# PUBLIC NOTICE & AGENDA
# BELOIT PLAN COMMISSION
## City Hall Forum - 100 State Street, Beloit, WI 53511
## 7:00 PM
## Wednesday, May 8, 2024

1. CALL TO ORDER AND ROLL CALL

2. ELECTION OF OFFICERS
   - 2.a. Election of Chairperson
   - 2.b. Election of Vice-Chairperson

3. MINUTES
   - 3.a. Consideration of the minutes of the April 17, 2024 Plan Commission meeting
     Attachment

4. PUBLIC HEARINGS
   *No public hearings are scheduled.*

5. REPORTS
   - 5.a. Consideration of Resolution 2024-010 approving a one-lot Certified Survey Map for the property located at 1926 Lenox Avenue
     Attachment

6. STATUS REPORT ON PRIOR PLAN COMMISSION ITEMS
   *2149 St Lawrence Avenue - Comprehensive Plan Amendment and Zoning Map Amendment*
   *510 and 830 W Froebel Drive - Permanent Zoning*

7. FUTURE AGENDA ITEMS
   *Annexation - 2221 Milwaukee Road*
   *Certified Survey Map - 647 College Street and 722 Chapin Street*

8. ADJOURNMENT

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

# MINUTES
# PLAN COMMISSION
# City Hall Forum - 100 State Street, Beloit, WI 53511
# 7:00 PM
# Wednesday, April 17, 2024

1. **CALL TO ORDER AND ROLL CALL**

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

2. **MINUTES**

   2.a. **Consideration of the minutes of the March 6 and 20, 2024 Plan Commission meetings**

   Commissioner Jacobsen moved to approve the minutes, seconded by Commissioner Flesch. Motion prevailed, voice vote (4-0).

3. **PUBLIC HEARINGS**

   3.a. **Consideration of an exception to Section 34.15(1) of the Architectural Review and Landscape Code to allow more than 25 percent of the exterior surface of any wall on a non-industrial building to be metal for the property located at 324 State St**

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

   Chairperson Ramsden asked for clarification on the criteria required to grant an exception, whether you had to meet all of the criteria or just one or more of the criteria. Ms. Christensen said she cannot say for sure, as it seems unclear.

   Chairperson Ramsden opened the public hearing.

   Dave Siekierski, owner of Bagels and More, explained that he is the owner of the building and went on to explain the extent of the damage that needs to be repaired. Specifically, the interior of 322 State St needs some repairs done including replacing 33 ceiling tiles. At 324 State Street, the water is leaking into the wall and is damaging the pocket joist that goes into the brick, which will rot out over time. Mr. Siekierski indicated that the proposed siding will not viewable from State Street, only from the backside of the building.

   Mr. Siekierski does not want to go against City Code. He indicated that the siding on the building at the corner of St. Lawrence Avenue and Fourth Street is metal, and the coffee trailer on Broad Street also has metal siding. He indicated that there have been tons of granted exceptions that have been approved in downtown.

He has mentioned the brick buildings that keep getting painted in downtown Beloit. Mr. Siekierski explained that he has tuck pointed the building, took the front facade off, and brought back historical aspects. It is his desire to keep the building historic, but he does not have the resources to fix this issue with brick.

Chairperson Ramsden asked Mr. Siekierski if he looked over the staff report for the agenda, or if he had any comments related to the four criteria for the Architectural Review exception. Mr. Siekierski said that he is not familiar with them; his contractor was handling that.

Councilor Day asked Mr. Siekierski why he wanted to use metal siding. Mr. Siekierski said it is the most cost effective. EFIS is twice as expensive, and to rebrick it will be about $500,000, which he cannot afford. Councilor Day asked if there was grant money available. Ms. Christensen said Hilary Rottmann, our Planner, said that there was money available through the Downtown Beloit Association, but she does not know how much money is available.

Councilor Day said that here are some other different metal panels out there that would blend better with the existing building materials. Mrs. Siekierski said that Jerry Klobucar, his contractor, did not give them a lot of options on a color of the metal panels, and they are open to options and suggestions. Councilor Day said that if they did not look at other options it would be hard for Plan Commission to decide. Mr. Siekierski said they are not picky on a color of the metal panels. They just want the building to be waterproof, protected, and to preserve the historical aspects of the building. There was discussion on different siding options that they could use for the building.

Commissioner Flesch asked the applicant how important it was to get the item approved tonight, or could they could lay the item over so they can get their experts to explore better options. Mr. Siekierski indicated that he would be fine with the item being laid over.

Jaelin Hensley, student, said that there are a number of options that could give the applicant a temporary fix until he could raise money to be able rebrick it. Ms. Hensley had suggested some options they could do to for siding such as asphalt which is a cheaper option; corrugated metal; or they could paint flat sheet metal a dustier grey or brown because it sticks better to it and is cheaper than corrugated.

Joe Stadelman, 2431 E Ridge Rd, wanted to make the same points in item 3.a as in 3.c. He stated that this is an outdated ordinance with architectural standards that have changed significantly in the last ten years, and the methods on installation and paints have changed tremendously. There is a need to consider modernizing interpretations, and not limit viable options in today's economy and marketplace. The metal will not go to the ground, so no one can touch it. The brick was installed as an interior wall at

one time, and it was not intended to have exterior brick. He stated that the material the previous owners used to waterproof was not the greatest.

Ms. Christensen said that the Ordinance is 20 years old, but that the Plan Commission will have to follow procedures and criteria contained in the Architectural Review Ordinance.

Chairperson Ramsden closed the public hearing.

Chairperson Ramsden said that even if the ordinance needs to be updated, it is not Plan Commission's responsibility to rewrite the ordinance. Mr. Ramsden said that he would have to see if the owner meets the four criteria or not and would not take into account the other properties.

Commissioner Flesch moved to layover the item, seconded by Commissioner Janke. Motion prevailed, roll call vote (4-0).

3.b. **Consideration of an amendment to a Planned Unit Development Master Land Use Plan to allow flashing projecting sign on the property located at 625 Third Street, the proposed Henry Dorrbaker's development**

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

Commissioner Jacobsen asked if the City received any feedback from the people across the river. Ms. Christensen said that the City staff had not heard from anyone. Commissioner Flesch asked about the size of the sign being 15 feet tall, and if it meets the square foot requirements. Ms. Christensen explained that because this is a PUD, the sign requirements are set by the PUD resolution. Commissioner Flesch asked if the normal ordinance would say the maximum amount square footage for sign. Ms. Christensen said that flashing signs are prohibited, so there are no standards for them; however, the PUD approval dictates the sign allowances.

Chairperson Ramsden asked if they were using the Sign Ordinance Exception criteria for the approval of the sign. Ms. Christensen said the sign code states the PUD approval dictates how much signage you can have.

Chairperson Ramsden opened the public hearing.

Joe Stadelman, Angus-Young, 557 S River St, Janesville, stated that this sign is a unique design, as much urban art as it is a sign. Mr. Stadelman said it is 15 feet tall by 30 feet wide, and that on a wall, it does not look that big since it is proportional to the building. The sign would blink 1.5 seconds back and forth, but he does not think of it is a flashing blinking sign. Mr. Stadelman stated the signs would be visible from Third Street or from Riverside.

Commissioner Flesch asked if when the sign goes back in forth if it will be going back and forth from white to red stripes, and if it is reversed on the other side. Mr. Stadelman said that he did not know, but what changes is the painted red on the vertical pin, the stripes, and the neon are the same.

Commissioner Flesch asked what HDB means at the bottom. Mr. Stadelman said that it stands for Henry Dorrbaker's, and that is the corporate logo. Commissioner Flesch asked what the luminance is, and if it was going to be flashing for about a second and a half. Mr. Stadelman said he did not have an answer for him today.

Councilor Day said that people have a hard time finding the spine road, and people are going to have a hard time finding it. Commissioner Flesch said the longer the flash, the better it would be for the people living over there.

Chairperson Ramsden closed the public hearing.

Commissioner Janke moved to approve the PUD to allow a flashing sign, seconded by Commissioner Jacobsen.

Commissioner Flesch said that he wanted to add a condition that the sign cannot be flashing less than 1.5 to 2 seconds, but that he supports the sign. Commissioner Flesch asked if it would be going off at the same time as the roof sign above would go off.

Commissioner Janke withdrew his motion, Commissioner Jacobsen withdrew her second.

Commissioner Flesch moved to approve the PUD with a condition that the sign frequency shift would be 1.5 second or more, and that the lights go out when the business is closed.

Ms. Christensen explained that the PUD resolution did not include a requirement that the rooftop sign had to go off when the business closed.

Commissioner Flesch asked if they could amend the motion to include both signs and that they must go off when the business closes. Ms. Christensen indicated that the motion would be that the sign can shift every 1.5 seconds or more, and the signs must be turned off when the business is closed.

Commissioner Flesch made the motion to approve with the condition outlined by Ms. Christensen. It was seconded by Commissioner Janke.

Commissioner Jacobsen said she does not feel it is Plan Commission's role to dictate and micromanage how a business operates. She said she could support the flashing

sign, but is uncomfortable about Plan Commission making a recommendation to the City Council on telling the owner when to turn the lights on and off.

Commissioner Flesch withdrew his motion. Commissioner Janke withdrew his second.

Chairperson Ramsden asked Dan Barkes, Hendricks Commercial Properties, how he felt about the amendments that have been proposed, and the motion that was withdrawn. Dan said he was okay with having the sign shifting no less than 1.5 per second.

Commissioner Flesch stated that Commissioner Jacobsen made a good point about having to tell the owner when and when not to turn off the lights at the business. He also stated that he had concerns with the flashing sign because it could become distracting on a public street.

Chairperson Ramsden made a motion to approve the PUD as recommended by staff, seconded by Commissioner Janke. Motion prevailed, roll call vote (3-1). Commissioner Flesch voted no.

3.c. **Consideration of an exception to Section 34.15(1) of the Architectural Review and Landscape Code to allow more than 25 percent of the exterior surface of any wall on a non-industrial building to be metal for the property located at 825 Liberty Avenue**
Julie Christensen, Community Development Director, presented the staff report and recommendation.

Commissioner Janke asked what the percentage of metal was being requested. Ms. Christensen said that it is more than 25 percent on each wall. Commissioner Janke said maybe the applicant can answer that question, since it could vary from 26-50 percent which could determine whether or not if they pass the motion or not.

Commissioner Flesch asked if this was a PUD as well. Ms. Christensen said yes. Commissioner Flesch asked if Plan Commission could make a recommendation to amend the PUD to make it work. Ms. Christensen said you can make exceptions to the sign ordinance with the PUD, but not Architectural Review.

Commissioner Janke asked when TJ did the review and denied this, did he make any suggestions for the designer or the owner. Ms. Christensen said that she is not sure what was discussed between TJ and the designer. When TJ did the review, he felt that the metal they used which was not allowed by code, covered more than 25 percent of the wall.

Chairperson Ramsden opened the public hearing.

Joe Stadelman, Angus-Young, 555 S River Street, Janesville, said that the green is the metal material, and it is 100 percent on that wall surface. Mr. Stadelman said that this gives the building a unique texture that is contrasted by other parts of the building, and the building has almost 60 percent masonry. Paint did not last on the building in the past from the material they used then, and having a wood texture that you have to paint every 7 years does not last. Using this material will last longer, look better longer, and not reduce the value of adjacent properties. This will increase the value of adjacent properties because there is life and activity in the building again. Doing this project with this material is an upgrade from a standard finish. Mr. Stadelman explained that the metal is on the new additions. All of the brick will remain on existing walls. The addition facing the east is a brick elevation.

Commissioner Janke asked if TJ's interpretations were based off the addition, not based off the total composition. Mr. Stadelman stated that TJ applied the 25 percent standard to each wall, rather than looking at each elevation as a whole. Ms. Christensen said that the Ordinance stipulates that each wall can be no more than 25 percent metal.

Mr. Stadelman said that when they redid the City Hall with the new metal it does not meet the City Ordinance, and it was originally built before the ordinance was created. Mr. Stadelman said that typically an architect looks at the massing of the building, and this metal is intended to be a part of the design.

Chairperson Ramsden closed the public hearing.

Commissioner Flesch asked if Plan Commission were to deny the item based on the sole interpretation of the Ordinance, would City Council be able to overturn it. Chairperson Ramsden said yes.

Commissioner Jacobsen moved to approve the exception to Section 34.15(1) of the Architectural Review and Landscape Code, seconded by Commissioner Flesch. Motion prevailed, roll call vote (3-1). Chairperson Ramsden voted no.

4. **REPORTS**
There are no reports.

5. **STATUS REPORT ON PRIOR PLAN COMMISSION ITEMS**
Ms. Christensen updated the Plan Commission on actions taken by City Council related to items previously reviewed by Plan Commission.

6. **FUTURE AGENDA ITEMS**
Julie Christensen outlined the future agenda items. She notified the Commission that the next meeting is scheduled for May 6, 2024 and that this was Andrew's last meeting.

7. **ADJOURNMENT**

Commissioner Jacobsen made a motion to adjourn the meeting, seconded by Commissioner Flesch at 8:35PM. Motion carried, voice vote (4-0).

Mike Ramsden, Chairperson

# REPORT TO THE PLAN COMMISSION

**Plan Commission Meeting Date**: May 8, 2024

**Agenda Item**: 5.a.

**File Number**: CSM-2024-04

## General Information

**Applicant:** David Earl, R.H. Batterman and Co., Inc.
**Owner:** Gregory G. Wagner
**Address:** 1926 Lenox Avenue
**Jurisdiction:** City of Beloit
**Applicant's Request:** One-lot Certified Survey Map (CSM), Parcel number 13470775.

## Staff Analysis

**Proposed Land Division:** The intent of the proposed CSM is to combine Lot 83 and Lot 84 in Belmont Addition into one lot that is 80 feet wide, 131 feet deep and 0.24-acres (approximately 10,500 square feet). The lots are currently "hooked" from an assessment standpoint, meaning they are under the same ownership, assigned one parcel number and one tax bill. The property owner intends to build an additional garage on the westernmost lot (Lot 83). In order to do so, a CSM that combines the two lots of record is required.

Combining the lots by CSM, as opposed to merely leaving them hooked addresses two issues. First, the existing detached garage and driveway that are primarily on Lot 84, also extend over the shared lot line of record between lots 83 and 84. This becomes an issue if the lots were ever "unhooked" from an assessment standpoint back to the original 40-foot-wide lots. If that were done, the existing garage and driveway would encroach onto the westernmost lot (Lot 83), and the garage would not meet setback requirements. Plus, each lot could be sold individually even with the encroachments. While the Assessor's office regularly confers with Planning staff on the suitability of hooking or unhooking lots, that process is a function of the Assessor's office, and does not require any instrument such as a Plat of Survey or CSM to do so. The process simply combines or separates the parcels from an assessment standpoint.

Secondly, if an additional accessory building was allowed to be built on Lot 83, if the lots were unhooked in the future, it would create a situation where a lot of record contains an accessory building without a principal building, which the Zoning Ordinance does not allow. In order to avoid this, and allow the homeowner to build an additional garage on Lot 83, a CSM is required to officially combine the two lots into one lot of record, so that the issues caused if the lots were ever unhooked are avoided.

In the past, as long as adjacent lots were under the same ownership, and did not each contain a principal building, they generally were able to be hooked, regardless of whether the Zoning Ordinance would be violated should they ever be unhooked, such as in the case where a

building was built over the original lot line of record, or where unhooking lots would create an issue where an accessory building is without a principal building on the same lot. As such, Planning staff generally supports requests to combine parcels from an assessment standpoint, if one of the parcels is void of buildings. If and when the owner applies for a building permit that would either add an accessory building to the vacant lot, or expand a building over the shared lot line of record or setback area, a CSM will be required to combine the hooked parcels into one actual lot of record.

**Surrounding Land Use and Zoning:** The subject property is zoned R-1A, Single family Residential District, and is surrounded by R-1A zoned parcels with residential uses on all sides.

**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 the current use.

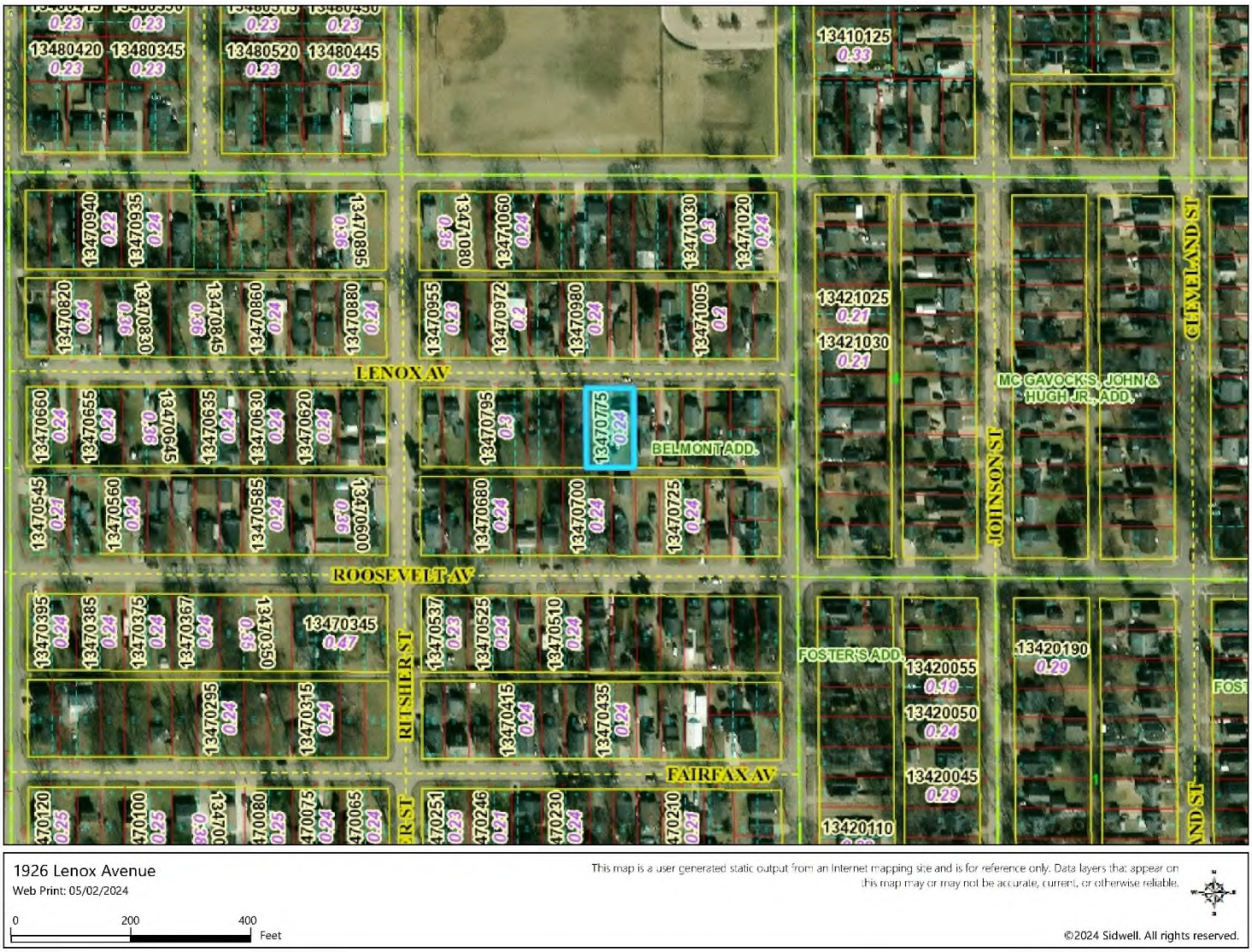
**Review Agent Comments:** The proposed CSM was distributed to the Review Agents. The Water Resources Division, Alliant Energy, and AT&T have no concerns. The Engineering Division noted that additional driveway access off Lenox Avenue will not be approved, and that any driveway access off of the alley would require a driveway permit, which can be found on the City website or by calling the Engineering Division. No other concerns or comments were received.

**STAFF RECOMMENDATION:**
The Planning and Building Services Division recommends **approval** of the attached one-lot CSM located at 1926 Lenox Avenue in the City 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, Zoning Map, Certified Survey Map, Application and Resolution.

# LOCATION MAP

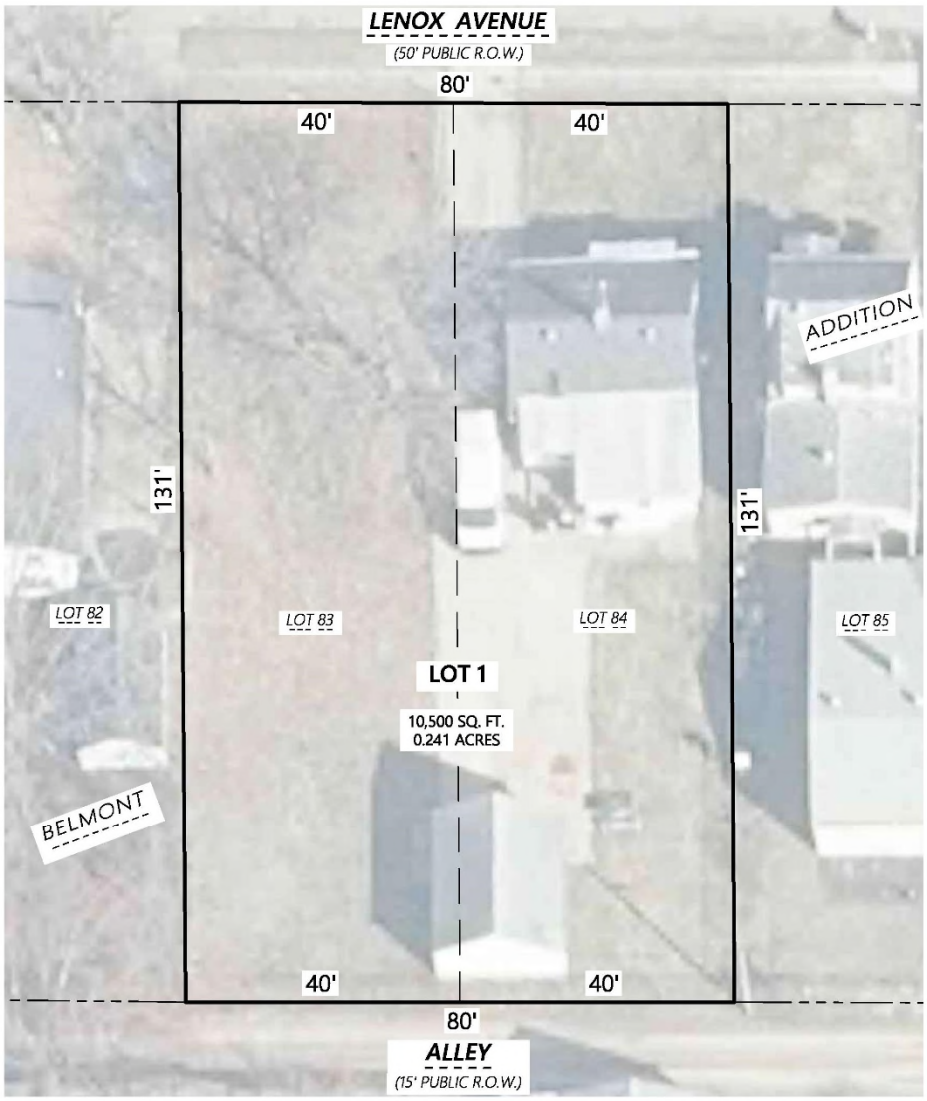


# ZONING MAP


R-1A
PLI
R-1B
WILLIAM ST
PORTLAND AV
RITSHER ST
TOWNLINE AV
JOHNSON ST
R-1A
R-1A
R-1A
R-1A
LENOX AV
R-1B
R-1B
R-1B
R-1A
R-1A
R-1A

# PRELIMINARY CERTIFIED SURVEY MAP

*OF LOTS 83 AND 84, BELMONT ADDITION,*
*BEING PART OF THE SE 1/4 OF THE NW 1/4 OF*
*SECTION 34, T. 01 N., R. 12 E., OF THE 4TH P.M.,*
*CITY OF BELOIT, ROCK COUNTY, WISCONSIN*




Scale: 1" = 20'

0 10 20 40

**LEGEND**

- Existing Boundary Line
- Existing Right-of-Way
- Proposed Land Combination

| | | |
|---|---|---|
| **ORDER NO: 35010**<br>FIELD CREW: JPL<br>DRAWN BY: JPL<br>SHEET 1 OF 1 | *FOR THE EXCLUSIVE USE OF:*<br>Gregory G. Wagner<br>1926 Lenox Ave.<br>Beloit, WI 53511 | Batterman<br>engineers surveyors planners<br>BELOIT \| ELKHORN \| JANESVILLE<br>2857 S. Bartells Dr., Beloit, WI 53511<br>608.365.4464 \| www.rhbatterman.com |

File Name: J:\35000-35999\35010 - Greg Wagner\SURVEY\RHB 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:** 1926 Lenox Ave. Beloit, WI 53511
2. **Tax Parcel Number(s):** 13470775
3. **Property is located in** (circle one): **City of Beloit or Town of: Turtle; Beloit; Rock or LaPrairie**

**In the** NW **Quarter of Section** 34 **, Township** 1 **North, Range** 12 **East of the 4th P.M.**

4. **Owner of record:** Gregory G. Wagner Phone: 608-289-1674

| 1926 Lenox Ave. | Beloit | WI | 53511 |
|---|---|---|---|
| (Address) | (City) | (State) | (Zip) |

5. **Surveyor's name:** David Earl (R.H. Batterman & Co., Inc.) Phone: 608-365-4464

| 2857 S. Bartells Dr. | Beloit | WI | 53511 |
|---|---|---|---|
| (Address) | (City) | (State) | (Zip) |

6. **Number of new lots proposed with this land division is** 1 **lot(s).**
7. **Total area of land included in this map:** 10,500 sq. ft. (0.241 scres)
8. **Total area of land remaining in parent parcel:** 10,500 sq. ft. (0.241 scres)
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-1A
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.

| David Earl | David Earl | 4/2/2024 |
|---|---|---|
| (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 2024-010**

**APPROVING A ONE-LOT CERTIFIED SURVEY MAP FOR THE PROPERTY LOCATED AT 1926 LENOX AVENUE IN THE CITY 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 jurisdiction of the City; and

**WHEREAS**, the attached one-lot Certified Survey Map at 1926 Lenox Avenue in the City of Beloit, containing 0.24 acres, more or less, is located within the jurisdiction of the City of Beloit; and

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

LOTS 83 AND 84, BELMONT ADDITION, BEING PART OF THE SE 1/4 OF THE NW 1/4 OF SECTION 34, T. 1 N., R. 12 E., OF THE 4TH P.M., CITY OF BELOIT, ROCK COUNTY, WISCONSIN.

**NOW, THEREFORE, BE IT RESOLVED THAT** the Plan Commission of the City of Beloit does hereby conditionally approve the attached one-lot Certified Survey Map for the property located at 1926 Lenox Avenue in the City 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 8th day of May, 2024.

**Plan Commission**

_____

Mike Ramsden, Chairperson

**ATTEST:**

_____

Julie Christensen,
Community Development Director