



# City of Racine

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

## Meeting Minutes - Final City Plan Commission

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

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Wednesday, August 27, 2008

4:15 PM

City Hall, Room 205

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### Call To Order

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

**EXCUSED:** 1 - Frank Tingle

*Also present: Director of City Development Brian O'Connell, Principal Planner Matthew Sadowski, Associate Planner Jill Johanneck, Chris Schanz with RCEDC, and Kristin Niemiec with RCEDC.*

### Approval of Minutes from the August 13, 2008 Plan Commission meeting.

*Motion was made by Vincent Esqueda to approve the minutes of the August 13, 2008 Plan Commission. So ordered by the Mayor.*

#### 07-0355

**Subject:** (Direct Referral) Compliance review of unified development plan for 3210 Durand Avenue, and 2908 & 2920 Taylor Avenue, Kiernan Heating and A.C. Inc.

**Recommendation of the City Plan Commission on 3-28-07:** To defer.

#### **Recommendation:** Approve subject to conditions

*Principal Planner Sadowski discussed the signage issues with property located at 3210 Durand Avenue and 2908-2920 Taylor Avenue for Kiernan Heating and Air Conditioning, Inc.*

*The applicant installed box signs at 3210 Durand Avenue when the original approval was for channel letters. There is also a concern for the window signage that was put up and not a part of the approved sign plan. Commissioners expressed concerns regarding the signage on the restaurant at 2920 Taylor Avenue, which is covered by the same conditional use permit. Staff was asked to review the restaurant signage.*

**Deferred**

### Public Hearings starting at 4:15 p.m.

#### 08-2408

**Subject:** (Direct Referral) Consideration of the re-designation of a Racine Landmark at 716 College Avenue; First Presbyterian Church.  
(ZOrd.0006-08)

**Recommendation for the Landmark Preservation Commission on**

**7-7-08:** That the property at 716 College Avenue be re-designated a landmark under criteria 58-61 (a) (1) (3) and (4) of the Historic Properties Ordinance.

**Further,** that the re-designation be referred to the Plan Commission for a rezoning public hearing, and further review and recommendation.

**Recommendation for the City Plan Commission 08-27-08:** That the recommendation of the Landmarks Commission be approved, an Ordinance be created, and a Public Hearing scheduled.

**Fiscal Note:** N/A

*Principal Planner Sadowski discussed that property located at 716 College Avenue, First Presbyterian Church, be re-designated a landmark under criteria 58-61(a) (1) (3) and (5) of the Historic Properties Ordinance. The property owner has given consent and a public hearing was held by the Landmarks Commission on July 7, 2008.*

*Public Hearing opened: 4:24 p.m.  
closed: 4:27 p.m.*

*Nobody spoke on this item.*

**Recommended for Public Hearing**

**08-2409**

**Subject:** (Direct Referral) Consideration of the re-designation of a Racine Landmark at 1001 Main Street; East Park and the Mary Todd/Abraham Lincoln Statue. (ZOrd.0007-08)

**Recommendation for the Landmark Preservation Commission on 7-7-08:** That the property at 1001 Main Street be re-designated a landmark under criteria 58-61 (a) (2) and (4) of the Historic Properties Ordinance.

**Further,** that the re-designation be referred to the Plan Commission for a rezoning public hearing, and further review and recommendation.

**Recommendation of the City Plan Commission 08-27-08:** That the recommendation of the Landmarks Commission be approved, an Ordinance be created, and a Public Hearing scheduled.

**Fiscal Note:** N/A

*Principal Planner Sadowski discussed the Mary Todd and Abraham Lincoln statue located at 1001 Main Street. Mr. Sadowski recommended that it be re-designated a Racine Landmark under criteria 58-61 (a) (2) (4) of the Historic Properties Ordinance. The property owner has given consent and a public hearing was held by the Landmarks Commission on July 7, 2008.*

*Public Hearing opened: 4:30 p.m.  
closed: 4:35 p.m.*

*Nobody spoke on the item.*

*Alderman Holding moved to recommend approval of the Landmarks Commission recommendation to create an ordinance and schedule a public hearing. Seconded by Atty. Jud Wyant; motion carried.*

**Recommended For Approval**

**08-2410**

**Subject:** (Direct Referral) Consideration of the re-designation of a Racine Landmark at 1135 Main Street; Eli Cooley/Wm. F. Kuehneman House. (ZOrd.0008-08)

**Recommendation for Landmark Preservation Commission on 7-7-08:** That the property at 1135 Main Street be re-designated a landmark under criteria 58-61 (a) (3) and (4) of the Historic Preservation Ordinance.

**Further,** that the re-designation be referred to Plan Commission for a rezoning public hearing, and further review and recommendation.

**Recommendation of the City Plan Commission 08-27-08:** That the recommendation of the Landmarks Commission be approved, an Ordinance be created, and a public hearing scheduled.

**Fiscal Note:** N/A

*Principal Planner Sadowski discussed the consideration of the re-designation of the Racine landmark located at 1135 Main St. He recommended that the property be re-designated a landmark under criteria 58-61 (a) (3) and (4) of the Historic Preservation Ordinance. The property owner gave consent and a public hearing was held by the Landmarks Commission on July 7, 2008.*

*Public Hearing opened: 4:33 p.m.*

*closed: 4:35 p.m.*

*Nobody spoke on the item.*

*Alderman Holding moved to recommend approval of the Landmarks Commission recommendation to create an ordinance and schedule a public hearing. Seconded by Vincent Esqueda; motion carried.*

**Recommended For Approval**

**08-2411**

**Subject:** (Direct Referral) Consideration of the re-designation of a Racine Landmark at 1611 College Ave.; Robert M. Boyd/Ellis Gaskell House. (ZOrd.0009-08)

**Recommendation of the Landmark Preservation Commission on 7-7-08:** That the property at 1611 College Avenue be re-designated a landmark under criteria 58-61 (a) (3) and (4) of the Historic Preservation Ordinance, and that the property be referred to as the Robert M. Boyd House.

**Further**, that the re-designation be referred to the Plan Commission for a rezoning public hearing, and further review and recommendation.

**Recommendation of the City Plan Commission 08-27-08:** That the recommendation of the Landmarks Commission be approved, an Ordinance be created, and a public hearing scheduled.

**Fiscal Note:** N/A

*Principal Planner Sadowski discussed the consideration of the re-designation of a Racine Landmark at 1611 College Avenue. He recommended the property be re-designated a landmark under criteria 58-61 (a) (3) and (4) of the Historic Preservation Ordinance. The property owner has given consent and a public hearing was held by the Landmarks Commission on July 7, 2008.*

*Public Hearing opened: 4:36 p.m.*

*Mr. Robert Hartman*

*1611 College Ave., Racine, WI spoke in favor of the designation, with the exception that the house be referred to as the Robert M. Boyd house.*

*Public Hearing closed: 4:37 p.m.*

*Alderman Holding moved to recommend approval of the Landmarks Commission recommendation to create an ordinance and schedule a public hearing, with the modification that this house be referred to as the Robert M. Boyd house. Seconded by Vincent Esqueda; motion carried.*

**Recommended For Approval**

[08-2549](#)

**Subject:** (Direct Referral) Creation of Tax Incremental District No. 16 and adoption of its Project Plan.

**Recommendation of the City Plan Commission 08-27-08:** That the proposed TID No. 16 is in conformity with the City Plans and programs.

**Further**, that the project plan be adopted.

**Fiscal Note:** Refer to project plan.

*Public Hearing opened: 4:37 p.m.*

*Director O'Connell discussed the proposed Tax Increment District (TID) No. 16, its proposed boundaries, and its proposed Project Plan. He described the assumptions used in the financial feasibility analysis for the district.*

*Avolt Tohm*

*1311 Rapids Dr.*

*Spoke in support of the TID*

*Dr. Richard Kemper*

*1509 Washington Ave.*

*Spoke in support of the TID*

*Public Hearing closed: 4:45 p.m.*

*The proposed TID (Tax Increment District) in the Uptown Area consists of residential, commercial, and industrial uses. Funds from the TID would be used for projects intended to improve economic health and vitality of the targeted area. Staff recommends that the proposed TID No. 16, being in conformity with City Plans and Programs, be adopted.*

*Mr. Todd Taves of Ehlers and Associates, the city's financial advisor on the TID, recommended the Commission adopt a resolution providing more detail on its findings and conclusions regarding the district. He distributed the text of a resolution for that purpose.*

*Motion made by Alderman Holding and seconded by Jud Wyant, to approve the resolution for TID No. 16.*

**08-2402**

**Subject:** Request of MDS Investments, LLC that A Business Improvement District be established on Douglas Avenue.

**Recommendation of the City Plan Commission 08-27-08:** Deferred

**Recommendation of the City Plan Commission 09-10-08:** That the proposed BID is in conformity with City plans and programs.

**Further,** that the operating plan be adopted.

**Fiscal Note:** Refer to the operating plan.

**Note:** Item being held pending 30 day review period.

*Public Hearing opened: 4:55 p.m.*

*Director O'Connell presented the request by MDS, Investments, LLC that a Business Improvement District (BID) be established on Douglas Avenue. He reviewed its proposed boundaries and its proposed Project Plan. He described the special assessments requested to be levied for the district.*

*Kristin Niemiec  
RCEDC  
Spoke in Favor*

*David Namowicz  
1921 Charles St.  
Spoke in Favor*

*Jim Torneau  
3327 Douglas Ave.  
Asked whether this was a once-only thing, or if it were continuing year after year. He was advised that such BIDs typically are on-going and the proposed BID is expected to be so.*

*Vivian Merlo  
3025 Spring St.*

*Spoke in Opposition*

*Paula Byrne Slaasted  
2409 Douglas Ave.*

*Asked and was advised that residences are exempt from the BID.*

*Scott Jensen  
1915 Charles St.*

*Spoke in Favor, though he thinks it should be split into northern and southern parts.*

*Lou Larsen  
3113 Douglas Ave.*

*Concerned with the geographic size of the BID.*

*Robert Morrison  
Former Alderman  
Spoke in Favor*

*Donald Lowry  
1841 Edgewood Ave.; 1904 Douglas Ave.*

*Spoke in Opposition*

*Eric Ohlsen  
1840 Douglas Ave.  
Spoke in Favor*

*Joe Vlastic  
1927 Charles St.*

*Spoke in Opposition at this time and presented a letter from Garbo Motors, also in Opposition.*

*Rosie Carothers  
1333 Douglas Ave.*

*Questioned if this is the reason her bar license was revoked. Response was no.*

*Jim Seeger  
2030 Douglas Ave.  
Spoke in Opposition*

*Mark Veenstra  
1613 Douglas Ave.  
Spoke in Favor*

*Mitch Wemmert  
2101 Douglas Ave.*

*Questioned if an administrative fee is taken by the City. Response was no.*

*John Baxter [Dexter?]  
3333 Douglas Ave.*

*Spoke in Favor*

*George Meyer  
Property Manager  
Spoke in Favor*

*Letters Received:*

*Florence Alvarez  
1801 Douglas Ave.  
Wrote in Opposition*

*Lorraine Neumann  
Larry D. Neumann, DDS  
2705 Douglas Ave.  
Wrote in support*

*The Public Hearing was closed at 5:28 p.m.*

*Elaine Sutton-Ekes questioned the number of businesses versus residential units in BID. There are about 213 commercial businesses and 86 residences.*

*A 7-member board was requested for this BID.*

*Alderman Holding would like to see a diverse board of people representing the BID.*

*Jud Wyant suggested a division of the BID.*

*David Namowiz advised that the Douglas Area Revitalization Association held a public information meeting regarding the proposed BID and 28 people attended.*

*Motion was made by Jud Wyant, seconded by Alderman Greg Holding, to defer for more public input and to allow for more information to be provided; motion carried.*

**08-2625**

**Subject:** (Direct Referral) General review and discussion of applications; assessment of prior program performance.

*Public Hearing opened: 5:37 p.m.*

*Director O'Connell introduced a request for a conditional use permit for a building materials recycling operation at 1425 N. Memorial Drive (aka Racine Steel).*

*Alderman Ray DeHahn  
2706 Diane Ave.  
Concerned about liquid contamination/health issues with chemical tanks from Racine Steel foundry.*

*Lily Jones  
1610 Edgewood Ave.  
Concerned with more junk being brought onto the site. There is already a recycling operation on High St.  
Spoke in Opposition.*

*Bruce Keyes, Attorney  
Rick Tooker, Champion Environmental  
Representing applicant property owner, E.G. Developments  
Willing to lessen hours of outdoor operation to reduce any negative effects on the neighboring properties.*

*Ken Nikolai, Owner  
1602 Edgewood Ave.  
Director O'Connell advised the Commission of his opposition which was expressed in a telephone call to the department.*

*Public Hearing closed: 5:43 p.m.*

*Director O'Connell advised that a Phase I Environmental Assessment has been done.*

*Alderman Holding questioned what protects the City in the event of environmental issues. Director O'Connell advised it is written into the staff recommendation (item h).*

*Vincent Esqueda does not feel the City needs this type of business.*

*Other items discussed were the screening of the site, and how to deal with aspects of the business, including dealing with materials, use of equipment, storage of materials, and perimeter setback from property lines.*

*A motion was made by Alderman Greg Holding, seconded by Brent Oglesby, with Vincent Esqueda voting No, to approve the request subject to the following conditions. Motion carried.*

*(Note: Conditions listed below reflect changes agreed to by the Commission):*

- a. That the plans dated July 21, 2008 and presented to the City Plan Commission on August 27, 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 the hours of outdoor operation shall be 8 a.m. to 5 p.m., Monday through Friday.*
- d. That only E.G. Developments and its affiliated companies, or the City of Racine, shall store equipment, material, and vehicles on the property.*
- e. That the operation shall not emit noise, odor, vibration or dust beyond the property, nor shall vehicles entering or leaving the property track dirt, etc. onto the public streets. Permit holder shall submit a dust reduction and abatement plan to the Director of City Development for his review and approval within 30 days of the approval of this permit.*
- f. That all processing of metals shall be conducted indoors, except, if the size of the material to be processed is larger than the opening in the building, it may be cut to a size able to be moved indoors for further processing. The permit holder shall notify the Chief Building Inspector if such outdoor metal cutting is expected to exceed four hours in any five working days.*
- g. That material stored within 100 feet of the perimeter wall or fence shall not exceed the height of the wall or fence and no material shall exceed 20 feet in height.*
- h. That the business shall be operated in a manner that the environmental condition of the property is not adversely affected. The report of Sigma Environmental Services, Inc. dated March 2008 (Reference #10622) shall be the reference for the existing environmental condition of the property.*
- i. That no major changes be made from the conditions of this permit without the approval of the City Plan Commission and no changes made from the conditions of this permit without the approval of the Common Council.*
- j. That this permit is subject to City Plan Commission review for compliance with the approved plans and conditions. The Commission shall conduct an automatic review six months from the date this permit is approved by the Common Council.*
- k. That this permit shall not run with the property but shall expire upon the termination of E.G. Development's ownership of or leasehold on the property.*
- l. That this conditional use is subject to a six month review to review conditions of approval.*



**Public Hearings starting at 4:45 p.m.**[08-2576](#)

**Subject:** (Direct Referral) Consideration of a request to rezone the properties at 1423 State Street from B-3 General Business District and I-2 General Industrial District to B-2 Community Shopping District. (ZOrd.0010-08)

**Recommendation of the City Plan Commission 08-27-08:** That an ordinance be prepared and a public hearing be scheduled.

**Fiscal Note:** N/A

*Public Hearing opened: 6:05 p.m.*

*Director O'Connell introduced the request to rezone properties at 1423 State Street from B-3 General Business and I-2 General Industrial District to B-2 Community Shopping District.*

*Public Hearing closed: 6:06 p.m.*

*Nobody spoke on the item.*

*Motion made by Alderman Holding and seconded by Vincent Esqueda to create an ordinance and schedule a public hearing.*

**Recommended For Approval**

[08-2404](#)

**Subject:** (Direct Referral) Request by Xavier Hernandez seeking a conditional use permit to accommodate an auto body repair and painting facility at 1546 Layard Avenue. (Res.08-1001)

**Recommendation of City Plan Commission on 7-09-08:** That the item be deferred.

**Recommendation of the City Plan Commission on 7-30-08:** That the item be deferred.

**Recommendation of the City Plan Commission on 8-13-08:** That the conditional use permit be approved subject to conditions.

**Fiscal Note:** N/A

**Recommended For Approval**

**Administrative Business****Adjournment**

*Mayor Becker moved to adjourn the meeting of the Plan Commission at 6:09 p.m.*

**If you are disabled and have accessibility needs or need information interpreted for you, please contact Department of City Development at 636-9151 at least 48 hours prior to this meeting.**