



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

**Meeting Date:** 11/13/2019

**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](mailto:matthew.sadowski@cityofracine.org)

**Case Manager:** Jeff Hintz

**Location:** 1442 North Memorial Drive

**Applicant:** L2L RE LLC

**Property Owner:** L2L RE LLC

**Request:** Consideration of a change of zone from I-2 General Industrial District to I-2 General Industrial District with a FD- Flex development Overlay at 1442 N. Memorial Drive in accordance with the requirements of Sec. 114-Article VI, Division 2 of the Municipal Code AND, a use supplement establishing standards for the flex development, with a Conditional Use Permit application for a mixed use development.

**BACKGROUND AND SUMMARY:** The buildings on the site were formerly used with Racine Steel Castings for office workers, engineers and the lot was used for employee parking. Approximately 9 years ago a conditional use permit was issued for a mixed use development and authorized many of the same uses which are being requested within this application. The conditional use permit has since lapsed as the property has been vacant for over a year. The current owners recently acquired the property and have some leads on potential tenants who would lease space in the buildings and have received inquiries for some of the other spaces.



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

## GENERAL INFORMATION

**Parcel Number:** [07394000](#)

**Property Size:** 1.53 acres

**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.
- New development should be designed so it is compatible with established development.

- Protect and enhance cultural structures, activities, historic sites and districts and their infrastructure.
- Preserve and enhance the historic and cultural resources and character of the City.

**Corridor or Special Design District?:** N/A

**Historic?:** Unknown, but date back to 1923.

**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:** I-2 General Industrial with Flex Development Overlay District

**Intent of proposed Zone District (Flex):** The flexible development overlay district is intended to permit redevelopment of property in circumstances in which a property, including its structures, site improvements and infrastructure, is suitable for reuse but the reuse is not consistent with the underlying zoning district, rezoning to another classification would permit other uses potentially detrimental to surrounding properties, and any potentially adverse effects of the intended reuse can be mitigated by conditions on the reuse.

**Existing Land Use:** warehousing and general office space/buildings.

**Surrounding Zoning and Land Uses:**

<b>North</b>	I-2 General Industrial	Vacant industrial complex
<b>East</b>	I-2 General Industrial	Former Racine Steel castings
<b>South</b>	R-3 Limited General Residence	Detached single unit dwellings
<b>West</b>	R-3 Limited General Residence	Detached single unit dwellings

**Operations:** The flex development standards propose operating conditions for the site as a whole. Individual businesses/tenants on the mixed use site would be required to operate within those parameters established by the flex development. At this time there are no specifics given the recent acquisition of the property and fact no tenants have been secured to operate there.

## ANALYSIS:

Development Standards (under the flex):

Density ([114-Article V](#): Article VII, Div. 5 [Bulk Regulations](#) & 8 [Lots](#)):

Standard	Required	Provided
Lot Area	No Minimum	1.53 acres
Lot Frontage	40 feet minimum	460 feet
Floor Area Ratio	4.0 maximum	.24

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

Yard	Required	Provided
Front	0 feet	10 feet
Side	0 feet	58 feet
Corner Side	0 feet	10 feet
Rear	17.5 feet	50 feet

**Building design standards** (114-Secs. [735.5](#) & [736](#)): The existing buildings on the site are potentially historic and meet the building design and construction requirements required by the development standards. There are no changes planned to the exterior materials as a result of this application.

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

The buildings of this size require a dedicated loading zone on the lot. There is ample space on the lots to designate a loading zone of 12x30 feet with 15 feet of clearance. Parking will be determined as uses come in for occupancy. The existing lot which is surfaced and improved to current standards, will hold 17 vehicles. There is an area which needs surfacing which could be paved and landscaped to provide future parking for the proposed mix of development on this site when tenants are identified.

**Landscaping, screening and yard requirements** ([114- Article V](#): Article VII, Div. 6 [Development Standards](#) & 7 [Fences and Walls](#)): A landscaping plan with specifications of plantings was not submitted. The site currently has areas where landscaping could occur and meet current requirements, but plantings of trees and other vegetation would need to take place. A privacy fence is needed along the southern portion of the western property line for approximately 110 feet and some portions north on this lot line require some minor repairs.

**Sign Regulations** (114-[Article X](#)): Signage has not been included with this request; any signage for future tenants needs to follow the sizing guidelines set forth below. As part of the flex development, signage would be reviewed by the Department of City Development prior to permitting and installation.

<b>Sign Type</b>	<b>Allowable Sq. Ft.</b>	<b>Provided Sq. Ft.</b>
Identification signage	250 square feet	0
Parking identification	50% of window area	0
Alleyway Signage	N/A	N/A
Total	250 square feet	0

**Outdoor lighting, signs** ([114-Sec. 742](#)): Details of the existing light fixtures were not provided. Based off a visit to the site, it appears that the lighting on site complies with development requirements that light be focused on the subject property and not onto adjacent properties.

**Rubbish and trash storage** ([114-Article V](#) & [114-740](#)): Upon a visit to the site, there is no trash enclosure present on the site. It would be possible to locate these facilities on the site so they are concealed from public view and thus comply with development standards. When a business occupies the site and requires an enclosure, it will be reviewed to ensure it meets all development requirements.

**Engineering, Utilities and Access:**

**Access** ([114-1151](#)): Vehicular access to the site is not proposed to change. Currently access is from North Memorial Drive.

**Surface drainage** ([114-739](#) & Consult Engineering Dept.): The site plan does not contemplate any changes to the impervious cover of the lot.

**Sewage disposal and water supply** ([114-821](#) & Consult Engineering and S/W Utility): Utilities are existing to the site. Allowing for a mixed use development is not anticipated to impact the ability to serve the area.

**Exceptions to ordinance:** N/A. Development which would not comply with an ordinance requirement will be adjusted as part of the flex development overlay to ensure nonconformities do not exist and the site is conforming.

**Additional Planning and Zoning Comments:** The buildings as developed generally conform to the requirements of the current zone district, which is industrial. Overall, this development is an innovative way to repurpose what was once an institution’s office and administrative buildings. The proposed flex is a hybrid commercial and very light industrial district. Given the close proximity to residential development, the most intensive zone district in the City (I-2 is not compatible with the

long term success of the area. The proposed mix of uses in the flex development zone district is much more accommodating to the development which is proposed and exists at this time.

## **REQUIRED FINDINGS OF FACT:**

ZONE CHANGE FINDINGS (Sec. 114-82. - Findings of fact and recommendations of plan commission.)

The plan commission shall make findings based upon the evidence presented to it in each specific case with respect to, but not limited to, the following matters:

### **1) The Existing uses of property within the general area of the property in question.**

Staff Comments: The uses in this area are a mix of residences and mostly vacant and underutilized industrial sites; the overall feel of the general area is residential in nature, but a major corridor serves as the edge of this neighborhood, of which commercial/industrial uses line the major corridor (Memorial Drive). There are parks and a stadium facility north of this site. The development patterns lend themselves to a less intensive use on this property long term and this zone change would help to facilitate the long term lower intensity of uses which would be supportive to neighborhood service. Allowing for some of the more passive and lighter intensity industrial uses gives some higher allowance for flexibility, but not at a scale and intensity which would be a detriment to the surrounding residential uses.

### **2) The zoning classification of property within the general area of the property in question.**

Staff Comments: The property is surrounded by residential districts to the west and industrial zoning to the east; this parcel is a buffer or transition into the neighborhood and should function as such. The other properties in the area are zoned a residential designation. The flex development overall will authorize this operation, but on a limited scale and with conditions which are customized for this property and will take account the surrounding development pattern and uses. The most intensive zone district in the City is no longer appropriate for this property given the proximity to residential development. The residential development is not predominate and established, whereas the industrial property has become underutilized or vacant; these former industrial uses should be transitioned to uses which are appropriate for the development which is still successful and maintained in this area.

### **3) The suitability of the property in question to the uses permitted under the existing zoning classification.**

Staff Comments: Given that the properties surrounding this property are residential, the current industrial zone district makes much less sense on this property. The flex development is intended for

the reuse of buildings and structures for purposes which they were not originally designed, yet are worth saving for future generations. Repurposing these buildings into something which can potentially be a compliment to the area instead of a potential detriment (given the intensive uses allowed in I-2) is a goal of the flex development.

**4) The trend of development, if any, in the general area of the property in question, including changes, if any, which have taken place in its present zoning classification.**

Staff Comments: At this time, the property is vacant, but was used for offices, a day care and religious use. The general area has remained relatively unchanged since initially developed. The need or desire for industrial space in close adjacency to residential uses has shifted; when first developed people desired homes near industrial uses to walk to work. As time has gone on, this trend has shifted and there is much less of a desire today to live adjacent to industrial development and factories. Allowing the most intensive zone district in the City, directly adjacent to residential development, without buffering yards and enhanced site design, is no longer beneficial to any party which is involved in such a land use arrangement.

**5) The objectives of the current land use plan for the city.**

Staff Comments: The Comprehensive Plan calls for this area to be Industrial on the land use element within the document. This proposal will protect the established and successful land use patterns of the area while allowing extremely limited industrial uses. The land use map sought to match what was on the ground when initially developed and allowing some of those industrial uses does make sense; however, this property would be best suited to serve as a buffer or transition from the industrial uses present on the east side of Memorial Drive for the residences to the west. Historic preservation of buildings is easier to achieve when the historic building(s) have a purpose which is suitable to modern economics. This application for the property allows for modern uses which will now have the ability to serve as benefit to the adjacent residences instead of as a potential hindrance to the success of the neighborhood.

FLEX DEVELOPMENT STANDARDS (Sec. 114-647. – use supplement and permitted uses.)

Note: Criteria a-e are also the same as with a Conditional Use as outlined in Sec. 114-154, but not including criteria about the comprehensive plan land use map (which is included in the Rezoning criteria above) and the portion about exceptions to development standards, which are addressed in the Use Supplement.

The plan commission shall not recommend approval of a use supplement and the permitted uses contained therein unless the plan commission finds that:

**(a) The establishment, maintenance, or operation of the uses will not be detrimental to or endanger the public health, safety, morals, comfort or general welfare;**

Staff Comments: The proposed conditional use is not anticipated to endanger the public health, safety, morals or general welfare of the community of this area in general. The flex development will help to preserve the historic buildings, but is expected to do so in a manner which will not impact the surrounding properties in the neighborhood. The use supplement tailors development to the particular surroundings and needs of the area and buildings on the parcel. It is expected that the use of the property will be a benefit to the area and complement the existing residential development.

**(b) The uses 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 proposed conditional use is not anticipated to be detrimental to the use and enjoyment of surrounding properties. The application contemplates having a flex development to transition the buildings to modern uses and establish operational parameters which are applicable to uses in the future. It is expected that with this proposed rezoning that to the casual observer, the site will look as it has for decades, but allow for uses that were never contemplated on this site, but would have a high potential to benefit the surrounding residential neighborhood.

**(c) The establishment of the uses will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the underlying district;**

Staff Comments: The proposal to create the flex development for the site contemplated by the applicant is not anticipated to impede or alter the development patterns of this area. The applicant is able to comply with all development standards on the site. The applicant will be adhering to all other requirements which would be applicable to other properties with similar allowed uses in close proximity to residential development.

**(d) Adequate utilities, access roads, drainage and/or necessary facilities have been or are being provided;**

Staff Comments: The materials submitted by the applicant do 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.

**(e) Adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in public streets;**

Staff Comments: The site plan submitted by the applicant does not contemplate any changes to the ingress or egress from the site. It is not expected that additional traffic or changes in traffic patterns will occur as a result of this proposal.

**(f) The proposed uses will neither have an adverse impact nor set an undesirable precedence with relation to the objectives of the current land use plan for the area or the city;**



Staff Comments: The application and proposed uses are consistent with the objectives of the land use plan for the City. The land use plan designates this property as industrial; limiting the industrial uses and expanding upon the commercial, neighborhood serving uses is what the land use plan seeks to achieve. This flex development establishes operational parameters which ensure adverse impacts are avoided and contrasting uses are eliminated from consideration on this parcel.

**(g) Adequate conditions have been included in the use supplement that advance the goals of the preceding standards.**

Staff Comments: The Use supplement is written in a manner in which the activities currently allowable on the property, which are in contrast to a successful neighborhood have been eliminated from consideration. The operational parameters set are generally flexible in relation to use as a commercial and light intensity, industrial property, and more specific to function and operation of who is occupying the property. It is anticipated this mix will give the applicant and owner, flexibility in finding tenants for a mix of uses, but at the same time, not be a detriment to those who live there.

## **POSSIBLE ACTIONS FOR THE PLANNING COMMISSION**

1. Approve the request as submitted; or
2. Recommend the adoption of an amendment changing the zoning classification of the property in question to any higher classification than that requested by the applicant; 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:**

- The proposed usage of the facility will help the area maintain a more residential character and utilize this site as a commercial hub, but with some light intensity industrial uses.
- Use of the site as a limited commercial hub will allow the potential for neighborhood serving businesses to locate in what is generally an industrially zoned corridor with adjacent residences.

**STAFF RECOMMENDATION:** BASED ON THE FINDINGS OF FACT IN THIS REPORT, THAT THE REQUEST FROM L2L RE LLC AND GREEN DOOR TRUST SEEKING

A ZONE CHANGE FROM I-2 GENERAL INDUSTRIAL DISTRICT TO I-2 GENERAL INDUSTRIAL DISTRICT WITH A FLEX DEVELOPMENT OVERLAY DISTRICT, AT 1442 NORTH MEMORIAL DRIVE BE REZONED AND HAVE AN ORDINANCE PREPARED FOR THE REZONING OF THE PROPERTY.

AND, related to the Conditional Use Permit:

BASED ON THE FINDINGS OF FACT IN THIS REPORT, THAT THE REQUEST FROM THE L2L RE LLC AND GREEN DOOR TRUST SEEKING A CONDITIONAL USE PERMIT FOR MIXED USE DEVELOPMENT, AT 1442 NORTH MEMORIAL DRIVE BE APPROVED, SUBJECT TO THE FOLLOWING CONDITIONS:

- a) That the plans presented to the Plan Commission on November 13, 2019 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 the following development standards be complied with prior to occupancy unless otherwise noted:
  1. A trash enclosure(s) as required by Sec. 114-740 be installed on the property. A chain link fence with privacy slats shall not fulfill this requirement.
  2. A privacy fence be installed along the southern 110 feet of the western property line as required by Sec. 114-734 of the Municipal Code.
  3. Parking areas be sealed and striped, removing all vegetation in the cracks as required by Sec. 114-Article XI.
- 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 Plan 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 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](#)).

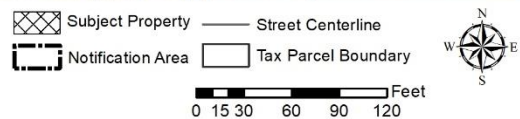


## Flex Rezoning and Conditional Use - 1442 N. Memorial Drive



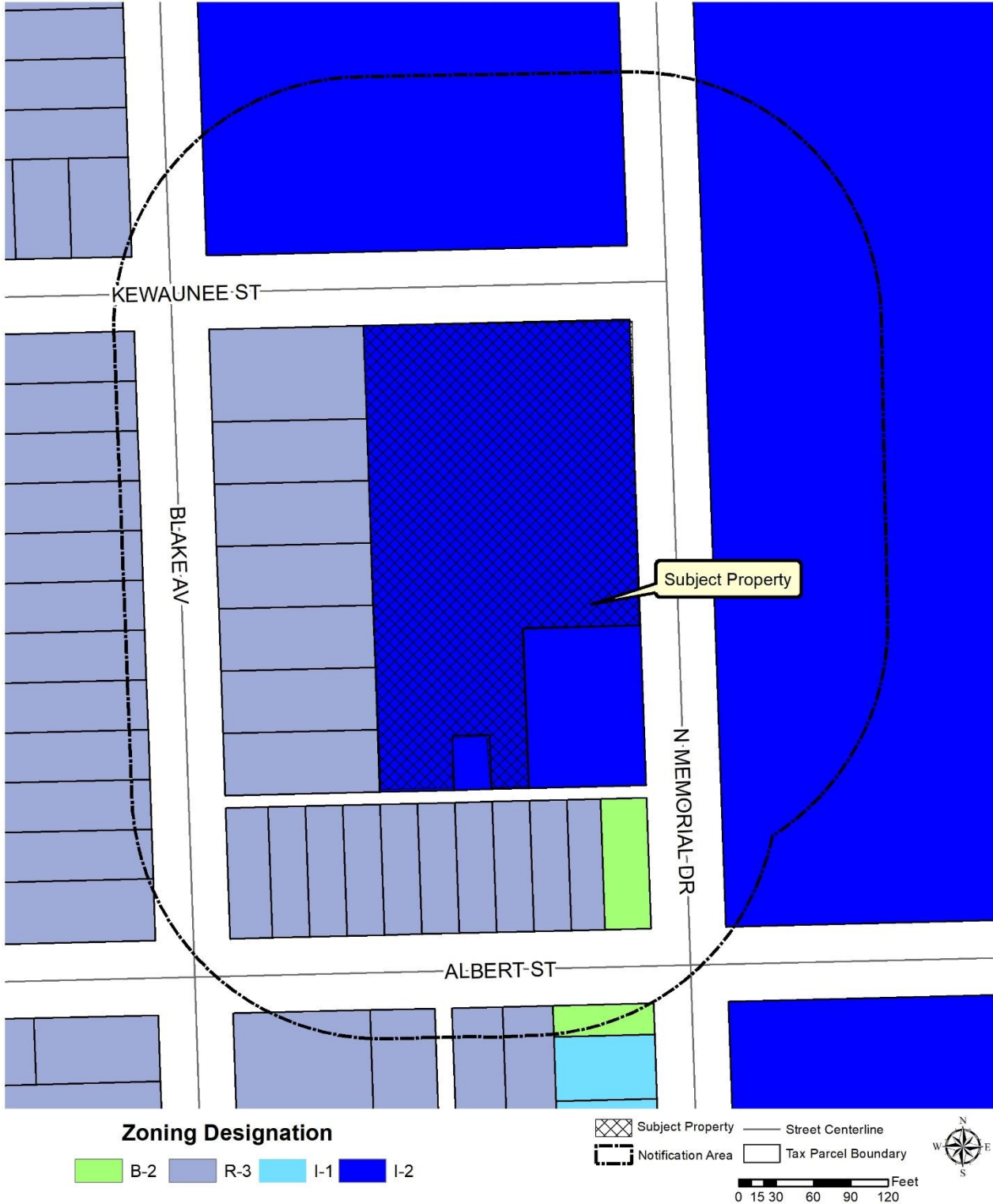


## Flex Rezoning and Conditional Use - 1442 N. Memorial Drive



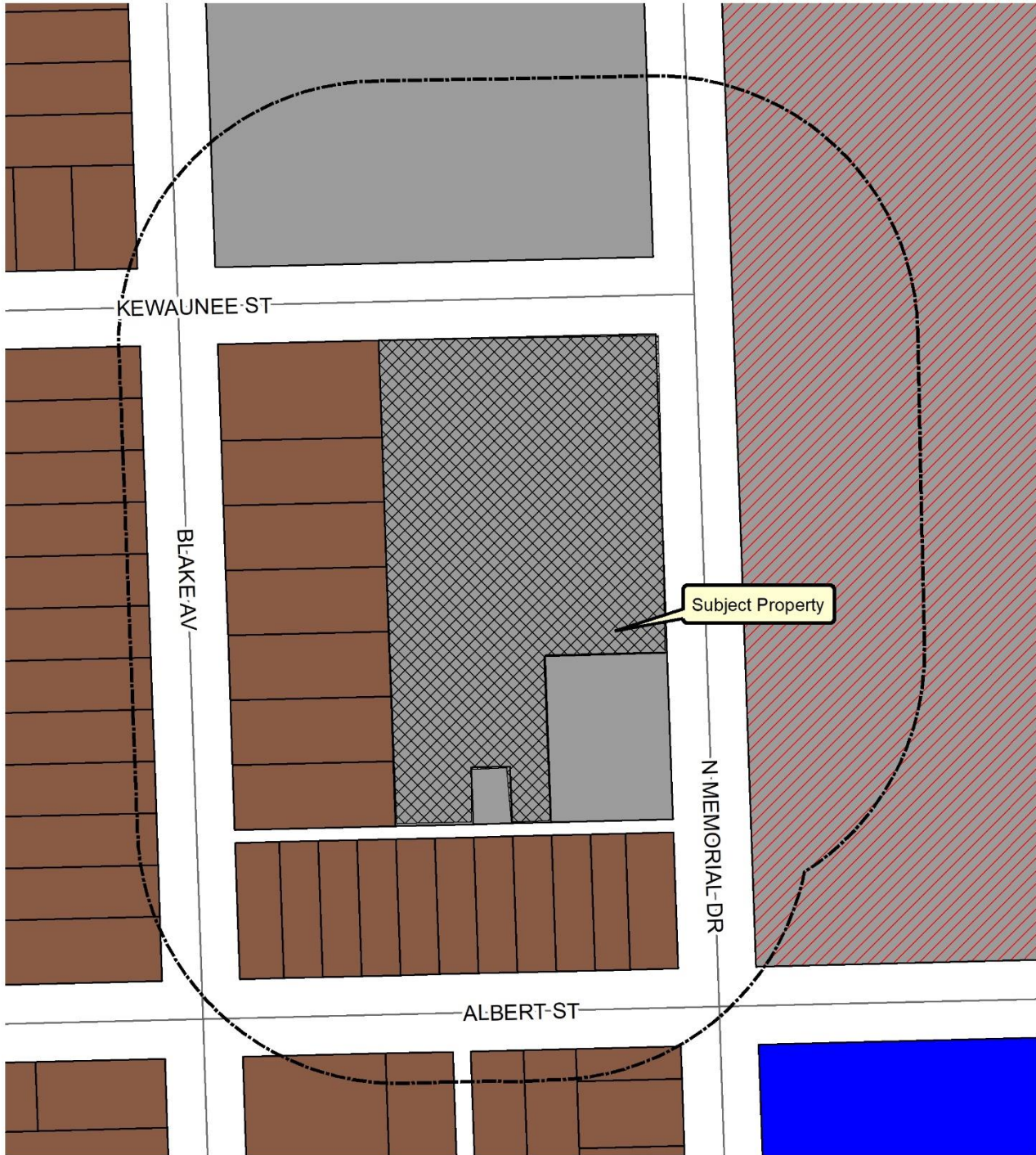


## Flex Rezoning and Conditional Use - 1442 N. Memorial Drive



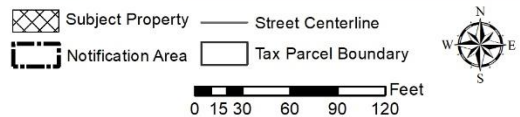


## Flex Rezoning and Conditional Use - 1442 N. Memorial Drive



### Land Use Designation

- Industrial
- High Density Residential
- Industrial/Business Park
- Governmental and Institutional



### Site Photos



Looking west from Memorial Drive at parking area



Looking north along Memorial Drive from subject property



Looking west at southernmost building on property



Looking west at original office building (1923) on property



Looking south at 1950's era building used recently as a daycare



Looking south on Memorial Drive from subject property