



CITY OF RACINE DEPARTMENT OF CITY DEVELOPMENT STAFF REPORT

Meeting Date: 1/31/2018

To: Mayor and Planning 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: 318 Main Street, approximately 220 feet south of the intersection of Main Street and Third Street

Applicant: Robert Osborne and Vera Scekcic – DBA SOMINA LLC

Agent: Richard Christensen – ARC Architectural Group LLC

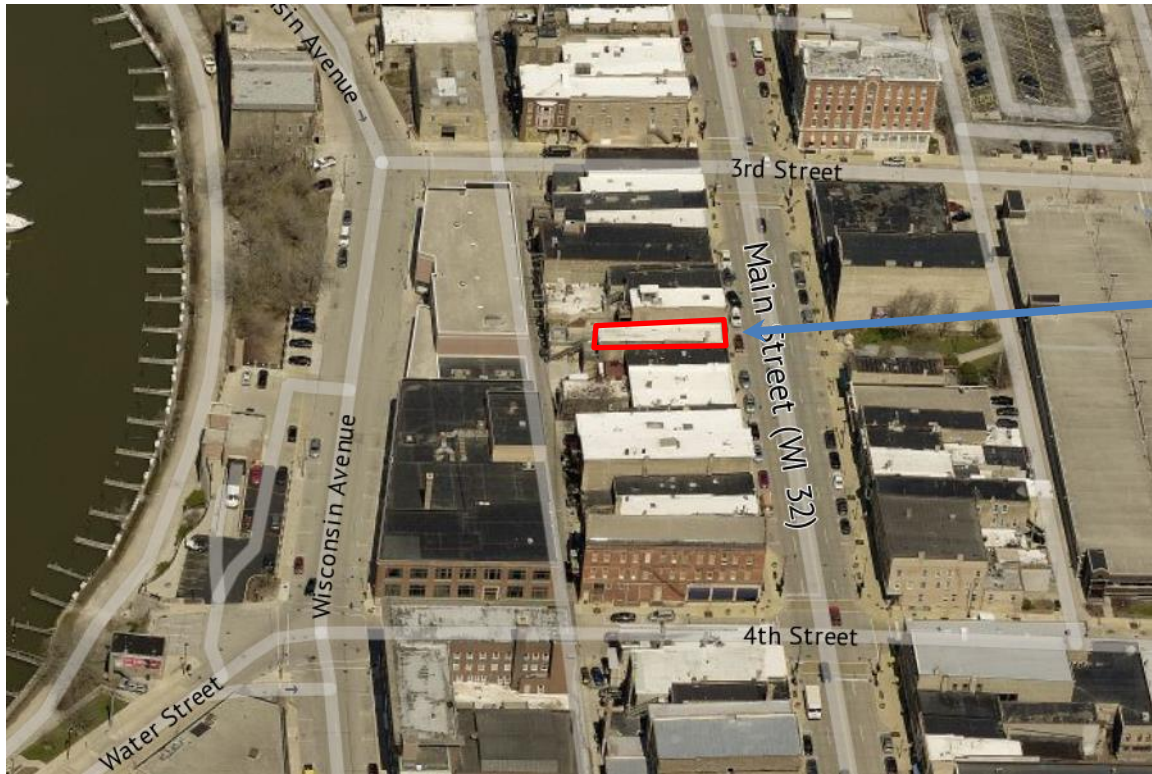
Property Owner: SOMINA LLC

Request: Consideration of a conditional use permit to operate a live/work unit, on the ground floor of an existing building at 318 Main Street for property located in a B-4 Central Business Zone District as required in section [114-508](#) of the Municipal Code.

Note: The Municipal Code Section 114-508 refers back to 114-468, which refers back to 114-448 (15) where, “Dwelling units below the second floor” is listed.

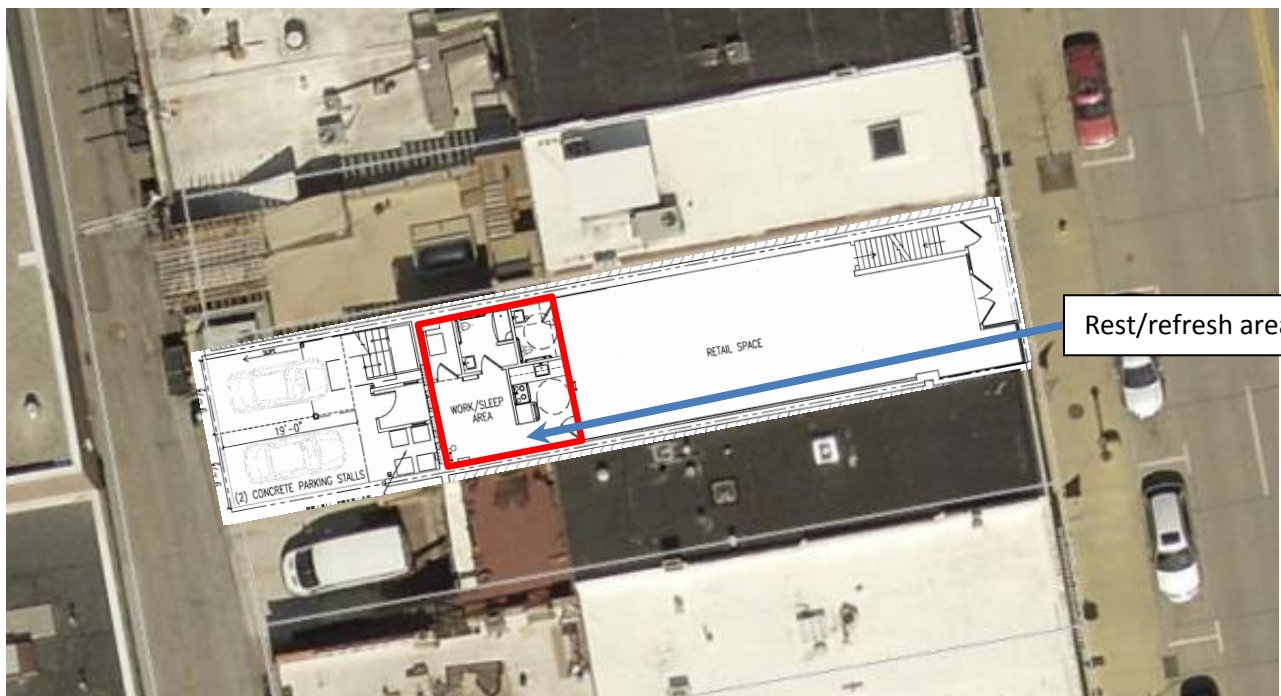
BACKGROUND AND SUMMARY: The applicant seeks to have a space at the rear of the existing building to provide a rest/refresh area and private working space for a future tenant of the shop area. The rest and refresh space is approximately 286 square feet of the building’s total area of 1,670 square feet; the area is not intended as an independent apartment unit. The second floor of this building currently is a residential apartment and is currently being renovated. Tenants for either floor of this building have not been identified at this time.

The Zoning Ordinance classifies Dwelling units below the second floor as permissible in the B-4 Central Business Zone District upon the issuance of a conditional use permit (114-508).



Subject property

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



Rest/refresh area

Site plan for the property with interior layout, rest/refresh area highlighted in red.

GENERAL INFORMATION

Parcel Number: [00112000](#)

Property Size: 2,240 square feet

Comprehensive Plan Map Designation: MIXED USE - COMMERCIAL AND RESIDENTIAL (Commercial emphasis).

Consistency with Adopted Plans: The [Downtown Plan](#) calls for this area to be primarily retail and applicable objectives to this proposal include:

- Developing active storefronts that are open and inviting, and uninterrupted by incompatible uses at the ground floor.
- Recommended actions include recruiting more restaurants, specialty shops and galleries as well as everyday neighborhood businesses.

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.
- Support the full range and variety of housing structure types, including single-, two-, and multi-family, accessory, and live/work dwellings, at flexible densities, as appropriate, including mixed-use development patterns.

Corridor or Special Design District?: Downtown Area Design Review District

Historic?: Old Main Street Historic District on the National Register of Historic Places

Current Zoning District: B-4 Central Business

Purpose of Zone District: The B4 central business district is intended to accommodate those retail and office uses which are characteristic of the major shopping streets of the downtown area of the city, and discourage uses which detract from, or are incompatible with, pedestrian and shopping oriented traffic

Proposed Zoning: No change proposed

Existing Land Use: Storefront/mercantile space on the first floor with second floor living unit.

Surrounding Zoning and Land Uses:

North	B-4 Central Business	Restaurant/pub
East	B-4 Central Business	Main Street and Crosswalk Park
South	B-4 Central Business	Pottery store
West	B-4 Central Business	Alleyway and news media office

Operations: Hours of use and employees for the retail/mercantile space will be identified at the time a tenant is secured.

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	2,240
Lot Frontage	30 feet	20
Floor Area Ratio	8.0 maximum	1.77

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

Yard	Required	Provided
Front	0 feet	0 feet
Side	0 feet	0 feet
Other side	0 feet	0 feet
Rear	0 feet	29 feet

Building design standards (114-Secs. [735.5](#) & [736](#)): The building exists presently and no changes are planned to the exterior. The composition of this building complies with the requirements of this section as it is constructed from brick on each façade.

Off-street parking and loading requirements (114- [Article XI](#)) : Off-street parking is not required in the B-4 Central Business Zone District per [114-1147](#) of the Municipal Code.

Landscaping, screening and yard requirements ([114- Article V](#): Article VII, Div. 6 [Development Standards](#) & 7 [Fences and Walls](#)): Landscaping and screening are not required on properties adjacent to one another in the B-4 Zone district. There are no yard requirements

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

Sign Type	Allowable Sq. Ft.	Provided Sq. Ft.
Projecting Sign/Banner	9 square feet	N/A
Wall or Window signs	40 square feet	N/A
Alleyway Signage	12 square feet	N/A
Total	61 square feet	

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 which does not direct radiation or glare onto adjacent properties.

Rubbish and trash storage ([114-Article V](#) & [114-740](#)): The location of the trash storage complies with the requirements. The submitted plans do not indicate a door or gate on the wall which would screen the area from public view. This will need to be provided to comply with the requirements.

Engineering, Utilities and Access:

Access ([114-1151](#)): Vehicular access to the site is provided from the alleyway. Based on the submitted site plan, the applicant is not proposing changes to the access at this time.

Surface drainage ([114-739](#) & Consult Engineering Dept.): The changes to the interior of the building are not expected to impact the surface drainage of this lot. The rear of the lot has an area of approximately 100 square feet being converted to parking; an area of this size is not expected to alter the surface drainage of the 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 to add a kitchen to this building is not expected to impact the ability of any utility to serve customers. Depending upon employees and hours of operation, a Residential Equivalency Change (REC) fee may be required; the City offers a grant program to assist with this cost the applicant would be encouraged to apply for if applicable.

Exceptions to ordinance: An exception from [114-514](#) which requires 60 square feet of usable leisure space per dwelling unit. Upon review of the plans, the applicant has not provided this leisure space for either dwelling unit on the property.

Additional Planning and Zoning Comments:

B-4 Additional Requirements: Any development or structures in the B4 district devoted in whole or in part to residential use shall provide a minimum of 60 square feet of usable leisure space per dwelling unit. The

REQUIRED FINDINGS OF FACT:

CONDITIONAL USE FINDINGS (Sec. 114-154. – Standards.)

No Conditional Use shall be recommended by the Planning 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: Ground floor living units should be discouraged in business districts due to the potential for incompatible hours of operation and general usage of the area, however, this proposal calls for the creation of a space which is much smaller than typical efficiency apartments. The space is truly intended as a resting space for a shopkeeper and not as a living unit and is located at the very rear of the property. This location will minimize potential usage conflicts, ensuring the conditional use will not be a detriment to the surrounding area or the general public.

- 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: If this resting space were at the front of the shop, some questions about the intent of the area would likely arise. Because this resting space is located at the rear of the building, the impact to adjacent properties and the downtown as a whole is minimal. As such, the downtown in general and those properties in the immediate vicinity will not be detrimentally impacted as a result of this conditional use.

- 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: This use is conditional (thus requiring approval to occur) and not allowed to simply occur to ensure the development of the area remains orderly and predictable. Generally speaking, living on the ground floor of a business district wouldn't commonly fit the existing or traditional development patterns. However, this proposal for the rest refresh space will be subordinate in nature to the storefront and the use is located at the very rear of the building. The shopfront will maintain the traditional shopfront look of the Main Street area and will be obscured from those passing by. It is likely those visiting the store would not notice the space due to the fact it is concealed, looking more like a back store area than a resting area for the shopkeeper. These factors ensure that the development patterns of the area will be maintained and normal orderly development will continue.

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

Staff Comments: This building is already connected to utilities and streets; adding a resting space at the rear is not anticipated to alter the demand for service to the property in a substantial manner. The conditional use request will not impact the access or ability to be served by utilities for the applicant's property or any other properties in the 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: There are no changes to the ingress and egress of this site. Given the area is in a historic district and in an area which was developed using traditional development patterns with lots, blocks, alleys and a grid street system, additional access would be a concern. No changes are

proposed to the site related to access. The traffic movement in the area and pedestrian connectivity will be minimally impacted as a result of this proposal.

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 this type of development. The emphasis of the mixed use development for this area is that of a commercial aspect; the appearance of the storefront will remain unchanged as will the existing dwelling unit on the second floor of the building. This property will function as a mixed use property as a result of this proposal. Additionally, the objectives and goals of the Downtown Plan will not be impacted by this conditional use request as the property will maintain the primary retail and shopfront feel.

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 from the requirement that each dwelling unit provide 60 square feet of leisure space per dwelling unit on the site is requested, but all other regulations will be adhered to. While leisure space for those living on the property is important, the requirement is more geared for developments outside of a downtown environment. Within walking distance of this property there are restaurants, galleries, other activities, and even a park directly across the street. There are opportunities for leisure and recreation nearby due to the location within the downtown. Due to the traditional, historical development on the lot, the applicant is not able to comply with this requirement. The immediate area has ample opportunities for leisure and exercise due to the variety of activities which are interconnected by the sidewalk network.

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:

- This proposal will help keep a historic building for viable commercial use by having a live/work unit at the rear of the first floor.

- Supports range and variety of housing structure types supported by the Downtown Plan and Comprehensive Plan.
- The application seeks to create a mix of uses in the downtown area adding to the vibrancy of downtown with a mixture of retail, dining and housing options.
- Overall the building exterior will remain unchanged and interior changes are minor in nature; the project is unobtrusive to others in the general area and downtown as a whole.

STAFF RECOMMENDATION: BASED ON THE FINDINGS OF FACT IN THIS REPORT, THAT THE REQUEST FROM ROBERT OSBORNE AND VERA SCEKIC OF SOMINA LLC, SEEKING A CONDITIONAL USE PERMIT TO ALLOW A LIVE/WORK UNIT AT 318 MAIN STREET BE APPROVED, SUBJECT TO THE FOLLOWING CONDITIONS:

- a) That the plans presented to the Plan Commission on January 31, 2018 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.
- c) Submission and approval to the City Development Director of a trash storage plan by which 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.
- 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) The living unit be located as shown on the submitted plans dated January 5, 2018, and be located at the very rear of the building.
- f) That an exception to the requirement of 60 square feet of leisure space per dwelling unit (Sec. 114-514) be granted with this conditional use
- 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) Specific Plan Map (if applicable);
- 6) Site photos of the property and general area; and
- 7) Submittal documents ([click to view](#)).



Conditional Use Request - 318 Main Street

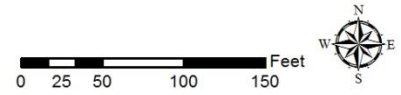




Conditional Use Request - 318 Main Street



- Subject Property - 318 Main Street
- Notification Area
- Street Centerline
- Tax Parcel Boundary



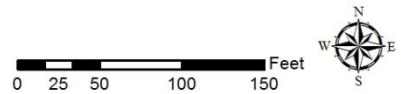


Conditional Use Request - 318 Main Street



Zoning Map Designation

- Subject Property - 318 Main Street
- Notification Area
- Street Centerline
- B-4 - Central Business Zone District
- Tax Parcel Boundary
- Water Feature



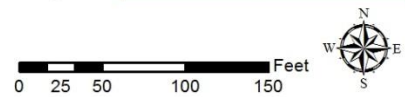


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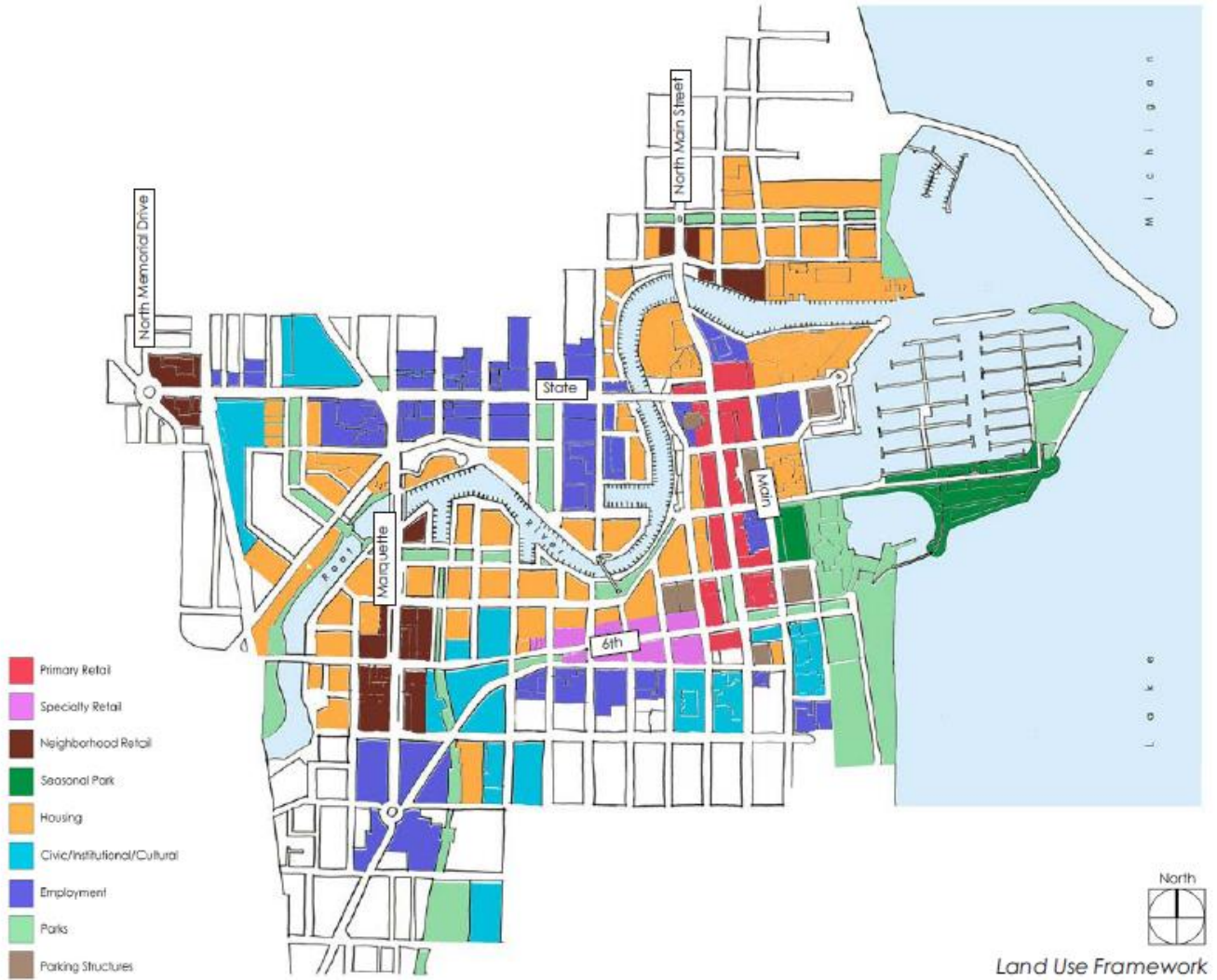


Comprehensive Plan Designation

- Subject Property - 318 Main Street
- Primary Environmental Corridor
- Mixed Use - Commercial Emphasis
- Commercial
- Surface Water
- Industrial
- Notification Area



Racine Downtown Plan – Land Use Framework



Site Photos



Looking (west) at subject property (red)



Looking (north) from subject property



Looking (east) from subject property



Looking (south) from subject property



Looking at rear of subject property (red)



Close up of rear of subject property