



City of Racine

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

Meeting Minutes - Draft City Plan Commission

*Chairman Alderman Dennis Wisner, Mayor John T. Dickert,
Atty. Jud Wyant, Atty. Elaine Sutton Ekes Vincent Esqueda,
Tony Veranth*

Wednesday, July 25, 2012

4:15 PM

City Hall, Room 205

Call To Order

Mayor John Dickert called the July 25, 2012 Plan Commission meeting to order at 4:27 p.m.

PRESENT: 6 - Elaine Sutton Ekes, Vincent Esqueda, Jud Wyant, Tony Veranth, John Dickert and Dennis Wisner

Others present:

*Brian O'Connell, Director of City Development
Jill Johanneck, Associate Planner*

Approval of Minutes for the July 11, 2012 Meeting

A motion was made by Commissioner Wyant, seconded by Commissioner Esqueda, to approve the minutes of the July 11, 2012 meeting. The motion PASSED by a Voice Vote.

12-7988

Subject: (ZOrd.002-12) An ordinance approving an amendment to the 2035 Comprehensive Land Use Plan Map for 2514 & 2518 Douglas Avenue. (PC-12)

Recommendation of the City Plan Commission on 7-25-12: That the ordinance be adopted.

Fiscal Note: N/A

Associate Planner Jill Johanneck informed the Commission the amendment request is related to Public Hearing item 12-7945, a conditional use request to add a parking lot to 2504 Douglas Avenue. The amendment request will modify the 2035 Comprehensive Land Use Plan map to reflect properties at 2514 and 2518 Douglas Avenue as Commercial versus High Density Residential, and is part of several actions required to allow for the conditional use request to add a parking lot to move forward. This item has been through all required notices and hearings, and Staff recommends the ordinance be adopted.

A motion was made by Commissioner Wyant, seconded by Commissioner Esqueda, to recommend adoption of the ordinance. The motion PASSED by a Voice Vote.

12-7943

Subject: A Resolution approving an amendment to the 2035 Comprehensive Land Use Plan Map classification for 2514 & 2518

Douglas Avenue. (PC-12) (Res. No. 12-3259)

Recommendation of the City Plan Commission on 7-25-12: That the resolution be adopted.

Fiscal Note: N/A

Associate Planner Jill Johanneck advised this is the resolution to adopt the Comprehensive Land Use Plan Map changes, and that the request has been through all required notices and hearings.

A motion was made by Commissioner Wyant, seconded by Commissioner Esqueda, to recommend adoption of the resolution. The motion PASSED by a Voice Vote.

[12-7989](#)

Subject: (ZOrd.003-12) An Ordinance to re-zone 2514 & 2518 Douglas Avenue.

Recommendation of the City Plan Commission on 7-25-12: That the ordinance be adopted.

Fiscal Note: N/A

Associate Planner Jill Johanneck informed the Commission this is the ordinance to rezone the property currently zoned R-3 Limited General Residence District to B-2 Community Shopping District to allow for the construction of the parking lot as proposed in agenda item 12-7945, and that all required notices and hearings have been held.

A motion was made by Commissioner Wyant, seconded by Commissioner Esqueda, to recommend adoption of the ordinance. The motion PASSED by a Voice Vote.

[12-7944](#)

Subject: (Direct Referral) Review of a Certified Survey Map for Republic Services in the 6100 block of Twenty-First Street. (PC-12) (Res. No. 12-3260)

Recommendation of the City Plan Commission on 7-25-12: That the item be approved subject to conditions.

Fiscal Note: N/A

Attachments: [\(12-7944\) CSM 6100 block Twenty-First Street](#)

Director of City Development Brian O'Connell reviewed the request for the certified survey map, the overall location and surrounding uses, property and surrounding zoning, and aerial views. This request will split the subject parcel off from the main parcel for future sale and development.

A motion was made by Commissioner Sutton Ekes, seconded by Alderman Wiser, to recommend approval of the Certified Survey map request subject to Staff recommendations. The motion PASSED by a Voice Vote.

[12-7990](#)

Subject: (Ord. 8-12) An ordinance amending the Access Corridor and

Downtown Area Design Guidelines. (PC-12)

Recommendation of the City Plan Commission on 7-25-12: That the ordinance be adopted.

Fiscal Note: N/A

Director of City Development Brian O'Connell indicated with the recent adoption of the "Root Works" plan, the Access Corridor and Downtown Area Design guidelines are being updated to incorporate the elements of the Root Works plan as they will apply to development in the designated areas.

Director O'Connell outlined the key elements being addressed, including expansion of uses, elimination of the State Street district and incorporation of it into the Downtown Design district area, the addition of a river representative to the Downtown Area Design Review Commission, establishment of setbacks for new construction, requirements for building façades facing the river to be treated as street front facades, provision of review and development tools to focus on sustainability, and the modification of the review boundaries of various corridor areas into a larger, all-encompassing review area.

A motion was made by Commissioner Sutton Ekes, seconded by Commissioner Veranth, to recommend that the Ordinance be adopted. The motion PASSED by a Voice Vote.

11-7013

Subject: (ZOrd.6-11) An ordinance rezoning 1525 Howe Street from I-2 General Industrial to I-2 with a H-Historic Overlay.

Recommendation of the City Plan Commission on 10-12-11: That the ordinance be adopted.

Recommendation of the City Plan Commission on 7-25-12: That the item be received and filed.

Fiscal Note: N/A

Director of City Development Brian O'Connell informed the Commission that SC Johnson applied for a rezoning to add the H-Historic overlay designation, but have withdrawn their request at this time.

A motion was made by Commissioner Wyant, seconded, by Commissioner Esqueda, to receive and file the rezoning request. The motion PASSED by a Voice Vote.

4:30 p.m. PUBLIC HEARINGS

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12-7945

Subject: (Direct Referral) Request by Vivian & Anthony Merlo for a conditional use amendment for the addition of a parking lot at 2504 Douglas Avenue. (Res. No. 12-3261)

Recommendation of the City Plan Commission 7-25-12: That the item be approved subject to conditions.

Fiscal Note: N/A

Attachments: [PH Notice - 2504 Douglas Avenue \(12-7945\) 2504 Douglas Avenue CU Amend](#)

Associate Planner Jill Johanneck advised this is the request for the parking lot addition at 2504 Douglas Avenue and described the relation to the earlier agenda items for the site, as well as the recently approved Certified Survey map which modified the lot configurations of the properties owned by the applicants.

A review of the site was provided, including the existing and proposed re-zoning, aerial views of the site, and photos of the proposed parking lot area which is currently gravel and is being used for parking without the required approvals and required modifications/upgrades as required per code to make it a legal parking area.

The new parking lot would provide 17 additional parking spaces for the main building at 2504 Douglas Avenue, will utilize the new curb cut installed with the Douglas Avenue re-construction project, will be paved, have wheel stops and striping, have a landscape buffer along the northern edge of the property to help alleviate headlight intrusion for the adjacent residence, and also provide some landscaping along the Douglas Avenue frontage.

Ms. Johanneck indicated there are currently violations with the conditional use approved for the pole building in the rear of the lot to be utilized as an indoor contractor storage yard. While this amendment to the conditional use deals strictly with area along Douglas Avenue, Staff has addressed the violations in the conditions of approval, requiring that all violations existing with the tenant and use of the pole building be rectified, with specific dates provided to ensure compliance. Should the violations remain following the deadlines, fines and possible revocation of the conditional use for the contractor storage use will be pursued.

Ms. Johanneck reviewed information concerning drainage problems raised by two adjacent property owners to the north, specifically 1533 and 1537 Augusta. The property owners have indicated problems with drainage since the construction of the pole building in 1986, which they feel were exacerbated with the construction of the cellular tower in 2004. Ms. Johanneck advised the applicant provided a topographical survey of their property as requested, and in speaking to the surveyor, his professional opinion is the minimal grade changes within the property are not enough to be causing the extent of the drainage problems being indicated by the homeowners. No grading or survey information about the lots experiencing the drainage problems was provided by the owners for review. Without additional information, and a full analysis of drainage in the area, it is not possible to determine all factors which may be contributing to the drainage situation, nor appropriate to conclude activity at 2504 Douglas Avenue is the sole cause of the problem. Staff advised this amendment request does not affect the rear of the lot, or involve any of the buildings on the lot, and deals only with the recently combined properties along Douglas Avenue. The new parking area will be connected to the storm water system, directing all drainage into the system and is designed to have no drainage effects on surrounding properties.

Ms. Johanneck provided a brief review of the other applications which were required to allow the conditional use amendment to move forward and their status in the review process.

Public Hearing Opened at 4:55 p.m.

1. Florence Boyer, 1549 Augusta Street. Spoke in opposition. Feels there is

adequate parking and this parking lot is not needed, spoke in opposition to the re-zoning, and believes there is a hidden agenda concerning the future development for the property.

2. Sue DeKeuster, 1537 Augusta Street. Spoke in opposition of the conditional use. She indicated the pole building conditional use is in violation of its approval as there are trucks and other equipment being stored along the north side of the pole building, requested this item be deferred until later this year and wants the violations rectified before any new approvals are granted, indicated grading on the lot has caused her drainage problems, and more parking is not needed as most of the building is currently vacant.

3. Norm DeKeuster, 1517 Deane Avenue. Spoke in opposition. Noting grading and drainage patterns are causing drainage problems on the lots to the north. Provided a photo and copies of photos of the rear portion of 2504 Douglas Avenue.

Public Hearing Closed at 5:10 p.m.

Discussion ensued.

Mayor Dickert commented on the drainage and the survey information and discussed the grade change in the rear of the lot. Staff advised the rear portion of the lot is 120' in width, and there is less than one foot of grade change in various areas of the lot, as the actual elevation points vary within the measurement.

Vivian Merlo, 3025 Spring Street, the property owner, spoke. Advised the pole building was built in 1986. She indicated her renter of the pole building had spread gravel, which has since been removed as requested by the City. She noted the complainant's homes lie in a natural lower area from when the building was constructed.

Commissioner Sutton Ekes inquired about the specific violations taking place with the business being run out of the pole building. Ms. Johanneck referred her to the conditions of approval in the Staff recommendations which outline the violations, and advised the recommendations provide date-specific timeframes for which the violations are to be rectified.

Mayor Dickert advised the applicant they are not being held to a different standard than other properties, but are being held to the standards in the conditional use approval, which are to be abided by. The current violations concerning the pole building were reviewed. Commissioner Wyant summarized the application at hand does not exacerbate the drainage issues in the rear of the lot, that the new parking area will be connected to the storm water system, and advised the Staff recommendations provide requirements for correcting the violations of the contractor storage use.

A motion was made by Commissioner Wyant, seconded by Commissioner Sutton Ekes, to recommend approval of the request subject to Staff recommendations, with emphasis that the enforcement of the conditional use for 1530 Romaine Avenue (the pole building as an indoor contractor storage facility) be completed; and correction to the numbering of the conditions with a correction in the wording to what will become condition f. The motion PASSED by a Voice Vote.

Commissioner Wyant left the meeting at 5:47 p.m.

12-7946

Subject: (Direct Referral) Request from James Janssen, representing Marcus Theaters of Wisconsin, LLC for conditional use approval to re-cover and store theater seating at 5101 Washington Avenue. (PC-12)

Attachments: [PH Notice - 5101 Washington Avenue](#)

Associate Planner Jill Johanneck provided background information on the request including the property location, surrounding land uses and zoning, and the proposed use. She advised the building, formerly a Marcus Theater, has been vacant for quite some time and the applicant is requesting to utilize the building for the re-furbishing of theater seating. The use would be short-term in nature, from 6 months to 2 years, as they are trying to sell the building.

There would be 6 part-time employees, with requested hours of 6:00 a.m. – 10:00 p.m. Seating to be re-furbished would be delivered via semi-truck delivery and upon repair be stored inside the building until ready to re-install at various Marcus Theater locations. All work would be done by hand on an as-needed basis.

The property is parked for a movie theater, which is more than adequate for the proposed use. A plan for property maintenance and snow removal was also provided. Staff is recommending approval subject to conditions.

Public Hearing Opened at 5:50 p.m.

The applicant, Jim Janssen, spoke on the request. He advised this use would be temporary while they are trying to sell the building. He advised after reading through the conditions, he is unsure if he will be able to have the semi-truck drop off containers removed within 24 hours, and expressed a reluctance to remove the boarded up windows and entryways due to vandalism in the past.

Public Hearing Closed at 5:52 p.m.

Mayor Dickert advised he understands the reluctance to remove the boarding, but the appearance of the boarded up building is not desirable and feels with some activity in the building with the boards removed, the location would not look abandoned and would help alleviate the vandalism issues. The applicant clarified which areas of the building would be utilized for the pick-up and drop off of seating.

Director of City Development O'Connell raised the issue of people occupying a boarded up building and that there may be building or fire code issues. Chief Building Inspector and Zoning Administrator Ken Plaski provided information on building code and occupancy permit requirements as they relate to the boarding on the building.

The applicant advised he would like to find out more about the occupancy options as they relate to removal of the boards on the building.

A motion was made by Commissioner Sutton Ekes, seconded by Alderman Wiser, to defer the item to allow the applicant time to research his options as they relate to the occupancy permit and the boarded up areas of the building. The motion PASSED by a Voice Vote.

12-7947

Subject: (Direct Referral) Request from Harry Koffman seeking to amend a conditional use permit at 1717 Washington Avenue to allow

the added use of general auto repair. (Res. No. 12-3262)

Recommendation of the City Plan Commission on 7-25-12: That the item be approved subject to conditions.

Fiscal Note: N/A

Attachments: [PH Notice - 1717 Washington Avenue \(12-7947\) CU Amend 1717 Washington Avenue](#)

Director of City Development Brian O'Connell provided information on the location of the building, background information on the original approval, the existing use as automobile detailing, and the proposal to expand the allowable uses to include auto repair. A review of the site, aerial views, and building views were provided. The property is zoned B-2 Community Shopping District.

He advised the applicant is requesting to utilize one of the existing bays for auto repair while retaining the main use of auto detailing. The Uptown organization has expressed no opposition to the proposal. The Business Improvement District noted this is not one of the preferred uses for the area, but Staff feels the use is limited and appropriate for the original use and intent of the building and recommends approval subject to Staff conditions.

Public Hearing Opened at 6:10 p.m.

There were no speakers on this item.

Public Hearing Closed at 6:10 p.m.

A motion was made by Commissioner Esqueda, seconded by Commissioner Veranth, to recommend approval of the request subject to Staff recommendations. The motion PASSED by a Voice Vote.

Administrative Business

None.

Adjournment

Mayor Dickert adjourned the meeting at 6:10 p.m. without objection.