



COMMISSION MEMBERS PRESENT: M. Pirk, J. Kis, J. Hewitt, D. DeGroot, D. Driver, J. Maier & J. Mallon

COMMISSION MEMBERS ABSENT:

VILLAGE BOARD MEMBERS PRESENT:

Staff: L. Martin & B. Sasse

1. Call to Order

The meeting was called to order at 1:00 pm by M. Pirk.

2. Approval of the March 19, 2014 meeting minutes

J. Hewitt motioned, J. Kis seconded to approve the March 19, 2014 meeting minutes. Motion carried 6-0-1, with J. Maier abstaining.

3. Rezone Petition RZ-02-14 located at 2229 & 2237 Mead Street | Racine Community Outpost – 6th Street Inc. Applicant | Tax Parcels #151-03-23-21-133-000 & 151-03-23-21-135-000

Representatives: Richard Polzin, 2513 Gillen St, Secretary/Treasurer – Racine Community Outpost
Tim Zarzecki, 8811 Campus Dr, Police Chief – Mount Pleasant Police Dept.

The applicant requests permission to rezone approximately 0.2 +/- acres from RCH (Redevelopment-Conservation Holding) to R-75 (Residential Single Family) for construction of a single family home (North Lot) and rezone approximately 0.2 +/- acres from RCH to R-75/OIP (Residential Single Family/Overlay Institutional or Public Service) for construction of a single family home to be operated as a Community Oriented Policing House (South Lot).

The applicant originally established ownership of four (4) RCH zoned lots, approx. 40' wide each. The decision was made to combine lots via quitclaim deed to create 2 larger 80' x 110' lots. Because of the new lot size, R-75 zoning is a more appropriate classification. As an added note, the existing RCH zoning does not allow for construction of a new structure without a Conditional Use, requiring a similar process to a rezone for the applicant as well. The proposed residential zoning classification is also in accordance with the 2035 Comprehensive Land Use Plan.

As a whole, the Lakeside Neighborhood has incurred reduced owner occupancy over time, resulting in a reduced quality of the existing structures and an increase in crime in the neighborhood. The City of Racine, partnering with Racine Community Outpost, has constructed several COP Houses and has seen great success with the existing partnership and the COP program. The intent of the COP House is to bring area residents together, reduce crime, and often times act as the catalyst in bringing stabilization to a neighborhood. It is the hope that the Mount Pleasant COP House, paired with the potential construction of an adjacent new home (potentially



by Habitat for Humanity), will be that catalyst in bringing improvement to the Lakeside Neighborhood.

J. Mallon motioned, J. Kis seconded to recommend approval of rezone petition RZ-02-14 located at 2229 & 2237 Mead Street. Motion carried unanimously.

4. Rezone Petition RZ-03-14/Conditional Use Petition CU-03-14 located at 1821 E. Frontage Road Hribar Owner/Stark Asphalt Applicant | Tax Parcel # 151-03-22-18-020-010

Representative: Don Stark, 923 E. Kilbourn, Milwaukee

The applicant requests permission to install and operate a temporary portable asphalt mixing plant for operation beginning in May 2014 and ending December 31, 2016. To facilitate the proposed operation, the applicant requests to rezone approximately 5+/- acres at the rear (eastern portion) of the Hribar property from M-1 (Industrial) to M-1/OEL (Industrial/Overlay Extractive or Landfill Operations). Activity on-site is proposed to consist of an asphalt plant, related equipment, and aggregate material storage (not shown on site plan). The applicant (Stark) will be leasing a portion of an existing gravel area from the property owner for the proposed use, functioning as a tenant of the existing industrial property. That being the case, the existing building on site is proposed to serve any staff office and restroom needs. The subject plant will allow Stark closer proximity to the upcoming I-94 resurfacing project, as well as other local paving projects and contracts.

D. DeGroot motioned, J. Mallon seconded to recommend approval of RZ-03-14 and CU-03-14 with site plan (*Nielsen Madsen & Barber, S.C. – site plan dated 03.15.14*) subject to the following conditions:

1. Activities on-site are limited to aggregate material storage and asphalt plant operation through the expiration date of December 31, 2016, at which point the Conditional Use Permit will be terminated. No additional activity, crushing, or construction (outside the scope of the application) may commence during the life of the Conditional Use without application for permit amendment.
2. The applicant shall obtain final approval of the proposed storm water management plan/methods by the Village Engineering Department prior to occupancy.
3. Any on-site aggregate or material piles shall not exceed thirty (30) feet in height.
4. The proposed access drive area extending east from the existing asphalt area shall be paved with asphaltic concrete prior to occupancy to minimize any off-site dust impacts.



5. Hours of operation shall comply with the Village Noise Ordinance (Sec. 54-5) defined and limited as 6:00 AM to 10:00 PM. Any use outside of these hours for special projects shall require Village Board approval.
6. Any dust produced on-site shall be controlled and abated through the application of chemical additives or water as necessary.
7. Any utilities necessary to serve the site shall be constructed underground.
8. Any free-standing or structure mounted luminaires shall include cut-off provisions to preclude off-site lighting impacts.
9. Submission of final copies of any and all applicable approved State/DNR permits for operation of the proposed use prior to occupancy.
10. The applicant shall submit and receive approval of a Village sign permit prior to any sign construction and installation.

Motion carried unanimously.

5. Permitted Uses within the B-2 Community Business District – Consideration of Daycare Operations per Section 90-211(c) “Unclassified Uses”

Representatives: Bob Nowak & April Carey, 333 County Rd Z, Twin Lakes

Over the last several months, Development staff has received a handful of requests regarding placement of a daycare within an existing building or multi-tenant facility located in the B-2 (Community Business), B-3 (General Business), and BP (Business Park) zoning districts. Historically, only stand alone daycare operations have come before the Plan Commission and have strictly been approved within the R-100/Overlay Institutional or Public Service (OIP) zoning classifications.

Currently, there is a preliminary proposal for establishment of a daycare within the former Knights of Columbus building located at 13249 Washington Avenue. This particular property is zoned Business Park which does not specifically allow for a daycare facility. The zoning chapter (Chapter 90) of the municipal code does not specifically define a daycare as a permitted use within any district. That being the case, the plan commission has the authority per Section 90-211(c) to determine whether or not a daycare aligns with the functional classification of or is equivalent to a use that is listed and permitted.

Section 90-211(c) Unclassified uses

Any use not specifically listed as a permitted use shall be considered to be prohibited, except as may otherwise specifically be provided in this article. In case of a question as to the



classification of a use, the question shall be submitted to the plan commission for a determination.

Per Section 90-591 “B-2 Community Business”, permitted uses by right include “community and customer service establishments, such as, but not limited to...lodges and private clubs...[and] vocational training schools.” Both of the mentioned permitted uses in the B-2 district are similar in traffic volume and occupant density to that of a daycare. The Plan Commission could, therefore, reasonably determine that a stand-alone or tenant daycare is permitted within the B-2 district. Should that determination be made, a daycare could then be permitted within the Knights of Columbus building due to the fact that the B-3 and BP districts allow such uses as those permitted by right and defined within the B-2 district.

It should be noted that any determination using Section 90-211(c) does set a precedent and would allow subsequent daycare applications to be entertained within the B-2, B-3, and BP zoning districts. It is the opinion of Development staff that daycare services will be of greater demand as the business community expands within the Village. Services like daycares are accessory and complimentary to all business and corporate uses as many employees have children and are not always offered corporate provided care. Village legal counsel has performed a review of the subject and is in concurrence with the potential determination.

B. Nowak explained that they are currently operating a daycare in Racine and are looking to relocate it and feel this building would be a perfect location.

J. Mallon stated his concern about parking guidelines for a daycare facility. The commission discussed the concern about potential number of parking spaces needed.

B. Sasse informed the commission that the road that runs north/south between the former Knights of Columbus building and Johnson Insurance may not be public as there is no documentation that it was ever accepted by the village as a public road.

D. Driver motioned, J. Kis seconded, to recommend approval that a stand-alone or tenant daycare operation is a reasonable and equivalent use similar to those permitted by right in the B-2 district, and therefore is classified as a permitted use within the B-2 district per Section 90-211(c).

6. Commissioner & Staff Reports -

L. Martin, along with a police officer, met with the property owner of 1629 Pratt Avenue on-site to discuss the outdoor storage and ongoing violation. Property owner is being cooperative.

J. Maier motioned, D. Driver seconded to adjourn at 1:55 p.m. Motion carried unanimously.

*Next meeting is scheduled for **Wednesday, May 21, 2014 at 1:00 p.m.**

Cc: K. Wahlen L. Martin M. Pierce M. Schmidt L. Hannula
B. Sasse T. Beyer D. McHugh