



CITY OF RACINE DEPARTMENT OF CITY DEVELOPMENT STAFF REPORT

Meeting Date: 4/25/2018

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: 1100 N. Main Street, located on the northwest corner of the intersection of N. Main Street and Dodge Street.

Applicant: Dariel Taylor of Roots Residential

Property Owner: Dariel Taylor

Request: Consideration of a conditional use permit to operate a Group Day Care Center, in an existing building at 1100 N. Main Street for property located in a B-2 Community Shopping Zone District as required in section [114-468](#)* of the Municipal Code.

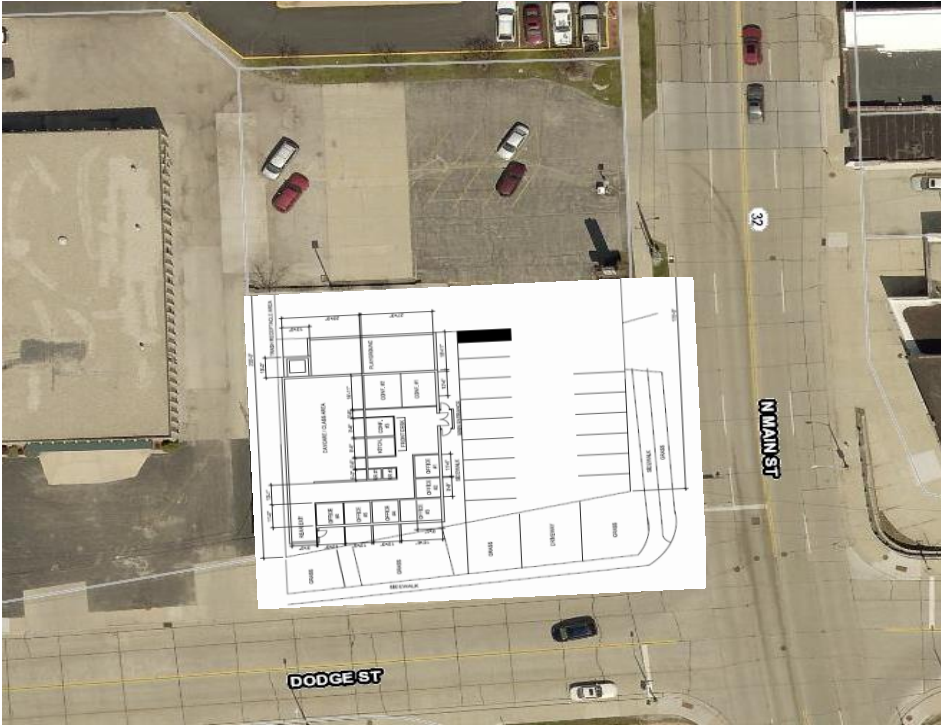
*Note 114-468 refers back to 114-448 where Group Daycare Center is listed.

BACKGROUND AND SUMMARY: The applicant seeks to utilize a former real estate office, for a children's day care facility that would primarily serve the staff of Roots Residential. The center would also accept children from other families in the community. This space is proposed to operate 24 hours a day Monday through Friday.

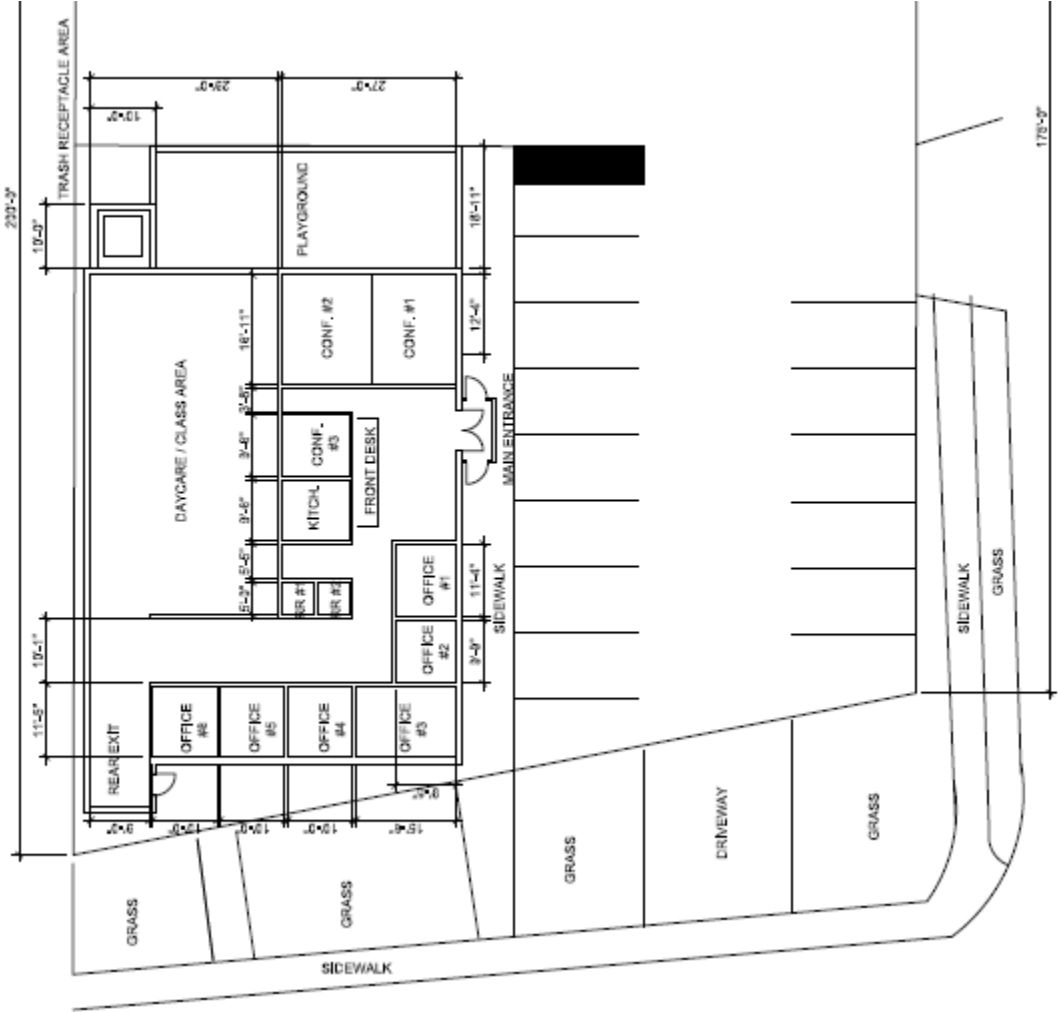
The Zoning Ordinance classifies a Group Day Care Center as permissible in the B-2 Community Shopping Zone District upon the issuance of a conditional use permit (114-468).



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



Site plan for the property.



Full view of site plan and floorplan for the property, submitted by applicant.

GENERAL INFORMATION

Parcel Number: [02502002](#)

Property Size: 24,785 square feet

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.
- 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.

The [Downtown Plan](#) states that:

- Land Use Framework on Page 33 identifies this parcel as “Neighborhood Retail.”
- Land Use Framework: “...in many cases a mix of uses, both vertically and horizontally, is suggested.”
- Land Use Framework Overview: “Development sites must respond to proven fundamental real estate needs for housing, employment, retail and parking.”
- Neighborhood retail along North Main Street will be located at the ground floor of proposed mixed-use residential buildings.
- Housing... “Includes the construction of new park and marina amenities as an essential piece to attracting market-rate housing.
- Guiding Principles, Increase Residential Development: Provide multi-income housing that responds to regional housing needs, trends and prices. Most importantly, this housing should be situated close to jobs and services within the downtown.

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

Historic?: N/A

Current Zoning District: B-2 Community Shopping

Purpose of Zone District: The B2 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: Former real estate office, which is proposed to be repurposed as a children’s daycare facility.

Surrounding Zoning and Land Uses:

North	B-3 General Commercial	Parking lot and automobile service center
East	B-3 General Commercial	N. Main Street, vacant and former boat sales shop, and senior services center.
South	B-2 Community Shopping	Dodge Street and riverfront park/trail
West	B-3 General Commercial	Glass repair/service shop and showroom

Operations: The daycare plans to operate 24 hours a day Monday to Friday, primarily serving employees of Root Residential, but, also open to the general public.

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	24,785 square feet
Lot Frontage	30 feet	219 feet combined along Dodge and Main
Floor Area Ratio	4.0 maximum	.19

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

Yard	Required	Provided
Front (Dodge)	0 feet	2 feet
Front (N. Main)	0 feet	70 feet
Side (to the north)	0 feet	105 feet
Side (to the west)	0 feet	0 feet

Building design standards (114-Secs. [735.5](#) & [736](#)): Portions of the east and north façade of this building comply with the requirements of 114.735.5.b.1, however this building is not a new primary building or addition thereto. Exterior changes are not being sought with this application.

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

Use Type	Required	Provided
Daycare	10	10
Office	3	3
Total	13	13*

*Note: the owner also owns the parking lot to the north of the building which is not included on the site plan. This area could be striped to include at least 15 more parking spaces

Landscaping, screening and yard requirements ([114- Article V](#): Article VII, Div. 6 [Development Standards](#) & 7 [Fences and Walls](#)): The lot is landscaped at this time with a combination of evergreen and seasonal plantings. The plantings are installed along the building, adjacent to utility poles and the signage for the property. The site plan does include removal of the landscaping for a playground to the north of the building.

Sign Regulations (114-[Article X](#)): Signage is not a part of this request. The property contains two parcels; the parking lot parcel is zoned B-3 and the building parcel is zoned B-2. The only difference from a signage perspective is that B-3 allows off-premise signage with a Conditional Use. The types and sizes of signage are consistent across the two zone districts. Any signage would require a subsequent approval from the Downtown Area Design Review Commission and need to follow the sizing requirements outlined below.

Sign Type	Allowable Sq. Ft.	Provided Sq. Ft.
Projecting/Wall	177 square feet*	N/A
Window signs	50% of window area^	N/A
Alleyway Signage	N/A	N/A
Total	177 square feet	

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

^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 show the business plans to construct an enclosure on the north side of the building. As a condition of this approval, City Development staff would need to review and approve the building plans for the enclosure.

Engineering, Utilities and Access:

Access (114-[1151](#)): Vehicular access to the site is provided from two driveway locations on



N. Main Street and one driveway on Dodge Street; after review of access management best practices, City staff is recommending the closure the driveways indicated in the graphic to the left. This will help with traffic flow to the site and overall safety of both the intersection and site. The rationale for this is to limit conflict points where vehicles cross paths in opposite directions and also to bring the site closer into conformance with the requirement that a day care facility be 250 feet from a signalized intersection.

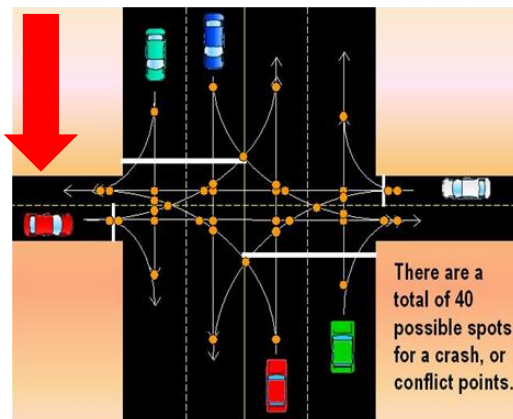
The two driveways on N. Main, each of which provide access to this property, are within 20 feet of one another and obscured by signage in between. These adjacent and obscured access points, in combination with the high traffic count on N. Main past this property (nearly 12,000 cars per day), creates a less than ideal situation. The elevation of N. Main to

accommodate for boats adds to the equation by limiting visibility due to the high elevation; depending upon height and speed of vehicles, coupled with the fact it is a 4 lane roadway, these dual access points to the site, configured in this manner is not optimal from a safety or access management perspective. Closing this driveway on N. Main Street helps by removing a conflict point and, brings the site closer into conformance with the requirements for this proposed use.

[The Federal Highway Administration \(FHWA\) publication](#) on access management summarizes these above points for Urban Areas in section 2.2.2 and specifically notes the following:

- “Place driveways that serve left-turning, inbound vehicles near the center of the block to minimize interaction with upstream and downstream intersection queues, thus reducing the potential for left-turn related crashes.”
- “Position driveways as far upstream from intersections as possible to provide motorists leaving a property with distance along the roadway to make any necessary lane changes for traveling through the downstream intersection (e.g., maneuvering into an intersection left or right-turn lane).”

The graphic below is from the [Wisconsin DOT publication](#) on access management and is



positioned in a way which illustrates the intersection of N. Main (running up and down on the page) and Dodge Street (running across the page) exactly, down to the lane configuration. There are 40 possible conflict points already in this configuration. The driveway location of this property on Dodge Street is approximately 25 feet from the intersection (eastern extent of driveway approximated with red arrow). While not factored into the equation in the graphic here, the publication notes that “A driveway on a two-lane road has

seven possible conflict points.” Adding those points of conflict in close proximity to an intersection directly adjacent to a property did not seem optimal to City staff.

Surface drainage ([114-739](#) & Consult Engineering Dept.): Reuse of the site and 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 to utilize this site is not expected to impact the ability to serve this area.

Exceptions to ordinance: An exception from the requirement in 114-448 (9) a. which requires that the subject location not be located closer than 250 feet to a signalized intersection, or at the intersection of major streets. While Dodge Street is not a major street, the property is located at a signalized intersection.

Additional Planning and Zoning Comments:

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: With the recommended conditions at the end of this report, the establishment of the Conditional Use is not expected to be detrimental public safety and general welfare. The day care center is consistent with the commercial zoning and land use plan designation for the property. The operation of a day care facility is not anticipated to create nuisances for the general public or adjacent land 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: The overall operation of a day care center is closer to that of an office, in this case with multiple shifts. The potential for constant traffic like in a retailing establishment is not the case for a day care center; the site has nearly three times the required parking, so even at the busiest moments, congestion onto streets, impacting adjacent businesses is not likely to occur. The use is not expected to generate loud noises or create other detrimental impacts on adjacent properties, which could impair property values.

- 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 day care facility is not expected to impede or alter development in the area. The use is of a nature that would likely support new housing developments in this area, in addition to the existing businesses in downtown. Based off the site plan submitted by the applicant, the external impacts of this operation are not anticipated to impede general commercial and office development along N. Main Street.

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: A 24 hour day care facility is likely to generate traffic at a lower rate than a general retail facility would, but that traffic is expected to coincide with shift changes and be spaced out over varying work shifts. Currently the site has three driveways (two on N. Main and one on Dodge Street) and shares cross access with a site to the west. During boating season, traffic on Main Street can become congested with the operating of the bridge.

The recommended driveway closures are intended to stop cut-thru traffic on the site and move access points further from the intersection. While Main and Dodge is not a major intersection, it is signalized during the boating season. The closure of the driveways mitigates for the fact this property is not 250 feet from a signalized intersection. Staff supports the exception from this requirement, but only if the driveways are closed to help manage ingress and egress to the site.

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

Staff Comments: While a day care facility is no not a retail service that would have the reach of a general retailer, the proposed use does compliment the neighborhood. The Racine downtown plan calls for the property to be “neighborhood retail” however this use of a day care operating 24 hours a day is consistent with the Comprehensive Plan designation of commercial for the property.

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: Aside from the location of this establishment being within 250 feet of a signalized intersection, all other regulations are being met. The recommended conditions included at the end of this report are intended to mitigate for this by better managing ingress and egress from the site, bringing it closer to compliance with the use specific standards.

On its face, this property simply does not meet all the requirements for a Group Day Care Center as outlined in the ordinance. The 250 foot separation from signalized intersections is simply not possible at any location on this block. Staff finds that the closure of the driveways will mitigate for the fact this exception is necessary for the operation of this facility. While the current configuration of driveways on the property has existed for some time, it does not necessarily mean it is what’s

best. The applicant has taken care to design a site plan which minimalizes potential traffic conflict with children; however, this property is located between two signalized intersections, on an urban portion of a state highway which carries nearly 12,000 vehicles daily. With the adoption of the recommended conditions, staff is supportive of an exception from the requirement that the daycare be at least 250 feet from a signalized intersection.

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 keep an existing building in service at an intensity which is not detrimental to surrounding properties and future development of the area.
- Sustainable reuse of land which utilizes existing utilities and services.
- This new business will provide jobs and economic opportunities for the community.
- This is a service which is complimentary to goals and objectives outlined for the area within the Racine Downtown Plan.

STAFF RECOMMENDATION: BASED ON THE FINDINGS OF FACT IN THIS REPORT, THAT THE REQUEST FROM DARIEL TAYLOR OF ROOTS RESIDENTIAL, SEEKING A CONDITIONAL USE PERMIT TO ALLOW A GROUP DAYCARE CENTER AT 1100 N. MAIN STREET BE APPROVED, SUBJECT TO THE FOLLOWING CONDITIONS:

- a) That the plans presented to the Plan Commission on April 25, 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 southernmost access driveway on N. Main Street be closed and the driveway on Dodge Street closed. The pavement removed and that grass seed be planted or the area be sodded

and curbing meeting city requirements be installed. This shall be completed by October 31, 2018.

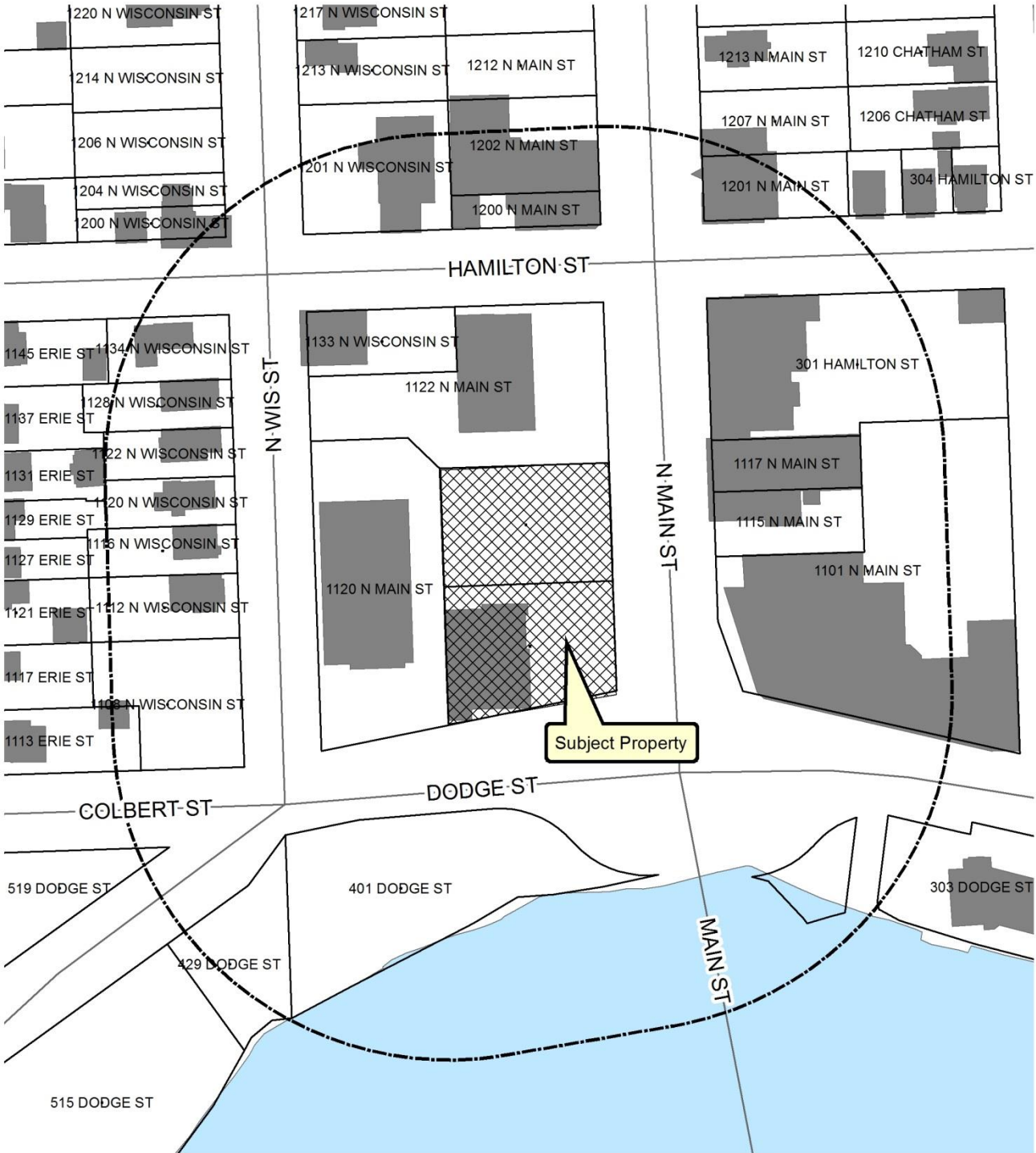
- d) Submission and approval to the City Development Director of plans for a decorative fence (not chain link) or wall, to be installed around the playground area to ensure children do not have access to the parking areas or roadways. This shall be completed by October 31, 2018.
- e) Submission and approval to the City Development Director of plans for the trash storage area which shows that all trash and recycling be kept in closed containers which are completely screened from public view and includes a gate on the trash storage area. This shall be completed by October 31, 2018.
- f) That if, prior to the issuance of an Occupancy Permit, required site improvements listed in “c, d and 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 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.
- g) All drop-offs, pickups, loading and parking shall occur on the subject property and not in any right-of-ways.
- h) That hours of operation are 24 hours per day, Monday to Friday.
- i) That an exception from the requirement in 114-448(9)a. Requiring that the subject location not be located closer than 250 feet to a signalized intersection, or at the intersection of major streets, be granted with this Conditional Use.
- j) That all codes and ordinances are complied with and required permits acquired.
- k) 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.
- l) 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) Racine Downtown Plan Land Use Framework map, indicating the subject property;
- 6) Site photos of the property and general area; and
- 7) Submittal documents ([click to view](#)).



Conditional Use Request - 1100 N. Main Street





Subject Property	Street Centerline	 0 25 50 100 150 Feet	
Notification Area	Tax Parcel Boundary		
Building Footprint			

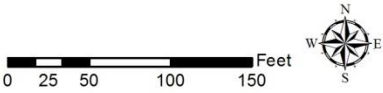


Conditional Use Request - 1100 N. Main Street



 Subject Property
 Notification Area

 Street Centerline
 Tax Parcel Boundary
 Building Footprint





Conditional Use Request - 1100 N. Main Street



Zoning Designation

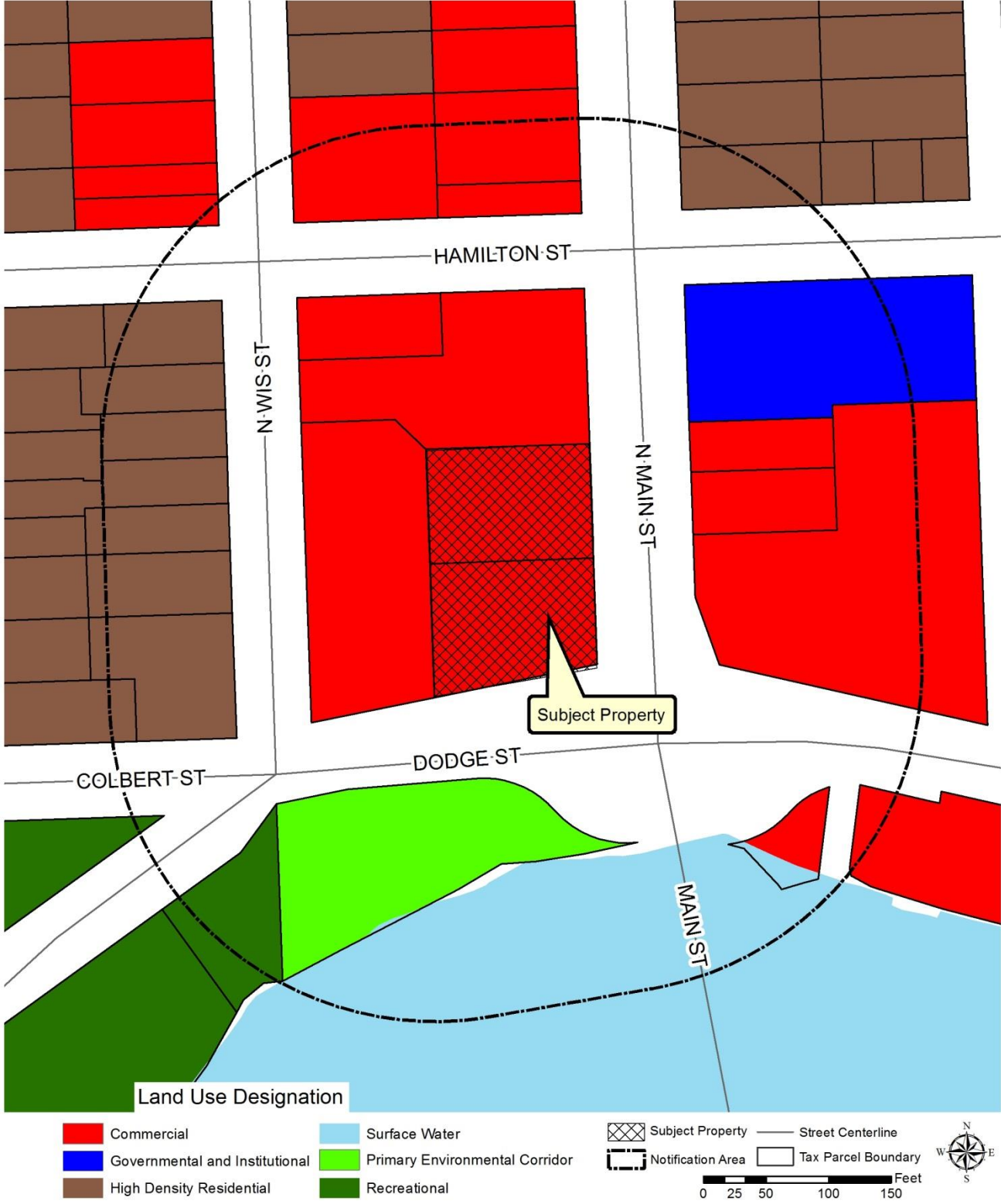
- B-2
- B-3
- B-5
- I-2
- R-3

Subject Property — Street Centerline
Notification Area — Tax Parcel Boundary

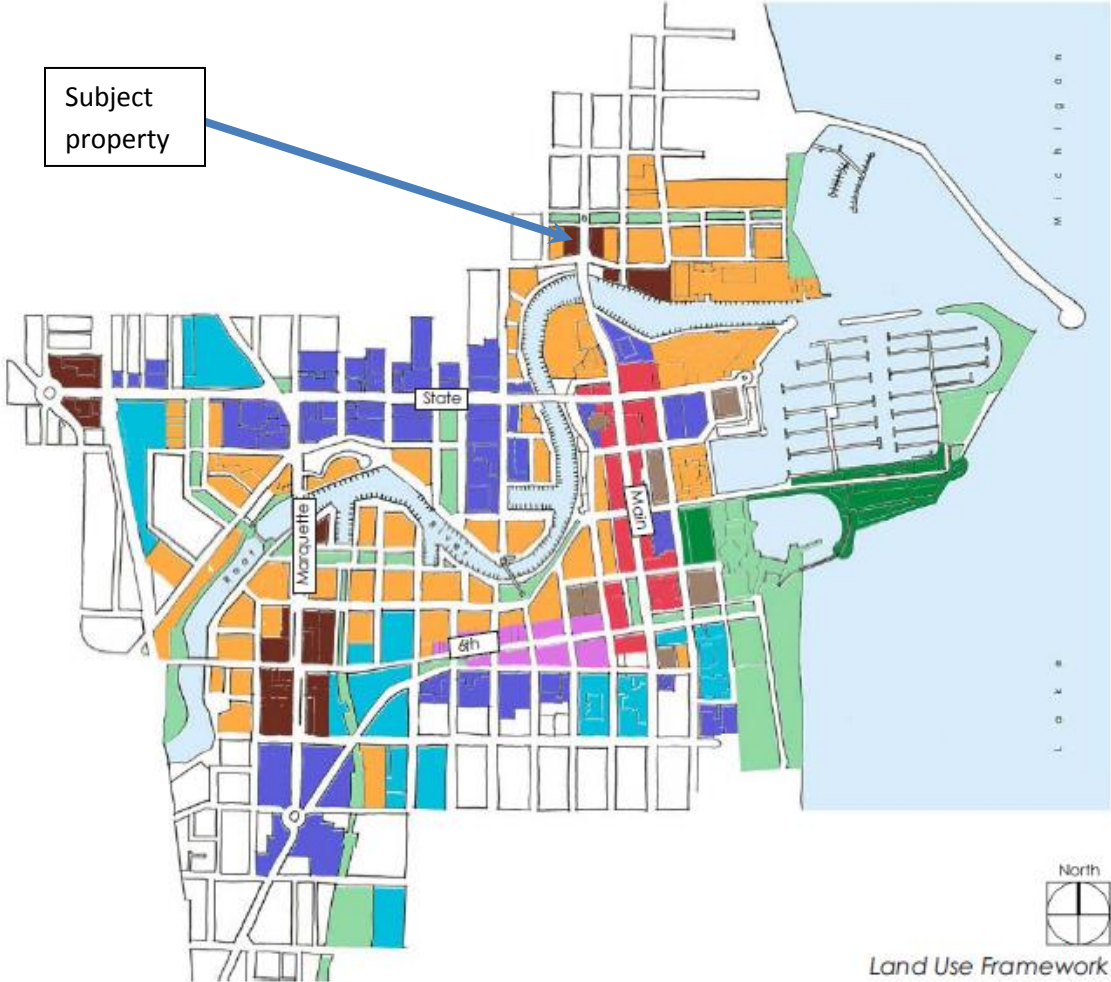
0 25 50 100 150 Feet



Conditional Use Request - 1100 N. Main Street



Racine Downtown Plan Land Use Framework



Site Photos



Looking north from Dodge Street at subject property



Looking north at parking area from Dodge Street



Looking north along N. Main Street from parking area of subject property



Looking south along N. Main Street from subject property



Looking west at entrance to subject property



Looking at east side of N. Main Street from subject property