



CITY OF RACINE DEPARTMENT OF CITY DEVELOPMENT STAFF REPORT

Meeting Date: 10/13/2021

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

From: City Development Department, Division of Planning and Redevelopment

Division Manager: Jeff Hintz – (262) 636-9473 jeff.hintz@cityofracine.org

Case Manager: Michelle Cook

Location: 5801 – 21st Street

Applicant: Haman 21st Street, LLC

Property Owner: Haman 21st Street, LLC

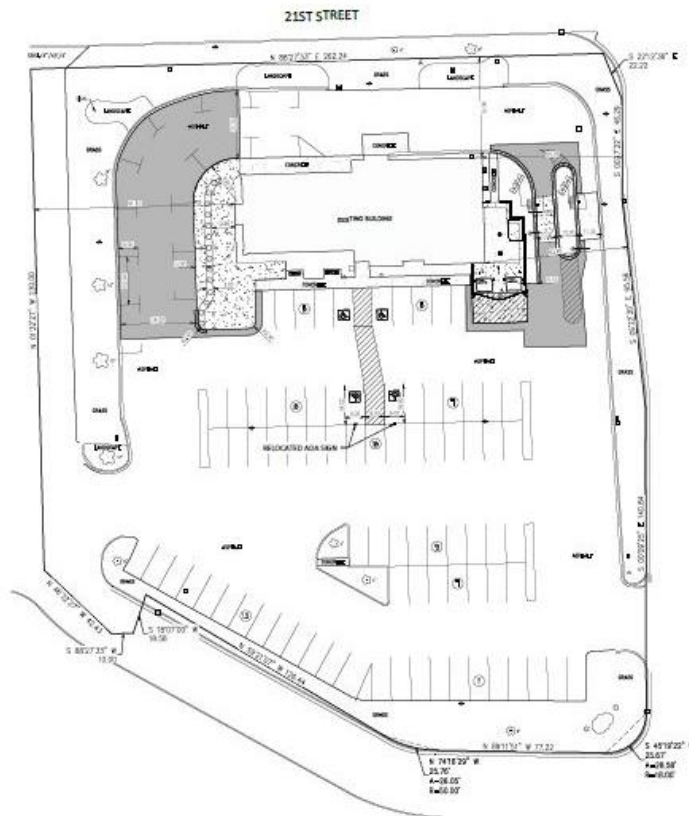
Request: Consideration of a minor amendment to a conditional use permit to allow for the addition of a second drive-thru and exterior site modifications at the Culver’s Restaurant at 5801 – 21st Street as allowed by Sec. 114-155 (b) of the Municipal Code.

BACKGROUND AND SUMMARY: The existing restaurant on the site is proposing to add a second drive-thru and moving outdoor seating area to accommodate for additional drive-thru parking spaces.

The Zoning Ordinance classifies this use as allowable upon the issuance of a conditional use permit amendment (114-155 (b)).



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



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

GENERAL INFORMATION

Parcel Numbers: 23876044

Property Size: 1.846 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?: N/A

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: Drive-thru restaurant

Surrounding Zoning and Land Uses:

North	I-2 General Industrial	Office Building
East	B-2 Community Shopping	Shopping Center
South	B-2 Community Shopping	Shopping Center
West	B-2 Community Shopping	Bank

ANALYSIS:

Development Standards:

Density ([114-Article V](#): Article VII, Div. 5 [Bulk Regulations](#) & 8 [Lots](#)):

Standard	Required	Provided
Lot Area	No minimum	78,748 sq. ft.
Lot Frontage	30 feet	262 feet
Floor Area Ratio	4.0 maximum	.060

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

Yard	Required	Provided
Front (21 st Street)	0 feet	46 feet
Side (east)	6 feet	64 feet
Side (west)	0 feet	92 feet
Rear (south)	6 feet	150 feet

Building design standards (114-Secs. [735.5](#) & [736](#)): There are no changes being proposed to the current building design.

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

Use Type	Required	Provided
Restaurant	61	81
Total	61	81

There will be a reduction of five parking spaces due to the proposed development, however, the spaces provided exceeds the off-street parking requirement.

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](#)): No changes to landscaping are being proposed. The current landscaping on the site complies with the requirements of the ordinance in terms of location and quantity.

Sign Regulations (114-[Article X](#)): Signage is not a part of this request.

Outdoor lighting, signs ([114-Sec. 742](#)): There are no lighting changes as part of this request. The current lighting on the property complies with development standards.

Rubbish and trash storage ([114-Article V](#) & [114-740](#)): The trash enclosure will be relocated as part of this development. The trash enclosure on the site plan will be screened and is at a location which complies with development standards.

Engineering, Utilities and Access:

Access ([114-1151](#)): Vehicular access to the site is provided by two driveways from 21st Street. The site plan submitted by the applicant does not contemplate any changes in access to the site.

Surface drainage ([114-739](#) & Consult Engineering Dept.): Compliance with this section will be required. Applicant is working with the Engineering Department regarding this requirement.

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: N/A

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 second drive-thru and additional drive-thru parking areas (waiting areas) on this parcel is not expected to be detrimental to the surrounding area. The property already operates as a restaurant with a drive-thru and the addition of the second drive-thru and additional waiting areas will benefit traffic flow on the site. The proposal will not create more traffic to the site. However, it will aide in the flow of traffic to and from the site. The arrangement and flow throughout the site comply with all requirements and the hours of operation are compatible with the uses in the surrounding area.

- 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 property is located in a highly trafficked commercial corridor so the expansion of the drive-thru and drive-thru parking waiting areas will not be injurious to the use and enjoyment of other properties. The restaurant will provide all necessary landscaping, yards and the site design maximizes vehicle flow through the site and not back into the existing drive aisles into the site. 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 restaurant has been in operation at this location since 1997 and is a compliment to the existing uses of the surrounding area. The addition as proposed will only lend itself to enhancing the development in the surrounding area by allowing traffic flow to happen more smoothly to the site. The proposed conditions with this request help to ensure that development in the area remains consistent and orderly.

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 contemplate closing or adding any of the driveways to the site. 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 addition of a second drive thru and additional parking waiting areas will provide a way to handle peak demand and keep those waiting to order from the drive-thru or waiting for their food to be prepared from stacking too far into the dedicated parking spaces for and the drive aisles leading into the restaurant.

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.

- 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: 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.

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 BASED ON THE FINDINGS OF FACT IN THIS REPORT, THAT THE REQUEST FROM HAMAN 21ST STREET LLC SEEKING A MINOR AMENDMENT TO A CONDITIONAL USE PERMIT TO ADD A SECOND DRIVE-THRU TO THE CULVER’S RESTAURANT AT 5801 – 21ST STREET BE APPROVED, SUBJECT TO THE FOLLOWING CONDITIONS:

- a) That the plans presented to the Planning, Heritage, and Design Commission on October 13, 2021 be approved subject to the conditions contained herein.
- b) That hours of operation be from 10:00 AM – 10:00 PM daily.
- c) That all codes and ordinances be complied with and required permits acquired.
- d) 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.
- e) That this conditional use permit is subject to Planning, Heritage, and Design Commission review for compliance with the listed conditions.

ATTACHMENTS:

- 1) Aerial Photo indicating the subject property;
- 2) Zoning Map indicating the subject property;
- 3) Land Use Map from Comprehensive Plan, indicating the subject property;
- 4) Site photos of the property and general area; and
- 5) Submittal documents (view in Legistar)

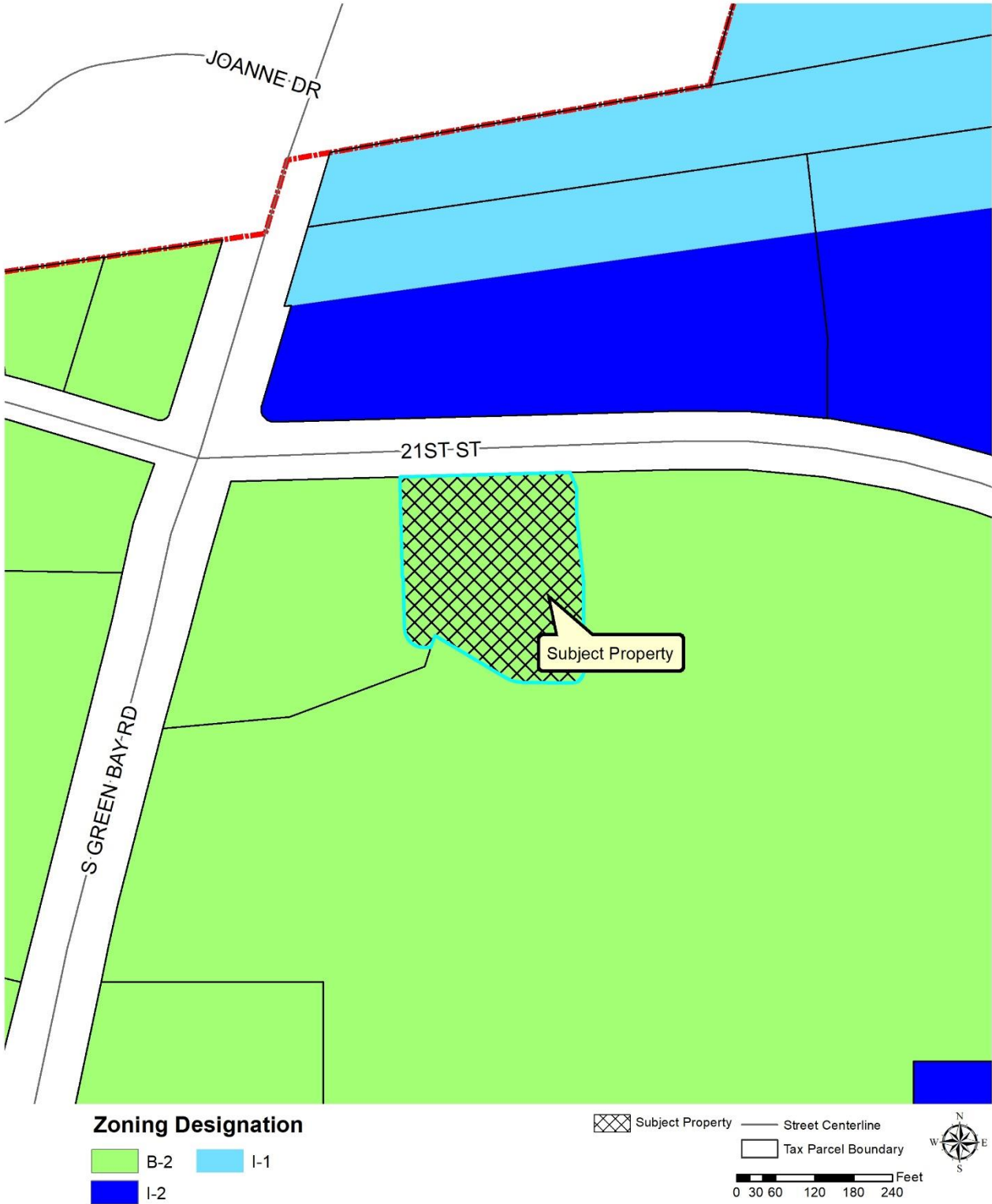


Conditional Use Amendment - 5801 21st Street



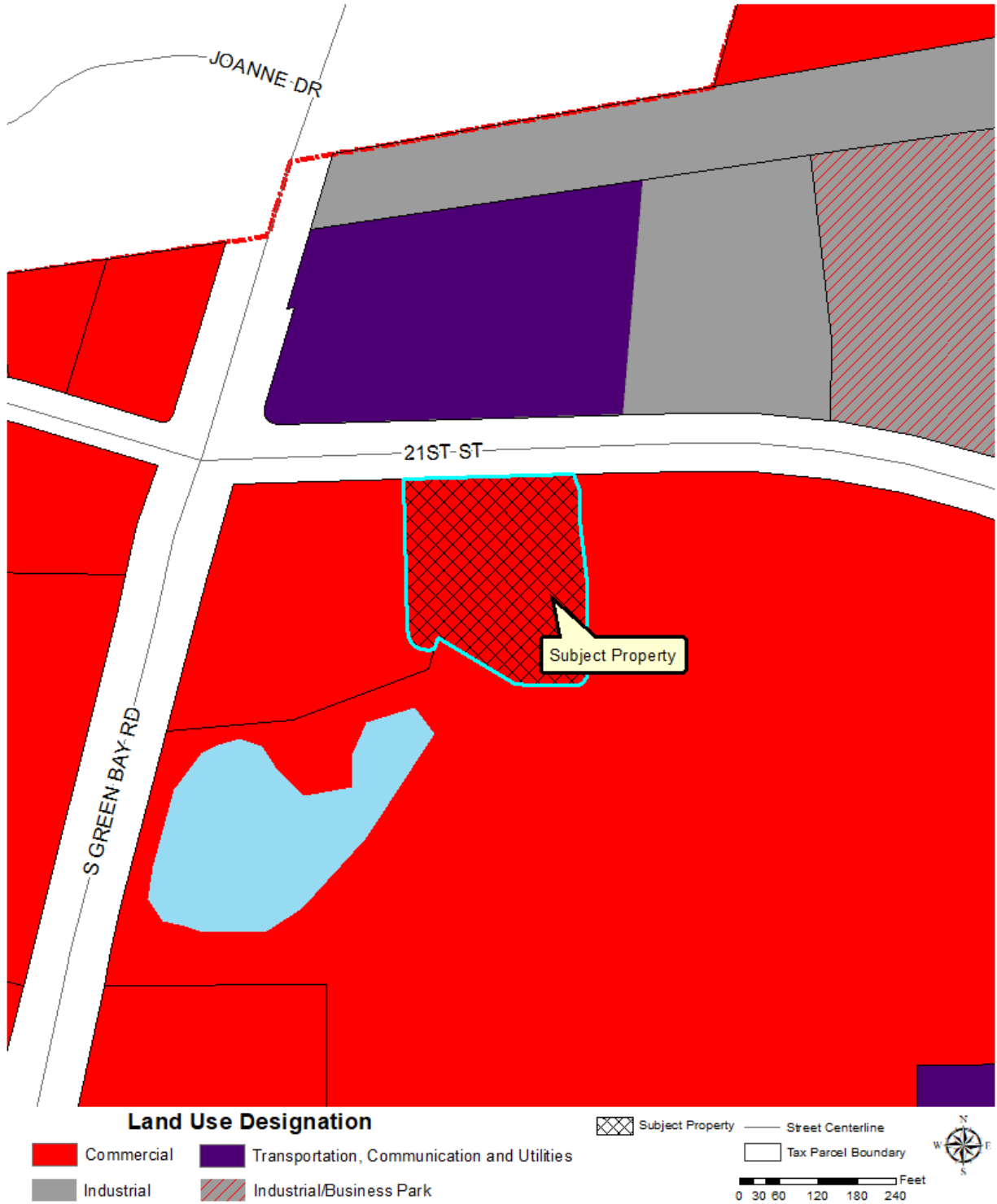


Conditional Use Amendment - 5801 21st Street





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Site Photos



Looking north at the site



Looking northwest at the current drive thru



Looking north across 21st Street



Looking east towards the former KMart



Looking south towards Home Depot



Looking west towards Chase Bank



Looking southeast at the site