



CITY OF RACINE DEPARTMENT OF CITY DEVELOPMENT STAFF REPORT

Meeting Date: 10/9/2019

To: Mayor and Planning 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: 566 State Street

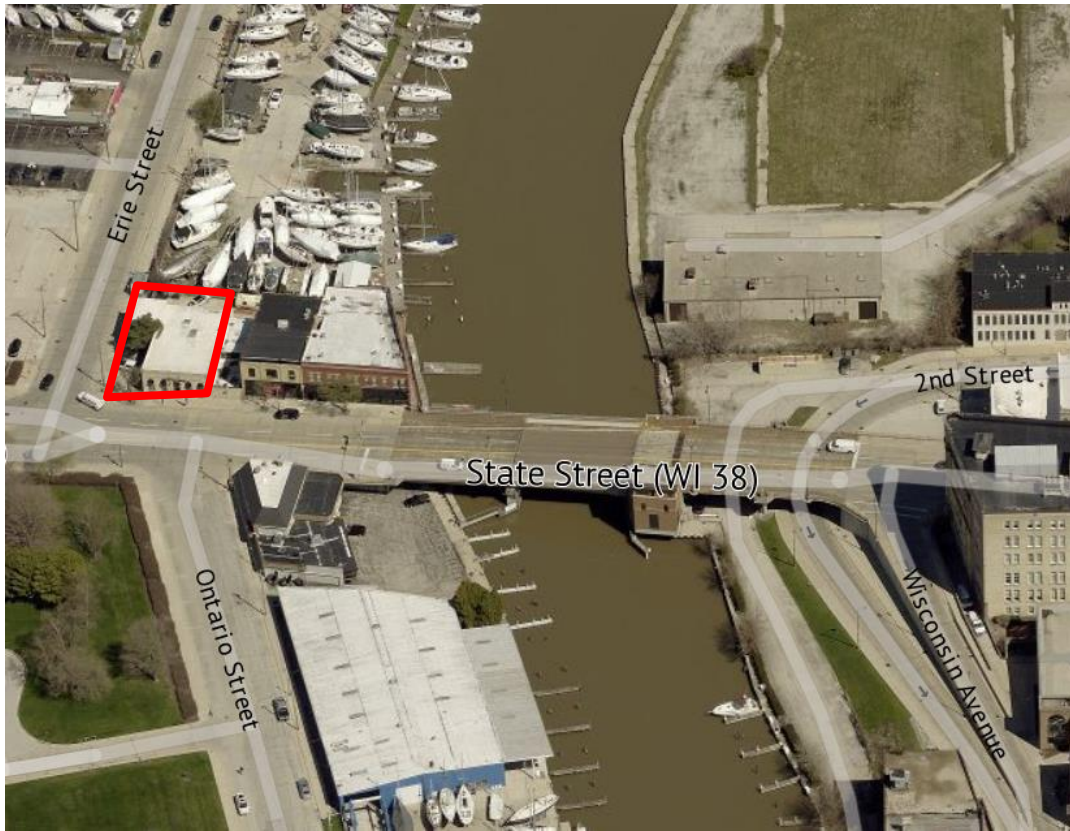
Applicant: Todd Nelsen & Becky Veto

Property Owner: Mark Eberhardt

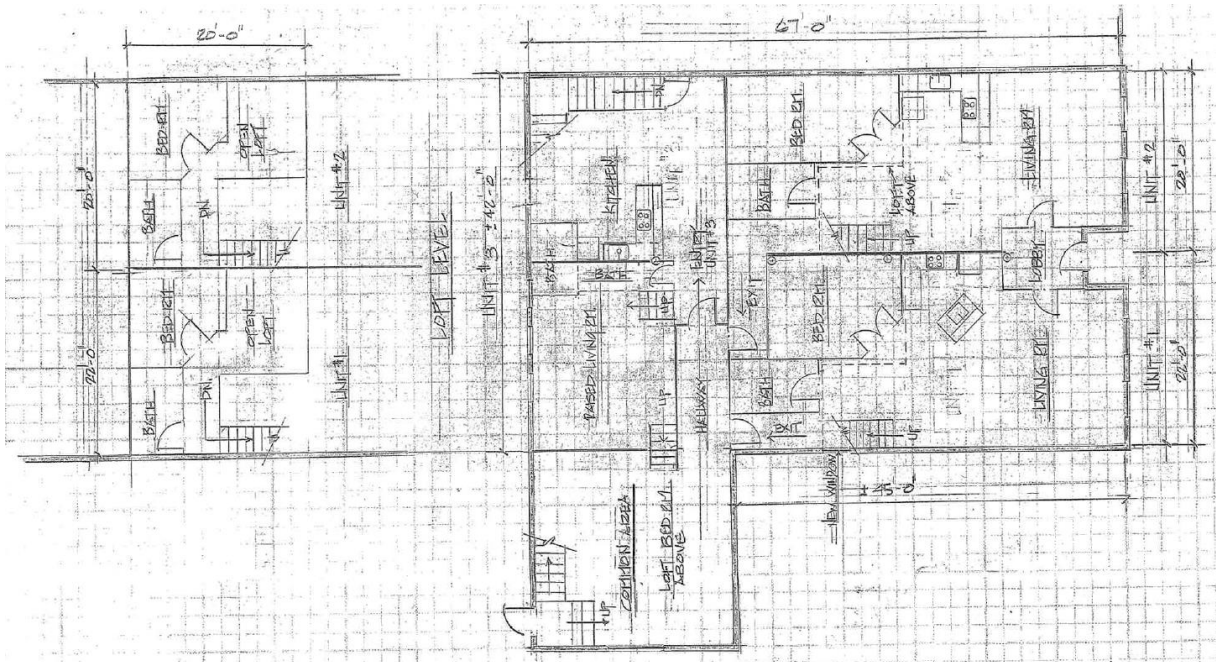
Request: Consideration of a conditional use permit for ground floor dwelling units in an existing building at 566 State Street for property located in a B-3 General Commercial Zone District as required in section 114-488 of the Municipal Code.

BACKGROUND AND SUMMARY: The building is proposed to be converted into three (3) dwelling units, all of which would be on the first floor. No exterior changes to the building are planned. The front portion of the building would have two (2) 1,300 square foot loft style dwelling units, the windows would have plantation style shutters on the interior, to ensure privacy of the occupants. The rear unit would be tri-level, 1,900 square feet and is not visible from the street. The building would feature a common area for the residents.

The Zoning Ordinance classifies Dwelling units below the second floor as permissible in the B-3 General Commercial Zone District upon the issuance of a conditional use permit (114-488).



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



Proposed interior layout, submitted by applicant.

GENERAL INFORMATION

Parcel Number: [02576000](#)

Property Size: 6,756 square feet

Comprehensive Plan Map Designation: COMMERCIAL

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.
- Support the full range and variety of housing structure types, including single-, two-, and multi-family, accessory, and live/work dwellings, at flexible densities, as appropriate, including mixed-use development patterns.

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

Historic?: N/A

Current Zoning District: B-3 General Commercial

Purpose of Zone District: The B3 general commercial district is intended to accommodate those commercial activities which may be incompatible with the predominantly retail uses permitted in other business districts; and whose service area is not confined to any one neighborhood or community.

Proposed Zoning: No change proposed

Existing Land Use: Was most recently a furniture store.

Surrounding Zoning and Land Uses:

North	B-5 Central Service	Marina and boat storage
East	B-3 General Commercial	Retail space and restaurant
South	I-2 General Industrial	Case headquarters
West	B-3 General Commercial	Surface parking lot

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	600 square feet	6,756
Lot Frontage	30 feet	65
Floor Area Ratio	2.5 maximum	.72

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	22 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](#)) : each dwelling unit is required to provide 1.5 spaces, for a total of 5. The lot has six spaces total.

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 commercial districts. 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 from the DADRC and need to follow the sizing requirements outlined below.

Sign Type	Allowable Sq. Ft.	Provided Sq. Ft.
Projecting Sign/Banner	32 square feet	N/A
Wall or Window signs	120 square feet	N/A
Alleyway Signage	N/A	N/A
Total	152 square feet	0

Outdoor lighting, signs ([114-Sec. 742](#)): The lighting on the property appears to comply 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 location of the trash storage in the rear of the property complies with the requirements of this ordinance section.

Engineering, Utilities and Access:

Access ([114-1151](#)): Vehicular access to the site is provided from the rear of the building (north). 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.): The changes to the interior of the building are 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 add another dwelling unit to this building is not expected to impact the ability of any utility to serve customers.

Exceptions to ordinance: No exceptions from the ordinance are required for this development to occur on the property.

Additional Planning and Zoning Comments: The suitability of this property to service regional retail uses or even more localized retail at a neighborhood scale is limited. The location is not generally walkable to any existing residential development and at the same time, lacks significant space for parking to draw in customers at a regional scale. Transitioning this property into solely residential usage will help to build a customer base for the retail in the community and especially across the river on Main Street.

REQUIRED FINDINGS OF FACT:

CONDITIONAL USE FINDINGS (Sec. 114-154. – Standards.)

No Conditional Use shall be recommended by the Planning 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: Ground floor living units should be discouraged in business districts due to the potential for incompatible hours of operation and general usage of the area, however, this proposal calls for the creation of a dwelling units which would not be visible from the street. The changes to the interior and with the proposed screening will help to mitigate the negative impacts generally associated with dwelling units in retail areas. The proposal will not alter the look of the exterior, yet at the same time will adequately screen those inside from passersby. This is important because altering the look of the exterior is not something that would be ideal or supported by the plans for the 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: Preserving the look of the existing building is paramount to the look of the area as commercial. In reality the area is more mixed use with a residential emphasis, but there are still opportunities to be flexible with development trends. The area is along a major state highway corridor but is generally separated from neighborhoods which would serve as a customer base. That being said, the proposal is not expected to be injurious or impact adjacent properties so long as exterior changes do not occur. It is important this building retain the look of commercial even if it is not being utilized as such.

- 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: This use is conditional (thus requiring approval to occur) and not allowed to simply occur to ensure the development of the area remains orderly and predictable. Generally speaking, living on the ground floor of a business district wouldn't commonly fit the existing or traditional development patterns. However, this proposal for the dwelling units will be masked and the appearance of a shopfront will be maintained. These factors ensure that the development patterns of the area will be maintained and normal orderly development will continue.

- 4) Adequate utilities, access roads, drainage and/or necessary facilities have been or are being provided.**

Staff Comments: This building is already connected to utilities and streets; converting to dwelling units is not anticipated to alter the demand for service to the property in a substantial manner. The conditional use request will not impact the access or ability to be served by utilities for the applicant's property or any other properties in the 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: There are no changes to the ingress and egress of this site. Given the area is in a historic district and in an area which was developed using traditional development patterns with lots, blocks, alleys and a grid street system, additional access would be a concern. No changes are proposed to the site related to access. The traffic movement in the area and pedestrian connectivity will be minimally impacted as a result of this proposal.

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

Staff Comments: The plan collectively encourages this type of development. Mixed use development and dwelling units at a variety of styles and price points is an objective the plan seeks to achieve. The area as a whole would be better served with some additional customer base which this project would bring; as a conditional use permit, the zoning remains in place and could be utilized as a 100% commercial building if the dwelling units are not successful. Additionally, the objectives and goals of the Downtown Plan will not be impacted by this conditional use request as the property will maintain the primary retail and shopfront feel.

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: No exceptions are needed for this conditional use permit. The proposed plans from the applicant meet all applicable development regulations for the zone district.

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.
5. Defer with a continuance of the public hearing to a date certain.

STAFF SUPPORTS THE APPLICATION FOR THE FOLLOWING REASONS:

- Supports range and variety of housing structure types supported by the Downtown Plan and Comprehensive Plan.

- 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 and housing options.

STAFF RECOMMENDATION: BASED ON THE FINDINGS OF FACT IN THIS REPORT, THAT THE REQUEST FROM TODD NELSEN AND BECKY VETO, SEEKING A CONDITIONAL USE PERMIT TO OPERATE DWELLING UNITS ON THE GROUND FLOOR OF AN EXISTING BUILDING AT 566 STATE STREET BE APPROVED, SUBJECT TO THE FOLLOWING CONDITIONS:

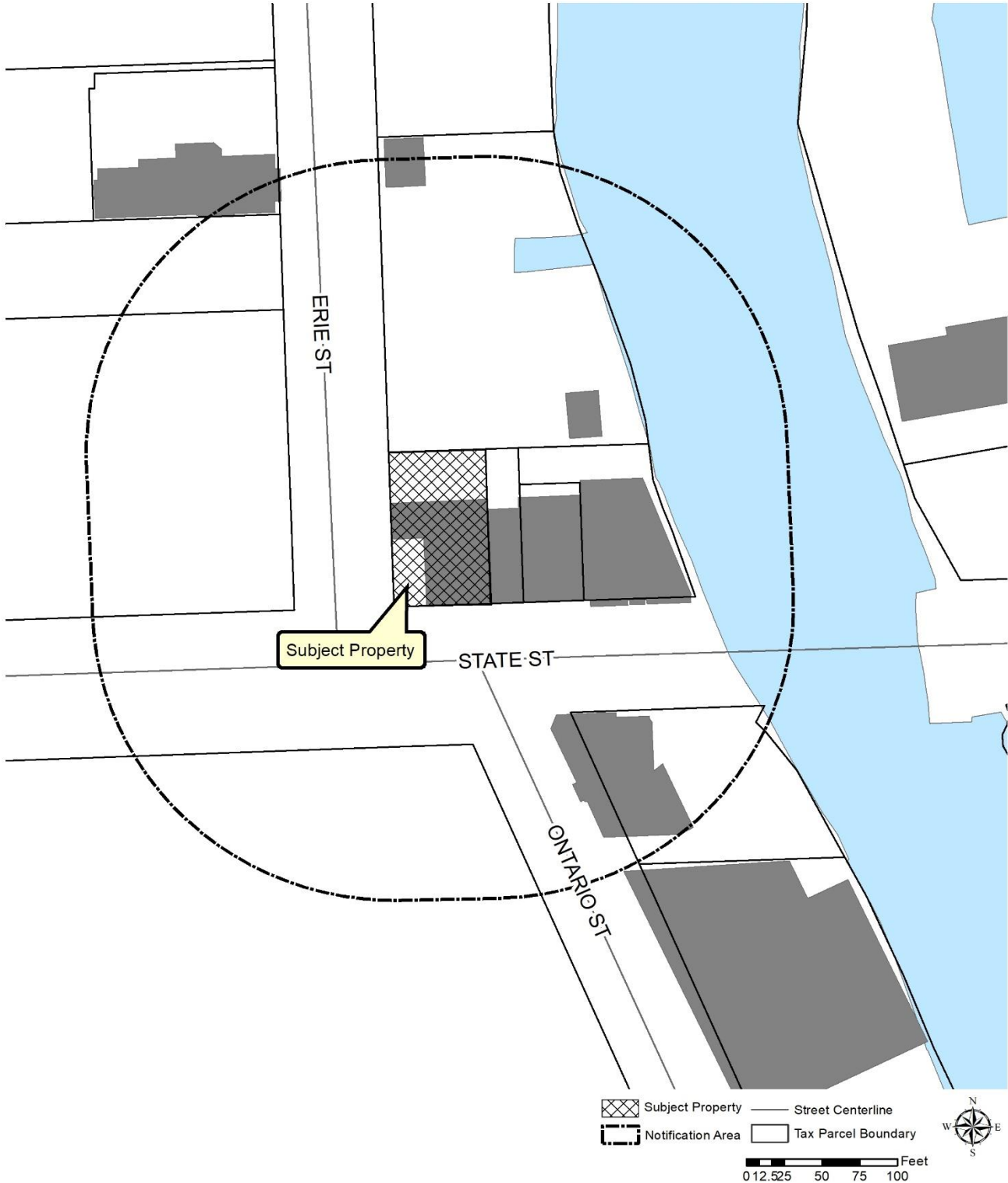
- a) That the plans presented to the Plan Commission on October 9, 2019 be approved subject to the conditions contained herein.
- b) That all license requirements from the State of Wisconsin and City of Racine be obtained, complied with, and kept current at all times.
- c) The proposal be limited to three dwelling units, built as generally shown in the plans.
- d) That all codes and ordinances are complied with and required permits acquired.
- e) 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.
- f) 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) Site photos of the property and general area; and
- 6) Submittal documents ([click to view](#))







Conditional Use Request - 566 State Street






Conditional Use Request - 566 State Street



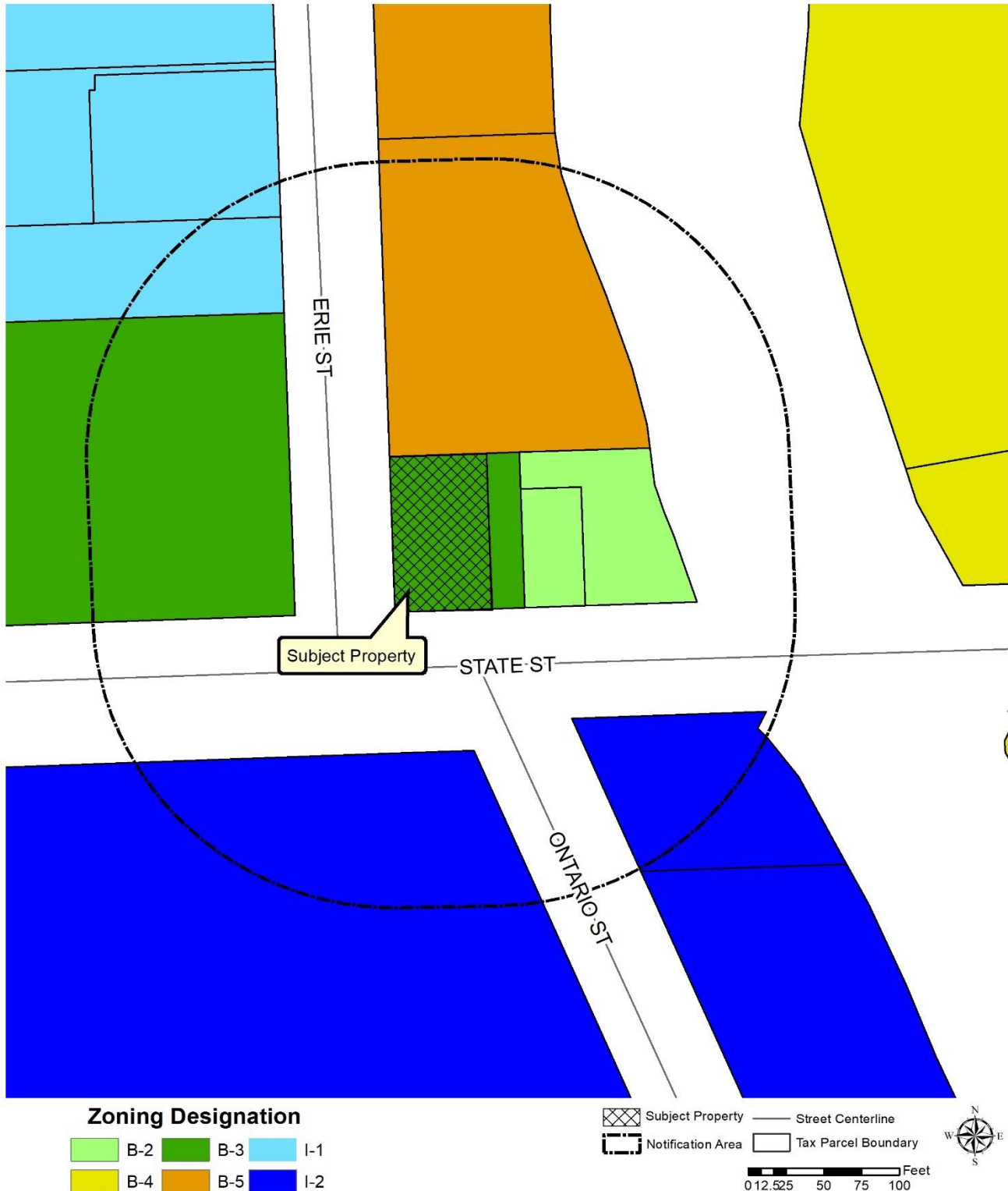
	Subject Property		Street Centerline
	Notification Area		Tax Parcel Boundary

0 12.525 50 75 100 Feet



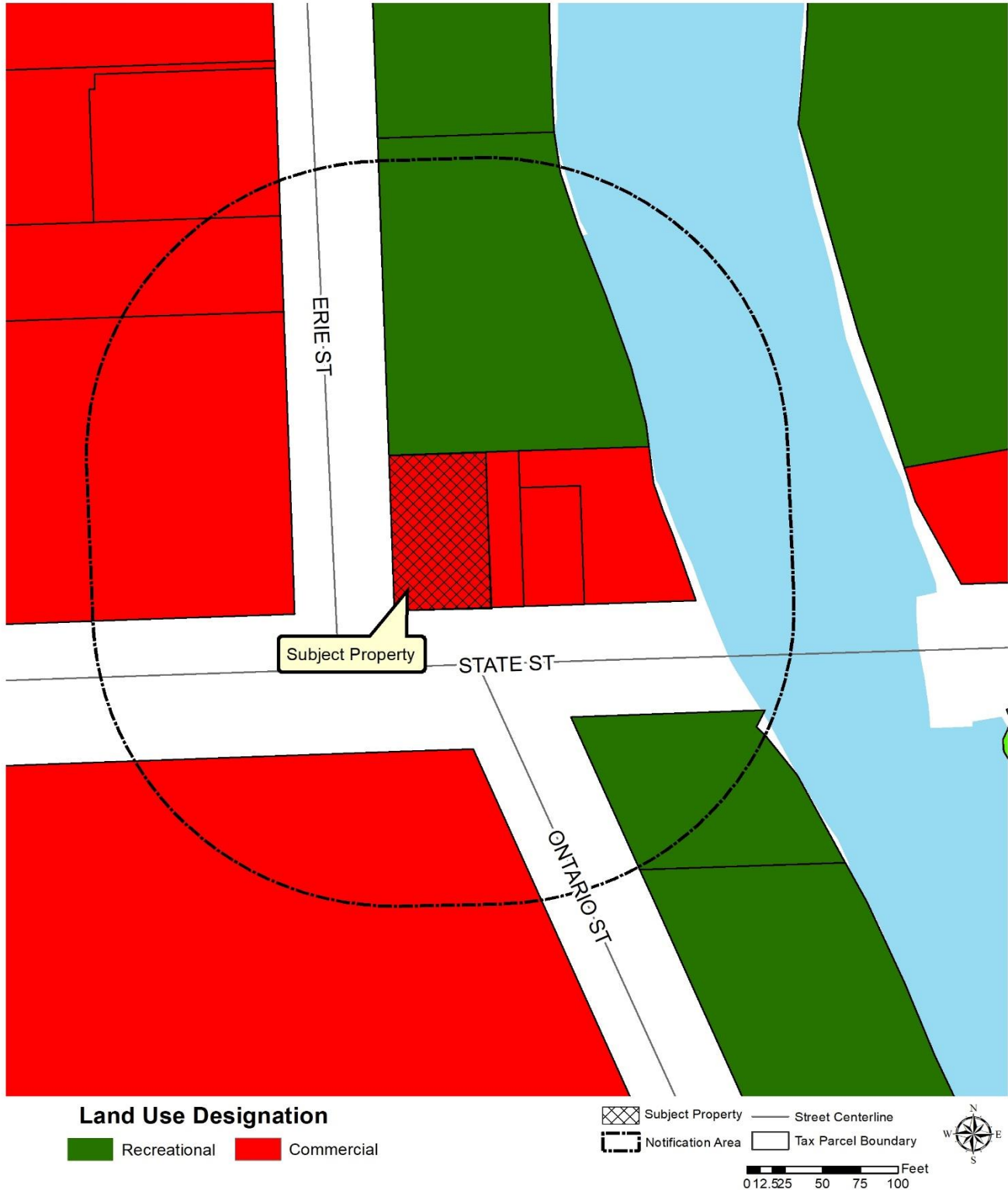


Conditional Use Request - 566 State Street





Conditional Use Request - 566 State Street



Site Photos



Looking at west side of subject property from
Erie Street



Looking north at subject property from
State Street



Looking at the north side of the property



Looking east from subject property



Looking north from subject property



Looking west from subject property