



City of Racine

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

Meeting Minutes - Final

Planning Heritage and Design Commission

Wednesday, October 28, 2020

4:30 PM

Virtually

Call To Order

Mayor Mason called the meeting to order at 4:45p.m.

PRESENT: 7 - Mason, Jones, Martinez, Hefel, Austin, Jung and Peete

Approval of Minutes for the September 23, 2020 Meeting.

A motion was made by Alder Jung, seconded by Commissioner Peete, to amend the agenda to correctly reflect the minutes of the September 23rd meeting being approved. The motion **PASSED** by a Voice Vote.

A motion was made by Alder Jung, seconded by Commissioner Peete, to approve the minutes of the September 23rd meeting. The motion **PASSED** by a Voice Vote.

4:30 P.M. PUBLIC HEARINGS

[0715-20](#)

Subject: Request by Courtney Connor of Growing Tree Child Development Center, LLC, for consideration of a conditional use permit to operate a group daycare center at 3333 Douglas Avenue. (PHDC-20)

Recommendation of the Planning, Heritage, and Design

Commission on 10-28-2020: That the request by Courtney Connor of Growing Tree Child Development Center, LLC, for a conditional use permit to operate a group daycare center at 3333 Douglas Avenue, be approved subject to conditions a. - i.

Fiscal Note: N/A

Attachments: [Public Hearing Notice](#)
[Review and Recommendation](#)
[Applicant Submittal](#)
[#0715-20 Resolution](#)

Jeff Hintz, Associate Planner, introduced the request and reviewed the zoning of the subject and adjacent properties, surrounding land uses and businesses, the public hearing notice map that was distributed to neighboring properties, the comprehensive land use designation for the site, and photos of the site and surrounding area. The property is zoned B2 – Community Shopping District with R3 - Limited General

Residence to the east and B1 – Neighborhood Convenience/B2 on Douglas Avenue. Hintz showed the site plan for the request which showed the parking in the rear of the building and where the proposed playground would be located. The floor plan for the request was also shown.

Hintz explained the application and business summary. The proposed daycare would occupy up to 50 children ranging from ages 4 weeks to 12 years and would be open from 6:00 a.m. to 6:00 p.m. Monday through Friday. Hintz described the required findings of fact for approval of conditional use permits and explained that no exceptions are being requested for this request. Staff is recommending approval subject to conditions a. – i. Hintz reviewed the proposed conditions of approval.

Mayor Mason opened the public hearing at 4:54 p.m.

Alder Jeff Coe, spoke regarding the request. He asked if there were concern with a bar being located on the other side of Dairy Queen.

Sadowski explained that the majority of the area is zoned B2 and the B2 zoning allows for a tavern. He stated there is no distance requirement regarding daycares and taverns.

Hintz explained the hours of the daycare would be from 6:00 a.m. to 6:00 p.m.

Alder Coe explained that the tavern was also open for lunch.

Mayor Mason explained that the B2 zoning allows flexibility and if, as a City, we want to review at the time of the zoning ordinance rewrite, we can do so.

Commissioner Hefel confirmed that the commission cannot deny a business operation because of a bar.

Mayor Mason asked if the use were acceptable for the property as it is zoned today.

Staff stated yes.

Stephanie Kober and Courtney Connor, the applicants, spoke regarding the request and were available for any questions from the commission. They stated they were aware of the bar and will not be using the front entrance to the property. They stated the entrance will be in the back area of the property and the bar is across the street.

Alder Jung asked Mr. Connor if he owned certain properties around the city. He explained that, while the question does not necessarily relate to the request, he wanted to make sure that applicants are aware that staff will be making sure the codes are being followed on all properties in order to keep residents safe and healthy. Alder Jung referenced the RENTS program that City recently created.

Mayor Mason closed the public hearing at 5:04 p.m.

A motion was made by Commissioner Martinez, seconded by Alder Jones, to recommend approval of the request subject to conditions a. – i. The motion PASSED by a Voice Vote.

[0716-20](#)

Subject: Request by John Apple for consideration of the nomination of the property at 3015-3021 Washington Avenue as a Racine (Local)

Landmark as prescribed by Sec. 58-61 & 62 of the Racine Municipal Code: Historic Preservation. (PHDC-20)

Recommendation of the Planning, Heritage, and Design

Commission on 11-18-20: That the request by John Apple for consideration of the nomination of the property at 3015-3021 Washington Avenue as a Racine (Local) Landmark as prescribed by Sec. 58-61 & 62 of the Racine Municipal Code: Historic Preservation be rejected.

Fiscal Note: N/A

Attachments: [Agenda Briefing Memo Park Theatre Final.docx](#)
 [November Update](#)
 [Public Hearing Notice](#)
 [SHPO Eligibility Form](#)
 [Property Photos](#)
 [Application](#)
 [Park Theater Comments](#)

Matthew Sadowski, Planning Manager, explained the request. He stated that this was the beginning of the process regarding possibly designating a property as a local landmark. He stated, if the commission feels that the property should be a local landmark, the recommendation would be forwarded to the Common Council and the Common Council would request the property be formally rezoned to recognize its landmark status.

Sadowski showed the location of the property and the surrounding view. He stated that the building is an example of Mediterranean Revival style and showed the interior of the building emphasizing the plaster work. Sadowski stated that, in the 1970's, the building was converted from one large theater to two smaller theaters. Sadowski showed images of the stage and the arches within the building.

Sadowski explained that the building was found to be eligible for the National Register during the Washington Avenue highway reconstruction project.

Sadowski explained the criteria for designating landmarks, landmark sites, and contributing properties: (1) Exemplifies or reflects the cultural, archaeological, political, economic, social, or religious history; (2) Is identified with personages, events, or periods of history; (3) Embodies distinguishing characteristics of architecture, an architect or architectural materials, craftsmanship, or works of nature; (4) In its inherent historical nature provides the citizenry with educational or aesthetic enrichment; (5) Contributes to the character or understanding of a district and is one property, or a multiple of properties or structures, that helps form the basis of a district. Sadowski stated the property is seen as a cultural site.

Sadowski explained that the PHDC has 30 days to file a recommendation with the Common Council.

Mayor Mason asked Ken Plaski, Chief Building Inspector, to explain the condition of the building.

Plaski stated in June 2018, he went through the building and determined that the building qualified for a raze order which was issued. He stated the property owner, John Apple, then appealed the decision to the courts. Plaski explained that if the property were designated it would not stop the raze order, it would just add to the steps. Plaski explained the reasoning for the raze order. He stated that the masonry is in horrible condition, bricks were about to fall from the parapet wall, there are no utilities inside – the water has been off for 2 ½ years, the basement was flooded with raw sewage, there were pigeons in the building and there is 2 inches of feces where the seats were, among other conditions. Plaski stated the façade of the building next door fell off and crushed a car and it would be too dangerous if the façade were to fall off of this building.

Commissioner Hefel asked if this were the only Mediterranean Revival style building in the city.

Sadowski stated no, there is an apartment building on Washington Avenue as well as a gas station. He stated this is the only theater that is of that style.

Alder Jung asked about the chances of restoring the building.

Plaski stated any structure can be saved with the proper knowhow, money, effort, and time.

Commissioner Hefel stated the front façade has cracks and asked how much more bad whether the building would be able to take.

Plaski stated that was a hard question. He stated the first walk through was 28 months ago and the building has survived, however, we could have a wet snow that could potentially collapse the roof.

Commissioner Hefel asked what happens to the foundation of a building when it has been flooded with sewage. She asked if it could be effectively cleaned.

Plaski stated that it could be pumped out, however, it is a tremendous job to fix the infrastructure and damage.

Commissioner Martinez asked about the injurious piece and the potential hazard and danger to the neighbors.

Plaski explained that the reason for the condemnation order is that the building poses a hazard.

Commissioner Peete asked with all of the conditions of the building if there were monetary resources available.

Alder Jones asked about the condition of the basement.

Plaski stated the basement is fine, however the sewage prevented staff from venturing too far.

Alder Jones stated it was her understanding that if the foundation were ok, the rest of the building could be worked with.

Commissioner Hefel expressed concern with the building being unmaintained. She stated we could receive a big snow fall and that could potentially take out the roof and the façade.

Mayor Mason opened the public hearing at 5:39 p.m.

Alder Jeff Coe, spoke regarding the request. He stated that the property owner, Apple, owned 410 Main Street and it had to be taken back. He stated a lot of money went into the building. He stated Apple owned a house in his district where water leaked. He expressed concern with the property owner and the condition of the building being proposed for landmark status.

Judith Schulz, 527 Milwaukee Avenue, Burlington, WI, spoke regarding the request. She stated she was related to the people who built the property. She explained the events that took place at the property and the history of the architecture. She stated there was a very active group who are ready to proceed with the restoration of the property.

Pippin Michelli, 1608 S. Main Street, spoke regarding the request. She is the President of Preservation Racine and stated that the Landlord agreed to deed the property to the West Racine Business Alliance. She stated the property is very close to the West Racine Business District and could be an asset to West Racine Business Development Plan. She stated the current owner would have nothing to do with the property.

Nancy Simonsen, spoke regarding the request. She stated the West Racine Business Alliance formed a committee to work towards saving the building. She stated they planned to work towards raising money to rehab the roof as the first step and referenced the letter she sent to the commissioners the day prior to the meeting.

Stephen Mar-Pohl, 115 E. Main Street, Madison, WI, spoke regarding the request. He stated he was the architect who was asked to review the building. He stated that when he reviewed the building, he brought along restoration experts who all agreed that the building was salvageable. He explained that the building would be eligible for Historic Tax Credits and that the estimated cost of the project would be \$10 million. He stated the first step would be to enclose and stabilize the building envelope to safeguard the public. He stated the foundation is strong and while the interior finishes are in terrible shape there are enough historic material to make the building beyond striking if fully restored. He stated the original bulbs and curtains are still in place and there are enough historic materials to allow a recreation of what was there. He stated the birds, etc. can be rectified and that the building is of cultural and architectural significance. He stated resources can be found and that every step should be taken to do so.

Commissioner Peete asked if everything were approved would financing be available to start making repairs immediately.

Mar-Pohl explained he was unsure and would have to leave that question to others.

Alder Jung asked regarding the safety of the building and the estimated cost for the building not to collapse.

Mar-Pohl was unable to speak to that regard, however, he stated it was not

insubstantial and would need to happen immediately.

Mayor Mason closed the public hearing at 6:03 p.m.

Mayor Mason explained that the building has been in the courts for 28 months regarding the raze order and expressed concern for public health and safety. He stated it does not appear that there are any resources available or that have been identified.

Commissioner Hefel explained that the building has been available to rehab for several years. She stated no building is better after 28 months after a raze order and explained the possible damage that could have taken place with the road construction. She stated she understands the feeling when it comes to the building, however, she thinks it may be too late to fix.

Commissioner Martinez appreciated and understood wanting to save the building, however, stated it has been a long time. He asked if the nomination were going to the West Racine Business Alliance.

Hintz stated the nomination for a local landmark is what is being asked for today.

Mayor Mason described the steps not clarified.

Commissioner Martinez stated that having no resources available for the repair of the building was very concerning.

Alder Jones asked when the raze order would go into effect.

Plaski stated once the request goes through the commission. He explained the age of the raze order and stated that it went through circuit court and the was held by the court of appeals. He stated then the application for a local landmark came in and it had to stop.

In response to Alder Jones, Plaski stated that a legal condemnation order was signed.

Alder Jones explained a theater in Baraboo that was able to raise funds, outside of city funds, to be saved.

Alder Jung highlighted the value of the building and the passion of the neighborhood, however, expressed concern for public safety.

Commissioner Peete asked if money were available, if the back taxes would have to be satisfied first.

Mayor Mason explained there were more than \$200,000 owed in back taxes that would have to be either paid or forgiven by the County Board. Mason expressed concern with letting the building go through winter.

Commissioner Hefel explained her experience in owning a vintage building and asked who can be available immediately to clean up any damage that were to happen. She stated a formal plan would be needed including monetary resources and shoring the building for the winter season.

Discussion after the motion:

Mason stated that we would need to hear about a fiscal plan and a building stabilization cost and possibility of it being done by snowfall (winter).

A motion was made by Alder Jung, seconded by Commissioner Hefel, to defer the item to the November 18th meeting. The motion PASSED by a Voice Vote.

****The next item taken was the raze ordinance – 0697-20. This item was also deferred.****

END OF PUBLIC HEARINGS

[0635-20](#)

Subject: Request by Rosie Olle of Michael's Signs, agent for Heating and Cooling Solutions, for consideration of a conditional use permit to operate an electronic message sign at 2430 Lathrop Avenue.
(PHDC-20)

Recommendation of the Planning, Heritage, and Design

Commission on 9-23-2020: That the request by Rosie Olle of Michael's Signs, agent for Heating and Cooling Solutions, for consideration of a conditional use permit to operate an electronic message sign at 2430 Lathrop Avenue be deferred so staff can review underlying issues with the current conditional use permit.

Recommendation of the Planning, Heritage, and Design

Commission on 10-28-2020: That the request by Rosie Olle of Michael's Signs, agent for Heating and Cooling Solutions, for consideration of a conditional use permit to operate an electronic message sign at 2430 Lathrop Avenue be approved, subject to conditions a. - g.

Fiscal Note: N/A

Attachments: [Review and Recommendation](#)
[Public Hearing Notice](#)
[Applicant Submittal](#)
[Site Visit Report](#)
[#0635-20 Resolution](#)

Hintz explained that the request was deferred so the business could be investigated regarding compliance with its current conditional use permit. He stated he met with the property owner to investigate the site and stated the only thing found was the condition of the parking lot was not in compliance. He stated the property owner was waiting for an answer regarding their sign request because he does not want to redo the parking lot only to tear it up to install the conduit for the sign. Hintz explained that the staff recommendation remains unchanged and that approval is being recommended subject to conditions a. – g.

Alder Jung confirmed that the sign permit cannot be issued prior to the repair of the

parking lot.

Hintz stated that the conduit would be installed, then the parking lot repaired, and then the sign would be installed.

Commissioner Martinez stated that the parking lot has been in a state of disrepair for five years and expressed concern with the history of the building.

Hintz explained the that dispute between the property owner and his neighbor regarding the fence was a private matter. He stated complaints were filed and the Building Department has done what they can; there are no open violations on the property.

Sadowski explained that there was a neighbor conflict. He stated the applicant did start work without permits, however, once it was brought to his attention, he complied.

Commissioner Martinez asked about the drainage and abandoned vehicles on the property.

Sadowski stated the drainage plan was reviewed and there were no abandoned vehicles on the site.

Hintz stated that there was a vehicle on the property that he asked about, but the property owner showed current registration for the vehicle. He stated the applicant has to comply with the previous conditions of approval.

Commissioner Martinez expressed concern with the placement of the sign.

Hintz stated the sign will be placed outside the vision triangle and complies with codes and ordinances.

Commissioner Peete asked regarding safety and concerns for children crossing the street.

Hintz stated that the sign will be placed as far from the corner as they can on the property.

Commissioner Martinez asked about monitoring the property and any follow-up given the property's history.

Hintz stated that the property can be placed on the PHDC agenda at any time for review and compliance. He stated the PHDC has the power to revoke a conditional use permit.

Mayor Mason reiterated condition g. of the proposed conditional use permit.

A motion was made by Commissioner Hefel, seconded by Commissioner Peete, to recommend approval of the request subject to condition a. – g. The motion PASSED by a Voice Vote with Commissioner Martinez abstaining.

[0558-20](#)

Subject: Request by Dariel Taylor, representing Roots Residential AFH, LLC, seeking a conditional use permit to operate a daycare center at 1020 Washington Avenue. (PHDC-20)

Recommendation of the Planning, Heritage, and Design

Commission on 9-23-2020: That the request by Dariel Taylor, representing Roots Residential AFH, LLC, seeking a conditional use permit to operate a daycare center at 1020 Washington Avenue be denied.

Recommendation of the Planning, Heritage, and Design

Commission on 10-28-2020: That the request by Dariel Taylor, representing Roots Residential AFH, LLC, seeking a conditional use permit to operate a daycare center at 1020 Washington Avenue be approved subject to conditions a. - i.

Fiscal Note: N/A

Attachments: [Revised Plans](#)
[Letter in opposition](#)
[Review and Recommendation](#)
[Public Hearing Notice](#)
[Applicant Submittal](#)
[Additional Received Comments](#)
[#0558-20 Resolution](#)

Mayor Mason explained that the request was being presented with a slightly different proposal regarding the use of the property.

Hintz stated that the request was a reconsideration and not a public hearing. He explained that the request was recommended for denial by the PHDC and was sent back for reconsideration and changes to the application were made based on comments.

Hintz showed the revised site plan that would accommodate one-way traffic to the site, the driveway would be removed and curbed on Washington Avenue. He stated exceptions would still be needed. Hintz described the application and business summary. He stated a. and d. of the requirements for daycare centers would not be met, however, staff feels that the current proposal meets the spirit and intent of the law. Hintz stated that the closure of the driveway, rerouting of traffic, and recommended traffic control measures ensure that the business will have virtually no traffic impact on the nearby daycare center; the nearby daycare center utilizes a pick up method and vans block access to Washington from rear customer/employee lot-access is from Hilker Place; and the Wisconsin Chapter of the APA noted that since the pandemic, 40 percent of childcare centers have closed and those that remain open safer at home orders have limited capacity of centers.

Hintz described the possible actions of the commission, the required findings of fact for approval of conditional use permits, and reviewed the recommendations of staff. He stated staff is recommending approval subject to conditions a. – i. Hintz reviewed the proposed conditions of approval.

Commissioner Hefel commended staff for doing a great job reconciling the questions.

Bill Bowers, Director of City Development, stated that he looked at the site to get an idea of what was happening. He stated the concern was the traffic on Washington Avenue and that was mitigated by fencing the driveway to separate it from Washington Avenue. He stated it puts the traffic on Pearl Street. He stated a strong effort was made by the applicant to meet the spirit of the ordinance and redesign the site.

Commissioner Austin stated he supports the business and sounds like the redesign gets them over the hurdle of a. (of daycare requirements) at least in spirit.

Sadowski stated the modification meets the spirit of the ordinance and addresses concerns.

A motion was made by Alder Jung, seconded by Commissioner Hefel, to recommend approval of the request subject to conditions a. – i. The motion PASSED by a Voice Vote.

[0718-20](#)

Subject: Request by Jada Pfarr of Longshot Vinyl for review and approval of signage at 316 - 6th Street. (PHDC-20)

Attachments: [Recommendation](#)
 [Design Review Checklist](#)
 [Applicant Submittal](#)

Hintz reviewed the request and showed the rendering for the window graphics to be placed on the building. He stated the request complies with the guidelines and reviewed the proposed conditions of approval. Staff is recommending approval subject to conditions a. – c.

A motion was approved by Commissioner Peete, seconded by Commissioner Martinez, to approve the request subject to conditions a. – c. The motion PASSED by a Voice Vote with Commissioner Hefel abstaining.

[0717-20](#)

Subject: Request by Tracy Stacy of Absolute Construction Enterprises, agent for Vero LLC, for review and approval of facade changes at 211 - 6th Street. (PHDC-20)

Attachments: [Recommendation](#)
 [Design Review Checklist](#)
 [Applicant Submittal](#)

Hintz reviewed the request and stated that the outdoor seating will be enclosed, an awning added, and decorative railing will be added on the roof. He stated all materials were submitted to staff. Hintz explained there is a request to darken the windows, however, that is not appropriate per the guidelines for the downtown area. He stated staff is recommending approval subject to conditions a. – e.

A motion was made by Alder Jung, seconded by Commissioner Hefel, to approve the request subject to conditions a. – e. The motion PASSED by a Voice Vote.

[0720-20](#)

Subject: Request by Fastsigns of Racine, agent for Envy Fits and Fashion, for review and approval of signage at 232 Main Street.

(PHDC-20)

Attachments: [Revised Signage](#)
[Recommendation](#)
[Design Review Checklist](#)
[Applicant Submittal](#)

Hintz reviewed the request and showed the rendering of the proposed signage and site photos. Hintz reviewed the design guidelines for wall signage and stated that staff is recommending approval of the request, subject to conditions a. – d.

Mayor Mason expressed concern regarding the brightness of the sign since the property is located within a historic district.

Hintz explained the color choice was within the approved color palate.

In response to Commissioner Hefel, Hintz stated that the font was assumed to be the logo. He explained that the lettering would be pinset with an aluminum backing so the sign will have some depth.

Brief discussion ensued regarding seeing a rendering of the proposed signage shown in reference with the current neighbors of the property.

A motion was made by Commissioner Hefel, seconded by Commissioner Peete, to defer the request. The motion PASSED by a Voice Vote.

[0719-20](#)

Subject: Request by Tesa Santoro of JT Eats LLC for review and approval of signage and facade changes at 501 - 6th Street, Taste of Soul.

Attachments: [Asiana Photos 1, 2, 3](#)
[Letter of Explanation](#)
[Estimate Wood Vs Vinyl](#)
[Applicant Submittal - Revised Signage](#)
[Design Review Checklist](#)
[Recommendation](#)
[Facade Grant Application](#)

Sadowski reviewed the request and stated that the property was formerly home to Henry and Wanda's. He stated the proposal includes replacing the peeling paint and adding new windows onto the property. Sadowski also reviewed the signage request for the building.

Sadowski stated that new double-hung windows will be added to the second floor blocked out windows. He stated the color scheme would basically be the same and described the proposed design of the building. He stated the awning being proposed is consistent with the design standards for the downtown.

Sadowski reviewed the proposed conditions of approval.

In response to Mayor Mason, Sadowski stated the building would be light grey with

dark grey accents; the window trim would be the color habanero. He stated the windows would be double hung on the second floor and the window accent/trim color is fine, there would be a concern if it were the entirety of the building.

Discussion ensued regarding painting the vinyl of the proposed windows.

Sadowski stated painting the vinyl was not included in the quotes received, but can be specified.

Mayor Mason asked if a higher quality of window could be requested since the City will be paying for a portion of the windows. He asked about the additional cost of wooden windows.

Upon discussion, the commission requested a cost estimate for a higher quality of windows and the softening of the habanero color for the window trim.

A motion was made by Commissioner Hefel, seconded by Commissioner Peete, to defer the request. The motion PASSED by a Voice Vote.

[0722-20](#)

Subject: Request by Tesa Santoro of JT Eats LLC for review and approval of a facade grant at 501 - 6th Street.

A motion was made by Alder Jung, seconded by Commissioner Hefel, to defer the request. The motion PASSED by a Voice Vote.

[0697-20](#)

Subject: Communication sponsored by Mayor Mason requesting adoption of Ordinance 0009-20- Razing of Properties as attached.

Recommendation of the Public Works and Services Committee on 10-13-20: That Ordinance 0009-20 - Razing of Properties, be adopted.

Recommendation of the Planning, Heritage and Design Commission on 11-18-20: That Ordinance 0009-20 - Razing of Properties, be adopted as attached.

Fiscal Note: N/A

Attachments: [Ordinance XX-20- Razing of properties \(NA 9.22.20\)](#)
[Ordinance 0009-20 Sec. 58-64 and Sec. 58-65 - Razing of Properties](#)

A motion was made by Alder Jung, seconded by Commissioner Hefel, to defer the item to the November 18th meeting. The motion PASSED by a Voice Vote.

Adjournment

There being no further business, the meeting adjourned at 7:32 p.m.