



PUBLIC NOTICE & AGENDA
BELOIT PLAN COMMISSION
City Hall Forum - 100 State Street, Beloit, WI 53511
7:00 PM
Wednesday, February 8, 2023

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 January 18, 2023 Plan Commission meeting
[Attachment](#)
4. REPORTS
 - 4.a. Consideration of Resolution 2023-005 approving a two-lot Certified Survey Map for the properties located at 1800 Gateway Boulevard and 1751 Apex Drive in the City of Beloit
[Attachment](#)
 - 4.b. Consideration of Resolution 2023-006 approving a one-lot Extraterritorial Certified Survey Map for Parcel Number 6-2-60 in the Town of Beloit
[Attachment](#)
 - 4.c. Consideration of Resolution 2023-007 approving a two-lot Extraterritorial Certified Survey Map for Parcel Number 6-2-2069.1 in the Town of Beloit
[Attachment](#)
 - 4.d. Consideration of a request to purchase the property located at 80-100 East Grand Avenue for slum clearance
[Attachment](#)
5. PUBLIC HEARINGS
 - 5.a. Consideration of Planned Unit Development (PUD) Master Land Use Plan for the property located at 625 Third Street
[Attachment](#)
 - 5.b. Consideration of an Ordinance amending the Zoning District Map for the City of Beloit for the property located at 625 Third Street
[Staff Report for this item can be found under Item 5a](#)
 - 5.c. Consideration of Resolution 2023-004 approving an Exception to Section 30.46(3) and

30.17(2)(b)(4) of the Sign Ordinance for the property located at 345 East Grand Avenue
[Attachment](#)

6. STATUS REPORT ON PRIOR PLAN COMMISSION ITEMS

No updates.

7. FUTURE AGENDA ITEMS

Sign Ordinance Exception - Head Start

Conditional Use Permit - New Office Use for ABC Supply

Three-Lot CSM for the new ABC Supply Training Facility

Extraterritorial Preliminary Plat on Afton Road

Conditional Use Permit - Special Events on Ironworks Campus

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, January 18, 2022

1. CALL TO ORDER AND ROLL CALL

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

2. MINUTES

2.a. Consideration of the minutes of January 4, 2022 Plan Commission meeting

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

3. PUBLIC HEARINGS

3.a. Consideration of a Resolution approving an amendment to the Future Land Use Plan of the City of Beloit's Comprehensive Plan for a portion of the properties located at 343 Euclid Ave and 340 W Grand Ave

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

Chairperson Weeden opened the public hearing.

Brian Delrose, 701 E Waterford Drive, Beloit, Wisconsin, representing Peoples Church of Beloit stated that he was there to answer any questions anyone may have.

Chairperson Weeden closed the public hearing.

Commissioner Ramsden moved to approve the resolution amending the Future Land Use Plan, seconded by Commissioner Flesch. Motion approved, voice vote (6-0).

3.b. Consideration of an Ordinance amending the Zoning District Map for the City of Beloit for a portion of the properties located at 343 Euclid Avenue and 340 W Grand Avenue

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

Chairperson Weeden opened and closed the public hearing.

Commissioner Janke moved to approved the ordinance amending the Zoning District Map, seconded by Commissioner Jacobsen. Motion approved, voice vote (6-0).

3.c. **Consideration of a Planned Unit Development (PUD) Master Land Use Plan for the property located at 625 Third St**

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

Chairperson Weeden asked what the Comprehensive Plan designation was for the Ironworks Campus. Ms. Christensen said it is downtown, so it is labeled downtown on the Future Land Use Map. Chairperson Weeden said that most of the Ironworks Campus is zoned M-1, and in the report, it is listed M-2. Ms. Christensen clarified that the Ironworks Campus is zoned M-2, General Manufacturing District.

Chairperson Weeden opened the public hearing.

Rick Dexter, 604 Pleasant Street, Unit 250, indicated that he was never notified about this PUD and has concerns about the noise from the outdoor entertainment. Mr. Dexter said that he thinks this is a good project overall, but if they are open until midnight with bands playing, he would object to the PUD. Mr. Dexter said he also has concerns about the signs and lighting.

Chairperson Weeden asked Ms. Christensen why the Heritage View occupants were not notified. Ms. Christensen said she did not mail the public notice herself, so she is not sure why they were not notified. Councilor Dunkin said she had seen something in the packet about the noise ordinance that said they have to stop by 10 pm. Commissioner Anderson asked if there was requirement that the sign be turned off at night.

Ms. Christensen said that there is no requirement for the sign to be turned off, and if Plan Commission wants the sign to turn off at some point in the night, they can make a condition of approval to require that. Commissioner Flesch asked if Mr. Dexter is concerned about the brightness of the sign. Mr. Dexter said yes it will reflect into his condo unit.

Joe Stadelman, 555 S River St, Janesville, Angus Young and Associates, representing Hendricks Commercial Properties said that there are not a lot of buildings in the City that are scaled for a sign of this type. He said that is not just a sign, but it is also art. Commissioner Ramsden said that in the report, it mentions that the flag art is going to stay, and Mr. Ramsden asked if it was going to stay.

Dan Barkes, 525 Third Street, Beloit, stated that some of the historic pictures on the wall will stay along with the flat, and the others will be removed because they are opening up the walls with windows. Mr. Barkes said that as they move north and do development at the Ironworks Campus, they are looking at options to develop that area. Commissioner Ramsden said it does not make sense to remove the art off the walls to replace with a sign for the business. Mr. Barkes said if you go back before all of the development was done, it was not attractive from across the river. Mr. Barkes said that they wanted to soften the

exterior with that art, and they want to replace the signs because they are fading. Mr. Barkes said they are proposing seating with some lighting, and keeping the environment soft without being intrusive to neighbors across the river.

Chairperson Weeden asked Mr. Barkes what their long-term investment in that site is in the City of Beloit, and what their commitment is for that site. Mr. Barkes outlined some of their plans for the Ironworks Campus.

Chairperson Weeden said if you walk the site, you have all these different businesses, and he is not sure if introducing a new use will provide compatibility. Mr. Barkes said with this corner, it will create a linkage from the Ironworks Campus to the college, hotels, and restaurants. Chairperson Weeden asked where the second access point is. Mr. Barkes said there is access off of Spine Road, and an access where Rakuten is off of Third Street. Ms. Christensen said the PUD requires two access points.

Mr. Barkes said that there will be access from the Central Parking lot off of Third Street and Spine Road. Commissioner Anderson said will there be signs and will they park in the Central area. Commissioner Anderson asked the standard of two access points means in the Zoning Ordinance. Ms. Christensen said it states there must be two points of access. The second access point could be for deliveries, with people entering from the access point on the Spine Road.

Chairperson Weeden asked if the applicant could accomplish what they are trying to do with a Conditional Use Permit. Ms. Christensen said that they cannot because of the sign. The sign can only be allowed under a PUD Master Land Use Plan.

Commissioner Jacobsen asked if there is a targeted demographic on this project. Mr. Barkes said that it is for whoever wants to come and enjoy the place. Ms. Christensen said that she has met with the applicant many times, and she had discussions with them about who would come to this place. Earlier in the evening, it could be families with children, and then later in the evening, it would likely be just adults.

Commissioner Flesch asked if there would be food trucks. Mr. Barkes said yes there will be, and they have been working on how this would be accomplished.

Commissioner Anderson said that the only place you can put a sign up is on the East side of the building, and if Plan Commission can get past on how big the sign is then there should not be any issues.

Councilor Dunkin asked about the outdoor space, and was wondering what they would do with the space during the winter months. Mr. Barkes said that it would be dormant. Councilor Dunkin said to take a look at laser tag, and do they anticipate any challenges with their timeline. Mr. Barkes said they are considering installing the windows this

summer, and the big challenge is they have to raise the floor 19 inches to comply with the floodplain requirements that were established ten years ago.

Councilor Dunkin said that they should be sure to include the residents nearby to let them know what is going on in the process. Mr. Barks said that they plan to do so.

Chairperson Weeden closed the public hearing.

Chairperson Weeden said he thinks Plan Commission would be better off to lay the item over, and schedule a site visit for Plan Commission to get a better idea of the site itself, access issues, and signage. Chairperson Weeden said he wants to lay the item over to give the residents a chance to give input on the item.

Commissioner Ramsden moved to lay over the item, seconded by Commissioner Janke. Motion approved, voice vote (6-0).

3.d. Consideration of an Ordinance amending the Zoning District Map for the City of Beloit for the property located at 625 Third Street

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

Chairperson Weeden opened and closed the public hearing.

Commissioner Flesch moved to lay over the item, seconded by Commissioner Janke. Motion approved, voice vote (6-0).

4. REPORTS

No reports to discuss.

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 February 8, 2023.

6. FUTURE AGENDA ITEMS

Julie Christensen outlined the future agenda items.

7. ADJOURNMENT

Commissioner Janke moved to adjourn the meeting, seconded by Commissioner Ramsden at 8:20 PM. Motion carried, voice vote (6-0).

Chairperson



REPORT TO THE PLAN COMMISSION

Plan Commission Meeting Date: February 8, 2023

Agenda Item: 4.a.

File Number: CSM-2023-03

General Information

Applicant R.H. Batterman & Co., Inc., on behalf Hendricks Commercial Properties

Owner: Hendricks Commercial Properties

Address/Location: 1800 Gateway Boulevard and 1751 Apex Drive

Applicant's Request: Two-Lot Certified Survey Map (CSM) to create two lots

Staff Analysis

Background Info: The applicant is selling 22.69 acres of the 54.56-acre parcel at 1751 Apex Drive to the adjacent property owner at 1800 Gateway Boulevard to expand the existing NorthStar campus.

CSM Details: Lot One of the Certified Survey Map consists of 31.87 acres of undeveloped vacant land which will remain with the owner. Lot Two consists of 54.98 acres, 22.69-acres of 1751 Apex Drive and 32.08-acres of 1800 Gateway Boulevard. 1751 Apex Drive is currently zoned M-1, Limited Manufacturing, and 1800 Gateway Boulevard is zoned PUD, Planned Unit Development. The owner of 1800 Gateway Boulevard will be proposing to rezone the 32.08-acres from M-1, Limited Manufacturing to PUD, Planned Unit Development. The CSM also includes a 50-foot-wide Slope and Grading Easement to benefit Lot 2. Both proposed lots exceed the minimum dimensions in the Zoning Ordinance.

Review Agent Comments: The proposed CSM was distributed to the Review Agents and they had the following comments:

Engineering Division:

- The CSM indicates a 50' "Slope Easement". The easement submitted for review is titled "Slope and Grading Easement". The easement language goes back and forth between calling the easement a "Grading Easement" and a "Slope Easement". The easement should have a consistent name throughout both documents.
- The Slope and Grading Easement is set up to have Exhibit B be the easement area legal description. The legal description should be included.

STAFF RECOMMENDATION:

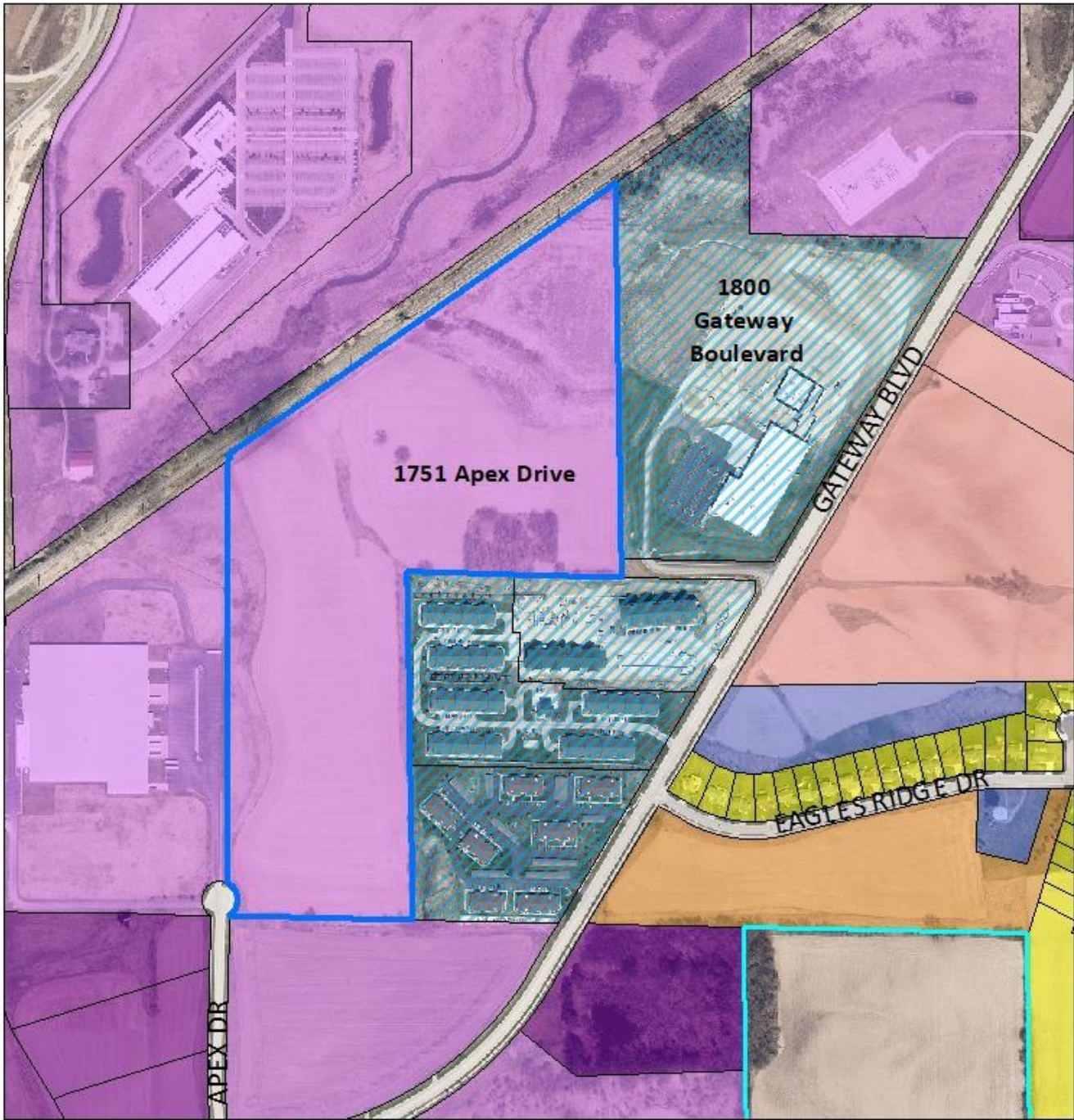
The Planning and Building Services Division recommends **approval** of the attached Two-Lot Certified Survey Map (CSM) for the properties located at 1800 Gateway Boulevard and 1751 Apex Drive in the City of Beloit, subject to the following conditions:

1. The final CSM shall include the Slope and Grading Easements with a legal description of the easement.

2. 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, Proposed CSM, Easement, Application, and Resolution.

Location Map



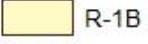















Legend

Zoning Districts

<all other values>

Classification

R-1A

 R-1B	 C-1	 CBD-2	 M-2
 R-2	 C-2	 MRO	 DH
 R-3	 C-3	 PUD	 PLI
 R-4	 CBD-1	 M-1	 WPO

SLOPE AND GRADING EASEMENT

This Slope and Grading Easement is made by and between Hendricks Commercial Properties, LLC, a Wisconsin limited liability company, hereinafter referred to as "Grantor", and Northstar Medical Technologies, LLC, a Wisconsin limited liability company ("Grantee") and shall become effective upon the recording of this grant of easement.

WHEREAS, Grantor is the owner in fee simple of certain real property described in Exhibit A attached hereto and made a part hereof ("Grantor Property"); and

WHEREAS, Grantor desires and intends to grant to Grantee a slope and grading easement within the area described on the attached Exhibit B ("Grading Easement Area") for the lands owned by Grantee described on the attached Exhibit C; and

WHEREAS, Grantor, for and in consideration of the foregoing recitals and the mutual covenants, terms, conditions and restrictions subsequently contained herein, and as an absolute and unconditional grant of easement in perpetuity on, over and across the Slope Easement Area, grants to Grantee the following easement:

1. To cut, fill, grade and slope the described lands of Grantor; to place seed; to establish a slope not greater than a three to one gradient within the Grading Easement Area all in accord with the municipal approved grading plan for Grantee's site development. In furtherance of this grant of easement, Grantor shall have the right to travel, ingress and egress from Grantee's property over and to said Grading Easement Area to bring and use necessary equipment and to do all such things as may be necessary and usual in the exercise of the rights herein granted. The final area of the slope easement area is identified on the attached Certified Survey Map ("CSM") as Exhibit D. Grantee's abutting benefitting property legal description is identified as Lot 2 on the CSM. The rights granted herein shall inure to the benefit of Grantor and Grantee, their respective successors and/or assigns.

2. Nothing herein shall preclude Grantor, their successors or assigns, to enter upon or over the easement or otherwise make use of the land provided, however, that any such use shall not materially alter the slope, shall not increase the amount of runoff originating from the easement area onto and over the Grantee's property abutting the easement area, shall not otherwise frustrate the purpose of the easement and shall comply with local building and use restrictions.

3. To have and to hold this easement onto the Grantee forever. Except as expressly limited

herein, the Grantor reserves all right as owner of the Grading Easement Area, including, but not limited to, the right to use the Grading Easement Area for all purposes not inconsistent with this grant.

4. The covenants, terms, conditions and restrictions set forth in this grant shall be binding upon the Grantor and the Grantee and their respective agents, personal representatives, heirs, successors and assigns, and shall constitute servitudes running with the easement in perpetuity.

5. This grant of easement may not be amended, except by a writing executed and delivered by Grantor and Grantee or their respective personal representative, heirs, successors and assigns.

6. Notice to the parties shall be personally delivered or by U.S. Registered Mail, return receipt requested, as follows:

To Grantor: Hendricks Commercial Properties, LLC
Attention: Rob Gerbitz
515 Third Street, Suite 300
Beloit, WI 53511

To Grantee: Northstar Medical Technologies, LLC
Attention: Dan Fogel
1800 Gateway Boulevard
Beloit, WI 53511

Signatures on Following Page

EXHIBIT A

GRANTOR'S PROPERTY

Lot 1 of Certified Survey Map No. _____ being a redivision of Certified Survey Map Document No. 1979492 recorded in Volume 35 on Pages 328-330 and part of the part of the SW $\frac{1}{4}$, NW $\frac{1}{4}$ and NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 28, T. 1 N., R. 13 E., of the 4th P.M., City of Beloit, Rock County, Wisconsin.

EXHIBIT B

GRADING EASEMENT AREA LEGAL DESCRIPTION

EXHIBIT C

ABUTTING PROPERTY LEGAL DESCRIPTION

Lot 2 of Certified Survey Map No. _____ being a redivision of Certified Survey Map Document No. 1979492 recorded in Volume 35 on Pages 328-330 and part of the part of the SW $\frac{1}{4}$, NW $\frac{1}{4}$ and NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 28, T. 1 N., R. 13 E., of the 4th P.M., City of Beloit, Rock County, Wisconsin.

EXHIBIT D

Certified Survey Map

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-2023-03

1. Address of property: 1800 Gateway Blvd. and 1751 Apex Dr.
2. Tax Parcel Number(s): 22810005 and 22880100
3. Property is located in (circle one) City of Beloit or Town of: Turtle; Beloit; Rock or LaPrairie
In the NW Quarter of Section 28, Township 1N North, Range 13E East of the 4th P.M.
4. Owner of record: Hendricks Commercial Propoerties Phone: _____
525 3rd St. STE 300 Beloit WI 53511
(Address) (City) (State) (Zip)
5. Surveyor's name: David Earl Phone: 608-365-4464
2857 Bartells Dr. Beloit WI 53511
(Address) (City) (State) (Zip)
6. Number of new lots proposed with this land division is 2 lot(s).
7. Total area of land included in this map: 3,783,100 sq ft (86.85 acres)
8. Total area of land remaining in parent parcel: 3,783,100 sq ft (86.85 acres)
9. Is there a proposed dedication of any land to the City of Beloit? No
10. The present zoning classification of this property is: M-1
11. 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 January 11, 2023
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.

David Earl

(Signature of applicant)

David Earl

(Name of applicant)

/1/11/2023

(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: \$170.00

Scheduled meeting date: 2/18/2023

Application accepted by: Dilony Pattmann Date: 1/13/2023

RESOLUTION 23-005

**APPROVING A TWO-LOT CERTIFIED SURVEY MAP FOR THE PROPERTIES LOCATED AT
1800 GATEWAY BOULEVARD AND 1751 APEX DRIVE**

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 jurisdiction of the City; and

WHEREAS, the attached two-lot Certified Survey Map for the properties located at 1800 Gateway Boulevard and 1751 Apex Drive, containing 86.85 acres (combined), is located within the 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:

LOT 1 OF CERTIFIED SURVEY MAP DOCUMENT NO. 1979492 RECORDED IN VOLUME 35 ON PAGES 328-330 AND PART OF THE PART OF THE SW ¼, N/W ¼ AND NE ¼ OF THE NW ¼ OF SECTION 28, T. 1 N., R. 13 E., OF THE 4TH P.M., CITY 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 two-lot Certified Survey Map for the properties located at 1800 Gateway Boulevard and 1751 Apex Drive, subject to the following condition:

1. The final CSM shall include the Slope and Grading Easements with a legal description of the easement.
2. 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 8th day of February, 2023.

PLAN COMMISSION

Plan Commission, Chairman

ATTEST:

Julie Christensen
Community Development Director



REPORT TO THE PLAN COMMISSION

Plan Commission Meeting Date: February 8, 2023

Agenda Item: 4.b.

File Number: CSM-2023-01

General Information

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

Owner: Max F and Alverta L Rykowski Trust

Address/Location: Parcel Number 6-2-60 at 3457 S. Madison Road in the Town of Beloit

Applicant's Request: Consideration of a One-Lot Certified Survey Map (CSM) for Parcel Number 6-2-60 in the Town of Beloit.

Staff Analysis

Existing Conditions: The current use of the area covered by this CSM is agricultural land with one single-family home, one garage and one accessory structure. The existing parcel is 77 acres as outlined on the Location Map.

Proposed Land Division: The intent of this CSM is to divide off the existing residence and other structures. The resulting Lot 1 would be 5.0 acres and have approximately 343 feet of frontage on Madison Road (STH 213). The remaining 72 acres of agricultural land will not be further subdivided in this proposal. The resulting Lot 1 contains a private well and septic system.

Surrounding Land Use and Zoning: The subject property is currently zoned A-1, Farmland Preservation District, in the Town of Beloit. The properties to the east, west and south have agricultural uses and low-density residential uses, and are also zoned either A-1, Farmland Preservation District, or A-2, General Agricultural District. Parcels to the north along Finley Road are zoned A-2, General Agricultural District. The proposed Lot 1 is the subject of a separate rezoning application to the Town of Beloit to rezone the five-acres to A-2, General Agricultural District. According to the Town's zoning ordinance, single family residential uses are allowed in A-2 with a minimum lot size of 3 acres. The rezoning as well as all surrounding parcels are located in the Town of Beloit and are subject to Town zoning.

City of Beloit Comprehensive Plan and Strategic Plan: The Comprehensive Plan's Future Land Use Map indicates that 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.

Municipal Utilities: The subject property is not currently served by municipal utilities.

Review Agent Comments: The proposed CSM was sent to City of Beloit staff and utility contacts. No comments or concerns were received.

STAFF RECOMMENDATION:

The Planning and Building Services Division recommends **approval** of the attached one-lot Certified Survey Map (CSM) for parcel number 6-2-60 at 3457 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.

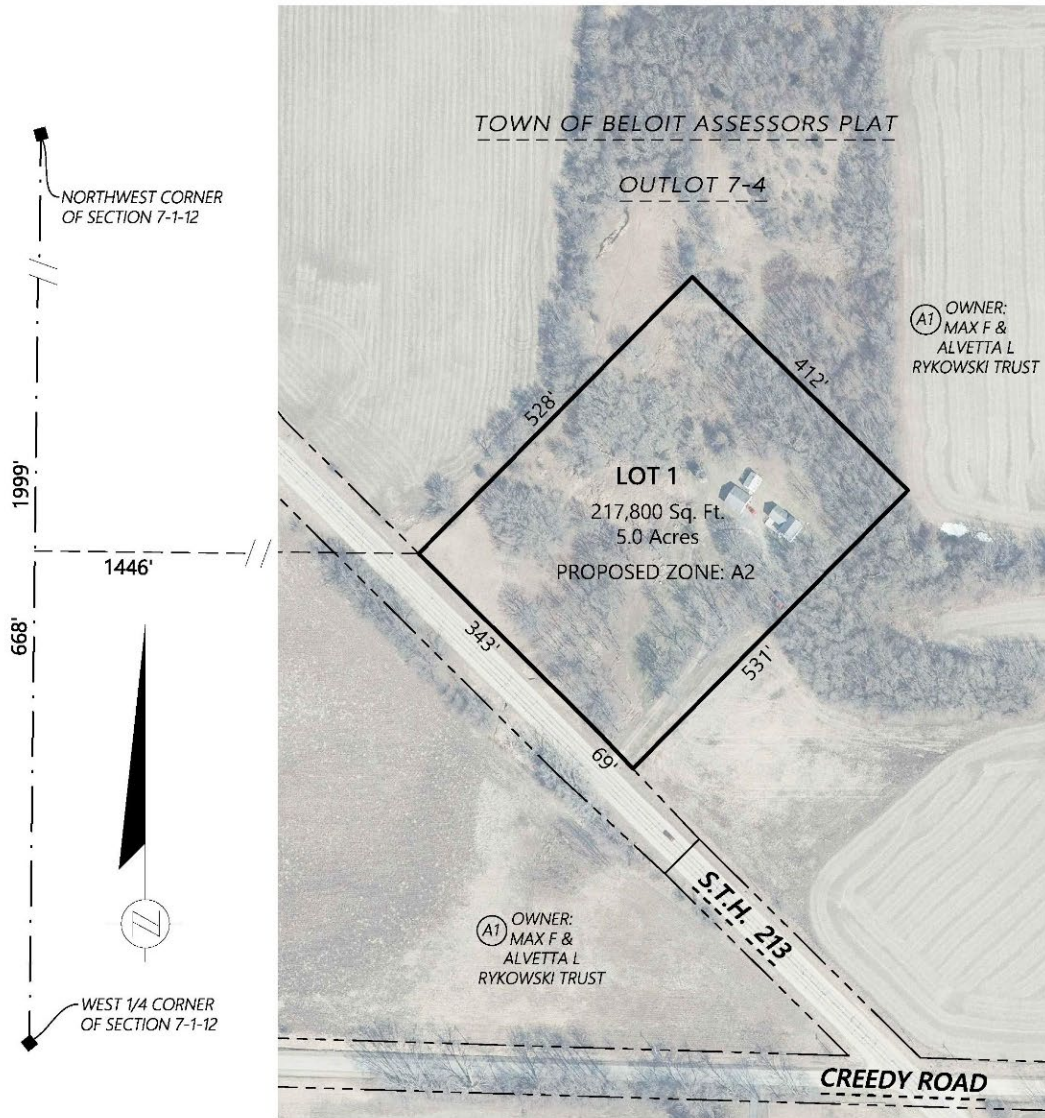
ATTACHMENTS: Location Map, Preliminary Certified Survey Map, Application, and Resolution.

LOCATION MAP



PRELIMINARY CERTIFIED SURVEY MAP

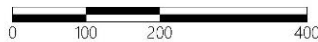
OF PART OF OUTLOT 7-4 OF ASSESSORS PLAT OF БЕЛОIT
TOWNSHIP, BEING ALSO PART OF THE SE 1/4 OF THE NW
1/4 OF SECTION 7, T. 1 N., R. 12 E., OF THE 4TH P.M.,
TOWN OF БЕЛОIT, ROCK COUNTY, WISCONSIN



LEGEND

- Proposed Boundary Line
- Existing Right-of-Way
- Existing Section Line
- Existing Centerline

Scale: 1" = 200'



DISTANCE UNITS BASED ON THE UNITED STATES SURVEY FOOT

BEARINGS BASED ON THE WISCONSIN COORDINATE REFERENCE SYSTEM, ROCK ZONE.

<p>ORDER NO: 34520 BOOK: SFF FILE FIELD CREW: DGM DRAWN BY: DGM SHEET 1 OF 1</p>	<p>FOR THE EXCLUSIVE USE OF: MARTIN, GOODRICH & WADDELL, INC. 2020 ABERDEEN COURT SYCAMORE, IL 60178</p>	<p>Batterman engineers surveyors planners 2857 Bartel's Drive 1040 N Wisconsin Street Beloit, Wisconsin 53511 Elkhorn, Wisconsin 53121 608.365.4464 262.379.2250</p>	
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File Name: J:\34500-34599\34520 - Martin, Goodrich & Waddell\SURVEY\RH8 DRAWING FILES

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: _____

1. Address of property: 3457 S Madison Rd. Beloit, WI 53511

2. Tax Parcel Number(s): 6-2-60

3. Property is located in (circle one): City of Beloit or Town of: Turtle **Beloit** Rock or LaPrairie
In the NW Quarter of Section 7, Township 1 North, Range 12 East of the 4th P.M.

4. Owner of record: Max F & Alvetta L Rykowski Trust Phone: _____
14814 Rykowski Cir. South Beloit WI 61080
(Address) (City) (State) (Zip)

5. Surveyor's name: David Earl Phone: 608-365-4464
2857 Bartells Dr. Beloit WI 53511
(Address) (City) (State) (Zip)

6. Number of new lots proposed with this land division is 1 lot(s).

7. Total area of land included in this map: 5 acres

8. Total area of land remaining in parent parcel: 72 acres

9. Is there a proposed dedication of any land to the City of Beloit? No

10. The present zoning classification of this property is: A1

11. 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.

_____/_____/_____
(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: _____
Scheduled meeting date: _____
Application accepted by: _____ Date: _____

RESOLUTION 2023-006

**APPROVING A ONE-LOT EXTRATERRITORIAL CERTIFIED SURVEY MAP
FOR PARCEL NUMBER 6-2-60 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 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 parcel number 6-2-60 at 3457 S. Madison Road in the Town of Beloit, containing 5.0 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 OUTLOT 7-4 OF ASSESSORS PLAT OF BELOIT TOWNSHIP, BEING ALSO PART OF THE SE 1/4 OF THE NW 1/4 OF SECTION 7, T. 1 N., R. 12 E. OF THE 4TH 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 Certified Survey Map for parcel number 6-2-60 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 8th day of February, 2023.

Plan Commission

Chairman

ATTEST:

Julie Christensen,
Community Development Director



REPORT TO THE PLAN COMMISSION

Plan Commission Meeting Date: February 8, 2023

Agenda Item: 4.c.

File Number: CSM-2023-02

General Information

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

Owner: Wausau Homes Beloit

Address/Location: Parcel Number 6-2-2069.1 at Haborn Drive and Millar Drive in the Town of Beloit

Applicant's Request: Two-Lot Certified Survey Map (CSM) for Parcel Number 6-2-2069.1 in the Town of Beloit.

Staff Analysis

Existing Conditions: The current use of the area covered by this CSM is vacant land. The existing parcel is 1.47 acres and is located at the intersection of Haborn Drive and W Millar Road in the Town of Beloit as illustrated on the attached Location Map.

Proposed Land Division: The intent of this CSM is to divide the existing 1.47-acre parcel in half, creating two lots. The resulting lots would be 32,035 square feet each and have approximately 149 feet of frontage on Haborn Drive, with one of the lots being a corner lot and also having approximately 215 feet of frontage on Millar Drive.

Surrounding Land Use and Zoning: The subject property is currently zoned R-1 Single-Family Residential District in the Town of Beloit. The properties to the east, north and south have single family residential uses or are vacant, and are also zoned R-1, Single-Family Residential District. The parcel directly across Haborn Drive is zoned B-2, Local Business District. The proposed Lot 1 and Lot 2 are the subject of a separate rezoning application to the Town of Beloit to rezone them to R-2, Single and Two-Family Residential District. According to the Town's zoning ordinance, the minimum lot size in R-2 is 10,000 square feet for single family or 15,000 square feet for two-family, with a minimum width of 80 feet for sewered lots. The rezoning as well as all surrounding parcels are located in the Town of Beloit and are subject to Town zoning.

City of Beloit Comprehensive Plan and Strategic Plan: The Comprehensive Plan's Future Land Use Map plans for Single Family Residential – Urban uses for the subject properties, which are

typically zoned R-1A or R-1B in the City. These City residential zoning districts do not allow two-family dwellings, but they could be allowed under the Town's zoning ordinance if the Town approves the rezoning of the parcels to R-2, Single and Two-Family Residential District. Land use cannot be considered when reviewing Extraterritorial CSM applications per state law.

Municipal Utilities: The subject property is currently served by municipal utilities.

Review Agent Comments: The proposed CSM was sent to City of Beloit staff and utility contacts. No comments or concerns were received.

STAFF RECOMMENDATION:

The Planning and Building Services Division recommends approval of the attached two-lot Certified Survey Map (CSM) for parcel number 6-2-2069.1 at Haborn Drive and Millar Drive 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.

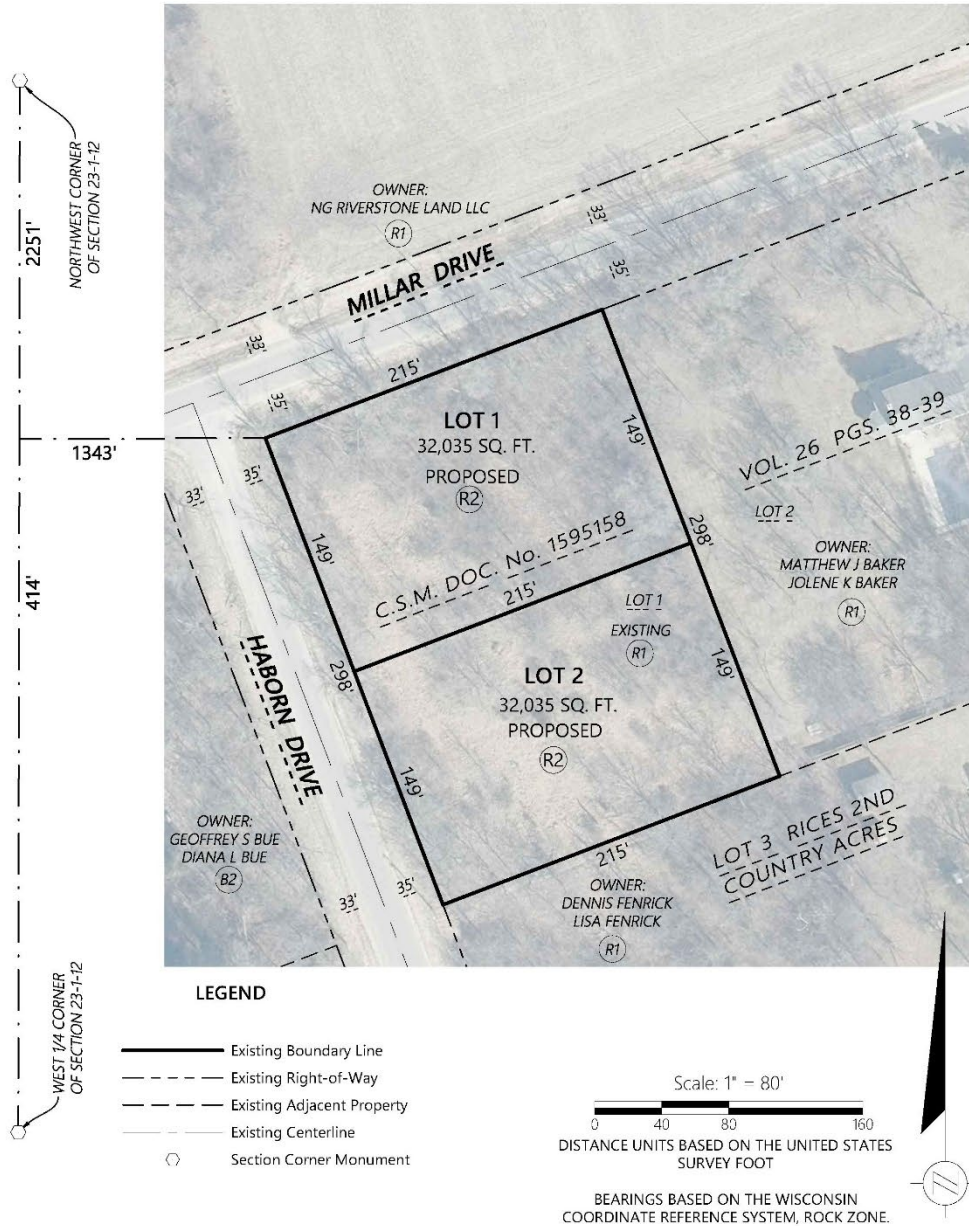
ATTACHMENTS: Location Map, Preliminary Certified Survey Map, Application, and Resolution.

LOCATION MAP



PRELIMINARY CERTIFIED SURVEY MAP

OF LOT 1 OF CERTIFIED SURVEY MAP DOCUMENT
No. 1595158 RECORDED IN VOLUME 26 ON PAGES
38 AND 39, BEING PART OF THE SE 1/4 OF THE NW
1/4 OF SECTION 23, T. 1 N., R. 12 E., OF THE 4TH P.M.,
TOWN OF БЕЛОIT, ROCK COUNTY, WISCONSIN



<p>ORDER NO: 34528 BOOK: SEE FILE FIELD CREW: XXX DRAWN BY: DGM SHEET 1 OF 1</p>	<p>FOR THE EXCLUSIVE USE OF: WAUSAU HOMES 310 STATE STREET BELOIT, WI 53511</p>	<p>Batterman engineers surveyors planners 2857 Bartel's Drive Beloit, Wisconsin 53511 608.365.4464</p> <p>1040 N Wisconsin Street Elkhorn, Wisconsin 53121 262.379.2250</p>	
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File Name: J534500-345999-34528 - Wausau Homes SURVEY\RHIB DRAWING FILES

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: _____

1. Address of property: No address listed
2. Tax Parcel Number(s): 6-2-2069.1
3. Property is located in (circle one): City of Beloit or Town of: Turtle Beloit Rock or LaPrairie
In the NW Quarter of Section 23, Township 1N North, Range 12E East of the 4th P.M.
4. Owner of record: Wausau Homes of Beloit Phone: 608-302-4028
310 State St. Beloit WI 53511
(Address) (City) (State) (Zip)
5. Surveyor's name: David Earl Phone: 608-365-4464
2857 Bartells Dr. Beloit WI 53511
(Address) (City) (State) (Zip)
6. Number of new lots proposed with this land division is 2 lot(s).
7. Total area of land included in this map: 1.47 acres (64,033 sq. ft.)
8. Total area of land remaining in parent parcel: 1.47 acres (64,033 sq. ft.)
9. Is there a proposed dedication of any land to the City of Beloit? No
10. The present zoning classification of this property is: R1 - to be rezoned to R2
11. Is the proposed use permitted in this zoning district: No, a rezone application is submitted
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.

_____/_____/_____
(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 23-007

**APPROVING A TWO-LOT EXTRATERRITORIAL CERTIFIED SURVEY MAP
FOR PARCEL NUMBER 6-2-2069.1 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 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 parcel number 6-2-2069.01 at the southeast corner of Haborn Drive and Millar Drive in the Town of Beloit, containing 1.47 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 two-lot Certified Survey Map, which pertains to the following described land:

LOT 1 OF CERTIFIED SURVEY MAP DOCUMENT NO. 1595158 RECORDED IN VOLUME 26 ON PAGES 38 AND 39, BEING PART OF THE SE 1/4 OF THE NW 1/4 OF SECTION 23, T. 1 N., R. 12 E. OF THE 4TH 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 two-lot Certified Survey Map for parcel number 6-2-60 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 8th day of February, 2023.

Plan Commission

Chairman

ATTEST:

Julie Christensen,
Community Development Director



REPORT TO THE PLAN COMMISSION

Plan Commission Meeting Date: February 8, 2023

Agenda Item: 4.d.

File Number: RPB-2023-01

General Information

Applicant: City of Beloit

Owner: East Grand Avenue Development LLC

Address/Location: 80-100 East Grand Avenue

Overview/Background: The structure located at 80-100 East Grand Avenue is comprised of three separate buildings, which are joined together as one. A portion of the building was constructed in the Rock River in 1921 and is largely on the bed of the Rock River supported by pilings. A settlement and stipulation agreement signed in 1999 between the building owner at that time, and Wisconsin Department of Natural Resources (WDNR) restricts any owner of the lot and building from physically expanding the structures on the Development Site, limits future improvements to ordinary maintenance and repairs, and requires removal of the portion of the Development Site structures from the bed of the Rock River by December 31, 2042.

East Grand Avenue Development LLC, a Hendricks company, owns 80-100 East Grand Avenue and is planning to create a vibrant new outdoor space and building at this project site. The plan is to demolish the vacant structure including the structure protruding over the Rock River and the pier supports in the Rock River. Following demolition, an extension of the existing Riverwalk system will be constructed to connect from the segment behind First National Bank southwest along the Rock River.

Project Details: The City on behalf of East Grand Avenue Development, LLC has received funding assistance through two state grants from the Department of Natural Resources: Municipal Flood Control Grant Program and the Stewardship Local Assistance, Federal Land and Conservation Fund and Recreational Trails Program. The grants will fund the demolition of the structures, removal of the pier supports in the Rock River, the construction of the Riverwalk, the construction of a new crosswalk which will be designed as a raised table top with pavement markings, signage, flashing beacons, and other safety features. Hendricks Commercial Properties will pay all required match for the two state grants.

The two Department of Natural Resource (WDNR) grants listed above require a temporary transfer of ownership of 80-100 East Grand Avenue to the City of Beloit, as the City of Beloit is the recipient for these two grants. The transfer of ownership required by the Stewardship Grant must take place before we can execute the grant agreement.

The Hazardous Substance Spills Law, Wis. Stat. § 292.11, requires any person or entity that causes, possesses or controls a hazardous substance discharge to take action to restore the environment to the extent practicable. Wis. Stat. § 292.11(9)(e) exempts municipalities from environmental investigation and cleanup responsibilities at properties they own when the local government obtains title to a contaminated property in a specific way, and other conditions are satisfied. One of those ways is acquisition for the purpose of blight elimination.

Wis. Stat. § 66.1333 defines blighted property as property that by reason of dilapidation, deterioration, age, or obsolescence constitutes an economic or social liability that substantially impairs the sound growth of the community. Staff believes that the buildings located at 80-100 East Grand Avenue could meet this definition of blighted based on the current deterioration of the buildings as well as its location in the floodway and the environmental contamination onsite.

Wis. Stat. §62.23(5) requires that the acquisition of lands for slum clearance must be referred to Plan Commission for its consideration and report before final action is taken by the City Council. If approved by City Council, it will be referred to the Community Development Authority, the entity empowered to assist the City Council on a project-by-project basis with projects relating to blight elimination, slum clearance, urban renewal and redevelopment programs.

If the property is considered blighted, the City may qualify for a liability exemption for the properties that are proposed to be acquired under the two state grants listed earlier in the report.

BLIGHT ANALYSIS

Staff believes that 80 and 100 East Grand Avenue can be considered blighted properties because of the environmental contamination on the properties, the floodplain designation of the building over the river, and the current age and condition of the buildings (see below).

Environmental Contamination

The Phase 1 Environmental Site Assessment prepared by Anderson Environmental and Engineering for Hendricks Commercial Properties outlined evidence of recognized environmental concerns (RECs) and controlled recognized environmental conditions (CRECs) or significant environmental concerns with the property (see attached Executive Summary). They are outlined below:

- Large sump pump in basement that leaks oil. There is a significant layer of oil floating on water in sump pit. Multiple new and used containers of motor oil in same area. Sump discharges directly to the Rock River.
- Subject property is a former petroleum site with residual soil contamination and a continuing obligation in the form of a deed restriction.
- At least six area properties are up-gradient and have environmental records indicating the potential for adversely impacting the subject property.

Floodplain Designation

The building over the Rock River and a small portion of the building on land (at 80 East Grand

Avenue) is located in the Floodway District of the City of Beloit Zoning Map. In general, the floodway district is the channel of the river or stream and those portions of the floodplain adjoining the channel required to carry the regional floodwaters. The permitted uses in the floodway are generally limited to structures accessory to permanent open space uses or functionally dependent on a waterfront location and public utilities, streets, and bridges. This building is currently nonconforming in relation to this ordinance and there is restricted in terms of the amount of work that can be done to the building.

Additionally, the building at 80 East Grand Avenue is subject to a Settlement and Stipulation Agreement by Wisconsin Department of Natural Resources which requires the building to be removed from the Rock River by 2042 and further limits the amount of improvements which can be made to the existing building.

Age and Deterioration of the Building

The existing office building was constructed in 1920 and is currently vacant. The building is comprised of two to three-story structures with basements and flat roofs. The structures have poured concrete and stone basement foundations. Exterior walls are covered by a metal enclosure system.

Since East Grand Avenue Development, LLC purchased the property, it has been rented out for various commercial uses until becoming completely vacant in fall of 2016 due to structural complications and concerns. The building is no longer desirable or suitable for commercial investment or occupation due to these limitations.

A visual inspection conducted above and below the waterline of the piers and along the underside of the floor framing revealed an area of severe deterioration and several areas of minor deterioration in the floor framing. The piers have severely deteriorated concrete caps and significant scour underwater. Due to the support issues, the building interior has shifted causing structural damage and has obtained a functional obsolescence on a blighted site.

In summary, staff believes that because of the significant deterioration of the buildings, requirement to demolish the buildings by 2042, the location of the buildings in the floodway, and the environmental contamination, the City should acquire the property for the purpose of slum clearance.

STAFF RECOMMENDATION – ACQUISITION OF PROPERTIES TO ELIMINATE BLIGHT:

The Planning and Building Services Division recommends acquiring the properties at 80-100 East Grand Avenue for the purpose of slum clearance and blight elimination. The future development proposed by Hendricks Commercial Properties would be an excellent addition to the downtown and would be in compliance with modern development standards.




ATTACHMENTS: Location Map, Photos of 80-100 East Grand Avenue, and Executive Summary of Phase 1.

Location Map



Legend

FEMA Flood Hazard Areas 2015 Flood Zones

-  100-Year Floodplain
-  500-Year Floodplain
-  Floodway

Photos of 80 – 100 East Grand Avenue



Phase I Environmental Site Assessment

80-100 E. Grand Avenue
Beloit, WI 53511

Project number: 381.44

July 30, 2015

Prepared for:

Dan Barkes and Mike Baartz
Hendricks Commercial Properties
525 Third Street, Suite, 300
Beloit, WI 53511

The logo for Anderson environmental&engineering features the word "Anderson" in a large, grey, sans-serif font. The letter "e" is highlighted in a light green color. Below "Anderson" is a horizontal bar with a green-to-purple gradient. Underneath the bar, the words "environmental&engineering" are written in a smaller, grey, sans-serif font.

Anderson
environmental&engineering

201 N. 6th Street
Rockford, IL 61107
815.962.9000 | fax 815.962.7978
andersonenveng.com

2.0 EXECUTIVE SUMMARY

2.1 Subject Property Description

At the time of the investigation, the subject property, located at 80-100 E. Grand Avenue, Beloit, WI, consisted of a single, large, two-story building, a portion of which is suspended over the Rock River. The building nearly encompasses the entire subject property. The site has access from the public parking lot off of Broad Street, with additional pedestrian access off of E. Grand Avenue. The ground surface of the urban site is generally flat and the groundwater beneath that section of the site over land and the area in general is anticipated to flow west-southwest toward the Rock River.

While only one structure is located on the subject property, the building itself is divided into two sections. The northwest section, larger of the two sections is built upon pilings and suspended over the Rock River. The southeast section of the building is built over land. The southeast section has a basement.

The northwest portion of the building, 80 E. Grand Avenue, is currently occupied by the internet service company, Fatwallet.com. The slightly smaller, southeast section of the building is currently vacant. As recently as 2011, Kerry Foods Specialities, a manufacturer of food ingredients, owned and/or occupied the entire building. The area surrounding the site and along the east side of the Rock River is primarily mixed use development with a high concentration of commercial properties.

2.2 Data Gaps

Data gaps are defined as ASTM E1527-13 as "a lack of or inability to obtain information required by this practice despite good faith efforts by the environmental professional to obtain such information. Data gaps may result from incompleteness in any of the activities required by this practice, including, but not limited to site reconnaissance (for example, an inability to conduct the site visit) and interviews (for example, an inability to interview the key site manager, regulatory officials, etc.)." The following data gap was identified during preparation of this report:

- As of the date of this report, the Owner Questionnaire has not been received. A copy of the questionnaire was emailed to the User Mike Braatz, who forwarded the document to the current tenant Fatwallet.com on July 14, 2015. No response has been received at this time.

2.3 Environmental Report Summary

Anderson Environmental & Engineering, Co. has performed an Environmental Site Assessment, in conformance with the Scope of Work developed in cooperation with the client and the provisions of ASTM Practice E 1527-13. Any exceptions to, or deletions from, this practice are described in this report.

Within the scope of this investigation, Anderson Environmental & Engineering, Co. discovered evidence of *recognized environmental conditions (RECs)* and *controlled recognized environmental conditions (CRECs)* or significant environmental concerns in connection with the subject property:

Recognized Environmental Conditions (RECs) -

- Large sump pump in basement that leaks oil. There is a significant layer of oil floating on water in sump pit. Multiple new and used containers of motor oil in same area. Sump discharges directly to the Rock River.

Controlled Recognized Environmental Conditions (CRECs) -

- Subject property is former LUST (petroleum) site with residual soil contamination and a continuing obligation in the form of a deed restriction;
- At least six area properties are up-gradient and have environmental records indicating the potential for adversely impacting the subject property - five LUST (petroleum) sites and one former dry cleaning (VOC) site with residual soil and/or groundwater contamination, in addition to activity and/or use restrictions.

Each of these RECs and CRECs have the potential to impact soil and/or groundwater conditions at the subject property. User should continue monitoring the situation related to the CRECs, however further investigation into the RECs is recommended.

2.3 Environmental Report Summary (continued)

Report Section		No Further Action	REC	HREC	CREC	Issue/Further Investigation	Comments
4.4	Current Use of Property	X					Current occupant is an internet services company and other half of building is vacant.
4.6	Adjoining Property Information	X					A mix of commercial development typical of a downtown area - financial, retail, and professional services.
6.1	Standard Environmental Records Sources		X		X	X	<p>Subject property is former LUST (petroleum) site with residual soil contamination and a continuing obligation in the form of a deed restriction.</p> <p>At least six area properties are up-gradient and have environmental records indicating the potential for adversely impacting the subject property - five LUST (petroleum) sites and one former dry cleaning (VOC) site with residual soil and/or groundwater contamination, in addition to activity and/or use restrictions.</p>
6.4.1	Historical Summary	X					
6.4.7	Other Environmental Reports	X					
7.3.1	Hazardous Substances	X					

2.3 Environmental Report Summary (continued)

Report Section		No Further Action	REC	HREC	CREC	Issue/Further Investigation	Comments
7.3.2	Petroleum Products		X			X	<p>Large sump pump in basement that leaks oil. Significant layer of oil floating on water in sump pit. Multiple new and used containers of motor oil in same area. Sump discharges directly to the Rock River.</p> <p>In the west basement, two large ASTs were observed that likely contained heating oil. The tanks appear to be empty. Also, what appear to be the vent and supply pipes for the ASTs were located outside the building.</p> <p>Coal ash was observed overflowing from abandoned chimney flues in at least two basement locations. The chimney ducts are likely relics from a former coal-boiler installation.</p>
7.3.3	USTs		X			X	See "Standard Environmental Record Sources" above.
7.3.4	ASTs	X					See "Petroleum Products".
7.3.5	Other Suspect Containers	X					
7.3.6	Equipment Likely to Contain PCBs	X					
7.3.7	Interior Staining/Corrosion	X					
7.3.8	Discharge Features		X			X	See "Petroleum Products" above.
7.3.9	Pits, Ponds, And Lagoons	X					
7.3.10	Solid Waste Dumping/Landfills	X					
7.3.11	Stained Soil/Stressed Vegetation	X					
7.3.12	Wells	X					

2.4 Recommendations

Anderson Environmental & Engineering, Co. has performed an Environmental Site Assessment, in conformance with the Scope of Work developed in cooperation with the client and the provisions of ASTM Practice E 1527-13. Any exceptions to, or deletions from, this practice are described in this report.

Within the scope of this investigation, Anderson Environmental & Engineering, Co. discovered *evidence of recognized environmental conditions (RECs)* and *controlled recognized environmental conditions (CRECs)* or significant environmental concerns in connection with the subject property:

Recognized Environmental Conditions (RECs) -

2.4 Recommendations (continued)

- Large sump pump in basement that leaks oil. There is a significant layer of oil floating on water in sump pit. Multiple new and used containers of motor oil in same area. Sump discharges directly to the Rock River.

Controlled Recognized Environmental Conditions (CRECs) -

- Subject property is former LUST (petroleum) site with residual soil contamination and a continuing obligation in the form of a deed restriction;
- At least six area properties are up-gradient and have environmental records indicating the potential for adversely impacting the subject property - five LUST (petroleum) sites and one former dry cleaning (VOC) site with residual soil and/or groundwater contamination, in addition to activity and/or use restrictions.

Each of these RECs and CRECs have the potential to impact soil and/or groundwater conditions at the subject property. User should continue monitoring the situation related to the CRECs, however further investigation into the REC is recommended.



REPORT TO THE PLAN COMMISSION

Plan Commission Meeting Date: February 8, 2023

Agenda Item: 5.a. and 5.b.

File Number: PUD-2022-05 and ZMA-2022-09

General Information

Applicant: Angus-Young and Associates

Owner: Hendricks Commercial Properties LLC

Address/Location: 625 Third Street (Ironworks Campus)

Applicant's Request/Proposal: Angus-Young and Associates, on behalf of Hendricks Commercial Properties, has submitted an application for review and consideration of a Planned Unit Development (PUD) - Master Land Use Plan for the property located at 625 Third Street. The applicant has also submitted an application to rezone the subject property from M-2, General Manufacturing, to PUD District.

Planned Unit Development (PUD) Process: A PUD is a type of special purpose zoning district and a type of development plan. PUD zoning districts are inextricably linked to PUD plans; no rights of development apply to a PUD zoning designation other than those of the approved PUD plan. PUDs are processed in three stages: Master Land Use Plan, Rezoning to PUD district and Final (Site) Plan. Master Land Use Plans and Zoning Map Amendments may be processed concurrently, provided that no rezoning to the PUD district may occur until approval of a PUD Master Land Use Plan.

Staff Analysis

Project Summary: The proposed project includes renovating 18,939 square-feet of the existing building into an entertainment venue named Henry Dorrbacker's, with a 5,300 square-foot outdoor space. The applicant is seeking approval of a PUD in order to allow an entertainment-oriented use with the sales, possession, and consumption of liquor, an outdoor seating area and a rooftop sign. Indoor services include Duck Pin Bowling, an arcade, indoor yard games, two bars, and a stage for live performances. The services provided outdoors include games, seating, a stage for live performances, along with outdoor food vendor parking.

Surrounding Zoning and Land Use:

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.

Public Notice and Comments Received: Before the January 18 meeting, all property owners within 150 feet of the property were notified by mail the dates of the public hearing for the proposed Planned Unit Development. At Plan Commission's request, an additional notice was mailed out to the property owners on the east side of the Rock River. See attached mailing list. Hendricks Commercial Properties also invited the Heritage View residents to attend a tour of the project site, but no residents were interested in the tour.

Staff received a comment from Visit Beloit located at 650 Pleasant Street. They are in favor of the proposed development but wanted to clarify that the parking listed at 650 Pleasant Street is not public nor owned by the City of Beloit. An e-mail was received from a resident of Heritage View Condos who is not in favor of the proposal due to concerns about noise and the roof top sign.

A site visit was scheduled with Plan Commission and City Council for February 1, 2023 at 3:30 PM and was publicly noticed.

Review Agent Comments: The proposed Planned Unit Development (PUD) was sent to the City of Beloit staff and utility contacts, and they have the following comments:

Engineering Department:

- The concepts shown remove the existing basin without showing proposed storm water controls. Their plan will need to maintain the existing level of storm water control provided by their bioretention basin. The applicant will need to submit a plan for approval which shows how that will be accomplished.
- Additional information may be needed to determine if adequate parking is available.

Fire Department:

- The Fire Department would like the flood gate near the fire access road clearly marked to avoid an obstruction in the fire turnaround.

Downtown Beloit Association:

- The Design Committee supports the addition of Henry Dorrbacker's to the area but expressed concerns about the size and lighting of the roof top sign.

Zoning Ordinance Requirements:

Allowed Uses: Staff recommends approval of an entertainment-oriented use with the sales, possession, and consumption of liquor, and an outdoor seating area.

Off-Street Parking: Off-street parking requirements are currently not met on site. Despite this parking shortfall no evident parking problems exist on the Ironworks campus. The property's size, location, and use are unlike any other in the City. Staff is using the Central Business District parking requirement, rather than occupancy or capacity-based standards because of the differing hours of operation and location of the PUD area from the rest of the campus. Off-street parking and loading spaces are not required for the Central Business

District. The addition of the proposed development will not affect the parking capacity on the Ironworks Campus because the use will not coincide with peak parking demand on the property. Further review of parking requirements will be completed during site plan review.

Roadway Access: Two access points are required by code; access is provided along the Spine Road and also through Third Street. See attached site plans.

Density/Intensity and Dimensional Standards: The Master Land Use Plan shows a total of one building. The proposed use must maintain the existing property lines and not exceed two stories in height. The maximum building coverage may not exceed 19,000 square feet of the 32,236 square-foot PUD area.

Building Design: As shown on the attached renderings, the proposed redevelopment of a portion of the existing manufacturing building includes dark metal siding, four garage doors that connect the indoor and outdoor space. The outdoor area will be enclosed by a four-foot fence, and festoon lighting. The existing American Flag Art will remain. The proposed materials are similar to those currently on-site and will therefore match the existing landscape.

Signage: The applicant is requesting an 8-foot tall by 118-foot-wide roof mounted sign with five-foot tall channel letters mounted to steel framework, two marquee signs, and one double-sided projecting sign. Total on-site signage cannot exceed 1,170 square feet. Flashing and EVM signs are prohibited.

Open Space: The total square footage of the proposed PUD is 32,236 square-feet. The PUD ordinance requires at least 15 percent of the gross land area shall be open space. The applicant has proposed 5,458 square-feet of open space which exceeds the minimum requirement of 4,836 square-feet.

PUD Master Land Use Plan Review Criteria: Applications may be approved if the following criteria are met:

- 1. The plan represents an improvement over what could have been accomplished through strict application of otherwise applicable zoning ordinance standards, based on the purpose and intent of this chapter.**

The plan includes a use and a design which would not be allowed through strict application of conventional zoning standards. By redeveloping this vacant building, the proposed PUD represents an efficient use of land. The PUD process also allows for the approval of a specific development plan. As a result, any changes to the plan would allow for resident input prior to amendments.

- 2. The PUD Master Land Use Plan complies with the PUD district standards of Section 5-300.**

The proposed conditions of approval will ensure the PUD complies with code. The project is an attractive addition to Beloit's bustling downtown district that will serve a diverse population.

3. **The City and other service providers will be able to provide necessary public services, facilities, and programs to serve the development proposed, at the time the property is developed;**

As a redevelopment site, the property already has the necessary utilities and facilities. The developer has made all requested changes from the Fire Department related to the turn-around for fire vehicles. The Spine Road will remain open for public access, so that the site can be accessed from Third Street and over the pedestrian bridge.

4. **The development is consistent with and implements the planning goals and objectives contained in the Comprehensive Plan and other adopted policy documents; and**

The proposed development is consistent with the Comprehensive Plan's goals to support adaptive reuse of vacant structures as a preferred alternative to demolition. The design improves the appearance of a building exposed to public view with high quality building materials and improved window treatments.

5. **The PUD Master Land Use Plan is consistent with sound planning practice and the development will promote the general welfare of the community.**

The proposed development is an example of exceptional planning practices. The engagement of this site adjacent to the pedestrian bridge, connects the west and east side of the downtown, making it more cohesive and functional. Unique entertainment uses that engage the riverfront are the ideal development to create downtown Beloit as a destination for residents and tourist.

Zoning Map Amendment Findings of Fact: Based on Section 2-304 of the Zoning Ordinance, the Plan Commission shall make a recommendation based on the following considerations:

1. **The existing use of property within the general area of the subject property.**
The PUD area is a vacant portion of a building on the Ironworks Campus that is surrounded by a mix of manufacturing, office, and commercial uses.
2. **The zoning classification of property within the general area of the subject property.**
General manufacturing zoning surrounds the subject property. The applicant's PUD is a part of a unique adaptive reuse structure and not like any other adjacent properties. The request to combine land uses is a creative solution only capable through a PUD. Its location downtown on the river makes it unlikely this property would be developed for general manufacturing. Staff believes that this building will continue to be used for a mix of commercial and industrial uses.
3. **The suitability of the subject property for the uses permitted under the existing zoning classification.**
The subject property is suitable for general manufacturing uses, but because of its location to the Rock River and downtown, a commercial use is a better utilization of land and resources.
4. **The trend of development and zoning map amendments in the general area of the subject property.**

The subject property is located on the edge of the Central Business District, which has seen dramatic investment and revitalization over the past decade. The proposed PUD is in line with these development trends.

STAFF RECOMMENDATION – PUD MASTER LAND USE PLAN:

The Planning and Building Services Division recommends approval of the PUD – Master Land Use Plan for the property located at 625 Third Street, subject to the following conditions:

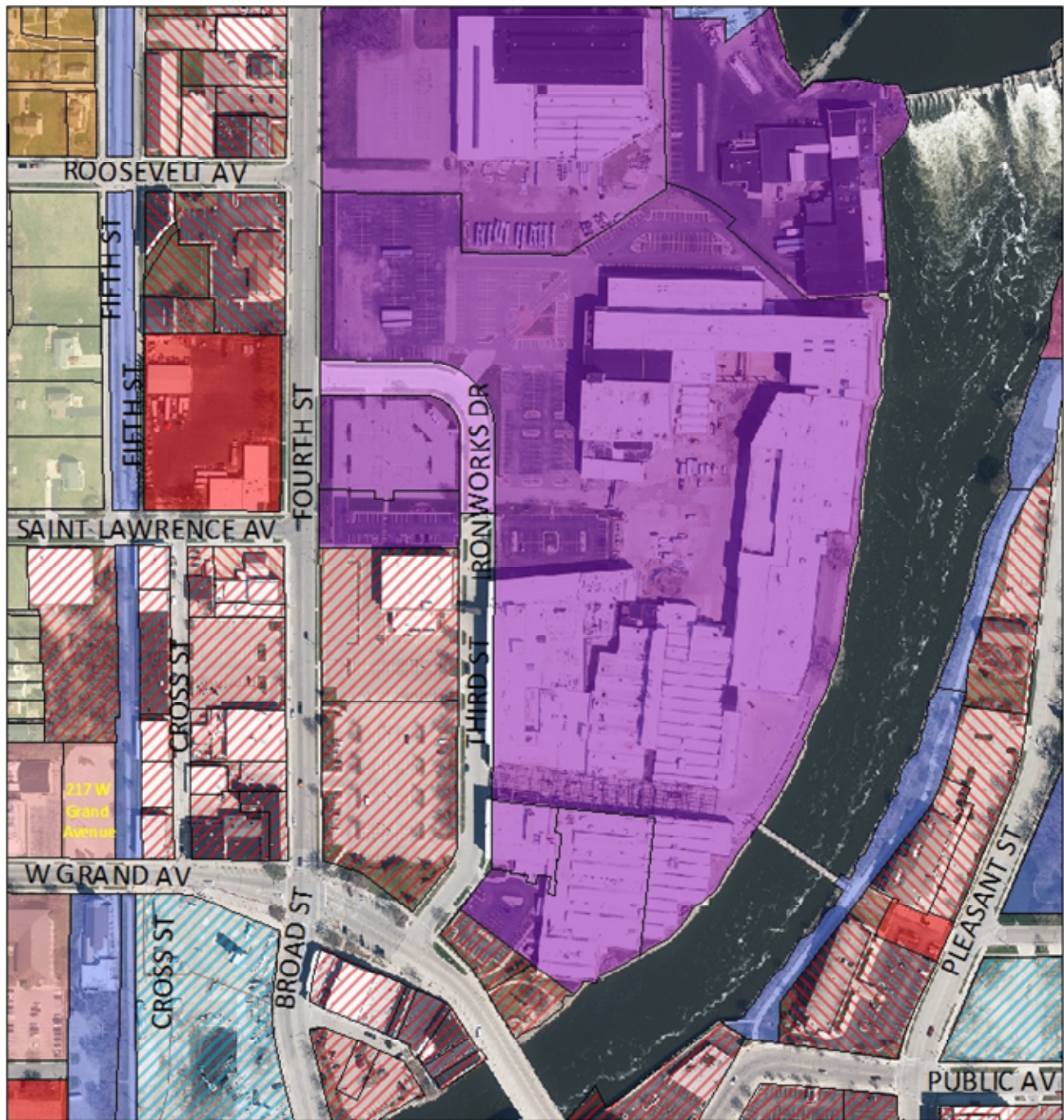
1. This approval authorizes an entertainment-oriented use with the sales, possession, and consumption of liquor, and an outdoor seating area as shown on the PUD – Master Land Use Plan. Any changes to the uses listed above require City Council approval.
2. The applicant shall obtain all applicable liquor licenses before establishing the sales, possession, and consumption of alcohol on-site. In addition, the application shall retain them as long as alcohol is served on-site.
3. Two access points are required to the PUD area.
4. A total of one building that maintains the existing property lines and shall not exceed two stories in height is permitted. The maximum building coverage may not exceed 19,000 square feet of the 32,236 square-foot PUD area.
5. A total of four signs including a roof mounted sign are permitted. On site signage cannot exceed 1,170 square feet and flashing and EVM signs are prohibited. Section 30.07 General Design, Construction and Maintenance Standards will still apply.
6. Onsite, off-street parking and loading spaces are not required.
7. The PUD must maintain 15 percent of the gross land area as open space.
8. The maximum capacity of the outdoor seating area shall be determined by the Building Official prior to issuance of a Certificate of Occupancy for the building, and shall be posted accordingly.
9. Full compliance with building and life safety code is required due to the change in use of this area of the building.
10. The applicant shall maintain the existing level of storm water control provided by their bioretention basin. As part of the PUD Final Plan approval process, the applicant shall submit plans and drainage calculations to ensure that they will be maintaining the existing level of stormwater control.
11. Prior to issuance of a Building Permit, the applicant shall obtain site plan and architectural approval, which shall include a detailed review of all site, grading, utility, landscape, and lighting plans.
12. 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 PUD – Master Land Use Plan. The Community Development Director may approve minor changes administratively and allow accessory structures and uses that comply with and meet all of the standards and requirements of the City of Beloit Municipal Code.

STAFF RECOMMENDATION – ZONING MAP AMENDMENT:

The Planning and Building Services Division recommends approval of a Zoning Map Amendment to change the zoning district classification from M-2, General Manufacturing District, to PUD, Planned Unit Development District, for the property located at 625 Third Street.

ATTACHMENTS: Location Map, PUD - Master Plan, Renderings, Developer Statement, Application, Public Notice, and Mailing List, and Public Comments.

Location and Zoning Map



Legend

Zoning Districts

<all other values>

Classification

R-1A

R-1B

R-2

R-3

R-4

C-1

C-2

C-3

CBD-1

CBD-2

MRO

PUD

M-1

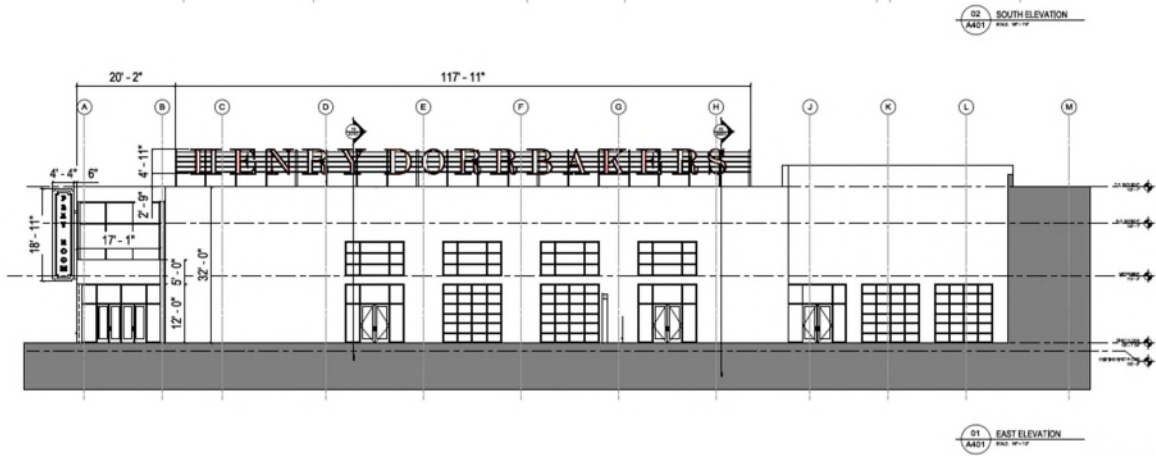
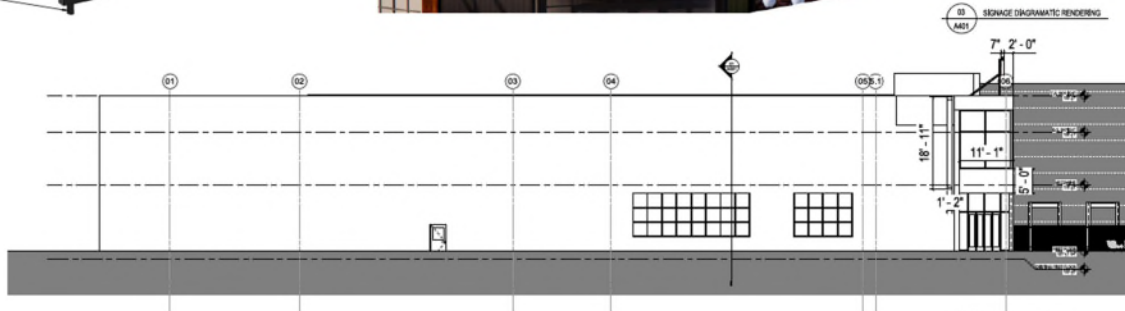
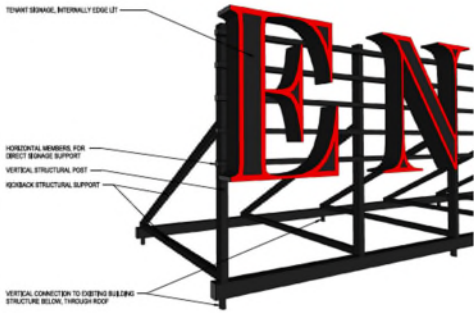
M-2

DH

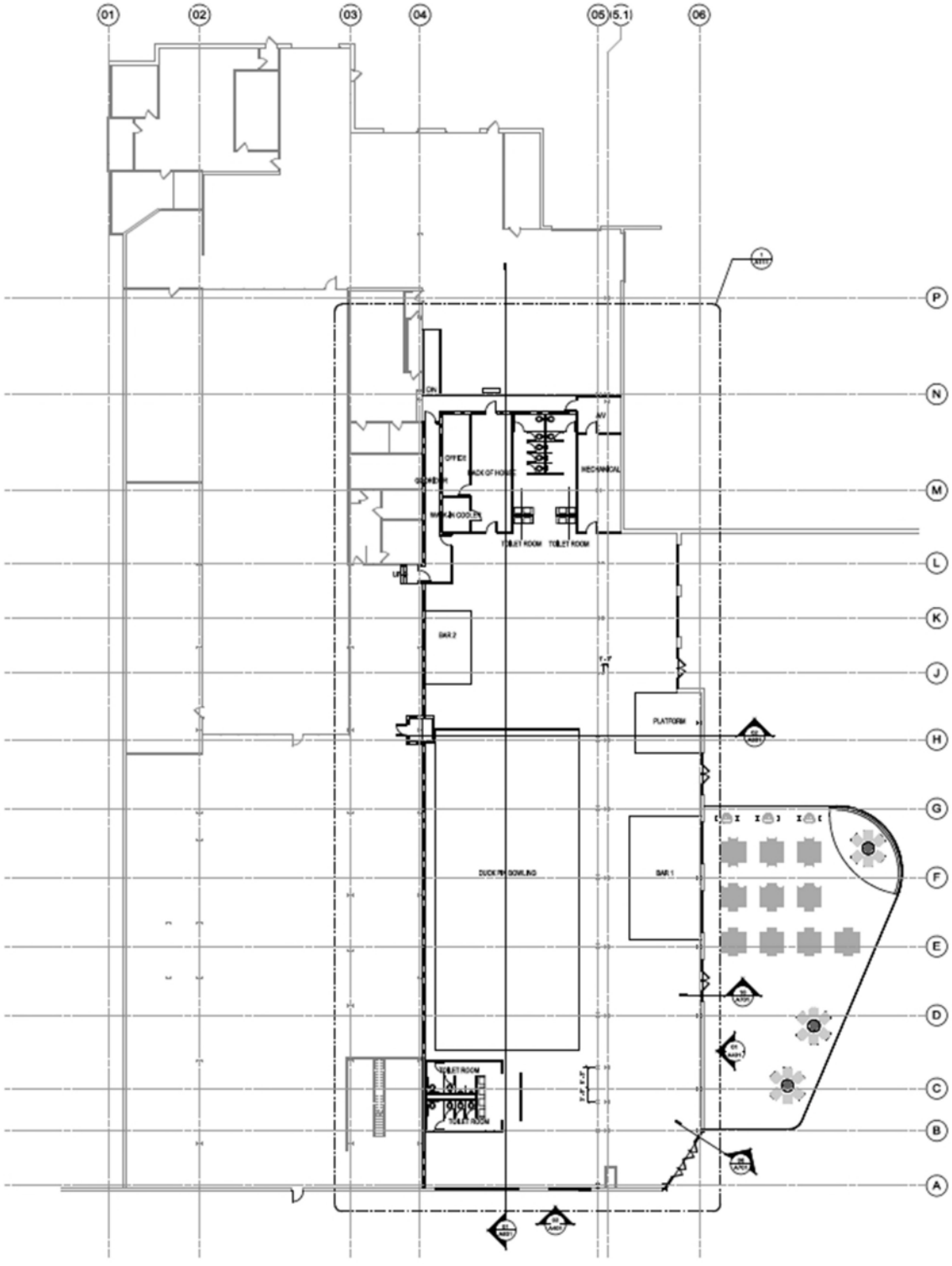
PLI

WPO



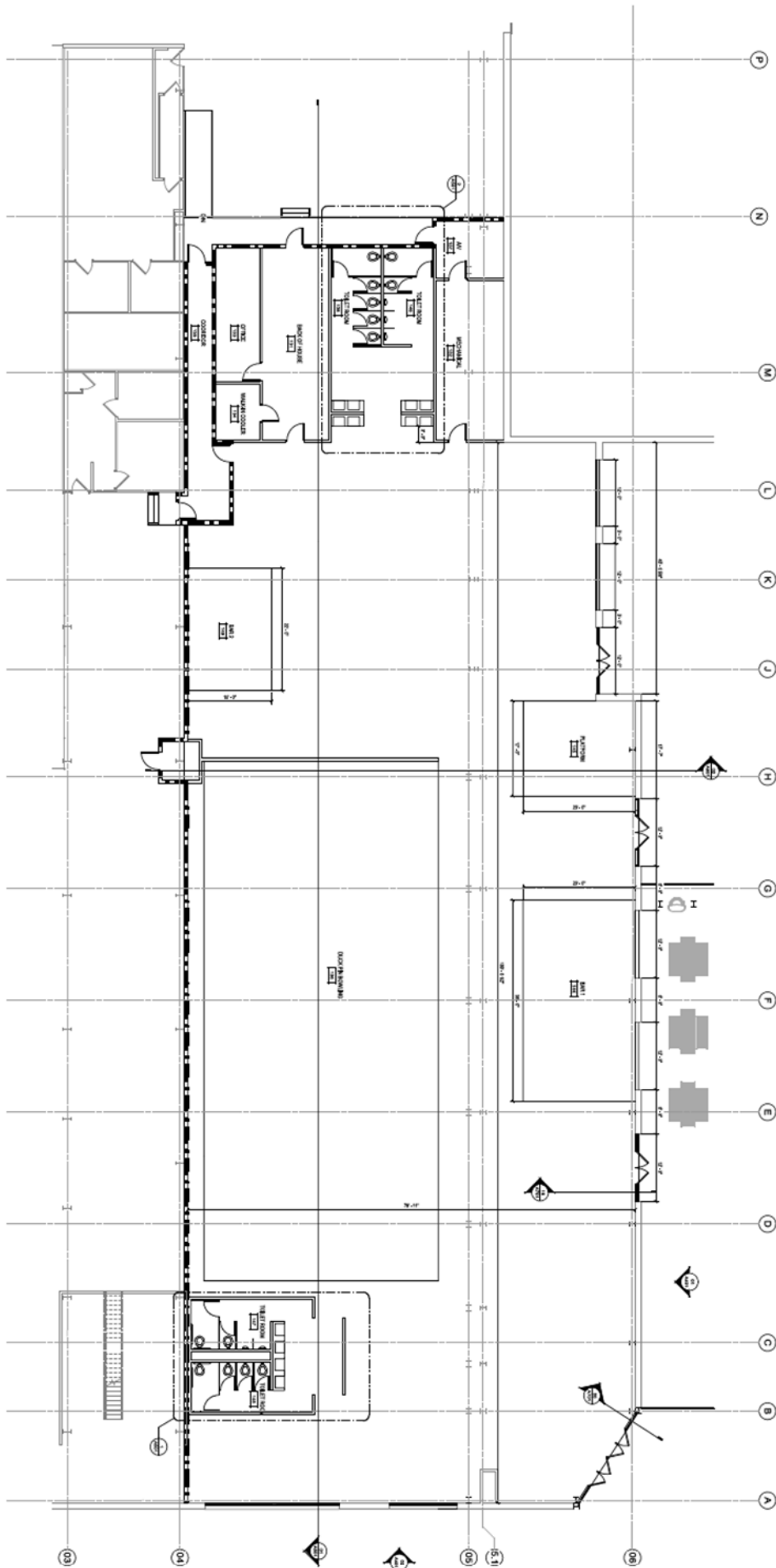


PRELIMINARY - NOT FOR CONSTRUCTION




FIRST FLOOR PLAN
 SCALE: 1/8" = 1'-0"

ENLARGED FIRST FLOOR
SCALE 3/8" = 1'-0"



Scope of work

We are requesting a PUD Master Land Use Plan Approval and a Zoning Map Amendment for the site located on the east side of the Ironworks Campus at 625 3rd Street, Beloit, WI and is owned by Hendricks Commercial Properties. Current Zoning is M-2 Light Industrial. The scope of the project includes:

1. Renovation of existing 17,180 gsf of existing manufacturing building into an entertainment venue with services such as Duck Pin Bowling, Arcade, Indoor yard games, two bars serving alcoholic beverages, and live band performances.
2. Exterior open space of about 5,300 gsf to include outdoor games, seating and outdoor entertainment including live band performance. Area will be fenced off with 4'-0" high fence. One of the interior bars will be provided with overhead doors to allow for bar service to the open space and alcohol will be served in the open space.
3. Food service will be provided with two parking stalls for food trucks to be located adjacent the fire truck access turn around.

Operator

Operator of the bar will be:
Geronimo Hospitality Group
525 3rd Street
Beloit, WI 53511
Hours of Operation

Hours of Operation

Hours of operation will be 4 pm to 12 am during the week and Noon to 12 am on the weekends. The peak occupancy of this operation will be at times that most other tenants of the campus will be at their minimum. All outdoor operations will adhere to City of Beloit noise ordinance.

Parking

Occupancy of the Dorrbaker space is based on 9,400 net square feet of seating with total required spaces of 50% of capacity of seating, and Parking Ordinance Requirement 8-101(C) that allows a parking calculation to be the net difference between the previous required use and the change of use required parking. This totals 279 stalls required.

We ask that consideration be given to the diversity of hours of operation. 82% of the required stalls serve businesses with daytime hours of operation. Dorrbackers will operate from 4 – 12 am weekdays and Noon to 12 am on weekends. The total required for Dorrbackers and the Golf Lab is only 21% of the total available stalls.

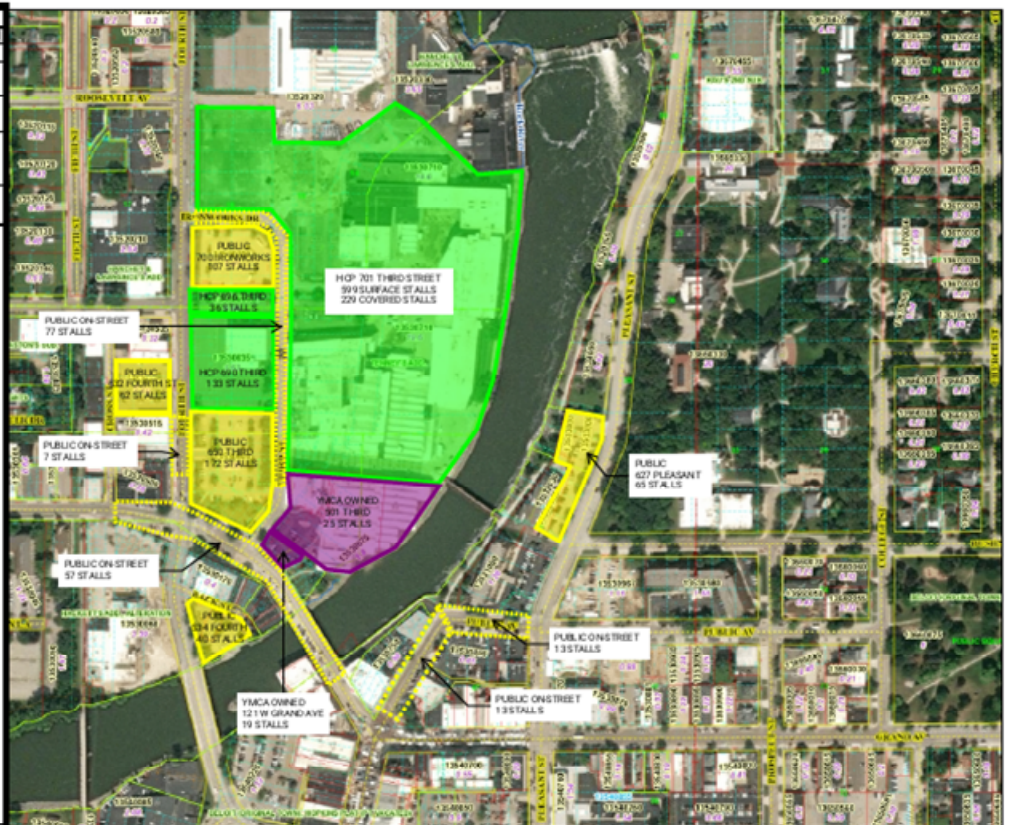
Signage

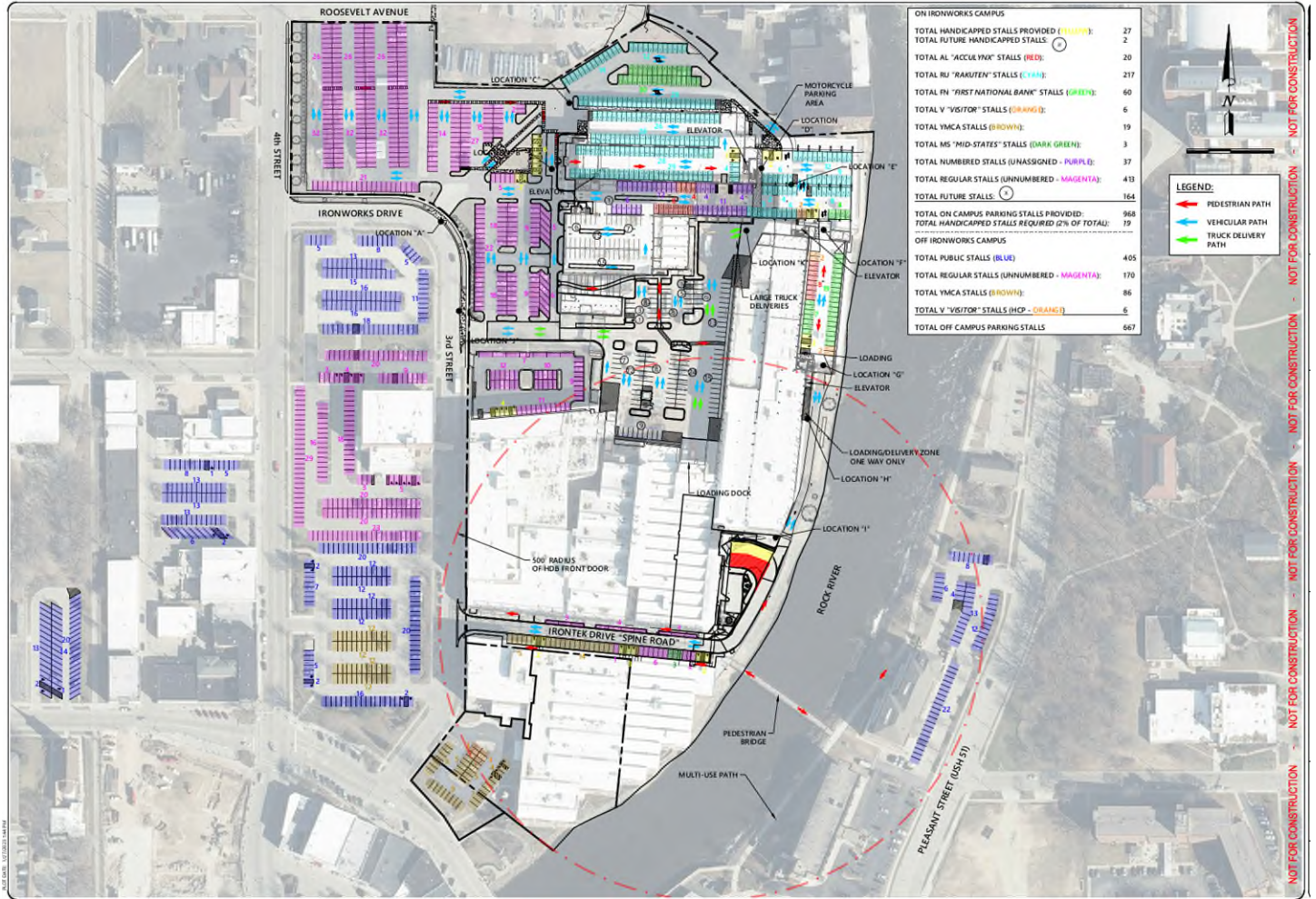
Signage will include a roof mounted sign that is approximately 8'-0" tall off the roof and 118 feet long, individual letters will be 5'-0" tall and mounted on a steel framework. Other signs include two marque signs, one at each corner with each panel 85 gsf and one two sided stand off sign that is 80 gsf. An existing American Flag artwork will remain on the east side of the building.

Lighting

Site lighting will include catenary lights over the open space and pedestrian and street lighting at the fire lane. All street lighting will be cut-off style fixtures at fire lane.

Entire Campus				
	Area	Parking Calculation	Required	% Total
Office	378,845	1 Space per 250 of Floor Area	1516	76%
Industrial	31,000	1 Space per 500 of manufacturing	62	3%
	121,774	1 Space per 2,000 of warehouse or 1 per employee	61	3%
Existing Entertainment Golf Club	11,860	1 Space per 150 of Floor Area	80	4%
Harry Dombekers	17180 sq ft, 9,400 Seating Area	50% of Capacity, 313 Stalls, Previous M-2 = 34 Stalls	279	14%
Total Required:			1998	
Parking Available:				
Public Lots:			Available:	
(West)	700 Ironworks Drive		107	
(West)	690 Third Street		172	
(South)	634 Fourth Street		40	
(West)	632 Fourth Street		62	
(East)	627 Pleasant		65	
Subtotal:			446	
On-Street Stalls				
	W Grand from Cross to River		51	
	Third St from Ironworks at 4th Street to Grand		77	
	Public Ave from State to Pleasant		13	
	State St from Public to Grand		13	
	Fourth St from Grand to St. Lawrence		7	
Subtotal:			161	
Private Lots by HCP:				
	701 Third Street Surface		599	
	701 Third Street Covered		229	
	696 Third Street		36	
	690 Third Street		133	
Subtotal:			997	
Owned by YMCA:				
	601 Third Street		25	
	721 W Grand Ave		19	
Subtotal:			44	
Total Available:			1,654	





CITY of BELOIT

PLANNING & BUILDING SERVICES DIVISION

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

Zoning Map Amendment Application Form

(Please Type or Print)

File No.: ZMA-2022-09

1. Address of subject property: 625 3rd Street, Beloit, WI

2. Legal description: Lot: _____ Block: _____ Subdivision: _____

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

Property dimensions are: _____ feet by _____ feet = _____ square 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: 608-362-8981

525 3rd St Beloit WI 53511
(Address) (City) (State) (Zip)

5. Applicant's Name: Joe Stadelman

555 S River St Janesville WI 53548
(Address) (City) (State) (Zip)

608-756-2326 / 608-751-1546 / j.stadelman@angusyoung.com
(Office Phone #) (Cell Phone #) (E-mail Address)

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

Change zoning district classification from: M-2 to: PUD

All existing uses on this property are: YMCA, Offices, Light Manufacturing, Warehousing

7. All the proposed uses for this property are:

Principal use(s): Entertainment, Alcohol Sales

Secondary use(s): _____

Accessory use(s): _____

City of Beloit Zoning Map Amendment Application Form (continued)

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

- Owner
- Leasehold, Length of lease: _____
- Contractual, Nature of contract: _____
- Other, explain: _____

9. Individual(s) responsible for compliance with conditions (if any), if request is granted:

Name(s): Hendricks Commercial Properties LLC Phone: 608-362-8981
525 3rd St Beloit WI 53511
(Address) (City) (State) (Zip)

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...

_____/_____
(Signature of Owner) (Print name)

_____/ Joseph J. Stadelman
(Signature of Applicant, if different) (Print name)



In order for your request to be heard and considered in a timely manner, you must submit a completed application and all accompanying documents to the Division for acceptance by the filing deadline date prior to a scheduled Plan Commission meeting. This application must be submitted with the \$300.00 application fee. Applicants will also be charged a fee for mailing public notices at the rate of \$0.50 per notice. An invoice for this fee will be sent to the applicant, and it is typically between \$5.00 and \$20.00.

To be completed by Planning Staff	
Filing Fee: \$300.00	Amount Paid: _____ Meeting Date: _____
Number of notices: _____	x mailing cost (\$0.50) = cost of mailing notices: \$ _____
Application accepted by: _____	Date: _____
Date Notice Published: _____	Date Notice Mailed: _____

CITY of BELOIT

Planning & Building Services Division

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

PUD - Master Land Use Plan Application

(Please Type or Print)

File Number: PUD 2022-05

1. Address of subject property: 625 3rd Street, To Be Determined, Beloit, WI 53511

2. Legal description: See Attached

If necessary attach a copy of the complete legal description.

3. Area of parcel in square feet or acres: 21,300 sf

4. Tax Parcel Number(s): 13530710

5. Owner of record: Hendricks Commercial Properties LLC Phone: 608-362-8981

<u>525 3rd St</u>	<u>Beloit</u>	<u>WI</u>	<u>53511</u>
<small>(Address)</small>	<small>(City)</small>	<small>(State)</small>	<small>(Zip)</small>

6. Applicant's Name: Joe Stadelman

<u>555 S River St</u>	<u>Janesville</u>	<u>WI</u>	<u>53548</u>
<small>(Address)</small>	<small>(City)</small>	<small>(State)</small>	<small>(Zip)</small>

<u>608-756-2326</u>	<u>/ 608-751-1546</u>	<u>/ j.stadelman@angusyoung.com</u>
<small>(Office Phone #)</small>	<small>(Cell Phone #)</small>	<small>(E-mail Address)</small>

7. All existing use(s) on this property are: M-2

8. The applicant requests review and approval of a **PLANNED UNIT DEVELOPMENT / Master Land Use Plan**: in a(n) M-2 **Zoning District**.

9. A Preapplication Conference was held on: 12/05/2022.

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

Principal use(s): Entertainment Venue / Bar

Secondary use(s): Arcade/Games

11. State how the proposed development differs from the type of development that would be permitted under the existing zoning regulations. Existing zoning is Light Manufacturing and warehousing. Proposed is an social entertainment with alcohol service

12. Describe how the proposed development provides greater benefits to the City of Beloit than an otherwise permitted development. _____

Entertainment activities such as offered do not exist in downtown Beloit. This operation offers activity later into the evening and after dining in the downtown. This will keep more people downtown longer which will benefit all business in the downtown.

City of Beloit **PUD – Master Land Use Plan Application (continued)**

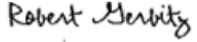
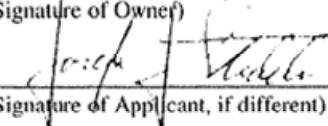
13. Project timetable: Start date: March 2023 Completion date: December 2023

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

- Owner
- Leasehold, length of lease: _____
- Contractual, nature of contract: _____
- Other, explain: _____

The applicant's signature below indicates the information contained in this application and on all accompanying documents is true and correct.

I/We, the undersigned, do hereby respectfully make application for and petition the City Plan Commission and City Council to grant the requested action for the purpose stated herein. I/We represent that the granting of the proposed request will not violate any of the required standards of the Zoning Ordinance of the City of Beloit. I/We also agree to abide by all applicable federal, state and local laws, ordinances, rules, and regulations.

	Robert Gerbitz, President & C.E.O	12/14/2022 6:30 AM PST
(Signature of Owner)	(Print name)	(Date)
	Joseph J. Stadelman	12-9-2022
(Signature of Applicant, if different)	(Print name)	(Date)

In order for your request to be heard and considered in a timely manner, you must submit the completed application and all accompanying documents to the Planning & Building Services Division 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 \$200.00 application fee. Applicants will also be charged a fee for mailing public notices at the rate of \$0.50 per notice. An invoice for this fee will be sent to the applicant and these costs are typically between \$5.00 and \$15.00.

To be completed by Planning Staff	
Filing fee: \$275.00	Amount paid: _____ Meeting date: _____
No. of notices: _____	x mailing cost (\$0.50) = cost of mailing notices: \$ _____
Application accepted by: _____	Date: _____



CITY HALL • 100 STATE STREET • BELOIT, WI 53511

Office: 608/364-6700 • Fax: 608/364-6609

www.beloitwi.gov

Equal Opportunity Employer

NOTICE TO THE PUBLIC

January 4, 2023

To Whom It May Concern:

Angus-Young Architects, on behalf of Hendricks Commercial Properties, has filed an application for review and consideration of a Planned Unit Development (PUD) - Master Land Use Plan for the property located at **625 Third Street**. A copy of the PUD - Master Land Use Plan is attached. The applicant has also submitted an application to rezone a portion of the subject property from M-2, General Manufacturing to PUD.

This request is related to a proposed entertainment-oriented use with sales, possession, consumption of liquor, outdoor seating and a rooftop sign. The following public meetings will be held regarding this proposed amendment:

City Plan Commission: Wednesday, January 18, 2023, 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, February 20, 2023, 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.

Anyone bringing handouts to the Plan Commission meeting must bring 10 copies and submit them to City staff before the meeting begins.

You may also mail your comments to the attention of Hilary Rottmann at 100 State Street or via email to planning@beloitwi.gov. You may also call (608) 364-6708 to provide your comments over the phone.

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

HERITAGE VIEW LLC
525 3RD ST STE 300
BELOIT WI 53511-6225

DENNIS L MORRIS
KAREN H MORRIS
604 PLEASANT ST APT 320
BELOIT WI 53511-6265

MARY JO PATCH
TRUST AGREEMENT
604 PLEASANT ST APT 310
BELOIT WI 53511-6265

HERITAGE VIEW LLC
525 3RD ST STE 300
BELOIT WI 53511-6225

JUDITH A WARNER
161 FLAMINGO DR
BELLEAIR FL 33756-1903

HERITAGE VIEW LLC
525 3RD ST STE 300
BELOIT WI 53511-6225

ALAN J REHBEIN
CYNTHIA J REHBEIN
604 PLEASANT ST APT 340
BELOIT WI 53511-6264

TIM MONAHAN REVOCABLE
TRUST
604 PLEASANT ST APT 200
BELOIT WI 53511-6274

JOSEPH K KITTAH
604 PLEASANT ST APT 350
BELOIT WI 53511-6264

DANIEL B BUCHOLTZ
DEANNE S BUCHOLTZ
604 PLEASANT ST APT 230
BELOIT WI 53511-6264

KAREN KNOX
604 PLEASANT ST APT 360
BELOIT WI 53511-6274

PAMELA M PIER
604 PLEASANT ST APT 240
BELOIT WI 53511-6264

LINDSAY A PEARMAN
604 PLEASANT ST APT 370
BELOIT WI 53511-6274

RICHARD W DEXTER
REVOCABLE TRUST
604 PLEASANT ST APT 250
BELOIT WI 53511-6264

HENDRICKS COMMERCIAL
PROPERTIES LLC
525 3RD ST STE 300
BELOIT WI 53511

JENNI HOPKINS
MATTHEW W HOPKINS
604 PLEASANT ST APT 260
BELOIT WI 53511-6274

BELOIT CONVENTION
AND VISITORS' BUREAU, INC
656 PLEASANT ST
BELOIT WI 53511

MARIANNA T PORTER
604 PLEASANT ST APT 270
BELOIT WI 53511-6274

BELOIT COLLEGE
BOARD OF TRUSTEE
700 COLLEGE ST
BELOIT WI 53511-5509

From: Celestino Ruffini <celestino@visitbeloit.com>
Sent: Friday, January 27, 2023 12:59 PM
To: Planning (WebPage) <Planning@beloitwi.gov>
Subject: PUD - 625 Third Street comments

To the City Plan Commission and City Council,

As the owner of 656 Pleasant Street, the Beloit Convention and Visitors Bureau, Inc. is supportive of the application to rezone a portion of the property at 625 Third Street from M-2 to PUD. I do want to call attention though to the Parking Analysis that was submitted with the application. It notes that the 32 parking stalls at our property are public, but that is inaccurate now. The 32 stalls are considered private like how they are labeled at the Ironworks Hotel, 500 Pleasant Street.

Regards, Celestino Ruffini



Celestino Ruffini
Chief Executive Officer
D 608.313.1360 | C 217.972.9959
VisitBeloit.com

Disclaimer

The information contained in this communication from the sender is confidential. It is intended solely for use by the recipient and others authorized to receive it. If you are not the recipient, you are hereby notified that any disclosure, copying, distribution or taking action in relation of the contents of this information is strictly prohibited and may be unlawful.

1

From: Judy Warner <judyh20@gmail.com>
Sent: Tuesday, January 31, 2023 12:04 PM
To: Planning (WebPage) <Planning@beloitwi.gov>
Subject: Hendricks Proposed 625 3rd St Project

Hello,

I am a resident at the Heritage View Condo building directly across the river from the proposed zoning change project by Hendricks Commercial Properties.

I am writing to you to express my major concerns about this and how I think this will affect us as homeowners living at Heritage View.

I read this new facility will operate from 4 to midnight on weekdays and noon to midnight on weekends. My major concern is the amount of noise that will be generated by patrons and mostly by live music even if the noise stops at 10PM. The City noise ordinance clearly states that sounds should not be audible 30 FEET BEYOND THE PROPERTY LINE. There is NO WAY that any amplified music could meet this standard.

The other issues are 1) the roof mounted sign with something like 5 or 6 foot high letters that will be illuminated and 2) the lighting for the outdoor stage and seating areas.

For the record, I am totally opposed to carte blanche exterior music until 10PM. And I am very concerned about how the lighting may affect us occupants who are directly opposite the subject project.

I am currently in FL and cannot physically attend the meetings in person, therefore, am expressing my concerns in writing. Please offer any assistance you can to protect the residents at Heritage View from having to be upset and

annoyed by the concerns I have just mentioned. We live a fairly peaceful life there except for the fireworks at most ballgames. We hope the lovely life we enjoy (and pay for) there doesn't change.

Sincerely,

Judith A Warner
727 560-7581



REPORT TO THE PLAN COMMISSION

Plan Commission Meeting Date: February 8, 2023

Agenda Item: 4.c.

File Number: SOE-2023-01

General Information

Applicant: Nathan Helm of Elevated Identity, Inc.

Owner: First National Bank and Trust Company of Beloit

Address/Location: 345 E. Grand Avenue

Applicant's Request: Exception to Section 30.46(3) of the Outdoor Sign Regulations to alter a legal nonconforming sign and 30.17(2)(b)(4) to allow an EVM sign to exceed four feet in height.

Staff Analysis

Request Details: Elevated Identity, Inc on behalf of First National Bank and Trust Company of Beloit has filed an application for an exception to Section 30.46(3) of the Outdoor Sign Regulations to alter a legal nonconforming sign located at 345 E. Grand Avenue. The proposed sign ordinance exception includes the installation of two 13.6 square-foot (EVM) Electronic Variable Message signs. Section 30.46(3) of the Outdoor Sign Regulations states no legal nonconforming sign shall be enlarged, extended, reconstructed or altered in any manner. Section 30.17(2)(b)(4) indicates that EVM signs that do not display time, temperature and/or date shall not exceed 4 feet in height. Section 30.03 of the Sign Ordinance defines height as the distance measured vertically to the highest point of an outdoor sign from grade.

Background: A ground-mounted (monument) sign has been a fixture at the corner of State Street and East Grand Avenue for over twenty years. The sign existed prior to the February 2006 Sign Ordinance update, making the existing sign legal-nonconforming.

The existing monument sign includes an Electronic Variable Message (EVM) component which displays time, temperature, and/or date only. Electronic Variable Message Signs are divided into two categories in the Outdoor Sign Regulations: EVM signs that only display time, temperature, and/or date and EVM signs that do **not** display time temperature and/or date.

The existing sign complies with the EVM section of the Sign Ordinance because it is a time, temperature, and date electronic sign. However, the proposed sign will display other types of messages, and therefore, falls into Section 30.17(2)(b) where signs cannot exceed four feet in height. The signage, as proposed, would exceed the four-foot height restriction.

Public Notice and Comments Received: Section 30.48 of the Outdoor Sign Regulations requires that public notices be sent by mail to all property owners within 100 feet of the property. These notices were sent along with a notice to the Downtown Beloit Association Design

Committee. The Downtown Beloit Association Design Committee had mixed reviews. Some were in favor of the design, while others are concerned about the changing message on the sign at a busy intersection. No other comments were received.

Applicant’s Hardship Argument: According to the applicant, the existing electronic message sign is outdated, and replacement parts are no longer available. The applicant believes that if the new electronic message center signs were installed four feet from grade, the display would be located at eye level and would become a hazard at the intersection of East Grand Avenue and State Street.

Exception Standards: Section 30.48(2) of the Sign Ordinance outlines standards for granting an exception. The Ordinance states that the Plan Commission may grant an exception if it determines that:

- a. *Compliance with the strict letter of the Sign Ordinance would create an economic hardship by either unreasonably restricting an on-premises sign owner from advertising a business or rendering conformity with such regulations unnecessarily burdensome upon an owner of an on-premises sign.*
 - This site does not have topographical conditions that are different than surrounding properties. The sign would still be visible and able to be read from nearby locations. Staff does not believe that complying with the sign ordinance would create an economic hardship for the business.
- b. *The hardship is not self-created.*
 - Staff believes the hardship is self-created. There are options on-site to relocate and/or reconfigure the EVMs to comply with the Sign Code or choose an alternative type of sign on the monument base. This particular sign may not have replacement parts but digital amber light time, temperature, and date signs still exist.
- c. *The exception will not undermine the purpose of the Sign Ordinance or the public interest.*
 - The proposed signage is located at an intersection that has significant pedestrian traffic along with numerous events throughout the year. This type of sign takes away from the elevated design standards the city has adopted for the downtown and distract the attention of the traveling public, creating a potential traffic safety hazard.

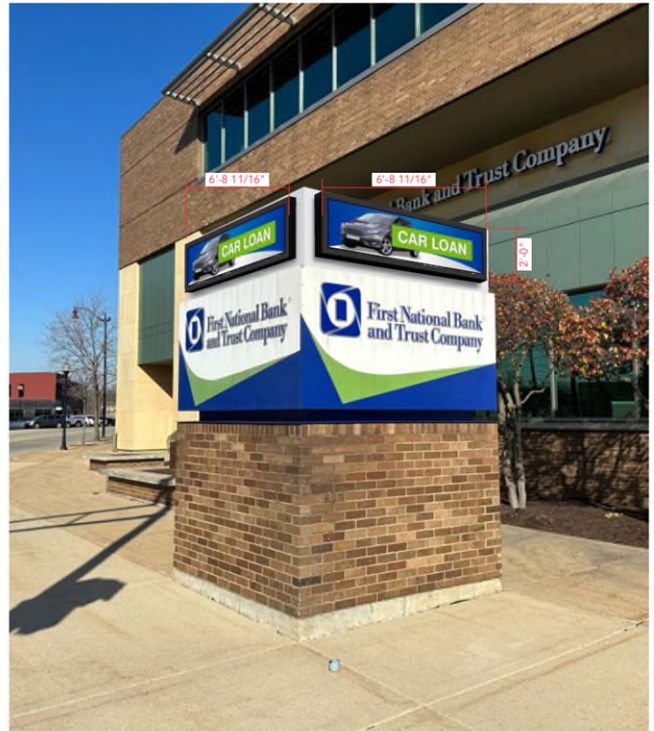
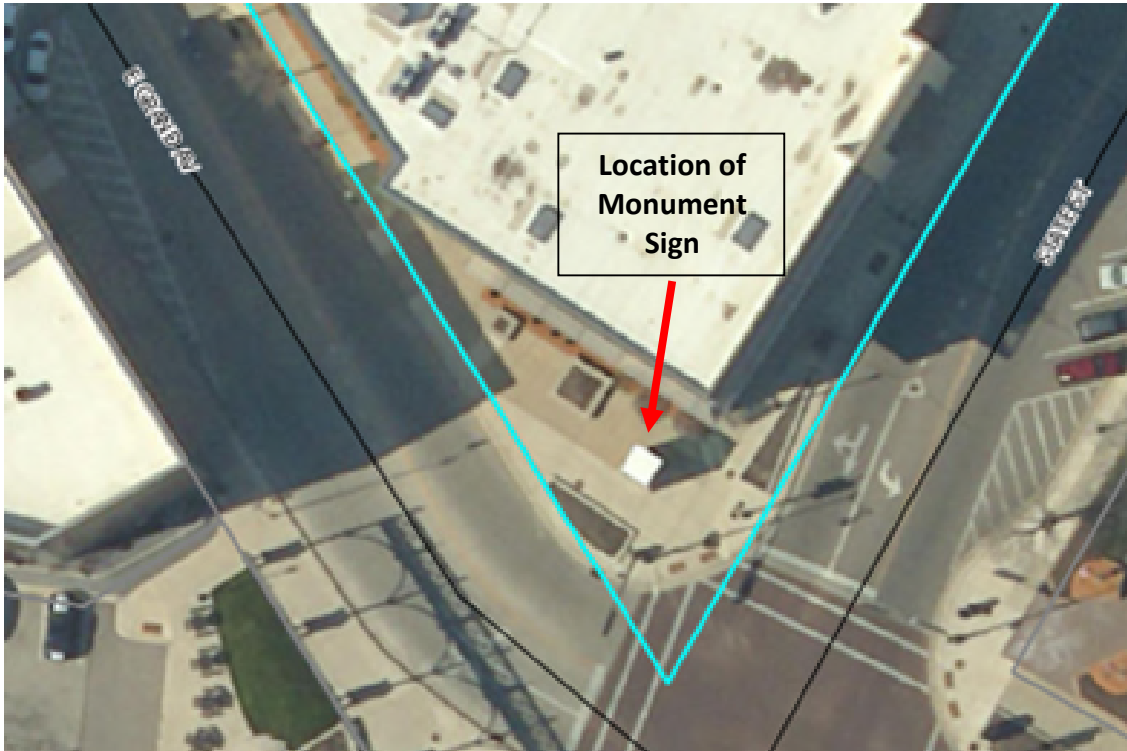
STAFF RECOMMENDATION:

The Planning and Building Services Division recommends ***denial*** of an exception to Section 30.46(3) of the Outdoor Sign Regulations (the “Sign Ordinance”) to allow the alteration of a legal nonconforming sign with two 13.6 square-foot (EVM) Electronic Variable Message signs, for the property located at 345 E. Grand Avenue, based on the above Findings of Fact.

ATTACHMENTS: Location Map, Sign Renderings, Photos, Application, Public Notice, and Resolution.

LOCATION MAP





A EXISTING

PROPOSED

S/F ELECTRONIC MESSAGE CENTER | Scale: NTS

elevated identity

There is an opportunity at delivery to ensure the client will identify the sign as their own. The client should be advised to provide the sign with the client's logo and name. The client should be advised to provide the sign with the client's logo and name. The client should be advised to provide the sign with the client's logo and name.

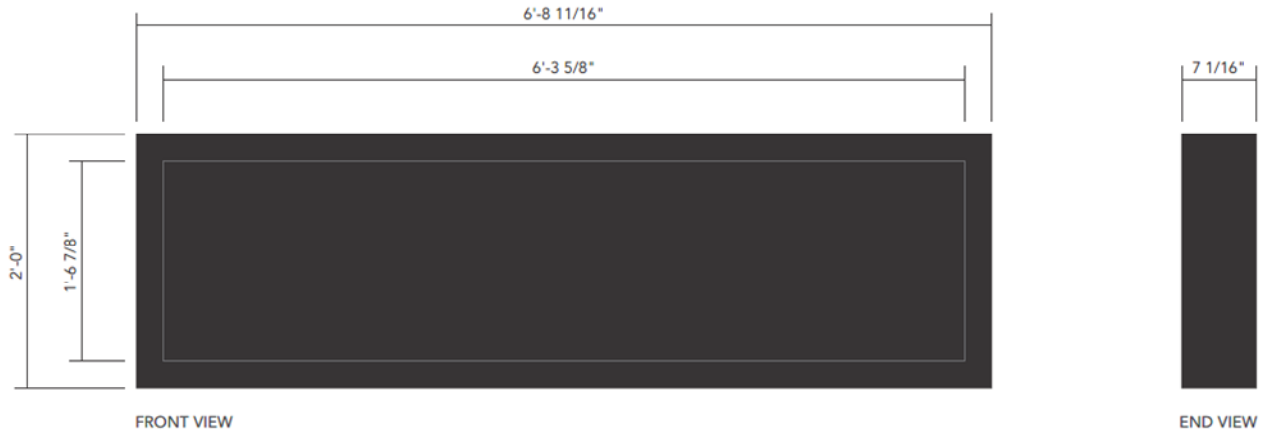
CLIENT: First National Bank
LOCATION: Beloit WI

REP: Ryan Coffey
CONTACT: 602.821.8515

PROJECT NUMBER: 4226
DRAWING DATE: 12/14/22

DRAWING SCALE: NTS
Designer: LAH

A.1
revision 00
12/14/22



Optec Model: 6.67mm High Bright Outdoor SMD

Display Specifications

Product Line:	Infinity
LED Pixel Pitch:	6.667mm
Matrix Size:	72 x 288
Viewing Area:	1' 6 7/8" x 6' 3 5/8"
Cabinet Size:	2' x 6' 8 11/16" x 7 1/16" (Reference to shop drawing for accurate dimensions)
Color:	RGB
Color Processing:	RGB 281 Trillion Levels-M
LED's per pixel:	Red: 1 Green: 1 Blue: 1
Total # of LED's:	124416
Character Size:	1.8 Inches
# of Lines/Char. Line:	10 line(s), 48 characters
Brightness:	8000 NIT's (+/- 5%)
Viewing Angle:	160 Degrees Horizontal
Display Configuration:	Double (2 Cabinets - Face Primary/Secondary)
Maintenance Door:	Front
Cabinet Design:	Standard
Display Net Weight:	Approx. 192.48 lbs. per face (+/- 10%) (Reference to shop drawing)
Ventilation:	Rear Vent

Standard Features

Dimming Levels:	100 - Auto & Manual
Dimming/Temp. Sensor:	Included
Crate:	Included
Software:	MeCloud
Software Upgrade:	5 Years Software Upgrades
Software Training:	Webinar

Electrical & Venting Requirements

AC Power Required:	Single Phase 120V or 240V 50/60Hz
Total Boot Up Amps* (120V):	10.7 (Reference to shop drawing for power requirements and distribution)
Regular Operating Amps* (120V):	3.11
Example Electrical Cost* (120V):	US\$0.49/Day
Venting Requirement*:	205.06 CFM

Terms of Purchase

FOB:	Ontario, CA
Payment Term:	50% Deposit, 50% Prior to Shipment
Delivery Lead Time*:	8 - 10 Weeks
Warranty*:	5 Year Parts Warranty (Cell Modem carries a 5 year part warranty)

A QTY. (2)

S/F ELECTRONIC MESSAGE CENTERS | Scale: 1" = 1'-0"

CITY of BELOIT

Planning & Building Services Division

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

Sign Ordinance Exception Application Form

(Please Type or Print)

File number: _____

1. Name of applicant: Elevated Identity, Inc. Phone #: 608.352.7833

1 Parker Place, Suite 310D Janesville WI 53545
(Address) (City) (State) (Zip)

2. Address of subject property: 345 E. Grand Avenue

3. Tax Parcel Number(s): _____

4. Legal description: _____

5. Present zoning: _____ Present use: Bank

6. Proposed use (if different): Same

7. Owner of record: First National Bank & Trust Phone: 608.313.8356 | Internal Ext: 8151

345 E. Grand Avenue Beloit WI 53511
(Address) (City) (State) (Zip)

E-mail address: theresa.wendhausen@bankatfirstnational.com

8. State specific sections of code and exception(s) requested: (Use separate sheet if necessary)

Per 30.46(3) No legal nonconforming sign shall be enlarged, extended, reconstructed or altered in any manner. The performance of routine maintenance or minor repairs involving the replacement of light bulbs, changing of sign copy, repainting of sign face or sign structure or similar maintenance or repairs are permitted.

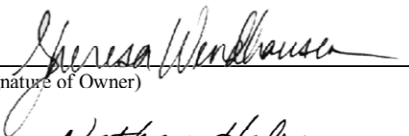
9. State specific hardship experienced by the applicant: (Use separate sheet if necessary)

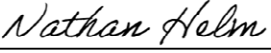
The existing electronic display is dated and parts are not available to repair the sign when outages occur. The ordinance allows for an electronic display sign to be 4' max above grade. This existing has displays much higher. With the location of this sign at the intersection of E. Grand & State Street, a digital display located at eye level would prove to be a hazard to vehicular traffic at this busy intersection.

By approving this exception, we don't feel that it undermines the purpose of the sign ordinance and feel that it has the best interest of the public and safety in mind.

10. In order for this application to be considered complete, the applicant must attach a scale drawing (1" = 20' usually works best) showing the location of property lines and their dimensions, existing buildings and improvements, all abutting properties and improvements thereon, and the proposed changes or additions. A professional drawing is not required. You are required to furnish a legible drawing with enough detail that will adequately advise and inform the Commission.

The applicant's signature below indicates the information contained in this application and on all accompanying documents is true and correct.

 / Theresa Wendhausen, Marketing / 1/12/2023
 (Signature of Owner) (Print name) (Date)

 / Nathan Helm for Elevated Identity, Inc. / 1/12/2023
 (Signature of Applicant, if different) (Print name) (Date)

The applicant acknowledges that this application is not deemed filed until dated and receipt acknowledged by a person authorized to receive the application. The applicant is entitled to receive a copy of the acknowledged application once it is officially reviewed and accepted.



Hearings are usually held in City Hall Forum, City Hall, 100 State Street at 7:00 P.M.

In order for your request to be heard and considered in a timely manner, you must submit the completed application to the Planning & Building Services Division for acceptance by the filing deadline date prior to a scheduled Plan Commission meeting.

The application fee will be \$100 and applicants will be charged actual out-of-pocket costs for mailing public notices at the rate of \$0.50 per notice.

To be completed by Planning staff	
Filing fee: \$100.00	Amount paid: _____ Meeting date: _____
Application accepted by: _____	Date: _____
No. of notices: _____	x mailing cost (\$0.50) = cost of mailing notices: \$ _____
Date Notice Published: _____	Date Notice Mailed: _____



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

January 23, 2023

To Whom It May Concern:

Elevated Identity, Inc on behalf of First National Bank & Trust Company of Beloit has filed an application for an exception to Section 30.46(3) of the Outdoor Sign Regulations to alter a legal nonconforming sign located at:

First National Bank 345 E. Grand Avenue.

The proposed sign ordinance exception includes the installation of two (EVM) Electronic Variable Message signs. Per section 30.46(3) no legal nonconforming sign shall be enlarged, extended, reconstructed or altered in any manner. Section 30.17(4) states EVM signs that do not display time, temperature and/or date shall not exceed 4 feet in height.

The following public hearing will be held regarding the proposed exception:

City Plan Commission: Wednesday, February 8, 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.

Anyone bringing handouts to the Plan Commission meeting must bring 10 copies and submit them to City staff before the meeting begins. You may also mail your comments to the attention of Hilary Rottmann at 100 State Street or via email to planning@beloitwi.gov. You may also call (608) 364-6708 to provide your comments over the phone.

HENDRICKS COMMERCIAL
PROPERTIES LLC
525 THIRD ST STE 300
BELOIT WI 53511

J W & SUSANNE COLIN TRUST
18 CULLODEN PARK RD
SAN RAFAEL CA 94901

EAST GRAND AVENUE
DEVELOPMENT LLC
525 THIRD ST STE 300
BELOIT WI 53511

**RESOLUTION 2023-004
DENYING AN EXCEPTION TO SECTION
30.46(3) AND 30.17(2)(B)(4) THE SIGN ORDINANCE
FOR THE PROPERTY LOCATED AT 345 EAST GRAND AVENUE**

WHEREAS, the application of Elevated Identity, Inc. for an exception to Section 30.46(3) and 30.17(2)(b)(4) of the Outdoor Sign Regulations (the “Sign Ordinance”) to alter a legal nonconforming sign in order to install two 13.6 square-foot Electronic Variable Message signs which exceed four feet in height at the property located at 345 E. Grand Avenue, having been considered by the Plan Commission of the City of Beloit, Wisconsin at a public hearing held for that purpose, and

WHEREAS, the application as submitted does not meet the criteria for granting an exception as required by Section 30.48(2) of the Outdoor Sign Regulations.

NOW, THEREFORE, IT IS HEREBY RESOLVED, that the Plan Commission of the City of Beloit, Rock County, Wisconsin does hereby deny an exception to Section 30.46(3) and 30.17(2)(b)(4) of the Outdoor Sign Regulations (the “Sign Ordinance”) to alter a legal nonconforming sign in order to install two 13.6 square-foot Electronic Variable Message signs which exceed four feet in height at the property located at 345 East Grand Avenue in the City of Beloit, for the following described premises:

LOTS 1 TO 15 INCLUDING RUFUS KINGS SUBDIVISION, ALSO COMMENCING
SOUTHWEST CORNER OF LOT 1 RUFUS KINGS SUBDIVISION, THENCE NORTHEAST
90-FEET, THENCE SOUTHEAST 81.7-FEET, THENCE SOUTHWEST 91.12-FEET TO
POINT OF BEGINNING, ALSO PART OF PUBLIC LANDING B 50 RICES SURVEY, IN THE
CITY OF БЕЛОIT, ROCK COUNTY, WISCONSIN (A/K/A 345 EAST GRAND AVENUE).
CONTAINING 0.98 ACRE, MORE OR LESS

Adopted this 8th day of February, 2023.

PLAN COMMISSION

Chairman

ATTEST:

Julie Christensen
Community Development Director

RESOLUTION 2023-004
AUTHORIZING AN EXCEPTION TO THE SIGN ORDINANCE
FOR THE PROPERTY LOCATED AT 345 E. GRAND AVENUE

WHEREAS, the application of Elevated Identity, Inc. for an exception to Section 30.46(3) and 30.17(2)(b)(4) of the Outdoor Sign Regulations (the “Sign Ordinance”) to alter a legal nonconforming sign in order to install two 13.6 square-foot Electronic Variable Message signs which exceed four feet in height at the property located at 345 E. Grand Avenue, having been considered by the Plan Commission of the City of Beloit, Wisconsin at a public hearing held for that purpose, and

WHEREAS, the application as submitted meets the criteria for granting an exception as required by Section 30.48(2) of the Outdoor Sign Regulations.

NOW, THEREFORE, IT IS HEREBY RESOLVED, that the Plan Commission of the City of Beloit, Rock County, Wisconsin does hereby approve an exception to Section 30.46(3) and 30.17(2)(b)(4) of the Outdoor Sign Regulations (the “Sign Ordinance”) to alter a legal nonconforming sign in order to install two 13.6 square-foot Electronic Variable Message signs which exceed four feet in height at the property located at 345 Grand Avenue in the City of Beloit, for the following described premises:

LOTS 1 TO 15 INCLUDING RUFUS KINGS SUBDIVISION, ALSO COMMENCING SOUTHWEST CORNER OF LOT 1 RUFUS KINGS SUBDIVISION, THENCE NORTHEAST 90-FEET, THENCE SOUTHEAST 81.7-FEET, THENCE SOUTHWEST 91.12-FEET TO POINT OF BEGINNING, ALSO PART OF PUBLIC LANDING B 50 RICES SURVEY, IN THE CITY OF БЕЛОИТ, ROCK COUNTY, WISCONSIN (A/K/A 345 EAST GRAND AVENUE). CONTAINING 0.98 ACRE, MORE OR LESS

This exception is subject to the following conditions:

1. This approval authorizes the alteration of the legal nonconforming monument sign to include two 13.6 square-foot Electronic Variable Message signs which exceed four feet in height.
2. An Architectural Review Certificate and Sign Permit are required for all approved signs.
3. Any major changes in the adopted conditions of this Sign Ordinance Exception shall be approved by the Plan Commission. The Community Development Director may approve minor changes administratively.

Adopted this 8th day of February, 2023.

PLAN COMMISSION

Chairman

ATTEST:

Julie Christensen
Community Development Director