



CITY OF RACINE DEPARTMENT OF CITY DEVELOPMENT STAFF REPORT

Meeting Date: 5/9/2018

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: 918 West Boulevard, located approximately 300 feet south from the intersection of West Boulevard and Kinzie Avenue.

Applicant: Ramkumar Patel of Port of Call Food and Liquor.

Property Owner: JAI SHREE SWAMINARAYAN LLC

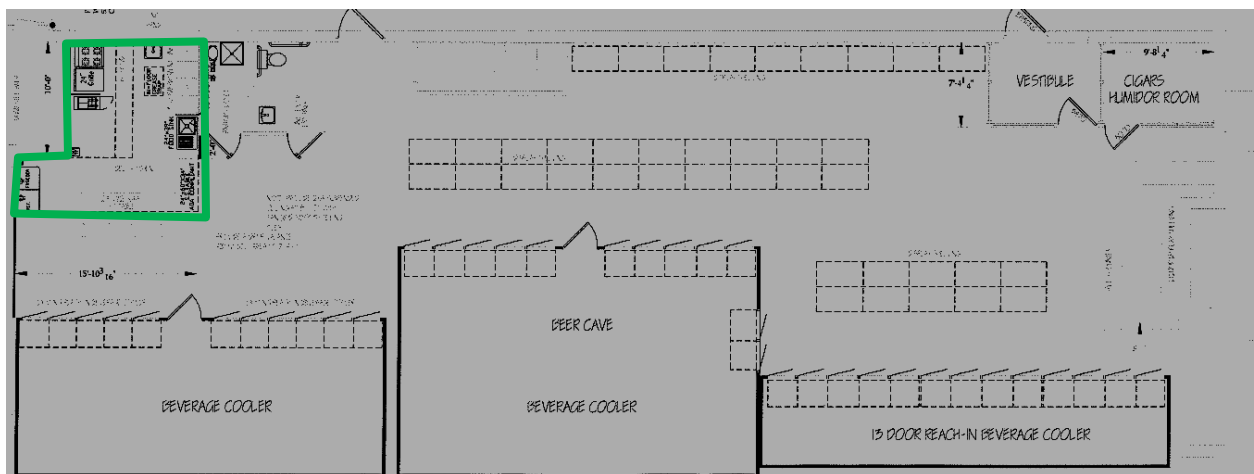
Request: Consideration of a conditional use permit to operate a Takeout-carryout Restaurant in an existing building at 918 West Boulevard for property located in a B-1 Neighborhood Convenience Zone District as required in section [114-448](#) of the Municipal Code.

BACKGROUND AND SUMMARY: The applicant seeks to utilize a portion of the existing building to provide takeout both to customers of the establishment as well as others in the area. The restaurant area would be located in the northwest portion of the building and does not have a seating area. The hours for all operations on the premises are from 8:00 AM – 9:00 PM seven days a week.

The Zoning Ordinance classifies a Takeout-carryout Restaurant as permissible in the B-1 Neighborhood Convenience Zone District upon the issuance of a conditional use permit (114-448).



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



Proposed Building Floor Plan, submitted by applicant. Proposed Takeout-carryout Restaurant portion of the establishment, highlighted in green.



Proposed site plan for the property, submitted by applicant.

GENERAL INFORMATION

Parcel Number: [10291003](#)

Property Size: 8,600 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.

The [West Racine Neighborhood Revitalization Plan](#) states that:

- The Map on Page 38 of the Plan identifies this property as a “Commercial Court”.
- Within the Commercial Court section of the Plan are the following design guidelines:
 - Create significant landscapes such as groves and gardens between buildings that encourage active use.
 - Establish visual edges along side-yard property lines with landscaping and fencing.
 - Enhance the architectural character of the buildings through the use of natural materials and special features to define entrances, corners and links to other buildings and public places.
 - Encourage uniform, attractive roadside signage that has a distinct base, middle and top with the content displayed in the middle portion.

Corridor or Special Design District?: West Racine Corridor

Historic?: N/A

Current Zoning District: B-1 Neighborhood Convenience

Purpose of Zone District: The B1 neighborhood convenience district is intended to provide convenience shopping to close proximity for persons residing in nearby residential areas by allowing only such uses as are necessary to satisfy basic shopping needs which occur daily or frequently, and selected additional uses which normally attract little vehicular traffic and are otherwise compatible with residential areas.

Proposed Zoning: No change proposed

Existing Land Use: Packaged alcohol beverage establishment, with proposed takeout-carryout restaurant.

Surrounding Zoning and Land Uses:

North	B-1 Neighborhood Convenience	Print service business
East	R-3 Limited General Residence	Cemetery
South	B-2 Community Shopping	Real estate office
West	R-2 Single Family Residence	Single unit dwellings

Operations: The proposed hours of operation are seven days a week from 8AM-9PM. The current approval authorizes hours from 9:00 AM to 9:00 PM.

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	8,600 square feet
Lot Frontage	30 feet	75 feet
Floor Area Ratio	2.0 maximum	.48

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

Yard	Required	Provided
Front	0 feet	5 feet
Side	0 feet	30 feet
Side (west)	0 feet	0 feet
Rear	0 feet	6 feet

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

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

Use Type	Required	Provided
Takeout-carryout restaurant	2	0
Packaged alcohol store	19	11
Total	21	11

A Building of this size does not require a dedicated loading space on the lot, the space in the alleyway and drive aisles fulfill the requirement.

Landscaping, screening and yard requirements ([114- Article V](#): Article VII, Div. 6 [Development Standards](#) & 7 [Fences and Walls](#)): Screening and yards are not required for this use or zone district, given the surrounding zone districts. The lot is developed to the property line on the west and paved except for an area between the building and the sidewalk.

The applicant has not proposed any landscaping with this request, however upon a visit to the site, the property is devoid of any vegetation minus the grass between the sidewalk and building. The West Racine Plan mentions landscaping to better define edges and “encourage active use.”

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

Sign Type	Allowable Sq. Ft.	Provided Sq. Ft.
Projecting/Wall	42 square feet	40 square feet
Window signs	50% of window area [^]	N/A
Alleyway Signage	N/A	N/A
Total	42 square feet*	40 square feet

*Total size determination would be made based on sizes and types of other signage on the lot. Once 3 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](#)): The lighting on the property appears to be angled so that it might be focused on adjacent properties. The photo below is from a site visit to the property on the morning of April 27; the photo shows the site lighting (circled in red), mounted to the roof.



Rubbish and trash storage (114-[Article V](#) & [114-740](#)): The site plan shows an enclosure for trash which complies with the requirements of the ordinance. Regardless of the action taken by the Plan Commission, the enclosure is required. It will be included as a condition of approval, but the enclosure being constructed is not dependent upon the Takeout-carryout Restaurant opening.

Engineering, Utilities and Access:

Access (114-[1151](#)): Vehicular access to the site is provided from a driveway off of West Boulevard and through the alleyway to the west of the site. The site plan submitted by the applicant does not contemplate any changes to access.

Surface drainage ([114-739](#) & Consult Engineering Dept.): Including a takeout-carryout facility in 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: The applicant cannot meet the required parking demands for the current or the proposed usage on the site. An exception from section 114-1188 of 10 parking spaces.

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 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: A takeout-carryout restaurant facility is not expected to be detrimental to the general welfare of the area, assuming it is operated in compliance with the recommended conditions outlined in this report. These conditions are intended to minimize the impact on the adjacent properties and ensure the development is consistent with other development in the surrounding area. A restaurant business has the potential to be a complimentary use for the neighborhood and is within walking distance of many households.

- 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 proposed takeout-carryout restaurant is consistent with other uses permitted in this zone district. The scale of the establishment is consistent with the development present in the area. If the recommended conditions are adopted, this operation is not expected to be injurious to the general area or diminish property values. The recommended conditions are anticipated to create a development on the property which is more in line with the recommendations from the West Racine Revitalization Plan.

- 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 conditional use is not anticipated to impede orderly development and reinvestment in this area. The conditions in this report help to ensure this property is more in line with the design guidelines from the West Racine Revitalization Plan. This proposed takeout-carryout restaurant establishment, if developed as outlined in the conditions from this report, should help to promote orderly development and improvements in this area.

- 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 service. Given the nature of the business, it is not expected that customers would spend more than 15-20 minutes on the site. The ingress and egress from the site is expected to be appropriate to handle this demand.

- 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 to be commercial. The proposed takeout-carryout restaurant facility is consistent with the land use plan map and goals for the community within 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. An exception for parking spaces is required with this request. The applicant has maximized use of the site to configure as many spaces as possible. Due to the high turnover nature of customers coming to the business, it is anticipated that the provided parking would be accommodate the demand for this site.

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 contemplated in the West Racine Revitalization Plan.
- The proposed takeout-carryout restaurant business will help to provide a mix of uses within walking distance of a neighborhood at a scale and intensity which is complimentary to the area.

STAFF RECOMMENDATION: BASED ON THE FINDINGS OF FACT IN THIS REPORT, THAT THE REQUEST FROM RAMKUMAR PATEL, SEEKING A CONDITIONAL USE PERMIT TO ALLOW A TAKEOUT-CARRYOUT RESTAURANT AT 918 WEST BOULEVARD BE APPROVED, SUBJECT TO THE FOLLOWING CONDITIONS:

- a) That the plans presented to the Plan Commission on May 9, 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) That all of the following occur by August 31, 2018:
 1. The original portion of the building be painted to match the addition and the wooden shingles be painted a different, complimentary color. Paint colors to be submitted by the applicant to the Department of City Development for review and approval, prior to application on building.
 2. Installation of bollard(s) in front of entry doors and wheel stops in front of all parking spaces prevent vehicles blocking the building access walk.
 3. Restriping of parking spaces and resealing of the parking lot.
 4. Submission to and approval from the City Development Department of a landscaping plan, prior to obtaining approval for the takeout-carryout restaurant occupancy. Grass and shrubs shall be depicted on the eastern lot frontage in front of the building; grass

shall be planted on the western portion of the building from the southern property line, north 28 feet to the alleyway line.

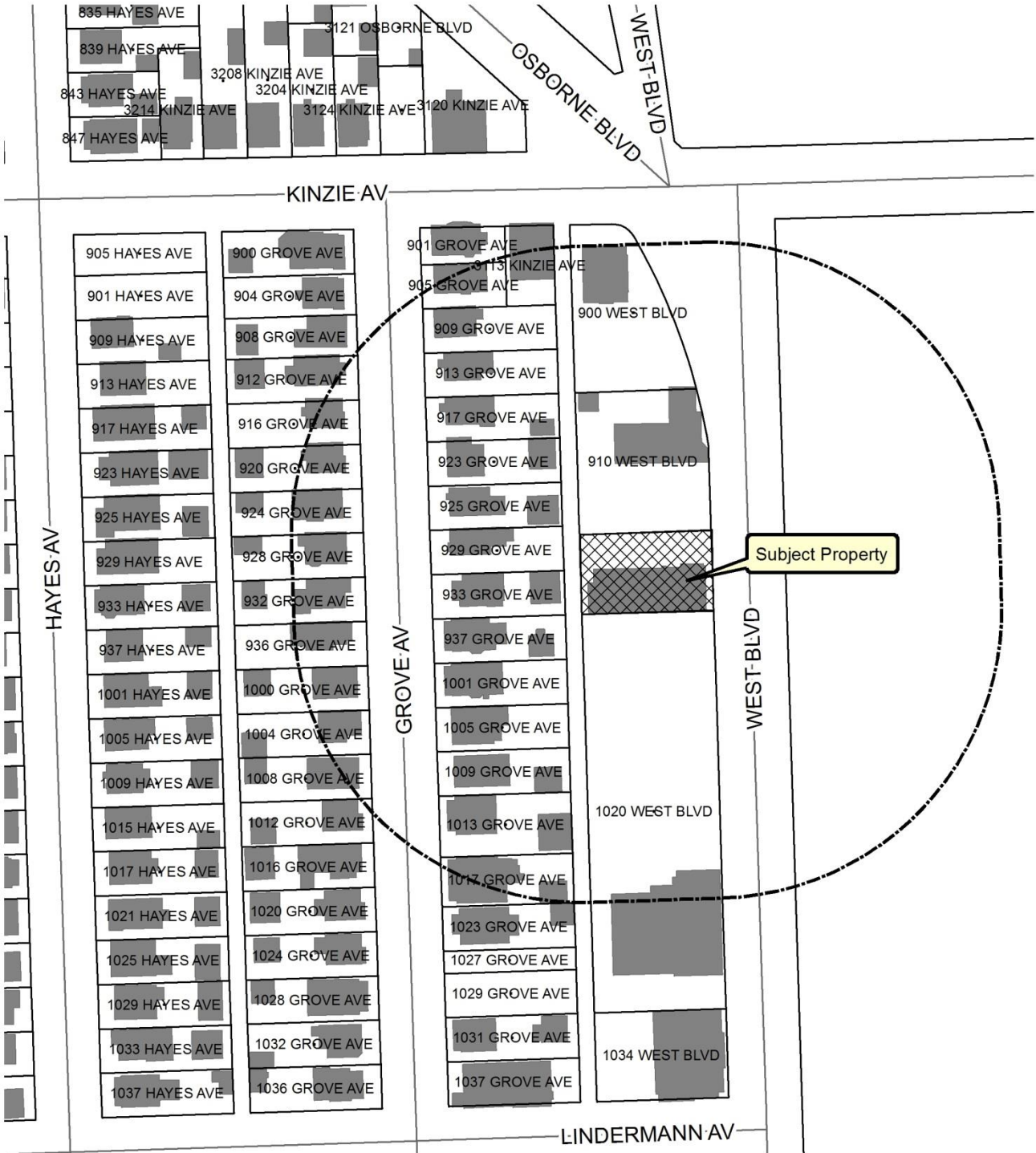
5. Submission and approval to the City Development Department of plans for the trash storage area which shows that all trash and recycling be kept in closed containers which are completely screened from public view and includes a gate on the trash storage area.
 6. Adjustment of the lighting on the property so it is not angled at adjacent properties and complies with the requirements of 114-742; LED strip lighting and other forms of decorative lighting on the building exterior is not permitted.
 7. Installation of a window, or treatment simulating the look of a window, on the building façade facing north or east. Plan detailing installation to be submitted to and approved by the City Development Department prior to installation.
 8. Existing pole signage shall be removed. Any future signage shall not be a pole sign and shall otherwise comply with the West Racine Revitalization plan signage guidelines. Signage plans to be submitted to the Department of City Development for review and approval, prior to installation.
- 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 in the event an exception from Section 114-1188 is not granted, verification by the City Development Department that a shared parking agreement for no less than 10 spaces has been obtained, prior to receiving occupancy for this takeout-carryout restaurant occupancy.
- f) That hours of operation are seven days a week from 8:00 AM – 9:00 PM.
- g) That alcohol not be consumed by patrons on premises at any time.
- h) That an exception from section 114-1188 of 10 parking spaces be granted with this conditional use.
- i) That all codes and ordinances are complied with and required permits acquired.
- j) 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.
- k) 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) Guidelines for Public Places Map from West Racine Revitalization Plan.
- 6) Site photos of the property and general area; and
- 7) Submittal documents ([click to view](#)).



Conditional Use Request - 918 West Boulevard



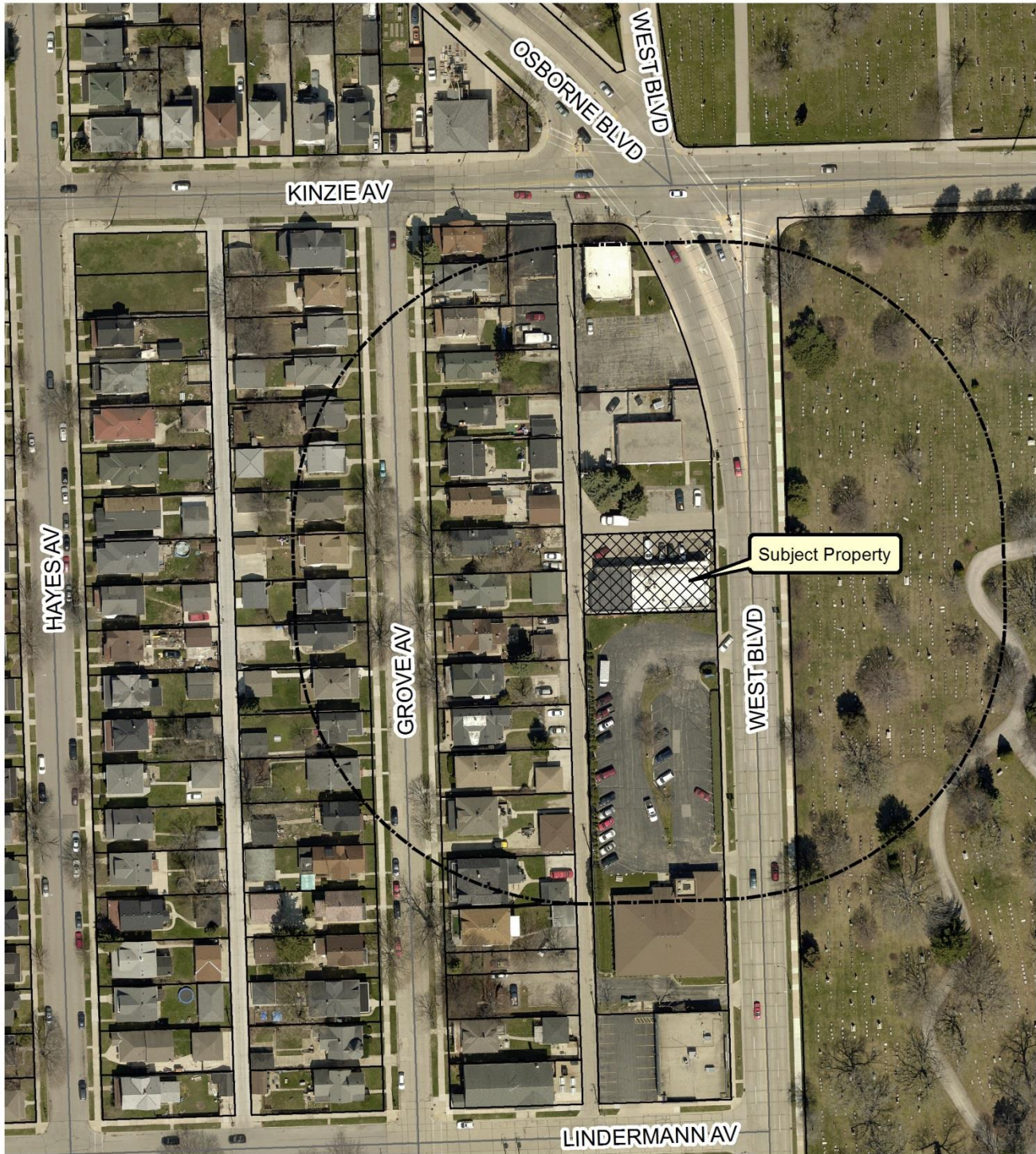
- Subject Property
- Notification Area


- Street Centerline
- Tax Parcel Boundary
- Building Footprint





Conditional Use Request - 918 West Boulevard



 Subject Property
 Notification Area

 Street Centerline
 Tax Parcel Boundary

 Feet
0 25 50 100 150





Conditional Use Request - 918 West Boulevard



Zoning Designation

- R-2 (Yellow)
- B-1 (Bright Green)
- R-3 (Blue)
- B-2 (Light Green)

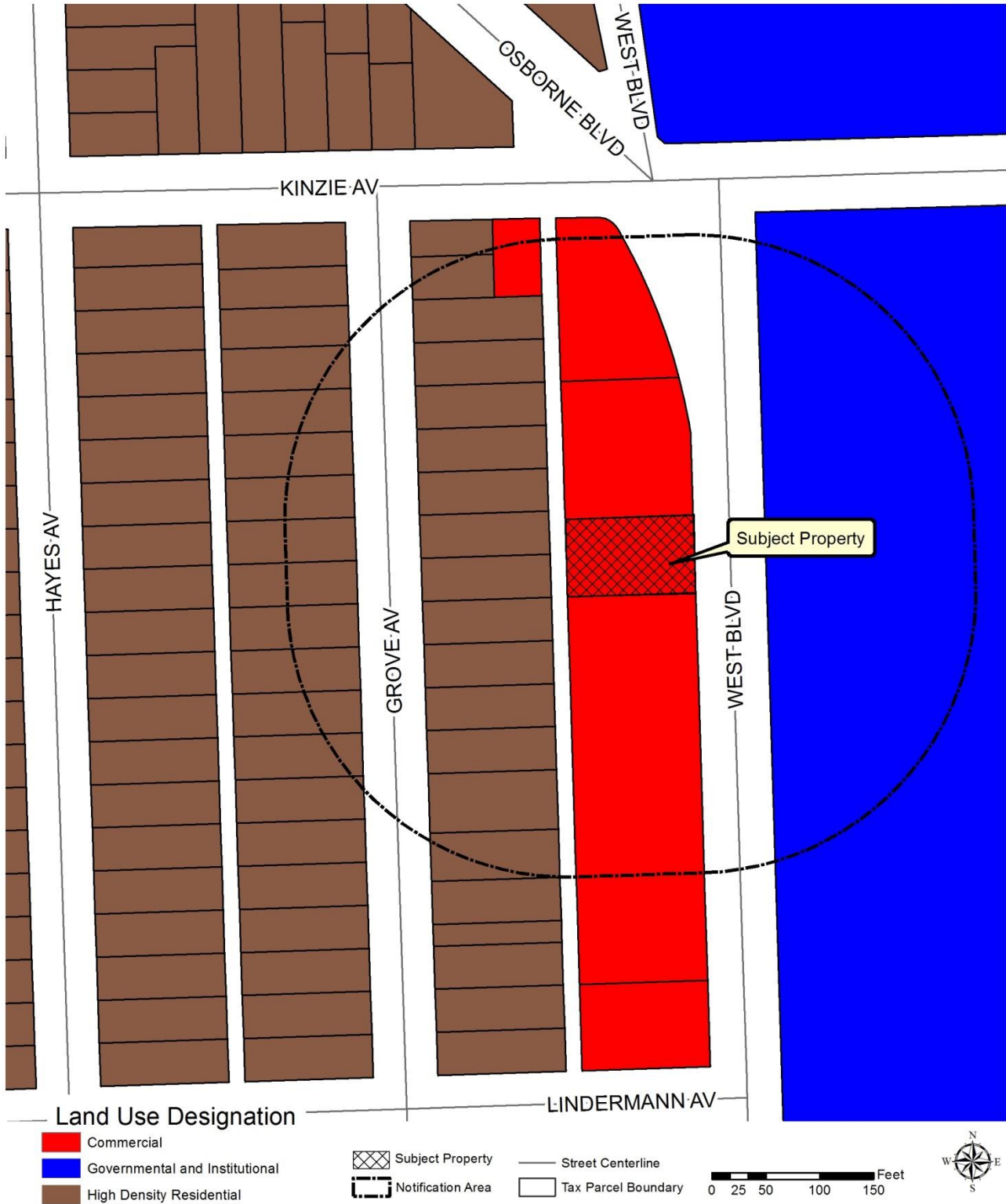
- Subject Property (Cross-hatch pattern)
- Notification Area (Dashed circle)

- Street Centerline (Thin black line)
- Tax Parcel Boundary (Thin black line)

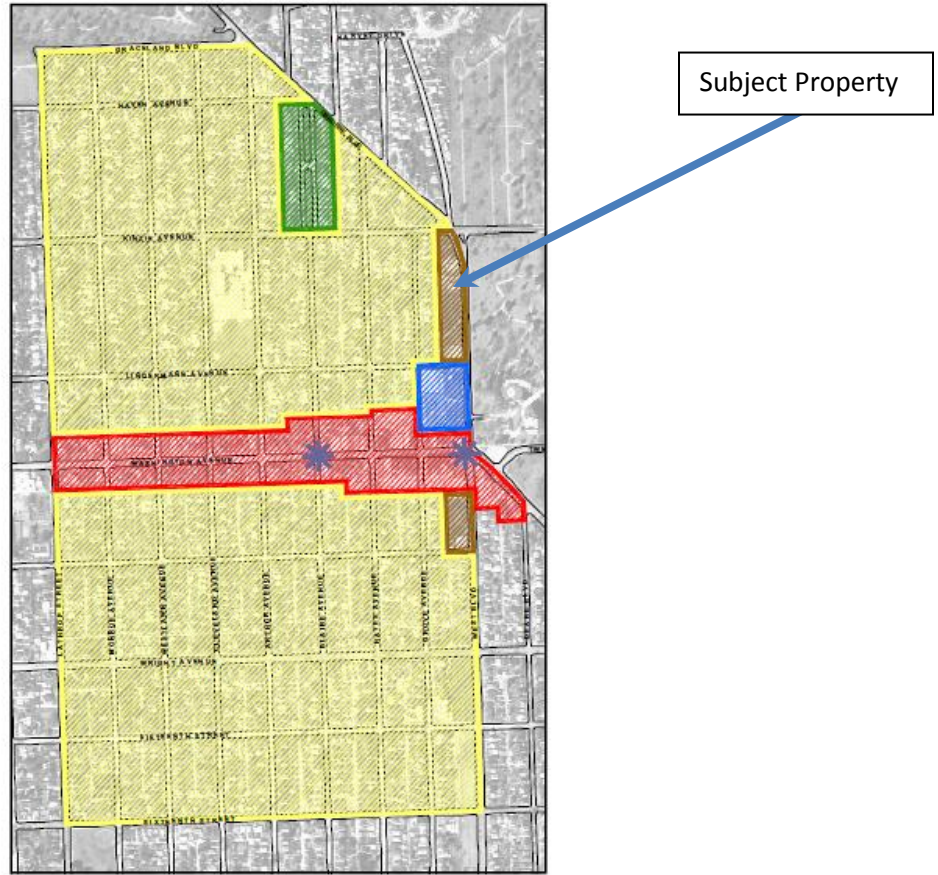




Conditional Use Request - 918 West Boulevard



Guidelines for Public Places Map from West Racine Revitalization Plan



-  Main Street
-  Traditional Residential Street
-  Commercial Court
-  Boulevard
-  Market Plaza
-  Gateway

Site Photos



Looking north along West Blvd. Subject property to the left



Looking northwest at west wall of subject property/building



Looking east towards West Blvd from parking area of subject property



Looking south along sidewalk for West Blvd. Subject property to the right



Looking south from driveway of subject property



Looking south down alleyway at rear of subject property