



City of Racine

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

Meeting Minutes - Draft City Plan Commission

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

Wednesday, May 30, 2012

4:15 PM

City Hall, Room 205

Call To Order

PRESENT: 5 - Elaine Sutton Ekes, Vincent Esqueda, Aron Wisneski, John Dickert and Dennis Wiser
EXCUSED: 2 - Jud Wyant and Tony Veranth

Others present:

*Matthew Sadowski, Principal Planner
Jill Johanneck, Associate Planner
Ken Plaski, Chief Building Inspector/Zoning Administrator
Brian O'Connell, Director of City Development*

Approval of Minutes for the May 9, 2012 Meeting

A motion was made by Alderman Wisneski, seconded by Commissioner Esqueda, to approve the minutes of the May 9, 2012 meeting. The motion PASSED by a Voice Vote.

[12-7684](#)

Subject: (Direct Referral) Request by Sheila Sheets representing "2 Sheets to the Wind" seeking a conditional use permit to operate a pub and grill at 3316 Douglas Avenue. (PC-12)

Attachments: [PH Notice - 3316 Douglas Avenue](#)

Principal Planner Sadowski provided an overview of the property location, and advised this item had been deferred previously pending interpretation from the City Attorney's office of whether an alcohol-serving establishment may be located within 300 feet of a church, as well as additional information needed, including the landscaping plan, cross-access and parking agreement, dumpster location and screening information and information on the outdoor smoking area.

Alderman Wisneski verified that this is a conditional use because this property is located within a commercial access corridor, even though the property is zoned for the proposed use. Mr. Sadowski advised there is discretion by the Director of City Development to authorize an administrative review based on the use request. In this case, due to the type of use and the potential effect on neighboring properties, it was determined a conditional use review was most appropriate. Alderman Wisneski proceeded to discuss his research of state law as it relates to the proximity of establishments serving alcohol and their proximity to churches, noting the law states if the establishment earns less than 50% of its income from the sale of alcohol the 300' restriction does not apply. He noted the applicant indicated on her application she will be taking in 75% of her gross receipt sales from food.

Mayor Dickert asked the applicant if she is opening a bar or restaurant. Ms. Sheets indicated it is a pub and restaurant, that the facility has a full kitchen, and the restaurant hours will be from 12:00 p.m. - 10:00 p.m., seven days a week. She indicated her focus is more on the restaurant part of the business versus the alcohol sales. Mayor Dickert noted that, in his experience with bar/restaurant establishments, normally the receipts from food sales are in the range of 10-15%.

Mr. Sadowski advised the recommendation at this time is pending, waiting for the completion of review of items not yet submitted, as well as the information regarding alcohol sales within 300' of a church, which was summarized by Alderman Wisneski, as well as the City Attorney's office. Based on the way the law is written and the estimated income from food sales by the applicant, it would not be. Conditions of approval were prepared if the Commission is satisfied with the information as provided.

Alderman Wisneski advised the liquor license has been approved by the Public Safety and Licensing Committee, but issuance of it is contingent upon all other approvals being received. As there are still outstanding items, it has not yet been issued. He also noted his concerns with the amount of parking. Mr. Sadowski advised he is still waiting for a parking plan and cross access and parking information. Ms. Sheets advised they have been allotted 30 parking spaces for their business and the entrance into the site is open at this time of re-construction of Douglas Avenue. She noted Dairy Queen customers are parking in the area dedicated for her business. Mr. Sadowski advised the way the buildings lie within these properties, they are reliant upon each other for access and to meet parking needs. This is why the cross parking and access agreements are needed. The same issues with parking and access arise whenever there is a proposed use for these properties, and the goal is to address the issue so it does not hold up potential tenants now and in the future. It was noted by Anna Maria Derango that nobody has been able to get in touch with the owners of the Dairy Queen to discuss parking and access possibilities. Snow plowing and storage was also discussed as a site issue. Mayor Dickert indicated the importance of all property owners to communicate concerning the parking and access issues, and requested the representative present from Dairy Queen to contact the actual owners and have them contact Ms. Derango and Staff to work on these issues.

Copies of the potential conditions of approval were handed out to the Commission members. The conditions included a list of the items which still need to be addressed as noted earlier in the meeting. Alderman Wisneski noted he is not comfortable approving the plan without these outstanding items being addressed and resolved. Commissioner Sutton Ekes agreed with Alderman Wisneski that the missing information needs to be provided and worked out before approval. Mayor Dickert summarized the need to address these outstanding items.

Alderman Wisneski moved to defer the item until the items listed by Staff are addressed. Second by Alderman Wiser.

Discussion ensued. Ms. Derango noted the building was a restaurant previously and the parking was not an issue. Mr. Sadowski advised with the property being in a corridor the businesses are looked at more closely now. Mayor Dickert clarified that if the outstanding items are not addressed the project will not be approved. Ms. Sheets advised they have provided what was requested of them, and Mr. Sadowski clarified that what was submitted was not adequate and referred to the list in the draft conditions of what needs to still be turned in for review.

A motion was made by Alderman Wisneski, seconded by Alderman Wiser, that

this item be deferred. The motion PASSED by a Voice Vote.

[12-7785](#)

Subject: (Res. 12-3137) Vacation of the east-west alley bounded by Wright Avenue and Fifteenth Street; Quincy Avenue and Deane Boulevard.

Recommendation of the City Plan Commission on 5-30-12: That the proposed alley vacation is consistent with City plans and programs and that the alley be vacated and the resolution be adopted.

Fiscal Note: N/A

Principal Planner Sadowski advised Atonement Lutheran Church is requesting the alley, which currently bisects their parking lot, be vacated. He noted the church is working with the Public Works Department on plow access issues concerning the alley to the south. He indicated the request is consistent with City plans and programs, and recommended that the alley be vacated and the resolution adopted.

Recommended For Approval

[12-7757](#)

Subject: (Direct Referral) Request by Keith Nyman, representing New Cingular Wireless d/b/a AT&T Mobility, for a minor amendment to a conditional use permit to add antennas and a base cabinet to an existing cellular tower location at 5812 - 21st Street.

Associate Planner Johanneck reviewed the request, providing information on the existing tower structure, surrounding zoning and land use, the location of the existing tower within the site itself, and where the proposed ground equipment box would be located. A review of the antenna height, other carriers, and views of the site were provided. The three (3) new antennas would be placed at a point 125' up on the tower, and would be in addition to the six (6) AT&T antennas currently located on this tower.

A motion was made by Alderman Wisneski, seconded by Commissioner Sutton Ekes, that to approve the request for the new antennas and base equipment to staff conditions. The motion PASSED by a Voice Vote.

4:30 PM PUBLIC HEARINGS

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[12-7758](#)

Subject: (Direct Referral) Request from Michael's Signs representing St. Lucy's Catholic Church, for a conditional use permit to install an electronic message sign at the property address of 3101 Drexel Avenue. (PC-12) (Res. 12-3177)

Recommendation of the City Plan Commission on 5-30-12: That the request be approved subject to conditions.

Fiscal Note: N/A

Attachments: [PH Notice - 3101 Drexel Avenue \(12-7758\) CU 3101 Drexel Avenue](#)

Public Hearing opened at 4:55 p.m.

1. Pat McCloud, 3316 Illinois St., business manager for St. Lucy's. Discussed plans for the corner, and to incorporate the brick into the sign and landscape the corner where it is located.

2. John Klema of Michael's Signs, 2114 S. Memorial Drive, advised he was present to answer any questions about the sign.

Public Hearing closed at 4:56 p.m.

Associate Planner Johanneck provided information on the proposed sign location, property zoning, and surrounding land uses. The lot in question has dual zoning, and is considered a 'flag' lot, as it has a small portion of the lot leading to Durand Avenue, with the main body of the lot containing the church facility and parking area. The sign could only be considered via conditional use on the small "flag" portion of the lot zoned B-2, as electronic signs are not allowed in residential districts and the remainder of the lot is zoned R-2. The sign proposed will be approximately 90 square feet in size, and 8 feet tall from grade to the top of the sign. It was noted that the zoning ordinance prohibits the use of amber lighting in electronic signage, however Staff is not opposed to allowing it as it is used in other signs throughout the City and will not cause interference with traffic signals. Ms. Johanneck also verified the sign is outside of the visibility triangle and will be set back so as not to cause problems with traffic visibility.

Mayor Dickert inquired about there being nothing stated about frequency of message changes, or other restrictions in the report. Ms. Johanneck advised that the conditions of approval require the sign adhere to all requirements of the sign section of the zoning ordinance. Alderman Wisneski inquired about a landscaping plan as no landscaping was proposed. Ms. Johanneck advised nothing was submitted, and the area is primarily asphalt. The business manager advised they plan on doing modifications to the corner to make it more appealing, adding landscaping materials, fencing, and a decorative wall in the area along the Durand Avenue entrance. Ms. Johanneck requested to add a condition to the recommendation for approval that City Development shall review the proposed landscaping prior to any installation or modifications to the area being made.

A motion was made by Alderman Wisneski, seconded by Commissioner Esqueda, to approve the request subject to the conditions presented, with the additional condition that all future landscaping plans be reviewed by City Development. The motion PASSED by a Voice Vote.

12-7759

Subject: (Direct Referral) Request by Marvin Letven, representing RUGN (Racine Urban Garden Network) for a conditional use approval to allow for a community garden at St. Paul Garden Apartments, 1120 Center Street/821 Carroll Street. (PC-12) (Res. 12-3178)

Recommendation of the City Plan Commission on 5-30-12: That the request be approved subject to conditions.

Fiscal Note: N/A

Attachments: [PH Notice - 1120 Center Street \(12-7759\) CU 1120 Center Street](#)

Since all locations' operational and sponsorship characteristics are essentially the same, at the request of Mayor Dickert, Commission members consented to

combining the hearings, review and discussion of 1120 Center Street/ 821 Carroll Street with 533 Randolph Street, 725 High Street, and 1909 Summit Avenue.

Mayor Dickert opened the public hearing at 5:08 p.m.

Associate Planner Johanneck reviewed the following information: site particulars such adjacent zoning and area development patterns, garden layouts, number of garden plots per address, maintenance provisions and requirements, the hours gardening activities will be anticipated at each location. She reviewed the staff's recommended conditions of approval to be applied to all location.

In response to Alderman Wisneski, Associate Planner Johanneck explained that the church gardens do need conditional use permits. Principal Planner Sadowski further explained that conditional use permits are required for gardens if plots are being offered to the community at large, rather than just to members, or students (in the case of school garden plots). He concluded his remarks stating that the conditional use is intended to help City staff monitor the conduct of the garden plots and have a single responsible party to contact in the event concerns arise.

Marvin Letven, 4331 Green Briar Lane, described the intended use of the garden locations, methods of establishing garden plots. He explained that the use of gas powered garden equipment such as tillers would not be necessary. Associate Planner Johanneck added that gas powered lawn mowers would be used for periodic maintenance of the uncultivated grounds at each location.

Phyllis K. Poleman, 1928 Carlisle Ave. inquired as to measure to be taken to maintain the gardens and control for potential problems such as vandalism. In response, Mr. Letven stated that the gardens are typically self monitored by participants and it has been his experience that the garden plots help unify neighborhoods. Alderman Wisneski added that having RUGN as the sponsor should help to adequately maintain the gardens.

Mayor Dickert closed the hearing at 5:27 p.m.

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

12-7577

Subject: Request from Marvin Letven, representing RUGN (Racine Urban Garden Network) for a conditional use permit to operate a community garden at 533 Randolph Street (Randolph Park). The use of Randolph Park for a community garden was approved by the Parks Board under Resolution 11-2790 of October 18, 2011. (PC-12) (Res. 12-3180)

Recommendation of the City Plan Commission on 5-30-12: That the request be approved subject to conditions.

Fiscal Note: N/A

Attachments: [21st Century Prep - garden request](#)
[PH Notice - 533 Randolph Park](#)
[\(12-7577\) CU 533 Randolph Street](#)

See discussion of item under Legistar Item 12-7759.

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

[12-7761](#)

Subject: (Direct Referral) Request by Marvin Letven, representing RUGN (Racine Urban Garden Network) for conditional use approval to allow for a community garden at Emmanuel Lutheran Church, 725 High Street. (PC-12) (Res. 12-3179)

Recommendation of the City Plan Commission on 5-30-12: That the request be approved subject to conditions.

Fiscal Note: N/A

Attachments: [PH Notice - 725 High Street](#)
[\(12-7761\) CU 725 High Street](#)

See discussion of item under Legistar Item 12-7759.

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

[12-7762](#)

Subject: (Direct Referral) Request by Marvin Letven, representing RUGN (Racine Urban Garden Network) for conditional use approval to allow for a community garden at Emmaus Lutheran Church, 1909 Summit Avenue. (PC-12) (Res. 12-3181)

Recommendation of the City Plan Commission on 5-30-12: That the request be approved subject to conditions.

Fiscal Note: N/A

Attachments: [PH Notice - 1909 Summit Avenue](#)
[\(12-7762\) CU 1909 Summit Avenue](#)

See discussion of item under Legistar Item 12-7759.

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

Administrative Business

Administrative Approval - Badger Plaza façade alteration for Piggly Wiggly at 4011 Durand Avenue.

Principal Planner Sadowski reviewed with Commission members an administrative approval of a façade alteration approved by staff for Piggly Wiggly at badger Plaza, 4011 Durand Avenue.

Adjournment

Commissioner Esqueda made a motion to adjourn at 5:36 p.m. Seconded by Alderman Wisner, meeting adjourned.