



CITY OF RACINE DEPARTMENT OF CITY DEVELOPMENT STAFF REPORT

Meeting Date: 5/5/2020

To: Mayor and Planning, Heritage, and Design 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: 1917 S. Memorial Drive, southern 4.25 acres of property

Applicant: Larry Erlich, of LE IX LLC

Property Owner: Pioneer Products Inc.

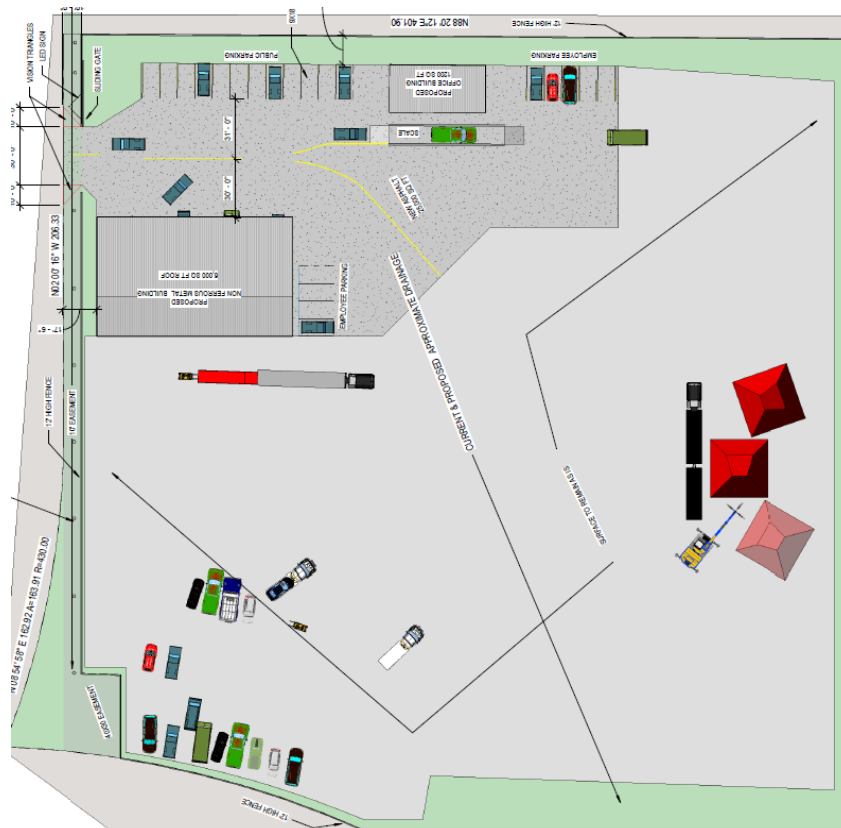
Request: Consideration of a conditional use permit for a recycling drop-off site for metals and automobiles as allowed by Sec. 114-588 of the Municipal Code, on the southern 4.25 acre portion of the property at 1917 South Memorial Drive. The project also includes a 15 square foot electronic message sign as allowed by Sec. 114-1033 of the Municipal Code.

BACKGROUND AND SUMMARY: A 6,000 square foot storage warehouse is planned and a proposed 12-foot privacy fence would screen the site from view. The collection facility plans to hire 18-20 workers earning roughly \$60,000 annually with full benefits. All metals and vehicles which are collected would be shipped from the site, no crushing or metal processing would occur at this location. The proposed hours are 7:00 AM – 5:00 PM Monday thru Saturday with employees there from 6:00 AM – 6:00 PM.

The Zoning Ordinance classifies as a recycling drop-off site for metals and automobiles as permissible in the I-2 General Industrial Zone District upon the issuance of a conditional use permit (114-588). The electronic message sign is allowable per Sec. 114-1033 upon the issuance of a conditional use permit.



Birdseye view of the property, indicated in red (image from Google). Portion to be used for this operation shown in yellow.



Site plan for the property (yellow portion from above), submitted by the applicant.

GENERAL INFORMATION

Parcel Number: [16857001](#)

Property Size: 4.25 acres

Comprehensive Plan Map Designation: INDUSTRIAL

Consistency with Adopted Plans:

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

Foster development of the industrial base to provide for employment opportunities in current and next generation manufacturing through the retention (or expansion where prudent) of industrially zoned lands.

Corridor or Special Design District?: N/A

Historic?: N/A

Current Zoning District: I-2 General Industrial

Purpose of Zone District: The I-2 general industrial district is intended to accommodate those industrial activities which may produce moderate nuisances or hazards in areas that are relatively remote from residential and commercial development.

Proposed Zoning: No change proposed

Existing Land Use: Vacant lot, previous land use was a paving company crushing operation.

Surrounding Zoning and Land Uses:

North	I-2 General Industrial	Modine Manufacturing
East	I-2 General Industrial	Railroad ROW
South	I-2 General Industrial	City Impound Lot
West	I-2 General Industrial	Warehousing and office space

Operations: A 6,000 square foot storage warehouse is planned and a proposed 12-foot privacy fence would screen the site from view. The collection facility plans to hire 18-20 workers earning roughly \$60,000 annually with full benefits. All metals and vehicles which are collected would be shipped from the site, no crushing or metal processing would occur at this location. The proposed hours are 7:00 AM – 5:00 PM Monday thru Saturday with employees there from 6:00 AM – 6:00 PM.

ANALYSIS:

Development Standards:

Density ([114-Article V](#): Article VII, Div. 5 [Bulk Regulations](#) & 8 [Lots](#)): There are buildings as a result of this proposal.

Standard	Required	Provided
Lot Area	No minimum	4.25 acres
Lot Frontage	30 feet	206 feet
Floor Area Ratio	4.0 maximum	.05

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

Yard	Required	Provided
Front	0 feet	17 feet
Side	0 feet	90 feet
Other side	0 feet	185 feet
Rear	0 feet	270 feet

Building design standards (114-Secs. [735.5](#) & [736](#)): The proposal calls for the construction of two buildings, one for storage and one as an office and scale control facility. Formal building materials and elevations are proposed and appear to meet all development standards; formal submittal of the materials is necessary prior to any construction.

Off-street parking and loading requirements (114- [Article XI](#)): Off-street parking is required at 2 spaces for every 3 employees. The proposal calls for 21 parking spaces, which based on the proposal would comply as the site will have 18-20 employees and the requirement is 13.

Landscaping, screening and yard requirements ([114- Article V](#): Article VII, Div. 6 [Development Standards](#) & 7 [Fences and Walls](#)): Landscaping and screening are not required on industrial properties adjacent to one another in the I-2 Zone district. There are no yard requirements given the surrounding properties are all zoned industrial. The proposed landscaping treatment of the fence line complies with development standards and will add variety to the exterior of the property.

Sign Regulations (114-[Article X](#)): The electronic message sign location and placement as indicated on the site plan complies with all development standards. The electronic message sign is intended to display pricing of metals and what values will be given when trading metals.

Outdoor lighting, signs ([114-Sec. 742](#)): Outdoor lighting complies with all development standards. The proposed fixtures suitably illuminate the site and comply with all shielding and illumination spillover requirements.

Rubbish and trash storage ([114-Article V](#) & [114-740](#)): The submitted plans do not indicate an area where the trash dumpster would be kept. However, a 10 foot fence is allowed on the site (12 foot proposed) and this will effectively shield the dumpster from view which would comply with development standards.

Engineering, Utilities and Access:

Access ([114-1151](#)): Vehicular access to the site is provided from S. Memorial Drive. Based on the submitted site plan, the applicant is not proposing changes to the access at this time.

Surface drainage ([114-739](#) & Consult Engineering Dept.): This use being proposed on the lot includes new pavement. A detailed stormwater study and approval of the study and any necessary improvements will be required to be installed as a part of this development.

Sewage disposal and water supply ([114-821](#) & Consult Engineering and S/W Utility): All utilities are available for this site and the applicant proposal to utilize this lot for a recycling center, is not expected to impact the ability to serve this area.

Exceptions to ordinance: N/A

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: Given the planned operations submitted by the applicant, with the recommended conditions in this report, it is expected the operation of this site will not be a detriment or danger to the comfort or general welfare of the area. The site is proposed to be used as a drop-off facility and no processing will occur; the operation will not operate at odd hours of the day and does not appear to emit odors, noise, dust or other nuisances which would be atypical of an industrial property. The proposal by the applicant addresses general operational concerns which are typically associated with this proposed use. The proposed signage is not in direct view of a residence or of a size which even if it was, would detract from the enjoyment of other properties given the proposed limits on its operation.

- 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: If used as recommended in the staff conditions, the site is not anticipated to be injurious any other property user or property owner in the area. The operation does not actually crush vehicles or shred metals on site; this is a collection facility and these more intensive activities are done off-site at a location in Waukesha County. This site will have vehicle traffic coming and going for the collection and drop-off and distribution activities. Memorial Drive is more than adequate to accommodate any vehicular traffic to or from this site as a result of it being developed as a metal collection facility. The electronic message sign will be for advertising hours of operation, business information and prices for metals and other items which are collected. The signage will not be readily visible to anyone in buildings in the area; the sign will be visible to those passing by on Memorial Drive, which is the intended audience of the messaging.

- 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 site will function as much less of an intensity than other permitted uses in this district. There will be some moderate noise from collection and sorting activities on the site and from vehicle traffic; these impacts are anticipated to be minimal as Memorial Drive is a main arterial street which sees some of the highest volumes of traffic in the area; as such, some noise is to be expected as the street is a major thoroughfare. The proposed operating hours ensure that the business does not conflict with other businesses in the area or with general quiet hours for nearby adjacent residential uses.

- 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 are no plans to alter access to the site. A full review and drainage study with any required improvements as a result of the study will be required. The applicant has demonstrated a willingness and understanding to install any necessary improvements that result from the study.

- 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. The site was once used in a similar fashion and the access complies with requirements in the municipal code. The site is not designed to function in a manner which a second access onto Memorial Drive would be prudent. The existing access is adequate for the proposed usage of the site and the site plans submitted by the applicant do not contemplate any changes. There

is ample space for vehicles to stack and park on the site, traffic backing up onto Memorial Drive is not expected to occur as a result of this development.

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

Staff Comments: The proposed use is industrial in nature and is temporary in nature. Assuming the dust and other recommended conditions are adhered to, the proposal will be consistent with other industrial development in the area. There are certainly more intensive development proposals which would occur in a property zoned I-2; all things considered, this operation will function more like a commercial operation in the sense cars will come and go. Yes, the metal collections and processing for transport aspect is more intensive and would not be allowed in commercial zones, but for this property and with the proposed conditions, it is a good fit.

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: This site conforms to all the applicable regulations of the zoning ordinance, a modification to the maximum fence height is requested to allow for a 12 foot fence instead of what would normally be allowed, which is a 10 foot fence. Given the nature of the business and for the aesthetics of passersby in passenger automobiles, a 12-foot fence would certainly conceal operations on the site; at the same time, this would also conceal the items being collected from adjacent businesses and present a cleaner look for the area.

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; or
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 LARRY ERLICH OF LE IX LLC, SEEKING A

CONDITIONAL USE PERMIT FOR A RECYCLING DROP-OFF SITE FOR METALS AND AUTOMOBILES, WITH AN ELECTRONIC MESSAGE SIGN AT 1917 S. MEMORIAL DRIVE BE APPROVED, SUBJECT TO THE FOLLOWING CONDITIONS:

- a) That the plans presented to the Planning, Heritage, and Design Commission on May 5, 2020 be approved subject to the conditions contained herein.
- b) That the following development standards be complied with prior to occupancy unless otherwise noted:
 - 1. Submission of a stormwater drainage plan and installation of any required improvements to handle drainage in accordance with Sec. 114-739.
 - 2. That the electronic message signage not be installed on the property until all improvements shown on the plan are installed on the site.
- c) That if, prior to the issuance of an Occupancy Permit or becoming operational, required site improvements listed in b, above have not been or cannot be completed, a financial surety shall be provided to the City. The surety shall be in a format as approved by the City Attorney's office, and subject to all stipulations as identified for financial sureties in the City of Racine. The dollar amount shall be determined at the time of application based upon estimates provided by the applicants for any incomplete work, and shall be valid for no less than one (1) year from the date of issuance. The surety format and content is subject to review and approval by the City Attorney.
- d) That an exception from the requirement of Sec. 114-759 limiting the height of the fence to 10 feet, and authorizing a 12-foot fence.
- e) That the electronic message sign be operated in accordance with the following operational standards:
 - 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. The brick on the monument sign be the same style and pattern as what is used on the building(s) on site.
- f) That Federal and State requirements for recycling collection facilities be adhered to at all times.
- g) That materials on the site be no higher than 10 feet above ground level at any time.
- h) That hours of operation shall be 6:00 AM – 6:00 PM Monday – Saturday.
- i) That all codes and ordinances are complied with and required permits acquired.

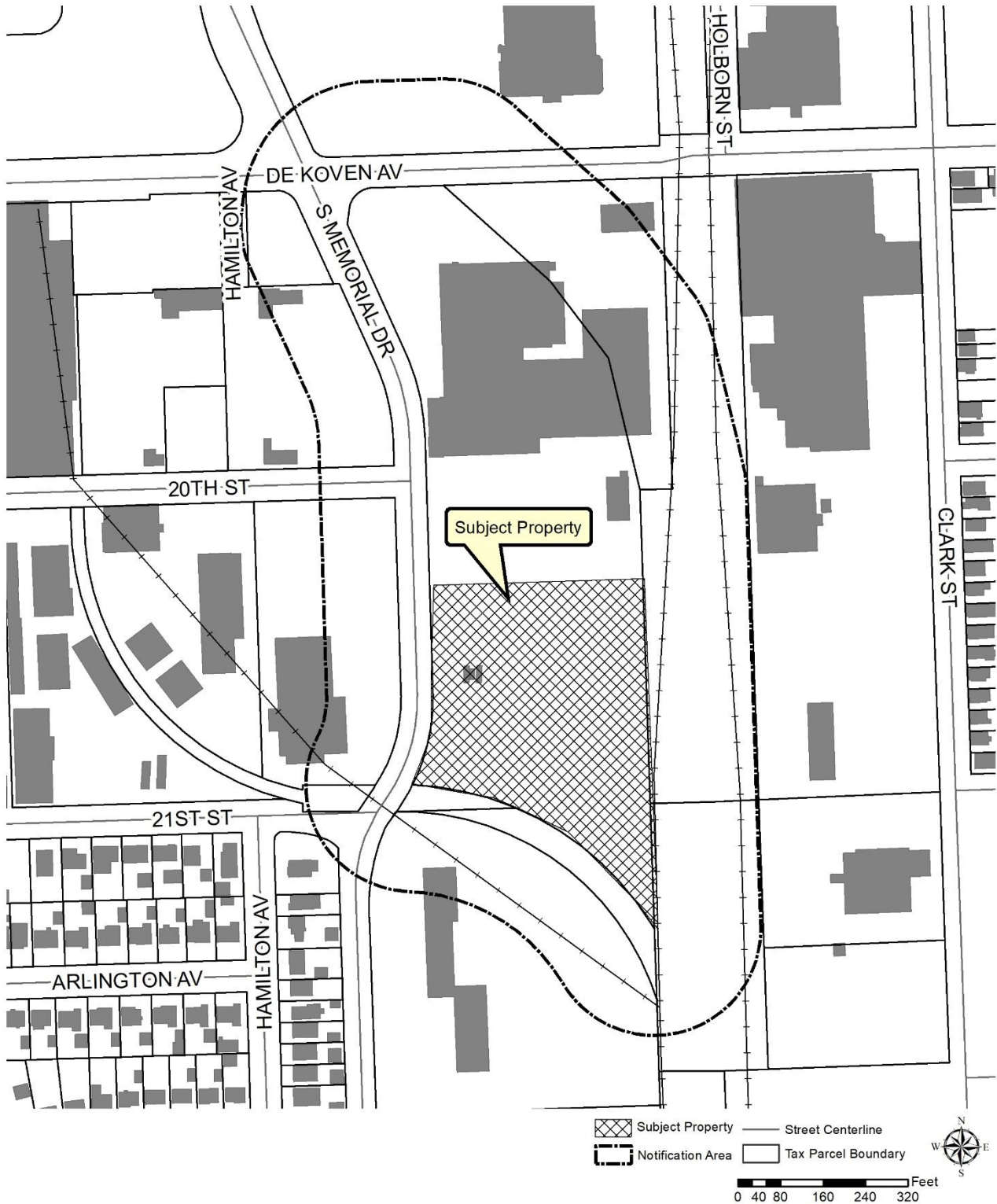
- j) That no minor changes be made from the conditions of this permit without approval of the Planning, Heritage, and Design Commission, and no major changes be made from the conditions of this permit without the approval of the Common Council.
- k) That this conditional use permit is subject to Planning, Heritage, and Design 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 (view in legistar).



Conditional Use Request - 1917 S. Memorial Drive



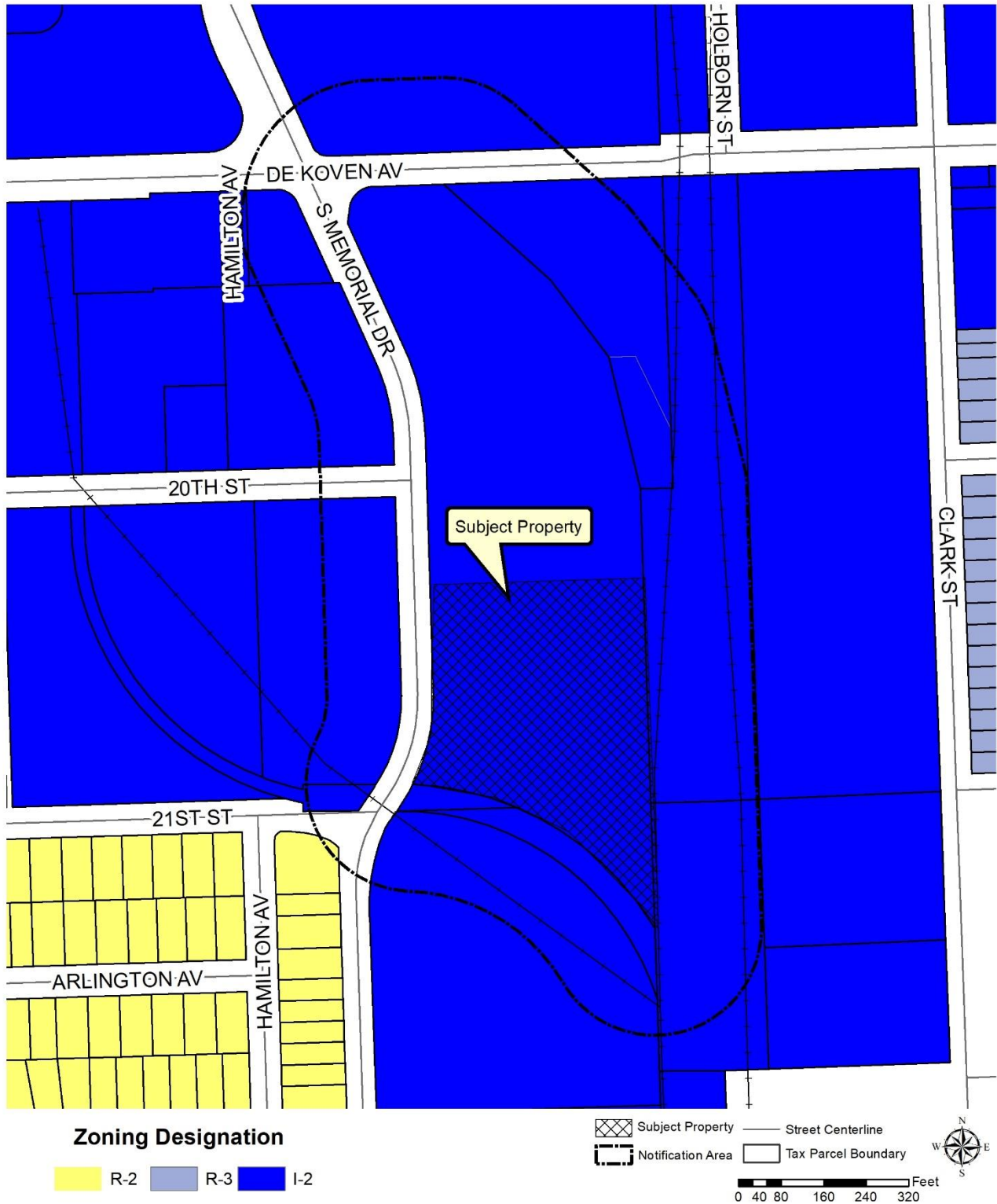


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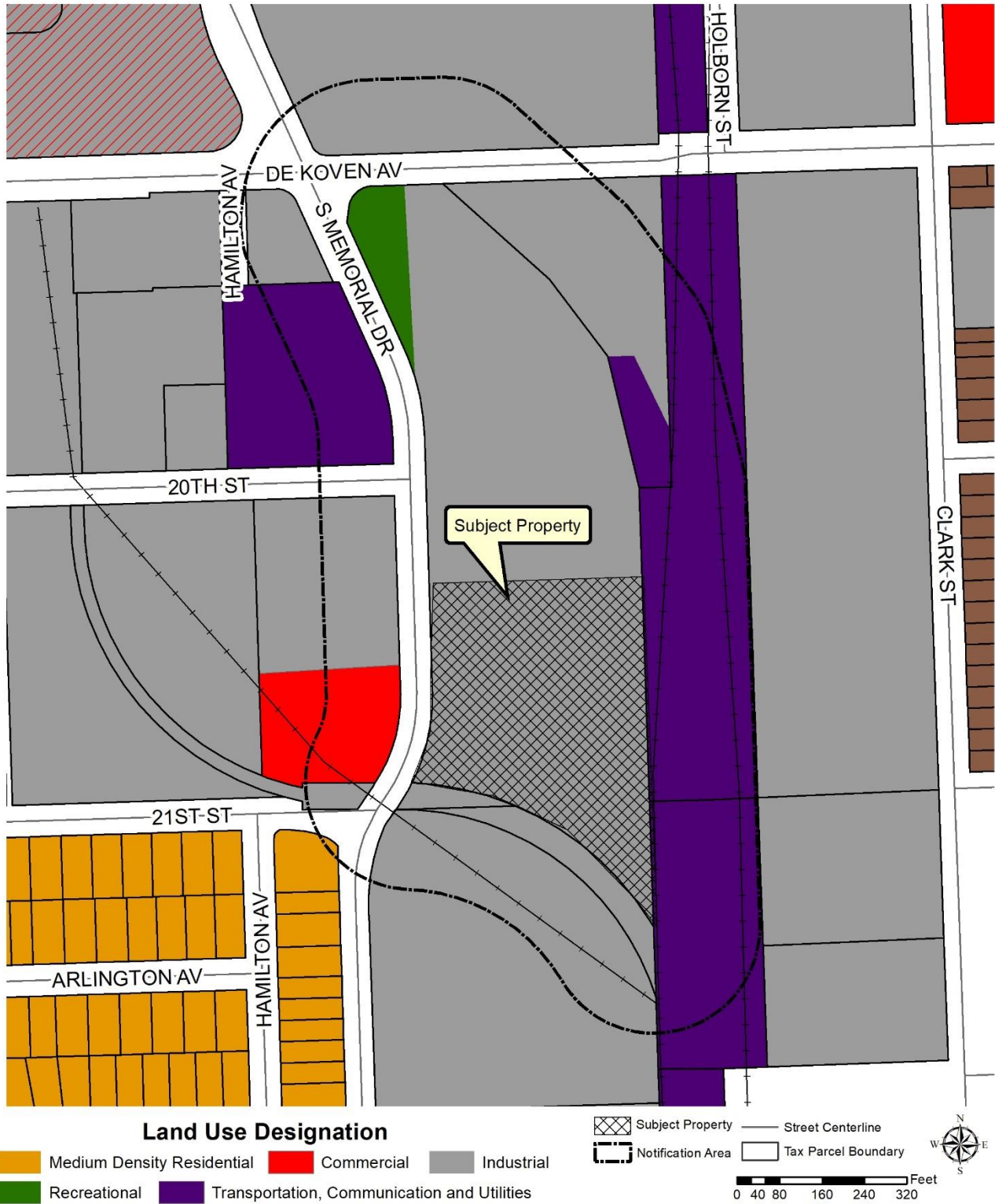


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Site Photos



Looking east at site from S. Memorial Drive



Looking south from site along S.
Memorial Drive



Looking west from site across S.
Memorial Drive



Looking north from site along S.
Memorial Drive



Looking east at southern portion of site
from S. Memorial Drive



Looking south from southern portion of
site down S. Memorial Drive