

City of Racine

*City Hall
730 Washington Ave.
Racine, WI 53403*



Meeting Minutes

Wednesday, August 8, 2007

4:15 PM

Room 205, City Hall

City Plan Commission

*Mayor Gary Becker
Alderman Gregory Holding
Atty. Jud Wyant, Elaine Sutton Ekes
Vincent Esqueda, Frank Tingle
Brent Oglesby*

Mayor Gary Becker called the meeting to order at 4:22 p.m.

PRESENT: 6 - Gary Becker, Elaine Sutton Ekes, Vincent Esqueda, Gregory Holding, Brent Oglesby and Jud Wyant

EXCUSED: 1 - Frank Tingle

*OTHERS PRESENT: Brian F. O'Connell, Director of City Development
Rick Heller, Chief Building Inspector
Matthew G. Sadowski, Principal Planner*

Approval of Minutes for the June 27 and July 11, 2007 Meetings

A motion was made by Vincent Esqueda, seconded by Brent Oglesby, that the minutes be approved, as distributed. The motion PASSED.

07-0818

Subject: Communication from the General Manager requesting use of City property for temporary spoils storage.

Recommendation of the City Plan Commission on 8-8-07: That a request from the General Manager of the Water and Waste Water Utilities, seeking to use City property at 710 Rickeman Ct. for temporary storage of spoils from water main breaks be approved, subject to the following conditions:

- a. That the plans presented to the Plan Commission on August 8, 2007 be approved subject to the conditions contained herein.
- b. That this facility comply with hydrologic standards outlined in Section 114-851 of the Zoning Ordinance of the City and all other applicable regulations of Section 114 relating to activities in floodland and shoreland areas.
- c. That all applicable permits be obtained from the Building Inspection Department.
- d. That no minor changes be made from the conditions of this approval without the approval of the Plan Commission and no major changes be made from the conditions of this permit without the approval of the Common Council.
- e. That this approval is subject to Plan Commission review for compliance with the listed conditions.

Fiscal Note: N/A

Attachments: [temp storage of spoils haas ltr.pdf](#)

Keith Haas, Manager of the Water & Waste Water Utilities, explained location and operational aspect of the proposal. He stated he has discussed the matter with

representatives of the Fire Department, the Parks, Recreation and Cultural Service Department, and the Department of Natural Resources; none expressed opposition to the intended use.

Director O'Connell reviewed the proposed conditions of approval.

A motion was made by Elaine Sutton Ekes, seconded by Vincent Esqueda, that this item be Recommended For Approval, subject to the listed conditions in the recommendation. The motion PASSED.

ZOrd.0004-07 An Ordinance to Rezone 1300 (odd) block of Washington Avenue

To amend the map of the Zoning Ordinance of the City of Racine.

The Common Council of the City of Racine do ordain as follows:

Part 1:

That the parcels of property in the 1300 (odd) block of Washington Avenue, and more particularly described as follows:

"Those properties known as 1301, 1303, 1323, 1327, 1329, 1331, 1337, 1341, 1347, & 1351 Washington Avenue and more particularly described as follows: Lots 3, 4, 7, 8, 11, 12, 13, 14, & 15 of Harmon's Subdivision of Block 76 of the School Section. Said land being in the City of Racine, Racine County, Wisconsin"

be rezoned from "B-3" General Commercial District to "B-2" Community Shopping District, and designated as Supplement No. _____, which Supplement is hereby made a part of this ordinance.

Part 2:

This ordinance shall take effect upon passage and the day after publication.

Passed by the Common Council

Approved _____

Mayor

Attest:

City Clerk

Fiscal Note: N/A

Commission action on this Ordinance is reflected in File 07-1036.

Scheduled for Public Hearing to the Common Council

07-1036

Subject: ZOrd.0004-07 to rezone 1300 (odd) block of Washington Avenue. To amend the map of the Zoning Ordinance of the City of Racine.

Recommendation of the City Plan Commission on 8-8-07: That the Ordinance ZOrd.0004-07 be adopted.

Fiscal Note: N/A

Attachments: [ZOrd.0004-07.pdf](#)

Director O'Connell reviewed the rationale and past actions of the Commission with regard to the rezoning ordinance.

A motion was made by Elaine Sutton Ekes, seconded by Vincent Esqueda, that this ordinance be Recommended For Adoption. The motion PASSED.

07-0895

Subject: (Direct Referral) Request by S.C. Johnson seeking to amend a conditional use permit to relocate their helipad at 1525 Howe Street to the southeast corner of Racine Street and 14th Street

Recommendation of the City Plan Commission on 8-8-07: That the request by S.C. Johnson seeking an amendment to a conditional use permit to relocate their helipad at 1525 Howe Street to the southeast corner of Racine Street and 14th Street be approved, subject to the following conditions:

- a. That the plans stamped "Received June 8, 2007" and presented to the Plan Commission on August, 8 2007 be approved subject to the conditions contained herein.
- b. That all applicable permits be obtained from the Federal Aviation Administration.
- c. That all applicable codes and ordinances be complied with and permits acquire.
- d. That an impact mitigation plan be submitted to the Director of City Development for review and approval. The impact mitigation plan is to serve to minimize the potential for noise, dust and debris, and the visual distraction of passing motorists. The impact mitigation plan shall be implemented prior to the use of the relocated helipad.
- e. That no minor changes be made from the conditions of this permit without approval of the Plan Commission, and no major changes be made from the conditions of this permit without the approval of the Common Council.

f. That this permit is subject to Plan Commission review for compliance with the listed conditions.

Fiscal Note: N/A

Attachments: [1525 Howe.pdf](#)

Director O'Connell summarized public comment on this item from the July 11, 2007 public hearing. He reviewed location and operational aspects of the proposal and the proposed conditions of approval.

A motion was made by Atty. Jud Wyant, seconded by Elaine Sutton Ekes, that this item be Recommended For Approval, subject to the listed conditions in the recommendation. The motion PASSED.

07-0896

Subject: (Direct Referral) Request by Erik Jacobson seeking a conditional use permit for a tire repair shop at 1225 Washington Ave.

Recommendation of the City Plan Commission on 8-8-07: That a request from Erik Jacobsen seeking a conditional use permit to operate a tire repair and sales operation at 1225 Washington Avenue be granted, subject to the following conditions:

- a. That the plans stamped "Received June 26, 2007" and presented to the Plan Commission on August 8, 2007 be approved subject to the conditions contained herein.
- b. That an occupancy permit be obtained from the Building Inspection Department.
- c. That the maximum hours that the facility be open to the general public be Monday through Friday 9:00 a.m. to 6:00 p.m., Saturday and Sunday 10:00 a.m. to 5:00 p.m.
- d. That prior to the issuance of an occupancy permit, the following shall be submitted to the Access Corridor Development Review Committee for review and approval:
 1. A landscape plan illustrating a landscape bed or planter area. Said landscaped area or planter area shall be installed prior to occupancy, otherwise a letter of credit equal to the value of said landscaping shall be submitted for review and approval by the Director of City Development.
 2. A parking lot striping and wheel stop installation plan showing wheel stops along the northern edge of the parking area.

3. A building improvement plan illustrating the installation of rain gutters where appropriate, the tuck pointing of the concrete block where needed, and the painting of the building.
4. A signage plan.
- e. That there be no outside storage of vehicles, vehicle tires or parts, or equipment.
- f. That all trash and recyclables be stored in closed containers and screened from view.
- g. That a sign, or other means of alerting drivers, be installed at the driveway exit to heighten awareness of oncoming pedestrian and vehicular traffic traveling north on Washington Avenue.
- h. That all signs be professionally made, comply with the zoning ordinance requirements, and be submitted for review and approval by the Director of City Development.
- i. That all codes and ordinances be complied with and required permits acquired.
- j. That no minor changes be made from the conditions of this permit without the approval of the Plan Commission, and no major changes be made from the conditions of this permit without the approval of the Common Council.
- k. That this Conditional Use Permit is subject to review by the Plan Commission for Compliance with the listed conditions.

Fiscal Note: N/A

Attachments: [1225 Washington.pdf](#)

Director O'Connell summarized comment on this item from the July 11, 2007 public hearing. He reviewed location and operational aspects of the proposal, a past use at this location that was the same type of use, and the proposed conditions of approval. He explained that on August 7, 2007 the Access Corridor Development Review Committee reviewed the proposal and found the use and the proposed conditions of approval to be acceptable.

A motion was made by Elaine Sutton Ekes, seconded by Vincent Esqueda, that this item be Recommended For Approval, subject to the listed conditions in the recommendation. The motion PASSED.

07-0897

Subject: (Direct Referral) Request by Fadi R. Imseitef seeking a conditional use permit for a unified development plan for an auto sale and

repair facility at 3430 Douglas Avenue and a multi-tenant building at 3440 Douglas Ave.

Recommendation of the City Plan Commission on 8-8-07: That a request from Fadi R. Imseitf seeking a conditional use permit for a unified development plan at 3430 and 3440 Douglas Avenue for automobile sales at 3430 Douglas Avenue and the creation of a multi-tenant building at 3440 Douglas Avenue be approved, subject to the following conditions:

- a. That the plans stamped "Received June 27, 2007" and presented to the Plan Commission on August 8, 2007 be approved subject to the conditions contained herein.
- b. That occupancy permits be obtained from the Building Inspection Department.
- c. That prior to the issuance of occupancy permits, the following shall be submitted to the Access Corridor Development Review Committee for 3430 and 3440 Douglas Avenue for review and approval:
 1. A landscaping plan detailing the landscaping illustrated in the plans presented to the Plan Commission on August 8, 2007. Said landscaping shall be installed prior to occupancy, otherwise a letter of credit equal to the value of said landscaping shall be submitted for review and approval by the Director of City Development.
 2. A parking lot striping plan and wheel stop installation plan showing wheel stops along the southern edge of the unified development parking and display area.
 3. Exterior building façade improvement and remodeling plans.
 4. A unified signage plan in compliance with the standards of the Douglas Avenue Revitalization Plan.
- d. That for the auto mobile sale and repair operation at 3430 Douglas Avenue:
 1. The maximum hours for the car sale and auto repair operations be Monday through Saturday 9:00 a.m. to 8:00 p.m., with no hours on Sunday.
 2. That there be no advertising flags, pennants, banners, streamers, or balloons.

3. That signage on vehicles only be displayed inside vehicle windows.
 4. That no more than 20 vehicles be displayed for sale.
 5. That there be no more than two rows of vehicles displayed for sale that are parallel to Douglas Avenue.
 6. That autos displayed for sale be parked in an orderly fashion and in a manner that does not hinder access to the building or restrict vehicle movements on the property.
 7. That customer and employee parking spaces be clearly marked.
 8. That vehicles awaiting repair be stored on site for no more than 20 days.
- e. That there be no outside storage of vehicle parts or equipment.
 - f. That all trash and recyclables be stored in closed containers and screened from view.
 - g. That all codes and ordinances be complied with and required permits acquired.
 - h. That no minor changes be made from the conditions of this permit without the approval of the Plan Commission, and no major changes be made from the conditions of this permit without the approval of the Common Council.
 - i. That Conditional Use Permit is subject to review by the Plan Commission for Compliance with the listed conditions.

Fiscal Note: N/A

Attachments: [3430-3440 Douglas.pdf](#)

Director O'Connell summarized comment on this item from the July 11, 2007 public hearing. He reviewed location and operational aspects of the proposal, anticipated site and building improvement, past uses at this location, and the proposed conditions of approval. He explained that on August 7, 2007 the Access Corridor Development Review Committee reviewed the proposal and found the use and the proposed conditions of approval to be acceptable; the Committee specifically endorsed the recommendation of limiting the number of vehicles displayed for sale at 20.

Director O'Connell stated that the Access Corridor Development Review Committee also rendered a interpretation with respect to Sec 114-735.5 (b). He stated the Committee

found acceptable the use of stucco, within eight feet of grade, only when applied as a coating over a rigid masonry surface such as brick or concrete block.

In response to Mayor Becker, Director O'Connell explained the need for a unified development plan for two properties, and he identified the property from which auto sales would be conducted.

Alderman Raymond DeHahn stated that he is not opposed to the proposal but stressed the need for follow-through by the applicant with the proposed site improvements.

A motion was made by Brent Oglesby, seconded by Vincent Esqueda, that this item be Recommended For Approval, subject to the listed conditions in the recommendation. The motion PASSED.

Res.07-0243 Vacation of Reichert Court

Resolved, that since public interest requires it, that the following parcel of land, more particularly described as follows, be and hereby is vacated and discontinued:

Reichert Court from Michigan Boulevard to its eastern most terminus

Fiscal Note: N/A

Attachments: [Notice of P.H..pdf](#)

Director O'Connell summarized past Commission activity on this matter and the necessity for the action.

A motion was made by Atty. Jud Wyant, seconded by Vincent Esqueda, that this item be Recommended For Adoption. The motion PASSED.

Res.07-0315 Approval of Uptown Business Improvement District Operating Plan

Resolved, that the Uptown Business Improvement District Operating Plan as presented to the City Plan Commission on June 27, 2007 be approved.

Further resolved, that the Mayor be authorized to appoint members to the BID Board.

Fiscal Note: N/A

Director O'Connell summarized past Commission activity on this matter and the necessity for the action. He stated that a public hearing for this item was held before the Plan Commissions on June 27, 2007.

A motion was made by Atty. Jud Wyant, seconded by Vincent Esqueda, that this item be Recommended For Adoption. The motion PASSED.

07-0958 **Subject:** (Direct Referral) Request by Cyndi Knapp-Finely seeking a minor amendment to the Regency Mall conditional use permit to

allow additional parking lot events at 5538 Durand Ave.

Recommendation of the City Plan Commission on 8-8-07: That the request by Cyndi Knapp-Finely seeking a minor amendment to the Regency Mall conditional use permit to allow additional parking lot events at 5538 Durand Avenue be approved subject to the following conditions:

- a. That the display and sale of the following products is permitted no more than once in a twelve month period: Jet Skis and ATVs, Pools, Hot Tubs, Saunas, Patio Furniture, Landscaping and Lawn Grooming Equipment, Christmas Trees, Wreaths and Related items, Playground Equipment.
- b. That the set up, operation and break down of such sales events shall occur one at a time with no overlap of such events (excluding such activities associated with a farmers market).
- c. That parking lot activities authorized by this and previous approvals shall not occur more than ten times in a twelve month period (excluding a farmers market).
- d. That all other conditions of approval as contained in Common Council Resolution No. 6302 of August 21, 1979, Plan Commission action of May 30, 2001, and Common Council Resolution No. 6217 of November 16, 2004 shall remain in full force unless otherwise amended herein.

Fiscal Note: N/A

In response to Mayor Gary Becker, Curt Pruitt, Manager of Regency Mall, explained the request, stressing that it is not their intent to create another "Seven Mile Fair" at Regency Mall. Mr. Pruitt found, that with the exception of the farmers' market, it was acceptable to place a restriction that there be no more than ten (10) parking lot events in a twelve (12) month period.

A motion was made by Atty. Jud Wyant, seconded by Vincent Esqueda, that this item be Recommended For Approval, subject to the listed conditions in the recommendation. The motion PASSED.

[07-0959](#)

Subject: (Direct Referral) Request by Michael R. Goetz of Metropolitan Group seeking a minor amendment to the approved sign package for Regency Plaza at 6116 Regency West Dr.

Recommendation of the City Plan Commission on 8-8-07: That this item be deferred.

Director O'Connell explained that the applicant had requested a deferral on this matter.

A motion was made by Vincent Esqueda, seconded by Atty. Jud Wyant, that this item be Deferred. The motion PASSED.

07-1017

Subject: (Direct Referral) Request by Redevelopment Authority of the City of Racine to relocate an existing equipment shelter at 1828 De Koven Avenue.

Recommendation of the City Plan Commission on 8-8-07: That the request by the Redevelopment Authority of the City of Racine to relocate an existing equipment shelter at 1828 De Koven Avenue be approved, subject to the following conditions:

- a. That the plans stamped "Received July 30, 2007" and presented to the Plan Commission on August 8, 2007 be approved subject to the conditions contained herein.
- b. That all codes and ordinances be complied with and required permits acquired.
- c. That no minor changes be made from the conditions of this permit without the approval of the Plan Commission, and no major changes be made from the conditions of this permit without the approval of the Common Council.
- d. That this permit is subject to Plan Commission review for compliance with the listed conditions.
- e. That the operator provides to the City/County Communications Office within the Racine Police Department a current listing of all frequencies utilized by this facility and the name of a contact in charge of radio frequencies for the operator, and to notify the City/County Communications Office of any changes in frequencies for this facility.

Fiscal Note: N/A

Director O'Connell summarized past Commission activity on this matter, outlined the current proposal, explained the necessity of the requested action in relation to the development of the Southside Industrial Park, and reviewed the proposed conditions of approval.

A motion was made by Alderman Gregory Holding, seconded by Atty. Jud Wyant, that this item be Recommended For Approval, subject to the listed conditions. The motion PASSED.

07-1025

Subject: Communication transmitting a disposition plan for properties acquired from the former Southside Revitalization Corporation.

Recommendation of the City Plan Commission on 8-8-07: That the

disposition plan for the properties acquired from the former Southside Revitalization Corporation is consistent with City plans and programs.

Further, that the disposition plan be approved.

Recommendation of the Loan Board of Review on 8-16-2007: That the Loan Board of Review approve the disposition plan for the former Southside Revitalization Corporation properties as recommended by the City Plan Commission on 8-8-2007.

Fiscal Note: Funds are available in Account # 818. It is expected that all costs, including the outstanding loan balances, will be recovered through property sales.

Attachments: [Disposition Plan - Southside Revitalization Corp.pdf](#)
[SRC Property Disposition Memo.pdf](#)

Director O'Connell reviewed events that lead to the preparation of the disposition plan, and summarized the plan details.

A motion was made by Atty. Jud Wyant, seconded by Vincent Esqueda, that this item be Recommended For Approval. The motion PASSED.

Public Hearing Starting at 4:30 p.m.

07-1018

Subject: (Direct Referral) Request by Kevin Bailey of DNPG/Racine LLC seeking consideration of a request to rezone property at 212 Hamilton Street from I-1 Restricted Industrial District to R-5 General Residence District to accommodate a multi-unit residential development.

Recommendation of the City Plan Commission on 8-8-07: That this item be deferred.

Attachments: [212 Hamilton.pdf](#)
[212 Hamilton Plan.pdf](#)

Mayor Gary Becker opened the public hearing at 4:55 p.m., explained the public hearing process and introduced the item.

Director O'Connell described the location of the proposal, adjacent zoning and land uses, and gave a brief review of the development concept with respect to neighborhood design integration, building mass and form, and site layout.

Kevin Bailey of DNPG/Racine LLC reviewed the zoning proposal, stating that it would support a proposed 88 unit residential development comprised of town houses, a mid-rise tower, and a nine (9) story tower. He explained that he has worked to adjust site densities and building mass to function as a transition between the high density and building mass of the Pointe Blue Development, with the low density and building mass of the existing residential development to the north and west. He explained that parking has been designed to minimize traffic congestion on public streets.

Dave Popoff of 1201 Main Street inquired into the mix of owner occupied versus rental housing for the development, stating that he would be more supportive of an development

that provides owner occupied housing. He asked if the proposal was premature when considering the untested impact and success of the anticipated Pointe Blue project.

Alderman Jim Kaplan of 400 Kewaunee Street spoke in support of the rezoning, stating that recent development proposals illustrate the vitality of the area and are exciting. He stated that in his opinion, the existing building serves no purpose.

Mark Derenne of 2024 Chatham Street spoke in support of the proposal, finding that it will compliment the area, contribute to the area's safety, and the development concept is good.

Dick Pugh of 1303 Chatham Street expressed support for the proposal, stating he welcomes the change.

In response to assorted questions from the public and Commission members, Mr. Bailey stated that his company develops property for the rental market and their preference would be to have the entire project as rental units. He explained that Phase One would see the development of the town homes as rental, but depending on the market they could be converted to condominium units. He offered to Commission members a web site where two of his company's previous projects called the Odessa and the Arcadia can be viewed (www.ButlerPlaza.net). He stated that anticipated monthly rents for the Racine project would range from \$750 for a one bedroom unit to over \$1,500 for the town homes on Michigan Boulevard. He described unit amenities. He stated that he could market the entire project as owner occupied.

Brent Oglesby stated that he understands the need of Mr. Bailey to remain flexible with respect to rental versus ownership. He cautioned that as in Kenosha's downtown residential growth, as many residential units may function only as weekend or vacation homes, there may not be as great a weekday economic impact for downtown businesses as would be desired.

In response to Alderman Greg Holding, Mr. Bailey stated that the project would not have environmental (green) certifications.

Jud Wyant expressed concern with the projects proposed density, feeling it to be too high. He stated that the issue of rental versus ownership is not an issue for the Commission to consider and that the market will dictate the such status.

In response to Mayor Gary Becker, Mr. Bailey stated that while he has banks interested in providing financing for the entire project, his own funds would be utilized to develop the town home phase.

Elaine Sutton-Ekes expressed concern with advancing the rezoning proposal without agreement on the total development plan.

Director Brian O'Connell stated that the maintenance of industrial zoning at this location is incompatible with the Downtown Plan Update, that residential zoning for the subject property is supported by the plan, but what does need to be determined is the appropriate density. He pointed out that the Point Blue development density is at 25 living units per acre while Mr. Bailey's proposal contains a density of 51 living units per acre. He stated that staff has concern with proceeding with only the rezoning. He stated the Commission's options would be to advance the rezoning as presented and then entertain the planned development documents, advance the rezoning to the Common Council but hold the ordinance at the Plan Commission until the planned development documents

were presented, or defer on the matter until planned development documents are presented.

A motion was made by Elaine Sutton Ekes, seconded by Alderman Gregory Holding, that this item be Deferred. The motion PASSED.

Adjournment

There being no further business before the Commission and hearing no objections, Mayor Gary Becker adjourned the meeting at 5:35 p.m.

Respectfully submitted,

*Brian F. O'Connell, Secretary
Director of City Development*