



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

**Meeting Date:** 9/7/2022

**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](mailto:jeff.hintz@cityofracine.org)

**Case Manager:** Michelle Cook

**Location:** 2065 Geneva Street (2029 Geneva Street)

**Applicant:** Lemberg Electric

**Property Owner:** Trinity Lutheran Church

**Request:** Consideration of a conditional use permit to operate an electronic message sign at 2065 Geneva Street, located in a R-3 Limited General Residence Zone District. Electronic message signs are allowed by Section [114-1033](#) of the Municipal Code.

**BACKGROUND AND SUMMARY:** The electronic message sign would be a wall mounted sign located on the southern wall of the building facing the parking lot. The sign would measure approximately 35 square feet, be located within the 25 foot setback of the property line, and directly face residential property.

The Zoning Ordinance classifies electronic message signage as conditional use permits in the R-3 Limited General Residence Zone District (for office and institutional facilities) if the location and operation meet the criteria specified in the ordinance (Sec. 114-1033).



Birdseye view of the property, indicated in red, (north is up) (image from City Pictometry)



Rendering of proposed signage, submitted by applicant.

## GENERAL INFORMATION

**Parcel Number:** 17872000

**Property Size:** 2.431 acres

**Comprehensive Plan Map Designation:** Governmental and Institutional

**Consistency with Adopted Plans:**

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

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

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

**Historic?:** N/A

**Current Zoning District:** R-3 Limited General Residence

**Purpose of Zone District:** The R-3 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:** Religious and Educational Institution

**Surrounding Zoning and Land Uses:**

<b>North</b>	R-3 Limited General Residence	Single unit / multiple unit dwellings
<b>East</b>	R-3 Limited General Residence	Single unit dwellings
<b>South</b>	R-3 Limited General Residence	Single unit dwellings
<b>West</b>	R-3 Limited General Residence	Single unit dwellings

## ANALYSIS:

### Development Standards:

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

Standard	Required	Provided
Lot Area	20,000 sq. ft.	105,894 square feet
Lot Frontage	30 feet	387 feet
Floor Area Ratio	1.0 maximum	.45

**\*Setbacks** ([114-Article V](#): Article VII, Div. 6 [Development Standards](#)): Nonresidential uses are not required to provided yards, except as required in 114-570.

Yard	Required	Provided
Front (West)	25 feet	20 feet
Side (North)	8 feet	0 feet
Side (South)	8 feet	0 feet
Rear (East)	35 feet	9 feet

\*The existing building is non-conforming in this regard.

**Building design standards** (114-Secs. [735.5](#) & [736](#)): The composition of the building is existing and no changes are planned. The building does comply with zoning ordinance requirements related to design.

**Sign Regulations** (114-[Article X](#)): Signage would need to follow the sizing and other requirements outlined below:

Sign Type	Allowable Sq. Ft.	Provided Sq. Ft.	Maximum Height	Proposed Height
Electronic	60	35	*6 feet	*9 feet
Total	60	35		

*\*Wall signs for uses in residential districts allowed to have signage have a maximum height requirement of six feet from curb level (Sec. 114-1064). It is worth noting, that the rules for an EMC as outlined in Sec. 114-1033 require the sign to be a monument sign.*

**Exceptions to ordinance:** The criteria for electronic message signs are found in Sec. 114-1033. Sec. 114-1033 (1) lists the standards that these signs are to operate under which include the sign area, setback and location, and electronic message restrictions. The sign, as presented, is requesting exceptions to the following criteria of the ordinance:

b. Sign Area

1. One electronic monument sign is allowed per site. *Staff comments: The sign being proposed is not a monument sign and does not comply with this standard. The ordinance does not allow for electronic message signs to be mounted onto the building.*

3. Height may not exceed six feet, as measured from finished grade to the highest point on the sign cabinet. *Staff comments: While the sign being proposed is not a monument sign, the height of the sign on the building will be nine feet. Signage criteria for uses allowed to have signage in residential areas limit wall signs to six feet in total height, measured from curb level (Sec. 114-1064).*

c. Setback and location

1. Minimum setback from any property line is 25 feet. *Staff comments: The sign, as it was applied for will be 21 feet from the property line. The setback for an electronic message sign in this scenario is a minimum of 25 feet from the property line per. Sec. 114-1033c.1. The setback from the property line provides a buffer in which emitting light will not be a distraction to adjacent properties, which are residential in nature. If this property were zoned commercial, this setback from the lot line would not imply. The intent of this rule is to ensure non-residential uses in residential areas which have a large enough lot to have a sign and meet these requirements, will not be a detriment or nuisance to surrounding dwellings.*

2. May not be located within 200 feet of a residential zone or use, and may not directly face a residential zone or use. *Staff Comments: While the house to the south of the property is more than 200 feet away, the sign will still face the residence that is directly across the parking lot from the facility. The purpose of the ordinance is to be allow institutional uses to have electronic message signs while minimizing the impact to adjacent residences. Locating an electronic message sign that is facing and adjacent to residential use does not meet this criterion and increases the potential likelihood of future nuisance to the surrounding residences.*

## 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 electronic message center requests exceptions to requirements set forth in the zoning ordinance. The height, location, and style of the signage does not meet the requirements of the ordinance. The property sits on a lot that surrounded by residential dwellings; while in some cases it is possible to meet the standards of the ordinance in this scenario, the subject property is not large enough to do so and is entirely surrounded by residential zoning and uses. The code simply does not allow an electronic message sign to be here. The ordinance was put in place to lessen the impact of electronic message signs on residential uses. Based on the placement by the applicant, the signage is contrary to the requirements of the ordinance for electronic message signs.

- 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 message portion of the signage will be within and visible from the residential dwellings to the south of the property (directly facing a residential zone) and within 200 feet of residential property to the east. The placement of electronic message signs on institutional uses within and facing residential zone districts has the possibility of disrupting the harmony generally associated with residential areas due to the potential of glare and light levels of the sign to properties within view of the sign.

- 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 electronic message center is not proposed to operate within the regulations of the code and requires several exceptions to the standards set forth in Sec. 114-1033 of the municipal code. The standards were put in place to minimize the impact to surrounding residences and limit the propagation of electronic signage within residential areas of the City.

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

Staff Comments: All utilities, access, and drainage are existing and 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: No changes are proposed to the ingress and egress from the site, however, the electronic message sign is proposed to be located within the 25 foot setback at a height of nine feet above curb level, and near the driveway to the parking lot of the facility. The intent of a six foot maximum height in residential areas is to allow for signage to exist, but not at a height which would be more akin to a commercial area. 6 feet in height is pedestrian scaled while taller signage is associated with commercial areas and higher speed limits with higher traffic counts on busier roads.

Additionally, electronic message signs located near residential uses have the potential to detrimentally impact surrounding properties and those passing by, especially to drivers of vehicles. The placement of electronic message signs on institutional uses within and facing residential zone districts has the possibility of leading to distractions to those on the roadway driving through the neighborhood, which is why the rules regarding placement are more restrictive when compared to commercial properties.

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

Staff Comments: The proposed conditional use is contrary to the requirements for the electronic message signs as established by the zoning ordinance for the City of Racine in regards to its placement and design. A goal of the comprehensive plan is to, “enhancing existing residential, commercial, and industrial areas.” The regulations related to signage as adopted exist to ensure adequate separation from potential incompatible uses and structures. The rules do not limit non-commercial properties from having electronic signage, but are set up in such a manner in which the installation would be inconspicuous and of such a negligible impact, that the electronic sign operation would not detract from the passive and least intensive uses in the city (residential).

**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 applicable sections of the zoning ordinance as they relate to the operation of electronic message signage are not being met. Several exceptions would need to be granted in order to permit this electronic message sign as applied for.

## **POSSIBLE ACTIONS FOR THE PLANNING HERITAGE AND DESIGN 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.

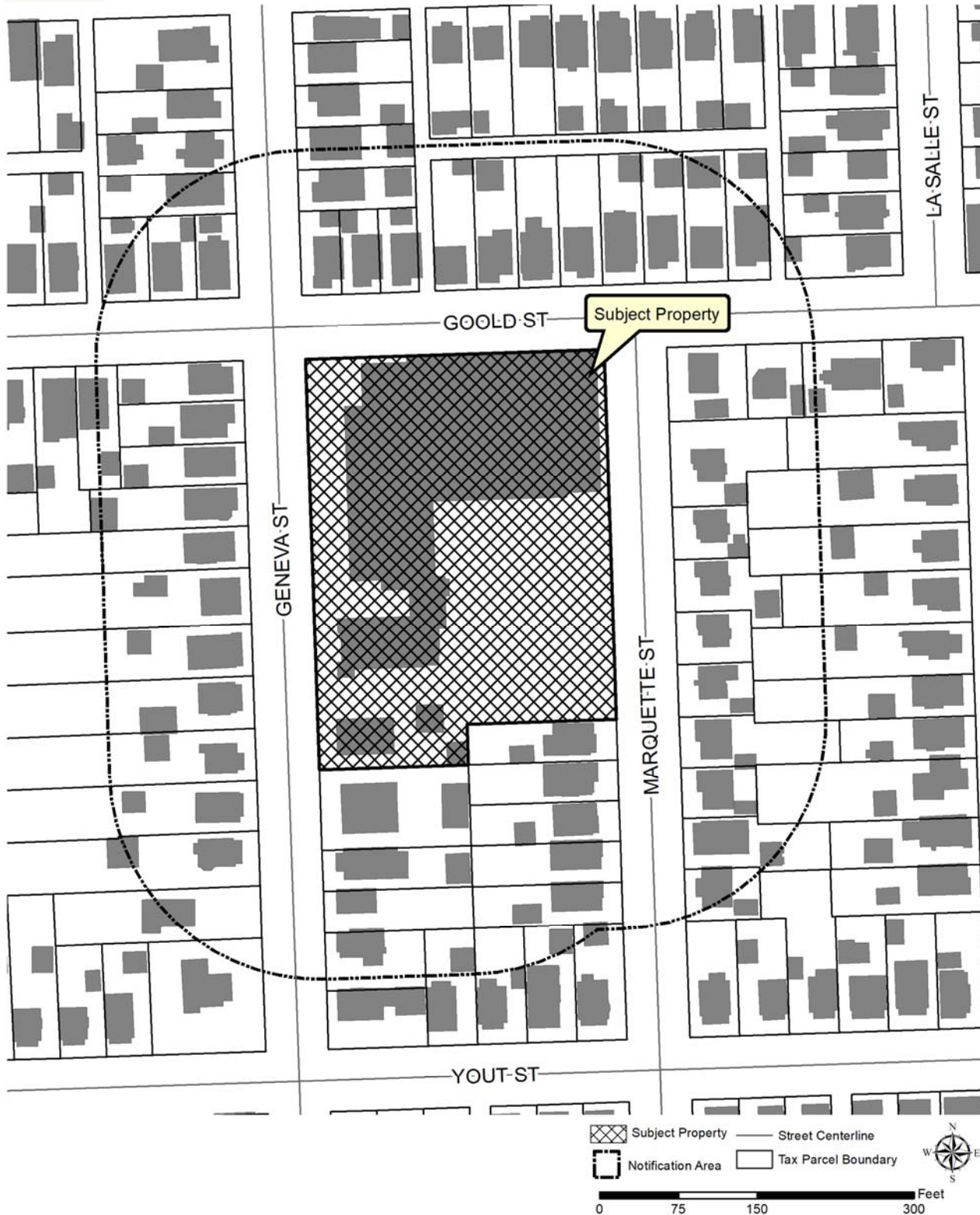
**STAFF RECOMMENDATION:** BASED ON THE FINDINGS OF FACT IN THIS REPORT, THAT THE REQUEST FROM LEMBERG ELECTRIC, AGENT FOR TRINITY LUTHERAN CHURCH AND SCHOOL, SEEKING A CONDITIONAL USE PERMIT TO OPERATE AN ELECTRONIC MESSAGE SIGN AT 2029 GENEVA STREET, ALSO ADDRESSED AS 2065 GENEVA STREET, BE DENIED.

## **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 (view in legistar).



## Conditional Use Request - 2065 Geneva Street



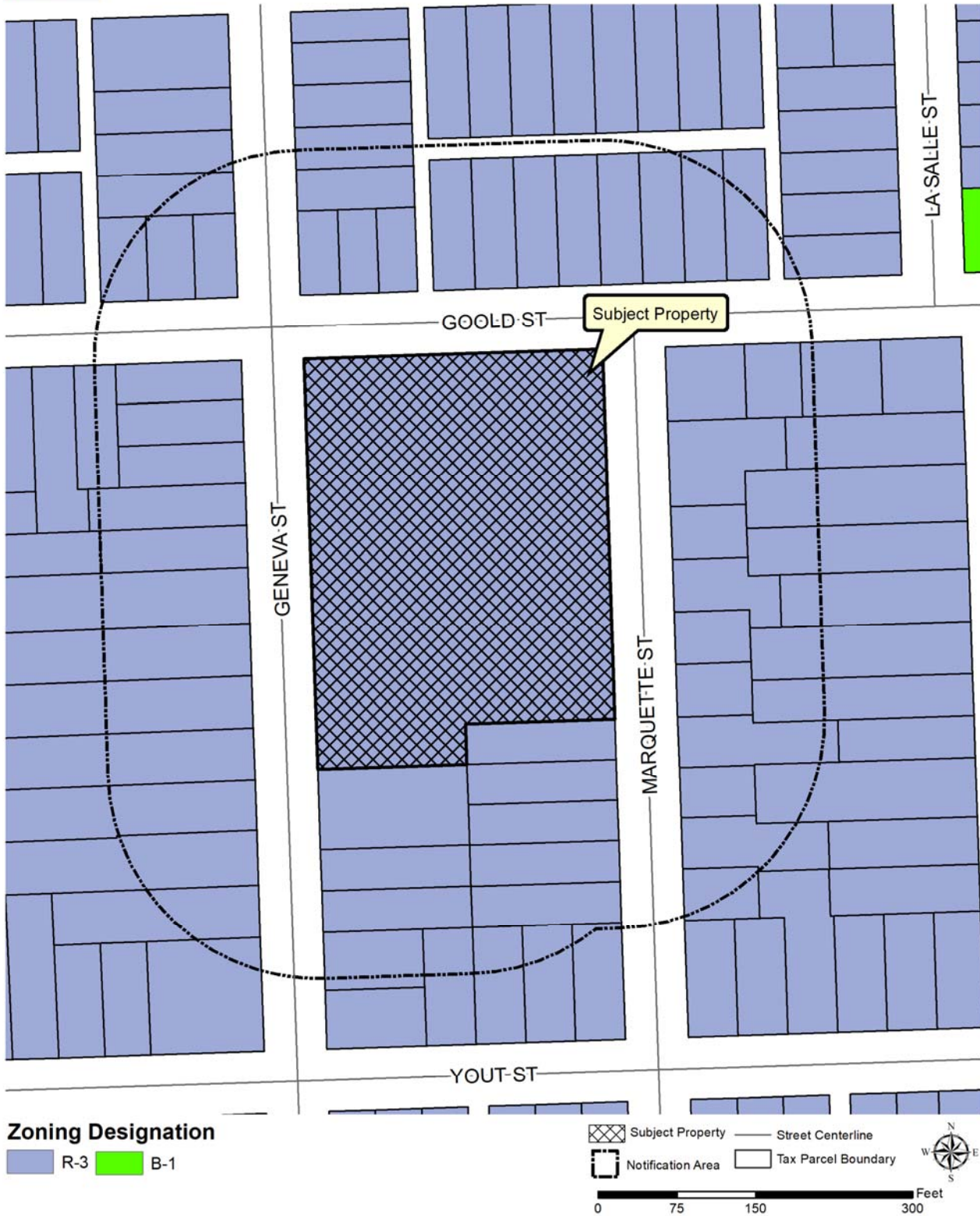


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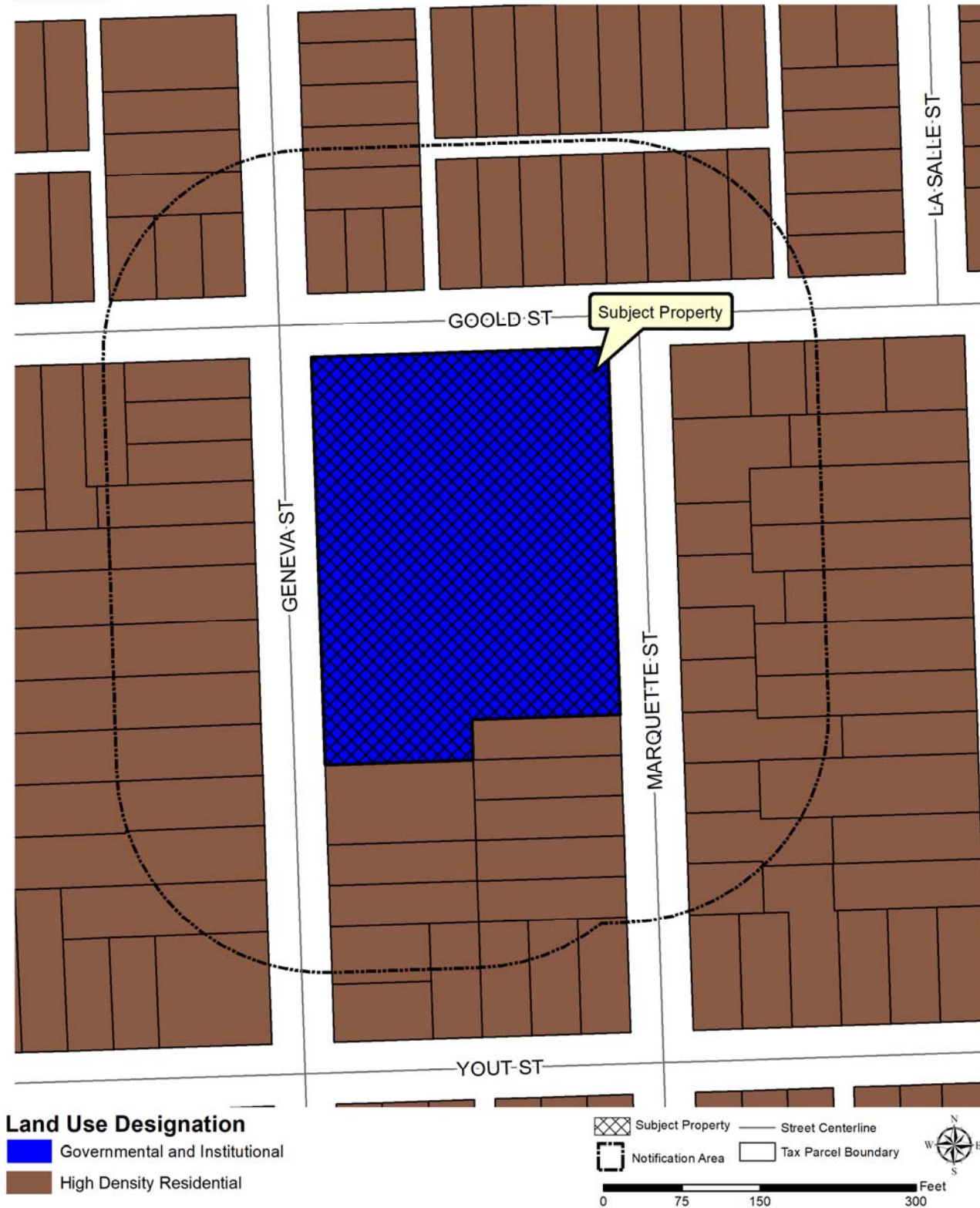


## Conditional Use Request - 2065 Geneva Street





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## Site Photos



Looking west down Yout Street from front of property



Looking east down Yout Street from front of property



Looking north at subject property  
(proposed signage location)



Looking east from proposed installation  
of signage property



Looking south from the subject property  
from proposed installation site of sign



Looking south from eastern edge of  
property