



**PUBLIC NOTICE & AGENDA  
BELOIT PLAN COMMISSION  
City Hall Forum - 100 State Street, Beloit, WI 53511  
7:00 PM  
Wednesday, May 4, 2022**

1. CALL TO ORDER AND ROLL CALL
2. ELECTION OF OFFICERS
  - 2.a. Election of Chairperson
  - 2.b. Election of Vice-Chairperson
3. MINUTES
  - 3.a. Consideration of the minutes of the April 20, 2022 Plan Commission meeting  
[Attachment](#)
4. PUBLIC HEARINGS
  - 4.a. Consideration of a Conditional Use Permit to allow a drive-through use in a C-3, Community Commercial District, for the property located at 2757 Prairie Avenue  
[Attachment](#)
5. REPORTS
  - 5.a. Consideration of a Petition for Direct Annexation to the City of Beloit for the property located at 1014 Masters Street in the Town of Beloit  
[Attachment](#)
  - 5.b. Consideration of a Resolution approving an Extraterritorial two-lot Certified Survey Map for the property located at 5712 E Freedom Lane in the Town of Turtle  
[Attachment](#)
6. STATUS REPORT ON PRIOR PLAN COMMISSION ITEMS  
*Planned Unit Development - 1800 Gateway Boulevard*  
*Zoning Map Amendment - 1800 Gateway Boulevard*
7. FUTURE AGENDA ITEMS  
*Extraterritorial Certified Survey Map - 7042 and 7220 E. State Highway 67*  
*Extraterritorial Preliminary Plat of Tall Trees*  
*Tiny Homes Zoning Ordinance Amendment*

## 8. 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, April 20, 2022**

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

Commissioner Weeden called the meeting to order at 7:00 PM. Chairman Weeden, Commissioners Finnegan, Jacobsen, Janke, Ramsden, and Toral were present. Commissioner Anderson was absent.

**2. ELECTION OF VICE-CHAIRPERSON**

2.a. Commissioner Janke nominated Commissioner Finnegan to be Vice-Chairperson, seconded by Commissioner Ramsden. Commissioner Jacobsen moved to approve, seconded by Commissioner Janke. Motion prevailed, voice vote (6-0).

**3. MINUTES**

**3.a. Consideration of the minutes of April 6, 2022 Plan Commission meeting**

Motion was made by Commissioner Jacobsen, seconded by Commissioner Finnegan to approve the minutes. Motion prevailed, voice vote (6-0).

**4. PUBLIC HEARINGS**

No public hearings were held.

**5. CONSENT AGENDA**

Commissioner Ramsden moved to approve the Consent Agenda, seconded by Commissioner Jacobsen. Motion prevailed, voice vote (6-0).

**6. REPORTS**

**6.a. Consideration of a Resolution approving a two-lot Certified Survey Map for the property located at 1801 Gateway Boulevard**

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

Commissioner Janke moved to approve the Resolution approving a two-lot Certified Survey Map, seconded by Commission Finnegan. Motion carried, roll call vote (6-0).

**6.b. Discussion of proposed Ordinance amendment to allow for smaller house and/or lot sizes**

Chairperson Weeden asked if any smaller floor area housing units or the narrow lot would only be applied in a PUD. Ms. Christensen said not the cluster development,

but the reduced housing footprint or reduced width would have to be a part of a PUD Master Land Use plan and PUD zoning. Commissioner Finnegan said he has a colleague going down to Austin, Texas to look at a development like this, and asked if there is a minimum size for a PUD. Ms. Christensen said no, and usually you do a PUD if there is more than one structure on site. Ms. Christensen said PUD's are used to allow more flexibility in design, so it is about allowing the developer to play with the site to see what works on a case by case basis.

Chairperson Weeden asked if this could apply to an infill type situation. Ms. Christensen said it could. Chairperson Weeden asked if the normal siting on this type of small lot cluster development would be a greenfield environment. Ms. Christensen said it varies. Ms. Christensen said there are pocket neighborhoods with a smaller house with a community garden, and that would be a cluster development with smaller lots.

Commissioner Finnegan said where he lives there are a lot of houses that are less than 1,000 square feet. Commissioner Toral said that the average square foot housing in the United States is 1,900 square feet, and this proposal would move in the right direction. Commissioner Toral asked why they would not lower the square feet to less than 1000 square feet. Ms. Christensen said that staff wasn't sure what the acceptable square footage would be. The PUD process would allow neighborhood people to weigh in on the proposal.

Commissioner Finnegan said the standard for the Town of Beloit is 700 square feet. Ms. Christensen said that the City could do tiny homes as a way to provide affordable housing. This would allow the City to do developments on a case by case basis, which could be 400 or 800 square feet.

Chairperson Weeden stated that no action was taken on the item.

#### **6.c. Discussion of Plan Commission initiatives**

Commissioner introduced the idea of having the public review of Architectural Review Certificates. Ms. Christensen said that there is no checklist for Architectural Review generally. There is, however, a checklist for portions of the Gateway Business Park. Ms. Christensen explained that there is a list that was handed out with all of the Architectural Review Certificates for 2021. Chairperson Weeden asked if every project on the list received an Architectural Review Certificate or an approval.

Ms. Christensen said that City Staff sends them a letter of approval, and if there are any conditions of approval then they would let the applicant know in that letter. Commissioner Ramsden asked if there is a fee charged for the Certificate of Appropriateness. Ms. Christensen said yes there is.

Commissioner Weeden asked Commissioners if they had any thoughts about the approval of Architectural Review by the Commission, City staff, or another body. Commissioner Ramsden said that the Architectural Review list from this year contains a lot of minutiae, and he doesn't think that Plan Commission would really want to look at every roofing job that comes through. Chairperson Weeden said if Plan Commission only wants to get involved in the big stuff, they would have to set down the parameters, and the only reason Plan Commission wanted to look at Architectural Reviews because of the proposed development at 80 and 100 E Grand Ave.

Commissioner Jacobsen said at one point in Plan Commission's discussion, they talked about narrowing it down by size, location, reconstruction, or new buildings. Commissioner Jacobsen said if Plan Commission can determine what is appropriate then she would say yes, but looking at all the projects would not be something the Plan Commission should take one. Chairperson Weeden said that Plan Commission could agree on a policy which would allow some citizen involvement whether that is through an independent group or through Plan Commission. Chairperson Weeden asked the Commissioners if they should work with the City staff and establish a procedure to review the big stuff, and exempt the smaller items. Commissioner Ramsden said he thinks so.

Ms. Christensen said that they should look at how the Landmarks ordinance is written. Commissioner Janke said are they more concerned about commercial than residential. Ms. Christensen said that more than three units and up is considered commercial under the Architectural Review Ordinance.

Chairperson Weeden stated that no action was taken on the item.

**7. 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. Ms. Christensen said the next Plan Commission meeting is scheduled for May 4, 2022.

**8. FUTURE AGENDA ITEMS**

Julie Christensen outlined the future agenda items.

**9. ADJOURNMENT**

Commissioner Finnegan moved to adjourn the meeting, seconded by Commission Ramsden at 7:56 PM. Motion carried, voice vote (6-0).

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Chairperson



## **REPORT TO THE PLAN COMMISSION**

**Plan Commission Meeting Date:** May 4, 2022

**Agenda Item:** 4.a.

**File Number:** CU-2022-04

### **General Information**

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**Applicant:** Vicki Schleisner

**Owner:** Cool Investments LLC

**Address/Location:** 2757 Prairie Avenue

**Applicant's Request:** Conditional Use Permit (CUP) to allow a Drive-In Restaurant in a C-3, Community Commercial District, for the property located at 2757 Prairie Avenue.

### **Background**

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Vicki Schleisner has filed an application for a Conditional Use Permit (CUP) to allow a Drive-In Restaurant in a C-3, Community Commercial District, for the property located at 2757 Prairie Avenue. The applicant has made an accepted offer to purchase the subject property for development of a Scooters Coffee Restaurant.

### **Staff Analysis**

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**Existing Conditions:** The 0.73 acre lot is currently paved vacant land with a pole sign in the southwest corner of the property. The lot has 130 feet of street frontage along Prairie Avenue and is located just south of Pizza Hut

**Drive-In Standards:** A copy of the proposed site plan is attached to this report. As shown on the site plan, the proposed development includes five access driveways, two stacking lanes, and eleven parking stalls. Vehicular traffic will move counter-clockwise through the site. The site is located in a C-3, Community Commercial District, where Drive-Up or Drive-In uses require a Conditional Use Permit. According to Section 8-112 of the Zoning Ordinance, drive-through restaurants must provide five (5) stacking spaces before the order box and three (3) stacking spaces between the order box and pick-up window. The proposed site plan exceeds these minimum standards. The Ordinance also requires stacking lanes to be design to allow vehicles to exist the stacking lane without backing up or waiting until they have reached the end of the stacking lane. The site does not currently meet this requirement.

**Parking Standards:** According to Section 8-103 of the Zoning Ordinance, Retail Sales and Service (Entertainment-Oriented) must provide at least 1 parking stall per 150 square feet,

which equates to 5 parking stalls for the proposed development. The site currently exceeds the minimum number of parking spaces with 11 spaces. No customers will be served inside the building. Therefore, the parking is for employees only.

**City of Beloit Comprehensive Plan:** The City's Comprehensive Plan recommends *Planned Mixed Use* for the subject property. This request and the underlying zoning classification are consistent with this recommendation. However, Conditional Use Permits are not required to be consistent with the City's Comprehensive Plan.

**Review Agent Comments:** The review agents have not submitted any comments.

**Public Comment:** All property owners within 150 feet of the subject property have been notified by mail and a public notice was published in the Beloit Daily News for the proposed Conditional Use Permit. We received one comment from an adjacent property owner that had questions about the operations of the business; the comment is included in the staff report.

**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-in, if designed as required by the Zoning Ordinance, will not have negative impacts.
- 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 drive-in restaurant will complement the adjacent restaurants within Prairie Avenue commercial corridor.
- c. *Whether the conditional use will substantially diminish or impair property values within the neighborhood of the subject property;*
  - The property is currently vacant land and will become infill development within a developed commercial area. The development should have a positive impact on adjacent businesses.
- d. *Whether the establishment of the conditional use will impede the normal and orderly development and improvement of the surrounding property;*
  - The majority of the surrounding area is already developed but the approval of the conditional use will not impede the development of the vacant lots to the northeast of the subject property.
- 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;*
  - Planning staff will review the proposed materials in detail during Architectural Review. Preliminary renderings show exterior finishes which include cement siding and a panel system.
- 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;*

- This property is currently not serviced by any laterals, but water and sewer mains are available within the Prairie Avenue right-of-way. Any installation/relocation costs will be borne by the developer.
- g. *Whether adequate measures will be taken to minimize traffic congestion; and*
  - The development has been designed with adequate parking and stacking spaces. The stacking area must start as one line that can be divided into two at the order boxes. Access throughout the site must be maintained at all times. The applicant has cross-access easements with Cubesmart but will be required to obtain a cross-access easement with the adjacent property at 2787 Prairie (Pizza Hut) if they would like to retain cross-access as shown on the site plan.
- 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 to allow a Drive-In Restaurant in a C-3, Community Commercial District, for the property located at 2757 Prairie Avenue, based on the above Findings of Fact and subject to the permit conditions and ordinance requirements listed below.

**Ordinance Requirements:**

The following provisions of existing City Ordinances shall apply:

1. The developer shall obtain an Architectural Review Certificate, Certificate of Zoning Compliance, and Building Permit prior to beginning construction.
2. In accordance with Section 8-112 of the Zoning Ordinance stacking spaces may not impede on- or off-site traffic movements or movements into or out of off-street parking spaces. In addition, stacking spaces shall be designed to allow vehicles to exit the stacking lane without backing up or waiting until they have reached the end of the stacking lane.
3. In accordance with Section 2-506 of the Zoning Ordinance, the applicant shall have twelve (12) months from the date of CUP issuance to complete construction and commence use of the drive-in, or the CUP shall lapse and be of no further effect.

**Permit Conditions:**

1. This Conditional Use Permit authorizes a Drive-In use in a C-3, Community Commercial District, for the property located at 2757 Prairie 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 and Building Services may approve minor changes administratively.

**ATTACHMENTS:** CUP Decision Form, Location Map, Site Plan, Application, and 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 developer shall obtain an Architectural Review Certificate, Certificate of Zoning Compliance, and Building Permit prior to beginning construction.

**Substantial Evidence:** These procedural requirements are contained in the City of Beloit Architectural Review and Landscape Code, Zoning Ordinance, and Building Code.

2. In accordance with Section 8-112 of the Zoning Ordinance stacking spaces may not impede on- or off-site traffic movements or movements into or out of off-street parking spaces. In addition, stacking lanes should be designed to allow vehicles to exit the stacking lane without backing up or waiting until they have reached the end of the stacking lane.

**Substantial Evidence:** Access must be maintained throughout the site with a bypass lane which would allow for vehicles to exit the stacking lane. The site plan will need to be revised before submittal to ensure that there is one lane for stacked vehicles prior to splitting into two ordering lanes and the other lane is reserved for by-pass traffic.

3. In accordance with Section 2-506 of the Zoning Ordinance, the applicant shall have twelve (12) months from the date of CUP issuance to complete construction and commence use of the drive-in, 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

## Permit Conditions

A local government is authorized to impose conditions on the permit that relate to the purpose of the ordinance. Conditions must be **reasonable**, and to the extent, practicable and **measurable**. Conditions may limit the permit's duration, transfer, or renewal.

List conditions imposed on the permit:

1. This Conditional Use Permit authorizes a Drive-In use in a C-3, Community Commercial District, for the property located at 2757 Prairie Avenue.

**Substantial Evidence:** The Zoning Ordinance indicates that Drive-In uses in the C-3 district are only allowed if reviewed and approved in accordance with the CUP review procedures.

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 and Building Services may approve minor changes administratively

**Substantial Evidence:** Standardized condition to establish a process for future changes.

**Decision:** Based on the findings of fact, conclusions of law, and the record in this matter, the permit is:

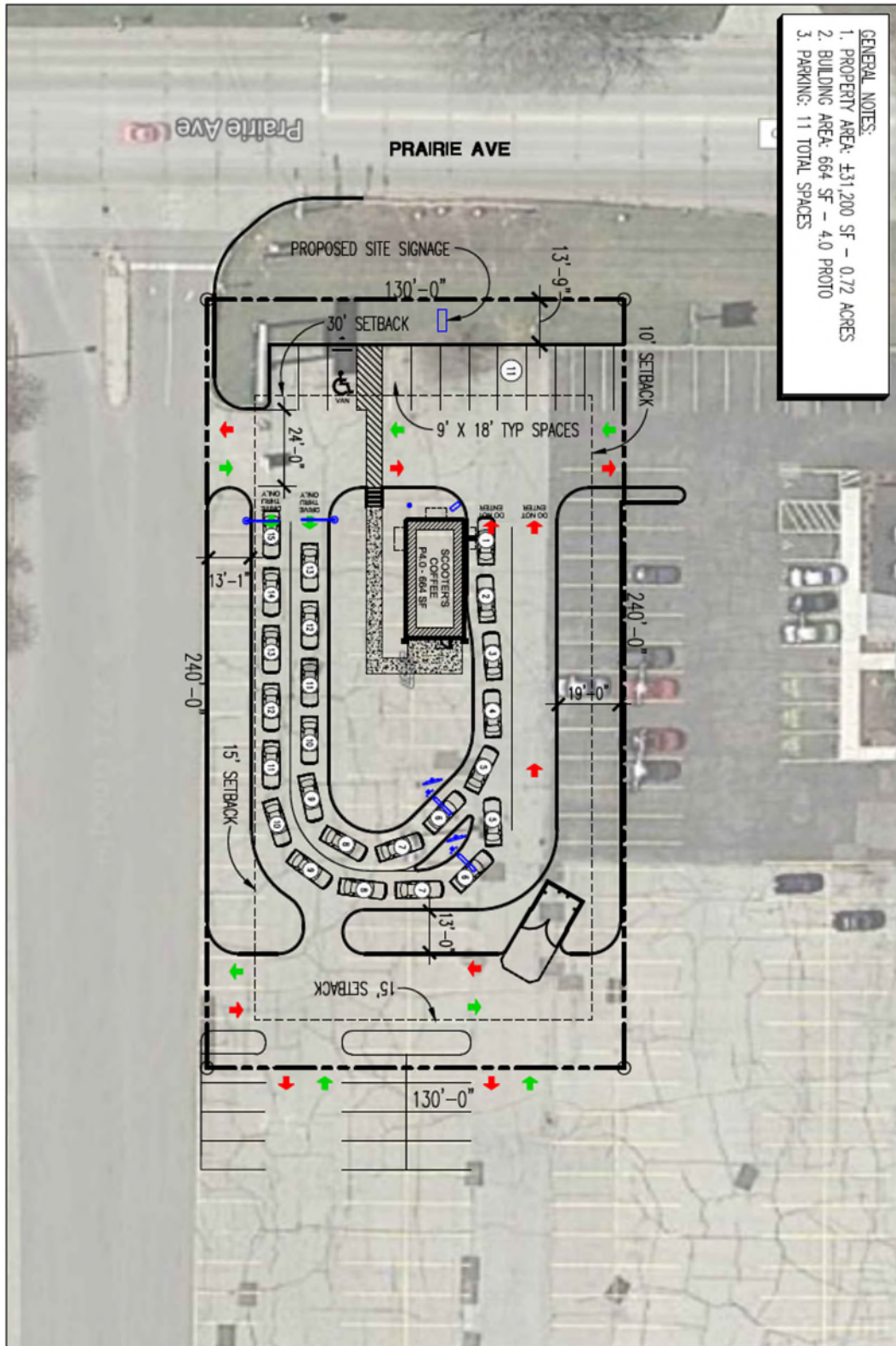
Approved, with the conditions stated above

Denied, for the following reasons:

# Location Map



- GENERAL NOTES:
1. PROPERTY AREA: ±31,200 SF - 0.72 ACRES
  2. BUILDING AREA: 664 SF - 4.0 PROTO
  3. PARKING: 11 TOTAL SPACES



14901 Quorum Drive  
 Suite 300  
 Dallas Texas 75254  
 Ph: (972) 239-8864  
 Fax: (972) 239-6054

Job No. 210622-406  
 Date 12/22/21  
 Scale: 1"=40'-0"

Sheet No. SCHEME: 1

Project SCOOTER'S  
 SITE PLAN

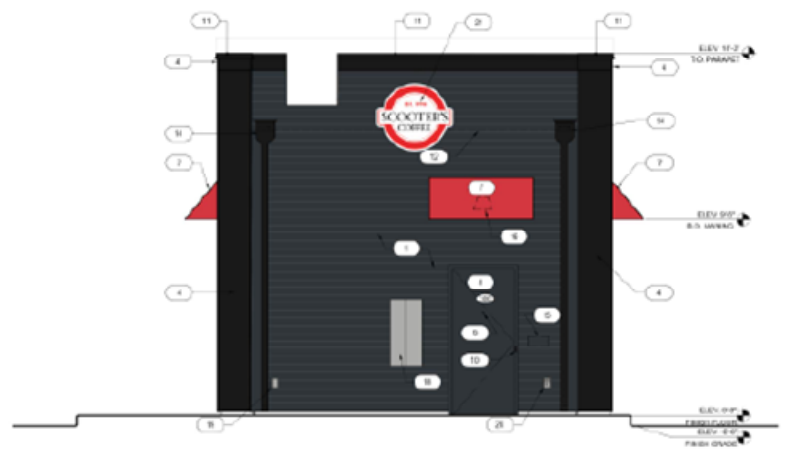
2757 PRAIRIE AVE  
 BELOIT, WI





2 EXTERIOR ELEVATIONS  
SCALE: 3/8" = 1'-0"

BUILDING AREA: 1071 SF



1 EXTERIOR ELEVATIONS  
SCALE: 3/8" = 1'-0"

BUILDING AREA: 107 SF



# 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) 2757 File Number: \_\_\_\_\_

1. Address of subject property: Prairie Drive

2. Legal description: LOT 4 CSM VOL 29 PGS 38-40

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

Property dimensions are: 240' feet by 130' feet = 31,200 square feet.

If more than two acres, give area in acres: \_\_\_\_\_ acres.

3. Tax Parcel Number(s): 21861300

4. Owner of record: Cool Investments LLC Phone: (480) 628-5331

do Fry Investment Co. LLC 4241 N. Winfield Scottsdale 85251  
(Address) (City) (State) (Zip)

5. Applicant's Name: Vicki Schleisner

23 N Main Street Janesville, WI 53545  
(Address) (City) (State) (Zip)

608.921.2422 / \_\_\_\_\_ / <vickischleisner@gmail.com>  
(Office Phone #) (Cell Phone #) (E-mail Address)

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

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

A Conditional Use Permit for: Drive Thru

\_\_\_\_\_ in a(n) \_\_\_\_\_ Zoning District.

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

Principal use: Drive-thru coffee kiosk only.

Secondary use: n/a

Accessory use: n/a



**City of Beloit** **Conditional Use Permit Application Form (continued)**

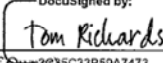
9. Project timetable: Start date: est. June 2022 Completion date: est. Sept. 2022

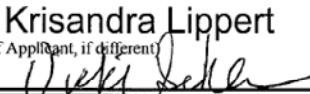
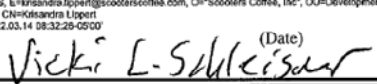
10. I/We) represent that I/we have a vested interest in this property in the following manner:

- ( ) Owner
- ( ) Leasehold, length of lease: \_\_\_\_\_
- (x) Contractual, nature of contract: In Escrow 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.

DocuSigned by:  
 / Tom Richards / 4/1/2022  
 (Signature of Owner) SC33B59A7473... (Print name) (Date)

 / Krisandra Lippert /  4/5/22  
 (Signature of Applicant, if different) (Print name) (Date)  
Digitally signed by Krisandra Lippert  
 DN: cn=US, e=Krisandra.Lippert@scooterscoffee.com, o="Scooters Coffee, Inc", ou=Development Project  
 Mailer: OpenTrust  
 Date: 2022.03.14 08:32:28-0500

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: <b>\$275.00</b>	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](http://www.beloitwi.gov)  
*Equal Opportunity Employer*

## **NOTICE TO THE PUBLIC**

April 20, 2022

To Whom It May Concern:

Vicki Schleisner has filed an application for a Conditional Use Permit (CUP) to allow a Drive-Through Restaurant in a C-3, Community Commercial District, for the property located at **2757 Prairie Avenue**. The applicant has made an accepted offer to purchase the subject property for development of a Scooters Coffee Restaurant with a double drive-through as shown on the attached site plan.

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

**City Plan Commission:** Wednesday, May 4, 2022, 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, June 6, 2022, 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.\***

**You may mail your comments to the attention of Hilary Rottmann at 100 State Street or via email [rottmanh@beloitwi.gov](mailto:rottmanh@beloitwi.gov). You may also call (608) 364-6708 to provide your comments over the phone. In-person attendance at Commission and Council meetings will be limited.**

LARKSPUR BELOIT LLC  
10800 BISCAYNE BLVD STE 300  
MIAMI FL 33161

ALIMI, SHAZIMAN  
ALIMI, SHEMKA  
722 E WATERFORD DR  
BELOIT WI 53511

STORE MASTER FUNDING VI LLC  
8377 E HARTFORD DR STE 100  
SCOTTSDALE AZ 85255-5686

LA MANAGEMENT LLC  
822 STANFORD AVE  
LOS ANGELES CA 90021

MMMSE HILL LP  
MMMSE BEWLEY LP  
4910 CAMPUS DR  
NEWPORT BEACH CA 92660

SMITH, LLOYD B  
2953 ECHO PARK DR  
CASTLE ROCK CO 80104

HANSEN, LARRY & VICKIE  
2743 SCOTTIES DR  
BELOIT WI 53511

ESQUIVEL, MAYRA  
2751 SCOTTIES DR  
BELOIT WI 53511

CURRY, SALLY M  
2759 SCOTTIES DR  
BELOIT WI 53511

SOKHEY LLC  
2770 PRAIRIE AVE  
BELOIT WI 53511

## **Rottmann, Hilary**

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**From:** Larry Hansen <lvhansen1973@charter.net>  
**Sent:** Sunday, April 24, 2022 5:49 PM  
**To:** Rottmann, Hilary  
**Subject:** [BULK] PUBLIC NOTICE, 2757 PRAIRIE AVE

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or on clicking links from unknown senders.

Greetings, Hilary

Regarding above, we live at 2743 Scotties Dr. Coming to the conclusion that per posed project to be new construction, couple of questions, 1) is Scooters a chain or will it be locally owned and managed? 2) proposed hours of operation? 3) exact details for ste signage and exterior lighting?

Comments; KFC has been a good neighbor. It's four sided sign, one of which faces our yard would turn off at 10pm each night. Wind damaged two years ago it's off all the time facing our property but not replaced?

Regards

Larry & Vickie Hansen

Sent from my iPad



## **REPORT TO THE PLAN COMMISSION**

**Plan Commission Meeting Date:** May 4, 2022

**Agenda Item:** 5a

**File Number:** ANX-2022-01

### **General Information**

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**Applicant:** Mary Davies

**Owner:** Mary and Brian Davies

**Address/Location:** 1014 Masters Street in the Town of Beloit

**Applicant's Request:** Petition for (Direct) Annexation for the property located at 1014 Masters Street. The City Council is expected to formally accept the applicant's petition on May 2, 2022.

**Jurisdiction:** Town of Beloit

### **Staff Analysis**

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**Background Information:** Mary Davies has submitted a Petition for (Direct) Annexation for the property located at 1014 Masters Street in the Town of Beloit. The Petition for Annexation and Annexation Plat are attached to this report. A failing septic system serving the existing single-family dwelling is the impetus for this request, as the property must be located in the City in order to connect to the City's sewer system. There is an existing sanitary sewer main adjacent to the property.

**Surrounding Land Use and Zoning:** The subject property is zoned R1, Single-Family Residential District (Town Zoning). The attached Location and Zoning Map shows the location of this property and the zoning of the surrounding area, which is south of Liberty Avenue and West of Masters Street. The adjacent zoning and land uses are as follows:

- North: R-1A, Single-Family Residential District; Single-Family Residential (City)
- South: R1, Single-Family Residential District; Single-Family Residential (TOB)
- East: R1, Single-Family Residential District; Vacant Residential Land (TOB)
- West: R1, Single-Family Residential District, Single-Family Residential (TOB)

**Municipal Utilities:** The City has an existing sanitary sewer main in Masters Street in front of the subject property. The subject property is located within the City's 208 Sewer Service Area. Rock County's 208 Water Quality Plan specifies that this area will be served by the City's public sanitary sewer system. The Wisconsin Department of Administration has requested that the right-of-way in front of the property remain in the Town of Beloit until the vacant land on the east side of Masters Street is annexed, so that a Town island is not created.

**City of Beloit Comprehensive Plan and Strategic Plan:** The Future Land Use Map recommends Single-Family Residential – Urban uses for the subject property. The proposed annexation and sewer connection are consistent with this recommendation. While informative, annexations are not required to be consistent with the Comprehensive Plan. This request supports Strategic Goal #1 by creating and sustaining safe and healthy neighborhoods and Goal #5 by creating and sustaining high quality infrastructure and connectivity.

**Future Zoning Classification:** When property is annexed to the City, a temporary zoning classification must be assigned until an Ordinance approving a Zoning Map Amendment is adopted by the City Council. Staff recommends that the temporary zoning classification for this property be R-1A, Single-Family Residential District, because of the size, location, and surrounding land uses of the property. A Zoning Map Amendment with a recommendation for a permanent zoning classification will be processed by staff in the near future.

**Sustainability Criteria:** A reduction in the number of septic systems located in urbanized areas will reduce groundwater contamination. The provision of sewer service will satisfy the owner’s need for a healthy and sanitary dwelling.

**STAFF RECOMMENDATION:**

The Planning and Building Services Division recommends approval of the attached Petition for Annexation to the City of Beloit for the property located at 1014 Masters Street in the Town of Beloit and assignment of a temporary zoning district classification of R-1A, Single-Family Residential.

**ATTACHMENTS:** Location & Zoning Map, Petition for Annexation, and Plat of Annexation.

# 1014 Masters

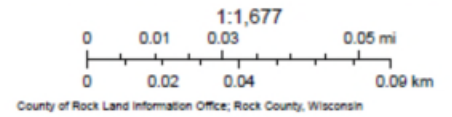


4/26/2022, 9:34:59 AM

Zoning Not Available    Large Scale Commercial District

Zoning Districts

Residential District One | Town of Beloit



**PETITION FOR ANNEXATION AND/OR ATTACHMENT  
TO THE CITY OF БЕЛОИТ**

Address of Property: 1014 Masters Street / Beloit, WI 53511

Property is located in (circle one): Town of Turtle **Town of Beloit**

If applicable, please circle the Town of Turtle island in which the property is located:

Lindale Place Turtle Ridge Sherwood Drive N/A

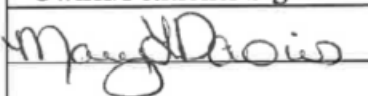
If this property is located within the Town of Turtle, is it located within the **Boundary Adjustment Area** as outlined in the *Cooperative Boundary Agreement between the City of Beloit and Town of Turtle*? (If you are not sure, please leave blank for Planning staff to answer.) **YES** **NO**

The current population or territory to be annexed and/or attached is 2 persons.

We the undersigned, constituting all of the owners of the real property in Rock County, Wisconsin, lying contiguous to the City of Beloit, or lying in a town island, respectfully petition the City Council of the City of Beloit to annex the territory described and shown on the attached scale map to the City of Beloit, Rock County, Wisconsin. (Plat of Annexation or Attachment must include a legal description of the subject property.)

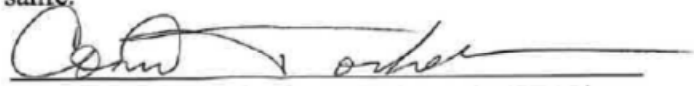
We the undersigned, elect that this annexation shall take effect to the full extent consistent with outstanding priorities of other annexation, incorporation or consolidation proceedings, if any.

We further respectfully request that this property be zoned R1-A.

Owner/Petitioner Signature:	Print Name:	Address:	Date:
	Mary L Davis	1014 Masters St Beloit, WI	3-29-22

Personally came before me this 29<sup>th</sup> day of March, 2022, the above named, Mary Davis to me known to be the persons who executed the foregoing instrument and acknowledged the same.

Connie Torkelson  
Notary Public, State of Wisconsin

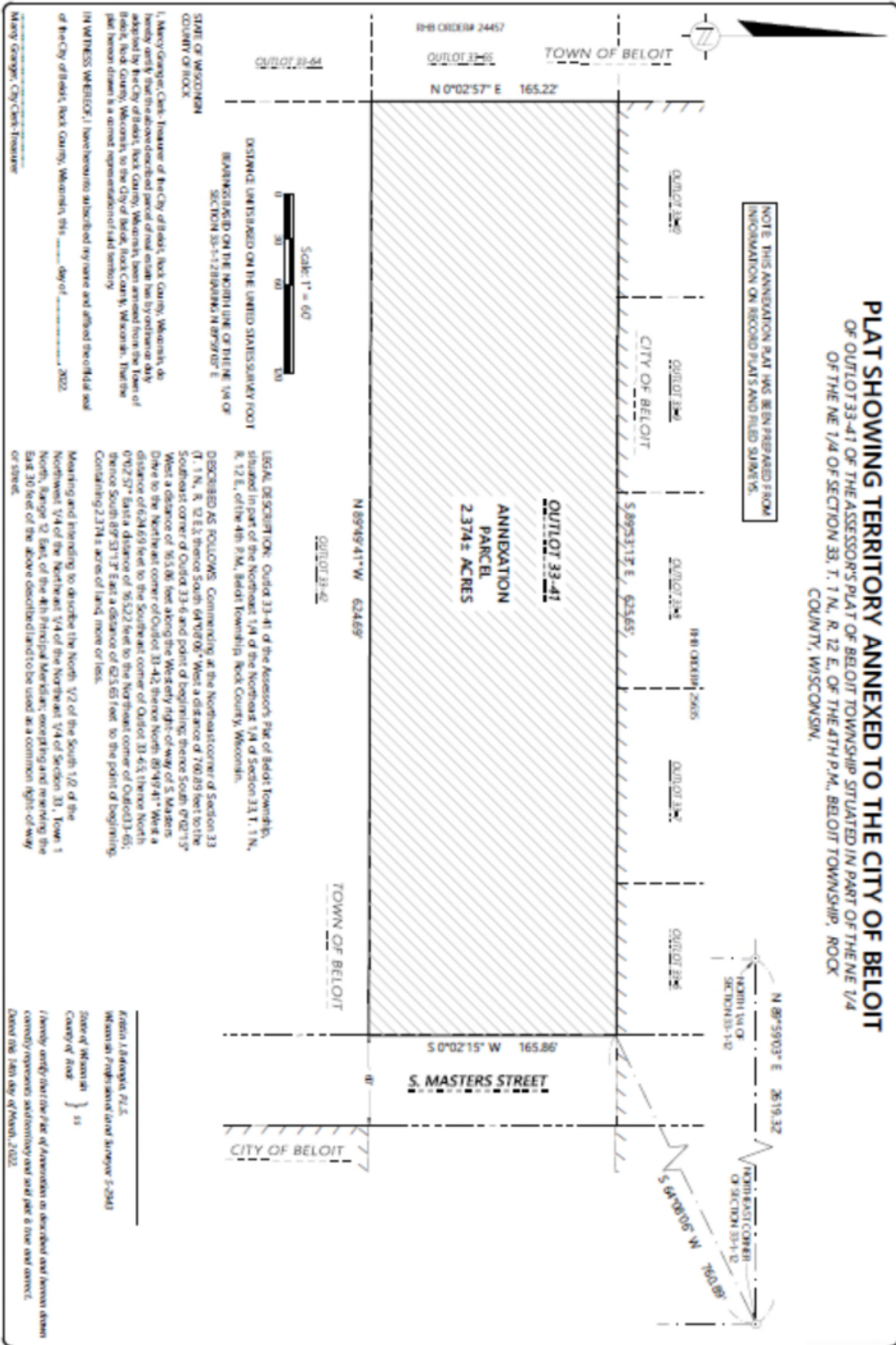
  
Notary Public, Rock County, Wisconsin (SEAL)

My Commission is permanent or expires on: Oct. 26, 2025



**PLAT SHOWING TERRITORY ANNEXED TO THE CITY OF БЕЛОIT**  
**OF OUTLOT 33-41 OF THE ASSESSOR'S PLAT OF БЕЛОIT TOWNSHIP SITUATED IN PART OF THE NE 1/4**  
**OF THE NE 1/4 OF SECTION 33, T. 1 N., R. 12 E., OF THE 4TH P.M., БЕЛОIT TOWNSHIP, ROCK**  
**COUNTY, WISCONSIN.**

NOTE: THIS ANNEXATION PLAT HAS BEEN PREPARED FROM INFORMATION ON RECORD PLATS AND FIELD SURVEYS.



STATE OF WISCONSIN  
COUNTY OF ROCK

LEGAL DESCRIPTION: Outlot 33-41 of the Assessor's Plat of Beloit Township, situated in part of the Northeast 1/4 of the Northeast 1/4 of Section 33, T. 1 N., R. 12 E., of the 4th P.M., Beloit Township, Rock County, Wisconsin.

Witness my hand and the seal of my office this \_\_\_\_\_ day of \_\_\_\_\_, 2022.  
Mary Granger, City Clerk-Treasurer

<p>ORDER NO: 34239  DRAWN BY: LMS  SHEET 1 OF 1</p>	<p>FOR THE EXCLUSIVE USE OF:  <b>BRIAN &amp; MARY DAVIES</b>  1014 MASTERS STREET  BELOIT, WI 53511</p>	<p align="center"><b>ANNEXATION PLAT</b></p>	<p align="center"><b>Batterman</b>  engineers surveyors planners  2857 Bartells Drive 3040 N Wisconsin Street  Beloit, Wisconsin 53511 Elkhorn, Wisconsin 53120  608.365.4464 262.379.2250</p>
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## **REPORT TO THE PLAN COMMISSION**

**Plan Commission Meeting Date:** May 4, 2022

**Agenda Item:** 5.b.

**File Number:** CSM-2022-08

### **General Information**

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**Applicant:** Combs and Associates

**Owner:** Eldon L. Isely

**Address/Location:** 5712 E Freedom Lane (Town of Turtle)

**Applicant's Request:** Extraterritorial Two-lot Certified Survey Map (CSM)

### **Staff Analysis**

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**Proposed Land Division:** The intent of the proposed CSM is to create two lots. The applicant intends to sell a portion of his land to the neighbor to the west. Proposed Lot 2 is 2.63 acres and proposed Lot 1 is 1.65 acres.

**Surrounding Land Use and Zoning:** To the north and south of the subject property are a single-family and agricultural uses zoned AE, Exclusive Agriculture. To the east and west are single-family homes and agricultural uses zoned RR, Rural Residential. All surrounding properties are located in the Town of Turtle.

**City of Beloit Comprehensive Plan and Strategic Plan:** The Comprehensive Plan's Future Land Use Map states this property is outside the long range Urban Growth Area and recommends Agricultural uses for the subject properties. Extraterritorial CSM are not required to be consistent with the City's Comprehensive Plan.

**Review Agent Comments:** No comments were submitted by the City's review agents.

### **STAFF RECOMMENDATION:**

The Planning and Building Services Division recommends **approval** of the attached two-lot Certified Survey Map (CSM) for the property located at 5712 E Freedom Lane in the Town of Turtle, subject to the following condition:

1. The final CSM shall be recorded with the Rock County Register of Deeds within one year of approval and a copy provided to the Planning and Building Services Division.

**ATTACHMENTS:** Location Maps, Certified Survey Map, Application, and Resolution.

# Location Map



# PRELIMINARY CERTIFIED SURVEY MAP

PART OF THE SW 1/4 OF THE SW 1/4 OF SECTION 26, T.1N., R.13E.  
OF THE 4TH P.M. TURTLE TOWNSHIP, ROCK COUNTY, WISCONSIN.



NOTES:  
THE BEARINGS AND DISTANCES SHOWN ARE TAKEN FROM PLAT DATA. A PLAT OF SURVEY WAS NOT PERFORMED.  
Project No. 122-074 For: Erik Knodle March 9, 2022

**Combs & Associates**

- LAND SURVEYING
- LAND PLANNING
- CIVIL ENGINEERING

109 W. Milwaukee St.  
Janesville, WI 53408  
www.combsurvey.com

Cell: 608 752-0575  
Fax: 608 752-0534

**CITY of BELOIT**  
**Neighborhood Planning Division**

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

**Application for Review of a Minor Subdivision**

- (Please Type or Print) File Number: \_\_\_\_\_
- Address of property: 5712 E FREEDOM ROAD CLINTON WI 53525-9290
  - Tax Parcel Number(s): 6-19-287.3 & 6-19-287.4
  - Property is located in (circle one): City of Beloit or Town of Turtle; Beloit; Rock or LaPrairie  
In the SW Quarter of Section 26, Township 1 North, Range 13 East of the 4th P.M.
  - Owner of record: ELDON L ISLEY Phone: \_\_\_\_\_  
N6396 RINGNECK LN, PLYMOUTH, WI 53073  
(Address) (City) (State) (Zip)
  - Surveyor's name: Combs & Associates, INC Phone: 608-752-0575  
109 W. Milwaukee St, Janesville, WI 53548  
(Address) (City) (State) (Zip)
  - Number of new lots proposed with this land division is 2 lot(s).
  - Total area of land included in this map: 4.28 ACRES
  - Total area of land remaining in parent parcel: L1: 1.88 ACRES L2: 2.40 ACRES
  - Is there a proposed dedication of any land to the City of Beloit? NO
  - The present zoning classification of this property is: AE
  - Is the proposed use permitted in this zoning district: YES

12. **THE FOLLOWING ITEMS MAY NEED TO BE COMPLETED AND/OR ATTACHED:**
- Site Assessment Checklist;** is required if the total area of CSM is over 5 acres.
  - Pre-application meeting;** a pre-application meeting was held on \_\_\_\_\_ with City of Beloit Staff.
  - Developer's Statement;** as required by section 12.02(7) of the Subdivision Ordinance.
  - Phase One Environmental Assessment;** as per section 12.05(1)(c) of the Subdivision Ordinance.
  - Certified Survey Map;** one copy as required by section 12.05(1) of the Subdivision Ordinance.

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

Eldon L Isley 1. Eldon L Isley 1 3-30-2022  
(Signature of applicant) (Name of applicant) (Date)

**This application must be submitted at least 21 days prior to the Plan Commission meeting date.**

Review fee: \$150 plus \$10 per lot Amount paid: \_\_\_\_\_

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

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

**RESOLUTION  
APPROVING AN EXTRATERRITORIAL TWO-LOT CERTIFIED SURVEY MAP  
FOR THE PROPERTY LOCATED AT 5712 E FREEDOM LANE IN THE TOWN OF TURTLE**

**WHEREAS**, Section 12.05(1)b of Chapter 12 of the Code of General Ordinances of the City of Beloit entitled “*Subdivision and Official Map Ordinance*” authorizes the City Plan Commission of the City of Beloit to approve, conditionally approve, or reject any minor subdivision of land within the extraterritorial jurisdiction of the City; and

**WHEREAS**, the attached two-lot Certified Survey Map for the property located at 5712 E Freedom Lane, containing 4.28 acres, more or less, is located within the extraterritorial jurisdiction of the City of Beloit; and

**WHEREAS**, the City Plan Commission of the City of Beloit has reviewed the attached two-lot Certified Survey Map, which pertains to the following described land:

PART OF THE SW ¼ OF THE SW ¼ OF SECTION 26, T. 1N., R. 13E. OF THE 4<sup>TH</sup> P.M.  
TURTLE TOWNSHIP, ROCK COUNTY, WISCONSIN.

**NOW, THEREFORE, BE IT RESOLVED THAT** the Plan Commission of the City of Beloit does hereby conditionally approve the attached two-lot Certified Survey Map for the property located at 5712 E Freedom Lane in the Town of Turtle, subject to the following condition:

1. The final CSM shall be recorded with the Rock County Register of Deeds within one year of approval and a copy provided to the Planning and Building Services Division.

Adopted this 4th day of May, 2022.

**Plan Commission**

\_\_\_\_\_  
Matthew Finnegan, Vice-Chairperson

**ATTEST:**

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