



City of Racine

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

Meeting Minutes - Final City Plan Commission

*Mayor John Dickert, Alderman Dennis Wisler,
Molly Hall, Vincent Esqueda, Tony Veranth,
Pastor Melvin Hargrove, Attorney Tom Durkin*

Wednesday, July 29, 2015

4:15 PM

City Hall, Room 205

Call To Order

Mayor Dickert called the July 29, 2015 Plan Commission meeting to order at 4:25 p.m.

PRESENT: 6 - Vincent Esqueda, John Dickert, Melvin Hargrove, Molly Hall, Dennis Wisler and Tom Durkin

EXCUSED: 1 - Tony Veranth

Others present:

*Matt Sadowski, Assistant Director of City Development/Principal Planner
Jill Johanneck, Associate Planner*

Approval of Minutes for the July 8, 2015 Meeting

A motion was made by Alderman Wisler, seconded by Commissioner Hall, to approve the minutes of the July 8, 2015 meeting. The motion PASSED by a Voice Vote.

[15-00655](#)

Subject: (Direct Referral) An appeal by Habeeb Ali to Sec. 114-1038(b)(1) of the municipal code relating to window signage placement for 1733 Rapids Drive.

Associate Planner Johanneck provided an overview of the location, and the window signage violations at the property. Section 114-1038 (b) (1) of the municipal code prohibits window signage from being placed in view of a residential use or residentially zoned property unless authorized by the Plan Commission. The property is zoned B-1, and faces residential on all sides.

There are two lower-level windows facing north, and one facing west, which have window signage. The electronic scrolling sign which was initially part of the complaint has been removed by the occupant. There is a business sign located above the doorway, which has not yet received a permit but is not part of the complaint.

Staff understands the constraints for the applicant, as the structure is bounded by three streets and residentially zoned properties, and that this impedes use of window signage for additional advertising. However, the intent of the window sign code is to lessen the intrusion of window signage and not inundate residential areas with commercial advertising. Additionally, the signage restrictions were in place at the time the applicant chose to locate his business here, yet he purchased signs without verification they would be able to be used legally. It is the decision of the Commission to recommend on the allowance as requested by the applicant, and Staff provided

recommendations for signage for consideration by the Commission.

The applicant addressed the Commission. He stated he has removed the sign facing Carlisle Avenue, as well as the electronic scrolling sign that was placed in the north-facing window. He stated he has spent a lot of money on the signage and would like to be able to keep the sign facing north.

Further, he indicated the window graphic remaining on the north window has holes in the material, which allows for viewing through it if within four to five feet of the graphic. Ms. Johanneck stated the material Mr. Habeeb is mentioning for the window sign does have small holes as part of the application, yet physically presents itself as an opaque sign. The location is along Yout Street and Rapids Drive, and vehicular traffic will view this as opaque as they will not be that close to the graphic. Additional discussion on the proposed conditions of approval occurred.

A motion was made by Alderman Wisner, seconded by Commissioner Hall, to approve the request subject to Staff recommendations. The motion PASSED by a Voice Vote.

4:30 P.M. PUBLIC HEARINGS

4:30 P.M. PUBLIC HEARINGS

[15-00683](#)

Subject: (Direct Referral) A request by Breeze Ratchford, representing DMR Trucking, Inc., for a rezoning of 1620 Racine Street from I-2 General Industrial District to B-2 Community Shopping District with a FD Flex Development Overlay. (PC-15) (ZOrd. 003-15)

Recommendation of the City Plan Commission on 7-29-15: That an ordinance and a use supplement be prepared and a public hearing scheduled.

Fiscal Note: N/A

Attachments: [PH Notice - 1620 Racine Street](#)

Associate Planner Johanneck advised this request accompanies a conditional use to operate an indoor automobile recycling center with accessory vehicle sales. A general overview of the area, aerial views, property and surrounding property views was provided.

The property zoning was reviewed. The site is currently zoned I-2. In March of 2015, the City adopted the Uptown Neighborhood Strategic Development Plan (the Plan). This plan acts as an 'amendment' to the existing Land Use Plan for the City, and identifies areas within Uptown specifically vital in accelerating revitalization of the neighborhood. It also identifies strategies and implementation techniques which can be utilized to achieve long-term growth and development goals identified in the document. This property is located within the Plan in an area identified as "16th Street & Junction". This area is designated as a commercial re-development area. There are other parcels within this sub-area; however they are all currently vacant.

Around the same time the Plan was adopted, the property owner approached the City to discuss potential uses for the site. To accommodate for the recent change in land use as proposed in the Plan, yet not create a situation where the property in its current state would become unusable, Staff and the owner agreed that rezoning the property to B-2 with a FLEX overlay was a viable solution. The B-2 zone is consistent with the long-term planning efforts, while the FLEX will outline specific uses allowed

on the site, some still industrial in nature which may be approved and regulated via the conditional use process. A FLEX supplement will be drafted and presented to the Plan Commission to accompany the rezoning request.

A review of the 'Findings of Fact' for recommendation to the Common Council by the Plan Commission was provided. Staff analyzed the questions as outlined in the zoning ordinance for consideration of a zone change, and offered the following findings to the Commission:

(a)

(1) Existing uses of property within the general area of the property in question;

Finding: Existing uses in the general area will not be hindered due to the amount of vacant land in the vicinity, and the adjacent commercial and nearby residential lands will be less impacted. With the rezoning to B-2 FLEX, some higher-intensity uses for this property will still be possible, subject to conditional use review.

(2) The zoning classification of property within the general area of the property in question;

Finding: The property is adjacent to a B-2 commercial parcel to the north, and R-3 residential to the southeast. The change to B-2 FLEX is more compatible with these zone districts and uses than the current Industrial zoning. Though there are areas of I-2 Industrial zoning in the vicinity, the more-intense uses do not front directly on Racine Street.

(3) The suitability of the property in question to the uses permitted under the existing zoning classification;

Finding: This is a small site containing a variety of buildings. Many of the I-2 uses, permitted or conditional, simply do not fit within the site based on the types of buildings, condition of the buildings, and the lack of internal circulation and parking. Additionally, the I-2 zoning district is intended to accommodate industrial activities which may produce moderate nuisances or hazards in areas that are relatively remote from residential or commercial development. There is commercially zoned property directly north, and residences within 100-feet of this site. The re-zoning supports the idea of less impact on these properties, yet with the FLEX will be allow utilization of the site for several less-intense uses currently listed in the I-2 District. The requirement for conditional permits for these uses will further lessen adverse impacts on the surrounding properties, and foster the planning efforts of the Uptown Plan.

(4) The trend of development, if any, in the general area of the property in question, including changes, if any, which have taken place in its present zoning classification; and

Finding: This area has not seen change in many years and encompasses a variety of land uses. With the adoption of the Uptown Plan, the City has determined the future trend for this area is towards commercial, mixed-use, residential, parking, and rehab of existing buildings for small businesses. These planning efforts area supported by this rezoning request.

(5) The objectives of the current land use plan for the city.

Finding: The objective of the current land use plan, as updated with the adoption of the Uptown Plan, is towards commercial, mixed-use, office, residential, parking, and small business development, which are not possible with a heavy industrial zone classification such as the I-2 district. This request supports the goals and objectives of the land use plans for the City.

Public Hearing opened at 4:42 p.m.

Property owner and applicant Breeze Ratchford was present. Mayor Dickert inquired about vehicle sales. Mr. Ratchford advised he will be selling only 8 vehicles at any one time. He further advised an environmental assessment has been done on the property, and addressed the Mayor's concern of junk vehicles accumulating by stating it will not occur as the State regulates vehicle titles and they will not accept vehicles without proper documentation. Mayor Dickert also advised he look into ways of handling spillage of fluids and environmental programs that may be available for information.

Public Hearing closed at 4:50 p.m.

A motion was made by Alderman Wiser, seconded by Commissioner Esqueda, that based on the Staff analysis and Findings of Fact that an ordinance to rezone 1620 Racine Street from I-2 General Industrial to B-2 Community Shopping with a FLEX Development overlay be prepared and a public hearing scheduled, and that a use supplement be prepared. The motion PASSED by a Voice Vote.

[15-00688](#)

Subject: (Direct Referral) A request by Breeze Ratchford, of DMR Trucking, Inc., for a conditional use permit at 1620 Racine Street to operate an indoor auto salvage and recycling business, with accessory automobile sales. (PC-15) (Res No. 15-0325)

Recommendation of the City Plan Commission on 8-12-15: That the request be approved subject to conditions.

Fiscal Note: N/A

Attachments: [PH Notice - 1620 Racine Street](#)

Associate Planner Johanneck provided a site overview plan of the site, identifying the 7 on-site buildings and proposed vehicle sales lot. The salvage operation will be all indoors, as required per the State of Wisconsin Department of Transportation Type 2 license the owner has obtained. The Type 2 license requires all salvage operations be conducted within a building, that there be no salvage yard, that vehicles be dismantled and parts sold, and further required Department of Natural Resources registration and permits.

A visual of the site plan and buildings, and floor plan for Buildings 1,2 and 3 was presented. To assist in identifying the components of the operation, the buildings were assigned numbers by Staff. Buildings 1 and 2 will be the main operations center. Building 1 contains office areas to serve the salvage, recycling, and vehicle sales operations. The remainder of Building 1 will be utilized for the salvage operation itself, including receiving of transported vehicles, inventory of the parts, fluid drainage, disassembly and organization of recyclable parts into steel bins. Recycle bins will be transported by the owner to an off-site processing facility when full. Non-recyclables will be placed in the dumpster enclosure. When ready, the bulk of the vehicle will be transported to a recycling processing facility for further reduction and sale of metal to foundries, which utilize the scrap metal in manufacturing of new items. Usable parts will be inspected, cleaned, and stored in Building 2 for re-sale to dealerships, body shops, or other entities involved in vehicle reconditioning. Parts will primarily be delivered via UPS, FedEx, etc., however may be delivered by the owner or, on occasion, picked-up by the buyer.

Further recycling efforts were discussed. Batteries may be re-sold to customers if still

viable, and if not will be sold to a battery recycling facility for proper processing; tires will be stored indoors and those meeting acceptable tread standards may be re-sold, those not will be taken to a tire recycling facility; the owner will be participating in the WDNR Mercury Switch recycling program; shop towels will be stored in fire-proof containers until picked up for proper laundering; anti-freeze will be processed and re-sold; and other fluids including oil, power steering, transmission and gear oils will be combined and used as alternative fuel for a waste oil furnace to heat the facility in the winter. As part of State licensing for the recycling yard, the owner is obligated to adhere to the guidelines in place by the EPA, WISDOT, and WDNR.

Building 3 will be used in conjunction with Building 2 for storage. Buildings 4 and 5 (Quonset huts) will be used to store the tow/flatbed truck, the owners vehicles, and if the need arises salvage vehicles will be stored here, as they may not be stored outside in the proposed B-2 zoning district. Building 6 will not be utilized at this time, however may be future storage, and no use information for Building 7 was provided.

The owner is requesting a curb cut, which will require approval by City Engineering, however there is an existing curb cut adjacent to the proposed, and also access to the site via an easement which runs along the south end of the property line. Parking spaces are proposed adjacent to the auto sales area, to the west of the existing loading ramp, and adjacent to Building 2 and 6. Twenty-four spaces are provided, including 2 handicapped spaces that will need to be re-located closer to Building 2.

Traffic will primarily of the tow truck transporting vehicles and recycling, and smaller work trucks. Delivery trucks such as FedEx and UPS will make daily trips to and from the site. As most parts will be shipped, little customer traffic is anticipated. This is not set-up as a retail establishment.

Only vehicles needing minor repairs will be sold here. The owner has contracted for off-site repairs to be made to any vehicles they choose to sell. The sales area, located along Racine Street, will accommodate for no more than 8 vehicles at any one time.

In general, nine (9) new full-time positions will be created, hours of operation requested are Monday – Friday 8:00 a.m. – 5:00 p.m., and occasionally during busier times (tax season), Saturdays from 8:00 a.m. – 5:00 p.m. The owner is responsible for all site maintenance.

The application presented is extremely pro-active in its recycling efforts that affect virtually all levels of the salvage operation. All functions, except vehicle sales, will take place indoors. This will result in highly reduced chances of negative effects including noise, dust, vibration, visual pollution, and spillage of vehicle fluids. Staff supports the proposal as presented, however requests the item be deferred to allow the accompanying rezoning request to proceed and to allow for the development of approval conditions.

Public Hearing opened at 5:13 p.m.

There were no speakers.

Public hearing closed at 5:13 p.m.

A motion was made by Commissioner Durkin, seconded by Commissioner Esqueda, to defer the item. The motion PASSED by a Voice Vote.

[15-00684](#)

Subject: (Direct Referral) A request from Rev. Kevin Stewart, representing the Hospitality Center, for a major amendment to a

conditional use permit to allow expanded days and hours of service, a meal program, and severe weather accommodations at 614 Main Street. (PC-15)

Attachments: [PH Notice - 614 Main Street](#)

Acting Director / Assistant Director of City Development Matt Sadowski provided a review of the area, property zoning, approved floor plan, and views of the site and adjacent properties. Based upon a complaint, the Hospitality Center officials were notified of their non-compliance to the approved conditional use. Church representatives met with Staff to discuss the issues and agreed to rectify some of the concerns, and are also requesting an amendment to their original conditional use approval for extended hours and services.

Photos of some site violations were presented, as was a summary of the conditions currently being violated. These include operation beyond the approved days and hours of operation, serving of community meals where only snacks and beverages were to be provided, loitering along Main Street and congregating outside the building negatively affecting the surrounding area, outdoor storage of bicycles where indoor storage is required, signage has not been installed, and large accumulation of trash being generated and without proper management.

The center has been successful in its mission; however its services have outgrown the facility and gone beyond the level intended with the approval in 2012. The number of meals being served has gone from 119 a week to an average of 1,000 a week. Staff feels the operation should be scaled back to comply with current conditions for a period of 6 to 12 months to demonstrate that effective site management can be achieved prior to the Commission amending the conditional use to allow expansion at the site. Additionally, officials of the Hospitality Center should work to identify an alternative location to better accommodate their successful operation.

Public Hearing opened at 5:23 p.m.

- 1. Alderman Jeff Coe, 1044 Villa Street. Supports the project yet expressed concerns and examples of how the operation is not being run per the approved conditional use.*
- 2. Rev. Holly Anderle, 2409 Green Haze Ave. – Spoke in support. Discussed service provided to the hungry, mentally ill, veterans, and the disabled.*
- 3. Rev. Greg Petro, Racine Interfaith Coalition, 2302A DeKoven Ave. Spoke in support. Discussed food for the poor.*
- 4. Marybelle Zuhlke, West Racine Kiwanis, 1419 Crabapple Tr. Spoke in support.*
- 5. Mercedes Dzindzeleta, 609 7th St. Spoke in support of the amendment request.*
- 6. Sasha Torres, 1217 Dr. MLK Dr. Spoke in support to keep the center open.*
- 7. Rev. Bob Bagley, 1435 Spring Valley Dr. Spoke in support, stating the center meets unmet needs and if it closes people will not eat and have nowhere to go.*
- 8. Fr. Kelegian, 2900 N. Main Street. Spoke in support, works with volunteers, and indicated people are not bussed in.*
- 9. Pastor Warren Williams, 2915 Wright Ave. Spoke in support. Presented a written petition with 15 signatures of other individuals in support.*
- 10. Michael Phipps, 3818 Lindermann Ave. Spoke in support.*
- 11. Chris Paulson, 2029 Quincy Ave. Stated there have been no problems at the museum site since the center opened.*
- 12. Lily Johnson, 123 Main St. Spoke in support.*
- 13. Bob Lambert, 720 S. Marquette St. Spoke in support. Discussed center operations.*
- 14. John Jones, 1813 Douglas Ave. Spoke in support.*
- 15. Julianne Poplawski, 833 College Ave. #7. Spoke in support, and how the center*

has helped turn her life around.

16. Tammy Krawczyk, 611 Wisconsin Ave. #7. Spoke in support, and is a volunteer at the center.

17. Leif Peterson, 3256 N. Elmwood Dr. Spoke in support. Stated there are not problems at the center and would like more information on the complaints, as he does not feel they are justified.

18. Willie Hughes, 612 College Ave. Spoke in support. Stated this site is for the poor who need help.

19. Sam George, 825 Grand Ave. Spoke in support. Stated they need to expand. Has been turned away from HALO without anywhere else to go. The center provides mental illness help.

20. Jessica Machail, 1401 College Ave. Spoke in support. Stated incidents occurring at the library have decreased since the center opened.

21. Mary Snow, 1130 Carlisle Ave. #313. Spoke in support. Stated she currently goes to the center and was homeless in 2012. Discussed people looking for jobs.

22. Fiona Murphy, 39 S. Vincennes Cir. Spoke in general. Supports the idea of the center, however expressed concern over safety, lack of staff training for dealing with the ill and the addicted, potential for sex offenders, questioned the spending of \$46,000 dollars that was donated to the center and that no new programs were created, that the center should abide by safety rules and regulations other shelters are required to, and feels more dialogue is needed in the community to address these issues and to eradicate hunger.

23. Becky Turk, 4024 Knoll Pl. Spoke in support. Began attending after the loss of a loved one and the center has helped her cope.

24. Jonathan Turner, 612 College Ave. Spoke in support. Discussed being judged by first impressions, that he is a community activist, and invited people to come and investigate claims being made against the center.

25. Joe Grauwels, 1606 Main St. Spoke in support.

26. Jeanine Sehoenez, 5919 Ruby Ave. #128. Spoke in support.

27. Alderman Henry Perez, 730 Washington Ave. Spoke in support. Discussed safety, economics, a ministry, feeding is a failure of our community, attendees of the center have been rejected from other shelters, the complaints about loitering are 'bogus', questioned the legality of requiring a religious institution to need a conditional use approval, and that this is not a business.

28. Colin McKenna, 724 Crabtree Ln. Spoke in support.

29. Paul Saula, 4000 Maryland Av. #1. Spoke in support.

30. Kevin Stewart, operator of the Hospitality Center. Discussed hours and meals.

31. Dennis Hudson, 1012 College Ave. #4. Spoke in support.

Public Hearing closed at 7:11 p.m.

Alderman Wisner commented that this was a very informative meeting and that he was very pleased so many people came to speak. Further, he has visited the center and has formulated questions and concepts that he feels need to be answered and explored before any decisions should be made.

Alderman Wisner moved that the item be deferred to allow discussion and development of solutions to be developed, without a set timeframe. Motion seconded by Commissioner Hargrove.

Discussion of the motion.

Mayor Dickert stated efforts need to be made to move forward and work on solutions and that discussions will start tomorrow. Alderman Wisner stated he does not want this situation to be an adversarial one, and that discussion between all parties is needed to work together on solutions. Mr. Sadowski advised the item could be deferred to the

next meeting to allow Staff to develop conditions. Commissioner Durkin favors deferral, but not for the 12 months as outlined in the Staff recommendations. Mayor Dickert stated there are many short and long term issues that need to be addressed.

Commissioner Hargrove inquired if the item is deferred will the applicants have to go back to operating within their approved conditional use. Mr. Sadowski advised this is on the agenda in response to a zoning violation, and that this is part of their action to ask for an amendment. The recommendation for deferral can be changed to. Further, they can seek remedy through the administrative process as they are taking action on their violations.

A motion was made by Alderman Wiser, seconded by Commissioner Hargrove, to defer this item to the next meeting. The motion PASSED by a Voice Vote.

Administrative Business

None.

Adjournment

Mayor Dickert adjourned the meeting at 7:23 p.m.