



CITY OF RACINE DEPARTMENT OF CITY DEVELOPMENT STAFF REPORT

Meeting Date: 11/13/2019

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: 1520 and 1536 Clark Street

Applicant: Cardinal Capital Management

Property Owner: City of Racine Redevelopment Authority

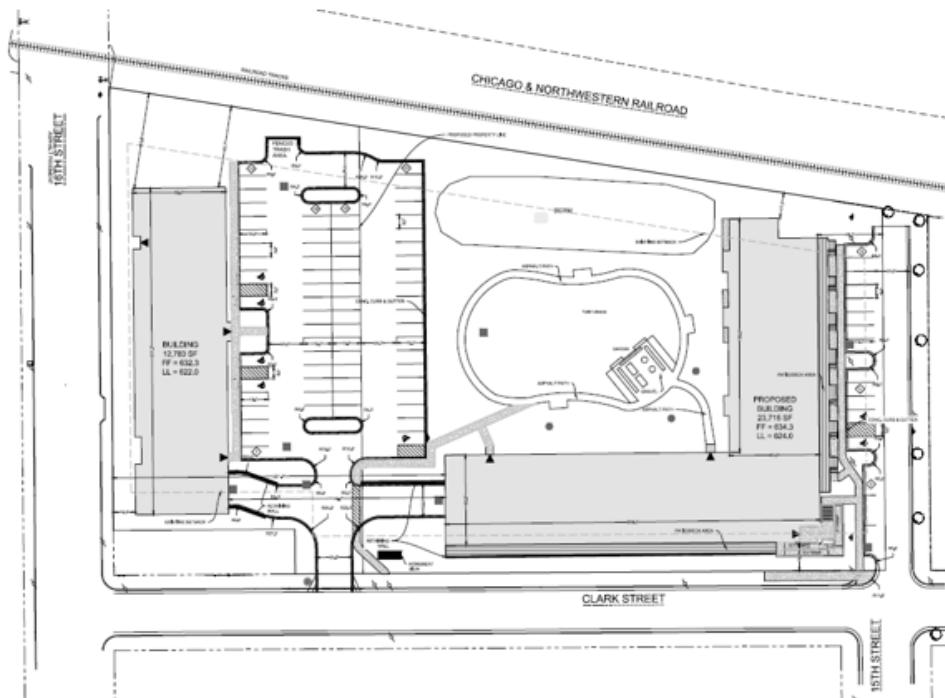
Request: Consideration of a conditional use permit for a waiver in yard requirements, to reduce the required front yards from 25 feet to as close as 14 feet 11 inches to the south and 18 feet 10 inches to the east, as allowed by Sec. 114-254(d) of the Municipal Code for proposed buildings at 1520 and 1536 Clark Street.

BACKGROUND AND SUMMARY: The applicant was previously approved for a Certified Survey Map which would create two lots from these properties with a parcel fronting Clark Street (to be addressed at 1516 Clark) and another parcel fronting 13th Street (to be addressed as 1316 16th Street). The building at 1316 16th Street will be four stories and contain 54 units, while the building at 1516 Clark Street will be four stories with 87 units.

Sec. 114-254(d) authorizes a reduction in yard requirements (through a conditional use permit) for developments containing over 20 residential dwelling units to “encourage innovative design” for developments.



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



Proposed Site Plan, (north is to the right) submitted by applicant.

GENERAL INFORMATION

Parcel Number: [09059000](#) and [09076000](#)

Property Size: 3.25 acres

Comprehensive Plan Map Designation: MIXED USE - COMMERCIAL AND RESIDENTIAL (Residential Emphasis).

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.
- 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.

Current Zoning District: R-5 General Residence

Purpose of Zone District: The R5 general residence district is primarily intended to provide medium to high density residential areas adjacent to major shopping areas and convenient to places of employment. This district requires utilities of high capacity and community facilities sufficient to service the population, and a street system capable of accommodating relatively heavy traffic.

ANALYSIS:

Development Standards:

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

Yard	Required	1316 16 th Lot	1516 Clark Lot
Front	25 feet	14’ 11”	18’ 10”
Side	6 feet	8’ 5”	43’ 3”
Other side	6 feet	53’ 8”	60’
Rear	35 feet	85’	23’

This table accounts for proposed setbacks with the approved CSM. The CSM is not required to be recorded for this development to occur, it is the choice of the developer to have these two buildings on separate lots.

Exceptions to ordinance: Two exceptions are necessary for this project:

1. Waiver of Yard Requirements to provide yards as shown on the plans in lieu of the required yards by the Zone district.
2. Total number of parking spaces, to provide 70 instead of 81 for the southern building.

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: This project will provide an opportunity for housing units which are affordable and market rate as part of the same project. Despite the fact a waiver in yard requirements is being requested, the building setbacks will actually be further than the buildings which exist on the property at this time; this is because the residential zoning district requires yards, whereas a commercial or industrially zoned property would not. That being said, the character of the area will be maintained through the proposed setbacks. This waiver in yard requirements is not expected to be injurious or a danger to the general welfare or morals of the community or neighborhood.

- 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, the building setbacks will actually be more than the existing buildings. In fact, having the buildings sweet back as far as what the ordinance requires would look somewhat out of place in this urban context; all the other buildings in the area are built to the street. Requiring a 25 foot front yard along Clark and 16th Streets would look out of character and context. In this sense, the conditional use will not be injurious to the use of other property and is not expected to 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 establishment of this yard waiver is anticipated to aid in the development of this property and that of the surrounding area. The requested yards, while not in compliance with the current zone district, better reflect the development patterns of the area and zone districts in the general vicinity. Denial of the yard waiver would mean a development which is not consistent with the general area and could impact existing and future development.

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

Staff Comments: The requested yard waiver is not expected to alter the ability to service the area and the proposed site plan indicates access and necessary roadways will be provided. As part of the building plan review, access, utilities and other facilities will be checked for compliance with development standards. The request for a waiver in yard requirements is not expected to alter or impact the ability for the site to function as required by the Zoning Ordinance.

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 shows a shared access points for the lot. This will help to minimize congestion, and other conflict points. The waiver in yard requirements will still allow for ample ability for users of the site to visualize traffic and is not expected to create congestion.

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

Staff Comments: The proposed development is consistent with the goals and objectives of the land use plan. The request for a yard waiver will ensure this property has an urban feel to it and a reduction yard space helps to provide that authenticity. Even though the buildings are new, the yard waiver ensures an adequate space is preserved. The existing building was generally built to the property line and the new buildings will be fairly close as well. Having them at 25 feet from the street right-of-way line would not be utilizing the space to the fullest potential and highest and best use.

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: This conditional use request is essentially for an exception, called a waiver in yard requirements. Along those lines, in order to maximize the space on the lot in the leisure areas and yard, a waiver of 11 parking spaces is also sought with the proposed submittal. The applicant does have the land to provide 11 more parking spaces, but it is unlikely the 11 spaces would be utilized. Along those lines, these buildings also require a loading zone on each lot, which would be utilized during moving in and out of the dwelling units. Aside from those times, the space would not be utilized and would result in pavement which is not useful. It is a much better design concept to give the residents more leisure space and less surface parking area. The waiver in yard requirements and parking reduction benefits the site functionally and aesthetically and these requests are in keeping with the spirit and intent of the ordinance.

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 RECOMMENDATION: BASED ON THE FINDINGS OF FACT IN THIS REPORT, THAT THE REQUEST FROM CARDINAL CAPITAL MANAGEMENT, SEEKING A CONDITIONAL USE PERMIT FOR A WAIVER IN YARD REQUIREMENTS AT 1520 AND 1536 CLARK STREET BE APPROVED, SUBJECT TO THE FOLLOWING CONDITIONS:

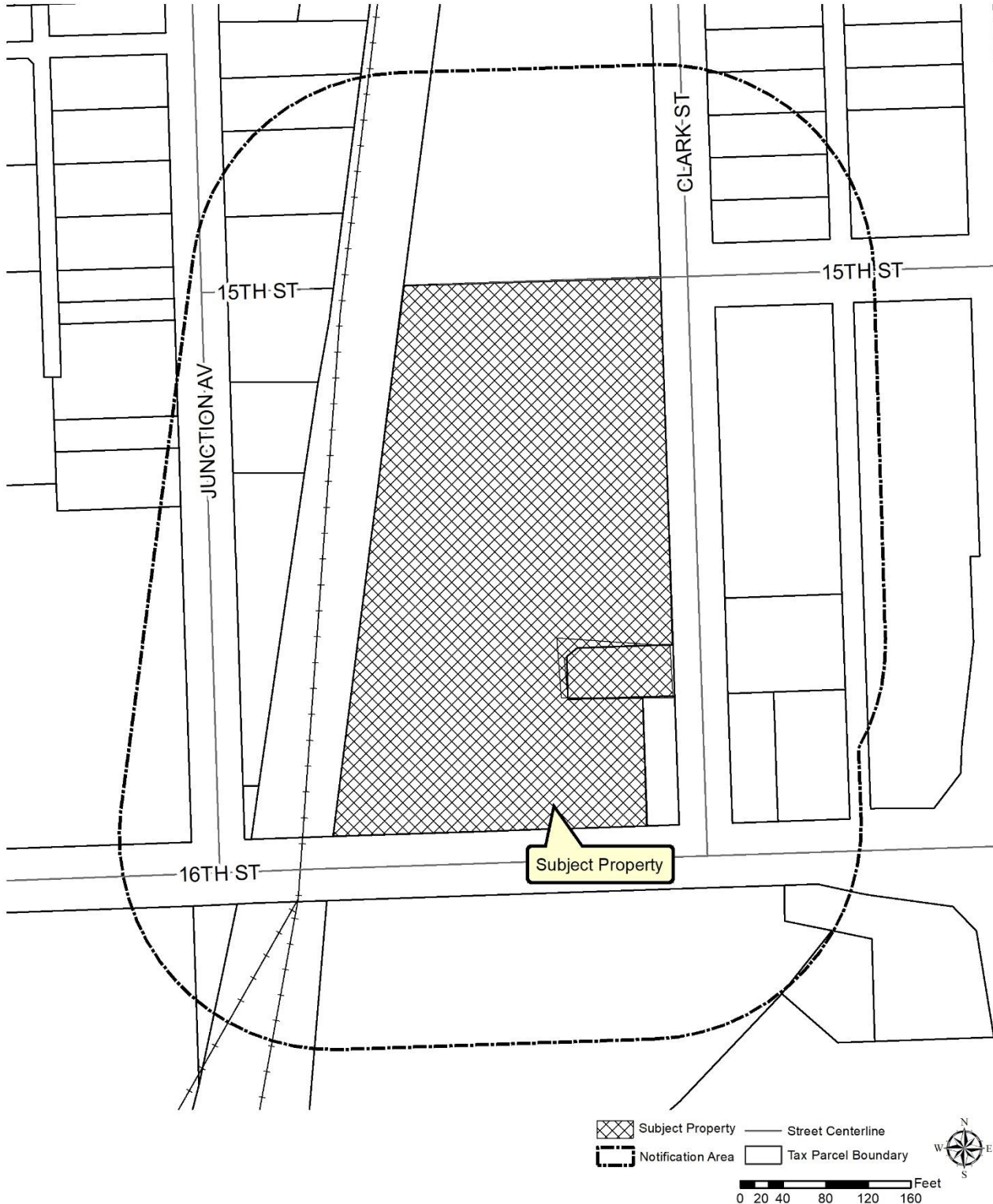
- a) That the plans presented to the Plan Commission on November 13, 2019 be approved subject to the conditions contained herein.
- b) That all codes and ordinances are complied with and required permits acquired.
- c) That all comments on the plans from the Joint Plan Review Team review letter be addressed.
- d) That the following exceptions be granted with this approval:
 1. That the yard requirements of Sec. 114-350 be reduced as allowed by Sec. 114-254(d) to allow front yards of 14' 11" on the south and 18' 10" on the east and a rear yard of 23' if the approved CSM is indeed recorded.
 2. That the total parking required by Sec. 114-1188 be reduced by 11 spaces in total and that the loading zone required by Sec. 114-1205 occupy a drive aisle.
- 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](#)).

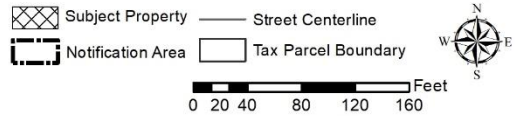


Conditional Use Request - 1520 and 1536 Clark Street



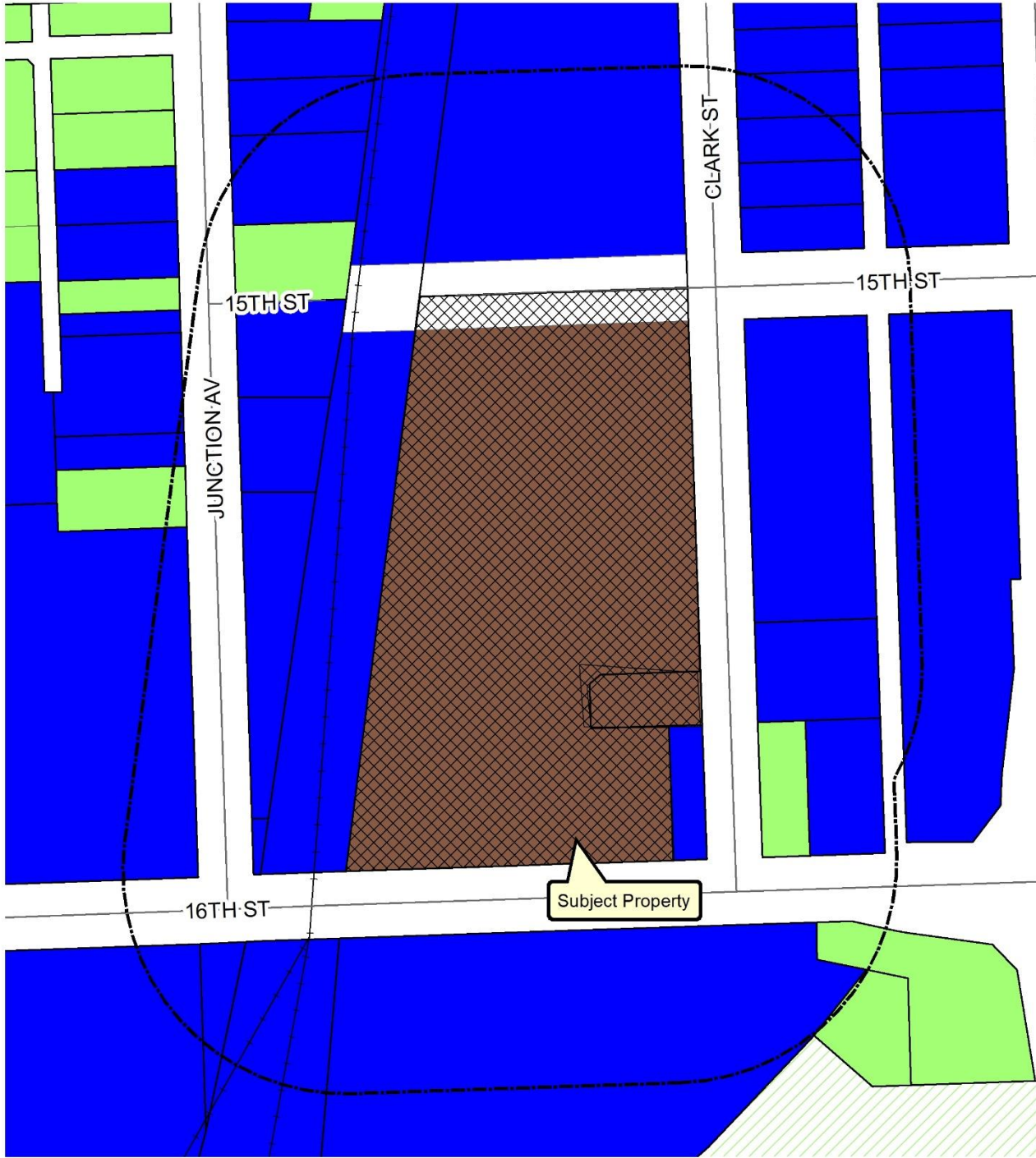


Conditional Use Request - 1520 and 1536 Clark Street





Conditional Use Request - 1520 and 1536 Clark Street



Zoning Designation
R-5 B-2 I-2

Subject Property Street Centerline
Notification Area Tax Parcel Boundary



Conditional Use Request - 1520 and 1536 Clark Street



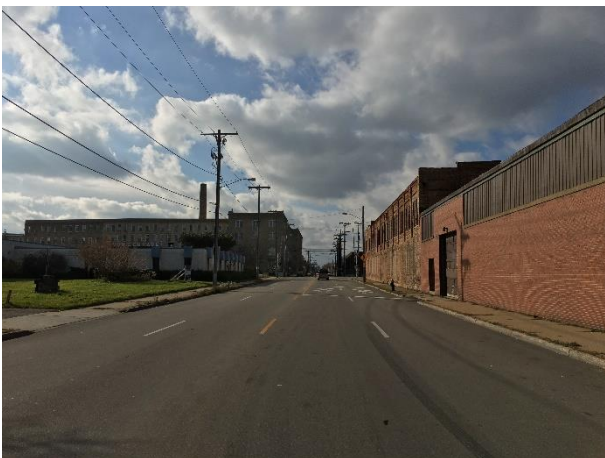
Site Photos



Looking north along Clark Street, subject property to the left



Looking west across the northern end of the property



Looking west along 16th Street, subject property to the right



Looking at west side of property, adjacent to railroad right-of-way



Looking east from subject property along 16th Street



Looking north from northern end of property