

City of Racine

Room 103, City Hall



Meeting Minutes

Wednesday, March 28, 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 4:18 p.m.

PRESENT: 5 - Gary Becker, John Dickert, Elaine Sutton Ekes, Vincent Esqueda and Gregory Holding

EXCUSED: 1 - Jud Wyant

*OTHERS PRESENT: Brian O'Connell, Director of City Development
Joe Heck, Asst. Director of City Development (left at 4:45 p.m.)
Kristin Niemiec, Commercial Corridor Specialist
Richard Heller, Chief Building Inspector
Matthew Sadowski, Principal Planner (arrived at 4:45 p.m.)*

Approval of Minutes for the March 14, 2007 Meeting

A motion was made by Vincent Esqueda, seconded by Alderman Gregory Holding, that the minutes be approved, as distributed. The motion **PASSED** by a Voice Vote.

07-0299

Subject: (Direct Referral) Request by Jerry Gulley seeking a conditional use permit for a seven unit rooming house at 1406 Washington Avenue.

Recommendation of City Plan Commission on 3-14-07: To defer.

Recommendation of City Plan Commission on 3-28-07: To deny.

Director O'Connell reviewed the staff report on the history, current use, and condition of 1406 Washington Avenue. He stated that staff research indicates that the current rooming house does not qualify for legal non-conforming status.

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

ZOrd.0002-07 An Ordinance

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 1218 N. Main Street, and more particularly described as follows:

"Lot 5 and the North 3 feet of Lot 6 of Block 53 of the Original Plat of Racine, located in Section 9, Township 3 North, Range 23 East. Said land being in the City of Racine, Racine County, Wisconsin"

be rezoned to "B-2" Community Shopping District from "R-3" Limited General Residence Districts, 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 07-0385

Scheduled for Public Hearing to the Common Council

07-0385

Subject: Ordinance ZOrd.0002-07.

Recommendation of the City Plan Commission on 3-28-07: That the ordinance be adopted.

Director O'Connell presented a series of maps illustrating the zoning on the site. He described the process by which the site's zoning had become split and the property owner's wish to have a uniform zoning.

Recommended For Adoption

07-0354

Subject: (Direct Referral) Minor Amendment to Conditional Use Permit for relocation of outside seasonal sales area for Home Depot, 2429 S. Green Bay Road.

Recommendation of the City Plan Commission on 3-28-07: That the request for a minor amendment to a conditional use permit for the relocation of outside seasonal sales area for the Home Depot at 2429 Green Bay road be approved, subject to the following conditions:

- a. That the plans stamped "Received March 5, 2007" and presented the Plan Commission on March 28, 2007 be approved, subject to the conditions contained herein.
- b. That there be no products, equipment, or waste materials stored outside of the seasonal sales area except in those places so approved, along the north façade of the building.
- c. That no pennants, banners, streamers or other advertising devices be

hung on the enclosure fencing, and that all other signage comply with the applicable ordinances, past approvals and amendments.

d. That The Home Depot participate and/or cooperate in the provisions for and construction of a cross access drive between Regency Mall and High Ridge shopping center. Said cross access drive is to be constructed no later than September 27, 2007.

e. That approval from the Racine Fire Department be requested by the Home Depot in relation to impacts on fire lanes, or other applicable concerns.

Fiscal Note: N/A

Minor amendment to conditional use permit for relocation of outside seasonal sales area for Home Depot, 2429 S. Green Bay Road.

Director O'Connell discussed the proposed new location of the seasonal sales area. In response to Commissioner Dickert, he said that the road between High Ridge Mall and Regency Mall would be west of Home Depot's proposed seasonal sales area.

A motion was made by Alderman Gregory Holding, seconded by Vincent Esqueda, that this item be Recommended For Approval, subject to the listed conditions in the recommendation. The motion PASSED by a Voice Vote.

07-0355

Subject: (Direct Referral) Compliance review of unified development plan for 3210 Durand Avenue, and 2908 & 2920 Taylor Avenue, Kiernan Heating and A.C. Inc.

Recommendation of the City Plan Commission on 3-28-07: To defer.

Director O'Connell reported the results of the compliance review of the property he called "the Kiernan campus", noting various instances of failure to comply with the conditional use permit granted in August, 2005.

Mayor Becker commented that neighbors of the property were assured that all conditions would be met, when the conditional use permit was originally granted.

Commissioner Greg Holding stated that a letter be sent to the property owners of 3210 Durand Avenue, and 2908 and 2920 Taylor Avenue, listing all the areas of non-compliance with the conditional use permit, and giving sixty days to bring the property into compliance.

A motion was made by Alderman Gregory Holding, seconded by Vincent Esqueda, that this item be Deferred.

07-0356

Subject: (Direct Referral) Review of a two-lot Certified Survey Map for property at 1412 Maple Street.

Recommendation of the City Plan Commission on 3-28-07: That the two lot Certified Survey Map for the property at 1412 Maple Street be

approved, subject to the following conditions:

- a. That the CSM submitted on March 12, 2007 be approved, subject to the conditions contained herein.
- b. That all technical discrepancies as identified by City Staff be addressed.
- c. That the designation of "No Access" be placed along the west property line (east line of N. Memorial Drive right-of-way), and along the south property line (north line of Maple Street right-of-way) for a distance extending 50 feet from its intersection with the east line of N. Memorial Drive.

Fiscal Note: N/A

Director O'Connell described the placement of buildings on the site and the property owner's request for a Certified Survey Map. He noted that the request has been approved by the Zoning Board of Appeals and said that access to the site will be restricted if the Map is approved.

A motion was made by Elaine Sutton Ekes, seconded by Vincent Esqueda, that this item be Approved. The motion PASSED by a Voice Vote.

07-0361

Subject: (Direct Referral) Request to establish fees for the subdivision of land by either certified survey map (CSM) or subdivision map.

Recommendation of the city Plan Commission on 3-28-07: That Section 86-194 of the Municipal Code of the City of Racine be created as follows:

The following review fees shall be charged by the city:

- (1) Preliminary Plat per Sec. 86-51-52: \$300 application fee plus \$15 per parcel.
- (2) Final Plat per Sec. 86-66-68: \$200 application fee plus \$15 per parcel.
- (3) Certified Survey Map per Sec. 86-191 - 193: \$50 application fee plus \$50 per parcel.

Further that an ordinance be created and a public hearing scheduled, if necessary

Fiscal Note: Will generate revenue to offset costs incurred for City staff's reviews.

Director O'Connell explained the fee schedule, its history of development, and its purpose.

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

07-0337

Subject: Request that the Common Council adopt the public participation plan for Racine County Multi-Jurisdictional Comprehensive Plan by resolution.

Recommendation of City Plan Commission on 3-29-07: That the document titled "Public Participation Plan for the Racine County Multi-Jurisdictional Comprehensive Plan" be adopted by resolution of the Common Council.

Fiscal Note: N/A

Attachments: [AdoptMulti-JurisdictionalComprehensivePlanl.pdf](#)
[Sample Resolution.pdf](#)
[Multi-JurisdictionalComprehensivePlan.pdf](#)

Director O'Connell explained the intent and scope of the public participation plan stating that it is a State mandated element of the County wide smart growth plan.

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

Public Hearings starting at 4:30 p.m.

07-0357

Subject: (Direct Referral) Request by Charles Mano of Mano Fencing seeking a conditional use permit for a contractor's facility at 1830 Charles Street.

Recommendation of the City Plan Commission on 3-28-07: That the request by Charles Mano of Mano Fencing seeking a conditional use permit to operate a fencing contractor's office and storage facility at 1830 Charles Street be granted, subject to the following conditions:

- a. That the plans stamped "Received March 9, 2007" and presented to the Plan Commission on March 28, 2006 be approved, subject to the conditions contained herein.
- b. That an occupancy permit and all other applicable permits be requested from the Building Department.
- c. That the entire lot be paved and striped by December 31, 2007, and that the paved areas be designed so as to accommodate a landscaping strip along Edgewood Avenue.
- d. That the outside storage of junked vehicles, vehicle parts, and

equipment be prohibited.

e. That all yard areas, landscaping, buildings, and grounds be maintained in a professional manner and on a daily basis.

f. That the following shall be submitted to the Access Corridor Development Review Committee for review and approval:

1. The design of fencing and screening measures.
2. A landscape plan for the Edgewood Avenue frontage.
3. Plans for the replacement of the existing wall sign

g. That all aspects of the operation of this business be conducted indoors including vending machines, product displays, product repair or sales. Outside storage of materials shall be permitted, but they shall be entirely enclosed in a fenced or walled area that provides total screening of view of the materials stored within.

h. That vehicles be positioned in a manner that neither constricts traffic circulation on the property nor hinders traffic flow on Charles Street or Edgewood Avenue.

i. That the maximum hours of operation be from 7 a.m. to 5:00 p.m. Monday through Saturday with no hours on Sunday.

j. That all trash and recyclables be stored in stored closed containers and screened from view.

k. That if an occupancy permit is requested prior to the installation of landscaping, then a letter of credit for said landscaping shall be submitted for review and approval by the Director of City Development prior to the issuance of an occupancy permit.

l. That all signs be professionally made, comply with zoning ordinance requirements.

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

n. 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.

o. That this permit is subject to review by the Plan Commission for compliance with the listed conditions.

Fiscal Note: N/A

Attachments: [1830 CharlesSt.pdf](#)

Mayor Becker opened the public hearing at 4:54 p.m., explained the public hearing process and introduced the item.

Director O'Connell reviewed the location of the proposal, adjacent land uses, and zoning.

Charles Mano stated that he had a chance to review staff conditions and has no objections, except that he wishes to have until December 31, 2007 to pave the entire parking area.

Kristin Niemiec, Commercial Corridors Specialist, stated that the Northside Business Association has no objection to the proposal but wanted to stress that outside storage should not be visible, and they also would prefer that there be no outside storage on the south side of the property.

There being no further comments and hearing no objections, Mayor Becker closed the hearing at 4:58 p.m.

A motion was made by Alderman Gregory Holding, seconded by Vincent Esqueda, that this item be Recommended For Approval, subject to the listed conditions in the recommendation. The motion PASSED by a Voice Vote.

07-0359

Subject: (Direct Referral) Proposal by the Department of City Development seeking a rezoning for a Flex Development Overlay District at 2711-19th Street to accommodate a childcare center and other compatible uses.

Recommendation by City Plan Commission on 3-28-07: That an ordinance and a resolution for a use supplement be created and a public hearing scheduled.

Fiscal Note: N/A

Latoya Robbins stated she currently operates a daycare at 2052 Douglas Avenue. She stated that she has had an opportunity to review staffs proposed conditions of approval for the conditional use permit and finds them to be acceptable.

Rohnda Coleman of 1901 Grange Avenue expressed concerns with traffic in the area, the potential negative impact on the center, the hours of the center, fencing of outdoor play areas, and parking.

Alderman Karas stated he has received no comments in opposition to this request but cited past concerns by the neighborhood regarding traffic in the area. Noting the increased traffic to be caused by this use, he stated he will again be requesting stop signs at the intersection of Grange and 19th Street.

Randy Cameron of 1914 Grange Avenue expressed concern with parking for the center.

In response to questions, Prentice Robbins stated the following: they require five parking spaces for staff; state regulations require the play yard to be fenced, and he described

the area to be fenced; Catholic Charities will lease upper office areas for one more year with the intent that the daycare center may expand if there is demand.

There begin no further comments and hearing no objections, Mayor Becker closed the public hearing at 5:11 p.m.

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

07-0358

Subject: (Direct Referral) Request by Latoya Robbins seeking a conditional use permit, for a childcare center at 2711-19th Street.

Recommendation of City Plan Commission on 3-28-07: That the matter be deferred to allow the Flex rezoning and the Use supplement to be prepared and presented at the next Commission meeting. A potential motion could be as follows:

That the request by Latoya Robbins seeking a conditional use permit to locate a childcare center at 2711 - 19th Street be approved, subject to the following conditions:

- a. That the plans stamped "Received March 6, 2007" and presented to the Plan Commission on March 28, 2007 be approved, subject to the conditions contained herein.
- b. That an occupancy permit and all other applicable permits be requested from the Building Department.
- c. That the maximum hours that the facility be open to the general public be from 6:00 a.m. to 11:00 p.m. Monday through Friday with no hours on Saturday or Sunday. Staff may remain at the site until 12:00 p.m., Monday through Friday.
- d. That all children shall be unloaded from vehicles, and loaded into vehicles, directly to and from the sidewalk adjacent to the building on Grange Avenue and on 19th Street. Double parking of vehicles shall not be permitted. Parents or a guardian shall escort their child to and from the door of the day care center.
- e. That sufficient off street parking be provided to adequately accommodate all employees.
- f. That all buildings and grounds be maintain in a professional manner and on a daily basis.
- g. That all obsolete signs be removed and that all new signs be professionally made and comply with the zoning ordinance requirements

and be submitted to the Director of City Development for review and approval.

h. That all codes and ordinances be complied with and required permits acquired, including a State of Wisconsin daycare license.

i. That all trash and recyclables be stored in stored closed containers and screened from view.

j. 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.

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

l. That a review of this permit be conducted six months from the date of approval, unless an earlier date is deemed necessary.

Fiscal Note: N/A

Attachments: [2711-19 t.pdf](#)

Mayor Becker opened the public hearing at 5:15 p.m. explained the public hearing process, introduced the item, and explained that any additional points on this item not already addressed in the previous hearing may now be brought forward.

Director O'Connell reviewed the proposed conditions of approval. In response to Alderman Karas, Director O'Connell stated that timing this item with the Flex Overlay and use supplement, this item should be finalized at the April 17, 2007 Common Council meeting.

There begin no further comments and hearing no objections, Mayor Becker closed the public hearing at 5:20 p.m.

In response to Commissioned Dickert, Ms. Robbins explained that the late hours are intended to serve parents who work second shift.

Alderman Holding stressed the need for this use to be a good neighbor in light of the late hours of operation, and that this point needs to be stressed to the centers clientele. He supports the idea of a four-way stop at the intersection of Grange Ave. and 19th Street, and asked that a six month review be placed on this use.

A motion was made by Alderman Gregory Holding, seconded by Vincent Esqueda, 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 5:27 p.m.

Respectfully submitted,

Brian F. O'Connell
director of City Development