



# 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 Dickert  
Molly Hall  
Elaine Sutton Ekes  
Vincent Esqueda  
Tony Veranth  
Pastor Melvin Hargrove*

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Wednesday, January 28, 2015

4:15 PM

City Hall, Room 205

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### Call To Order

*Mayor Dickert called the meeting to order at 4:20 p.m.*

**PRESENT:** 6 - Elaine Sutton Ekes, Vincent Esqueda, Tony Veranth, John Dickert, Melvin Hargrove and Dennis Wiser

**EXCUSED:** 1 - Molly Hall

Others present:

*Matt Sadowski, Assistant Director of City Development/Principal Planner  
Jill Johanneck, Associate Planner  
Ken Plaski, Chief Building Inspector / Zoning Administrator*

### Approval of Minutes for the January 14, 2015 Meeting

**A motion was made by Commissioner Esqueda, seconded by Alderman Wiser, to approve the January 14, 2015 meeting minutes, as submitted. The motion PASSED by a Voice Vote.**

[15-00019](#)

**Subject:** (Direct Referral) Request by Ben Ptacek, on behalf of Patrick G. Blee, Architect, and representing O'Reilly Auto Parts, to utilize non-masonry material within 8 feet of building grade for the building remodel at 3022 Douglas Avenue.

*Associate Planner Johanneck advised the proposed building and use is permitted, however is before the Commission for review of the request of the applicant to use a material known as EIFS (Exterior Insulation and Finishing System) on the front entryway to the building. Use of this material is prohibited within 8-feet of building grade by Development Standards as outlined in the Zoning Ordinance. The remainder of the proposed building is masonry, and does comply with development standards. A brief review of the site area and site plan layout was provided.*

*Ms. Johanneck noted an O'Reilly Auto Parts at 3300 Durand was approved in 2010. This building was approved with the EIFS material within 8-feet of grade. Ms. Johanneck stated the plans had not been reviewed by City Development, and it appears to have been an oversight in the permitting process. However, this should not be the basis to continue deviation from development standards.*

*The main concern with use of this product is its durability, and it is more susceptible to damage in areas where vehicular, pedestrian, or machinery can easily come into contact with it. There have been exceptions where EIFS has been allowed above 4-feet of grade, generally where a landscape or other acceptable buffer area is provided. No buffer is being provided at this location. Should the applicant re-design the site and provide a buffer area between the building and the sidewalk/parking lot, and propose a more structurally sound material within at least 4-feet of grade, Staff supports allowing the material above the 4-foot line.*

*Mayor Dickert reiterated that Douglas Avenue has been upgraded with street improvements and questioned if the building is going to be brick or stamped brick. The applicant stated the rendering provided is not the material to be used on this building, but merely to show an example of their corporate look and the proposed use of EIFS on the frontage. The building to be constructed will be a split-faced block painted in beige tones. Mayor Dickert suggested adding brick or stamped brick along the frontage area for the entry 'portal' area. He does not support the use of EIFS within the Douglas Avenue corridor as the City has invested a lot in upgrading the appearance and quality of structures being built in this major corridor. The applicant advised he can discuss other possible material options with O'Reilly.*

*The applicant inquired if brick were used, could it be painted to maintain the corporate 'red' entryway of O'Reilly's stores. Mayor Dickert advised it could. Commissioner Sutton Ekes asked about the conditions and if we want to move this forward based on the discussion. Ms. Johanneck stated condition 2, addressing the frontage treatment, would need to be changed based on the discussion held and possible utilization of brick or painted masonry. She further stated this proposal has been reviewed by the Douglas Avenue Corridor District and they stated no opposition to the request as submitted. Assistant Director of City Development Matt Sadowski stated the Douglas Avenue Design Guidelines do not allow new brick or masonry material to be painted. He suggested changing condition 2 to state that the lower brick portion would be allowed to be painted only because it is an accent, and not the main body of the structure.*

**A motion was made by Commissioner Veranth, seconded by Commissioner Esqueda, to approve the request subject to conditions 1, and 3 through 7 with condition 2 being modified to read that brick or stamped brick material around the corporate banding on the front of the building shall be used, and that portion can be painted the corporate 'red' color. Staff clarified this banding is the only portion of the building that could be painted, and the rest of the masonry would need to remain unpainted. The motion PASSED by a Voice Vote.**

**(Correct to Staff Council: Upon further review, painted masonry is not prohibited in this portion of the Douglas Avenue Corridor. This property lies in the North district. While the South district strongly discourages the painting of natural brick or stone masonry due to the more historic nature of the buildings, North district standards are silent on the issue and state no recommendation or prohibition regarding painting of masonry.)**

**4:30 P.M. PUBLIC HEARINGS****4:30 P.M. PUBLIC HEARINGS**[15-00083](#)

**Subject:** (Direct Referral) A request from David Cecchini, representing Mark Porcaro, seeking a conditional use permit to allow for a motorcycle sale and repair business at 512-522 Sixth Street. (Res No.

15-0048)

**Recommendation of the City Plan Commission on 1-28-2015:** That the item be approved, subject to conditions.

**Fiscal Note:** N/A

**Attachments:** [PH Notice - 512 522 Sixth Street](#)  
[\(15-00083\) CU 512 522 Sixth Street](#)

*Ms. Johanneck described the building location, zoning, site views, and building photos. It was noted the most recent use here was as a display of collectable automobiles. The owner is requesting conditional use approval to operate an Indian Motorcycle sale and repair facility. A review of the building layout and the surface parking was provided. There is also additional underground parking via a ramp at the north end of the parking lot, as well as lower level storage under the building.*

*While reviewing the building elevations, it was noted a façade grant was issued for this property and exterior features have been recently upgraded primarily along the Sixth Street and Villa Street frontages. The north side of the building is currently in need of paint due to the poor appearance of the brick. Though painting of brick is not normally allowed or suggested, due to the type and condition of the brick, and the potential for damage should it be power washed, Staff supports the painting, as it will enhance the appearance and be consistent with the look of the other building elevations.*

*Parking as proposed meets code requirements for the use. The surface lot will contain 21 vehicle spaces and 12 motorcycle-sized spaces. The lower level contained 29 additional parking spaces. There is currently a parcel to the north of the building at the northwest corner of Sixth Street and Park Avenue (addressed as 512 Park Avenue) that is utilized as egress from the surface lot. This small parcel is under different ownership, and Staff is not aware of any ingress/egress easement to allow for use by the owner for this purpose. The applicant advised he has been in contact with the County to discuss this issue.*

*There will be 4 full-time and 2 part-time employees. Hours of operation are proposed from 8:00 a.m. – 8:00 p.m., Monday through Saturday. Maintenance is the responsible of the dealership employees. The dumpster is proposed to be located adjacent to Sixth Street near the entrance to the parking. Staff is requesting an alternate location be selected within the site as it would be a more appropriate location and not detract from the streetscape.*

*Public Hearing opened at 4:50 p.m.  
No Speakers  
Public Hearing closed at 4:50 p.m.*

*Discussion ensued. Mayor Dickert supports the relocation of the dumpster, and advised the building upgrades that have been done recently have really enhanced the building appearance. The applicant stated he has read through Staff conditions and has no issues, and will work with Staff to address the items outlined. Mayor Dickert inquired about the stability of the west building wall at 500 Sixth Street, and if it is an issue for the owners due to its poor condition. The applicant stated they have looked at the wall and are aware of the poor condition but have not had any incidents of falling materials or other issues up to this point.*

**A motion was made by Commissioner Esqueda, seconded by Commissioner**

Hargrove, to recommend approval of the item subject to conditions. The motion PASSED by a Voice Vote.

[15-00084](#)

**Subject:** (Direct Referral) A request from Michael Alex, representing Thomas and Julie Kook, seeking a conditional use permit application for a building remodel and addition of drive-thru for the Dairy Queen located at 3320 Douglas Avenue.

**Attachments:** [PH Notice - 3320 Douglas Avenue](#)

*Ms. Johanneck advised the proposed building façade and site upgrades to the site do not require Plan Commission review or a conditional use permit, however the proposed addition of a drive through does. A review of the area, property zoning, views of the building elevations and surrounding properties was provided.*

*A review of proposed building upgrades was provided. Upgrades include replacement of aluminum siding with cement siding; painting the service façade brick belt to compliment the new siding colors; installation of new service window countertops; installation of a 5-foot steel parapet wall with aluminum capping along the north, south, and east elevations; addition of tile below the walk-up service windows and drive-through window; addition of an 80 square foot walk-in cooler along the northern side of the building; addition of a bump-out drive through window on the west elevation; addition of an aluminum surround along the lower edge of the canopy/parapet wall with 2 blue LED lighting strips; and addition of a 'cake viewing' window below the menu board on the east building elevation. The color palate was provided.*

*A review of proposed site upgrades was provided. These include the re-location of 4 outdoor dining tables from the south side of the building to the east area in front of the building, to be enclosed by decorative iron fencing with 4 masonry planter boxes at each corner of the fencing area, and the addition of 2 dining tables along the north side of the building. The iron fencing is proposed at 3-feet in height, and Staff is recommending the height be raised by at least another foot to provide a taller buffer from Douglas Avenue. Also, additional screening is requested by Staff for the 2 dining tables adjacent to the drive through lane, be it with different/additional landscaping and/or addition of the iron fencing. Further upgrades include the addition of a bicycle rack; landscaping via planter boxes and screening arborvitae around the cooler addition, as well as landscaping in the curb area by the north side dining tables; relocation of the dumpster from the west side of the building to the north – adjacent to the cooler (additional information is needed on screening materials); and lighting upgrades under the soffit and around the parapet (additional information is needed on location of the lighting and shielding of the fixtures).*

*Signage for this site is allowed at 110 square feet with a maximum of 4 signs. As submitted, the applicants have requested 147.4 square feet and 8 signs. Signage is not recommended for approval with this plan, and the applicants will need to submit revisions which meet sign code allowances. Window signage is the menu board that faces Douglas Avenue, and they are allowed 50% coverage.*

*The drive through proposal was discussed. Traffic would enter from the northernmost site entrance off of Douglas Avenue, be guided by curbing and striping to the menu board, onto the pick-up window, then back around the south side of the entrance to exit the site from the southernmost site entrance. Directional signage would be provided. Queueing for 3 vehicles is provided off of Douglas Avenue, and queueing for an additional 2 vehicles is provided after passing the order board. Staff is requesting signage be installed for vehicles exiting the drive through window to be*

*aware of vehicles backing out of parking spaces, as the parking is located along the south side of the lot within the line of drive through traffic.*

*Due to the size and layout of the property, challenges exist with the proposal to add a drive through lane. As proposed, the parking on the north side of the building would be eliminated, and vehicle queuing within the site and the potential for vehicle queuing onto Douglas Avenue is a concern. The project has been reviewed by the Douglas Avenue Corridor District, who expressed concerns over the amount of traffic that would be generated with a drive through, vehicles queuing onto Douglas Avenue, and the elimination of the parking on the north side, as parking issues have been a problem in the past. They were, however, very supportive of the cosmetic upgrades being proposed for the building and site.*

*The parking requirement is based on the gross floor area of the building. Six spaces are required, and 7 are being provided. While additional parking cannot be required as the code requirement is met, it is important to understand the parking as it exists has caused problems for this and surrounding businesses in the past. Staff encourages cooperation with adjoining properties, and that the owners pursue a shared parking agreement to accommodate their parking demands.*

*An access easement exists within the southernmost 33-feet of the site. The parking along the south side of the building encroaches into this easement. The easement was recorded back in 1966. At that time, there were fewer access points into this and adjoining properties. Currently, each of the 3 lots affected have 2 access points to Douglas Avenue within their own property boundaries. Staff recommends that the easement language be modified to allow for parking, as parking spaces on the south side encroach into the easement.*

*The restaurant would be open generally from March – November, weather permitting. Hours of operation are Monday – Thursday, 11:00 a.m. - 9:30 p.m., and Friday – Sunday 11:00 a.m. – 10:00 p.m. There is one full-time employee and up to 8 part-time employees working varying shifts. Site maintenance is done daily by restaurant staff, and snow plowing is contracted in the off-season months.*

*Public Hearing opened at 5:20 p.m.*

*1. John Kelley McGee, 520 High Street, Racine. Supports the upgrades to the Dairy Queen. Did express concerns with traffic during high traffic times. Recommended the exit be a right-turn only to alleviate back-up of traffic within the site. Suggested indoor dining be provided.*

*2. Melissa Kaprelian-Becker, 5th District Alderman. Supports the proposed building and site improvements. Made note of the high amount of customer traffic that frequents this site. Suggested putting a bar or fence to divide the dining area to allow for separation for of diners and window patrons. Expressed concern with the drive through proposal, suggested possibly entering from South Street and exiting onto Douglas Avenue to address queuing.*

*Public Hearing closed at 5:30 p.m.*

*Discussion ensued. Mayor Dickert stated his agreement with Alderman Kaprelian-Becker's comments. This is a very busy site and doesn't know how this proposal will work. He also mentioned there have been issues between the neighbors and the former manager. Mr. Kook advised he has spoken to all the neighbors and has developed a good relationship with them. The operators of Two Sheets to the Wind have offered to let Dairy Queen utilize some of their parking. He feels the drive*

*through will move vehicles faster through the site leading to fewer parking problems, and agrees with the suggestion of a right-turn only when exiting the site onto Douglas Avenue. Mayor Dickert referenced a letter from Anna Marie Durango who was opposed to changes to the easement. The applicant stated he had not seen the letter.*

*Mr. Alex mentioned their original submittal would have kept the parking stalls along the north side of the building; however that was deemed unsafe due to the entrance of drive-through traffic from Douglas Avenue. He feels the designated in/out will help traffic issues, and also supports the suggestion for the right-only exit from the site.*

*Commissioner Sutton Ekes stated the easement changes to allow parking needs to be worked out. She also suggested a possible pull-out for vehicles waiting for drive through food, however due to parking constraints this may not be possible. Ms. Johanneck advised staff has written into the conditions of approval that the easement shall be modified to allow for parking, as it is currently designated solely for access, and also stated in the conditions that should the applicants develop an agreement with adjoining property owners to allow shared parking, and parking for drive through overflow, that a written agreement be provided to the Department of City Development. Commissioner Sutton Ekes advised modification to the easement language may require authorization by the surrounding property owners and not be able to be changed by the Dairy Queen alone. Also, without a specific plan to address vehicle queueing onto Douglas, she has reservations on recommending approval. Commissioner Veranth suggested changing condition m. and the applicant construe a queueing arrangement with the neighboring property to the south. Mr. Alex stated they are also looking into possibly narrowing the easement, which would remove the parking spaces from the easement, while keeping the easement wide enough to accommodate for vehicular traffic. Staff clarified that the requested fence height would be measured from grade up to the top of the fence at 4-feet.*

*Mayor Dickert suggested deferring the item to allow a couple week to work out these issues.*

**A motion was made by Commissioner Veranth, seconded by Commissioner Sutton Ekes, to defer this item. The motion PASSED by a Voice Vote.**

## **Administrative Business**

*None.*

## **Adjournment**

*The meeting was adjourned at 5:50 p.m.*