



City of Racine

City Hall
730 Washington Ave.
Racine, WI 53403
www.cityofracine.org

Meeting Minutes - Draft

City Plan Commission

Mayor Cory Mason
Mario Martinez
Christina Hefel
Marvin Austin
Alderman Jason Meekma
Trevor Jung
Sam Peete

Wednesday, May 30, 2018

4:30 PM

City Hall, Room 205

Call To Order

Mayor Mason called the meeting to order at 4:33 p.m.

PRESENT: 6 - Cory Mason, Christina Hefel, Marvin Austin, Jason Meekma, Trevor Jung and Sam Peete

EXCUSED: 1 - Mario Martinez

Approval of Minutes for the May 9, 2018 Meeting

A motion was made by Commissioner Jung, seconded by Alderman Meekma, to approve the minutes of the May 9th meeting. The motion PASSED by a Voice Vote.

4:30 P.M. PUBLIC HEARINGS

[0558-18](#)

Subject: (Direct Referral) A request by Felisha Edwards of Epic Minds Childcare Inc. seeking a conditional use permit to operate a group daycare center at 1819 State Street. (PC-18) (Res. 0181-18)

Recommendation of the City Plan Commission on 5-30-18: That the request by Felisha Edwards of Epic Minds Childcare Inc. for a conditional use permit to operate a group daycare center at 1819 State Street be approved, subject to conditions.

Fiscal Note: N/A

Attachments: [1819 State St. Review & Recommendations](#)
[1819 State St. Submittal](#)
[1819 State St. Public Hearing Notice](#)

Mayor Mason opened the public hearing at 4:35 p.m.

Associate Planner Jeff Hintz introduced the request and reviewed the zoning of the subject and adjacent properties, surrounding land uses and businesses, the public

hearing notice map that was distributed to neighboring properties, the comprehensive plan land use designation for the property, and photos of the site and surrounding area.

The property is zoned B-2 Community Shopping and the surrounding zoning is Residential with some B-2 Community Shopping; the property is not located within a special corridor.

Hintz stated are 14 parking spaces would be required for the use and eight of those spaces could be provided on the site. He stated a rubbish and trash storage plan would need to be provided by the applicant and a signage plan has not yet been submitted. Hintz described the site and floor plans for the property. He stated the daycare would take up the majority of the building and there is a secondhand shop that shares the building as well. Hintz stated there is debris located on the property and several violations that would need to be remedied prior to the applicant occupying the space. He explained the required findings and stated there is parking available off-street and on the property; children drop-off would occur on the property. Hintz explained the possible actions of the Commission and stated there are some exceptions that would need to be approved if the Commission recommends approval.

Hintz stated Staff is recommending approval subject to conditions, several of which would need to be completed by September 30th of this year. He reviewed the conditions and stated exceptions are being requested for the screening requirement and the required number of parking spaces.

Mayor Mason opened the comment period to the public.

The applicant did not wish to speak at this time.

Jacki Kirt, the owner of R&S Foods, a business right next to the property, spoke in opposition of the request. She stated she is not against the business or a daycare using the space, she is against the potential use of her parking lot as the prior businesses have done. She stated there is no visibility where the building hits the sidewalk. She has had bad experiences with previous tenants of the space. She described parking on the site and stated she has semi-trucks that come into her parking lot which shares boundaries with the property being requested for the CUP. She stated she has had employees cars damaged and thinks that the location would be dangerous for children and parents.

Mayor Mason asked Staff to explain where parking would occur.

Hintz explained how the parking would occur on the property. He stated the parking lot would be required to be striped.

Mrs. Kirt stated it looks bigger in the photos than it actually is. She stated it would be more difficult to maneuver in the parking lot during inclement weather such as snow.

John Kirt, R&S Foods, stated he was unsure how parking would occur if the applicant were required to put in a playground.

Commissioner Austin asked if the owners of R&S Foods had any conversations with the applicant.

Mrs. Kirt stated she has not yet had the opportunity to discuss their concerns.

Mr. Kirt stated parking on State Street is difficult. He stated they would love to have a daycare on the property, however, they were here to voice their concerns.

Alderman Weidner gave a brief history on the building. She stated it was built in 1840 and there are no windows in the building and no way to bring in fresh air. She stated she understands the Commission does not have the ability to dictate where businesses can go; however, the parking is a narrow space and she does not agree with an exception being granted. She stated the facility will have 1-10 employees that will need to use the parking at any given time of the day. She stated the area to accommodate parking, a play area, and child drop-off is less than 25 feet wide and stated the owners concerns are legitimate. State Street has been reduced to a two lane highway and children will be forced to be dropped off on the street. She does not believe the building is suitable or healthy for children and a daycare.

Commissioner Austin thanked Alderman Weidner for her comments and asked if she were willing to work with the applicant to help find a suitable space.

Alderman Weidner stated yes and mentioned the old Kertin Medical Clinic on Northwestern Avenue may have some space available. She stated she would have worked with the applicant if she knew earlier about the request.

Mayor Mason closed the public hearing at 5:00 p.m.

Discussion after the motion:

Commissioner Peete asked regarding the ventilation inside of the building.

Assistant Director Matt Sadowski stated Staff has not been inside the building so could offer no comment.

Mayor Mason stated licensing of the space is done by the State of Wisconsin and certain standards have to be met regarding the building and space.

Chief Building Inspector Ken Plaski stated the Building Department would go through the building during the occupancy inspection and address any building code issues. He stated even if the request were approved, occupancy may be difficult to obtain if the building does not pass state codes.

Alderman Meekma asked about the plan for the playground and if it were running up to the back of the residence present on the site.

Hintz stated yes, and placement of a fence is being required.

A motion was made by Commissioner Jung, seconded by Commissioner Austin, to recommend approval of the request. The motion PASSED by a Voice Vote.

[0559-18](#)

Subject: (Direct Referral) A request by Thomas Stout of GNT Jewelry and Loan seeking a conditional use permit to operate a pawnbroker and convenient cash business at 2504 Douglas Ave. (PC-18)

Recommendation of the City Plan Commission on 5-30-18: That the request by Thomas Stout of GNT Jewelry and Loan seeking a conditional use permit to operate a pawnbroker and convenient cash business at

2504 Douglas Avenue be denied as the location of the pawnbroker/convenient cash has a zero foot buffer from a residential district where a 250 foot buffer is required.

Fiscal Note: N/A

Attachments: [2504 Douglas Ave. Review & Recommendations](#)
 [2504 Douglas Ave. Submittal](#)
 [2504 Douglas Ave. Public Hearing Notice](#)
 [2504 Douglas Ave. Supplemental](#)

Mayor Mason opened the public hearing at 5:06 p.m.

Hintz introduced the request and reviewed the zoning of the subject and adjacent properties, surrounding land uses and businesses, the public hearing notice map that was distributed to neighboring properties, the comprehensive plan land use designation for the property, and photos of the site and surrounding area. He stated the property is in the Douglas Avenue Corridor and has a dual zoning – the rear of the property is zoned I-1 Restricted Industrial and the rest of the property zoned B-2 Community Shopping. He stated 40 spaces are required for the use; however, only 25 exist on the site. Signage will be submitted at a later date and a trash enclosure would need to be constructed.

Hintz explained the business proposed. Currently the applicant runs a business in Kenosha; photos were submitted of their current operation and the floor and site plans, and proposed enhancements for the property were explained. The existing fence would be removed and landscaping is being proposed which includes plantings such as Hicksii Yew, Japanese Yew, and the Douglas Business Improvement District (Douglas BID) has a beautification program that would potentially provide the applicant with flower pots to place on the property.

Hintz explained the comments received from the Douglas BID. He stated a comment was received from Adam Francis who owns a business on the 1100 block of Douglas Avenue. Francis commented that the business might be counterproductive to the neighborhood and might affect the progress of Douglas Avenue; he would not be in favor of the business in the Douglas Avenue corridor.

Hintz stated a comment was also received from David Namowicz who stated he has been involved regarding pawn and convenient cash businesses in the past and he opposes the request.

Hintz explained the possible actions of the Commission. He stated the applicant is requesting an exception as a 250 foot separation from residential areas is a requirement. He stated the separation requirement intends to limit pawn and convenient cash businesses to areas that are surrounded by commercial uses. He stated he received comments from the Chief of Police who stated, while he appreciates the need for business growth in the city, there are concerns from a law enforcement perspective. Hintz stated the Police Chief spoke at length regarding burglaries being at the lowest since 1965 and the Police Department's concerns about the fragility of the area being mixed with residential. Hintz stated to grant a Conditional Use Permit all of the findings of fact have to be met. This request does not meeting the separation requirement in the ordinance from residential; the property shares a property line with a residential zoning. Staff is recommending that the request be

denied.

The applicant, Thomas Stout, stated he has been in pawn business for 28 years starting in Nashville, TN. He explained there are federal and state laws that must be abided by and that he is currently registered with the State of Wisconsin Department of Financial Institutions (DFI) and the City of Kenosha. He stated he is passionate about his profession, his business has never been ticketed, and he has letters of recommendation from the City of Kenosha Police Department. Stout explained he has been in Kenosha since 2013 and does not feel property values will be affected by his store. He stated they are not a direct cause of burglaries and theft and explained the procedure for pawning items at his business - in order to do a transaction, a customer must have a valid ID and pictures of the merchandise and their customers are taken. Ninety-three items have been stolen in the five years, and more than 50,000 transactions, they have been operating in Kenosha.

Stout stated there are no pawnbrokers in Racine, only secondhand shops – none of those shops make loans. Stout explained they would not do payday loans at this location and a lot of items have been donated to the City of Kenosha and their police department. He stated his business makes an effort to be involved in the community and expressed discontent with the comments received.

Commissioner Austin asked Stout if his operation in Kenosha were in a similar commercial/residential area.

Mr. Stout stated yes, there is a strip center with pet grooming establishment and a gas station; however, behind his store is all residential.

Alderman Meekma asked if other sites were explored in the city.

Mr. Stout stated yes; however, there are not a lot of locations separated by the 250 feet requirement. He stated Regency Mall is cost prohibitive and another location was looked at, however, the sale of that property did not work out and it is also surrounded by residential.

Andrew Rosenberg, the attorney for the request, explained the issue is the proximity to the residential district. He stated they are willing to work with the city regarding landscaping, lighting, etc. and stated the Kenosha location is well-run. Rosenberg described the property and stated it has been vacant for some time. He explained Stout, his business mode, and the history of the pawnshop industry. He stated a survey of the neighborhood was done and out of 50-60 percent of the neighbors who responded, 90 percent were supportive of the business.

Alderman Steve Smetana spoke in favor of the request. He stated it is a good project and does not want the city to miss an opportunity. As Alderman of the district, he received no concerns.

Stout requested the ability to provide more information to the Commission instead of denial.

Mayor Mason closed the public hearing at 5:56 p.m.

A motion was made by Alderman Meekma to recommend approval of the request. The motion failed for lack of a second.

Discussion after the motion:

Commissioner Jung repeated an earlier question regarding the analysis of a pay day loan vs. a pawnshop/convenient cash businesses. He stated considering the concern of the police department and Staff, he feels that deferral may be an appropriate action. He stated he would hesitate to approve it immediately; however, would not want to deny the request at this time.

Mayor Mason stated that the Commission makes its recommendation based on whether or not an application meets zoning requirements, not based on the business model.

Alderman Meekma asked about the history of the zoning ordinance and if the separation requirement is provided to other businesses.

Sadowski stated the ordinance requires 2500 feet separation between pawnshops and convenient cash businesses so there is not a concentration of them and a 250 feet separation from residences. He stated the ordinance has been in effect for about ten years.

A motion was made by Commissioner Hefel, seconded Commissioner Austin, to recommend denial of the request. The motion PASSED by a Voice Vote with Commissioner Jung and Alderman Meekma voting against the denial.

END OF PUBLIC HEARINGS

[0560-18](#)

Subject: (Direct Referral) Proposed amendments to Section 114-506 B4 Central Business District to change the classification of certain uses from conditional uses to permitted uses by right. (PC-18) (Ord. 0009-18)

Recommendation of the City Plan Commission on 5-30-18: That an ordinance be prepared and a public hearing scheduled.

Fiscal Note: N/A

Attachments: [ABM B4 Change CUPs to Permitted](#)
[B-4 Details CUP to Permitted](#)
[Letter of Support Zoning Ord Amendments May 2018](#)

Sadowski explained the request. He stated Staff is trying to create more synergy between the uses in the downtown area. He showed a zoning map of the downtown and explained the areas impacted would be those zoned B-4 Central Business. He stated the purpose of the B-4 zoning district is to accommodate retail and office uses and detract any that are incompatible with pedestrian and shopping oriented traffic.

Sadowski reviewed the potential changes. He stated the changes would eliminate the need for conditional uses being necessary for certain uses. He stated Staff is recommending that an ordinance be prepared and a public hearing scheduled.

Director Connolly offered a friendly amendment to the original recommendation recommending that distilleries producing under a certain amount be included in the amendment of the ordinance.

A motion was made by Commissioner Jung, seconded by Commissioner Peete, that an ordinance be prepared and a public hearing scheduled with the addition of distilleries under a certain barrel amount being added to the district. The motion PASSED by a Voice Vote.

[Ord.0007-18](#)

Ord. 0007-18 - Amending "A Comprehensive Plan for the City of Racine 2035"

Ordinance adopting an amendment to a document titled "A Comprehensive Plan for the City of Racine: 2035" (Comp Plan 2035) for to incorporate the document titled "A Park An Open Space Plan For The City Of Racine: 2035" (Park Plan:2035), an update of the like named document adopted in 2011 by the Common Council of the City of Racine (the Common Council) (Adopted ZOrd.7-11). The Common Council of the City of Racine do ordain as follows:

SECTION 1: Pursuant to Section 62.23 of the Wisconsin Statutes, the City of Racine is authorized to prepare and adopt certain amendments to The Plan as defined in Sections 66.1001(1)(a) and 66.1001(2) of the Wisconsin Statutes; and

SECTION 2:The Board of Parks Recreation and Cultural Services (the Board), working with the Southeastern Wisconsin Regional Planning Commission, prepared an update of the 2011 version of Park Plan:2035 for the City which will serve as a resource intended to assist in promoting environmental stewardship and to assess current and future parks, recreation, and open space needs within the City, which is articulated in the document titled " A Park And Open Space Plan For The City Of Racine: 2035" (the Plan) ; and

SECTION 3: Following a 30 day notice period, on March 14, 2018 the Board concluded a public input period and on that date, forwarded a recommendation for adoption of Park Plan:2035 to the City of Racine Plan Commission (the Commission) and the Common Council.

SECTION 4: On May 9, 2018 the Commission of the City of Racine received a review of Park Plan:2035 in order to educate Plan Commission members and the public on recommendations contained therein and needed amendment to The Plan; and

SECTION 3: On May 9, 2018 the Commission forwarded a recommendation to the Common Council that the process to amend Comp Plan:2035 move forward based on the findings as enumerate in the staff report to the Plan Commissioners for the meeting on May 9, 2018 and recommendation in the commission report to the Common Council for the May 15, 2018 meeting, and in said report that the associated requests to amendment Comp Plan:2035 to incorporate the

2018 update Park Plan:2035; and

SECTION 4: On May 15, 2018 the Common Council referred all matters related to an amendment to Comp Plan:2035 associated with the updated Park Plan:2035 to the Commission, and directed that ordinances be prepared and public hearings scheduled for an amendment to Comp Plan 2035; and

SECTION 5: Ordinance 0007-18 was herein prepared for amendment to Comp Plan:2035 and transmitted to the Common Council, and a public hearing before the Common Council was scheduled for June 19, 2018; and

SECTION 6: The Commission, on _____, 2018 by a majority vote of the commission recorded in its official minutes, recommended to the Common Council the _____ of a resolution and an ordinance adopting the update to the document titled "A Park An Open Space Plan For The City Of Racine: 2035" as an amendment to the document titled "A Comprehensive Plan for the City of Racine: 2035"; and

SECTION 5: The Common Council has duly noticed and conducted a public hearing on the amendment to The Plan, in compliance with the requirements of Section 66.1001(4)(d) of the Wisconsin Statutes.

SECTION 6: The Common Council of the City of Racine, Wisconsin, does, by the enactment of this ordinance, formally adopt the update to the document titled "A Park An Open Space Plan For The City Of Racine: 2035" as an amendment to the document titled "A Comprehensive Plan for the City of Racine: 2035", pursuant to Section 62.23 and Section 66.1001(4)(c) of the Wisconsin Statutes.

SECTION 7: This ordinance shall take effect upon passage by a majority vote of the members-elect of the City Common Council and publication or posting as required by law.

Fiscal Note: N/A

Sadowski stated this request was at the last Plan Commission meeting. He stated the Public Hearing will not appear at the Common Council until its June 19th meeting. He stated Staff has conducted a review of the plan and some text changes and denotation of park areas are being requested. Sadowski stated there are 92 public parks within the city of Racine and showed a map with the bike paths and open space areas within the city.

Sadowski stated that Staff is recommending deferral to allow time to inform Southeastern Wisconsin Regional Planning Commission (SEWRPC) of the edits needed in the Plan.

Staff is recommending to get back with SEWRPC to inform them of the edits needed to lay groundwork for future grant activity. Staff is recommending deferral.

A motion was made by Alderman Meekma, seconded by Commissioner Peete, to defer the request. The motion PASSED by a Voice Vote.

[0561-18](#)

Subject: A Resolution adopting "A Park and Open Space Plan for the City of Racine: 2035", an amendment to "A Comprehensive Plan for the City of Racine: 2035". (PC-18)

Attachments: [ABM on Park Plan 2035](#)
[A Resolution Adopting A New Park and Open Space](#)
[Memo to Adjct Munis Park Plan](#)
[Summary A Park and Open Space plan for the City of Racine 2035 Amendment](#)
[2018 Park Plan Update \(DRAFT\)](#)
[Park Plan Comments Memo](#)

Sadowski explained that adoption of a resolution is required by the Comprehensive Plan. He stated representatives from SEWRPC are also here to answer any questions regarding the plan.

A motion was made by Alderman Meekma, seconded by Commissioner Austin, to defer the request. The motion PASSED by a Voice Vote.

Adjournment

There being no further business, the meeting adjourned at 6:24 p.m.