



City of Racine

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

Meeting Minutes - Final City Plan Commission

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

Wednesday, November 26, 2014

4:15 PM

City Hall, Room 205

Call To Order

Mayor Dickert called the November 26, 2014 Plan Commission meeting to order at 4:20 p.m.

PRESENT: 5 - Vincent Esqueda, Tony Veranth, John Dickert, Melvin Hargrove and Dennis Wisner
EXCUSED: 2 - Elaine Sutton Ekes and Molly Hall

Others present:

*Matt Sadowski, Assistant Director of City Development
Jill Johanneck, Associate Planner
Brian Dean, AmeriCorps Vista*

Approval of Minutes for the November 12, 2014 Meeting

A motion was made by Commissioner Esqueda, seconded by Alderman Wisner, to approve the November 12, 2014 meeting minutes, as submitted. The motion PASSED by a Voice Vote.

[14-10738](#)

Subject: (Direct Referral) A request by Elizabeth Robinson and Nick Price for conditional use approval to have an auto repair facility at 1427 Junction Avenue. (Res. No. 14-0490)

Recommendation of the City Plan Commission on 11-26-14: That the item be approved, subject to conditions.

Fiscal Note: N/A

Attachments: [PH Notice - 1427 Junction Avenue](#)

Associate Planner Johanneck advised this item had been deferred from the last Plan Commission meeting due to no on-site parking for the proposed automobile repair. A brief review of the request was provided. An agreement for parking at 1503 Junction had been received by Staff since the last meeting, but was not signed by the property owner.

The applicants introduced a new parking agreement and site plan at the meeting for 1325 14th Street. The agreement was signed by the owner and allows for the use of 8 parking stalls. The agreement states the vehicles must be in drivable condition, with current registration, movable at all times, and neatly parked on the east side of the lot along the fence line.

Mayor Dickert requested Staff review the agreement with the applicants to see if it was acceptable. Action on this item was held to allow for the review, and the next agenda item was heard.

Upon hearing item 14-10782 & a short recess, Mayor Dickert returned to this item. Associate Planner Johanneck advised the new parking agreement and plan at 1325 14th Street were reviewed. Upon review of the proposal, Staff is satisfied with the new location for remote parking and recommends approval subject to conditions.

A motion was made by Alderman Wisner, seconded by Commissioner Esqueda, to recommend approval of the request subject to Staff conditions. The motion PASSED by a Voice Vote.

[14-10782](#)

Subject: (Direct Referral) Request by Jai Shree Swaminarayan of Port of Call Liquors, 918 West Boulevard, for an extension to an approval of a conditional use permit. (Res. No. 14-0491)

Recommendation of the City Plan Commission on 11-26-14: That the extension to June 17, 2015 be approved.

Fiscal Note: N/A

Mayor Dickert summarized that Port of Call liquors is doing a building addition, and is requesting a 6-month extension to the conditional use due to the weather. Mr. Jud Wyant, the representative for the applicant, advised the financing was also a reason for the extension. The drawings for the addition have been prepared, and the applicant is working on financing at this time. Assistant Director Sadowski clarified this is for an extension to an approved conditional use permit that is due to expire as it has not been acted on within the 12-month timeframe allowed.

A motion was made by Commissioner Esqueda, seconded by Commissioner Hargrove, to recommend that the extension be granted. The motion PASSED by a Voice Vote.

Mayor Dickert called a two minute recess.

4:30 P.M. PUBLIC HEARINGS

4:30 P.M. PUBLIC HEARINGS

[14-10783](#)

Subject: (Direct Referral) A request from Serena Barnes of Heaven's Heroes Learning Academy, LLC for conditional use approval to operate a child care facility at 2522 Douglas Avenue. (Res. No. 14-0492)

Recommendation of the City Plan Commission on 11-26-14: That the item be approved subject to conditions.

Fiscal Note: N/A

Attachments: [PH Notice - 2522 Douglas Avenue](#)

Associate Planner Johanneck provided a general overview of the property, building, zoning, surrounding property and adjacent property views, as well as aerial views. The site plan was reviewed; showing the location of the tenant space in the building, and the floor plan was reviewed indicating the different age rooms for the kids, the kitchen, bathrooms, facility rooms, and the outdoor play area.

The center will provide care for different age groups with a set curriculum. It may be open on an occasional Saturday for training purposes. Meals will be prepared on-site initially; however the applicant is looking for a food service vendor to provide meals. The applicant has also set goals for the center and its staff to be involved in the community.

The play area is along the west side of the building and surrounded by fencing on the east and north elevations, and on the west by the side of a garage and chain link. The applicant will be utilizing a chain link screening materials to shield the play area, as well as the dumpster which is located near the playground.

There will be 10 full-time and 4 part-time employees, and hours of operation from 5:30 a.m. – 12:00 a.m., Monday through Friday. This facility will serve first and second-shift needs.

The applicant has advised Staff they intend on installing a security system including video surveillance and an alarm. There will be a front door buzzer to enter the building after 6:30 p.m., as the front office area will not be staffed after that time.

The site contains 26 parking spaces. The daycare requires 7 spaces, however since there are 10 employees Staff increased the requirement to 10. The re-sale shop requires 15 spaces, so there is adequate parking in the front and in the north parking lot for these 2 tenants. If the currently vacant tenant space were to become occupied, the property owner's would need to look at adding parking in the rear of the building.

Maintenance of the building is the responsibility of both owners and tenants. Plowing of snow is provided by the owners, and general site upkeep is done by the tenants (ie: trash, grass cutting, etc.).

The Public Hearing opened at 4:43 p.m.

1. Serena Barnes, the applicant, was present to answer any questions. Ms. Barnes clarified that there will not be access to the rear of the property from the play area.

The Public Hearing closed at 4:45 p.m.

A motion was made by Commissioner Veranth, seconded by Commissioner Esqueda, to recommend approval of the item subject to Staff conditions. The motion PASSED by a Voice Vote.

[14-10784](#)

Subject: (Direct Referral) A request from Matthew Mano to re-zone 3502 Douglas Avenue from B-2 Community Shopping District to R-3 Limited General Residence District to operate a charter school. (ZOrd. 005-14)

Recommendation of the City Plan Commission on 12-10-14: That an ordinance to rezone 3502 Douglas Avenue from B-2 Community Shopping to O/I Office Institutional be prepared and a public hearing scheduled.

Fiscal Note: N/A

Attachments: [PH Notice - 3502 Douglas Ave](#)

Associate Planner Johanneck provided a general review of the area, aerial views, and surrounding zoning in the area. She stated during the Staff review there were concerns about re-zoning this site to residential, as it is in a commercial corridor and is clearly a commercial building. The use as a school is not objectionable, but the zoning to R-3 is not appropriate for the site. Staff suggests the property be zoned O-I, Office Institutional. This was recommended so that in the event the school should vacate the building, the City would retain a marketable commercial structure with numerous potential re-uses as outlined in the O-I district of the zoning ordinance. If zoned to R-3, the site limitations are many and uses are few, and the property would most likely need to be re-zoned back to an office or commercial district. Rezoning a parcel for a particular use is generally not recommended as uses change and long-range planning should help dictate proper zoning.

The O-I allows for educational facilities with a conditional use permit. Additionally, the City's 2035 Comprehensive Land Use plan identifies this area as commercial and would need to be amended to reflect the area as office. The applicants are aware these additional steps are required.

Staff did not have information on the school operations or site remodeling at this point, as this request is for the re-zoning only. Staff does recommend that an ordinance to rezone 3502 Douglas Avenue from B-2 Community Shopping to O-I Office Institutional be prepared and a public hearing scheduled, and an ordinance be prepared and public hearing scheduled to amend the Comprehensive Master Plan land use designation from Commercial to Office.

Public Hearing opened at 4:50 p.m.

- 1. Castenzio Venegas, 420 Carlton Drive, Racine 53402 spoke about the school and is in favor of the rezoning.*
- 2. Ciji Pittman, 740 Wisconsin Avenue, Milwaukee WI 53233, spoke in favor of the rezoning and the new school.*
- 3. Matt Mano, applicant, advised they have other charter schools in Milwaukee and different parts of the country that have been successful, and are excited about the opportunity to improve this site for the school.*

Public Hearing closed at 4:55 p.m.

Mayor Dickert inquired as to why they are not using an existing vacant school. Mr. Mano advised they had been looking at other possible sites; however this site offers the most parking, has space for expansion, and a vehicle queuing area that they are looking for. The Mayor noted the loss of parking with the gymnasium addition. Mr. Mano advised they will still have 50 parking spaces to the north of the gym, and the queuing space in the front of the building. Mr. Venegas clarified they would begin with grades K-3/4, and each year after that they would add a grade up to 8th grade, with approximately 25-30 students per grade.

Mayor Dickert stated this will need to be deferred, and requested more information on

the project.

A motion was made by Commissioner Esqueda, seconded by Commissioner Veranth to defer the item. The motion PASSED by a Voice Vote.

[14-10785](#)

Subject: (Direct Referral) A request from Alicia Villa for a conditional use permit to allow for a first floor residence at 1935 State Street. (Res. No. 14-0494)

Recommendation of the City Plan Commission on 11-26-14: That the item be approved, subject to conditions.

Fiscal Note: N/A

Attachments: [PH Notice - 1935 State Street](#)

Assistant Director Sadowski summarized the request of the applicant to rent out the lower level commercial space for a residential unit at 1935 State Street. Years ago, the space had been used as a residence. Most recently, it was used as a commercial office. Per the zoning code, residences on the first floor in a commercial B-2 zoning district require a conditional use permit.

Properties to the north, east, and south of this building are all zoned R-3 General Residence District, which gives merit to this request. The building is approximately 1,900 sq. ft. and has a residential unit on the second floor as permitted in the B-2 district. Over the years, to accommodate for commercial uses on the lower level, the majority of the lot has been paved.

While the property is in fair condition, the trim needs painting, and the parking lot needs to be sealed and striped. Areas of unpainted porch railings and rotted siding need to be addressed. The abandoned commercial sign structure needs to be removed. There are areas on the property where landscaping could be introduced, especially along State Street. Condition c. in the recommendation outlines the majority of the work that needs to be accomplished.

Public Hearing opened at 5:02 p.m.

1. Alicia Villa, the applicant, was present to answer questions.

Public Hearing closed at 5:03 p.m.

A motion was made by Commissioner Veranth, seconded by Commissioner Esqueda, to recommend approval of the request subject to Staff conditions a-f. The motion PASSED by a Voice Vote.

[14-10786](#)

Subject: (Direct Referral) A request from Richard Donner of Reinhart Boerner Van Dueren s.c., representing TMC Wisconsin 2 LLC, for the rezoning of the south side of Washington Avenue in the 4600 Block between Ohio Street and Virginia Street from B-1 Neighborhood Convenience, R-2 Single Family Residence, and R-3 Limited General Residence to B-2 Community Shopping District.

Attachments: [PH Notice - CVS Pharmacy](#)

This item, 14-10786, and item 14-10787 were reviewed concurrently, and the Public Hearings were also held concurrently.

Associate Director Sadowski advised this is the beginning of the process for this project, which involves a re-zoning, a conditional use, and a comprehensive plan amendment. An introduction to the property was provided via an aerial views; the mix of existing property zonings were shown and indicate this as a transitional area with several different uses in the area at this time; views of the comprehensive plan designation, a proposed site plan with the building, drive-thru, buffer screening and dumpster location, median breaks and parking, proposed landscaping, and elevations were shown. The proposal is to re-zone the entire property to B-2 to accommodate a future CVS pharmacy. The proposed pole sign is 25-feet in height with an electronic message board to be located at the intersection of Washington Avenue and Ohio Street. Lighting poles and luminaries were also shown. A conceptual view of the overall project was provided.

It was again noted this is a transitional area along Washington Avenue, progressing from a commercial-heavy area into a more residential area. In the past, an office use located nearby had to deal with the transitional nature of the area by using brick versus concrete block, and also an old gas station had to be modified by adding architectural features, and lowering their pole sign to 15-feet in height to better fit in with the area.

Traffic

City Development, City Engineering, and the State have expressed concern about the access to the site from Washington Avenue and Ohio Streets. Concerning Washington Avenue, there has been suggestion of closing the Washington Avenue access as proposed and requiring access to Washington via a driveway located on Virginia Street, which carries the concern of putting commercial traffic on a residential street. Also, possibly moving the Washington Avenue access to the west at least 50-feet, with the potential addition of an east bound turn lane. Another suggestion is to consider no access to Washington Avenue, either directly or indirectly, via Virginia Street. In all options, access to the site should be right-in right-out only.

For Ohio Street, options include making access to Ohio Street right-in right-out with no median break, or move the Ohio Street access and proposed median break further down. With this option, the addition of a north bound turn lane should be highly considered.

Building Placement

Staff has asked that the building placement be moved north-west to engage the streets more, and rotate the building 90-degrees to accommodate more stacking capacity in the drive-thru.

Architectural Design

The proposed architecture as submitted is considered unacceptable due to the location of the building in this transitional area. The architecture of the proposed pharmacy needs to be considerate of the area it is choosing to locate in. Staff would like to see the applicant incorporate some or all of the following: a true brick exterior rather than concrete block, requirement for a gable or hip roof, 360-degree screening of roof mechanicals, consideration of adding a residential feature such as a porch, and incorporating floor to ceiling windows along the north and east facades.

Signage

Signage as proposed is not acceptable. Staff suggests a reduction in number and square footage of the proposed signage to be compliant with the Ordinance allowance of four signs and a maximum of 300 square feet in area (currently proposed are eight signs totaling 391 sq. ft. in area), eliminate the electronic sign at

the intersection, possibly mount on building, and lower the pole sign to no higher than 15-feet to keep in line with other pole signs in the area (Walgreens, Washington Professional Building).

Parking Lot Design

Staff would like to see additional landscaping where painted asphalt is shown and to see a scaled landscape plan to make a better assessment of what is proposed. Also, the light poles should be no taller than 15-feet.

The above are general comments based on the submittal. In summary, the site needs re-zoning, a conditional use approval, and a comprehensive plan amendment.

Public Hearing opened at 5:25 p.m.

1. Kurt Jorgensen, 1246 Virginia St., Racine 53405, spoke in opposition. Is concerned with traffic, drive-thru and dumpster noise, that other spaces may be available and more appropriate for the CVS, and possible drop in property values.
2. James Bohn, 1228 Virginia Street, Racine 53405, is opposed as submitted but is open to working out the issues that exist with the applicants. Mostly concerned with drop in property values, the drive-thru location and noise, and possible drainage issues.
3. Alderman Henry Perez, 1017 Kentucky Street, Racine 53405, expressed concerns with traffic volume and how adjoining streets and properties would be affected, feels there may be a better location for the CVS, encouraged Staff to work with the applicants to better the plan.
4. Dorothy Jarvela, 1227 Virginia Street, Racine 53405, expressed concerns with Virginia Street traffic increasing, is opposed to 6-foot fencing, and is concerned with property values dropping.
5. Penelope Schatzman, 1227 Ohio Street, Racine 53405, came today to find out more information on the project.
6. Scott Engholt, 4520 Washington Avenue, Racine 53405, expressed concerns with traffic, congestion, and does not feel this is a good location for the CVS to locate.
7. Richard Donner, 1000 N. Water St., Milwaukee (attorney for applicant), addressed some of the speakers points.
 - a. Stated the site was selected based on corporate standards. They want to incorporate pedestrian access and understand it is a transitional neighborhood. Other sites within the City were looked at but not selected.
 - b. Concerning traffic, they have heard a lot of concerns but stated CVS does not generate traffic like a fast food restaurant might, and that their impacts on the traffic counts would be minimal. They are interested in working on a traffic study. There are numerous commercial and residential driveways into the site, and they are interested in focusing on the Ohio entrance. They feel this will help some of the traffic concerns.
 - c. Property taxes were cited as an issue. Currently, the proposed site is assessed at 1.44 million dollars. CVS plans to invest 4.6 million into this project.
 - d. Property values are of concern. He stated the site was selected because this is a transitional area, but would have less impact than other potential users of this site such as a gas station or a fast food restaurant. Per their research, property values tend to increase slightly where they locate. They want to enhance the neighborhood and make the store a walkable destination for the neighborhood.
 - e. Access points. The most important is the access on Ohio Street. DOT standards say that is too close, however they feel DOT has a 'one size fits all' for their standards and in looking at this intersection that it would make sense. The City has jurisdiction over this intersection, the DOT does not.
 - f. Architectural Design. Are willing to work with Staff on some suggestions for the look of the building and site to fit better into the area.
 - g. Site Layout. There are some grading challenges on this site, which limits options

on how water is directed, and they worked with the grading in the design. Brad Pitman, the Civil Engineer, discussed numerous concerns regarding access, vehicle stacking for the drive-thru, and the complexities of the ingress/egress of the site as related to the grade change constraints within the site.

Richard Donner added that deliveries are made during normal business hours in small vans, with one big semi-truck delivery per week. He also stated the site currently has 3 pylon signs on it, and that CVS is looking to be treated like its neighbors in terms of signage.

Public Hearing closed at 6:00 p.m.

Mayor Dickert summarized that the City wants to work with new businesses coming into town and try to work with the complexities as they occur with some commercial properties. However, he is very concerned about the City's traffic engineers and their comments about safety, more so than the DOT. Safety needs to come first.

Alderman Wiser asked the applicants if there is ability to compromise on the signage, as this is an important component to the City. Richard Donner stated there is, and they want to incorporate into the neighborhood.

Commissioner Veranth stated he understands their search for new sites, and asked if there was any consideration given to the old Marcus cinema site, though the building would have to be torn down, it is already zoned for this use and the investment could possibly be less. Mr. Donner advised they did look at it and consider it, but corporate turned it down.

Commissioner Esqueda asked if there is possibility for another neighborhood meeting, and Mr. Donner advised yes. He advised they had a good turn-out at the first neighborhood meeting.

Mayor Dickert stated he understands the terrain is somewhat dictating the location of the building, but is concerned about the proximity of the structure to the nearby homes due to lighting, and especially the 24-hour drive-thru. Brad Pitman stated they looked at alternatives of ways to fit the building on the property; however the grading on the site is a major constraint and has led to the current layout. He also stated the City storm sewer will collect site run-off, and the site will meet the City's storm sewer requirements for run-off.

Further discussion about ingress/egress involving Ohio Street and Washington Avenue was held. Mr. Sadowski read the review comments of this project made by John Rooney, City Engineer, into the record.

A motion was made by Alderman Wiser, seconded by Commissioner Veranth, to defer the item pending further discussion with the City and CVS. The motion PASSED by a Voice Vote.

[14-10787](#)

Subject: (Direct Referral) A request from Richard Donner of Reinhart Boerner Van Dueren s.c., representing TMC Wisconsin 2 LLC, for a conditional use permit to allow for a CVS Pharmacy on the south side of Washington Avenue in the 4600 Block between Ohio Street and Virginia Street.

Attachments: [PH Notice - CVS Pharmacy](#)

A motion was made by Alderman Wiser, seconded by Commissioner Veranth,

to defer the item pending further discussion with the City and CVS. The motion PASSED by a Voice Vote.

Mayor Dickert left the meeting at 6:20 p.m. Alderman Wisner took the chair.

Administrative Business

Sign Heights Survey

Assistant Director Sadowski advised that, following the CVS sign height discussion on Durand Avenue, Staff has completed an analysis of commercial signs along Lathrop Avenue, from Durand north to 20th Street, and continuing along Durand Avenue from Memorial Avenue west to Ohio Street. This inventory gives an idea of the height of older and newer signs located in this area, and identifies Staff efforts to lower sign heights in the area based on the most current dates. Brian Dean, who is working with City Development, performed the survey.

Mr. Dean addressed the Commission about the area involved in the study, and that the measurements were taken using Pictometry software, which consists of aerial photos taken of Racine annually, and which allows height measurements to be taken from the photographs. This method was used in this study. Sign height measurements were taken from the top of the sign to the base, however they are somewhat approximate based on the scale, angle, and image provided.

Mr. Sadowski advised the research provides information, especially on the more recently approved signs, that though some signs are higher they still are reductions from what was proposed at the time, and that other pole signs do meet the 15-foot requirement as per the code. Staff feels the effort to reduce sign heights through sign replacement or new signage has merit based on this study. The average height based on the signs measured is 19.05 feet.

Alderman Wisner asked what the timeline would be to inventory the whole city. Mr. Sadowski advised that will take some time, and this study was done because this area is reflective of the efforts to date to reduce sign heights. He did say we would focus more on the main corridors and busier intersections. Mr. Dean advised this inventory took him about 2.5 days, and that he will send this inventory link to the Commission members.

Adjournment

The meeting was adjourned at 6:30 p.m.