



MEETING NOTICE AND AGENDA
Beloit City Plan Commission
Wednesday, December 20, 2017 at 7:00 PM
The Forum
Beloit City Hall
100 State Street, Beloit

1. **Call to Order and Roll Call**
2. **Approval of the Minutes of the December 6, 2017 Meeting**
3. **Extraterritorial Certified Survey Map – 2844 W St. Lawrence Avenue**
Review and consideration of a one-lot Certified Survey Map for the property located at 2844 W St. Lawrence Avenue in the Town of Beloit
4. **Extraterritorial Certified Survey Map – 6017 E Colley Road**
Review and consideration of a one-lot Certified Survey Map for the property located at 6017 E Colley Road in the Town of Turtle
5. **Conditional Use Permit – 1314 Madison Road**
Public hearing, review and consideration of an amendment to a Conditional Use Permit to allow Limited Vehicle Service uses in a C-2, Neighborhood Commercial District, for the property located at 1314 Madison Road
6. **Relocation Order to Acquire Easements for Utility Relocations Due to I-39/90 Project**
Review and consideration of a Relocation Order to acquire Temporary Limited Easements (TLE) for construction and Permanent Limited Easements (PLE) for permanent installations related to the I-39/I-90 expansion project
7. **Status Report on Prior Plan Commission Items**
8. **Adjournment**

If you are unable to attend this meeting, please contact Amber DesRoberts in the Community Development Department at 364-6650 **no later than 4:00 PM the day before the meeting.**

Notice Posted: December 15, 2017
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



**Meeting Minutes
Beloit City Plan Commission
Wednesday, December 6, 2017 at 7:00 PM
The Forum
Beloit City Hall
100 State Street, Beloit**

1. Call to Order and Roll Call

Chairperson Faragher called the meeting to order at 7:00pm. Commissioners Haynes, Weeden, Faragher, Ruster, Finnegan, Tinder, and Councilor Leavy were present. Commissioner Johnson was absent.

2. Approval of the Minutes of the November 21, 2017 Meeting

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

3. Extraterritorial Certified Survey Map – 6108 East County Road J

Review and consideration of a two-lot Certified Survey Map for the property located at 6108 East County Road J in the Town of Turtle

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

Jan Ruster asked where the property was located. Jeff Garde, Batterman's, explained where the property was in relation to Shopiere.

Commissioner Haynes moved to approve the motion. Commissioner Weeden seconded the motion. The motion passed, voice vote.

4. Extraterritorial Certified Survey Map – 6110 East County Road J and adjacent property

Review and consideration of a two-lot Certified Survey Map for the property located at 6110 East County Road J and part of the adjacent property to the east in the Town of Turtle

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

Commissioner Haynes moved to approve the motion. Commissioner Ruster seconded the motion. The motion passed, voice vote.

5. **Acquisition of Utility Easements by the Wisconsin Department of Transportation**

Review and consideration of a request by the Wisconsin Department of Transportation to acquire utility easements over private property it has purchased for the I-39/I-90 Reconstruction Project

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

Mike Flesch, City Engineer, gave more detailed information on the project which includes the relocation of some City utilities. He explained that some of the utilities will remain in their current locations.

Commissioner Haynes moved to approve the motion. Commissioner Weeden seconded the motion. The motion passed, voice vote.

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

The City Council approved the Sign Easement Agreement for the Beloit Public Library.

7. **Adjournment**

Meeting adjourned at 7:20pm.

Minutes respectfully submitted by Amber DesRoberts.

REPORT TO THE BELOIT CITY PLAN COMMISSION

Meeting Date: December 20, 2017

Agenda Item: 3

File Number: CSM-2017-22

Applicant: Combs & Associates, Inc.

Owner: Carroll Sr. Family Trust

Location: 2844 West St. Lawrence Avenue

Existing Zoning: A-1, Farmland Preservation District

Existing Land Use: Agricultural

Total CSM Area: 15 Acres

Request Overview/Background Information:

Combs & Associates, Inc., on behalf of Carroll Sr. Family Trust, has submitted an Application for the Review of a Minor Subdivision and a one-Lot Certified Survey Map (CSM) for the property located at 2844 West St. Lawrence Avenue 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 of Beloit's extraterritorial jurisdiction.

Key Issues:

- The intent of this CSM is to create a 15 acre lot along the northwest corner of the 160 acre parent parcel.
- Proposed Lot 1 will include 500 feet of frontage on West St. Lawrence Avenue with a 33 foot wide right-of-way dedication. Proposed Lot 1 will be 500 feet wide and 1,307 feet long.
- The existing single-family dwelling, repair shop, accessory structures, and driveways will be included within proposed Lot 1. The applicant intends to expand the 3,700 square foot repair shop and remove all other existing structures and gravel driveways. Future site improvements will include the construction of a new driveway, parking area, and 625 square foot addition to the repair shop building. Please see the attached Site Plan.
- The zoning for proposed Lot 1 will be changed from A-1, Farmland Preservation District, to L-1, Light Industrial District. The zoning for the remaining parent parcel not included in proposed Lot 1 will remain A-1.
- The City's Review Agents have reviewed the proposed CSM and have not submitted any objections.
- The application and proposed CSM are attached for your review.

Consistency with Comprehensive Plan and Strategic Plan:

The City's Comprehensive Plan recommends Planned Neighborhood uses for the subject property. The proposed zoning change for proposed Lot 1 is not consistent with the Comprehensive Plan; however, this is not grounds for denial of a CSM within the City of Beloit's extraterritorial jurisdiction.

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 one-Lot Certified Survey Map (CSM) for the property located at 2844 West St. Lawrence Avenue in the Town of Beloit, subject to the following condition:

1. The final CSM shall be recorded with the Rock County Register of Deeds by March 1, 2018.

Fiscal Note/Budget Impact: N/A

Attachments: Location Map, CSM, Application, and Resolution

Location & Zoning Map

2844 West St. Lawrence Avenue

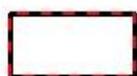
CSM-2017-22



1 inch = 658 feet



Legend

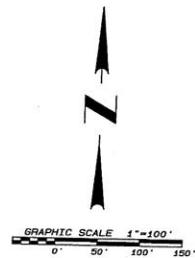
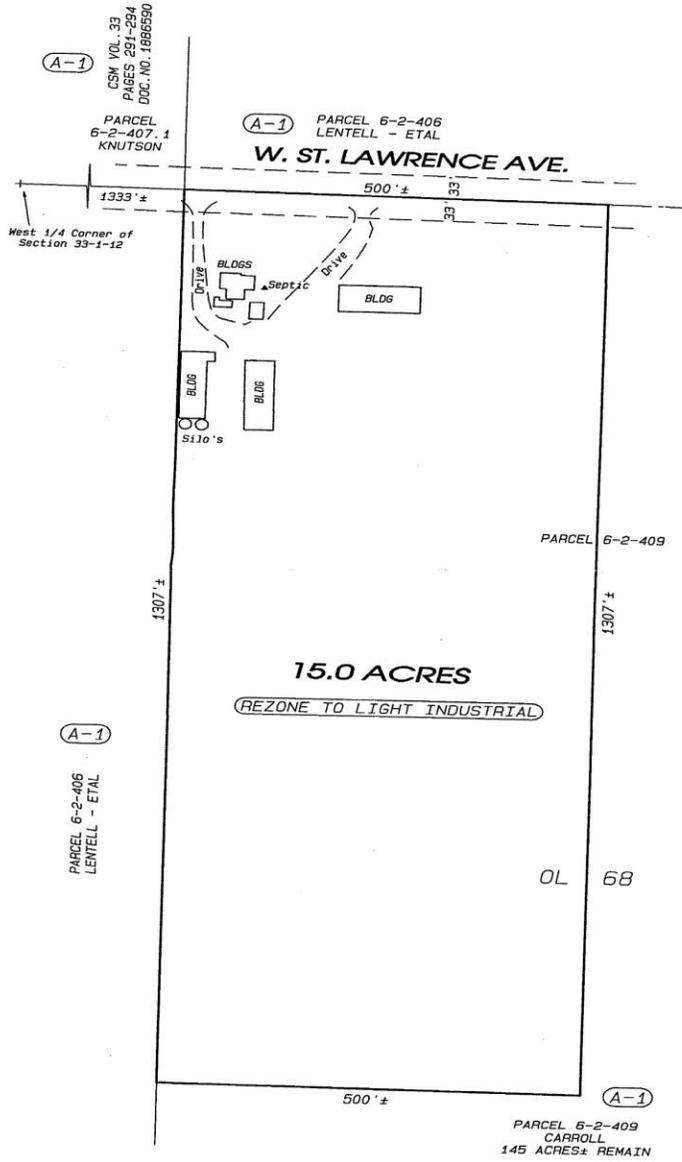
-  Parcel Boundaries
-  Proposed Lot Lines
-  City Limits

Map prepared by: Rudy Moreno, Planner II
 Date: December 5, 2017
 For: City of Beloit Planning & Building Services
 Date of Aerial Photography: April 2016

PLANNING & BUILDING SERVICES DIVISION

PRELIMINARY CERTIFIED SURVEY MAP

PART OF OUTLOT 33-68 OF THE ASSESSOR'S PLAT OF BELOIT TOWNSHIP AND LOCATED IN THE NE 1/4 OF THE SW 1/4 OF SECTION 33, T. 1N., R. 12E., OF THE 4TH PM., TOWN OF BELOIT, ROCK COUNTY, WISCONSIN.



NOTES:

THIS MAP IS SUBJECT TO ANY AND ALL EASEMENTS AND AGREEMENTS, RECORDED AND UNRECORDED. THE BASIS OF BEARINGS IS ASSUMED.

<p>509 N. Milwaukee St. Jonestown, WI 53549 www.combsurvey.com</p>	<ul style="list-style-type: none"> • LAND SURVEYING • LAND PLANNING • CIVIL ENGINEERING 	DATE 10/24/17
		BY sll
		PROJECT NO. 117-295
		CLIENT CARROLL
	TEL: 608 752-0575 FAX: 608 752-0534	

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-2017-22

1. Address of property: 2844 W. St. Lawrence St.
2. Tax Parcel Number(s): 6-2-409
3. Property is located in (circle one): City of Beloit or Town of: Turtle, ~~Beloit~~, Rock or LaPrairie
In the SW Quarter of Section 33, Township 1 North, Range 12 East of the 4th P.M.
4. Owner of record: Carroll Family Trust Phone: _____
2844 W. St. Lawrence St. Beloit WI 53511
(Address) (City) (State) (Zip)
5. Surveyor's name: Combs & Associates Inc Phone: 752-0575
109 W. Milwaukee St. Janesville WI 53548
(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: 15 Acres ±
8. Total area of land remaining in parent parcel: 145 Acres ±
9. Is there a proposed dedication of any land to the City of Beloit? NO
10. The present zoning classification of this property is: A-1
11. Is the proposed use permitted in this zoning district: No - Rezone to Light Industrial
12. **THE FOLLOWING ITEMS MAY NEED TO BE COMPLETED AND/OR ATTACHED:**
 - Site Assessment Checklist;** is required if the total area of CSM is over 5 acres.
 - Pre-application meeting;** a pre-application meeting was held on _____ with City of Beloit Staff.
 - Developer's Statement;** as required by section 12.02(7) of the Subdivision Ordinance.
 - Phase One Environmental Assessment;** as per section 12.05(1)(c) of the Subdivision Ordinance.
 - Certified Survey Map;** one copy as required by section 12.05(1) of the Subdivision Ordinance.

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

Ronald J. Combs 11/21/17
(Signature of applicant) (Name of applicant) (Date)

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

Review fee: \$150 plus \$10 per lot Amount paid: \$160-
Scheduled meeting date: Dec. 20, 2017
Application accepted by: Don Pennington Date: 11/21/17

**RESOLUTION
APPROVING A ONE-LOT CERTIFIED SURVEY MAP
FOR THE PROPERTY LOCATED AT
2844 WEST ST. LAWRENCE AVENUE**

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 2844 West St. Lawrence Avenue in the Town of Beloit, containing 15 acres, more or less, is located within the extraterritorial jurisdiction of the City of Beloit; and

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

PART OF OUTLOT 33-68 OF THE ASSESSOR’S PLAT OF BELOIT TOWNSHIP
AND LOCATED IN THE NE ¼ OF THE SW ¼ OF SECTION 33, T. 1 N., R. 12 E.,
OF THE 4TH P.M., TOWN OF BELOIT, ROCK COUNTY, WISCONSIN.

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 2844 West St. Lawrence Avenue in the Town of Beloit, subject to the following condition:

1. The final CSM shall be recorded with the Rock County Register of Deeds by March 1, 2018.

Adopted this 20th day of December, 2017.

James Faragher, Plan Commission Chairman

ATTEST:

Julie Christensen,
Community Development Director

REPORT TO THE BELOIT CITY PLAN COMMISSION

Meeting Date: December 20, 2017

Agenda Item: 4

File Number: CSM-2017-23

Applicant: Combs & Associates, Inc.

Owner: Michael C. Plankey

Location: 6017 East Colley Road

Existing Zoning: A-E, Exclusive
Agricultural District

Existing Land Use: Agricultural

Total CSM Area: 5 Acres

Request Overview/Background Information:

Combs & Associates, Inc., on behalf of Michael C. Plankey, has submitted an Application for the Review of a Minor Subdivision and a one-Lot Certified Survey Map (CSM) for the property located at 6017 East Colley Road in the Town of Turtle. 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 of Beloit's extraterritorial jurisdiction.

Key Issues:

- The intent of this CSM is to create a 5 acre lot along the southwest corner of the 80 acre parent parcel.
- Proposed Lot 1 will include 500 feet of frontage on East Colley Road with a 33 foot wide right-of-way dedication. Proposed Lot 1 will be 500 feet wide and 468 feet deep.
- The existing single-family dwelling, accessory structures, and driveway will be included within proposed Lot 1.
- The zoning for proposed Lot 1 and the remaining parent parcel not included in proposed Lot 1 will remain AE, Exclusive Agricultural District.
- The City's Review Agents have reviewed the proposed CSM and have not submitted any objections.
- The application and proposed CSM are attached for your review.

Consistency with Comprehensive Plan and Strategic Plan:

The subject property is outside of the Future Land Use Map area and therefore does not have a recommended land use.

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 one-Lot Certified Survey Map (CSM) for the property located at 6017 East Colley Road in the Town of Turtle, subject to the following condition:

1. The final CSM shall be recorded with the Rock County Register of Deeds March 1, 2018.

Fiscal Note/Budget Impact: N/A

Attachments: Location Map, CSM, Application, and Resolution

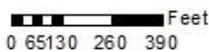
Location & Zoning Map

6017 East Colley Road

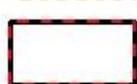
CSM-2017-23



1 inch = 438 feet



Legend

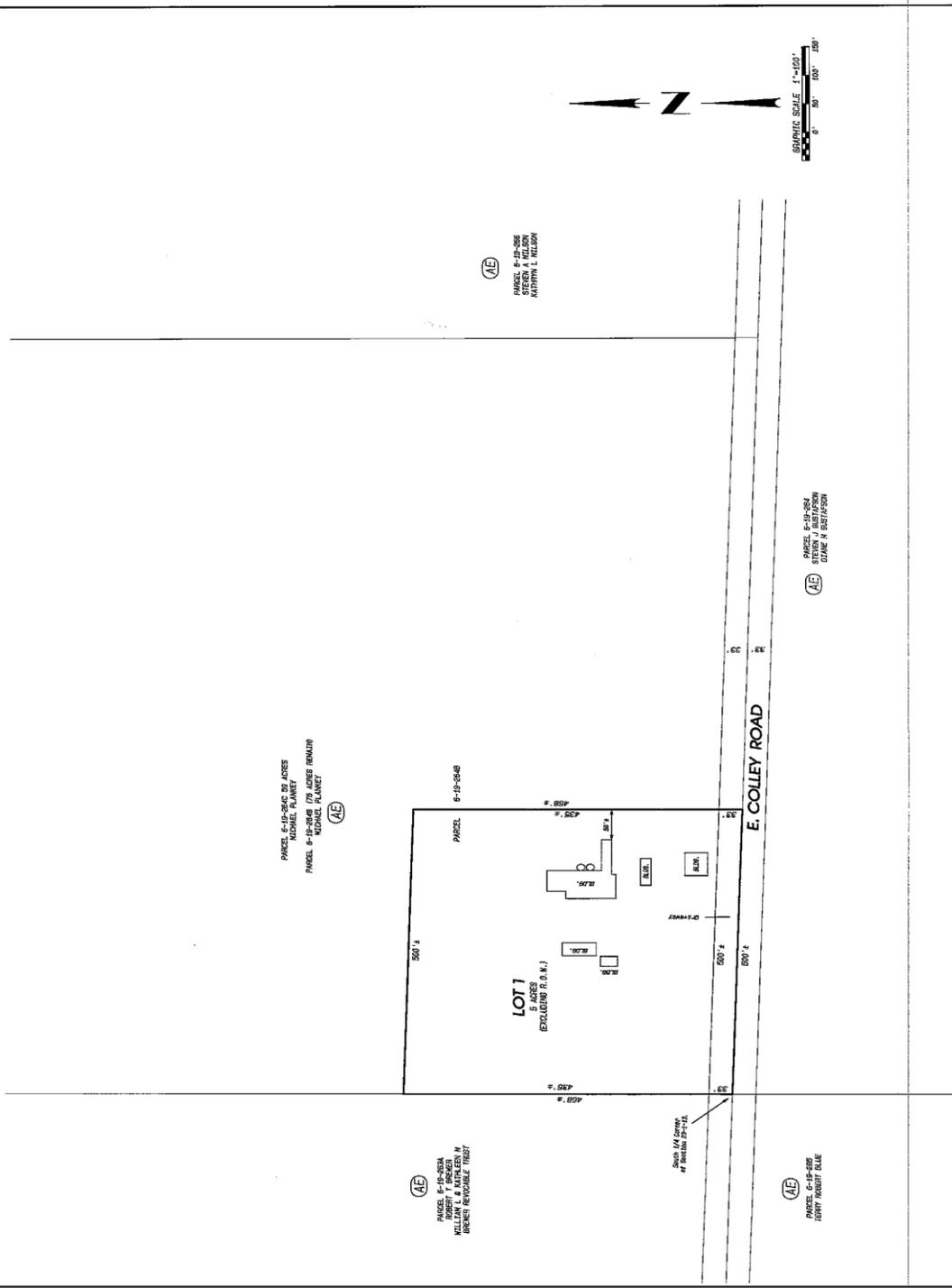
-  Parcel Boundaries
-  Proposed Lot Lines
-  City Limits

Map prepared by: Rudy Moreno, Planner II
Date: December 5, 2017
For: City of Beloit Planning & Building Services
Date of Aerial Photography: April 2016

PLANNING & BUILDING SERVICES DIVISION

PRELIMINARY CERTIFIED SURVEY MAP / REZONE MAP

PART OF THE SW 1/4 OF THE SE 1/4 OF SECTION 23, T.1N., R.1E. OF THE 4TH P.M., TOWN OF TURTLE, ROCK COUNTY, WISCONSIN.



Combs & Associates
 100 N. Milwaukee St.
 Janesville, WI 53408
 Tel: 608 785-8075
 Fax: 608 785-8074
 www.combsandassociates.com

DATE	11/17/17
BY	SJJ
PROJECT	117-521
DRAWN	PLANKEY

NOTES:
 THIS MAP IS SUBJECT TO ANY AND ALL EASEMENTS
 AND INCUMBRANCES, RECORDED AND UNRECORDED.
 THE BASIS OF REZONING IS ASSUMED.

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-2017-23

1. Address of property: 6017 E. Colley Rd.
2. Tax Parcel Number(s): 6-19-264B
3. Property is located in (circle one): City of Beloit or Town of: Turtle; Beloit; Rock or LaPrairie
In the SE Quarter of Section 23, Township 1 North, Range 13 East of the 4th P.M.
4. Owner of record: Michael Plankey Phone: _____
6017 E. Colley Rd. Clinton, WI 53525
(Address) (City) (State) (Zip)
5. Surveyor's name: Combs & Associates, Inc. Phone: 752-0575
109 W. Milwaukee Street, Janesville, WI 53548
(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: 5 Acres on Lot
8. Total area of land remaining in parent parcel: 75 Acres ±
9. Is there a proposed dedication of any land to the City of Beloit? No
10. The present zoning classification of this property is: AE
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; a pre-application meeting was held on _____ with City of Beloit Staff.
 - Developer's Statement; as required by section 12.02(7) of the Subdivision Ordinance.
 - Phase One Environmental Assessment; as per section 12.05(1)(c) of the Subdivision Ordinance.
 - Certified Survey Map; one copy as required by section 12.05(1) of the Subdivision Ordinance.

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

Ronald J. Combs / Ronald J. Combs / 11/21/17
(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 -</u>
Scheduled meeting date: <u>Dec. 20, 2017</u>	
Application accepted by: <u>Don P... ..</u>	Date: <u>11/21/17</u>

**RESOLUTION
APPROVING A ONE-LOT CERTIFIED SURVEY MAP
FOR THE PROPERTY LOCATED AT 6017 EAST COLLEY ROAD**

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 6017 East Colley Road in the Town of Turtle, containing 5 acres, more or less, is located within the extraterritorial jurisdiction of the City of Beloit; and

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

PART OF THE SW ¼ OF THE SE ¼ OF SECTION 23, T. 1 N., R. 13 E., OF
THE 4TH P.M., TOWN OF TURTLE, ROCK COUNTY, WISCONSIN.

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 6017 East Colley Road in the Town of Turtle, subject to the following condition:

1. The final CSM shall be recorded with the Rock County Register of Deeds by March 1, 2018.

Adopted this 20th day of December, 2017.

James Faragher, Plan Commission Chairman

ATTEST:

Julie Christensen,
Community Development Director

REPORT TO THE BELOIT CITY PLAN COMMISSION

Meeting Date: December 20, 2017

Agenda Item: 5

File Number: CU-2017-13

Applicant: William J. Eggers

Owner: William J. Eggers

Location: 1314 Madison Road

Existing Zoning: C-2, Neighborhood
Commercial District

Existing Land Use: Vacant

Parcel Size: 0.21 Acres

Overview/Background Information:

William Eggers, property owner, has filed an application to amend an existing Conditional Use Permit (CUP) to allow Limited Vehicle Service uses in a C-2, Neighborhood Commercial District, for the property located at 1314 Madison Road.

Key Issues:

- On April 20, 2009, Beloit City Council approved a Conditional Use Permit to allow a Limited Vehicle Service use for a tire sales and service business within the existing building.
- The building is no longer used for tire sales and service, and the applicant would like to expand the permitted Limited Vehicle Service uses in order to market the subject property to more potential tenants.
- On November 3, 2017, City staff received information regarding a carwash & auto detail business operating on the subject property. During an inspection on November 3, 2017, City staff observed new signage advertising carwash and auto detail services. The inspection also revealed the applicant had failed to provide seven striped off-street parking stalls and to identify the North Street driveway as “exit only”, as required in the approved 2009 CUP.
- City staff informed the property owner that the 2009 CUP only permits a Limited Vehicle Service use for a tire sales and service business, which compelled the owner to apply for a CUP amendment to allow all Limited Vehicle Service uses on the subject property. The carwash and auto detail business is no longer operating on the subject property, and the building is currently vacant.
- Limited Vehicle Service uses provide direct services to motor vehicles where the driver or passengers generally wait in the car or nearby while the service is performed; these services may include full-service, mini-service and self-service gas stations; car washes; and quick lubrication services.
- The proposed amended uses are considered a major change in the use of the property and require Plan Commission and City Council approval of an amended CUP.
- The attached Public Notice was sent to 10 nearby property owners. Planning staff received no comments regarding the proposed use.
- The City’s Review Agents have reviewed the proposed CUP; the Engineering Department has expressed concern about approving a change that would require on site storage of vehicles. Engineering staff believes the subject property has very limited parking and would not be conducive to vehicle repair uses that require vehicles being dropped off/left for service. Therefore, Engineering does not support approval of the request.
- Although the subject property has limited space, it appears to have an adequate parking area for customers and employees. Section 8-103 of the Zoning Ordinance requires two parking spaces per service bay and one parking space per employee for Limited Vehicle Services that do not include an automatic or self-service carwash. The building located on the subject property has two service bays, and therefore will generally require four parking stalls and one additional parking stall per employee. The attached Site Plan shows there is adequate space for up to seven parking stalls.
- In accordance with the 2009 CUP, full-scale repair of motor vehicles is expressly prohibited on the subject property. The applicant would like the option to provide direct service to motor vehicles, within the existing building, where the driver or passengers generally waits nearby while the service is performed. This particular use is not intended for long-term vehicle storage. Furthermore, the existing building contains a lobby area in which customers can wait while their vehicle is getting serviced. The applicant has demonstrated this particular use is viable on the subject property and would like to include all Limited Vehicle Service uses.
- **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 operation of a tire sales and service business on the subject property has not had a negative impact on public health and safety. The expansion of Limited Vehicle Service uses should not negatively impact the public so long as the activity on the subject property is

- performed within the confines of the 2009 CUP conditions.
- 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 an area surrounded by commercial and residential uses. Any additional traffic, noise, and glare generated by this development would be compatible with existing conditions.
 - c. *Whether the conditional use will substantially diminish or impair property values within the neighborhood of the subject property;*
 - A tire sales and service business had operated on the subject property from 2009 to 2015; during that time, the applicant completed site and building improvements.
 - The 2009 CUP limits the location and duration of vehicle and equipment storage.
 - 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;*
 - The occupancy and improvements on the subject property since the approval of the 2009 CUP have had a positive impact on property values.
 - The applicant has removed two driveway aprons and improved landscaping on the right-of-way and parking lot as required in the 2009 CUP.
 - Other improvements include the construction of a building addition and parking lot repairs.
 - f. *Whether adequate utilities, access roads, drainage or other necessary facilities will be available to serve the proposed use at the time of its occupancy or use;*
 - Adequate facilities and infrastructure are available to serve the proposed use.
 - g. *Whether adequate measures will be taken to minimize traffic congestion; and*
 - The 2009 CUP provided several conditions to minimize traffic congestion, which include:
 - The placement of seven striped off-street parking stalls.
 - The designation of the North Street driveway as “exit only”.
 - The removal of the southernmost Madison Road driveway apron and the Townline Avenue driveway apron.
 - 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 City's Comprehensive Plan recommends *Neighborhood Commercial Use* for the subject property. This request and the underlying C-2 zoning classification are consistent with this recommendation. Consideration of this request supports Strategic Goal #3, which is to create and sustain economic growth. Expanding the Limited Vehicle Service uses will allow the applicant to market the subject property to more potential businesses.

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

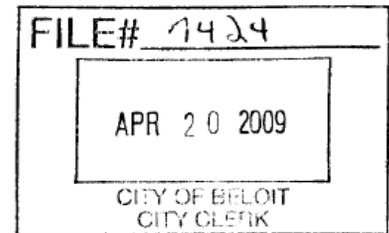
Staff Recommendation:

The Planning & Building Services Division recommends **approval** of an amended Conditional Use Permit (CUP) to allow Limited Vehicle Service uses in a C-2, Neighborhood Commercial District, for the property located at 1314 Madison Road, based on the above Findings of Fact and subject to the following conditions:

1. This amended CUP allows full-service, mini-service and self-service gas stations; car washes; auto detail; and quick lubrication services within the existing building on the property located at 1314 Madison Road.
2. Before any use may be established, the applicant shall provide seven (7) striped off-street parking stalls, including one accessible stall with an aisle, and identify the North Street driveway as “exit only”.
3. The conditions imposed on the applicant's 2009 CUP, as amended remain in full force and effect.
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 & Building Services may approve minor changes administratively.

Fiscal Note/Budget Impact: N/A

Attachments: 2009 CUP Resolution, Location & Zoning Map, Site Plan, Application, Photos, Public Notice, and Mailing List



RESOLUTION
AUTHORIZING A CONDITIONAL USE PERMIT TO ALLOW A
LIMITED VEHICLE SERVICE USE IN A C-2, NEIGHBORHOOD COMMERCIAL
DISTRICT, FOR THE PROPERTY LOCATED AT 1314 MADISON ROAD

WHEREAS, the application of William Eggers for a Conditional Use Permit to allow a limited vehicle service use in a C-2, Neighborhood Commercial District, for the property located at 1314 Madison 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 allow a limited vehicle service use in a C-2, Neighborhood Commercial District, for the property located at 1314 Madison Road in the City of Beloit, for the following described premises:

Block 11 of Harper's Little Farms Addition to the City of Beloit, County of Rock, State of Wisconsin (a/k/a 1314 Madison Road). Said parcel contains .21 acres, more or less.

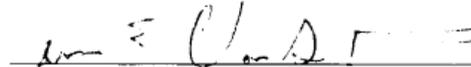
As a condition of granting the Conditional Use Permit, the City Council does hereby stipulate the following conditions and restrictions upon the Conditional Use, which are hereby deemed necessary for the public interest:

1. This Conditional Use Permit authorizes the operation of a tire sales and service business within the existing building on the property located at 1314 Madison Road.
2. Full-scale repair of motor vehicles is expressly prohibited on the subject property.
3. Before the use may be established, the southernmost Madison Road driveway apron and the Townline Avenue driveway apron shall be removed. Curb and gutter shall be installed and the terrace shall be restored to grass. The applicant must obtain a right-of-way permit from the Engineering Division prior to beginning this project.
4. Before the use may be established, the applicant shall provide at least seven (7) striped off-street parking stalls, including one accessible stall with an aisle.
5. Before the use may be established, the applicant shall install a landscape strip of evergreen shrubs on the property (along Madison Road). The landscape strip shall contain at least four hundred (400) landscape units, which is equal to twenty (20) evergreen shrubs. The landscape strip planting bed shall be protected from damage by six-inch high concrete curbing.
6. Before the use may be established, the existing guardrail shall be removed.
7. The North Street driveway shall be identified as an "exit only" driveway.
8. Tire racks, which display tires that are available for purchase, are only allowed if they are against the building. Tire racks and any other form of tire display are expressly prohibited around the perimeter of the property.

9. All other trash and recycling containers shall be enclosed in accordance with the Architectural Review Code. (excluding company vehicles)
10. Motor vehicles may not be stored outside on the property when the business is not open.
11. Any major changes in the adopted conditions or use of the property shall be approved by the Plan Commission and City Council by amending this Conditional Use Permit. The Community Development Director may approve minor changes administratively and allow accessory structures and uses that comply with and meet all of the standards and requirements of the City of Beloit Municipal Code.

Adopted this 20th day of April, 2009.

BELOIT CITY COUNCIL



James E. Van De Bogart, Council President

ATTEST:



Carol S. Alexander, WCPC/MMC, City Clerk

Location & Zoning Map

1314 Madison Road

CU-2017-13



1 inch = 54 feet

0 510 20 30 Feet

Legend

-  Parcel Boundaries
-  Zoning District

Map prepared by: Rudy Moreno, Planner II
Date: November 17, 2017
For: City of Beloit Planning & Building Services
Date of Aerial Photography: March 2011

PLANNING & BUILDING SERVICES DIVISION

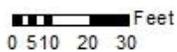
Site Plan

1314 Madison Road

CU-2017-13



1 inch = 44 feet



Legend

-  Parcel Boundaries
-  Zoning District
-  Parking Spaces

Map prepared by: Rudy Moreno, Planner II
Date: November 17, 2017
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: CU-2017-13

1. Address of subject property: 1314 Madison Rd. Beloit, WI. 53511

2. Legal description: 1273 0005

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

Property dimensions are: 137 by 134 by 144.23 feet by _____ feet = 9105.7 square feet.

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

3. Tax Parcel Number(s): _____

4. Owner of record: William J. Eggars Phone: 608 289 3699

1017 DIVISON ST BELOIT WI 53511
(Address) (City) (State) (Zip)

5. Applicant's Name: Bautistas Brothers Detaily Carwash LLC - Almaraz - Single mem.
943 1/2 5th. Street, Beloit WI. 53511
(Address) (City) (State) (Zip)

608-207-3869 1 608-473-2594 / _____
(Office Phone #) (Cell Phone #) (E-mail Address)

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

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

A Conditional Use Permit for: both services (1) Car wash (2) Auto Detail Servi
_____ in a(n) _____ Zoning District.

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

Principal use: ~~to be used as a carwash~~

11/14/17 APPLICANT HAS DECIDED TO REQUEST GENERAL LIMITED
VEHICLE SERVICE TO BE AMENDED TO HIS EXISTING C.U.P.

Secondary use: ~~to be used as an Auto Detail Service~~

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
- (X) 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.

X [Signature] | William J Egg | 11/27/17
 (Signature of Owner) (Print name) (Date)

X [Signature] | Jorge Bautista Almaraz | 11-8-17
 (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 Meeting date: DEC. 20, 2017

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

Application accepted by: [Signature] Date: 11/13/17









Division of Planning and
Building Services
City Hall
100 State Street
Beloit, Wisconsin 53511

608-364-6700 (Office)
608-364-6609 (Fax)
beloitwi.gov
Equal Opportunity Employer

COMMUNITY DEVELOPMENT DEPARTMENT

NOTICE TO THE PUBLIC

December 5, 2017

To Whom It May Concern:

William Eggers has filed an application to amend an existing Conditional Use Permit (CUP) to allow Limited Vehicle Service uses in a C-2, Neighborhood Commercial District, for the property located at 1314 Madison Road.

On April 20, 2009, Beloit City Council approved a Conditional Use Permit to allow a Limited Vehicle Services use for a tire sales and service business within the existing building. The building is no longer used for tire sales and service, and the applicant would like to expand the permitted Limited Vehicle Service uses in order to market the subject property to more potential tenants. Limited Vehicle Service uses provide direct services to motor vehicles where the driver or passengers generally wait in the car or nearby while the service is performed. Limited Vehicle Service uses may include full-service, mini-service and self-service gas stations; car washes; and quick lubrication services. The proposed amended uses are considered a major change in the use of the property, and require 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, December 20, 2017 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: Tuesday, January 16, 2018 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 Rudy Moreno in the Planning & Building Services Division at (608) 364-6708 or morenor@beloitwi.gov. Comments will be accepted via telephone, email, and U.S. Mail.

TMG RENTALS LLC
P O BOX 293
JANESVILLE, WI 53547

WILLIAM EGGERS
1017 DIVISION ST
BELOIT, WI 53511

EVA HOFF
1275 MADISON RD
BELOIT, WI 535114164

CLAYTON TRUMM
1250 TOWNLINE AVE
BELOIT, WI 53511

JACK SMART
1314 TOWNLINE AVE
BELOIT, WI 53511

MARCIA MURRAY
10502 W STATE RD 213
BELOIT, WI 53511

BIK WAN YUE
1841 GARFIELD AVE
BELOIT, WI 53511

IRENE POPP
1260 TOWNLINE AVE
BELOIT, WI 535114153

GROMMES REVOCABLE TRUST
BERNARD & MILDRED
GROMMES
1323 HACKETT ST

SYNTHIA POTUZNIK
1327 TOWNLINE AVE
BELOIT, WI 53511

DAVID K & CAROLE L EMMEL
1349 B FREDERICK ST
BELOIT, WI 53511

REPORT TO THE BELOIT CITY PLAN COMMISSION

Meeting Date: December 20, 2017

Agenda Item: 6

File Number: RPB-2017-10

Applicant: Engineering Division

Owners: Various Private Owners

Location: 1630 Apex Drive, 2426 Field Crest Road, 3001 Chatsworth Drive

Request Overview/Background Information:

The Engineering Division has requested the review and approval of a Relocation Order to acquire Temporary Limited Easements (TLE) for construction and Permanent Limited Easements (PLE) for permanent installations over three separate parcels in order to relocate a water main & fire hydrant and sanitary sewer main that will be impacted by the I-39/90 expansion project. A Relocation Order is one of the first steps in the Eminent Domain process.

Key Issues:

- The proposed Relocation Order relates to a proposed TLE and PLE to allow water main and fire hydrant replacement as well as temporary access over the property located at 1630 Apex Drive (labeled parcel U12 on the attached plats). The existing hydrant must be moved due to fill and fence impacts from the highway project.
- A PLE is also being acquired over 1630 Apex Drive in order to access the City's sanitary sewer that will remain in the widened DOT right of way. The DOT will be building an access road within its right of way, and the City needs the PLE in order to get equipment to the access road.
- Further north, the proposed Relocation Order relates to a proposed TLE and PLE to allow relocation of an existing sanitary sewer main that must be moved due to the new I-39/90 on/off ramps. These easements are over the properties located at 2426 Field Crest Road (Parcel U17) on the east side of I-39/90 and the property located at 3001 Chatsworth Drive (Parcel U16) on the west side of I-39/90.

Consistency with Strategic Plan:

- Consideration of this request supports Strategic Goal #5 by ensuring high-quality infrastructure.

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 Relocation Order to acquire Temporary Limited Easements (TLE) for construction and Permanent Limited Easements (PLE) for permanent installations over the properties located at 1630 Apex Drive, 2426 Field Crest Road, and 3001 Chatsworth Drive in order to relocate a water main & fire hydrant and sanitary sewer main that will be impacted by the I-39/90 expansion project.

Fiscal Note/Budget Impact: The DOT will be reimbursing the City for the cost of this project.

Attachments: Relocation Order, Plat Maps (3)

RELOCATION ORDER

lpa1708 08/2011 (Replaces LPA3006)

Project City of Beloit I-90 Utility Relocations	Road/Utility name Not Applicable	Highway Not Applicable	County Rock
Right of way plat date November 28, 2017	Plat sheet number(s) I-90 Utility Relocations - Figures 1 to 3	Previously approved Relocation Order date None.	

Description of termini of project:

Proposed new utility location areas (sewer or water) located between the south line of the SE-NE of Section 29, T.1.N., R.13.E. City of Beloit, WI to the north line of Sections 20 and 21, T.1.N., R.13.E. City of Beloit, Rock County, WI.

Project involves the necessary City of Beloit local utility relocations required on private property as a result of the city utilities being relocated as a result of WisDOT ID 1003-11-22 for I-90 expansion.

Said utility relocations for the subject three parcels are according to Figure 1 (Utility Parcel - u12), 2 (u17) and 3 (u16) attached hereto.

For reference purposes the WisDOT Transportation Project Plat (TPP) Sheets necessitating these relocations are also attached. See TPP No.s 1003-11-22-4.06 and 1003-11-22-4.08.

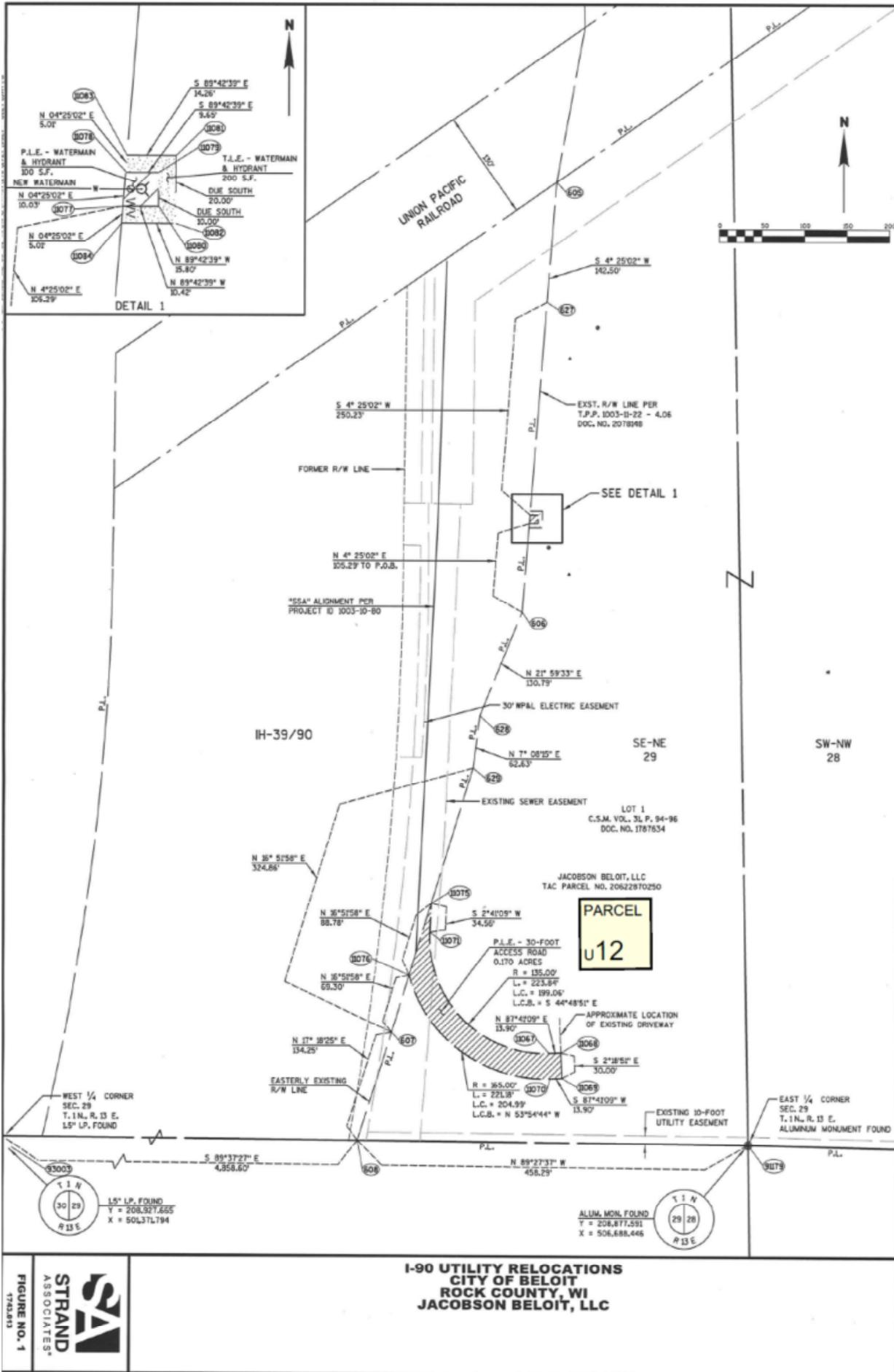
To properly establish, lay out, widen, enlarge, extend, construct, reconstruct, improve, or maintain a portion of the highway or utilities designated above, it is necessary to relocate or change and acquire certain lands or interests in lands as shown on the right of way plat for the above project.

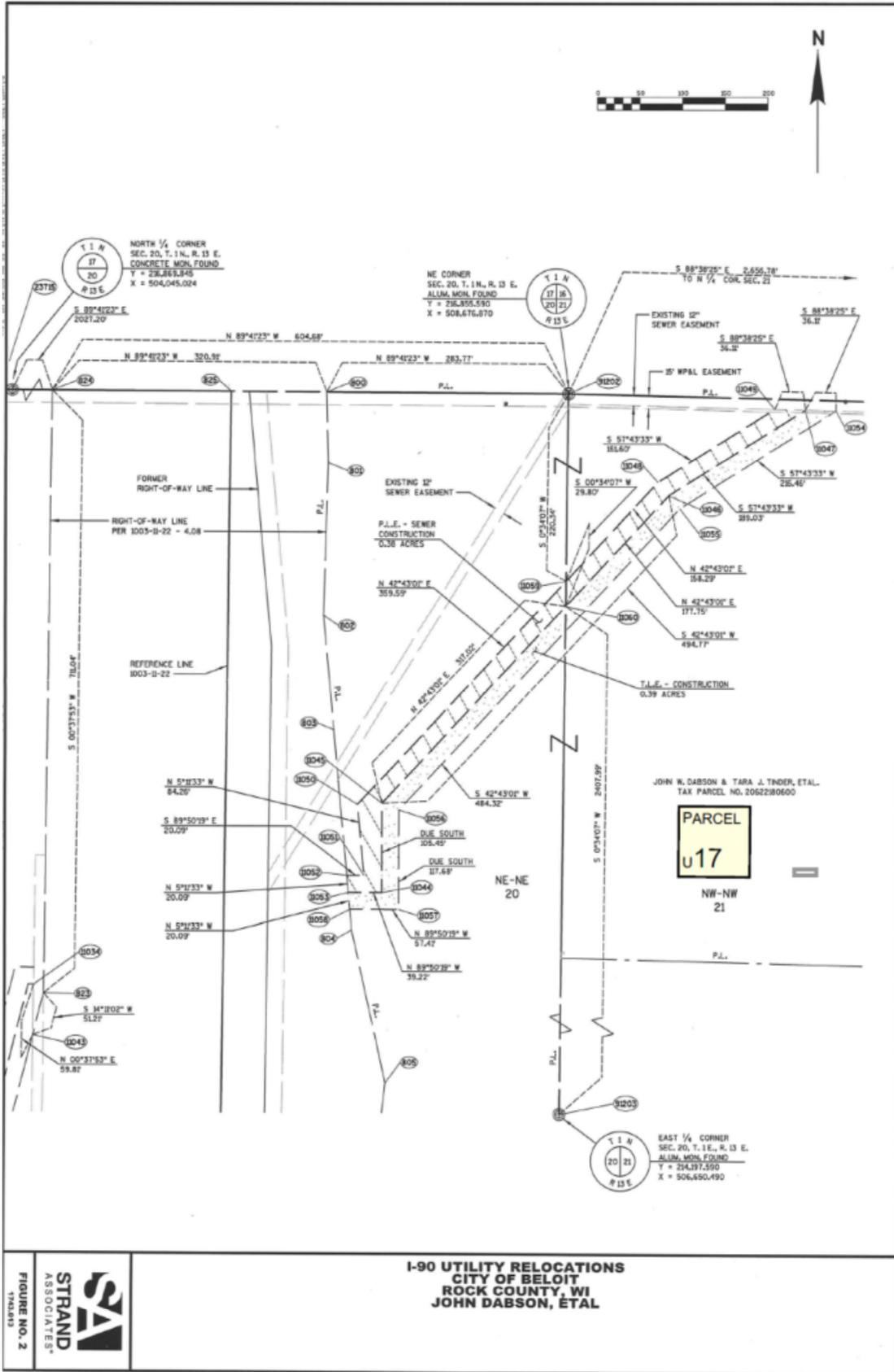
To effect this change, pursuant to authority granted under Sections 62.22 and -, Wisconsin Statutes, the City of Beloit, WI orders that:

1. The said project is laid out and established to the lines and widths as shown on the plat.
2. The required lands or interests in lands as shown on the plat shall be acquired by: the City of Beloit, WI
3. This order supersedes and amends any previous order issued by the: City of Beloit, WI

Name and Title

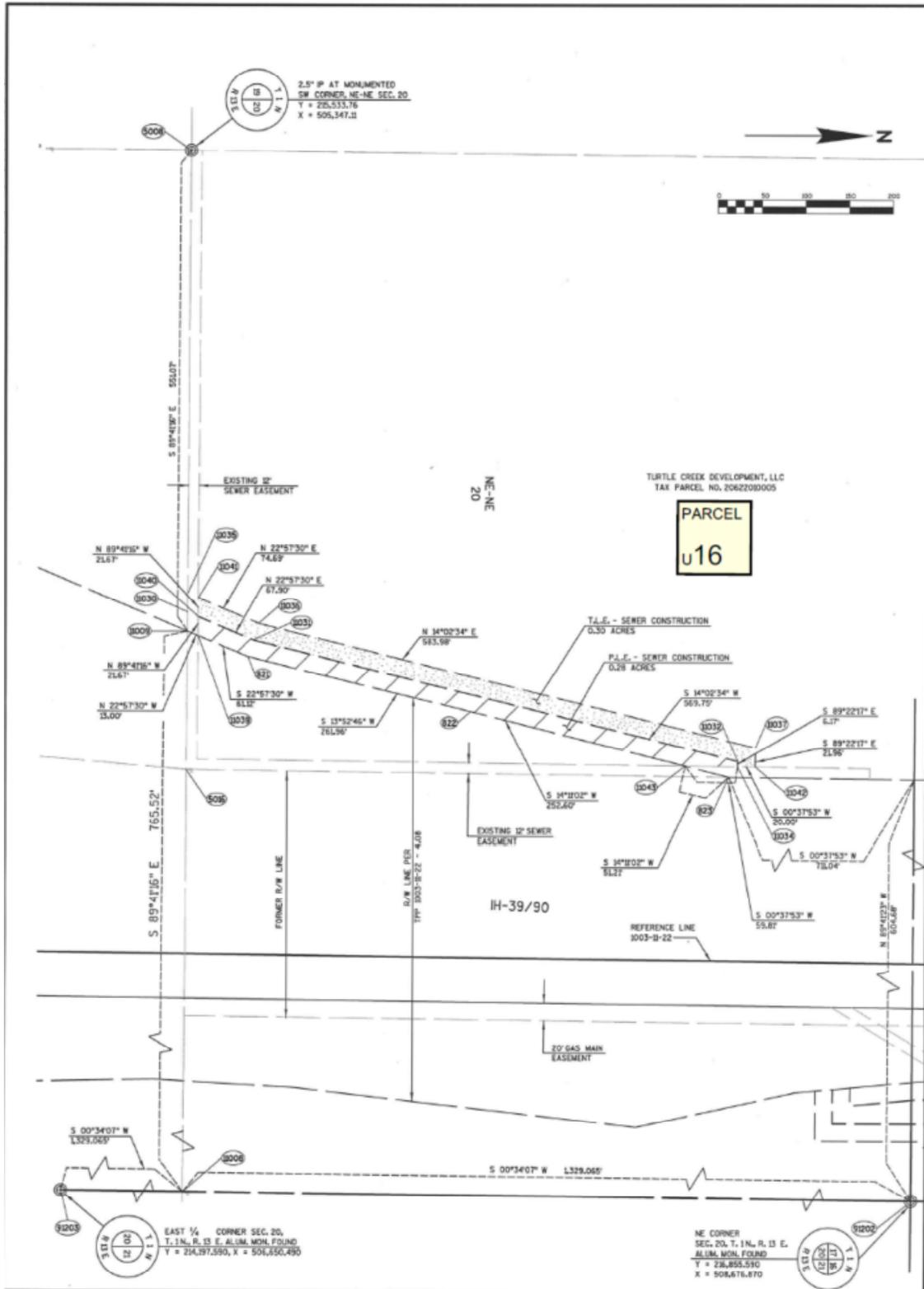
Date





STRAND ASSOCIATES
 FIGURE NO. 2
 SYDNEY

I-90 UTILITY RELOCATIONS
CITY OF BELOIT
ROCK COUNTY, WI
JOHN DABSON, ETAL





STRAND ASSOCIATES

I-90 UTILITY RELOCATIONS
CITY OF BELOIT
ROCK COUNTY, WI
TURTLE CREEK DEVELOPMENT, LLC

FIGURE NO. 3