



City of Racine

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

Meeting Minutes - Final

City Plan Commission

Mayor Cory Mason
Mario Martinez
Christina Hefel
Marvin Austin
Alderman Jason Meekma
Trevor Jung
Sam Peete

Wednesday, September 26, 2018

4:30 PM

City Hall, Room 205

Call To Order

PRESENT: 6 - Cory Mason, Mario Martinez, Christina Hefel, Jason Meekma, Trevor Jung and Sam Peete
EXCUSED: 1 - Marvin Austin

Approval of Minutes for the September 12, 2018 Meeting

A motion was made by Commissioner Jung, seconded by Alderman Meekma, to approve the minutes of the September 12th meeting. The motion **PASSED** by a Voice Vote.

4:30 P.M. PUBLIC HEARINGS

[0994-18](#)

Subject: (Direct Referral) A request from Tom Paschen of Pet Parlor of Racine seeking a conditional use permit to operate an animal kennel in an existing building at 1325 - 14th Street. (PC-18) (Res. 0303-18)

Recommendation of the City Plan Commission on 09-26-18: That based on the findings of fact, the request from Tom Paschen of Pet Parlor of Racine seeking a conditional use permit to operate an animal kennel in an existing building at 1325 - 14th Street be approved, subject to the following conditions:

- a. That the plans presented to the Plan Commission on September 26, 2018 be approved subject to the conditions contained herein.
- b. That all of the following development standards be complied with prior to occupancy:
 1. Site be landscaped and maintained as required by Sec. 114-743 in accordance with plans submitted by applicant. Any changes to plantings shall be submitted to the Department of City Development and approved prior to installation. Installation to occur by May 1, 2019; and
 2. Parking area be designed and installed as to meet all requirements

of Sec. 114-Article XI; alternatively, a parking agreement for a parcel within 500 feet for the required spaces may be entered into; and

3. Provision of a loading space on the lot as required by Sec. 114-1223; and

4. Chain link fencing be removed and wood privacy fencing proposed by applicant which meets requirements of Sec. 114- Article VII, Division 7 be installed prior to June 1, 2019; and

5. If providing parking on the parcel, submittal of a drainage plan for the site as required by Sec. 114-739; said plan shall indicate where the lot drains and the layout of the storm sewer. Upon approval of the drainage plan, installation of improvements as required by the plan shall be installed no later than September 1, 2019.

c. That if, prior to the issuance of an Occupancy Permit, required site improvements listed in “b” above have not been or cannot be completed, a financial surety shall be provided to the City. The surety shall be in a format as approved by the City Attorney’s office, and subject to all stipulations as identified for financial sureties in the City of Racine. The dollar amount shall be determined at the time of application based upon estimates provided by the applicants for any incomplete work, and shall be valid for no less than one (1) year from the date of issuance. The surety format and content is subject to review and approval by the City Attorney.

d. If not already in existence, that a cross access agreement with the property to the west be developed and recorded with the Racine County Register of Deeds by September 1, 2019, ensuring joint access to the common drive area.

e. That all codes and ordinances are complied with and required permits acquired.

f. 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.

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

Fiscal Note: N/A

Attachments: [1325 - 14th St. Review & Recommendations](#)

[1325 - 14th St. Applicant Submittal](#)

[1325 - 14th St. Public Hearing Notice](#)

Associate Planner Jeff Hintz explained the request and reviewed the zoning of the subject and adjacent properties, surrounding land uses and businesses, the comprehensive land use designation for the property, and photos of the site and surrounding area. He stated the property is located within the uptown corridor and the training and grooming portion of the request is a permitted use, however, the kenneling requires approval of a conditional use permit. The applicants are already using the

facility for the training and grooming portion of their business. He stated the applicants are requesting five kennels and a play area for the animals. He stated the paving of the parking lot and a drainage plan are needed. The signage has already been approved and the parking changes will be submitted to staff.

Hintz explained the possible actions of the Commission as well as the required findings of fact for approval of conditional use permits. He further explained the request in relation to #3 of the required findings; he stated the noise should not impede as the location of the building is a transition into an industrial zoning.

Mayor Mason opened the Public Hearing at 4:40 p.m.

The applicant, Tom Paschen, spoke in support of his request. He stated they are looking forward to being approved and adding to the experience of the neighborhood. They would like to host community events and become a fixture in the community.

Commissioner Martinez expressed his gratitude towards the applicant.

Mayor Mason closed the Public Hearing at 4:43 p.m.

A motion was made by Commissioner Jung, seconded by Commissioner Martinez, to recommend approval of the request subject to conditions a.-g. The motion PASSED by a Voice Vote.

[0995-18](#)

Subject: (Direct Referral) A request from Jake Chance of Rockford Contractors, agent for AMNJ Enterprise seeking a conditional use permit to operate a drive-in establishment and a takeout-carryout restaurant in an existing building at 2815 Durand Avenue. (PC-18) (Res. 0304-18)

Recommendation from the City Plan Commission on 9-26-18: That based on the findings of fact, the request from Jake Chance of Rockford Contractors, agent for AMNJ Enterprise seeking a conditional use permit to operate a takeout/carryout restaurant with a drive-in at 2815 Durand Avenue be approved subject to the following conditions:

- a. That the plans presented to the Plan Commission on September 26, 2018 be approved subject to conditions contained herein.
- b. That all of the following development standards be complied with prior to occupancy unless otherwise noted:

1. Rubbish and trash storage area be repaired and compliant with Sec. 114-740; and

2. Site be landscaped and maintained as required by Sec. 114-743.

Removal of rock planting beds and installation of organic materials around plantings and vegetation. Plans and specifications of new plantings and organic materials for beds to be submitted to the Department of City Development and approved prior to installation. Selected landscaping shall effectively screen headlights across the northern lot line between entrance drives. Installation to occur by May 1, 2019; and

3. Wheel stops along the parking spaces on the western edge of the property be installed as required in Sec. 114-1171; and

4. Parking lot spaces be re-striped in accordance with the sizing requirements of Sec. 114-1150; and
 5. The pole signage on the property be removed, or brought to a total height of 15 feet as required in Sec. 114-1078 (1)(c).
- c. That if, prior to the issuance of an Occupancy Permit, required site improvements listed in "b" above have not been or cannot be completed, a financial surety shall be provided to the City. The surety shall be in a format as approved by the City Attorney's office, and subject to all stipulations as identified for financial sureties in the City of Racine. The dollar amount shall be determined at the time of application based upon estimates provided by the applicants for any incomplete work, and shall be valid for no less than one (1) year from the date of issuance. The surety format and content is subject to review and approval by the City Attorney.
 - d. That all codes and ordinances are complied with and required permits acquired.
 - 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 conditional use permit is subject to Plan Commission review for compliance with the listed conditions.

Fiscal Note: N/A

Attachments: [2815 Durand Ave. Review & Recommendations](#)
[2815 Durand Ave. Applicant Submittal](#)
[2815 Durand Ave. Public Hearing Notice](#)

Hintz explained the request and reviewed the zoning of the subject and adjacent properties, surrounding land uses and businesses, the comprehensive land use designation for the property, and photos of the site and surrounding area. He stated the property is not located in a corridor and was a restaurant previously. He stated parking wheel stops and striping will be needed.

Hintz stated that the pole sign on the site is taller than the ordinance allowance and will need to be brought down to 15 feet. Hintz explained the possible actions of the Commission as well as the required findings of fact for conditional use permits. He stated staff is recommending approval subject to conditions.

Mayor Mason opened the public hearing at 4:51 p.m.

Jake Chance, the representative for the applicant, spoke in support of the request. He stated the building has been vacant for a while and they are looking to clean up the site and provide jobs. He stated that the applicants are requesting to leave the pole sign at its current height as the sign is in good shape and they are concerned with the cost of lowering it.

Mayor Mason closed the public hearing at 4:54 p.m.

A motion was made by Commissioner Martinez, seconded by Commissioner Hefel, to recommend approval of the request subject to staff conditions a.-f. The motion PASSED by a Voice Vote.

[0996-18](#)

Subject: (Direct Referral) A request from Kelli Aiello of Fury II LLC, seeking a conditional use permit for mixed uses in an existing building addressed as 1800 Clark Street and 1825 Holborn Street. (PC-18)

Attachments: [1800 Clark St. Review & Recommendations](#)
[1800 Clark St. Applicant Submittal](#)
[1800 Clark St. Public Hearing Notice](#)

Hintz explained the request and reviewed the zoning of the subject and adjacent properties, surrounding land uses and businesses, the comprehensive land use designation for the property, and photos of the site and surrounding area. He stated the property is part of the Southside plan and the requested use is for an office, warehousing, contractor facility, metal company, clothing, and auto repair – all uses are currently in the building. Hintz explained the repairs and improvements that would be needed to the property. He stated that the parking lot needs striping, painting and window repair are needed, yard establishment needed, fencing needs repair, a screening is needed for the fence, etc. Hintz explained the possible actions of the Commission as well as the required findings of fact for conditional use permits. He further explained He stated staff would not recommend adding high traffic uses to the request. The current tenants in the building do not have an occupancy permit one of the conditions would require all of the tenants to obtain an occupancy permit by January 7, 2019.

Mayor Mason opened the public hearing at 5:08 p.m.

Jeff Nelson, manager of Fury III LLC, spoke regarding the request. He explained the history of the property and its contamination. He stated he is awaiting a Phase I closure letter from the Department of Natural Resources (DNR) and any uprooting and excavation of the site has to be approved by the DNR (re: removing the fence on the property). He stated he would like to work with the City to keep the tenants in the building; keeping the building in tact is his goal.

Commissioner Jung asked if time would help the applicant accomplish the required conditions and if it were cost prohibitive.

Nelson explained that Fury III LLC is currently upside-down \$10,000.00 per month. He stated he does not agree with all of the recommendations.

Mayor Mason reminded the Commission and explained to the applicant that we cannot ignore the ordinances.

In response to Commissioner Martinez, Nelson stated that they are currently awaiting a closure letter from the DNR; they are not able to dig or disturb the soil without the DNR's permission.

Mayor Mason closed the public hearing at 5:21 p.m.

Alderman Meekma asked if deferral would allow solutions to be found to assist the applicant.

Assistant Director Matt Sadowski explained that what is presented to the Commission is what the ordinance requires. He stated the fence is dilapidated and barbwire is not allowed.

Commissioner Jung asked regarding the parking requirement for the hobbyist auto repair.

Hintz stated the parking requirement would be for all auto repair on the site and would allow for future planning also. He stated options allowed by the ordinance to the applicant.

Commissioner Hefel proposed deferral of the request.

Sadowski stated even if the request were deferred, there is the issue of the occupancy permit for the current tenants. He stated occupancy permits would have to be applied for prior to the end of a three month deferral. He stated deferral would only affect site enhancements and zoning, not any health and safety requirements.

A motion was made by Commissioner Hefel, seconded by Commissioner Peete, to defer the request for up to three months, focusing only on site enhancements and zoning concerns. The motion PASSED by a Voice Vote.

END OF PUBLIC HEARINGS

Alderman Meekma made a motion to reopen and amend the recommended conditions for item 0995-18 by removing condition b. 5. to allow the sign to remain at its current height of 25 feet and to allow the applicant to use the existing sign. He stated he does not want to force the applicant to remove the existing sign.

The motion failed due to a lack of a second.

Adjournment

There being no further business, the meeting adjourned at 5:43 p.m.