



# City of Racine

City Hall  
730 Washington Ave.  
Racine, WI 53403  
[www.cityofracine.org](http://www.cityofracine.org)

## Meeting Minutes - Revised City Plan Commission

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

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Wednesday, August 11, 2010

4:15 PM

City Hall, Room 205

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### Call To Order

*Alderman Holding called the meeting to order at 4:20 p.m.*

**PRESENT:** 4 - Elaine Sutton Ekes, Gregory Holding, Jud Wyant and Eric Marcus

**EXCUSED:** 3 - John Dickert, Vincent Esqueda and Tony Veranth

Others present: Matt Sadowski, Principal Planner  
Jill Johanneck, Associate Planner  
Rick Heller, Chief Building Inspector  
Rachana Kothari, Planning Intern

### Approval of Minutes for the July 28, 2010 Meeting

**Alderman Holding approved the minutes of July 28, 2010 Plan Commission meeting without objection.**

#### 09-3929

**Subject:** (Direct Referral) Request from Nick Fattah of ABC 123 Daycare seeking a conditional use permit for a daycare center with office and playground facilities at 1527 Douglas Avenue, and classroom facilities at 1543 Douglas Avenue.

**Recommendation of the Access Corridor Development Review Committee on 7-23-09:** That the item be deferred.

**Recommendation of the City Plan Commission on 7-29-09:** That the item be deferred.

**Recommendation of the City Plan Commission on 8-11-10:** That the item be received and filed.

**Fiscal Note:** N/A

**Attachments:** [PH Notice - 1527 & 1543 Douglas Avenue](#)

*Alderman Holding introduced the item and noted that the request from Staff was to receive and file this item. Principal Planner Sadowski advised that is correct.*

*(Note: Mr. Nick Fattah was notified of this matter via U.S. mail, a facsimile and a*

telephone discussion. Mr. Fattah did not attend the meeting.)

**A motion was made by Commissioner Sutton-Ekes, seconded by Alderman Marcus, that this item be recommended to be received and filed. The motion PASSED by a Voice Vote.**

**10-5320**

**Subject:** (Direct Referral) Request from Dr. Kenneth Kurt for a conditional use permit at 740 College Avenue to accommodate a banquet hall and to allow for sporting events. (Res.10-2145)

**Recommendation of the City Plan Commission on 8-11-10:** That the item be approved subject to staff recommendations.

**Fiscal Note:** N/A

**Attachments:**     [Res.08-0832 \(CUP 740 College Ave\)](#)  
                              [PH Notice 740 College Ave](#)

*Associate Planner Johanneck reviewed the slides with the Commission, noting the location, zoning of the property (O-I: Office Institutional), and the surrounding zonings of residential and additional O-I zoned properties. Information on what types of uses in the three levels of the building was provided.*

*Further discussion broke down the specific uses proposed by the applicant:*

- *Medical Clinics / Offices. These are a conditional use in the O-I zone, and some have been approved via a Conditional Use in 2008. The expansion of adding additional medical clinic services and offices is supported by Staff as they are complimentary to the current uses, they take place during day hours & are by appointment, and facilitate the use of this building as a health/wellness facility. Staff is supportive of these uses.*
- *Physical Therapy. This is considered an approved accessory use in the O-I zone district. It ties in with the use of the building as a wellness center, allowing for rehabilitation, practice facilities in the gym and other rooms offering sporting practice, music therapy, and things that lead to better overall health and wellness. Again, with scheduled appointments, short term visits, and minimal impact on surrounding properties, Staff supports these uses at the site.*
- *Restaurant. Restaurants are a permitted use in the O-I zone district, as long as they are accessory to the principal use. The proposal fit the criteria and Staff supports the location of the restaurant in the building.*
- *Business / Professional Offices. Office uses of this type are permitted in the O-I zone district. The addition of the Hispanic Community Center offices is therefore an allowed use. However, if there are additional uses that accompany this office, including sporting events, separate review is required. Staff supports the location of the Hispanic Community Office in the building.*
- *Sporting Events. Sporting events are not allowed as a permitted or conditional use in the O-I zoning district. These events (including boxing and cage matches) which charge a fee for attendance, or ticket sales, involve the serving of alcohol (per the applicant), attract fans and non-members into the building, and are generally scheduled for evening hours on weekends may present parking concerns (though there is a nearby public parking lot as well as on-street parking) as well as security concerns to adjacent properties as the attendees spill out onto public property after*

an event. Upon reviewing the website for the facility, it's indicated that up to 200 people could be accommodated with events. These types of uses are not considered accessory to a health and wellness facility and are not supported by Staff as an acceptable use for the site.

When considering the allowance of youth tournaments (i.e.: soccer, volleyball, swim, etc.), or practice sessions for a variety of sports, the Ordinance supports those as accessory uses, as they encourage and support health and fitness of individuals. They generally take place during regular scheduled hours, during the day or on weekends, do not result in the need for security, serving of alcohol is not involved, and they will generally not present a demand for overwhelming amounts of parking. Staff is supportive of allowing training and youth tournaments within the building.

• *Rental Hall / Gymnasium for Receptions and Social Events.* The Hispanic Community Center has requested to hold events such as receptions, dances, parties, etc. within the building. The zoning code allows for "Recreational and Social Facilities" for non-commercial buildings and community centers. This is a commercial building which would not allow such events. The proposed uses as noted above are not permitted within the O-I district and do not compliment the use of the building as a health and wellness center. Similar issues with hours, security, parking constraints, etc. are present with these uses as they are with the sporting events proposed. As they are not allowed within the zone district, Staff does not support the allowance of these types of uses at this location.

Other outstanding concerns/items for 740 College Avenue:

*Parking is still a concern, and Staff did not receive enough information on the dimensions and total occupancy of the rooms to accurately calculate the amount of parking needed. With the variety of uses, parking may be more likely accommodated during daytime hours with the lot, nearby public lot, and on-street parking vs. allowing evening events which draw larger crowds.*

*Hours of Operation were provided, with the exception of hours for the after-hour events such as the cage-fighting and boxing events, as well as the social events. These hours provided by the applicant vary from the hours listed on the facility's website. Upon review of the hours, there will be overlap in hours of various uses.*

*Landscaping has been reviewed and Staff has no concerns. There is a plan in place for upkeep, which should be addressed weekly.*

*Staff recommended approval of the major amendment to the conditional use permit at 740 College Avenue to allow multiple uses, subject to conditions. Conditions were read into the record.*

*Alderman Marcus asked about the location of Cristo Rey parish. Commissioner Wyant noted the location of various religious institutions in the near vicinity of the building.*

*Alderman Marcus continued to note his concerns that this is an area with 3 or 4 churches, the county jail, and that the area receives substantial police calls on Friday and Saturday nights from between Sixth and Seventh Streets and Villa St. He is not in favor of creating more activity for police calls with boxing and late social events. He does not feel this is what the parcel and the neighborhood was designed for.*

*Alderman Holding and Commissioner Wyant advised that with the elimination of the sporting events and rental/banquet halls from the request, what Staff is*

*recommending approval of is the addition of medical offices, physical therapy, a restaurant, office for the Hispanic Community Center, training facilities, and the holding of youth sporting competitions, which are in line with the appropriate use of this building, similar to other YM or YWCA's. Alderman Holding also noted the original conditional use permit was for medical offices, and this is an expansion of what was approved.*

*Alderman Marcus asked if the applicant or restaurant is planning on applying for a beer or liquor license. The applicant advised no, except for possibly special events.*

*Alderman Marcus asked if there are any changes in the proposed uses being requested from what currently exists. Ms. Johanneck advised the requests Staff are making a recommendation for approval of are similar in nature to the 2008 approval for uses at this site. The other uses being requested, including holding sporting events and hall rental, are being recommended not to be allowed.*

*Alderman Marcus verified with Staff that notice was sent to adjacent property owners and asked if there was any opposition. Ms. Johanneck advised there was someone who spoke in opposition at the public hearing. However, most of the comments were directed to the Alderman for the District, Jeff Coe, who also spoke in opposition at the public hearing. The name of the individual who spoke in opposition is in the minutes of the public hearing.*

**A motion was made by Commissioner Wyant, seconded by Commissioner Sutton-Ekes, to recommend approval of the item subject to staff recommendations. The motion PASSED by a Voice Vote.**

**10-5413**

**Subject:** (Direct Referral) Review of Design Guidelines for Single Family Infill Housing in Racine.

**Attachments:** [Infill Design Standards \(2\)](#)

**A motion was made by Alderman Marcus, seconded by Commissioner Wyant, to defer this item. The motion PASSED by a Voice Vote.**

**10-5477**

**Subject:** (Direct Referral) Request by Midwest Sign & Lighting for an exception to deviate from the Sign Standards for Badger Plaza.

**Attachments:** [Badger Plaza Sign Criteria](#)

*Associate Planner Johanneck provided the background on the location, tenant space, zoning, and photos of the proposed signage.*

*It was advised that the parapet wall recently approved would be the location of the new signage for "Citi Trends". The issue at hand is that the proposal does not meet the criteria of the Badger Plaza sign standards. Proposed letter height is 4.5 feet (54") where the allowable height is 3 feet (36"). Allowable size per the guidelines is 80 square feet maximum, and the proposed is 121.5 square feet.*

*A review of the existing signage on this building was provided. There are questions whether the sign for "Treasures" was approved in accordance with the sign standards, and Staff will check into that. The "AJ Wright" signage received a size exception from the sign standards.*

*Alderman Holding asked what the exceptions for the AJ Wright were. Ms. Johanneck read from a Legistar document that the maximum letter height is not to exceed 48",*

*not including the descenders. The document did not mention the square footage allowed.*

*Ms. Johanneck discussed the large freestanding sign out front along Durand Avenue indicating there is advertising space for "Citi Trends" as well as other tenants. The signage controls for Badger Plaza were provided to the Commission members, with note that they are quite thorough and the intent of the standards was to keep signage as consistent as possible throughout the center. It was also noted the standards were in place when the applicant chose this space to locate their business and should have considered these restrictions when deciding to locate there. Additionally, Staff received no authorization from the landlord to support the request.*

*Staff recommendation is for denial of the request by Midwest Sign & Lighting to deviate from the approved sign criteria for Badger Plaza.*

*The applicant, Richard Kos came forward to discuss the proportionality of the proposed sign to the AJ Wright sign.*

*Commissioner Sutton-Ekes was ok with the fact that the proposed signage is similar in size to the AJ Wright sign; however, indicated concern that the landlord has not given his approval.*

*Alderman Holding asked if the Commission could approve this with the stipulation that the landlord give his approval and that the sign be no larger than the AJ Wright sign and was advised by Mr. Sadowski that they could.*

*Alderman Marcus verified with Staff that all the parapet walls are consistent in size.*

**A motion was made by Alderman Marcus, seconded by Commissioner Wyant, to approve the "Citi Trends" sign with the condition that the sign be equal or lesser than the dimensions approved for the "AJ Wright" sign and that the landlord provide authorization. The motion PASSED by a Voice Vote.**

## **Administrative Business**

Administrative approval issued for the expansion of a use allowed at a flex development at 1439 N. Main Street (Phoenix Chocolate Shop).

*Principal Planner Sadowski updated the Commission of the administrative change to the flex development at 1439 N. Main St. which will now allow cooking of hamburgers and hot dogs at this location.*

## **Adjournment**

*Alderman Holding adjourned the meeting at 5:00 p.m.*