



CITY OF RACINE DEPARTMENT OF CITY DEVELOPMENT STAFF REPORT

Meeting Date: 6/13/2018

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: 5502 Durand Avenue, located approximately 1,000 feet east from the intersection of Durand Avenue and South Green Bay Road.

Applicant: Racine Mall LLC

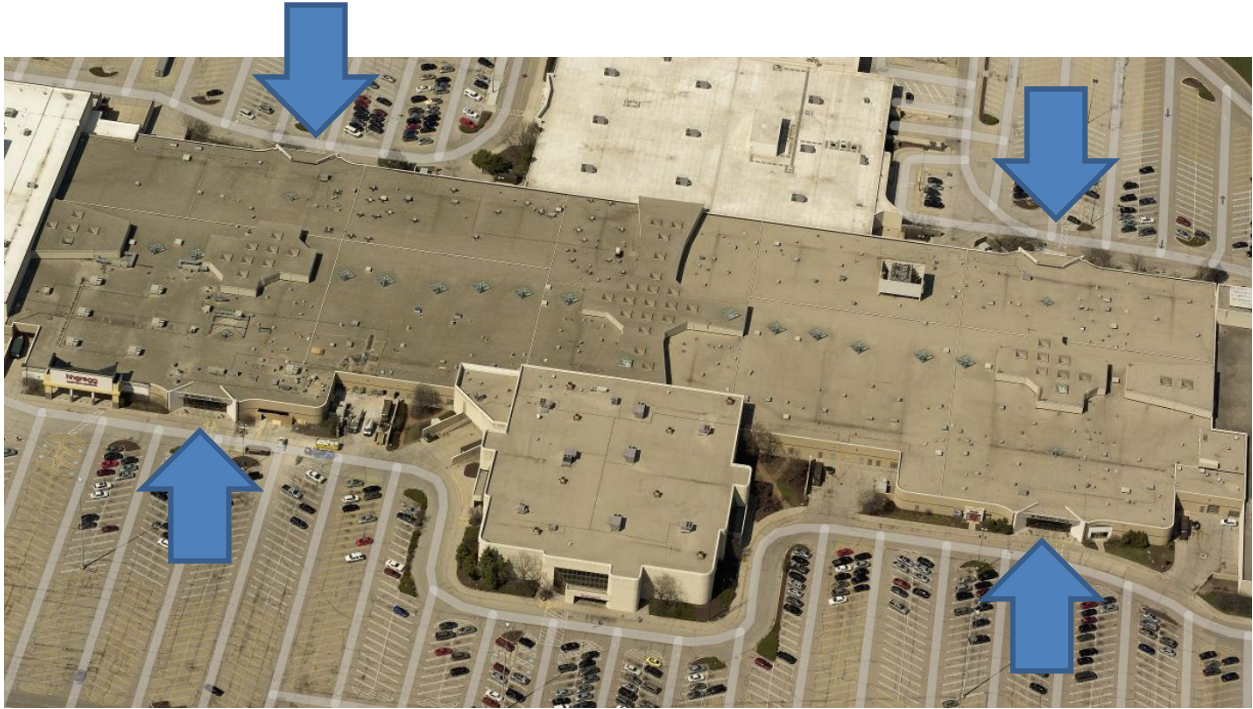
Property Owner: Racine Mall LLC

Request: Consideration of a major amendment to an existing conditional use permit which allows for a Planned Development, at 5502 Durand Avenue for property located in a B-2 Community Shopping Zone District as required in Section [114-155](#) of the Municipal Code. The contemplated changes include updating four mall entrance façades.

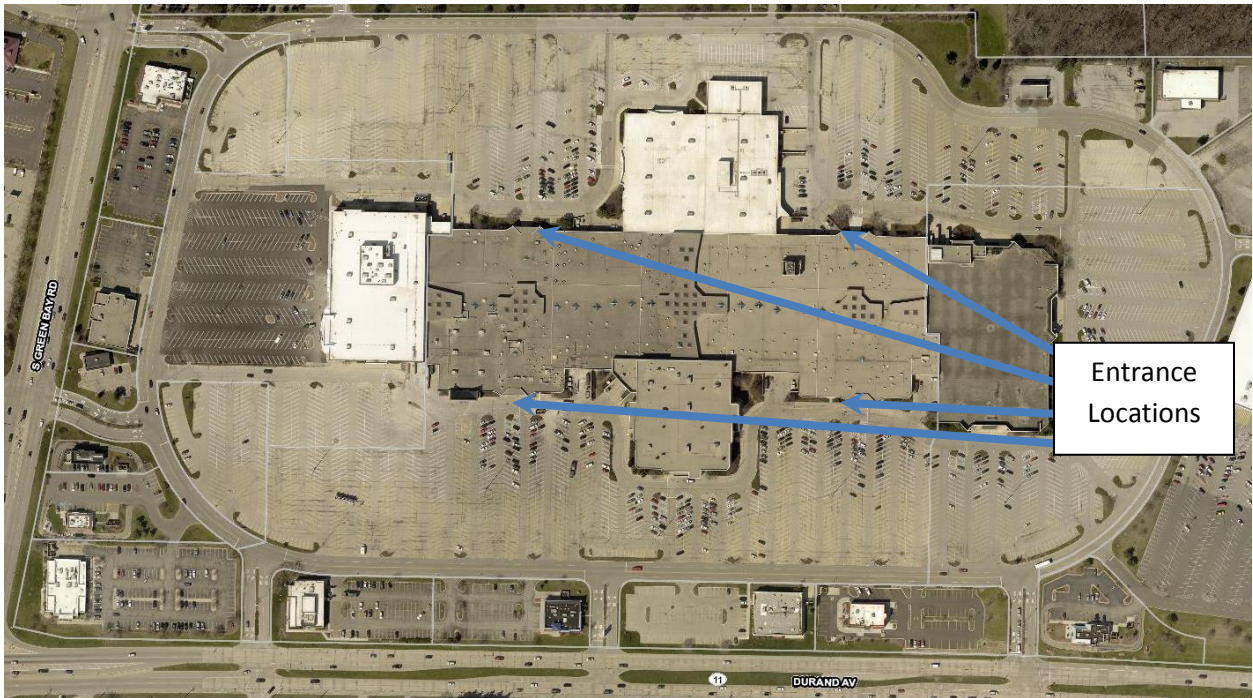
This type of change is generally reviewed as a minor amendment to the existing Conditional Use Permit, however, this request is a major amendment seeks an exception from the requirements of Section 114.735.59(b) of the Municipal code. EIFS material is planned and would be installed less than eight (8) feet above grade as required by City code.

BACKGROUND AND SUMMARY: The applicant seeks to update the four mall entrances (two on both the north and south façade) from the main parking lots; this request also includes entryway identification signage. The operational aspects of the mall will not change and no additional buildings or addition of square footage is planned. The applicant seeks an exception from the requirements of Section 114.735.59(b) to allow EIFS less than eight (8) feet above grade.

The Zoning Ordinance classifies a change of this nature with an exception, to be a major amendment to an existing Conditional Use Permit as outlined in Section 114-155 of the Municipal Code.



Birdseye view of the main mall, entrances indicated with arrows (image from City Pictometry).



Overhead view of the property (highlighted in red) indicating the entrance locations.



Rendering of proposed mall entrances, submitted by applicant. Areas where an exception from design standards is sought are indicated in red.

GENERAL INFORMATION

Parcel Number: [23876050](#)

Property Size: 42.4 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.
- 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.
- Encourage development patterns that promote efficient and sustainable use of land, that can be readily linked by transportation systems and that utilize existing public utilities and services.
- 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-2 Community Shopping

Purpose of Zone District: The B-2 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: Regional Mall Planned Development.

Surrounding Zoning and Land Uses:

North	B-2 Community Shopping	Home improvement store
East	B-2 Community Shopping	Regional mall anchor retail space
South	B-2 Community Shopping	Restaurants on mall out lots
West	B-2 Community Shopping	Regional mall anchor retail space

Operations: Mall operations are not proposed to change with this proposed major amendment. The mall is generally open from 10:00 AM – 9:00 PM on weekdays, 10:00 AM – 8:00 PM on Saturdays and 11:00 AM – 6:00 PM on Sundays.

ANALYSIS:

Development Standards:

Density ([114-Article V](#): Article VII, Div. 5 [Bulk Regulations](#) & 8 [Lots](#)): There are no changes planned to the exterior of the building as a result of this proposal.

Standard	Required	Provided
Lot Area	No minimum	1,846,944
Lot Frontage	30 feet	170 feet
Floor Area Ratio	4.0 maximum	.20

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

Yard	Required	Provided
Front (south)	0 Feet	235 feet
Side (west)	0 Feet	0 feet
Side (east)	0 Feet	0 feet
Rear (north)	0 Feet	150 feet

Building design standards (114-Secs. [735.5](#) & [736](#)): The buildings on the parcel comply with the requirements of 114.735.5.b.1, however this request does seek an exception from the requirements of Section 114.735.59(b) to allow EIFS less than eight (8) feet above grade.

Exceptions to ordinance: Section 114.735.59(b) to allow EIFS less than eight (8) feet above grade, totaling approximately 410 square feet for all four entrances or 102 square feet on each entrance.

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:

- 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 amendment is not expected to be detrimental or be a danger to the public health or general welfare of the area. This amendment contemplates updated signage and also entryway façades into the main concourse areas of the mall. The requested exception is not anticipated to create any adverse effects on adjacent developments or to patrons of the facility.

- 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 contemplated amendment with exception is not anticipated to impair property values or be injurious to adjacent properties. The proposed project is believed to be an enhancement to the overall aesthetics of the site and will help to improve the overall look of the development.

- 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: Even with an exception from the requirements of 114.735.59(b), this proposed amendment is not expected to impede orderly development of the surrounding properties. As a percentage or looked at by total square footage, the exception amounts to a very minor amount of the overall development considering the scale and mass of the building. It is expected that properties in the area will develop according to development standards set forth in Zoning Ordinance as a result of this approval.

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 applicant is not contemplating any changes to the access to this site. The property has ample parking for the mix of businesses on the property and could choose to eliminate impervious parking areas while still meeting the minimum required amount.

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

Staff Comments: The proposed amendment is consistent with the commercial designation of the property on the land use map. The goals of the plan seek to allow redevelopment of commercial areas and provide opportunities for employment. Enhancing the aesthetics of the entrances at the regional mall will help to further the goals and objectives of the Comprehensive Plan as well.

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 and requirements of the zone district and planned development. The mall itself is one of the largest structures in the City and as a whole, complies with the requirements. The amount of EIFS on both the north and south façade, which would be installed below eight feet from grade, totals of approximately 410 square feet total for all four entrances. The north and south building walls have a surface area approximately 80,000 square feet. This total EIFS square footage amounts to less than 1% of the total surface area of each wall. An exception from the requirement that the façade be treated with brick at least eight feet above grade to allow for EIFS approximately three feet four inches above grade meets the spirit and intent of the ordinance.

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:

- The exception is not detrimental to the appearance of the façade or property. The overwhelming majority of the façade will remain in compliance with the development standards.
- The proposed improvements will enhance the overall aesthetics of the property and help in the renovation of the property and could help in the retention of existing tenants and attraction of new tenants.
- Helps to improve the appearance along major corridors into the community and shows investment in a regional attraction.

STAFF RECOMMENDATION: BASED ON THE FINDINGS OF FACT IN THIS REPORT, THAT THE REQUEST FROM RACINE MALL LLC, SEEKING A MAJOR AMENDMENT TO AN EXISTING CONDITIONAL USE PERMIT WHICH ALLOWS A PLANNED DEVELOPMENT AT 5502 DURAND AVENUE BE APPROVED, SUBJECT TO THE FOLLOWING CONDITIONS:

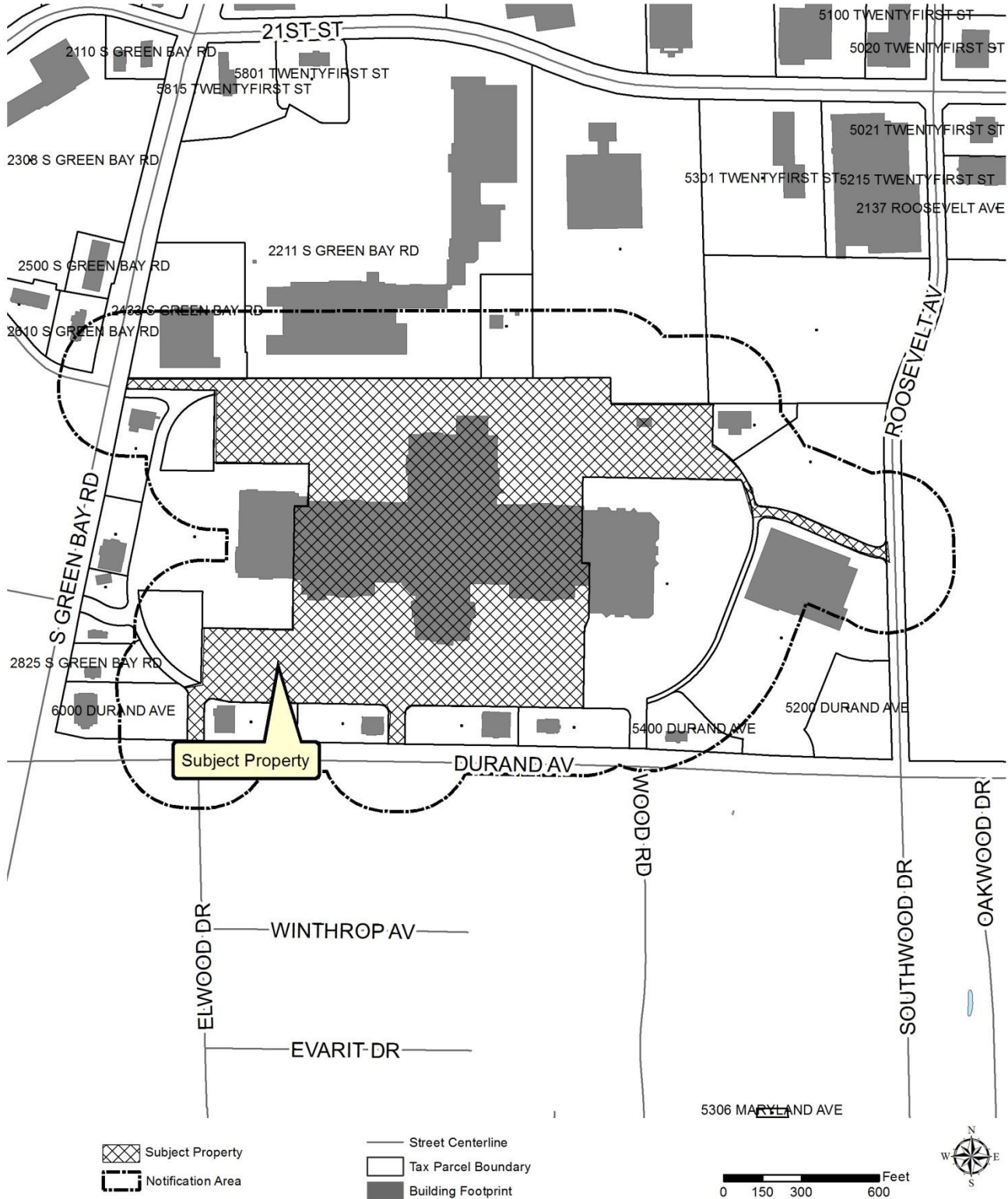
- a) That the plans presented to the Plan Commission on June 13, 2018 be approved subject to the conditions contained herein.
- b) That an exception from Section 114.735.59(b) to allow EIFS at three feet four inches above grade at each mall entryway granted with this conditional use.
- c) That all codes and ordinances are complied with and required permits acquired.
- d) 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.
- e) 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](#)).

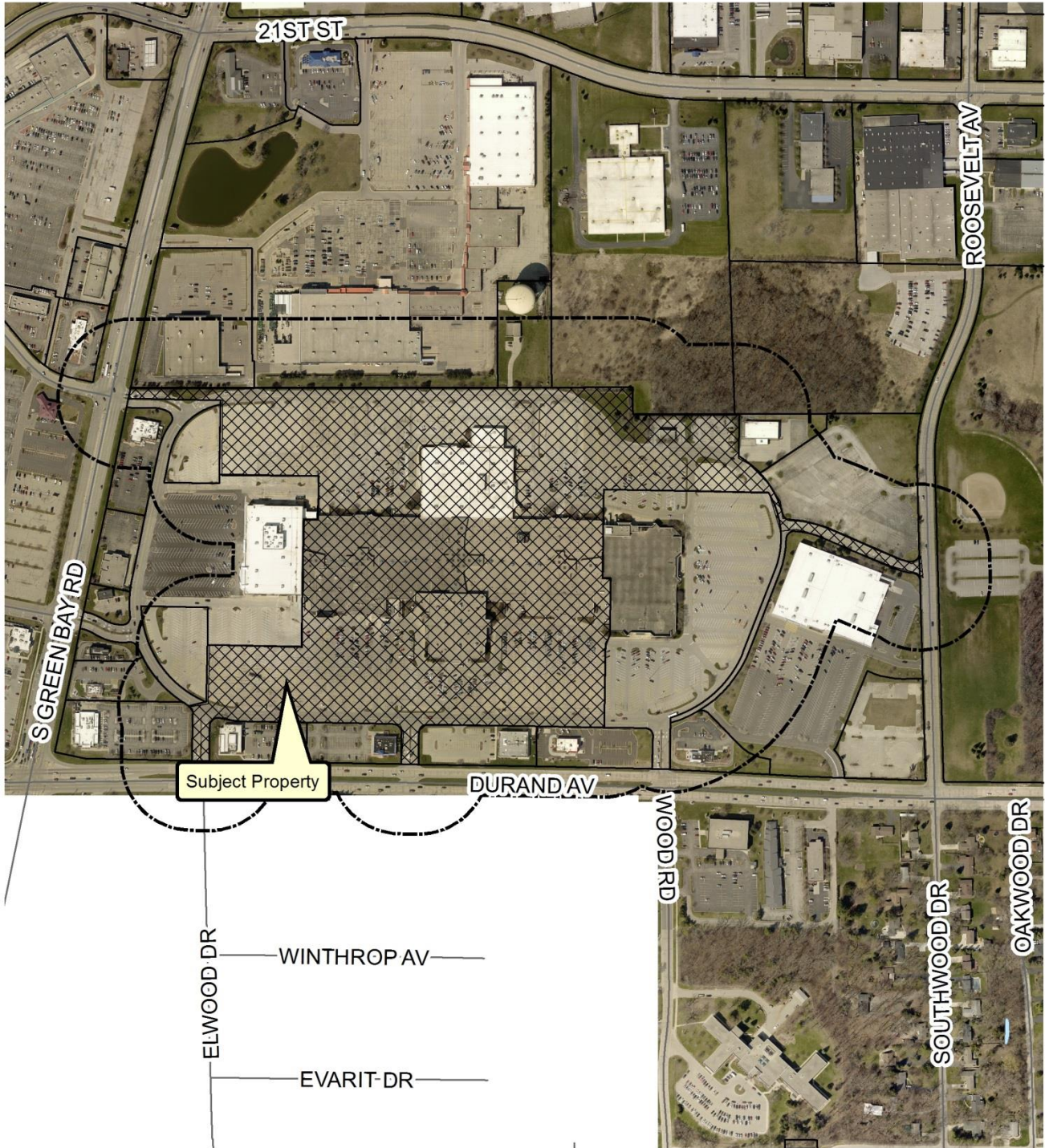



Conditional Use Request - 5502 Durand Avenue






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 Subject Property  Notification Area
 Tax Parcel Boundary

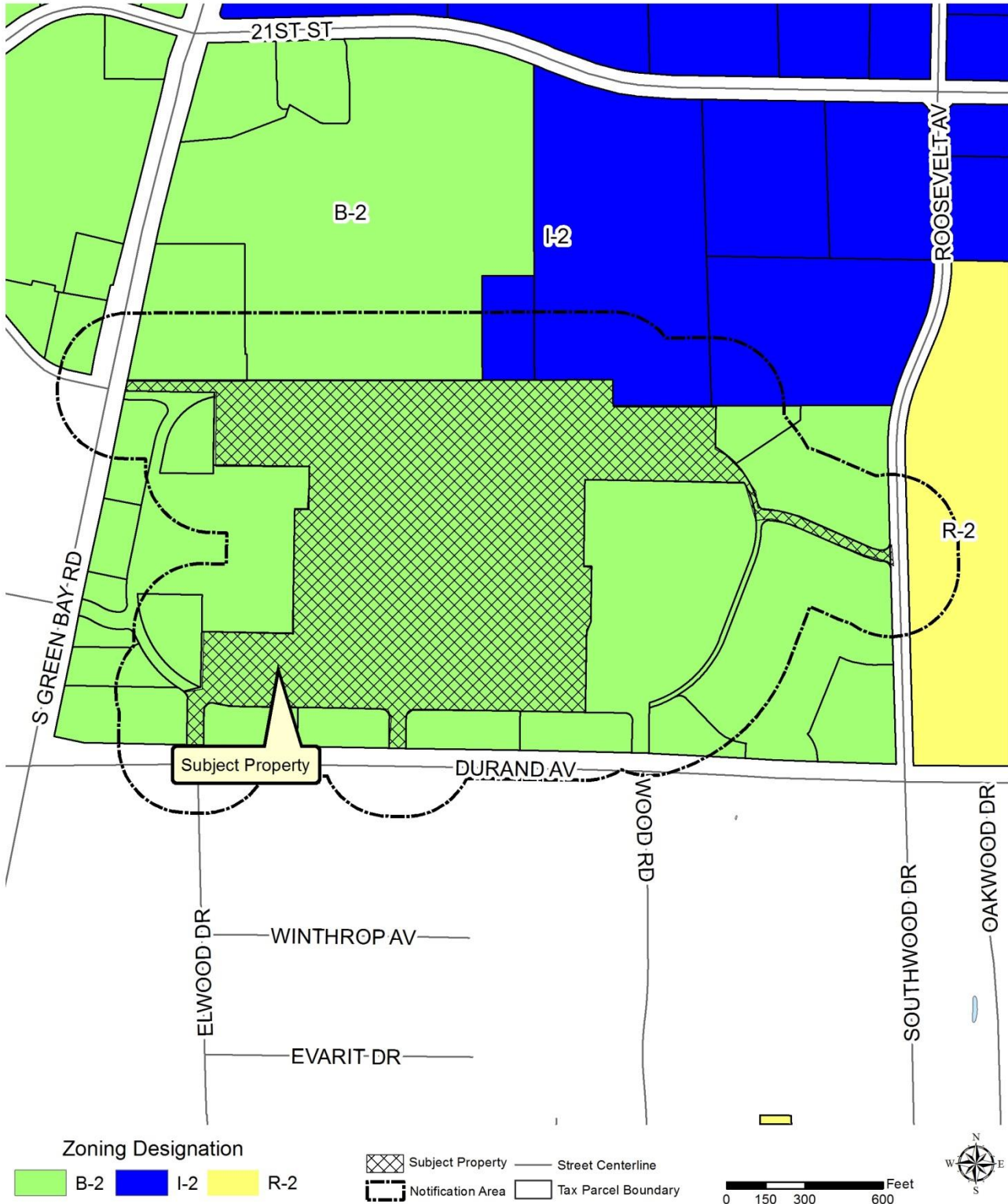
 Street Centerline

 Feet
0 150 300 600



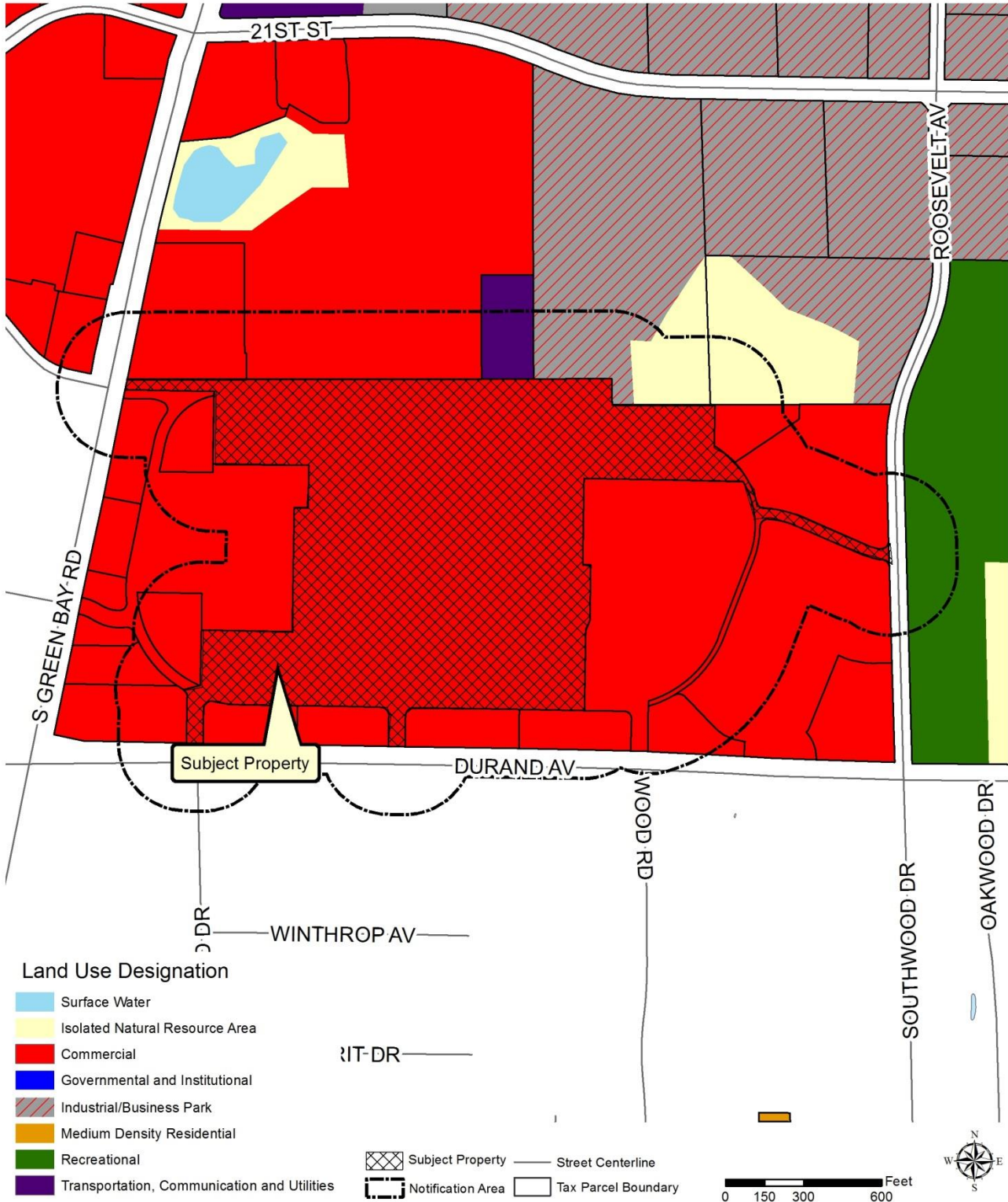


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Site Photos



Example of mall entrance from edge of parking area



Looking north and west from northwest location on the property



Looking west from southwestern location on the property



Looking east from southern parking area towards Burlington store



Looking south from southern parking area at Popeye's Restaurant



Looking west from southern parking area at Buffalo Wild Wings and Olive Garden