

**MINUTES**  
**PLAN COMMISSION**  
**City Hall Forum - 100 State Street, Beloit, WI 53511**  
**7:00 PM**  
**Wednesday, November 20, 2024**

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

Chairperson Ramsden called the meeting to order at 7:00 PM. Commissioners Ramsden, Winkelmann, Elliott, Flesch, Anderson, and Jacobsen and Councilor Day were present. Commissioner Abarca was absent.

**2. MINUTES**

**2.a. Consideration of the minutes of the October 23, 2024 Plan Commission meeting**

Commissioner Winkelmann made a motion to approve the Minutes, seconded by Commissioner Flesch. Motion prevailed, voice vote (5-0-1), with Commissioner Anderson abstaining.

**3. PUBLIC HEARINGS**

**3.a. Consideration of Resolution 2024-030 approving a Conditional Use Permit to allow a church use on the property located at 717 Bluff St**

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

Chairperson Ramsden opened and closed the public hearing.

Commissioner Flesch made a motion for approval, seconded by Commissioner Jacobsen. Motion carried, voice vote (6-0).

**3.b. Consideration of an exception to Section 34.15(1) of the Architectural Review Landscape Code to allow more than 25 percent of the exterior surface of any wall on a non-industrial building to be metal for the property located at 324 State Street**

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

Chairperson Ramsden asked whether there was financial assistance available for this project. Ms. Christensen explained that the Downtown Business Association (DBA) offers a facade grant program. Ramsden inquired whether this program would be a viable option for the applicant. Ms. Christensen confirmed that it would be, as the property falls within the Downtown Business Improvement District. Ramsden then asked if the applicant had explored this option. Ms. Christensen responded that the applicant had not, as they were hoping the Plan Commission would approve the metal option based on discussions at the previous meeting.

Commissioner Winkelmann asked whether the City had previously approved any exceptions to allow metal materials. Ms. Christensen mentioned that Bryden's oil change facility had applied for an exception to use an insulated metal panel. It was approved, as it looked similar to other non-metal siding options.

Commissioner Jacobsen asked for additional information on a recent change to the Architectural Review Ordinance. Ms. Christensen outlined the ordinance change and commented that the ordinance change allowed metal for the Family Services project, as the new ordinance allowed metal on walls which did not front on a public street. Since this project included an interior courtyard area, they no longer needed the exception.

Commissioner Anderson reflected on the old Kerry building that was recently demolished, describing it as an unattractive structure that had all four sides wrapped in a metal facade. He asked, "Would something like that be permitted under this ordinance?" Ms. Christensen said no.

Ms. Christensen explained that the ordinance was developed after former City Manager Larry Arft was hired by the City who wanted to bring higher quality standards to the City. She gave examples of projects that turned out badly due to the lack of an ordinance to regulate the exteriors of buildings. Without clear guidelines, the city had limited control over materials and building quality. The goal was to establish quality standards that would result in quality buildings and businesses.

Ms. Christensen acknowledged that this case is challenging for both staff and the applicant, as the applicant is simply looking to secure the wall. While the city would prefer materials more fitting for downtown, she understood both sides of the issue. The ordinance was refined with minor adjustments to define previously unclear terms and to clearly outline what materials were unacceptable.

Chairperson Ramsden opened and closed the public hearing.

Commissioner Winkelmann began by stating that the wall in question isn't visible from the street and can only be seen with effort from Broad Street or the parking lot. He acknowledged that the applicant had done a great job on the rest of the building, restoring its historical appearance and considering the interior design. He emphasized that the front facade, which is most visible and significant, has been well executed.

He expressed difficulty in justifying holding up the project over this issue, as the wall isn't visible from the front of the building. However, he noted that the wall still needs to be addressed, as leaving it unresolved could lead to problems for the other buildings in the area.

Chairperson Ramsden asked Commissioner Winkelmann asked how this fit under the findings of fact to justify granting an exception. Commissioner Winkelmann pointed out that this likely referred to section B.

Chairperson Ramsden confirmed this and quoted section B, which states that the city council finds special circumstances related to the size, shape, topography, location, or surroundings of the property in question. He then asked if they were talking about special circumstances related to the location. Commissioner Winkelmann affirmed this was correct.

Chairperson Ramsden added that while the metal siding wouldn't be visible from the front elevation on State Street, it would be noticeable from the rear side of the building, as seen from Broad Street and the Mill Street parking lot, according to the staff write-up.

Commissioner Flesch commented that while the applicant claims a financial issue, he hasn't stated that this is the only financially feasible option. He questioned how much more the higher-quality metal would add to the project's cost. Commissioner Flesch acknowledged that financial hardship is not typically a factor in these decisions, but it would be more acceptable to approve metal if a higher-quality metal was used.

He emphasized that while the applicant has done great work, it's important to continue maintaining that standard. Without knowing the cost difference between the proposed metal and a more suitable alternative, Commissioner Flesch expressed difficulty in agreeing to the current proposal. While he isn't opposed to metal in general, he is against the use of this type of metal.

Chairperson Ramsden asked if Commissioner Flesch was approaching this from a hardship perspective. Commissioner Flesch clarified that it's not technically a hardship. He stated that he dislikes the product being proposed and doesn't believe it meets the code, stressing the importance of upholding higher standards. He expressed concern that accepting lower standards now could set a precedent for future compromises.

Commissioner Jacobsen asked Ms. Christensen if choosing a different type of siding would eliminate the need for an exception. Ms. Christensen confirmed that if the material is not metal, an exception would not be required.

Ms. Christensen explained that the applicant is relying on Klobucar Construction for guidance, but she isn't sure what direction they've been given regarding materials. She added that the applicant's primary goal, when last seen, was to address moisture issues on the upper floor.

Commissioner Jacobsen remarked that it seems the applicant hasn't explored other alternatives, and now that the matter is back before the committee, there still appears



to be no option other than a different color. He agreed with Mr. Flesch's earlier point and expressed appreciation for the Planning Department's recommendation for denial.

Commissioner Anderson expressed concern about the lack of differentiation in the ordinance between types of metal. He mentioned that if the decision is based on personal preferences of what the City Council or Planning Committee thinks looks good, it becomes a slippery slope. He emphasized the importance of adhering to the ordinance and choosing materials that enhance the downtown area, ensuring it moves forward rather than backward.

Councilor Day expressed strong support for ensuring the downtown area remains visually appealing, especially considering the investments made over the past decade. He acknowledged that the applicant claims this is the only cost-effective solution for addressing the deteriorating south wall, but he challenged that assertion, suggesting that there are other viable options. He emphasized that the current proposal doesn't align with the character of downtown and that there are plenty of alternatives.

Ms. Christensen acknowledged that the situation might be her fault for how the proposal was brought back. She explained that during the last conversation, she understood the main concern to be the color, specifically the red, and thought there might be support for the proposed type of metal. She took responsibility for communicating that to the applicant.

Commissioner Elliott asked if, in the case that he can't afford any other material and decides to leave it as it is, it would look better than using the taupe metal. Commissioner Winkelmann said that's a valid point. He needs to repair it. It's leaking, causing deterioration, and impacting his business, so it's falling apart. The next step is to address the repairs.

Chairperson Ramsden acknowledged the concern with the building, saying that while it might not be something that would cause an accident, he understands the point from a practical perspective. Looking at it, he doesn't think it would have a significant negative impact on the downtown area.

He further stated that from Commissioner Winkelmann's viewpoint, an argument could be made to grant an exception under item B, since the building isn't facing State Street. Chairperson Ramsden indicated that he would be voting in favor of the motion to grant the exception.

Commissioner Flesch explained that the buildings in question have two fronts—one facing State Street and the other facing the parking area, with access to both. He noted that the visibility of the rear/front side from the parking lot does have an impact.

He pointed out how well the side facades of the other buildings look from the parking lot, and questioned whether having a lesser quality facade on the rear would detract from the overall appearance. While acknowledging that the building clearly needs work, he emphasized that if improvements are being made, they should aim to enhance the overall look and align with the quality of the other facades.

Commissioner Winkelmann made a motion for approval, seconded by Commissioner Ramsden. Motion failed, roll call vote (2-4), with Chairperson Ramsden and Commissioner Winkelmann supporting the motion.

#### 4. **REPORTS**

##### 4.a. **Consideration of an Extraterritorial Final Plat of Creekside Estates in the Town of Beloit**

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

Commissioner Flesch made a motion for approval, seconded by Commissioner Elliott. Motion carried, voice vote (6-0).

##### 4.b. **Consideration of a request to annex five properties located on the 9400-9500 Block of South Creek Road and the 2300 Block of Murphy Woods Road from the Town of Turtle**

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

Megan Martin, 2433 Murphy Woods Road, stated she is a new neighbor on the block, and wanted to clarify whether their properties are going to be annexed into the City of Beloit or if they will remain in the Town of Turtle. There has been some confusion over the property lines, particularly regarding how much of the back portion of their properties might be affected.

We really love our neighborhood, and it's been a great place to live since we moved in about two or three years ago. Our main concern is the potential change in our property taxes if the land were annexed into the City rather than staying in the Town of Turtle. Ms. Christensen said that they will not be annexed into the City.

Ms. Martin explained that they were told the property line extended six feet behind their field, and that some of their backyard property might belong to others. However, they have been maintaining that portion of the land. They inquired about "squatters rights" in relation to the property.

Ms. Christensen said that the response clarified that "squatters rights" would not automatically apply and would require going to court. The situation being discussed tonight concerns the annexation of specific parcels, as shown in the maps, which

belong to the applicant. The applicant is requesting to annex their own property into the city to receive sewer and water services for development. The annexation would not affect the property belonging to the neighbors unless they themselves submit a request to be annexed into the city. No action is being taken to annex properties without a request from the property owner.

Commissioner Anderson explained that a property line is a fixed boundary. However, when surrounding properties change ownership or are developed—whether it's a single house or a larger project—it can alter the surrounding area. If you're utilizing land beyond your property line, you may need to discuss the situation with an attorney.

Ms. Christensen suggested reaching out to the developer, Zach Knutson from Next Generation Holdings. He is local and may be willing to sell a strip of land to the neighbors.

Karen Thorson, 2425 East Murphy Woods Road, asked if their properties could be annexed by the City in the future without their consent and if that happens, who makes that decision. Chairperson Ramsden said that the annexation comes from the property owner as a request.

Chairperson Ramsden asked about the request for PLI zoning on the application, and Ms. Christensen explained that she was unsure of why they made the request, but that PLI zoning would not be acceptable, as the plan is for a residential subdivision.

Commissioner Jacobsen made a motion for approval, seconded by Commissioner Anderson. Motion carried, voice vote (6-0).

**5. STATUS REPORT ON PRIOR PLAN COMMISSION ITEMS**

Julie Christensen provided an update on items previously reviewed by the Commission.

**6. FUTURE AGENDA ITEMS**

Julie Christensen outlined the future agenda items. The next meeting is scheduled for December 4, 2024.

**7. ADJOURNMENT**

Commissioner Flesch made a motion to adjourn the meeting, seconded by Commissioner Ramsden at 7:58 PM. Motion carried, voice vote (6-0).



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Mike Ramsden, Chairperson