



## **CITY OF RACINE DEPARTMENT OF CITY DEVELOPMENT STAFF REPORT**

**Meeting Date:** 6/1/2022

**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:** Jeff Hintz

**Location:** 1031 Douglas Avenue

**Applicant:** Edna Young – Time to Treasure

**Property Owner:** Edna Young

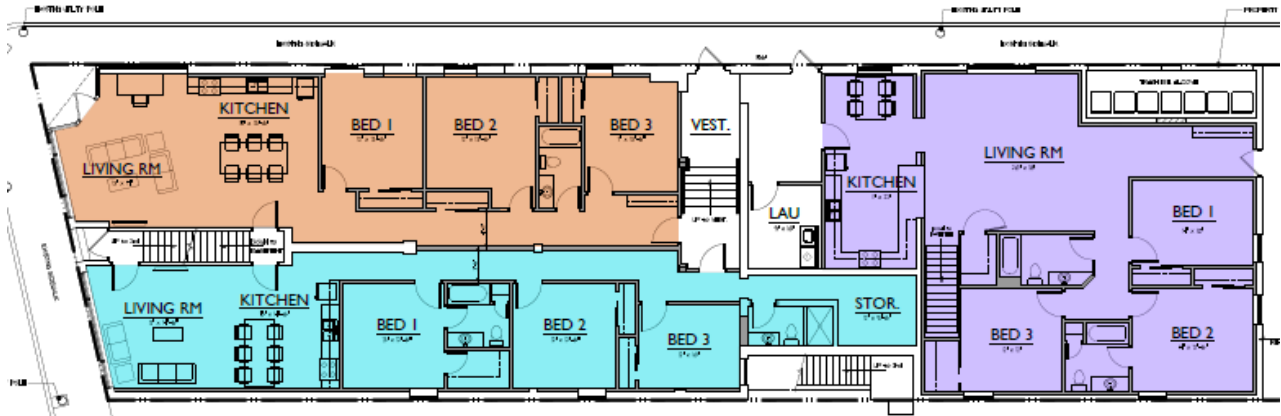
**Request:** Consideration of a conditional use permit to operate three dwelling units on the first floor, at 1031 Douglas Ave as allowed by Sec. 114-468 of the Municipal Code for property located in a B-2 Community Shopping Zone District as allowed in Section [114-468](#) of the Municipal Code.

**BACKGROUND AND SUMMARY:** The first floor of the building would be remodeled into three dwelling units, each having three bedrooms, kitchen and restroom facilities. The façade of the building would also be remodeled and new windows and the paint would be updated and refreshed.

The Zoning Ordinance classifies dwelling units below the second floor 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, (north is down) (image from City Pictometry)



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

## GENERAL INFORMATION

**Parcel Number:** [09181000](#)

**Property Size:** 8,045 square feet

**Comprehensive Plan Map Designation:** Governmental and Institutional

**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.

**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 space (first floor) and upstairs apartment units. Former Love and Charity Mission location

**Surrounding Zoning and Land Uses:**

<b>North</b>	R-3 Limited General Residence	Religious institution
<b>East</b>	R-3 Limited General Residence	Dwelling units
<b>South</b>	I-1 Restricted Industrial	Undeveloped property
<b>West</b>	I-1 Restricted Industrial	Offices and boat storage/sales

## ANALYSIS:

### Development Standards:

**Density** ([114-Article V](#): Article VII, Div. 5 [Bulk Regulations](#) & 8 [Lots](#)): There are no changes planned to the building floor area or exterior as a result of this proposal.

Standard	Required	Provided
Lot Area	No minimum	8,045 square feet
Lot Frontage	30 feet	50 feet
Floor Area Ratio	4.0 maximum	1.83

**Setbacks** ([114-Article V](#): Article VII, Div. 6 [Development Standards](#)): Yards and setbacks would be required for new construction on this lot, but it is not possible or realistic to move the existing building or demolish portions of it to comply with this requirement. The existing building is non-conforming in that regard, because, it is an existing building.

**Building design standards** (114-Secs. [735.5](#) & [736](#)): The composition of the building is existing and no changes are planned aside from replacement of windows and doors. The proposal changes enhance the look of the building and comply with design standards. The building does comply with zoning ordinance requirements related to design.

**Off-street parking and loading requirements** (114- [Article XI](#)): due to the age of this building, it was deemed to have had the proper parking at the time it was built, which predates the current zoning ordinance. As such, only additions to the building, or a new building on the site would require full compliance with the total number of required spaces by the ordinance. If the building was required to provide parking, 1.5 spaces per dwelling would be required.

**Landscaping, screening and yard requirements** ([114- Article V](#): Article VII, Div. 6 [Development Standards](#) & 7 [Fences and Walls](#)): Given the layout of the site adjacent to a residence district to the east, a yard is required. The existing building is non-conforming in that regard. When a new building is constructed for a residential use, it is required to meet the yard standards of R-4 zone district; since this is a reuse of an existing building, compliance with this requirement is not possible or realistic.

**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 location of the trash handling area on the property complies with development requirements as it is concealed from public view except on collection day(s).

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

**Access** ([114-1151](#)): The site does not have the ability to locate vehicles off the street. It was built at a time before automobiles were prevalent modes of transportation. 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.): Reuse of the site and 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 to utilize this site is not expected to impact the ability to serve this area.

**Exceptions to ordinance:** No exceptions are required for a ground floor dwelling unit to be added to this building.

**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: Ground floor living units should be discouraged in business districts due to the potential for incompatible hours of operation and general usage of the area, however, this proposal calls for the creation of a dwelling units in a building which isn't in a retailing area. The property may be zoned for business uses, however the area has none and the use patterns in the area make successful commercial enterprises difficult. The highest and best usage of this building would be for residential as proposed by the application.

- 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 general look (form, massing, and color scheme) of this building will remain unchanged. The only change is what is happening in the building. The nature of the area is passive and not heavily trafficked, it is not suitable for most commercial purposes aside from office type uses. The general area is home to lower density residential, storage and warehousing uses; the

proposal contemplated by this application is much more in-line with the uses in this area than retail uses and as such, is not expected to be injurious to any uses on the adjacent or surround properties.

**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: This use is conditional (thus requiring approval to occur) and not allowed to simply occur to ensure the development of the area remains orderly and predictable. Generally speaking, living on the ground floor of a business district wouldn't commonly fit the existing or traditional development patterns. However, this proposal for the dwelling units is much more in line with the general nature of this area. As previously noted, the usage for retail and even many business uses would be incongruent with that of the surrounding area. This portion of Douglas Avenue is much more passive than the commercial corridor it turns into several blocks north. The proposed residential usage is not anticipated to alter or impede development patterns of the area; rather, the proposed usage is expected to enhance development patterns in the area.

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

Staff Comments: This building is already connected to utilities and streets; converting to dwelling units is not anticipated to alter the demand for service to the property or general area in any substantial manner. The conditional use request will not impact the access or ability to be served by utilities for the applicant's property or any other properties in the 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: Based on a review of the site plan submitted by the applicant, no changes are planned to ingress and egress from the site. The site does not have the ability to provide off-street parking, nor is it required to. It is expected the on-street spaces in the area will be sufficient to serve this particular usage.

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

Staff Comments: The Comprehensive Plan calls for a land use pattern which strengthens the character and livability of the City's downtown core, commercial and industrial areas. This proposal to create dwellings provides an opportunity for an appropriate mix of uses in this area by creating a potential customer base for the other businesses.

- 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 are required for the establishment of this mixed use building on the site. The applicable sections of the zoning ordinance as they relate to this development are being met as required.

## **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 EDNA YOUNG OF TIME TO TREASURE, SEEKING A CONDITIONAL USE PERMIT TO ALLOW FOR THREE DWELLING UNITS BELOW THE SECOND FLOOR AT 1031 DOUGLAS AVENUE BE APPROVED, SUBJECT TO THE FOLLOWING CONDITIONS:

- a) That the plans presented to the Planning Heritage and Design Commission on June 1, 2022 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 codes and ordinances are complied with and required permits acquired.
- d) That the exterior of the building and property be brought up to meet all current applicable building codes and maintenance standards prior to the issuance of an occupancy permit or final inspection.
- e) That no minor changes be made from the conditions of this permit without approval of the Planning Heritage and Design 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 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 Request - 1031 Douglas

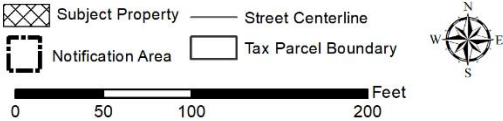




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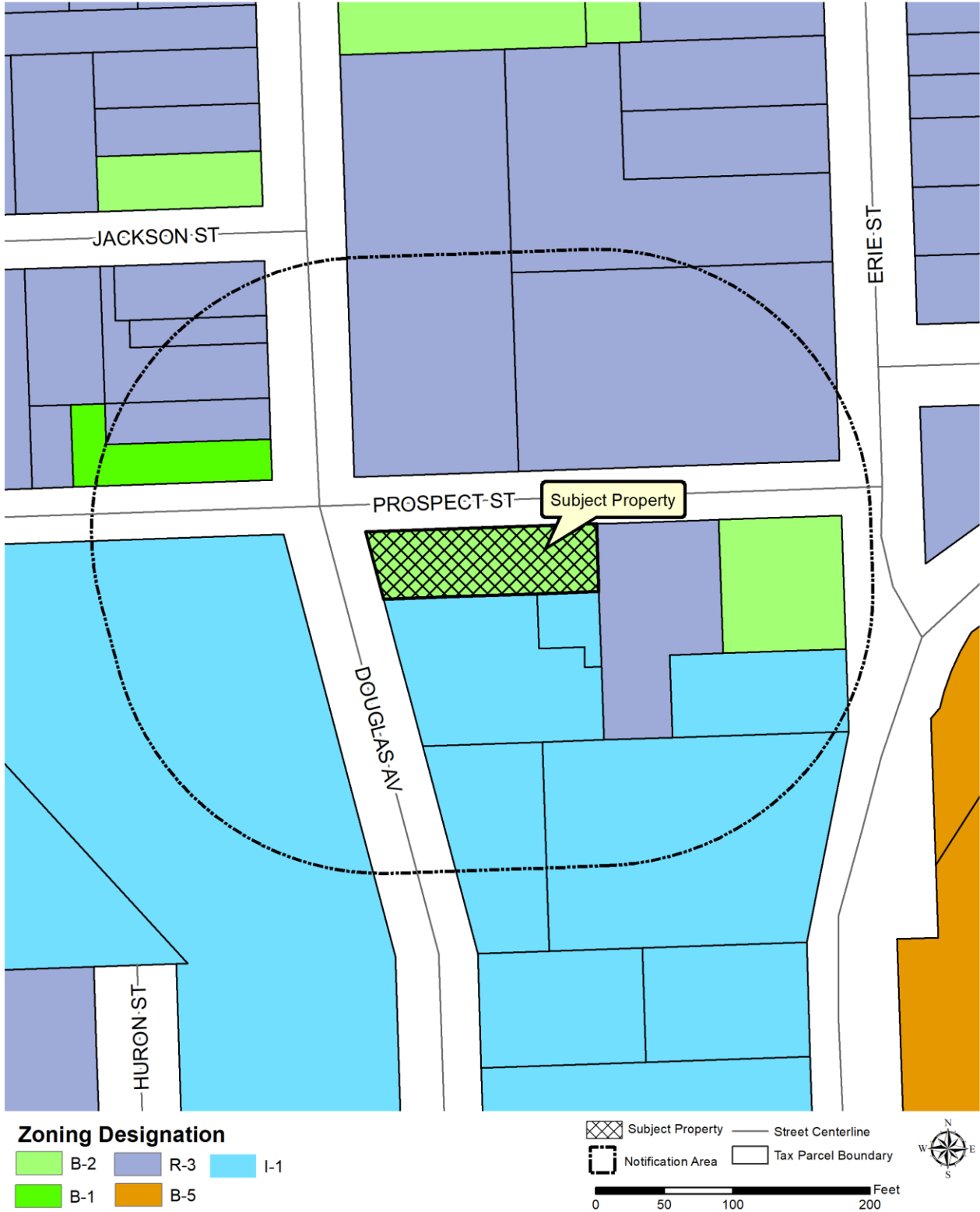


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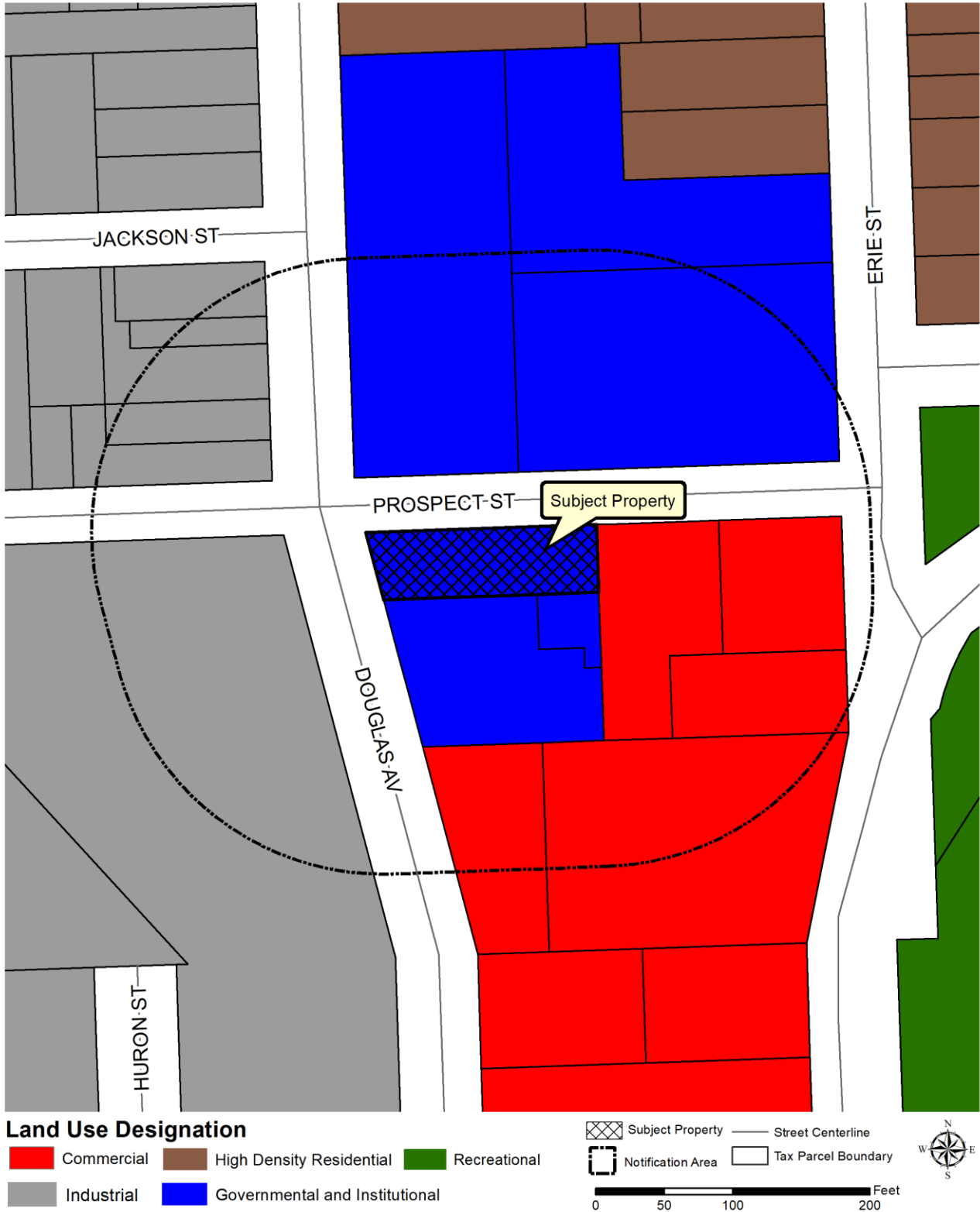
Conditional Use Request - 1031 Douglas







Conditional Use Request - 1031 Douglas



## Site Photos



Looking west down Prospect street at subject property



Looking northwest at subject property southern elevation property



Looking east from subject property along Prospect street property



Looking west from the subject property



Looking east at the subject property from Douglas Avenue



Looking south from the property along Douglas Avenue