



PLANNING COMMISSION MEETING
COUNCIL CHAMBERS, MUNICIPAL BUILDING
101 NORTH MAIN STREET, FORT ATKINSON, WISCONSIN
TUESDAY, FEBRUARY 13, 2018 - 4:00 p.m.

AGENDA

1. Call to order.
2. Roll call.
3. Approve minutes of December 12, 2017 Planning Commission meeting.
4. Review and approve Preliminary Certified Survey Map creating one new lot and an outlot on Doris Drive.
Action – Reject—Approve.
5. Review and approve request for a conditional use to operate an adult family home at 1121 South Main Street.
Action – Reject—Approve.
6. Adjournment.

CC: David Westrick
Michelle Ebbert
Brian Juarez
Mark Anderson
Tim Connery
Michael Zore
News Media

If you have special needs or circumstances which may make communication or accessibility difficult at the meeting, please call (920) 563-7760. Accommodations will, to the fullest extent possible, be made available on request by a person with a disability.

It is possible that members of and possibly a quorum of members of other governmental bodies of the municipality may be in attendance at the above stated meeting to gather information; no action will be taken by any governmental body at the above stated meeting other than the governmental body specifically referred to above in this notice.

**PLANNING COMMISSION MINUTES
CITY OF FORT ATKINSON
DECEMBER 12, 2017
987TH MEETING**

CALL TO ORDER.

The meeting was called to order by Chairman Trebatoski in the Council Chambers of the Municipal Building at 4:00 pm.

ROLL CALL.

Present: Commissioners Frame, Greenhalgh, Highfield, Lescohier and Scherer, City Manager Trebatoski and City Engineer Andy Selle. Also present: City Clerk/Treasurer Michelle Ebbert.

APPROVE MINUTES OF NOVEMBER 14, 2017 PLANNING COMMISSION MEETING.

Cm. Highfield motioned, seconded by Cm. Frame to approve the minutes of the November 14, 2017 Planning Commission meeting. Motion carried.

REVIEW AND APPROVE CONDITIONAL USE TO OPERATE AN AIRBNB (TOURIST ROOMING HOUSE) AT 500 NORTH MAIN STREET

Engineer Selle reviewed the request by property owner Beth Gehred. The code does not specially regulate AirBnB properties, however it does allow some interpretation for similar properties classifications such as a bed and breakfast. The requirements in the code for a bed and breakfast are minimal.

Cm. Greenhalgh asked about the regulations that exist in the code. Selle replied a Conditional Use Permit is necessary along with additional parking stalls for guests. Parking is available on the streets that are adjacent and in the property's driveway. The property may be subject to room and or sales tax. There is also a requirement for State licensure.

Roberta Hazard 425 N. Main Street addressed the Commission and is a 5 year resident of the neighborhood. She expressed safety concerns about the type of clients that would be staying in the property. She asked if the property owner has food preparation and handling training. How are guests regulated?

Beth Gehred 500 N. Main Street replied to the comments. She shares concern for safety of the neighborhood. The website company, AirBnB, requires clients to register online and provide personal information to confirm identity and perform safety checks prior to allowing the client to stay at an establishment. Gehred continued she has a large house and would like to offer a personal service to travelers who seek a comfortable location. Gehred reviews information on potential clients, including reviews done by other property owners. She also provides house 'rules' for any party interested in staying at her property.

Cm. Frame asked at is the difference of regular BnB and AirBnB. Gehred stated she does not serve any food but offers pre-packaged snacks and a mini-fridge in the bedroom for her guest.

Gehred added she is working through the steps to obtain state licensure and will follow through with

all requirements.

Cm. Lescohier asked how frequently she hosts guests. Gehred shared that she has hosted over 90 guests/stays this year and that she only offers one bedroom of her four bedroom house.

Cm. Greenhalgh shared that she has been a client of AirBnB and clients are required to register and provide information for approval.

Ms. Hazard asked about parking requirements. Selle confirmed the location does not create parking challenges as ample parking exists in the area. Gehred confirmed that she allows her guests to use her driveway while she will park on a side street.

Cm. Frame inquired on state law changes and if the City should consider researching for potential inclusion in the code. Trebatoski replied it can be looked into further.

Cm. Frame moved to approve the conditional use permit to operate an Airbnb at 500 N. Main Street and with any future applications to comply with all requirements and licensure of the State of Wisconsin. Cm. Highfield seconded the motion and carried.

Cm. Lescohier asked Gehred if she is ranked on the website. Gehred confirmed she is ranked 4.9 out of 5 and monitors ranking of potential clients prior to approving their stay.

REVIEW AND APPROVE CONDITIONAL USE FOR 611 GROVE STREET TO BE USED AS A SCHOOL BUILDING

Engineer Selle reviewed the conditional use request for property zoned as R-1. The structure will be maintained by the School District of Fort Atkinson. There is parking allowed on the streets and in the driveway. Handicap parking will be provided.

School District representative Jason Demerath spoke on the planned usage of the property. This will be used as an alternative learning site to meet needs of students and provide training of life skills including skills necessary in running a household in a house setting. He added that a majority of the students could be aged 18-21. The building will be operated during school hours and additional hours during the summer months. The intention is to have the property available to students in mid-2018.

Cm. Greenhalgh moved to approve the conditional use for 611 Grove Street to be used as a school building with parking concerns addressed. Cm. Frame seconded the motion and carried.

ADJOURNMENT

Cm. Frame moved, Cm. Highfield seconded the motion to adjourn the Planning Commission meeting at 4:30 pm. Motion carried.

Respectfully submitted,

Michelle Ebbert
City Clerk/Treasurer

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#4



CITY OF FORT ATKINSON, Fort Atkinson, WI, 53538

Date: February 9, 2018

TO: Planning Commission
FROM: Andy Selle, P.E.
SUBJECT: Preliminary CSM

Background:

A preliminary CSM has been requested by Tim Connery to break a portion of the lot shown below for sale.



Figure 1: Existing aerial of the property

City Department Reviews:

All City departments have reviewed the submittal. Only those with comments are noted below.

Engineering Department: A final as-built of the Doris Drive corridor including the end near this proposed split has yet to be submit. Right of way and asset locations may have changed during construction and must be surveyed and confirmed prior to the approval of this adjoining CSM.

1 of 4



Figure 2: Proposed lot division

Water Department: A private water main exists near east boundary of this parcel. An easement for access and clear indication of the location of the public/private boundary should be added to this CSM or to the adjacent CSM for the building occupied by Fort Healthcare.

Recommendation:

Staff recommends approval of the Preliminary CSM with the following conditions

1. Submittal of an As-built confirming the public right of way limits for Doris Drive
2. Clear indication of public/private water main in the area of the eastern boundary of the proposed parcel and addition of easement for maintenance of such on whatever property it will occupy.

Attachments:
 Original submittal Connery Construction

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ANDERSON LAND SURVEYING LLC
Mark E. Anderson, Professional Land Surveyor

January 24, 2018

Andy Selle, P.E., City Engineer
City of Fort Atkinson
101 N Main St
Fort Atkinson, WI 53538

Dear Andy:

Enclosed are two (2) copies of a Preliminary Certified Survey Map prepared by me for CBF Investments Co. LLC, Attn: Tim Connery, 3234 CTH N, Cottage Grove, WI 53527.

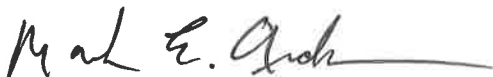
This proposed Certified Survey Map will create a 38900 sq. ft. lot for a proposed Dental Clinic and a 3250 sq. ft. Outlot to be added to C.S.M. #5247.

Please place this Preliminary on the next Plan Commission meeting agenda.

If you have any questions please let me know.

Sincerely,

ANDERSON LAND SURVEYING



Mark E. Anderson, P.L.S.

Enclosures

cc: Tim Connery

W6141 Star School Rd. Fort Atkinson, WI 53538

Tel: 920-563-8162

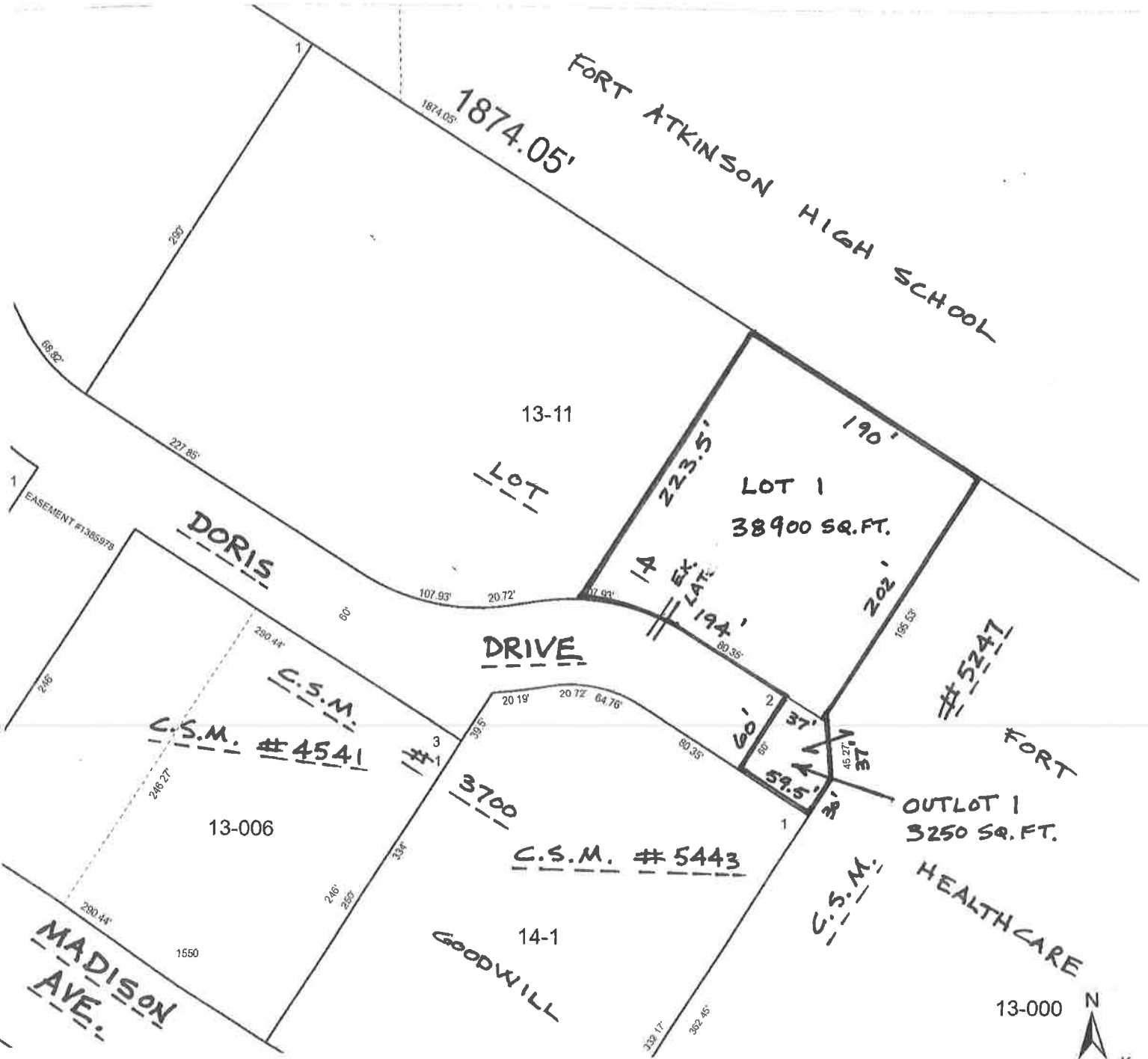
andersonlandsurvey@gmail.com

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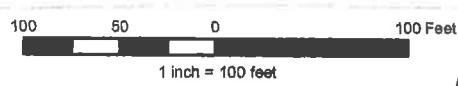
Filing Fee
Paid 1-24-18
L.C.

PRELIMINARY CERTIFIED SURVEY MAP

Part of Lot 4, C.S.M. #3700 in Section 32, T6N, R14E, City of Fort Atkinson, Jefferson County, WI



PREPARED FOR: CBF Investments Co. LLC
Attn: Tim Connery
3234 CTH N
Cottage Grove, WI 53527



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Date: January 24, 2018

Sheet 1 of 1

JN 18-01



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CITY OF FORT ATKINSON, Fort Atkinson, WI, 53538

Date: February 9, 2018

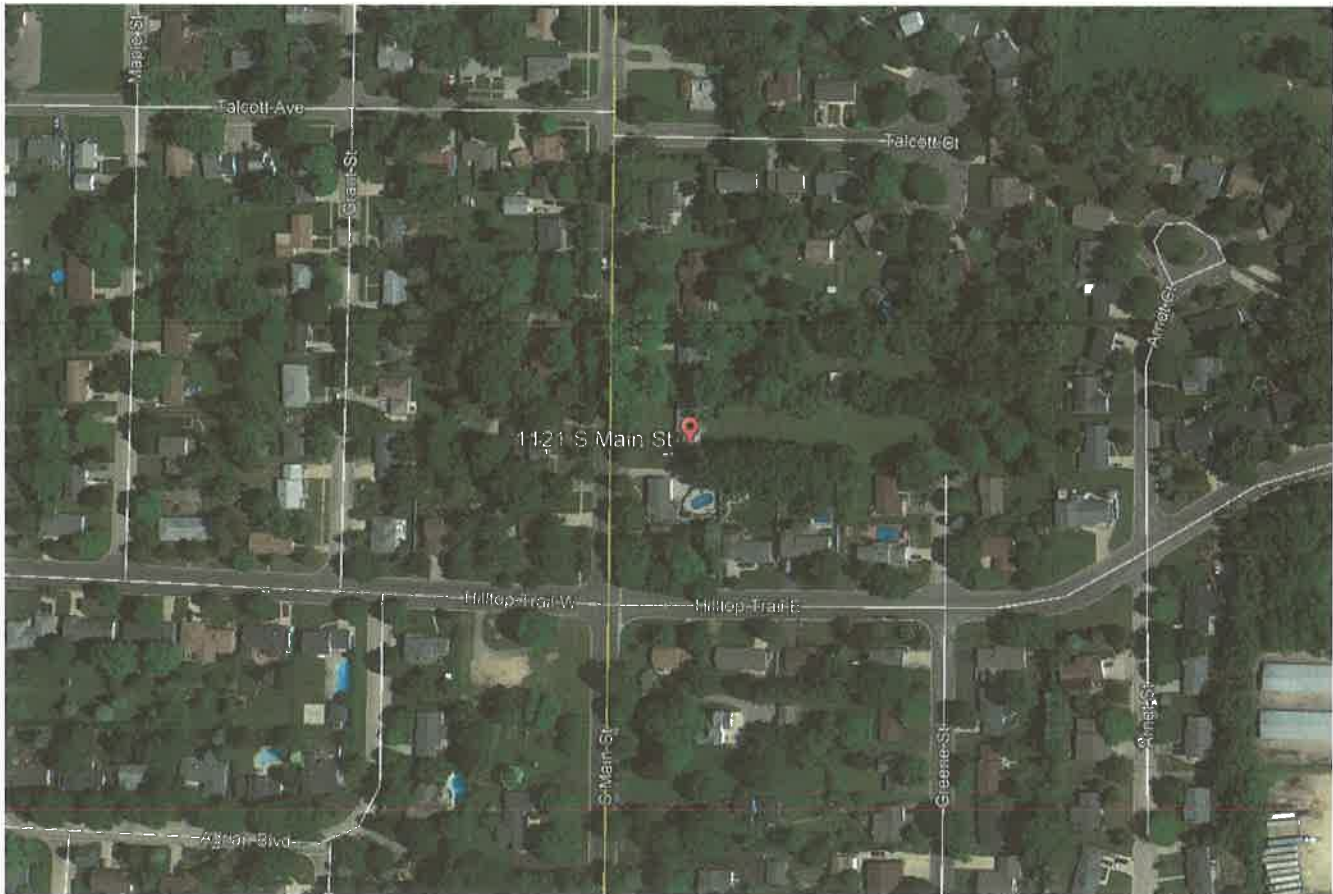
TO: Planning Commission

FROM: Andy Selle, P.E.

SUBJECT: Request for Conditional Use Permit for AFH at 1121 South Main

Background:

Michael Zore is developing an Adult Family Home at 1121 South Main St, called "*Someplace Nice*". Mr. Zore intends to provide care for up to 4 individuals. Maximum staff at any time would be 2. Renovations will be completed on the home, but parking appears to be ample. The attached letter provides further details. This request was brought forward during a time when Council had not provided clear indication of whether the moratorium remained in effect. Mr. Zore has been an active and outstanding member of the FACC group created to seek solutions to the unusually dense population of adult care facilities in the City.



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City Department Reviews:

All City departments have reviewed the submittal. Only those with comments are summarized below. Supporting information is available in the file.

Zoning – The property is zoned R-1 “Single Family Residential.” Conditional uses include CBRF’s or other community living arrangements serving up to 15 people subject to 15.8.6(C) of the ordinance. The permit review criteria under 15.8.6(C) includes:

General requirements for C.B.R.F.s and Adult Family Homes

1. No adult family home, C.B.R.F., or other community living arrangement facility may be established within two thousand five hundred (2,500) feet of another adult family home, C.B.R.F., or other community living arrangement facility.
2. The total capacity of all such facilities in a ward shall not exceed the total number of persons equivalent to one percent (1%) of the population of the ward.
3. In any case, the total capacity of all such adult family homes, C.B.R.F.s, or other community living arrangement facilities in the City may not exceed one percent (1%) of the total City population.

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***Criteria 1-3 above are no longer applicable per Federal Law*

4. Exceptions to these limitations may be granted at the discretion of the City by Council approval.
5. The fee for the conditional use permit shall be set by Resolution by the City Council.

Conditional Use Permit Review Criteria - The Plan Commission shall apply the following criteria in their review of Conditional Use Permit applications for adult family homes, C.B.R.F.s, or other community living arrangement facilities:

1. The facility shall be licensed as required under Wisconsin Administrative Code HFS 83.

Assessment: Review by State Authority has not yet been completed

2. The facility, when fully occupied, shall not be impractical or infeasible and shall not create an unreasonable financial or administrative burden on municipal services, including but not limited to, fire protection, police protection, emergency medical services, public water supply and sanitary sewer services, streets and transportation facilities, and park and outdoor recreation facilities.

Assessment: The number of CBRFs within the Fort Atkinson community is creating a burden on emergency services. An analysis of the problem and possible solutions is ongoing. This CBRF will be required to abide by any future management improvements to alleviate this burden. No other unreasonable burdens have been noted.

3. The facility shall provide adequate off-street parking as required by this chapter. 15.10.1.B states "One parking stall for each resident 16 years of age and older, plus one stall for each employee working at the facility during the most heavily staffed shift.

Assessment: Six total spaces are required. The large driveway and the additional parking on S Main St will accommodate this requirement.

4. The facility shall meet the requirements of the City of Fort Atkinson Building Code and Housing Code.

Assessment: Although not reviewed in detail, it appears conformance with the codes of the City can be achieved within the plan outlined.

Police - The Police Department maintains its stance on adding new group homes. The current amount of homes and the bed population has proven to be a burden on emergency services based on current staffing and resources.

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Discussion:

Review of the request for conditional use has not revealed any exceptions to this conditional use. If the request is approved by the commission, the following contingencies should be noted in the approval:

- Confirmed ownership of the property by *Someplace Nice Inc*
- Confirmation of State Licensure for operation of an AFH and Approval of the 1121 S Main Property in particular.
- Fire inspection of renovated property by FAFD prior to occupancy
- City building inspection of renovated property
- Development of various care and crisis plans for residents as suggested by the FACC
- Continued membership in good standing with the FACC
- Fulfilled commitments outlined in the attached application letter for WALA Diamond Accreditation Program and registered CNA staff



Someplace Nice, Inc.

1121 S. Main Street
Fort Atkinson, WI 53538-2503
Phone: (920) 397-5501
www.SomeplaceNiceToLive.com

Fort Atkinson Planning Commission
101 N. Main Street
Fort Atkinson WI 53538

May 3, 2016

To whom it may concern:

I am writing today to request a Conditional Use Permit for Someplace Nice, Inc. to operate an Adult Family Home at 1121 S. Main Street. Having seen Engineer Selle's presentation on the emergency services issue facing the city, I am aware of the moratorium, but would like to file our application for potential approval once the stay has been lifted.

Someplace Nice follows an innovative approach to AFH care, with a primary focus on making our environment safe, homey, and healthy for our residents. Under state law, an AFH can provide up to seven hours of skilled nursing care weekly to each patient: we want that care to be competent, skilled, appropriate, and caring, so we require care team members to either be state-certified as a CNA or commit to certification within 24 months. As far as I know, we are the only AFH in this region with this high a staffing standard. We are adopting best-in-class models for fall prevention and infection control, and plan to participate in the WALA Diamond Accreditation Program once operating. Our model is simple: I want the home to be the kind of place where I would choose to live. We want our home to be *some place nice to live* and our name is a constant reminder of that calling.

We are fully committed to the AFH model for health care because we believe that it provides the best opportunity for our residents, both from the medical evidence and personal experience. Growing up, my youngest sister was born with Down Syndrome, and the medical advice at the time was that institutional care was her best option. We instead chose to live as a family and she outlived all of her peers, doubling her expected life span before passing in 2006, having lived a rich, full life. Another sister continued this pattern by including my father in their household until progressing health issues led to his passing last year. Our search for care options for him inspired the development of the project team that ultimately to this request.

We are also fully committed to being a active contributive part of this city. We believe that Fort Atkinson provides the perfect mix of metropolitan resources, city environment, and small town pace to provide the quality of care we desire for our residents. Based on demographic trends, we believe that the need to insure high-quality, personalized care will become an ever more important draw to bring newcomers into and prevent the exodus of current residents from a community. As you work through the emergency services issue, we look forward to learning with you to insure that our home contributes to that solution.

I look forward to talking with you further about our request. If you have any questions, please feel free to contact me directly at 414-455-5493.

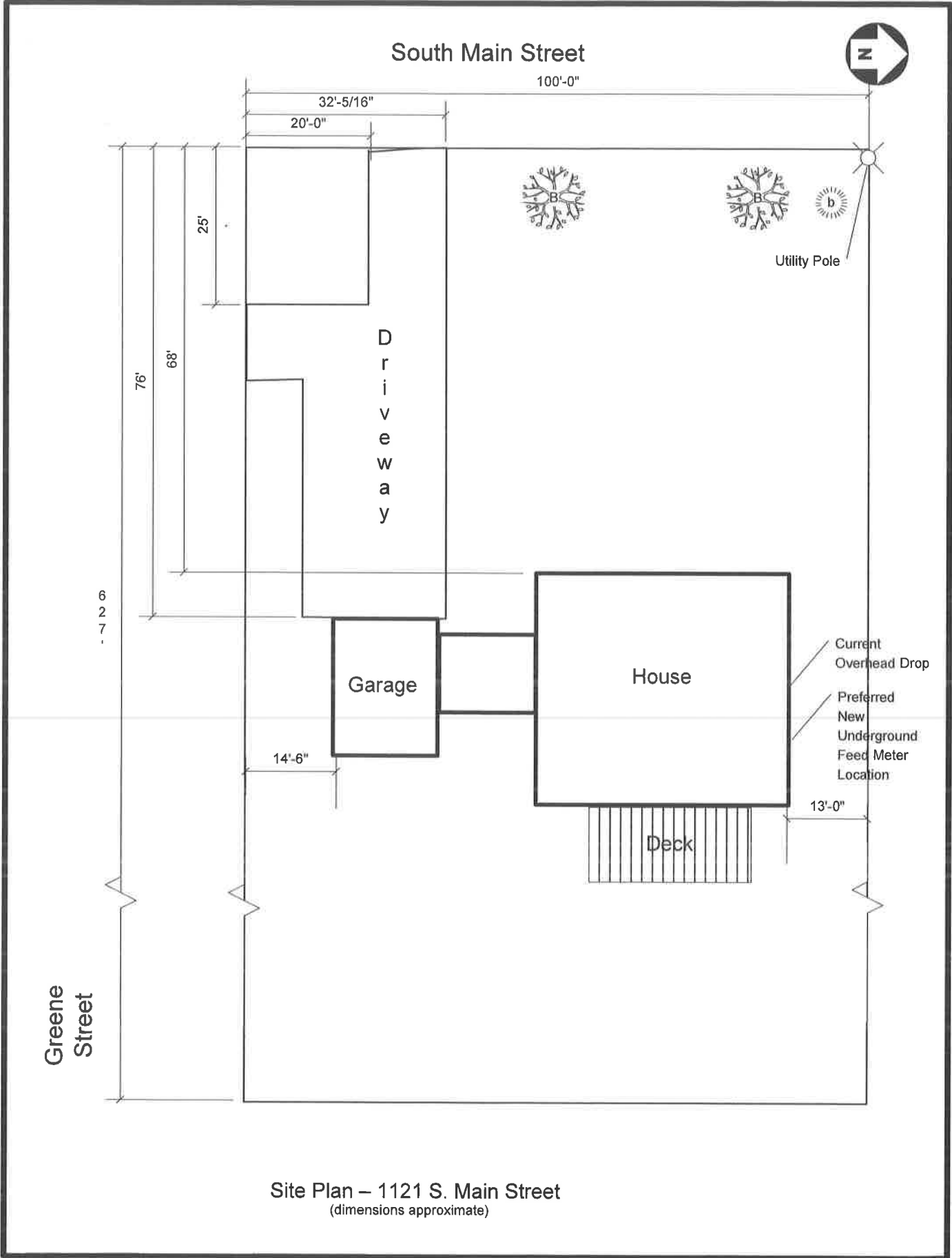
Sincerely,

Michael Zore,
Executive Director,
Someplace Nice, Inc.

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Site Plan – 1121 S. Main Street
(dimensions approximate)

7087