

City of Racine

Room 103, City Hall



Meeting Minutes

Wednesday, February 14, 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 4:22 p.m.

*OTHERS PRESENT: Audrey Viau, President, Village of Elmwood Park
Vivian Merlo, President, Preservation Racine
Brian F. O'Connell, Director of City Development
Rick Heller, Chief Building Inspector
Matthew G. Sadowski, City Planner*

PRESENT: 5 - Gary Becker, Elaine Sutton Ekes, Vincent Esqueda, Gregory Holding and Jud Wyant

EXCUSED: 1 - John Dickert

Approval of Minutes for the January 31, 2007 Meeting

A motion was made by Vincent Esqueda, seconded by Alderman Gregory Holding, to Approve the Minutes, as distributed. The motion PASSED by a Voice Vote.

[ZOrd.0001-07](#) An Ordinance to rezone 936 South Main 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 936 South Main Street and more particularly described as follows:

"Lot 9 and East 20 feet of Lot 10, Block 17 School Section. Said land being in the City of Racine, Racine County, Wisconsin."

be rezoned from "O" Restricted Office District, to "O/H" Restricted Office District with a Historic Properties 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

Mayor Becker introduced the item.

Director O'Connell briefly reviewed past action of the Commission in relation to this rezoning, explaining the significance of the re-designation.

A motion was made by Alderman Gregory Holding, seconded by Elaine Sutton Ekes, that this file be Recommended For Adoption. The motion PASSED by a Voice Vote.

07-0167

Subject: Consideration of language for a resolution recognizing the re-designation of the structure at 936 South Main Street as a Racine Landmark.

Recommendation of the City Plan Commission on 2-14-07: That the following criteria be adopted for use in the evaluation of requests for certificates of appropriateness for the structure at 936 S. Main Street, commonly known as the Blake House:

Whereas, Section 58-61 of the Municipal Code of the City of Racine establishes criteria for the designation of landmarks or landmark sites.

Whereas, the property at 936 S. Main Street meets two criteria in that it embodies distinguishing characteristics of architecture and craftsmanship, and it is identified with a person of historical importance as follows:

- a. Distinguishing characteristics of architecture and craftsmanship:

An exceptionally well preserved and high quality example of asymmetrical Italianate (Italian Villa style) residential architecture popular in the period 1840-1880. The property also features the distinctive cream brick native to Racine.

- b. Distinguishing characteristics identified with a person of historical importance:

Lucius Sawyer Blake: born 1816 in Burlington, Vermont; settled in Racine County in 1835; Racine Village Trustee about 1839-1840; manufacture of farm implements; County Treasurer in 1846; Provost Marshall for Camp Utley in 1862 and conducted first military draft in Wisconsin; Alderman for the Second Ward for eight years; Racine representative to State Assembly from 1871-72; owner of 936 S. Main Street from 1873 to 1894; built the opulent Blake Opera House in 1882 that once stood at the northeast corner of Sixth Street and College Ave.; died in

1894.

Whereas, in 1977 the Blake House was placed on the National Register of Historic Places as a contributing property to the Southside Historic District, and in 1987, the property received its initial designation as a Racine Landmark.

Whereas, on January 8, 2007 the City of Racine Landmarks Preservation Commission voted to re-nominate the property at 936 S. Main Street as a Racine Landmark.

Resolved by the Common Council of the City of Racine, that the following characteristics of architecture and craftsmanship are essential to the Blake House, 936 S. Main Street, should be preserved, and shall be considered by the City of Racine Landmarks Preservation Commission in evaluating requests for Certificates of Appropriateness for the property under Sections 58-63 and 58-64 of the Municipal Code:

- a. Exposed cream brick exterior.
- b. Double bracket cornice.
- c. Ornamental wood trim.
- d. Arched window openings with raised brick hood moldings.
- e. Three story campanile (tower).
- f. Three semicircular open arches with decorative brick work to accent the entryway beneath the tower.
- g. Double door entry under tower having art glass windows.
- h. Original restored third floor tower windows.
- i. Rear wooden porch.
- j. Stacked (two story) bay windows on the northern façade.
- k. Bay windows on the southern façade.

Note: Interior details worthy of preservation, but beyond the authority of Sections 58-63 and 58-64 of the Municipal Code of the City of Racine, include 13 foot ceilings with ornamental plaster cornices, an open stair case, restored parquet floors, original plank floors on the second floor, marble and oak fireplaces, heavy window casings with louvered built-in window shutters, and period light fixtures.

Fiscal Note: N/A

Mayor Becker introduced the item.

Director O'Connell reviewed the proposed language for the resolution.

A motion was made by Alderman Gregory Holding, seconded by Elaine Sutton Ekes, that this file be Recommended For Approval, subject to the resolution language proposed by staff. The motion PASSED by a Voice Vote.

06-3044

Subject: (Direct Referral) Request by Elias Conales seeking a conditional use permit for a carryout restaurant at 724 High Street.

Recommendation of City Plan Commission on January 10, 2007:
Deferred.

Recommendation of City Plan Commission on January 31, 2007:
Deferred.

Recommendation of City Plan Commission on February 14, 2007:
To be received and filed.

Attachments: 724 High St.pdf
[724 High Street.pdf](#)

Mayor Becker Introduced the item.

Director O'Connell explained that Mr. Conales has abandoned his effort to locate a restaurant at this location.

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

07-0171

Subject: Consideration of amendments to Chapter 114 concerning Pawnbrokers.

Recommendation of the City Plan Commission on 2-14-07: That an ordinance be created and a public hearing scheduled.

Mayor Becker introduced the item.

Director O'Connell explained past action by the Commission on this matter. He explained proposed ordinance changes, which were based of discussions with Commission members at the January 31, 2007 Commission meeting.

A motion was made by Alderman Gregory Holding, seconded by Elaine Sutton Ekes, that this file be Recommended For Approval, as outlined in the recommendation. The motion PASSED by a Voice Vote.

07-0028

Subject: Request that the City of Racine amend the zoning code to better define and regulate drive-in establishments, fast food establishments and mixed use retail developments.

Recommendation of City Plan Commission on 2-14-07: That an ordinance be created and a public hearing scheduled.

Mayor Becker introduced the item.

Director O'Connell discussed inconsistencies and disproportionalities in the ordinance as

they relate to the treatment of drive-in and fast food establishments, and mixed use retail developments. He requested that the Commission endorse staff developing appropriate ordinance language to resolve these discrepancies.

A motion was made by Alderman Gregory Holding , seconded by Vincent Esqueda, that this file be Recommended For Approval, as outlined in the recommendation. The motion PASSED by a Voice Vote.

Public Hearings Starting at 4:30 p.m.

07-0168

Subject: (Direct Referral) Request by Robert Westmoreland of Westmoreland Properites, LLC, seeking to rezone the property at 720-17th Street from B-1 Neighborhood Convenience District to R-4 General Residence District.

Recommendation of City Plan Commission on 2-14-07: Deferred.

Attachments: [720-17th St.pdf](#)

Mayor Becker opened the public hearing at 4:31 p.m., and introduced the item.

Director O'Connell described the proposal, explaining that the rezoning was brought forward at the direction of Commission members and consent of Mr. Westmoreland at the January 31, 2007 Commission meeting. Director O'Connell stated that Mr. Westmoreland communicated to his office that he would not be in attendance at today's hearing.

There being no questions or comments Mayor Becker adjourned closed the hearing at 4:33 p.m.

Director O'Connell explained that Mr. Westmoreland has asked that any action on his request be deferred to allow him time to further investigate options for the property.

A motion was made by Alderman Gregory Holding, seconded by Vincent Esqueda, that this file be Deferred. The motion PASSED by a Voice Vote.

07-0169

Subject: (Direct Referral) Request by Dorothy Metz seeking a conditional use permit for an electronic sign as part of a comprehensive sign package for the McDonald's Restaurant at 2100 Lathrop Avenue.

Recommendation of the City Plan Commission on 2-14-07: That the request from Dorothy Metz seeking consideration of a proposal to install an electronic sign totaling 13.41 square feet as part of a comprehensive sign package for the McDonald' Restaurant at 2100 Lathrop Avenue be approved, subject to the following conditions:

- a. That the plans presented to the Plan Commission on February 14, 2007, which includes total sign square footage at this location of up to 378 square feet, be approved subject to the conditions contained herein.
- b. That all applicable permits be obtained from the Building Inspection Department.

- c. That the electronic sign be operated in compliance with the Racine Municipal Code, Section 114-1033.
- d. That design and placement of entrance signs, and drive through menu and order boards be submitted for the review and approval of the Director of City Development.
- e. That information sign be installed in the parking areas and at drive through lanes stating "No loud stereo playing", "No Loitering", "Please deposit trash in trash cans".
- f. That all codes and ordinances be complied unless otherwise varied herein, 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 from the conditions of this permit 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: [2100 Lathrop Ave.pdf](#)

Director O'Connell reviewed the proposed sign package which includes an electronic sign. He reviewed staff's analysis of the proposal as it relates to past signage on the sight and ordinance limitations. He pointed out that while signage exceeds ordinances limitation on total number, square footage, and height, the current proposal represents a decrease in half in the number of signs and a decrease of total sign square footage by 27 square feet.

Ms. Dorothy Metz, owner of 2100 Lathrop Ave. McDonald's, stated that Mr. O'Connell's description of the proposal was accurate and that she had nothing further to add.

A motion was made by Alderman Gregory Holding, seconded by Vincent Esqueda, that this file be Recommended For Approval. The motion PASSED by a Voice Vote.

07-0170

Subject: (Direct Referral) Request by Village of Elmwood Park seeking a conditional use permit for a unified campus facility at 3131 Taylor Avenue with the potential for multiple uses.

Recommendation of the City Plan Commission on 2-14-07: That the request by Village of Elmwood Park seeking a conditional use permit for a unified campus facility at 3131 Taylor Avenue be approved, subject to the following conditions:

- a. That the plans presented to the Plan Commission on February 14, 2007 be approved, subject to the conditions contained herein.
- b. That all applicable building and occupancy permits be obtained from the Building Inspection Department.
- c. That all uses listed as permitted uses in the O-I Office Institutional District (Section 114-426 of the Municipal Code of the City of Racine) shall be permitted uses by right.
- d. That the following uses may be permitted as major amendments to this conditional use permit requiring the approval of the Common Council (uses as defined by Chapter 114 of the Municipal Code of the City of Racine):
 - 1. Public services uses.
 - 2. Educational institutions.
 - 3. Group daycare centers.
 - 4. Community based residential facilities having population restrictions, subject to confirmation by the Chief Building Inspector as to permissible occupancy levels, but in no case greater than the following:
 - a. Building "1" having no more than 8 residents.
 - b. Building "2" having no more than 12 residents.
 - c. Building "3" having no residents.
 - d. Building "4" having no residents.
 - e. Building "5" having no more than 16 residents.
 - 5. Other uses listed as conditional uses by Section 114-426 of the Municipal Code of the City of Racine, if determined by the City of Racine Plan Commission to be compatible with the spirit and intent of this conditional use permit.
- e. That in all cases, appropriate off-street parking facilities shall be provided.
- f. That all facilities and grounds shall be maintained on a daily basis.
- g. That all codes and ordinance be complied with and all applicable permits acquired.
- h. 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.
- i. That this permit is subject to Plan Commission review for compliance

with the listed conditions.

Fiscal Note: N/A

Attachments: [3131 Taylor Ave.pdf](#)

Mayor Becker opened the public hearing at 4:40 p.m., explained the public hearing process, and introduced the item.

Director O'Connell reviewed the history of the Taylor Home property and recent status as being owned by the Village of Elmwood Park. He stated that in light of the desire for multiple users of the property, in addition to serving as the Elmwood Park Village Hall, it is appropriate to treat the property as a campus. He stated that the campus would have an umbrella conditional use permit under which assorted uses would be permitted.

In response to Mayor Becker and Alderman Holding, Chief Building Inspector Heller explained that the property currently is temporarily hosting the eight resident Lillian girls home on an emergency basis.

Audrey Viau, President of Elmwood Park stated that she had nothing further to add at this point.

Eleanor Scott, 3105 Taylor Avenue, stated that the Village Board has not been as approachable as the Taylor Home Board had been in the past and expressed concern with the lack of communication with neighbors. She stated that the Genesis proposal is not an appropriate use for the property.

Ed Helicki, 3164 Taylor Avenue, inquired as to what the Village plans were for the balance of the property. He cited difficulties with past uses and the potential for future problems.

Michael West, 3225 Moorland Avenue, expressed concern with the proposed use of Building #5 as a drug rehabilitation facility, the association with the State Department of Corrections, and the potential for a loss in property values as a result of such uses being at this location. He suggested that the Genesis proposal be combined with HALO on DeKoven Avenue, and that the long term viability of the Taylor Home may be adversely effected by the introduction of this use to the campus.

Ms. Steffanie West, 3225 Moorland Avenue, inquired as to whether or not property taxes would decrease in relation to decreased property values as a result of the Genesis proposal. She also suggested that the Taylor Home property be rezoned to a residential classification.

Barb Clarey, 3214 Taylor Avenue, expressed similar concerns as to those of Ms. West.

Elena Swiden, 3170 Taylor Avenue, expressed similar concerns as to those of Ms. West, and cited traffic congestion at this property since the Village took ownership. She is also concerned with maintaining the aesthetics of the property.

Ellen Spiering, 3219 Moorland Avenue, feels that the Genesis proposal is a worth while program, but expressed concern that neighbors would not have the opportunity to comment on future proposals, as the wording of staff's recommendation currently reads.

Sherry Evens, Moorland Avenue, citing security concerns, questioned why the Genesis proposal could not be moved to Building #1.

Mayor Becker responded that while uses on the site will generate traffic, it should not be a concern.

Director O'Connell explained that the conditional use amendment proposed for Genesis could be transferred to other like operators at this property. In response to Mayor Becker, he stated that a conditional use permit can be made user specific.

In response to Mayor Becker, Planner Sadowski summarized for Commission members the uses permitted in the I/O zoning district.

Commissioner Wyant expressed concern that as the Elmwood campus conditional use is structured, no public hearing would be required for future proposals for similar activities as Genesis proposes.

There being no further comments or questions, Mayor Becker closed the public hearing at 5:15 p.m.

Director O'Connell reviewed the proposed conditions of approval.

In response to neighbors' concerns, Commissioner Wyant suggested changing the proposed conditions of approval to classify all conditional uses to be proposed for the Taylor Home campus as major amendments to the umbrella conditional use. Fellow Commissioners concurred.

Upon discussing maximum residential occupancy levels for the campus, Commissioner Ekes suggested limiting occupancy levels in Building #4 to zero since its function is that of the Village Hall. Fellow Commissioners concurred.

At the request of Ms. Viau, Mayor Becker suggested that the occupancy of Building #2 be increased to 12, subject to confirmation of code acceptability of the Chief Building Inspector. Commissioners concurred.

A motion was made by Jud Wyant, seconded by Elaine Sutton Ekes, that this file be Recommended For Approval. The motion PASSED by a Voice Vote.

END OF PUBLIC HEARINGS

07-0177

Subject: (Direct Referral) Request by Genesis Behavioral Services, Inc. for a minor amendment to a conditional use permit to operate a sixteen-bed community based residential facility for females at 3131 Taylor Avenue.

Recommendation of City Plan Commission on 2-14-07: Deferred.

Mayor Becker introduced the item and explained that, while being the topic of great discussion and concern during the previous agenda item, this item is not on the agenda as a public hearing.

Director O'Connell briefly explained the location of the proposal.

Mr. Ricky Person, Supervising Director for Genesis Behavioral Services, described the

proposed use, explaining clients legal status, facility staffing, resident gender, program phases, age group served, mental status of residents. He stated that residents would not have children living with them at the facility.

In response to Commissioner Wyant, Ms. Michelle Crocket, Vice President of Genesis Behavioral Services explained that to head off and/or address neighbors concerns Genesis conducts quarterly neighborhood meetings and has a neighborhood advisory board.

In response to Mayor Becker, President Viau explained that a meeting was held last evening where neighbors with concerns could meet with Genesis representatives and express their concerns. She stated that invitations were hand delivered to those persons who called and expressed concerns, and to property owners on Mooreland Avenue.

In conjunction with neighbors' expressing concerns with a lack of notice for tonight's meeting, Alderman Holding pointed out that due to action taken by the Commission on the pervious item, there now needs to be a public hearing on this request.

Mayor Becker directed staff to work with Village officials and Genesis representatives to schedule a neighborhood meeting for the week of February 19, 2007, and to schedule this item for a public hearing at the February 28, 2007 Plan Commission meeting, as a major change to the Elmwood Park/Taylor Home campus umbrella conditional use permit.

A motion was made by Jud Wyant, seconded by Vincent Esqueda, that this file 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 5:51 p.m.

Respectfully Submitted,

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