

MINUTES
PLAN COMMISSION
City Hall Forum - 100 State Street, Beloit, WI 53511
7:00 PM
Wednesday, February 19, 2025

1. CALL TO ORDER AND ROLL CALL

Chairperson Ramsden called the meeting to order at 7:00 PM. Commissioners Ramsden, Winkelmann, Anderson, Flesch, and Councilor Day were present. Commissioners Elliott, Abarca, Jacobsen and were absent.

2. MINUTES

2.a. Consideration of the minutes of the February 5, 2025 Plan Commission meetings

Commissioner Anderson made a motion to approve the Minutes, seconded by Commissioner Winkelmann. Motion prevailed, voice vote (4-0).

3. PUBLIC HEARINGS

3.a. Consideration of Ordinance No. 3864 amending the Zoning District Map of the City of Beloit for the property located at 1014 Masters Street

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

Chairperson Ramsden opened and closed the public hearing.

Commissioner Flesch made a motion for approval, seconded by Commissioner Anderson. Motion carried, voice vote (4-0).

3.b. Consideration of 2025-06 authorizing an extension for the Conditional Use Permit to allow a drive-in use at 1450 Fourth Street

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

Chairperson Ramsden asked whether the applicant could reapply for another extension if the project is not completed this year. Ms. Christensen confirmed that they could.

Chairperson Ramsden opened the public hearing.

Reid Jahns, a civil engineer with Excel Engineering, stated that he is available to address any questions or concerns regarding the project. He mentioned that they have nearly finalized all the details for the brand-new prototype building for Burger King and are excited to begin construction this year.

Chairperson Ramsden closed the public hearing.

Commissioner Flesch made a motion for approval, seconded by Commissioner Winkelmann. Motion carried, voice vote (4-0).

3.c. **Consideration of a Resolution 2025-03 approving a Conditional Use Permit to allow Liquor Sale for the property located at 1623 Park Avenue**

Community Development Director, Julie Christensen, presented the staff report and recommendation. She also indicated that there were two letters of support provided by the applicant.

Commissioner Anderson asked for clarification on whether they were applying for a permit to begin selling alcohol. He was a bit confused because one of the support letters from Kids Kingdom mentioned that Cinco de Mayo had been responsibly handling alcohol sales in compliance with all legal regulations. Ms. Christensen explained that the letter referenced Waukesha at the top. So, perhaps they have another store in Waukesha. The applicant is in attendance, so perhaps he can clarify.

Chairperson Ramsden opened the public hearing.

Jairo Sanchez, the applicant, stated that he has another location in Waukesha, which he has operated for a longer period. He has worked with that daycare and requested a letter of support from them, which they agreed to provide and sent to him. He also found another location nearby with a bar located next door, and they reported having no issues. Given their long-standing presence, he did not see how this would have an impact.

Chairperson Anderson asked if Mr. Sanchez had any correspondence or contact with the daycare next door. Mr. Sanchez responded that they do communicate occasionally since they share a parking lot and need to coordinate snow plowing. However, beyond that, they had not discussed the topic of beer and alcohol sales.

Commissioner Winkelmann asked what alcohol license is he going to apply for. Mr. Sanchez stated that it would only be packaged beer.

Chairperson Ramsden closed the public hearing.

Commissioner Flesch stated that as Ms. Christensen and the staff pointed out, our responsibility as a Plan Commission is to address the land use and determine whether the sales, in this case, are appropriate for the location and zoning. However, it is someone else's responsibility to decide whether liquor sales are appropriate and to grant the permit. He believed the regulators of liquor sales should be the ones responsible for determining whether it's appropriate for them to sell liquor.

If he recalled correctly, the daycare representative was there at the last public hearing and expressed concerns, which was understandable, but there's always a fear of the unknown. He also understood the concerns of the neighborhood, but the Plan Commission is here to look at the appropriate land use.

Commissioner Anderson stated that he tried to set aside considerations about the daycare or the distance to a school, believing that businesses come and go. He felt the focus should be on whether the property is suitable for the sale of alcohol. As Commissioner Flesch pointed out, that is their role, and staying within those boundaries, he would support it.

Chairperson Ramsden said that at the previous meeting when this item was discussed, he had some concerns regarding the findings of fact, specifically item a, which states that the establishment, maintenance, or operation of the conditional use will not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare. The conclusion he was reaching now was that it's uncertain whether this will or will not be the case.

There was some testimony from the police chief stating that, while businesses can sometimes lead to more crime, it doesn't always happen. Additionally, there were a couple of letters, one from the business owner in Waukesha, stating that there have been no issues and that it is a responsible business. He believed that whether something is considered detrimental or endangering to public health largely depends on the specific situation.

He didn't feel he could make a judgment based on the current findings of fact, as item a had not been established as a public safety threat. His thought was to support the conditional use for now. If it does become an issue in terms of safety, morals, comfort, public health, or the neighborhood, he agreed with Mike Flesch that this could be addressed by the Alcoholic Beverage License Control Commission or the City Council. He was willing to go along with what had already been said and vote in favor of the conditional use.

Commissioner Flesch made a motion for approval, seconded by Commissioner Anderson. Motion carried, roll call vote (4-0).

3.d. Consideration of Resolution 2024-035 approving an exception to Sections 30.09, 30.10, 30.35(2)(c), and 30.40(2)(c) of the outdoor Sign Regulations for the property located at 2825 Prairie Avenue

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

Chairperson Ramsden asked if this item would go before City Council. Ms. Christensen explained that Plan Commission has the final authority on sign ordinance exceptions. The only reason it would go to City Council is if the applicant does not like Plan Commission's decision and they would appeal it. Ms. Christensen mentioned that she had handed out sign information provided by the applicant tonight.

Councilor Day asked if Ms. Christensen could clarify that staff was only in favor of the enlarged emergency sign on the walls. Ms. Christensen responded that Chairperson Ramsden had asked her to provide information on the signs for Beloit Memorial Hospital, so that sign information has been provided in a separate hand-out. Ms. Christensen gave an overview on the Beloit Hospital signage.

Councilor Day asked if the elevations shown in the packet were to scale. Ms. Christensen confirmed that they were.

Commissioner Anderson asked given that we are actively working on revising our sign ordinance, is there any aspect of the sign request that might be allowed under the new code. Ms. Christensen believes that the directional signage is one of the types of signs that may change under the new ordinance. City staff felt that allowing directional signs to be placed on the building, rather than just on the ground would be appropriate.

Staff's main concern was the size of the monument sign. While it does violate code, it also seemed too large, especially considering the city's goal of reducing sign pollution. The Plan Commission, even before some of its current members, has discussed signage at length, particularly along Milwaukee Road. The focus is on ensuring quality over quantity in signage.

Commissioner Anderson asked about the signage for Kwik Trip and how their signage was allowed. Ms. Christensen stated that she did not remember the specifics of that approval and had not looked up the details of the Kwik Trip.

Commissioner Flesch asked if the portion that staff is recommending approval for is 30.16(2)(e). Ms. Christensen confirmed that it was. Mr. Flesch then asked if this was just the height of the sign measured from the ground, not the square footage or the size of the letters. Ms. Christensen indicated that was correct and went on to explain that the 32 square foot directional sign would be acceptable to staff. If a larger directional sign were to be approved, an exception to the size would also be required.

Commissioner Flesch mentioned that Section 30.16 refers back to Section 30.09, specifically regarding the maximum square footage. He assumed that if they weren't seeking a size exception, then it would be in compliance with that portion of the ordinance.

Ms. Christensen explained that the staff recommendation is to allow the exception for the height of the direction signs. If that is the only exception approved, they will not exceed their maximum allowable signage. City staff is recommending that they do not go over the maximum allowable limit.

Commissioner Flesch said that he was just trying to clarify that the recommendation is not to exceed the maximum allowable signage as the ordinance is currently written. Ms. Christensen explained that approving 32 square feet will not exceed the limit because staff is not recommending approval of the monument sign. Commissioner Flesch said that City staff is recommending that they allow the directional sign to be above the low height that you would see for eye-level for vehicle usage. Ms. Christensen confirmed that was correct.

Chairperson Ramsden opened the public hearing.

Andrew Dean, Emergency Medicine Physician at Beloit Memorial Hospital, stated that he also serves as the EMS Medical Director for Stateline Regional EMS, providing medical direction for six area EMS services, including the City of Beloit Fire Department. Additionally, he is the Medical Director and Chair for the Department of Emergency Medicine at Beloit Memorial Hospital.

He is here this evening to support the City staff's recommendation that the Plan Commission deny Mercy Health's application for an exception to the sign ordinance. Specifically, he supports the staff's recommendation to deny Sections 30.09, 30.10, 30.35(2)(c), and 30.43(2)(c).

His support for the staff's recommendation is based on concerns about the quality of care. He believes that large and excessive signage could confuse the public about the differences between the emergency department proposed by Mercy Health and the emergency department at Beloit Memorial Hospital. Beloit Memorial Hospital is a full-service hospital, with services such as an on-site cardiac catheterization lab, operating rooms, and an ICU. If someone arrives at our emergency department with a heart attack, needing emergency surgery, or requiring ICU-level care, we can provide that on-site.

These services will not be available at the proposed Mercy facility, which would likely require transfers to another facility in a different city. In emergencies, these specialties are necessary to care for people in our community. The emergency department proposed by Mercy Health will not offer the same level of care as Beloit Memorial Hospital. The inability to treat patients on-site and the need for transfers during emergencies where time is of the essence is not the desired outcome. For these reasons, he supports the staff's recommendation to deny the requested exceptions to the ordinance for Mercy Health.

Chairperson Ramsden asked if the smaller signs are effective, but they still receive emergency calls that the facility can't handle and have to transfer patients out, how would that impact Beloit Memorial Hospital. Mr. Dean said that it will affect the patient more than it will affect their hospital. It impacts the ability to provide timely, emergency care to patients who would go to the other facility. Chairperson Ramsden asked if he was arguing that if the same patient with that particular emergency arrived at Beloit Memorial Hospital's emergency room, they would receive the appropriate care. Mr. Dean said yes.

Commissioner Anderson said he thought it was a good point to consider how things appear from the public's perspective and how they present it. He asked if the decision about which facility to go to is less about what facility a person wants to go to and more about which facility accepts his medical insurance. Mr. Dean said not every time but in general, yes.

Dr. Dean pointed out that there are a surprising number of people who may not be from the area, especially with the interstate nearby. Many people follow the hospital signs off the highway. With multiple emergency signs, how would someone know which one to follow? If that person is having a heart attack and doesn't come to our facility, it will take longer for them to get the care they need.

Commissioner Anderson asked what happens if an ambulance has the patient and the patient is unresponsive. Mr. Dean said that ambulances will go where their protocols direct them to go. Part of those protocols includes going to a trauma center. Currently, Beloit Memorial Hospital is a Level 3 trauma center. It seems unlikely that the Mercy facility would be designated as a trauma center, given that it doesn't have operating rooms or inpatient beds. In a situation like this, EMS would be advised to take a patient to a trauma center if they've suffered serious trauma.

Commissioner Anderson commented that in an emergency where a medical professional is making the decision of where to go the size of the signs would not matter. Mr. Dean said he doesn't think the signs will influence where ambulances go. Ambulances will follow their protocols, which are guided by various factors, including the patient's needs and, sometimes, the patient's preference depending on their condition.

Chairperson Ramsden said he understands wanting the patient to have the best outcome, but unless the signs would say "we do not accept surgery patients," the size of the sign would really not change the outcome.

Mr. Dean said that they can both be called emergency departments, but the difference is the Beloit Memorial is also a hospital, and they are not. He added that, in terms of signage and labels, there could be a case for calling them something different based on what they offer, but for now, they are both called the same thing.

Dr. Christopher Wistrom, EMS Medical Director with Mercy for 40 agencies in the area, medical director for emergency services for all the whole healthy system. He said that he agrees with much of what Dr. Dean expressed. He believes Beloit Memorial Hospital should also advocate for larger signage as well because the main goal here is to ensure that people are directed to the right resources at the right time based on their needs. He acknowledged that Mercy is not a full hospital but emphasized that they have a history of operating stand-alone emergency departments, such as the one between Walmart and Home Depot along the interstate, which has been in operation for 13 years. He agreed with the idea that people should go to the right place for care, especially when insurance considerations play a large role in where patients go.

He emphasized that his facility provides quality emergency care with board-certified emergency physicians and access to CT scans, labs, and X-rays. In rare cases, patients are rushed to the cath lab or operating room, but most patients are brought in by EMS, which follows protocols to determine where they should be taken.

He explained that Mercy is providing this emergency department for their patients who might not otherwise have access to their emergency services. Since Beloit's ambulances do not leave the City unless they have enough ambulances remaining to cover the City, patients are normally not transported to Mercy Hospital. Therefore, Mercy is bringing those services to those patients by locating in Beloit. He noted that the Vice President of Buildings, Vice President of Operations, and the sign company is available for questions. He would recommend approving the exception, as it is a safety issue of getting the right person to the right facility.

Commissioner Anderson asked if there are specific trauma levels assigned and what trauma level the facility will have. Mr. Wistrom said it will not be designated as a trauma center because it lacks operating rooms and surgeons. They don't want serious trauma cases to be handled there. Commissioner Anderson then asked if it would serve as a stabilizing facility, with patients being transferred either north or south afterward.

Mr. Wistrom said that they stabilize, diagnose, treat, and then transfer patients to the appropriate facility. With their current resources, if someone has a severe stroke, they would likely send them to Rockford, which has neuro-interventional capabilities and a comprehensive stroke center. The next closest facility would be in Madison. For heart attacks, the patient would be sent 15 minutes up the road to Janesville, where their certified cath lab is open 24/7, 365 days a year.

Councilor Day asked if the elevations provided accurately reflect the distance from the curb, inquiring whether the distance is 1,000 feet or 500 feet. Mr. Wistrom referred them to Jim Merriman, representing the sign company.

Jim Merriman, Senior Vice President of Business Development at Jones Sign, stated that they created the visibility study being reviewed. The scale of the study is indicated on both the scale and the elevations provided, so the images are to scale. The signage is rendered to scale with the building, and architecturally scaled elevations are included, with the scale noted in the bottom corner.

Mr. Merriman explained that the purpose of the study is to determine the safe and effective minimums for visibility. They design the sign size to meet those minimums, which is what they have done in this case. When reviewing the code compliance size, they found it to be too small to be safe and effective, so the proposed sign sizes were selected to ensure safety and effectiveness. This is the key conclusion of the study, with all the details provided in the study itself.

Councilor Day asked that when looking at the elevation, you want it bigger so that it can be read. The scale of the building may be higher, but the sign should be appropriate for the distance from the curb. His main concern is whether the sign is too large due to its proximity to the street.

Mr. Merriman explained that the distances are considered for motorists. The goal is to ensure the sign is appropriately sized so drivers have enough time to read and understand the sign, signal, and safely turn into the parking lot. This is based on research and standards. They determine the necessary number of seconds for safe maneuvering, considering both daytime and stressful conditions such as darkness, heavy traffic, or bad weather, which require more time. This is why the signs are designed to be the size they are—to ensure drivers have enough time to react safely.

Chairperson Ramsden asked which sign is the most important for getting the person to the right place at the right time safely, the monument sign or the directional signs on the building.

Mr. Merriman said that both signs have their importance in the situation. The monument sign works well because it is perpendicular to the traffic, making it directly in your line of sight. On the other hand, the building signage requires you to slightly turn your head to see it, as it's located on the face of the building at the two ends. These signs also have a similar impact to the monument sign because they are perpendicular to the road.

Commissioner Winkelmann asked if he is telling Plan Commissioners that they designed the sign for a worst-case scenario. Mr. Merriman said they designed the signs based on what they consider to be typical conditions, such as moderate traffic, potentially nighttime visibility, and less-than-ideal circumstances. These are common situations. Additionally, being in an urban environment with multiple lanes of traffic and other commercial buildings, it is important that you make a clear distinction between Mercy Health and other businesses.

Commissioner Winkelmann asked what the research indicates about the need for people to look up to see a sign. He mentioned that we went and looked at other Mercy signs, and every time he drove by the Mercy signs, he had to look up. That is not his preferred way of seeing things while driving, especially when he's stressed. He tends to focus on what's right in front of him.

Mr. Merriman said that the further away you are, the height is necessary to ensure the sign is visible from a distance. Commissioner Winkelmann said that the study says that the further you are away they would not be able to see it. Mr. Merriman said that if the sign is too small then you would not see it from far away. Commissioner Winkelmann said that is not how he read the study.

Commissioner Winkelmann said that another part of the study mentions age, which he takes exception with. Mr. Merriman replied that he doesn't believe the study mentions age, but rather factors like psychological state, familiarity with the setting, impaired vision, stress, and nighttime conditions. Commissioner Winkelmann insisted that it mentioned older people. Commissioner Winkelmann commented that his issue is with the monument sign, not the other signage.

Tim Lindau, an attorney at Nowlan Law representing Mercy Health System, thanked the commissioners for their service. Legally, he briefly added that he doesn't believe the Supreme Court case cited by city staff is applicable here. If anything, the case supports their request. The case addresses content-based regulations, noting that such regulations are presumed invalid. It mentions specific exemptions, including health and safety concerns, which applies to their request. Additionally, the current sign ordinance is under constitutional scrutiny and may face legal challenges, especially as it is being revised by city staff.

He went on to explain that, in contrast to opinions presented by city staff, the only expert analysis provided in this case has come from Mr. Merriman, whose report includes factual data rather than opinions. The staff's report mentions people using phones or directional devices without providing a clear basis for these claims. He highlighted that, in his experience, he prefers his phone to guide him to the general area, and then uses other landmarks to find his destination. In their case, they've presented actual data and industry standards to support their request, and they have not faced issues with similar requests in other municipalities.

Building on the points made by the doctors, he emphasized the importance of distinguishing between the two facilities. It's not just about having larger signs for the emergency room; people need to recognize Mercy Health as distinct from Beloit Health System.

Chairperson Ramsden closed the public hearing.

Commissioner Anderson asked if it would be appropriate to have a split motion, as the staff recommendation is split, and Commissioner Winkelmann mentioned supporting some of the signage but not others. Chairperson Ramsden did not think it needed to be split up, but he said that it could be split up.

Commissioner Flesch said that if you follow the staff's recommendation, there are two options: one to deny and one to approve. By approving it, you're essentially agreeing to both the denial and approval recommendations in one motion.

Chairperson Ramsden said that if the Plan Commissioners want to split them up then that is fine. Commissioner Anderson said that just for purposes of getting a vote out, or at least getting to the discussion stage, he would make a motion to approve the exceptions as requested for all the signs submitted by the applicant.

Commissioner Winkelmann asked for clarification on the motion, whether it included everything. Commissioner Anderson responded that he felt he had to try to do it as one motion and not split it up. Chairperson Ramsden seconded the motion.

Commissioner Flesch stated that after listening to everyone, the attorney made a strong point about the importance of having a sign that clearly identifies the two different agencies providing services. Both offer emergency services to some extent. When he looks at the proposed sign on the building, he can barely tell that it's Mercy Health. He can see that it's an emergency sign, but it's hard to discern that it's Mercy Health. He questioned how this could be considered an appropriate identification of the ownership of the emergency room. The sign is barely legible, with the focus being on the large red letters, which draws attention away from the smaller white text which identifies Mercy Health.

Commissioner Winkelmann asked if the sign is lit. Mr. Merriman said that the sign is lit at nighttime it would be. Commissioner Flesch said that if he were in serious trouble and unfamiliar with the area, he would likely go to the first red sign he saw, not knowing what level of service he would need or that it wasn't a hospital.

Dr. Wistrom said that the monument sign plays a key role in distinguishing the facility. He explained that when driving down the street in either direction, the sign is positioned perpendicularly to the driver's line of sight. The farther away you are, the less you need to look up to see it, which is why it should be larger. The sign is clearly labeled as Mercy Health, making it easy to distinguish from Beloit Hospital. As you drive, it becomes immediately noticeable, guiding you to the right place.

Commissioner Flesch asked why do they need the big red sign on the building. Dr. Wistrom said that you need them both depending on where you are looking. Commissioner Flesch said that by the time I turn in, I'm looking at the lower level to

give me where I have to turn to so I don't go over all the medians and islands of the parking areas.

Commissioner Anderson said that's why he believes the monument sign is even more important than the building or directional signs. He feels it provides a better opportunity to distinguish the two facilities. While both emergency rooms can be identified, especially at night when lit up, the monument sign is crucial. He emphasized that for emergency rooms, larger signage is better—within reason—compared to something like a Pizza Hut sign. He added that, based on the other points raised, he doesn't see any harm in this approach.

Commissioner Flesch asked what happens when the emergency room fails and it just becomes the clinic and you've got this giant sign. Commissioner Anderson asked what do you do to a sign on a building when that business goes out of business. You take it down and somebody has to put up a new one right. Commissioner Flesch said that with a monument sign you do not. They discussed adding a condition.

Chairperson Ramsden said that he wants to err on the side of safety. He expressed his intention to defer to the study conducted by the experts. His main goal is to ensure the best possible outcomes for people, even if it means the signs become larger, boxier, and more obtrusive. He stated that he would be willing to accept that outcome when it comes to emergency rooms.

Commissioner Winkelmann stated that what he's hearing is that the condition for a larger sign would be based on the emergency nature of healthcare services, which would not apply to businesses like Pizza Hut, a coffee shop, or a grocery store.

Commissioner Winkelmann asked about the red caveat under the boxes, noting that if he brings up his screen, the minimum viewing time under stress conditions is listed as 13-plus seconds for both the larger and smaller signs. He questioned how that could be the case.

Mr. Merriman explained that the minimum viewing time is based on the number of words on the sign and the information it needs to convey to the audience. It accounts for the time required to read the sign, understand its message, signal, brake, and safely turn into the parking lot. Research studies have been conducted to determine how much time this process takes, and this time is a fixed duration. He clarified that the notation applies to both signs, repeating the same information to reflect the research, ensuring there is enough time for someone to safely react to the sign, especially under stress. The size of the sign does not affect this established time. Mr. Merriman explained that the larger sign provides the necessary time for a person to safely read and react to it, while the smaller signs do not.

Chairperson Ramsden re-stated the motion that was on the floor, which was to approve the exceptions as requested for all the signs submitted by the applicant. The motion was seconded by Commissioner Ramsden.

Commissioner Winkelmann made a motion to amend the original motion to add a condition that signs would be removed if the facility ceases to provide emergency medical services.

Commissioner Flesch asked to clarify the motion. They would remove the monument sign or just the emergency part of the sign. Commissioner Anderson seconded the motion. Commissioner Flesch asked for clarification on the condition. Commissioner Winkelmann indicated that the only reason he would be voting for this sign is because it is emergency services-related. Therefore, if it ceases to be that, the need for the large sign goes away. Tim Lindau said that they would agree to bring the signs into compliance. Commissioner Flesch asked if they had a timeline for the signs to be brought into compliance, suggesting six months. The condition brought forward the following: Signs would be brought into compliance within six months if the emergency medical services cease. The motion to amend the original motion by adding the condition was approved, by a show of hands (4-0).

Chairperson Ramsden re-stated the amended motion. The motion was to approve the exceptions as requested for all the signs submitted by the applicant with the condition that signs would be brought into compliance within six months if the emergency medical services cease. Motion carried, roll call vote (3-1). Commissioner Flesch voting no.

4. REPORTS

4.a. Consideration of Resolution 2025-07 approving at two-lot Extraterritorial Certified Survey Map for parcels 6-2-450.549.1 and 6-2-450.549.2 located on the 3100 Block of South Bartells Drive in the Town of Beloit

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

Commissioner Flesch made a motion for approval, seconded by Commissioner Anderson. Motion carried, voice vote (4-0).

5. STATUS REPORT ON PRIOR PLAN COMMISSION ITEMS

Julie Christensen provided an update on items previously reviewed by the Commission.

6. FUTURE AGENDA ITEMS

Julie Christensen outlined the future agenda items. The next meeting is scheduled for March 19, 2025.

7. **ADJOURNMENT**

Commissioner Winkelman made a motion to adjourn the meeting, seconded by Commissioner Anderson at 8:24 PM. Motion carried, voice vote (4-0).

Mike Ramsden

Mike Ramsden, Chairperson

