



**PUBLIC NOTICE & AGENDA
PLAN COMMISSION
City Hall Forum - 100 State Street, Beloit, WI 53511
7:00 PM
Wednesday, August 22, 2018**

1. CALL TO ORDER AND ROLL CALL
2. MINUTES
 - 2.a. Consideration of the Minutes of the August 8, 2018 Plan Commission meeting
[Attachment](#)
3. PUBLIC HEARINGS
 - 3.a. Consideration of a Conditional Use Permit to allow a drive-thru convenience store with alcoholic beverage sales in a C-2, Neighborhood Commercial District, for the property located at 2667 Prairie Avenue
[Attachment](#)
 - 3.b. Consideration of Ordinance No. 3626 to amend Section 6.4.2 of the Zoning Ordinance, Chapter 19 of the Code of General Ordinances of the City of Beloit pertaining to Outdoor Vending as a temporary use in the PLI Zoning District
[Attachment](#)
4. REPORTS
 - 4.a. Consideration of the proposed plans for a digester pump station building at the City's Wastewater Pollution Control Facility located at 555 Willowbrook Road
[Attachment](#)
5. STATUS REPORT ON PRIOR PLAN COMMISSION ITEMS
6. ADJOURNMENT

** 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, August 8, 2018 at 7:00 PM
The Forum
Beloit City Hall
100 State Street, Beloit**

1. Call to Order and Roll Call

The meeting was called to order at 7:01pm. Commissioners Haynes, Weeden, Faragher, Ruster, Finnegan, Robson and City Councilor Preuschl were present. Commissioner Johnson was absent.

2. Approval of the Minutes of the July 18, 2018 Meeting

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

3. Consideration of a Conditional Use Permit to allow a drive-thru convenience store with alcoholic beverages sales located at 2667 Prairie Avenue.

Community Development Director, Julie Christensen, suggested laying over the Conditional Use Permit. The Police Department has asked for more time to provide comments to the Commission.

Chairperson Faragher opened the public hearing. Commissioner Weeden asked staff if the following items can be added to the next staff report: (1) A schedule of the re-construction of Prairie Avenue and (2) Explanation on how re-construction may affect access to the business.

Commissioner Haynes move to lay over the Conditional Use Permit. Commissioner Ruster seconded the motion. The motion passed, voice vote.

4. Consideration of a Final Condominium Plat known as WG Condos Addendum No. 1 for the properties located at 2260 & 2265 Walnut Street.

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

Commissioner Weeden move to recommend approval of the Final Condominium Plat. Commissioner Haynes seconded the motion. The motion passed, voice vote.

5. **Consideration of a Resolution approving a one-lot Extraterritorial Certified Survey Map for property located on the 4800 block of Ryan Parkway in the Town of Turtle.**

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

Commissioner Finnegan move to approve the Extraterritorial Certified Survey Map. Commissioner Ruster seconded the motion. The motion passed, voice vote.

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

The Knoll View zoning map amendment and the storage building proposed to be constructed on Springbrook Court were approved. Planning and Building Services Director, Drew Pennington will hold a last Comprehensive Plan Meeting on August 14th, 2018. Mr. Pennington will address the Planning Commission Board in the next few weeks.

Ms. Christensen presented Commissioners with publications regarding State practices on *Conditional Use Permits* and *New Statutory Law Governing Conditional Use Permits, Variances, and Substandard Lots*. These publications are to be used as resources for future commission items.

7. **Adjournment**

Commissioner Ruster moved to adjourn the meeting. Commissioner Robson seconded the motion.

Meeting adjourned at 7:35pm.

Minutes respectfully submitted by Frank Fuerte.

REPORT TO THE BELOIT CITY PLAN COMMISSION

Meeting Date: August 22, 2018

Agenda Item: 3(a)

File Number: CU-2018-06

Applicant: Desiree Metzger

Owner: NCP 2013 LLC

Location: 2667 Prairie Avenue

Existing Zoning: C-2, Neighborhood Commercial District

Existing Land Use: Vacant Commercial

Parcel Size: 0.33 Acre

Request Overview/Background Information:

Desiree Metzger has filed an application for a Conditional Use Permit (CUP) to allow a drive-in convenience store with alcoholic beverage sales in a C-2, Neighborhood Commercial District, for the property located at 2667 Prairie Ave. If the uses are approved, the City Council is authorized to impose conditions it deems necessary to reduce or minimize any potential adverse effects on surrounding properties. However, a new state law requires the decision to approve or deny a conditional use permit to be based on substantial evidence. In addition, any requirements or conditions established must be related to the purpose of the ordinance and, to the extent practicable, be measurable.

Key Issues:

1. The subject property includes a commercial building that was constructed in 1992 as a quick lube facility (LubePro's). In 2017, it was converted into a full service carwash (Soapy Monkey) that only operated for a few months. The building is approximately 1,320 square feet and contains two drive-through lanes.
2. If the Conditional Use Permit is approved, this business will be known as S & D Drive-Thru. Customers will drive their vehicles into two service bays from the rear, purchase their goods, and then exit through the shared driveway with the Thirsty Badger. There is a 35' x 35' easement for ingress and egress over the Thirsty Badger property as shown on the Location & Zoning map.
3. Both the drive-in use and the sale of alcoholic beverages require a CUP in the C-2 zoning district.
4. **Stacking Spaces.** According to Section 8-112 of the Zoning Ordinance, drive-in uses shall include at least three stacking spaces for the pick-up area. The subject property includes adequate stacking spaces for both drive-through bays.
5. **Parking Requirements.** Section 8-103 of the Zoning Ordinance specifies that sales-oriented retail sales shall provide one parking stall per 250 square feet of building area. For a 1,320 square foot building, five parking spaces would be required. The subject property has at least six off-street parking stalls, which exceeds the minimum number required. However, the stalls need to be re-stripped along with directional arrows and accessible aisles.
6. As shown in the attached photos, the subject property is in need of numerous improvements including pavement repair, sealcoating, striping, and painting of the building.
7. The application was sent to the City's Review Agents, and the following comments were received.
 - a. The Police Department has reviewed this request and has expressed concerns which are outlined in the Beloit Police Department memo attached to this report. They are concerned that it will be much more difficult to determine if a purchaser is underage or under the influence of alcohol. Second, they are concerned that the drive-in will create a traffic safety hazard due to the use of a shared/common driveway for both incoming and outgoing traffic.
 - b. The Fire Department has reviewed this request and has expressed concern about vehicle exhaust in food storage areas and the possible presence of used oil tanks remaining in the facility.
 - c. Rock County Public Health Department doesn't have any issues with the proposal as long as foods being stored in the drive-in area are pre-packaged. If they want to conduct any food preparation activities, it would need to be in a room separate from the automotive traffic.
 - d. The Engineering Division did not have any comments or concerns as this site has operated as a drive-in since 1992. In response to Commissioner Weeden's questions at the last meeting about the reconstruction of Prairie Avenue (schedule for construction and modifications to current street layout), this project is scheduled for the 2019 construction season, and re-construction will not affect access to this business. No medians are planned for this portion of Prairie Avenue.
 - e. The City's other Review Agents have reviewed this application and do not have any comments or concerns.
8. The attached Public Notice was sent to five nearby property owners. Mike Draeving (Thirsty Badger) has requested that the curbed island be extended towards the alley at the applicant's cost to avoid cross-traffic where there is no easement. He does not want their customers in his parking lot. This could limit the ability for patrons to exit the stacking lane. Section 8-113 requires that stacking lanes be designed to allow vehicles to exit the stacking lane without backing up or waiting until they have reached the end of the stacking lane.

Findings of Fact - According to 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;***
 - **Drive-in use.** The proposed drive-in store will operate on a site and within a building that were designed to accommodate drive-through movements.
 - **Alcohol sales.** Introducing additional alcohol sales in this area could be detrimental to or endanger the general welfare of the area. According to the Pacific Institute for Research and Evaluation (PIRE), “a number of studies have found that in and near neighborhoods where there is a high density of places that sell alcohol, there is a higher rate of violence.” There are currently three alcohol outlets on this block of Prairie Avenue and an additional two outlets the next block north, and this particular site is located immediately across the alley from a residential neighborhood (see attached map, Alcohol Establishments Near 2667 Prairie Avenue).
- b. ***Whether the conditional use will be injurious to the use and enjoyment of other property in the immediate vicinity for purposes already permitted;***
 - **Drive-in use.** The subject property is located in a busy commercial area, and any additional traffic, noise, and glare generated by the drive-in use is compatible with existing conditions. A drive-in use has operated at this location for more than 20 years.
 - **Alcohol sales.** The University of Wisconsin Law School outlined research on the impacts concentrations of alcohol outlets have in communities. They note that “across nations and cultures, researchers have documented the relationship between concentrations of alcohol outlets and social problems such as, drunk driving, alcohol related injuries, violence and property crime. Outlet density also impacts quality of life concerns. . . such as, late night noise, garbage, public urination, and minor vandalism.” Given this property’s close proximity to residential properties and the location of five outlets within a two block length, it would likely be injurious to the use and enjoyment of the adjacent residential properties.
- c. ***Whether the conditional use will substantially diminish or impair property values within the neighborhood of the subject property;***
 - **Drive-in use.** Drive-in uses have occupied this site off and on since 1992. We do not believe that locating a drive-in use on this property will diminish or impair property values.
 - **Alcohol sales.** The introduction of yet another alcohol outlet could have a negative impact on property values. Studies have shown that the concentration of alcohol outlets has been shown to increase violent crime. It could be argued that neighborhoods with more violent crime tend to become less attractive areas to live which results in lower property values for the area.
- d. ***Whether the establishment of the conditional use will impede the normal and orderly development and improvement of the surrounding property;***
 - **Drive-in use and Alcohol sales.** This is an urbanized area, and the surrounding properties are already 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;***
 - **Drive-in use and Alcohol sales.** The applicant has not proposed any architectural changes, and there are still gaps in the paint where the old signs were located. There are also holes in the existing asphalt and the striping has faded. Staff has proposed conditions of approval related to needed site improvements.
- 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;***
 - **Drive-in use and Alcohol sales.** The proposed site can be accessed from Prairie Avenue through a shared driveway with Thirsty Badger, and all required facilities are available to serve this facility.
- g. ***Whether adequate measures will be taken to minimize traffic congestion; and***
 - **Drive-in use.** Prairie Avenue is capable of handling the additional traffic that will be generated by the proposed drive-in use. Although the Police Department raised a concern about the shared driveway with Thirsty Badger and the fact that exiting convenience store customers must cross the path of vehicles turning into the site from Prairie Avenue, drive-in uses have operated at this location in the past without traffic congestion. Therefore, we do not anticipate any traffic congestion.
 - **Alcohol sales.** We would not expect any additional traffic congestion with alcohol sales than the other drive-in uses located at this location.
- h. ***Whether the conditional use will comply with all applicable regulations of the Zoning Ordinance.***
 - **Drive-in use and alcohol sales.** The conditional uses will comply with all other applicable regulations of the Zoning Ordinance.

Consistency with Comprehensive Plan and Strategic Plan:

The Comprehensive Plan recommends Planned Mixed Uses for the subject property. This proposed store and the

underlying zoning classification are consistent with this recommendation. Consideration of this request supports City of Beloit Strategic Goal #3 by creating and sustaining economic growth.

Staff Recommendation:

The Planning & Building Services Division recommends **denial** of a Conditional Use Permit to allow the sale of alcoholic beverages in a C-2, Neighborhood Commercial District, for the property located at 2667 Prairie Avenue, based on the above Findings of Fact. Introducing an additional alcohol establishment in an area that already contains five alcohol outlets may be detrimental to the existing residential neighborhood. Research has shown that concentrating alcohol outlets in one area can cause an increase in violence in adjacent neighborhoods.

The Planning & Building Services Division recommends **approval** of a Conditional Use Permit to allow a drive-in convenience store in a C-2, Neighborhood Commercial District, for the property located at 2667 Prairie Ave, based on the above Findings of Fact and subject to the following conditions:

1. This Conditional Use Permit (CUP) authorizes the occupancy of the existing 1,320 square-foot commercial building on the subject property as a convenience store where customers drive into the service bays to purchase goods. The store may only open following satisfaction of the conditions below.
2. Alcoholic beverages may not be sold on the property.
3. Prior to the store opening, the applicant and/or property owner shall patch all existing holes in the existing asphalt and shall professionally sealcoat and stripe all parking and driving areas. In addition, the applicant shall paint the previous sign locations a complementary color. Staff encourages the applicant to paint the building utilizing a new and more attractive color scheme.
4. Prior to the store opening, the applicant shall allow the Fire Department to confirm the absence of all used motor oil in the building.
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.

Fiscal Note/Budget Impact: N/A

Attachments: Location & Zoning Map, Site Photos, Site Sketch, Police Department Report, Fire Department and Health Department Comments, Alcohol Establishment Map, Application, Public Notice, and Mailing List.

Sources of Data:

“How Alcohol Outlets Affect Neighborhood Violence,” Kathryn Stewart, Pacific Institute for Research and Evaluation (PIRE)

Website-law.wisc.edu/wapp/outlet_density_2014_revisions.pdf

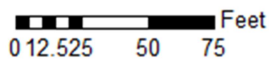
Location & Zoning Map

2667 Prairie Ave

CU-2018-06



1 inch = 64 feet



Legend

- Parcel Poly
- City Limits (Corp Poly)

Map prepared by: Drew Pennington, AICP
Date: August 2018
For: City of Beloit Planning & Building
Date of Aerial Photography: 2016

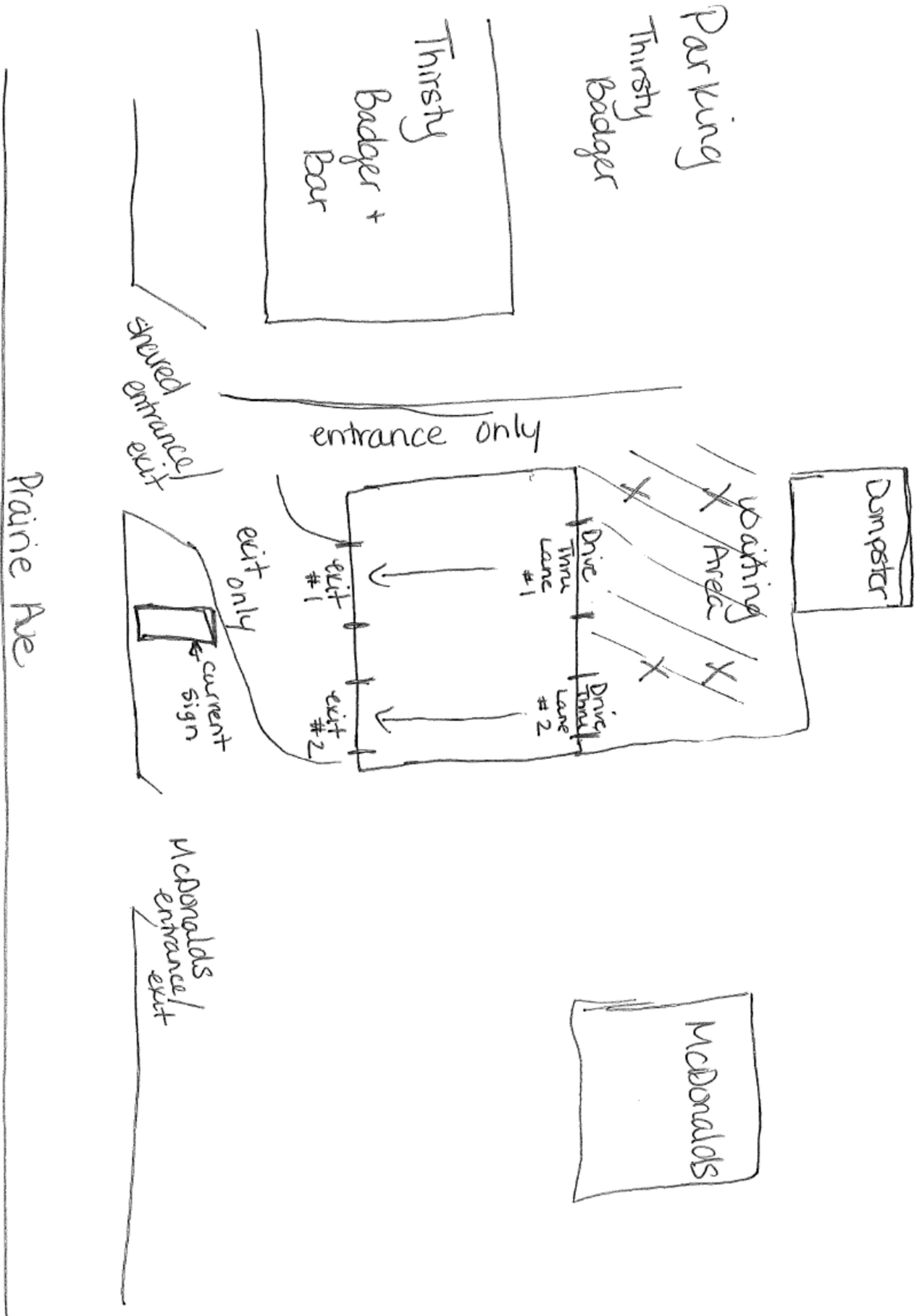
PLANNING & BUILDING SERVICES DIVISION

View from Prairie Ave



View from Alley







COPY

Beloit Police Department



To: Chief Zibolski

From: Captain Molland *DM*

Date: 08/09/18

RE: Drive-Thru Conditional Use Permit

This memo is to provide the Beloit Police Department's concerns regarding the drive-thru alcohol sales conditional use permit for S&D Drive-Thru located at 2667 Prairie Ave.

The City of Beloit currently has two businesses that have drive-thru liquor sales. The two businesses are the Turtle Tap located at 1344 E. Grand Ave and Tobacco Shack located at 1212 Cranston Rd. I reviewed calls for services for both businesses from 01/01/2016 to 08/06/18. I did not find any calls for Turtle Tap related to their drive-thru. Turtle Tap's primary business is a bar.

The Tobacco Shack is a similar business as the proposed S&D Drive-Thru. I located several calls for service that raise concerns regarding to the issuance of a conditional use permit to allow a drive-thru convenience store. On 01/12/16, Thomas L. Croft M/B 01/16/62 got into a verbal argument with the Tobacco Shack owner Thomas J. Lindass M/W 12/12/62 (BE160772). The argument was because Croft was taking too long in the drive-thru and holding up other customers. The argument continued to the front of the store where Croft and Lindass started pushing each other and then separated. Neither Croft nor Lindass were injured in the disturbance and both advised they apologized and resolved the issue.

On 05/04/16, Aubrey R. Herman F/W 05/06/83 and employee of Tobacco Shack was issued a municipal citation for selling alcohol to an underage person during an alcohol compliance check (BE168853). On 02/26/18, Dannarra D. Frye F/W 12/20/88 an employee of Tobacco Shack was issued a municipal citation for selling alcohol to an underage person during an alcohol compliance check (BE1807685).



Beloit Police Department

In 2018, there were two calls for services where intoxicated persons left The Tobacco Shack driving vehicles (BE1804431 & BE1821017). The callers on both incidents were customers. On 02/03/18 at 8:11 pm, a customer called to report a driver was in the store intoxicated and his vehicle was in the parking lot. This call did not have any disposition notes assigned to the officer. On 06/01/18 at 5:50 pm, a customer called to report a driver walked out of the Tobacco Shack stumbling and almost fell. The officer located the vehicle at the residence and notes indicated all subjects denied driving and was unable to prove who was driving. No report taken.

From 01/01/16 to 08/06/18, there were eight traffic accidents in the parking lot. On 03/21/16, a vehicle was pulling out of the Tobacco Shack and struck a 50-year-old bicyclist (BE1612013). Two accidents involved U-Haul trucks hitting the drive-thru overhang (BE1615203 on 04/11/16 and BE1718788 on 05/10/17).

The above calls for service raise the following concerns:

1. The police department is concerned with public safety and the selling of alcohol to an underage person. If underage persons are willing to enter a business and attempt to purchase alcohol face to face it is reasonable to believe that underage persons will use the drive-thru in attempt to purchase alcohol. How will S&D Drive-Thru verify customer's identification and age when purchasing alcohol?
2. The police department is concerned with public safety and the selling of alcohol to persons driving under the influence of alcohol. If a person under the influence of alcohol is willing to enter a business, purchase alcohol face to face, then get back in a vehicle to drive it is more likely that an intoxicated person will use the drive-thru to purchase alcohol. How will S&D Drive-Thru identify persons under the influence and what actions will they take to protect the public.
3. The police department is concerned with traffic flow and the safety of the public regarding the ingress and egress to the business. S&D Drive-Thru will be using a shared driveway with the Thirsty Badger which provides minimal maneuverability from the business to the exit onto Prairie Avenue. The site also



Beloit Police Department

creates a bottleneck where exiting vehicles from the business will potentially block vehicles entering either S&D Drive Thru or Thirsty Badger. The site traffic flow along with the increased traffic volume creates a substantial risk for accidents. Vehicles will be entering and exiting Prairie Ave which is a main arterial 4 lane road with a speed limit of 35MPH and no traffic control signals or medians. Due to the site plan, there is also a potential for vehicles to back up the flow of traffic on Prairie Avenue a main arterial street creating additional traffic hazards. The site plan provides for only a waiting area and does not provide information for customer or employee parking.

Therefore, it is reasonable to believe that the approval of the conditional use permit will create a traffic safety hazard to the community, and customers of Thirsty Badger and S&D Drive-Thru.

RECEIVED
BELOIT POLICE DEPARTMENT

AUG 10 2018

DAVID B. ZIBOLSKI
CHIEF OF POLICE
REF: CONDITIONAL USE PERMIT REQUEST FILE

cc: CITY MANAGER

Fire Department Comments

Pennington, Drew

From: Schenck, Gary
Sent: Thursday, July 26, 2018 2:31 PM
To: Pennington, Drew; Flesch, Michael; Dupuis, Jason; Liggett, Bradley; Zibolski, David; Stigler, Thomas; Anderson, Danny; Warn, Nancy; Mathos, Harry; Stottler, Lorena; Dean Copp (DeanCopp@Alliantenergy.com); GARTLAND, JEFFREY M (jg5181@att.com); Tom Phillips (Thomas.Phillips@chartercom.com)
Cc: Rottmann, Hilary
Subject: RE: CUP Application for a Drive-Through Convenience Store at 2667 Prairie Ave

Is it drive through only or will there also be foot traffic doing business at the site? Depending on the set-up is there enough ventilation/heating to take care of the car exhaust in the building, and the doors opening & closing? Is the plan to have the doors open constantly while the business is open? I agree that this is not a good traffic flow pattern for the existing ingress/egress routes. There is also an issue with existing oil tanks in the building & whether they will remain with or without product in them. Lots of issues to address.

Rock County Public Health Department Comments

Pennington, Drew



To:
Cc:
Subject:

MATTHEW WESSON <MATTHEW.WESSON@co.rock.wi.us>
Tuesday, August 7, 2018 4:34 PM
Pennington, Drew
David Pluymers
RE: CUP Application for a Drive-Through Convenience Store at 2667 Prairie Ave

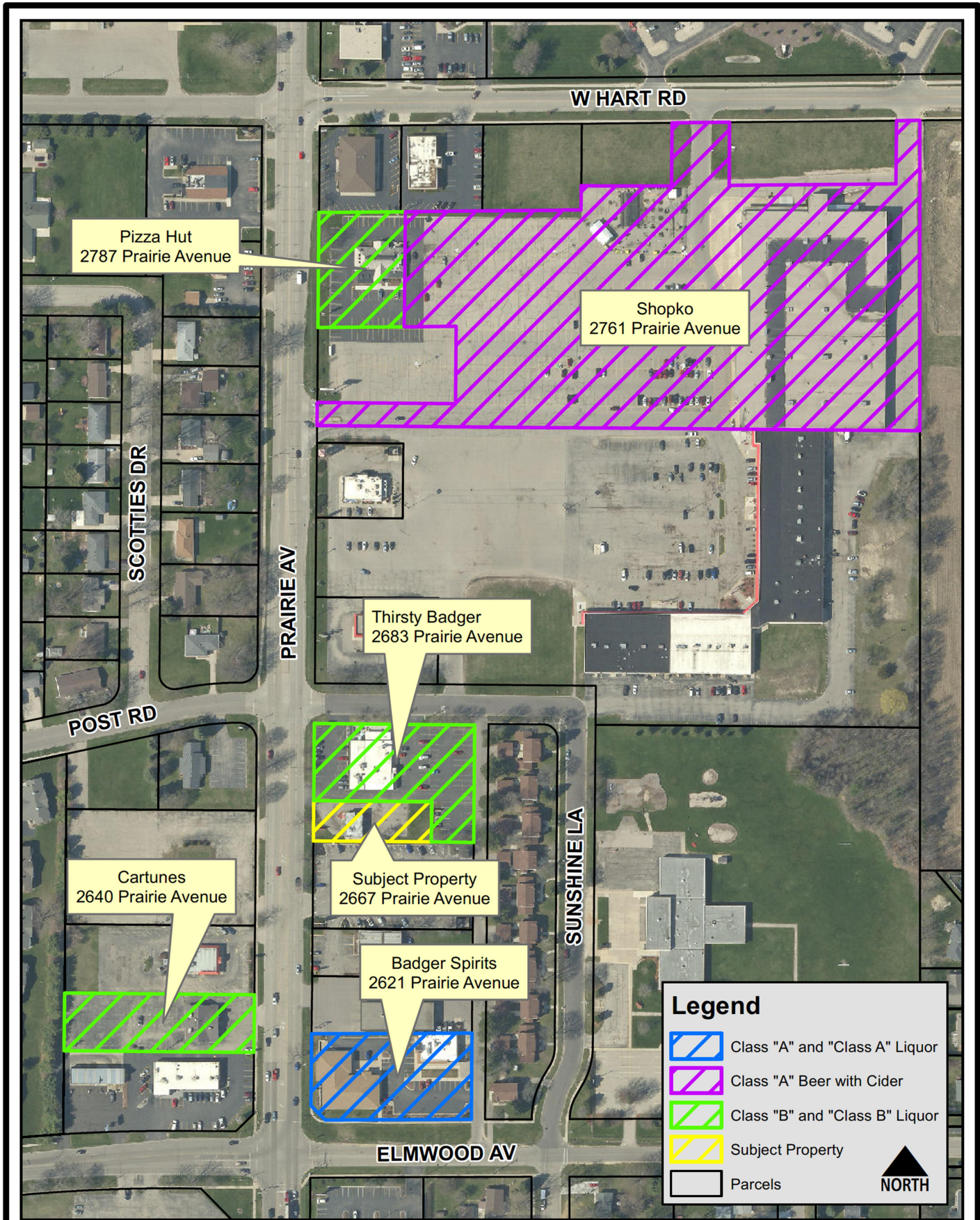
Hi Drew,

In general, we don't have an issue with this proposal as long as the foods being stored in the drive-thru area(s) are pre-packaged. If they want to sell any exposed foods (e.g. hot dog roller) or conduct any food preparation activities a room separate from the auto traffic would be required.

Matt Wesson, RS
Environmental Health Supervisor
wesson@co.rock.wi.us

Rock County Public Health Department
3328 North US Highway 51 P.O. Box 1088
Janesville, Wisconsin 53547-1088
(608) 757-5440 Fax: (608) 758-8423 [Facebook](#)

Collaborating with partners to ensure a healthy, thriving Rock County...



Alcohol Establishments Near 2667 Prairie Ave

CITY of BELOIT

Planning and Building Services Division

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

Conditional Use Permit Application

(Please Type or Print)

File Number: CN-2018-06

1. Address of subject property: 21607 Prairie Ave
2. Legal description: Lot 1, CSM Volume 16, pgs. 29-30
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): 21850457
4. Owner of record: Teco Development Co Phone: 303-908-8552
3111 28th St. Boulder CO 80301
(Address) (City) (State) (Zip)
5. Applicant's Name: Debbie A. Metzger
1748 W. Grand Ave Beloit WI 53511
(Address) (City) (State) (Zip)
1008 213-2837
(Office Phone #) (Cell Phone #) (E-mail Address)
6. All existing use(s) on this property are: _____

7. THE FOLLOWING ACTION IS REQUESTED:

A Conditional Use Permit for: _____
_____ in a(n) C-2 Zoning District.

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

Principal use: drive-thru convenience store - selling
snacks, hot sandwiches, tobacco, beer,
and lottery

Secondary use: _____

Accessory use: _____

9. Project timetable: Start date: 08/01/18 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: 1yr conditional - renewing 5yr.

() 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] Stephen Tebe 5/23/18
(Signature of Owner) (Print name) (Date)

[Signature] Desiree Metzger 4/26/18
(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: Aug. 8, 2018
No. of notices: _____ x mailing cost (\$0.50) = cost of mailing notices: \$ _____
Application accepted by: [Signature] Date: 8/26/18

COMMUNITY DEVELOPMENT DEPARTMENT

NOTICE TO THE PUBLIC

July 25, 2018

To Whom It May Concern:

Desiree Metzger has filed an application for a Conditional Use Permit to allow a drive-through convenience store with alcoholic beverage sales in a C-2, Neighborhood Commercial District, for the property located at:

2667 Prairie Avenue.

The subject property includes a commercial building that was constructed as a quick lube facility (Grease Monkey) that was converted into a full service carwash (Soapy Monkey) that only operated for a few months. If approved, this business will be known as S & D Drive-Thru. Customers will drive their vehicles into the service bays from the rear, purchase their goods, and then exit through the shared driveway with the Thirsty Badger. Both the drive-through use and the sale of alcoholic beverages require a Conditional Use Permit in the C-2 zoning district.

The following public hearings will be held regarding this application:

City Plan Commission: Wednesday, August 8, 2018, at 7:00 PM, or as soon thereafter as the matter can be heard in The Forum, Beloit City Hall, 100 State Street.

City Council: Monday, August 20, 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 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.

BBM LLC
2710 Prairie Ave (owner of 2683)
Beloit, WI 53511

McDonalds Corp. #48-0169
P.O. Box 2240 – MS 1224
Spokane, WA 99210

2121 Milton Avenue Property LLC
2121 Milton Avenue Suite 140
Janesville, WI 53545

Stateline Pregnancy Clinic Inc.
2680 Prairie Ave
Beloit, WI 53511

Clinton Cole
Director of the Beloit Housing Authority
Via Email

Mike Ganzle
Grease Monkey International
Via Email

REPORT TO THE BELOIT CITY PLAN COMMISSION

Meeting Date: August 22, 2018

Agenda Item: 3(b)

File Number: ZTA-2018-01

Request Overview/Background Information:

City staff has drafted the attached Ordinance to Amend Section 6.4.2 of the Zoning Ordinance Pertaining to Temporary Outdoor Vending in the PLI, Public Lands & Institutions Zoning District.

Key Issues:

1. According to Section 8-605 of the Zoning Ordinance, outdoor vending is allowed in certain commercial and industrial zoning districts, but only on private property and after the vendor has obtained an outdoor vending license from the City Clerk's Office.
 2. The proposed Ordinance will allow outdoor vending on a temporary basis (up to five days per year) on property in the PLI zoning district. The PLI district is a special purpose district that includes institutional lands such as churches, colleges, and quasi-public uses.
 3. The proposed Ordinance inserts the appropriate language into the Temporary Uses section, and will not affect the current regulations that apply to permanent outdoor vending found in Section 8-605 of the Ordinance. The proposed Ordinance stems from a request submitted by the Beloit Historical Society related to a proposed outdoor festival on their campus (zoned PLI) during Heritage Days in September 2018.
 4. Under the proposed Ordinance, the property owner in PLI will need to obtain an outdoor vending license, and the vending may not involve the construction or alteration of a permanent structure.
-

Consistency with Strategic Plan:

- Consideration of this request supports Strategic Goal #4 by supporting community festivals, which create and sustain a high quality of life.
-

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 Ordinance to amend Section 6.4.2 of the Zoning Ordinance, Chapter 19 of the Code of General Ordinances of the City of Beloit, pertaining to Temporary Outdoor Vending in the PLI, Public Lands & Institutions Zoning District.

Fiscal Note/Budget Impact: N/A

Attachments: Proposed Ordinance and Public Notice

ORDINANCE NO. 3626

AN ORDINANCE TO AMEND SECTION 6.4.2 OF THE ZONING ORDINANCE, CHAPTER 19 OF THE CODE OF GENERAL ORDINANCES OF THE CITY OF БЕЛОIT PERTAINING TO OUTDOOR VENDING AS A TEMPORARY USE IN THE PLI ZONING DISTRICT

The City Council of the City of Beloit, Rock County, Wisconsin do ordain as follows:

Section 1. Section 6.4.2 of the Zoning Ordinance, Chapter 19 of the Code of General Ordinances of the City of Beloit, is hereby amended to read as follows:

“6.4.2 TEMPORARY SALES STANDS AND OUTDOOR VENDORS. No temporary sales stand or outdoor vending is allowed in any zoning district other than a PLI zoning district except as authorized by Section 8-600. In a PLI zoning district, outdoor vending shall be permitted as a temporary use provided the property owner has obtained an outdoor vending permit as required by §14.04 of the Code of General Ordinances of the City of Beloit. “Temporary” for the purposes of this subsection shall mean no more than five (5) calendar days per calendar year and shall not involve the construction or alteration of any permanent structure.””

Section 2. If any section, clause, provision or portion of this ordinance is judged unconstitutional or invalid by a court of competent jurisdiction, the remainder of the ordinance shall remain in force and not be affected by such judgment.

Section 3. This ordinance shall be in force and take effect upon passage and publication.

Adopted this _____ day of September, 2018.

CITY COUNCIL FOR THE CITY OF БЕЛОIT

By: _____
Kevin D. Leavy, President

ATTEST:

By: _____
Lorena Rae Stottler, City Clerk-Treasurer

PUBLISHED: _____
EFFECTIVE DATE: _____
01-611100-5231- _____

tdh/ordinances/19-6.4.2 = 20180730 1538 (18-1166)

COMMUNITY DEVELOPMENT DEPARTMENT

NOTICE TO THE PUBLIC

August 1, 2018

To Whom It May Concern:

The Beloit Plan Commission and City Council are considering an Ordinance to amend Section 6.4.2 of the Zoning Ordinance, Chapter 19 of the Code of General Ordinances of the City of Beloit, pertaining to temporary outdoor vending in the PLI, Public Lands & Institutions Zoning District.

Currently, outdoor vending is only allowed on private property in commercial and industrial zoning districts. The proposed Ordinance will allow outdoor vending on a temporary basis (up to five days per year) on institutional property in the PLI district, provided the vendor obtains an outdoor vending license.

The following public hearings will be held regarding this proposed Ordinance:

City Plan Commission: Wednesday, August 22, 2018, 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, September 4, 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 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.

REPORT TO THE BELOIT CITY PLAN COMMISSION

Meeting Date: August 22, 2018

Agenda Item: 4(a)

File Number: RPB-2018-04

Request: Digester pump station building at the WPCF
Owner: City of Beloit

Location: 555 Willowbrook Road

Existing Zoning: M-2, General
Existing Land Use: Utility Manufacturing

Request Overview/Background Information:

The Engineering Division has requested that the Plan Commission and City Council review proposed plans for the digester system improvement at the City's Water Pollution Control Facility located at 555 Willowbrook Road.

Key Issues:

1. The current mixing system is 25 years old, is inefficient, and expensive to maintain.
2. The new building will be brick to match the existing buildings.
3. Installing updated equipment will enhance mixing and allow for future sustainable projects such as community digestion or co-generation of energy.
4. The proposed site plan, rendering, and CIP sheet are attached.
5. The location and design of all new public buildings must be reviewed by the Plan Commission and City Council in order to comply with state statutes.

Consistency with Comprehensive Plan and Strategic Plan:

- The Comprehensive Plan designates the subject property as appropriate for Community Service uses.
- Consideration of this request supports Strategic Goal #5 by creating and sustaining quality infrastructure.

Sustainability:

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

The improvements will allow for better mixing and help breakdown organic solids better on site which in turn creates less: shock on the environment, water being transported via semi-trailers, fossil fuels consumed, and more treated water will be released as clean water into the Rock River by gravity.

Staff Recommendation:

The Planning and Building Services Division recommends **approval** of the attached plans for a digester pump station building at the City's Water Pollution Control Facility located at 555 Willowbrook Road, subject to the following condition:

1. Prior to issuance of a Building Permit for this project, the applicant shall submit detailed site & architectural plans for Planning staff review and approval. Approval of these plans will result in the issuance of a Certificate of Zoning Compliance and an Architectural Review Certificate.

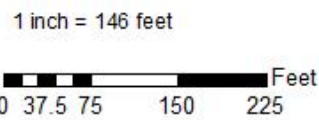
Fiscal Note/Budget Impact: This \$2, 909, 99.00 project will be funded by utility operating funds and is included in the approved 2018 Capital Improvements Program. According to Engineering staff, they are proposing that the project will replace the ineffective gas mixing system with a pump and nozzle mixing system in the anaerobic digester.

Attachments: Location Map CIP Sheet, & Site Plan



Location & Zoning Map

555 Willowbrook Road

RPB-2018-04



Legend

-  Parcel Poly
-  City Limits (Corp Poly)

Map prepared by: Hilary Rottmann
Date: August 2018
For: City of Beloit Planning & Building
Date of Aerial Photography: April 2016

PLANNING & BUILDING SERVICES DIVISION

**CITY OF BELOIT
2018 - 2023 CAPITAL IMPROVEMENT PROGRAM
PROJECT REQUEST**

PROJECT TITLE: WPCF Anaerobic Digester Mixing
DEPARTMENT: Public Works - Water Resources Division
PERSON AND/OR GROUP REQUESTING PROJECT OR ITEM: Harry Mathos
RESPONSIBLE PERSON: Harry Mathos



PROJECT STATUS:

X	One Time Project or Item		Multi-Year Project or Item		Yearly Project or Item
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CIP PROJECT ACCOMPLISHES COUNCIL GOAL(S): 5. Create and sustain high quality infrastructure and connectivity, including roads, bridges, streets, sidewalks, bike paths and fiber optics. Maintain city facilities and plan for future needs.

DESCRIPTION: Install current technology mixing system to replace aging gas mixing system and equipment.

JUSTIFICATION: The current system is 25 year old technology that is expensive to maintain and inefficient. Installing updated equipment will enhance mixing and allow for future sustainable projects such as community digestion or co-generation of energy.

IMPACT ON OPERATING BUDGET: Minor preventive maintenance cost over the life of equipment.
The estimated issuance interest expense for this project, which is budgeted in the Wastewater fund is \$284,500 with a projected 20 years to pay off the project.

	2018	2019	2020	2021	2022	2023	GRAND TOTAL
OPERATING MAINTENANCE BUDGET PROJECTIONS:	\$0.00	\$0.00	\$1,000.00	\$1,300.00	\$1,600.00	\$2,000.00	\$5,900.00

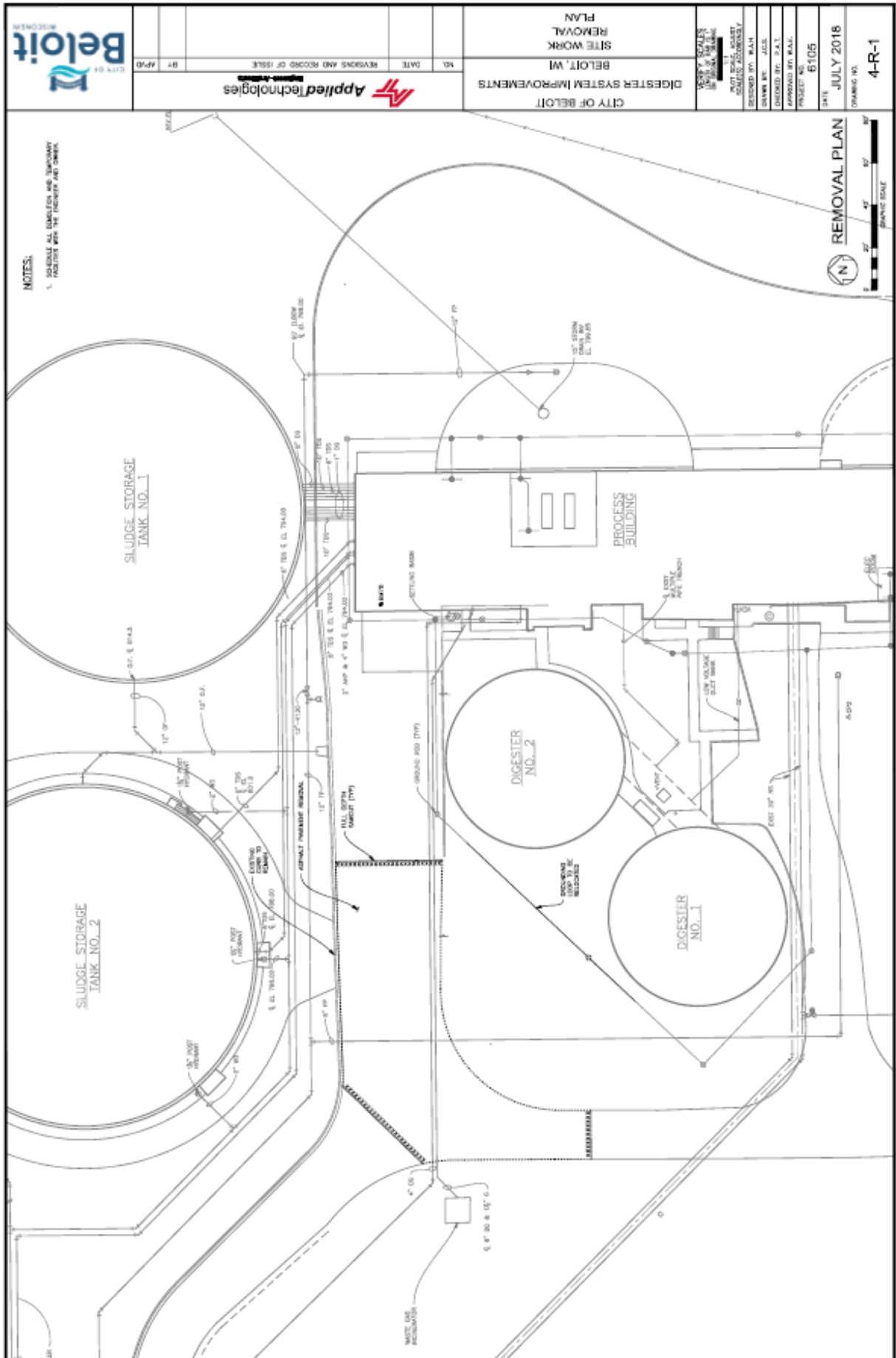
REVENUE DATA:

Object	Funding Sources	Prior Adopted	2018	2019	2020	2021	2022	2023	GRAND TOTAL
4900	GO Debt								\$0.00
4031	TID Financing								\$0.00
490007	Utility Revenue Bond		\$2,276,000.00						\$2,276,000.00
4999	Fund Balance								\$0.00
4999	Equipment Fund								\$0.00
4430	Spcl Assessments								\$0.00
4330	State/Federal Funds								\$0.00
4500	Operating Budget								\$0.00
4501	Other								\$0.00
	Totals	\$0.00	\$2,276,000.00		\$0.00	\$0.00	\$0.00	\$0.00	\$2,276,000.00
		Ok	Ok	Ok	Ok	Ok	Ok	Ok	Ok

EXPENDITURE DATA:

Object	Outlay Type	Prior Adopted	2018	2019	2020	2021	2022	2023	GRAND TOTAL
5240	Professional Svcs		\$242,000.00						\$242,000.00
5240	Real Estate Svcs								\$0.00
5258	In-house Design/Eng		\$200,000.00						\$200,000.00
5510	Land Acq/Relocate								\$0.00
5511	Construction Costs		\$1,834,000.00						\$1,834,000.00
5533	Vehicle/Eq/Software								\$0.00
5514	Roadway Const-Streets								\$0.00
5516	Demolition & Site Prep								\$0.00
5519	Sidewalks								\$0.00
5522	Storm Sewer System								\$0.00
5523	Sanitary Sewer								\$0.00
5525	Water Utility								\$0.00
5531	Vehicle - over \$1,000								\$0.00
	Totals	\$0.00	\$2,276,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$2,276,000.00
		Ok	Ok	Ok	Ok	Ok	Ok	Ok	Ok

PROGRAM: 199
SUB-PROGRAM: 504



NOTES:
 1. SCHEDULE ALL DEMOLITION AND TEMPORARY FACILITIES WITH THE TENDERITY AND OWNER.

REMOVAL PLAN
 JULY 2018
 DRAWING NO. 4-R-1

Graphic scale: 0' 20' 40' 60' 80'

CITY OF BELOIT DIGESTER SYSTEM IMPROVEMENTS	NO.	DATE	REVISIONS AND RECORD OF ISSUE
APPLIED TECHNOLOGIES	BY	APR/18	

CITY OF BELOIT SITE WORK REMOVAL PLAN	NO.	DATE	REVISIONS AND RECORD OF ISSUE
APPLIED TECHNOLOGIES	BY	APR/18	

Beloit
CITY OF BELOIT
WISCONSIN



CITY OF БЕЛОИТ DIGESTER SYSTEM IMPROVEMENTS BELOIT, WI SITE WORK CIVIL PLAN		SHEET NO. 6105 PROJECT NO. 15-001 DATE JULY 2018 DRAWING NO. 4-C-1
NO. _____ DATE _____ REVISIONS AND RECORD OF ISSUE	APPROVED BY: [Signature] PROJECT NO. 15-001	CHECKED BY: J.A.L. DRAWN BY: J.A.L. DESIGNED BY: W.A.T. CONSULTING ADDRESS: 1000 W. WISCONSIN ST. SUITE 200 BELOIT, WI 53510
Applied Technologies ENGINEERS & ARCHITECTS		



DATE: 7/17/2018 10:49 AM
 FILE: C:\Users\jall\OneDrive\Documents\4-C-1.dwg
 PLOT: 11/17/2018 10:49 AM
 PLOTTER: HP DesignJet T1100e

