



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

Case Manager: Jeff Hintz

Location: 5302 and 5310 Washington Avenue

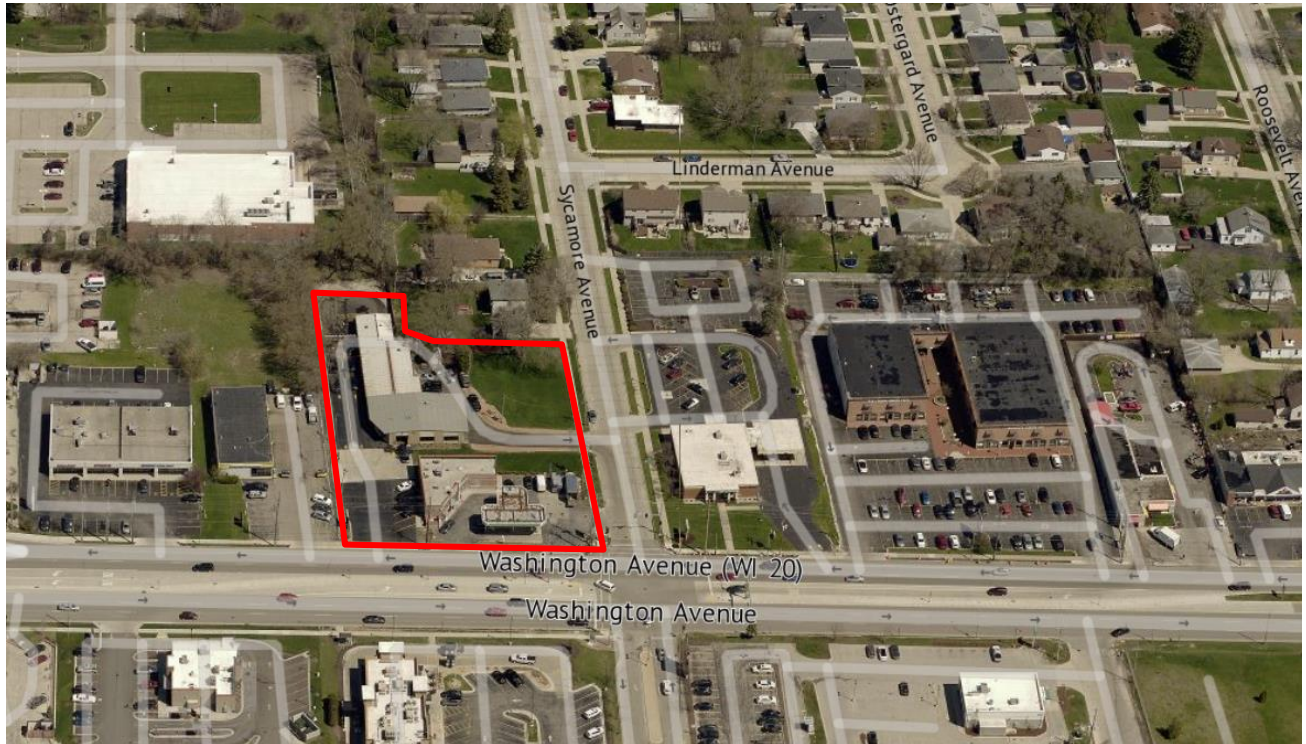
Applicant: EVO Development – John Holborow

Property Owner: RAC I, LLC

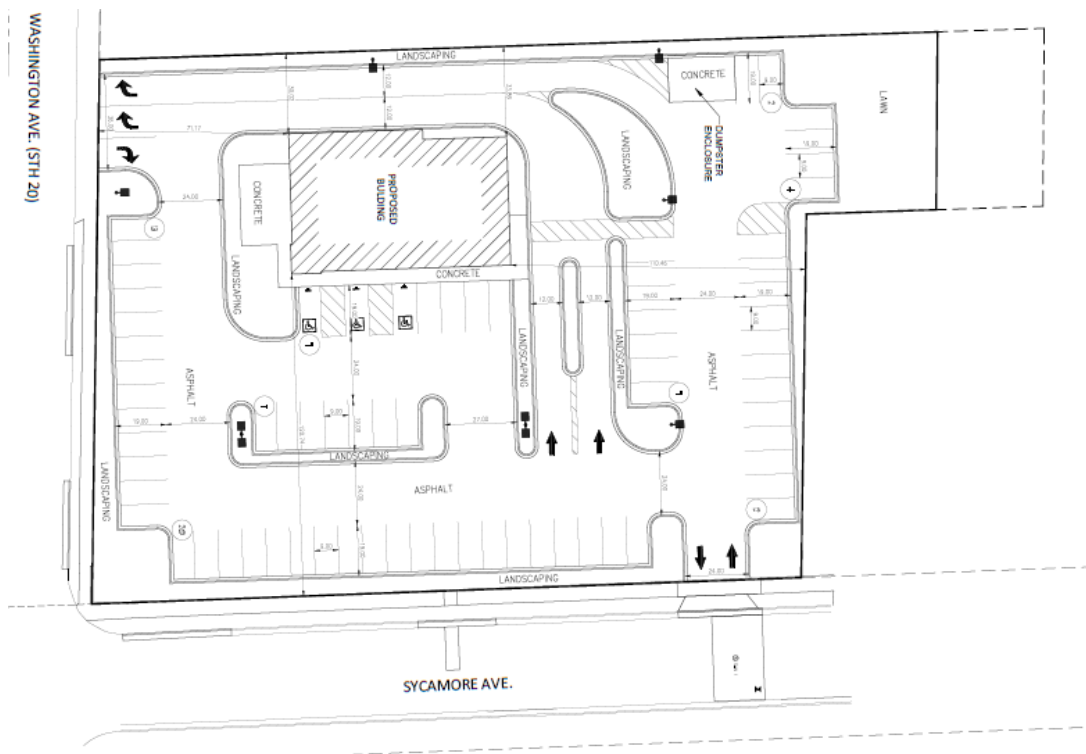
Request: Consideration of a conditional use permit to operate a restaurant with drive-thru, at 5302 and 5310 Washington Avenue as allowed by Sec. 114-468 of the Municipal Code. The property is located in a B-2 Community Shopping Zone District.

BACKGROUND AND SUMMARY: The existing gas station and car wash on the site would be demolished and a Panera Bread restaurant with drive thru would be constructed on the site. The restaurant would be approximately 4,510 square feet and includes 72 off-street parking spaces. Updated landscaping, the closure of the two driveways closest to the intersection with Sycamore Avenue and an updated lighting plan are proposed for the site.

The Zoning Ordinance classifies this use as allowable upon the issuance of a conditional use permit amendment (114-468).



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



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

GENERAL INFORMATION

Parcel Numbers: [13132092](#) and [13132103](#)

Property Size: 1.31 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: car wash and automobile service (gas) station with convenience store.

Surrounding Zoning and Land Uses:

North	R-2 Single Family Residence	Single unit dwellings
East	B-2 Community Shopping	Office building
South	Village of Mount Pleasant	Fast food establishment(s) with drive-thru
West	Village of Mount Pleasant	Automobile service facility (tires)

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	57,248 sq. ft.
Lot Frontage	30 feet	470 feet
Floor Area Ratio	4.0 maximum	.08

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

Yard	Required	Provided
Front (Washington)	0 feet	75 feet
Corner side (east)	6 feet	110 feet
Side (west)	0 feet	24 feet
Rear (north)	6 feet	0-2 feet

Building design standards (114-Secs. [735.5](#) & [736](#)): The proposed building design complies with all design requirements in the zoning ordinance. The application of materials and the proposed location on the building are allowed.

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

Use Type	Required	Provided
Restaurant	27	72
Total	27	72

Buildings of this size do not require a dedicated loading space; the drive aisle in the parking lot will fulfill this need and ensure the loading occurs off the street.

Landscaping, screening and yard requirements ([114- Article V](#): Article VII, Div. 6 [Development Standards](#) & 7 [Fences and Walls](#)): The landscaping proposed by the applicant complies with the requirements of the ordinance in terms of location and quantity. 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 is 265 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 comply with design requirements and the proposed illumination is less than what is required at the property line.

Rubbish and trash storage ([114-Article V](#) & [114-740](#)): The trash enclosure on the site plan is at a location which complies with all development standards.

Engineering, Utilities and Access:

Access ([114-1151](#)): Vehicular access to the site is provided from Sycamore Avenue and Washington Avenue. The site plan submitted by the applicant closes the two driveways closest to this intersection and restricts movement onto Washington Avenue as right turns in/out.

Surface drainage ([114-739](#) & Consult Engineering Dept.): Compliance with this section will be required, the review is currently pending.

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:

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 proposal to create a new restaurant on this parcel is not expected to be detrimental to the adjacent residential development and commercial/office uses. This proposal will operate with somewhat more traffic than the current operations, but the arrangement and flow throughout the site comply with all requirements and the hours of operation are compatible with less intensive uses.

- 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. The restaurant and drive thru will provide all necessary landscaping, yards and the site design maximizes vehicle flow through the site and not back into the neighborhood. The other properties in this area are expected to continue to be utilized as they are now and will not be negatively impacted as a result of this development occurring.

- 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. The proposed development will follow all requirements for yards, landscaping, screening and site design mandated by development standards. Adjacent and surrounding properties will be adequately buffered and will be able to continue their present usage for the foreseeable and ongoing future if this proposal is indeed constructed.

- 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 closes driveways closest to the intersection and limits turning movements onto and from the site in a manner which is safer than the current layout. Sycamore Avenue and Washington Avenue will each lose one driveway and all turning movements onto Washington will be right turns, which is expected to be safer than the current access configuration. Utilities and access to the site are adequate for the proposed demand and the ability to serve the area will not be hindered as a result of this development.

- 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 proposal provides more than double the parking the code requires which for a grab and go type dining facility will more than handle the peak demand. The vehicle stacking areas for the drive thru, coupled with the parking spaces will ensure vehicles are not stacking onto the public ways and causing congestion on the streets.

- 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. The property will be brought to a use which is much more complimentary to residential development than compared to that of an automobile filling station or vehicle wash. The use does have a somewhat regional draw, but the overall usage of the proposed development will be less intense and more neighborhood serving than the current usage of the lots.

- 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 JOHN HOLBOROW, SEEKING A CONDITIONAL USE PERMIT TO OPERATE A RESTAURANT WITH DRIVE-THRU, AT 5302-5310 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. Storm water management be approved by the City Engineering Division and installed as approved by the applicant.
- 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 hours of operation be from 6:00 AM – 9:00 PM daily.
- e) That signage be submitted to and approved by the Department of City Development’s Planning Division prior to installation and permitting.
- f) 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.
- g) 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.

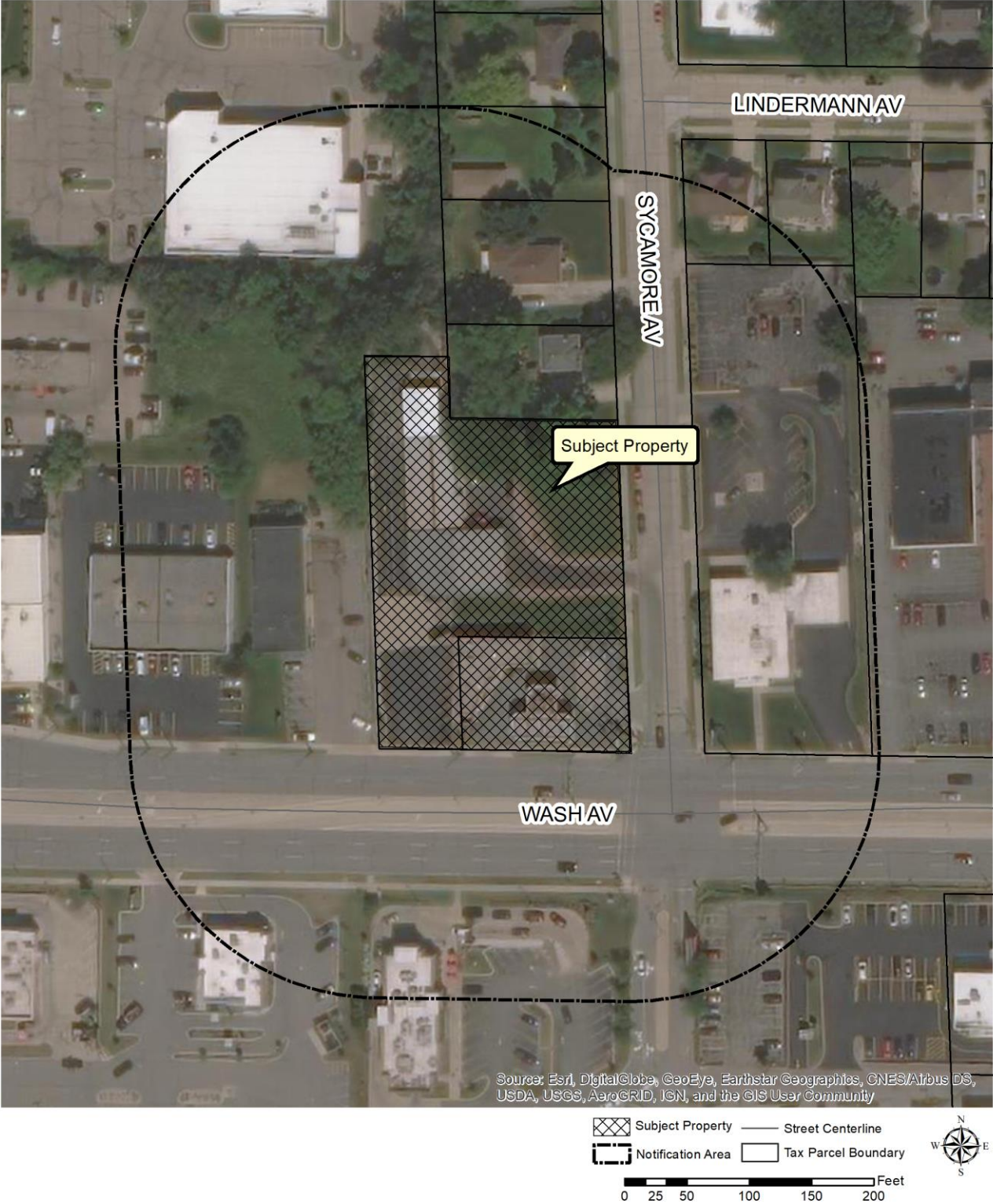


Conditional Use Request - 5302 & 5310 Washington Avenue



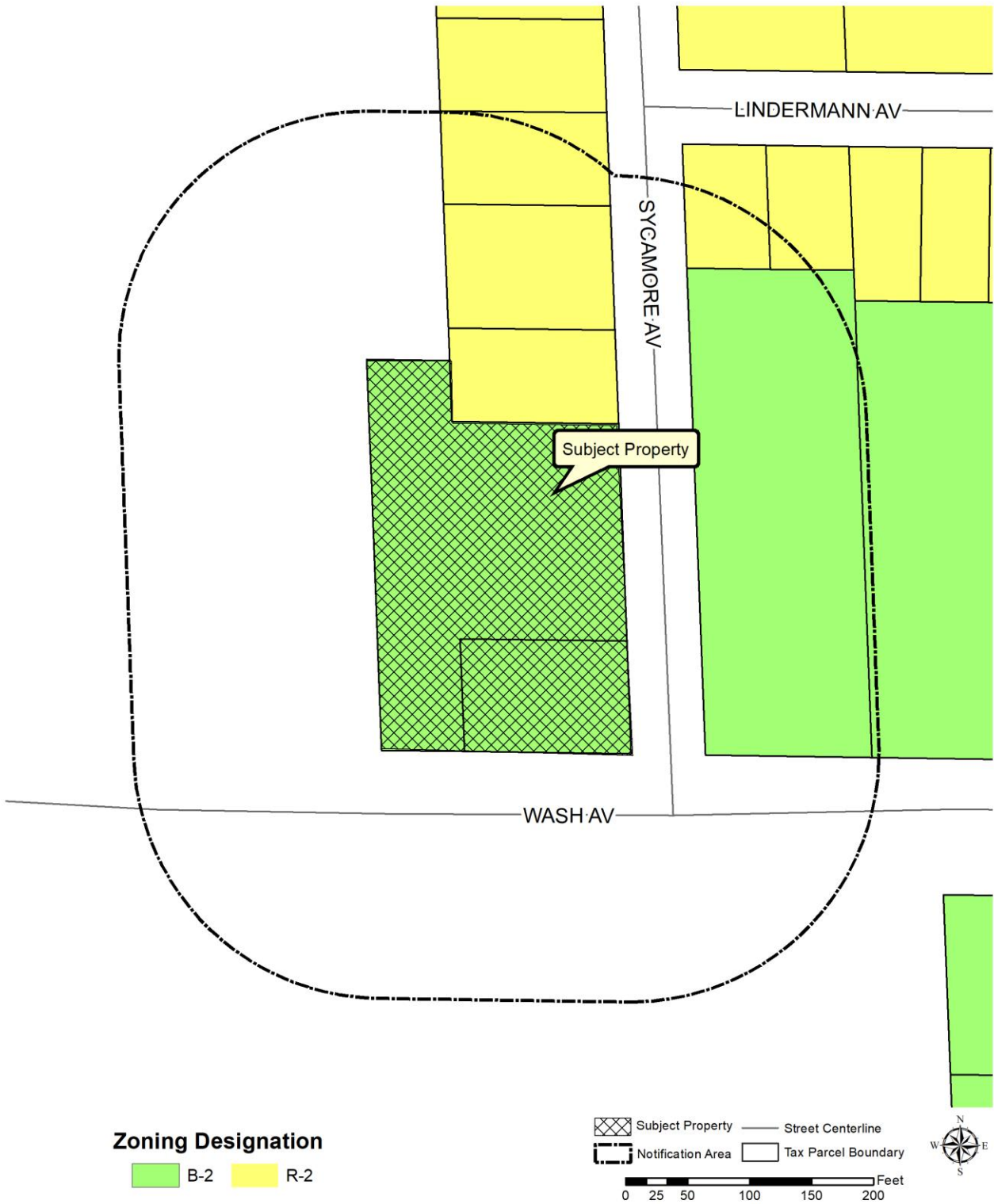


Conditional Use Request - 5302 & 5310 Washington Avenue



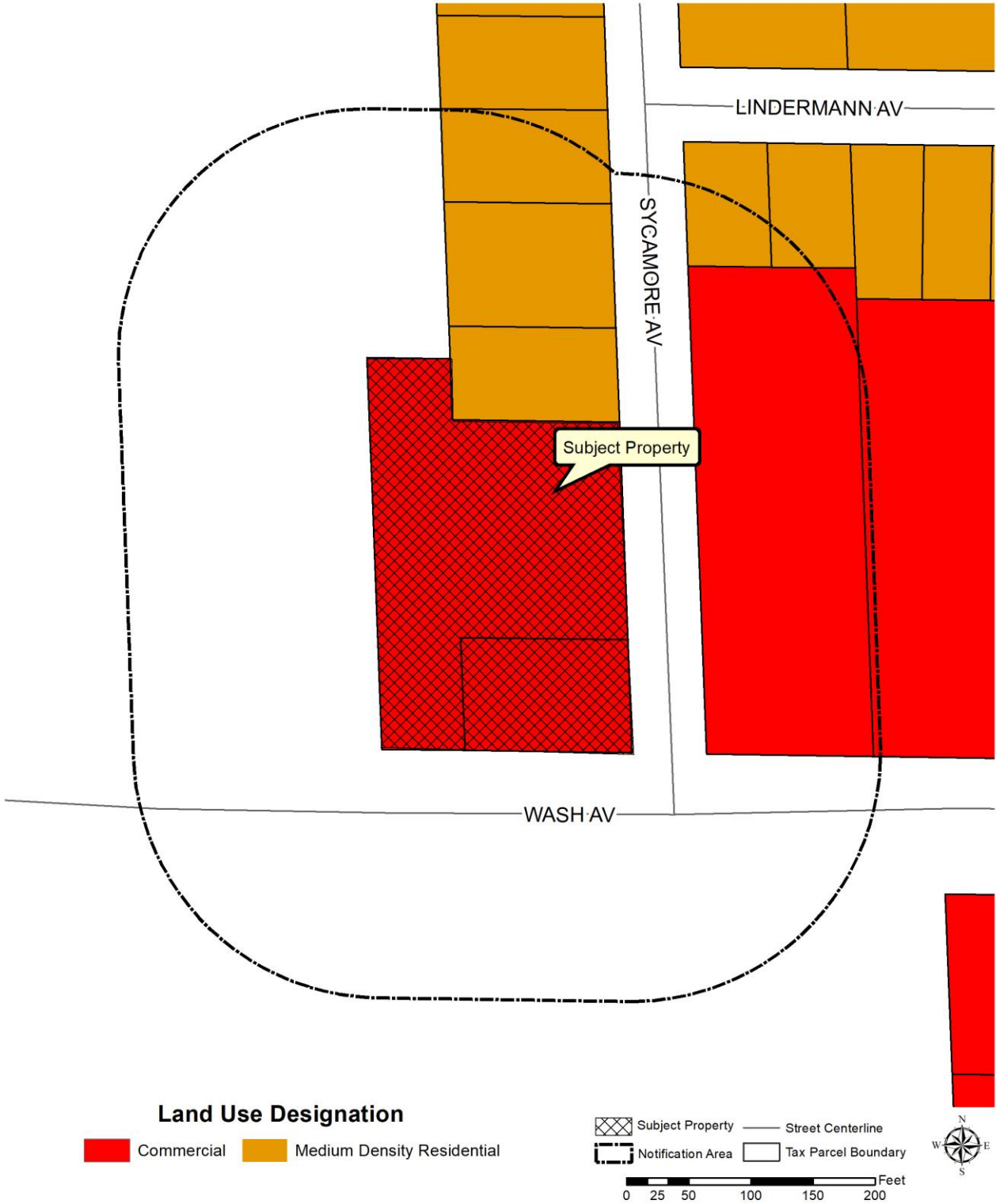


Conditional Use Request - 5302 & 5310 Washington Avenue





Conditional Use Request - 5302 & 5310 Washington Avenue



Site Photos



Looking north from site along Sycamore Avenue



Looking east across Sycamore Avenue at
office building



Looking south down Sycamore Avenue



Looking north along western edge of
property



Looking west at existing service station on
the site



Looking east across the site