

## Report to the Manitowoc Plan Commission

**Meeting Date:** December 20, 2023

**Request:** PC 29-2023: Koenig, Request for a Conditional Use Permit for a Tattoo Establishment at 624 N 8th Street pursuant to 15.230(3)f.

**Existing Land Use for Subject Property:** Mixed Business Uses

**Existing Zoning for Subject Property:** B-1 Office – Residential (east  $\frac{3}{4}$  of lot, including all buildings), West  $\frac{1}{4}$  of lot zoned R-4 Single and Two Family.

### Surrounding Property Land Uses and Zoning

Direction	Existing Land Use	Existing Zoning
West	Residential	R-4 Single and Two Family
North, South, East	Residential, Institutional	B-1 Office / Residential

**Report:** Kristina Koenig is requesting the issuance of a conditional use permit so she can open a tattoo establishment in one of the lease spaces in 624 N. 8<sup>th</sup> Street known as the Heritage Professional Building. The building has historically been used for small office and salon type uses. Mrs. Koenig will lease suite 103 which is in the lower level of the building and she will be the only tattooist at the location. Her hours of operation will be Monday thru Friday during the day by appointment only.

The property is zoned B-1 Office / Residential and tattoo establishments are permitted after issuance of the CUP. Other uses that are similar to tattoo establishments such as barbershops, beauty salons and body piercing establishments also require a CUP in the B-1 District.

Conditional Use Permits are governed by section 15.370(27) of the municipal code. In acting upon any application for a conditional use, the Plan Commission and Council shall consider whether the requested use: (1) is reasonably necessary for the convenience and welfare of the public; (2) is in harmony with the character of the surrounding area; and (3) will have a minimal or no effect on surrounding property values.

### Municipal Code:

Pursuant to Section 15.370(27)(c) of the Municipal Code, “the Plan Commission and Council shall consider whether the requested use:

- A. is reasonably necessary for the convenience and welfare of the public.
- B. Is in harmony with the character of the surrounding area.
- C. Will have a minimal effect or no effect on the surrounding property values.

The Commission and Council can affix conditions to the CUP to provide assurances that the proposed use will remain in conformity with the criteria under subsection (27)(c) as well as

compliance with regulations of the particular zoning district which the conditional use would be located.”

**State Statute:**

“ §62.23(7)(de) *Conditional use permits.*

1. *In this paragraph:*

a. *“Conditional use” means a use allowed under a conditional use permit, special exception, or other special zoning permission issued by a city, but does not include a variance.*

b. *“Substantial evidence” means facts and information, other than merely personal preferences or speculation, directly pertaining to the requirements and conditions an applicant must meet to obtain a conditional use permit and that reasonable persons would accept in support of a conclusion.*

2. a. *If an applicant for a conditional use permit meets or agrees to meet all of the requirements and conditions specified in the city ordinance or those imposed by the city zoning board, the city shall grant the conditional use permit. Any condition imposed must be related to the purpose of the ordinance and be based on substantial evidence.*

b. *The requirements and conditions described under subd. 2. a. must be reasonable and, to the extent practicable, measurable and may include conditions such as the permit's duration, transfer, or renewal. The applicant must demonstrate that the application and all requirements and conditions established by the city relating to the conditional use are or shall be satisfied, both of which must be supported by substantial evidence. The city's decision to approve or deny the permit must be supported by substantial evidence.*

3. *Upon receipt of a conditional use permit application, and following publication in the city of a class 2 notice under ch. 985, the city shall hold a public hearing on the application.*

4. *Once granted, a conditional use permit shall remain in effect as long as the conditions upon which the permit was issued are followed, but the city may impose conditions such as the permit's duration, transfer, or renewal, in addition to any other conditions specified in the zoning ordinance or by the city zoning board.*

5. *If a city denies a person's conditional use permit application, the person may appeal the decision to the circuit court under the procedures contained in par. (e) 10.”*

Public Comments: Notices were mailed out to property owners adjoining and abutting the property.

Timeline

- Application Received: December 7, 2023
- Notifications Sent: December 12, 2023
- Plan Commission Public Informational Hearing: December 20, 2023
- Common Council Public Hearing scheduled for: January 15, 2023

**Recommendation:** Approve the issuance of a Conditional Use Permit to Kristina Koenig for the establishment of a Tattoo Establishment located at 624 N. 8<sup>th</sup> Street pursuant to the conditions.

REQUIREMENTS FOR A  
CONDITIONAL USE PERMIT (CUP)  
TO KRISTINA KOENIG  
1/16/2024

Re: PC29-2023: Grant to Kristina Koenig (Koenig) or any future LLC that Koenig is a managing member of, a CUP under Section 15.370(27) of the Manitowoc Municipal Code (“Code”) for the operation of a Tattoo Establishment at 624 N. 8th Street, (parcel # 000-060-110) Manitowoc WI. This CUP shall hereinafter serve as authorization for the location and operation of a Tattoo Establishment, and all appurtenant and related functions. The area included in the CUP (“CUP Area”) is described on the attached map. Koenig is required to comply with the following conditions:

- A. This CUP does not waive or pre-empt any requirements under any building, zoning, or health codes or any other requirements of any municipal, state or federal regulation statute or law. If Koenig does not secure all the required licensing by December 31st, 2024, this CUP is void. Koenig shall provide the Department of Community Development documentation evidencing the issuance of all the required licenses.
- B. Koenig shall not assign or transfer its interest in the CUP to any party without the prior written approval of the Plan Commission and Manitowoc Common Council.
- C. The CUP authorizing the location and operation of the business in the CUP Area shall not be effective until the Common Council approves the CUP request.
- D. The CUP shall automatically terminate effective the same date Koenig ceases to operate at the location or any required license or permit is revoked or expires.
- E. At any date and time, non-compliance with the terms of the CUP may result in the modification of the terms and conditions of the CUP, issuance of citations and financial penalties, or immediate revocation of the CUP.



# LAND USE APPLICATION

APPLICANT Kristina Koenig PHONE 920.905.0447  
 MAILING ADDRESS 735 S. 22ND St. Manitowoc WI EMAIL Krissyjo21@yahoo.com  
 PROPERTY OWNER Heritage Suites, LLC PHONE 920-684-9400  
 MAILING ADDRESS 124 N. 8th Street, Suite 201 Manitowoc, WI 54220 EMAIL info@heritagesuites.com

### REQUEST FOR:

- Conditional Use Permit (CUP) \$350\*
- Zoning District Change/Map Amendment \$350\*
- Site Plan Review \$350
- Request for Annexation \$350\*
- Certified Survey Map (CSM) \$100
- Planned Unit Development (PUD) \$350\*
- Official Map Review \$350\*
- Street/Alley Vacation \$350\*

*\*Publication of legal notice fees additional.*

STATUS OF APPLICANT:  Owner  Agent  Other suite #103  
 PROJECT LOCATION ADDRESS 624 NORTH 8th St. Manitowoc, WI 54220  
 PARCEL ID# 052-000-060-110 CURRENT ZONING B-1  
 CURRENT USE OF PROPERTY Beauty salon  
 PROPOSED USE OF PROPERTY private tattoo suite/paramedical tattoo

**REQUIRED: Attach a detailed written description of your proposal or request.**  
 Include as much information as possible including planned use, maps, project renderings or drawings, etc.

The undersigned hereby certifies that the information contained in this application is true and correct.

Signed [Signature] Date 12-6-2023  
 (Property Owner)

Print Name: Kevin Neelis

<b>For Office Use Only</b>	
Date Received: <u>12/7/2023</u>	PC #: <u>29-2023</u>
Fee Paid: <u>\$350</u>	Check#: <u>2405</u>
Plan Commission Date: <u>12/20/23</u>	

**The City of Manitowoc Plan Commission meets the fourth Wednesday of each month at 6pm.**  
**Deadline for submission is the Friday two weeks prior to the meeting.**

Please contact the Community Development Department at 920-686-6930 if you have any questions.

12/5/2023

# CITY OF MANITOWOC PLANNING COMMISSION

Hello board members. My name is Kristina Koenig and I have been a licensed tattoo artist in Manitowoc Wisconsin for 18 years now. The last 14 years of which I have been an artist at Candy Apple Tattoo on Washington street here in Manitowoc.

Last year I was diagnosed with breast cancer and it changed my life in more ways than one. I have had 4 major surgeries and have the battle scars that go along with that. During my own journey the direction I want to go with my art has changed. Over my 18 years of traditional tattooing, I have met and tattooed some amazing people, with scars of their own, but now understand the depth of how important covering these scars is. I would love to offer my clients a private, safe, comfortable space to have their service done. I want to go away from the traditional "tattoo shop" vibe and offer my clients paramedical, permanent makeup, and scar camouflage. Permanent makeup will include lip blushing, eyeliner and eyebrow tattooing. Paramedical tattooing includes vitiligo blending, areola reconstruction, stretch mark lightening and other surgical scar camouflage among other things. There is no one in our community offering these services and for me, being a cancer survivor myself I know how important these services are, and the space in which they are performed is just important. I have 18 years tattoo experience, and a lifetime of art training. I know I can change peoples lives with the additional services I can offer. I just need a safe, health inspected and licensed space in order to achieve my goal.

So with that, I would like permission to open a private tattoo studio at 624 north 8th street suite 103 in Manitowoc, WI to better service my clientele. Suite 103 is a small 2 room suite, perfect



for my needs and I will be the only one working out of the space. Business hours would be Monday through Friday during the day by appointment only, with possibly some weekend hours if needed just like the other businesses located in the same building. The suite is in the lower level atrium of the absolutely gorgeous Heritage building.

In the past I have done scar cover-up tattoos, along with mastectomy scar coverups and all kinds of traditional art but I would love to offer my clients more, and in a quiet, private environment, more like a Dr. office setting. And suite 103 is absolutely perfect for this. Thank you so much for your time.

SINCERELY,

KRISTINA KOENIG

City of  
Manitowoc

R-6

ST. CLAIR ST.

R-4

R-4

Request for a Conditional  
Use Permit for the Operation  
of Tattoo Establishment

N-9TH ST.

60

N-8TH ST.

59

B-1

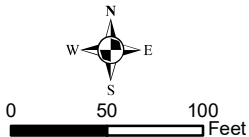
SW 1/4  
Sec 20

T19N, R24E

PARK ST.

# CONDITIONAL USE PERMIT

City of Manitowoc, WI



Area of Conditional Use Permit for  
the Operation of Tattoo Establishment

DISCLAIMER: Maps and associated data are believed to be accurate, but are not warranted. This information is not intended for legal, survey, or other related uses. Please obtain the original recorded documents for legal or survey information.

Prepared by City of Manitowoc  
Community Development Department  
www.manitowoc.org

Map Plotted: 12/11/2023

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PC 29-2023  
624 N. 8th St.

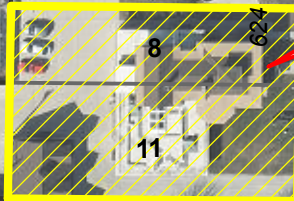
City of Manitowoc Plan Commission



# City of Manitowoc

**ST. CLAIR ST.**

**Request for a Conditional Use Permit for the Operation of Tattoo Establishment**

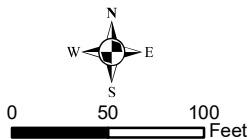


SW 1/4  
Sec 20  
T19N, R24E

**PARK ST.**

## CONDITIONAL USE PERMIT

City of Manitowoc, WI



Area of Conditional Use Permit for the Operation of Tattoo Establishment

PC 29-2023  
624 N. 8th St.

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Map Plotted: 12/11/2023

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City of Manitowoc Plan Commission