



# City of Racine

## Meeting Minutes - Draft

### City Plan Commission

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

*Mayor Gary Becker*  
*Alderman Gregory Holding*  
*Atty. Jud Wyant, Elaine Sutton Ekes*  
*Vincent Esqueda, Frank Tingle*  
*Brent Oglesby*

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Wednesday, October 31, 2007

4:15 PM

City Hall, Room 205

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#### **Acting Chairman Alderman Holding called the meeting to order at 4:30 p.m.**

**PRESENT:** 4 - Vincent Esqueda, Gregory Holding, Brent Oglesby and Jud Wyant

**EXCUSED:** 3 - Gary Becker, Elaine Sutton Ekes and Frank Tingle

OTHERS: Brian F. O'Connell, Director of City Development  
Rick Heller, Chief Building Inspector  
Matthew G. Sadowski, Principal Planner  
Mary Whitman, Chairman of Landmakrs Preservation Commision  
Vivian Merlo, President of Preservation of Racine  
Alderman Jim Kaplan

#### **Approval of Minutes for the October 10 and October 23, 2007 Meetings.**

**A motion was made by Vincent Esqueda, seconded by Brent Oglesby, that the minutes be approved, as distributed. Motion passed.**

**ZOrd.0005-07** An Ordinance to rezone properties in the 11th Street and Lake Avenue Area

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:

Those properties known as 1135 & 1145 South Main Street, 1121, 1127, 1132, 1135 & 1147 Lake Avenue as well as 100 & 107 Twelfth Street and more particularly described as follows:

"Lots 9, 10, 11, 12 as well as the south 60 feet of Lot 7 Block 28 of the School Section and Lots 1,2,3 (plus part of adjacent vacated Lake Avenue as described in Volume 1734, page 926, except those parts deeded to the City), 4, 5, & 6 of Block 27 of the School Section. Said land being in the City of Racine, Racine County, Wisconsin."

be rezoned from "R-2" Single Family Residence District, or "R-3" Limited General Residence District, or "O-I" Office/Institutional District, to "R-2" Single Family Residence District, or "R-3" Limited General Residence

District, or "O-I" Office/Institutional District, all with an H - Historic Property District Overlay, 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 07-1352.*

**A motion was made by Atty. Jud Wyant, seconded by Vincent Esqueda, that this ordinance be Scheduled for Public Hearing to the Common Council. The motion PASSED by a Voice Vote.**

07-1352

**Subject:** (Direct Referral) Review of contributing property descriptions for the 11th Street and Lake Avenue Racine Historic District.

**Recommendation of City Plan Commission on 10-31-07:** That this item be deferred.

*Director O'Connell reviewed past actions on this matter and stated that the Common Council has included the property at 1121 Lake Avenue in the boundaries of the proposed H-Historic Properties District. However, he explained that the prospective owner of 1121 Lake Avenue was not aware of the "H" District possibility and, through their attorney, has requested time to consider the implications.*

*In response to Mary Whitman, Chairman of the Landmarks Preservation Commission, Director O'Connell explained that the Common Council would still proceed with the public hearing on this item at the November 6, 2007 Council meeting, but would not take action until receiving a recommendation from the Plan Commission.*

**A motion was made by Atty. Jud Wyant, seconded by Vincent Esqueda, that this item be Deferred. The motion PASSED by a Voice Vote.**

ZOrd.0006-07

An Ordinance to rezone 3801 Douglas Avenue

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 property known as 3801 Douglas Avenue and more particularly described as follows:

"That parcel located in the North ½ of the Northeast Section 32-4-23 as described on page 30, volume 949 as recorded in the office of the Racine County Register of Deed's Office. Said land being in the City of Racine, Racine County, Wisconsin"

be rezoned from "I-1" Restricted Industrial District, to "B-2" Community Shopping 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 Item 07-1373.*

**A motion was made by Atty. Jud Wyant, seconded by Vincent Esqueda, that this ordinance be Scheduled for Public Hearing to the Common Council. The motion PASSED by a Voice Vote.**

07-1373

**Subject:** ZOrd.0006-07 is to rezone 3801 Douglas Avenue from I-1 to B-2.

**Recommendation of City Plan Commission on 10-31-07:** That the ordinance ZOrd.0006-07 be adopted.

**Fiscal Note:** N/A

Attachments: [ZOrd.0006-07.pdf](#)

**A motion was made by Atty. Jud Wyant, seconded by Vincent Esqueda, that this ordinance be Recommended For Adoption. The motion PASSED by a Voice Vote.**

**Res.07-0243** Vacation of Reichert Court

Resolved, that since public interest requires it, that the following parcel of land, more particularly described as follows, be and hereby is vacated and discontinued:

Reichert Court from Michigan Boulevard to its eastern most terminus

Fiscal Note: N/A

Attachments: [Notice of P.H..pdf](#)

*Commission action on this ordinance is reflected in Item 07-1110.*

**A motion was made by Atty. Jud Wyant, seconded by Brent Oglesby, that this resolution be Recommended For Adoption. The motion PASSED by a Voice Vote.**

**07-1110** **Subject:** Res. 07-0243 Vacation of Reichert Court

**Recommendation of the City Plan Commission on 8-29-07:** That the Res.07-0243 be adopted.

**Recommendation of the City Plan Commission on 9-26-07:** That the Res.07-0243 be adopted.

**Recommendation of the City Plan Commission on 10-10-07:** That the Res.07-0243 be deferred.

**Recommendation of the City Plan Commission on 10-31-07:** That the Res.07-0243 be adopted.

**Fiscal Note:** N/A

Attachments: [Res.07-0243.pdf](#)

**A motion was made by Atty. Jud Wyant, seconded by Brent Oglesby, that this resolution be Recommended For Adoption. The motion PASSED by a Voice Vote.**

**ZOrd.0007-07** An Ordinance to rezone 2415 Douglas Avenue

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 parcel of property located at 2415 Douglas Avenue, and more particularly described as follows:

"That parcel located in the SE 1/4 of the NE 1/4 of Section 5, T.3.N.R. 23E., Orttel's Division, Block 1, Lot 5 as recorded in the office of the Racine County Register of Deed's Office. 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 Item 07-1374.*

**A motion was made by Atty. Jud Wyant, seconded by Vincent Esqueda, that this ordinance be Scheduled for Public Hearing to the Common Council. The motion PASSED by a Voice Vote.**

[07-1374](#)

**Subject:** ZOrd.0007-07 is to rezone 2415 Douglas Avenue from R-3 to R-3.

**Recommendation of City Plan Commission on 10-31-07:** That the ordinance ZOrd.0007-07 be adopted.

**Fiscal Note:** N/A

Attachments: [ZOrd.0007-07.pdf](#)

**A motion was made by Atty. Jud Wyant, seconded by Vincent Esqueda, that this ordinance be Recommended For Adoption. The motion PASSED by a Voice Vote.**

[07-1353](#)

**Subject:** (Direct Referral) Review of flex development authorization

language for Chris and Aleisha Djuricic related to a request for a conditional use permit for a sound studio at 2415 Douglas Avenue.

**Recommendation of City Plan Commission on 10-31-07:** That a use supplement be adopted by a resolution of the Common Council in association with a Flex Development Overlay District at 2415 Douglas Avenue, 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 a conditional use permit through Ordinance No. ZOrd.0003-07 in addition to those permitted the R-3 Limited General Residence District: sound and recording studio.
- 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 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 they 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

*Director O'Connell reviewed the proposed conditions of approval.*

**A motion was made by Atty. Jud Wyant, seconded by Vincent Esqueda, that this item be Recommended For Approval. The motion PASSED by a Voice Vote.**

**07-1354**

**Subject:** (Direct Referral) Review of operational deficiencies, police records, and enforcement options related to the inability of Lydia Group Home to control resident behavior at their 3131 Taylor Avenue facility.

**Recommendation of City Plan Commission on 10-31-07:** That this item be deferred.

**Attachments:** [Lydia Group Home.pdf](#)

*Director O'Connell explained that the police department has expressed concern with regard to the frequency of calls for police service for the Lydia Group Home at 3131 Taylor Ave. He stated that from October 1 to October 19 there have been 17 calls for service. He explained that due to emergency circumstances Lydia Group Home was issued a temporary permit to occupy the building, but since being notified of this meeting, they have filed an incomplete application for a conditional use permit.*

*In response to Alderman Holding, Chief Inspector Heller stated that in his capacity as Zoning Administrator, he allowed Lydia Group Home to occupy the building on a temporary basis.*

*Third Shift Commander, Lt. Al Days of the Racine Police Department expressed concern with the demands this facility has placed on his limited manpower. He stated that while a typical nuisance property may have three calls for service in a month, this facility has had 60 calls for service since August 1, 2007, and since October 1, 2007 to date, 21 calls for service have been responded to. He stated that the Police Department's attempts to make contact with Lydia Group Home administration have been fruitless. He stated that they have had discussion with the facility's night manager.*

*In response to Commission Member Wyant, Lt. Days stated that the calls for service have come from the Lydia Group Home. He stated that the majority of the calls are for residents that are AWOL (absent without leave), but other calls have been for fights and other incidents classified as "trouble with children".*

*Terry Ehiorobo, Director of Administration for Lydia Group Homes expressed concern that other than his discussion on the phone on October 26, 2007 with Principal Planner Matt Sadowski, he had received no notice of problems at the facility, and had received no formal notice of today's meeting. He would like to establish a dialogue with the Police Department to address their concerns.*

*Discussion ensued amongst Commission members regarding the need to act on the agenda item, and the scheduling of the review of the conditional use permit request. Director O'Connell suggested a deferral on the agenda item would be in order to allow all parties to have a dialogue to address current issues. He stated that if a completed*

*submittal is provided, the conditional use permit can be agendized separately and reviewed at the November 26, 2007 Commission meeting.*

**A motion was made by Atty. Jud Wyant, seconded by Vincent Esqueda, that this item be Deferred. The motion PASSED by a Voice Vote.**

**07-1355**

**Subject:** (Direct Referral) Discussion regarding amending the process for the review of use changes in the designated access corridor areas.

**Recommendation of City Plan Commission on 10-31-07:** That an ordinance be prepared and a public hearing scheduled.

*Director O'Connell explained the scheduling difficulties encountered by staff, and resulting delays for applicants regarding the processing of use reviews through both the Access Corridor Development Review Committee and the Plan Commission. He reviewed three potential remedies and recommended that the zoning ordinance be amended so that the specific representatives of the affected access corridor be informed of proposed use changes, and they be invited to the Plan Commission meeting, but that the full Access Committee would not be convened in these cases. He stated that the full Access Committee would still render decisions of design.*

*Chief Building Inspector Heller stated that he supported staff's recommendation.*

*Alderman Holding stated that there may be a concern for the loss of group consensus if the full Access Committee does not weigh in on a use issue.*

*Commission member Wyant stated he supports staff's recommendation.*

**A motion was made by Atty. Jud Wyant, seconded by Vincent Esqueda, that this item be Recommended For Approval. The motion PASSED by a Voice Vote.**

**Public Hearings starting at 4:30 p.m.**

**07-1356**

**Subject:** (Direct Referral) Request by Jian Zheng seeking a conditional use permit for a restaurant at 3316 Douglas Avenue.

**Recommendation of City Plan Commission on 10-31-07:** That the request by Jain Zheng seeking a conditional use permit for a restaurant at 3316 Douglas Avenue be approved, subject to the following conditions:

- a. That the plans presented to the Plan Commission on October 31, 2007 be approved, subject to the following conditions.
- b. That all applicable building and occupancy permits be applied for.
- c. That the hours of operation be from 10:00 a.m. to 10:00 p.m., daily.
- d. That the building be tuck-pointed and painted. The color scheme of the building is to be submitted for the review and approval of the Director of City Development.

- e. That all signs be professionally made, comply with the zoning ordinance and Douglas Avenue design guidelines and be submitted to the Douglas Avenue Business Association for recommendations, and the Director of City Development for review and approval prior to installation.
- f. That a detailed landscape plan be submitted to the Director of City Development for review and approval prior to the issuance of an occupancy permit. Landscaping shall be installed in accordance with the approved plans by June 1, 2008 unless a letter of credit, equal to the value of the landscaping, is submitted to the Director of City Development for review and approval.
- g. That the parking lot be re-stripped by June 1, 2008.
- h. That all trash and recyclables be stored in closed containers and screen from view.
- i. That all codes and ordinances be complied with and required permits acquired.
- j. That no minor changes be made from the conditions of this permit without approval of the Plan Commission and no major changes be made from the conditions of this permit without the approval of the Common Council.
- k. That this approval is subject to Plan Commission review for compliance with the listed conditions.

**Fiscal Note:** N/A

**Attachments:** [3316 Douglas Ave.pdf](#)

*Alderman Holding opened the public hearing at 4:52 p.m., explained the public hearing process and introduced the item.*

*Director O'Connell explained that this matter had been reviewed by the Access Corridor Committee on October 25, 2007 and has recommended approval subject to certain conditions. He stated that those have been incorporated into staff's recommendation. He gave a brief description of the location of the proposal, building improvement and type of business.*

*Translating for Jian Zheng, Grace Jordan stated that Mr. Zheng had nothing to add.*

*There being no further comments or questions and hearing no objections, Alderman Holding closed the public hearing at 4:55 p.m.*

*Director O'Connell reviewed the proposed conditions of approval and inquired from Mr. Zheng as to the acceptability of the stated hours of operation.*

*Translating for Mr. Zheng, Ms. Jordan stated that Mr. Zheng finds that the hours of operation proposed by staff are acceptable.*

**A motion was made by Atty. Jud Wyant, seconded by Vincent Esqueda, that this item be Recommended For Approval. The motion PASSED by a Voice Vote.**

**07-1357**

**Subject:** (Direct Referral) Request by Joseph Sherer, agent for Time Warner Entertainment, seeking an amendment to a conditional use permit for the expansion of a storage building at 5812-21st Street.

**Recommendation of City Plan Commission on 10-31-07:** That the request by Joseph Sherer, agent for Time Warner entertainment, seeking an amendment to a conditional use permit for the expansion of a storage building at 5812 - 21st Street be approved, subject to the following conditions:

- a. That the plans presented to the Plan Commission on October 31, 2007 be approved, subject to the following conditions.
- b. That all applicable building and occupancy permits be applied for.
- c. That a detailed landscape plan be submitted to the Director of City Development for review and approval prior to the issuance of an occupancy permit. The plan shall illustrate new landscaping along the parking lot facing S. Green Bay Road, and in the area of the drop box present along 21st Street.
- d. That by June 1, 2008 the following shall be accomplished.
  1. All faded wall panels be repainted in a color scheme to be submitted for the review and approval of the Director of City Development.
  2. Stripe the parking lot and clearly indicate traffic patterns through the use of arrows and lane striping.
  3. Install landscaping in accordance with the approved plans unless a letter of credit, equal to the value of the landscaping, is submitted to the Director of City Development for review and approval. In no case shall new landscaping be installed later than July 1, 2008.
  4. Trim and/or prune existing landscaping.
  5. Remove all unused and/or obsolete satellite dishes from the property.
- e. The entire site shall be policed daily for the removal of trash and debris from fencing, yard, parking and landscape areas.
- f. That all trash and recyclables be stored in closed containers and screen

from view.

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

h. That no minor changes be made from the conditions of this permit without approval of the Plan Commission and no major changes be made from the conditions of this permit without the approval of the Common Council.

i. That this approval is subject to Plan Commission review for compliance with the listed conditions.

**Fiscal Note:** N/A

**Attachments:** [5812-21 St.pdf](#)

*Alderman Holding opened the public hearing at 4:59 p.m., and introduced the item.*

*Director O'Connell gave a brief description of the location of the proposal, the building addition and intended use. He stated the buildings and grounds are in need of a freshening up, and such an observation is reflected in the proposed conditions of approval.*

*Werner Holentunder of Traid Construction, agent for Time Warner, stated that he has nothing further to add to staff comments. He stated that he has reviewed the proposed conditions of approval with his client and they have no objections to them.*

*There being no further comments or questions and hearing no objections, Alderman Holding closed the public hearing at 5:02 p.m.*

*Director O'Connell reviewed the proposed condition of approval.*

**A motion was made by Vincent Esqueda, seconded by Brent Oglesby, that this item be Recommended For Approval. The motion PASSED by a Voice Vote.**

**07-1358**

**Subject:** (Direct Referral) Request by Pam Kaleka seeking a conditional use permit for a mixed use development at 600 Three Mile Road.

**Recommendation of City Plan Commission on 10-31-07:** That this item be deferred.

**Attachments:** [600-3 Mile Rd.pdf](#)

*Alderman Holding opened the public hearing at 5:04 p.m., and introduced the item.*

*Director O'Connell gave a brief description of the location of the proposal, the building design and the intended uses. He explained that more information is needed before staff can perform a complete review and provide a recommendation. He cited the need for details such as building materials, signage, landscaping, and dumpster locations. He explained that the B-2 zoning district allows for the mixed uses.*

*Commission Member Ogelsby stated he was skeptical of the market appeal for residential units in such a development, and of the permissibility of residential units coupled with a gas station.*

*Project Architect Steve Sharpe explained the proposal describing intended building materials, planned uses, traffic circulation on the site, and canopy column upgrades.*

*There being no further comments or questions and hearing no objections, Alderman Holding closed the public hearing at 5:10 p.m.*

*Chief Building Inspector Heller stated that the building will require State plan approval, and that he is aware of other such buildings in the state with similar uses mixes. He added that the building cannot be constructed of wood frame per City Ordinance, and if the building meets State fire codes, then the Racine Fire Department will accept it.*

*Alderman Holding and Commission Member Wyant have found the mixed land use concept to be acceptable, but that the plan details need to be refined.*

**A motion was made by Atty. Jud Wyant, seconded by Vincent Esqueda, that this be Deferred. The motion PASSED by a Voice Vote.**

## **Adjournment**

*There being no further business before the Commission and hearing no objections, Alderman Holding adjourned the meeting at 5:24 p.m.*

*Respectfully Submitted,*

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