



# City of Racine

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

## Meeting Minutes - Draft City Plan Commission

*Mayor Gary Becker*  
*Alderman Gregory Holding*  
*Atty. Jud Wyant, Elaine Sutton Ekes*  
*Vincent Esqueda, Frank Tingle*  
*Brent Oglesby*

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Wednesday, April 9, 2008

4:30 PM

City Hall, Room 205

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### **Mayor Becker called the meeting to order at 4:35 p.m.**

**PRESENT:** 6 - Gary Becker, Elaine Sutton Ekes, Gregory Holding, Brent Oglesby, Frank Tingle and Jud Wyant

**EXCUSED:** 1 - Vincent Esqueda

*OTHERS PRESENT: Brian F. O'Connell, Director of City Development*  
*Rick Heller, Chief Building Inspector*  
*Matthew Sadowski, Principal Planner*  
*Jill Johanneck, Associate Planner*  
*Penelope Gabor, Intern Planner*

### **Approval of Minutes for the March 26, 2008 Meeting**

**A motion was made by Gregory Holding, seconded by Frank Tingle, that the minutes be approved, as distributed. The motion PASSED by a Voice Vote.**

#### Ord.04-08

Ordinance No. 04-08

To repeal and recreate Secs. 114-447(2) and (3), amend Sec. 114-448 and amend Sec. 114-567 of the Municipal Code of the City of Racine, Wisconsin relating to Zoning - Permitted uses and regulations; Conditional Uses.

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

#### Part 1:

Sec. 114-447 (2) of the Municipal Code of the City of Racine is hereby repealed and recreated to read as follows:

"(2) Studios or work spaces above the building's street level for artist, sculptor, photographer, composer or other similar artisans or artists, or at the building's street level but no closer than 30 feet to the store front and screened from public view."

#### Part 2:

Sec. 114-447 (3) of the Municipal Code of the City of Racine is hereby repealed and recreated to read as follows:

"(3) Galleries for artist, sculptor, photographer, composer or other similar artisans or artists."

Part 3:

Sec. 114-448 of the Municipal Code of the City of Racine is hereby amended by adding the following at the end of the section:

"(16) Studios or work space located at the buildings street level for artist, photographer, sculptor, composer, dance or other similar artisans or artists."

Part 4:

Sec. 114-567 of the Municipal Code of the City of Racine is hereby amended by adding the following at the end of the section:

"(30) Studios or work spaces for artist, sculptor, photographer, composer or other similar artisans or artists."

Part 4:

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

*Commission action on this Ordinance is reflected in File 08-1987.*

**A motion was made by Frank Tingle, seconded by Gregory Holding, that this item be Recommended For Adoption. The motion PASSED by a Voice Vote.**

[08-1987](#)

**Subject:** Ord.04-08 to repeal and recreate Secs. 114-447(2), and (3), amend Sec. 114-448 and amend Sec. 114-567 of the Municipal Code of the City of Racine, Wisconsin relating to Zoning - Permitted uses and regulations; Conditional Uses.

**Recommendation of the City Plan Commission on 4-9-08 :** That the ordinance be adopted.

*Director O'Connell reviewed past action by the Commission with regards to the proposed ordinance. Commission members expressed some concern with the screening requirement and its dampening effect on being able to observe the creative process. After further discussion, Commission members concluded that screening measures could be addressed on a case-by-case basis, while keeping the ordinance language as proposed.*

**A motion was made by Frank Tingle, seconded by Gregory Holding, that this item be Recommended For Adoption. The motion PASSED by a Voice Vote.**

**ZOrd.0002-08**

An Ordinance for Rezoning 407-409 Hubbard Street

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 property known as 407-409 Hubbard Street and more particularly described as follows:

"The west 50 feet of Lot 1 & the west 50 feet of the north 25 feet of Lot 2 of Block 53 of the Original Plat of Racine. Said land being in the City of Racine, Racine County, Wisconsin"

be rezoned from "B-2" Community Shopping District, to "R-3" Limited General Residence 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

*Commission action on this Ordinance is reflected in File 08-1988.*

**A motion was made by Gregory Holding, seconded by Frank Tingle, that this item be Recommended For Adoption. The motion PASSED by a Voice Vote.**

**08-1988**

**Subject:** ZOrd.0002-08 for rezoning 407-409 Hubbard Street.

**Recommendation of City Plan Commission on 4-9-08:** That the ordinance be adopted.

*Director O'Connell reviewed the applicant's rationale and past Commission action in regards to the proposed rezoning.*

**A motion was made by Gregory Holding, seconded by Frank Tingle, that this item be Recommended For Adoption. The motion PASSED by a Voice Vote.**

[08-1971](#)

**Subject:** (Direct Referral) Ordinance amendments for drive-in/drive-through and mixed use. (Ord. 07-08)

**Recommendation of City Plan Commission on 4-9-08:** That an ordinance be prepared with the following text amendments:

**Repeal 114 - 1 *Drive-in, takeout, or fast food establishment.***

**AND...**

**Create 114 - 1 *Delicatessen or butcher*** means an establishment whose primary intent is to offer for retail sale to patrons prepared or unprepared meal components to carry away for off premise consumption at a later time.

**Create 114 - 1 *Drive-in or Drive-through establishment*** means an establishment where either all or a portion of the operation affords the patron the ability to receive or consume good, services, entertainment or conduct business while seated in or on a vehicle.

**Create 114 - 1 *Mixed use development*** means a building or grounds intended to accommodate more than one use, either by right or by conditional use permits within a zoning district.

**Create 114 - 1 *Mixed use - flex development*** means a building or group of buildings and/or grounds redeveloped to accommodate uses that may not be included as those uses permitted either by right or by conditional use permit, within the zoning district in which it is located.

**Create 114 - 1 *Mixed use - planned development*** as defined in 114-182.

**Create 114 - 1 *Takeout - carryout restaurant*** means an establishment where the areas devoted to food preparation, related activities, and other areas not accessible to the public (walk-in coolers, food lockers, etc) totals over 50% of the floor area of the occupancy, or where it is anticipated that over 50% of

patron visits involves the ability of patrons to order and carry away prepared foods for off premise consumption.

**AND...**

**Amend 114 - 182** by striking the phrase "Use exceptions" and replacing it with the phrase "Mixed use".

**Amend 114 - 468(24)** by striking the number "10,000" and replacing it with the number "5000".

**Further** that a public hearing be scheduled.

**Fiscal Note:** N/A

*Director O'Connell explained the basis for the proposed amendments. Principal Planner Sadowski reviewed the proposed changes. Commission members discussed the merits of lowering the square footage threshold for mixed uses buildings from 10,000 square feet to 3,000 square feet. Following discussion regarding the potential impact and types of facilities affected, Commission members compromised on a threshold of 5,000 square feet.*

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

**08-1972**

**Subject:** (Direct Referral) Compliance review for conditional use permit for Beres Towing.

**Recommendation of City Plan Commission on 4-9-08:** That the Chief Building Inspector be authorized and directed to initiate a revocation process.

*Director O'Connell explained that complaints have been received by Alderman Weidner in regards to the continual unsightly appearance of Beres' Towing operations. Principal Planner Sadowski reviewed current violations at the property as they relate to basic ordinance standards and the conditions of approval specific to the property.*

**A motion was made by Jud Wyant, seconded by Gregory Holding, that this item be Approved. The motion PASSED by a Voice Vote.**

**Administrative Business**

*Director O'Connell joined Commission members and staff in welcoming the Associate Planner Jill Johanneck as a new Staff member to the Department of City Development.*

**Adjournment**

*There being no further business before the Commission and hearing no objections, Mayor Becker adjourned the meeting at 5:08 p.m.*

*Respectfully Submitted,*

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

