



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

**Meeting Date:** 7/24/2019

**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:** 3818 Durand Avenue, located on the northeast corner of the intersection of Durand Avenue and Lathrop Avenue

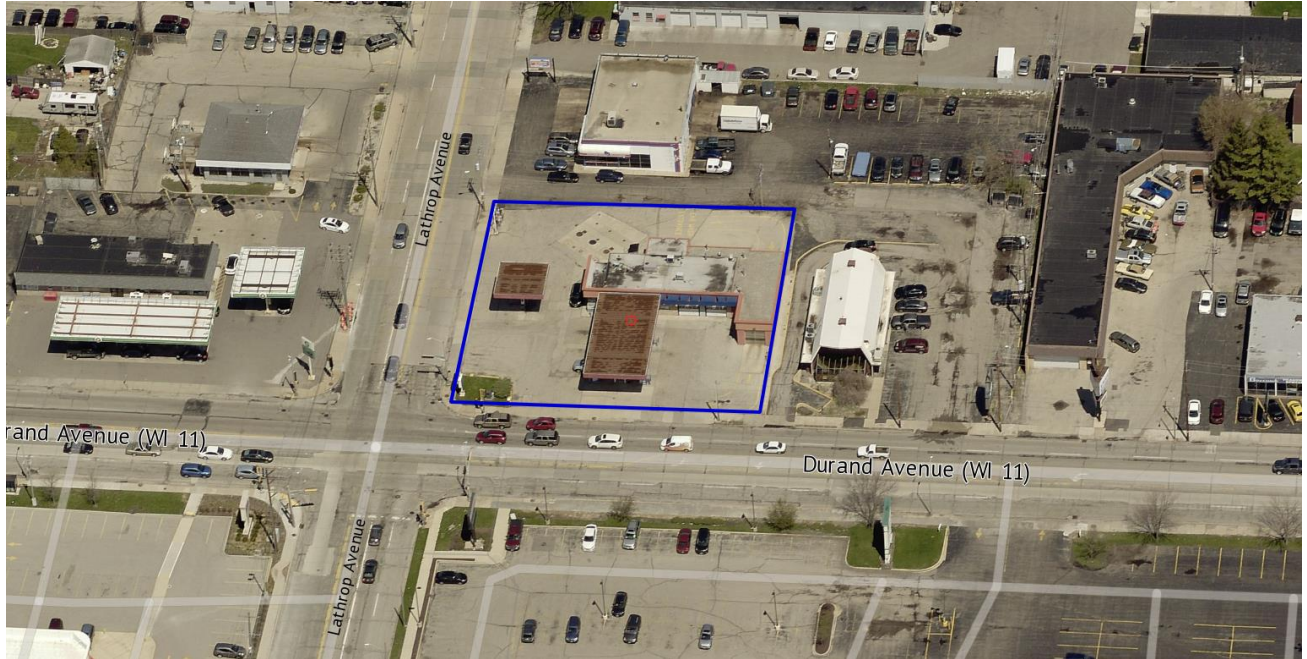
**Applicants:** Andy Khullar

**Property Owner:** Andy Khullar

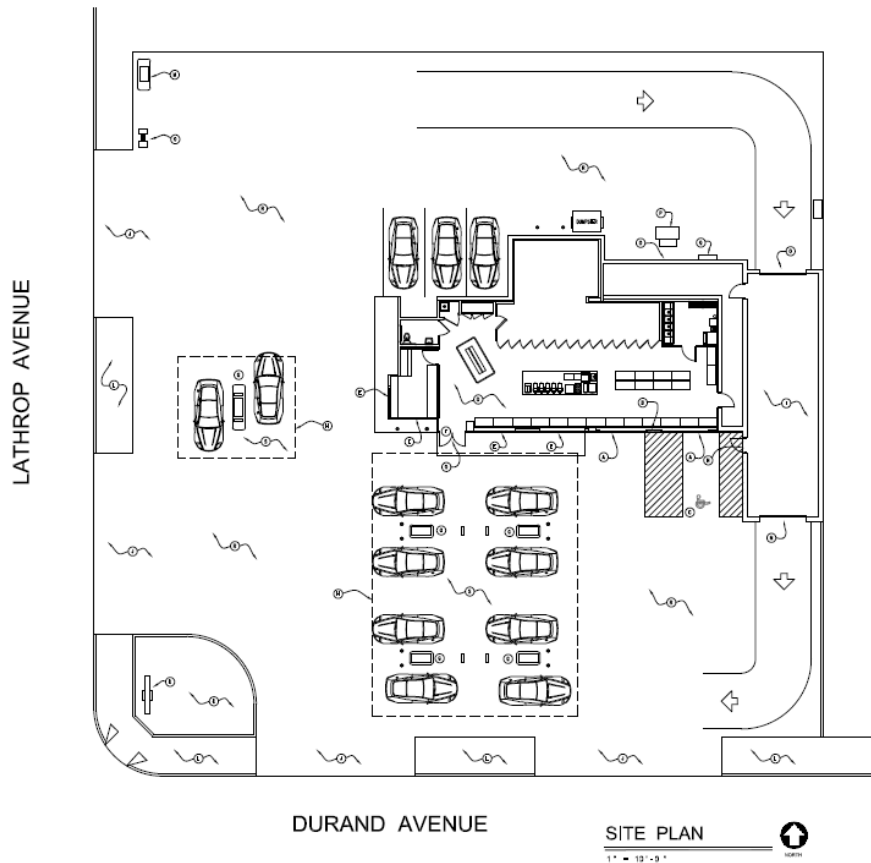
**Request:** Consideration of a minor change to a conditional use permit to consider usage changes. The subject property is within a B-3 General Commercial Zone District. The proposed changes are being reviewed by the Plan Commission as required in section [114-155](#) (b) of the Municipal Code.

**BACKGROUND AND SUMMARY:** The existing gas station and convenience store on the property seeks to change the area previously used for auto repair to expand the convenience store. The interior of the building will be remodeled and the façade where existing garage doors are will be changed.

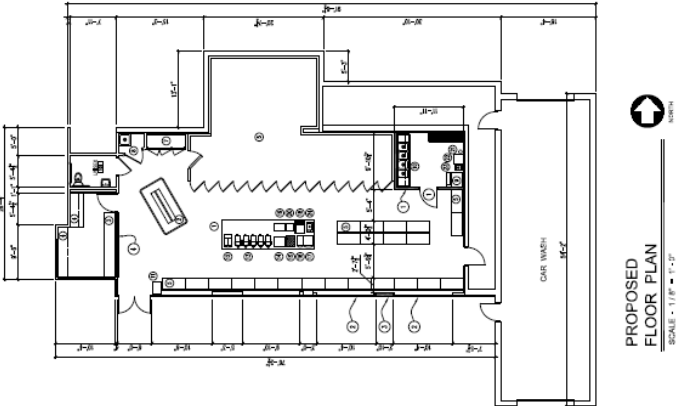
The proposed changes are determined to be a minor amendment to an existing conditional use permit, pursuant to section 114-155 of the Municipal Code.



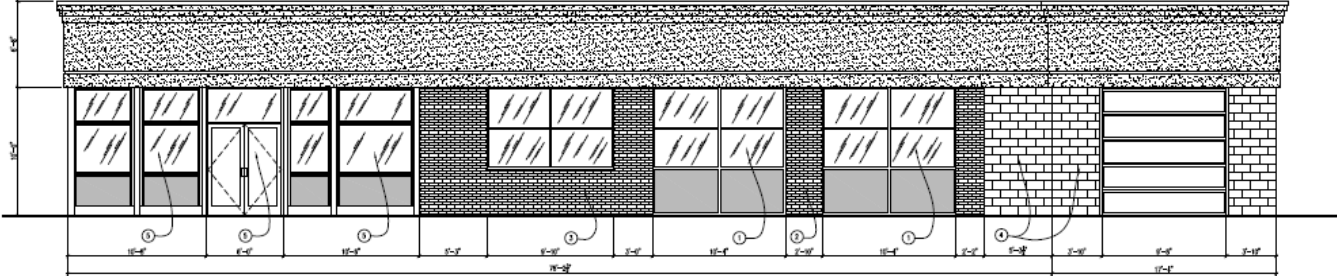
Birdseye view of the property, indicated in blue (image from City Pictometry).



Sight Plan, submitted by applicant.



Proposed Floor Plan, submitted by applicant.



**SOUTH EXTERIOR ELEVATION**  
SCALE - 1/4" = 1'-0"

Proposed New South Elevation, submitted by applicant.



THE STOREFRONT GLAZING TO GO WHERE THE EXISTING OVERHEAD DOORS ARE LOCATED

EXISTING SOUTH ELEVATION

# GENERAL INFORMATION

**Parcel Number:** [23859000](#)

**Property Size:** .52 acres

**Comprehensive Plan Map Designation:** Commercial

**Consistency with Adopted Plans:**

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

- The plan should encourage the redevelopment of older areas and commercial areas.
- Promote redevelopment and infill in areas with existing infrastructure and services, enhancing existing residential, commercial, and industrial areas.
- Promote the expansion or stabilization of the current economic base and the creation of a range of employment opportunities.

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

**Historic?:** N/A

**Current Zoning District:** B-3 General Commercial

**Purpose of Zone District:** The B3 general commercial district is intended to accommodate those commercial activities which may be incompatible with the predominantly retail uses permitted in other business districts; and whose service area is not confined to any one neighborhood or community.

**Proposed Zoning:** No change proposed

**Existing Land Use:** Gas Station

**Surrounding Zoning and Land Uses:**

<b>North</b>	B-3 General Commercial	Auto Repair Shop
<b>East</b>	B-3 General Commercial	Restaurant
<b>South</b>	B-2 Community Shopping	Pharmacy and retail store
<b>West</b>	B-2 Community Shopping	Gas Station

## ANALYSIS:

Development Standards:

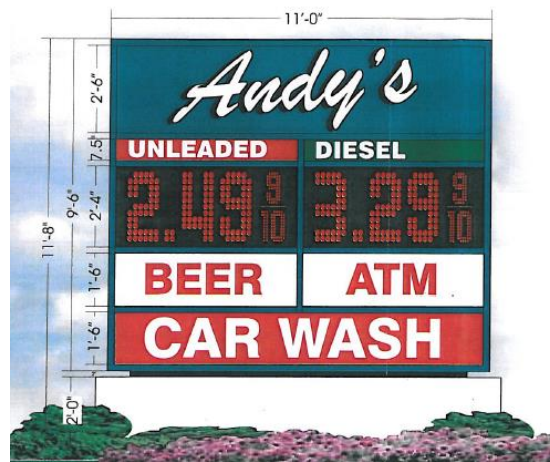
**Building design standards** (114-Secs. [735.5](#) & [736](#)): The building on this parcel complies with the requirements of 114.735.5.b.1; the contemplated changes also comply with the requirements of the

ordinance. The proposal contemplates changing the existing garage doors to windows with aluminum frames.

**Landscaping, screening and yard requirements** ([114- Article V](#): Article VII, Div. 6 [Development Standards](#) & 7 [Fences and Walls](#)): Screening and yards are not required for this use or zone district, given the surrounding zone districts and uses. The site plan does not include landscaping details and no detailed landscaping plan was submitted. The existing landscaping on the site is limited to where the existing pole signage is, at the intersection of Lathrop and Durand.

**Sign Regulations** (114-[Article X](#)): the existing pole signage would be removed and a monument style sign of 104.5 square feet would be constructed in the same general location. The proposed signage is pictured below the calculation chart.

Sign Type	Allowable Sq. Ft.	Provided Sq. Ft.
Projecting/Wall	300 square feet	104.5
Window signs	50% of window area	N/A
Alleyway Signage	N/A	N/A
Total	264 square feet	104.5



**Outdoor lighting, signs** ([114-Sec. 742](#)): No lighting details were submitted with the plan. Existing lighting fixtures appear to comply with existing standards that light be focused on the property.

**Rubbish and trash storage** ([114-Article V](#) & [114-740](#)): Upon a visit to the site, it was observed that there was no dumpster enclosure. A new enclosure which would house all the bins and containers is required.

**Engineering, Utilities and Access:**

**Access** ([114-1151](#)): Vehicular access to the site is provided from driveways off Durand Avenue and Lathrop Avenue. The site plan submitted by the applicant does not contemplate

any changes to access. We are recommending the closing of the drives closest to the intersection on both Lathrop and Durand.

**Surface drainage** ([114-739](#) & Consult Engineering Dept.): Remodeling of the building's interior and these minor site changes are 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 is not expected to impact the ability to serve this area.

**Exceptions to ordinance:** N/A

**Additional Planning and Zoning Comments:**

## **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: The proposed minor amendment to this conditional use is not anticipated to endanger the public health, safety, morals or general welfare of the community of this area in general. The application to change the street facing building façade and update the signage will not alter the operations or general function of this property.

- 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 proposed amendment to the existing conditional use is not anticipated to be detrimental to the use and enjoyment of surrounding properties. The application contemplates updates to signage and updated building façade elements facing Durand Avenue. The changes to the interior of the store are intended to modernize the interior layout and function. These changes are not expected to diminish or impair property values in the area; it is anticipated that these changes will enhance the aesthetics of the general 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 minor amendments to the site contemplated by the applicant are not anticipated to impede or alter the development patterns of this area. The applicant is complying with all requirements related to signage and on the site. With the recommended conditions, the applicant is adhering to all other requirements which would be applicable to other uses permitted in this district. It is expected that this proposal will show that investment in this area is economically viable.

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

Staff Comments: The site plan submitted by the applicant does 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.

- 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 to the ingress or egress from the site. Functionally however, it would be in line with current best practices to close the driveways which are closest to the intersection and keep private access away from the corner. It is not expected that additional traffic or changes in traffic patterns will occur as a result of this proposal.

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

Staff Comments: The minor amendment is consistent with the objectives of the land use plan for the City. The land use plan designates this property as commercial; there are no planned changes in the operation or general function of the site as a result of this request.

- 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 applicant submittal complies with the requirements of the zoning ordinance. There are no exceptions requested with this proposal, and the site complies with all development standards at this time.

## **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.

## **STAFF SUPPORTS THE APPLICATION FOR THE FOLLOWING REASONS:**

- This proposal utilizes and updates an existing site while enhancing the overall character of the area.
- The rebranding of the site shows that this area of the community remains a viable and vibrant commercial hub.
- Contemplated changes enhance a welcoming gateway and entrance to the community.

## **STAFF RECOMMENDATION:** BASED ON THE FINDINGS OF FACT IN THIS REPORT, THAT THE REQUEST FROM ANDY KHULLAR, SEEKING A MINOR AMENDMENT TO AN EXISTING CONDITIONAL USE PERMIT AT 3818 DURAND AVENUE BE APPROVED, SUBJECT TO THE FOLLOWING CONDITIONS:

- a) That the plans presented to the Plan Commission on July 24, 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. Trash enclosure shall be of a suitable size to enclose all trash containers/bins within the enclosure. Plans and specifications for the enclosure(s) shall be reviewed and approved by the Department of City Development prior to installation.
  2. Sealing and striping of the lot as required by Sec. 114-Article XI.
  3. Painting of the canopy façade areas to blend in fading/discoloration as required by the property maintenance code.



4. Landscaping plan for the area around the monument sign as required by Sec. 114-743 shall be reviewed and approved by the Department of City Development prior to installation.
  5. That the driveways closest to the intersection of Lathrop and Durand Avenue be closed in accordance with Sec. 114-1151.
  6. Remove or repair existing awning fabric and structures as required by Sec 114-155.
- 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:**

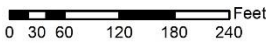
- 1) Property owner notification map indicating the subject property;
- 2) Aerial Photo indicating the subject property;
- 3) Zoning Map indicating the subject property;
- 4) Land Use Map from Comprehensive Plan, indicating the subject property;
- 5) Site photos of the property and general area; and
- 6) Submittal documents ([click to view](#)).



# Conditional Use Amendment - 3818 Durand Avenue



 Subject Property     Tax Parcel Boundary     Street Centerline










# Conditional Use Amendment - 3818 Durand Avenue



**Zoning**

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

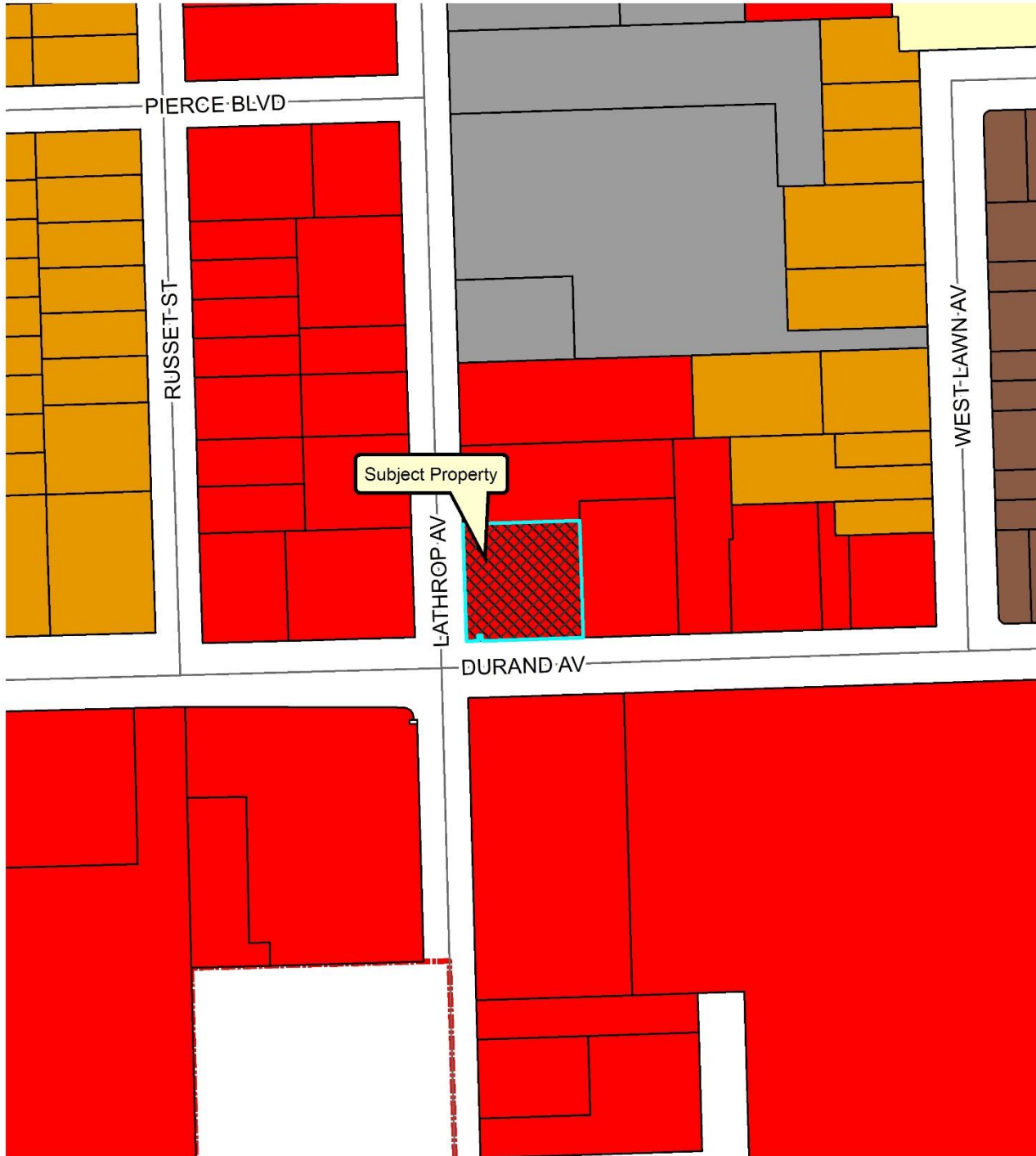
— Street Centerline  
— Tax Parcel Boundary

 Subject Property

  
 Feet  
0 30 60 120 180 240



# Conditional Use Amendment - 3818 Durand Avenue

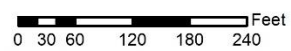


### Land Use Classification

- Commercial
- Medium Density Residential
- Industrial
- High Density Residential
- Isolated Natural Resource Area

- Subject Property
- Tax Parcel Boundary

— Street Centerline



Site Photos



Looking east from the site down Durand Avenue



Looking north from the site along Lathrop Avenue



Looking west from the site along Durand Avenue



Looking at the rear of the site from Lathrop Avenue



Looking at subject property from Durand Avenue



Looking north from the west end of the subject property