



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

**Meeting Date:** 8/19/2024

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

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

**Division Manager:** Steven Madsen – (262) 636-9153 – [steven.madsen@cityofracine.org](mailto:steven.madsen@cityofracine.org)

**Case Manager:** Michelle Cook

**Location:** 2615 Sixteenth Street

**Applicant:** Reyes Santos III

**Property Owner:** Reyes Santos Jr.

**Request:** Consideration of a conditional use permit to operate a barbershop, as allowed by Sec. 114-308 of the Municipal Code, in an existing building at 2615 Sixteenth Street for property located in a R-3 Limited General Residence Zone District, as allowed by Sec. 114-308 of the Municipal Code.

**BACKGROUND AND SUMMARY:** The applicant seeks to utilize the building at 2615 Sixteenth Street. This property was built in 1900 as a commercial building and has been utilized as such since construction. The barbershop is proposed to be open from 8:00 AM – 7:00 PM Tuesdays – Saturdays and closed on Sundays and Mondays. The site has been used as a barbershop for several years, however, being zoned residential, a conditional use permit is not allowed to be transferred to another entity, even if it will be for the same use.

The Zoning Ordinance classifies this proposed use (barbershop) as permissible in the R-3 Limited General Residence Zone District upon the issuance of a conditional use permit (114-308). The building must be designed for a commercial purpose and constructed and used for commercial purposes prior to 1976.



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

## GENERAL INFORMATION

**Parcel Number:** [14218000](#)

**Property Size:** 1,581 square feet

**Comprehensive Plan Map Designation:** High Density Residential

**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.

- Promote redevelopment and infill in areas with existing infrastructure and services, enhancing existing residential, commercial, and industrial areas.

**Corridor or Special Design District?:** N/A

**Historic?:** N/A

**Current Zoning District:** R-3 Limited General Residence

**Purpose of Zone District:** The R3 limited general residence district is intended to provide areas which are to be occupied substantially by single-family and two-family dwellings and attached dwellings. It is designed to accommodate limited apartment dwellings while maintaining a low-density owner-occupancy character.

**Proposed Zoning:** No change proposed

**Existing Land Use:** Barbershop

**Surrounding Zoning and Land Uses:**

<b>North</b>	R-3 Limited General Residence	Single unit detached dwellings
<b>East</b>	R-3 Limited General Residence	Single unit detached dwellings
<b>South</b>	R-3 Limited General Residence	Single unit detached dwellings
<b>West</b>	R-3 Limited General Residence	Single unit detached dwellings

**Operations:** Deliveries to the site are not anticipated to occur at the site. The general use of the building and the lot will be for barber services.

## ANALYSIS:

Development Standards:

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

<b>Standard</b>	<b>Required</b>	<b>Provided</b>
Lot Area	6,000 square feet	1,581 square feet
Lot Frontage	30 feet	40 feet
Floor Area Ratio	.5 maximum	.91

This building predates the existence of the current zoning code and is considered legal, nonconforming.

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

<b>Yard</b>	<b>Required</b>	<b>Provided</b>
Front (north)	25 feet	0 feet
Side (west)	6 feet	0 feet
Side (east)	6 feet	0 feet
Rear (south)	35 feet	3 feet

**Building design standards** (114-Secs. [735.5](#) & [736](#)): This request does not include any new buildings or modifications to the exterior.

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

<b>Use Type</b>	<b>Required</b>	<b>Provided</b>
Barbershop	6 spaces	0 spaces
Total	6 spaces	0 spaces*

A building of this size does not require a dedicated loading space.

\* Since the building has been historically used for commercial purposes, they are not required to provide additional parking beyond what exists. The limited capacity of the building and neighborhood scale of the development is also expected to reduce traffic demand.

**Landscaping, screening and yard requirements** ([114- Article V](#): Article VII, Div. 6 [Development Standards](#) & 7 [Fences and Walls](#)): Sec. 114-734 would require that this building provide screening along the eastern and southern lot lines. Due to the development of the lot and the adjacent development, the screening is not possible.

**Sign Regulations** (114-[Article X](#)): The applicant is not proposing signage structures at this time. The lot would be allowed to have one 16 square foot wall sign which cannot be internally illuminated.

**Outdoor lighting, signs** ([114-Sec. 742](#)): The site lighting complies with the development standards and focuses light onto the subject property and not onto adjacent properties.

**Rubbish and trash storage** ([114-Article V](#) & [114-740](#)): The building currently has city collection of waste and the bins are stored on site, much like those in the adjacent dwelling units.

**Engineering, Utilities and Access:**

**Access** ([114-1151](#)): Access to the site is provided by the adjacent public street, the lot does not have any curb cuts for vehicular access. The application does not contemplate any changes in access.

**Surface drainage** ([114-739](#) & Consult Engineering Dept.): The reuse of this existing building is not expected to alter drainage for the area or 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.

**Additional Planning and Zoning Comments:** Despite being zoned residential, the building has always been a commercial building, built in 1900 per City Assessor records. The building has not been converted to residential usage, and as such, meets all the criteria necessary to apply for the conditional use.

## **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: This request seeks to reuse an existing building for a purpose in which it was designed for and was established when first developed. The operation of a barbershop is not expected to endanger or be a detriment to the public or welfare of the community. A vacant building with no use would be worse for the neighborhood; the usage of this building shows the residents and those in the area that investment is occurring, and that the neighborhood is stable. This business is expected to be an amenity to the walkable area near this business and not a detriment.

- 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: Those who own property in this general area will have seen the building and it would not be realistic to expect the property to be functional as anything other than as a neighborhood serving commercial amenity. At this scale and intensity, the use will not generate exterior noise, traffic or odor which would be injurious to other properties in the vicinity. Given this building has been around since 1900 in this location, it is essentially a neighborhood fixture. Its usage as barbershop will not be injurious to the use of surrounding properties. Other properties in this zone district in the area would not be able to transition a residence into a commercial establishment; that right is reserved for buildings constructed as commercial establishments and only through a conditional use permit.

- 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 area is developed as higher density residential with a mix of commercial uses along Sixteenth Street. This commercial structure has also existed in this neighborhood for several generations; the continued use and existence is not expected to impede the normal use and enjoyment of the district or general area.

- 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.

- 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 has never had off-street parking since the building was developed as a commercial space 1900. As such, the site has always functioned without ever providing the amount of parking spaces off the street required by the zoning ordinance. The nature of this business is appointment oriented, and it is not anticipated there will be many customers who come to the site in mass given the size of the operation and building.

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

Staff Comments: Despite being designated as high density residential on the land use plan, this building and commercial nature predates any adopted land use plan in the City. That being said, this is a commercial use but is allowed to continue per the provisions of the zoning ordinance with the issuance of a Conditional Use Permit. The goals and objectives of the Comprehensive Plan are being achieved by the reuse of this building and in the fact the development is walkable and will provide an amenity to surrounding neighborhood.

- 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 establishment will operate in accordance with the applicable regulations for this zone district. No exceptions are needed with this request and the proposed development is expected to fit with the mix of uses allowed to occur in the surrounding area.

## **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 REYES SANTOS III, SEEKING A CONDITIONAL USE PERMIT TO OPERATE A BARBERSHOP IN AN EXISTING BUILDING DESIGNED FOR COMMERCIAL USE AT 2615 SIXTEENTH STREET BE APPROVED, SUBJECT TO THE FOLLOWING CONDITIONS:

- a) That the plans presented to the Planning, Heritage and Design Commission on August 19, 2024 be approved subject to the conditions contained herein.
- b) That all codes and ordinances are complied with and required permits acquired.
- c) That no LED string lights or other string lights be used as window, door or building accents.
- d) That any plans for signage be submitted to the Department of City Development for approval prior to the issuance of a sign permit.
- e) That prior to the issuance of an occupancy permit, the storefront windows be replaced.
- f) That if, prior to the issuance of an Occupancy Permit, required site improvements listed in “e” 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 applicant for any incomplete work and shall be valid for no less than one year from the date of issuance. The surety format and content is subject to review and approval by the City Attorney.
- g) 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.
- h) That this conditional use permit is subject to Planning, Heritage and Design Commission review for compliance with the listed conditions.

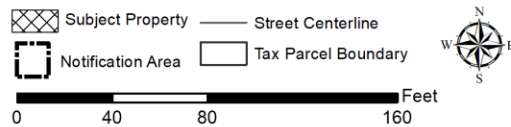
## **ATTACHMENTS:**

- 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).



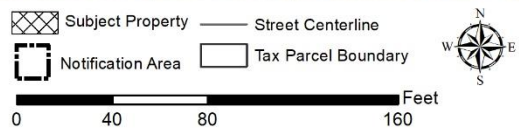


# Conditional Use Request - 2615 16th Street



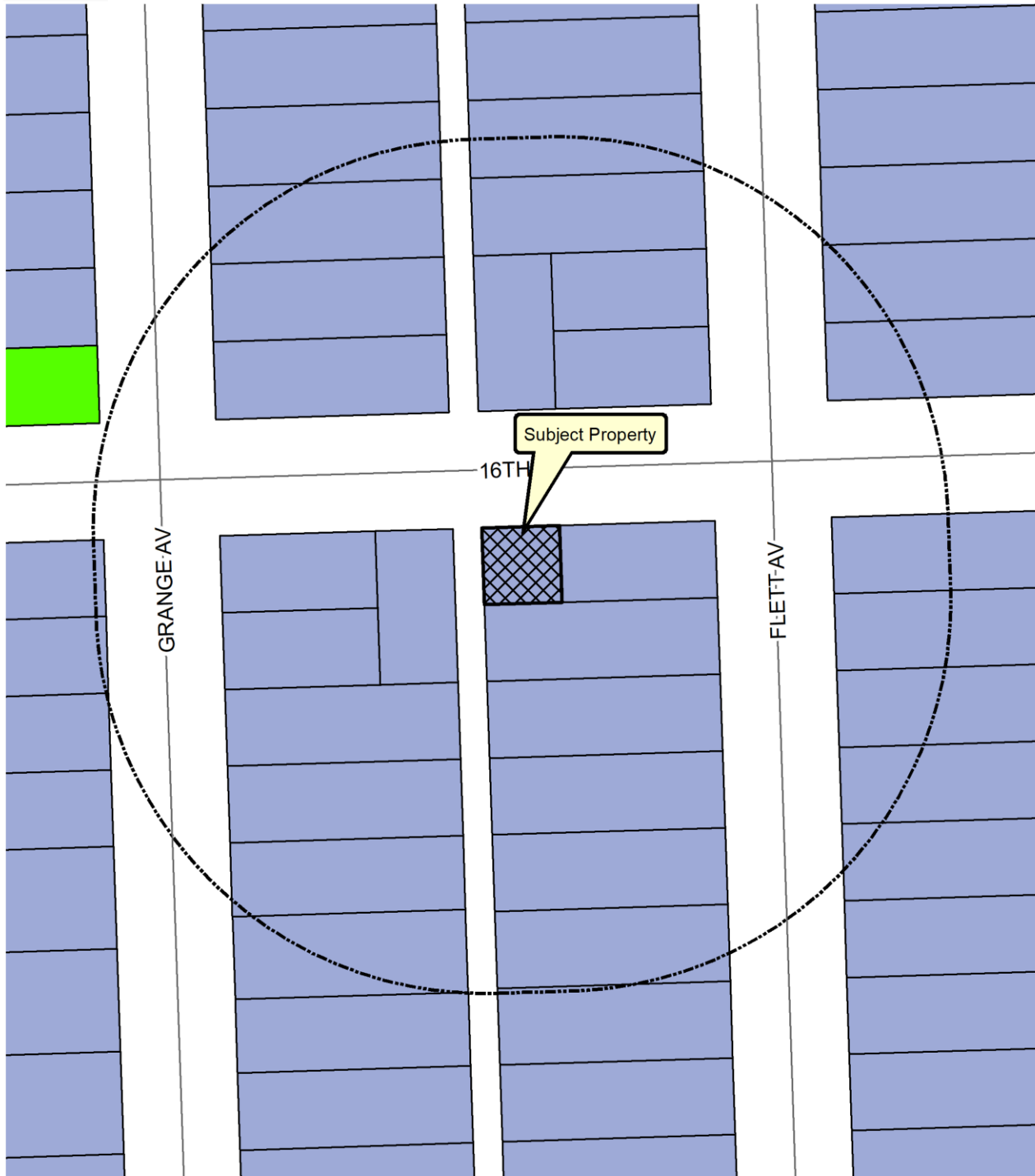


# Conditional Use Request - 2615 16th Street





# Conditional Use Request - 2615 16th Street



### Zoning Designation

- R-3
- B-1

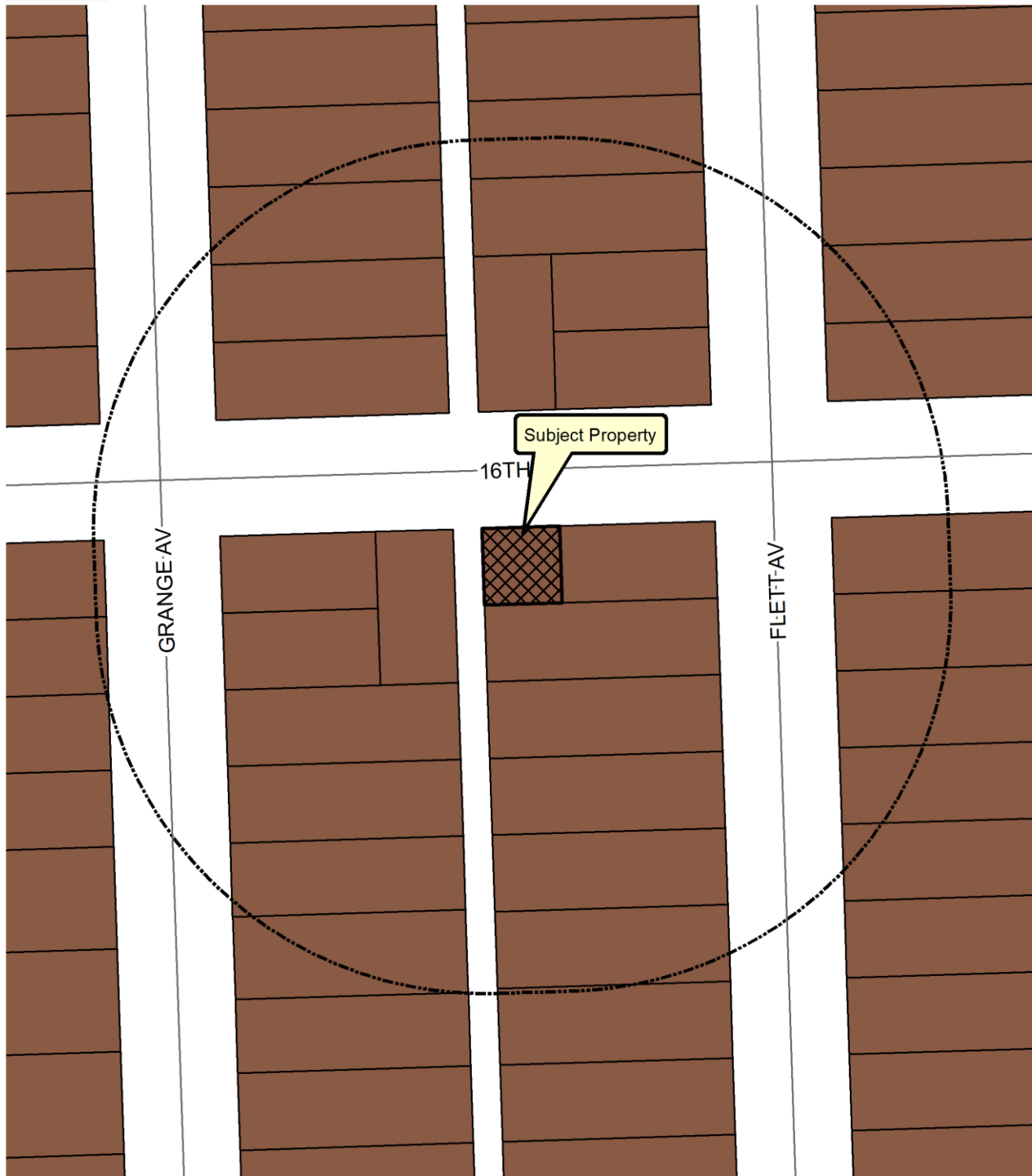
Legend:

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

0 40 80 160 Feet

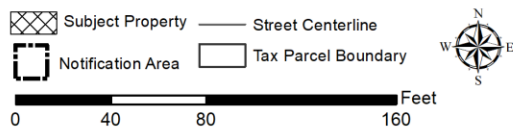


# Conditional Use Request - 2615 16th Street



### Land Use Designation

High Density Residential





## Site Photos



Looking south at subject property



Looking west from subject property



Looking east from subject property