

MINUTES
GREEN BAY PLAN COMMISSION
Monday, January 13, 2014
City Hall, Room 604
6:00 p.m.

MEMBERS PRESENT: M. Conard–Chair, L. Queoff-Vice Chair, S. Bremer, T. Duckett, Ald. J. Wiezbiskie, T. Gilbert, and J. Reck

MEMBERS EXCUSED:

OTHERS PRESENT: B. Lockery, P. Neumeyer, J. Deal, K. Stoehr, Ald. J. Warner, Ald. M. Steuer, T. De Wane, C. Pierquet, Ald. J. Brunette, C. Dahlke, R. Pennings, M. El Dorado and Ald. D. Boyce

APPROVAL OF MINUTES:

Approval of the minutes from the December 9, 2013, Plan Commission meeting

A motion was made by S. Bremer and seconded by L. Queoff to approve the minutes from the December 9, 2013, Plan Commission meeting with the following underlined revisions on Pages 5, 8, 11, and 13.

S. Bremer asked that the audio recording be reviewed regarding Page 5, 3rd. After reviewing the audio the paragraph should read; K. Kops stated that as the principal of these students she knows the students and the majority of their families and that they are no different than any other student currently attending the Green Bay Area Public Schools.

S. Bremer added that Plan Commission minutes Page 8, 4th paragraph from the bottom, should have added to M. Stangel's statement; he doubted that the district could pay for the lengthy sidewalks.

S. Bremer added that Plan Commission minutes Page 11, 3rd paragraph from the bottom, should have added at the end of the motion; with S. Bremer abstaining.

S. Bremer added that Plan Commission minutes Page 13, 2nd paragraph from the bottom, should have added after the word meeting, with thanks to Rob Strong for his good advice and congrats on his many achievements.

Motion carried.

COMMUNICATIONS:

OLD BUSINESS:

NEW BUSINESS:

1. (ZP 13-41) Discussion and action on the request to rezone 1026 9th Street from Low Density Residential (R1) to Office Residential (OR), submitted by Karen Stoehr Brunette. A request from the Planning Department to expand the rezoning area to include 1028 and 1036 9th

Street to be rezoned from Highway Commercial (C2)/Low Density Residential (R1) to Office/Residential (OR). (Ald. James Warner, District 9)

P. Neumeyer stated that this is a request to rezone 3 properties in the 1000 block of 9th Street between Gross and Wirtz Streets. The initial request came in for 1026 to rezone that property, which is currently a single family home, low density residential property. The owner at 1028, the Wellness Center, is looking to purchase that property and expand their operation to the east. The properties included in the zoning request are 1026, 1028, and 1036 to office residential. The Comprehensive Plan and Zoning is a Medium Intensity Retail Office Housing. The property at 1036, which is the property on the corner, is a mixed use building with a salon on the first floor, along with a vacant space, and residential uses on the 2nd floor. Staff notified affected property owners and did not receive any calls, questions, or objections.

L. Queoff commented on the pictures of the properties. She stated that improvements have been made and the pictures don't do the area any justice.

Karen Stoehr – 2794 Oakwood Drive: K. Stoehr stated thank you for noticing the improvements made to the property. She had just purchased the 1028 property. She wanted to know who her neighbors are, so if she was her own neighbor it would make life a little easier and more comfortable and can improve a lot of things next door.

S. Bremer asked if she had some plans for how she was going to remodel the building into a commercial building.

K. Stoehr stated they have plans but need to make sure everything gets rezoned first.

S. Bremer stated her one concern is the house that is next door. How the style and size of the commercial building might affect that property.

K. Stoehr stated there would be no change in the size. She is looking at this property for some storage and just beautify things. She stated she has a letter from Alderman Jesse Brunette stating that he, as well as Alderman Jim Warner, support the rezoning.

S. Bremer asked P. Neumeyer if the owner of 1036 is agreeable to the change and the ability to sell his lot in the future and the difference it would make as he would be shifted from Highway Commercial to Office Residential as there are some things that cannot be done under Office Residential as compared to Highway Commercial.

P. Neumeyer stated he was part of the notification process. He stated all three properties will be changing from a more intensive use to more of a mixed use. The main difference is the auto related type of uses. He stated this type of zoning is more complimentary to the area.

S. Bremer stated this was a really good idea and would work with the Comprehensive Plan. She was just curious whether or not the owner was agreeable to this.

P. Neumeyer stated he had made efforts, but did not make contact with him directly. The only contact was the notice that was mailed.

M. Conard asked if that property would remain the same or would it change.

P. Neumeyer stated that property would be rezoned.

Ald. James Warner stated that he and Ald. J. Brunette talked about this. He wanted to emphasize all the amazing work the Wellness Center does and helping people out. He stated they even offer their building so that he and Alderman Brunette can have a combined Marquette Neighborhood Association meeting.

A motion was made by L. Queoff and seconded by J. Wiezbiskie to approve the request to rezone 1026 9th Street from Low Density Residential (R1) to Office Residential (OR) and 1028, 1036 9th Street be rezoned from Highway Commercial (C2)/Low Density Residential (R1) to Office/Residential (OR). Motion carried.

2. (ZP 13-42) Discussion and action on a request for a Conditional Use Permit (CUP) to authorize a two-family dwelling in a Low Density Residential (R1) District located at 3190 Tobermory Drive, submitted by Chris Pierquet, property owner. (Ald. Tom DeWane, District 2)

This is a request for a Conditional Use Permit to establish a two-family use on a vacant lot on the southwest corner of Tobermory and Welland. The Comprehensive Plan and Current Zoning are intended for low density residential. Two-family dwellings are permitted by Condition Use only; hence the reason for the request. There is no other information to provide at this time regarding design or intended structure. Within the area there are other two-family dwellings and twindominiums, which were popular back in the 1970's and 1980's. These included small lots with single-family units that shared a common wall. This identical request came up in 2006, at that time Staff recommended approval. The request was recommended for denial by Plan Commission and eventually denied by City Council. Staff notified affected property owners and did not receive any calls, questions, or objections. The planning staff is recommending support of the request with the 4 conditions.

L. Queoff asked why this request is coming back after it was already denied and if it is the same property owner.

P. Neumeyer stated she would have to ask the applicant. He stated it has been more than one year and they have the right to ask the Commission to reconsider the request. He stated he believed it was the same property owner.

S. Bremer asked P. Neumeyer if his intention for condition "A" is to have a separate garage and front entrance on Tobermory and on Welland. This would make it like a duplex CUP that we had approved about a month and a half ago that was on a corner in the same area. P. Neumeyer stated that was correct.

Ald. J. Wiezbieski asked if condition "A" is what changed the staff's mind on this request. He wanted P. Neumeyer to explain why that just a year or two ago he disapproved the request and now is in favor of the request. He also stated that he didn't think condition "A" is a cure to a problem intersection as there is a lot of traffic.

M. Conard stated the first request was seven (7) years ago.

P. Neumeyer stated that the recommendation in 2006 was to approve the request with conditions. He stated their recommendation has not changed, except for the additional condition. It has been some time and the applicant can make the request to come back. He stated this is a low density residential area with single and two-family dwellings in this

neighborhood. He stated an addition of another two-family home, from land use perspective, is possible.

Ald. M. Steuer asked P. Neumeyer if there was a study done in the City some time ago where they were down zoning properties from two-families to single-family homes, especially on corner lots. He stated that one of the issues he has seen over time in the City of Green Bay is single family neighborhoods and having two-family homes on the corners, which in turn increases activity in general and becomes high traffic areas.

P. Neumeyer stated that he could not think of anything and may have to look back about 25 years. He stated that two-family units were permitted into the R1 district at one time, prior to 1989.

B. Lockery stated that was done in 1989, when two-family dwellings used to be allowed in all of the R1 zones. You could build two-family units anywhere at that point. The recommendation that came out of this was to make all two-family units conditional uses so that the neighborhoods could be involved in the decision. All two-families in an R1 district will need to come before the Plan Commission for approval.

Ald. T. De Wane stated that one of the main criteria was to get away from this type of thing and not to permit it to go on anymore. He stated he told P. Neumeyer and C. Pierquet that this request was going to be objected to and the City was very much trying to get away from two-family units. He found it curious that after many discussions and look that Green Bay was going, especially single families in the area, that we would try and throw one in there. It gives a false sense of hope to Mr. Pierquet as he did expect this to get passed. He stated that this is not the case with the City of Green Bay and what we are looking at. It is not right to give a false pretense, and as Paul knows, we are trying to get rid of four-plexes and not trying to stick them everywhere.

M. Conard asked Ald. T. De Wane if he disagreed with the request. He stated he did.

M. Conard stated they will now suspend the rules and open to public comments.

Chris Pierquet – 2555 Sage Drive: He stated the only reason he brought it up again was because he has had the lot for eight (8) years and has it up for sale and has not gotten one call to put up a residential home there. However, he does get 2 or 3 calls a year inquiring about a duplex. The area is full of rental properties. There are apartments nearby and duplexes right across the street. How could one more property in the area hurt?

M. Conard asked if there was anything built there currently. C. Pierquet stated no, it's an empty lot.

S. Bremer asked C. Pierquet if he was agreeable to the conditions if he were able to have a duplex, with one entrance on one street and another on the other street.

C. Pierquet stated he would accept anything. It would not be his first choice, but it gives him an option and possibilities. He wasn't sure what the stigma is attached to this duplex home or duplexes in the area. If the fear is bad neighbors, you could have that with single family homes. You can't prevent that.

Ald. J. Wiezbiskie stated he was curious that he did not have anybody looking at building a single-family home and asked if he advertised. He also asked if he had any plans as to what he would build.

C. Pierquet stated that he had his builders sign on the lot and he may get 2 or 3 calls a year for a duplex. He had a side by side he wanted to put there; however, Paul told him they would be in favor of an L-shaped duplex, which is not his first choice. An L-shape duplex is like building two houses; however, this would give him something to tell people when they called.

Ald. J. Wiezbiskie stated to C. Pierquet that what is recommended by Plan Staff, you would have your druthers and would like to build something different.

C. Pierquet stated absolutely not. He stated he would take exactly what was offered.

Ald. J. Wiezbiskie asked C. Pierquet how he knows what would fit on that lot and if there is ample enough space to actually build something.

C. Pierquet stated he pulled out plans from one of his L-shaped duplexes and it would fit.

L. Queoff asked C. Pierquet if he would be selling this lot or just building the duplex on it or constructing it.

C. Pierquet stated if someone called looking for a duplex, I would build it for them. If they don't I would put it up as a rental. He stated he would be constructing it either way.

J. Reck asked if he had tried to just sell the property for development.

C. Pierquet stated he has not worked with a realtor.

J. Reck stated he was having a difficult time understanding why in an area with multiple family residences why the Commission would choose to deny a permit to one spot in particular. He stated we are spot denying a permit.

Ald. J. Wiezbiskie stated the reason this was turned down is there was the big objection from the neighborhood. They do not want a duplex there. Even though there are duplexes around there, they have some horrendous traffic problems with people speeding through there and issues with the people in the apartments. He stated the neighborhood has had enough and does not want to see this go to the two-family. This is one of the reasons he voted against it. The other reason is that this definitely goes against our normal process of eliminating multi-families and heading towards a single-family type building.

Ald. Steuer asked if a traffic study was done or could be done.

Ald. J. Wiezbiskie stated that he had ordered a study for that particular intersection. They have reoccurrences of people coming and going out of that apartment complex without stopping. There is just an abundant amount of traffic there due to the type of buildings in the neighborhood.

J. Reck asked if the preference of "City" going towards single-family homes is an ordinance.

Ald. J. Wiezbiskie stated that it is a preference of the City to go towards single-family homes and remove multi-family homes because it is a known fact that multi-family homes are a huge issue with the police department and other traffic issues and keeping up of the homes.

J. Reck stated he is perplexed as to why the planning department is recommending the approval.

S. Bremer wanted to clarify that the difference between this proposal and the one from about 6 weeks is that the previous request was an existing building and being reestablished.

T. Duckett stated he has a difficult time from a business perspective to deny something to somebody who is willing to invest money and build something newer. We sit up here and approve something that is 30 or 40 years old and convert it from a single to multi-family. He stated he has a hard time because there is still a need for multi-family homes. He stated if there was a need to build a house there someone would have done so already.

Ald. M. Steuer stated there are a lot of districts that have corner lot two-family homes. If they are owner occupied they are generally able to keep the property up a little bit more. Granted we need rental properties in the City, but there are a number of units that are not taken care of very well and there is a fear, in this case as well as others, when you will build something and if it is not owner occupied there will be a tendency for the property to diminish and become an eye sore in the area.

Ald. T. DeWane stated he has concerns about T. Duckett's theory on this. To say that someone wants to build something will disrupt an area for the people that live there because he wants to spend money. I want to help Mr. Pierquet anyway I can. To build something that is non-conforming so he could have rentals and build a business around it is not what we do in Green Bay. The issue is you have a community that is trying to get away from multi-family housing.

Charles Dahlke – 3186 Tobermory Drive: C. Dahlke stated he lives next to the open lot. He stated 7 years ago the property owner came over and stated he wanted to go to a two-family. On Finger Road there is a single family house and the rest are all duplexes. On Tobermory there are 5 single family homes and the rest are all duplexes. There are way too many duplexes and now they put up apartments. He has issues with the renters behind him as they do not keep up the outside of their house and have to call the City to complain. The neighborhood is getting louder and louder and they can't do much about it. He stated that there is a stop sign at the intersection, nobody stops at it and placing a driveway right at the stop sign would not be a good idea for the area as traffic is abundant and fast moving.

Margarita El Dorado – 3185 Tobermory: M. El Dorado stated that she and her husband just purchased their house in May. The main reason they bought their house was because there were no duplexes next to their house. She stated she was worried about the value of their house if more duplexes were built on their street.

M. Conard stated the meeting will return to regular order of business.

S. Bremer stated this, at first, seemed like a good proposal with the additional condition. She is now persuaded otherwise due to the traffic issues along Tobermory and Welland. Also, they are talking about adding a duplex, not just reestablishing a house that was a duplex. She stated she is now opposed.

J. Reck stated that he too will oppose, but oppose with reservation. He stated he is uncomfortable with operating under the umbrella of this is the way we do things, which seems to be the case here tonight. He just wants that on the record.

Ald. Wiezbiskie stated another important factor of opposing is the fact that Mr. Pierquet stated that he would build to rent, which would mean he would not be living there. He stated this is when we usually start experiencing problems and that is why we have the umbrella. Also, the concern that M. El Dorado had about her house value and what she has invested into her home.

T. Duckett stated that just because somebody is spending money; that was not the point I was trying to make. It was the point that we sit here and approve things on a regular basis and Ald. De Wane eluded the fact that we approved a four-plex into a duplex. I don't understand, from an economic development view, why there are people who, for a long time, have been putting duplexes there, and now we are denying a business person the right to build there. There may be good reason not to build from a traffic stand point, but you can put a four-way stop there to help with that. Every area has negatives and positives.

S. Bremer stated she would like to request staff take a look at paperwork and records we have about the preference for maintaining single family dwellings and when it is feasible to return two family homes back into single family homes. We have seen several requests where it does not seem feasible. This is not just the matter of the way we do things, but have articulated a general policy over time, where at times we can override the policy in some instances with structures that were already built.

L. Queoff stated she supported the comments and believed they were treating this as an individual issue. That is why they come to us, so that neighborhoods can be involved. In looking at the traffic in this area, it does not warrant this going in.

A motion was made by S. Bremer and seconded by T. Gilbert to deny the request for a Conditional Use Permit (CUP) to authorize a two-family dwelling in a Low Density Residential (R1) District located at 3190 Tobermory Drive. Motion carried (Opposed T. Duckett).

3. (ZP 13-43) Discussion and action on a request for a Conditional Use Permit (CUP) to authorize a two-family dwelling in an Office/Residential (OR) District located at 805 Cherry Street, submitted by Chad Harris, property owner. (Ald. Boyce, District 7)

This is a request for a Conditional Use Permit for a two-family use in an Office Residential District at 805 Cherry Street. The property is east of Jackson and west on North Van Burren on the North side of Cherry Street. This is a former two-family use and has been vacant for some time and has lost its non-conformance status. Within the OR District a CUP is required to reestablish the use. There are a lot of single and two-family uses in the immediate area along with some office uses. The Comprehensive Plan recommends Medium Intensity, Retail Office and Housing. The current zoning is compliant with the Comprehensive Plan. This is a small lot and shares access with the neighbor to the east. This may have been a single family home at one time and at some point converted to a two-family use. There were some inspection issues under a previous property owner. All matters have been resolved and there have been no issues with the new property owner. There was a police call in early 2013, but this does not affect the current property owner. The applicant did provide additional information regarding remodeling plans for the structure. Staff does feel comfortable with the items listed by the applicant and is recommending approval based on the letter provided by Mr. Pennings to remodel 805 Cherry Street.

S. Bremer asked if this is an upstairs / downstairs dwelling. P. Neumeyer stated that it was.

Ald. J. Wiezbiskie stated he hopes the applicant, the new owner, will take better care of the property as there had been many issues with this home.

L. Queoff asked if the issues have been addressed. She also asked if Mr. Harris is the current property owner and if he is overseas.

P. Neumeyer stated that they have been, but wanted to bring them to the attention of the Plan Commission and they do not affect the current property owner. P. Neumeyer stated that he was headed back to active duty.

Ald. T. De Wane stated the area was all beautiful single-family homes at one time. He stated this particular block is known for trouble and high police calls. It is one of the worst blocks in the City of Green Bay.

Ald. D. Boyce stated he encourages everyone in the whole area to convert to single-family homes.

M. Conard suspended the rules to allow for public to speak.

Richard Pennings – Denmark, WI: R. Pennings stated he is overseeing the project for Mr. Harris. He stated Mr. Harris is in the military and is currently in Virginia getting ready to head back overseas. He stated the house was bought with the intention to gut the house and fix it up nice. He stated he knows this gentleman (referring to Ald. De Wane) has a problem with two-families, but again this will be a nice place. He stated why would you stick money into a place and have it run down and not take care of it.

S. Bremer asked if the gas and electrical will be separated and if they are currently separated now.

R. Pennings stated that there is one water feed coming into the house. He stated that it had been a two-family, but was not sure when that was. He stated that there is a bathroom, kitchen, and 2 bedrooms both upstairs and downstairs. He stated it definitely looks like a two family and will be installing separate meters, and new electrical and gas to make a two-family home.

J. Reck asked if there was any way it could be converted into a single family.

R. Pennings stated the owner wanted to buy it and convert it to a two-family home. It is set up like a two-family right now. That is what the owner's intentions were, to leave it as a two-family as that is what he thought it was. This is the reason why we are here, to get it rezoned correctly so we can get the correct permits to start remodeling.

L. Queoff asked if the applicant bought this property not knowing that he was going to be here. She asked if the owner was going to live there or had any intentions of living there.

R. Pennings stated that he is active military and after he bought he was under the impression that he could start fixing it up. He stated they then ran into the issues of the zoning and permits. He stated the owner currently lives in Virginia Beach. He stated that his mother and brother live in town and originally his mother was going to move, but I don't know if that is still the plan. Chad did want to make it a two-family.

Ald. D. Boyce stated he recommends keeping the house as a single-family and renting it out to a bigger family.

M. Conard asked Bill Lockery if there were conversion funds available to convert homes back to a single home.

B. Lockery stated that there used to be, but was not sure and would check into it.

Ald. M. Steuer asked what the square footage is on the home.

P. Neumeier stated about 2,000 square feet.

Ald. M. Steuer asked about the zoning and the land use of that area.

P. Neumeier stated it is Office Residential, which implies a higher density mixed use in all directions.

M. Conard stated the meeting will now return to regular order of business.

M. Conard stated that this area really needs to be cleaned up and really needs not to have a two-family there. These houses were built as single family homes and cannot agree with passing the request. Also, there are families who need housing whose income level may not be able to afford a house outside this area, but would be happy with a house inside of this area.

T. Duckett stated if someone is willing to invest some money and improve the look of the place, and find a family that is willing to take care of it, he would not have a problem with the CUP.

Ald. J. Wiezbiskie stated that just looking at the wrap sheet and listening to the past history, he believes it would be a step in the right direction to set a precedence here to keep it as a single family home.

S. Bremer stated that in other situations where we reestablished a two-family CUP for a house that used to be a two-family, she supported it. However, with the intention to gut the interior and completely work the whole infrastructure, it would be just as easy to convert back to a single family home. She will be voting to deny the request.

T. Gilbert stated it would be just as easy to convert it back to a single family if the home would be gutted anyway. He will be voting against the request.

L. Queoff wanted to commend Mr. Pennings for helping out a friend, however does agree with converting this home back to a single family and that it would be a step in the right direction for that neighborhood.

J. Reck asked when it would be appropriate to ask, in a case like this, if it happens again, where an individual invests in property with the assumption and history that it would be able to be developed as he/she has suspected. It comes this far and the request is denied. How do we get past doing something like this to an individual?

B. Lockery stated that letters were sent out to all the realtors a few years ago. He stated the letters explained that duplexes and conversions would need a CUP and not buy or sell a property without checking with the Planning Staff.

S. Bremer asked how long ago the letters were sent out and thought it might be time to resend them and to include any other profession that may benefit from the letters.

M. Conard asked P. Neumeier if a reminder could be put in the paper.

B. Lockery stated about 3 or 4 years ago. There is only so much we can do and it is always buyer beware. We have encouraged people to stop by our office and talk to us before purchasing any property or making offers on property contingent on zoning so they don't get caught in a bad situation.

M. Conard asked if there was any further discussion.

T. Duckett asked how many two-family dwellings are in the area. P. Neumeyer stated quite a few. He stated he has a problem with denying something like this when the homes are rented up and down the street and one individual comes through and gets denied.

M. Conard stated she understood; however, because it is one of the downtown homes, one of the missions, from her understanding, of the City is to have the downtown homes be reconverted back to single family and it is only going to happen one at a time.

S. Bremer stated it is only going to happen after the house has sat vacant for a year. This is the time where we have the opportunity to deny the request.

Ald. T. De Wane stated a lot of the homes became a two-family over many years with people allowing family to live there.

Ald. M. Steuer stated he was looking for an answer from the homeowner if he would be willing to convert it from a two family to a single family. He stated he was hoping that would be a possibility. Also, wanted to know if he would continue with the project if it was denied.

S. Bremer stated as a one time renter of a duplex, she would like to stand up for the right of people who need duplexes. Her concern is a 2,400 square foot building on a 4,000 square foot lot in an area that is already very difficult.

A motion was made by L. Queoff and seconded by T. Gilbert to deny a request for a Conditional Use Permit (CUP) to authorize a two-family dwelling in a Low Density Residential (R1) District located at 3190 Tobermory Drive. Motion carried. (Opposed T. Duckett)

OTHER:

(TA 08-06) Request of the Plan Commission to review the Transient Residential requirements.

P. Neumeyer stated that the Plan Commission has talked in the past about this, but have not had an actual item on the agenda. Staff wanted to bring this before the Plan Commission for guidance. Back in November we did have some comments which would include, limit to a geographical area, sunset the ordinance, pro/cons of ordinance change/overlay district; be reasonable and predictability. Staff has raised the following questions for the Commission:

Do we want these types of uses to continue?

Do we want to further regulate or add additional regulations to these types of uses?

Should the City's Comprehensive Plan be amended for higher and better uses within the Lombardi Avenue area?

The TRP has been in place for many years. We have had 9 applications for TRP's with 8 being approved and one being denied last year. He stated the ordinance has been proven successful, and feels it has been working and allowing us to review and make decisions on a case by case basis. At this point the staff feels comfortable with keeping the ordinance as it is. It has been working and is successful. Staff would like to have a discussion with Commission members and more ideas about which direction the Commission might want to take.

L. Queoff stated that the TRP has been successful. The last time something came before the Commission it was denied. It was her understanding that the people on Shadow Lane, who lived there, came to the meeting and liked what was going on Shadow Lane. This also gives us the chance to listen to other residents in the area. Therefore we were able to deny the request. Let it keep working.

J. Reck stated that he too believes it is working, but wondered about geographical boundaries and if there should be any set. He also asked if those people who own these homes pay a room tax like hotels charge. P. Neumeyer stated that they do.

B. Lockery stated that this could occur anywhere in the City, not just around Lambeau. He stated if he chose to, he could request a TRP for his house. He would have to come before the Plan Commission for a CUP.

Ald. J. Wiezbiskie stated that for the most part it is working there and there have been some really unique uses. He questioned what would be the possibility of setting territorial boundaries.

P. Neumeyer asked what the setting of boundaries would do and what purpose would it serve.

S. Bremer stated she agreed with Ald. Wiezbiskie and thinks there is just that one area in the City that needs to have this special situation and is basically the lots not fronting on Lombardi, but backing on Lombardi on the other side of Shadow Lane, west of Oneida. She also wanted to 2nd Jim's concern with predictability, which is what concerned them during the last two items on the Agenda. What is predictable and what is not. She thinks it is predictable that we look favorably upon applications for Shadow Lane. There is one thing that she would change on the wording of the current ordinance, under item 14 regarding the conditions that have to be met for the application to move forward. All items are specific except for item c. This is an issue, and should say "The addition of this property **TO** the density ...of the applicants property does not change the character of the immediate neighborhood from residential to commercial". The language needs to be put there so that people understand what they are concerned about.

Ald. J. Brunette stated that they had an applicant who was going to apply as a result of taking possession of a house from a family member. The property is on Thorndale, towards Ridge. They had the intent of turning it into a transient rental and asked his opinion, which means they did the research before going through the process. He informed them of what typically happens and the process involved. The applicant changed his mind and did not go through with it. The policy works; however, there is one house they are having an issue with on Shadow. He thinks they have found a loop-hole in the ordinance but cannot prove it, as there are new people there every 30 days and neighbors are not happy. He is not sure on how to cure this issue. He has 3 main concerns: 30 day policy, tax collections, and port-a-potties. As far as he knows there is no ordinance that enforces against the placement, but having them days after the game is not necessary. It is not just the transient rental homes, it is the entire area around the stadium.

S. Bremer stated that the port-a-potty issue would be covered by number 12 "shall last no longer than one day and shall be limited to the hours of 8:00 am to 10:00 pm"; that combined with number 11, should cover port-a-potties.

Ald. J. Brunette stated that unfortunately when they send a housing inspector out there, there is nothing stating how long they can keep them.

S. Bremer suggested that they may need to look into adding port-a-potties specifically to either number 11 or 12.

Ald. J. Wiezbiskie asked Ald. Brunette what kind of a recommendation he was looking for regarding the 30 day occupancy.

Ald. J. Brunette stated that without proof they are advertising, we really couldn't prove anything. It could be just a friend of one of the brothers or something to that effect. He stated he does not want to propose anything yet because it is working.

L. Queoff stated that she would answer "yes" to all 3 questions. She stated that over the next few years the area is going to be changing and it may be time to start looking at what might happen 10 years from now or if we just keep going and let things evolve.

B. Lockery stated that they will be updating the Comp Plan this year and that this could be a discussion that occurs at that point. The last time it was talked about was 10 years ago when we developed the Comp Plan. At that time the idea was to possibly change the long use recommendations and making the area a commercial stadium district. People did get upset about this and the idea was then pulled off the table by the Mayor at that time.

S. Bremer stated that her answers to the questions would be yes. She stated the ordinance has been successful. She stated we do want to further regulate, in the sense that we need to make explicit in the ordinance itself the implicit understanding which we have been operating. Also, adding the suggestion that we articulate that we will not approve a proposal that will tip the character of the neighborhood from residential to commercial. As for #3, she thinks no, as the ordinance has been working well and part of the charm around Lambeau on the Green Bay side of the line is that it is not Ashwaubenon, but a neighborhood butting up against the stadium.

B. Lockery stated that at this time they just wanted to see if there were any major changes that needed to be addressed right away. They will continue to monitor the situation.

S. Bremer stated she is actually asking for changes in the ordinance to make it more explicit and what we expect from applicants.

B. Lockery stated this can be worked out with Paul and brought back at a later date. There is no action needed at this time, it is just a discussion item on the agenda.

S. Bremer stated she is talking in a specific area, and said the question would be if it would be just the south side of Shadow.

Director's Update on Council Actions

B. Lockery informed the Plan Commission of the following items:

- At the last Council meeting on December 9, 2013 everything was approved.
- R. Strong has retired at the end of December and his retirement party was last week and was very successful. He stated that R. Strong was roasted and was very surprised.
- The Walmart plans were submitted to the Planning Department on 01/06/14 to request a comprehensive plan amendment. At the next meeting, on 01/27/14, there will be a public hearing and an action item. The meeting may be moved to Council Chambers.
- Introduced to the Plan Commission was Jessica Deal, who transcribes the minutes for Plan Commission Meetings.

A motion was made by T. Duckett and seconded by S. Bremer to adjourn. Motion carried.

Meeting adjourned at 7:37 p.m.