



CITY HALL • 100 STATE STREET • BELOIT, WI 53511

**MEETING NOTICE AND AGENDA
Beloit City Plan Commission
Wednesday, June 17, 2015 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 May 20, 2015 Meeting**
- 3. Extraterritorial Certified Survey Map – 1400 Inman Parkway**
Review and consideration of two-lot Extraterritorial Certified Survey Map for property located at 1400 Inman Parkway in the Town of Beloit
- 4. Conditional Use Permit – 2100 Newark Road – Expanded Contractor Use**
Public hearing, review and consideration of a Conditional Use Permit to allow an expanded contractor use in a DH, Development Holding District, for property located at 2100 Newark Road in the City of Beloit
- 5. Conditional Use Permit – 1105 E Grand Avenue – Rooming House**
Public hearing, review and consideration of a Conditional Use Permit to allow a rooming house in a C-1, Office District, for the property located at 1180 Madison Road
- 6. Status Report on Prior Plan Commission Items**
- 7. Adjournment**

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

Notice Mailed: June 12, 2015

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

MEETING MINUTES
Beloit City Plan Commission
Wednesday, June 3, 2015 at 7:00 PM
The Forum
100 State Street, Beloit

1. Call to Order and Roll Call

Chairperson Faragher called the meeting to order at 7:00pm.

Commissioners Tinder, Finnegan, Ruster, Faragher, Mathis, and Councilman Kincaid were present. Commissioner Johnson was absent. Commissioner Moore arrived at 7:02pm.

2. Approval of the Minutes of the May 6, 2015 Meeting

Commissioner Ruster moved to approve the minutes from the May 6, 2015 meeting. Commissioner Finnegan seconded the motion. The motion passed unanimously (6-0).

3. Certified Survey Map – 1750 Gateway Boulevard

Review and consideration of two-lot Certified Survey Map for property located at 1750 Gateway Boulevard in the City of Beloit.

Julie Christensen presented the staff report and recommendation.

The applicant, Tom Larson, with Hawk's Ridge, requested additional time for the construction of the driveway, similar to the first project. He stated they would be breaking ground next year in the spring, after securing financing this year. They requested that the driveway installation be contingent upon completion of the buildings (which can take between 8-12 months). Councilman Kincaid inquired into whether or not this was typical procedure.

City Engineer Mike Flesch stated that constructing the driveways after the buildings are completed is normal. He'd be comfortable if the motion stated the driveway needed to be built before occupancy, especially given the fact that the existing buildings would still be accessible through the existing driveway.

Commissioner Mathis asked if there were construction project plans available.

Mr. Larson stated that they plan to continue with the PUD that was approved. He stated that the only thing that would be changing is the CSM which divide the property into two lots.

Councilman Kincaid asked if the new buildings will be the same as the existing buildings and if the ownership will remain the same. The applicant stated that they

intended to have the same buildings and the same distance between buildings. Mr. Larson confirmed that the ownership would be remaining the same.

Commissioner Tinder moved to approve the motion with the contingency that the driveway is built before occupancy. Commissioner Ruster seconded the motion. The motion passed unanimously (6-0).

4. **Preliminary Plat – Deerfield Estates Second Addition – 2222 Canterbury Drive**

Review and consideration of 15-lot Preliminary Plat for property located at 2222 Canterbury Drive in the City of Beloit

Julie Christensen presented the staff report and recommendation.

Councilman Kincaid inquired about specific details concerning the proposed project, specifically regarding existing trees and the grade of the road. Mr. McKearn and Mr. Flesch spoke to those inquiries. Mr. Flesch stated that the lots would be more buildable with the right-of-way going straight through instead of curving around the oak tree. He also mentioned that once development was complete, new trees would be planted in the area.

Chairperson Faragher inquired into the agreement of exchanging land between the city and the developer. Ms. Christensen stated that this will be dependent upon what the City Council and the new City Manager desire. She also stated that, after speaking to the Parks staff, there is plenty of land in Freeman Park to meet the area parkland needs.

Commissioner Finnegan moved to approve the motion. Commissioner Tinder seconded the motion. The motion passed unanimously (6-0).

5. **Conditional Use Permit – 1180 Madison Road – The Alibi Bar & Grill**

Public hearing, review and consideration of Conditional Use Permit to allow a temporary outdoor seating area and temporary outdoor sales, possession, and consumption of alcohol in a C-2, Neighborhood Commercial District, for the property located at 1180 Madison Road.

Julie Christensen presented the staff report and recommendation.

Councilman Kincaid asked if this were a new event. Ms. Christensen explained the history of the Conditional Use Permit and that there were new owners of the Alibi. Councilman Kincaid also inquired into the parking situation, and Ms. Christensen assured him that there was adequate parking.

Councilman Kincaid asked what the opposing letters from the neighbors stated. Ms. Christensen summarized the letters.

Commissioner Mathis asked about the current occupancy limit. Chairperson Faragher stated that the inside occupancy limit is 44 people.

Commissioner Ruster asked if the school being addressed in the letter is associated with the Church. Ms. Christensen stated that it is and explained the process of approving alcohol sales less than 300 feet from a school.

Commissioner Mathis asked the applicants what the expected attendance would be. Dan and Wendy Drake, the current owners, stated that they didn't have a definite approximation; however, they do expect their regular customers and hopefully a few of the neighbors.

Commissioner Mathis asked about the available parking spaces. Mr. Drake stated that there will be approximately 6 spaces at the Alibi, between 40-50 cars available at Schultz, and on-street parking (which they are intending to avoid if possible).

Commissioner Mathis asked the Drakes what time they expected the band to stop playing. Mr. Drake stated that he hoped to shut the band down before 10pm.

Commissioner Ruster asked about any interaction with the opposing neighbors. Mr. Drake explained that they actually have a business relationship with the owner of the church and that they haven't heard anything from the other neighbors.

Commissioner Moore asked Ms. Christensen if there were any police calls on record. Ms. Christensen stated that she will try to find out if there have been any police calls since the Drakes became the owners.

Commissioner Moore inquired as to whether or not the Alcohol Committee has seen this proposal. Ms. Christensen stated that they have not seen it yet, but it is on their agenda for June 9th.

Commissioner Finnegan asked if they could add a condition that future events could be prohibited if there are issues at the events. Ms. Christensen explained that each year there is a review by City Council as well as the Alcohol Committee at which time they can either deny or approve the alcohol permit.

Chairperson Faragher spoke on the improved conditions of the Alibi and supported the fact that it would bring entertainment to the west side of Beloit.

Commissioner Mathis moved to approve the motion. Commissioner Tinder seconded the motion. The motion passed unanimously (6-0).

6. Status Report on Prior Plan Commission Items

There is nothing to report on prior Plan Commission Items. However, Walnut Grove and Hawks Ridge are moving forward with building residential buildings. Buffalo Wild Wings is getting closer to completion.

7. Adjournment

The meeting adjourned at 7:40pm.

CITY OF BELOIT

REPORT TO THE BELOIT CITY PLAN COMMISSION



Meeting Date: June 17, 2015

Agenda Item: 3

File Number: CSM-2015-08

Applicant: RH Batterman

Owner: Patch Worldwide LLC

Location: 1400 East Inman Parkway
(Town of Beloit)

Existing Zoning: R-R, Rural
Residential (Town of Beloit Zoning)

Existing Land Use: Commercial/Open
Space

Total Area: 11.1 Acres

Request Overview/Background Information:

RH Batterman, on behalf of Patch Worldwide LLC, has submitted an Application for the Review of a Minor Subdivision and a 2-Lot Certified Survey Map (CSM) for the property located at 1400 Inman Parkway in the Town of Beloit. According to Section 12.05(1)(b) of the Subdivision Ordinance, the Plan Commission may approve, conditionally approve, or reject any minor subdivision of land within the City or within the City's extraterritorial jurisdiction where there is no dedication of land to the City.

Key Issues:

- The intent of the proposed CSM is to subdivide this existing 11-acre parcel into a developed parcel (proposed Lot 1) and an undeveloped parcel (proposed Lot 2).
- Lot 1 with the existing building will be 5.353 acres. Lot 2, currently undeveloped open space, will be 5.745 acres.
- The existing building on Lot 1 is the headquarters of Patch Worldwide.
- The existing lot is located in the Town's R-R, Rural Residential District.
- The City's Review Agents have reviewed the proposed CSM and have not submitted any comments.

Consistency with Comprehensive Plan and Strategic Plan:

The Comprehensive Plan's Future Land Use Map designates the subject property as appropriate for General Industrial land uses. Future development plans for Lot 2 are unknown at this time. Consideration of this request supports Strategic Goal #5.

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 the attached two-lot Certified Survey Map (CSM) for the property located at 1400 Inman Parkway Town of Beloit, subject to the following conditions:

1. The final CSM shall substantially conform to the preliminary CSM submitted with this application for review.
2. The final CSM shall be recorded with the Rock County Register of Deeds by December 31, 2015.

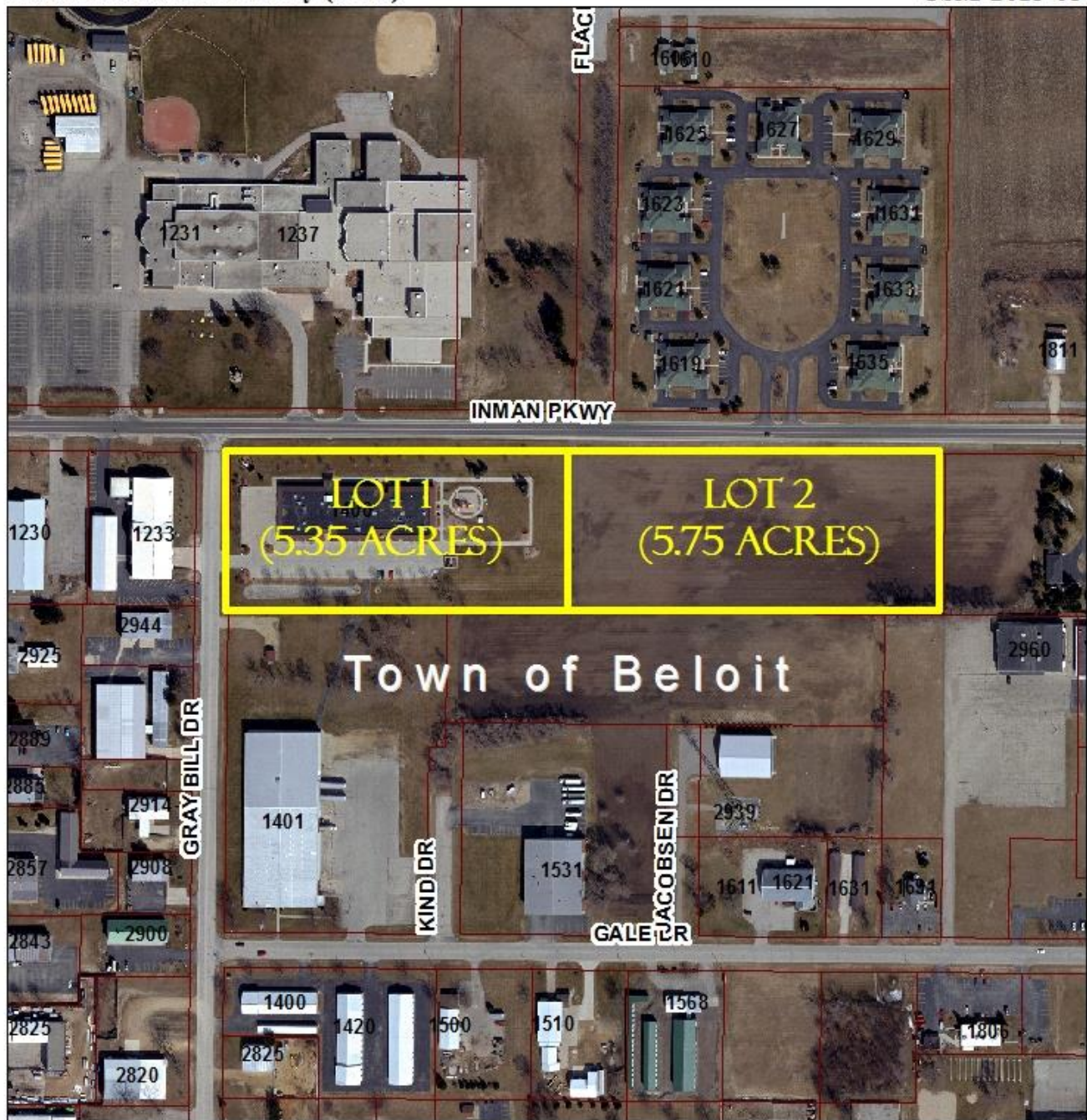
Fiscal Note/Budget Impact: N/A

Attachments: Location & Zoning Map, Application, CSM, and Resolution.

Location & Zoning Map

1400 East Inman Parkway (TOB)

CSM-2015-08



Document Path: N:\GIS\mxd\GIS\Map\2015\08_1400_East_Inman_Parkway.mxd

Legend

 Beloit & Turtle Parcels



PLANNING AND BUILDING SERVICES DIVISION

Map prepared by: Alex Morganroth
Date: June 2015
For: City of Beloit,
Planning & Building Services
Date of Aerial Photography: April 2011

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: INMAN PARKWAY & GRAYBILL DRIVE

Property owner's name: PATCH WORLDWIDE LLC

ITEM OF INFORMATION	Not Known = NK	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)			X
B. A landform or topographical feature including perennial streams?			X
C. A floodplain? (If Yes, attach a copy of the latest FEMA Floodway map with the parcel shown thereon.)			X
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"?			X
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?			X
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?			X
G. An area with fractured bedrock within 10 feet of the soil surface as depicted in the "Soils Survey of Rock County"?			X
H. Prevention of future gravel extraction?			X
I. A drainage-way with a tributary area of 5 or more acres?			X
J. Lot coverage of more than 50 percent impermeable surfaces?			X
K. Prime agricultural land as depicted in the "Soils Survey of Rock County" or any adopted farmland preservation plans?		X	
L. Wetlands as depicted on a DNR wetland inventory map or more detailed source?			X
II. Water Resources; Does the project site involve:			
A. An area traversed by a stream, intermittent stream or dry run?			X
B. An impact on the capacity of a storm water storage system or flow of a waterway within one mile?			X
C. The use of septic systems for on-site wastewater disposal?			X
D. Lowering of water table by pumping or drainage?			X
E. Raising of water table by altered drainage?			X
F. Frontage on a lake, river, or other navigable waterway?			X
III. Human and Scientific Interest; Does this project site involve:			
A. An area of archeological interest included on the Wisconsin Archeological Site Inventory?			NK
B. An area of historical interest, or historic buildings or monuments listed on the State or National Register of Historic Places?			X

Survey Map for the purpose stated herein. The undersigned also agrees to abide by all applicable federal, state and local laws, rules, and regulations.

 / DH BATTERMAN / 5/26/15
 (Signature of applicant) (Name of applicant) (Date)

This application must be submitted at least 21 days prior to the Plan Commission meeting date.

Review fee: <u>\$150 plus \$10 per lot</u>	Amount Paid: <u>\$170.⁰⁰</u>
Scheduled meeting date: <u>June 17, 2015</u>	
Application accepted by: <u>Drew Pennington</u>	Date: <u>5/27/15</u>

Site Assessment Checklist	(continued)
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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?		NK
B. Endangered or rare plant or animal species per the DNR Wisconsin Natural Heritage Inventory?		NK
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.)		X
D. Removal of over 40 % of the trees on the site within a "mature woodland" as defined in the subdivision ordinance?		X
E. Environmental corridors as mapped by the City of Beloit or Rock County?		X

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)? Unknown future business		X
B. Is the land traversed by an existing or planned roadway corridor, as shown on the City's official map or comprehensive plan?		X
C. Is the land within a highway noise impacted area (within 500 feet of an interstate or state or Federal highway)?		X
D. Is the land traversed by an existing or planned utility corridor (gas, electrical, water, sewer, storm, communications)?	X	

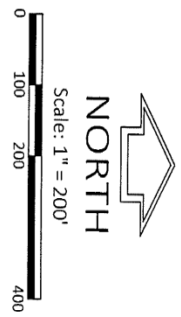
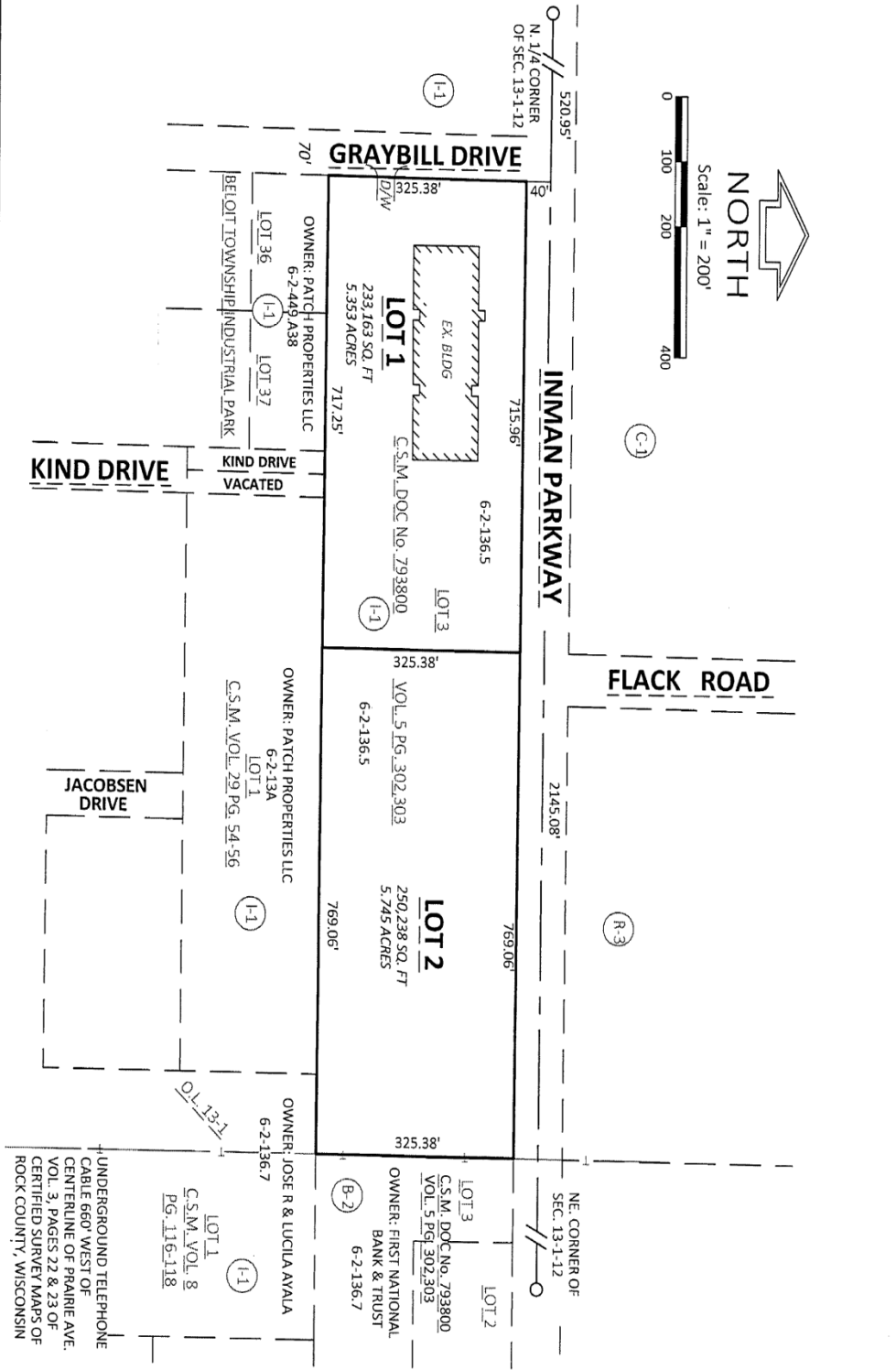
VI. Population:	----	----
A. Which public school service areas (elementary, middle and high school) are affected by the proposed development and what is their current available capacity?		
Elementary; NA _____		E: Cap= NK
Middle; NA _____		M: Cap= NK
High School; NA _____		H: Cap= NK

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.

PRELIMINARY CERTIFIED SURVEY MAP

OF PART OF LOT 3 OF CERTIFIED SURVEY MAP DOCUMENT #793800 RECORDED IN VOLUME 5 ON PAGES 302 AND 303, BEING PART OF THE NW 1/4 OF THE NE 1/4 OF SECTION 13 T. 1 N., R 12 E. OF THE 4TH P.M. BELOIT TOWNSHIP, ROCK COUNTY, WISCONSIN.



ORDER NO. 31981
 FOR: BRYCE PATCH
 DATE: January 8, 2015
 BOOK: SEE FILE

Batterman
 engineers surveyors planners
 2857 Bartells Drive Beloit, Wisconsin 53511
 608.365.4464 www.rhbatterman.com

**RESOLUTION
APPROVING A TWO-LOT CERTIFIED SURVEY MAP
FOR THE PROPERTY LOCATED AT
1400 EAST INMAN PARKWAY IN THE TOWN OF BELOIT**

WHEREAS, Section 12.05(1)b of Chapter 12 of the Code of General Ordinances of the City of Beloit entitled “*Subdivision and Official Map Ordinance*” authorizes the City Plan Commission of the City of Beloit to approve, conditionally approve, or reject any minor subdivision of land within the extraterritorial jurisdiction of the City; and

WHEREAS, the attached two-lot Certified Survey Map for the property located 1400 East Inman Parkway in the Town of Beloit is located within the extraterritorial jurisdiction the City; and

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

PART OF LOT 3 OF CERTIFIED SURVEY MAP DOCUMENT #793800 RECORDED IN VOLUME 5 ON PAGES 302 AND 303, BEING PART OF THE NW ¼ OF THE NE ¼ OF SECTION 13 T. 1N, R. 12E, OF THE 4TH P.M. BELOIT TOWNSHIP, ROCK COUNTY, WISCONSIN, Containing 11.1 Acres, more or less.

NOW, THEREFORE, BE IT RESOLVED THAT the Plan Commission of the City of Beloit does hereby conditionally approve the attached two-lot Certified Survey Map for the property located at 1400 East Inman Parkway in the Town of Beloit, subject to the following conditions:

1. The final CSM shall substantially conform to the preliminary CSM submitted with this application for review.
2. The applicant shall record the CSM with the Rock County Register of Deeds and shall provide the Planning and Building Services Division with a copy of the recorded CSM by December 31, 2015.

Adopted this 17th day of June, 2015.

James Faragher, Plan Commission Chairman

ATTEST:

Julie Christensen,
Community Development Director

CITY OF BELOIT

REPORT TO THE BELOIT CITY PLAN COMMISSION

Meeting Date: June 17, 2015

Agenda Item: 4

File Number: CU-2015-05

Applicant: Steven Franks

Owner: 3 Franks Services LLC

Location: 2100 Newark Road

Existing Zoning: DH, Development Holding District

Existing Land Use: Contractor Office & Storage Yard

Parcel Size: 11.25 Acres

Request Overview/Background Information:

Steven Franks of 3 Franks Services LLC has filed an application to amend an existing Conditional Use Permit (CUP) to allow expanded Contractor Office & Storage Yard uses in the DH, Development Holding District, for the property located at 2100 Newark Road.

Key Issues:

- On April 7, 2014, the City Council authorized a CUP to allow the applicant to operate his asphalt paving business on the subject property. This CUP followed a staff-initiated Zoning Text Amendment to add “contractor offices & storage yards” to the list of conditional uses in the DH District.
- The applicant purchased the subject property in May 2014, and began a substantial clean-up operation. The prior owners operated a trash hauling business, and old aerial photos indicate the presence of large quantities of trash & debris, old tires, junk recreational vehicles, and miscellaneous items. The applicant has removed and properly disposed of these items.
- The applicant has proposed the construction of a 3,000 square-foot office & storage addition to an existing storage/shop building, along with temporary use of a converted manufactured home that will be used as office space during the construction process. The applicant will continue to rent the house as a single-family dwelling.
- The proposed project is considered a major change in the use of the property under condition #5 of the 2014 CUP, and requires Plan Commission and City Council approval of an amended CUP.
- The subject property is located in a rural area surrounded by farmland, and is approximately ½ mile east of Townview School. The subject property is served by private well and septic, as no public utilities are available.
- The applicant’s existing 2014 CUP is attached. Planning staff has inspected the subject property and has verified compliance with conditions 2 & 3.
- A site sketch and application are attached to this report. The site sketch shows the location of the existing buildings, as well as the location of the proposed addition and temporary office. The site sketch also shows a recently approved driveway and proposed barn, although staff has advised the applicant that the barn must have a larger setback.
- The attached Public Notice was sent to the owner of the surrounding agricultural land, who did not comment.
- **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 applicant’s operation does not and will not negatively impact the public.
- b. *Whether the conditional use will be injurious to the use and enjoyment of other property in the immediate vicinity for purposes already permitted;*
 - The applicant’s operation is compatible with surrounding agricultural uses, and staff has not received any complaints in the first year of operations.
 - The proposed expansion is in the middle of the 11-acre subject property and will not affect nearby properties.
- c. *Whether the conditional use will substantially diminish or impair property values within the neighborhood of the subject property;*
 - On the contrary, the continued improvement of this previously blighted parcel 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;*
 - The subject property is located in a rural area that is not facing any noticeable development pressure at this time.
- 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;

- 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;*
 - The proposed building addition will utilize the existing on-site septic and private well systems.
- g. *Whether adequate measures will be taken to minimize traffic congestion; and*
 - The proposed expansion will not cause an appreciable increase in traffic.
- 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.

Consistency with Comprehensive Plan and Strategic Plan:

The Comprehensive Plan's Future Land Use Map recommends Planned Neighborhood uses of the subject property. This recommendation is intended to guide the long-term development of this entire area of the City, and is not relevant to this particular land use application. Consideration of this request supports City of Beloit Strategic Goal #5.

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 an amended Conditional Use Permit (CUP) to allow expanded Contractor Office & Storage Yard uses in the DH, Development Holding District, for the property located at 2100 Newark Road, based on the above Findings of Fact and subject to the following conditions:

1. The conditions imposed on the applicant's 2014 CUP remain in full force and effect.
2. This amended CUP allows a 3,000 square-foot addition to an existing storage/shop building, along with temporary use of a converted manufactured home that will be used as office space during the construction process.
3. The temporary office use shall be discontinued when the building addition has been completed or in three years following approval, whichever occurs first. Gravel areas shall be paved at the conclusion of this project.
4. The applicant may continue to rent the existing single-family dwelling, but must maintain a Rental Dwelling Permit.
5. The applicant shall obtain an Architectural Review Certificate, a Certificate of Zoning Compliance, and a Building Permit prior to beginning construction of the building addition.
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.

Fiscal Note/Budget Impact: N/A

Attachments: Location & Zoning Map, Photos, 2014 CUP, Site Sketch, Application, and Public Notice.

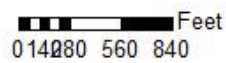
Location & Zoning Map

2100 Newark Road

CU-2015-05



1 inch = 933 feet



Legend

- City Limits
- Zoning District

Map prepared by: Drew Pennington, AICP
Date: June 2015
For: City of Beloit Planning & Building Services
Date of Aerial Photography: March 2011

PLANNING & BUILDING SERVICES DIVISION

Owner Information

Parcel Number: 12280100
Owner Type: Organization
Owner Name: 3FRANKS SERVICES LLC
2100 NEWARK RD
BELOIT, WI 53511

Site Information

2100 NEWARK RD
BELOIT, WI 53511
Tax Status: Taxable
Property Use: A-Residential
Land Use: Single Family Residential
Neighborhood: Northwest
Legal Description: L 1 CSM VOL 9 PGS 230 & 231 AND L 1 CSM VOL 12 PGS 32 & 33
Acreage: 11.25
School District: Beloit School District
Zoning Classification: DH-Development Holding
Prior Year Equalized Value: \$171,500
Voting Ward: 1

11560010
156.98

22

NEWARK RD

12280100
11.25

City of Beloit

12210010
78

12280010
67.6

12280010
67.6

22

City of Beloit

12210010
78



City of Beloit, WI
Date Printed: June 11, 2015

This map is for illustrative purposes only and does not represent a survey. It is provided 'as is' without warranty or any representation of accuracy, timeliness or completeness. The user acknowledges and accepts all inherent limitations of the maps and data, including the fact that the maps and data are dynamic and in a constant state of maintenance, correction and revision. No liability is assumed by City of Beloit as to the accuracy of the data delineated herein.



FILE# 8634
APR 7 2014
CITY OF БЕЛОIT
CITY CLERK

**RESOLUTION
AUTHORIZING A CONDITIONAL USE PERMIT TO ALLOW CONTRACTOR OFFICE &
STORAGE YARD IN A DH, DEVELOPMENT HOLDING DISTRICT,
FOR THE PROPERTY LOCATED AT 2100 NEWARK ROAD**

WHEREAS, the application of 3 Franks Services, LLC for a Conditional Use Permit to allow contractor office & storage yard in a DH, Development Holding District, for the property located at 2100 Newark Road, having been considered by the City Council of the City of Beloit, Wisconsin at a public hearing held for that purpose and due notice of said hearing having been given by publication as appears by the Proof of Publication on file in the office of the City Clerk.

NOW, THEREFORE, BE IT RESOLVED THAT, the City Council of the City of Beloit, Rock County, Wisconsin does hereby grant a Conditional Use Permit to contractor office & storage yard repair in a DH, Development Holding District, for the property located at 2100 Newark Road in the City of Beloit, for the following described premises:

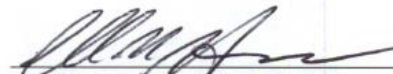
Lot 1 of Certified Survey Map Volume 9, Pages 230 & 231 and Lot 1 of Certified Survey Map Volume 12, Pages 32 & 33, all situated in the City of Beloit, County of Rock, State of Wisconsin (a/k/a 2100 Newark Road). Said parcel contains 11.25 acres, more or less.

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

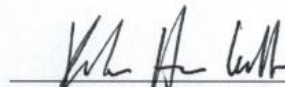
1. This Conditional Use Permit authorizes the use of a contractor's office and storage yard.
2. The applicant shall create a parking area that is set back further than the rental/office building that has a minimum of six (6) parking stalls. The applicant shall stripe the lot in accordance with Section 8-113 of the Zoning Ordinance by June 1, 2014.
3. The applicant shall pave the existing driveway by June 1, 2014.
4. The applicant shall maintain the existing trees on site. Any proposed changes must be approved by Planning Staff with the submittal of a Landscaping Plan.
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.

Adopted this 7th day of April 2014.

BELOIT CITY COUNCIL

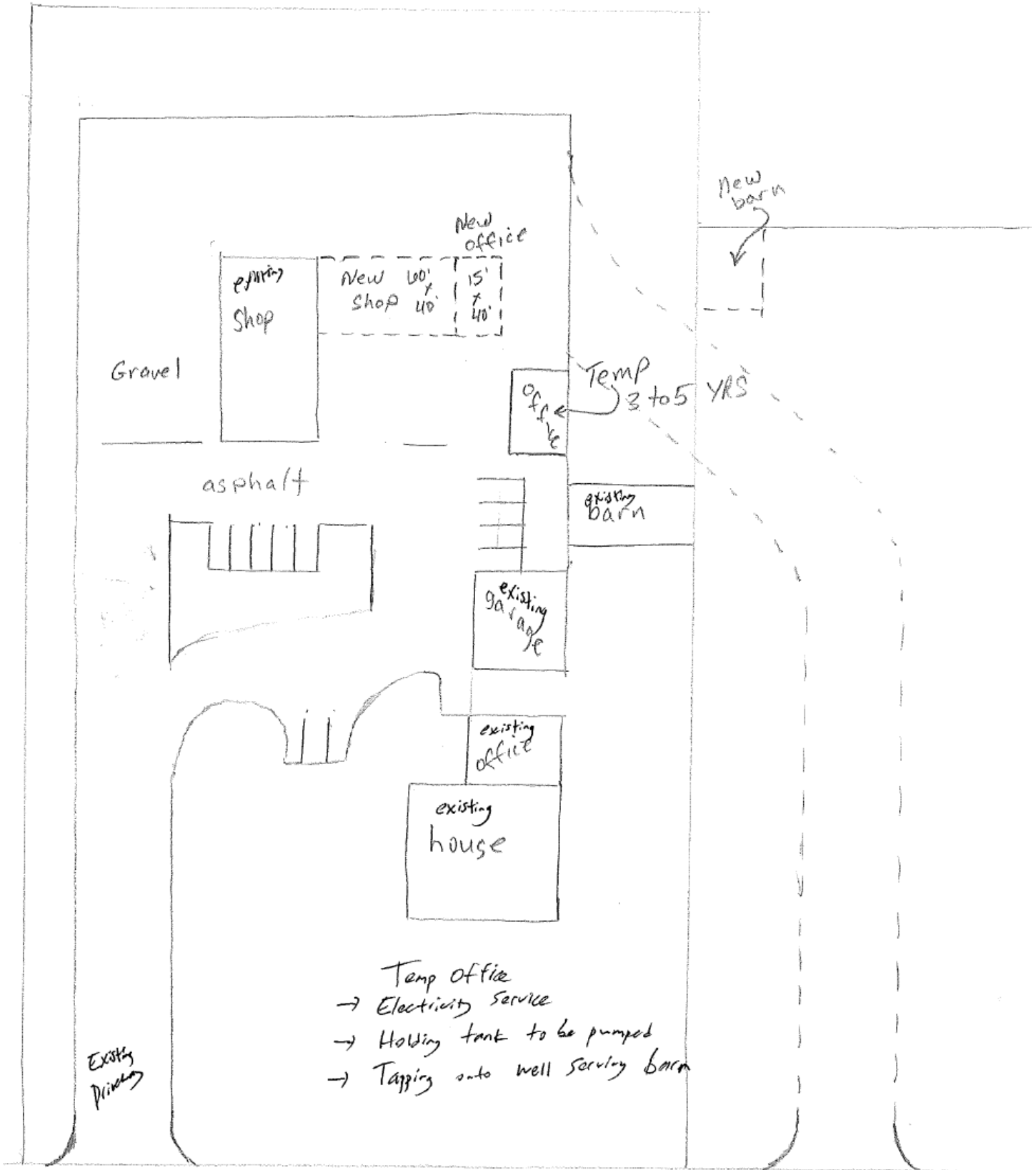

Charles M. Haynes, Council President

ATTEST:


Rebecca Houseman LeMire, City Clerk

Steve Franks

3 Franks Services LLC.



2100 Beloit Newark Rd

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-2015-05

1. Address of subject property: 2100 Beloit Newark Rd

2. Legal description: _____

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

Property dimensions are: _____ feet by _____ feet = _____ square feet.

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

3. Tax Parcel Number(s): 12280100

4. Owner of record: 3 Franks Services LLC phone: 608-365-4608

2100 Beloit Newark Rd Beloit WI 53511
(Address) (City) (State) (Zip)

5. Applicant's Name: Steven Franks

1000 S Paddock Rd Beloit WI 53511
(Address) (City) (State) (Zip)

608-365-4608 | 1 608-295-3490 | asphalt501@yahoo.com
(Office Phone #) (Cell Phone #) (E-mail Address)

6. All existing use(s) on this property are: 1 single family home -

business offices, shop & storage facility

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

A Conditional Use Permit for: Amended CUP for contractor office & storage
_____ in a(n) DH Zoning District.

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

Principal use: Business Shop, office space, & Storage facility

Secondary use: Horses

Accessory use: _____

9. Project timetable: Start date: 6-30-15 asap 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: _____
- 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.

Steven D Franks | Steven D Franks | 5/22/2015
(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 \$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 ^{61c} Meeting date: June 17, 2015

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

Application accepted by: Drew Perryman Date: 5/22/15



NOTICE TO THE PUBLIC

June 3, 2015

To Whom It May Concern:

Steven Franks of 3 Franks Services LLC has filed an application to amend an existing Conditional Use Permit (CUP) to allow expanded Contractor Office & Storage Yard uses in the DH, Development Holding District, for the property located at:

2100 Newark Road.

The applicant is currently operating his asphalt paving business at this location in accordance with a 2014 CUP. The applicant has proposed the construction of a 3,000 square-foot addition to an existing storage/shop building, along with temporary use of a converted recreational vehicle that will be used as office space during the construction process. The proposed project is considered a major change in the use of the property, and requires Plan Commission and City Council approval of an amended CUP.

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

City Plan Commission: Wednesday, June 17, 2015, 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, July 6, 2015, 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, AICP in the Planning & Building Services Division at (608) 364-6711 or penningtond@beloitwi.gov. Comments will be accepted via telephone, email, and U.S. Mail.

CITY OF BELOIT

REPORT TO THE BELOIT CITY PLAN COMMISSION



Meeting Date: June 17, 2015

Agenda Item: 5

File Number: CU-2015-04

Applicant: Matt Finnegan

Owner: FPS Rental, Inc.

Location: 1105 East Grand Avenue

Existing Zoning: C-1, Office District

Existing Land Use: Duplex-Two
Family (Vacant)

Parcel Size: .1837 Acre

Request Overview/Background Information:

Matt Finnegan, on behalf of FPS Rental Inc., has filed an application for a Conditional Use Permit to allow a rooming house in a C-1, Office District, for the property located at 1105 East Grand Avenue.

Key Issues:

- The applicant, Matt Finnegan, is seeking a permit to establish and operate a rooming house on the subject property. The house will consist of four, single-occupancy sleeping rooms and one efficiency apartment that will house a property supervisor.
- The attached **Location and Zoning Map** shows the location of the subject property and type of zoning in the surrounding area. The adjacent zoning and land uses are as follows:
 - North: R-1B, Single Residential; Duplex – Two Family
 - South: C-3, Community Commercial District – Mini-Warehouse
 - East: C-1, Office; Duplex – Two Family
 - West: R-1B, Single Residential; Duplex – Two Family
- The applicant purchased the house approximately two years ago. The house has been vacant since the time of purchase.
- The proposed rooming house will have four sleeping rooms and one efficiency unit.
 - The applicant anticipates providing a first-floor efficiency with private bath and laundry for an on-site supervisor. According to the applicant, the supervisor will be responsible for all aspects of the property.
 - The four sleeping rooms, to be located on the second floor, will be furnished with beds and dressers at a minimum.
- The applicant has stated that rental terms for tenants of the sleeping rooms will be either weekly or monthly. The tenant in the efficiency will not sign a lease and will be compensated for their supervisory duties through the provision of their apartment.
- **Site Requirements**
 - The applicant has stated through communication with Planning Staff the intention to extensively rehabilitate the building, including but not limited to the following; Remodeling of bathrooms, installing central air-conditioning, all new flooring throughout the building, remodeling the efficiency kitchen, adding the cooking area for sleeping room tenants, as well as various improvements on the exterior of the building.
 - Section 8.16 of the Plumbing Code states that the owner or operator of a rooming house must supply at least one water closet, lavatory basin, and bathtub or shower for each four (4) rooms within a rooming house where such facilities are shared. The applicant's proposal meets this requirement.
 - According to Section 8-100 of the Zoning Code, all group housing uses are required to have ½ a space per resident room. To meet this requirement, the house must have at least three parking spaces available to residents.
 - The applicant has proposed meeting this requirement through the use of parking spaces available at 407/409 Central Avenue, the adjacent property also owned by the applicant.
 - Section 8-107 of the Zoning Code requires that parking be within 500 feet walking distance from the main entrance of the use being served. The applicant's parking proposal meets this requirement.
- **City Review Agents**
 - The City Engineer submitted comments regarding a concern that the applicant did not have an adequate plan for parking. As stated above, the applicant proposed addressing the parking issue through the use of the parking spaces next door.
 - No other Review Agents have submitted any comments or concerns.
- The attached Public Notice was sent to eleven nearby property owners. As of this writing, staff has not received any comments or concerns.

▪ **Findings of Fact**

- *Whether the establishment, maintenance, or operation of the conditional use will be detrimental to or endanger the public health, safety, morals, comfort, or general welfare;*
 - The proposed CUP will not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare, so long as the property is kept in good maintenance and resident rules are strictly enforced.
- *Whether the conditional use will be injurious to the use and enjoyment of other property in the immediate vicinity for purposes already permitted;*
 - The conditional use will not injure the use and enjoyment of nearby properties as the exterior of the property will not be substantially altered.
- *Whether the conditional use will substantially diminish or impair property values within the neighborhood of the subject property;*
 - The conditional use will not substantially diminish or impair property values in the neighborhood.
- *Whether the establishment of the conditional use will impede the normal and orderly development and improvement of the surrounding property;*
 - The proposed rooming house is located along a busy thoroughfare with a variety of uses nearby including office, multi-family, and institutional.
- *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 applicant has proposed significant renovations to the interior of the building and exterior façade that will not have a negative effect on the surrounding properties.
- *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;*
 - According to the applicant's plans, adequate infrastructure will exist at the time of occupancy.
- *Whether adequate measures will be taken to minimize traffic congestion; and*
 - Not Applicable.
- *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.

Consistency with Comprehensive Plan and Strategic Plan:

Consideration of this request supports City of Beloit Strategic Goal #5. The City of Beloit Comprehensive Plan recommends Office as the land use type most appropriate for the subject property and surrounding parcels. The proposed rooming house is not consistent with this recommendation.

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 and Building Services Division recommends **approval** of a Conditional Use Permit to establish and operate a rooming house consisting of four sleeping rooms as well as one efficiency apartment to house a property supervisor who will oversee the house, at the property located at 1105 East Grand Avenue, based on the above Findings of Fact and subject to the following conditions:

1. The property owner must obtain an annual rental permit from the Housing Services Division.
2. The rental term lengths for sleeping room tenants will be monthly in order to help maintain stability in the neighborhood and to prevent common problems associated with renting by the week or day.
3. The applicant will provide at least three parking spaces designated by signs for residents and guests of the rooming house, regardless of future tenant car ownership rates.
4. The owner may rent a maximum of four sleeping rooms and one efficiency.
5. The rooming house will house a maximum of five persons, including the supervisor.
6. The applicant shall adhere to all regulations, including but not limited to those found in Section 7.32 of the Property Maintenance Code and Section 8.16 of the Plumbing Maintenance Code.
7. If City staff receives complaints stemming from the lack of on-site management from tenants, neighboring property owners, or elected or appointed City officials, staff reserves the right to re-review the conditions of this Conditional Use Permit with the Plan Commission and City Council.

8. 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 Planning and Building Services Director may approve minor changes administratively.

Fiscal Note/Budget Impact:

N/A

Attachments:

Zoning and Location Map, Application, Public Notice, and Mailing List.

Location & Zoning Map

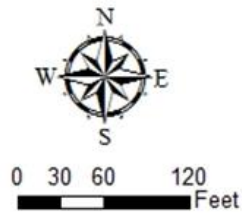
1105 East Grand Avenue

CU-2015-04



Legend

-  COB Parcels
-  Zoning District
-  1105 E Grand Ave



PLANNING AND BUILDING SERVICES DIVISION

Map prepared by: Alex Morganroth
 Date: May 28, 2015
 For: City of Beloit,
 Planning & Building Services
 Date of Aerial Photography: April 2011

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-2015-04

1. Address of subject property: 1105 East Grand

2. Legal description: SEE ATTACHED

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

Property dimensions are: 100 feet by 80 feet = 8000 square feet.

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

3. Tax Parcel Number(s): 200-131060240

4. Owner of record: FPS Rental Inc. Phone: 608-751-2915

(Pl. Box 41) 318 W. Grand Beloit, WI 53511
(Address) (City) (State) (Zip)

5. Applicant's Name: Matthew L. Finnegan

318 W. Grand Ave Beloit, WI 53511
(Address) (City) (State) (Zip)

608-312-2345 1-608-751-2915 Home@FinancialFreedomMag.com
(Office Phone #) (Cell Phone #) (E-mail Address) .com

6. All existing use(s) on this property are: LAST TIME IT WAS USED AS
RESIDENTIAL. NOW VACANT FOR AT LEAST 3 YEARS.

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

A Conditional Use Permit for: Sleeping Room Occupancy
_____ in a(n) C-1 Zoning District.

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

Principal use: Efficiency Residential Apartment to consist of
four sleeping rooms with common bathroom, common
dining room and living room. Kitchenette with sink

~~Secondary use:~~ microwave and toaster oven. Laundry in
SAME AREA

Accessory use: _____

9. Project timetable: Start date: 6/1/15 Completion date: 10/1/15

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.

[Signature] / Matthew L. Finnegan / 5/18/15
(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 \$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: <u>\$275.⁰⁰</u>	Meeting date: <u>June 17, 2015</u>
No. of notices: _____ x mailing cost (\$0.50) = cost of mailing notices: \$ _____		
Application accepted by: <u><i>[Signature]</i></u>		Date: <u>5/19/15</u>



NOTICE TO THE PUBLIC

To Whom It May Concern:

Matt Finnegan, on behalf of FPS Rental Inc., has filed an application for a Conditional Use Permit to allow a rooming house in a C-1, Office District. The applicant is seeking a permit to establish and operate a rooming house consisting of four sleeping rooms as well as one efficiency apartment to oversee the property.

1105 Grand Avenue.

Rooming houses are a conditional use in the C-1 District. The following public hearings will be held regarding this proposed Conditional Use Permit:

City Plan Commission: Wednesday, June 17, 2015, 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, July 6, 2015, 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 Alex Morganroth in the Planning Division at (608) 364-6708 or morganrotha@beloitwi.gov. Comments will be accepted via telephone, email, and U.S. Mail.

JOSE L & CHRISTINA B CRUZ
317 WISCONSIN AVE
BELOIT, WI 53511
JOSE L &
CHRISTINA B CRUZ
GARY WEINKAUF
1822 EMERSON ST
BELOIT, WI 53511

CARL G & MELISSA A G
STOLTZ
421 CENTRAL AVE
BELOIT, WI 53511

LARRY CORNELLIER
CORNELLIER ENTERPRISES
INC
105 DEARBORN ST
JEFFREY VOSS
2566 RIVERSIDE DR
BELOIT, WI 53511

EMMANUEL BAPTIST CHURCH
1151 E GRAND AVE
BELOIT, WI 535116476

DOUGLAS CASH
P O BOX 1317
BELOIT, WI 535121317

RICHARD W & SUANNA L
DOUGLAS
425 WISCONSIN AVE
BELOIT, WI 53511
FOR HIM INC
P O BOX 41
BELOIT, WI 53512

BRUCE GREENFIELD
1720 STRATFORD LN
ROCKFORD, IL 61107

FULGENCIO RIVERA
2116 CENTRAL
CICERO, IL 60804