



City of Racine

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

Meeting Minutes - Final

City Plan Commission

Mayor Cory Mason
Mario Martinez
Christina Hefel
Marvin Austin
Alderman Jason Meekma
Trevor Jung
Sam Peete

Wednesday, February 13, 2019

4:30 PM

City Hall, Room 205

Call To Order

Mayor Mason called the meeting to order at 4:32 p.m.

PRESENT: 6 - Cory Mason, Mario Martinez, Marvin Austin, Jason Meekma, Trevor Jung and Sam Peete

EXCUSED: 1 - Christina Hefel

Approval of Minutes for the January 23, 2019 Meeting

A motion was made by was Commissioner Jung, seconded by Commissioner Peete to approve the minutes of the January 23rd meeting. The motion PASSED by a Voice Vote.

Beginning of Public Hearings

[0152-19](#)

Subject: (Direct Referral) Request by Ron Taylor of Church of the Redeemed seeking a conditional use permit at 2033 Lathrop Avenue to operate a non-commercial type use offering worship services, charitable meal distribution, adult instruction, and youth activities in B-2 Community Shopping District (PC-19).

Recommendation of the City Plan Commission on 2-13-19: That the request by Ron Taylor of Church of the Redeemed for a conditional use permit to operate a non-commercial type use offering worship services, charitable meal distribution, adult instruction, and adult activities at 2033 Lathrop Avenue be approved subject to conditions.

Fiscal Note: N/A

Attachments: [Public Hearing Notice](#)
[Review and Recommendation](#)
[Applicant Submittal](#)
[#0152-19 Resolution](#)

Mayor Mason opened the public hearing at 4:33 p.m.

Associate Planner Jeff Hintz explained the request and reviewed the zoning of the subject and adjacent properties, surrounding land uses and businesses, the comprehensive land use designation for the property and the photos of the site and surrounding area. He stated the property is zoned B2 Community Shopping District and the surrounding area consists of R3 Limited General Residence and B2.

Hintz explained the site and floor plans for the site. He stated 60 seats will be provided for worship areas.

Hintz reviewed the possible actions of the Commission and the findings of fact required for approval of conditional use permits. He stated type one noncommercial uses in commercial districts require that the request has a commercial-type component. The applicant proposes to have a bookstore and some office uses that would conform to this criteria. He stated that provided that the recommended conditions are adopted, the use will conform to #2 and #3 of the required findings of fact. Hintz explained that adequate measures have been taken to provide ingress and egress to minimize traffic congestion and there are no exceptions being requested. Hintz reviewed the conditions of approval and stated staff is recommending approval based on the findings of fact and staff recommendations.

Hintz reviewed added conditions f. and g. and stated there has been issues with litter with a prior tenants and no visitors will occupy the church overnight.

Ron Taylor, 2033 Lathrop Avenue, the applicant spoke in support of his request. He stated he feels they can be a beacon in the community with their services, class, and office offerings to people in need. He stated they will focus on drug rehabilitation and will also operate a Christian bookstore. He explained the retail experience of him and his team members.

Alderman Meekma asked about the applicant providing bagged lunches and if there were any studies done that show a need for such in the area.

Mr. Taylor stated no study has been conducted; however, they provide lunches at their current location. In response to Alderman Meekma, he stated that those coming for bagged lunches will just pick up the lunches and leave. He stated they will not come inside the establishment unless it is cold outside.

Alderman Meekma asked if they are planning to reach out to outside organizations to help provide services and connect and build relationships with their neighbors.

Mr. Taylor stated yes, they are looking to be a part of the community.

Alderman Meekma asked about long-term sustainability plan.

Mr. Taylor stated they are looking to grow in the community; however, at this point they are looking to first do well with where they are.

Commissioner Peete asked if the applicant had licensed counselors available.

Mr. Taylor stated they will be working with trained certified people to provide counseling services.

In response to Mayor Mason, Mr. Taylor stated they will not conduct any counseling services until a licensed staff is involved. He said the bookstore will be open from 9:00 a.m. – 3:00 p.m.

Mayor Mason asked about the possible concerns regarding loitering and trash and asked the applicant to talk about his plan to be a good neighbor.

Mr. Taylor stated they are currently located 625 – 17th Street. He explained how they assist in the neighborhood they are currently in by shoveling snow for neighbors and keeping the neighborhood clean. He stated he understands what it takes to make a community do well and stands behind his name.

Charles Brandt, 2031 Lathrop Avenue, owner at Buckets Pub, spoke in opposition of the request. He stated that in 35 years has seen 3-4 churches in the area and none have survived or done what they promised. He stated the previous church had people living at the location at night and he is concerned that the requested will have the same track record. He stated he is concerned about the potential loitering of the people who receive the bagged lunches spilling over to his property at his patio and does not want to get blamed for the possible litter. He stated there are four restaurants within 400 feet and does not feel that the area is in need of such a resource. He expressed concern about the church going in a retail area and does not see the demand for a church in the area. He appreciates the applicant's idea, he just does not feel it is right for the area.

Mayor Mason asked staff about accountability.

Hintz stated the conditions are instantly reviewable and if any of the conditions are violated, the conditional use permit (CUP) can be scheduled before the Plan Commission and can potentially be revoked.

Mr. Brandt asked what damage had to be done before the CUP is revoked. He stated there are plenty of unoccupied buildings suitable for a church that can be used for the applicant's request.

Public Hearing Closed at 4:55 p.m.

Discussion after the motion (and prior to the vote):

Alderman Meekma wanted to verbally discuss the request and stated him and Alderman Morgenroth, the alderman of the district, spoke regarding Morgenroth's concern. Alderman Meekma stated it is a tricky situation considering the request and the response and feedback of the community members. He stated the decision should be based on the integrity of the application submitted and not the history of the site. He stated it is, however, worth taking the opinion of those who are in the neighborhood. Alderman Meekma stated there has been an effort through the recommendations to help with the compliance of the request at this location and he really appreciates compromise and will be supporting the approval of the request. He stated it is worth giving the applicant a chance.

Commissioner Jung thanked both of the speakers regarding the item. He stated as the Plan Commission it is important to make sure that people are in compliance with their CUPs. He stated the Plan Commissions should consider the findings of fact and integrity of the application; however, be mindful and aware of what the neighbors are saying. He stated the Plan Commission has a responsibility to make sure that everyone is in compliance and he supports the application.

A motion was made by Commissioner Jung, seconded by Commissioner Austin, to recommend approval of the request subject to conditions a-k.

[0153-19](#)

Subject: (Direct Referral) Request by Tesa Santoro of JTS Catering, seeking a conditional use permit to operate a takeout-carryout restaurant with a drive thru at 622 Three Mile Road (PC-19).

Recommendation of the City Plan Commission on 2-13-19: That the request by Tesa Santoro of JTS Catering seeking a conditional use permit to operate a takeout-carryout restaurant with a drive thru at 622 Three Mile Road be approved subject to conditions.

Fiscal Note: N/A

Attachments: [Public Hearing Notice](#)
 [Review and Recommendation](#)
 [Applicant Submittal](#)
 [#0153-19 Resolution](#)

Public hearing opened at 5:01 p.m.

Hintz stated the Electronic Message Center (EMC) portion of the request will be done separately as no plans have yet been submitted. He stated the EMC will not be part of this application.

Hintz explained the request and reviewed the zoning of the subject and adjacent properties, surrounding land uses and businesses, the comprehensive land use designation for the property and the photos of the site and surrounding area. The property is zoned B2 Community Shopping and surrounded by residential. He stated the city's land use plan provides for the commercial designation of the property.

Hintz showed the floor plan and stated there will be a dine-in area, catering, and a drive-thru. He stated the takeout/carryout and drive-thru requires approval of a conditional use permit. He stated the site plan does not change any of the site's design and egress and ingress will be off of Three Mile Road. He stated the signage provided complies with ordinance requirements. Hintz explained the possible actions of the Commission and stated that based on the findings of fact required for approval of conditional use permits, staff is recommending approval. Hintz reviewed the conditions of approval.

In response to Alderman Meekma, Hintz stated that a catering business and a Hardee's were located at the site previously. Assistant Director Matt Sadowski stated the catering business was solely catering; a chicken restaurant also previously occupied the site.

The applicant, Tesa Santoro, stated the catering business was there for 10 years and had catering as well as carryout. He stated their restaurant will be more like a Panera with a Starbucks theme. She stated everything will be similar to their blue bear restaurant. She stated they are hoping to provide convenience and with the opening of this restaurant, they hope to supply funds to their Sixth Street project and open that location later this year.

After reviewing the conditions, Ms. Santoro expressed some concern about removing the storage container and stated they cannot take care of the parking lot prior to opening due to the snow.

Hintz stated the container will have to be removed from the site; however, an accessory structure can be built on the lot.

Tad Ballantyne, spoke in support of the request and gave background on the proposed restaurant and Blue Bear restaurant. He stated his goal is to get them to move to Racine and he purchased the building with them gave them financial backing to help them start over with their restaurant business in Racine. He spoke highly of their restaurant.

Public hearing closed at 5:17 p.m.

Discussion after the motion:

Commissioner Jung stated he is thrilled to see this move into the neighborhood and appreciates the track record of the restaurant owner.

Mayor Mason stated the site they are on Taylor has been a great addition to that part of town.

A motion was made by Commissioner Jung, seconded by Commissioner Peete, to recommend approval of the request subject to conditions a.-g., not including the EMC as part of this request. The motion PASSED by a Voice Vote.

[0154-19](#)

Subject: (Direct Referral) Request by Sam Azarian seeking a major amendment to conditional use permit seeking relief to certain design requirements related to an approved yard expansion and building addition for a construction yard on a multi-tenant property at 1535 High Street (PC-19).

Attachments: [Public Hearing Notice](#)
[Review and Recommendation](#)
[Applicant Submittal](#)

Sadowski explained the request. He stated the request was before the Commission last year and has returned for some amendments to the original approval. Sadowski explained the area's zoning and surrounding area. He stated the property is zoned I-2 and is a part of the Racine Steel Castings Redevelopment Area. Sadowski showed the views surrounding the site and the signage placed on the building. He stated there is not a record of a permit being issued for the sign so one would have to be obtained. Sadowski explained the previous approval and stated a cement wall has yet to be installed. He explained the previous approval and what was expected. He stated as part

of the previous approval there were certain changes to be made to the trailer for it to conform to the city's design standards and the standards of the Racine Steel Castings Redevelopment Area.

Sadowski explained the exceptions to the ordinance that were granted based on the knowledge that improvements were going to be made to the trailer and the site. Exceptions were made to Sec 114-787 to allow a mobile home to be used for non-residential purposes; 114-1188 to allow one parking space per employee; and the Stephen F. Olsen Industrial Park Declaration of Restrictive Covenants, Section 7 to allow a zero foot street yard setback for the decorative masonry screening wall. Sadowski showed the Commission the approved plan and how the trailer would be modified.

Sadowski stated the proposed revisions in the current request would eliminate the brick wainscoting on the trailer and building and that cementitious siding be extended.

Sadowski explained the required findings and how standards of the proposed no longer meet the findings and the possible actions of the Commission. He stated staff is recommending that the request be denied and that full compliance with Res. 0156-18 be achieved by June 1, 2019 or that the office trailer be immediately removed from the property. He stated staff feels that it is important that it needs to comply or be removed as it was brought onto the property without compliance and it currently has no permits.

Alderman Meekma asked clarification if any of the requirements have been met.

Sadowski stated only that the sign has been installed; however, no permits were issued for the sign.

In response to Meekma, Sadowski stated that December 31st is when things were to be in compliance. Sadowski stated the applicant was notified that they needed to comply with conditions. Sadowski stated that June 1, 2019 is the deadline for the trailer to be modified and brought into compliance.

Mayor Mason asked how it was arrived at that June 1st would be the deadline.

Sadowski explained that it was just in consideration of the weather. He stated the typical construction season begins around March 31st and feels that that is adequate time to get improvements into place.

Alderman Meekma are they getting June 1st because they submitted a new application.

Sadowski stated a timeline was not provided so one was provided to the applicant. The Commission will be making the decision to allow them past December 31, 2018 deadline now past.

In response to Mason, Sadowski stated December 31st was the date requested by the applicant.

Public hearing opened at 5:36 p.m.

Sam Azarian, the applicant, spoke regarding the request. He stated he had a difficult time hearing the presentation. He stated that when originally applied the handicapped

ramp was not there, the handicapped ramp would cover the brick. He was told by the architect that the siding was masonry and met all city codes. He stated he would like to withdraw his request and will move the trailer offsite and would like to meet with the building inspector and Sadowski to discuss. He stated he would also like to speak with the Mayor to discuss his business' legacy and family influence on the town. He stated he cannot afford what the city wants and is rescinding his request.

Alderman Meekma asked regarding the timeline to move the trailer.

Mr. Azarian stated June 1st, the date provided by staff for compliance of the trailer.

Mayor Mason stated that if Mr. Azarian would like to withdraw his request, he must submit the request in writing once he returns from his trip.

Public hearing closed at 5:40 p.m.

After consulting with staff, Mayor Mason informed the Commission that extending the removal of the trailer until June 1st is not ideal as the trailer is not in conformance with city codes. He stated that the request should be tabled indefinitely and it communicated to the applicant that the trailer shall be removed from the site within three weeks.

A motion was made to deny by Meekma. Meekma withdrew his motion/failed for a lack of a second.

Discussion after the motion (prior to the vote):

Alderman Meekma asked since he is leaving the country should time to remove the trailer be extended.

Director Amy Connolly stated technically he has no additional time; however, we will give staff time to enforce.

A motion was made by Alderman Meekma, seconded by Commissioner Peete, to table the request indefinitely and allow the applicant three weeks to remove the trailer from the property. The motion PASSED by a Voice Vote.

End of Public Hearings

Adjournment

There being no further business, the meeting adjourned at 5:46 p.m.