



CITY OF RACINE DEPARTMENT OF CITY DEVELOPMENT STAFF REPORT

Meeting Date: 10/9/2019

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: 5612 Durand Avenue

Applicants: Phil Valenzo of Volkan Signs and Misty Carder of Parkway Construction and Architecture, agents of Chuck E Cheese.

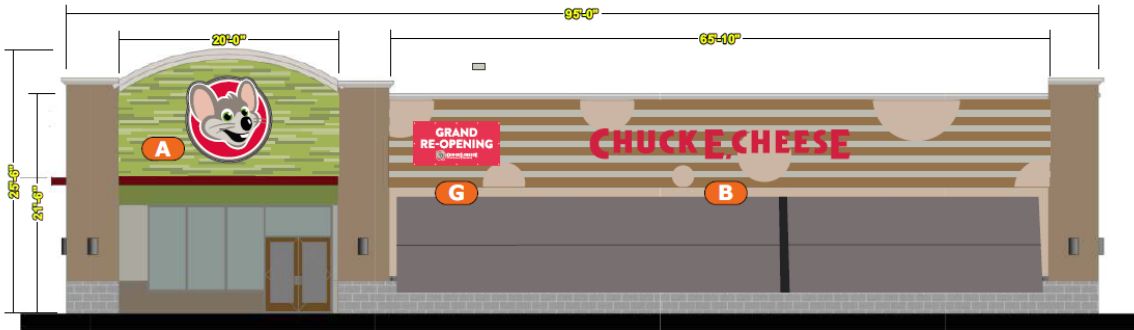
Property Owner: NATIONAL RETAIL PROPERTIES LIMITED PART

Request: Consideration of a minor change to a conditional use permit to consider signage changes on the property and minor changes related to painting of the building. The subject property is within a Planned Development in a B-2 Community Shopping 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 business on the property seeks to rebrand the existing building on the property with updated signage and a revised paint scheme for the building. The interior of the building will be remodeled. The proposed changes are determined to be a minor amendment to an existing conditional use permit, pursuant to section 114-115 of the Municipal Code.



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



Proposed west elevation and signage, submitted by applicant.



Proposed west elevation and signage, submitted by applicant.

GENERAL INFORMATION

Parcel Number: [23876023](#)

Property Size: 1.5 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 While not a formal design review district, there are adopted requirements for signage as part of the planned development on the site.

Historic?: N/A

Current Zoning District: B-2 Community Shopping

Purpose of Zone District: The B2 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: Retail store, vacant

Surrounding Zoning and Land Uses:

North	B-2 Community Shopping	Regency Mall
East	B-2 Community Shopping	Popeye's Chicken Restaurant
South	Village of Mount Pleasant	Regency Mall
West	B-2 Community Shopping	IHop Restaurant

ANALYSIS:

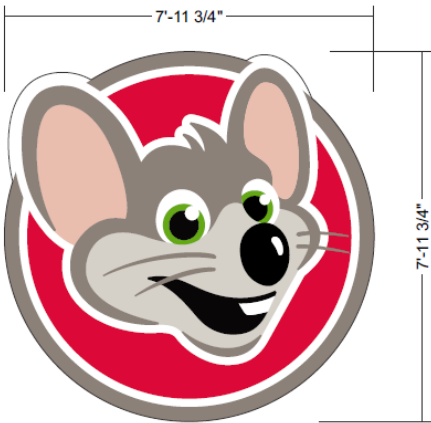
Development Standards:

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.

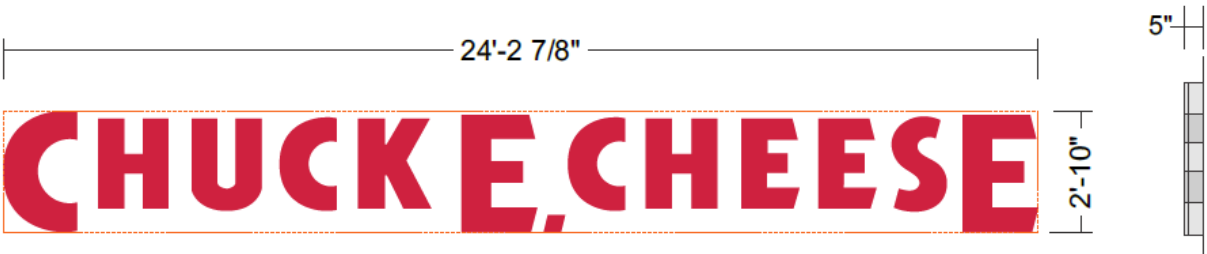
Landscaping, screening and yard requirements ([114- Article V](#): Article VII, Div. 6 [Development Standards](#) & 7 [Fences and Walls](#)): Screening and yards are not required for this use or zone district, given the surrounding zone districts. Sec. 114-743 requires that yards and landscaped areas be maintained. The landscaping on the site meets the requirements of the code and is in good health.

Sign Regulations (114-[Article X](#)): The submitted signage complies with the requirements set forth in the Planned Development for the site in relation to sizing, materials and design. Full signage details included in applicant submittal, included in this agenda.

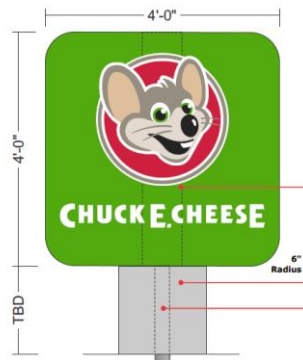
Sign Type	Allowable Sq. Ft.	Provided Sq. Ft.
Projecting/Wall	290 square feet	277 square feet
Window signs	50% of window area	N/A
Alleyway Signage	N/A	N/A
Total	290 square feet	277 square feet



Signage for the south, west and north facade, submitted by applicant.



Identification signage on west façade (channel letters), submitted by applicant.



Identification signage (along Durand Avenue), submitted by applicant.

Outdoor lighting, signs ([114-Sec. 742](#)): The lighting on the property conforms to the requirements of this section; the light is not focused onto adjacent properties.

Rubbish and trash storage ([114-Article V](#) & [114-740](#)): The trash storage area on the property currently complies with the requirements of this section. The application does not contemplate any changes to the trash storage area.

Engineering, Utilities and Access:

Access ([114-1151](#)): Vehicular access to the site is provided from a driveway off the mall access road. The site plan submitted by the applicant does not contemplate any changes to access.

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: The proposal is to remodel the existing restaurant space and make some minor changes to the façade. These changes do not change the overall intent or concept of the development and are considered a minor amendment to the existing planned development on the site.

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 paint the upper portion of the 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 paint scheme for the upper portion of the building façade. 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 construction for both the zoning ordinance and the Planned Development on the site. The applicant is also adhering to all other requirements which would be applicable to other uses permitted in this district.

- 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. 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 and the Planned Development for the mall property. 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 CHUCK E CHEESE, SEEKING A MINOR AMENDMENT TO AN EXISTING CONDITIONAL USE PERMIT AT 5612 DURAND AVENUE BE APPROVED, SUBJECT TO THE FOLLOWING CONDITIONS:

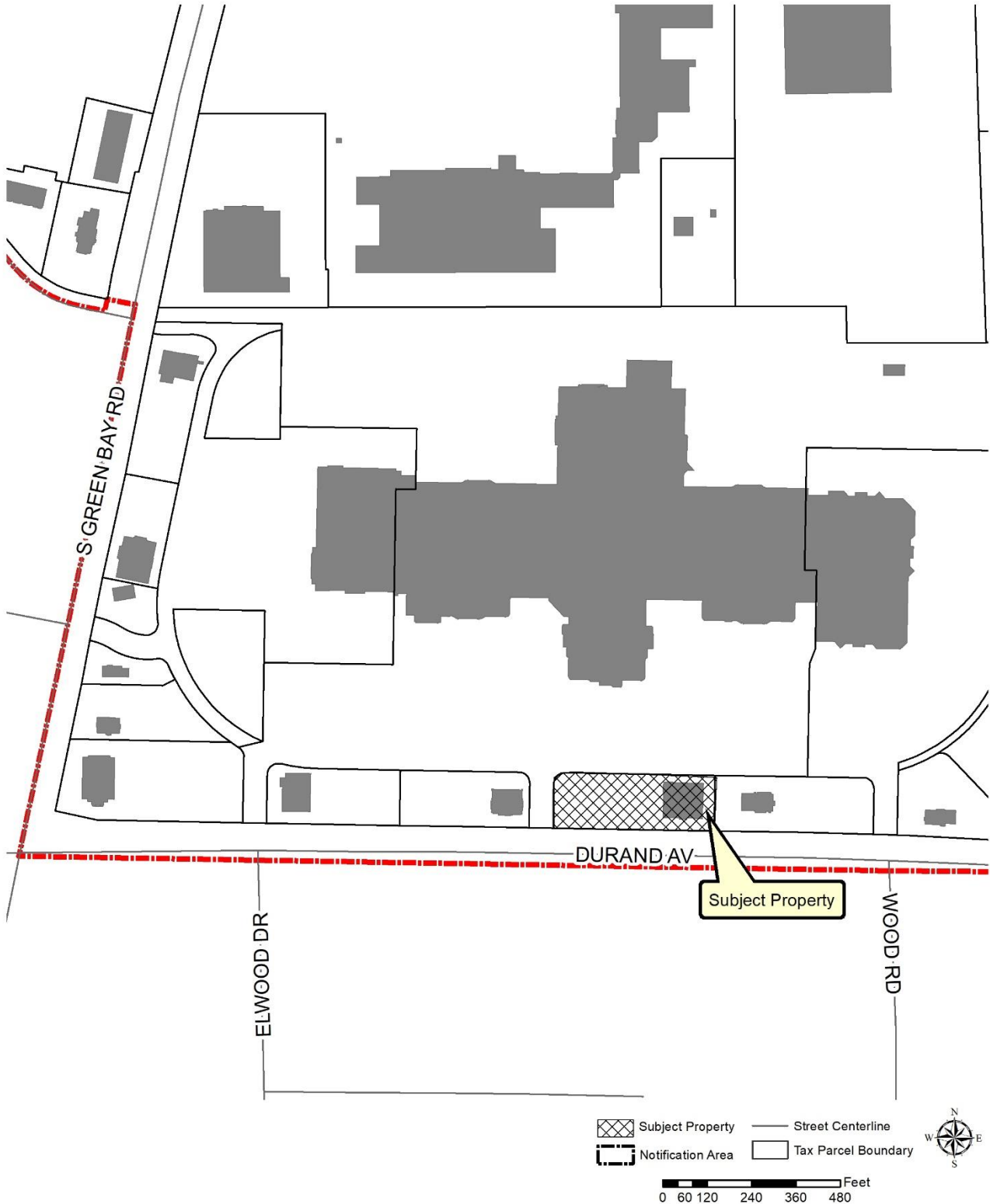
- a) That the plans presented to the Plan Commission on October 9, 2019 be approved subject to the conditions contained herein.
- b) That all license requirements from the State of Wisconsin and City of Racine be obtained, complied with, and kept current at all times.
- c) That all codes and ordinances 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](#)).

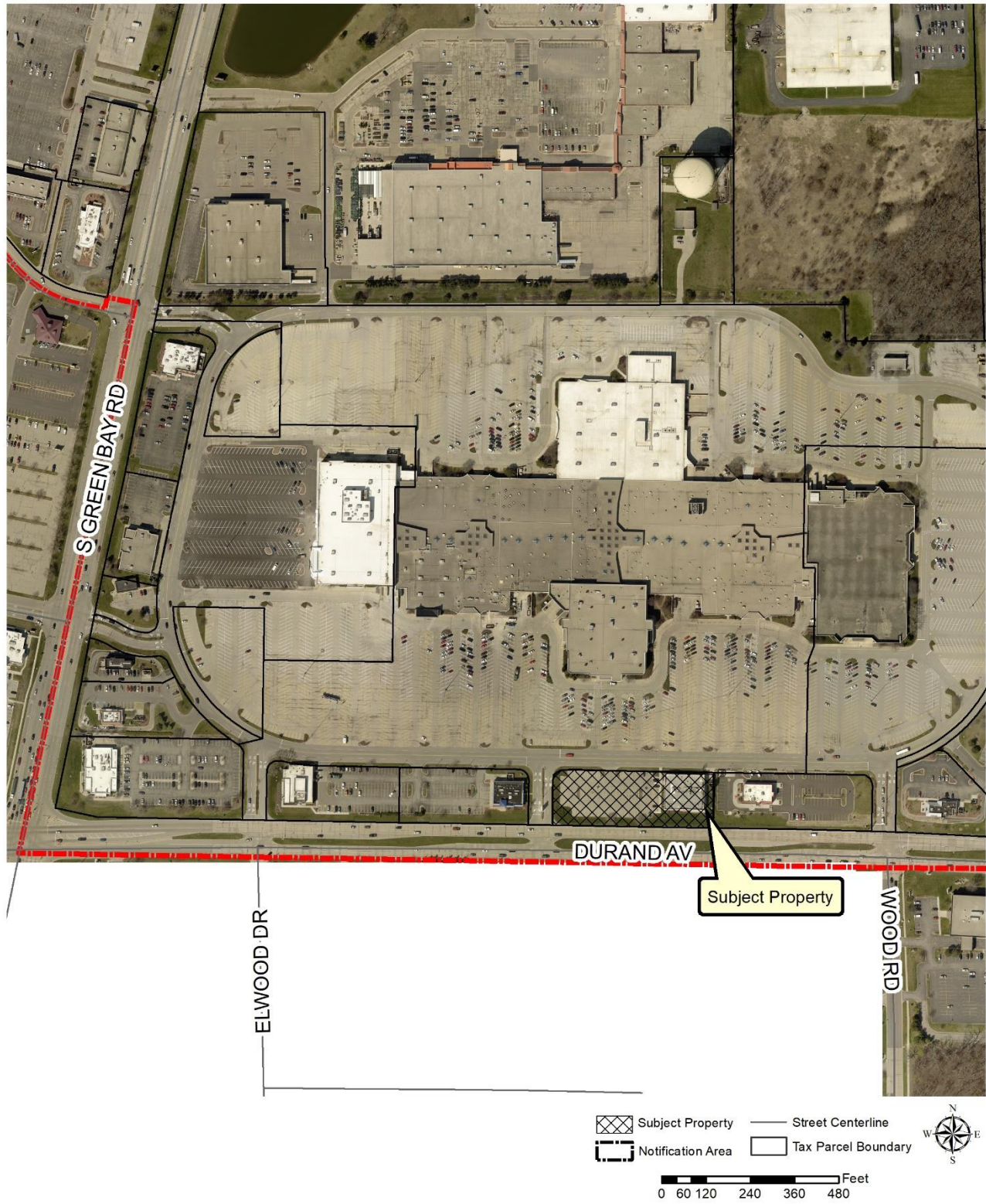


Conditional Use Amendment - 5612 Durand Avenue



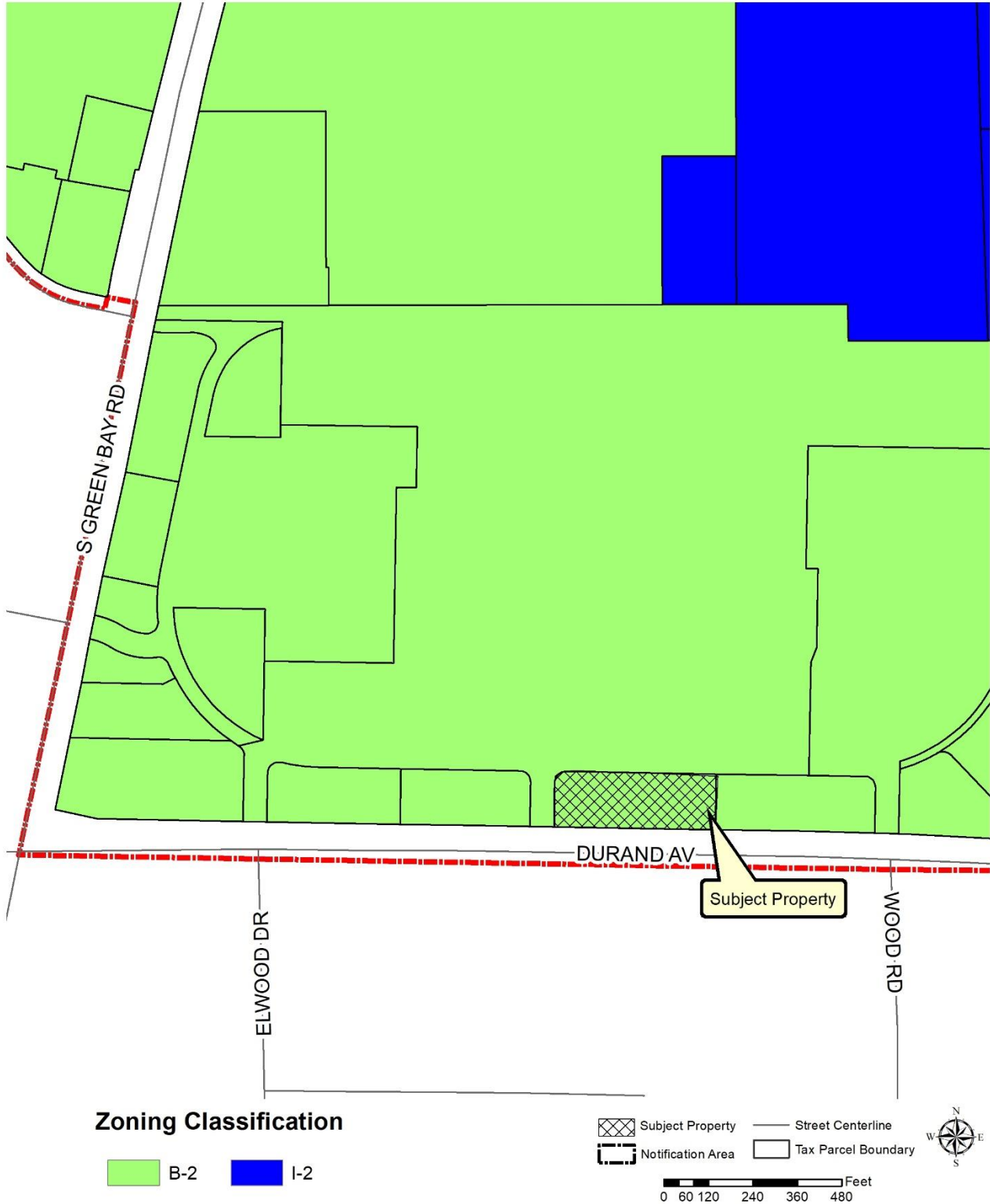


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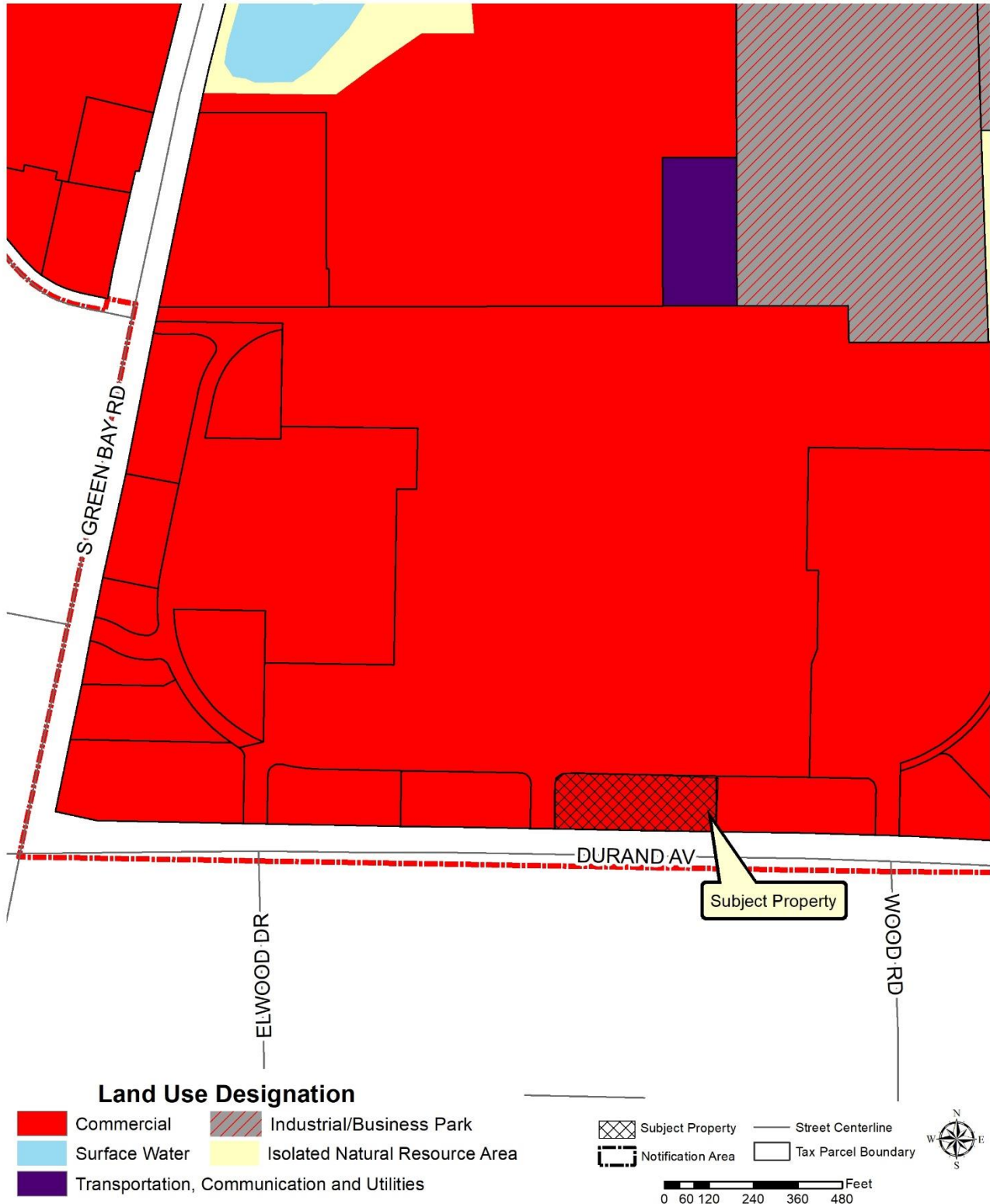


Conditional Use Amendment - 5612 Durand Avenue





Conditional Use Amendment - 5612 Durand Avenue



Site Photos



Looking at existing west building façade



Looking at existing north and west building
façades



Looking at existing south building façade
along Durand Avenue



Looking east from subject property down
Durand Avenue



Looking west from subject property toward
IHop Restaurant



Looking north from subject property towards
Regency Mall