCONSIN, AS DOCUMENT NO. 1074678 AND LOCATED IN THE SW ¼
OF THE SE ¼ OF SECTION 20, T. 1 N., R. 13 E., OF THE 4TH P.M., CITY OF
BELOIT, ROCK COUNTY, WISCONSIN. FORMERLY BEING PART OF
LOT 4, MORGAN FARM.

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 2901 Milwaukee Road, subject to the following conditions:

1. The final CSM shall include the easement language requested by City staff. A Development Agreement is required prior to extension of the sanitary sewer main.
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 9th day of September, 2020.

Tim Weeden, Chairman

ATTEST:

Julie Christensen, Community Development Director