



CITY OF RACINE DEPARTMENT OF CITY DEVELOPMENT STAFF REPORT

Meeting Date: 6/10/2020

To: Mayor and Planning, Heritage, and Design 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: 3811 21st Street

Applicant: Wesley Rosenberg of Building Waters Inc.

Property Owner: Rosie 66 LLC

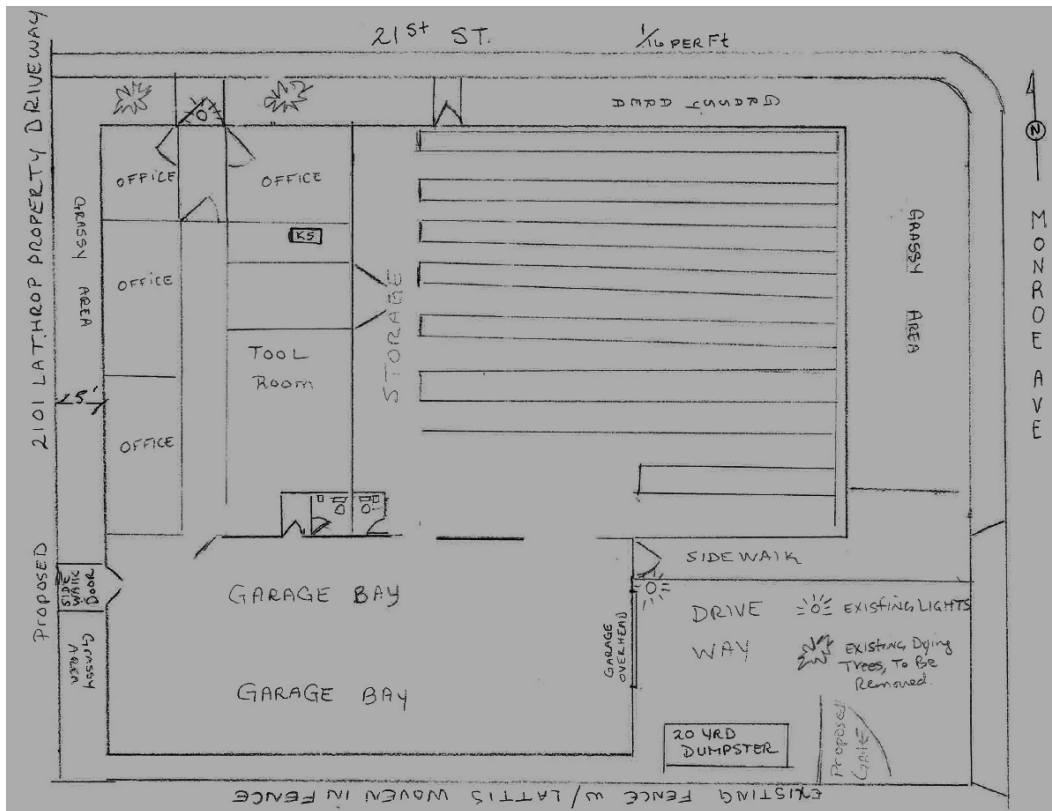
Request: Consideration of a conditional use permit to operate a building materials sales and storage facility for an HVAC business as allowed by Sec. 114-568 of the Municipal Code, for property at 3811 21st Street.

BACKGROUND AND SUMMARY: The existing warehouse building would be converted for use as the storage and handling of plumbing and HVAC supplies in association with the business at 2101 Lathrop Avenue. The site would be used from 7:00 AM – 3:30 PM Monday – Friday with deliveries occurring between 8:30 AM and 2:00 PM. The business does offer 24-hour emergency service and on occasion, service technicians would use the facility outside of the regular hours.

The Zoning Ordinance classifies building materials sales and storage facility as permissible in the I-1 Restricted Industrial Zone District upon the issuance of a conditional use permit (114-588). The electronic message sign is allowable per Sec. 114-568 upon the issuance of a conditional use permit.



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



Site plan for the property, submitted by the applicant.

GENERAL INFORMATION

Parcel Number: [23834000](#)

Property Size: .4 acres (17,424 square feet)

Comprehensive Plan Map Designation: MEDIUM DENSITY RESIDENTIAL

Consistency with Adopted Plans:

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

Foster development of the industrial base to provide for employment opportunities in current and next generation manufacturing through the retention (or expansion where prudent) of industrially zoned lands.

Corridor or Special Design District?: N/A

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: Warehousing space and shop for commercial business use.

Surrounding Zoning and Land Uses:

North	B-2 Community Shopping	Shopping Center
East	R-3 Limited General Residence	Detached single unit dwellings
South	R-3 Limited General Residence	Detached single unit dwellings
West	B-2 Community Shopping	Building Waters Inc. Office/showroom

Operations: The existing warehouse building would be converted for use as the storage and handling of plumbing and HVAC supplies in association with the business at 2101 Lathrop Avenue. The site would be used from 7:00 AM – 3:30 PM Monday – Friday with deliveries occurring between 8:30 AM and 2:00 PM. The business does offer 24-hour emergency service and on occasion, service technicians would use the facility outside of the regular hours.

ANALYSIS:

Development Standards:

Density ([114-Article V](#): Article VII, Div. 5 [Bulk Regulations](#) & 8 [Lots](#)): There are buildings as a result of this proposal.

Standard	Required	Provided
Lot Area	No minimum	17,424 square feet
Lot Frontage	30 feet	260 feet
Floor Area Ratio	1.5 maximum	.65

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

Yard	Required	Provided
Front	0 feet	10 feet
Corner Side	0 feet	15 feet
Side (south)	25 feet	0 feet
Rear	0 feet	8 feet

Building design standards (114-Secs. [735.5](#) & [736](#)): The proposal calls for reusing the existing building on the site, which is a concrete block warehouse. The awnings need some general repair and cleaning, but the building complies with development standards for materials.

Off-street parking and loading requirements (114- [Article XI](#)): Off-street parking is required at 2 spaces for every 3 employees for a warehousing operation. All the parking occurs at the main location on Lathrop Avenue which complies with the requirements of the zoning ordinance.

Landscaping, screening and yard requirements ([114- Article V](#): Article VII, Div. 6 [Development Standards](#) & 7 [Fences and Walls](#)): a 25 foot landscaped bufferyard is required to the south. This building is existing non-conforming and along this frontage is generally built to the property line. That being said, a solid privacy fence would be a welcomed addition to the remainder of the frontage not covered with a building wall and would get at the spirit and intent of this development standard.

Sign Regulations (114-[Article X](#)): Signage is not planned at this time, but when considered, would be reviewed by the Department of City Development prior to permitting and installation.

Outdoor lighting, signs ([114-Sec. 742](#)): Outdoor lighting complies with all development standards. There are no changes proposed to the lighting on the site at this time. From a field observation, lighting is generally focused onto the site and spillover onto adjacent properties is limited.

Rubbish and trash storage ([114-Article V](#) & [114-740](#)): The submitted plans show where a dumpster would be placed, details on the screening are required prior to installation.

Engineering, Utilities and Access:

Access ([114-1151](#)): Vehicular access to the site is provided from Monroe Avenue. Based on the submitted site plan, the applicant is not proposing changes to the access at this time.

Surface drainage ([114-739](#) & Consult Engineering Dept.): No changes are proposed. The reuse of the building is not expected to create any surface drainage issues on the parcel.

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 building for storage and a HVAC operation is not expected to impact the ability to serve this area.

Exceptions to ordinance: N/A

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 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: Given the planned operations submitted by the applicant, with the recommended conditions in this report, it is expected the operation of this site will not be a detriment or danger to the comfort or general welfare of the area. The previous use of the building as general storage is somewhat similar to that of the proposed usage with this request. The site will see limited traffic given the nature of an HVAC business; public will not enter the building, but weekday trips from employees to worksites will occur. This activity is not expected to endanger any public safety or general welfare.

- 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: If used as recommended in the staff conditions, the site is not anticipated to be injurious any other property user or property owner in the area. The operation has no public traffic to the site and is much less intensive than uses which would be allowed in this zone district. The proposed usage is much more complimentary to the general area given the property is a transition between a commercial corridor (Lathrop and 21st Street) into a residential area. The proposed usage

will serve as a buffer between the contract in uses; the buffering impact of the building and lower traffic count of the business use is intended to be sufficient for this area. As presented, it is not anticipated that the proposal will diminish or impair values in the general area.

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 site will function as much less of an intensity than other permitted uses in this district. There will be some moderate noise from workers coming into the building and from vehicle traffic; these impacts are anticipated to be minimal as 21st Street is a major street which sees some of the highest volumes of traffic for this neighborhood; as such, some noise is to be expected as the street is a major thoroughfare. The proposed operating hours ensure that the business does not conflict with other businesses in the area or with general quiet hours for nearby adjacent residential uses.

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 show any changes to ingress or egress to the site. The site was once used in a similar fashion and the access complies with requirements in the municipal code. The existing access is adequate for the proposed usage of the site and the site plans submitted by the applicant do not contemplate any changes. There is ample space for vehicles park on the site, given the proposed usage by the applicant.

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

Staff Comments: The proposed use is industrial in nature which complies with the current zoning on the lot. The comprehensive plan envisions the entire area as medium density residential. It would be unrealistic to expect this existing building to be converted to residential use. It would look out of place and out of character with the adjacent residential uses in the general area. The proposed industrial use is fairly passive in nature and is anticipated to see less traffic than some uses classified as medium density residential.

- 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: This site conforms to all the applicable regulations of the zoning ordinance, given the building is existing. The building would not be allowed to be placed on the lot where it is today if it were a new building. The recommended conditions of approval help to carry out the spirit and intent of the zoning ordinance, given the existing development on the site.

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; or
5. Defer with a continuance of the public hearing to a date certain.

STAFF RECOMMENDATION: BASED ON THE FINDINGS OF FACT IN THIS REPORT, THAT THE REQUEST FROM WESLEY ROSENBERG OF BUILDING WATER INC, SEEKING A CONDITIONAL USE PERMIT FOR A BUILDING MATERIALS SALES AND STORAGE FACILITY FOR AN HVAC BUSINESS AT 3811 21ST STREET BE APPROVED, SUBJECT TO THE FOLLOWING CONDITIONS:

- a) That the plans presented to the Planning, Heritage, and Design Commission on June 10, 2020 be approved subject to the conditions contained herein.
- b) That the following development standards be complied with prior to occupancy unless otherwise noted:
 1. That required screening along the southern property line be installed no later than August 31, 2020. Plans for screening to be submitted to and approved by the Department of City Development prior to occupancy.
 2. That details of the proposed trash enclosure/gate system be submitted to and approved by the Department of City Development prior to construction.
 3. That replacement awning fabric be installed on all windows no later than August 31, 2020; color specifications to be submitted to and approved by the Department of City Development prior to construction.

- c) That if, prior to the issuance of an Occupancy Permit or becoming operational, 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 hours of operation shall be 7:00 AM – 3:00 PM daily.
- 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 Planning, Heritage, and Design 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 Planning, Heritage, and Design 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 (view in legistar).

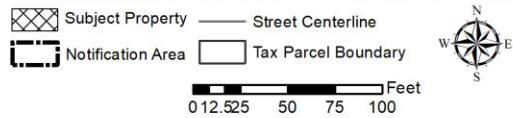
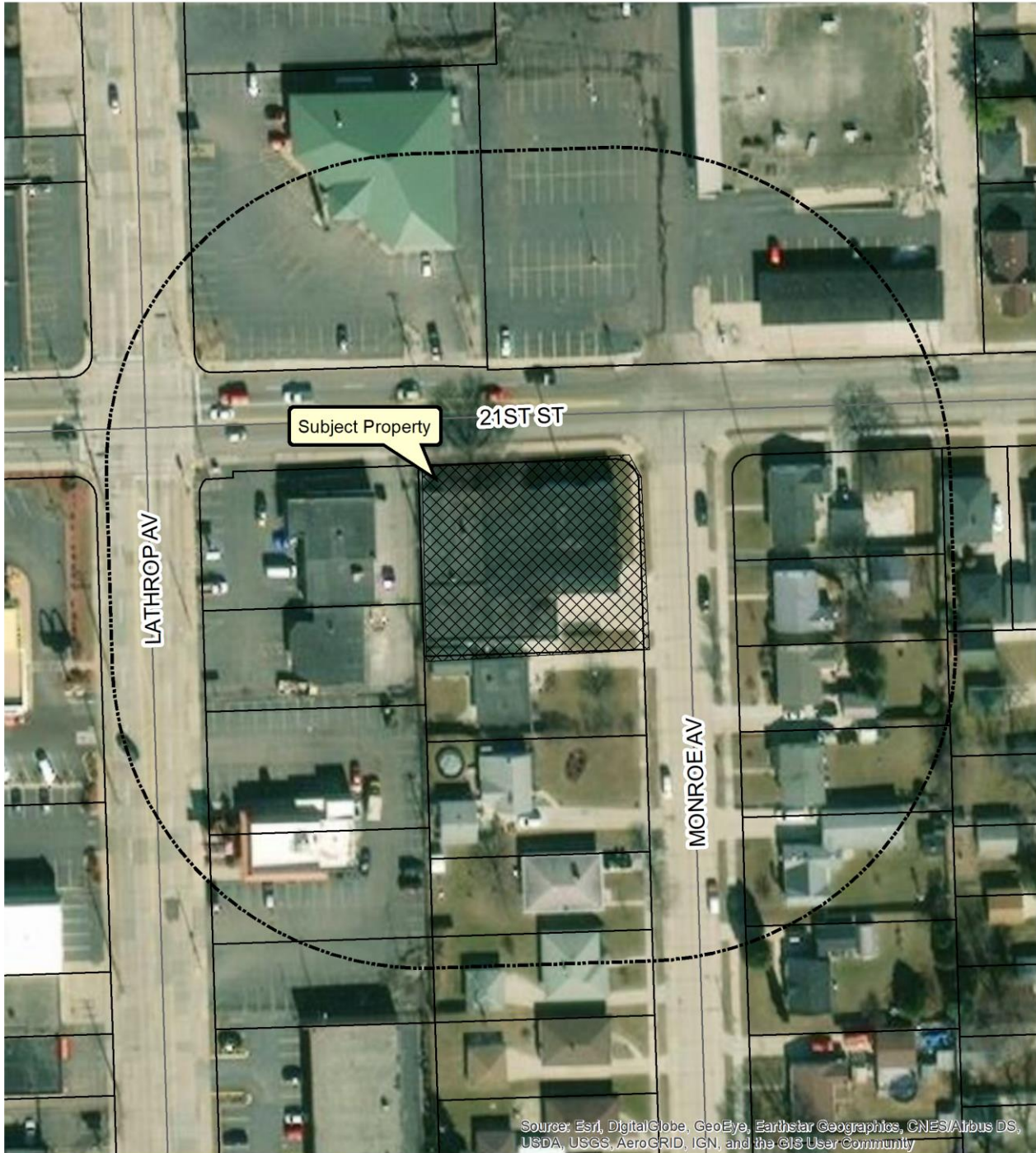


Conditional Use Request - 3811 21st Street



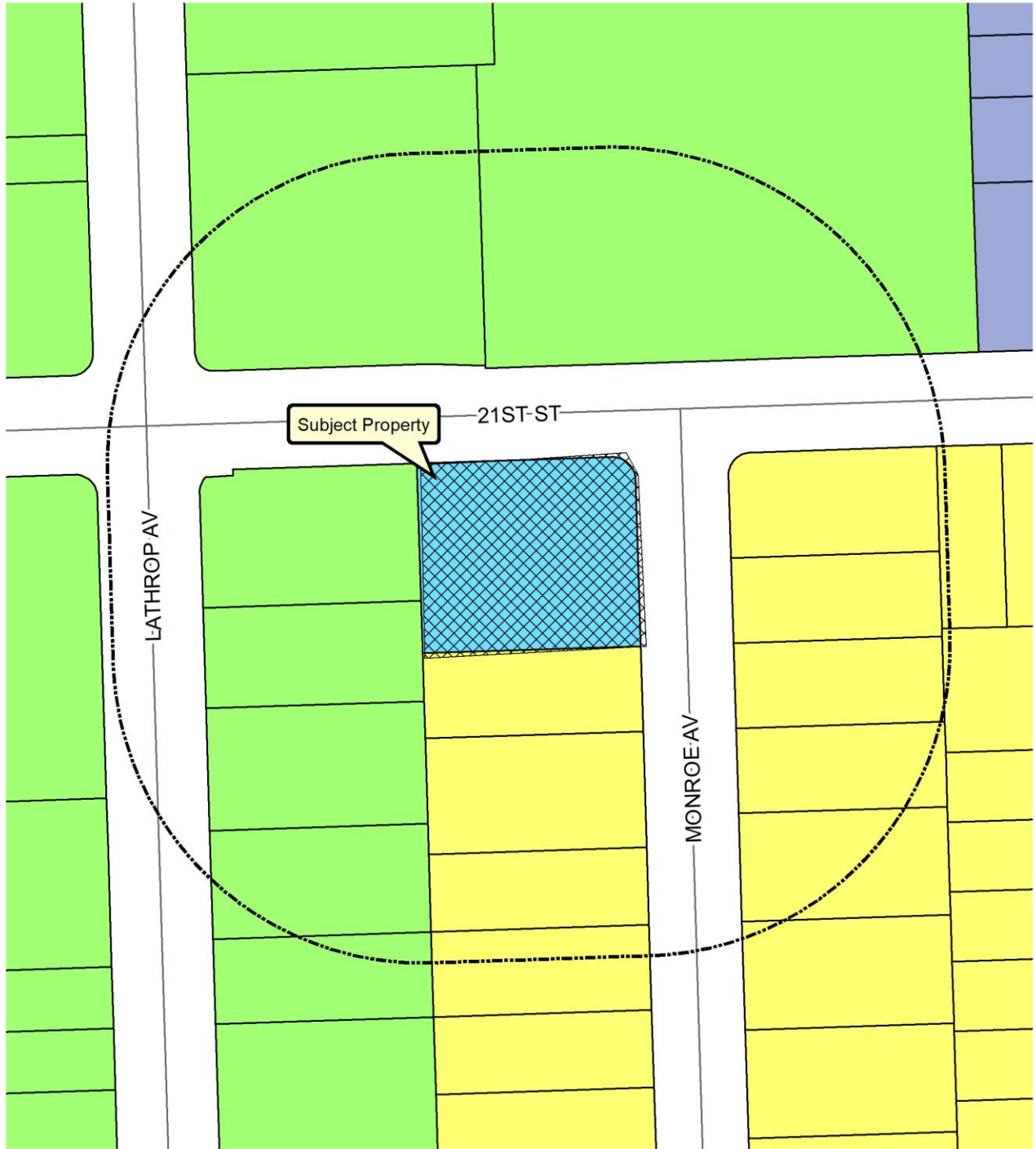


Conditional Use Request - 3811 21st Street





Conditional Use Request - 3811 21st Street



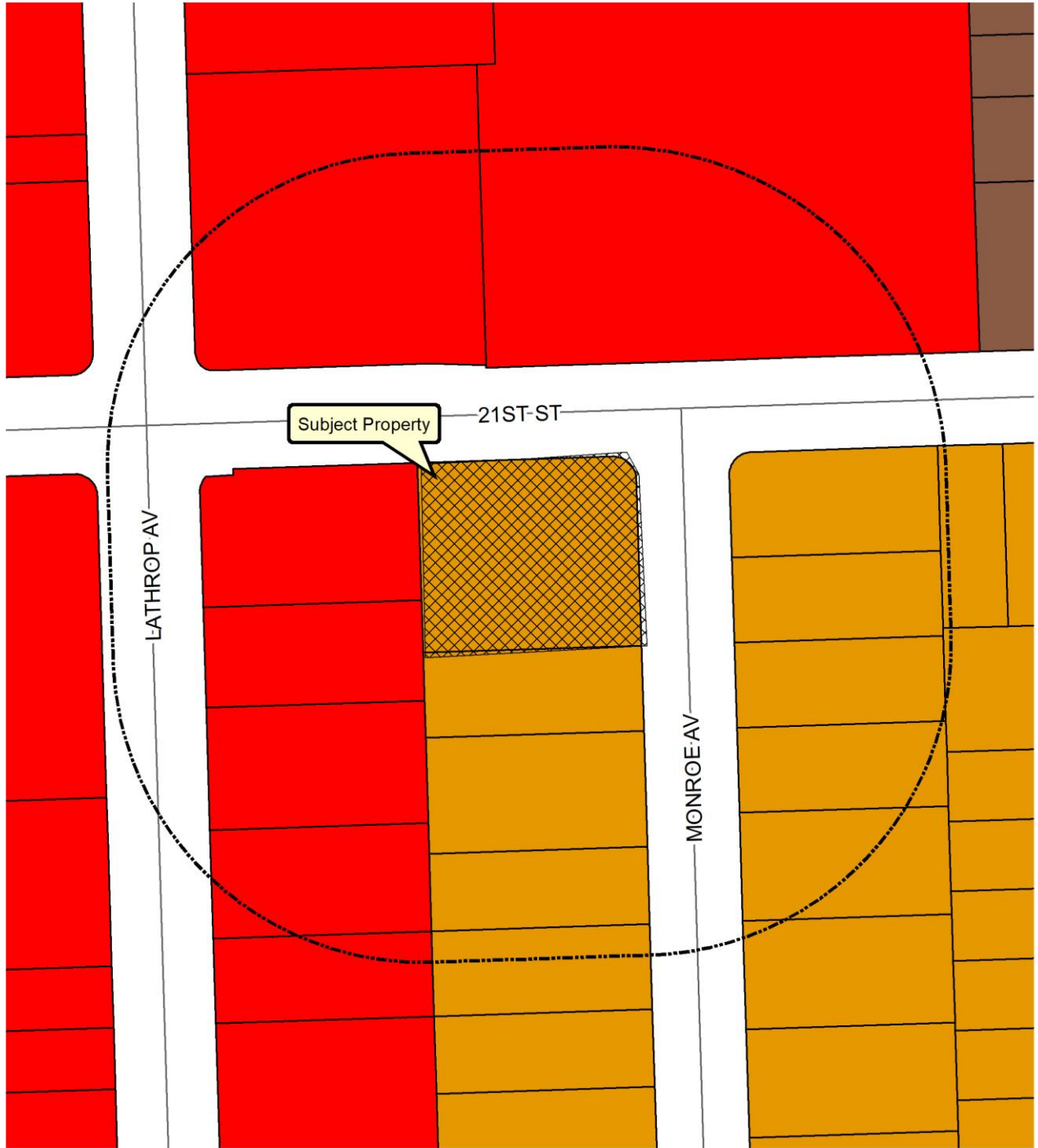
Zoning Designation
B-2 I-1 R-2 R-3

Subject Property — Street Centerline
Notification Area Tax Parcel Boundary

0 12.5 25 50 75 100 Feet

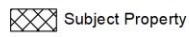

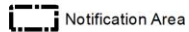



Conditional Use Request - 3811 21st Street




Land Use Designation

 Medium Density Residential	 Commercial
 High Density Residential	

 Subject Property	 Street Centerline
 Notification Area	 Tax Parcel Boundary

0 12.5 25 50 75 100 Feet



Site Photos



Looking northwest at site from Monroe Avenue



Looking southeast at site from 21st Street



Looking west from site down 21st Street



Looking east from site down 21st Street



Looking south along Monroe Avenue from site



Looking east from site across Monroe Avenue