



City of Racine

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

Meeting Minutes - Final City Plan Commission

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

Wednesday, May 11, 2011

4:15 PM

City Hall, Room 205

Call To Order

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

PRESENT: 5 - Elaine Sutton Ekes, Vincent Esqueda, Eric Marcus, Aron Wisneski and John Dickert

ABSENT: 1 - Tony Veranth

EXCUSED: 1 - Jud Wyant

Others present: Matthew Sadowski, Principal Planner
Jill Johanneck, Associate Planner
Brian O'Connell, Director of City Development
Aldersperson Sandy Weidner
Alderman Raymond DeHahn

Approval of Minutes for the April 27, 2011 Meeting

A motion was made by Alderman Marcus, seconded by Commissioner Esqueda, to approve the minutes of the April 27, 2011 meeting. The motion PASSED by a Voice Vote.

[11-6412](#)

Subject: (Direct Referral) Review of proposed amendment to a Conditional Use for a landscaping plan at 2932 Northwestern Avenue, The Vine Salon. (PC-11)

Recommendation of the City Plan Commission on 5-25-11: To approve subject to conditions.

Fiscal Note: N/A

Associate Planner Johanneck explained non-compliance issues and neighbors' concerns. She summarized results of a meeting held between the business owner, the Chief Building Inspector, Director O'Connell and herself. She provided details on the provisions agreed upon by all meeting participants aimed at alleviating neighbors' concerns regarding headlight glare and loss of privacy.

Associate Planner Johanneck concluded her comments by presenting photos demonstrating that the property owner had relocated a dumpster and installed arborvitae shrubs in locations agreed upon, but that the arborvitae did not meet the agreed upon minimum height of 8 feet.

Hearing no objections from Commission members, Mayor Dickert allowed comments to be presented from the floor by Alderperson Weidner.

Alderperson Weidner conveyed the reaction of neighboring property owners to the newly installed plantings in that they are not sufficiently addressing concerns regarding loss of privacy and headlight glare, and that the tarp draped over the fence is not aesthetically pleasing. She also stated that the Traffic Commission will be taking up neighbors' concerns regarding on-street parking attributable to the Vine operations. She stressed that this area is not part of a commercial corridor, but is populated with many residences.

Commission members discussed potential additional measures aimed at addressing neighbors' concerns, including things such as wood fencing and additional plantings.

A motion was made by Alderman Marcus, seconded by Commissioner Sutton Ekes, to defer action on this matter to allow additional time for all parties to come to an agreeable solution. The motion PASSED by a Voice Vote.

11-6345

Subject: (Direct Referral) Request for a Conditional Use permit from Matt Behrs and Melody Kloska to operate a year-round farmers' market at 3340 & 3316 Douglas Avenue. (PC-11) (Res.11-2542)

Recommendation of the City Plan Commission on 5-11-11: That the item be approved subject to conditions.

Fiscal Note: N/A

Attachments: [PH Hearing Notice - 3316/3340 Douglas Avenue](#)
[\(11-6345\) CUP 3340 & 3316 Douglas Avenue](#)

Associate Planner Johanneck recapped details of the proposal which was presented at the April 27, 2011 Plan Commission meeting. She outlined efforts by the applicant to address or secure additional off-street parking and to decrease the demand for parking. She concluded her introduction by confirming that, at this time, no driveways are slated to be closed for the subject properties as a result of the Douglas Avenue reconstruction project, and the occupancy permit for a restaurant at 3316 Douglas Avenue has lapsed.

In response to Commission member inquiries, Associate Planner Johanneck indicated that the five out-door vendors trucks would be parked south of the building, along the easement fence, and indoor vendor trucks would be directed to park in the north parking lot. She continued stating that the applicant is aware of the limitations for the number of outdoor vendors, and that the Plan Commission will be reviewing the operations in six months to determine if violations or problems have been encountered. She concluded her response by confirming that written agreements between the applicant and neighboring property owners will need to be presented to City Development Staff to confirm the availability of adequate off-premise/off-street parking.

A motion was made by Alderman Marcus, seconded by Alderman Wisneski, to recommend that the request for a Conditional Use Permit for Matt Behrs and Melody Kloska to operate a year-round farmer's market at 3340 & 3316 Douglas Avenue be approved, subject to staff conditions and the addition to said conditions that written verification of off-premise/off-street parking agreements be provided to City Development staff for review and approval. The motion

PASSED by a Voice Vote.

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

[11-6413](#)

Subject: (Direct Referral) Consideration of a request for a Conditional Use permit from Ed Bauer to operate a motorcycle/scooter repair facility at 1427 Junction Avenue. (PC-11) (Res.11--2543)

Recommendation of the City Plan Commission on 5-11-11: That the item be approved subject to conditions.

Fiscal Note: N/A

Attachments: [PH Notice - 1427 Junction Avenue](#)
[\(11-6413\) CUP 1427 Junction Avenue](#)

Mayor Dickert opened the public hearing at 5:12 p.m. and introduced the item.

Associate Planner Johanneck proceeded by orientating those present to the site, describing the area and adjacent land uses and zoning, reviewing the building and site plan, proposed signage, and describing the proposed operation. She highlighted how the building would be utilized pointing out areas for repair, storage, garbage collection and parking. She concluded her comments by stating that Uptown representatives to the Access Corridor Development Review Committee had been forwarded information regarding this proposal and were invited to comment.

The applicant, Mr. Ed Bauer, introduced himself and responded to Alderman Wisneski and Mayor Dickert's inquiries, stated that he is renting the building, and that his plan is to store any trash indoors until he takes it home with him for disposal. Associate Planner Johanneck added that the storage of trash indoors until pick-up is one of the conditions of approval. Also, that any oil or fluids requiring special handling will be disposed of in line with EPA requirements. Mr. Bauer stated that any scrap tires would be taken to the landfill. Mayor Dickert recommended he contact the City's Department of Public Works in regards to obtaining a recycling bin.

There being no additional persons wishing to speak on the item, and hearing no objections, Mayor Dickert closed the public hearing at 5:20 p.m.

A motion was made by Commissioner Esqueda, seconded by Alderman Marcus, to recommend that the request for a Conditional Use Permit from Ed Bauer to operate a motorcycle/scooter repair facility at 1427 Junction Avenue be approved, subject to staff's recommended conditions. The motion PASSED by a Voice Vote.

[11-6134](#)

Subject: Communication from Gateway Technical College requesting a Conditional Use permit to install a second electronic message board/monument sign in the east parking lot (Pershing Park) at 1001 Main Street. (PC-11) (Res.11-2575)

Recommendation of the Public Works and Services Committee on 3-8-11: That the location of the Gateway Technical College sign on City property adjacent to Pershing Park Drive be approved.

Further recommends that this item be referred to the City Plan Commission for formal approval.

Recommendation of the City Plan Commission on 5-25-11: That the item be approved subject to conditions.

Fiscal Note: N/A

Attachments: [Gateway Request](#)
 [PH Notice - 1001 Main Street](#)
 [PH Notice - 1001 Main Street \(pt 2\)](#)
 [CUP 1001 Main St \(11-6134\)](#)

Mayor Dickert opened the public hearing at 5:24 p.m. and introduced the item.

Associate Planner Johanneck proceeded by orienting those present to the site and describing the area and adjacent land uses and zoning. She reviewed the past 2010 approval and installation of an electronic message center. She informed Commission members that at that time, the applicant was made aware that the ordinance allowed only one such sign on the campus.

Early on in this current proposal, Associate Planner Johanneck stated that the applicant was again made aware that only one (1) electronic message sign is allowed per educational institution, and that no additional electronic signage is to be permitted in addition to, or in lieu of, an electronic monument sign.

Associate Planner Johanneck continued stating that upon receipt of the current proposal, the applicant was again informed that only one electronic sign was permitted on the campus, but also that the proposal violates the ordinance in five additional points, those being (1) the maximum allowed height for electronic signs for an educational institution is 6' (the proposed sign is at 8' tall plus the berm height), (2) the maximum allowed square footage of electronic signage is 60 square feet (the proposed sign is 80 square feet), (3) the location does not meet the required 25-foot setback from the property line, (4) electronic lettering exceeds 4" in height, and (5) the sign proposal includes the request to promote city functions, where the code requires all messages to be limited to advertisement of only school activities and functions.

In addition, Associate Planner Johanneck stated that the applicant was informed that the sign was inconsistent with the intent of the 2035 Comprehensive Land Use Plan in that the sign would be directly adjacent to an environmental corridor and Lake Michigan, resulting in the undesirable outcome of being highly visible from the lake, compromising the small amount of primary environmental corridor area that remains within the City limits of Racine.

Jayne Herring, Marketing and Technical Director for Gateway Technical College, explained the need for the sign due to the limitations placed on the Main Street electronic message center, and that the proposed sign is consistent in design and can be synchronized with those used at their other campuses. She suggested that the Gateway campus should be seen differently than those of a high school or primary and secondary school in that Gateway's student body is larger and the Gateway institution services a larger community.

Mayor Dickert expressed concern that Gateway officials knew of the ordinance prohibitions and limitations, but none-the-less decided to proceed with this proposal.

He expressed concern with the distractions and resulting safety concerns this sign may cause with relation to bicycle traffic, and he is concerned with the sign's height.

There being no additional persons wishing to speak on the item, and hearing no objections, Mayor Dickert closed the public hearing at 5:39 p.m.

Alderman Marcus complimented Ms. Herring on her cooperation during the City's consideration of the Main Street electronic message center. He stated that he shares the concerns regarding size and height as they relate to the proposed sign, but is also sympathetic to the applicant's appeal that their institution should not be considered as holding a similar stature as a primary or secondary school. In closing, he asked that Lakeshore Towers condominiums be notified of this proposal as the sign will be most visible to them.

Alderman Wisneski stated he would not support a denial and he was too sympathetic to the applicant's appeal that their institution should not be considered as holding a similar stature as a primary or secondary school. He felt the sign would be useful to both the students and the community, the request does not seem to be out of the ordinary, and enhances the property. He did agree that the sign height should be reduced to six (6) feet. He stated he did not agree with the need of an added notice to owners at Lakeshore Towers.

Commissioner Sutton Ekes stated she was concerned with the aesthetic impact of such a sign along the lakefront, citing that she is not comfortable with the proposed location and size, and felt the sign could be relocated to a less pronounced location. She too felt sympathetic to the applicant's appeal that their institution should not be considered as holding a similar stature as a primary or secondary school.

Principal Planner Sadowski stated that in light of the weight of staff concerns regarding ordinance and comprehensive plan inconsistencies and conflicts, no conditions of approval were prepared as a denial was fully anticipated. He concluded by stating that if an approval is likely, staff requests a deferral of this item to provide an opportunity to develop conditions.

A motion was made by Alderman Marcus, seconded by Alderman Wisneski, to defer action on the request to allow the hearing to be reopened and continued at the May 25, 2011 Plan Commission meeting, to allow staff time to mail notices to the owners in Lakeshore Towers, and to afford staff and Gateway officials the opportunity to meet and discuss alternative locations and sizes for the sign. The motion PASSED by a Voice Vote.

11-6415

Subject: (Direct Referral) Consideration of a request for a Conditional Use permit from David Tomaszewicz & Christopher Lundin to operate a private secondary school at 740 College Avenue. (PC-11) (Res.11-2574)

Recommendation of the City Plan Commission on 5-25-11: That the item be approved subject to conditions.

Fiscal Note: N/A

Attachments: [PH Notice - 740 College Avenue](#)
[Languages, Arts, Gym, Theo](#)
[Literature](#)
[Mathematics Overview](#)
[PLAN DESCRIPTION](#)
[Rhetoric Overview](#)
[Science Overview](#)
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[CURRICULUM DESCRIPTION & HISTORY](#)
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[Expenditures](#)
[Bldng & Prkng Utilztn 001](#)
[CUP 740 College Ave \(11-6415\)](#)

Principal Planner Sadowski proceeded by providing background information and orientating those present to the site, describing the property and adjacent land uses, zoning, parking, photos of the building, information on the building, entryways and existing uses. This was followed by the request and description of the proposed use as a private catholic secondary school, with some discussion about the interior layout of the building.

The applicant then presented information to the Commission, staff, and public. Additional information on the proposal and how it would support and be a positive addition to the neighborhood, noting that the building is well suited for the proposed use without many structural changes needed, and will function as an additional educational option for residents. They advised the intent is to begin with 100 students and 13 staff for the upcoming school year beginning in fall, and then annually increase the amount of students and faculty to end up with the potential for 400 students and 25 or more faculty in approximately 4 years. The applicants understand parking is a concern and touched on a few ways to alleviate the problems.

The public hearing opened at 6:00 p.m.

- 1. Roberto Garza, 1909 N. Wisconsin St., spoke in support of the proposal.*
- 2. Kathy Robison, no address, signed up to speak in opposition, but was not present at the time of the hearing.*
- 3. Dr. Ken Kurt, 2529 65th Dr., Franksville, is the property owner and spoke in support of the proposal.*
- 4. Alderman Ray DeHahn, 2706 Diane Ave., signed up to speak in favor, but was not present at the time of the hearing.*
- 5. William Binetti, 1637 Raintree Ln., spoke in support of the proposal.*
- 6. Alderman Greg Holding, 2001 Thurston Ave., spoke in support of the proposal.*
- 7. Brandon Page, 908 (street indiscernible), spoke in support of the proposal.*

The public hearing closed at 6:15 p.m.

Discussion ensued. Alderman Wisneski clarified the proposal with the applicants, and inquired if the set-up of the facility is adequately suited for the type of classrooms and organization they would need. The applicants advised that it is, and though some small internal modifications may be required, they feel this is a very suitable building for the school. Questions about compliance with ADA requirements was asked, and Dr. Kurt, the owner, advised there is a handicapped ramp and there is an elevator for the first and 2nd floors. Total compliance would need to be verified with the Building Department.

Mayor Dickert indicated he favors the school idea, but holds concerns about funding and if they will be able to operate based on the money available and the funds still needed. The applicants provided information about their current tuition, that the Governor will be signing a bill offering more school choice, parents will be asked to partake in fundraising events, and advised they are working with individuals in the community (no names provided) on some financial issues. Also, the school will accept students who may be financially unable to meet the tuition requirements.

A motion was made by Commissioner Sutton Ekes, seconded by Alderman Wisneski, to defer action on the request to allow staff time to further review the request to address outstanding items including limited parking and how vehicles will be accommodated, as well as more detailed review and analysis of how the school will operate. The motion PASSED by a Voice Vote.

Administrative Business

None.

Adjournment

Commissioner Esqueda moved, without objection, to adjourn at 6:25 p.m.