



# City of Racine

City Hall  
730 Washington Ave.  
Racine, WI 53403  
[www.cityofracine.org](http://www.cityofracine.org)

## Meeting Minutes - Draft

### City Plan Commission

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Wednesday, May 22, 2019

4:30 PM

City Hall, Room 205

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#### Call To Order

*Mayor Mason called the meeting to order at 4:32 p.m.*

*Present: 5 - Cory Mason, Jason Meekma, Trevor Jung, Mario Martinez, Samuel Peete*

*Excused: 2 - Christina Hefel, Marvin Austin*

#### Approval of Minutes for the May 8, 2019 Meeting

**A motion was made by Alder Jung, seconded by Commissioner Martinez, to approve the minutes of the May 8, 2019 meeting. The motion PASSED by a Voice Vote.**

#### Public Hearings

##### 0603-19

**Subject:** (Direct Referral) Request by Reynaldo Trujillo Jr. of Uncle Rey's Candy Store and More seeking a conditional use permit to operate a takeout -carryout restaurant at 501 High Street (PC-19).

**Recommendation of the City Plan Commission on 05-22-19:** That the request by Reynaldo Trujillo Jr. of Uncle Rey's Candy Store and More seeking a conditional use permit to operate a takeout-carryout restaurant at 501 High Street be approved subject to conditions.

**Fiscal Note:** N/A

**Attachments:**    [Public Hearing Notice](#)  
                          [Review & Recommendation](#)  
                          [Applicant Submittal](#)  
                          [#0603-19 Resolution](#)

*Associate Planner Jeff Hintz explained the request and reviewed the location, zoning of the subject and adjacent properties, surrounding land uses and businesses, the comprehensive land use for the property, the public hearing notice map, and photos of the site and surrounding area. He stated the comprehensive plan calls for the property to be commercial with a surrounding use of high density residential. He stated this use will operate in conjunction with a permitted grocery store that will soon open on the property. Hintz stated there is also a dwelling unit that is connected to the property.*

*Hintz showed the floor and site plans for the property. He stated the patio will not be*

*used at this time and the hours are proposed to be 10:00 a.m. – 8:00 p.m. Monday – Saturday.*

*Hintz explained the possible actions of the Commission and reviewed the required findings of fact for approval of conditional use permits. He stated there is no dedicated parking for the property, however, the use is proposed to be neighborhood serving.*

*Hintz reviewed the conditions of approval.*

*In response to Mayor Mason's comment about the pole signage, Hintz stated the applicant can replace it if he chooses, however, the signage would need to be reviewed and approved by the Department of City Development.*

*Mayor Mason opened the public hearing at 4:41 p.m.*

*Reynaldo Trujillo, the applicant, spoke in favor of his request. He stated he opened about a year ago and is trying to launch a restaurant and create something that will be long lasting. He stated regarding signage, they plan to use the sign that was painted over. He said they plan to make a decision with that was painted over he stated within the next 4-8 weeks a decision will be made. He stated the sign will be removed, cleaned up, and not spray painted.*

*In response to Mayor Mason, Trujillo stated the chimney is an exhaust fan, but the owner is putting in a newer exhaust fan that will make the chimney shorter. He stated they do custom party favors and party bouquets which is the "and more" part of the business. He stated they would like to create a novelty shop in the future and have a bigger establishment.*

*Commissioner Martinez asked about Trujillo's inspiration and if he has prior experience in the restaurant business*

*Trujillo stated he received inspiration from his children. He stated that his children were setting up and selling items outside. He stated his store was previously located in a smaller building on Douglas Avenue.*

*Jose Felix stated he will be running the restaurant portion of the business and will do chicken sandwiches, burgers, and other specialty sandwiches. He stated a professional sign will be created for the business.*

*Mayor Mason closed the public hearing at 4:47 p.m.*

**A motion was made by Commissioner Peete, seconded by Alder Jung, to recommend approval of the request subject to conditions a. – i. The motion PASSED by a Voice Vote.**

## **End of Public Hearings**

[0604-19](#)

**Subject:** (Direct Referral) Request by Chad Solon of Onyx Creative seeking consideration of a minor amendment to a conditional use permit for an exterior renovation and signage changes at 2433 South Green Bay Road (PC-19).

**Attachments:**     [Applicant Submittal](#)  
                              [Review & Recommendation](#)

*Hintz explained the request and reviewed the location, zoning of the subject and adjacent properties, surrounding land uses and businesses, the comprehensive land use for the property, and photos of the site and surrounding area. He stated the location is the former Toys R Us and showed the proposed north façade which will remove the Toys R Us signage, include a textured façade, and the addition of EFIS material. Hintz showed the proposed signage for the site and explained the possible actions of the Commission.*

*Hintz reviewed the required findings of fact for approval of conditional use permits and the proposed conditions of approval. He stated that the minor amendment does not change the intent of the original conditional use permit granted; staff is recommending approval, subject to conditions.*

**A motion was made by Alder Jung, seconded by Alder Meekma, to approve the request subject to conditions a. – g. The motion PASSED by a Voice Vote.**

[0437-19](#)

**Subject:** Communication from Alder Jones requesting that the action of the Common Council of January 15, 2019, granting a conditional use permit to Fury II, LLC, to allow mixed use in an existing building, at 1800 Clark Street and 1825 Holborn Street, be rescinded, and that Resolution 0996-18, dated January 15, 2019, be rescinded.

**Recommendation of the City Plan Commission on 05-22-19:** That the action of the Common Council of January 15, 2019 granting a conditional use permit to Fury III, LLC to allow mixed use in an existing building at 1800 Clark Street and 1825 Holborn Street be rescinded and that Resolution 0996-18 dated January 15, 2019 be rescinded.

**Fiscal Note:** N/A

**Attachments:**     [Summary & Recommendation](#)  
                              [Resolution 0996-18](#)  
                              [Building Notice BG18-104](#)  
                              [Staff report from January 9, 2019 CPC meeting](#)  
                              [Staff report from May 8, 2019 CPC meeting](#)  
                              [#0437-19 Resolution](#)

*Assistant Director Matt Sadowski explained the request. He stated this was at the previous City Plan Commission meeting. Sadowski reoriented the Commission to the site and the request.*

*As Sadowski showed the photos, he stated the contractor company that was located on the site has removed all of the outside storage.*

*Sadowski reviewed the approval for the conditional use permit on the site as well as its deadlines. He also explained the request of the property owner and explained the repercussions of rescinding the conditional use permit. Sadowski explained the violations that exist on the site where compliance would be required which include*

*nuisance and/or inoperable vehicles on the site, unscreened outside storage, damaged windows on the building, etc. He stated the applicant is in the process of addressing the window issues and some outdoor storage has been addressed, but there are still outstanding issues that need to be addressed.*

*Sadowski explained the staff recommendation. He stated while it is contrary to staff's original course of assistance and not seen in the best interest of Mr. Nelson, staff, in conjunction with the applicant's wishes, is recommending that the CUP be rescinded. He stated it has been discussed with Mr. Nelson and he is aware that rescinding the CUP exposes him to immediate code enforcement ramifications for ordinance violations which can manifest into potential fines and/or municipal court proceedings.*

*Martinez asked for clarification regarding the request.*

*Mayor Mason stated the holder of the CUP came before the Commission at its last meeting and discussed his frustrations regarding achieving the required conditions of the CUP with the belief that the CUP conditions would not apply if it were rescinded. Mayor Mason stated that the CUP gives flexibility in time, however, will not relieve compliance with what is required based on the zoning ordinance. He stated that based on that discussion at the previous meeting, the request was deferred. Mayor Mason stated that it is the applicant's desire to repeal the CUP which will make the items on the grid immediately enforceable.*

*The requestor, Jim Nelson spoke regarding his request. He stated he received a budget number to see what it would cost to do the work required in the CUP. He stated \$298,000 is the estimate he received. He stated if he had the building occupied, it would take 8 ½ years to pay off the work and work towards compliance and does not feel it is good business. He stated most of the items presented have been remedied and feels that rescinding the CUP will give him an opportunity to work with the Building Department to see what code violations still exist. He stated there are three occupancies left in the building and all three are abiding by their occupancy permits. Nelson explained they are working on repainting the building and are doing their best to become compliant with building code and zoning issues.*

*Mayor Mason reiterated the concern with repealing the CUP. He stated he wanted to make sure Nelson understood his decision.*

*Alder Mollie Jones of the 2nd District spoke regarding the request. She stated she has been in conversation with staff and Nelson and would support the staff recommendation to rescind the CUP and to allow for time to reevaluate and restructure the business going forward.*

*Mayor Mason reminded Nelson that the CUP gives time and there will be no more time if rescinded.*

**A motion was made by Alder Meekma, seconded by Commissioner Peete, to rescind Resolution 0996-18 dated January 15, 2019. The motion PASSED by a Voice Vote.**

## **Adjournment**

*There being no further business, the meeting adjourned at 5:10 p.m.*