



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

**Meeting Date:** 6/10/2020

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

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

**Division Manager:** Matt Sadowski – (262) 636-9152 [matthew.sadowski@cityofracine.org](mailto:matthew.sadowski@cityofracine.org)

**Case Manager:** Jeff Hintz

**Location:** 2925 Rapids Drive, located approximately 350 feet east from the intersection of Rapids Drive and Golf Avenue

**Applicant:** Bradley and Michelle Hardy

**Property Owner:** ROCCO LITRENTA REV TRUST

**Request:** Consideration of a conditional use permit to operate a Group daycare center for children at 2925 Rapids Drive, for property located in a B-2 Community Shopping Zone District as required in section [114-468](#) of the Municipal Code.

**BACKGROUND AND SUMMARY:** The building would be renovated for use as a childcare facility which would be occupied by up to 20 children under age seven (7). The facility will be licensed by the State of Wisconsin and be staffed as required by law. The facility would be open from 6:00 AM to 6:00 PM daily. Additional fencing is proposed for the rear of the building to create a play and exercise area for the children at the facility.

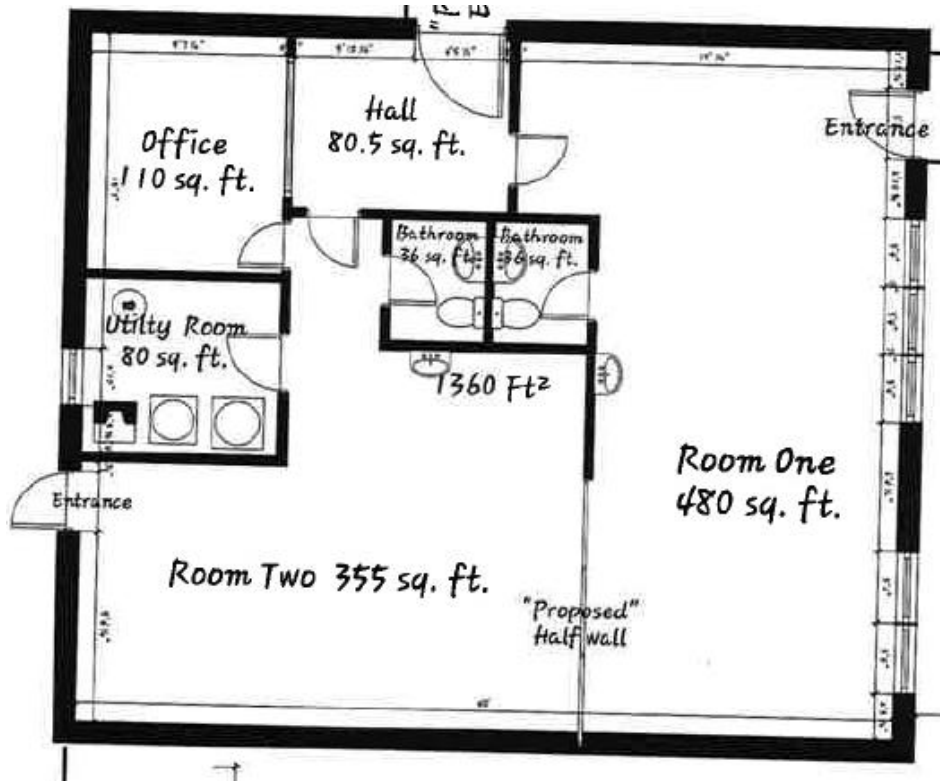
The Zoning Ordinance classifies this group daycare center for children as permissible in the B-2 Community Shopping Zone District upon the issuance of a conditional use permit (114-468).



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



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



Building floorplan, submitted by applicant; north is to the right.

## GENERAL INFORMATION

**Parcel Number:** [276000021195025](#)

**Property Size:** 12,077 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.
- 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.

- Promote the expansion or stabilization of the current economic base and the creation of a range of employment opportunities.

**Corridor or Special Design District?:** N/A

**Historic?:** N/A

**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:** Former beauty salon which has ceased operations.

**Surrounding Zoning and Land Uses:**

<b>North</b>	I-1 Restricted Industrial	Factory and warehousing facility
<b>East</b>	B-2 Community Shopping	Veterinary clinic
<b>South</b>	R-2 Single Family Residence	Single unit dwellings
<b>West</b>	B-2 Community Shopping	Automobile service operation

**Operations:** The building would be renovated for use as a childcare facility which would be occupied by up to 20 children under age seven (7). The facility will be licensed by the State of Wisconsin and be staffed as required by law. The facility would be open from 6:00 AM to 6:00 PM daily. Additional fencing is proposed for the rear of the building to create a play and exercise area for the children at the facility.

## 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.

<b>Standard</b>	<b>Required</b>	<b>Provided</b>
Lot Area	No minimum	12,077 square feet
Lot Frontage	30 feet	115 feet
Floor Area Ratio	4.0 maximum	.11

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

Yard	Required	Provided
Front	0 Feet	20 feet
Side (west)	0 Feet	65 feet
Side (east)	0 feet	10 feet
Rear (south)	20 Feet	34 feet

The B-2 district requires that structures within 100 feet of a residential property be screened by a wall, fence or densely planted hedge.

**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 exterior of the existing building.

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

Use Type	Required	Provided
Daycare	4	19
Total	4	19

A Building of this size does not require a dedicated loading space. Given the proposed function of the facility, the loading and unloading of children will occur and the applicant has proposed enough parking spaces to meet the requirements and demand.

**Landscaping, screening and yard requirements** ([114- Article V](#): Article VII, Div. 6 [Development Standards](#) & 7 [Fences and Walls](#)): 114-470 (b) requires screening to the south because this commercial building is within 100 feet of a residence district boundary line. 114-450(b)(1) requires Landscape screening by trees or compact hedge between five and eight feet of at least 25 percent opacity shall be provided along the southern and western edge of the property.

**Sign Regulations** (114-[Article X](#)): Signage is not a part of this request. Any future signage would need to follow the sizing requirements outlined below.

Sign Type	Allowable Sq. Ft.	Provided Sq. Ft.
Projecting/Wall/Freestanding	115 square feet	4
Window signs	50% of window area^	N/A
Alleyway Signage	N/A	N/A
Total	115 square feet	4

^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](#)): The submitted plans do not contemplate any changes to the exterior lighting on the site. The existing lighting appears to conform to development standards.

**Rubbish and trash storage** ([114-Article V](#) & [114-740](#)): A trash enclosure is depicted on the site plan and is in a location which complies with development standards. Planning staff does need to review the screening materials prior to installation to ensure compliance with requirements.



**Engineering, Utilities and Access:**

**Access** ([114-1151](#)): Vehicular access to the site is provided from a driveway off Rapids Drive. The site plan submitted by the applicant does not contemplate any changes to access.

**Surface drainage** ([114-739](#) & Consult Engineering Dept.): Change of use within the existing 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:** N/A

**Additional Planning and Zoning Comments:** This is a use which is much less intensive traffic wise and intensity wise, than other uses which would be allowed by right to locate on the parcel. With some minor changes to the existing fencing along the southern property line, this proposal complies with all development standards.

**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: With the recommended conditions at the end of this report, the establishment of the Conditional Use is not expected to be detrimental public safety and general welfare. The day care center is consistent with the commercial zoning and land use plan designation for the property. The operation of a day care facility is not anticipated to create nuisances for the general public or adjacent land owners. The hours are limited and are generally keeping with what is accepted as normal working hours. Evening nuisance is not expected to be an issue with the proposed usage of the building.

- 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. The nature of the business is one which could be seen as an amenity by those with young children in the area in need of a location for supervision while away from home.

**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 proposed daycare facility is not expected to impede development patterns in the area through the reuse of this existing building. The proposed conditions with this request help to ensure that development in the area remains consistent and orderly, while accommodating for new land uses. This is a business district and the properties fronting Rapids Drive in this area are generally residential and as such, a facility of this nature fits within this mix. The operation is not expected to interfere with future business growth or the enjoyment of the adjacent residential uses.

**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 use 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 business is to provide an in and out type drop-off of children. The ingress and egress from the site is expected to be appropriate to handle this demand. The applicant has proposed all drop-offs to occur on the site and has well over what the ordinance requires for parking; that being said, their proposal for 19 spaces for a capacity of 20 children is appropriate, even when considering staff members will occupy some of the spaces.

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

Staff Comments: While a day care facility is not a retail service that would have the reach of a general retailer, the proposed use does compliment the neighborhood. The plan designation of commercial and the actual development in this general area can accommodate a mix of uses which a day care fits in with. The mix of uses is commercial in nature and adding this day care would fit the designation on the land use map as well as the objectives of the comprehensive plan.

- 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 for this development to meet all development standards for this site.

## **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.
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 BRADLEY AND MICHELLE HARDY, SEEKING CONDITIONAL USE PERMIT TO OPERATE A GROUP DAYCARE CENTER FOR CHILDREN AT 2925 RAPIDS DRIVE BE APPROVED, SUBJECT TO THE FOLLOWING CONDITIONS:

- a) That the plans presented to the Planning, Heritage, and Design Commission on June 10, 2020 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; the staffing levels for a daycare center as required by the State of Wisconsin are met or exceeded at all times.
- c) That all of the following occur prior to occupancy, unless otherwise noted:
  1. That a valid operator's license from the State of Wisconsin for a daycare center be submitted to the Department of City Development.
  2. That required screening along the southern property line be installed no later than August 31, 2020. Plans for screening to be submitted to and approved by the Department of City Development prior to occupancy.
  3. That details of the proposed trash enclosure be submitted to and approved by the Department of City Development prior to construction.



4. That striping of the lot occur as required by Sec. 114-Article XI prior to August 31, 2020.
- d) That if, prior to the issuance of an Occupancy Permit, required site improvements listed in “c” 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.
- e) That hours of operation are 6:00 AM– 6:00 PM daily.
- f) That all codes and ordinances are complied with and required permits acquired.
- g) 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.
- h) 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 (view in legistar).

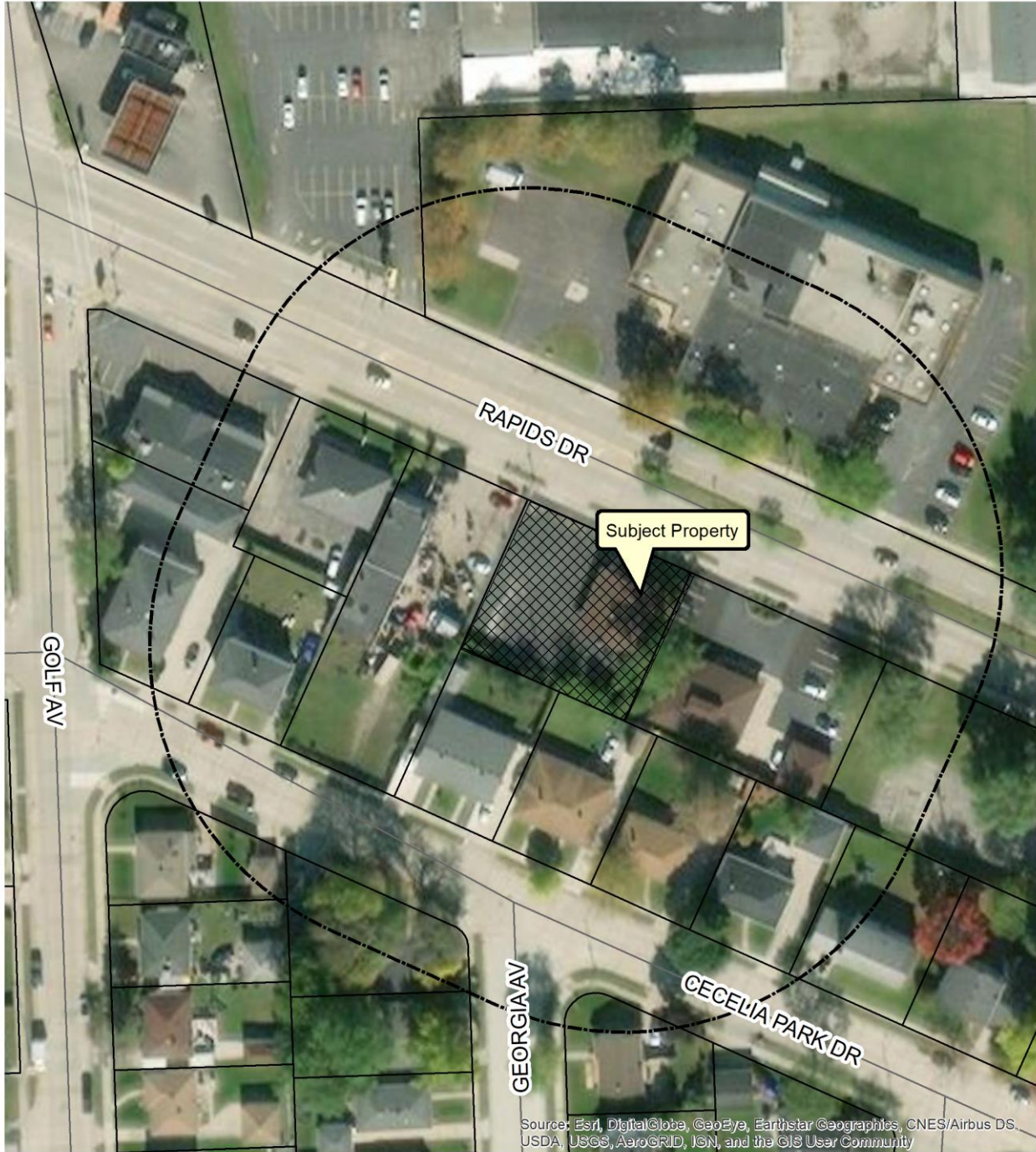


# Conditional Use Request - 2925 Rapids Drive

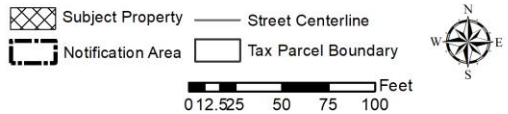




# Conditional Use Request - 2925 Rapids Drive



Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community





# Conditional Use Request - 2925 Rapids Drive



### Zoning Designation

- R-2
- R-3
- R-5
- B-1
- B-2
- B-3
- I-1

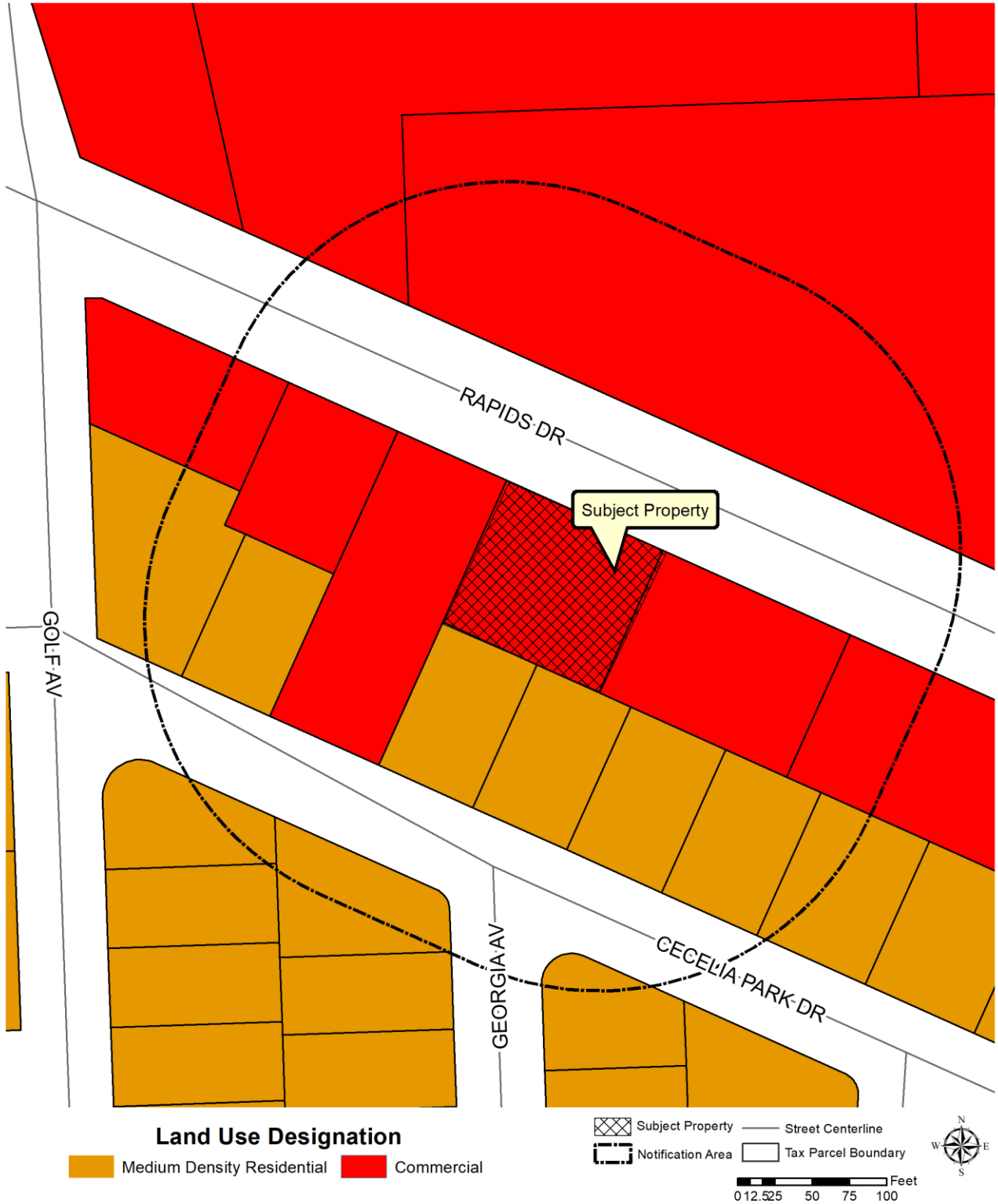
Subject Property (cross-hatch pattern)  
Notification Area (dashed line)  
Street Centerline (solid line)  
Tax Parcel Boundary (solid line)

0 12.525 50 75 100 Feet





# Conditional Use Request - 2925 Rapids Drive



### Site Photos



Looking south at the subject property from Rapids Drive



Looking west along Rapids Drive



Looking north from the subject property



Looking east along Rapids Drive



Looking at parking area from proposed playground location



Looking east at proposed play area at rear of building