

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

For Questions Contact: Matthew G. Sadowski, Assistant Director/Principal Planner
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AGENDA ITEM NUMBER: 850-17

APPLICANT NAME: Marshall McDougal

AGENT NAME:

ADDRESS OF PROPERTY IN QUESTION: 1132 S. Memorial Dr.

CURRENT / MOST RECENT USE: Candy Store/Ice Cream Etc.

PROPOSED USE: Candy Store/ Ice Cream

CURRENT ZONING: R3

PROPOSED ZONING: NA

ATTACHMENTS:

SUMMARY: Marshall McDougal is requesting that an existing Conditional Use Permit be transferred from Pamela Bogan to himself. The existing permit is for a business in a residential zone in a building that was used for commercial uses before 1973. Conditional Use Permits for these establishments are typically not automatically transferable. However, the previous candy store operated at this location without incident and so long as Mr. McDougal agrees to operate under the same conditions (with some modifications to reflect current conditions) staff feels that a transfer can be authorized by the Plan Commission as a minor amendment.

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: None

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

None

SIGNAGE (114-Article X)

None Proposed at this time.

EXTERIOR LIGHTING (114-Sec. 742)

Existing

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

NA

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

None

OPERATIONS

HOURS: 7 a.m. – 10 p.m. 7 days a week.

NUMBER OF EMPLOYEES: FULL TIME: 1 PART TIME:

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 measures will be taken.

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 to 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 NEXT PAGE FOR FULL LIST OF RECOMMENDED CONDITIONS OF APPROVAL)

DENY:

RECEIVE AND FILE:

RECOMMENDATION

THAT THE REQUEST FROM MARSHALL MCDUGAL SEEKING A MINOR AMENDMENT TO THE EXISTING CONDITIONAL USE PERMIT AT 1132 S. MEMORIAL DRIVE TO BE TRANSFERRED TO HIM FROM PAMELA BOGAN BE APPROVED, SUBJECT TO THE FOLLOWING CONDITIONS:

- a. That the plans presented to the Plan Commission on August 9, 2017 be approved subject to the conditions contained herein.
- b. That all license requirements from the State of Wisconsin and City of Racine be obtained, complied with, and kept current at all times.
- c. That the hours of operation be from 7:00 a.m. to 10:00 p.m. daily.
- d. That all trash and recyclables be stored in closed containers and screened from view.
- e. That property and adjacent sidewalk shall be kept free of all trash and debris.
- f. A trash can shall be provided for patrons at the exterior of the building, emptied and maintained by the business and/or building owner, and the design of which is to be presented to the Director of City Development for review and approval.
- g. Cautionary signs shall be installed on the inside and out of the building urging patrons to be mindful of traffic and courteous to neighbors.
- h. That all overgrowth around the building be removed before the issuance of an occupancy permit.
- i. That the bars in the front windows remain on the inside of the building.
- j. Obsolete signage be removed from the awning and windows.
- k. That all signs shall be professionally made and comply with all zoning ordinance requirements, and be approved by the director of City Development prior to issuance of a sign permit.
- l. That all codes and ordinances are complied with and required permits acquired.
- m. 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.
- n. That this conditional use permit is subject to Plan commission review for compliance with the listed conditions.