



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

**Meeting Date:** 3/23/2022

**To:** Mayor and Planning, Heritage, and Design Commission

**From:** City Development Department, Division of Planning and Redevelopment

**Division Manager:** Jeff Hintz – (262) 636-9151 [jeff.hintz@cityofracine.org](mailto:jeff.hintz@cityofracine.org)

**Case Manager:** Steven Madsen

**Location:** 2040 Grove Avenue

**Applicant:** Joel Venn representing First Call Heating and Cooling Inc.

**Property Owner:** Timothy J. Perrelle

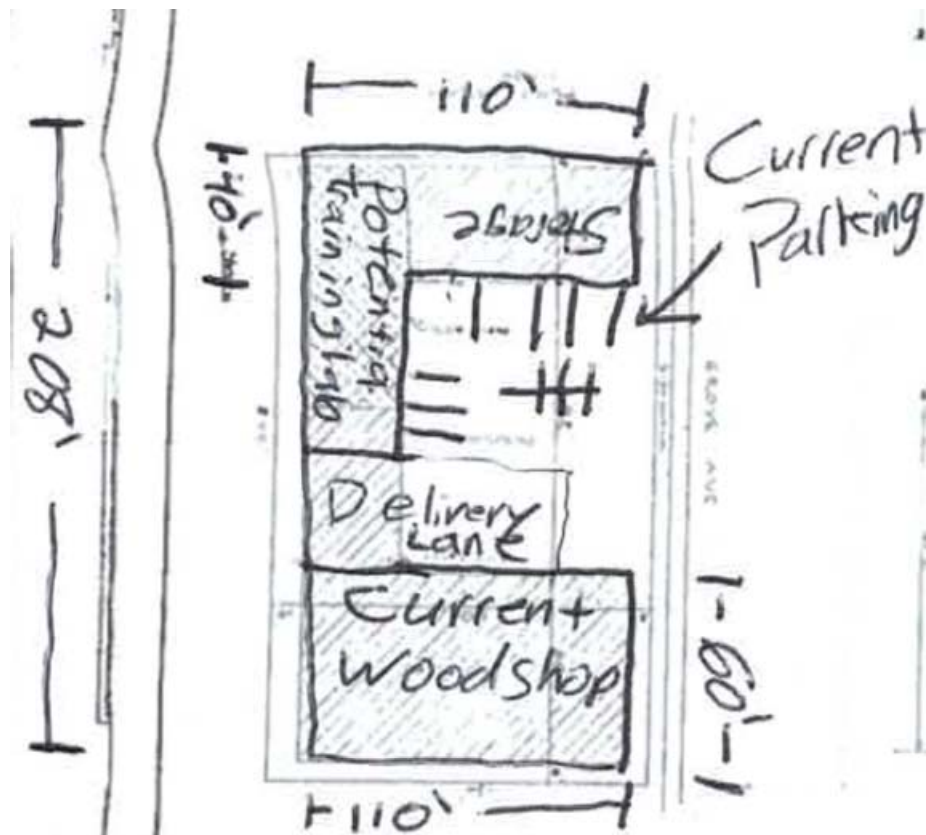
**Request:** Consideration of a request for a conditional use permit to operate a contractors office, at 2040 Grove Avenue, as allowed by Sec. 114-568 of the Municipal Code. The property is zoned I-1 Restricted Industrial District

**BACKGROUND AND SUMMARY:** The applicant seeks to utilize a portion of a building of the property at 2040 Grove Avenue as a Heating and Cooling contractor's office. The facility would be used to house the materials necessary for their work. The site will also be used from time to time for training. The office hours are 7-5 Monday – Friday, but they do offer 24/7 services via dispatchers. The building is currently home to a woodshop that will be maintained as is and would continue operation if a tenant was found for that space.

The Zoning Ordinance classifies Contractor's offices permissible in the I-1 Restricted Industrial Zone District upon the issuance of a conditional use permit (114-56).



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



Proposed floor plan/interior layout, north is to the bottom.

## GENERAL INFORMATION

**Parcel Number:** 15761000

**Property Size:** 25299.648 sq. ft.

**Comprehensive Plan Map Designation:** High Density Residential

### 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.

**Corridor or Special Design District?:** NA

**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:** Woodworking Contractor

### Surrounding Zoning and Land Uses:

<b>North</b>	R-2 Single Family Residence	Single unit Dwellings
<b>East</b>	R-2 Single Family Residence	Single unit Dwellings
<b>South</b>	R-3 Limited General Residence	Single unit Dwellings
<b>West</b>	R-3 Limited General Residence	Single unit Dwellings

**Operations:** The applicant seeks to utilize a portion of a building of the property at 2040 Grove Avenue as a contractor’s office. The main use of the building would be essentially storage of materials the workers need to complete their off-site work. The facility would also potentially be used for training. There is no plan now to use the wood working shop, but it will be maintained and will go back into operation if a woodworking contractor is found that would like to rent the space.

## 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	NA	25299.648 square feet
Lot Frontage	30 feet	200 feet
Floor Area Ratio	1.5 maximum	.56

**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 (East)	0 feet	2 feet
Side (South)	0 feet	0 feet
Side (North)	0 feet	4 feet
Rear (West)	0 feet	9 feet

**Building design standards** (114-Secs. [735.5](#) & [736](#)): All buildings on the parcel comply with the requirements of 114.735.5.b.1. The request does not include any new buildings or modifications to the exterior of the existing buildings.

**Off-street parking and loading requirements** (114- [Article XI](#)) A contractor’s office requires 2 spaces per employee. The parking requirements are based on estimations of the number of employees that will work on the site. The parking lot is in need of maintenance.

Use Type	Required	Provided
Contractor Office	8	
Woodworking Shop	4	
Total	12	*

\* As a part of granting the permit a parking plan that shows adequate parking spaces for the property will be required before occupancy is granted.

**Landscaping, screening and yard requirements** ([114- Article V](#): Article VII, Div. 6 [Development Standards](#) & 7 [Fences and Walls](#)): Sec. 114-734 requires that any use which is adjacent to a residential zoning district be screened. The site is non-conforming with landscaping requirements and cannot be reasonably brought into compliance in its current form.

**Sign Regulations** (114-[Article X](#)): Signage is not a part of this request. Any future signage would need to follow the sizing requirements outlined below:

<b>Sign Type</b>	<b>Allowable Sq. Ft.</b>	<b>Provided Sq. Ft.</b>
Projecting/Wall	100 square feet	N/A
Total	100 square feet	N/A

**Outdoor lighting, signs** ([114-Sec. 742](#)): The submitted plans do not indicate any additional lighting being added to the property. Any additional lighting to the property would have to be arranged, shielded and oriented in a manner which does not direct glare onto adjacent properties.

**Rubbish and trash storage** ([114-Article V](#) & [114-740](#)): The submitted plan shows an area for a potential dumpster on the site. If the applicant wanted to have a dumpster in this location, code would require that it be screened with a solid fence.

**Engineering, Utilities and Access:**

**Access** ([114-1151](#)): There are two curb cuts leading into the parking/paved area in the middle of the site that provide access.

**Surface drainage** ([114-739](#) & Consult Engineering Dept.): Practically the entire site is an improved surface and there are no current plans to change that. The existing surface drainage will remain and should be adequate.

**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:** No exceptions are requested.

**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 Planning, Heritage and Design 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 building has housed a cabinetry contractor since 1996. The new HVAC contractor will have its employees come and go more frequently, because their work is mainly on remote sites, but this small increase in traffic should not endanger public health or safety.

- 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 adding of a space for the HVAC contractor should not be injurious to the use and enjoyment of other properties. Other uses that are permitted in the existing I-1 zone would have more potential to be injurious and have a greater probability of impairing property values.

- 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 area is mostly developed. The most recent development of housing in this neighborhood happened with this building and the current shop in place, so its continuance as a type of contractor shop should not impede development of surrounding properties.

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

Staff Comments: This proposal seeks to reuse an existing building and other facilities presently in place at this time. Utilities and access to the site are adequate for the proposed demand and the ability to serve the area will not be hindered as a result of this development.

- 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 the site. There is a space in between the section of the building for parking and access that will be adequate for access to the site.

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

Staff Comments: The property is designated for High Density residential. The plan does state that we should re use older buildings and sites, take advantage of existing utilities and provide areas in which residents can live and work. For these reasons this request fits the intent of the 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: It is expected that this development will operate in accordance with the applicable regulations for this zone district. No exceptions are requested with this request.

## **POSSIBLE ACTIONS FOR THE PLANNING, HERITAGE AND DESIGN 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, subject to the consent of the applicant; or
5. Defer the request with a continuance of the public hearing to a date certain, subject to the consent of the applicant.

**STAFF RECOMMENDATION:** THAT BASED ON THE FINDINGS OF FACT IN THIS REPORT, THE REQUEST FROM JOEL VENN OF FIRST CALL HEATING & COOLING INC. TO OPERATE A HVAC CONTRACTOR’S OFFICE, CLASSIFIED AS USE SIMILAR TO THOSE PERMITTED IN THE I-1 ZONE AT 2040 GROVE AVENUE BE APPROVED, SUBJECT TO THE FOLLOWING CONDITIONS:

- a) That the plans presented to the Planning, Heritage, and Design Commission on March 23, 2022 be approved subject to the conditions contained herein.
- b) That existing issues of property maintenance be fixed before receiving an occupancy permit.
  1. Chipping and peeling paint on the building exterior as required by Sec. 18-1312 of the Municipal Code.
  2. Broken and cracked windows as required by Sec. 114-312 of the Municipal Code.
  3. Cracked asphalt in parking lot as required by Sec. 114-1167 of the Municipal Code.
- c) That the barbed wire on the fencing be removed as required by Sec. 114-758 of the Municipal Code.
- d) That any proposed signage be reviewed and approved by the planning division before a permit is granted.
- e) That a parking plan be submitted to show that the required number of legal parking spaces required by code will be striped on the lot.
- f) That the dumpster in the parking area be removed or screened by a solid fence.
- g) That all codes and ordinances are complied with and required permits acquired.

- h) That no minor changes be made from the conditions of this permit without approval of the Planning, Heritage and Design 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 review of the Planning, Heritage, and Design Commission 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 (view in Legistar).





# Conditional Use Request - 2040 Grove Avenue



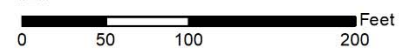


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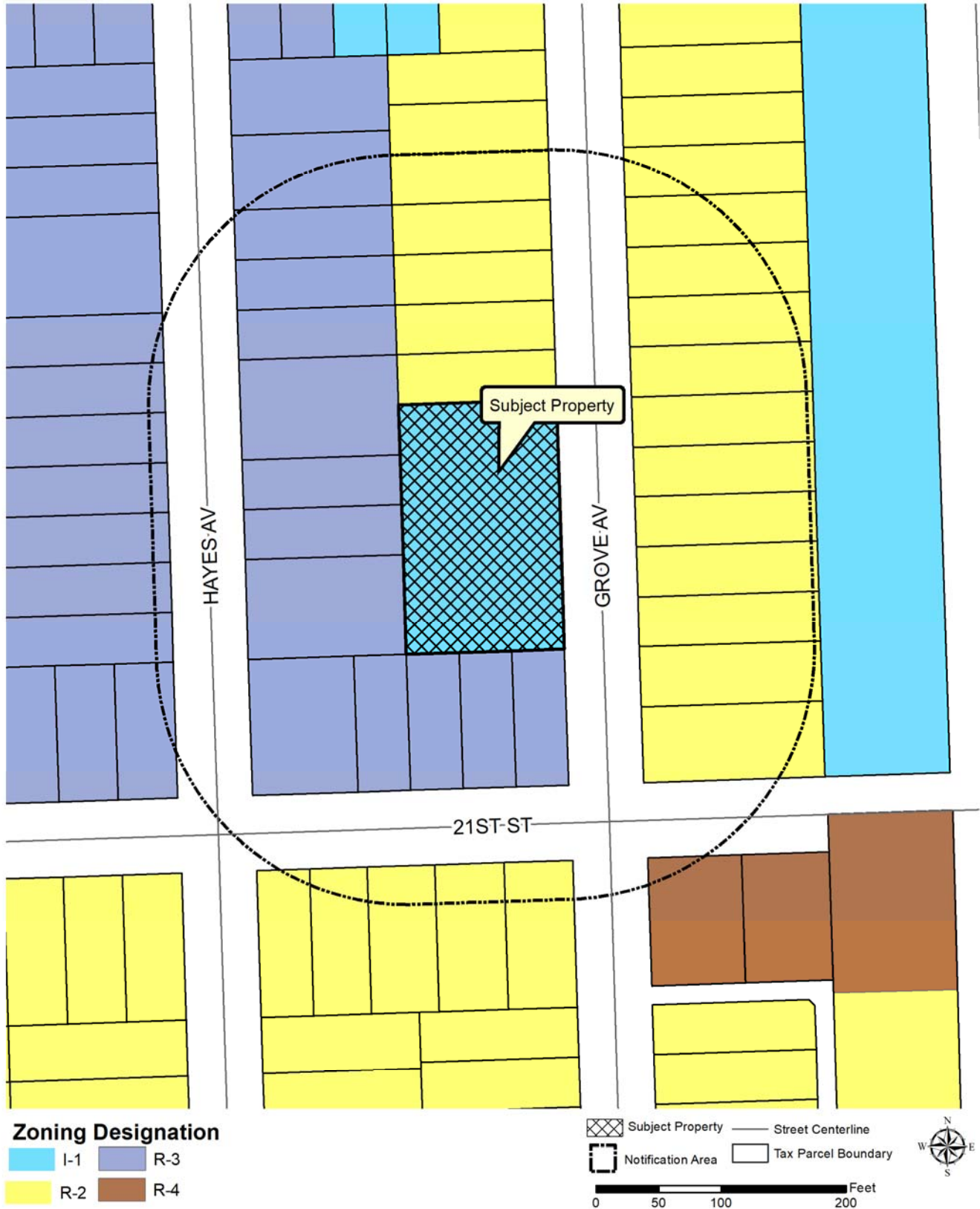
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- Subject Property
- Notification Area
- Street Centerline
- Tax Parcel Boundary





# Conditional Use Request - 2040 Grove Avenue





# Conditional Use Request - 2040 Grove Avenue



### Site Photos



Looking west at the site



Looking west into parking area



Looking north down Grove



Looking east at properties across the street



Looking south down Grove



Looking west down south side of building