



CITY OF RACINE DEPARTMENT OF CITY DEVELOPMENT STAFF REPORT

Meeting Date: 8/16/2021

To: Mayor and Planning, Heritage, and Design Commission Members

From: City Development Department, Division of Planning and Redevelopment

Division Manager: Jeff Hintz – (262) 636-9473 jeff.hintz@cityofracine.org

Case Manager: Michelle Cook

Location: 207 Gaslight Circle. The property is part of a planned unit development.

Applicant: Ben Nelson, Corner House on the Lake

Property Owner: Harbourwalk Restaurant LLC

Request: Consideration of a major amendment to the Gaslight Pointe Mixed Use Planned Development to allow for the addition of an expanded outdoor dining area (patio) at 207 Gaslight Circle as allowed by Sec. 114-177 of the Municipal Code.

This property is part of a planned unit development and as such, any major changes to the development requires the approval of the Planning, Heritage, and Design Commission and the Common Council. The addition of a patio area represents a major change to the planned unit development, a conditional use.

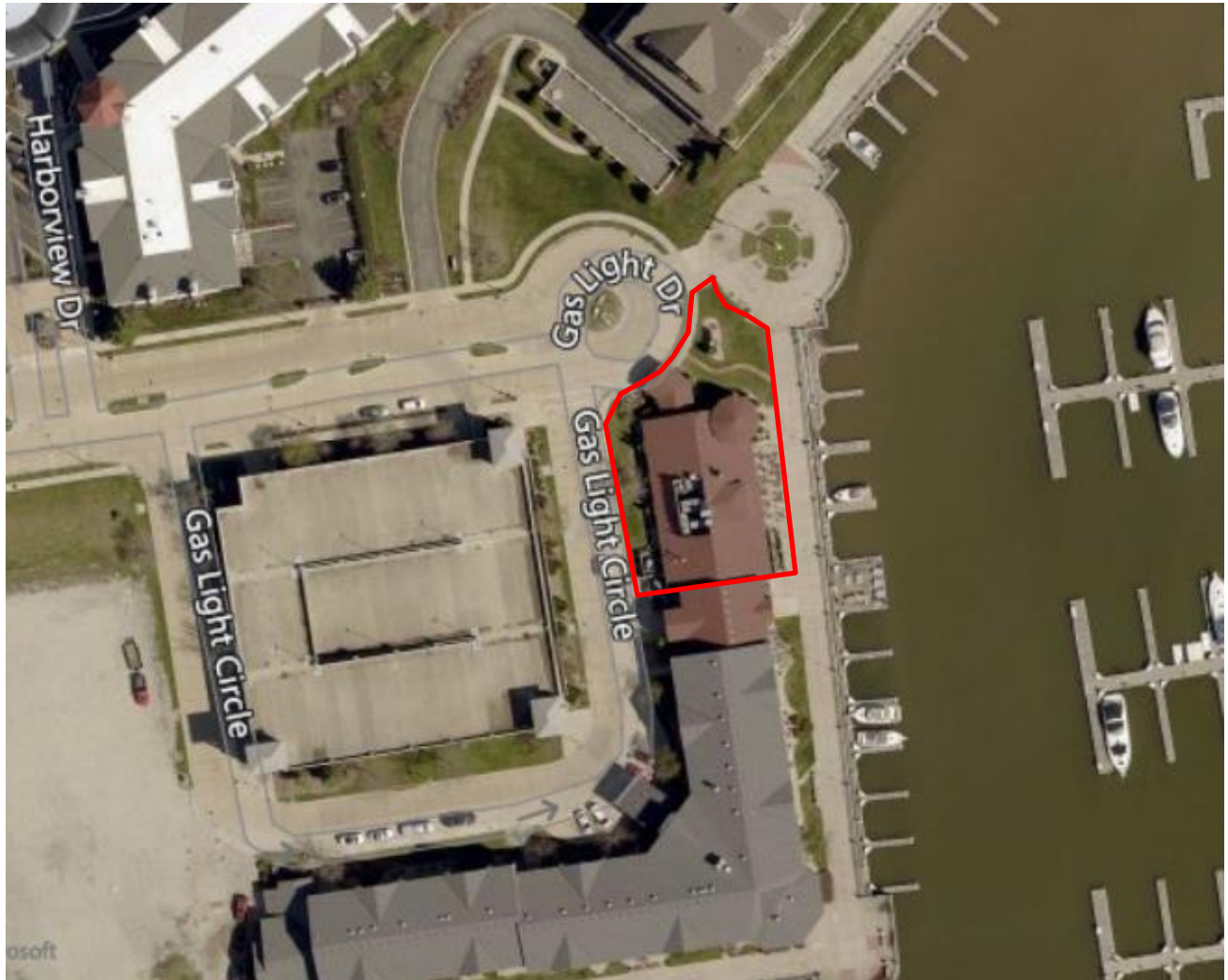
In addition, the landscaping will be updated on the proposed patio area. The project proposes to have an addition of decorative (cypress) trees that will grow 3-6 feet and 3-foot fencing to surround the patio area.

The property is also within the Downtown Design Review area.

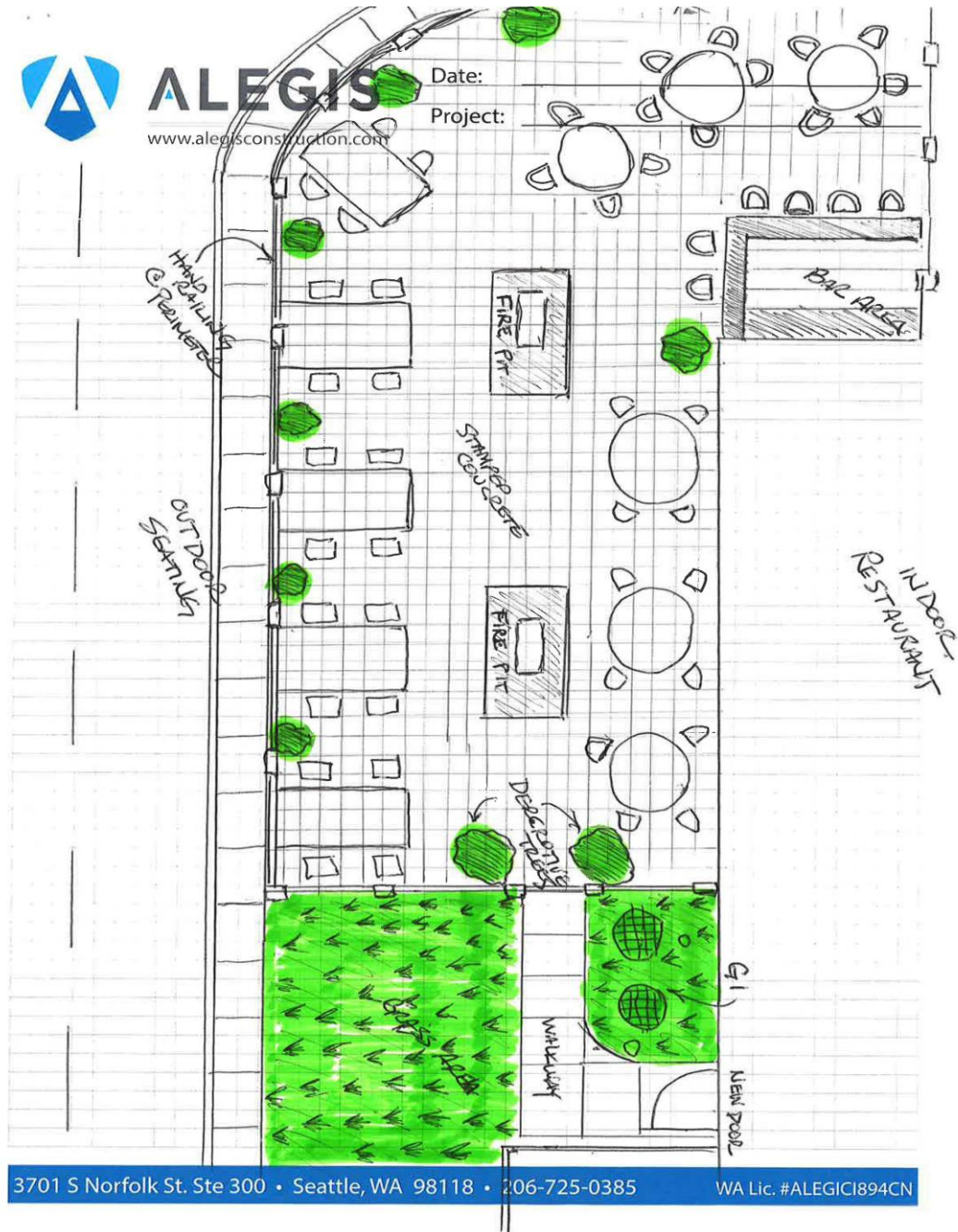
Note: This report will only cover the addition of the patio area and will recommend that the outdoor kitchen area be received and filed.

BACKGROUND AND SUMMARY: The business operation as a restaurant on the site would remain unchanged. The patio area would be served by the main restaurant and would offer the full menu of the restaurant. The hours are proposed as Monday – Thursday 3:00 p.m. – 9:00 p.m., Friday 12noon – 9:00 p.m., and Saturday and Sunday 8:00 a.m. – 9:00 p.m.

The Zoning Ordinance classifies this major amendment to allow for modifications to a planned unit development, a conditional use upon the issuance of a conditional use permit amendment (Sec. 114-177)



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



Proposed patio area site plan, submitted by applicant – north is up.
The patio area will be 60 feet by 20 feet.

GENERAL INFORMATION

Parcel Number: 00050148

Property Size: 14,767 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.

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

Historic?: N/A

Current Zoning District: B-4 Central Business

Purpose of Zone District: The B-4 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: Restaurant

Surrounding Zoning and Land Uses:

North	R-5 General Residence	Residential Condominiums
East	B-4 Central Business	Lake/Boat Slips
South	B-4 Central Business	Lake/Boat Slips
West	B-4 Central Business	Parking Garage

Operations: The business operation on the site would remain unchanged. The restaurant currently on the lot would add a 60 x 20 ft. outdoor dining (patio) area to the west side of the building.

ZONING ANALYSIS:

Development Standards:

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

Standard	Required	Provided
Lot Area	No minimum	14,767 square feet
Lot Frontage	No minimum	122 feet
Floor Area Ratio	8.0 maximum	.47

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

Yard	Required	Provided
Front	0 feet	0 feet
Side (west)	0 feet	0 feet
Side (east)	0 feet	0 feet
Rear (south)	0 feet	0 feet

Building design standards (114-Secs. [735.5](#) & [736](#)): The proposed patio will be constructed using materials that are standard to patio construction with stamped concrete and the addition of trees to provide landscaping for the area. The bar area depicted on the site plan is no longer a part of this request.

Off-street parking and loading requirements (114- [Article XI](#)) : Parking is not required in the B-4 Central Business District Zone per Sec. 114-1187 of the Municipal Code. There is adequate parking available in the parking garage located to the west of the property.

Landscaping, screening and yard requirements ([114- Article V](#): Article VII, Div. 6 [Development Standards](#) & 7 [Fences and Walls](#)): There will be landscaping proposed on the property within the proposed patio expansion. The fencing proposed will be reviewed by City Development and shall comply the Downtown Area Design Standards.

Sign Regulations (114-[Article X](#)): Signage is not a part of this request. Any signage would need to follow the sizing requirements outlined in Sec. 114 Article X and be reviewed by the PHDC as this property falls within the Downtown Design Review Area and is part of a Planned Unit Development.

Outdoor lighting, signs ([114-Sec. 742](#)): The submitted plans do not include the addition of any outdoor lighting fixtures, however, the applicant has discussed the addition of string lighting to the patio area.

Rubbish and trash storage ([114-Article V](#) & [114-740](#)): A trash enclosure is depicted on the site plan within the south portion of the proposed patio area. All trash shall be kept in closed containers and screened from view.

Engineering, Utilities and Access:

Access ([114-1151](#)): The site plan submitted by the applicant does not contemplate any changes to access.

Surface drainage ([114-739](#) & Consult Engineering Dept.): The addition of the patio on the site is not expected to impact the overall drainage on the site, however, the applicant shall consult with the engineering department to ensure compliance with requirements.

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: 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 addition of the outdoor dining area (patio) will be an extension of the main restaurant and is not expected to be detrimental to public safety and general welfare and could also lend itself to additional visitors. The fire pits proposed in the patio area are required to be inspected by the Fire Department and the Building Department to ensure compliance with City ordinances. The proposed conditions in this report seek to address typical issues which can arise with the operation of such a use.

- 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 music proposed

for the patio area is to be played at a low level. The recommended conditions ensure this property will not impair property values or the enjoyment of adjacent 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: The establishment of the patio area is not expected to impede development patterns in the area. The proposed conditions with this request help to ensure that development in the area remains consistent and orderly, while accommodating for new land uses. This type of facility will fit in with the mix of land uses and be a compliment to the general area. When operated according to the proposed conditions, development of adjacent property will not be hindered or negatively impacted by this 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 utilities or drainage for the site. The use of this site along with its existing building is not expected to impact the provision of utilities for the property or general area, however, a natural gas line will be modified for the property for the use of the fire pits. Any change in the gas line will have to be reviewed by the applicable State and City Departments.

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. Parking in this area is plentiful when factoring in the garage which is to the west of the property.

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 this property calls for a development with a commercial emphasis and that emphasis will be continued with the patio addition. The proposed development fits within this vision and commercial uses on the site. This proposal is expected to fit in with the general area and also fulfill goals of the City's 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.

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.
5. Defer with a continuance of the public hearing to a date certain.

STAFF RECOMMENDATION: THAT THE REQUEST FROM BEN NELSON OF THE CORNER HOUSE RESTAURANT FOR CONSIDERATION OF A MAJOR AMENDMENT TO A PLANNED UNIT DEVELOPMENT TO ALLOW FOR THE ADDITION OF AN OUTDOOR KITCHEN AT THE PROPERTY AT 207 GASLIGHT CIRCLE, BE RECEIVED AND FILED.

STAFF RECOMMENDATION: BASED ON THE FINDINGS OF FACT IN THIS REPORT, THAT THE REQUEST FROM BEN NELSON OF THE CORNER HOUSE RESTAURANT FOR CONSIDERATION OF A MAJOR AMENDMENT TO A PLANNED UNIT DEVELOPMENT TO ALLOW FOR THE EXPANSION OF A PATIO AREA TO THE WEST SIDE OF THE PROPERTY AT 207 GASLIGHT CIRCLE BE APPROVED, SUBJECT TO THE FOLLOWING CONDITIONS:

- a. That the plans presented to the Planning, Heritage, and Design Commission on August 16, 2021 be approved subject to the conditions contained herein.
- b. That the planned unit development is now amended to include the expansion of a patio to the west of the property at 207 Gaslight Circle.
- c. That all license requirements for the City of Racine and State of Wisconsin be complied with and kept current and all necessary permits for the serving of food and alcohol in the patio area be obtained prior to its occupation.
- d. That no LED or string lights be used as accent lighting.
- e. That all music be contained in the area of the patio and not be audible beyond the patio boundaries.
- f. That no loitering be allowed in or around the patio area.

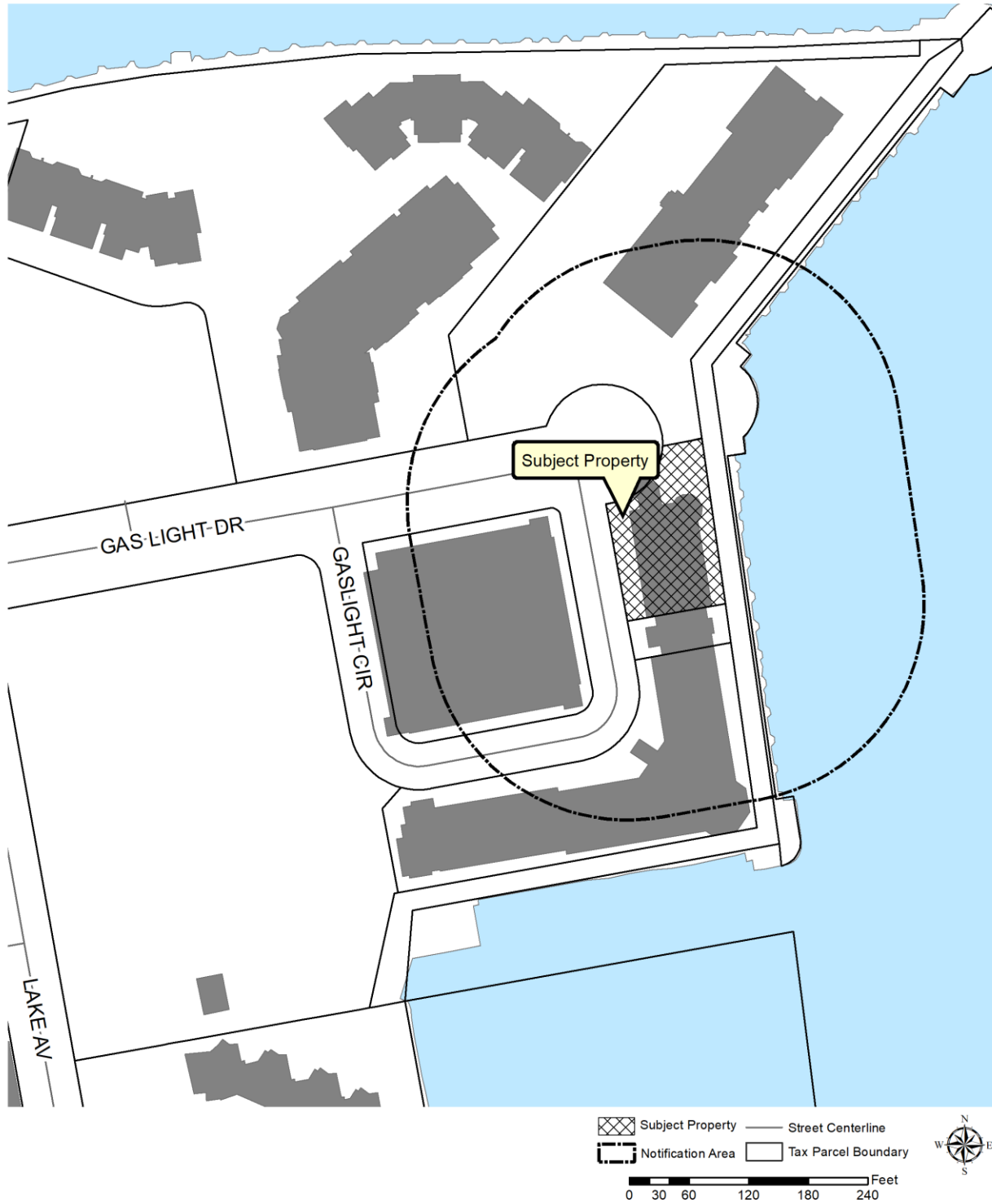
- g. That all trash and recyclables be kept in closed containers and screened from view.
- h. That the hours of operation shall be Monday – Thursday 3:00 p.m. – 9:00 p.m., Friday, 12noon – 9:00 p.m., and Saturday and Sunday 8:00 a.m. – 9:00 p.m.
- i. That the following be submitted for review and approval by the Director of City Development:
 - 1. A revised plan for the fencing used to enclose the patio area. Said fencing shall be 3-feet in height.
 - 2. Information regarding the design of all patio furniture and accessories. The design of said furniture and accessories shall be in compliance with the standards as established by the City for sidewalk cafes.
 - 3. Information regarding the construction of the fire pits. Said fire pits shall comply with all applicable fire, building, and City of Racine and State of Wisconsin codes and requirements.
- j. That all other applicable codes and ordinances be complied with and required permits acquired.
- k. That no minor changes be made from the conditions of this permit without the approval of the Planning, Heritage, and Design Commission and no major conditions be made from the conditions of this permit without the approval of the Common Council.
- l. 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).

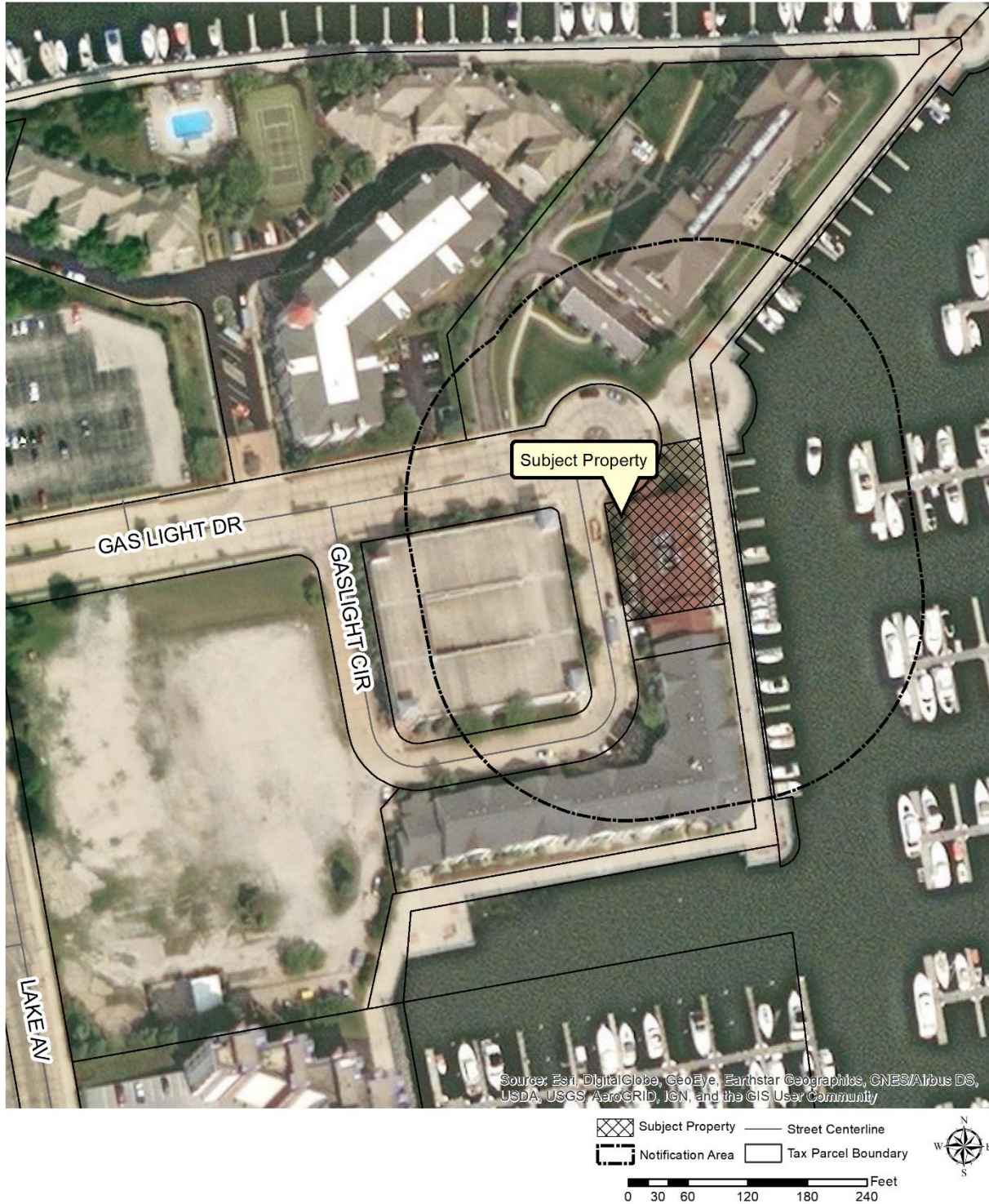


Conditional Use Amendment - 207 Gaslight Circle



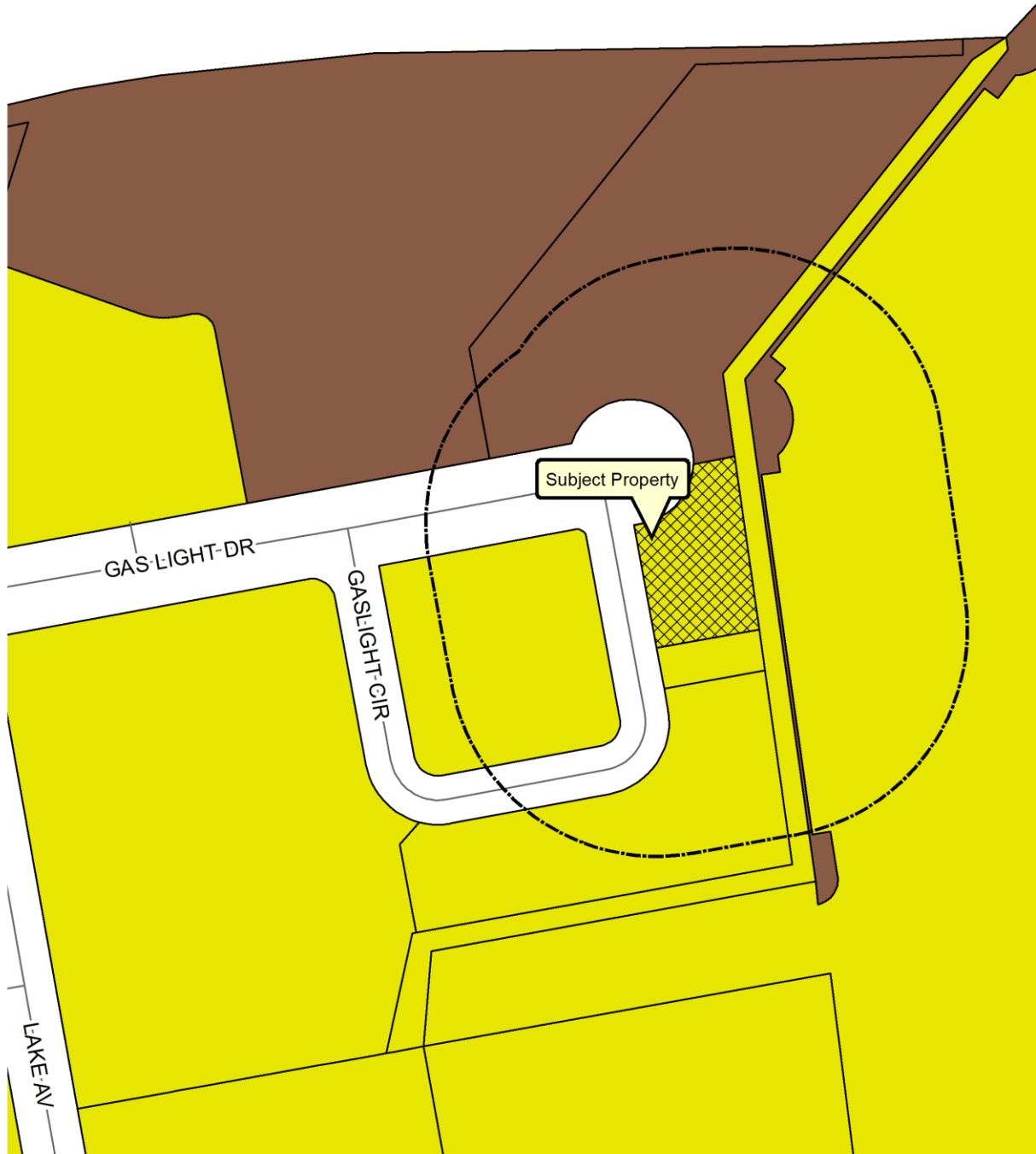


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Zoning Designation

Yellow B-4 Brown R-5

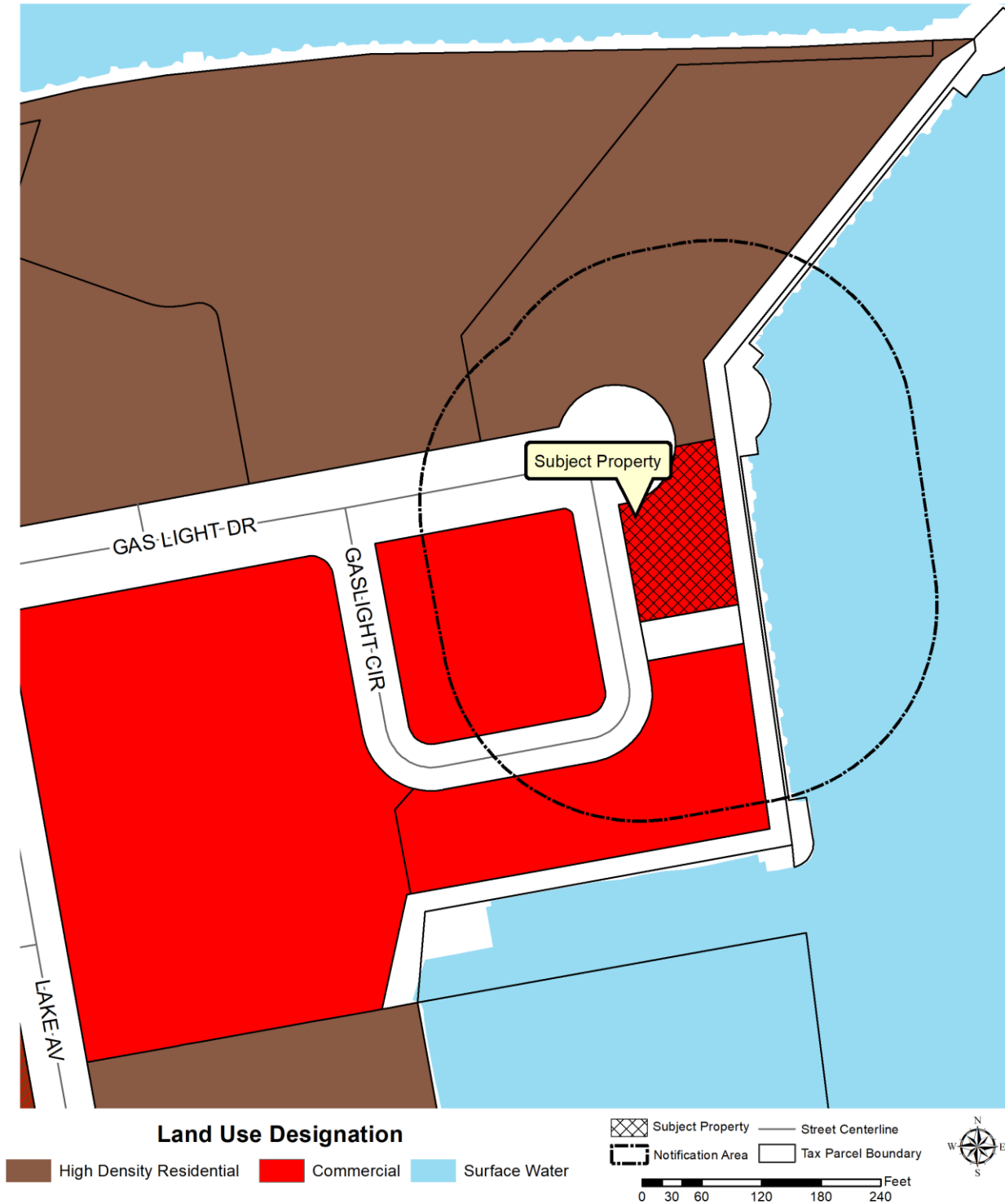
Subject Property — Street Centerline
Notification Area Tax Parcel Boundary

0 30 60 120 180 240 Feet





Conditional Use Amendment - 207 Gaslight Circle



Site Photos



Looking southeast at subject property



Looking east at property – proposed patio area



Looking west at property – proposed outdoor kitchen location



Looking south along Gaslight Pointe Walkway



Looking south along Wisconsin Avenue



Looking southwest at subject property