

City of Racine

Room 103, City Hall



Meeting Minutes

Wednesday, April 11, 2007

4:15 PM

Room 103, City Hall

City Plan Commission

*Mayor Gary Becker, Alderman Gregory Holding
John Dickert, Elaine Sutton Ekes
Vincent Esqueda, Jud Wyant*

Mayor Becker called the meeting to order at 4:17 p.m.

PRESENT: 6 - Gary Becker, John Dickert, Elaine Sutton Ekes, Vincent Esqueda, Gregory Holding and Jud Wyant

*Others Present: Alderman Keith Fair
Alderman Jim Kaplan
Alderman Elect. Michael Shields
Brian O'Connell, Director of City Development
Richard Heller, Chief Building Inspector
Matthew G. Sadowski, Principal Planner*

Approval of Minutes for the March 28, 2007 Meeting

A motion was made by Alderman Gregory Holding , seconded by Vincent Esqueda, that this be to Approve the Minutes. The motion PASSED

[ZOrd.0003-07](#) An Ordinance rezoning 2711- 19th Street

To amend the map of the Zoning Ordinance of the City of Racine.

The Common Council of the City of Racine do ordain as follows:

Part 1:

That the property located at 2711 - 19th Street, and more particularly described as follows:

"Those properties known as 2711 Nineteenth Street and 2910 Grange Avenue and more particularly described as follows: Lots 21, 24, & 25 of Block 9, Guenther, Palmer and Fidlers Subdivision. Said land being in the City of Racine, Racine County, Wisconsin"

be rezoned from "R-3" Limited General Residence District, to "R-3" Limited General Residence District with an FD Flex Development Overlay District, and designated as Supplement No. _____, which Supplement is hereby made a part of this ordinance.

Part 2:

This ordinance shall take effect upon passage and the day after publication.

Passed by the Common Council:

Approved:

Mayor

Attest:

City Clerk

Fiscal Note: N/A

Commission action on this Ordinance is reflected in File 07-0456.

Scheduled for Public Hearing to the Common Council

[07-0456](#)

Subject: ZOrd.0003-07 - Ordinance to rezone 2711-19th Street for Flex Overlay.

Recommendation of City Plan Commission on 4-11-07: To adopt.

Attachments: [ZOrd.0003-07.pdf](#)

Mayor Becker introduced the item. Director O'Connell reviewed the Commission's past actions on this item, explaining that the ordinance will establish the foundation for the adoption of a use supplement and a conditional use permit for a daycare center.

A motion was made by Elaine Sutton Ekes, seconded by Vincent Esqueda, that this item be Recommended For Adoption. The motion PASSED.

[07-0422](#)

Subject: Consideration of a use supplement for a Flex Development Overlay District at 2711-19th Street.

Recommendation of City Plan Commission on 4-11-07: That a use supplement be adopted by a resolution of the Common Council in association with a Flex Development Overlay District at 2711 - 19th Street, subject to the following conditions:

- a. That all uses listed in the underlying R-3 Limited General Residence District are permissible by right or by conditional use permit unless otherwise specified herein.
- b. That all applicable permits are obtained from the Building Inspection Department.
- c. That the following flex uses are permitted as conditional use permit in addition to those permitted in the R-3 Limited General Residence District: group daycare center.
- d. That the following uses shall be prohibited: community living arrangements, educational institutions providing boarding.
- e. That all aspects of the flex uses and all other uses shall be contained on site.
- f. That all trash and recyclables be stored in closed containers and screened from view.
- g. That the Chief Building Inspector or Director of City Development may impose additional conditions on a single or a group of flex uses to mitigate

potential negative impacts on the subject or surrounding properties. Decisions in this regard may be appealed by the affected operator(s) to the Plan Commission who will forward a recommendation to the Common Council.

h. That upon consultation between the Chief Building Inspector and Director of City Development, additional uses not listed in this resolution may be permitted if found to comply with the spirit and intent of this flex development and the Flex Development Overlay District.

i. That all applicable codes and ordinances be complied with and required permits acquired.

j. That no minor changes be made from the conditions of this flex development without the approval of the Plan Commission, and no major changes be made without the approval of the Common Council.

k. That this flex development is subject to Plan Commission review for compliance with the listed conditions.

Fiscal Note: N/A

Mayor Becker Introduced the item. Director O'Connell reviewed the proposed language of the use supplement.

A motion was made by Alderman Gregory Holding, seconded by Elaine Sutton Ekes, that this item be Recommended For Approval, subject to the listed conditions in the recommendation. The motion PASSED.

07-0423

Subject: Request by Scott Fergus of KeyBridge Development Group for a minor amendment to the Pointe Blue planned development in the 1100 block of Michigan Blvd. seeking the extension of the final plan submittal deadline to allow for project phasing.

Recommendation of City Plan Commission on 4-11-07: That the request of Key Bridge Development Group, dated March 25, 2007 and presented to the City Plan Commission on April 11, 2007, for a minor amendment to the planned development for Pointe Blue to address filing deadlines for the submittal of final plans, be approved subject to the following:

a. That all aspects of this planned development proceed in compliance with Common Council Resolution 06-7121 of September 5, 2006, unless otherwise varied herein.

b. That the Final Plan for Infrastructure (with accompanying construction schedule) be submitted to the City Plan Commission no later than July 25, 2007.

- c. That the Final Plan for High Rise Tower 3 (eastern most tower) be submitted to the City Plan Commission no later than October 31, 2007.
- d. That the Final Plan for Mid Rise Tower 2 (just west of the High Rise Tower) be submitted to the City Plan Commission no later than October 31, 2008.
- e. That the Final Plan for Mid Rise Tower 1 (just west of Mid Rise Tower 2) be submitted to the City Plan Commission no later than October 31, 2009.
- f. That the Final Plan for the low-rise units bounded on the east by William Lewis Lane and on the west by Lindsay Lane be submitted to the City Plan Commission no later than November 30, 2007.
- g. That the Final Plan for the low-rise construction bounded on the east by Lindsay Lane and on the west by Maggie Lane be submitted to the City Plan Commission by July 31, 2008.
- h. That the Final Plan for the low-rise construction bounded on the east by Maggie Lane and on the west Michigan Blvd. be submitted to the City Plan Commission no later than November 30, 2008.
- i. That the Final Plan for the Coast Guard buildings be submitted to the City Plan Commission no later than October 31, 2008.
- j. That the Final Plan for the retail and apartment construction bounded on the east by Michigan Blvd., and on the west by Chatham Street be submitted to the City Plan Commission no later than October 31, 2008.
- k. That nothing in this amendment shall prohibit the submittal of final plans in advance of the deadlines contained herein.

Fiscal Note: N/A

Mayor Becker introduced the item. Director O'Connell explained the need for the extension to accommodate the project time line and phasing.

A motion was made by Vincent Esqueda, seconded by Jud Wyant, that this item be Recommended For Approval, subject to the listed conditions in the recommendation. The motion PASSED with Commissioner Dickert abstaining.

[07-0424](#)

Subject: Compliance review for Toys-R-US at 2433 S. Green Bay Road.

Recommendation of City Plan Commission on 4-11-07: To defer

Director O'Connell explained that representatives from Toy-R-U's had requested a deferral of this item to allow them time to evaluate their responsibilities and degree of participation in the cost of constructing of an access drive between Highridge Center and Regency

Mall.

A motion was made by Jud Wyant, seconded by Vincent Esqueda, that this item be Deferred. The motion PASSED

07-0425

Subject: Request for and extension in time for compliance to a minor amendment to a conditional use permit at 3945 Erie Street as approved through Resolution 07-0051.

Recommendation of City Plan Commission on 4-11-07: To deny the request for an extension and proceed with immediate enforcement action.

Director O'Connell explained the request for the extension stating that the owners had not yet decided on re-branding the station so they postponed addressing Landscaping issues. He reviewed staff's recommendation.

Alderman Holding expressed frustration with continued issues of non-compliance at this location and supports immediate enforcement action with respect to areas of non-compliance.

Commissioner Dickert expressed concern with past poor maintenance of landscaped areas.

Mayor Becker expressed a lack of patience in regard to continued non-compliance, even with the Commission's most recent action.

A motion was made by Alderman Gregory Holding, seconded by John Dickert, that this item be Received and Filed. The motion PASSED.

Public Hearings Starting at 4:30 p.m.

07-0427

Subject: Request by Lorri Kammiem seeking a conditional use permit for an orthodontic appliance laboratory at 3343 Douglas Avenue.

Recommendation of City Plan Commission on 4-11-07: That the request by Lorri Kammiem seeking a conditional use permit for the operation of an orthodontic appliance laboratory at 3343 Douglas Avenue be approved, subject to the following conditions:

- a. That the plans stamped "Received March 21, 2007" and presented to the Plan Commission on April 11, 2007 be approved subject to the following conditions.
- b. That all applicable permits be obtained from the Building Inspection Department.
- c. That a landscape plan be submitted for the review and approval of the Director of City Development.

- d. That this and associated facilities be maintained in an appropriate and professional manner.
- e. That all trash and recyclables be stored in closed containers and screened from view.
- f. That all applicable codes and ordinances be complied with and required permits acquired.
- g. That no minor changes be made from the conditions of this permit without the approval of the Plan Commission, and no major changes be made without the approval of the Common Council.
- h. That this permit is subject to Plan Commission review for compliance with the listed conditions.

Fiscal Note: N/A

Attachments: [3343DouglasAve.pdf](#)

Mayor Becker opened the public hearing at 4:30 p.m., described the public hearing process and introduced the item.

Director O'Connell described the location of the proposal, indicating adjacent land uses and zoning. He described the proposed use and reviewed Staff's proposed conditions of approval.

Lorri Kammiem further described her proposed operations at this location.

There being no further comments or objections, Mayor Becker closed the public hearing at 4:33 p.m.

Echoing the concerns of Commission members, Mayor Becker commented that landscaping and property conditions should be addressed not only for this property, but also for the property to the south as both are owned by the same individual, and there is shared street access and parking facilities. He suggested that conditions be added to address these concerns.

A motion was made by Jud Wyant, seconded by Vincent Esqueda, that this item be Recommended For Approval subject to the listed conditions in the recommendation. The motion PASSED.

07-0429

Subject: Request by Courtney Thompson of Thompson Inc. seeking a conditional use permit for the Thompson Group Home at 2008-12th Street.

Recommendation of City Plan Commission on 4-11-07: To deny.

Attachments: [2008-12thSt.pdf](#)

Mayor Becker opened the public hearing at 4:37 p.m., described the public hearing process, and introduced the item.

Director O'Connell described the location of the proposal, indicating adjacent land uses and zoning. He described the proposed use. He indicated that Staff is opposed to this use at this location due to the close proximity to Park High School and the Tyler-Domer Community Center, the violation of the 1% Aldermanic District population rule, and the conflict with the goal of the adjacent Weed and Seed area.

Courtney Thompson explained his intent for the property, that the location complies with the 2,500 feet separation ordinance, and that to allow HALO on De Kovan Street set precedence in the Aldermanic District to exceed the 1% population ordinance.

Janette Thompson spoke as to their good experience and character. She stated that to Thompson, Inc. the close proximity to Park High School will be an asset for their clients.

While expressing understanding for the need for such a facility, the following persons voiced opposition to the proposal due to concerns for potential conflicts with students of Park High School, children at the Tyler-Domer Community Center, the small size of the property, the property not being non-owner occupied, and the ability of staff to adequately monitor and control residents at the proposed facility given these concerns:

Alderman Elect Michael Shield.

Alderman Keith Fair

Ann Poulsen, 2028 - 12th Street.

L.T. Ivan of Linden Avenue.

Euwauna Boutwell, 1976 Linden Avenue.

Unidentified male, 2002 – 12th Street

Gina West, 2024 – 12th Street

There being no further comments and hearing no objections, Mayor Becker closed the public hearing at 4:59 p.m.

In response to questions expressed by neighbors, Mrs. Thompson described State required staffing qualifications for this facility, such as education levels, training and continuing education for the director, social workers, and case workers. She stated they would hire employees who meet these requirements.

In response to Alderman Holding, Mr. Thompson stated that while they had no previous first-hand experience running such a facility, they have performed accounting services and served as advisors to the Board of Directors for Hope House, a similar facility, and therefore they are familiar with day to day needs of such a facility.

In response to an unidentified citizen, Mayor Becker explained locational attributes which led to the City allowing such a facility at the Taylor Home Property.

Alderman Holding stated he would vote against this request citing the close proximity to Park High School, the conflict with the 1% rule (total CBRF population of an Aldermanic district), and the petitioner's lack of past experience working in and managing such a facility.

Commissioner Ekes stated she would be voting against this proposal seeing it as an unsuitable location for reason previously stated by others.

A motion was made by Alderman Gregory Holding , seconded by Elaine Sutton Ekes, that this item be Recommended For Denial. The motion PASSED with Commissioner Dickert abstaining.

Adjournment

*There being no further business before the Commission and hearing no objections,
Mayor Becker adjourned the meeting at 5:15 p.m.*

Respectfully submitted,

*Brian F. O'Connell, Secretary
Director of City Development*