



## **CITY OF RACINE DEPARTMENT OF CITY DEVELOPMENT STAFF REPORT**

**Meeting Date:** 5/15/2023

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

**From:** City Development Department, Division of Planning and Redevelopment

**Division Manager:** Jeff Hintz – (262) 636-9473 – [jeff.hintz@cityofracine.org](mailto:jeff.hintz@cityofracine.org)

**Case Manager:** Michelle Cook

**Location:** 1332 Rapids Drive

**Applicant:** Alejandro Amezcua Hernandez

**Property Owner:** Alejandro Amezcua Hernandez

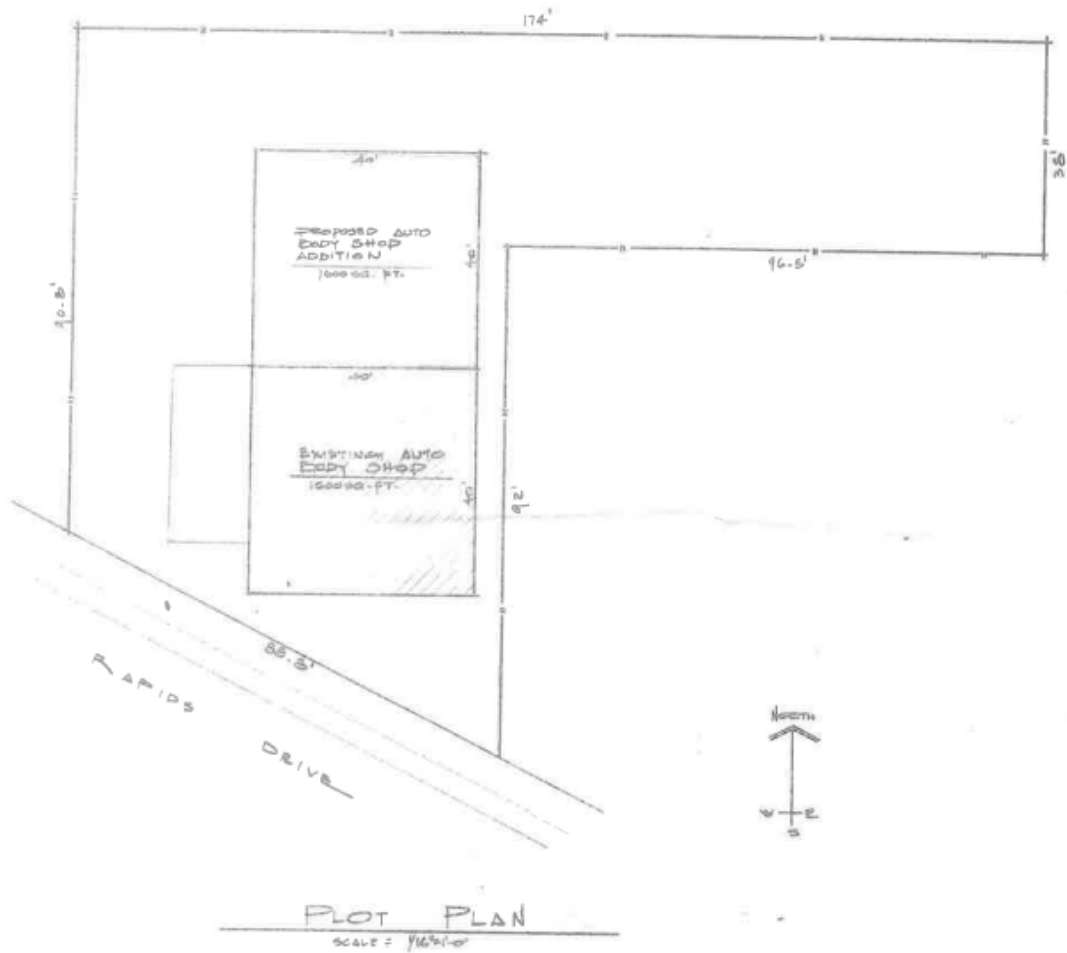
**Request:** Consideration of a conditional use permit to operate an automobile repair garage with the sale of used and new tires at 1332 Rapids Drive located in a B-2 Community Shopping Zone District, as allowed by Sec. 114-468 of the Municipal Code.

**BACKGROUND AND SUMMARY:** The applicant seeks to utilize the existing commercial space addressed as 1332 Rapids Drive as an automobile repair facility. The facility will be open Monday through Friday from 7:00 a.m. to 8:00 p.m., Saturday from 8:00 a.m. to 3:00 p.m. and closed on Sundays.

The Zoning Ordinance classifies this proposed use 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). North is up.



Proposed Floor Plan. North is up.

## GENERAL INFORMATION

**Parcel Number:** [18233000](#)

**Property Size:** 12,232 square feet

**Comprehensive Plan Map Designation:** Commercial

**Consistency with Adopted Plans:**

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

- The plan should encourage the redevelopment of older areas and commercial areas.
- Promote redevelopment and infill in areas with existing infrastructure and services, enhancing existing residential, commercial, and industrial areas.

**Corridor or Special Design District?:** N/A

**Historic?:** N/A

**Current Zoning District:** B-2 Community Shopping

**Purpose of Zone District:** The B-2 Community Shopping District is intended to accommodate the needs of a much larger consumer population that 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 garage

**Surrounding Zoning and Land Uses:**

<b>North</b>	B-2 Community Shopping	Automobile Repair and Sales
<b>East</b>	B-2 Community Shopping	Multiple unit dwellings/Vacant Commercial Lot
<b>South</b>	R-3 Limited General Residence	Single-unit and Multiple unit dwellings
<b>West</b>	B-2 Community Shopping I-1 General Industrial	Multiple unit dwelling/Manufacturing

**Operations:** The existing space addressed as 1332 Rapids Drive will be used as an automobile repair facility to include the repair of brakes, transmissions, and the sale of new and used tires. There will be three employees working at the facility and three cars will be worked on at a time. The hours of operation will be Monday through Friday from 7:00 a.m. to 8:00 p.m.; Saturday from 8:00 a.m. to 3:00 p.m.; and closed on Sundays.

## ANALYSIS:

Development Standards:

**Density** ([114-Article V](#): Article VII, Div. 5 [Bulk Regulations](#) & 8 [Lots](#)):

Standard	Required	Provided
Lot Area	0 square feet	12,232 square feet
Lot Frontage	30 feet	90 feet
Floor Area Ratio	4.0	.36

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

Yard	Required	Provided
Front (South)	0 feet	0 feet
Side (West)	0 feet	20 feet
Side (East)	0 feet	2 feet
Rear (North)	0 feet	11 feet

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

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

Use Type	Required	Provided
Automobile Repair Facility	5 spaces per 1,000 sq. ft. plus 1 space per 2,000 sq. ft. of gross land area*	*9 spaces
Total	26 spaces	9 spaces

\*Since the building has been historically used for an automobile repair garage, they are not required to provide additional parking beyond what exists.

**Landscaping, screening and yard requirements** ([114- Article V](#): Article VII, Div. 6 [Development Standards](#) & 7 [Fences and Walls](#)): Screening from the residential properties to the east and west in the form of landscaping or a solid fence would be required.

**Sign Regulations** (114-[Article X](#)): A detailed sign plan was not submitted with the application, however, the property is allowed 114 square feet of signage. There is an approximately 17-foot nonconforming pole sign existing on the property. The sign area conforms to this requirement; however, any alteration or reconstruction to the sign would need to bring the sign into compliance with the requirements listed in Sec. 114-1078 (1).

**Outdoor lighting, signs** ([114-Sec. 742](#)): Lighting is not proposed with this application. Any lighting would have to comply with the development standards and focus light onto the subject property and not adjacent properties.

**Rubbish and trash storage** ([114-Article V](#) & [114-740](#)): The building currently has a dumpster for trash collection. The dumpster would need to be screened or placed on the lot somewhere out of view as required by Sec. 114-740 (1).

#### **Engineering, Utilities and Access:**

**Access** ([114-1151](#)): Access to the site is provided by adjacent public streets (Charles Street and Rapids Drive). The application does not contemplate any changes in access.

**Surface drainage** ([114-739](#) & Consult Engineering Dept.): The reuse of this existing building is not expected to alter drainage for the area or 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 service this area.

**Exceptions to ordinance:** No exceptions are required for this proposal.

**Additional Planning and Zoning Comments:** N/A.

## **REQUIRED FINDINGS OF FACT:**

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

No Conditional Use shall be recommended by the Planning, Heritage, and Design 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 property was built and used for an automobile repair facility for several years prior to the applicant's proposal. The continued use as an automobile repair facility is not expected to be detrimental to, or endanger, the public health, safety, morals, comfort, or general welfare of the surrounding area.

- 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: The property was built in the 1950's as an automobile repair facility and has operated as such for several decades and has been a neighborhood fixture. At the scale and intensity proposed by the applicant, the use will not generate exterior noise, traffic or odor which would be injurious to other properties in the vicinity. The zoning in the neighborhood includes I-1 which would allow for uses much more intensive by right.

- 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 area is developed for residential and commercial uses. The proposed use is not expected to impede the normal use and enjoyment of the district or general area and is in keeping with how the property has operated historically. The use will maintain the character for which the property was originally built.

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

Staff Comments: The applicant is not proposing any changes to the access, utilities, or drainage for the site. The reuse 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 the site. The ingress and egress from the site is expected to be appropriate to handle the facility and the off-street parking spaces are adequate to accommodate the proposed use.

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

Staff Comments: The current land use plan encourages development patterns that promote efficient and sustainable use of land and that can utilize existing public utilities and service.

**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: It is expected that this establishment will operate in accordance with the applicable regulations for this zone district. No exceptions are needed with this request and the proposed development is expected to fit with the mix of uses allowed to occur in the surrounding area.

## **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 BY ALEJANDRO AMEZCUA HERNANZDEZ, TO OPERATE AN AUTOMOBILE REPAIR FACILITY AT 1332 RAPIDS DRIVE BE APPROVED, SUBJECT TO THE FOLLOWING CONDITIONS:

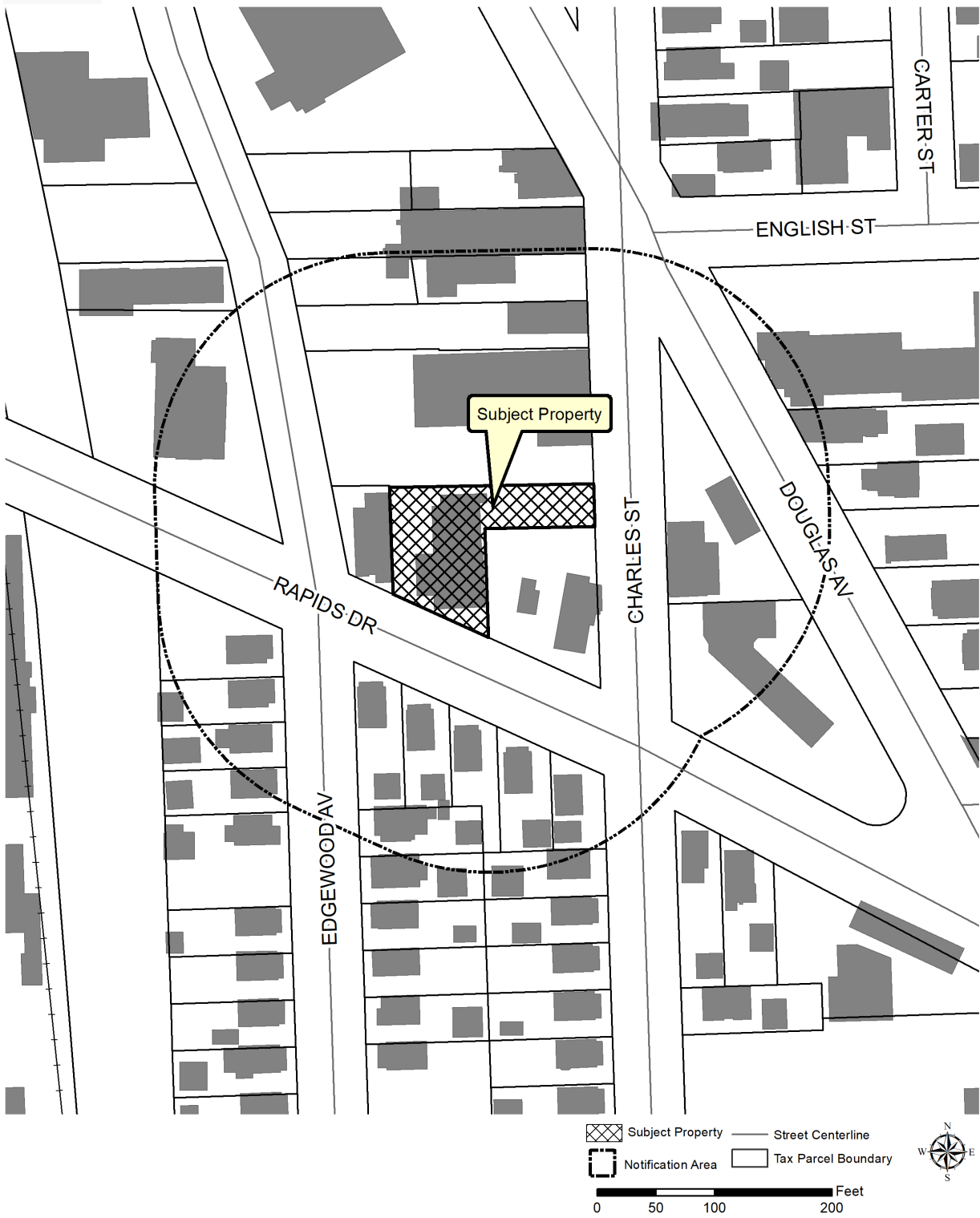
- a) That the application presented to the Planning, Heritage and Design Commission on May 15, 2023 be approved, subject to the conditions contained herein.
- b) That all codes and ordinances are complied with and required permits acquired.
- c) That there be no outdoor storage of any vehicle parts or equipment.
- d) That the applicant obtain a Waste Tire Generator license as required by the City Ordinance.
- e) That no junk, inoperable vehicles or vehicles with expired tags be stored.
- f) That the following items occur prior to the issuance of an occupancy permit:
  1. That the barbed wire on the fencing be removed as required by Sec. 114-758 (b)
  2. That a landscaping or screening plan be provided to the Department of City Development and implemented.
- g) That if, prior to the issuance of an Occupancy Permit, required site improvements listed in “f” 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 applicant for any incomplete work, and shall be valid for no less than one year from the date of issuance. The surety format and content is subject to review and approval by the City Attorney
- h) That no major changes be made from the conditions of this permit without approval of the Planning, Heritage and Design Commission.
- i) That this conditional use permit is subject to review by the Planning, Heritage, and Design Commission 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).

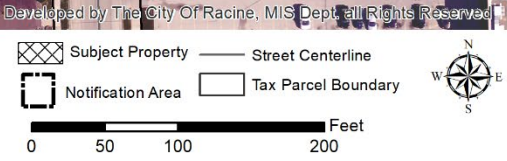


Conditional Use Permit - 1332 Rapids Drive



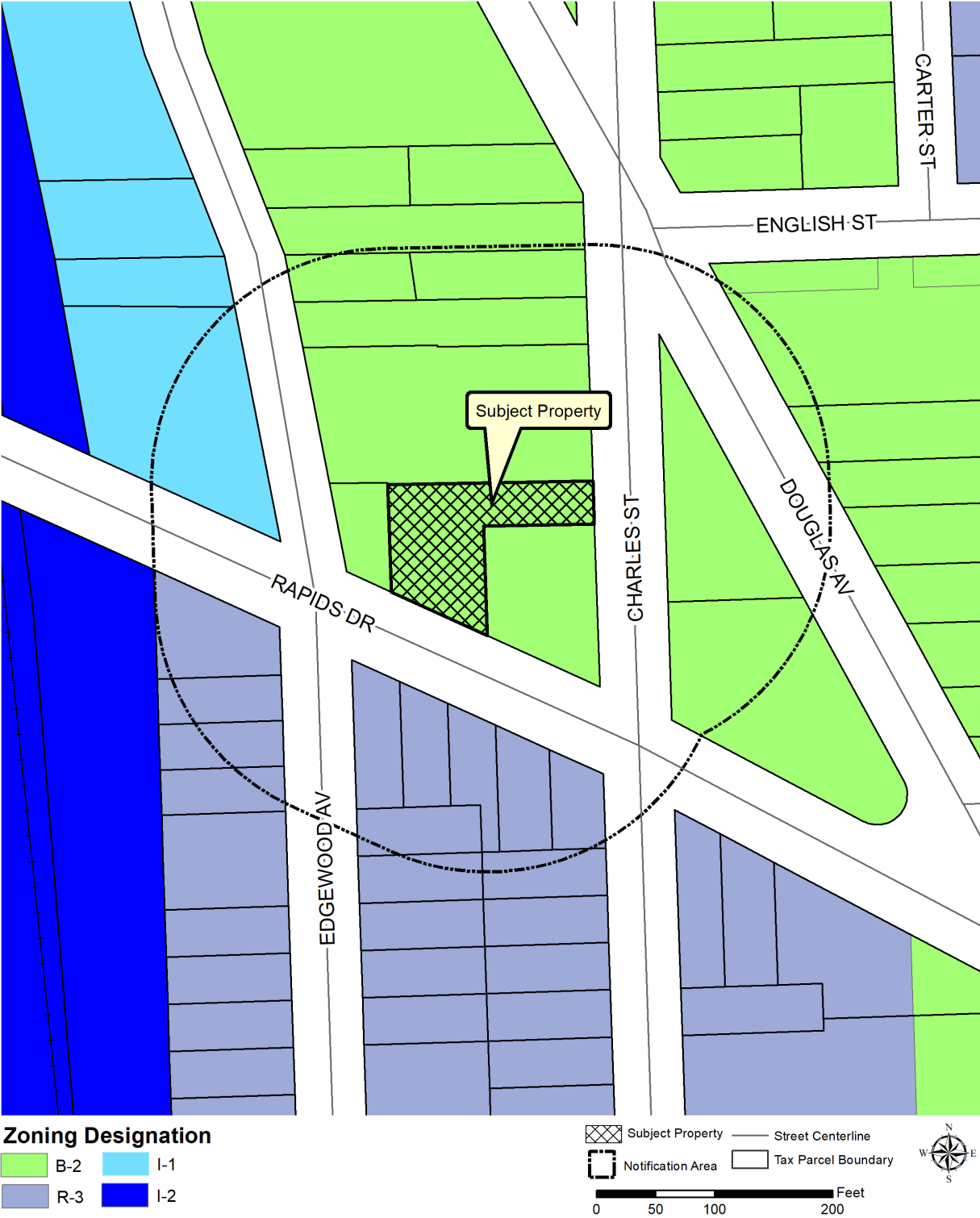


Conditional Use Permit - 1332 Rapids Drive



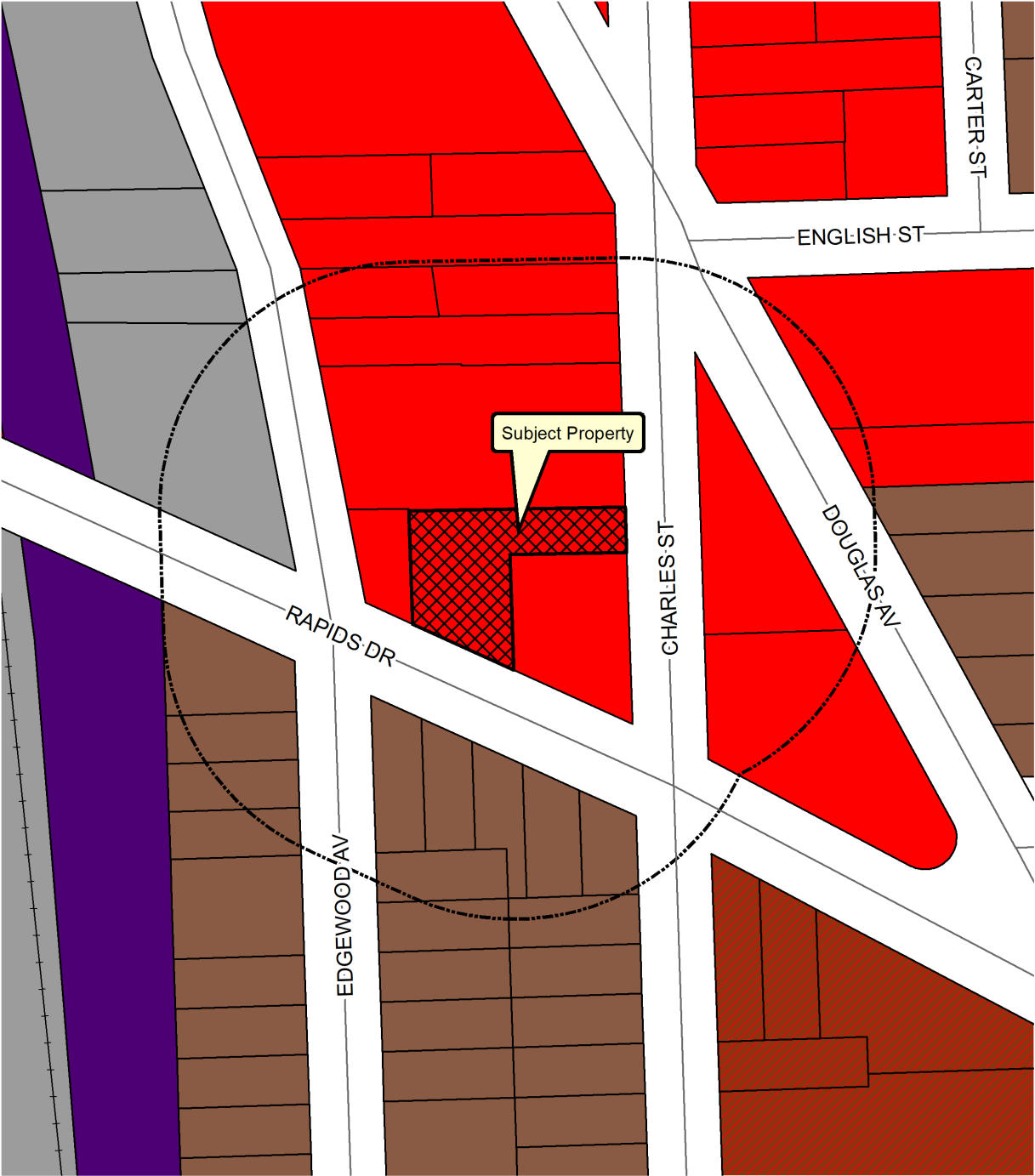


Conditional Use Permit - 1332 Rapids Drive





# Conditional Use Permit - 1332 Rapids Drive



**Land Use Designation**

- |            |                                 |
|------------|---------------------------------|
| Commercial | High Density Residential        |
| Industrial | Mixed Use - Commercial Emphasis |

- |                   |                     |
|-------------------|---------------------|
| Subject Property  | Street Centerline   |
| Notification Area | Tax Parcel Boundary |
- 0 50 100 200 Feet



## Site Photos



Looking north at subject property



Looking west from subject property



Looking southeast from subject property



Looking east from subject property