



City of Racine

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

Meeting Minutes - Final City Plan Commission

*Mayor Gary Becker
Alderman Gregory Holding
Atty. Jud Wyant, Elaine Sutton Ekes
Vincent Esqueda, Frank Tingle
Brent Oglesby*

Wednesday, October 29, 2008

4:15 PM

City Hall, Room 301

Call To Order

Alderman Greg Holding called the meeting to order at 4:15 p.m. Mayor Becker, although present, was unable to preside because of his cold.

PRESENT: 7 - Gary Becker, Elaine Sutton Ekes, Vincent Esqueda, Gregory Holding, Brent Oglesby, Frank Tingle and Jud Wyant

*Others Present: Brian O'Connell, Director of City Development
Rick Heller, Chief Building Inspector
Jill Johanneck, Associate Planner
Alderman Sandy Weidner
Alderman David Maack
Ben Hughes, City Administrator*

Approval of the October 8, 2008 Meeting Minutes

A motion was made by Commissioner Esqueda, seconded by Commissioner Sutton Ekes, to Approve the minutes of the October 8, 2008 Plan Commission meeting. The motion PASSED by a Voice Vote.

08-2749

Subject: Request by First Rate Financial to discuss convenient cash businesses as defined under the Zoning Ordinance of the City of Racine.

Director O'Connell read the opinion of the City Attorney concerning convenient cash businesses into the record. Commissioner Wyant noted he concurs with the City Attorney's interpretation.

A motion was made by Commissioner Wyant, seconded by Commissioner Esqueda, that this item be Recommended For Denial. The motion PASSED by a Voice Vote.

08-2782

Subject: Communication from the Alderman of the 5th District submitting the request of the HVMPA (Horlick Music Department) to place banners, flags and signs, including a permanent digital sign at 2119 Rapids Drive to advertise upcoming events.

Recommendation of the Public Works and Services Committee on 10-28-08: The communication be received and filed.

Fiscal Note: Not applicable.

Director O'Connell discussed the request by Horlick High School for a digital sign, banners, and flags to advertise upcoming events. It was noted that this is also under the "Discussion" portion of the agenda.

A representative from Horlick High School music department came forward to make a signage request. Director O'Connell stated that since the school is located in a residential zone, electronic signage is not allowed even by conditional use. He stated that any change to the sign regulations would require an ordinance amendment and requested guidance from the Commission on how to proceed.

Alderman Maack was present and stated he would like the signage issue looked at on a case-by-case basis.

Alderman Holding moved to defer this item to the end of the agenda for further discussion.

Ord.14-08

Ordinance No. 14-08

To repeal and recreate Sec. 114-693 of the Municipal Code of the City of Racine, Wisconsin relating to Accessory buildings and structures - Height limitations.

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

Part 1:

Sec. 114-693 of the Municipal Code of the City of Racine is hereby repealed and recreated to read as follows:

“Sec. 114-693. Height limitations.

Detached Accessory Buildings may be no taller than 15’ as measured from finished floor to peak of roof; or 75% of the house height, whichever is greater. In any case, the maximum height as measured from finished floor of accessory structure to peak of roof is 20’.”

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

The Ordinance to amend regulation of the height of detached accessory buildings was presented to the Plan Commission. Chief Building Inspector Rick Heller noted his full support of the change to reduce the number of variances requested for accessory building height and to allow a more equitable accessory building height to taller homes.

A motion was made by Commissioner Sutton-Ekes, seconded by Commissioner Wyant, to Recommend Adoption of the Ordinance. The motion PASSED by a Voice Vote.

PUBLIC HEARINGS started at 4:30 P.M.

08-2832

Subject: (Direct Referral) Request by Luerene Locke seeking a Conditional Use Permit for a beauty salon at 3500 Kinzie Avenue.

Recommendation of City Plan Commission on 10-29-08: To approve subject to staff recommendations with an additional condition that the landscaping be maintained and a plan submitted to the Director of City Development for review.

Public Hearing opened at 4:30 p.m.

Director O'Connell discussed the request for conditional use approval from Luerene Locke to operate a beauty salon at 3500 Kinzie Avenue. It was noted the "Constantine" section of the Zoning Ordinance does not apply to this property because it was built after 1946; therefore this request is accompanied by a rezoning to include a Flex Development overlay district.

Ms Locke, the applicant, described the proposed operation of the business.

Associate Planner Johanneck noted she received a phone call in support of the request and a letter in opposition of the request. The letter was circulated for Commissioner review.

Public Hearing closed at 4:36 p.m.

Alderman Sandy Weidner discussed parking constraints on the site and in the neighborhood.

Commissioner Tingle questioned how long the previous commercial use has been discontinued from this building. Chief Inspector Heller advised it has been approximately one month since a fire occurred at the site.

Director O'Connell read the Staff Recommendations into the record.

A motion was made by Commissioner Sutton-Ekes, seconded by Commissioner Esqueda, that this item be Recommended for Approval, with the additional condition listed in the recommendation. The motion PASSED by a Voice Vote.

08-2833

Subject: (Direct Referral) Proposal to rezone the property at 3500 Kinzie Avenue from R-2 Single Family Residential District to R-2 with a FD Flex Development Overlay District. (ZOrd.012-08)

Recommendation of the City Plan Commission on 10-29-08: That

an ordinance be prepared and a public hearing scheduled.

Fiscal Note: N/A

Director O'Connell introduced the rezoning request for 3500 Kinzie Avenue from R-2 Single Family Residential to R-2 Single Family Residential with a FD Flex Development Overlay District. This rezoning is required to allow the conditional use for the property to become effective.

A motion was made by Commissioner Wyant and seconded by Commissioner Esqueda, that an ordinance be created, public hearing scheduled, and a resolution for a use supplement be created, with the additional condition that the applicant submits a landscape plan for review to the Director of City Development. The motion PASSED by a Voice Vote.

[08-2834](#)

Subject: (Direct Referral) Request by Robert Brooks seeking a conditional use permit for an establishment conducting sales, service and repair of appliances and upholstery repair at 1535 Douglas Avenue. (Res.08-1090)

Recommendation of the City Plan Commission on 10-29-08: That this item be approved subject to staff recommendations.

Fiscal Note: N/A

Public Hearing opened at 4:43 p.m.

Director O'Connell discussed the request by Robert Brooks for a Conditional Use Permit at 1535 Douglas Avenue to allow sales, service and repair of appliances, as well as automobile upholstery repair. He noted the item has been before the Access Corridor Committee and received their endorsement.

Mr. Brooks, the applicant, described the proposed operation of the business.

Alderman Kaplan spoke in favor of the request.

Public Hearing closed at 4:50 p.m.

Discussion followed regarding the condition of the façade of the building and the lack of landscaping on the property.

Director O'Connell read the Staff Recommendations into the record.

A motion was made by Commissioner Wyant and seconded by Commissioner Tingle, that this item be Recommended For Approval subject to the following changes to the Staff Recommendations:

Change to "c." to prohibit the outside repair of vehicles and the outdoor storage of vehicle parts, materials, appliances and equipment.

Change to "e." adding the phrase "limited to the installation or removal of the seats being repaired."

Change to "f.", vehicles may not be parked or stored on site for no longer than five days.

Change to "h." that store hours be from 7:00 a.m. - 8:00 p.m.

And to add the following conditions:

That the two windows be replaced within 12 months of approval of the Conditional Use.

That a landscape plan be submitted to the Director of City Development for review.

The motion PASSED by a Voice Vote.

08-2835

Subject: (Direct Referral) Request by Randall Borglin seeking a conditional use permit for a beauty salon at 2932 Northwestern Avenue.

Recommendation of the City Plan Commission on 10-29-08: To approve subject to staff recommendations with an additional condition that the landscaping be maintained and a plan submitted to the Director of City Development for review.

Public Hearing opened at 4:43 p.m.

Director O'Connell discussed the request for a conditional use approval from Randall Borglin to operate a beauty salon at 2932 Northwestern Avenue. This request is accompanied by a rezoning to include a Flex Development overlay district as a beauty salon is not allowable in the O - Restricted Office zone.

The applicant gave an overview of his proposed operation. It will be a beauty salon only, no massage or other accessory beauty services will be offered.

A neighbor, Lynn Tracy of 1944 Wustum Avenue, asked how the land will be kept up and brush removed. The applicant advised he currently has \$10,000 invested in landscaping and keeping up the property and will have a professional management company in charge of the grounds. He advised he has no plans for the heavily wooded area adjacent to neighboring residential and that it will be kept natural.

Alderman Sandy Weidner inquired if other feedback on the proposal had been received and how far out the notices were sent. Associate Planner Johanneck advised she had received no feedback on the item and that notices were sent to individuals within 200-feet of the property boundary as required.

Public Hearing closed at 5:07 p.m.

Director O'Connell read the Staff Recommendations into record.

A motion was made by Commissioner Wyant, seconded by Commissioner Esqueda, to approve the request subject to the Staff Recommendations and with the addition of Saturday hours of operation from 9:00 a.m. - 5:00 p.m. and that a landscape maintenance plan be submitted to the Director of City Development. The motion PASSED by a Voice Vote.

08-2836

Subject: (Direct Referral) Proposal to rezone the property at 2932 Northwestern Avenue from O-Restricted Office District to O with a FD Flex Development Overlay District. (ZOrd.013-08)

Recommendation of the City Plan Commission on 10-29-08: That an Ordinance be prepared and a public hearing scheduled.

Fiscal Note: N/A

Director O'Connell introduced the rezoning request for 2932 Northwestern Avenue from O-Restricted Office to O-Restricted Office with a FD Flex Development Overlay District. This rezoning is required to allow the conditional use for the property to become effective.

A motion was made by Commissioner Tingle, seconded by Commissioner Wyant, that an ordinance be created, public hearing scheduled and resolution created. The motion PASSED by a Voice Vote.

Adjournment

Alderman Helding adjourned the meeting at 5:20 p.m.