

City of Racine

Room 103, City Hall



Meeting Minutes

Wednesday, October 11, 2006

4:15 PM

Room 103, City Hall

City Plan Commission

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

Commissioner Jud Wyant (acting as chairman) called the meeting to order at 4:15 p.m.

PRESENT: John Dickert, Elaine Sutton Ekes, Vincent Esqueda, Howard Harper and Jud Wyant

EXCUSED: Gary Becker and Gregory Holding

*OTHERS PRESENT: Brian O'Connell, Director of City Development
Rick Heller, Chief Building Inspector
Robert Weber, City Attorney
Alderman Robert Anderson
Don Rintz, Landmarks Preservation Commission*

Approval of Minutes for the September 27, 2006 Meeting

A motion was made by John Dickert, seconded by Howard Harper, that the minutes be approved, as distributed. The motion PASSED by a Voice Vote.

06-2567

Subject: (Direct Referral). Request by Dan Carmichael of Great Lakes Specialty Finance, Inc. seeking a conditional use permit to locate a Check n Go facility at 2308 South Green Bay Road.

Attachments: [2308 S.GreenBayRd.pdf](#)

Director O'Connell summarized a memo received from the City Attorney Robert Weber discussing the principles of vested rights. He stated that Alderman Hart was unable to attend today's Plan Commission meeting, but requested that the item be deferred.

Commissioner Wyant requested of the representatives of Check n' Go and EZ Money, who were in attendance, to submit position papers to the Plan Commission for the next meeting.

A motion was made by John Dickert, seconded by Elaine Ekes, that this item be deferred. The motion PASSED by a Voice Vote.

06-2573

Subject: Communication from Southeastern Wisconsin Regional Planning Commission requesting that the City endorse the *A Regional Land Use Plan for Southeastern Wisconsin: 2035* Planning Report No. 48.

Recommendation of the City Plan Commission 10-11-06: That Southeastern Wisconsin Regional Planning Commission Community Assistance Planning Report No. 48 entitled "A Regional Land Use Plan for Southeastern Wisconsin: 2035" be used as a reference document in the conduct of land use planning for the City of Racine.

Further resolved that the City of Racine Common Council on the 17th day of October, 2006, hereby endorses the regional land use plan for the year 2035, previously adopted by the Southeastern Wisconsin Regional Planning Commission, as set forth in SEWRPC Planning Report No. 48, as a guide for regional community development.

Be it further resolved that the City of Racine clerk transmit a certified copy of this resolution to the Southeastern Wisconsin Regional Planning Commission.

Fiscal Note: N/A

Attachments: [SEWRPC Planning ReportNo.48.pdf](#)

Director O'Connell explained the plan's applicability to development within the City of Racine, and stated that it is a component of the state require Smart Growth Plan for the City.

In response to Commissioner Dickert, Director O'Connell stated that the plan addresses region-wide bike path and commuter rail goals. He stated that more specific local efforts will be addressed in the City's comprehensive plan. He stated that the City's comprehensive plan would look to the regional plan for support and the interconnectivity of such facilities.

A motion was made by John Dickert, seconded by Vincent Esqueda, that this item be recommended for approval as outlined in the recommendation. The motion PASSED by a Voice Vote.

06-2592

Subject: Communication from Frank Tingle, member of "Friends of DeKoven Woods", requesting the City create a Conservancy Zone as outlined in the report "Park and Open Space Plan for the City of Racine" passed by the Common Council on 7-15-2003.

Attachments: [L.Friends of DeKoven Woods.pdf](#)

Director O'Connell explained the history of efforts aimed at the protection of the De Koven Woods area, and described current zoning. He also stated that recent interest in the development of the De Koven Woods for residential purposes has been withdrawn.

Pat Obernberger explained that she was a member of the association who, in the 90's, worked to preserve the De Koven Woods. She stated that she now seeks the preservation of De Koven Woods.

In response to Commissioner Wyant, Director O'Connell explained that certain City parklands may have certain restrictions on their sale either through deed restriction or the use of restricted special funds.

In response to Commissioner Dickert, Director O'Connell explained that development of the conservancy zoning district could help to further protect parkland.

Don Rintz, 1730 College Avenue, explained his involvement in the 1990's effort to preserve De Koven Woods. He stated that City and County funds were used for the preservation of the woods and it was his understanding that such funds restricted in perpetuity the use of the land for open space passive use.

Alderman Robert Anderson pointed out that the City's parkplan advocates the establishment of conservancies and that the De Koven Woods would be an excellent candidate for such a designation.

A motion was made by Vincent Esqueda, seconded by John Dickert that this item be deferred. The motion PASSED by a Voice Vote.

06-2620

Subject: (Direct Referral). Request from Rosie and Roberto Montano to transfer a Conditional Use Permit for tire repair and sales operation from 1225 Washington Avenue to 1414 Rapids Drive.

Recommendation of the City Plan Commission 10-11-06: That a request from Rosie and Roberto Montano seeking the transfer of a Conditional Use Permit to operate a tire repair, sales, and accessories operation from 1225 Washington Avenue to 1414 Rapids Drive be granted, subject to the following conditions:

- a. That the plans presented to the Plan Commission on October 11, 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 yard areas, landscaping, buildings and grounds be maintained in a professional manner and on a daily basis.
- d. That all fencing and gates be repaired and painted in a uniform color, or replaced. Privacy slats shall be installed in the fencing along Rapids Drive and along the east and east fencing for a distance of 100 feet from Rapids Drive. Remnant vine and wooded materials shall be removed from the fence prior to the issuance of an occupancy permit.
- e. That all parking and drive areas be paved in either concrete or asphalt, and be striped.
- f. That all aspects of the operation of this business be conducted indoors including vending machines, product displays, or sales.
- g. That there be no outside storage of vehicles, vehicle tires or parts, or equipment.
- h. That all vehicles awaiting repair be stored on site for no more than 20 days.
- i. That all trash and recyclables be stored in closed containers and screened from view.
- j. That all signs be professionally made and comply with the zoning ordinance requirements.

k. 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.

l. That this Conditional Use Permit is subject to review by the Plan Commission for Compliance with the listed conditions.

Fiscal Note: N/A

Attachments: [L.Montano.pdf](#)

Director O'Connell explained the history of the two properties in question, stating that auto repair and storage activities are approved for both locations. He stated that, in staff's view, with the blending of conditions that exist for both conditional use permits, the transfer from 1225 Washington Avenue to 1414 Rapids Drive is appropriate.

Commissioner Ekes expressed concern that the operation is going from a private to a commercial operation and questioned whether it was appropriate for a new public hearing not to be held.

Director O'Connell stated that staff also considered the same questions but came to the conclusion that the operations were substantially similar, that revised conditions provide adequate levels of protection, but that the transfer needs formal approval by the Plan Commission and Common Council.

A motion was made by Vincent Esqueda, seconded by John Dickert, that this item be recommended for approval, subjected to the listed conditions in the recommendation. The motion PASSED by a Voice Vote.

Public Hearings starting at 4:30 p.m.

06-2615

Subject: (Direct Referral). Request by Gary Goodsell for Careers Industries seeking a conditional use permit at 1614 South Street for the storage of raw materials.

Recommendation of the City Plan Commission 10-11-06:

That the request by Gary Goodsell for Careers Industries Inc. seeking a conditional use permit to use the building at 1614 South Street for the storage of raw materials, and the distribution of finished goods for Careers Industries Inc. be approved, subject to the following conditions:

- a. That the plans stamped "Received September 29, 2006" and presented to the Plan Commission on October 11, 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 there be no outside storage of materials and equipment and products.
- d. That there be no tractor-trailer trucks performing backing-up movements on Douglas Avenue or South Street.
- e. Prior to the issuance of an occupancy permit a landscape plan be submitted to the Director of City Development for review and approval along with a bond equal to the value of the landscaping to be installed.
- f. That by June 1, 2007 the following shall be accomplished:
 - 1. That the pavement and gravel area beyond the parking and drive areas be removed, and established and maintained as a landscape area.
 - 2. That the exterior of 1614 South Street and 3316 Douglas Avenue be painted in a color scheme to be approved by the Director of City Development.
 - 3. That the fence parallel to the west joint access drive be repaired and painted.
- g. That all yard areas, landscaping, buildings, and grounds be maintained in a professional manner and on a daily basis.
- h. That all signs be professionally made and comply with zoning ordinance requirements.
- i. That all trash and recyclables be stored in closed containers and screened from view.
- j. That all codes and ordinances be complied with and required permits acquired.
- k. 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.
- l. That this permit is subject to Plan Commission review for compliance with the listed conditions.

Fiscal Note: N/A

Attachments: [1614 South St.pdf](#)

Commissioner Wyant opened the public hearing at 5:00 p.m., described the public hearing process, and introduced the item.

Director O'Connell reviewed the location of the proposed operation.

Mr. Gary Goodsell, representing Careers Industries, explained the use of the property and that deliveries would consist of two trucks twice a week.

Anna Marie De Rango, representative of the property owner, explained the ability to obtain access from both South Street and Douglas Avenue which eliminates the need for vehicles to be backing up on public streets.

There being no further comments, and hearing no questions, Commissioner Wyant closed the public hearing at 5:03 p.m.

Director O'Connell explained staff's concern with traffic congestion as a result of truck movements to and from the property. He reviewed the staff's proposed conditions of approval.

A motion was made by John Dickert, seconded by Vincent Esqueda, that this item be recommended for approval, subject to the listed conditions in the recommendation. The motion PASSED by a Voice Vote.

06-2616

Subject: (Direct Referral). Request by Joseph Mrazek for Durand Shopping Center Plaza seeking a conditional use permit to re-establish the free standing multi-tenant shopping center sign at 3916 Durand Avenue.

Recommendation of the City Plan Commission 10-11-06: That the request by Joseph Mrazek seeking a conditional use permit to re-establish the free standing multi-tenant shopping center sign at the Durand Shopping Center at 3916 Durand Avenue be approved, subject to the following conditions:

- a. That a sign plan be submitted for the review and approval of the Director of City Development that illustrates a three-sided sign no greater than 25 feet in height and totaling no more that 292 square feet in area.
- b. That architectural elements and colors reflective of the Durand Shopping Center buildings be represented in the sign design.
- c. That all signs be professionally made and comply with zoning ordinance requirements.
- d. That all codes and ordinances be complied with and required permits acquired.
- e. 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.

- f. That this permit is subject to Plan Commission review for compliance with the listed conditions.
- g. That this permit shall be valid for two years from the date of approval, or upon the securing of a major tenant, whichever comes first.

Fiscal Note: N/A

Attachments: [3916 Durand Ave.pdf](#)

Commissioner Wyant opened the public hearing at 5:11 p.m., and introduced the item.

Director O'Connell described the proposal and explained that the sign is located in the City of Racine while the building is located in the Village of Elmwood.

Joseph Mrazek, owner of the property, explained that the sign would be temporary in nature as they are currently in negotiations for other companies to occupy the property.

Rob Slat of 8338 Washington Avenue, partner with Joe Mrazek, explained that they can comply with staff's recommendation in regards to the limitation of the height of 25 feet, but request an increase in the sign's square footage over what may be consistent for the area, and they object to a two-sided sign.

Joe Mrazek explained that future improvement of the property is planned, as well as the potential for providing a right-turn lane. In response to the question, he stated that he would be willing to place a two-year limit of approval of the sign in anticipation of the future improvements and the need to remodel the sign at that time.

Director O'Connell reviewed staff's recommendation.

A motion was made by Vincent Esqueda, seconded by Howard Harper, that this item be recommended for approval, subject to the listed conditions in the recommendation. The motion PASSED by a Voice Vote.

Adjournment

There being no further comments, hearing no questions, Commissioner Wyant adjourned the meeting at 5:35 p.m.

Respectfully submitted,

*Director f. O'Connell, Secretary
Director of City Development*