



# City of Racine

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

## Meeting Minutes - Final City Plan Commission

*Mayor Thomas Friedel, Alderman Gregory Holding  
Atty. Jud Wyant, Elaine Sutton Ekes  
Vincent Esqueda, Brent Oglesby, Eric Marcus*

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Wednesday, February 25, 2009

4:15 PM

City Hall, Room 205

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**PROCEDURAL NOTE:** While action on items typically proceeds in the order in which they appear on the agenda, certain items may be postponed to allow the start of public hearings at the published time of 4:30 p.m. Following the public hearings, the Plan Commission will resume action on postponed items.

### Call To Order

*Mayor Thomas Friedel called the meeting to order at 4:15 p.m.*

**PRESENT:** 4 - Vincent Esqueda, Gregory Holding, Eric Marcus and Thomas Friedel

**EXCUSED:** 3 - Elaine Sutton Ekes, Brent Oglesby and Jud Wyant

*Others Present: Brian O'Connell, Director of City Development  
Matt Sadowski, Principal Planner  
Jill Johanneck, Associate Planner  
Robert Weber, City Attorney  
Rick Heller, Chief Building Inspector  
Alderman Jeff Coe*

### Approval of Minutes for the February 11, 2009 Meeting

**A motion was made by Commissioner Esqueda, seconded by Alderman Holding, to approve the minutes of the February 11 Plan Commission meeting. Motion PASSED by a Voice Vote.**

#### 09-3154

Subject: (Direct Referral) Request by First Rate Financial for ordinance interpretation regarding the establishment of an outlet at 4700 Washington Avenue.

Recommendation of the City Plan Commission on 1/28/2009: Item was deferred.  
*With this item having previously been before the Plan Commission, Director O'Connell gave a brief background on the item to Commission members and the public. Attorney Robert Weber also spoke on the item. It was determined by Atty. Weber that First Rate Financial does not fall under the definition of a "convenient cash business" as previously suggested.*

**A motion was made by Commissioner Esqueda, seconded by Alderman Holding, to Receive and File the item with a recommendation for staff to review the definition the City currently has regarding convenient cash businesses. The motion PASSED by a Voice Vote.**

#### 08-2962

Subject: Request that Adams Outdoor Advertising be granted permission for its sign at 1301 West Sixth Street to project over public right-of-way. (Res.09-1238)

Recommendation of the Public Works and Services Committee on 12-9-08, 1-13-09,

and 1-27-09: Defer

Recommendation of the Public Works and Services Committee on 2-10-09: Since public interest requires it, that the following street right-of-way be and hereby is vacated and discontinued:

That part of Block 52 in School Section, a recorded plat in the City of Racine, Racine County, Wisconsin that is part of the Northwest ¼ of Section 16 Township 3 North, Range 23 East described as follows:

Commence at the Northwest corner of the Northwest ¼ of Section 16, Township 3 North, Range 23 East; Thence North 88° 4' 18" East, on the North line of the N/W ¼, 169.75 feet; thence South 01° 55' 42" East, 53.06 feet to the POINT OF BEGINNING; thence South 00° 08' 07" East, 26.95 feet; thence South 88° 14' 18" West, 103.90 feet; thence North 85° 53' 29" West, 95.00; thence North 00° 08' 07" West, 23.17 feet; thence North 89° 51' 53" East, 198.59' to the POINT OF BEGINNING. Said land being in the City of Racine, Racine County, Wisconsin.

Said described tract containing 5,495.67 square feet more-or-less.

Fiscal Note: Not applicable at this time.

Recommendation of the City Plan Commission on 2-25-09: That recommendation of the Public Works and Services Committee on 2-10-09 is not in conflict with City plans and programs.

Fiscal Note: N/A

*Director O'Connell advised on the Sixth Street location where Adams Outdoor Advertising currently has three billboards, and has received approval to consolidate those three boards into one larger board. Upon Adams' attempt to receive a building permit for the new billboard, it was discovered the billboard would extend into city right-of-way. This request is for the vacation of an area of Sixth Street, which would eliminate the encroachment. Public Works and Services Committee is in agreement with the vacation request.*

**A motion was made by Alderman Holding, seconded by Commissioner Marcus, to Recommend Approval of the request. The motion PASSED by a Voice Vote.**

**Res.09-1238**

Vacation of street right-of-way 1301 West Sixth Street

Resolved, that since public interest requires it, that the following street right-of-way be and hereby is vacated and discontinued:

That part of Block 52 in School Section, a recorded plat in the City of Racine, Racine County, Wisconsin that is part of the Northwest ¼ of Section 16 Township 3 North, Range 23 East described as follows:

Commence at the Northwest corner of the Northwest ¼ of Section 16, Township 3 North, Range 23 East; Thence North 88° 4' 18" East, on the North line of the N/W ¼, 169.75 feet; thence South 01° 55' 42" East, 53.06 feet to the POINT OF BEGINNING; thence South 00° 08' 07" East, 26.95 feet; thence South 88° 14' 18" West, 103.90 feet; thence North 85° 53' 29" West, 95.00; thence North 00° 08' 07" West, 23.17 feet; thence North 89° 51' 53" East, 198.59' to the POINT OF BEGINNING. Said land being in the City of Racine, Racine County, Wisconsin.

Said described tract containing 5,495.67 square feet more-or-less.

Fiscal Note: N/A

**A motion was made Alderman Holding, seconded by Commissioner Esqueda, to Recommend Approval. The motion PASSED by a Voice Vote.**

09-3201

Subject: (Direct Referral) Preparation of the City of Racine 2035 Comprehensive Plan.

*Matt Sadowski provided the results of the on-line survey and work session from the previous Plan Commission meeting, summarizing the major categories, strengths, and weaknesses.*

*Mayor Friedel questioned what the next step in the process was.*

*Mr. Sadowski advised that the next step is to work with the regional planning commission on all the remaining required chapters of the document.*

*Commissioner Marcus asked when something will be provided. Mr. Sadowski advised about three weeks.*

*Director O'Connell noted that a remaining challenge is to take this information and craft it into the Comprehensive Plan. He also suggested we may do focus groups, which would need to be conducted by the end of the year, to gather more information.*

**A motion was made by Alderman Holding, seconded by Commissioner Esqueda, to Defer this item. The motion PASSED by a Voice Vote.**

**PUBLIC HEARINGS**

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09-3262

Subject: (Direct Referral) Request from April Carey seeking a conditional use permit at 3131 Taylor Avenue to accommodate a daycare center. (Res.09-1274)

Recommendation of the City Plan Commission on 2-25-09: That this item be approved subject to staff recommendations.

Fiscal Note: N/A

*Public Hearing opened at 4:40 p.m.*

*Director O'Connell advised this is the former Taylor Home site. Building number 5 is currently the Genesis Home for women, and Elmwood Village Park Hall occupies building number 4. The proposed day care would occupy building number 2. Building number 1 is the former site of a teen residential facility. Plans for the proposed daycare center were shown.*

*Bob Nowak, 6003 120th Ave., Kenosha, spoke as the applicant and provided an overview of services to be provided. The operator of the daycare, April Carey, also came forward to discuss her qualifications to operate the center.*

*Parking was discussed, there are 42 spots available, but the uses are staggered and should not create a problem.*

*Public Hearing closed at 4:46 p.m.*

*Alderman Holding expressed his concern with the dropping off of children in an unsafe environment, with cars coming in, dropping off, and leaving in an undesignated spot.*

*The applicant noted that although it is one parcel, the building they will be occupying*

*is separate from the Genesis building, and there is not a traffic connection within the site, which should make for safer drop-offs and pick-ups.*

*Commissioner Marcus questioned what happens if the kids are not picked up or dropped off during the hours listed. The applicant advised they would begin calling parents if it is getting late. Director O'Connell advised that we usually do not address issues like this with conditional uses.*

*When questioned how many kids, the applicant noted approximately 75 children.*

*Audrey Viau, 3508 Maryland Ave., spoke as a representative of the Village of Elmwood in favor of the item.*

*It was verified by Mr. Nowak that there will be no weekend hours.*

**A motion was made by Gregory Holding, seconded by Vincent Esqueda, that this be Recommended For Approval. The motion PASSED by a Voice Vote.**

**09-3263**

Subject: (Direct Referral) Request from Magdalena Andrade of La Terazza Restaurant seeking consideration of a conditional use permit at 522 Sixth Street for a dance hall and banquet facility. (Res.09-1275)

Recommendation of City Plan Commission on 2-25-09: That this item be approved with modifications to staff recommendations and the inclusion of a "Good Neighbor Policy Agreement" (as attached).

Fiscal Note: N/A

*Public Hearing opened at 4:55 p.m.*

*Director O'Connell advised the property is on the corner of Sixth St. and Villa. La Terazza operates on the mezzanine of the property. There is a conditional use that already exists on the property. Areas formerly used for produce sales and parking areas were identified. There are two floors in the Century Market Building.*

*Magdalena Andrade and Carlos Andrade of 522 Sixth St. spoke on the item, as did Sarkis (Sam) Asdigian (address illegible). They advised the upstairs is currently a restaurant.*

*Applicants want to use the areas indicated on the site plan for banquets and dancing. They advised they had met with staff, but had questions on why the awning had to be removed and why the shed had to be removed completely. Director O'Connell advised that questions would be answered after the public hearing.*

*Alderman Jeff Coe, 1044 Villa St., questioned the capacity of the site and had concerns over the type of music to be played and parking.*

*Edward Scharding, 606 Sixth St. and other properties, expressed concerns on parking, noise levels, pollution, security, vandalism and calls to the Racine Police Department caused by dance halls and is not in support of this item.*

*Ed Malacara, 5855 Kinzie Ave., Ste. 33, acknowledged the same concerns as indicated above, but felt they could be addressed by the operators of La Terazza.*

*Public Hearing closed at 5:10 p.m.*

*Director O'Connell addressed the capacity, which he believes is based on restroom and number of exits in the building. regarding parking, the City does not require a*

specific number of spaces be provided in the B4 zoning district, considering these are older properties. Also, there are public and private parking lots available in addition to on-site parking. Concerning the type of music played, the conditional use needs to specifically state the types of music not allowed. As this was not a part of the applicants' business plan, it was not addressed. However, if it is a concern of the Plan Commission, it should be addressed in the conditions of approval, as should security. Director O'Connell then read through staff recommendations.

Upon discussion, several changes were made to the proposed recommendations.

Alderman Holding moved to approve the item subject to the modified staff recommendations, seconded by Commissioner Esqueda.

Commissioner Esqueda also modified the motion by the correction of the item number on the agenda to 09-3263.

A short recess was called by Mayor Friedel to allow staff to search for the language referred to by Alderman Holding in a "Good Neighbor Policy Agreement" from a previous Plan Commission action.

Upon reconvening, Plan Commission members were provided with a "Good Neighbor Policy Agreement" that is frequently required by the Public Safety and Licensing Committee. Those present reviewed the agreement to address additional items of concern of the Commissioners and the neighborhood.

Director O'Connell advised this agreement can include items such as a limitation on music type, security, staffing and trash pick-up.

A second recess was called to allow the applicants to review the Good Neighbor Policy Agreement.

Following the recess, a motion was made by Alderman Holding, seconded by Commissioner Esqueda, to approve the request subject to the modification of staff recommendations and the addition of the "Good Neighbor Policy" agreement (staff recommendations and Good Neighborhood Policy attached). The motion PASSED by a Voice Vote.

## **Administrative Business**

None.

## **Adjournment**

Mayor Friedel adjourned the meeting at 6:10 p.m.

Respectfully Submitted,

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