



CITY OF RACINE DEPARTMENT OF CITY DEVELOPMENT STAFF REPORT

Meeting Date: 10/9/2019

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: 5019 Washington Avenue

Applicant: Todd Mosher, agent for Halle Properties LLC

Property Owner: MIDLAND (WASHINGTON / PERRY) ASSOC II LIMITED PART

Request: Consideration of a conditional use permit for a Discount Tire Store, classified as a Garage for the storage, repair, and servicing of motor vehicles, allowed by Sec. 114-468 of the Municipal Code, at 5019 Washington Avenue, in a building which will be constructed. The property is located in a B-2 Community Shopping Zone District.

BACKGROUND AND SUMMARY: The proposed building would be approximately 8,200 square feet and includes a waiting area and showroom along the Washington Avenue frontage. The business would be open Monday-Friday 8:00 AM – 6:00 PM and on Saturday from 8:00 AM – 5:00 PM and employ 8-12 service technicians and 6-8 sales/managerial staff. All tires are kept indoors and deliveries of new tires and removal of old tires occurs 2-3 times per week. Tire/wheel sales and installation is the only service provided at the location, other repairs to automobiles will not occur.

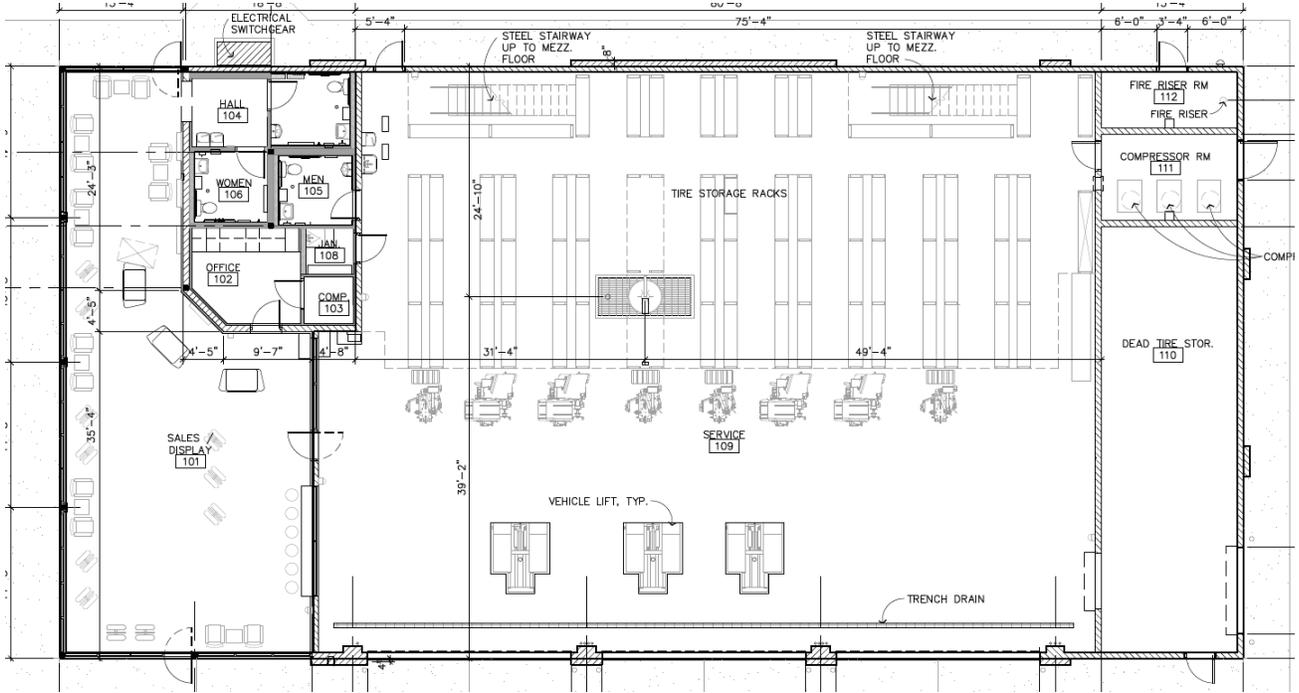
The Zoning Ordinance classifies this proposed Discount Tire auto repair establishment, as permissible in the B-2 Community Shopping Zone District upon the issuance of a conditional use permit (114-468).



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



Proposed site plan (north is to the right), submitted by applicant.



Proposed floor plan (north is to the left), submitted by applicant.



Proposed north elevation, (facing Washington Avenue) submitted by applicant.



Proposed north elevation, submitted by applicant.

GENERAL INFORMATION

Parcel Number: [13132111](#)

Property Size: 53,501 square feet (1.23 acres)

Comprehensive Plan Map Designation: Commercial

Consistency with Adopted Plans:

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

- 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: Convenience Store/Gas Station

Surrounding Zoning and Land Uses:

North	B-2 Community Shopping	Strip shopping center
East	B-2 Community Shopping	Towne Bank
South	B-2 Community Shopping	Undeveloped property
West	B-2 Community Shopping	Yard area for religious institution

ANALYSIS:

Development Standards:

Density ([114-Article V](#): Article VII, Div. 5 [Bulk Regulations](#) & 8 [Lots](#)): The proposed building will be approximately 8,200 square feet.

Standard	Required	Provided
Lot Area	No minimum	53,501 square feet
Lot Frontage	30 feet	215 feet
Floor Area Ratio	4.0 maximum	.153

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

Yard	Required	Provided
Front (north)	0 feet	23 feet
Side (east)	0 feet	12.5 feet
Side (west)	0 feet	56 feet
Rear (south)	0 feet	38 foot

Note, since there are no residentially zoned properties and no residential uses adjacent to the property no transitional yard is required.

Building design standards (114-Secs. [735.5](#) & [736](#)): The existing building on the parcel complies with the construction materials requirements of 114.735.5.b.1. the building is a block building and per the project engineer will take approximately 4-6 months to construct.

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

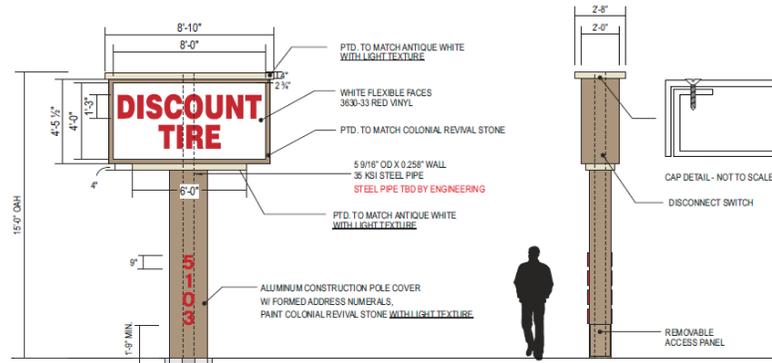
Use Type	Required	Provided
Tire/Battery Store	36	41
Total	36	41 spaces

A building of this size does not require a dedicated loading zone. The loading zone is to the east of the building, but the space in the rear of the building is likely to be utilized for loading and unloading purposes.

Landscaping, screening and yard requirements ([114- Article V](#): Article VII, Div. 6 [Development Standards](#) & 7 [Fences and Walls](#)): A landscaping plan has been submitted by the applicant. The plantings and locations have been reviewed and approved by the City Forester. It would enhance the overall development if plantings could be added to the east of the building between the sidewalk and building; ideally the parking lot to the west would have two trees added on north and south end of the head in row.

Sign Regulations (114-[Article X](#)): The site is allowed 215 square feet of signage. The proposed signage plans conform with all requirements related to sizing, location and illumination. An illustration of the freestanding signage is included below.

Sign Type	Allowable Sq. Ft.	Provided Sq. Ft.
Freestanding/Wall	215 square feet	212
Window signs	50% window area	N/A
Alleyway Signage	N/A	N/A
Total	215 square feet	212



Outdoor lighting, signs (114-Sec. 742): A detailed lighting plan was included with the applicant submittal. The proposed lighting locations, intensities and style of light fixtures complies with all development standards for parking lot and building lighting.

Rubbish and trash storage (114-Article V & 114-740): A new trash enclosure is proposed that will properly screen the dumpster on site and complies with zoning ordinance requirements.

Engineering, Utilities and Access:

Access (114-1151): The access to the site is not changing as a result of this request. Currently there is a driveway off Washington Avenue and the site has shared access agreements to exit/enter onto Perry across the existing bank property as well.

Surface drainage (114-739 & Consult Engineering Dept.): A final drainage plan is required to be approved by the City Engineer as part of the building permit review for the project.

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: 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:

- 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 building and usage of the lot are not anticipated to endanger the health, morals or general welfare of the area. The plans comply with all development standards and the building will be harmonious with development in the general area. The proposed usage of the property is less intensive than other automobile repair operations as the proposal calls for utilizing the site to do tire related work only.

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 not anticipated to be injurious to other properties in the general area, assuming the recommended conditions are adopted with this request. The recommended conditions ensure this property will not impair values or the enjoyment of adjacent properties. There is not expected to be any adverse impacts as a result of the planned building and development of the site. The area is a commercial corridor with some of the highest traffic counts in the entire community; a site like this would generally be expected to develop with a more regional type business given the location and existing and anticipated development patterns of the 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 adjacent properties will be able to function as they have and the proposed usage of this property will not alter these current functions or any others which would be allowed by the zone district. It is anticipated that this operation, as proposed by the applicant, will function in conjunction with the uses in this commercial retailing and regional service corridor. The addition of a tire shop is not anticipated to hinder or impact surrounding properties and the existing or allowed land uses for neighboring properties. The operating plan ensures junked or inoperable vehicles are not on the site and the nature of the business is that all vehicles will be cleared from the site on a nightly basis or parked inside.

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

Staff Comments: This request is not expected to impact the drainage or provision of utilities to the area. Access to the site is provided from Washington Avenue and Perry Avenue; the site functionality and access is not expected to be impacted by the building and proposed business on the site. The previous development on the site of a movie theater had about the same lot coverage as this new usage. Regardless, all requirements for the site will be met as the site is developed for the proposed use.

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 in access to the site. The access now will remain unchanged; the applicant is providing additional parking beyond what the code would require. The nature of the business is that many customers are likely to be at the site for roughly an hour while service is performed, but many will drop the vehicle off and some back later on. The proposal is not altering any access or traffic patterns and the site is within one the busiest commercial corridors in the City. The intersection of State Highways 31 and 20 is just west of here and the site will be able to handle the parking and access demands of the anticipated customer load.

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, primarily, other automobile work consisting of oil changes, and other typical maintenance while a customer would wait. The lesser intensity of the use limits noise, outdoor storage and many of the other visual obtrusions which sometimes accompany automobile repair. There will not be outdoor storage with this use and only tire work is being performed. The use is harmonious with others in the area and provides an effective use for this site.

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, it is expected that this development will operate in accordance with the applicable regulations for this zone district.

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

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 will complement the mix of uses serving the surrounding area.
- The proposed restaurant operation will help to provide a mix of uses within walking distance of a neighborhood, and at a scale and intensity which is complimentary to the area.
- The business will bring new investment and quality jobs to the community and employ approximately 20 people when fully operational.

STAFF RECOMMENDATION: BASED ON THE FINDINGS OF FACT IN THIS REPORT, THAT THE REQUEST FROM, HALLE PROPERTIES LLC, SEEKING A CONDITIONAL USE PERMIT TO ALLOW A GARAGE FOR THE STORAGE, REPAIR, AND SERVICING OF MOTOR VEHICLES AT 5019 WASHINGTON AVENUE BE APPROVED, SUBJECT TO THE FOLLOWING CONDITIONS:

- a) That the plans presented to the Plan Commission on October 9, 2019 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 signage cover no more than 50% of any window as required by Sec. 114-1038(c)(1).
 2. That a final drainage plan be submitted to and approved by the City Engineer as required by Sec. 114-739.
 3. Addition of one tree on the north and one tree on the south ends of the parking area to the west of the building and on the eastern side of the building moving the planting strip between the building and sidewalk and adding vegetation which would fill gaps between the building columns on the east elevation.
- 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 hours of operation be Monday-Friday 8:00 AM – 6:00 PM and on Saturday from 8:00 AM – 5:00 PM.
- e) That outdoor storage or display is not allowed at any time and that nonoperational vehicles not be allowed outside of the building at any time.

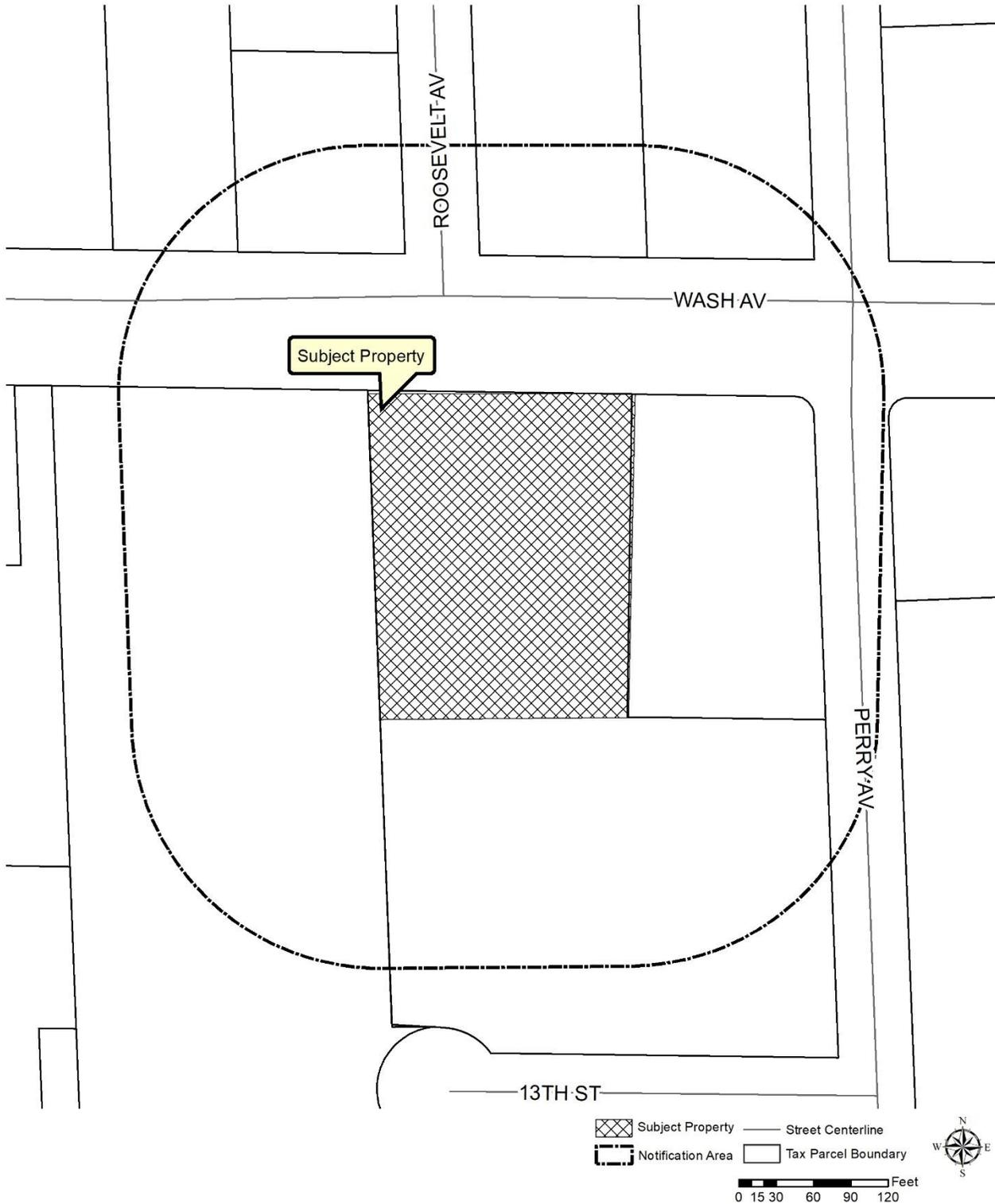
- f) That LED or incandescent string lights not be placed in windows or as architectural accents.
- g) That all codes and ordinances are complied with and required permits acquired.
- h) That no minor changes be made from the conditions of this permit without approval of the Plan Commission, and no major 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 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](#)).

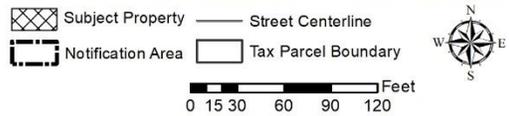


Conditional Use Request - 5019 Washington Avenue



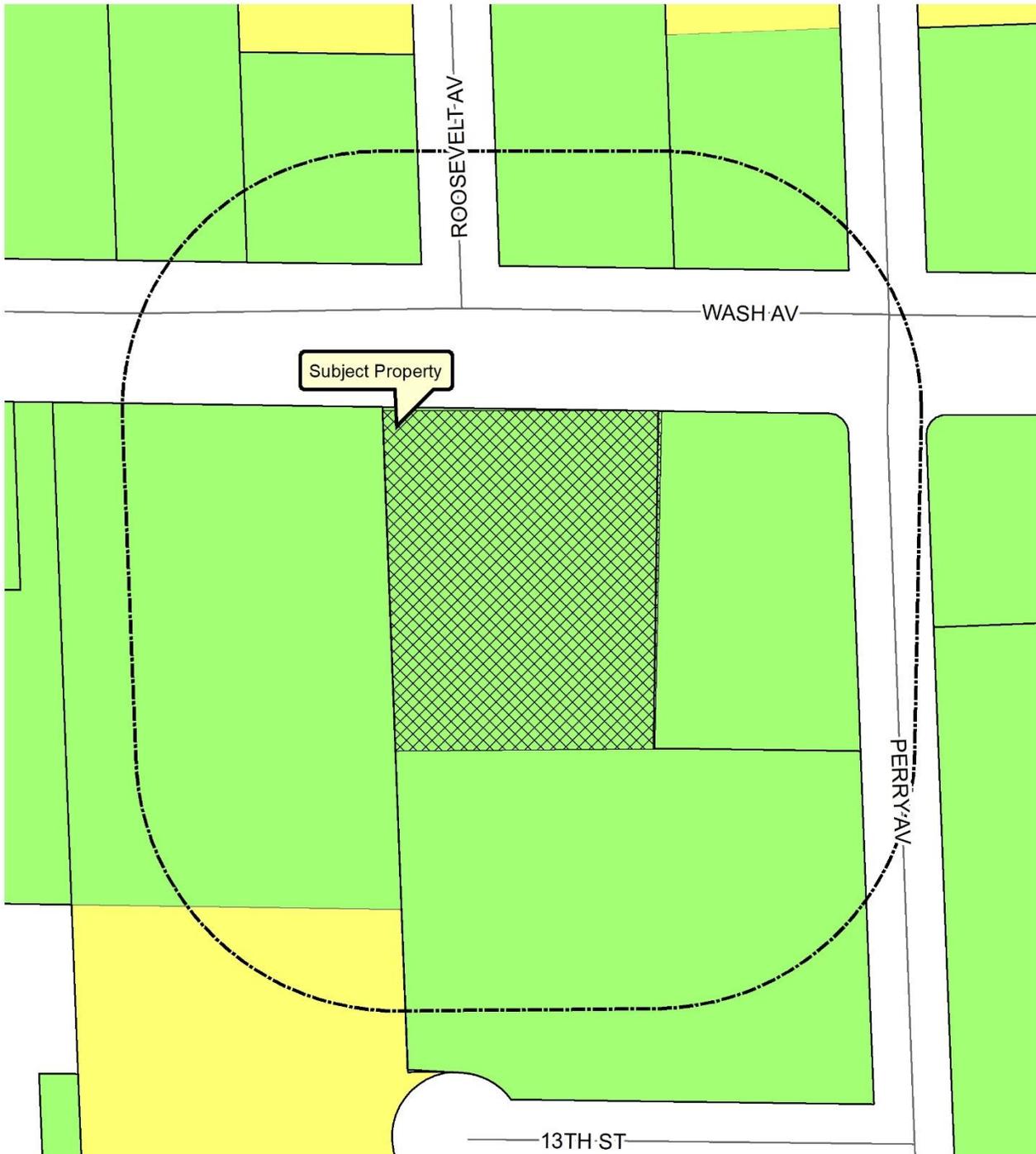


Conditional Use Request - 5019 Washington Avenue





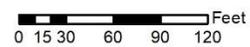
Conditional Use Request - 5019 Washington Avenue



Zoning Designation

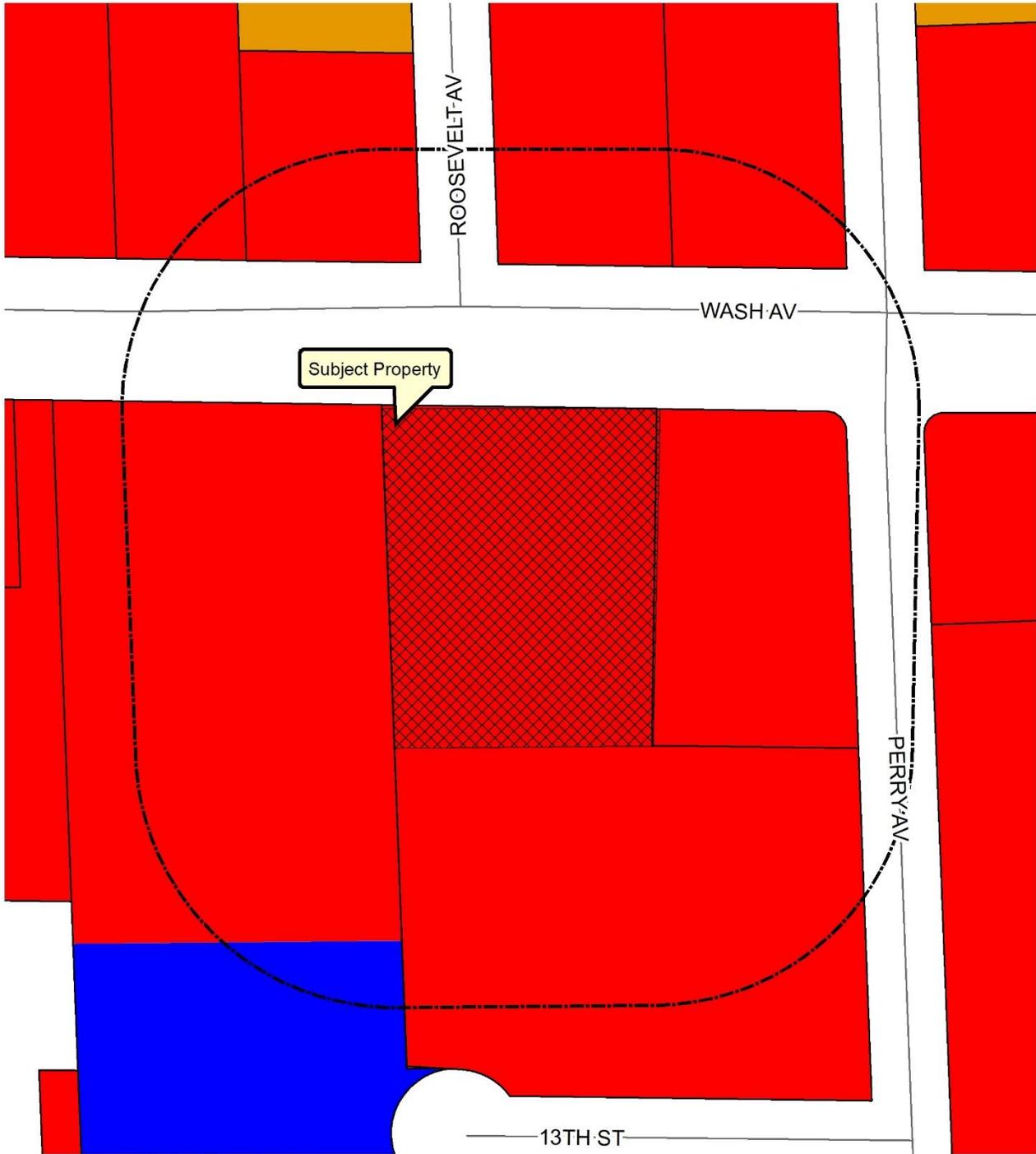
-  B-2
-  R-2

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





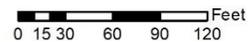
Conditional Use Request - 5019 Washington Avenue



Land Use Designation

- Commercial
- Governmental and Institutional
- Medium Density Residential

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



Site Photos



Looking north from rear of site (east side)



Looking east from rear of site across Towne Bank property



Looking south from rear of site



Looking west from rear of site



Looking at the proposed development site



Looking at Towne Bank property to the east