



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

1. CALL TO ORDER AND ROLL CALL
2. MINUTES
 - 2.a. Consideration of the minutes from the February 8, 2023 Plan Commission meeting
[Attachment](#)
3. REPORTS
 - 3.a. Consideration of Resolution 2023-008 approving a three-lot Certified Survey Map (CSM) for the properties located at 3 ABC Drive, 4 ABC Drive, and 6 ABC Parkway
[Attachment](#)
4. PUBLIC HEARINGS
 - 4.a. Consideration of Resolution 2023-010 approving a Conditional Use Permit to allow an office use in a M-2, General Manufacturing District, for the properties located at 3 ABC Drive, 4 ABC Drive and 6 ABC Parkway
[Attachment](#)
 - 4.b. Consideration of Resolution 2023-009 denying an exception to Section 30.17(2)(b)(4) of the Outdoor Sign Regulations for the property located at 1221 Henry Avenue
[Attachment](#)
 - 4.c. Consideration of Resolution 2023-011 approving an Extraterritorial Preliminary Plat of 3981 S Afton Road in the Town of Beloit
[Attachment](#)
 - 4.d. Consideration of Resolution 2023-012 approving a Conditional Use Permit to allow an outdoor seating area for the property located at 1023 Pleasant Street
[Attachment](#)
5. STATUS REPORT ON PRIOR PLAN COMMISSION ITEMS
 - Slum Clearance - 80-100 East Grand Avenue*
 - Comprehensive Plan Amendment - 1118 Garfield Avenue*
 - Planned Unit Development - 1407 Liberty Avenue, 1112 and 1118 Garfield Avenue*
 - Zoning Map Amendment - 1407 Liberty Avenue, 1112 and 1118 Garfield Avenue*
 - Henry Dorrbacker's PUD and Zoning Map Amendment*
 - Comprehensive Plan Amendment and Zoning Map Amendment - 343 Euclid Avenue*

6. FUTURE AGENDA ITEMS

Extraterritorial Final Plat - Riverstone

Extraterritorial Final Plat - Black Hawk Reserve

Final Plat Eagles Ridge 5

NorthStar at 1800 Gateway NorthStar: CSM, Planned Unit Development, Zoning Map Amendment, and Street Vacation

Conditional Use Permit - Ironworks Campus - Entertainment Uses with Alcohol Sales

Tax Increment Finance District Plan for TIF 15

Planned Unit Development and Rezoning for apartment development at 2651 Fuller Drive

Gas Easement for Alliant Energy on Moore

7. ADJOURNMENT

The Plan Commission will adjourn into a workshop to discuss electronic signs.

** 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, February 8, 2022**

1. CALL TO ORDER AND ROLL CALL

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

2. ELECTION OF OFFICERS

2.a. Election of Chairperson

Commissioner Jacobsen made a motion to nominate Commissioner Ramsden as Chairperson, seconded by Commissioner Janke. Motion prevailed, voice vote (7-0).

2.b. Election of Vice-Chairperson

Commissioner Janke made a motion to nominate Commissioner Anderson as Vice Chairperson, seconded by Commissioner Jacobsen. Motion prevailed, voice vote (7-0).

3. MINUTES

3.a. Consideration of the minutes of January 18, 2022 Plan Commission meeting

Motion was made by Commissioner Anderson, seconded by Commissioner Flesch to approve the minutes. Motion prevailed, voice vote (7-0).

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

Commissioner Janke moved to approve the resolution for the two-lot CSM, seconded by Commissioner Anderson. Motion approved, voice vote (7-0).

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

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

Commissioner Flesch moved to approved the resolution for the one-lot CSM, seconded by Commissioner Jacobsen. Motion approved, voice vote (7-0).

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**

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

Commissioner Anderson moved to approve the resolution for the two-lot CSM, seconded by Commissioner Flesch. Motion approved, voice vote (7-0).

4.d. **Consideration of a request to purchase the property located at 80-100 East Grand Avenue for slum clearance**

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

Chairperson Ramsden asked when the transfer of ownership will take place. Ms. Christensen said by May 1st, 2023, and demolition of the buildings are required to be completed by September 1, 2024. Chairperson Ramsden asked if the reason for the transfer is because Hendricks could not apply for the two grants, that only the municipality had to apply for it. Ms. Christensen indicated that was correct.

Commissioner Janke said he wanted to compliment City staff, the City, and the developer. Commissioner Janke said this building has been sitting vacant for a long time, and it is great that there is a grant being provided by the state.

Commissioner Flesch moved to approve the request for purchase of the property at 80-100 East Grand Avenue, seconded by Commissioner Jacobsen. Motion approved, voice vote (7-0).

5. **PUBLIC HEARINGS**

5.a. **Consideration of 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.

Commissioner Flesch asked what would happen if the four-foot fence for the outdoor seating area was required to be increased in height by the Alcohol Beverage License Control Committee. Ms. Christensen said it would be a minor change and could be approved by City staff.

Chairperson Ramsden opened the public hearing.

Rick Dexter, 604 Pleasant Street, said he was concerned about the potential for noise from the establishment at Heritage View. Mr. Dexter said that he reviewed the noise ordinance, and he indicated that there are requirements related to live music. Mr. Dexter also said that the sign is too large and out of character for the property.

Joe Stadelman, 2431 E Ridge Rd, President of Angus Young Associates, Architect for the project, explained that this project will offer options for people after going out to dinner downtown or going to the Farmer's Market. He also indicated that there is not an offering like this in the community that attracts people for miles away. Mr. Stadelman said the rooftop feature is a sign but also functions as a piece of art. Mr. Stadelman said that they will follow the noise ordinance and continue to work on addressing this issue.

Commissioner Elliot asked what they have in place to allow for a wide variety of music. Mr. Stadelman said that they are not the operators, and he cannot speak on behalf of them. Ms. Christensen said that Plan Commission does not have the ability to approve how the business operates related to something like music. They have authority over liquor licenses, but otherwise, businesses have the ability to operate the business as they see fit.

Commissioner Jacobsen asked how tall the building is, and how big the letters will be. Mr. Stadelman said that the outside wall is 30 feet tall, and the letters are 5 feet tall. Mr. Stadelman said the letters are a small percentage of the building height, and will be sitting on an 8-foot-high frame with LED neon strip inserted in. Commissioner Flesch asked if the sign will be dusk to dawn. Mr. Stadelman said that it is on a timer and it can be dimmed, and it is not able to have auto-dimming.

Commissioner Anderson asked how they test out the lighting. Mr. Stadelman said that they plan to have a sample letter constructed with the lighting in it, put it on the building, and see how it looks. Councilor Dunkin asked about the name for the business, and how does that fit in downtown. Mr. Stadelman said that the name for the sign on top of the building is the name of the first person to operate a bowling alley in downtown Beloit.

Commissioner Toral asked if the noise will project off the wall or will the wall absorb the sound. Mr. Stadelman said the wall and windows are hard surfaces and will project sound off of them, and they are evaluating where to put the band so that the sound does not bounce off the walls.

Chairperson Ramsden asked what they are doing with the art work that is currently on the outside walls. Dan Barkes, Hendricks Commercial Properties, 525 Third Street, Beloit, said that the art work that will be removed from the current walls, and they will put them in storage and utilize them on the campus to the North once that gets completed. Chairperson Ramsden said he wants to see the art work be present somewhere. Commissioner Anderson asked if Beloit College was notified about this project. Ms. Christensen said they were not notified, as they will not be directly impacted by this project because they are further away.

Commissioner Anderson said he will vote for the PUD and that the key issues were with the conditions 3, 5, and 6. The proposed sign seems to be the big issue; off street parking was resolved; and the applicant will provide what is best for Beloit.

Chairperson Ramsden closed the public hearing.

Commissioner Flesch moved to approve the PUD, seconded by Commissioner Jacobsen. Motion approved, voice vote (7-0).

5.b. 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 Ramsden opened and closed the public hearing.

Commissioner Jacobsen moved to approve the amendment to the Zoning District Map for the property located at 625 Third Street, seconded by Commissioner Janke. Motion approved, voice vote (7-0).

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

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

Commissioner Toral asked about the history of that part of the sidewalk. Ms. Christensen said that our photos only go back to 2002. The sign has gotten smaller over time. Commissioner Janke asked if this is in the public right-of-way. Ms. Christensen said that it is not in the right-of-way.

Chairperson Ramsden opened public hearing.

Ryan Coffey, 1 Parker Place, Janesville, Wisconsin, works with Elevated Identity wanted Ms. Christensen to elaborate on the enforcement of the EVM sign regulations. Ms. Christensen said when staff approved the EVM signs, they did not apply the definition of height in the Sign Ordinance. It says the height of EVM signs cannot be higher than 4 feet, and height is measured from grade. Ms. Christensen said that they came across this misinterpretation of the Ordinance last year, and now, staff is correctly enforcing the Sign Ordinance.

Mr. Coffey asked how many exceptions have been granted to the EVM standards because the Carom Sign was just installed. Ms. Christensen said that is how they found out that it was not enforced correctly. On a going forward basis, we will be enforcing the ordinance as it is written. Mr. Coffey said that all they are asking to do is to switch out what is currently there, like for like. Commissioner Toral asked what data does Mr. Coffey have to prove that this a case for hardship.

Theresa Wendhausen, 345 East Grand Avenue, representing First National Bank and Trust from the marketing department, stated that they are not able to get replacement parts for the sign so a lot of the lights are not lit all the time. Ms. Wendhausen said replacing the sign will improve Downtown Beloit and help draw more business to downtown.

Commissioner Toral said that without data, he cannot support the exception. He said that Plan Commission has been consistent on their denials of exception, and he intends to vote against this one as well.

Ms. Wendhausen said the monument sign has been there for over fifty years. Commissioner Flesch asked if the sign they are proposing is a video sign displaying time, date, and temperature. Mr. Coffey said it has video capability with a steady message. Ms. Christensen said that she does not think that they are going to just display time, temperature and date, that First National is put messages on there as well. Mr. Coffey said that this is much smaller in scale than the EVM's in the City of Beloit, and it will have messages.

Commissioner Jacobsen said that years back when the sign got updated with color for the bank and there was not an electric sign on top of it, and the community was mad about that. Commissioner Jacobsen said it did not have time and date on the sign back then. Mr. Coffey asked how many signs have come to Plan Commission and have been denied. Chairperson Ramsden said that Plan Commission tries to be consistent when they review exceptions, and not many have been received since we modified the ordinance a few years ago.

Ms. Christensen said that those exceptions were not EVM signs, and most of the sign exceptions were for having a larger secondary sign. Ms. Christensen stated that the Commission modified the Sign Ordinance to allow bonuses and more flexibility in design. Mr. Coffey indicated that he wanted Ms. Christensen to describe what the code says for EVM signs. Ms. Christensen said that date and time is a type of EVM sign, and then there are standard ones that are not date and time. Mr. Coffey asked if date and time had any height restriction. Ms. Christensen said it just does not have the four-foot height restriction.

Chairperson Ramsden closed the public hearing.

Council Dunkin asked if the applicant can come back later with a hardship argument. Ms. Christensen said if Plan Commission denies their sign, they can appeal to City Council.

Commissioner Janke moved to deny the Resolution approving an Exception to the Sign Ordinance, seconded by Commissioner Flesch. Motion approved, roll call vote (7-0).

6. STATUS REPORT ON PRIOR PLAN COMMISSION ITEMS

There were no updates provided.

7. **FUTURE AGENDA ITEMS**

Julie Christensen outlined the future agenda items.

8. **ADJOURNMENT**

Commissioner Flesch moved to adjourn the meeting, seconded by Commissioner Janke at 8:49PM. Motion carried, voice vote (7-0).

Mike Ramsden, Chairperson

REPORT TO THE PLAN COMMISSION

Plan Commission Meeting Date: March 8, 2023

Agenda Item: 3.a.

File Number: CSM-2023-04

General Information

Applicant: Fehr Graham

Owner: ABC Supply Company

Address/Location: 3 ABC Drive, 4 ABC Drive and 6 ABC Parkway

Applicant's Request: Three-Lot Certified Survey Map (CSM)

Staff Analysis

Background Info: Fehr Graham, on behalf of ABC Supply Company, has submitted an Application for Review of a Minor Subdivision for a three-lot CSM for the properties located at 3 ABC Drive, 4 ABC Drive, and 6 ABC Parkway to reconfigure lot lines for the construction of a new training facility.

CSM Details: The intent of the proposed CSM is to reconfigure the three lots contained in the 11.78-acre area of land. Lot 1 is proposed to be 3.65 acres in area with an existing warehouse and road frontage on ABC Drive and ABC Parkway. Lot 2 is proposed to be 4.59 acres in area with road frontage on Prince Hall Drive. The land use is currently surface parking but is the proposed location of the new training facility. Lot 3 is proposed to be 3.47 acres with an existing office building and surface parking. Lot 3 includes the recently constructed ABC office building and has road frontage on three sides of the lot along ABC Drive, Lawton Avenue, and Prince Hall Drive. All three lots are zoned M-2, General Manufacturing, but a portion of 3 ABC Drive is also zoned C-1, Office District.

Review Agent Comments: The following comments were received from the review agents.

Assessment: The street labels for ABC Drive and ABC Parkway need to be switched.

AT&T Comments: Cable is buried across the middle of the property from east to west.

Engineering: The CSM does not have the watermain easement drawn where the new watermain will be installed. The only watermain easement is at the far south end. The Conditional Use Permit drawings show a 10-foot watermain easement. The easement will need to be at least 20 feet, with the main offset to one side.

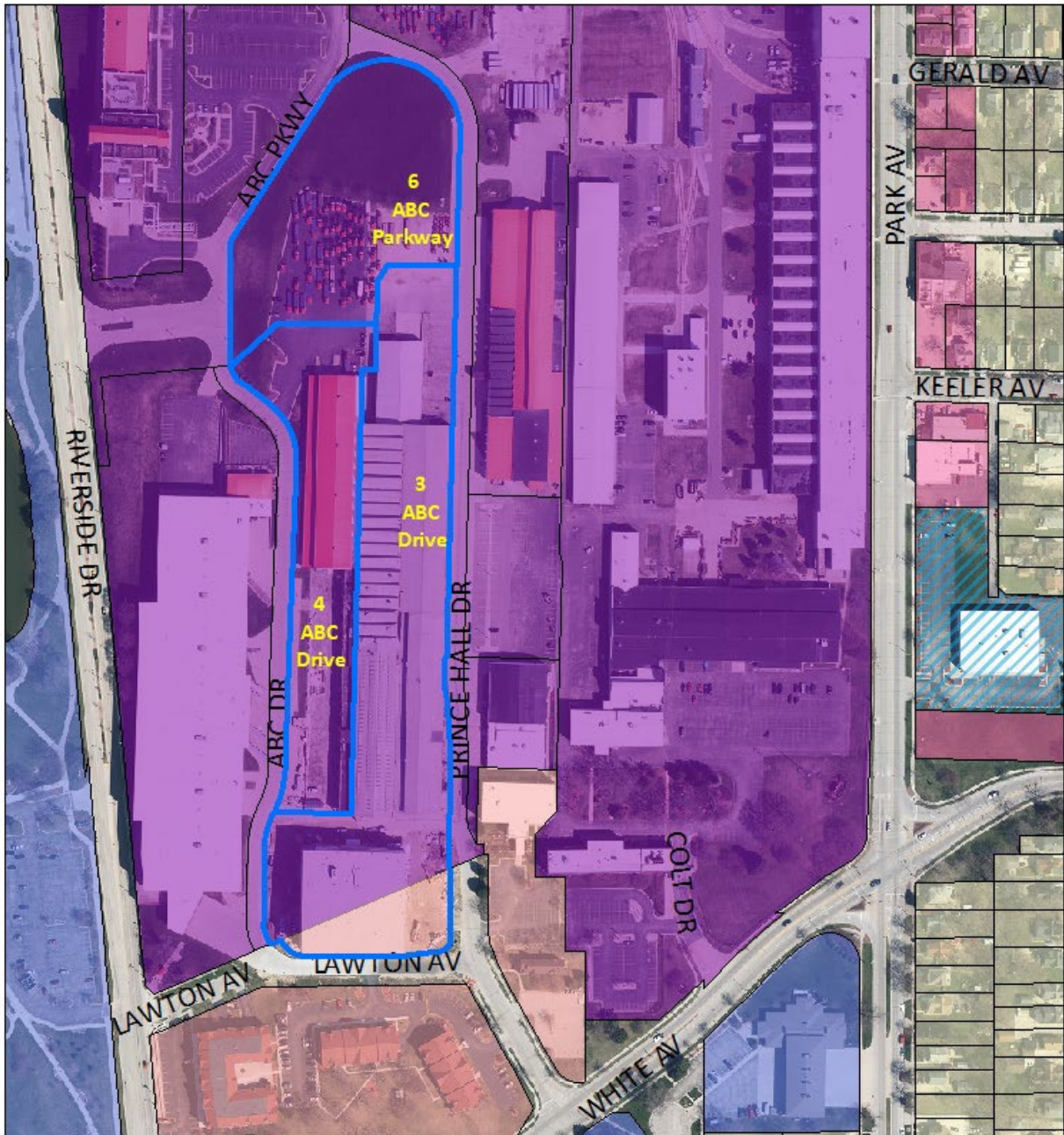
STAFF RECOMMENDATION:

The Planning and Building Services Division recommends **approval** of the attached three-Lot CSM for the land located at 3 ABC Drive, 4 ABC Drive, and 6 ABC Parkway, subject to the following conditions:

1. The final CSM shall include a new watermain easement as determined by the City Engineer.
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, Application, and Resolution.

Location 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

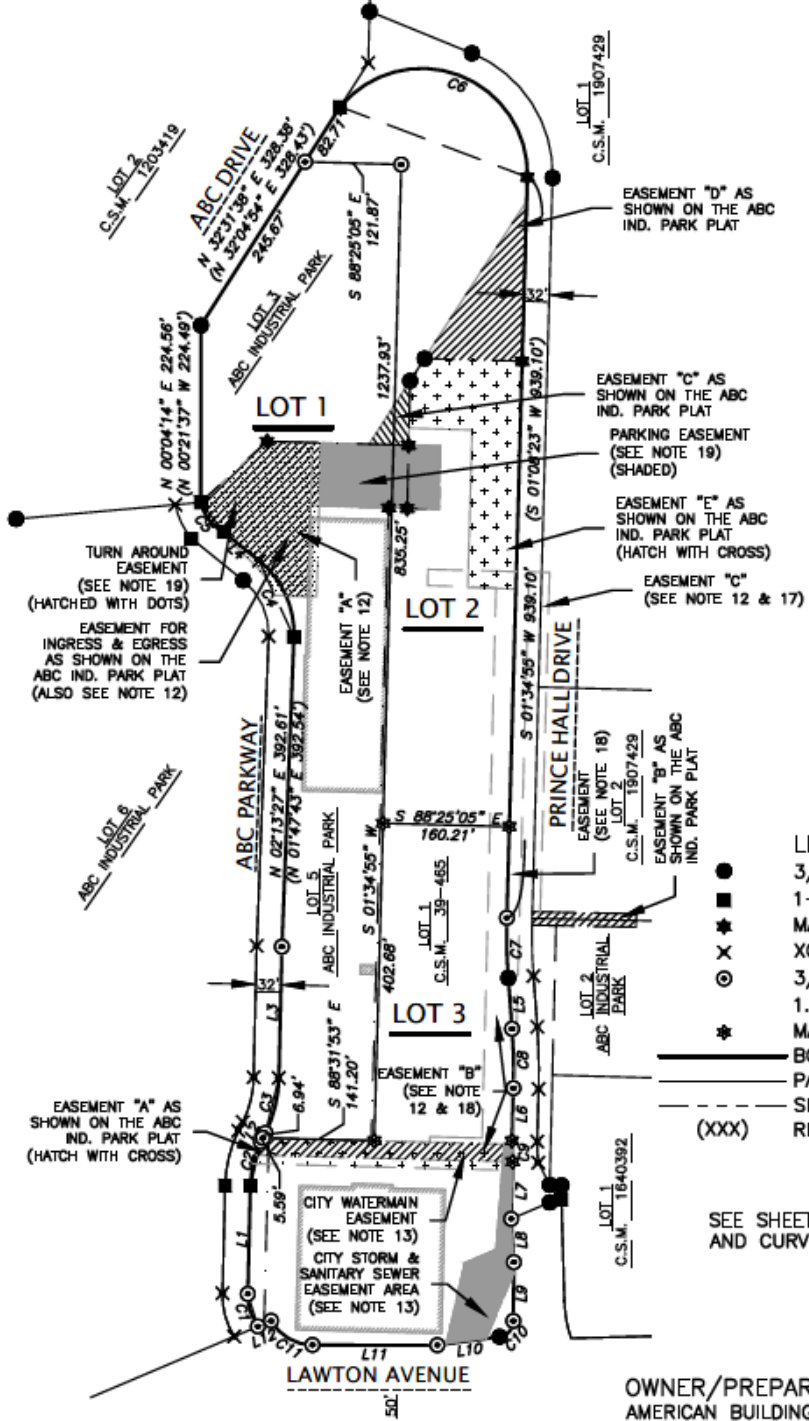
WPO

Updated aerial with demolition complete



CERTIFIED SURVEY MAP No. _____

LOT 3 AND PART OF LOT 5, ABC INDUSTRIAL PARK SUBDIVISION, AND LOT 1 OF C.S.M. 39-645, ALL BEING PART OF THE SE 1/4 OF SECTION 26 & PART OF THE SW 1/4 OF SECTION 25, TOWN 1 NORTH, RANGE 12 EAST, CITY OF БЕЛОИТ, ROCK COUNTY, WISCONSIN



- LOT 1
159,150 sq. ft.±
3.65 Acres±
- LOT 2
200,140 sq. ft.±
4.59 Acres±
- LOT 3
151,132 sq. ft.±
3.47 Acres±

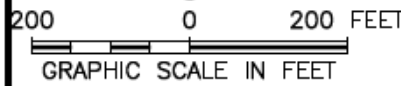
- LEGEND:**
- 3/4" OD REBAR, FOUND
 - 1-1/2" OD IRON ROD, FOUND
 - ★ MAG NAIL, FOUND
 - ⊗ XCUT W/DRILL HOLE, FOUND
 - ⊙ 3/4" OD X 18" IRON PIPE
 - 1.50 LBS./LIN. FT., SET
 - ★ MAG NAIL, SET
 - BOUNDARY LINE
 - PARCEL LINE
 - SECTION LINE
 - (XXX) RECORD INFORMATION

SEE SHEET 2 FOR LINE AND CURVE TABLE

OWNER/PREPARED FOR:
AMERICAN BUILDING & SUPPLY COMPANY INC.
ONE ABC PARKWAY
BELOIT, WI 53511



NORTH, AS REFERENCED TO THE WISCONSIN COUNTY COORDINATE REFERENCE SYSTEM, ZONE: ROCK VIA GPS OBSERVATIONS. EAST LINE OF LOT 1 OF CERTIFIED SURVEY MAP NO. 39-465 BEARING S 01°34'55" W



01/26/23

SHEET 1 OF 5

FEHR GRAHAM
ENGINEERING & ENVIRONMENTAL
ILLINOIS DESIGN FIRM NO. 184-002826

ILLINOIS
IOWA
WISCONSIN

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)

bABC Pkwy File Number: CSM-2023-04

1. Address of property: 3 ABC Parkway, Beloit, Wisconsin 53511

2. Tax Parcel Number(s): 12560007, 12560009, 12560010

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

In the ^{SW}NW Quarter of Section ²⁵36, Township 1 North, Range 12 East of the 4th P.M.

4. Owner of record: American Builders & Contractors Supply Co Inc Phone: 608-368-2407

1 ABC Parkway, Beloit, Wisconsin 53511

(Address) (City) (State) (Zip)

5. Surveyor's name: Nicholas A. Grindey Phone: 815-235-7643

101 West Stephenson Street, Freeport, Illinois 61032

(Address) (City) (State) (Zip)

6. Number of new lots proposed with this land division is 3 lot(s).

7. Total area of land included in this map: 510,422 sq. ft. / 11.718 Acres

8. Total area of land remaining in parent parcel: 0 Acres

9. Is there a proposed dedication of any land to the City of Beloit? Water Easement

10. The present zoning classification of this property is: M-2, General Manufacturing District

11. Is the proposed use permitted in this zoning district: Yes, w/ conditional use approval

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

- Site Assessment Checklist;** is required if the total area of CSM is over 5 acres.
- Pre-application meeting;** a pre-application meeting was held on August 4, 2022 with City of Beloit Staff.
- Developer's Statement;** as required by section 12.02(7) of the Subdivision Ordinance.
- Phase One Environmental Assessment;** as per section 12.05(1)(c) of the Subdivision Ordinance.
- Certified Survey Map;** one copy as required by section 12.05(1) of the Subdivision Ordinance.

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

[Signature] / Seth Gronewald / 1/18/23
 (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: 180.00
 Scheduled meeting date: 2/22/2023
 Application accepted by: [Signature] Date: 1/27/2023

CITY of BELOIT

Neighborhood Planning Division

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

SITE ASSESSMENT CHECKLIST

For property located at: PIN 125600010, 125600009, 125600007 (See CSM)

Property owner's name: ABC Supply

| ITEM OF INFORMATION | YES | NO |
|--|-------------------------------------|-------------------------------------|
| I. Land Resources; Does the project site involve: | | |
| A. Changes in relief and drainage patterns? (Attach a topographical map showing, at a minimum, 2-foot contour intervals) | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| B. A landform or topographical feature including perennial streams? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| C. A floodplain? (If Yes, attach a copy of the latest FEMA Floodway map with the parcel shown thereon.) | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| D. An area of soil instability, or slopes greater than 12%, or hydric or alluvial soils as depicted in the "Soils Survey of Rock County"? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| E. An area of bedrock within 6 feet of the surface as depicted in the "Soils Survey of Rock County" or a more detailed source? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| F. An area with groundwater table within 5 feet of the surface as depicted in the "Soils Survey of Rock County" or a more detailed source? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| G. An area with fractured bedrock within 10 feet of the soil surface as depicted in the "Soils Survey of Rock County" | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| H. Prevention of future gravel extraction? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| I. A drainage-way with a tributary area of 5 or more acres? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| J. Lot coverage of more than 50 percent impermeable surfaces? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| K. Prime agricultural land as depicted in the "Soils Survey of Rock County" or any adopted farmland preservation plans? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| L. Wetlands as depicted on a DNR wetland inventory map or more detailed source? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| II. Water Resources; Does the project site involve: | | |
| A. An area traversed by a stream, intermittent stream or dry run? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| B. An impact on the capacity of a storm water storage system or flow of a waterway within one mile? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| C. The use of septic systems for on-site wastewater disposal? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| D. Lowering of water table by pumping or drainage? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| E. Raising of water table by altered drainage? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| F. Frontage on a lake, river, or other navigable waterway? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| III. Human and Scientific Interest; Does this project site involve: | | |
| A. An area of archeological interest included on the Wisconsin Archeological Site Inventory? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| B. An area of historical interest, or historic buildings or monuments listed on the State or National Register of Historic Places? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Site Assessment Checklist

(continued)

| ITEM OF INFORMATION | YES | NO |
|---|--------------------------|-------------------------------------|
| IV. Biological Resources; Does the project site involve: | | |
| A. Critical habitat for plants and animals of community interest per DNR inventory? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| B. Endangered or rare plant or animal species per the DNR Wisconsin Natural Heritage Inventory? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| C. Trees with a diameter of 6 or more inches at breast height outside of "mature woodlands" as defined in the subdivision ordinance? (If Yes, all trees of such size must be mapped.) | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| D. Removal of over 40 % of the trees on the site within a "mature woodland" as defined in the subdivision ordinance? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| E. Environmental corridors as mapped by the City of Beloit or Rock County? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

| | | |
|---|-------------------------------------|-------------------------------------|
| V. Energy, Transportation and Communications: | | |
| A. Would the development increase traffic flow on any arterial or collector street by more than 10 % based upon the most recent traffic counts and trip generation rates provided by the Institute of Transportation Engineers (ITE)? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| B. Is the land traversed by an <u>existing</u> or planned roadway corridor, as shown on the City's official map or comprehensive plan? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| C. Is the land within a highway noise impacted area (within 500 feet of an interstate or state or Federal highway)? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| D. Is the land traversed by an <u>existing</u> or planned utility corridor (<u>gas</u> , <u>electrical</u> , <u>water</u> , <u>sewer</u> , <u>storm</u> , <u>communications</u>)? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

| | | |
|---|--|---|
| VI. Population: | | |
| <p>A. Which public school service areas (elementary, middle and high school) are affected by the proposed development and what is their current available capacity?</p> <p>Elementary; _____</p> <p>Middle; _____</p> <p>High School; _____</p> | | <p style="font-size: 2em;">N/A</p> <p>E: Cap=</p> <p>M: Cap=</p> <p>H: Cap=</p> |

NOTES:

1. "YES" answers must be explained in detail by attaching maps and supportive documentation describing the impacts of the proposed development.
2. The Plan Commission may waive the filing of a Site Assessment Checklist for subdivisions of less than 5 acres in total area.

RESOLUTION 23-008

**APPROVING A THREE-LOT CERTIFIED SURVEY MAP FOR
THE PROPERTIES LOCATED AT 3 ABC DRIVE, 4 ABC DRIVE AND 6 ABC PARKWAY**

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 three-lot Certified Survey Map for the properties located at 3 ABC Drive, 4 ABC Drive, and 6 ABC Parkway, containing 11.78 acres, 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 three-lot Certified Survey Map, which pertains to the following described land:

LOT 3 AND PART OF LOT 5, ABC INDUSTRIAL PARK SUBDIVISION, AND LOT 1 OF C.S.M. 39-645,
ALL BEING PART OF THE SE ¼ OF SECTION 26 & PART OF THE SW ¼ OF SECTION 25, TOWN 1
NORTH, RANGE 12 EAST, CITY OF БЕЛОIT, ROCK COUNTY, WISCONSIN.

NOW, THEREFORE, BE IT RESOLVED THAT the Plan Commission of the City of Beloit does hereby conditionally approve the attached three-lot Certified Survey Map for the properties located at 3 ABC Drive, 4 ABC Drive, and 6 ABC Parkway, subject to the following conditions:

1. The final CSM shall include a new watermain easement as determined by the City Engineer.
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 March, 2023.

PLAN COMMISSION

Mike Ramsden, Chairperson

ATTEST:

Julie Christensen
Community Development Director



REPORT TO THE PLAN COMMISSION

Plan Commission Meeting Date: March 8, 2023

Agenda Item: 4.a.

File Number: CU-2023-01

General Information

Applicant: Michelle DuPont, Eppstein Uhen Architects (EUA)

Owner: American Builders and Contractors Supply Company, Inc. (ABC Supply)

Address/Location: 3 ABC Drive, 4 ABC Drive and 6 ABC Parkway (future 1300 Prince Hall Drive)

Applicant's Request: The applicant has applied for a Conditional Use Permit (CUP) to allow an office use in the M-2, General Manufacturing District, for the properties located at 3 ABC Drive, 4 ABC Drive and 6 ABC Parkway.

Background

The applicant has proposed the construction of a 29,474 square foot training facility for ABC Supply. A CSM has also been created to reconfigure the lot lines for this development and is the subject of a separate application for Plan Commission review. The Zoning Ordinance states office uses in the M-2, General Manufacturing District are only allowed if reviewed and approved in accordance with the CUP review procedures.

Staff Analysis

Existing Conditions: The subject area on 3 ABC Drive, 4 ABC Drive, and 6 ABC Parkway is currently vacant land and surface parking with road frontage along Prince Hall Drive.

Surrounding Land Use and Zoning: The subject area is surrounded by M-2, General Manufacturing zoning with warehouse and manufacturing uses related to ABC Supply (see attached Zoning Map).

Proposed Office Use: The applicant is requesting an office use to construct a training facility for ABC Supply Co., Inc., to bring existing staff from various locations around the county to Beloit for leadership training. Out of town trainees will be shuttled from hotels in the area. Parking for the new building will be shared with the existing office building at 3 ABC Drive. Fourteen offices for permanent employees will also be located in the new facility.

Review Agent Comments: The application was sent to the City's review agents, and they had no comments.

All property owners within 150 feet of the subject property are owned by the applicant (ABC Supply), and so notices were not mailed. A notice of the public hearing was published in the Beloit Daily News and on the City's website.

City of Beloit Comprehensive and Strategic Plan: The Comprehensive Plan's Future Land Use Map recommends General Industrial uses; this land use category is intended to facilitate manufacturing, warehousing, and distribution land uses with controlled outdoor storage area, moderate landscaping and signage. This request and the underlying zoning classification are consistent with this recommendation.

Municipal Utilities: The subject property receives the full range of municipal services.

Findings of Fact: Based on Section 2-504 of the Zoning Ordinance, the Plan Commission shall make a recommendation based on the following considerations:

- a. *Whether the establishment, maintenance, or operation of the conditional use will be detrimental to or endanger the public health, safety, morals, comfort, or general welfare;*
 - The addition of the training facility is not expected to have any detrimental impacts to the general area and will be beneficial to the manufacturing and warehousing activities occurring around the property.
- b. *Whether the conditional use will be injurious to the use and enjoyment of other property in the immediate vicinity for purposes already permitted;*
 - Surrounding properties are owned by ABC Supply and zoned M-2, General Manufacturing. The added office use would be compatible with the adjacent ABC Supply office building to the south.
- c. *Whether the conditional use will substantially diminish or impair property values within the neighborhood of the subject property;*
 - The construction of a new building would require architectural and landscaping standards to be met, thereby improving the existing conditions and creating a positive impact. It will also increase property values on the ABC Supply campus by adding a new facility on the property.
- d. *Whether the establishment of the conditional use will impede the normal and orderly development and improvement of the surrounding property;*
 - The surrounding area is fully developed.
- e. *Whether the exterior architectural design or site layout of the proposed conditional use is so dissimilar or otherwise incompatible with existing or proposed development in the immediate neighborhood that it will cause a depreciation in property values;*
 - Brick veneer and metal paneling are proposed exterior materials for the new building, and both are acceptable for the manufacturing district and compatible with the adjacent properties. Site and architectural plans will be reviewed further by staff during Architectural Review, if the conditional use is approved.

- f. *Whether adequate utilities, access roads, drainage or other necessary facilities will be available to serve the proposed use at the time of its occupancy or use;*
 - Adequate facilities and infrastructure are available to serve the proposed use.
- g. *Whether adequate measures will be taken to minimize traffic congestion; and*
 - Per Section 8-103 of the Zoning Code, Office uses are required to provide 1 parking space per 250 square feet. 118 off-street parking spaces are required for the 29,474 square-foot building. The site plan identifies 144 stalls, exceeding the minimum standards. This standard is met by reconfiguring the existing lot lines to include parking spaces that are allocated for the four-story office building to the south at 3 ABC Drive. An updated off-street parking plan for the ABC Campus must be submitted and reviewed during site plan review to ensure adequate parking throughout the ABC Supply campus.
- h. *Whether the conditional use will comply with all applicable regulations of the Zoning Ordinance.*
 - The applicant will comply with all other applicable regulations of the Zoning Ordinance.

STAFF RECOMMENDATION:

The Planning and Building Services Division recommends **approval** of a Conditional Use Permit to allow an office use in the M-2, General Manufacturing District, for the properties located at 3 ABC Drive, 4 ABC Drive and 6 ABC Parkway, based on the above Findings of Fact and subject to the following conditions:

1. This Conditional Use Permit authorizes an office use in a M-2, General Manufacturing District as shown in the attached application.
2. The applicant shall enter into a Development Agreement with the City of Beloit. The Development Agreement shall outline the applicant's responsibilities with respect to abandoning, relocating, extending, and/or constructing public facilities and infrastructure as necessary to accommodate this project.
3. Any major changes in the adopted conditions or use of the property shall be approved by the Plan Commission and City Council by amending this Conditional Use Permit. The Community Development Director may approve minor changes administratively.

Ordinance Requirements:

In addition to the above permit conditions, the following provisions of existing City Ordinances shall apply:

1. The applicant shall obtain an Architectural Review Certificate, Certificate of Zoning Compliance, and Building Permit prior to beginning construction.
2. In accordance with Section 8-103 of the Zoning Ordinance, the applicant shall provide access to at least one off-street parking stall per 250 square feet of office space. An updated off-street parking plan for the ABC Campus must be submitted and reviewed during site plan review to ensure adequate parking throughout the ABC Supply campus.
3. In accordance with Section 2-506 of the Zoning Ordinance, the applicant shall have twelve (12) months from the date of CUP approval to secure a Building Permit to carry out the proposed improvements or the CUP shall lapse and be of no further effect.

ATTACHMENTS: CUP Decision Form, Zoning Map, Location Map, Photos, Renderings, Floor Plan, Application, Public Notice, and Mailing List.

RESOLUTION 2023-010

**APPROVING A CONDITIONAL USE PERMIT TO ALLOW
AN OFFICE USE IN A M-2, GENERAL MANUFACTURING DISTRICT
FOR THE PROPERTIES LOCATED AT 3 ABC DRIVE, 4 ABC DRIVE AND 6 ABC PARKWAY**

WHEREAS, EUA on behalf of American Builders and Contractors (ABC) Supply Company Inc., has applied for a Conditional Use Permit to allow an office use in a M-2, General Manufacturing District, for the properties at 3 ABC Drive and 6 ABC Parkway, having been considered by the Plan Commission of the City of Beloit, Wisconsin at a public hearing held for that purpose and due notice of said hearing having been given by publication as appears by the Proof of Publication on file in the office of the City Clerk.

NOW, THEREFORE, BE IT RESOLVED THAT, the Plan Commission of the City of Beloit, Rock County, Wisconsin does hereby grant a Conditional Use Permit to allow an office use in a M-2, General Manufacturing District, for the properties at 3 ABC Drive and 6 ABC Parkway, based upon the substantial evidence described in the Findings of Fact and Conditional Use Decision Form for Plan Commission which is attached hereto and incorporated herein by reference, for the following described premises:

Part of Lot 3, ABC Industrial Park Subdivision, according to the plat thereof recorded September 24, 1999 in Volume 32 of Plats, Page 466 as Document No. 1435827, in the City of Beloit, Rock County, Wisconsin and Part of Lot 1 of a Certified Survey Map Document Number 2134231 as recorded in the Office of the Register of Deeds for Rock County, Wisconsin, on August 19, 2019, in Volume 39 of Certified Survey Maps, Pages 465 to 471, said Certified Survey Map being a Redivision of Lot 4 and Part of Lot 5 of ABC Industrial Park Subdivision, Part of vacated Lawton Avenue, and Part of vacated Out-Lot C of Certified Survey Map as Document No. 1250451, being situated in Part of the Southwest Quarter of the Southwest Quarter of Section 25 and Part of the Northwest Quarter of the Northwest Quarter of Section 36, Township 1 North, Range 12 East of the Fourth Principal Meridian, in the City of Beloit, Rock County, Wisconsin, more particularly described as follows: Beginning at the Northeast corner of said Lot 1 in Certified Survey Map Document Number 2134231; thence South 01 degrees 34 minutes 55 seconds West along the east line of said Lot 1, a distance of 590.16 feet; thence North 88 degrees 25 minutes 05 seconds West, a distance of 160.21 feet; thence North 01 degrees 34 minutes 55 seconds East, a distance of 835.25 feet; thence North 88 degrees 25 minutes 05 seconds West, a distance of 121.87 feet to the west line of said Lot 3 in ABC Industrial Park Subdivision; thence North 32 degrees 31 minutes 38 seconds East along the west line of said Lot 3 in ABC Industrial Park Subdivision, a distance of 82.71 feet to a point on a curve; thence Southeasterly along the north line of said Lot 3 in ABC Industrial Park Subdivision on a curve concave to the southwest having a radius of 134.00 feet, an arc length of 332.05 feet, a chord bearing South 69 degrees 24 minutes 11 seconds East, and a chord length of 253.38 feet; thence South 01 degrees 34 minutes 55 seconds West along the east line of said Lot 3 in ABC Industrial Park Subdivision, a distance of 233.47 feet to the Point of Beginning, containing 159,150 sq. ft (3.65 acres), more or less.

BE IT FURTHER RESOLVED that the applicant is formally advised of the following additional ordinance requirements:

1. The applicant shall obtain an Architectural Review Certificate, Certificate of Zoning Compliance, and Building Permit prior to beginning construction.
2. In accordance with Section 8-103 of the Zoning Ordinance, the applicant shall provide access to at least one off-street parking stall per 250 square feet of office space. An updated off-street parking plan for the ABC Campus must be submitted and reviewed during site plan review to ensure adequate parking throughout the ABC Supply campus.
3. In accordance with Section 2-506 of the Zoning Ordinance, the applicant shall have twelve (12) months from the date of CUP issuance to secure a Building Permit to carry out the proposed improvements, or the CUP shall lapse and be of no further effect.

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

1. This Conditional Use Permit authorizes an office use in a M-2, General Manufacturing District as shown in the attached site plan.
2. The applicant shall enter into a Development Agreement with the City of Beloit. The Development Agreement shall outline the applicant's responsibilities with respect to abandoning, relocating, extending, and/or constructing public facilities and infrastructure as necessary to accommodate this project.
3. Any major changes in the adopted conditions or use of the property shall be approved by the Plan Commission and City Council by amending this Conditional Use Permit. The Community Development Director may approve minor changes administratively.

Adopted this 8th day of March, 2023.

PLAN COMMISSION

Mike Ramsden, Chairperson

ATTEST:

Julie Christensen
Community Development Director

Beloit Plan Commission
Conditional Use Permit Decision Form

When reviewing an application for a conditional use, the local government must look to the requirements and conditions found in the local zoning ordinance and determine if the applicant meets those requirements and conditions. The local government must provide **substantial evidence** supporting their decision to grant or deny the permit, and to impose additional conditions on the permit. Substantial evidence means **facts and information**, directly relating to the requirements and conditions, that a reasonable person would accept in support of a conclusion. Personal preferences and speculation are not sufficient forms of evidence. All requirements and conditions imposed by the local government must be reasonable, and to the extent, practicable, measurable.

Ordinance Requirements

List ordinance requirements related to the conditional use permit:

1. The applicant shall obtain an Architectural Review Certificate, Certificate of Zoning Compliance, and Building Permit prior to beginning construction.
Substantial Evidence: These procedural requirements are contained in the City of Beloit Architectural Review and Landscape Code, Zoning Ordinance, and Building Code.

2. In accordance with Section 8-103 of the Zoning Ordinance, the applicant shall provide access to at least one off-street parking stall per 250 square feet of office space.
Substantial Evidence: This requirement ensures there is enough parking for the existing and proposed use.

3. In accordance with Section 2-506 of the Zoning Ordinance, the applicant shall have twelve (12) months from the date of CUP issuance to secure a Building Permit to carry out the proposed improvements, or the CUP shall lapse and be of no further effect.
Substantial Evidence: This requirement encourages the applicant to proceed with construction of the approved improvements in a timely manner.

Does the applicant meet **all** of the ordinance requirements? No Yes, after the steps above

Permit Conditions

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

List conditions imposed on the permit:

1. This Conditional Use Permit authorizes an office use in a M-2, General Manufacturing District as shown in the attached site plan.

Substantial Evidence: The Zoning Ordinance states that office uses in M-2, General Manufacturing District are only allowed if reviewed and approved in accordance with the CUP review procedures.

2. The applicant shall enter into a Development Agreement with the City of Beloit. The Development Agreement shall outline the applicant's responsibilities with respect to abandoning, relocating, extending, and/or constructing public facilities and infrastructure as necessary to accommodate this project.

Substantial Evidence: The City requires a Development Agreement for all public improvements so that proper measures are in place to ensure the work is completed to City specifications.

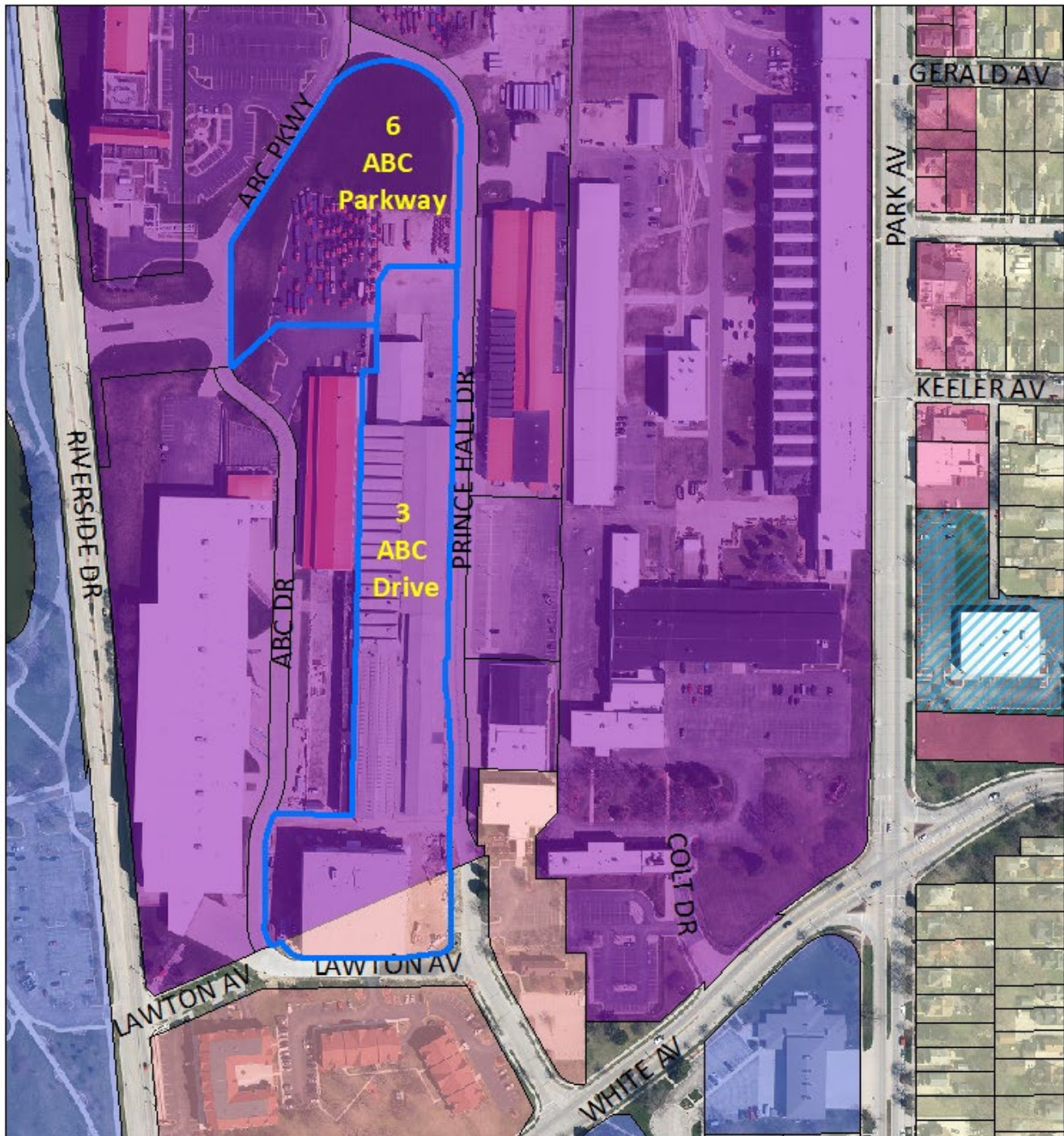
3. Any major changes in the adopted conditions or use of the property shall be approved by the Plan Commission and City Council by amending this Conditional Use Permit. The Community Development Director may approve minor changes administratively

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

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

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

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

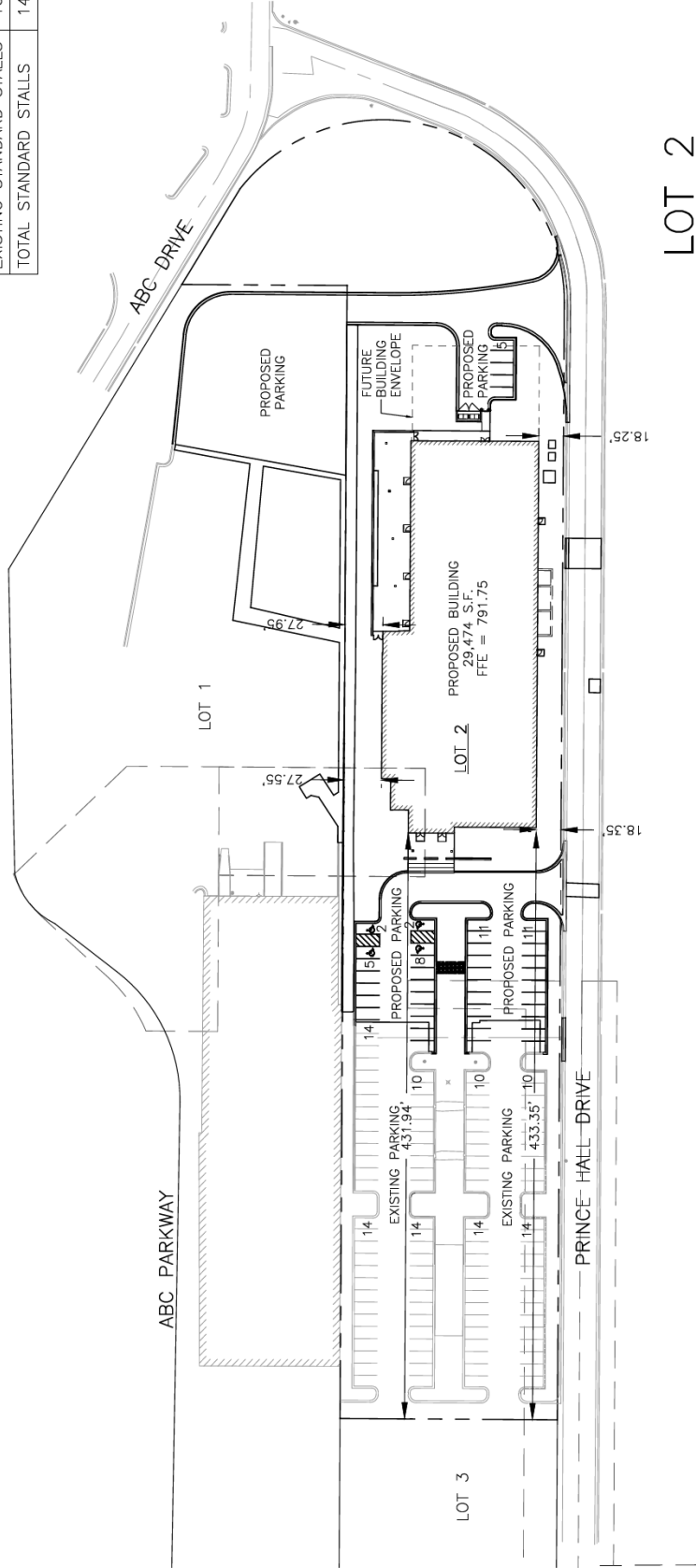
PLI

WPO

Location Map

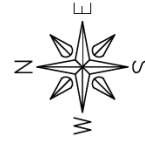


| PARKING STALLS | |
|--------------------------|-----|
| NEW HANDICAP STALLS | 4 |
| NEW STANDARD STALLS | 40 |
| EXISTING STANDARD STALLS | 100 |
| TOTAL STANDARD STALLS | 140 |



LOT 2
 ABC SUPPLY CO. INC.
 LEARNING CENTER
 3 ABC DRIVE
 BELOIT, WI

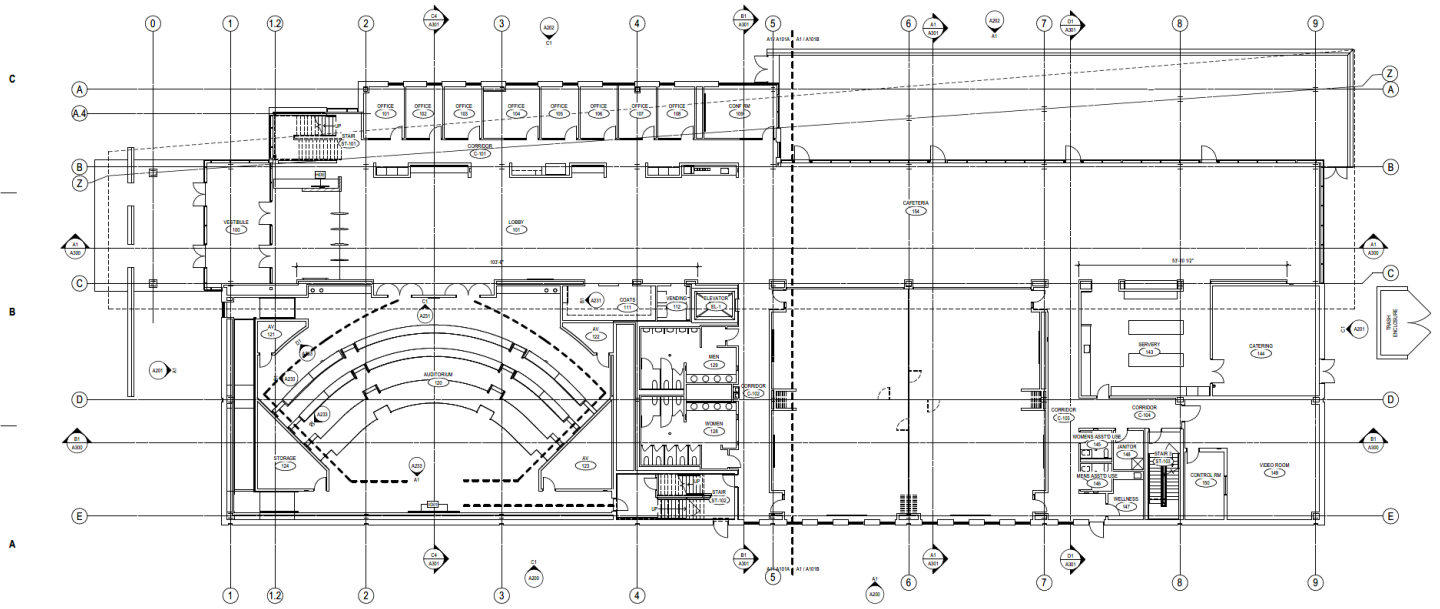
1/30/23



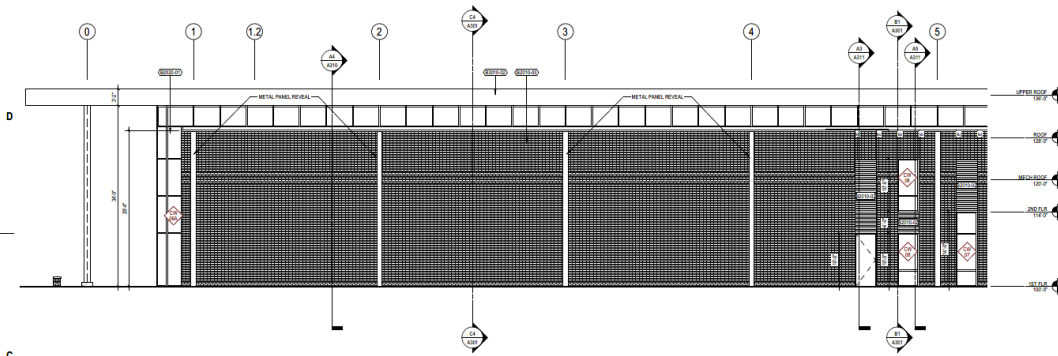
80
 0 80
 GRAPHIC SCALE IN FEET

FEHR GRAHAM
 ENGINEERING & ENVIRONMENTAL
 ILLINOIS IOWA WISCONSIN
 © 2023 FEHR GRAHAM

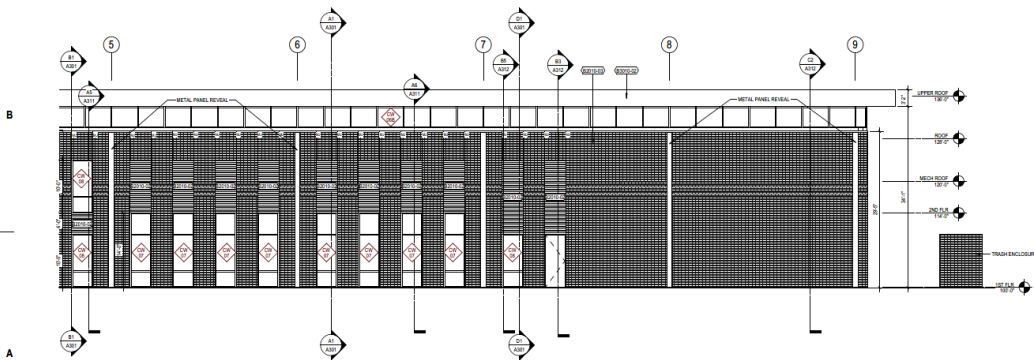
S:\310\23\22-716\22-716 Design.dwg, Lot 2 11x17
 1/30/23



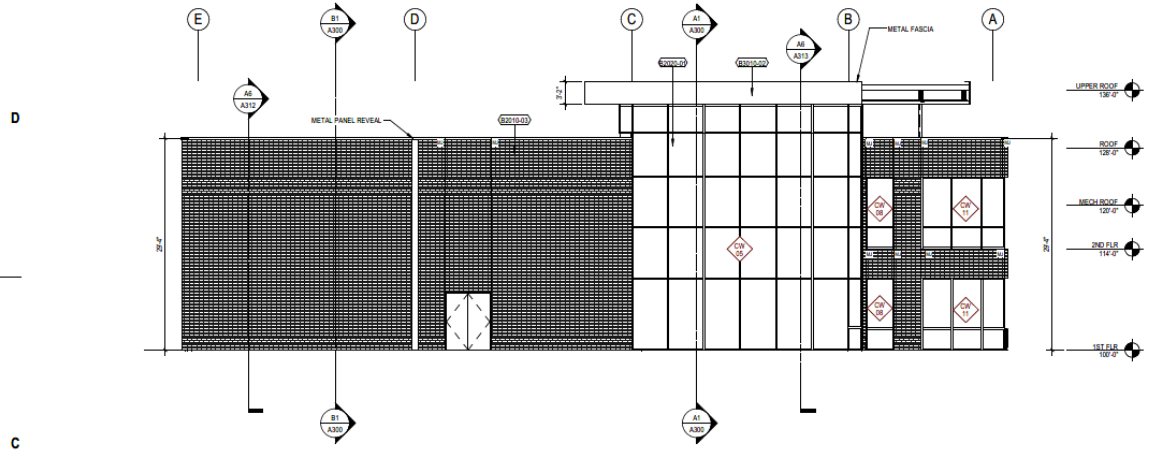
A1 1ST FLR PLAN - OVERALL
1/2" = 1'-0"



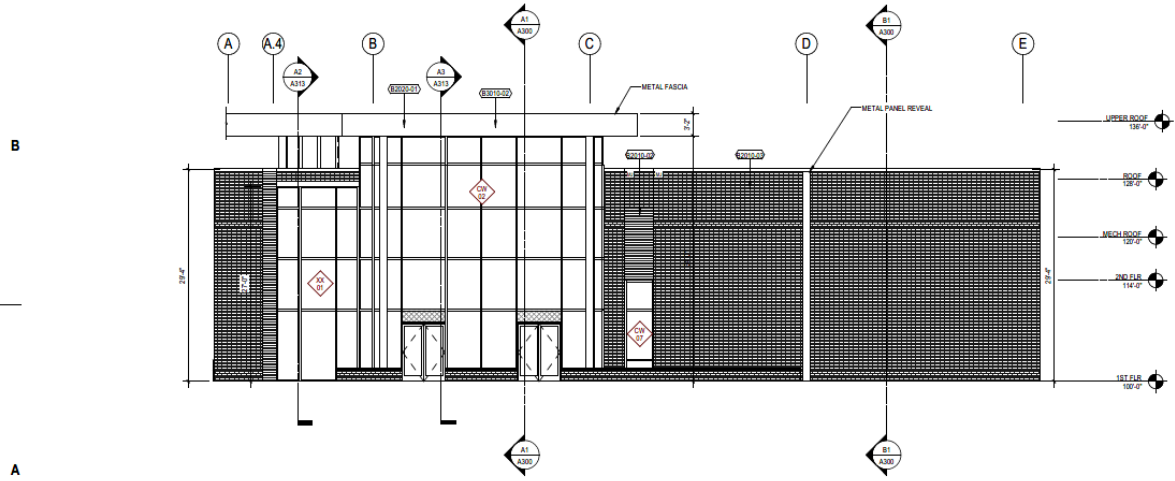
C1 EAST - AREA ELEVATIONS - AREA A
1/4" = 1'-0"



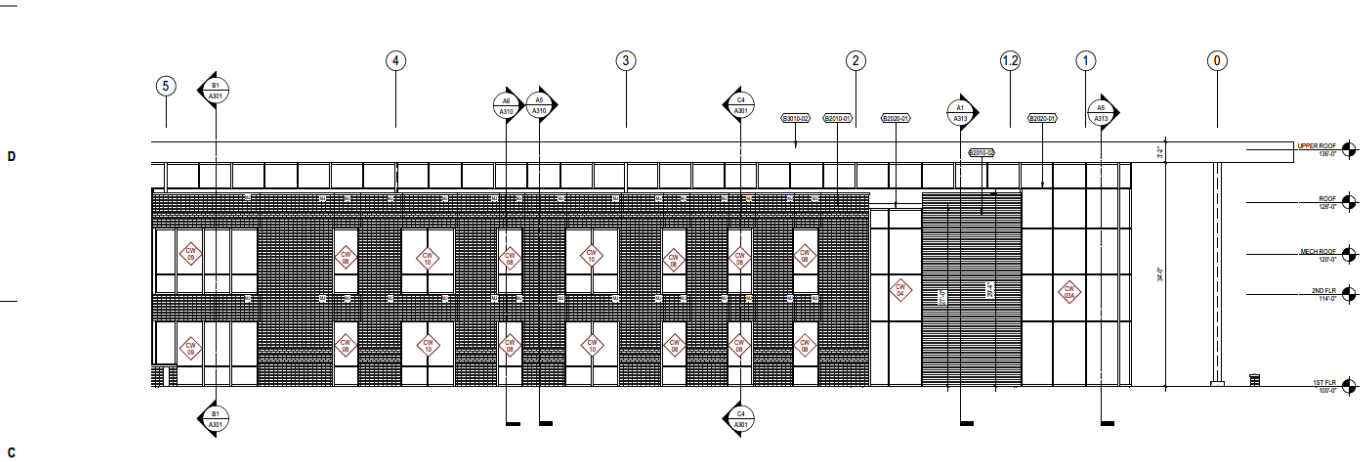
A1 EAST - AREA ELEVATIONS - AREA B
1/4" = 1'-0"



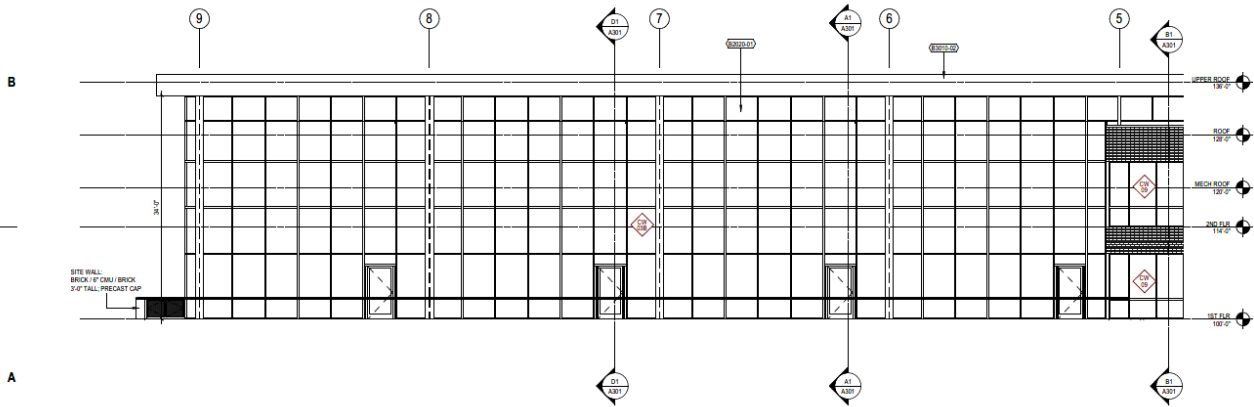
C1 NORTH ELEVATION
1/8" = 1'-0"



A1 SOUTH ELEVATION
1/8" = 1'-0"



C1 WEST - AREA ELEVATIONS - AREA A
1/8" = 1'-0"



A1 WEST - AREA ELEVATIONS - AREA B
1/8" = 1'-0"

CITY of BELOIT

Planning and Building Services Division

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

Conditional Use Permit Application

(Please Type or Print)

File Number: _____

1. **Address of subject property:** 3 ABC Drive, Beloit, WI 53511

2. **Legal description:** Part of Lots 3, 4 and 5 in the ABC Industrial Park Subdivision, in the City of Beloit, Rock County, Wisconsin, according to the plat thereof recorded September 24, 1999 in Volume 32 of Plats, Page 446 as Document Number 1435827

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: 11.0696 acres.

3. **Tax Parcel Number(s):** _____

4. **Owner of record:** ABC Supply Co, Inc. Phone: (608) 802-3253

| | | | |
|---------------|--------|---------|-------|
| 1 ABC Parkway | Beloit | WI | 53511 |
| (Address) | (City) | (State) | (Zip) |

5. **Applicant's Name:** Michelle DuPont

| | | | |
|----------------------|---------|---------|-------|
| 309 W Johnson Street | Madison | WI | 53703 |
| (Address) | (City) | (State) | (Zip) |

| | | | | |
|------------------|---|----------------|---|-------------------|
| (608) 442-5350 | / | | / | michelled@eua.com |
| (Office Phone #) | | (Cell Phone #) | | (E-mail Address) |

6. **All existing use(s) on this property are:** Manufacturing

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

A Conditional Use Permit for: Office Building

_____ in a(n) General Manufacturing _____ Zoning District.

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

Principal use: Office Building

Secondary use: _____

Accessory use: _____


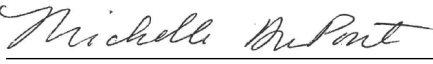
9. Project timetable: Start date: 04/03/2023 Completion date: 07/01/2024

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

- (x) Owner
- () Leasehold, length of lease: _____
- () Contractual, nature of 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.

| | | |
|---|-------------------|--------------|
|  | / Todd Buehl | / 12/13/2022 |
| (Signature of Owner) | (Print name) | (Date) |
|  | / Michelle DuPont | / 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 and Building Services Division for acceptance by the filing deadline date prior to a scheduled Plan Commission meeting.

This application must be submitted with one copy of a scaled drawing showing the layout of the proposed development in accordance with all code requirements, and the \$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 these costs are typically between \$5.00 and \$15.00.

| | | |
|--|---|---------------------|
| To be completed by Planning Staff | | |
| Filing fee: \$300.00 | 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

February 6, 2023

To Whom It May Concern:

EUA on behalf of ABC Supply Co. has applied for a Conditional Use Permit to allow an office use in a M-2, General Manufacturing District, for the properties located at:

3 ABC Drive and 6 ABC Parkway

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

City Plan Commission: Wednesday, February 22, 2023, at 7:00 PM, or as soon thereafter as the matter can be heard in The Forum, Beloit City Hall, 100 State Street.

THE PUBLIC IS INVITED TO ATTEND THESE HEARINGS.

We are interested in your opinion.

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.



REPORT TO THE PLAN COMMISSION

Plan Commission Meeting Date: March 8, 2023

Agenda Item: 4.b.

File Number: SOE-2023-02

General Information

Applicant: Matt Stried of JNB Signs Rock-Walworth Head Start Rock-Walworth Head Start

Owner: Wisconsin Rock-Walworth Comprehensive Family Services, Inc.

Address/Location: 1221 Henry Avenue

Applicant's Request: Exception to Section 30.17(2)(b)(4) of the Outdoor Sign Regulations to allow an Electronic Variable Message (EVM) sign to exceed four feet in height.

Staff Analysis

Request Details: Matt Stried of JNB Signs on behalf of Wisconsin Rock-Walworth Comprehensive Family Services, Inc. (Rock-Walworth Head Start) has filed an application for an exception to Section 30.17(2)(b)(4) of the Outdoor Sign Regulations to install a ground-mounted EVM sign that exceeds four feet in height. 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: 1221 Henry Avenue is zoned PLI, Public Lands and Institutions District and is home to Beloit Head Start / Early Head Start. They would like to update their existing cabinet and letter board signage with a new 20.93 square-foot double sided cabinet sign and a 19.08 square-foot double sided EVM sign on the existing posts.

EVM 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 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. 32 notices went out to the adjacent property owners. No comments have been received as of the writing of this staff report.

Applicant's Hardship Argument: According to the applicant, mounting the EVM four feet from grade will greatly reduce its visibility. Mounting the EVM this low to the ground will subject the sign to be covered by snow in the winter and expose it to damage in the summer from lawn

maintenance equipment. Increasing the size of the cabinet will greatly increase the cost of the overall sign.

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:

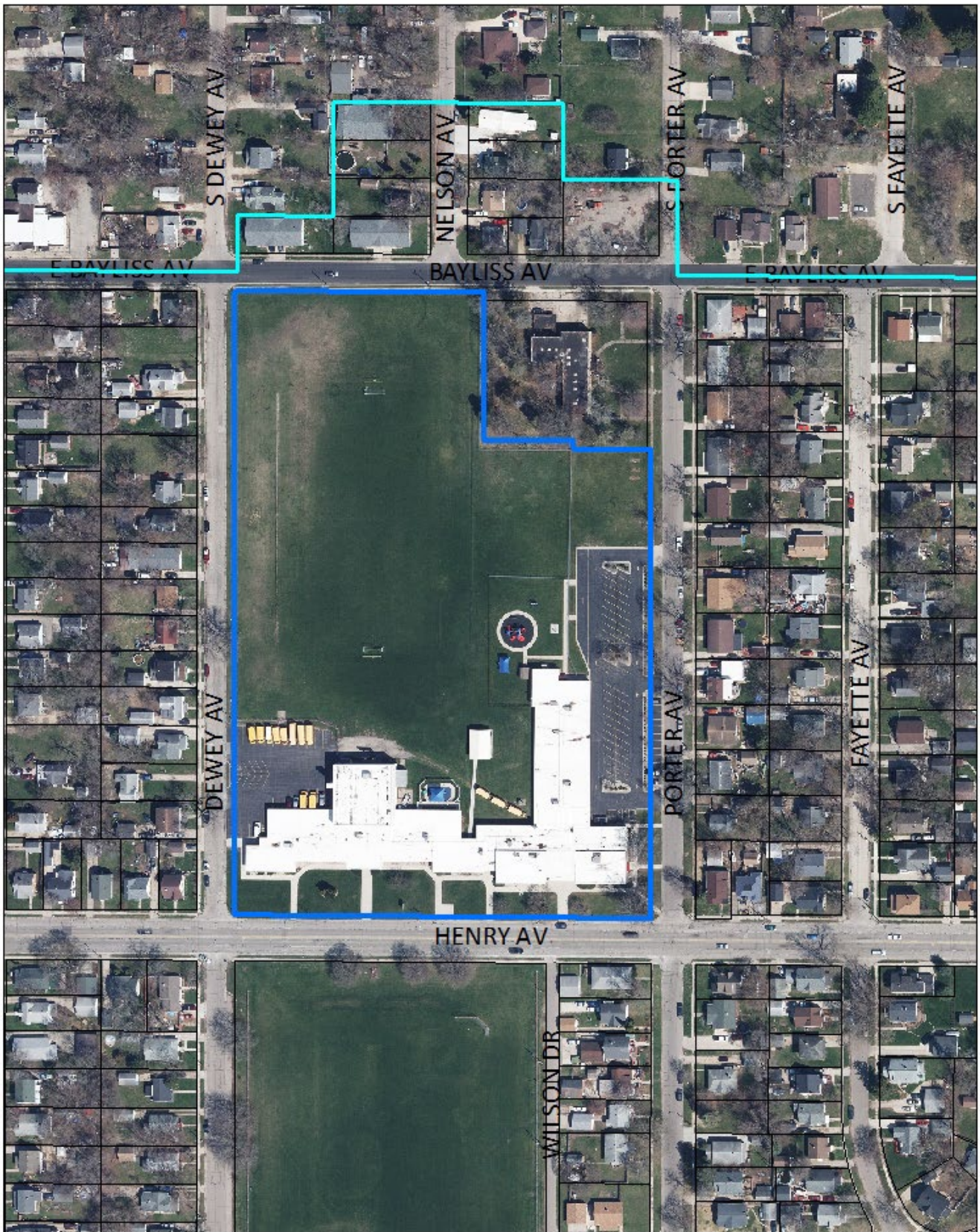
- a. *Compliance with the strict letter of the Sign Ordinance would create an economic hardship by either unreasonably restricting an on-premises sign owner from advertising a business or rendering conformity with such regulations unnecessarily burdensome upon an owner of an on-premises sign.*
 - This site does not have topographical conditions that are different than surrounding properties, nor does compliance with the Ordinance unreasonably restrict advertising. Staff does not believe that complying with the sign ordinance would create an economic hardship for the organization.
- b. *The hardship is not self-created.*
 - Staff believes the hardship is self-created. There are options on-site to relocate and/or reconfigure or lower the EVMs to comply with the Outdoor Sign Regulations, install an alternative type of sign on the existing poles, or install an EVM as a wall sign.
- c. *The exception will not undermine the purpose of the Sign Ordinance or the public interest.*
 - The proposed signage is located in a residential area, this type of sign also takes away from the character of the neighborhood. Staff believes the exception will undermine the purpose of the Sign Ordinance and the public interest.

STAFF RECOMMENDATION:

The Planning and Building Services Division recommends ***denial*** of an exception to Section 30.17(2)(b)(4) of the Outdoor Sign Regulations (the “Sign Ordinance”) to install a double sided 19.08 square-foot Electronic Variable Message sign which exceed four feet in height at the property located at 1221 Henry Avenue, based on the above Findings of Fact.

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

Location Map



Location of Existing Sign





MONUMENT SIGN SPECIFICATIONS

DESCRIPTION A

- CABINET** : .063" aluminum skin, skin and bones construction, 1" aluminum angle skeleton, 1 1/2" aluminum retainers
- FACES** : 3/16" translucent "White" acrylic, full coverage digitally printed translucent vinyl, applied first surface
- FINISHES** : Interiors primed "White" to reflect light, exteriors prepped and painted MAP Satin "Black"
- EMC'S** : D/F Hyoco PC Board 16.875mm Full Color digital displays, 48x112 pixel matrix, mounted to support poles using 2" steel angle bolted to 3" Aluminum sq tubes
- LIGHTING** : Cabinet internally illuminated using Hanley PF3120 "White" LED light modules
- ELECTRICAL** : 120 Volt, UL Listed & Labeled, 12 Volt Hanley power supplies mounted inside cabinet
- INSTALLATION** : Remove the existing cabinet and manual reader board from sign and scrap. Prep and paint existing support poles, install new cabinets and EMC's on the existing support poles

VOLTAGE

120 Volts

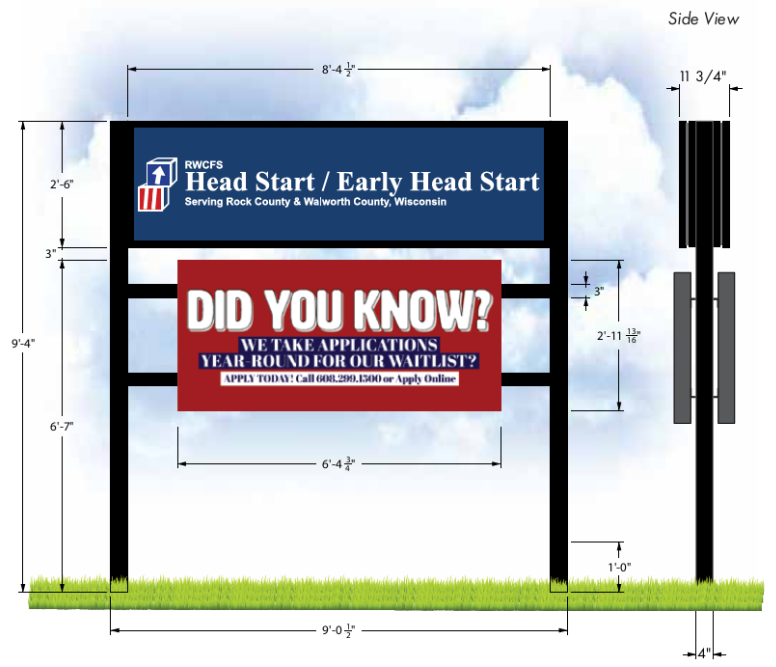
277 Volts

Survey Needed

Detailed survey of existing location required prior to beginning manufacturing.



Remove header cabinet and reader board and scrap



SECTION A

Drawing Scale: 1/2" = 1'
As shown on a 17" x 11" Tabloid

Main ID ft²: 20.9375
EMC ft²: 19.0875

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: Math Stried - JNB Signs Phone #: 608-751-6177
1221 Venture Dr. Janesville WI 53546
(Address) (City) (State) (Zip)

2. Address of subject property: 1221 Henry Ave.

3. Tax Parcel Number(s): 206-12510530

4. Legal description: Attached

5. Present zoning: _____ Present use: Head Start

6. Proposed use (if different): Head Start

7. Owner of record: Rock-Walworth Comprehensive Family Services, Inc. Phone: (608)-249-1500
1221 Henry Ave. Beloit WI 53511
(Address) (City) (State) (Zip)
E-mail address: cdever@cfsheadstart.org

8. State specific sections of code and exception(s) requested: (Use separate sheet if necessary)
The maximum height of the EVM is 4 feet —
Head Start would like to move the EVM to
6'-7" off the ground, directly below the header
cabinet. All other requirements for the sign
will be adhered to.

9. State specific hardship experienced by the applicant: (Use separate sheet if necessary)
Mounting the EVM that low to the ground will
greatly reduce its visibility. The mounting of the
EVM this low to the ground will subject the sign to be
covered by snow in the winter and expose it to damage
in the summer from lawn maintenance equipment.
By increasing the size of the cabinet will greatly
increase the cost of the overall sign and Head Start
is hoping to use the sign to communicated information to

Planning Form No.

Established: March 2006

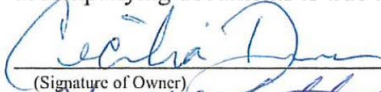
Revised: November, 2012

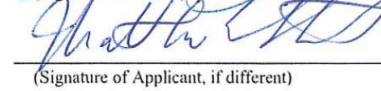
Page 1 of 2 Pages

their clients and the community.

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.

 , Cecilia Dever , 1-26-2023
 (Signature of Owner) (Print name) (Date)

 , Matt Stried , 1/26/23
 (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

February 6, 2023

To Whom It May Concern:

JNB Signs on behalf of Rock-Walworth Head Start & Early Head Star has filed an application for an exception to Section 30.17(2)(b)(4) of the Outdoor Sign Regulations to install a ground mounted EVM sign that exceeds four feet in height located at:

1221 Henry Avenue

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

City Plan Commission: Wednesday, February 22, 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.

| | | |
|--|--|--|
| WAXLER JR, JOHN C WAXLER, SUSAN 1841 SHORE DR BELOIT WI 53511-5536 | OBSIDIAN ONYX MANAGEMENT LLC SLATE SERIES 1658 N MILWAUKEE AVE #100- 8017 CHICAGO IL 60647 | VAN RIPER, DARLENE 1772 PORTER AVE BELOIT WI 53511 |
| FLORES, JESUS M FLORES, PENNY L 1901 NELSON AVE BELOIT WI 53511 | STALSBERG, JULIE RAYNONA 1838 DEWEY AVE BELOIT WI 53511 | PONCE, SOFIO L 1402 HENRY AVE BELOIT WI 53511 |
| HYDE, ROBERT HYDE, GERALD L PO BOX 172 BELOIT WI 53512 | FAIRCLOTH, COLUMBUS W FAIRCLOTH, LILLIE E 1021 OAK ST BELOIT WI 53511 | TOWNSEND, SHAWN D TOWNSEND, AZALEA 1457 RIDGEWAY ST BELOIT WI 53511 |
| AZR FINANCIAL INC 616 S MAIN ST JANESVILLE WI 53545 | ANDREW MILNER RENTALS LLC PO BOX 1161 BELOIT WI 53512 | ROJAS MARQUEZ, RAMIRO 2145 E MILWAUKEE ST JANESVILLE WI 53545 |
| MENDOZA, FERMIN 1880 DEWEY AVE BELOIT WI 53511 | LONG, JOYCE A 1820 DEWEY AVE BELOIT WI 53511 | SHOLES, JASON & AMY 1819 PORTER AVE BELOIT WI 53511-3644 |
| TURNER, AARON TURNER, CAROLYN 1868 DEWEY AVE BELOIT WI 53511 | ANTHONY MEYER PROPERTIES LLC 3469 BEE LN BELOIT WI 53511-5661 | HUEBBE, GREGORY 6102 E COUNTY LINE RD MILTON WI 53563 |
| SIMPLOT, TOMMY J 1864 DEWEY AVE BELOIT WI 53511 | HANSEN, JOSEPH C & JEANETTE E 2516 CLIFCORN DR BELOIT WI 53511 | DELATORRE, OSCAR 1831 PORTER AVE BELOIT WI 53511 |
| CASIQUE, MARIBEL NORIA 1609 SUN VALLEY DR BELOIT WI 53511 | GARCIA VENANCIO, JESUS 1117 HENRY AVE BELOIT WI 53511 | JIMENEZ, RAMON 1837 PORTER AVE BELOIT WI 53511 |
| ORTEGA, JORGE 917 GARFIELD AVE BELOIT WI 53511 | MAUEL, RUTH 2624 WHITE OAKS CT BELOIT WI 53511-2359 | FESTI, SCOTT A 1224 COPELAND AVE BELOIT WI 53511 |
| ROMERO PATENA, JESUS ARROYO, AURELIA 1844 DEWEY AVE BELOIT WI 53511 | BAEZ, GUILLERMO GARCIA, ZOILA 1770 DEWEY AVE BELOIT WI 53511 | MARSHALL, VIRGIL J 1849 PORTER AVE BELOIT WI 53511 |
| BECERRA, GILBERTO 1855 PORTER AVE BELOIT WI 53511 | HORTON, DWIGHT D PO BOX 892 BELOIT WI 53511 | |

RESOLUTION 2023-009

**DENYING AN EXCEPTION TO SECTION 30.17(2)(B)(4) OF THE
OUTDOOR SIGN REGULATIONS FOR THE PROPERTY LOCATED AT 1221 HENRY AVENUE**

WHEREAS, the application of JNB Signs for an exception to Section 30.17(2)(b)(4) of the Outdoor Sign Regulations (the “Sign Ordinance”) to install a double sided 19.08 square-foot Electronic Variable Message sign which exceeds four feet in height at the property located at 1221 Henry 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 30.17(2)(b)(4) of the Outdoor Sign Regulations (the “Sign Ordinance”) to install a double sided 19.08 square-foot Electronic Variable Message sign which exceeds four feet in height at the property located at 1221 Henry Avenue in the City of Beloit, for the following described premises:

That piece or parcel of land located in the North 1/2 of Section 25, Township 1 North, Range 12 East of the 4th Principal Meridian, lying and being in said City of Beloit and described as follows: Commencing at the intersection of the East line of Dewey Avenue and the North line of Henry Avenue, extended Easterly; thence Easterly along said North line of Henry Avenue extended, to the intersection thereof with the West line of Porter Avenue extended, as on the 19th day of April, 1929, thence Northerly along the said West line of Porter Avenue to the intersection thereof with the center line of Bayliss Avenue extended Easterly; thence Westerly along said extended center line of Bayliss Avenue to the intersection thereof with East line of Dewey Avenue; thence Southerly along said East line of Dewey Avenue to the place of beginning, EXCEPT the South 6 feet thereof; FURTHER EXCEPTING therefrom Lot 1 Certified Survey Map of part of the NW ¼ of the NE ¼ of Section 25, T. 1N., R.12E., of the 4th P.M., City of Beloit, Rock County, Wisconsin, said Certified Survey Map being recorded January 12, 1990 in Volume 4, Pages 219 to 221 of Certified Survey Maps of Rock County, Wisconsin as Document #1105246; also being recorded on Card 422, Images 100-102. (Also Known As 1221 Henry Avenue). Containing 9.3 Acres, more or less

Adopted this 8th day of March, 2023.

PLAN COMMISSION

Mike Ramsden, Chairperson

ATTEST:

Julie Christensen
Community Development Director

RESOLUTION 2023-009

**APPROVING AN EXCEPTION TO SECTION 30.17(2)(B)(4) OF THE
OUTDOOR SIGN REGULATIONS FOR THE PROPERTY LOCATED AT 1221 HENRY AVENUE**

WHEREAS, the application of JNB Signs for an exception to Section 30.17(2)(b)(4) of the Outdoor Sign Regulations (the “Sign Ordinance”) to install a double sided 19.08 square-foot Electronic Variable Message sign which exceeds four feet in height at the property located at 1221 Henry 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 30.17(2)(b)(4) of the Outdoor Sign Regulations (the “Sign Ordinance”) to install a double sided 19.08 square-foot Electronic Variable Message sign which exceeds four feet in height at the property located at 1221 Henry Avenue in the City of Beloit, for the following described premises:

That piece or parcel of land located in the North 1/2 of Section 25, Township 1 North, Range 12 East of the 4th Principal Meridian, lying and being in said City of Beloit and described as follows: Commencing at the intersection of the East line of Dewey Avenue and the North line of Henry Avenue, extended Easterly; thence Easterly along said North line of Henry Avenue extended, to the intersection thereof with the West line of Porter Avenue extended, as on the 19th day of April, 1929, thence Northerly along the said West line of Porter Avenue to the intersection thereof with the center line of Bayliss Avenue extended Easterly; thence Westerly along said extended center line of Bayliss Avenue to the intersection thereof with East line of Dewey Avenue; thence Southerly along said East line of Dewey Avenue to the place of beginning, EXCEPT the South 6 feet thereof; FURTHER EXCEPTING therefrom Lot 1 Certified Survey Map of part of the NW ¼ of the NE ¼ of Section 25, T. 1N., R. 12E., of the 4th P.M., City of Beloit, Rock County, Wisconsin, said Certified Survey Map being recorded January 12, 1990 in Volume 4, Pages 219 to 221 of Certified Survey Maps of Rock County, Wisconsin as Document #1105246; also being recorded on Card 422, Images 100-102. (Also Known As 1221 Henry Avenue). Containing 9.3 Acres, more or less

This exception is subject to the following conditions:

1. This approval authorizes the installation of a double sided 19.08 square-foot Electronic Variable Message sign which exceeds four feet in height for the property located at 1221 Henry Avenue.
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 March, 2023.

PLAN COMMISSION

Mike Ramsden, Chairman

ATTEST:

Julie Christensen
Community Development Director



REPORT TO THE PLAN COMMISSION

Plan Commission Meeting Date: March 22, 2023

Agenda Item: 4.c.

File Number: PS-2023-01

General Information

Applicant: Combs and Associates, Inc.

Owner: Jared J. and Elizabeth A. Armstrong

Address/Location: 3981 S. Afton Road in the Town of Beloit

Applicant's Request: Preliminary Subdivision Plat (19 lots and 3 out-lots)

Staff Analysis

Proposed Lots: Combs and Associates, Inc. on behalf of Jared J. and Elizabeth A. Armstrong has submitted an Application for Review of a Preliminary Subdivision for 47.04 acres of land located at 3981 S. Afton Road. This property is located west of the Rock River, south of Creek View Estates and just east of the intersection of Finley Road and S. Afton Road in the Town of Beloit. This land is located within the City's Extraterritorial Jurisdiction for plat review.

As shown on the attached plat, the developer is proposing the creation of 19 single-family lots and 3 out-lots in this residential development. The developer intends to submit a final plat for Phase 1 of this project later this year, which includes 9 single-family lots and 2 out-lots. Proposed Lot 1 is an 11.65-acre parcel for the parent parcel owners. Lots 2 through 9 range in sizes from approximately one acre to one and half acres. Phase 2 includes 10 single-family lots and 1 out-lot. Lots 10 through 19 range in size from approximately one acre to three acres. The platted area is 47.04 acres and zoned A-1 Agricultural Preservation, the developer will be rezoning the property to RR, Rural Residential. This land is located in the Beloit Turner School District and not served by municipal water or sewer.

Proposed Improvements: This proposed development includes the extension of Griffindale Drive from the north to terminate as a cul-de-sac in Phase 1. A stub street off the Griffindale extension to the east is also planned for Phase 1, with that road being further extended in Phase 2 and also terminating as a cul-de-sac. One additional road connection to the parcel directly south is planned in Phase 2. The preliminary plat does not show any sidewalks, which Planning staff recommends in all new neighborhoods, and generally lacks detail on existing conditions and proposed improvements. However, because this development is outside of the City, these are just recommendations and any such requirements are the purview of the Town. USPS will require cluster mailbox units to serve this development.

Platting Process: Residential subdivisions require approval of a preliminary or conceptual plat followed by a final plat to be recorded. The City cannot regulate land use beyond the City limits (including density), nor require the dedication of or improvement of land with public improvements.

Surrounding Uses: As shown on the attached Location Map, there is undeveloped land to the east and south. There are rural residential uses to the to the west and north of the subject property.

City of Beloit Comprehensive 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.

STAFF RECOMMENDATION:

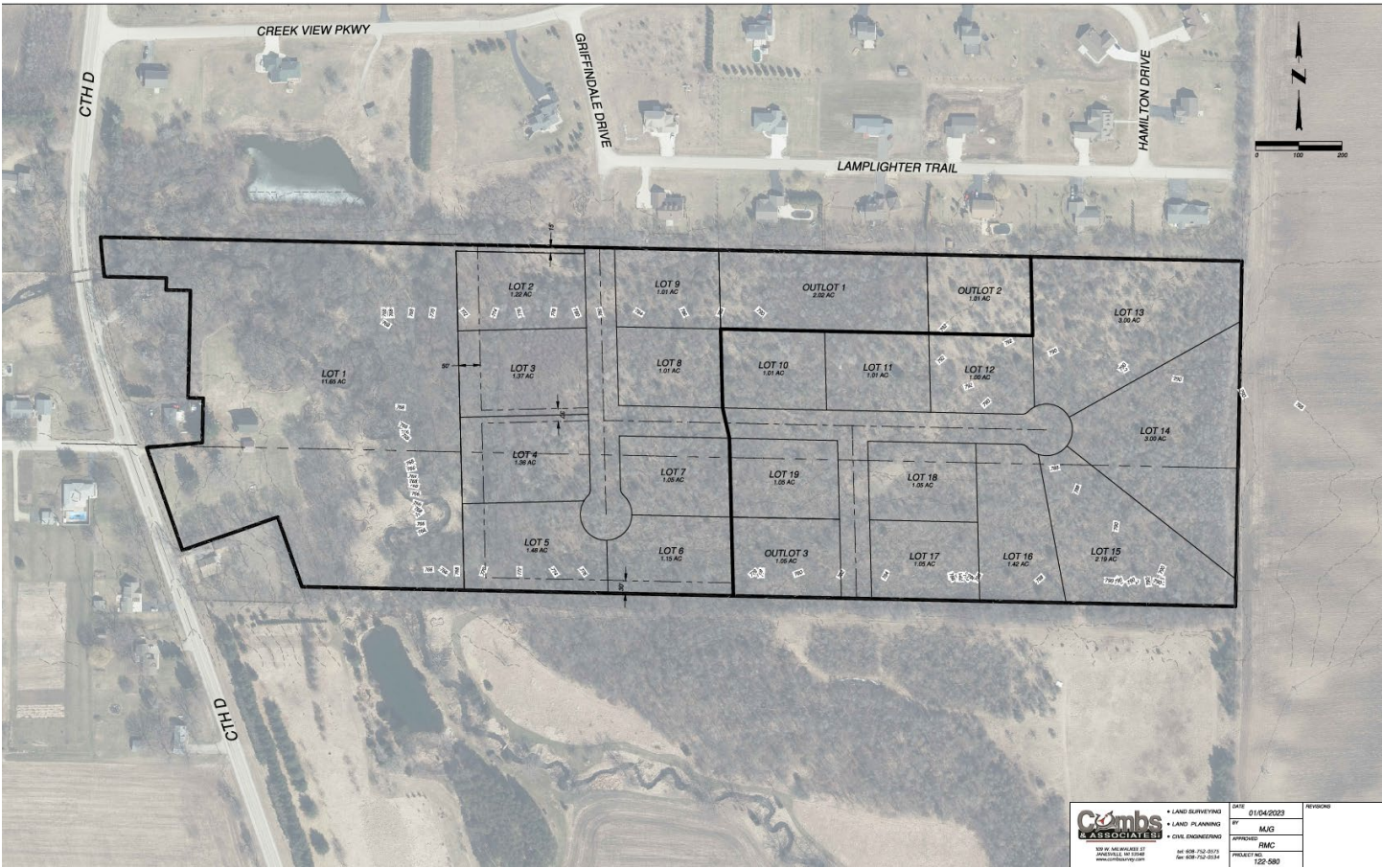
The Planning and Building Services Division recommends **approval** of the Preliminary Plat for 3981 S. Afton Road in the Town of Beloit, subject to the following conditions:

1. The Final Plat shall substantially conform to the approved Preliminary Plat with respect to the number of lots, lot sizes, and the proposed right-of-way layout.
2. Any major changes in the adopted conditions or use of the property shall be approved by the Plan Commission. The Community Development Director may approve minor changes administratively.

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

Location Map





| | | | |
|---|---|-----------------------------------|-------------------------|
| Combs & Associates <small>BY MEASURED BY APPROVED BY STATE www.combsandassociates.com</small> | <small>LAND SURVEYING</small> <small>LAND PLANNING</small> <small>CIVIL ENGINEERING</small> | <small>DATE</small> 01/04/2023 | <small>REVISION</small> |
| | <small>BY</small> JMC <small>APPROVED</small> JMC <small>PROJECT NO.</small> 122-580 | | |

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: 3981 S. Afton Road, Beloit, WI 53511-8755

2. Tax Parcel Number(s): 6-2-30

3. Property is located in (circle one): City of Beloit or Town of: Turtle **Beloit** ~~Rock~~ or LaPrairie

In the _____ Quarter of Section _____, Township _____ North, Range _____ East of the 4th P.M.

4. Owner of record: Jared J. & Elizabeth A. Armstrong Phone: 608-449-2447

3981 S. Afton Road, Beloit, WI 53511-8755
(Address) (City) (State) (Zip)

5. Surveyor's name: Combs & Associates, Inc. Phone: 608-752-0575

109 W. Milwaukee Street, Janesville, WI 53548
(Address) (City) (State) (Zip)

6. Number of new lots proposed with this land division is 22 lot(s).

7. Total area of land included in this map: 47.040

8. Total area of land remaining in parent parcel: 0

9. Is there a proposed dedication of any land to the City of Beloit? _____

10. The present zoning classification of this property is: A-1

11. Is the proposed use permitted in this zoning district: RR

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.

, Jared Armstrong, 1/24/2023
(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: _____

COMMUNITY DEVELOPMENT DEPARTMENT

NOTICE TO THE PUBLIC

February 23, 2022

To Whom It May Concern:

Combs & Associates, Inc. on behalf of Jared J. and Elizabeth A. Armstrong has submitted an Application for Review of a Preliminary Subdivision and the attached Preliminary Plat of 3981 S. Afton Road. This property is located west of the Rock River across from W. Finley Road in the Town of Beloit. This land is located within the City's Extraterritorial Jurisdiction for plat review. As shown on the attached plat, the developer is proposing the creation of up to 19 single-family lots and 3 out-lots in this residential development. The total platted area is 47.04 acres and zoned A-1 Agricultural Preservation, the developer will be rezoning the property to RR, Rural Residential. This land is located in the Beloit Turner School District and not served by municipal water or sewer.

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

City of Beloit Plan Commission: Wednesday, March 8, 2023 at 7:00 PM, or as soon thereafter as the matter can be heard in The Forum, Beloit City Hall, 100 State Street, Beloit, Wisconsin.

We are interested in your opinion.

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

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.

RESOLUTION 23-011

**APPROVING AN EXTRATERRITORIAL PRELIMINARY PLAT
OF 3981 S. AFTON ROAD IN THE TOWN OF BELOIT**

WHEREAS, the City Plan Commission of the City of Beloit has heretofore held a public hearing on March 8, 2023 regarding the 22-Lot Preliminary Plat of 3981 S. Afton Road (Parcel Nos. 6-2-30) in the Town of Beloit within the City’s extraterritorial jurisdiction.

NOW, THEREFORE, BE IT RESOLVED THAT the Plan Commission of the City of Beloit does hereby approve the Preliminary Plat of 3981 S. Afton Road (Parcel Nos. 6-2-30) in the Town of Beloit, subject to the following conditions:

1. The Final Plat shall substantially conform to the approved Preliminary Plat with respect to the number of lots, lot sizes, and the proposed right-of-way layout.
2. Any major changes in the adopted conditions or use of the property shall be approved by the Plan Commission. The Community Development Director may approve minor changes administratively.

Adopted this 8th day of March 2023.

Plan Commission

By: _____
Mike Ramsden, Chairperson

ATTEST:

Julie Christensen
Community Development Director



REPORT TO THE PLAN COMMISSION

Plan Commission Meeting Date: March 8, 2023

Agenda Item: 4.d.

File Number: CU-2023-02

General Information

Applicant: Dar Allen

Owner: Riverfront Management LLC

Address/Location: 1023 Pleasant Street -Dairy Queen

Applicant's Request: The applicant has applied for a Conditional Use Permit to expand an outdoor seating area in the C-2, Neighborhood Commercial District, for the property located at 1023 Pleasant Street.

Background

The applicant has proposed the expansion of an existing outdoor seating area for Dairy Queen. The Zoning Ordinance states that outdoor seating areas in the C-2, Neighborhood Commercial District are only allowed if reviewed and approved in accordance with the Conditional Use Permit procedures.

Staff Analysis

Existing Conditions: The subject property has a one-story 1,492 square foot restaurant with a small outdoor seating area in front of the property. The site has two access points off of Riverside Drive.

Surrounding Land Use and Zoning: To the north is Water Tower Apartments zoned C-1, Office District. To the east is Water Tower Park zoned PLI, Public Lands and Institutions. To the south is Beloit 200 and Acts Housing, zoned C-2, Neighborhood Commercial. To the west is Riverside Park zoned PLI, Public Lands and Institutions.

Proposed Outdoor Seating Area: The attached renderings illustrate the outdoor design concept. The attached Public Notice was sent out.

City of Beloit Comprehensive and Strategic Plan: The Comprehensive Plan's Future Land Use Map recommends Planned Mixed Use; this land use category is intended to facilitate a carefully controlled

mix of commercial and residential uses. This request and the underlying zoning classification are consistent with this recommendation.

Municipal Utilities: The subject property receives the full range of municipal services.

Review Agent Comments: A copy of the application was sent to City of Beloit staff and utility contacts. Planning staff received the following comments.

Alliant Energy has buried electrical service along the north side of the building and buried gas service along the south side of the building and in the right-of-way. Alliant requires notification prior to any grading activities that may change existing site elevations or impact these utilities, and reminds the applicant to call for a utility locate prior to any grading or excavation.

- The City Engineering Division noted that obstructions in the right-of-way are prohibited, and that the patio cannot extend into it. They also want to make the property owner aware that there is an existing 10-to-12-foot wide watermain easement along the front of the parcel bordering Pleasant Street. The City's watermain is not currently located in this easement but the owner should be aware that the easement exists and a watermain could be placed in that easement in the future.

Findings of Fact: Based on Section 2-504 of the Zoning Ordinance, the Plan Commission shall make a recommendation based on the following considerations:

- Whether the establishment, maintenance, or operation of the conditional use will be detrimental to or endanger the public health, safety, morals, comfort, or general welfare;*
 - Subject to conditions of approval, the proposal to enlarge the outdoor seating area is not expected to be detrimental to public health or welfare.
- Whether the conditional use will be injurious to the use and enjoyment of other property in the immediate vicinity for purposes already permitted;*
 - The property has had an existing outdoor seating area for a significant time and the use is complementary with the two adjacent parks.
- Whether the conditional use will substantially diminish or impair property values within the neighborhood of the subject property;*
 - The proposed improvements to the outdoor seating area will enhance the business and is consistent with commercial uses in the zoning district.
- Whether the establishment of the conditional use will impede the normal and orderly development and improvement of the surrounding property;*
 - The surrounding area is fully developed.
- Whether the exterior architectural design or site layout of the proposed conditional use is so dissimilar or otherwise incompatible with existing or proposed development in the immediate neighborhood that it will cause a depreciation in property values;*
 - The proposed outdoor seating area concept is compatible with development in the area. The final design will be reviewed by staff during Site Plan and Architectural Review.
- Whether adequate utilities, access roads, drainage or other necessary facilities will be available to serve the proposed use at the time of its occupancy or use;*
 - Adequate facilities and infrastructure are available and currently serve the property.

- g. *Whether adequate measures will be taken to minimize traffic congestion; and*
 - According to Section 8-103 of the Zoning Ordinance, Retail Sales and Service (Entertainment-Oriented) uses must provide at least 1 parking stall per 150 square feet, which equates to 10 parking stalls for the existing development. The site currently exceeds the minimum number of parking spaces with 17 spaces, and the proposed outdoor seating area expansion does not affect existing parking or traffic.
- h. *Whether the conditional use will comply with all applicable regulations of the Zoning Ordinance.*
 - The applicant will comply with all other applicable regulations of the Zoning Ordinance.

STAFF RECOMMENDATION:

The Planning and Building Services Division recommends **approval** of a Conditional Use Permit to allow an outdoor seating area in the C-2, Neighborhood Commercial District, for the property located at 1023 Pleasant Street, based on the above Findings of Fact and subject to the following conditions:

1. This Conditional Use Permit authorizes the outdoor seating area as shown in the application attachment subject to ordinance requirements.
2. The applicant shall have a Plat of Survey completed, and provide a copy to Planning Staff and include surveyed lot lines on the site plan.
3. Any major changes in the adopted conditions or use of the property shall be approved by the Plan Commission by amending this Conditional Use Permit. The Community Development Director may approve minor changes administratively.

Ordinance Requirements:

In addition to the above permit conditions, the following provisions of existing City Ordinances shall apply:

1. Before construction of the outdoor seating area, the applicant shall obtain an Architectural Review Certificate and a Building Permit as required by Code.
2. In accordance with Section 11.05 of the Streets and Sidewalks Ordinance, the patio or other improvements shall not extend into right-of-way.
3. In accordance with Section 7.4.4 of the Zoning Ordinance, setbacks must be unobstructed from the ground to the sky except as otherwise expressly stated. Fixed structures including the proposed pergola are not allowed in the setback area.
4. In accordance with Section 2-506 of the Zoning Ordinance, the applicant shall have one year from the date of Conditional Use Permit issuance to complete construction and commence use of the outdoor seating area, or the Conditional Use Permit shall lapse and be of no further effect.

ATTACHMENTS: Conditional Use Permit Decision Form, Location Map, Site Plan, Renderings, Application, Public Notice, Mailing List, and Resolution.

RESOLUTION 23-012

AUTHORIZING A CONDITIONAL USE PERMIT TO ALLOW AN OUTDOOR SEATING AREA FOR THE PROPERTY LOCATED AT 1023 PLEASANT STREET

WHEREAS, the application of Dar Allen on behalf of Riverfront Management LLC for a Conditional Use Permit to allow an outdoor seating area in the C-2 Neighborhood Commercial District, for the property located at 1023 Pleasant Street, having been considered by the Plan Commission of the City of Beloit, Wisconsin at a public hearing held for that purpose and due notice of said hearing having been given by publication as appears by the Proof of Publication on file in the office of the City Clerk.

NOW, THEREFORE, BE IT RESOLVED THAT, the Plan Commission of the City of Beloit, Rock County, Wisconsin does hereby grant a Conditional Use Permit to allow an outdoor seating area in the C-2 Neighborhood Commercial District, for the property located at 1023 Pleasant Street in the City of Beloit, for the following described premises:

LOT 2 CSM VOLUME 13 PAGES 332 & 334 SITUATED IN THE CITY OF BELOIT, ROCK COUNTY, WISCONSIN. SAID PARCEL CONTAINS 0.506 ACRES, MORE OR LESS.

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

1. This Conditional Use Permit authorizes the outdoor seating area as shown in the application attachment subject to ordinance requirements.
2. The applicant shall have a Plat of Survey completed, and provide a copy to Planning Staff and include surveyed lot lines on the site plan.
3. Any major changes in the adopted conditions or use of the property shall be approved by the Plan Commission by amending this Conditional Use Permit. The Community Development Director may approve minor changes administratively.

BE IT FURTHER RESOLVED that the applicant is formally advised of the following additional ordinance requirements:

1. Before constructing of the outdoor seating area, the applicant shall obtain an Architectural Review Certificate and a Building Permit as required by Code.
2. In accordance with Section 11.05 of the Streets and Sidewalks Ordinance, the patio or other improvements shall not extend into right-of-way.
3. In accordance with Section 7.4.4 of the Zoning Ordinance, setbacks must be unobstructed from the ground to the sky except as otherwise expressly stated. Fixed structures including the proposed pergola are not allowed in the setback area.
4. In accordance with Section 2-506 of the Zoning Ordinance, the applicant shall have one year from the date of Conditional Use Permit issuance to complete construction and

commence use of the outdoor seating area, or the Conditional Use Permit shall lapse and be of no further effect.

Adopted this 8th day of March, 2023.

PLAN COMMISSION

Mike Ramsden, Chairperson

ATTEST:

Julie Christensen
Community Development Director

Beloit Plan Commission
Conditional Use Permit Decision Form

When reviewing an application for a conditional use, the local government must look to the requirements and conditions found in the local zoning ordinance and determine if the applicant meets those requirements and conditions. The local government must provide **substantial evidence** supporting their decision to grant or deny the permit, and to impose additional conditions on the permit. Substantial evidence means **facts and information**, directly relating to the requirements and conditions, that a reasonable person would accept in support of a conclusion. Personal preferences and speculation are not sufficient forms of evidence. All requirements and conditions imposed by the local government must be reasonable, and to the extent, practicable, measurable.

Ordinance Requirements

List ordinance requirements related to the conditional use permit:

1. Before reconstructing the outdoor seating area, the applicant shall obtain an Architectural Review Certificate and Site Plan approval as required by Code.
Substantial Evidence: The Architectural Review Code requires review and approval of all exterior changes to commercial buildings. There are no active permits or approvals in place for this project.

2. In accordance with Section 11.05 of the Streets and Sidewalks Ordinance, the patio or other improvements shall not extend into right-of-way.
Substantial Evidence: No person shall encroach upon or in any way obstruct or encumber any street, alley, sidewalk, terrace, public grounds or land dedicated to public use or any part thereof or permit such encroachment or encumbrance to be placed or remain on any public way adjoining the premises of which he is the owner or occupant.

3. In accordance with Section 7.4.4 of the Zoning Ordinance, setbacks must be unobstructed from the ground to the sky except as otherwise expressly stated. Fixed structures including the proposed pergola are not allowed in the setback area.
Substantial Evidence: Setbacks must be unobstructed; pergolas and accessory structures are not permitted in the front setback area.

4. In accordance with Section 2-506 of the Zoning Ordinance, the applicant shall have one year from the date of Conditional Use Permit issuance to complete construction and commence use of the outdoor seating area, or the Conditional Use Permit shall lapse and be of no further effect.
Substantial Evidence: This requirement encourages the applicant to proceed with construction of the approved improvements in a timely manner.

Does the applicant meet **all** of the ordinance requirements? No Yes, after the steps above

Permit Conditions

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

List conditions imposed on the permit:

1. This Conditional Use Permit authorizes the outdoor seating area as shown in the application attachment subject to ordinance requirements.

Substantial Evidence: The Zoning Ordinance states that outdoor seating areas in the C-2 are only allowed if reviewed and approved in accordance with the Conditional Use Permit review procedures.

2. The applicant shall have a Plat of Survey completed, and provide a copy to Planning Staff and include surveyed lot lines on the site plan.

Substantial Evidence: To ensure improvements do not encroach the public right-of-way. The communication between the applicant and City staff indicate that the applicant is not certain where the property line is currently located.

3. Any major changes in the adopted conditions or use of the property shall be approved by the Plan Commission by amending this Conditional Use Permit. The Community Development Director may approve minor changes administratively

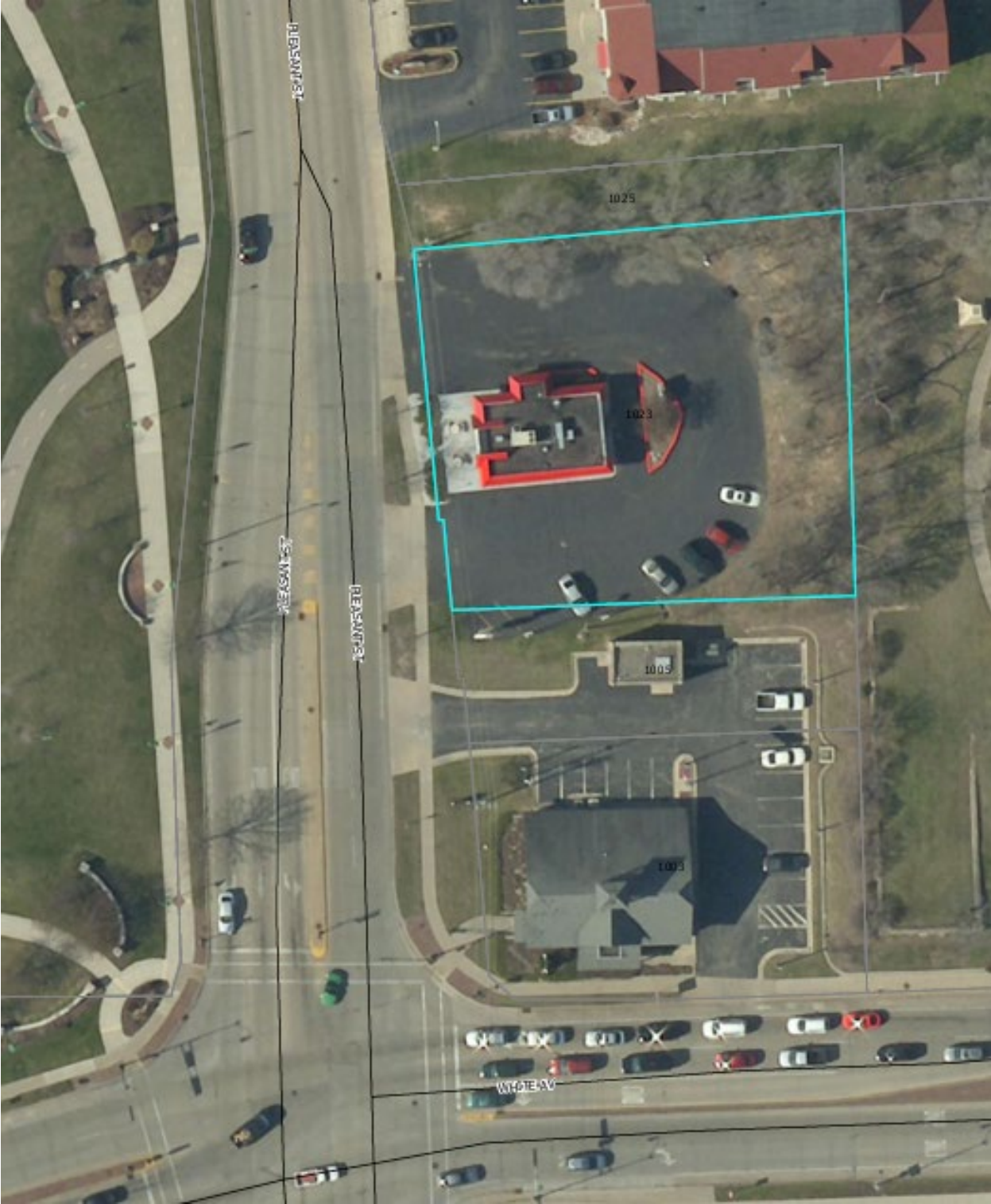
Substantial Evidence: Standardized condition to establish a process for future changes.

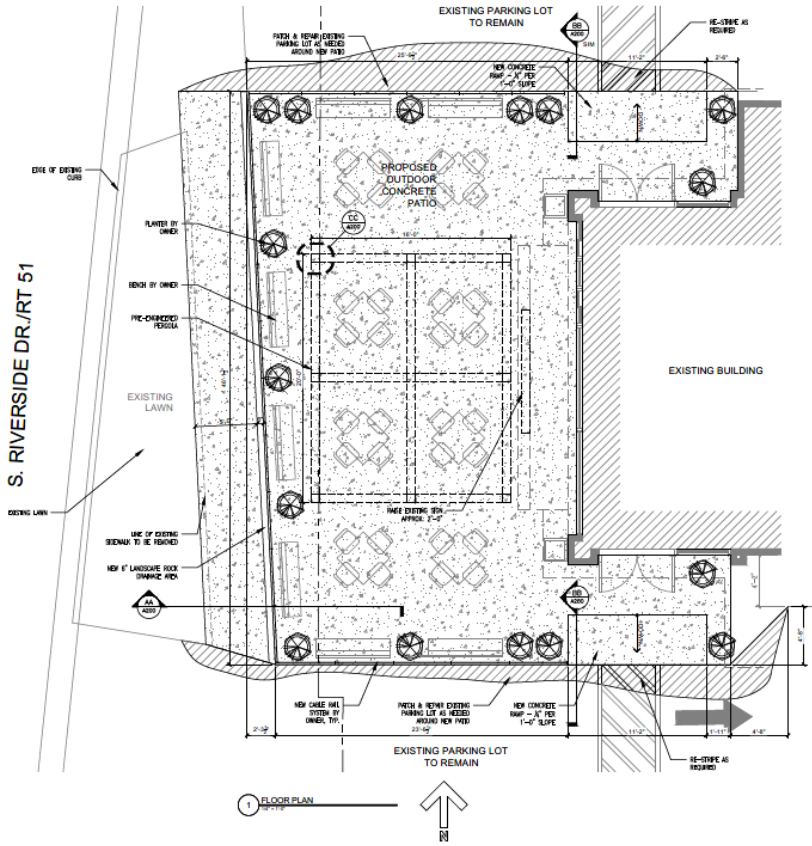
Decision: Based on the findings of fact, conclusions of law, and the record in this matter, the permit is:

Approved, with the conditions stated above

Denied, for the following reasons:

Location Map





- GENERAL NOTES**
1. ANY AND ALL WORK SHOWN TO BE CARRIED OUT IN ACCORDANCE WITH ALL ZONING AND LOCAL CODES.
 2. DIMENSIONS AND ROOM SIZES MAY VARY DUE TO ACTUAL SITE AND BUILDING CONDITIONS.
 3. VERIFY ALL DIMENSIONS IN FIELD—BRING ANY INCONSISTENCIES OR DISCREPANCIES TO THE ATTENTION OF THE ARCHITECT.
 4. COORDINATE RELOCATION OF ANY WALL OR CEILING ELECTRICAL AND MECHANICAL FEATURES AFFECTED BY SELECTIVE DEMOLITION.
 5. SELECTIVE DEMOLITION BY OWNER.
- SITE PLAN NOTES**
1. PARKING IMPROVEMENTS LIMITED TO RE-SEAL AND STRIPE PER PLAN.
 2. PAVEMENT PATCHING LIMITED TO 25% OF TOTAL AREA. (25% ACTUAL)

1 FLOOR PLAN



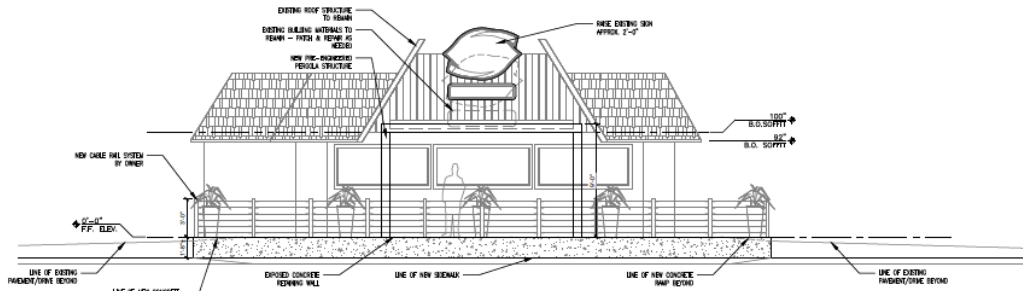
A EXISTING IMAGE SW-1
REFLECT



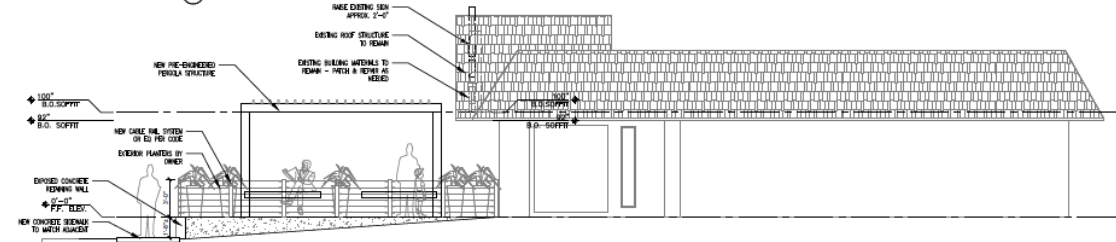
B PERSPECTIVE SW-1
REFLECT



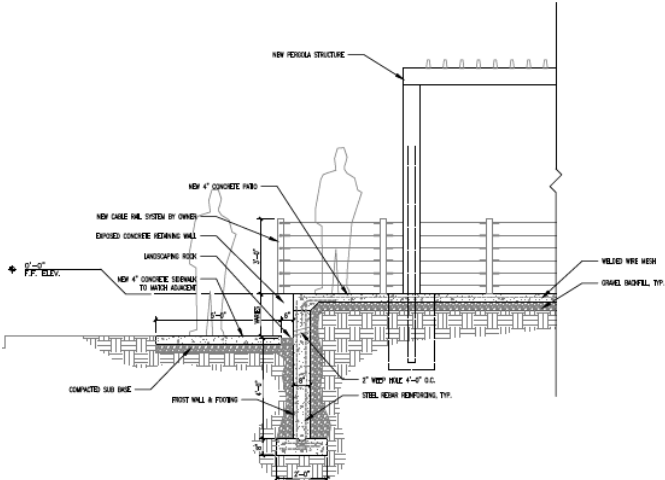
C PERSPECTIVE NW-1
REFLECT



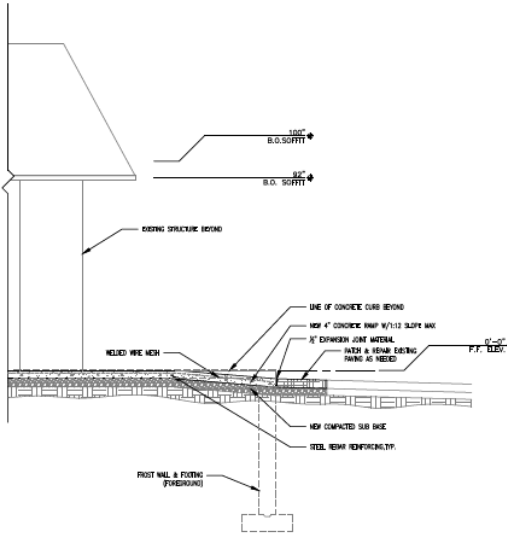
1 WEST ELEVATION - FRONT



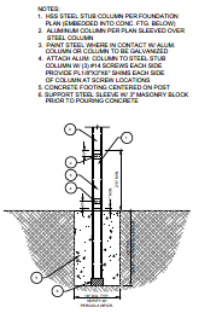
2 SOUTH ELEVATION - SIDE



AA SECTION DETAIL E/W

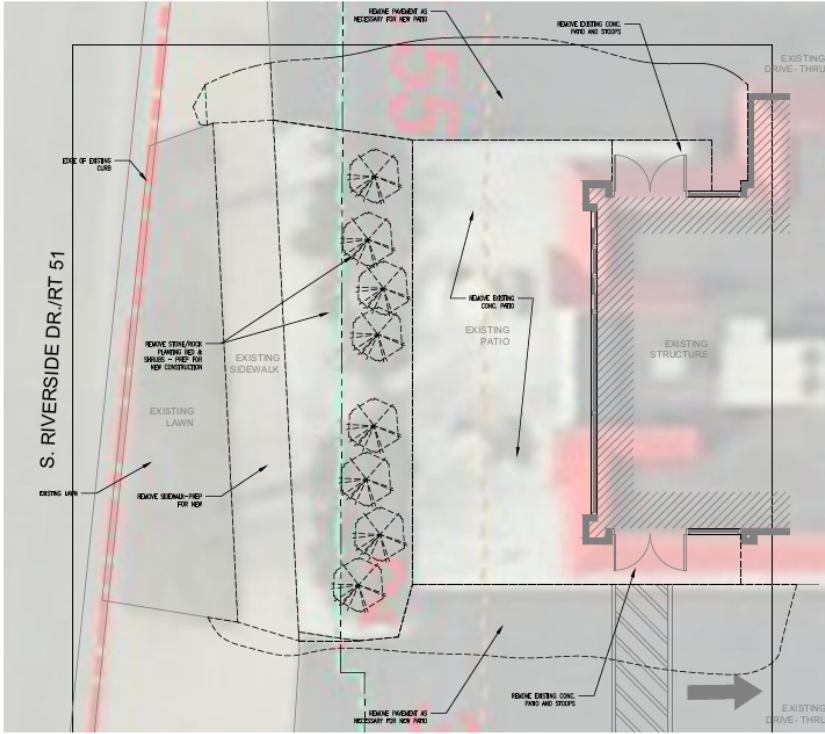


BB SECTION DETAIL N/S

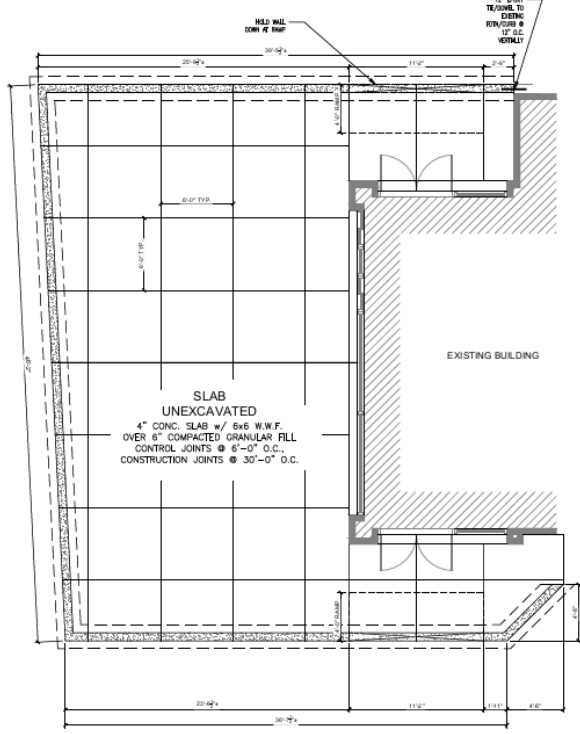


CC PERGOLA PIER DETAIL TYP.

- NOTES:
1. NEW STEEL STUD COLUMN PER FOUNDATION PLAN (EMBEDDED INTO CONC. FTG. BELOW)
 2. ALUMINUM COLUMN PER PLAN SHEETED OVER STEEL COLUMN
 3. FRAM. STEEL W/SHAKE IN CONTACT W/ ALUM. COLUMN OR COLUMN TO BE GALVANIZED
 4. ATTACH ALUM. COLUMN TO STEEL STUD COLUMN W/ (3) #4 SCREWS EACH SIDE PROVIDE PLIP SCREWS EACH SIDE
 5. COLUMN AT SCREEN LOCATION
 6. CONCRETE FOOTING CENTERED ON POST
 7. SUPPORT STEEL BEARS W/ FRAMWORK BLOCK BRGHT TO FOURING CONCRETE



1 DEMOLITION PLAN



2 FOUNDATIONS/SLAB PLAN

- GENERAL NOTES**
1. ANY AND ALL WORK SHOWN TO BE CARRIED OUT IN ACCORDANCE WITH ALL GOVERNING AND LOCAL CODES.
 2. DIMENSIONS AND ROOM SIZES MAY VARY DUE TO ACTUAL SITE AND BUILDING CONDITIONS.
 3. VERIFY ALL DIMENSIONS IN FIELD—BRING ANY INCONSISTENCIES OR DISCREPANCIES TO THE ATTENTION OF THE ARCHITECT.
 4. COORDINATE RELOCATION OF ANY WALL OR CEILING ELECTRICAL AND MECHANICAL FITURES AFFECTED BY SELECTIVE DEMOLITION.
 5. SELECTIVE DEMOLITION BY OWNER.

- DEMOLITION NOTES**
1. ANY AND ALL WORK SHOWN TO BE CARRIED OUT IN ACCORDANCE WITH ALL GOVERNING AND LOCAL CODES.
 2. DIMENSIONS AND ROOM SIZES MAY VARY DUE TO ACTUAL SITE AND BUILDING CONDITIONS.
 3. VERIFY ALL DIMENSIONS IN FIELD—BRING ANY INCONSISTENCIES OR DISCREPANCIES TO THE ATTENTION OF THE ARCHITECT.
 4. CONTRACTOR TO SHORE AND SUPPORT ANY EXISTING CONSTRUCTION TO REMAIN UNTIL ALL NEW CONSTRUCTION AND IMPOSED LOADS ARE IN PLACE. CONTRACTOR IS RESPONSIBLE FOR THE STRUCTURAL INTEGRITY OF THE EXISTING SLAB.
 5. COORDINATE RELOCATION OF ANY WALL OR CEILING ELECTRICAL AND MECHANICAL FITURES AFFECTED BY SELECTIVE DEMOLITION.

CITY of BELOIT

Planning and Building Services Division

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

Conditional Use Permit Application

(Please Type or Print)

File Number: _____

1. Address of subject property: 1023 Pleasant St

2. Legal description: Dairy Queen

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

Property dimensions are: 50 feet by 30 feet = 1500 square feet.

If more than two acres, give area in acres: _____ acres.

3. Tax Parcel Number(s): 206 13680472

4. Owner of record: Dar Allen Phone: 608.346.1907

1860 Lee Lane Beloit WI 53511
(Address) (City) (State) (Zip)

5. Applicant's Name: Dar Allen

1860 Lee Lane Beloit WI 53511
(Address) (City) (State) (Zip)

(Office Phone #) 1.608.346-1907 (Cell Phone #) 1dqm1@comcast.net (E-mail Address)

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

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

A Conditional Use Permit for: Dairy Queen 1023 Pleasant St.
_____ in a(n) Beloit Rock County Zoning District.

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

Principal use: Quick service Restaurant
Upgrade outdoor Patio

Secondary use: _____

Accessory use: _____

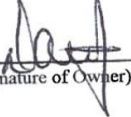
9. Project timetable: Start date: April 1, 2023 Completion date: June 1, 2023

10. 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.

 / Dar Allen / 2-4-23
 (Signature of Owner) (Print name) (Date)

_____ / _____ / _____
 (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 and Building Services Division for acceptance by the filing deadline date prior to a scheduled Plan Commission meeting.

This application must be submitted with one copy of a scaled drawing showing the layout of the proposed development in accordance with all code requirements, and the \$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 these costs are typically between \$5.00 and \$15.00.

To be completed by Planning Staff

Filing fee: **\$300.00** 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

February 21, 2023

To Whom It May Concern:

Dar Allen has filed an application for a Conditional Use Permit (CUP) to allow the expansion of an outdoor seating area in the C-2, Neighborhood Commercial District for the property located at **1023 Pleasant Street**. The applicant has proposed the expansion of an existing outdoor seating area in front of Dairy Queen.

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

City Plan Commission: Wednesday, March 8, 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.

HEARTLAND BELOIT-PLEASANT
WATER TOWER LLC
2418 CROSSROADS DR STE 2400
MADISON WI 53718