

**PLANNING COMMISSION MINUTES
CITY OF FORT ATKINSON
NOVEMBER 10, 2015
958th 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, Hartwick, Highfield, Zastrow, City Engineer Andy Selle and City Manager Matt Trebatoski. Also present: City Attorney Chris Rogers, Building Inspector Brian Juarez and Clerk/Treasurer Michelle Ebbert.

APPROVE MINUTES OF OCTOBER 27, 2015 PLANNING COMMISSION MEETING.

Cm. Greenhalgh motioned, seconded by Cm. Frame to approve the minutes of the October 27, 2015 Planning Commission meeting. Motion carried.

REVIEW REQUEST TO REZONE VACANT LAND ACROSS FROM KLEMENT BUSINESS PARK ON JANESVILLE AVENUE FROM R-3 (MULTI-FAMILY RESIDENTIAL AND OFFICE DISTRICT) TO C-3 (GENERAL COMMERCIAL DISTRICT)

Engineer Selle reviewed the request to rezone. Staff reviewed the request and provided an observation that the bike path does make up the western boundary of the property. Cm. Zastrow indicated he believed the parcel was originally created and zoned as C-3. Inspector Juarez confirmed that a developer requested it be rezoned to R-3. When presented to the Planning Commission, the Commission felt it was not a correct location for multi-family and rejected a site plan for multi-family housing. Staff supports the rezoning as it fits appropriately with the commercial/industrial neighborhood. Zoning would allow for a convenience store and the Planning Commission could request sidewalk installation during site plan review. Juarez confirmed any request for this property would require a site plan approval from Planning Commission and at that time contingencies may be requested.

Cm. Hartwick asked if the dotted line that exists on the map through the center of the property signifies something. Staff was not aware of any easement.

Cm. Greenhalgh moved to approve the request to rezone the vacant land parcel from R-3 to C-3 and refer to City Council for public hearing on December 1, 2015. Seconded by Cm. Zastrow and carried.

REVIEW REQUEST TO REZONE 715 E. SHERMAN AVENUE FROM R-1 (SINGLE FAMILY RESIDENTIAL) TO C-1 (SERVICE BUSINESS DISTRICT).

Engineer Selle reviewed the request to rezone. Staff reviewed and provided no concerns. The property exists as a nonconforming structure as a conditional use permit could not be located to confirm the use for the property. Changing the zoning to commercial would allow for a variety of permitted uses that would not require approval by Planning Commission.

Cm. Greenhalgh asked if there were any issues with the owners having a conditional use. Inspector Juarez stated the property owner would like to lease the space but cannot locate a history of a Conditional Use Permit issued. This property is considered existing non-conforming.

Mary Benson, 202 Memorial Drive spoke in response to the request. She has lived adjacent to the property for 26 years. She asked how they would be notified if a new business was going into the building. Manager Trebatoski stated that if the anticipated business is a permitted use, no notification is required by code. Engineer Selle stated if a conditional use was requested, adjacent property owners would be notified. Mrs. Benson had concerns for parking.

Cm. Greenhalgh was not in support of changing the zoning and taking the control away from Planning Commission for what can go into the property. Cm. Hartwick asked if adjacent property is zoned commercial. The clinics in the area are mostly zoned R-3. There are many residential properties in the immediate area.

Steven Benson, 202 Memorial Drive stated he struggles with the parking, garbage pickup and leaf pickup. He expressed concern for future tenants that would require parking and could create hazards. He would like the Planning Commission to keep control over a conditional use and remain the zoning at R-1.

Cm. Highfield suggested that Staff speak with the neighboring properties and inquire on their concerns.

Cm. Zastrow asked if there is a perspective tenant for the property. Inspector Juarez replied that he believes there is a potential lease pending the rezoning.

Attorney Rogers encourages the filing of a conditional use for the property.

Cm. Zastrow moved to approve the request to rezone 715 E. Sherman Avenue from R-1 to C-1 and refer to City Council for public hearing on December 1, 2015, seconded by Cm. Highfield. Motion failed on a 1-6 roll call vote with Cm. Zastrow in favor of the motion.

REVIEW REQUEST FOR SIGNAGE ALONG RIVERWALK ON BUILDING AT 91 S. MAIN STREET

Engineer Selle reviewed the request for signage. Signage on the Riverwalk requires approval by Planning Commission. Inspector Juarez confirms it meets requirements and will not be illuminated.

Cm. Greenhalgh moved to approve the signage along the Riverwalk on the building at 91 S. Main Street. Seconded by Cm. Frame and carried.

PRESENTATION AND DISCUSSION ON ADULT FAMILY HOMES AND COMMUNITY BASED RESIDENTIAL FACILITIES (CBRFs) IN FORT ATKINSON.

Engineer Selle provided a prepared presentation in relation to the AFH and CBRF. He reviewed the established temporary moratorium that was installed by the Planning Commission in September 2015.

Recommendations: convene an adult care facility workgroup to develop more permanent management strategies, maintain the moratorium until workgroup solutions are implemented and intervene at identified high incidence locations.

Cm. Hartwick stated he is curious about police and ambulance responses. Are calls in response to deaths? He recommends at-large citizens for the workgroup. He has concerns for the length of moratorium. Inspector Juarez confirmed there is one applicant waiting and potentially another.

Cm. Greenhalgh thanked Staff for the information. She sees a problem with staffing for police and fire compared to other communities. She supports the recommendations and feels it is tricky to lengthen the moratorium.

Cm. Zastrow stated he is business related to CBRFs/AFHs and noted he has the full ability to be objective when discussing this topic. He commented that the issues point to providers and how facilities are managed. He is not comfortable with the moratorium. He feels it could be causing economic distress, have impact on business owners and tenants. He does not want moratorium at length.

Cm. Frame thanked those that worked very hard to obtain the information. With his police force background, he remembers when properties were first converted for CBRF/AFH. He witnessed the calls compounding and how they varied in length. The Commission has to look at type of calls that come in, and are the staff trained to handle appropriately? If it is a burden, the Commission has to take time to analyze and provide solutions. What can the operators do to improve?

Cm. Highfield asked if the police calls fall into specific categories. She suggested using call data when discussing with each facility. Chief Bump stated they keep a record of each facility and specific calls. Majority of the calls at group homes or related facilities have documentation or dispatcher notes. Notes include details of each call, disposition and time.

Cm. Highfield confirmed that time is needed to develop a scope. Selle stated this is a big economic driver in our city with a lot of jobs created over time. Staff has been searching for ways to meet the needs of the community.

Cm. Greenhalgh agrees with the recommendations and asked if this could go to Council and then be reported back to Planning Commission with a timeline and end date of the moratorium. Selle stated at the next meeting he can discuss his contacts and be able to give a timeline on the moratorium.

Cm. Hartwick asked if any ordinances that have been approved are being utilized. Chief Reel replied that yes, cost recovery invoices are being mailed however they are charged to the person and not the facility. Chief Bump stated if he could do cost recovery, the fees would be minor. Cm. Hartwick stated he wants penalty driven ordinances for facilities.

Chief Reel stated that invoices are sent for automatic fire alarm or careless incidents. Chief Bump wants a solution to allow us to provide proper level of safety and security to everyone in community. He wants his force to remain proactive and not be reactive, which is what has been happening with the increased call volume to specific properties.

Cm. Frame made a motion to refer the following recommendations to the City Council: convene an adult care facility workgroup to develop more permanent management strategies, maintain the moratorium until workgroup solutions are implemented and intervene at identified high incidence locations, and return to the Planning Commission with a timeframe for the moratorium. Cm. Hartwick seconded the motion and carried.

ADJOURNMENT.

Cm. Greenhalgh moved, Cm. Frame seconded the motion to adjourn the Planning Commission meeting at 5:24 pm. Motion carried.

Respectfully submitted,

Michelle Ebbert
Clerk/Treasurer