



CITY OF RACINE DEPARTMENT OF CITY DEVELOPMENT STAFF REPORT

Meeting Date: 4/24/2019

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: 1705 Douglas Avenue, located near the northeast corner of Douglas Avenue and High Street

Applicant: Dan Scholz of DDJR LLC

Property Owner: Dan Scholz

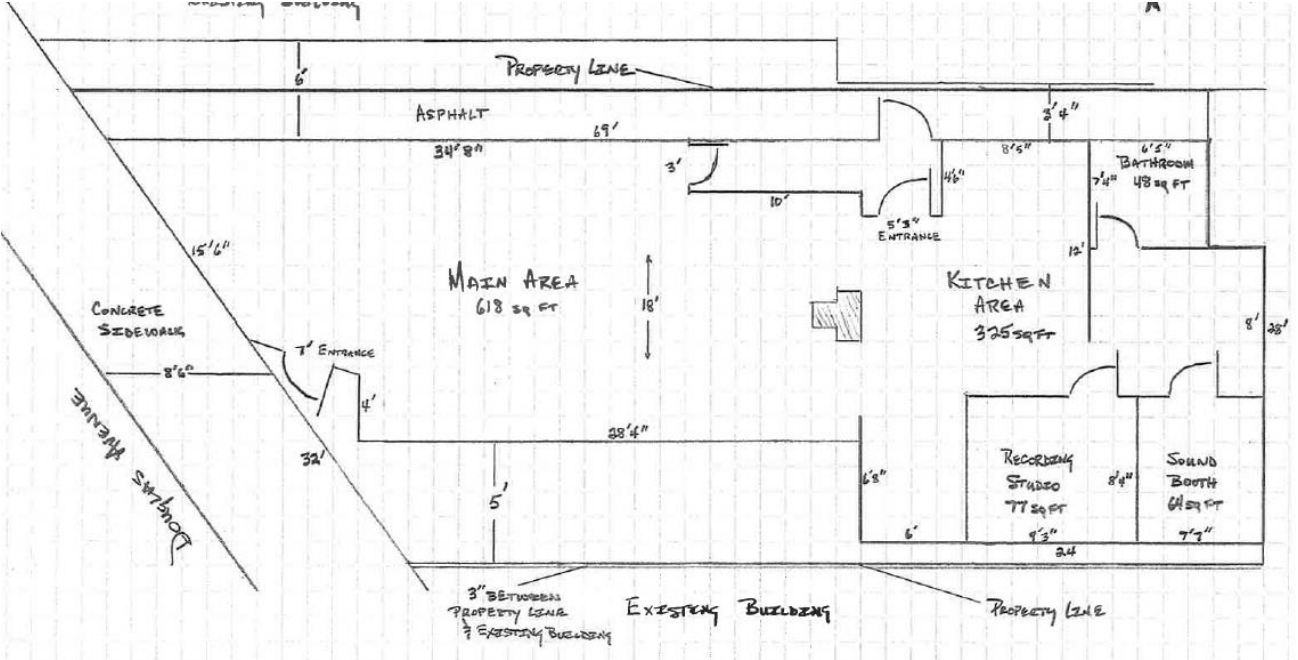
Request: Consideration of conditional use permit to operate a mixed use development in a building of over 5,000 square feet, as allowed by Sec. 114-468 of the Municipal Code, in an existing building addressed at 1705 Douglas Avenue. The property is located in a B-2 Community Shopping Zone District. The proposed mix of uses is a recording studio in the front portion of the building along Douglas Avenue, and the garage in the rear would be for parking of vehicles purchased from auction.

BACKGROUND AND SUMMARY: The proposed recording studio would not have any deliveries and is not expected to generate any sound as a result of operations. The recording studio will use soundproofing to ensure that outside sounds do not permeate the sound booth as outside noises will detrimentally impact the recordings. The automobile storage does not include any repair and will essentially function as a parking garage for the vehicles. The building occupies the entire lot and has no yard or ability to store things outdoors. The mixed use development allows the Plan Commission to make a determination of compatibility for the proposed uses in the development.

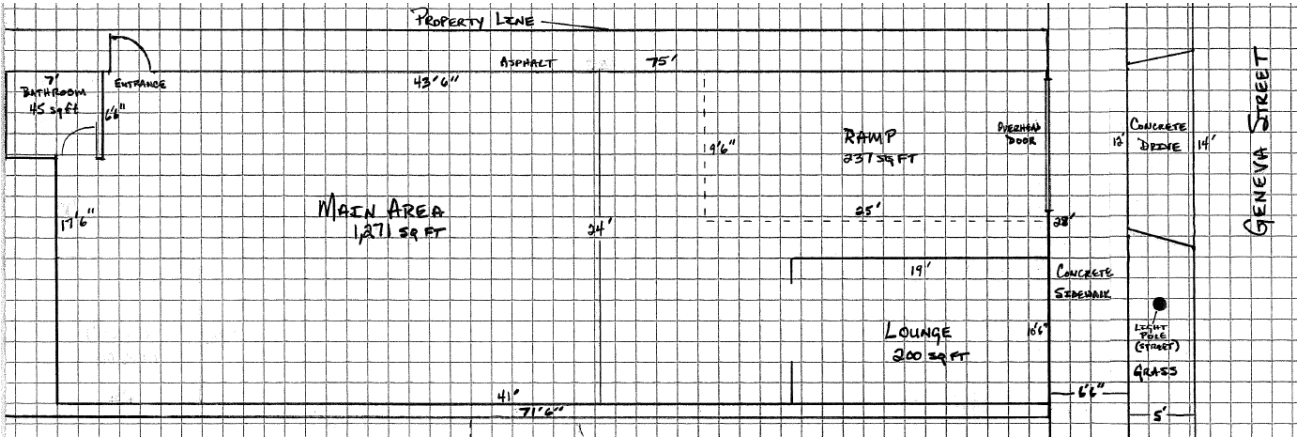
The Zoning Ordinance classifies this proposed mixed use building, as permissible in the B-2 Community Shopping Zone District upon the issuance of a conditional use permit (114-468).



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



Proposed recording studio space in front portion of building (north is up), submitted by applicant.



Proposed auto storage in rear portion of building (north is up), submitted by applicant

GENERAL INFORMATION

Parcel Number: [20061000](#)

Property Size: 3,800 square feet

Comprehensive Plan Map Designation: Mixed Use – Commercial Emphasis

Consistency with Adopted Plans:

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

- Promote a spatial distribution of the various land uses which will result in a convenient and compatible arrangement of land uses.
- Promote redevelopment and infill in areas with existing infrastructure and services, enhancing existing residential, commercial, and industrial areas.
- Provide for the preservation, development, and redevelopment of a variety of suitable industrial and commercial sites both in terms of physical characteristics and location

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 commercial building (former tattoo and piercing establishment) with storage space in the rear.

Surrounding Zoning and Land Uses:

North	B-2 Community Shopping	Thrift shop
East	R-3 Limited General Residence	Detached dwelling units
South	B-2 Community Shopping	Retail shop
West	B-2 Community Shopping	Bank

ANALYSIS:

Development Standards:

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

Standard	Required	Provided
Lot Area	No minimum	3,800 square feet
Lot Frontage	30 feet	35 feet
Floor Area Ratio	4.0 maximum	1.36

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

Yard	Required	Provided
Front	0 feet	0 feet
Side	0 feet	0 feet
Side	0 feet	0 feet
Rear	0 feet	0 feet

Building design standards (114-Secs. [735.5](#) & [736](#)): The existing building on the parcel complies with the construction materials requirements of 114.735.5.b.1, however some general maintenance does need to occur to the structure.

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

Use Type	Required	Provided
Recording studio	3	0
Automobile storage	8	4-7
Total	11 spaces	4-7 spaces*

*Typically parking needs to be for customer access. In this instance, given the usage as a private garage for storage, that more cars than this would fit. The proprietor of the auto business can move

the autos as needed and required maneuvering room becomes much less of an issue. The building is existing non-conforming in regards to parking; those using the recording studio could utilize on-street parking along Geneva or High Street or the Municipal Lot at 1113 High Street behind the Flatiron Building.

A building of this size does not require a dedicated loading zone. The parking area within the rear portion of the building fulfills the requirements of the zoning ordinance.

Landscaping, screening and yard requirements ([114- Article V](#): Article VII, Div. 6 [Development Standards](#) & 7 [Fences and Walls](#)): Yards and landscaping are not required by the zoning ordinance, nor would the installation or creation of yards be possible on this lot, given the configuration of the existing building.

Sign Regulations ([114-Article X](#)): The site is allowed 70 square feet of signage. No plans were submitted with this application for signage. Any change in signage would have to be approved by the Department of City Development and would go through review through the Douglas Avenue Access Corridor prior to installation.

Outdoor lighting, signs ([114-Sec. 742](#)): A detailed lighting plan was not included with the applicant. Any exterior lighting needs to comply with this section regardless of plan submittal. Any changes to exterior lights (including new fixtures) requires review and approval, by the Department of City Development prior to installation.

Rubbish and trash storage ([114-Article V](#) & [114-740](#)): All rubbish and trash will need to be stored indoors and brought out on collection day as there is no space on the lot for an enclosure to be constructed. Storing trash canisters and other rubbish inside is allowed by the ordinance as it meets the requirements that all trash and containers be screened from public view.

Engineering, Utilities and Access:

Access ([114-1151](#)): The only vehicular access point is from Geneva Street at the rear of the building, pedestrians access the site from a passageway between building on the north of the site, or through the front door on Douglas Avenue. The site plan submitted by the applicant does not contemplate any changes in access to the site.

Surface drainage ([114-739](#) & Consult Engineering Dept.): The site plan submitted by the applicant does not contemplate changes which would impact drainage on the 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 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 proposed mix of uses within this development are not expected to be a detriment to or danger to the general welfare of the area. The mix of uses is generally passive and will not generate much traffic to the site; this is an important distinction as the site is not equipped to handle high volumes of vehicular traffic. The use of a recording studio is similar to that of a professional office in the sense that it is a service in which an advance appointment would be required. The noise generation is expected to be minimal as the studio needs to keep sound contained within it and outside sounds out.

- 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 mixed use building is anticipated to be passive in nature and not detrimental to the enjoyment of surrounding properties. The proposed uses are not expected to attract many visitors to the property and would generally go unnoticed to most passersby. The storage of vehicles with no repairs being conducted on site ensures that the use and enjoyment of other properties in the area; auto repair can have unintended consequences on adjacent properties. Since repair is not proposed for this site, storage of autos in the rear is innocuous enough that the property will retain an office or business appearance from Douglas Avenue.

- 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 mix of uses as proposed, including storage of autos only and no repair, is not expected to impede normal and orderly development in the area. As previously mentioned, the frontage along Douglas Avenue will not appear like that of a garage, but of a professional office for the usage as a sound studio. The noise of the sound studio will be contained within the recording booth itself and the facility is not anticipated to generate noise which would be to a detriment to those in the surrounding properties. The mixed use development will provide a use for this building which as proposed, would be harmonious to that of the general area. The mixed use building will be complimentary to the mix of uses in this business corridor and provide an opportunity for a business usage which functions as a professional office with storage. The transition within the building from

the studio portion into the storage, fits with the transition from the commercial corridor into residential uses along Geneva Street.

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

Staff Comments: This request is not expected to impact the drainage or provision of utilities to the area. Vehicle access to the site is provided from Geneva Street and pedestrian access from Douglas Avenue. The submitted plans do not contemplate changing access to the site and other facilities and utilities serving the property.

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 site plan submitted by the applicant does not contemplate any changes in site access to the site. The applicant proposal is generally passive in nature and is not intended to or expected to generate traffic to the site. The vehicle storage will generate limited vehicle and pedestrian traffic (essentially unloading of a vehicle after purchase and for delivery) and the recording studio isn't a drop in type business like retail sales. The proposed usage in itself ensures there will be minimal traffic to the site.

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 Mixed Use – Commercial Emphasis. 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 use is harmonious with others in the area and provides an effective use for this site considering the existing buildout. The property serves as a buffer from the residential areas to the east of Douglas Avenue and the commercial corridor and a use as proposed with this project fulfills overarching goals of the Comprehensive Plan and sound planning principles related to development.

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. No exceptions are needed with the request and the proposed development should serve as a suitable buffer into the adjacent neighborhoods.

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 as a transitional use from an active business corridor into a more residential area.
- The proposed mixed use development is more of a passive type of use which will not be detrimental to the surrounding development or other land uses if operated in accordance with the recommendations from this report.

STAFF RECOMMENDATION: BASED ON THE FINDINGS OF FACT IN THIS REPORT, THAT THE REQUEST FROM, DAN SCHOLZ OF DDJR LLC SEEKING A CONDITIONAL USE PERMIT TO ALLOW A MIXED USE DEVELOPMENT AT 1705 DOUGLAS AVENUE BE APPROVED, SUBJECT TO THE FOLLOWING CONDITIONS:

- a) That the plans presented to the Plan Commission on April 24, 2019 be approved subject to the conditions contained herein.
- b) That the following development standards be complied with prior to occupancy unless otherwise noted:
 1. Building exterior be cleaned and painted as required by Sec. 114-Article VII, Division 6, selected colors and proposed locations to be submitted for review through Douglas Avenue Access Corridor prior to application. Building shall not be sandblasted to remove paint.
 2. Windows, screens, and storm windows be repaired and/or replaced so that no portion thereof is broken or otherwise in disrepair.
- 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 LED string lights not be placed in windows.
- e) That servicing or repair of any kind to automobiles, trucks or motorized vehicles be prohibited without a major amendment to this Conditional Use Permit.
- f) That at no time shall automobiles being stored in the garage or transported to the garage be parked on the street except for loading and unloading.
- g) That any sleeping quarters or household living occur on upper floors and not on the first floor at any time.
- h) That a security cameras be installed and the passageway along the northern part of the building be illuminated. Plans and specifications be provided to the Department of City Development for review and approval prior to installation.
- i) That operating hours for the businesses on the property be from 10:00 AM -10:00 PM
- j) That at no time shall live entertainment or parties for guests occur on the premises.
- k) That building occupancy shall not exceed the limits set by the Building Code and valid Occupancy Permit.
- l) That all codes and ordinances are complied with and required permits acquired.
- m) 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.
- n) 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 - 1705 Douglas Avenue



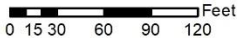




Conditional Use Request - 1705 Douglas Avenue



 Subject Property
 Notification Area

 Street Centerline
 Tax Parcel Boundary
 Feet
0 15 30 60 90 120





Conditional Use Request - 1705 Douglas Avenue



Zoning Designation

B-2 R-3

Subject Property — Street Centerline
Notification Area Tax Parcel Boundary

0 15 30 60 90 120 Feet





Conditional Use Request - 1705 Douglas Avenue



Land Use Designation

- Mixed Use - Commercial Emphasis
- High Density Residential
- Commercial

Subject Property Street Centerline
Notification Area Tax Parcel Boundary

0 15 30 60 90 120 Feet

Site Photos



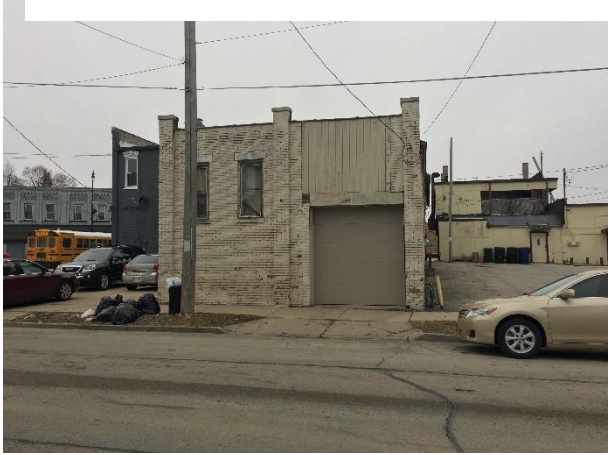
Looking east at the property from Douglas Avenue



Looking east down High Street and South down Douglas Avenue



Looking north along Douglas Avenue



Looking west from Geneva Street at the rear of the property



Looking north along Geneva Street



Looking west at property from Geneva Street