



**PUBLIC NOTICE & AGENDA  
PLAN COMMISSION  
City Hall Forum - 100 State Street, Beloit, WI 53511  
7:00 PM  
Wednesday, September 23, 2020**

1. CALL TO ORDER AND ROLL CALL
2. MINUTES
  - 2.a. Consideration of the minutes of the September 9, 2020 Plan Commission meeting  
[Attachment](#)
3. REPORTS
  - 3.a. Consideration of a Resolution approving 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](#)
  - 3.b. Consideration of a request for utility easements for Eagles Ridge Plat #4 on property located at 1500 Hawks Pass and 1452 Townhall Road  
[Attachment](#)
4. STATUS REPORT ON PRIOR PLAN COMMISSION ITEMS
5. ADJOURNMENT

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



**MINUTES**  
**PLAN COMMISSION**  
**City Hall Forum - 100 State Street, Beloit, WI 53511**  
**7:00 PM**  
**Wednesday, September 9, 2020**

**1. CALL TO ORDER AND ROLL CALL**

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

**2. MINUTES**

**2.a. Consideration of the minutes of the August 19, 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 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**

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

Commissioner Weeden wanted the turning restrictions on and off Shore Drive into the parking lot explained more in detail. Ms. Christensen stated that the City Engineer indicated that an exit onto Shore Drive will not be permitted in close proximity to Maple Avenue as indicated on the site plan. Ms. Christensen said if the driveway is to remain, it should be an entrance only, and vehicles could not use it as an exit. They would have to use one of the other driveways to exit. The applicant would like both driveways in order to separate car traffic from bus traffic.

Commissioner Weeden asked if Shore Drive used to cross Lenigan Creek. Ms. Christensen said she was not sure. Councilor Preuschl stated it was a railroad crossing. Commissioner Toral asked if flooding will be an issue, given the proximity to the creek. Ms. Christensen stated that on the Certified Survey Map, the City was retaining the entire flood plain, so the building location sits outside of the flood plain. Commissioner Toral asked if the City is thinking about having some permeable surfaces for parking lots or grade variations to send water away from the creeks and into the ground to process naturally.

Ms. Christensen stated that she was unsure whether this was currently allowed under City code, but the City can ask the City Engineer to evaluate the use of this type of material in the future.

Commissioner Weeden opened the public hearing.

Joe Stadelman, 555 S River St, Janesville, Wisconsin, President of Angus Young Associates, speaking on behalf of the Stateline Boys and Girls Club, indicated that there is a drop off lane in front of building where the parking is not designated. Mr. Stadelman stated that if there is not a driveway off Shore Drive on the north side of the development, there will be a lot of vehicular traffic with people and cars interacting closely. Related to the permeable surface, Mr. Stadelman mentioned that the water table by the creek is high, and following DNR standards, it would be difficult to use this type of material in this setting.

Commissioner Weeden asked how the water would be collected in the parking lot, would it sheet flow or go into the storm sewer system. Mr. Stadelman stated that it would be surface drainage. Nick James, 2857 Bartells Drive, Civil Engineer with Batterman's, stated that it will sheet drain through the open grass areas before going into the creek or storm sewer system.

Commissioner Weeden closed the public hearing.

Motion made by Commissioner Haynes, seconded by Commissioner Robson to approve the PUD. Motion carried, roll call vote.

**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**

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

Commissioner Weeden opened and closed the public hearing.

Motion made by Commissioner Ruster, seconded by Commissioner Robson to approve the rezoning to PUD. Motion carried, roll call vote.

**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**

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

Commissioner Weeden opened the public hearing.

Commissioner Robson asked if it would be a public market with vendors selling products. Shawna El-Amin, 400 E. Grand Ave, Suite 300, Beloit, representing the Downtown Business Association, stated that it would just be restricted to the same vendors at the Farmers Market, being fifty percent farm products. Commissioner Finnegan just wanted to confirm that the DBA office would not be using the adjoining property owner's parking lot like the Sports Center has been. Ms. El-Amin stated that there are not any authorized parking stalls there, and they will be using the back gated area mostly for storing and pulling the van in to load and unload. Commissioner Robson asked when they will be moving into the building. Ms. El-Amin stated that they needed approval from City Council and Plan Commission, and the previous owners moved out in January so they are ready to move in now.

Commissioner Weeden closed the public hearing.

Motion made by Commissioner Robson, seconded by Commissioner Haynes to approve the CUP. Motion carried, roll call vote.

**3.d. Consideration of a Conditional Use Permit to allow an outdoor seating area in a C1, Office District, for the property located at 1545 Prairie Avenue**

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

Commissioner Weeden opened the public hearing.

Commissioner Weeden asked what the little building to the north is, and if that building is part of the project. Jesus Abreu, applicant for 1545 Prairie Ave, mentioned that the building is an existing house. Commissioner Ruster stated that the building use to be Prairie Chef and the owners use to live upstairs. Commissioner Robson asked how many customers can be seated in the outdoor seating area. Mr. Abreu stated there is a maximum occupancy based on the parking provided.

Commissioner Weeden closed the public hearing.

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

**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**

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

Commissioner Ruster asked when the sign ordinance was reviewed and amended to accommodate the signs that are out there today. Ms. Christensen stated she does not recall when the sign ordinance was amended. Commissioner Ruster said that she didn't see why we needed to continue to approve exceptions when we had updated the ordinance to meet new standards. Ms. Christensen explained that she had handled out possible changes to the ordinance, but we never completed the project due to other projects that took priority.

Commissioner Weeden opened the public hearing.

Don Numeror, 1827 W Grand Ave, Milwaukee, Wisconsin, representing Sign Effectz Inc, stated he did the signs back in 2014, and they are due to update new signs. Mr. Numeror mentioned that they want to update the sign to the new logo, and he does not have the option to change the design of the logo. Commissioner Weeden asked if the freestanding sign for the drive-through was going to be a larger or smaller sign. Mr. Numeror stated that he thought it was a smaller sign but didn't have the actual dimensions with him. He said that they were previously approved for the freestanding sign. Ms. Christensen stated that one of the signs on the building is a 70 square foot sign which would be the primary sign (not the freestanding sign), and in order to put the freestanding sign on the corner, the 70 square foot sign would have to come down unless an exception was granted.

Commissioner Weeden asked if the sign on the north side could be removed, and expressed his concerns about the sign on the North Side of building. He said that since it opens into the parking lot, it may not be as necessary to attract customers. Commissioner Ruster asked what the rules are with the traffic signals on the corner of Cranston Road and Milwaukee Road. Ms. Christensen stated there is a vision triangle at the intersection, and signs over a certain dimension are not allowed.

No action was taken on the item. It will come back at the September 23 meeting.

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

Ms. Christensen stated that there is a third condition to be added, that the final CSM shall include the easements required by the offer to purchase.

Motion made by Commissioner Haynes, seconded by Commissioner Robson to approve the CSM with all three conditions. Motion carried, roll call vote.

**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**

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

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

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

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

Commissioner Robson asked if the property can be developed if it isn't split into two parcels. Ms. Christensen said they can develop it as one development with one building, but they want to put two different businesses, with one on each lot. However, it will have a shared access point.

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

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

Ms. Christensen explained that the City Council approved the Conditional Use Permit for the book drop for the Library on Tuesday, and held the public hearing and first reading for the Cranston Car Wash PUD. They also approved the first amendment to the ABC Development Agreement that would allow them to obtain occupancy once the public improvements were installed.

**6. ADJOURNMENT**

Motion made by Commissioner Ruster, and seconded by Commissioner Robson. Motion passed, roll call vote. Meeting adjourned at 8:35 PM.



## **REPORT TO THE PLAN COMMISSION**

**Plan Commission Meeting Date:** September 23, 2020

**Agenda Item:** 3(a)

**File Number:** SOE-2020-02

### **General Information**

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**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**

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**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 for a total of 160 square feet of wall signage. The applicant is seeking this approval to re-classify all three existing signs as secondary, thereby allowing the construction of a new freestanding primary sign closer to the Milwaukee Road/Cranston Road intersection as shown on the attachment. The applicant intends to replace the existing wall signs with new brand imagery as shown in the attached renderings. The proposed wall signs are 45, 45, and 62 square feet for a total of 152 square feet. Note that the proposed wall signs have been redesigned with a grey background since the September 9<sup>th</sup> hearing.

**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 pole sign closer to the Milwaukee Road/Cranston Road intersection and stoplights. A primary pole sign in this location can be up to 150 square feet in area and 20 feet in height, but must be located outside of the vision triangle. Details for the proposed primary sign are attached.

**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 freestanding primary 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. However, the rear (North) sign does not need to be large and can be effective at the max of 30 square feet.
- 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 two of 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.

**STAFF RECOMMENDATION:**

The Planning & Building Services Division recommends approval of an exception to Section 30.40(2)(c) of the Sign Ordinance to allow two (2) 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 two (2) secondary, on-premises wall signs consisting of channel letters as depicted on the attached renderings. The approved signs are limited to 62 and 45 square feet in area. The third secondary, on-premises wall sign on the rear (North) side of the building must comply with the Sign Ordinance and be no larger than 30 square feet. 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 <sup>West</sup> South 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 21<sup>st</sup> day of May, 2014.

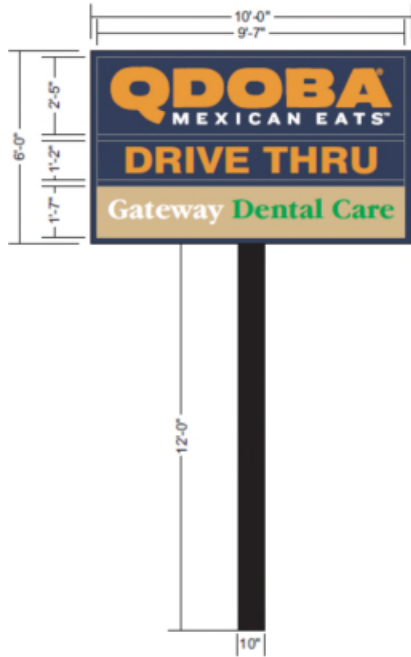
**PLAN COMMISSION**

  
James Faragher, Plan Commission Chairman

ATTEST:

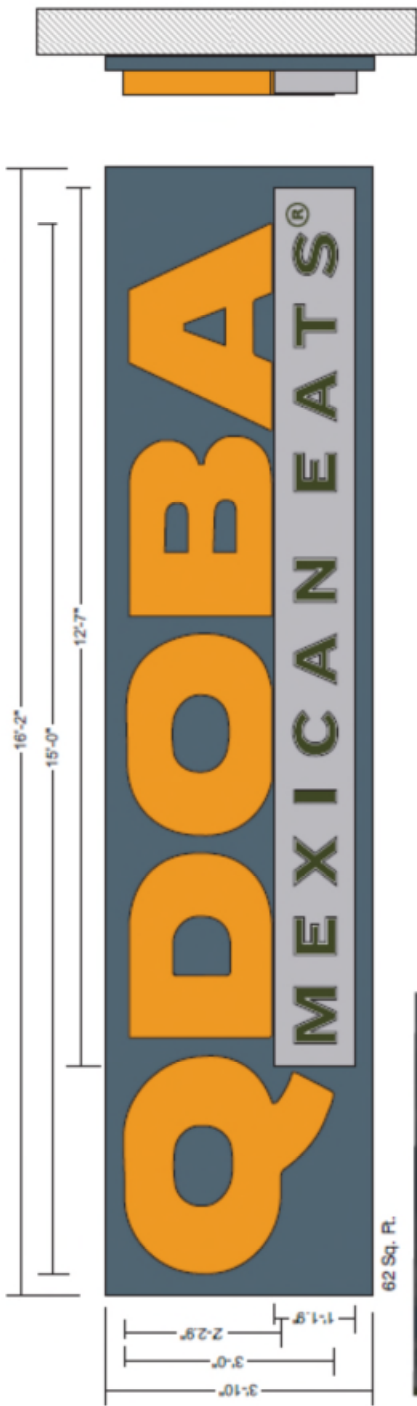
  
Julie Christensen, Community Development Director

Proposed Freestanding Sign (Permitted By-Right)\*



\*Note from Staff to Plan Commission:

The proposed location is right on the inside edge of the vision triangle. The sign may need to be moved slightly closer to the building. This will be verified during the permitting process.



South Elevation



**SignEffectz, Inc.**  
SIGN / LIGHTING  
[www.sign-effectz.com](http://www.sign-effectz.com)

CUSTOMER: Qdoba  
2777 Milwaukee Rd.  
Beloit WI 53511

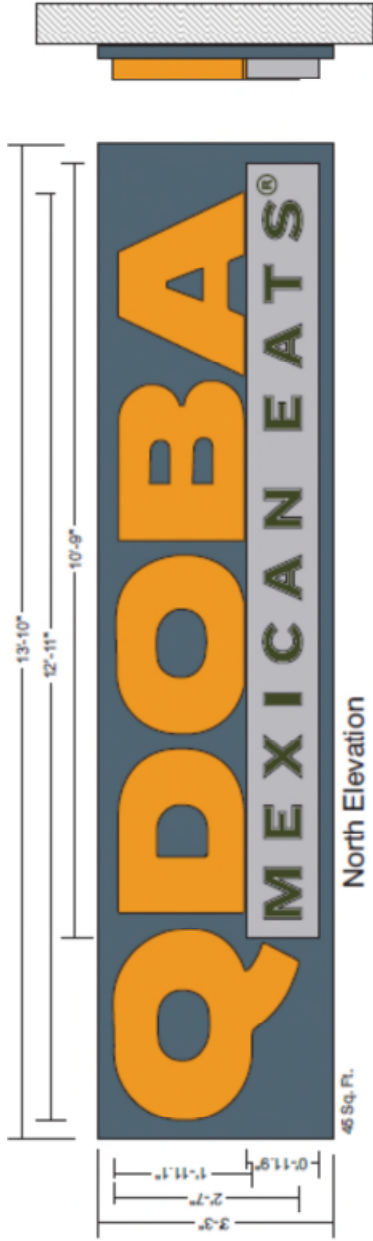
Signature: \_\_\_\_\_ Date: \_\_\_\_\_

DISCLAIMER:  
THE INFORMATION SHOWN ON THIS DRAWING IS THE PROPERTY OF SIGN EFFECTZ, INC. AND IS NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF SIGN EFFECTZ, INC.

REVISIONS:

Rev#	Rev	Date

DRAWING:  
Order #: 2020-02-02  
Date: 08/13/20  
Scale: 1/8" = 1'-0"  
Sheet: 1 of 1



North Elevation

45 Sq. Ft.



Existing sign



Night View



Proposed sign

**SignEffectz, Inc.**  
SIGN / LIGHTING  
www.signeffectz.com

**CUSTOMER:** Odoba  
2777 Milwaukee Rd.  
Beloit WI 53511

**DATE:** \_\_\_\_\_

**DISCLAIMER:** The drawings and specifications are for the use of the contractor and are not to be used for any other purpose. The contractor is responsible for obtaining all necessary permits and for ensuring that the work complies with all applicable codes and regulations. The contractor shall be responsible for obtaining all necessary permits and for ensuring that the work complies with all applicable codes and regulations.

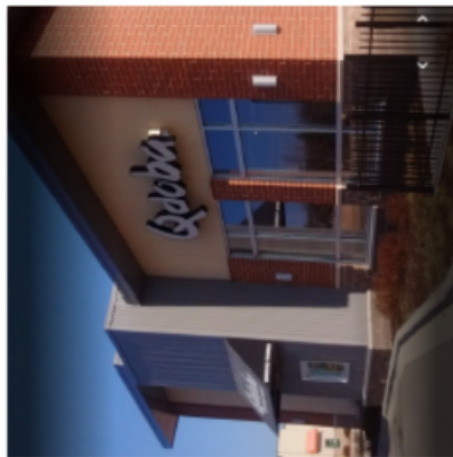
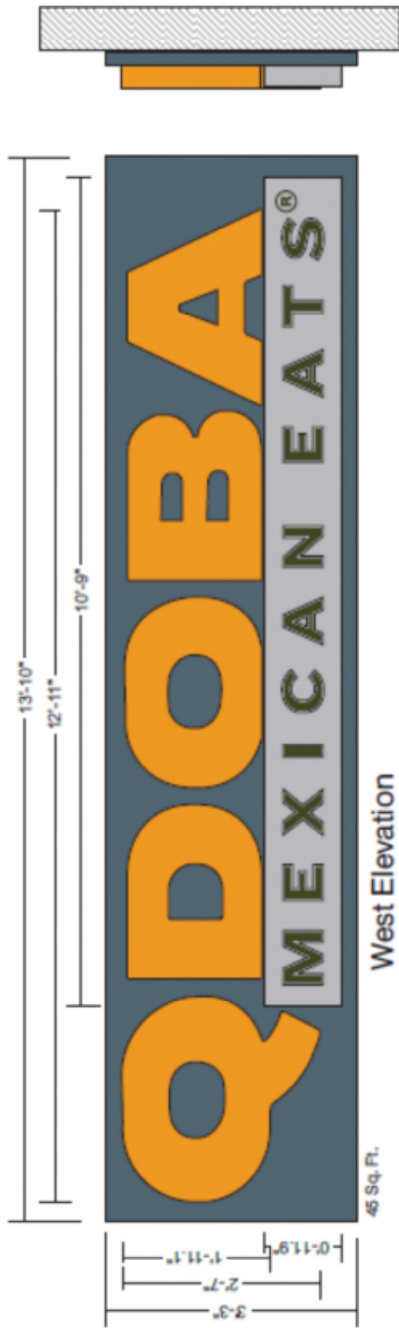
**REVISIONS:**

No.	Date	Description

**DRAWING:**

**Order #:** \_\_\_\_\_  
**Date:** 06/13/20  
**Scale:** 1/4" = 1'-0"  
**Drawn By:** B.K.  
**Check By:** B.K.





<b>SignEffectz, Inc</b> SIGN / LIGHTING www.signeffectz.com	CUSTOMER: Odoba 2777 Milwaukee Rd. Beloit WI 53511 Signature: _____ Date: _____	DISCLAIMER: The manufacturer warrants the sign. The customer is responsible for the sign's installation and maintenance. The manufacturer is not responsible for any damage to the sign or building caused by the customer's negligence or misuse.	REVISIONS: Rev 1 Rev 2 Rev 3 Rev 4 Rev 5 Rev 6 Rev 7	DRAWING: Order #: Date: 08/13/20 Scale: 1/8" = 1'-0" Date: 08/13/20
	No. _____ Date: _____ No. _____ Date: _____ No. _____ Date: _____ No. _____ Date: _____ No. _____ Date: _____ No. _____ Date: _____ No. _____ Date: _____			

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)


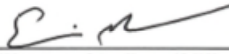
E-mail address: \_\_\_\_\_

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

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**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: <b>\$100.00</b>	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: _____

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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](mailto: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 **two (2)** 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 two (2) secondary, on-premises wall signs consisting of channel letters as depicted on the attached renderings. The approved signs are limited to 62 and 45 square feet in area. The third secondary, on-premises wall sign on the rear (North) side of the building must comply with the Sign Ordinance and be no larger than 30 square feet. 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 23<sup>rd</sup> day of September, 2020.

**PLAN COMMISSION**

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Tim Weeden, Plan Commission Chairman

ATTEST:

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Julie Christensen  
Community Development Director



## **REPORT TO THE PLAN COMMISSION**

**Plan Commission Meeting Date:** September 23, 2020

**Agenda Item:** 3.b

**File Number:** RPB-2020-01

### **General Information**

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**Applicant:** City of Beloit

**Owner:** New Leaf Homes LLC & Luke Madson

**Address/Location:** 1500 Hawks Pass and 1452 Townhall Road

**Applicant's Request:** The City is requesting utility easements for public improvements on private property.

### **Staff Analysis**

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**Existing Conditions:** 1500 Hawks Pass is currently a vacant 14.62 acre lot zoned R-1A, Single-Family Residential and is the future site for Plat #5 of the Eagles Ridge Subdivision. 1452 Townhall Road is a vacant 59.91 acre parcel zoned R-1A, Single-Family Residential.

**Surrounding Land Use and Zoning:** There are single-family residential uses zoned R-1A, Single-Family Residential District, to the north of the subject properties. To the east is a residential home and agricultural uses zoned DH, Development Holding District. Agricultural uses zoned AE, Exclusive Agricultural District in the Town of Turtle are to the south and west of the property.

**City of Beloit Comprehensive Plan and Strategic Plan:** The Comprehensive Plan's Future Land Use Map recommends Single-Family Residential urban for the subject property. This request supports Strategic Goal #5 by creating and sustaining high quality infrastructure.

**Additional Comments:** The subdivision developer will be extending public improvements outside that area of Plat 4 for the three stub streets (Hawk's Pass, Night Hawk Drive, and Quail Run) that will be completed in future phases. Water mains and fire hydrants will be extended beyond plat 4 for Hawks Pass and Night Hawk Drive onto the property located at 1500 Hawks Pass. A portion of street will extend outside the platted subdivision by Night Hawk Drive onto 1500 Hawks Pass. A storm sewer outfall will be created outside the platted area at Quail Run onto 1452 Townhall Road.

#### **STAFF RECOMMENDATION:**

The Planning & Building Services Division recommends **approval** of the attached Utility Easements across 1500 Hawks Pass and 1452 Townhall Road.

**ATTACHMENTS:** Eagles Ridge Final Plat #4, Proposed Easement, and Easement Exhibits



# EAGLES RIDGE PLAT NO. 4

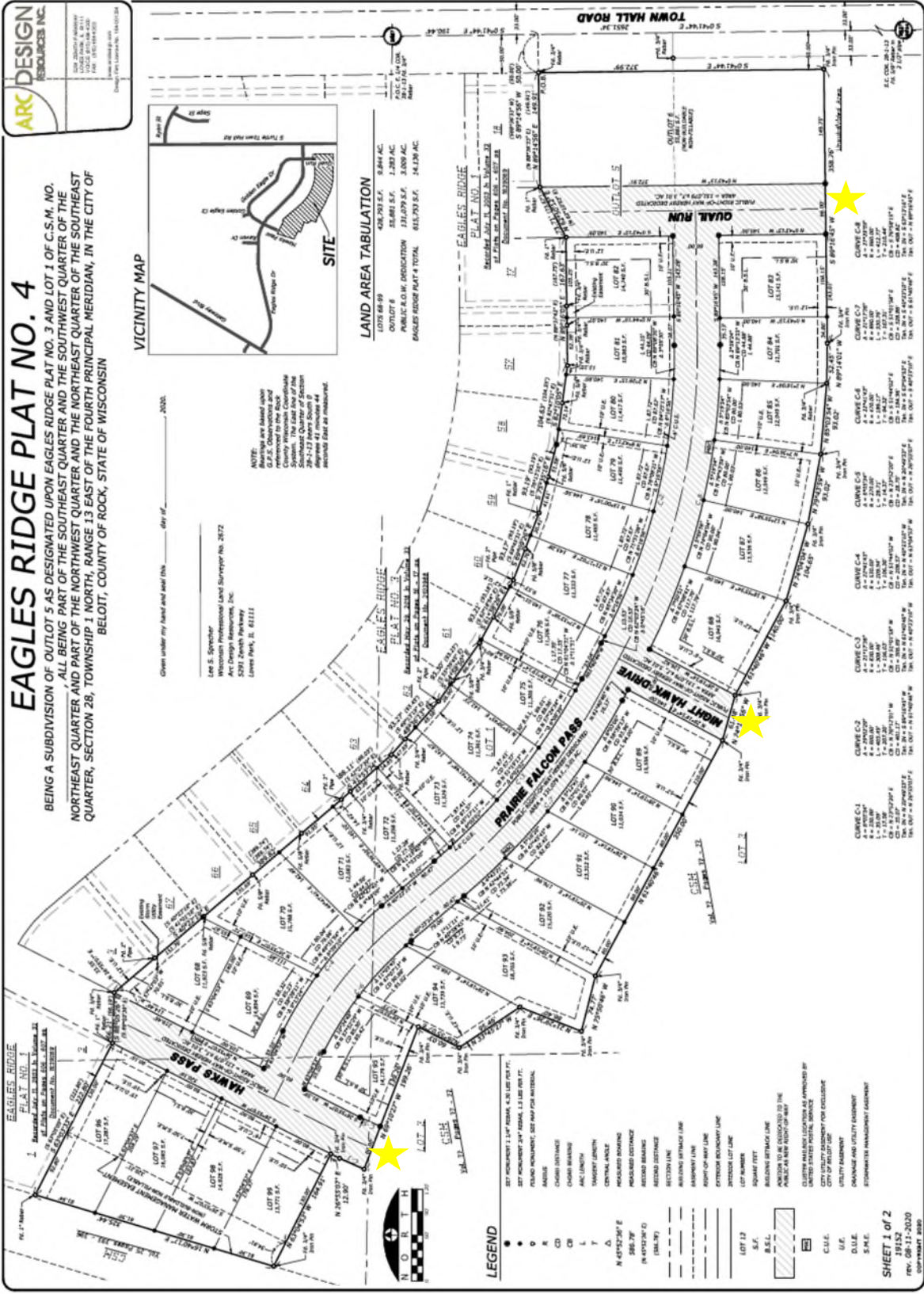
BEING A SUBDIVISION OF OUTLOT 5 AS DESIGNATED UPON EAGLES RIDGE PLAT NO. 3 AND LOT 1 OF C.S.M. NO. ALL BEING PART OF THE SOUTHEAST QUARTER AND THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER AND PART OF THE NORTHWEST QUARTER AND THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER, SECTION 28, TOWNSHIP 1 NORTH, RANGE 13 EAST OF THE FOURTH PRINCIPAL MERIDIAN, IN THE CITY OF BELOIT, COUNTY OF ROCK, STATE OF WISCONSIN



**LAND AREA TABULATION**

LOTS 68-89	426,793 S.F.	9.694 AC.
OUTLOT 6	25,681 S.F.	0.589 AC.
PUBLIC U.O.W. DEDICATION	131,679 S.F.	3.009 AC.
EAGLES RIDGE PLAT #4 TOTAL	615,793 S.F.	14.126 AC.

NOTE: Bearings are based upon Wisconsin Professional Land Surveyor No. 2672 Lee S. Spivey, Inc. 5791 South Parkway, Lovell Park, IL 61111



**LEGEND**

- SET BACKMENT 3.0' MIN. A.S.L. 6.0' MIN. FOR FT.
- SET BACKMENT 3.0' MIN. A.S.L. 6.0' MIN. FOR FT.
- PLANS INDICATED SET BACK FOR MATERIAL
- RADIUS
- CHORD DISTANCE
- CHORD BEARING
- ARC LENGTH
- TANGENT LENGTH
- CENTRAL ANGLE
- PROPOSED BOUNDING
- SECOND BEARING
- SECOND DISTANCE
- SECTION LINE
- BOUNDARY SETBACK LINE
- BOUNDARY LINE
- SETBACK OF BAY LINE
- EXTENSION BOUNDARY LINE
- EXTENSION LOT LINE
- LOT NUMBER
- LOT 12
- B.S.L.
- S.F.
- AREA TO BE DEDICATED TO THE PUBLIC AS A PARK OR OPEN SPACE
- UNITED STATES NATIONAL SURVEY
- CITY UTILITY ADJUSTMENT FOR EXCLUDE
- CITY OF BELOIT USE
- UTILITY EASEMENT
- FOOTCURE AND UTILITY EASEMENT
- FOOTCURE MANAGEMENT EASEMENT

**SHEET 1 of 2**  
 1/15/22  
 rev: 08-11-2020  
 CONTRACT 2020

★ Location of Easements

**EASEMENTS**

For good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, New Leaf Homes, LLC (“Grantor”), does hereby convey, grant, transfer, and assign to the City of Beloit, Rock County, Wisconsin, a municipal corporation (“Grantee”), or its assigns, the easements hereinafter described.

1. *The Property.* Grantor is the owner of the certain property within the Eagles Ridge subdivision in Rock County, Wisconsin, and more fully described in the attached Easement Exhibits A and B (the “Property”).

2. *Permanent Utility Easement.* Grantor does hereby grant, convey, transfer and assign to Grantee easements over, under and across the Property, as described and depicted in the attached Easement Exhibits A, and B, (the “Permanent Easement Area”), to construct, maintain, inspect, repair, operate, and replace water utility and storm sewer infrastructure, facilities, accessories and appurtenances, and for ingress and egress purposes in order to exercise the rights and privileges granted herein.

3. *Easement Access.* Grantee shall have the right to come upon the Permanent Easement Area at any time in accordance herewith and for any purposes relating to the exercise of Grantee’s rights hereunder. Grantor may exercise any rights with respect to the Permanent Easement Area that are not inconsistent with the terms of this Agreement.

4. *Binding Effect and Assignability.* The easements granted by this document shall run with the lands described herein, are binding upon the heirs, successors and assigns of Grantor, and shall benefit Grantee, its successors and assigns.

5. *Restrictions on Grantor.* Grantor shall not erect or install upon the Permanent Easement Area any building, fence or structure of any kind, or any other objects, permanent or temporary, or plant any trees or shrubs within or overhanging the Permanent Easement Area or change the surface grade of the Permanent Easement Area. Grantor shall not perform any act that would interfere with the operation or maintenance of or endanger the storm water facilities or the use thereof.

6. *Grantee Restoration of Permanent Easement Area.* Grantee’s only restoration obligation following entry to the Permanent Easement Area is to replace disturbed topsoil and plant grass seed.

7. *Grantor Warranty.* Grantor represents and warrants that it is the sole fee owner of the Property and that Grantor may convey, grant, transfer and assign to the Grantee the easement rights granted hereunder. Grantor warrants that Grantor’s execution and delivery of these easements has been duly authorized by Grantor, and does not violate, conflict with, or constitute a default under any agreement or instrument binding upon Grantor.

THIS SPACE RESERVED FOR RECORDING DATA

RETURN TO:  
City Attorney  
City of Beloit  
100 State Street  
Beloit, WI 53511

P.I.N.  
206-

IN WITNESS WHEREOF, the parties have executed this instrument the day and year written below.

GRANTOR:

\_\_\_\_\_  
Andy Knabe, Manager  
New Leaf Homes, LLC

STATE OF WISCONSIN

COUNTY OF ROCK

Personally came before me, this \_\_\_\_ day of \_\_\_\_\_, 2020, the above- named Andy Knabe, known to me to be the persons who executed the foregoing instrument and acknowledged the same.

\_\_\_\_\_  
Print name: \_\_\_\_\_  
Notary Public, State of Wisconsin  
My Commission \_\_\_\_\_

Attachment:

- Exhibit A – Hawks Pass Easement Depiction
- Exhibit B – Night Hawk Drive Easement Depiction

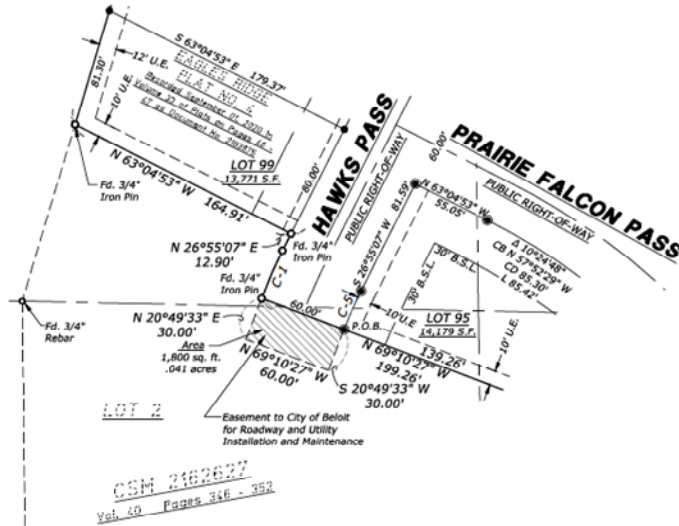
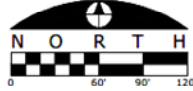
*This instrument was drafted by:*

Richard Manthe  
Stafford Rosenbaum LLP  
222 West Washington Avenue, Suite 900  
P.O. Box 1784  
Madison, WI 53701-1784



# EASEMENT EXHIBIT

OF  
PART OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER  
AND PART OF THE NORTHWEST QUARTER OF THE SOUTHEAST  
QUARTER OF SECTION 28, TOWNSHIP 1 NORTH, RANGE 13 EAST OF  
THE FOURTH PRINCIPAL MERIDIAN, IN THE CITY OF БЕЛОИТ, COUNTY  
OF ROCK, STATE OF WISCONSIN



## LEGEND

- SET MONUMENT 1 1/4" REBAR, 4.30 LBS PER FT.
- SET MONUMENT 3/4" REBAR, 1.5 LBS PER FT.
- FOUND MONUMENT, SEE MAP FOR MATERIAL

## ROADWAY AND UTILITY INSTALLATION AND MAINTENANCE EASEMENT

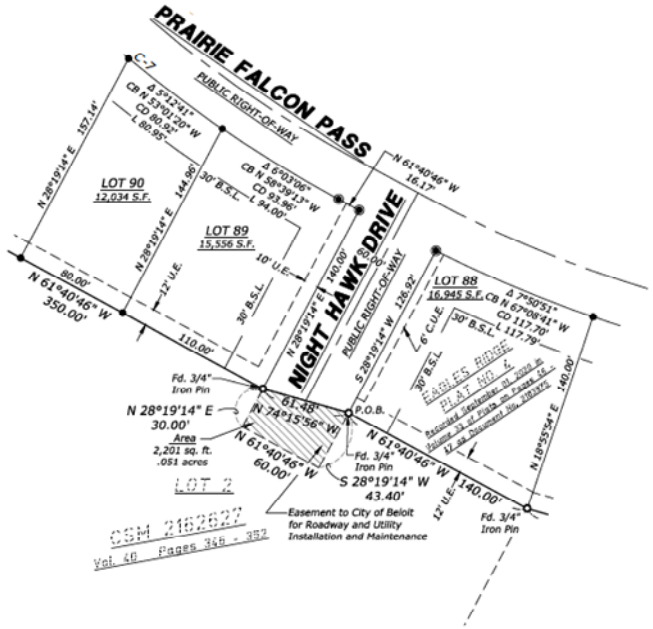
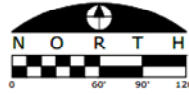
Part of Lot 2 of CSM recorded August 18, 2020 in Volume 40 of Certified Survey Maps on Pages 346 through 352 as Document No. 2162627 in the Register's Office of Rock County, Wisconsin being part of the Southwest Quarter of the Northeast Quarter and part of the Northwest Quarter of the Southeast Quarter of Section 28, Township 1 North, Range 13 East of the Fourth Principal Meridian, in the City of Beloit, Count of Rock, State of Wisconsin described as follows:

Beginning at the Southwest corner of Lot 95 of Eagles Ridge Plat No. 4, being a subdivision of part of said Southwest Quarter of the Northeast Quarter and part of the Northwest Quarter of the Southeast Quarter of Section 28, the plat of which subdivision was recorded September 1, 2020 in Volume 33 of Plats on Pages 46-47 as Document No. 2163875 in the Register's Office of Rock County, Wisconsin; thence South 20 degrees 49 minutes 33 seconds West, a distance of 30.00 feet; thence North 69 degrees 10 minutes 27 seconds West perpendicular to the last described course, a distance of 60.00 feet; thence North 20 degrees 49 minutes 33 seconds East perpendicular to the last described course, a distance of 30.00 feet to a point in the Southerly line of said Eagles Ridge Plat No. 4; thence South 69 degrees 10 minutes 27 seconds East along the Southerly line of said Eagles Ridge Plat No. 4 a distance of 60.00 feet to the Point of Beginning, containing 1,800 square feet, 0.041 acres, more or less, all being situated in Rock County, Illinois.

Sheet 1 of 1  
19152  
Rev. 09/03/2020

# EASEMENT EXHIBIT

OF  
PART OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF  
SECTION 28, TOWNSHIP 1 NORTH, RANGE 13 EAST OF THE FOURTH  
PRINCIPAL MERIDIAN, IN THE CITY OF БЕЛОИТ, COUNTY OF ROCK,  
STATE OF WISCONSIN



## LEGEND

- SET MONUMENT 1 1/4" REBAR, 4.30 LBS PER FT.
- SET MONUMENT 3/4" REBAR, 1.5 LBS PER FT.
- FOUND MONUMENT, SEE MAP FOR MATERIAL

## ROADWAY AND UTILITY INSTALLATION AND MAINTENANCE EASEMENT

Part of Lot 2 of CSM recorded August 18, 2020 in Volume 40 of Certified Survey Maps on Pages 346 through 352 as Document No. 2162627 in the Register's Office of Rock County, Wisconsin being part of the Northeast Quarter of the Southeast Quarter of Section 28, Township 1 North, Range 13 East of the Fourth Principal Meridian, In the City of Beloit, Count of Rock, State of Wisconsin described as follows:

Beginning at the Southwest corner of Lot 88 of Eagles Ridge Plat No. 4, being a subdivision of part of said Northeast Quarter of the Southeast Quarter of Section 28, the plat of which subdivision was recorded September 1, 2020 in Volume 33 of Plats on Pages 46-47 as Document No. 2163875 in the Register's Office of Rock County, Wisconsin; thence South 28 degrees 19 minutes 14 seconds West, a distance of 43.40 feet; thence North 61 degrees 40 minutes 46 seconds West perpendicular to the last described course, a distance of 60.00 feet; thence North 28 degrees 19 minutes 14 seconds East perpendicular to the last described course, a distance of 30.00 feet to the Southeast corner of Lot 88 in said Eagles Ridge Plat No. 4; thence South 74 degrees 15 minutes 56 seconds East along the Southerly line of said Eagles Ridge Plat No. 4 a distance of 61.48 feet to the Point of Beginning, containing 2,201 square feet, 0.051 acres, more or less, all being situated in Rock County, Illinois.

Sheet 1 of 1  
19152  
Rev. 09/03/2020

**EASEMENTS**

For good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Luke E. Madson (“Grantor”), does hereby convey, grant, transfer, and assign to the City of Beloit, Rock County, Wisconsin, a municipal corporation (“Grantee”), or its assigns, the easements hereinafter described.

1. *The Property.* Grantor is the owner of the certain property within the Eagles Ridge subdivision in Rock County, Wisconsin, and more fully described in the attached Easement Exhibit C (the “Property”).

2. *Permanent Utility Easement.* Grantor does hereby grant, convey, transfer and assign to Grantee easements over, under and across the Property, as described and depicted in the attached Easement Exhibit C (the “Permanent Easement Area”), to construct, maintain, inspect, repair, operate, and replace water utility and storm sewer infrastructure, facilities, accessories and appurtenances, and for ingress and egress purposes in order to exercise the rights and privileges granted herein.

3. *Easement Access.* Grantee shall have the right to come upon the Permanent Easement Area at any time in accordance herewith and for any purposes relating to the exercise of Grantee’s rights hereunder. Grantor may exercise any rights with respect to the Permanent Easement Area that are not inconsistent with the terms of this Agreement.

4. *Binding Effect and Assignability.* The easements granted by this document shall run with the lands described herein, are binding upon the heirs, successors and assigns of Grantor, and shall benefit Grantee, its successors and assigns.

5. *Restrictions on Grantor.* Grantor shall not erect or install upon the Permanent Easement Area any building, fence or structure of any kind, or any other objects, permanent or temporary, or plant any trees or shrubs within or overhanging the Permanent Easement Area or change the surface grade of the Permanent Easement Area. Grantor shall not perform any act that would interfere with the operation or maintenance of or endanger the storm water facilities or the use thereof.

6. *Grantee Restoration of Permanent Easement Area.* Grantee’s only restoration obligation following entry to the Permanent Easement Area is to replace disturbed topsoil and plant grass seed.

7. *Grantor Warranty.* Grantor represents and warrants that it is the sole fee owner of the Property and that Grantor may convey, grant, transfer and assign to the Grantee the easement rights granted hereunder. Grantor warrants that Grantor’s execution and delivery of these easements has been duly authorized by Grantor, and does not violate, conflict with, or constitute a default under any agreement or instrument binding upon Grantor.

THIS SPACE RESERVED FOR RECORDING DATA

RETURN TO:  
City Clerk  
City of Beloit  
100 State Street  
Beloit, WI 53511

P.I.N.



IN WITNESS WHEREOF, the parties have executed this instrument the day and year written below.

GRANTOR:

\_\_\_\_\_  
Luke E. Madson

STATE OF WISCONSIN

COUNTY OF ROCK

Personally came before me, this \_\_\_\_ day of \_\_\_\_\_, 2020, the above- named Luke E. Madson, known to me to be the persons who executed the foregoing instrument and acknowledged the same.

\_\_\_\_\_  
Print name: \_\_\_\_\_  
Notary Public, State of Wisconsin  
My Commission \_\_\_\_\_

Attachment:

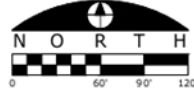
Exhibit C – Quail Run Easement Depiction

*This instrument was drafted by:*

Richard Manthe  
Stafford Rosenbaum LLP  
222 West Washington Avenue, Suite 900  
P.O. Box 1784  
Madison, WI 53701-1784

# EASEMENT EXHIBIT

OF  
PART OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 28, TOWNSHIP 1 NORTH, RANGE 13 EAST OF THE FOURTH PRINCIPAL MERIDIAN, IN THE CITY OF БЕЛОIT, COUNTY OF ROCK, STATE OF WISCONSIN



## LEGEND

- SET MONUMENT 1 1/4" REBAR, 4.30 LBS PER FT.
- SET MONUMENT 3/4" REBAR, 1.5 LBS PER FT.
- FOUND MONUMENT, SEE MAP FOR MATERIAL

## ROADWAY AND UTILITY INSTALLATION AND MAINTENANCE EASEMENT

Part of the Northeast Quarter of the Southeast Quarter of Section 28, Township 1 North, Range 13 East of the Fourth Principal Meridian, in the City of Beloit, County of Rock, State of Wisconsin described as follows:

Commencing at the Southeast corner of Outlot 6 as designated upon Eagles Ridge Plat No. 4, being a subdivision of part of the Northeast Quarter of the Southeast Quarter of said Section 28, the plat of which subdivision was recorded September 1, 2020 in Volume 33 of Plats on Pages 46-47 as Document No. 2163875 in the Register's Office of Rock County, Wisconsin; thence South 89 degrees 16 minutes 45 seconds West along the South line of said Outlot 6, a distance of 82.75 feet to the Point of Beginning for the hereinafter described easement parcel; thence South 0 degrees 43 minutes 15 seconds East perpendicular to the last described course, a distance of 30.00 feet; thence South 89 degrees 16 minutes 45 seconds West perpendicular to the last described course, a distance of 150.00 feet; thence North 0 degrees 43 minutes 15 seconds West perpendicular to the last described course, a distance of 30.00 feet to a point in the Southerly line of Lot 83 in said Eagles Ridge Plat No. 4; thence North 89 degrees 16 minutes 45 seconds East along the Southerly line of said Eagles Ridge Plat No. 4 a distance of 150.00 feet to the Point of Beginning, containing 4,500 square feet, 0.103 acres, more or less, all being situated in Rock County, Illinois.

