

**CITY OF RACINE**  
**DEPARTMENT OF CITY DEVELOPMENT**  
**STAFF REVIEW COMMENTS AND RECOMMENDATION**

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**AGENDA ITEM NUMBER: 0019-18**

**APPLICANT NAME:** Justin and Angela Martin

**AGENT NAME:**

**ADDRESS OF PROPERTY IN QUESTION:** 3841-3842 Douglas Ave.

**CURRENT / MOST RECENT USE:** Chiropractors Office

**PROPOSED USE:** Carry Out Restaurant (Topper's Pizza)

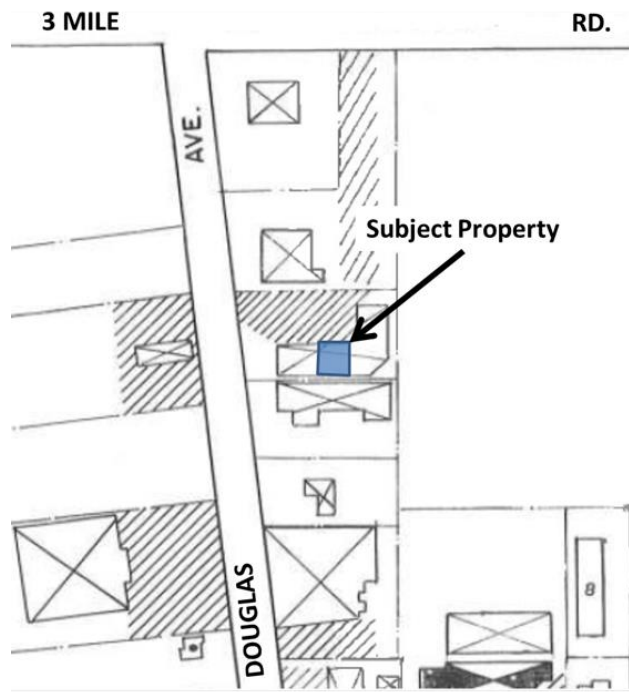
**CURRENT ZONING:** B-2

**PROPOSED ZONING:** NA

**ATTACHMENTS:**

**SUMMARY:** Justin and Angela Martin are seeking a conditional use permit for a carry out restaurant at 3841-3843 Douglas Avenue. The restaurant would be a Topper's Pizza and would be the second one they have opened in the area.

The zoning ordinance classifies carry out restaurants as permissible in the B2 Community Shopping District upon issuance of a conditional use permit (114-448 (18)). Staff finds that the use is consistent with zoning ordinance requirements.

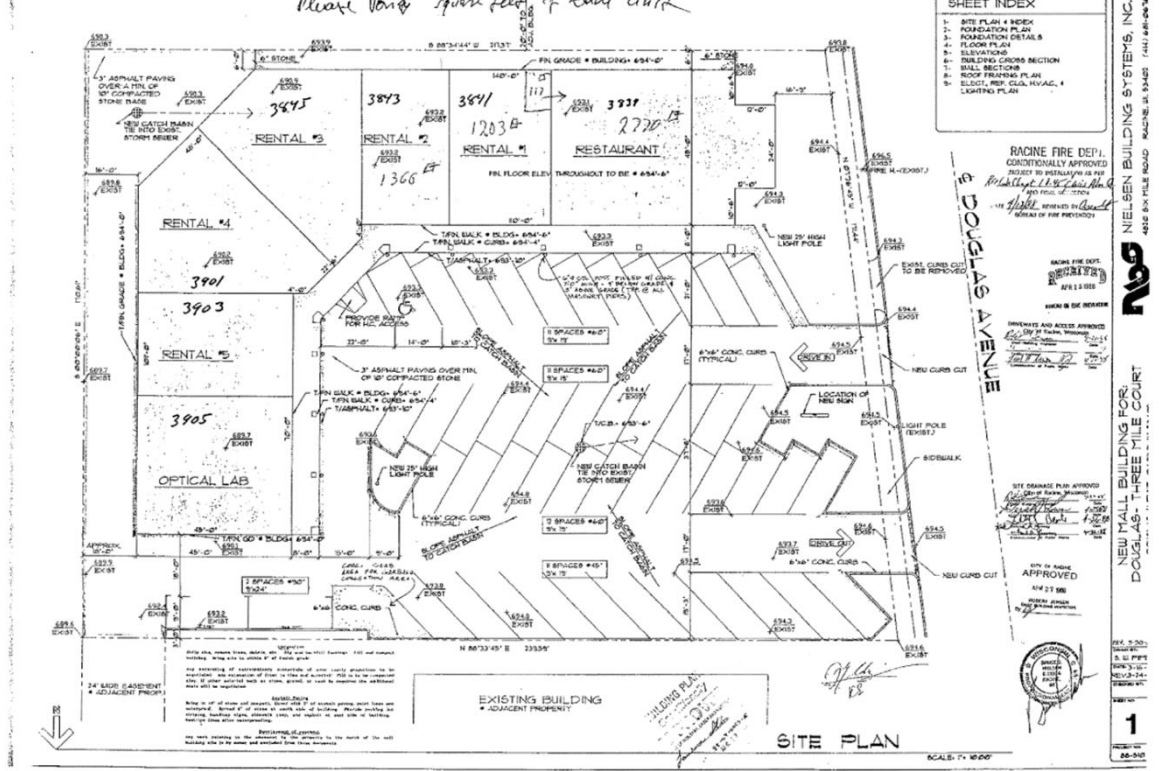


**Aerial Photo**

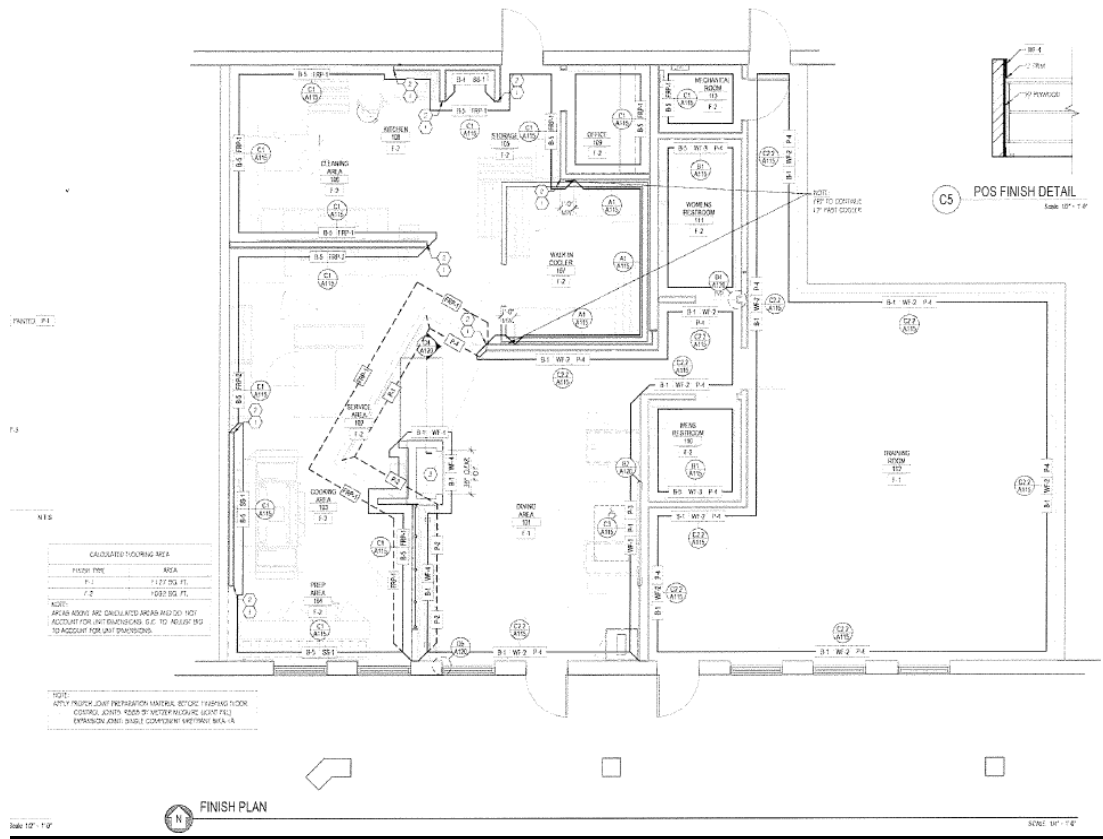


# Site Plan

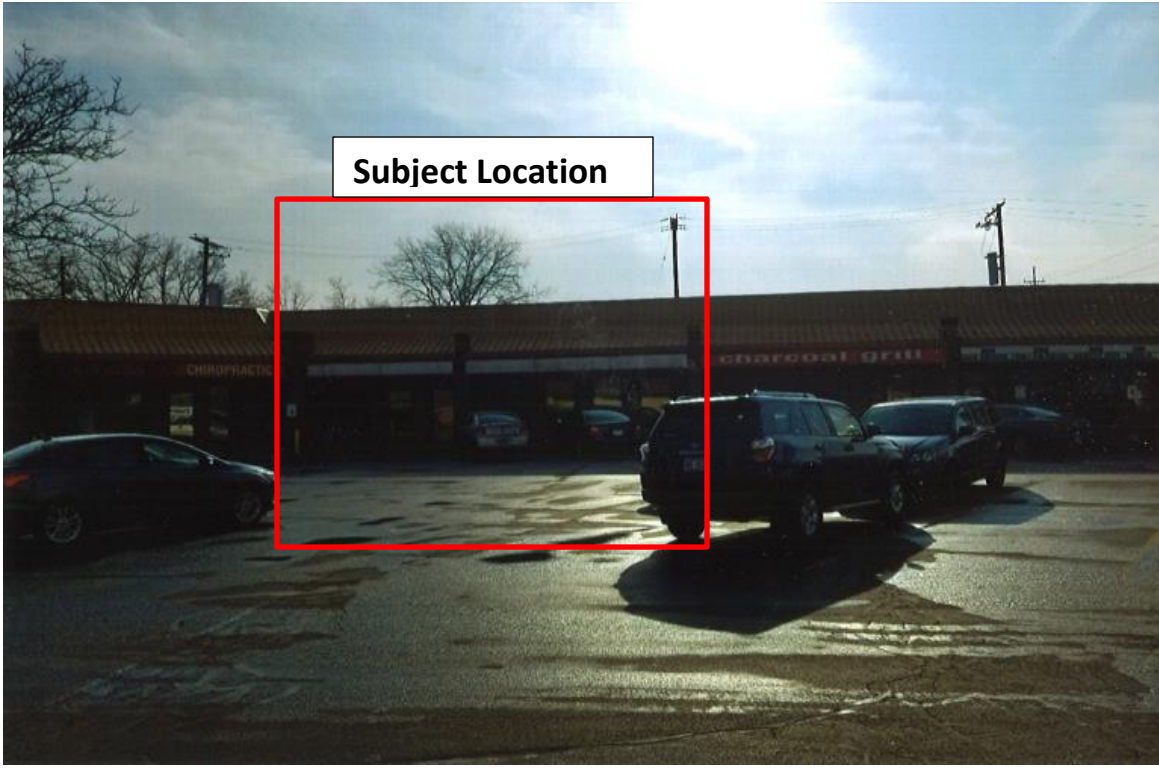
Please Note Square Feet of each unit



# Floor Plan



**Front of Subject Location**



**Street View of Shopping Center**



**DENSITY (114-Article V: Article VII, Div. 5&8)**

Existing

**SETBACKS (114-Article V: Article VII, Div. 6)**

Existing

**DRAINAGE (114-739 & Consult Engineering Dept.)**

Existing

**UTILITIES (114-821 & Consult Engineering and S/W Utility)**

Existing

**ARCHITECTURE (114-Secs. 735.3 & 736)**

Existing

**PARKING / ACCESS (114- Article XI)**

**NUMBER OF LEGAL, ON-SITE PARKING SPACES:** 45 owned 30 leased

The approximated need for parking for current use per the municipal code is 49 spaces. The required spaces for this use per ordinance are 23 spaces. The shopping center would require 72 spaces and have 75.

**LANDSCAPING (114- Article V: Article VII, Div. 6 & 7)**

Some existing bushes and trees throughout the site. Landscaping still looks nice and no new landscaping is required.

**SIGNAGE (114-Article X)**

No plan submitted as a part of this application. Any proposed signage would have to conform to the existing set standard.

**EXTERIOR LIGHTING (114-Sec. 742)**

There are existing poles around the shopping center. New directional and emergency lights are planned for the doors on both the front and back of the building.

**FIRE/POLICE (Consult Fire, Police, and Building Depts.)**

New systems are planned on being installed to facilitate a safe environment for the kitchen.

**OUTSIDE STORAGE (114-Article V & 114-740)**

There are shared dumpsters in the back parking lot. These dumpsters are effectively screened by existing vegetation or buildings from the street.

**OPERATIONS**

**HOURS:** 10:00 a.m. to 3:00 a.m. Monday thru Sunday

**NUMBER OF EMPLOYEES: FULL TIME: 10 PART TIME: 10**

**EXCEPTIONS TO ORDINANCE:** None

**CONDITIONAL USE FINDINGS (Sec. 114-154. – Standards.)**

No conditional use shall be recommended by the plan commission unless such commission shall find that:

1. The establishment, maintenance, or operation of the conditional use will not be detrimental to, or endanger, the public health, safety, morals, comfort, or general welfare.  
**Operated per conditions this criterion will be met.**
2. The conditional use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood.  
**Operated per conditions this criterion will be met.**
3. The establishment of the conditional use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.  
**Operated per conditions this criterion will be met.**
4. Adequate utilities, access roads, drainage and/or necessary facilities have been or are being provided.  
**Adequate utilities, access and drainage are existing.**
5. Adequate measures have been or will be taken to provide ingress and egress so designated as to minimize traffic congestion in the public streets.  
**Adequate ingress and egress are existing.**
6. The proposed conditional use is not contrary to the objectives of the current land use plan for the city.  
**The proposed conditional use is not contrary objectives of the current land use plan.**
7. The conditional use shall, in all other respects, conform to the applicable regulations of the district in which it is located, except as such regulations may, in each instance, be modified pursuant to the recommendations of the plan commission.  
**Operated per conditions this criterion will be met.**

**POSSIBLE ACTIONS**

**DEFER:**

**APPROVE:** Recommended (SEE BELOW FOR FULL LIST OF RECOMMENDED CONDITIONS OF APPROVAL)

**DENY:**

**RECEIVE AND FILE:**

**RECOMMENDATION**

THAT THE REQUEST FROM JUSTIN AND ANGELA MARTIN SEEKING A CONDITIONAL USE PERMIT TO ALLOW AN CARRY OUT RESTAURAUNT AT 3841-3843 DOUGLAS AVENUE BE APPROVED, SUBJECT TO THE FOLLOWING CONDITIONS:

- a. That the plans presented to the Plan Commission on January 10, 2017 be approved subject to the conditions contained herein.
- b. That all codes and ordinances are complied with and required permits acquired.
- c. That all signs shall be professionally made and comply with all zoning ordinance requirements and the established sign standards (white letters on a red background, internally illuminated, located within the sign band), and be approved by the Director of city Development prior to issuance of a sign permit.
- d. That the hours be 10:00 a.m. to 3:00 a.m. Monday thru Sunday.
- e. That no minor changes be made from the conditions of this permit without approval of the Plan Commission, and no major changes be made from the conditions of this permit without the approval of the Common council.
- f. That this conditional use permit is subject to Plan Commission review for compliance with the listed conditions.