



CITY OF RACINE DEPARTMENT OF CITY DEVELOPMENT STAFF REPORT

Meeting Date: 9/12/2018

To: Mayor and Plan 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: 1304 Douglas Avenue

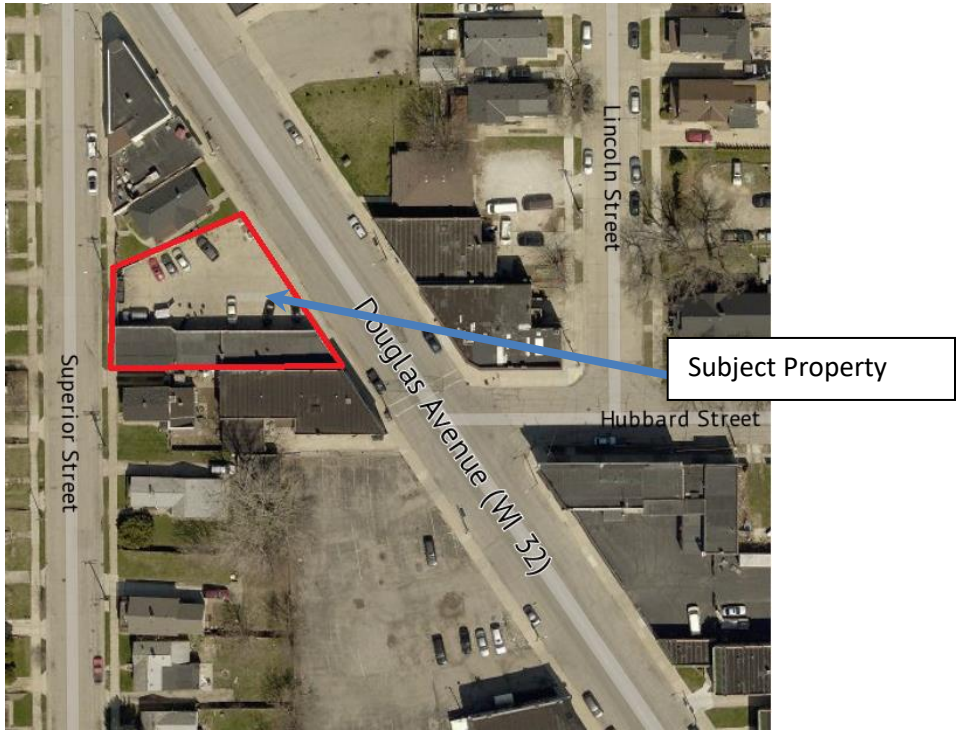
Applicant: L-A Tires, LLC

Property Owner: Jose Sanchez

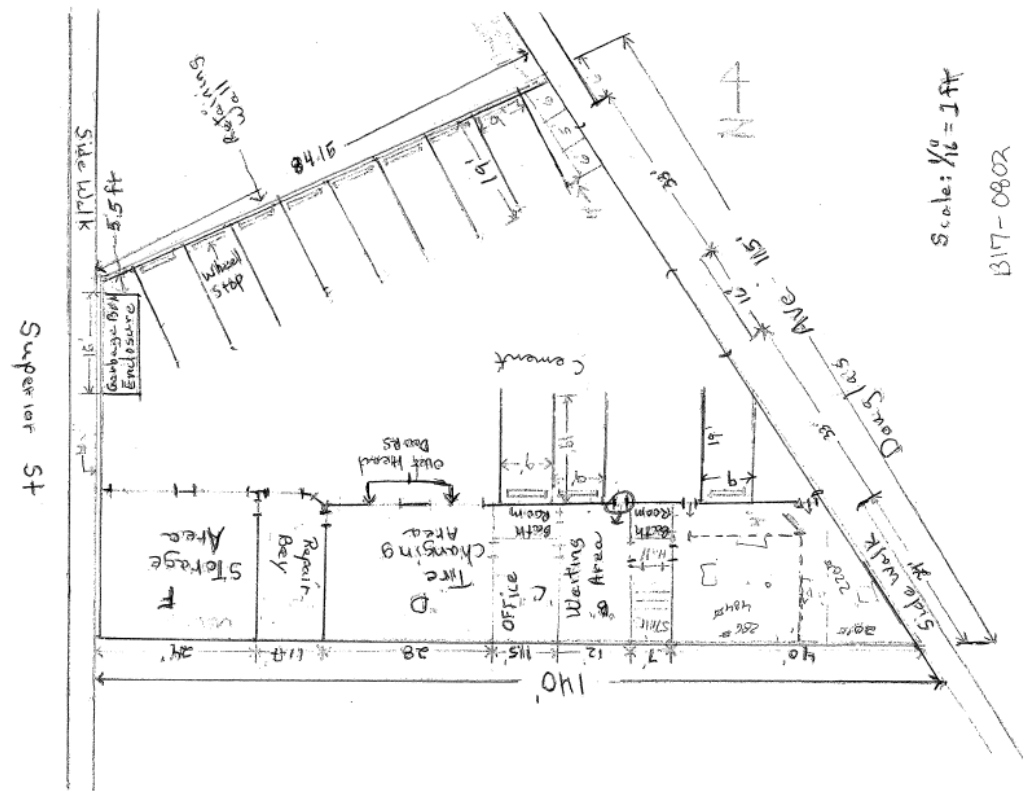
Request: Consideration of a major amendment to an existing conditional use permit to allow for used auto sales in in conjunction with an existing automobile service/ used tire retailer business as defined in Section 114-468 of the Municipal Code, in an existing building at 1304 Douglas Avenue for property located in a B-2 Community Shopping Zone District as required in section 114-468 of the Municipal Code.

BACKGROUND AND SUMMARY: The applicant seeks to utilize the existing building, housing an automobile repair shop at 1304 Douglas Avenue for the sale of up to three used automobiles. The conditions of the existing permit on the property are still in effect. The site has had a conditional use permit for used auto sales with repair in the past.

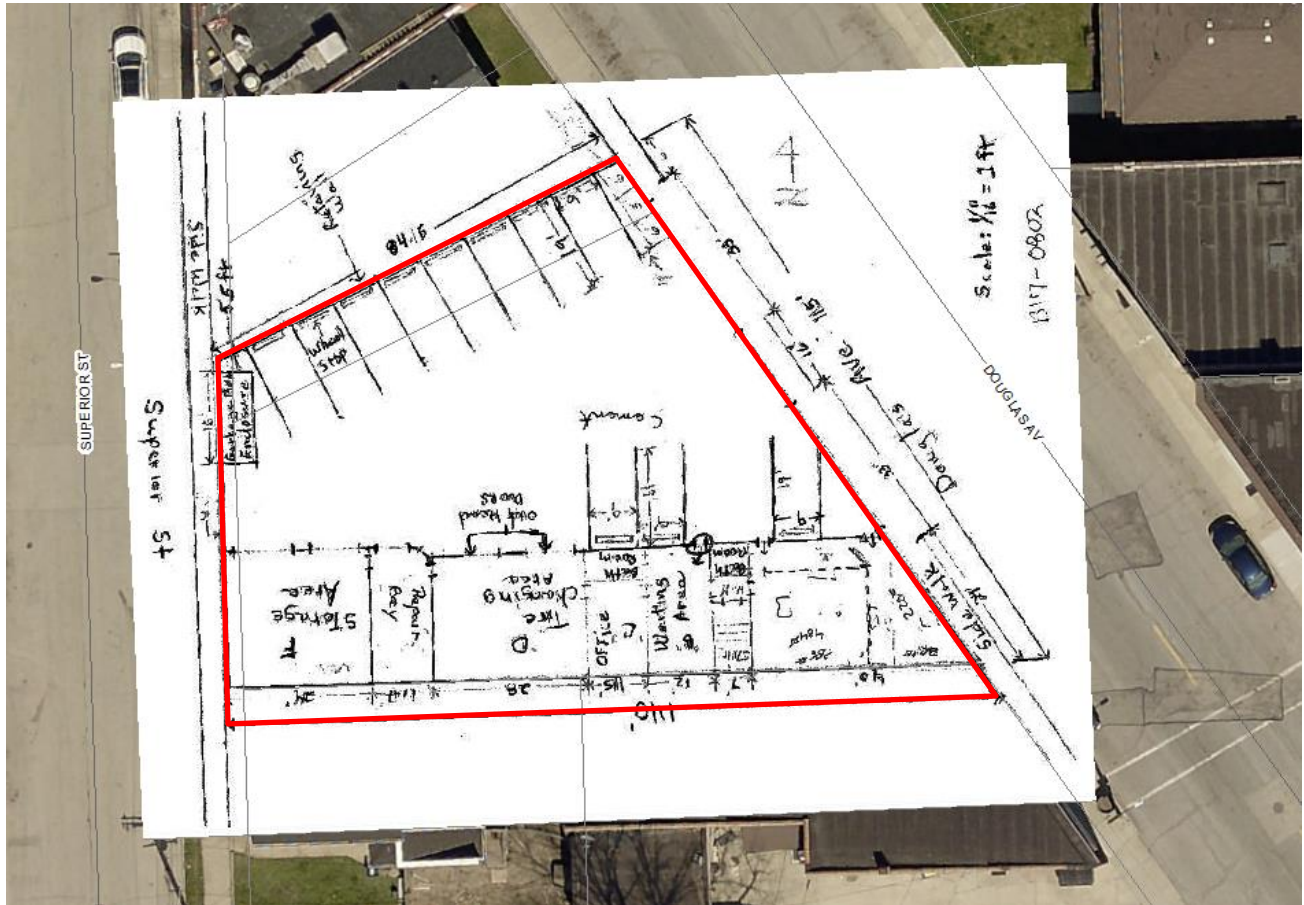
The Zoning Ordinance classifies this proposed used automobile sales operation as permissible in the B-2 Community Shopping Zone District upon the issuance of a conditional use permit (114-468).



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



Proposed Building Floor Plan (north is up), submitted by applicant.



Proposed site plan for the property (highlighted in red), submitted by applicant.

GENERAL INFORMATION

Parcel Number: [01914000](#)

Property Size: 8,187.2 square feet

Comprehensive Plan Map Designation: Mixed Use – Commercial Emphasis

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.
- Promote redevelopment and infill in areas with existing infrastructure and services, enhancing existing residential, commercial, and industrial areas.

Corridor or Special Design District?: Douglas Avenue Corridor

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: Automobile repair shop, Used Tire Sales

Surrounding Zoning and Land Uses:

North	B-2 Community Shopping	Single Family Residence
East	B-2 Community Shopping	Bar
South	B-2 Community Shopping	Community Center
West	R-3 Limited General Residence	Single unit dwellings

Operations: No new hours of operation have been stated with this proposal

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	8187.2 sq. ft.
Lot Frontage	30 feet	106 feet
Floor Area Ratio	2.0 maximum	.41

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

Yard	Required	Provided
Front (east)	0 feet	0 feet
Side (north)	0 feet	40 feet
Side (south)	0 feet	0 feet
Rear (east)	0 feet	0 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 structural modifications to the exterior of the existing building.

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

Use Type	Required	Provided
Automobile repair facility	5	5
Western Clothing Store	1	1
Tire Sales	4	4
Total	10	14*

A Building of this size does not require a dedicated loading space; the drive aisle of the property can be utilized for this purpose.

*Note: The service bays of this establishment have been included in the total calculation for parking as they meet the sizing and maneuvering requirements of the ordinance.

Landscaping, screening and yard requirements ([114- Article V](#): Article VII, Div. 6 [Development Standards](#) & 7 [Fences and Walls](#)): 114-734 (a) requires screening along the west property line because the lot across the street is residentially zoned. 114-737 requires that a landscape screening by trees or a compact hedge along this lot line since this is a through lot. The fencing currently installed on the site is in compliance with current development standards.

Sign Regulations (114-[Article X](#)): No new signage is proposed with this application.

Sign Type	Allowable Sq. Ft.	Provided Sq. Ft.
Projecting/Wall	105	48
Window signs	50% of window area	N/A
Alleyway Signage	N/A	N/A
Total	105	48

Outdoor lighting, signs ([114-Sec. 742](#)): There is no exterior lighting on the site. There are street lights both to the North and South along Douglas Avenue.

Rubbish and trash storage ([114-Article V](#) & [114-740](#)): The existing trash handling area is behind the northwest corner of the site and is effectively screened from view by an existing trash enclosure.

Engineering, Utilities and Access:

Access ([114-1151](#)): Vehicular access to the site is provided from a driveway from Douglas Avenue. The site plan submitted by the applicant does not contemplate any changes to access.

Surface drainage ([114-739](#) & Consult Engineering Dept.): Adding this usage to the 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.

Additional Planning and Zoning Comments:

The existing conditional use on the property currently requires all of the following operational requirements:

- That the hours of operation may be from 8:00 a.m. – 6:00 p.m., Monday through Saturday.
- That no engine repair, transmission repair or service, axle work, body work, or painting be allowed.
- That all aspects of the operation must be contained indoors, including the storage of parts and equipment. No outdoor display of parts, air hoses, vending machines, tires, or other materials is allowed at any time.
- That the vehicles for repair shall be limited to private passenger automobiles and personal trucks or vans. No commercial vehicle repair is allowed.
- If exterior lighting is to be installed, a lighting plan and cut sheets of the luminaries to be used shall be provided to City Development staff for review and approval. All lighting shall be shielded to be contained on-site.
- That no junk or inoperable vehicles, or vehicles with expired tags, may be stored, and no vehicle salvage shall be conducted at this location.

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: The addition of three automobiles for sale at this site is not expected to endanger the health, safety or welfare of those in the general vicinity. The conditions which already exist on the site through the existing conditional use permit ensure the area remains complimentary to the adjacent neighborhood. Additionally these conditions ensure that the Douglas Avenue corridor remains as a business corridor and not an industrial corridor.

- 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: If this site is fully improved to the standards of the zoning ordinance and existing conditional use permit, the sales of three automobiles is not expected to be injurious to other properties. The landscaping along the front of the property ensures that the enjoyment of the public right-of-way is maintained as free and clear and also visually appealing. Currently this landscaping is not being maintained and once construction is completed on Douglas Avenue, it needs to be re-established on this lot.

- 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 proposed conditions with this request help to ensure that development in the area remains consistent and orderly, while accommodating for new this new component of their business. This property is a transition from a relatively busy commercial corridor into a neighborhood. It is expected that the overall appearance and function of the site will generally remain as it has, the main difference will be that up to three passenger vehicles will be for sale on the site. The existing screening ensures that the vehicles will be observed only from passersby on Douglas Avenue.

- 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 expanded 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 site currently has one driveway onto Douglas Avenue which handles all the ingress and egress. The applicant will need to ensure vehicles for sale are parked in a manner in which they are not blocking service bays and are parked within a dedicated space on the lot. There is room to park the three vehicles in the lot, but the repair operation will need to ensure vehicles being serviced are picked up shortly after repair as parking on the lot is limited. The previously approved conditional use permit does not allow vehicles to be located on Douglas Avenue.

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 for the City identifies this property as Mixed-Use Commercial Emphasis. This proposed usage is consistent with the objectives of the comprehensive plan, due to the fact that the overall scale is minor in intensity. It is important to note that to the west of this location are areas identified for as high density residential in the land use component of the plan. It is important to keep in mind that unlimited sales of varying types of vehicles would be detrimental to the surrounding properties and not meet the intent of the comprehensive 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.

Staff Comments: With the recommended conditions, which bring the site into compliance with required development standards and past approval requirements, it is expected that this development will operate in accordance with the applicable regulations for this zone district. No exceptions are needed with the request and the proposed development will function in a manner which is complimentary to the adjacent residential areas.

POSSIBLE ACTIONS FOR THE PLANNING 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.

STAFF SUPPORTS THE APPLICATION FOR THE FOLLOWING REASONS:

- If developed as recommended in the conditions from this report, the site will function in a manner which can be complimentary to the neighborhood and business corridor.
- The site will generally function in the same manner it has, the addition of vehicles which would be for sale will not drastically alter the appearance or purpose of the site.

STAFF RECOMMENDATION: BASED ON THE FINDINGS OF FACT IN THIS REPORT, THAT THE REQUEST FROM L-A TIRES LLC, SEEKING A MAJOR AMENDMENT TO AN EXISTING CONDITIONAL USE PERMIT TO ALLOW USED AUTOMOBILE SALES AT 1304 DOUGLAS AVENUE BE APPROVED, SUBJECT TO THE FOLLOWING CONDITIONS:

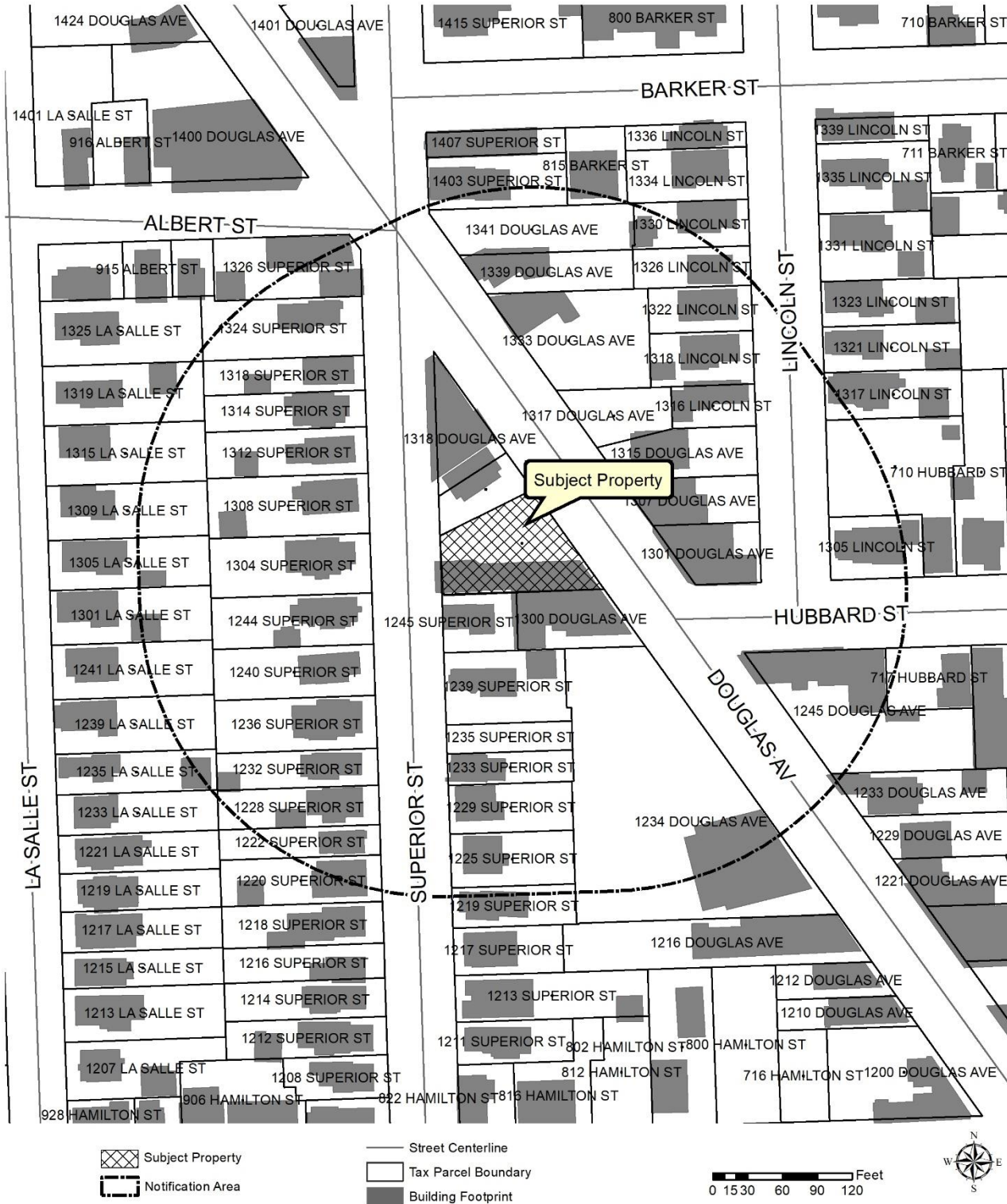
- a) That the plans presented to the Plan Commission on September 12, 2018 be approved subject to the conditions contained herein.
- b) That the following development standards be complied with prior to City sign off on dealer license:
 1. Site be landscaped and maintained as required by Sec. 114-743; and
 2. Trash enclosure be repaired to comply with Sec. 114-740; and
 3. Parking area meet all requirements of Sec. 114-Article XI.
- c) That if, prior to the issuance of an Occupancy Permit, required development standards listed in “b” 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.
- d) That vehicles for sale be limited to three (3) and shall be parked in a striped space on the lot, not in front of the vehicle bays.
- e) That sales of vehicles be limited to passenger vehicles and shall not include commercial trucks, buses, vans or vehicles with more than two axles.
- f) That the use of streamers, balloons, feather signage, inflatable signage and other temporary banners advertising the sale of passenger vehicles is prohibited.
- 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 Plan 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 Plan 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 ([click to view](#)).





Conditional Use Amendment - 1304 Douglas Avenue






Conditional Use Amendment - 1304 Douglas Avenue



 Subject Property
 Notification Area

 Street Centerline
 Tax Parcel Boundary

 Feet
0 15 30 60 90 120





Conditional Use Amendment - 1304 Douglas Avenue





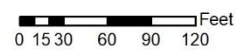
Conditional Use Amendment - 1304 Douglas Avenue



- Street Centerline
- ▨ Subject Property
- ⊘ Notification Area

Land Use Designation

- Mixed Use - Commercial Emphasis
- High Density Residential



Site Photos



Looking west at subject property from Douglas Avenue



Looking west at parking area of subject property



Looking south from subject property



Looking north from subject property



Looking north from subject property along Superior Street frontage



Looking south from subject property along Superior Street frontage