



CITY HALL • 100 STATE STREET • BELOIT, WI 53511

**MEETING NOTICE AND AGENDA**  
**Beloit City Plan Commission**  
**Wednesday, August 7, 2013 at 7:00 PM**  
**The Forum**  
**Beloit City Hall, First Floor**  
**100 State Street, Beloit**

1. **Call to Order and Roll Call**
2. **Approval of the Minutes of the July 17, 2013 Meeting**
3. **Conditional Use Permit – La Fuente Restaurante – 946 Wisconsin Avenue**  
Public hearing, review and consideration of a Conditional Use Permit to allow the indoor sales, possession, and consumption of alcohol in a C-2, Neighborhood Commercial District, for the property located at 946 Wisconsin Avenue
4. **Conditional Use Permit – New Restaurant/Retail Development – 2777 Milwaukee Road**  
Public hearing, review and consideration of a Conditional Use Permit to allow a drive-in use, an outdoor seating area, and the sales, possession and consumption of alcohol in a C-2, Neighborhood Commercial District, for the property located 2777 Milwaukee Road
5. **Conditional Use Permit – Residential Care Apartment Complex – 2157 Schuster Drive**  
Public hearing, review and consideration of a Conditional Use Permit to allow a Residential Care Apartment Complex in a C-1, Office District, for the property located at 2157 Schuster Drive
6. **Status Report on Prior Plan Commission Items**
7. **Adjournment**

If you are unable to attend this meeting, please contact Gail Riddle in the Planning Office at 364-6700 **no later than 4:00 PM the day before the meeting.**

Notice Mailed: August 2, 2013

Approved: Julie Christensen  
Community Development Director

\*\*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



CITY HALL • 100 STATE STREET • BELOIT, WI 53511

**MINUTES**  
**BELOIT CITY PLAN COMMISSION**  
**Wednesday, July 17, 2013**  
**The Forum, Beloit City Hall**  
**100 State Street, Beloit**

1. **Call to Order and Roll Call**

Chairperson Faragher called the meeting to order at 7:13 PM. Gail Riddle called the roll. Present were Commissioners Jacobsen, Kelly, and Nee. Commissioners Moore and Kincaid were absent.

2. **Approval of the Minutes of the June 19, 2013 Meeting**

Commissioner Jacobsen moved and Commissioner Nee seconded a motion to approve the June 19, 2013 minutes. The minutes were approved. (4-0)

3. **Certified Survey Map – 2525 Kennedy Drive**

Review and consideration of a two-lot Certified Survey Map for the property located at 2525 Kennedy Avenue in the City of Beloit

Julie Christensen summarized the Staff Report and Staff Recommendation.

Commissioner Nee asked what was happening to the parcel to the north of Lot 1, and Ms. Christensen said that was being purchased by Beloit Precision & Die as well.

Commissioner Nee moved to approve the Certified Survey Map with the Staff recommendation, and Commissioner Kelly seconded the motion. The motion carried. (4-0)

4. **Certified Survey Map – 2301 Townline Road**

Review and consideration of a one-lot Certified Survey Map for the property located at 2301 Townline Road in the Town of Beloit

Ms. Christensen summarized the Staff Report and Staff Recommendations.

Commissioner Nee moved to approve the Certified Survey Map and Commissioner Jacobsen seconded the motion. The motion approved. (4-0)

5. **Zoning Map Amendment – 1536 /Forest Avenue; 1537 & 1543 W. Grand Avenue; and 1650 & 1654 Porter Avenue**

Public hearing, review and consideration of a Zoning Map Amendment to change the zoning of the properties located at 1536 Forest Avenue; 1537 & 1543 W. Grand Avenue,

and 1650 & 1654 Porter Avenue from R-1B, Single Family Residential, to PLI, Public Lands and Institutions District

Ms. Christensen summarized the Staff Report and Recommendation.

Chairperson Faragher opened and closed the Public Hearing.

Commissioner Kelly moved to approve the Zoning Map Amendment and Commissioner Jacobsen seconded the motion. The motion carried. (4-0)

6. **Status Report on Prior Plan Commission Items**

Ms. Christensen stated that West Auto Sales was approved by Council as was the Parks and Open Space and Recreation Plan.

7. **Adjournment**

The meeting adjourned at 7:21 PM.

# CITY OF БЕЛОIT

## REPORT TO THE БЕЛОIT CITY PLAN COMMISSION



**Meeting Date:**  
August 7, 2013

**Agenda Item:**  
3

**File Number:**  
CU-2013-10

**Applicant:**  
Jesus Garcia  
946-1/2 Wisconsin Avenue  
Beloit, Wisconsin

**Owner:**  
Roger Blohm  
1817 Merrill Street  
Beloit, Wisconsin

**Location:**  
946 Wisconsin Avenue

**Existing Zoning:**  
C-2, Neighborhood Commercial  
District

**Existing Land Use:**  
Restaurant

**Parcel Size:**  
4,620 Square Feet

### Request Overview/Background Information:

Jesus Garcia, the owner of La Fuente Restaurante, has applied for a Conditional Use Permit (CUP) to allow the indoor sale, possession, and consumption of alcohol on the property located at 946 Wisconsin Avenue. The applicant has also applied for a Class "B" Beer License and a "Class C" Wine License.

The attached **Location & Zoning Map** shows the location of the restaurant on the west side of Wisconsin Avenue just south of Woodward Avenue. It is located in a small business district which includes Homecare Pharmacy and a variety of personal-service and retail businesses. The adjacent zoning and land uses are as follows:

- North: C-2, Personal Service-oriented businesses and the Beloit Learning Academy (former Wright School)
- South: C-2 and R-1B, Small businesses and residential land uses
- East: C-2 and R-1B, Vacant commercial building and residential land uses
- West: C-2 and R-1B, Homecare Pharmacy and residential land uses

On or off-premise liquor sales is a Conditional Use in the C-2, Neighborhood Commercial District. The current use of the property as a restaurant is permitted in the C-2 Zoning District. However, before the restaurant may obtain its liquor license, the applicant must obtain a Conditional Use Permit. The reason for requiring a Conditional Use Permit is to allow the City Council to approve such a use only if the Council determines that the proposed use will not have a negative impact on surrounding land uses. If the proposed use is approved, the City Council is authorized to impose conditions it deems necessary to reduce or minimize any potential adverse effects the use may have on surrounding property.

### Key Issues:

- **Location Map, Site Plan, Floor Plan and Rendering of Building Submitted by the Applicant**
  - The attached location map shows the location of La Fuente Restaurante on the west side of Wisconsin Avenue as well as the adjacent businesses.
  - The attached site plan shows the location of the restaurant building and parking stalls. The parking lot which serves the buildings located at 944, 946, 948, and 950 Wisconsin Avenue is located on three parcels. Approximately eight parking lots are located on the parcel addressed 946 Wisconsin Avenue
  - The attached floor plan shows the location of the booths, tables, counter, and coolers. It also shows the location of the bathrooms and kitchen. The occupancy of the restaurant is 40.
  - The attached rendering of the building which was submitted with the applicant's architectural review application for signs shows the east and west elevations of the building. The signs shown on the attached renderings comply with the Sign Ordinance and have already been approved by staff and installed on the building.
- **Liquor License**
  - The applicant has also applied for a Class "B" Beer and "Class C" Wine License for the restaurant. This license, if approved by the City Council, will allow for the sale of beer and wine in conjunction with the operation of a restaurant. This license would allow for the sale of beer and wine for on-premise consumption as well as the sale of beer for off-premise consumption. These licenses would not allow the applicant to sell hard liquor.

- **Neighborhood Input**
  - A Public Notice was sent to all property owners within 300 feet of the restaurant. As of the time of the writing of this staff report, one owner, who represents three business interests in the area, contacted us. They are opposed to introducing alcohol sales into this business district. He is concerned that the restaurant will ultimately operate more like a bar, with people drinking there all afternoon or evening and that it may negatively affect the businesses. He commented that people were already sitting in the parking lot drinking, before the license has even been issued.
  
- **Review Agents' Comments/Concerns**
  - *Fire Department*  
The Fire Department just wanted the applicant to be aware that the storage of combustibles under the stairwell to the upstairs apartment can be a fire hazard. Staff was not certain whether any storage was occurring at this location, but did want to caution the applicant about this.
  - *Planning Department*
    - **Parking**  
The Zoning Ordinance requires parking spaces equal to 50 percent of capacity for restaurants. The restaurant currently seats 40 people, which would require 20 parking spaces. There are two apartments above the restaurant space which would require an additional three parking spaces for a total of 23 parking spaces. The site itself has approximately eight parking stalls. This is a nonconforming situation with respect to parking. There is a parking lot behind all five businesses in this strip which serves these businesses. There is no possible way to add parking to the site itself. There are also approximately 14 parking stalls on Wisconsin Avenue to serve the five businesses on this strip. The addition of alcohol sales does not result in the need for more parking.
    - **Signs**  
The applicant submitted Architectural Review and Sign applications to the Division of Planning and Building Services for one primary sign and three secondary signs. They have already been reviewed and approved by the Director of Planning and Building Services, and the applicant has had the signs installed (see attached photos).
  - The Police Department, the Engineering Division, the Building Inspector, the Water Resources Division, the Assessor's Office, Alliant Energy, AT&T, and Charter Communications have reviewed this Conditional Use Permit and do not have any comments or concerns.
  
- **Findings of Fact for a Conditional Use Permit**  
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 alcohol sales to an existing restaurant is not likely to endanger the public health, safety, and/or welfare provided that the recommended conditions are met by the applicant and that the applicant meets the requirements of the liquor license.
  - b. *Whether the conditional use will be injurious to the use and enjoyment of other property in the immediate vicinity for purposes already permitted;*
    - Adding alcohol sales to an existing restaurant is not expected to be injurious to the use and enjoyment of other property in the immediate vicinity for purposes already permitted. The business district has been in existence for decades, and the addition of alcohol should not have a negative impact on this neighborhood.
    - However, it should be noted that neighboring property owners have expressed concern about the addition of alcohol to this corridor. It might ease concerns if the conditional use permit was restricted to the addition of the beer and wine sales only.
  - c. *Whether the conditional use will substantially diminish or impair property values within the neighborhood of the subject property;*
    - The addition of alcohol sales to an existing restaurant is not expected to substantially diminish or impair property values within the neighborhood of this business. The business district has been in existence for decades, and the addition of alcohol should not have a negative impact on this neighborhood.
    - However, it should be noted that neighboring property owners have expressed concern with the addition of alcohol to this corridor. It might ease concerns if the conditional use permit was restricted to the addition of the beer and wine sales only.
  - 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 already fully developed, and the proposed conditional use is not expected to impede any future redevelopment in the area.
- 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;*
  - No changes are being proposed to the exterior architectural design or site layout of the proposed conditional use. The signage has already been reviewed and approved by City staff and is shown on the attached photos.
- f. *Whether adequate utilities, access roads, drainage or other necessary facilities will be available to serve the proposed use at the time of its occupancy or use;*
  - The property is being adequately served by utilities and access roads.
- g. *Whether adequate measures will be taken to minimize traffic congestion; and*
  - This property is located on Wisconsin Avenue and its parking area can be accessed off Woodward Avenue. The addition of alcohol is not anticipated to increase traffic at this location.
- h. *Whether the conditional use will comply with all applicable regulations of this chapter (the Zoning Ordinance).*
  - Any existing and proposed use of the property must comply with all other applicable zoning regulations.

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**Consistency with Comprehensive Plan and Strategic Plan:**

- The Comprehensive Land Use Plan (2008) indicates that this property is appropriate for Neighborhood Commercial uses. This future land use category is intended for neighborhood-scale residential, office, and neighborhood supporting institutional and commercial land uses that mainly serve the surrounding neighborhoods on public sewer, public water, and other urban services and infrastructure.
- Consideration of this request may support Strategic Goal #5.

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**Sustainability:** (Briefly comment on the sustainable long term impact of this policy or program related to how it will impact both the built and natural environment utilizing the four following eco-municipality guidelines)

- **Reduce dependence upon fossil fuels** – N/A
- **Reduce dependence on chemicals and other manufacturing substances that accumulate in nature** – N/A
- **Reduce dependence on activities that harm life sustaining eco-systems** – The proposed conditional uses are not expected to generate hazardous waste or harmful emissions.
- **Meet the hierarchy of present and future human needs fairly and efficiently** – N/A

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**Staff Recommendation:**

The Planning and Building Services Division recommends **approval** of a Conditional Use Permit to allow the indoor sales, possession, and consumption of alcohol, in a C-2, Neighborhood Commercial District, for the property located at 946 Wisconsin Avenue based on the above Findings of Fact and subject to the following conditions, which must be met before the Conditional Uses are established and maintained thereafter:

1. This Conditional Use Permit authorizes the indoor sale, possession, and consumption of alcohol in conjunction with a restaurant use on the property located at 946 Wisconsin Avenue in the City of Beloit, Wisconsin; and
2. The only alcoholic products allowed to be sold, possessed or consumed on the property are beer and wine; and
3. The applicant shall obtain a liquor license before serving alcoholic beverages inside the restaurant.
4. Any major changes in the adopted conditions or use of the property shall be approved by the Plan Commission and City Council by amending this Conditional Use Permit. The Director of Planning and Building Services may approve minor changes administratively and allow accessory structures and uses that comply with and meet all of the standards and requirements of the City of Beloit Municipal Code.

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**Fiscal Note/Budget Impact:**

N/A

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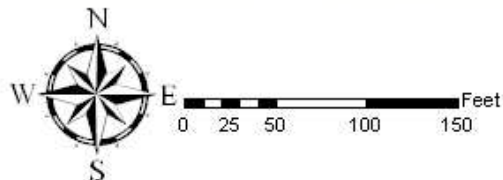
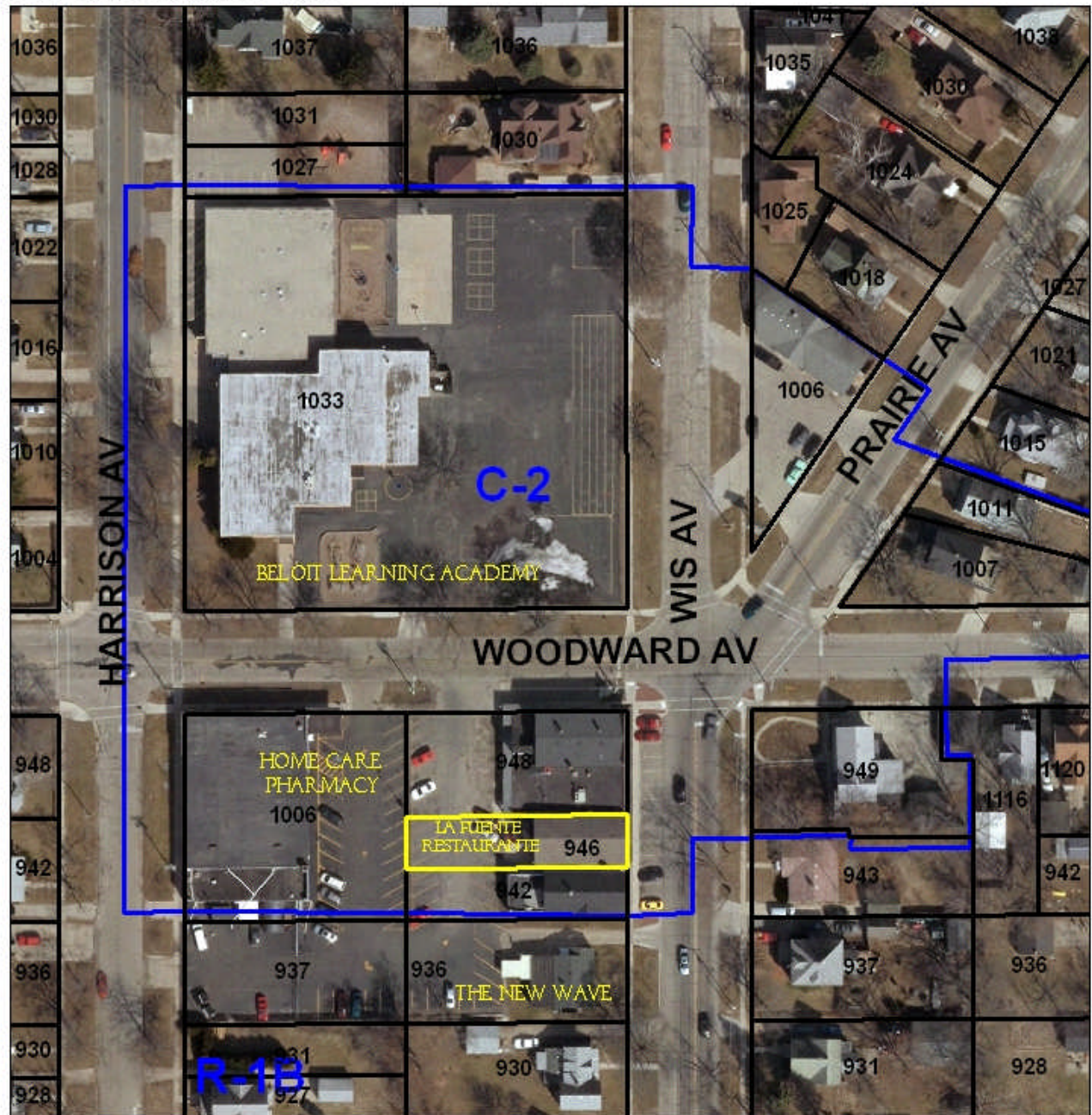
**Attachments:**

Location & Zoning Map; Applicant's Location Map, Site Plan, Floor Plans, and Rendering; Photographs of Existing Conditions (Staff); Public Notice; Mailing List; and Application

# Location & Zoning Map

946 Wisconsin Avenue

CU-2013-10



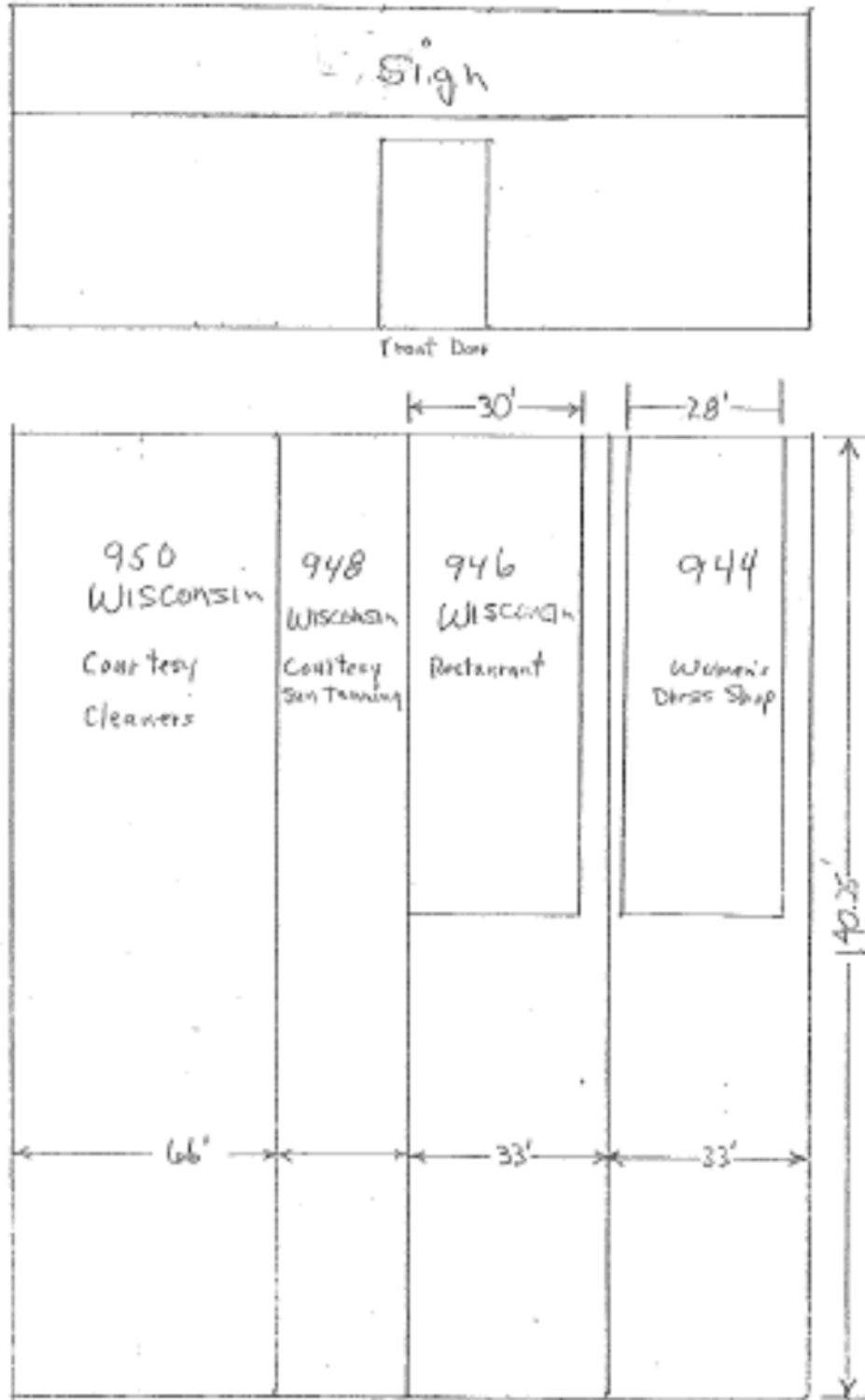
## Legend

-  Parcels
-  Zoning District

Map prepared by: Julie Christensen  
 Date: August 2013  
 For: City of Beloit Planning & Building Services  
 Date of Aerial Photography: April 2011

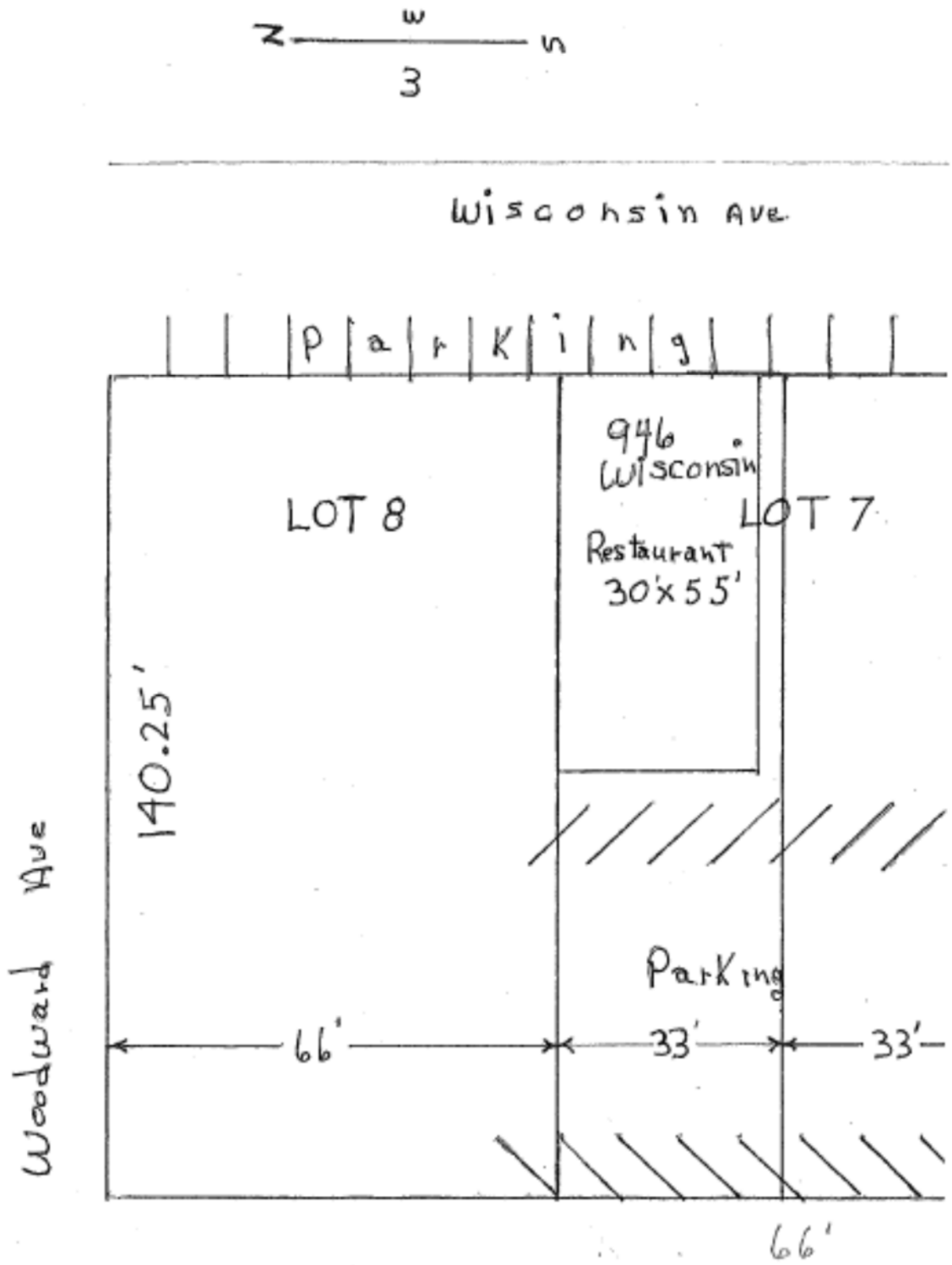
PLANNING & BUILDING SERVICES DIVISION

# Location Map – Submitted by the Applicant

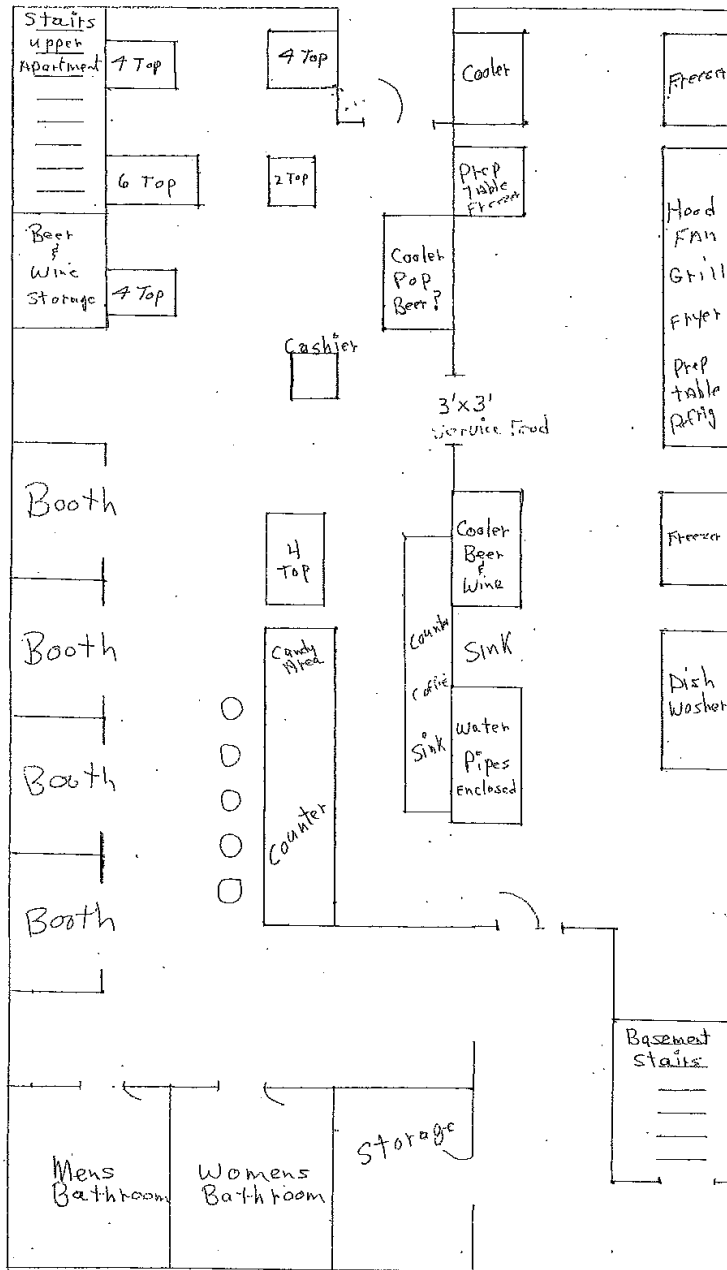




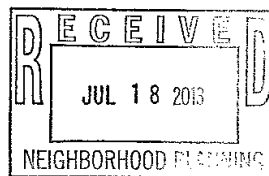
# Site Plan – Submitted by Applicant



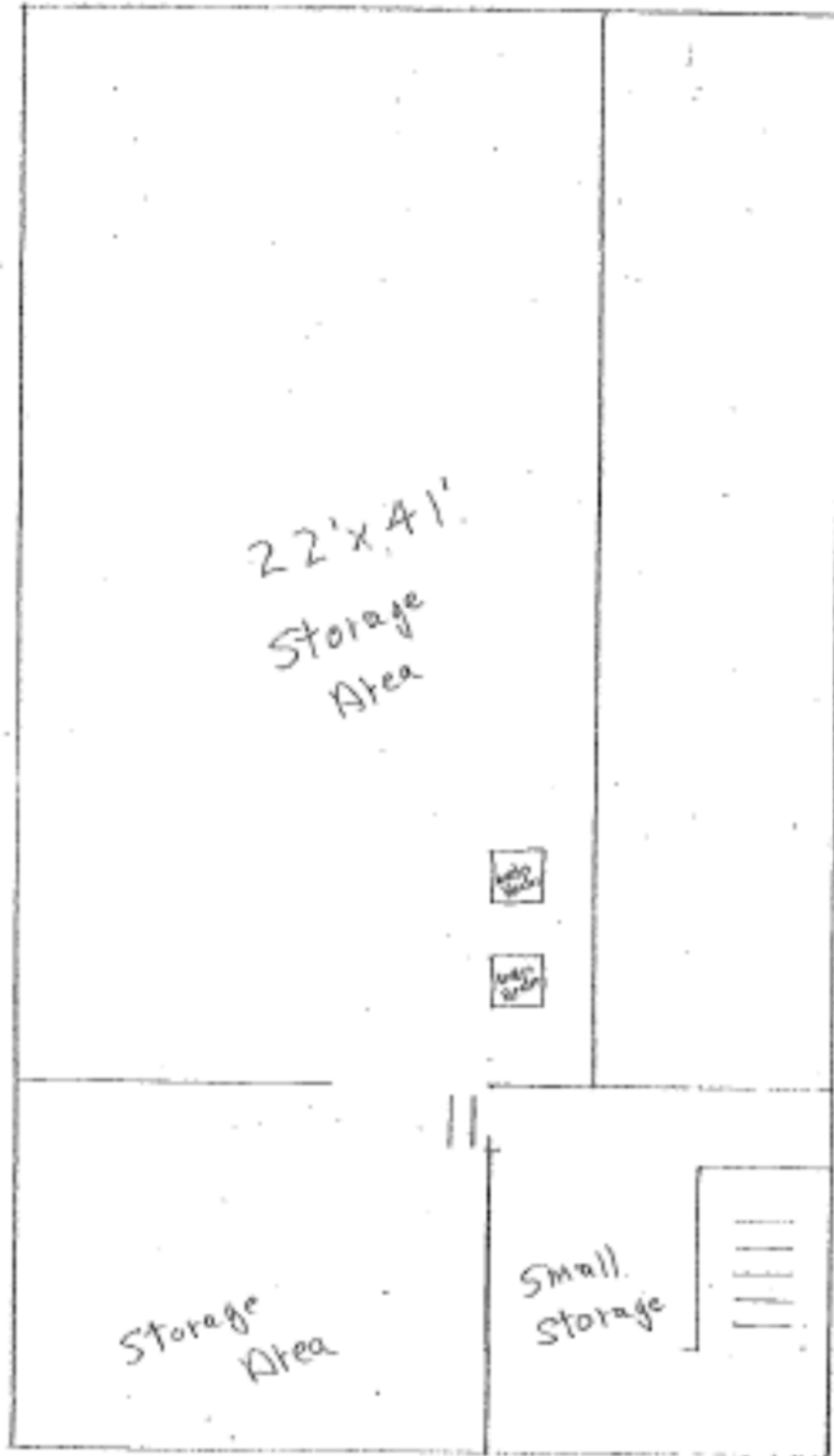
# Floor Plan – First Floor – Submitted by Applicant



Restaurant La Fuente  
 946 Wisconsin  
 362-8022



# Floor Plan – Basement – Submitted by Applicant



# Rendering of Building – Submitted by Applicant

Restaurant la fuente  
946 Wisconsin Ave.  
Beloit Wisconsin  
(608) 362-8022

Before



# Photographs of Existing Conditions - 08/01/13

*Businesses Facing Wisconsin Avenue*



*Rear of La Fuente Restaurante*





CITY HALL • 100 STATE STREET • BELOIT, WI 53511  
Office: 608/364-6700 • Fax: 608/364-6609  
www.ci.beloit.wi.us  
Equal Opportunity Employer

## **NOTICE TO THE PUBLIC**

July 26, 2013

To Whom It May Concern:

Jesus Garcia on behalf of La Fuente Restaurante has filed an application for a Conditional Use Permit to allow indoor sales, possession, and consumption of alcohol in a C-2, Neighborhood Commercial District, for the property located at:

**946 Wisconsin Avenue**

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

**City Plan Commission:** Wednesday, August 7, 2013, at 7:00 p.m., or as soon thereafter as the matter can be heard in The Forum, Beloit City Hall, 100 State Street.

**City Council:** Monday, August 19, 2013, at 7:00 p.m., 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 ten (10) copies and submit them to the Recording Secretary before the meeting begins. Staff is unable to leave the meeting area to make copies.

*For additional information, please contact Julie Christensen in the Community Development Department at (608) 364-6703 or by email at [christensenj@ci.beloit.wi.us](mailto:christensenj@ci.beloit.wi.us). Comments will be accepted via telephone, email, and U.S. Mail.*

JENNE ALLEN-CHRISTOPHERSON  
1011 PRAIRIE AVE  
BELOIT, WI 53511

ATONEMENT LUTHERAN CHURCH  
901 HARRISON AVE  
BELOIT, WI 53511-5410

DANIEL CARROLL  
7601 SUFFIELD RD  
LOVES PARK, IL 61111

DOUGLAS CASH  
P O BOX 1317  
BELOIT, WI 53512-1317

RONALD CASH  
P O BOX 701  
BELOIT, WI 53512-0701

RENEE CEPHAS  
919 WISCONSIN AVE  
BELOIT, WI 53511-5420

JEFFREY & THERESA CIONI  
4220 S BAKKE RD  
BELOIT, WI 53511

COACH'S CLUB LLC  
P O BOX 931  
BELOIT, WI 53512-0931

SHIRLEYCONNOR  
1025 WISCONSIN AVE  
BELOIT, WI 53511-5422

WILLIAM REYNOLDS D W R TRUST  
950 WISCONSIN AVE  
BELOIT, WI 53511-5421

OSCAR & VERONICA DELGADO  
942 CENTRAL AVE  
BELOIT, WI 53511-5403

MILAGROS CAPELLAN DIAZ  
931 WISCONSIN AVE  
BELOIT, WI 53511

JOHN & BERTRICE DONALDSON  
1015 PRAIRIE AVE  
BELOIT, WI 53511-5414

CAROLYN FAYE DUNN  
1010 HARRISON AVE  
BELOIT, WI 53511-5413

NANCY FICK  
2242 TALLGRASS CT UNIT 19  
BELOIT, WI 53511

MELVIN T & PAMELA M FIELDS  
1116 WOODWARD AVE  
BELOIT, WI 53511

FOR HIM INC  
P O BOX 41  
BELOIT, WI 53512

FREEDOM PROPERTY INVESTMENTS LL  
1655 COPELAND AVE #130  
BELOIT, WI 53511

MAURICIO SERVINHERNANDEZ  
929 PARK AVE  
BELOIT, WI 53511

WILLIE & CASSANDRA JAMES  
923 WISCONSIN AVE  
BELOIT, WI 53511-5420

SANDRA KAGAN  
W338 N6429 LAKEVIEW DR  
OCONOMOWOC, WI 53066

GREGORY P & KIMBERLY D KAKUSKE  
3634 BALMORAL DR  
JANESVILLE, WI 53548

STEPHEN M & MARY L KIRBY  
917 WOODWARD AVE  
BELOIT, WI 53511

ELAINE MARTIN  
137 E 120TH PL  
CHICAGO, IL 60628

MARTIN PROPERTIES OF JANESVILLE LLC  
4619 N CTY RD H  
JANESVILLE, WI 53548

VICTORIA MARZETTE  
922 CENTRAL AVE  
BELOIT, WI 53511

JEFFREY MCKEE  
942 HARRISON AVE  
BELOIT, WI 53511-5411

SEAN MCKEE  
948 HARRISON AVE  
BELOIT, WI 53511

JOE MCNAMARA  
2741 SHOPIERE RD  
BELOIT, WI 53511

AGUSTIN & LUCIA MONROY  
1004 HARRISON AVE  
BELOIT, WI 53511

MOPO LLC MULTI 1 SERIES  
7 S SPRING ST  
ELGIN, IL 60120

RAMIRO SOLOZANO NIETO  
1348 DEWEY AVE  
BELOIT, WI 53511

DANIEL & TERRY NITZ  
1006 PRAIRIE AVE  
BELOIT, WI 53511-5415

KENNETH PAULSON  
749 PHILHOWER RD  
BELOIT, WI 53511

MARIA RAMOS-MONROY  
921 HARRISON AVE  
BELOIT, WI 53511

LEON & PATRICIA RAYMOND  
826 HOLLY RD  
BELOIT, WI 53511-1622

WILLIAM ROMAN  
411 HART DR APT 2  
CLINTON, WI 53525

SCHOOL DISTRICT OF BELOIT  
1633 KEELER AVE  
BELOIT, WI 53511

JAMES SHEA  
1019 CLARY ST  
BELOIT, WI 53511

HOLLY SOMERS  
908 WISCONSIN AVE  
BELOIT, WI 53511-5421

JOHN & MARY TERRY  
925 PARK AVE  
BELOIT, WI 53511-0281

MARK WALTON  
1621 INDIAN RD  
BELOIT, WI 53511

LAMONT C & ANNIE J WEAVER  
1832 NORTHGAGTE DR  
BELOIT, WI 53511

MELISSA WELCH  
918 WISCONSIN AVE  
BELOIT, WI 53511

MELISSA WELCH  
924 WISCONSIN AVE  
BELOIT, WI 53511

MATTHEW YOSS  
406 HART DR  
CLINTON, WI 53525



# 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: CU-2013-10

1. Address of subject property: 946 Wisconsin Ave
2. Legal description: The N 1/2 of Lot 7, Block 15, City of Beloit  
If property has not been subdivided, attach a copy of the complete legal description from deed.  
Property dimensions are: \_\_\_\_\_ feet by \_\_\_\_\_ feet = \_\_\_\_\_ square feet.  
If more than two acres, give area in acres: \_\_\_\_\_ acres.
3. Tax Parcel Number(s): 1368-0310
4. Owner of record: Roger E. Blohm Phone: 608-362-8463  
1817 Metriil Beloit WI 53511  
(Address) (City) (State) (Zip)
5. Applicant's Name: Jesus Garcia  
946 1/2 Wisconsin Beloit WI 53511  
(Address) (City) (State) (Zip)  
608-362-8022 773-294-3591 \_\_\_\_\_  
(Office Phone #) (Cell Phone #) (E-mail Address)
6. All existing use(s) on this property are: Restaurant
7. **THE FOLLOWING ACTION IS REQUESTED:**  
A Conditional Use Permit for: Beer & Wine  
\_\_\_\_\_ in a(n) \_\_\_\_\_ Zoning District.
8. All the proposed use(s) for this property will be:  
Principal use: Restaurant  
\_\_\_\_\_  
\_\_\_\_\_  
Secondary use: Beer & Wine  
\_\_\_\_\_  
\_\_\_\_\_  
Accessory use: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

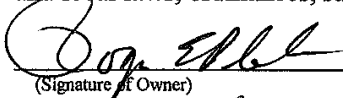
9. Project timetable: Start date: \_\_\_\_\_ Completion date: \_\_\_\_\_

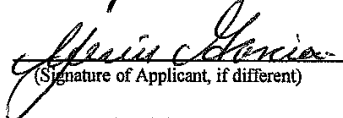
10. I/We represent that I/we have a vested interest in this property in the following manner:

- Owner
- Leasehold, length of lease: 12 years
- 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.

 | Roger E. Blohm | 7/8/13  
(Signature of Owner) (Print name) (Date)

 | JESUS GARCIA | 7/8/13  
(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 \$275.00 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: <b>\$275.00</b>	Amount paid: <u>\$275.00</u> Meeting date: <u>Aug. 7, 2013</u>
No. of notices: _____	x mailing cost (\$0.50) = cost of mailing notices: \$ _____
Application accepted by: 	Date: <u>7/11/13</u>

# CITY OF BELOIT

## REPORT TO THE BELOIT CITY PLAN COMMISSION



**Meeting Date:** August 7, 2013

**Agenda Item:** 4

**File Number:** CU-2013-12

**Applicant:** The Redmond Company

**Owner:** Morgan Square LLC

**Location:** 2777 Milwaukee Road

**Existing Zoning:** C-2, Neighborhood Commercial District & MRO, Milwaukee Road Overlay District

**Existing Land Use:** Vacant Land

**Parcel Size:** 1.16 Acres

### Request Overview/Background Information:

The Redmond Company has filed an application for a Conditional Use Permit to allow a drive-in use, an outdoor seating area, and sales, possession, & consumption of alcohol in a C-2, Neighborhood Commercial District, for the property located at 2777 Milwaukee Road. The applicant has proposed the construction of a new 5,700 square-foot commercial building that will include a 2,500 square-foot Qdoba restaurant and a 3,200 square-foot retail space. As shown on the attached site plan, the proposed Qdoba restaurant includes a drive-through and an outdoor seating area, and may offer beer & wine for sale. While the restaurant and retail uses are permitted by-right in the C-2 district, the other uses must be authorized by a Conditional Use Permit. If the uses are approved, the City Council is authorized to impose conditions it deems necessary to reduce or minimize any potential adverse effects on surrounding properties.

### Key Issues:

- The attached **Location and Zoning Map** shows the location of the parcel involved in this application. The adjacent zoning and land uses are as follows:
  - North: C-2, Neighborhood Commercial District & MRO; Commercial (Restaurants & Retail)
  - South: C-3, Community Commercial District & MRO; Commercial (Hotel)
  - East: C-3, Community Commercial District & MRO; Commercial (Gas Station)
  - West: C-2, Neighborhood Commercial District & MRO; Commercial (Retail)
- This property is located in the Milwaukee Road Overlay (MRO) District. In the MRO District, direct driveway access to Milwaukee Road is prohibited unless the subject property has no other reasonable access to the street network. Therefore, this proposed development will be served by driveways that connect to the existing shared drives to the west and north of the site. This development will not have direct access to Cranston Road or Milwaukee Road.
- According to Section 8-112 of the Zoning Ordinance, restaurant drive-through lanes shall include at least 5 stacking spaces for the order box and at least 3 stacking spaces between the order box and pick-up window. The applicant has proposed an adequate number of stacking spaces, but the order box must be moved to the west (adjacent to the fourth stacked vehicle) in order to comply with this requirement.
- According to Section 8-103 of the Zoning Ordinance, this proposed commercial development requires 53 off-street parking stalls, including 3 accessible stalls. The proposed site plan includes 60 off-street parking stalls.
- Including vehicles arriving and departing, this proposed development is expected to generate approximately 1,415 total vehicle trips per day. According to the City Engineer, the existing street network is capable of handling this traffic.
- The applicant has proposed the construction of a private sidewalk connection from the entrances to a planned public sidewalk along the west side of Cranston Road. Planning & Engineering staff is recommending a condition of approval that will require a second sidewalk connection between the aisle serving the accessible stalls and a planned public sidewalk along the north side of Milwaukee Road in order to maintain connectivity to the west.
- The proposed site plan includes a total of 5 tables and 20 chairs in the outdoor seating area. In order to avoid conflicts with vehicle traffic, Planning staff is recommending a condition that will require the applicant to install a fence along the perimeter of the outdoor seating area, with the exception of a gate on the east to/from the private sidewalk.
- The applicant has already submitted a full set of site plans, which is being reviewed by Planning staff.
- Public facilities and infrastructure exist in this area and the property receives the full range of municipal services.
- The City's Review Agents have reviewed this application and do not have any comments or concerns.
- The attached Public Notice was sent to four nearby property owners, which has not resulted in any comments.

#### **Findings of Fact**

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

- a. *Whether the establishment, maintenance, or operation of the conditional use will be detrimental to or endanger the public health, safety, morals, comfort, or general welfare;*
  - Subject to certain conditions of approval, the proposed uses will not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare.

- b. *Whether the conditional use will be injurious to the use and enjoyment of other property in the immediate vicinity for purposes already permitted;*
  - The subject property is located in the City's busiest commercial area, and any additional traffic, noise, and glare generated by this development is compatible with existing conditions.
- c. *Whether the conditional use will substantially diminish or impair property values within the neighborhood of the subject property;*
  - On the contrary, this proposed development is likely to enhance property values within the area.
- d. *Whether the establishment of the conditional use will impede the normal and orderly development and improvement of the surrounding property;*
  - This is an urbanized area and the surrounding properties are 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;*
  - With restricted vehicle access to Milwaukee and Cranston Roads, along with new pedestrian and bicycle infrastructure, the proposed site layout is compatible with adjacent properties.
  - During Architectural Review, Planning staff will ensure that all four sides of this proposed building are attractive, as the building is visible from all sides.
- 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 conditional uses.
- g. *Whether adequate measures will be taken to minimize traffic congestion; and*
  - The proposed driveways, parking lot, and drive-through are designed in a manner that will not cause traffic congestion.
  - The existing street network in this area is capable of handling the additional traffic that will be generated by this development.
- h. *Whether the conditional use will comply with all applicable regulations of the Zoning Ordinance.*
  - The conditional uses will comply with all other applicable regulations of the Zoning Ordinance.

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#### **Consistency with Comprehensive Plan and Strategic Plan:**

The Comprehensive Plan recommends Community Commercial uses for the subject property. This proposed development and the underlying zoning classification are consistent with this recommendation. Consideration of this request supports City of Beloit Strategic Goal #5.

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#### **Sustainability:**

- **Reduce dependence upon fossil fuels** – N/A
- **Reduce dependence on chemicals and other manufacturing substances that accumulate in nature** – N/A
- **Reduce dependence on activities that harm life sustaining eco-systems** – N/A
- **Meet the hierarchy of present and future human needs fairly and efficiently** – N/A

---

#### **Staff Recommendation:**

The Planning & Building Services Division recommends **approval** of a Conditional Use Permit to allow a drive-in use, an outdoor seating area, and sales, possession, & consumption of alcohol in a C-2, Neighborhood Commercial District, for the property located at 2777 Milwaukee Road, based on the above Findings of Fact and subject to the following conditions:

1. This Conditional Use Permit authorizes the above-uses, which will be established in or adjacent to a 5,700 square-foot commercial building to be constructed on the subject property.
2. The final site plan shall move the drive-through order box to the mid-point of the restaurant space, adjacent to the fourth stacked vehicle. Eight stacking spaces shall be provided and maintained.
3. The final site plan shall show and the applicant shall provide crosswalks and private sidewalk connections up to the property line to allow future connections to public sidewalks along Milwaukee Road and Cranston Road.
4. The maximum capacity of the outdoor seating area shall be twenty (20) persons. The applicant shall provide a fence around the perimeter of the outdoor seating area, along with a gate that allows access to/from the sidewalk.
5. Alcoholic beverages are prohibited in the outdoor seating area. The applicant shall obtain a liquor license before serving alcoholic beverages inside the restaurant.
6. Any major changes in the adopted conditions or use of the property shall be approved by the Plan Commission and City Council by amending this Conditional Use Permit. The Director of Planning & Building Services may approve minor changes administratively.

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**Fiscal Note/Budget Impact:** N/A

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**Attachments:** Location & Zoning Map, Site Photos, Site Plan, Application, Public Notice, and Mailing List.

# Location & Zoning Map

2777 Milwaukee Road

CU-2013-12



1 inch = 120 feet  
0 25 50 100 150 Feet

**Legend**

- COB Parcels
- Zoning District

Map prepared by: Drew Pennington  
Date: July 2013  
For: City of Beloit Planning & Building Services  
Date of Aerial Photography: March 2011

## PLANNING & BUILDING SERVICES DIVISION





# 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: CN-2013-12

1. Address of subject property: 2777 Milwaukee Rd. Beloit, WI

2. Legal description: Lot 1 CSM #652218 Volume 1 Page 75

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

Property dimensions are: 215 feet by 245.71 feet = 52,828 square feet.

If more than two acres, give area in acres: \_\_\_\_\_ acres.

3. Tax Parcel Number(s): 206-22990800

4. Owner of record: P.H. Beloit LLC. Phone: \_\_\_\_\_

241 N. Broadway, Suite 501 Milwaukee WI 53202  
(Address) (City) (State) (Zip)

5. Applicant's Name: The Redmond Company

W228 N745 Westmond Dr. Waukesha, WI 53186  
(Address) (City) (State) (Zip)

262-549-9600 / imortier@theredmondco.com  
(Office Phone #) (Cell Phone #) (E-mail Address)

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

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

A Conditional Use Permit for: Drive-up / outdoor sitting area + Indoor Alcohol  
in a(n) C-2 Zoning District.

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

Principal use: Retail / Casual Dining Restaurant  
(+MPO) overlay

Secondary use: \_\_\_\_\_

Accessory use: \_\_\_\_\_



9. Project timetable: Start date: 9/23/13 Completion date: 5/15/14

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.

<small>(Signature of Owner)</small> 	<small>(Print name)</small> <u>Samy Mark</u>	<small>(Date)</small> <u>7/11/13</u>
<small>(Signature of Applicant, if different)</small> 	<small>(Print name)</small> <u>Samy Mark</u>	<small>(Date)</small> <u>7/11/13</u>

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 \$275.00 application fee. Applicants will also be charged a fee for mailing public notices at the rate of \$0.50 per notice. An invoice for this fee will be sent to the applicant and these costs are typically between \$5.00 and \$15.00.

**To be completed by Planning Staff**

Filing fee: **\$275.00** Amount paid: \$275.00 Meeting date: Aug. 7, 2013

No. of notices: \_\_\_\_\_ x mailing cost (\$0.50) = cost of mailing notices: \$ \_\_\_\_\_

Application accepted by: D. Pennington Date: 7/12/13



## **NOTICE TO THE PUBLIC**

July 24, 2013

To Whom It May Concern:

The Redmond Company has filed an application for a Conditional Use Permit to allow a drive-in use, an outdoor seating area, and sales, possession, & consumption of alcohol in a C-2, Neighborhood Commercial District, for the property located at:

**2777 Milwaukee Road.**

The applicant has proposed the construction of a new 5,700 square-foot commercial building that will include a 2,500 square-foot Qdoba restaurant and a 3,200 square-foot retail space. As shown on the attached site plan, the proposed Qdoba restaurant includes a drive-through and an outdoor seating area, and may offer beer & wine for sale.

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

**City Plan Commission:** Wednesday, August 7, 2013, at 7:00 PM, or as soon thereafter as the matter can be heard in The Forum, Beloit City Hall, 100 State Street.

**City Council:** Monday, August 19, 2013, 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 ten (10) copies and submit them to the Recording Secretary before the meeting begins. Staff is unable to leave the meeting area to make copies.

*For additional information, please contact Drew Pennington in the Planning & Building Services Division at (608) 364-6711 or [penningtond@ci.beloit.wi.us](mailto:penningtond@ci.beloit.wi.us). Comments will be accepted via telephone, email, and U.S. Mail.*

MORGAN SQUARE LLC  
400 MIDLAND CT STE 101  
JANESVILLE, WI 53546

SPEEDWAY LLC  
P O BOX 1500  
SPRINGFIELD, OH 455011580

L'CHAIM LLC  
101 W 4TH ST #400  
SANTA ANA, CA 92701

WALMART REAL ESTATE  
BUSINESS TRUST  
P O BOX 8050 MS 0555  
BENTONVILLE, AR 727128050

# CITY OF BELOIT

## REPORT TO THE BELOIT CITY PLAN COMMISSION

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**Meeting Date:** August 7, 2013

**Agenda Item:** 5

**File Number:** CU-2013-11

**Applicant:** Aaron Otto, Aparra Care Inc.

**Owner:** Shirley Bonafede

**Location:** 2157 Schuster Drive

**Existing Zoning:** C-1, Office District

**Existing Land Use:** Single-Family Dwelling & Vacant Land

**Parcel Size:** 4.56 Acres

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### Request Overview/Background Information:

Aaron Otto of Aparra Care Inc. has filed an application for a Conditional Use Permit to allow a Residential Care Apartment Complex in a C-1, Office District, for the property located at 2157 Schuster Drive.

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### Key Issues:

- The applicant has proposed Cherry Tree Assisted Living Community. The proposed building includes a 24-unit Community Based Residential Facility (CBRF) wing, an administration/commons area, and a 48-unit Residential Care Apartment Complex (RCAC) wing.
- The CBRF is permitted by right in the C-1 district, while the RCAC is a conditional use in the C-1 district.
- The City Council approved this project on June 18, 2012, but the permit expired after a year of inactivity.
- The attached **Location and Zoning Map** shows the location of the parcel involved in this application. The adjacent zoning and land uses are as follows:
  - North: PLI, Public Lands & Institutions District & C-1; Telfer Community Park & Vacant Land
  - South: R1 – Urban Residential District; Single-Family Dwellings (Town of Turtle)
  - East: C-1, Office District; Vacant Land
  - West: C-2, Neighborhood Commercial District; Commercial
- The subject property is approximately 4.56 acres in area and includes a single-family dwelling. According to the applicant, once the owner of the existing house moves into the RCAC, the house will be demolished.
- The assisted living facility may not be constructed on the same zoning lot as the house. Therefore, Planning staff has recommended a condition of approval that will require the applicant to record a 2-Lot Certified Survey Map to create one lot for the house and one lot for the assisted living facility. If the house is eventually demolished and the applicant wishes to reconnect the lots, that can be done through the City Assessor's office.
- The primary driveway is on Cranston Road and a secondary, emergency driveway leads to/from Schuster Drive.
- The proposed administration/commons area will be one story in height and 8,778 square feet in area. The proposed CBRF will be one story in height and 11,290 square feet in area. The proposed RCAC will be two stories in height and 13,063 square feet in area per floor.
- According to Section 8-103 of the Zoning Ordinance, group living uses must have off-street parking in an amount equal to ½ parking stall per resident room. Therefore, the proposed 72-unit facility must have 36 off-street parking stalls. The applicant has proposed 73 parking stalls, including 3 accessible parking stalls.
- A preliminary Site Plan and other supporting documents are attached to this report.
- If the requested Conditional Use Permit is approved, the applicant will need to submit detailed site & architectural plans for staff review and approval.
- The City's Review Agents have reviewed this application and have not submitted any comments or concerns. The Fire Chief noted that issues relating to access and hydrant location will be finalized during Site Plan Review.
- The attached Public Notice was sent to eleven nearby property owners and the Town of Turtle Clerk. As of this writing, staff has not received any comments or concerns.
- **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;*
      - Subject to certain conditions of approval, the proposed conditional use will not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare.
    - b. *Whether the conditional use will be injurious to the use and enjoyment of other property in the immediate vicinity for purposes already permitted;*
      - The proposed assisted living facility is compatible with the institutional and commercial uses along this stretch of Cranston Road and the residential uses to the south. The proposed facility includes large building setbacks and extensive open space that will create a campus-like setting.

Therefore, the proposed conditional use will not be injurious to the use and enjoyment of other property in the immediate vicinity for purposes already permitted.

- c. *Whether the conditional use will substantially diminish or impair property values within the neighborhood of the subject property;*
  - On the contrary, the proposed improvement of this underutilized parcel is likely to enhance property values within the neighborhood.
- d. *Whether the establishment of the conditional use will impede the normal and orderly development and improvement of the surrounding property;*
  - The establishment of the conditional use will not impede the development and improvement of surrounding property.
- 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;*
  - The proposed layout includes the one-story CBRF near the low-density neighborhood to the south and the administration area and two-story RCAC closer to the institutional and commercial uses along Cranston Road. The proposed parking areas will have limited visibility from all sides. Therefore, the proposed layout is compatible with existing development in the neighborhood.
  - Detailed building elevations & materials will be reviewed by staff during Architectural Review.
- 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 conditional use.
- g. *Whether adequate measures will be taken to minimize traffic congestion; and*
  - The proposed facility includes adequate off-street parking and is not expected to cause traffic congestion.
- h. *Whether the conditional use will comply with all applicable regulations of the Zoning Ordinance.*
  - The conditional use will comply with all other applicable regulations of the Zoning Ordinance.

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#### **Consistency with Comprehensive Plan and Strategic Plan:**

The City's Comprehensive Plan recommends Planned Mixed Use for the subject property and the surrounding parcels. The proposed assisted living facility is consistent with this recommendation. Consideration of this request supports City of Beloit Strategic Goal #5.

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#### **Sustainability:**

- **Reduce dependence upon fossil fuels** – This project involves the development of an underutilized site in a location that is very near pharmacies, recreational opportunities, emergency services, and bus lines. In addition, this project will utilize existing infrastructure.
- **Reduce dependence on chemicals and other manufacturing substances that accumulate in nature** – N/A
- **Reduce dependence on activities that harm life sustaining eco-systems** – N/A
- **Meet the hierarchy of present and future human needs fairly and efficiently** – This project involves the development of an assisted living facility that will meet the needs of the community's aging population.

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#### **Staff Recommendation:**

The Planning & Building Services Division recommends **approval** of a Conditional Use Permit to allow a Residential Care Apartment Complex in a C-1, Office District, for the property located at 2157 Schuster Drive, based on the above Findings of Fact and subject to the following conditions:

1. This Conditional Use Permit authorizes a two-story Residential Care Apartment Complex with up to forty-eight (48) units and 26,126 square feet of floor area, as part of the Cherry Tree Assisted Living Community.
2. The driveway on Schuster Drive shall be secured by a locked gate approved by the Fire Chief and shall only be used for emergency ingress and egress.
3. Prior to issuance of Building Permits for this project, the applicant shall record a 2-Lot Certified Survey Map with the Register of Deeds to create one lot for the house and one lot for the assisted living facility.
4. Prior to issuance of Building Permits for this project, the applicant shall submit detailed site & architectural plans for Planning staff review and approval.
5. Any major changes in the adopted conditions or use of the property shall be approved by the Plan Commission and City Council by amending this Conditional Use Permit. The Director of Planning & Building Services may approve minor changes administratively.

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**Fiscal Note/Budget Impact:** N/A

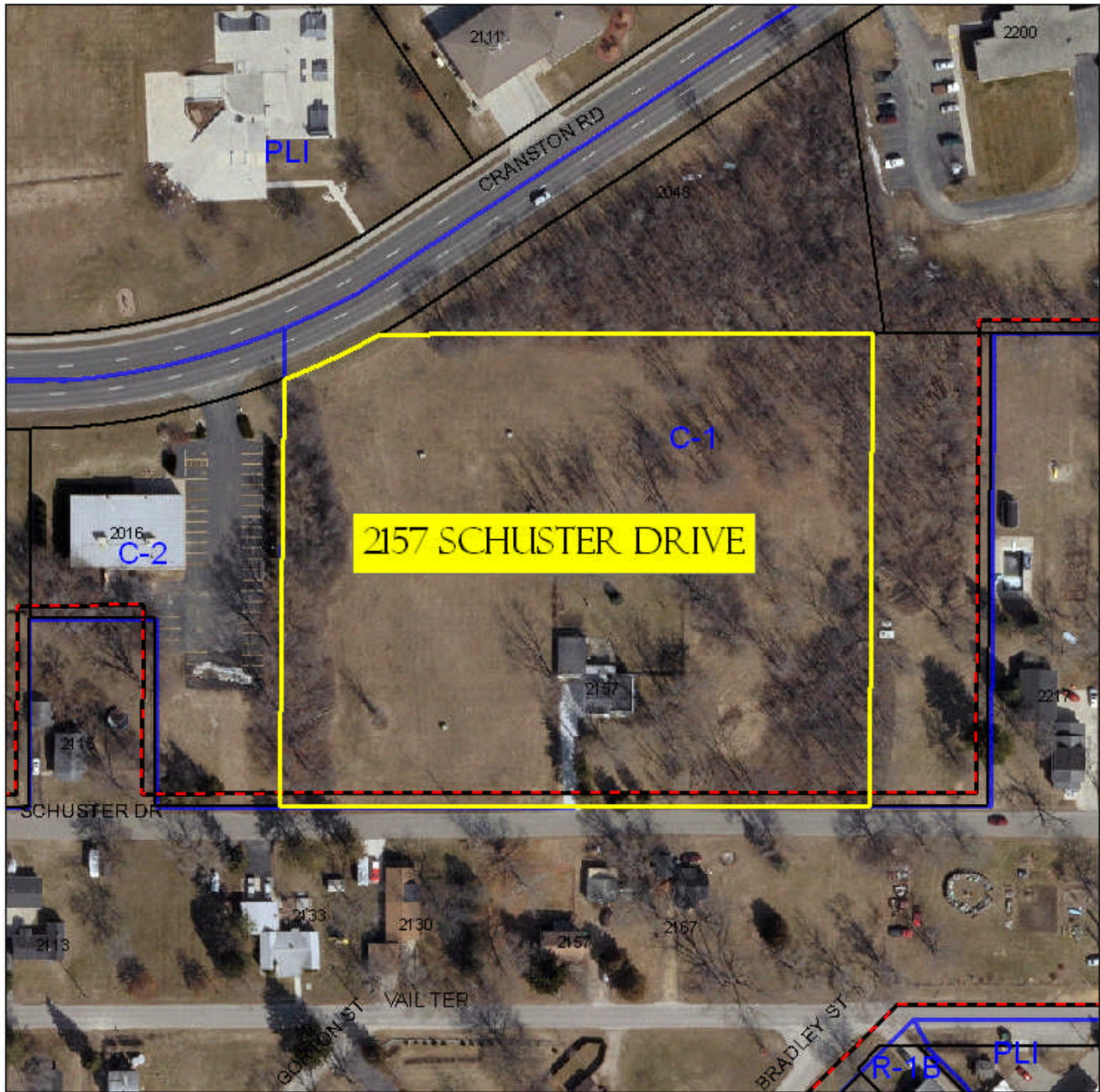
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**Attachments:** Location & Zoning Map, Conceptual Plans, Rendering, Site Plan, Application, Public Notice, and Mailing List.

# Location & Zoning Map

2157 Schuster Drive

CU-2012-06



1 inch = 121 feet  
0 25 50 100 150 Feet

Legend	
	COB Parcels
	Zoning District

Map prepared by: Drew Pennington  
Date: May 2012  
For: City of Beloit Planning & Building Services  
Date of Aerial Photography: March 2011

## PLANNING & BUILDING SERVICES DIVISION



DESIGNING BUILDINGS  
BUILDING RELATIONSHIPS

CHERRY TREE ASSISTED LIVING AN APARA CARE COMMUNITY  
BLAHOI, WI



**PARKING**

USE CATEGORY - GREAT LIVING  
51 SPACES FOR ASSISTED LIVING  
1 SPACE FOR BICYCLES

REQUIRED:  
22 BICYCLE SPACES - 22 SPACES  
22 BICYCLE SPACES - 22 SPACES

TOTAL REQUIRED - 50 SPACES  
TOTAL PROVIDED - 50 SPACES  
TOTAL AVAILABLE - 50 SPACES  
TOTAL AVAILABLE - 50 SPACES  
TOTAL AVAILABLE - 50 SPACES



**DESIGNING BUILDINGS  
BUILDING RELATIONSHIPS**

**CHERRY TREE ASSISTED LIVING AN APARA CARE COMMUNITY  
BLAOT, WI**





DESIGNING BUILDINGS  
BUILDING RELATIONSHIPS

CHERRY TREE ASSISTED LIVING AN APARRA CARE COMMUNITY  
BELLOIT, WI



# CITY of BELOIT

## Neighborhood Planning 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: Cu-2013-11

1. Address of subject property: 2157 SCHUSTER DR.

2. Legal description: "LOTS 13, 14, 15, 16 & 17 SCHUSTERS PREPAREDNESS UNRECORDED"

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

Property dimensions are: 500 feet by 400 feet = 200,000 square feet.

If more than two acres, give area in acres: 4.5569 acres.

3. Tax Parcel Number(s): 21960130

4. Owner of record: Shirley Bonafede Phone: 608 362-7459

2157 SCHUSTER DR Beloit WI 53511

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

5. Applicant's Name: Aaron Otto -- Apar Care Inc.

7601 Ganser Way Madison WI 53719

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

888 308-6448 / 608 449-2128 / mraaronotto@aol.com

(Office Phone #) (Cell Phone #) (E-mail Address)

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

Single Family Home

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

A Conditional Use Permit for: Use of State of Wisconsin assisted living licensure category - RCAC (Residential Care Apartment Complex)

\_\_\_\_\_ in a(n) C-1 Office District Zoning District.

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

Principal use: \_\_\_\_\_

Dual licensure assisted living campus -Licenses (CBRF -Community Based Residential Facility & RCAC Residential Care Apartment Complex) See Attached.

Secondary use: \_\_\_\_\_

Accessory use: \_\_\_\_\_

9. Project timetable: Start date: 10/1/2013 Completion date: 11/1/2014

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: Offer to Purchase/Owner Representative
- 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.

[Signature] / Shirley Bonafede / 7-11-13  
 (Signature of Owner) (Print name) (Date)

[Signature] / Adam Otto / 7/10/2013  
 (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 Neighborhood Planning 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 \$275.00 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: <b>\$275.00</b>	Amount paid: <u>\$275.00</u>	Meeting date: <u>Aug. 7, 2013</u>
No. of notices: _____	x mailing cost (\$0.50) = cost of mailing notices: \$ _____	
Application accepted by: <u>[Signature]</u>		Date: <u>7/11/13</u>



The Apara Care campus mission is to provide nursing and ancillary services to its residents across a broad continuum of care. The scope and breadth of services for frail elderly and memory care clients that we are proposing requires a multi-tiered approach to licensing to ensure comprehensive care delivery and compliance with all regulatory requirements. The licensures include a CBRF license (Community Based Residential Facility), which is permitted under the lands current zoning and an RCAC license (Residential Care Apartment Complex), which requires a conditional use permit.

The RCAC - assisted living - component allows clients to enter the care delivery system at a point where their nursing and other care needs are managed by a team of health care professionals, which include nurses, CNAs, dietary care providers, activity director, housekeeping, and other staff. As a residents needs increase the scope of services expands to include special programming related to their specific diagnoses of dementia and other medical diagnoses. Concurrent with the expansion of nursing services, the level of licensure adjusts as the client moves into the CBRF (memory care) portion of the care campus. The third/transitional level of care delivery ensures that clients who reside in the RCAC (assisted living) portion of the campus can still receive specialized memory care services as their needs increase. This transitional approach to nursing care for frail elderly and memory care clients provides a compassionate, client-centered approach and is in line with best practice recommendations at the state and national levels for both licensing and quality of care.



City of  
**BELOIT, Wisconsin**  
Division of Planning and Building Services

CITY HALL • 100 STATE STREET • BELOIT, WI 53511

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

[www.ci.beloit.wi.us](http://www.ci.beloit.wi.us)

*Equal Opportunity Employer*

## **NOTICE TO THE PUBLIC**

July 24, 2013

To Whom It May Concern:

Aaron Otto of Apara Care Inc. has filed an application for a Conditional Use Permit to allow a Residential Care Apartment Complex in a C-1, Office District, for the property located at:

**2157 Schuster Drive.**

The applicant has proposed an assisted living community consisting of a 24-unit Community Based Residential Facility (CBRF) wing, an administration/commons area, and a 48-unit Residential Care Apartment Complex (RCAC) wing. The CBRF is permitted by right in the C-1 district, while the RCAC requires a Conditional Use Permit.

Note: The City Council approved a Conditional Use Permit for this project on June 18, 2012, but the permit expired after a year of inactivity.

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

**City Plan Commission:** Wednesday, August 7, 2013, at 7:00 PM, or as soon thereafter as the matter can be heard in The Forum, Beloit City Hall, 100 State Street.

**City Council:** Monday, August 19, 2013, 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 ten (10) copies and submit them to the Recording Secretary before the meeting begins. Staff is unable to leave the meeting area to make copies.

*For additional information, please contact Drew Pennington in the Planning & Building Services Division at (608) 364-6711 or [penningtond@ci.beloit.wi.us](mailto:penningtond@ci.beloit.wi.us). Comments will be accepted via telephone, email, and U.S. Mail.*

CU-2013-11, Cherry Tree Assisted Living Facility, 2157 Schuster Drive

MCBAIN ENTERPRISES INC  
2951 KENNEDY DR  
BELOIT, WI 53511

SHIRLEY BONAFEDE  
2157 SCHUSTER DR  
BELOIT, WI 535113145

RONALD & NANCY WOLF  
2217 SCHUSTER DR  
BELOIT, WI 53511

BLACKHAWK BANK  
400 BROAD ST  
BELOIT, WI 535116223

ROLAND THAYER  
2223 E. VAIL TERRACE  
BELOIT, WI 53511

MICHAEL LANDERS  
4954 STATE ROAD 50  
DELAVAN, WI 53115

KADERLY  
2167 E. VAIL TERRACE  
BELOIT, WI 53511

GERALD & PAULINE  
WIKKERINK  
2157 E. VAIL TERRACE  
BELOIT, WI 53511

EDWARD & JANET GILL  
2130 SCHUSTER DRIVE  
BELOIT, WI 53511

NORMAN & JUDY  
MONTGOMERY TRUST  
2133 E. VAIL TERRACE  
BELOIT, WI 53511

LARRY LONG  
2113 E. VAIL TERRACE  
BELOIT, WI 53511

KARON HUFF  
2115 SCHUSTER DRIVE  
BELOIT, WI 53511

DEB BENNETT  
TOWN OF TURTLE CLERK  
6916 S. COUNTY ROAD J  
BELOIT, WI 53511