



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: 1520 State Street

Applicants: Axis Infrastructure

Property Owner: AUM SAI SHIV RACINE LLC

Request: Consideration of a minor change to a conditional use permit to consider signage and façade changes on the property at the western end of the building. The subject property is within a shopping center in a B-2 Community Shopping Zone District. The proposed changes are being reviewed by the Plan Commission as required in section [114-155](#) (b) of the Municipal Code.

BACKGROUND AND SUMMARY: The property owner seeks to rebrand the existing restaurant on the property with updated signage and a revised façade on the building. The changes are in keeping with the corporate branding and seen on other locations within the area.

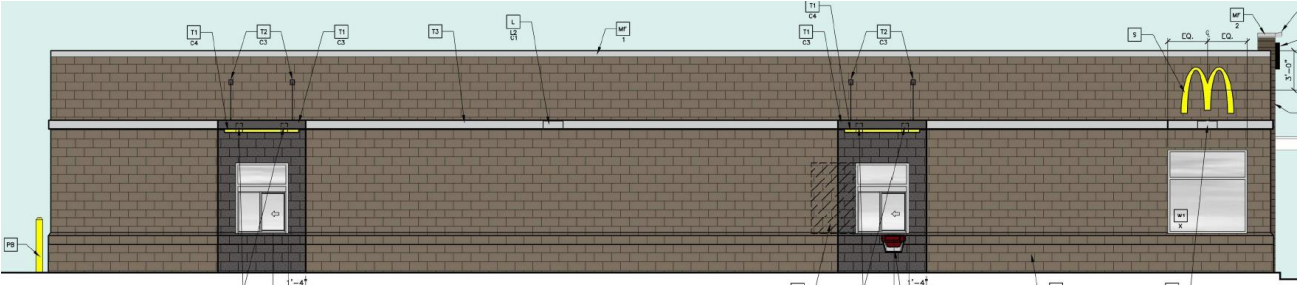
The proposed changes are determined to be a minor amendment to a conditional use permit, pursuant to section 114-155 of the Municipal Code.



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



Proposed south elevation and proposed signage, submitted by applicant.



Proposed west elevation and proposed signage, submitted by applicant.



Proposed trellis system on building, submitted by applicant.

GENERAL INFORMATION

Parcel Number: [07950001](#)

Property Size: 2.2 acres

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?: Downtown Area Design Review District

This project was reviewed by the DADRC on March 7 for design considerations related to the building and proposed renovations and signage design. The project design was approved as submitted.

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: Retail shopping center with restaurant, grocery store, tax preparation and a beauty supply store.

Surrounding Zoning and Land Uses:

North	R-3 Limited General Residence	Detached dwelling units
East	I-1 Restricted Industrial	Railway right-of-way
South	B-2 Community Shopping	Walgreens Pharmacy
West	R-4 General Residence	Detached dwelling units

Operations: No changes in operations are planned as a result of this proposed façade update and changes to signage for the property.

ANALYSIS:

Development Standards:

Density ([114-Article V](#): Article VII, Div. 5 [Bulk Regulations](#) & 8 [Lots](#)): The changes to the exterior will not have any impact on the density requirements for the property.

Standard	Required	Provided
Lot Area	No minimum	95,832 square feet
Lot Frontage	30 feet	625 feet
Floor Area Ratio	4.0 maximum	.25

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

Yard	Required	Provided
Front (south)	0 feet	95 feet
Side (east)	0 feet	20 feet
Corner Side (west)	0 feet	120 feet
Rear (north)	0 feet	5 feet

Sec. 114-470(b) requires that buildings within 100 feet of a residence district boundary line are be screened. This building is non-conforming in that regard.

Building design standards (114-Secs. [735.5](#) & [736](#)): The building on this parcel complies with the requirements of 114.735.5.b.1; the contemplated changes also comply with the requirements of the ordinance.

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

Use Type	Required	Provided
Restaurant	25	26
Retail spaces	40	30
Grocery store	50	62
Total	115	118

A Building of this size requires one loading space. The east end of the property, adjacent to the building, serves as this space. There are also loading areas to the north of the building, accessed off of May Street

Landscaping, screening and yard requirements ([114- Article V](#): Article VII, Div. 6 [Development Standards](#) & 7 [Fences and Walls](#)): Screening is required from the lots to the north as they are within 100 feet of the building. The original plan for the concept of this property is not contemplated for modification as a result of this submittal. The applicant has not proposed any changes to the landscaping on the property. Landscaping will need to be reviewed once the snow melts and a condition at the end of this recommendation is worded as such.

Sign Regulations (114-[Article X](#)): The proposed signage complies with the requirements for signage allotted for the tenant space. The renderings of the proposed signage are included below.



Outdoor lighting, signs ([114-Sec. 742](#)): The lighting on the property conforms to the requirements of this section; the light is not focused onto adjacent properties.

Rubbish and trash storage ([114-Article V](#) & [114-740](#)): The trash storage area on the property currently complies with the requirements of the approved conditional use permit for the site. The application does not contemplate any changes to the trash storage area.

Engineering, Utilities and Access:

Access ([114-1151](#)): Vehicular access to the site is provided from a driveways off State Street and N. Memorial Drive, an ancillary driveway is also accessible from May Street to the north. The plans submitted by the applicant do not contemplate any changes to access.

Surface drainage ([114-739](#) & Consult Engineering Dept.): Remodeling of the building’s façade and these signage changes are 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:

Additional Planning and Zoning Comments: The proposed changes are in keeping with the branding of the business nationwide. The updates to the building do not alter the intent or original approval of the shopping center; the McDonald’s space on the west end of the development generally had a different aesthetic look than the rest of the tenant spaces. The proposed look as submitted by the applicant is expected to fit the overall scheme for the property and will show that investment in this area is prudent.

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 proposed minor amendment to this conditional use is not anticipated to endanger the public health, safety, morals or general welfare of the community of this area in general. The application to remodel the building façade and update the signage. These proposed changes will not alter the operation or general function of this property.

- 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 proposed amendment to the existing conditional use is not anticipated to be detrimental to the use and enjoyment of surrounding properties. The application contemplates updates to signage and an updated building design for consistency with marketing efforts nationwide. These changes are not expected to diminish or impair property values in the area; it is anticipated that these changes will enhance the aesthetics of the general area and shopping center as a whole.

- 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 minor amendments to the site contemplated by the applicant are not anticipated to impede or alter the development patterns of this area. The applicant is complying with all requirements related to signage and construction for both the zoning ordinance and the conditional use permit on the site. The applicant is also adhering to all other requirements which would be applicable to other uses permitted in this district.

- 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 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 plan submitted by the applicant does not contemplate any changes to the ingress or egress from the site. It is not expected that additional traffic or changes in traffic patterns will occur as a result of this proposal.

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

Staff Comments: The minor amendment is consistent with the objectives of the land use plan for the City. The land use plan designates this property as commercial; there are no planned changes in the operation or general function of the site as a result of this request.

- 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: The applicant submittal complies with the requirements of the zoning ordinance and the original intent of the conditional use on the property. There are no exceptions requested with this proposal, and the site complies with all development standards at this time.

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 utilizes and updates an existing site while enhancing the overall character of the area.
- The rebranding of the site shows that this area of the community remains a viable commercial hub.
- Contemplated changes enhance a gateway and entrance to the community's downtown.

STAFF RECOMMENDATION: BASED ON THE FINDINGS OF FACT IN THIS REPORT, THAT THE REQUEST FROM AXIS INFRASTRUCTURE, SEEKING A MINOR AMENDMENT TO AN EXISTING CONDITIONAL USE PERMIT AT 1520 STATE STREET 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 following development standards be complied with prior to August 1, 2019:
 1. Site be landscaped and maintained as required by Sec. 114-743. Existing vegetation which is dead or decaying shall be replaced and any new plantings and/or organic materials in planting beds shall be submitted to and approved by the Department of

City Development prior to installation. Stone or rocks are not allowed in landscaping beds.

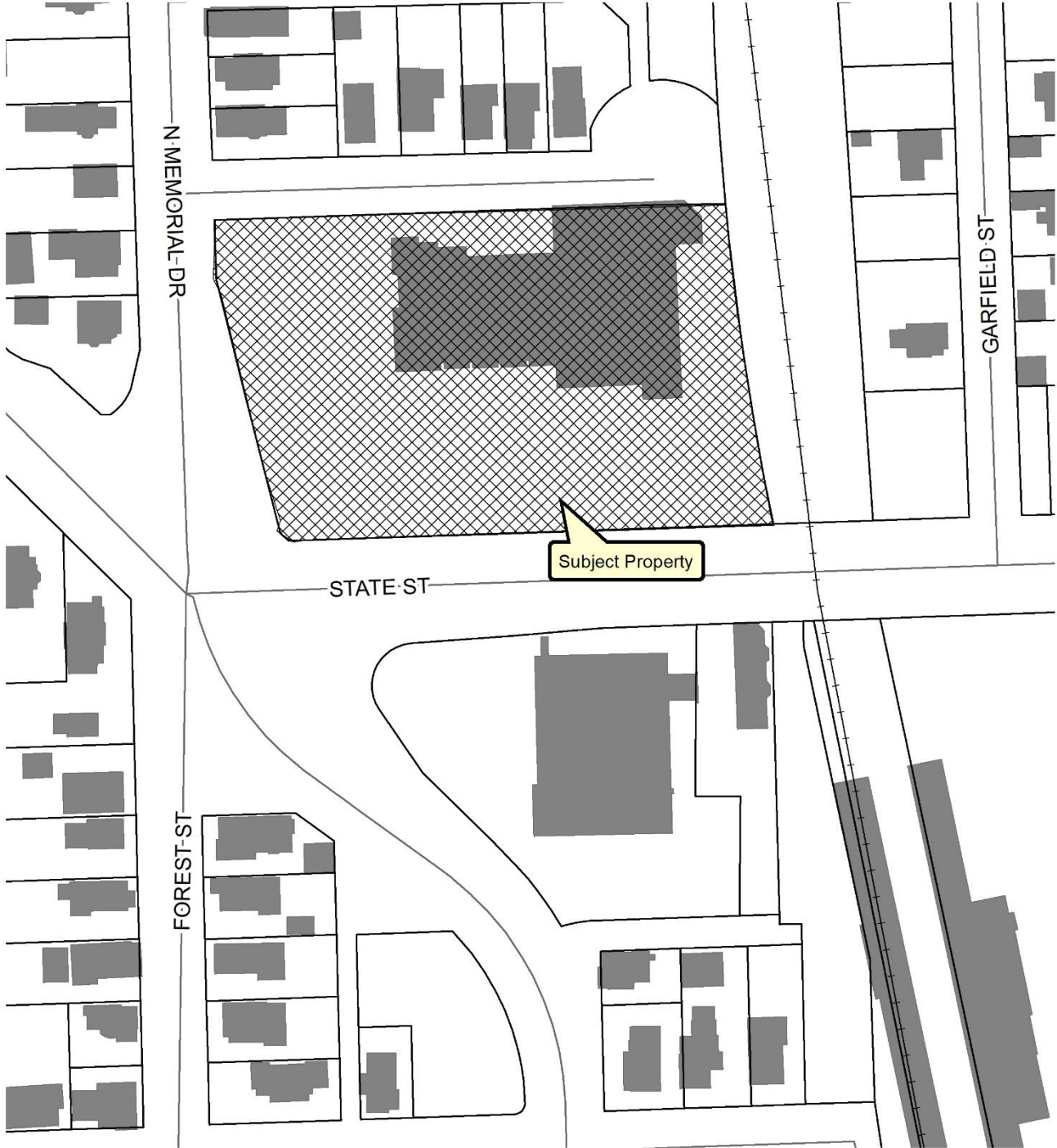
- c) That if, prior to the issuance of an Occupancy Permit, required site improvements listed in b, above have not been or cannot be completed, a financial surety shall be provided to the City. The surety shall be in a format as approved by the City Attorney's office, and subject to all stipulations 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 Amendment - 1520 State Street



 Subject Property
 Notification Area

— Street Centerline
□ Tax Parcel Boundary
■ Building Footprint

0 15 30 60 90 120 Feet







Conditional Use Amendment - 1520 State Street



 Subject Property
 Notification Area

 Street Centerline
 Tax Parcel Boundary

0 15 30 60 90 120 Feet





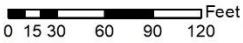
Conditional Use Amendment - 1520 State Street



Zoning Designation

- R-3 (light blue)
- B-2 (light green)
- I-1 (light blue)
- R-4 (brown)
- B-3 (dark green)
- I-2 (medium blue)

- Subject Property (green cross-hatch)
- Notification Area (dashed line)
- Street Centerline (thin line)
- Tax Parcel Boundary (thin line)





Conditional Use Amendment - 1520 State Street



Site Photos



Looking north from parking area of restaurant



Looking northeast at subject property from intersection of N. Memorial and State Street



Looking south from parking area of restaurant



Looking west along May Street along the north of the shopping center



Looking east along State Street from front of shopping center



Looking west along State Street from front of shopping center