



CITY OF RACINE DEPARTMENT OF CITY DEVELOPMENT STAFF REPORT

Meeting Date: 11/13/2019

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: 611 Sixth Street

Applicant: Lost Soul Studio

Property Owner: Lost Soul Studio LLC

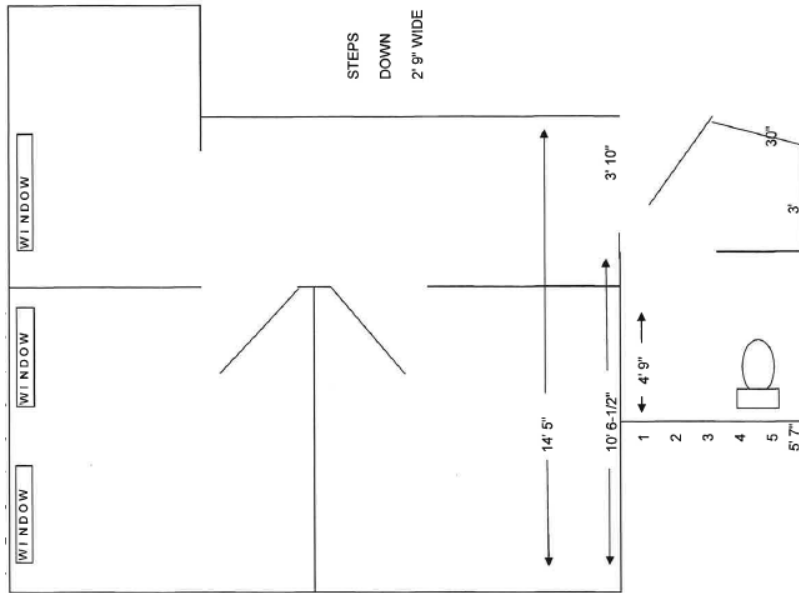
Request: Consideration of a major amendment to an existing conditional use permit to expand the operations of a Tattoo establishment, to the second floor of an existing building at 611 Sixth Street for property located in a B-4 Central Business Zone District as required in section [114-508](#) of the Municipal Code. The existing establishment is on the first floor of this building.

BACKGROUND AND SUMMARY: The applicant seeks to have additional space for their existing business which is located at 611 6th Street. The operation would be expanded from the current footprint to the second floor of the building in what is now an efficiency apartment. This second floor location is addressed as 612 7th Street, but is the same building as the main operation. The expansion comprises approximately 300 square feet and would contain two private work stations, a restroom and kitchenette. The hours of operation will remain the same, which are currently 10 a.m.-9 p.m. Monday thru Saturday and noon - 5 p.m. on Sunday.

The Zoning Ordinance classifies Tattoo establishments as permissible in the B-4 Central Business Zone District upon the issuance of a conditional use permit (114-508).



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



Floorplan for the property (north is to the left) with interior layout; space to occupy the second floor.

GENERAL INFORMATION

Parcel Number: [00016000](#)

Property Size: 1,630 square feet

Comprehensive Plan Map Designation: MIXED USE - COMMERCIAL AND RESIDENTIAL
(Commercial emphasis).

Consistency with Adopted Plans: The [Downtown Plan](#) calls for this area to be primarily retail and applicable objectives to this proposal include:

- Developing active storefronts that are open and inviting, and uninterrupted by incompatible uses at the ground floor.
- Recommended actions include recruiting more restaurants, specialty shops and galleries as well as everyday neighborhood businesses.

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

- The plan should encourage mixed-use developments.
- 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.

Corridor or Special Design District?: Downtown Area Design Review District

Historic?: Historic Sixth Street Business District on the National Register of Historic Places

Current Zoning District: B-4 Central Business

Purpose of Zone District: The B4 central business district is intended to accommodate those retail and office uses which are characteristic of the major shopping streets of the downtown area of the city, and discourage uses which detract from, or are incompatible with, pedestrian and shopping oriented traffic

Proposed Zoning: No change proposed

Existing Land Use: Storefront/mercantile space on the first floor; second floor is currently an efficiency apartment, which is being renovated to commercial use as a part of this expansion.

Surrounding Zoning and Land Uses:

North	B-4 Central Business	Record store, office space, dwellings
East	B-4 Central Business	Tavern and restaurant
South	B-4 Central Business	Office uses
West	B-4 Central Business	Attorney’s Office

Operations: The hours of operation will remain the same, which are currently 10 a.m.-9 p.m. Monday thru Saturday and noon - 5 p.m. on Sunday

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	No minimum	1,630 square feet
Lot Frontage	30 feet	20 feet
Floor Area Ratio	8.0 maximum	1.70

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

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

Building design standards (114-Secs. [735.5](#) & [736](#)): The building exists presently and no changes are planned to the exterior. The composition of this building complies with the requirements of this section as it is constructed from brick on each façade.

Off-street parking and loading requirements (114- [Article XI](#)): Off-street parking is not required in the B-4 Central Business Zone District per [114-1147](#) of the Municipal Code.

Landscaping, screening and yard requirements ([114- Article V](#): Article VII, Div. 6 [Development Standards](#) & 7 [Fences and Walls](#)): Landscaping and screening are not required on properties adjacent to one another in the B-4 Zone district. There are no yard requirements

Sign Regulations (114-[Article X](#)): Signage is not a part of this request as it is already existing on the property for this business.

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 which does not direct radiation or glare onto adjacent properties.

Rubbish and trash storage ([114-Article V](#) & [114-740](#)): The submitted plans do not indicate an area which would comply with the requirements, due to the fact the building occupies the entire lot. This is fairly common in this part of the City of Racine; when this area developed, mixed use and buildings often occupied the entire lot.

Engineering, Utilities and Access:

Access ([114-1151](#)): Vehicular access to the site is provided from 6th and 7th Streets. Based on the submitted site plan, the applicant is not proposing changes to the access at this time.

Surface drainage ([114-739](#) & Consult Engineering Dept.): This use being proposed on the second floor of the building interior 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 to utilize this space is not expected to impact the ability to serve this area.

Exceptions to ordinance: N/A

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: Given the planned operations submitted by the applicant, it is expected this tattoo establishment will function more like a second floor professional office. The low foot traffic of this proposed operation is similar to that of a professional type office use, such as a lawyer, accountant or psychologist who may see few visitors per day, but is much different than someone operating a market or general retailing operation. Those who frequent this area may notice the space being used, but the use will not be a detriment to the area or other property owners; it is anticipated this will function like that of a professional office.

- 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: As previously discussed, this use is more passive, than active in nature. Certainly the space will be used by the applicant for their business purposes, but the overall impact on adjacent properties is expected to be minimal. It is unlikely sound or vibrations will emanate from the walls of this establishment. The impact on adjacent business and other potential tenants, including

residences in other buildings, is anticipated to be minimal. The proposal by the applicant does not appear to be injurious or detrimental to other properties in the neighborhood.

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: A passive use that functions more like a professional office would be an ideal fit on the fit on the upper floor of this building. The business is certainly professional in nature from a zoning perspective as the timing of an appointment could be in alignment with dental work, eye care, or physical care. The use will not bring in customers like a market or carryout restaurant, but should function from a visitors to the site perspective, like that of an office as opposed to a retail operation. As the transition from downtown occurs, this type of use compliments the mix of businesses in the downtown, but is much less intensive from a traffic and noise perspective than those closer to the core of downtown. The proposed expansion is not expected to impede normal or orderly development in the area.

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

Staff Comments: Based on the plan submitted by the applicant, there are no plans to alter access, drainage or use utilities for the site. This tattoo establishment will be a reuse of an existing space in a historic building. There are no plans by the applicant to alter any utilities, roads or other facilities to accommodate this business in the building.

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 show any changes to ingress or egress to the site. This part of the City is well connected and congestion is not expected as a result of this proposed tattoo establishment. The usage is such that the demand for parking will have to be met on-street as it has no off-street parking; this historical development pattern has existed for decades and congestion has not been an issue. Customers, employees and others in the area park on the street and walk. Given the professional vs. retail nature of the business, this proposed usage is not expected to create any issues.

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

Staff Comments: The proposed business setup will help to further the objectives of the land use plan as it is within an area designated as mixed use, commercial emphasis. This mix of uses can occur on a block face, horizontally, but uses can also be mixed within one building, vertically. This proposal by the applicant is essentially to run an appointment only type office on the second floor of the building and this fits in with the goals and objectives of the downtown plan as well.

- 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: This site conforms to all the applicable regulations of the zoning ordinance, no modifications from the zoning ordinance are required to complete the site plan which was submitted by the applicant.

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:

- Supports the variety of retail shops called for in the Comprehensive and Downtown Planning documents.
- The application seeks to create a mix of uses in the downtown area adding to the vibrancy of downtown with a mixture of retail, dining, service and housing options.
- The building exterior will remain unchanged; the project is unobtrusive to others in the general area and downtown as a whole.

STAFF RECOMMENDATION: BASED ON THE FINDINGS OF FACT IN THIS REPORT, THAT THE REQUEST FROM LOST SOUL STUDIO LLC, SEEKING A MAJOR AMENDMENT TO AN EXISTING CONDITIONAL USE PERMIT WHICH ALLOWS A TATTOO ESTABLISHMENT AT 611 SIXTH STREET BE APPROVED, SUBJECT TO THE FOLLOWING CONDITIONS:

- a) That the plans presented to the Plan Commission on November 13, 2019 be approved subject to the conditions contained herein.
- b) That all license requirements from the State of Wisconsin and City of Racine be obtained, complied with, and kept current at all times.

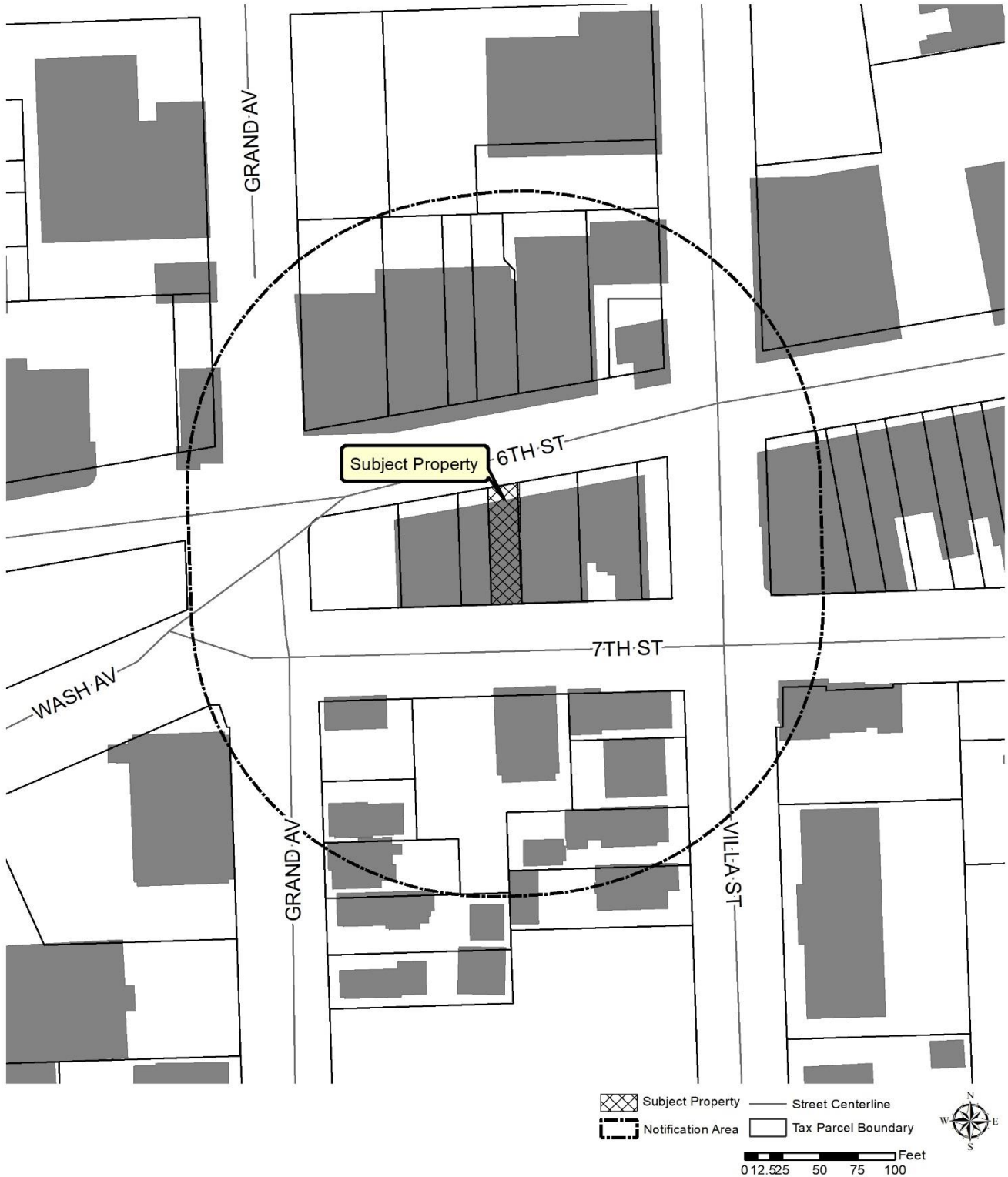
- c) That all conditions in Common Council Res. 0299-17, authorizing the original development, be followed with this expansion.
- d) That all codes and ordinances are complied with and required permits acquired.
- e) That no minor changes be made from the conditions of this permit without approval of the Plan Commission, and no major changes be made from the conditions of this permit without the approval of the Common council.
- f) 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](#)).

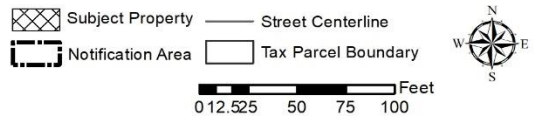


Conditional Use Amendment - 611 6th Street





Conditional Use Amendment - 611 6th Street



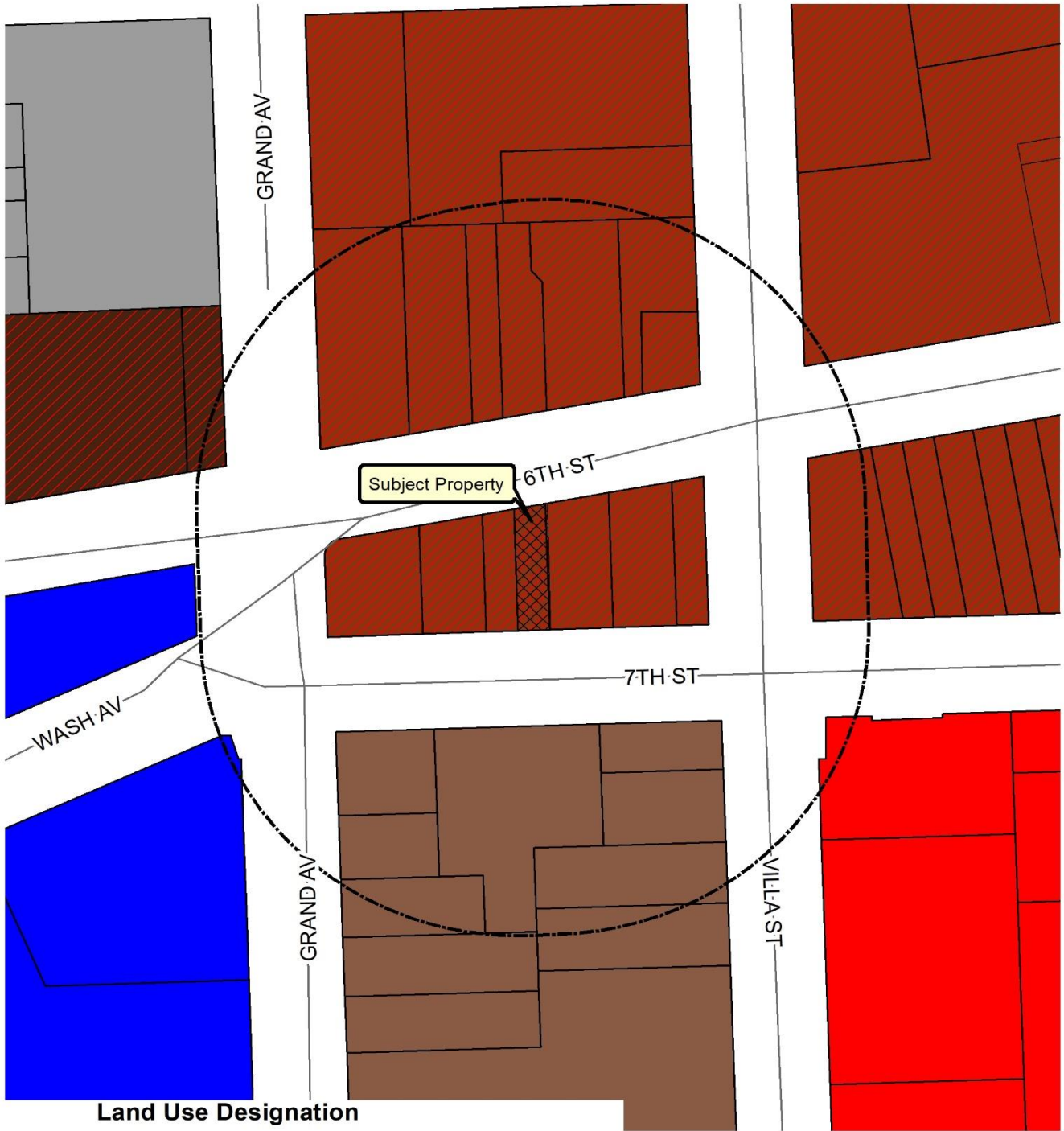


Conditional Use Amendment - 611 6th Street





Conditional Use Amendment - 611 6th Street



Land Use Designation

- Industrial
- Commercial
- High Density Residential
- Mixed Use - Commercial Emphasis
- Mixed Use - Residential Emphasis
- Governmental and Institutional

Subject Property Street Centerline
Notification Area Tax Parcel Boundary

0 12.525 50 75 100 Feet

Site Photos



Looking south at subject property from 6th Street



Looking east on 6th Street



Looking west on 6th Street



Looking north from subject property



Looking at rear of subject property on 7th Street



Looking east on 7th Street