



CITY OF RACINE DEPARTMENT OF CITY DEVELOPMENT STAFF REPORT

Meeting Date: 4/11/2018

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

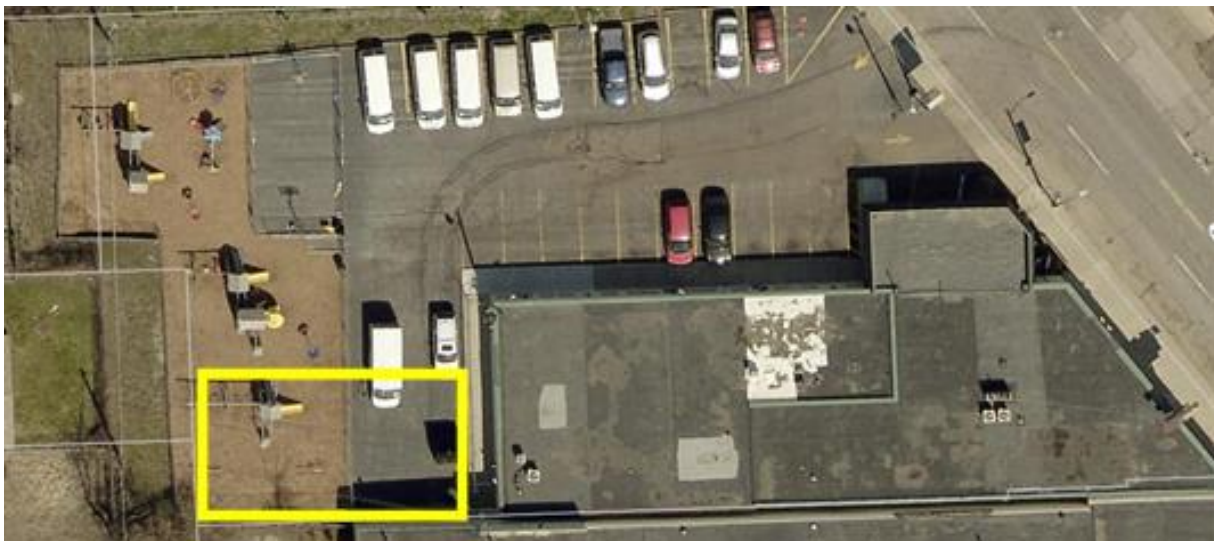
Case Manager: Jeff Hintz

Location: 1630 Douglas Avenue, located 300 feet north from the intersection of Douglas Avenue and Saint Patrick Street.

Applicant: Randy Musaitef

Property Owner: Randy Musaitef

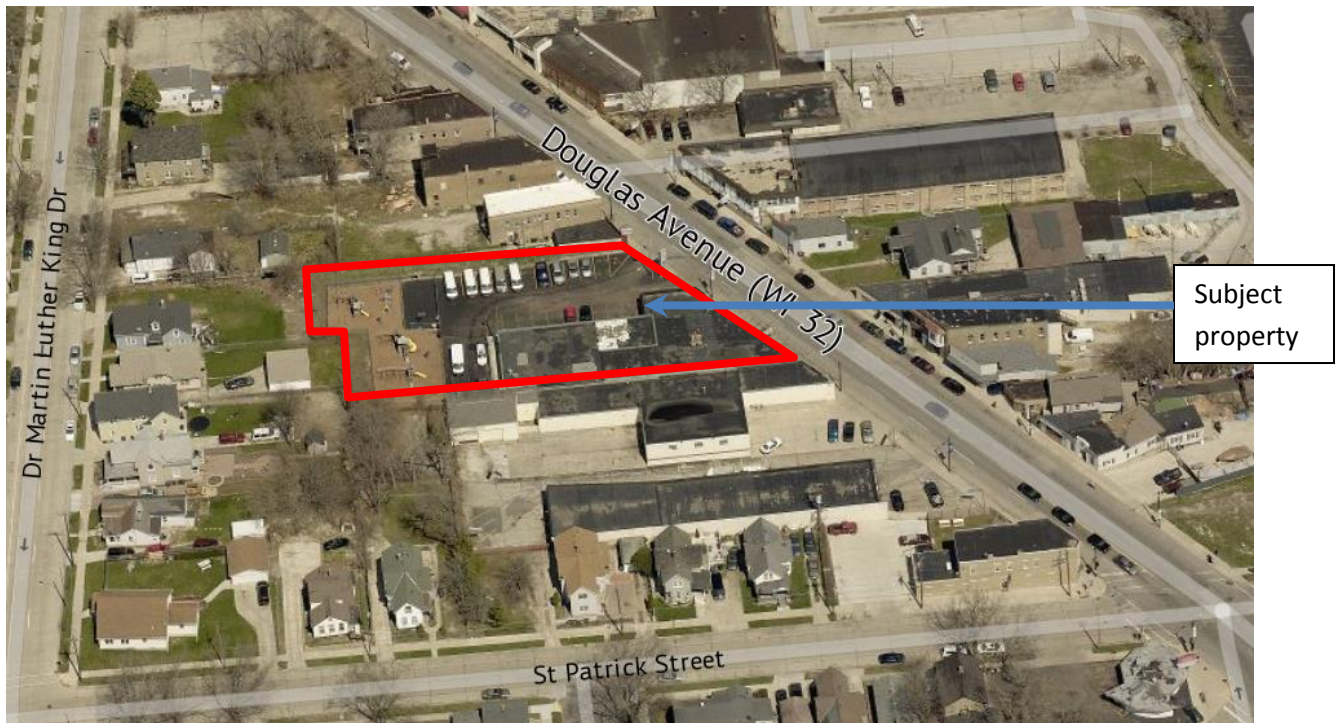
Request: Appeal of an Administrative Approval to place an eight foot by ten foot shed on the property in the location depicted in yellow color on the graphic below:



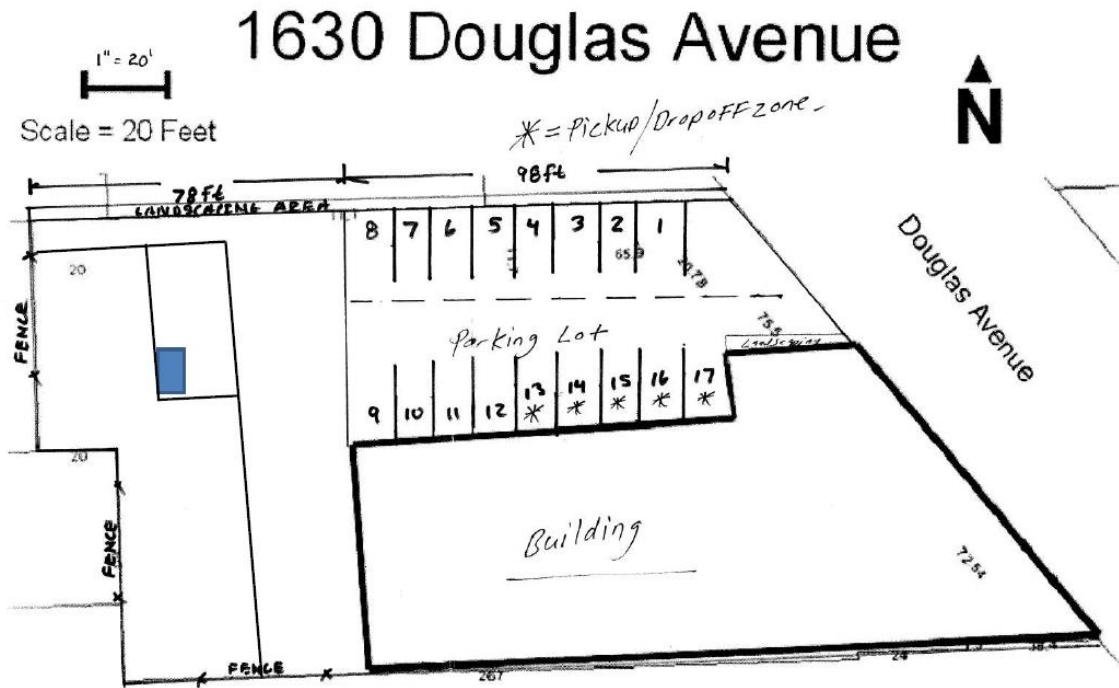
BACKGROUND AND SUMMARY: The applicant desires to place the shed as shown on the basketball court area of the day care establishment. The rationale is so that bicycles and other sporting equipment can be accessible to children who need to be within the enclosed area while using said equipment.

City Code Section [114.735.5 \(b\)\(2\)](#) requires that: “All new accessory buildings, and new additions to accessory buildings shall have a facade treatment on each elevation compatible with the primary building facade treatment, or at minimum, consist of at least 30 percent brick, decorative masonry block, architectural panels (not including metal panels), pre-cast textured concrete, or composite clapboard siding, or exterior insulated finish system (EFIS) or similar products applied at least eight feet above grade. A combination of these facade treatments, applied in a well-proportioned and aesthetically pleasing manner, is permitted.”

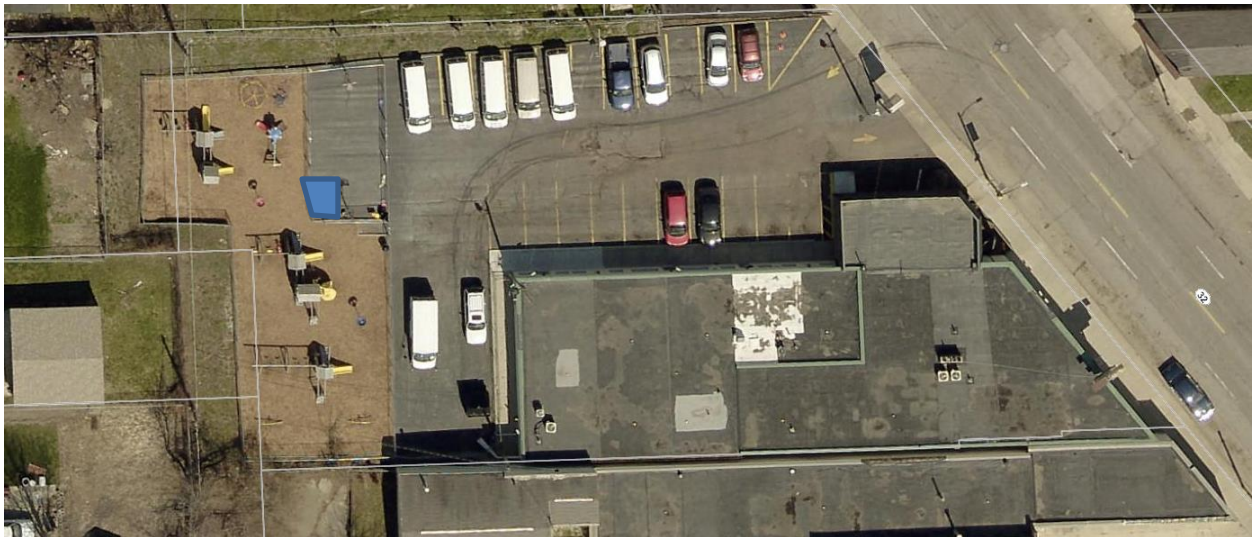
Further, City Code Section 114.735 (b)(3) states that: “Variations from these standards shall not be permitted unless it is determined by the director of city development that an alternative facade treatment does not conflict with the spirit and intent of this division. The director of city development may consult an appropriate office, department, board, committee, commission or professional in making a determination.”



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



Site plan for the property, shed area highlighted in blue.



Aerial photo of the property, shed placement area highlighted in blue.

GENERAL INFORMATION

Parcel Number: [19513000](#)

Property Size: 25,540 square feet

Comprehensive Plan Map Designation: Mixed Use – Commercial Emphasis

Consistency with Adopted Plans:

The [Douglas Avenue Revitalization Plan](#) states that:

- New and infill development will consist of well-designed sites and buildings that enhance the character of Douglas Avenue.
- New and infill development will “raise the bar” in terms of the quality of development expected along Douglas Avenue.

Corridor or Special Design District?: Douglas Avenue Corridor

Historic?: N/A

Current Zoning District: B-2 Community Shopping

Purpose of Zone District: The B2 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: Day care establishment

Surrounding Zoning and Land Uses:

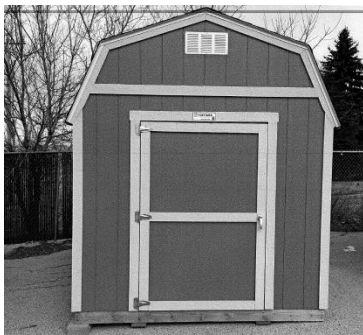
North	B-2 Community Shopping	Shopfronts
East	B-2 Community Shopping	Douglas Avenue and shopfronts
South	B-2 Community Shopping	shopfront
West	R-3 Limited General Residence	Single unit dwellings

ANALYSIS:

The intent of the Douglas Avenue Corridor and Section 735.5 of the Zoning Ordinance is to ensure compatibility amongst buildings on the site. This compatibility is still important on secondary buildings, such as this shed, but depending on the location, the intent and spirit of the regulation can be met, even if the materials don't necessarily match those of the primary façade.



July 2017 image from Google Streetview of building frontage at 1630 Douglas Avenue.



In this instance, the Administrative Approval was granted allowing the shed (shown in photo provided by applicant on the left) along the southerly lot line behind the main building because the shed would not be visible from the sidewalk or street. This approval of the accessory shed building was despite the fact that the manner of construction of this shed does not comply with the materials requirements outlined in 114.735 (b)(2) of the Zoning Ordinance. However, the concealed location, coupled with the fact this is such a small structure at 80 square feet, subordinate in nature, mitigated for the fact that this proposed shed would not comply with the Building Design Standards. By the authority granted under 114.735.5 (b)(3), the City Development Director found that the spirit and intent of these regulations would be met *IF* the shed was placed as indicated on the graphic on page one of this report.

The Douglas Avenue Revitalization Plan realizes the importance of quality development and raising the bar for development along the Douglas Corridor. In the Administrative Approval, staff attempted to balance the needs of this business with the requirements of the Zoning Ordinance and the goals and objectives of the approved plans for the area. The shed could be placed within the confines of the fence and within an area which would be concealed from passersby. Locating the shed outside of the area delineated in the Administrative Approval would be acceptable if the shed complied with the Building Design Standards. If this secondary structure conformed to the Building Design Requirements, it could be placed in a plethora of locations on the lot and the Administrative Approval would have been far less prescriptive regarding the location.

POSSIBLE ACTIONS FOR THE PLANNING COMMISSION

1. Uphold the Administrative Approval, thereby denying the appeal of the applicant; or
2. Reverse the decision of the Administrative Approval by modifying the conditions of the Administrative Approval the request with conditions deemed necessary to mitigate any adverse impacts that could arise from the project; or
3. Defer the request to obtain more specific information about the request.

STAFF DOES NOT SUPPORT THE APPEAL FOR THE FOLLOWING REASONS:

- Exterior treatment of the façade on the shed does not comply with the requirements of Zoning Ordinance Section 735.5
- Shed would be visible to passersby and is not complementary to the overall design of the building, which is the intent of the regulation.
- The placement approved in the Administrative Approval could accommodate the applicant's need to have the shed placed within the fenced area, while not being visible to passersby.

STAFF RECOMMENDATION: That the Plan Commission deny the appeal, thereby upholding the conditions of the Administrative Approval.

If the Plan Commission is inclined to reverse the decision of the Administrative Approval and allow the shed to be placed where the applicant has requested, a recommended condition would be as follows:

1. That the shed comply with Section 735.5 of the Zoning Ordinance; related plans and specifications to bring the exterior of the shed be submitted to the Department of City Development for review and approval.

ATTACHMENTS:

- 1) Site photos of the property, specific to this request; and
- 2) Administrative Approval document.
- 3) Applicant Submittal documents and letter requesting appeal ([click to view](#)).

Site Photos



Looking west at subject property from sidewalk



View of playground area, approximate location of shed proposed by applicant indicated with red lines



Authorized area for shed in Administrative Approval, indicated with red lines