



City of Racine

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

Meeting Minutes - Draft

City Plan Commission

Mayor Cory Mason
Alderman Dennis Wiser
Tom Durkin
Tony Veranth
Mario Martinez
Christina Hefel
Marvin Austin

Wednesday, March 14, 2018

4:30 PM

City Hall, Room 205

Call To Order

Mayor Cory Mason called the meeting to order at 4:33 p.m.

PRESENT: 6 - Cory Mason, Dennis Wiser, Tom Durkin, Tony Veranth, Mario Martinez and Marvin Austin

EXCUSED: 1 - Christina Hefel

Approval of Minutes for the February 28, 2018 Meeting

A motion was made by Alderman Wiser, seconded by Commissioner Austin, to approve the minutes of the February 28, 2018 meeting. The motion PASSED by a Voice Vote.

4:30 P.M. PUBLIC HEARINGS

[0246-18](#)

Subject: (Direct Referral) A request from Carolyn DeDeyne seeking a conditional use permit to operate a retail goods store selling new and used items at 2421 Geneva Street. (PC-18)

Attachments: [2421 Geneva St. Review & Recommendations](#)

[2421 Geneva St. Applicant Submittal](#)

[2421 Geneva St. Public Hearing Notice](#)

Mayor Mason opened the public hearing at 4:34 p.m.

Associate Planner Jeff Hintz reviewed the zoning of the subject and adjacent properties, surrounding land uses and businesses, the public hearing notice map that was distributed to neighboring properties, the comprehensive plan land use designation for the property, and photos of the site and surrounding area.

Mr. Hintz stated the subject property is not within a corridor or special district and is fit for retail on the first floor and residential on the second floor. He stated the area is primarily residential. He stated based on the use, the ordinance calls for 21 parking spaces, however, only four are provided. Mr. Hintz stated that he received phone calls from neighbors surrounding the property regarding the trash on the property. He

explained there has been some dumping from past tenants on the site. Outdoor lighting complies with the code requirements and there is no signage proposed at this time. Showed the site and floor plans and explained the possible actions of the commission. Staff is recommending approval subject to conditions. He stated that this use requires a conditional use permit because some of the items sold are used items.

Mr. Hintz explained the conditions of approval and stated staff is not requiring extra parking spaces as there is no additional space on the property for the required number of parking spots. He stated there is on street parking and that the building has been operating with minimal onsite parking for decades. Staff is recommending an exception be granted to the parking requirement. He stated also stated that a condition m. should be added stating that windows are to be utilized for display only, and not storage, and be kept orderly at all times.

Jim Poplowski, spoke in opposition. He expressed concern with the upkeep of the property and stated since the current landlord purchased the site, the building has not been maintained. He showed the Commission photos that were taken in the past and present. Stated the previous tenant of the building allowed trash to collect, the grass to overgrow, and that currently there is trash piled up at the rear in the building and overgrown brush that impedes on the neighboring property. He stated paint is needed on the trim of the building. He stated he is not opposed to the business, he is opposed to the lack of upkeep of the site.

Carolyn DeDeyne, the applicant, stated she does not want a trash or junk store, but a thrift store. She explained her attempt at maintaining the property and stated she has been concentrating more on the interior of the building.

In response to Commissioner Durkin, Ms. DeDeyne explained that her brother owned C and C Discounts at the same location prior. She stated he sold new items as well as small grocery items.

Commissioner Durkin questioned the trash collection for the property. Ms. DeDeyne stated that there are only regular garbage cans present on the site that will not allow for large bulk items such as furniture and appliances. She stated she will have minimal trash as she will not bring anything to the store until it is ready to be sold.

Commissioner Austin asked about the pictures that were handed out to the Commission and if there were any compliance issues with the fencing and the building itself.

Ken Plaski, Chief Building Inspector, stated that before the granting of an occupancy permit all code issues would have to be corrected. He stated the city does not usually pick up garbage for businesses. He stated private commercial pickup would be required; the city would not pick up trash for this location.

Commissioner Austin asked what would be utilized to remove the trash from the site.

Ms. DeDeyne responded that she would collect any garbage produced at the site and take it away in her pickup truck.

In response to Commissioners Martinez and Durkin, Ms. DeDeyne explained the maintenance plan for the property. She stated that the parking lot in the back is tenant parking for the residents. She stated there is nowhere to put a dumpster on the

property and that everything would be sorted at her house and nothing brought to the store unless it was ready to sell. There are no garbage cans present for the other business spaces on the site.

Alderman Wiser asked about signage.

Ms. DeDeyne stated that she would have a 2' x 2' sign with the business name and an open and closed sign.

Commissioner Martinez stated that there has to be a plan in place for garbage and maintenance of the property.

Commissioner Durkin asked staff if they looked into the requirements for trash for businesses.

Mr. Hintz stated the applicant's plan was that she would not generate garbage. Since the other two storefronts are vacant there is no plan for a dumpster in place.

Matt Sadowski, Assistant Director, stated that trash is required to be screened from view and stored in closed containers. He stated the Department of Public Works has other standards; however, we are unsure of what their position would be on this property.

In response to Commissioner Martinez, Mr. Sadowski stated that condition c. which states "[a]ll trash and recycling ... be kept in bins and the area shown on the site plan... be kept free of debris and clutter" is a standard condition. He stated when staff looked at the property and how it was going to be used, they did not see the need to require a dumpster enclosure. Commissioner Martinez stated the conditions should be met prior to the installation of the conditional use permit.

Commissioner Austin asked if it would be the landlord's responsibility to make sure the right trash receptacles are present on the site if the other two tenant spaces were filled.

Mr. Sadowski stated ultimately it is the landlord's responsibility, however, duty usually falls on the tenant.

Rose Poplowski, stated that the previous store put all of the trash on the curb. She said does not have a problem with the business, just with the upkeep of the property.

Mayor Mason closed the Public Hearing at 5:13 p.m.

Discussion ensued between Commission members about requiring a dumpster enclosure and who would be responsible, as well as the maintenance of the building.

Alderman Wiser asked if we could require the owner to provide the dumpster.

Nicole Larsen, Deputy City Attorney stated she does not believe so since it is the applicant who is bound by the conditional use permit.

A motion was made by Alderman Wiser, seconded by Commissioner Austin, to recommend approval of the request subject to conditions a. – m.

Mayor Mason stated this would be the appropriate time to add amendments to the

motion.

Commissioner Veranth suggested adding a condition that would determine over the next 3-6 months based on performance of trash cleanup of the site whether a dumpster be added.

Discussion ensued about a dumpster enclosure and the code issues on the property.

Mr. Plaski stated an occupancy permit is still needed and code issues would need to be taken care of prior to an occupancy permit being issued.

Mayor Mason asked staff to further explain condition f. regarding the financial surety.

Mr. Sadowski stated the surety terms ensure issues are taken care of in a timely manner. If not completed, a surety needs to be provided in cash, bond, etc. He stated 90 percent of the time things are completed in a timely fashion.

Commissioner Durkin stated he would be in for deferment to look into the dumpster and property maintenance issue to determine what would be the tenant's responsibility and what would be the landlord's responsibility.

Commissioner Austin stated that he does not want to hold up the applicant for items that are not specific to the space the applicant wants to occupy.

A motion was made by Commissioner Durkin, seconded by Alderman Wiser, to defer the request. The motion PASSED by a Voice Vote.

A motion was made by Commissioner Austin, seconded by Commissioner Durkin, to amend the motion to allow the applicant to apply for and schedule an occupancy inspection prior to the approval of a conditional use permit. The motion PASSED by a Voice Vote.

[0247-18](#)

Subject: (Direct Referral) A request from Ty Charles of GreenLight E Recycling, LLC, seeking a conditional use permit to operate a recycling drop-off site for electronics at 1427 Junction Avenue. (PC-18) (Res. 0093-18)

Recommendation of the City Plan Commission on 3-14-18: That the request be approved subject to conditions.

Fiscal Note: N/A

Attachments: [1427 Junction Ave. Review & Recommendations](#)
[1427 Junction Ave. Applicant Submittal](#)
[1427 Junction Ave. Public Hearing Notice](#)

Mayor Mason opened the public hearing at 5:41 p.m.

Mr. Hintz reviewed the zoning of the subject and adjacent properties, surrounding land uses and businesses, the public hearing notice map that was distributed to neighboring properties, the comprehensive plan land use designation for the property, and photos of the site and surrounding area.

He stated four parking spaces are required and the applicant has an to secure parking at an adjacent business as no parking is present on the site. He stated trash storage will be kept inside the building and placed outside when pick up is scheduled. There will be no pick up or drop off of recycled electronics at the site and there will be no one there besides employees. Mr. Hintz stated he received an email from a neighboring property owner concerned that items will be left outside of the subject property or on neighboring properties. The email stated they have seen the applicant use the street for lengthy periods of times to sort materials.

Ty Charles, the applicant, confirmed the dumpster will be removed and was only used to clean out the interior of the building. He stated when enough of an item is collected, it is palletized and shipped off to a different location.

Mr. Hintz explained the floor plan includes storage, office space, and work space. He explained the possible actions of the commission and the conditions of approval.

Mr. Charles further explained his business. He stated he goes to different businesses to pick up their electronics and shred and ships the extra components overseas. He currently has a contract with Racine Unified and feels the business would be a great addition to the city.

Mayor Mason closed the public hearing at 5:51 p.m.

A motion was made by Commissioner Durkin, seconded by Commissioner Martinez, to recommend approval of the request. The motion PASSED by a Voice Vote.

Adjournment

There being no further business the meeting adjourned on a motion by Commissioner Durkin and seconded by Alderman Wiser at 5:52 p.m.