

PLAN COMMISSION

Time and Date: The Plan Commission met on June 18, 2013, at 5:00 p.m. in the Common Council Chambers of Wausau City Hall.

Members Present: Marquardt, Radtke, Bohlken, Oberbeck, Nutting

Others Present: Lenz, Hebert, DeSantis, Mudrovich, Meyer, Werth, Scholfield, Borysenko, Ladoq, Sage, Robinson, Buelke, Mielke, Pospychala, La Mountain, Baumann, Emmerich, Wolslegel, Larson, Hagen, Ellis, Burk, Borchardt, Oberg, Bornheimer, Voigt, Hiltz, Nagle, Celing, Ryan, Langlois, Neumann, Gerum, Normand, Baumann, Miller, Ruffi, Holster, Granec, 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. Marquardt called the meeting to order.

Approve minutes of the May 21, 2013 and June 4, 2013 meetings.

Nutting motioned to approve the minutes of the May 21, 2013 and June 4, 2013 meetings. Radtke seconded, and the motion carried unanimously 5-0.

PUBLIC HEARING: Amend boundaries, General Development Plan and Precise Implementation Plan for 500 Grand Avenue, to allow for various building improvements to Riverview Towers (Meyer).

Tom Mudrovich said that he was contacted by Community Development Authority regarding floor to floor improvements for Riverview Towers. There is a lot of redesign going into this project. The project was presented to a group including the Fire Department, Planning, CDA, and Engineering departments. Much of the improvements were done to improve the site and the traffic movement, including access to the parking garage north of the main building. One of the things that was looked at was eliminating the walkway from the main entry of the building to the parking area and creating a driveway to pass by the main entrance with a covered canopy. The exit will be onto Grand Avenue. The aesthetics of the canopy were borrowed from the Riverview Terrace project. The bus shelter on Thomas Street will be taken down and a new one built with similar aesthetics to the canopy. The front area will be limited to visitors by taking out the garage door facing the east.

Bill Meyer, displayed map 5.0 which is a layout of the back side of the property. The garage will be extended for additional vehicles and the only access out of the garage will be towards the back to Thomas Street or to the church, since there are easements. A drop off will be added to the back for a safer drop off. Map 4.0 shows that a maintenance building will be demolished and a storage shed will be built in the area that is being added to the UDD.

The front driveway will be improved for truck access into the facility. Mudrovich showed a picture of the building image of the tower closing off the garage entry and filling it with stucco like material. Mudrovich also said that access from the front entry will be for fire apparatus to get beneath and to help residents move into or out of the complex.

Ann Werth, Executive Director of the Community Development Authority, said they are very excited about this \$10 million project. The building was building in the late 1960's and has 149 units of public housing. The enhancements will bring much needed improvements.

Marquardt closed the public hearing.

Lenz said that this item is to amend the General Development Plan, add property to the UDD, and approve the Precise Implementation Plan. Staff has reviewed the proposal and feels that it is a good improvement and the overall investment is great. Staff recommends approval.

Nutting moved to amend boundaries, General Development Plan, and Precise Implementation Plan for 500 Grand Avenue to allow for various building improvements to Riverview Towers. Bohlken seconded and the motion carried unanimously 5-0. This item will go to Common Council on July 9, 2013.

PUBLIC HEARING: Rezone 1605 Merrill Avenue from IB, Interchange Business District to UDD, Unified Development District, and approve the General Development Plan to allow for two restaurants, drive-thru facility, and outdoor dining area (Borysenko).

Bill Scholfield said that he represents Subway and that the commission previously requested that there should be more businesses on this site. This would be a good location for Subway.

Jim Borysenko, REI Engineering, said that this project came about rather quickly. He said some facilities will be shared. Borysenko said they took a look at a number of things and there is quite a bit of drop off on this site as this was once used as a fill disposal site. The elevation where the building will be located will be raised to the same elevation as Highway 51 but then dropped significantly to the north. While trying to implement the building, parking, and stormwater requirements, it was found to be quite expensive. There will be 33 parking stalls. The long-term lease agreements are currently being worked on. The driveway and infrastructure will be shared. Borysenko showed where the menu boards will be placed. The retaining wall will have a maximum height of 8 feet and they're looking at ways to lessen the height. An outdoor seating area is planned. The connections of the drive-thru area will help designate the separate businesses. The finishing touches and details are being worked out.

Scholfield added that they have spoken with Lenz regarding the concerns mentioned in the staff report. The building is architecturally designed on all four sides. The sign package will follow, and they are aware of the sensitivity issues with the Highway 51 corridor.

Marquardt closed the public hearing.

Lenz said that this item is to rezone the property to UDD and approve the General Development Plan and Precise Implementation Plan. As mentioned, concerns about the building orientation were previously discussed. There are some site constraints, which is why the building is shown the way it is, but it appears to him to be turned the wrong way on the site. Lenz said that he wants to see what is possible and the details are still being worked on. Lenz also said that if the building cannot be moved, designs need to be looked at since this is a gateway into the city. The Plan Commission can decide if staff should work with the petitioners in regards to the building design. Normally, the lighting, landscaping, and stormwater plan are approved at the staff level, but we could add building design if Plan Commission decides to go that route. There hasn't been a specific signage outline and the commission can give staff the authority to approve it per the B2 zoning district. Staff recommends approval with the conditions that lighting, landscaping, and stormwater plans be approved by staff, the signage is approved by staff, and that the architectural designs are reviewed at staff level or Plan Commission.

Marquardt suggested voting on the general and precise plans separately.

Radtke moved to rezone 1605 Merrill Avenue from IB, Interchange Business District to UDD, Unified Development District, and approve the General Development Plan to allow for two restaurants, drive-thru facility, and outdoor dining area. Nutting seconded, and the motion carried unanimously 5-0. This item will go to Common Council on July 9, 2013.

Approve the Precise Implementation Plan for 1605 Merrill Avenue to allow for two restaurants, drive-thru facility, and outdoor dining area.

Oberbeck said that it appears that there is a building in the back of a building and said this should be looked at in more depth. Borysenko said that there was some discomfort by staff with the side elevations of the building, and additional emphasis was put on the architecture of the building. The photos submitted with the original application were from a different Subway in the Green Bay area. There is not much to add as windows would not be functional. The building could be dressed up with signs, awnings, texturing, wall art, and nice landscaping. One of the complications of this site is that there isn't access off of Business 51.

Randy Ladocq, 2816 Nicolet Drive, said for the northeast face of the building, they came up with an alternative and he was aware of the back side concern also. The side of the building was broken up with a combination of brick and synthetic stucco and added the building mounted Subway sign, which would be located above an awning. They also added some indented pictures. Lenz said the most recent elevations are in the packet, and they differ somewhat from the color photos. Ladocq said the building is a four-sided architectural building. Quite a bit of cost was added to have the building be a 4-sided architectural building.

Nutting said that architectural lighting is located on two sides of the building and asked if there is intent for façade lighting. Ladocq said that there isn't at this time for the northwest façade. Nutting asked what the area surrounding the northeast and northwest side of the building comprised of. Ladocq said there would be lighting on the northeast elevations above the pictures and under the awning. Scholfield said the canopies will be back lit. The orientation of the building became an issue because of soil issues, grading, trees, wetlands, and the need for a four-sided architectural building. It is aesthetically pleasing coming from NTC, Merrill Avenue, and from the apartment building. Scholfield said they are hoping they have enhanced it enough.

Oberbeck said he thought the building should be flipped, but it cannot be because of the drive-thru. He said he is concerned that we are repeating what was done at Crossroads and Shopko location – it is not a cohesive development and we don't want this to be like that. We will need a future development to occur and this could be a challenge going forward. Oberbeck said the landscaping and outdoor dining could hold this together. Scholfield said they've struggled with this also. It is not an easy site and will work with the City.

Bohlken moved to approve the Precise Implementation Plan for 1605 Merrill Avenue to allow for two restaurants, drive-thru facility, and outdoor dining area with the condition that staff approves the lighting, landscaping, and stormwater plans, staff is authorized to approve signage, and that the architectural designs are reviewed by staff. Nutting seconded, and the motion unanimously carried 5-0. This item will go to Common Council on July 9, 2013.

PUBLIC HEARING: Approve a conditional use at 540 South 3rd Avenue to allow for a warming center for the homeless and offices for Catholic Charities, in a B2, Community Service District (Hubert).

Deacon Sage, Executive Director of Catholic Charities, said that they are asking for a conditional use for a warming center. Catholic Charities has been working with the Housing and Homeless Coalition for the past year and members are present tonight. The downtown warming center was open for 73 nights from February 1 until April 15. There were 754 nights of service for 59 different individuals. The average age was 42, which is pretty close to other facilities. There was help from 248 different volunteers with over 2,200 hours of service. Sage said it would be nice to have a facility to house more. On the average night, there were 12 people there and there were evenings where people had to be turned away. A larger facility would provide people with showers, washer, and dryer to help them with their situation. Sage said they have been looking for locations and this seems like a wonderful setting and would enable the offices to be relocated to provide services from. The building is 4,600 square feet and would accommodate the offices

and warming center. Sage said they have had people look at the building and held walk-throughs for people living within 250 feet of the building to tour it and ask questions. There were some concerns and Catholic Charities is trying to be good neighbors. The back entry was originally planned on being used for the warming center, but have decided to move it north to the patio area. It is not visible from South 3rd Avenue or Garfield Avenue to provide privacy. Sage said they will do whatever is needed to accompany the folks and service the need.

Dan Robinson, Director of Sojourner House of Eau Claire, said he is in favor of the warming center. Homeless people do exist and they need to be taken care of. There has been a remarkable experience in Eau Claire with Catholic Charities and the homeless shelter. It is important that Catholic Charities will work with people to encourage them to be good citizens of the area, keep things clean, and create a good image for the City of Wausau. People will be given the love and attention and in return will be better citizens. They are given a good night's sleep, a chance to get clean, and go out to get jobs. They are not in this position because they want to. Robinson applauded Wausau for opening its arm and hearts.

Jim Buelke said that the cause is admirable, but it should not be located in a residential area and asked where the vehicles would be parked.

Robert Mielke, 315 South 8th Avenue, said that he believes that this is very admirable and a good thing to do. We need a shelter like this; we need to accommodate the people and it is not their fault. Mielke said he would like to voice opposition because of the location. There are daycare centers in the area; residents are concerned about the effect of the property values, and concerned about possible criminal activity. There are other viable locations like the L&S Printing building or South Side Tire. There were numerous complaints about people feeling like this is already a done deal and said that he hasn't heard any voices in support of this use.

Kelly Pospychala, 916 Ethel Street, said she is one of the volunteers and never felt threatened or unsafe and there are numerous rules at the center. Volunteering at the facility was a very rude awakening of what the homeless population is. They are sent off to jobs and are not trying to leech. Pospychala said she has worked in the hospital for 25 years and never has dealings with the homeless. Hospitals have nowhere to send them; they just send them out the door in the morning. This is great for the community. All areas are residential. Pospychala said she very much supports this conditional use and there is a need to reach out to those in the community that are less fortunate.

Robert La Mountain, 207 North 7th Avenue, said he supports the shelter. La Mountain said 20 years ago, he couldn't live with his parents anymore and ended up at the Salvation Army where he got the help and support. La Mountain said he now owns a house and if he wasn't given the opportunity, he would not be where he is now. No one talks about it, but it's here. It is our responsibility to help. Simple things like helping with food and getting a place to stay are very important. La Mountain said that the Salvation Army is also in a residential neighborhood.

Robert Baumann, 1040 ½ South 5th Avenue, said he is in support of this and has friends who are homeless. Baumann also said he has a friend that volunteered at the center last year and didn't have any problems, except that it was small. Baumann said that relocating the facility will be the way to go.

Arden Emmerich, 453 Grand Avenue, said that Catholic Charities is an appropriate use of this building. It is close to the downtown, on the bus route, and close to other services. The building is zoned B2. The history is consistent with this type of use. It started as the Deutsch Hall to serve German immigrants, then it was an outpatient building for Northcentral Health Care. The largest opposition is the fear of criminal elements to the area and he feels that is entirely inaccurate. Emmerich said he could not ask for a better tenant that would bring a better use. This will bring a better future to the neighborhood. It is a good intended use and he's confident that it would be a plus to the neighborhood.

Gary Wolslegel, 630 South 4th Avenue, said he is against the warming shelter and believes it is a residential area. A warming shelter is needed and the St. James School is vacant, along with other properties that would be a good fit. Wolslegel said he is disappointed that notices were only sent to people 250 feet away from the people and asked that the notifications be expanded.

Cindy Larson, 535 South 3rd Avenue, said she is a member of Grace United Church of Christ, which has been in the neighborhood for nearly 100 years. The neighborhood started out as rural residential, then changed to residential, and now is a business neighborhood. The church has seen changes in the neighbors and the kinds of struggles that the neighbors are facing. People need the services and are lucky to have a roof. The area needs another social service agency and said it is a blessing because their ability to serve the neighborhood is not great since they are just a smaller congregation. Larson said that Grace United Church of Christ supports the warming center and welcomes Catholic Charities to the neighborhood to help provide services to the area.

Chris Hagen, 311 Garfield Avenue, said that his wife operates Ready, Set, Grow Daycare kitty corner to the property. Hagen said that his concern is the art of perception. Hagen said that anyone could be at the warming shelter and it will be in their back yard. Hagen said his wife asked parents if they were new to the daycare if they would consider bringing their kids if they knew there was a warming center nearby, and she was told no. Hagen asked the commission to consider whether the warming center should be near a daycare facility.

Christine Ellis, 137 River Drive, said that Catholic Charities has been an amazing partner with the Housing and Homeless Coalition. Of the 754 night stays, only one individual had to wait until next year to stay. The center is open from 9 p.m. until early morning.

John Burk, 833 South 72nd Avenue, said he and his wife worked as volunteers and afterwards discussed their experiences. Burk said they both had preconceived notions and fear and were both absolutely wrong. Their experience was that the guests at the shelter were very courteous, kind, and very thankful. Burk said that after they finished their shift, they asked the next person if they needed any help and that people said no and that there weren't any problems or issues. The only difference between us and the guests is that they had to stay there and we had a house. There aren't any issues or problems with the center.

Diane Borchardt, 1108 Merlin Court, said that she is the coordinator and did not have any prior experience with this population and her heart told her she wanted to do this and she has not regretted it. These people are human beings with family. They are not out there to harm others and it's hard for them to come through the door to spend the night. Many wonderful relationships were built. These are good people that just need to get out of the cold. They are not intentionally coming into the area to harm anyone. They will stay overnight in the shelter and leave in the morning with no intentions of hanging around. These folks would do anything to have their life back to what it was at one time. There is a misconception of who these people are.

Marie Oberg, 618 South 4th Avenue, said she has concerns and was not notified. Oberg said it is fishy that people from LaCrosse and Eau Claire were notified but nearby residents were not. Oberg said she is not against the warming facility, but against the location. Oberg said that more time should be taken and the notification range extended.

Carolyn Bornheimer, 602 South 4th Avenue, said she has rental property and wonders why someone would choose their property when there is a warming center so close. The notifications should have branched out further and a warming center should not be located in a residential area.

Bob Voigt, 1819 North 7th Avenue, said he has rental properties and there are a lot of roamers at night. The homeless need some place to go, but not sure if this is the place, and hopefully they will change their lives. It seems to be the same people. They may need advanced and extra training. Voigt added that 113 Callon Street could be a location.

Marquardt read letters and emails from Sharon Ostrowski, John Fischer from Emmerich & Associates, Inc., Chris & Sheila Hagen, Concerned Neighbors, Terry VanOrder, and Christine Van De Yacht. The letter from John Fischer of Emmerich & Associates and the email from Terry VanOrder were in support of the conditional use and the remaining were in opposition.

Marquardt closed the public hearing.

Lenz said that he is not going to judge the merit of the arguments on either side. He said the testimony of the public hearing and the recommendation from Plan Commission will go to Common Council, who will decide which side they want to take. The recommendation from staff was to approve the conditional use to allow the warming center at this location.

Lenz said that he would like to address the notification remarks. He stated that by ordinance, which comes from Wisconsin statutes, staff is required to notice residents within 100 feet of the property. He said we frequently go wider than that – in this case, it was sent out 250 feet from the property, or 2 ½ times wider than what is required. He said this is sometimes debated, but administratively the line needs to be drawn somewhere.

Oberbeck said he thought that when the warming center was originally brought to the commission, people sleeping in chairs was a temporary solution and that a permanent solution would be determined. Moving the warming shelter from the downtown and into a residential area may not be the answer. It is an urban problem and we need to look at long-term planning. Oberbeck said he has reservations about the location as it is too close to a school, UW center, daycare, and residents. We need this, but it needs further study. Oberbeck said he is not sure if it is typical with recliners. Oberbeck said he sees the positive of being next to the church and would like to see staff look into it further. Lenz said that the Housing and Homeless Coalition already has experts looking at long-term solutions. Oberbeck asked if this would be a permanent location and said he assumes it would and said he is having a hard time supporting it.

Nutting said that he expressed the concern of the downtown business owners last year, but there is a need for the facility. Nutting said he is overall pleased with what he toured and saw at building. Nutting asked how many of the guests required vehicles that needed to be parked. Sage answered one and that they have been invited to use the church parking lot for staff parking, but people primarily walk and take the bus. Nutting asked if there will be a sign indicating it is a warming shelter. Sage said there is typically Catholic Charities signage, but a sign could be placed on the rear entry identifying the warming center entrance. Nutting asked if there would be a minimalist sign indicating where the warming center entrance is. Sage answered yes. Nutting asked if the volunteers assist the guests with where to wait. Sage said the facility will always be staffed and people quickly learn where to go.

Nutting asked what the earliest time would be to enter the facility. Sage answered that the downtown facility opens at 9 p.m., but at this facility it is proposed to open at 6:30 p.m. It would give the guests time to eat and relax. Nutting asked if smoking would be allowed. Sage said that smoking would be permitted in the rear patio area. Nutting asked if the patio area will have a façade with privacy. Sage said that it is very private, but a fence could be added. Nutting asked what other buildings were looked at. Sage said that Rose Garden and the school near the Resurrection Parish was considered, but there was quite a few of structural and space issues. Sage said that they looked around the city, but didn't see the property on Callon Street. The facility needs to be close to 5,000 square feet. The uniqueness of this building would be that additional services could be offered to the people, if they were willing. It would

be a better chance to educate and rehabilitate.

Oberbeck asked what prevents Catholic Charities from providing a 24-hour service. Sage said that there is a fear that they will start making this their home. There needs to be an exit and reentry time. They do not have intentions to make this a home and will be treated with compassion, treated with dignity, and will be provided with basic needs.

Nutting asked Hilts of his opinion of the location and asked if any patrols would need to be changed. Hilts gave the disclaimer that he is on the homeless coalition. He said that given the history of the previous warming center – one call in 73 days – it would not cause any concern. There are other establishments that are open to early morning hours that cause much more concern. Squads pass through this area regularly, since it is a major thoroughfare. The facility is staffed with volunteers. There will be natural surveillance of the neighborhood and the Police Department would be notified of unusual activity. There were six times that the Police Department used the warming center as a resource. Nutting asked if there is a lot of surveillance in the area for taverns and asked about suspect properties. Hilts said that he cannot comment on ongoing investigations. Taverns and other properties are of more interest to the Police Department than the warming shelter.

Radtke confirmed that there was only one person that was not allowed back and asked if this was because of foul language. Hilts answered yes. Radtke asked if the hours are very strict, and Borchardt confirmed this. Radtke said it seems like people have come from all over and not just Wausau, people are both sexes and all races. Borchardt confirmed.

Nutting asked when they need the facility open. Sage answered that if this is approved on July 9, the renovations for the showers, male and female handicap accessible bathrooms, and washer and dryer installations will be made soon after. Sage said that they probably wouldn't be in the building until after September 1 and will open November 1. Nutting asked if this facility would meet all of the needs of the office staff. Sage answered yes.

Marquardt asked how many staff members there would be. Sage answered eight. There will be two additional offices for future expansion.

Nutting said the facility needs office and shelter and asked if this would be on a permanent basis. Sage said they intend on signing a 5-year lease so the repairs could be amortized over that time period. This building was previously the headquarters for a political party in Marathon County and there is already the infrastructure for computers.

Radtke motioned to approve a conditional use at 540 South 3rd avenue to allow for a warming center for the homeless and offices for Catholic Charities, in a B2, Community Service District. Bohlken seconded, and the motion carried 4-1. This recommendation will go to Common Council on July 9, 2013.

PUBLIC HEARING: Rezone 1500 Grand Avenue from B3, General Commercial District from R3, Two Family Residence District (City of Wausau).

Bill Nagle, 1018 Graves Avenue, said that he supports the rezoning. All of the property to the north, west, and south is R3 zoning, except for the cemetery and monument building. This small B3 zoned parcel looks like a spot zone and contributes to traffic problems that Grand Avenue faces. R3 zoning would be compatible to the neighborhood. Nagle shared an email with the commission from Mr. Zietlow which said the current owners are intending on working with the City and would never sell to a tobacco and liquor outlet and are intending on pulling the tanks and donating the lot to City. Nagle said he didn't know what kind of deed restrictions would be put on the property, but he supports any activity that is a compatible use.

Mary Celing, 2413 Oakwood Boulevard, said that this is the first time that she has heard about a tobacco and liquor outlet and is against that. This is a family friendly neighborhood and a tobacco and liquor outlet would not be in the best interests of the neighbors.

Debra Ryan, 702 Elm Street, said that she has worked with low income housing and others that live in this area. This would be a great location for a small grocery store or coffee shop. The people at North Central Healthcare are able to get groceries by bus, and a grocery store would offer the elderly or others without vehicles another option. There are other uses that would work well here.

Jan Langlois, 2618 Emerson Street, said that she has lived here for 23 years, has four children, and has lived in large communities before. A tobacco and liquor outlet at this location would be a terrible mistake. This area does need a small grocery store within walking distance. Langlois asked that the commission consider not zoning this property for an alcohol establishment.

Marquardt closed the public hearing.

Lenz said that the petition is to rezone to R3 zoning. As Nagle said, prior to the meeting, there was a discussion with Kwik Trip. They have been willing to partner with city and seem to be reliable partners. The current store is still open, so there is time before another use will go in there – staff recommends tabling the item until there are more discussions with the owners. He said if the property is rezoned to B1, it would allow a small grocery store, coffee shop, etc., but liquor stores would also be permitted. He feels the best solution is not necessarily a zoning change, but to partner with Kwik Trip to find something that is mutually beneficial.

Radtke motioned to table the rezoning request at 1500 Grand Avenue. Nutting seconded and the motion carried unanimously 5-0.

PUBLIC HEARING: Amend Wausau Municipal Code 23.12.140(c) by extending an additional five years to the deadline requiring all residential driveways and parking areas to be hard-surfaced.

Radtke said she cannot participate in this item because of a conflict of interest.

Elizabeth Neumann, representing Creative Furniture Group LLC and Creative Finance Group LLC, said that they own over 100 houses in and around Wausau and she is against this ordinance. The average cost to pave the driveways would be \$2,300. This would cost the tenants \$38 more per month. The cost is excessive and would be a hardship on the company.

Tom Gerum, 2400 Emery Drive, said he is against this ordinance and also owns rental property. The reason behind the ordinance was because the sand goes down the city sewer and they have problem cleaning it and feel that that the driveways bring the gravel to the street which runs down the sewer. On Evergreen Road, there aren't any gravel driveways and the garages are full of sand from the city. Blue buckets are placed on the sidewalks for residents to throw on the sidewalks and driveways, which is where the sand is coming from and not from the driveways. Gerum said he spoke to several people living on North 6th Street who said that they are mainly owner-occupied properties and are living on a shoestring budget. The average cost will be more than \$2,300. The asphalt companies don't have time and it will not be good for the city or residents. Gerum said he is against this ordinance.

Norbert Normand, 2220 North 13th Street, said that he has a gravel driveway and the cost is estimated at \$5,000. Normand said he wrote a letter to Mayor Tipple and City Planning. Normand said he has been able to do a scientific study and the sand is not from the gravel driveways, but from Public Works. The sand and gravel could be recycled and used for the next year. Normand said he mulches the

leaves into the lawns, whereas the vast majority of neighbors put the leaves into the street. The leftover leaves and sand are eventually put down into the sewer. The gravel has been there for 30 years. Normand said he is opposed to the ordinance. There are older people that cannot come up with this money. There have been all kinds of decisions made by the city and asked the commission why they would want to do this to the residents.

Kathy Baumann, 11542 County Road O, said that they own five rental properties that have gravel driveways and she was never informed of this ordinance as they don't live in the city. Baumann asked why this only goes for residential properties and not commercial properties. Baumann also asked why an area needs to be paved if the alley is not going to get paved. Bauman said that 5,000 cubic yards of material is picked up by the street cleaners. Baumann said she sent an email to Don Skare who said that 4,130 cubic yards of sand was purchased in 2009; 2,290 cubic yards in 2010; 2,064 cubic yards in 2011; and 3,000 cubic yards in 2012. The majority of the sand is mostly from the City. The ordinance should be repealed or the properties grandfathered in. The owners should have been notified and that a way to notify property owners is to send out a blurb on the tax statement.

Arden Emmerich, 453 Grand Avenue, said they own rental property and some have paved driveways and some do not. In 2008, this ordinance was created in anticipation for stormwater regulations for DNR compliance, which has not yet happened. The reason for this ordinance does not exist anymore. Emmerich said he recommends the driveways be grandfathered in. Emmerich asked why the driveways on Jefferson Street should be paved when the alley will not be paved. It doesn't make sense to pave driveways going to a gravel alleyway. The salt and sand that gets washed down the sewer system is from paved driveways and not the gravel driveways. Tenants are low-income and cannot afford increases. The ordinance will create a greater problem of affordability because the rent will need to be increased due to hard-surfacing of the driveway. Most renters pay \$400-\$500 and a \$30-\$40 increase will put them in an inability to rent. This is not proving to be in the best interest of housing all of Wausau's citizens. It would look nice, but it's an affordability problem.

William Miller, 112 North 36th Avenue, said he has been a resident of Wausau since 1954 and moved into his house in 1969. The house was on an old farm and the barn has since been razed. Miller said that the driveways are old and the house was built 150 years ago. The cost to pave the driveway will be near \$10,000. Miller said he watches vehicles get stuck on the hill and the City gave him a little sand to get into his driveway. Miller said that this ordinance is not going to be good for the economy and the existing properties should be grandfathered.

Sarah Ruffi, 627 Jackson Street, said she commends the City for anticipating the State regulations, but since the State didn't follow through with the ordinance it may need to be amended. The City role is for safety. As others have stated, the sand runoff is not from gravel driveways and it will be a huge expense to taxpayers if alleys have to be paved. This will be a financial burden to the property owners. Ruffi said the ordinance should be withdrawn or removed, but said the intention was in the right place.

Dick Holster, 2808 Franklin Street, said he would like to echo the same things that have already been said. It would be an appropriate thing to have the existing properties grandfathered in. Any alley improvements would be an assessment to the property owners and would affect tenants and rental properties. Hard-surfacing all these driveways will create additional runoff and since there will be less area for rainwater to soak into, it will cause problems to the stormwater system. Holster said that he could understand the need for new construction or significant remodeling to be hard-surfaced. Holster also said that the Engineering Department would need to set grades for the hard-surfacing.

Jason Granec, 806 Plumer Street, said that he can appreciate that the city was anticipating new regulation from the DNR and reminds the commission that the economy was in a far different place in 2008 when this ordinance was created. Granec said his driveway runs the entire lot and is not looking forward to

paving it. There is little to no runoff. The situation has changed and property owners will be double-hit if alleys need to be paved. Granec said he is opposed to the ordinance and properties should be grandfathered in or repealed.

Marquardt said that a letter was received from John Fischer of Emmerich Properties.

Bob Voigt, 1819 North 7th Avenue, said that there are several reasons that the ordinance should be repealed. Since the DNR failed to pass regulation, it should be repealed and that he doesn't see truckloads of gravel coming into town. Voigt said he would rather see homeowners take the money and put it into home improvements. Older people have a hard time paying their bills and this will create a lot of problems and a hardship. There are too many homes going to banks and this ordinance should be repealed or properties grandfathered in.

Donna Normand, 2220 North 13th Street, said that she loves the area and in order to pay for this extra expense, they would need to tap into some retirement benefits. If residents do not pave their driveway, they would be fined \$10/day. The best interest of the residents is to repeal the ordinance.

Marquardt closed the public hearing.

Lenz said that staff didn't have an official recommendation for this particular item. It was sort of passed on to staff from a previous time and situation. Alderpersons and citizens have brought up many concerns with the ordinance since it was published in the newsletter. Lenz said he agrees with much of the testimony, and personally doesn't feel at this time there is a strong need to enforce the ordinance based on the reasons why the ordinance was created.

Nutting said as a homeowner, property owner, and alderperson he was not aware of this ordinance. There is a whole lot to be aware of. Nutting said he sweeps out his garage to remove sand from the street. A lot of sand is put on the street for safety purposes and said that could be cut back considerably.

Nutting motioned to repeal Wausau Municipal Code 23.12.140(c) requiring all residential driveways and parking areas to be hard-surfaced. Bohlken seconded and the motion carried unanimously 4-0. This item will go to Common Council on July 9, 2013.

Petition to vacate 75th Avenue from Stewart Avenue to Highland Drive.

Marquardt said that CISM held a public hearing for this petition last week. One property owner was in favor of vacating the alley to expand his business.

Oberbeck motioned to approve the petition to vacate 75th Avenue from Stewart Avenue to Highland Drive. Radtke seconded and the motion carried unanimously 5-0. This item will go to Common Council on July 9, 2013.

Approve petition for annexation – Estes Express Lines, 5103 West Sherman Street (076-2907-324-0993, Town of Stettin).

Marquardt said that a property owner recently bought this property and needs to upgrade their sanitary sewer.

Radtke motioned to approve the petition for annexation – Estes Express Lines, 5103 West Sherman Street (076-2907-324-0993, Town of Stettin). Nutting seconded and the motion carried unanimously.

Discuss future agenda items for consideration.

There were no future agenda items requested.

Adjourn.

Radtke moved to adjourn. Nutting seconded. Motion to adjourn carried unanimously and the meeting adjourned at 7:50 p.m.

The Plan Commission is next scheduled to meet at 5:00 pm on Tuesday, July 16, 2013.