



**PUBLIC NOTICE & AGENDA  
PLAN COMMISSION  
City Hall Forum - 100 State Street, Beloit, WI 53511  
7:00 PM  
Wednesday, September 19, 2018**

1. CALL TO ORDER AND ROLL CALL
2. MINUTES
  - 2.a. Consideration of the Minutes of the September 5, 2018 Plan Commission meeting  
[Attachment](#)
3. PUBLIC HEARINGS
  - 3.a. Consideration of a Conditional Use Permit to allow a drive-in use in a C-2, Neighborhood Commercial District, for the property located at 2648 Prairie Avenue  
[Attachment](#)
4. STATUS REPORT ON PRIOR PLAN COMMISSION ITEMS
5. 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, September 5, 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 7:00pm. Commissioners Weeden, Johnson, Faragher, Ruster, Finnegan, Robson and City Councilor Preuschl were present. Commissioner Haynes was absent.

**2. Approval of the Minutes of the September 5, 2018 Meeting**

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

**3. Consideration of a Conditional Use Permit to allow a drive-in use with alcoholic beverage sales in a C-2, Neighborhood Commercial District, for the property located at 2667 Prairie Avenue.**

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

Councilor Prueschl asked if the applicant had to apply for a license. Ms. Christensen responded that if a new entity would be operating the business, a new license would be required. Fiesta Cancun gave up their license in November, 2017. Councilor Preuschl questioned if the conditional use they are approving tonight has any bearing on the sale of alcohol. Ms. Christensen stated that the sale of alcohol will be done as a separate action item through the Alcohol Beverage License Control Committee. Commissioner Faragher states his concerns about the evidence that was provided. Ms. Christensen explained that we recently discovered the 2009 Conditional Use Permit which allowed the alcohol use. However, the Police Department memo mostly relates to the alcohol use. If the Plan Commission prefers, the item can be laid over until the next meeting, and we can get an updated report from the Police Department.

Councilor Prueschl asked about the 2009 Conditional Use Permit, specifically the condition prohibiting the use of the drive-through. Ms. Christensen indicated that she would check with the City Attorney and let them know at their next meeting.

Melissa Plood, 7204 W Mill pond Road, representing her father Dewey Lethaby, Iva Court Condominiums #5, mentioned some of her father's concerns about noise, lights shining in home, and the alcohol being sold through the drive-through.

Mark Miller, 2675 Iva Court, stated his concerns about the traffic crossing through the parking lot, noise echoing into the neighborhood, and trash being thrown out behind the building.

Alice Blue, 2621 Prairie Ave, owner of Badger Spirits, indicated that the City urged Ms. Blue to not put a drive-through at her liquor store, and she feels she is put at a disadvantage if this is approved.

Nicholas Lerma, applicant, 5008 Walnut Grove Drive, Beloit, made the argument that a drive-through is appropriate at this location. He noted that Prairie Ave was already a main street constructed for people to travel through the City, so it is already a busy street. Mr. Lerma stated that the back side of the business already has plenty of trees to block lights from shining through the condos, and the hours of business will be based on what the City will allow them to operate.

Commissioner Robson made a motion to lay over the item. Commissioner Weeden seconded the motion. The motion passed, voice vote.

**4. Consideration of a Resolution Recommending Approval of an Update to the City's Comprehensive Plan**

Planning and Building Services Director, Drew Pennington, presented the staff report on the update to the City's Comprehensive Plan.

Commissioner Johnson asked if there were any concerns raised about the proposed land use for Kolak or any other future land uses. Mr. Pennington stated there were not any concerns raised about Kolak, but there was a lot of discussion about Royce School and the proposed single family use.

Commissioner Robson stated that she has received comments from the East Ridge neighborhood regarding Morgan School, and they would like to see the zoning changed to single family residential. Mr. Pennington stated that speaking for the Steering Committee, they believed there were no good options for this site at this time, and it was best not to change the future land use. Ms. Christensen explained that the Comprehensive Plan update is not proposing to change the zoning, it is proposing changes to the future land use. Commissioner Weeden questioned if it is a normal procedure that the zoning would not be in an agreement with the land use plan. Ms. Christensen said we are doing a Comprehensive Plan update first, and the rezoning would be the next step. Mr. Pennington stated that under the Wisconsin Comprehensive Planning Law, the plan is the overriding vision, and all land use and subdivision decisions must be consistent with the plan. Commissioner Robson questioned if it would discourage developers who would want to put in condos or single family because it is not zoned single family. Ms. Christensen explained that when developers contact the City about a site, staff shares the

Comprehensive Plan with the developer and lets them know the neighborhood vision for the site as well. Mr. Pennington explained that there could be unintended consequences to changing the zoning of Royce school to single family because if a developer wanted to open a church or educational facilities they could not if they changed the zoning.

Commissioner Finnegan said that he was disappointed that the plan would not include any ability for non-conforming duplexes that were constructed as duplexes to continue to be used as they were. The Commissioners discussed the different consequences to this issue. Ms. Christensen explained that property owners in an area could propose an R-2, Two-family Zoning District if there were a number of duplexes, but that many neighborhoods in the past had specifically requested to be downzoned to single family. Mr. Pennington noted that revisiting the density issue was a large, long-term project that was too broad to fit into the Plan Update.

Commissioner Faragher opened and closed the public hearing.

Commissioner Johnson moved to approve the Resolution recommending approval of the Comprehensive Plan Update. Commissioner Weeden seconded the motion. The motion passed, voice vote.

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

The Conditional Use Permit (CUP) was approved for the drive-in use at 2667 Prairie Avenue but the CUP for alcohol sales was denied. The Zoning Text Amendment to allow outdoor vending as a temporary use in the PLI Zoning District was approved, and the Historical Society will be holding an event on September 9, 2018 at Heritage Days.

**6. Adjournment**

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

Meeting adjourned at 8:30pm.

Minutes respectfully submitted by Amber DesRoberts.



## REPORT TO THE BELOIT CITY PLAN COMMISSION

---

<b>Meeting Date:</b> September 19, 2018	<b>Agenda Item:</b> 3(a)	<b>File Number:</b> CU-2018-08
<b>Applicant:</b> Nicolas Lerma	<b>Owner:</b> KHY LLC	<b>Location:</b> 2648 Prairie Avenue
<b>Existing Zoning:</b> C-2, Neighborhood Commercial District	<b>Existing Land Use:</b> Vacant Commercial Building	<b>Parcel Size:</b> 0.90 Acre

---

### Request Overview/Background Information:

Nicolas Lerma has filed an application for a Conditional Use Permit (CUP) to allow a drive-through convenience store in a C-2, Neighborhood Commercial District, for the property located at 2648 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 with a drive-through window and parking lot that was previously Fiesta Cancun. The building is 3,200 square feet in area and was constructed in 1995.
2. If approved, customers will drive their vehicles into the Prairie Avenue access, drive behind the building, to the window on the south side to purchase goods.
3. The drive-through use requires a CUP in the C-2 zoning district.
4. A CUP to allow indoor alcohol sales in the C-2 Neighborhood Commercial District was previously approved for the site in 2009. The CUP from 2009 prohibits the use of the drive-through; the approval of this Conditional Use would override the previous 2009 resolution.
5. According to Section 8-112 of the Zoning Ordinance, drive-through uses shall include at least 3 stacking spaces for the pick-up area. The subject property includes adequate stacking spaces for the drive-through. (See attached location & zoning map)
6. 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 3,200 square foot building, 13 spaces would be required. The subject property has at least 13 parking stalls, which exceed the minimum number required. 50 parking spaces are currently provided.
7. A site visit was conducted to investigate screening concerns that were brought up at the previous Plan Commission meeting. It was determined that adequate landscape screening is being provided to the Iva Court Condominiums but the waste container (dumpster) on site is not screened. (see attached photo)
8. The application was sent to the City's Review Agents, and the following comment was received. The Police Department has expressed concerns which are outlined in the Beloit Police Department memo attached to this report. They have concerns about the use of the property to the north as access to the subject property.
9. The City's other Review Agents have reviewed this application and do not have any comments or concerns.
10. The attached Public Notice was sent to thirty three nearby property owners. Staff has not received any questions.
11. **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 proposed drive-through store will operate on a site and within a building that was designed to accommodate drive-through traffic.
  - 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 a busy commercial area, and any additional traffic, noise, and glare generated by this store is compatible with existing conditions.
  - c. **Whether the conditional use will substantially diminish or impair property values within the neighborhood of the subject property;**
    - Commercial uses have occupied this site off and on since 1995. We do not believe the utilization of the drive-through will diminish or impair property values.
  - 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 applicant has not proposed any architectural changes, although if approved the applicant will have to submit an architectural review application for any exterior improvements, which includes signage.
- f. **Whether adequate utilities, access roads, drainage or other necessary facilities will be available to serve the proposed use at the time of its occupancy or use;**
  - Adequate facilities and infrastructure are available to serve the conditional uses.
- g. **Whether adequate measures will be taken to minimize traffic congestion; and**
  - Prairie Avenue is capable of handling the additional traffic that will be generated by the proposed drive-through use.
- h. **Whether the conditional use will comply with all applicable regulations of the Zoning Ordinance.**
  - The conditional uses will comply with all other applicable regulations of the Zoning Ordinance.

---

**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 **approval** of a Conditional Use Permit to allow a drive-through use in a C-2, Neighborhood Commercial District, for the property located at 2648 Prairie Avenue, 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 3,200 square-foot commercial building on the subject property where customers drive up to purchase goods.
2. This Conditional Use supersedes any prior restrictions on drive-through sales that may exist.
3. An Architectural Review Certificate must be obtained prior to making any exterior changes to the building including signage.
4. All waste containers (dumpsters) must be screened from public view on all sides.
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, Police Department Report, Application, Neighbor Notice, Mailing List, and Resolution.

# Location & Zoning Map

2648 Prairie Ave

CU-2018-08




1 inch = 70 feet

0 12.5 25 50 75 Feet

## 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: 2016

## PLANNING & BUILDING SERVICES DIVISION



View from Prairie Street looking at 2648  
Prairie Avenue



View from behind  
building facing west to Ivy  
Court Condominiums





## Beloit Police Department

To: David Zibolski  
Chief of Police

From: Thomas Stigler  
Captain of Patrol

Date: Friday, August 17, 2018

RE: 2648 Prairie Avenue – Conditional Use Permit Application

---

On August 14, 2018 we received notification via email of a CUP application for a “drive through and alcohol sales” for the vacant commercial building at 2648 Prairie Avenue, Beloit, WI. City Planner II Hilary Rottmann requested that we provide the Planning & Building Services Division with any comments or concerns regarding this property and the proposed Conditional Use by Friday, August 24, 2018. Although it was not requested, I will also comment on the applicant.

Subject property: 2648 Prairie Ave is located on the west side of Prairie Avenue between Elmwood Avenue and E Post Rd. This vacant building was previously used as a fast food restaurant with a drive through window. There is a vacant commercial lot to the north and several occupied commercial buildings to the south. The east side of Prairie Avenue on this block is occupied commercial buildings. The property has driveway access to Prairie Avenue through its own driveway or through adjacent properties on either side. The west side of the property is lined with small trees separating the commercial properties from the residences on Iva Ct.

The City of Beloit currently has two businesses that offer drive through alcohol sales. The two businesses are the Turtle Tap at 1344 E Grand Avenue and the tobacco Shack at 1212 Cranston Rd. A review of calls for service for both businesses from 01/01/2016 to 08/06/2018 did not reveal any calls for the Turtle Tap related to their drive-through. Turtle Tap’s primary business is a tavern.





## Beloit Police Department

The Tobacco Shack is a similar business as this proposed in this CUP. There were several calls for service that raise concerns.

On 01/12/2016 a customer got into an argument with the owner because the customer was taking too long in the drive through and holding up other customers. (BE160772) The argument continued in front of the store and escalated to pushing and shoving. Officers responded and the issue was resolved without arrest or enforcement action.

On 05/04/2016 & 02/26/2018 were issued citations for selling alcohol to an underage person. (BE168853, BE1807685). Though not related directly to the drive-through portion of the business one can construe that it would be easier for an underage person to purchase during a drive-through transaction as opposed to a face to face in store transaction.

In 2018 there were two calls for service where concerned citizens reported intoxicated persons left the Tobacco Shack driving vehicles. (BE1804431 & BE1821017). Police responded to both calls and no arrests were made. Though not directly related to the drive-through portion of the business one can construe that it would be easier for an intoxicated person to purchase during a drive-through transaction as opposed to a face to face in store transaction.

From 01/01/2016 to 08/06/2018 there were 8 motor vehicle accidents in the parking lot of the Tobacco Shack.

The above calls for service raise the following concerns:

1. Public Safety and the purchase of alcohol by underage persons and persons who are under the influence. If these persons are willing to enter a business to purchase alcohol it is reasonable to believe they would feel more comfortable using the drive-through. How will this applicant ensure drive-through customers are of legal age and not under the influence?



**Beloit Police Department**

2. Public Safety and the traffic flow in and out of the business lot. Presuming this will be a business with a high volume of traffic as other businesses with alcohol sales, the planning for this traffic is necessary for the safety of the customers and those travelling on Prairie Avenue. The potential for customers using the shared driveway may create bottlenecks both on Prairie Avenue as well as on the connected parking lots. I do not see where these concerns are addressed in the document I was provided.

Applicant: Nicole M Fischer 10/27/1976 of 1713 E Williams Dr. Beloit, WI has no adverse contacts in our records. It appears she has been a resident of Beloit for at least 12 years and has no open judicial cases.

Based upon this review I believe the approval of this CUP will, if steps are not taken to mitigate them, create Public Safety concerns for customers of this business and the general public travelling on Prairie Avenue. The issue of having another drive through liquor sales business operating in our city is not addressed.

Respectfully submitted,

Thomas Stigler  
Captain of Patrol

RECEIVED  
BELOIT POLICE DEPARTMENT  
AUG 21 2018  
DAVID B. ZIBOLSKI *DZ*  
CHIEF OF POLICE  
REF: CONDITIONAL USE FILE  
CC: JUNE CHRISTENSEN



**Beloit Police Department**

To: David Zibolski  
Chief of Police

From: Thomas Stigler  
Captain of Patrol

Date: Monday, September 10, 2018

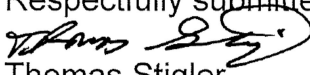
RE: 2648 Prairie Avenue – Conditional Use Permit Application

On September 7, 2018 we received notification via email of a request for additional information on an updated CUP application for the vacant commercial building at 2648 Prairie Avenue, Beloit, WI.

The original CUP response from our agency was based upon a “drive through and alcohol sales”. The City recently discovered the alcohol use was already approved through a prior permit and therefore the CUP is now just for “drive-through” use. The Plan Commission wanted to know if our agency had any concerns based upon this new information. Director Christensen requested a reply by 09/12/2018.

The only change to the original memorandum is the issue of the shared driveways. There are currently concrete parking blocks along the south side of the parking lot separating 2648 Prairie Ave and the adjacent property to the south. If these blocks are maintained the traffic concerns will be minimized. There is currently an inconsistent line of parking blocks separating 2648 Prairie Ave and the vacant land directly to the north. I would encourage the city to require the applicant to maintain a consistent vehicular barrier on both sides of the property to keep customers of 2648 Prairie Ave on that property.

RECEIVED  
BELOIT POLICE DEPARTMENT  
SEP 11 2018  
DAVID B. ZIBOLSKI  
CHIEF OF POLICE  
REF: LICENSED PREMISE FIVE

Respectfully submitted,  
  
Thomas Stigler  
Captain of Patrol

Memo

cc: J. CHRISTENSEN  
CITY ATTY

A015-6-9/21/16-3265



**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-2018-08

- 1. Address of subject property: 2448 Prairie Avenue
- 2. Legal description: L1 csm v 8PGS 351 & 352

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): 11341505
- 4. Owner of record: KHY LLC Phone: \_\_\_\_\_

(Address) (City) (State) (Zip)  
5. Applicant's Name: Nicole Fischer 10/27/76  
1713 E. Williams Beloit WI 53511  
(Address) (City) (State) (Zip)  
(Office Phone #) (Cell Phone #) (E-mail Address)  
608-289-5145 nicolefischer9902@gmail.com

- 6. All existing use(s) on this property are: Vacant - Will be a liquor/Convenient store.

- 7. **THE FOLLOWING ACTION IS REQUESTED:**  
A Conditional Use Permit for: Drive Thru & alcohol sales  
in a(n) C2 Zoning District.

- 8. All the proposed use(s) for this property will be:  
Principal use: Store selling tobacco, alcohol, wine, beer, food, snacks  
Secondary use: \_\_\_\_\_  
Accessory use: \_\_\_\_\_

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

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

- ( ) Owner
- ( ) Leasehold, length of lease: \_\_\_\_\_
- Contractual, nature of contract: Land 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.

Nicholas Lerma (Signature of Owner)      Nicholas Lerma (Print name)      1-7-13-18 (Date)  
See Email from (Signature of Applicant, if different)      Yook Kin Yan (Print name) (owner)      8/1/18 (Date) DP

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: <u>\$275.00</u>	Amount paid: <u>\$275.00</u> Meeting date: <u>Sept. 5, 2018</u>
No. of notices: _____	x mailing cost (\$0.50) = cost of mailing notices: \$ _____
Application accepted by: <u>Don Fenwick</u>	Date: <u>8/1/18</u>

↳ Owner Auth.

**Pennington, Drew**

---

**From:** Ken <ken.yan@tds.net>  
**Sent:** Wednesday, August 1, 2018 8:38 AM  
**To:** Pennington, Drew  
**Cc:** Randy Walters  
**Subject:** Permission from Property Owner to add Nick Lerma to your upcoming Planning Commission Agenda

Drew,

Good morning, I am the owner of 2648 Prairie Avenue, Beloit, Wisconsin. At present, I am working to finalize a Land Contract agreement with Nick Lerma for my property. You have my permission to add Nick Lerma to your upcoming Planning Commission Agenda for the purposes of review and approval of his liquor license application.

Thanks,

Yoek Kin Yan



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**

August 27, 2018

To Whom It May Concern:

Nicolas Lerma 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:

**2648 Prairie Avenue.**

The subject property includes a commercial building with a drive-through window and stacking spaces that was previously Fiesta Cancun. Customers will drive their vehicles into the Prairie Avenue access, drive behind the building, purchase their goods, and then exit through the Prairie Avenue access on the property. 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, September 5, 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, September 17, 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 Hilary Rottmann, in the Planning & Building Services Division at (608) 364-6708 or [rottmanh@beloitwi.gov](mailto:rottmanh@beloitwi.gov). Comments will be accepted via telephone, email, and U.S. Mail.*



Haresh Patel  
3520 Country Club Lane  
Morris IL 60450

Alice Blue  
2621 Prairie Ave  
Beloit WI 53511

Cartunes Grill and Bar LLC  
2640 Prairie Ave  
Beloit WI 53511

KHY LLC  
9806 Trappers Trail  
Middleton WI 53562

2121 Milton Ave Property LLC  
2121 Milton Ave Suite 140  
Janesville WI 53545

Gani Mohamed Farouk  
504 Brockway  
Palatine IL 60067

Fastenal Company  
PO Box 168  
Winona MN 55987

Bonanza Enterprise LLC  
1805 N 19th Ave STE 1 W  
Melrose Park IL 60160

McDonalds Corp #48-0169  
PO Box 2440 - MS 1224  
Spokane WA 0

Donna Rasmussen  
2625 IVA Court Unit 21  
Beloit WI 53511

Kenneth R & Maria C Witkins  
110 Maplewood Drive  
Scotia NY 12302

Timothy D Scholten  
2625 IVA Court Unit 23  
Beloit WI 53511

Normand D Witkins  
2625 Iva Court Unit 24  
Beloit WI 53511

Kristi L Winters  
2635 Iva Court Unit 17  
Beloit WI 53511

Bonnie J Reneau  
2635 Iva Court Unit 18  
Beloit WI 53511

Carmen Spencer  
2335 Iva Court Unit 19  
Beloit WI 53511

Matthew RC Bosen  
2635 Iva Court Unit 20  
Beloit WI 53511

Richard R & Pamela A (Trustee) Konicek  
2645 Iva Court Unit 13  
Beloit WI 53511

Teofilo M Rivera  
2645 Iva Court Unit 14  
Beloit WI 53511

Nell E Johnson  
W5854 Quail Drive  
New Lisbon WI 53950

Mark A Lopp  
2645 Iva Court Unit 16  
Beloit WI 53511

Doris A Whiteledge  
2655 Iva Court Unit 9  
Beloit WI 53511

Lisa M Soravia  
2655 Iva Court Unit 10  
Beloit WI 53511

Janice D Allen  
2655 Iva Court Unit 11  
Beloit WI 53511

Jack L Skelly  
2655 Iva Court Unit 12  
Beloit WI 53511

Dewey W Letheby  
2665 Iva Court Unit 5  
Beloit WI 53511

Robert J Kemman  
2665 Iva court Unit 6  
Beloit WI 53511

Brenda K Rudolph  
2665 Iva Court Unit 7  
Beloit WI 53511

Christopher Mason  
2665 Iva Court Unit 8  
Beloit WI 53511

Keith E & Kim R Berner  
2675 Iva Court Unit 1  
Beloit WI 53511



www.avery.com  
1-800-GO-AVERY

Victoria S Woock  
2675 Iva Court Unit 2  
Beloit WI 53511

Charles N Pinson  
2675 Iva Court Unit 3  
Beloit WI 53511

Mark J Miller  
2675 Iva Court Unit 4  
Beloit WI 53511

Replier à la hachure afin de  
révéler le rebord Pop-up™

Sens de  
chargement

Étiquettes faciles à peler  
Peel-off Avery Labels

AVERY® 8460™

Bend along line to  
expose Pop-up Edge™

Feed Paper

Use Avery® Template 5160®  
easy peel™ labels

FILE# 8380  
NOV 16 2009  
CITY OF БЕЛОIT  
CITY CLERK

**RESOLUTION  
AUTHORIZING A CONDITIONAL USE PERMIT TO ALLOW INDOOR ALCOHOL SALES IN A C-2, NEIGHBORHOOD COMMERCIAL DISTRICT,  
FOR THE PROPERTY LOCATED AT 2648 PRAIRIE AVENUE**

**WHEREAS**, the application of Jose Alonso Lopez Mudonado for a Conditional Use Permit to allow indoor alcohol sales in a C-2, Neighborhood Commercial District, for the property located at 2648 Prairie Avenue, 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 indoor alcohol sales in a C-2, Neighborhood Commercial District, for the property located at 2648 Prairie Avenue in the City of Beloit, for the following described premises:

Lot 1, Certified Survey Map recorded in Volume 8, Pages 351-352, Certified Survey Maps of Rock County, located in the City of Beloit, Rock County, Wisconsin. Said parcel contains .9091 acres.

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 alcohol sales within the existing building located at 2648 Prairie Avenue.
2. The applicant shall obtain and retain all applicable liquor licenses while the conditional use is established and maintained.
3. The applicant shall re-stripe the parking lot by May 1, 2010.
4. All dumpsters and recycling containers shall be enclosed in accordance with the Architectural Review Code by May 1, 2010.
5. The applicant shall enhance the existing landscape strip along the eastern property line and ensure that the landscape strip complies with Section 34.21(2)(c) of the Architectural Review and Landscape Code by May 1, 2010.
6. The drive-through lane and window may not be utilized whatsoever.
7. 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 16<sup>th</sup> day of November, 2009.

**BELOIT CITY COUNCIL**

  
James E. Van De Bogart, Council President

ATTEST:

  
Carol S. Alexander, WCPC/MMC, City Clerk

CU-2009-14, Jose Alonso Lopez Mudonado, 2648 Prairie Avenue, Council Report