



CITY OF RACINE DEPARTMENT OF CITY DEVELOPMENT STAFF REPORT

Meeting Date: 2/14/2018

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: 240 Main Street, approximately 220 feet south of the intersection of State Street and Main Street

Applicant: Private Stock Tattoo LLC

Property Owner: L Street Properties LLC

Request: Consideration of a conditional use permit to operate a Tattoo establishment, on the second floor of an existing building at 240 Main Street for property located in a B-4 Central Business Zone District as required in section [114-508](#) of the Municipal Code.

Note: The Municipal Code Section 114-508 refers back to 114-468, where, “Tattoo establishment” is listed.

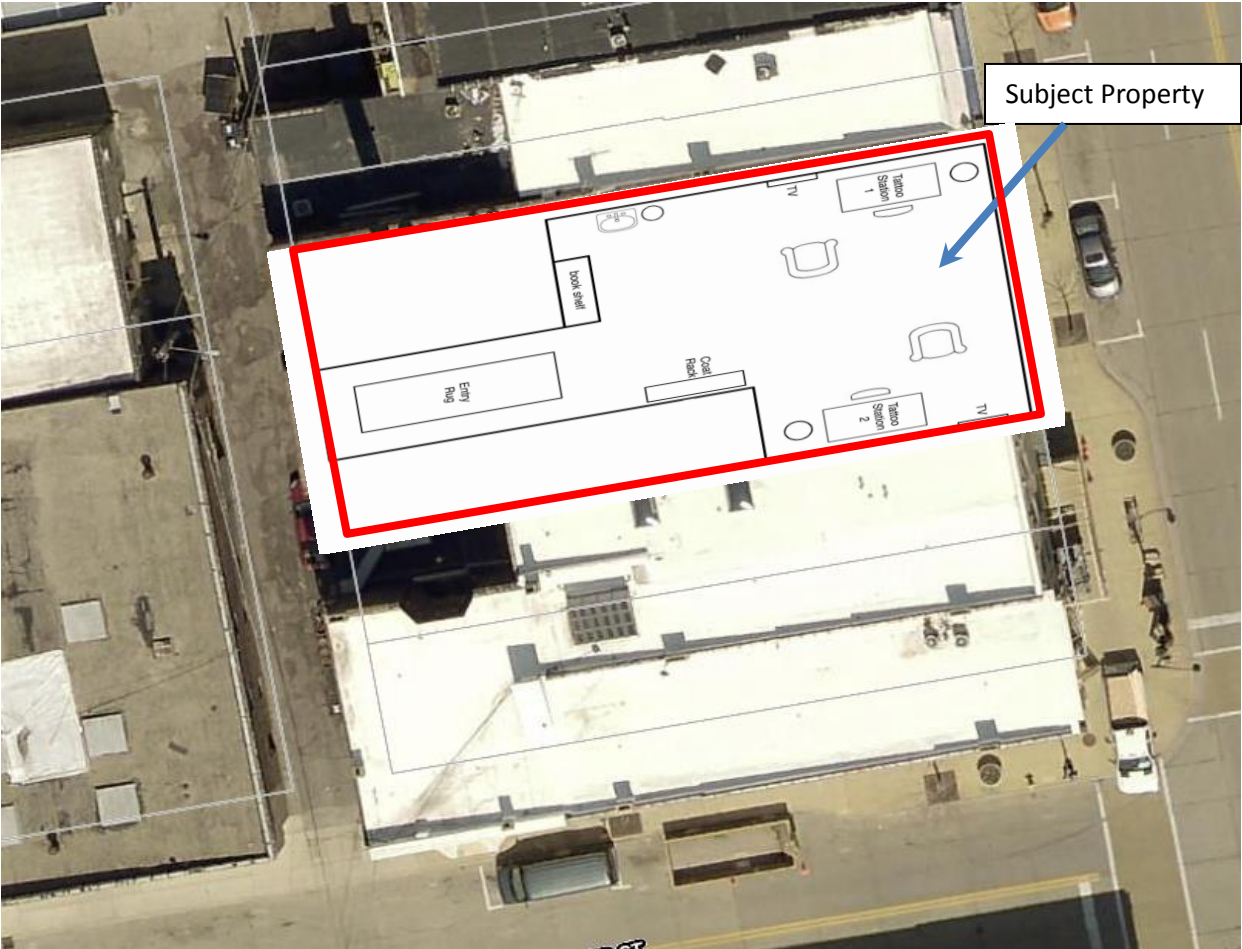
BACKGROUND AND SUMMARY: The applicant seeks to have a second space for their existing business which is located at 312 6th Street. This space at 240 Main Street would operate by appointment only between the hours of 10AM and 5PM, with no walk-in traffic. The applicant has listed that two employees would occupy the 390 square foot space and would see an average of 12 total customers per week at this location.

The Zoning Ordinance classifies Tattoo establishments as permissible in the B-4 Central Business Zone District upon the issuance of a conditional use permit (114-508).



Subject property

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



Subject Property

Site plan for the property with interior layout; space to occupy the second floor.

GENERAL INFORMATION

Parcel Number: [00080000](#)

Property Size: 6,760 square feet

Comprehensive Plan Map Designation: MIXED USE - COMMERCIAL AND RESIDENTIAL (Commercial emphasis).

Consistency with Adopted Plans: The [Downtown Plan](#) calls for this area to be primarily retail and applicable objectives to this proposal include:

- Developing active storefronts that are open and inviting, and uninterrupted by incompatible uses at the ground floor.
- Recommended actions include recruiting more restaurants, specialty shops and galleries as well as everyday neighborhood businesses.

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

- The plan should encourage mixed-use developments.
- 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.

Corridor or Special Design District?: Downtown Area Design Review District

Historic?: Old Main Street Historic District on the National Register of Historic Places

Current Zoning District: B-4 Central Business

Purpose of Zone District: The B4 central business district is intended to accommodate those retail and office uses which are characteristic of the major shopping streets of the downtown area of the city, and discourage uses which detract from, or are incompatible with, pedestrian and shopping oriented traffic

Proposed Zoning: No change proposed

Existing Land Use: Storefront/mercantile space on the first and second floors.

Surrounding Zoning and Land Uses:

North	B-4 Central Business	Wine establishment (uncorked)
East	B-4 Central Business	Main Street and Main Place office
South	B-4 Central Business	Law firm
West	B-4 Central Business	Alley and glass studio/gallery space

Operations: The application indicates that two employees would occupy this space, serving customers by appointment only from 10AM-5PM.

ANALYSIS:

Development Standards:

Density ([114-Article V](#): Article VII, Div. 5 [Bulk Regulations](#) & 8 [Lots](#)): There are no changes planned to the exterior of the building as a result of this proposal.

Standard	Required	Provided
Lot Area	No minimum	6,760 square feet
Lot Frontage	30 feet	60 feet
Floor Area Ratio	8.0 maximum	2.41

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

Yard	Required	Provided
Front	0 feet	0 feet
Side	0 feet	0 feet
Other side	0 feet	0 feet
Rear	0 feet	0 feet

Building design standards (114-Secs. [735.5](#) & [736](#)): The building exists presently and no changes are planned to the exterior. The composition of this building complies with the requirements of this section as it is constructed from brick on each façade.

Off-street parking and loading requirements (114- [Article XI](#)) : Off-street parking is not required in the B-4 Central Business Zone District per [114-1147](#) of the Municipal Code.

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 properties adjacent to one another in the B-4 Zone district. There are no yard requirements

Sign Regulations (114-[Article X](#)): Signage is not a part of this request. Any signage would require a subsequent approval and need to follow the sizing requirements outlined below.

Sign Type	Allowable Sq. Ft.	Provided Sq. Ft.
Projecting Sign/Banner	3 total – 27 sq. ft.*	N/A
Wall or Window signs	50% of window area*	N/A
Alleyway Signage	12 sq. ft.	N/A
Total	120 sq. ft. max	

*Total size determination would be made based on sizes and types of other signage on the lot.

Outdoor lighting, signs ([114-Sec. 742](#)): The lighting on the property complies with the requirement that lighting be arranged, shielded and oriented in a manner which does not direct radiation or glare onto adjacent properties.

Rubbish and trash storage ([114-Article V](#) & [114-740](#)): The submitted plans do not indicate an area which would comply with the requirements, due to the fact the building occupies the entire lot. This is fairly common in this part of the City of Racine; when this area developed, mixed use and buildings often occupied the entire lot.

Engineering, Utilities and Access:

Access ([114-1151](#)): Vehicular access to the site is provided from the alleyway. 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 second floor of the building interior 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 to utilize this space 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, it is expected this tattoo establishment will function more like a second floor professional office than other potential tenants in this zone district. A walk-in business serving anyone passing by would have more opportunity to create foot traffic and potential nuisance on the second floor of the building. The low foot traffic of this proposed operation is similar to that of a professional type office use, such as a lawyer, accountant or psychologist who may see few visitors per day. Those who frequent this area may notice the space being used, but the use will not be a detriment to the area or other property owners.

- 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: As previously discussed, this use is more passive, than active in nature. Certainly the space will be used by the applicant for their business purposes, but the overall impact on adjacent properties is expected to be minimal. It is unlikely sound or vibrations will emanate from the walls of this establishment and the business will operate on an appointment basis. The impact on adjacent business and other potential tenants, including residences in other buildings, is anticipated to be minimal. The proposal by the applicant does not appear to be injurious or detrimental to other properties in the neighborhood.

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: Placing this establishment on the first floor would actually be less than ideal. This area is included in the primary retail section of the downtown plan. A passive use that functions more like a professional office would not be a good fit on the ground floor. This use is proposed for the second floor, which is much more suited to appointment only type offices, saving the ground floor space for more trafficked tenants, with the potential to serve walk-ins from the street. The second floor placement will further the normal and orderly development patterns of this block and preserve the traditional main street shopping experience at the ground level.

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, drainage or use utilities at an unusual rate. This tattoo establishment will be a reuse of an existing space in a historic building. There are no plans by the applicant to alter any utilities, roads or other facilities to accommodate this business in the building.

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. Given this property is within a historic district, and an area which is proposed for primary retail, staff would have some concern if the applicant proposed altering the access management for the site. This part of the City is well connected and congestion is not expected as a result of this proposed tattoo establishment.

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

Staff Comments: The proposed business setup will help to further the objectives of the land use plan as it is within an area designated as mixed use, commercial emphasis. This mix of uses can occur on

a block face, horizontally, but uses can also be mixed within one building, vertically. The main floor will be preserved for more active tenants, who can attract more activity at the street level. This proposal by the applicant is essentially to run an appointment only type office on the second floor of the building and this fits in with the goals and objectives of the downtown plan as well.

- 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, no modifications from the zoning ordinance are required to complete the site plan which was submitted by the applicant.

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 will help keep a historic building in service with an office type pedestrian traffic flow utilizing the second floor.
- Supports the variety of retail shops called for in the Comprehensive and Downtown Planning documents.
- The application seeks to create a mix of uses in the downtown area adding to the vibrancy of downtown with a mixture of retail, dining, service and housing options.
- The building exterior will remain unchanged; the project is unobtrusive to others in the general area and downtown as a whole.

STAFF RECOMMENDATION: BASED ON THE FINDINGS OF FACT IN THIS REPORT, THAT THE REQUEST FROM PRIVATE STOCK TATTOO LLC, SEEKING A CONDITIONAL USE PERMIT TO ALLOW TATTOO ESTABLISHMENT AT 240 MAIN STREET BE APPROVED, SUBJECT TO THE FOLLOWING CONDITIONS:

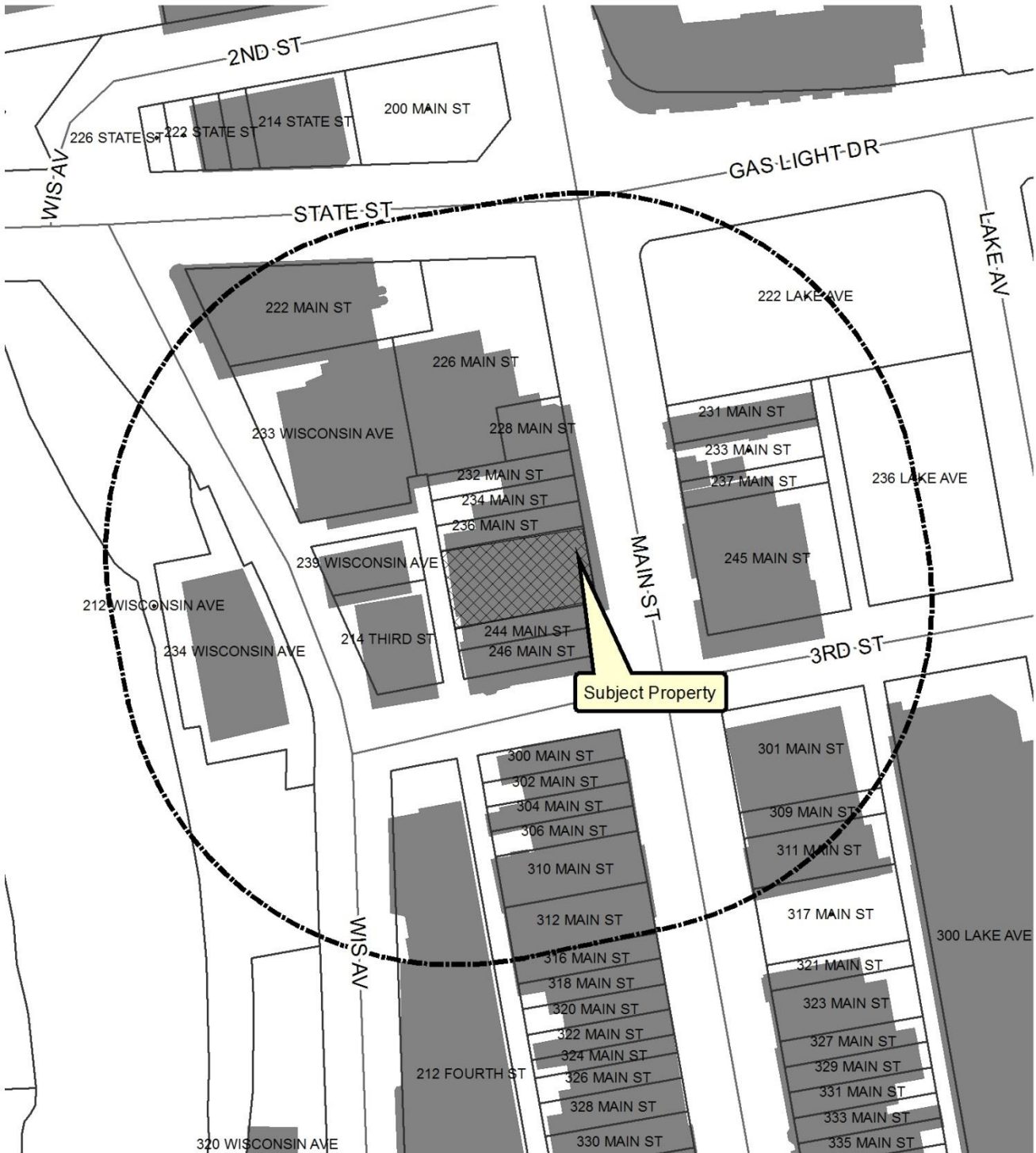
- a) That the plans presented to the Plan Commission on February 14, 2018 be approved subject to the conditions contained herein.
- b) That all license requirements from the State of Wisconsin and City of Racine be obtained, complied with, and kept current at all times.
- c) The tattoo shop be located as shown on the plan submitted with the application on January 23, 2018, and be located on the second floor of the building.
- d) That all sharps or other equipment used in administering tattoos shall be disposed of in accordance with State and local regulation.
- e) That no loitering in or around the building shall be permitted.
- f) That hours of operation are from 10:00 a.m. to 5:00 p.m., daily.
- g) That all codes and ordinances are complied with and required permits acquired.
- h) 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.
- i) That this conditional use permit is subject to Plan Commission review for compliance with the listed conditions.

ATTACHMENTS:

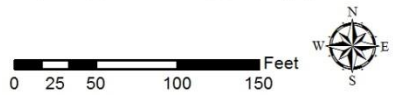
- 1) Property owner notification map indicating the subject property;
- 2) Aerial Photo indicating the subject property;
- 3) Zoning Map indicating the subject property;
- 4) Land Use Map from Comprehensive Plan, indicating the subject property;
- 5) Specific Plan Map (if applicable);
- 6) Site photos of the property and general area; and
- 7) Submittal documents ([click to view](#)).



Conditional Use Request - 240 Main Street



- Subject Property - 240 Main Street
- Notification Area
- Street Centerline
- Tax Parcel Boundary
- Building Footprint

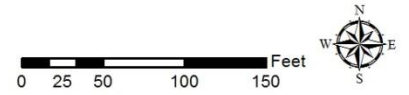




Conditional Use Request - 240 Main Street

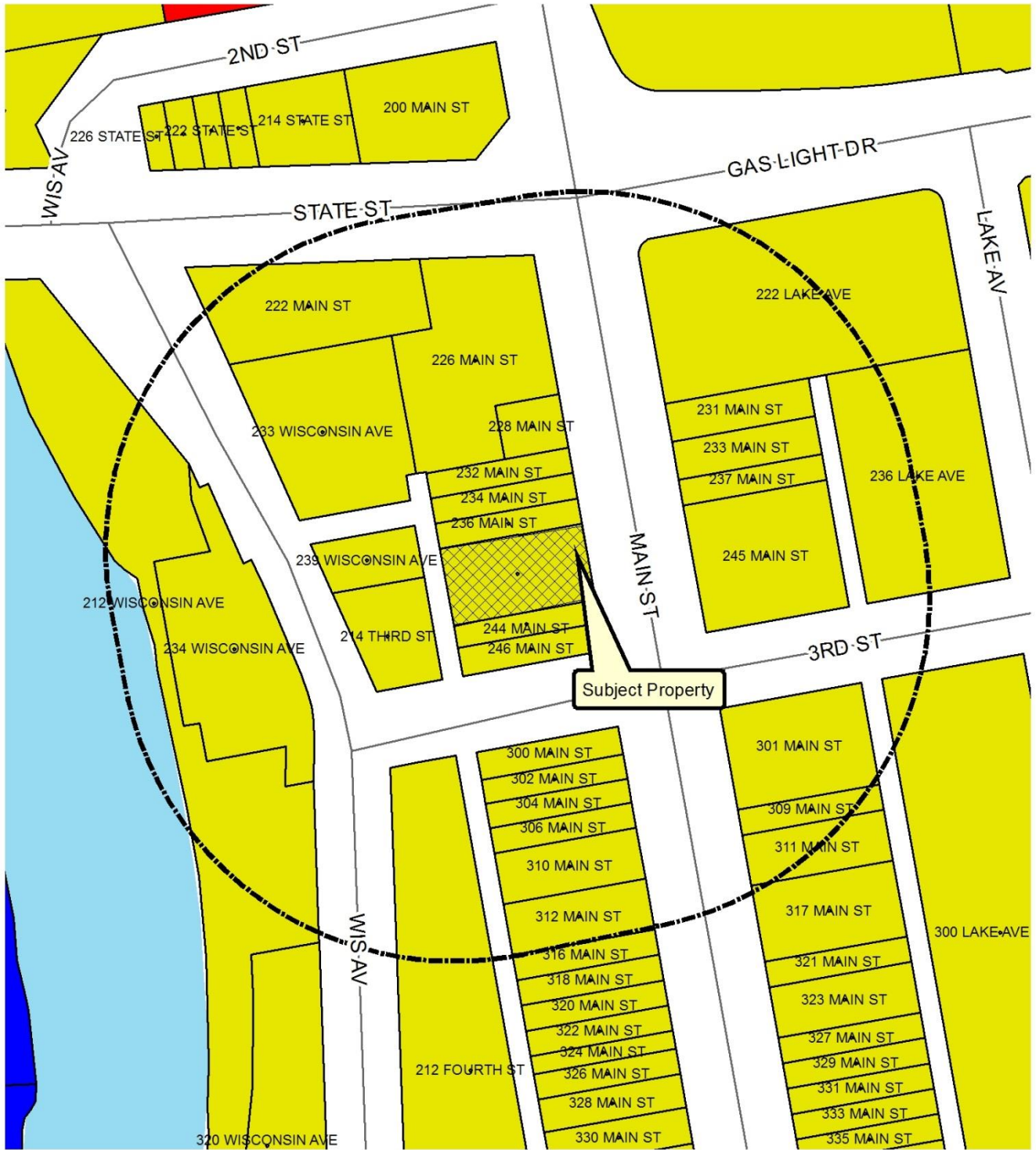


- Subject Property - 240 Main Street
- Street Centerline
- Notification Area
- Tax Parcel Boundary



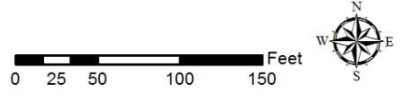


Conditional Use Request - 240 Main Street



Subject Property - 240 Main Street
 Notification Area
 Street Centerline
 Tax Parcel Boundary

Zoning Map Designation
 B-4 Central Business
 R-6 General Residence
 I-2 General Industrial





Conditional Use Request - 240 Main Street

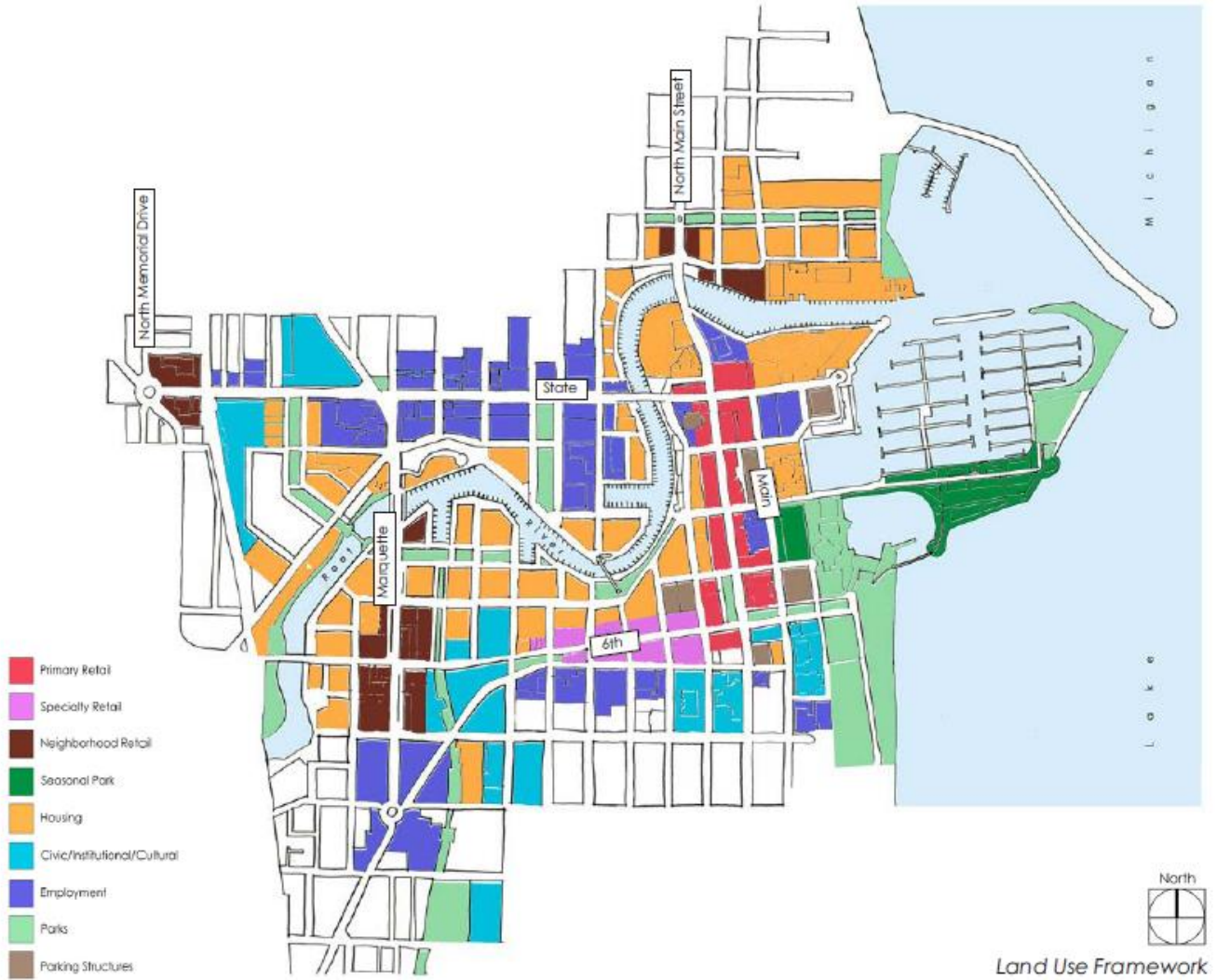


Subject Property

Comprehensive Plan Designation

- | | | | | |
|------------------------------------|---------------------|---------------------------------|---------------|--------------------------|
| Subject Property - 240 Main Street | Street Centerline | Primary Environmental Corridor | Commercial | Industrial |
| Notification Area | Tax Parcel Boundary | Mixed Use - Commercial Emphasis | Surface Water | High Density Residential |
| | | | | Recreational |

Racine Downtown Plan – Land Use Framework



Site Photos



Looking (west) at subject property (red)
tenant space shown in yellow



Looking (north) from subject property



Looking (east) from subject property



Looking (south) from subject property



Looking at rear of subject property (red)



Close up of rear of subject property