



**CITY OF RACINE  
DEPARTMENT OF CITY DEVELOPMENT  
STAFF REPORT**

**Meeting Date:** 12/2/2024

**To:** Mayor and Planning, Heritage and Design Commission Members

**From:** City Development Department, Division of Planning and Redevelopment

**Division Manager:** Steven Madsen – (262) 636-9153 – [steven.madsen@cityofracine.org](mailto:steven.madsen@cityofracine.org)

**Case Manager:** Steven Madsen

**Location:** 801 Wisconsin Ave

**Applicant:** Robert Watring representing Wa-Zar

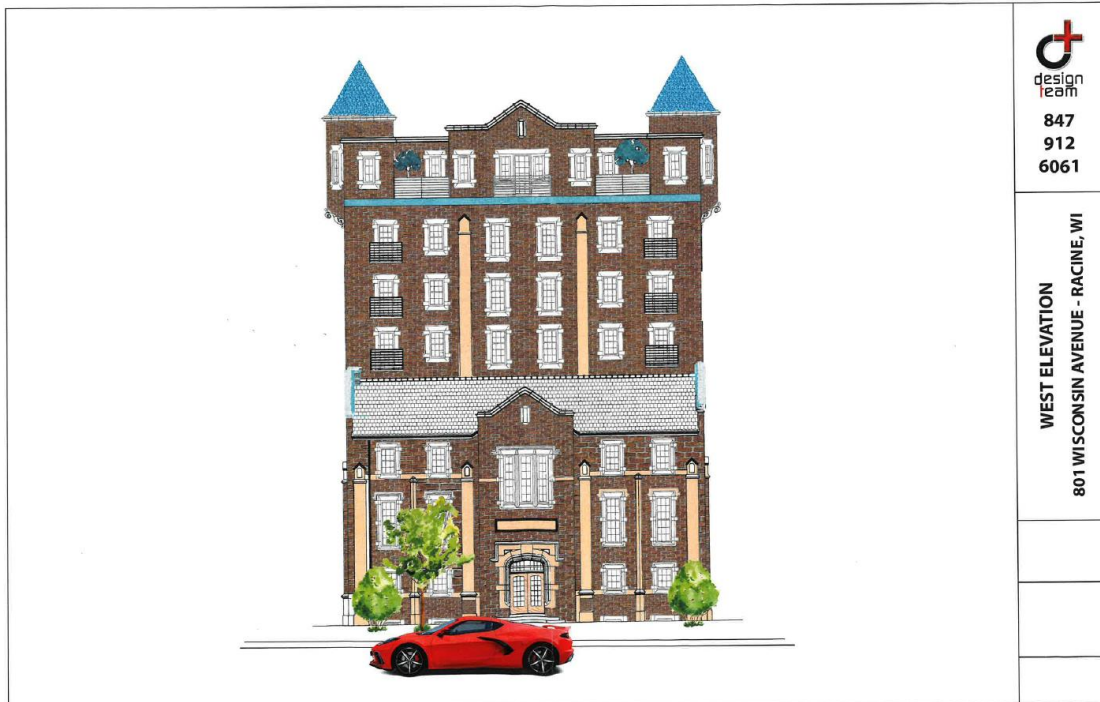
**Property Owner:** Wa-Zar, LLC

**Request:** Consideration of a conditional use permit to allow for a multi-family dwelling at 801 Wisconsin Ave, as allowed by Sec. 114-428 of the Municipal Code.

**BACKGROUND AND SUMMARY:** The application contemplates a building addition that would add 4 floors to a portion of the structure making it a 7-story building. The new floors will be a part of renovating the building to have 18 apartments.



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



Proposed West Elevation (Front elevation facing Wisconsin)



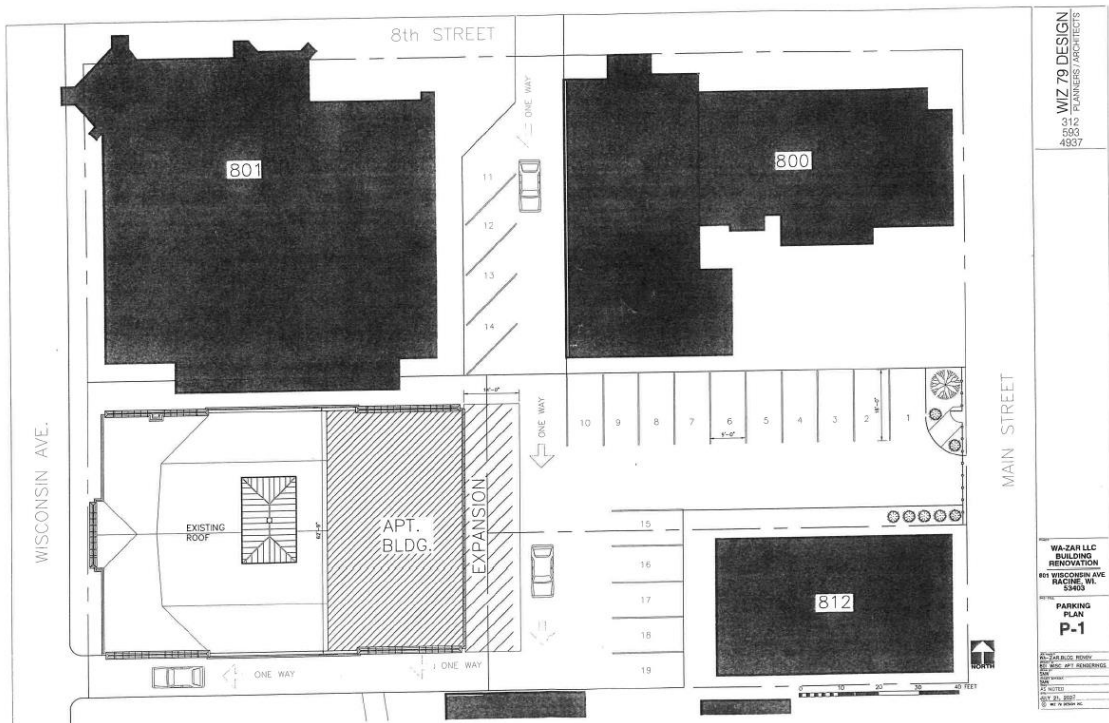
Proposed South Elevation (Side)



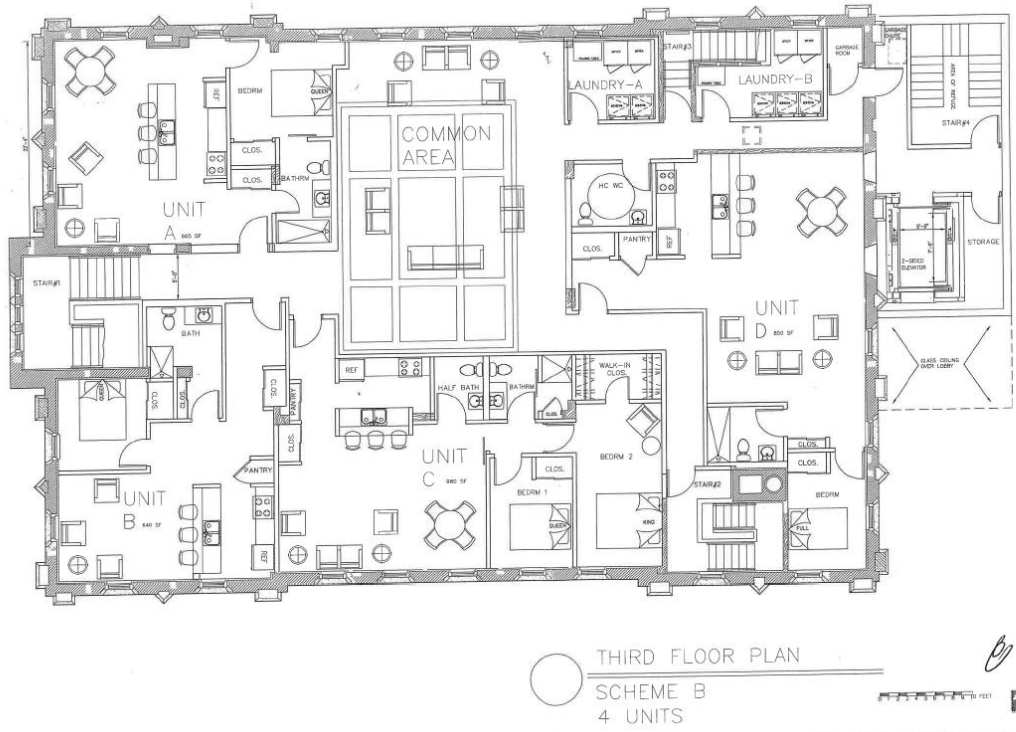
Proposed North Elevation (Side)



Proposed East Elevation (Rear)

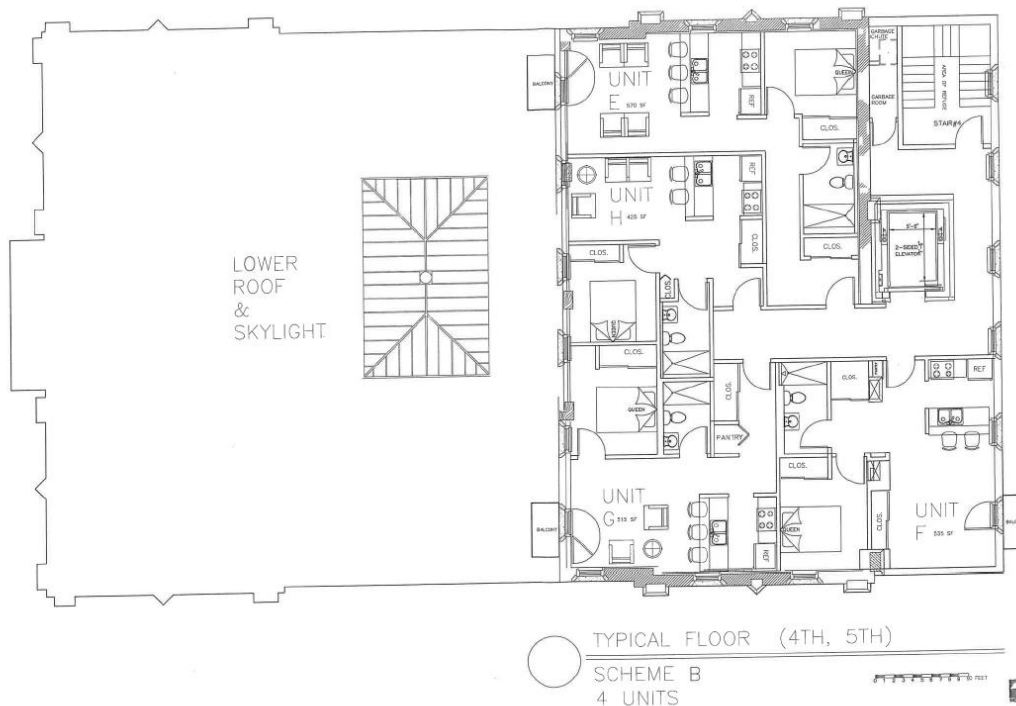


Proposed Site Plan



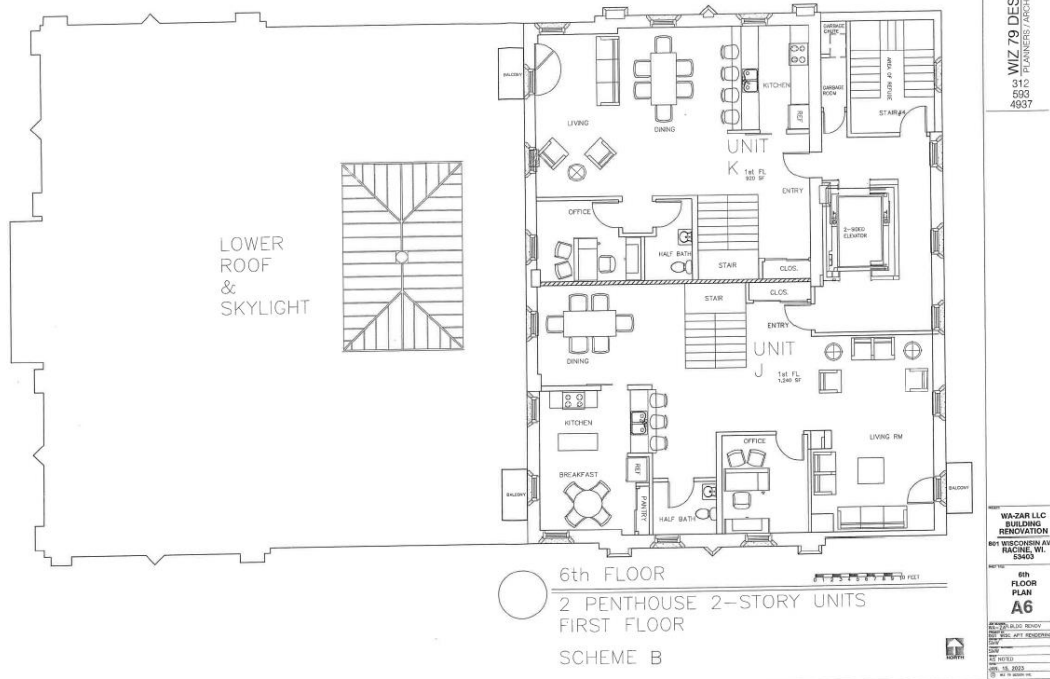
WIZ 79 DESIGN  
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 9/18/23  
 WA-ZAR LLC  
 BUILDING  
 RENOVATION  
 801 WISCONSIN AVE  
 RACINE, WI  
 53403  
 THIRD FLOOR  
 PLAN  
 A3  
 WA-ZAR LLC  
 BUILDING  
 RENOVATION  
 801 WISCONSIN AVE  
 RACINE, WI  
 53403  
 11/18/2023

Proposed Third Floor Plan

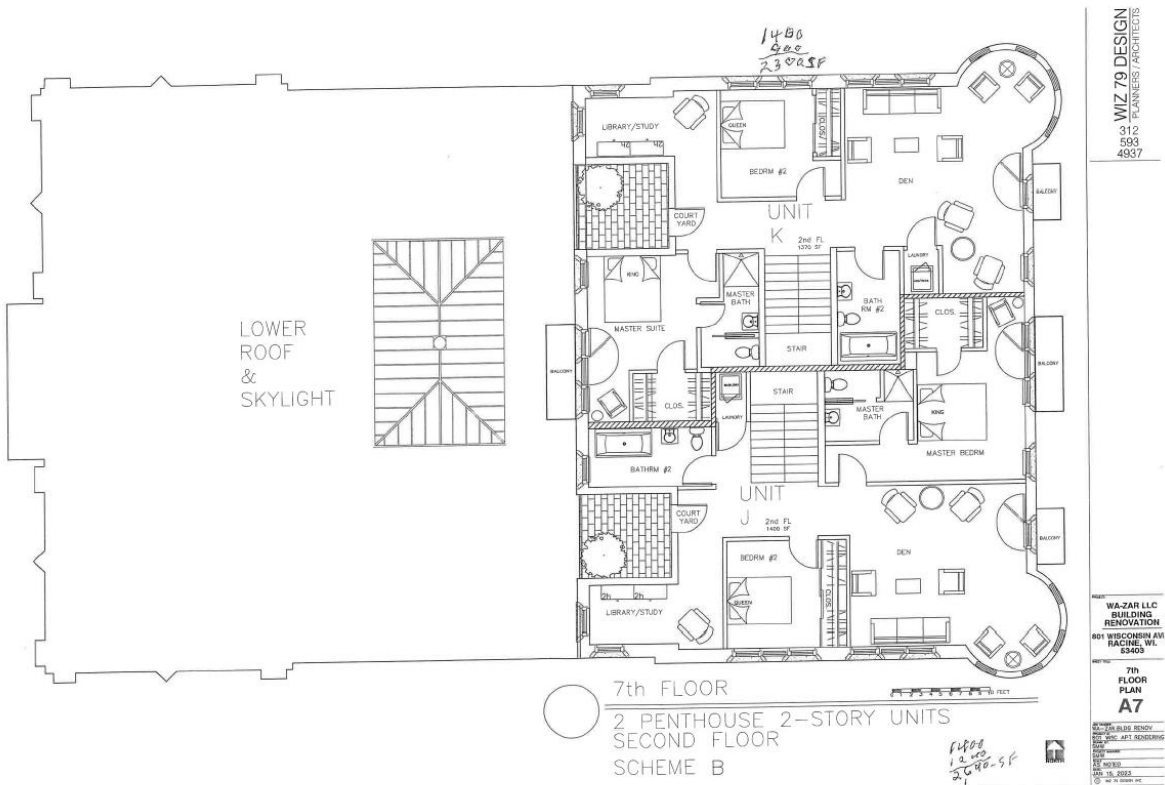


WIZ 79 DESIGN  
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 4TH / 5TH  
 FLOOR  
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 A4  
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 RACINE, WI  
 53403  
 11/18/2023

Proposed Fourth and Fifth Floor Plan



Proposed Sixth Floor Plan



Proposed Seventh Floor Plan

## GENERAL INFORMATION

**Parcel Number:** 00457000

**Property Size:** 18,040 square feet

**Comprehensive Plan Map Designation:** Governmental and Institutional

**Consistency with Adopted Plans:**

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

- 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?:** Downtown Area Design Review District

**Historic?:** Southside Historic District

**Current Zoning District:** O/I Office/Institutional

**Purpose of Zone District:** The O-I office/institutional district is designed primarily to accommodate office buildings, civic and governmental structures, and educational and institutional buildings in a mutually compatible environment. Compatible apartment structures may be allowed by conditional use permit.

**Proposed Zoning:** No change proposed

**Existing Land Use:** Vacant

**Surrounding Zoning and Land Uses:**

|              |                          |                    |
|--------------|--------------------------|--------------------|
| <b>North</b> | B-4 Central Business     | Jail               |
| <b>East</b>  | O/I Office/Institutional | Offices            |
| <b>South</b> | O/I Office/Institutional | Apartments/Offices |
| <b>West</b>  | O/I Office/Institutional | Offices            |

## ANALYSIS:

Development Standards:

**Density** ([114-Article V](#): Article VII, Div. 5 [Bulk Regulations](#) & 8 [Lots](#)):

| Standard         | Required           | Provided           |
|------------------|--------------------|--------------------|
| Lot Area         | 18,000 square feet | 18,034 square feet |
| Lot Frontage     | 100 feet           | 160 feet           |
| Floor Area Ratio | 2.5 maximum        | 2.22               |

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

| Yard         | Required | Provided |
|--------------|----------|----------|
| Front (West) | 25 feet  | 0 feet   |
| Side (South) | 8 feet   | 13 feet  |
| Side (North) | 15 feet  | 5 feet   |
| Rear (East)  | 30 feet  | 50 feet  |

The buildings predate the code and are considered legal non-conforming.

**Building design standards** (114-Secs. [735.5](#) & [736](#)): The proposed addition would meet the standards of the code and is subject to downtown design review. We would require material samples to see how close the exterior of the addition would be to the original building.

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

| Use Type  | Required   | Provided  |
|-----------|------------|-----------|
| Dwellings | 27 spaces  | 19 spaces |
| Total     | 27 spaces* | 19 spaces |

A building of this size does not require a dedicated loading space.

\* A proposed use for the first two floors and of the second structure are not a part of this calculation. If the remaining building floor area in this structure and the assembly space were to go back into use the required parking would increase.

**Landscaping, screening and yard requirements** ([114- Article V](#): Article VII, Div. 6 [Development Standards](#) & 7 [Fences and Walls](#)): Since there are no single family or two family uses on nearby parcels this use does not require screening.

**Sign Regulations** (114-[Article X](#)): There is no signage as a part of this request.

**Outdoor lighting, signs** ([114-Sec. 742](#)): The applicant is not proposing any changing to lighting.



**Rubbish and trash storage** ([114-Article V](#) & [114-740](#)): The use is not proposing any changes to trash storage. There is currently no space for a trash enclosure on the property. All trash would have to be stored inside until the time of trash collection.

**Engineering, Utilities and Access:**

**Access** ([114-1151](#)): Proposed Access would be off of 8<sup>th</sup> Street and would exit onto Wisconsin Ave. There would be no access off Main Street.

**Surface drainage** ([114-739](#) & Consult Engineering Dept.): There will be an increase in impervious surface and if approved may require a stormwater management plan when paving permits are requested.

**Sewage disposal and water supply** ([114-821](#) & Consult Engineering and S/W Utility): There is sewer and water service to the building. If approved water and waster water utilities would be consulted to determine if an increase of service is necessary.

**Exceptions to ordinance:** An exception of 8 parking spaces would be required for the proposal currently being reviewed. The existing parcel contains two buildings which substantial portions of remain unprogrammed and thus have no parking requirements at this time. When those portions of the existing building area be programmed, the parking requirements under the existing ordinance requirements would go up between 40 and 80 spaces depending on use and layout.

**Additional Planning and Zoning Comments:** It should be noted that immediately across the street and moving northerly is zoned B-4 Central Business and the properties there enjoy no required off street parking. The general area is home to an eclectic mix of uses and building types as a result of the age of the buildings and the economics of land values when the area was originally developed. This general area does not provide off-street parking in the requirements prescribed by the zoning ordinance. That said, this property is generally the most built out in terms of scale and intensity when compared to others.

The proposal seeks to add building area to a property that cannot provide any off-street parking beyond what is shown on the site plan. Unless a parking structure or demolition is planned, the site plan submitted by the applicant shows all the off-street parking this property can contain. The current underutilized assembly space (former religious institution) if programmed to a similar use, would require at least 30 off-street parking spaces; additionally, the use of the first two floors of the building subject to this request are currently vacant and would require at least 10 additional spaces if they are not programmed for the residential development subject to this application.

Even if some of this were provided off-street, it would be physically impossible under current conditions to meet all the demand, required by the zoning ordinance or not, off-street. This will push all the demand to street parking, which due to historical development patterns and intensities, is already hard to come by in this area. That isn't to say residential development is inappropriate at this property, but adding more building square footage isn't the best way to achieve that result.

## **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: This request to add residential dwelling units to the property in and of itself would not endanger the general safety, welfare or comfort of the general area. In and around the downtown areas within the city are historically where residents in the community have resided since Racine was created. The proposal to add onto this building to arrive at that end usage is where the proposal becomes more problematic. Adding the residential dwelling units to the property is consistent and encouraged by the city's comprehensive plan and land use framework both historically and in terms of present land economics.

- 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 usage itself contemplated with this application is not expected to be injurious to enjoyment or use of other properties in the immediate vicinity. In fact, within this block and others nearby, are home to dwelling units and have been for many decades. The proposal by the applicant to add square footage to the existing building footprint will exacerbate the problems with availability of on-street parking in the area. The downtown is just to the north and has many civic and cultural institutions which have limited or no off-street parking; as a result, these vehicles park on street in areas immediately surrounding the downtown.

This proposal to add more building area on a parcel which already has limited off-street parking spaces would immediately pressure the availability of on-street parking when the unprogrammed space (assembly area and two unutilized floors of this property) becomes occupied. The proposal to add an addition to this property is what makes the proposal injurious to the other properties in the area.

- 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: Having dwellings present on this property is not expected to impede the normal or orderly development of the area. This area has had dwellings on properties since Racine came into existence and the mix of uses in this area is nothing out of the ordinary from anticipated future and past development patterns. Normal and orderly development could be impeded if developments are allowed to expand building area, without providing off-street parking. If the applicant were able to

meet the entire parking demand for the proposed use on this parcel, a path forward on the remaining undeveloped space could develop. As the proposal stands, the assembly space, and two entire floors of the building subject to this request, have no parking, and the proposed development is short eight spaces based on current requirements. Areas immediately adjacent to a downtown typically have limited on and off-street parking but adding building square footage on a parcel in this scenario will certainly have immediate impacts on parking availability, which will impact development patterns.

**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. Adding this use to the parcel is not substantially different than uses of surrounding parcels and the area infrastructure from a utility standpoint would be able to support this proposal.

**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 general area is likely to see increased demand for parking, perhaps not right away, but at some point, the assembly use and the other two floors of the building subject to this request, are expected to be occupied. At that point, the demand for parking given reliance on private automobile for travel, would immediately multiply for uses on this property. Being 40-60 off-street parking spaces short upon full buildout/occupancy, would certainly create congestion on public streets.

**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 calls for the continued reuse of commercial areas with existing infrastructure. The usage itself is not contrary to the objectives of the land use plan for the city and generally would be encouraged.

**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: An exception for parking will be required for the application as submitted by the applicant, to be approved. The PHDC could grant an exception for the eight spaces and take up the rest of the building square footage if/when it has a permanent use in the future, or at this time. If an exception of any sort is not granted, this proposal would not meet the requirements of the zoning ordinance.

## DESIGN REVIEW AND HISTORIC PRESERVATION CONSIDERATIONS

This property does fall within the downtown design review area and is subject to the [downtown design guidelines](#). Within this document the following is noted:

Use Architectural Contrast Wisely, Page 14 – “Contrast is essential to creating an interesting urban environment. Used sparingly on significant buildings, contrast can provide focus and drama, announce a socially important public use and help define and organize individual districts and downtown as a whole.” Under inappropriate, this section states: “Building projects that differ radically from their neighbors in material use, form, color or massing.” Additionally, “A downtown in which many buildings look very different from each other can produce visual chaos.”

- The proposed building addition in terms of massing is generally consistent with properties in the downtown area. That said, the turrets are a radical difference from the architecture of the surrounding area given their overall height and juxtaposition from adjacent building styles.

Wall Structure, Page 37 – “Use scale-defining devices to break up the longitudinal dimensions of buildings, creating a comfortable sense of enclosure by establishing an uninterrupted street edge.” As appropriate, this section states: “Tripartite facade division – base, middle and top for taller buildings (over three stories).”

- This proposed building addition replicates the same design (that of the historical building on the site already) over all floors. The top is discernable from the bottom, but there is not much variability or separability as recommended in the design guidelines to establish a top, middle, and bottom.

From a historic preservation perspective, this property is listed as contributing to the [southside historic district](#) when it was created in 1977. Gorton Hall, the building subject to the proposed renovation was constructed in 1917 and is also included in the determination as a contributing structure based on the [State of Wisconsin historical property record](#). While this property is not designated a local historic district and subject to the provisions of Municipal Code Sec. 58, the purpose and intent of the design review section is to also apply principles of historic preservation as a part of the design review.

The Secretary of the Interior (SOI) publishes [Standards for the Treatment of Historic Properties](#) which prescribe the best ways and methods to preserve historic properties. As a part of these standards, preservation briefs provide updates and guidance on particular methods and projects. [Preservation Brief 14](#) is titled, “New Exterior Additions to Historic buildings: Preservation Concerns.”

- The intent of this Preservation Brief is to provide guidance to owners, architects and developers on how to design a compatible new addition, including a rooftop addition, to a historic building. A new addition to a historic building should preserve the

building's historic character. To accomplish this and meet the Secretary of the Interior's Standards for Rehabilitation, a new addition should:

- Preserve significant historic materials, features and form;
- Be compatible; and
- Be differentiated from the historic building.
- Specifically related to rooftop additions: “Generally, a rooftop addition should not be more than one story in height to minimize its visibility and its impact on the proportion and profile of the historic building. A rooftop addition should almost always be set back at least one full bay from the primary elevation of the building, as well as from the other elevations if the building is free-standing or highly visible.”

The proposed addition is four stories and is proposed to be built in a way which is highly visible; no matter how this addition is done, it will be highly visible. The preservation brief in how it is worded, doesn't appear to support or encourage an addition of this scale on a historic building. Of clear statement in the preservation brief, the new addition is not differentiated from that of the historical building. The renderings suggest the building will mimic and attempt to replicate the features and elements of the existing building. Certainly, the construction method will be different than how the building was initially constructed, but the intent of the development, based on the renderings, is to have this building mimic the features of the existing historical building, which is not advisable.

## **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, subject to the consent of the applicant.
5. Defer with a continuance of the public hearing to a date certain, subject to the consent of the applicant.

**STAFF RECOMMENDATION:** BASED ON THE FINDINGS OF FACT IN THIS REPORT, THAT THE REQUEST FROM ROBERT WATRING OF WA ZAR, SEEKING A CONDITIONAL USE PERMIT FOR A MULTI-FAMILY DEVELOPMENT AT 801 WISCONSIN AVENUE BE DENIED.

## **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).

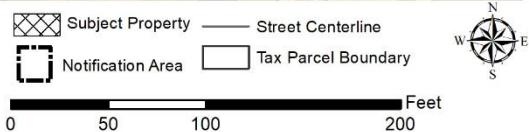


# Conditional Use Permit - 801 Wisconsin Avenue





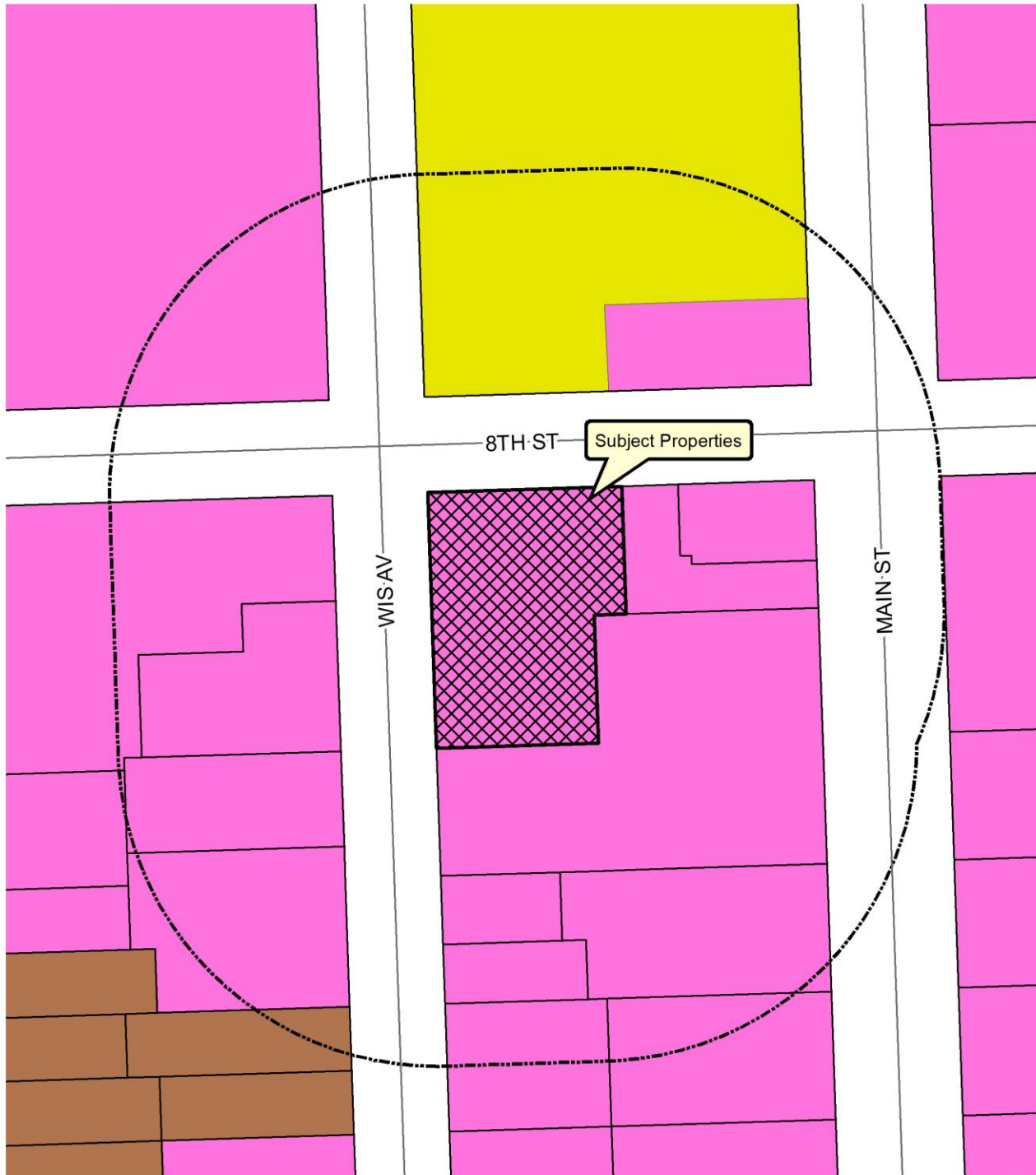
# Conditional Use Permit - 801 Wisconsin Avenue











# Conditional Use Permit - 801 Wisconsin Avenue




### Zoning Designation

- O/I
- R-4
- B-4

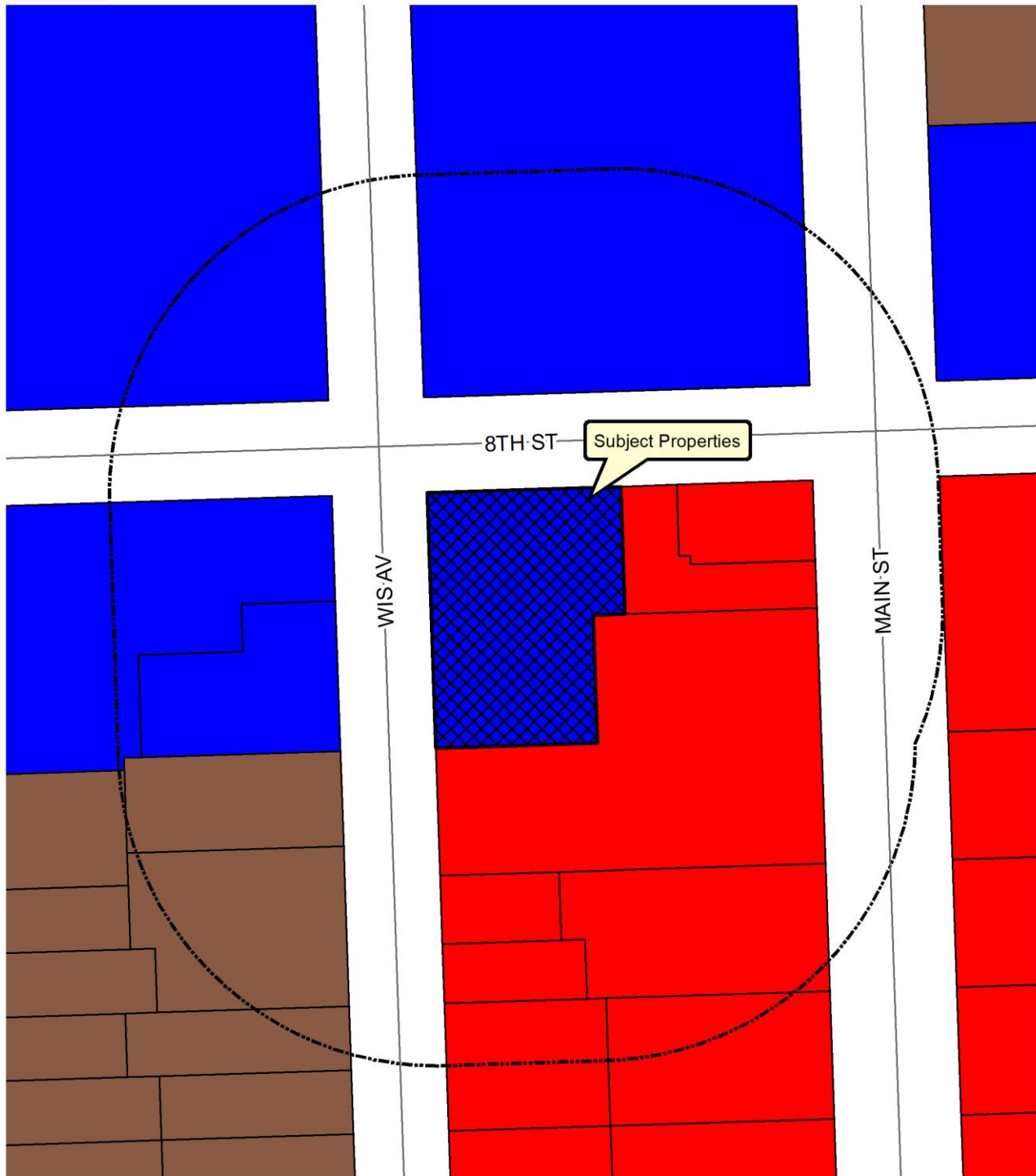
|   |   |
|---|---|
|  Subject Property  |  Street Centerline   |
|  Notification Area |  Tax Parcel Boundary |

0 50 100 200 Feet





# Conditional Use Permit - 801 Wisconsin Avenue



### Land Use Designation

- Governmental and Institutional
- High Density Residential
- Commercial

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



Site Photos



Looking East at subject property



Looking North at subject property



Looking North at rear of building



Looking East at Church structure