



**PUBLIC NOTICE & AGENDA
PLAN COMMISSION
City Hall Forum - 100 State Street, Beloit, WI 53511
7:00 PM
Wednesday, May 06, 2020**

*

Members of the media or the public may participate in the open session portion of this agenda by calling 1 (669) 224-3412, access code 827-855-245. All participants' phones will be muted. Attendance at the meeting in person will be limited. If you would like to provide comments for the any of the items on the agenda, please submit those to planning@beloitwi.gov by 12:00 noon on Wednesday, May 6, 2020.

1. CALL TO ORDER AND ROLL CALL
2. NOMINATION AND ELECTION OF OFFICERS
 - 2.a. Nomination and election of Chairperson
 - 2.b. Nomination and election of Vice-Chairperson
3. MINUTES
 - 3.a. Consideration of the minutes of the April 22, 2020 Plan Commission meeting
[Attachment](#)
4. PUBLIC HEARINGS
 - 4.a. Consideration of a Conditional Use Permit to allow a daycare center for the property located at 1230 House Street
[Attachment](#)
 - 4.b. Consideration of an amendment to the Planned Unit Development Master Land Use Plan to allow for the sale of landscaping materials on the property located at 2426 Prairie Avenue
[Attachment](#)
 - 4.c. Consideration of a Conditional Use Permit to allow a School in a C-3, Community Commercial District, for the Eclipse Center property located at 600 Henry Avenue.
[Attachment](#)
5. REPORTS
 - 5.a. Consideration of a Resolution approving a one-lot Certified Survey Map for the property located at 600 Henry Avenue

[Attachment](#)

- 5.b. Consideration of a Resolution approving a three-lot Certified Survey Map for the property located at 720 Gateway Boulevard

[Attachment](#)

- 5.c. Consideration of a Resolution approving an Extraterritorial one-lot Certified Survey Map to combine the parcels at 2639 St. Lawrence Ave in the Town of Beloit

[Attachment](#)

6. STATUS REPORT ON PRIOR PLAN COMMISSION ITEMS

7. 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.

MINUTES
PLAN COMMISSION
City Hall Forum - 100 State Street, Beloit, WI 53511
7:00 PM
Wednesday, April 22, 2020

1. CALL TO ORDER AND ROLL CALL

Meeting was called to order by Chairperson Weeden at 7:00PM. Commissioners Faragher, Weeden, Finnegan, Robson, Ruster and Councilor Preuschl were available on the phone. Commissioner Haynes and Johnson were absent.

2. MINUTES

2.a. Consideration of the minutes of the March 18, 2020 Plan Commission meeting

Motion made by Commissioner Ruster, seconded by Commissioner Robson to approve minutes. Motion carried, voice vote.

3. REPORTS

3.a. Consideration of a Final Plat named Eagles Ridge Plat No. 4 for the property located on 1510 Townhall Road and a portion of 1452 Townhall Road

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

Commissioner Weeden asked if the storm water pond size met the water standards with DNR. Ms. Christensen stated that the applicant has been working with engineering for a solution to the plan. Jeffrey Linkenheld, 5291 Zenith Parkway, Project Manager for Arc Design, stated they have been working with DNR and City Engineering on the pond. Plat one was developed with some storm water management that did not include the water quality that the DNR has since implemented, and the western end of plat four drains to the existing pond behind plat one. The City Engineer recognized there would be objections from the existing neighbors if they made the plat one pond a wet pond, so they have been working with the City and DNR to transfer some of the water quality features required for the plat to the out lot on east end of plat four. They have reached a resolution with Engineering staff on that.

Motion made by Commissioner Robson and seconded by Commissioner Weeden to approve the resolution, as recommended by staff. Roll call vote (5-0) motion passed.

- 3.b. Consideration of a Resolution approving a two-Lot Extraterritorial Certified Survey Map for the property located at 2941 W. Creedy Road in the Town of Beloit**
Community Development Director Julie Christensen presented the staff report and recommendation.

Motion made by Commissioner Ruster and seconded by Commissioner Robson to approve the resolution, as recommended by staff. Roll call vote (5-0), motion passed.

- 3.c. Consideration of a Resolution approving a one-Lot Extraterritorial Certified Survey Map for the property located at 3108 W. Creedy Road in the Town of Beloit**
Community Development Director Julie Christensen presented the staff report and recommendation.

Motion made by Commissioner Weeden and seconded by Commissioner Robson to approve the resolution, as recommended by staff. Roll call vote (5-0), motion passed.

4. STATUS REPORT ON PRIOR PLAN COMMISSION ITEMS

Ms. Christensen stated that City Council approved the vacation for Water Street. Our next meeting agenda for May 6, 2020, will have several items.

5. ADJOURNMENT

Motion was made by Commissioner Robson, seconded by Commissioner Ruster to adjourn the meeting. Roll call vote (5-0), motion passed. Meeting was adjourned at 7:23PM.

Respectfully submitted by Amber DesRoberts.



REPORT TO THE PLAN COMMISSION

Plan Commission Meeting Date: May 6, 2020

Agenda Item: 4(a)

File Number: CU-2020-02

General Information

Applicant: Marilyn Sloniker, DBA Kiddie Ranch II

Owner: Marilyn Sloniker

Address/Location: 1230 House Street

Applicant's Request: Application for a Conditional Use Permit (CUP) to allow a Day Care Center in an R-1B, Single-Family Residential District, for the property located at 1230 House Street.

Background

Ms. Sloniker operates Kiddie Ranch II Day Care Center at 1702 House Street, and the proposed CUP is to operate a before and/or after-school facility for school-age children at 1230 House Street, which is the former location of the original Kiddie Ranch after-school program run under previous ownership. Ms. Sloniker obtained a CUP to operate a religious institution known as Hope for All International Ministry at this location back in 2015, and this proposed day care use would be in addition to the existing religious institution use with alternating hours of operation. Ms. Sloniker is in the process of obtaining a state license.

Staff Analysis

Existing Conditions: The subject property is 0.35 acre in area and has street frontage on three sides: House Street, Moore Street to the West, and Hackett Street to the East. There is a single-story, 1,800 square-foot structure on the subject property. The property is unique in that it does not have a driveway, and has a distinctive A-frame roof over the House Street entrance.

Surrounding Land Use and Zoning: Krueger-Haskell Park and Golf Course (zoned PLI, Public Lands & Institutions) is to the north and east of the subject property, and there are single-family homes to the west and south. The subject property is part of a large R-1B District.

Proposed Day Care Use: According to the applicant, the proposed center will offer before and/or after-school care for elementary-school-age children, but may also offer daytime care in the event that public schools remain closed for an extended period of time due to the COVID-19 pandemic. Ample off-street parking is available in the adjacent municipal parking lot. The applicant has not proposed any changes to the exterior of this building at this time. The attached Public Notice was sent to the owners of surrounding properties. Planning staff did not receive any comments.

City of Beloit Comprehensive Plan: The City's Downtown Plan recommends *Single-Family Residential Uses* for the subject property, which can include limited institutional uses. This request and the underlying zoning classification are consistent with this recommendation.

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 day care use will not create any negative externalities in the area.
- 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 proposed day care hours are consistent with the surrounding residential uses, and the applicant will be able to utilize the adjacent public park for outside activities.
- c. *Whether the conditional use will substantially diminish or impair property values within the neighborhood of the subject property;*
 - The additional institutional use within the subject building is not expected to impact nearby property values.
- d. *Whether the establishment of the conditional use will impede the normal and orderly development and improvement of the surrounding property;*
 - The surrounding area is 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;*
 - No changes to the exterior are proposed at this time.
- 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 and currently serve the property.
- g. *Whether adequate measures will be taken to minimize traffic congestion; and*
 - The proposed day care use is adjacent to a large municipal parking lot that can be used by staff and parents, in addition to the existing on-street parking stalls for parent pick-up and drop-off. The existing 2015 CUP requires the applicant to encourage parishioners to park off-street in the municipal parking lot.
- h. *Whether the conditional use will comply with all applicable regulations of the Zoning Ordinance.*
 - The proposed use will comply with all other applicable regulations.

Review Agent Comments: We have not received any comments from Review Agents as of this writing.

STAFF RECOMMENDATION:

The Planning & Building Services Division recommends approval of a Conditional Use Permit to allow a Day Care Center in an R-1B, Single-Family Residential District, for the property located at 1230 House Street, based on the above Findings of Fact and subject to the following conditions:

1. This Conditional Use Permit authorizes the use of the subject property as a licensed Day Care Center, provided that approval is granted from the Wisconsin Department of Children and Families (DCF). DCF will establish maximum occupancy levels.

2. The applicant's 2015 CUP and all conditions attached thereto remain in full force and effect. The religious institution use and day care center use shall occur at alternating times.
3. 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.

ATTACHMENTS: CUP Decision Form, Location Map, Photos, Application, 2015 CUP, Public Notice, & Mailing List.

Beloit Plan Commission Conditional Use Permit Decision Form

When reviewing an application for a conditional use, the local government must look to the requirements and conditions found in the local zoning ordinance and determine if the applicant meets those requirements and conditions. The local government must provide **substantial evidence** supporting their decision to grant or deny the permit, and to impose additional conditions on the permit. Substantial evidence means **facts and information**, directly relating to the requirements and conditions, that a reasonable person would accept in support of a conclusion. Personal preferences and speculation are not sufficient forms of evidence. All requirements and conditions imposed by the local government must be reasonable, and to the extent practicable, measurable.

Permit Conditions

A local government is authorized to impose conditions on the permit that relate to the purpose of the ordinance. Conditions must be **reasonable**, and to the extent practicable, **measurable**. Conditions may limit the permit's duration, transfer, or renewal.

List conditions imposed on the permit:

1. This Conditional Use Permit authorizes the use of the subject property as a licensed Day Care Center, provided that approval is granted from the Wisconsin Department of Children and Families (DCF). DCF will establish maximum occupancy levels.
Substantial Evidence: Day or Child Care Centers in the State of Wisconsin must obtain a license from DCF, and abide by their health and safety regulations.
2. The applicant's 2015 CUP and all conditions attached thereto remain in full force and effect. The religious institution use and day care center use shall occur at alternating times.
Substantial Evidence: The applicant intends to continue operating the previously permitted religious institution, which due to space and other logistical considerations, will need to operate at times when the day care is not in operation.
3. 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.
Substantial Evidence: Standardized condition to establish a process for future changes.

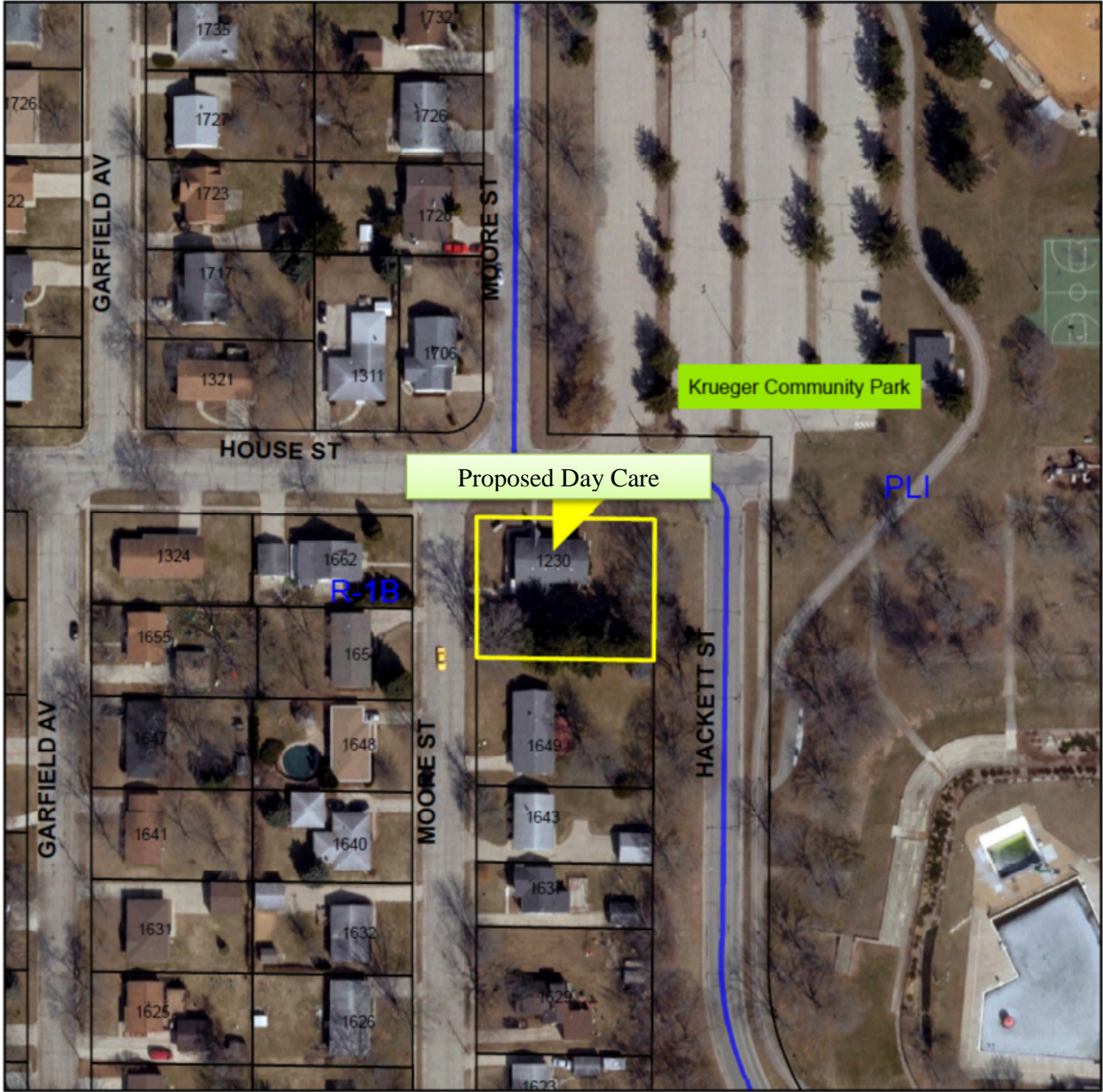
Decision: Based on the findings of fact, conclusions of law, and the record in this matter, the permit is:

- Approved, with the conditions stated above
 Denied, for the following reasons:

Location & Zoning Map

1230 House Street

CU-2020-02



1 inch = 111 feet
0 1530 60 90 Feet

Legend

- City Limits
- Zoning District

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

PLANNING & BUILDING SERVICES DIVISION

Photo of Existing Structure



CN-2015-11
Amendment

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-2020-02

1. Address of subject property: 1230 House St Beloit WI 53511

2. Legal description: _____

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

Property dimensions are: 94.4625 feet by 160 feet = 15,114 square feet.

If more than two acres, give area in acres: 1.347 acres.

3. Tax Parcel Number(s): 12720875

4. Owner of record: Marilyn Sloniker Phone: 608-322-8457
972 E Philhower Rd Beloit WI 53511
(Address) (City) (State) (Zip)

5. Applicant's Name: Marilyn Sloniker
972 E Philhower Rd Beloit WI 53511
(Address) (City) (State) (Zip)

608-365-6141 / 608-322-8457 / mmsloniker@yahoo.com
(Office Phone #) (Cell Phone #) (E-mail Address)

6. All existing use(s) on this property are: church function, ministry

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

A Conditional Use Permit for: Hope For All International Fellowship
in a(n) R-1B Single Residential Zoning District.

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

Principal use: Church, ministry, meetings

Secondary use: Daycare - Parking would be the same agreement to use the parking lot across the street on House St. Primarily Before/After School; License: 5am - 6:30 pm Proposed

Accessory use: _____

9. Project timetable: Start date: 3/16/2020 Completion date: April 6, 2020

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

- Owner
- Leasehold, length of lease: _____
- Contractual, nature of contract: _____
- Other, explain: _____

The applicant's signature below indicates the information contained in this application and on all accompanying documents is true and correct.

I/We, the undersigned, do hereby respectfully make application for and petition the City Plan Commission and City Council to grant the requested action for the purpose stated herein. I/We represent that the granting of the proposed request will not violate any of the required standards of the Zoning Ordinance of the City of Beloit. I/We also agree to abide by all applicable federal, state and local laws, ordinances, rules, and regulations.

Marilyn Slomker / Marilyn Slomker / 3/16/2020
 (Signature of Owner) (Print name) (Date)

_____/_____/_____
 (Signature of Applicant, if different) (Print name) (Date)

In order for your request to be heard and considered in a timely manner, you must submit the completed application, and all accompanying documents, to the Planning and Building Services Division for acceptance by the filing deadline date prior to a scheduled Plan Commission meeting.

This application must be submitted with one copy of a scaled drawing showing the layout of the proposed development in accordance with all code requirements, and the \$275.00 application fee. Applicants will also be charged a fee for mailing public notices at the rate of \$0.50 per notice. An invoice for this fee will be sent to the applicant and these costs are typically between \$5.00 and \$15.00.

To be completed by Planning Staff		
Filing fee: \$275.00	Amount paid: <u>\$275.⁰⁰</u>	Meeting date: <u>May 6, 2020</u>
No. of notices: _____	x mailing cost (\$0.50) = cost of mailing notices: \$ _____	
Application accepted by: <u>Dee Pennington</u>	Date: <u>4/15/20</u>	



**RESOLUTION
AUTHORIZING A CONDITIONAL USE PERMIT TO ALLOW A RELIGIOUS
INSTITUTION IN AN R-1B, SINGLE-FAMILY RESIDENTIAL DISTRICT,
FOR THE PROPERTY LOCATED AT 1230 HOUSE STREET**

WHEREAS, the application of Marilyn Sloniker for a Conditional Use Permit to allow a Religious Institution in an R-1B, Single-Family Residential District, for the property located at 1230 House Street, 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 Religious Institution in an R-1B, Single-Family Residential District, for the property located at 1230 House Street in the City of Beloit, for the following described premises:

Lot 19 of House's Addition Unrecorded, Except Southern 160 feet, City of Beloit, Rock County, Wisconsin. Said parcel contains 0.347 acre, more or less.

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

1. This Conditional Use Permit authorizes the use of the existing 1,800 square-foot building on the subject property as a church, including customary accessory uses. The existing sign structure must be removed completely or refaced to reflect the applicant's organization by April 1, 2016.
2. The applicant shall encourage parishioners to use the adjacent public parking lot in Krueger Park, and to limit their use of on-street parking in this residential area.
3. No residential use of any kind, including transitional or emergency housing, is allowed on the subject property.
4. The applicant shall maintain, and may not remove, the existing vegetative buffer along the southern and eastern perimeter of the subject property.
5. Any major changes in the adopted conditions or use of the property shall be approved by the Plan Commission and City Council by amending this Conditional Use Permit. The Director of Planning & Building Services may approve minor changes administratively.

Adopted this 7th day of December, 2015.

BELOIT CITY COUNCIL



Charles M. Haynes, Council President

ATTEST:



Lorena Rae Stottler, City Clerk

4.c CU-2015-11, 1230 House Street, Church in R-1B, Council Report



CITY HALL • 100 STATE STREET • БЕLOIT, WI 53511
Office: 608/364-6700 • Fax: 608/364-6609
www.beloitwi.gov
Equal Opportunity Employer

NOTICE TO THE PUBLIC

April 22, 2020

To Whom It May Concern:

Marilyn Sloniker, DBA Kiddie Ranch II, has filed an application for a Conditional Use Permit (CUP) to allow a Day Care Center in an R-1B, Single-Family Residential District, for the property located at **1230 House Street**.

Ms. Sloniker operates Kiddie Ranch II Day Care Center at 1702 House Street, and the proposed CUP is to operate a before and/or after-school facility for school-age children at 1230 House Street, which is the former location of the original Kiddie Ranch after-school program run by the previous owners of Kiddie Ranch. Ms. Sloniker obtained a CUP to operate a religious institution known as Hope For All International Ministry at this location back in 2015, and this proposed day care use would be in addition to the existing religious institution use with alternating hours of operation. Ms. Sloniker is in the process of obtaining a state license.

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

City Plan Commission: Wednesday, May 6, 2020, 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, May 18, 2020, at 7:00 PM, or as soon thereafter as the matter can be heard in The Forum, Beloit City Hall, 100 State Street.

We are interested in your opinion.*

***Due to the COVID-19 crisis, members of the public are highly encouraged to provide oral or written comments to the Commission and City Council via alternative means. You may mail your comments to the attention of Drew Pennington at 100 State Street or via email to penningtond@beloitwi.gov. You may also call (608) 364-6711 to provide your comments over the phone. In-person attendance at Commission and Council meetings will be limited.**

CU-2020-02, 1230 House Street, Day Care Center in R-1B

MARILYN SLONIKER D/B/A HOPE
FOR ALL INTERNATIONAL
FELLOWSHIP
1230 HOUSE ST
BELOIT, WI 53511

RONALD A & LINDA L WEIDNER
1706 MOORE ST
BELOIT, WI 53511

DALE & ANGELA WILLIAMS
1311 HOUSE ST
BELOIT, WI 53511

KENNETH L BURNS
1321 HOUSE ST
BELOIT, WI 53511

WILLIAM BOLSTAD
1662 MOORE ST
BELOIT, WI 53511

MATILDA PURIFOY
1654 MOORE ST
BELOIT, WI 53511

SAMUEL TORRES
1648 MOORE ST
BELOIT, WI 53511

KIMBERLY L ZUMWALT
1640 MOORE ST
BELOIT, WI 53511

WILLIAM J MCCAULEY
1649 MOORE ST
BELOIT, WI 53511

KEITH R SCHOON
1643 MOORE ST
BELOIT, WI 53511



REPORT TO THE PLAN COMMISSION

Plan Commission Meeting Date: May 6, 2020

Agenda Item: 4.b.

File Number: PUD-2020-02

General Information

Applicant: Aaron Nilson of Aurum Contracting

Owner: A-Train Properties LLC

Address/Location: 2426 Prairie Avenue

Applicant's Request/Proposal: The applicant has submitted an application for review and consideration of a Planned Unit Development (PUD) - Master Land Use Plan Amendment to add a landscaping business with an additional outdoor storage area along Virginia Street.

Planned Unit Development (PUD) Process: A PUD is a type of special purpose zoning district and a type of development plan. PUD zoning districts are inextricably linked to PUD plans; no rights of development apply to a PUD zoning designation other than those of the approved PUD plan. PUDs are processed in three stages: Master Land Use Plan; Rezoning to PUD district and Final Plan. Master Land Use Plans and Zoning Map Amendments may be processed concurrently, provided that no rezoning to the PUD district may occur until approval of a PUD Master Land Use Plan. The final plan is reviewed and approved by staff.

The PUD Master Land Use Plan application is reviewed with respect to such issues as density, including the number, type, and location of dwelling units and other uses; impacts on surrounding areas; and the adequacy of facilities and services. The result of this review is the establishment of the basic parameters for development of the PUD. The PUD Final Plan is the document upon which building permits and other applicable approvals are issued. The applicant must submit the detailed and technical information necessary to demonstrate that all applicable standards, requirements, and conditions have been met.

Staff Analysis

Project Summary The applicant has submitted an application for review and consideration of a Planned Unit Development (PUD) - Master Land Use Plan Amendment to add a landscaping business with an additional outdoor storage area along Virginia Street.

Existing Site Conditions: The property is located on Prairie Avenue between Murphy Woods Road and Virginia Street. The original PUD for 2426 Prairie Avenue was approved in 2019, which proposed the redevelopment of the existing building with multiple land uses and future development of duplexes. The City Council approved a zoning change from PLI, Public Lands and Institution, to PUD, Planned Unit Development. The applicant has also been approved by engineering for an additional driveway off of Virginia Street.

Surrounding Land Use and Zoning: North of the subject property are duplexes and institutional land uses that

are zoned commercial and R-2, Two-Family Residential. To the East and west of the subject property are single family land uses with R-1A, Single Family Residential zoning. To the south of this property is Aldrich Intermediate School that is zoned PLI, Public Land and Institutions.

City of Beloit Comprehensive and Strategic Plan: The Comprehensive Plan's Future Land Use Map recommends Planned Mixed Uses, and the plan also states PUD zoning can be another avenue to achieve the goal of increasing Two-Family Residential housing options within the City. This request supports Strategic Goal #3 by creating residential and economic growth.

Zoning Ordinance Requirements:

Allowed Uses: The additional permitted uses within the PUD would include: a landscape contractor office with an additional outdoor storage area.

Density/Intensity and Dimensional Standards: The proposed PUD Amendment includes the addition of another outdoor storage area. The storage area along with any new future structures must maintain a minimum of 30 feet from the PUD district boundaries. There is an existing 3,850 square foot office building with two accessory structures towards the rear yard setback. All current structures are in compliance with current zoning requirements. The PUD must maintain 15% of the gross land area as open space; mature trees on site must be preserved to the maximum extent possible or replaced on site elsewhere.

Parking and Loading Requirements: According to Section 8-103 of the Zoning Ordinance, Office and Sales (Personal Service-oriented) must provide at least 1 parking stall per 250 square feet, which equates to 16 parking stalls for the proposed development. The site currently exceeds the minimum number of parking spaces.

Other Requirements: We have received a letter of opposition from a neighbor and have included additional conditions to help mitigate the concerns. The site is adjacent to residential zoning districts along the north and west property lines. The additional outdoor storage area will need to have a privacy fence that is at least six feet in height to keep the commercial land uses separated from these residential land uses. The business hours may only operate between 7 AM and 7 PM each day to prevent disruption to the adjacent residences. The applicant must submit plans to construct residential development by December 31, 2025 in order to maintain its consistency with the Comprehensive Plan recommendations.

Review Agent Comments: The proposed PUD Amendment was sent to the City of Beloit Staff. Engineering has submitted comments requesting documentation indicating the area of new impervious surface that is being installed. This will be reviewed as part of site plan approval.

PUD Master Land Use Plan Review Criteria: Applications may be approved if the following criteria are met:

1. **The plan represents an improvement over what could have been accomplished through strict application of otherwise applicable zoning ordinance standards, based on the purpose and intent of this chapter.**

The proposed PUD Amendment is a creative way to utilize the current site amenities and combine multiple land uses.

2. **The PUD Master Land Use Plan complies with the PUD district standards of Section 5-300.**

The proposed PUD will provide for efficient use of public utilities and land.

3. **The City and other service providers will be able to provide necessary public services, facilities, and programs to serve the development proposed, at the time the property is developed;**
The property is already served with the necessary utilities and facilities. In order to develop the duplexes, a water main will need to be constructed in the Virginia Street right-of-way. Any relocation/replacement costs will be borne by the applicant.
4. **The development is consistent with and implements the planning goals and objectives contained in the Comprehensive Plan and other adopted policy documents; and**
The Comprehensive Plan's Future Land Use Map recommends Planned Mixed Uses; the plan also states PUD zoning can be another avenue to achieve the goal of increasing Two-Family Residential housing options within the City. If the applicant adheres to constructing residential development in the future, the PUD will be consistent with the Comprehensive Plan.
5. **The PUD Master Land Use Plan is consistent with sound planning practice and the development will promote the general welfare of the community.**
The additional use to the property will need to comply with all of the City's current site, building, lighting, and landscaping standards. Staff is recommending several conditions of approval to minimize impacts upon the adjacent properties.

STAFF RECOMMENDATION:

The Planning & Building Services Division recommends **approval** of the PUD – Master Land Use Plan Amendment for the property located at 2426 Prairie Avenue, subject to the following conditions:

1. This amendment authorizes the following land uses: landscaping contractor office with outdoor storage that must maintain a minimum setback of 30 feet from the PUD district boundaries. The outdoor storage area may not be gravel and must be concrete or asphalt.
2. No additional commercial development can occur without a PUD amendment.
3. The PUD must maintain 15% of the gross land area as open space; mature trees on site must be preserved to the maximum extent possible or replaced on site elsewhere.
4. The new outdoor storage area must be screened with a privacy fence that is at least 6 feet tall by August 1, 2020. The finished side must face the neighbors with posts on the business-facing side.
5. The business hours may only operate between 7 AM and 7 PM each day to prevent disruption to the adjacent residences.
6. The applicant shall obtain site plan and architectural approval, which shall include a detailed review of all site, grading, utility, landscape, and parking plans.
7. The applicant must submit plans to construct residential development by December 31, 2025.
8. All other approved uses and conditions associated with the original PUD approval remain in full force and effect.
9. 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 PUD – Master Land Use Plan. The Director of Planning & Building Services 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.

ATTACHMENTS: Map, Photos, Proposed Master Land Use Plan, Approved Master Land Use Plan, 2019 Approved Resolution, Application, Notice, Mailing List.

Legend
Zoning Classification
 <all other values>

REGULATION CLASSIFICATION

- C-1
- C-2
- C-3
- CBD-1
- CBD-2
- DH
- M-1
- M-2
- MRO
- PLI
- PUD
- R-1A
- R-1B
- R-2
- R-3
- R-4
- Parcel Poly
- City Limits (Corp Poly)

Location & Zoning Map

2426 Prairie Avenue PUD-2020-02



1 inch = 92 feet



Legend

- Parcel Poly
- City Limits (Corp Poly)

Map prepared by: Hilary Rotman
 Date: April 2020
 For: City of Beloit Planning & Building
 Date of Aerial Photography: April 2016

PLANNING & BUILDING SERVICES DIVISION

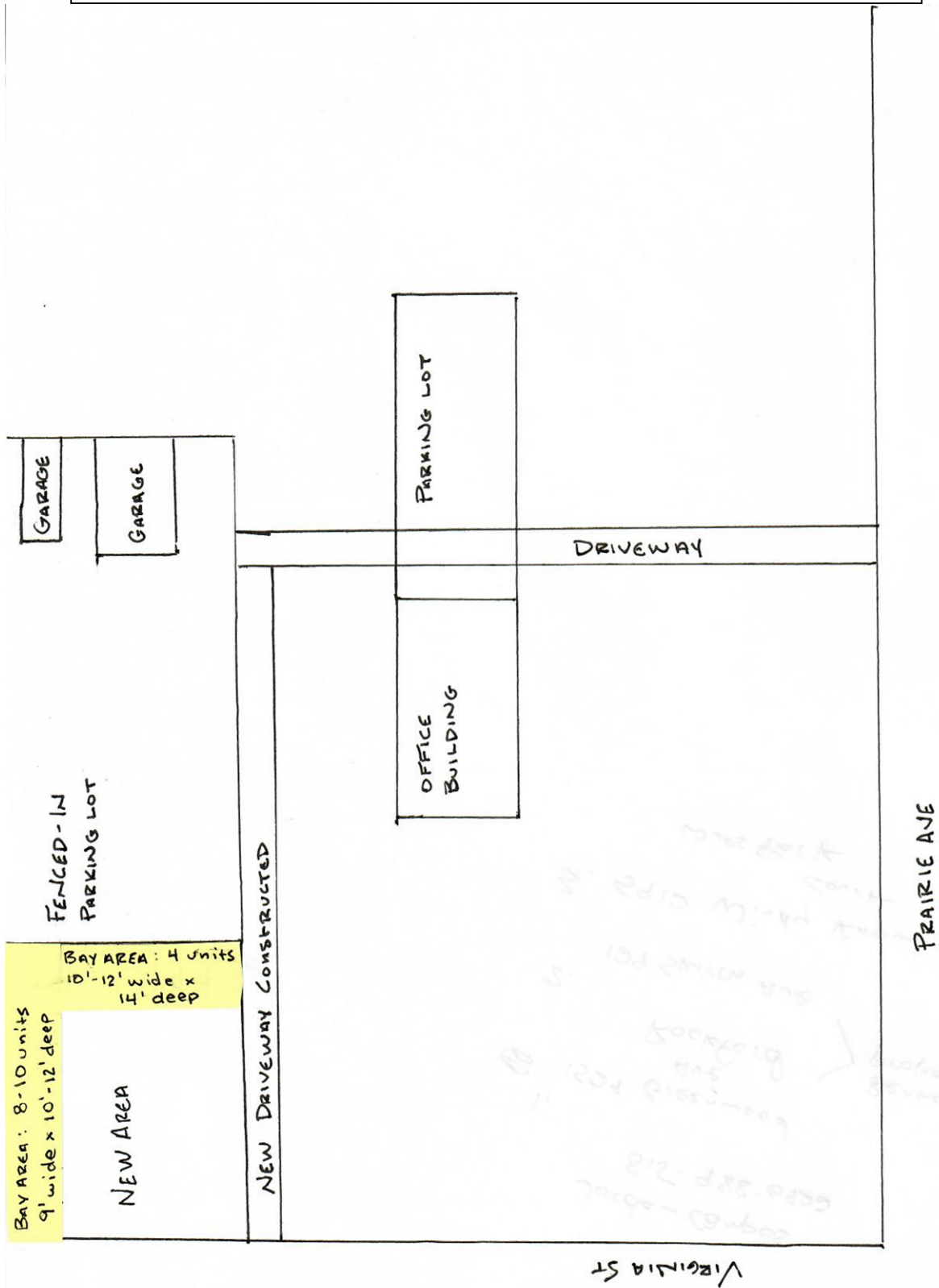


Looking west on Virginia Street

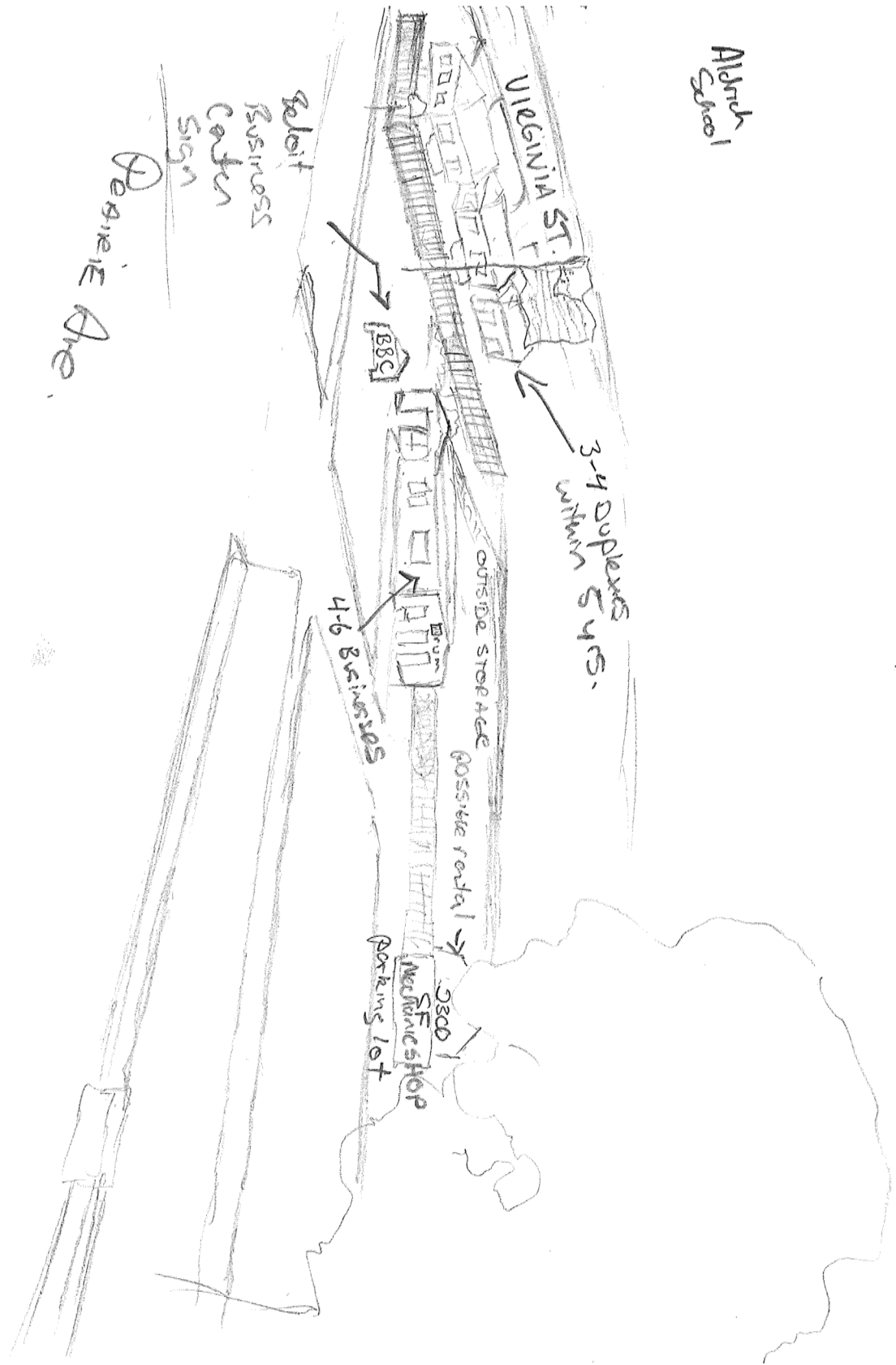


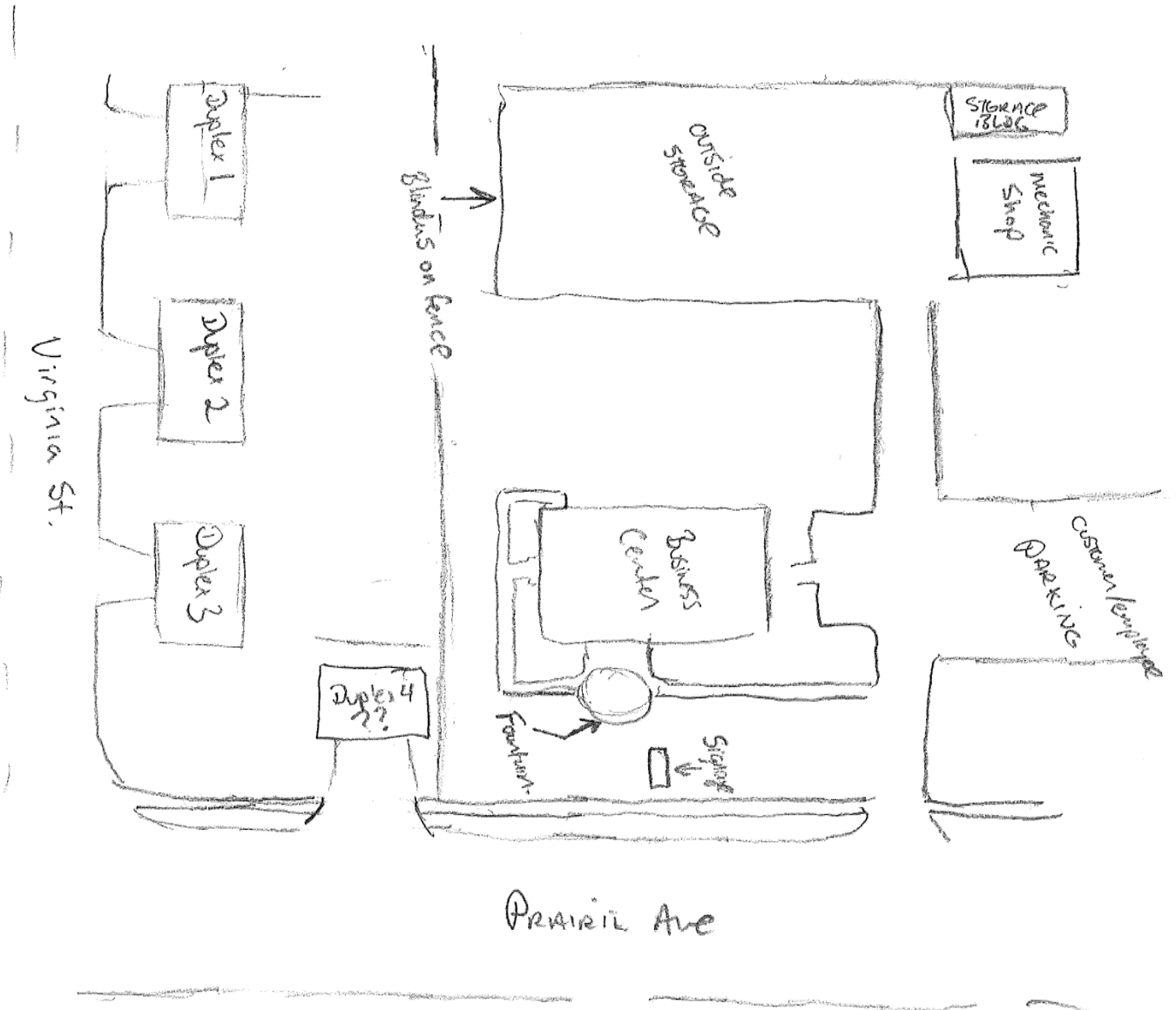
Looking north on Virginia Street

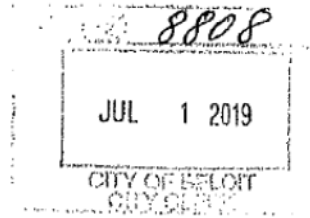
Proposed PUD – Master Land Use Plan Amendment



Approved PUD – Master Land Use Plan







RESOLUTION 2019-052

**RESOLUTION AUTHORIZING A PLANNED UNIT DEVELOPMENT (PUD)
MASTER LAND USE PLAN FOR THE PROPERTY LOCATED AT
2426 PRAIRIE AVENUE**

WHEREAS, the application of Aaron Nilsen of Aurum Contracting has been submitted for approval of a Planned Unit Development (PUD) - Master Land Use Plan for the redevelopment of 2426 Prairie Avenue to use the existing building for a home improvement contractor business, with additional tenant office space, mechanic shop, outdoor storage, and in the future, duplexes has 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, IT IS HEREBY RESOLVED THAT, the City Council of the City of Beloit, Rock County, Wisconsin does hereby approve a PUD - Master Land Use Plan for the redevelopment of 2426 Prairie Avenue to use the existing building for a home improvement contractor business, with additional tenant office space, mechanic shop, outdoor storage, and in the future, duplexes in the City of Beloit, for the following described premises:

UNPL LAND COM NW COR VIRGINIA AND PRAIRIE, TH N 500 FT, TH WLY 310 FT, TH SYL 500 FT, TH ELY 310 FT TO POB, LOCATED IN THE CITY OF BELOIT, COUNTY OF ROCK, STATE OF WISCONSIN (ALSO KNOWN AS 2426 PRAIRIE AVENUE). SAID PARCEL CONTAINS 3.56 ACRES, MORE OR LESS.

As a condition of approving the PUD - Master Land Use Plan, the City Council does hereby stipulate the following conditions and restrictions upon the development, which are hereby deemed necessary for the public interest:

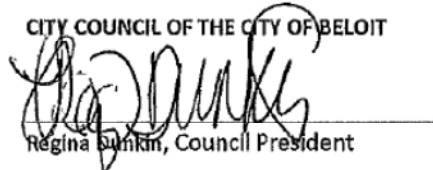
1. This approval authorizes said land uses: contractor office, limited vehicle service for contracting company only, Two-family Residential, and C-1 Office District, zoning uses.
2. All new Two-Family Residential Development must maintain a minimum of 30 feet from the PUD district boundaries in addition to the R-2, Two-Family Zoning, District development standards, and height requirements. The maximum building coverage is the current commercial footprint plus three duplexes with access only allowed on Virginia Street.
3. No additional commercial development can occur without a PUD amendment.
4. The PUD must maintain 15% of the gross land area as open space; mature trees on site must be preserved to the maximum extent possible or replaced on site elsewhere.
5. The access road from Prairie Avenue must remain obstruction free to provide adequate turn around access for emergency services. No additional access points will be granted along Prairie Avenue.

PUD-2019-02, 2426 Prairie Avenue, Council Report, Aurum Contracting

6. The rear parking area and accessory structure must be screened and barbed wire removed by August 1, 2019. The existing fence can be modified with privacy slats or removed to install a privacy fence.
7. The Business hours may only operate between 7 AM and 7 PM each day to prevent disruption to the adjacent residences.
8. Any major changes in the adopted conditions or use of the property shall be approved by the Plan Commission and City Council by amending this PUD -- Master Land Use Plan. The Director of Planning & Building Services 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 1st day of July, 2019.

CITY COUNCIL OF THE CITY OF БЕЛОIT



Regina Dunkin, Council President

ATTEST:



Lorena Rae Stottler, City Clerk-Treasurer

PUD-2019-02, 2426 Prairie Avenue, Council Report, Aurum Contracting

CITY of BELOIT

Planning & Building Services Division

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

PUD - Master Land Use Plan Application

(Please Type or Print)

File Number: _____

1. Address of subject property: 2426 PRAIRIE AVE

2. Legal description: see attachment

If necessary attach a copy of the complete legal description.

3. Area of parcel in square feet or acres: 3.56 ACRES

4. Tax Parcel Number(s): 12410900

5. Owner of record: A-TRAIN PROPERTIES LLC Phone: (815) 222-8283

<u>2426 PRAIRIE AVE</u> (Address)	<u>BELOIT</u> (City)	<u>WI</u> (State)	<u>53511</u> (Zip)
--------------------------------------	-------------------------	----------------------	-----------------------

6. Applicant's Name: AARON NILSON

<u>2333 FISCHER RD</u> (Address)	<u>SOUTH BELOIT</u> (City)	<u>IL</u> (State)	<u>61080</u> (Zip)
-------------------------------------	-------------------------------	----------------------	-----------------------

<u>(815) 222-8283</u> (Office Phone #)	<u>(815) 222-8283</u> (Cell Phone #)	<u>anilson.aurum@gmail.com</u> (E-mail Address)
---	---	--

7. All existing use(s) on this property are: Contractor Office

8. The applicant requests review and approval of a PLANNED UNIT DEVELOPMENT / Master Land Use Plan: in a(n) Commercial Zoning District.

9. A Preapplication Conference was held on: N/A

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

Principal use(s): Office Space

Secondary use(s): Commercial Landscaping

11. State how the proposed development differs from the type of development that would be permitted under the existing zoning regulations. It would allow us to store and sell materials that are necessary to run a landscaping business.

12. Describe how the proposed development provides greater benefits to the City of Beloit than an otherwise permitted development. It would give Elements, a landscaping company, a home. This would provide several jobs and goods and services to the community.


13. Project timetable: Start date: ASAP Completion date: MAY 2020

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

- Owner
- Leasehold, length of lease: _____
- Contractual, nature of contract: _____
- Other, explain: _____

The applicant's signature below indicates the information contained in this application and on all accompanying documents is true and correct.

I/We, the undersigned, do hereby respectfully make application for and petition the City Plan Commission and City Council to grant the requested action for the purpose stated herein. I/We represent that the granting of the proposed request will not violate any of the required standards of the Zoning Ordinance of the City of Beloit. I/We also agree to abide by all applicable federal, state and local laws, ordinances, rules, and regulations.

 / Aaron Nilson / 4/13/2020
 (Signature of Owner) (Print name) (Date)

_____ / _____ / _____
 (Signature of Applicant, if different) (Print name) (Date)

In order for your request to be heard and considered in a timely manner, you must submit the completed application and all accompanying documents to the Planning & 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 \$200.00 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: \$200.00	Amount paid: _____ Meeting date: _____
No. of notices: _____	x mailing cost (\$0.50) = cost of mailing notices: \$ _____
Application accepted by: _____	Date: _____



CITY HALL • 100 STATE STREET • BELOIT, WI 53511
Office: 608/364-6700 • Fax: 608/364-6609
www.beloitwi.gov
Equal Opportunity Employer

NOTICE TO THE PUBLIC

April 22, 2020

To Whom It May Concern:

Aaron Nilsen has submitted an application for review and consideration of a Planned Unit Development (PUD)- Master Land Use Map Amendment for **2426 Prairie Avenue**.

Mr. Nilsen was approved for a PUD in 2019 to operate a home improvement contractor business with additional tenant office space, mechanic shop, outdoor storage, and construction of duplexes along the south of the property on Virginia Street. The applicant would like to add a landscaping business with an additional outdoor storage area. A copy of the proposed plan is attached

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

City Plan Commission: Wednesday, May 6, 2020, 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, May 18, 2020, at 7:00 PM, or as soon thereafter as the matter can be heard in The Forum, Beloit City Hall, 100 State Street.

We are interested in your opinion.*

***Due to the COVID-19 crisis, members of the public are highly encouraged to provide oral or written comments to the Commission and City Council via alternative means. You may mail your comments to the attention of Hilary Rottmann at 100 State Street or via email to rottmanh@beloitwi.gov. You may also call (608) 364-6708 to provide your comments over the phone. In-person attendance at Commission and Council meetings will be limited.**

REDEEMER EVANGELICAL
COVENANT CHURCH
2500 PRAIRIE AVE
BELOIT WI 53511

BARBARA L FULL
9501 S CREEK RD
BELOIT WI 53511

GEORGE J SLOUKA
610 N WASHINGTON ST
ELKHORN WI 53121

TIMOTHY MCKEVETT
2318 BOULDER LN
BELOIT WI 53511

ROXI J LOYD
2455 IVA CT
BELOIT WI 53511

CARMEN D MULLINS GAMA
2500 IVA CT
BELOIT WI 53511

KEYLA Y GARCIA-ALCANTARA
2462 IVA CT
BELOIT WI 53511

VALERIE A FULLER
2454 IVA CT
BELOIT WI 53511

MITCHELL J GENZ
2446 IVA CT
BELOIT WI 535112614

GREG & MARISSA NEAL
9150 S OLSON RD
BELOIT WI 53511

WEDNESDAY J JORDAN
2439 IVA CT
BELOIT WI 53511

DAVID J HILMER
2432 IVA CT
BELOIT WI 53511

FRANK D & LEESA L MURRY
2433 IVA CT
BELOIT WI 53511

BRUCE & DIANE WITKOWSKI
2426 IVA CT
BELOIT WI 535112614

WILLIAM GREGORY
2427 IVA CT
BELOIT WI 535112613

REBECCA L LILLEY
2418 IVA CT
BELOIT WI 53511

H C LYAS
2419 IVA CT
BELOIT WI 53511

IGNACIO LEON
2410 IVA CT
BELOIT WI 53511

ANDREA L LEISHER
2402 IVA CT
BELOIT WI 53511

KELLY J BARTON
1865 VIRGINIA ST
BELOIT WI 535112671

SCHOOL DISTRICT OF BELOIT
1633 KEELER AVE
BELOIT WI 53511

JAMES R CORCORAN
1915 MURPHY WOODS DR
BELOIT WI 53511

JOSE R REYNA
1906 MURPHY WOODS RD
BELOIT WI 53511

MARCUS W & COURTNEY A
JUHL
1920 MURPHY WOODS RD
BELOIT WI 53511

WAYNE A LUEBKE
2441 PRAIRIE AVE
BELOIT WI 535112624

SUNSHINE LANE LLC
2278 RIVERSIDE DR
BELOIT WI 53511

CHARLES E JONES
2433 PRAIRIE AVE
BELOIT WI 535112624

RONALD & JULIE MAUTHE
2447 IVA CT
BELOIT WI 535112613

LORRAINE D HERMANN
2411 IVA CT
BELOIT WI 535112613

KYLE C & KRISTI M KLETT
2425 PRAIRIE AVE
BELOIT WI 53511

THE RIVER OF LIFE UMC
2375 PRAIRIE AVE
BELOIT WI 53511

DANIEL KELLICUT
2424 SUNSHINE LN
BELOIT WI 53511

CHRISTOPHER RUFF
2383 PRAIRIE AVE
BELOIT WI 53511

EARNEST E CALVIN
2419 PRAIRIE AVE
BELOIT WI 53511

RUSSELL HARTMAN
2382 SUNSHINE LN
BELOIT WI 53511

GERALD J KONOPA
2418 SUNSHINE LN
BELOIT WI 535112660

JULIE THIEDE
2432 SUNSHINE LN
BELOIT WI 53511

CAROL A THORESON
2413 PRAIRIE AVE
BELOIT WI 53511

ANDREW S CARROLL
2414 SUNSHINE LN
BELOIT WI 53511

WAYNE SNOW
2405 PRAIRIE AVE
BELOIT WI 535112624

JULIAN C & AMANDA L
SMITHSON
2436 S VALLEY PKWY APT 3207
LEWISVILLE TX 750672038

Rottmann, Hilary

From: Witkowski, Bruce L <BWITKOWS@amfam.com>
Sent: Monday, April 27, 2020 1:31 PM
To: Rottmann, Hilary
Subject: Master plan amendment for 2426 Prairie Av.

Hi Hilary

RE- Master plan amendment for 2426 Prairie Av.

I live at 2426 Iva Ct and am opposed to any outdoor storage or adding anything that was not brought forward in the initial plan for this property. Sense they have moved in it has increased construction vehicles traffic on Iva CT and not all of them are staying under the 25 mile per hour speed limit for residential. Some of these truck are heavy and can feel them going down the road while in my home. There are young children and construction traffic is not acceptable on a daily basis. With this butting up to a residential area it needs to blend in and at this point it has not. Had I known it was going to be like this I would have voted no in the initial meeting to allow them to have business that are noisy day in and out.

Thank you

Bruce Witkowski

American Family Mutual Insurance Company, S.I. | American Family Insurance Company | American Family Life Insurance Company | American Standard Insurance Company of Ohio | American Standard Insurance Company of Wisconsin | Midvale Indemnity Company | Home Office - 6000 American Parkway | Madison, WI 53783
Permanent General Assurance Corporation | Permanent General Assurance Corporation of Ohio | The General Automobile Insurance Company, Inc. DBA The General® | Home Office - 2636 Elm Hill Pike | Nashville, TN 37214 wholly owned subsidiaries of American Family Mutual Insurance Company, S.I.

*If you are not the intended recipient, please contact the sender and delete this e-mail, any attachments and all copies.



REPORT TO THE PLAN COMMISSION

Plan Commission Meeting Date: May 6, 2020

Agenda Item: 4(c)

File Number: CU-2020-03

General Information

Applicant: Hendricks Commercial Properties, LLC

Owner: Hendricks Commercial Properties, LLC

Address/Location: Eclipse Center (600 Henry Avenue)

Applicant's Request: Conditional Use Permit (CUP) to allow a School in a C-3, Community Commercial District

Background

Hendricks Commercial Properties, LLC has filed an application for a Conditional Use Permit (CUP) to allow a School in a C-3, Community Commercial District, for the Eclipse Center property located at 600 Henry Avenue. This proposed CUP relates to the proposed Lincoln Academy Public Charter School.

Staff Analysis

Existing Conditions: The applicant owns & operates the mixed use Eclipse Center, and recently received a Demolition Permit to raze and remove the former Kohl's building and other vacant portions of the northeast part of the structure. The remainder of the 28-acre Eclipse Center has been remodeled and repurposed into office space, community service-oriented uses, and institutional uses. The southern end of the campus includes the Beloit Public Library, which opened more than ten years ago and is a separate City-owned parcel. In 2012, Associated Bank obtained a Conditional Use Permit to redevelop a portion of parking lot along Henry Avenue into a freestanding branch location, which is addressed as 602 Henry Avenue. The portion of the subject property included in this redevelopment plan is currently unused parking lot.

Surrounding Land Use and Zoning: There are single-family homes zoned R-1B, Single-Family Residential to the east, north and south of the subject property. The entire Eclipse Center parcel is zoned C-3.

Proposed School Use: As shown on the attachments, the proposed Lincoln Academy School redevelopment involves the construction of a new school building near the corner of Henry Avenue and Morse Street, along with the construction of parking areas, recreation areas, pick-

up/drop-off lanes, and sidewalks. The subject property is zoned C-3, Community Commercial District, and institutional uses such as K-12 schools require a Conditional Use Permit. The applicant has also hired a surveyor to prepare a Certified Survey Map (CSM) to create a new 4.25-acre stand-alone parcel for the Lincoln Academy School. As shown on the attachments, the proposed school and Eclipse Center will utilize existing driveways via ingress/egress easements to be established.

Pick-Up/Drop-Off Areas: The proposed site plan includes a parent pick-up/drop-off lane on the west side of the school, which will merge into the existing shared driveway on Henry Ave. There is no median in Henry Ave at this location, so left and right turns are both allowed. According to the applicant, the school will ultimately have up to six buses providing student transportation, and the eastern driveway along the Morse side of the school is proposed to be one-way southbound for bus loading & unloading.

Off-Street Parking Requirements: According to Section 8-103 of the Zoning Ordinance, elementary and junior high schools are required to provide two parking stalls per employee and high schools require a Parking Study to evaluate the parking supplied compared to the proposed parking demand. Therefore, Planning staff is recommending a condition of approval that will require a Parking Study that can support the conclusion that the proposed 96 parking stalls are adequate for the proposed staffing levels, student drivers, and parents. As Beloit's first independently operated public K-12 charter school, the exact parking demands may differ from existing public schools in the City which consist of elementary, intermediate, and high school levels in separate buildings.

City of Beloit Comprehensive Plan: The City's Comprehensive Plan recommends *Planned Mixed Uses* for the subject property. This request and the underlying zoning classification are consistent with this recommendation. Consideration of this request supports City of Beloit Strategic Goal #3 by encouraging economic growth.

Municipal Utilities: The subject property receives the full range of municipal services. The proposed dumpster site is not ideal, and alternative locations should be evaluated during the site plan review process.

Review Agent Comments: The City Engineer has submitted the attached review memo, which raises a number of issues and requests. Some of the comments are addressed in the conditions of approval below, while others are more relevant to the proposed CSM and are addressed in that staff report.

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 school use is fully compatible with the adjacent institutional and community service uses in the Eclipse Center, along with the adjacent residential uses.
- b. *Whether the conditional use will be injurious to the use and enjoyment of other property in the immediate vicinity for purposes already permitted;*
 - Schools and residential uses co-exist throughout the Beloit community. The proposed redevelopment is closest to three single-family homes along Morse Street, and a Landscape Buffer will be required between the proposed redevelopment and these existing homes.
- c. *Whether the conditional use will substantially diminish or impair property values within the neighborhood of the subject property;*
 - On the contrary, this proposed redevelopment is within walking distance of the Eclipse Homes neighborhood, which has many affordable homes that may become attractive to teachers and administrators for purchase and rehab. This neighborhood was developed as company-built housing, and strengthening the link between the Eclipse Center and neighborhood is likely to enhance property values. Although beyond the scope of land use issues, the school operator may want to evaluate housing-related programs as a recruitment tool targeted towards improving the nearby neighborhood.
- d. *Whether the establishment of the conditional use will impede the normal and orderly development and improvement of the surrounding property;*
 - The surrounding area is 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 architectural design and materials are not yet known, and will be evaluated by staff during the Architectural Review process.
- 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 and currently serve the property. Several existing utilities in conflict with the building footprint will need to be relocated.
- g. *Whether adequate measures will be taken to minimize traffic congestion; and*
 - As requested by staff, a Traffic Impact Analysis (TIA) will be needed to evaluate the need for on or off-site improvements. In addition, a Parking Study is required by Code.
- h. *Whether the conditional use will comply with all applicable regulations of the Zoning Ordinance.*
 - The proposed school use will comply with all other applicable regulations.

STAFF RECOMMENDATION:

The Planning & Building Services Division recommends approval of a Conditional Use Permit to allow a School in a C-3, Community Commercial District, for the Eclipse Center property located at 600 Henry Avenue, based on the above Findings of Fact and subject to the following conditions:

1. This Conditional Use Permit authorizes the K-12 school use and accessory uses contemplated in the overall redevelopment concept for the Lincoln Academy Charter School as shown on the attached site plan. This approval is contingent upon the school obtaining all required state approvals.
2. In order to evaluate anticipated car and bus traffic and recommended improvements, a Traffic Impact Analysis shall be prepared by the applicant and submitted for City staff approval during Site Plan Review. The TIA must evaluate bus and car pick-up ques, and the driveway around the building in the Southeast corner of the project site. The applicant may be required to construct any or all of the on- or off-site improvements recommended by the TIA.
3. In order to promote neighborhood walkability and Safe Routes to School goals, a sidewalk connection meeting ADA standards shall be provided between Morse Avenue and Henry Avenue through or adjacent to the property.
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.

Code Requirements:

In addition to the above permit conditions, the following provisions of existing City Ordinances shall apply:

1. In accordance with Section 8-103 of the Zoning Ordinance, a Parking Study is required to confirm that adequate off-street parking stalls will be provided to serve the use.
2. Prior to issuance of a permit, the applicant shall submit site & architectural plans for staff review and approval in the form of a Certificate of Zoning Compliance and an Architectural Review Certificate. A Construction Site Erosion Control and Post-Construction Stormwater Management Plan are required.
3. In order to ensure only one primary building per parcel, the applicant’s 1-Lot CSM shall be recorded with the Rock County Register of Deeds before a Building Permit will be issued. Needed cross-access easements shall be finalized before occupancy.
4. In accordance with Section 2-506 of the Zoning Ordinance, the applicant shall have twelve (12) months from the date of CUP issuance to complete construction and commence use of the offices, or the CUP shall lapse and be of no further effect.

ATTACHMENTS: CUP Decision Form, Location Map, Site Plan, Application, Engineer’s Memo, Public Notice, & Mailing List.

Beloit Plan Commission Conditional Use Permit Decision Form

When reviewing an application for a conditional use, the local government must look to the requirements and conditions found in the local zoning ordinance and determine if the applicant meets those requirements and conditions. The local government must provide **substantial evidence** supporting their decision to grant or deny the permit, and to impose additional conditions on the permit. Substantial evidence means **facts and information**, directly relating to the requirements and conditions, that a reasonable person would accept in support of a conclusion. Personal preferences and speculation are not sufficient forms of evidence. All requirements and conditions imposed by the local government must be reasonable, and to the extent practicable, measurable.

Ordinance Requirements

List ordinance requirements related to the conditional use permit:

1. In accordance with Section 8-103 of the Zoning Ordinance, a Parking Study is required to confirm that adequate off-street parking stalls will be provided to serve the use.
Substantial Evidence: Due to varying demands, new High School developments are required to complete a Parking Study that evaluates the adequacy of parking provided.

2. Prior to issuance of a permit, the applicant shall submit site & architectural plans for staff review and approval in the form of a Certificate of Zoning Compliance and an Architectural Review Certificate. A Construction Site Erosion Control and Post-Construction Stormwater Management Plan are required.
Substantial Evidence: These procedural requirements are contained in the City of Beloit Zoning Ordinance and Architectural Review & Landscape Code.

3. In order to ensure only one primary building per parcel, the applicant's 1-Lot CSM shall be recorded with the Rock County Register of Deeds before a Building Permit will be issued. Needed cross-access easements shall be finalized before occupancy.
Substantial Evidence: The Zoning Ordinance only allows one primary building per parcel, and recording the CSM before permits are issued will establish a final new address and parcel number to be used for permitting and inspection purposes.

4. In accordance with Section 2-506 of the Zoning Ordinance, the applicant shall have twelve (12) months from the date of CUP issuance to complete construction and commence use of the offices, or the CUP shall lapse and be of no further effect.
Substantial Evidence: Standardized condition that reiterates the expiration date for unused CUP's in the Zoning Ordinance.

Does the applicant meet **all** of the ordinance requirements? No Yes, after the steps above

Permit Conditions

A local government is authorized to impose conditions on the permit that relate to the purpose of the ordinance. Conditions must be **reasonable**, and to the extent practicable, **measurable**. Conditions may limit the permit's duration, transfer, or renewal.

List conditions imposed on the permit:

1. This Conditional Use Permit authorizes the K-12 school use and accessory uses contemplated in the overall redevelopment concept for the Lincoln Academy Charter School as shown on the attached site plan. This approval is contingent upon the school obtaining all required state approvals.

Substantial Evidence: School uses require a CUP in the C-3 district, and this condition articulates that the proposed uses are deemed appropriate at this location.

2. In order to evaluate anticipated car and bus traffic and recommended improvements, a Traffic Impact Analysis shall be prepared by the applicant and submitted for City staff approval during Site Plan Review. The TIA must evaluate bus and car pick-up ques, and the driveway around the building in the Southeast corner of the project site. The applicant may be required to construct any or all of the on- or off-site improvements recommended by the TIA.

Substantial Evidence: Based on past experience with traffic congestion at local schools in Beloit, we are requiring a Traffic Impact Analysis. Past practice has shown that schools generate increased levels of car, truck, and bus traffic and potential for conflict points.

3. In order to promote neighborhood walkability and Safe Routes to School goals, a sidewalk connection meeting ADA standards shall be provided between Morse Avenue and Henry Avenue through or adjacent to the property.

Substantial Evidence: Based on past experience with walking patterns of students at Beloit Schools, sidewalks have been determined to be essential in having a safe route for children and parents to go to school. It is imperative that students, staff, and nearby neighbors can walk to and from the school site and the existing sidewalk along Henry Ave.

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.

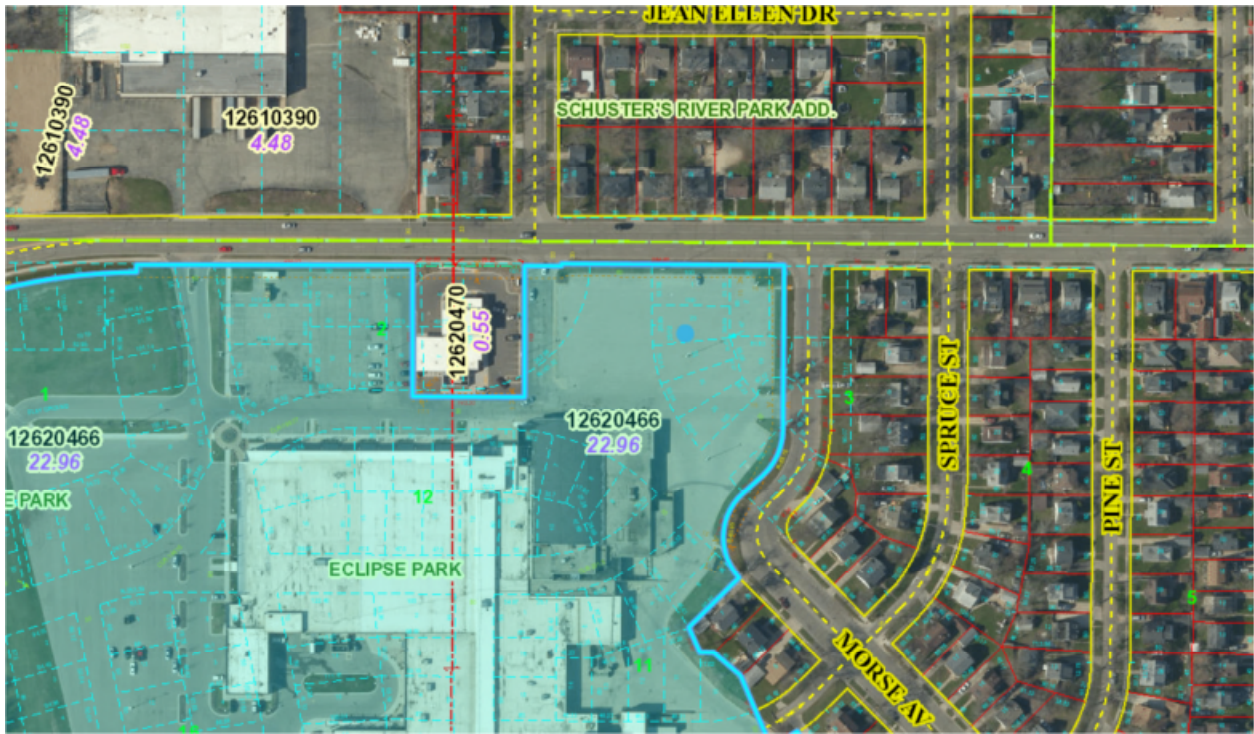
Substantial Evidence: Standard condition that establishes amendment process.

Decision: Based on the findings of fact, conclusions of law, and the record in this matter, the permit is:

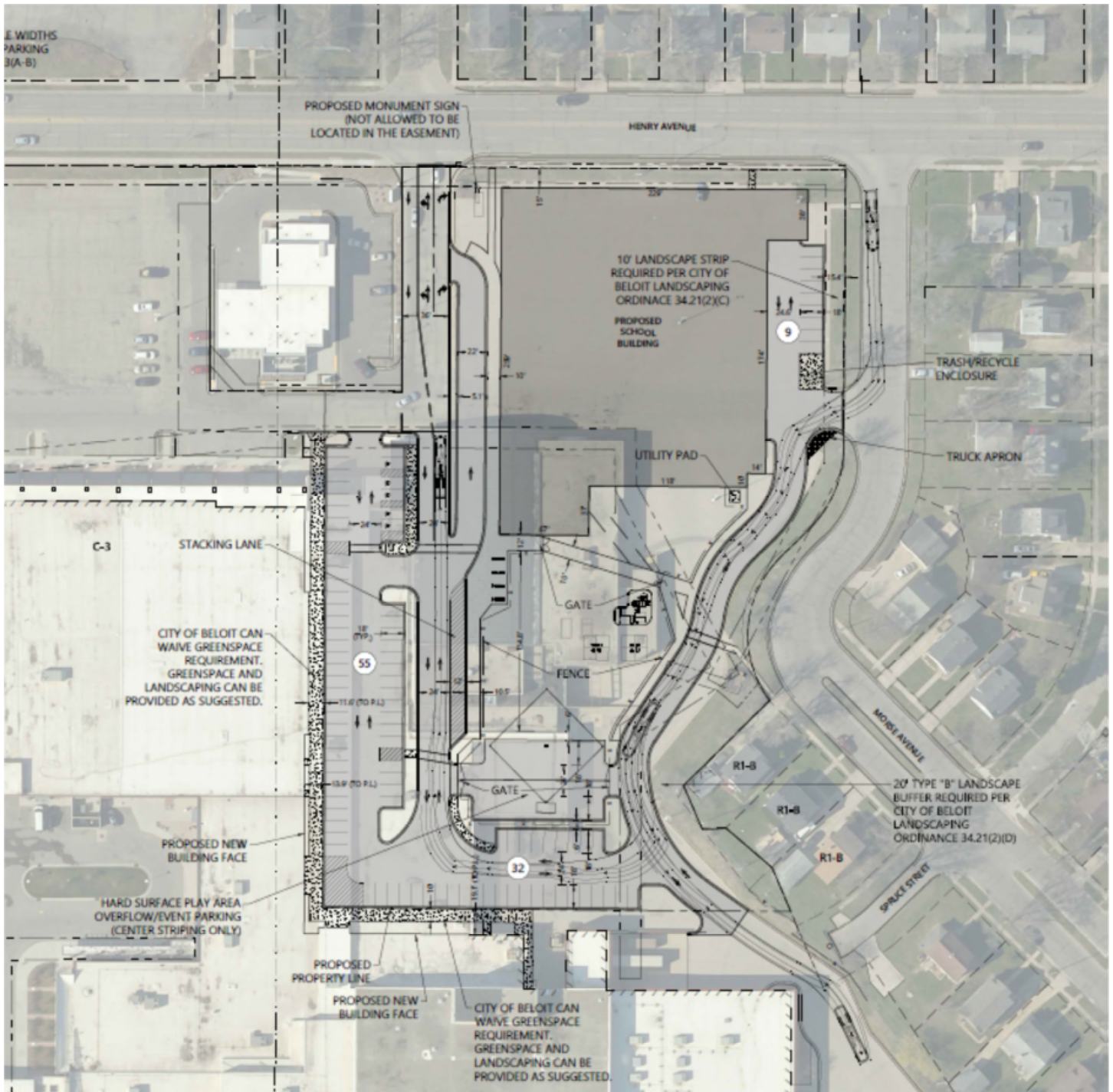
Approved, with the conditions stated above

Denied, for the following reasons:

Location Map – Proposed School Site



Site Plan



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: _____

1. Address of subject property: 600 Henry Ave (Eclipse Center)

2. Legal description: See attached Preliminary Certified Survey Map

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

Property dimensions are: _____ feet by _____ feet = 184,483 +/- square feet.

If more than two acres, give area in acres: 4.235 +/- acres.

3. Tax Parcel Number(s): 12620466

4. Owner of record: Hendricks Commercial Properties, LLC Phone: 608-362-8981

525 Third Street, Suite 300 Beloit WI 53511

(Address)

(City)

(State)

(Zip)

5. Applicant's Name: _____

(Address)

(City)

(State)

(Zip)

(Office Phone #)

(Cell Phone #)

(E-mail Address)

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

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

A Conditional Use Permit for: School

_____ in a(n) C-3 _____ Zoning District.

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

Principal use: School

Secondary use: Parking Lot

Accessory use: _____

9. Project timetable: Start date: June/July 2020 Completion date: July 2021

10. I/We represent that I/we have a vested interest in this property in the following manner:
 Owner
 Leasehold, length of lease: _____
 Contractual, nature of contract: _____
 Other, explain: _____

The applicant's signature below indicates the information contained in this application and on all accompanying documents is true and correct.

I/We, the undersigned, do hereby respectfully make application for and petition the City Plan Commission and City Council to grant the requested action for the purpose stated herein. I/We represent that the granting of the proposed request will not violate any of the required standards of the Zoning Ordinance of the City of Beloit. I/We also agree to abide by all applicable federal, state and local laws, ordinances, rules, and regulations.

<i>Jonathan Kemman</i> _____ <small>(Signature of Owner)</small>	Jonathan Kemman _____ <small>(Print name)</small>	4.15.2020 _____ <small>(Date)</small>
_____ <small>(Signature of Applicant, if different)</small>	_____ <small>(Print name)</small>	_____ <small>(Date)</small>

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: _____ Meeting date: _____
 No. of notices: _____ x mailing cost (\$0.50) = cost of mailing notices: \$ _____
 Application accepted by: _____ Date: _____

To: Drew Pennington, AICP, Director of Planning & Building Services
From: Scot Prindiville, City Engineer
Re: 600 Henry Avenue – Lincoln Academy CUP and CSM
Date: April 29, 2020

Engineering has been provided a copy of the undated Certified Survey Map (CSM) and the site plan layout dated April 15, 2020 for the above referenced project, both documents prepared by R.H. Batterman. With respect to the CSM and CUP applications we have the following comments:

- A Traffic Impact Analysis (TIA) and parking study will need to be conducted. As a part of these studies the parent pick up and drop off que as well as the bus que should be analyzed.
- As discussed in our preliminary meeting, sidewalk needs to be constructed that allows pedestrians on Morse Avenue to walk to the school and out to Henry Avenue. This can be accomplished by extending sidewalk along Morse Avenue or providing a connection through the school property. All sidewalk constructed must meet all ADA codes.
- As discussed in our preliminary meeting we have concerns regarding traffic conflicts in the area of the southeast corner of the bank property. This will need to be addressed during final engineering.
- The bank property has a driveway that enters/exits directly onto the new lot that is proposed in the CSM. A cross access easement is needed.
- The site plan indicates a loading dock/door being provided for the eclipse center adjacent to the proposed school lot. A cross access easement is needed.
- It is my understanding that school busses are planned to depart at the southeast corner of the property. A cross access easement is needed. In addition, improvements will be needed to this drive area to insure that this route is safe and has adequate site distances.
- Cross access easements need to be in place for any routes that the TIA indicates traffic will take to enter or leave the school site.
- It is my understanding that bus drop off/pick up is proposed to be on the 24' wide driveway between Morse Avenue and the southeast corner of the site. This width driveway will not support two way traffic plus parked school busses. The developer should indicate if traffic will be restricted from using this driveway during loading/unloading times or if additional width will be provided.
- The City requires an easement along the northern property line in order to accommodate a planned shared use trail. We are attempting to work with Batterman and the City Attorney's office to determine the best way to this. This detail can be worked out at final CSM submittal.



CITY HALL • 100 STATE STREET • БЕLOIT, WI 53511
Office: 608/364-6700 • Fax: 608/364-6609
www.beloitwi.gov
Equal Opportunity Employer

NOTICE TO THE PUBLIC

April 22, 2020

To Whom It May Concern:

Hendricks Commercial Properties, LLC has filed an application for a Conditional Use Permit (CUP) to allow a School in a C-3, Community Commercial District, for the Eclipse Center property located at 600 Henry Avenue. This proposed CUP relates to the proposed Lincoln Academy Public Charter School.

The applicant owns & operates the mixed use Eclipse Center, and recently received a Demolition Permit to raze and remove the former Kohl's building and other vacant portions of the NE part of the structure. As shown on the attachments, the proposed Lincoln Academy School redevelopment involves the construction of a new school building near the corner of Henry Avenue and Morse Street, along with the construction of parking areas, recreation areas, pick-up/drop-off lanes, and sidewalks.

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

City Plan Commission: Wednesday, May 6, 2020, 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, May 18, 2020, at 7:00 PM, or as soon thereafter as the matter can be heard in The Forum, Beloit City Hall, 100 State Street.

We are interested in your opinion.*

***Due to the COVID-19 crisis, members of the public are highly encouraged to provide oral or written comments to the Commission and City Council via alternative means. You may mail your comments to the attention of Drew Pennington at 100 State Street or via email to penningtond@beloitwi.gov. You may also call (608) 364-6711 to provide your comments over the phone. In-person attendance at Commission and Council meetings will be limited.**

CU-2020-03, 600 Henry Ave, Lincoln Academy

GODFREY & MICHELE L
ANYANWU
1732 MORSE AVE
BELOIT, WI 53511

FPS RENTAL INC
PO BOX 41
BELOIT, WI 53512

ESTHELA AVILA
1740 MORSE AVE
BELOIT, WI 53511

EDWARD MULLIGAN
2417 MURPHY WOODS DR
BELOIT, WI 53511

ZIERFUSS RENTALS LLC
712 PRAIRIE AVE
JANESVILLE, WI 53545

C & L BENNETT PROPERTY
MANAGEMENT LLC C/O CHARLES
B & LIFKA A BENNETT
529 MAIDEN ST
MINERAL POINT, WI 53565

JENNIFER M HANKINS
1766 SPRUCE ST
BELOIT, WI 53511

FRIO LLC
12 S PONTIAC DR
JANESVILLE, WI 53545

STEVE STEINER
9810 REDFIELD DR
ROSCOE, IL 61073

BLUE SKY REALTY GROUP LLC
2728 ASBURY RD STE 500
DUBUQUE, IA 52001

NEIGHBORLY HOME
INVESTMENT LLC C/O RED E 2
RENT
PO BOX 293
JANESVILLE, WI 53547

TMG RENTALS LLC
PO BOX 293
JANESVILLE, WI 53547

AUSTIN HALL & JESSICA BEYER
711 HENRY AVE
BELOIT, WI 53511

RICHELLE R RICE
713 HENRY AVE
BELOIT, WI 53511

SIDRONIO MARTINEZ MENDEZ
719 HENRY AVE
BELOIT, WI 53511

ROBERTO SANTILLAN MUNOZ
723 HENRY AVE
BELOIT, WI 53511

PORFIRIO OLIVARES CERVANTES
729 HENRY AVE
BELOIT, WI 53511

JACOB N TEAGUE
1318 ATHLETIC AVE
BELOIT, WI 53511

AMY CASH & LUIS NIEVES
739 HENRY AVE
BELOIT, WI 53511

GARY GOETZMAN
710 N HILL RD
BELOIT, WI 53511

DWIGHT E & DANIELLE D MILLER
1804 GLEN AVE
BELOIT, WI 53511

ASSOCIATED BANK NA
1305 MAIN ST
STEVENS POINT, WI 54481



REPORT TO THE PLAN COMMISSION

Plan Commission Meeting Date: May 6, 2020

Agenda Item: 5(a)

File Number: CSM-2020-07

General Information

Applicant: R.H. Batterman & Co., Inc.

Owner: Hendricks Commercial Properties, LLC

Address/Location: Eclipse Center (600 Henry Ave)

Applicant's Request: 1-Lot Certified Survey Map (CSM) to create Lincoln Academy Parcel

Staff Analysis

Background Info: This office has received a request for review of a 1-Lot Certified Survey Map (CSM) to subdivide the Eclipse Center parcel located at 600 Henry Avenue. The intent of this CSM is to create a stand-alone 4.24-acre parcel for the Lincoln Academy Charter School. Following this land division, the Eclipse Center parcel will be approximately 24 acres.

CSM Details: Proposed Lot 1 is 184,483 square feet (4.235 acres) in area, and includes 332 feet of frontage on Henry Avenue as well as frontage on Morse Avenue. Proposed Lot 1 includes two existing driveways, which will remain in use as shown on the attached preliminary site plan. The CSM includes sewer easements to be eventually released, an electric easement, and an existing access easement that provides access to Associated Bank as well as the Eclipse Center.

Proposed School Development: This mixed use campus is zoned C-3, Community Commercial District. HCP is seeking a Conditional Use Permit (CUP) to allow a school use in a C-3 District. Demolition of the former Kohl's building is already underway, and the surveyor has accounted for a 15-foot setback from the future, post-demolition façade and the new lot line of Lot 1.

Review Agent Comments: The City Engineer has requested cross-access easements over Lot 1, as well as necessary portions of the Eclipse Center property not already covered by existing easements. An easement for a future shared use path along Henry Ave is also requested.

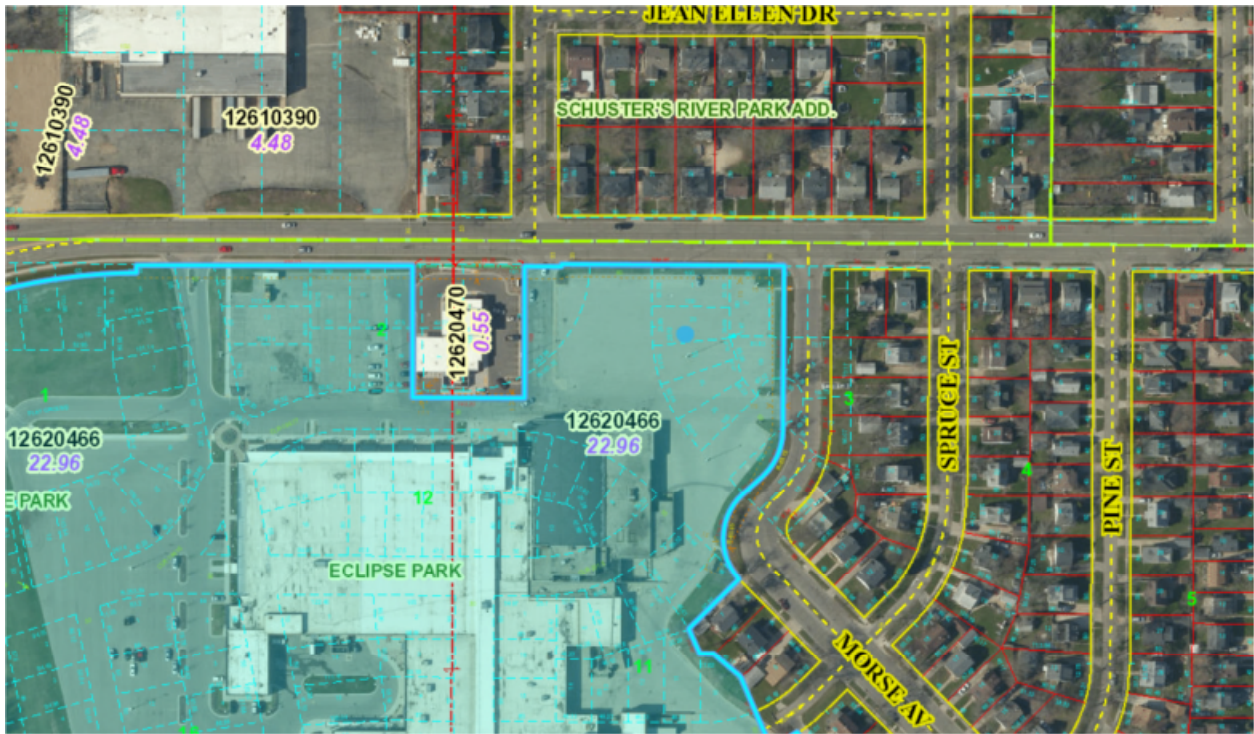
STAFF RECOMMENDATION:

The Planning & Building Services Division recommends **approval** of the attached 1-Lot Certified Survey Map (CSM) for the Eclipse Center property located at 600 Henry Avenue in the City of Beloit, subject to the following conditions:

1. The final CSM shall include the easements requested by the City Engineer.
2. The final CSM shall be recorded with the Rock County Register of Deeds within one year of approval and a copy provided to the Planning and Building Services Division.

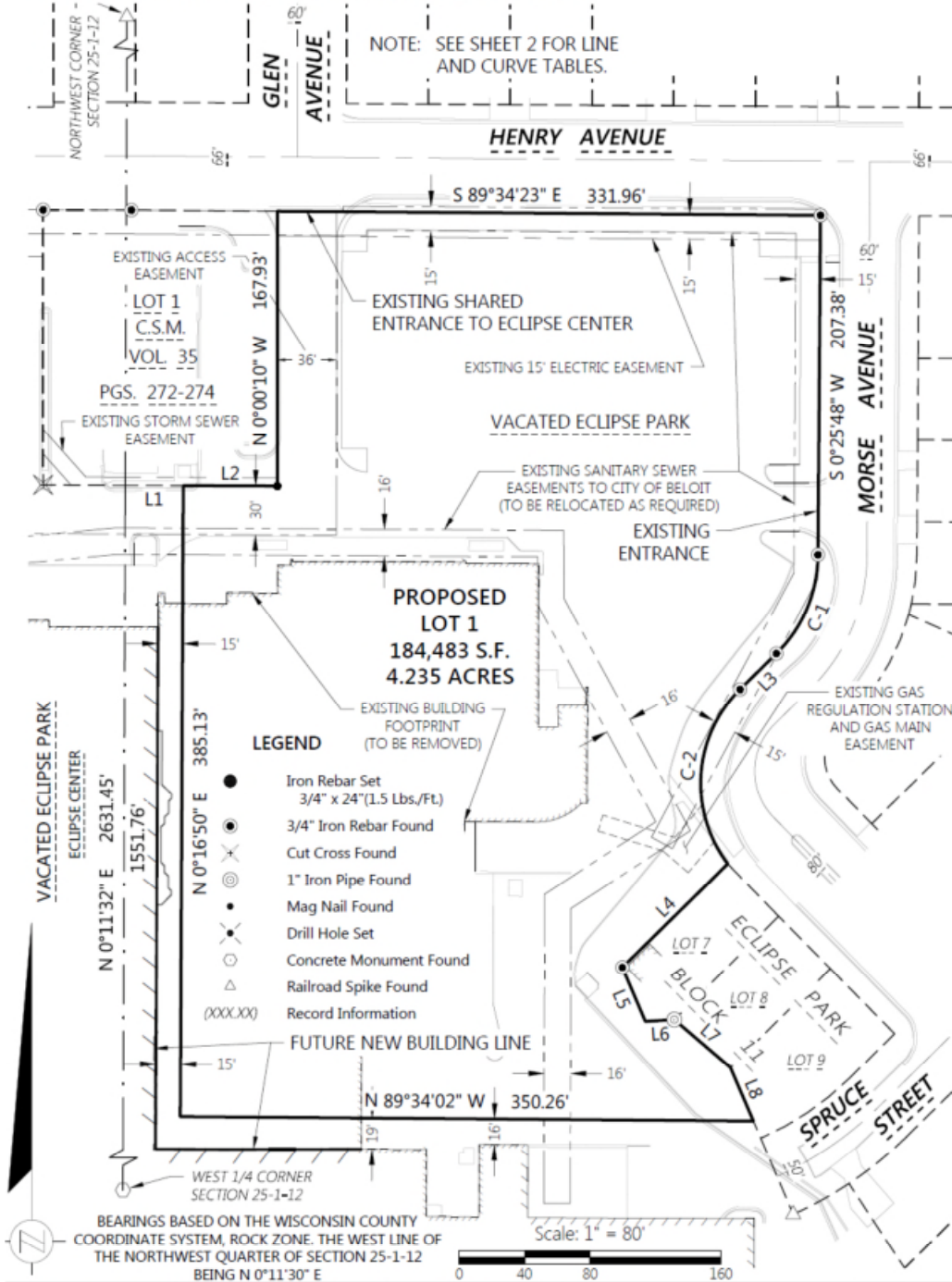
ATTACHMENTS: Location Map, Proposed Site Plan, Proposed CSM, Application, Engineer's Memo, and Resolution.

Location Map – Proposed School Site



PRELIMINARY CERTIFIED SURVEY MAP

PART OF ECLIPSE PARK (NOW VACATED) BEING A PART OF THE
NW 1/4 OF THE NW 1/4 OF SECTION 25, T. 1 N., R. 12 E., OF THE
4TH P.M., CITY OF БЕЛОИТ, ROCK COUNTY, WISCONSIN.



ORDER NO: 33542
BOOK: SEE FILE
FIELD CREW: DE
DRAWN BY: KJB
SHEET 1 OF 2

FOR THE EXCLUSIVE USE OF:
HENDRICKS COMMERCIAL PROPERTIES, LLC
525 THIRD STREET, SUITE 300
BELOIT, WI 53511

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

File Name: J:\33500-33599\33542 - HCP - Lincoln Academy\SURVEY\RH-B DRAWING FILES

PRELIMINARY CERTIFIED SURVEY MAP

*PART OF ECLIPSE PARK (NOW VACATED) BEING A PART OF THE
NW 1/4 OF THE NW 1/4 OF SECTION 25, T. 1 N., R. 12 E., OF THE
4TH P.M., CITY OF БЕЛОIT, ROCK COUNTY, WISCONSIN.*

LINE TABLE		
LINE #	LENGTH	DIRECTION
L1	35.49'	S 89°43'03" E
L2	57.47'	S 89°43'03" E
L3	31.22'	S 45°24'22" W
L4	90.27'	S 45°30'54" W
L5	35.95'	S 23°01'56" E
L6	17.70'	N 86°21'04" E
L7	45.18'	S 49°29'25" E
L8	35.56'	S 23°12'06" E

CURVE TABLE					
CURVE NO.	DELTA	RADIUS	ARC	CHORD BEARING	CHORD LENGTH
C-1	45°03'21"	85.15'	66.96'	S 22°57'29" W	65.25'
C-2	82°42'55"	80.65'	116.43'	S 04°02'03" W	106.58'

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: _____

1. Address of property: 25 A Eclipse Center (Southwest corner of Henry Avenue and Morse Avenue)
2. Tax Parcel Number(s): 12620466
3. Property is located in (circle one) City of Beloit or Town of: Turtle; Beloit; Rock or LaPrairie
 In the NW Quarter of Section 25, Township 1 North, Range 12 East of the 4th P.M.
4. Owner of record: Hendricks Commercial Properties, LLC Phone: 608-362-8981
525 Third Street, Suite 300 Beloit WI 53511
(Address) (City) (State) (Zip)
5. Surveyor's name: R.H. Batterman & Co., Inc. Phone: 608-365-4464
2857 Bartells Drive Beloit WI 53511
(Address) (City) (State) (Zip)
6. Number of new lots proposed with this land division is 1 lot(s).
7. Total area of land included in this map: 184,483 s.f. / 4.235 acres
8. Total area of land remaining in parent parcel: 23.8 +/- 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: C-3
11. Is the proposed use permitted in this zoning district: No (Conditional Use Request Submitted)
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 April 2, 2020
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.

_____/_____/_____
(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: _____

Scheduled meeting date: _____

Application accepted by: _____ Date: _____

To: Drew Pennington, AICP, Director of Planning & Building Services

From: Scot Prindiville, City Engineer

Re: 600 Henry Avenue – Lincoln Academy CUP and CSM

Date: April 29, 2020

Engineering has been provided a copy of the undated Certified Survey Map (CSM) and the site plan layout dated April 15, 2020 for the above referenced project, both documents prepared by R.H. Batterman. With respect to the CSM and CUP applications we have the following comments:

- A Traffic Impact Analysis (TIA) and parking study will need to be conducted. As a part of these studies the parent pick up and drop off que as well as the bus que should be analyzed.
- As discussed in our preliminary meeting, sidewalk needs to be constructed that allows pedestrians on Morse Avenue to walk to the school and out to Henry Avenue. This can be accomplished by extending sidewalk along Morse Avenue or providing a connection through the school property. All sidewalk constructed must meet all ADA codes.
- As discussed in our preliminary meeting we have concerns regarding traffic conflicts in the area of the southeast corner of the bank property. This will need to be addressed during final engineering.
- The bank property has a driveway that enters/exits directly onto the new lot that is proposed in the CSM. A cross access easement is needed.
- The site plan indicates a loading dock/door being provided for the eclipse center adjacent to the proposed school lot. A cross access easement is needed.
- It is my understanding that school busses are planned to depart at the southeast corner of the property. A cross access easement is needed. In addition, improvements will be needed to this drive area to insure that this route is safe and has adequate site distances.
- Cross access easements need to be in place for any routes that the TIA indicates traffic will take to enter or leave the school site.
- It is my understanding that bus drop off/pick up is proposed to be on the 24' wide driveway between Morse Avenue and the southeast corner of the site. This width driveway will not support two way traffic plus parked school busses. The developer should indicate if traffic will be restricted from using this driveway during loading/unloading times or if additional width will be provided.
- The City requires an easement along the northern property line in order to accommodate a planned shared use trail. We are attempting to work with Batterman and the City Attorney's office to determine the best way to this. This detail can be worked out at final CSM submittal.

**RESOLUTION
APPROVING A ONE-LOT CERTIFIED SURVEY MAP
FOR THE PROPERTY LOCATED AT 600 HENRY 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 jurisdiction of the City; and

WHEREAS, the attached one-lot Certified Survey Map for the property located at 600 Henry Avenue, containing 4.235 acres, is located within the 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 ECLIPSE PARK (NOW VACATED) BEING A PART OF THE NW ¼ OF THE
NW ¼ OF SECTION 25, T. 1 N., R. 12 E., OF THE 4TH P.M., CITY OF БЕЛОIT, 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 600 Henry Avenue, subject to the following conditions:

1. The final CSM shall include the easements requested by the City Engineer.
2. The final CSM shall be recorded with the Rock County Register of Deeds within one year of approval and a copy provided to the Planning and Building Services Division.

Adopted this 6th day of May, 2020.

Plan Commission

_____, Chairman

ATTEST:

Julie Christensen
Community Development Director



REPORT TO THE PLAN COMMISSION

Plan Commission Meeting Date: May 6, 2020

Agenda Item: 5(b)

File Number: CSM-2020-08

General Information

Applicant: R.H. Batterman & Co., Inc.

Owner: Greater Beloit Economic Development Corp.

Address/Location: 720 Gateway Blvd

Applicant's Request: 3-Lot Certified Survey Map (CSM) to create 2 buildable parcels & out-lot

Staff Analysis

Background Info: This office has received a request for review of a 3-Lot Certified Survey Map (CSM) to subdivide the GBEDC-owned 41-acre parcel located at 720 Gateway Blvd. The intent of this CSM is to create two buildable parcels in advance of a proposed speculative industrial development by Hendricks Commercial Properties (HCP), and to create an out-lot for stormwater management over what is currently a drainage easement area.

CSM Details: Proposed Lot 1 is 15.5 acres in area and includes a designated access point on Gateway Blvd to be shared by both lots via cross-access easement. Proposed Lot 2 is 13 acres in area, and will not have direct access to Gateway Blvd. Both proposed lots include field-delineated wetlands, a proposed shared stormwater management area for the new development, and a 20-foot utility easement along Gateway Blvd. The subject property currently includes a regional drainage easement area that covers extensive portions of the western $\frac{1}{4}$ of the parcel. The proposed CSM will create a new out-lot for this drainage area in lieu of just an easement, and this area will not be developed or altered. The proposed stormwater out-lot will be conveyed from GBEDC to the City. Note that proposed out-lot 1 includes an extensive amount of field-delineated wetlands. Proposed out-lot 1 also includes an existing 20-foot gas main easement and a 50-foot highway access restriction/setback along the boundary with the Wisconsin DOT Rest Area. The proposed CSM does not include any dedication of public right-of-way.

Proposed HCP Development: HCP is under contract with GBEDC to purchase and develop proposed Lots 1 and 2 as speculative industrial buildings of 208,000 square feet and 182,000 square feet, respectively. The City Engineer has stated that only one access point will be allowed, hence the shared access point shown on the preliminary site plan. A Traffic Impact Analysis (TIA) has been completed by HCP's consultant and has been accepted by the Assistant

City Engineer/Traffic Engineer. The TIA recommends stop sign control at the exit driveway, with a dedicated right-turn lane and thru/left turn lane. The TIA does not recommend any off-site traffic control improvements. The subject property is already zoned M-2, General Industrial, and the proposed land division and development are consistent with the adopted Comprehensive Plan. The property is subject to the Restrictive Covenants and Development Standards applicable in the Gateway Business Park.

Review Agent Comments: The Water Resources Director has requested a 30' wide by 50' long easement along Gateway Blvd at the southern end of proposed Lot 2 in order to construct a below-ground Pressure Reducing Valve. This request has been discussed with the applicant and has been forwarded to the surveyor to include in the final CSM. The City Engineer has requested language on the final CSM relating to the shared stormwater management area and dimensions for the shared access easement. The other Review Agents have not submitted any comments as of this writing.

STAFF RECOMMENDATION:

The Planning & Building Services Division recommends approval of the attached 3-Lot Certified Survey Map (CSM) for the property located at 720 Gateway Blvd in the City of Beloit, subject to the following conditions:

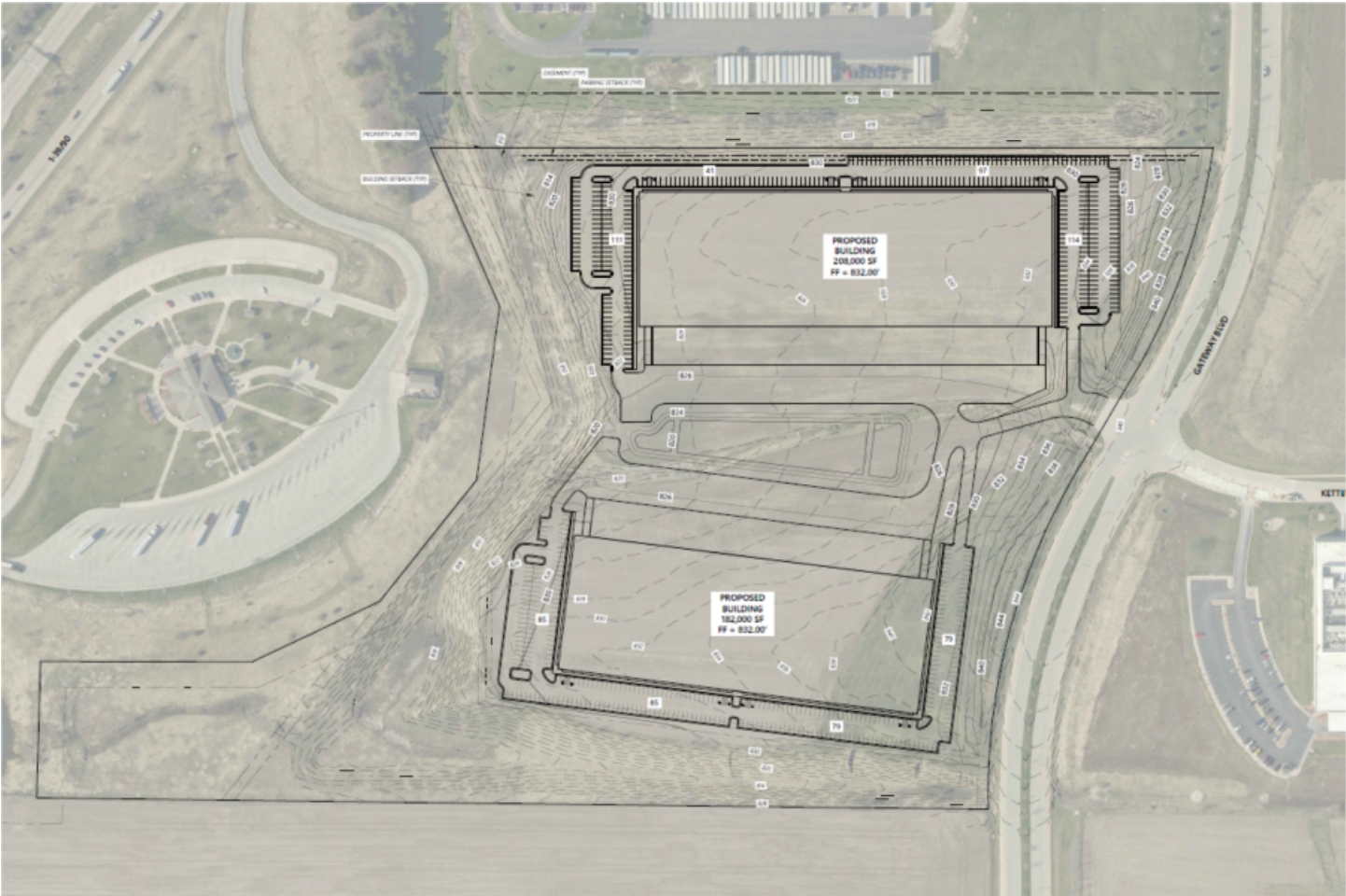
1. The final CSM shall include the easement language requested by the Water Resources Director and City Engineer.
2. The final CSM shall be recorded with the Rock County Register of Deeds within one year of approval and a copy provided to the Planning and Building Services Division.

ATTACHMENTS: Location Map, Proposed Site Plan, Proposed CSM, Application, and Resolution.

Location Map

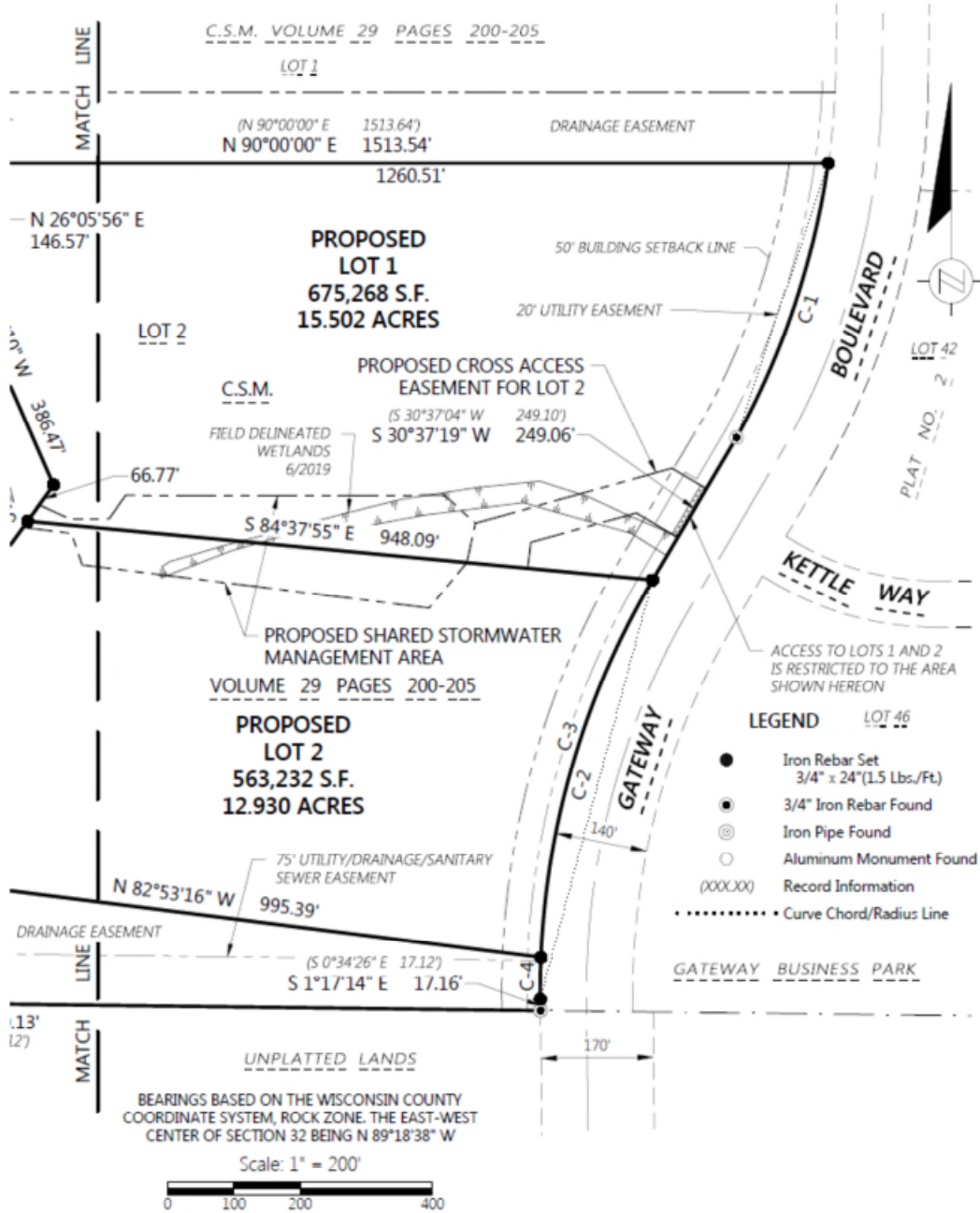


Proposed Site Plan – Spec Industrial Development



PRELIMINARY CERTIFIED SURVEY MAP

OF LOT 2 OF CERTIFIED SURVEY MAP DOCUMENT NO. 1733897,
RECORDED IN VOLUME 29, PAGES 200-205 OF CERTIFIED SURVEYS
BEING PART OF THE NORTHEAST 1/4 AND NORTHWEST 1/4 OF
SECTION 32, T. 1 N., R. 13 E., OF THE 4TH P.M.,
CITY OF БЕЛОIT, ROCK COUNTY, WISCONSIN.



<p>ORDER NO: 33506 BOOK: SEE FILE FIELD CREW: DGM DRAWN BY: KJB SHEET 1 OF 4</p>	<p>FOR THE EXCLUSIVE USE OF: BELOIT ECONOMIC DEVELOPMENT CORPORATION 100 STATE STREET BELOIT, WI 53511</p>	<p>Batterman engineers surveyors planners 2857 Barbell Drive Beloit, Wisconsin 53511 608.365.4464 www.batterman.com</p>
--	--	--

File Name: I:\33500-33599\33506 - HCP - ALTA Gateway 720 Gateway Spec Buildings\SURVEY\RH-B DRAWING FILES

PRELIMINARY CERTIFIED SURVEY MAP

OF LOT 2 OF CERTIFIED SURVEY MAP DOCUMENT NO. 1733897,
RECORDED IN VOLUME 29, PAGES 200-205 OF CERTIFIED SURVEYS
BEING PART OF THE NORTHEAST 1/4 AND NORTHWEST 1/4 OF
SECTION 32, T. 1 N., R. 13 E., OF THE 4TH P.M.,
CITY OF BELOIT, ROCK COUNTY, WISCONSIN.



LEGEND

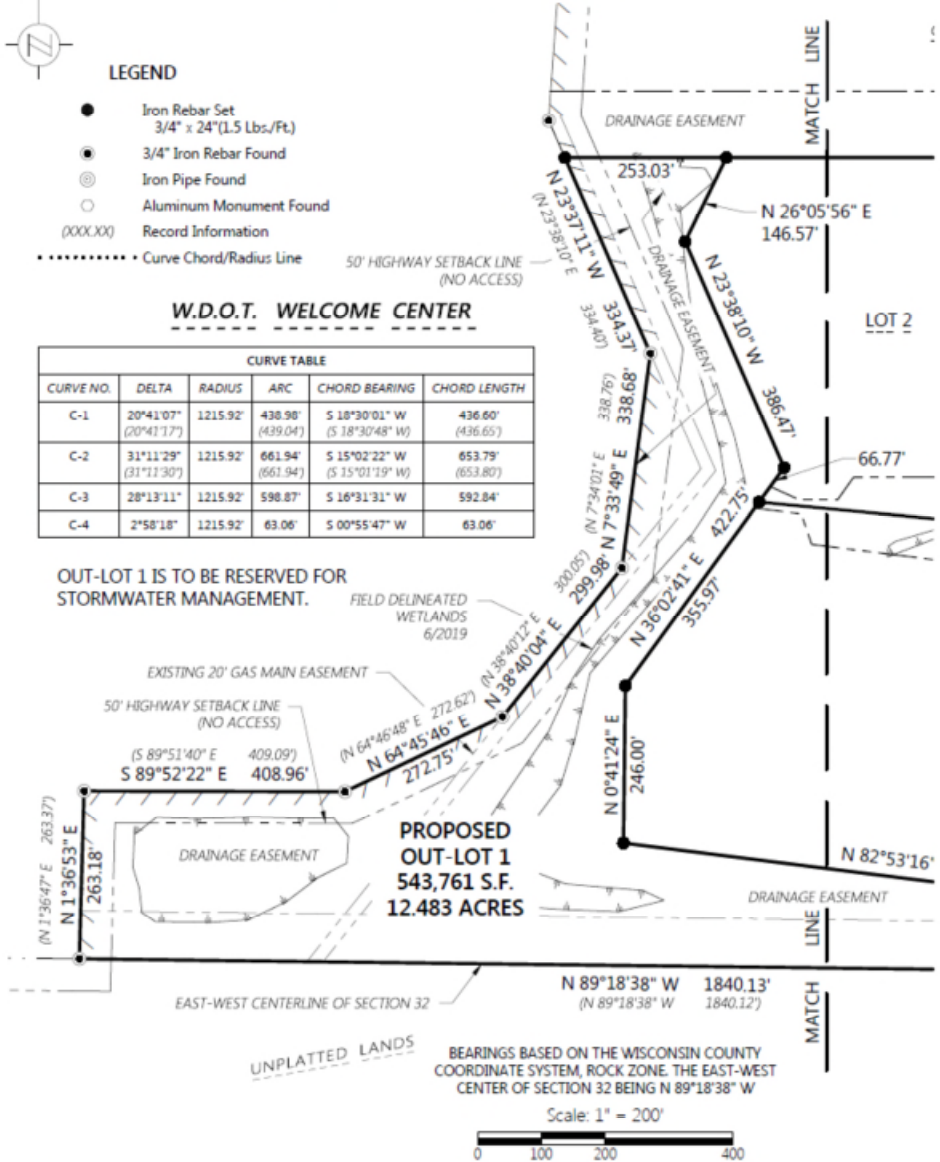
- Iron Rebar Set
3/4" x 24" (1.5 Lbs./Ft.)
- ⊙ 3/4" Iron Rebar Found
- ⊙ Iron Pipe Found
- Aluminum Monument Found
- (XXX.XX) Record Information
- Curve Chord/Radius Line

50' HIGHWAY SETBACK LINE
(NO ACCESS)

W.D.O.T. WELCOME CENTER

CURVE TABLE					
CURVE NO.	DELTA	RADIUS	ARC	CHORD BEARING	CHORD LENGTH
C-1	20°41'07" (20°41'17")	1215.92'	438.98' (439.04')	S 18°30'01" W (S 18°30'48" W)	436.60' (436.65')
C-2	31°11'29" (31°11'30")	1215.92'	661.94' (661.94')	S 15°02'22" W (S 15°01'19" W)	653.79' (653.80')
C-3	28°13'11"	1215.92'	598.87'	S 16°31'31" W	592.84'
C-4	2°58'18"	1215.92'	63.06'	S 00°55'47" W	63.06'

OUT-LOT 1 IS TO BE RESERVED FOR
STORMWATER MANAGEMENT.



BEARINGS BASED ON THE WISCONSIN COUNTY
COORDINATE SYSTEM, ROCK ZONE. THE EAST-WEST
CENTER OF SECTION 32 BEING N 89°18'38" W

Scale: 1" = 200'



ORDER NO: 33506 BOOK: SEE FILE FIELD CREW: DGM DRAWN BY: KJB SHEET 2 OF 4	FOR THE EXCLUSIVE USE OF: BELOIT ECONOMIC DEVELOPMENT CORPORATION 100 STATE STREET BELOIT, WI 53511	Batterman engineers surveyors planners 2857 Bartlett Drive Beloit, Wisconsin 53511 608.365.4464 www.tbatterman.com
--	---	--

File Name: J:\33500-33599\33506 - HCP - ALTA Gateway 720 Gateway Spec Buildings\SURVEY\B-DRAWING FILES

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: _____

1. Address of property: 720 Gateway Boulevard

2. Tax Parcel Number(s): 23221000

3. Property is located in (circle one) City of Beloit or Town of: Turtle; Beloit; Rock or LaPrairie
 In the NE & NW Quarter of Section 32, Township 1 North, Range 13 East of the 4th P.M.

4. Owner of record: Beloit Economic Development Corporation Phone: _____
100 State Street Beloit WI 53511
(Address) (City) (State) (Zip)

5. Surveyor's name: R.H. Batterman & Co., Inc. Phone: 608-365-4464
2857 Bartells Drive Beloit WI 53511
(Address) (City) (State) (Zip)

6. Number of new lots proposed with this land division is 2 lots, 1 out-lot lot(s).

7. Total area of land included in this map: 40.92 acres

8. Total area of land remaining in parent parcel: 0

9. Is there a proposed dedication of any land to the City of Beloit? No

10. The present zoning classification of this property is: M-2

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 January 16, 2020 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.

_____/_____/_____
(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: _____

Scheduled meeting date: _____

Application accepted by: _____ Date: _____

**RESOLUTION
APPROVING A THREE-LOT CERTIFIED SURVEY MAP
FOR THE PROPERTY LOCATED AT 720 GATEWAY BLVD**

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 jurisdiction of the City; and

WHEREAS, the attached three-lot Certified Survey Map for the property located at 720 Gateway Blvd, containing 40.92 acres, is located within the jurisdiction of the City of Beloit; and

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

LOT 2 OF CERTIFIED SURVEY MAP DOCUMENT NO. 1733897, RECORDED IN VOLUME 29, PAGES 200-205 OF CERTIFIED SURVEYS, BEING PART OF THE NE ¼ AND NW ¼ OF SECTION 32, T. 1 N., R. 13 E., OF THE 4TH P.M., CITY 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 three-lot Certified Survey Map for the property located at 720 Gateway Blvd, subject to the following conditions:

1. The final CSM shall include the easement language requested by the Water Resources Director and City Engineer.
2. The final CSM shall be recorded with the Rock County Register of Deeds within one year of approval and a copy provided to the Planning and Building Services Division.

Adopted this 6th day of May, 2020.

Plan Commission

_____, Chairman

ATTEST:

Julie Christensen
Community Development Director



REPORT TO THE PLAN COMMISSION

Plan Commission Meeting Date: May 6, 2020

Agenda Item: 5.c.

File Number: CSM-2020-09

General Information

Applicant: Combs & Associates Inc.

Owner: Tanner D. & Kaylyn R. Hendricks

Address/Location: 2639 W. St. Lawrence Avenue

Applicant's Request: The applicant has proposed a 1-Lot Certified Survey Map (CSM) for 2639 W. St. Lawrence Avenue in the Town of Beloit.

Staff Analysis

Existing Conditions: The current use of the area covered by this CSM is agricultural land with a residential home.

Proposed Land Division: The intent of the proposed CSM is to take the two lots and combine them to create one 4.83-acre-lot. Both existing uses are going to be continued.

Surrounding Land Use and Zoning: There are residential uses to the north and east of the subject property. The properties to the north and east are zoned R-1, Single-Family Residential. To the south and west there are agricultural uses zoned A-1, Exclusive Agriculture, all located in The Town of Beloit subject to Town zoning.

City of Beloit Comprehensive Plan and Strategic Plan: The Comprehensive Plan's Future Land Use Map recommends Single-Family Residential-Urban for the subject properties.

Municipal Utilities: The subject properties are not currently served by municipal utilities.

Review Agent Comments: The proposed Certified Survey Map (CSM) was sent to the City of Beloit staff and utility contacts, and they have no comments.

STAFF RECOMMENDATION:

The Planning & Building Services Division recommends **approval** of the attached 1-Lot Certified Survey Map (CSM) for the properties located at 2639 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 December 31, 2020 and a copy provided to the Planning and Building Services Division.

ATTACHMENTS: Location Map, Preliminary Certified Survey Map, Application, and Resolution.

LOCATION MAP

2639 St. Lawrence Combo



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: _____

1. Address of property: 2639 W. Saint Lawrence Ave. Beloit, WI 53511-8534
2. Tax Parcel Number(s): 6-2-389.1
3. Property is located in (circle one): City of Beloit or Town of: Turtle; Beloit; Rock or LaPrairie
 In the NE Quarter of Section 33, Township 1 North, Range 12 East of the 4th P.M.
4. Owner of record: Tanner D. & Kaylyn R. Hendricks Phone: 608-728-3811
2639 W. Saint Lawrence Ave. Beloit, WI 53511-8534
(Address) (City) (State) (Zip)
5. Surveyor's name: Combs & Associates, Inc. Phone: 608-752-0575
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: 4.83 Acres
8. Total area of land remaining in parent parcel: _____
9. Is there a proposed dedication of any land to the City of Beloit? No
10. The present zoning classification of this property is: _____
11. Is the proposed use permitted in this zoning district: _____

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.

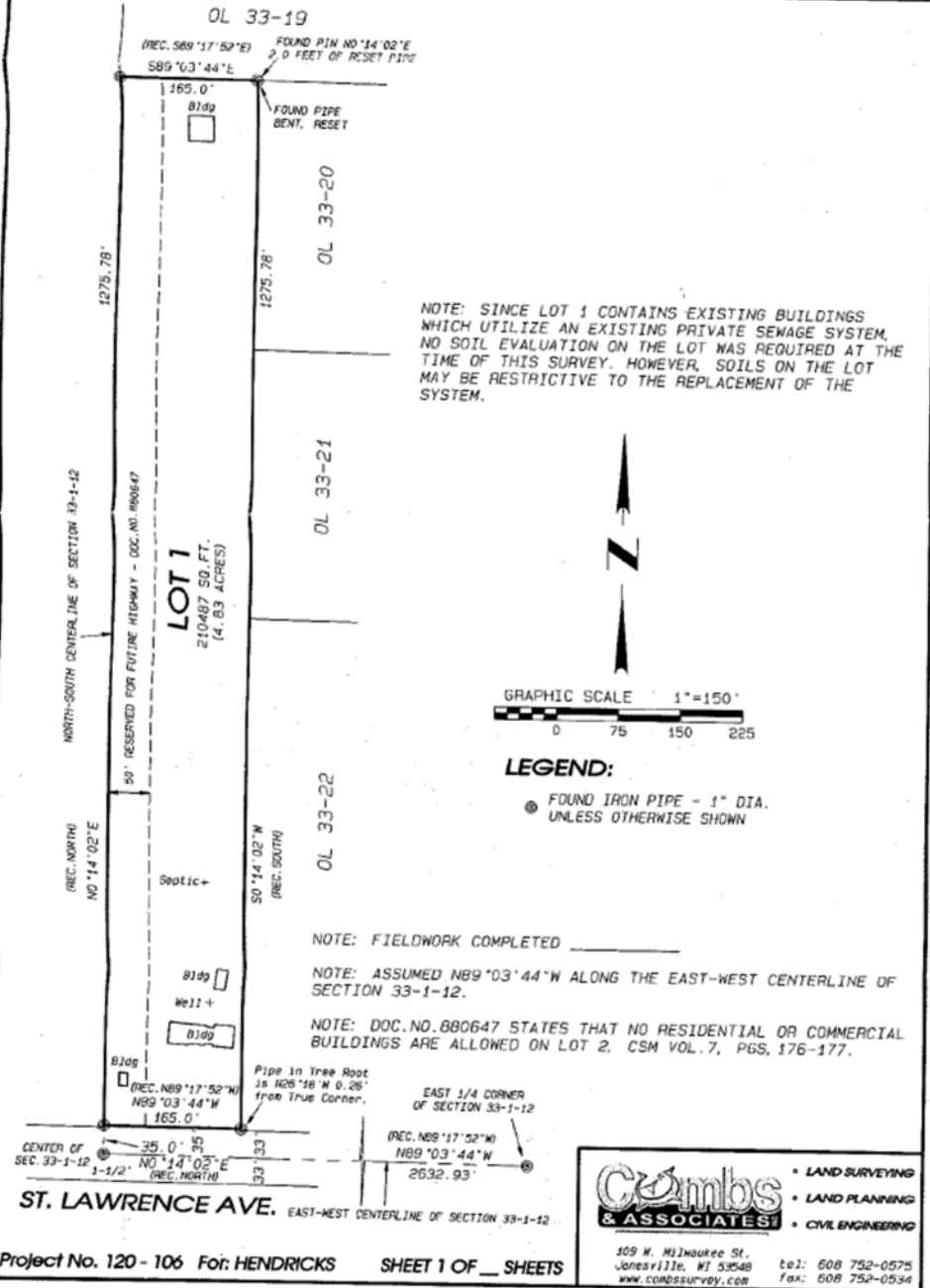
 Kaylyn Hendricks 04-09-2020
(Signature of applicant) (Name of applicant) (Date)

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

Review fee: <u>\$150 plus \$10 per lot</u>	Amount paid: <u>\$160.⁰⁰</u>
Scheduled meeting date: <u>May 6, 2020</u>	
Application accepted by: <u>Don Pennington</u>	Date: <u>4/15/20</u>

CERTIFIED SURVEY MAP

LOTS 1 AND 2 OF A CERTIFIED SURVEY MAP AS RECORDED IN VOLUME 7, PAGES 176 AND 177 OF CERTIFIED SURVEY MAPS OF ROCK COUNTY, WISCONSIN AS DOCUMENT NO. 880647, FORMERLY PART OF OUTLOTS 33-20, 33-21 AND 33-22 OF THE ASSESSORS PLAT OF BELOIT TOWNSHIP AND BEING LOCATED IN THE SW 1/4 OF THE NE 1/4 OF SECTION 33, T.1N., R. 12E. OF THE 4TH P.M., TOWN OF BELOIT, ROCK COUNTY, WISCONSIN.



RESOLUTION
APPROVING A ONE-LOT CERTIFIED SURVEY MAP
FOR THE PROPERTIES LOCATED AT 2639 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 properties located at 2639 St. Lawrence Avenue, contain 4 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:

LOTS 1 AND 2 OF A CERTIFIED SURVEY MAP AS RECORDED IN VOLUME 7, PAGES 176 AND 177 OF CERTIFIED SURVEY MAP OF ROCK COUNTY WISCONSIN AS DOCUMENT NO. 880647, FORMERLY PART OF OUTLOTS 33-20, 33-21, AND 33-22 OF THE ASSESSORS PLAT OF БЕЛОIT TOWNSHIP AND BEING LOCATED IN THE SW ¼ OF THE NE ¼ OF SECTION 33, T.1N., R. 12E. OF THE 4TH P.M., TOWN OF БЕЛОIT, 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 properties located at 2639 St. Lawrence Avenue, subject to the following condition:

1. The final CSM shall be recorded with the Rock County Register of Deeds by December 31, 2020 and a copy provided to the Planning and Building Services Division.

Adopted this 6th day of May, 2020.

Chairman

ATTEST:

Julie Christensen,
Community Development Director