

City of Racine

Room 103, City Hall



Meeting Minutes

Wednesday, December 13, 2006

4:15 PM

Room 103, City Hall

City Plan Commission

*Mayor Gary Becker, Alderman Gregory Holding,
John Dickert, Elaine Sutton Ekes,
Vincent Esqueda, Howard Harper, Jud Wyant*

Mayor Becker called the meeting to order at 4:20 p.m.

PRESENT: 5 - Gary Becker, John Dickert, Gregory Holding, Howard Harper and Jud Wyant

EXCUSED: 2 - Elaine Sutton Ekes and Vincent Esqueda

*OTHERS PRESENT: Alderman Raymond DeHahn
Alderman Jim Kaplan
Stephen Nenonen
Brian Anderson
Rick Heller, Chief Building Inspector*

Approval of Minutes for the November 29, 2006 Meeting

A motion was made by Alderman Gregory Holding, seconded by Jud Wyant that the minutes be approved as distributed. The motion PASSED by a Voice Vote.

[06-2896](#)

Subject: Request for endorsement of a Transit-Oriented Development Portfolio, Racine, Wisconsin.

Recommendation of City Plan Commission on 12-13-06: That a resolution supporting the Kenosha, Racine and Milwaukee (KRM) Commuter Link Station Area Planning Program in Racine, Wisconsin be adopted.

Fiscal Note: N/A

Attachments: [Transit-Oriented Dev Plan.pdf](#)
[DRAFT KRM RESOLUTION.DOC](#)

Director of City Development Brian O'Connell reviewed the portfolio explaining that it is to be used as a guide to development around the State Street transit center, and it is required by the Federal Government as a prerequisite for the advancement of planning for the KRM commuter rail initiative.

In response to Commissioner Wyant, Director O'Connell explained that Racine's rail station is one among eight proposed along the rail corridor between Kenosha and Milwaukee, that congestion should be minimized as it will function as a multi-modal facility hub for pedestrian, bicycle, taxi, bus, and auto transportation modes, and additional parking is proposed.

Joe Clemons of HNTB, consultants who prepared the plan, added that the multi-modal nature of the Racine station site will decrease demand on parking.

Commissioner Dickert expressed support for the plan stating that rail service will enhance the neighborhood and advance connectivity to the Downtown.

Hearing no objections, Mayor Becker opened the floor for comments from the public.

Mary McIlvaine voiced support for the project but expressed concern for existing traffic speeds in the areas, and the need for an aesthetically pleasing parking facility.

Terri (last name unknown) emphasized the need for the City's bike path network to be connected to the station.

Jim Eastman stated that the State Street Association is "solidly behind" the commuter rail extension project.

A motion was made by John Dickert, seconded by Alderman Gregory Holding, that this item be Recommended For Adoption. The motion PASSED by a Voice Vote.

06-2856

Subject:(Direct Referral). Request by Rhonda Nicholson seeking a Conditional Use Permit for a tattoo and body piercing establishment in Regency Mall, 5502 Durand Avenue, Suite 400.

Recommendation of the City Plan Commission on 11-29-06:
Deferred.

Recommendation of the City Plan Commission on 12-13-06: That a request from Rhonda Nicholson seeking a conditional use permit to locate a tattoo and body piercing establishment in Regency Mall, 5502 Durand Avenue, Suite 400 be approved, subject to the following conditions:

- a. That the plans stamped "Received November 16, 2006" and presented to the Plan Commission on November 29, 2006 be approved subject to the conditions contained herein.
- b. That an occupancy permit and all other applicable permits be obtained from the Building Inspection Department.
- c. That all requirements of the State Department of Health and Family Services be complied with.
- d. That all trash and recyclables be kept in closed containers and stored in the building until pick up.
- e. That no loitering be allowed in or around the business, and that signs be posted in public view stating such a message.
- f. That tattoo and body piercing stations be screened from view from mall common areas.
- g. That the establishment's hours open to the general public extend no longer than from 10:00 a.m. to 9:00 p.m. Monday through Friday; 10:00 a.m. to 8:00 p.m. on Saturday; and 11:00 a.m. to 6:00 p.m. on Sundays. Client services shall cease one hour after closing or earlier if so directed by mall management.
- h. That the sale of food or drink shall not be allowed; including the use of vending machines.

- i. That all signs be professionally made.
- j. That the interior remodeling and subsequent daily maintenance of the establishment be performed in a professional/workmen like manner.
- k. That all codes and ordinances be complied with and required permits acquired.
- l. That no minor changes be made from the conditions of this permit without approval of the Plan Commission, and no major changes be made from the conditions of this permit without the approval of the Common Council.
- m. That this permit is subject to Plan Commission review for compliance with the listed conditions.

Fiscal Note: N/A

Attachments: [5502 Durand Ave.pdf](#)

Mayor Becker introduced to item.

Director O'Connell reviewed staff's discussion with representatives of Regency Mall on progress with the construction of the connector road between the Mall and properties to the North. He also explained that the Mall and its major tenants are not in support of the tattoo parlor.

Rhonda Nicholson stated that she was not aware of opposition to her proposal.

It was the finding of Commission members that, despite the objections of the Mall and certain tenants, the proposed conditional use is permitted and that members see no grounds to deny the request, based on the ordinance and the establishment of appropriate conditions of approval. The member's consensus was that the prohibition of this conditional use is a private matter to be addressed by the owner.

A motion was made by Alderman Gregory Holding, seconded by John Dickert, that this item be Recommended For Approval, subject to the listed conditions in the recommendation. The motion PASSED by a Voice Vote.

06-2895

Subject: Request for adoption of a public participation policy for the preparation of the multi-jurisdictional Smart Growth plan.

Recommendation of City Plan Commission on 12-13-06: That the document titled "Public Participation Plan for the Racine County Multi-Jurisdictional Comprehensive Plan as adopted by the Racine County Board on November 9, 2006, be hereby adopted by the City of Racine.

Fiscal Note: N/A

Attachments: Smart Growth plan.pdf
[RACINE CO CP PUBLIC PARTICIPATION PLAN v1.DOC](#)

Mayor Becker introduced the item.

Director O'Connell explained that the public participation plan is a State required element in the development of the multi-jurisdictional Smart Growth Plan.

A motion was made by Alderman Gregory Holding, seconded by John Dickert, that this item be Recommended For Adoption. The motion PASSED by a Voice Vote.

ZOrd.0010-06 An Ordinance

To rezone 1101 Mound Avenue

To amend the map of the Zoning Ordinance of the City of Racine.

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

Part 1:

That the parcel of property located at 1101 Mound Avenue, and more particularly described as follows:

“Block 33 of Sage’s Addition being the parts as described in Volume 228 of the Register of Deeds, pages 121 through 123, and Volume 642 of the Register of Deeds, Page 135, except those parts described in Volume 1988, pages 897 through 899 for street right-of-way purposes being East of Mound Avenue and West of Marquette Street. Said land being in the City of Racine, Racine County, Wisconsin”

be rezoned from "I-2" General Industrial District, to "B-5" Central Service District, and designated as Supplement No. _____, which supplement is hereby made a part of this ordinance.

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

Scheduled for Public Hearing to the Common Council

06-2987

Subject: ZOrd.0010-06 to rezone 1101 Mound Avenue from I-2 General Industrial to B-5 Central Business.

Recommendation of the City Plan Commission on 12-13-06: That the ordinance be adopted.

Fiscal Note: N/A

Attachments: [ZOrd.0010-06.doc](#)

Mayor Becker introduced the item.

Director O'Connell reviewed past action of the Commission on this ordinance.

A motion was made by Jud Wyant, seconded by John Dickert, that this Item be Recommended For Adoption. The motion PASSED by a Voice Vote.

Public Hearing Starts at 4:30 p.m.

06-2927

Subject: (Direct Referral) Request by Stan Postorino for a Conditional Use Permit for ground-floor residential units in a multi-use facility at 1101 Mound Avenue.

Recommendation of City Plan Commission on 12-13-06: That the request by Stan Postorino seeking a conditional use permit associated with a mixed use development for 1101 Mound Avenue to allow up to twelve residential units, including ground floor residential units, be approved subject to the following conditions:

- a. That the plans stamped "Received, November 29, 2006" and presented to the Plan Commission on December 13, 2006 be approved, subject to the conditions contained herein.
- b. That all applicable building and occupancy permits be obtained from the Building Inspection Department.
- c. That all conditions of approval as contained in Common Council Resolution No. 6647 of September 6, 2005 relating to a conditional use permit for warehouse and office facilities be complied with, unless modified herein.
- d. That an off-street parking plan and associated landscaping plan be provided that adequately accommodates all planned uses in this multi-use facility. Said plans shall be submitted to the Director of City Development for review and approval prior to the

issuance of building permits for residential units above the Mound Avenue level, and implement prior to the issuance of occupancy permits for residential units above the Mound Avenue level.

- e. That if occupancy is requested prior to the installation of parking and landscaping then a letter of credit equal to the value of the parking and landscape plan shall be submitted for the review and approval of the Director of City Development.
- f. That all trash and recyclables be stored in closed containers and screened from view.
- g. That all codes and ordinance be complied with and required permits acquired.
- h. 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.
- i. That this permit is subject to Plan Commission review for compliance with the listed conditions.

Fiscal Note: N/A

Attachments: [1101 Mound Ave.pdf](#)

Mayor Becker opened the public hearing at 4:48 p.m., explained the public hearing process, and introduced the item.

Director O'Connell reviewed the location, adjacent uses and zoning, and described the proposal.

Stan Postorino further explained the proposal.

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

A motion was made by Jud Wyant, seconded by Alderman Gregory Holding, that this file be Recommended For Approval, subject to the listed conditions in the recommendation. The motion PASSED by a Voice Vote.

06-2903

Subject: Communication from the Director of City Development requesting an amendment to the Project Plan for Tax Increment District No. 2 to allow for continued increment sharing.

**Recommendation of the Finance & Personnel Committee on
12-11-06:** Permission granted to amend the Project Plan for Tax

Increment District No. 2 to allow for continued increment sharing.

Fiscal Note: N/A

Recommendation of the City Plan Commission on 12-13-06: That the proposed Second Amendment to the Project Plan for Tax Increment District Number Two, City of Racine, as presented to the Plan Commission on December 13, 2006, is found feasible and in conformity with the master plan of the City of Racine.

Further that the Second Amendment to the Project Plan for Tax Incremental District Number Two, City of Racine, be adopted.

Fiscal Note: N/A

Attachments: [Amendment to TID No.2.pdf](#)

Mayor Becker opened the public hearing at 4:51 p.m. and introduced the item.

Director O'Connell explained the amendment and stated that in accordance with State Statutes, revenues from the increment of TIDs that are satisfied before their expiration may be shared with other poorly performing TIDs that are not fulfilling their projected development potential. He stated that approval to this amendment will allow revenues from TID #2 to be shared with TIDs # 3, 6, and 8.

There being no further comments and hearing no objections, Mayor Becker closed the hearing at 4:57 p.m.

A motion was made by Jud Wyant, seconded by Alderman Gregory Holding, that this item be Recommended For Approval. The motion PASSED by a Voice Vote.

Adjournment

There being no further business before the Commission and hearing no objections, Mayor Becker adjourned the meeting at 4:59 p.m.