



City of Racine

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

Meeting Minutes - Final City Plan Commission

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

Wednesday, October 10, 2012

4:15 PM

City Hall, Room 205

Call To Order

PRESENT: 6 - Elaine Sutton Ekes, Vincent Esqueda, Tony Veranth, John Dickert, Dennis Wisner and Melvin Hargrove
EXCUSED: 1 - Molly Hall

Others present:

*Matthew Sadowski, Principal Planner & Interim Assistant Director of City
Development
Brian O'Connell, Director of City Development
Jill Johanneck, Associate Planner
Ken Plaski, Chief Building Inspector/Zoning Administrator*

Approval of Minutes for the September 26, 2012 Meeting

A motion was made by Commissioner Esqueda, seconded by Alderman Wisner, to approve the minutes of the September 26, 2012 meeting. The motion PASSED by a Voice Vote.

[12-8242](#)

Subject: (Direct Referral) Review of a proposed accessory building at 3109 Mt. Pleasant Street for Racine Unified School District.

Attachments: [Unified Salt Shed Conditions](#)

Principal Planner Sadowski gave an overview of the location, zoning, and property views of the property being requested to locate the structure. The building would be concrete with a canvas top on it and used for salt storage. There are 8' concrete walls with an arched top. He expressed concern with the appearance of the structure and the proposed canvas roof, and feels the lack of architectural design does not fit into the area, also stating that a precedent for this type of structure could be set if approved.

Mayor Dickert spoke to the applicant about other potential design options for the building. Mr. Richard Christensen, the applicant's representative, advised the bottom line for this design and for the school system is cost. For RUSD at this time, this is an attractive option. He also noted the location within the property is set back very far from adjacent properties and streets and views would be limited. Mr. Christensen advised the cost to bring the building up to City design standards could run up to \$120-\$125,000. He advised the current cost is around \$24,000, without the concrete walls added in, but the total would be about one-half the cost.

Commissioner Sutton Ekes also expressed concern over setting a precedent with the

building design. The applicant advised salt storage is currently in a building behind the northwest campus, but that building was not designed for salt and is deteriorating quickly.

Mayor Dickert indicated that he would like the applicants to work more with Staff to explore additional building options to add architectural interest to the building.

A motion was made by Commissioner Sutton Ekes, seconded by Commissioner Esqueda, to defer to the next Plan Commission meeting. The motion PASSED by a Voice Vote.

12-8241

Subject: (Direct Referral) Communication from the Director of City Development requesting the termination of Tax Incremental District No. 5 (Olsen Industrial Park). (PC-12) (Res. No. 12-3380)

Recommendation of the City Plan Commission on 10-10-12: That the TID No. 5 Termination Resolution be approved.

Fiscal Note: TID No. 5 (Olsen Industrial Park) was created in 1985. The Wisconsin TID Law provides a maximum lifespan of 27 years for such TIDs and the district now must be closed out. This resolution provides authorization for the appropriate city officials to complete the close out process and reporting.

Attachments: [TID No. 5 Request](#)
[TID No. 5 Termination Letter](#)
[TID No. 5 Termination Resolution](#)

Director of City Development O'Connell advised TID No. 5 has reached the end of its statutory life span. All obligations have been met, and the TID is required to be terminated via Resolution by the Common Council.

A motion was made by Commissioner Sutton Ekes, seconded by Alderman Wiser, that the TID No. 5 termination resolution be recommended for approval. The motion PASSED by a Voice Vote.

PUBLIC HEARINGS PUBLIC HEARINGS PUBLIC HEARINGS

12-7893

Subject: Communication from the Director of City Development requesting to designate Tax Incremental District No. 10 as a distressed TID. (Res. No. 12-3381)

Recommendation of the City Plan Commission on 10-10-12: That the resolution designating TID No. 10 as distressed be approved.

Fiscal Note: It is necessary to designate this industrial TID as distressed for it to receive shared increment from another TID. The designation will allow TID No. 10 to receive an estimated \$6.2 million in shared increment over five years. Although the designation as distressed would allow the extension of the District until 2036, the proposed increment sharing anticipates that the District will close out in 2017.

Attachments: [Distressed TID No. 10](#)

Director of City Development O'Connell provided background information on TIDs. A TID provides a mechanism for new uses to pay back costs over a determined amount of time that are incurred in starting up a development. Generally industrial parks or large development areas, which require high cost items such as new streets, storm water systems, lighting, and other infrastructure, are funded via TIDs. The City borrows the money through municipal bonds to pay the contractors and for materials. As the improvements are made and property values rise with new development, the new taxes collected are held by the City to pay off the TID.

TID No. 10 did not develop as intended and this request is to declare it as distressed. State Statutes allow for sharing of funds between TIDs if they are determined to be financially distressed. This determination will allow other TID districts to be utilized as 'donor districts'. Three of the City's TIDs are not generating tax increments (10, 11, and 15), while two are doing well (8 and 9). Tax Increment Law in the Wisconsin Statutes authorizes amendment of TID project plans to allow for such sharing of surplus increments (funds) to other districts in distress. As proposed, TID 8 would share funding with TID 10, and TID 9 would share funding with TIDs 10, 11, and 15.

The Public Hearing opened at 4:55 p.m.

There were no speakers, and the Public Hearing closed at 4:55 p.m.

Alderman Wisser moved the resolution titled "Resolution Approving a Project Plan Amendment for Tax Incremental District No. 10" be recommended to the Common Council for approval. Seconded by Commissioner Hargrove, motion carried. Ayes - all.

Commissioner Sutton Ekes moved that item 12-7893 be reconsidered for vote. No objection.

A motion was made by Commissioner Sutton Ekes, seconded by Commissioner Hargrove, to recommend that TID No. 10 be designated as distressed. The motion PASSED by a Voice Vote.

12-7890

Subject: Communication from the Director of City Development requesting to amend the project plan of Tax Incremental District No. 8. (Res. No. 12-3382)

Recommendation of the City Plan Commission on 10-10-12: That the resolution for the amendment of the project plan for TID No. 8 be approved.

Fiscal Note: The Project Plan amendment is necessary to allow TID No. 8 to share approximately \$4.2 million in tax increment with TID No. 10 over a five year period, after which the donor and recipient districts will close.

Attachments: [Amend project plan TID No. 8](#)
 [Project Plan - TID 8 PP Amend Share TID 10 - 2012-10-5](#)
 [CPC TID No. 8 Resolution](#)

A thorough discussion of the function of Tax Increment Districts, and ability to

authorize monetary allocations to different TID's was discussed under agenda item 12-7893. Said discussion and information covered the request of this agenda item.

The Public Hearing opened at 4:55 p.m.

There were no speakers, and the Public Hearing closed at 4:55 p.m.

A motion was made by Alderman Wisner, seconded by Commissioner Hargrove, to adopt the resolution approving the project plan amendment for TID No. 8 and recommend approval to the Common Council. The motion PASSED by a Voice Vote.

12-7891

Subject: Communication from the Director of City Development requesting to amend the project plan of Tax Incremental District No. 9. (Res. No. 12-3383)

Recommendation of the City Plan Commission on 10-10-12: That the resolution for the amendment of the project plan for TID No. 9 be approved.

Fiscal Note: The Project Plan amendment is necessary to allow TID No. 9 to share approximately \$5.5 million in tax increment with TID Nos. 10, 11 and 15 over a five year period, after which the donor and recipient districts will close.

Attachments: [TID No. 9 Project Amend Request](#)
[Project Plan - TID 9 PP Amend Share TID 10, 11, 15 - 2012-10-5](#)
[CPC TID No. 9 Resolution](#)

A thorough discussion of the function of Tax Incremental Districts, and ability to authorize monetary allocations to different TID's was discussed under agenda item 12-7893. Said discussion and information covered the request of this agenda item.

The Public Hearing opened at 4:55 p.m.

There were no speakers, and the Public Hearing closed at 4:55 p.m.

A motion was made by Alderman Wisner, seconded by Commissioner Esqueda, to adopt the resolution approving the project plan amendment for TID No. 9 and recommend approval to the Common Council. The motion PASSED by a Voice Vote.

12-7892

Subject: Communication from the Director of City Development request to amend the project plan of Tax Incremental District No. 10. (Res. No. 12-3384)

Recommendation of the City Plan Commission on 10-10-12: That the resolution for the amendment of the project plan for TID No. 10 be approved.

Fiscal Note: It is necessary to amend the Project Plan for this industrial TID for it to receive shared increment from other TIDs. The amendment will allow TID No. 10 to receive an estimated \$6.2 million

in shared increment over five years and close out in 2017.

Attachments: [Amend project plan TID No. 10](#)
[Project Plan - TID 10 PP Amend - Distressed - 2012-10-5](#)
[CPC TID No. 10 Resolution](#)

A thorough discussion of the function of Tax Increment Districts, and ability to authorize monetary allocations to different TID's was discussed under agenda item 12-7893. Said discussion and information covered the request of this agenda item.

The Public Hearing opened at 4:55 p.m.

There were no speakers, and the Public Hearing was closed at 4:55 p.m.

Commissioner Sutton Ekes advised there was no motion to declare this TID as distressed. Mayor Dickert revisited agenda item 12-7893 to allow for the proper motion to be made.

A motion was made by Commissioner Sutton Ekes, seconded by Commissioner Hargrove, that the resolution approving the project plan amendment for TID No. 10 be approved. The motion PASSED by a Voice Vote.

12-8238

Subject: (Direct Referral) Request from Jhon Correa, representing Emmaus Lutheran Church, seeking an amendment to a conditional use permit for a community garden at 1909 Summit Avenue for the construction of a greenhouse. (Res. No. 12-3385)

Recommendation of the City Plan Commission on 10-10-12: That the item be approved subject to conditions.

Fiscal Note: N/A

Attachments: [PH Notice - 1909 Summit Avenue](#)

Public hearing opened: 5:00 p.m.

- 1. Pastor Jhon Correa spoke in favor of the request, with their intent to provide locally grown products to the public and also create a few part time jobs.*
- 2. Jason TrenTadue, 1904 Carslile, spoke about problems around the church property involving vandalism, fighting, youth drinking and drug use, and many calls to the police department. He advised he is in charge of the neighborhood watch and wants to co-ordinate with the church on these problems before the greenhouse goes in. He indicated there is no lighting in the alley and the city recently removed a light. Some neighbors have added security cameras but he advised the camera cannot be pointed towards the alley. Mayor Dickert added that if we work with the Police Department it can probably be accomplished.*

Public hearing closed at 5:07 p.m.

Associate planner Johanneck provided information on the request. Earlier this year an urban garden had been approved and now a greenhouse is being requested. A review of the property and area was provided, and specific information on the location, size and materials of the greenhouse were reviewed. The structure shall meet all building codes and obtain all required permits prior to construction.

Hours of operation were mentioned, and the possibility for employees to work in the greenhouse and the intention to serve the local community were stated. Trash shall be removed weekly and the owner is responsible for maintenance.

Discussion ensued. Clarification on the location of the greenhouse and the existing fencing in the area were discussed. Mayor Dickert advised Mr. TrenTadue that he will speaking with the police department regarding getting a security camera in the alley way, and see what else can be done to alleviate the illegal activities taking place in the alley. Commissioner Hargrove commented on the positive relationship that exists between the neighbor and the applicant and supports the efforts of everyone working together to make the project work.

Commissioner Sutton Ekes requested staff work with the applicant on lighting in the area along the alleyway.

A motion was made by Commissioner Sutton Ekes, seconded by Commissioner Esqueda, to recommend approval of the request for the conditional use amendment for a greenhouse at 1909 Summit Avenue subject to Staff recommendations A-J, and adding condition K. that a lighting plan be submitted for review and approval by Staff. The motion PASSED by a Voice Vote.

[12-8239](#)

Subject: (Direct Referral) Request from Tony DeRango of DeRango Real Estate Main, LLC seeking an amendment to a Flex Development Overlay District to include carryout restaurants as a permitted conditional use, and to amend an existing conditional use permit to allow a carryout restaurant. (Res. Nos. 12-3386 and 12-3387)

Recommendation of the City Plan Commission on 10-10-12: That the amendments to the flex development use supplement and the conditional use be approved subject to conditions.

Fiscal Note: N/A

Attachments: [PH Notice - 1439 N Main Street](#)

Principal Planner Sadowski reviewed the surrounding zoning, surrounding land uses, and parking. He advised when the existing candy store came forward for approval, a Flex Development overlay was added so as to avoid a re-zoning of the property, but to allow the candy store. The current request is for an amendment to the uses allowed in the Flex Overlay for this site. A carry-out restaurant would now become a permitted conditional use at this location. This requires an action to amend the original Flex supplement, and an action to amend the conditional use.

Public Hearing opened at 5:28 p.m.

1. Alderman Kaplan, 400 Kewaunee St., spoke in favor of the changes to the business as requested and is very pleased with what this building has become over the years.

2. Tony DeRango, applicant, advised the upstairs change from residential to the candy making area, and the restaurant and fryers will be on the main level.

Public Hearing closed at 5:30 p.m.

A motion was made by Commissioner Esqueda, seconded by Commissioner Hargrove, to amend the Flex overlay for this property. The motion was PASSED by a Voice Vote.

A motion was made by Commissioner Hargrove, seconded by Commissioner Veranth, to amend the conditional use subject to Staff recommendations. The motion PASSED by a Voice Vote.

Administrative Business

Distribution and brief discussion of Plan Commission Handbook.

Associate Planner distributed and briefly reviewed a document titled "Plan Commission Handbook", this document can serve as a guideline for Plan Commission members, Staff, and others on the functions of the Plan Commission. New and existing Commissioners who may be searching for information may choose to use this document to find concise answers to questions or inquiries. A brief review of the 8 chapters were provided, and it was noted emphasis should be on Chapters 1, 2, 6, and 7 as they relate closely to much of the work that comes before the Commission.

Adjournment

Meeting was adjourned at 5:40 p.m.