



City of Racine

City Hall
730 Washington Ave.
Racine, WI 53403
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Meeting Minutes - Final City Plan Commission

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

Wednesday, January 26, 2011

4:15 PM

City Hall, Room 205

Call To Order

PRESENT: 6 - John Dickert, Elaine Sutton Ekes, Gregory Holding, Jud Wyant, Eric Marcus and Tony Veranth
EXCUSED: 1 - Vincent Esqueda

Others present: Matt Sadowski, Principal Planner
Jill Johanneck, Associate Planner
Brian O'Connell, Director of City Development

Approval of Minutes for the December 8, 2010 Meeting

A motion was made by Alderman Holding, seconded by Commissioner Wyant, to approve the minutes of the December 8, 2010 meeting. The motion **PASSED** by a Voice Vote.

11-6014

Subject: (Direct Referral) Request by Govednik Investments, LLC for approval of a 2-Lot Certified Survey Map at 3724 Durand Avenue. (PC-11) (Res.11-2387)

Recommendation of the City Plan Commission on 1-26-11: That the item be approved subject to conditions.

Fiscal Note: N/A

Attachments: [\(11-6014\) CSM 3724 Durand Avenue](#)

Associate Planner Johanneck provided background on the CSM request, including location, zoning (B3; I1), existing uses of the property, and access points to the property. Lot 1 would be the multi-tenant building and Lot 2 the restaurant.

Access easements were discussed as well as the addition of a maintenance easement along the eastern side of the multi-tenant building to allow for maintenance without trespass. The existing access point to proposed Lot 2 off of Durand Avenue would be closed off and access to this lot would now be from West Lawn Avenue. The visibility triangle has also been provided. Staff recommends approval subject to conditions, which were read to the Commissioners.

John Lapotko, a representative of Govednik Investments, was present and voiced his support for the Staff changes to the proposed certified survey map.

A motion was made by Alderman Holding, seconded by Commissioner Sutton Ekes, to recommend approval of the Certified Survey Map. The motion PASSED by a Voice Vote.

11-6015

Subject: (Direct Referral) Request by Peggy Celaya of PFS Group seeking a minor amendment to a conditional use permit to modify the master sign plan for Elmwood Plaza 3701 Durand Avenue. (PC-11)

Principal Planner Sadowski discussed the request to modify the signage plan and conditions for Elmwood Plaza. Background on location, zoning (B2), surrounding properties, and existing sign requirements were discussed.

The applicant is requesting to be able to utilize colors other than the currently allowed green and red, and to also use logos as signage, which is currently prohibited in the sign conditions for the site. This would allow for more flexibility and the use of corporate colors, while keeping the requirement for channel lettering on the building and the ability to advertise on the center signs utilizing different color schemes. It was also advised a Family Dollar is looking to locate in the center and their colors vary from what is currently allowed. Staff recommends approval of the request subject to conditions.

Peggy Celaya was present and advised they are in favor of the request by Family Dollar and the request to modify the signage restrictions.

A motion was made by Alderman Holding, seconded by Commissioner Veranth, that the amendment be approved subject to conditions. The motion PASSED by a Voice Vote.

4:30 P.M. PUBLIC HEARING**4:30 P.M. PUBLIC HEARING****11-6016**

Subject: (Direct Referral) Request by Danny and Steven Sherrill seeking a conditional use permit for an auto repair with accessory auto sales at 3430 Douglas Avenue. (PC-11) (Res.11-2388)

Recommendation of the City Plan Commission on 1-26-11: The item be approved subject to conditions.

Fiscal Note: N/A

Attachments: [PH Notice - 3430 Douglas Avenue](#)
[\(11-6016\) CUP 3430 Douglas Avenue](#)

Principal Planner Sadowski outlined the request for conditional use for auto repair and accessory sales at 3430 Douglas Avenue. Background on property location, surrounding properties, zoning (B2), proposed site layout and parking, and the proposed uses for the site were presented. Mr. Sadowski advised the applicants currently run a used tire sales and service station across the street, but are looking to get out of the used tire sales and service and more into general auto repair (not including transmission, engine, or body work) and accessory automobile sales at this new location.

Public Hearing was opened at 4:35 p.m.

**Perry White, attendant of the church at 3334 Douglas Avenue (across the street from the site), spoke in favor of the request. He mentioned a possible youth training*

program as well.

**Dan Sherrill, applicant, 4016 29th Avenue, Kenosha, advised they are looking to get away from the tire business and this location will suit their needs to gear towards auto repair and accessory auto sales if approved.*

Commissioner Veranth asked if the used tire use will continue and how many vehicles would be for sale. The applicant advised they are phasing out of the used tire business as it is not profitable for them, and there would be less than 8 vehicles for sale at any given time.

Mayor Dickert advised the exterior of the building and the site need to remain in good repair and clean. The applicant advised there will be no outside storage and security cameras will be installed. Mayor Dickert also questioned if there would be car sales, noting that sales would need to be away from the street frontage. The applicant advised any sales would be along the south end of the parking lot, not facing Douglas Avenue.

Commissioner Sutton Ekes noted past landscaping compliance issues on this property. Mr. Sadowski advised installation of the landscape has been addressed, that there is a dual-agreement between this property and the property to the north for landscaping from the original approval, and that maintenance has been a problem. He noted the City has maintained \$2,000 to secure the landscaping is maintained. Commissioner Sutton Ekes advised she would like to have language included to ensure continued compliance with the approved landscape plans.

**John Tucker, 1326 Jefferson Street, spoke in favor of the request. He also mentioned a youth training program and had approximately 30 signatures of neighbors who are in support of this.*

Mr. Sadowski advised youth training was not part of this conditional use request.

**Steven Sherrill, co-applicant, 1545 Shoreline Drive, advised they are ready to move from their current location into this new building to focus on auto repair and that he will be the one in charge of maintenance and landscaping at the site. He also mentioned a potential training program once the business gets off the ground.*

Public Hearing closed at 4:52 p.m.

Mr. Sadowski advised members of the Douglas Avenue Association were provided the information on this request. The Association provided comments on the request which have been incorporated into the conditions of approval. He then read through the recommended conditions.

Alderman Holding noted there will be upcoming road work along that portion of Douglas Avenue, and requested the applicants adhere to the conditions and make an effort to keep the property in good repair and present a clean, orderly business. He added that a training program is admirable but not something the Commission would normally support for this type of business, however it could be considered at a later date should the business demonstrate compliance with the approval.

A motion was made by Alderman Holding, seconded by Commissioner Sutton Ekes, to recommend approval of the request subject to Staff conditions. The motion PASSED by a Voice Vote.

Administrative Business

Discuss Progress on Zoning Ordinance Update

Mr. Sadowski advised of the approach being taken in the re-writing of the ordinance. To date, focus has been on re-organization of divisions and sections of the ordinance to create sensible structure, modification to the extensive lists of uses, adding comprehensive definitions to assist in defining the consolidation of uses, and providing a use reference table.

Ms. Johanneck referenced three handouts. The first was a chart outlining the new organization of the code, noting there will be additions to address current land use issues (such as alternative energy, etc.). The second handout addressed the use additions/eliminations/consolidations proposed for the zoning districts to reduce the long use lists. The third handout was a 'use table' prepared to be a quick reference identifying zone districts, uses, and where they are permitted, conditional, or accessory.

It was suggested that some examples of uses be kept in the ordinance to assist the Commission in determining whether a use is similar in nature to what could be approved or not within a district. Ms. Johanneck advised this will be done, especially within the enhanced Definition section.

It was decided the preferred method of correspondence between the Commission and Staff during this process be via email. This keeps a written record and allows Staff to document research and keep a written record of possible changes, additions, etc. as the update proceeds.

Clarification was provided on the Flex overlay, spot zoning, and commercial uses in residential areas.

Creating an administrative approval process was discussed. Staff advised this is being done as part of the update, and will include an appeals process.

Suggestion for training of other City departments using this code, as well as training for Commission members was suggested and will be scheduled upon completion/adoption.

Focus on allowing more home occupations and being more 'business friendly' was mentioned as a priority. Staff advised the code will be addressing this via different 'levels' of home occupations and professional offices, defining parameters that will allow for more businesses to be run out of residences.

Adjournment

There being no further business, Mayor Dickert adjourned the meeting at 5:45 p.m.