



# City of Racine

City Hall  
730 Washington Ave.  
Racine, WI 53403  
[www.cityofracine.org](http://www.cityofracine.org)

## Meeting Minutes - Final City Plan Commission

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

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Wednesday, October 29, 2014

4:15 PM

City Hall, Room 205

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### Call To Order

*Mayor Dickert called the October 29, 2014 Plan Commission meeting to order at 4:20 p.m.*

**PRESENT:** 6 - Vincent Esqueda, Tony Veranth, John Dickert, Molly Hall, Melvin Hargrove and Dennis Wiser  
**EXCUSED:** 1 - Elaine Sutton Ekes

Others present:

*Matt Sadowski, Assistant Director of City Development  
Jill Johanneck, Associate Planner  
Ken Plaski, Chief Building Inspector / Zoning Administrator*

### Approval of Minutes for the October 8, 2014 Meeting

**A motion was made by Commissioner Hargrove, seconded by Alderman Wiser, to approve the October 8, 2014 meeting minutes, as submitted. The motion PASSED by a Voice Vote.**

**[14-10703](#)**

**Subject:** (Direct Referral) A request by David Namowicz for a 2-Lot Certified Survey Map at 1921 Charles Street. (Res. No. 14-0450)

#### **Recommendation of the City Plan Commission on 10-29-2014:**

That the item be approved, subject to conditions.

**Fiscal Note:** N/A

**Attachments:** [\(14-10703\) CSM 1921 Charles Street](#)

*Associate Planner Johanneck reviewed the request to separate the lot at 1921 Charles Street. The proposal would create two legal B-2 zoned lots, separating an office building from an old theater building. Both lots will utilize on-street parking, and have access from the rear off of Carter Street. There is a rear portion of the proposed lots which may function as parking in the future.*

*There is a small discrepancy in the measurement along the front of Parcel 1, and*

*Staff has spoken with the surveyor who will make the correction prior to recording.*

**A motion was made by Alderman Wisner, seconded by Commissioner Veranth, to recommend approval of the two-lot certified survey map for 1921 Charles Street, subject to staff conditions. The motion PASSED by a Voice Vote.**

**4:30 P.M. PUBLIC HEARINGS****4:30 P.M. PUBLIC HEARINGS****14-10553**

**Subject:** (Direct Referral) Request by the Redevelopment Authority for the vacation of the east-west alley and part of the north-south alley in the block bounded by Washington Avenue, West Boulevard, Thirteenth Street, and Grove Avenue. (Res. No. 14-0401)

**Recommendation of the Public Works and Services Committee on 9-30-14:** Since public interest requires it, that the following parcel of land, more particularly described as follows, be and hereby is vacated and discontinued:

That part of Block 7 in Jay Eye See Land Co's Subdivision No 3 and Jay Eye See Addition No. 4, a recorded plat in the City of Racine, Racine County, Wisconsin that is part of the Southeast ¼ of Section 18 Township 3 North, Range 23 East described as follows:

Vacate the east-west alley between lot 6 and the west 19 feet of lot 27, and lots 5 through 3 and the west 20 feet of lot 2, which lies south of Washington Ave. and east of the east line of Grove Ave. to previously vacated portion of said alley.

Said described tract containing 2,235 square feet more-or-less.

And;

That part of Block 7 in Jay Eye See Land Co's Subdivision No 3 and Jay Eye See Addition No. 4, a recorded plat in the City of Racine, Racine County, Wisconsin that is part of the Southeast ¼ of Section 18 Township 3 North, Range 23 East described as follows:

Vacate the north-south alley between lots 6 through 8 and lots 25 through 27, which lies south of Washington Ave. and east of the east line of Grove Ave and west of the west line of West Blvd.

Said described tract containing 1,680 square feet more-or-less.

Further recommends that a preliminary resolution be introduced to the Common Council and referred to the City Plan Commission.

**Fiscal Note:** N/A

**Attachments:** [14-10553 Alley Vacations](#)  
[14-10553 Legal Descriptions](#)  
[PH Notice - Alley Vacation](#)

*Mayor Dickert opened the Public Hearing at 4:30 p.m.*

*Brian O'Connell, Executive Director of the Redevelopment Authority, provided a summary of the request. He advised this action will allow for combination of these vacated alleyways and numerous lots to create one single parcel for development of the proposed DaVita Dialysis clinic. There will be a remaining alley to the south that will not be affected with this vacation. A design to block off the alley to eliminate through traffic is still being designed.*

*The Public Hearing was closed at 4:35 p.m.*

*Assistant Director Matt Sadowski advised as part of the vacation the Plan Commission needs to find that the alley vacation is not in conflict with City plans and programs and that it facilitates the development of adjacent lands.*

**A motion was made by Alderman Wiser, seconded by Commissioner Veranth, to recommend approval of the alley vacation. The motion PASSED by a Voice Vote.**

**14-10723**

**Subject:** (Res. 14-0401) A Resolution vacating the east-west alley and part of the north-south alley in the block bounded by Washington Avenue, West Boulevard, Thirteenth Street, and Grove Avenue.

**Recommendation of the City Plan Commission on 10-29-2014:**

That the alley vacations are not in conflict with city plans and programs and will facilitate the redevelopment of subject and adjacent lands and that the Resolution be adopted.

**Fiscal Note:** N/A

*Public hearing opened at 4:36 p.m.*

*Mr. Sadowski advised this is the ordinance formalizing the vacation of the alley. Staff is recommending the resolution be adopted. Director O'Connell advised that it had been required this be referred to the Plan Commission, and since that has been addressed that said section of the verbiage in the resolution be dropped.*

*Public Hearing closed at 4:37 p.m.*

**A motion was made by Commissioner Hargrove, seconded by Alderman Wiser, to recommend adoption of Resolution 14-0401, with elimination of the clause requiring referral to the Plan Commission. The motion PASSED by a Voice Vote.**

**14-10704**

**Subject:** (Direct Referral) A request by Dale Parker of DJS Automotive to operate an automobile repair facility at 1607 Goold Street. (Res. No. 14-0468)

**Recommendation of the City Plan Commission on 11-13-14:** That the item be approved, subject to conditions.

**Fiscal Note:** N/A

**Attachments:** [PH Notice - 1607 Goold Street](#)

*Public hearing opened at 4:37 p.m.*

*1. Lorie Kosterman, 2107 Blake Avenue, spoke on the item. She indicated the auto repair has moved in, and there are cars everywhere. She stated there have been violations of the original conditional use regarding storage in the rear along the fence line, and there is to be no storage in the abandoned alley way. She provided pictures of the site conditions. Said she does not know what they are planning but are already occupying the space.*

*Public hearing closed at 4:40 p.m.*

*Ms. Johanneck reviewed the area and the building, stating it is a multi-tenant building and the property is zoned I-1 Industrial. The proposed location of the auto repair is along the east side of the building and is approximately 3,800 sq. ft. There are 3 other tenants occupying the building and one vacancy. The outside storage area is enclosed with a wall and fencing, which is allowed in the I-1 district with appropriate screening, which is provided. She advised she had checked the enforcement database and there are no open violations at this time.*

*Further review of site photos, a site plan, and the floor plan were provided. The entrance into the repair shop will be off of N. Memorial Drive, and the existing gravel portion of the driveway will need to be paved prior to occupancy. The applicant has provided for 5 outdoor parking spaces, and 14 interior parking spaces for vehicles being worked on or stored for pick-up. The other tenants generate little customer traffic due to the nature of the businesses. Hours of operation proposed are from 9:00 a.m. – 5:00 p.m. Monday through Friday, and 9:00 a.m. - 12:00 p.m. on Saturdays. There will be 2 full-time employees. Truck traffic will be limited to small delivery trucks from local auto parts stores. The repair will be light, no painting, tire work, or engine repair taking place. No exterior lighting is proposed at this time, and the dumpster will be located further west within the site, behind the sliding gate and wall that surrounds the property so as to block it from public view. The landlord is responsible for site maintenance. The applicant has been advised that parking is allowed indoors, in the designated spaces, and not out along Memorial Drive or other undesignated areas.*

*Mayor Dickert advised the applicant can have outside storage due to the screening, but to address Ms. Kosterman's concerns he will have the Chief Building Inspector Ken Plaski send someone to check on what activities are occurring there at this time.*

*Ms. Johanneck read through the conditions of approval. Mayor Dickert expressed concerns that work is occurring without an occupancy permit and wants to find out more about that. Commissioner Veranth stated he has noticed activity as well. Ms. Johanneck advised the occupants have been contacted by the Building Inspector because they were operating without an occupancy permit or conditional use, and that is why this is before the Commission today, to impose conditions on the operation so they are in compliance with zoning codes and allow them to obtain their occupancy permit. Commissioner Veranth also indicated there were vehicles for sale parked out along Memorial Drive. Mayor Dickert recommended this be deferred for two weeks to get a better idea of the activities occurring at the site.*

**A motion was made by Commissioner Hall, seconded by Commissioner Hargrove, that the request be deferred for two weeks to verify if the applicant is**

operating. The motion **PASSED** by a Voice Vote.

**14-10705**

**Subject:** (Direct Referral) A request by Erwing Jackson, of DEM Auto Sales and Service, to operate a used car sales lot with light repair at 1304 Douglas Avenue. (Res. No. 14-0451)

**Recommendation of the City Plan Commission on 10-29-14:** That the item be approved, subject to conditions.

**Fiscal Note:** N/A

**Attachments:** [PH Notice - 1304 Douglas Avenue](#)  
[\(14-10705\) CU 1304 Douglas Avenue](#)

*Ms. Johanneck provided a review of the property, which is zoned B-2, and reviewed zoning and aerial views of surrounding properties. The building is designed for automotive use. The applicant stated he is looking into acquiring additional parking spaces at 1234 Douglas Avenue; however nothing had been received at this time indicating they had an agreement for parking. The building is 3,220 square feet, and the business will involve vehicle sales after they have been purchased from auto auctions and repaired/reconditioned inside the building. There is an office in the front of the building along Douglas Avenue. No exterior modifications are proposed at this time.*

*The exterior parking lot can accommodate parking of 10 vehicles total, and inside the building can accommodate parking of 8 vehicles. All repairs will occur within the building and be light in nature; no body work, engine work, tires, or extensive repair will take place. More focus will be on detailing, oil changes, etc. The dumpsters will be screened with 6-foot cedar fencing and gates, located at the far west end of the parking lot area. Maintenance will be the tenants' responsibility, and they are outsourcing snow removal. There will be 1 full time employee with up to 4 part-time employees. Hours of operation proposed are 9:00 a.m. – 5:00 p.m., Monday through Saturday. No snow removal plan has been provided.*

*Public Hearing opened at 5:00 p.m.*

*No speakers*

*Public Hearing closed at 5:00 p.m.*

*Mayor Dickert advised Alderman Jim Kaplan contacted him and is in support of the project. Ms. Johanneck advised that as a condition of approval the Douglas Avenue BID and Corridor Reviews are required.*

*Alderman Wisner asked about the possibility of additional parking and if they have adequate parking on-site. Ms. Johanneck advised there is adequate parking, and that the applicant had looked at numerous sites around the City before choosing this location. He was advised by Staff of the limitations on parking with this site and how it will affect the business, and that vehicles must adhere to the parking plan, and not be parked haphazardly or parked along Douglas Avenue. He also plans on parking vehicles inside the building.*

*Erwing Jackson, the applicant, came forward and advised he will be leasing the property, and possibly purchasing it in the future. Mayor Dickert verified with the applicant that he is aware of the conditions of approval. The applicant stated he is working with a garage on snow removal.*

**A motion was made by Commissioner Veranth, seconded by Commissioner**

Esqueda, to recommend approval of the request subject to staff recommendations. The motion **PASSED** by a Voice Vote.

**14-10706**

**Subject:** (Direct Referral) A request from Elmwood Racine, LLC seeking a rezoning of the Elmwood Shopping Center at 3701 Durand Avenue from B-2 to B-2 with a FD Flex Development Overlay. (Res. No. 14-0452) (Zord. 004-14)

**Recommendation of the City Plan Commission on 10-29-14:** That an ordinance to rezone 3701 Durand Avenue from B-2 Community Shopping to B-2 Community Shopping/Flex Development Overlay be prepared and a public hearing scheduled.

**Fiscal Note:** N/A

**Attachments:** [PH Notice - 3701 Durand Avenue](#)

*Ms. Johanneck addressed both this item and 14-10708 together as they are directly related. A review of the property, surrounding zoning, aerial and area views was provided. The reason for adding the FD Flex Development overlay relates to the request to amend the conditional use for Elmwood Plaza to allow for indoor storage at the facility. The Flex rezoning would allow this as a possible use for the building where the standard B-2 zoning does not. The request is for storage area indoors on two levels, and RV storage in a building attached to the plaza.*

*The Flex overlay would also open up other opportunities for uses not allowed in the B-2, and limit others, in a controlled manner. These uses are outlined in a use supplement, provided for reference in the Staff report for agenda item 14-10708, which will be formally introduced at the next scheduled Plan Commission meeting.*

*Staff recommends that an ordinance be prepared and a public hearing scheduled.*

*The Public Hearing opened at 5:10 p.m.*

*The hearing for this item was held simultaneously with agenda item 14-10708. See that agenda item for all comments.*

*The Public Hearing closed at 5:34 p.m.*

**A motion was made by Alderman Wiser, seconded by Commissioner Esqueda, that an Ordinance to rezone 3701 Durand Avenue from B-2 Community Shopping to B-2 Community Shopping with a FD Flex Development overlay be prepared and a public hearing scheduled. The motion **PASSED** by a Voice Vote.**

**14-10708**

**Subject:** (Direct Referral) A request from Elmwood Racine, LLC seeking an amendment to their conditional use permit at the Elmwood Shopping Center, 3701 Durand Avenue, to allow for use of a portion of the property for a storage unit facility. (Res. No. 14-0470)

**Recommendation of the City Plan Commission on 11-12-14:** That the item be approved, subject to conditions.

**Fiscal Note:** N/A

**Attachments:** [PH Notice - 3701 Durand Avenue](#)

*A review of the proposed areas of the building at 3701 Durand involved in the requested conditional use amendment were presented. The storage facility office will be located in the front of the plaza building, with two phases of potential storage areas occupying portions of both the lower and first floor of the plaza.*

*Phase 1 would occupy 17,000 sq. ft. on the first floor, with the loading area accessible in the rear of the building. Phase II would be located in the lower level of the building and occupy approximately 51,000 sq. ft., and also include RV storage in a building attached to the main structure, which is 4,000 sq. ft. in size. Development of Phase II would depend on market demand for the storage units. The storage partitions will be metal and have metal overhead doors. Storage space sizes will vary from 5x5 to 10x30. Entrance to the storage areas would be the below-grade entrance, or the rear doors in the back of the building. An increase in traffic is not anticipated. Hours of operation are proposed as 8:00 a.m. – 6:00 p.m. Monday through Friday, with an attendant on-staff during these hours. After-hours access could be accommodated on an emergency basis only. Site maintenance and care remain under the control of Elmwood Plaza. Staff is recommending the item be approved subject to the provided Staff conditions.*

*The Public Hearing opened at 5:10 p.m. and addressed both agenda items 14-10706 for the rezoning and 14-107108 for the conditional use amendment.*

- 1. Catherine Larrabee, 3162 Wheelock Drive, stated the parking lot that was added several years ago is used for snow storage, that vehicles are racing around back there, believes the shopping center is not marketing for better tenants, thinks this proposal will bring down property values, that the landscaping berm is not being maintained, that there are trash issues, and does not support the location of the storage facility in the plaza. She also expressed confusion about the public hearing notice. Mr. Sadowski clarified the entire property will be rezoned to the Flex, and only the areas shown on the specific site plans will be allowed for storage.*
- 2. Annella Gedemer, 3168 Wheelock Drive, does not support the re-zoning.*
- 3. Gloria Kosterman, 3304 Durand Avenue, spoke in favor of the request for the storage units.*
- 4. Josh Sopczak, no address provided, asked if Phase I is part of what was the grocery store. Mr. Sadowski advised the office is located to the north of where the grocery store was.*
- 5. Jeff Stahl, owner of Elmwood Plaza, advised the Phase I area wraps around the grocery store. They would like to see a grocery re-locate there as well. Storage would be accessible from the office or from the rear of the building.*
- 6. John Kmetz, 3600 Durand Avenue, supports the business. He mentioned issues he has had with the plaza including parking of semi-trailer trucks overnight, lighting spilling over property lines into his property, cars being sold in the north portion of the lot, and he requested that no vehicle sales by private citizens be allowed, that lighting be shielded downward onto the property, and that semis not be allowed to park in the lot overnight.*

*Mayor Dickert indicated to the owners that individuals may not park vehicles for sale on the lot and the semi-trucks may not be parked overnight in the parking lot.*

*The Public Hearing closed at 5:34 p.m.*

*Mayor Dickert summarized that there appear to be problems with the berm. Ms. Larrabee advised some individuals have fences and some do not. Some people are*

*cutting portions of the berm when they mow their lawns and do other maintenance within the berm area to make their properties look better.*

*Ms. Johanneck read through the conditions of approval for the storage facility. Mr. Sadowski clarified an addition to condition j., by adding that storage shall not take place 'outdoors' at this location.*

*Mayor Dickert stated that keeping control of the property is priority one. He agreed with the speaker on what types of uses he would like to see locate here, but market conditions do not always match what is desired by the neighborhoods. He expressed concerns with the lighting, semi parking, vehicle sales, and trash concerns, and asked that the owners that they address these concerns and be good neighbors.*

*Commissioner Veranth asked about what other uses would be permitted with the Flex overlay. Mr. Sadowski advised the use supplement identifies the additional uses. He stated the Flex overlay can help some of these older shopping facilities adapt to market conditions without re-zoning to a more intense district. The B-2 district is allowed to stay, but with restrictive allowances for other uses with the addition of the Flex. The commercial, retail appearance will remain, while allowing for use of space within the building that would otherwise sit vacant. This building is over 300,000 sq. ft. in size, and the proposed storage area is only 68,000 sq. ft. of that area. The use supplement will also benefit the property by prohibiting undesirable uses that may be allowed within the building should the Flex not be added.*

*Alderman Wiser inquired how many storage spaces are a part of Phase I. The architect advised the maximum number requested is for 330 units, and Phase I is about one-quarter of the amount (83 units).*

*Commissioner Veranth inquired about a development timeline. The architect advised they would like to begin right away with Phase I, hopefully being operable within 9 months to 1 year, and Phase II would be about 2 years, and dependent upon the success of Phase I. Commissioner Veranth also noted that most of the concerns expressed today surround the maintenance of the property. Mayor Dickert advised that if this were to pass, Staff will follow up on this approval and make sure that the conditions are being met. The property owner stated he was not aware of these issues that were brought up, and that if their maintenance company is not addressing these items he will address the concerns brought up today with them.*

**A motion was made by Commissioner Esqueda, seconded by Commissioner Veranth, to defer item 14-10708. The motion PASSED by a Voice Vote.**

### **Administrative Business**

*None.*

### **Adjournment**

*Mayor Dickert adjourned the meeting at 5:50 p.m.*

**If you are disabled and have accessibility needs or need information interpreted for you, please contact the Department of City Development at (262) 636-9151 at least 48 hours prior to this meeting.**