



# City of Racine

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

## Meeting Minutes - Final City Plan Commission

*Mayor John Dickert, Alderman Dennis Wisner, Molly Hall,  
Elaine Sutton Ekes, Vincent Esqueda, Tony Veranth, Pastor  
Melvin Hargrove*

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Wednesday, March 11, 2015

4:15 PM

City Hall, Room 205

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### Call To Order

*Mayor John Dickert called the March 11, 2015 meeting to order at 4:20 p.m.*

**PRESENT:** 5 - Vincent Esqueda, Tony Veranth, John Dickert, Molly Hall and Dennis Wisner

**EXCUSED:** 2 - Elaine Sutton Ekes and Melvin Hargrove

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 February 25, 2015 Meeting

**A motion was made by Commissioner Esqueda, seconded by Alderman Wisner, to approve the February 25, 2015 meeting minutes as submitted. The motion PASSED by a Voice Vote.**

[15-00121](#)

**Subject:** (Direct Referral) A request from Ilene Zinn to operate an adult daycare facility at 2051 Mead Street. (Res No. 15-0115)

**Recommendation of the City Plan Commission on 3-11-15:** That the item be approved subject to conditions.

**Fiscal Note:** N/A

**Attachments:** [PH Notice - 2051 Mead Street](#)

*Associate Planner Johanneck advised this item has been deferred several times, and gave an overview of the project history to date. An update on the initial review, including questions raised by the Commission which resulted in the initial deferral, the lack of response by the applicant resulting in the second deferral, and a review of the information provided for this meeting by the agent, Scott Underwood, in response to the Commissions questions was provided. This included a review of Staff qualifications, status of a 'Loading Zone' designation along Twenty-First Street, condition of the sidewalk within the Village of Mt. Pleasant, and an update on the number of individuals allowed on the premises based on bathroom requirements.*

*She stated the applicant has not received approval for the 'Loading Zone' designation as it has not gone forward for review at this time, but will be put on an agenda if the*

conditional use is approved. The hold harmless was granted for the sign by the Public Works and Services Commission, however was rescinded due to lack of verification of ownership. This will need to be re-obtained.

The condition of the sidewalk was not addressed by the applicant, however Staff discussed the issue with the Village of Mt. Pleasant and was advised no improvements are slated for this area of Twenty-First Street for several years, and with coordination with the City of Racine. Ms. Sasse, Village Engineer, stated any improvements required for sidewalks or other areas are generally done at the same time as the street.

A review of the information provided on the qualifications of the staff for the facility was reviewed. Staff noted that, though the applicant held licenses for two adult family homes, the Department of Health Services advised both were inactive as of June, 2014.

The primary outstanding item in this review remains the legal question concerning who is authorized to sign on behalf of the LLC for these applications. The Assistant City Attorney has been in contact with the applicant's attorney, yet the City has still not received proper proof of ownership to authorize the conditional use, request for loading zone, and request for a hold harmless agreement. Ms. Johanneck stated that upon the ownership documentation being provided and verified accurate by the City Attorney's office, the applicants may be able to proceed with meeting the remaining conditions of approval. Condition c. in the recommendations for approval outlines this requirement specifically, stating that proof of ownership shall be received and verified within 30 days of approval of this request by the Common Council. No permits, agreements, or approvals shall be granted unless this verification is received within the stated timeframe.

**A motion was made by Alderman Wiser, seconded by Commissioner Esqueda, to recommend approval of 15-00121, subject to Staff conditions a.-p. The motion PASSED by a Voice Vote.**

[15-00219](#)

**Subject:** (Direct Referral) Review of a 2-Lot Certified Survey Map for the Southwest corner of Durand Avenue and Lathrop Avenue for CVS. (Res No. 15-0116)

**Recommendation of the City Plan Commission on 3-10-15:** That item be approved subject to the revised Certified Survey Map being routed for departmental review, and that all technical discrepancies as identified by Staff be resolved.

**Fiscal Note:** N/A

Ms. Johanneck stated since the initial application and proposed Certified Survey Map (CSM) was received, a revised CSM has been submitted. Based on Staff comments of the original submittal, the applicants revised their documents. These revised documents were received by City Development via email the day of this meeting. A brief overview of the site and concerns with the initial submittal was provided. Specifically, lot configurations, multi-jurisdictional ownership of a proposed lot, and questions regarding a traffic control device location and property ownership.

A copy of the newly submitted CSM document was shared with the Commission. Ms. Johanneck stated that, upon initial appearance numerous items have been addressed, however a full review by all required departments is required to ensure

accuracy. As the information was received today, this was not possible.

Richard Donner, attorney for CVS, stated he wants to work on the revisions with Staff. Mayor Dickert noted that Staff is in a situation where they do not have the ability to provide a 1-day turn around for applications, and we do not want to set a precedent for other applicants to request expedited reviews.

Mr. Sadowski advised the review was done based on the CSM that was submitted at the time of application, and that the recommendation is for deferral. No conditions of approval were prepared. Alderman Wiser was empathetic to Staff's position and inquired if a special meeting of the Plan Commission could be scheduled prior to the Common Council meeting to review the revised CSM. Mr. Sadowski advised possibly Monday, March 16th. Alderman Perez stated he understands the applicant's position, however feels this review should not be rushed. Alderman Wiser then stated he is comfortable moving the request onto the Common Council.

**A motion was made by Alderman Wiser, seconded by Commissioner Veranth, to recommend approval of 15-00219, subject to review being completed by all required departments and that there be a resolution of technical discrepancies. The motion PASSED by a Voice Vote.**

[15-00220](#)

**Subject:** (Direct Referral) Review of a 4-Lot Certified Survey Map for property located at 5201 Washington Avenue. (Res No. 15-0117)

**Recommendation of the City Plan Commission on 3-11-15:** That the item be approved subject to conditions.

**Fiscal Note:** N/A

*Ms. Johanneck stated this is a multi-jurisdictional CSM review, involving parcels within the City of Racine and the Village of Mt. Pleasant. The properties are located within the Racine Shopping Centre. This CSM will 'clean up' some technical discrepancies that exist and delineate property lines that lie within each jurisdictional boundary. Cross parking and access agreements are in place throughout the site, allowing adequate access and parking to each parcel involved. Lots 3 and 4 lie within the City of Racine, are zoned B-2, and meet the B-2 zoning district requirements.*

*This CSM is being reviewed concurrently with the Village of Mt. Pleasant. They are in support of the CSM and have provided City Staff their comments. The recommendation for approval requires that all requirements of the Village be satisfied prior to recording of the document.*

*Ms. Johanneck clarified a discrepancy in the recommendations regarding the request by the City for a "no-access" delineation. After further review of the request and discussion with the applicant, it was determined that condition f. in the conditions of approval should be stricken.*

**A motion was made by Commissioner Veranth, seconded by Alderman Wiser, to recommend approval of 15-00220 subject to conditions, with the elimination of condition f. The motion PASSED by a Voice Vote.**

[15-00221](#)

**Subject:** (Direct Referral) Review of exterior remodel to the Dairy Queen Restaurant located at 3918 Durand Avenue.

*An overview of the site location, zoning, aerial views and building views were*

*provided. The applicant is requesting to perform building modifications to the structure as well as upgrades to the signage to bring the site more in line with the new corporate appearance standards established by Dairy Queen.*

*The red mansard roof will be removed and replaced with a parapet wall on the south, east and west elevations. A pre-fabricated 'eyebrow' feature will be added, which contains blue and orange LED lighting strips. The façade brick will be painted in shades of beige/orange colors consistent with the Dairy Queen corporate color palate. No other site upgrades are proposed.*

*Signage on the south (front) façade will be replaced, as will the menu board and the pole logo and manual message board. Upon calculation, the applicant is 3-feet over their signage allocation and will need to reduce signage by that amount. Dumpsters are currently located along the northern fence of the site, and a dumpster enclosure will be required to be installed.*

*Parking requirements for drive-in facilities are 30 spaces per 1,000 sq. ft. of gross floor area. Other restaurants require 6 spaces per 1,000 sq. ft. of gross floor area. Dairy Queens are a 'hybrid' type restaurant, meaning individuals are not actually served in their cars, but may choose to remain in the parking lot to eat their food, or drive to the site and sit at an outdoor table to eat their food. The site has 14 parking spaces available and has had this many spaces since it was brought into the City. Staff feels there is adequate parking and does not recommend 'drive-in' parking standards be applied to this site.*

*Hours of operation are seasonal, generally from March – November, weather permitting. This site will operate from 11:00 a.m. – 10:00 p.m., seven days a week. There are 3 full-time employees and 5 part-time employees working various shifts.*

**A motion was made by Alderman Wisner, seconded by Commissioner Esqueda, to approve 15-00221 subject to Staff conditions. The motion PASSED by a Voice Vote.**

[15-00222](#)

**Subject:** (Direct Referral) Request for ordinance amendment regarding massage establishments and dance studios. (Ord. 03-15)

**Recommendation of the City Plan Commission on 3-11-15:** That an ordinance be prepared that amends Chapter 114 to allow massage therapy establishments on the ground floor level within the B-4 zoning district and additional zoning districts of B-2 and B-3, and that a public hearing be scheduled before the Common Council.

**Fiscal Note:** N/A

*Assistant Director of City Development / Principal Planner Matt Sadowski introduced the request for the ordinance amendment to the Commission. He provided background information regarding how the original zoning ordinance, and subsequent amendments, have regulated massage establishments and dance studios to be located above street level as a permitted use, and at street level only as a conditional use. Since then, massage establishments have become regulated by state and local ordinances, and there have been few if any problems with these establishments. As inquiries into locating these uses within business districts are on the rise, Staff feels a review and modification to the ordinance regulating their location both above and at street level, and adoption of business standards for these establishments, is justified for certain zoning districts.*

A motion was made by Commissioner Veranth that an ordinance be prepared and a public hearing scheduled. Mr. Sadowski stated the original request was to review these establishments within the B-4 zone district, however would request an amendment to the motion that they also be reviewed within the B-2 and B-3 districts. Commissioner Veranth accepted this as a friendly amendment. Commissioner Esqueda seconded. The motion PASSED by a Voice Vote.

**4:30 P.M. PUBLIC HEARINGS****4:30 P.M. PUBLIC HEARINGS**[15-00223](#)

**Subject:** (Direct Referral) A conditional use request from Larry Vail to operate an indoor contractor storage facility at 1921 Charles Street. (Res No. 15-0116)

**Recommendation of the City Plan Commission on 3-11-15:** That the item be approved subject to conditions.

**Fiscal Note:** N/A

**Attachments:** [PH Notice - 1921 Charles Street](#)

*Ms. Johanneck provided an overview of the proposed site and request. Mr. Larry Vail, owner of Jim's Garage Door Service, is looking to use the structure at 1921 Charles Street as a satellite indoor storage facility for his main business located at 2729 Carlisle Avenue. There will be no outdoor storage of any materials or vehicles.*

*The building is an old theater, and has a separated front vestibule area from the rear area. The rear will be the main storage area for materials, vehicles, and trailers. Areas of the front portion may be used for some storage; however Staff is recommending that no storage be visible from the street frontage. Access to the rear of the building is off of Carter Street to the overhead door located on the east side of the building. The applicant proposes to increase the size of the overhead door. A concrete pad exists in front of the door, however will require extension of the pavement or asphalt to the street curb cut to accommodate for vehicles and trailers entering and exiting the building. Daily traffic is estimated at three trips per day during weekly business hours, and occasionally on weekends.*

*There will be no staff on-site, generating no need for parking. Hours of operation will generally be from 7:00 a.m. – 6:00 p.m., with occasional weekend traffic. Any trash or recyclables from this site will be transported to the main facility on Carlisle Street. Site maintenance is the responsibility of Jim's Garage Door Service employees.*

*Public Hearing opened at 5:38 p.m.*

*1. Larry Vail, the applicant, advised the Commission he was ok with the conditions of approval and available to answer any questions.*

*Public Hearing closed at 5:39 p.m.*

**A motion was made by Alderman Wisner, seconded by Commissioner Veranth, to recommend approval of 15-00223 subject to Staff conditions. The motion PASSED by a Voice Vote.**

[15-00224](#)

**Subject:** (Direct Referral) A conditional use request from Vincent

Milewski, representing Tri City Bank, to construct a drive-through banking facility with ATM at 2811 Russet Street. (Res No. 15-0119)

**Recommendation of the City Plan Commission on 3-11-15:** That the item be approved subject to conditions.

**Fiscal Note:** N/A

**Attachments:** [PH Notice - 2811 Russet Street](#)

*Ms. Johanneck introduced the request by Tri City Bank to construct a new drive-thru banking facility and ATM at the location. A review of the property, surrounding land uses, zoning, and aerial views were provided. This property is owned by the bank and is currently used for overflow parking. The main bank is located just north of this site at 2704 Lathrop Avenue. There is not adequate room on that property to install the drive-through. Their current drive-through facility is being leased and is located at 4101 Durand Avenue. This proposal would bring the facility much closer to the main bank branch for customer convenience and allow them to utilize property under their ownership.*

*The teller building would be just over 900 sq. ft. in size, and house three employees. The canopy for the teller lanes and ATM covers approximately 1,440 sq. ft. of area. The teller building is a single-story structure with a maximum height of 19-feet, and the canopy would be 18-feet. Materials for the structure would be a brick veneer matching the color of the main bank. Upper portions of two elevations would utilize EIFS material and on the north elevation signage would be installed upon its approval via a separate review. The lighting proposal was reviewed, and the use of LED lighting will occur both with the parking lot lights and under-canopy lights. With the type of fixtures proposed, the limited height of the parking lot light fixtures, and recessed canopy lighting, spillage of light onto adjacent properties or right-of-way will be within reasonable tolerances.*

*The parcel is dual-zoned, with a 25-foot wide strip of R-3 residential zoning along Russet St. and the remaining site being B-2 commercial. This zoning was intentional, and done to provide a buffer strip from any development on this site to the residences directly to the west. The applicants provided a landscaping plan for this strip and other areas of the site. The buffer will have two raised berms with coniferous trees and various shrubs and perennials planted to shield the site from the residential. Additional landscaping proposed within the site was also reviewed.*

*Fourteen on-site parking spaces are being provided. This is adequate based on the size of the teller building, and will also provide overflow parking for the main bank building if needed. Access to and from the site will be via Pierce Avenue to the north. With the addition of a new curb cut, traffic will be able to enter the site from east portion along Pierce Avenue and exit to the west, creating a safe traffic pattern within the site and keeping all traffic off of Russet Street.*

*All trash generated will be delivered to the main bank building for shredding and disposal, and maintenance is the responsibility of Tri City.*

*Public Hearing opened at 5:50 p.m.*

*1. Vincent Milewski, applicant, 10859 Bluemound Rd., Milwaukee. Was present to answer any questions and provided Staff with the requested material board.*



2. Tim Anderson, 2806 Lathrop Ave., Racine. Inquired about a buffer between his property to the east and this site. He was advised a strip of grass will be planted adjacent to the asphalt. He also mentioned drainage concerns, and was advised the site will be re-graded and connected to the City's storm sewer. He feels this is a large development for this site, and further commented about snow removal and storage from his property and location of his dumpsters.

Public Hearing closed at 6:00 p.m.

**A motion was made by Commissioner Veranth, seconded by Commissioner Esqueda, to recommend approval of 15-00224 subject to conditions a.-l. with a modification to condition c. that the hours be from 8:00 a.m. - 6:00 p.m. Monday through Friday, and from 8:00 a.m. - 12:00 p.m. on Saturdays for the auto bank. The motion PASSED by a Voice Vote.**

[15-00225](#)

**Subject:** (Direct Referral) A request by Antonio Wilkerson seeking a conditional use permit to allow a convenience store at 3425 Kinzie Avenue. (Res No. 15-0120)

**Recommendation of the City Plan Commission on 3-11-15:** That the item be approved subject to conditions.

**Fiscal Note:** N/A

**Attachments:** [PH Notice - 3425 Kinzie Ave](#)

*Brian Dean, VISTA employee with the Department of City Development, presented the request to the Commission. The lower portion of the building would be used as the convenience store and the upper portion of the building would remain residential. A review of the property location, site specifics, site views and zoning were provided. The former building use was a sports memorabilia store.*

*Sale of daily use items will be provided, and no alcohol will be sold. Deliveries are anticipated to be once per week via small delivery truck. Access to the store will be primarily foot or bicycle traffic. There is on-site parking for the residence only, but no area for patron parking other than the street. Residential access is off of Arthur St. on the west side of the building. Per the proposed use and size of the store area, 6 parking spaces are required. The applicant will need to be granted an exception to this requirement.*

*One employee is proposed, with hours of operation requested as Monday through Friday, 10:00 a.m. – 2:00 p.m., and 4:00 p.m. – 8:00 p.m., and Saturday through Sunday from 9:00 a.m. – 6:00 p.m. Trash and recyclables will be stored out of site until trash pick-up day, no dumpster is proposed. Site maintenance is the responsibility of the business owner.*

Public Hearing opened at 6:05 p.m.

1. Alderman Henry Perez, 1017 Kentucky St. Indicated his support for the business. Stated he feels the business hours should be extended as there are no other places offering these items near the elementary school or in the near vicinity.
2. Antonio Wilkerson, applicant, 1220 English St. Talked briefly about the business and that he feels it will be a good addition to the neighborhood. Would consider extending the hours.
3. Alan Smith, 2000 Center St. Advised he cleans the school in the summer and supports this business locating here as the nearest place to buy a soda or snack is

*off of Lathrop Avenue. Would like it to have longer hours.*

*Public Hearing closed at 6:15 p.m.*

*Discussion ensued.*

*Mr. Sadowski advised the hours were announced in the Public Hearing notice, so any change to them would require a new notice. Alderman Wiser recommended the hours be kept as proposed due to lack of parking and potential conflict with bus traffic and school drop-offs. Alderman Perez stated he believes there would be no conflict with bus traffic as it has been re-located to the side of the school. Commissioner Hall inquired as to why a wait would be required to change the hours. Mayor Dickert stated a new public hearing notice would need to be sent as the hours were stated in the original notice, but the applicant does not want to wait longer to be able to open. The applicant stated he would like to keep the hours as proposed for now and will apply to change them if he decides to at a later date.*

*Commissioner Esqueda inquired about handling the trash without a dumpster. The applicant stated trash will be stored in a receptacle by the garage for City pick-up. Mayor Dickert stated the size of the business will most likely not generate the amount of trash necessary for a separate dumpster.*

**A motion was made by Commissioner Hall, seconded by Commissioner Esqueda, to recommend approval of item 15-00224 subject to conditions a. - i. The motion PASSED by a Voice Vote.**

### **Administrative Business**

*None.*

### **Adjournment**

*Meeting was adjourned at 6:20 p.m.*