



City of Racine

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

Meeting Minutes - Final City Plan Commission

*Mayor John T. Dickert, Alderman Gregory Holding
Atty. Jud Wyant, Elaine Sutton Ekes
Vincent Esqueda, Brent Oglesby, Eric Marcus*

Wednesday, June 24, 2009

4:15 PM

City Hall, Room 205

PROCEDURAL NOTE: While action on items typically proceeds in the order in which they appear on the agenda, certain items may be postponed to allow the start of public hearings at the published time of 4:30 p.m. Following the public hearings, the Plan Commission will resume action on postponed items.

Call To Order

PRESENT: 6 - John Dickert, Vincent Esqueda, Gregory Holding, Brent Oglesby, Jud Wyant and Eric Marcus

EXCUSED: 1 - Elaine Sutton Ekes

*Others Present: Matt Sadowski, Principal Planner
Jill Johanneck, Associate Planner
Rick Heller, Chief Building Inspector*

Approval of Minutes for the June 10, 2009 Meeting

Commissioner Marcus noted a correction to the June 10, 2009 minutes. For item 09-3580, the motion included a requirement to send a written notice in six months for review by the Plan Commission.

Also, a correction for item 09-3734 correcting the last word from "parking" to "safety".

A motion was made by Alderman Holding, seconded by Commissioner Esqueda, to approve the minutes as amended. The motion PASSED by a voice vote.

09-3733

Subject: (Direct Referral) Consideration of a request from Pedro Hernandez seeking a conditional use permit to accommodate an automobile repair facility at 914 Marquette Street. (Res.09-1474)

Recommendation of the City Plan Commission on 6-24-09:

Approve subject to staff recommendations.

Fiscal Note: N/A

Attachments: [PH Notice - 914 Marquette Street](#)
[\(09-3733\) 914 Marquette Street - Auto Repair](#)

Mr. Sadowski advised the public hearing was held on June 10, 2009. At that time, the Commission deferred action to send this item to the Access Corridor Development Review Committee (Access Corridor). The slides were reviewed and living areas noted (six total). Parking, a former municipal parking facility now leased to Sam Azarian, the building owner, is on the opposite side. The building received a

façade grant and that work still needs to be completed.

Mr. Sadowski then read the most recent updates to the staff recommendations. He was informed by the Commission members that this item will be going to the Access Corridor tomorrow (June 25, 2009).

Mayor Dickert explained to the applicants that they need to go to the Access Corridor meeting tomorrow. If the Access Corridor approves their request, then the item will go to the Common Council. He stated that if the Access Corridor recommends denial of the use, or requests changes to the conditions, the matter will be sent back to the Plan Commission and then onto the Common Council.

A motion was made by Alderman Holding, seconded by Commissioner Esqueda, to recommend approval of the item subject to amended staff recommendations. The motion PASSED by a voice vote.

09-3827

Subject: (Res.09-1445) Vacation of alley bounded by 20th Street, DeKoven Avenue, Kearney Avenue and Hickory Grove Avenue.

Recommendation of the City Plan Commission on 6-24-09: That the resolution be adopted.

Fiscal Note: N/A

A motion was made by Alderman Holding, seconded by Commissioner Esqueda to Recommend Adoption of the Resolution. The motion PASSED by a voice vote.

09-3692

Subject: Communication from the residents abutting the alley bounded by 20th Street, DeKoven Avenue, Kearney Avenue and Hickory Grove Avenue requesting the vacation of said alley. (Res.09-1445)

Recommendation of the Public Works Services Committee on 6-9-09: Since public interest requires it, that the following parcel of land, more particularly described as follows, be and hereby is vacated and discontinued:

The alley bounded by 20th Street, DeKoven Avenue, Kearney Avenue and Hickory Grove Avenue.

Further recommends that a preliminary resolution be introduced to the Common Council and referred to the City Plan Commission.

Further recommends that Resolution 09-1381 of May 6, 2009 be amended by deleting the alley bounded by 20th Street, DeKoven Avenue, Kearney Avenue and Hickory Grove Avenue.

Fiscal Note: Not applicable.

Recommendation of the City Plan Commission on 6-24-09: That

vacation and discontinuance of the alley bounded by 20th Street, DeKoven Avenue, Kearney Avenue, and Hickory Grove Avenue is not in conflict with existing city plans and programs and recommends that the alley be vacated.

Further, that Res.09-1445 be adopted.

Fiscal Note: N/A

Attachments: [Vacate Alley.pdf](#)

A motion was made by Alderman Holding, seconded by Commissioner Esqueda to Recommend Approval of the vacation of the alley bounded by 20th Street, DeKoven Avenue, Kearney Avenue, and Hickory Grove Avenue, and that Resolution 09-1445 be adopted. The motion PASSED by a voice vote.

09-3734

Subject: (Direct Referral) Consideration of a request from Curt Pruitt, representing Racine Joint Venture, d/b/a Regency Mall, seeking consideration of a request to amend a conditional use permit to allow additional locations for outside events and to extend the time period in which tent sales may be conducted. (Res.09-1470)

Recommendation of the City Plan Commission on 6-10-09: That this item be approved subject to staff recommendations.

Recommendation of the City Plan Commission on 6-24-09: That this item be approved subject to staff recommendations.

Fiscal Note: N/A

Attachments: [PH Notice - Regency Mall](#)
[Regency Letter](#)
[\(09-3734\) CUP Amendment Regency Mall](#)

Mr. Sadowski advised this item (09-3734) and Res. 09-1470 are related. Common Council referred this item back to the Plan Commission at their last meeting. Per the Mayor's request, Mr. Sadowski read the staff recommendations into the record.

Alderman Holding advised he understood the area next to the Burlington Coat Building to have a tent sale or similar event, but noted the amount of empty retail spots that are currently available (tape blanked out).

Commissioner Marcus raised concern about the timeframe on length of sales and the language allowing sales for 30 consecutive days. He expressed concern that a vendor could operate over consecutive 30-day intervals, thus subverting the intent of the restriction. Mr. Heller and Mayor Dickert clarified staff's application and enforcement of the 30-day restriction explaining that temporary structure and sales must cease and be taken down within the 30-day timeframe. Mayor Dickert also explained that stating "30 days" rather than "one month" accommodates events that may span a 30-day period that falls within two months.

A motion was made by Alderman Holding, seconded by Commissioner Esqueda, that this item be Recommended for Approval subject to staff recommendations. The motion PASSED by a voice vote.

[09-3828](#)

Subject: (Res. 09-1470) Amendment of Conditional Use Permit for Racine Joint Venture, d/b/a Regency Mall.

Recommendation of the City Plan Commission on 6-24-09: That the resolution be adopted.

Fiscal Note: N/A

Mayor Dickert asked if there were any concerns on the resolution. Being none, the Commission proceeded to vote on adoption of the resolution.

A motion was made by Alderman Holding, seconded by Commissioner Esqueda, to Recommend Adoption of Res.09-1470. The motion PASSED by a voice vote.

**4:30 PUBLIC HEARING
HEARING**

4:30 PUBLIC HEARING

4:30 PUBLIC

[09-3796](#)

Subject: (Direct Referral) Consideration of a request from Curt Pruitt, representing Racine Joint Venture d/b/a Regency Mall seeking a conditional use permit to allow for a temporary building to allow temporary sales for Halloween Express at 5200 Durand Avenue. (Res.09-1475)

Recommendation of the City Plan Commission on 6-24-09: That the request be approved subject to commission recommendations.

Fiscal Note: N/A

Attachments: [PH Notice.2 - Regency Mall](#)
[\(09-3733\) 914 Marquette Street - Auto Repair](#)

Public hearing opened at 5:10 p.m.

Mr. Sadowski provided an overview of the request for a temporary structure. It would be 100' diameter and 35' tall, and in the parking lot where the former Chi-Chi's restaurant was located. Portable bathrooms will be provided. The frame of the building is steel, but is primarily kept inflated by blowers.

Staff is concerned about setting a precedent with this type of building and allowing it up for 90 days. Another concern is the building is in the color and shape of a pumpkin, basically constituting a sign.

The applicant, Curt Pruitt, 5530 Durand Avenue, spoke in favor of the request.

Commissioner Oglesby questioned the space available inside the mall. The applicant advised the space inside is not adequate for what they are proposing to do.

Public hearing closed at 5:20 p.m.

Commissioner Marcus asked if the applicant had further information on the type of structure proposed and if they've used similar types of devices elsewhere. Commissioner Marcus expanded his question to safety issues, locations by this company, structural issues and appearance.

Mr. Pruitt advised he can search to see if they've been used elsewhere. He is aware of one that was used as a swimming pool and there's a golf-themed facility going up along I-94. This is not new technology, all required insurance is provided.

Mayor Dickert then requested to hear the staff recommendations.

Mr. Sadowski advised staff recommends denial, but read some prepared conditions into the record.

Alderman Holding moved to approve the request for 60 days, subject to staff recommendations. Seconded by Vincent Esqueda.

Mayor Dickert asked what is the city's timeframe for tent sales. Mr. Heller advised 30 days out at the mall. If it is not a planned district and is a tent, it requires his approval and can be in place up to a year.

The applicant asked if they could request days other than October 1, 2009 through November 1, 2009.

A motion was made by Commissioner Wyant to change the timeframe of the motion to a onetime, experimental 60 days, and reiterated that we are looking at this on an experimental basis to determine outcomes. The motion amendment was seconded by Commissioner Esqueda. The motion (as amended) PASSED by a voice vote.

Commissioner Marcus asked if they had just come in and wanted a pumpkin for 30 days, would they be able to do it. Mr. Sadowski advised that assuming approval by Common Council of Res.09-1470, the pumpkin could be utilized for 30 days. Commissioner Marcus asked what prevented them from asking repeatedly for 30 days at a time. Mr. Sadowski advised they are required to give notice to staff when they want to do something like this and staff would recommend not giving such an approval.

Administrative Business

[09-3201](#)

Subject: (Direct Referral) Preparation of the City of Racine 2035 Comprehensive Plan.

Attachments: [CITY OF RACINE CP CH I Text_v1](#)
[CITY OF RACINE CP CH II Text_v1](#)
[CITY OF RACINE CP CH III Text_v1](#)
[CITY OF RACINE CP CH IV Text_v1](#)
[CITY OF RACINE CP CH V Text_v1](#)
[2035 Comp Plan Survey_001](#)
[CompPlan SurveyResultsRawData](#)
[CompPlan NghbrhdCrssTbRprt](#)
[CompPlan Q13WrittenRspns](#)
[CompPlan Q14WrtnRspns](#)
[CmpPlan Q15WrtnRspns](#)
[CompPln Q16WrtnRspns](#)
[Public Input Session Comments](#)

Commissioner Marcus requested his e-mail and answers regarding Chapters I, II and III be added to the record for this item. Seconded by Commissioner Esqueda, ayes-all.

Mr. Sadowski advised the plan is also on-line and available to view.

Commissioner Marcus requested that, in the matter of the on-line survey report, item 4 in Community Goals (page 19) insert the words "and Racine-Chicago" after the word "string... Kenosha-Racine-Milwaukee." Hearing no objections, Mayor Dickert directed that such wording be inserted.

A motion was made by Commissioner Marcus, seconded by Commissioner Oglesby, to approve Chapter 1. The motion PASSED by a voice vote.

Mr. Sadowski asked that Commission members continue their review of Chapters II and III and bring comments, corrections or suggestions to the next meeting.

Update on County Comprehensive Plan

Mr. Sadowski reviewed the schedule for hearings for the County Comprehensive Plan. He stated that the County plan provides a lot of the basic information and data for the City Comprehensive Plan. He stated an abbreviated version of the County plan is available in the offices of City Development. The full printed version and a compact disc are also available. He concluded that all of the items can be accessed through the Racine County UW-Extension website.

In reference to comments received from Commissioner Marcus, Mayor Dickert requested that the documents be reviewed by Commission members at their leisure as they were e-mailed prior to the meeting. He also requested that staff responses be forwarded to the Commission members.

Adjournment

There being no other items before the Commission, Mayor Dickert adjourned the meeting at 4:55 p.m.

Respectfully submitted,

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