



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

**Meeting Date:** 10/16/2023

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

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

**Division Manager:** Jeff Hintz – (262) 636-9473 – [jeff.hintz@cityofracine.org](mailto:jeff.hintz@cityofracine.org)

**Case Manager:** Michelle Cook

**Location:** 1415 Layard Avenue

**Applicant:** Affordable Floors, LLC (Jason Frank, Rudie/Frank Architecture acting as Agent)

**Property Owner:** Affordable Floors, LLC

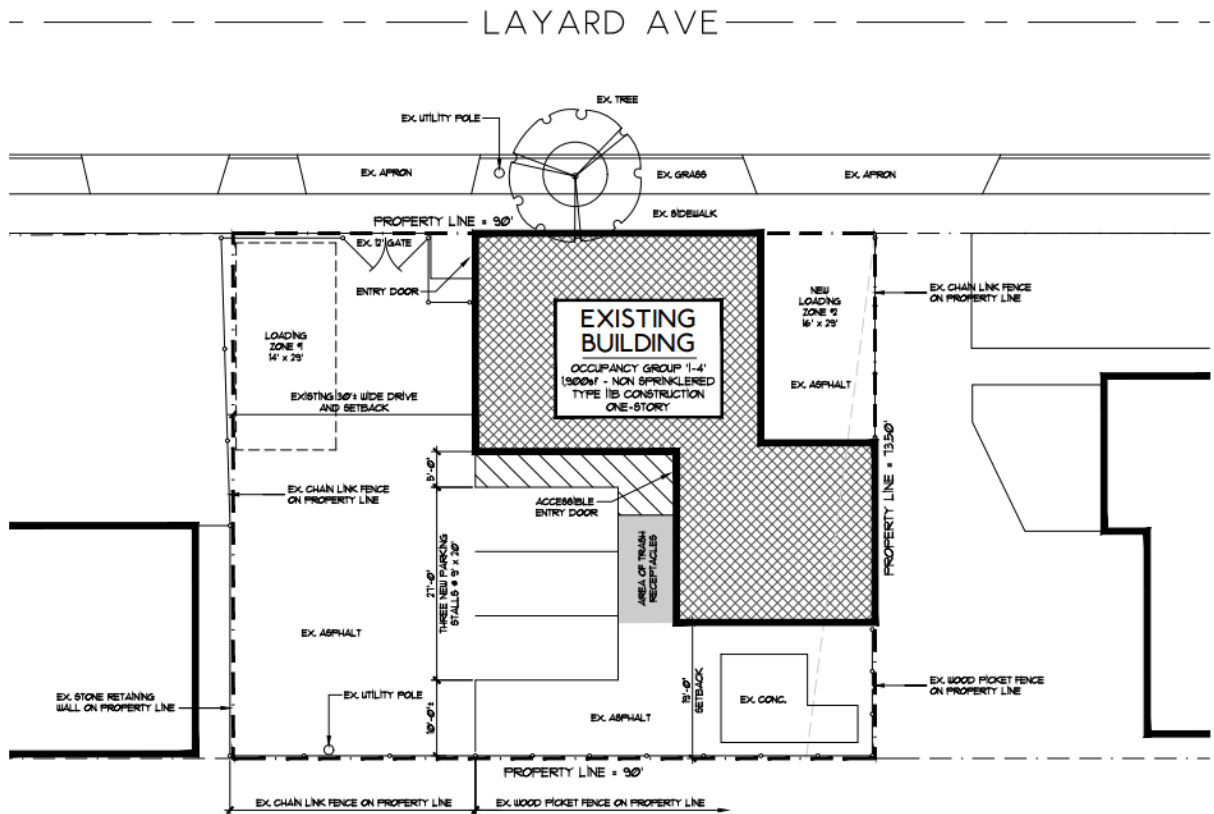
**Request:** Consideration of a conditional use permit to operate an adult daycare center at 1415 Layard Avenue located in a B-2 Community Shopping Zone District, as allowed by Sec. 114-468 of the Municipal Code.

**BACKGROUND AND SUMMARY:** The applicant seeks to utilize the existing commercial space addressed as 1415 Layard Avenue as an adult daycare center with proposed hours being Monday through Saturday, from 7:00 a.m. until 7:00 p.m. The facility will have a maximum of 24 clients and 3 employees. All clients will be picked up and dropped off at the center.

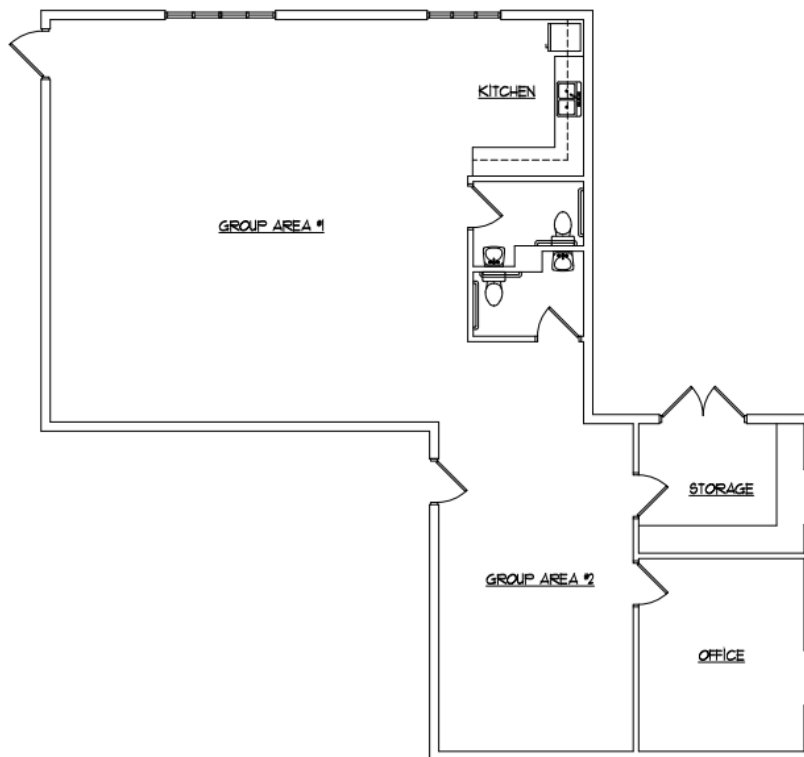
The Zoning Ordinance classifies the adult daycare center as permissible in the B-2 Community Shopping Zone District upon the issuance of a conditional use permit (114-468) – other business uses determined by the planning, heritage and design commission to be of the same general character.



Birdseye view of the property, tenant space indicated in red (image from City Pictometry).  
North is down.



Site Plan submitted by the applicant. North is up.



Floor Plan submitted by the applicant. North is up.

## GENERAL INFORMATION

**Parcel Number:** [18309002](#)

**Property Size:** 6,408 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.
- Promote redevelopment and infill in areas with existing infrastructure and services, enhancing existing residential, commercial, and industrial areas.

**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 of uses and structure sizes in permitted for both daily and occasional shopping.

**Proposed Zoning:** No change proposed

**Existing Land Use:** Vacant

**Surrounding Zoning and Land Uses:**

<b>North</b>	B-2 Community Shopping R-3 Limited General Residence	Auto Repair Garage Residential Properties
<b>East</b>	R-3 Limited General Residence	We Energies Substation/Residential Properties
<b>South</b>	R-3 Limited General Residence	Douglas Park & Cesar Chavez Community Center
<b>West</b>	B-2 Community Shopping	Vacant Commercial Building

**Operations:** The existing commercial space at 1415 Layard Avenue will be renovated into an adult daycare center with proposed hours being Monday through Saturday, from 7:00 a.m. until 7:00 p.m. The facility proposed to have a maximum of 24 clients and 3 employees. All clients will be picked up and dropped off at the center.

## ANALYSIS:

### Development Standards:

**Density** ([114-Article V](#): Article VII, Div. 5 [Bulk Regulations](#) & 8 [Lots](#)):

Standard	Required	Provided
Lot Area	No minimum	6,408 square feet
Lot Frontage	30 feet	704 feet
Floor Area Ratio	4.0 maximum	.2965

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

Yard	Required	Provided
Front (north)	0 feet	0 feet
Side (west)	0 feet	0 feet
Side (east)	0 feet	31 feet
Rear (south)	0 feet	0 feet

**Building design standards** (114-Secs. [735.5](#) & [736](#)): The building on the parcel complies with the requirements of 114.735.5.b.1. This request does not include any new buildings or modifications to the exterior.

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

Current Use Type	Required	Provided
Adult Daycare Center	2	3
Total	2	3

The loading area for all of the tenant spaces is located on the rear of the building.

**Landscaping, screening and yard requirements** ([114- Article V](#): Article VII, Div. 6 [Development Standards](#) & 7 [Fences and Walls](#)): Screening is not required. No changes are proposed to the landscaping on the site.

**Sign Regulations** (114-[Article X](#)): Signage is not a part of this request. Any signage for the site would need follow the requirements of Sec. 114-1078.

**Outdoor lighting, signs** ([114-Sec. 742](#)): The existing lighting complies with the development standards as it focuses light onto the subject property and not adjacent properties.

**Rubbish and trash storage** ([114-Article V](#) & [114-740](#)): The building currently dumpster collection. The containers are located in the rear of the property, out of public view and meets the intent of the ordinance.

### **Engineering, Utilities and Access:**

**Access** ([114-1151](#)): Access to the site is provided by Layard Avenue. The application does not contemplate any changes in access.

**Surface drainage** ([114-739](#) & Consult Engineering Dept.): The reuse of this existing building is not expected to alter drainage for the area or 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:** No exceptions are required for this proposal.

**Additional Planning and Zoning Comments:** N/A.

## **REQUIRED FINDINGS OF FACT:**

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

No Conditional Use shall be recommended by the Planning, Heritage, and Design 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 an adult daycare center in this existing building is not anticipated to be a detriment to the public. The area is located in a mixed-use commercial/residential neighborhood.

- 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: At this scale and intensity, the use will not generate exterior noise, traffic or odor which would be injurious to other properties in the vicinity. The reuse of this property as an adult daycare center – there is a park and community center directly behind the property which will offer an amenity to the clients of the daycare. This property has sat vacant for several years, reuse of this property is consistent with the goals of the Racine Comprehensive Plan in that current infrastructure, and services will be utilized. Establishment of this business as described by the applicant does not appear to substantially diminish the use, enjoyment, or value of property in the neighborhood; a vacant storefront would be more detrimental to the area.

- 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: Given this property is zoned B-2 Community Shopping, the proposed use and organizational structure of the business proposed by the applicant, is not expected to negatively impact surrounding properties. The proposed operation details and hours are consistent with other established businesses in the area. The activities conducted by the applicant are less intensive than some uses which are allowed by right in this zoning district.

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

Staff Comments: The applicant is not proposing any changes to the access, utilities, or drainage for the site. The reuse 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 the site. The ingress and egress from the site will occur from Layard Avenue and is adequate to accommodate the proposed use. The application will be creating additional loading zones to handle the transportation of the clients to and from the facility.

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

Staff Comments: The Comprehensive Plan calls for a land use pattern that strengthens the character and livability of the City's downtown core, commercial and industrial areas. This business provides an opportunity for an appropriate mix of uses in this area.

- 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: It is expected that this establishment will operate in accordance with the applicable regulations for this zone district. No exceptions are needed with this request and the proposed development is expected to fit with the mix of uses allowed to occur in the surrounding area.



## **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, subject to the consent of the applicant.
5. Defer with a continuance of the public hearing to a date certain, subject to the consent of the applicant.

**STAFF RECOMMENDATION:** BASED ON THE FINDINGS OF FACT IN THIS REPORT, THAT THE REQUEST BY JASON FRANK, AGENT FOR AFFORDABLE FLOORS, LLC, TO OPERATE AN ADULT DAYCARE CENTER AT 1415 LAYARD AVENUE BE APPROVED, SUBJECT TO THE FOLLOWING CONDITIONS:

- a) That the application presented to the Planning, Heritage and Design Commission on October 16, 2023 be approved subject to the conditions contained herein.
- b) That all required licenses be acquired from the State of Wisconsin.
- c) That the occupant load for clients be no less than 200 square feet of usable floor space for each participant exclusive of passageways, bathrooms, lockers, office, storage areas, staff room, furnace rooms, and parts of rooms occupied by stationary equipment.
- d) That the hours of operation be Monday thru Saturday from 7:00 a.m. – 7:00 p.m.
- e) That all pick up and drop off be contained on site and not extend into the public right-of-way.
- f) That all trash and recyclables be stored in closed containers and screened from view.
- g) That any changes in signage be submitted to the Department of City Development, Planning Division for review and approval.
- h) That the trailer located on the lot be removed prior to the issuance of an occupancy permit.
- i) That all codes and ordinances are complied with and required permits acquired.
- j) That no major changes be made from the conditions of this permit without approval of the Planning, Heritage and Design Commission.
- k) That this conditional use permit is subject to Planning, Heritage and Design 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).



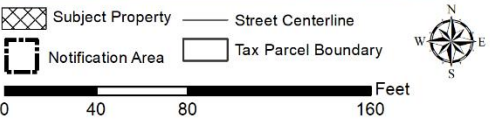
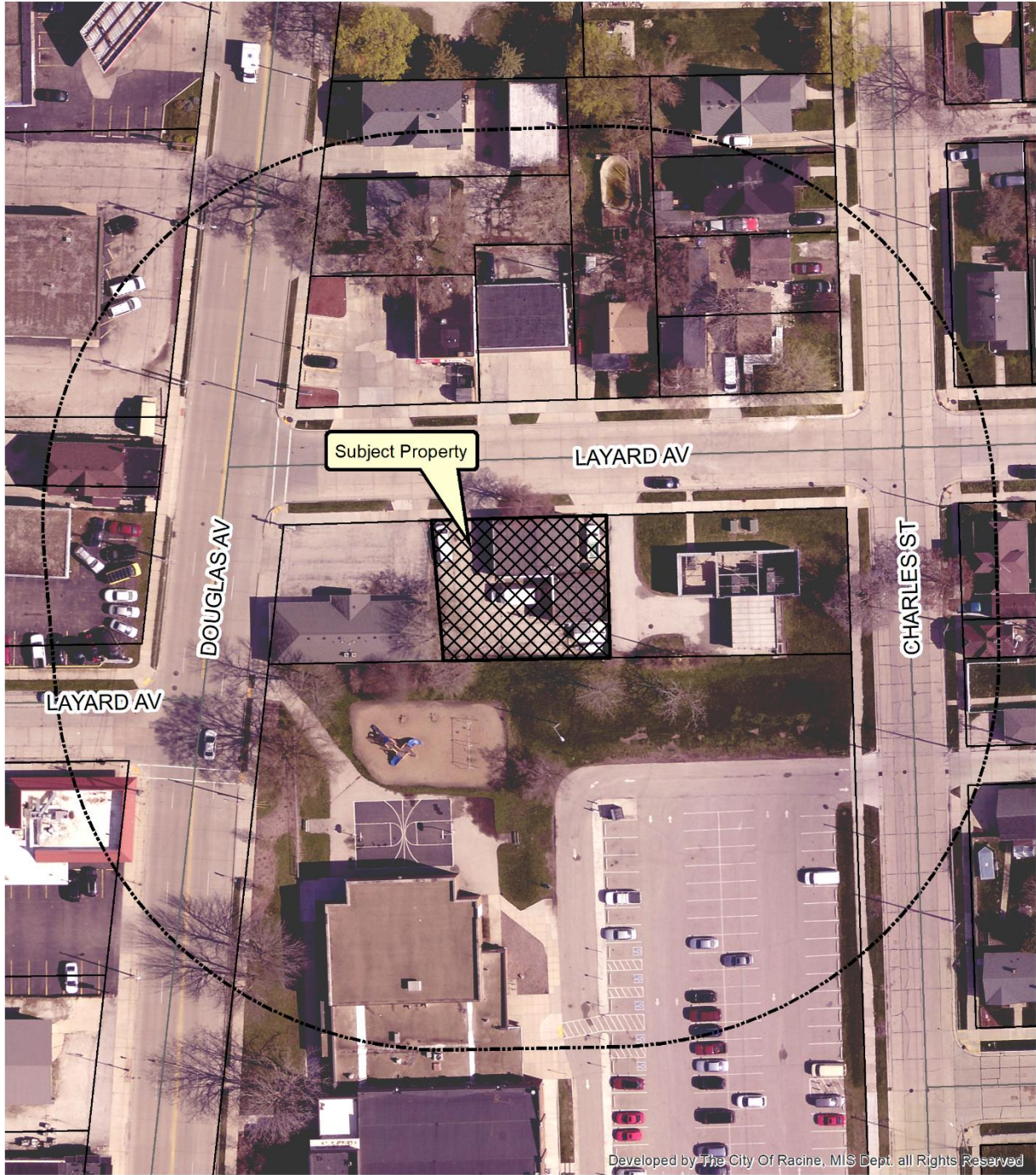


# Conditional Use Permit - 1415 Layard Avenue



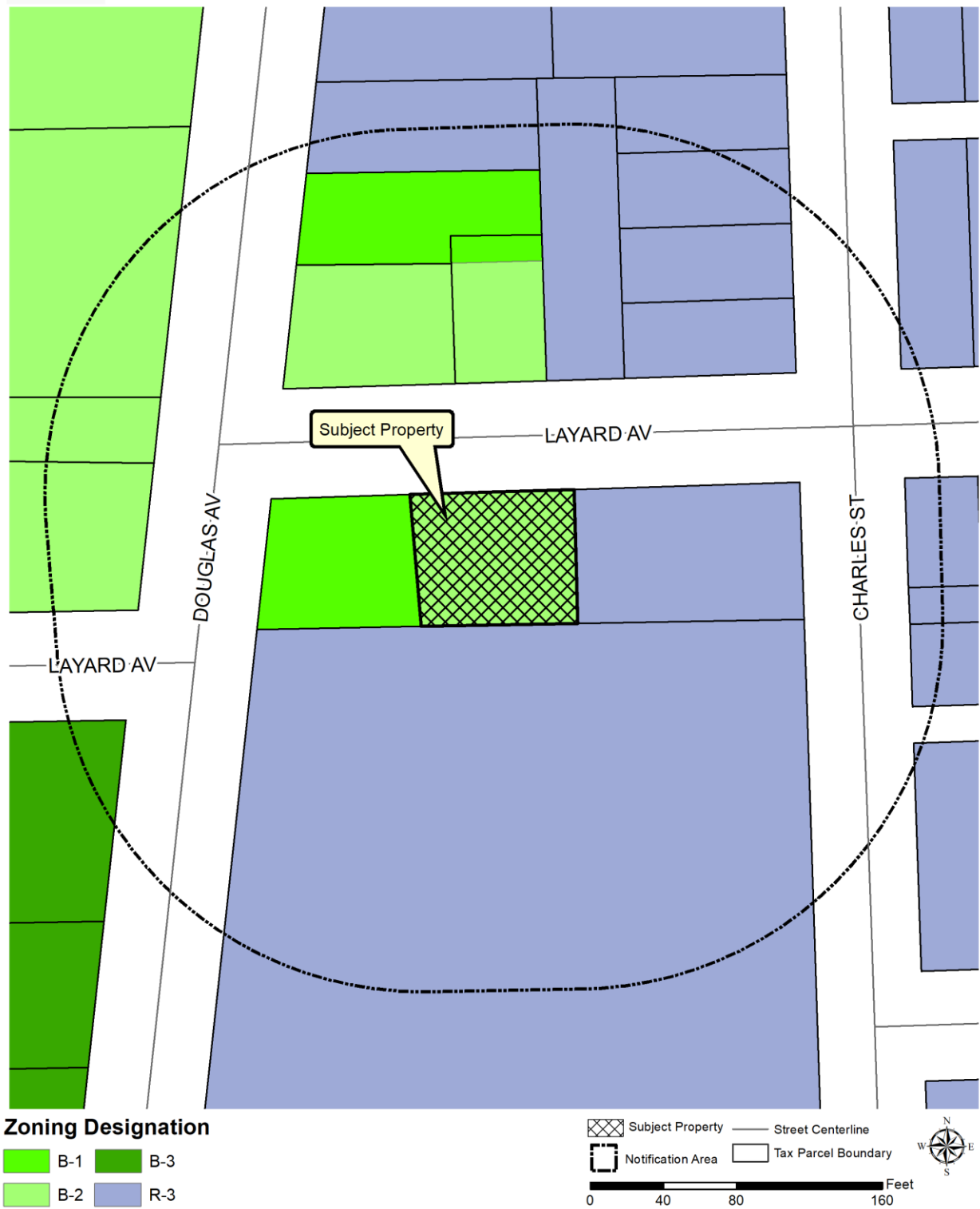


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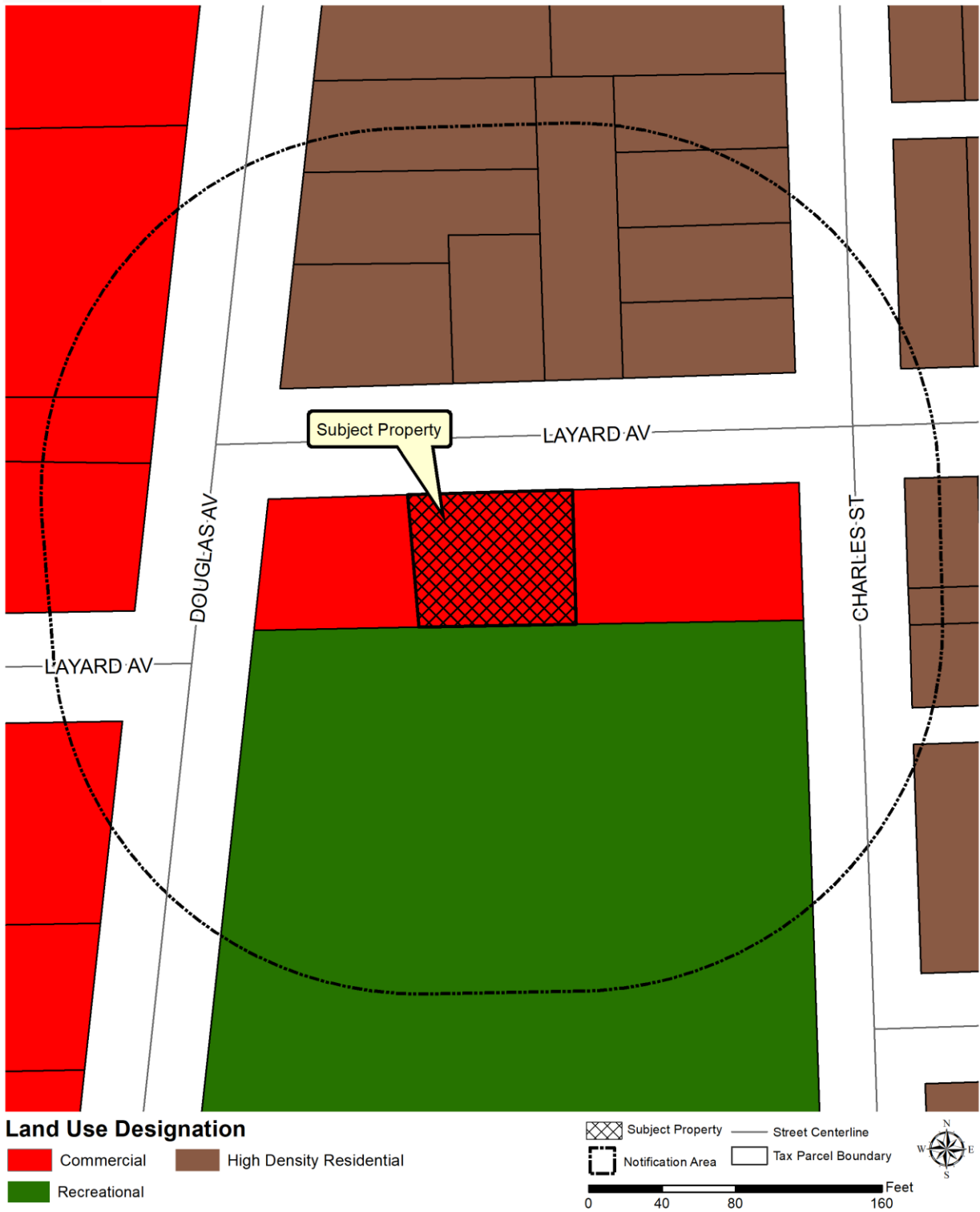


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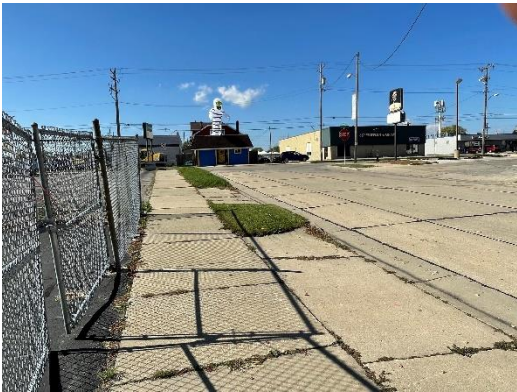
## Site Photos



Looking south at subject property



Looking east at subject property



Looking west from subject property



Looking north from subject property



Looking east down Layard Avenue