



CITY OF RACINE DEPARTMENT OF CITY DEVELOPMENT STAFF REPORT

Meeting Date: 11/18/2020

To: Mayor and Planning, Heritage, and Design Commission Members

From: City Development Department, Division of Planning and Redevelopment

Division Manager: Matt Sadowski – (262) 636-9152 matthew.sadowski@cityofracine.org

Case Manager: Jeff Hintz

Location: 1400 Dr. Martin Luther King Jr. Drive

Applicant: Antoine Louly of Spectrum Electronix LLC DBA Classic Scooters

Property Owner: Antoine Louly

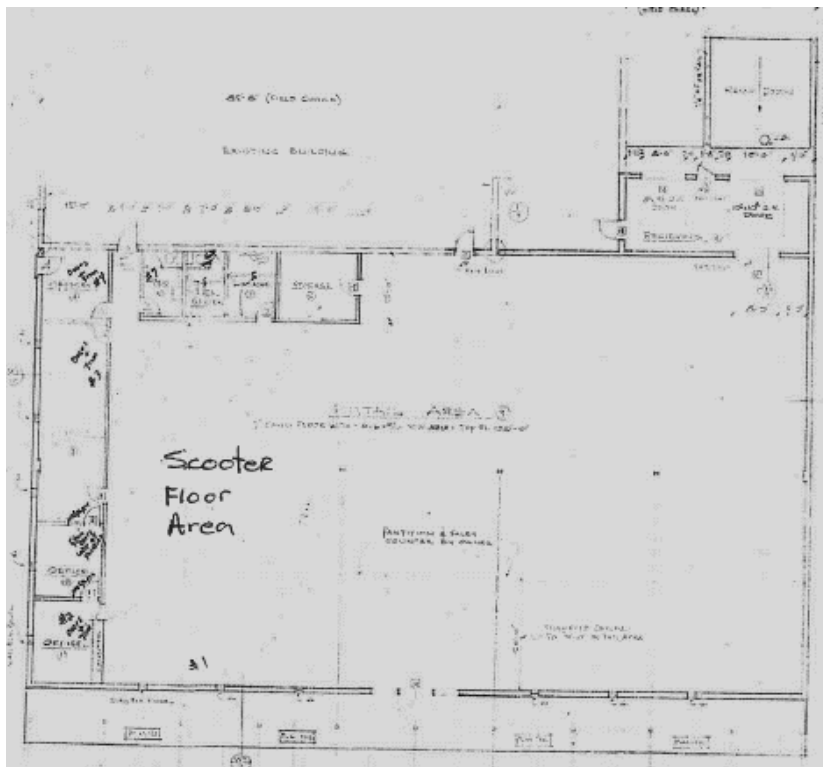
Request: Consideration of a conditional use permit to operate a garage for the sale, storage, and repair of motor vehicles (for scooters and mopeds) at 1400 Dr. Martin Luther King Jr. Drive, for property located in a B-2 Community Shopping Zone District as required in section 114-468 of the Municipal Code.

BACKGROUND AND SUMMARY: The existing auto parts and battery business will remain unchanged and continue business at the property. There are no exterior changes planned to the building or site with this request. The applicant intends to sell and service scooters and mopeds in approximately 3,600 square feet of the roughly 20,000 square foot building and has two full time employees and one-part time employee. The business is open from 10:00 AM to 4:00 PM Tuesday to Friday and from 10:00 AM to 2:00 PM Saturdays. From April to September the hours are Monday – Friday 10:00 AM to 6:00 PM and Saturday from 9:00 AM to 2:00 PM.

The Zoning Ordinance classifies this scooter and moped sales and service as permissible in the B-2 Community Shopping Zone District upon the issuance of a conditional use permit (114-468).



Birdseye view of the property, indicated in red (image from City Pictometry).



Proposed floorplan, submitted by applicant (north is to the right).

GENERAL INFORMATION

Parcel Number: [08157000](#)

Property Size: 38,000 square feet

Comprehensive Plan Map Designation: High Density Residential

Consistency with Adopted Plans:

The [Racine Comprehensive Plan](#) states that:

- The plan should encourage the redevelopment of older areas and commercial areas.
- Maintain and develop a land use pattern that strengthens the character and livability of the City’s downtown core, commercial and industrial areas, and neighborhoods.
- Encourage development patterns that promote efficient and sustainable use of land, that can be readily linked by transportation systems and that utilize existing public utilities and services.
- Promote redevelopment and infill in areas with existing infrastructure and services, enhancing existing residential, commercial, and industrial areas.
- Promote the expansion or stabilization of the current economic base and the creation of a range of employment opportunities.

Corridor or Special Design District?: N/A

Historic?: N/A

Current Zoning District: B-2 Community Shopping

Purpose of Zone District: The B2 community shopping district is intended to accommodate the needs of a much larger consumer population than is served by the neighborhood convenience district, thus a wider range of uses and structure sizes is permitted for both daily and occasional shopping.

Proposed Zoning: No change proposed

Existing Land Use: Auto supply store.

Surrounding Zoning and Land Uses:

North	R-3 Limited General Residence	Single unit dwelling
East	R-3 Limited General Residence	Single unit dwelling
South	B-3 General Commercial	Vacant church/religious institution
West	B-2 Community Shopping	Single unit dwelling

Operations: The existing auto parts and battery business will remain unchanged and continue business at the property. There are no exterior changes planned to the building or site with this

request. The applicant intends to sell and service scooters and mopeds in approximately 3,600 square feet of the roughly 20,000 square foot building and has two full time employees and one-part time employee. The business is open from 10:00 AM to 4:00 PM Tuesday to Friday and from 10:00 AM to 2:00 PM Saturdays. From April to September the hours are Monday – Friday 10:00 AM to 6:00 PM and Saturday from 9:00 AM to 2:00 PM.

ANALYSIS:

Development Standards:

Density ([114-Article V](#): Article VII, Div. 5 [Bulk Regulations](#) & 8 [Lots](#)): There are no changes planned to the exterior of the building as a result of this proposal.

Standard	Required	Provided
Lot Area	No minimum	38,000 square feet
Lot Frontage	30 feet	406 feet
Floor Area Ratio	4.0 maximum	.52

Setbacks ([114-Article V](#): Article VII, Div. 6 [Development Standards](#)):

Yard	Required	Provided
Front	0 Feet	55 feet
Corner Side (south)	0 Feet	0 feet
Side (north)	8 feet	0 feet
Rear (west)	0 Feet	40 feet

Building design standards (114-Secs. [735.5](#) & [736](#)): The building on the parcel complies with the requirements of 114.735.5.b.1, however this request does not include any new buildings or modifications to the exterior of the existing building.

Off-street parking and loading requirements (114- [Article XI](#)) :

Use Type	Required	Provided
Auto parts store	10	*
Scooter sales/service	8	*
Total	18	*

*The lot needs to be sealed and striped, but based on the dimensions and paved area, could likely fit 22 spaces out in front of the building.

A Building of this size requires one loading space. The area in the rear of the building functions and serves at this loading space on the property.

Landscaping, screening and yard requirements ([114- Article V](#): Article VII, Div. 6 [Development Standards](#) & 7 [Fences and Walls](#)): If this were not reuse of an existing building, a yard would be required to the north along the lot line of a distance of 8 feet. Given the building is there already, it is existing non-conforming. Screening is required from the residential dwelling to the north. The landscaping present in this area accomplishes the intent of the code.

Sign Regulations (114-[Article X](#)): Signage is not a part of this request and is existing on the property. Any future signage would need to follow the sizing requirements outlined below.

Sign Type	Allowable Sq. Ft.	Provided Sq. Ft.
Projecting/Wall/Freestanding	280 square feet	80
Window signs	50% of window area^	50-75
Alleyway Signage	N/A	N/A
Total	280 square feet	130-155 square feet

^Each building is allowed two (2) window signs under four (4) square feet in total size, which do not count against the total allowable signage.

Outdoor lighting, signs ([114-Sec. 742](#)): The submitted plans do not contemplate any changes to the exterior lighting on the site. The existing lighting appears to conform to development standards and focus light onto the subject property.

Rubbish and trash storage ([114-Article V](#) & [114-740](#)): The trash area is screened from public view and located at the rear of the site.

Engineering, Utilities and Access:

Access ([114-1151](#)): Vehicular access to the site is provided from a driveways off Dr. Martin Luther King Jr. Drive and Albert Street. The site plan submitted by the applicant does not contemplate any changes to access.

Surface drainage ([114-739](#) & Consult Engineering Dept.): Change of use within the existing building is not expected to impact the surface drainage of this lot.

Sewage disposal and water supply ([114-821](#) & Consult Engineering and S/W Utility): All utilities are available for this site and the applicant proposal is not expected to impact the ability to serve this area.

Exceptions to ordinance: No exceptions are required for this proposal; all development standards are met.

REQUIRED FINDINGS OF FACT:

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

No Conditional Use shall be recommended by the Plan Commission unless it is found 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.**

Staff Comments: With the recommended conditions at the end of this report, the establishment of the Conditional Use is not expected to be detrimental public safety and general welfare. The application contemplates making changes which will not be readily visible from the street and will not really alter the function or appearance of the property. The scooters are kept in side and are generally much quieter than any automobile would be. The business which exists in the building will remain and is unchanged; this project has the potential to enhance the property and will create jobs.

- 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.**

Staff Comments: This conditional use is not anticipated to be injurious to other properties in the general area, assuming the recommended conditions are adopted with this request. The recommended conditions ensure this property will not impair property values or the enjoyment of adjacent properties. The nature of the business is one which could be seen as an amenity by those travelling to the city and wishing to rent a scooter in the summer or those who would like to purchase this type of vehicle for general usage. The uses which could occur on the property given the current zoning, could be much more intensive in traffic and actual usage.

- 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.**

Staff Comments: The establishment of this proposed scooter and moped business with a sales and service shop in conjunction with the existing auto parts sales will function like a general retail property. This development proposed for the site will occupy less than 10% of the overall floor area of the building's 20,000 square feet. The surrounding properties will not see any detrimental impacts from the proposed usage of some square footage in this building for use as a scooter shop.

4) Adequate utilities, access roads, drainage and/or necessary facilities have been or are being provided.

Staff Comments: The site plan submitted by the applicant does not propose any changes to the access, utilities or drainage for the site. The use of this site and existing building is not expected to impact the provision of utilities for the property or general area.

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.

Staff Comments: The applicant is not contemplating any changes to the access to this site. The nature of this business is to provide sales and services of a very limited customer base who drives mopeds and scooters. The vehicles themselves are much less intensive than automobiles and have a limited timeframe in which they can practically be driven in this region. As a result, this expansion will be somewhat limited in terms of traffic to and from the site because of these limitations. The access points are sufficient for the proposed demand and future usage of this site.

6) The proposed conditional use is not contrary to the objectives of the current land use plan for the city.

Staff Comments: The land use plan does envision this general area as high density residential; that being said, the zoning is in place for this application to proceed and from a holistic planning perspective, the area does need opportunities for jobs, commerce and daily services to be met so the zone district on this property does make sense. In the future perhaps other uses may transition into the site, but the intersection where this property site has been occupied by commercial uses on the northern side for the better part of 40 years.

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.

Staff Comments: With the recommended conditions, it is expected that this development will operate in accordance with the applicable regulations for this zone district. No exceptions are required with this proposal as it meets all zoning ordinance requirements.

POSSIBLE ACTIONS FOR THE PLANNING, HERITAGE AND DESIGN COMMISSION

1. Approve the request as submitted; or
2. Approve the request with conditions deemed necessary to mitigate any adverse impacts that could arise from the project; or
3. Deny the request; or

4. Defer the request to obtain more specific information about the request, subject to the consent of the applicant.
5. Defer with a continuance of the public hearing to a date certain, subject to the consent of the applicant.

STAFF RECOMMENDATION: BASED ON THE FINDINGS OF FACT IN THIS REPORT, THAT THE REQUEST FROM ANTOINE LOULY OF SPECTRUM ELECTRONIX LLC DBA CLASSIC SCOOTERS, SEEKING CONDITIONAL USE PERMIT TO OPERATE A GARAGE FOR THE SALE, STORAGE, AND REPAIR OF MOTOR VEHICLES (FOR SCOOTERS AND MOPEDS) AT 1400 Dr. Martin Luther King Jr. Drive BE APPROVED, SUBJECT TO THE FOLLOWING CONDITIONS:

- a) That the plans presented to the Planning, Heritage, and Design Commission on November 18, 2020 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 all of the following occur prior to occupancy, unless otherwise noted:
 1. That striping and sealing of the parking lot occur as required by Sec. 114-Article XI prior to August 31, 2021.
 2. That by August 31, 2021 a privacy fence be constructed to the west of the building screening the property from the existing residential development. Plans and specifications to be submitted to and approved by the Department of City Development.
- d) That if, prior to the issuance of an Occupancy Permit, required site improvements listed in “c” above have not been or cannot be completed, a financial surety shall be provided to the City. The surety shall be in a format as approved by the City Attorney’s office, and subject to all stipulations as identified for financial sureties in the City of Racine. The dollar amount shall be determined at the time of application based upon estimates provided by the applicants for any incomplete work, and shall be valid for no less than one (1) year from the date of issuance. The surety format and content is subject to review and approval by the City Attorney.
- e) That hours of operation are 9:00 AM to 6:00 PM.
- f) That vehicles sold and serviced be classified as mopeds or scooters and not motorcycles or automobiles and be kept inside at all times.
- g) That all codes and ordinances are complied with and required permits acquired.
- h) That no minor changes be made from the conditions of this permit without approval of the Planning, Heritage, and Design Commission, and no major changes be made from the conditions of this permit without the approval of the Common Council.

- i) That this conditional use permit is subject to Planning, Heritage, and Design Commission review for compliance with the listed conditions.

ATTACHMENTS:

- 1) Property owner notification map indicating the subject property;
- 2) Aerial Photo indicating the subject property;
- 3) Zoning Map indicating the subject property;
- 4) Land Use Map from Comprehensive Plan, indicating the subject property;
- 5) Site photos of the property and general area; and
- 6) Submittal documents (view in legistar).

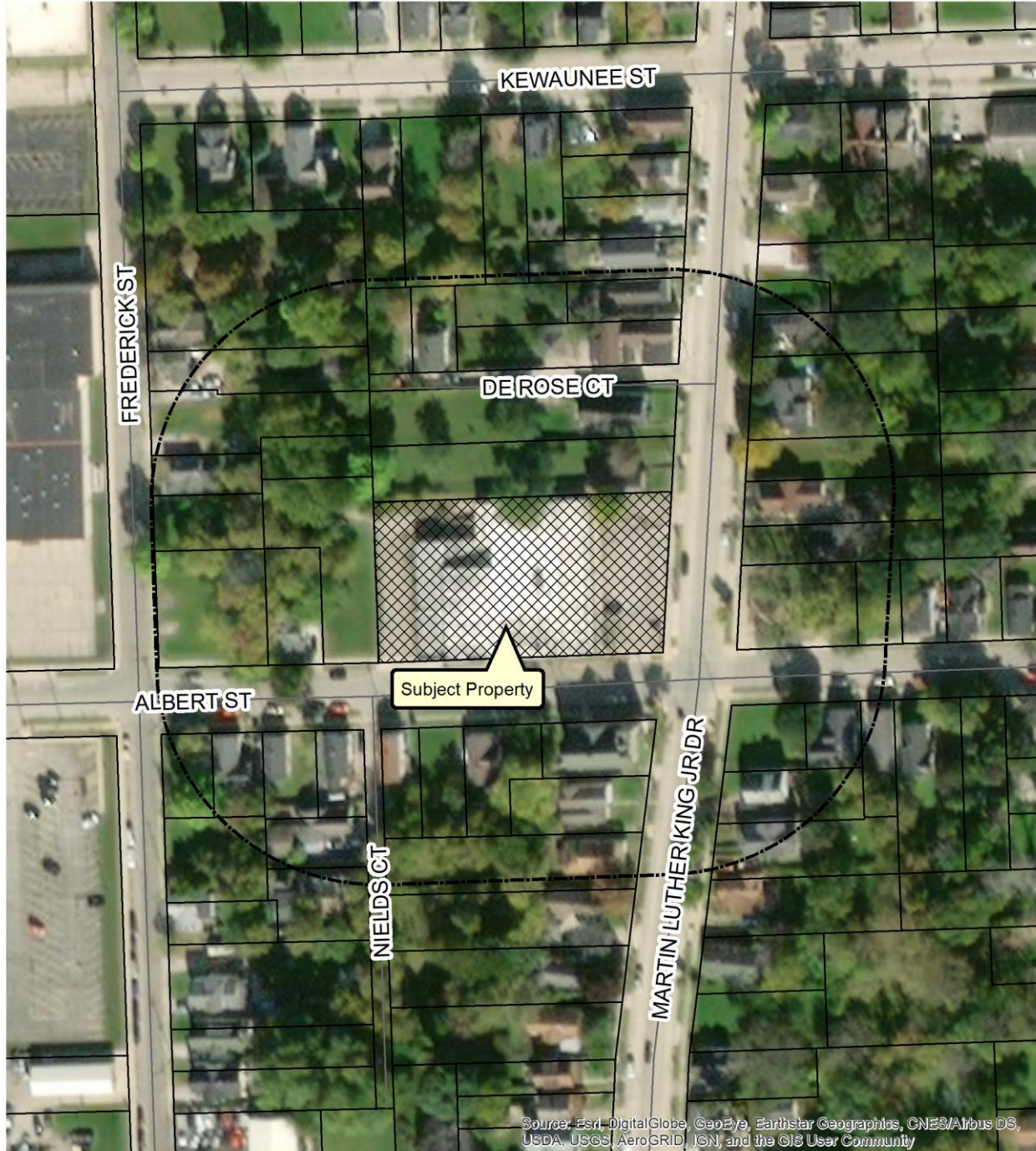


Conditional Use Request - 1400 Dr. Martin Luther King Jr. Drive

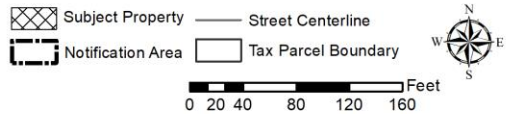




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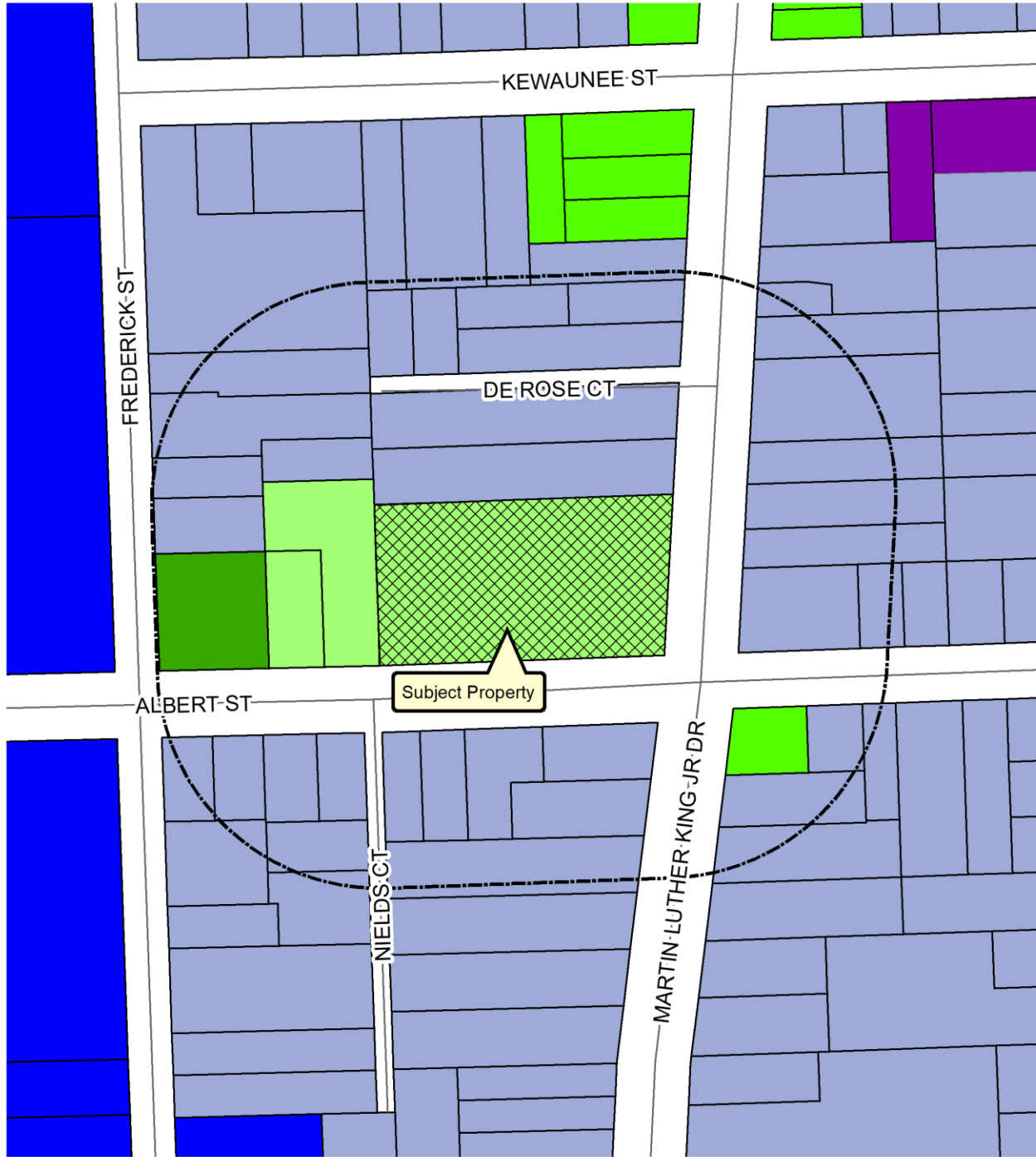


Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community





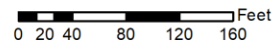
Conditional Use Request - 1400 Dr. Martin Luther King Jr. Drive



Zoning Designation

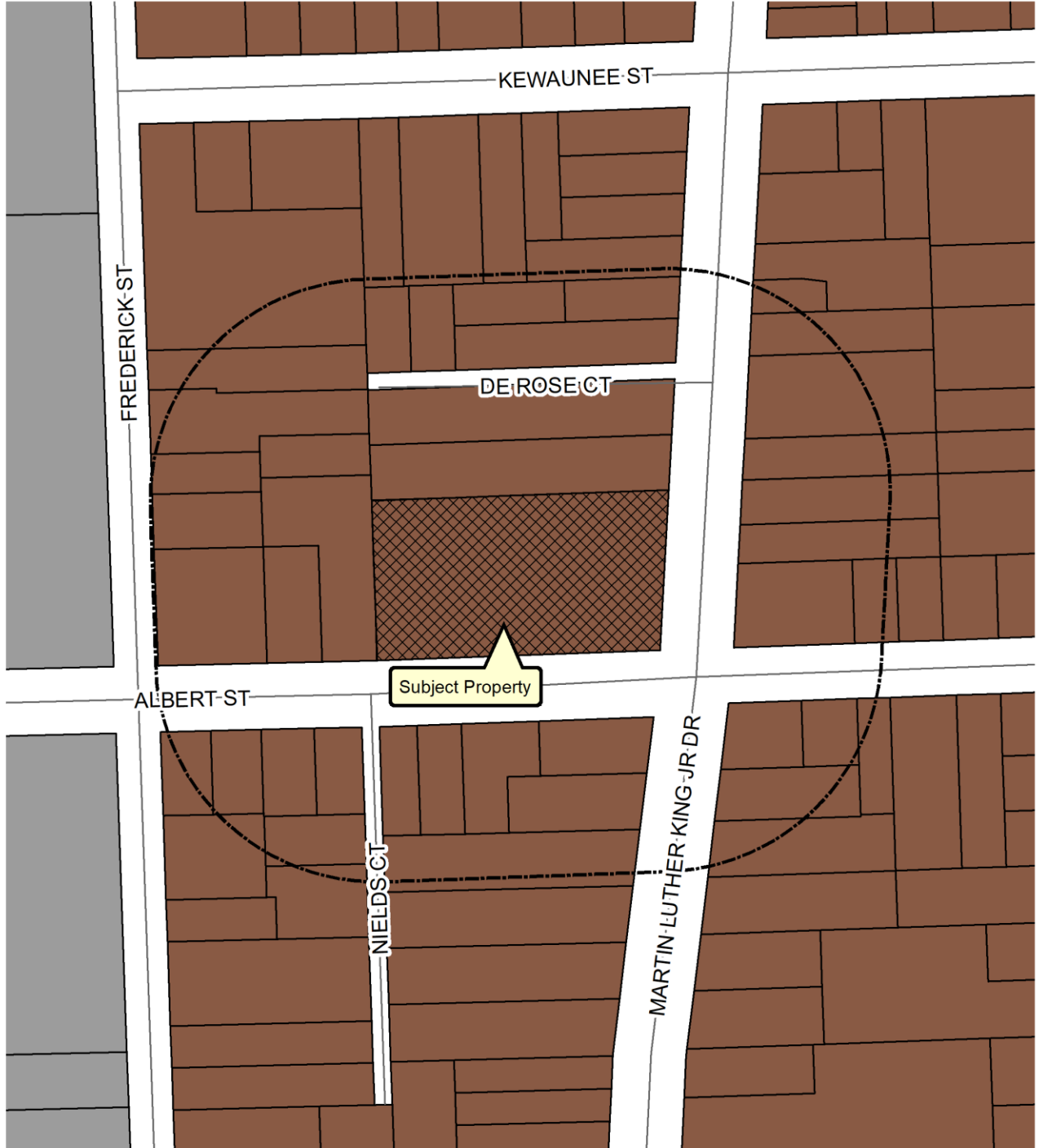
- R-3
- I-2
- B-1
- B-2
- B-3
- O

- Subject Property
- Street Centerline
- Notification Area
- Tax Parcel Boundary





Conditional Use Request - 1400 Dr. Martin Luther King Jr. Drive



Land Use Designation
High Density Residential Industrial

Subject Property Street Centerline
Notification Area Tax Parcel Boundary

0 20 40 80 120 160 Feet

Site Photos



Looking west at the subject property



Looking north from subject property



Looking east from subject property



Looking south from subject property



Looking at west side of building



Looking west on Albert Street