



City of Racine

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

Meeting Minutes - Final City Plan Commission

*Mayor John T. Dickert, Alderman Gregory Holding
Atty. Jud Wyant, Atty. Elaine Sutton Ekes
Vincent Esqueda, Brent Oglesby, Eric Marcus*

Wednesday, September 9, 2009

4:15 PM

City Hall, Room 301

PROCEDURAL NOTE: While action on items typically proceeds in the order in which they appear on the agenda, certain items may be postponed to allow the start of public hearings at the published time of 4:30 p.m. Following the public hearings, the Plan Commission will resume action on postponed items.

Call To Order

Mayor John Dickert called the meeting to order at 4:15 p.m.

PRESENT: 6 - John Dickert, Elaine Sutton Ekes, Vincent Esqueda, Gregory Holding, Jud Wyant and Eric Marcus

EXCUSED: 1 - Brent Oglesby

*Others present: Jill Johanneck, Associate Planner
Matt Sadowski, Principal Planner
Rick Heller, Chief Building Inspector
Alderman Michael Shields
Audrey Viau, Village of Elmwood President*

Approval of Minutes for the August 12 and 26, 2009 Meetings

A motion was made by Alderman Holding, seconded by Commissioner Esqueda, to approve the minutes of the August 12, 2009 Plan Commission meeting as submitted. Written modifications to the minutes were provided by Commissioner Marcus, who requested the minutes be modified accordingly. A motion was made by Alderman Holding, seconded by Commissioner Esqueda to approve the minutes with changes as proposed by Commissioner Marcus. The motion **PASSED** by a voice vote.

A motion was made by Commissioner Marcus, seconded by Commissioner Wyant, to approve the minutes of the August 26, 2009 minutes as submitted. The motion **PASSED** by a voice vote.

09-3550

Subject: Consideration of the re-designation of a Racine Landmark at 625 College Avenue, Unitarian Universalist Church of Racine and Kenosha (Historical Name: Church of the Good Shepherd).

Recommendation of the Landmarks Preservation Commission on 5-4-09: That the Unitarian Universalist Church of Racine and Kenosha (Church of the Good Shepherd) at 625 College Avenue be re-designated a City of Racine Landmark based on the following criteria:

(1) Social and Religious history

- (2) Identified with personages
- (3) Distinguishing architecture

Further, that this matter be referred to the City Plan Commission.

Attachments: [LPCRe-DesPH625Collegedraft2.doc](#)

Matt Sadowski advised the owner has rescinded their consent for the re-designation.

A motion was made by Alderman Holding, seconded by Commissioner Marcus, to receive and file this item. The motion PASSED by a voice vote.

09-4000

Subject: (Direct Referral) Consideration of a request from Gerald Bester of Dynamite 1 Enterprise, LLC seeking a conditional use permit to accommodate a dining and entertainment establishment at 1501 Washington Avenue. (Res.09-1611)

Recommendation of the City Plan Commission on 9-9-09: That this item be approved subject to the amended staff recommendations.

Fiscal Note: N/A

Attachments: [PH Notice - 1501 Washington Ave](#)
[CUP 1501 Washington Avenue \(09-4000\)](#)

Matt Sadowski provided an overview of the request and advised the item has been recommended for approval by the Access Corridor Committee. Mr. Sadowski advised that there is abundant off-street parking available in public lots.

The applicant, Gerald Bester, came forward to discuss the hours and request a change to what was recommended for approval by Access Corridor. Due to the potential addition of a coffee house, he would like to open at 7:00 a.m.

Mayor Dickert asked Mr. Bester if the deck off the back of the second floor will be utilized and if it has been checked to verify it meets building and fire codes. Mr. Bester advised he is planning to use the second floor deck and will be getting all inspections within the next few weeks. Mayor Dickert advised there is a fire escape off the back and to watch out for people exiting/entering the area with alcohol. Mr. Bester advised that at this time the deck area would be used only as a smoking area.

Mr. Sadowski read the recommended conditions of approval into the record. Mr. Bester asked if he could get permission to have alcohol outside in this area. Mayor Dickert advised there may be issues with having alcohol outside on the deck and depending on the terms of his liquor license. Rick Heller advised the liquor license explains exactly where liquor can be sold, served, etc... so it depends on how his license is written.

Mayor Dickert noted the applicant will have to go back to the Access Corridor Committee if there is a desire for expanded use of the second floor deck. He and Alderman Holding advised the ACDRC is an advisory committee and will not hold up the current process for the applicant.

Commissioner Sutton-Ekes felt that adding language to f. such as "the second floor deck area shall be used in accordance with any alcohol licenses obtained from the City" could clear up the issue and govern what goes on with the deck.

Modifications to the conditions of approval are as follows:

Change f. to: That plans for the future use of the outdoor patio area be submitted to the ACDRC for review and approval prior to implementation. The second floor deck shall be used in accordance with any alcohol licenses obtained from the City.

Change e. to: That the days and hours of operation be Monday through Wednesday, 7:00 a.m. – 11:00 p.m., Thursday from 7:00 a.m. to close, and Thursday through Saturday 7:00 a.m. to close.

Commissioner Marcus recommended an additional condition requiring that there be a full-sized kitchen installed and maintained in the establishment. Some individuals and the applicant felt this was a duplicative request as it is required with the liquor license.

Commissioner Marcus moved to approve the request, with the inclusion of the modifications made, the pending inclusion of the changes and incorporating the alcohol statements as discussed above into the applications. Seconded by Commissioner Esqueda. Upon a voice vote, two were for and two were against, with Commissioner Wyant abstaining. Mayor Dickert advised he would vote no.

A motion was made by Alderman Holding, seconded by Commissioner Sutton-Ekes, that this item be approved subject to the recommendation of the ACDRC. The motion PASSED by a voice vote with Commissioner Wyant abstaining.

4:30 P.M. PUBLIC HEARINGS HEARINGS

4:30 P.M. PUBLIC

[09-4130](#)

Subject: (Direct Referral) Request from Hua Ying Sun of Body Oasis Massage seeking a conditional use permit to accommodate a foot and body massage establishment at 5538 Durand Avenue, Unit #D-452 (Regency Mall). (Res.09-1612)

Recommendation of the City Plan Commission on 9-9-09: That this item be approved subject to conditions.

Fiscal Note: N/A

Attachments: [PH Notice - 5538 Durand Ave \(Regency Mall\)](#)
[CUP 5538 Durand Avenue \(09-4130\)](#)

Public Hearing opened at 4:50 p.m.

Mr. Sadowski corrected the title from "food" to "foot". He reviewed the proposal and the location within the mall. An interpreter spoke on behalf of the applicant to answer questions. They will not give manicures or pedicures and estimate up to 20 customers per day. It will be massage in a massage chair or a table screened by a sheet or divider. The proprietor has a location in Fond Du Lac for approximately two years. He is state and nationally certified.

Curt Pruitt, General Manager of the mall, spoke advising there will be a menu of services for clients to choose from. He reiterated this will be a clothed table or chair massage with dividers, if requested.

Public Hearing closed at 4:55 p.m.

Mr. Sadowski advised Staff recommends approval and read through the conditions of approval. Commissioner Wyant moved to approve based on the following changes:

b. change form to from;

d. add "that the maximum hours not exceed beyond those hours of Regency Mall";

e to: add "may be screened from the public passing by"

f. add "That state license be applied and maintained."

A motion was made by Commissioner Wyant, seconded by Alderman Holding, to approve this item subject to conditions. The motion PASSED by a voice vote.

09-4131

Subject: (Direct Referral) Request from J. Michael LaGrassa representing JML Healthcare Services, LLC seeking a conditional use permit to accommodate a community based residential facility for developmentally disabled adults in buildings #1 and #5 at 3131 Taylor Avenue. (Res.09-1613)

Recommendation of the City Plan Commission on 9-9-09: That this item be approved subject to conditions.

Fiscal Note: N/A

Attachments: [PH Notice - 3131 Taylor Ave \(#1 and #5\)](#)
[CUP 3131 Taylor Avenue \(09-4131\)](#)

Mr. Sadowski provided an overview of zoning, uses in the surrounding area, location and use of specific buildings to be utilized with this application, floor plans for both buildings 1 and 5, and parking. It was noted by Audrey Viau, Elmwood Village President, that the Genesis building lost their funding and has closed.

Public Hearing opened at 5:00 p.m.

Mayor Dickert asked if the tenants will have medical needs. Mike LaGrassa of Racine Resident Care, 1719 Washington Avenue advised yes, and that according to CBRF regulations they are required to have 1.5 full-time nurses on the site at all times, one class A and one class C, which will be the case.

Public Hearing closed at 5:05 p.m.

In response to Alderman Holding, Mr. LaGrassa described the medical issues.

A motion was made by Alderman Holding, seconded by Commissioner Esqueda, to approve the item subject to conditions. The motion PASSED by a voice vote.

Administrative Business

09-3201

Subject: (Direct Referral) Preparation of the City of Racine 2035 Comprehensive Plan.

Attachments:

[CITY OF RACINE CP CH I Text_v1](#)
[CITY OF RACINE CP CH II Text_v1](#)
[CITY OF RACINE CP CH III Text_v1](#)
[CITY OF RACINE CP CH IV Text_v1](#)
[CITY OF RACINE CP CH V Text_v1](#)
[CITY OF RACINE CP CH VI Text_v1](#)
[CITY OF RACINE CP CH VII Text_v1](#)
[CITY OF RACINE CP CH VIII Text_v1](#)
[CITY OF RACINE CP CH IX Text_v1](#)
[CITY OF RACINE CP CH X Text_v1](#)
[2035 Comp Plan Survey_001](#)
[CompPlan SurveyResultsRawData](#)
[CompPlan NghbrhdCrssTbRprt](#)
[CompPlan Q13WrittenRspns](#)
[CompPlan Q14WrtnRspns](#)
[CompPlan Q15WrtnRspns](#)
[CompPlan Q16WrtnRspns](#)
[Public Input Session Comments](#)
[CITY OF RACINE CP TBL 1_v1 Real Estate Value](#)
[CITY OF RACINE CP TBL 2_v1 Planned Land Use](#)
[CITY OF RACINE CP TBL 3_v1Min Res. Lot Sizes](#)
[CITY OF RACINE CP TBL 4_v1 Housing Programs](#)
[CITY OF RACINE CP TBL 5_v1 Environmental Contamination](#)
[CITY OF RACINE CP TBL 6_v1 Econ Development Assistance](#)
[Community Centers' Response \(Comp Plan\)](#)

Mr. Sadowski reviewed a summary of Plan Commission comments, corrections and clarifications found in the document titled "City of Racine Comprehensive Plan Notes; from the Plan Commission meeting of August 26, 2009". This document pertains to Chapters 3 Trends and Projections and Chapter 4 Issues and Opportunities [the listing of comments corrections and clarifications is made part of these minutes by separate document and attached to this file (09-3201)].

Commission members continued discussion on Chapter 3 by reviewing the explanation provided by SEWRPC describing the method(s) used to arrive at population and housing projections [said SEWRPC explanation made part of these minutes by separate document and attached to this file (09-3201)]. Members expressed concern with a lack of disclosure regarding the key assumptions employed in the development of the projections. Commission members requested that further explanation be obtained.

It was moved by Commissioner Marcus and seconded by Commissioner Ekes to defer on Chapter 3. Motion approved. All ayes.

It was moved by Commissioner Marcus and seconded by Commissioner Ekes to approve the draft of Chapter 4 subject to changes as addressed in the document titled "City Of Racine Comprehensive Plan Notes; from the Plan Commission meeting of August 26, 2009", and changing the word "Goals" in the title of the section beginning on page 9 to "Implementation Strategies". Motion approved. All ayes.

Commission members agreed to begin work meetings during the noon hours on Tuesdays and Thursdays. At these meetings Comp Plan Chapter reviews would be conducted. Staff will conduct the review with those members who are able to attend.

Adjournment

There being no other business, Mayor Dickert adjourned the Plan Commission meeting at 6:00 p.m.