

City of Racine

Room 103, City Hall



Meeting Minutes

Wednesday, August 30, 2006

4:15 PM

Room 103, City Hall

City Plan Commission

*Mayor Gary Becker, John Dickert, Elaine Sutton Ekes,
Vincent Esqueda, Alderman Gregory Holding,
Howard Harper, Jud Wyant*

Mayor Becker called the meeting to order at 4:15 p.m.

PRESENT: Gary Becker, John Dickert, Vincent Esqueda, Gregory Holding, Howard Harper and Jud Wyant

EXCUSED: Elaine Sutton Ekes

*OTHERS PRESENT: Alderman Jim Kaplan
Alderman Keith Fair
Alderman Jim Spangenberg
David Brown, Interim Finance Director
Stephen Nenonen, City Administrator
Brian F. O'Connell, Director of City Development
Rick Heller, Chief Building Inspector
Matthew Sadowski, Principal Planner*

Approval of Minutes for the August 9, 2006 Meeting

A motion was made by Commissioner Esqueda, seconded by Commissioner Dickert to approve the minutes, as distributed with correction showing that Commissioner Ekes was excused. Motion approved.

06-2130

Subject: Direct Referral. A request from Felix Servantez of Servantez Property, Inc. seeking a conditional use permit to establish an automobile repair and sales facility at 4101 & 4105 Washington Avenue

Recommendation of City Plan Commission 07-26-06: That an ordinance be created to rezone the property at 4101 and 4105 Washington Avenue from B-1 Neighborhood Convenience District and R-3 Limited General Residence District to B-1 and R-3 with a Flex Development Overlay District.

Fiscal Note: N/A

Recommendation of City Plan Commission 08-30-06: That the use supplement be denied.

4101&4105 Washington.pdf

Director O'Connell explained past activity on this request and indicated that Alderman Wisneski has stated that he could have a more favorable view of the request if auto sales were permitted only as accessory to an attorney's office.

Alderman Spangenberg expressed concern regarding the precedence of this request would set in allowing auto sales at other similar office uses, and expressed concern regarding the ability to control such uses.

Commissioner Wyant expressed concern regarding the undesirable precedence this proposal would established and cited concerns regarding auto sales along Douglas Avenue. Director O'Connell stated that while vehicle sale are intended to be mainly for Mr. Servantez's clients, it is possible that vehicles could be offered to the general public.

Commissioner Dickert expressed similar concerns as those of Alderman Spangenberg.

and commented on continual problems seen with auto sales on Lathrop Avenue.

In response to Mayor Becker, Director O'Connell explained that this type of accessory use could be applied for other similar locations.

Hearing no objections, Mayor Becker open the floor to allow Mr. Servantez to comment. Mr. Servantez stated that his proposal was similar in character to existing development along Washington Avenue. He cited improvements he has all ready made to the property, and his efforts to improve neighboring properties. He submitted petitions signed by neighbors who are in favor of the proposal.

Upon discussion Alderman Holding stated that his opposition to this proposal stems from the observation that there are other areas more appropriate for this use.

Commissioner Dickert expressed concern with the undesirable precedence that this approval would established and cited problems on Lathrop Avenue in regards to auto sales.

A motion was made by Commissioner Dickert, seconded by Commissioner Wyant that this file be Recommended For Denial. Motion to deny was approved with Commissioner Esqueda voting no.

ZOrd.0007-06 AN ORDINANCE REZONING 4101 AND 4105 WASHINGTON AVENUE

To amend the map of the Zoning Ordinance of the City of Racine.

The Common Council of the City of Racine do ordain as follows:

Part 1:

That the property located at 4101 and 4105 Washington Avenue and more particularly described as follows:

"Lots 1 & 2 of Block 3 of Orchard Home Addition. Said land being in the City of Racine, Racine County, Wisconsin"

be rezoned from "B-1 Neighborhood Convenience District and "R-3" Limited General Residence District to "B-1" and "R-3" with a Flex Development Overlay District.

Part 2:

This ordinance shall take effect upon passage and the day after publication.

Passed by the Common Council:

Approved:

Mayor

Attest:

City Clerk

FISCAL NOTE: N/A

A motion was made by Commissioner Wyant, seconded by Commissioner Dickert that this file be Recommended to be Received and Filed. Motion approved..

06-2295

Subject: Direct. Referral. Review of a request by Milovan Milicevic for a conditional use permit for an auto sales and service, auto body repair and painting at 2711 Lathrop Avenue.

Recommendation: That the item be deferred.

City Plan Commission Recommendation 08-30-06: That the request by Mr. Milicevic to display for sale up to 31 vehicles with parking adjacent to the sidewalk and reductions in landscaped areas be denied, and that The at conditional use permit go forward as indicated below, as recommended by Staff at the July 26, 2006 meeting

That the request by Milovan Milcevic seeking a conditional use permit for mixed use facility containing auto repair, sales and service, auto body repair and painting shop, and indoor storage and distribution be approved, subject to the following conditions:

- a. That the plans presented to the Plan Commission on August 30, 2006 be approved, subject to the conditions contained herein.
- b. That all applicable building and occupancy permits are obtained from the Building Inspection Department.
- c. That as illustrated on the building and site plan, the use of the building shall be apportioned as follows: 4,000 square feet for auto sales, repair, and service; 8,120 square feet for auto repair, and body shop; and, 4,912 square feet for auto painting; and 5,880 square feet for a storage, and distribution facility.
- d. That up to 20 vehicles may be displayed for sale.
- e. That the outside storage of junked vehicles, vehicle parts, materials, and equipment be prohibited.
- f. That all aspects of the operation of the automobile repair, servicing, body shop, auto paint, and storage, and distribution facility businesses be conducted indoors including vending

machines, product displays, or sales, excluding automobiles for sale.

- g. That other than those vehicles offered for sale, only employee vehicles, and customer vehicles awaiting repair shall be permitted to be parked, or stored on site, and for no longer than 20 days. Outdoor storage of vehicles for more than 20 days is prohibited.
- h. That all parked or displayed vehicles be confined to spaces that are striped, and that vehicles be positioned in a manner that does not constrict traffic circulation on the property.
- i. That the maximum hours of operation be from 8:00 a.m. to 9:00 p.m. Monday through Saturday with no hours on Sunday.
- j. That all trash and recyclables be stored in closed containers and screened from view.
- k. That all codes and ordinances be complied with and required permits acquired.
- l. 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.
- m. That this permit is subject to Plan Commission review for compliance with the listed conditions.

Fiscal Note: N/A

Director O'Connell explained the development of this proposal and action by the Commission to date. He explained that the request for vehicle sale far exceeds that which was anticipated by staff during the preparation of this application.

Mr. Millicevic explained the amount of vehicles being requested, and also highlighted changes proposed to be made to the property, which included a landscaping strip along Lathrop Avenue, and a remodeled building facade.

In response to Alderman Holding, Mr. Millicevic stated that auto sales would be his primary business.

In response Chief Building Inspector Heller, Mr. Millicevic explained his parking layout.

Alderman Holding explained that the proposed improvement are quite favorable, and that allowing up to 20 vehicles to be displayed for sale would be acceptable to him.

A motion was made by Alderman Holding, seconded by Commissioner Harper that this file be Recommended For Approval, subject to the listed conditions in the recommendation. Motion approved.

06-2327

Subject: Direct Referral. Request by Jeffery L. Ventura seeking a conditional use for the expansion of a carpentry contractor's storage facility at 1107 Racine Street.

Recommendation of the City Plan Commission 8-30-06: Deferred.

Attachments: [1107 Racine St..pdf](#)

Principal Planner Sadowski explained that he and Mr. Ventura met and discussed four separate options to permit the expansion of the operation to go forward and yet meet the design concerns that the Plan Commission had expressed. He stated that Mr. Ventura wishes to pursue the original proposal presented to the Commission on August 9, 2006, citing concerns with increased cost due to the design enhancements.

Mayor Becker explained that expansion of his business at this location is strongly encouraged; however, some design consideration do need to be entertained, in order for the building expansion to be a positive asset to the Racine Street and Washington Avenue corridor.

Alderman Fair also expressed appreciation for the effort to expand the business, but also stressed the importance of improving the area, and a highly visible corner property.

In response to Alderman Fair, Director O'Connell explained that the property does not qualify for facade grant assistance.

Chief Building Inspector Heller stated that he would be willing to work with the applicant to develop a plan.

Mayor Becker suggested that Mr. Ventura continue to work with staff to determine design needs and concepts for the expansion project.

A motion was made by Commissioner Wyant, seconded by Alderman Holding that this file be deferred. Motion approved.

06-2332

Subject: Request by Scott Fergus of Keybridge Development Group seeking a conditional use permit for the Pointe Blue planned development at 1129 Michigan Boulevard.

Recommendation: That the plans submitted by Scott Fergus of Keybridge Development Group seeking a conditional use permit for the planned development for properties on both sides of Michigan Boulevard between Dodge Street and Hamilton Street be approved, subject to the following conditions:

- a. That the plans presented to the Plan Commission on August 9, 2006 be approved subject to the conditions contained herein.

- b. That the boundaries of the Pointe Blue planned development shall include those lands illustrated on the document entitled "Pointe Blue, Master Plan" and dated July 21, 2006, hereafter referred to as the Master Plan.
- c. That overall land use within the boundaries illustrated on the Master Plan shall comply with the table entitled "Pointe Blue Analysis (08-30-06) Block Sizes, Units, Floor Area, Uses".
- d. That the following uses are permitted uses, conditional uses, or prohibited uses within the boundaries illustrated in the Master Plan:
 - 1. Permitted uses: unless otherwise listed as a conditional use or prohibited use herein in paragraphs d. 2 and d.3., those permitted uses in the "B-1" Neighborhood Convenience District, "B-2" Community Shopping District, "B-4 Central Business District and the "B-5" Central Service District. Ground floor residential units in Block A (West), Block B (Center) and Block C (East). Permitted business uses may occupy a gross floor area totaling up to 6,000 square feet including photo copying, laser printing, color copying, letter press, offset printing with sheet sizes up to 11 inches by 17 inches. However, the following business uses may occupy a gross floor area totaling no more than 1,200 square feet: physical fitness centers including physical culture, health services, and gymnasiums; banks and other financial institutions; carpet and rug stores; household appliance stores; paint, glass, and wallpaper stores; hardware stores, and home improvement centers having no outside storage or sales; projecting signs.
 - 2. Conditional uses: unless otherwise prohibited herein in paragraph d.3., dwelling units below the second floor in the Mid-Rise Block, High-Rise Block and West Block; bed and breakfast inns; uses occupying a gross floor area totaling greater than 6,000 square feet; drive-in and drive-up facilities for permitted uses; group day care center; those uses in paragraph d.2. regulated by the 1,200 square feet limitation seeking floor areas totaling greater than 1,200 square feet; massage therapy; marinas or establishments leasing mooring space or slips to the public and providing goods, services and boat sales and storage to boat owners, but not engaged in production, processing, or manufacturing; electronic and wireless communications transmission or receiving facilities utilizing design that is integrated into the surrounding natural and architectural environment; live

entertainment; heliports.

3. Prohibited uses: convenient cash establishments; laundromats open to the general public; community living arrangements; community gardens; free standing electronic and wireless communications transmission or receiving towers; boarding houses, lodging houses, rooming houses, hotels and motels; educational institutions, religious institutions, nursing homes; community centers; funeral establishments; commercial parking facilities; second hand stores, rummage shops and flea markets; automobile oriented business such as fuel dispensing, washes, sales, service, repair, salvage, and detailing; business machine sales and service; catering establishments; clubs and lodges; department stores; dry cleaning (not including pick-up and drop-off station less than 1,200 square feet in gross floor area); employment agencies; frozen food stores including locker rental in conjunction therewith; garden supply, tool and seed stores; meeting halls; pet shops, animal hospitals, and commercial pet boarding, training and kennels facilities; radio and television service and repair; theaters; bus stations; drive-in establishments; advertising signs; shops, storage and yards for the tradesman; printing and publishing other than that described in paragraph d.2.; adult entertainment uses; recycling drop-off sites; charitable meal establishments; tattoo and body piercing establishments; laboratories for medical, and dental research and testing; machinery sales, service, display or storage; recording studios; mixed use developments; building materials product sales and storage; warehousing and wholesaling.
- e. That all business establishments shall be retail or service establishments dealing directly with consumers. All goods produced on the premises shall be sold at retail on the premises where produced.
- f. That the following shall be accomplished at the time of submittal of final plans for review and approval by the Plan Commission and Common Council, and prior to the issuance of any and all applicable permits:
 1. Submit the following materials to the director of City Development for review and recommendation:
 - Detailed site, lighting, landscaping, architectural and signage plans.

- Restoration and adaptive reuse plan for the remaining coast guard buildings.
 - Draft copies of all appropriate documents as outlined by Section 114-181 of the City of Racine Municipal Code.
 - Project specific condominium documents.
2. Resolve technical requirements and discrepancies as indicated by the City Engineer, Racine Water and Waste Water Utilities, and Department of City Development.
- g. 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.
- h. That this permit is subject to Plan Commission review for compliance with the listed conditions.

Fiscal Note: N/A

Attachments: [Keybridge.pdf](#)
[Point Blue Master Plan.pdf](#)
[Pointe Blue Density Breakdown2.xls](#)

Director O'Connell reviewed the proposed language of the conditional use permit, highlighting each condition, and the accompanying use table. He reviewed the conditional uses and the prohibited uses within the boundaries of the proposed Pointe Blue plan development.

Mr. Scott Fergus stated that he finds that the proposed conditions of the plan development conditional use permit to be acceptable with the exception that live entertainment and heliports be removed from the prohibited uses and added to those uses allowed through a conditional use permit.

A motion was made by Alderman Holding, seconded by Commissioner Esqueda that this file be Recommended For Approval, subject to the listed conditions in the recommendation. Motion approved with Commissioner Dickert abstaining.

Public Hearings starting at 4:30 p.m.

06-2416

Subject: Direct Referral. Request by the Department of City Development for the rezoning of properties on both sides of Michigan Boulevard between Dodge and Hamilton Streets (Commonly known as the Walker Manufacturing and W.H. Pugh properties) from I-2 General Industrial District to B-5 Central Service District.

Recommendation: That an ordinance be introduced to rezone the properties on both sides of Michigan Boulevard between Dodge and Hamilton Streets from I-2 General Industrial District to B-5 Central Service District.

Fiscal Note: N/A

Michigan Blvd.pdf

Mayor Becker opened the public hearing at 5:45 p.m., described the public hearing process, and introduced the item.

Director O'Connell described the area proposed to be rezoned and the rationale behind the proposal B-5 zoning.

Kevin Bailey of 212 Hamilton Street expressed support for the rezoning, but raised the concern that by his property being zoned I-2, there is the potential of conflict, and that the expansion of B-5 District to include his property would help in the elimination of potential conflict.

There being no further comments or questions, and hearing no objections, Mayor Becker closed the public hearing at 5:49 p.m.

In response to Mr. Bailey, Director O'Connell stated that Mr. Bailey is free to file for the rezoning of his property, but he, also, explained that B-5 might not be the most appropriate zoning for his property in light of its limited size. He explained that B-5 was appropriate for the Pointe Blue development as it encompasses multiple acres and uses.

Mayor Becker explained other zoning inconsistencies that exist throughout the City, but stated that through the progressive development of plans those inconsistencies are slowly addressed. He stated that if Mr. Bailey wished to submit a plan for consideration he could do so.

A motion was made by Alderman Holding, seconded by Commissioner Esqueda, that this file be Recommended For Approval. Motion approved.

06-2417

Subject: Direct Referral. Request by Tim Hunt seeking a conditional use permit for a roofing contractor's office, showroom and storage facility at 1830 Charles Street.

Recommendation: That the request by Tim Hunt seeking a conditional use permit to operate a roofing contractor's office, showroom, and storage facility at 1830 Charles Street be granted, subject to the following conditions:

- a. That the plans stamped "Received August 9, 2006" and presented to the Plan Commission on August 30, 2006 be approved subject to the conditions contained herein.
- b. That an occupancy permit and all other applicable permits be requested from the Building Department.
- c. That all parking and drive areas be paved and striped by June 1, 2007, and that the paved areas be designed so as to accommodate a landscaping strip along Edgewood Avenue.

- d. That the outside storage of junked vehicles, vehicle parts, materials and equipment be prohibited. Outdoor storage of new construction materials in screened areas is allowed.
- e. That all yard areas, landscaping, buildings, and grounds be maintained in a professional manner and on a daily basis.
- f. That all aspects of the operation of this business be conducted indoors including vending machines, product displays, or sales.
- g. That vehicles be positioned in a manner that neither constricts traffic circulation on the property nor hinders traffic flow on Charles Street or Edgewood Avenue.
- h. That the maximum hours of operation be from 6 a.m. to 6:00 p.m. Monday through Saturday with no hours on Sunday.
- i. That all trash, recyclables, and dumpsters be stored in stored closed containers and screened from view.
- j. That a landscape plan be submitted to the Director of City Development for review and approval for the Edgewood Avenue frontage. If an occupancy permit is requested prior to the installation of landscaping, then a letter of credit for said landscaping shall be submitted for the review and approval of the Director of City Development prior to the issuance of an occupancy permit.
- k. That all signs be professionally made, comply with the zoning ordinance requirements and be submitted for the review and approval of the Director of City Development.
- l. That all 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 review by the Plan Commission for compliance with the listed conditions.

Fiscal Note: N/A

1830 Charles St.pdf

Citing the need to be present at another engagement, and hearing no objections, Mayor

Becker turned over the chairmanship to Alderman Holding.

Alderman Holding opened the public hearing at 5:53 p.m., and introduced the item.

Director O'Connell reviewed the proposal, indicating the location of the proposed use and the surrounding zoning.

Rob Hunt of 3120 Neumann Road briefly explained his proposed use of the facility. After reviewing the conditions of approval, Mr. Hunt expressed concern with the requirement that the property be paved.

Director O'Connell explained that paving would encompass parking and driving area, but not the entire site if certain areas were used just for storage.

In response to Commissioner Esqueda, Mr. Hunt stated that he would not be using the site to store scrap from job sites, or debris.

There being no further comments, or questions, and hearing no objections, Alderman Holding closed the public hearing at 6:00 p.m.

A motion was made by Commissioner Dickert, seconded by Commissioner Esqueda that this file be Recommended For Approval, subject to the listed conditions in the recommendation. Motion approved, with Commissioner Wyant abstaining.

06-2418

Subject: Direct Referral. Request by Eric and Theresa Marcus of Allied Commercial Holdings, Inc. seeking a conditional use permit for a dog hotel and spa at 1308-18th Street.

Recommendation: That the request from Eric and Theresa Marcus of Allied Commercial Holdings, Inc. seeking a conditional use permit for a dog hotel and spa at 1308 - 18th Street be approved, subject to the following conditions:

- a. That the plans stamped "Received August 11, 2006" and presented to the Plan Commission on August 30, 2006 be approved subject to the conditions contained herein.
- b. That an occupancy permit and other applicable permit be obtained from the Building Department.
- c. That all yard areas, landscaping, buildings and grounds be maintained in a professional manner and on a daily basis.
- d. That the maximum hours the operation is to be open to the public are from 6:00 a.m. to 8:30 p.m daily.
- e. That the maximum hours during which outdoor activities may be conducted are between 6:00 a.m. and 8:30 p.m. daily.

- f. That all employee parking areas and customer parking and drop off areas be contained on site.
- g. That all parking areas be paved with either concrete or asphalt, and striped by June 1, 2007.
- h. That there be no outside storage of equipment or materials.
- i. That all animal waste be cleaned from yard areas on a daily basis.
- j. That all trash, animal waste, and recyclables be stored in closed containers and screened from view.
- k. That a site plan be submitted for the review and approval of the Director of City Development that illustrates the following: employee parking areas, customer parking, and drop-off areas, dumpster enclosure placement, and outdoor activity areas.
- l. That all signs be professionally made, comply with the zoning ordinance requirements, and be submitted for the review and approval of the Director of City Development.
- m. That all codes and ordinances be complied with and required permits acquired.
- n. 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.
- o. That this permit is subject to Plan Commission review for compliance with the listed conditions.

Fiscal Note: N/A

1308-18th St.pdf

Alderman Holding opened the public hearing at 6:07 p.m. and introduced the item.

Director O'Connell reviewed the location of the proposal, adjacent zoning and land uses, and briefly described the proposal.

Eric Marcus of 1520 College Avenue further described the proposal, stating that unlike what was reported on the application, cubical sizes will change in that they will be smaller. He requested clarification on the requirements of paving a parking area, and desires hours of operation to 8:30 p.m.

There being no further comments, or questions, hearing no objections, Alderman Holding closed the public hearing at 6:15 p.m.

A motion was made by Commissioner Wyant, seconded by Commissioner Esqueda that this file be Recommended For Approval, subject to the listed conditions in the recommendation. Motion approved.

Miscellaneous

Alderman Holding wishing to discuss City Plan Commission start time

Alderman Holding stated that at this time, he withdraws his request to discuss Plan Commission's start time.

Adjournment

There being no further business, and hearing no objections, Alderman Holding adjourned the meeting at 6:18 p.m.

Respectfully submitted,

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