



**PUBLIC NOTICE & AGENDA
BELOIT PLAN COMMISSION
City Hall Forum - 100 State Street, Beloit, WI 53511
7:00 PM
Wednesday, April 7, 2021**

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Members of the media or the public may participate in the open session portion of this agenda by calling 1 (312) 757-3121, access code 981-776-053. 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, April 7, 2021.

1. CALL TO ORDER AND ROLL CALL
2. MINUTES
 - 2.a. Consideration of the minutes of the March 17, 2021 Plan Commission meeting
[Attachment](#)
3. PUBLIC HEARINGS
 - 3.a. Consideration of a Conditional Use Permit to allow self-service storage in the C-3, Community Commercial District, for the property located at 2761 Prairie Avenue
[Attachment](#)
 - 3.b. Consideration of a Conditional Use Permit to allow outdoor events along with the possession, sales and consumption of alcohol in the M-2, General Manufacturing District, for the Ironworks Golf Lab located at 625 Third Street with events being held at 701 Third Street
[Attachment](#)
 - 3.c. Consideration of an amendment to the approved Planned Unit Development (PUD) Master Land Use plan for the property located at 200 W Grand Avenue to allow offices on the first floor
[Attachment](#)
 - 3.d. Consideration of an Ordinance to amend Section 6.3.4(d) of the Zoning Ordinance, Chapter 19 of the Code of General Ordinances of the City of Beloit pertaining to attached garage floor area
[Attachment](#)
4. REPORTS
 - 4.a. Consideration of a request to attach the property located at 2021 E Ridge Road to the City of Beloit from the Town of Turtle

Attachment

5. STATUS REPORT ON PRIOR PLAN COMMISSION ITEMS

Zoning Map Amendment for 2315 Prairie Avenue

Conditional Use Permit for 850 Pleasant Street

Zoning Map Amendment for 2222 Canterbury Drive

Zoning Map Amendment for 3155 Prairie Avenue

Sign Ordinance Exception for 2911 Milwaukee Road

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, March 17, 2021

1. CALL TO ORDER AND ROLL CALL

Meeting was called to order at 7:00 PM. Chairman Weeden, Commissioners Robson, Toral, Finnegan, Ramsden, Ruster, and Councilor Preuschl were present.

2. MINUTES

2.a. Consideration of the minutes of the March 3, 2021 Plan Commission meeting

A motion was made by Commissioner Robson, seconded by Commissioner Ruster to approve the minutes, as submitted. Motion carried, roll call vote.

3. PUBLIC HEARINGS

3.a. Consideration of a Conditional Use Permit to allow the sales, possession, and consumption of alcoholic beverages in a PLI, Public Lands and Institutions District, for the property located at 850 Pleasant Street (Beloit College Powerhouse)

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

Commissioner Robson asked if they would be selling just wine and beer or all alcoholic beverages. Ms. Christensen stated she is not sure what kind of Alcohol License the applicant is applying for, and that would be handled through the Alcohol Committee. Councilor Preuschl asked if the applicant needs the Conditional Use Permit (CUP) to apply for the Alcohol License. Ms. Christensen stated the applicant does need to have the CUP prior to applying for the alcohol license. Commissioner Weeden indicated that he was concerned about whether they would be selling alcohol around the athletic events, as that is not allowed under NCAA rules. Councilor Preuschl commented that he thought they wanted to be able to have alcohol at special events. Ms. Christensen stated that Plan Commission is really evaluating if alcohol uses are acceptable here based on the Findings of Fact.

Commissioner Weeden opened and closed the public hearing.

Motion was made by Commissioner Robson to approve the CUP to allow the sales, possession, and consumption of alcoholic beverages in a PLI District, seconded by Commissioner Ramsden. Motion carried, roll call vote. Commissioner Toral works for Beloit College, so he abstained from the vote. (4-1-1)

4.a. **Consideration of an amendment to the zoning map from R-1A, Single Family Residential District, to R-1B, Single Family Residential District, for the property located at 2222 Canterbury Drive**

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

Commissioner Robson asked about the comment from the Murray family about the density, and the one way in and out of the development. She asked if the Fire Department had reviewed this plat. Ms. Christensen stated the Fire Department has looked into this and are agreeable to the two cul-de-sacs. The development is laid out as proposed in order to preserve the environmental features of the land itself, specifically the floodplain and natural drainage areas. In addition, to construct a street through this site would be expensive and would not result in a lot layout. Ms. Christensen stated that the long dead-end is a pre-existing condition. The developer is not improving the situation, but they are also not making it any worse. If it becomes problematic, perhaps the City could provide an access point through the park.

Commissioner Robson stated that it is a good idea to not have a through street because people would take shortcuts through the neighborhood.

Ms. Christensen stated the water main will run through the site through a twenty foot easement, and the City is proposing a street name change from Deer Path Way to Coyote Court. The name change would need to be approved by City Council, and residents would be notified of the change. The post office is requiring cluster mailboxes in new subdivisions.

Commissioner Robson asked if the children would be attending the Beloit School District. Ms. Christensen stated the proposed lots are located in the Beloit School District. Commissioner Ramsden asked who will be maintaining the open space between the two cul-de-sacs because it looks unsightly. Ms. Christensen stated that the developer will be responsible for maintenance.

Commissioner Weeden opened the public hearing.

Frank McKearn, 2857 Bartells Drive, Engineer at Battermans, explained that Outlot 3, as presented, is for woodland preservation and storm water management. It will be owned and maintained by the home owners association, and the intent is to save the two large oak trees.

Commissioner Weeden closed the public hearing.

Motion was made by Commissioner Robson to approve the Zoning Map Amendment for 2222 Canterbury Drive, seconded by Commissioner Ramsden. Motion carried, roll call vote. (6-0)

4.b. **Consideration of a Resolution approving the Preliminary Plat of Deerfield Estates Second Addition for the property located at 2222 Canterbury Drive**

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

Commissioner Weeden opened and closed the public hearing.

Motion was made by Commissioner Robson, seconded by Commissioner Ruster to approve the Resolution. Motion carried, roll call vote. (6-0)

4.c. **Consideration of an amendment to the zoning map from M-2, General Industrial District, to C-3, Community Commercial District, for the property located at 3155 Prairie Ave**

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

Commissioner Weeden opened the public hearing.

Seth Waddell, Real estate manager with Kwik Trip, stated they look forward to coming to Beloit and getting the C-3 zoning approved will help move the project forward. Councilor Preuschl was wondering what they will be bringing to Beloit. Mr. Waddell stated there will be 9,500 square foot in the building with the car wash, canopy for 20 fueling locations, and a side diesel canopy.

Commissioner Weeden closed the public hearing.

Motion was made by Commissioner Finnegan, seconded by Commissioner Ruster to approve the zoning map amendment. Motion carried, roll call vote. (6-0)

4. **STATUS REPORT ON PRIOR PLAN COMMISSION ITEMS**

Ms. Christensen stated that the City Council approved the annexation plat for 1945 Prairie Avenue and the Comprehensive Plan Amendment for 3155 Prairie Avenue. For the ordinance amending the Zoning Map for 2315 Prairie Avenue, City Council held a public hearing and first reading. The next Plan Commission meeting is scheduled for April 7, 2021.

5. **ADJOURNMENT**

Motion made by Commissioner Ruster, and seconded by Commissioner Robson to adjourn. Motion carried, roll call vote. (6-0) Meeting was adjourned at 7:45 PM.



REPORT TO THE PLAN COMMISSION

Plan Commission Meeting Date: April 7, 2021

Agenda Item: 3.a.

File Number: CU-2021-02

General Information

Applicant: Larkspur Acquisitions LLC

Owner: 2761 Prairie Avenue LLC (Larkspur Acquisitions has a signed offer to purchase)

Address/Location: 2761 Prairie Avenue

Applicant's Request: Larkspur Acquisitions LLC and 2761 Prairie Avenue LLC, have filed an application for a Conditional Use Permit to allow indoor self-service storage in a C-3, Community Commercial District.

Staff Analysis

Existing Conditions: Located on the northeast side of the City, the subject property is the previous Shopko building with two access points - one off Prairie and the other off West Hart Road. The property consists of 8.6 acres and includes an oversized parking lot.

Surrounding Land Use and Zoning: To the north is vacant land and Beloit Memorial Hospital zoned C-3, Community Commercial, and PLI, Public Lands and Institutions. To the east is vacant land zoned PUD, for residential development. To the south is a strip mall with retail and restaurant uses zoned C-3, Community Commercial. To the west is KFC, Pizza Hut, and single-family residences zoned C-3, Community Commercial and R-1A, Single-Family Residential.

Proposed Use: As shown on the attached elevations and building layout, the applicant has proposed to reuse the existing commercial structure to create a variety of indoor self-service storage options with an office and potentially drive-in access for ease of loading and unloading.

City of Beloit Comprehensive Plan: The City's Comprehensive Plan recommends *Planned Mixed Use* for the subject property. This request and the underlying zoning classification are consistent with this recommendation.

Municipal Utilities: The subject property receives the full range of municipal services.

Review Agent Comments: A copy of the application was sent to the City of Beloit Staff, and they have the following comments:

Fire Department:

Since this is the old Shopko store, a storage use is a change of occupancy use type from Mercantile to Storage

or mixed use depending on the use plan. It will, therefore, need to have all of the fire protection systems (sprinklers and alarms) reviewed for compliance with current code. This review should include an evaluation of any rated fire separation requirements between Shopko and Shopko Mall. There is also an impaired private hydrant at the southeast corner of this property that needs repair.

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;*
 - Subject to certain conditions of approval, the proposed conditional uses will not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare. Staff is recommending conditions of approval to address fire suppression and interior air quality. In addition, the Zoning Ordinance does not allow any outdoor storage on-site.
- 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 conditional use will not be injurious to the use and enjoyment of other property in the immediate vicinity. The storage use is not expected to generate noise, odor, or glare which will affect nearby properties. Studies have indicated that property values are not negatively impacted by self-service storage uses.
- c. *Whether the conditional use will substantially diminish or impair property values within the neighborhood of the subject property;*
 - The property is currently vacant and will reuse an existing building which should have a positive impact on adjacent businesses. Studies indicate the property values tend to be slightly higher adjacent to self-service storage facilities.
- d. *Whether the establishment of the conditional use will impede the normal and orderly development and improvement of the surrounding property;*
 - The majority of the surrounding area is already developed but the approval of the conditional use will not impede the development of the vacant lots to the north and east of the subject property.
- 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 proposed exterior improvements will be reviewed for compliance with the architectural review and landscape code.
- 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 use is not anticipated to increase traffic congestion and the site has more than adequate parking.
- 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.

STAFF RECOMMENDATION:

The Planning and Building Services Division recommends **approval** of a Conditional Use Permit to allow indoor self-service storage in a C-3, Community Commercial District., for the property located at 2761 Prairie Avenue, based on the above Findings of Fact and subject to the following conditions:

1. This Conditional Use Permit authorizes indoor self-service storage for the property located at 2761 Prairie Avenue.
2. 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 and 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. Section 8-103 of the Zoning Ordinance requires 2 parking stalls plus 1 stall per 4 storage units on the property.
2. Section 8-600 of the Zoning Ordinance prohibits outdoor storage of any kind.
3. Due to the change in occupancy, the applicant shall comply with SPS 361-366 and Chapter 9 of the Building Code. Specifically, the applicant shall submit fire suppression and HVAC plans to the Wisconsin Department of Safety and Professional Services (DSPA) for approval prior to starting construction.
4. Chapter 34 of the City of Beloit Municipal Code requires the applicant to obtain an Architectural Review Certificate before starting construction.
5. The City of Beloit Building Code (Chapter 9) requires the applicant to obtain a Building Permit by submitting plans that reflect the review agent comments.

ATTACHMENTS: CUP Decision Form, Site Plan, Application, Public Notice, and 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. Section 8-103 of the Zoning Ordinance requires 2 parking stalls plus 1 stall per 4 storage units on the property.
 - **Substantial Evidence:** Section 8-100 of the Zoning Ordinance requires compliance with the parking standards for any new development.
2. Section 8-600 of the Zoning Ordinance prohibits outdoor storage of any kind.
 - **Substantial Evidence:** Section 8-600 of the Zoning Ordinance prohibits outdoor storage of any kind for C-3, Community Commercial District zoned properties.
3. Due to the change in occupancy, the applicant shall comply with SPS 361-366 and Chapter 9 of the Building Code. Specifically, the applicant shall submit fire suppression and HVAC plans to the Wisconsin Department of Safety and Professional Services (DPS) for approval prior to starting construction.
 - **Substantial Evidence:** Section 9.06(c) of the Building Code and Wisconsin Administrative Code, SPS 361-366 require any change in use must conform with all the requirements for the new use. Therefore, the proposed uses may have implications for fire suppression systems, air handling and quality, and separation.
4. Chapter 34 of the City of Beloit Municipal Code requires the applicant to obtain an Architectural Review Certificate before starting construction. The City of Beloit Building Code (Chapter 9) requires the applicant to obtain a Building Permit by submitting plans that reflect the review agent comments.
 - **Substantial Evidence:** The Architectural Review Code requires review and approval of all exterior changes to commercial buildings. There are no active permits or approvals in place for this project. Chapter 9 requires submittal of a building permit. The plan submitted shall address the review comments.

Does the applicant meet **all** of the ordinance requirements? Yes No

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.

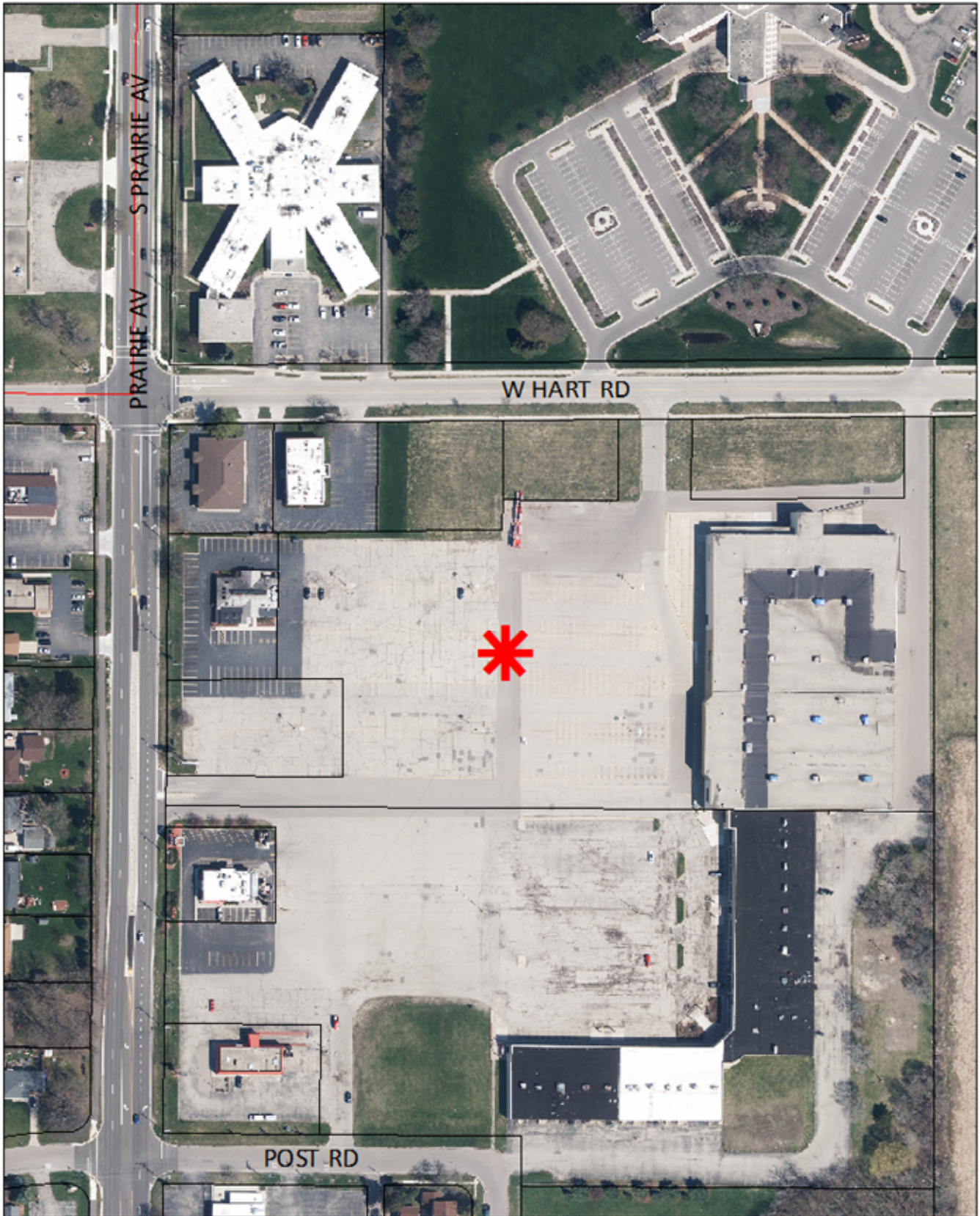
List conditions imposed on the permit:

1. This Conditional Use Permit authorizes indoor self-service storage for the property located at 2761 Prairie Avenue.
 - **Substantial Evidence:** Self-service storage facilities require a Conditional Use Permit (CUP) in the C-3, Community Commercial, district, and this condition articulates that the proposed uses are deemed appropriate at this location.
2. 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:

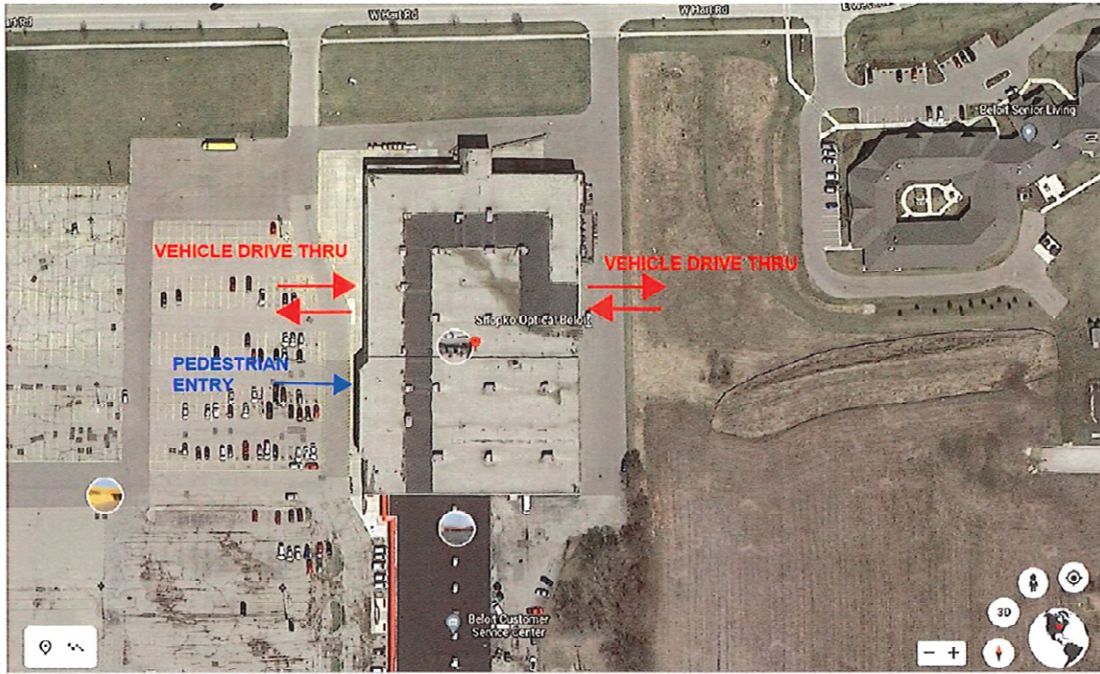
- Approved, with the conditions stated above
 Denied, for the following reasons:

Location Map











FEB 23 REC'D

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: CW-2021-02

- 1. Address of subject property: 2761 Prairie Ave
- 2. Legal description: LOT 3 CSM VOL 29 PGS 38-40

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: 8.603 acres.

- 3. Tax Parcel Number(s): 21861800
- 4. Owner of record: 2761 Prairie Ave LLC Phone: _____
600 N. Plankinton Ave, STE 301 Milwaukee WI 53203
(Address) (City) (State) (Zip)

- 5. Applicant's Name: Larkspur Acquisitions LLC
10800 Biscayne Blvd, STE 300 Miami FL 33161
(Address) (City) (State) (Zip)
(786) 540-4130, (917) 992-5292, David.Bernstein@Larkspurprop.com
(Office Phone #) (Cell Phone #) (E-mail Address)

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

- 7. **THE FOLLOWING ACTION IS REQUESTED:**
A Conditional Use Permit for: Self-Service storage facility
in a(n) C-3 Zoning District.

- 8. All the proposed use(s) for this property will be:
Principal use: Indoor Climate-controlled Self-service storage
Secondary use: _____
Accessory use: _____

City of Beloit Conditional Use Permit Application Form (continued)

9. Project timetable: Start date: August 2021 Completion date: August 2022

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: Purchase
 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] / Joseph Ticher / 2-23-21
 (Signature of Owner) (Print name) (Date)
[Signature] / DAVID Benschic / 2-18-21
 (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: April 7, 2021
 No. of notices: _____ x mailing cost (\$0.50) = cost of mailing notices: \$ _____
 Application accepted by: Don Pennington Date: FEB 26 REC'D

FEB 26 REC'D

2761 Prairie Avenue LLC
c/o Raider Hill Advisors, LLC
757 Third Avenue, 15th Floor
New York, New York 10017

February 23, 2021

City of Beloit
100 State Street
Beloit, WI 53511

RE: Consent from 2761 Prairie Avenue LLC ("Owner") to Conditional Use Permit Application ("Application") to allow that certain real property owned by Owner and located at 2761 Prairie Avenue, Beloit, Wisconsin (the "Property") to be used as a self-service storage facility.

To Whom it May Concern:

As you are aware, Owner is under contract to sell the Property to Larkspur Acquisitions, LLC, a Florida limited liability company ("Proposed Buyer"). In connection therewith, Proposed Buyer has requested that Owner prepare and sign a letter consenting to amending the use for the Property as set forth in the Application, such that the Property may be used as a self-service storage facility (the "Proposed Use") in addition to the current use of the Property as retail (the "Current Use").

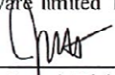
Please allow this letter (the "Letter") to serve as a written consent from Owner consenting to the Application to allow the Property to be used for the Proposed Use, in addition to the Current Use. Please note that the Owner does not consent to prohibiting or otherwise limiting the Current Use of the Property, and that the purpose of this Letter is solely to consent to authorizing the Property to be used for the Proposed Use, in addition to the Current Use.

[remainder of page intentionally left blank; signature page to follow]

To the extent that you have any questions or require anything further from Owner in connection with the Application to authorize the Proposed Use, please reach out to Mariam Keramati (mkeramati@beneschlaw.com). Thank you for your consideration.

Very truly yours,

2761 PRAIRIE AVENUE LLC,
a Delaware limited liability company

By: 
Name: Joseph Tichar
Title: Authorized Signatory



CITY HALL • 100 STATE STREET • BELOIT, WI 53511
Office: 608/364-6700 • Fax: 608/364-6609
www.beloitwi.gov
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NOTICE TO THE PUBLIC

March 18, 2021

To Whom It May Concern:

Larkspur Acquisitions LLC, has filed an application for a Conditional Use Permit to allow indoor self-storage in a C-3, Community Commercial District, for the property located at:

2761 Prairie Avenue

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

City Plan Commission: Wednesday, April 7, 2021, 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, April 19, 2021, at 7:00 PM, or as soon thereafter as the matter can be heard in The Forum, Beloit City Hall, 100 State Street.

THE PUBLIC IS INVITED TO ATTEND THESE HEARINGS.

We are interested in your opinion.*

***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 rottmannh@beloitwi.gov. Public comments and public input for the public hearing will be required, in writing, by noon on the day of the meeting. You may also call (608) 247-2965 to provide your comments over the phone. In-person attendance at Commission and Council meetings will be limited.**

Beloit Memorial Hospital
1969 W Hart Rd
Beloit, WI 53511-2230

Lloyd B. Smith
2953 Echo Park Dr
Castle Rock, CO 80104

Cool Investment, LLC
4241 N Winfield Scott Plaza Ste 201
Scottsdale, AZ 85251

Chambers IV, LLC
2916 N Hall Rd
Whitewater, WI 53190

LB Financial Services, LLC
3817 W Rollingwood Dr
Janesville, WI 53435

Sally M. Curry
2759 Scotties Dr
Beloit, WI 53511

Siepert & Co, LLP
1920 W Hart Rd
Beloit, WI 53511-2231

Mayra Esquivel
2751 Scotties Dr
Beloit, WI 53511

Bursinger Revocable Trust
2719 Sarah Ln
Beloit, WI 53511

Larry S. Hansen Vickie A. Hansen
2743 Scotties Dr
Beloit, WI 53511

Store Master Funding VI LLC
8377 E Hartford Dr Ste 100
Scottsdale AZ 85255-5686

D M D Investment, Inc
1613 Fairfield Trail
Belvidere, IL 61008

MMMSE Hill LP
4910 Campus Dr
New Port Beach CA 92660

SH Properties, Inc
3557 Eagles Ridge Dr
Beloit, WI 53511

La Management, LLC
822 Stanford Ave
Los Angeles, CA 90021



REPORT TO THE PLAN COMMISSION

Plan Commission Meeting Date: April 7, 2021

Agenda Item: 3.b.

File Number: CU-2021-03

General Information

Applicant: The Beloit Club LLC d/b/a Ironworks Golf Lab

Owner: Hendricks Commercial Properties LLC

Address/Location: 625 Third Street & 701 Third Street

Applicant's Request: Conditional Use Permit (CUP) to allow outdoor entertainment events with the possession, sale, and consumption of alcoholic beverages in the M-2, General Manufacturing, zoning district.

Background

The Beloit Club LLC is requesting a CUP to allow outdoor entertainment events with the possession, sale, and consumption of alcoholic beverages in the M-2, General Manufacturing zoning district. The applicant would like to be able to host during the summer months three annual dinners, one annual art and music event, and one annual concert on the Ironworks Spine driveway. The applicant is also requesting an extension of premises liquor license.

Staff Analysis

Existing Conditions: Located just west of the downtown along the Rock River, the subject property is the Ironworks Campus. 701 Third Street is a private driveway with some parking spaces located alongside it called the Spine Road. 625 Third Street is the Ironworks Golf Lab. This is the entity that will be extending its alcohol license to accommodate these events.

Surrounding Land Use and Zoning: To the north is Beloit Box Board and Stainless Tank and Equipment zoned M-2, General Manufacturing. To the east is the Rock River. To the south is the Stateline Family YMCA zoned M-2, General Manufacturing. To the west is a City-owned parking lot zoned CBD-1, Central Business District-Core.

Proposed Use: The attachments submitted with the application identify where the outdoor events will be held. The identified location is a private road known as the Spine Road.

City of Beloit Comprehensive Plan: The City's Comprehensive Plan recommends *General Industrial* for the subject property. This request and the underlying zoning classification are consistent with this recommendation.

Municipal Utilities: The subject property receives the full range of municipal services.

Review Agent Comments: A copy of the application was sent to the City of Beloit Staff, and they have no comments.

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 events will occur in the middle of a bustling urban environment that includes noise, glare, and heavy foot traffic. The proposed events will comply with the noise ordinance.
 - The applicant has worked with the Fire Department to ensure that an emergency access lane will be provided at all times.
- b. *Whether the conditional use will be injurious to the use and enjoyment of other property in the immediate vicinity for purposes already permitted;*
 - Although some property owners may find the events disruptive, it will be temporary. All adjacent property owners have been notified of the request.
- c. *Whether the conditional use will substantially diminish or impair property values within the neighborhood of the subject property;*
 - On the contrary, the outdoor events held will increase visibility and foot traffic to adjacent businesses.
- 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 and these temporary events will not impede development.
- 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 property at 625 Third Street is a unique adaptive reuse structure and not like any other adjacent properties. Staff does not believe the conditional use will depreciate the property values of neighboring properties.
- 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;*
 - The existing nearby public and private parking lots will provide sufficient off-street parking, and the bike/pedestrian bridge further enhances the accessibility of the site. As requested by the Fire Department, the applicant will maintain a Fire Lane.
 - Pedestrian access will be maintained along the southern public sidewalk to/from the public walking bridge.
- g. *Whether adequate measures will be taken to minimize traffic congestion; and*
 - Most attendees will be parking in nearby lots and walking 1-3 blocks to the event. The applicant will work with adjacent business owners to avoid traffic issues.
- 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.

STAFF RECOMMENDATION:

The Planning & Building Services Division recommends **approval** of a Conditional Use Permit to allow outdoor entertainment events with the possession, sale, and consumption of alcoholic beverages in a M-2, General Manufacturing zoning district for the IronWorks property located at 625 and 701 Third Street, based on the

above Findings of Fact and subject to the following conditions:

1. This Conditional Use Permit allows up to five annual outdoor entertainment events with the possession, sale, and consumption of alcoholic beverages in a M-2, General Manufacturing zoning district located at 625 and 701 Third Street. Only one of the annual events may be a concert.
2. The applicant shall obtain and retain all applicable liquor licenses while the conditional use is established and maintained.
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 and Building Services may approve minor changes administratively.

ATTACHMENTS: CUP Decision Form, Site Plan, Application, Public Notice, and 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:

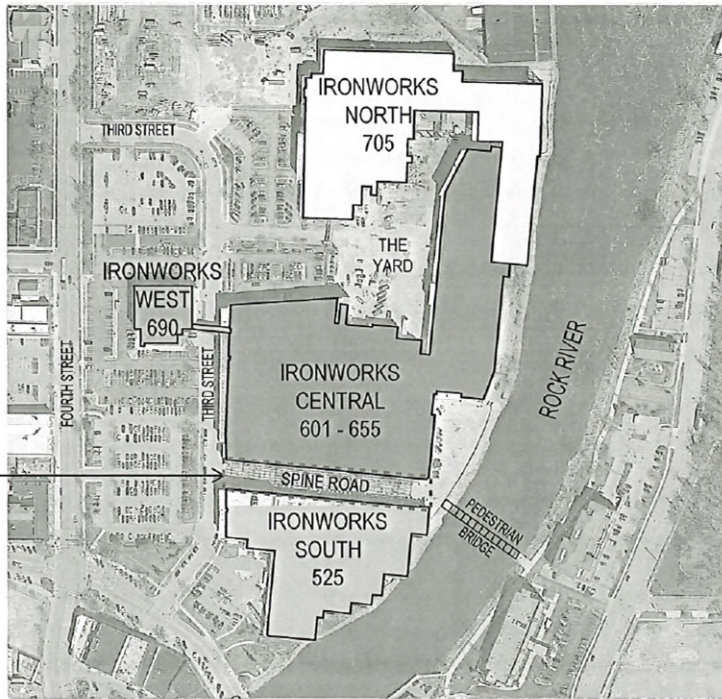
1. This Conditional Use Permit allows up to five annual outdoor entertainment events with the possession, sale, and consumption of alcoholic beverages in a M-2, General Manufacturing zoning district located at 625 & 701 Third Street. Only one of the annual events may be a concert.
 - **Substantial Evidence:** Since these properties are in close proximity to residential uses, the events should be limited in scope. However, this condition articulates that the proposed uses are deemed appropriate at this location due to the commercial and industrial nature of the general area. The proposed limit on the number and type of events is due to the nearby residential condos and shared use of the Spine by nearby businesses.
2. The applicant shall obtain and retain all applicable liquor licenses while the conditional use is established and maintained.
 - **Substantial Evidence:** All alcohol sales and consumption requires a liquor license per City regulations.
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 and 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



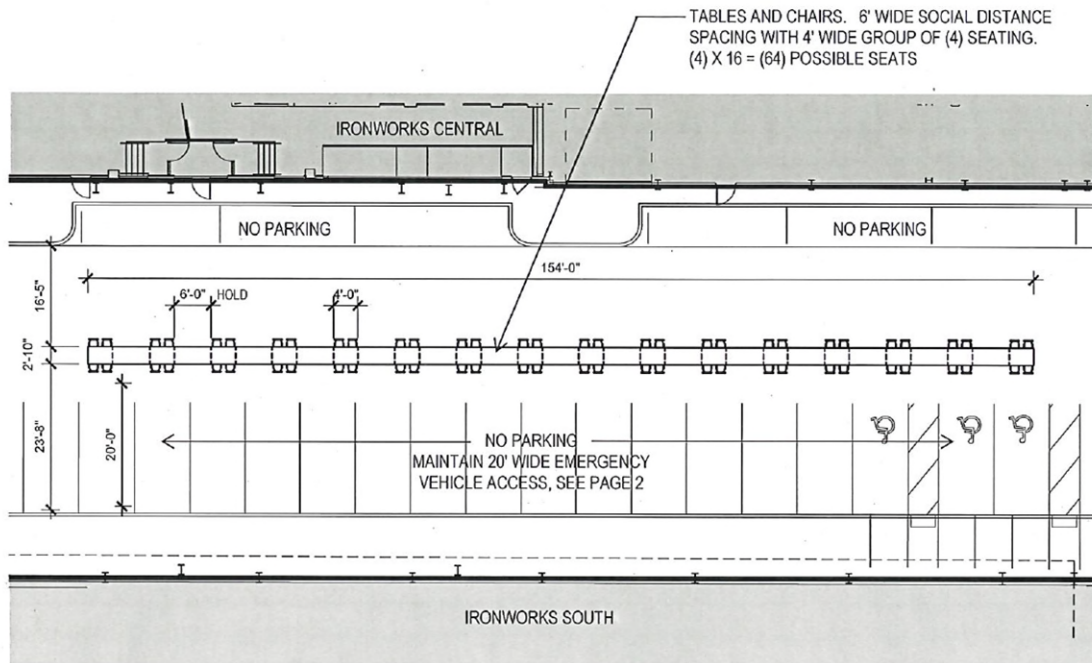


LOCATION OF
PROPOSED
TEMPORARY
OUTDOOR SEATING
EVENT. SEE
ENLARGED PLAN
PAGE 2

DATE: 8/20/20
'DINNER ON THE SPINE'
IRONWORKS CAMPUS BELOIT, WI
PAGE 1 OF 3

LOCATION PLAN



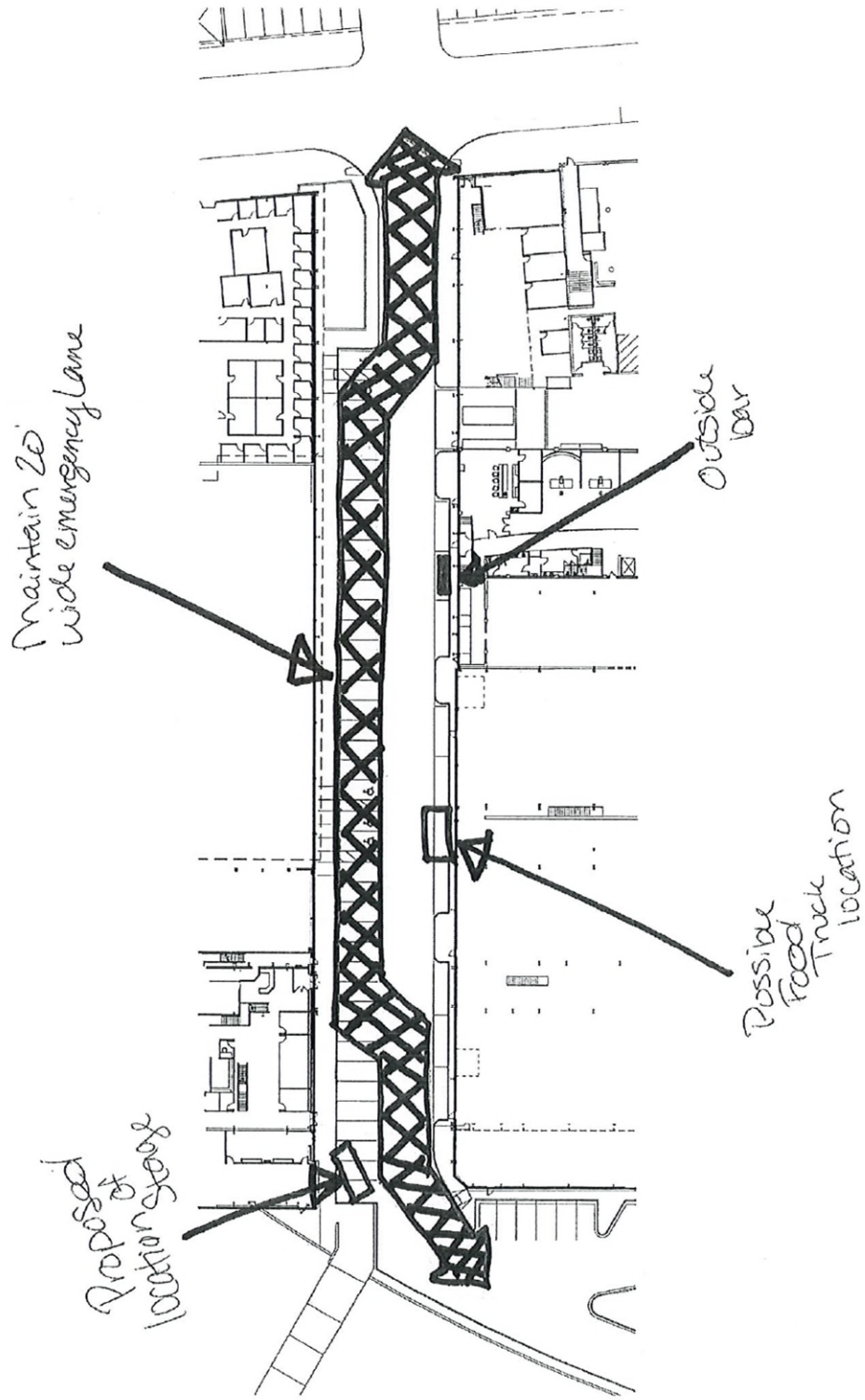


PLAN - TABLE SEATING

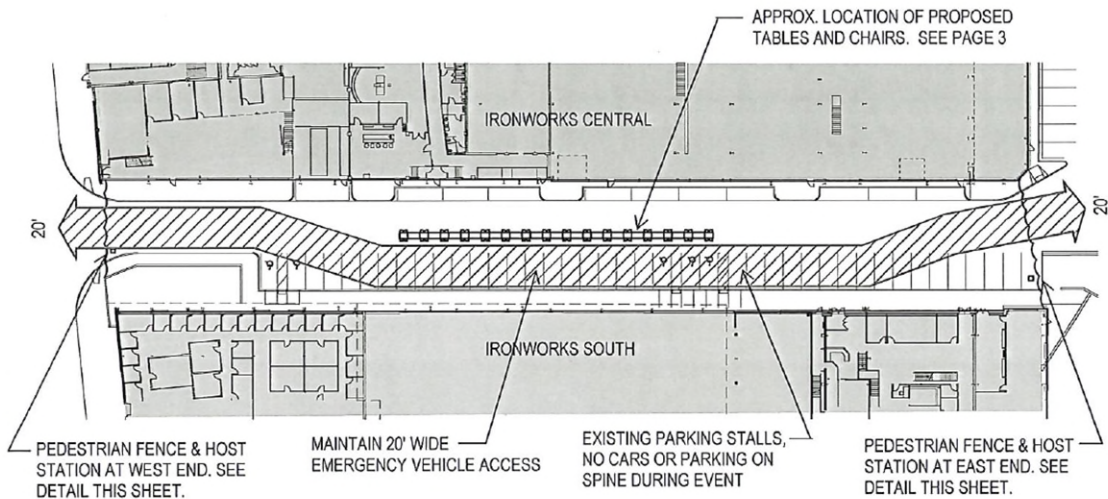
DATE: 8/20/20
 'DINNER ON THE SPINE'
 IRONWORKS CAMPUS BELOIT, WI
 PAGE 3 OF 3



Concerts on the Spine / Art & Music Events



PROPOSED PEDESTRIAN FENCE SYSTEM. TEMPORARY POST-AND-CHAIN WITH WEIGHTED BASE. THE FENCE SYSTEM SHALL NOT BE SECURED TO GROUND AND SHALL NOT INCLUDE ANY DOORS. NO MODIFICATIONS TO EXISTING SURFACE PAVEMENT WOULD BE MADE THAT WOULD DIMINISH EXISTING ACCESS FOR PERSONS WITH DISABILITIES. FINAL LOCATION OF THE PEDESTRIAN FENCE SYSTEM WILL BE DETERMINED BY EVENT MANAGER ON SITE, AS INDIVIDUAL PATRON CIRCUMSTANCES REQUIRE.



PLAN - SPINE ROAD

DATE: 8/20/20
 'DINNER ON THE SPINE'
 IRONWORKS CAMPUS BELOIT, WI
 PAGE 2 OF 3



CITY of BELOIT

Planning and Building Services Division

MAR 2 REC'D

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-2021-03

1. Address of subject property: 625 THIRD STREET, SUITE 100, 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: _____ feet by _____ feet = _____ square feet.

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

3. Tax Parcel Number(s): 13530710

4. Owner of record: HENDRICKS COMMERCIAL PROPERTIES, LLC Phone: 608-931-3121

525 THIRD STREET BELOIT WI 53511
(Address) (City) (State) (Zip)

5. Applicant's Name: THE BELOIT CLUB, LLC d/b/a IRONWORKS GOLF LAB

625 THIRD STREET, SUITE 100, BELOIT WI 53511
(Address) (City) (State) (Zip)

608-931-3121 / _____ / COMPLIANCE@HENDRICKSGROUP.NET
(Office Phone #) (Cell Phone #) (E-mail Address)

6. All existing use(s) on this property are: INSTRUCTION OF GOLF TECHNIQUE & SWING, VIRTUAL GAMING ON GOLF SIMULATORS, FOOD & BEVERAGE SERVED.

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

A Conditional Use Permit for: EVENTS TO BE HELD ON SPINE ROAD ANNUALLY
_____ in a(n) _____ M-2 _____ Zoning District.

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

Principal use: THE PRINCIPLE USE WILL REMAIN THE SAME.

Secondary use: GERONIMO WOULD LIKE TO BE ABLE TO HOST 3 X ANNUALLY A DINNER ON THE SPINE, 1X ANNUALLY ART AND MUSIC EVENT, 1 X ANNUALLY CONCERT ON THE SPINE. ALL MENTIONED EVENTS TO BE HELD DURING SUMMER MONTHS

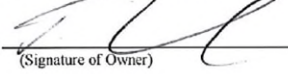
Accessory use: TO EXTEND THE PREMISE OF THE GOLF LAB LIQUOR PERMIT ONTO SPINE ROAD TO ALLOW EVENTS DESCRIBED ABOVE TO BE HELD ANNUALLY THROUGHOUT THE SUMMER.

9. Project timetable: Start date: Annually Starting May 2021 Completion date: until Amended by HCP.

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.

 / Robert Gerbitz / 3-19-21
(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>April 7, 2021</u>
No. of notices: _____ x mailing cost (\$0.50) = cost of mailing notices: \$ _____		
Application accepted by: <u>Don Permyton</u>		Date: <u>MAR 2 REC'D</u>



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

March 18, 2021

To Whom It May Concern:

Hendricks Commercial Properties, LLC, has filed an application for a Conditional Use Permit to allow outdoor entertainment events with the possession, sale, & consumption of alcoholic beverages in an M-2, General Manufacturing District, for the Ironworks Golf Lab addressed as 625 Third Street with events being held at:

701 Third Street

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

City Plan Commission: Wednesday, April 7, 2021, 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, April 19, 2021, at 7:00 PM, or as soon thereafter as the matter can be heard in The Forum, Beloit City Hall, 100 State Street.

THE PUBLIC IS INVITED TO ATTEND THESE HEARINGS.

We are interested in your opinion.*

***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. Public comments and public input for the public hearing will be required, in writing, by noon on the day of the meeting. You may also call (608) 247-2965 to provide your comments over the phone. In-person attendance at Commission and Council meetings will be limited.**

Beloit Box Board Co
PO Box 386
Beloit, WI 53512-0386

First American Credit Union
1982 Cranston Rd
Beloit, WI 53511

P & E Enterprises, LLC
PO Box 875
Beloit, WI 53512

Stateline Family Young
Men's Christian Association Inc
501 Third St
Beloit, WI 53511



REPORT TO THE PLAN COMMISSION

Plan Commission Meeting Date: April 7, 2021

Agenda Item: 3.c.

File Number: PUD-2021-01

General Information

Applicant/Owner: Hendricks Commercial Properties, LLC

Address/Location: 200 W. Grand Avenue

Applicant's Request/Proposal: Hendricks Commercial Properties, LLC has submitted an application to amend an approved Planned Unit Development (PUD) - Master Land Use Plan for the phased mixed use redevelopment of the property located at 200 W. Grand Avenue.

Proposed PUD Amendment: The City Council approved this PUD on October 7, 2019, which includes up to 200 dwelling units in three new mixed use buildings. Condition #2 of the Resolution approving the PUD stipulates that permitted uses shall include up to 200 dwelling units, along with first floor uses that are permitted in the Central Business District (CBD). Ground-floor office uses are a conditional use, and not permitted by-right, in the CBD. Hendricks Commercial Properties is seeking a PUD Amendment to allow a ground-floor financial services office in the first 54-unit building under construction at 200 W. Grand Avenue. The applicant is not proposing any changes to the approved site plan. Condition #8 of the attached Resolution states that 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.

Staff Analysis

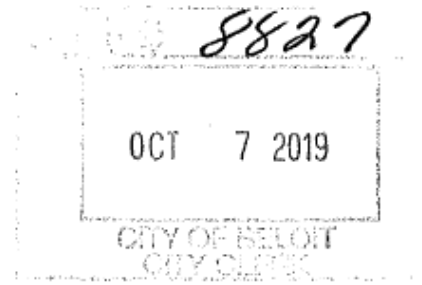
Proposed Office Use: The proposed financial services office will bring low-impact retail traffic to the first floor of this mixed use building and is compatible with the upper-floor dwelling units in terms of hours and impacts. Surface parking will be provided on-site behind the building. The proposed office is just 1,226 square feet and will have an independent entrance. The PUD as amended will continue to satisfy all of the criteria found in Section 5-300 of the Zoning Ordinance. The remaining conditions of the original PUD approval will remain in full force and effect.

STAFF RECOMMENDATION – PUD MASTER LAND USE PLAN AMENDMENT:

The Planning and Building Services Division recommends **approval** of an amended PUD – Master Land Use Plan for the property located at 200 W. Grand Avenue, subject to the following conditions:

1. This amendment modifies condition #2 of Resolution 2019-142 to authorize a financial services office on the first floor of the first building totaling up to 2,000 square feet. It also authorizes first floor offices in the second and third mixed-use buildings, with each office limited to 2,000 square feet.
2. Each proposed office may have one exterior wall sign not exceeding 30 square feet in area.
3. All of the approvals and conditions in Resolution 2019-142 remain in full force and effect.

ATTACHMENTS: Resolution 2019-142, Photos, and Application.



RESOLUTION 2019-142

**RESOLUTION AUTHORIZING A PLANNED UNIT DEVELOPMENT (PUD)
MASTER LAND USE PLAN FOR THE PROPERTIES LOCATED AT
200 W. GRAND AVENUE AND 525 CROSS STREET**

WHEREAS, the application of Hendricks Commercial Properties, LLC for approval of a Planned Unit Development (PUD) - Master Land Use Plan for the phased mixed use redevelopment of the former Kerry production site located at 200 W. Grand Avenue and 525 Cross Street into three buildings totaling up to 174 dwelling units, limited first floor commercial uses, and an off-street parking lot, 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, IT IS HEREBY RESOLVED THAT, the City Council of the City of Beloit, Rock County, Wisconsin does hereby approve the attached PUD - Master Land Use Plan for the following described premises:

LOT 1 OF CERTIFIED SURVEY MAP DOCUMENT NO. 1431077 AS RECORDED IN VOLUME 22 ON PAGES 371-373 OF THE CERTIFIED SURVEY MAPS OF ROCK COUNTY, LOCATED IN THE CITY OF БЕЛОИТ, ROCK COUNTY, WISCONSIN. SAID PARCEL CONTAINS 0.84 ACRE, MORE OR LESS (A/K/A 200 W. GRAND AVENUE).

PART OF HACKETT’S ALTERATION, BEING LOTS 20-26, THE NORTH 30 FEET IN EQUAL WIDTH OF LOT 27, LOTS 255 & 258, PARTS OF LOTS 254, 256, AND 257 AND THE EAST 2 FEET IN EQUAL WIDTH OF THE RAILROAD RIGHT-OF-WAY ADJACENT TO THE WEST LINE OF LOTS 20-26 AND THE NORTH 30 FEET OF LOT 27; ALSO THAT PART OF CROSS STREET VACATED JULY 1, 1966, ALL SITUATED IN THE CITY OF БЕЛОИТ, ROCK COUNTY, WISCONSIN. SAID PARCEL CONTAINS 2.37 ACRES, MORE OR LESS (A/K/A 525 CROSS STREET).

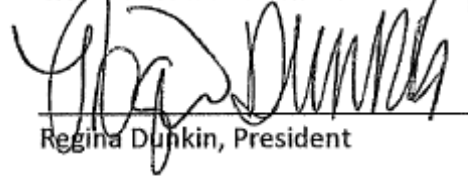
As a condition of approving the PUD - Master Land Use Plan, the City Council does hereby stipulate the following conditions and restrictions upon the development, which are hereby deemed necessary for the public interest:

1. This approval authorizes the phased mixed use redevelopment of the former production site located at 200 W. Grand Avenue and 525 Cross Street into three buildings totaling up to 174 dwelling units, limited first floor commercial uses, and an off-street parking lot as shown on the attached PUD Plan.
2. The permitted uses shall include up to two hundred (200) dwelling units, along with first floor uses that are permitted in the CBD. The maximum building coverage shall be fifty percent (50%) of the area of the zoning lot. The minimum building setback shall be zero, and the maximum building height shall be four stories. Each building may have up to one wall sign of 80 square feet each.

3. Prior to site plan approval, the applicant shall administratively combine the subject properties into one parcel. A Certified Survey Map (CSM) to clean-up the legal description is recommended, but not required.
4. The Final (Site) Plan shall include a fire lane disguised as a pedestrian walkway or plaza between the buildings along Broad Street as required by the Fire Department.
5. The buildings shall have individual street addresses to be assigned by the City Assessor.
6. If any of the proposed buildings will be constructed in the floodplain, they shall be elevated in compliance with the floodplain ordinance.
7. Prior to issuance of a Building Permit, the applicant shall obtain site plan and architectural approval, which shall include a detailed review of all site, grading, utility, landscape, and lighting plans. The plans shall address all of the Review Agent's comments and concerns before approval.
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 7th day of October, 2019.

CITY COUNCIL OF THE CITY OF БЕЛОIT



Regina Dunkin, President

ATTEST:



Lorena Rae Stottler, City Clerk-Treasurer





AMENDMENT

FEB 23 REC'D

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: PUD-2021-01

1. Address of subject property: 200 West Grand Avenue, Beloit, WI

2. Legal description: See attached Recorded CSM Filed: CSM 40-414
If necessary attach a copy of the complete legal description.

3. Area of parcel in square feet or acres: 3.393 Acres

4. Tax Parcel Number(s): 13530068

5. Owner of record: 200 West Grand Avenue, LLC Phone: 608-362-8981

525 3rd Street, Suite 300 Beloit WI 53511
(Address) (City) (State) (Zip)

6. Applicant's Name: Hendricks Commercial Properties

Same as Owner of record above
(Address) (City) (State) (Zip)

608-247-1192 Dan.Barkes@Hendricksgroup.net
(Office Phone #) (Cell Phone #) (E-mail Address)

7. All existing use(s) on this property are: Under construction... Use is PUD

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

9. A Preapplication Conference was held on: Discussion with Staff occurred 2/1/2021

10. All the proposed use(s) for this property will be:
Principal use(s): Multifamily
Secondary use(s): Commercial/Office and Retail

11. State how the proposed development differs from the type of development that would
be permitted under the existing zoning regulations. The request is to amend the PUD
so that it allows commercial/office and retail use in the proposed 1st floor commercial space.

12. Describe how the proposed development provides greater benefits to the City of Beloit
than an otherwise permitted development. The CBD does not allow first floor office use.
We have a national investment tenant who would like to lease the first floor commercial space in
Building A, thereby creating high wage jobs and bringing a valued service to the community.

13. Project timetable: Start date: April 2021 Completion date: May 2021

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

- (x) 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.

John Gackstetter / John Gackstetter / 2/19/21
 (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: <u>\$275.00</u>	Amount paid: <u>\$275.⁰⁰</u>	Meeting date: <u>April 7, 2021</u>
No. of notices: _____	x mailing cost (\$0.50) = cost of mailing notices: \$ _____	
Application accepted by: <u>Don Permyton</u>	Date: <u>2/26/21</u>	



REPORT TO THE PLAN COMMISSION

Plan Commission Meeting Date: April 7, 2021

Agenda Item: 3.d.

File Number: ZTA-2021-01

General Information

Request: Consideration of an Ordinance to amend Section 6.3.4(d) of the Zoning Ordinance, Chapter 19 of the Code of General Ordinances of the City of Beloit pertaining to attached garage floor area.

Background: The purpose of the proposed Zoning Text Amendment is to increase the allowable size of attached garages for single-family and two-family residences in an effort to encourage new home construction in the City.

Staff Analysis

Section 6.3.4(d) of the Zoning Ordinance currently limits the size of an attached garage to 865 square feet or 33 percent of the floor area of the principal structure, whichever is greater. Encouraging executive-level home construction in the City is a longstanding goal as a means to grow our population, attract a professional workforce, and broaden the tax base. Executive-level homebuilders are increasingly offering three-stall attached garages with a deep third bay as demanded by prospective buyers. City staff reviewed the ordinances of nearby comparable communities and determined that the current limit of 865 square feet or 33 percent of floor area is too restrictive.

The proposed ordinance will allow single-family and two-family residences to have attached garages not exceeding the ground floor dwelling unit area of the principal structure. This proposed amendment will provide the needed flexibility while ensuring that the ground floor footprint remains primarily living space.

This item must be considered by the Plan Commission as the proposed Ordinance amends the Zoning Ordinance. All required public notices have been posted and distributed.

STAFF RECOMMENDATION:

The Planning & Building Services Division recommends **approval** of the attached Ordinance to amend Section 6.3.4(d) of the Zoning Ordinance, Chapter 19 of the Code of General Ordinances of the City of Beloit pertaining to attached garage floor area.

ATTACHMENTS: Proposed Ordinance and Public Notice

ORDINANCE NO. 3701

AN ORDINANCE TO AMEND SECTION 6.3.4(d) OF THE ZONING ORDINANCE, CHAPTER 19 OF THE CODE OF GENERAL ORDINANCES OF THE CITY OF БЕЛОIT PERTAINING TO ATTACHED GARAGE FLOOR AREA

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

Section 1. Section 6.3.4(d) of the Zoning Ordinance, Chapter 19 of the Code of General Ordinances of the City of Beloit, is hereby amended to read as follows:

6.3.4 GENERAL STANDARDS FOR ACCESSORY BUILDINGS.

- "d. Garages for Single-Family and Two-Family Residences. Single-family and two-family residences may have attached garages not exceeding ~~the ground floor dwelling unit area 865-square feet or 33 percent of the floor-area~~ of the principal structure, ~~whichever is greater~~. In addition to any attached accessory garage, single-family and two-family residences may have no more than 2 detached accessory buildings on a zoning lot. In addition to any attached garage and 2 detached accessory buildings, single-family and two-family residences may have a detached accessory building not exceeding 40 square feet in area per unit if said building is designed and used exclusively for the storage of City-issued garbage and recyclable materials collection carts. The total area of all detached accessory buildings may not exceed 720 square feet or 10 percent of the zoning lot area, whichever is greater. Also, in no instance may any single detached accessory building for a single-family or two-family residence exceed 1,200 square feet in area. Indoor pools, greenhouses and enclosed porches shall be considered living space if attached to the principal structure. However, if these buildings are detached then they shall be considered accessory buildings. If a single-family or two-family residence has an existing or proposed front yard setback greater than the required minimum setback of this chapter, then a detached garage or accessory building may not be located closer to the front lot line than the existing residence or 100 feet, whichever is less."

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

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

Adopted this _____ day of April, 2021.

CITY COUNCIL FOR THE CITY OF BELOIT

By: _____
Regina Dunkin, President

ATTEST:

By: _____
Lorena Rae Stottler, City Clerk-Treasurer

PUBLISHED: _____

EFFECTIVE DATE: _____

01-611100-5231- _____

19-6.3.4(d) ORD 20210301 (21-1045)

COMMUNITY DEVELOPMENT DEPARTMENT

NOTICE TO THE PUBLIC

March 15, 2021

To Whom It May Concern:

The Beloit Plan Commission and City Council are considering an Ordinance to amend Section 6.3.4(d) of the Zoning Ordinance, Chapter 19 of the Code of General Ordinances of the City of Beloit to increase the allowable size of an attached garage for a single-family or two-family dwelling from 865 square feet or 33% of the floor area of the dwelling to no larger than the ground floor dwelling unit area.

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

City Plan Commission: Wednesday, April 7, 2021, 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, April 19, 2021, 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.**



REPORT TO THE PLAN COMMISSION

Plan Commission Meeting Date: April 7, 2021

Agenda Item: 4.a.

File Number: ANX-2021-02

General Information

Applicant: Saeed and Irma Amin

Owner: Saeed Amin and Irma Amin

Address/Location: 2021 E. Ridge Road

Applicant's Request: The applicants have submitted a petition for attachment to the City of Beloit for their property located at 2021 E. Ridge Road in the Town of Turtle. A failing septic system is the impetus for this attachment request, as the property must be located in the City in order to connect to the City's sanitary sewer system.

Staff Analysis

Existing Conditions and Background:

1. The subject property is located within the 208 Sewer Service Area, and the City of Beloit extended sanitary sewer service to this area over a decade ago. The subject property is located in one of three Town "islands."
2. The attached Plat shows the location of the subject property in the Turtle Ridge subdivision off of Milwaukee Road.
3. The subject property is not located within the *Boundary Adjustment Area* designated in the *Cooperative Boundary Plan between the City of Beloit and the Town of Turtle*. However, the 1999 Boundary Plan governs this property, stating "if the sanitary septic system on a property in a Town island fails and the Rock County Health Department determines that the septic system cannot be repaired or replaced, the property owner may petition the City of Beloit to attach to the City for the purpose of obtaining City sewer service."
4. The Wisconsin Department of Administration (DOA) does not need to review this attachment, as the DOA does not review attachments pursuant to a boundary agreement [Wis. Stat. § 66.0307(10)]. As a courtesy, a copy of the petition was provided to DOA's Municipal Boundary Review office and the Town of Turtle Clerk.
5. The Rock County Health Department has been notified of the failing septic system and supports connections to public sewer service systems when available. A letter from the Rock County Health Department is attached
6. When property is attached to the City, a temporary zoning classification must be assigned until an Ordinance approving a Zoning Map Amendment is adopted by the City Council. Staff recommends that the temporary zoning classification for this property be R-1A, Single-Family Residential District,

because of the size, location, and surrounding land uses of the property. A temporary classification of R-1A is consistent with the Comprehensive Plan. A Zoning Map Amendment with a recommendation for a permanent zoning classification will be processed by staff in the near future.

Surrounding Land Use and Zoning: There are residential land uses surrounding the subject property, all zoned R-1, Residential One District located in the Town of Turtle.

City of Beloit Comprehensive Plan and Strategic Plan: The Comprehensive Plan’s Future Land Use Map recommends –Single-Family Residential – Urban uses for this property. This land use category is intended for existing and planned groupings of single-family detached residences that are served by public sanitary sewer and water systems. This proposed attachment is consistent with the Comprehensive Plan.

Municipal Utilities: The subject property is not currently served by municipal utilities, but can be served by an existing sanitary sewer main in the E. Ridge Road right-of-way. The owner will be responsible for the cost of installing the sewer lateral including any road repairs.

STAFF RECOMMENDATION:

The Planning & Building Services Division recommends **approval** of the Petition for Attachment to the City of Beloit for the property located at 2021 E. Ridge Road in the Town of Turtle and assignment of a temporary zoning district classification of R-1A, Single-Family Residential.

ATTACHMENTS: Location Map, Petition for Attachment, Plat, and Health Department Letter

Location Map



**PETITION FOR ANNEXATION AND/OR ATTACHMENT
TO THE CITY OF БЕЛОIT**

Address of Property: 2021 E. RIDGE ROAD Anx-2021-02

Property is located in (circle one): Town of Turtle Town of Beloit

If applicable, please circle the Town of Turtle island in which the property is located:

Lindale Place Turtle Ridge Sherwood Drive N/A

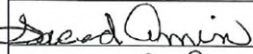
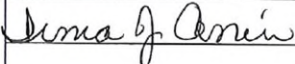
If this property is located within the Town of Turtle, is it located within the **Boundary Adjustment Area** as outlined in the *Cooperative Boundary Agreement between the City of Beloit and Town of Turtle*? (If you are not sure, please leave blank for Planning staff to answer.) YES NO

The current population or territory to be annexed and/or attached is 2 persons.

We the undersigned, constituting all of the owners of the real property in Rock County, Wisconsin, lying contiguous to the City of Beloit, or lying in a town island, respectfully petition the City Council of the City of Beloit to annex the territory described and shown on the attached scale map to the City of Beloit, Rock County, Wisconsin. (Plat of Annexation or Attachment must include a legal description of the subject property.)

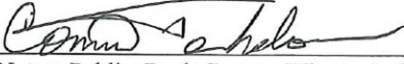
We the undersigned, elect that this annexation shall take effect to the full extent consistent with outstanding priorities of other annexation, incorporation or consolidation proceedings, if any.

We further respectfully request that this property be zoned _____.

Owner/Petitioner Signature:	Print Name:	Address:	Date:
	SAEED AMIN	2021 E. RIDGE RD.	12-21-20
	IRMA J AMIN	2021 E. RIDGE RD.	12/21/20

Personally came before me this 21 day of December, 2020, the above named,

SAEED Amin to me known to be the persons who executed the foregoing instrument and acknowledged the same.


Notary Public, Rock County, Wisconsin (SEAL)

Connie Torkelson
Notary Public, State of Wisconsin

My Commission is permanent or expires on Oct. 26, 2021

PLAT SHOWING TERRITORY ANNEXED TO THE CITY OF БЕЛОIT

OF LOT 125 OF A RE SUBDIVISION OF OUTLOT A AND LOTS 34 TO 54 OF TURTLE RIDGE, BEING PART OF THE SW 1/4 OF SECTION 30, T. 1 N., R. 13 E., OF THE 4TH P.M., TOWN OF TURTLE, ROCK COUNTY, WISCONSIN.

DESCRIBED AS FOLLOWS:
Beginning at the most Northern corner of Lot 125 aforesaid; thence South 37°47'00" East along the Northeasterly line of said Lot and its extension 228.82 feet to the Southeastery right of way line of East Ridge Road; thence South 52°13'00" West along said right of way line 94.29 feet; thence North 37°47'00" West along the Southwesterly line of said Lot and its extension 245.25 feet to the Northwesterly line of Lot 125 aforesaid; thence North 62°06'00" East along said Northwesterly line 95.70 feet to the place of beginning. Containing 22,341 square feet more or less.

STATE OF WISCONSIN }
COUNTY OF ROCK } ss.

I, Lori Stettler, Clerk of the City of Beloit, Rock County, Wisconsin, do hereby certify that the above described parcel of real estate has by ordinance duly adopted by the City of Beloit, Rock County, Wisconsin, been annexed from the Town of Turtle, Rock County, Wisconsin to the City of Beloit, Rock County, Wisconsin. That the Plat hereon drawn is a correct representation of the annexation of said territory.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed the official seal of the City of Beloit, Rock County, Wisconsin, this ____ day of _____, 2020.

Lori Stettler, Clerk

STATE OF WISCONSIN }
COUNTY OF ROCK } ss.

I hereby certify that the Plat of Annexation as described and hereon drawn correctly represents said territory as described and said Plat is true and correct.

Dated this 23rd day of October, 2020

Jeffrey R. Garde
Jeffrey R. Garde, PLS 2766



Scale: 1" = 40'
DISTANCE UNITS BASED ON THE UNITED STATES SURVEY FOOT
BEARINGS BASED ON THE SOUTHERLY LINE OF EAST RIDGE ROAD RECORDED AS S 52°13' W



Batterman
engineers surveyors planners
2800 W. Lincoln Ave. Beloit, WI 53511
608.733.4444

ANNEXATION PLAT

FOR THE EXCLUSIVE USE OF:
SARAH Annin
2021 East Ridge Road
BELOIT, WI 53511

ORDER NO. 33769
FIELD OFFICE
DOWNS ET AL

PLAT NO. 2020020100100 - 2020 ANNEXATION PLAT FOR 2021 E. RIDGE RD.

North Office

3328 U.S. Hwy 51 N
Janesville, WI 53545-0772
Mailing Address:
PO Box 1088
Janesville, WI 53547-1088

608-757-5440
608-758-8423 (fax)



Public Health

www.co.rock.wi.us/health

South Office

61 Eclipse Center
Beloit, WI 53511

608-364-2010
608-364-2011 (fax)

March 1, 2021

Amin & Irma Saeed
2021 E Ridge Rd
Beloit, WI 53511

Re: Public Sewerage availability to property you own in the Town of Turtle Section 30, specifically described as:

2021 E Ridge Rd, Beloit, WI 53511
Tax ID: 038 001827
Parcel #: 6-19-1136

Dear Property Owner:

An inquiry was recently received by our office regarding the installation of a new Private Onsite Wastewater Treatment System (POWTS) on the above-described property. Based on information on file at the Health Department, your property is in the future public sewerage service area of the City of Beloit.

Per Section 6.123 (3)(g) of the Rock County Public Health Ordinance, our department cannot issue a sanitary permit when the municipality provides detailed written documentation verifying that connecting to public sewer meets the policy recommendations of the current 208 Water Quality Plan.

Before our Department can begin review on a Sanitary Permit application submitted for the above described property, a letter from the City of Beloit on their letterhead must be received by the Health Department indicating that public sewer is not available to your property. **By copy of this letter a formal request to the City of Beloit is made as to the availability of public sewer to the above referenced parcel.**

If you have any questions please feel free to contact us at (608) 757-5440.

Sincerely,

Adam Elmer, R.S.
Private Sewage Program
Rock County Public Health Department

Cc: Bill Frisbee – City of Beloit, Director of Water Resources
Rock County Environmental Health Director
Rock County Planning and Development Department