



## **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) 636-9151 [jeff.hintz@cityofracine.org](mailto:jeff.hintz@cityofracine.org)

**Case Manager:** Steven Madsen

**Location:** 1313 High St.

**Applicant:** Tyra Jones

**Property Owner:** Lexa Properties, LLC

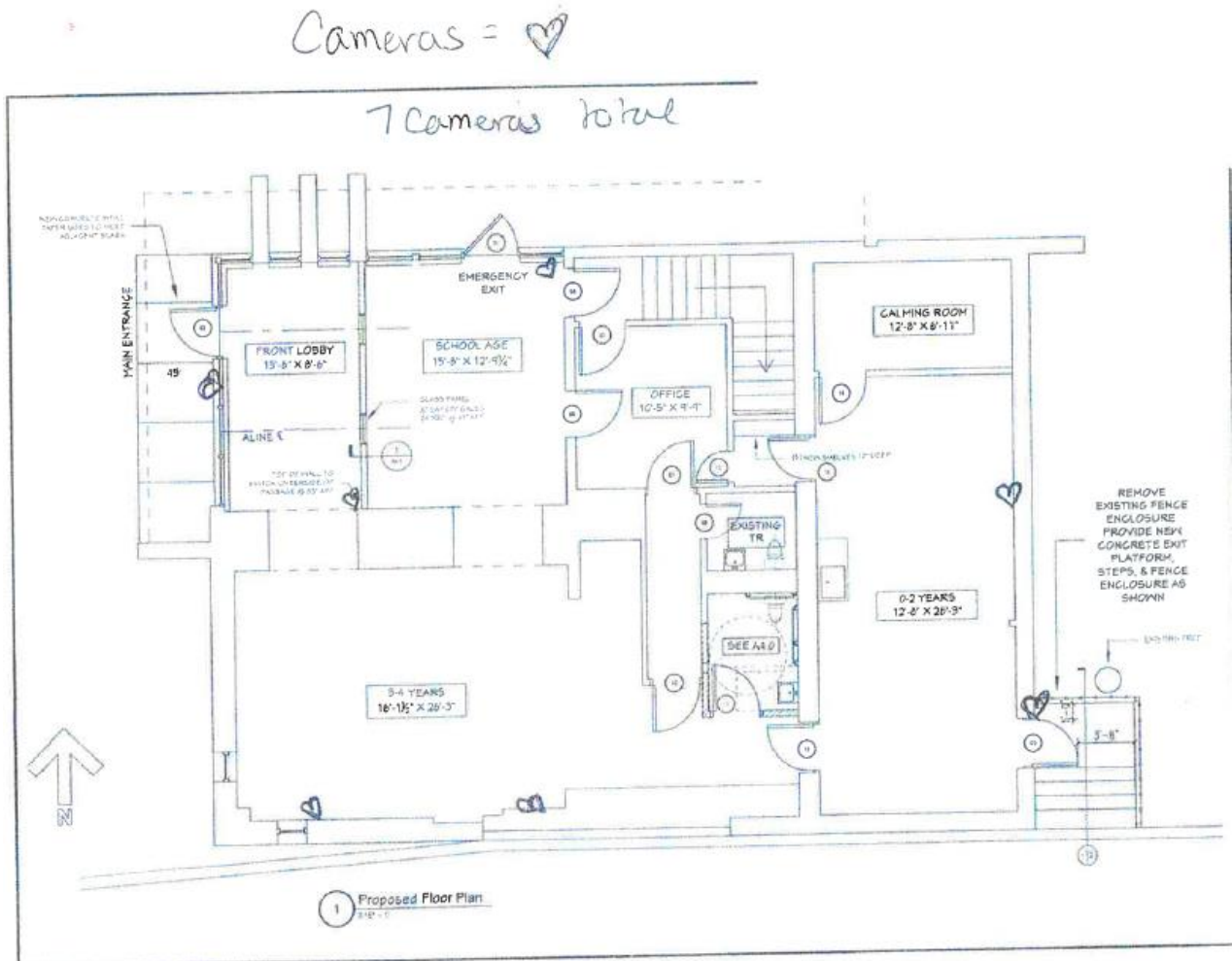
**Request:** Consideration of a conditional use permit for a group daycare at 1313 High Street, which is located in a B-2 Community Shopping Zone District as allowed by Section [114-468](#) of the Municipal Code.

**BACKGROUND AND SUMMARY:** The application contemplates having a group daycare that would operate 24 hours a day in three shifts Monday thru Friday. If they have the demand they may also be open from 5:30 a.m. – 6:00 p.m. Saturday and Sunday. The applicant states that their purpose is to provide affordable and trustworthy childcare in the community. They will have 6 full time employees and would have approximately 30 kids per shift. They will seek to be accredited by the National Association for the Education of Young Children.

The Zoning Ordinance classifies a group daycare as a conditional use in the B-2 Community Shopping Zone District (114-468).



Birdseye view of the property, indicated in blue



Floor plan for proposed use.



General site plan for entire parcel

## GENERAL INFORMATION

**Parcel Number:** 19799001

**Property Size:** 35,500 square feet

**Comprehensive Plan Map Designation:** High Density Residential

**Consistency with Adopted Plans:**

The [Racine Comprehensive Plan](#) states that:

- 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.

**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:** Vacant

**Surrounding Zoning and Land Uses:**

<b>North</b>	B-2 Community Shopping	Bank
<b>East</b>	B-2 Community Shopping	Bakery
<b>South</b>	R-3 Limited General Residence	Single unit Dwellings
<b>West</b>	R-3 Limited General Residence	Single unit Dwellings

## ANALYSIS:

Development Standards:

**Density** ([114-Article V](#): Article VII, Div. 5 [Bulk Regulations](#) & 8 [Lots](#)): The new building complies with all bulk and lot standards.

<b>Standard</b>	<b>Required</b>	<b>Provided</b>
Lot Area	No minimum	35,500 feet
Lot Frontage	30 feet	240 feet
Floor Area Ratio	4.0 maximum	.08

**Setbacks** ([114-Article V](#): Article VII, Div. 6 [Development Standards](#)): Nonresidential uses are not required to provided yards, except as required in 114-470.

<b>Yard</b>	<b>Required</b>	<b>Provided</b>
Front (North)	0 feet	15 feet
Side (East)	0 feet	135 feet
Side (South)	0 feet	155 feet
Rear (West)	0 feet	4 feet

**Building design standards** (114-Secs. [735.5](#) & [736](#)): The building complies with design standards.



**Sign Regulations** (114-[Article X](#)): No sign plan was submitted with this application. Any changes to signs would be reviewed by Planning Division Staff. Any signage would need to follow the sizing and other requirements outlined below:

Sign Type	Allowable Sq. Ft.	Provided Sq. Ft.	Maximum Height	Proposed Height
None Proposed	240 sq. feet	0*	15 feet	NA
Total				

\* Any proposed signage would need to be approved by Planning Division Staff.

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

Use Type	Required	Provided
Day Care	0*	
Total	0*	25

\*This building was most recently a daycare and would not require additional parking to be added.

**Landscaping, screening and yard requirements** ([114- Article V](#): Article VII, Div. 6 [Development Standards](#) & 7 [Fences and Walls](#)): There are no planned changes to landscaping.

**Outdoor lighting, signs** ([114-Sec. 742](#)): The lighting on the property complies with the requirement that lighting be arranged, shielded and oriented in a manner that does not direct radiation or glare onto adjacent properties.

**Rubbish and trash storage** ([114-Article V](#) & [114-740](#)): There is no outdoor area designated for trash on the site plan. Any outdoor container for trash would need to be screened by an enclosure.

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

**Access** ([114-1151](#)): Ingress and egress is provided into the site from two curb cuts on Charles Street. Two used to exist on Martin Luther King Jr. Drive, but they have since been blocked off. The two on Charles are more than adequate to handle the parking and traffic of the site.

**Surface drainage** ([114-739](#) & Consult Engineering Dept.): No changes in impervious surface are planned. If a paving permit were to be pulled the Engineering department would require a stormwater management plan.

**Sewage disposal and water supply** ([114-821](#) & Consult Engineering and S/W Utility): No changes to the usable space of the building are planned and there should be no increase on the use of utilities.

**Exceptions to ordinance:** No exceptions are required for this conditional use.

**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 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: The last use in the building was a group daycare. The site has already generally been fitted to be a daycare including an outdoor play space on the East of the site. With all of the traffic being from Charles and a large parking lot to deal with pick up and drop off there should be no traffic issues. With the other improvements made there is not an anticipated or foreseen detriment to the public.

- 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: There is proposed to be a maximum of 30 children on the site at any one time. There is a large enclosed play area off of the building and a substantial parking lot for clients to use. The property should contain all of the use in space that is outside of the Right-of-Way. This use should not be injurious to the use and enjoyment of other property in the immediate vicinity.

- 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 area is entirely developed. This site is just off the main commercial corridor of Douglas Avenue and has a few other commercial uses surrounding it. The building was originally designed as a bank that had a drive-thru. The site has already been fitted to be a daycare and its operation should not impede any development of the surrounding property.

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

Staff Comments: All utilities are already existing to the building and should be adequate. The proposed changes should not require any changes to the utilities in order to operate. This proposal is to utilize an existing facility which is not expected to detrimentally increase traffic or exceed the capacity of existing infrastructure in the area. The access to the site will not change and the building has functioned in generally this configuration since it was turned into a daycare.

**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: Ingress and egress will remain unchanged and are from Charles Street. This will cause all the traffic to the site to have to come off of the major streets that are within a few blocks to access the site for pick up and drop off. This will ensure that no backup occurs on the streets during these times.

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

Staff Comments: The current land use plan encourages the redevelopment or improvement of commercial properties. The establishment of this conditional use will allow for a higher use for the commercial property.

**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: The applicable sections of the zoning ordinance as they relate to this development are being met as required. No exceptions from the Municipal Code are required for this development.

## **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.

**STAFF RECOMMENDATION:** BASED ON THE FINDINGS OF FACT IN THIS REPORT, THAT THE REQUEST FROM TYRA JONES SEEKING A CONDITIONAL USE PERMIT TO OPERATE A GROUP DAYCARE AT 1313 HIGH STREET BE APPROVED, SUBJECT TO THE FOLLOWING CONDITIONS:

- a) That the plans presented to the Planning Heritage and Design Commission on October 16, 2023 be approved subject to the conditions contained herein.
- b) That all codes and ordinances are complied with and required permits and licenses be acquired.
- c) That any changes to signage be submitted to Planning Division staff for review before approval.
- d) That the facility maintain a license to run a group daycare with the State of Wisconsin.
- e) Hours of operation be 24 hours a day Monday – Friday and potentially 5:30 a.m. – 6:00 p.m. Saturday and Sunday.
- f) That the following occur prior to the issuance of an occupancy permit:
  - a. Any graffiti or damage to the building façades be repaired.
  - b. That the parking areas meet all requirements of Sec. 114-Article XI and that if resealing occurs, that provisions of Sec. 42.222 of the Municipal code be adhered to.
- g) That no minor changes be made from the conditions of this permit without approval of the Department of City Development and no major changes be made without the approval of the Planning, Heritage and Design Commission.
- h) That this conditional use permit is subject to Planning Heritage and Design Commission review for compliance with the listed conditions.

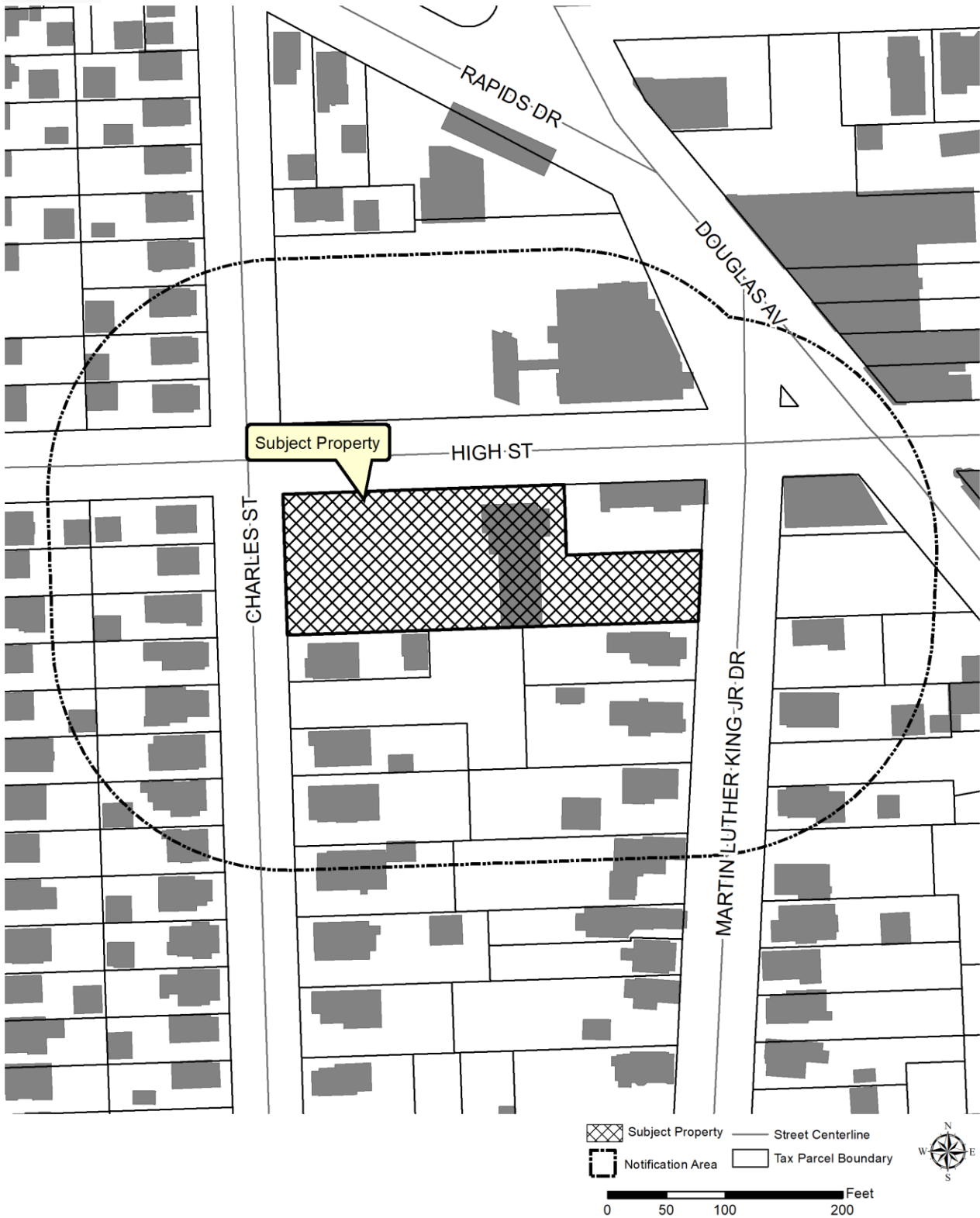
## **ATTACHMENTS:**

- 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).



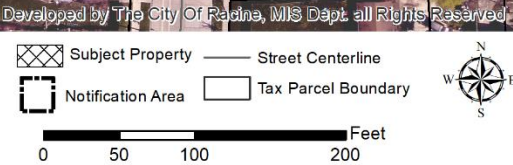


# Conditional Use Permit - 1313 High Street





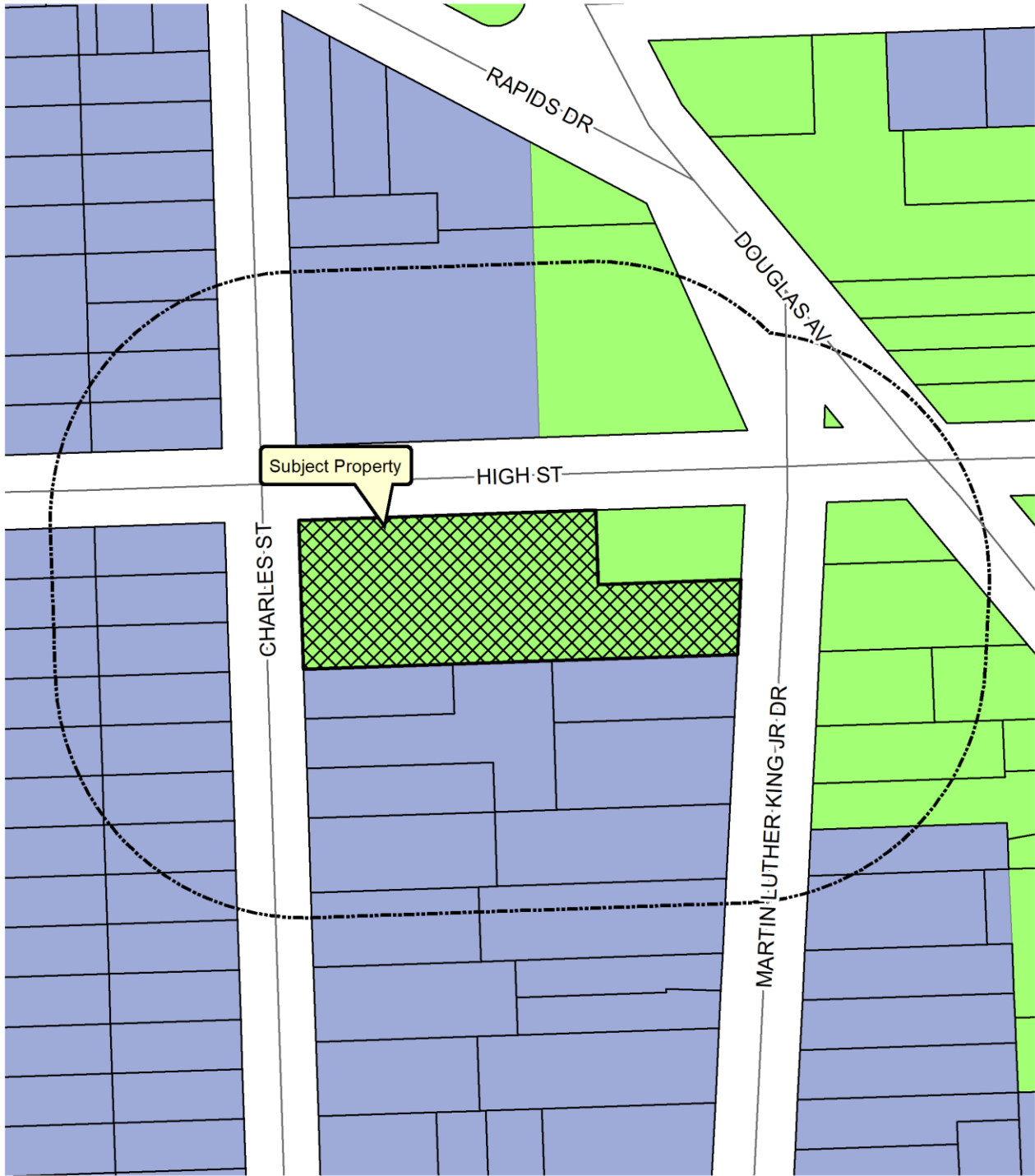
# Conditional Use Permit - 1313 High Street





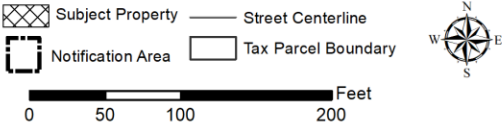


# Conditional Use Permit - 1313 High Street



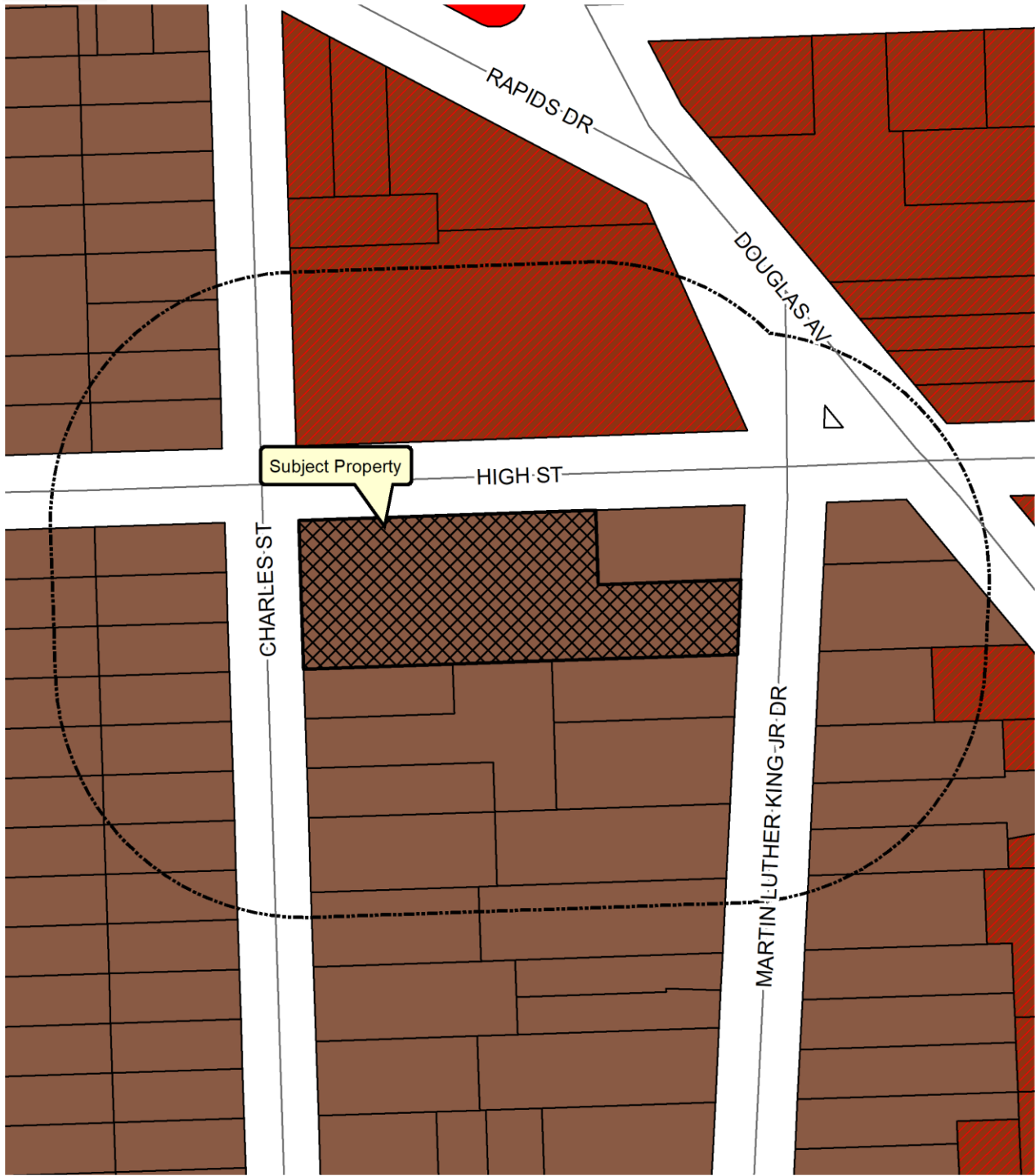
**Zoning Designation**

- B-2
- R-3



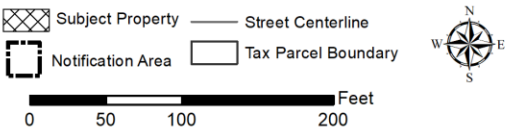


# Conditional Use Permit - 1313 High Street



## Land Use Designation

- High Density Residential
- Mixed Use - Commercial Emphasis



## Site Photos



Looking South at site



Looking East down High St



Looking West down High St



Looking South at parking lot of site



Looking Northeast across High St



Looking West at frontage facing MLK