



City of Racine

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

Meeting Minutes - Draft City Plan Commission

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

Wednesday, June 25, 2008

4:15 PM

City Hall, Room 205

Mayor Becker called the meeting to order at 4:18 p.m.

PRESENT: 5 - Gary Becker, Vincent Esqueda, Brent Oglesby, Frank Tingle and Jud Wyant

EXCUSED: 2 - Elaine Sutton Ekes and Gregory Holding

*OTHERS PRESENT: Matthew G. Sadowski, Principal Planner
Rick Heller, Chief Building Inspector
Jill Johanneck, Associate Planner
Penelope Gabor, City Development Intern
Charles Swanson, City Development Intern*

Approval of Minutes for the May 28, 2008 Meeting and June 11, 2008 Public Hearings.

[08-2309](#)

Subject: Communication from Jan Roland, Board President for Habitat for Humanity, requesting the City of Racine to donate two properties located at 1112 Villa Street and 1501 West Street.

Recommendation of City Development on 6-25-08:

Attachments: [habitat for humanity.pdf](#)

Principal Planner Matthew Sadowski provided an overview of the application requesting the City of Racine to donate two properties for Habitat for Humanity.

Alderman Jeff Coe came forward and spoke against the proposal, citing concerns with the designs of past Habitat projects.

Jan Roland of Habitat for Humanity spoke in favor of the request.

Mayor Becker questioned Mr. Roland on the inventory of Habitat properties, and if this was a pressing issue. Mr. Roland advised this would most likely be a 2009 project property. Mayor Becker requested that the applicant work with all interested parties to develop a design that will better compliment the neighborhood.

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

[Res.08-0846](#)

Vacation of alley and street dedication for the southwest corner of State and Spring Street

Resolved, that since public interest requires it, the following parcel of land, more particularly described as follows, be and hereby is vacated and discontinued:

"Vacate a 18.75 foot wide alley which lies between Hill Street and State Street and runs in a northeasterly direction described as follows: Vacate alley that lies between Lot 1 and Lot 7 of Jacobson's Addition, a recorded plat in the City of Racine, Racine County, Wisconsin, excepting therefrom the land described as follows: Start at the intersection of the southwesterly line of State Street and the northwesterly line of said alley; run thence South 22° 41' 20" East a distance of 20.06 feet to the northwesterly line of Lot 7; thence South 46° 28' 9" West along the northeasterly line of said Lot 7 a distance of 69.86 feet; thence South 73° 9' 10" West a distance of 7.57 feet to the point on a curve to the right having a radius of 19.50 feet and a chord of 18.34 feet bearing North 78° 48' 19" West; thence westerly along said curve a distance of 19.09 feet; thence North 49° 57' 34" West a distance of 0.39 feet; thence North 46° 28' 9" East a distance of 94.40 feet to the intersection of the southwesterly line of State Street and the northwesterly line of said alley, said tract containing 0.037 acres more-or-less."

Further resolved, that since public interest requires it, the following parcels of land, more particularly described as follows, be dedicated for street right-of-way purposes:

"That part of the Southeast ¼ of Section 8, Township 3 North, Range 23 East, in the City of Racine, Racine County, Wisconsin, bounded as follows: Start at the southeast corner of Lot 1 of Jacobson's Addition, a recorded plat in the City of Racine, Racine County, Wisconsin, thence South 43° 50' 51" East a distance of 152.37 feet; thence South 41° 30' 22" West a distance of 50.67 feet to a point on a curve to the left, having a radius of 72.49 feet and a chord of 49.35 feet bearing North 2° 22' 36" West; thence northerly along said curve a distance of 50.36 feet; thence North 22° 41' 20" West a distance of 50.34 feet to the southeast corner of Lot 1, said tract containing 0.033 acres more-or-less, and;

That part of the Southeast ¼ of Section 8, Township 3 North, Range 23 East, in the City of Racine, Racine County, Wisconsin, bounded as follows: Commence at the southwest corner of Lot 1 of Jacobson's Addition, a recorded plat in the City of Racine, Racine County, Wisconsin, thence South 50° 45' 49" East a distance of 0.39 feet to the point of beginning and on a curve to the left, having a radius of 19.50 feet and a chord of 18.34 feet bearing South 78° 48' 19" East; thence easterly along said curve a distance of 19.09 feet; thence North 73° 9' 10" East a distance of 14.84 feet to the point on a curve to the right having a radius of 36.50 feet and a chord of 25.03 feet bearing South 86° 47' 50" East; thence easterly along said curve a distance of 25.55 feet; thence South 67° 3' 55" East a distance of 38.50 feet to the point on a curve to the right having a radius of 71.50 feet and a chord of 15.24 feet bearing South 11° 44' 54" West; thence southerly along said curve a distance of 15.27 feet; thence South 41° 30' 22" West a distance of 32.97 feet; thence South 50° 45' 49" West a distance of 87.38 feet to the Point of Beginning, said tract containing 0.059 acres more-or-less."

Fiscal Note: N/A

Commission action on this Resolution is reflected in File 08-2373.

08-2373

Subject: (Direct Referral) Res.08-0846 - vacation of alley and street dedication for the southwest corner of State and Spring Street.

Recommendation of City Development on 6-25-08: That the vacation and dedications are not in conflict with City plans and programs.

Further that the resolution be adopted.

Fiscal Note: N/A

Principal Planner Matthew G. Sadowski gave an overview of the request to vacate an alley and street dedication at the southwest corner of State Street and Spring Street as the City has utilized the property to create a turn lane and create a cul-de-sac.

Mayor Becker noted this is a clean-up project versus actually deciding whether to vacate and dedicate, as the City has already utilized the property to make changes to create a turn lane and cul-de-sac.

A motion was made by Jud Wyant, seconded by Vincent Esqueda, that this item be Recommended For Adoption. The motion PASSED by a Voice Vote.

Ord.11-08

To amend Secs. 114-1(b) and 114-273 of the Municipal Code of the City of Racine, Wisconsin relating to Yard/Garage/Rummage Sales.

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

Part 1:

Section 114-1(b) of the Municipal Code of the City of Racine is hereby amended by adding the following definition after the definition of "*Rooming Unit*":

"Rummage, garage, yard, patio, tag, attic, moving, or junk" sale (or the like) is defined as a sale of personal property accumulated during the course of ordinary residential living by selling the same to the public, conducted by any occupant from any location on the premises on any residential property. Rummage sales may also be allowed on properties of a religious or a non-profit organization."

Part 2:

Section 114-273 of the Municipal Code of the City of Racine is hereby amended by adding the following at the end of the section:

"(16) Rummage sales in accordance with the following regulations:

- a. *Consecutive Days / Times*; Maximum of 3 consecutive days per property.

Sale can start no earlier than 7:00 a.m. and may run no later than 6:00 p.m.

b. *Display of Sale Items*; Allowed within the property boundaries only. Items for sale may not be placed within the sidewalk, parkway, alley or street.

c. *Sales per Year*; Maximum of 4 sales, with a month separation between sales, within the calendar year.

d. *Signage*; May be a maximum 12 square feet in size. Maximum 2 signs per sale. Signs may not be placed on any public structure, including light poles, directional or stop signs, city right-of-way, or in street medians. Signs may be placed on a neighboring property with owner consent. All signs must be removed by 8:00 a.m. of the day following the completion of the sales event.

e. *Prohibited items at a rummage sale*; Motor vehicles, goods obtained for purposes of resale.

f. *Enforcement*; Any person may file a complaint with the Building Inspection Department. The Building Inspector or designee shall investigate each complaint and, if warranted, issue a citation, give a written warning, or pursue other course of action.”

Part 3:

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 on this Ordinance is reflected in File 08-2398.

08-2398

Subject: (Direct Referral) Ord.11-08 is to amend Secs. 114-1(b) and 114-273 of the Municipal Code of the City of Racine, Wisconsin relating to Yard/Garage /Rummage Sales.

Recommendation of the City Plan Commission on 6-25-08: That the ordinance be amended subject to the following:

In Section 114-273 (16) c., strike the number "3" and replace it with the

number "4".

In Section 114-273 (16) e., strike the word "secondhand"

Further as amended, the ordinance be adopted.

Fiscal Note: N/A

Matt Sadowski discussed the proposed amendment to Sections 114-(b) and 114-273 of the Municipal Code of the City of Racine, Wisconsin relating to Yard/Garage/Rummage Sales. This amendment has been sent back to the Plan Commission for recommendation.

Chief Building Inspector Rick Heller discussed the way rummage sales are regulated and the proposals within the amendment which will give the Building Department the ability to use these regulations to regulate rummage sales.

Frank Tingle questioned why "secondhand" was listed in item e. It was explained it applied to most second hand sales and dealers.

Principal Planner Sadowski read email correspondence from Aldermen Holding and McCarthy suggesting amendments to the proposed ordinance concerning signage, the number and frequency of sales.

A motion was made by Vincent Esqueda, seconded by Frank Tingle, that this item be Recommended For Adoption, subject to amendments. The motion PASSED by a Voice Vote.

ZOrd.0003-08

An Ordinance to rezone 1438 and 1440 Main Street

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:

That property known as 1438 and 1440 Main Street and more particularly described as follows:

"Lot 12, the south ½ of Lot 9, the south 10 feet of Lot 10, the north 30 feet of the south 40 feet of the east 32.7 feet of Lot 10, and the east 40 feet of Lot 11 of Block 91 of the School Section. Said land being in the City of Racine, Racine County, Wisconsin"

be rezoned from "R-2" Single Family Residence, to "R-2" with a FD Flex Development Overlay District, as 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

Commission action on this Ordinance is reflected in File 08-2372.

08-2372

Subject: (Direct Referral) ZOrd.0003-08 is to rezone 1438 and 1440 Main Street from R-2 Single Family District to R-2 with a FD Flex Development Overlay.

Recommendation of City Development on 6-25-08: That the ordinance be adopted.

Fiscal Note: N/A

Principal Planner Sadowski provided discussion on the Ordinance request to amend the zoning map for 1438 and 1440 Main St. from R-2 Single-Family to R-2 Single-Family with a FD Flex Development District Overlay.

A motion was made by Jud Wyant, seconded by Frank Tingle, that this ordinance be Recommended For Adoption. The motion PASSED by a Voice Vote.

08-2274

Subject:(Direct Referral) Consideration of a use supplement for a flex development at 1438 - 1440 Main Street to facilitate a residential condominium at 1440 Main Street. (Res.08-0915)

Recommendation of City Plan Commission on 6-25-08: That the use supplement be adopted, subject to conditions.

Fiscal Note: N/A

Attachments: [1440 Main St.pdf](#)
[2274 CUP - 1438-1440 Main St.pdf](#)

Principal Planner Sadowski discussed the use supplement as noted above for 1438 and 1440 Main St. is that the properties maintain single family zoning but the use supplement will make the multi family use of the property legal vs. non-conforming. It also allows for conditions on the property.

A motion was made by Jud Wyant, seconded by Frank Tingle, that this item be Recommended For Approval, subject to conditions. The motion PASSED by a Voice Vote.

08-2277

Subject: (Direct Referral) Consideration of a Conditional Use Permit to

convert an existing apartment building to a 15 unit residential condominium at 1440 Main Street. (Res.08-0916)

Recommendation of City Plan Commission on 6-25-08: That the conditional use permit be approved, subject to conditions.

Fiscal Note: N/A

Attachments: [1440 Main St.pdf](#)
[CUP - 1440 Main St.pdf](#)

Principal Planner Sadowski explained that based on the proposed use supplement, a conditional use permit is required to convert an existing apartment building into a 15 unit residential condominium at 1440 Main Street.

A motion was made by Brent Oglesby, seconded by Vincent Esqueda, that this item be Recommended For Approval, subject to conditions. The motion PASSED by a Voice Vote.

08-2275

Subject: (Direct Referral) Consideration of a request by Keith Haas Manager of the Racine Water & Waste Water Utility seeking a conditional use permit for the installation of an emergency generator and associated equipment at 3213 Michigan Blvd. aka 3225 Michigan Blvd. (Res.08-0917)

Recommendation of City Plan Commission on 6-25-08: That the conditional use permit be approved, subject to conditions.

Fiscal Note: N/A

Attachments: [3213 Michigan Blvd.pdf](#)
[CUP 3212 Michigan Blvd.pdf](#)

Principal Planner Sadowski provided the background of the request by Racine Water Utility to place an emergency generator & equipment at 3213 Michigan Blvd. aka 3225 Michigan Blvd.

A motion was made by Jud Wyant, seconded by Vincent Esqueda, that this item be Recommended For Approval. The motion PASSED by a Voice Vote.

08-2276

Subject: (Direct Referral) Consideration of a request by Rossi Construction Co. representing Lakeview Pharmacy seeking an amendment to a conditional use permit to construct an addition to a building to expand vehicle storage activities at 1414 Layard Avenue. (Res.08-0918)

Recommendation of City Plan Commission on 6-25-08: That the conditional use permit be approved, subject to conditions.

Fiscal Note: N/A

Attachments: [1414 Layard Ave.pdf](#)
[CUP 1414 Layard Ave.pdf](#)

Principal Planner Sadowski described the request at 1414 Layard Avenue for a

building addition. The use will be for vehicle storage and the building façade will be continued for the addition. He stated that design issues will be discussed at the Access Corridor meeting of June 26, 2008.

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

Public Hearings starting at 4:30 p.m.

08-2273

Subject: (Direct Referral) Request by Tony DeRango seeking to rezone the property at 1439 N. Main Street from O Restricted Office District to O with a FD Flex Development Overlay District. (ZOrd.0004-08)

Recommendation of City Plan Commission on 6-25-08: That an ordinance be prepared and a public hearing scheduled.

Fiscal Note: N/A

Mayor Becker opened the public hearing at 4:55 p.m.

Jud Wyant recused himself from discussion and vote of this item.

Principal Planner Sadowski gave an outline of the rezone request, the location of the property, and the condition of the building for the proposed candy store/ice cream shop.

Public hearing closed at 4:58 p.m.

Discussion was held over concerns of access from Main Street. Mayor Becker concurred with the opinion of City Engineer John Rooney that an "exit only" drive onto Main Street would offer a better traffic flow pattern. Concerns were also raised about the angle of the parking and the number of parking spaces.

The applicant, Tony Durango, spoke briefly about his intent with the project.

A motion was made by Vincent Esqueda, seconded by Frank Tingle, that this item be Recommended For Approval. The motion PASSED by a Voice Vote.

08-2345

Subject: (Direct Referral) Request for a conditional use permit at 1439 N. Main Street for a candy and ice cream shop.

Recommendation of City Plan Commission on 6-25-08: That the conditional use permit be approved, subject to conditions.

Fiscal Note: N/A

Attachments: [1439 N.MainSt.pdf](#)
[CUP 1439 N Main St.pdf](#)

Mayor Becker opened the Public Hearing at 5:03 p.m.

Principal Planner Sadowski provided information on the request for a conditional use at 1439 N. Main Street for a candy and ice cream shop. He stated that the applicant is working with staff on potential facade improvements.

Alderman Kaplan spoke in favor of this project.

Public Hearing closed at 5:04 p.m.

A motion was made by Vincent Esqueda, seconded by Frank Tingle, that this item be approved. The motion PASSED by a Voice Vote.

End of Public Hearings

08-2218

Subject: (Direct Referral) Request to rezone property at South Street and Mt. Pleasant Street from I-2 General Industrial District to I-2 with an I-P Industrial Park District Overlay. (ZOrd.0005-08)

Recommendation of City Plan Commission on 5-28-08: That this item be deferred.

Recommendation of City Plan Commission on 6-25-08: That an ordinance be prepared and a public hearing scheduled.

Fiscal Note: N/A

Attachments: [MtPleasant& South St.pdf](#)

Principal Planner Sadowski discussed the request to rezone property at South St. and Mt. Pleasant St. from I-2 General Industrial District to I-2 with an I-P Industrial Park Overlay. Staff had sent information packets to owners within the proposed area to be rezoned to better inform them of the implications of the proposed rezoning of the properties located outside the developed Huck Industrial Park. Four property owners representing over 7.6% of the land area were objecting to being included in the IP zoning.

Mr. David Namowicz, 2000 41/2 Mile Rd., spoke on the subject. He advised he wants to protect his property.

Fred Tingle moved that an ordinance be prepared and a public hearing be scheduled to include all properties in the IP overlay. Seconded by Vincent Esqueda

Principal Planner Sadowski spoke to the Mayor's concerns that all the "red" area would be forced to be included in this rezoning when they don't want to. Mr. Sadowski advised the concerns of those in the "red" area are "what if's" and cannot really be addressed. Jud Wyant spoke against the forced zoning.

Fred Tingle modified his motion to just include the Huck Industrial Park.

A motion was made by Jud Wyant, seconded by Vincent Esqueda, that this item be Recommended For Approval. The motion PASSED by a Voice Vote.

Administrative Business

Update on study of the potential for the designation of a Racine "H" Historic District in the area of the National Register Southside Historic District

Principal Planner Sadowski provided and updated the Commission on the study of

the potential for the designation of a Racine "H" Historic District in the area of the National Register Southside Historic District. Mr. Sadowski introduced the Planning Interns who have been working on the project, Ms. Penelope Gabor and Mr. Charles Swanson.

Adjournment

There being no further business 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*