



CITY OF RACINE DEPARTMENT OF CITY DEVELOPMENT STAFF REPORT

Meeting Date: 11/18/2024

To: Mayor and Planning, Heritage and Design Commission Members

From: City Development Department, Division of Planning and Redevelopment

Division Manager: Steven Madsen – (262) 636-9151 steven.madsen@cityofracine.org

Case Manager: Michelle Cook

Location: 1627 Douglas Avenue

Applicant: Jarnail Singh

Property Owner: Singh Family Real Estate Holding, Inc.

Request: Consideration of a conditional use permit for an adult day care facility, classified as a “use determined similar to others” allowed in a B-2 Community Shopping Zone District as allowed in Section [114-468](#) of the Municipal Code.

BACKGROUND AND SUMMARY: The application contemplates having an Adult Daycare that will provide safe supervision and vocational and recreational services and activities to cognitively and/or developmentally disabled adults. The program will operate 8:00 a.m. – 5:00 p.m., seven days a week. The daycare would have 2-3 employees and, based on the usable square footage of the building, have a potential maximum capacity of 4 clients.

An adult day care is being processed as a use similar to those allowed in the district which the Zoning Ordinance classifies as a conditional use in the B-2 Community Shopping Zone District (114-468). The Planning, Heritage, and Design Commission would need to:

1. Determine this use is similar to that of others permissible in this zone district; and
2. Determine that as proposed to be operated based on the applicant submittal, the criteria for consideration are being met at this property.



Birdseye view of the property, indicated in blue. North is to the left.



Site/Floor plan for the proposed use, submitted by the applicant.

GENERAL INFORMATION

Parcel Number: [19316011](#)

Property Size: 4,861.30 square feet

Comprehensive Plan Map Designation: Mixed Use – Commercial Emphasis

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:

North	B-2 Community Shopping	Retail
East	B-2 Community Shopping	Parking Lot
South	B-2 Community Shopping	Retail
West	B-2 Community Shopping	Auto Repair and Child Educational Facility

ANALYSIS:

Development Standards:

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

Standard	Required	Provided
Lot Area	No minimum	4116.42 square feet
Lot Frontage	30 feet	29 feet
Floor Area Ratio	4.0 maximum	.97

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

Yard	Required	Provided
Front (West)	0 feet	0 feet
Side (North)	0 feet	0 feet
Side (South)	0 feet	0 feet
Rear (East)	0 feet	120 feet

Building design standards (114-Secs. [735.5](#) & [736](#)): The design of the building does meet our current 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
Projecting/Wall/Freestanding	58 sq. ft.	0	15 feet	0 feet
Total				

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

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

*The previous uses as retail establishments would have required more parking than the proposed use so additional parking is not required. Additionally, the building is existing and has no parking or area to provide off-street parking. All parking and loading would need to be accomplished from the City right-of-way or from the rear of the property.

Landscaping, screening and yard requirements ([114- Article V](#): Article VII, Div. 6 [Development Standards](#) & 7 [Fences and Walls](#)): The site is almost entirely developed and 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 planned area for outdoor trash enclosure. If trash is to be stored outside it would need to be in the rear of the property screened from view.

Engineering, Utilities and Access:

Access ([114-1151](#)): The site has no parking lot. The building can be accessed by the public sidewalk or across the property to the rear. An access agreement would need to be provided to show use of the property.

Surface drainage ([114-739](#) & Consult Engineering Dept.): Any changes to impervious surfaces would have to be reviewed by the Engineering Department.

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: The adult daycare use is not defined within the Zoning Ordinance. The code does define a daycare (for children), but this is not the same usage as what is being proposed. It would not be permissible for us to review the proposal under those criteria; furthermore, the code also has a definition for “Convalescent or nursing home” which means, a private home for the care of the aged or infirm, or a place of rest for those suffering from bodily disorders. The proposed usage isn’t exactly either of those uses and as such, the code requires the PHDC to determine the proposed usage is similar to other uses allowed in this district.

A list of uses allowed in this district can be [found at the link here](#) in Sec. 114-467 and 114-468. The uses which can occupy buildings in the B-2 zone district are generally for retail and light services. Retail establishments, professional offices, eateries/bakeries and other dine-in food shops, and appointment-style operations are permitted by right. Group daycare centers (for children) are also permissible when they are located within and thus accessory to, an educational institution, recreational or social facility, or religious institution.

A conditional use permit implies that extra review is required as uses listed may not always fit in the this zone and additional information about the, operational conditions and site need to be provide to

insure adverse impacts do not detrimentally impact other properties. These uses are listed in [Sec. 114-468](#) of the Code and generally summarized include, stand-alone day care centers (for children, with locational and use requirements), public uses (utilities, libraries, parks), community living arrangements with nine or more people, boardinghouses and rooming houses (where adults would reside temporarily), community gardens, street level studio space for artists, photographers and other artisans, takeout restaurants, automobile related services, hotels/motels, gyms, breweries, contractor showrooms/shops, pawnbrokers/convenient cash businesses, recycling drop-off, piercing/tattoo establishments and *other uses determined similar by the PHDC* are also listed.

Being a use which the code does not currently define, the characteristics of an adult daycare facility are somewhat similar to some of the uses. Listed under conditional uses are dwelling units for community living arrangements of nine or more people and boardinghouse establishments; those uses are more intensive than the proposed usage in the sense that individuals would reside at the property and be there overnight; the proposed usage would function as an activity center for adults. These somewhat similar, but more intensive uses are listed as conditional uses, meaning at every B-2 zoned property additional review to mitigate for potential adverse impacts is required. Not all B-2 zoned properties have the same lot size/configuration, existing buildout of the buildings/improvements, or location within a neighborhood.

The PHDC would first need to determine whether this use is similar to that of others permissible in this zone district; planning staff finds that the use is of a similar nature and of the same general character of the uses permitted in this district. With that said, the PHDC would need to:

1. Agree with that assessment;
2. If in agreement, determine that as proposed to be operated based on the applicant submittal, the criteria for consideration are being met at this property.

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 addition of an adult daycare at this location is not seen to be a detriment to or endanger the public health, safety, morals, comfort, or general welfare of the area. At the scale of the adult daycare, 4 clients, the use will not cause detriment to the neighborhood and surrounding properties.

- 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. This property is currently vacant and reuse of the property is consistent with the goals of the 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 building would be more detrimental to the area and the hours of operation for the adult daycare are consistent with other businesses in the area. Due to the number of clients allowed to be at the facility, large drop-offs would not occur at this location.

- 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 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 and the activities conducted by the applicant are less intensive than some uses which are allowed by right in this zone district.

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

Staff Comments: The reuse of this site and existing building is not expected to impact the provision of utilities for the property or general area. Access to the site would be from Douglas Avenue or High Street to the rear of the property (access agreement would need to be provided).

- 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: There is adequate parking in the rear of the property (access agreement would need to be provided to show use of this space) that would be adequate to drop off and pick up clients, as needed.

- 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. This conditional use permit will facilitate the reuse of one of the City's vacant commercial spaces which is encouraged by the plan.

- 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: 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 JARNAIL SINGH SEEKING A CONDITIONAL USE PERMIT TO OPERATE AN ADULT DAY CARE AT 1627 DOUGLAS AVENUE BE APPROVED, SUBJECT TO THE FOLLOWING CONDITIONS:

- a) That the plans presented to the Planning, Heritage and Design Commission on November 18, 2024, be approved subject to the conditions contained herein.
- b) That all codes and ordinances are complied with and required permits acquired.
- c) That all required licenses be acquired from the State of Wisconsin.
- d) That the occupant load for adult daycare 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. Which would allow for a maximum of four (4) clients for the adult daycare use.
- e) That an access agreement be provided to show use of the parking area and drive aisles in the rear of the property.
- f) That the following site improvements be done prior to the issuance of an occupancy permit:
 1. That any portion of the property in the rear of the property used as a driveway be surfaced in accordance with Section 114-1167 (b) of the Municipal Code.
 2. That any obsolete signage from the property be removed per Section 114-1029 (a) of the Municipal Code.
 3. That the peeling paint on the property be repaired per Section 18-312 (5) of the Municipal Code.
- g) That if, prior to the issuance of an Occupancy Permit, required site improvements listed in “e” 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 applicant for any incomplete work and shall be valid for no less than one year from the date of issuance. The surety format and content is subject to review and approval by the City Attorney.
- h) That all pickup and drop-off of clients be done entirely on site or in the rear of the property and not extend into the public right-of-way.

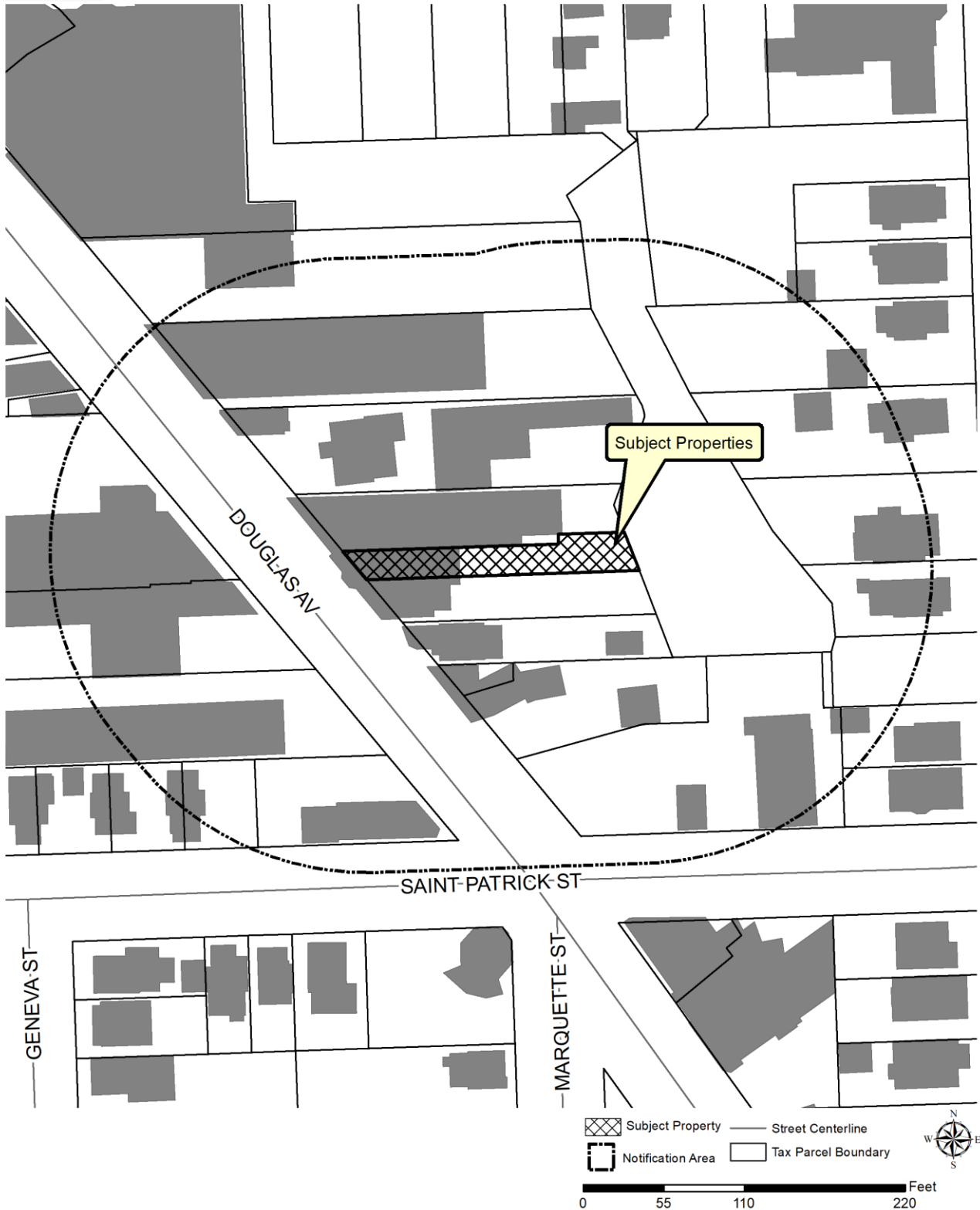
- i) That no major changes be made from the conditions of this permit without approval of the Planning, Heritage and Design Commissions and no minor changes be made without the approval of the Department of City Development.
- j) That this conditional use permit is subject to Planning, heritage and Design 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).

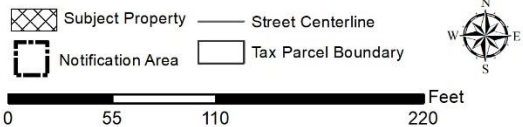
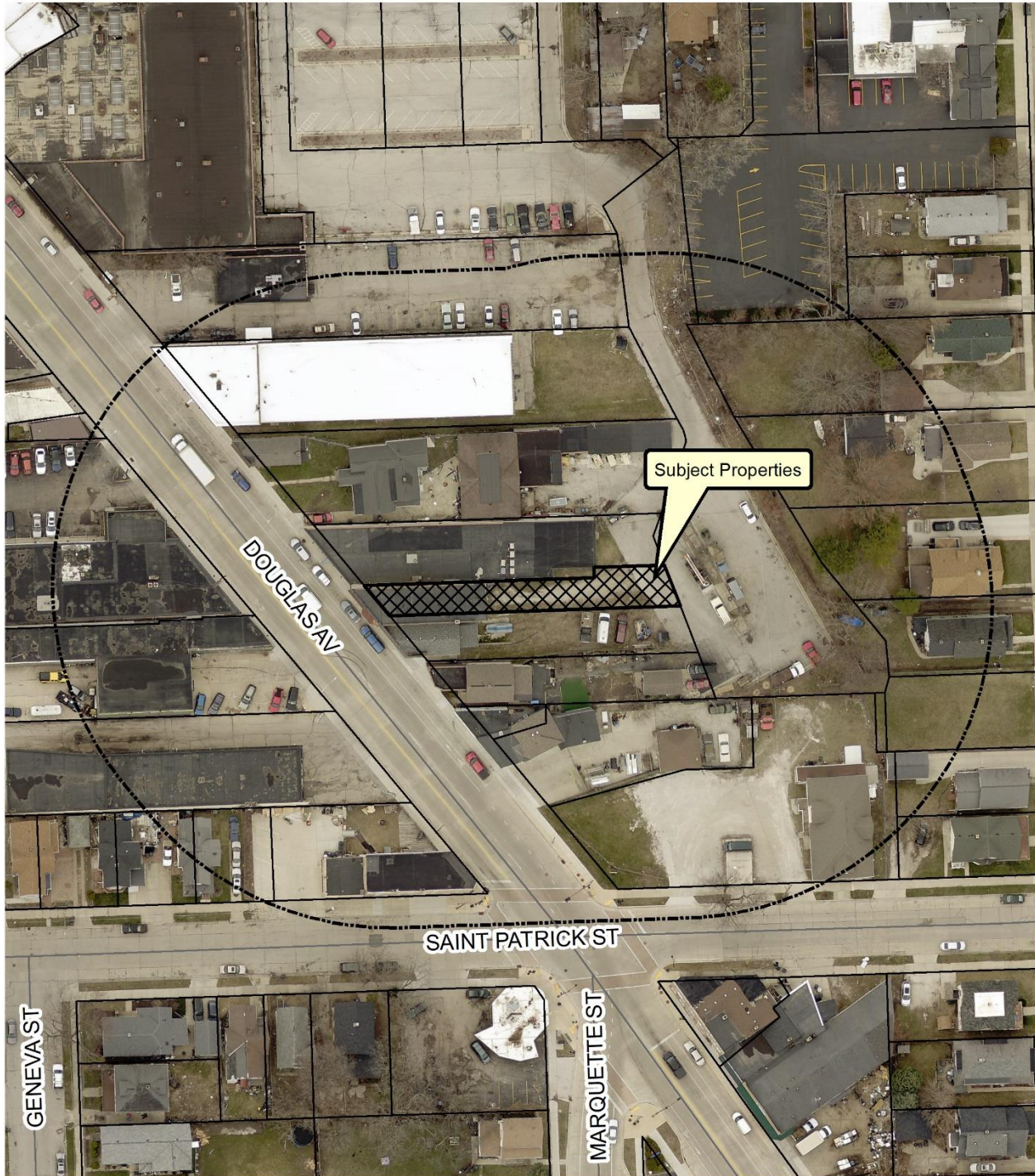


Conditional Use Permit - 1627 Douglas Ave



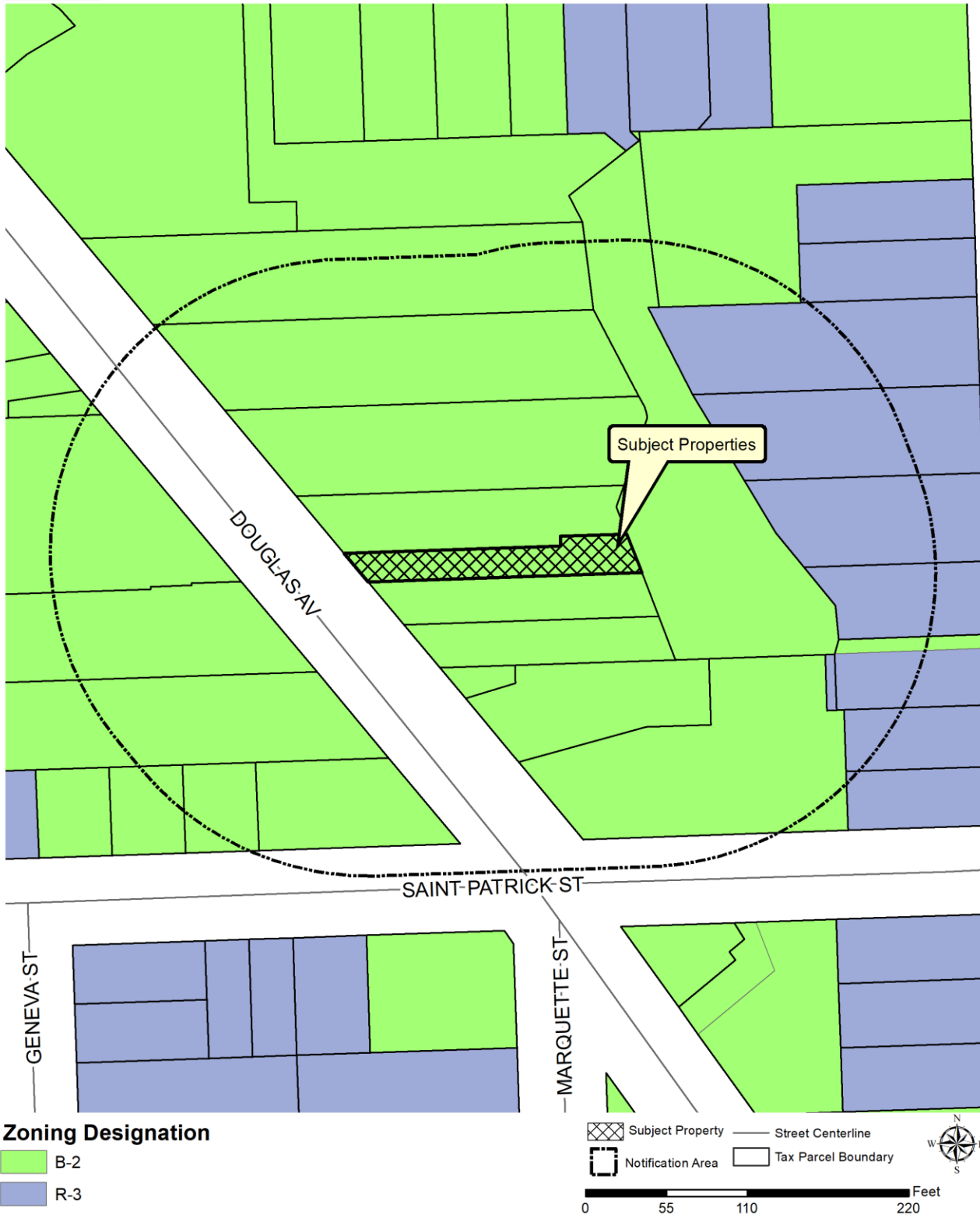


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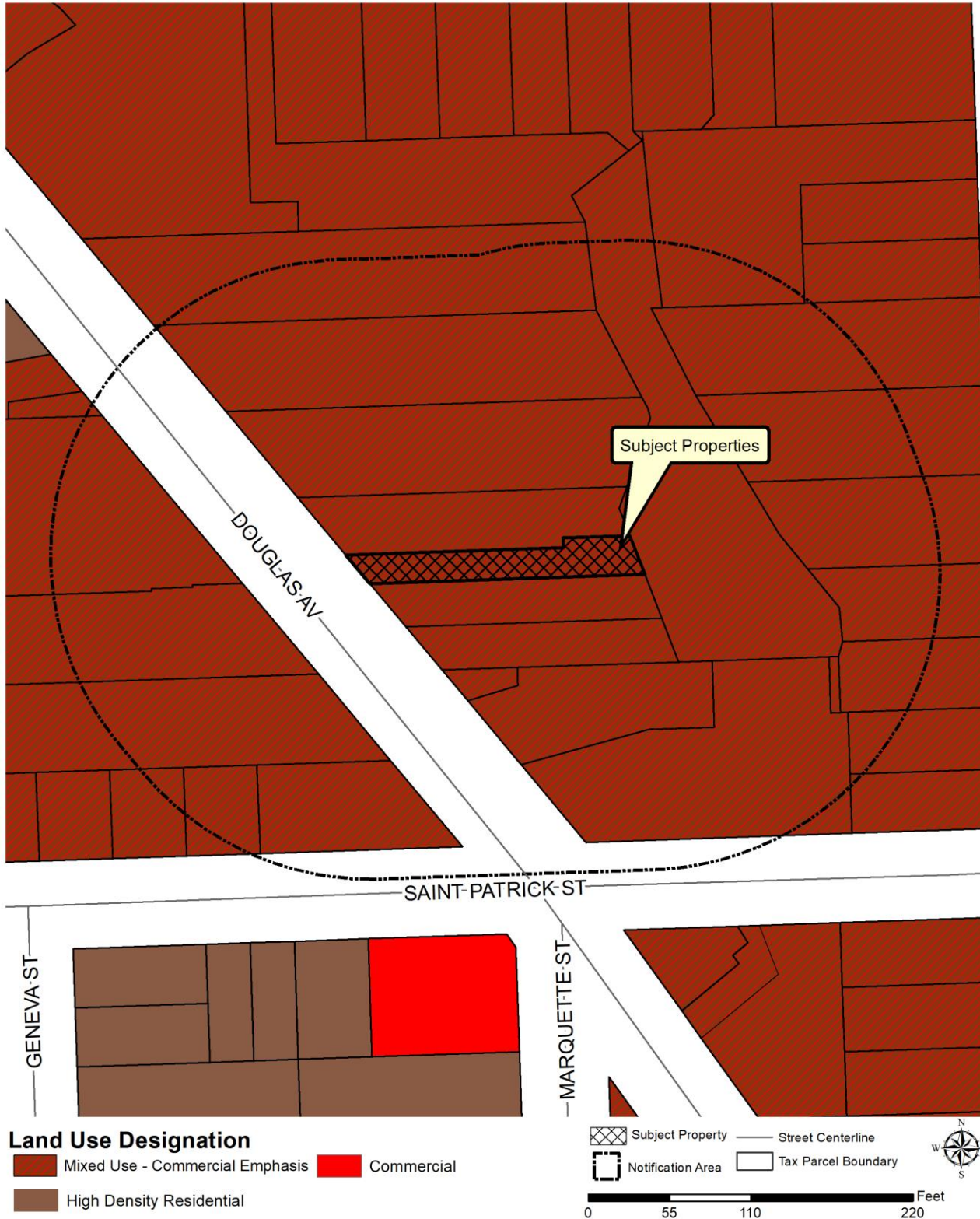


Conditional Use Permit - 1627 Douglas Ave





Conditional Use Permit - 1627 Douglas Ave



Site Photos



Looking east at subject property



Looking north down Douglas Avenue



Looking west from subject property



Looking south down Douglas Avenue