

City of Racine

Room 103, City Hall



Meeting Minutes

Wednesday, September 27, 2006

4:30 PM

Room 103, City Hall

City Plan Commission

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

Mayor Becker called the meeting to order at 4:31 p.m.

PRESENT: Gary Becker, Elaine Sutton Ekes, Vincent Esqueda, Gregory Holding, Howard Harper and Jud Wyant

EXCUSED: John Dickert

*OTHERS PRESENT: Brian F. O'Connell
Rick Heller, Chief Building Inspector
Alderman Ron Hart
Matthew Sadowski, Principal Planner*

Approval of Minutes for the September 13, 2006 Meeting

A motion was made by Vincent Esqueda , seconded by Howard Harper, that the minutes be approved, as distributed. The motion PASSED by a Voice Vote.

06-2568

Subject: (Direct Referral). In reference to 06-1978 a communication from Ed Possing, 2625 Lathrop Avenue requesting to purchase the property at 504 Hawthorne Drive.

Recommendation: Received and Filed.

Attachments: [Possing's letter.pdf](#)

Director O'Connell explained that the Parks and Recreation Department has determined that this property is integral to the two parks in the area, and therefore has determined that the City should retain ownership. Commission members concurred.

A motion was made by Alderman Gregory Holding, seconded by Elaine Ekes, that this file be Recommended to be Received and Filed. The motion PASSED by a Voice Vote.

Public Hearings**06-2566**

Subject: (Direct Referral). Request by Jennafer Jackson of Alley Books seeking a conditional use permit for a teen lounge at 2501 Douglas Avenue.

Recommendation: That the request by Jennafer Jackson of Alley Books seeking a conditional use permit to locate a teen lounge at 2501 Douglas Avenue be approved subject to the following conditions:

- a. That the plans stamped "Received September 6, 2006" and presented to the Plan Commission on September 27, 2006 be approved, subject to the following conditions.
- b. That an occupancy permit and all other applicable permits be requested from the Building Department.
- c. That all yard areas, landscaping, buildings, and grounds be

maintained in a professional manner and on a daily basis.

- d. That for purposes of this permit, the term "teen" shall be defined as a youth between and including those who have attained the age of 13 through 18 years.
- e. That the maximum hours of operation be from 3:00 p.m. to 10:30 p.m. Monday through Friday, and 12:00 noon until 10:30 p.m. Saturday and Sunday. Children younger than 13 years of age shall be barred from the facility after 6:30 p.m.
- f. That the Douglas Avenue Design Guidelines be followed for any exterior improvements, window signs or window tinting. Window art and signage shall not cover an area exceeding 15% of the window surface.
- g. That by June 1, 2007 a tree be installed within the parkway along Douglas Avenue. The grass within the parkway along Romayne Avenue shall be maintained.
- h. That all trash, recyclables, and dumpsters be stored in stored closed containers and screened from view, and that commercial grade trash receptacles having spring loaded doors be installed immediately, or as soon as practicably possible on both Douglas & Romanye Avenues.
- i. That sufficient lighting be installed immediately or as soon as practicably possible around the exterior of the building. Lighting shall not cause a glare onto adjacent properties.
- j. That all signs be professionally made, comply with the zoning ordinance requirements and be submitted for review and approval by Access Corridor Development Review Committee.
- k. That all codes and ordinances be complied with and required permits acquired.
- l. 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 from the conditions of this permit without the approval of the Common Council.
- m. That this permit is subject to review by the Plan Commission for compliance with the listed conditions.

Fiscal Note: N/A

Attachments: [2501 Douglas Ave.pdf](#)

Mayor Becker opened the public hearing at 4:34 p.m., explained the public hearing process, and introduced the item

Director O'Connell reviewed the location of the proposed teen lounge, describing adjacent zoning and land uses. He briefly reviewed the plan of operation.

Jannefer Jackson of 1427 Buchanan Street described the current activities on the property, and operational concerns in regards to maintaining control over the teenagers that use the facility. She described rules in place to address smoking, fighting, and efforts to educate the teens in being respectfully of the neighborhood.

Debra Landers of 2817 1/2 Erie Street stated she is in favor of the request, stating that her daughter patronizes the facility.

Mark Schowalter of 2428 Charles Street expressed his opposition to the proposal, citing problems with loitering, and underage smoking. He also questioned the accuracy of the claim that the business is a bookstore.

Christine Bower of 2425 Douglas Avenue expressed her opposition to the request, citing concerns with loitering, underage smoking, trespassing, fights, littering, conflicts with neighboring taverns, hazards present due to high traffic volume on Douglas Avenue, and the general nuisance to the neighborhood.

Joe Gabby of 2501 Charles Street concurred with the comments expressed by Ms. Bowers.

Terry Jackson, husband of Jannefer Jackson, explained steps taken to address fighting, trash, proactive efforts with the police anti-gang unit, and efforts to minimize jay walking on Douglas Avenue.

Brian Gascogne of 2116 English Street stated that he is in favor of the request.

Director O'Connell reviewed a communication received from Olphia La Corta of 3718 Republic Avenue, expressing her support for the request.

Jannefer Jackson further explained on going education and enforcement efforts with the teens and the disciplinary actions taken if rules are violated.

There being no further comments and hearing no further questions, Mayor Becker closed the public hearing at 4:56 p.m.

Director O'Connell reviewed the proposed conditions of approval. he explained that the facility is being treated as a recreational use within the B-1 zoning district in an effort to allow the business to operate, yet provide some safeguards through the conditional use process, so that the business can be monitored and neighborhood concerns addressed.

A motion was made by Jud Wyant , seconded by Howard Harper, that this file be Recommended For Approval, subject to the conditions listed in recommendation. The motion PASSED by a Voice Vote.

06-2567

Subject: (Direct Referral). Request by Dan Carmichael of Great Lakes Specialty Finance, Inc. seeking a conditional use permit to locate a Check

n Go facility at 2308 South Green Bay Road.

Attachments: [2308 S.GreenBayRd.pdf](#)

Mayor Becker opened the public hearing at 5:06 p.m., and introduced the item.

Director O'Connell reviewed the proposal and indicated the location, adjacent land uses and zoning. He explained that the proposed location is in compliance with the separation requirements dealing with convenient cash businesses.

Steve Smith, District Director for Great Lakes Speciality Finance, described the proposal.

Attorney Mike Maistelman, attorney for EZ Money, stated that they have been working with the City since January, 2006 to locate an office in the new strip center being constructed adjacent to Regency Point Shopping Center, and they feel that they have vested rights with respect to allowing them to locate at the new strip center, even though distance requirements of the convenient cash ordinance will not be complied with.

Michael Goetz of Metropolitan Group described the plans that were presented to the Plan Commission in March, and that in his view, supported the claim that EZ Money has vested rights.

Alderman Hart expressed concern that he has not been contacted by the applicant prior to this meeting. He suggested that the matter be deferred to allow the City Attorney time to review the record and evaluate the claim of vested rights. He stated that he is opposed to allowing either EZ Money or Check n' Go in his district.

Jim Jensen, Manager of Regency Point Shopping Center, spoke in support of the request for Check n' Go stating that they have followed all ordinance requirements and have proceeded accordingly.

There being no further comments and hearing no further questions, Mayor Becker closed the public hearing at 5:16 p.m.

Director O'Connell explained the history of the development of the adjacent strip mall (Regency Point Center), and the speculative nature of the tenants as expressed to staff during the development process and the review of sign packages for the property.

In response to Alderman Holding, Commissioner Jud suggested that the matter be deferred to investigate the issue of vested rights, and that the City Attorney opine in this matter.

A motion was made by Jud Wyant , seconded by Elaine Sutton Ekes, that this item be Deferred. The motion PASSED by a Voice Vote.

Adjournment

There being no further business before the Commission, and hearing no objections, Mayor Becker adjourned the meeting at 5:19 p.m.

Respectfully submitted

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

