



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

**Meeting Date:** 1/27/2021

**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](mailto:matthew.sadowski@cityofracine.org)

**Case Manager:** Jeff Hintz

**Location:** 307 Main Street (301 Main is the master parcel address)

**Applicant:** Angela Goldbeck of Rise up Piercing and Tattoo

**Property Owner:** BMP REALTY INC

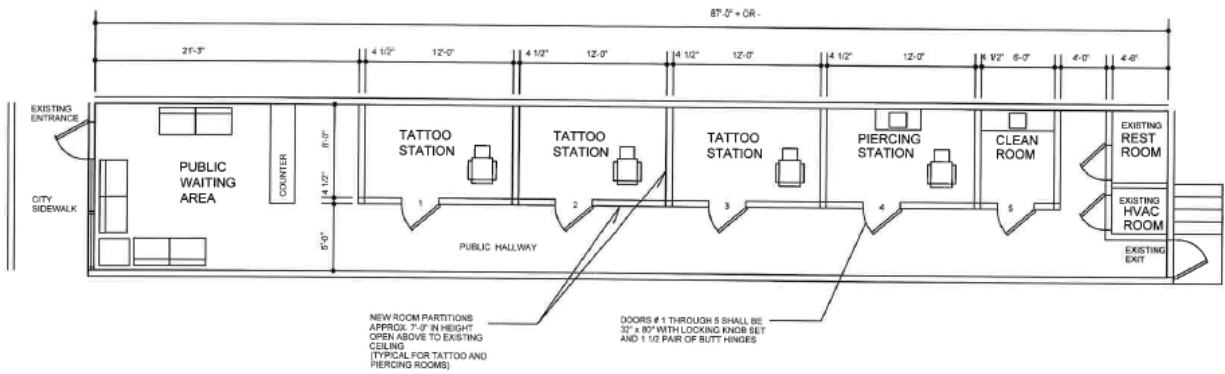
**Request:** Consideration of a conditional use permit to operate a Tattoo and Body Piercing Establishment at 307 Main Street, for property located in a B-4 Central Business Zone District as required in section 114-508 of the Municipal Code.

**BACKGROUND AND SUMMARY:** The existing storefront would be remodeled to have an approximately 378 square foot public waiting area closest to the street and three 144 square foot enclosed rooms for tattooing, one 144 square foot room for piercing and one room for cleaning down a corridor hallway. The business would be open from 1:00 PM – 7:00 PM Monday-Saturday and closed on Sunday. The business would also sell jewelry, aftercare products and apparel.

The Zoning Ordinance classifies this tattoo and piercing operation as permissible in the B-4 Central Business Zone District upon the issuance of a conditional use permit (114-508).



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



Proposed floorplan, submitted by applicant (north is up).

## GENERAL INFORMATION

**Parcel Number:** [00148000](#)

**Property Size:** 8,960 square feet

**Comprehensive Plan Map Designation:** Mixed Use – Commercial Emphasis

### 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.
- Promote redevelopment and infill in areas with existing infrastructure and services, enhancing existing residential, commercial, and industrial areas.
- Promote the expansion or stabilization of the current economic base and the creation of a range of employment opportunities.

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

**Historic?:** Old Main Street Historic District

**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:** Commercial Storefront.

### Surrounding Zoning and Land Uses:

<b>North</b>	B-4 Central Business	Brewery
<b>East</b>	B-4 Central Business	Public parking garage
<b>South</b>	B-4 Central Business	Hair salon
<b>West</b>	B-4 Central Business	Main Street and general retail with residential dwelling units above

**Operations:** The existing storefront would be remodeled to have an approximately 378 square foot public waiting area closest to the street and three 144 square foot enclosed rooms for tattooing, one 144 square foot room for piercing and one room for cleaning down a corridor hallway. The business would be open from 1:00 PM – 7:00 PM Monday-Saturday and closed on Sunday. The business would also sell jewelry, aftercare products and apparel.

## 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	8,960 square feet
Lot Frontage	30 feet	80 feet
Floor Area Ratio	8.0 maximum	.9

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

Yard	Required	Provided
Front	0 Feet	0 feet
Corner Side (north)	0 Feet	0 feet
Side (north)	0 feet	0 feet
Rear (east)	0 Feet	20 feet

**Building design standards** (114-Secs. [735.5](#) & [736](#)): The building on the parcel complies with the requirements of 114.735.5.b.1, however this request does not include any new buildings or modifications to the exterior of the existing building.

**Off-street parking and loading requirements** (114- [Article XI](#)) : Parking and loading areas are not required to be provided in the B-4 zone district per [Sec. 114-1147](#) of the municipal code; this lot does have 6 spaces in the rear accessed via the alleyway.

**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](#)): A description and concept of signage was included with this request and size wise, it does meet requirements. A final rendering of what will be installed is required and to be shown and not described.

<b>Sign Type</b>	<b>Allowable Sq. Ft.</b>	<b>Provided Sq. Ft.</b>
Projecting/Wall/Freestanding	160 square feet	18
Window signs	50% of window area^	N/A
Alleyway Signage	N/A	N/A
Total	160 square feet	18 square feet

^Each building is allowed two (2) window signs under four (4) square feet in total size, which do not count against the total allowable signage.

**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. The facilities are located at the rear of the property and meet the intent and spirit of the ordinance.

**Engineering, Utilities and Access:**

**Access** ([114-1151](#)): Vehicular access to the site is provided from an alleyway east of the site. The site plan submitted by the applicant does not contemplate any changes to access.

**Surface drainage** ([114-739](#) & Consult Engineering Dept.): Change of use within the existing building 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:** No exceptions are required for this proposal; all development standards are met.

**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:

- 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 professional office. 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, but is much different than someone operating a market or general retailing operation. 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; it is anticipated this will function like that of a professional office.

- 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. 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: A passive use that functions more like a professional office would be an ideal fit in the area. The business is certainly professional in nature from a zoning perspective as the timing of an appointment could be in alignment with dental work, eye care, or physical care. The use will not bring in customers like a market or carryout restaurant, but should function like that of an office as opposed to a retail operation, either of which would be allowed downtown at this property.

- 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 use of this site and existing building is not expected to impact the provision of utilities for the property or general area.

- 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. This part of the City is well connected and congestion is not expected as a result of this proposed tattoo establishment. The usage is such that the demand for parking will have to be met on-street or by the City parking garage to the east as it has no off-street parking; this historical development pattern has existed for decades and congestion has not been an issue. Customers, employees and others in the area park on the street or garage and walk. Given the professional vs. retail nature of the business, this proposed usage is not expected to create any issues.

**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. This proposal by the applicant is essentially to run an appointment only type office in 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: 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 required with this proposal as it meets all zoning ordinance requirements.

## **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 ANGELA GOLDBECK OF RISE UP PIERCING AND TATTOO, SEEKING CONDITIONAL USE PERMIT TO OPERATE A TATTOO AND BODY PIERCING ESTABLISHMENT AT 307 MAIN STREET BE APPROVED, SUBJECT TO THE FOLLOWING CONDITIONS:

- a) That the plans presented to the Planning, Heritage, and Design Commission on January 27, 2021 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) That hours of operation are 1:00 PM to 7:00 PM.
- d) That no loitering in or around the building shall be permitted.
- e) That all sharps or other equipment used in administering tattoos or piercings shall be disposed of in accordance with State and local regulation.
- f) That permanent signage be finalized and brought to the PHDC for final approval when completed.
- 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 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;
- 5) Site photos of the property and general area; and
- 6) Submittal documents (view in legistar).





# Conditional Use Request - 307 Main Street





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Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

Legend:

- Subject Property (Cross-hatch pattern)
- Notification Area (Dashed line)
- Street Centerline (Thin solid line)
- Tax Parcel Boundary (Thick solid line)

Scale: 0 15 30 60 90 120 Feet



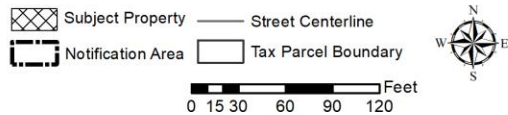


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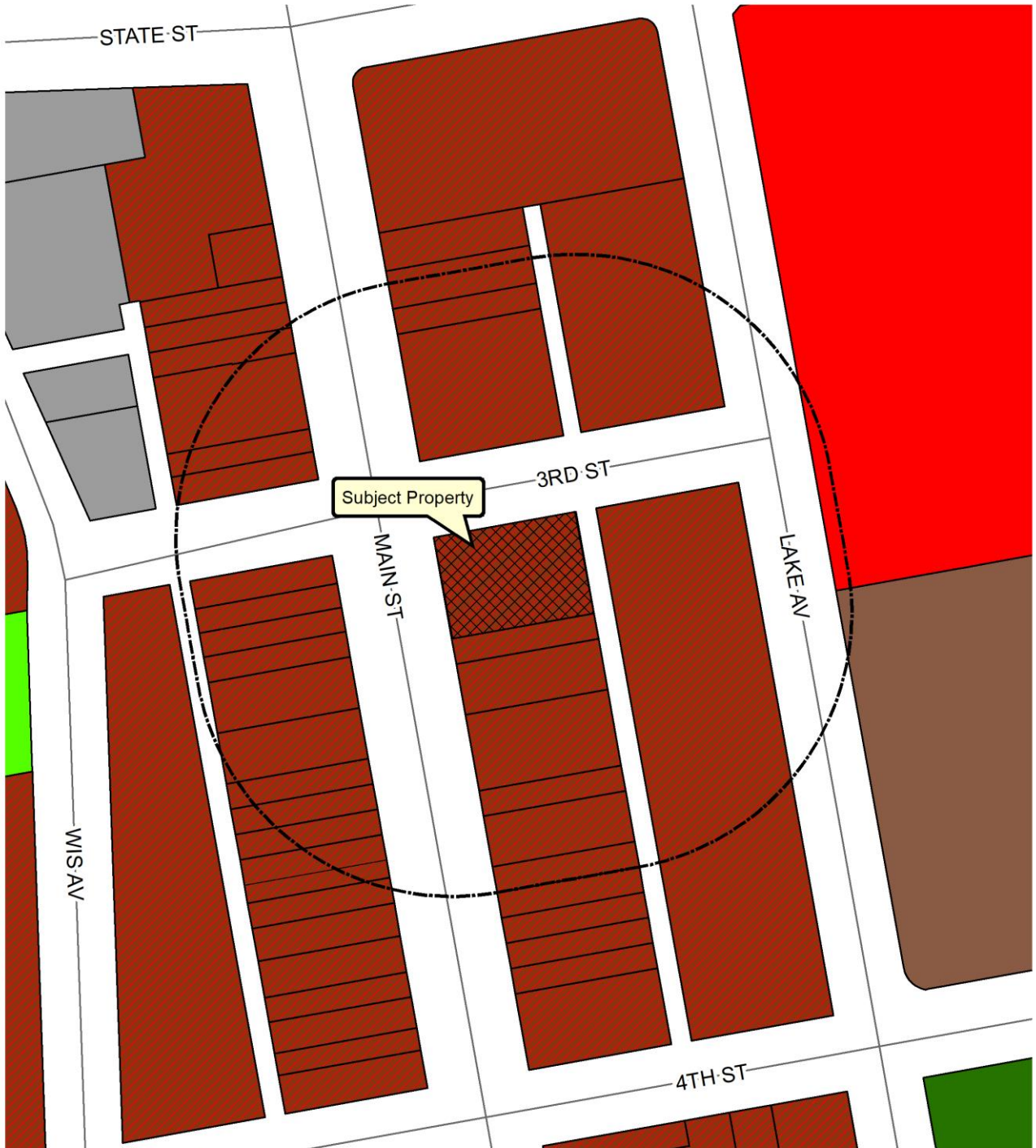
### Zoning Designation

 B-4





# Conditional Use Request - 307 Main Street



### Land Use Designation

- Mixed Use - Commercial Emphasis
- Industrial
- Commercial
- Recreational
- High Density Residential

- Subject Property
  - Notification Area
  - Street Centerline
  - Tax Parcel Boundary
- 0 15 30 60 90 120 Feet





### Site Photos



Looking east at the subject property



Looking north from subject property



Looking south from subject property



Looking west from rear of subject property



Looking at east side of building  
(rear)