

City of Racine

Room 103, City Hall



Meeting Minutes

Tuesday, May 30, 2006

4:15 PM

Room 103, City Hall

City Plan Commission

*Mayor Gary Becker, John Dickert, Elaine Sutton Ekes,
Vincent Esqueda, Alderman Gregory Holding,
Howard Harper, Jud Wyant*

Mayor Becker called the meeting to order at 4:19 p.m.

PRESENT: Gary Becker, John Dickert, Elaine Sutton Ekes, Vincent Esqueda, Gregory Holding, Howard Harper and Jud Wyant

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

Approval of Minutes for the May 10, 2006 Meeting

A motion was made by Commissioner Ekes, seconded by Commissioner Esqueda to approve the minutes, as distributed.

06-2013

Subject: Review of a request by Scott Sebastian of the Yellow Rose for a sidewalk cafe at 340 Main Street:

Recommendation: That the request by Scott Sebastian of the Yellow Rose for a sidewalk café at 430 Main Street be approved subject to the following conditions:

- a. That the design of the tables, chairs, and barrier as presented to the Plan Commission on May 30, 2006 are found to not detract from the aesthetics of the surrounding area and that the locations of the sidewalk café are found to be suitable for a sidewalk café.
- b. That a total of seven tables be allowed, with each table having four chairs, subject to the following distribution pattern: On the Main Street frontage, up to four tables having up to four chairs at each table can be accommodated. On the Fourth Street frontage, up to three tables having up to four chairs at each table can be accommodated.
- c. That all applicable ordinances be complied with and all applicable permits acquired.

Fiscal Note: N/A

Director O'Connell reviewed the ordinance requirements and the proposed site plan, and he reviewed the staff's recommendation.

Scott Sebastian of Yellow Rose stated that the staff's description was accurate, and that he understood the proposed conditions of approval.

A motion was made by Commissioner Dickert, seconded by Alderman Holding that this file be recommended for approval, subject to the listed conditions in the recommendation. Motion approved.

06-2015

Subject: No. 20-06 to amend Sec. 114-1, create Sec. 114-638.5, amend Sec. 114-824, amend Sec. 114-826(4) and amend Sec. 114-827 of the Municipal Code of the City of Racine, Wisconsin relating to Zoning - Mapped district.

Recommendation: That Ordinance No. 20-06 be amended by adding the following sentence to the end of Sec. 114-638.5(a): planned developments as defined in Article III, Division 3. of this chapter shall not require review under Article VI of this chapter.

Further, that Sec. 114-827 (c) as follows: (c) planned developments as defined in Article III, Division 3. of this chapter shall not require review under Article VII, Division 12 of this chapter.

Further that Ordinance No. 20-06 be adopted as amended.

Fiscal Note: N/A

Director O'Connell explained the history behind this proposed ordinance amendment, and that it creates regulatory authority through the zoning ordinance for the newly adopted downtown design standards and guidelines.

Commissioner Ekes expressed concern that while it is proposed that plan development be exempt from the review process referred by the documents cited in the ordinance amendment, she wanted to emphasize the importance the staff maintaining consistency with the design standards described in those sections.

Director O'Connell stated that consistency with design standards and adopted plans is a criteria for evaluation for all plan developments.

A motion was made by Commissioner Wyant, seconded by Commissioner Ekes that this file be recommended for adoption, as amended listed in the recommendation. Motion approved with Commissioner Dickert abstaining.

06-1939

Subject: Amendment to the zoning ordinance to regulate pay day loan and other "convenient cash" agencies as a conditional uses in certain business zoning districts.

Recommendation:

Director O'Connell requested that this item be deferred to allow the staff more time to develop ordinance language.

A motion was made by Alderman Holding, seconded by Commissioner Dickert that this file be deferred. Motion approved.

Public Hearing starting at 4:30 p.m.**06-1814**

Subject: Direct Referral. Request by Roy Deitsch and Blake Thompson seeking a conditional use permit to operate an automobile repair facility at 2009 Kewaunee Street.

Recommendation: That the request by Roy Dietsch and Blake Thompson seeking a conditional use permit to operate a private facility conducting storage, repair, and construction of automobiles including mechanical and body repair at 2009 Kewaunee Street be approved, subject to the following conditions:

- a. That the plans stamped "Received April 12, 2006" and presented to the Plan Commission on April 26, 2006 be approved, subject to the conditions contained herein.
- b. That an occupancy permit shall be requested from the Building Department prior to the operation of this activity at this location.
- c. That there shall be no vehicle sales or salvage activity at this location.
- d. That all activities be conducted indoors, and that during those times when activities generate noise that may be audible beyond the property lines, all doors shall remain closed.
- e. That by July 1, 2006, the parking and drive areas shall be paved and striped.
- f. That signage be professionally made and comply with applicable zoning ordinance requirements.
- g. That there shall be no outside storage of junked vehicles, vehicles parts and accessories, and equipment.
- h. That all trash and recyclables shall be stored in closed containers and screened from view. Trash pick up shall only be conducted between the hours of 8:00 a.m. and 6:00 p.m., Monday through Saturday.
- i. That the maximum hours of operation shall be from 8:00 a.m. to 8:00 p.m. Monday through Saturday, with no hours on Sunday. In no case shall the conduct of activities related to this approval exceed a total of 20 hours per week.
- j. That all applicable codes and ordinances be complied with and required permits acquired.

- k. 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.

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

Fiscal Note: N/A

Mayor Becker opened the public hearing at 4:35 p.m., and described the public hearing process, and introduced the item.

Director O'Connell reviewed past history on this proposal, distributed photos and site plans of the property.

Mr. Dennis Wilson spoke in favor of the request and stated that he would take responsibility for compliance by Mr. Deitsch and Mr. Thompson.

Roy Deitsch explained that he could address the neighbors' concerns, and he described activities to be conducted at this property.

Keith Deckers of 1435 Horlick Avenue spoke in opposition to the request because of nuisances observed in the past that were attributable to Mr. Deitsch.

There being no further comments, hearing no objections, Mayor Becker closed the public hearing at 4:46 p.m.

Director O'Connell explained the staff's initial recommendation for denial and circulated possible conditions for approval.

In response to Alderman Holding, Director O'Connell stated that salvage activity would involve the sale of assorted parts and that such activity is not proposed by the applicant.

In response to Commissioner Wyant, Director O'Connell stated that no signs are proposed and none are required for this use.

Commissioner Dickert expressed concern with the noise coming from activities inside the building.

Commissioner Wyant suggested that the operation could be controlled by eliminating hours of operation to no more than 20 hours per week.

Mr. Deitsch and Mr. Williams both stated such a limitation would be acceptable.

In response to Commissioner Ekes, Mr. Williams stated that doors would need to be opened at some times, but closed during hammering activities.

In response to Alderman Holding, Director O'Connell stated that a machine shop would be permitted at this location.

A motion was made by Commissioner Wyant, seconded by Commissioner Esqueda that this file be recommended for approval, subject to the listed conditions in the recommendation. Motion approved.

06-2007

Subject: Direct Referral. Request from Randy Musaitef of Stereo City seeking an amendment to a conditional use permit for an automobile accessory sales and installation business to allow the display for sale of up to four vehicles at 2042 Lathrop Avenue.

Recommendation: That the request from Randy Musaitef of Stereo City seeking an amendment to a conditional use permit for an automobile accessory sales and installation business to allow the display of up to four vehicles for sale at 2042 Lathrop Avenue be denied.

Fiscal Note: N/A

Mayor Becker opened the public hearing at 4:59 p.m., and introduced the item.

Director O'Connell explained the history of this property, current condition and the deficiencies in regards to compliance with past approval.

Randy Musaitef expressed concern with some of the requirements of the past approval and explained his efforts to comply, with exception to the requirement for landscaping.

There being no further comments and hearing no objections, Mayor Becker closed the public hearing at 5:06 p.m.

Director O'Connell explained the staff's recommendation for denial for this request.

Alderman Holding expressed concern with the lack of compliance to the existing conditions and the need for landscaping on this property.

A motion was made by Alderman Holding, seconded by Commissioner Dickert that this file be recommended for denial.

06-2008

Subject: Direct Referral. Request by Samuel Hutchins of R&S Performance and Auto Repair seeking a conditional use permit to operate an automobile repair facility, and park up to four tow trucks at 1535 High Street.

Recommendation: That this file be received and filed and that this matter be referred to the Redevelopment Authority for evaluation of its compatibility with the redevelopment plan for the Racine Steel Casting Redevelopment area.

Fiscal Note: N/A

Mayor Becker opened the public hearing at 5:12 p.m. and introduced the item.

Director O'Connell described past approvals on this property, and briefly described the current proposal.

Samuel Hutchins described his proposed operation, and stated that it would provide relief to congestion at the 2617 Lathrop Avenue property.

There being no further comments and hearing no objections, Mayor Becker closed the public hearing at 5:15 p.m.

Director O'Connell explained that this property is within the Racine Steel Casting redevelopment area, and that action on the request be deferred until this matter can be reviewed by the Redevelopment Authority.

Mr. Hutchins expressed concern with staff's recommendation, explaining that a deferral would result in delays for his relocation.

A motion was made by Wyant, seconded by Sutton Ekes, that this file be Recommended to be Received and Filed .

Adjournment

There being no further business before the Commission and hearing no objections, Mayor Becker adjourned the meeting at 5:20 p.m.

Respectfully submitted,

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