



CITY PLAN COMMISSION (CPC)
of the City of Racine, Wisconsin
AGENDA BRIEFING MEMO

AGENDA DATE: July 25, 2018

SUBJECT:

A request by Thomas Stout of GNT Jewelry and Loan seeking a conditional use permit to operate a pawnbroker and convenient cash business at 2504 Douglas Ave. (PC-18).

PREPARED BY:

Matthew G. Sadowski , Assistant Director/Principal Planner

EXECUTIVE SUMMARY:

On May 30, 2018 the Plan Commission recommended to the Common Council that this request be denied as the proposed operation violates the 250 foot residential buffer rule by having a zero foot buffer. On June 5, 2018, the Common Council referred this request back to the Commission for further consideration.

BACKGROUND & ANALYSIS:

Standards are in place to control the proliferation of pawn shops in the City due to the tendency for these types of establishments to be utilized as an outlet to dispose of stolen goods thus incentivizing burglary and theft in a community or region.

While a community cannot ban a use, through the exercising of its “police powers”, since 1926, the US Supreme Court has repeatedly upheld a community’s right to regulate through zoning the time, place, and manner of uses. In Wisconsin such authority is received through State Statute 62.23.City Planning.

Being zoned B-2 Community Shopping District, pawn shops and convenient cash establishments are permitted upon the granting of a conditional use permit (114-468 (20) & (27)). The proposed site violates the geographical requirement that such uses be 250 feet from a residential district; the subject site is directly adjacent to, and across from, residential districts. The purpose of the geographical requirements is to limit such uses to solely commercial areas insulated from residential areas and to control their proliferation throughout the community. In kind, representatives of the Police Department and the Douglas Avenue Business Improvement District have expressed concerns regarding this request.

These points are reiterated and expanded upon in the updated Staff Report submitted for the July 25, 2018 meeting.

BUDGETARY IMPACT:

N/A

RECOMMENDED ACTION: Staff recommends the Commission reaffirm its decision of May 30, 2018 and, based on the findings of fact outlined in the staff report for July 25, 2018, recommend to the Common Council that this request be denied.