



CITY OF RACINE DEPARTMENT OF CITY DEVELOPMENT STAFF REPORT

Meeting Date: 2/28/2018

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: 3801 Blue River Avenue, located just east of the corner of the intersection of Lathrop Avenue and Blue River Avenue.

Applicant: David Yandel – Harbor Park CrossFit

Property Owner: Mc Nulty Investments LLC

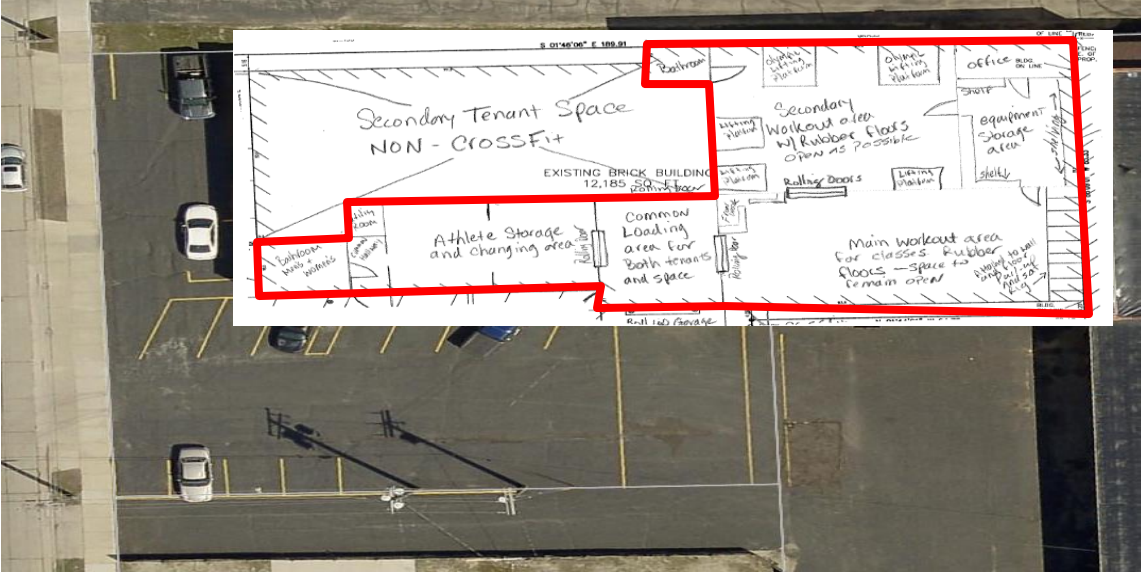
Request: Consideration of a conditional use permit to operate a Recreation building, in an existing building at 3801 Blue River Avenue for property located in an I-1 Restricted Industrial Zone District as required in section [114-568](#) of the Municipal Code.

BACKGROUND AND SUMMARY: The applicant seeks to utilize a former warehouse space for his business, Harbor Park CrossFit. The business is currently located on 1344 Lathrop Avenue and needs to expand. The business would employ two (2) full time employees and eight (8) part time employees and utilize approximately 6,583 square feet of the 12,185 square foot building.

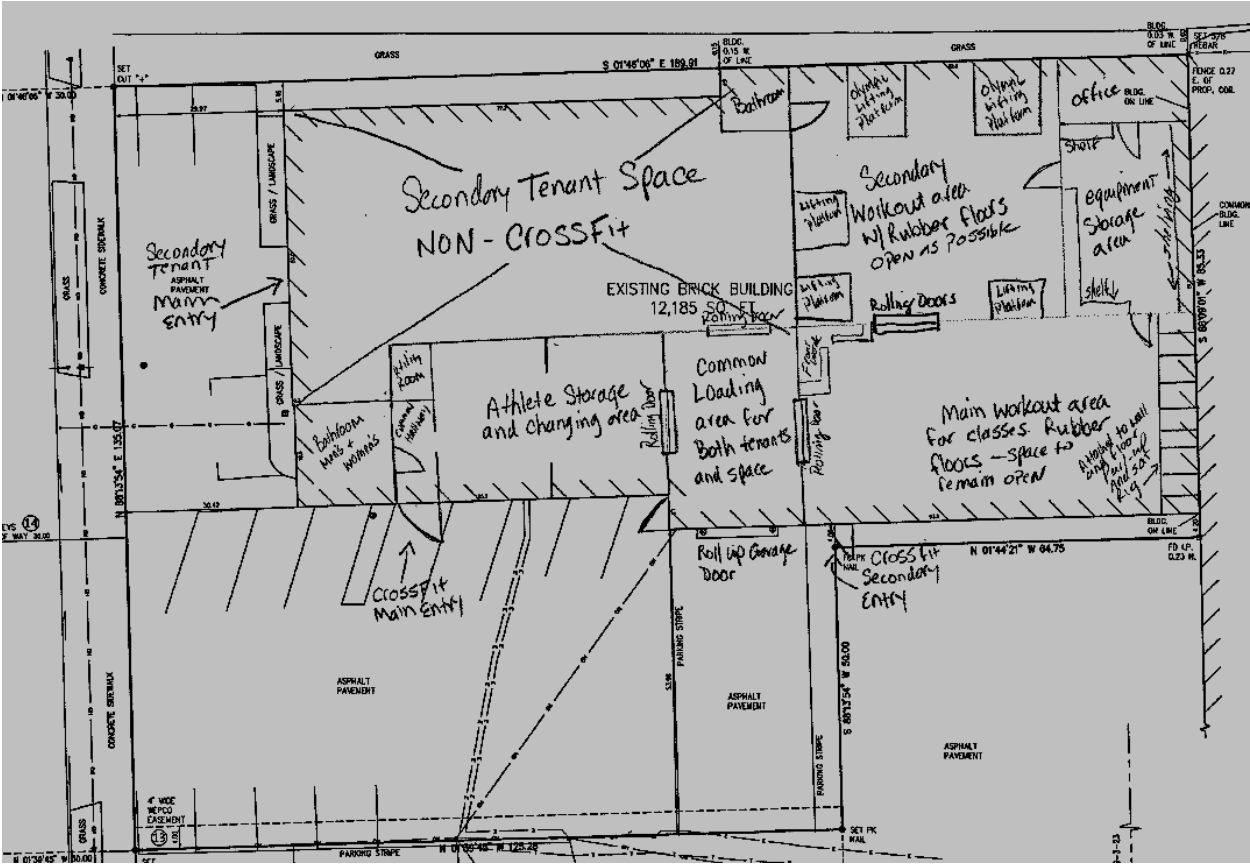
The Zoning Ordinance classifies Recreation buildings as permissible in the I-1 Restricted Industrial Zone District upon the issuance of a conditional use permit (114-568).



Birdseye view of the property, indicated in red, (north is up) (image from City Pictometry)



Interior layout for the property, CrossFit and common areas highlighted in red (north is to the left).



Applicant site plan.

GENERAL INFORMATION

Parcel Number: [23851001](#)

Property Size: 22,455 square feet

Comprehensive Plan Map Designation: INDUSTRIAL

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.

Corridor or Special Design District?: N/A

Historic?: N/A

Current Zoning District: I-1 Restricted Industrial

Purpose of Zone District: The I-1 restricted industrial district is intended to provide an environment suitable for industrial activities that do not create appreciable nuisances or hazards, or that require a pleasant, hazard-free and nuisance-free environment.

Proposed Zoning: No change proposed

Existing Land Use: Currently vacant, the former site of a restaurant.

Surrounding Zoning and Land Uses:

North	B-2 Community Shopping	Restaurant
East	I-1 Restricted Industrial	Machining manufacturer and offices
South	I-1 Restricted Industrial	Countertop and sink shop
West	I-1 Restricted Industrial	Gas station and convenience store

Operations: The application indicates that two full time employees and eight part time employees would work at the establishment. The hours of operation proposed by the applicant are 5:30 AM to 8:00 PM Monday –Friday and 8:00 AM to Noon on Saturdays and Sundays.

ANALYSIS:

Development Standards:

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

Standard	Required	Provided
Lot Area	No minimum	22,455 square feet
Lot Frontage	30 feet	137 feet
Floor Area Ratio	1.5 maximum	.54

Setbacks ([114-Article V](#): Article VII, Div. 6 [Development Standards](#)): Nonresidential uses are not required to provided yards, except as required in 114-570.

Yard	Required	Provided
Front (Blue River Ave)	*see note	27 feet
Rear	0 feet	0 feet
Side (east edge of lot)	0 feet	0 feet
Side (west edge of lot)	0 feet	60 feet

*[114-570.2](#) requires that I-1 across the street from residential have the Plan Commission determine a yard not to be greater than 25 feet. The residence zone district is actually a restaurant use and the yard is already over 25 feet at this time.

Building design standards (114-Secs. [735.5](#) & [736](#)): The composition of three sides of this building does not comply with the requirements of 114.735.5.b.1, however this building is not a new primary building. Should reconstruction and/or remodeling take place, compliance would need to occur at that time. The front façade does meet the requirements for building design.

Off-street parking and loading requirements (114- [Article XI](#)) Recreational and community center buildings require 6 spaces per 1,000 square feet of gross floor area. As configured now, the site does not meet the parking requirements; however, it is possible to stipe additional spaces on the paved surfaces to meet this minimum requirement. One loading bay is required for a building of this size in this zone; the current loading space complies with the requirements. Re-stripping of spaces which do not meet the length requirements on the lot is a condition of this approval.

Use Type	Required	Provided
Recreational building	19 spaces	9 spaces*
Total	19 spaces	9 spaces

*There are other spaces currently striped on the lot, however they do not comply with the length requirements of [114-1150.a](#); it appears there is the space to do so and make them compliant.

Landscaping, screening and yard requirements ([114- Article V](#): Article VII, Div. 6 [Development Standards](#) & 7 [Fences and Walls](#)): Given the layout of the site across from a residence district, albeit a business parking lot use, landscaping and screening would normally be required. It would not be the best use of resources for this proposed recreation center to screen their parking area from another parking lot across the street. However, a condition of approval for this development will be for the applicant to submit and have approved a landscaping and/or streetscaping plan which will enhance the overall aesthetics of the site.

Sign Regulations (114-[Article X](#)): The proposed signage is pictured below and would be 15x4 for a total of 60 square feet; the signage would be on the west facing wall of the building on the southern half of the wall. All signage needs to follow the sizing requirements outlined below.

Sign Type	Allowable Sq. Ft.	Provided Sq. Ft.
Projecting/Wall	70 square feet*	60 square feet
Window signs	50% of window area^	N/A
Alleyway Signage	N/A	N/A
Total	70 square feet	60 square feet

*Total size determination would be made based on sizes and types of other signage on the lot.

^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 lighting on the property complies with the requirement that lighting be arranged, shielded and oriented in a manner which does not direct radiation or glare onto adjacent properties.

Rubbish and trash storage ([114-Article V](#) & [114-740](#)): The submitted plans do not indicate an area which would comply with the requirements of the Zoning Ordinance. A condition of approval will require an enclosure be constructed or a plan to handle and remove trash be approved, prior to a certificate of occupancy being issued for the establishment.

Engineering, Utilities and Access:

Access ([114-1151](#)): Vehicular access to the site is provided from Blue River Avenue as well as from additional lots in the area. Based on the submitted site plan, the applicant is not proposing changes to the access at this time.

Surface drainage ([114-739](#) & Consult Engineering Dept.): Reuse of the site and 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 to utilize this site is not expected to impact the ability to serve this area.

Exceptions to ordinance: Section 114-737 requires that off street parking across from a residence district be screened and setback. The residential zone across the street has a business use; there are no residential uses across the street from this property.

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 Plan Commission unless it is found that 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 establishment of a recreation building in this existing building is not anticipated to be a detriment to the public. The area is in close proximity to the commercial development along Lathrop Avenue and located adjacent to an interior remodeling showroom and warehouse, gas station and machining shop. The applicant conducts most activities within the confines of the building and the operation schedule proposed by the applicant is similar to that of other operations in the 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 reuse of this property as a recreation building provides a potential service for those living or working in the general area. Reuse of this property is consistent with the goals of the Racine Comprehensive Plan in that current infrastructure and services will be utilized. Establishment of this business as described by the applicant does not appear to substantially diminish the use, enjoyment, or value of property in the neighborhood.

- 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: Given this property is zoned industrial, the proposed use and organizational structure of the business proposed by the applicant, is not expected to negatively impact surrounding properties. The establishment is changing locations on Lathrop Avenue and has demonstrated the ability to operate in a manner in which was considerate of neighbors and other properties in the vicinity. The proposed operation details and hours proposed by the applicant are consistent with other established businesses in the area. The activities conducted by the applicant are less intensive than some uses which are allowed by right in this zoning district.

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

Staff Comments: The site plan submitted by applicant does not contemplate changing any utility connections, access or drainage on the site. This proposal seeks to reuse an existing building and other facilities presently in place at this time.

- 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: Based on a review of the site plan submitted by the applicant, no changes are planned to ingress and egress from the site. All vehicular traffic accesses the site from Blue River Avenue.

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

Staff Comments: The Comprehensive Plan calls for a land use pattern which strengthens the character and livability of the City's downtown core, commercial and industrial areas. This business encourages physical well-being and provides an opportunity for an appropriate mix of uses in this area.

- 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: An exception from the requirement of screening and setback for a parking area is included with this request. It would not meet the intent of the ordinance for one parking area to be screened from another. However in the spirit of the ordinance, a recommended condition is to provide a landscaping plan and install additional landscaping on the site to serve the intent of this requirement, but in a different location on site.

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:

- This proposal will keep an existing building in service and is walkable for the surrounding residential and business developments of the area.
- Sustainable reuse of land which utilizes existing utilities and services.
- The reuse of the site is expected to be unobtrusive and compliment the neighborhood while providing an employment opportunity for those in the community.

STAFF RECOMMENDATION: BASED ON THE FINDINGS OF FACT IN THIS REPORT, THAT THE REQUEST FROM DAVID YANDEL OF HARBOR PARK CROSSFIT, SEEKING A CONDITIONAL USE PERMIT TO ALLOW A RECREATION BUILDING AT 3801 BLUE RIVER AVENUE BE APPROVED, SUBJECT TO THE FOLLOWING CONDITIONS:

- a) That the plans presented to the Plan Commission on February 28, 2018 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) Submission and approval to the City Development Director of a trash storage plan by which shows that all trash and recycling be kept in closed containers which are completely screened from public view and includes a gate on the trash storage area.
- d) Restriping of parking spaces which do not meet length requirements and ensuring required minimum is met.
- e) Submission to and approval from the City Development Director of a landscaping plan, prior to obtaining occupancy for the building. The plan shall include plantings on the site, focused on, but not limited to, the Blue River frontage. Elements from approved plan shall be installed no later than August 31, 2018.
- f) That if, prior to the issuance of an Occupancy Permit, required site improvements listed in "c, d and e" 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.

- g) That hours of operation are from 5:30 a.m. to 8:00 p.m. on weekdays and 8:00 a.m. to noon on weekends.
- h) That an exception to the requirement that off street parking across from a residence district be screened and setback (Sec. 114-737) be granted with this conditional use.
- i) That all codes and ordinances are complied with and required permits acquired.
- j) 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.
- k) 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 Request - 1301 Blue River Avenue





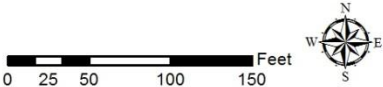


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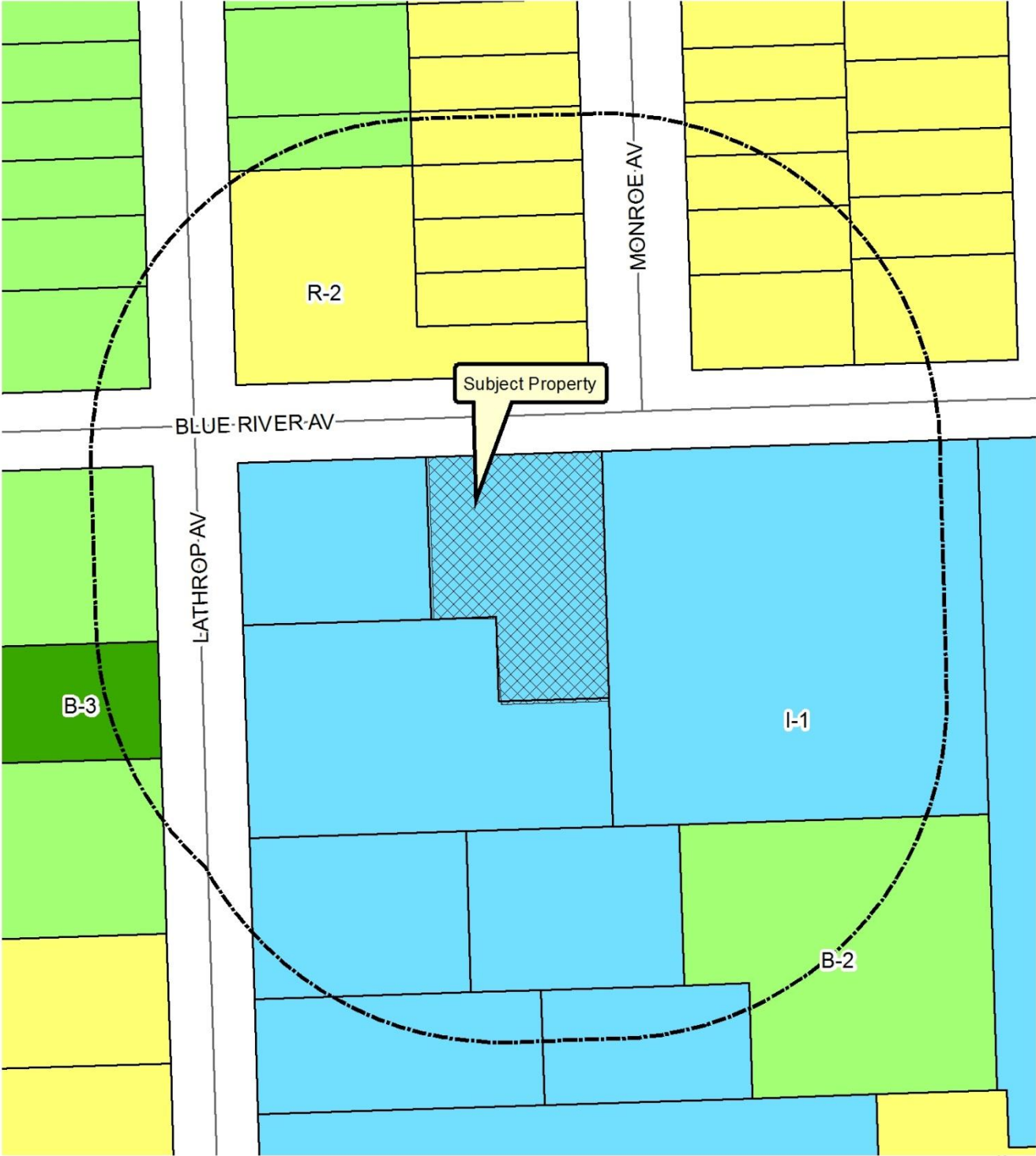
 Subject Property
 Notification Area

 Street Centerline
 Tax Parcel Boundary





Conditional Use Request - 1301 Blue River Avenue

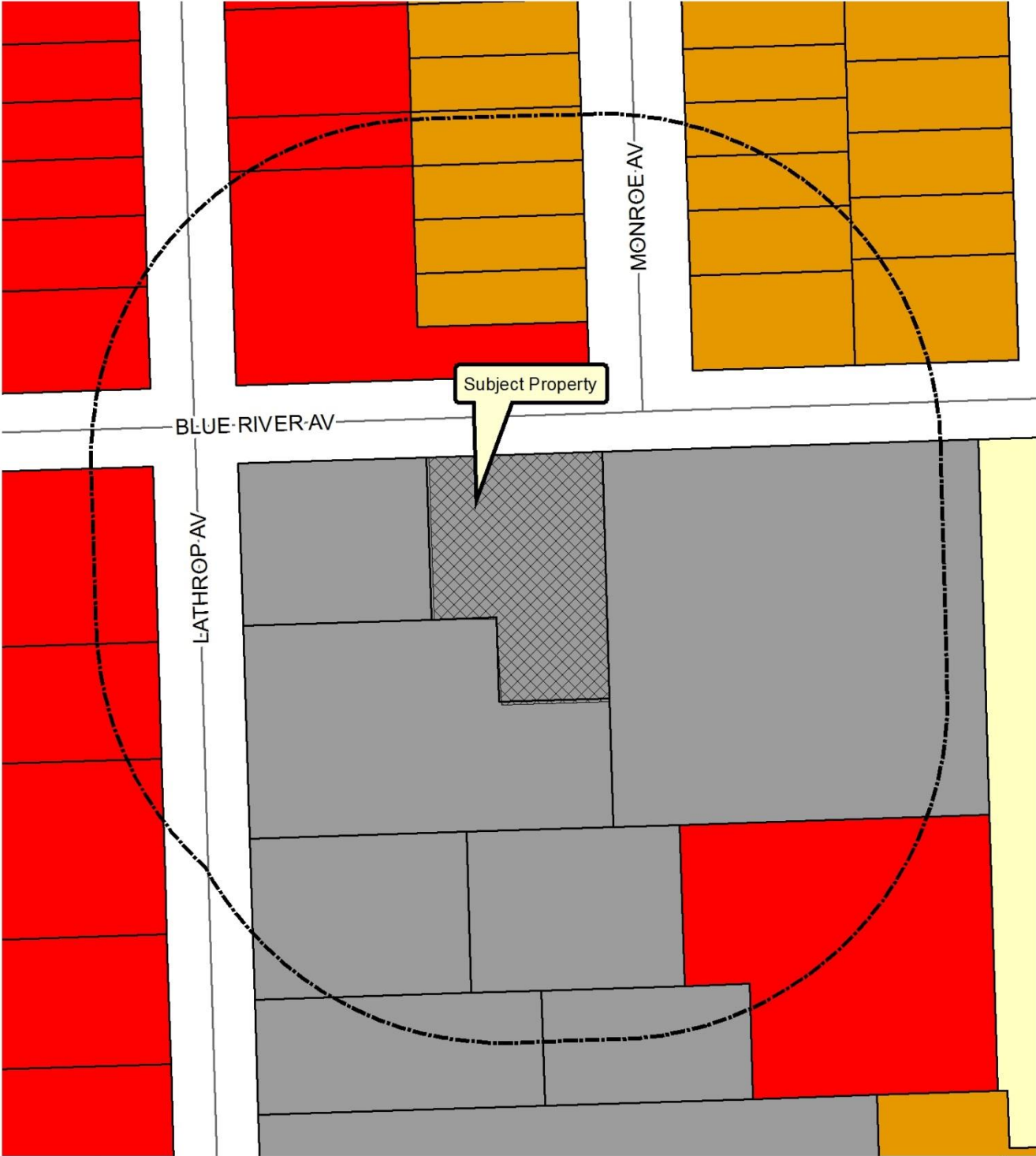


- Zoning Map Designation**
- R-2 Single Family Residence District
 - B-3 General Commercial District
 - B-2 Community Shopping District
 - I-1 Restricted Industrial District

Subject Property — Street Centerline
Notification Area — Tax Parcel Boundary



Conditional Use Request - 1301 Blue River Avenue



Comprehensive Plan Designation

- Isolated Natural Resource Area
- Commercial
- Industrial
- Medium Density Residential


Subject Property

Notification Area

Street Centerline

Tax Parcel Boundary

0 25 50 100 150 Feet



Site Photos



Looking (south and east) at subject property



Looking (north) from subject property



Looking (east) from subject property



Looking (south and west) from subject property



Looking south along subject property
(Right of photo)



Looking at residentially zoned parking
area across from property