



CITY OF RACINE DEPARTMENT OF CITY DEVELOPMENT STAFF REPORT

Meeting Date: 6/26/2019

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: 1913 Taylor Avenue.

Applicant: Tara Campbell of Faith Builders of Deliverance Holiness Church

Property Owner: 1917 TAYLOR LLC

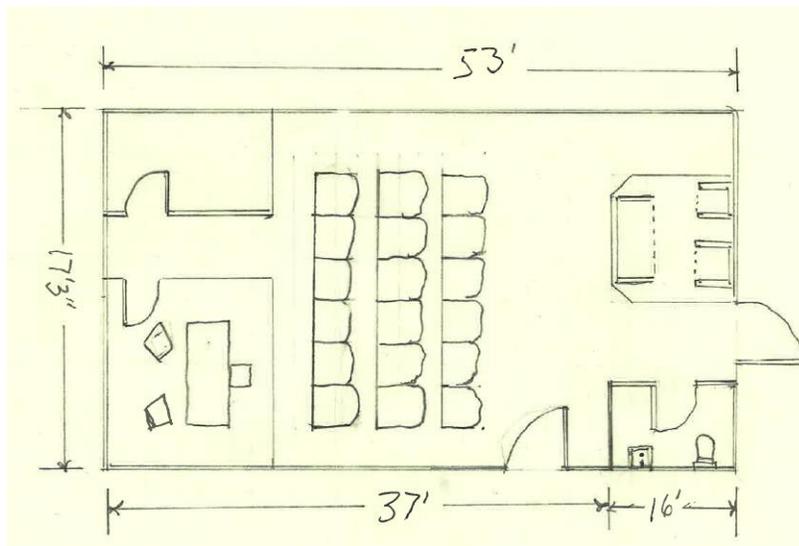
Request: Consideration of a conditional use permit to operate a religious institution, classified as a Class 1 non-commercial-type use, in an existing building at 1911 Taylor Avenue (in tenant space 1913 Taylor Avenue) for property located in a B-1 Neighborhood Convenience Zone District as required in section [114-448](#) of the Municipal Code.

BACKGROUND AND SUMMARY: The applicant seeks to utilize the existing building tenant space at 1913 Taylor Avenue to provide a religious institution, classified as a Class 1 non-commercial type use on the ground floor. The applicant has proposed to have the institution open on Sundays from 9:45 AM – 3:00 PM for worship, Mondays from 6:00 PM to 8:00 PM for youth bible study, adult bible study on Wednesday evening from 6:30 PM-9:00 PM. Counseling Hours would be on Monday from 10:00 AM-1:00 PM, Tuesdays from 10:00 AM – 3:00 PM, Wednesdays from 2:00 PM – 5:00 PM, Thursday and Friday from 10:00 AM – 3:00 PM. The institution would offer general office hours and perform maintenance on Tuesdays and Thursdays from 9:00AM-10:00 AM and on Saturdays from 1:00 PM -5:00 PM. The establishment will add a Wednesday or Thursday morning bible study group and will be opening a small Christian gift store.

The Zoning Ordinance classifies this proposed religious institution as a Class 1 non-commercial-type use, defined in Section 114-1, 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 tenant layout (1913 Taylor Avenue), submitted by applicant.

GENERAL INFORMATION

Parcel Number: [16870000](#)

Property Size: 20,037 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.
- 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-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: mixed use building with retail uses (dog groomer, office space, cell phone store) and parking (in the rear) on the ground floor and dwelling units on the upper floors.

Surrounding Zoning and Land Uses:

North	B-1 Neighborhood Convenience	Automobile repair business
East	R-3 Limited General Residence	Convenience store
South	R-3 Limited General Residence	Single unit dwellings
West	R-4 General Residence	Single unit dwellings

Operations: The applicant has proposed to have the institution open on Sundays from 9:45 AM – 3:00 PM for worship, Mondays from 6:00 PM to 8:00 PM for youth bible study, adult bible study on Wednesday evening from 6:30 PM-9:00 PM. Counseling Hours would be on Monday from 10:00 AM-1:00 PM, Tuesdays from 10:00 AM – 3:00 PM, Wednesdays from 2:00 PM – 5:00 PM, Thursday and Friday from 10:00 AM – 3:00 PM. The institution would offer general office hours

and perform maintenance on Tuesdays and Thursdays from 9:00AM-10:00 AM and on Saturdays from 1:00 PM -5:00 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	48,000 square feet	20,271 square feet
Lot Frontage	30 feet	172 feet
Floor Area Ratio	2.0 maximum	1.5

This parcel is existing non-conforming and the building dates to 1927. The development standards in the current municipal code were not in place when this building was constructed. This proposal does not enhance the non-conforming status of the building.

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

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

Use Type	Required	Provided
Church	3	3
Dwelling Units	30	
Retail spaces	18	13
Total	51	16*

*these are the surface spaces outside the building and do not include the unknown number of garage spaces.

Related to parking, retail and residential uses are complementary are the demand is often opposite. Those in the dwelling units are likely to be gone during the day, when retail uses need the spaces and vice versa during the overnight period. The parking for this building is existing non-conforming as when the building was constructed there were not off-street parking requirements. There are also garage spaces which serve this development and are not included in these calculations. The front of the establishment also has street parking which serves the retail businesses, but does not factor into this calculation.

A Building of this size does requires a dedicated loading space. This requirement did not exist when the building was originally constructed. The drive aisle in the parking lot at the rear of the building

functionally fulfills this requirement, but not technically speaking as the ordinance requires the loading occur outside a parking lot drive aisle.

Landscaping, screening and yard requirements ([114- Article V](#): Article VII, Div. 6 [Development Standards](#) & 7 [Fences and Walls](#)): 114-734 (a) requires screening along the eastern and southern property boundaries because the adjacent lots are residentially zoned. Due to the egress from the dwelling unit to the south of the site, screening is not possible or practical along this lot line. The configuration of the parking also ensures headlights are focused onto the building and not the residential property. Along the eastern lot line, this is not the case and screening does need to be provided.

Sign Regulations (114-[Article X](#)): Signage for this tenant is in the form of a window graphic which complies with the requirements of Article X. The property is allowed 120 square feet; while the exact dimensions of every sign were not provided, based on a visit to the site, the permanent signage appears to be within what is permitted for the configuration and uses on the lot.

Outdoor lighting, signs ([114-Sec. 742](#)): Exterior lights exist on the building. It appears the fixtures focus light onto the property and would comply with the development requirements. The plans submitted by the applicant do not include additional lighting fixtures or changes to the existing fixtures.

Rubbish and trash storage ([114-Article V](#) & [114-740](#)): A trash enclosure is not depicted on the site plan, but an unenclosed dumpster was observed on the lot. Plans and specifications to construct a dumpster enclosure will need to be submitted to City Development prior to occupancy.

Engineering, Utilities and Access:

Access ([114-1151](#)): Vehicular access to the site is provided from driveways off Taylor Avenue and Meachum Street. The site plan submitted by the applicant does not contemplate any changes to access.

Surface drainage ([114-739](#) & Consult Engineering Dept.): Reuse of 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: An exception to Sec. 114-734(a) along the southern lot line. Screening here would be problematic to existing exits from the dwelling unit built to this lot line from the south.

Additional Planning and Zoning Comments: This building despite being built in 1927, is actually the newest residential building in the general area; the former filling station to the north is from 1940. Adjacent residential buildings are from the late 1890's into the very early 1900's.

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 religious institution 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 and is of a scale that is complementary to that of the surrounding area. Given the close proximity to residential development, it is considered a transitional use and the operations are less intensive than many commercial uses in this zone district. This use is not expected to detrimentally impact the general area.

- 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. There is not expected to be any adverse impacts as a result of reusing this building in the manner proposed by the applicant; the use is not expected to generate loud noise and is anticipated to fit into what is, predominately residential character, of 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: The proposed conditions with this request help to ensure that development in the area remains consistent and orderly, while accommodating for new land uses. The recommended conditions also ensure that the property is used more like that of an office type use (which is permitted in this zone) with regular hours to the appearance of a commercial operation is maintained. Business districts are intended for commerce and more active uses; the hours of operation in conjunction with the services being offered by this religious institution will meet the intent of the ordinance, which is that non- commercial type uses function as close to commercial development as

possible. This property is generally surrounded by residential properties so the intensity of the proposed use and operations is important for the overall development patterns of the neighborhood.

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 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 this site. The nature of this operation is to provide a place of worship and counseling with office hours to run the operation. The ingress and egress from the site is expected to be appropriate to handle this demand. The worship services are intended to occur during non-peak traffic times, so in the event the lot becomes full it should be expected that on-street parking would be available.

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 as High Density Residential. 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; the zoning is of a neighborhood commercial intensity, but the predominate usage square footage and by floor, is residential on this property. If the property is utilized as proposed and maintains office hours, occasional evening activities and services on Sunday, it will be generally as active as this use would be allowed in residentially zoned areas (where the proposed use would be allowed by right, without a conditional use).

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 from screening and requirements along the southern boundary as required in Sec. 114-734(a) and Sec. 114-450(b) should be considered with the request. Placing screening and a yard along this southern lot line would create egress issues for the property along this lot line and impact access to the rear of the building. Along the eastern lot line this yard would occupy practically all the space from the building to the property line; this would impact the rear access to the property subject to this request. The development on this parcel would be able to meet other site development standards outlined in the Zoning Ordinance.

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.
5. Defer with a continuance of the public hearing to a date certain.

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 institution will help to provide a mix of uses within walking distance of a predominately residential area, and at a scale and intensity which is complimentary to the neighborhood.
- The proposed operational hours and services should help to create a symbiotic relationship with other area commercial uses, thus helping to support the commercial district, and itself.

STAFF RECOMMENDATION: BASED ON THE FINDINGS OF FACT IN THIS REPORT, THAT THE REQUEST FROM TARA CAMPBELL OF FAITH BUILDERS OF DELIVERANCE, SEEKING A CONDITIONAL USE PERMIT TO ALLOW A TYPE 1 NON-COMMERRIAL-TYPE USE AT 1911 TAYLOR AVENUE, IN THE TENANT SPACE ADDRESSES AS 1913 TAYLOR AVENUE, BE APPROVED, SUBJECT TO THE FOLLOWING CONDITIONS:

- a) That the plans presented to the Plan Commission on June 26, 2019 be approved subject to the conditions contained herein.
- b) That all of the following occur by October 31, 2019:
 1. The obsolete signage, advertising a past uses on the property, be removed as required by Sec. 114-1029.
 2. A trash enclosure as required by Sec. 114-740 be installed on the property. A chain link fence with privacy slats shall not fulfill this requirement. Plans and specifications for the enclosure shall be reviewed and approved by the Department of City Development prior to installation.
 3. Screening as required by Sec. 114-734 be installed along the eastern property line.
- c) That if, prior to the issuance of an Occupancy Permit, required site improvements listed in “b” 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.

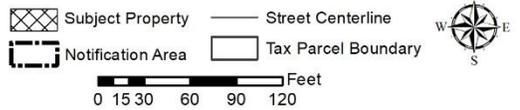
- d) That hours of operation are Sunday from 9:45 AM- 3:00 PM, Mondays from 6:00 PM to 8:00 PM, Wednesday 6:30 PM-9:00 PM, Monday from 10:00 AM-1:00 PM, Tuesdays from 10:00 AM – 3:00 PM, Wednesdays from 2:00 PM – 5:00 PM, Thursday and Friday from 10:00 AM – 3:00 PM, Tuesday and Thursday from 9:00 AM – 10:00 AM and Saturdays from 1:00 PM-5:00 PM.
- e) That no string or LED lights be placed in interior or exterior of windows or as building accent lighting.
- f) That curtains be moved back at least six (6) feet from the storefront windows; windows shall be kept free of coverings and other objects which clutter the ability to view inside the storefront.
- g) This this approval does not include the following types of activities:
 - 1. Charitable meal establishment or food preparation and distribution site.
 - 2. Day shelter for homeless or transient persons.
 - 3. Transitional housing, emergency housing, or group living for homeless or transient persons.
- h) That all codes and ordinances are complied with and required permits acquired.
- i) 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.
- j) 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](#)).

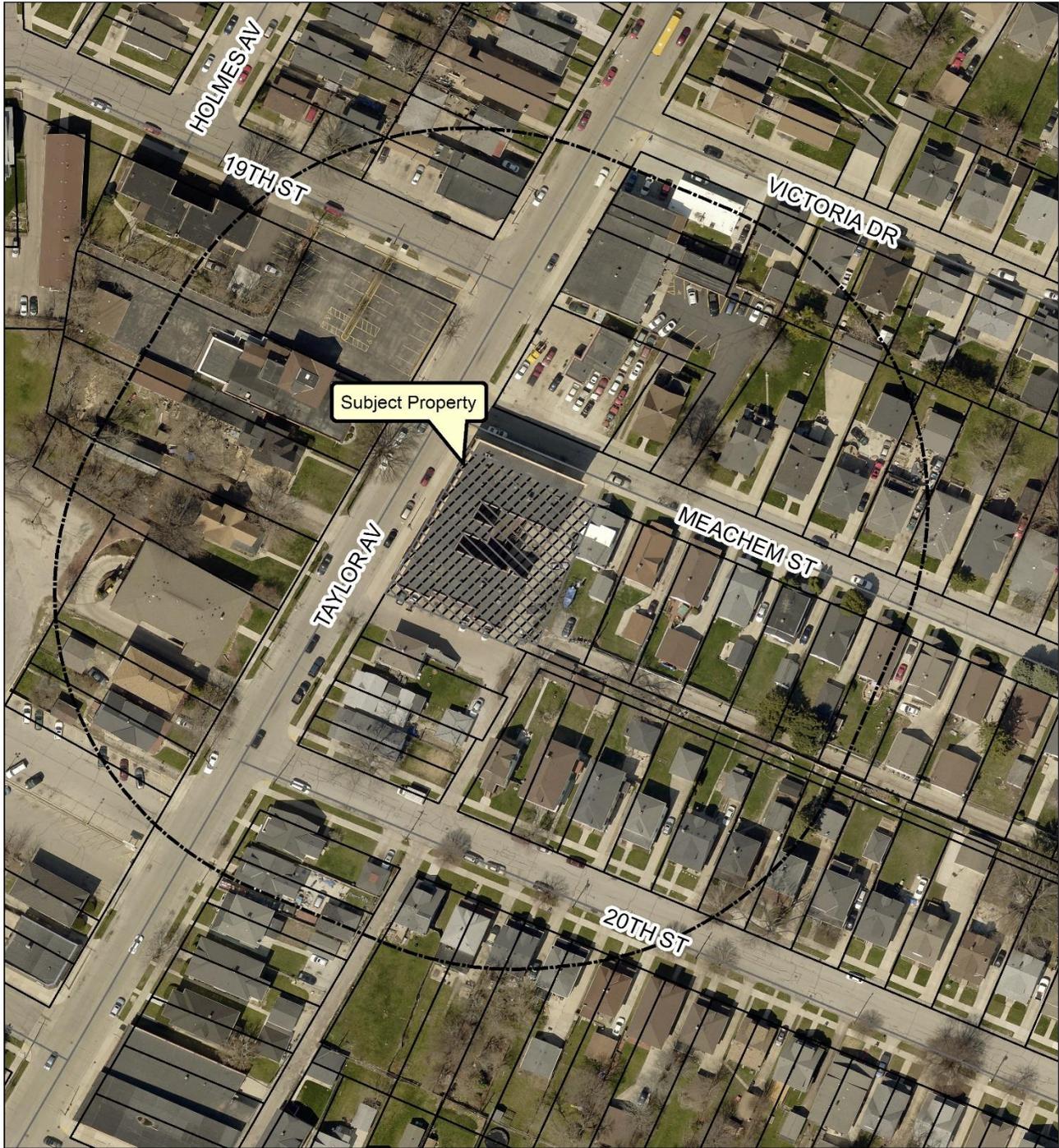


Conditional Use Request - 1911 Taylor Avenue

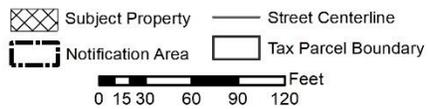




Conditional Use Amendment - 1911 Taylor Avenue



Subject Property





Conditional Use Amendment - 1911 Taylor Avenue



Zoning

	R-3
	B-1
	R-4

	Subject Property		Street Centerline
	Notification Area		Tax Parcel Boundary

0 15 30 60 90 120 Feet



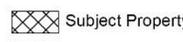
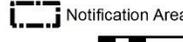
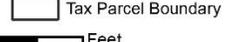


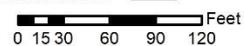
Conditional Use Amendment - 1911 Taylor Avenue



Land Use

-  Commercial
-  High Density Residential

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



Site Photos



Looking east at the subject property, tenant space centered in the photo



Looking north along Taylor Avenue



Looking west from subject property



Looking South along Taylor Avenue



Looking south from rear of building along northern property line



Looking north from parking area and rear access drive