



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

Meeting Date: 8/14/2023

To: Mayor and Planning, Heritage and Design Commission Members

From: City Development Department, Division of Planning and Redevelopment

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

Case Manager: Jeff Hintz

Location: 921 S. Memorial Drive

Applicant: Quality Concrete CS LLC

Property Owner: Saul Sanchez

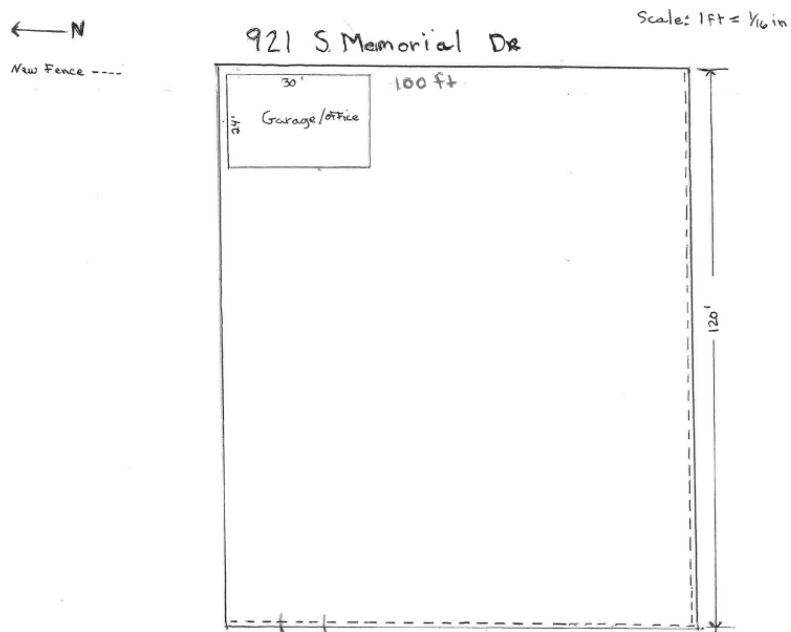
Request: Consideration of a request from Saul Sanchez seeking to change the comprehensive plan land use map from High-Density Residential to Industrial for the purpose of establishing a contractor shop and yard at the property addressed as 921 S. Memorial Drive.

BACKGROUND AND SUMMARY: The application is the first step of three which the applicant would need to have approved for this business to legally occupy the property; a land use map amendment (this application), rezoning from residential to industrial, and a conditional use permit are the three steps (in that exact order) to establish the proposed business on this property.

[State Statute](#) requires that municipalities in Wisconsin have a comprehensive plan and that they zone and establish ordinances in accordance with it related to land use; this includes zoning ordinances, land subdivision ordinances, and shoreland or wetland development ordinances. In this instance, the land use plan calls for High Density Residential Development and zone districts which the plan would support rezoning to would be, R-3 thru R-6 at this time. The necessary zone for this business to locate would be I-1 or I-2 and to be eligible for consideration, this property would need to be classified as Industrial in the land use plan.



Birdseye view of the property, indicated in blue



Proposed Site Plan, submitted by applicant.

GENERAL INFORMATION

Parcel Number: 03244000

Property Size: 11,856 square feet

Current Comprehensive Plan Map Designation: High Density Residential

Proposed Comprehensive Plan Map Designation: Industrial

Corridor or Special Design District?: N/A

Historic?: N/A

Current Zoning District: R-3 Limited General Residence

Purpose of Zone District: The R3 limited general residence district is intended to provide areas which are to be occupied substantially by single-family and two-family dwellings and attached dwellings. It is designed to accommodate limited apartment dwellings while maintaining a low-density owner-occupancy character.

Proposed Zoning: I-1 Restricted Industrial

Intent of Required 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.

Existing Land Use: Contractor Yard/Shop (which is a conditional use permit if the plan is amended and a zone change is successful).

Surrounding Zoning and Land Uses:

North	R-3 Limited General Residence	Mixed-use building, multi-unit dwelling, and detached dwelling unit
East	R-3 Limited General Residence	Detached dwelling units
South	R-3 Limited General Residence	Detached dwelling units
West	B-2 Community Shopping	Garage and storage buildings

REQUIRED FINDINGS:

[Comprehensive Plan Chapter XII](#) Amendments to the Plan (Page 186) (1): City planning staff, will review the proposed amendment and prepare a written recommendation for review by the City Common Council based on the following criteria and any other factors determined to be relevant by the City Plan Commission and Common Council:

- **Is the proposed amendment consistent with the goals, objectives, and policies of the plan?**

Staff Comments:

Page 58 of the Plan in the Land Use Element states that:

“Additional industrial land uses would be created through the development of vacant developable land in designated industrial areas, and on lands designated for redevelopment to industrial uses. Industrial areas as identified on the City land use plan map include lands categorized as industrial and industrial/business park. The type and size of industrial developments to be accommodated will need to be reviewed on a case-by-case basis by City officials to determine that the projects proposed are in the best interest of the community and consistent with long-term plan objectives and policies.”

This particular property is not currently envisioned for industrial development, nor is the general area suitable for usage as an industrial area. Platting of lots, the road network, adjacent uses, and the development patterns of this area and property specifically, would not include industrial usage as the highest and best use of this property or the general area.

Page 64 – City of Racine Land Use Goals

Goal VI-1 - Guide future growth in a manner that preserves and enhances the quality of life and character of the City.

Goal VI- 2 -Encourage efficient and sustainable growth that provides for the protection of natural systems and preserves the stability and diversity of the City’s neighborhoods.

Goal VI-3 - 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.

Goal VI-9 - Promote redevelopment and infill in areas with existing infrastructure and services, enhancing existing residential, commercial, and industrial areas.

Generally summarizing all of these goals into the sentiment of this evaluation criteria when considering the proposed amendment leads to the conclusion that, no, the requested amendment is not consistent with the goals, objectives and policies of the plan. The entire block this property occupies is classified as high-density residential. Changing one of the properties on the block to another

classification at the opposite end of the land use spectrum is the opposite of the intent of the goals, objectives, and policies of the plan. While there are properties on the block and in this general area that are not currently utilized as high-density residential as the plan anticipates, that is the vision for this area. The non-residential uses on this block are allowed to continue, but the plan anticipates them being utilized as high-density residential as they redevelop.

- **Will the proposed amendment lead to any detrimental environmental effects?**

Staff Comments: In terms of contamination on the site and adjacent properties, it is unlikely, but given the nature of motor vehicles, plausible. In terms of detrimental environmental effects on adjacent properties, this is more plausible. Adjacent land uses are far less intensive than the proposed industrial classification at the subject property. Changing just one land classification for a parcel to something significantly more intensive than what the adjacent properties are allowed to currently do, is very likely to be detrimental to the environment of the area.

When one property is developed at a higher intensity land use wise and will occupy an otherwise developed area, it can upset development patterns. Lower-intensity uses may become underinvested in and allowed to deteriorate as the higher-intensity uses operate. The intent of the zoning ordinance is to isolate and buffer industrial uses from residential uses. The spirit and intent of the zoning ordinance is to ensure the enjoyment and use of lesser-intensity development is not infringed upon by higher-intensity development. Buffer yards, screening, and open space requirements are established and mandated to help with this. Additionally, using other uses to buffer incompatible uses from lower-intensity uses is also a mitigating strategy. By placing industrial uses adjacent to residential uses, the method of using other uses to screen and buffer these impacts, will not be an option. The zoning ordinance does offer some relief through buffer yards, open space, and screening requirements, but these requirements will not be enough to mitigate the potential adverse impacts a more intense use will have on the adjacent residential properties.

- **Is the proposed amendment compatible with surrounding land uses?**

Staff Comments: This proposed land use classification to industrial would be a complete juxtaposition in comparison to the adjacent land uses, which are predominately dwellings on the east side of S. Memorial Drive on this block. The ultimate end use of a contractor yard/shop would require the following to occur in this order:

- a) Comprehensive Plan amendment (land use map change);
- b) Application to rezone property;
- c) Conditional use permit.

In the City's Zoning Ordinance, land uses (or businesses) that are classified as conditional uses require a more cautious and tailored approach to be placed onto a property. This is because the nature of these uses tends to have an impact on adjacent lots and can impact the ability of others to enjoy their property. Conditions (rules) are added that attempt to make the use more complimentary and a better fit with what's around it, but sometimes (like in this instance) there is no set of conditions that would be reasonable. The nature of the types of uses allowable in Industrial Zoning are not congruent or compatible with adjacent residential development. While the proposed use and operator may intend for the use to be passive and mostly parking of vehicles, the zoning runs with the land and would authorize uses to be placed onto this lot without any type of public hearing, such as: a freight terminal, manufacturing, plastic production, metal plant, machine shop, and a plethora of others.

The allowable uses in Industrial zoning are likely to impair and limit the enjoyment of surrounding properties and could alter the makeup of this general area should the proposed amendment be approved. Land use amendments for a general area that has changed in nature or are no longer suitable for development as envisioned in the plan are substantially different from this request, which is to amend the map for just one parcel. This proposed amendment to the land use map seemingly benefits one parcel at the potential future detriment to many other parcels on the block.

- **Are existing local and County facilities and services adequate to serve the type of development associated with the amendment?**

Staff Comments: All utilities are already existing and are expected to be adequate to serve development in this area. Water/wastewater, storm sewer, gas, electric, and cable/phone are generally available within the City of Racine in this vicinity. The area is home to an eclectic mix of uses, all of which are adequately served at this time.

- **Will the proposed amendment enhance economic development within the City?**

Staff Comments: It is unlikely that the proposed amendment, which is for one property only, would seek to serve the overall benefit of the area of the City as a whole. This proposed amendment would serve the applicant in the sense if approved, a rezoning to industrial would be eligible for consideration under the plan. Having one property of less than 1/3 of an acre on the land use map surrounded by dwelling units is not expected to enhance economic development in the City. The City has industrial parks, vacant industrial buildings and industrially zoned parcels which are vacant, that would be a more suitable location for the proposed land use of a contractor shop and yard.

The City's land use plan identifies areas which are appropriate for industrial uses or historically have had industrial uses. Amending the land use map on a parcel-by-parcel basis is likely to have adverse impacts on the overall map and would lead to uncertainty and unpredictability in the land ownership or business investment portions of land use economics. A predictable and well-organized land use plan in which a zoning scheme is based is the purpose and intent of the land use plan in the role of property investment and development. This proposed amendment to the land use map, changing one property to industrial and leaving it surrounded by high-density residential uses, would not further the objectives of the overall comprehensive plan or enhance economic development within the City.

POSSIBLE ACTIONS FOR THE PLANNING HERITAGE AND DESIGN COMMISSION

1. Recommend the Common Council approve the request as submitted; or
 - Note: This would direct staff to schedule and notice a public hearing to consider amending the plan in the manner as applied for by the applicant.
2. Recommend denial of the request; or
3. Modify the request to explore a different land use classification; or
4. Defer the request to learn more information about the request at a future meeting.

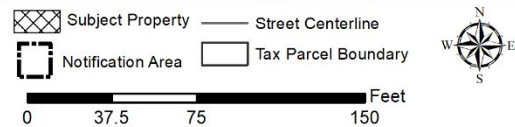
STAFF RECOMMENDATION: BASED ON THE FINDINGS IN THIS REPORT, THAT THE REQUEST FROM SAUL SANCHEZ SEEKING A COMPREHENSIVE PLAN AMENDMENT TO CHANGE THE LAND USE MAP CLASSIFICATION FROM HIGH DENSITY RESIDENTIAL TO INDUSTRIAL TO ESTABLISH A CONTRACTOR SHOP AND YARD AT 921 S. MEMORIAL DRIVE BE DENIED.

ATTACHMENTS:

- 1) Aerial Photo indicating the subject property;
- 2) Zoning Map indicating the subject property;
- 3) Land Use Map from Comprehensive Plan, indicating the subject property; and
- 4) Applicant submittal documents (view in legistar).



Comprehensive Plan Amendment - 921 S Memorial Drive





Comprehensive Plan Amendment - 921 S Memorial Drive




Zoning Designation

- R-3
- I-1
- B-2

Legend for map symbols:

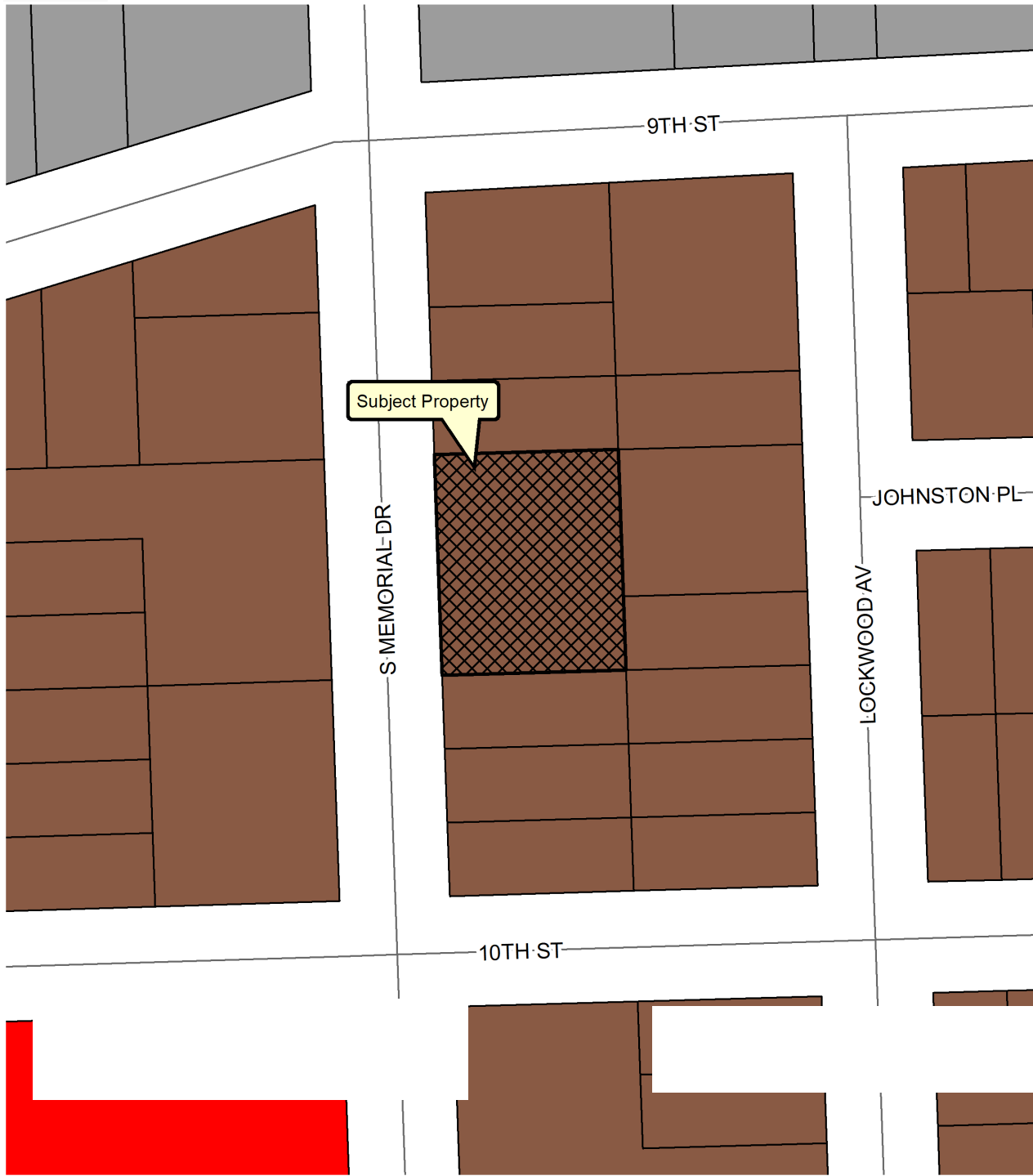
- Subject Property (cross-hatch pattern)
- Notification Area (dashed border)
- Street Centerline (solid line)
- Tax Parcel Boundary (thin solid line)

Scale: 0, 37.5, 75, 150 Feet





Comprehensive Plan Amendment - 921 S Memorial Drive



Subject Property

Land Use Designation
■ High Density Residential ■ Commercial
■ Industrial

Legend for map symbols:
■ Subject Property — Street Centerline
□ Notification Area □ Tax Parcel Boundary

0 37.5 75 150 Feet