City of Mequon

11333 N. Cedarburg Road
Mequon, WI 53092
Phone: 262-236-2904
Fax: 262-242-9655

www.ci.mequon.wi.us

Department of Community Development
Taped and Televised

PLANNING COMMISSION
Regular Meeting
Monday, March 12, 2018
4:30 PM
Christine Nuernberg Hall

Minutes

1) Call to Order, Roll Call

Present:
Chairman Dan Abendroth
Commissioner Brian Parrish
Alternate John Stoker
Commissioner James Schaefer
Commissioner Rebecca Schaefer
Alderman John Wirth
Commissioner Rick Lemke
Alternate Stephanie Hawley

a) Approval of Planning Commission Meeting Minutes from February 12, 2018.

Action
Ald. Wirth made a motion to approve the minutes from February 12, 2018.
Commissioner Stoker seconded the motion.
A voice vote was taken, vote passed (8-0)

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	John Wirth, Alderman
SECONDER:	John Stoker, Alternate
AYES:	Abendroth, Parrish, Stoker, B. Schaefer, J. Schaefer, Wirth, Lemke, Hawley
ABSENT:	Choren, Mason
EXCUSED:	Strzelczyk

2) Public Hearing

a) Fox Tale Brewing Co., Inc. The applicant is seeking conditional use grant, building and site plan, sign waiver and certified survey map approval for a proposed brewery and restaurant located at 6411 W. Mequon Road.

Action
Commissioner Parrish made a motion to go into public hearing.
Commissioner Stoker seconded the motion.
A voice vote was taken, vote passed (8-0)

Action
Commissioner Parrish made a motion to close the public hearing.
Ald. Wirth seconded the motion.
A voice vote was taken, vote passed (8-0)

Asst. Dir. Zader stated that the request is for conditional use grant, building and site plan and certified survey map approval for the Fox Tale brewery and restaurant. The PUD was approved in December and January. The conditional use text amendment was approved in September of 2017 for breweries. Everything is very similar to what was presented on the concept plan but now shows more details. The site plan shows a 6,100 sq. ft. restaurant with a 1.700 sq. ft. brewery. The parking lot and building layout is the same as shown previously.

One of the changes is that there is a draft CSM of where this parcel will be split in two. The restaurant will be where parcel B was shown on the concept plan. They did add some fencing to maintain the street edge.

The site shows 100 parking stalls which does comply with the code based on the proposed uses. As a part of the rezoning TADI did a tabletop exercise regarding parking and the analysis shows that the site does meet the parking demand except during the peak summer hours at dinner and on weekends. As a condition of approval staff listed the vehicular access and parking lot shown on the concept plan for building B must be completed by spring of 2019. The restaurant is anticipated to be completed in the late fall or early winter so there are not any peak issues until the summer of 2019.

There have been conversations with the applicant regarding deliveries. The applicant provided templates in the packet with regards to turning movements. The applicant stated that all deliveries will occur prior to business hours and that there will be no need for on-street deliveries on Buntrock Avenue or Mequon Road. The plan also shows a number of improvements in the right of way including sidewalks, landscaping and curb and gutter. There will be a development agreement that will outline all the changes and improvements made to the public improvement area especially along the intersection.

The building design is similar to the concept plan and the elevations shown at the PUD approval. Staff is supportive of all the materials and the look of the building. The only recommendation from staff is that the code requires that the front entranceway off of Mequon Road be enhanced. They did add a planter area as well as some outdoor seating but staff feels that a few more design elements in that area would be beneficial; some signage or lighting that will enhance that entranceway.

The lighting plan complies with most of the lighting requirement. They show the same street light design from Cedarburg Road for their parking lot lights. The plan shows some wall packs and bollards that comply with the code. They are showing the same festoon string lighting that Café Hollander has on their patio. The same requirements were added of 70 lumens maximum per bulb and that the lights stay static and cannot flash or blink.

Terry Higgins did a review of the landscape plan and staff has gone over it several times with the applicant and has addressed most of the issues. There are still a few items that staff would like to have included which are bulleted in the staff report in the board packet.

The applicant is requesting several sign waivers as part of the approval process. The code currently allows for 2 wall signs due to being located on a corner. The applicant is showing 4 signs (1 on the east elevation, 1 on the west elevation and 2 on the south elevation). The size of the signs warrants a waiver as well. The sign size is limited by 2 percent of the building with a 60 sq. ft. maximum. The third waiver would be for the rooftop signage on the east elevation of the patio area. Staff is not supportive of both of the signs on the south elevation as it seems redundant and staff feels it may be better suited that the sign on the west potion of the building remain and the one on the east be removed. Staff supports the size waiver for the sign to the east roof area as the code would require the sign to be half the proposed size and would be difficult to see from the road. Staff is not supportive of the waiver for the sign on the west side of the building. Staff suggested a monument sign for the corner instead of a wall sign to take advantage of eastbound traffic on Mequon Road.

The restaurant use is permitted per the code but the applicant is requesting extended hours of operations (similar to Café Hollander). They are looking to be open until midnight on weekdays and 1:00 am on weekends. Staff is supportive of the extended hours with the condition that there is no outdoor amplified music on the patio beyond 11:00 pm.

The conditional use grant is specific to the brewery operations. It is a relatively small operation with 2-4 deliveries a week and only 1-2 staff members on the site at any given time. The hours of the brewery will be 6:30 am – 6:00 pm. Staff does not feel that this will have a major impact on the area. Conditions that the brewery must maintain were added; including specifically the consumption of beer on site, tasting rooms and indoor and outdoor event space.

The CSM shows the division of the two pieces for this restaurant and the proposed restaurant to the east. It meets all technical requirements for size and area for Town Center zoning.

Staff recommends approval according to the 29 conditions in the staff report.

The applicant, Gregg Thompson, stated that they are comfortable with all the conditions but they have one request for approval to begin interior demo work and to begin construction work this month.

Asst. Dir. Zader stated that there are triggers that will allow for the permit to be released in a short time frame with the one condition being the storm water management plan approval by engineering.

Asst. Eng. Henk stated that the storm water management plan is scheduled to be delivered this week. They are working with the consultant to push this project to continue to move forward.

Commissioner Jim Schaefer stated that he wants to ensure the windows will have castings around them.

The applicant confirmed that the windows will have castings.

Commissioner Becky Schaefer asked if the parking for both the restaurant and brewery at peak times is sufficient.

Asst. Dir. Zader stated that the 100 spaces meet the zoning code. The zoning code does not address peak times. The TADI report looks at peak times of operations and breaks it down by hours. During the summer time of peak hours (6:00 pm – 8:00 pm) the report indicated that up to 130 parking spaces could be needed and that is where the shared parking agreement will come into play. If that does not work, they would need to find other options. Staff feels comfortable as they do meet the zoning code requirements and this issue is being monitored.

Action
Commissioner Stoker made a motion to approve per the 29 conditions in the staff report.
Commissioner Jim Schaefer seconded the motion.
A voice vote was taken, vote passed (8-0)

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	John Stoker, Alternate
SECONDER:	James Schaefer, Commissioner
AYES:	Abendroth, Parrish, Stoker, B. Schaefer, J. Schaefer, Wirth, Lemke, Hawley
ABSENT:	Choren, Mason
EXCUSED:	Strzelczyk

3) Regular Business

a) Sterling Hasey Co., for Robert and Ellen Venable. The applicant is seeking specimen tree removal to remove two specimen trees and fill permit approval to allow for C.Y. for grading and drainage for new construction for the property located at 11220 N. Lakeview Place.

Mayor Abendroth stated that the specimen tree report was not included in the board packet but the report was presented to all the Commissioners.

City Forester Gies stated that this is an unique and older site in Mequon. There were 13 Tilia Americana (Linden) trees and the rest of the site was mainly Ash. He commented that it was shocking to see the all the removal that had happened. Of the 13 American Linden only 2 of them meet condition grade to be considered specimen. The 11 that were removed had severe decay pockets and insect damage. He stated that the 2 tress recommended to be kept were based on their condition alone but given the scope of grading proposed on the site he recommends that the trees be removed as their structures would not survive all the grading work.

Asst. Eng. Henk stated that the applicant is also requesting fill approval for 9,000 C.Y. The applicant has clarified that all the fill will be generated on site and not hauled in. She stated that the applicant does need to get approval from the DNR to do any alterations to the bluff. Staff supports the minor request to fill as the juxtaposition of the proposed home is in line with the homes on both the north and south side and across the street.

The applicant and homeowner, Bob Venable confirmed that they will not be bringing in any fill. They will be constructing a breakwater at the toe of the bluff. This will entail a 5 month review process by the DNR and that permit has not been applied for yet.

Mike Mitch – 221 E. Mequon Road – asked about the shared culvert as it often backs up. He wanted to know who was responsible for trenching that culvert. He is concerned about the ditch backing up.

Asst. Eng. Henk explained that current drainage on the site has a portion of the drainage going north to that property and a portion goes south to the south property and the remainder goes to the ditch on Lakeview Place. This is still the process for the revised plan however less goes to the north property, less goes to the south property and more goes to the ditch. The concentration of that flow is on the northwest corner so it brings it downstream and the impact to the culvert will be less in the proposed condition than the existing condition. She reiterated that the drainage for the neighboring properties should be improved as part of this project.

Action
Ald. Wirth made a motion to approve the item omitting conditions #1 and #2 (the motion includes approval for removal of the 2 specimen trees)
Commissioner Stoker seconded the motion.
A voice vote was taken, vote passed (8-0)

RESULT:	**APPROVED WITH CONDITIONS [UNANIMOUS]**
MOVER:	John Wirth, Alderman
SECONDER:	John Stoker, Alternate
AYES:	Abendroth, Parrish, Stoker, B. Schaefer, J. Schaefer, Wirth, Lemke, Hawley
ABSENT:	Choren, Mason
EXCUSED:	Strzelczyk

b) Zhenghao Wu. The applicant is seeking fill permit approval to allow for 7,000 C.Y. to rough grade for the property located at 12813 Highgate Court.

Asst. Eng. Henk stated that this item had been previously tabled and staff was waiting for a grading plan to be provided to show where the fill would be placed. In 2016 there was a fill permit approved for this site for 2,500 C.Y. of fill. After a site visit staff wondered where an additional 7,000 C.Y. of fill would be placed. After a recent site visit and site plan review, staff still does not feel that 7,000 C.Y. is appropriate and staff recommends 2,000 C.Y. of fill should be approved.

The applicant, Zhenghao Wu, stated that he originally had a different plan from his landscaper but after working with staff he agrees with the recommendation.

Action
Ald. Wirth made a motion to approve per staff recommendations.
Commissioner Becky Schaefer seconded the motion.
A voice vote was taken, vote passed (8-0)

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	John Wirth, Alderman
SECONDER:	Rebecca Schaefer, Commissioner
AYES:	Abendroth, Parrish, Stoker, B. Schaefer, J. Schaefer, Wirth, Lemke, Hawley
ABSENT:	Choren, Mason
EXCUSED:	Strzelczyk

c) Pinnacle Engineering Group, LLC for Jim Forester. The applicant is seeking rezoning, certified survey map and concept plan approval for the property located at 11649 N. Port Washington Road.

Asst. Dir. Zader stated that this is the Lexington Square development. He showed a proposed zoning map of the site. The entire site is currently zoned B-3/PUD/LTD. The applicant is requesting to change the back portion to R-6/PUD. He stated that a number of years ago when Lexington Square was approved, the PUD did include a 3rd phase which showed three office buildings. The applicant feels that because this land is located off of Port Washington Road it is better suited for residential development and is proposing to do a plex development similar to what is surrounding the area; Aster Woods and Eastbrook.

The proposed concept plan shows three unit building on the north end and two buildings located on the south end. There would be two new entranceways on Eastbrook Drive. The applicant will split the property in two with a CSM but it will still be governed by the one PUD and one agreement. When the original development was approved the original landscaping and open space requirement was 30%, which the front on its own does not currently meet. In order to meet the current code, 30% is applied to the front and 40% to the rear. The ratio came out to 36.4% and the applicant currently meets the whole site at 42%.

Regarding the rezoning, typically R-6 and B-3 are used interchangeably as a buffer between commercial and residential areas, so this will just move the buffer between residential and commercial to the east. They are requesting one waiver regarding the setback. The code requires a 50 ft. setback and they are requesting a 35 ft. setback on both the north and south

streets. This is consistent with the buildings located adjacent in the Eastbrook condominium. Staff feels that this meets the street pattern consistency for that area.
The applicant will need to return with a condominium plat and preliminary concept elevations in terms of design and it will eventually go in front of Architectural Board for final approval. The CSM shows the splitting of the parcel into two; one for the condominium that will be part of the R-6 zoning and one for the office development to the east. Staff does recommend approval according to the conditions in the staff report.

Bernie Berson – 1521 W. Eastbrook – representing the Eastbrook Homeowners Association. He stated he is supportive of this project as opposed to a commercial development. They have some questions about the actual plans particularly the berm on the south side and they want to ensure the berm and tree line will remain. They want to ensure the water discharge continues to go east toward Pt. Washington Road. They want the look of the buildings to blend in with the Eastbrook and Astor Woods communities and they feel that the price range should be similar. He stated that Mr. Forester has contacted him several times and he is confident they will work well together.

Tony Zanon, from Pinnacle Engineering Group representing Jim Forester, stated that Mr. Forester has reached out to both developments. Their intent is to keep the berms on the west and south side and keep as much of the tree lines as possible. There are existing water main and sanitary on the west side of the property so the buildings are set a little offset easterly in an effort to maintain all the vegetation there. Their intent is to keep the drainage path as it currently flows. He stated that Mr. Forester does want to blend in with the neighboring properties and the price will be relative to the neighbors if not slightly higher.

There are two conditions in the staff report regarding access that they would like to discuss. The first one is the access from Eastbrook where the plan shows three separate driveways to the three units. Staff has concerns about too many accesses there conflicting with traffic from the development across the street. He asked for feedback from the Commission to allow the three driveways as it is off a circular drive and not a main thorough way. They feel that it is too tight to only have one access point for all three garages.

The second issue is the access on the south side. There is an island in the road just south of the proposed access area and staff is concerned about cars leaving the development and staying to the right of the island. Staff had recommended an island be placed in the access area inside the development but the applicant feels that would possibly be confusing for drivers going north as they may feel that the access is actually a continuation of the road. The applicant would prefer a single driveway without an island that remains separate from the roadway. They are willing to go down to an 18 ft. driveway so that it would look more obvious that it is a driveway and not a road. These are two issues they would like feedback on and they are comfortable with all the other conditions in the staff report.

Commissioner Parrish stated he feels that this is a better use for the land and that it is a great approach that the applicant is working with the neighbors. He offered that the south access may just need some signage to signify the driveway access. He stated the he feels that the north access is an already congested area with lots of traffic converging and that three driveways would be challenging.

Asst. Dir. Zader stated that a compromise may be to have two driveways; the easterly one would be an individual drive and the other drive would be shared by the other two units. This may help the cars be able to turn around and be able to enter the road facing forward. The concern having one driveway is having so much asphalt off the front of the development.
Regarding the south access, currently there is no connection and trees will need to be removed. Staff does have a concern about drivers leaving the site and driving on the wrong side of the island.

Mayor Abendroth suggested curving the driveway a bit to the right so that it would be more obvious that the road does not continue straight into it.
Asst. Eng. Henk stated that engineering prefers that the driveway is moved further south to avoid the conflict when turning eastbound.

Commissioner Stoker stated that he prefers two or three access points on the north side.

<u>Action</u>
Commissioner Stoker made a motion to approve based on staff conditions and that the south driveway is moved to the south (approximately to the pedestal) and that staff and the applicant work together regarding the north accesses.
Ald. Wirth seconded the motion.
A voice vote was taken, vote passed (8-0)

RESULT:	**APPROVED WITH CONDITIONS [UNANIMOUS]**
MOVER:	John Stoker, Alternate
SECONDER:	John Wirth, Alderman
AYES:	Abendroth, Parrish, Stoker, B. Schaefer, J. Schaefer, Wirth, Lemke, Hawley
ABSENT:	Choren, Mason
EXCUSED:	Strzelczyk

d) Gregory Thompson. The applicant is seeking building and site plan and certified survey map approval for a proposed 12,5000 sq. ft. office/warehouse (divided into 5 separate buildings) to be used as storage units for the property located at 5715 W. Donges Bay Road (in the Donges Bay Corporate Park).

Asst. Dir. Zader stated that there is an ongoing issue regarding the storm water management and staff recommends the item be tabled but the applicant would like feedback from the Commission on his proposed project specifically the architecture of the buildings. The storm water issue may trigger storm water management and would possibly necessitate sixth building to be added and to do a full pond with a larger land area that the applicant would purchase from the owner of the parcel. That may need to be brought back next month anyway.

The request is for a 5 building development which is difficult to fit into the zoning code in terms of uses. This could be basically 5 buildings that would be built like a white box that the applicant would sell as individual condominium units and then owners would be allowed to use them for their individual purposes. The B-5 zoning does have a number of permitted uses but there could be a potential for conditional uses such as storage. The applicant may come back next month for a blanket type conditional use grant approval to allow for storage for all the buildings in the proposed development.

This is part of StorageShop USA which has 17 locations throughout Wisconsin. In terms of compliance with the code it does meet all the criteria of the B-5 zoning district. The entrance would be off Baldev Court and the 5 buildings would share a 20 stall parking lot. Parking stalls are determined from the types of uses and each use would need to be individually evaluated.

Staff asked the applicant to modify the design specifically the amount of brick and the location of the brick. The brick is shown on columns as well as the corner and the rest of the building is LP Smartside. Staff recommends a basecourse around the entire building. The Commission architect reviewed the plans and supports staff's recommendation. The applicant feels that he has a trademark building and does not want to deviate from that design. This issue will need to be further discussed.

The lighting and landscape plans have some minor changes requested by staff but they can be brought back at a future meeting and have everything worked out. The CSM shows a 3-lot land division that will probably remain as is depending on how the storm water management plays out as there may be a larger lot. Staff recommends tabling the item once a discussion of the architecture takes place.

Commissioner Jim Schaefer does not remember a basecourse being discussed but he suggests an increase of the brick over the windows as well as it being raised so that there is more brick showing on the face of the elevation. He feels that they can work with the applicant.

The applicant, Gregory Thompson, stated that he started the business in 2004 and he has copyrighted and trademarked this building and has not had any complaints about it. He said that if he added brick around the base it would add about $40,000 to the cost of the project. He stated this is a needed type of commercial space and he has demand for it in Mequon. He really does not want to change the look of the building.

Commissioner Parrish stated that he feels this is an excellent project and that it will sell out quickly and he hopes that more units may be added. His concern is deviating from the building standards and setting a precedent. There are still 50 acres there for sale and another project may also then ask for leniency regarding architecture requirements.

Ald. Wirth stated that he is worried that this is a cheaper form of architecture that will set a precedent. He is unclear who the users are and is interested how this works elsewhere.

Asst. Dir. Zader stated that staff did some preliminary work and could not find any communities that had a specific zoning or use that really made sense to use here. There are a lot of wetlands in this industrial park and it will not be a full build out but there will be other users here. This has been a struggle for staff to make it work but staff felt that at this specific location they could make it work.

Mr. Thompson stated that 18% use it for storage; mostly business storage, 31% are workshops and 51% is business use. He said that this is not used for conventional storage. It is an affordable way to provide a fully commercial building and commercially zoned flexible space.

Ald. Wirth stated that he feels that mini storages are more attractive. He feels that there is a concern about setting precedent. He would like to know what the history is in other locations where these are located.

Commissioner Stoker stated that Mequon has some unique architectural requirements. He would have a difficult time approving this and does not understand the trademark value in this case.

Asst. Eng. Henk stated that the wetlands on site, which the applicant proposes to fill, although staff has not received the DNR approval letter approving the driveway location. This site is just over the trigger for storm water management and it can be provided either on site or in conjunction with the overall development.

Mr. Thompson stated that he does not anticipate the driveway being an issue. He stated that he submitted his application which did not include storm water management because under the guidelines if it is under ½ acre of impervious surface than storm water management is not required or if it is 1 acre of disturbance. His submitted plans showed less than ½ acre of impervious surface and the limits of construction less than 1 acre. As a parameter for design he did have 6 buildings but due to the subsurface soils and the high water table it was more difficult to meet the storm water requirements, so he took out a building to satisfy the impervious surface limitations and the storm water requirements. He explained that engineering informed him that the right of way is the amount of impervious that put him over the edge to require storm water management. He stated that if this is the case he will add the sixth building back in to offset some of the costs.

Action

Ald. Wirth made a motion to table this item.
Commissioner Becky Schaefer seconded the motion.
A voice vote was taken, vote passed (8-0)

RESULT:	**TABLED [UNANIMOUS]**
MOVER:	John Wirth, Alderman
SECONDER:	Rebecca Schaefer, Commissioner
AYES:	Abendroth, Parrish, Stoker, B. Schaefer, J. Schaefer, Wirth, Lemke, Hawley
ABSENT:	Choren, Mason
EXCUSED:	Strzelczyk

4) Policy

a) Chapter 58 of the Zoning Code as it relates to Conditional Uses in Residential Zoning Districts

Asst. Dir. Zader stated that state law has changed in the ways in which conditional use standards on potential developments are handled. Staff reviewed how to change the conditional use requirements as well as how they would apply in different zoning districts. Included in the staff report he put together a matrix of the residential zoning districts and included comments and suggestions of what it could be possibly changed to and some will need some further study. He stated that staff wanted to introduce this to the Commission to weed out any red flags or questions or concerns about the path staff is heading down before coming back with an ordinance with regards to the residential zoning districts.

Mayor Abendroth commented that he feels this is the correct approach and that the Commissioners may have feedback once the complete list is presented.

Ald. Wirth suggested that due to the size of the Commission and the fact that he feels this is a relatively big process, that a sub-committee be formed to work with staff to go through the process. He feels that a smaller group is more effective.

Asst. Dir. Zader responded that staff would be open to that idea if there are Commissioners willing to volunteer to be a part of the sub-committee.

Mayor Abendroth appointed Ald. With, Commissioner Stoker and Commissioner Parrish to the sub-committee.

b) Resolution to Approve the City's Intent to Enact an Ordinance for a Development Moratoria, as authorized by Wis State Statutes 66.1002

Dir. Tollefson stated that staff is recommending a development moratoria for the general area of Donges Bay Road and Cedarburg Road. This halts development and re-development for a specified amount of time. In this particular case, the moratoria would be in place for 12 months but staff hopes to do the evaluation in less than 12 months. This gives staff an opportunity to evaluate what might be desired or necessary rezonings, regulatory amendments; which could include licensing, enforcement, nuisance procedures or policy safety in terms of patrolling the area. Staff wants to ensure that redevelopment happens in a harmonious way, in a way that increases property values and that will be a positive impact on the local economy. There has been an increase in the number of calls regarding crime in this neighborhood. This area is labeled a Neighborhood Commercial Node with the intention of more neighborhood commercial type level of services.

Community Development has received a number of inquiries about redevelopment in this area as well as a few submitted concept plans and proposals to Planning Commission. She stated that there is a signal in the private market that there is an interest in redeveloping this area and staff wants to ensure they are in a position to respond to those interests in a way that will positively impact the neighborhood.

The first action is to enact the Resolution to establish the development moratoria. The second one deals with the requirement through the state as to what needs to be acknowledged as part of the plan. It is impossible to address what all the impacts or potential changes may be right now but staff would come back to the Commission to work through those items. She had suggested in her report that a sub-committee may be interested in being formed to work through this process with staff. Dir. Tollefson stated that as part of the process staff intends to engage property owners as well as the business owners in the designated area. She wants them to feel that they have an opportunity to be involved in some of the alternatives and solutions that will be explored.

Commissioner Stoker asked whether applications that have already been submitted would be grandfathered in and also what is the number of properties for sale in that area.

Dir. Tollefson answered that any applications already submitted would be honored and that there are about 10 properties that staff has received inquiries about. There are about 30 total properties in the designated area. The area of change comprises about 30% of the designated area.

Ald. Wirth stated that one of the reasons that staff is able to request this is due to the increase in crime in the area. He feels that this is a good idea and that being proactive about what is desired there helps developers and owners know what is expected and allowed and eliminates uncertainty. Improving the area increases the value of those properties. He hopes that the process will be less time than a year. He also stated that it is one of the gateways into the city and it is in need of attention.

Dir. Tollefson agreed with Ald. Wirth and commented that this area leads to the industrial park and is just south of the Town Center area that is being redeveloped. She added that recent planning projects where staff has been proactive about areas of change; like the Town Center, the Central Growth area; where there is significant increase in residential development off Wauwatosa Road and Mequon Road and the East Growth area; where there is a land use neighborhood plan and a market analysis. All three areas where staff anticipated a shift or a change; and when the city was able to be proactive about streamlining the process, setting the tone and letting the private market know what was expected, has proven to be successful not only financially but from a development stand point in those areas. She suggests that this neighborhood node be looked at the same way.

Commissioner Parrish stated that whenever Dir. Tollefson makes a recommendation he takes it seriously and likes to follow the recommendation. He stated that in this particular case he is struggling and feels that it is somewhat overreaching. He is sympathetic to the property owner trying to sell a property. He feels that a crime issue is a police matter and should not be tied to development. He stated that the Commission already has control through the conditional use process about hours of operations and can look at ways to address the source of any issue. He feels that the Commission has the mechanisms in place to deny unwanted businesses and that the entire area should not penalized. He strongly feels that this should not last a year.

Dir. Tollefson stated that staff also wants the process to conclude in less than 12 months and this was voiced from the Public Welfare Committee as well. She stated that given the previous policy discussion about conditional use grants and the limits of authority is one of the concerns in this particular neighborhood. She explained that there are a variety of zoning districts in that area; there is B-2, properties zoned business but not yet developed and properties that can be sub-divided. She stated that staff believes that there are rezonings that are desired and regulatory amendments that are necessary in order to reverse the current trend and ensure that creating and encouraging development and redevelopment has a positive impact on property value. She believes the short term halt on development will prove beneficial in the long term.

Commissioner Stoker asked if this will be handled internally or an outside consultant will be hired.

Dir. Tollefson answered that this will be handled internally with a sub-committee of Commissioners. There will be outreach to resources such as local real estate agents to better understand some of the trends. There are dollars budgeted in the 2018 budget to assist with some professional assistance on behalf of the Planning Commission if the sub-committee deems necessary.

Commissioner Lemke stated that he does not agree with the reason of crime to justify this action.

Dir. Tollefson stated that the police have reported that one of the reasons there is an increase for the business checks, which has had a substantial increase in the past two years, is due to the concentration of 24-hour operations that are open to the public or operations that are open to the public later in the evening. This is directly related to approvals of a variety of uses of operations that have been granted.

Ald. Wirth stated that there are some very positive things like the Kwik-Trip but also some real deterioration in that area. He stated that sending the message that redevelopment is desired may help get rid of some of the reasons there are problems. He stated that while this may slow things down for a short period of time, it will most likely be less than what would happen if it is just let go and applications are accepted with uncertain zoning. He feels that a nicer area will have fewer issues.

Mayor Abendroth left the meeting for another engagement.

Ald. Wirth assumed the role of the Chairman of the Commission.

Action
Ald. Wirth made a motion to approve subject to staff reporting back at least 90 days from the time it takes effect.
Commissioner Becky Schaefer seconded the motion.
A voice vote was taken; vote passed (5-2; No Votes: Stoker, Parrish)

RESULT:	**APPROVED WITH CONDITIONS [5 TO 2]**
MOVER:	John Wirth, Alderman
SECONDER:	Rebecca Schaefer, Commissioner
AYES:	B. Schaefer, J. Schaefer, Wirth, Lemke, Hawley
NAYS:	Parrish, Stoker
ABSENT:	Choren, Mason
EXCUSED:	Abendroth, Strzelczyk

c) An Ordinance Approving a Development Moratoria, as authorized by Wis. State Statutes 66.1002

Action
Commissioner Becky Schaefer made a motion to approve the item.
Commissioner Jim Schaefer seconded the motion.
A voice vote was taken; vote passed (5-2; No Votes: Stoker, Parrish)

The ordinance will be recommended to the Common Council.

RESULT:	**APPROVED [5 TO 2]**
MOVER:	Rebecca Schaefer, Commissioner
SECONDER:	James Schaefer, Commissioner
AYES:	B. Schaefer, J. Schaefer, Wirth, Lemke, Hawley
NAYS:	Parrish, Stoker
ABSENT:	Choren, Mason
EXCUSED:	Abendroth, Strzelczyk

5) Announcements

6) Adjourn

Action
Commissioner Stoker made a motion to adjourn.
Commissioner Jim Schaefer seconded the motion.
A voice vote was taken; vote passed (7-0)

Meeting adjourned at 6:18 pm.
Respectfully Submitted,
Jac Zader