



**PUBLIC NOTICE & AGENDA
PLAN COMMISSION
City Hall Forum - 100 State Street, Beloit, WI 53511
7:00 PM
Wednesday, May 20, 2020**

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Members of the media or the public may participate in the open session portion of this agenda by calling 1 (872) 240-3212, access code 970-102-125. All participants' phones will be muted. Attendance at the meeting in person will be limited. If you would like to provide comments for any of the items on the agenda, please submit those to planning@beloitwi.gov by 12:00 noon on Wednesday, May 20, 2020.

1. CALL TO ORDER AND ROLL CALL
2. MINUTES
 - 2.a. Consideration of the minutes of the May 6, 2020 Plan Commission meeting
[Attachment](#)
3. PUBLIC HEARINGS
 - 3.a. Consideration of a Zoning Map Amendment to change the zoning from M-2, General Manufacturing District, to C-1, Office District, for the property located at 1195 Prince Hall Drive
[Attachment](#)
 - 3.b. Consideration of an amendment to a Conditional Use Permit to allow nightly rental of the rooms in the Rooming House located at 1105 E. Grand Avenue
[Attachment](#)
4. REPORTS
 - 4.a. Consideration of a two-lot Extraterritorial Certified Survey Map for the property located at the intersection of Ravine Drive and Natures Ridge Road in the Town of Beloit
[Attachment](#)
5. STATUS REPORT ON PRIOR PLAN COMMISSION ITEMS
6. ADJOURNMENT

** Please note that, upon reasonable notice, at least 24 hours in advance, efforts will be made to accommodate the needs of disabled individuals through appropriate aids and services. For additional information to request this service, please contact the City Clerk's Office at 364-6680, 100 State Street, Beloit, WI 53511.



**MINUTES
PLAN COMMISSION
City Hall Forum
100 State Street, Beloit, WI 53511
7:00 PM
Wednesday, May 6, 2020**

1. CALL TO ORDER AND ROLL CALL

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

2. NOMINATION AND ELECTION OF OFFICERS

2.a. Nomination and election of Chairperson

Commissioner Ruster nominated Commissioner Weeden for Chairperson, and it was seconded by Commissioner Johnson. Roll call vote (5-0), motion passed.

2.b. Nomination and election of Vice-Chairperson

Commissioner Faragher nominated Commissioner Ruster for Vice-Chairperson, and it was seconded by Commissioner Johnson. Roll call vote (5-0), motion passed.

3. MINUTES

3.a. Consideration of the minutes of the April 22, 2020 Plan Commission meeting

Commissioner Weeden indicated that there was a mistake in the minutes related to who called the meeting to order, but Julie updated the minutes and the corrected version is in the packet. Commissioner Faragher made a motion, seconded by Commissioner Ruster to approve minutes. Roll call vote (5-0), motion passed.

4. PUBLIC HEARINGS

4.a. Consideration of a Conditional Use Permit to allow all-day school-age daycare for the property located at 1230 House Street

Julie Christensen presented the staff report and recommendation.

Commissioner Weeden opened the public hearing.

Ms. Christensen stated that there was a concern from a neighboring property about displaying artwork on the fencing. Marilyn Sloniker stated that she would not be displaying any artwork in the fences like the previous owner had done.

Commissioner Weeden closed the public hearing.

Motion made by Commissioner Finnegan, seconded by Commissioner Faragher to approve the Conditional Use Permit. Roll call vote (5-0), motion passed.

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

Julie Christensen presented the staff report and recommendation.

Commissioner Weeden asked if the portion of the property that is being proposed for the sale of landscaping materials is the same as the area for the duplexes. Julie Christensen explained that it is in the area designated for duplexes, but that there is still room for the duplexes.

Commissioner Weeden opened the public hearing.

Aaron Nilson, 2426 Prairie Ave, owner of Aurum Contracting, stated that the sale of landscaping materials will take up a portion of the original duplex plan. Mr. Nilson said that the concrete blocks can easily be taken down, so that they can put up the duplexes later. Commissioner Faragher asked what they will be doing with the driveway, and if it can be removed when the duplexes are built. Mr. Nilson stated he can remove it.

Councilor Preuschl asked Mr. Nilson if he understands all nine proposed conditions. Mr. Nilson says he does. Commissioner Faragher asked if there were any questions or comments from neighboring properties. Ms. Christensen stated that the comment was included in the packet and related to concerns about trucks speeding through neighborhood which the owner indicates have been addressed since the driveway on Virginia was installed.

Commissioner Weeden closed the public hearing.

Motion made by Commissioner Faragher, seconded by Commissioner Ruster to approve the amendment to the Planned Unit Development Master Land Use Plan. Roll call vote (5-0), motion passed.

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

Julie Christensen presented the staff report and recommendation.

Commissioner Faragher asked if the building is connected or freestanding. Ms. Christensen said it is a freestanding building with a new parking area.

Commissioner Weeden opened the public hearing.

Commissioner Weeden asked about code requirement four, that if they do not finish before the twelve months what happens. Ms. Christensen stated that the City would have to amend the Conditional Use Permit (CUP) by going through the same public process being followed for the original CUP. Commissioner Weeden asked if the CUP would be for any school or just a charter school. Ms. Christensen said it is specifically for the charter school.

Commissioner Faragher asked if it was still possible to drive around the entire building, and Ms. Christensen said that it was possible. He then asked if the bus access was restricted to buses only. Frank McKearn, representing R.H. Batterman, said it will be restricted to buses only.

Commissioner Weeden closed the public hearing.

Motion made by Commissioner Finnegan, seconded by Commissioner Faragher to approve the CUP. Roll call vote (5-0), motion passed.

5. REPORTS

5.a. Consideration of a Resolution approving a one-lot Certified Survey Map for the property located at 600 Henry Avenue

Julie Christensen presented the staff report and recommendation.

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

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

Julie Christensen presented the staff report and recommendation.

Motion made by Commissioner Faragher and seconded by Commissioner Finnegan to approve the resolution. Roll call vote (5-0), motion passed.

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

Julie Christensen presented the staff report and recommendation.

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

6. STATUS REPORT ON PRIOR PLAN COMMISSION ITEMS

Julie Christensen explained that the Final Plat for Eagles Ridge No. 4 was on Council for Monday, but the City Council laid it over until the Development Agreement was also ready for City Council action.

7. ADJOURNMENT

Motion made by Faragher, and seconded by Ruster to adjourn the meeting. Motion carried, voice vote (5, 0). Meeting was adjourned at 8:00PM.

Respectfully submitted by Amber DesRoberts.



REPORT TO THE PLAN COMMISSION

Plan Commission Meeting Date: May 20, 2020

Agenda Item: 3.a.

File Number: ZMA-2020-03

General Information

Applicant: R.H. Batterman

Owner: ABC Supply Company Inc.

Address/Location: 1195 Prince Hall Drive

Applicant's Request/Proposal: R.H. Batterman, on behalf of ABC Supply Company Inc. has submitted an application for a Zoning Map Amendment to change the zoning district classification from M-2, General Manufacturing District to C-1, Office District, for the property located at 1195 Prince Hall Drive.

Staff Analysis

Project Summary: ABC Supply Company Inc. has previously been approved for a 4-story office building at 3 ABC Drive. As part of this project, off-site parking must be constructed to accommodate the development. The applicant submitted site plans for a commercial parking lot expansion. The proposed project includes combining this parcel with an adjacent property (1111 Prince Hall Drive) and removing an access point. The two properties are located in different zoning districts and must be the same to be combined.

Existing Site Conditions: 1195 Prince Hall currently has a commercial office space and parking lot used by Mule-Hide Products Co.

Surrounding Land Use and Zoning: To the north is the ABC Supply Co. Learning Center zoned M-2, General Manufacturing District. To the east is Fairbanks Moore, zoned M-2, General Manufacturing District. To the south is a vacant parcel with a parking lot zoned C-1, Office District. To the west is a 4-story office building for ABC Supply Co. zoned M-2, General Manufacturing.

City of Beloit Comprehensive and Strategic Plan: The Comprehensive Plan's Future Land Use Map recommends office land uses for the subject property. The proposed zoning map amendment is consistent with this recommendation.

Zoning Map Amendment Findings of Fact: Based on Section 2-304 of the Zoning Ordinance, the Plan Commission shall make a recommendation based on the following considerations:

1. **The existing use of property within the general area of the subject property.**
The proposed use is compatible with the adjacent industrial and commercial uses.

2. **The zoning classification of property within the general area of the subject property.**
The proposed zoning map amendment will allow the subject property to be combined with the adjacent southern property, which is already zoned C-1.
3. **The suitability of the subject property for the uses permitted under the existing zoning classification.**
The subject property is currently used as an office, and the proposed zoning map amendment will result in a better zoning classification based on the use of the property.
4. **The trend of development and zoning map amendments in the general area of the subject property.**
The subject property is located on the ABC Supply Campus, which has seen dramatic investment and redevelopment over the past few years. The zoning map amendment will allow for the continued improvement of this area of the city.

STAFF RECOMMENDATION – ZONING MAP AMENDMENT:

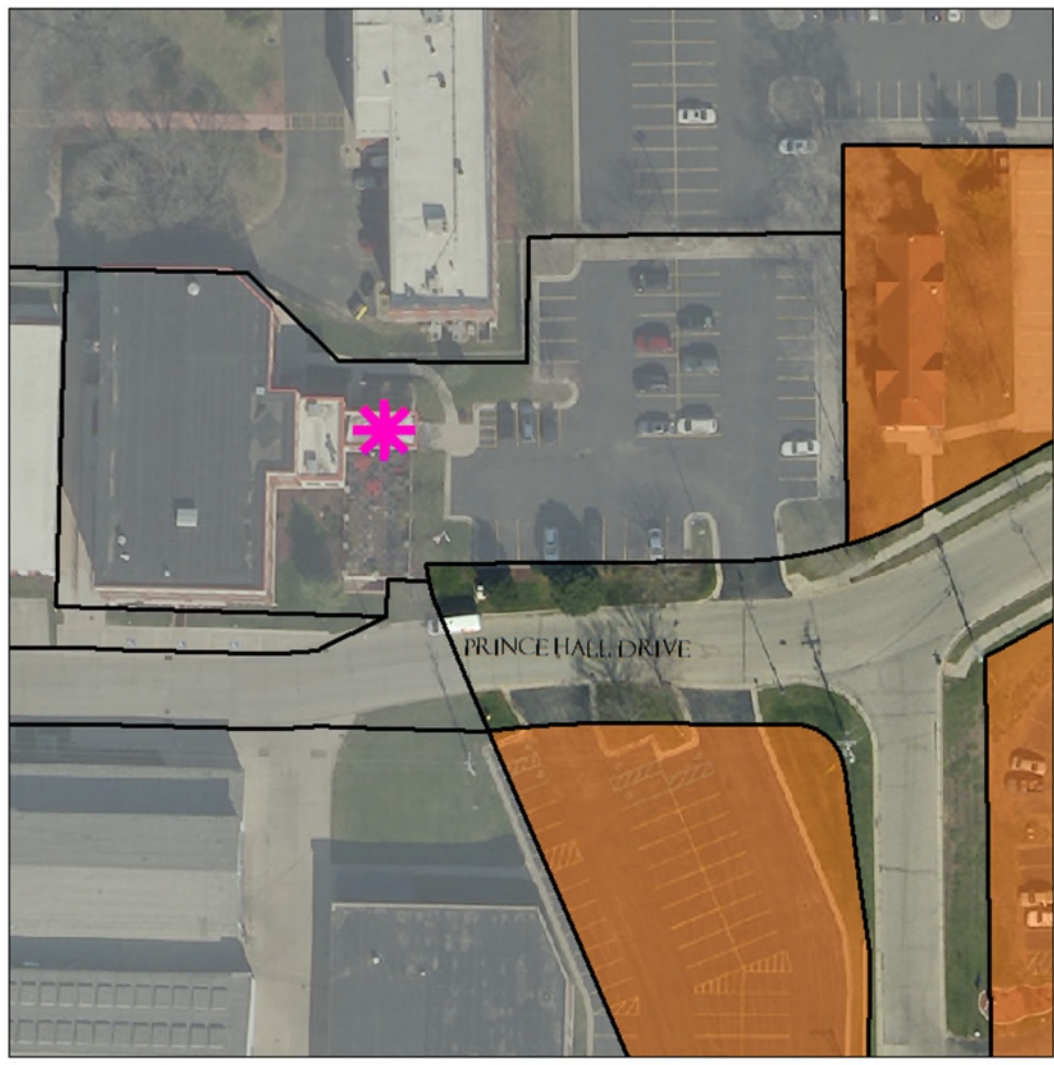
The Planning & Building Services Division recommends **approval** of a Zoning Map Amendment to change the zoning district classification from M-2, General Manufacturing District to C-1, Office District, for the property located at 1195 Prince Hall Drive.

ATTACHMENTS: Location & Zoning Map, Site Plan, Application, Public Notice, and Mailing List.

Location & Zoning Map

1195 Prince Hall Drive

ZMA-2020-03



- Legend**
- Zoning Classification**
- <all other values>
- REGULATIONCLASSIFICATION**
- 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)

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

Legend

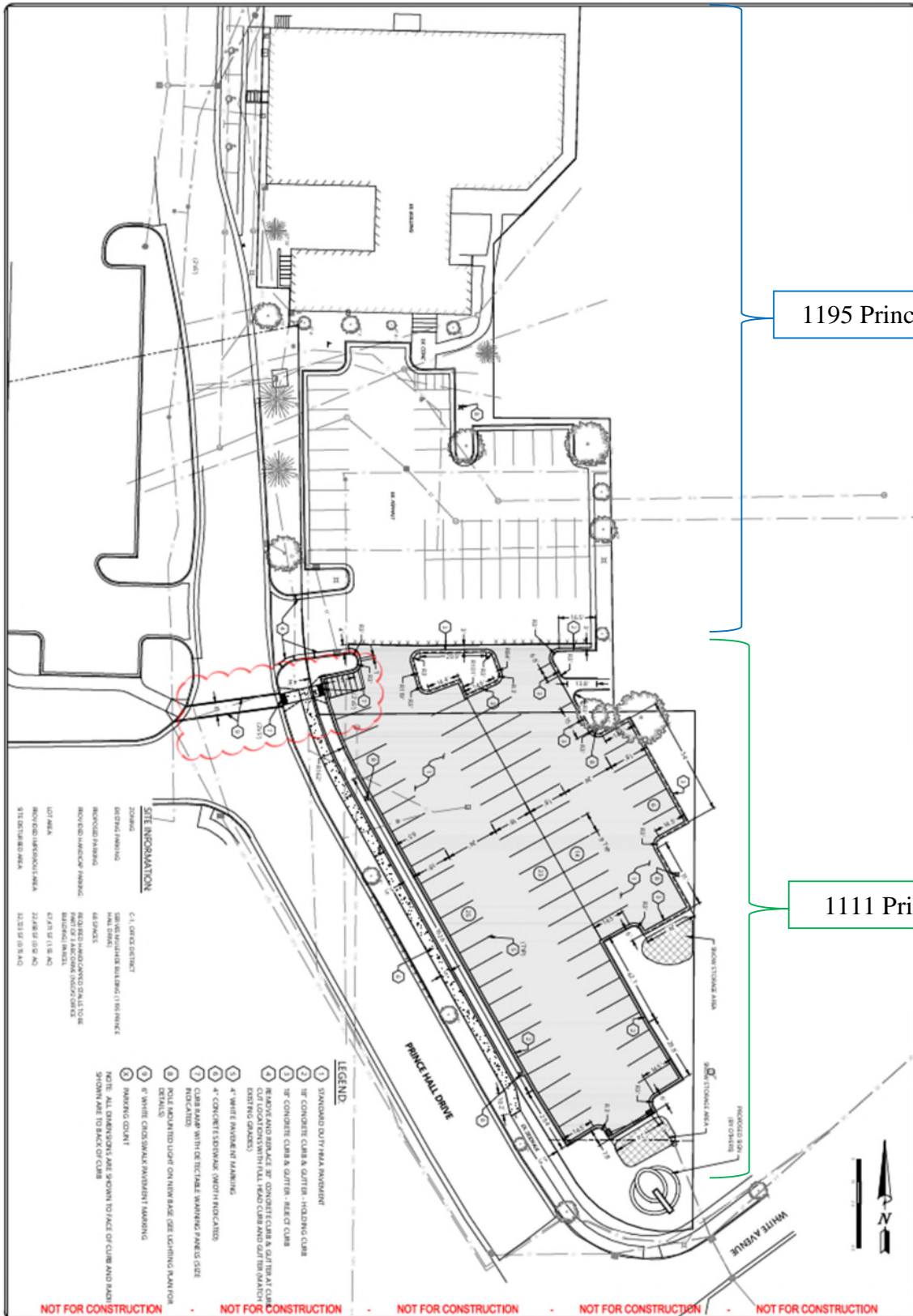
- Parcel Poly
- City Limits (Corp Poly)

1 inch = 57 feet

0 15 30 60 90 Feet

N
W E
S

PLANNING & BUILDING SERVICES DIVISION



1195 Prince Hall Drive

1111 Prince Hall Drive

<p>4 OF 12</p>	<p>DATE: 05/11/2020 TIME: 10:00 AM DRAWN BY: J. BATT CHECKED BY: J. BATT APPROVED BY: J. BATT</p>	<p>ABC SUPPLY-PARKING LOT EXPANSION 1111 PRINCE HALL DRIVE CITY OF BELoit ROCK COUNTY, WISCONSIN</p>	<p>SITE LAYOUT PLAN</p>	<p>REVISIONS</p> <table border="1"> <tr> <td>NO. 001</td> <td>DATE</td> <td>DESCRIPTION</td> </tr> <tr> <td>001</td> <td>05/11/2020</td> <td>ISSUED FOR PERMITS</td> </tr> <tr> <td>002</td> <td>05/11/2020</td> <td>ISSUED FOR PERMITS</td> </tr> <tr> <td>003</td> <td>05/11/2020</td> <td>ISSUED FOR PERMITS</td> </tr> </table>	NO. 001	DATE	DESCRIPTION	001	05/11/2020	ISSUED FOR PERMITS	002	05/11/2020	ISSUED FOR PERMITS	003	05/11/2020	ISSUED FOR PERMITS	<p>Batterman engineers surveyors planners</p> <p>2857 Barkers Drive GOLF SPRING Beloit, Wisconsin 53511 608.735.4454 www.battermaninc.com</p>
	NO. 001	DATE	DESCRIPTION														
001	05/11/2020	ISSUED FOR PERMITS															
002	05/11/2020	ISSUED FOR PERMITS															
003	05/11/2020	ISSUED FOR PERMITS															
<p>DATE: 05/11/2020</p>			<p>NOTE: DIMENSIONAL DATA IS NOT TO BE DERIVED BY SCALING ANY PORTION OF THIS DRAWING.</p>														

CITY of BELOIT

PLANNING & BUILDING SERVICES DIVISION

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

Zoning Map Amendment Application Form

(Please Type or Print)

File No.: ZMA-2020-03

1. Address of subject property: 1195 Prince Hall Drive
2. Legal description: Lot: 1 Block: _____ Subdivision: CSM Doc. No. 1640392 Vol. 26 Pgs. 336-337
(If property has not been subdivided, attach a copy of the complete legal description from deed.)
Property dimensions are: varies feet by varies feet = 41,940 square feet.
If more than two acres, give area in acres: _____ acres.
3. Tax Parcel Number(s): 12560015
4. Owner of record: ABC Supply Company, Inc. Phone: 608-388-2407 (Dan Baroni)
1 ABC Parkway Beloit WI 53511
(Address) (City) (State) (Zip)
5. Applicant's Name: R.H. Batterman & Co., Inc.
2857 Bartells Drive Beloit WI 53511
(Address) (City) (State) (Zip)
608-365-4464 / _____ / fmckearn@rhbatterman.com
(Office Phone #) (Cell Phone #) (E-mail Address)
6. **THE FOLLOWING ACTION IS REQUESTED:**
Change zoning district classification from: M-2 to: C-1
All existing uses on this property are: Office and commercial parking. (This request is to satisfy site plan approval for and new parking lot plan with the adjacent lot at 1111 Prince Hall Drive to have the same zoning classification).
7. All the proposed uses for this property are:
Principal use(s): No change.

Secondary use(s): No change.

Accessory use(s): No change.

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

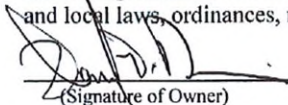
- Owner
- Leasehold, Length of lease: _____
- Contractual, Nature of contract: _____
- Other, explain: _____

9. Individual(s) responsible for compliance with conditions (if any), if request is granted:

Name(s): ABC Supply Company, Inc. Phone: 608-368-2407
1 ABC Parkway Beloit WI 53511
(Address) (City) (State) (Zip)

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.

 / Daniel D. Baroni / 4/9/2020
(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 Division for acceptance by the filing deadline date prior to a scheduled Plan Commission meeting. This application must be submitted with 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 it is typically between \$5.00 and \$20.00.

To be completed by Planning Staff	
Filing Fee: \$275.00	Amount Paid: <u>275.00</u> Meeting Date: <u>May 20th 2020</u>
Number of notices: <u>2</u>	x mailing cost (\$0.50) = cost of mailing notices: \$ _____
Application accepted by: <u>Melony Lottmann</u>	Date: <u>4/11/2020</u>
Date Notice Published: <u>5/8 + 5/15</u>	Date Notice Mailed: <u>5/6</u>



R.H. Batterman and Co., Inc.
2857 Bartells Drive
Beloit, WI 53511
P 608.365.4464
F 608.365.1850

April 10, 2020

Ms. Hilary Rottmann, Planner II
City of Beloit
Planning and Building Services
100 State Street
Beloit, WI 53511

Re: Electronic file of Zoning Map Amendment for 1195 Prince Hall Drive
RHB Order #33413

Dear Hilary,

Please find enclosed a check for \$275 for the Zoning Map Amendment Application for files that were sent electronically on April 10, 2020 to yourself.

Should you have any questions please contact me via email at kbelongia@rhbatterman.com or call the office at 608.365.4464.

Very truly yours,

R. H. BATTERMAN & CO., INC.
Engineers - Surveyors - Planners

Professional Land Surveyor

Enc.

Pc: Dan Baroni

www.rhbatterman.com



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

May 6, 2020

To Whom It May Concern:

R.H. Batterman, on behalf of ABC Supply Company Inc. has submitted an application for review and consideration of a Zoning Map Amendment to change the zoning district classification from M-2, General Manufacturing to C-1, Office District, for the property located at **1195 Prince Hall Drive**.

The applicant submitted site plans for a commercial parking lot expansion. The proposed project includes combining parcels with an adjacent property and removing an access point. The two properties are different zoning districts and must be cohesive to be combined.

The following public hearings will be held regarding this proposed Zoning Map Amendment:

City Plan Commission: Wednesday, May 20, 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, June 1, 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.**

WATER TOWER LLC HEARTLAND
BELOIT-PLEASANT
2418 CROSSROADS STE 2000
MADISON WI 53718

FAIRBANKS MORSE LLC
5605 CARNEGIE BLVD STE 500
CHARLOTTE NC 28209-4674



REPORT TO THE PLAN COMMISSION

Plan Commission Meeting Date: May 20, 2020

Agenda Item: 3(b)

File Number: CU-2020-04

General Information

Applicant: Josue Sandoval

Owner: Matt Finnegan/FPS Rental

Address/Location: 1105 E. Grand Ave

Applicant's Request: Amendment of a Conditional Use Permit (CUP) to allow nightly rental of the rooms in the Rooming House located at 1105 E. Grand Avenue.

Background

In 2015, the City Council issued the attached Conditional Use Permit (CUP) to allow a Rooming/Boarding House in a C-1, Office District, for the property located at 1105 E. Grand Avenue. Condition #2 requires the minimum stay to be monthly, as that was the applicant's plan at the time and the subject property is located in a mostly residential area. Shortly before the COVID-19 pandemic, Planning staff discovered that the Rooming House is being rented nightly and being offered on short term/vacation rental websites. Staff initiated contact with the owner Matt Finnegan and operator (Josue Sandoval), who has applied to amend the 2015 CUP to remove condition #2.

Staff Analysis

Existing Conditions: The subject property is 0.18 acres in area and is located at the northeast corner of the T-intersection of E. Grand Avenue and Wisconsin Avenue. The building is 2,560 square-feet and consists of a first floor efficiency apartment and four rentable rooms on the second floor. Off-street parking is available in the parking lot to the rear, which is located on an adjacent lot also owned by Mr. Finnegan (see attached photos).

Surrounding Land Use and Zoning: There are 1- and 2-family residential uses to the west, north, and east of the subject property, and commercial uses to the south. The subject property is located in a C-1 district that runs along the south side of the 400 block of Central Ave as shown on the attached Location & Zoning Map. Adjacent districts include R-1B, Single-Family Residential with C-3, Community Commercial to the south.

Proposed Amendment: The applicant operates several short term/vacation rentals in the City, and is seeking authorization to rent the rooms in the subject Rooming House on a nightly basis. The subject property is billed as "The Charming Manor" on Airbnb.com. According to the listing, there are five individual rooms available for rent, with a shared kitchen, dining room, living room, and bathroom. The existing CUP includes a number of conditions intended to achieve neighborhood compatibility, such as a maximum of five occupants and allowing revocation of the CUP in the event of neighborhood disruptions or concerns. The existing CUP cannot be transferred to a new owner, and references an on-site building supervisor in the first floor unit. The proposed Amendment would involve up to five rental rooms and no on-site supervisor.

City of Beloit Comprehensive Plan: The City's Downtown Plan recommends *Office Uses* for the subject property, which is consistent with the current C-1 zoning district classification.

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 nightly rental of the rooms on the subject property has been occurring for several months without any issues or complaints from the public. However, as noted in the attached letter from Visit Beloit, it is imperative that all licenses are obtained as soon as possible.
- 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 existing CUP includes numerous conditions of approval that are intended to prevent disruptions to the neighborhood and an opportunity to revoke the CUP if necessary.
- c. *Whether the conditional use will substantially diminish or impair property values within the neighborhood of the subject property;*
 - The proposed Amendment 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 Rooming House has an existing off-street 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 of the Zoning Ordinance. According to the applicant, certain short-term rental websites are collecting room taxes. However, these taxes are not being remitted to the City, which has been referred to the Finance Department for follow-up.

STAFF RECOMMENDATION:

The Planning & Building Services Division recommends **approval** of an Amended Conditional Use Permit to allow nightly rental of the rooms in the Rooming House located at 1105 E. Grand Avenue, based on the above Findings of Fact and subject to the following conditions:

1. This permit authorizes the use of the subject property as a Short-Term Rental Rooming House, where rooms may be rented on a nightly or longer basis. A Rock County Lodging License is required.
2. The existing 2015 CUP and all conditions attached thereto remain in full force and effect. This specifically includes the condition stating that the CUP is not transferable to a new owner, and terminates upon Mr. Finnegan's sale of the property.
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, 2015 CUP, Application, Public Notice, Mailing List, 17 and Letter from Visit Beloit.

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 permit authorizes the use of the subject property as a Short-Term Rental Rooming House, where rooms may be rented on a nightly or longer basis. A Rock County Lodging License is required.
Substantial Evidence: This condition amends condition #2 of the 2015 CUP for the subject property, which established a minimum rental period of monthly. The Rock Co. Public Health Department requires a license for motels, hotels, B&B's, and Short-Term Rentals.
2. The existing 2015 CUP and all conditions attached thereto remain in full force and effect. This specifically includes the condition stating that the CUP is not transferable to a new owner, and terminates upon Mr. Finnegan's sale of the property.
Substantial Evidence: Mr. Finnegan is a long-time property owner in this area and has established a 5-year track record of operating a Rooming House that is compatible with the surrounding residences. Given the significant negative impacts that could result from irresponsible or negligent operation of a nightly rooming house, this condition limits the transferability of the CUP as allowed by Wis. Stat. 62.23(7)(de).
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.

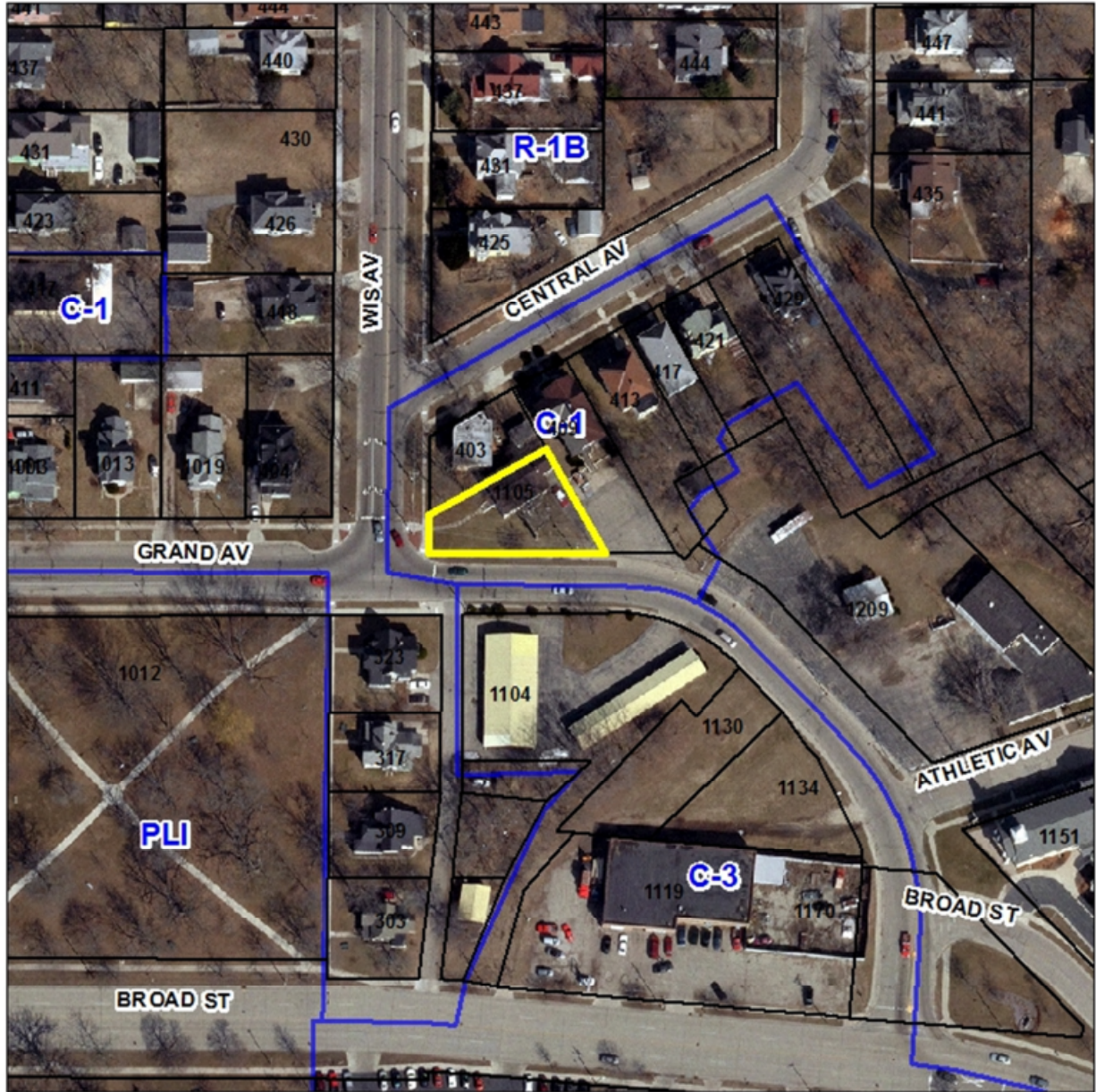
Decision: Based on the findings of fact, conclusions of law, and the record in this matter, the permit is:

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



Location & Zoning Map

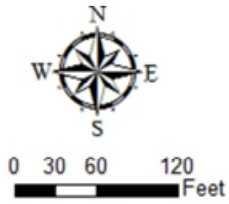
1105 East Grand Avenue

CU-2020-04



Legend

-  COB Parcels
-  Zoning District
-  1105 E Grand Ave



PLANNING AND BUILDING SERVICES DIVISION

Map prepared by: Alex Morganroth
 Date: May 28, 2015
 For: City of Beloit,
 Planning & Building Services
 Date of Aerial Photography: April 2011

Document Path: \\beloit\public\Information\GIS\MapServer\Map\Templates\and

Photos of Existing Structure (Source: Airbnb.com)



FILE# 3692

JUL 6 2015

RESOLUTION AUTHORIZING A CONDITIONAL USE PERMIT TO ALLOW A ROOMING HOUSE IN A C-1, OFFICE DISTRICT, FOR THE PROPERTY LOCATED AT 1105 EAST GRAND AVENUE

CITY OF БЕЛОИТ
CITY CLERK

WHEREAS, the application of Matt Finnegan of FPS Rental Inc., for a Conditional Use Permit (CUP) to allow a rooming house in a C-1, Office District, for the property located at 1105 East Grand Avenue, having been considered by the City Council of the City of Beloit, Wisconsin at a public hearing held for that purpose and due notice of said hearing having been given by publication as appears by the Proof of Publication on file in the office of the City Clerk.

NOW, THEREFORE, BE IT RESOLVED THAT, the City Council of the City of Beloit, Rock County, Wisconsin does hereby grant a Conditional Use Permit to allow a rooming house in a C-1, Office District, for the property located at 1105 East Grand Avenue, in the City of Beloit, for the following described premises:

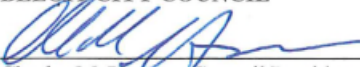
Lot 15 of Hubbards Addition except Northerly 57 feet in equal width and Easterly 50 feet.

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

1. The property owner must obtain an annual rental permit from the Community and Housing Services Division.
2. The rental term lengths for sleeping room tenants will be monthly in order to help maintain stability in the neighborhood and to prevent common problems associated with renting by the week or day.
3. The applicant will provide at least three parking spaces designated by signs for residents and guests of the rooming house, regardless of future tenant car ownership rates.
4. The owner may rent a maximum of four sleeping rooms and one efficiency.
5. The rooming house will house a maximum of five persons, including the supervisor.
6. The applicant shall adhere to all regulations, including but not limited to those found in Section 7.32 of the Property Maintenance Code and Section 8.16 of the Plumbing Maintenance Code.
7. No signs of any type may be displayed on the property.
8. A transfer in property ownership will result in the immediate expiration of the CUP.
9. If the required parking spaces for tenants are provided on a property adjacent to 1105 East Grand Avenue, the applicant needs to provide Staff with a shared parking agreement
10. If City staff receives complaints stemming from the lack of on-site management from tenants, neighboring property owners, or elected or appointed City officials, staff reserves the right to re-review the conditions of this Conditional Use Permit with the Plan Commission and City Council.
11. Any major changed 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 Planning and Building Services Director may approve minor changes administratively.

Adopted this 6th day of July, 2015.

BELOIT CITY COUNCIL


Charles M. Haynes, Council President

ATTEST:


Lorena Rae Stottler City Clerk

CU-2015-04, Matt Finnegan Rooming House, 1105 East Grand Ave

Amending CU-2015-04

CITY of BELOIT
Planning and Building Services Division

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

Conditional Use Permit Application

(Please Type or Print)

File Number: CU-2020-04

1. Address of subject property: 1105 East Grand Beloit, WI

2. Legal description: SEE ATTACHED

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

Property dimensions are: _____ feet by _____ feet = _____ square feet.

If more than two acres, give area in acres: 1 acres.

3. Tax Parcel Number(s): 204 1344-0240

4. Owner of record: FPS Rental Inc. Phone: 608-751-2915

PO Box 41 Beloit, WI 53512-0041
(Address) (City) (State) (Zip)

5. Applicant's Name: Josue Sandoval

625 Wisconsin Beloit WI 53511
(Address) (City) (State) (Zip)

(Office Phone #) (Cell Phone #) (E-mail Address)

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

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

A Conditional Use Permit for: short term Rental
in a(n) C-1 Zoning District.

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

Principal use: short-term Rental / Residential

Secondary use: NONE

Accessory use: NONE

9. Project timetable: Start date: _____ Completion date: _____

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

- () Owner
- () Leasehold, length of lease: None
- () Contractual, nature of contract: _____
- () Other, explain: _____

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

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

[Signature] / Matthew L. Finnegan / 3/24/2020
 (Signature of Owner) (Print name) (Date)

[Signature] / Jose Sanbaral / 4/01/2020
 (Signature of Applicant, if different) (Print name) (Date)

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

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

To be completed by Planning Staff

Filing fee: **\$275.00** Amount paid: \$275.⁰⁰ Meeting date: May 20, 2020

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

Application accepted by: [Signature] Date: 4/21/20



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

May 6, 2020

To Whom It May Concern:

Josue Sandoval has filed an application to amend a Conditional Use Permit (CUP) to allow nightly rental of the rooms in the Rooming House located at **1105 E. Grand Avenue**.

In 2015, the City Council issued a Conditional Use Permit (CUP) to allow a Rooming/Boarding House in a C-1, Office District, for the subject property. Condition #2 of the CUP requires the minimum stay to be monthly, as that was the applicant's plan at the time and the subject property is located in a mostly residential area. The applicant is seeking to remove condition #2 in order to offer rooms for rent on a nightly basis.

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

City Plan Commission: Wednesday, May 20, 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, June 1, 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-2020-04, 1105 E. Grand Ave, Rooming House Amendment

Bruce Greenfield
1720 Stratford Ln
Rockford, IL 61107

Richard W & Suanna L Douglas
425 Wisconsin Ave
Beloit, WI 53511

Aaron M & Jessica S Fox- Wilson
421 Central Ave
Beloit, WI 53511

Josue & Priscilla Sandoval
625 Wisconsin Ave
Beloit, WI 53511

Fulgencio Rivera
2116 Central Ave
Cicero, IL 60804

FPS Rental Inc
PO Box 41
Beloit, WI 53511

Emmanuel Baptist Church
1151 E Grand Ave
Beloit, WI 53511

Gary K Weinkauff
1822 Emerson St
Beloit, WI 53511

Jose L & Christina B Cruz
317 Wisconsin Ave
Beloit, WI 53511

Douglas A Cash
PO Box 1317
Beloit, WI 53511



Visit Beloit
Celestino Ruffini
25 Eclipse Ctr.
Beloit, WI 53511

May 11, 2020

City of Beloit
Drew Pennington
100 State St.
Beloit, WI 53511

Dear Drew,

This letter is being submitted regarding the proposed amendment to the Conditional Use Permit (CUP) for the rooming house at 1105 East Grand Avenue in the City of Beloit.

The CUP was originally approved with the condition that the applicant only allow monthly or longer rental terms to tenants. I have been notified that there is a proposed amendment to the CUP to allow short-term rentals (STR) of transient guests at this property.

As the tourism entity for the City of Beloit, Visit Beloit actively monitors the local STR market. This proposed amendment allows us the opportunity to restate the necessary steps any business owner must go through to abide by local rules and ordinances to become an active STR property to visitors. Moreover, the availability of transient housing for visitors in Beloit is indeed important to our industry. Visitors to our city seek a variety of accommodations including hotels, motels, bed and breakfasts, and STR properties. Nonetheless, STR properties must be effectively monitored and managed for them to be a successful contributor to the tourism economy.

It is imperative that all STR properties in the city, including this applicant, at minimum abide by ordinance #2076 Room Tax, ordinance #3386 Regulating Hotels, Motels, Inns and Other Transient Lodging Facilities, all necessary Rock County lodging establishment licenses and fees, city business permits, registration with the city finance department for remitting room taxes, and any other requirements that may be imposed by local governmental entities.

On behalf of the tourism industry in Beloit, we are always appreciative of local business owners who are looking to grow the visitor economy. If all the necessary steps are followed by this business owner, then we would welcome promoting their business to potential visitors.

Sincerely,

Celestino Ruffini
CEO, Visit Beloit



REPORT TO THE PLAN COMMISSION

Plan Commission Meeting Date: May 20, 2020

Agenda Item: 4.a.

File Number: CSM-2020-10

General Information

Applicant: R.H. Batterman

Owner: Jeffery H & Yvonne W Wam

Address/Location: Parcel Numbers -6-2-2051.1 & 2051.4 on Ravine Drive

Applicant's Request: The applicant has proposed a 2-Lot Certified Survey Map (CSM) for Ravine Drive in the Town of Beloit.

Staff Analysis

Existing Conditions: The current use of the area covered by this CSM is vacant platted land.

Proposed Land Division: The intent of the proposed CSM is to take the two lots and reconfigure them to each be larger and more equally sized for future single-family homes. The applicant is in the process of vacating excess right-of-way to be included in the proposed lots.

Surrounding Land Use and Zoning: There are residential uses to the north and west of the subject property. The properties to the north and west are zoned R-1, Single-Family Residential. To the south and west, there are vacant wooded forest uses zoned A-2, General Agriculture. All adjunct lands are 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 we have received the following comment:

- Alliant Energy has overhead electric facilities within this vacation area. We will maintain our right-of-way rights within this zone. It does appear to me that Lot 2 may be unbuildable due to the existing location of our poles. Any relocation will be at the cost of the landowner.

STAFF RECOMMENDATION:

The Planning & Building Services Division recommends approval of the attached 2-Lot Certified Survey Map (CSM) for the properties located on Ravine Drive 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.

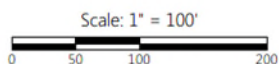
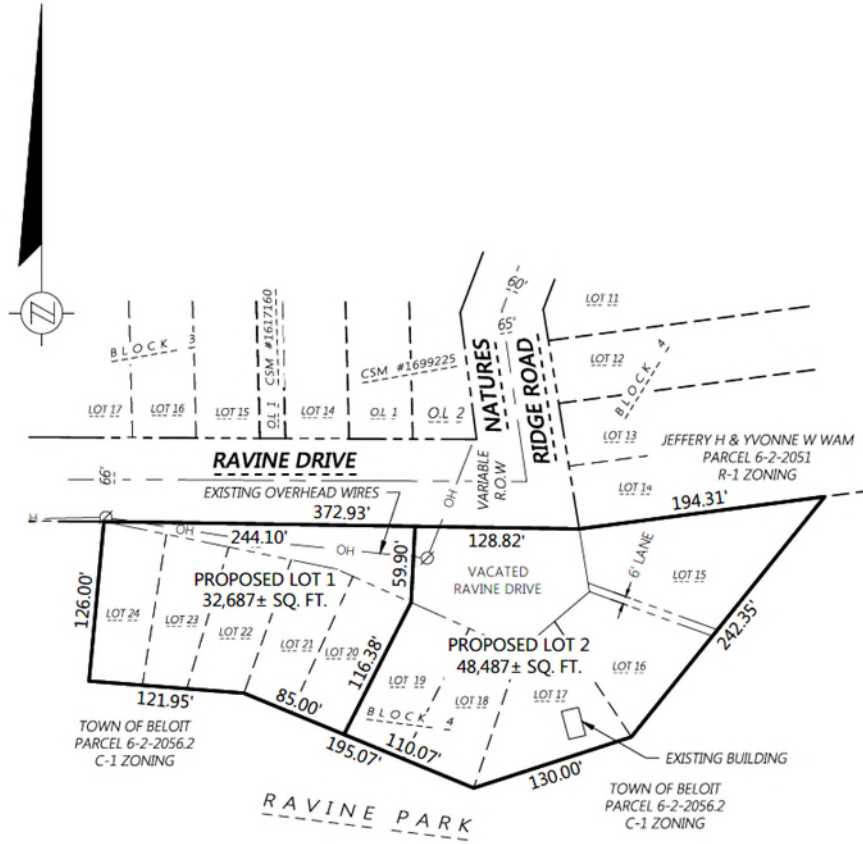
ATTACHMENTS: Location Map, Preliminary Certified Survey Map, Plat of Vacation, Application, and Resolution.

LOCATION MAP



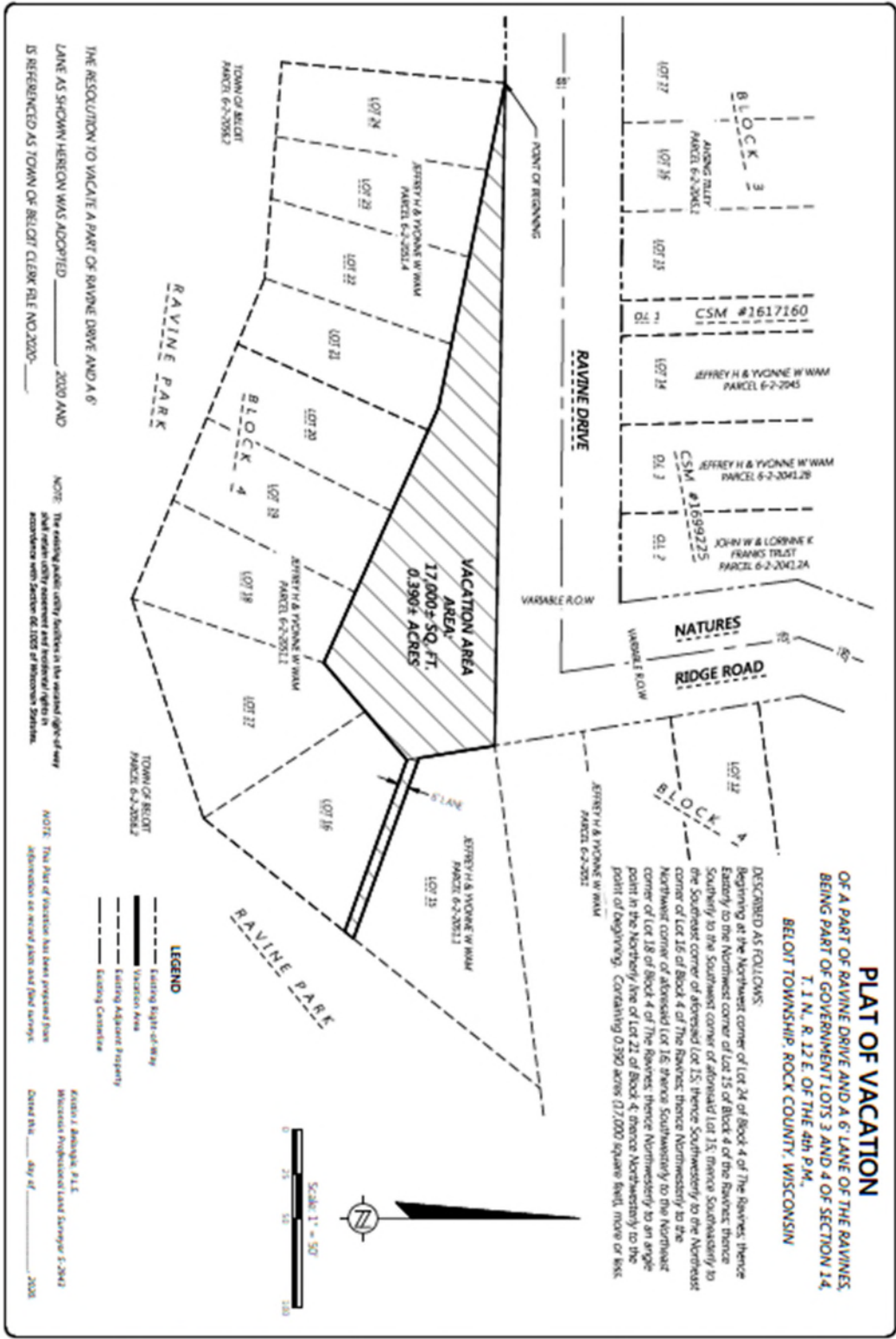
PRELIMINARY CERTIFIED SURVEY MAP

OF LOTS 15 THROUGH 24, BLOCK 4 OF THE RAVINES AND
VACATED RAVINE DRIVE AND 6' LANE, BEING PART OF
GOVERNMENT LOTS 3 AND 4 OF SECTION 14, T. 1 N., R. 12 E., OF
THE 4TH P.M., BELOIT TOWNSHIP, ROCK COUNTY, WISCONSIN.



ORDER NO: 33432 FIELD CREW: n/a DRAWN BY: KJB DATE: March 11, 2020	FOR THE EXCLUSIVE USE OF: JEFFERY H WAM 2511 S NATURES RIDGE ROAD BELOIT, WI 53511	Batterman engineers surveyors planners 2857 Bartells Drive Beloit, Wisconsin 53511 608.365.4464 www.rhbatterman.com
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File Name: J:\33432-33499\33432 - Jeff Wam - PDS\SURVEY\9H8 DRAWING FILES



PLAT OF VACATION
 OF A PART OF RAVINE DRIVE AND A 6' LANE OF THE RAVINES,
 BEING PART OF GOVERNMENT LOTS 3 AND 4 OF SECTION 14,
 T. 1 N., R. 12 E. OF THE 4th P.M.,
 BELLOTT TOWNSHIP, ROCK COUNTY, WISCONSIN

DESCRIBED AS FOLLOWS:
 Beginning at the Northwest corner of Lot 24 of Block 4 of The Ravines; thence Eastward to the Northwest corner of Lot 15 of Block 4 of the Ravines; thence Southward to the Southwest corner of adjacent Lot 15; thence Southward to the Southeast corner of adjacent Lot 15; thence Southward to the Northeast corner of Lot 16 of Block 4 of The Ravines; thence Northward to the Northwest corner of adjacent Lot 16; thence Southward to the Northeast corner of Lot 18 of Block 4 of The Ravines; thence Northward to an angle point in the Northern line of Lot 21 of Block 4; thence Northward to the point of beginning. Containing 0.390± acres (17,000± square feet), more or less.



- LEGEND**
- Existing Right-of-Way
 - Vacation Area
 - Existing Adjacent Property
 - Existing Centerline

THE RESOLUTION TO VACATE A PART OF RAVINE DRIVE AND A 6' LANE AS SHOWN HEREON WAS ADOPTED _____ 2020 AND IS REFERENCED AS TOWN OF BELLOTT CLEAR FILE NO.2020-_____

NOTE: The existing utility facilities in the vacated right-of-way shall remain in place and shall be maintained in accordance with Section 10.0205 of Wisconsin Statutes.

NOTE: This Plat of Vacation has been prepared from information as received from plan and field surveys.

EXCERPT FROM MAP #112
 Wisconsin Professional Land Surveyor 5-2942
 David R. ... day of ... 2020

ORDER NO: 31432 PLO DRAWN BY: KIB	FOR EXCLUSIVE USE OF: Jeffrey H. Wam 2511 S. Natures Ridge Rd. BELLOTT, WI 53511	PLAT OF VACATION	 engineers surveyors planners 2027 North Drive Beloit, Wisconsin 53511 608.735.4644 www.Ballman.com
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CITY of BELOIT
Neighborhood Planning Division

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

Application for Review of a Minor Subdivision

(Please Type or Print)

File Number: CSM-2020-109

1. Address of property: Ravine Drive
2. Tax Parcel Number(s): 6-2-2051.1 & 2051.4
3. Property is located in (circle one): City of Beloit or Town of: Turtle; Beloit; Rock or LaPrairie
 In the Quarter of Section 14, Township 1 North, Range 12 East of the 4th P.M.
4. Owner of record: Jeffery H & Yvonne W Wam Phone: 608-751-3661
2511 S Natures Ridge Road Beloit WI 53511
(Address) (City) (State) (Zip)
5. Surveyor's name: R.H. Baterman & 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 lot(s).
7. Total area of land included in this map: 1.8 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: R-1 (Town of Beloit)
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 March 19, 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] / JEFF GARNE PLS / 4/14/2020
(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>\$170</u>
Scheduled meeting date: <u>May 20, 2020</u>	
Application accepted by: <u>Draw Pennington</u>	Date: <u>4/29/20</u>



R.H. Batterman and Co., Inc.
2857 Bartells Drive
Beloit, WI 53511
P 608.365.4464
F 608.365.1850

March 12, 2020

Town of Beloit
2445 S. Afton Road
Beloit, WI 53511

Re: Plat of Vacation and Certified Survey Map Submittal
RHB Project #33432

To Whom It May Concern:

Attached please find the following formal submittal materials for the Vacation of a part of Ravine Drive and subsequent Certified Survey Map to consolidate the platted lots and vacated portion of Ravine Drive.

- 1.) Plat of Vacation with Legal Description of Part of Ravine Drive and Adjacent 6' Lane
- 2.) Signed Petition for Vacation and Fee
- 3.) Preliminary Certified Survey Map
- 4.) Town of Beloit Certified Survey Map/Land Division Application and Fee
- 5.) Town of Beloit Checklist for Land Division.

Please add the requests on your next available meeting agenda(s).

The appropriate Certified Survey Map submittals to the City of Beloit and Rock County Planning, Economic & Community Development Agency are being submitted simultaneously.

If you have any questions or need anything further, please let us know. Thank you.

R. H. BATTERMAN & CO., INC.
Engineers - Surveyors – Planners

Jeff Garde, PLS

pc: Jeffery H & Yvonne W Wam
Rock County Planning, Economic & Community Development Agency
City of Beloit

www.rhbatterman.com

RESOLUTION
APPROVING A TWO-LOT CERTIFIED SURVEY MAP
FOR PROPERTIES LOCATED ON RAVINE DRIVE

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 two-lot Certified Survey Map for the properties located on Ravine Drive, containing 1.8 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 two-lot Certified Survey Map, which pertains to the following described land:

OF LOTS 15 THROUGH 24, BLOCK 4 OF THE RAVINES AND VACATED RAVINE DRIVE AND 6’ LANE, BEING PART OF GOVERNMENT LOTS 3 AND 4 OF SECTION 14, T. 1 N., R. 12 E., OF THE 4TH P.M., BELOIT TOWNSHIP, ROCK COUNTY, WISCONSIN.

NOW, THEREFORE, BE IT RESOLVED THAT the Plan Commission of the City of Beloit does hereby conditionally approve the attached two-lot Certified Survey Map for the properties located on Ravine Drive, 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 20th day of May, 2020.

Plan Commission

Timothy Weeden
Plan Commission Chairman

ATTEST:

Julie Christensen
Community Development Director