



CITY OF RACINE DEPARTMENT OF CITY DEVELOPMENT STAFF REPORT

Meeting Date: 3/13/2019

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: 1234 Lathrop Avenue, located just north of the intersection of Lathrop Avenue and 13th Street.

Applicant: Hope Safehouse

Property Owner: ARB ENTERPRISES LIMITED LLP

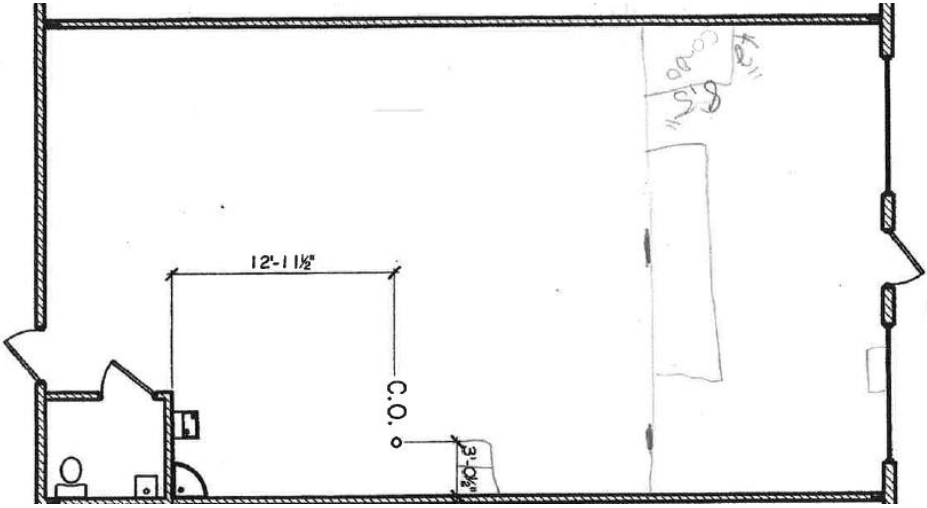
Request: Consideration of a conditional use permit to operate an enclosed animal kennel, as allowed by Sec. 114-468 of the Municipal Code, in an existing tenant space addressed as 1234 Lathrop Avenue. The main property address is 1220 Lathrop Avenue and the property is located in a B-2 Community Shopping Zone District.

BACKGROUND AND SUMMARY: The business has proposed operating hours of 11:00 AM to 4:00 PM daily and also by appointment. The space will primarily function as an office, with cat kennel space. No more than five cats would be kept overnight at the location and no dogs would be kenneled overnight or left unattended at any time. No animals would be allowed outside off leash or without staff supervision.

The Zoning Ordinance classifies this proposed enclosed animal kennel, 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, tenant space shown as purple (image from City Pictometry).



Proposed Tenant Space Floor Plan (north is to the right, as is the front door), submitted by applicant.

GENERAL INFORMATION

Parcel Number: [10538000](#)

Property Size: 41,552 square feet

Comprehensive Plan Map Designation: Commercial

Consistency with Adopted Plans:

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

- 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?: 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 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: Shopping center

Surrounding Zoning and Land Uses:

North	B-2 Community Shopping	Funeral home
East	R-3 Limited General Residence	Detached single unit dwellings
South	R-3 Limited General Residence	Religious institution and dwelling unit
West	R-3 Limited General Residence	Detached dwelling units and religious institution

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	41,552 square feet
Lot Frontage	30 feet	300 feet
Floor Area Ratio	4.0 maximum	.36

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

Yard	Required	Provided
Front (east)	0 feet	0 feet
Side (north)	0 feet	14 feet
side (south)	8 feet	0 feet
Rear (west)	0 feet	0 feet

Note, the religious institution on the adjacent parcel, if zoned commercial would not require a side yard to the south at all. The building location is existing non-conforming and no changes are planned to the location of the building on the lot. Sec. 114-470 requires buildings within 100 feet of a residence district boundary line to be screened; this building is non-conforming in that regard.

Building design standards (114-Secs. [735.5](#) & [736](#)): The building on the parcel complies with the construction materials requirements of 114.735.5.b.1, however this request for a tenant to occupy the space with an occupancy permit does not contemplate changes to the building exterior.

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

Use Type	Required	Provided
Restaurant	20	20
Beauty Salon	8	8
Animal Kennel Office	4	4
Thrift shop	17	4
Total	49	36 spaces

A Building of this size requires a dedicated loading space; the lot lacks such a space at this time and is considered existing non-conforming. A tenant moving into this space does not require the provision of a loading space. The drive aisles of the parking currently serve this function.

Landscaping, screening and yard requirements ([114- Article V](#): Article VII, Div. 6 [Development Standards](#) & 7 [Fences and Walls](#)): No landscaping plan has been submitted by the applicant as the lot is entirely hard surfaced and 100% impervious. A buffer yard is required along the southern lot line, but due to the building placement, one cannot be provided.

Sign Regulations (114-[Article X](#)): The center is allowed 300 square feet of signage. The applicant has windows graphics which as installed, comply with requirements and do not count against the total square footage for the site or require a permit for installation.

Outdoor lighting, signs ([114-Sec. 742](#)): A detailed lighting plan was not included with the applicant. Any exterior lighting needs to comply with this section regardless of plan submittal. Any

changes to exterior lights (including new fixtures) requires review and approval, by the Department of City Development prior to installation. The existing lighting fixtures appear to comply with the requirements of this section.

Rubbish and trash storage ([114-Article V](#) & [114-740](#)): no changes are planned to the trash storage facilities on the site as a result of this request.

Engineering, Utilities and Access:

Access ([114-1151](#)): Changes in access for the site are not contemplated at this time based on review of the applicant submittals.

Surface drainage ([114-739](#) & Consult Engineering Dept.): Reuse of the tenant space in 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 reuse of this tenant space as what will essentially amount to an office space with some kennel space for cats, is not expected to alter the development patterns of the area. This nature of use is expected to be of negligible impact to tenants in the center and will fit into the neighborhood.

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 proposed usage of the tenant space is passive in nature and will function like an office space. The expectation is that there will be no operational aspects of the proposed usage that will be a detriment to or endanger the public safety, health or morals of those in the area. The nature of how the applicant has proposed to use the space mitigates any concern about noise, as five cats would hardly be noticeable at any discernable decibel level outside the tenant space. The occasional adoption events to be held in the parking areas will be supervised by staff and are expected to comply with the City's noise ordinance.

- 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. There is not expected to be any adverse impacts as a result of reusing this building in the manner proposed by the applicant. It is likely that this use could occupy the proposed tenant space in the shopping center and go unnoticed to adjacent property owners who does not use shopping center. The use is passive in nature and is not expected to have a significant impact on adjacent parcels.

- 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 adjacent properties will be able to function as they have and the proposed usage of this property will not alter these current functions or any others which would be allowed by the zone district. It is anticipated that this operation, as proposed by the applicant, will function harmoniously with the other uses on the subject property and on adjacent parcels. The introduction of this limited kenneling facility and office is not expected to impair orderly and normal development of the area.

- 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 reuse of this site in the 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. Traffic flows through the site from driveway on Russet Street and Lathrop Avenue. This use is not anticipated to create congestion in the area as the use will function as an office space for the kennel, visits to adopt animals would be prearranged. While the overall development by the code, is under parked, there is street parking in the area, which is easily walkable to the shopping center.

- 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 Commercial. This proposed usage is consistent with the objectives of the comprehensive plan and is of a lesser intensity than other uses allowed in this zone district. The use is harmonious with others in the area and provides an effective use for a portion of an existing building. A traditional animal kennel with more animals and varieties of animals would not necessarily be an ideal fit in this location due to noise and adjacent development patterns; the proposed operational aspects contemplated by the applicant will mitigate for these factors and thus, comply with the organized development sought by the land use component 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, 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 should serve as a walkable destination for adjacent neighborhoods.

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 will complement the mix of uses serving the surrounding area.
- The proposed restaurant operation will help to provide a mix of uses within walking distance of a neighborhood, and at a scale and intensity which is complimentary to the area.

STAFF RECOMMENDATION: BASED ON THE FINDINGS OF FACT IN THIS REPORT, THAT THE REQUEST FROM, HOPE SAFEHOUSE SEEKING A CONDITIONAL USE PERMIT TO ALLOW AN ENCLOSED ANIMAL KENNEL AT 1234 LATHROP AVENUE BE APPROVED, SUBJECT TO THE FOLLOWING CONDITIONS:

- a) That the plans presented to the Plan Commission on March 13, 2019 be approved subject to the conditions contained herein.
- b) That the facility be limited to overnight boarding of no more than five cats.
- c) That no animals shall be allowed outside off leash or without staff supervision at any time.
- d) That hours of operation be from 11:00 AM to 4:00 PM daily and by appointment as needed.
- e) That all codes and ordinances are complied with and required permits acquired.
- f) 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.
- g) 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](#)).

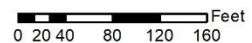


Conditional Use Request - 1234 Lathrop Avenue



 Subject Property
 Notification Area


 Street Centerline
 Tax Parcel Boundary
 Building Footprint





Conditional Use Request - 1234 Lathrop Avenue



 Subject Property
 Notification Area

 Street Centerline
 Tax Parcel Boundary

0 20 40 80 120 160 Feet





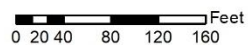
Conditional Use Request - 1234 Lathrop Avenue



Zoning Designation

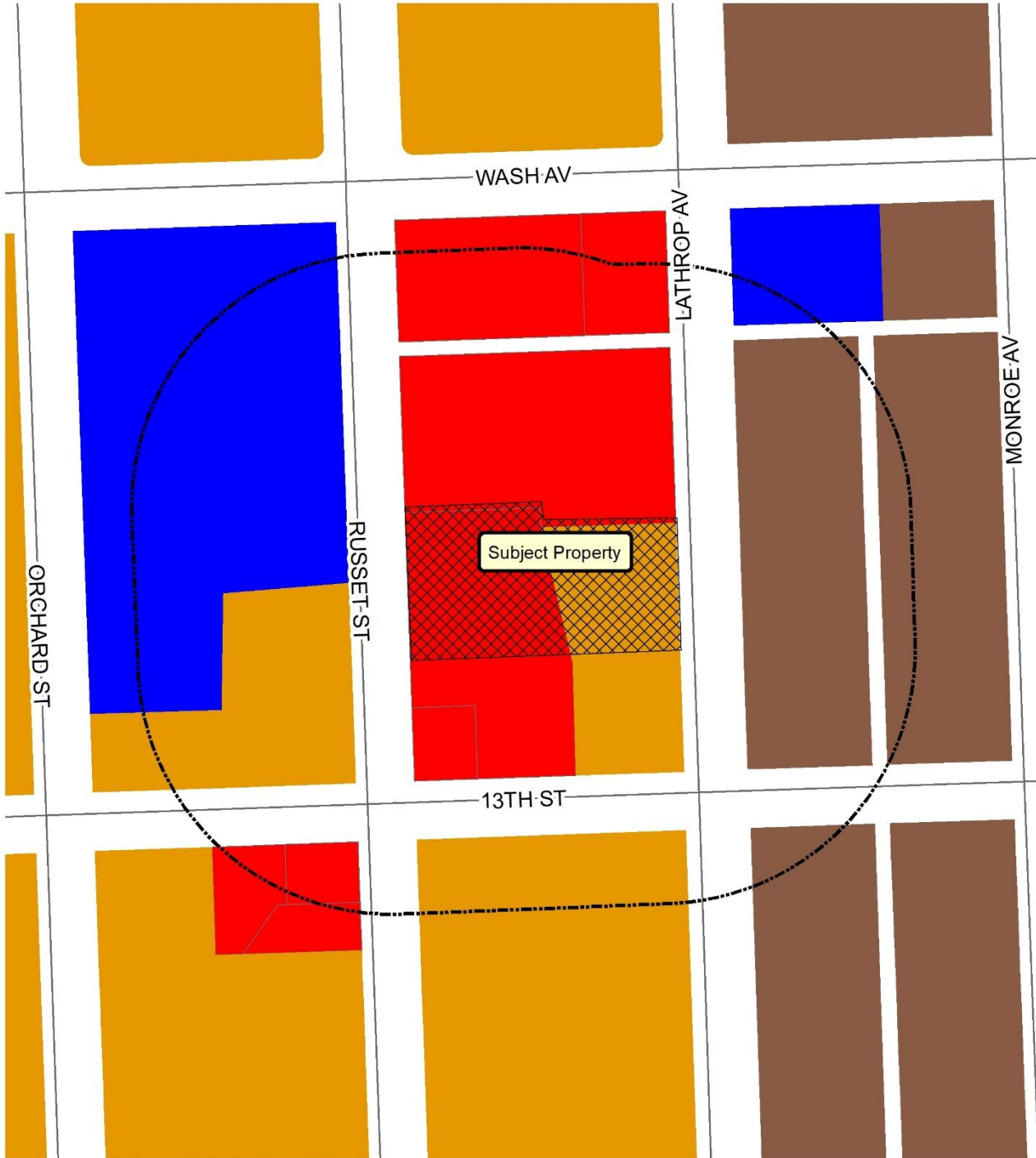
- B-2 (Green)
- R-2 (Yellow)
- R-3 (Blue)
- R-4 (Brown)

- Subject Property (Cross-hatched)
- Notification Area (Dashed line)
- Street Centerline (Thin line)
- Tax Parcel Boundary (Thin line)





Conditional Use Request - 1234 Lathrop Avenue



- Land Use Designation**
- High Density Residential
 - Medium Density Residential
 - Commercial
 - Governmental and Institutional

Subject Property — Street Centerline
Notification Area Tax Parcel Boundary

0 20 40 80 120 160 Feet

Site Photos



Looking south at the shopping center space where the operation would be located



Looking east from the subject property towards Lathrop Avenue



Looking west within the shopping center parking lot



Looking north from the shopping center parking lot



Looking north at the rear of the shopping center from the southern lot line



Looking north along the eastern edge of the shopping center along Lathrop Avenue