



MINUTES
PLAN COMMISSION
City Hall Forum - 100 State Street, Beloit, WI 53511
7:00 PM
Wednesday, October 20, 2021

1. CALL TO ORDER AND ROLL CALL

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

2. MINUTES

2.a. Consideration of the minutes of October 6, 2021 Plan Commission meeting

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

3. PUBLIC HEARINGS

3.a. Consideration of Ordinance No. 3728 amending the Zoning District Map of the City of Beloit from R-1B, Single-Family Residential District, to C-2, Neighborhood Commercial District, for the property located at 1112 Garfield Avenue

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

Commissioner Robson asked Ms. Christensen if the applicant is required to put in a thirty foot landscape barrier, and if it is trees or bushes. Ms. Christensen stated that it is a variety of landscape materials. If a commercial use is being constructed next to a residentially zoned property, a 30-foot buffer that complies with the landscape ordinance is required to separate the uses. Commissioner Robson stated currently there is a buffer with mature trees that provides a nice buffer.

Commissioner Anderson asked if the City has reached out to Law Enforcement at all for improvements and expansions, and if they took into account if there had been any calls for that location in the past and if they are a good operator. Ms. Christensen stated that the City does not reach out to the Police Department to see if the applicant was a good operator, they reach out to them if the application is for a conditional use for alcohol sales.

Commissioner Weeden stated that he went over to one of the houses that are in that area and asked them if the applicant was a good operator with no police calls in the past, and he said that they said that there have not been any problems at this business.

Commissioner Jacobsen asked if the City has reached out to the neighborhood, and if the City got any feedback. Ms. Christensen stated that there was a notice sent out, but there was no feedback received.

Chairman Weeden opened and closed the public hearing.

Commissioner Robson stated that she is concerned about changing the zoning from residential to commercial because there is a need for residential properties. She also questioned the impact on the environment and residents with the lights and parking activity. Ms. Christensen noted that the parking is in the front of the building and not the back which faces the residential neighborhood.

Motion was made by Commissioner Anderson, seconded by Commissioner Jacobsen to approve the zoning. Motion carried, roll call vote (4-1). Commissioner Robson voted no.

3.b. Consideration of a Conditional Use Permit to allow warehouse and freight movement in a C-3, Community Commercial District, for the property located at 1218 Cranston Road

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

Commissioner Jacobsen asked what private fire hydrants are and if the adjacent land is Town of Beloit or City of Beloit. Ms. Christensen stated that the green line is the border of the City and the land behind it is in the Town of Beloit. She explained that over the years, the private fire hydrants have been installed to meet the fire protection needs. Ms. Christensen stated that the fire department does not like private hydrants because then the City does not own them and cannot insure that the private hydrants are maintained.

Ms. Christensen stated that they clear the area around it, and go out there yearly to make sure the fire hydrant is working. Commissioner Jacobsen asked what happens if the hydrant is not working or cleared. Ms. Christensen stated they will receive a violation notice from the City.

Commissioner Robson stated the parking lot is a lot like the former Shopko parking lot, and if there is anything the Plan Commission can do as far as recommending islands and landscaping in the parking lot. Ms. Christensen stated that Plan Commission cannot require the applicant to put in islands, but the City can issue orders to fix the parking lot.

Commissioner Weeden stated that there are islands in the parking lot already, but they are not maintained. Ms. Christensen stated that the parking lot is split up

between several owners. Commissioner Robson asked who is supposed to maintain the parking lot. Commissioner Weeden stated that the owners are.

Commissioner Weeden asked if the applicant needs to get an Architectural Review Certificate for any other remodeling on the outside. Ms. Christensen stated yes.

Chairman Weeden opened and closed the public hearing.

Councilor Preuschl asked if there were two or three carpet places in that area. Ms. Christensen stated that this is the third one. Commissioner Weeden stated he has two concerns about e and b on the Finding of Fact. Commissioner Weeden mentioned that the whole area needs help; the exterior is in horrible shape, and he is concerned about issuing a conditional use permit when the building is only going to be improved with an overhead door.

Commissioner Weeden stated that issuing a conditional use permit is going to impede the orderly development and improvement for the property, and thinks that it is a bad idea. Commissioner Toral stated that if the City Council does not approve this conditional use then the building is going to rot and collapse. Commissioner Jacobsen expressed concern that the taxes may not get paid unless this development moves forward.

Commissioner Weeden indicated that this is different than when they approved the conditional use for Shopko; they provided nice renderings showing improvements on the building which would help the redevelopment of the stores in the plaza. Commissioners discussed denying this item or laying it over to let the applicant attend the meeting to explain his plans.

Motion was made by Commissioner Jacobsen to lay the item over, seconded by Commissioner Anderson to allow them to speak to the applicant. Motion carried, roll call vote (5-0).

3.c. **Consideration of Ordinance No. 3727 to amend the Table in Section 6.1-1 of Chapter 19 of the Code of General Ordinances of the City of Beloit pertaining to zoning of medical facility uses in the C-1 and CBD-1 zoning districts**

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

Chairman Weeden opened the public hearing.

Tim McKeveitt, 2318 Boulder Lane, President and CEO of Beloit Health System, indicated support for the proposed Ordinance to amend the table in 6.1-1 of Chapter of the Code of Ordinances pertaining to zoning of medical facility uses in the C-1 District.

Mr. McKeveitt stated that by approving the zoning amendment on September 20th to change existing Beloit Health System medical clinics from permitted uses by right to conditional uses harmed the entire community by impeding their ability to provide necessary services, to expand to meet community needs, to recruit and retain physicians, and to provide care like COVID testing and vaccinations.

Mr. McKeveitt stated that the fact that this amendment is even needed demonstrates the City's failure to include Beloit Health System, the City's primary Healthcare provider, in the process from the beginning. Mr. McKeveitt mentioned that Beloit Health System still believes the zoning amendment approved by the City Council on September 20th was contrary to the City's strategic plan to ensure the health and safety of the entire community, sustain economic growth, maintain a high quality of life, and to enhance community involvement and communication.

Mr. McKeveitt indicated that it would correct some of the negative impacts on the community by approving this proposed amendment which returns Beloit Health System medical facilities to the status they had prior to September 20th; *i.e.*, permitted uses by right in the C-1 Commercial District.

Commissioner Weeden stated that it has been a year since the Plan Commission got involved with this issue, and the Plan Commission wanted to address the reasonable concern raised by the Beloit Health System regarding how their facilities would be affected unfairly if they wanted to expand. Commissioner Weeden asked if the City Council were to approve the amendments, would that remove the threat of litigation. Mr. McKeveitt indicated that they wanted to leave all options on the table, but that the Beloit Health System supports the proposed ordinance amendment.

Chairman Weeden closed the public hearing.

Commissioner Weeden stated that the clear intent was that the amendment was going to be specific to the hospital system properties, and he did not realize there were 160 properties that would be involved with the change and acknowledged that the proposed change would be considered significant. Ms. Christensen offered the option of rezoning the Beloit clinic properties so that they were permitted uses.

Commissioner Weeden indicated that some of the other medical facilities would run into the same issue. Ms. Christensen indicated that the Beloit Health System properties had more room for expansion on their sites. Ms. Christensen indicated that the Plan Commission could lay the item over, give staff time to evaluate the impacts on the Comprehensive Plan and Zoning Map, and bring it back at the next meeting with some options. Commissioner Weeden asked if Plan Commission could just take action on the change to the CBD district.

Ms. Christensen stated they can make an amendment to remove C-1 change from the ordinance. Commissioner Weeden asked if Council can just act on the CBD-1 change. Ms. Christensen stated the City Council will act on whatever is before them. Commissioner Weeden indicated that it doesn't make sense to move the CBD-1 change forward and then address the C-1 later. Ms. Christensen stated that they could lay the item over and staff could bring back potential rezoning options.

Ms. Jacobsen wanted clarification on why this amendment was brought back to Plan Commission, when they had already supported the amendment. Commissioner Weeden stated that this was sent back to Plan Commission because it was a significant change, and looking at the list of 161 properties, there are a lot of properties that would be affected.

Commissioner Weeden indicated that Plan Commission is trying to provide a solution for Beloit Health System that would not have negative impacts on the remainder of the community. Commissioner Robson asked if Plan Commission can do that. Ms. Christensen indicated that we can bring back some options for Plan Commission consideration at its next meeting. Commissioners discussed what they wanted to do with the item.

Motion was made by Commissioner Anderson, seconded by Commissioner Jacobsen to lay the item over. Motion carried, roll call vote (5-0).

4. REPORTS

4.a. Consideration of a Resolution approving a two-lot Certified Survey Map for the property located at 2135 Shopiere Road

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

Commissioner Weeden asked if there were three separate lots. Ms. Christensen stated there were three 50 foot lots, which are currently hooked them together. The Certified Survey Map would make them into two 75 foot lots.

Commissioner Weeden asked how they can hook them together. Ms. Christensen explained that the assessor can combine the lots into one tax parcel.

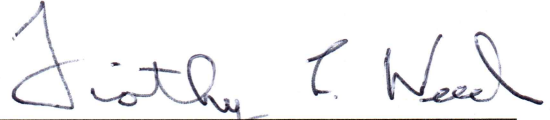
Motion was made by Commissioner Robson, seconded by Commissioner Jacobsen to approve the CSM. Motion carried, roll call vote (5-0).

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 November 3, 2021.

6. **ADJOURNMENT**

Motion made by Commissioner Robson, and seconded by Commissioner Anderson to adjourn the meeting. Motion carried, roll call vote (5-0). Meeting adjourned at 8:20pm.

Handwritten signature of Timothy T. Weeden in cursive script.

Timothy Weeden, Chairman