

PLAN COMMISSION

Time and Date: The Plan Commission met on January 17, 2012, at 5:00 p.m. in the Common Council Chambers of Wausau City Hall.

Members Present: Marquardt, Gale, Klingbeil, Valitchka, Bohlken (arrived at 5:17 p.m.)

Others Present: Lenz, Hebert, DeSantis, Yang, Butt, Sather, Engen

In compliance with Chapter 19, Wisconsin Statutes, notice of this meeting was posted and transmitted to the *Wausau Daily Herald* in the proper manner.

Noting the presence of a quorum, at approximately 5:10 p.m. Marquardt called the meeting to order.

Approve minutes of the December 20, 2011 meeting.

Gale motioned to approve the minutes of the December 20, 2011 meeting. Klingbeil seconded, and the motion carried unanimously 4-0.

PUBLIC HEARING: Rezone 1032 South 3rd Avenue from R3, Two Family Residence District, to B2, Community Service District (Yang).

Yang stated this property was recently purchased, and it is not zoned properly for the intended use. They would like to make this a small catering business. They would make the food to sell at the farmers market and various festivals. A small commercial kitchen is necessary in order to make the food.

Marquardt closed the public hearing.

Lenz stated that the property borders a vacant lot that is zoned B2; properties across the street are zoned B3 which is more lenient than the requested B2. He said there is a mix of zoning, including industrial, close by. Lenz also stated that other properties on 3rd Avenue have changed to commercial over the years. He said this particular property is close to the Thomas Street intersection and with the future Thomas Street expansion it will essentially become a corner property; looking at it that way, this property makes sense to be a commercially zoned.

Klingbeil asked if any calls or letters were received from neighbors, especially to the north. Lenz stated that there weren't any calls or emails either way.

Gale motioned to approve to rezone 1032 South 3rd Street from R3, Two Family Residence District, to B2, Community Service District. Valitchka seconded. Motion carried unanimously 4-0. This recommendation will go before Common Council on February 14, 2012.

PUBLIC HEARING: Conditional use at 106 East Wausau Avenue to allow for a sporting goods store in a M1, Limited Industrial District (Butt).

Bohlken arrived at 5:17 p.m.

Butt stated that she is requesting a conditional use for a small retail business. They have been in business in Stevens Point, as Divepoint Scuba & Adventure Center, for 27 years and wish to expand to Wausau.

Marquardt closed the public hearing.

Lenz stated that the conditional use would be for a sporting goods store. The business would sell and rent kayaks and canoes along with selling swimwear, outerwear, and accessories. The current zoning is M1, but a conditional use could allow for a sporting goods store. Lenz said that this business should not interfere with its neighbors, and since they want to use the river, this location is a good fit for the business. He said the building was a former commercial building so the utilities and public infrastructure

are in place.

Klingbeil asked if the M1 zoning would change in the future. Lenz stated that some city plans call for changing the zoning on the riverfront to something other than industrial, but this applies closer to the downtown area. He said that it is feasible for this area to also change from industrial, but there are large parcels on the river that may not be going anywhere any time soon. It may be a long-term option to rezone, but as of this time it is easier and cleaner to keep the zoning as is, and grant a conditional use.

Klingbeil asked if the petitioner is the property owner. Butt stated that they recently purchased the property.

Gale asked where the Water Department is in regards to the building. Lenz stated that it is just to the south along the river. Gale asked if the petitioners knew about the plans of putting in a handicap accessible kayak and canoe launch. Butt stated that they know about that and are very excited.

Gale motioned to approve the conditional use at 106 East Wausau Avenue to allow for a sporting goods store in a M1, Limited Industrial District. Klingbeil seconded. Motion carried unanimously 5-0. This recommendation will go before Common Council on February 14, 2012.

PUBLIC HEARING: Conditional use at 403 Stewart Avenue to allow for a 16 foot high electronic sign in a R2, Single Family Residence District (Larson).

Lenz stated that this is the same proposal that was brought to the previous Plan Commission meeting. The only change is regarding the address. The previous notice was sent out for was the 500 block, which is the church and school. The current notice was sent out for the 400 block, which is the parking lot where the sign will be placed. A notice of change was sent to the residents and no calls or comments were received. This item is mainly administrative cleanup.

Marquardt closed the public hearing.

Klingbeil motioned to approve the conditional use at 403 Stewart Avenue to allow a 16 foot high electronic sign in a R2, Single Family Residence District with the condition that the sign is non-flashing. Valitchka seconded. Motion carried unanimously 5-0. This recommendation will go before Common Council on January 24, 2012.

Discuss zoning change for the 100 blocks of Callon and Alexander Street.

Lenz stated that Tom Sather of Silverstone Partners, Inc. met with the Economic Development Committee and Finance Committee this morning to discuss his proposed project. He said that both committees approved a development agreement to commit city funds to the project. He said that the developer will apply for tax credits and part of the scoring system is to have the proper zoning in place. This particular item is not an official zoning request, because there was not enough time to notice a public hearing; it is just to give a preliminary blessing on the zoning if the commission sees fit. Lenz stated that this project meets a lot of the city's plans like the Near West Side Plan where it calls for housing alternatives and redeveloping currently blighted parcels. Lenz stated that the purpose of this item was to get preliminary approval from the commission and to work with Mr. Sather on sending a letter saying that the city would support a zoning change.

Marquardt stated that the petitioner will come back at a later time to officially request a zoning change.

Klingbeil asked what the actual zoning will be needed in the future. Lenz stated that a Unified

Development District would work best because of multiple properties involved and the need for coordinated area planning. He said off street parking will be provided north of Alexander Street, where there is an existing parking lot. He said that lot would be used for the project in addition to an assemblage of different parcels. Lenz said that general and precise plans will need to be reviewed and approved by Plan Commission and Council.

Gale stated that his position in support of the project has not changed since the morning meetings. He stated that he is the chair of the Park and Recreation Committee for the City of Wausau and on the Park Commission for Marathon County. In regards to the green space and playground area, he wanted to make Sather aware as he appears to be conscious of the surroundings that the closest area for children to play is along the riverfront or Barker Stewart Island Park. There isn't a lot of equipment to play on until you get to Bridge Street by Grant School. Gale asked that Sather work with the city and county to potentially identify equipment that could be used in the green space. The Parks department has been looking at the obesity issues and at equipment used to stimulate activity. Gale also mentioned that the Salvation Army houses families. The children of those families may want to use the equipment also and this would be an opportunity to piggy back. More residential areas are located north of Elm Street, and these children need to burn off energy, run around, and exercise. Sather stated it is inevitable that other children will play on the equipment. Silverstone plans to work with the city and neighborhood. Sather stated that they would have ideally come to the Plan Commission at an earlier date to get the correct zoning in order, but it took quite a long time to assemble to parcels. He said the application deadline is February 3 and with the zoning issues not in place a vote of support would be helpful; a follow-up with the correct zoning in place will look favorable as the award is not until April.

Gale stated that he wondered if a letter from the Parks Director would be helpful since the city will be working with the green space area. Gale also stated that there is a group of individuals who through misfortune are temporarily living in facilities, where their children could be provided a green space in a controlled atmosphere. Gale also stated that he is not asking Silverstone Partners, Inc. to spend more money, but to think about the community in the area when the planning is being done. Sather stated that all shows of support from the community are significant.

Valitchka asked Lenz what projects are being planned for the immediate area of this project, between Stewart Avenue and Elm Streets and 1st Avenue and 3rd Avenues, and if the Salvation Army has expressed its desire to expand. Lenz stated there are potentially several projects, such as reconstructing 2nd Avenue and improving the streetscaping to make it the main commercial street of the neighborhood. He said that it would potentially fit together nicely with the proposed apartments, and some of the vacancies may be filled in if the area is more attractive. He said that Clark Street is being looked at for infill possibilities, and improving the parking and streetscaping. He said another project has been talked about in Finance Committee and Economic Development Committee on 3rd Avenue; it could be a significant redevelopment project. Lenz stated that there are a variety of things going on, but this project could be the first and most significant.

Valitchka asked that with the Unified Development District if the surface parking lot for the housing is required to serve the parking for the property. Sather stated that the proposal is for a 60 unit complex with one level of underground parking that could provide 36 to 40 stalls; more would be needed. He said in an urban environment, they feel you need about a one-to-one parking ratio. An additional 44 stalls are proposed in the surface lot, which is currently in disrepair. He said it would be redone to make a total of approximately 80 parking spaces for the development. It is anticipated that a few households will have no cars, some will have two cars, and that majority will have one car; it is estimated that the necessary parking will be about 60 cars for the 60 units. He stated 80 stalls will be available, in which some may not be used. Valitchka stated that the extra parking could always be leased.

Valitchka asked about the demographics that are anticipated for the apartments. Sather stated that there will be a wide array of different rent structures. The majority of the households rent will be based on the 60% of the county median. The income would be about \$30,000 or less. These residents will work in the service industry and retail, and the building will house urban style lofts. Most of the residents will be between the ages of 20 and 30 – those that are just starting out. Sather stressed that this is not Section 8 housing. This is a one-time shot of federal largess coming in to pay for the majority of the cost of the project which allows charging reduced rents. The average rent will be around \$700.

Valitchka asked if Gale's previous question was relative to the potential residents and the lack of immediacy and location of park like facilities. Gale stated that his inquiry was in finding out if a green space and recreation equipment will be provided as part of the project. Gale stated that he was suggesting that because of the lack of a formal city or county park that there would be a potential of bleed over from area children using the play equipment. It was also to make him aware of the Salvation Army's distressed family program, which is adjacent to the lot. Gale also stated that he offered staff assistance so that the city and Silverstone Partners, Inc. can work together in this process to ensure that the area is maximized.

Valitchka stated that the 60 units would encourage urban living more in the center of the city. We may want to look at assembling resources like the neighborhood Westies group, the Salvation Army, Main Street, and the Silverstone Partners, Inc. project and consider thinking about developing something. We could anticipate something like a grant application through the county to assist with a development in this neighborhood. There may be an infusion with young people that are starting families. This would create a positive energy beneficial to the neighborhood. Employees of the university and Eastbay may be possible residents.

Gale stated that he started some discussion in the morning regarding the need to establish clear-cut and safe pedestrian travel from 1st Avenue to the riverwalk. In addition, earlier in the day Gale asked a member of the Bicycle and Pedestrian Committee to put together a method that would allow people to safely cross to and through the area. He said ideas should be in place by fall in case capital dollars are needed. This project should be completed by December 2013. This would allow all of 2012 and 2013 to catch up on ideas regarding bicycle and pedestrian flow. Gale stated that by the time the project opens, a route will be found to safely flow pedestrians to the riverwalk, Marathon Park, and the UW center. The Park and Recreation Committee will look at ways to partner with the project to provide something to work a little better also.

Valitchka stated that with the upcoming reconstruction of Stewart Avenue, it would be an opportunity to make bicycle and pedestrian improvements. Valitchka said that he believes everyone is interested in making the ideas fit together and benefit the community. Sather stated that while working with WHEDA, another point scoring category is that credit is given if there is any city investment and anything being planned within one year of the application date. If there is anything that is planned, it would need to be quantified in dollars. This could help make the funding possible. Marquardt stated that the city will work with that.

Gale stated that it may help to attach the West Side Master Plan from Marathon County to the application to show how it fits in. The master plan addresses the university and up to 17th Avenue to the Industrial Area; it is a 20 year plan. Gale asked if letters from the Council, or the Westies neighborhood group would benefit. Sather stated that would be very helpful. It is also helpful to indicate any projects that would happen a year prior or year after the application deadline of February 3, 2012. Another application requirement is letters of support from people including elected officials, people in the community, and a large employer.

Klingbeil stated that he attended a Near West Side planning session at Associated Bank along with a

number of citizens and stakeholders. It came to the Common Council and was adopted in 2007. This plan shows redevelopment for the area currently being proposed, and transportation was discussed. Some of the transportation recommendations were to improve the streetscaping and bicycle and pedestrian paths along Stewart Avenue. Klingbeil suggest that the Community Development Department and Engineering Department provide Sather with a copy of the plan. Sather stated that he has one already, but asked if he could have a copy of the Marathon County plans. Gale stated that he would get that to him electronically.

Marquardt stated that based on the discussion, the commission is in favor of the zoning change. He further stated a public hearing will be needed to make a formal recommendation. Sather stated that he appreciates this and would expedite the procedures.

Discuss Unified Development District at 600 South 17th Avenue.

Lenz stated that Dan Johnson owns this property that is zoned a Unified Development District. The building currently houses O'Reilly Auto Parts, and has a vacant space. He said an interested party would like to occupy the remainder of the building; the business would be an auto repair shop that would change oil, filters, and brakes, among other things. Lenz said that staff was hesitant about the proposed use because of how it differs from what was originally approved for this location. He said the uses originally proposed were a hair salon, deli, cellular store, drycleaners, and other "softer" retail uses. An amendment to the general plan for the UDD would require a public hearing. The petitioner came to staff after the public hearing deadline and they would like a sense of where the Plan Commission would fall on this particular use. He said some of the concerns by staff are not only the use, but the depth of the lot which would not provide good circulation for cars. He said cars would be backing out of the garage into the driveway where other cars may be entering. He also said the building was not designed for this type of use, so the commission will need to look closely at the particulars of how the building will be retrofitted. Lenz said that Alderperson Abitz had talked to Dan Johnson about potential neighborhood opposition but that the most immediate neighbors seemed okay with the proposed use.

Gale stated he spoke to Abitz and compared notes. He said that any issues Abitz had with this use, she was able to resolve. Gale said that Abitz looked favorable on this modification. Gale said that most of the property surrounding is commercial or neighboring residents would like it to be commercial property. There is a vacant lot on the south end by O'Reilly Auto Parts, which is owned by Lang Well Drilling. Gale said he spoke with Lang about this proposal and he has no problem with it. It would be expected of the city to be diligent on the traffic flow. The development in this area is slow, but surely into a commercial area. As you go further south you have the Canadian Railroad Company and then you are in light industrial; across the street there is a park, a shop, and an open field that used to be Wausau Windows, the National Guard Armory which is in the process of moving in the next few years, and army reserve property which is vacant. The property will probably be assembled by someone in the future. The county is looking at moving its shop out of that idea. When it was built it was outside of the city creating no issues for the community, but is now in the middle of the city. There is also a staging area for the railroad where complaints are sometimes received about switching the cars. Gale continued and stated that he would be in support of this. Gale also said that he spoke with Dan Johnson who said that there are a number of rules that he would like to see himself enforce which are in the normal rules of the ordinance. Gale also stated that it would also be beneficial to extend to the west to 19th Avenue the invitation of the public hearing to see the reaction.

Valitchka asked if Hebert had any additional thoughts. Hebert stated that he is concerned about the traffic flow and is not sure that the garage doors on the front of the building, along 17th Avenue, are the best idea.

Valitchka stated that the speed limit on 17th Avenue is 35 mph. It is also narrower there, than it is to the

south. Valitchka stated that an auto repair business itself doesn't bother him. He confirmed that the driveways on both ends of the property go out to streets. Valitchka asked if the entrance of the service space could be on the west side of the building versus the east side. Lenz stated that there isn't an alley behind the building, and the fence and hedges are close to the building.

Valitchka asked if the parking is one row on either side of the passage way. Hebert confirmed that there is a row of parking adjacent to the building and a row along 17th Avenue. Valitchka asked if one or two bays will be used. Lenz stated he thought it would have two bays. He said this would obviously eliminate several parking spaces right in front of the garage doors. He said there would be the cars from O'Reilly's to compete with for parking, and when backing out of the bays. He said it is not an ideal situation.

Gale stated that he took this as being more of a quick oil change center than an auto repair center. There will be no autos left in the bays overnight or no autos left in the parking lot overnight. The fence is located right on the property line. It would be possible, although not sure about the economic situation, that the vacant lot to the west may be used in the long-term.

Marquardt stated that based on the discussion, the commission is willing to entertain the request.

Consider Amendments to Zoning Ordinances Text.

Lenz stated that there are sections of the ordinance that staff feels can be improved. The first section is the fencing and material.

Hebert stated that a building permit is not a requirement for fences and issues come up after the fact. Outside of height, the main issue is the type of materials that are used. A list of permitted and prohibited items would be on a fencing handout. Hebert also stated that this is similar to other communities. This change in the ordinance would greatly help the Inspections Department.

Lenz stated that an amendment to the text would need a public hearing and the city attorney would also be consulted.

Klingbeil stated that he had two neighbors that were disputing a fence and what defines a fence. The state law defines what a fence should be, but the local ordinance does not. This would be a good thing to pursue.

Gale stated that when this item comes to council for a final approval, Paula Shultz will be appearing to state issues and disagreements of recent letters regarding fencing. She would like to ask questions and make statements.

Valitchka asked if the prohibited materials should be listed and thought that metal link chains should be listed. Marquardt stated that is listed under prohibited chains.

Lenz stated that the second section is in regards to parking lots. In commercial districts, we have standards for tree plantings and other landscaping to lessen the conflict between cars and pedestrians, and to soften the environment. These standards currently apply only to commercial zoning districts; it is being proposed to add the same language to the residential districts. There are large schools, churches, and recreational facilities with large parking lots in residential districts. Staff feels these standards are actually more important in residential districts because large parking lots are more likely to be located near people's homes. The proposal is to apply the same standards from the commercial district to the residential district.

Marquardt stated that staff should proceed with the public hearing.

Adjourn.

Klingbeil moved to adjourn. Bohlken seconded. Motion to adjourn carried unanimously and the meeting adjourned at 6:20 p.m.

The Plan Commission is next scheduled to meet at 5:00 pm on Tuesday, February 21, 2012.