



CITY OF RACINE DEPARTMENT OF CITY DEVELOPMENT STAFF REPORT

Meeting Date: 9/26/2018

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: 2815 Durand Avenue, located just west of the intersection of Durand Avenue and Drexel Avenue on the south side of the street.

Applicant: Jake Chance of Rockford Contractors, agent for AMNJ Enterprise

Property Owner: JNB INVESTMENTS LLC

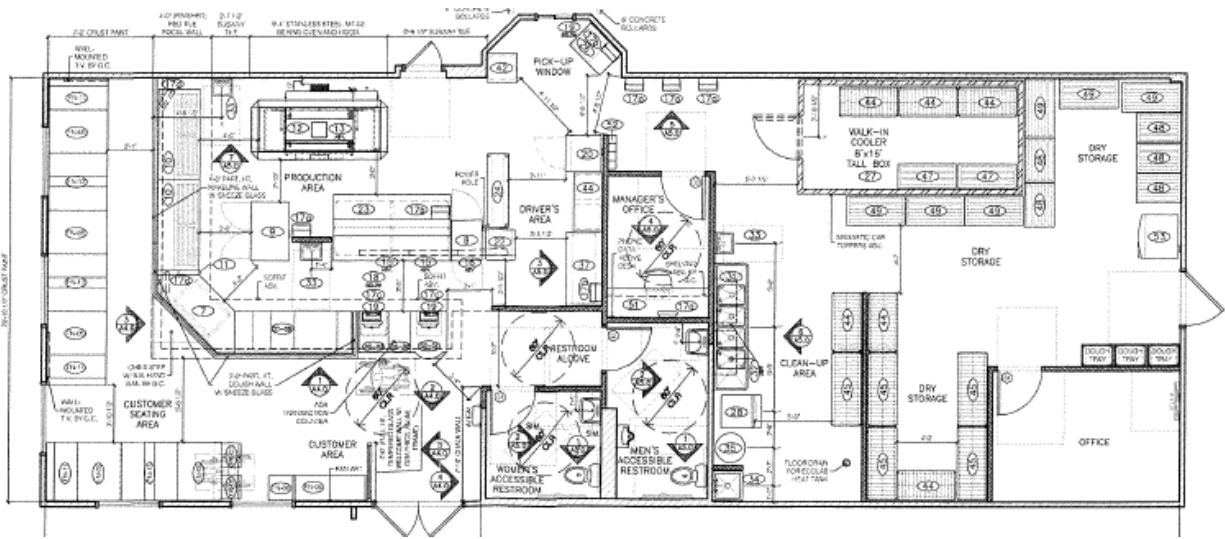
Request: Consideration of a conditional use permit to operate a drive in establishment as defined in Section 114-468 and a takeout-carryout restaurant as defined in section 114-448 of the Municipal Code, in an existing building at 2815 Durand Avenue for property located in a B-2 Community Shopping Zone District as required in section 114-468 of the Municipal Code.

BACKGROUND AND SUMMARY: The applicant seeks to utilize the existing building at 2815 Durand Avenue to establish a Domino's Pizza restaurant. The establishment will be a Domino's Pizza restaurant and include takeout-carryout, a drive thru pick-up window and interior seating area where 20 customers can dine in and eat at the establishment. The project also includes an interior remodel of the existing building

The Zoning Ordinance classifies this proposed takeout carryout restaurant and drive in (drive thru) establishment 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 to the left), submitted by applicant.



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

GENERAL INFORMATION

Parcel Number: [16879015](#)

Property Size: 22,300 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.
- 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 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 building which was most recently a restaurant several years ago.

Surrounding Zoning and Land Uses:

| | | |
|--------------|-----------------------------|---------------------------------------|
| North | R-2 Single Family Residence | Single unit dwellings |
| East | B-2 Community Shopping | Dry cleaning business and gas station |
| South | R-2 Single Family Residence | Single unit dwellings |
| West | B-2 Community Shopping | Shopping center |

Operations: Deliveries of food products and other goods is expected to occur twice per week and the delivery vehicles will locate on the lot. The property maintenance will be performed by the property owners. Domino’s corporate requires adherence to site maintenance and upkeep standards and this franchisee will maintain those requirements.

ANALYSIS:

Development Standards:

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

| Standard | Required | Provided |
|------------------|-----------------|--------------------|
| Lot Area | No minimum | 22,300 square feet |
| Lot Frontage | 30 feet | 122 |
| Floor Area Ratio | 4.0 maximum | .11 |

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

| Yard | Required | Provided |
|-------------|-----------------|-----------------|
| Front | 0 feet | 27 feet |
| Side | 0 feet | 60 feet |
| Side | 0 feet | 20 feet |
| Rear | 0 feet | 70 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 |
|------------|----------|----------|
| Restaurant | 14 | 27 |
| | | |
| Total | 14 | 27 |

A Building of this size does not require a dedicated loading space; the drive aisle in the parking lot, fulfills this requirement.

Landscaping, screening and yard requirements ([114- Article V](#): Article VII, Div. 6 [Development Standards](#) & 7 [Fences and Walls](#)): 114-743 (a) requires plant materials be kept healthy and in a growing condition. Currently some maintenance, trimming, and care for the vegetation on the site is needed. The rock plant beds need to be replaced with an organic material which will help promote plant growth and sustainability.

Sign Regulations (114-[Article X](#)): Signage has not been included with this request, but will follow corporate branding requirements of Domino’s. Signage will be submitted for permitting at a later date and need to follow total square footage requirements below and other requirements of Article X in the zoning code. The existing pole signage on the property is approximately 25 feet in overall height; current requirements are 15 feet in total height.

| Sign Type | Allowable Sq. Ft. | Provided Sq. Ft. |
|------------------|--------------------|------------------|
| Projecting/Wall | 122 square feet | 0 |
| Window signs | 50% of window area | N/A |
| Alleyway Signage | N/A | N/A |
| Total | 122 square feet* | 0 |

*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](#)): Exterior lighting exists on the building. It appears the fixtures focus light onto the property and would comply with the development requirements. The plans submitted by the applicant also have lighting fixtures which appear to focus light onto the property.

Rubbish and trash storage ([114-Article V](#) & [114-740](#)): The trash handling area depicted on the site plan complies with the development requirements specified in the zoning ordinance. The enclosure on the site requires some repairs but otherwise is in a location which screens the trash bin from public view.

Engineering, Utilities and Access:

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

Surface drainage ([114-739](#) & Consult Engineering Dept.): Reuse of 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: This site was most recently utilized as a restaurant and will continue to function in the manner in which it was designed. Some changes to the exterior to bring the property in compliance with current requirements are necessary.

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 re-establishment of a restaurant on this property is not expected to be a detriment to the public safety, health or general welfare of the area or community in general. This type of facility, with the recommended conditions, will provide an amenity to the surrounding neighborhoods. This location is easily accessible to the surrounding area and is expected to be an enhancement to the commercial corridor, not a detriment.

- 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 a proposal to reuse an existing building and to provide a use which was once in place at the location. While the site does need to be cared for and brought up to current development standards, related to signage and landscaping, the use itself is not anticipated to be injurious to other properties in the general area. 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. The property is generally surrounded by other commercial development and buffered by both distance and a vegetation screen to the south. Having this building in use and maintained will present an enhanced visual aesthetic for those on the north side of Durand Avenue.

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: A restaurant use is consistent with other businesses throughout this corridor and in this zone district. Within the B-2 zone district, it is expected one would find amenities serving the general area, such a retail services, offices, stores and restaurants. This conditional use will help to encourage continued investment into the corridor and surrounding neighborhoods and further orderly development.

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 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 is currently setup to function with a one way loop traffic pattern around the building. The lot provides excess parking spaces for the use, even during the busiest conceivable time for the business, the lot can provide nearly double the parking it is required. When accounting drive aisles and stacking area for the pickup window in the equation, the site is able to hold over 3 times the amount of vehicles it would be required to.

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. This proposal to reuse an existing building and renovate the space is also a proposal which is consistent with the objectives and goals 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, 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 add to the mix of businesses in this corridor and serve the 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 can be complimentary to the neighborhood and Durand Avenue corridor.
- The restaurant will provide a mix of uses within walking distance of a residential area, and at a scale and intensity which is complimentary to the neighborhood.
- The property being maintained and in use helps to enhance the aesthetics of the area.

STAFF RECOMMENDATION: BASED ON THE FINDINGS OF FACT IN THIS REPORT, THAT THE REQUEST FROM AMNJ ENTERPRISES, SEEKING A CONDITIONAL USE PERMIT TO ALLOW A TAKEOUT-CARRYOUT RESTAURANT WITH DRIVE-IN AT 2815 DURAND AVENUE BE APPROVED, SUBJECT TO THE FOLLOWING CONDITIONS:

- a) That the plans presented to the Plan Commission on September 26, 2018 be approved subject to the conditions contained herein.
- b) That the following development standards be complied with prior to occupancy unless otherwise noted:
 1. Rubbish and trash storage area be repaired and compliant with Sec. 114-740; and
 2. Site be landscaped and maintained as required by Sec. 114-743. Removal of rock planting beds and installation of organic materials around plantings and vegetation. Plans and specifications of new plantings and organic materials for beds to be submitted to the

Department of City Development and approved prior to installation. Selected landscaping shall effectively screen headlights across the northern lot line between entrance drives. Installation to occur by May 1, 2019; and

3. Wheel stops along the parking spaces on the western edge of the property be installed as required in Sec. 114-1171; and
 4. Parking lot spaces be re-stripped in accordance with the sizing requirements of Sec. 114-1150; and
 5. The pole signage on the property be removed, or brought to a total height of 15 feet as required in Sec. 114-1078 (1)(c).
- 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 all codes and ordinances are complied with and required permits acquired.
- e) 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.
- f) 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 - 2815 Durand Avenue



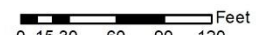


Conditional Use Request - 2815 Durand Avenue



 Subject Property
 Notification Area

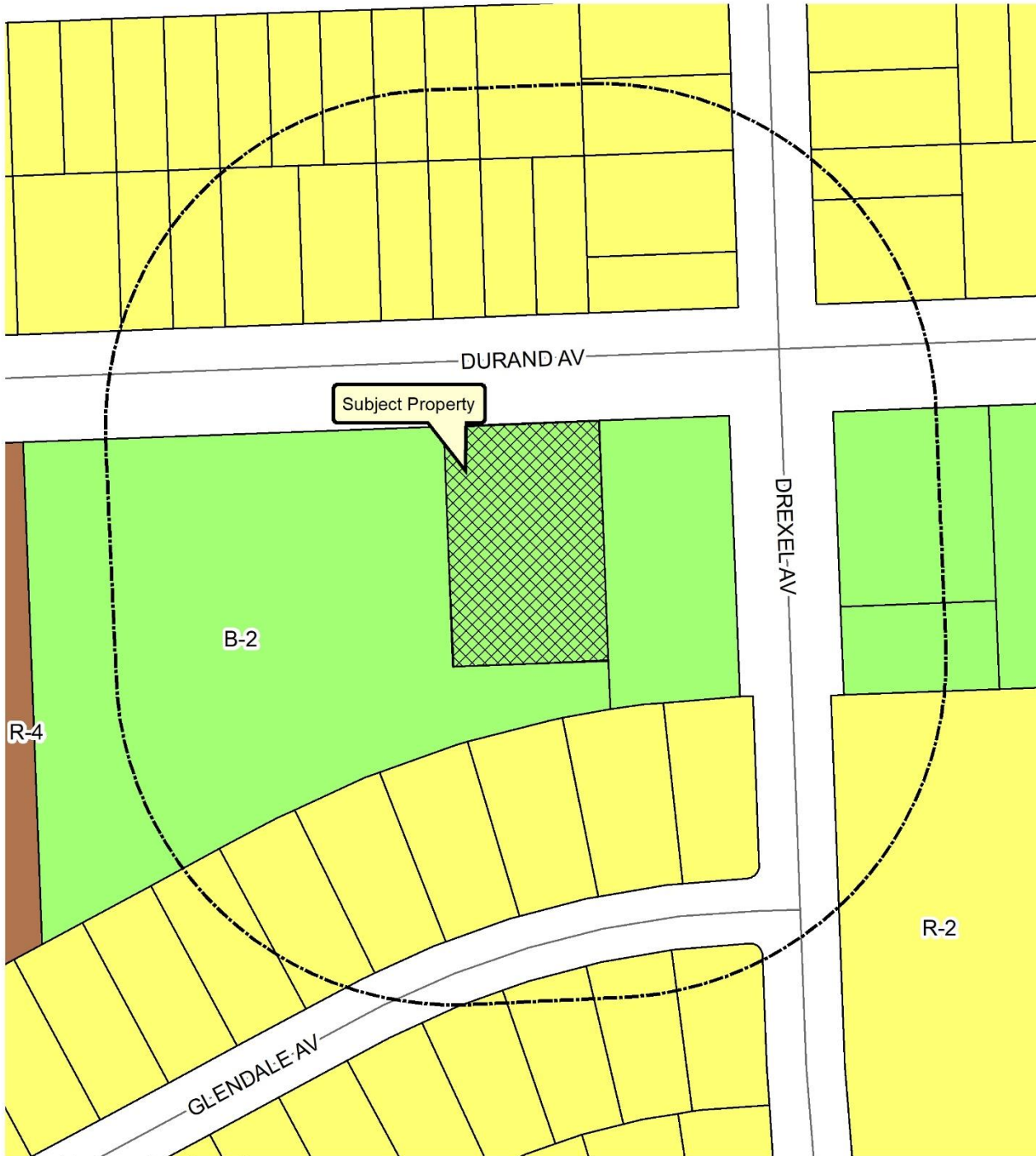
 Street Centerline
 Tax Parcel Boundary

 Feet
0 15 30 60 90 120





Conditional Use Request - 2815 Durand Avenue



Zoning Designation

- Yellow square: R-2
- Brown square: R-4
- Green square: B-2



Subject Property



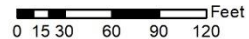
Street Centerline



Notification Area

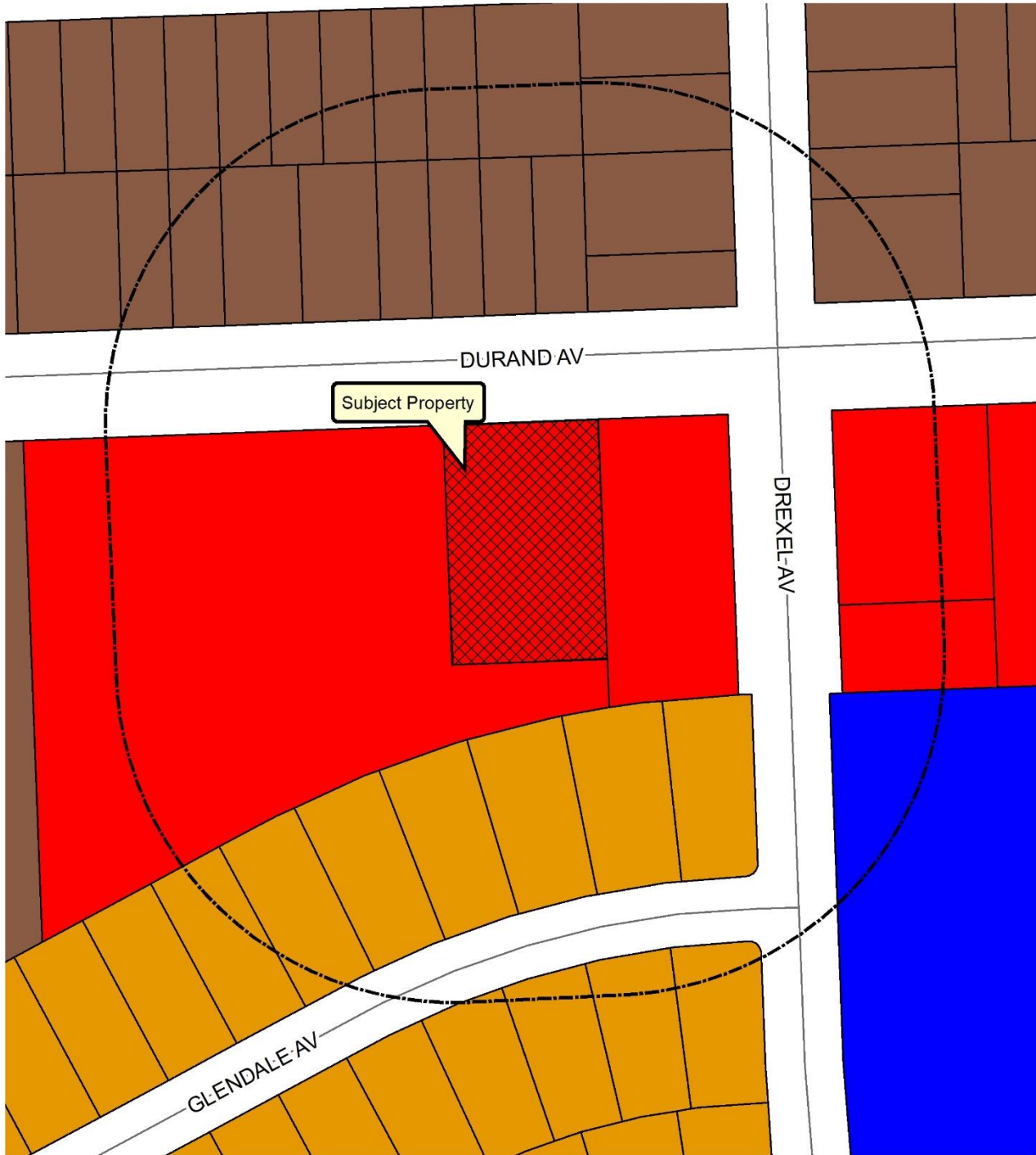


Tax Parcel Boundary





Conditional Use Request - 2815 Durand Avenue



Land Use Designation

- | | |
|----------------------------|--------------------------------|
| High Density Residential | Commercial |
| Medium Density Residential | Governmental and Institutional |

| | |
|-------------------|---------------------|
| Subject Property | Street Centerline |
| Notification Area | Tax Parcel Boundary |

0 15 30 60 90 120 Feet

Site Photos



Looking east at the subject property and signage



Looking at west side of property from adjacent lot



Looking at north façade of subject property



Looking along the eastern property line



Looking at the eastern façade of the subject property



Looking south at the entrance to the property from Durand Avenue