



City of Racine

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

Meeting Minutes - Draft

City Plan Commission

Mayor Cory Mason
Alderman Dennis Wiser
Tom Durkin
Tony Veranth
Mario Martinez
Christina Hefel
Marvin Austin

Wednesday, April 11, 2018

4:30 PM

City Hall, Room 205

Call To Order

Mayor Cory Mason called the meeting to order at 4:30 p.m.

PRESENT: 6 - Cory Mason, Dennis Wiser, Tom Durkin, Tony Veranth, Christina Hefel and Marvin Austin

EXCUSED: 1 - Mario Martinez

Approval of Minutes for the March 28, 2018 Meeting

A motion was made by Alderman Wiser, seconded by Commissioner Hefel, to approve the minutes of the April 11th meeting. The motion PASSED by a Voice Vote.

[0369-18](#)

Subject: (Direct Referral) Proposed amendments to the Municipal Code, Section 114-1033 - Electronic message signs.

Attachments: [Draft Ordinance Amendments \(Electronic Message Signs\)](#)
[Review & Recommendation \(Electronic Message Signs\)](#)

Mayor Mason informed the public and the Commission that staff wished to take item 0369-18 as the first item on the agenda as it has a direct impact on item 0312-18.

Associate Planner Jeff Hintz introduced the item and gave background on the request. He stated at the previous Commission meeting, staff was directed to research proposed amendments to the sign ordinance. He stated the ordinance being proposed has three parts to it: Standards for Electronic Message Signs (EMS); Electronic Message Signs in office or institutional facilities; and Electronic Message Signs in residential districts -there would be no change for EMS in commercial areas. Hintz explained the structure of the ordinance and the standards for all electronic message signs. He stated the daytime max illumination is proposed to be 5000 Nits and the nighttime max is proposed to be 500 Nits. He showed various examples of EMS around the city and other areas and explained the regulations to the Commission.

Commissioner Austin asked about the difference between 100 ft. of a residential use and 150 ft. from residential lot line. Hintz explained that the 100 ft. difference is between where the face of the sign faces. He explained the regulations specific to O/I

Office/Institutional District is to avoid multiple colors changing at the same time. He stated one color per message would be allowed and keeping the background black would be less detrimental to neighboring properties. Hintz demonstrated the difference in using a colored background for EMS. He stated no signage is to be operated prior to 7 am or after 10 pm unless otherwise specified as part of the conditional use permit. He explained the possible actions of the Commission and stated staff recommends that an ordinance be created and a public hearing scheduled. The proposed ordinance eliminates the need for granting exceptions and will create uniform illumination standards.

Discussion after the motion:

Alderman Wiser asked if EMS's in other residential areas would be grandfathered in or would they have to come into compliance with the proposed ordinance.

Sadowski stated they will receive a compliance letter to come into compliance within 6 months.

Hintz stated some can be adjusted

In response to Commissioner Austin, Hintz stated that those signs that cannot be adjusted to meet the ordinance will be grandfathered in; Sadowski stated the current request for an EMS will be examined with the proposed ordinance.

A motion was made by Alderman Wiser, seconded by Commissioner Austin, to recommend that an ordinance be prepared and a public hearing scheduled. The motion PASSED by a Voice Vote.

4:30 P.M. PUBLIC HEARING CONTINUED FROM THE MARCH 28, 2018 MEETING

[0312-18](#)

Subject: (Direct Referral) A request from Bill Pfister of Michael's Signs, representing North Pointe (Trinity) United Methodist Church, Inc., seeking a conditional use permit to install an electronic message center at 3825 Erie Street. (PC-18) (Res. 0132-18)

Recommendation of the City Plan Commission on 4-11-18: That the request be approved subject to conditions.

Fiscal Note: N/A

Attachments: [3825 Erie St. Review & Recommendations \(Updated 04.09.2018\)](#)
[3825 Erie St. Applicant Submittal](#)
[3825 Erie St. Public Hearing Notice](#)

Mayor Mason opened the public hearing at 4:50 p.m.

Sadowski briefly reviewed the request that was presented at the last Commission meeting. He stated the only portion of the main sign that would be illuminated is the wording. He addressed how the proposed ordinance will affect the request and stated in order to reach compliance, the sign would have to be moved to the same location of the old sign, making it 133/135 ft. from the residential use and 158 ft. from the residential lot line to the north of the property. Sadowski showed what the sign would

look like with a black background and informed the Commission that the findings of fact will be met if the sign is installed according to the ordinance, except for the required 150 ft. lot line requirement to the property south of the request. However, leaving the sign at the current location, rather than the proposed, would be less detrimental as the residential structure is out of view of the EMS. Sadowski explained the possible actions of the Commission along with the staff recommendation.

Steve Prohaska, Owner of Michael's Signs, explained EMS are preset to run and self-adjusted. He stated a simple message with a graphic in the background is not necessarily unappealing. He agrees with having the ordinance written, but wants to also look at the product. He explained that a sign is rarely running at 500 NITS at night, it is usually 200-300 NITS. Prohaska stated the sign is not meant to be flashy, but express messages. He stated they will work with the city regarding the request.

Don Francis, Pastor of North Pointe United Methodist, understands the desire for non-distracting signs. He expressed there may be times where the sign background may need to deviate from a black background as black may not be appropriate for the message. He stated they would like to have some flexibility considered with regards to the background color of the sign.

Janet Vetrovec, 716 Hialeah Drive, stated she understands that four organizations were approved with exceptions to the ordinance and was wondering if they could be the fifth and staff can take their time with the new ordinance. She stated the church is in a busy part of town and the community is unaware of the services the church offers.

Mayor Mason closed the Public Hearing at 5:15 p.m.

In response to Commissioner Durkin, Sadowski stated that staff is recommending that the sign be a black background with a single colored message.

Discussion after the motion from Commissioner Austin:

Sadowski stated that approval of the CUP would still require an exception regarding the 150 ft distance from the south residential lot line. He stated because of where the structure is, 150 ft. distance waiver from south residential lot line would be supported.

Commissioner Austin stated it sounds like exceptions will still be an issue going forward.

Commissioner Durkin stated that a black background with a single color message may lend to more problems. He stated technology can account for issues and certain times may warrant a deviation from the black background.

Commissioner Austin expressed concern and stated the black background may not represent the message they are trying to convey. Asked about moving graphics in EMS.

Sadowski stated the current ordinance does not allow animation (no waving flag, or cloud, etc.); the image has to be static.

Assistant City Attorney Nicole Larsen asked for clarification for the black background sought to be brought in condition e. She stated the current ordinance does not talk about the black background. She stated the Attorney's office has not reviewed the ordinance and that the current request will be approved under the current ordinance as

the proposed ordinance has not yet been adopted.

Mayor Mason called for a recess at 5:27 p.m. so staff could discuss the request and the proposed ordinance.

The City Plan Commission resumed at 5:40 p.m.

Sadowski stated staff is trying to reflect on the current proposal with modifications. Showed current proposal as it was requested. He asked the applicant if they wished to have animation and stated staff is recommending approval of the request with a black background and a single color per message, and an exception to the spacing from the residential. He explained that this sign is not in a commercial district, but a residential district and a colored background would not be recommended for approval by staff. Sadowski stated under condition e. additional language could be written to say ... "with the exception of a black background and a single color message..."

Commissioner Austin stated the message is important to take into consideration. Amended his motion to state with the exception of a black background from dusk until dawn according to the national weather service.

Sadowski reminded the Commission that the sign has to be off from 10:00 pm to 7:00 am.

Mayor Mason stated the ordinance attempts to strike a balance between allowing the signage while being in a residential neighborhood. He stated the sign is not in a commercial corridor and it is worth considering the black background which is also consistent with past practice.

Commissioner Austin stated he would prefer to amend his motion by adding additional language to condition e. to state "would be a solid background of any color that is changed to black and dusk with the off hours being 10:00 pm to 7:00 am. Commissioner Durkin seconded. The motion PASSED by a Voice Vote.

A motion was made by Commissioner Austin, seconded by Commissioner Durkin, to recommend approval of the request with a modification to condition e. to state "with the conditions that the background display remain black during the sign operations between dusk and dawn as determined by the National Weather Service... during the permitted daylight hours of operation between 7:00 am and 10:00 pm the background may be an single color." The motion PASSED by a Voice Vote.

END OF PUBLIC HEARING

[0370-18](#)

Subject: (Direct Referral) Proposed amendments to the Municipal Code, Chapter 114 - Zoning, related to the allowance of short term rentals (tourist rooming houses). (ZOrd. 0001-18)

Recommendation of the City Plan Commission on 4-11-18: That an ordinance be created and a public hearing before the Common Council be scheduled.

Fiscal Note: N/A

Attachments: [Draft Ordinance Amendments \(Short Term Rentals\)](#)
 [Review & Recommendation \(Short Term Rentals\)](#)

Sadowski gave background on the request. The proposed ordinance amendment would codify uses for Airbnb's and other short term rentals. He stated a definition for short term rentals was added and the intent is to make the ordinance self-regulating. Sadowski reviewed the proposed ordinance amendments and stated it would be treated as an accessory use. The ordinance would apply to the following districts:

*R-1 Single Family Residential to R-3 Limited General Residence
R-4 General Residence to R-6 General Residence
O Office
O/I Office Institutional
B-1 Neighborhood Convenience
B-2 Community Shopping
B-3 General Commercial
B-4 Central Business
B-5 Central Service*

He stated staff is recommending that an ordinance be prepared and a public hearing scheduled before the Common Council. He stated that staff is not suggesting the use be permitted in industrial zones.

A motion was made by Commissioner Durkin, seconded by Commissioner Veranth, to recommend that an ordinance be created and a public hearing before the Common Council scheduled. The motion PASSED by a Voice Vote.

[0371-18](#)

Subject: (Direct Referral) An appeal by Randy Musaitef, representing One Step Ahead Childcare Center, of an administrative decision related to the location of a storage shed proposed to be placed on the property at 1630 Douglas Avenue. (PC-18)

Attachments: [1630 Douglas Ave. Review & Recommendations](#)
 [1630 Douglas Ave. Administrative Approval](#)
 [1630 Douglas Ave. Applicant Submittal](#)
 [1630 Douglas Ave. Appeal](#)

Hintz explained the request is an appeal of an administrative decision. He explained the zoning and showed the proposed shed and placement. He stated the administrative approval allowed the applicant to place the shed in the yellow area shown on the attached approval. He explained the adopted Douglas Avenue Revitalization Plan and standards state masonry needs to be added to accessory buildings. He stated City Development granted the yellow because the location would not be visible from the street or sidewalk and since it is an 80 square foot structure subordinate in nature. He explained the possible actions of the commission. Staff recommends denial of the appeal.

Sadowski stated the applicant was present at the early part of the meeting; however, left.

A motion was made by Wisner, seconded by Austin, to uphold the administrative decision and deny the appeal by the applicant. The motion PASSED by a Voice Vote.

Adjournment

A motion was made by Commissioner Austin, seconded by Commissioner Durkin, to adjourn the meeting. The meeting adjourned at 6:16 p.m.