



CITY OF RACINE DEPARTMENT OF CITY DEVELOPMENT STAFF REPORT

Meeting Date: 1/23/2019

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: 1407 S. Memorial Drive, located on the Southeast corner of the intersection of Washington Avenue and S. Memorial Drive.

Applicant: Mildred Zamorano-Perry – Minds of Tomorrow Montessori Academy LLC

Property Owner: Jessica Servantez

Request: Consideration of a conditional use permit to operate Spanish Immersion Montessori School, classified as a Class 1 non-commercial-type use, in an existing building at 1407 S. Memorial Drive for property located in a B-2 Community Shopping Zone District as allowed by section [114-468](#)* of the Municipal Code.

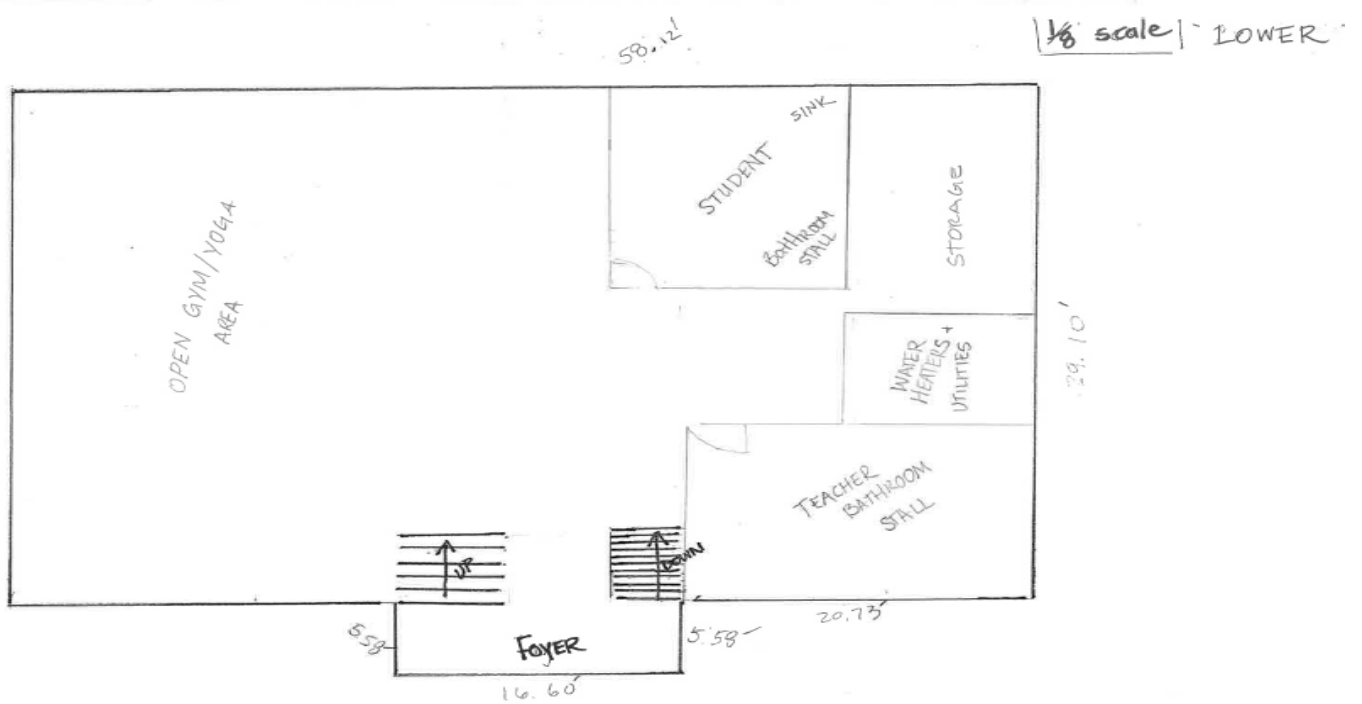
*Note 114-468 refers back to 114-448 where Class 1 non-commercial-type use is listed.

BACKGROUND AND SUMMARY: The applicant seeks to utilize the existing building at 1407 S Memorial Drive to provide a Spanish Immersion Montessori school, classified as a Class 1 non-commercial type use on the ground floor. The applicant has proposed to have the institution open on Monday thru Fridays from 8:30 AM-12:30 PM. If there is enough demand for services, they will have additional hours that are Monday thru Friday 12:45 PM – 3:45 PM

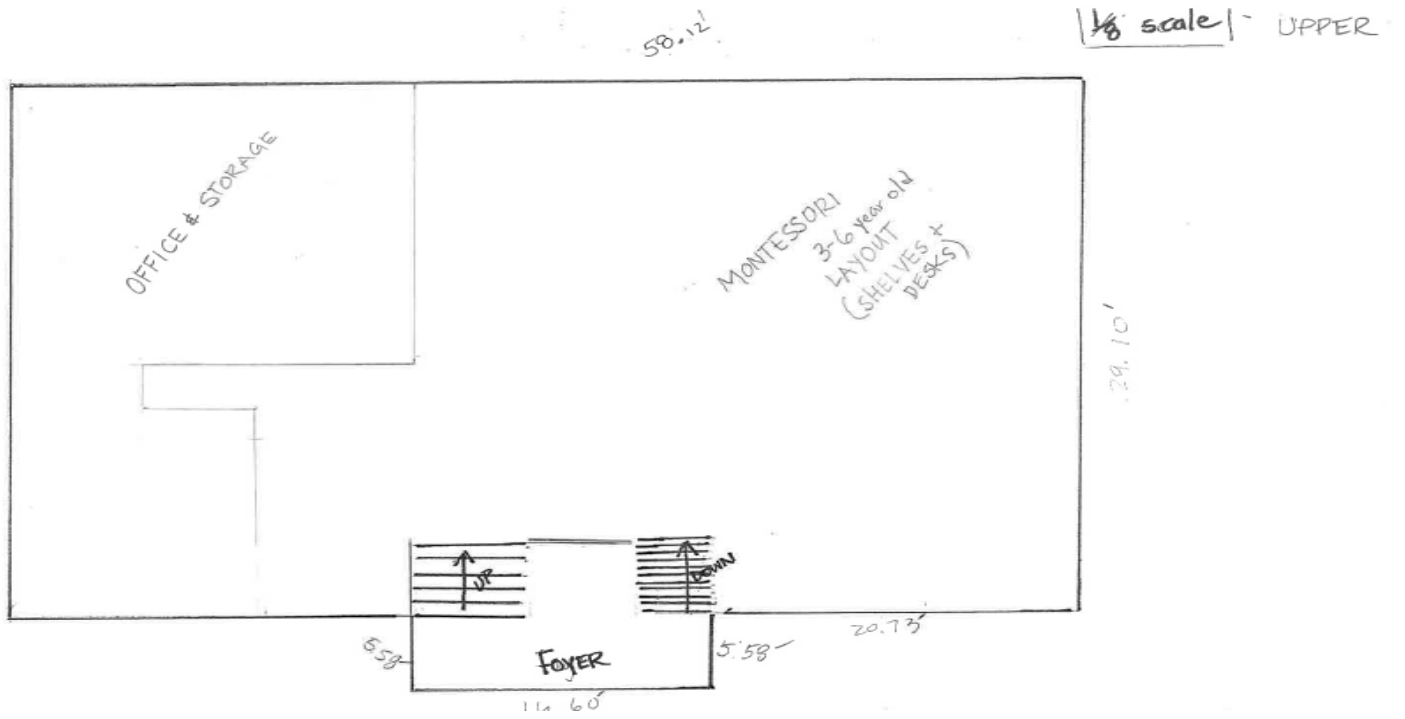
The Zoning Ordinance classifies this proposed educational institution as a Class 1 non-commercial-type use, defined in Section 114-1, as permissible in the B-2 Community Shopping Zone District upon the issuance of a conditional use permit (114-468).



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



Proposed Building Floor Plan (north is to the left), submitted by applicant.



Proposed Building Floor Plan (north is to the left), submitted by applicant.



Proposed site plan for the property, submitted by applicant.

GENERAL INFORMATION

Parcel Number: [09585000](#)

Property Size: 12,850 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.
- Promote redevelopment and infill in areas with existing infrastructure and services, enhancing existing residential, commercial, and industrial areas.

Corridor or Special Design District?: Uptown Corridor

Historic?: N/A. The Junction Branch Library is not listed on the National Register of Historic Places (NRHP); however, the 1979 Architectural and Historical Survey identified this property as eligible for nomination to the NRHP. The survey notes:

“After local residents raised sufficient funds to purchase the site, Andrew Carnegie approved the plans and contributed \$10,000 to the library. The Uptown Branch Library is significant because it is designed in an early modern style of architecture, and because it is an example of the Carnegie funded Branch library. Its style was termed "Sullivan-esque" by its foremost proponents Claude and Starck, a Madison architectural firm that designed more than 30 libraries throughout the Midwest in this simplified early modern idiom that was usually decorated with a terra cotta frieze of Sullivan-esque ornament. The local architects who designed it, Guilbert and Funston, built in the early modern style whenever they could find client acceptance of this new kind of architecture.”

Current Zoning District: B-2 Community Shopping

Purpose of Zone District: The B-2 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	Furniture Shop
East	B-2 Community Shopping	Vacant
South	B-2 Community Shopping	Open Space
West	B-2 Community Shopping	Convenience store/ Gas Station

Operations: The applicant has proposed to have the institution open on Monday thru Fridays from 8:30 AM-12:30 PM. If there is enough demand for services, they will have additional hours that are Monday thru Friday 12:45 PM – 3:45 PM. The institution will be a Spanish immersion Montessori school that will teach children that are between 3-6 years of age. The applicant proposes three staff members who would work with a class of no more than 25 students.

The staff members would help children out of vehicles and after 8:45 AM, all parents would need to park and walk children into the front door (which is off of Memorial Drive). Pick up would also involve staff and parents bringing children to vehicles.

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	13,220 square feet
Lot Frontage	30 feet	123 feet
Floor Area Ratio	4.0 maximum	.44

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

Yard	Required	Provided
Front (North)	0 feet	11 feet
Side (South)	0 feet	37 feet
Corner side (West)	0 feet	26.19 feet
Rear (south lot line)	0 feet	48 feet

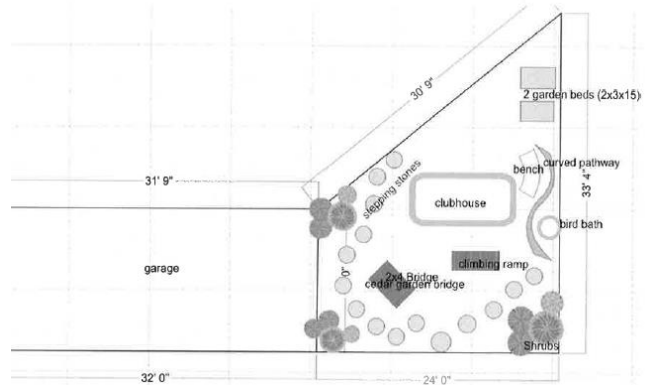
Building design standards (114-Secs. [735.5](#) & [736](#)): The building on the parcel complies with the requirements of 114.735.5.b.1, however this request does not include any new buildings or modifications to the existing building.

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

Use Type	Required	Provided
School	1 per employee (3)	10
Total	3	10

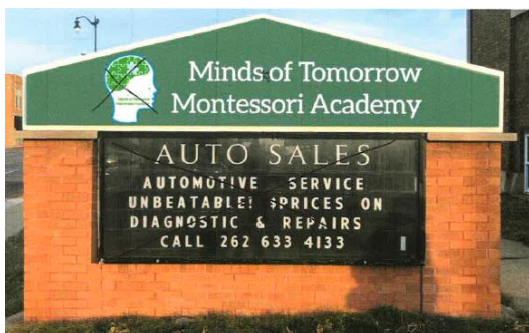
A Building of this size does not require a dedicated loading space; the drive aisle in the parking lot fulfills this requirement.

Landscaping, screening and yard requirements (114- [Article V](#): Article VII, Div. 6 [Development Standards](#) & 7 [Fences and Walls](#)): No landscaping plan has been submitted by the applicant. The lot does have some vegetation at this time, this vegetation will require some maintenance. The site plan does show an area of the parking lot that will be converted from pavement to a garden/playground area. This area is shown to the right. The area features a garden beds, play equipment and bird baths. The space is anticipated to serve as an extension of the classroom and as a learning environment.



The fencing material proposed has been revised since the original submittal and a depiction of the type and style is indicated to the left. This fencing is consistent with the design guidelines and compliments the historic nature of the property and area. The fence would also incorporate a rolling gate to ensure children do not leave the site by their own accord; the playground area will also be enclosed with a fence.

Sign Regulations (114-[Article X](#)): Signage rendering is included below, the plan is to use the existing signage locations on the site; the monument sign in the yard area and over the front door. No other signage on the site is planned at this time.



Sign Type	Allowable Sq. Ft.	Provided Sq. Ft.
Monument	135 square feet	67
Window signs	50% of window area^	N/A
Alleyway Signage	N/A	N/A
Total	135 square feet*	67

*Total size determination would be made based on sizes and types of other signage on the lot. Once 4 or more signs are installed, the total is reduced by 20% with each subsequent sign.

^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](#)): Any existing or proposed exterior lights were not included on the plan. Any exterior lighting needs to comply with this section regardless of plan submittal. Any changes to exterior lights (including new fixtures) does require review and approval, by the Department of City Development prior to installation.

Rubbish and trash storage ([114-Article V](#) & [114-740](#)): A space for a dumpster is included on the site plan, but a trash enclosure is not depicted. Planned materials to screen the dumpster were not submitted. The selected screening method will need to be submitted for review and approved by the Department of City Development, prior to installation.

Engineering, Utilities and Access:

Access ([114-1151](#)): Vehicular access as proposed by the applicant will have vehicles enter off of Washington Avenue and exit on S Memorial Drive. The plan does not include any change to curb cuts. This traffic flow has been reviewed by the City Engineer for this use and no changes are recommended. The drop off and pickup is of interest in that these functions need to occur on private property, as required in the Zoning Ordinance, and not in the right-of-way. A modified parking plan should be provided that illustrates a dual lane drop-off to avoid traffic back-ups onto Washington Avenue during drop-off periods.

A traffic impact analysis has been provided and the City Engineer has reviewed and concurred with the findings. The proposed layout of the site and usage of the property will not result in traffic backups or other issues.

Surface drainage ([114-739](#) & Consult Engineering Dept.): Reuse of the 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 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:

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: The establishment of an educational institution is not expected to be a detriment to the public safety, health or general welfare of the area or community in general. This type of facility, with the recommended conditions, could be an asset to the area and those living in the adjacent neighborhood(s), but community as a whole. This location is easily accessible to the surrounding area and is expected to be an enhancement to the business district, not a detriment. Given the close proximity to residential development to the southwest, the operations are less intensive than many commercial uses in this zone district; this use is expected to serve as a buffer.

- 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: This conditional use is not anticipated to be injurious to other properties in the general area, assuming the recommended conditions are adopted with this request. The recommended conditions ensure this property will not impair property values or the enjoyment of adjacent properties. There is not expected to be any adverse impacts as a result of reusing this building in the manner proposed by the applicant but traffic impact will need to be monitored for the potential of negative impact to Washington Avenue traffic flow; the use is not expected to generate loud noise and is anticipated to fit into the neighborhood, but will serve as a transition from the residential uses to the southwest into the business district.

- 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 proposed conditions with this request help to ensure that development in the area remains consistent and orderly, while accommodating for new land uses. The recommended conditions also ensure that the property is used and has the appearance to that of an office type use (which is permitted in this zone). Business districts are intended for commerce and more active uses;

the hours of operation will meet the intent of the ordinance, which is that non- commercial type uses function as close to commercial establishments as possible.

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 applicant is not contemplating any changes to the access to this site. The nature of this operation is to provide an educational facility. The ingress and egress from the site is expected to be appropriate to handle this demand. With the traffic flowing in one direction it should be adequate to handle the traffic that will be created at times when children will be picked up or dropped off. It should be noted that all drop off and pickup needs to occur on the lot; this nature of the busier streets is that on-street parking and drop off will not be an option.

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

Staff Comments: The land use plan for the City identifies this property as Commercial. This proposed usage is consistent with the objectives of the comprehensive plan and is of a lesser intensity than other uses allowed in this zone district. If the property is utilized as proposed and maintains its hours of operation, it will be generally as active as a lower intensity commercial area. Additionally, this property is adjacent to residential properties and the proposed use helps to provide a buffer.

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: With the recommended conditions, it is expected that this development will operate in accordance with the applicable regulations for this zone district. No exceptions are needed with the request and the proposed development should serve as a buffer to the adjacent residential areas expanding outward and surrounding this business corridor.

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:

- If developed as recommended in the conditions from this report, the site will function in a manner which can be complimentary to the community and this neighborhood.
- The proposed institution will help to provide a mix of uses within walking distance of a business corridor and adjacent residential development, and at a scale and intensity which is complimentary to the neighborhood.

STAFF RECOMMENDATION: BASED ON THE FINDINGS OF FACT IN THIS REPORT, THAT THE REQUEST FROM, MILDRED ZAMORANO-PERRY SEEKING A CONDITIONAL USE PERMIT TO ALLOW A TYPE 1 NON-COMMERRIAL-TYPE USE AT 1407 S MEMORIAL DRIVE BE APPROVED, SUBJECT TO THE FOLLOWING CONDITIONS:

- a) That the plans presented to the Plan Commission on January 23, 2019 be approved subject to the conditions contained herein.
- b) That the following development standards be complied with prior to occupancy unless otherwise noted:
 1. Parking lot spaces be striped in accordance with the sizing requirements of Sec. 114-Article XI; this shall be accomplished by August 1, 2019.
 2. Site be landscaped and maintained as required by Sec. 114-743. Existing vegetation trimmed and specifications for any new plantings and organic materials to be submitted to the Department of City Development and approved prior to installation. Stone or rocks are not allowed.
 3. Submission to and approval by the Department of City Development of plans for the trash storage area which meet all requirements of Sec. 114-740 and 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. A chain link fence with privacy slats shall not fulfill this requirement.
- c) That if, prior to the issuance of an Occupancy Permit, required site improvements listed in b, 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.

- d) That hours of operation 8:30 AM – 12:30 PM Mondays thru Fridays and 12:45 PM – 3:45 PM Monday thru Friday if there is enough demand for an afternoon section.
- e) That any fencing be decorative in nature and not chain link, and that any changes to the proposed fencing on site be submitted to and approved by, the Department of City Development prior to installation.
- f) That this operation shall be monitored for potential sustained negative traffic impacts on Washington Avenue related to pick-up and drop-off times, and if sustained negative impacts are observed, an alternative pick-up and drop-off patterns may be required.
- g) That all codes and ordinances are complied with and required permits acquired.
- h) 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.
- i) 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 - 1407 S. Memorial Drive



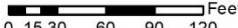


Conditional Use Request - 1407 S. Memorial Drive



 Subject Property
 Notification Area

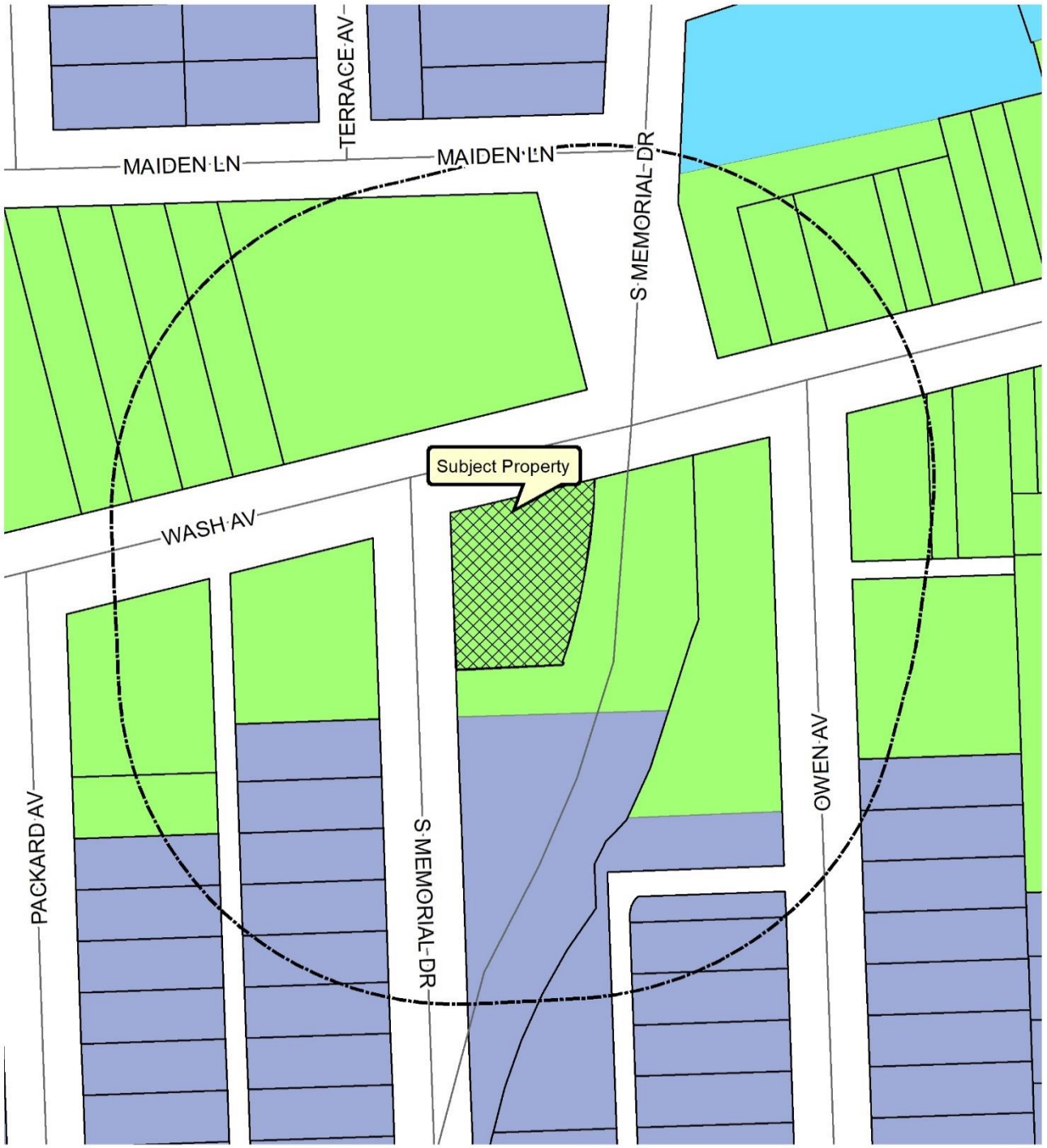
 Street Centerline
 Tax Parcel Boundary

 Feet
0 15 30 60 90 120





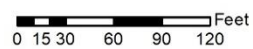
Conditional Use Request - 1407 S. Memorial Drive



Zoning Designation

- B-2
- I-1
- R-3

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





Conditional Use Request - 1407 S. Memorial Drive



Site Photos



property

Looking West along Washington Avenue



property

Looking North from Subject Property



property

Looking Northeast at subject property