



CITY OF RACINE DEPARTMENT OF CITY DEVELOPMENT STAFF REPORT

Meeting Date: 8/14/2023

To: Mayor and Planning, Heritage and Design Commission Members

From: City Development Department, Division of Planning and Redevelopment

Division Manager: Jeff Hintz – (262) 636-9151 jeff.hintz@cityofracine.org

Case Manager: Steven Madsen

Location: 1949 State Street

Applicant: Eugene Ynocencio

Property Owner: Rahul Shekatkar

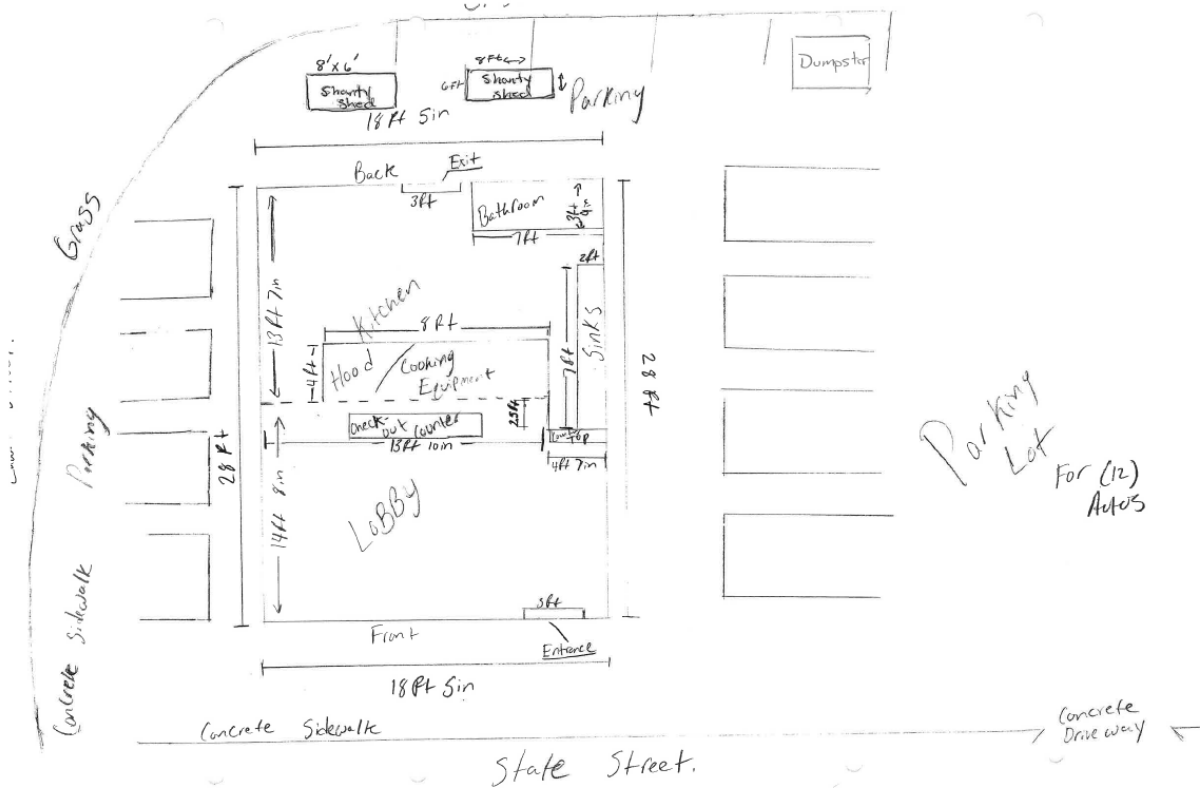
Request: Consideration of a conditional use permit for a take-out carry out restaurant at 1949 State Street, which is located in a B-2 Community Shopping Zone District as allowed by Section [114-468](#) of the Municipal Code.

BACKGROUND AND SUMMARY: The application contemplates having a takeout restaurant that would operate Thursday – Sunday from 12 PM – 9PM. The site would operate for takeout food only and would have the addition of two 250 gallon offset smokers in accessory structures outside of the main structure.

The Zoning Ordinance classifies a take-out carry out restaurant as a conditional use in the B-2 Community Shopping Zone District (114-468).



Birdseye view of the property, indicated in blue



Floor/Site plan for proposed use.



General site plan for entire parcel

GENERAL INFORMATION

Parcel Number: 07604000

Property Size: 12,780 square feet

Comprehensive Plan Map Designation: Commercial

Consistency with Adopted Plans:

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

- 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.

Corridor or Special Design District?: State Street Corridor

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: Vacant

Surrounding Zoning and Land Uses:

North	B-2 Community Shopping	Gas Station
East	B-2 Community Shopping	Dwellings
South	R-3 Limited General Residence	Dwellings
West	R-3 Limited General Residence	Dwellings

ANALYSIS:

Development Standards:

Density ([114-Article V](#): Article VII, Div. 5 [Bulk Regulations](#) & 8 [Lots](#)): The new building complies with all bulk and lot standards.

Standard	Required	Provided
Lot Area	No minimum	12,780 square feet
Lot Frontage	30 feet	144 feet
Floor Area Ratio	4.0 maximum	.06

Setbacks ([114-Article V](#): Article VII, Div. 6 [Development Standards](#)): Nonresidential uses are not required to provided yards, except as required in 114-470.

Yard	Required	Provided
Front (Northeast)	0 feet	6.5 feet
Side (Northwest)	0 feet	57 feet
Side (West)	0 feet	48 feet
Rear (South)	0 feet	63 feet

Building design standards (114-Secs. [735.5](#) & [736](#)): The applicant is planning on putting to meat smokers outside of the primary structure. These smokers will need to be enclosed in structures. These new accessory structures will be required to meet the codes design standards.

Sign Regulations (114-[Article X](#)): No sign plan was submitted with this application. Any changes to signs would be reviewed by Planning Division Staff. Any signage would need to follow the sizing and other requirements outlined below:

Sign Type	Allowable Sq. Ft.	Provided Sq. Ft.	Maximum Height	Proposed Height
Freestanding	144** sq. feet	0*	15 feet	20** feet
Total				

* Any proposed signage would need to be approved by Planning Division Staff.

** There is currently an existing sign they would be able to make use of this sign. If new signage were to be proposed they would need to come into compliance with current standards.

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

Use Type	Required	Provided
Restaurant	8	
Total	8	11

Landscaping, screening and yard requirements ([114- Article V](#): Article VII, Div. 6 [Development Standards](#) & 7 [Fences and Walls](#)): There are no planned changes to landscaping.

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 that does not direct radiation or glare onto adjacent properties.

Rubbish and trash storage ([114-Article V](#) & [114-740](#)): There is a planned area for a new dumpster enclosure. The enclosure will need to be screened by a solid fence or wall.

Engineering, Utilities and Access:

Access ([114-1151](#)): Ingress and egress are provided to the site from a drive on State Street. There are no proposed changes to the ingress and egress of the site and it should be adequate.

Surface drainage ([114-739](#) & Consult Engineering Dept.): No changes in impervious surface are planned. If a paving permit were to be pulled the Engineering department would not require a stormwater management plan.

Sewage disposal and water supply ([114-821](#) & Consult Engineering and S/W Utility): No changes to the usable space of the building are planned and there should be no increase on the use of utilities.

Exceptions to ordinance: No exceptions are required for this conditional use.

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: The site has been a take-out carry out restaurant before. Re-establishing this use should not cause any harm. It will be one of a few similar uses that exist in the State Street Corridor. The site has adequate parking for this use and provides enough space to have traffic come off of the street. This use should help surrounding businesses and will fill a large vacancy on the State Street Corridor. The addition of this use should strengthen the commercial corridor.

- 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 site contains more parking than is required and is oriented in a way to encourage business from the sidewalk. There should be no issues with overcrowded parking or traffic concerns. This use should help stop potential issues that come with having a vacant structure in the commercial

corridor and support a healthier business environment. This use has not caused large issues in the past and the operational plan for this use does not suggest it will cause issues this time.

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 mostly developed. This stretch of State Street is either existing residences or commercial uses similar to the one contemplated for this permit. The restaurant should bring more traffic to this stretch of the commercial corridor and be complimentary to surrounding businesses. It will also provide nearby residents with a new local option for food. Re-establishing this use should potentially benefit the development in the corridor.

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

Staff Comments: All utilities are already existing to the building and should be adequate. The proposed changes should not require any changes to the utilities in order to operate. This proposal is to utilize an existing facility which is not expected to detrimentally increase traffic or exceed the capacity of existing infrastructure in the area. The access to the site will not change and the building has functioned in generally this configuration since it was originally constructed.

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: Ingress and egress will remain unchanged and are anticipated to be adequate based on the proposed usage of the property. There should be no issues of overcrowding or traffic backing up into the street.

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

Staff Comments: The current land use plan encourages the redevelopment or improvement of commercial properties and the parcel calls for commercial use. The establishment of this conditional use will allow for a higher use for the commercial 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: The applicable sections of the zoning ordinance as they relate to this development are being met as required. No exceptions from the Municipal Code are required for this development.

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.

STAFF RECOMMENDATION: BASED ON THE FINDINGS OF FACT IN THIS REPORT, THAT THE REQUEST FROM EUGENE YNOCENCIO SEEKING A CONDITIONAL USE PERMIT TO OPERATE A TAKE-OUT CARRYOUT RESTAURANT AT 1949 STATE STREET BE APPROVED, SUBJECT TO THE FOLLOWING CONDITIONS:

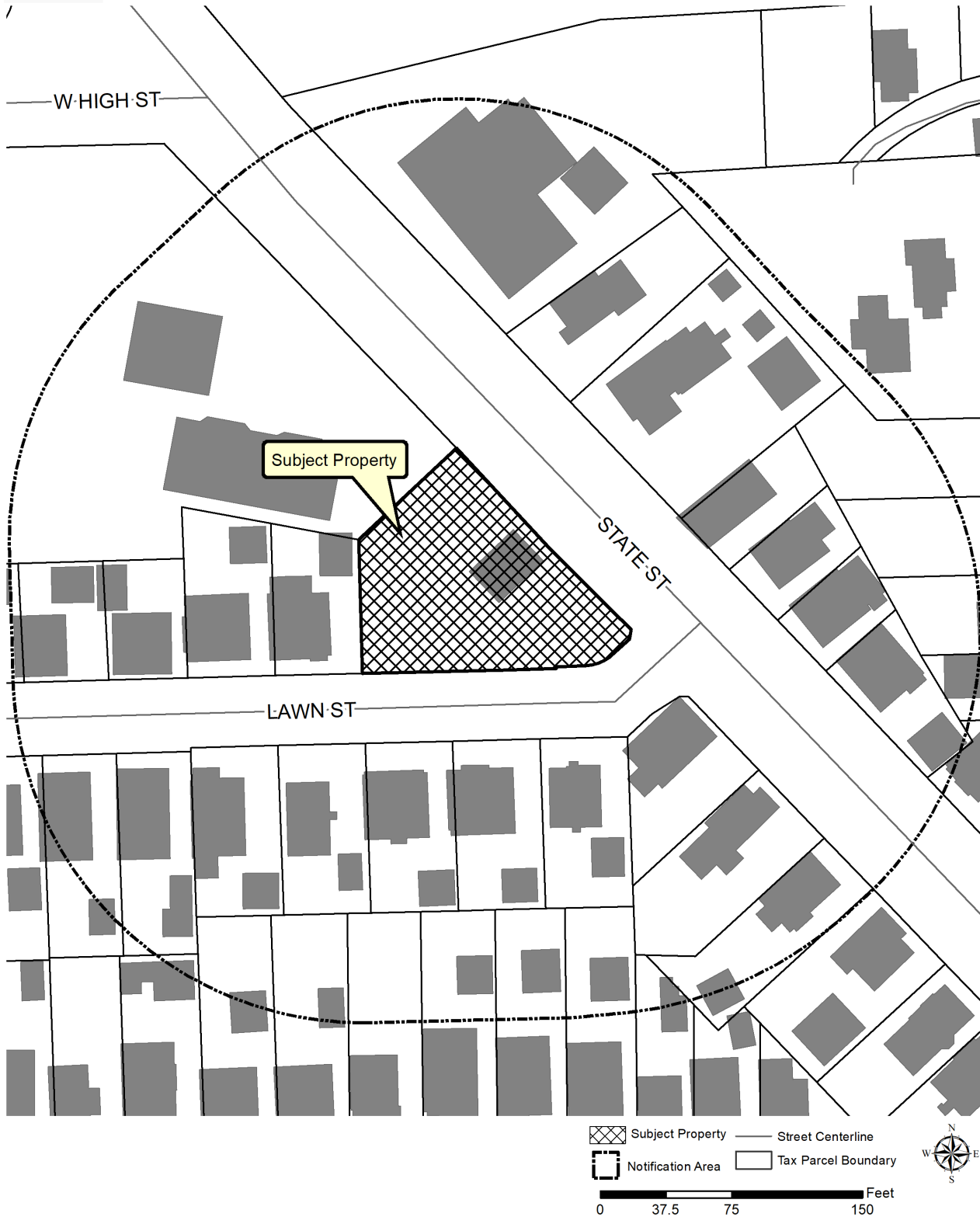
- a) That the plans presented to the Planning Heritage and Design Commission on August 14, 2023 be approved subject to the conditions contained herein.
- b) That all codes and ordinances are complied with and required permits acquired.
- c) That any changes to signage be submitted to Planning Division staff for review before approval.
- d) That the new dumpster area be enclosed by a solid fence and be completed before an occupancy permit is issued.
- e) That the new entryway be repaired and repaved before an occupancy permit is issued.
- f) That the planned accessory structures comply with design requirements of Sec 114-735.5
- g) That no minor changes be made from the conditions of this permit without approval of the Department of City Development and no major changes be made without approval of the Planning, Heritage and Design Commission.
- 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 Permit - 1949 State Street

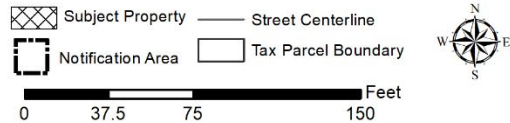




Conditional Use Permit - 1949 State Street



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Conditional Use Permit - 1949 State Street



Zoning Designation

- B-2
- R-3

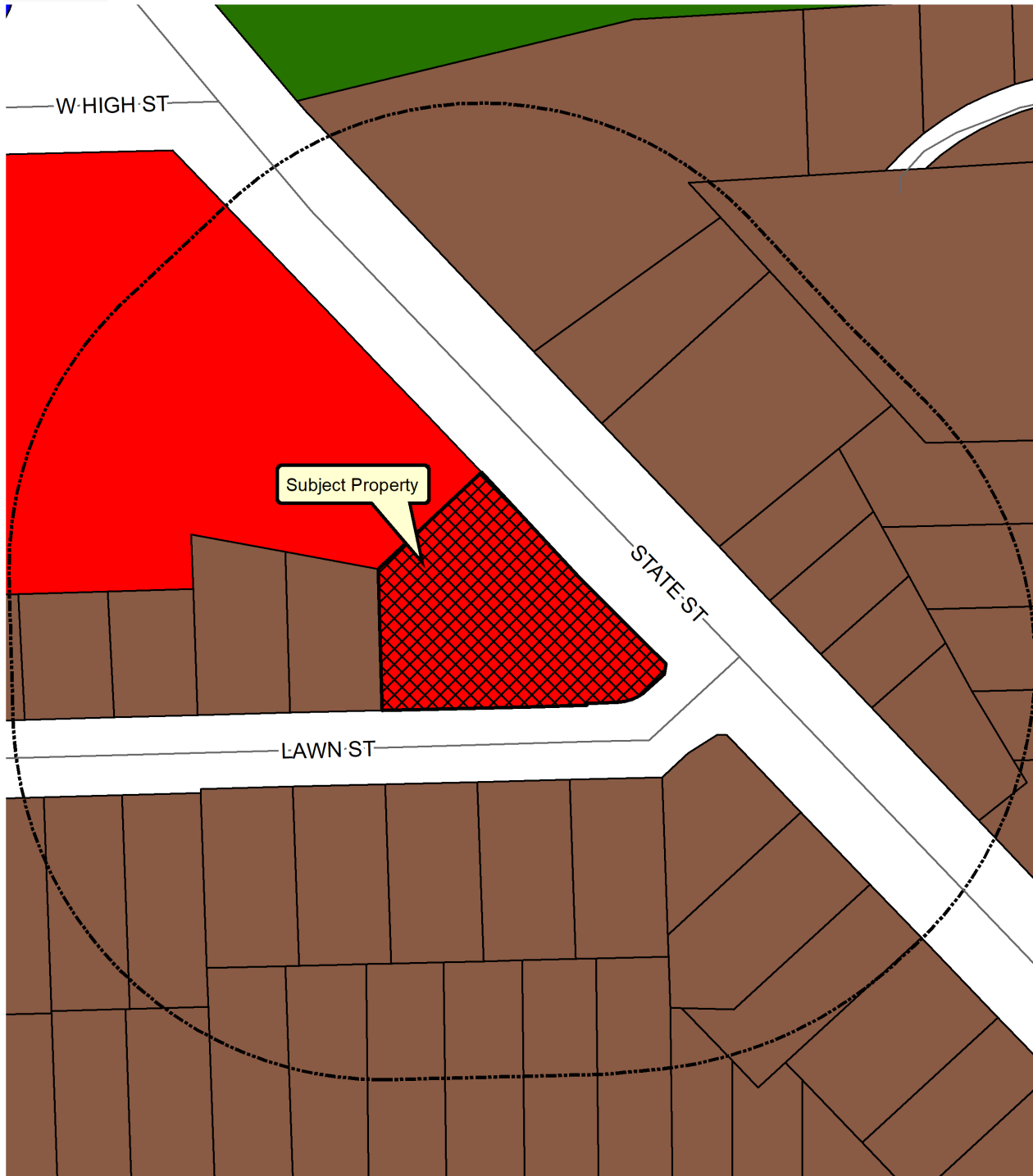
Legend for map symbols:

- Subject Property (cross-hatch pattern)
- Notification Area (dashed line)
- Street Centerline (solid line)
- Tax Parcel Boundary (thin solid line)

Scale: 0, 37.5, 75, 150 Feet



Conditional Use Permit - 1949 State Street



Land Use Designation

- Commercial
- High Density Residential

Subject Property	Street Centerline
Notification Area	Tax Parcel Boundary

0 37.5 75 150 Feet

Site Photos



Looking West at the site



Looking Northwest down State Street



Looking Southeast down State Street



Looking North at the site



Looking Southeast at the site



Looking Northeast across State Street