



**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

Case Manager: Jeff Hintz

Location: 251 Luedtke Avenue

Applicant: Michael’s Signs

Property Owner: LUTHERAN HIGH SCHOOL ASSOCIATION

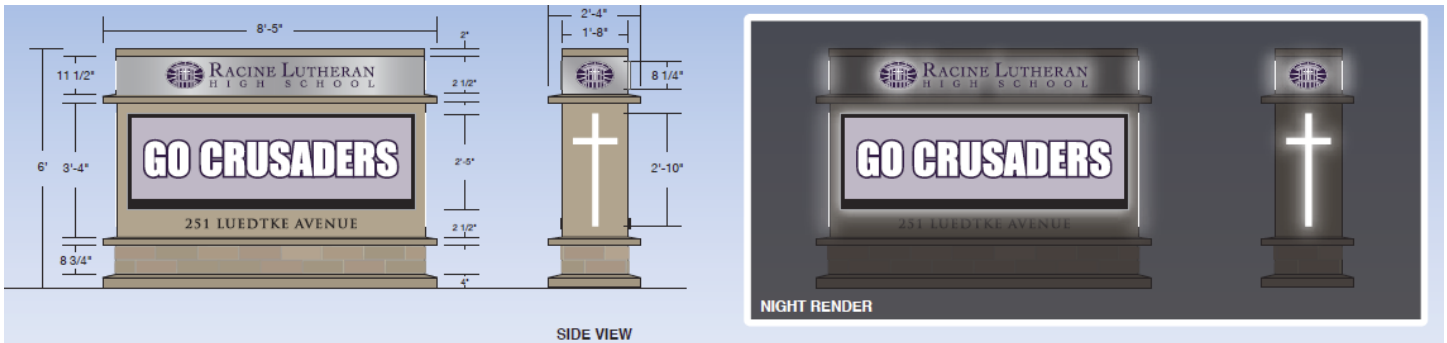
Request: Consideration of a major amendment to an existing conditional use permit for an electronic message sign, as allowed by Sec. 114-1033(a) of the Municipal Code, of the property at 251 Luedtke Avenue. An exception from the requirement the sign be 200 feet from a residential zone to accommodate the signage is requested, as the proposed signage is within 200 feet of the residentially zoned City Park facilities of Brose Park and Lee Park.

BACKGROUND AND SUMMARY: The applicant seeks to have the electronic sign to replace a static sign which was destroyed in an automobile accident. The destroyed signage was located essentially at the intersection of Luedtke and Spring Street; the proposed electronic message signage would be located away from this intersection to comply with the spirit and intent of the ordinance to be located away from residential dwelling units. An exception is requested because the ordinance requires a separation from residential zoning as well. The city park facilities in the vicinity are zoned residentially and this signage would be located with 200 feet of these parcels, which are not used for residential dwellings.

The Zoning Ordinance classifies Electronic Message Signage as permissible in the R-3 Limited General Residence Zone District for an institutional use upon the issuance of a conditional use permit (114-1033).



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



Rendering of the proposed signage, submitted by applicant.

GENERAL INFORMATION

Parcel Number: [06424000](#)

Property Size: 3.46 acres

Comprehensive Plan Map Designation: GOVERNMENTAL AND INSTITUTIONAL

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: No change proposed

Existing Land Use: High School.

Surrounding Zoning and Land Uses:

North	R-3 Limited General Residence	Spring Street and City park property
East	R-3 Limited General Residence	City park property
South	R-3 Limited General Residence	Detached single unit dwellings
West	R-3 Limited General Residence	Detached single unit dwellings

ANALYSIS:

Development Standards:

Sign Regulations (114-[Article X](#)): Any signage needs to follow the sizing guidelines set forth below.

Sign Type	Allowable Sq. Ft.	Provided Sq. Ft.
Identification signage	60 square feet	0
Electronic Message	60 square feet (30 EMC)	48 (14 EMC)
Total	120 square feet	48

Exceptions to ordinance: An exception from the requirement that the sign be 200 feet away from a residential zone or use. This exception is for the park property to the east.

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: If operated in accordance with the conditions at the end of this report and placed as indicated in the applicant submittal, staff would conclude that there is no detrimental impact to the adjacent properties or endanger the safety, health or welfare of the general area. The dimming and signage being switched off at night will help to ensure there is no disturbance to the surrounding properties and as a result, the general welfare and comfort of the area is expected to be preserved. The signage is innocuous and is likely to go unnoticed except by those who are traveling past the site, which is generally the intent and purpose of having the signage.

- 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 location is somewhat isolated from other development due to the natural topography of the area (heading east) and is separated from existing uses (residential to the west). Generally, this portion of Spring Street is devoid of development due to being within the floodplain along the Toot River. The curvature of Spring Street and the elevation changes dropping down to this parcel (heading west) lend the location to be good for this type of signage. It is likely that this sign will not be visible from any dwelling unit and only visible to those passing by in the street or sidewalk. That being said, this location would be the least injurious to other properties in the vicinity for the installation of this style of signage.

- 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 proposed location is as far from residential development as possible. While the park facilities are zoned residential, their development will not occur and will remain as passive recreational areas along the river. The signage is something that many institutions have, but locating these electronic signs is important. The signage is placed in such a manner to minimize obtrusiveness to other properties in the area. The general area isn’t not anticipated to transition or change in terms of land use; predominate uses are residential and recreational/natural areas. The sign, if operated in accordance with the recommended conditions is expected to allow for the continuation of the existing land uses for the area.

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

Staff Comments: Based on the plan submitted by the applicant, there will be no noticeable impact to roads, drainage or provision of utilities in this general area. Usage of the property will remain unchanged.

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. More importantly, the location of the signage complies with all location parameters in relation to the lot it will be installed on. The location is away from the intersection and preserves line of visibility for those driving vehicles.

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

Staff Comments: The proposed usage for the site will not change as a result of this request. The signage would be appropriate for a governmental/institutional use on the property in this setting. The property is expected to function as it has, an educational facility as a high school with learning, extracurricular activities and other educational functions. The signage is in a location which will impact the adjacent properties with residential uses the least. It is expected these residences will not notice the signage given the location which is proposed for the installation.

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: The proposed location of the sign is 230 feet away from the existing dwellings to the west of the site (the use) so it complies with that portion of the requirement. Specifically, the signage is within 200 feet of the City park property to the east and north, which is zoned residential, but has no actual residential usage. The park being zoned anything other than residential, or the size of the school lot being 120 feet wider, would result in total compliance for this request.

That being said, locating this sign as far away from the dwellings in the area is the intent of the ordinance. The park property while zoned residential, is not used for dwellings.

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 RECOMMENDATION: BASED ON THE FINDINGS OF FACT IN THIS REPORT, THAT THE REQUEST FROM MICHAEL’S SIGNS, SEEKING A CONDITIONAL USE PERMIT FOR AN ELECTRONIC MESSAGE SIGN BE APPROVED, SUBJECT TO THE FOLLOWING CONDITIONS:

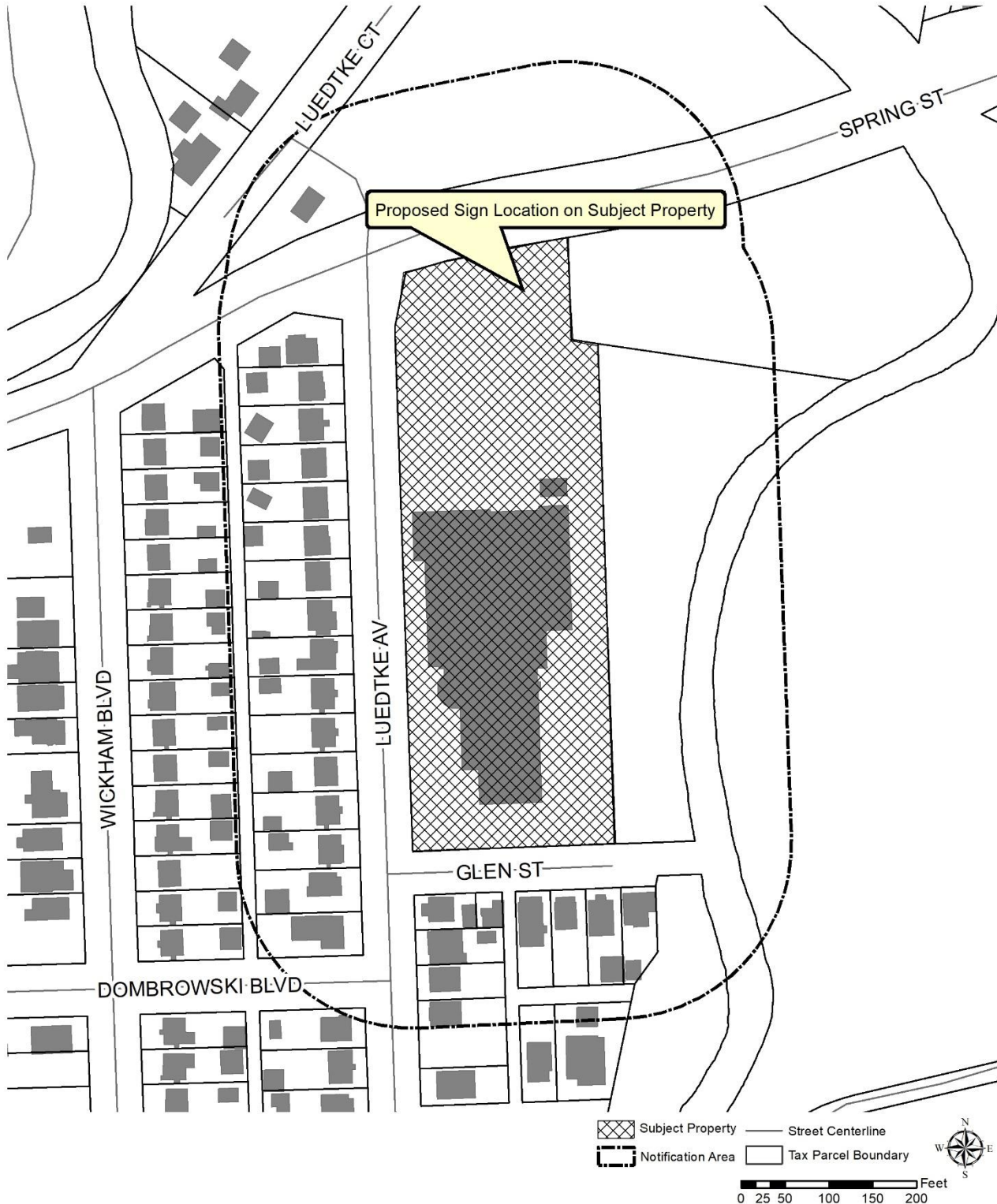
- a) That the plans presented to the Plan Commission on November 13, 2019 be approved subject to the conditions contained herein.
- b) That the EMS be operated in accordance with the following provisions:
 - 1) Maximum brightness levels for electronic or digital display signs shall not exceed 5000 nits when measured from the sign’s face at its maximum brightness, between sunrise and sunset, as determined by the National Weather Service.
 - 2) Maximum brightness levels for electronic, digital display signs shall not exceed 500 nits when measured from the sign’s face at its maximum brightness, between sunset and sunrise, as determined by the National Weather Service.
 - 3) Each message change shall be accomplished in one second or less, and each message shall remain in a fixed position for a minimum of 12 seconds.
 - 4) The use of scrolling, flashing, blinking, chasing, or traveling lights, videos, or similar animation is prohibited except during message changes.
 - 5) A maximum of four lines for electronic messages are allowed per sign face. Lettering height shall be no more than four (4) inches in height.
 - 6) The electronic message board be switched off from or programmed to an all-black screen, with no messaging from 10:00 PM to 6:00 AM daily.
- c) That all codes and ordinances are complied with and required permits acquired.
- d) That an exception from Sec. 114-1033(a)(1)c.2 be granted to allow a sign within 25 feet of city owned parkland to the east (Brose Park) and 160 feet from Lee Park (north).
- 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](#)); note, signage is revised and on last page.

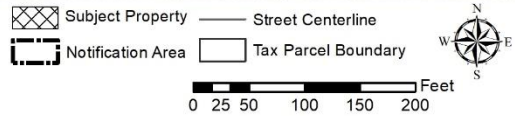


Conditional Use Request - 251 Luedtke Avenue



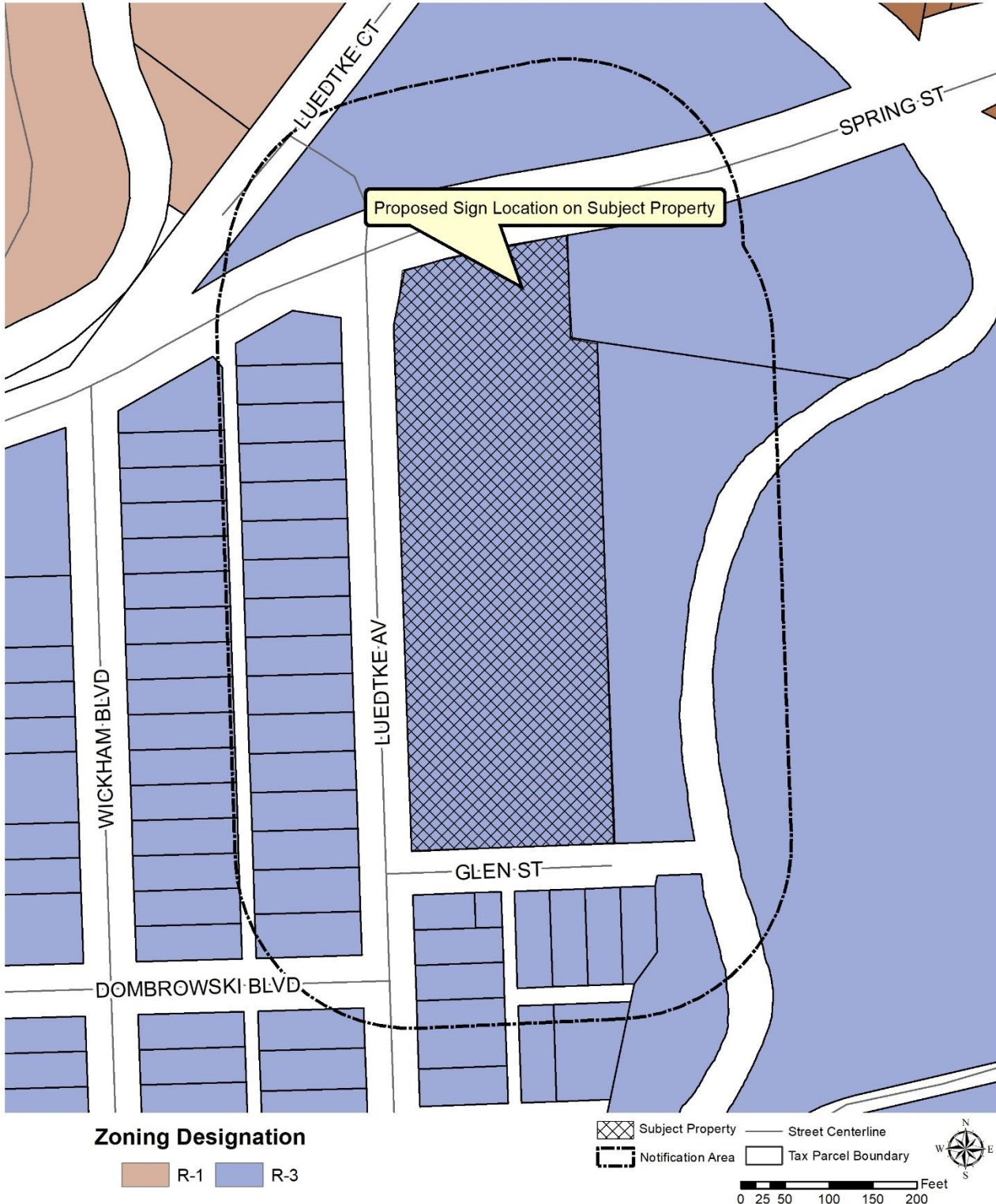


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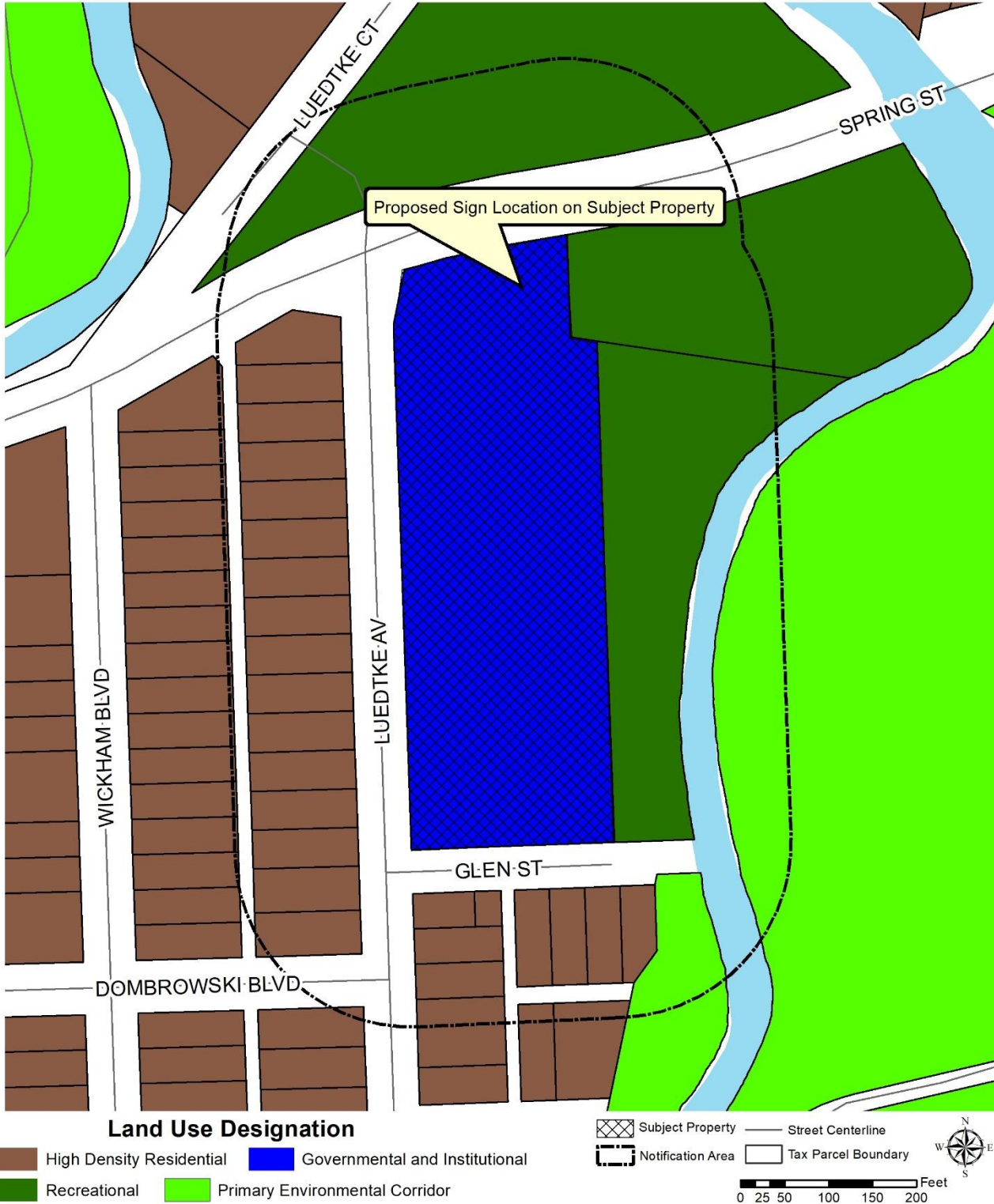


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Site Photos



Looking east towards where the sign would be installed



Southwest from area south of where sign would be installed



Looking east from front property line of closest residential property



Looking north from location of proposed signage



Looking south towards subject property



Looking west from City park property