



CITY HALL • 100 STATE STREET • BELOIT, WI 53511

**MEETING NOTICE AND AGENDA
Beloit City Plan Commission
Wednesday, September 9, 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 August 19, 2015 Meeting**
3. **Extraterritorial Certified Survey Map – 2800 Block of South Hazelwood Drive**
Review and consideration of a one-lot Certified Survey Map for the land located in the 2800 Block of South Hazelwood Drive in the Town of Turtle
4. **Sale of City-owned Land to the Wisconsin Department of Transportation for Right-of-Way Purposes – Portion of 2702 Colley Road**
Review and consideration of a request from the Wisconsin Department of Transportation to purchase a portion of the property located at 2702 Colley Road for I-39/I-90 right-of-way purposes
5. **Status Report on Prior Plan Commission Items**
6. **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: September 4, 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, August 19, 2015 at 7:00 PM
The Forum
Beloit City Hall, First Floor
100 State Street, Beloit

1. Call to Order and Roll Call

Chairperson Faragher called the meeting to order at 7:10 pm. Commissioners Johnson, Faragher, Finnegan, and Councilor Kincaid were present. Commissioner Tinder attended the meeting via phone conference. Commissioners Moore, Mathis, and Ruster were absent.

2. Approval of the Minutes of the August 5, 2015 Meeting

Commissioner Finnegan moved to approve the minutes. Commissioner Johnson seconded. The motion passed, voice vote.

3. Zoning Ordinance Amendment – Floodplain Zoning Districts

Public hearing, review and consideration of an Ordinance to repeal and recreate Section 5-400 of the Zoning Ordinance, Chapter 19 of the Code of General Ordinances for the City of Beloit relating to floodplain zoning districts.

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

Commissioner Johnson moved to approve the motion. Commissioner Finnegan seconded the motion. The motion passed, voice vote.

4. Status Report on Prior Plan Commission Items

Ms. Christensen reported that the vacation of Tuck-a-Way Lane was approved. The Conditional Use Permit for Noodles & Company and the Zoning Request for Central Christian were also approved by City Council.

5. Adjournment

The meeting adjourned at 7:16pm.

Respectfully submitted by Ashley Rosenbaum

CITY OF BELOIT

REPORT TO THE BELOIT CITY PLAN COMMISSION

Meeting Date: September 9, 2015

Agenda Item: 3

File Number: CSM-2015-10

Applicant: RH Batterman

Owner: Paul and Beth Sedivy

Location: 2800 Block of South
Hazelwood Drive (Town of Turtle)

Existing Zoning: R-1, Residential
District One (Town of Turtle Zoning)

Existing Land Use: Open Space

Total Area: .919 Acres

Request Overview/Background Information:

RH Batterman, on behalf of Paul and Beth Sedivy, has submitted an Application for the Review of a Minor Subdivision and a 1-Lot Certified Survey Map (CSM) for the property located on the 2800 block of South Hazelwood Drive in the Town of Turtle within the City's Extraterritorial Jurisdiction. 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. The attached Location & Zoning Map shows the location of the property involved in this application.

Key Issues:

- The intent of the proposed CSM is to combine two existing parcels, approximately .454 and .456 acres, into one parcel (Lot 1).
 - Proposed Lot 1 will be .919 acres.
 - Proposed Lot 1 contains no existing buildings and is currently open space.
 - The existing two lots are located in the Town of Turtle's R-1, Residential District One.
 - The City's Review Agents have reviewed the proposed CSM and have submitted the following comments:
 - **Charter**
If the release of any utility easements is requested, all costs associated with the relocation of lines must be paid for by the applicant. A new easement would also need to be granted.
-

Consistency with Comprehensive Plan and Strategic Plan:

The Comprehensive Plan's Future Land Use Map designates the subject property as appropriate for Single-Family Residential Exurban uses. Future development plans for Lot 1 are unknown at this time, but the current zoning and adjacent uses will highly encourage a residential use. 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
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Staff Recommendation:

The Planning & Building Services Division recommends **approval** of the attached one-lot Certified Survey Map (CSM) for the property located on the 2800 block of South Hazelwood Drive in the Town of Turtle, 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.
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Fiscal Note/Budget Impact: N/A

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

City of Beloit

Neighborhood Planning Division

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

Application for Review of a Minor Subdivision

(Please Type or Print)

File Number: CSM-2015-10

1. Address of property: Vacant lots on Hazelwood Drive Address not assigned
2. Tax Parcel Number(s): 038 001932 & 038 001933
3. Property is located in (circle one): City of Beloit or Town of Turtle; Beloit; Rock or LaPrairie
In the nw Quarter of Section 18, Township 1 North, Range 13 East of the 4th P.M.
4. Owner of Record: Paul & Beth Sedivy Phone: 608-436-8200
15557 Summerbrooke Lane South Beloit IL 61080
(Address) (City) (State) (Zip)
5. Surveyor's name: RH Batterman & Co., Inc. Phone: 365-4464
2857 Bartells Drive Beloit WI 53511
(Address) (City) (State) (Zip)
6. Number of new lots proposed with this land division is 1 lot(s).
7. Total area of land included in this map: 40,025 SF
8. Total area of land remaining in parent parcel: NA
9. Is there a proposed dedication of any land to the City of Beloit? No
10. The present zoning classification of this property is: R1
11. Is the proposed use permitted in this zoning district: Yes
12. **THE FOLLOWING ITEMS MAY NEED TO BE COMPLETED AND/OR ATTACHED:**
 - Site Assessment Checklist; is required if the total area of CSM is over 5 acres.
 - Pre-application meeting; pre-application meeting was held on 8-13-15
with City of Beloit Staff.
 - Developer's Statement; as required by section 12.02(7) of the Subdivision Ordinance.
 - Phase One Environmental Assessment; as per section 12.05(1)(c) of the Subdivision Ordinance.
 - Certified Survey Map: one copy as required by section 12.05(1) of the Subdivision Ordinance.

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

Paul Sedivy / RH BATTERMAN / 8-13-15
(Signature of applicant) (Name of applicant) (Date)

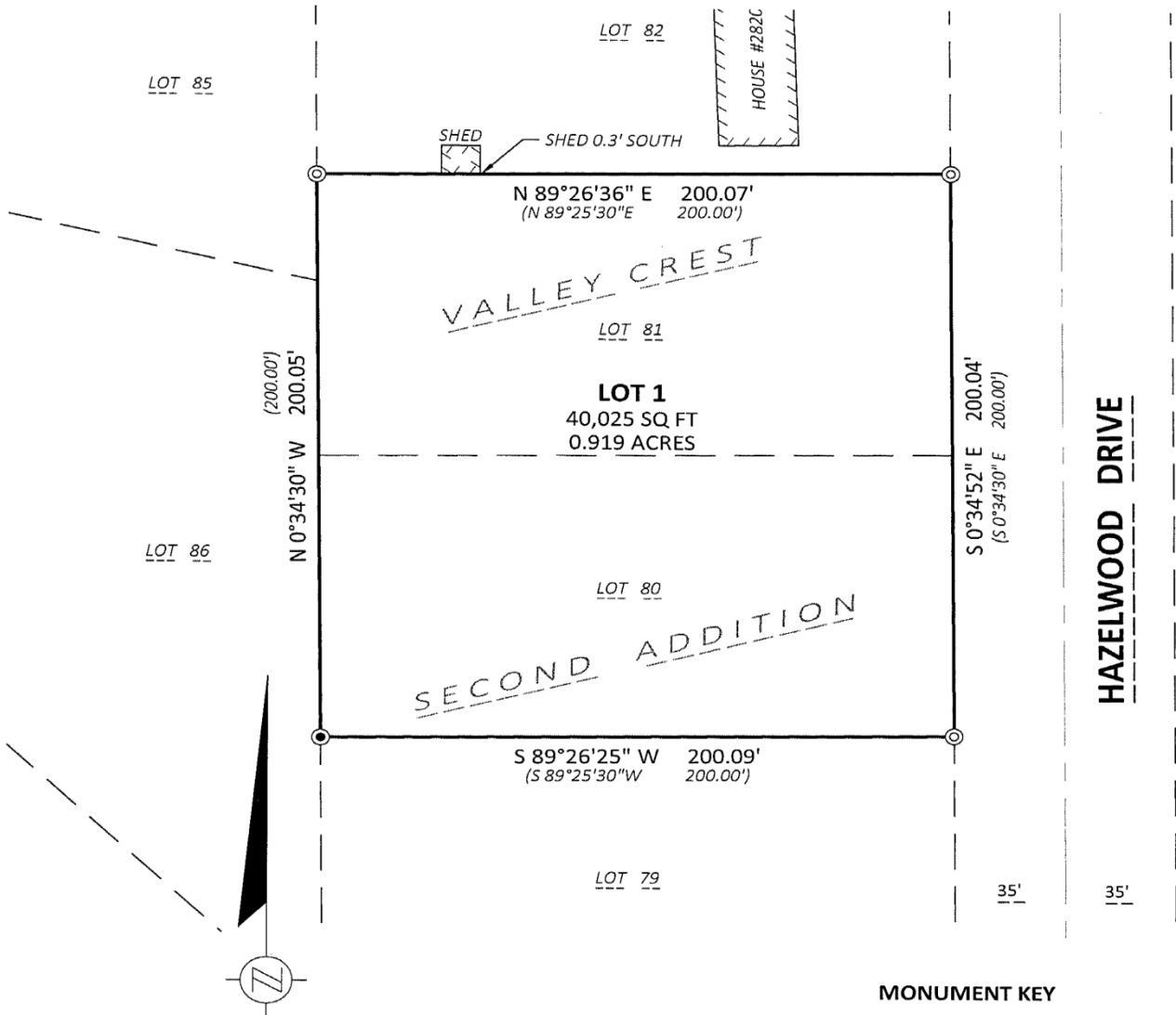
This application must be submitted at least 21 days prior to the Plan Commission meeting date.

Review fee: <u>\$150 plus \$10 per lot</u>	Amount Paid: <u>\$160.⁰⁰</u>
Scheduled meeting date: <u>Sept. 9, 2015</u>	
Application accepted by: <u>Don Perington</u>	Date: <u>8/13/15</u>

CERTIFIED SURVEY MAP

OF

LOTS 80 AND 81 OF VALLEY CREST SECOND ADDITION, BEING PART OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 18, T. 1 N., R. 13 E., OF THE 4th P.M., TOWN OF TURTLE, ROCK COUNTY, WISCONSIN.



Scale: 1" = 50'

0 25 50 100

BEARINGS BASED ON THE WEST LINE OF LOTS 80 AND 81 RECORDED AS N 0°34'30" W

MONUMENT KEY

- 3/4" Iron Rebar Found
- Iron Pipe Found
- (XXX.XX) Record Information

ORDER NO: 32235 BOOK: SEE FILE FILED CREW: JDT DRAWN BY: LRC DATE: August 13, 2015	FOR THE EXCLUSIVE USE OF: PAUL SEDIVY 15557 SUMMERBROOKE LANE SOUTH BELOIT, IL 61080 <small>File Name: J:\32200-32299\32235 Sedivy\SURVEY\RH8 DRAWING FILES</small>	Batterman engineers surveyors planners 2857 Bartells Drive Beloit, Wisconsin 53511 608.365.4464 www.rhbatterman.com
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**RESOLUTION
APPROVING A ONE-LOT CERTIFIED SURVEY MAP
FOR THE PROPERTY LOCATED AT
SOUTH HAZELWOOD DRIVE AND EAST LORENA DRIVE IN THE
TOWN OF TURTLE**

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 one-lot Certified Survey Map for the property located at South Hazelwood Drive and East Lorena Drive in the Town of Turtle is located within the extraterritorial jurisdiction the City; and

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

LOTS 80 AND 81 OF VALLEY CREST SECOND ADDITION, BEING PART OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 18, TOWNSHIP 1 NORTH, RANGE 13 EAST, OF THE 4TH PRINCIPAL MERRIDIAN, TOWN OF TURTLE, ROCK COUNTY, WISCONSIN. Containing .919 Acre more or less.

NOW, THEREFORE, BE IT RESOLVED THAT the Plan Commission of the City of Beloit does hereby conditionally approve the attached one-lot Certified Survey Map for the property located at South Hazelwood Drive and East Lorena Drive in the Town of Turtle, 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 9th day of September, 2015.

James Faragher, Plan Commission Chairman

ATTEST:

Julie Christensen,
Community Development Director

CITY OF BELOIT

REPORT TO THE BELOIT CITY PLAN COMMISSION



Meeting Date: September 9, 2015

Agenda Item: 4

File Number: RPB-2015-10

Request: Sale of Land to Wis. DOT

Owner: City of Beloit

Location: 2702 Colley Road

Request Overview/Background Information:

As part of the Interstate Highway 39/90 Expansion Project, the Wisconsin Department of Transportation (DOT) is seeking to acquire 0.2 acre of land from the City of Beloit for right-of-way purposes as shown on the attached Project Plat. The sale of land for roadway purposes is required to be referred to and reviewed by the Plan Commission in accordance with Section 62.23(5) of Wisconsin Statutes.

Key Issues:

- The DOT is currently undergoing negotiations with property owners for the acquisition of real estate along the Interstate corridor. The land located at 2702 Colley Road is currently the subject of the land contract purchase agreement with the Ho-Chunk Nation. City staff has been in discussions with the attorneys for the Ho-Chunk Nation and will modify the purchase price of the land contract purchase agreement to reflect the loss of the 0.2 acre that is the subject of this sale.
 - The City Engineer indicated that there are no concerns with the sale of this land for highway right-of-way use.
 - The land that is the subject of this proposed sale is the easternmost 20 feet of the triangular parcel at the southwest corner of where Colley Road meets the Interstate and curves to the north.
 - The subject property is addressed as 2702 Colley Road, and is planned for commercial development but zoned M-2, General Industrial District. The City of Beloit will retain ownership of the remainder of the parcel until it is sold to the Ho-Chunk Nation.
 - According to the DOT's project website, this stretch of the Interstate will be temporarily widened in 2017, with the full reconstruction & widening occurring from fall 2018 to fall 2020.
-

Consistency with Comprehensive Plan and Strategic Plan:

- The Comprehensive Plan recommends Community Commercial uses of the subject property.
 - 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 sale of 0.2 acre of the City-owned property located at 2702 Colley Road to the Wisconsin DOT for expansion of the Interstate Highway 39/90 right-of-way, as shown on the attached Project Plat.

Fiscal Note/Budget Impact: The purchase price of this land is \$32,000.

Attachments: Location Map, Project Plat, and Agreement for Purchase & Sale of Real Estate

Location Map

Sale of Land for I-39/90 ROW Expansion



RPB-2015-10



1 inch = 334 feet

0 75 150 300 450 Feet

Legend

-  City Limits
-  COB Parcels

Map prepared by: Drew Pennington, AICP

Date: September 2015

For: City of Beloit Planning & Building Services

Date of Aerial Photography: March 2011

PLANNING & BUILDING SERVICES DIVISION

AGREEMENT FOR PURCHASE AND SALE OF REAL ESTATE - SHORT FORM

Wisconsin Department of Transportation
RE1895 04/2015

THIS AGREEMENT, made and entered into by and between City of Beloit, a Wisconsin municipal corporation, hereinafter called Seller, and the State of Wisconsin, Department of Transportation, hereinafter called WisDOT. If accepted, this offer can create a legally enforceable contract. Both parties should read this document carefully and understand it before signing.

Seller and WisDOT agree that WisDOT is purchasing this property for highway or other transportation related purposes, within the meaning of Chapter 84 of the Wisconsin Statutes.

Seller warrants and represents to WisDOT that Seller has no notice or knowledge of any of the following:

- 1) Planned or commenced public improvements which may result in special assessments which would otherwise materially affect the property, other than the planned transportation facility for which WisDOT is purchasing this property;
- 2) Government agency or court order requiring repair, alteration, or correction of any existing condition;
- 3) Shoreland or special land use regulations affecting the property; and,
- 4) Underground storage tanks and the presence of any dangerous or toxic materials or conditions affecting the property.

DESCRIPTION: The Seller agrees to sell and WisDOT agrees to buy, upon the terms and conditions hereinafter named, the following described real estate situated in Rock County, Wisconsin:

Legal description is made a part hereof by reference: Parcel 2 of Transportation Project Plat 1003-10-22 - 4.01, recorded in TPP - 128 of Transportation project Plats, as Document 2009518, recorded in Rock County Wisconsin. Property interests and rights of said Parcel 2 consist of: Fee simple.

Any interests or rights not listed above for said parcel but shown as required on said Transportation Project Plat are hereby incorporated herein by reference.

The purchase price of said real estate shall be the sum of Thirty-Two Thousand and 0/100 Dollars, (\$32,000.00) payable in full by check at closing.

General taxes shall be prorated at the time of closing based on the net general taxes for the current year, if known, otherwise on the net general taxes for the preceding year.

Seller shall, upon payment of purchase price, convey the property by warranty deed or other conveyance provided herein, free and clear of all liens and encumbrances, including special assessments, except recorded public utility easements and recorded restrictions on use running with the land or created by lawfully enacted zoning ordinances and , provided none of the foregoing prohibit present use.

Legal possession of premises shall be delivered to WisDOT on the date of closing.

Physical occupancy of property shall be given to WisDOT on the date of closing. Seller may not occupy property after closing unless a separate lease agreement is entered into between WisDOT and Seller.

SPECIAL CONDITIONS:

This agreement is binding upon acceptance by WisDOT as evidenced by the signature of an authorized representative of WisDOT. If this agreement is not accepted by WisDOT within 45 days after Seller's signature, this agreement shall be null and void.



Project ID
1003-10-22

Parcel No.
2

LEGAL DESCRIPTION

Parcel 2 of Transportation Project Plat 1003-10-22 - 4.01, recorded in TPP - 128 of Transportation project Plats, as Document 2009518, recorded in Rock County Wisconsin.

Property interests and rights of said Parcel 2 consist of:

Fee simple.

Any interests or rights not listed above for said parcel but shown as required on said Transportation Project Plat are hereby incorporated herein by reference.