



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

**Meeting Date:** 11/14/2018

**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](mailto:matthew.sadowski@cityofracine.org)

**Case Manager:** Jeff Hintz

**Location:** 5200 Durand Avenue

**Applicant:** Adams Outdoor Advertising (Ryon Savasta)

**Property Owner:** RACINE MALL LLC

**Request:** Consideration of a major amendment to an existing conditional use permit to convert an existing billboard to an electronic message sign at 5200 Durand Avenue as allowed by Sec.114-1033 of the Municipal Code and in Resolution 15-0173.

**BACKGROUND AND SUMMARY:** Through a resolution of a suit in Circuit Court, in 2015 Adams Outdoor was granted a conditional use permit to erect a two sided billboard structure at 5200 Durand Avenue in exchange for the removal of three billboards and a dilapidated building at 1601 Racine Street (intersection of Racine and 16<sup>th</sup> Streets). The agreement also granted Adams the option to apply for a conditional use permit after a five year waiting period to convert the Durand Avenue installation into an electronic message center.

In 2018, Adams Outdoor entered into an agreement with the City of Racine to eliminate three additional billboards at 1143 Douglas Ave. (Intersection of Douglas Avenue and High St.) in exchange for the ability to exercise their option, early, to install a two sided electronic message center at 5200 Durand Avenue.

The project calls for converting the existing billboard advertising sign from a static sign to an electronic message center which is changeable. The proposed sign would retain the existing

dimensions, totaling 300 square feet per side and remain two sided with an overall height of 25 feet. The electronic message center is proposed to be a Watchfire brand electronic sign.

The Zoning Ordinance classifies this proposed electronic message sign, defined in Section 114-1, as permissible in the B-2 Community Shopping Zone District upon the issuance of a conditional use permit (114-1033).



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



Site Plan, submitted by applicant.



Rendering showing proposed electronic message signage.

## GENERAL INFORMATION

Parcel Number: [23876031](#)

Property Size: 2.49 acres (108,639 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.
- 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.
- Continue to administer architectural design guidelines that preserve the aesthetics that contribute to the City’s character.
- New development should be designed so it is compatible with established development.

**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:** Vacant lot.

**Surrounding Zoning and Land Uses:**

<b>North</b>	B-2 Community Shopping	Target retail establishment
<b>East</b>	R-2 Single Family Residence	Pritchard Park
<b>South</b>	Village of Mount Pleasant	Single unit detached dwellings
<b>West</b>	B-2 Community Shopping	Burger King and parking areas

**ANALYSIS:**

Development Standards:

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

<b>Standard</b>	<b>Required</b>	<b>Provided</b>
Lot Area	No minimum	2.49 acres
Lot Frontage	30 feet	384 feet
Floor Area Ratio	4.0 maximum	0

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

Yard	Required	Provided
Front	0 feet	N/A
Side (west)	0 feet	N/A
Side (east)	0 feet	N/A
Rear	0 feet	N/A

**Landscaping, screening and yard requirements** ([114- Article V](#): Article VII, Div. 6 [Development Standards](#) & 7 [Fences and Walls](#)): Sec. 114-735 requires a 10 foot landscaped setback along the Roosevelt Avenue frontage. The plantings in this area are generally healthy, but some maintenance as required in Sec. 114-743 on the landscaping is required.

**Sign Regulations** (114-[Article X](#)): On site signage when a business is established on the parcel, is limited to 300 square feet. The provision of an electronic billboard, which is the request here, goes above and beyond this total.

Sign Type	Allowable Sq. Ft.	Provided Sq. Ft.
Projecting/Wall	300	0
Window signs	50% of window area	N/A
Alleyway Signage	N/A	N/A
Electr Message Center	25% of total (75 sf)	300
Total	300*	300

\*Total size determination would be made based on sizes and types of other signage on the lot. Once 4 or more signs are installed, the total is reduced by 20% with each subsequent sign.

**Outdoor lighting, signs** ([114-Sec. 742](#)): The parking area lighting appears to focus light onto the subject property and would comply with ordinance requirements. The

**Exceptions to ordinance:** An exception will be required from the design standards with respect to total square footage of an EMC signage of 75 sq. ft. maximum size for this location, and sign height of 15 foot maximum.

**Relief from a 5 year waiting period:** Adams is requesting to implement the installation of the electronic message center inside of the five year waiting period contained in Common Council Resolution 15-0173, condition f. 2. In turn, Adams has agreed not to re-install three billboards that required removal and relocation as a result of the Douglas Avenue reconstruction project.

**Additional Planning and Zoning Comments:** Common Council Resolution 15-0173 and discussions with Adams Outdoor Advertising to remove other billboards in the community led to the request for an electronic message center. All tolled, if approved by the Plan Commission and Common Council, six bill boards and a dilapidated building will have been eliminated in exchange for a double sided electronic message center at 5200 Durand Avenue.

## **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 conditions of operation recommended in this report ensure that the usage will not be detrimental to surrounding development. A changeable electronic message signage, if operated as recommended in the conditions, will not endanger the public health, safety, morals or general welfare of the area or community at large. The signage at this property is not changing size, but is changing in function (static to changeable). This area is somewhat isolated from densely populated residential areas and the sign face is practically visible to those passing by on Durand Avenue and not readily visible from adjacent development.

- 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 location of this sign is generally obscured by both the built and natural environment. The sign will be visible to passersby on State Highway 11 (Durand Avenue), but the sign faces are not readily visible to the residential development located in Mount Pleasant to the south. The brightness standards recommended as conditions ensure the signage is not injurious to adjacent development with flashing, brightness and other operations of the sign, which could become distractions.

- 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: Allowing this sign to be converted from a static message center to an electronic message sign will not alter normal and orderly development of the surrounding properties. The sign is in a location which will still allow the lot it sits on to be developed in a manner which is allowed by the zoning ordinance. The development standards recommended as conditions of the request ensure the signage is not detrimental to adjacent properties which allow development at a lesser intensity than the subject property.

**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 is not expected to impact the provision of utilities for the property or general area. Additionally, future development on this site is not expected to impact the provision of utilities to the 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 electronic message sign is not expected to generate any additional traffic to the site. Currently the site is blockaded and does not allow traffic or other vehicles to enter or pass through. When this site does redevelop, the access to the site will not be altered or impeded by the presence of this electronic message sign.

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

Staff Comments: This general area is envisioned as Commercial in the land use portion of the comprehensive plan, with open space for the park to the east of this property. The proposed signage is located along an urbanized section of State Highway 11 and is somewhat obscured from view further to the east of Pritchard Park. Properties to the west of this location all have commercial uses along this stretch of State Highway 11.

**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: Approval of this proposal will require an exception to Sec. 114-1033(b) (2) for the size of an electronic message center (EMC). Adams wishes to retain the current display dimensions of 300 sq. ft. but allow a double sided 300 sq. ft. EMC where a 75 sq. ft. EMC would be the ordinance limit.

Additionally, an exception to Sec.114-1033 (b) (3) and Sec. 114-1078 (1)(c) for height of signage will be required. By Adams wishing to retain the current display dimensions of the static installation a height of 25 feet is realized where a height of 15 feet is the ordinance limit.

If operated within the proposed conditions of approval, the EMC should retain an overall appearance of the existing static installation.

## **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:**

- Billboards in another location of the community will be permanently removed if this installation is approved.
- The electronic message sign will allow the applicant to display messages more efficiently with fewer locations in the community.
- If operated within the proposed conditions of approval, the EMC should retain an overall appearance of the existing static installation.

## **STAFF RECOMMENDATION:** BASED ON THE FINDINGS OF FACT IN THIS REPORT, THAT THE REQUEST FROM ADAMS OUTDOOR ADVERTISING, SEEKING A MAJOR AMENDMENT TO AN EXISTING CONDITIONAL USE PERMIT TO CONVERT AN EXISTING BILLBOARD TO AN ELECTRONIC MESSAGE SIGN AT 5200 DURAND AVENUE BE APPROVED, SUBJECT TO THE FOLLOWING CONDITIONS:

- a) That the plans presented to the Plan Commission on November 14, 2018 be approved subject to the conditions contained herein.
- b) That in the matter of a five year waiting period for the submittal of an application for the conversion of the two sided static billboard at 5200 Durand Avenue to a two sided electronic message center, approved as condition “f. 2.” of Common Council Resolution 15-0173, said waiting period is hereby waived.
- c) That in consideration of the waving of the five year waiting period, three billboards and associated infrastructure formerly at 1143 Douglas Avenue shall not be reconstruct.
- d) That the following development standards be complied with prior to sign permit issuance unless otherwise noted:
  1. Site landscaping be trimmed and maintained as required by Sec. 114-735; and
  2. Maximum brightness levels for electronic or digital display signs shall not exceed 5000 nits when measured from the sign’s face at its maximum brightness, between sunrise and sunset, as determined by the National Weather Service.
  3. Maximum brightness levels for electronic, digital display signs shall not exceed 500 nits when measured from the sign’s face at its maximum brightness, between sunset and sunrise, as determined by the National Weather Service.
  4. Each message change shall be accomplished in one second or less, and each message shall remain in a fixed position for a minimum of 12 seconds.



5. The use of scrolling, flashing, blinking, chasing, or traveling lights, videos, or similar animation is prohibited except during message changes.
- e) 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.
- f) That all codes and ordinances are complied with and required permits acquired.
- g) That the following exceptions are granted with the issuance of this conditional use permit:
  1. Sec. 114-1033(b) (2) for size of signage (retain an existing sign dimension by allowing a 300 sq. ft. electronic message center where a 75 sq. ft. electronic message center is permitted); and
  2. 114-1033 (b) (3) and Sec. 114-1078 (1)(c) for height of signage (allow the retention of a 25 ft. high sign where at 15 ft. height is permitted).
- 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](#)).

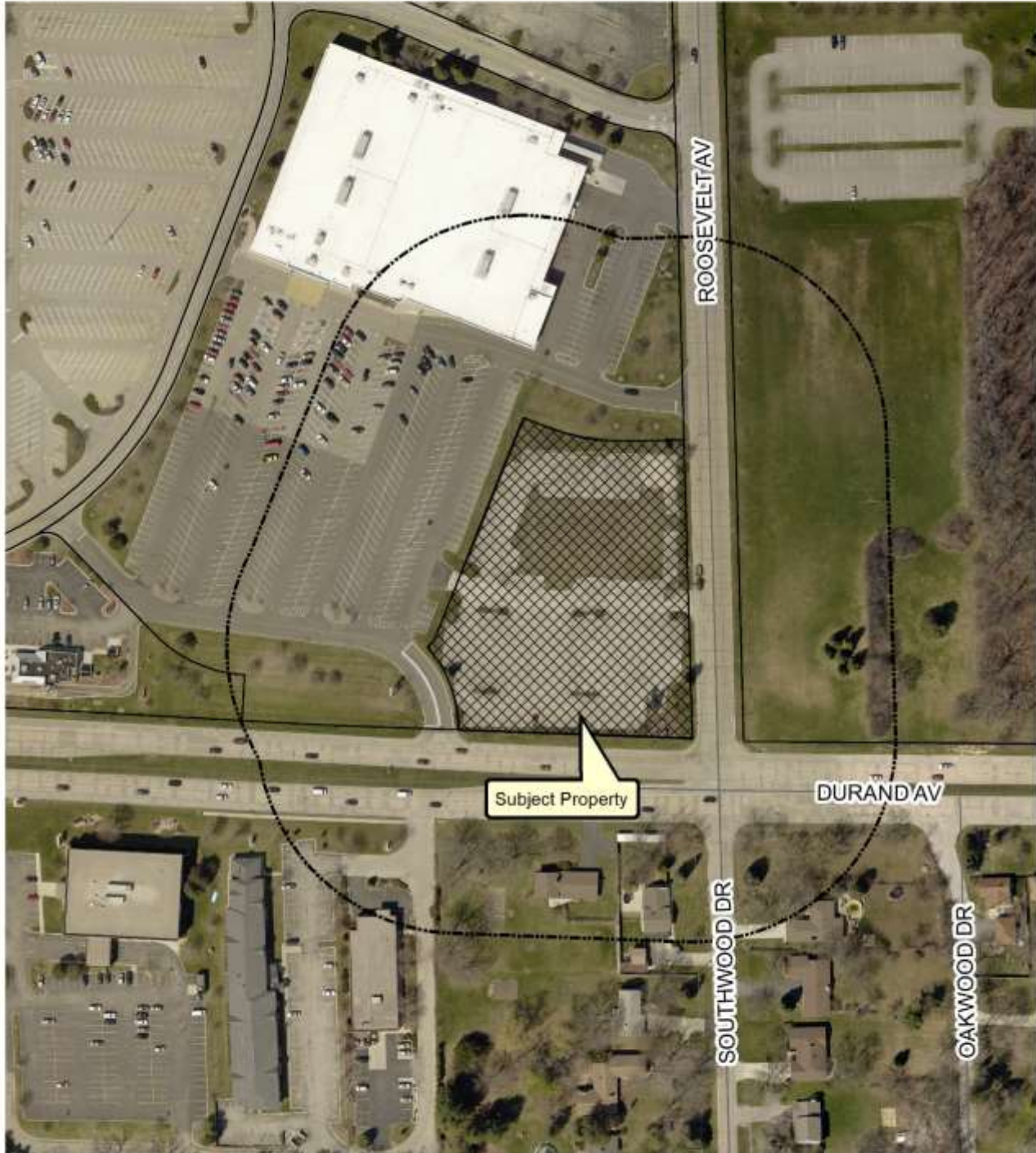




# Conditional Use Request - 5200 Durand Avenue







## Conditional Use Request - 5200 Durand Avenue



-  Subject Property
-  Notification Area

-  Street Centerline
-  Tax Parcel Boundary



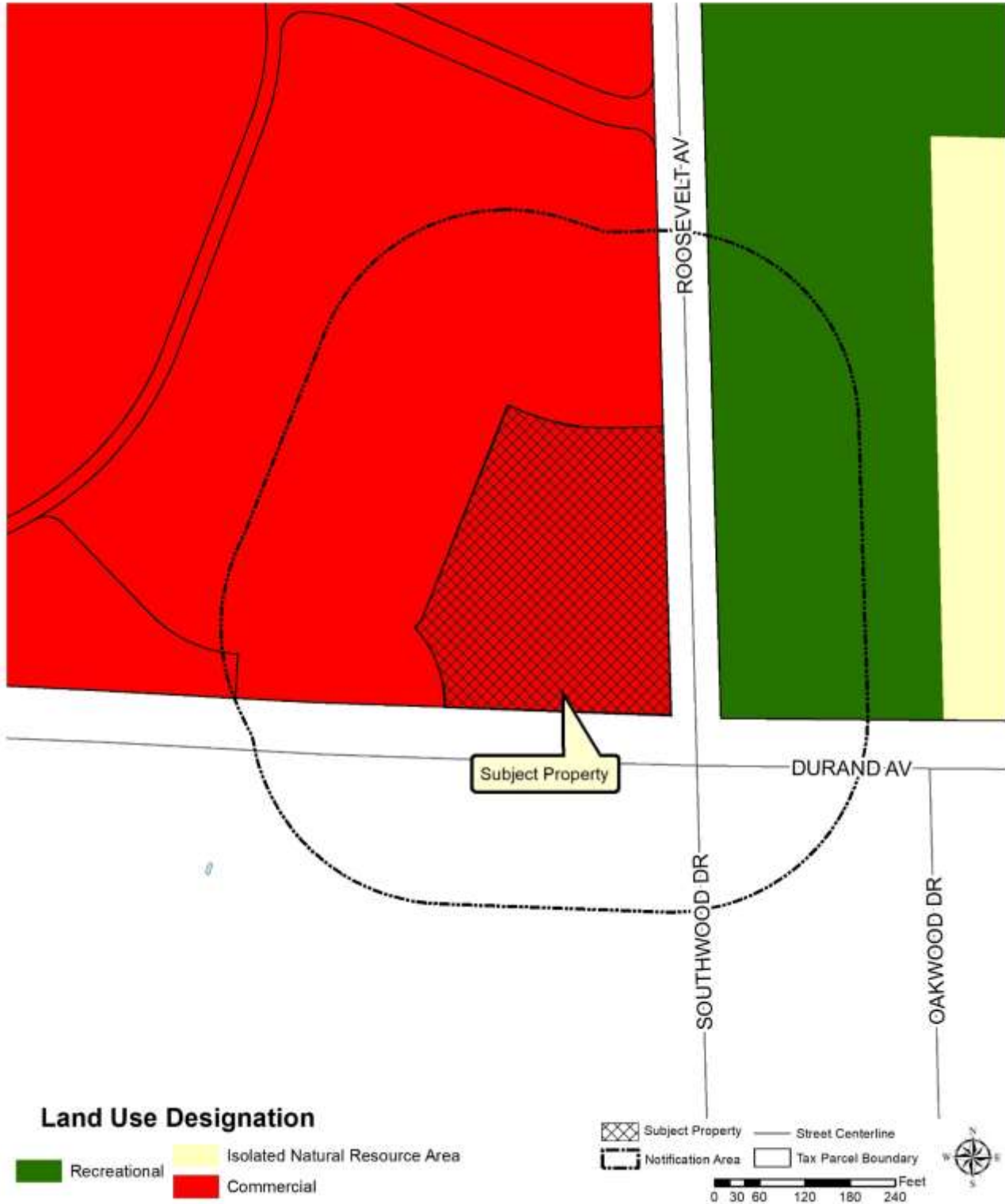


# Conditional Use Request - 5200 Durand Avenue





# Conditional Use Request - 5200 Durand Avenue



### Site Photos



Looking west at property from Pritchard Park



Looking south from existing billboard location



Looking north at the parking areas on the site



Looking east from the site at Pritchard Park



Looking west at the existing billboard on the site



Looking south towards billboard from parking area on site