

# PUBLIC NOTICE & AGENDA BELOIT PLAN COMMISSION

# City Hall Forum - 100 State Street, Beloit, WI 53511 7:00 PM

Wednesday, September 21, 2022

- 1. CALL TO ORDER AND ROLL CALL
- MINUTES
  - 2.a. Consideration of the minutes of the September 7, 2022 Plan Commission meeting Attachment
- 3. PUBLIC HEARINGS
  - 3.a. Consideration of an amendment to an existing Conditional Use Permit to allow outdoor entertainment events with the possession, sale, and consumption of alcoholic beverages in an M-2, General Manufacturing District, for events being held at 701 Third Street to include the indoor space at 601 Third Street, Suite 602-B Attachment
- 4. REPORTS
  - 4.a. Consideration of a Extraterritorial one-lot Certified Survey Map for the property located at 2557 S. Madison Road in the Town of Beloit
    - Attachment
  - 4.b. Consideration of a Resolution approving the Extraterritorial Final Plat called Tall Trees in the Town of Turtle
    - Attachment
- 5. STATUS REPORT ON PRIOR PLAN COMMISSION ITEMS

Easement for Scooter's Housing Flexibility Ordinance

FUTURE AGENDA ITEMS

Extraterritorial Certified Survey Map - W Marilyn Parkway Architectural Review Ordinance

- 7. 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, September 7, 2022

#### 1. CALL TO ORDER AND ROLL CALL

recommendation.

Chairperson Weeden called the meeting to order at 7:00 PM. Chairperson Weeden, Commissioners Janke, Ramsden, Jacobsen, Flesch, Toral, Anderson, and Councilor Dunkin were present.

#### 2. MINUTES

2.a. Consideration of the minutes of August 3, 2022 Plan Commission meeting Motion was made by Commissioner Ramsden seconded by Commissioner Jacobsen to approve the minutes. Motion prevailed, voice vote (7-0).

#### 3. PUBLIC HEARINGS

3.a. Consideration of an Ordinance to repeal and recreate Section 2-500, to amend Sections 5-804(b), 2-109, 2-103(b), and Tabular Summary of Development Review Procedures of the Zoning Ordinance, Chapter 19 of the Code of General Ordinances of the City of Beloit and to amend Section 1.77(6)(a)3 of the Code of General Ordinances of the City of Beloit pertaining to Conditional Use Permits

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

Councilor Dunkin wanted to thank Ms. Christensen, City staff, and Plan Commissioners for taking this Ordinance change on, and if they need to change it in the future they can.

Chairperson Weeden asked if the last sentence in the section 2-508 called Minor Alterations of Conditional Use addresses a dispute whether an alteration or addition is minor. Chairperson Weeden asked if the dispute will be with the staff and the applicant, staff with the Plan Commissioners, or with Council. Ms. Christensen said that the standard language says minor changes can be approved by the zoning officer, and major changes would come back to Plan Commission. Ms. Christensen stated that if the applicant thinks something is a minor change and staff thinks it is major, Plan Commission would handle those cases.

Chairperson Weeden opened and closed the public hearing.

Commissioner Janke moved to approve the Ordinance to repeal and recreate Section 5-804(b), 2-109, 2-103(b), and Tabular Summary of Development Review Procedures of the Zoning Ordinance, Chapter 19 of the Code of General Ordinances, seconded by Commissioner Flesch. Motion prevails, roll call vote (7-0).

#### 4. REPORTS

# 4.a Consideration of an easement to the City of Beloit from Martin Lee LLC over the property located at 2757 Prairie Avenue

Julie Christensen, Community Development Director, presented the staff report and recommendation. Ms. Christensen explained that there was a mistake in the exhibits, which would be corrected before signing.

Chairperson Weeden asked if the Plan Commission needs to approve the Easement as amended. Commissioner Flesch explained that the legal description is correct in the exhibit, but the exhibit is not visually correct. Councilor Dunkin asked if City Council will get the revised one when it is done. Ms. Christensen said that when it is submitted to City Council, the exhibits will be the correct ones.

Commissioner Anderson moved to approve the easement to the City of Beloit from Martin Lee LLC at the property located at 2757 Prairie Avenue, seconded by Commissioner Ramsden. Motion prevails (7-0), voice vote.

#### 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. Ms. Christensen said the next Plan Commission meeting is scheduled for September 21, 2022.

#### 6. FUTURE AGENDA ITEMS

Julie Christensen outlined the future agenda items.

#### 7. ADJOURNMENT

Commissioner Jacobsen moved to adjourn the meeting, seconded by Commissioner Flesch at 7:30 PM. Motion carried, voice vote (7-0).

Tim Weeden, Chairperson	



#### REPORT TO THE PLAN COMMISSION

Plan Commission Meeting Date: September 21, 2022

Agenda Item: 3.a.

File Number: CU-2022-07

#### **General Information**

Applicant: Hendricks Commercial Properties, LLC

Owner: Hendricks Commercial Properties, LLC

Address/Location: 601 Third Street Suite 602-B

**Applicant's Request:** Hendricks Commercial Properties, LLC, has filed an amendment to an existing Conditional Use Permit to allow outdoor entertainment events with the possession, sale, and consumption of alcoholic beverages in an M-2, General Manufacturing District, for events being held at 701 Third Street to include the indoor space at 601 Third Street, Suite 602-B.

#### **Background**

The applicant is requesting the ability to add the indoor space at 601 Third Suite 602-B to the previously approved CUP which allowed the ability to host three outdoor dining events, one art and music event, and one concert, allocated on the Ironworks Spine Road during the summer months with the possession, sale, and consumption of alcohol. The applicant is also applying for a temporary Class B alcohol license for the additional space. The original Conditional Use Permit was approved by City Council on April 19, 2022. A separate CUP would be required for the possession, sale, and consumption of alcoholic beverages on a regular basis at 601 Third Street Suite 602-B. This CUP is only for the five special events each year.

#### **Staff Analysis**

**Existing Conditions:** Located just west of the downtown along the Rock River, the subject property is a multi-tenant business complex known as the Ironworks Campus.

**Surrounding Land Use and Zoning:** To the north is Beloit Box Board and Stainless Tank and Equipment zoned M-2 General Manufacturing. To the east is the Rock River. To the south is the Stateline Family YMCA zoned M-2, General Manufacturing. To the west is a City-owned parking lot zoned CBD-1, Central Business District -Core.

**Proposed Use:** As shown on the attachments, the site plan identifies where the additional indoor space is located and outdoor events will be held. The identified location includes a private road known as the Spine Road.

**City of Beloit Comprehensive Plan:** The City's Comprehensive Plan recommends *General Industrial* for the subject property. Section 66.1001(2m)(b) of Wisconsin Statutes specifies that conditional use permits do not need to be consistent with the Comprehensive Plan.

**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 they have no 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 events will occur in the middle of a bustling urban environment that includes noise, glare, and heavy foot traffic. The proposed addition of indoor space will not impede the general public.
- 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 addition of 601 Third Street Suite 602-B should not affect the adjacent properties. All adjacent property owners have been notified of the request.
- c. Whether the conditional use will substantially diminish or impair property values within the neighborhood of the subject property;
  - On the contrary, the events held will increase visibility and foot traffic to adjacent businesses.
- 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 and these temporary events will not impede development.
- 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;
  - This property is very unique adaptive reuse structure and not like any other adjacent properties. Staff does not believe the amendment to the existing conditional use will depreciate the property values of neighboring properties.
- 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;
  - The existing nearby public and private parking lots includes sufficient off-street parking, and the bike/pedestrian bridge further enhances the accessibility of the

site. As previously requested by the Fire Department, the applicant will maintain a Fire Lane.

- g. Whether adequate measures will be taken to minimize traffic congestion; and
  - Most attendees will be parking in nearby lots and walking 1-3 blocks to the event. The applicant will work with adjacent business owners to avoid traffic issues.
- 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 <u>approval</u> of an amendment to an existing Conditional Use Permit to allow outdoor entertainment events with the possession, sale, and consumption of alcoholic beverages in an M-2, General Manufacturing District, for events being held at 701 Third Street to include the indoor space at 601 Third Street, Suite 602-B, based on the above Findings of Fact and subject to the following conditions:

- This Conditional Use Permit allows outdoor entertainment events with the possession, sale, and consumption of alcoholic beverages in a M-2 General Manufacturing zoning district for the property located at 701 Third Street and the indoor space at 601 Third Street, Suite 602-B.
- 2. The applicant shall obtain and retain all applicable liquor licenses while the conditional use is established and maintained.
- 3. 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.

**ATTACHMENTS:** CUP Decision Form, Site Plan, Application, Public Notice, Mailing List, & Resolution 2021-053.

# 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.

#### **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:

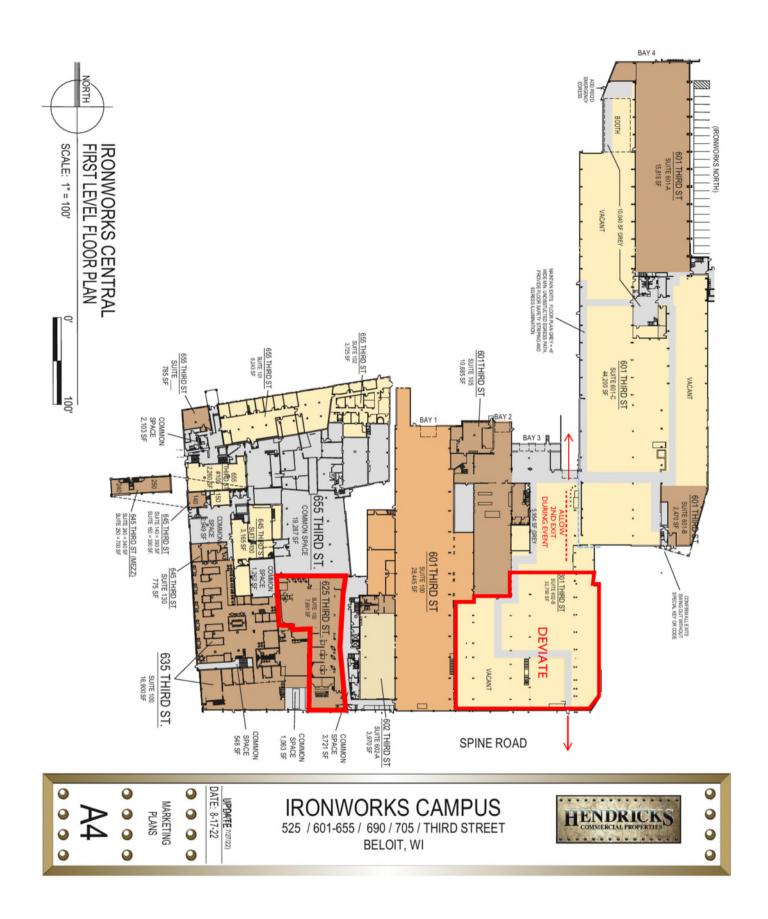
- 1. This Conditional Use Permit to allow outdoor entertainment events with the possession, sale, & consumption of alcoholic beverages M-2 General Manufacturing zoning district located at 701 Third Street and the indoor space at 601 Third Street, Suite 602-B.
  - Substantial Evidence: Outdoor entertainment events and the possession, sale, and consumption of alcoholic beverages require a CUP in the M-2 district, and this condition articulates that the proposed uses are deemed appropriate at this location.
- 2. The applicant shall obtain and retain all applicable liquor licenses while the conditional use is established and maintained.
  - **Substantial Evidence**: All alcohol sales and consumption require a liquor license per City regulations.
- 3. 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: Standard condition that establishes amendment process.

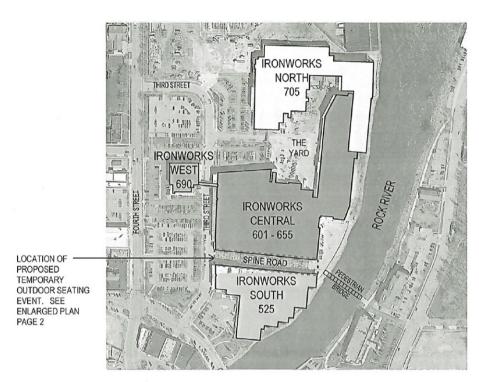
Decision:	Based	on the	findings	of fact,	conclusions	of law,	and t	he record	in this	matter,	the
permit is:											

Approved, with the conditions stated above	/
Denied, for the following reasons:	

### **LOCATION MAP**



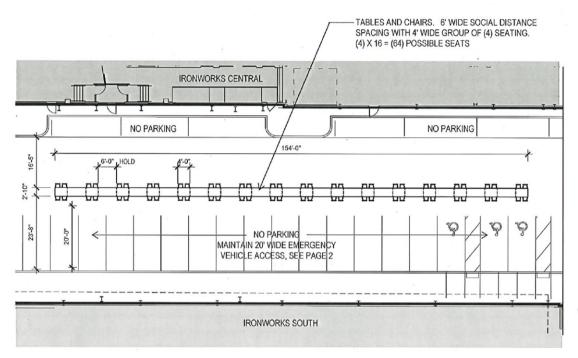




DATE: 8/20/20
'DINNER ON THE SPINE'
IRONWORKS CAMPUS BELOIT, WI
PAGE 1 OF 3

LOCATION PLAN

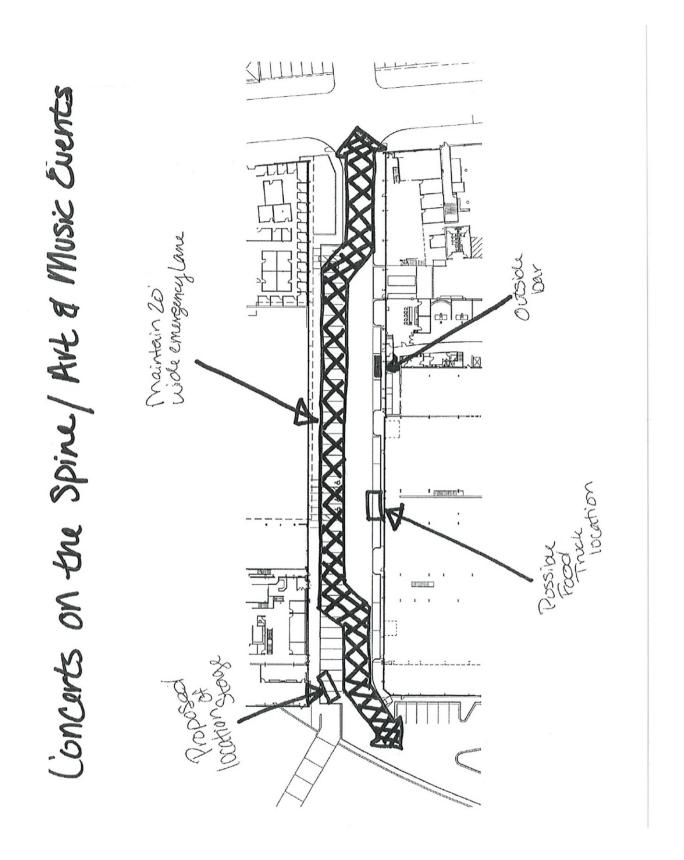




PLAN - TABLE SEATING

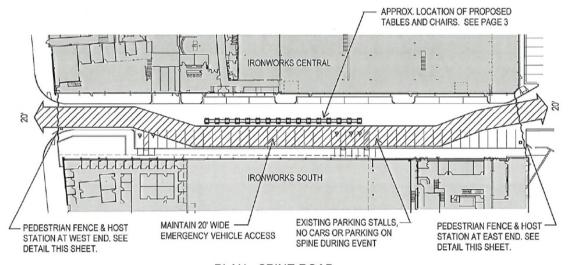
DATE: 8/20/20
'DINNER ON THE SPINE'
IRONWORKS CAMPUS BELOIT, WI
PAGE 3 OF 3





PROPOSED PEDESTRIAN FENCE SYSTEM. TEMPORARY POST-AND-CHAIN WITH WEIGHTED BASE. THE FENCE SYSTEM SHALL NOT BE SECURED TO GROUND AND SHALL NOT INCLUDE ANY DOORS. NO MODIFICATIONS TO EXISTING SURFACE PAVEMENT WOULD BE MADE THAT WOULD DIMINISH EXISTING ACCESS FOR PERSONS WITH DISABILITIES. FINAL LOCATION OF THE PEDESTRIAN FENCE SYSTEM WILL BE DETERMINED BY EVENT MANAGER ON SITE, AS INDIVIDUAL PATRON CIRCUMSTANCES REQUIRE.





PLAN - SPINE ROAD

DATE: 8/20/20
'DINNER ON THE SPINE'
IRONWORKS CAMPUS BELOIT, WI
PAGE 2 OF 3



### 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: Address of subject property: 601 (Suite 602-B)THIRD STREET, BELOIT, WI 53511. 2. Legal description: If property has not been subdivided, attach a copy of the complete legal description from deed. Property dimensions are: \_\_\_\_\_\_ feet by \_\_\_\_\_ feet = If more than two acres, give area in acres: \_\_\_\_ acres. 3. Tax Parcel Number(s): 13530710 4. Owner of record: HENDRICKS COMMERCIAL PROPERTIES LLC Phone: 608.931.3121 525 THIRD STREET 53511 (Address) (City) (State) (Zip) 5. Applicant's Name: THE BELOIT CLUB, LLC dba IRONWORKS GOLF LAB 601 THIRD STREET, SUITE 100 BELOIT (State) 608.931.3121 COMPLIANCE DENDRICKSGROUP NET (Office Phone #) 6. All existing use(s) on this property are: VACANT WAREHOUSE SPACE 7. THE FOLLOWING ACTION IS REQUESTED: A Conditional Use Permit for: EVENTS HELD IN THE VACANT WAREHOUSE SPACE ANNUALLY in a(n) M-2 Zoning District. 8. All the proposed use(s) for this property will be: Principal use; THE PRINCIPLE USE WILL REMAIN THE SAME FOR THE VACANT WAREHOUSE SPACE Secondary use: GERONIMO WOULD LIKE TO BE ABLE TO USE THE VACANT WAREHOUSE SPACE FOR EVENTS ANNUALLY. Accessory use: YO BE ABLE TO APPLY FOR A TEMP CLASS B PERMIT TO BE UTILIZED IN THE VACANT WAREHOUSE SPACE TO ALLOW PATRONS TO PURCHASE/CONSUME ALCOHOL DURING EVENTS.

(Revised: January 2022)

Established: January 1998

Planning Form No. 12

Page 1 of 2

C	ty of Beloit	Conditional Visa Possible 4	
	y or belon	Conditional Use Permit Application Form	(continued)
		ANNUALLY STARTING e: SEPTEMBER 1, 2022 Completion date: BY HCP/G	SHG
10	. I/We) represent that I/we have a	vested interest in this property in the following	manner:
	(X) Owner		
	( ) Leasehold, length of lease:		
	( ) Contractual, nature of contra	act:	
	( ) Other, explain:		
Cor rep	I/We, the undersigned, do hereby nmission and City Council to gra resent that the granting of the prop	respectfully make application for and petition and the requested action for the purpose stated is posed request will not violate any of the required seloit. I/We also agree to abide by all applicable	the City Plan herein. I/We I standards of federal, state
(Si	greature of Applicant, if different)	/ (Print name) / (Dute)	
		(Date)	
Divi	sion for acceptance by the filing d This application must be submitted osed development in accordance of licants will also be charged a fee f ice for this fee will be sent to the	ard and considered in a timely manner, you must panying documents, to the Planning and Buildi leadline date prior to a scheduled Plan Commissi d with one copy of a scaled drawing showing the with all code requirements, and the \$300.00 app for mailing public notices at the rate of \$0.50 per e applicant and these costs are typically between	ing Services ion meeting. layout of the dication fee.
	To be co	ompleted by Planning Staff	
ilin		Meeting date:	
lo. c	of notices: x mailing cos	t (\$0.50) = cost of mailing notices: \$	
ppl	ication accepted by:	Date:	
		Date:	
enin	g Form No. 12 Ustablished: January 199	8 (Revised: January 2022)	Page 2 of 2



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**

September 7, 2022

To Whom It May Concern:

Hendricks Commercial Properties, LLC, has filed an amendment to an existing Conditional Use Permit to allow outdoor entertainment events with the possession, sale, and consumption of alcoholic beverages in an M-2, General Manufacturing District, for events being held at 701 Third Street to include the indoor space at:

#### 601 Third Street Suite 602-B

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

<u>City Plan Commission:</u> Wednesday, September 21, 2022, at 7:00 PM, or as soon thereafter as the matter can be heard in The Forum, Beloit City Hall, 100 State Street.

<u>City Council:</u> Monday, October 3, 2022, 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.\*

You may mail your comments to the attention of Hilary Rottmann at 100 State Street or via email to <a href="mailto:rottmannh@beloitwi.gov">rottmannh@beloitwi.gov</a>. 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) 364-6708 to provide your comments over the phone. In-person attendance at Commission and Council meetings will be limited.

Beloit Box Board Co PO Box 386 Beloit, WI 53512-0386

First American Credit Union 1982 Cranston Rd Beloit, WI 53511

P & E Enterprises, LLC PO Box 875 Beloit, WI 53512

Stateline Family Young Men's Christian Association Inc 501 Third St Beloit, WI 53511



#### **RESOLUTION 2021-053**

# AUTHORIZING A CONDITIONAL USE PERMIT TO ALLOW OUTDOOR ENTERTAINMENT EVENTS WITH THE POSSESSION, SALE, AND CONSUMPTION OF ALCOHOLIC BEVERAGES FOR THE PROPERTY LOCATED AT 701 THIRD STREET

WHEREAS, the application of the Beloit Club LLC d/b/a Ironworks Golf Lab and Hendricks Commercial Properties, LLC, for a Conditional Use Permit to allow outdoor entertainment events with the possession, sale, and consumption of alcoholic beverages in a M-2, General Manufacturing zoning district for the property located at 701 Third Street, having been considered by the City Council of the City of Beloit, Wisconsin at a public hearing held for that purpose and due notice of said hearing having been given by publication as appears by the Proof of Publication on file in the office of the City Clerk.

WHEREAS, the Beloit Club LLC d/b/a Ironworks Golf Lab has requested an extension of premises for its existing alcohol license at 625 Third Street onto 701 Third Street. The attached Exhibit A identifies the proposed extension of premise onto 701 Third Street.

NOW, THEREFORE, BE IT RESOLVED THAT, the City Council of the City of Beloit, Rock County, Wisconsin does hereby grant a Conditional Use Permit to allow outdoor entertainment events with the possession, sale, and consumption of alcoholic beverages in a M-2, General Manufacturing zoning district for the property located at 701 Third Street in the City of Beloit within the location identified on Exhibit A, for the following described premises:

LOT 1 OF CERTIFIED SURVEY MAP RECORDED IN VOLUME 37 ON PAGES 445-452 OF THE CERTIFIED SURVEY MAPS OF ROCK COUNTY LOCATED IN THE CITY OF BELOIT, COUNTY OF ROCK, STATE OF WISCONSIN. SAID PARCEL CONTAINS 19.3 ACRES MORE OR LESS. (commonly known as 701 THIRD STREET).

As a condition of granting the Conditional Use Permit, the City Council does hereby stipulate the following conditions and restrictions upon the Conditional Use, which are hereby deemed necessary for the public interest:

- 1. This Conditional Use Permit allows up to five annual outdoor entertainment events with the possession, sale, and consumption of alcoholic beverages in an M-2, General Manufacturing zoning district located at 701 Third Street. Only one of the annual events may be a concert.
- The applicant shall obtain and retain all applicable liquor licenses while the conditional use is established and maintained.
- 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.

CU-2021-03, 625 & 701 Third Street, Outdoor Events and alcohol in M-2

Adopted this 19<sup>th</sup> day of April, 2021.

CITY COUNCIL OF THE CITY OF BELOT

Regina Dunkin President

ATTEST:

Lorena Rae Stottler, City Clerk-Treasurer

CU-2021-03, 625 & 701 Third Street, Outdoor Events and alcohol in M-2



#### REPORT TO THE PLAN COMMISSION

Plan Commission Meeting Date: September 21, 2022

**Agenda Item**: 4.a.

File Number: CSM-2022-11

#### **General Information**

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

Owner: Bert L Soldner

Address/Location: 2557 S. Madison Road (Town of Beloit)

Applicant's Request: One-lot Certified Survey Map (CSM) - Transfer land to adjacent owner

#### **Staff Analysis**

**Proposed Land Division:** The property owner will be acquiring vacated undeveloped right-of-way and adding it to his property. Lot One is proposed to be 0.9 acres. The property currently includes a house and shed, and the owner intends to add a garage on the acquired land.

**Surrounding Land Use and Zoning:** To the east, south, and west of the subject property are single-family uses zoned R-1, Single-Family Residential, in the Town of Beloit. To the North is a rural residential use zoned A-2, General Agriculture in the Town of Beloit.

**City of Beloit Comprehensive Plan and Strategic Plan:** The Comprehensive Plan's Future Land Use Map recommends –Single-Family Exurban uses for the subject properties. Land use cannot be considered when reviewing Extraterritorial CSM applications per state law.

**Review Agent Comments:** A copy of the application was sent to the City of Beloit Staff and they have no comments.

#### STAFF RECOMMENDATION:

The Planning and Building Services Division recommends <u>approval</u> of the attached one-lot Certified Survey Map (CSM) for the property located at 2557 S. Madison Road in the Town of Beloit, 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.

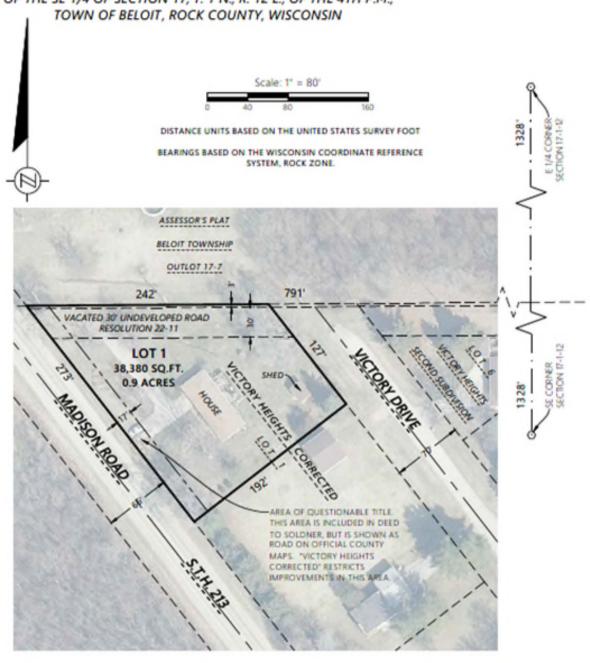
**ATTACHMENTS:** Location Map, Certified Survey Map, Application, and Resolution.

# **Location Map**



### PRELIMINARY CERTIFIED SURVEY MAP

OF PART OF LOT 1, AND PART OF VACATED RIGHT OF WAY OF VICTORY HEIGHTS CORRECTED, ALL BEING PART OF THE SE 1/4 OF THE SE 1/4 OF SECTION 17, T. 1 N., R. 12 E., OF THE 4TH P.M.,



#### LEGEND MONUMENT KEY Existing Boundary Line 0 Section Corner Monument - Existing Adjacent Property - Existing Centerline - Existing Section Line

ORDER NO: 34396

DATE: 08/11/2022 FIELD CREW: TBO DRAWN BY: LMB SHEET LOFT

FOR THE EXCLUSIVE USE OF: Bert Soldner 2557 S. Madison Road Beloit, WI 53511

engineers surveyors planners 1040 N Wisconsin Street 2857 Bartells Drive Elkhorn, Wisconsin 53121 262 379 2250 Beloit, Wisconsin 53511

608 365 4464



### 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: 2557 S Madison Road Beloit, WI 53511 Tax Parcel Number(s): 6-2-2261.1 3. Property is located in (circle one): City of Beloit or Town of Turtle Beloit Rock or LaPrairie In the SE Quarter of Section 17, Township 1 North, Range 12 East of the 4th P.M. Phone: (608) 289-7666 4. Owner of record: Bert L. Soldner 2557 S. Madison Road Beloit 53511 (State) (Address) (City) (Zip) 5. Surveyor's name: David Earl - RH Batterman Phone: (608) 365-4464 53511 Beloit 2857 Bartells Drive (City) (State) (Zip) 6. Number of new lots proposed with this land division is \_\_\_\_\_ lot(s). 0.9 acres Total area of land included in this map: \_\_\_\_ 0.9 acres 8. Total area of land remaining in parent parcel: 9. Is there a proposed dedication of any land to the City of Beloit? 10. The present zoning classification of this property is: Yes 11. Is the proposed use permitted in this zoning district: 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 August 18, 2022 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. Berth Soldner 8-15 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: Date: Application accepted by:

Planning Form No. 53 Established: June 1998 (Revised: January, 2006) Page 1 of 1 Pages

#### RESOLUTION

# APPROVING A ONE-LOT EXTRATERRITORIAL CERTIFIED SURVEY MAP FOR THE PROPERTY LOCATED AT 2557 S. MADISON ROAD IN THE TOWN OF BELOIT

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 one-lot Certified Survey Map for the property located at 2557 S. Madison Road, containing 0.9 acres, more or less, is located within the extraterritorial jurisdiction of the City of Beloit; and

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

PART OF LOT 1 AND PART OF VACATED RIGHT OF WAY VICTORY HEIGHTS CORRECTED ALL BEING PART OF THE SE  $\frac{1}{4}$  OF THE SE  $\frac{1}{4}$  OF SECTION 17,T. N., R. 12 E., OF THE  $4^{\text{TH}}$  P.M.,TOWN OF BELOIT, ROCK COUNTY WISCONSIN.

**NOW, THEREFORE, BE IT RESOLVED THAT** the Plan Commission of the City of Beloit does hereby conditionally approve the attached one-lot Extraterritorial Certified Survey Map for the property located at 2557 S. Madison Road in the Town of Beloit, 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 21<sup>th</sup> day of September, 2022.

	Plan Commission		
	Tim Weeden, Chairperson		
ATTEST:			
Julie Christensen,	_		
Community Development Director			



#### REPORT TO THE PLAN COMMISSION

Plan Commission Meeting Date: September 21, 2022

Agenda Item: 4.b.

File Number: FS-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: Final Subdivision Plat (30 lots and 2 out-lots)

#### **Staff Analysis**

Plat Approval Process: Combs & Associates, on behalf of H & L Farms, has submitted an Application for Review of a Final Subdivision and the attached Final 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. 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 Tall Trees Subdivision was approved by the Plan Commission on May 18, 2022.

**Proposed Lots:** 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 in the Town of Turtle. There are some environmental constraints on the subject property including limited slopes over 12 percent, 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.

**Review Agent Comments:** A copy of the application was sent to the City of Beloit Staff and they have no comments.

#### STAFF RECOMMENDATION:

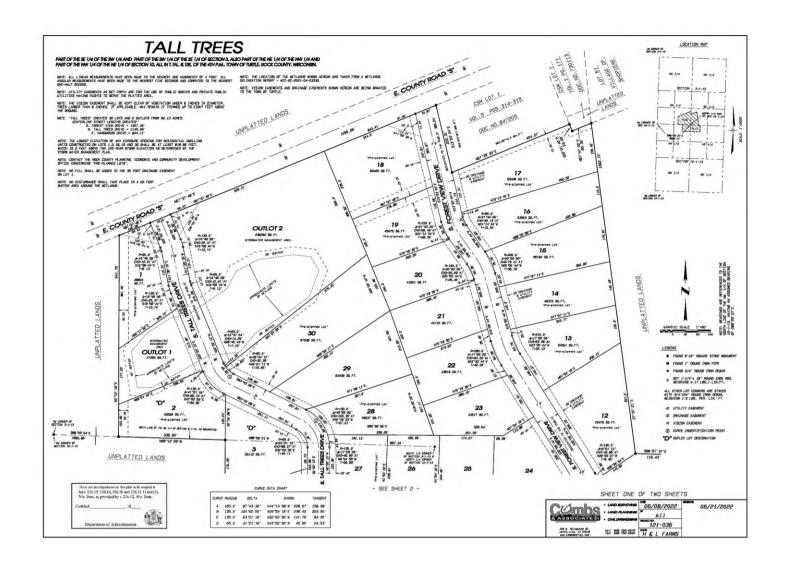
The Planning and Building Services Division recommends <u>approval</u> of the Final Plat of Tall Trees Subdivision for two contiguous parcels totaling 51 acres on the 5000 block of Shopiere Road/C.T.H. "S" in the Town of Turtle, based on its consistency with the Comprehensive Plan and Subdivision Ordinance, subject to the following conditions:

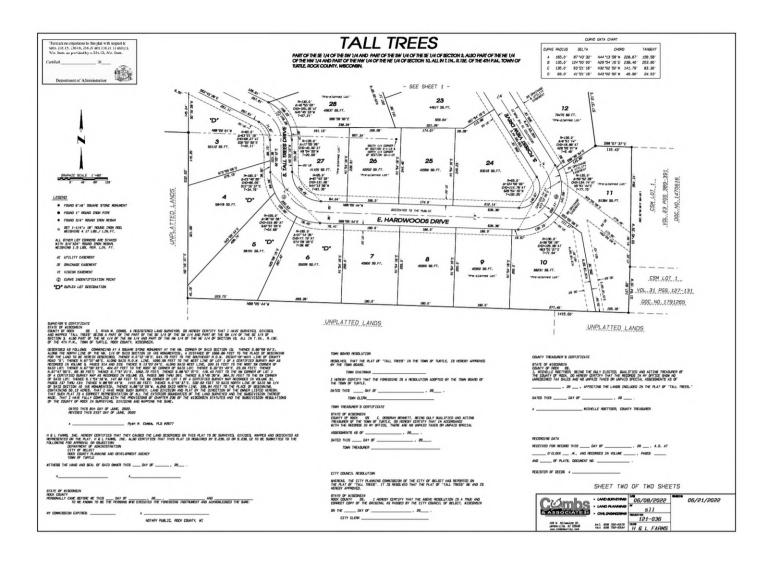
- 1. All of the conditions of approval of the Preliminary Plat remain in full force and effect.
- 2. The applicant shall record the Final Plat with the Rock County Register of Deeds within one year of approval, and shall provide City staff with a copy of the recorded plat.

**ATTACHMENTS:** Location Map, Final Plat, and Application.

## **Location Map**







# CITY of BELOIT Neighborhood Planning Division

100 State Street, Belo	The second secon	and the same of th	Fax: (608) 364-6609		
Application f	or a Final Subdiv	vision or Condom	inium Plat		
(Please Type or Print)		File Number:_			
1. Proposed subdivision n	ame: TALL TREES				
2. Address of property: C					
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; Beloi	t; Rock or LaPrairie		
In the Quarter of S	Section 3 & 1 DT ownship	1 North, Range 13	East of the 4th P.M.		
5. Owner of record: H	& L FARMS, INC.	Phone:608	3-290-6330		
	d., Janesville, WI 535				
(Address)	(City)	(State)	(Zip)		
6. Applicant's Name: JC	OHN LADER				
(Address)	(City)		eprairie69@gmail.cor 1@yahoo.com		
(Office Phone #)	(Cell Phone #)	(E-mail Ad	dress)		
7. Present zoning classif					
8. Is the proposed use po	ermitted in this zoning	district: YES			
<ul> <li>□ 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).</li> <li>□ Covenants and Deed Restrictions: copies of any covenants or deed restrictions.</li> <li>□ Development Agreement &amp; Fee: a copy of a Final Draft or Approved Development Agreement:</li> <li>□ Contract: A contract for construction of required utilities and public improvements or;</li> <li>□ A Bond; guarantying the contract for construction or,</li> <li>□ 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;</li> <li>□ 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.</li> </ul>					
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.    Ryan					
Review fee: \$300 plus \$15 per lot; \$100 Development Agreement Fee Amount paid:					
Scheduled meeting date:					
Application accepted by:		Date:	,		
Planning Form No. 55 Establi	ished: August 1998	(Revised: January 2009)	Page Lof I		