



**PUBLIC NOTICE & AGENDA
BELOIT PLAN COMMISSION
City Hall Forum - 100 State Street, Beloit, WI 53511
7:00 PM
Wednesday, March 20, 2024**

1. CALL TO ORDER AND ROLL CALL
2. MINUTES
No minutes to consider
3. PUBLIC HEARINGS
 - 3.a. Consideration of Resolution 2024-008 approving a Conditional Use Permit to allow a drive-through use on the property located at 1450 Fourth Street
[Attachment](#)
 - 3.b. Consideration of Ordinance No. 3831 amending the Zoning District Map of the City of Beloit for the properties located at 510 and 830 W Froebel Drive
[Attachment](#)
 - 3.c. Consideration of Ordinance No. 3830 amending the Zoning District Map of the City of Beloit for the property located at 1151 East Grand Avenue
[Attachment](#)
4. REPORTS
 - 4.a. Consideration of an Extraterritorial Final Plat of Riverstone Subdivision Plat 2 in the Town of Beloit
[Attachment](#)
 - 4.b. Consideration of Resolution 2024-009 approving a one-lot Extraterritorial Certified Survey Map on 800 block of East Club Lane in the Town of Beloit
[Attachment](#)
5. STATUS REPORT ON PRIOR PLAN COMMISSION ITEMS
*Zoning Map Amendment - 2211 Prairie Avenue
Renaming of Summit Park to Regina Dunkin Park*
6. FUTURE AGENDA ITEMS
*Final Plat - Extraterritorial Riverstone Plat 2
Architectural Review Exception - 825 Liberty Avenue*

7. ADJOURNMENT

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



REPORT TO THE PLAN COMMISSION

Plan Commission Meeting Date: March 20, 2024

Agenda Item: 3.a.

File Number: CU-2024-02

General Information

Applicant: Cave Enterprises Operations LLC

Owner: JHGV, LLC

Address/Location: 1450 Fourth Street

Applicant's Request: Conditional Use Permit (CUP) to allow a Drive-In Restaurant in a C-3, Community Commercial District, for the property located at 1450 Fourth Street.

Background

Cave Enterprises Operations LLC on behalf of JHGV, LLC has filed an application for a Conditional Use Permit (CUP) to allow a Drive-In Use in a C-3, Community Commercial District, for the property located at 1450 Fourth Street. The existing drive-in does not have a conditional use permit and is legal-non conforming. The applicant intends to build a new Burger King restaurant and would like to include an additional drive-in lane.

Staff Analysis

Existing Conditions: The 1.32-acre lot is located along the west side of Fourth Street next to Lenigan Creek with two access points. The owner plans to demolish the existing Burger King restaurant on the property, and build a new one. Staff is in the process of reviewing site plans for the new restaurant.

Drive-In Standards: A copy of the proposed site plan is attached to this report. As shown on the site plan, the proposed development includes two access driveways and two stacking lanes. Vehicular traffic will move counter-clockwise through the site. The site is located in a C-3, Community Commercial District, where a Drive-In Use requires a Conditional Use Permit. According to Section 8-112 of the Zoning Ordinance, drive-through restaurants must provide five (5) stacking spaces before the order box and three (3) stacking spaces between the order box and pick-up window, and designed to allow vehicles to exit the stacking lane without backing up or having to wait until they have reached the end of the stacking lane. The proposed site plan exceeds these minimum standards.

Parking Standards: According to Section 8-103 of the Zoning Ordinance, Retail Sales and

Service (Entertainment-Oriented) must provide spaces equal to 50% of capacity, which equates to 25 parking stalls for the proposed development. The site currently exceeds the minimum number of parking spaces with 33 spaces.

City of Beloit Comprehensive Plan: The City's Comprehensive Plan recommends *Community Commercial* for the subject property. This request and the underlying zoning classification are consistent with this recommendation. However, Conditional Use Permits are not required to be consistent with the City's Comprehensive Plan.

Review Agent Comments: The review agents have not submitted any comments.

Public Comment: All property owners within 150 feet of the subject property have been notified by mail and a public notice was published in the Beloit Daily News for the proposed Conditional Use Permit.

Findings of Fact: Based on Section 2-504 of the Zoning Ordinance, the Plan Commission shall make a recommendation based on the following considerations:

- a. *Whether the establishment, maintenance, or operation of the conditional use will be detrimental to or endanger the public health, safety, morals, comfort, or general welfare;*
 - The proposed drive-in, if designed as required by the Zoning Ordinance, will not have negative impacts. Furthermore, an established drive-in has been on the property for decades.
- 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 drive-in restaurant will serve the adjacent land uses within the area, as well as the greater community, much as it has in the past
- c. *Whether the conditional use will substantially diminish or impair property values within the neighborhood of the subject property;*
 - The property currently has a drive-in with no issues. The investment in the property should have a positive impact on adjacent properties.
- 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 recently redeveloped but the approval of the conditional use will not impede additional redevelopment of the surrounding properties.
- 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;*
 - Planning staff will review the proposed materials in detail during Architectural Review. Preliminary renderings show exterior finishes which include EIFS, cement siding and brick.
- 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 property already has the necessary utilities and facilities.
- g. *Whether adequate measures will be taken to minimize traffic congestion; and*
 - The development has been designed with adequate parking and stacking spaces. The stacking area must start as one line that can be divided into two at the order boxes. Access throughout the site must be maintained at all times.
- 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 a Drive-In Use in a C-3, Community Commercial District, for the property located at 1450 Fourth Street, based on the above Findings of Fact and subject to the permit conditions and ordinance requirements listed below.

Ordinance Requirements:

The following provisions of existing City Ordinances shall apply:

1. The developer shall obtain an Architectural Review Certificate, Certificate of Zoning Compliance, and Building Permit before beginning construction.
2. In accordance with Section 8-112 of the Zoning Ordinance stacking spaces may not impede on- or off-site traffic movements or movements into or out of off-street parking spaces. In addition, stacking spaces shall be designed to allow vehicles to exit the stacking lane without backing up or waiting until they have reached the end of the stacking lane.
3. In accordance with Section 2-511 of the Zoning Ordinance, the applicant shall have twelve (12) months from the date of CUP issuance to establish and commence use of the drive-in, or the CUP shall lapse and be of no further effect.

Permit Conditions:

1. This Conditional Use Permit authorizes a Drive-In Use in a C-3, Community Commercial District, for the property located at 1450 Fourth Street.
2. Any major changes in the adopted conditions or use of the property shall be approved by the Plan Commission amending this Conditional Use Permit. The Director of Planning and Building Services may approve minor changes administratively.

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

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. The developer shall obtain an Architectural Review Certificate, Certificate of Zoning Compliance, and Building Permit before beginning construction.

Substantial Evidence: These procedural requirements are contained in the City of Beloit Architectural Review and Landscape Code, Zoning Ordinance, and Building Code.

2. In accordance with Section 8-112 of the Zoning Ordinance stacking spaces may not impede on- or off-site traffic movements or movements into or out of off-street parking spaces. In addition, stacking lanes should be designed to allow vehicles to exit the stacking lane without backing up or waiting until they have reached the end of the stacking lane.

Substantial Evidence: Access must be maintained throughout the site with a bypass lane which would allow for vehicles to exit the stacking lane per the Zoning Ordinance.

3. In accordance with Section 2-511 of the Zoning Ordinance, the applicant shall have twelve (12) months from the date of CUP issuance to establish and commence use of the drive-in, or the CUP shall lapse and be of no further effect.

Substantial Evidence: Standardized condition that reiterates the expiration date for unused CUP's in the Zoning Ordinance.

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

Permit Conditions

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

List conditions imposed on the permit:

1. This Conditional Use Permit authorizes a Drive-In Use for a restaurant in a C-3, Community Commercial District, for the property located at 1450 Fourth Street.

Substantial Evidence: The Zoning Ordinance indicates that a Drive-In Use in the C-3 district is only allowed if reviewed and approved in accordance with the CUP review procedures.

2. Any major changes in the adopted conditions or use of the property shall be approved by the Plan Commission by amending this Conditional Use Permit. The Director of Planning and 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:

RESOLUTION 2024-008

**APPROVING A CONDITIONAL USE PERMIT TO ALLOW
A DRIVE-IN USE AT 1450 FOURTH STREET**

WHEREAS, the application of Cave Enterprises Operations LLC on behalf of JHGV, LLC for a Conditional Use Permit to allow a drive-in use at the C-3, Community Commercial District for the property located at 1450 Fourth Street having been considered by the Plan Commission 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 Plan Commission of the City of Beloit, Rock County, Wisconsin does hereby grant a Conditional Use Permit to allow a Drive-In Use at the C-3, Community Commercial District, for the property located at 1450 Fourth Street in the City of Beloit, in the area described in the attached legal description and exhibit for the following premises:

PART OF GOVERNMENT LOT 3 OF SECTION 26, TOWNSHIP 1 NORTH, RANGE 12 EAST, OF THE 4TH P.M., AND PART OF BLOCK 1, DOW'S ADDITION TO BELOIT, IN THE CITY OF BELOIT, ROCK COUNTY, WISCONSIN. BEGINNING AT THE NORTHEAST CORNER OF BLOCK 1 OF DOW'S ADDITION; THENCE SOUTH 02° 14' 35" WEST, ALONG THE EAST LINE OF SAID BLOCK 1 AND THE WEST RIGHT OF WAY LINE OF FOURTH STREET, 259.50 FEET; THENCE NORTH 89° 51' 17" WEST, 219.83 FEET TO A POINT IN THE EAST RIGHT OF WAY LINE OF THE ABANDONED CHICAGO AND NORTHWESTERN RAILROAD RIGHT OF WAY; THENCE NORTH 02° 12' 17" EAST, ALONG THE EAST RIGHT OF WAY LINE OF THE ABANDONED CHICAGO AND NORTHWESTERN RAILROAD RIGHT OF WAY, 59.50 FEET; THENCE NORTH 89° 51' 17" WEST, 25.00 FEET; THENCE NORTH 02° 12' 17" EAST, 110.00 FEET; THENCE SOUTH 89° 51' 17" EAST, 50.00 FEET; THENCE NORTH 02° 12' 17" EAST, 90.00 FEET TO A POINT IN THE NORTH LINE OF SAID BLOCK 1; THENCE SOUTH 89° 51' 17" EAST, ALONG THE NORTH LINE OF SAID BLOCK 1, 195.00 FEET TO THE POINT OF BEGINNING. CONTAINING 1.32 ACRES, MORE OR LESS. A/K/A 1450 FOURTH STREET.

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

1. This Conditional Use Permit authorizes a Drive-In use for a restaurant in a C-3, Community Commercial District, for the property located at 1450 Fourth Street.
2. Any major changes in the adopted conditions or use of the property shall be approved by the Plan Commission amending this Conditional Use Permit. The Director of Planning and Building Services may approve minor changes administratively.

BE IT FURTHER RESOLVED that the applicant is formally advised of the following additional ordinance requirements:

1. The developer shall obtain an Architectural Review Certificate, Certificate of Zoning Compliance, and Building Permit before beginning construction.
2. In accordance with Section 8-112 of the Zoning Ordinance stacking spaces may not impede on- or off-site traffic movements or movements into or out of off-street parking spaces. In addition, stacking spaces shall be designed to allow vehicles to exit the stacking lane without backing up or waiting until they have reached the end of the stacking lane.
3. In accordance with Section 2-511 of the Zoning Ordinance, the applicant shall have twelve (12) months from the date of CUP to establish and commence use of the drive-in, or the CUP shall lapse and be of no further effect.

Adopted this 20th day of March 2024.

PLAN COMMISSION

Mike Ramsden, Chairperson

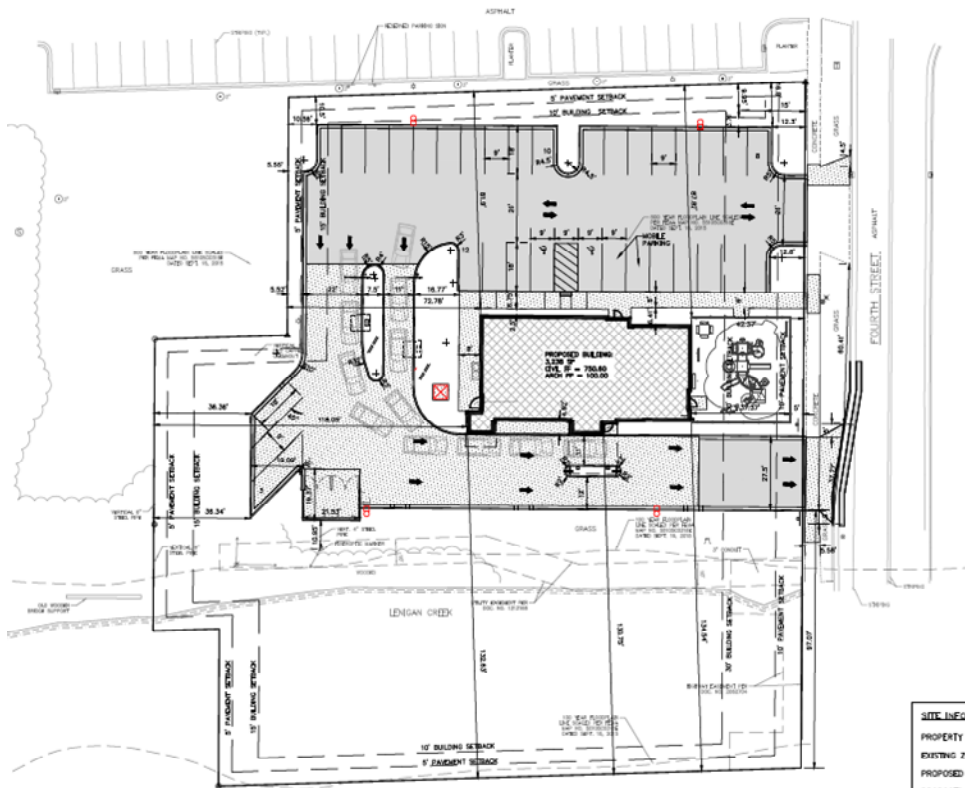
ATTEST:

Julie Christensen
Community Development Director

LOCATION MAP

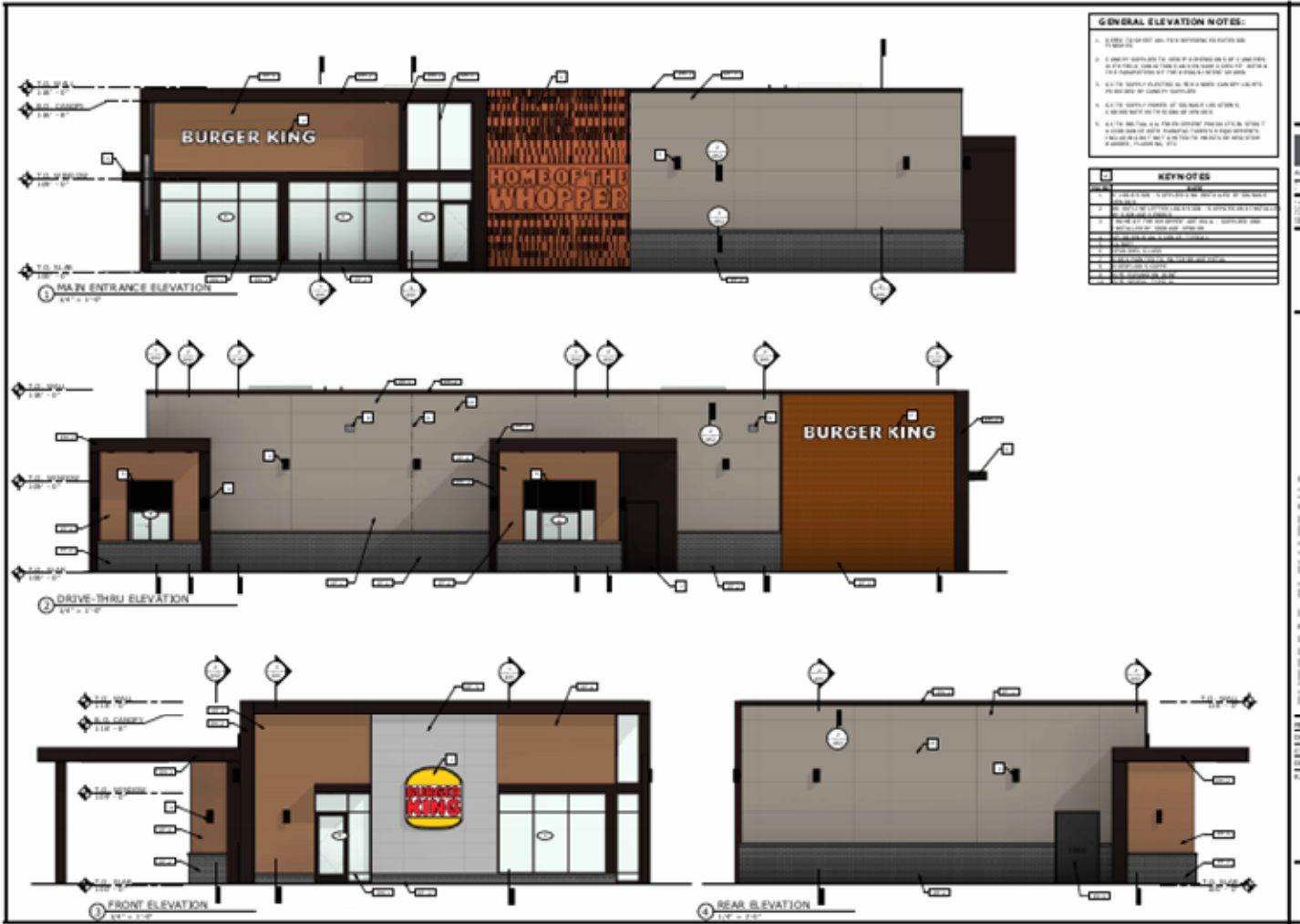


SITE PLAN



SITE INFORMATION

PROPERTY AREA: 57,530 S.F. (1.32 ACRES)
 EXISTING ZONING: O-3
 PROPOSED ZONING: O-3
 PROPOSED USE: QUICK SERVE RESTAURANT WITH DRIVE THRU
 AREA OF SITE DISTURBANCE: 37,120 SF (0.85 ACRES)
 SETBACKS: BUILDING: FRONT = 30'
 SIDE = 10'
 REAR = 15'
 PAVEMENT: FRONT = 10'
 SIDE = 5' (TYPE B BUFFER TO NORTH)
 REAR = 5' (TYPE B BUFFER TO WEST)
 PROPOSED BUILDING HEIGHT: 23' (MAX. HEIGHT ALLOWED: 50')
 PARKING REQUIRED: SPACES EQUAL TO 30% OF CAPACITY INCLUDING EMPLOYEES ON LARGEST SHIFT (33 SPACES)
 PARKING PROVIDED: 33 SPACES (2 H.C. ACCESSIBLE)
 HANDICAP STALLS REQUIRED: 2, HANDICAP STALLS PROVIDED: 2
 BUILDING OCCUPANCY CLASSIFICATION = A-2
 CLASS OF BUILDING CONSTRUCTION = VB



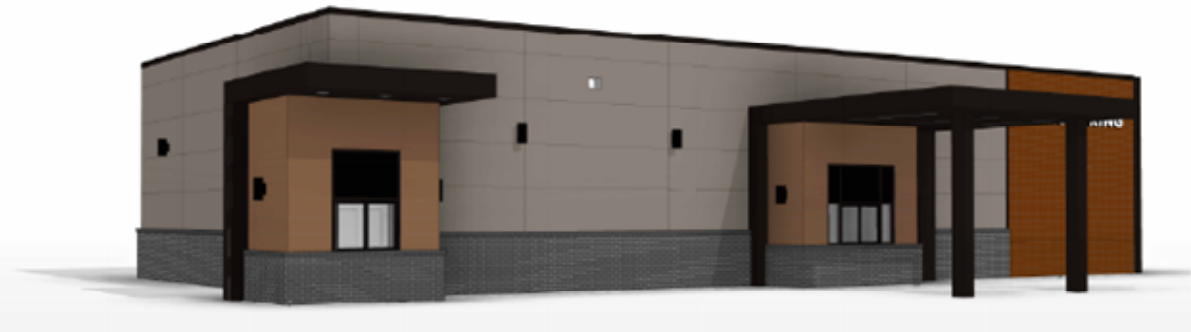
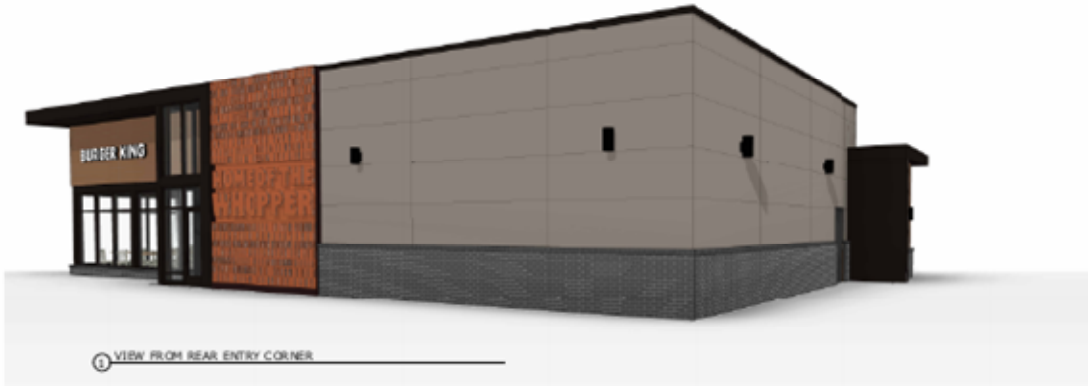


1 VIEW FROM ENTRY CORNER



2 VIEW FROM DRIVE-THRU CORNER

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February 2, 2024

Project Narrative

Project: Burger King
1450 Fourth Street
Beloit, WI 53511

Cave Enterprises Operations, LLC is requesting Architectural review, Site Plan Review and Conditional Use review and approval to allow for demolition of the existing Burger King at 1450 Fourth Street and construction of new Burger King with a double drive-thru at the same location. The property is zoned C-3 Local Business District.

The proposed project involves the construction of a new 3,238 square foot Burger King quick-serve restaurant with associated site improvements. Proposed site improvements include paved parking spaces, concrete drive-thru lanes, internal sidewalk networks along with a new sidewalk connection to the Fourth Street public sidewalk, a new waste enclosure, and an outdoor playground area. The existing pylon sign will be removed and a new pylon sign will be located at the northeast corner. The site will maintain two (2) access locations from Fourth Street with the south access drive shifting slightly south and the north access drive being partially reconstructed in place. The existing traffic circulation pattern will remain. The project site is 1.32 acres, and the proposed project will disturb 0.85 acres.

The proposed project will not disturb more than one (1) acre so local stormwater management requirements will not be triggered with the proposed project. Total impervious will be decreased by approximately 5,479 square feet. Existing site storm drainage patterns will be maintained, with the addition of a six-inch (6") internal roof drain connection to an existing curb inlet within the Fourth Street right-of-way. The existing underground water lateral is proposed to be replaced. Existing underground electric and sanitary are proposed to be partially replaced and modified, connecting the new services to the existing services.

New landscaping will be provided in an approach which ensures species resiliency and complimentary aesthetics. New site lighting will be provided in a fashion that provides appropriate foot candles for safety and cut-off fixtures for minimal light trespass. Exterior materials are represented in the attached color elevations and material sample boards. The exterior design is Burger King's newest prototype.

Restaurant dine-in hours are Monday through Saturday from 6 AM to 10 PM and Sunday from 7 AM to 10 PM. Drive-thru hours are Monday through Saturday from 6 AM to 10 PM and Sunday from 7 AM to 10 PM. The approximate total number of employees is 11 (10 full-time and 1 part-time), and the average number of daily customers is approximately 350.

Always a Better Plan

100 Camelot Drive • Fond du Lac, WI 54935
920.926.9800 • www.excelengineer.com

CITY of BELOIT

Planning and Building Services Division

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

Conditional Use Permit Application

(Please Type or Print)

File Number: _____

1. Address of subject property: 1450 Fourth Street

2. Legal description: See attached

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

Property dimensions are: 260 feet by 195 feet = 57,530 square feet. Irregular shaped lot

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

3. Tax Parcel Number(s): 12630415

4. Owner of record: JHGV, LLC Phone: (312) 829-4000

1624 West 18th Street Chicago IL 60608
(Address) (City) (State) (Zip)

5. Applicant's Name: Cave Enterprises Operations LLC

Same as owner address
(Address) (City) (State) (Zip)

(Office Phone #) / (605)360-1709 / john@caveenterprises.com
(Cell Phone #) (E-mail Address)

6. All existing use(s) on this property are: Burger King quick-serve restaurant with drive-thru

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

A Conditional Use Permit for: to establish outdoor dining and drive-thru
_____ in a(n) C-3 _____ Zoning District.

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

Principal use: Burger King quick-serve restaurant with drive-thru

Secondary use: _____

Accessory use: _____


9. Project timetable: Start date: 6/24/24 Completion date: 10/7/24

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.

 / Dieter Maiwald / Januray 26, 2024
 (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 \$300.00 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: **\$300.00** Amount paid: _____ Meeting date: _____

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

Application accepted by: _____ Date: _____



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

NOTICE TO THE PUBLIC

March 11, 2024

To Whom It May Concern:

Cave Enterprises Operations LLC on behalf of JHGV, LLC has filed an application for a Conditional Use Permit (CUP) to allow a Drive-Through Restaurant in a C-3, Community Commercial District, for the property located at **1450 Fourth Street**. The applicant is remodeling the existing Burger King Restaurant with a double drive-through as shown on the attached site plan.

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

City Plan Commission: Wednesday, March 20, 2024, 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.

Anyone bringing handouts to the Plan Commission meeting must bring 10 copies and submit them to City staff before the meeting begins. You may also mail your comments to the attention of Hilary Rottmann at 100 State Street or via email to planning@beloitwi.gov. You may also call (608) 364-6708 to provide your comments over the phone.

| Owner | Owner Address |
|-----------------------------------|-------------------------------------|
| School District of Beloit | 1500 4th St Beloit, WI 53511-4418 |
| Stateline Boys & Girls Clubs, Inc | 202 Maple Ave Beloit, WI 53511-3555 |



REPORT TO THE PLAN COMMISSION

Plan Commission Meeting Date: March 20, 2024

Agenda Item: 3.b.

File Number: ZMA-2024-04

General Information

Applicant: The City of Beloit

Owner: Bryon Wolf and Angel Aldama

Address/Location: 830 W. Froebel Drive and 510 W. Froebel Drive

Applicant's Request/Proposal: Zoning Map Amendment to assign a zoning classification of R-1A, Single-Family Residential District, for the properties located at 830 W. Froebel Drive and 510 W. Froebel Drive in the City of Beloit.

Staff Analysis

Existing Site Conditions: The City Council adopted Ordinance 3822 and Ordinance 3823 annexing the subject properties along with the Froebel Drive right-of-way to the City of Beloit on February 5, 2024. The subject properties were annexed at each owner's request for access to City of Beloit sewer because of failing septic systems. The City of Beloit recently completed a sanitary sewer extension along Froebel Drive to provide service to 13 single family residential properties in the Town including the subject properties.

Surrounding Land Use and Zoning: To the north and across the street from 830 W. Froebel Drive is a large vacant parcel zoned R-1, Single-Family Residential District in the Town of Beloit. To the south, east and west of 830 W. Froebel Drive are residential uses also zoned R-1 in the Town of Beloit.

To the north, south and west of 510 W. Froebel Drive are residential uses zoned R-1, Single-Family Residential District in the Town of Beloit. To the east of the subject property is a commercial structure zoned B-2, Local Business District, which is also in the Town of Beloit.

City of Beloit Comprehensive and Strategic Plan: The Future Land Use Map of the Comprehensive Plan recommends a *Single Family Residential – Urban* land use for the parcel, which is consistent with the proposed zoning and existing land uses.

Future Zoning Classification: In the past when properties were annexed to the City, a

temporary zoning classification was assigned until an Ordinance approving a Zoning Map Amendment was adopted by the City Council.

Staff recommended not assigning a temporary zoning at the time of annexation as allowed by Section 66.0217(8) of Wisconsin Statutes, but rather to initiate a Zoning Map Amendment to assign a zoning classification that is consistent with the Comprehensive Plan if the annexation was approved.

Notice of the proposed Zoning Map amendment was sent to the Town of Beloit Clerk and the owners of 830 W. Froebel Drive and 510 W. Froebel Drive. No parcels within the City limits other than the City-owned lands along Lenigan Creek are within 150 feet of the subject parcels requiring separate notice.

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:

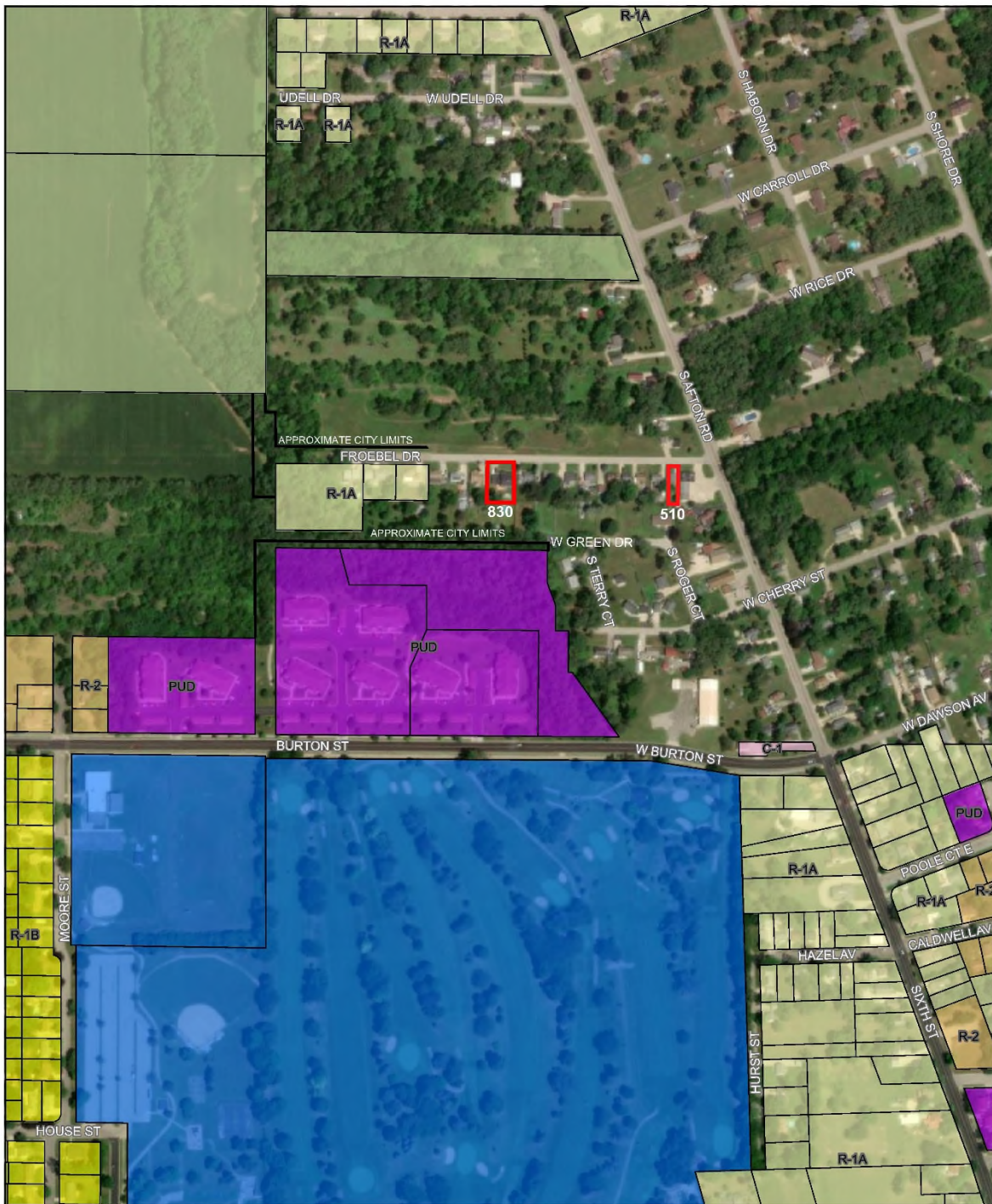
1. **The existing use of property within the general area of the subject property.**
The existing use of both properties is single-family residential, and the surrounding uses are either existing single-family residences, areas planned for residential development, or existing local business uses along Afton Road.
2. **The zoning classification of property within the general area of the subject property.**
The proposed zoning map amendment to assign City of Beloit R-1A, Single-Family Residential District zoning to 830 W. Froebel Drive and 510 W. Froebel Drive is consistent with the adjacent R-1 Single-Family Residential District zoning and residential uses in the Town of Beloit, and compatible with the local business uses along Afton Road in the Town of Beloit.
3. **The suitability of the subject property for the uses permitted under the existing zoning classification.**
The parcels were recently annexed from the Town of Beloit and so no City of Beloit zoning designation exists. The properties were zoned for single-family residential use in the Town, and are proposed to be zoned for the same use in the City.
4. **The trend of development and zoning map amendments in the general area of the subject property.**
This area is partially developed in the Town of Beloit, primarily with established single-family residential uses and limited commercial along Afton Road. Nearby development in the City includes single-family uses at the west end of Froebel Drive, and the Burton Ridge Apartments south of Green Drive and the City owned lands along Lenigan Creek, which are south of the subject parcels. No other significant development has occurred in the area.

STAFF RECOMMENDATION – ZONING MAP AMENDMENT:

The Planning and Building Services Division recommends approval of a Zoning Map Amendment to assign a zoning district classification of R-1A, Single Family Residential District for the properties located at 830 W. Froebel Drive and 510 W. Froebel Drive in the City of Beloit.

ATTACHMENTS: Location and Zoning Maps, Application, Annexation Ordinances, Public Notice, and Ordinance.

CITY OF BELOIT ZONING MAP



12/11/2023

Zoning Districts

- R-1A
- R-1B
- R-2
- C-1
- DH
- PLI
- PUD

World Imagery
Low Resolution 15m Imagery

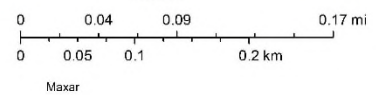
High Resolution 60cm Imagery

High Resolution 30cm Imagery

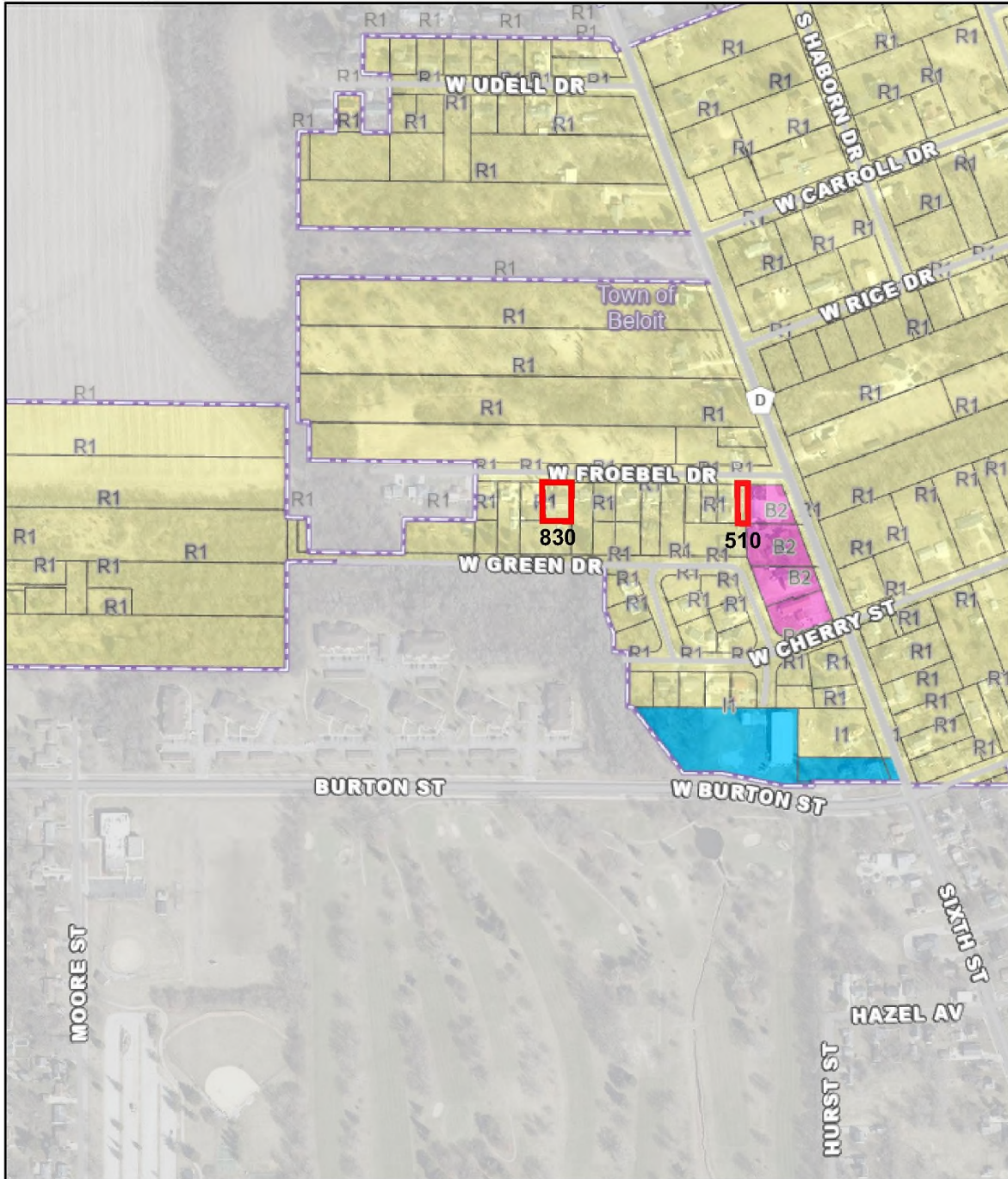
Citations

1.2m Resolution Metadata

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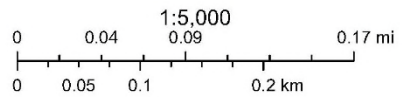
TOWN OF BELOIT ZONING MAP



12/11/2023, 2:59:21 PM

Zoning Districts

- R1
- B2
- LI



Rock County Land Information Office, County of Rock Land Information Office; Rock County, Wisconsin

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.: _____

1. **Address of subject property:** 510 and 830 W. Froebel Drive

2. **Legal description: Lot:** _____ **Block:** _____ **Subdivision:** _____

(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):** 6-2-100.9 and 6-2-1000.1B (Town IDs)

4. **Owner of record:** Angel Aldama and Bryon Wolf Phone: _____

(Address)

(City)

(State)

(Zip)

5. **Applicant's Name:** City of Beloit

100 State Street

Beloit

WI

53511

(Address)

(City)

(State)

(Zip)

608-364-6703 /

(Cell Phone #)

/ (E-mail Address)

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

Change zoning district classification from: _____ to: R-1A

All existing uses on this property are: Single Family residences

7. **All the proposed uses for this property are:**

Principal use(s): Single Family residences

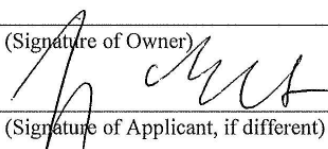
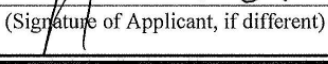
Secondary use(s): _____

Accessory use(s): _____

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: _____
 - (x) Other, explain: City is assigning permanent zoning following recent annexations
9. Individual(s) responsible for compliance with conditions (if any), if request is granted:
- Name(s): _____ Phone: _____
- _____
 (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.

| | | |
|---|-------------------|--------|
|  | Jerry Gabrielatos | 3-5-24 |
| (Signature of Owner) | (Print name) | (Date) |
|  | Jerry Gabrielatos | 3-5-24 |
| (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 the application fee.

To be completed by Planning Staff

Filing Fee: **\$500.00** Amount Paid: _____ Meeting Date: _____

Application accepted by: _____ Date: _____



ORDINANCE NO. 3822

AN ORDINANCE ANNEXING 830 W. FROEBEL DRIVE AND THE FROEBEL DRIVE RIGHT-OF-WAY FROM THE TOWN OF БЕЛОИТ TO THE CITY OF БЕЛОИТ

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

Section 1. Territory Annexed. In accordance with Section 66.0217(2) of Wisconsin Statutes and the *Petition for Direct Annexation* filed by Bryon Wolf with the City Clerk on the 4th day of December 2023, signed by all of the owners of real property of the following described property in the Town of Beloit, Rock County, Wisconsin, the following territory is annexed to the City of Beloit, Wisconsin:

PART OF FROEBEL DRIVE AND ALSO A PART OF LOT 2 OF FROEBEL'S SUBDIVISION, BEING PART OF GOVERNMENT LOT 4 OF SECTION 23, T. 1 N., R. 12 E. OF THE 4TH P.M., TOWN OF БЕЛОИТ, ROCK COUNTY, WISCONSIN.

DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SECTION 23, AFORESAID; THENCE NORTH 0°00'00" EAST A DISTANCE OF 954.53 FEET; THENCE SOUTH 89°18'00" EAST A DISTANCE OF 549.45 FEET TO THE NORTHEAST CORNER OF CERTIFIED SURVEY MAP DOCUMENT NO. 614715, RECORDED IN VOLUME 1 ON PAGE 36, BEING THE POINT OF BEGINNING; THENCE NORTH 0°42'00" EAST A DISTANCE OF 60.00 FEET TO THE NORTH LINE OF FROEBEL DRIVE; THENCE SOUTH 89°18'00" EAST ALONG THE NORTH LINE OF FROEBEL DRIVE A DISTANCE OF 918.86 FEET; THENCE SOUTH 20°55'00" EAST A DISTANCE OF 32.27 FEET; THENCE SOUTH 89°18'00" EAST A DISTANCE OF 7.53 FEET; THENCE SOUTH 20°55'00" EAST A DISTANCE OF 32.27 FEET TO THE NORTHEAST CORNER OF LOT 1 OF FROEBEL'S SUBDIVISION; THENCE NORTH 89°18'00" WEST ALONG THE SOUTH LINE OF FROEBEL DRIVE A DISTANCE OF 650.17 FEET; THENCE SOUTH 0°42'00" WEST A DISTANCE OF 120.00 FEET TO THE SOUTH LINE OF LOT 2 OF FROEBEL'S SUBDIVISION; THENCE NORTH 89°18'00" WEST ALONG THE SOUTH LINE OF LOT 2 AFORESAID A DISTANCE OF 90.00 FEET; THENCE NORTH 0°42'00" EAST A DISTANCE OF 120.00 FEET TO THE SOUTH LINE OF FROEBEL DRIVE; THENCE NORTH 89°18'00" WEST ALONG THE SOUTH LINE OF FROEBEL DRIVE A DISTANCE OF 210.00 FEET TO THE POINT OF BEGINNING.
CONTAINING 1.535 ACRES, MORE OR LESS.

Section 2. Effect of Annexation. From and after the date of this Ordinance the territory described in Section 1 shall be part of the City of Beloit for any and all purposes provided by law and all persons coming or residing within such territory shall be subject to all Ordinances, rules, and regulations governing the City of Beloit.

Section 3. Payment to Town of Beloit. The City of Beloit agrees to pay the Town of Beloit, for five (5) years, an amount equal to the annual amount of property taxes levied on the annexed territory by the Town of Beloit as shown on the Town of Beloit's tax roll prepared pursuant to Section 70.65 Wisconsin Statutes.

Section 4. Ward Designation. The territory described in Section 1 of this Ordinance is hereby made a part of the Twenty fifth (25th) Ward of the City of Beloit, subject to the Ordinances, rules, and regulations of the City, governing ward districts.

Section 5. Severability. If any provision of this Ordinance is invalid or unconstitutional, or if the application of this to any person or circumstance is invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the other provisions or applications of this Ordinance, which can be given effect without the invalid or unconstitutional provision or application.

Section 6. Effective Date. This Ordinance shall take effect and be in force upon its passage and publication.

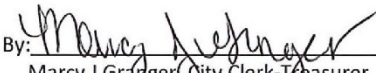
Adopted this 5th day of February, 2024.

CITY COUNCIL FOR THE CITY OF БЕЛОIT

By:


Regina Dunkin, President

ATTEST:

By: 
Marcy J Grainger, City Clerk-Treasurer

PUBLISHED: 2-13-2024
EFFECTIVE DATE: 2-14-2024
01-611100-5231- 24-006



ORDINANCE NO. 3823

AN ORDINANCE ANNEXING 510 W. FROEBEL DRIVE FROM THE TOWN OF БЕЛОIT TO THE CITY OF БЕЛОIT

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

Section 1. Territory Annexed. In accordance with Section 66.0217(2) of Wisconsin Statutes and the *Petition for Direct Annexation* filed by Angel Aldama with the City Clerk on the 4th day of December 2023, signed by all of the owners of real property of the following described property in the Town of Beloit, Rock County, Wisconsin, the following territory is annexed to the City of Beloit, Wisconsin:

PART OF LOT 1 OF FROEBEL'S SUBDIVISION, BEING PART OF LANDS LOCATED IN PART OF GOVERNMENT LOT 4 OF SECTION 23, T. 1 N., R. 12 E. OF THE 4TH P.M., TOWN OF БЕЛОIT, ROCK COUNTY, WISCONSIN.

DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SECTION 23, AFORESAID; THENCE NORTH 0°00'00" EAST A DISTANCE OF 954.53 FEET; THENCE SOUTH 89°18'00" EAST ALONG THE SOUTH LINE OF FROEBEL DRIVE A DISTANCE OF 1360.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING SOUTH 89°18'00" EAST A DISTANCE OF 36.50 FEET; THENCE SOUTH 0°42'00" WEST A DISTANCE OF 120.00 FEET TO THE SOUTH LINE OF LOT 1 AFORESAID; THENCE NORTH 89°18'00" WEST ALONG THE SOUTH LINE OF LOT 1 AFORESAID, A DISTANCE OF 36.50 FEET; THENCE NORTH 0°42'00" EAST A DISTANCE OF 120.00 FEET TO THE POINT OF BEGINNING. CONTAINING 0.101 ACRES, MORE OR LESS.

Section 2. Effect of Annexation. From and after the date of this Ordinance the territory described in Section 1 shall be part of the City of Beloit for any and all purposes provided by law and all persons coming or residing within such territory shall be subject to all Ordinances, rules, and regulations governing the City of Beloit.

Section 3. Payment to Town of Beloit. The City of Beloit agrees to pay the Town of Beloit, for five (5) years, an amount equal to the annual amount of property taxes levied on the annexed territory by the Town of Beloit as shown on the Town of Beloit's tax roll prepared pursuant to Section 70.65 Wisconsin Statutes.

Section 4. Ward Designation. The territory described in Section 1 of this Ordinance is hereby made a part of the Twenty fifth (25th) Ward of the City of Beloit, subject to the Ordinances, rules, and regulations of the City, governing ward districts.

Section 5. Severability. If any provision of this Ordinance is invalid or unconstitutional, or if the application of this to any person or circumstance is invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the other provisions or applications of this Ordinance, which can be given effect without the invalid or unconstitutional provision or application.

Section 6. Effective Date. This Ordinance shall take effect and be in force upon its passage and

publication.

Adopted this 5th day of February, 2024.

CITY COUNCIL FOR THE CITY OF БЕЛОIT

By:


Regina Dunkin, President

ATTEST:

By: 
Marcy J Grange, City Clerk-Treasurer

PUBLISHED: 2-13-2024
EFFECTIVE DATE: 2-14-2024
01-611100-5231- 004-007



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 5, 2024

To Whom It May Concern:

The City of Beloit has initiated an application for a Zoning Map Amendment to assign a zoning classification of R-1A, Single Family Residential to 830 W. Froebel Drive and 510 W. Froebel Drive. The properties were recently annexed from the Town of Beloit to the City of Beloit. The following public hearings will be held regarding these applications:

Plan Commission: Wednesday, March 20, 2024 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 15, 2024 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. *

Anyone bringing handouts to the Plan Commission meeting must bring 10 copies and submit them to City staff before the meeting begins. You may also mail your comments to the attention of TJ Nee at 100 State Street or via email to planning@beloitwi.gov. You may also call (608) 364-6711 to provide your comments over the phone.

ORDINANCE NO. 3831

**AN ORDINANCE AMENDING THE
ZONING DISTRICT MAP OF THE CITY OF БЕЛОIT**

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

Section 1. The Zoning District Map of the City of Beloit, mentioned in the Zoning Code, Chapter 19 of the Code of General Ordinances of the City of Beloit, is amended as follows:

The following described lands are hereby assigned permanent R-1A, Single Family Residential District:

PART OF LOT 1 OF FROEBEL'S SUBDIVISION, BEING PART OF LANDS LOCATED IN PART OF GOVERNMENT LOT 4 OF SECTION 23, T. 1 N., R. 12 E. OF THE 4TH P.M., TOWN OF БЕЛОIT, ROCK COUNTY, WISCONSIN.

DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SECTION 23, AFORESAID; THENCE NORTH 0°00'00" EAST A DISTANCE OF 954.53 FEET; THENCE SOUTH 89°18'00" EAST ALONG THE SOUTH LINE OF FROEBEL DRIVE A DISTANCE OF 1360.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING SOUTH 89°18'00" EAST A DISTANCE OF 36.50 FEET; THENCE SOUTH 0°42'00" WEST A DISTANCE OF 120.00 FEET TO THE SOUTH LINE OF LOT 1 AFORESAID; THENCE NORTH 89°18'00" WEST ALONG THE SOUTH LINE OF LOT 1 AFORESAID, A DISTANCE OF 36.50 FEET; THENCE NORTH 0°42'00" EAST A DISTANCE OF 120.00 FEET TO THE POINT OF BEGINNING. CONTAINING 0.101 ACRES, MORE OR LESS. A/K/A 510 W. FROEBEL DRIVE.

PART OF LOT 2 OF FROEBEL'S SUBDIVISION, BEING PART OF GOVERNMENT LOT 4 OF SECTION 23, T. 1 N., R. 12 E. OF THE 4TH P.M., TOWN OF БЕЛОIT, ROCK COUNTY, WISCONSIN.

DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SECTION 23, AFORESAID; THENCE NORTH 0°00'00" EAST A DISTANCE OF 954.53 FEET; THENCE SOUTH 89°18'00" EAST A DISTANCE OF 759.45 FEET TO THE NORTHWEST CORNER OF LOT 2 AFORESAID, BEING THE POINT OF BEGINNING; THENCE SOUTH 89°18'00" EAST ALONG THE SOUTH LINE OF FROEBEL DRIVE A DISTANCE OF 90.00 FEET; THENCE SOUTH 0°42'00" WEST A DISTANCE OF 120.00 FEET TO THE SOUTH LINE OF LOT 2 OF FROEBEL'S SUBDIVISION; THENCE NORTH 89°18'00" WEST ALONG THE SOUTH LINE OF LOT 2 AFORESAID A DISTANCE OF 90.00 FEET; THENCE NORTH 0°42'00" EAST A DISTANCE OF 120.00 FEET TO THE POINT OF BEGINNING. CONTAINING 0.248 ACRES, MORE OR LESS. A/K/A/ 830 W. FROEBEL DRIVE.

Section 2. This Ordinance shall take effect and be in force upon its passage and publication.

Adopted this ____ day of _____, 2024.

City Council of the City of Beloit

Regina Dunkin, Council President

Attest:

Marcy J Granger, City Clerk-Treasurer

Published this ____ day of _____, 2024

Effective this ____ day of _____, 2024

01-611100-5231-_____



REPORT TO THE PLAN COMMISSION

Plan Commission Meeting Date: March 20, 2024

Agenda Item: 3.c.

File Number: ZMA-2024-03

General Information

Applicant: Ronald Whitely, on behalf of Emmanuel Baptist Church

Owner: Emmanuel Baptist Church

Address/Location: 1151 E. Grand Avenue

Applicant's Request: Amend the Zoning District Map from R-1B, Single Family Residential District to PLI, Public Lands and Institutions District

Staff Analysis

Project Summary: Ronald Whitely on behalf of Emmanuel Baptist Church has submitted an application for a Zoning Map Amendment to change the zoning district classification from R-1B Single-Family Residential to PLI, Public Lands and Institutions District, for the property located at 1151 E. Grand Avenue.

Request Details: The applicant wishes to rezone the Emmanuel Baptist Church parcel to PLI, Public Lands and Institutions District, with plans to install a new ground mounted sign to replace the existing ground mounted sign. The current zoning, R-1B Single-Family Residential District, does not allow ground mounted signage. The PLI, Public Lands and Institutions District is a special purpose district that is intended to accommodate major public and quasi-public uses; however, religious institutions are also permitted by right in the PLI District. The property is planned for *Single-Family Residential – Urban* in the current Comprehensive Plan, which specifies that in addition to R-1A and R-1B, Single Family Residential District zoning, PLI zoning is appropriate for small institutional uses in this land use category. As such, a Comprehensive Plan Amendment is not needed in order to rezone this property to PLI, Public Lands and Institutions District.

Surrounding Uses: To the north of the subject property lies the Emmanuel Baptist Education Center, while to the east are single-family homes zoned R-1B Single-Family Residential District. To the south, the property is bordered by the railroad and Durham School Services, both zoned PLI, Public Lands and Institutions and M-1 Light Industrial District. Additionally, to the west are car dealerships zoned C-3, Community Commercial District.

City of Beloit Comprehensive Plan: The Comprehensive Plan recommends *Single-Family Residential - Urban* uses for the subject property. This designation includes institutional uses. Therefore, this proposed Zoning Map Amendment is consistent with the Comprehensive Plan, as required by Section

66.1001(3) of Wisconsin Statutes.

Findings of Fact: Based on Section 2-304 of the Zoning Ordinance, the Plan Commission is required to make a recommendation based on the following considerations:

1. The existing use of property within the general area of the subject property.

PLI is a special purpose zoning district that allows public and institutional uses that, by their nature, are intended to be embedded within established neighborhoods. The applicant intends to continue their institutional and community service uses, which are permitted by-right in the PLI district.

2. The zoning classification of property within the general area of the subject property.

The proposed PLI, Public Lands and Institutions classification is compatible with the surrounding single-family and PLI zoning districts, and is compatible with the use of the property.

3. The suitability of the subject property for the uses permitted under the existing zoning classification.

Under the current R-1B zoning district classification, religious institutions are permitted by-right. Although the subject property is suitable for the uses permitted under the existing zoning, the applicant is seeking PLI zoning to allow new permanent signage. Signage is prohibited within the R-1B Single-Family Residential District, which is primarily intended for single-family detached dwellings.

4. The trend of development and zoning map amendments in the general area of the subject property.

This area of the city is fully developed. Turtle Creek Park is currently undergoing a phased redevelopment and there have been no recent Zoning Map Amendments in the area.

STAFF RECOMMENDATION:

The Planning and Building Services Division recommends **approval** of a Zoning Map Amendment to change the zoning district classification from R-1B, Single-Family Residential District to PLI, Public Lands and Institutions District, for the property located at 1151 E. Grand Avenue.

ATTACHMENTS: Zoning Map, Application, Public Notice, and Mailing List.

City of Beloit Zoning Map



3/13/2024

Zoning Districts

- | | | | |
|---|-----|---|----------------------------|
|  | C-1 |  | R-1A |
|  | C-2 |  | R-1B |
|  | C-3 |  | PLI |
|  | M-1 |  | World Imagery |
| | |  | Low Resolution 15m Imagery |

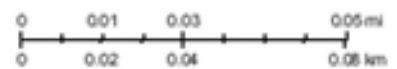
High Resolution 60cm Imagery

High Resolution 30cm Imagery

Citations

30cm Resolution Metadata

1:1,551



Map, Microsoft

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.: _____

1. Address of subject property: 1151 East Grand Ave. Beloit, WI 53511

2. Legal description: Lot: _____ Block: _____ Subdivision: 101

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

Property dimensions are: _____ feet by _____ feet = 38,507 square feet.

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

3. Tax Parcel Number(s): 13640545

4. Owner of record: Emmanuel Baptist Church Phone: 608-362-0562

1151 East Grand Ave. Beloit WI 53511
(Address) (City) (State) (Zip)

5. Applicant's Name: Ron Whitley

1250 N. Dearborn Chicago IL 60610
(Address) (City) (State) (Zip)

(Office Phone #) 1-312-493-3779 1 ronwhitley@gmail.com
(Cell Phone #) (E-mail Address)

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

Change zoning district classification from: R-1B Single Family Residences to: PLI - Public Land & Institutions

All existing uses on this property are: _____

7. All the proposed uses for this property are:

Principal use(s): _____

Secondary use(s): _____

Accessory use(s): _____

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: *Part of Emmanuel Baptist Church committee seeking new signage for church*

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

Name(s): Pastor Phone: 608-362-0562
1151 East Grand Ave. 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.

[Signature] , Oriental Newburn , 2/16/24
(Signature of Owner) (Print name) (Date)

[Signature] , Ren Whitley , 2/15/24
(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 the application fee.

| To be completed by Planning Staff | |
|--|--|
| Filing Fee: \$500.00 Amount Paid: _____ Meeting Date: _____ | Application accepted by: _____ Date: _____ |



CITY HALL • 100 STATE STREET • BELOIT, WI 53511
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www.beloitwi.gov
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NOTICE TO THE PUBLIC

March 11, 2024

To Whom It May Concern:

Ronald Whitely on behalf of Emmanuel Baptist Church has submitted an application for review and consideration of a Zoning Map Amendment to rezone **1151 E. Grand Avenue** in the City of Beloit from an R-1B, Single-Family Residential to a PLI, Public Lands and Institutions District. The following public hearings will be held regarding these applications:

The following public hearings will be held regarding these applications:

City Plan Commission: Wednesday, March 20, 2024, 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 15, 2024 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. *

Anyone bringing handouts to the Plan Commission meeting must bring 10 copies and submit them to City staff before the meeting begins. You may also mail your comments to the attention of Hilary Rottmann at 100 State Street or via email to planning@beloitwi.gov. You may also call (608) 364-6708 to provide your comments over the phone.

| Owner | Owner Address |
|--|--|
| His OZ, LLC | PO Box 41 Beloit, WI 53512-0041 |
| Bethel African Methodist Church | 1314 Athletic Ave Beloit, WI 53511-6413 |
| Hendricks Commercial Properties, LLC | 525 3rd St Ste 300 Beloit, WI 53511-6225 |
| Bethel African Methodist Church | 1314 Athletic Ave Beloit, WI 53511-6413 |
| His OZ, LLC | PO Box 41 Beloit, WI 53512-0041 |
| Mark G. Carey | 1126 Broad St Beloit, WI 53511-6422 |
| David A. Solverson Keri M. Solverson | 10638 N Main St Rockton, IL 61072-9456 |
| Miguel A. Cepeda Marie R. Cepeda | N615 Blackhawk Bluff Dr Milton, WI 53563-9508 |
| Annette Hereford Gwendolyn Vinson | 250 Ridge Ave No 3g Evanston, IL 60202 |
| Iowa Chicago & Eastern Railroad Corp | 120 S 6th St Ste 900 Minneapolis, MN 55402-1812 |
| Estate of Helen Goodall Ryan City of Beloit, Inc | 1335 Chapin St Beloit, WI 53511-6475 |
| Tomas Ramos Flores Crystal M. Furman | 123 Cleveland St Beloit, WI 53511-5939 |
| Gregory A. Gruber | PO Box 106 Albany, WI 53502-0106 |
| Evolve Properties, LLC | PO Box 745 Half Moon Bay, CA 94019-0745 |
| Soo Line Railroad Company | 120 S 6th St Ste 190 Attn: Real Estate Minneapolis, MN 55402 |

ORDINANCE NO. 3830

**AN ORDINANCE AMENDING THE
ZONING DISTRICT MAP OF THE CITY OF БЕЛОIT**

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

Section 1. The Zoning District Map of the City of Beloit, mentioned in the Zoning Code, Chapter 19 of the Code of General Ordinances of the City of Beloit, is amended as follows:

The following described land is hereby changed from R-1B, Single-Family Residential District to PLI, Public Lands and Institutions District:

LOTS 1, 2, 3, 4, AND 5 OF BLOCK 2 EAST BROAD ADDITION, CITY OF БЕЛОIT, ROCK COUNTY, WISCONSIN. SAID PARCEL CONTAINING 1.11 ACRES MORE OR LESS. A/K/A 1151 E. GRAND AVENUE.

Section 2. This Ordinance shall take effect and be in force upon its passage and publication.

Adopted this ____ day of _____, 2024.

City Council of the City of Beloit

Regina Dunkin, Council President

Attest:

Marcy J Granger, City Clerk-Treasurer

Published this ____ day of _____, 2024

Effective this ____ day of _____, 2024

01-611100-5231-_____



REPORT TO THE PLAN COMMISSION

Plan Commission Meeting Date: March 20, 2024

Agenda Item: 4.a.

File Number: FS-2024-02

General Information

Applicant: R.H. Batterman & Co., Inc. on behalf of NG Riverstone Land, LLC

Owner: NG Riverstone Land, LLC

Address/Location: North of Millar Drive and south of Kelsey Road in the in the Town of Beloit.

Applicant's Request: Final Subdivision Plat (20 lots and 2 outlots)

Staff Analysis

Plat Approval Process: R.H. Batterman & Co., Inc. on behalf of NG Riverstone Land, LLC has submitted an Application for Review of a Final Plat of Riverstone Subdivision Plat 2 for property located north of Millar Drive and south of Kelsey Road in the in the Town of Beloit. This land is located beyond the City limits, but within the City's extraterritorial plat review jurisdiction. The subdivision of land requires approval of a Preliminary Plat, followed by approval of a detailed Final Plat, which must substantially conform to the layout of the Preliminary Plat. A recorded Final Plat creates the lots, and may include the entire Preliminary Plat area or phases. The Preliminary Plat of Riverstone Subdivision Plat 1 was approved by the Plan Commission on July 20, 2022. The Final Plat of Riverstone Subdivision Plat 1 was approved by City Council on April 3, 2023.

Proposed Lots: As shown on the attached plat, the applicant has proposed 20 new single-family residential lots in this phase. Additionally, two outlots are proposed, one for stormwater management and one for future development phases. This property is subject to Town of Beloit zoning. This subdivision will be served by public water (City Water Utility) and sewer (Town Sewer Service Area). The plat is within the School District of Beloit Turner. The proposed residential lots have frontage on Pow Wow Trail, which will be extended between Millar Drive and Kelsey Road in this phase. No other streets are platted as part of this phase. The proposed 10 lots along the west side of Pow Wow Trail range in area from 11,050 square feet to 12,659 square feet, and the proposed 10 lots along the east side of Pow Wow Trail along the Rock River range from 36,200+/- square feet to 41,300+/- square feet to the ordinary high water mark or water's edge.

Surrounding Uses: As shown on the attached Location Map, the Rock River is to the east of the subject property, and residential uses are to the north, south and west. Adjacent residential uses along the north side Kelsey Road west of Haborn Drive and at the southeast corner of Kelsey Road and Afton Road are in the City of Beloit. A commercial use and zoning is located southwest of the property in the Town. The City does not exercise extraterritorial zoning jurisdiction and cannot control uses outside of the City.

City of Beloit Comprehensive Plan: The Future Land Use Map of the City's Comprehensive Plan recommends single family uses for the subject parcels. However, land use and density cannot be regulated outside of the City limits.

Review Agent Comments: A copy of the application was sent to the City of Beloit Staff and utility contacts. The Fire Department noted that access for emergency vehicles will need to be maintained once construction on the new lots begins. The Engineering Division noted that all water services will need to be identified and the City informed of their locations, as well as provided the As-Builts for the lots upon completion. No other comments were received.

STAFF RECOMMENDATION:

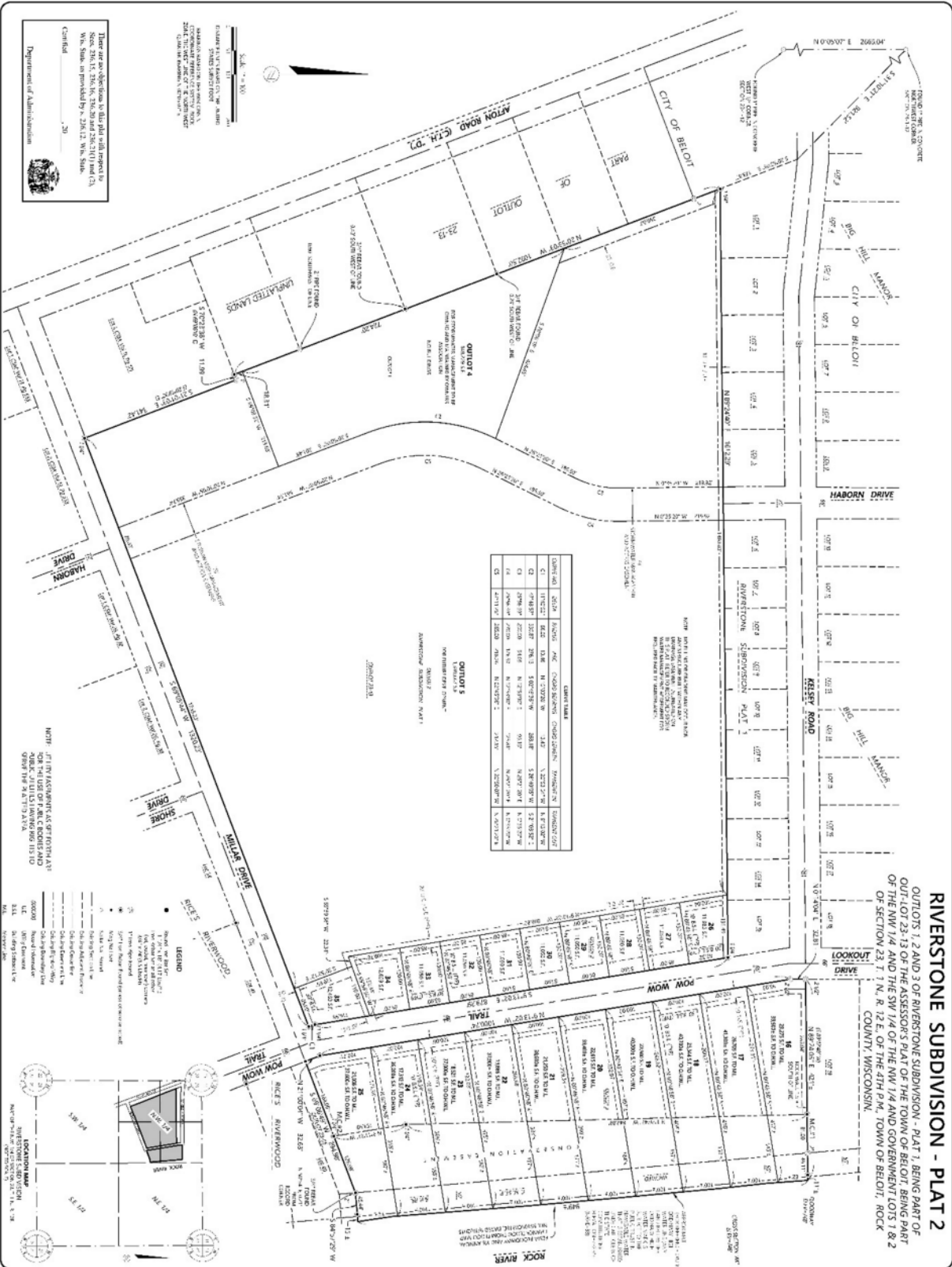
The Planning and Building Services Division recommends **approval** of the Final Plat of Riverstone Subdivision Plat 2 located north of Millar Drive and south of Kelsey Road in the Town of Beloit subject to the following conditions:

1. All of the conditions of approval of the Preliminary Plat remain in full force and effect.
2. The City will be informed of the locations of all water services, and provided the As-Builts for the lots upon completion noting the water services.
3. The applicant shall record the Final Plat with the Rock County Register of Deeds within one year of approval, and shall provide City staff with a copy of the recorded plat.

ATTACHMENTS: Location Map, Final Plat, and Application.

Location Map





RIVERSTONE SUBDIVISION - PLAT 2
 OUTLOTS 1, 2 AND 3 OF RIVERSTONE SUBDIVISION - PLAT 1, BEING PART OF
 OUTLOT 25.13 OF THE ASSessor'S PLAN OF THE TOWN OF BELLOIT, BEING PART
 OF THE NW 1/4 AND THE SW 1/4 OF THE NW 1/4 AND GOVERNMENT LOTS 1 & 2
 OF SECTION 25, T. 1 N., R. 12 E., OF THE 4TH PM, TOWN OF BELLOIT, ROCK
 COUNTY, WISCONSIN.

There are no objections to this plat with respect to
 Secs. 216, 15, 216, 16, 216, 30 and 216, 31(1) and 216,
 Wis. Stats. as provided by s. 216, 12, Wis. Stats.
 Certified _____ 20____
 Department of Administration

| | | | |
|--|--|---|---|
| ORDER NO: 34144 FILED: 07/06/2024 DATE: 07/06/2024 | FOR THE EXCLUSIVE USE OF NG Riverstone Land, LLC 430 E. Grand Avenue, Suite 03 Beloit, WI 53511 | RIVERSTONE SUBDIVISION PLAT 2 |  engineers surveyors planners 7057 Riverdale Beloit, Wisconsin 53511 608.735.3000 1010 N Wisconsin Street Beloit, Wisconsin 53511 608.735.2100 www.batterman.com |
|--|--|---|---|

CITY of BELOIT

Neighborhood Planning Division

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

Application for a Final Subdivision or Condominium Plat

(Please Type or Print) File Number: _____

1. **Proposed subdivision name:** Riverstone Subdivision - Plat 2

2. **Address of property:** North of Millar Drive, Town of Beloit

3. **Tax Parcel Number(s):** 6-2-2195.100C, 6-2-2195.100B, 6-2-2195.100A

4. **Property is located in (circle one):** City of Beloit or **Town of:** Turtle; Beloit; Rock or LaPrairie
In the NW **Quarter of Section** 23, **Township** 1 **North, Range** 12 **East of the 4th P.M.**

5. **Owner of record:** NG Riverstone Land LLC Phone: 608-312-2296
430 E. Grand Avenue, Suite 103 Beloit, WI 53511
(Address) (City) (State) (Zip)

6. **Applicant's Name:** Zach Knutson, NG Riverstone Land LLC
430 E. Grand Avenue, Suite 103 Beloit, WI 53511
(Address) (City) (State) (Zip)
 / 608-312-2296 / zach@nextgenbuilds.com
(Office Phone #) (Cell Phone #) (E-mail Address)

7. **Present zoning classification is:** R-1

8. **Is the proposed use permitted in this zoning district:** Yes

9. **THE FOLLOWING ITEMS MAY NEED TO BE COMPLETED AND/OR ATTACHED:**
- Copy of Preliminary Plat to Utility Providers:** A written statement confirming that the developer submitted copies of the approved preliminary plat to all utility providers as per section 12.03(2).
 - Covenants and Deed Restrictions:** copies of any covenants or deed restrictions.
 - Development Agreement & Fee:** a copy of a Final Draft or Approved Development Agreement;
 - Contract:** A contract for construction of required utilities and public improvements or;
 - A Bond;** guarantying the contract for construction or,
 - Letter from the City Engineer;** stating that the developer has constructed the required improvements and the City has found they are acceptable to the City Engineer and;
 - Final Plat Map;** 10 copies as required by section 12.04(1) including all information required by section 12.04(2) 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 and City Council to review and approve the Preliminary Subdivision Plat for the purpose stated herein. The undersigned also agrees to abide by all applicable federal, state and local laws, rules, and regulations.

Kristin J. Belongia / Kristin Belongia / 2/13/2024
(Signature of applicant) (Print name of applicant) (Date)

This application must be submitted at least 30 days prior to the Plan Commission meeting date.

| | |
|---|---------------------------|
| Review fee: \$300 plus \$15 per lot; \$100 Development Agreement Fee | Amount paid: <u>\$630</u> |
| Scheduled meeting date: _____ | |
| Application accepted by: _____ Date: _____ | |



REPORT TO THE PLAN COMMISSION

Plan Commission Meeting Date: March 20, 2024

Agenda Item: 4.b.

File Number: CSM-2024-03

General Information

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

Owner: Acadia Homes, LLC

Address: 800 Block of East Club Lane in the Town of Beloit

Jurisdiction: Town of Beloit

Applicant's Request: One-lot Extraterritorial Certified Survey Map (CSM), Parcel numbers 6-2-1540 and 6-2-1541

Staff Analysis

Proposed Land Division: The intent of the proposed extraterritorial CSM is to combine Lot 71 and Lot 72 in Longview Addition into one lot that is 100.20-foot wide and 0.36-acres (approximately 15,682 square feet) for a homesite in the Town of Beloit. The Town requires new lots to be a minimum of 10,000 square feet in area 80 feet in width for sewerred lots in the R-1, Single Family Residential District, which this property is zoned. The current parcels contain no buildings or other structures.

Surrounding Land Use and Zoning: The subject properties are surrounded by R-1 zoned parcels with residential uses on the west, east and south, as well as the Beloit Club's golf course directly to the north across East Club Lane.

City of Beloit Comprehensive Plan and Strategic Plan: The City's Comprehensive Plan Future Land Use Map shows that these parcels are planned for *Single-Family Residential – Urban* uses, which is being proposed. However, land use cannot be considered when reviewing Extraterritorial CSM applications according to state law.

Review Agent Comments: The proposed CSM was distributed to the Review Agents. No concerns or comments were received.

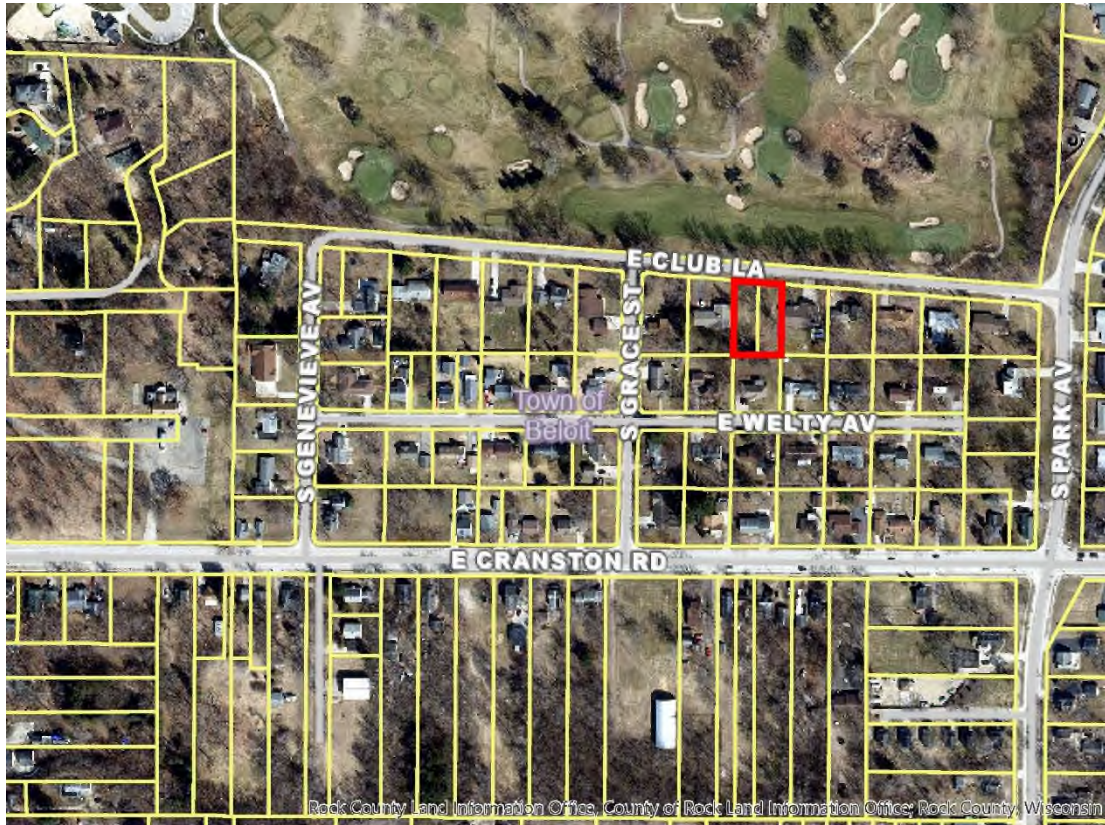
STAFF RECOMMENDATION:

The Planning and Building Services Division recommends **approval** of the attached one-lot Extraterritorial CSM located on the 800 block of East Club Lane in the Town of Beloit, subject to the following condition:

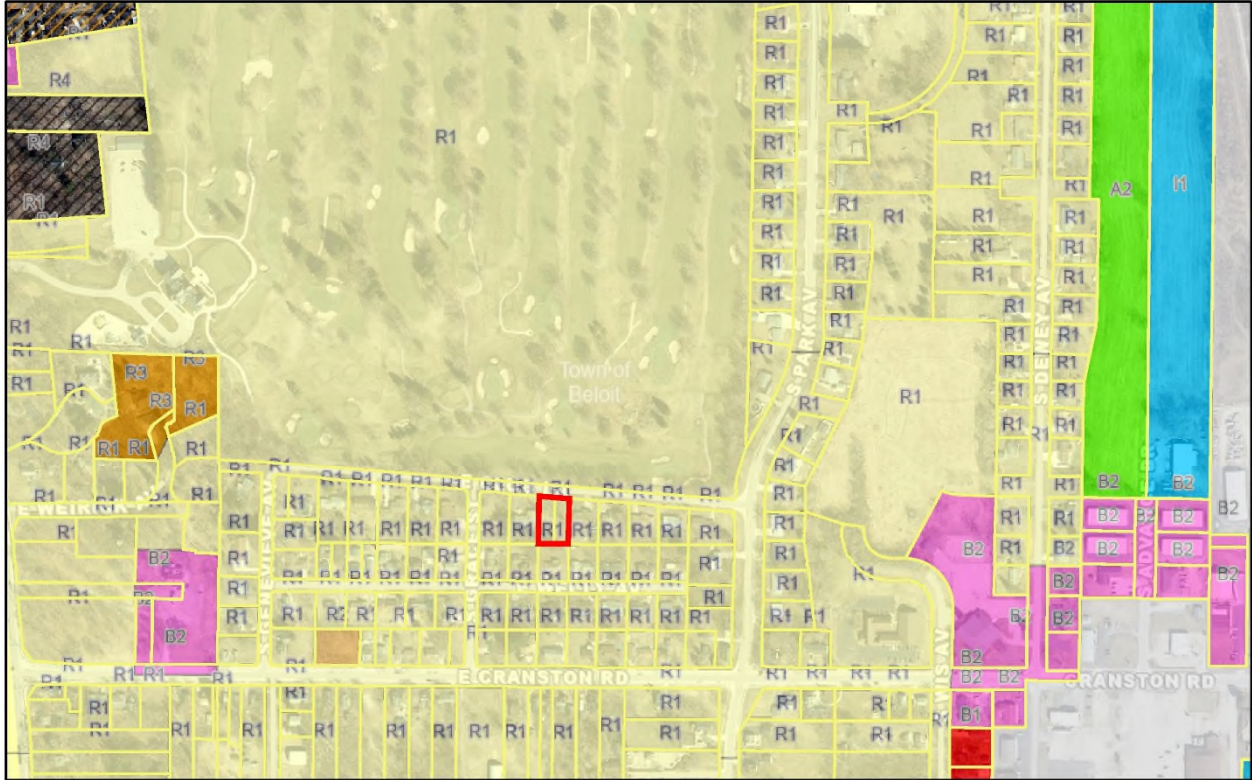
1. The final CSM shall be recorded with the Rock County Register of Deeds within one year of approval and a copy provided to the Planning and Building Services Division.

ATTACHMENTS: Location Map, Town Zoning Map, Certified Survey Map, Application and Resolution.

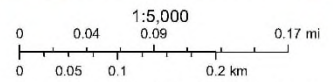
LOCATION MAP



TOWN ZONING MAP



3/13/2024, 11:56:54 AM

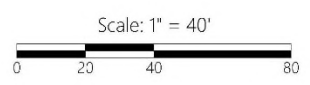
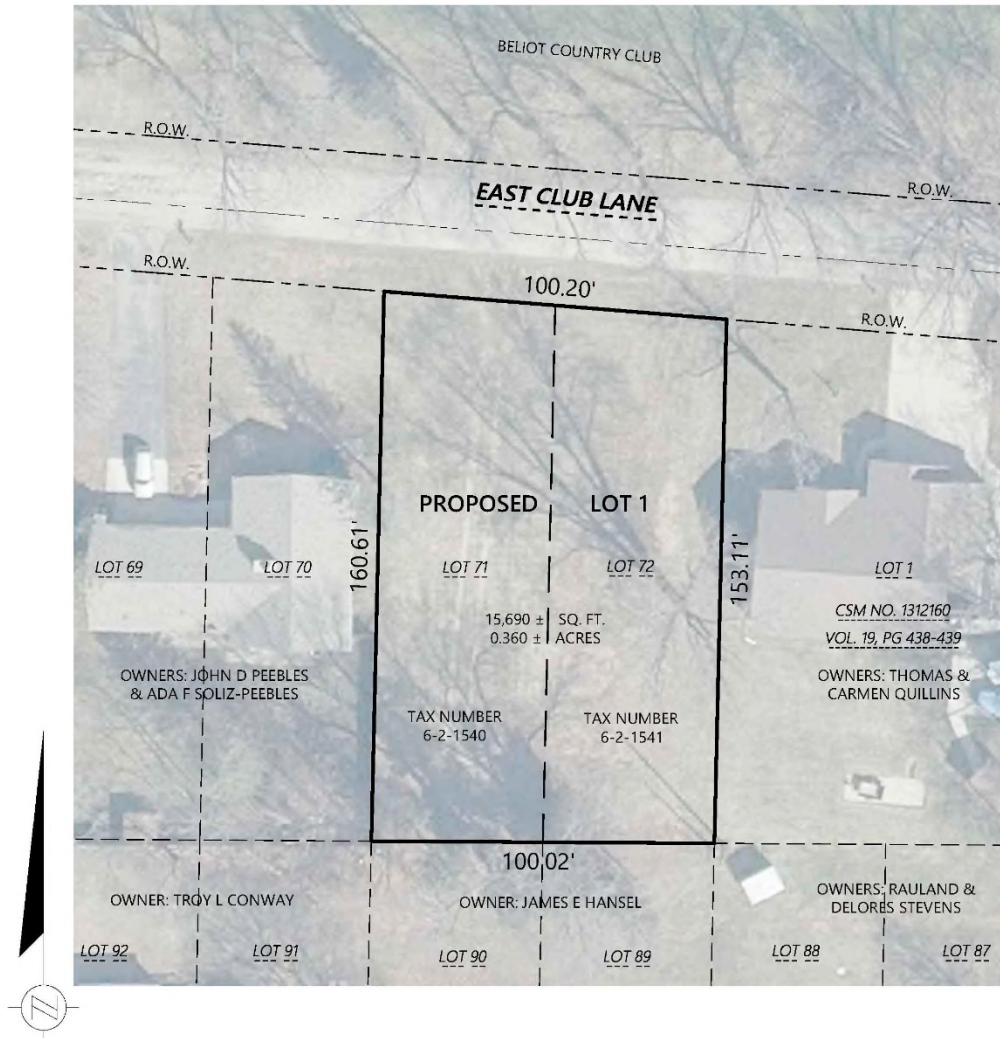


Rock County Land Information Office, County of Rock Land Information Office: Rock County, Wisconsin

Zoning Authority resides with the Towns.

PRELIMINARY CERTIFIED SURVEY MAP

OF LOTS 71 & 72, LONGVIEW ADDITION, BEING PART OF THE SW 1/4 OF THE NW 1/4 OF SECTION 24, T. 1 N., R. 2 E., OF THE 4TH P.M., TOWN OF BELOIT, ROCK COUNTY, WISCONSIN



DISTANCE UNITS BASED ON THE UNITED STATES SURVEY FOOT
 BEARINGS BASED ON THE WISCONSIN COORDINATE REFERENCE SYSTEM, ROCK ZONE.

- LEGEND**
- Existing Boundary Line
 - - - - - Existing Right-of-Way
 - - - - - Existing Adjacent Property
 - - - - - Existing Centerline

| | | | |
|---|---|---|--|
| <p>ORDER NO: 34965 DATED: FEBRUARY 19, 2024 DRAWN BY: JL SHEET 1 OF 1</p> | <p>FOR THE EXCLUSIVE USE OF: Acadia Homes, LLC PO Box 15386 Loves Park, IL 61132</p> | <p>Batterman engineers surveyors planners 2857 Bartels Drive 1040 N Wisconsin Street Beloit, Wisconsin 53511 Elkhorn, Wisconsin 53121 608.365.4464 262.379.2250</p> | |
|---|---|---|--|

File Name: \\34965-34965-34965 - Acadia Homes\SURVEY\BIB DRAWING FILES

CITY of BELOIT
Neighborhood Planning Division

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

Application for Review of a Minor Subdivision

(Please Type or Print) File Number: _____

1. Address of property: E. Club Lane (Town of Beloit)

2. Tax Parcel Number(s): 6-2-1540 & 6-2-1541

3. Property is located in (circle one): City of Beloit or Town of: Turtle; Beloit; Rock or LaPrairie
 In the _____ Quarter of Section 24, Township 1 North, Range 12 East of the 4th P.M.

4. Owner of record: Acadia Homes, LLC Phone: 608-921-7708
 PO Box 15386 Loves Park IL 61132
 (Address) (City) (State) (Zip)

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

6. Number of new lots proposed with this land division is 0 (Combination) lot(s).

7. Total area of land included in this map: 0.36 Acres

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

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

10. The present zoning classification of this property is: R-1

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 _____ 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.

Kristin J. Belongia / Kristin Belongia / 2/19/2024
 (Signature of applicant) (Name of applicant) (Date)

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

| | |
|--|--------------------|
| Review fee: \$150 plus \$10 per lot | Amount paid: _____ |
| Scheduled meeting date: _____ | |
| Application accepted by: _____ | Date: _____ |

RESOLUTION 2024-009

**APPROVING A ONE-LOT EXTRATERRITORIAL CERTIFIED SURVEY MAP
FOR THE PROPERTY LOCATED ON THE 800 BLOCK OF EAST CLUB LANE
IN THE TOWN OF BELOIT**

WHEREAS, Section 12.05(1)b of Chapter 12 of the Code of General Ordinances of the City of Beloit entitled “*Subdivision and Official Map Ordinance*” authorizes the City Plan Commission of the City of Beloit to approve, conditionally approve, or reject any minor subdivision of land within the extraterritorial jurisdiction of the City; and

WHEREAS, the attached one-lot Certified Survey Map on the 800 block of East Club Lane in the Town of Beloit, containing 0.36 acres, more or less, is located within the extraterritorial jurisdiction of the City of Beloit; and

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

LOTS 71 AND 72, LONGVIEW ADDITION, BEING PART OF THE SW 1/4 OF THE NW 1/4 OF SECTION 24, T. 1 N., R. 2 E., OF THE 4TH P.M., TOWN OF BELOIT, ROCK COUNTY, WISCONSIN.

NOW, THEREFORE, BE IT RESOLVED THAT the Plan Commission of the City of Beloit does hereby conditionally approve the attached one-lot Extraterritorial Certified Survey Map on the 800 block of East Club Lane in the Town of Beloit, subject to the following condition:

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

Adopted this 20th day of March, 2024.

Plan Commission

Mike Ramsden, Chairperson

ATTEST:

Julie Christensen,
Community Development Director