



CITY OF RACINE DEPARTMENT OF CITY DEVELOPMENT STAFF REPORT

Meeting Date: 5/30/2018

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: 1817 State Street, located approximately 150 feet north from the intersection of State Street and Prospect Street.

Applicant: Felisha Edwards of Epic Minds Childcare Center INC.

Property Owner: Lexa Properties LLC

Request: Consideration of a conditional use permit to operate a Group Day Care Center, in an existing building at 1819 State Street for property located in a B-2 Community Shopping Zone District as required in section [114-468](#)* of the Municipal Code.

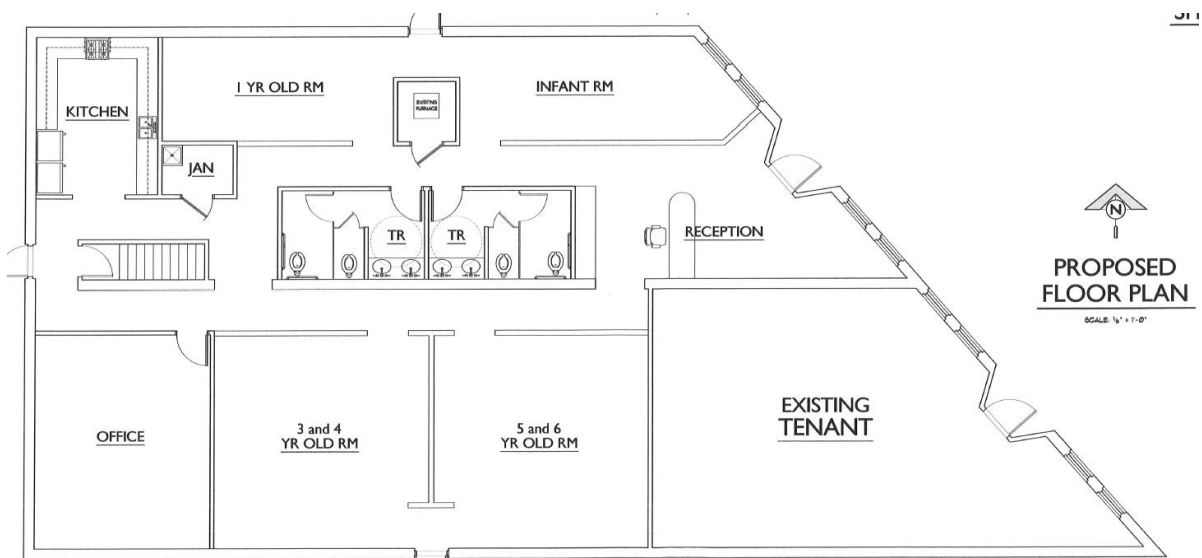
*Note 114-468 refers back to 114-448 where Group Daycare Center is listed.

BACKGROUND AND SUMMARY: The applicant seeks to utilize a portion of the existing building at 1819 State Street to provide a daycare facility for children aged 6 weeks to 12 years. The daycare facility would occupy approximately 3,500 square feet of the building. The applicant has proposed an operating schedule of 5:00 AM – 11:59 PM, 7 days a week. The operation is expected to have capacity for 30-60 children per shift.

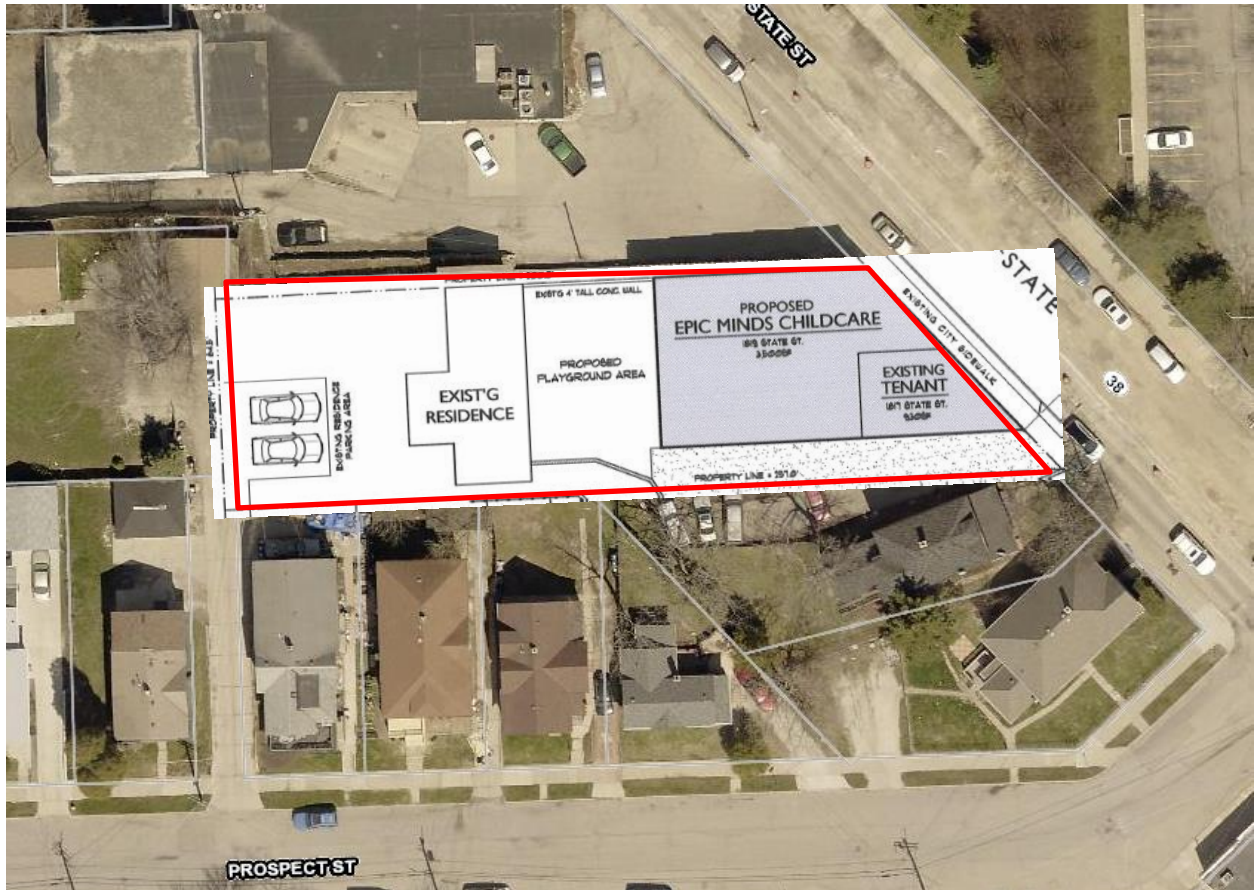
The Zoning Ordinance classifies a Group Day Care Center as permissible in the B-2 Community Shopping Zone District upon the issuance of a conditional use permit (114-468).



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



Proposed Building Floor Plan, submitted by applicant.



Proposed site plan for the property (highlighted in red), submitted by applicant.

GENERAL INFORMATION

Parcel Number: [08281000](#)

Property Size: 15,246 square feet

Comprehensive Plan Map Designation: High Density Residential

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: single unit dwelling at the rear of the property, with a storefront consisting of a second hand shop, with proposed daycare.

Surrounding Zoning and Land Uses:

North	B-2 Community Shopping	Dwelling units and food store
East	R-5 General Residence	Multiple dwelling unit building
South	R-3 Limited General Residence	Single unit dwellings
West	R-3 Limited General Residence	Single unit dwellings

Operations: The applicant has proposed an operating schedule of 5:00 AM – 11:59 PM, 7 days a week. The operation is expected to have capacity for 30-60 children per shift and employ 2-10 full time and two part time employees.

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	15,246 square feet
Lot Frontage	30 feet	72 feet
Floor Area Ratio	4.0 maximum	.46

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

Yard	Required	Provided
Front	0 feet	0 feet
Side (north)	0 feet	0 feet
Side (south)	6 feet	12 feet
Rear (west)	6 feet	55 feet

Note: Section 114-470 (a) required residential structures to provide yards as specified in the R-4 district. The existing dwelling on the rear of the lot does not meet this requirement for the side yard to the north.

Building design standards (114-Secs. [735.5](#) & [736](#)): The buildings on the parcel comply with the requirements of 114.735.5.b.1, however this request does not include any new buildings or modifications to the existing building. The northern and southern exterior walls do need some paint where it has worn off or been damaged.

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

Use Type	Required	Provided
Single dwelling unit	1	0 [^]
Day Care Facility	7	5*
Other Retail Space	6	0
Total	14	5

A Building of this size does not require a dedicated loading space, the service drive to the south of the building fulfills this requirement.

[^]Note: 2-3 spaces on the western end of the property would count towards the total amount, but they must be paved. Paving of these required spaces is a condition of this request.

*Note: the applicant is allowed to use the parking to the south as it falls under the same property ownership as the subject parcel. However, this parcel is required to have 3 of the 8 parking spaces for the two unit dwelling, leaving 5 for the business uses on the adjacent lot. The final configuration does need to be resealed and striped as a condition of approval for this request. While on-street parking does not count in the table above, there are 5-6 on street spaces along State Street in front of the business and south towards the intersection.

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 and west because this commercial building is within 100 feet of a residence district boundary line. In this case, the properties to the west are screened by the residential structure on the lot. To the south is a residence district line, but this lot is owned by the applicant as well; the lot line is where a shared access entry point occurs for this business and residence to the south. Screening this yard is not readily achievable or practical given how the property has been configured and developed; it is worth noting

due to the elevation change, the headlights on vehicles are not focused into the dwelling unit to the south. This helps to meet the intent of the regulation. An exception from this screening requirement is in the recommended conditions of approval.

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	144 square feet	60
Window signs	50% of window area [^]	N/A
Alleyway Signage	N/A	N/A
Total	144 square feet*	60

*Total size determination would be made based on sizes and types of other signage on the lot. Once 4 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](#)): At this time there is no exterior lighting on the site aside from that of street lights in the public right-of-way. The plans submitted by the applicant do not include additional lighting fixtures.

Rubbish and trash storage ([114-Article V](#) & [114-740](#)): A trash enclosure is not depicted on the site plan, prior to occupying the building one will need to be constructed. 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 day care facility opening.

Engineering, Utilities and Access:

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

Surface drainage ([114-739](#) & Consult Engineering Dept.): Including a daycare 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 6 parking spaces would allow all the uses on this site to be compliant with the ordinance.

An exception from 114-470 (b) requiring screening to the south and west; to the west is a house, on the subject property which accomplishes this requirement. The configuration of the lots would render the shared access inaccessible to the south if provided.

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:

- 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: The establishment of a daycare facility is not expected to be a detriment to the public safety, health or general welfare of the area or community in general. This type of facility, with the recommended conditions, could be an asset to the area and those living in the neighborhood. This location is easily accessible to the surrounding area and is expected to be a potential enhancement to the neighborhood, not a detriment.

- 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.

- 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.

- 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. Given the nature of the business, it is not expected that customers would spend more than a few minutes on the site. 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 through the front door, with parents and caregivers walking children into the State Street entrance from the parking area.

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 high density residential. The property is zoned commercial and has been for many years. Summarizing the general area as high density residential is generally accurate, but there are several commercially zoned properties along the State Street frontage. While the land use designation does not entirely fit this property, no change to the zoning is proposed. This proposed usage is consistent with the objectives of the comprehensive plan and is of a lesser intensity than other uses allowed in this zone district.

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 as is screening for accessibility and practicality. Due to the high turnover nature of customers coming to the business, it is anticipated that the provided parking would accommodate the demand for this site. Even if employees did occupy some of the on-street spaces, the area is generally residential and this property appears to drive most of the parking demand with a retail shop and the proposed child care facility.

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 which can be complimentary to the neighborhood.
- The proposed daycare facility will help to provide a mix of uses within walking distance of a generally residential area, and 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 FELISHA EDWARDS OF EPIC MINDS CHILDCARE, SEEKING A CONDITIONAL USE PERMIT TO ALLOW A GROUP DAYCARE CENTER AT 1819 STATE STREET BE APPROVED, SUBJECT TO THE FOLLOWING CONDITIONS:

- a) That the plans presented to the Plan Commission on May 30, 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 September 30, 2018:
 1. The north, west, and south walls be painted an earth toned color as to limit attention to non-primary elevations on the building and to blend in with the neighborhood.
 2. Installation of bollard(s) in front of entry doors and wheel stops in front of all parking spaces to prevent vehicles blocking the building access walk.
 3. Striping of parking spaces and resealing of the parking lot to the south of the business.
 4. Pavement of at least three (3) parking spaces at the far west of the lot for the dwelling unit on the property.
 5. Submission to and approval by the Department of City Development 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. Provide fencing plan for the playground area to include fence and gate(s) where applicable and between the playground and house.
 7. Removal of the obsolete tenant signage above the northernmost entrance of the building on State Street.
 8. Removal of debris and cleanup of the site, properly disposing of all rubbish and debris.
 9. All outstanding violations on the property are remedied prior to building occupancy.
- 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 seven days a week from 5:00 AM – 11:59 PM.
- f) All drop-offs and pickups be conducted from private lots, not the right-of-way.
- g) That an exception from section 114-470 (b) requiring screening to the south and west of the building be granted with this conditional use.
- h) That an exception from section 114-1188 of six (6) 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) Site photos of the property and general area; and
- 6) Submittal documents ([click to view](#)).



Conditional Use Request - 1819 State Street



- Subject Property
- Notification Area

- Street Centerline
- Tax Parcel Boundary
- Building Footprint



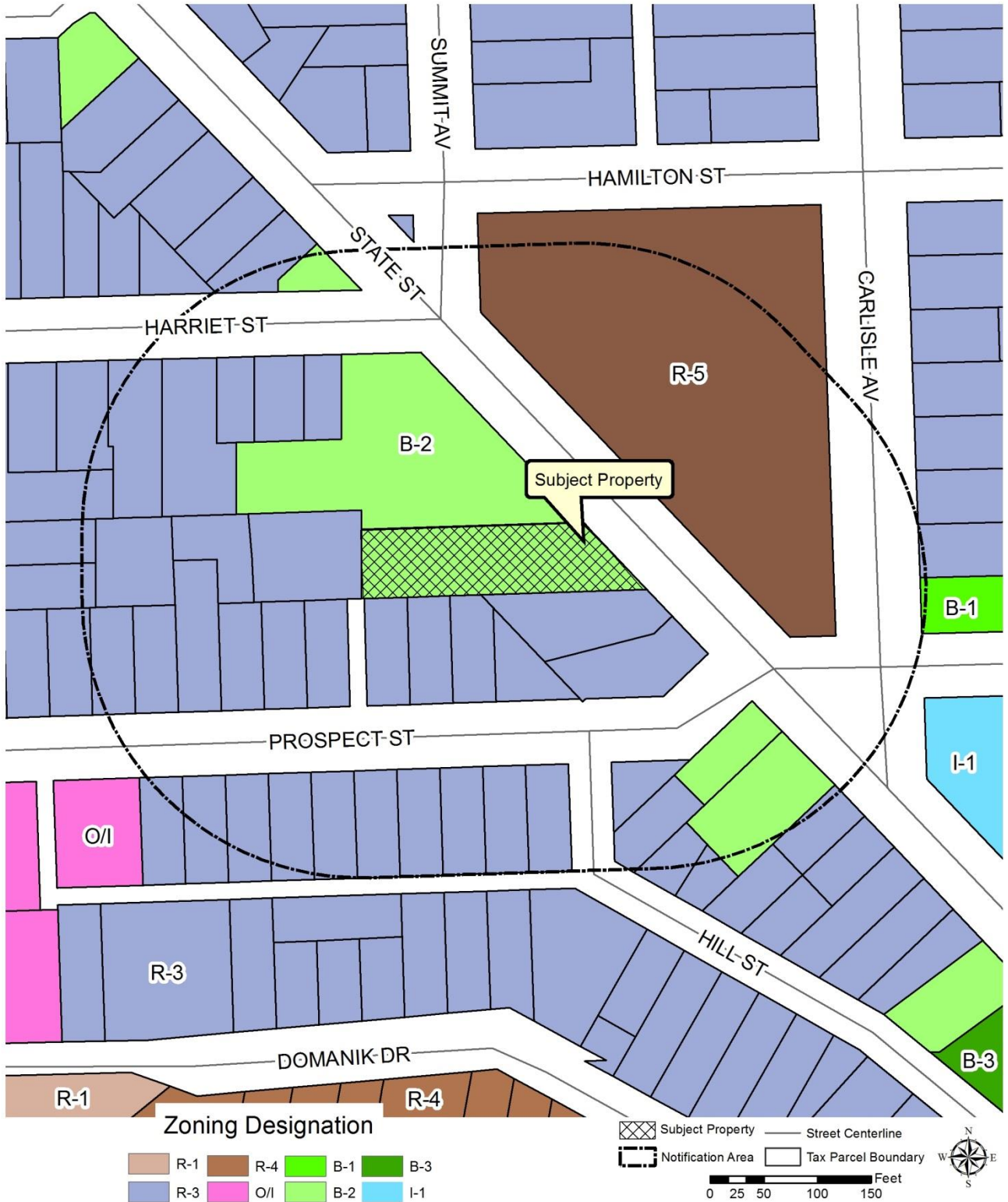


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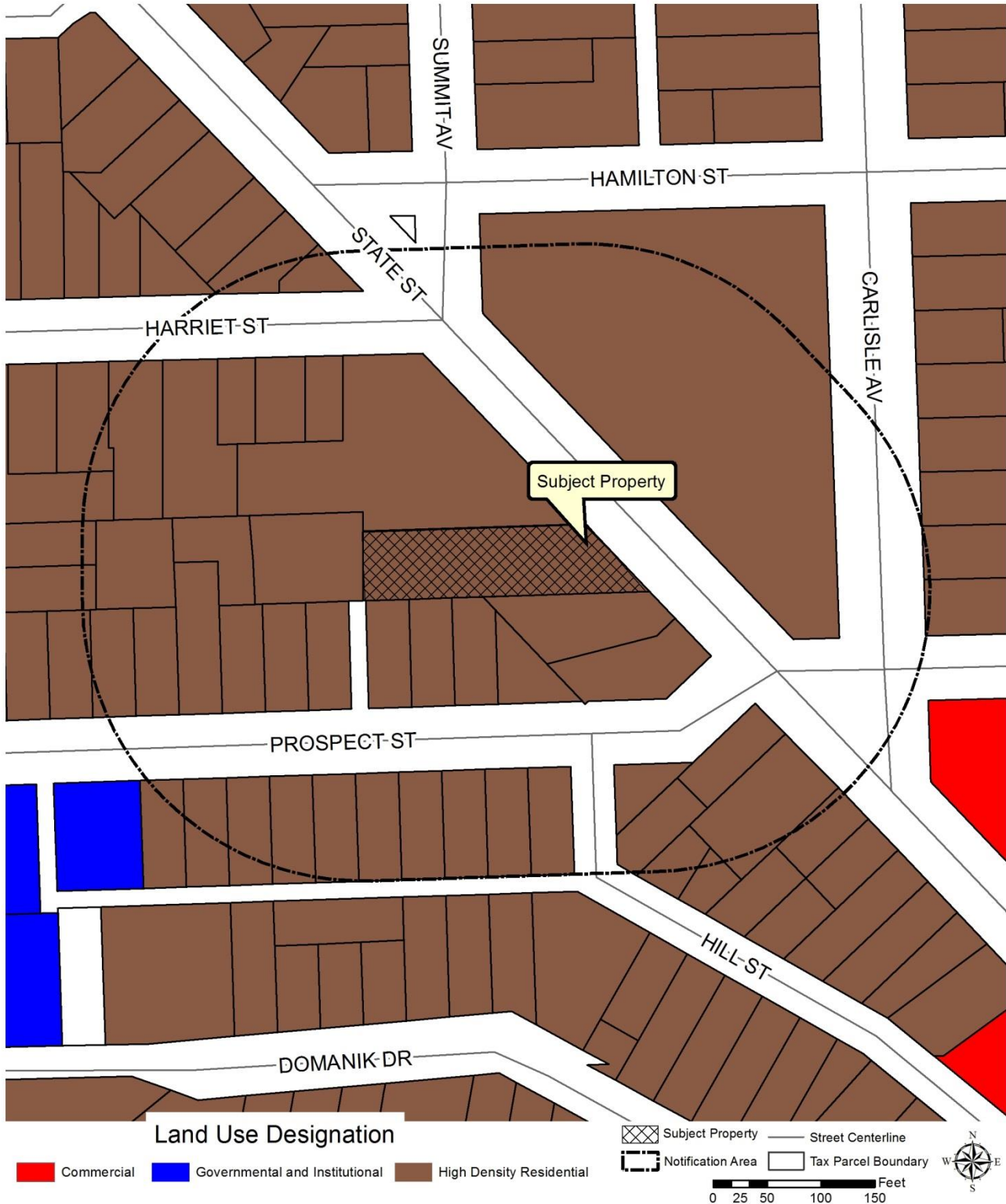


Conditional Use Request - 1819 State Street





Conditional Use Request - 1819 State Street



Site Photos



Looking west at the subject property



Looking northwest along State Street



Looking southeast along State Street



Looking west at shared parking area.
Subject property to the right



Looking north from parking area at
proposed play area



Looking east from the westernmost end of the
property at parking area for dwelling unit