



**PUBLIC NOTICE & AGENDA  
PLAN COMMISSION  
City Hall Forum - 100 State Street, Beloit, WI 53511  
7:00 PM  
Wednesday, January 20, 2021**

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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) 749-3112, access code 908-474-045. 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](mailto:planning@beloitwi.gov) by 12:00 noon on Wednesday, January 20, 2021.*

1. CALL TO ORDER AND ROLL CALL
2. MINUTES
  - 2.a. Consideration of the minutes of the December 22, 2020 Plan Commission meeting  
[Attachment](#)
3. PUBLIC HEARINGS
  - 3.a. Consideration of a Resolution recommending approval of an amendment to the City of Beloit Comprehensive Plan's Future Land Use Map for the property located at 3155 Prairie Avenue  
[Attachment](#)
  - 3.b. Consideration of a Resolution approving the Preliminary Plat of Parkmeadow North Plat No. 4 for the properties located at 2600 and 2605 Claremont Drive  
[Attachment](#)
  - 3.c. Consideration of a Resolution authorizing Exceptions to Sections 30.40(2)(e) and 2(c) of the Sign Ordinance for the property located at 3030 Ford Street  
[Attachment](#)
4. STATUS REPORT ON PRIOR PLAN COMMISSION ITEMS
  - 4.a. Status Report on Sidewalk Easement over 1111 Prince Hall Drive
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  
Tuesday, December 22, 2020**

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

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

**2. MINUTES**

**2.a. Consideration of the minutes of the December 9, 2020 Plan Commission meeting**

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

**3. REPORTS**

**3.a. Consideration of a sidewalk easement over the property located at 1111 Prince Hall Drive**

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

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

**3.b. Consideration of an Extraterritorial two-lot Certified Survey Map for the property located at 5843 E Creek Road in the Town of Turtle**

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

Councilor Preuschl asked Ms. Christensen if this was related to the boundary agreement with the Town of Turtle. Ms. Christensen said that it was not.

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

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

Ms. Christensen said that the City Council approved the Conditional Uses for 2901 Milwaukee Rd and 3030 Ford Street and approved the Architectural Review Exception for 1870 Post Road. The January 6, 2021 Plan Commission meeting will be cancelled, and the next one will be on January 20<sup>th</sup>, 2021.

5. **ADJOURNMENT**

Motion made by Commissioner Robson, and seconded by Commissioner Ruster. Motion carried, roll call vote. Meeting adjourned at 7:10 PM.



## **REPORT TO THE PLAN COMMISSION**

**Plan Commission Meeting Date:** January 20, 2021

**Agenda Item:** 3.a.

**File Number:** RPB-2020-07

### **General Information**

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**Applicant:** Seth Waddell of Kwik Trip

**Owner:** Prairie Avenue LLC (Note: Applicant Contract to Purchase)

**Address/Location:** 3155 Prairie Avenue (NE Corner of Prairie Ave and Inman Parkway)

**Current Zoning:** M-2, General Industrial District

**Applicant's Request/Proposal:** Seth Waddell has submitted an application to amend the Future Land Use Map (Map 10) of the City of Beloit Comprehensive Plan. Wisconsin's Comprehensive Planning Law, §66.1001 of the Wisconsin Statutes, was signed into law in 1999. The Comprehensive Planning law requires all cities, towns, and villages that regulate land use through land use ordinances (e.g. zoning) to adopt a Comprehensive Plan. This plan is intended to guide development and redevelopment over a 20-year timeframe. The law also requires that land use decisions be consistent with the plan. The Beloit City Council approved the City's Comprehensive Plan update in November 2018 after an extensive public participation program. All land use decisions made by the City of Beloit, including any actions regarding official mapping, local subdivision regulation, and zoning regulations, must be consistent with the plan.

### **Staff Analysis**

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**Project Summary:** The applicant has proposed the following amendment to the Future Land Use Map (Map 10) of the City's Comprehensive Plan: 3155 Prairie Avenue - From *General Industrial* to *Planned Mixed Use*.

The subject property is currently planned for General Industrial use, which is intended to encourage manufacturing, warehousing, and distribution land uses. The applicant's proposed future commercial development is not allowed by the existing general industrial use recommendation and M-2, General Manufacturing District, zoning classification.

The requested Planned Mixed Use future land use recommendation would allow flexibility in layout and allow multiple land uses appropriate in the C-3, Community Commercial zoning

district. The applicant will be seeking a Zoning Map Amendment to C-3, Community Commercial District, following this Comprehensive Plan Amendment.

**Existing Site Conditions:**

The property is located on the northeast corner of Prairie Avenue and Inman Parkway. The current zoning is M-2, General Industrial District. The property is vacant undeveloped land for sale, and it currently has a signed offer to purchase. The subject property will be allowed to have one driveway on each street.

**Surrounding Land Use and Zoning:**

North and east of the subject property is BPR USA which is zoned M-2, General Manufacturing District. To the south of the subject property is a single-family home, tax service business, and the Colony Court Apartments zoned R-3, Low Density Multi-Family Residential District, and C-1, Office District. To the west is Casey's General Store zoned B-2, Local Business District, located in the Town of Beloit.

**City of Beloit Comprehensive and Strategic Plan:**

1. The City's compliance with the Comprehensive Planning law's consistency requirement is the impetus for this request.
2. Consideration of this request supports Strategic Goal #3 by creating residential and economic growth.

**Land Use Analysis:**

As shown on the attached map, this request involves a 5.98 acre vacant industrial zoned parcel located on the corner of Prairie Avenue and Inman Parkway. Adjacent land uses include commercial, industrial, office, and multi-family residential. If the comprehensive plan amendment is approved, the applicant can then apply to rezone the property to C-3, Community Commercial District, which will allow their proposed development as both permitted and conditional uses. Planning staff believes that the change to the Future Land Use Map for 3155 Prairie Avenue to Planned Mixed Use is the most appropriate density and development for this property, given the newly signalized intersection and mixed use district along Prairie Avenue. The Planned Mixed Use category is intended to facilitate a carefully designed blend of Community Commercial, Mixed Residential, Office, General Industrial, and Institutional and Community Service land uses. Staff is recommending approval because the proposed commercial development is a compatible use for a vacant corner property.

**STAFF RECOMMENDATION:**

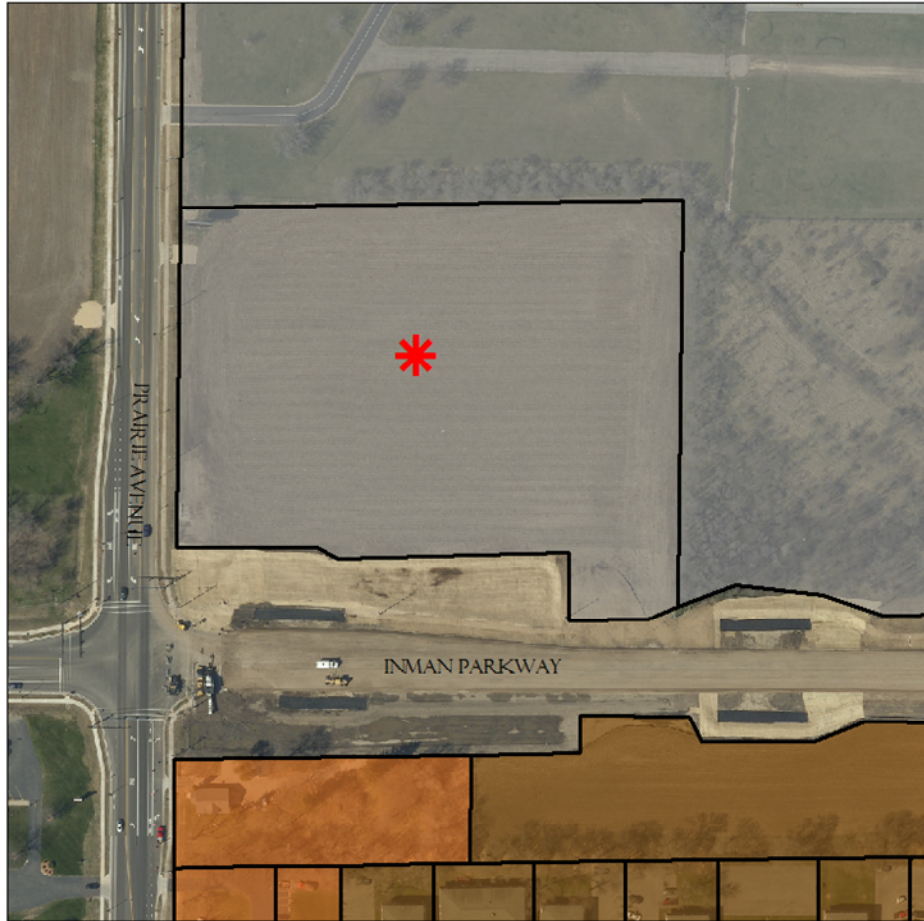
The Planning and Building Services Division recommends approval of a Comprehensive Plan Amendment to change the future land use classification from General Industrial to Planned Mixed Use, for the property located at 3155 Prairie Avenue.

**ATTACHMENTS:** Location and Zoning Map, Future Land Use Map, Application, Public Notice, and Mailing List

# Location Map

3155 Prairie Avenue

RPB-2020-07



## 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

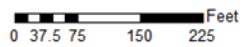
R-4

Parcel Poly

City Limits (Corp Poly)



1 inch = 144 feet



### Legend

Parcel Poly

City Limits (Corp Poly)

Map prepared by: Hilary Rottmann

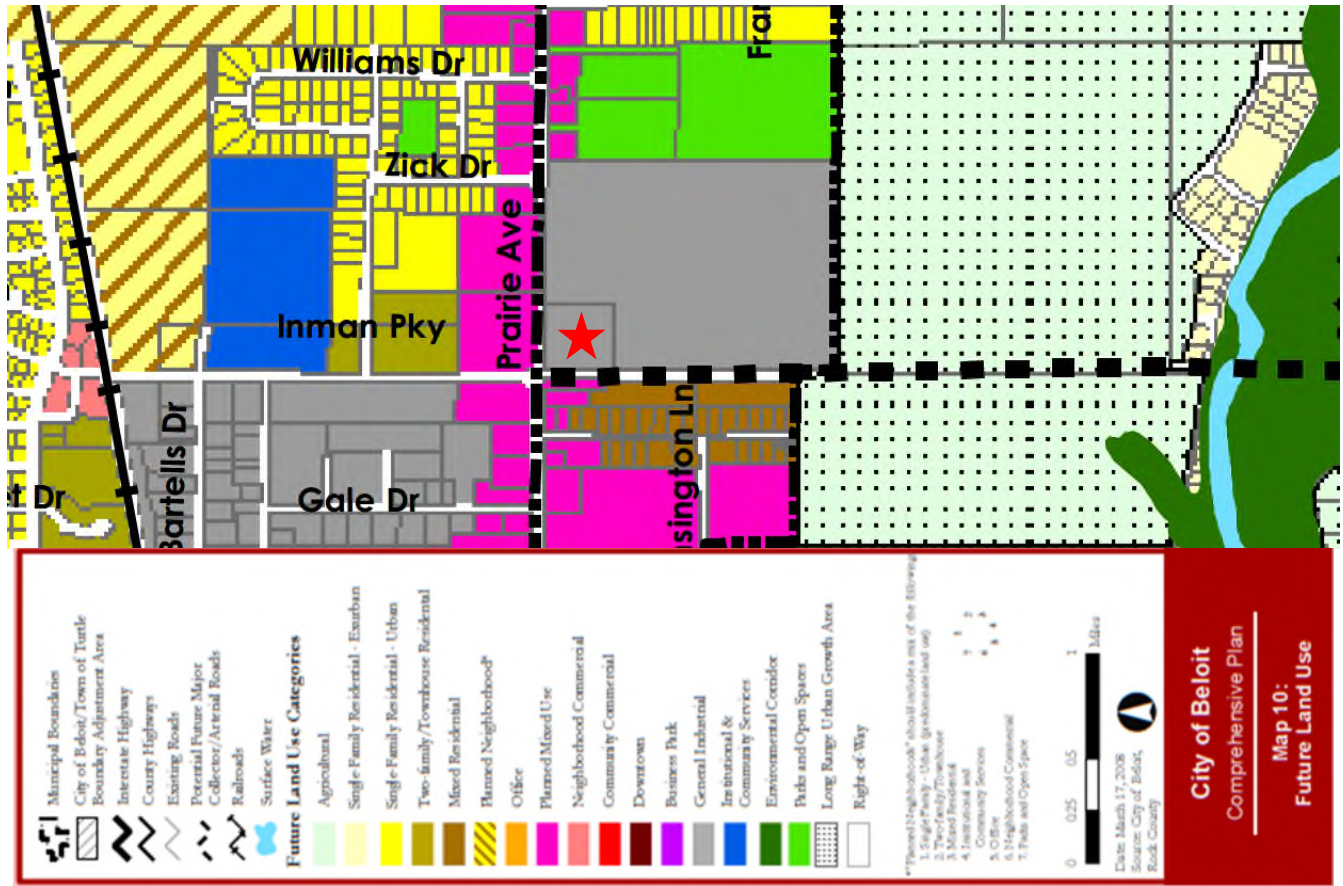
Date: January 2021

For: City of Beloit Planning & Building

Date of Aerial Photography: April 2016

PLANNING & BUILDING SERVICES DIVISION

# Map 10, Future Land Use (Narrowed to Subject Property)







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

## **NOTICE TO THE PUBLIC**

December 31, 2020

To Whom It May Concern:

Seth Waddell has filed an application requesting the following amendment to the Future Land Use Map (Map 10) of the City of Beloit Comprehensive Plan for the property located at:

3155 Prairie Avenue -*From General Industrial to Planned Mixed Use*

The request is for a future commercial development. The following public hearings will be held regarding this proposed amendment:

**City Plan Commission:** Wednesday January 20, 2021, 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, March 1, 2021, 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](mailto: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.**

Karry DeVault, Clerk  
Town of Beloit  
2445 S. Afton Rd.  
Beloit 53511

Deb Bennett, Clerk  
Town of Turtle  
6916 S. County Rd. J.  
Beloit, WI 53511

City Clerk  
City of South Beloit  
519 Blackhawk Blvd. Suite 2  
South Beloit, IL 61080

Peter Herreid  
Div. of Intergovernmental Relations  
Department of Administration  
[peter.herreid@wisconsin.gov](mailto:peter.herreid@wisconsin.gov)

Frank Management Inc.  
2501 Morse Street  
Janesville, WI 53545

Colin Byrnes  
Rock County Planning Director  
51 S. Main Street, Room 266  
Janesville, WI 53545

Mr. Jim Brewer, District Administrator  
Clinton Community School District  
112 Milwaukee Road  
Clinton, WI 53525

Nick Dimassis  
Beloit Public Library Director  
[ndimassis@beloitlibrary.org](mailto:ndimassis@beloitlibrary.org)

Donald Childs, Superintendent  
School District of Beloit  
1633 Keeler Avenue  
Beloit, WI 53511

Dr. Dennis McCarthy, Superintendent  
Beloit-Turner School District  
1237 Inman Parkway  
Beloit, WI 53511

Brad Austin  
Corporate Contractors Inc.  
3800 Gateway Blvd #200  
Beloit, WI 53511

## RESOLUTION

### RECOMMENDING APPROVAL OF AN AMENDMENT TO THE CITY OF BELOIT COMPREHENSIVE PLAN

**WHEREAS**, the Plan Commission of the City of Beloit recommended approval of the Comprehensive Plan of the City of Beloit (the Plan) on September 5, 2018, and the City Council of the City of Beloit approved an Ordinance adopting the Plan on November 5, 2018; and

**WHEREAS**, the Plan may be amended and changed in the years following adoption, particularly in instances where the Plan is becoming irrelevant or contradictory to emerging policies or trends, or does not provide specific advice or guidance on an emerging issue; and

**WHEREAS**, “Amendments” are generally defined as minor changes to the Plan’s maps or text; and

**WHEREAS**, the City Council of the City of Beloit approved a Resolution to Adopt a Process for Amending the City of Beloit Comprehensive Plan on February 1, 2010; and

**WHEREAS**, the approved process directs the Plan Commission to hold a public meeting on the proposed amendment, and following said public meeting, make a recommendation by Resolution to the City Council by majority vote of the entire Commission.

**NOW, THEREFORE, BE IT RESOLVED** that the Plan Commission of the City of Beloit, Rock County, Wisconsin, hereby recommends approval of the following amendment to the Future Land Use Map (Map 10) of the City of Beloit Comprehensive Plan:

1. 3155 Prairie Avenue – From *General Industrial* to *Planned Mixed Use*.

Adopted this 20<sup>th</sup> day of January, 2021.

#### 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:** January 20, 2021

**Agenda Item:** 3.b.

**File Number:** PS-2021-01

### **General Information**

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**Applicant:** R.H. Batterman & Co., on behalf of Cedar Ridge Homes LLC

**Owner:** Petry Trust No. 1989

**Address/Location:** 2600 and 2605 Claremont Drive

**Applicant's Request:** Preliminary Subdivision Plat (24 buildable lots)

### **Staff Analysis**

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**Proposed Lots:** R.H. Batterman & Co., on behalf of Cedar Ridge Homes LLC, has submitted the attached Preliminary Plat of Parkmeadow North Plat No. 4 for two vacant parcels located at 2600 and 2605 Claremont Drive. As shown on the attachment, the developer is proposing twenty-four (24) single-family lots on Claremont Drive and James Kelly Lane. The subject parcels are owned by Petry Trust No. 1989.

The subject parcels total 8.57 acres in area and are served by infrastructure constructed as part of Parkmeadow North Plat 3. The parcels were originally approved to accommodate up to 20 duplex structures totaling 40 dwelling units. However, the Planned Unit Development (PUD) for the duplex development expired and the land is now zoned R-1A, Single-Family Residential. The proposed plat includes existing & proposed easements for stormwater management, the existing recreational trail, underground utilities, and the existing overhead transmission lines. This land is located in the Beloit Turner School District.

The proposed lots are similar in width and size to earlier phases, and range in size from 8,889 square feet to 32,753 square feet. Both Claremont Drive and James Kelly Lane are fully improved local streets at approximately 31 feet in width. The minimum lot width in the R-1A district is 70 feet, and the minimum lot area is 8,750 square feet. All of the proposed lots meet these minimums.

**Platting Process:** Residential subdivisions require approval of a preliminary (conceptual) plat and a final (detailed) plat. The Plan Commission may approve, conditionally approve, or reject any preliminary plat. In this case, the previously approved final plat included setbacks for the duplex development and a blanket easement for stormwater and utilities that are now obsolete and must be released and recorded with the Register of Deeds after City Council approval. Planning staff is working with the utility providers on this release request.

**Proposed Public Improvements:** The existing streets already include curb & gutter, street lights, water, and sewer mains. This project includes removal of the private driveway/parking area and utilities that were constructed on the west side of Claremont Drive followed by replacement with conventional barrier curb & gutter. A Development Agreement will be required for these and other public improvements such as concrete sidewalks. The City Engineer has reviewed the plat and commented that additional details relating to overland stormwater routes will be requested as part of the review of detailed engineering plans and specifications.

**Surrounding Uses:** There are single-family homes to the north and west of the subject parcels, and condos to the south. The land to the east is agricultural land in the Town of Turtle. Note that Northfield Lane was extended to the City limits immediately north of the subject parcels to provide a future street connection.

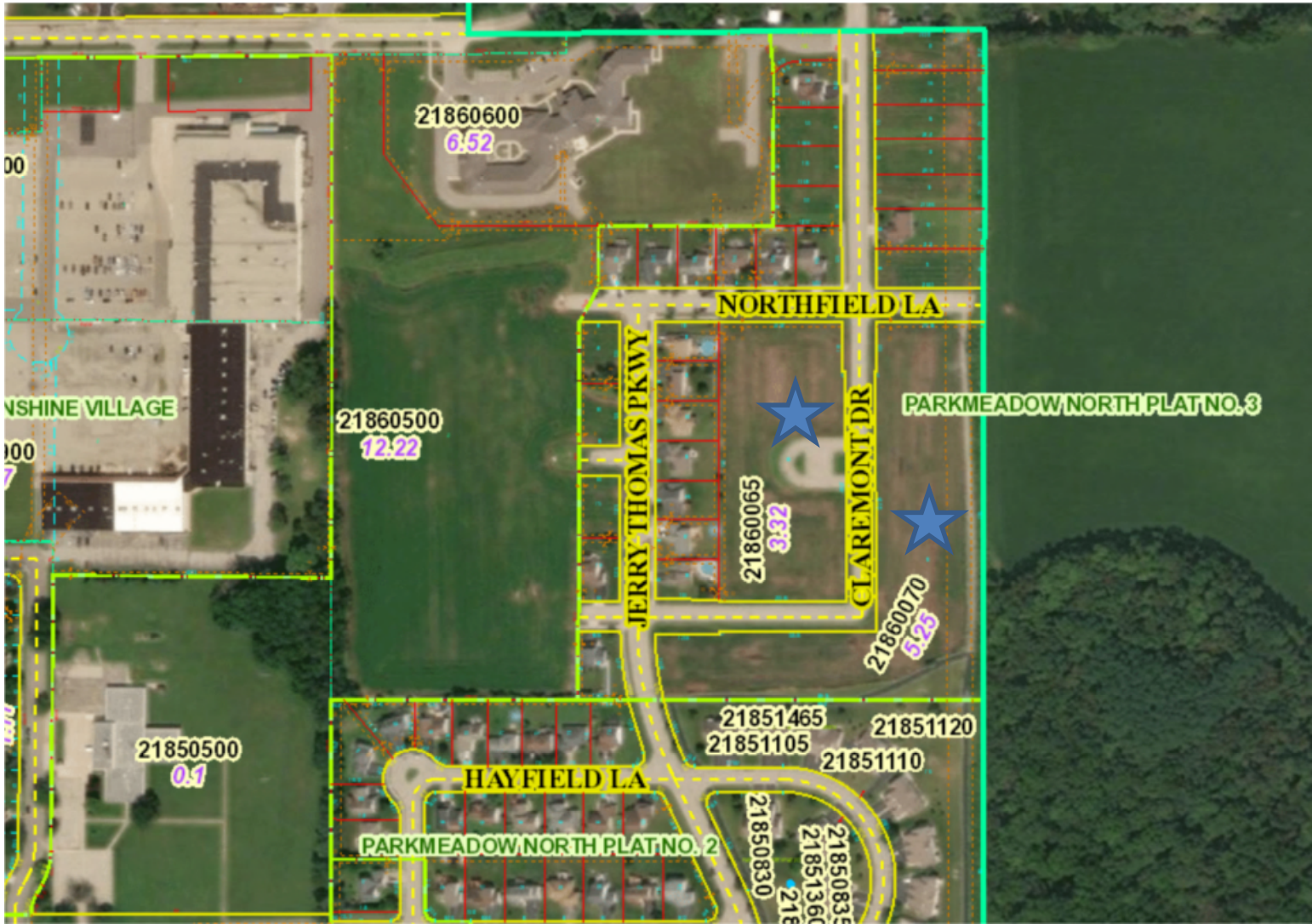
**City of Beloit Comprehensive Plan and Strategic Plan:** The Future Land Use Map of the City’s Comprehensive Plan recommends Single-Family Residential – Urban uses for the subject properties. The proposed subdivision plat is consistent with this recommendation. Consideration of this request supports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

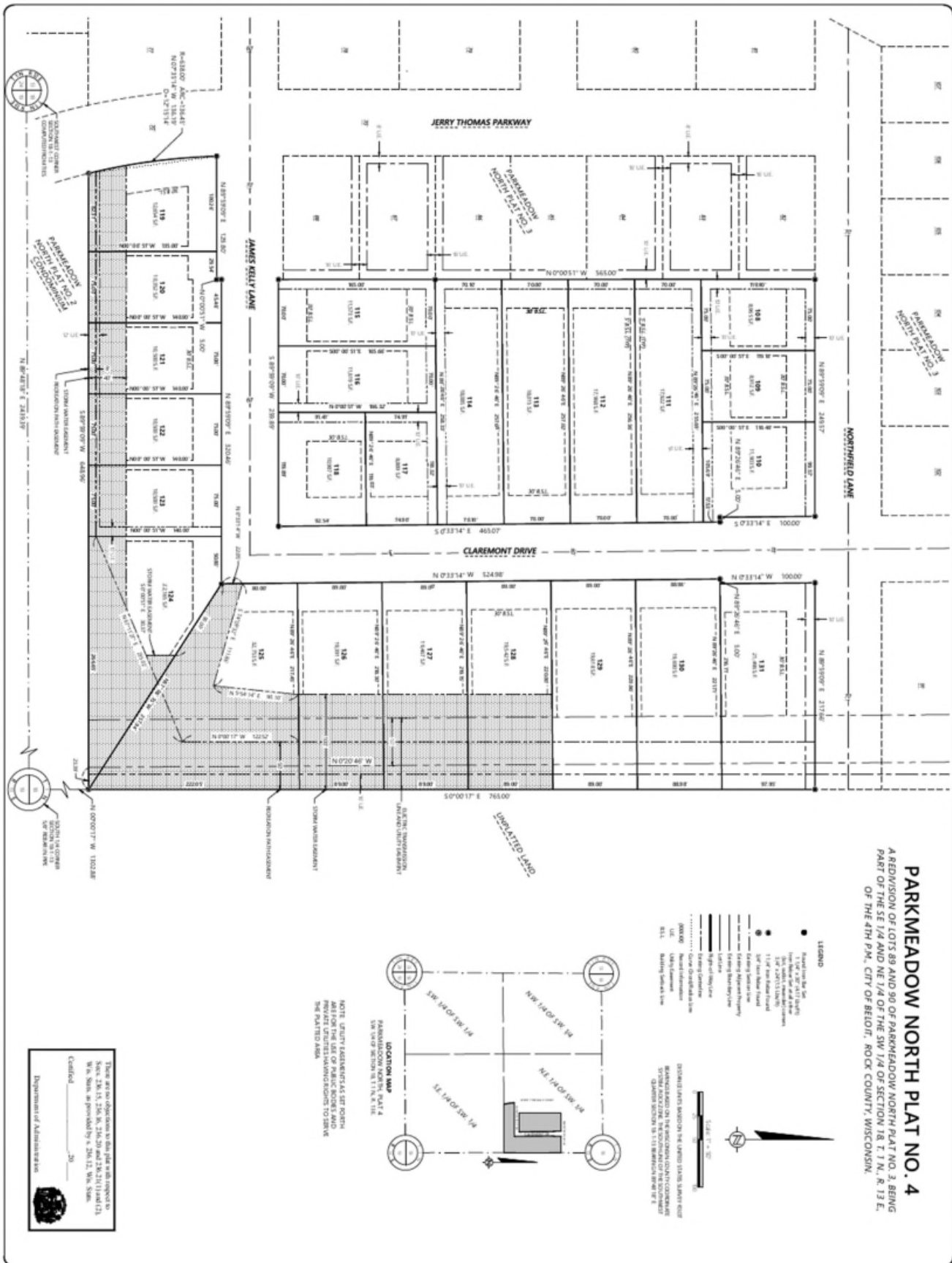
**STAFF RECOMMENDATION:**

The Planning & Building Services Division recommends approval of the Preliminary Plat of Parkmeadow North Plat No. 4 for the properties located at 2600 and 2605 Claremont Drive, based on its consistency with the Comprehensive Plan, Subdivision Ordinance, and Zoning Ordinance, subject to the following conditions:

1. The Final Plat shall substantially conform to the approved Preliminary Plat with respect to the number of lots, lot sizes, and the proposed right-of-way layout.
2. A draft of any proposed restrictive covenants shall be submitted with the Final Plat.
3. The Final Plat shall include a designated area for a cluster mailbox delivery system.
4. The applicant shall record a Release of Platted Building Setback Lines, Release of Stormwater and Utilities Easements, and Affidavits of Correction for the obsolete duplex lots, which shall first require City Council approval.
5. Any major changes in the adopted conditions or use of the property shall be approved by the Plan Commission. The Director of Planning & Building Services may approve minor changes administratively.

**ATTACHMENTS:** Location Map, Preliminary Plat, Application, Public Notice, and Resolution.





ORDER NO: 33749  
 BOOK SEE FILE  
 FIELD CREW: JMG  
 DRAWN BY: CM  
 DATE: December 15, 2020

FOR THE EXCLUSIVE USE OF:  
 PETRY TRUST NO. 1989  
 PO BOX 80  
 BELLEVILLE, WI 53508

**PARKMEADOW NORTH PLAT NO. 4**

**Batterman** 2857 Barnes Drive  
 Beloit, Wisconsin 53511  
 608.345.4634  
 www.batterman.com

engineers surveyors planners

**3**



# CITY of BELOIT

## Neighborhood Planning Division

100 State Street, Beloit, WI 53511

Phone: (608) 364-6700

Fax: (608) 364-6609

### Application for Review of a Preliminary Subdivision Plat

(Please Type or Print)

File Number: \_\_\_\_\_

1. Proposed subdivision name: Parkmeadow North Plat No. 4
2. Address of property: 2600/2605 Claremont Drive
3. Tax Parcel Number(s): 21860065/21860070
4. Property is located in (circle one): City of Beloit or Town of: Turtle; Beloit; Rock or LaPrairie  
In the SW/SE Quarter of Section 18, Township 1 North, Range 13 East of the 4th P.M.
5. Owner of record: Petry Trust No. 1989 Phone: \_\_\_\_\_  
PO Box 80 Belleville WI 53508  
(Address) (City) (State) (Zip)
6. Applicant's Name: Michael Haegele CEDAR RIDGE HOMES LLC  
P.O. BOX 80 BELLEVILLE WI 53508  
(Address) (City) (State) (Zip)  
1 608-289-7874 1 mhcinc7874@gmail.com  
(Office Phone #) (Cell Phone #) (E-mail Address)
7. The present zoning classification is: R-1A
8. All existing uses on the property are: Vacant
9. Proposed future zoning classification(s) is (are): R-1A (no change)
10. Proposed future uses of the property are: Residential
11. **THE FOLLOWING ITEMS MAY NEED TO BE COMPLETED AND/OR ATTACHED:**
  - Site Assessment Checklist**; as required for all major subdivision plats by section 12.02(1).
  - Pre-application meeting**; a pre-application meeting was held on August 27th, 2020 with City of Beloit Staff as per section 12.02(2).
  - Site Assessment Report**; if required as per section 12.02(5) of the Subdivision Ordinance.
  - Concept Plan**; as required by section 12.02(6) of the Subdivision Ordinance.
  - Developer's Statement**; as required by section 12.02(7) of the Subdivision Ordinance.
  - Preliminary Plat Map**; 10 copies as required by section 12.03(2) including all information required by section 12.03(3) of the Subdivision Ordinance.

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

Jeffrey G. Petry / Jeffrey G. Petry, Trustee / 10/14/20  
(Signature of applicant) (Name of applicant) (Date)

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

Review fee: \$500 plus \$15 per lot Amount paid: \$860

Scheduled meeting date: \_\_\_\_\_

Application accepted by: \_\_\_\_\_ Date: \_\_\_\_\_

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COMMUNITY DEVELOPMENT DEPARTMENT

**NOTICE TO THE PUBLIC**

January 5, 2021

To Whom It May Concern:

Cedar Ridge Homes LLC has submitted the attached Preliminary Plat of Parkmeadow North Plat No. 4 for two vacant parcels located at 2600 & 2605 Claremont Drive. As shown on the attachment, the developer is proposing twenty-four (24) single-family lots on Claremont Drive and James Kelly Lane. The subject parcels are owned by Petry Trust No. 1989.

The subject parcels total 8.57 acres in area and are served by infrastructure constructed as part of Parkmeadow North Plat 3. The parcels were originally approved to accommodate up to 20 duplex structures. However, the Planned Unit Development (PUD) for the duplex development has expired and the land is now zoned R-1A, Single-Family Residential. The proposed plat includes existing & proposed easements for stormwater management, the recreational trail, underground utilities, and the existing overhead transmission lines. Sidewalks will be required. This land is located in the Beloit Turner School District.

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

**City of Beloit Plan Commission:** Wednesday, January 20, 2021, at 7:00 PM, or as soon thereafter as the matter can be heard in The Forum, Beloit City Hall, 100 State Street, Beloit, Wisconsin.

**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**

**APPROVING THE PRELIMINARY PLAT OF PARKMEADOW NORTH PLAT NO. 4  
FOR THE PROPERTIES LOCATED AT 2600 AND 2605 CLAREMONT DRIVE**

**WHEREAS**, the City Plan Commission of the City of Beloit has heretofore held a public hearing on January 20, 2021 regarding the Preliminary Plat of Parkmeadow North Plat No. 4 for the properties located at 2600 and 2605 Claremont Drive in the City of Beloit.

**NOW, THEREFORE, BE IT RESOLVED THAT** the Plan Commission of the City of Beloit does hereby approve the attached Preliminary Plat of Parkmeadow North Plat No. 4, subject to the following conditions:

1. The Final Plat shall substantially conform to the approved Preliminary Plat with respect to the number of lots, lot sizes, and the proposed right-of-way layout.
2. A draft of any proposed restrictive covenants shall be submitted with the Final Plat.
3. The Final Plat shall include a designated area for a cluster mailbox delivery system.
4. The applicant shall record a Release of Platted Building Setback Lines, Release of Stormwater and Utilities Easements, and Affidavits of Correction for the obsolete duplex lots, which shall first require City Council approval.
5. Any major changes in the adopted conditions or use of the property shall be approved by the Plan Commission. The Director of Planning & Building Services may approve minor changes administratively.

Adopted this 20<sup>th</sup> day of January, 2021.

**Plan Commission**

By: \_\_\_\_\_  
Timothy Weeden, Plan Commission Chair

ATTEST:

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



## **REPORT TO THE PLAN COMMISSION**

**Plan Commission Meeting Date:** January 20, 2021

**Agenda Item:** 3.c.

**File Number:** SOE-2021-01

### **General Information**

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**Applicant:** MV Beloit LLC & Comet Neon, Inc.

**Owner:** KDN Hospitality LLC

**Address/Location:** Popeye's Louisiana Kitchen, 3030 Ford Street

**Applicant's Request:** Exception to the Sign Ordinance to allow four secondary, on-premises signs with two signs being larger than 30 square feet in area.

### **Staff Analysis**

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**Request Details:** MV Beloit LLC & Comet Neon, Inc. have filed an application for an exception to Section 30.40(2)(e) of the Outdoor Sign Regulations (the "Sign Ordinance") to allow more than three secondary, on-premises signs and to Section 30.40(2)(c) to allow two of those signs to exceed thirty (30) square feet in area, for the property located at 3030 Ford Street.

The applicant recently obtained approval to construct a Popeye's Louisiana Kitchen restaurant on the subject property. The proposed sign package includes a pole sign that complies with the Sign Ordinance and is therefore not part of this request, plus four secondary wall signs on the building. The Sign Ordinance allows three secondary wall signs on the building up to 30 square feet each. Two of the proposed secondary wall signs are "seals" at 9 square feet each on the sides of the building, the third sign is 52.5 square feet on the front of the building, and the fourth sign is 94.6 square feet of non-illuminated lettering that reads "Love That Chicken." Renderings of the proposed signs are attached to the staff report.

**Applicant's Hardship Argument:** According to the applicant, the site's location presents some unique visibility challenges – specifically related to the distance from the traffic signal at Milwaukee Road and Ford Street and the single access point from the private driveway leading to the Holiday Inn Express. The applicant states that all of the proposed signs are required by Popeye's corporate marketing department as part of uniform sign standards.

**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.*

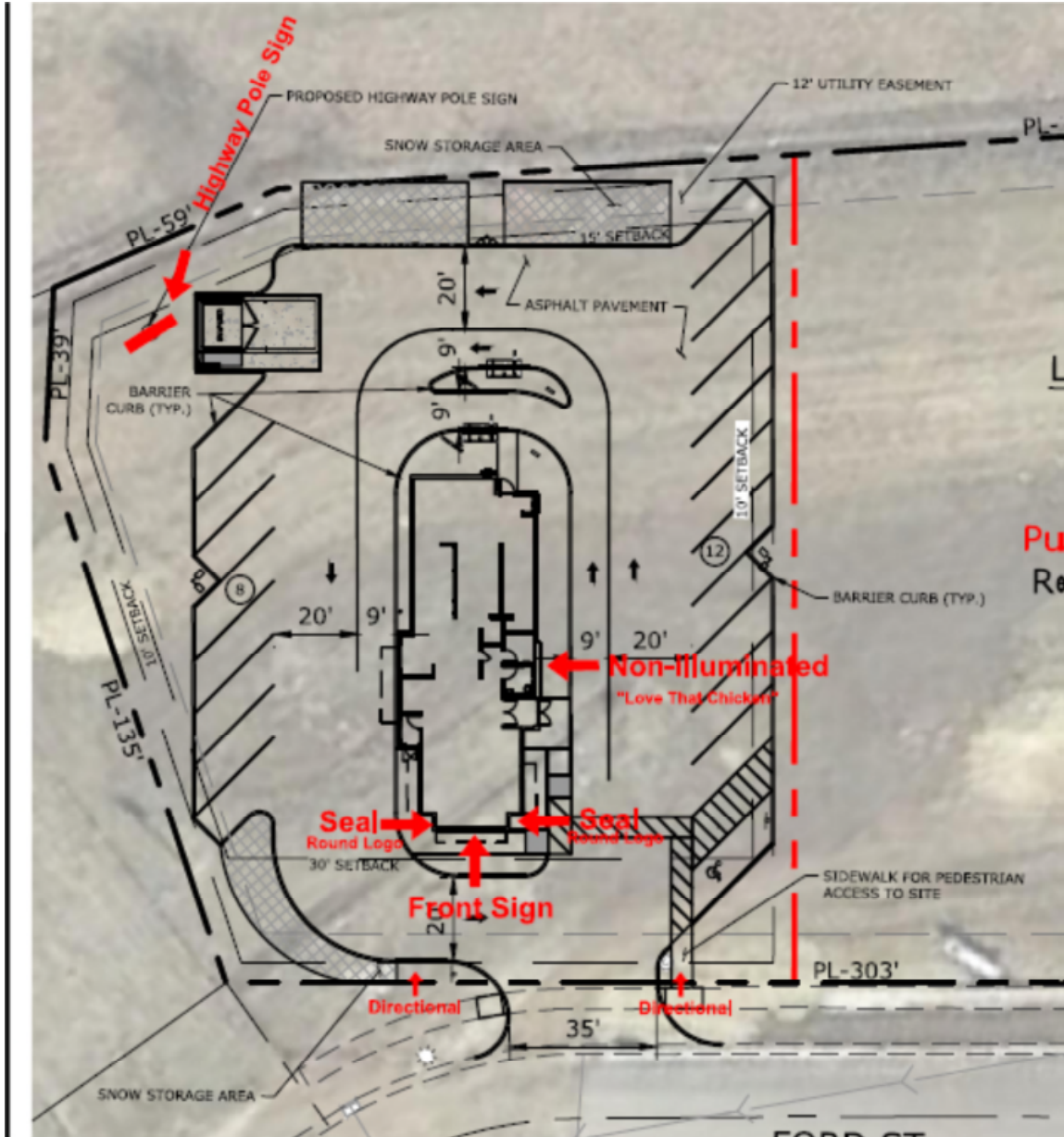
- Limiting this development to three secondary signs would unreasonably restrict the business from advertising to travelers along the I-39/90 corridor by impeding identification and navigation into this private development area, and would force the developer to drop the “Love That Chicken” sign in violation of corporate standards.
- b. *The hardship is not self-created.*
- The applicant is required to display a certain amount and type of signage in order to operate under the Popeye’s brand. This development was specifically designed to attract travel-oriented businesses that will complement the nearby hotels. In addition, this is a unique site due to its location on a private drive and its distance from the main artery into this area.
- c. *The exception will not undermine the purpose of the Sign Ordinance or the public interest.*
- The proposed secondary wall signage is scaled appropriately to the building size and totals just 165 square feet, which is consistent with many other recent commercial developments along this corridor. In September 2020 the Commission approved Qdoba’s request for secondary wall signs totaling 137 square feet, and the Holiday Inn Express obtained approval in 2019 for three secondary wall signs at 122 square feet each.

**STAFF RECOMMENDATION:**

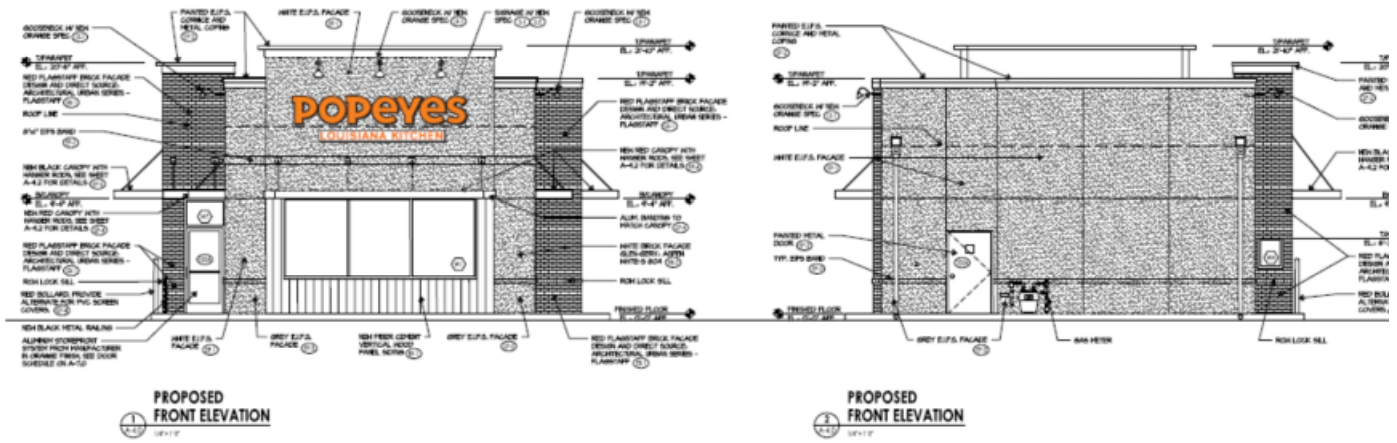
The Planning & Building Services Division recommends *approval* of an exception to Section 30.40(2)(e) of the Sign Ordinance to allow more than three secondary, on-premises signs and to Section 30.40(2)(c) to allow two of those signs to exceed thirty (30) square feet in area, for the property located at 3030 Ford Street, based on the above Findings of Fact and subject to the following conditions:

1. This approval authorizes two “seal” signs at 9 square feet each, one channel letter sign on the front at 52.5 square feet, and one non-illuminated “Love That Chicken” sign at 94.6 square feet on the side of the building as shown in the application materials. The total of all secondary, on-premises signage may not exceed 165 square feet.
2. An Architectural Review Certificate and Sign Permit are required prior to construction of any and all 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.

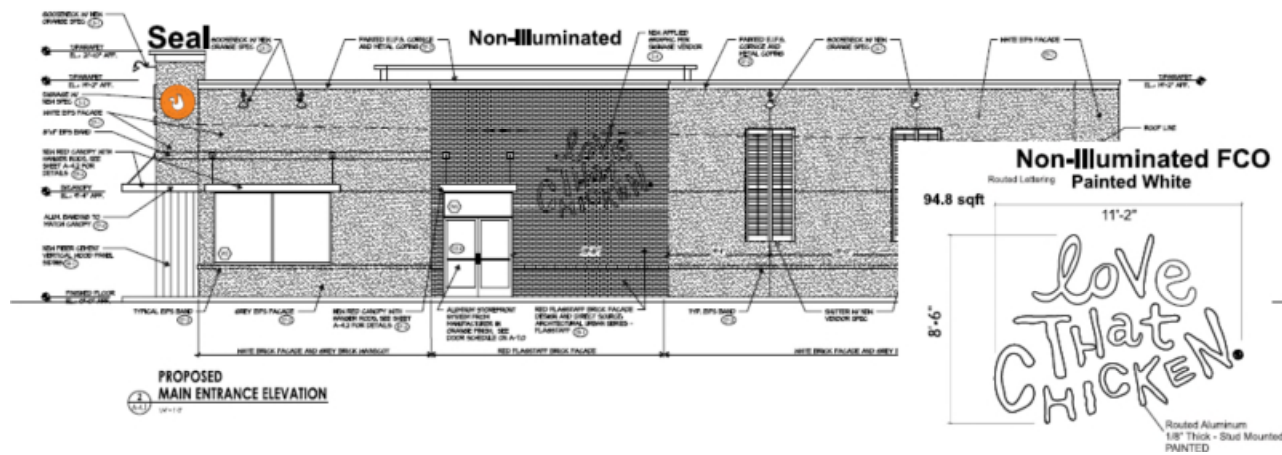
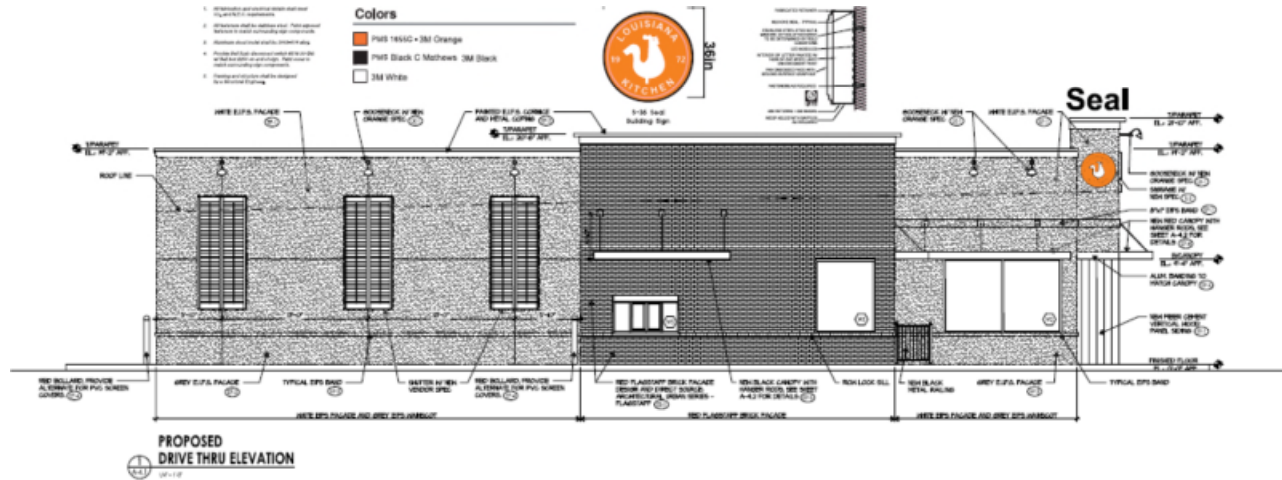
**ATTACHMENTS:** Site Diagram, Sign Renderings, Application, Public Notice, and Resolution.



Proposed Secondary Wall Sign (52.5 SF) - Front



# Proposed Secondary Wall Signs (9 SF Seal x 2 and 94.6 SF Non-Illuminated)





# 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: \_\_\_\_\_

1. Name of applicant: MV Beloit LLC & Comet Neon, Inc. Phone #: 773-398-3888  
350 West Hubbard St. Suite 250 Chicago, IL 60654  
(Address) (City) (State) (Zip)
2. Address of subject property: 3030 Ford St. Beloit, WI 53511
3. Tax Parcel Number(s): 22910010
4. Legal description: Lot 1 of CSM 2084190

5. Present zoning: C-3 Present use: Vacant land
6. Proposed use (if different): Popeyes
7. Owner of record: KDN Hospitality LLC Phone: 608.289.2598  
616 Midland Rd. Janesville WI 53545  
(Address) (City) (State) (Zip)  
E-mail address: Paul@CometNeon.com

8. State specific sections of code and exception(s) requested: (Use separate sheet if necessary)  
The proposed primary free standing ground sign complies with the sign code. Relief is sought for secondary signs which will be wall signs.

Section 30.40c of the municipal code mandates a maximum sign area of 30 square feet per secondary sign.

Section 30.40e states a maximum of 3 secondary signs is allowed.

We petition for 4 secondary wall signs and to exceed the 30 square feet maximum allowed sign area on two of the proposed secondary signs. Please keep in mind two of the proposed wall signs total a mere 9 square feet each and one sign is non-illuminated.

9. State specific hardship experienced by the applicant: (Use separate sheet if necessary)

Due to factors unique to the development of this site this Popeye's building and entrance is going to be over 300 feet away from Milwaukee Ave (major traffic artery). This positioning severely limits sign visibility.

Furthermore, as a nationally recognized brand, there are sign elements that must be included in a wall sign package in order for Popeye's corporate to approve a location. These required signs are: Two round "Seal" signs at 9 square feet each, one main ID sign at 52.5 square feet and an 94.6 square foot sign that is non-illuminated and reads "Love that Chicken" These 4 wall signs are integral to the Popeye's brand.

Popeye's current restaurant design is the culmination of years of design work. Granting an exception to allow 4 wall signs, two of which are over 30 square feet, will help this site develop to its full potential both aesthetically and economically.

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.

<u>Daniel J Weitzel</u> (Signature of Owner)	/	Daniel J Weitzel (Print name)	/	12/19/20 (Date)
<u>Kevin Vernick</u> (Signature of Applicant, if different)	/	Kevin Vernick (Print name)	/	12/19/20 (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: \_\_\_\_\_ Meeting date: \_\_\_\_\_  
 Application accepted by: \_\_\_\_\_ Date: \_\_\_\_\_  
 No. of notices: \_\_\_\_\_ x mailing cost (\$0.50) = cost of mailing notices: \$ \_\_\_\_\_  
 Date Notice Published: \_\_\_\_\_ Date Notice Mailed: \_\_\_\_\_



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

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

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COMMUNITY DEVELOPMENT DEPARTMENT

## **NOTICE TO THE PUBLIC**

January 5, 2021

To Whom It May Concern:

MV Beloit LLC & Comet Neon, Inc. have filed an application for an exception to Section 30.40(2)(e) of the Outdoor Sign Regulations (the "Sign Ordinance") to allow more than three (3) secondary, on-premises signs and to Section 30.40(2)(c) to allow two of those signs to exceed thirty (30) square feet in area, for the property located at:

### **Popeye's Louisiana Kitchen, 3030 Ford Street.**

The applicant recently obtained approval to construct a Popeye's restaurant on the subject property. The proposed sign package includes a pole sign that complies with the Sign Ordinance, plus 4 secondary wall signs on the building. The Sign Ordinance allows three secondary wall signs on the building up to 30 square feet each. Two of the proposed secondary wall signs are 9 square feet each, the third sign is 52.5 square feet, and the fourth sign is 94.6 square feet.

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

**City Plan Commission:** Wednesday, January 20, 2021, 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 SECTIONS 30.40(2)(E) AND 30.40(2)(C) OF THE SIGN ORDINANCE FOR THE PROPERTY LOCATED AT 3030 FORD STREET**

**WHEREAS**, the application of MV Beloit LLC & Comet Neon, Inc. for an exception to Section 30.40(2)(e) of the Sign Ordinance to allow more than three secondary, on-premises signs and to Section 30.40(2)(c) to allow two of those signs to exceed thirty (30) square feet in area, for the property located at 3030 Ford Street, 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)(e) of the Sign Ordinance to allow more than three secondary, on-premises signs and to Section 30.40(2)(c) to allow two of those signs to exceed thirty (30) square feet in area, for the property located at 3030 Ford Street in the City of Beloit, for the following described premises:

Lot 1 of a Certified Survey Map recorded in Volume \_\_ on Pages \_\_\_\_\_ as Document No. \_\_\_\_\_, located in the City of Beloit, Rock County, Wisconsin. Said parcel contains 0.72 acre, more or less.

This exception is subject to the following conditions:

1. This approval authorizes two “seal” signs at 9 square feet each, one channel letter sign on the front at 52.5 square feet, and one non-illuminated “Love That Chicken” sign at 94.6 square feet on the side of the building as shown in the application materials. The total of all secondary, on-premises signage may not exceed 165 square feet.
2. An Architectural Review Certificate and Sign Permit are required prior to construction of any and all 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 20<sup>th</sup> day of January, 2021.

**PLAN COMMISSION**

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Tim Weeden, Plan Commission Chairman

ATTEST:

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Julie Christensen  
Community Development Director