



City of Racine

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

Meeting Minutes - Final City Plan Commission

*Mayor John Dickert, Alderman Dennis Wisner,
Molly Hall, Vincent Esqueda, Tony Veranth,
Pastor Melvin Hargrove, Attorney Tom Durkin*

Wednesday, December 10, 2014

4:15 PM

City Hall, Room 205

Call To Order

PRESENT: 6 - Elaine Sutton Ekes, Elaine Sutton Ekes, Tony Veranth, John Dickert,
Melvin Hargrove and Dennis Wisner

EXCUSED: 2 - Vincent Esqueda and Molly Hall

Others present:

*Matt Sadowski, Assistant Director of City Development
Jill Johanneck, Associate Planner*

Approval of Minutes for the November 26, 2014 Meeting

A motion was made by Alderman Wisner, seconded by Commissioner Hargrove, to approve the November 26, 2014 meeting minutes, as submitted. The motion PASSED by a Voice Vote.

[14-10830](#)

Subject: (Direct Referral) A request from Ciji Pittman to amend the 2035 Comprehensive Land Use Plan Map designation for 3502 Douglas Avenue from Commercial to Office. (ZOrd. 006-14)

Recommendation of the City Plan Commission on 12-10-14: That an ordinance be prepared, a resolution drafted and a public hearing scheduled.

Fiscal Note: N/A

Associate Planner Johanneck advised this request is part of a multi-layer application, including a rezoning request and an upcoming conditional use request to operate a charter school. A review of the area was provided. She stated the 'Land Use Element' is one of the nine elements that compromise the City's Comprehensive plan, and this element outlines goals and objectives to guide development within the City. The document allows for amendments where deemed appropriate or necessary to foster sensible land use patterns, and that this request has been reviewed and considered with the goals and objectives of the Land Use Element.

The modification would change the use designation on the map for 3502 Douglas Avenue from Commercial to Office. A review of surrounding land uses was provided, and it was noted this request was also reviewed and considered in conjunction with existing land uses and area zoning. The upcoming rezoning request is to rezone this parcel from B-2 Community Shopping District to O-I Office Institutional District. The land use plan change, along with the rezoning, would support appropriate land uses

in this transitional parcel located adjacent to both residential and commercial land uses, even in the event the school vacates the property in the future. Staff supports the request.

A motion was made by Commissioner Sutton Ekes, seconded by Commissioner Veranth, that an ordinance be prepared, a resolution drafted, and a public hearing scheduled. Alderman Wisner and Commissioner Hargrove abstained from vote. Mayor Dickert voted no. 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 advised the Public Hearing on this item was held at the Plan Commission meeting of November 26th and had been deferred for additional information. A review of the area land uses was provided. The initial request to rezone this parcel was from B-2 Community Shopping District to R-3 Limited General Residence District to accommodate a charter school. This is a commercial building, and Staff did not feel the R-3 zone was appropriate for the site due to its location in a commercial/office area with direct access to Douglas Avenue. Upon further review, Staff recommended the property be re-zoned to O-I, which requires the school obtain a conditional use permit, but is more in line with the land use patterns in the area and would allow for numerous other uses in the building should the school ever vacate the property. The O-I is a good transition between the B-2 zoned properties to the south, the R-4 zoned apartments directly to the north, and the large amount of high-density R-3 general residential properties to the east.

As stated, the zone change is part of other applications for this property (the Comprehensive Land Use Plan amendment and an upcoming Conditional Use application). The applicants have submitted for the conditional use, and Ms. Johanneck provided some of the details from the submittal concerning the applicants other charter and voucher school projects, local interest in the school, why this site was chosen, their target student area, school hours, staffing and phasing of development. The proposed site plan and building renderings were shared with the Commission. Staff does not support the request to rezone the parcel to R-3, however does support the rezoning to O-I. Specifically, the recommendation is 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.

Mayor Dickert mentioned to the applicants to consider moving the proposed playground to the north area of the site and moving some parking to the area where the playground is proposed due to traffic concerns.

Ms. Johanneck noted correspondence was received from Eric Olesen, representing

the Douglas Avenue Business Improvement District, who advised he is in support of the zone change, and from David Namowicz, representing the Douglas Avenue Review District, that he has not received a majority decision from the Committee on the issue but those who have responded see no reason to deny the request as long as the applicants abide by all guidelines and ordinances for the area.

A motion was made by Commissioner Sutton Ekes, seconded by Commissioner Veranth, that an ordinance be prepared, a resolution drafted, and a public hearing scheduled. Alderman Wiser and Commissioner Hargrove abstained from vote. Mayor Dickert voted no. The motion PASSED by a Voice Vote.

[14-10831](#)

Subject: (Direct Referral) Consideration of an amendment to the 2035 Comprehensive Land Use Plan Map designation for properties at 1223 Ohio Street and 1212, 1218 & 1222 Virginia Street from Medium Density Residential to Commercial. (Ord. 07-15)

Recommendation of the City Plan Commission on 4-8-15: That the request for an amendment to the Comprehensive Land Use Plan designation for properties at 1223 Ohio Street and 1212, 1218 & 1222 Virginia Street from Medium Density Residential to Commercial be denied based on the findings as follows:

1. The proposed amendment is inconsistent with the goals, objectives, and policies of the plan.
2. The proposed amendment leads to detrimental environmental effects.
3. The proposed amendment is not compatible with surrounding uses.
4. The existing local City (County) facilities and services are not adequate to serve the type of development associated with the amendment.
5. The proposed amendment at the proposed location does not enhance economic development within the City.

Recommendation of the City Plan Commission on 4-29-15: Notwithstanding the Plan Commission recommendation of April 8, 2015 to deny the amendment to the 2035 Comprehensive Land Use Map, per the direction of the Common Council of April 20, 2015, the Plan Commission submits ordinance language to the Common Council and reports that a public hearing for the resulting ordinance has been scheduled for June 16, 2015 at the Common Council.

Fiscal Note: N/A

Assistant Director of City Development Matt Sadowski advised this proposal is a part of the request previously heard at the last Plan Commission meeting for commercial development of the area on Washington Avenue and Ohio Streets. An amendment to the 2035 Comprehensive Plan – Land Use Plan map is required, in conjunction with the applications for development of the area, for the development proposal to proceed.

A review of the properties being requested for the land use change were reviewed. There is commercial development to the west and north/northwest, and residential to the northeast, east, south and southeast. This request would extend commercial land use into these residential areas. Mr. Sadowski stated the land use plan map does not support expansion of commercial in this area, and that this area is not indicated as an area of opportunity for re-development per the Plan. Other properties and their sizes were identified by Mr. Sadowski as potential sites available for commercial development in the immediate area. The existing development pattern and zoning in the area, as its transitions from more intensive commercial down to less intense commercial and ultimately residential, is a desired development pattern to buffer the nearby residential from higher intensity commercial uses.

Mr. Sadowski outlined potential consequences of the change to the comprehensive land use map and if it would be rezoned to B-2, focusing on the impact it would have on the dynamics of the development in the area. The requested change in the land use is not supported by the Comprehensive Plan, as the plan does not identify this area for expansion of the commercial classification. The intensity of the land use currently declines as it nears the residentially zoned properties in this area, and the existing zoning supports this transitional area as well, with heavier commercial (B-2) near Ohio & Washington, lowering intensity (to B-1) as you approach Virginia and Washington, down to office (O) uses at Illinois and then to R-2 Single Family Residence. The potential for negative impacts on those who have invested to live in this area exists should the land use designation be changed to allow for more intensive commercial B-2 land uses. Based on Staff's review of the existing development patterns and existing zoning in the area, the proximity of residential to the area proposed for intense commercial, and the transitional nature and balance that exists currently, the change to the Land Use Plan map is not supported.

Mayor Dickert stated his opinions on the request and accompanying applications, specifically that this site is not the place to locate any higher commercial land use. The amount of concern expressed by citizens, and analysis of the area, do not support the proposal to change the land use classification for more intensive commercial development. Alderman Wisner agreed with the Mayor's comments and does not support the change to the Plan map. Commissioner Veranth was also in agreement, stating there are other sites available in this immediate area that could meet the need to locate commercial development. Mr. Sadowski advised this exercise was to identify whether it makes sense to expand the commercial land use designation in this area, and is not just specific to the applicant's proposal.

Richard Donner, the attorney for the applicant, requested they be granted the opportunity to further review Staff's recommendation as they had just received it and have not had time to present their case. They feel their request to amend the Comprehensive Land Use plan is appropriate, and that Staff's analysis and recommendation for denial does not address the criteria outlined for amending the plan as identified under the "Plan Amendment Procedures". He explained why the other sites discussed by Staff were not considered suitable by the applicant. Further, he advised they have revised their plans based on comments from the public hearing, and have ordered a traffic study as requested. Staff has not reviewed the revised plans due to the late submittal, and the results of the traffic study have not been received to present the findings. They are requesting deferral of this request to allow both the City and the applicant time to further review the information.

Mr. Sadowski stated that the revised plans were received the morning of this meeting and that due to the late submittal Staff was unable to review the revisions. He further stated the current issue is should the comprehensive plan be amended for expansion of commercial land uses, which is not specific to CVS, but would apply to any entity

requesting the change to allow for more intense commercial use of this location. Mr. Donner stated they did not receive the comments regarding the Staff recommendation on the land use plan amendment until that morning, and they are still awaiting the traffic study, and he feels the decision to deny this request, thus also denying the rezoning and conditional use requests, before all parties have the opportunity to review plans and information is arbitrary & capricious.

Commissioner Sutton Ekes mentioned Mr. Donner's comment that indicated Staff did not address the points required in considering an amendment to the plan & asked Staff to comment. Mr. Sadowski felt that those items had been addressed by the review. Commissioner Ekes expressed concern that we be sure the criteria are clearly addressed, as in the event the decision to deny was legally challenged, it could be an issue.

A motion was made by Commissioner Sutton Ekes, seconded by Commissioner Veranth, to defer the item to the next Plan Commission meeting. Mayor Dickert requested a friendly amendment to the motion to require the applicants hold another neighborhood meeting no later than January 7, 2015. Commissioners Sutton Ekes and Veranth accepted the amendment. 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. (ZOrd. 002-15)

Recommendation of the City Plan Commission on 4-8-15: That the request for the rezoning of the south side of Washington Avenue in the 4600 block between Ohio Street and Virginia Street to B-2 Community Shopping District be received and filed.

Recommendation of the City Plan Commission on 5-27-15: That an ordinance be prepared and a public hearing scheduled.

Fiscal Note: N/A

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

A motion was made by Alderman Wisner, seconded by Commissioner Veranth, to defer this item to the next Plan Commission meeting. 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.

Recommendation of the City Plan Commission on 4-8-15: That the request for a conditional use permit to allow a CVS Pharmacy on the

south side of Washington Avenue in the 4600 block between Ohio Street and Virginia Street be received and filed.

Fiscal Note: N/A

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

A motion was made by Commissioner Hargrove, seconded by Alderman Wisler, to defer this item to the next Plan Commission meeting. The motion PASSED by a Voice Vote.

[14-10835](#)

Subject: (Direct Referral) A request from Richard and Kara Shawhan for a minor amendment to the Westgate Mall conditional use permit to allow signage on awnings at the Scores Sports Bar at 4915 Washington Avenue.

Assistant Director Sadowski gave an overview of the area location, zoning, and a visual of the look of the awnings with the signage on it. This property lies within the Westgate Mall, and the mall has sign standards that do not allow signage on awnings. The mall owners have granted their approval for the applicant to place signage on their existing awnings, and the size request meets zoning criteria for the B-2 zoning district.

A motion was made by Alderman Wisler, seconded by Commissioner Veranth, to approve the request, subject to Staff conditions. The motion PASSED by a Voice Vote.

4:30 P.M. PUBLIC HEARINGS

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[14-10832](#)

Subject: (Direct Referral) A request from Kyle J. Peterson of Herman Kittle Properties, Inc. for the properties at 1520 & 1536 Clark Street, seeking an amendment to the 2035 Comprehensive Land Use Plan Map designation from Industrial to Mixed Use - Residential emphasis, a rezoning from I-2 General Industrial District to I-2 with a Flex Development Overlay District, and a conditional use permit for a multifamily residential development. (Z.Ords. 007-14 & 008-14)

Recommendation of the City Plan Commission on 12-10-14: That regarding the Comp Plan amendment to change the designation of the subject properties from industrial to mixed use with residential emphasis, that an ordinance and resolution be prepared and public hearing be scheduled.

Further regarding the rezoning, that an ordinance be prepared and public hearing be scheduled.

Further that the applicant provide additional information as necessary to better inform the conditional use application the 15th Street Vacation, and a Certified Survey Map and that such information be submitted for Plan Commission review and recommendation.

Fiscal Note: N/A

Attachments: [PH Notice - 1520 1536 Clark St](#)

The Public Hearing opened at 5:05 p.m.

1. Alderman Jeff Coe spoke on the item. He stated he supports the project concept, but feels the City has enough subsidized housing and does not feel more should be approved. Further, the City needs to attract business professionals and businesses to Racine and this type of housing does not attract these types of workers. He advised he will be requesting a study be done on affordable housing and that a questionnaire be sent to business owners asking for their input on housing needs.

Assistant Director Sadowski provided a review of the subject properties in the Uptown area. This area is shown in the Comprehensive Land Use plan, as well as the updated Uptown Plan, as a redevelopment area. The property is currently zoned I-2 General Industrial district. The building complex consists of 19 separate buildings. The proposal would eliminate some of the less historic and more run-down buildings to make room for the development. Approximately 50,000 sq. ft. of building would be removed, and the renovations for the project would take place in the remaining 98,000 sq. ft. of building area. Renderings and floor plans were shown for the proposed 74 apartment units. The development also includes open air courtyards, a covered atrium, and open air parking for 39 vehicles. Other areas within the remaining buildings will include a media/theatre room, library, community room with kitchen, a medical office, a chapel, and a train watching patio. A stub of 15th Street would also be vacated & incorporated into the project site. Parking would be provided at 109 spaces, however 111 are required and an exception to the parking requirement would be requested with the conditional use application.

The requests before Plan Commission are to amend the Comprehensive Plan to move forward with the redevelopment of this area as suggested in the Plan, to re-zone this property by adding a Flex-Development Overlay to allow the mixed use with residential emphasis, future approval of a conditional use permit as required to establish the actual development of the site, vacation of portions of 15th Street to accommodate parking, and a Certified Survey Map to consolidate the development into one parcel. Staff is recommending that the amendment to the Comprehensive Plan move forward and that an ordinance and resolution be prepared and a public hearing scheduled; that an ordinance be prepared and public hearing scheduled for the re-zoning from I-2 to I-2 with a FD Flex Development Overlay; and that the applicant provide additional required information for the conditional use, 15th Street vacation, and Certified Survey Map.

Kyle Peterson, representing Herman Kittle properties, spoke on the proposal. After reviewing several sites, the developer selected this location for their proposed housing project. The property contains some of the oldest industrial buildings in Racine, and they intend to restore the older structures in the development, eliminate the newer buildings of cheaper construction, and turn this blighted area into 74 apartment homes for Veterans. He reviewed the history of the site and former owners and uses, and reiterated their desire to preserve these valuable historic structures.

The project will be open to Veterans of all 5 branches of the U.S. Armed Forces who were released with anything other than a dishonorable discharge. They will work with local Veterans organizations and social services providers to obtain referrals and develop a database for tracking potential tenants who meet the qualifications to live in the development and making sure these individuals have no criminal history, are not sexual offenders, and have the income to pay their rents. This is not a Section 8 facility.

Apartments will be available on a first-come, first serve basis. The property location is near many great employers and has public transportation access for getting to appointments, grocery stores, etc. Mr. Peterson discussed a similar project they are working on in Oshkosh and the types of assistance available to tenants as identified in their 'service plan', which is developed with tenants once they are granted an apartment. The same model will be applied to this proposal.

2. Guy Singer, address not provided, runs a business on Junction Avenue. Spoke in favor of the request, yet expressed one concern over the stability of the Veterans and their impact on the neighborhood (cited an example from Kenosha where there were problems with a Veterans facility).

The Public Hearing was closed at 5:40 p.m.

Commissioner Wisner commended the applicant on the extensive support services proposed with this development for the veterans.

A motion was made by Commissioner Sutton Ekes, seconded by Alderman Wisner, that in regards to the amendment of the Comprehensive Plan that an ordinance and resolution be prepared and a public hearing scheduled; in regards to the rezoning that an ordinance be prepared and a public hearing schedule; and that the applicant provide additional required information for the conditional use application, 15th Street vacation, and Certified Survey Map, and that said information be submitted to the Plan Commission for review and recommendation. The motion PASSED by a Voice Vote.

[14-10833](#)

Subject: (Direct Referral) A request from Falamak Nourzad, agent for Wisconsin Redevelopment, LLC seeking a conditional use permit for ground floor residential units as part of the redevelopment of the property at 500 Main Street.

Attachments: [PH Notice - 500 Main Street](#)

Assistant Director Sadowski advised this item has been withdrawn by the applicant. No Public Hearing was held.

A motion was made by Alderman Wisner, seconded by Commissioner Veranth, to receive and file. The motion PASSED by a Voice Vote.

Administrative Business

Staff advised the Commission there will be no Plan Commission meeting on December 31, 2014.

Adjournment

The meeting was adjourned at 5:42 p.m.