

City of Racine

Room 103, City Hall



Meeting Minutes

Wednesday, February 22, 2006

4:15 PM

Room 103, City Hall

City Plan Commission

*Mayor Gary Becker, Alderman John M. Engel,
John Dickert, Elaine Sutton Ekes,
Vincent Esqueda, Joseph Muratore, Jr.,
Jud Wyant*

Mayor Becker call the meeting to orrder at 4:16 p.m.

PRESENT: 6 - Gary Becker, John M. Engel, John Dickert, Elaine Sutton Ekes, Vincent Esqueda and Jud Wyant

EXCUSED: 1 - Joseph Muratore Jr.

*OTHERS PRESENT: Brian O'Connell, Director of City Development
Rick Heller, Chief Building Inspector
Matthew Sadowski, Principal Planner*

Approval of Minutes for the February 22, 2006 Meeting

A motion was made by Commissioner Esqueda, seconded by Commissioner Dickert, to Approve the Minutes, as distributed. Motion approved.

06-1447

Subject: Consideration of an ordinance amendment to alter the area defined as the "downtown area" to facilitate the implementation of the updated Downtown Plan.

Recommendation: Deferred.

Mayor Becker introduced the item.

A motion was made by Commissioner Dickert, seconded by Commislsioner Esqueda, that this item be deferred. Motion approved.

06-1448

Subject: Consideration of an ordinance amendment referencing design documents cited in the updated Downtown Plan as resources to be consulted when considering a project in the downtown area.

Recommendation: Deferred.

Mayor Becker introduced the item.

A motion was made by Commissioner Dickert, seconded by Commisioner Ekes, that this item be deferred. Motion approved.

06-1520

Subject: Direct Referral. Consideration of a request by Andy Bohl of Bohl Automotive seeking a conditional use permit to offer for sale up to five vehicles at 2525 Douglas Avenue.

Recommendation: Approve with conditions.

- a. That the plans stamped "Received January 23, 2006" and presented to the Plan Commission on February 6, 2006 be approved subject to the conditions contained herein.
- b. That all the conditions of approval as contained in Common Council Resolution No 1395 of December 2, 1986, and Resolution 1748 of July 7, 1998 be complied with unless otherwise modified herein.

- c. That only five (5) vehicles associated with the vehicle sales operation be stored on the property and that this number includes vehicles awaiting dealer prep.
- d. That vehicles associated with the repair or sales operations be positioned so as not to constrict traffic circulation on the property or hinder traffic flow on Douglas Avenue or Augusta Street.
- e. That by March 1, 2006, a landscape plan be submitted for the review and approval of the Director of City Development illustrating a landscaping bed along Douglas Avenue that has a minimum width of six feet. A bond shall be submitted being equal to the value of the landscape plan. The illustrated landscaping shall be installed by July 1, 2006.
- f. That by May 1, 2006, all driveway aprons onto Douglas Avenue shall be removed, existing curb cuts closed, curbing installed and a grass parkway restored, all in accordance with City standards.
- g. That by July 1, 2006, all parking and storage areas at 2525 Douglas Avenue shall be paved in either concrete or asphalt.
- h. That all signs be submitted to the Director of City Development for review and approval.
- i. That no pennants, banners, streamers, temporary signs be displayed at this location.
- j. That all applicable codes and ordinances be complied with and required permits acquired.
- k. That no minor changes be made from the conditions of this permit without the approval of the Plan Commission and no major changes be made from the conditions of this permit without the approval of the Common Council.
- l. That this permit is subject to Plan Commission review for compliance with the listed conditions.

Fiscal Note: N/A

Mayor Becker introduced the item.

Director O'Connell updated Commission members on this proposal.

Andy Bohl stated that he is concerned with the requirement that he pave the U-Haul lot at 2300 Douglas Avenue, citing monetary concerns. He did state that he would rather pave the unpaved portion of his facility at 2525 Douglas Avenue.

In response to Commissioner Ekes, Director O'Connell explained that the City Codes require that parking areas be paved. Chief Building Inspector Heller added that the Codes offer his department discretion in the requirement for paving and that in his view, the paving of the property at 2525 would be more beneficial.

In response to Mayor Becker and Alderman Engel, Director O'Connell stated that given the choice, the staff's preference would be that the lot at 2525 Douglas Avenue be paved and there would also not be the requirement of landscaping at 2300 Douglas Avenue.

A motion was made by Commissioner Wyant, seconded by Alderman Engel, that this item be recommended for approval, subject to the listed conditions in the recommendation. Motion approved.

06-1521

Subject: Direct Referral. Consideration of a request by Ignacio Castaneda seeking a conditional use permit to operate an auto repair facility at 1440 West Street.

Recommendation: Approve with conditions.

- a. That the plans stamped "Received January 20, 2006" and presented to the Plan Commission on February 22, 2006 are approved, subject to the conditions contained herein.
- b. That this conditional use permit shall be reviewed by the Plan Commission six months from the date of its approval to determine the level of compliance with the conditions of approval, and the appropriate Plan Commission response to the conduct of the operation.
- c. That by June 1, 2006 the following maintenance, repairs, clean up, and improvements shall be accomplished:
 1. Repair, straighten or replace damaged fence sections.
 2. Replace missing privacy slats in gates, and install privacy slats in the northern fence. All privacy slats are to be a uniform color.
 3. Trim fence posts to a uniform height extending no greater than one foot above the fence panels.
 4. Repair or replace damaged soffit panels and wainscoting on West Street façade of building.
 5. Paint the building and fencing in a uniform color scheme in colors which have first been submitted to the Director of City Development for a determination of their appropriateness.
 6. Pave damaged or unpaved portions of the parking lot.
 7. Remove all unlicensed or inoperable vehicles from outside storage on the property unless they are awaiting repair.

8. Remove all junked vehicles, vehicle parts, equipment, and materials from outside storage.
 9. Remove all assorted debris and junk from the property.
 10. Install clear/transparent windows in all window openings facing West Street.
- d. That there shall be no vehicle sales or salvage at this location.
 - e. That all vehicles awaiting repairs, and tow trucks shall be stored on the subject property within the fenced area. Vehicles awaiting repairs, or those vehicles which have been repaired shall not be stored on the property for more than 30 days.
 - f. That all vehicle repair shall be conducted indoors.
 - g. That there shall be no vehicle preparation or painting conducted outdoors, and any preparation or painting of vehicles indoors shall be conducted in compliance with all appropriate codes and ordinances and all required permits acquired.
 - h. That off-street parking areas shall be provided for all customer and employee vehicles.
 - i. That there shall be no outside storage of junked vehicles, vehicles parts and accessories, and equipment.
 - j. That all trash and recyclables shall be stored in closed containers and screened from view.
 - k. That the maximum hours of operation shall be from 8:00 a.m. to 8:00 p.m. Monday through Saturday with no hours on Sunday.
 - l. That all signs be submitted to the Director of City Development for review and approval.
 - m. That no pennants, banners, streamers, temporary signs be displayed at this location.
 - n. That all applicable codes and ordinances be complied with and required permits acquired.
 - o. That no minor changes be made from the conditions of this permit without the approval of the Plan Commission and no major changes be made from the conditions of this permit without the approval of the

Common Council.

- p. That this permit is subject to Plan Commission review for compliance with the listed conditions.

Fiscal Note: N/A

Mayor Becker introduced the item.

Director O'Connell updated the Commission members by reviewing the proposal, its location, and past zoning compliance difficulties.

In response to Mayor Becker, Ignacio Castaneda stated that he found the conditions to be acceptable, and that he would be willing to install clear windows along the West Street frontage.

It was moved by Commissioner Ekes and seconded by Commissioner Esqueda to include such a condition for clear windows in the conditions of approval. Motion approved.

A motion was made by Commissioner Dickert, seconded by Commissioner Wyant, that this item be recommended for approval, subject to the listed conditions in the recommendation. Motion approved.

06-1540

Subject: Review of a two-parcel certified survey map at 1500 Durand Avenue for Emil Ruffalo of Racine Durand, LLC.

Recommendation: Approve with conditions:

- a. That all technical discrepancies identified by City staff be resolved.

Mayor Becker introduced the item.

Commissioner Ekes removed herself from the Commission, stating that she would abstained from voting on this item.

Director O'Connell described the location of the Certified Survey Map, adjacent land uses, and zoning. He stated that access to the property is from the platted Frontage Road from Durand Avenue.

Ted Hart, representative of Emil Ruffalo, stated that the adjacent owner, ACE Stamping, is purchasing the property.

Mark Chaffee from ACE Stamping stated that their current operations are landlock and they need more room. He stated that their plan is to construct a 39,000 square footage addition to the existing facility, and use this property for storage. He stated that as a condition of their Offer to Purchase, they will be cleaning up debris found on the property.

Director O'Connell stated that clean-up of the property by ACE Stamping will meet staff's concerns.

A motion was made by Commissioner Dickert and seconded by Commissioner Esqueda to approve this item, subject to the resolution involving technical discrepancies as identified by staff. Motion approved.

06-1541

Subject: Direct Referral. Amendments to subdivision ordinance regarding review of splits and joiners, and the institution of land division fees.

Recommendation: Create ordinance.

Mayor Becker introduced the item.

Director O'Connell described the rationale for the introduction of this ordinance and the attempt to recover City costs in processing land division request.

Commissioner Ekes asked if the City had considered requiring developers to establish a deposit from which City costs could be drawn from. Director O'Connell stated that based on the City's low volume of sub-divisions and Certified Survey Maps that payment of a set fee was deemed to be most appropriate.

A motion was made by Commissioner Ekes and seconded by Commissioner Esqueda to recommend that an ordinance be created based on staff's suggested language.

Commissioner Wyant expressed concern with the charge for splits and joiners, stating that such action serve to decrease City costs in the administration of the assessment's role, and therefore, he questions the need to charge a fee for such action.

In response, Mayor Becker suggested that the cost for splits and joiners is not to exceed dollar amount of one hundred dollars.

Commission members agreed to contemplate and consider Commissioner Wyant's concern when the ordinance is brought forward to the Plan Commission.

Motion approved.

Public Hearings at 4:30 p.m.

06-1537

Subject: Direct Referral. Consideration of a request by Frank Rosselli of Northwest Medical Center seeking a rezoning from O/I to O/I FD.

Recommendation: Create ordinance and use supplement.

Mayor Becker opened the public hearing at 4:35 p.m., described the public hearing process, and introduced the item.

Director O'Connell described the location of the proposed Flex Development Overlay District, explaining the rationale behind the use of this zoning tool. He stated that staff is recommending that an ordinance be created to advance this rezoning request and that a use supplement be prepared.

Frank Rosselli stated that he agreed with the proposed rezoning.

There being no further comments and hearing no further questions, Mayor Becker closed the public hearing at 4: 39 p.m.

It was moved by Alderman Engel and seconded by Commissioner Esqueda that an ordinance and use supplement be created.

Motion approved.

06-1538

Subject: Direct Referral. Consideration of a request by Daniel Oakes of AW Oakes & Son, Inc. seeking to amend a conditional use permit for a contractor's facility at 2000 Oakes Road for the construction of a 9,975 square foot storage building, and a 8,400 square foot office building.

Recommendation: Approve with conditions.

- a. That the plans stamped "Received January 31, 2006" and presented to the Plan Commission on February 22, 2006" be approved, subject to the conditions contained herein:
- b. That final building elevations for the storage building be submitted for the review and approval by the Director of City Development. The elevation shall show the use of full dimensioned masonry units for the first four to six feet above grade, on all elevations, and illustrate the building's color scheme.
- c. That a final landscape plan be submitted for the review and approval by the Director of City Development. If an occupancy permit is requested prior to the installation of the landscaping, then a letter of credit shall be submit equal in value to the cost of the landscaping, and released upon the landscaping installation.
- d. That signage plans be submitted to the Director of City Development for review and approval.
- e. That designs and elevation drawings for dumpster areas be submitted for the review and approval of the Director of City Development.
- f. That details on exterior light fixture styles, heights and colors be submitted to the Director of City Development for review and approval.
- g. That a list of the types of vehicles, equipment, materials, and activities to be contained in the storage building be submitted to the Director of City Development to be placed on file.
- h. That all applicable codes and ordinances be complied with and required permits acquired.

- i. That no minor changes be made from the conditions of this permit without the approval of the Plan Commission, and no major changes be made from the conditions of this permit without the approval of the Common Council.

- j. That this permit is subject to Plan Commission review for compliance with the listed conditions.

Fiscal Note: N/A

Mayor Becker opened the public hearing at 4:41 p.m. and introduced the item.

Director O'Connell described the area of the proposal, adjacent zoning and uses, and the existing use of the property. He stated that the proposal is for a storage building and an office building as an amendment to an existing conditional use permit for a contractor's facility.

Daniel Oakes stated that this project is precipitated by the need to move their office building, as a result of the impending construction of Oakes Road. He stated that he had received a copy of the staff's conditions of approval and has concerns with the need to provide eight feet of masonry, the need for landscaping plan, the need for a dumpster enclosure, (pointing out that the dumpster area would be fully screened by the office building), and that he questions the need for a list of equipment and materials to be stored in the building. He concluded by stating that the facility operates 24 hours a day, seven days a week.

There being no further questions or comments, Mayor Becker closed the public hearing at 4:45 p.m.

In addressing Mr. Oakes' comments, Director O'Connell stated that the requirement for eight feet of masonry is required by the ordinance; however the conditional use permit allows flexibility. He did remind the Commissioners however, that with Oakes Road becoming a through road, this property will become more visible by the general public. In response to Mr. Oakes' concerns about dumpster's screening and landscaping, and the use of the storage building, Director O'Connell stated that staff will work with Mr. Oakes to address these conditions.

In response to Commissioner Dickert, Mr. Oakes stated that the property is surrounded by a chain linked fence; however dealing of the operations and contexts with the surroundings, the storage building will be over four hundred feet off the road and that the office building will obstruct the view of the storage building.

A motion was made by Alderman Engel, seconded by Commissioner Dickert, that this item be recommended for approval, subject to the conditions listed in the recommendation.

06-1539

Subject: Direct Referral. Consideration of a request by Robert Martins of Lukas Classics seeking a conditional use permit to operate an auto restoration business at 1500 Summit Avenue.

Recommendation: Approve with conditions.

- a. That the plans stamped "Received February 7, 2006" and presented to the Plan Commission on February 22, 2006 are approved, subject to the conditions contained herein.
- b. That there shall be no vehicle sales or salvage at this location.
- c. That all vehicles awaiting repairs and restoration shall be stored on the subject property within the building.
- d. That all vehicle repair and restoration activities, such as, but not limited to vehicle preparation, restoration, and painting shall be conducted indoors.
- e. That painting be conducted in compliance with all appropriate codes, and ordinances, and all required permits acquired.
- f. That off-street parking areas shall be provided for all customer and employee vehicles.
- g. That there shall be no outside storage of vehicles, vehicles parts and accessories, and equipment.
- h. That all trash and recyclables shall be stored in closed containers and screened from view.
- i. That the maximum hours of operation shall be from 8:00 a.m. to 8:00 p.m. Monday through Saturday with no hours on Sunday.
- j. That all signs be submitted to the Director of City Development for review and approval.
- k. That no pennants, banners, streamers, temporary signs be displayed at this location.
- l. That all applicable codes and ordinances be complied with and required permits acquired.
- m. That no minor changes be made from the conditions of this permit without the approval of the Plan Commission and no major changes be made from the conditions of this permit without the approval of the Common Council.
- n. That this permit is subject to Plan Commission review for compliance

with the listed conditions.

Fiscal Note: N/A

Mayor Becker opened the public hearing at 4:41 p.m. and introduced the item.

Director O'Connell described the location of the proposal, explaining land uses, and zoning. He pointed out that the property is within the redevelopment area of the Horlick property that allows oversight of proposed uses to protect the integrity of the redevelopment area.

Robert Martins described the intended use of the property, stating that all activity would be contained within the building.

There being no further comments and hearing no questions, Mayor Becker closed the public hearing at 4:54 p.m.

Director O'Connell reviewed the proposed conditions of approval.

In response to Mayor Becker, Ray Biddle, owner of the building at 1500 Summit Avenue, stated that he is in the process of improving the building and is replacing all windows with siding panels while taking care to preserve the existing window openings.

In response to Commissioner Dickert, Director O'Connell stated that the conditions require that any spray booths would be installed in compliance with all appropriate codes and ordinances.

A motion was made by Commissioner Dickert, seconded by Alderman Engel, that this item be recommended for Approval, subject to the listed conditions in the recommendation.

Adjournment

There being no further business before the Commission and hearing no objections, Mayor Becker adjourned the meeting at 5:10 p.m.

Respectfully submitted,

*Brian F. O'Connell, Secretary
Director of City Development.*