



# City of Racine

## Meeting Minutes - Draft

### City Plan Commission

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

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

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Wednesday, January 9, 2008

4:15 PM

City Hall, Room 205

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#### **Mayor Becker called the meeting to order at 4:17 p.m.**

**PRESENT:** 6 - Gary Becker, Elaine Sutton Ekes, Vincent Esqueda, Gregory Holding, Brent Oglesby and Frank Tingle

**EXCUSED:** 1 - Jud Wyant

*OTHERS PRESENT: Alderman Jim Spangenberg*  
*Audrey Viau, Village of Elmwood President*  
*Brian F. O'Connell, Director of City Development*  
*Richard Heller, Chief Building Inspector*  
*Matthew G. Sadowski, Principal Planner*  
*Kristin Niemiec, RCEDC*  
*Penelope Gabor, City Development Intern*

#### **Approval of Minutes for the December 12, 2007 Meeting**

**A motion was made by Elaine Sutton Ekes, seconded by Vincent Esqueda, that the minutes be approved, as distributed. The motion PASSED by a Voice Vote.**

**ZOrd.0005-07** An Ordinance to rezone properties in the 11th Street and Lake Avenue Area

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:

Those properties known as 1135 & 1145 South Main Street, 1121, 1127, 1132, 1135 & 1147 Lake Avenue as well as 100 & 107 Twelfth Street and more particularly described as follows:

"Lots 9, 10, 11, 12 as well as the south 60 feet of Lot 7 Block 28 of the School Section and Lots 1,2,3 (plus part of adjacent vacated Lake Avenue as described in Volume 1734, page 926, except those parts deeded to the City), 4, 5, & 6 of Block 27 of the School Section. Said land being in the City of Racine, Racine County, Wisconsin."

be rezoned from "R-2" Single Family Residence District, or "R-3" Limited General Residence District, or "O-I" Office/Institutional District, to "R-2"

Single Family Residence District, or "R-3" Limited General Residence District, or "O-I" Office/Institutional District, all with an H - Historic Property District Overlay, 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

*Director O'Connell explained that from the owners of record of the nine properties proposed to be included in the district, written responses have been received from seven indicating consent to inclusion; one does not consent (107 12th Street), and no response has been received from one (1121 Lake Avenue).*

*Mayor Becker suggested that the item be received and filed until such time as a comprehensive evaluation of not only this but other historic resources of the area can be conducted, and a process outlined for a methodical designation of a Racine Historic District encompassing a greater area.*

*Commission Tingle stated he agreed for the need of a comprehensive evaluation but suggested a deferral on the item until July. Commissioner Oglesby stated he agreed with Commissioner Tingle*

**A motion was made by Frank Tingle, seconded by Brent Oglesby, that this item be Deferred. The motion PASSED by a Voice Vote.**

[07-1352](#)

**Subject:** (Direct Referral) Review of contributing property descriptions for the 11th Street and Lake Avenue Racine Historic District.

**Recommendation of City Plan Commission on 10-31-07:** That this item be deferred.

**Recommendation of City Plan Commission on 11-14-07:** That this item be deferred.

**Recommendation of City Plan Commission on 11-28-07:** That this item be deferred.

**Recommendation of City Plan Commission on 1-9-08:** That this item be deferred.

- Attachments:** [100TwelfthDescript\\_2\\_.pdf](#)  
[107TwelfthDescript.pdf](#)  
[1121LakeDescript\\_3\\_.pdf](#)  
[1127LakeDescript\\_2\\_.pdf](#)  
[1132LakeDescript\\_2\\_.pdf](#)  
[1135 Main Descript\\_2\\_.pdf](#)  
[1145MainDescript\\_2\\_.pdf](#)

**A motion was made by Frank Tingle, seconded by Brent Oglesby, that this item be Deferred. The motion PASSED by a Voice Vote.**

**ZOrd.0010-07** An Ordinance

To adopt an addendum to the comprehensive plan of the City of Racine, Wisconsin titled *Artist Relocation Program* as an addendum to the *Uptown Improvement Plan* adopted under the authority Wis. Stat. §§62.23 and 66.1001, and by the City of Racine Common Council through adoption on May 3, 2005 of An Ordinance To Amend The City's Comprehensive Plan.

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

Part 1:

The addendum to the *Uptown Improvement Plan*, said addendum referred to as the *Artist Relocation Program*, as recommended for adoption by the city plan commission on November 28, 2007, is adopted as part of the comprehensive plan of the City of Racine and is added to the list of comprehensive plan reports maintained by the director of city development.

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 is reflected in File 08-1615*

**A motion was made by Frank Tingle, seconded by Alderman Gregory Holding, that this ordinance be Scheduled for Public Hearing before the Common Council. The motion PASSED by a Voice Vote.**

**08-1615**

**Subject:** ZOrd.0010-07 is an addendum to the Uptown Improvement Plan for the Artist Relocation Program.

**Recommendation of City Plan Commission on 1-9-08:** That the ordinance be adopted.

**Fiscal Note:** N/A

*Director O'Connell reviewed the intent of the plan addendum, and past Commission action on this item.*

**A motion was made by Frank Tingle, seconded by Alderman Gregory Holding, that this ordinance be Recommended For Adoption. The motion PASSED by a Voice Vote.**

**07-1594**

**Subject:** (Direct Referral) Review of a four-lot Certified Survey Map for KHK Holdings, Ltd. at 3037 Mount Pleasant Street.

**Recommendation of City Plan Commission on 1-9-08:** That the Certified Survey Map (CSM) for Koos Kryger for a four lot CSM at 3037 Mt. Pleasant Street be approved, subject to the following conditions:

a. That the CSM presented to the Plan Commission on January 9, 2008 be approved subject to the conditions contained herein.

b. That all technical discrepancies and conditions as identified by City staff be addressed as follows:

1. The "MTL BLDG" on the south line of Lot 3 needs to be zero or 10 ft from the lot line.
2. Illustrate a setback line of 35 feet on all frontages along Mt. Pleasant Street and along South Street.
3. Illustrate a 40 foot turn radius at the southwest corner of Lot 4. The lands outside the radius are to be noted as dedicated for public right-of-way.
4. Add a note indicating 50 foot "No Vehicular Access" restriction at the southwest corner of Lot 4 and the northwest corner of Lot 2. The 50 foot access restriction is to start at the points of intersection of the arc of the corner radius with the point of tangency of the extended right-of-way line.
5. Clarify or correct discrepancy between what is illustrated on the CSM and what is recorded at the register of deeds in regards to the

illustrated 15 foot wide strip of land giving Lot 1 access to Melvin Avenue, and the currently recorded 38 feet wide strip of land. This strip shall be no less than 30 feet in width.

6. Illustrate all cross access easements between properties, including proper fire access.

7. Provide proper fire separation where the common lot line of Lots 2 and 3 bisects the "Block Building".

**Fiscal Note:** N/A

*Director O'Connell explained the intent behind the CSM and reviewed technical issues relating to ordinance requirements and development standards.*

**A motion was made by Alderman Gregory Holding, seconded by Vincent Esqueda, that this item be Recommended For Adoption, subject to the listed conditions in the recommendation. The motion PASSED by a Voice Vote.**

**07-1358**

**Subject:** (Direct Referral) Request by Pam Kaleka seeking a conditional use permit for a mixed use development at 600 Three Mile Road.

**Recommendation of City Plan Commission on 10-31-07:** That this item be deferred.

**Recommendation of City Plan Commission on 1-9-08:** That the request by Pam Kaleka seeking a conditional use permit for a mixed use development at 600 Three Mile Road be approved, subject to the following conditions:

- a. That the plans presented to the Plan Commission on January 9, 2008 be approved, subject to the following conditions.
- b. That all applicable building and occupancy permits be applied for.
- c. That the maximum hours of commercial operations be 5:00 a.m. to 11:00 p.m. daily. These maximum hours shall also apply to the operation of any ATM, vacuum, carpet shampooer, fuel pump, and car wash.
- d. That the northern carwash overhead door shall remained closed during the washing and drying cycle of the car wash.
- e. That only one ATM, vacuum, and carpet shampooer is permitted and shall not be installed within 25 feet of street property lines. Such installations shall be appropriately screened and/or landscaped.
- f. That there shall be no outside storage or display of products, equipment or materials.

- g. That there shall be no vehicle repair or sales.
- h. That prior to the issuance of a building permit, the property owner shall:
  - 1. Submit a detailed landscape plan to the Director of City Development for review and approval. Said plan shall also include a landscaping maintenance plan. Landscaping shall be installed in accordance with the approved plans and prior to the issuance of an occupancy permit, or a letter of credit shall be required that is equal to the value of the landscaping improvement and shall be submitted for the review and approval of the Director of City Development prior to the issuance of an occupancy permit. Said letter of credit shall be valid through the year 2009.
  - 2. Submit details on the types of exterior lighting fixtures to be used in the canopy and remote locations. Canopy light fixtures shall be flush mounted and provide no side casting of light. Remote light fixtures shall be cut-off fixtures.
- i. That fencing be installed along the western property lines. The style of fence is to be submitted to the Director of City development for review and approval. All fencing shall be installed prior to the issuance of any occupancy permit.
- j. That all signage be in substantial conformance to the concept plans with regard to location and size. No box-type signs shall be permitted on the building. Final plans shall be submitted to the Director of City Development for review and approval.
- k. That all trash and recyclables be stored in closed containers and screen from view.
- l. That all loose trash garbage and debris be picked up and properly disposed of on a daily basis.
- m. That the building, grounds, and landscaping be maintained in a professional manner and on a daily basis.
- n. That all codes and ordinances be complied with and required permits acquired.
- o. 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.

p. That this approval is subject to Plan Commission review for compliance with the listed conditions.

**Fiscal Note:** N/A

**Attachments:** [600-3 Mile Rd.pdf](#)

*Director O'Connell stated that past concerns expressed by staff have been addressed, and he reviewed the proposed conditions of approval. He stated that an in-ground sprinkler plan will be required when final landscaping plans are submitted for review and approval.*

*In response to Alderman Holding, Mr. Steve Sharpe, project architect, explained that the basic form of the building will be as presented by staff in the power point presentation, but materials vary in that "river rock" will be used for the columns, and split-faced decorative block will be used on the first floor. He explained that he needs to meet with staff to determine final color choices.*

**A motion was made by Vincent Esqueda, seconded by Alderman Gregory Holding, that this item be Recommended For Approval, subject to the listed conditions in the recommendation. The motion PASSED by a Voice Vote.**

[07-1354](#)

**Subject:** (Direct Referral) Review of operational deficiencies, police records, and enforcement options related to the inability of Lydia Group Home to control resident behavior at their 3131 Taylor Avenue facility.

**Recommendation of City Plan Commission on 10-31-07:** That this item be deferred.

**Recommendation of City Plan Commission on 11-28-07:** That this item be deferred.

**Recommendation of City Plan Commission on 1-9-08:** That the item be received and filed.

**Fiscal Note:** N/A

**Attachments:** [Lydia Group Home.pdf](#)

*Direct O'Connell explained that concerns expressed by the Police Department seem to have been satisfactorily addressed at this time.*

**A motion was made by Alderman Gregory Holding, seconded by Vincent Esqueda, that this item be Recommended to be Received and Filed. The motion PASSED by a Voice Vote.**

**Public Hearings Starting at 4:30 p.m.**

[07-1595](#)

**Subject:** (Direct Referral) Request by Carolyn Seeger of Lincoln Lutheran of Racine seeking a rezoning from R-1 Single Family Residence District to

R-3 General Residence District for a mini-planned development at 3720 North Main Street.

**Recommendation of City Plan Commission on 1-9-08:** That an ordinance be prepared and a public hearing scheduled.

**Fiscal Note:** N/A

**Attachments:** [3720 Main Street.pdf](#)

*Mayor Becker opened the public hearing at 4:45 p.m., explained the public hearing process, and introduced the item.*

*Director O'Connell reviewed the request, describing the proposed location, current and proposed zoning, surrounding zoning and existing adjacent development. He explained the reasoning behind the proposed zoning and how, through the Planned Development, controls can be placed to ensure a project that is compatible with existing development.*

*Carolyn Seeger of Lincoln Lutheran of Racine stated that she found staff's description of the project to be accurate and had nothing further to add at this time.*

*Chris Manske of Welman Architects, Inc., project architect for Lincoln Lutheran of Racine, explained concept plans consisting of two potential site layouts, and four potential building designs. He stressed that no final decisions on design and layout had been made.*

*Wayne Kasper of 3712 N. Main Street expressed concern regarding the compatibility of the project to adjacent land uses, and cited past proposals that were rejected for the same concern.*

*Lorna Hennig of 412 Carlton Drive expressed general support for the project, but stressed the need to guard against the loss of trees.*

*Gary Kinsley of 3710 Kasper Street asked: could this proposal be considered to be spot zoning as a past proposal for R-5 was; will units be owned or leased by residents; are sewer laterals available for the property; who will be responsible for road improvements?*

*In response to Mr. Kinsely, Director O'Connell explained the difference between R-5 and R-3 zoning classifications, and whether they be public or private, road improvements would be the responsibility of the developer.*

*In response to Mr. Kinsely, Rev. Daniel Risch, Chief Executive Officer of Lincoln Lutheran of Racine, stated that units would be condominiums sold to residents for independent living. He stated that it is understood that the development needs to be sensitive to the neighborhood. He concluded by stating that the rezoning is needed in order for them to close on the purchase of the property.*

*In response to Lamar Tobias of 3723 Ruby Avenue, Chris Manske stated that the buildings will provide from 1,200 to 1,700 square feet of living space (not including garage space).*

*There begin no further questions or comments, and hearing no objections, Mayor Becker*



*closed the public hearing at 5:00 p.m.*

*A letter of opposition signed by David and Judy Heimes of 3711 Ruby Avenue was received.*

*In response to questions posed by Alderman Holding: Director O'Connell stated that the Current R-1 zoning would support 10 living units and that the property currently is taxed. Rev. Risch indicated that the project would be comprised of condominium units offered for sale, the units would not be subsidized; there would be age restrictions as part of the covenant or deed.*

*In response to Commissioner Sutton-Ekes, Director O'Connell stated there are no restriction on the land requiring it to remain as open/green space. Rev. Risch stated that unit owners would have privileges at the Lincoln Lutheran facility at 3900 North Main Street.*

*In response to Director O'Connell, Rev. Risch stated that a preliminary endorsement of the zoning would be sufficient for him to be able to close the purchase of the property.*

**A motion was made by Alderman Gregory Holding, seconded by Vincent Esqueda, that this item be Recommended For Approval. The motion PASSED by a Voice Vote.**

**07-1596**

**Subject:**(Direct Referral) Request by Doug Wurl of Toys "R" Us seeking consideration of a request to amend a conditional use permit for a facade update and Babies "R" Us store facade at 2433 South Green Bay Road.

**Recommendation of the City Plan Commission on 1-9-08:** That the request from Doug Wurl, representing Toys "R" Us seeking to amend the conditional use permit at 2433 South Green Bay Road for a façade update be approved, subject to the following conditions:

- a. That the plans presented to the Plan Commission on January 9, 2008 be approved, subject to the following conditions.
- b. That all conditions of approval as they relate to the original plans and subsequent amendments associated with the Highridge Shopping Centre and the Toys "R" Us at 2433 South Green Bay Road be complied with unless otherwise approved herein.
- c. That all applicable building and occupancy permits be applied for.
- d. That prior to the issuance of a building permit, the property owner shall:
  1. Submit to the Director of City Development an agreement between Toys "R" Us and all affected property owners with respect to implementing the cross-access drive between the Regency Mall Development and the High Ridge Centre Development. The cross access drive shall be constructed by October 1, 2008.
  2. Submit a detailed landscape update/refreshing plan to the

Director of City Development for review and approval. Landscaping shall be installed in accordance with the approved plans and prior to the issuance of an occupancy permit, or a letter of credit shall be required that is equal to the value of the landscaping improvements and shall be submitted for the review and approval of the Director of City Development. Landscaping shall be installed by October 1, 2008.

3. Submit a detailed and dimensioned sign plan indicating existing and proposed sign locations and method(s) of illumination.

- e. That all storage occur indoors and trailers and containers not be used for storage.
- f. That all trash and recyclables be stored in closed containers and screen from view.
- g. That all loose trash garbage and debris be picked up and properly disposed of on a daily basis.
- h. That the building, grounds and landscaping be maintained in a professional manner and on a daily basis.
- i. That all codes and ordinances be complied with and required permits acquired, except that EIFS will be permitted above four feet from grade.
- j. 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.
- k. That this approval is subject to Plan Commission review for compliance with the listed conditions.

**Fiscal Note:** N/A

**Attachments:** [2433 S.GreenBayRd.pdf](#)

*Mayor Becker opened the public hearing at 5:07 p.m., explained the public hearing process and introduced the item.*

*Director O'Connell explained the proposal, indicating that a point of concern is the proposed use of EIFS at grade and explained that the zoning ordinance design standards prohibit use of such product within eight feet of grade.*

*In response to Doug Wurl of Toys "R" Us, Director O'Connell explained the reasoning behind the prohibition.*

*Mr. Wurl stated that an agreement between all parties for the construction of the cross-access drive should be executed by next week.*

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

*Director O'Connell reviewed the proposed conditions of approval and elaborated on condition "d" regarding the application of EIFS type products.*

*In response to Alderman Holding, Mr. Wurl clarified where on the building EIFS is proposed to be installed.*

*Commissioner Tingle expressed a desire that semi trailers cease being used as long term storage containers.*

*In response to Commissioner Sutton-Ekes, Mr. Wurl felt that it would not be a problem for the cross-access drive to be built by fall 2008, and requested that the review of building plans be allowed to proceed while the cross-access drive agreement is being finalized. Chief Building Inspector Heller stated that such a review could proceed.*

**A motion was made by Elaine Sutton Ekes, seconded by Frank Tingle, that this item be Recommended For Approval, subject to the listed conditions in the recommendation. The motion PASSED by a Voice Vote.**

**07-1597**

**Subject:** (Direct Referral) Request by Ken Rohan seeking to rezone the property at 3625-16th Street from R-3 General Residence District to B-2 Community Shopping District to facilitate a conditional use permit for an automotive repair facility.

**Recommendation of City Plan Commission on 1-9-08:** That this item be denied.

**Fiscal Note:** N/A

**Attachments:** [3625-16thStreet.pdf](#)

*Mayor Becker opened the public hearing at 5:32 p.m., explained the public hearing process and introduced the item.*

*Director O'Connell explained the existing non-conforming status of the former trailer sales operation and reviewed the current zoning of the property. He explained that there was no other B-2 zoning in the area, and such zoning is incompatible with adjacent and area zoning, and uses.*

*Ken Rohan explained his proposal, stating that he would be doing no heavy engine or transmission work. He stated that most cars would only be on the property for two days. He has heard no objections from the neighbors he has spoken to. He pointed out that there are other businesses in this area along Sixteenth Street.*

*Richard Langdon of 1644 Illinois Street expressed support for the proposal, and pointed out that there are other businesses in this area along Sixteenth Street.*

*Mike Fay of 3611 Sixteenth Street expressed support for the proposal.*

*Louis Langdon of 1644 Illinois Street expressed support for the proposal.*

*Alderman Spangenberg stated that he has received no complaints about the proposal, but is concerned with the rezoning of the property to B-2, and inquired into the possibility of an overlay zoning.*

*Director O'Connell stated that a flex overlay could be applied to the property.*

*There begin no further questions or comments, and hearing no objections, Mayor Becker closed the public hearing at 5:42 p.m.*

*In response to Commissioner Sutton-Ekes, Director O'Connell stated that staff would be apprehensive recommending approval of this use, as there would be the typical concerns such a use presents; concerns which currently are exhibited by existing operations in the same classification.*

*In response to Commission Tingle, Director O'Connell explained the types of uses permitted if the "Constantine Amendment" were applied.*

**A motion was made by Elaine Sutton Ekes, seconded by Frank Tingle, that this item be Recommended For Denial. The motion PASSED by a Voice Vote with Brent Oglesby voting no.**

**07-1598**

**Subject:** (Direct Referral) Request by Terry Ehiorobo representing Lydia Group Home, LLC seeking a conditional use permit to regularize a temporary occupancy permit for a group home at 3131 Taylor Avenue, Building #1.

**Recommendation of City Plan Commission on 1-9-08:** That the request by Lydia Group Home, LLC. for a conditional use permit for an eight bed group home facility for females at 3131 Taylor Avenue be approved, subject to the following conditions:

- a. That the plans submitted to the Plan Commission on January 9, 2008 be approved, subject to the conditions contained herein.
- b. That all applicable building and occupancy permits be obtained from the Building Inspection Department.
- c. That this residential facility be confined to Building #1 of the campus, and that no more than eight residents be permitted to occupy Building #1.
- d. That Lydia Group Home, LLC be in full compliance with the provisions of its contract with the state.
- e. That the facility be professionally staffed 24 hours per day, seven days per week.
- f. That all staff and visitor parking be contained on site.
- g. That no resident shall be allowed to have personal vehicles on site

during their treatment stay.

h. That all trash and recyclables be stored in closed containers and screened from view.

i. That if a sign is installed, that it be professionally made, comply with zoning ordinance requirements, and be approved by the Director of City Development.

j. That visitation for residents be limited from 8:00 a.m. to 7:00 p.m., daily.

k. That visitor screening policies for the facility be submitted to the Director of City Development for review and approval.

l. That a telephone number be established, disseminated, and maintained on a 24 hour basis so that municipal staff and neighborhood residents can contact the facility.

m. That alarms be installed on all facility egress doors to monitor access to and from the building.

n. That all codes and ordinances be complied with and required permits acquired.

o. 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.

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

Fiscal Note: N/A

Attachments: [3131 Taylor Ave.pdf](#)

*Mayor Becker opened the public hearing at 5:47 p.m., explained the public hearing process and introduced the item.*

*Director O'Connell described the proposal and indicated the location of the facility on the campus.*

*Ms. Theresa Ehiorobo of Lydia Group Home explained the types of girls to be residents at this facility, and their places of origin. She stated that the majority of girls are in the States CIPs (Children in Protective Services) program, but they could also be in the JIPs (Juveniles in Protective Services) program.*

*There begin no further questions or comments, and hearing no objections, Mayor Becker closed the public hearing at 5:53 p.m.*

*Director O'Connell reviewed the proposed conditions of approval.*

**A motion was made by Vincent Esqueda, seconded by Frank Tingle, that this item be Recommended For Approval, subject to the listed conditions in the recommendation. The motion PASSED by a Voice Vote.**

### **Adjournment**

*There being no further business before the Commission and hearing no objections, Mayor Becker adjourned the meeting at 5:58 p.m.*

*Respectfully Submitted,*

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