



**PUBLIC NOTICE & AGENDA
BELOIT PLAN COMMISSION
City Hall Forum - 100 State Street, Beloit, WI 53511
7:00 PM
Wednesday, August 4, 2021**

1. CALL TO ORDER AND ROLL CALL
2. MINUTES
 - 2.a. Consideration of the minutes of the July 21, 2021 Plan Commission meeting
[Attachment](#)
3. REPORTS
 - 3.a. Consideration of a Final Plat named Elmwood Commons Plat 1 for the property located at 2545 Kadlec Drive
[Attachment](#)
4. PUBLIC HEARINGS
 - 4.a. Consideration of an amendment to the Future Land Use Map of the Comprehensive Plan from Single Family Residential-Urban to Neighborhood Commercial for the property located at 1112 Garfield Avenue
[Attachment](#)
 - 4.b. Consideration of a Conditional Use Permit to allow a religious institution in an R-1B, Single Family Residential District, for the property located at 939 Liberty Avenue
[Attachment](#)
 - 4.c. Consideration of a Conditional Use Permit to allow a drive-through coffee truck and outdoor seating area in a C-3, Community Commercial District, for the property located at 635 Broad Street
[Attachment](#)
5. STATUS REPORT ON PRIOR PLAN COMMISSION ITEMS
 - Comprehensive Plan Amendment for 2030 Porter and adjacent lots in the Town of Beloit*
 - Zoning Map Amendment for 1555 Willowbrook Avenue*
 - Annexation Petition for the two lots immediately south of 2030 Porter Avenue*
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, July 21, 2021

1. CALL TO ORDER AND ROLL CALL

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

2. MINUTES

2.a. Consideration of the minutes of the July 7, 2021 Plan Commission meeting

Motion was made by Commissioner Ruster, seconded by Commissioner Anderson to approve the minutes. Motion carried, roll call vote (5-0).

3. PUBLIC HEARINGS

3.a. Consideration of Exceptions to 30.40 (2)(c) and (e) of the Outdoor Sign Regulations to allow an additional wall sign to be greater than 30 square feet and to allow more than three secondary signs on the property located at 1390 Gateway Boulevard

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

Commissioner Weeden opened the public hearing.

Kevin Cook, representing JNB Signs, 1221 Venture St, Suite 1, Janesville, stated that this would be the only identification on this side of the building and that this is imperative to have this sign, and that people would miss this building if they do not add the signs on this side of the building.

Commissioner Anderson asked what year the building was constructed. Ms. Christensen stated that the building was built in 2003-2004. Commissioner Anderson stated that this building has been without the sign on that side for seventeen years, and asked Mr. Cook if something has changed. Mr. Cook stated that the traffic increases 7 percent yearly, and that there was an additional lane added to the interstate traffic and more people traveling in that area and they need to see the sign ahead of time.

Commissioner Weeden asked if back in 2004 wasn't there a need for visibility on the south and east sides of the building. Mr. Cook stated that he is sure that there was, but the sign code did not allow that then and he thinks it is imperative to have the

signs adjusted to meet the customer's needs. Mr. Cook stated that the needs and wants of owners today need to be addressed.

Commissioner Finnegan asked Mr. Cook if he could adjust the other signs and move the signs around to meet the code. He added that he is usually pro-signs but since this is a destination type of place and with having google maps, people should be able to find the building. Mr. Cook said not everyone is tech savvy, and there are thousands of vehicles that pass by daily.

Commissioner Robson asked what the Morse group is, what they provide, and who the customers are. Mr. Cook stated they provide electrical services for commercial purposes. Commissioner Ruster asked what individuals are going to be looking for this business on the interstate. Mr. Cook stated that business owners, contractors, suppliers, and delivery vehicles. Commissioner Ruster stated that given the traffic on the interstate that it is a safety issue having people gazing off into the distance. Mr. Cook stated it would easily be seen given the size of the signs.

Commissioner Anderson asked Ms. Christensen if a new building were to go up and there were a multi-tenant building what would they be allowed to have. Ms. Christensen stated if you have a strip mall, each tenant in the mall gets a sign, and they have a store front that directs them.

Commissioner Weeden closed the public hearing.

Motion was made by Commissioner Robson, seconded by Commissioner Ruster to deny the exception for 1390 Gateway Boulevard. Motion carried, roll call vote (5-0).

4. REPORTS

- 4.a. **Consideration of a Resolution approving a revised Extraterritorial three-lot Certified Survey Map for the property located at 9127 S Lathers Road in the Town of Turtle**
Julie Christensen, Community Development Director, presented the staff report and recommendation.

Commissioner Robson asked if the blue lines on the map are in the Town of Turtle and the grey ones are the City of Beloit. Ms. Christensen said that the grey ones are the City of Beloit, and the blue lines outline the parcel that the Certified Survey Map is for.

Commissioner Anderson asked if the future use is intended to be agricultural. Ms. Christensen said it is proposed for agricultural uses, and that the Comprehensive Plan addresses the fact that the City has a boundary agreement. Commissioner Anderson asked what was the reason for the land division if they do not intend to do something else with those parcels. Ms. Christensen stated that the City no longer has the authority to impose the Comprehensive Plan on town parcels.

Councilor Preuschl asked if the large blue lot is divided into three lots. Ms. Christensen stated that the large chunk would just remain one big unplatted lot, and the owner is likely to sell those three lots and put houses on them. Commissioner Robson asked who owns that lot. Ms. Christensen said Danny and Cynthia Gander own it.

Motion was made by Commissioner Ruster, seconded by Commissioner Robson to approve the resolution for the Extraterritorial three-lot CSM. Motion carried, roll call vote (5-0).

5. STATUS REPORT ON PRIOR PLAN COMMISSION ITEMS

Ms. Christensen updated the Plan Commission on the actions taken by City Council related to a variety of items previously reviewed by Plan Commission. The next Plan Commission meeting is scheduled for August 4, 2021.

6. ADJOURNMENT

Motion made by Commissioner Robson, and seconded by Commissioner Ruster to adjourn the meeting. Motion carried, roll call vote (5-0).

Timothy Weeden, Chairman



REPORT TO THE PLAN COMMISSION

Plan Commission Meeting Date: August 4, 2021

Agenda Item: 3.a.

File Number: FS-2021-03

General Information

Applicant/Owner: NG Kadlec Land, LLC

Address/Location: 2545 Kadlec Drive

Applicant's Request: Final Subdivision Plat (8 buildable lots)

Staff Analysis

Plat Approval Process: NG Kadlec Land, LLC has submitted the attached Final Plat of Elmwood Commons Plat 1 for the vacant 2.8-acre parcel located at 2545 Kadlec Drive. As shown on the attachment, the developer is proposing the subdivision of this parcel into 9 lots, at least one of which will be reserved for stormwater detention. The other lots will become buildable single-family lots on which the developer will likely construct single-family homes. The subdivision of land requires approval of a Preliminary Plat, followed by approval of a detailed Final Plat, which must substantially conform to the layout of the Preliminary Plat. A recorded Final Plat actually creates the lots and may include the entire Preliminary Plat area or phases. The Preliminary Plat of Elmwood Commons Plat 1 was approved by the Plan Commission on June 23, 2021.

Proposed Lots: This parcel is zoned R-1A, Single-Family Residential, and was improved with infrastructure approximately 15 years ago. Kadlec Drive is improved to the southern end of the subject property, and there is a gravel emergency access connection to Elaine Drive. The proposed plat includes utility easements between several of the lots, and each lot is already served with water and sewer laterals. The proposed buildable lots are approximately 81.4 feet wide by 164 feet deep (0.31 acre) and the parcel is relatively flat and self-contained for drainage. Lots 1-8 will drain to the north along the rear yards with stormwater detention on Out-Lot 1 through a perpetual easement. The City Engineer has approved the overall stormwater detention layout as required by condition number four of the Preliminary Plat approval. 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 exceed these minimums. This land is located in the Beloit School District. A Development Agreement is being negotiated for the public improvements.

Surrounding Uses: There are single- and two-family dwellings to the east of the subject property with both R-1A and R-2, Two-Family Residential, zoning classifications. There is a

newly constructed multifamily residential apartment community to the west of the subject property with Planned Unit Development zoning. There is also a vacant 4.8-acre parcel with single-family zoning to the west of the subject property. There is a vacant lot zoned R-3, Low-Density Multifamily Residential to the north, and two vacant parcels totaling 16 acres zoned R-2 to the south of the subject property extending down to Elmwood Avenue.

City of Beloit Comprehensive Plan and Strategic Plan: The Future Land Use Map of the City's Comprehensive Plan recommends Planned Neighborhood uses of the subject property. The proposed subdivision plat is consistent with this recommendation. Consideration of this request supports City of Beloit Strategic Goals #3 and #5 by encouraging residential growth with high quality infrastructure.

STAFF RECOMMENDATION:

The Planning and Building Services Division recommends **approval** of the Final Plat of Elmwood Commons Plat 1 for the vacant 2.8-acre parcel located at 2545 Kadlec Drive, based on its consistency with the Comprehensive Plan, Subdivision Ordinance, and Zoning Ordinance, subject to the following conditions:

1. All of the conditions of approval of the Preliminary Plat remain in full force and effect.
2. City staff will not sign the Final Plat, which is a prerequisite for recording the plat, until a complete set of engineering plans and specifications for the public infrastructure has been approved by the City Engineer.
3. City staff will not sign the Final Plat, which is a prerequisite for recording the plat, until a Development Agreement between the City and developer has been approved by the City Council.
4. City staff will not sign the Final Plat, which is a prerequisite for recording the plat, until detailed easement descriptions and rights are included within the plat and approved by the City Engineer. Easement locations may need to be changed depending upon grading and utility locations to be evaluated as part of the engineering plans and specifications.
5. The applicant shall record the Final Plat with the Rock County Register of Deeds within one year of approval, and shall provide City staff with a copy of the recorded plat.

ATTACHMENTS: Location Map, Final Plat, Application, and Preliminary Plat Resolution.

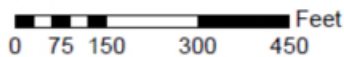
Location & Zoning Map

Elmwood Commons Plat No. 1

PS-2021-03



1 inch = 277 feet



Map prepared by: Drew Pennington, AICP
Date: June 2021
For: City of Beloit Planning & Building
Date of Aerial Photography: 2020

PLANNING & BUILDING SERVICES DIVISION

ELMWOOD COMMONS PLAT 1

LOT 4 OF CERTIFIED SURVEY MAP DOCUMENT NO. 1765369, RECORDED IN VOLUME 30 ON PAGES 217-219, ALSO BEING PART OF OUTLOT 13-12 OF THE ASSESSOR'S PLAT OF THE TOWN OF BELOIT, BEING PART OF THE NW 1/4 OF THE SE 1/4 OF SECTION 13, T. 1 N., R. 13 E., OF THE 4TH P.M., CITY OF BELOIT, ROCK COUNTY, WISCONSIN.

NOTE: OUTLOT 1 RESERVED FOR A STORMWATER MANAGEMENT TREATMENT UNTIL SUCH TIME THE STORMWATER BASIN IS ABANDONED, THE LOT RECOVERED, AND THE EASEMENT RELINQUISHED AND DETERMINED TO BE BULGABLE BY THE CITY OF BELOIT.

LEGEND

- Round Iron Bar Set
1" x 1" x 30" (240#)
Iron Bar Set or all other
Etc. unless otherwise noted
SAP x 24"(1.5 (240#))
- 3/4" Iron Bar Set Found
- 1" Iron Pipe Found, unless noted
- Existing Section Line
- - - Existing Adjacent Property
- - - Existing Right-of-Way
- - - Existing Boundary Line
- - - Existing Easement
- - - Existing Utility Line
- - - Existing Setback Line
- - - Record Information



Scale: 1" = 50'

DISTANCE UNITS BASED ON THE UNITED STATES SURVEY FOOT
 BEARINGS BASED ON THE WISCONSIN COUNTY COORDINATE SYSTEM, ROCK ZONE, THE SOUTH LINE OF THE SOUTHEAST QUARTER, BEARING S 89°41'10" E
 VERTICAL DATUM BASED ON NAVD-83 (2011)

CSM DOC NO. 1765369
VOL. 30, PAGES 217-219

CSM DOC NO. 1765369
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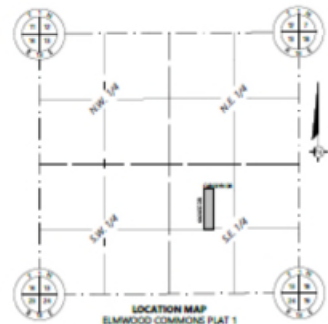
CSM DOC NO. 1765369
VOL. 30, PAGES 217-219

CSM DOC NO. 1765369
VOL. 30, PAGES 217-219

There are no objections to this plat with respect to Secs. 236.15, 236.16, 236.20 and 236.21(1) and (2), Wis. Stats. as provided by a 236.12, Wis. Stats.

Certified _____, 20____

Department of Administration



LOCATION MAP
 ELMWOOD COMMONS PLAT 1
 SE 1/4 OF SECTION 13, T. 1 N., R. 13 E.
 (NOT TO SCALE)



SOUTH 1/4 CORNER
 SECTION 13-1-12
 ROUND IRON BAR SET IN
 STONE MONUMENT



SOUTHEAST 1/4 CORNER
 SECTION 13-1-12
 ROUND IRON BAR SET

1 of 2	ORDER NO: 33869 BOOK: SEE FILE FIELD CREW: JT DRAWN BY: CM DATE: June 17, 2021	FOR THE EXCLUSIVE USE OF: NG KADLEC LAND, LLC 430 EAST GRAND AVENUE, SUITE 103 BELOIT, WI 53511	ELMWOOD COMMONS PLAT 1	2017 Barkley Drive Beloit, Wisconsin 53511 608.365.4464 www.batterman.com
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ELMWOOD COMMONS PLAT 1

LOT 4 OF CERTIFIED SURVEY MAP DOCUMENT NO. 1765369, RECORDED IN VOLUME 30 ON PAGES 217-219, ALSO BEING PART OF OUTLOT 13-12 OF THE ASSESSOR'S PLAT OF THE TOWN OF BELOIT, BEING PART OF THE NW 1/4 OF THE SE 1/4 OF SECTION 13, T. 1 N., R. 13 E., OF THE 4TH P.M., CITY OF BELOIT, ROCK COUNTY, WISCONSIN.

SURVEYOR'S CERTIFICATE

State of Wisconsin ss. I, Kristin J. Belongia, a Professional Land Surveyor, do hereby certify that I have surveyed, County of Rock subdivided, and mapped the within described land, to be hereafter known and designated as "ELMWOOD COMMONS PLAT 1", that said subdivision is a subdivision of Lot 4 of Certified Survey Map Document No. 1765369, recorded in Volume 30 on Pages 217-219 of Certified Survey Maps of Rock County, also being part of Outlot 13-12 of the Assessor's Plat of the Town of Beloit, being part of the Northwest 1/4 of the Southeast 1/4 of Section 13, T. 1 N., R. 12 E., of the 4th P.M., City of Beloit, Rock County, Wisconsin. Containing 2.833 acres more or less.

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

Last day of fieldwork _____, 2021.

Given under my hand and seal this ____ day of _____, 2021 at Beloit, Wisconsin.

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

COUNTY TREASURER'S CERTIFICATE

State of Wisconsin ss. I, Michelle Roetger, being the duly elected, qualified and acting Treasurer of the County of Rock County of Rock do hereby certify that the records in my office show no unredeemed tax sales and no unpaid taxes or special assessments as of the ____ day of _____, 2021, affecting the lands in the plat of "ELMWOOD COMMONS PLAT 1".

Michelle Roetger, Rock County Treasurer

CITY TREASURER'S CERTIFICATE

State of Wisconsin ss. I, Lori Stottler, being the duly elected, qualified and acting Treasurer of the City of Beloit, do hereby certify that the records in my office show no unredeemed tax sales and no unpaid taxes or special assessments as of the ____ day of _____, 2021, affecting the lands in the plat of "ELMWOOD COMMONS PLAT 1".

Lori Stottler, City Treasurer

CITY COUNCIL APPROVAL CERTIFICATE

Resolved that the Plat of "ELMWOOD COMMONS PLAT 1", located in the City of Beloit, Rock County, NG KADLEC LAND, LLC, Owner, is approved by the City Council of the City of Beloit.

Date _____ Approved _____
Lori S. Curtis Luffler, City Manager

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

Lori Stottler, City Clerk

CORPORATE OWNER'S CERTIFICATE

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

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

IN WITNESS WHEREOF, said NG KADLEC LAND, LLC has caused these presents to be signed by ZACH KNUTSON,

MEMBER of the above named limited liability company on this ____ day of _____, 2021.

ZACH KNUTSON, MEMBER

State of Wisconsin ss. Personally came before me, this ____ day of _____, 2021, ZACH KNUTSON, County of _____ MEMBER of the above-named limited liability company, to me known to be the person who executed the foregoing instrument, and to me known to be the representative of said company and acknowledged that they executed the foregoing instrument as representative as the deed of such company, by its authority.


Notary Public, _____ County, Wisconsin

My Commission Expires _____

DOCUMENT NO. _____ RECEIVED FOR RECORD THIS ____ DAY OF _____ A.D. 2021 AT

_____ O'CLOCK ____ M. AND RECORDED IN VOLUME ____ OF PLATS ON PAGES _____

REGISTER OF DEEDS

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

2 of 2

SHEET NO.

ORDER NO: 33869
BOOK: SEE FILE
FIELD CREW: JT
DRAWN BY: CM
DATE: June 17, 2021

FOR THE EXCLUSIVE USE OF:

NG KADLEC LAND, LLC
430 EAST GRAND AVENUE, SUITE 103
BELOIT, WI 53511

ELMWOOD COMMONS
PLAT 1

Batterman
engineers surveyors planners

2017 Daniels Drive
Beloit, Wisconsin 53511
608.365.4454
www.tbatterman.com



CITY of BELOIT

Neighborhood Planning Division

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

Application for a Final Subdivision or Condominium Plat

(Please Type or Print) File Number: _____

1. Proposed subdivision name: Elmwood Commons Plat I
2. Address of property: 2545 Kadlec Drive
3. Tax Parcel Number(s): 11331010
4. Property is located in (circle one): City of Beloit or Town of: Turtle; Beloit; Rock or LaPrairie
 In the SE Quarter of Section 13, Township 1 North, Range 13 East of the 4th P.M.
5. Owner of record: NG Kadlec Land, LLC Phone: 815-904-4011 (Zach Knutson)
430 East Grand Avenue, Suite 103 Beloit, WI 53511
(Address) (City) (State) (Zip)
6. Applicant's Name: (same)
(Address) (City) (State) (Zip)
(Office Phone #) / (Cell Phone #) / (E-mail Address)

7. Present zoning classification is: R-1A

8. Is the proposed use permitted in this zoning district: Yes

9. THE FOLLOWING ITEMS MAY NEED TO BE COMPLETED AND/OR ATTACHED:
- Copy of Preliminary Plat to Utility Providers: A written statement confirming that the developer submitted copies of the approved preliminary plat to all utility providers as per section 12.03(2).
 - Covenants and Deed Restrictions: copies of any covenants or deed restrictions.
 - Development Agreement & Fee: a copy of a Final Draft or Approved Development Agreement;
 - Contract: A contract for construction of required utilities and public improvements or;
 - A Bond; guarantying the contract for construction or,
 - Letter from the City Engineer; stating that the developer has constructed the required improvements and the City has found they are acceptable to the City Engineer and;
 - Final Plat Map; 10 copies as required by section 12.04(1) including all information required by section 12.04(2) of the Subdivision Ordinance.

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

Zach Knutson / Zach Knutson / 5/24/21
(Signature of applicant) (Print name of applicant) (Date)

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

Review fee: \$300 plus \$15 per lot; \$100 Development Agreement Fee Amount paid: _____

Scheduled meeting date: _____

Application accepted by: _____ Date: _____

RESOLUTION
APPROVING THE PRELIMINARY PLAT OF ELMWOOD COMMONS PLAT 1
FOR THE PROPERTY LOCATED AT 2545 KADLEC DRIVE

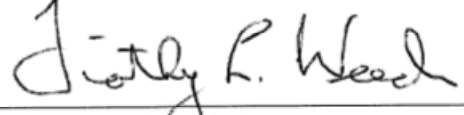
WHEREAS, the City Plan Commission of the City of Beloit has heretofore held a public hearing on June 23, 2021 regarding the Preliminary Plat of Elmwood Commons Plat No. 1 for the property located at 2545 Kadlec Drive in the City of Beloit.

NOW, THEREFORE, BE IT RESOLVED THAT the Plan Commission of the City of Beloit does hereby approve the attached Preliminary Plat of Elmwood Commons Plat No. 1, 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. Prior to Plan Commission review of the Final Plat, the City Engineer shall approve the proposed layout of the stormwater detention facilities, with detailed engineering plans to follow along with any necessary drainage easements on the Final Plat.
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 23rd day of June, 2021.

Plan Commission



Timothy Weeden, Chairperson

ATTEST:


Julie Christensen
Community Development Director



REPORT TO THE PLAN COMMISSION

Plan Commission Meeting Date: August 4, 2021

Agenda Item: 4.a.

File Number: RPB-2021-06

General Information

Applicant & Owner: Angus-Young Architects, on behalf of Samra Investments, Inc.

Address/Location: 1112 Garfield Avenue

Current Zoning: R-1B, Single Family Residential and WPO, Wellhead Protection Overlay

Applicant's Request/Proposal: Angus-Young Architects, on behalf of Samra Investments, Inc., 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

Project Summary: The applicant has proposed the following amendment to the Future Land Use Map (Map 10) of the City's Comprehensive Plan:

- 1112 Garfield Avenue - From *Single Family Residential-Urban* to *Neighborhood Commercial*.

This request is related to a proposed redevelopment of the applicant's adjacent Mobil convenience store located at 1407 Liberty Avenue. This project involves the replacement of the existing store with a larger 3,650 square-foot convenience store with an improved parking layout as shown on the attached site plan. The gas pumps and canopy will not be altered. If the requested amendment is approved, the residential property at 1112 Garfield Avenue must be rezoned to commercial and combined with the existing Mobil station property, as a portion of the proposed store and required 30-foot setback with landscape buffer are on the subject property. Retail stores are not allowed in the R-1B, Single Family Residential District.

Existing Site Conditions: The subject property is a 50-foot residential lot (0.149 acre) with an existing single-family dwelling and detached garage zoned R-1B, Single-Family Residential. If the requested amendment is approved, the applicant would be submitting an application to rezone the subject property to C-2, Neighborhood Commercial, so that it can be combined with their commercial property at 1407 Liberty Avenue.

Surrounding Land Use and Zoning: There are residential properties to the north and west of the subject property, and a City park zoned PLI, Public Lands and Institutions to the east. The applicant's adjacent commercial property is part of a large C-2 district that runs along Madison Road to the northwest.

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

Land Use Analysis: As stated above, this request is related to a proposed redevelopment of the adjacent Mobil convenience store located at 1407 Liberty Avenue which involves the replacement of the existing store with a larger 3,650 square-foot convenience store on portions of the subject property located at 1112 Garfield Avenue. The convenience store property already has a future land use designation of Neighborhood Commercial. Although this redevelopment will involve a slight encroachment of a commercial structure onto what is now residential property, the overall project will greatly improve the aesthetics and functionality of the site while ensuring an adequate landscape buffer (30-feet) between the neighborhood commercial site and the adjacent low-density neighborhood. The Neighborhood Commercial designation is intended for neighborhood-scale retail businesses that primarily serve the surrounding residents.

STAFF RECOMMENDATION:

The Planning and Building Services Division recommends **approval** of a Comprehensive Plan Amendment to change the future land use classification from *Single Family Residential-Urban* to *Neighborhood Commercial* for the property located at 1112 Garfield Avenue in the City of Beloit.

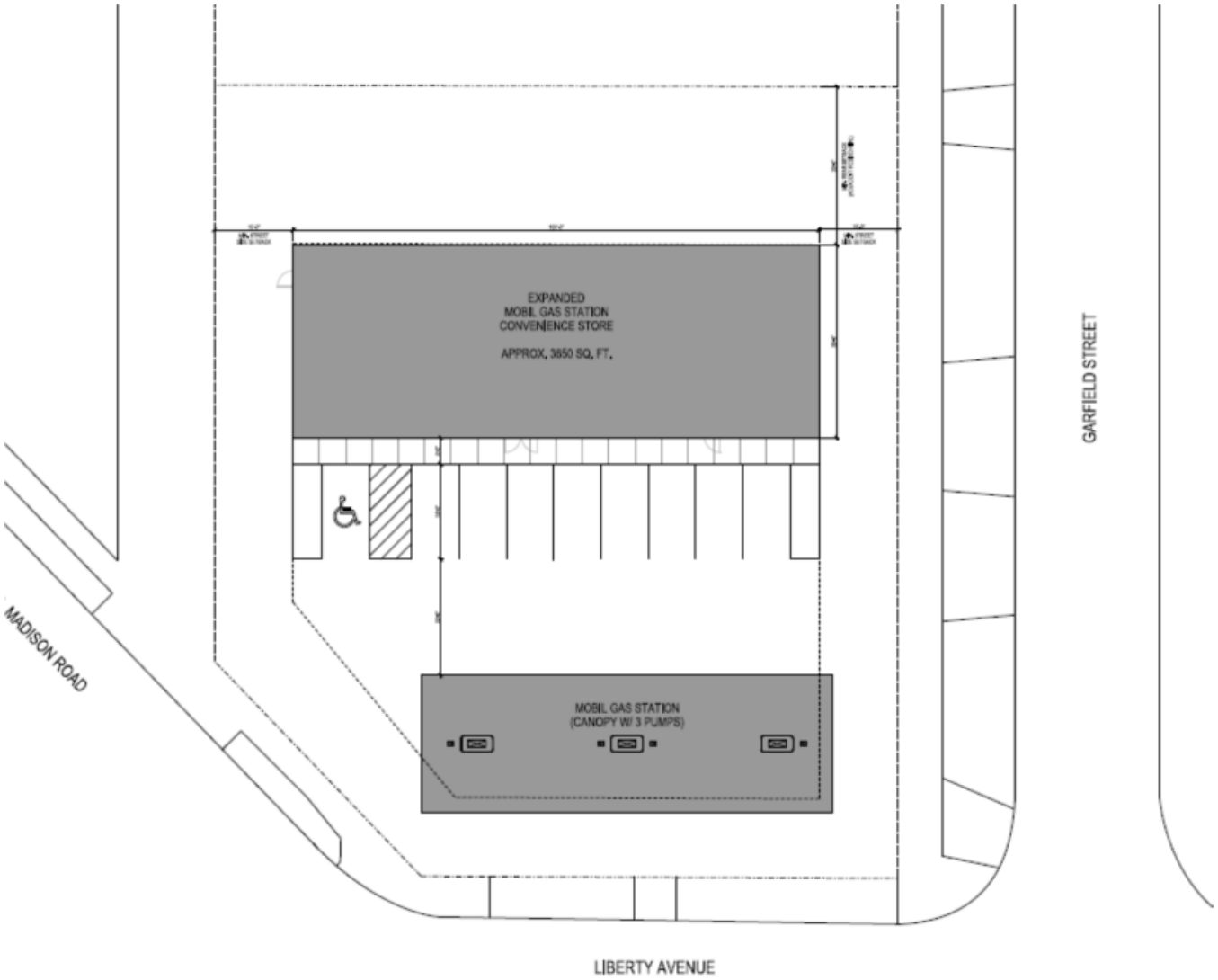
ATTACHMENTS: Existing Site Plan, Proposed Site Plan, FLU Map, Application, Public Notice, Mailing List, and Resolution.

Existing Site Plan

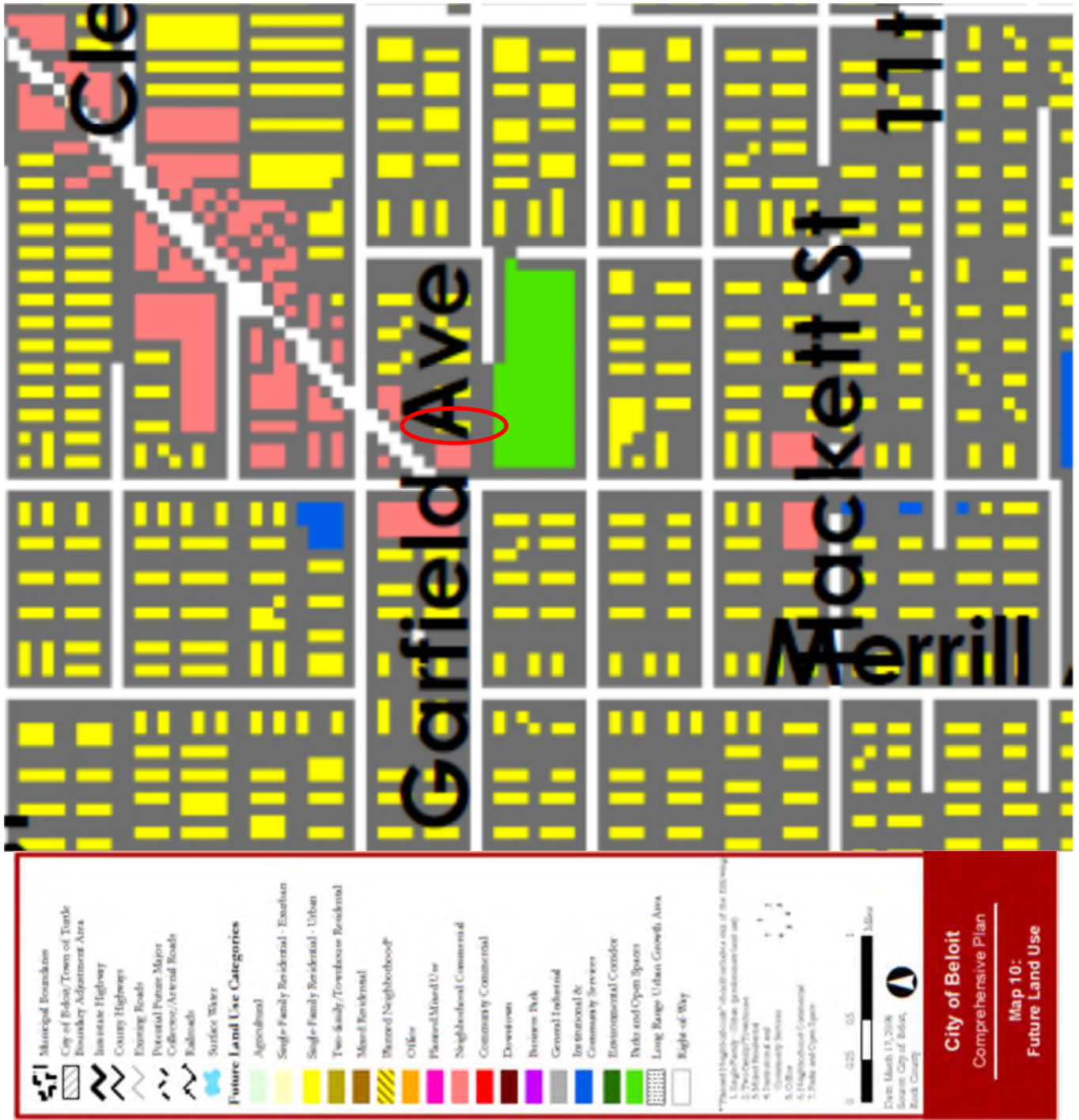


EXISTING SITE PLAN
SCALE: 1" = 100'

Proposed Site Plan



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



CITY of BELOIT

PLANNING & BUILDING SERVICES DIVISION

100 State Street, Beloit, WI 53511

Phone: (608) 364-6700

Fax: (608) 364-6609

Comprehensive Plan Amendment Application Form

(Please Type or Print)

File No.: _____

1. Applicant's Name: FARAAS MANNAN

555 SOUTH RIVER STREET JANESVILLE WI 53548

(Address) (City) (State) (Zip)

608 756 2326 / / f.mannan@angusyoung.com

(Office Phone #) (Cell Phone #) (E-mail Address)

2. Type: Text Amendment

Map Amendment

3. The following Text Amendment is requested:

Chapter: _____, Section: _____, Subsection(s): _____

Proposed Amendment: _____

4. The following Map Amendment is requested:

Map No. & Title: _____

Address of Affected Property: 1112 GARFIELD AVE

Tax Parcel Number(s): 12740580

Owner of record: SAMRA INVESTMENTS INC Phone: _____

1985 PEBBLE DR BELOIT WI 53511

(Address) (City) (State) (Zip)

Proposed Amendment: _____

Our intent is to change the land use from Single Family Residential to Neighborhood Commercial to allow for the owners to expand their Mobil Gas Station + C-Store in the adjacent property (Parcel: 12740570).

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

Owner

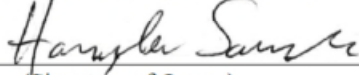

() Leasehold, Length of lease: _____

() 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 also agree to abide by all applicable federal, state and local laws, ordinances, rules, and regulations.

	/	Harjinder Samra	/	07.01.2020
(Signature of Owner)		(Print name)		(Date)
	/	Faraas Mannan	/	07.01.2020
(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. This application must be submitted with 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 it is typically between \$5.00 and \$20.00.

To be completed by Planning Staff

Filing Fee: **\$275.00** Amount Paid: _____ Meeting Date: _____

Number of notices: _____ x mailing cost (\$0.50) = cost of mailing notices: \$ _____

Application accepted by: _____ Date: _____

Date Notice Published: _____ Date Notice Mailed: _____

NOTICE TO THE PUBLIC

July 13, 2021

To Whom It May Concern:

Angus-Young Architects, on behalf of Samra Investments, Inc., 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:

- 1112 Garfield Avenue - From *Single-Family Residential-Urban* to *Neighborhood Commercial*.

This request is related to a proposed redevelopment of the adjacent Mobil convenience store located at 1407 Liberty Avenue involving replacement of the existing store with a larger 3,650 square-foot convenience store with improved parking layout. The gas pumps will not be altered. If the requested amendment is approved, the residential property at 1112 Garfield Avenue must be rezoned to commercial and combined with the existing Mobil station property, as a portion of the proposed store and required 30-foot setback and landscape buffer are on the subject property. The following public meetings will be held regarding this proposed amendment:

City Plan Commission: Wednesday, August 4, 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: Tuesday, September 7, 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 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 planning@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) 364-6711 to provide your comments over the phone. In-person attendance at Commission and Council meetings may be limited.**

Karry DeVault, Clerk
Town of Beloit
2871 S. Afton Rd.
Beloit 53511

Frank Management Inc.
2501 Morse Street
Janesville, WI 53545

Dr. Keyser, Superintendent
School District of Beloit
1500 Fourth Street
Beloit, WI 53511

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

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

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

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

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

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

Peter Herreid
Div. of Intergovernmental Relations
Department of Administration
peter.herreid@wisconsin.gov

Nick Dimassis
Beloit Public Library Director
For Public Posting

**RESOLUTION
RECOMMENDING APPROVAL OF AN AMENDMENT TO THE
CITY OF БЕЛОIT 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:

1112 Garfield Avenue - From *Single Family Residential-Urban* to *Neighborhood Commercial*.

Adopted this 4th day of August, 2021.

Plan Commission

Tim Weeden, Chairman

ATTEST:

Julie Christensen,
Community Development Director

REPORT TO THE PLAN COMMISSION



Plan Commission Meeting Date: August 4, 2021

Agenda Item: 4.b.

File Number: CU-2021-05

General Information

Applicant: Ramon Gimenez and the Knights of Columbus

Owner: Knights of Columbus

Address/Location: 939 Liberty Avenue

Applicant's Request: Ramon Gimenez and the Knights of Columbus have filed an application for a Conditional Use Permit to allow a religious institution in an R-1B, Single-Family Residential District, for Centro Cristiano Palabra de Vida at 939 Liberty Avenue.

Staff Analysis

Existing Conditions: The property is currently owned and operated as a meeting hall for the Knights of Columbus on the corner of Liberty Avenue and Eleventh Street.

Surrounding Land Use and Zoning: To the north, east, and south are single family homes and a parking lot zoned R-1B, Single-Family Residential. To the west is a single-family home and a vacant commercial space zoned R-1B, Single-Family Residential and C-2, Community Commercial.

City of Beloit Comprehensive Plan: The City's Comprehensive Plan recommends *Single-Family Residential-Urban* for the subject property. This request and the underlying zoning classification are consistent with this recommendation.

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

Review Agent Comments: A copy of the application was sent to the City of Beloit Staff and the below comments were received:

Fire Department: All life safety systems shall be inspected, tested and maintained in accordance with fire code. Since this is an assembly use, maximum occupant load should be calculated for this use, and the maximum number posted where it is visible to occupants.

Public Input: All property owners within 150 feet of the property have been notified by mail of the proposed Conditional Use Permit request and the dates of the public hearings.

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;*
 - In general, religious institutions are low-intensity land uses that often operate in residential areas. Planning Staff feels that the general public health and safety will not be negatively impacted by the proposed Religious Institution.
- 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 conditional use will not injure the use and enjoyment of nearby properties. The property has operated as an assembly-type use for years without incident.
- c. *Whether the conditional use will substantially diminish or impair property values within the neighborhood of the subject property;*
 - The establishment of a religious institution in the neighborhood should enhance the community and not affect property values.
- d. *Whether the establishment of the conditional use will impede the normal and orderly development and improvement of the surrounding property;*
 - The building is located in a fully developed residential neighborhood.
- 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 applicant has not proposed any architectural changes, although if approved the applicant will have to apply for any building permits to modify the building for the use along with obtaining life safety inspections.
- 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*
 - Per Section 8-103 of the Zoning Code, off-street parking space requirements for Religious Institutions are 1 space per 4 seats or 1 space per 8 feet of pew/bench area. Planning Staff has determined that there is not sufficient parking for the Religious Institution's needs. On-street parking is available on Eleventh Street. The applicant is going to need to obtain an off-site parking agreement with a property owner within 500 feet of the main entrance of the structure. There is an unused

parking lot under local ownership directly across the street.

- h. *Whether the conditional use will comply with all applicable regulations of the Zoning Ordinance.*
- The proposed use will comply with all other applicable regulations.

STAFF RECOMMENDATION:

The Planning & Building Services Division recommends **approval** of a Conditional Use Permit to allow a religious institution in an R-1B, Single Family Resident District, at 939 Liberty Avenue, based on the above Findings of Fact and subject to the following conditions:

1. This Conditional Use Permit allows a religious institution in an R-1B, Single Family Resident District, at 939 Liberty Avenue.
2. 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.

In addition to the conditions, the following ordinance requirements will apply:

1. Before occupancy, the applicant shall obtain all life safety inspections required by Code that also reflects the review agent comments.
2. The applicant shall obtain an off-site Parking Agreement with a nearby property owner within 500 feet of the main entrance of the structure and provide a copy for staff approval.

ATTACHMENTS: CUP Decision Form, Site 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 occupancy, the applicant shall obtain all life safety inspections required by Code that also reflects the review agent comments.
 - **Substantial Evidence:** Section 9.15(2) of the Building Code states when the use of a building changes, a new certificate of occupancy shall be obtained prior to reoccupation of the building. In order to obtain an occupancy certificate, all life safety inspections are required to be completed.

2. The applicant shall obtain an off-site Parking Agreement with a property owner within 500 feet of the main entrance of the structure and provide a copy for staff approval.
 - **Substantial Evidence:** Per Section 8-107(a) of the Zoning Code, off-site parking spaces may be used to fulfill parking requirements if the parking is within 500 feet walking distance of a main entrance of the use to be served.

Does the applicant meet **all** of the ordinance requirements? Yes No

The proposed uses will meet all ordinance requirements before occupancy.

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 allows a religious institution in an R-1B, Single Family Resident District, at 939 Liberty Avenue.
 - **Substantial Evidence:** Table 6-1.1 of the Zoning Ordinance states that Religious Institutions in R-1B zoning district are only allowed if reviewed and approved in accordance with the Conditional Use Permit review procedures, and this condition articulates that the proposed use is deemed appropriate at this location.
2. 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:** Standard condition that establishes amendment process.

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



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: CUP-2021-05

1. Address of subject property: 939 LIBERTY AVE.

2. Legal description: L 11 E W 5 FT L 12 B 1 MERRIMANS ADD
12050125

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

Property dimensions are: 100 feet by 30 feet = 3000 square feet.

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

3. Tax Parcel Number(s): 206 1265 0125

4. Owner of record: COLUMBEAN REALTY CORP Phone: 608 290 4236

939 LIBERTY AVE BELOIT WI 53511
(Address) (City) (State) (Zip)

5. Applicant's Name: RAMON GIMENEZ

640 WISCONSIN AVE. BELOIT WI 53511
(Address) (City) (State) (Zip)

1 708 263 3114 1RAYGIMENEZ@hotmail.com
(Office Phone #) (Cell Phone #) (E-mail Address)

6. All existing use(s) on this property are: KNIGHTS OF COLUMBUS CHAPTER 605
MEETING HALL

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

A Conditional Use Permit for: CENTRO CRISTIANO CHURCH TALABRA DE VIDA
in a(n) _____ Zoning District.

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

Principal use: AS A CHURCH FOR OUR CONGREGATION

Secondary use: ANY ACTIVITIES ASSOCIATED WITH OUR CHURCH
COMMUNITY

Accessory use: _____

9. Project timetable: Start date: _____ Completion date: _____

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

- () Owner
- () Leasehold, length of lease: _____
- (x) Contractual, nature of contract: OFFER TO PURCHASE
- () 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.

REPRESENTATIVE KNIGHTS OF COLUMBUS, COLUMBIAN REALTY CORP

[Signature] LAURENCE IDEWAL 6-29-2021
 (Signature of Owner) (Print name) (Date)

[Signature] Karin Simon 6-29-2021
 (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: 275.00 Meeting date: 8/4/2021

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

Application accepted by: [Signature] Date: 7/7/2021



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

July 14, 2021

To Whom It May Concern:

Ramon Gimenez and The Knights of Columbus Chapter 605 Meeting Hall have filed an application for a Conditional Use Permit to allow a religious institution in an R-1B, Single Family Resident District, for Centro Cristiano Palabra de Vida at:

939 Liberty Avenue

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

City Plan Commission: Wednesday, August 4, 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, August 16, 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 Drew Pennington at 100 State Street or via email to penningtond@beloitwi.gov. You may also call (608) 364-6711. Public comments and public input for the public hearing will be required, in writing, by noon on the day of the meeting. In-person attendance at Commission and Council meetings will be limited.**

SCOTT A SCHUMACHER
3479 W CREEDY RD
BELOIT WI 53511

JUANA LAZARO
934 SIXTH ST
BELOIT WI 53511

WALKER PROPERTIES LLC
120 N PARKER DR
JANESVILLE WI 53545

CASSANDRA A DROST
916 LIBERTY AVE
BELOIT WI 53511

ERIC L & FOAT, CARLY M ALTIZER
1115 ELEVENTH ST
BELOIT WI 53511

ESCALERA ROSARIO
1917 LENOX ST
BELOIT WI 53511

DEMUS ENTERPRISES LLC
792 W BIG HILL RD
BELOIT WI 53511

GUTIERREZ GUILLERMO
1114 ELEVENTH ST
BELOIT WI 53511

MARCIA L PATCH
1003 LIBERTY AVE
BELOIT WI 53511

SONURA INVESTMENTS LLC
PO BOX 293
JANESVILLE WI 53547

RUSSELL & HOLLY GOODWIN
921 LIBERTY AVE
BELOIT WI 53511

MARIMAR ORTIZ RAYGOZA
915 LIBERTY AVE
BELOIT WI 53511



REPORT TO THE PLAN COMMISSION

Plan Commission Meeting Date: August 4, 2021

Agenda Item: 4.c.

File Number: CU-2021-07

General Information

Applicant: Paige Hoops DBA Rise & Grind Coffee Haus

Owner: RVB Partnership

Address/Location: 635 Broad Street

Applicant's Request: Conditional Use Permit to allow a Drive-Through Use and Outdoor Seating Area in a C-3, Community Commercial District

Background

Paige Hoops DBA Rise & Grind Coffee Haus has filed an application for a Conditional Use Permit (CUP) to allow a Drive-Through Use and Outdoor Seating Area in a C-3, Community Commercial District, for the property located at 635 Broad Street.

Staff Analysis

Existing Conditions: The subject property is a 0.55-acre corner property previously used as a car display lot with four driveways. Two of the driveways will be utilized for one-way traffic movement to access the drive-through window from Short Street and exiting onto Broad Street.

Proposed Business: The applicant intends to operate a mobile coffee trailer with a drive-through window, walk-up window, and outdoor seating area. The applicant will be leasing the property from RVP Partnership DBA Bryden Motors. The proposed mobile coffee trailer will be self-contained with water and greywater tanks. The applicant is in the process of obtaining an Outdoor Vending Permit from the City Clerk's Office. The Outdoor Vending Permit alone allows the business to open, but with walk-up window service only and no seating. The site is located in a C-3, Community Commercial District, where Drive-Through uses require a CUP. According to Section 8-112 of the Zoning Ordinance, drive-through coffee shops must provide three (3) stacking spaces before the pick-up window. The proposed site plan exceeds these minimum standards.

City of Beloit Comprehensive Plan: The City's Comprehensive Plan recommends *Community Commercial uses* for the subject property. This request and the underlying zoning classification are consistent with this recommendation.

Review Agent Comments: The review agents have not submitted any 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 drive-through and outdoor seating area will not create any noise, glare, or odor that would endanger public health and safety.
- 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 uses will complement the adjacent commercial uses along this busy commercial corridor and are located on the inbound (north) side of a heavily traveled commuter route into Beloit.
- c. *Whether the conditional use will substantially diminish or impair property values within the neighborhood of the subject property;*
 - The proposed uses and investment in the subject property on the edge of downtown will have a positive impact upon nearby property values.
- 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. Since there is a vacant, permanent commercial building on the property and the coffee business will be using its parking and driveway areas, staff is recommending a condition of approval that would require a certificate of occupancy before the vacant commercial building is used to operate any businesses other than Bryden Motors.
- 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 vending unit is mobile and not a permanent structure.
- 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 subject property has adequate parking, maneuvering, and stacking space. The adjacent roadways are capable of handling any additional traffic generated by the use. The business is located on the inbound side of a busy morning commuter route, so most vehicle movements will be right in/right out onto Broad Street.
- h. *Whether the conditional use will comply with all applicable regulations of the Zoning Ordinance.*
 - The proposed use will comply with all other applicable regulations.

STAFF RECOMMENDATION:

The Planning and Building Services Division recommends **approval** of a Conditional Use Permit allow a Drive-Through Use and Outdoor Seating Area in a C-3, Community Commercial District,

for the property located at 635 Broad Street, based on the above Findings of Fact.

Ordinance Requirements:

The following provisions of existing City Ordinances shall apply:

1. The business shall obtain an Outdoor Vending Permit prior to opening. The permanent commercial structure on the subject property may only be used as office or showroom space by the property owner (Bryden Motors), and may not be leased to a new business without a Certificate of Occupancy to evaluate off-street parking requirements and access concerns as they relate to the drive-through use.
2. In accordance with Section 2-506 of the Zoning Ordinance, the applicant shall have twelve (12) months from the date of CUP issuance to commence use of the drive-through and outdoor seating area, or the CUP shall lapse and be of no further effect.

ATTACHMENTS: CUP Decision Form, Location Map, Site Plan, Application, & Public Notice.

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. The business shall obtain an Outdoor Vending Permit prior to opening. The permanent commercial structure on the subject property may only be used as office or showroom space by the property owner (Bryden Motors), and may not be leased to a new business without a Certificate of Occupancy to evaluate off-street parking requirements and access concerns as they related to the drive-through use.

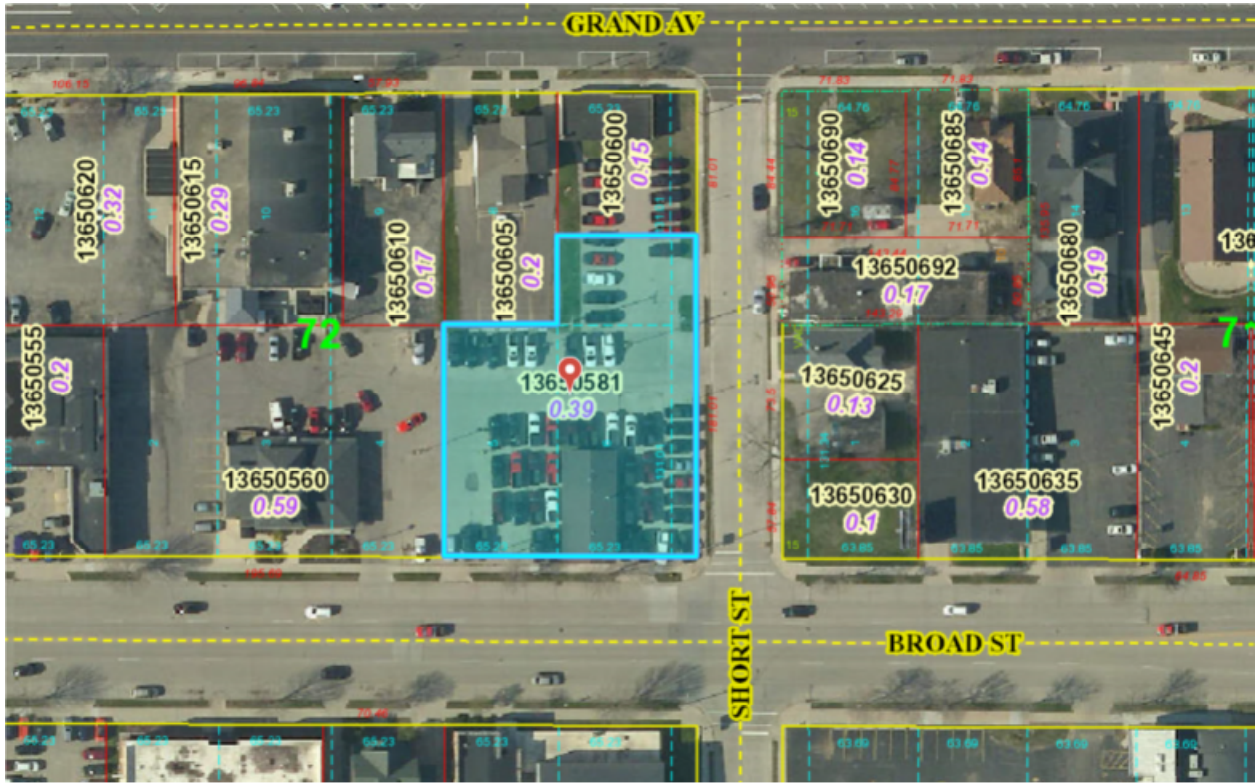
Substantial Evidence: An Outdoor Vending Permit is required by Chapter 14 for all new vendors in the City. Article 8 of the Zoning Ordinance requires off-street parking stalls to serve businesses, and since the coffee shop is utilizing the parking lot for the permanent building, further evaluation of parking demand and supply is needed through a certificate of occupancy should the owner wish to lease the building to a third party.

2. In accordance with Section 2-506 of the Zoning Ordinance, the applicant shall have twelve (12) months from the date of CUP issuance to commence use of the drive-through and outdoor seating area, or the CUP shall lapse and be of no further effect.

Substantial Evidence: Standardized condition that reiterates the expiration date for unused CUP's in the Zoning Ordinance.

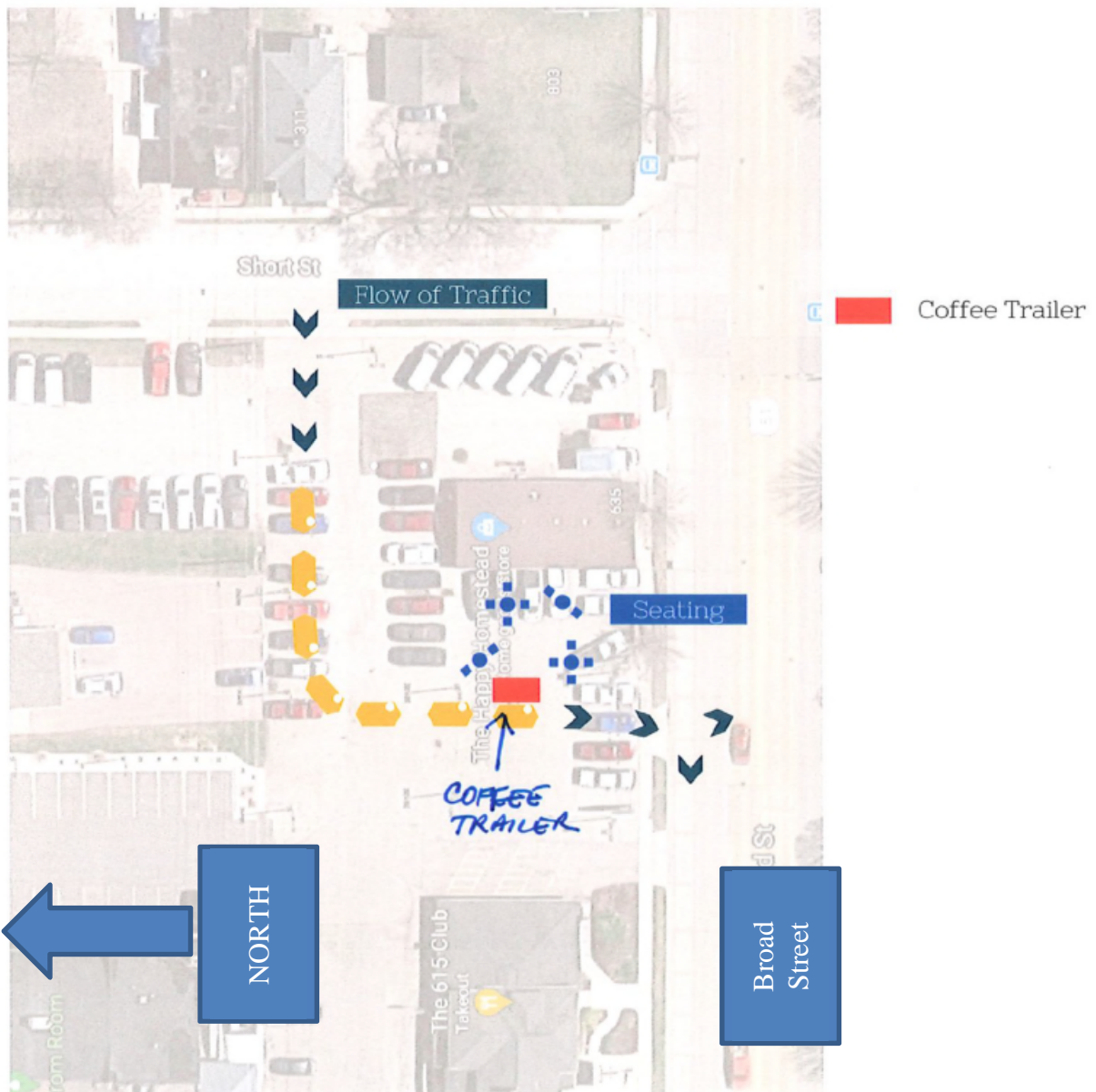
Does the applicant meet **all** of the ordinance requirements? No Yes, after the steps above

Location Map



RISE & GRIND

COFFEE HAUS



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: 635 BROAD ST.

2. Legal description: LOTS 4, 5, 6 & S 50 FT. OF LOT 7 B 72 ORIGINAL PLAT
& THAT PART OF SHORT ST VACATED.

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

Property dimensions are: _____ feet by _____ feet = 29,686 square feet.

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

3. Tax Parcel Number(s): 206 136 50581

4. Owner of record: RVB PARTNERSHIP Phone: 608-364-5925

548 BROAD ST. BELOIT WI 53511
(Address) (City) (State) (Zip)

5. Applicant's Name: Paige Hoops

300 Mill St. #3 Beloit WI 53511
(Address) (City) (State) (Zip)

_____/ 847-284-4101 _____/ wakeup@riseandgrind.cafe
(Office Phone #) (Cell Phone #) (E-mail Address)

6. All existing use(s) on this property are: _____

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

A Conditional Use Permit for: Drive-Thru

_____ in a(n) C-3 Community Commercial Zoning District.

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

Principal use: Mobile Coffee Trailer with Drive-thru +
walk-up window

Secondary use: _____

Accessory use: _____

9. Project timetable: Start date: _____ Completion date: _____

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

- () Owner
- () 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.

Nicole Bude / Vicki Bryden / 7/16/21
 (Signature of Owner) (Print name) (Date)

[Signature] / Paige Hoops / 7/16/21
 (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

July 13, 2021

To Whom It May Concern:

Paige Hoops DBA Rise & Grind Coffee Haus has filed an application for a Conditional Use Permit (CUP) to allow a Drive-Through Use and Outdoor Seating Area in a C-3, Community Commercial District, for the property located at 635 Broad Street. The applicant intends to operate a mobile coffee trailer with a drive-through window, walk-up window, and outdoor seating area.

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

City Plan Commission: Wednesday, August 4, 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, August 16, 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 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 meetings may be limited.**

CU-2021-07, 635 Broad Street, Drive-Thru Coffee Shop With Outdoor Seating

CITY OF BELOIT PROPOSAL



HELLO THERE!

We're Rise & Grind Coffee Haus, a local coffee & breakfast mobile coffee haus with a drive-thru and walk-up window serving healthy & clean options to help you establish morning rituals that lead to success + productivity + happiness.



ABOUT US

Mother & Daughter Team | Veteran Owned & Managed
Life-long Baker & True Coffee Passion

Our morning ritual started with a 5 am workout class that resulted in a reward coffee & chat at a nearby coffee shop. While sitting and sipping, the idea to start a place for healthy coffee and breakfast at a place that inspires customers and employees alike was born.

With combined passions, Joyce offers baking expertise and Paige offers leadership and an obsession with health via food & coffee; both set out to inspire and feed the body + soul. Here the Rise & Grind Coffee Haus was born.

WHO WE ARE



**JOYCE
DESJARDIN**

Co-Owner & Baker

PAIGE HOOPS

Co-Owner & Manager

WHAT WE DO

Nearby coffee shops and restaurants are usually time-consuming and fall short of expectations. Fast Food alternatives are often unhealthy and unsatisfactory.

Rise & Grind Coffee Haus proposes an alternative: locally roasted coffee beans combined with homemade syrups, teas, and fresh drinks. Only organic and natural ingredients. Homemade breakfast options and snacks on the go, where gratitude is a form of currency. We are the reason you're excited to go to bed and wake up! Just one step of your morning routine to make your day productive, successful, and ultimately happy. No more excuses for unhealthy eating on the go.

We care more about your health and happiness than you do.



TRAILER MOTIF



Modern Industrial Chic

.....

Wood & Natural

.....

Black + White Metal Details

.....

Fresh & Clean

WHAT WE ASK OF YOU



-Conditional Ordinance Permits:
Drive-thru
Cafe Seating Area

-Sign Permit:
Sandwich Menu Board
Directional Signage
Feather Flag Banner

WHAT YOU CAN EXPECT FROM US

Active Members of Community

Partnership with other local Beloit
Businesses for Cross-Promotions

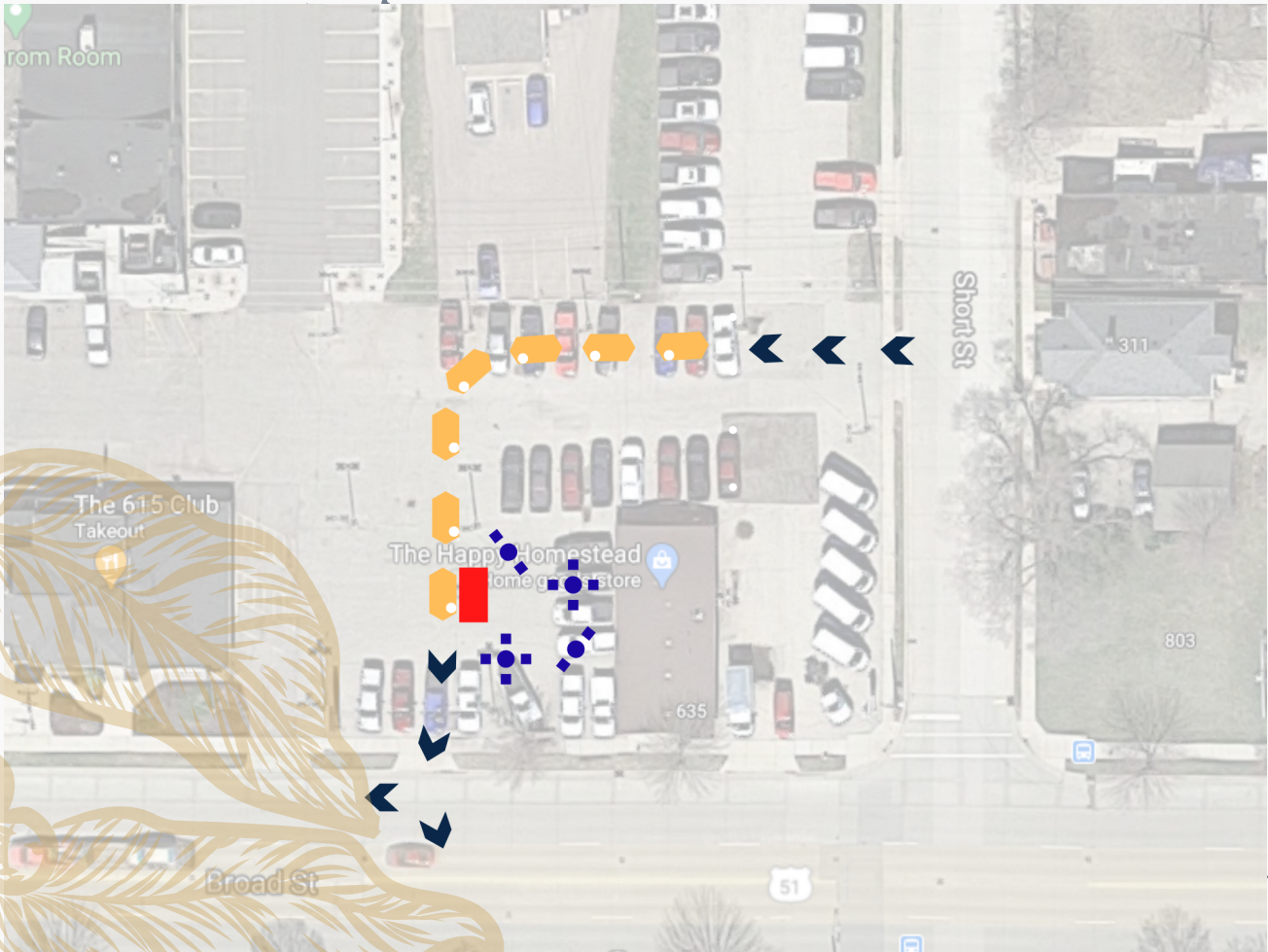
Participation in Community Events

(Ex: Farmer's Markets, Sidewalk Sales, Window Decorating
Contest, Grand Lighted Holiday Parade & Tree Lighting,
Small Business Saturday, Holidazzle & more)

Add to Beloit's Tourist Destinations



PROPOSED LOCATIONS



The Spot
635 Broad Street

THANK YOU



We look forward to
partnering with you and
the Beloit Community.