



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

**Meeting Date:** 7/14/2021

**To:** Mayor and Planning, Heritage, and Design Commission Members

**From:** City Development Department, Division of Planning and Redevelopment

**Interim Division Manager:** Jeff Hintz – (262) 636-9473 [jeff.hintz@cityofracine.org](mailto:jeff.hintz@cityofracine.org)

**Case Manager:** Jeff Hintz

**Location:** 4801 Washington Avenue

**Applicant:** 4801 Cogent Flagler LLC – Brian Coninx

**Property Owner:** 4801 WASHINGTON AVE LLC

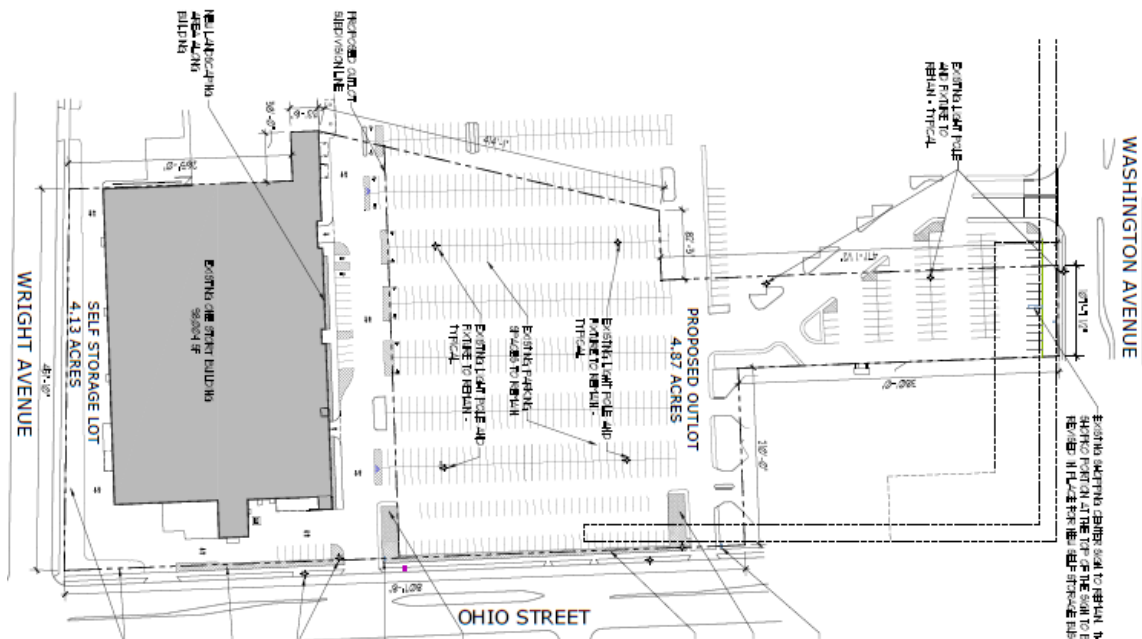
**Request:** Consideration of a major amendment to an existing conditional use permit which is a Commercial Planned Development called Westgate Mall. The major amendment contemplates adding interior, climate controlled, self-storage warehousing, at 4801 Washington Avenue, the use being classified as a component of a mixed use development authorized on the site as allowed by Sec. 114-182 of the Municipal Code. The property is located in a B-2 Community Shopping Zone District.

**BACKGROUND AND SUMMARY:** The exterior façade of the former Shopko building would be renovated, new landscaping would be installed and the inside will be remodeled to include vehicles access to storage facilities; no outside storage or loading is requested or permitted on site. The building will be monitored 24 hours a day, customers have a unique access code to gain entry and during normal business hours, a staff person is present. 13 total parking spaces are requested and the remainder of the site (4.87 acres) will be split off and marketed for development.

The Zoning Ordinance classifies this major amendment to allow for use modifications in the Planned Development upon the issuance of a conditional use permit amendment (114-182).



Birdseye view of the property, indicated in red (image from Google Earth).



Proposed Site Plan of the property (north is on right), submitted by applicant.

## GENERAL INFORMATION

**Parcel Number:** [22879001](#)

**Property Size:** 9.061 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.

**Corridor or Special Design District?:** Westgate Overlay District

**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:** vacant big box retail store and parking field.

**Surrounding Zoning and Land Uses:**

<b>North</b>	B-2 Community Shopping	Banking and retail establishments
<b>East</b>	R-2 Single Family Residence	Single unit dwellings
<b>South</b>	R-2 Single Family Residence	Junior High School (Starbuck)
<b>West</b>	B-2 Community Shopping	Retail establishments

## ANALYSIS:

### Development Standards:

**Density** ([114-Article V](#): Article VII, Div. 5 [Bulk Regulations](#) & 8 [Lots](#)): this is being analyzed based on the proposed lot to be created for the development subject to this request and does not include the out lot.

Standard	Required	Provided
Lot Area	No minimum	79, 929 sq. ft.
Lot Frontage	30 feet	400 feet
Floor Area Ratio	4.0 maximum	.54

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

Yard	Required	Provided
Front (proposed)	0 feet	75 feet
Corner side (east)	6 feet	26 feet
Side (west)	0 feet	0 feet
Rear (south)	0 feet	43 feet

**Building design standards** (114-Secs. [735.5](#) & [736](#)): The proposed building design complies with all design requirements and fits in with the newer development and redevelopment in the area. While no new construction on the outside in terms of adding to building foot print is added, a substantial overhaul is planned for the inside and façade of the building. The changes will dramatically update and upgrade the existing façade on the building for the new proposed usage as self-service warehousing.

**Off-street parking and loading requirements** (114- [Article XI](#)):

Use Type	Required	Provided
Self-Storage/Warehousing	2	24
Total	2	24

Buildings of this size require two loading spaces. The area inside the building for this use meets the requirement.

**Landscaping, screening and yard requirements** ([114- Article V](#): Article VII, Div. 6 [Development Standards](#) & 7 [Fences and Walls](#)): The landscaping is required to be maintained and anything which is diseased, dying or decaying will need to be replaced. The plan from the application in terms of species, locations and quantities does comply. Field verification of the installation would take place should the development be approved.

**Sign Regulations** (114-[Article X](#)): Signage is not a part of this request, but changes are planned and would be reviewed prior to installation. The signage budget for this property would be 300 square feet. The proposed locations for signage comply with the requirements of the zoning ordinance.

**Outdoor lighting, signs** ([114-Sec. 742](#)): The plans submitted by the applicant do not include additional lighting fixtures or changes to the existing fixtures; the lighting appears to focus light onto the property and not adjacent properties.

**Rubbish and trash storage** ([114-Article V](#) & [114-740](#)): A trash enclosure is not depicted on the site plan, prior to occupying the building one will need to be constructed. Regardless of the action taken by the Planning, Heritage, and Design Commission, the enclosure is required. Alternatively, the applicant may store the dumpster and trash in one of the buildings, placing it out on collection day

**Engineering, Utilities and Access:**

**Access** ([114-1151](#)): Vehicular access to the site is provided from Ohio Street and Washington Avenue. The site plan submitted by the applicant does not contemplate any changes to access.

**Surface drainage** ([114-739](#) & Consult Engineering Dept.): Utilizing the existing building for a new use is 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:** This redevelopment of the property is turning around a building which could become blighted or potentially blighted and the redevelopment will be occurring without the need for incentives or other financial assistance. The potential to convert the large parking field to other development to other uses to the tune of nearly five acres in an area which sees high interest from developers will be of great potential for future infill development. The community has other self-service warehousing facilities, but none have the overall aesthetic and planned operations of this facility. This is something completely different than other facilities and is expected to serve as a neighborhood amenity.

## REQUIRED FINDINGS OF FACT:

### CONDITIONAL USE FINDINGS (Sec. 114-154. – Standards.)

No Conditional Use shall be recommended by the Planning, Heritage, and Design 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 reuse of this building as self-service warehousing as proposed by the applicant is not expected to create and nuisances which would be detrimental to public safety or general enjoyment of the area. The building sitting vacant with no usage is far more detrimental to the general area. That being said, the proposed use was not considered when the planned development was originally approved, but is a use which will service the residences and those living in the area, much like the retail in the building once did. A modern and well maintained facility will increase real estate tax revenue while generating little to no demand for public services.

- 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 usage is expected to increase the value of this property and will show that investment in this area is indeed wise and prudent. Given the current and future trends in retailing, the need for this much space (100,000 square feet) is extremely limited. The building was not built in such a way that carving this space into reconfiguration for use as multiple retailers and as such, to do so would require a market for the space as retail and the financial backing to make such a change occur. The proposed reuse of this building as self-service warehousing will see limited traffic and the proposal to create a nearly 5 acre lot for redevelopment will positively impact property values in the neighborhood. The lot being used for random parking of vehicles or a dumping ground for debris and refuse for passersby is expected to end once the building is put to service again.

- 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 proposed conditions with this request help to ensure that development in the area remains consistent and orderly, while accommodating for new this new component of development to the site. The planned development was once a regional draw and to some, may still be, but it is likely for most that the current makeup of the shopping center is targeting primarily those within close proximity. The self-service warehousing is anticipated to draw from people in the immediate area who would like to utilize this service, which falls in line with the overall intent of the

planned development when it was created. The proposal will not be detrimental to the future development of the outlot as another commercial use or some sort of other use which could be accommodated by the existing road and utility network. The applicant will be marketing this lot for future development and as such, it will be in their financial best interest to ensure future development of the outlot is not limited by the proposed development at this time.

**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 reuse of this site and existing building is not expected to impact the provision of utilities for the property or general area. The traffic demand will be substantially less than when it served as an anchor store for a shopping center and the proposed usage is much more passive in nature.

**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 application does not contemplate changing any access to the site. The storage and occasional viewing of vehicles in addition to the existing retail operations on the site are not anticipated to lead to congestion of the streets. The applicant will be limited to the vehicles which can be stored and sold at any one time and there is more parking being added at the rear for employees. Based on traditional and recent usage of this shopping center, the parking area out front will be more than adequate for the anticipated usage of the three businesses at this shopping center.

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

Staff Comments: The land use plan for the City identifies this property as Commercial. This proposed usage is consistent with the objectives of the comprehensive plan. It is important to note that the zoning ordinance does allow this to be considered in conjunction with the planned development, even though the use is classified as industrial. In conjunction with this planned development given the circumstances with this particular property, coupled with the requirements of the zoning ordinance Sec. 114-182, the usage will be extremely limited and future expansion of this use on the site or adjacent lot is not possible. The overall intent of the plan and usage of the property as commercial is being met.

**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 for this zone district. No exceptions are needed with



the request and the proposed development will function in a manner which is complimentary to the adjacent residential and commercial areas.

## **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, subject to the consent of the applicant.
5. Defer with a continuance of the public hearing to a date certain, subject to the consent of the applicant.

**STAFF RECOMMENDATION:** BASED ON THE FINDINGS OF FACT IN THIS REPORT, THAT THE REQUEST FROM COGENT FLAGLER LLC, SEEKING MAJOR AMENDMENT TO AN EXISTING CONDITIONAL USE PERMIT TO ALLOW INTERIOR, CLIMATE CONTROLLED, SELF-STORAGE WAREHOUSING, AT 4801 WASHINGTON AVENUE BE APPROVED, SUBJECT TO THE FOLLOWING CONDITIONS:

- a) That the plans presented to the Planning, Heritage, and Design Commission on July 14, 2021 be approved subject to the conditions contained herein.
- b) That the following development standards be complied with prior to occupancy certificate issuance:
  1. Landscaping indicated on the site plan be installed.
  2. That the debris and removal of unused equipment (outdoor storage) in the rear and loading dock area occurs.
  3. Chain link fencing which is in disrepair be removed and installation of screening fencing for the area be installed; details to be submitted to and approved by City Development prior to building permits.
- c) That if, prior to the issuance of an Occupancy Permit, required development standards 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.



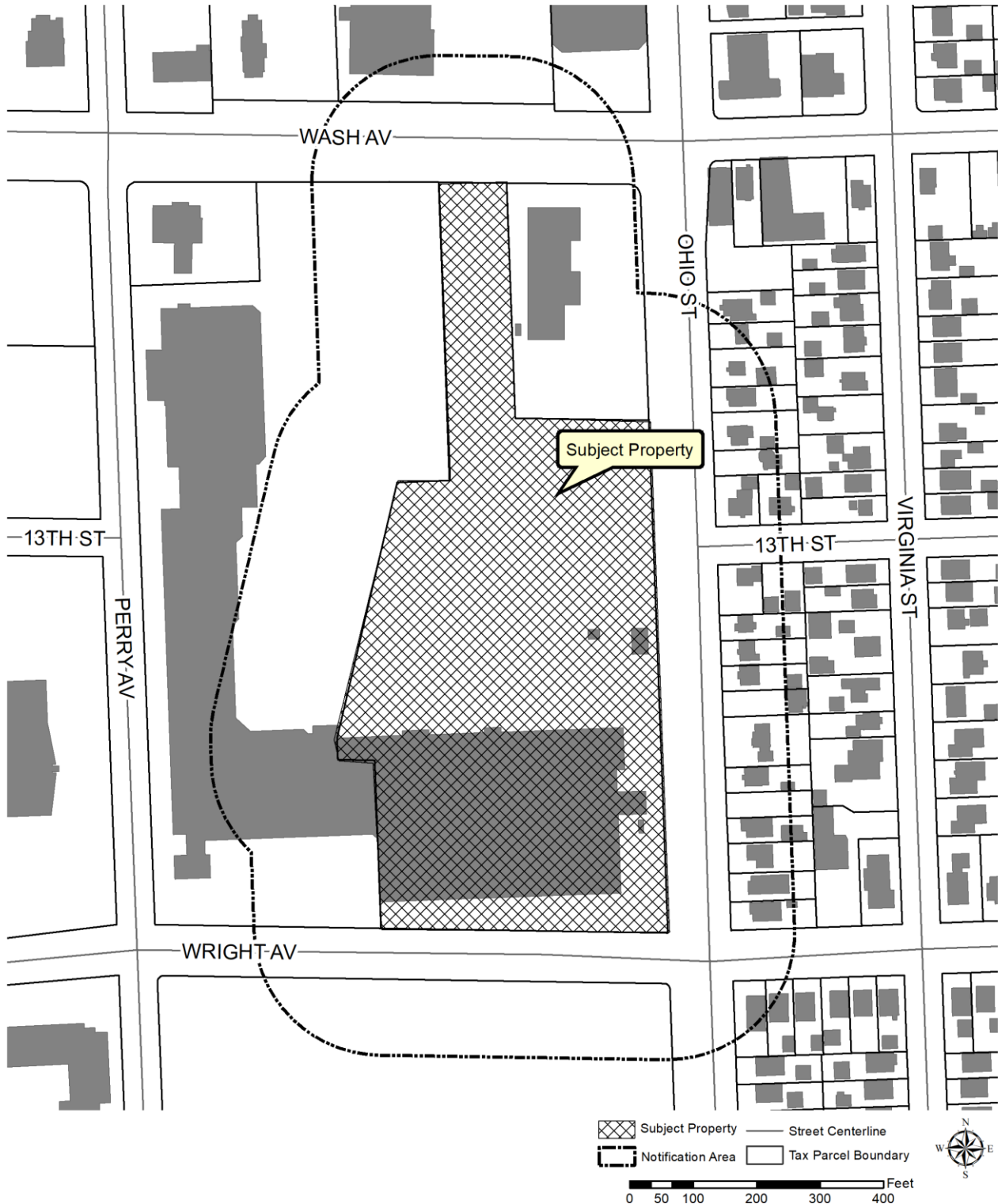
- d) That a Certified Survey Map (CSM) be recorded creating the out lot indicated on the site plan and the dilapidated maintenance shed be removed prior to the issuance of any building permits for this project.
- e) That the facility be closed from 10:00 PM to 6:30 AM seven days a week.
- f) That any outdoor storage or parking of commercial vehicles outside overnight is prohibited.
- g) That signage be submitted to and approved by the Department of City Development's Planning Division prior to installation and permitting.
- h) 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.
- i) 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; and
- 5) Site photos of the property and general area.

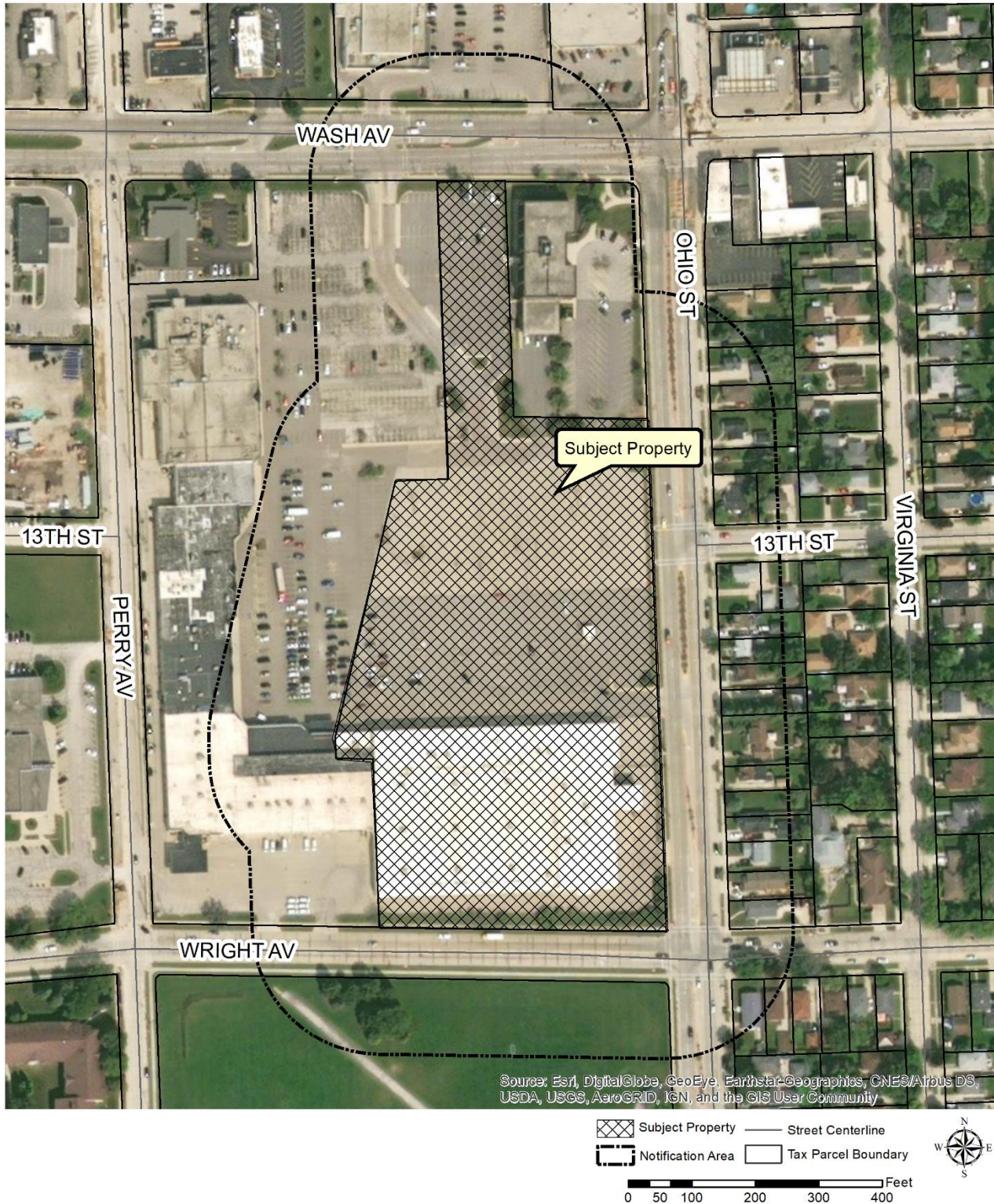


## Conditional Use Amendment - 4801 Washington Avenue





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## Conditional Use Amendment - 4801 Washington Avenue



### Zoning Designation

O/I B-1 B-2 R-2 R-3 R-4

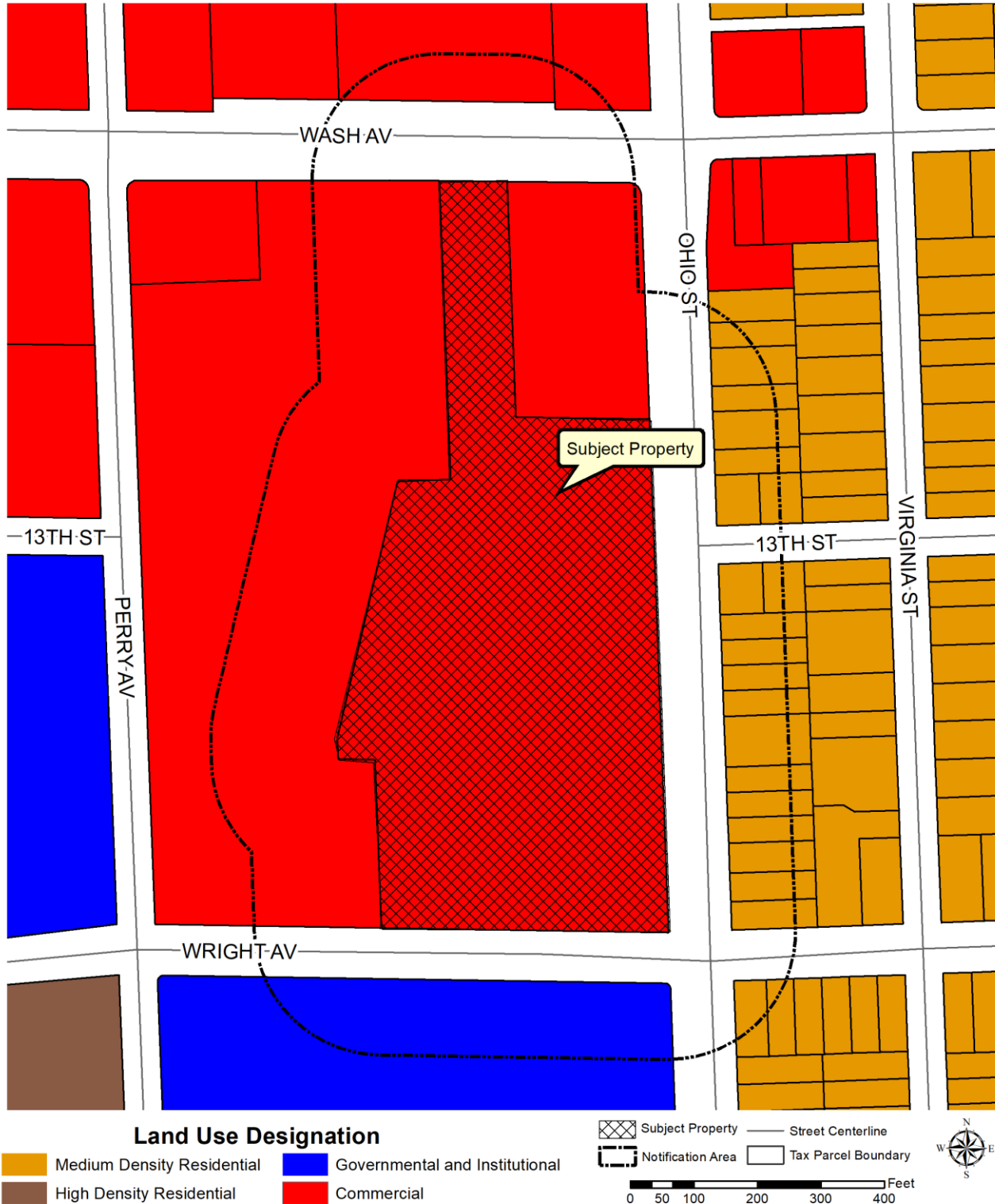
Subject Property — Street Centerline  
Notification Area Tax Parcel Boundary

0 50 100 200 300 400 Feet





## Conditional Use Amendment - 4801 Washington Avenue



## Site Photos



Looking south at site from Washington Avenue  
across proposed outlet



Looking west at existing businesses in  
Planned Development



Looking north on site at proposed outlet



Looking north along Ohio Street



Looking at southwest corner of former  
Shopko building



Looking east at rear of subject property