

City of Racine

Room 103, City Hall



Meeting Minutes

Wednesday, April 12, 2006

4:00 PM

Room 103, City Hall

City Plan Commission

*Mayor Gary Becker, Alderman John M. Engel,
John Dickert, Elaine Sutton Ekes,
Vincent Esqueda, Joseph Muratore, Jr.,
Jud Wyant*

Call To Order

*OTHERS PRESENT: Brian F. O'Connell, Director of City Development
Rick Heller, Chief Building Inspector
Alderman Ray Dehahn
Matthew Sadowski, Principal Planner*

PRESENT: 5 - Gary Becker, John M. Engel, John Dickert, Elaine Sutton Ekes and Joseph Muratore Jr.

EXCUSED: 2 - Vincent Esqueda and Jud Wyant

Approval of Minutes for the March 29, 2006 Meeting

A motion was made by Alderman Engel, seconded by Commissioner Muratore, Jr. to approve the minutes as distributed. Motion approved.

06-1747

Subject: The Establishment of a Flex Development Use Supplement for 2333-2405 Northwestern Avenue.

Recommendation: That the communication be received and filed.

Fiscal Note: N/A

A motion was made by Alderman Engel, seconded by Commissioner Ekes that this communication be recommended to be received and filed. Motion approved.

06-1609

Subject: Direct Referral. Consideration of an use supplement for a Flex Development Overlay District at 2333 & 2405 Northwestern Avenue.

Recommendation: That a use supplement be adopted by a resolution of the Common Council in association with a Flex Development Overlay District at 2333 & 2405 Northwestern Avenue, subject to the following conditions:

- a. That all uses listed in the underlying O/I Office Institutional District are permissible by right or by conditional use permit as specified in that district.
- b. That the following flex uses are permitted by right in addition to those permitted in the O/I Office Institutional District: computer and other small equipment recycling or disassembly; warehousing, light manufacturing and assembly (no smoke stack, heavy stamping, chemical or refining industries); commercial recreational facilities; day care, pre-schools, K-12 schools as a permitted use by right; large and small batch printing and publishing; museums, production studios, art galleries and theatres

for the performing arts (excluding adult entertainment); health and fitness centers.

- c. That all flex uses shall not result in more than one semi-truck servicing the site a 24-hour period, nor the parking or storage of such vehicles or other delivery or service vehicles on the site for more than 2 hours.
- d. That all aspects of the flex uses (excluding parking, deliveries, and other similar ancillary activities) shall be contained indoors and shall not be detectable beyond the boundary lines of the properties.
- e. That all trash and recyclables be stored in closed containers and screened from view.
- f. That no flex use operate or be serviced between the hours of 9:00 p.m. and 7:00 a.m.
- g. That the Chief Building Inspector or Director of City Development may impose additional conditions on a single or a group of flex use to mitigate potential negative impacts on the subject or surrounding properties.
- h. That upon consultation with the Director of City Development, the Zoning Administrator may permit additional uses not listed in this resolution if found to be similar in nature and clearly compatible with the uses listed in this resolution and found to comply with the spirit and intent of this flex development and the FD - Flex Development Overlay District.
- i. That all applicable codes and ordinances be complied with and required permits acquired.
- j. That no minor changes be made from the conditions of this flex development without the approval of the Plan Commission, and no major changes be made without the approval of the Common Council.
- k. That this flex development is subject to Plan Commission review for compliance with the listed conditions.

Fiscal Note: N/A

04-12-06 CPC

Recommendation: That the resolution be adopted.

Director O'Connell stated that the reference to limited retail was stricken from the resolution, as it is redundant with respect to those use permitted in the O/I Office Institutional zoning district. He also provided alternative language for conditions "h", which was consistent with existing ordinance language regarding uses not listed.

A motion was made by commissioner Muratore, Jr., seconded by Commissioner Ekes to recommend that a resolution for the use supplement be adopted, as recommended above reflecting the amendment recommended by Director O'Connell. Motion approved.

[Ord.07-06](#)

ORDINANCE NO. 7-06 TO AMEND SEC. 114-637 RELATING TO ZONING

To amend Sec. 114-637 of the Municipal Code of the City of Racine, Wisconsin relating to Zoning - Mapped districts.

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

Part 1:

Sec. 114-637 of the Municipal Code of the City of Racine is hereby amended by inserting the following after the description of the "*West Racine Corridor District*":

"Uptown Corridor District. The district includes those lands within the boundaries described as follows:

Beginning at a point being the intersection of the centerlines of Pearl Street and Tenth Street and continuing east along said centerline to a point of intersection with the centerline of Hilker Place. Then south along said centerline to the centerline of Eleventh Street. Then west along said centerline to the centerline of Racine Street. Then south along said centerline to the centerline of Thirteenth Street. Then west along said centerline to the east line of the Union Pacific (a.k.a. Chicago and Northwestern) railroad right-of-way. Then southwest along said right-of-way line to the south right-of-way line of Fifteenth Street. Then west along said right-of-way line extended to the centerline of Phillips Avenue. Then north along said centerline to the centerline of Washington Avenue. Then southwest along said line to the centerline of Valley Drive. Then northwest along said centerline to the extended centerline of Maiden Lane. Then east along said extended centerline to the centerline of South Memorial Drive. Then north along said centerline to the centerline of Maiden Lane. Then northeast along said centerline to the centerline of Thirteenth Street. Then west along said centerline for approximately 85 feet to a point on the centerline of Thirteenth Street. Then from said point proceed north approximately 280 feet to a point. Then from said point proceed east approximately 195 feet to a point. Then from said point proceed north to the centerline of Twelfth Street. Then east along said centerline to the east line of the Union Pacific (a.k.a. Chicago and Northwestern) railroad right-of-way. Then northwest along said right-of-way line to the centerline of Eleventh Street. Then east along said centerline to the centerline of Pearl Street. Then north along said center line to the point of beginning."

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

04-12-06 CPC

Recommendation: To adopt the Ordinance.

A motion was made by Commissioner Muratore, Jr., seconded by Alderman Engel, that this ordinance be recommended for adoption. Motion approved.

06-1748

Subject: The Establishment of Design Guidelines for the Uptown Corridor District

Recommendation: That the Communication be received and filed.

Fiscal Note: N/A

A motion was made by Commissioner Muratore, Jr., seconded by Alderman Engel, that this communication be recommended to be received and filed. Motion approved.

06-1612

Subject: Direct Referral. Consideration of design guidelines based on the recommendations of the Uptown Improvement Plan as a resource to be consulted when considering a project in the Uptown area.

Recommendation: With the goals of enhancing Uptown’s attraction to residents, tourists and visitors, improving the visual and aesthetic character, providing a tool to local property owners to restore their buildings properly, safeguard historic and cultural heritage, and stabilize and improve property values, the Uptown Corridor District Design Guidelines are established under the authority Wis. Stat. §§62.23 and 66.1001, and by

the City of Racine Common Council through adoption on May 3, 2005 of An Ordinance To Amend The City's Comprehensive Plan And Adopt The Uptown Improvement Plan.

Two distinct areas are discernible in the Uptown Corridor District (the "District"). One area is referred to as the "Junction" and extends along Washington Avenue from S. Memorial Drive to Thirteenth Street. The Junction contains a development pattern that is pedestrian orientated and contains significant historic architectural fabric that warrants restoration and preservation of its distinct character. The remaining areas, referred to as "Transitional Areas", extend out from the Junction to Phillips Avenue/Valley Drive to the west, and to Tenth Street to the northeast. These areas contain a more eclectic collection of development periods, land uses and architectural styles which require particular diligence in ensuring that each property is developed, maintained, remodeled, or restored in a manner that is sensitive to its surroundings and does not detract the overall character of the District. The applicable design guidelines for both areas of the District are established through the preceding text.

I. BUILDING FORM:

A. Character:

1. With an eye towards varied architectural styles through scale, setback, height and material use, the goal is to create a richness and depth in character that appeals not only to the senses but also to the viability of future building development.

B. Building Height:

1. For new construction and additions, the height of adjacent existing buildings should be used as a guide.
2. One-story buildings shall appear two-stories in height from the street level. Two stories is the maximum street facade height.
3. Buildings taller than two stories shall have all floors above the second level set back a minimum of 25 feet from the street facade.

C. Roofs:

1. The rooflines of adjacent buildings shall be taken into consideration when selecting a roof style.
2. Alterations shall not compromise or conceal evident historic roofing forms or details.
3. Cornice details along the parapets shall be determined by the precedents of the architectural style of the building.
4. In the Junction, flat or slightly sloping roofs shall be utilized and concealed with parapets having cornices, each displaying varying degrees of appropriate decorative detail and ornamentation.
5. In the Transitional Areas, where appropriate and in context with adjacent development, flat or slightly sloping roofs having appropriate parapets, or end gabled roofs may be utilized.

D. Scale:

1. Multi-story buildings in long rows shall be avoided by the utilization of awnings, dormers, landscaping, windows and doors, utilized with the intent of breaking up the building facades into smaller parts.

E. Tripartite Composition:

1. The three facade sections of base, middle and top shall be differentiated by materials, colors and window size.
 - a. The base section shall contain the largest window openings or decorative brick work or spandrel glass that gives the appearance of window openings or recesses.
 - b. The middle section shall have similar treatment as the base but such details are typically smaller than those at the base and are visually broken down further with muntins/mullions.
 - c. The top section shall contain decorative features in parapet and cornice, or gable end.

F. Windows:

1. All windows shall be sized, aligned, and spaced according to the precedents of the architectural style of the building.
2. New construction shall express the window articulation evident on adjacent historic buildings. Second floor windows shall be divided into two units.
3. In the Junction, at least 75% of the base of the building shall be comprised of storefront windows for new, remodeled or restored storefronts.
4. In the Transitional Areas, new, remodeled, or restored storefronts should also meet this standard but in no case shall storefront windows in comprise less than 40% of the base of the buildings storefront.

II. STOREFRONT GUIDELINES:A. General:

1. New, remodeled or restored storefronts should evoke the use of the building, and may implement modern materials, while acknowledging the historic precedents evident in the community.
2. New construction between two buildings with storefronts and party wall construction shall complement features evident on adjacent buildings.
3. Closing off or decreasing existing window openings in size is strongly discouraged, while the reopening of blocked windows to their original dimensions is highly encouraged.
4. Re-facing a storefront to “update” it in a manner that is detrimental to the historical context of the building’s original design or architectural details, or that of adjacent properties, is not permitted.
5. Exterior security gates shall not be permitted.

B. Storefront Characteristics:

1. Storefronts should include a lower window panel or bulkhead, clear glass display windows, pilasters or columns, a recessed stoop or entry with clear glass entry doors, transom with windows or prism glass, an awning or canopy, and a sign board or panel.

C. Guidance on Recreating Storefronts:

1. Search for historic photographs of the building to determine original architectural elements.
2. Look to other buildings constructed during the same period for clues on composition and design of architectural details.
3. Take cues from intact details on the building that may have been repeated

on the storefront.

4. Conduct investigative demolition in an effort to reveal historic details or markings often left behind or hidden by more modern materials.

III. NEW CONSTRUCTION:

A. Main Principles:

1. Complement and/or contribute to the setting, not detract or unsettle it.
2. Add to the rich depth of the extant architectural fabric and not replace it.

B. General Guidelines:

1. The predominant historic setback of adjacent buildings shall be observed and maintained.
2. Stylistic and decorative elements shall fit the surroundings but not create a false sense of history.
3. Designs shall strike a balance between historically accurate proportions and new materials.
4. The building should look new while remaining sympathetic to area scale and materials.

C. Adjacent Buildings:

1. Streetscape continuity and design elements in adjacent buildings, such as height, materials, setback, character and roofline edge, shall be considered in the design of infill building.

D. Demolition:

1. All efforts shall be made to retain all extant buildings that contribute to the character and history of the District, with special emphasis on structures predating 1960, as these buildings already meet the goals critical to the Guideline's success.

E. Materials:

1. Brick is the predominant building material throughout the District. New buildings should be designed with the consideration of the use of brick as the prevailing exterior material.
2. Modern materials may be introduced; however, sizing, color, texture and transitions shall be implemented in a manner that complements such features on adjacent historic buildings.

F. Scale and Roofline Articulation:

1. Facade lengths greater than those of adjacent buildings shall result in a building scale and/or articulation that "fits in" with neighboring buildings yet allows a continuous floor plate.
2. Where appropriate, roofline shall be stepped to mimic adjacent building roofline rhythms.

IV. ADDITIONS:

A. Main Principles:

1. Additions shall be evident as such and not create a false sense of history, while still maintaining the overall visual appearance of continuity.

B. General Addition Guidelines:

1. Additions shall complement the existing structure in material use, architectural details, and color. Rhythmic elements such as window

openings, spandrel lines and pilasters shall be carried over into the addition.

2. Building proportions, scale and setbacks shall be maintained. On buildings with ample side yards, it may be advisable to step the addition from the facade, resulting in a defined building transition.

C. Facade:

1. Setbacks should match the most evident setbacks of adjacent buildings. Intrusions into the public right-of-way are not permitted, except by special agreement with the City.

D. Rear:

1. Rear elevation additions may be taller than the existing structure if they are not viewable by the pedestrian from the street.
2. Fire escapes and loading docks shall not detract from the overall aesthetics of the building. No prominent extant elements may be removed to accommodate such modifications.
3. Rear elevations facing a street or area highly visible to the public, such as parking areas, shall be treated as a primary facade and include additions such as patios, decks and fire escapes.

E. Rooftop:

1. Rooftop additions should not be visible from the street.
2. Finish materials shall blend completely with their surroundings, yet be evident as an addition.
3. Dormers shall have a minimal impact on the visual appearance of the building from the street.

F. Sideyard:

1. Additions to existing buildings located on commercial streets having uniform setback and either party walls or close adjacent construction shall be designed in keeping with the following existing elements: detail, height, massing, materials, and setback.
2. Additions to free standing buildings with open land on all sides shall be composed of smaller massing and height than the existing building, utilize materials similar to that of the existing building, employ details consistent with the existing building yet not be an exact copy, and be set back from the facade of the existing building.

V. MECHANICAL EQUIPMENT, UTILITIES & TRASH RECEPTACLES:

A. Main Principles:

1. Mechanical equipment, conduits, raceways, cables, duct work, receiver/transmitter installations and trash receptacles shall be located so as to minimize their visual or physical impact on a structure or site.
2. No key architectural elements or details should be removed, obstructed or destroyed in their placement.

B. Placement:

1. Mechanical equipment and duct work on roofs shall not be visible from streets.
2. Utility meters, conduits, raceways and exhaust vents shall be located on the side or rear of the building whenever possible.
3. Trash collection areas and receptacles shall be located to the side or rear of

the building and be properly screened.

4. Satellite dishes or other receiver/transmitter installations, mechanical systems, and utility boxes and pedestals shall not be obtrusive to the view of the building from the street. Such equipment shall not be mounted on the street facade of a building.
5. Equipment facing the rear parking areas or prominent public spaces shall be obscured in a manner compatible with the building's facade.

C. Screening:

1. Screening may be in the form of fencing, walls, or landscape plantings consisting of materials, plantings, and colors similar in nature to the building.
2. Rooftop equipment screening may simply be the placement of equipment so as not to be visible from across the street at pedestrian level. If placement alone does not provide adequate screening, then an appropriately designed parapet wall or an equipment enclosure shall be added.

VI. MATERIAL CONSIDERATIONS:

A. Main Principles:

1. Visually heavier, larger sized units such as cast stone concrete panels are appropriate to use at the building's base to provide a visual grounding.
2. Lighter, thinner materials are more appropriate as trim in the case of materials such as wood, aluminum or copper, or upper floor facade claddings such as Exterior Insulated Finish System ("EIFS") or stucco.

B. Acceptable Materials (Roof Coverings):

1. Flat roofs being built-up, rubber membrane, or fiber glass membrane, and having a low pitch, or those concealed by a parapet.
2. Pitched roofs sheathed with asphalt shingles, clay tile, cement tile, slate, standing seam metal, or sheet metal shingles. Use of these roofing materials on vertical surfaces is not permitted.

C. Acceptable Materials:

1. Aluminum or vinyl siding, but only on non-primary facades not visible from the street.
2. Brick and oversized or large brick as either an accent or predominant material. The use of brick for decorative banding and color or texture transitions is encouraged.
3. Clapboard siding, which shall not be replaced with a different material such as vinyl siding. The general use of clapboard siding is encouraged, but lap heights should be limited to a range from 3" to 6".
4. Concrete masonry units ("CMUs"), limited to 20% of the overall surface of primary surfaces. Smooth CMUs are prohibited.
5. EIFS, stucco and Dryvit used no lower than 8" above the curb line, but shall not be used to cover trim, molding or decorative detail.
6. Half-timbering, simulated or structural, in-filled with either brick or stucco.
7. Metals for structural applications such as steel or cast iron, and those metals which are unfinished, exposed, anodized, oxidized or powder coated. Galvanized metal may be used for canopies.
8. Ornamental metals such as copper, galvanized steel, and aluminum used for railings, trim, grills, panels, flashing, etc.

9. Pre-cast concrete and cast stone, on a case by case basis, consistent with the principles of the Guidelines.
10. Skylights, placed so as not to be visible from the street and in an appropriate location after consideration of the building's architectural style and time period.
11. Stone, in all its varieties and appropriately employed, is encouraged as an exterior surface.
12. Stucco with smooth, textured or scored finishes used no lower than 8" above the curb line, excluding "cake-icing" finishes.
13. Wood shingle siding, which shall be replaced in-kind and can also be used as an accent in dormers and gables, and as a wall finish.
14. Terrazzo surfaces for entryways and stoops are encouraged.
15. Terra cotta for trim and ornamental work and, where existing, shall be maintained to the extent possible.

VII. ARCHITECTURAL ENHANCEMENTS

A. Main Principles:

1. Used to provide additional visual interest, or to accent the overall architectural design of a building or site.
2. Shall be appropriate to the period and character of the building or site.
3. Existing key architectural elements or details should not be removed, obstructed or destroyed.
4. Enhancements can be functional or decorative.

B. Windows and Window Openings:

1. Window replacement shall be consistent with the most prominent and historically accurate architectural style of the building.
2. Existing historically accurate windows shall be maintained or repaired in their current form, or a historically accurate replacement shall be installed.
3. Double-hung windows on the upper floors are the minimum standard where historically and architecturally appropriate. Such windows shall have a fixed or movable top sash.
4. Filling a window opening, or any portion thereof, on a primary building facade is not permitted.
5. Replacement windows, when permissible, shall duplicate the sash, frame width, configuration, and muntin (mullion) divisions of original windows and materials.
6. Existing prism glass should be retained wherever possible.

C. Door and Door Openings:

1. Aluminum and vinyl replacement doors may not be acceptable alternatives to wood or metal.
2. Closing off an existing door opening on a facade is not permitted.
3. Glass inserts or transoms are acceptable.
4. Main entries shall be visible from the street or face the street. Main entry doors and frames shall be prominently articulated features on the facade. Secondary entrances may be located towards a rear or side yard parking lot.

D. Awnings:

1. Retractable awnings are encouraged, but fixed awnings are permitted.
2. Awnings shall be made of cloth or soft vinyl and awning material shall not be placed over a structural frame resulting in a “hard” appearance. Awning colors shall complement the building.
3. Text on awnings is permitted in compliance with the zoning code.

E. Bays:

1. The use of bays to articulate building elevations is encouraged. Existing bays shall be maintained whenever possible.

F. Canopies:

1. Canopies shall be constructed of permanent materials and shall include details that are reminiscent of the predominant building details.

G. Color Palate:

1. Exterior color schemes shall be selected by the project applicant from the 1,082 tones found in the approved Sherwin Williams “COLOR” palate, or its industry equivalent. The approved palate may be reviewed at the office of the Department of City Development (the “Department”). Approved paint treatments from the Sherwin Williams “COLOR” palate are as follows:
 - a. Body, trim, window, door and accent colors shall be selected from the 280 tones described as “Fundamentally Neutral” and the 560 tones described as “Color Options”, or their industry equivalent.
 - b. Trim and accent colors only may also be selected from the 94 tones described as “Essentials” and 148 tones described as “Energetic Brights”, or their industry equivalent.

H. Color Selection Guidance:

1. In all cases, paint shall be applied in a professional, complete and workmanlike manner.
2. Paint colors shall be viewed as a reversible finish. Building owners are encouraged to select colors appropriate to the style and period of the building construction. Monotonous color schemes, lacking in contrast, are discouraged and transitions of color are encouraged.
3. Related color schemes such as monochromatic (different values of a single color), neutral (gray, taupe, tan or gray-beige), or analogous (colors close to one another on the color wheel such as blue and blue-violet) are appropriate.
4. Contrasting color schemes such as opposites (colors opposite each other on the color wheel), split complement palettes (colors adjacent to true colors such a yellow and yellow-orange), or triad palettes (three colors spaced in fairly equal increments on the color wheel) are appropriate.

I. Fencing:

1. Chain link fences shall be permitted only in rear yard areas not visible from the street.

J. Glazing (Glass):

1. Historic glass shall remain intact wherever possible.
2. Highly reflective glazing types shall not be permitted.
3. Tinted glazing types are acceptable if found to be a material originally used in the specific building or characteristic of its architectural style.

K. Landscape Features:

1. Live groundcover is recommended and may include parking lot buffers.
2. Vines along blank walls or fenced areas are encouraged.
3. Permanent or portable plantings may be used to define side entrances of buildings.
4. While shrubs may be used to screen refuse containers, shrubs along the sidewalk should not exceed 42" in height.
5. Landscape features shall not obstruct vision triangles.

L. Lighting:

1. Canopy and accent lighting located on street-facing or primary facades shall at a minimum consist of fixtures located above entrances.
2. Accent lighting to highlight features, forms, and landscaping is encouraged.
3. Floodlights shall be limited to 150-watt maximum and shall not be directed towards side yards or the street.

M. Sidewalk Cafes:

1. Sidewalk cafes are encouraged subject to applicable ordinances, standards and permits.

VIII. SIGNS:**A. Main Principles:**

1. Signs shall comply with the Zoning Code and be of a design that is consistent with the architectural character of the building.
2. Proposed permanent signage shall be submitted to the Access Corridor Development Review Committee for prior review and approval.
3. Wall mounted, ground exterior or roofline lighting is an acceptable means to accent signage or architectural detail.
4. Flashing, scrolling, moving or backlit signs shall not be permitted.
5. Signs shall not be internally illuminated unless such a sign is historically accurate to the style of the building.
6. External illumination sources shall be shielded from view.
7. Support structures shall also be considered as part of the overall design of the sign.
8. Signs shall be constructed and installed in a professional, complete and workmanlike manner.

B. Sign Content:

1. To avoid visual clutter and enhance sign readability, signs shall include only the name and/or nature of the business, and the address.
2. Individual tenants of a professional office building may be listed.
3. Advertising an individual brand name shall not be permitted, unless it is also the name of the dominant or host establishment.

C. Window signage:

1. Window signage shall not exceed 20% of the display space, shall be directly applied to the glass, and signage for a site shall be uniform in appearance.
2. Handwritten or grease marker signs are discouraged.

D. Projecting Signs:

1. Projecting signs are encouraged in accordance with the standards contained herein.

E. Billboards (advertising signs):

1. Billboards shall be wall mounted, have a sign area not exceeding 8' feet high by 10' wide, and shall be bordered by a frame of painted wood or powder coated metal.
2. Lighting shall consist of decorative exterior, gooseneck, cut-off, wall wash fixtures. Painted or decal wall mural type signage is prohibited.

FISCAL NOTE: N/A

04-12-06 CPC

Recommendation: That the resolution be adopted.

Wally Madsen, Chairman of the Uptown Improvement Organization, spoke in support of this item.

A motion was made by Commissioner Muratore, Jr., seconded by Commissioner Ekes to recommend that the design guidelines be adopted by resolution of the Common Council as presented in the recommendation. Motion approved.

Ord.10-06

ORDINANCE NO. 10-06 TO AMEND SEC. 114-823 RELATING TO ZONING - DEFINITIONS

To amend Sec. 114-823 of the Municipal Code of the City of Racine, Wisconsin relating to Zoning - Definitions.

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

Part 1:

Sec. 114.823 of the Municipal Code of the City of Racine is hereby amended by deleting the paragraph of the description of "Downtown area" and inserting the following paragraph in its place:

"In this chapter, downtown area means the area described as follows:

Begin at a point being on the centerline of North Wisconsin Avenue approximately 190 feet north of the intersection of the centerlines of North Wisconsin Avenue and Hamilton Street; from said beginning point proceed east to the east line of Chatham Street, then north along said east line 90 feet; then easterly 114 feet; then north 100 feet; then easterly 82 feet to the west line of Michigan Boulevard; then southerly along said west line 200 feet; the east to a line being the western shore of Lake Michigan; then southerly along said line to a point on the extended centerline of Tenth Street; then west along said extended centerline to a point on the centerline of Wisconsin Avenue; then north along said centerline to a point on the centerline of Ninth Street; then west along said centerline to a point on the centerline of College Avenue; then north along said centerline to a point on the centerline of Eight Street; then

west along said centerline to a point on the centerline of Grand Avenue; then south along said centerline to a point on the centerline of Ninth Street; then west along said centerline to a point on the western line of the former Chicago, Milwaukee and St. Paul Railroad right-of-way; then southwest along said western line to a point on the centerline of Tenth Street; then west along said centerline to a point on the centerline of Racine Street; then north along said centerline to a point on the centerline of Ninth Street; then west-southwest along said centerline to a point on the east line of the Union Pacific (a.k.a. Chicago and Northwestern) Railroad right-of-way; then northwest along said east line to a point on the centerline of Liberty Street; then east along said centerline to a point on the centerline of Marquette Street; then south along said centerline to a point on the line being the southern shore of the Root River; then easterly along said shoreline to a point on the centerline of Main Street at the Main Street bridge; then north along said centerline to a point on the centerline of Dodge Street; then west-southwest along said centerline to a point on the centerline of North Wisconsin Avenue; then north along said centerline to the point of beginning.”

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

4/12/06 CPC

Recommendation: That the ordinance be adopted, as amended.

Kevin Bailey, owner of the property at 212 Hamilton Street, inquired as to the inclusion only of a portion of this property in downtown area and consented to amendment of the Downtown area description as to include his entire property.

A motion was made by Commissioner Ekes, seconded by Commissioner Muratore, Jr., that this ordinance be recommended for adoption as amended. Motion approved.

[06-1749](#)

Subject: The Establishment of Updated Design Guidelines for the Expanded Downtown Area.

A motion was made by Commissioner Dickert, seconded by Alderman Engel, that this file be deferred. Motion approved.

[06-1772](#)

Subject: Direct Referral. Consideration of ordinance amendments to implement revised design guidelines for the Downtown Area.

A motion was made by Alderman Engel, seconded by Commissioner Dickert, that this file be Deferred. Motion approved.

[06-1521](#)

Subject: Direct Referral. Consideration of a request by Ignacio Castaneda seeking a conditional use permit to operate an auto repair facility at 1440 West Street.

Recommendation: Deferred.

Mr. Castaneda consented to this matter being deferred, and not be placed on the Commission Agenda until such time as the Chief Building Inspector determines that substantial compliance to City ordinances has been achieved.

A motion was made by Muratore, Jr., seconded by Commissioner Dickert, that this file be deferred. Motion approved.

[Res.06-6925](#)

CONDITIONAL USE PERMIT FOR 1440 WEST STREET

RESOLVED, that a request by Ignacio Castaneda seeking a conditional use permit to operate an auto repair facility at 1440 West Street be approved, subject to the following conditions:

- a. That the plans stamped "Received January 20, 2006" and presented to the Plan Commission on February 22, 2006 are approved, subject to the conditions contained herein.
- b. That this conditional use permit shall be reviewed by the Plan Commission six months from the date of its approval to determine the level of compliance with

the conditions of approval, and the appropriate Plan Commission response to the conduct of the operation.

c. That by June 1, 2006 the following maintenance, repairs, clean up, and improvements shall be accomplished:

1. Repair, straighten or replace damaged fence sections.
2. Replace missing privacy slats in gates, and install privacy slats in the northern fence. All privacy slats are to be a uniform color.
3. Trim fence posts to a uniform height extending no greater than one foot above the fence panels.
4. Repair or replace damaged soffit panels and wainscoting on West Street façade of building.
5. Paint the building and fencing in a uniform color scheme in colors which have first been submitted to the Director of City Development for a determination of their appropriateness.
6. Pave damaged or unpaved portions of the parking lot.
7. Remove all unlicensed or inoperable vehicles from outside storage on the property unless they are awaiting repair, and that all vehicle storage be contained on-site.
8. Remove all junked vehicles, vehicle parts, equipment, and materials from outside storage.
9. Remove all assorted debris and junk from the property.
10. Install clear/transparent windows in all window openings facing West Street.

d. That there shall be no vehicle sales or salvage at this location.

e. That all vehicles awaiting repairs, and tow trucks on the subject property shall be stored within the fenced area. Vehicles awaiting repairs, or those vehicles which have been repaired shall not be stored on the property for more than 30 days.

f. That all vehicle repair shall be conducted indoors.

g. That there shall be no vehicle preparation or painting conducted outdoors, and any preparation or painting of vehicles indoors shall be conducted in compliance with all appropriate codes and ordinances and that all required permits acquired.

h. That off-street parking areas shall be provided for all customer and employee vehicles.

i. That there shall be no outside storage of junked vehicles, vehicles parts and accessories, and equipment.

j. That all trash and recyclables shall be stored in closed containers and screened from view.

- k. That the maximum hours of operation shall be from 8:00 a.m. to 8:00 p.m. Monday through Saturday with no hours on Sunday.
- l. That all signs be submitted to the Director of City Development for review and approval.
- m. That no pennants, banners, streamers, temporary signs be displayed at this location.
- n. That all applicable codes and ordinances be complied with and required permits acquired, and that an occupancy permit be requested from the Building Inspector Department prior to operation of the business.
- o. 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.
- p. That this permit is subject to Plan Commission review for compliance with the listed conditions.

FISCAL NOTE: N/A

A motion was made by Commissioner Muratore, Jr., seconded by Commissioner Dickert that this file be deferred. Motion approved.

06-1757

Subject: Direct Referral. Request by David Karlsen of Karlsen Plumbing seeking a minor amendment to a conditional use permit for a plumbing contractor's facility at 1951 Grove Avenue.

Recommendation: That a request by David Karlsen of Karlsen Plumbing seeking a minor amendment to a conditional use permit for a plumbing contractor's facility at 1951 Grove Avenue be approved subject to the following conditions:

- a. That the plans stamped "Received March 23, 2006" and presented to the Plan Commission on April 12, 2006 be approved subject to the conditions contained herein.
- b. That all other aspect of this operation comply with conditions contained in Common Council Resolution No. 6375 of January 27, 1993, and Resolution No. 4850 of October 1, 2002, and minor amendments of September 11, 2002 and September 24, 2003 unless modified herein.
- c. That the building addition matches the color and materials of the existing building.
- d. That final building addition plans be presented to the Director of City Development for review and approval prior to the issuance of a building

permit.

- e. That an occupancy permit be requested from the Building Inspection Department prior to occupancy of the addition.

Fiscal Note: N/a

David Carlsen of Carlsen Plumbing spoke in support of the request.

A motion was made by Commissioner Dickert, seconded by Commissioner Muratore, Jr. that this file be approved, subject to the listed conditions in the recommendation. Motion approved.

06-1758

Subject: Rerquest by Tom Riley representing Racine Montessori School seeking a minor amendment to a conditional use permit to relocate the parking area at 2317 Howe Street.

Recommendation: That a request by Racine Montessori school seeking a minor amendment to a conditional use permit for school at 2317 Howe Street be approved, subject to the following conditions:

- a. That the plans stamped "Received March 28, 2006" and presented to the Plan Commission on April 12, 2006 be approved subject to the conditions contained herein.
- b. That all other aspect of this operation comply with conditions contained in Common Council Resolutions No. 6142 of September 21, 2004 unless modified herein.
- c. That by May 1, 2006 a landscape plan, that among other thing illustrates the placemen of street trees in the parkway, be submitted for the review and approval of the Director of City Development prior to the issuance of a building permit. If landscaping is not installed by September 1, 2006 then a letter of credit, equal to the value of the landscape plan, shall be submitted for the review and approval of the Director of City Development.
- d. That all ordinance be complied with and all permits obtained.

In response to Alderman Dehahn, Director O'Connell described the city and village boundaries in relation to this subject property.

A motion was made by Commissioner Muratore, Jr., seconded by Alderman Engel, that this file be approved, subject to the listed conditions in the recommendation. Motion approved.

06-1759

Subject: Direct Referral. Request by Kevin Bailey seeking a minor amendment to a conditional use permit for a multi-family building at 401 Wisconsin Avenue seeking to increase from 64 living units to 66 living units, and to include approximately 5,600 square feet of retail space.

Recommendation: That a request by Kevin Bailey seeking a minor amendment to a conditional use permit for a multi-family building at 401 Wisconsin Avenue seeking to increase from 64 living units to 66 living units, and to include approximately 5,600 square feet of retail spaces be approved subject to the following conditions:

- a. That the plans stamped "Received March 27, 2006" and presented to the Plan Commission on April 12, 2006 be approved subject to the conditions contained herein.
- b. That all other aspect of this operation comply with conditions contained in Common Council Resolutions No. 6293 of December 21, 2004 and Resolution No. 6834 of January 3, 2006 unless modified herein.
- c.. That all ordinance be complied with and all permits obtained, and that an occupancy permit be requested from the Building Inspection Department prior to occupancy of the building.

Kevin Baile spoke in support of this request.

A motion was made by Commissioner Dickert, seconded by Alderman Engel, that this file be approved, subject to the listed conditions in the recommendation. Motion approved.

Ord.09-06

ORDINANCE NO. 9-06 TO AMEND SEC. 114-254(n) RELATING TO ZONING-YARD REQUIREMENTS

To amend Sec. 114-254(n) of the Municipal Code of the City of Racine, Wisconsin relating to Zoning - Yard requirements and open space.

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

Part 1:

Sec. 114-254(n) of the Municipal Code of the City of Racine is hereby amended by deleting from the last sentence of the paragraph the following phrase, "formed by a street line and a private drive line".

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

4-12-06 CPC

Recommendation: That a public hearing be scheduled and that the ordinance be adopted.

Chief Building Inspector Heller explained the proposed ordinance.

A motion was made by Commissioner Muratore, Jr., seconded by Commissioner Ekes, that this ordinance be recommended for adoption. Motion approved.

Public Hearings Starting at 4:30 p.m.

06-1760

Subject: Direct Referral. Request by Michael and Ann Klinkhammer seeking a conditional use permit for a wellness center offering massage therapy services at 611-Sixth Street.

Recommendation: That a request by Michael and Ann Klinkhammer seeking a conditional use permit for a wellness center offering massage therapy services at 611 - Sixth Street be approved, subject to the following conditions:

- a. That the plans stamped "Received March 29, 2006" and presented to the Plan Commission on April 12, 2006 be approved subject to the conditions contained herein.
- b. That all signs be professionally made, comply with the zoning ordinance and be submitted to the Downtown Area Design Review Commission for

review and approval.

c. That the maximum hours of operation be from 8:00 a.m. to 7:00 p.m., Monday through Saturday.

d. That all codes and ordinances be complied with and required permits acquired, and that an occupancy permit be requested from the Building Inspection Department prior to occupancy of the building.

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.

Fiscal Note: N/A

Mayor Becker opened the public hearing at 4:38 p.m. , and described the public hearing process.

Director O'Connell provided a brief presentation of the item.

Michael Klinkhammer further explained the proposal.

There being no further questions, or comments, and hearing no objections, Mayor Becker closed the public hearing at 4:40 p.m.

A motion was made by Commissioner Dickert, seconded by Alderman Engel, that this file be recommended for approval, subject to the listed conditions in the recommendation Motion approved.

06-1761

Subject: Direct Referral. Request by Dorothy A. Metz seeking to rezone the property at 3037 Douglas Avenue from B-1 Neighborhood Convenience District to B-2 Community Shopping District.

Recommendation: That an ordinance be created and a public hearing scheduled before the Common Council reflecting the rezoning requested.

Mayor Becker opened the public hearing at 4:42 p.m.

Director O'Connell provided a brief description of the item.

Roxanne Ruffalo of 3055 Caledonia Street expressed concern with problems originating at the MacDonald's location dealing with trash, light glare, drunkenness problems, and disruptions as result of 24 hour-drive-up window, police calls, and general noise coming from the site, and specifically noise from the drive-through speaker box. Ms. Ruffalo also

expressed concern regarding glare from the lights of Garbo Motors.

Alderman Dehahn stated that he had received multiple complaints from adjacent property owners including Ms. Ruffalo's.

Chief Building Inspector Heller stated that his department will investigate those matters, in relation to the site and operation.

There being no further comments, or question, and hearing no objections, Mayor Becker closed the public hearing at 4:44 p.m.

A motion was made by Alderman Engel, seconded by Commissioner Muratore, Jr., that the staff's recommendation be approved. Motion approved.

06-1762

Subject: Direct Referral: Request by Yan and Mei Li Zheng seeking a conditional use permit for a takeout and delivery restaurant at 2124-2126 Sixteenth Street.

Recommendation: That a request by Yan and Mei Li Zheng seeking a conditional use permit for a carryout restaurant at 2124 - 2126 Sixteenth Street be approved, subject to the following conditions:

- a. That the plans stamped "Received March 29, 2006" and presented to the Plan Commission on April 12, 2006 be approved subject to the conditions contained herein.
- b. That the maximum hours of operation be from 10:30 a.m. to 9:30 p.m. Sunday through Thursday; 10:30 a.m. to 10:30 p.m. Friday and Saturday.
- c. That all signs be professionally made and comply with zoning ordinance requirements.
- d. That either wheel stops or curbing be installed along the north fence line.
- e. That the parking lot be paved and stripped by June 1, 2006.
- f. That a stockade type wooden fence be installed along the east property line in compliance with applicable codes and ordinances.
- g. That all trash and recyclables be stored in closed containers and screened from view, and that no trash pick-up be conducted between the hours of 7:00 p.m. and 7:00 a.m. Monday through Saturday, with no garbage pick-up on Sundays.
- h. That all codes and ordinances be complied with and required permits acquired, and that an occupancy permit be requested from the Building Inspection Department prior to occupancy of the building.

- i. That there be no minor change from the conditions of this permit without the approval of the Plan Commission, and no major change from the conditions of this permit without the approval of the Common Council.
- j. That this Conditional Use Permit is subject to review by the Plan Commission for Compliance with the listed conditions.

Fiscal Note: N/A

Mayor Becker opened the public hearing at 4:47 p.m., and introduced the item.

Director O'Connell briefly described the proposal.

Ms. Zheng spoke in support.

Patrick Pius, 2340 Wexford Road, owner of the subject property, provided a more detailed description of the intended use, and spoke in support of the request. He stated that overflow parking can be provided at 1601 Taylor Avenue, in agreement with the owner Mohammad Al-Abed.

There being no further comments, or questions, and hearing no objections, Mayor Becker closed the public hearing at 4:50 p.m.

Director O'Connell reviewed the proposed conditions of approval, indicating that an addition to conditions "e" needs to be added, requiring that the parking lot be paved and striped.

On behalf of Ms. Zheng, Mr. Pius requested that Friday and Saturday hours be extended to 10:30 p.m.

A motion was made by Commissioner Muratore, Jr., seconded by Alderman Engel, that this file be recommended for approval, subject to the listed conditions in the recommendation, as amended. Motion approved.

Adjournment

There being no further business before the commission and hearing no objections, Mayor Becker adjourned the meeting at 4:55 p.m.

Respectfully submitted,

*Brian F. O'Connell, Secretary
Director of City Development*