



City of Racine

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

Meeting Minutes - Final

City Plan Commission

Mayor John Dickert
Alderman Dennis Wiser
Tom Durkin
Tony Veranth
Ann Brodek
Mario Martinez

Wednesday, November 9, 2016

4:15 PM

City Hall, Room 205

Call To Order

Mayor Dickert called the November 9, 2016 Plan Commission meeting to order at 4:21 p.m.

PRESENT: 6 - John Dickert, Dennis Wiser, Tom Durkin, Tony Veranth, Ann Brodek and Mario Martinez

Approval of Minutes for the October 26, 2016 Meeting

A motion was made by Alderman Wiser, seconded by Commissioner Veranth, to approve the minutes of the October 26, 2016 meeting. The motion PASSED by a Voice Vote.

[0747-16](#)

Subject: (Direct Referral) An application from Planet Fitness, represented by Chris Fish, seeking approval of a conditional use amendment to allow deviations from the Regency Mall Sign Criteria for exterior signage at Planet Fitness, 5538 Durand Avenue. (PC-16) (Res No. 0382-16)

Recommendation from the City Plan Commission on 11-09-16:

That the request be approved subject to conditions.

Fiscal Note: N/A

Attachments: [PH Notice - 5538 Durand Ave](#)
[Mall and Trademark Standards Staff Exceptions](#)
[\(0747-16\) CU 5538 Durand Avenue](#)

Mr. Sadowski informed the Commission of updates since this was presented at the last meeting. The remaining exception to the Regency Mall Sign Criteria is to authorize a sign where there is no exterior entry to the business. Considering a small doorway has been installed, and the main mall entry can also be used, Staff supports granting of this exception to the standards. Planet Fitness has brought the sign into compliance with all other mall signage criteria.

The revised installation will be yellow channel lettering, without the logo, on a chocolate brown sign band.

A motion was made by Commissioner Veranth, seconded by Alderman Wisner, to recommend approval of the request subject to conditions as presented. The motion PASSED by a Voice Vote.

[0955-16](#)

Subject: (Direct Referral) A consideration of a Use Supplement amendment for 2711 Lathrop Avenue. (PC-16) (Res Nos. 0383-16 & 0384-16)

Recommendation of the City Plan Commission on 11-09-16: That Resolution 07-0221 of May 15, 2007, a use supplement for 2711 Lathrop Avenue, be rescinded and a new resolution created with an amendment to condition c. to add the following text "4. Additional permitted uses by right: indoor therapy facilities for domesticated animals (non-boarding)."

Fiscal Note: N/A

Attachments: [\(0955-16\) Use Supplement Amendment 2711 Lathrop Avenue](#)

Mr. Sadowski advised a Flex Development Overlay was approved previously for this property, and this request is related to an amendment to said Flex. The proposed use, a business named "Club Aqua Paws", provides low impact exercise opportunities for dogs of all ages, including indoor swimming, water treadmill, laser and massage therapy.

The Zoning Administrator and Director of City Development are authorized to review and approved modifications to the Flex after analyzing the appropriateness of the request. A decision was made to amend the Flex and allow the proposed use by right. Staff is seeking approval, via resolution of the Common Council, to amend condition "C" of Resolution 07-0221 to add "Therapy facilities for domesticated animals (non-boarding)" as a use permitted by right.

A motion was made by Alderman Wisner, seconded by Commissioner Brodek, that by resolution of the Common Council, Condition "C" of Resolution 07-0221 is amended by adding the text "4. Additional permitted uses by right: Indoor therapy facilities for domesticated animals (non-boarding)".

[0969-16](#)

Subject: (ZOrd.0005-16) An ordinance rezoning 1614, 1624, and 1630 Yout Street (commonly referred to as 1624 Yout Street) from I-1 Restrictive Industrial District to I-2 General Industrial District with a FD Flex Development Overlay.

Recommendation of the City Plan Commission on 11-09-16: That the ordinance be adopted.

Fiscal Note: N/A

Mr. Sadowski informed the Commission this Ordinance is being presented to make way for the Veterans Housing project. He verified public hearings were sent as required, and the ordinance language has been presented to the Commission for their consideration. Further, this lays the groundwork for a Flex Development, followed by a Use Supplement and Conditional Use permit which will present specific development conditions for the project.

A motion was made by Commissioner Durkin, seconded by Commissioner Brodek, to recommend adoption of ZOrd.0005-16. The motion PASSED by a Voice Vote.

[0949-16](#)

Subject: (Direct Referral) A consideration of Use Supplement as a companion to the rezoning for the property at 1624 Yout Street. (PC-16) (Res No. 0385-16)

Recommendation of the City Plan Commission on 11-09-16: That the Use Supplement be adopted.

Fiscal Note: N/A

Attachments: [\(0949-16\) Use Supplement 1624 Yout Street](#)

Mr. Sadowski advised the Commission the Use Supplement sets up the constraints and permitted uses for the property; stripping away undesired uses in the process. Said supplement was provided to the Commission for review, and Mr. Sadowski briefly reviewed parts of the supplement restrictions.

A motion was made by Alderman Wiser, seconded by Commissioner Veranth, to recommend approval of the supplement. The motion PASSED by Voice Vote.

[0950-16](#)

Subject: (Direct Referral) A request by Jeff Gustin, representing Veterans Outreach of Wisconsin, seeking approval of a conditional use permit to operate a Transitional Living Facility with detached rooming units at 1624 Yout Street. (PC-16) (Res No. 0386-16)

Recommendation from the City Plan Commission on 11-09-16: That the request be approved subject to conditions.

Fiscal Note: N/A

Attachments: [\(0950-16\) CU 1624 Yout Street](#)

Mr. Sadowski advised the conditional use permit will establish the ground rules for operation of the Transitional Living facility. It incorporates other departmental comments and concerns, and several Health and Building Department items were reviewed for the Commission. These include things like no toilets in the units, no kitchens, limits on single occupancy, etc.

The conditional use also outlines how the buildings can be used, visitor hours, quiet times, parking standards, landscaping and fencing requirements, handling of trash, etc.

A motion was made by Commissioner Brodek, seconded by Commissioner Durkin, to recommend approval subject to conditions as presented. The motion PASSED by a Voice Vote.

[0951-16](#)

Subject: (Direct Referral) A request by Jeff Gustin, representing Veterans Outreach of Wisconsin, seeking approval of a 1-Lot Certified Survey Map for 1624 Yout Street. (PC-16) (Res No. 0387-16)

Recommendation from the City Plan Commission on 11-09-16:

That the request be approved subject to conditions.

Fiscal Note: N/A

Attachments: [\(0951-16\) CSM 1624 Yout Street](#)

Mr. Sadowski advised the proposed 1-lot Certified Survey Map will combine the three parcels involved in the project into one, creating a clear legal description and property boundary to facility future development of the site. Subject to correction of technical discrepancies, Staff recommends approval of the request.

A motion was made by Alderman Wisner, seconded by Commissioner Durkin, to recommend approval of the request subject to conditions as presented. The motion PASSED by a Voice Vote.

4:30 P.M. PUBLIC HEARINGS**4:30 P.M. PUBLIC HEARINGS**[0952-16](#)

Subject: (Direct Referral) A request by Jodie Hoffman, representing Woof Gang Rescue Inc., seeking a conditional use permit to operate a canine rescue and adoption center at 1535 Layard Avenue. (PC-16) (Res No. 0388-16)

Recommendation from the City Plan Commission on 11-09-16:

That the request be approved subject to conditions.

Fiscal Note: N/A

Attachments: [PH Notice - 1535 Layard Avenue](#)
[\(0952-16\) CU 1535 Layard Avenue](#)

Mr. Sadowski provided a review of the project area, zoning and surrounding land uses. The use would utilize 1,872 square feet which will include office space, storage, 5 indoor kennels and an interaction area for individuals to acquaint themselves with the dogs prior to adoption. Adequate parking is available in the vicinity of the use.

Public Hearing Opened: 4:46 p.m.

1. Jodi Hoffman, 6900 Durand Avenue. Founder of Woof Gang Rescue, Inc. She advised this is a non-profit founded in 2012, which has placed thousands of dogs and has 147 foster homes. This facility will house much of their paperwork and be a place for volunteers. It will also operate as a place where foster owners can bring the dogs on weekends. She noted the required landscaping has been installed and inquired about parking improvements requested by staff.

Mr. Sadowski explained the entire site is reviewed when an application for a conditional use is considered, and the parking lot needs repair. He further explained there is not an expectation for additional parking spaces, but repair of what is there now. The property owner spoke on the condition of the parking lot and understands repair is required.

Commissioner Brodek asked if there was any lawn area for the dogs. Ms. Hoffman stated there was, but that area has now been landscaped. However there is a walking path by the nearby railroad tracks to walk dogs.

Public Hearing Closed: 4:53 p.m.

A motion was made by Commissioner Brodek, seconded by Commissioner Durkin, to recommend approval subject to conditions as presented. The motion PASSED by a Voice Vote.

[0953-16](#)

Subject: (Direct Referral) A request by David Yandel representing Lakefront Fitness LLC, for consideration of a conditional use permit to operate a fitness facility offering CrossFit, personal training, and nutrition classes at 1344 Lathrop Avenue. (PC-16) (Res No. 0389-16)

Recommendation from the City Plan Commission on 11-09-16:
That the request be approved subject to conditions.

Fiscal Note: N/A

Attachments: [PH Notice - 1344 Lathrop Avenue](#)
 [\(0953-16\) CU 1344 Lathrop Avenue](#)

Ms. Johanneck provided an overview of the site, surrounding land uses and zoning. The property is zoned B-2 and bounded by residential R-2 on both the north and west. The structure and site in general are in good condition. The applicants stated the open floor plan available in this building is ideal for their business operations, and they do not utilize the machines you'd typically find in a gym. The dock area is proposed for storage of equipment.

The building was constructed in 1994, and the site plan provided appears to have been from the original approval. Fourteen (14) parking spaces are shown on the plan, and this business requires 11 on-site spaces per ordinance. Upon comparison of the plan provided and the aerial view of the property, the parking layout different and is only striped with 9 spaces. Additionally, the north property/zone district landscape and fence buffer required with the 1994 approval is not in place. Staff requests the lot be re-striped, wheel stops installed and landscaping/fencing installed as per the original site approval.

Signage has not been presented at this time and will be reviewed by City Development Staff prior to authorization for permits. Trash will be kept indoors and removed daily by the business staff, and said staff will also be responsible for the property maintenance. The Conditional Use Findings of Fact were provided in the recommendations, and Staff is confident based on the business plan presented and qualifications of the staff that the use will not be detrimental to the area and can be accommodated within the site.

Public Hearing Opened: 5:02 p.m.

1. Jason Yule, 1723 29th St., Kenosha. Mr. Yule is the partner of the applicant in the CrossFit operation. He is a head coach and in charge of day to day operations. They operate another CrossFit in Kenosha and have been very successful. They believe this site is perfect for their operation, considering the open floor plan and high ceilings. He advised they experienced concerns with parking at their Kenosha location which they have addressed and received no complaints. He agrees to the re-striping plan.

Ms. Johanneck added the north property line buffer plantings and fencing also need

to be implemented.

2. Alison Ferrentino, 4355 Happy Hollow Ln., Mt. Pleasant. Owns a property on Wright Avenue and expressed concerns over the parking, stating there will not be enough and it will overflow onto the street. She also questions the hours of operation.

Ms. Johanneck advised the parking was calculated based on the building size and proposed use, and if re-stripped will meet the ordinance requirement. Additional parking cannot be required in anticipation of problems; however the situation can be monitored and if issues arise the City will work with the owner and business operators to address the situation.

Mr. Yule advised the class sizes are small and staggered, and members are advised where they are to park.

3. Nicole Larsen, Deputy City Attorney. Stated she has not reviewed the application but wanted to note to the Commission the potential for noise issues. While the buffering is a visual condition, use of weights and barbells cause noise and vibration. She has personal experience in CrossFit and has observed these occurrences.

Mr. Yule stated they have thick mats they place on the floor for sound buffering. They have had no noise complaints at their Kenosha location, which is also in a residential area. Music can be heard if bar doors are open, but the overhead bay door is out of the way.

Public Hearing Closed: 5:14 p.m.

Commissioner Martinez inquired about trainer certification. Mr. Yule stated CrossFit requires weekend certification for class leaders.

Hours of operation were clarified as 5:30 a.m. – 8:30 p.m., Monday – Friday; and 8:00 a.m. – 12:00 p.m. Saturdays and Sundays.

Commissioner Veranth inquired if the buffer along the north property line could consist of a fence with planters with bushes, in lieu of grass. Ms. Johanneck stated a buffer must be in place, and Staff will work with the applicant on alternatives to the original plan.

A motion was made by Alderman Wiser, seconded by Commissioner Durkin, to recommend approval subject to conditions with the noted correction for the hours of operation. The motion PASSED by a Voice Vote.

[0954-16](#)

Subject: (Direct Referral) A request by Parnell McCray, representing McCray's Auto and Used Tires, seeking a conditional use permit to operate an automobile sales and used tire shop at 2828 Lathrop Avenue. (PC-16)

Attachments: [PH Notice - 2828 Lathrop Avenue](#)

Ms. Johanneck informed the Commission Staff has been working since March with the applicant on his proposal. While reviews and comments have occurred, there are numerous outstanding issues with the proposal which need to be solidified before presenting a full report to the Commission. However, the general use concept is understood and Staff felt it acceptable to open the concept to Public Hearing for public and Commission comment. A brief review of the project area, zoning and base site plan were provided.

Beyond the application for auto sales and tire service, the applicant presented a business plan which noted future expansion of auto-related uses on the site. Due to the size of the property, Staff's opinion is the site cannot handle all of the proposed uses and will work with the applicant on the use concerns, as well as paving and parking requirements, screening, cross-access and more. The desired outcome is a proposal adapted to the opportunities and limitations of the site. Staff requested deferral to continue this work with the applicant.

Public Hearing Opened: 5:21 p.m.

No speakers.

Public Hearing Closed: 5:21 p.m.

A motion was made by Commissioner Durkin, seconded by Commissioner Veranth, to defer the request. The motion PASSED by a Voice Vote.

Adjournment

Mayor Dickert adjourned the meeting at 5:22 p.m.