



City of Racine

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

Meeting Minutes - Draft City Plan Commission

*Alderman Dennis Wiser, Mayor John T. Dickert, Atty. Elaine
Sutton Ekes Vincent Esqueda, Tony Veranth, Alderman Molly
Hall, Pastor Melvin Hargrove*

Wednesday, November 14, 2012

4:15 PM

City Hall, Room 205

Call To Order

PRESENT: 5 - Elaine Sutton Ekes, Vincent Esqueda, John Dickert, Dennis Wiser and Melvin Hargrove
EXCUSED: 2 - Tony Veranth and Molly Hall

Others present:

*Brian O'Connell, Director of City Development
Jill Johanneck, Associate Planner
Ken Plaski, Zoning Administrator/Chief Building Inspector*

Approval of Minutes for the October 31, 2012 Meeting

A motion was made by Commissioner Sutton Ekes, seconded by Commissioner Hargrove to approve the minutes of the October 31, 2012 meeting. The motion PASSED by a Voice Vote.

12-8359

Subject: (Ord. 10-12) An Ordinance to repeal and recreate the following sections of Chapter 114 - Zoning, of the Municipal Code of the City of Racine, Wisconsin relating to Article V: District Regulations and Article X: Sign Regulations of the Municipal Code.

Recommendation of the City Plan Commission on 11-14-12: That the ordinance be adopted.

Fiscal Note: N/A

Associate Planner Jill Johanneck advised Ord. 10-12 was presented at the October 31st Plan Commission meeting and the November 7th Common Council meeting. She summarized the changes being proposed due to discrepancies in several text sections relating to Advertising signs, and provided a brief overview of the clarifications and changes being proposed. Staff recommendation is that the Ordinance be adopted.

A motion was made by Commissioner Sutton Ekes, seconded by Commissioner Esqueda, that Ord. 10-12 be adopted by the Common Council. The motion PASSED by a Voice Vote.

12-8360

Subject: (Ord. 11-12) An ordinance amending Sec. 114-448 of the Municipal Code of the City of Racine, Wisconsin, relating to

takeout-carryout restaurants.

Recommendation of the City Plan Commission on 11-14-12: That the Ordinance be adopted.

Fiscal Note: N/A

Associate Planner Jill Johanneck advised this item addresses a change made to the zoning ordinance relating to carry-out restaurants. Modifications had been made to the definition of such places of business in the recent past, but had not been incorporated into the business zoning district standards as conditional uses. This modification to the Ordinance will address that omission. Staff recommendation is that the Ordinance be adopted.

A motion was made by Commissioner Sutton Ekes, seconded by Alderman Wiser, that Ord. 11-12 be adopted by the Common Council. The motion PASSED by a Voice Vote.

4:30 P.M. PUBLIC HEARINGS

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***NOTE: Alderman Wiser took over as meeting chair at 4:30 p.m.*

[12-8349](#)

Subject: (Direct Referral) Request by James L. Dickert seeking a rezoning of the property at 915 (aka 917) Wisconsin Avenue from O-Restricted Office District to R-4 General Residence District. (PC-12) (Zord. 004-12)

Recommendation of the City Plan Commission on 11-14-12: That an ordinance be prepared and a public hearing scheduled.

Fiscal Note: N/A

Attachments: [PH Notice - 915 Wisconsin Avenue](#)

Director of City Development Brian O'Connell provided background on the rezoning request. The property is currently a legal non-conforming residential property in the O-Restricted Office District. The rezoning request is based on the property lender wanting the zone district to be more conforming with the property use via a change in the zoning classification. Director O'Connell advised the O zone allows residential uses within the district. He also indicated the density of the units on the site is non-compliant, however the structure pre-date the zoning so it is a legal, non-conforming situation.

The Commission members were referred to the Staff recommendations regarding the analysis of the non-conformities, the land use plan and the context of this area for review in making their decision on this request. A review of the area, zoning, surrounding uses and development pattern in the area was provided. Staff recommendation is that an ordinance be prepared and a public hearing scheduled before the Common Council.

Public hearing opened at 4:35 p.m.

1. James Dickert, applicant, spoke on the item. He advised he has owned the property for approximately 10 years and when he went to re-finance the zoning

became an issue for the bank. He believes this issue may affect other properties in the area should they attempt to re-finance.

2. Dell Halbertson. Director O'Connell advised Mr. Halbertson called and requested to be on record that he has no objection to the request.

Public hearing closed at 4:40 p.m.

A motion was made by Commissioner Sutton Ekes, seconded by Commissioner Esqueda, to recommend that an ordinance be prepared and a public hearing held regarding the rezoning of the property at 915 Wisconsin Avenue from O-Restricted Office District to R-4 General Residence District. The motion PASSED by a Voice Vote.

Mayor Dickert recused himself and did not participate.

12-8350

Subject: (Direct Referral) Request by Curt Pruitt, agent for CBL & Associates (Regency Mall) seeking an amendment to a conditional use permit for the installation of a bus stop pad with two shelters at 5538 Durand Avenue. (Res. No. 12-3439)

Recommendation of the City Plan Commission on 11-14-12: That the item be approved subject to conditions.

Fiscal Note: N/A

Attachments: [PH Notice - 5538 Durand Avenue](#)
[\(12-8350\) CU Amend 5538 Durand Avenue](#)

Director of City Development Brian O'Connell advised the proposal is to put a bus stop with two shelters within the existing parking area along the 'ring road' within the Regency Mall site. The property is zoned B-2. Information on the proposal, surrounding land uses, aerial views, and detailed information on the proposed bus shelters were provided.

The proposal is for a raised concrete pad upon which the shelters would be placed. Director O'Connell added the concept is that this would not only be a bus stop, but potentially a transfer point to serve the south side of the City, using the shelters as a transfer location between different bus routes. He indicated other locations were considered by the applicant and the mall, yet the proposed location was selected, despite its distance from the mall building. Staff recommendation is for approval subject to conditions.

Public Hearing opened at 4:43 p.m.

1. John Magee, 141 Main St., spoke in support of the shelter, but expressed concerns about the accessibility of other bus routes to the shelter, especially for people who are transferring busses. He also expressed concern that there is no delineated walkway to the shelter and it is a long distance from the mall to the proposed site. Additional concerns for handicapped individuals, or those in wheelchairs being able to access the shelter without a sidewalk and having to go through a large parking lot will be difficult and unsafe.

2. Al Stanek, 730 Washington Avenue, Director of Transit for the City, stated their goal is to get this constructed this year but may be doubtful as final plans have not been approved yet. He also advised he is working on trying to locate a way for

people to transfer routes & will be working on that even after this approval. Pedestrian safety is a concern, and he advised the mall is considering a raised sidewalk. Transit is only proposing a 'surface walkway', which is essentially access through the existing parking lot.

Alderman Wisner requested direction from Staff for guidance on how the applicant may proceed. Director O'Connell advised if they re-locate the facility now, they will need to come back before the Commission. If they continue with the plans as submitted, the project will continue to go forward, but that is the decision of the applicant. He added if the proposal is unlikely to be constructed if approved as-is, it would be in their best interest to wait and re-submit.

Mr. Stanek indicated similar access to bus shelters exist at the Piggly Wiggly site and also at Wal-Mart, where individuals have to walk through parking lots to get to the shelters. He added funding is not available to create a specific access/raised sidewalks to the bus shelters. Director O'Connell reviewed condition d., which requires the applicant submit final site plans to City Development illustrating realigned traffic flows and parking, restriping of parking lanes and spaces, and landscape treatments for raised islands as part of this review. He advised we want to see more detail and the applicant will need to provide the information for review prior to installation, adding that the conditional use, if not acted upon, will expire in one year of approval.

Commissioner Sutton Ekes indicated she is not comfortable with individuals having to walk through large parking lots, considering the exposure and lack of a safe, direct route to the shelters.

Public Hearing closed at 4:54 p.m.

A motion was made by Commissioner Hargrove, seconded by Commissioner Esqueda, to recommend approval of the request for the installation of the bus stop pad shelters at 5538 Durand Avenue, subject to Staff recommendations A. -H. The motion PASSED by a Voice Vote.

Administrative Business

None.

Adjournment

The meeting was adjourned at 4:55 p.m.