



# City of Racine

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

## Meeting Minutes - Final City Plan Commission

*Alderman Dennis Wiser, Mayor John T. Dickert, Atty. Jud  
Wyant, Atty. Elaine Sutton Ekes Vincent Esqueda, Tony  
Veranth, Alderman Molly Hall*

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Wednesday, August 8, 2012

4:15 PM

City Hall, Room 301

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### Call To Order

*Alderman Dennis Wiser called the August 8, 2012 Plan Commission meeting to order  
at 4:30 p.m.*

**PRESENT:** 4 - Vincent Esqueda, Tony Veranth, Molly Hall and Dennis Wiser

**EXCUSED:** 3 - Elaine Sutton Ekes, Jud Wyant and John Dickert

Others present:

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

### Approval of Minutes for the July 25, 2012 Meeting

**A motion was made by Commissioner Esqueda, seconded by Commissioner  
Veranth, to approve the minutes of the July 25, 2012 meeting. The motion  
PASSED by a Voice Vote.**

**4:30 P.M. PUBLIC HEARING**

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Due to no quorum, the following Public Hearing was held:

**[12-7996](#)**

**Subject:** (Direct Referral) Request from Max Dershem representing  
the DeKoven Foundation for Church Work Inc., seeking a conditional  
use permit to allow commercial meeting space and hall rental facilities  
as an accessory use to an existing private retreat and conference  
center at 600 - Twenty-First Street. (Res No. 12-3288)

**Recommendation of the City Plan Commission on 8-8-12:** That the  
item be approved subject to conditions.

**Fiscal Note:** N/A

**Attachments:** [PH Notice - 600 Twenty-first Street  
\(12-7996\) CU 600 - 21st Street](#)

*Alderman Wiser opened the Public Hearing at 4:30 p.m.*

1. *Martin Bershtein, 11200 Rockville Pin , Suite 100, Rockville, MD 20852: Advised his company owns the apartment complex adjacent to the site and expressed concerns for potential late night noise concerns and asked the applicant be respectful of the tenants.*

2. *Max Dersham, the applicant, indicated this is similar to the existing uses, but are requesting this as an extension of the uses as a way to generate more income.*

*Public Hearing closed at 4:33 p.m.*

Due to no quorum, the meeting was postponed at 4:33 p.m. With the arrival of another commission member, a quorum was created and the meeting re-convened at 4:40 p.m.

**12-7295**

**Subject:** (Direct Referral) Request from Akil Ajmeri for a conditional use permit to construct and operate a gas station, convenience store and fast food restaurant on the vacant property at 1116-1152 Washington Avenue. (Res No. 12-3286)

**Recommendation of the City Plan Commission on 8-8-12:** That the item be approved subject to conditions.

**Fiscal Note:** N/A

**Attachments:** [PH Notice - 1116-1152 Washington Avenue](#)  
[\(12-7295\) CU 1116 - 1152 Washington Avenue](#)

*Principal Planner Sadowski indicated the Public Hearing for this item was held back on January 25, 2012, at which time the Commission deferred to have the applicant work with Staff on site design issues. The property was since acquired by Mr. Ajmeri, the applicant, from the Redevelopment Authority on August 30, 2011. The Access Corridor Design Review Committee approved the project, subject to the applicant continuing to work on the site details with Staff. Mr. Sadowski provided background information on the area, zoning, site history, and general information on the project.*

*Major changes have occurred to the site layout and building design since the public hearing was held. The car wash was removed from the proposal and better internal traffic circulation and maneuverability have been created as a result. The elevation/architectural renderings have been revised, and with the building being moved back on the site, the rear architectural features are no longer being required. The revisions to the building design, canopy design, and site layout create a functional plan and attractive building for up to three tenants. At this time the main tenant will be the gas station/convenience store, and the two other tenant spaces are anticipated to be restaurant-type uses. Each end tenant of the building has a drive-thru.*

*Director of City Development Brian O'Connell spoke on behalf of the Redevelopment Authority, advising the changes were a result of design and engineering standards to address the site layout and safe circulation within the area. The decisions were based on practical needs to allow for the site to operate and function better, and the RDA supports the plans.*

*The applicant, Mr. Ajmeri requested modification to condition c, allowing hours from 5:00 a.m. - 11:00 p.m., and that he be allowed to have the 24-hour pay at the pump*

service. He indicated the store itself would be closed and no employees would be on site, but the canopy lighting will remain on for safety, and during his years in the gas station business he finds keeping the canopy lights on also deters criminal activity. He also requested condition d. be modified to allow for vacuums and an air hose. Principal Planner Sadowski advised Staff will need to review the proposed placement of the air and vacuums to reduce any potential negative impacts on nearby residential properties. Commissioner Veranth suggested imposing limited hours for use of these amenities to reduce noise impacts.

**A motion was made by Commissioner Veranth, seconded by Commissioner Esqueda, to recommend approval of the request subject to changing condition c. for hours of operation to be from 5:00 a.m. - 11:00 p.m. and to allow for 'pay at the pump' provided the canopy remains lit, and to amend condition d. to allow the use of air and vacuums between 6:00 a.m. - 9:00 p.m., with location of these amenities to be approved by Staff. The motion PASSED by a Voice Vote.**

**12-7814**

**Subject:** (Direct Referral) Request by Terynce Guthrie representing The Hawks Motorcycle Club - Wisconsin Chapter, for a Conditional Use permit to operate a meeting hall/clubhouse at 2051 Mead Street. (PC-12) (Res No. 12-3287)

**Recommendation of the City Plan Commission on 6-27-12:** That the item be denied.

**Recommendation of the City Plan Commission on 8-8-12:** That the item be approved subject to conditions.

**Fiscal Note:** N/A

**Attachments:** [PH Notice - 2051 Mead Street](#)  
[\(12-7814\) CU 2051 Mead Street](#)

Associate Planner Johanneck updated the Commission on previous actions, that the Commission had held the public hearing on June 13, and recommended denial to the Common Council. The Council referred the item back to the Plan Commission for more information on the club, and clarification of those who spoke in support and opposition at the public hearing and at a neighborhood meeting held by the applicant. An update on the site location, surrounding land uses, zoning, parking, and background information were provided.

Ms. Johanneck updated the Commission on what the applicant indicated they will be doing in the community. This includes back-to-school drives, a winter toy run, and other events involving neighborhood youth. A copy of the club's Article of Incorporation with the State of Wisconsin, dated March 19, 2004, was provided.

At the Council meeting, information about an incident with the Hawks Chapter of Illinois was mentioned. This shooting incident occurred in Chicago in 2011 and resulted in injuries and death to some of the individuals involved. In researching the Wisconsin Chapter, Ms. Johanneck advised she located no information on any incidences that have occurred or any inappropriate activity documented. Another concern brought up at the Common Council meeting concerned a day in June where approximately 60 bikes had congregated at the site on Mead Street. When asked, Mr. Guthrie indicated that day they were holding their annual memorial ride, and their members and some others gathered at the site to prepare for the day's events. Staff advised the site on Mead is not an appropriate set-up area for rides involving large

*groups of bikes due to the residential nature of the area and parking/noise concerns, and that a condition would be added that congregating for rides will need to take place in a more appropriate area.*

*The neighborhood meeting held by the applicant was not attended by City Staff, but was attended by Alderwoman Krystyna Sarrazin, though via email she advised she left the meeting early. The applicant advised once they were able to meet with the neighbors and church members to discuss what the club is all about and what it plans to offer the community, individuals initially opposed were now in favor. A petition was provided by the applicant with ten signatures in favor of the locating at 2051 Mead, as was a letter from the church (whose Pastor initially spoke in opposition at the Plan Commission hearing, and whose Deacon who spoke in support at the Common Council hearing) indicating they all support the request.*

*Discussion ensued.*

*Commissioner Veranth asked about those who spoke in opposition. Ms. Johanneck advised there were four speakers, one was Alderwoman Sarrazin, and three of which were in opposition. The Alderwoman has expressed she wanted more information on the proposal, and the others were nearby residents or church members.*

*Commissioner Esqueda asked the applicant if he had spoken to the neighbors. He advised he has, and indicated three of the speakers were church members who originally spoke in opposition. He advised he is an attendant at the church, and right now they have 5 members in their Hawks club chapter. When asked when most meetings would occur at the proposed location, Mr. Guthrie advised on weekends, but sometimes during the week depending on work schedules. Mr. Guthrie requested the hours be changed to 9:00 a.m. - 2:00 a.m. (vs. 9:00 a.m. - 9:00 p.m. as was originally applied for). He clarified there would not be large gatherings here as they are a private club and not open to the public. If the club grows in members to a point where this site does not meet their needs, they would search for a new venue to hold their meetings.*

*Commissioner Veranth asked about the current occupancy. Ms. Johanneck advised occupancy will be based on use, that there is a rather large kitchen and storage area occupying about 30 percent of the floor area. The square footage of the building is 2,055 square feet. Commissioner Esqueda asked if they are seeking a liquor license. Mr. Guthrie advised they are not. Ms. Johanneck indicated liquor licenses are not part of zoning approval, and that any permits for having alcohol on site are provided by the City Clerk's office. The applicants are not proposing to sell alcohol, they may bring it in for their own consumption but must meet the requirements of the Clerk's office, including having the doors locked, among other regulations.*

*Alderwoman Hall advised she suspects the support from the neighbors was based on the hours of 9:00 a.m. - 9:00 p.m. Mr. Guthrie indicated that he is not sure that is the case, and the meeting attendees were mostly concerned that there be no disruption in the neighborhood or for the church services. The Alderwoman asked Staff if the neighborhood support was based on the hours of 9:00 a.m. - 9:00 p.m. Ms. Johanneck advised she was not at the meeting, received no correspondence from the neighbors concerning the hours, and that nothing indicated that the neighbors were ok with the proposal based on hours of operation.*

**A motion was made by Commissioner Veranth, seconded by Commissioner Esqueda, that the request be recommended for approval with modification to condition c. that the hours of operation Sunday through Thursday be 9:00 a.m. - 9:00 p.m., and Friday through Saturday be 9:00 a.m. - 11:00 p.m. The motion**

**PASSED** by a Voice Vote.

**Alderman Hall requested that prior to the Common Council meeting of August 21, 2012 Staff provide the new hours of operation to the individuals who signed the petition in favor for feedback, and that Staff report back to her if individual's support changed with the knowledge of operational hours to 2:00 a.m.**

**12-7996**

**Subject:** (Direct Referral) Request from Max Dershem representing the DeKoven Foundation for Church Work Inc., seeking a conditional use permit to allow commercial meeting space and hall rental facilities as an accessory use to an existing private retreat and conference center at 600 - Twenty-First Street. (Res No. 12-3288)

**Recommendation of the City Plan Commission on 8-8-12:** That the item be approved subject to conditions.

**Fiscal Note:** N/A

**Attachments:** [PH Notice - 600 Twenty-first Street \(12-7996\) CU 600 - 21st Street](#)

*Alderman Wisner asked the Commission if they would like to vote on this item before they lose the quorum at 5:30 p.m. He indicated the Staff recommendations were provided for their review. Staff was not requested to present their review and report on the request for the Commission.*

**A motion was made by Commissioner Esqueda, seconded by Commissioner Veranth, to to recommend approval of the request subject to Staff recommendations.**

**12-7897**

**Subject:** Communication from the City Attorney recommending that the condition numbered 8., pertaining to a 10-foot wide strip of land for a walking/bike path on the property, be removed and recreated to require the execution of a Restrictive Covenant for a 10-foot wide strip of land for its future acquisition for a public pedestrian walk/bike path, with such Restrictive Covenant document to be prepared by City of Racine. (cross reference Res. 10-2319 and 10-2232) (PC-12) (RES. No. 12-3314)

**Recommendation of the City Plan Commission on 8-29-12:** That condition "8" be removed and recreated, that the restrictive covenant be prepared and that the Mayor and City Clerk be authorized to execute said restrictive covenant.

**Fiscal Note:** N/A

**Due to the loss of a quorum of members at 5:30 p.m., this item was deferred.**

**12-8012**

**Subject:** (Direct Referral) Removal and recreation of condition number 8 of Res.10-2232 and Res.10-2319, pertaining to a 10-foot wide strip of land for a walking/bike path on the property known as 526

Marquette Street. (PC-12) (RES. No. 12-3315)

**Recommendation of the City Plan Commission on 8-29-12:** That condition number 8 of Res.10-2232 and Res.10-2319, pertaining to a 10-foot wide strip of land for a walking/bike path on the property at 526 Marquette Street be removed and recreated as follows:

"8. That a Restrictive Covenant be prepared for execution addressing a 10-foot wide strip of land for its future acquisition for a public pedestrian walk/bike path adjacent to the Root River."

**Fiscal Note:** N/A

**Due to the loss of a quorum of members at 5:30 p.m., this item was deferred.**

**Administrative Business**

*None.*

**Adjournment**

*Alderman Wisner adjourned the meeting at 5:35 p.m. without objection.*