



CITY OF RACINE DEPARTMENT OF CITY DEVELOPMENT STAFF REPORT

Meeting Date: 10/28/2020

To: Mayor and Planning, Heritage, and Design 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: 3333 Douglas Avenue

Applicant: Courtney Connor of Growing Tree Child Development Center, LLC

Property Owner: DMC Homes LLC (Courtney Connor)

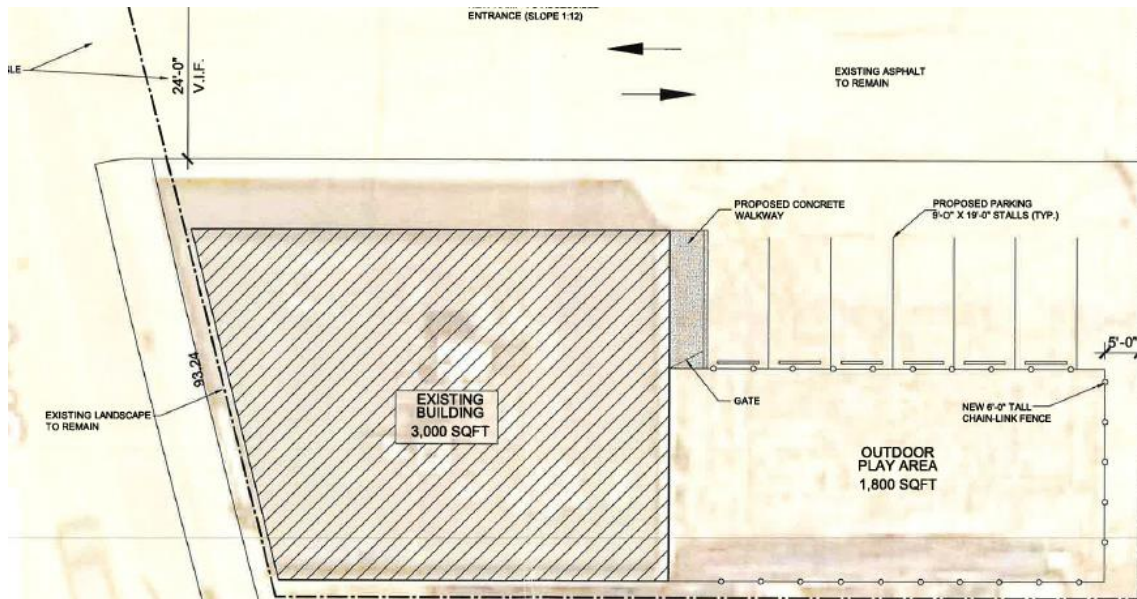
Request: Consideration of a conditional use permit to operate a group daycare center for children at 3333 Douglas Avenue, for property located in a B-2 Community Shopping Zone District as required in section 114-468 of the Municipal Code.

BACKGROUND AND SUMMARY: The building would be renovated for use as a childcare facility which would be occupied by up to 50 children, with ages ranging from 4 weeks to 12 years. Daycare would be open from 6:00 AM – 6:00 PM Monday through Friday. A play and exercise area for the children at the facility would be located behind the building and fenced in. The business would employ one cook, 6-8 full time teaching staff, 2-4-part time teaching staff, and a full time director.

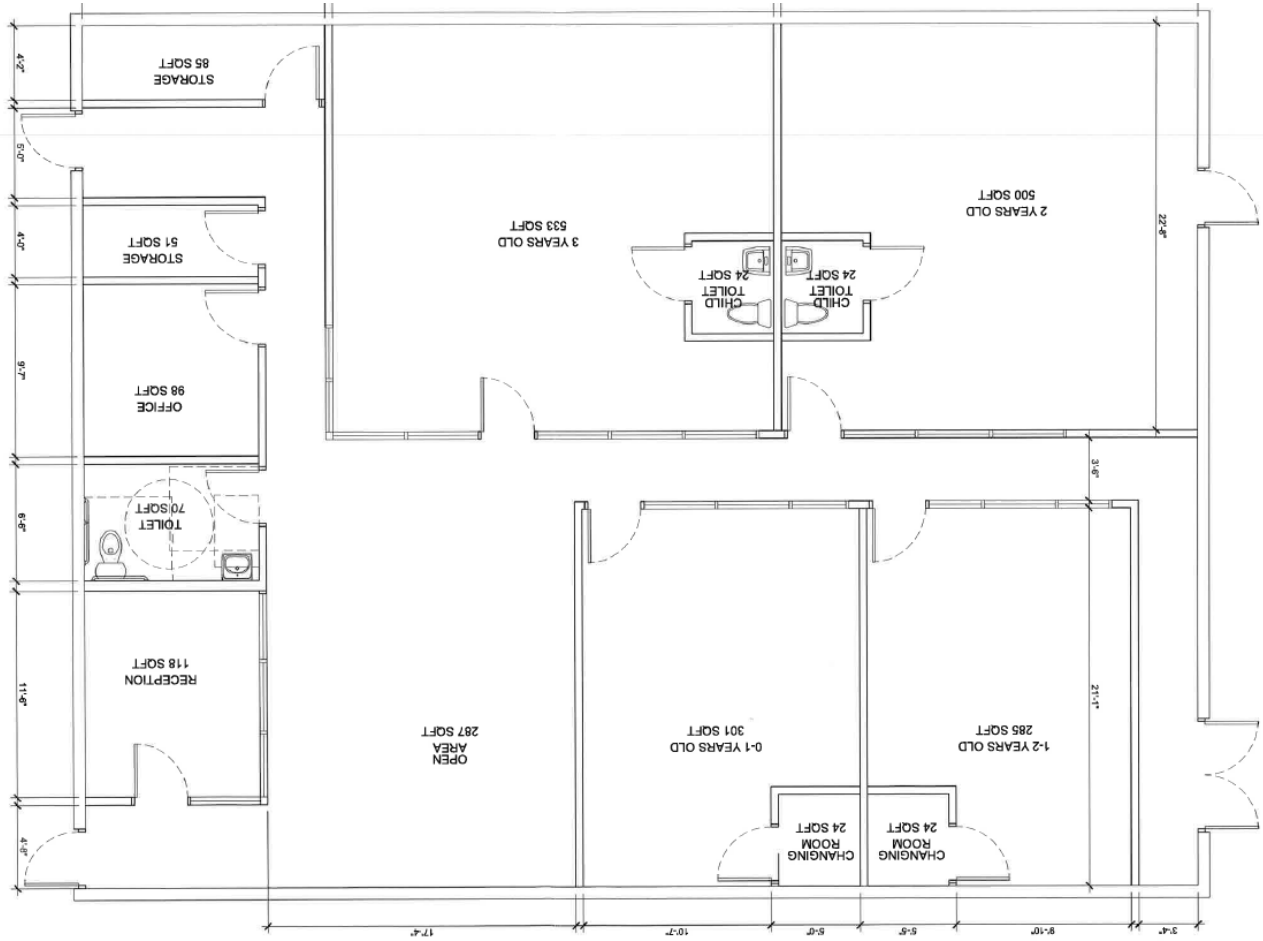
The Zoning Ordinance classifies this group daycare center for children as permissible in the B-2 Community Shopping Zone District upon the issuance of a conditional use permit (114-468).



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



Proposed Site Plan, submitted by applicant (north is up).



Proposed floorplan, submitted by applicant (north is up).

GENERAL INFORMATION

Parcel Number: [20803000](#)

Property Size: 12,846 square feet

Comprehensive Plan Map Designation: Commercial

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.

- 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.
- Promote the expansion or stabilization of the current economic base and the creation of a range of employment opportunities.

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: Former office building and previous to that, funeral home.

Surrounding Zoning and Land Uses:

North	B-2 Community Shopping	Community living arrangement
East	R-3 Limited General Residence	Detached single unit dwellings
South	B-3 General Commercial	Detached single unit dwelling
West	B-2 Community Shopping	Restaurant and bar

Operations: The building would be renovated for use as a childcare facility which would be occupied by up to 50 children, with ages ranging from 4 weeks to 12 years. Daycare would be open from 6:00 AM – 6:00 PM Monday through Friday. A play and exercise area for the children at the facility would be located behind the building and fenced in. The business would employ one cook, 6-8 full time teaching staff, 2-4-part time teaching staff, and a full time director.

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	12,846 square feet
Lot Frontage	30 feet	94 feet
Floor Area Ratio	4.0 maximum	.26

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

Yard	Required	Provided
Front	0 Feet	0 feet
Side (south)	0 Feet	0 feet
Side (north)	0 feet	35 feet
Rear (east)	0 Feet	70 feet

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 exterior of the existing building.

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

Use Type	Required	Provided
Daycare	6	6
Total	6	6*

*the applicant also owns the lot to the north which contains another 3 parking spaces which would be available for this use.

A Building of this size does not require a dedicated loading space. Given the proposed function of the facility, the loading and unloading of children will occur and the applicant has proposed enough parking spaces to meet the requirements and demand.

Landscaping, screening and yard requirements ([114- Article V](#): Article VII, Div. 6 [Development Standards](#) & 7 [Fences and Walls](#)): yards are not required, but the existing landscaping at the front of the building is proposed to remain based on the site plan submitted with the application.

Sign Regulations (114-[Article X](#)): Signage is not a part of this request. Any future signage would need to follow the sizing requirements outlined below.

Sign Type	Allowable Sq. Ft.	Provided Sq. Ft.
Projecting/Wall/Freestanding	100 square feet	N/A
Window signs	50% of window area^	N/A
Alleyway Signage	N/A	N/A
Total	100 square feet	N/A

^Each building is allowed two (2) window signs under four (4) square feet in total size, which do not count against the total allowable signage.

Outdoor lighting, signs ([114-Sec. 742](#)): The submitted plans do not contemplate any changes to the exterior lighting on the site. The existing lighting appears to conform to development standards.

Rubbish and trash storage ([114-Article V](#) & [114-740](#)): A trash enclosure is depicted on the site plan and is in a location which complies with development standards and is out of sight from public view; the enclosure is kept on the adjacent lot, which is owned by the applicant.

Engineering, Utilities and Access:

Access ([114-1151](#)): Vehicular access to the site is provided from a driveways off Douglas Avenue. The site plan submitted by the applicant does not contemplate any changes to access. There is also access out from the site onto an alleyway, which exists onto 10th Avenue.

Surface drainage ([114-739](#) & Consult Engineering Dept.): Change of use within the existing 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: No exception are required for this proposal, the site meets all zoning distance separation requirements

Additional Planning and Zoning Comments: Recently the Wisconsin Chapter of the American Planning Association (APA-WI) noted in the [Summer-Fall 2020 newsletter](#) that childcare in Wisconsin (and much of the United States) was severely strained even before the Covid-19 outbreak. According to a Wisconsin Policy Forum report in July 2020, a staggering 40% of childcare centers have closed due to the pandemic; coupled with the Safer at Home Orders limiting capacity of centers to help limit the spread of Covid-19, it has left many families in a precarious situation. With many schools now virtual and parents returning to work in person, or having to juggle working from home while caring for a child, children need safe and productive places to be to foster learning. As noted, there were not enough qualified childcare centers prior to Covid-19, with the reduced amount of

offerings for this service due to the pandemic and limited capacity of those which have remained open, more qualified facilities are needed in the community, not less.

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: With the recommended conditions at the end of this report, the establishment of the Conditional Use is not expected to be detrimental public safety and general welfare. The day care center is consistent with the commercial zoning and land use plan designation for the property. The operation of a day care facility is not anticipated to create nuisances for the general public or adjacent land owners. The usage of the building is much less intense than uses allowed in this zone district and is compatible with the adjacent residential uses; the use could be viewed as an asset to the neighborhood given the proximity of this type of care to the potential home of a child.

- 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. The nature of the business is one which could be seen as an amenity by those with young children in the area in need of a location for supervision while away from home.

- 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 establishment of this proposed daycare facility is not expected to impede development patterns in the area through the reuse of this existing building. 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 operation is not expected to interfere with future business growth or the enjoyment of the adjacent residential uses. This use will serve as a transition from the busier land use patterns (from a traffic perspective) into the much more passive and less trafficked

neighborhoods to the east. The building and other amenities on the site will also function as a sound buffer from noise along Douglas Avenue into the more passive residential development.

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 use 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 business is to provide an in and out type drop-off of children and the same for a pickup in the evening. The site has alleyway and street access to accommodate and facilitate a smooth exiting procedure from the site. Turning movements on Douglas Avenue are possible at any time of the day and are not restricted for other businesses with a potentially similar traffic demand. That being said, to facilitate ease of exit, it might be worth having morning traffic make a right turn only onto Douglas or use the alleyway to make left turns at the signalized intersection of South street and Douglas Avenue.

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

Staff Comments: While a day care facility is not a retail service that would have the reach of a general retailer, the proposed use does compliment the neighborhood. The plan designation of commercial and the actual development in this general area can accommodate a mix of uses which a day care fits in with. The mix of uses is commercial in nature and adding this day care would fit the designation on the land use map as well as the objectives of the comprehensive 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: 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 required with this proposal as it meets all zoning ordinance requirements.

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, subject to the consent of the applicant.
5. Defer with a continuance of the public hearing to a date certain, subject to the consent of the applicant.

STAFF RECOMMENDATION: BASED ON THE FINDINGS OF FACT IN THIS REPORT, THAT THE REQUEST FROM GROWING TREE CHILD DEVELOPMENT CENTER, SEEKING CONDITIONAL USE PERMIT TO OPERATE A GROUP DAYCARE CENTER FOR CHILDREN AT 3333 DOUGLAS AVENUE BE APPROVED, SUBJECT TO THE FOLLOWING CONDITIONS:

- a) That the plans presented to the Planning, Heritage, and Design Commission on October 28, 2020 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; the staffing levels for a daycare center as required by the State of Wisconsin are met or exceeded at all times.
- c) That all of the following occur prior to occupancy, unless otherwise noted:
 1. That a valid operator's license from the State of Wisconsin for a daycare center be submitted to the Department of City Development.
 2. That a plan for operations in accordance with Safer Racine Order be submitted to and approved by the City of Racine Health Department.
 3. That striping of the lot occur as required by Sec. 114-Article XI prior to March 31, 2021.
 4. That building walls where the thin brick system has failed be repaired; specifications of repairs and method to be submitted to and approved by City Development.
 5. Proposed playground fencing have a coating of black, green, brown or a darker earth tone color.
- d) That if, prior to the issuance of an Occupancy Permit, required site improvements listed in "c" 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.

- e) That hours of operation are 6:00 AM to 6:00 PM Monday-Friday.
- f) That prior to installation, any proposed signage be submitted for the review and approval of City Development.
- g) That all codes and ordinances are complied with and required permits acquired.
- h) 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.
- i) 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 (view in legistar).

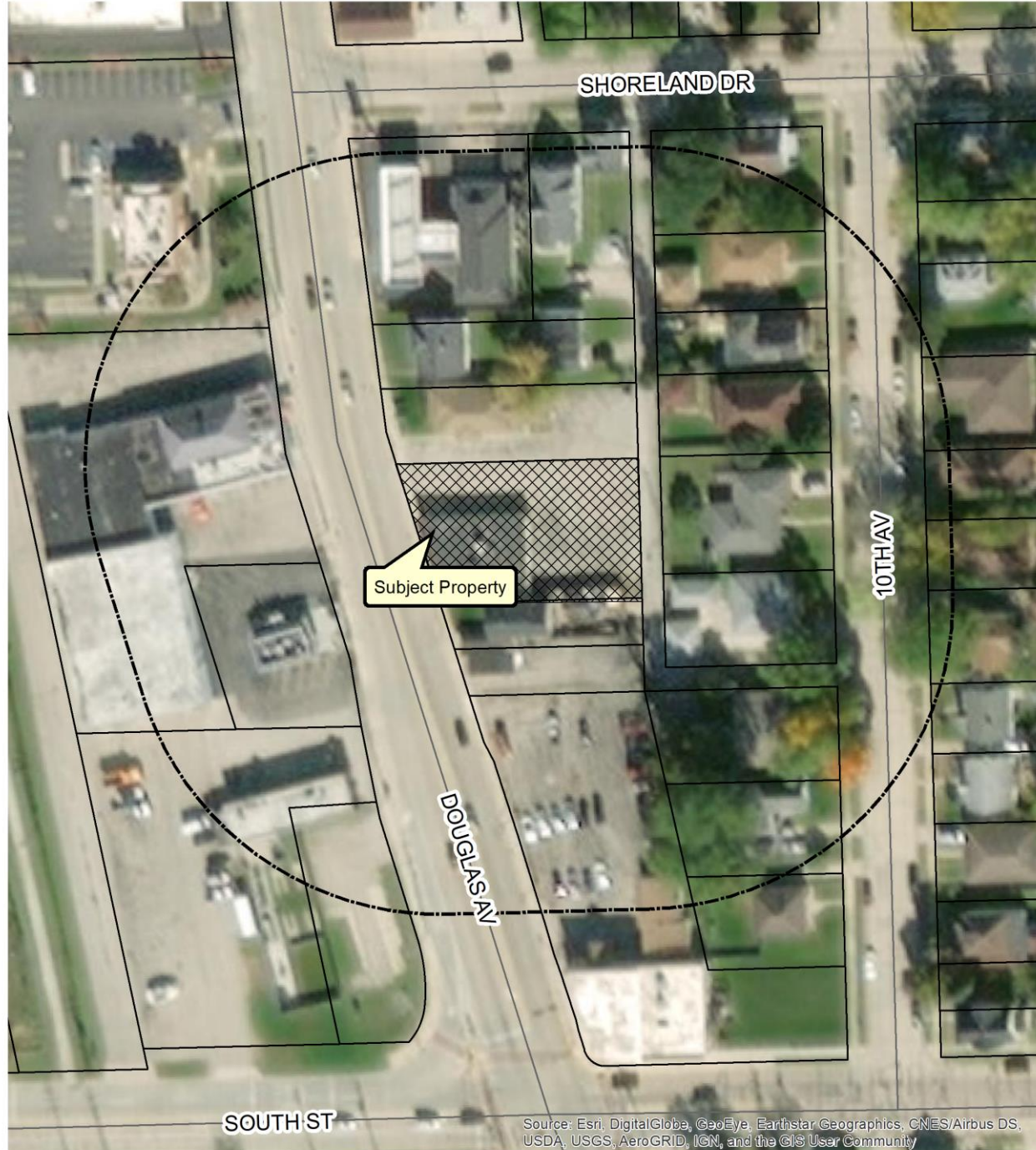


Conditional Use Request - 3333 Douglas Avenue





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Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

Legend:

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

Scale: 0 12.5 25 50 75 100 Feet

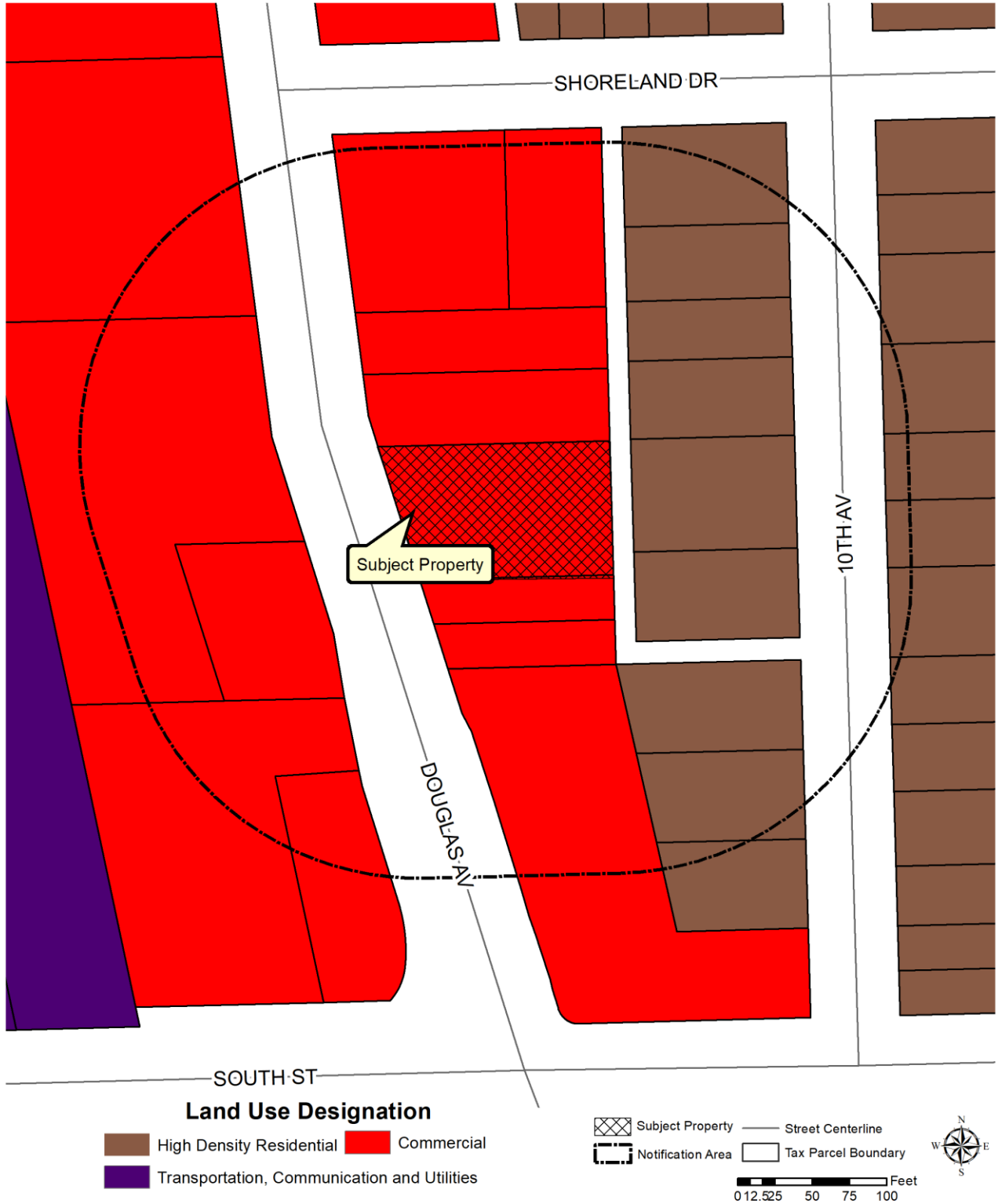


Conditional Use Request - 3333 Douglas Avenue





Conditional Use Request - 3333 Douglas Avenue



Site Photos



Looking north along Douglas Avenue



Looking south along Douglas Avenue



Looking west across Douglas Avenue



Looking at parking area north and east of building



Looking west from rear of building



Looking southeast at building from Douglas Avenue