



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

Meeting Date: 9/23/2020

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: 1906 Melvin Avenue

Applicant: Jodie Jean Ruffalo of Woof Gang Rescue Inc.

Property Owner: BRIDGESTONE CAPITAL LLC

Request: Consideration of a conditional use permit to operate a dog rescue intake facility at 1906 Melvin Avenue for property located in an I-2 General Industrial Zone District as allowed in section [114-588](#) of the Municipal Code.

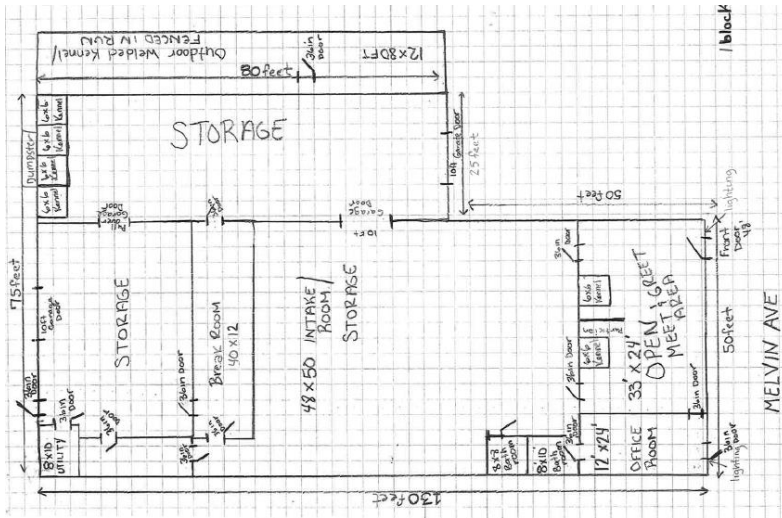
BACKGROUND AND SUMMARY: The operation would maintain the same services as the current location at 1535 Layard Avenue; this application seeks to relocate the offices and some storage of equipment. Dogs are brought to the facility for intake and placed into foster homes until they can be adopted permanently. Only dogs with a medical issue or timing issue related to adoption would be housed in the facility. The proposed hours are from 10:00 AM – 4:00 PM Monday-Friday and closed on weekends unless an animal is scheduled for adoption or there is an adoption event from 11:00 AM – 2:00 PM.

The Zoning Ordinance classifies a dog rescue intake facility as permissible in the I-2 General Industrial Zone District upon the issuance of a conditional use permit (114-588) should the PHDC and Common Council find that this use is indeed similar to other manufacturing, processing, or storage used permitted in the district.

Conditional Use Request – Woof Gang Rescue
Legistar Number: 0636-20



Birdseye view of the property, indicated in red, (north is up) (image from City Pictometry)



Proposed Building Floor Plan (north is left), submitted by applicant.

GENERAL INFORMATION

Parcel Number: [21249016](#)

Property Size: 21,963 square feet

Comprehensive Plan Map Designation: INDUSTRIAL

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.
- Encourage development patterns that promote efficient and sustainable use of land, that can be readily linked by transportation systems and that utilize existing public utilities and services.
- 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: I-2 General Industrial

Purpose of Zone District: The I-2 general industrial district is intended to accommodate those industrial activities which may produce moderate nuisances or hazards in areas that are relatively remote from residential and commercial development.

Proposed Zoning: No change proposed

Existing Land Use: vacated cabinet shop and front offices.

Surrounding Zoning and Land Uses:

North	I-2 General Industrial	RUSD Office and facility management
East	I-2 General Industrial	Self-service warehousing
South	I-2 General Industrial	Garage for heavy truck repair
West	I-2 General Industrial	Curling club

Operations: The operation would maintain the same services as the current location at 1535 Layard Avenue; this application seeks to relocate the offices and some storage of equipment. Dogs are brought to the facility for intake and placed into foster homes until they can be adopted permanently. Only dogs with a medical issue or timing issue related to adoption would be housed in the facility.

The proposed hours are from 10:00 AM – 4:00 PM Monday-Friday and closed on weekends unless an animal is scheduled for adoption or there is an adoption event from 11:00 AM – 2:00 PM.

ANALYSIS:

Development Standards:

Density ([114-Article V](#): Article VII, Div. 5 [Bulk Regulations](#) & 8 [Lots](#)): There are no changes planned to the building floor area or exterior as a result of this proposal.

Standard	Required	Provided
Lot Area	No minimum	21,963 square feet
Lot Frontage	30 feet	110 feet
Floor Area Ratio	4.0 maximum	.40

Setbacks ([114-Article V](#): Article VII, Div. 6 [Development Standards](#)): Nonresidential uses are not required to provided yards, or setbacks given the nature of the surrounding development.

Building design standards (114-Secs. [735.5](#) & [736](#)): The composition of three sides of this building does not comply with the requirements of 114.735.5.b.1, however this building is not a new primary building. Should reconstruction and/or remodeling take place, compliance would need to occur at that time. The front façade does meet the requirements for building design.

Off-street parking and loading requirements (114- [Article XI](#)): due to the age of this building, it was deemed to have had the proper parking at the time it was built, which predates the current zoning ordinance. As such, only additions to the building, or a new building on the site would require full compliance with the total number of required spaces by the ordinance.

Landscaping, screening and yard requirements ([114- Article V](#): Article VII, Div. 6 [Development Standards](#) & 7 [Fences and Walls](#)): the lot is adequately landscaped based on the requirements of the ordinance. The landscaping appears to be in healthy and growing condition as required by the ordinance.

Sign Regulations (114-[Article X](#)): Signage will be reviewed and approved by the Department of City Development (Building and Planning Divisions) when applied for by the applicant. Signage is not required to open a business.

Outdoor lighting, signs ([114-Sec. 742](#)): The lighting on the property complies with the requirement that lighting be arranged, shielded and oriented in a manner which does not direct radiation or glare onto adjacent properties.

Rubbish and trash storage ([114-Article V](#) & [114-740](#)): The location of the trash handling area on the property complies with development requirements as it is concealed from public view except on collection day(s).

Engineering, Utilities and Access:

Access ([114-1151](#)): Vehicular access to the site is provided from Melvin 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.): Reuse of the site and 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 to utilize this site is not expected to impact the ability to serve this area.

Exceptions to ordinance: No exceptions are required for this business to locate in the former cabinet shop location. The applicant proposal meets all requirements applicable to the proposed development.

Additional Planning and Zoning Comments: N/A

REQUIRED FINDINGS OF FACT:

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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 establishment of what is essentially an office and storage operation is not expected to be detrimental to any surrounding properties. The uses in the area are generally of the same nature; this use will create some additional noise/traffic on weekends during proposed adoption events. This is expected to be minor in nature and occurs at hours when other businesses in the area are generally closed anyhow. The applicant conducts activities within the confines of the building and the operation schedule proposed by the applicant is similar to that of other operations in the area during the week. The size and scale of the lots and development in the area

- 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 reuse of this property as a rescue dog operation provides a potential service for those living or working in the general area. Reuse of this property is consistent with the goals of the Racine Comprehensive Plan in that current infrastructure and services will be utilized. Establishment of this business as described by the applicant does not appear to substantially diminish the use, enjoyment, or value of property in the neighborhood. as previously mentioned, hours and spacing of buildings help to mitigate for any potential conflicts with adjacent properties.

- 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: Given this property is zoned industrial, the proposed use and organizational structure of the business proposed by the applicant, is not expected to negatively impact surrounding properties. The proposed operation details and hours proposed by the applicant are consistent with other established businesses in the area. The activities conducted by the applicant are much less intensive than some uses which are allowed by right in this zoning district. It is expected this business if ran as described, will be unnoticed by others in the area. Animals are not kept in the building very often and when done so, is limited number. The buildings are isolated enough that any noise or barking is not expected to be noticed by those at adjacent properties or passing by.

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

Staff Comments: The site plan submitted by applicant does not contemplate changing any utility connections, access or drainage on the site. This proposal seeks to reuse an existing building and other facilities presently in place at this time.

- 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: Based on a review of the site plan submitted by the applicant, no changes are planned to ingress and egress from the site. All vehicular traffic accesses the site from Melvin Avenue.

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

Staff Comments: The Comprehensive Plan calls for a land use pattern which strengthens the character and livability of the City's downtown core, commercial and industrial areas. This business encourages provides an opportunity for an appropriate mix of uses in this area.

- 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: No exceptions are required for the establishment of this dog rescue intake facility on the site. The applicable sections of the zoning ordinance as they relate to this development are being met as required.

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.
5. Defer with a continuance of the public hearing to a date certain, subject to the consent of the applicant.

STAFF RECOMMENDATION: BASED ON THE FINDINGS OF FACT IN THIS REPORT, THAT THE REQUEST FROM JODIE JEAN RUFFALO OF WOOF GANG RESCUE INC, SEEKING A CONDITIONAL USE PERMIT TO ALLOW DOG RESCUE INTAKE FACILITY AT 1906 MELVIN AVENUE BE APPROVED, SUBJECT TO THE FOLLOWING CONDITIONS:

- a) That the plans presented to the Planning Heritage and Design Commission on September 23, 2020 be approved subject to the conditions contained herein.
- b) That all license requirements from the State of Wisconsin and City of Racine be obtained, complied with, and kept current at all times.
- c) That hours of operation are from 10:00 AM – 4:00 PM Monday-Friday and closed on weekends unless an animal is scheduled for adoption or there is an adoption event from 11:00 AM – 2:00 PM.
- 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 Planning Heritage and Design 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 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).



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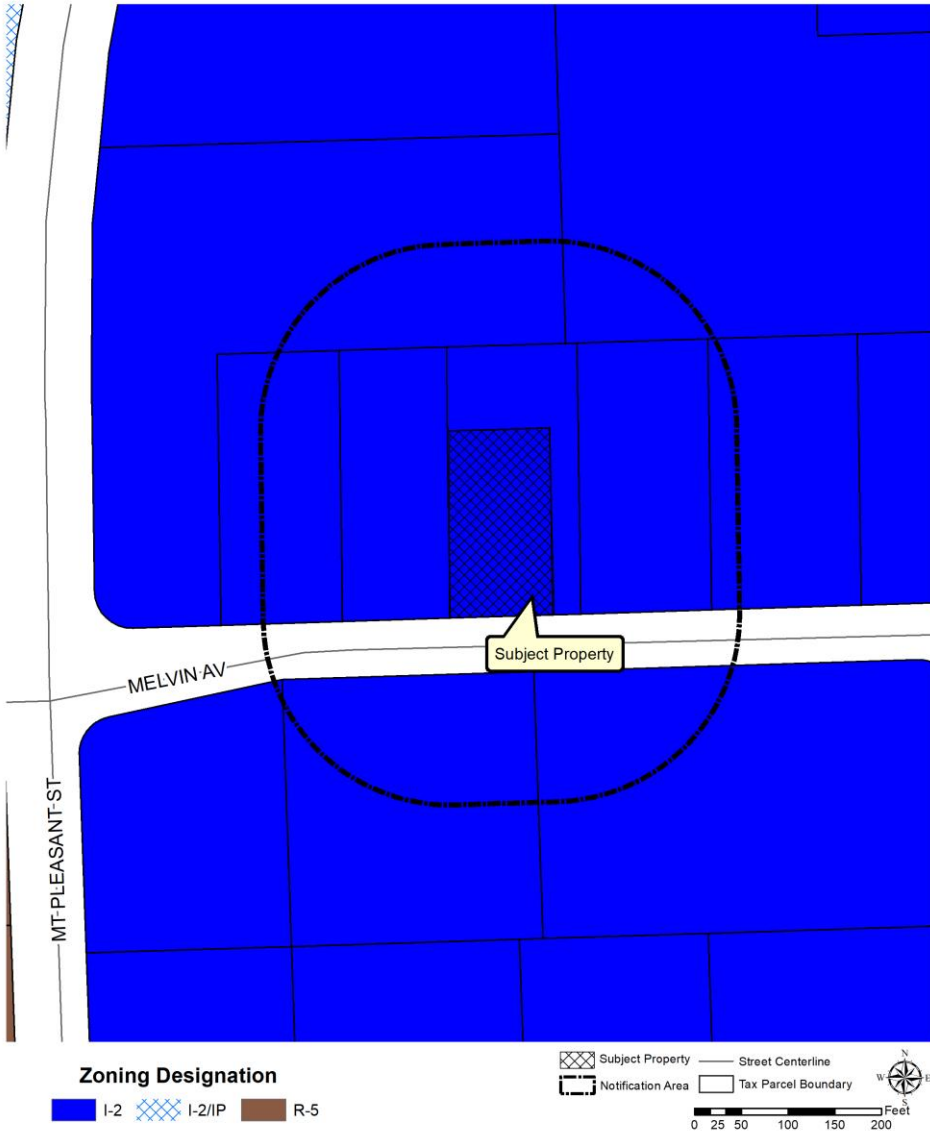


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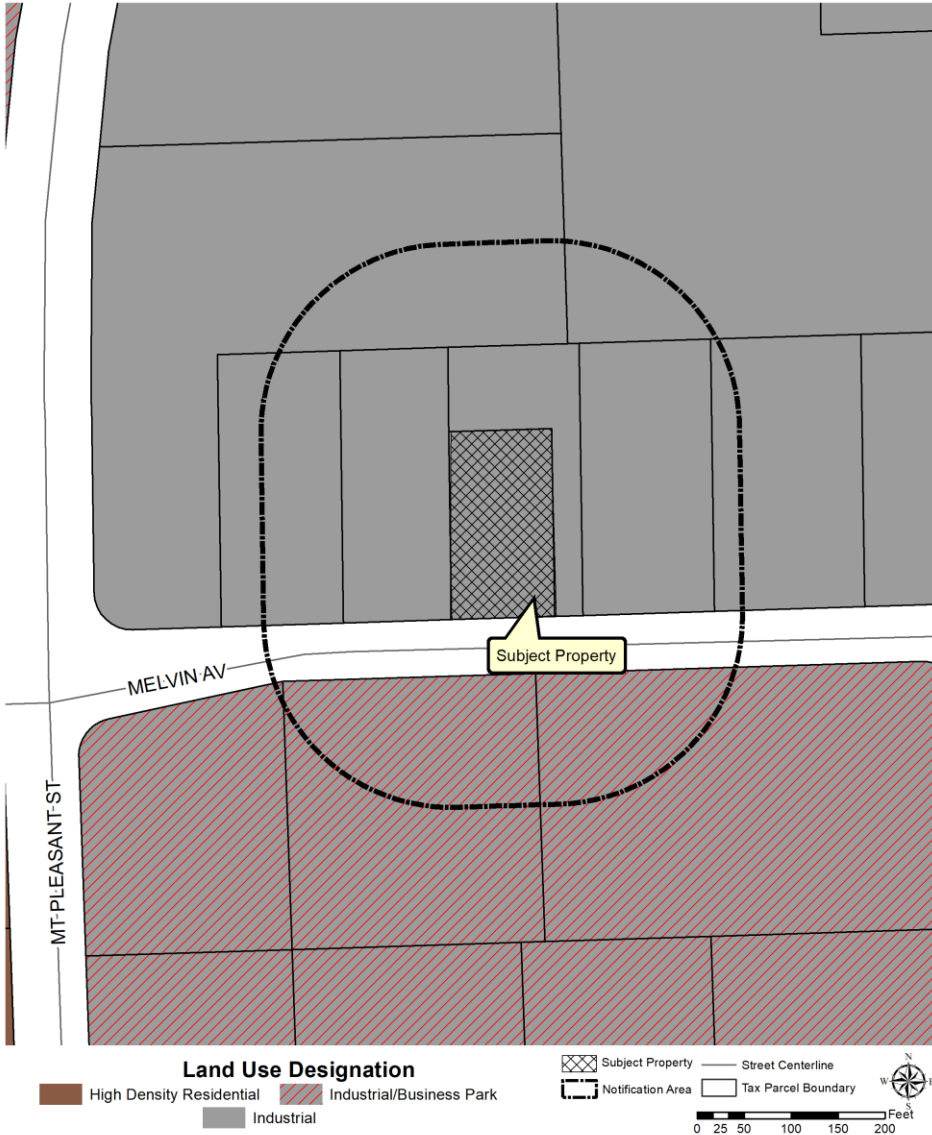


Conditional Use Request - 1906 Melvin Avenue





Conditional Use Request - 1906 Melvin Avenue



Site Photos



Looking north at subject property



Looking west from subject property



Looking south from subject property



Looking east from subject property



Looking at west side of property (right side of photo)



Looking at east side of property (left side of photo)