

## PLAN COMMISSION

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Time and Date: The Plan Commission met on January 15, 2013, at 5:00 p.m. in the Common Council Chambers of Wausau City Hall.

Members Present: Tipple (C), Radtke, Marquardt, Valitchka, Nutting, Bohlken, Oberbeck

Others Present: Lenz, DeSantis, Hebert, Block, Mleziva, 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 5:00 p.m. Mayor Tipple called the meeting to order.

### **Approve minutes of the December 18, 2012 meeting.**

Radtke motioned to approve the minutes of the December 18, 2012 meeting. Valitchka seconded, and the motion carried unanimously 7-0.

### **PUBLIC HEARING: Approve a conditional use at 1200 West Wausau Avenue to allow for sponsorship signs on the outfield fence of the varsity baseball diamond, in an IR, Interchange Residence District (Block).**

Jeff Block, President of the Wausau West Booster Club, said the sponsorship signs are needed in order to help the program move ahead. There have been a lot of cutbacks and this fundraiser would greatly benefit the club. There are a lot of things that need to be done to improve the junior varsity and freshman diamonds. The money is not currently in the budget to do the improvements.

Mayor Tipple closed the public hearing.

Lenz said that this conditional use comes after the ordinance was recently created to allow for these types of signs and this would be the first application. The letter from the petitioner states that the guidelines as stated in the ordinance will be followed, pertaining to size, number, content, etc. Staff recommends approval of the conditional use. Lenz asked how the signage would be placed and if there would be a pattern, such as starting in left field and going towards right field. Block answered that the proposal is drafted that the signs would be available on a first come, first serve basis. Lenz asked if the sign owners would be able to choose where the signs are placed. Block answered as long as they are on the outfield fence and not directly in center field to affect the vision of the batters.

Bohlken motioned to approve the conditional use at 1200 West Wausau Avenue to allow for sponsorship signs on the outfield fence of the varsity baseball diamond, in an IR, Interchange Residence District. Radtke seconded, and the motion carried unanimously 7-0. This recommendation will go before Common Council on February 12, 2013.

### **PUBLIC HEARING: Rezone 207 East Ross Avenue from R3, Two Family Residence District, 201 East Ross Avenue from R4, General Residence District, 216 East Kent Street from B2, Community Service District, and 110 East Kent Street from B3, General Commercial District to UDD, Unified Development District and approve the general development plan to allow for a convenience store with a fueling facility and carwash (Dorschied).**

Troy Mleziva, Kwik Trip, Inc., thanked the commission for the opportunity to speak and stated that the proposal is a new LEED-certified convenient store facility that would be replacing the existing facility on Grand Avenue. This will be a 5,800 square foot building, fueling canopy, and new car wash accessible on East Kent Street. Parking, landscaping, and high efficiency lighting will be used with this new facility.

Mayor Tipple closed the public hearing.

Mayor Tipple asked Mleziva to further explain LEED certification to the commission. Mleziva said that

LEED stands for Leadership in Energy and Environmental Design and is a standard judged by the U.S Green Building Council. In essence, it means it is a high efficiency, energy efficient, and quality building. The building will be all brick and will have a standing seam metal roof as opposed to asphalt shingles. The parking lot will be completely concrete to limit asphalt products. The building will have skylights with solar tubes and there will be high efficiency water fixtures in the kitchen and bathrooms. High efficient LED lighting will be located on the canopy and light poles.

Lenz said that many different plans were included in the packet including the site and landscape plan. He said staff had met with Kwik Trip prior to the application being submitted, and there was concern for the impact on the neighborhood. Staff had asked to Kwik Trip to make some changes to their plans, which they agreed to. One of the changes was to close off access to Ross Avenue. All of the traffic will now be entering and exiting via Kent Street, which is a controlled intersection. He said the building was also moved over to the west to give a little bit more buffer to the residential properties on the east. He said there has been a lot of cooperation and back and forth communication, and that Kwik Trip has agreed to the conditions listed in the staff report. The first condition is to have a fence placed on the property line east of the store to buffer the loading area from the residences. It is also recommended that a fence either be retained or a new one installed on the property lines north and east of the carwash. It has also been requested that the volume of the speakers be kept at the lowest level possible. The speakers are to communicate to customers and to play some music while customers are pumping gas. Lenz said some lighted signs are being proposed and staff has asked that no lighted signs face the residential areas – essentially any signs that face north or east should be non-illuminated. The building does face away from the residential neighborhood and he has asked that windows be placed on the north side so it is not a completely blank wall on Ross Avenue. With those conditions, staff recommends approval of the general development plan and precise implementation plan.

Valitchka asked Mleziva if anyone has spoken to residents east of the property of Ross Avenue to let them know what may be happening or if notification is required. Lenz answered that our ordinance requires notices to be sent out within 100 feet of the property, but we usually go wider, in this case notices were sent to owners within 200 feet. All of the neighbors on the south side of Ross Avenue and majority of the neighbors on the north side of Ross Avenue would have been notified. Valitchka asked if any people at the public hearing were these neighbors, and some answered yes. Valitchka asked Mleziva if a new fence will be installed to go with the new décor and landscaping. Mleziva said that if the fence is in less than ideal conditions, now would be the time to replace the fence. Valitchka asked if the sign on the north face would be lit. Mleziva said that it would typically be lit, but it can be stipulated that it not be lit. Lenz recommended all lit signs face south. Valitchka asked if there were a sign on the north side, that it not be lit. Lenz and Mleziva both agreed.

Nutting motioned to rezone 207 East Ross Avenue from R3, Two Family Residence District, 201 East Ross Avenue from R4, General Residence District, 216 East Kent Street from B2, Community Service District, and 110 East Kent Street from B3, General Commercial District to UDD, Unified Development District and approve the general development plan to allow for a convenience store with a fueling facility and carwash. Bohlken seconded, and the motion carried unanimously 7-0. This recommendation will go before Common Council on February 12, 2013

**Approve the Precise Implementation Plan for 207 East Ross Avenue, 201 East Ross Avenue, 216 East Kent Street, and 110 East Kent Street to allow for a convenience store with a fueling facility and carwash.**

Lenz said that conditions are included in the staff report if the commission wishes to consider them. An amendment to the conditions is that lighted signs not face residential districts, that fences be installed on the property lines east of the loading zone, north of the car wash, and east of the car wash, and that the speakers be kept to the lowest volume practicable.

Oberbeck said that there were sound issues in this neighborhood in the past and asked what is defined as the lowest level of sound. Lenz said there were decibel readings taken at the site when it was a night club, but he is not sure what an acceptable decibel level should be. Lenz said that a certain volume is needed to communicate with customers. Oberbeck asked the hours of the operation that the communication will be occurring. Mleziva said that they are open 24 hours, and typically since they don't require individuals to prepay the communication is to let the customers know that a particular pump needs to be paid inside. The procedure is to do the best to be good neighbors and it is in their best interest to police themselves. Oberbeck said that the site has previous issues with noise. There is going to be all-night lighting and sound. Oberbeck said that he would recommend in the motion that if there are neighborhood complaints, Kwik Trip, as the owner, will work with the neighbors. Mleziva said that shouldn't be a problem.

Valitchka said that several years ago, the installation of cell towers was approved and asked if he was aware of that and if the project has incorporated those. Mleziva said that he is aware of that and this project has incorporated the cell towers. Valitchka asked if there are any plans for the property on Grand Avenue. Mleziva said there aren't any plans yet, but will probably remove the fuel tanks and sell the lot. Valitchka asked about steps required to close out the tanks. Mleziva said that the tanks would be removed and get DNR closure. Valitchka said that it could be a closed and vacant property for a while. Mleziva answered yes.

Oberbeck motioned to approve the precise implementation plan for 207 East Ross Avenue, 201 East Ross Avenue, 216 East Kent Street, and 110 East Kent Street to allow for a convenience store with a fueling facility and car wash with the conditions that owner work with the neighbors in the event of noise complaints, lighted signs not face residential districts, fences be installed on the property lines east of the loading zone, north of the car wash, and east of the car wash, and that the speakers be kept to the lowest volume practicable. Valitchka seconded, and the motion carried unanimously 7-0. This recommendation will go before Common Council on February 12, 2013.

#### **Designate Eau Claire River Conservancy Area as City of Wausau Parkland**

This item has been postponed until the next meeting.

#### **Discuss sign zoning regulations in the Central Business District and authorize public hearing for zoning text amendment.**

Lenz said that this was briefly discussed at the last meeting to potentially allow signs to be placed on city blocks to advertise multiple businesses on the block. This came from a request to use the Federal Building property for a sign displaying other merchants on the block. A simple draft of an ordinance is listed on the memo. He said that in the downtown zoning code, there is a conditional use portion under signage where this could potentially be placed. From block to block, these signs would vary substantially, so it is difficult to create specific conditions. As it's drafted, if someone wanted this type of sign, they would need to apply for a conditional use and come to Plan Commission. The commission can look at adding certain conditions like having a maximum square footage or a number of signs per block. In order to officially change the ordinance, a public hearing will need to be held.

Nutting said that he recently read about creating signage that would be complementary and uniform in alerting local and regional travelers to where things are located and asked if this proposal is for that reason. Lenz said that it is somewhat related to the way-finding initiative but is not part of it. The way-finding project is more for public facilities and attractions. Signage in the proposed ordinance would be for businesses, and would not be part of the uniform look. The way-finding signs will likely be in the public right-of-way, like the blue directional signs we have now, but the new ones will look nicer and be

more descriptive. The idea is the same, to get people to the attractions downtown. Lenz said the way-finding signs could be complementary to this ordinance. Nutting said that with the historic nature of the Federal Building, it would be desirable to be complementary to the building to have a look to resemble the architecture of the building. Lenz said that those are the types of things that could be proposed as conditions when the conditional use is applied for. Oberbeck said Main Street has discussed for the west side that merchants be identified off of Stewart Avenue. It will be important to show people that the district exists and what is beyond the main corridor.

Valitchka said that there are several initiatives that this would be timely for. There is the opportunity with the reconstruction of 2<sup>nd</sup> Avenue to implement the signage.

Valithcka motioned to authorize the public hearing for zoning text amendment. Radtke seconded, and the motion carried unanimously 7-0.

**Adjourn.**

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Marquardt moved to adjourn. Radtke seconded. Motion to adjourn carried unanimously and the meeting adjourned at 5:30 p.m.

**The Plan Commission is next scheduled to meet at 5:00 pm on Tuesday, February 19, 2013.**