



# City of Racine

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

## Meeting Minutes - Draft

### City Plan Commission

*Mayor John Dickert*  
*Alderman Dennis Wisner*  
*Tom Durkin*  
*Tony Veranth*  
*Ann Brodek*  
*Mario Martinez*

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Wednesday, May 10, 2017

4:15 PM

City Hall, Room 205

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#### Call To Order

*Alderman Wisner called the meeting to order at 4:32 p.m.*

**PRESENT:** 5 - Tom Durkin, Tony Veranth, Ann Brodek, Mario Martinez and Dennis Wisner

#### Misc. Notes/Arrivals

*Mayor John Dickert was excused from the Commission (not listed in the attendance).*

*Commissioners Tony Veranth and Tom Durkin left at 6:18 p.m.*

#### Approval of Minutes for the April 26, 2017 Meeting

A motion was made by Commissioner Brodek, seconded by Commissioner Durkin to approve the minutes of the April 26th meeting. The motion PASSED by a Voice Vote.

**Due to the meeting start time, Alderman Wisner started with the Public Hearing items first. The agenda was taken in the following order: 423-17, 424-17, 425-17, 417-17, 421-17, 214-17. Ord.0004-17 was deferred due to the loss of quorum.**

#### [417-17](#)

**Subject:** (Direct Referral) A communication from the Chief Zoning Administrator and City Attorney requesting modifications to the sign ordinance in order to comply with current case law.

**Recommendation of the City Plan Commission on 5-11-17:** That an ordinance be prepared and a public hearing before the Common Council scheduled.

**Fiscal Note:** N/A

**Attachments:** [Ordinance XX-17 - Signs.pdf](#)  
[Ordinance XX-17 - Signs \(redlined\).pdf](#)

*Assistant Director Sadowski gave a brief introduction to the item.*

Assistant City Attorney, Nhu Tran, gave a brief summary of the request. She stated back in June of 2015 a case (*Reed v. Town of Gilbert*) was passed that distinguished between political signage and content based signage. Atty. Tran stated that after reviewing the ordinance there are some passages that are problematic and unconstitutional. She stated the proposed sign ordinance is consistent with the International Municipal Code.

**A motion was made by Commissioner Durkin, seconded by Commissioner Brodek, that an ordinance be prepared and a public hearing before the Common Council scheduled. The motion PASSED by a Voice Vote.**

[214-17](#)

**Subject:** Communication from the Director of City Development submitting, for consideration and adoption as an amendment to the City of Racine 2035 Comprehensive Land Use Plan Map, the document titled "RootWorks Area Wide Plan and Implementation Strategy".

**Recommendation of the City Plan Commission on 5-11-17:** That an ordinance be prepared and a public hearing before the Common Council scheduled.

**Fiscal Note:** N/A

**Attachments:** [Rootworks Area Wide Plan\\_Draft 2.15.17\\_web](#)  
[AWP.RootWorks.PC.Meeting\\_5.10.17](#)

*Mr. Sadowski gave a brief overview of the history of the request. He explained the land use plan for the area as proposed by the City of Racine's Comprehensive Plan along with the Area Wide Plan process and the next steps.*

*Jolena Presti from Vandewalle presented more background on the item. She explained the area of the request and the Management team who worked on developing the plan (Ms. Presti's full presentation can be found attached to this agenda item).*

**A motion was made by Commissioner Veranth, seconded by Commissioner Durkin, that an ordinance be prepared and a public hearing scheduled. The motion PASSED by a Voice Vote.**

[Ord.0004-17](#)

Ordinance 04-17

Ordinance adopting an amendment to a document titled "A Comprehensive Plan for the City of Racine: 2035" (The Plan) for a portion of the property located at 3600 Pierce Boulevard, City of Racine, Wisconsin.

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

Part 1: Pursuant to Section 62.23 of the Wisconsin Statutes, the City of Racine is authorized to prepare and adopt certain amendments to The Plan as defined in Sections 66.1001(1)(a) and 66.1001(2) of the Wisconsin Statutes; and

Part 2: Following a 30 day notice period to adjacent municipalities of a proposed amendment for a development project, and direct notice to property owners within the direct vicinity announcing the conduct of a public hearing on May 10, 2017 before the Plan Commission of the City of Racine, whose purpose is to solicit opinion and educate the public on a proposed rezoning effectuating a development project, said project needing an amendment to The Plan, as preceded by a change in the land use classification of a portion of the property at 3600 Pierce Boulevard; and

Part 3: On May 10, 2017 the Plan Commission is scheduled to forward a recommendation to the Common Council that the process to amend The Plan move forward based on the findings as enumerate in the staff report to the Plan Commissioners, and as reported to the Common Council for a June 6, 2017 meeting, and in said report that associated requests to rezone that same portion of the property at 3600 Pierce Boulevard move forward; and

Part 4: On April 17, 2017 the Common Council referred the amendment to The Plan to the Plan Commission, seeking a recommendation on the herein created Ordinance 04-17 and scheduled a June 6 , 2017 public hearing before the Common Council for consideration of an amendment to The Plan; and

Part 5: The Plan Commission of the City of Racine, on \_\_\_\_\_, 2017 by a majority vote of the commission recorded in its official minutes, recommended to the Common Council the \_\_\_\_\_ of a resolution and Ordinance 04-17 regarding a change to the land use designation of a portion of the property at 3600 Pierce Boulevard from Isolated Natural Resource Area to Industrial; and

Part 6: The Common Council has duly noticed and conducted a public hearing on the amendment to The Plan, in compliance with the requirements of Section 66.1001(4)(d) of the Wisconsin Statutes

Part 7: The Common Council of the City of Racine, Wisconsin, does, by the enactment of this ordinance, formally adopt the amendment to the document titled "A Comprehensive Plan for the City of Racine: 2035" to change the land use designation of a portion of the property 3600 Pierce Boulevard from Isolated Natural Resource Area to Industrial, pursuant to Section 62.23 and Section 66.1001(4)(c) of the Wisconsin Statutes.

Part 8: This ordinance shall take effect upon passage by a majority vote of the members-elect of the City Common Council and publication

or posting as required by law.

Passed by the Common Council:

Fiscal Note: N/A

*Item deferred due to loss of quorum.*

**Deferred**

[421-17](#)

**Subject:** (Direct Referral) A request from Rose Nelson, representing Wild Root Market Board of Directors and Owners, seeking an amendment to a document titled "A Comprehensive Plan for the City of Racine: 2035" seeking a change in the land use designation of the property at 500 Walton Street and 2214 Wisconsin Street from High Density Residential to Office Park.

**Recommendation of the City Plan Commission on 5-11-17:** That an ordinance be prepared and a public hearing before the Common Council scheduled.

**Fiscal Note:** N/A

*Mr. Sadowski explained the request to amend the Comprehensive Plan. He explained the area and zoning. He stated there would need to have an overlay with a flex development approved. The Comp Plan amendment would change the designation from Residential to Office Institutional, making the property in compliance with the plan.*

**A motion was made by Commissioner Brodek, seconded by Commissioner Veranth, to prepare an ordinance and schedule a public hearing at Common Council. The motion PASSED by a Voice Vote.**

**4:30 P.M. PUBLIC HEARINGS**

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[423-17](#)

**Subject:** (Direct Referral) A request from Michael Hennessy, representing Racine Unified School District, seeking a conditional use permit to install an electronic message center at 1901 - 12th Street for Washington Park High School. (PC-17) (Res. No. 0178-17)

**Recommendation of the City Plan Commission on 5-10-17:** That the request be approved subject to conditions.

**Fiscal Note:** N/A

Attachments: [PH Notice - 1901 12th Street](#)

*Mr. Sadowski introduced the item. He explained the zoning and surrounding area of Park High School. He stated the site is zoned residential and the surrounding zoning is residential also. He stated where the sign would be located and the design of the*

*sign. The sign meets the size requirements set forth in the ordinance and has been modified to show architectural detailing.*

*Mr. Sadowski stated staff is recommending approval of the request subject to conditions. He stated that exceptions will need to be granted which are reflected in condition d.*

*Mr. Sadowski stated that rather for the sign being parallel to 12th Street, staff is recommending that the sign be perpendicular so that it would not light up into the homes across the street. The existing sign would remain.*

*Public Hearing Opened 4:40 p.m.*

*Michael Hennessy, 3109 Mt. Pleasant Street, spoke in support of request. He stated he agrees with the conditions and feels that the sign should be perpendicular to the street instead of parallel.*

*Public Hearing Closed 4:41 p.m.*

**A motion was made by Commissioner Durkin, seconded by Commissioner Martinez, that the request be approved subject to conditions. The motion PASSED by a Voice Vote.**

[424-17](#)

**Subject:** (Direct Referral) A request from Tomas Pocius of Ink Era Tattoo seeking a conditional use permit to operate a tattoo establishment at 900 State Street. (PC-17) (Res. No. 0179-17)

**Recommendation of the City Plan Commission on 5-10-17:** That the request be approved subject to conditions.

**Fiscal Note:** N/A

**Attachments:** [PH Notice - 900 State Street](#)  
[\(424-17\) CU 900 State Street](#)

*Mr. Sadowski explained the location of the request. The zoning of the property is B-3 with R-3 to the North and O/I to the South. He explained the layout of the site as it currently exists, the proposed layout and signage. Mr. Sadowski stated that the signs meet the sign standards and does not need to be approved by the Downtown Area Design Review Commission because it is consistent with what was already approved for the building.*

*Public Hearing Opened at 4:47 p.m.*

*Karen Norton, 926 Superior Street, spoke in opposition. She is concerned that the business is taboo and is associated with gangs, and negative activity. Worried that it would bring down property values. Concerned the clients would be risqué. She also expressed concern with the parking and clients and employees parking along the Superior Street.*

*Pastor Keith Evans, Mrs. Martha Roo (sp?), and Mrs. Gloria Whittaker all expressed concerns. Pastor Norton stated she was directly affected.*

*Tomas Pocius, 900 State Street, the applicant. Mr. Pocius stated he did not do drugs. He stated he has managed Skin Candy for five years and they have had no*

issues or complaints.

Commissioner Martinez asked about reviewing the use in the future.

Mr. Sadowski explained that because of the way a CUP is set up, the Commission can review the use periodically.

Commissioner Durkin asked regarding parking options.

Mr. Sadowski stated that off street parking is not required at this location, however, there is some available; ample off street is also available.

Commissioner Brodek asked how many customers could be accommodated.

Mr. Pocius stated four clients at a time and by appointment only. He stated most of his clients are business clients.

Commissioner Brodek asked if employees could park off site so customers could park in the onsite parking lot.

Mr. Pocius stated some employees carpool and doesn't see a problem with employees parking off site.

Mr. Sadowski stated there is a public parking lot on the next block so that is an option for the staff.

Commissioner Martinez asked what brought the applicant to that location.

Mr. Pocius stated he was looking for a private location that was not far from downtown. He stated he does not want people loitering outside his business.

Pastor Norton expressed additional concerns regarding the request. She spoke regarding the neighborhood and the hours.

Commissioner Veranth asked the applicant if he could ask employees to park south of State Street on Superior Street. He asked the average timeframe for a client.

Mr. Pocius stated coworkers would park wherever the Commission deemed appropriate. Customers can be there for 30 minutes to eight hours; Eight hours would include ideas and designing of the tattoo.

Commissioner Veranth stated perhaps the establishment could be more part of the neighborhood.

Commissioner Brodek asked if the Commission could review issues other than compliance. She asked if complaints are received from neighborhoods and business but yet the business complies with all of the conditions, can the use still be reviewed.

Mr. Sadowski stated the ordinance gives the Zoning Administrator the authority to revoke any conditional use permit. He stated that CUP provides a level of control and if a convenience store wanted to open in the property they would be able to without review and a CUP.

Commissioner Durkin asked if hours could be reduced during the week.

Mr. Pocius stated 11:00 a.m.-7:00 p.m. or 12:00 p.m.-7:00 p.m. was what he initially wanted for hours.

A motion was made by Commissioner Veranth, seconded by Commissioner Brodek, to recommend approval of the request with the adjustment to hours and the addition of condition k. regarding parking.

[425-17](#)

**Subject:** (Direct Referral) A request from Ryan Brath, representing Fischer USA, Inc. seeking to rezone a portion of the property at 3600 Pierce Blvd. from R-3 Limited General Residence District to I-1 Restricted Industrial District. (PC-17)

**Recommendation of the City Plan Commission on 5-11-17:** That an ordinance be prepared and a public hearing before the Common Council scheduled.

**Fiscal Note:** N/A

**Attachments:** [PH Notice - 3600 Pierce Blvd REVISED](#)  
[\(423-17\) CU 1901 - 12th Street](#)

*Mr. Sadowski explained the request to rezone a portion of Pierce Woods Park from R3 to Industrial. He explained the current zoning of the site, the area proposed for rezoning and the surrounding area.*

*Public Hearing Opened 5:22 p.m.*

*Ryan Brath, Fischer USA, spoke in support of the request. He stated they have been in Racine for 76 years and currently have 60 employees. They are hoping to expand to 80 employees within the next five years.*

*Laura Million, Racine County Economic Development Corporation (RCEDC), shared more information about the project. She stated that RCEDC works with businesses to facilitate growth. She explained that they met with Fischer in 2015 about expansion and in 2016 spoke in detail about expanding. They considered purchasing the property to the west, however, they would not work with current facility flow. Looking for more manufacturing capacity. Looked into purchasing to the south however the current building owners were not looking to sell. They also considered moving their facilities out of Racine. The purchase of a portion of the parkland was approved by the Council on February 22nd. The rezoning would allow the transaction to move forward. She stated \$20.94/hour is the average wage at Fischer. Environmental concerns were addressed. Keeping Fischer in Racine would lend to the expansion of jobs and growth of the company.*

*Jane Brosseau, 2021 Arthur Avenue, spoke in opposition. She feels that it is unnecessary to cut down the trees for industrial use and that there is a better solution to the expansion of the facility.*

*Michael Peterson, 3508 Pierce Boulevard, spoke in opposition. He feels there is a better solution to better accommodate the park and the building. He stated that two shifts would eliminate the need for a business expansion.*

*Rodney Greene, 2422 West Lawn Avenue, spoke in opposition. He stated he purchased his home because of the park. Heard that other businesses want to purchase portion of the park.*

*Marilyn Peterson, 3508 Pierce Boulevard, spoke in opposition. She showed*

*photographs from 20 years of living next to the park and explained the ecology of the park. Remnant of a historic oak grove. Explained a report from SEWRPC regarding the agreement regarding preserving and protecting the park. Circulated a petition of 500 neighbors against the park. She suggested changing the flow of operations to accommodate the use of the vacant building next to Fischer.*

*Linda Polzin, 3620 Blue River Avenue, spoke in support, spoke at several meetings. Stated that the park is not going away. Will be replacing trees 2 to 1. She stated 500 red and burr oak trees will be planted in various parks throughout the city's park.*

*Discussion ensued between the citizens and commissioners.*

*Public Hearing Closed at 5:47 p.m.*

*Alderman Wisner stated the Council did approve the sale of the park in February. He stated the action of the Commission today is to decide whether an ordinance should be created and moved forward to the Common Council. Wisner reiterated this is not the final decision for item.*

*Mr. Sadowski stated the Ordinance would come back to the Plan Commission on May 31st and then would be referred back to the Common Council for the June 6th meeting as a public hearing.*

*Commissioner Brodek felt that approving the creation of the ordinance would give an additional opportunity for the public to speak again on the issue.*

**A motion was made by Commissioner Brodek, seconded by Commissioner Durkin, for an ordinance be prepared and a public hearing scheduled. The motion PASSED by a Voice Vote.**

## **Adjournment**

*Due to a loss of quorum, the meeting adjourned at 6:31 p.m.*