



**PUBLIC NOTICE & AGENDA
BELOIT PLAN COMMISSION
City Hall Forum - 100 State Street, Beloit, WI 53511
7:00 PM
Wednesday, May 18, 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 May 4, 2022 Plan Commission meeting
[Attachment](#)
4. PUBLIC HEARINGS
 - 4.a. Consideration of a Resolution approving an Extraterritorial Preliminary Plat of Tall Trees for two parcels located on the 5000 block in Shopiere Road in the Town of Turtle
[Attachment](#)
5. REPORTS
 - 5.a. Consideration of a Resolution approving an Extraterritorial two-lot Certified Survey Map for the properties located at 7042 and 7220 E State Highway 67 in the Town of Turtle
[Attachment](#)
 - 5.b. Consideration of Plan Commission initiatives
6. STATUS REPORT ON PRIOR PLAN COMMISSION ITEMS
Annexation - 1014 Masters Street
7. FUTURE AGENDA ITEMS
Tiny Homes Ordinance
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, May 4, 2022**

1. CALL TO ORDER AND ROLL CALL

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

2. ELECTION OF CHAIRPERSON AND VICE-CHAIRPERSON

2.a. Commissioner Janke made a motion to lay the items over, seconded by Commissioner Anderson. Motion prevailed, voice vote (5-0).

3. MINUTES

3.a. Consideration of the minutes of April 20, 2022 Plan Commission meeting

Motion was made by Commissioner Ramsden seconded by Commissioner Anderson to approve the minutes. Motion prevailed, voice vote (5-0).

4. PUBLIC HEARINGS

4.a. Consideration of a Conditional Use Permit (CUP) to allow a drive-through use in a C-3, Community Commercial District, for the property located at 2757 Prairie Avenue

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

Commissioner Ramsden asked Ms. Christensen how the City staff responded to the neighbors' concerns. Commissioner Ramsden also asked what the neighbor's response was in regard to City staff's email back. Ms. Christensen said that City staff let the neighbor know that we didn't have information on lighting, hours of operation or the sign, but when the applicant gives City staff more information, we will provide it to the neighbors.

Commissioner Ramsden asked Ms. Christensen if she could elaborate on the stacking lane ordinance, and how the ordinance needs to be met. Ms. Christensen said that when you go into a drive-through lane you need to be able to exit out of it without going to the end. Typically, you see another lane on the outside of the stacking lane.

Commissioner Anderson asked on the southside of the lot if there is any curbing between the property and main entrance. Ms. Christensen said that the access point has been moved, and it will be curbed.

Vice-Chairperson Finnegan opened the public hearing.

Matt Carey, 20725 Watertown Road, Brookfield, Wisconsin, the Civil Engineer from Pinnacle Engineering Group, said the company Scooters is coming more into the southeastern part of Wisconsin, and their primary focus is a drive-through component. Mr. Carey said Scooters originated back in 1988 out of Nebraska and that they mainly have coffee drinks and smoothies and some breakfast options. Mr. Carey said the entrance is further to the east and aligns better with the Pizza Hut access to the north and with the KFC access to the south. Mr. Carey said that they are working on the stacking space issue with City staff.

Vice-Chairperson Finnegan asked if the main spot to order is the first island. Mr. Carey said it is at the northwest corner of the property, and there are two main order boards. Commissioner Toral said that he supports the plan with all the greenery around. He also suggested that they find a way to keep the runoff onsite, so that it does not end out in the river.

Vice-Chairperson Finnegan closed the public hearing.

Commissioner Anderson moved to approve the Conditional Use Permit, seconded by Commission Ramsden. Motion carried, voice vote (5-0).

5. REPORTS

5.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 Ramsden moved to approve the two-lot Certified Survey Map, seconded by Commission Anderson. Motion carried, roll call vote (5-0).

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**

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

Commissioner Ramsden moved to approve the Extraterritorial Certified Survey Map, seconded by Commission Anderson. Motion carried, voice vote (5-0).

6. 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 18, 2022.

7. **FUTURE AGENDA ITEMS**

Julie Christensen outlined the future agenda items.

8. **ADJOURNMENT**

Commissioner Anderson moved to adjourn the meeting, seconded by Commission Ramsden at 7:30 PM. Motion carried, voice vote (5-0).

Chairperson

REPORT TO THE PLAN COMMISSION

Plan Commission Meeting Date: May 18, 2022

Agenda Item: 4a

File Number: PS-2022-01

General Information

Applicant: Combs & Associates, Inc.

Owner: H & L Farms, Inc.

Address/Location: 5000 Block of Shopiere Road/C.T.H. "S" (Parcel Nos. 6-19-46.3 & 6-19-121) in Town of Turtle

Applicant's Request: Preliminary Subdivision Plat (30 lots and 2 out-lots)

Staff Analysis

Proposed Lots: Combs & Associates, on behalf of H & L Farms, has submitted an Application for Review of a Preliminary Subdivision and the attached Preliminary Plat of Tall Trees for two contiguous parcels totaling 51 acres on the 5000 block of Shopiere Road/C.T.H. "S" in the Town of Turtle. This land is located beyond the City limits but within the City's extraterritorial plat review jurisdiction. As shown on the attached plat, the developer is proposing the creation of 30 single-family lots of 1-2 acres each and 2 out-lots to be served by new local streets which connect to Shopiere Road. This development will have private wells and septic systems, and is within the attendance area for the Clinton Community School District. This development is zoned R-R, Rural Residential (TOT).

Platting Process: Residential subdivisions require approval of a preliminary or conceptual plat followed by a final plat to be recorded. The City cannot regulate land use beyond the City limits (including density), nor require the dedication of or improvement of land with public improvements. There are some environmental constraints on the subject property including limited slopes over 12%, wetlands, woodlands, and a threatened plant species (Kitten Tails). The USPS has noted that two cluster mailbox units will be needed to serve this development.

Surrounding Uses: As shown on the attached Location Map, there are rural residential uses to the east and west of the subject property, and agricultural uses to the north. There is a cemetery to the southeast and woodlands to the south. The City does not exercise extraterritorial zoning jurisdiction and cannot control uses outside of the City.

City of Beloit Comprehensive Plan: The Future Land Use Map of the City's Comprehensive Plan recommends Agricultural land uses for the subject parcels. However, recent case law dictates that land use and density cannot be regulated outside of the City limits. The City and Town of Turtle are in court-ordered mediation relating to a possible boundary agreement, which may deal with issues such as growth areas and agricultural preservation.

STAFF RECOMMENDATION:

The Planning and Building Services Division recommends **approval** of the Preliminary Plat of Tall Trees in the Town of Turtle, 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. At least two cluster mailbox units shall be provided.
2. Any major changes in the adopted conditions or use of the property shall be approved by the Plan Commission. The Director of Planning and Building Services may approve minor changes administratively.

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





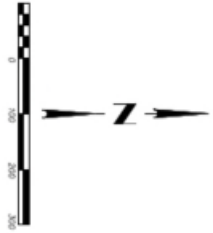
LEGEND

- EXISTING EASEMENT LINE
- PROPOSED EASEMENT LINE
- PROPOSED BOUNDARY LINE
- EXISTING BOUNDARY LINE
- EXISTING EASEMENT LINE
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- EXISTING BOUNDARY LINE

PRELIMINARY PLAT FOR TALL TREES

PART OF THE SE 1/4 OF THE SW 1/4, PART OF THE SW 1/4 OF THE SE 1/4 OF SECTION 2 AND PART OF THE SE 1/4 OF SECTION 14 AND PART OF THE NW 1/4 OF SECTION 14, T. 36 N., R. 10 E., COUNTY OF ONEIDA, WISCONSIN.

THE UNDERSIGNED, ENGINEER, HAS EXAMINED THE PRELIMINARY PLAT AND HAS FOUND IT TO BE A TRUE AND CORRECT REPRESENTATION OF THE LANDS AND INTERESTS THEREIN AS THEY EXIST AND AS THEY ARE OFFICERED BY THE RECORDS OF THE COUNTY OF ONEIDA, WISCONSIN. THE UNDERSIGNED DOES NOT WARRANT THE ACCURACY OF THE MEASUREMENTS, DIMENSIONS, OR VOLUMES SHOWN ON THIS PLAT, NOR DOES THE UNDERSIGNED GUARANTEE THE ACCURACY OF THE PLAT AS TO THE LOCATION, DIMENSIONS, OR VOLUMES OF ANY ADJACENT PLATS OR UNPLATTED LANDS.



Combs & Associates, LLC ENGINEERS	DATE: 02/20/22
PROJECT: TALL TREES	CLIENT: K&K
PROJECT: 221-018	DESIGNER: JMG
	DATE: 02/20/22

CITY of BELOIT

Neighborhood Planning Division

100 State Street, Beloit, WI 53511

Phone: (608) 364-6700

Fax: (608) 364-6609

Application for Review of a Preliminary Subdivision Plat

(Please Type or Print)

File Number: PS-2022-01

1. Proposed subdivision name: Tall Trees

2. Address of property: C.T.H "S"

3. Tax Parcel Number(s): 6-19-46.3 & 6-19-121

4. Property is located in (circle one): City of Beloit or Town of Turtle; Beloit; Rock or LaPrairie

In the Quarter of Section 3&10 Township 1 North, Range 13 East of the 4th P.M.

5. Owner of record: H & L Farms Inc. Phone: 608-290-6330

8601 E. Larsen Rd., Janesville, WI 53546-9751

(Address)

(City)

(State)

(Zip)

6. Applicant's Name: H & L Farms Inc

(Address)

(City)

(State)

(Zip)

(Office Phone #)

(Cell Phone #)

(E-mail Address)

/ cathyontheprairie69@gmail.com

7. The present zoning classification is: RR

8. All existing uses on the property are: YES

9. Proposed future zoning classification(s) is (are): RR

10. Proposed future uses of the property are: Residential

11. **THE FOLLOWING ITEMS MAY NEED TO BE COMPLETED AND/OR ATTACHED:**

- Site Assessment Checklist**; as required for all major subdivision plats by section 12.02(1).
- Pre-application meeting**; a pre-application meeting was held on _____ with City of Beloit Staff as per section 12.02(2).
- Site Assessment Report**; if required as per section 12.02(5) of the Subdivision Ordinance.
- Concept Plan**; as required by section 12.02(6) of the Subdivision Ordinance.
- Developer's Statement**; as required by section 12.02(7) of the Subdivision Ordinance.
- Preliminary Plat Map**; 10 copies as required by section 12.03(2) including all information required by section 12.03(3) of the Subdivision Ordinance.

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

TJ M GAO (Agent)

(Signature of applicant)

Ryan Combs

(Name of applicant)

4-5-22

(Date)

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

Review fee: \$500 plus \$15 per lot Amount paid: \$950.00

Scheduled meeting date: May 18, 2022

Application accepted by: Drew Ferguson Date: _____

COMMUNITY DEVELOPMENT DEPARTMENT

NOTICE TO THE PUBLIC

May 2, 2022

To Whom It May Concern:

H & L Farms Inc. has submitted an Application for Review of a Preliminary Subdivision and the attached Preliminary Plat of Tall Trees for two parcels located on the 5000 block of Shopiere Road (County Highway "S") in the Town of Turtle. This land is located within the City's Extraterritorial Jurisdiction for plat review. As shown on the attached plat, the developer is proposing the creation of 30 single-family lots and 2 out-lots to be served by new local streets which connect to Shopiere Road. This development will have private wells and septic systems, and is within the attendance area for the Clinton Community School District.

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

City of Beloit Plan Commission: Wednesday, May 18, 2022, at 7:00 PM, or as soon thereafter as the matter can be heard in The Forum, Beloit City Hall, 100 State Street, Beloit, Wisconsin.

THE PUBLIC IS INVITED TO ATTEND THIS HEARING.

We are interested in your opinion.

Anyone bringing handouts to the Plan Commission meeting must bring ten (10) copies and submit them to the Recording Secretary before the meeting begins. Staff is unable to leave the meeting area to make copies.

For additional information, please contact Drew Pennington, AICP in the Planning & Building Services Division at (608) 364-6711 or penningtond@beloitwi.gov. Comments will be accepted via telephone, email, and U.S. Mail.

**RESOLUTION
APPROVING A PRELIMINARY PLAT
OF TALL TREES IN THE TOWN OF TURTLE**

WHEREAS, the City Plan Commission of the City of Beloit has heretofore held a public hearing on May 18, 2022 regarding the 32-Lot Preliminary Plat of Tall Trees on the 5000 Block of Shopiere Road/C.T.H. "S" (Parcel Nos. 6-19-46.3 & 6-19-121) in the Town of Turtle within the City's extraterritorial jurisdiction.

NOW, THEREFORE, BE IT RESOLVED THAT the Plan Commission of the City of Beloit does hereby approve the Preliminary Plat of Tall Trees on the 5000 Block of Shopiere Road/C.T.H. "S" (Parcel Nos. 6-19-46.3 & 6-19-121) in the Town of Turtle, 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. At least two cluster mailbox units shall be provided.
2. Any major changes in the adopted conditions or use of the property shall be approved by the Plan Commission. The Director of Planning and Building Services may approve minor changes administratively.

Adopted this 18th day of May, 2022.

Plan Commission

By: _____
Chairperson

ATTEST:

Julie Christensen
Community Development Director



REPORT TO THE PLAN COMMISSION

Plan Commission Meeting Date: May 18, 2022

Agenda Item: 5.a.

File Number: CSM-2022-06

General Information

Applicant: R.H. Batterman & Co., Inc.

Owner: P & R Farms, Peter and Rebecca Ligman

Address/Location: 7042 and 7220 E State Road 67 (Town of Turtle)

Applicant's Request: Two-lot Certified Survey Map (CSM) lot line adjustment

Staff Analysis

Proposed Land Division: The intent of the proposed CSM is to adjust a lot line. The applicant intends to build a new home on proposed Lot 1 which is 72 acres. Once the home is built, they plan to sell proposed Lot 2 which is 8.5 acres.

Surrounding Land Use and Zoning: The surrounding properties all have agricultural uses zoned AE, Exclusive Agriculture 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. Land use cannot be considered when reviewing Extraterritorial CSM applications per state law.

Review Agent Comments: No comments were received.

STAFF RECOMMENDATION:

The Planning and Building Services Division recommends **approval** of the attached two-lot Certified Survey Map (CSM) for the properties located at 7042 and 7220 E State Road 67 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.

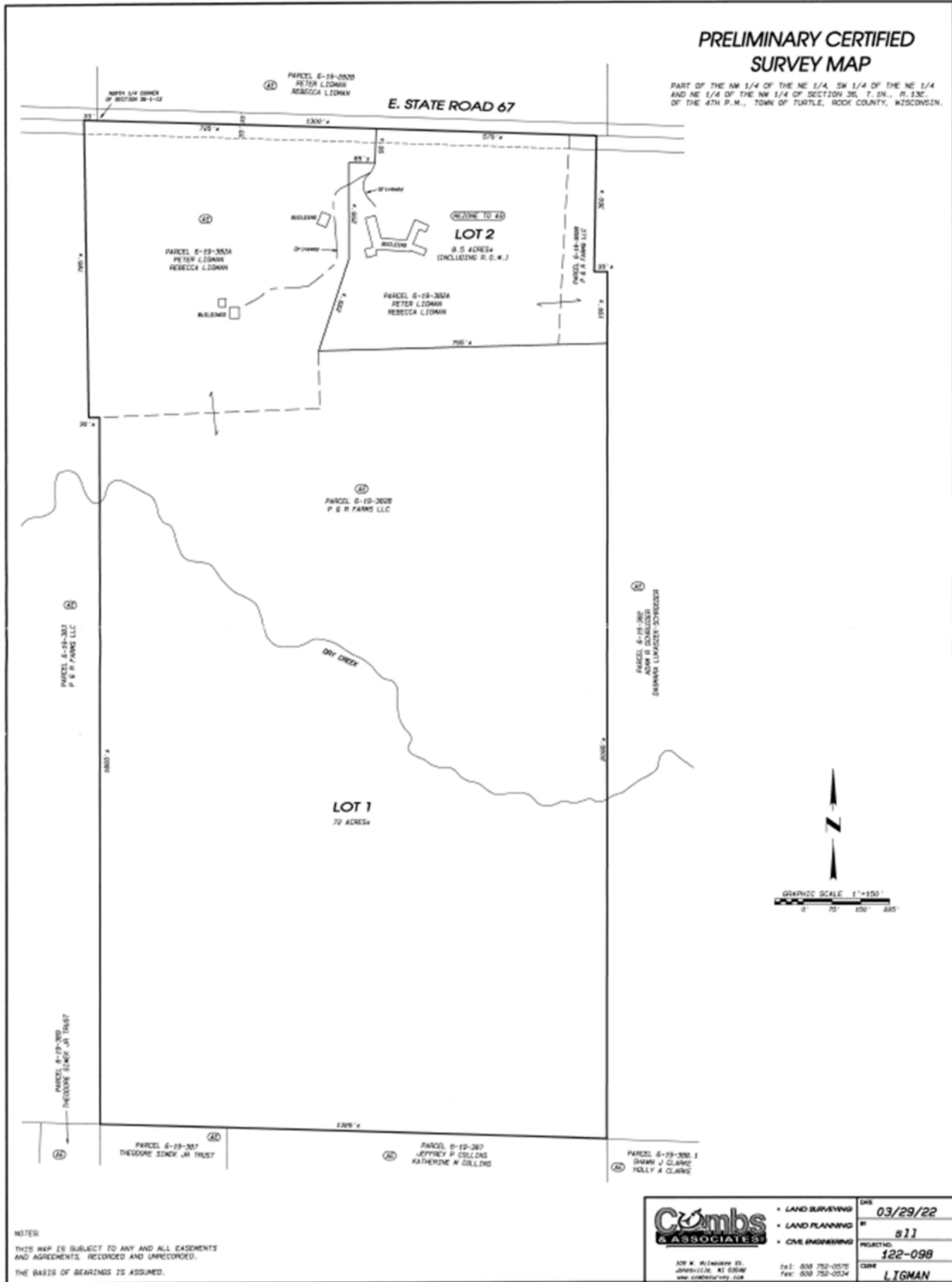
ATTACHMENTS: Location Maps, Certified Survey Map, Application, and Resolution.

Location Map



**PRELIMINARY CERTIFIED
SURVEY MAP**

PART OF THE NW 1/4 OF THE NE 1/4, SW 1/4 OF THE NE 1/4
AND NE 1/4 OF THE NW 1/4 OF SECTION 26, T. 2N., R. 13E.
OF THE 4TH P.M., TOWN OF TURTLE, ROCK COUNTY, WISCONSIN.



<p>• LAND SURVEYING • LAND PLANNING • CIVIL ENGINEERING</p> <p>ADAM W. COMBS, P.E. 4094/1136 N. US HWY www.combsurvey.com</p> <p>PH: 608 752-0570 FAX: 608 752-0574</p>	DATE	03/29/22
	PROJECT NO.	122-098
	CASE	LIGMAN
	BY	511

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: CSM-2022-09

1. Address of property: 7042 & 7220 E. STATE RD. 67
2. Tax Parcel Number(s): PARTS OF 6-19-382A & 6-19-382B
3. Property is located in (circle one): City of Beloit or Town of Turtle; Beloit; Rock or LaPrairie
In the Quarter of Section 36, Township 1 North, Range 13 East of the 4th P.M.
4. Owner of record: P & R FARMS PETER & REBECCA LIGMAN Phone: 608-289-8716
7220 E. STATE ROAD 67, CLINTON, WI 53525
(Address) (City) (State) (Zip)
5. Surveyor's name: COMBS & ASSOCIATES, INC. Phone: 608-752-0575
109 W. MILWAUKEE STREET, JANESVILLE, WI 53548
(Address) (City) (State) (Zip)
6. Number of new lots proposed with this land division is 0 (Reconfigure 2 parcels) lot(s).
7. Total area of land included in this map: 80.5 ACRES ±
8. Total area of land remaining in parent parcel: 0
9. Is there a proposed dedication of any land to the City of Beloit? NO
10. The present zoning classification of this property is: AE
11. Is the proposed use permitted in this zoning district: REZONE LOT 2 TO AG
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.

B. M. Coe (Agent), Ryan Combs (Agent), 4-13-22
(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: <u>\$150 plus \$10 per lot</u>	Amount paid: <u>\$170.⁰⁰</u>
Scheduled meeting date: <u>May 18, 2022</u>	
Application accepted by: <u>Don Pennington</u>	Date: <u>4/18/22</u>

CR# 4424

RESOLUTION

**APPROVING A TWO-LOT CERTIFIED SURVEY MAP FOR THE PROPERTIES
LOCATED AT 7042 AND 7220 E STATE ROAD 67 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 properties located at 7042 and 7220 E State Road 67, containing 80.5 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 NW ¼ OF THE NE ¼, SW ¼ OF THE NE ¼ AND NE ¼ OF THE NW ¼ OF SECTION 36. T. 1N., R. 13E OF THE 4TH P.M., TOWN OF TURTLE, 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 properties located at 7042 and 7220 E State Road 67 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 18th day of May, 2022.

Plan Commission

Chairperson

ATTEST:

Julie Christensen,
Community Development Director