

**PLANNING COMMISSION
CITY OF FORT ATKINSON
MINUTES
MAY 25, 2010
882nd MEETING**

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

Members present: Wilmet, Camplin, Frame, Hamm, Highfield and Woods

Members absent: Stroinski

Others present: Rudy Bushcott, Jessie & Makinzie Luedke and Christine Klitzke

Item #1: Review and approve request for Conditional Use for tattoo studio at 210 South Main Street.

Jeff Woods said this property is zoned C-5, Downtown Business, and a tattoo studio is not listed under either Permitted or Conditional Uses. Therefore, it would be considered a Non-Specified Use, and would still require a Conditional Use Permit to operate. In the C-5 zoning requirements there are no required off-street parking stalls that are needed, so the only parking available would be the street parking. Any signage that they would want would need to be coordinated through Brian Juarez, the City's Building Inspector for a permit. Their hours of operation are 2:00 p.m. to 9:00 p.m. on Sunday through Tuesday; 12:00 p.m. to 10:00 p.m. on Thursday through Saturday; and by appointment only on Wednesday, for a total of 51 hours per week. The building area has been inspected by the Health Inspector and has passed. The landlord has agreed with the use, based on the use stated in the signed lease. The adjacent property owners have been notified and only one responded prior to the meeting. They had no objections or concerns to the new business. If approved the permit should be for Jessie and Makinzie Luedke doing business as Ghost Machine Studios at 210 South Main Street.

When asked by Roz Highfield, Jessie Luedke said they would be strictly doing tattoos; there would be no piercings performed at the location. Jessie Luedke added the lease has been signed and they are set to go.

Bonnie Hamm asked if there are health inspections by the State or who covers that? Jessie Luedke said that Jefferson County Health Department does the actual inspection of the site, and that he has to get his tattoo license through the State. Both of these have been done.

Motion by Cm. Camplin, seconded by Roz Highfield, to approve a conditional use permit for Jessie and Makinzie Luedke to operate Ghost Machine Tattoo Studio at 210 South Main Street. The motion passed by a 6-0 voice vote.

Item #2: Review and approve request for Conditional Use Permit for two Adult Family Homes at 1442 and 1444 Endl Blvd.

Jeff Woods said the property is zoned R-2, Two-Family Residential, and that an Adult Family Home requires a conditional use permit. The conditional use permit is reviewed under four

criteria. The facility will need to be licensed as required under WI Administrative Code HFS 83, which deals with licensing, personnel, training, residents' rights, protection, care and services, physical environment, safety, building design, and code requirements for building construction or remodeling. The facility shall not create an unreasonable financial or administrative burden on City services, including Police, Fire, EMT, water, sanitary sewer, streets and transportation, or Parks & Recreation. The facility will need to provide adequate off street parking of one stall for each resident over the age of 16 and one per staff at the heaviest staff time. The facility must meet the requirements of the City's Building and Housing Codes. The adjacent property owners have been notified of the meeting and no comments were received concerning this property, but one property owner did ask about the City's ability to limit the number of facilities in the City, and the Federal Fair Housing Act was explained. If approved, a waiver of the 2,500-foot separation distance and 1% total population would be needed from the Council at their next meeting.

Jeff Woods said the parking needed would be five for the residents, but did not know how many would be required for the staff members. Christine Klitzke, of Abilities, Inc. said there would be two to three staff members there to cover the residents. While they are going to request licensing of the two units for two and three residents, they will only be putting one and two residents in the two units. Jeff Woods said there are two stalls available in the garage, two in a gravel area on the north side of the garage/driveway, and the possibility of four stalls in the driveway, for a total of eight stalls that could be provided. This would meet the required number of parking stalls, based on the number that they would need of between five and eight.

When asked by Cm. Camplin, Christine Klitzke said this is an upstairs/downstairs duplex building that will be licensed as two facilities. The backyard will be fenced in to provide extra security for the residents. The upper unit will have a second exit constructed into the backyard area off the balcony areas.

When asked by Bonnie Hamm concerning the licensing by two different entities, Christine Klitzke said that one and two resident facilities are licensed by the County and three or more residential facilities are licensed by the State.

Motion by Roz Highfield, seconded by Bonnie Hamm, to approve the conditional use permit for Abilities, Inc. at 1442 and 1444 Endl Blvd, contingent on the total population of residents and staff is a maximum of eight. The motion passed by a 6-0 voice vote.

Item #3: Approval of Minutes and Adjournment.

A motion to approve the Minutes of the April 27, 2010 meeting was made by Cm. Camplin, seconded by Roz Highfield, and passed by a 6-0 voice vote. A motion to adjourn was made by Cm. Camplin, seconded by Roz Highfield, and passed by a 6-0 voice vote. The meeting adjourned at 4:13 p.m.

Respectfully submitted,

Jeffrey L. Woods, P.E.
Secretary