

PLAN COMMISSION

Time and Date: The Plan Commission met on August 20, 2013, at 5:00 p.m. in the Common Council Chambers of Wausau City Hall.

Members Present: Mayor Tipple, Marquardt, Radtke, Bohlken, Oberbeck, Nutting, Valitchka

Others Present: Lenz, Hebert, DeSantis, Saris, Gallo, Mohr, Crass, Reif, Menard, Werth, Jennings, 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 August 20, 2013 meeting.

Radtke motioned to approve the minutes of the August 20, 2013 meeting. Nutting seconded, and the motion carried unanimously 7-0.

PUBLIC HEARING: Approve a conditional use at 613 North 5th Street to allow for an expansion of a business incubator to include a commercial kitchen, in a R3, Two Family Residence District (YWCA).

Ann Saris, Executive Director for YWCA, said that she has been with the YWCA for 2 years and there have been women's business incubators for several years – most have been related to women's fitness. The kitchen was upgraded 2 years ago. The Wausau incubator has reached the capacity for their kitchen. The YWCA kitchen currently is used for snacks and meals for the child care area of YWCA. Joanne Gallo is interested in starting a catering business and is aware of the limitations. The menu would be limited to soup, BBQ sauce, or griddles for the farmers market.

Joanne Gallo, 616 Kickbusch Street, said that she inquired about needing the incubator space. Gallo said this is a perfect location, she fits with the business, and she has done a lot of work with the community. Gallo said she has spoken to David DeSantis and is fully aware of the restricted menu. Gallo also stated that she is willing to use another kitchen to make certain items.

Mayor Tipple closed the public hearing.

Lenz said that this property is residentially zoned. The conditional use would be to use the existing commercial kitchen for an incubator. This use is consistent with the programs offered by the YWCA. Staff sees does not foresee problems with the proposed use. Lenz said he received one call from a neighbor, and it was just a question about what was happening. The caller did not express support or opposition to the project.

Valitchka asked what would need to happen to have this be beyond the scope of a conditional use. Lenz answered that staff is considering the proposed use accessory to the primary use. It is in line with the other, permitted uses. Being that it is a catering use, it is not a completely different use, like a restaurant would be.

Nutting motioned to approve the conditional use at 613 North 5th Street to allow for an expansion of a business incubator to include a commercial kitchen, in a R3, Two Family Residence District. Valitchka seconded and the motion carried unanimously 7-0. This item will go to Common Council on September 10, 2013.

PUBLIC HEARING: Rezone 621 North 1st Avenue from UDD, Unified Development District to B2, Community Service District, and approve a conditional use for a parking lot (Mohr).

Michael Mohr, 4080 North 20th Avenue, said that this project is to expand an existing parking lot. The

parking stalls will be kept in line with the parking stalls that are already in place. The existing driveway is offset with Quaw Street and the new driveway will be realigned with Quaw Street. The main issue with this approval is the existing pine trees on the site. Mohr showed where the large group of trees is located to show where the trees line up with the drive aisles. If the trees near the front would be saved, the parking lot would be cut in half. The main reason for the tree removal is to maximize parking stalls. According to UHG, every stall is a person that could potentially be hired. Currently, there are approximately 50 more employees than there are stalls and they are parking on the street in residential areas.

Mayor Tipple closed the public hearing.

Lenz said that there have been discussions between staff and the petitioners on a couple different occasions. He said when staff looks at proposals for parking lots, one of the criteria is that existing trees be maintained. The current plan does not show any remaining. He said there have been a couple of different iterations on the plan; this one shows screening and landscaping on the west side of the parking lot. This is an improvement to the plan, but the petitioner is not proposing to save the existing trees. Staff had originally suggested that the existing trees be incorporated into new landscaping. He said the landscaping plan was received today.

Lenz continued saying the item on the agenda is to change the zoning; a conditional use is also required for a parking lot. This parcel was originally part of Stones Building Supply, which was rezoned to UDD. The parcel was split and the northern half was left over from the development. Part of the UDD approval was to clear the buildings and leave the existing trees. There are 150 year old trees on the site and it was hoped that they could be incorporated into a new development. The petitioners have stated why their plans are drawn the way they are.

Valitchka asked how many trees would be cut down and if it is absolutely necessary for the trees to be removed. Mohr said that there would 25-30 trees that would be removed. Valitchka asked if the rest would stay. Mohr answered that is all of the trees. Valitchka asked how work and watering will be necessary for the trees listed on the landscaping plan compared to with what naturally occurs. Mohr said the species that will be planted are salt tolerant. Valitchka asked Mohr if he would be able to show the commission a comparison of the existing trees verses the trees on the landscaping plan. Mohr said that all that he has is the site plan that he showed the commission earlier. There is a large cluster in the front and a small cluster in the back. Mohr said the pine trees do not provide screening as the canopy is high, but also said that they can appreciate the value of these trees.

Nutting said that there are concerns he sees, as Wausau is a Tree City USA and now these trees will be knocked down. A visual aid would be helpful. Mohr said there aren't any pine trees in the immediate area. All other trees are deciduous and he is not sure how the pine trees would fit. From a maintenance standpoint, the needles would stick to the parking lot whereas leaves would blow away.

Mayor Tipple asked Mohr how large the trees that will be planted will be. Mohr answered the trees will be 2 1/2" in diameter, when they are first planted. Mayor Tipple said that there has been city involvement with UHG for 9 years. UHG has struggled with parking interfering with the neighborhood. This seems to be a more economical answer for UHG, rather than tearing down houses. Parking is a limited commodity.

Oberbeck asked if it has been considered to carry the landscaping into the existing parking lot. Mohr answered that the plans are limited to the new lot. Some of the existing parking lot is still leased from Stones and it is something that they may be open to. Currently, the landscaping is at 10% landscaping, with the strip of sod over the curb line it is 20% landscaping, over the 3% code minimum. Oberbeck asked if boulevard trees would be in conflict with this plan. Marquardt answered that the 1st Avenue trees

were not planted in the boulevard area because of the pine trees on the private property. The city forester will typically look at the change to see if anything should be added. Oberbeck said that different types of trees may look odd as they grow.

Lenz said that staff typically reviews the landscaping plan and they can pay attention to certain items if the commission would like. The lighting and stormwater plans are also typically reviewed at staff level.

Bohlken moved to rezone 621 North 1st Avenue from UDD, Unified Development District to B2, Community Service District, and approve a conditional use for a parking lot, with the condition that staff approves the landscaping, lighting, and stormwater plans and recommends that boulevard trees get planted if they fit with the landscaping. Radtke seconded, and the motion carried unanimously 7-0. This item will go to Common Council on September 10, 2013.

PUBLIC HEARING: Rezone 600 & 602 East Kent Street from M1, Limited Industrial District to R3, Two Family Residence District (City of Wausau).

Russ Crass, 410A North 10th Street, said he is with Channel 9 and was just wondering the reason behind the rezoning. Mayor Tipple said that will be answered.

Mayor Tipple closed the public hearing.

Lenz said that the rezoning change was initiated by city staff. The 2nd page of the packet shows the current zoning being M1, industrial zoning, for the parcel that was the former landfill. Since the uses are changing to a soccer complex, it would be a good time to rezone it to a residential district. R2 and R3 zoning is on the north, south, and west sides of the property. This will make the zoning consistent with other properties in the area. With a recreational facility, residential zoning will allow accessory uses, such as concession stands and maintenance sheds, to be built. In short, it is to make the zoning consistent and clarify the acceptable uses so plans can move forward. He said there are still some industrial properties left in the area, particularly near the railroad tracks, including the Channel 9 property.

Valitchka asked if the R3 zoning immediately south of the M1 zoning is part of the Eau Claire River Conservancy in Schofield. Lenz answered it is the conservancy, but the part immediately adjacent is still in the city of Wausau. Valitchka asked who owns the parcel zoned M2. Lenz answered Channel 9.

Marquardt moved to rezone 600 & 602 East Kent Street from M1, Limited Industrial District to R3, Two Family Residence District. Nutting seconded, and the motion unanimously carried unanimously 7-0. This item will go to Common Council on September 10, 2013.

PUBLIC HEARING: Approve Maps and Plan for Proposed Creation of Tax Incremental District Number Ten.

Bill Reif, CEO of Wausau Coated Products, said that they built the property on 77th Avenue in 1981. They grew out of the 20,000 square foot facility and acquired the building by Mid-State Ice Company. The building was torn down and built out in 2001. They have 125,000 square feet of space and are growing and have run out of space. The property is hemmed in on all sides. Stewart Avenue is to the north, a swamp to the east, 77th Avenue and the south, and Wausau Lift Truck is to the west and they will not sell. Reif said that they started to look at the old Fiskars building when it came up for sale to see if it could help with the space requirements. Reif said they don't like to operate in separate buildings and there is a plan to build over 77th Avenue and connect to the north end of the existing Wausau Coated Products building. The north end of 77th Avenue would need to be vacated, the loading docks on the south end of 77th Avenue, and the loading docks of Wausau Lift Trucks would no longer be accessible to Stewart Avenue. Reif said they have come up with the idea of building a new road off the south end of

77th Avenue, which would head straight west going parallel to Highway 29 and will eventually hit 80th Avenue on the far west end of the property, which feeds north to Stewart Avenue. The new road, which Wausau Coated Products and Wausau Lift Truck would use, would enable Wausau Coated Products to build a 30,000 square foot connector building. This would allow the use of the 45,000 square foot Stewart Avenue building plus the building for expanded manufacturing. There would be 20-30 new employees in the next 2 years. The main Fiskars building would be leased out. There are 2-3 clients that would be interested which would increase employment growth. The goal is to grow the 125,000 square foot building to a 200,000 square foot building and add employees. The leased property will add employees and 1-2 of the businesses that are interested do not currently operate in Wausau or the industrial park.

Chris Menard, Vice President of Finance for Linetec, said Linetec has been in the industrial park since 1983 and started with 22 employees. They now have 362 employees. Menard said they would like to expand the facility and are planning on a \$4 million expansion to handle the volume. Recruitment for salary and direct labor positions are currently happening. An issue that could be addressed with TIF plan is what is referred to as Lake Linetec. During large rainstorms, the road floods out. Photos are included in the plan. Cars have been stalled and hope that this can be resolved and improved.

Ann Werth, Director of Community Development, said this is an exciting project. The growth of these businesses is astounding and it gives a new sense that things are changing in the community and in manufacturing. TIF 10 is an industrial TIF and takes in both of these properties to correct the water issues and address the roads. One hundred new jobs will be created for the community. The property that was formerly Badger Attachments on 60th Avenue is also included with this TIF. The property was foreclosed to Anchor Bank and has different spaces, high ceilings, and welding stations. Companies are looking for these things when they are looking for industrial space and TIF could offer opportunities to businesses that would want to relocate to this area. When new businesses come to town, they do not realize there are two industrial parks. The south park is old and tired, needs way-finding signs, and needs to be brought up to the standards. The entry way into the business campus will be addressed in TIF 10.

Mayor Tipple closed the public hearing.

Lenz said that the speakers have summed it up well. A map, in the packet, of the industrial park shows the existing TIF districts, and the boundaries do not overlap. This has gone through the Economic Development Committee and Finance Committee and both have unanimously recommended the plans and maps. Staff worked on the plan and thinks it is a good one. The recommendation from Plan Commission will be forwarded to Common Council. The Joint Review Board, consisting of the other taxing jurisdictions, will vote to approve the item after Common Council.

Mayor Tipple said that Linetec will have 20 jobs and Wausau Coated Products will have 20-30. Fifty jobs are precious in this economy. Mayor Tipple thanked the businesses for the contributions and said it is quite impressive that they have stayed locally owned.

Nutting motioned to approve the maps and plan for proposed creation of Tax Incremental District Number Ten. Bohlken seconded, and the motion carried unanimously 7-0. This recommendation will go to Common Council on September 10, 2013.

Amend Precise Implementation Plan for 3200 Hilltop Avenue to allow for a garage and expansion of a fenced-in area.

Lenz said the zoning of The Women's Community is UDD and they are looking at making a couple of changes to the site plan. The 2nd page of the memo shows the garage that would be located on the northeast corner of the property – it is circled in red ink. The other images in the memo show different

renderings of what the garage would look like. When staff reviewed the request, they felt it was not large enough to warrant a public hearing. Suggestions were offered to the petitioner to improve the plan. A suggestion was to move the garage to the west so it is more in line with the setback of the main building. Another suggestion was to look at the architectural details of the main building to see if those could be carried over to the garage. The second part of the amendment is for the fenced-in area, which just recently came to the attention of staff. Lenz asked for some more detail on the fencing.

Jane Graham Jennings, 3200 Hilltop Avenue, said the fenced-in area is extending the play area 100 feet so that it will be a private play area. There are sometimes 22 children and it is not big enough for the children to run off their energy. This will not change the landscaping, structures, or stormwater retention, just putting a fence up. Lenz asked if the setback of the property to the fence is 26'. Jennings said it is a 26'. Lenz said that it looks like the fence will go through the stormwater pond and asked how that will be done. Jennings said it is a small indentation in the area with just grass and added that if there was any water the kids would get to jump in it. Marquardt said that the stormwater management plan states that the city is responsible, if the property owner fails to maintain it. Marquardt said that if it would get clogged and the city would need to get in, there would be a fence that the city would need to get through. Marquardt said that there was a complaint about storm puddles or ponds forming on streets and there was the fear of children drowning. Jennings said that there hasn't been any standing water. Marquardt said that is how it is designed to act, but at some time maintenance will be needed. Jennings said that when they originally spoke with Scott Turner, who did the design, he said the fence shouldn't affect how everything works in the area.

Hebert asked if the fence will be 8' tall. Jennings answered yes. Hebert said the 8' fence, zoning-wise it is okay, but fences in residential areas have a max of 6' and 3' near the roadway. This is a highly visible area and it will stick out, especially with future developments. Jennings said that is why the tall fencing is critical because of the hill and to make sure that families feel safe and secure. Hebert asked if there would be another location on the site that could be used. Jennings said that there isn't any. Hebert asked if the area north of the fenced-in area is strictly parking. Jennings answered yes.

Valitchka asked if the city would be responsible if something goes wrong with the stormwater pond area. Marquardt said if the property owner doesn't take care of it; the city has the right to perform the work and charge the property owner for it. Valitchka asked what type of fencing material will be used. Jennings answered that it would be natural cedar.

Hebert said that he received a call about work being done without a permit and advised them of tonight's meeting.

Oberbeck asked if the play area will consist of grass only or if there would be playground equipment. Jennings said that there is already playground equipment, which is what is taking up so much space. There isn't a place for older children to throw a football or that sort of thing. Oberbeck asked if there are any concerns of the stormwater infiltration as it is used as a play area. Marquardt said that the more people use the area, the more compact the soil will get, and the more maintenance problems there will be. Marquardt asked if it was 100 yards or 100 feet. Jennings answered 100 feet.

Nutting asked if the owner is aware of the remedial action could be done on a regular basis and if that action doesn't take place, what type of equipment or access would be needed. Marquardt said that is a tough question to answer and it is based on the severity of the problem. A well-compacted area may need an excavator, but simply aerating the area could be done with a smaller area. Nutting asked if an annual aeration would be recommended as general maintenance. Marquardt answered it's possible, but that he's not a landscaper.

Valitchka asked Jennings if her contractor has advised of these issues with ponding. Jennings answered

yes. Valitchka asked if the drain tile allows for a play area with the function of the space still working as a stormwater system. Jennings said she is not sure why the drain tile was installed and the engineer had taken care of that. Valitchka said further investigation may be helpful. Marquardt answered that it could be.

Lenz asked if a gate could be added as this would help the concern of how the city would get in. Jennings said that panels could be removed. Lenz said that he shares the height concerns because when going uphill from Hilltop Avenue, the fence will appear even taller than 8 feet. When looking at the garage, staff wanted it to be pushed back so that the main building would be the focal point, but now the fence seems to be a bigger issue.

Valitchka asked Jennings if she spoke with the nursing home. Jennings said that they haven't heard anything and have spoken with them. Valitchka said he understands the purpose of the fence and doesn't share the same concern. Valitchka added that he wants to make sure the owner understands the reasons for annual maintenance and there is a way to get to the stormwater area.

Oberbeck asked if the city typically allows stormwater areas to be used for multiuse or is it devoted only to stormwater. Marquardt said that there are 3 areas for stormwater ponds on this property. The pond that the fence is going over is more of an infiltration area. These are typically seen on business developments and not used by residents. In subdivisions, they are usually incorporated near water retention ponds and are normally offsite. This is a unique situation for a residential building and because of the site conditions it is spread out. Oberbeck asked if there is anything special to the construction of these that underlie it. Marquardt said that he would need to look back at the report. Oberbeck said that normally when areas are designated as stormwater retention, they are only for that purpose. Marquardt agreed. Oberbeck said it is required for rain gardens that the soil doesn't get compressed and asked if there was the need for such characteristics. Marquardt said he would need to look at the report and see the recommendation. Jennings said it is just grass, no other landscaping.

Mayor Tipple said there seems to be some concern about the fence height and asked if there was consideration for something flared that would give the screening as you would come down the hill. Oberbeck said he is not sure. Valitchka said the idea of the high fencing is that outsiders couldn't look in. The north and west is the highest and Valitchka asked if the 8' fence would do what it needs to do. Jennings answered yes.

Oberbeck asked if landscaping, such as trees, could be done to break up the fence at the corner. Jennings said that grasses will be moved in front of it. Lenz said he agrees with the suggestion of landscaping to break up the blank wall and maybe that would be a decent compromise. Mayor Tipple said coming from 32nd Avenue to the south, it is a gorgeous building and it wouldn't hurt to soften the fence. Some consideration should be given to break up the long fence line. Oberbeck said that trees along the fence and driveway would help break it up, give shade to children, and giving water to trees would help with the stormwater system. Jennings said that there are security concerns with trees, depending on the type of tree, with people climbing trees to see people and the possibility of ambushing people while hiding behind the trees.

Marquardt asked the purpose for the garage and the purpose for the location. Jennings answered that security is the reason for the location. It is set far away from the building to ensure someone couldn't climb up on the building and get into the secured area. The garage will be used as storage for equipment like plows, mowers, and short-term storage for donations for the families. Jennings added that Miron Construction is donating the time and labor, the Women's Community only needs to pay for the materials. Valitchka asked if they could be asked to match the design to overall design. Jennings said they had tried to do that when designing the garage. Lenz said that staff liked the features of the gables, paneled doors, and shingles, but we always try to avoid blank walls, especially facing a street. Some

landscaping on the east façade of the garage could be recommended.

Valitchka asked Lenz if these changes would not warrant the public hearing. Lenz answered that he still feels that is the case, but it is up to the commission. Valitchka said the petitioner has heard the city's concerns and asked Jennings if there is the ability to compromise. Jennings said a compromise could include putting landscaping near the fence and the garage and ensure the stormwater system is maintained. Mayor Tipple said the stormwater system item wouldn't need to be included since it is in a previous agreement.

Valitchka motioned to amend the precise implementation plan for 3200 Hilltop Avenue to allow for a garage and expansion of a fenced-in area with the condition that landscaping would be placed near the fence and garage as approved by staff. Bohlken seconded, and the motion carried unanimously 7-0. This recommendation will go to Common Council on September 10, 2013.

Discuss the matter on how items get sent to Common Council (Oberbeck).

Oberbeck said he added this item to get clarification on how items get taken to Council. The items should be clearly identified. Recently, there was a resolution that had specific requirements that staff was to work with elevations and overall look of the building. Oberbeck said he is looking at a way for the Plan Commission, which does a thorough review, can put forth items that are strongly viewed. The plan had remained unchanged even though it should have been changed. Mayor Tipple asked for the specific example. Oberbeck said it was regarding the Subway. It remained unchanged and there was indication to look at it, change it, and bring back a revised plan. It came to Council unchanged.

Lenz said the directive from Plan Commission was to work on architectural details, but Common Council did not authorize the same directive. Staff wanted to work with the developers on the details but Council left that part out of the motion. Lenz said when he asked for clarification at Council, the motion-er said it was intentionally left out. He said that particular plan did change from what was first proposed – staff tried to nudge the developer to a better design, but without Council directive, we don't have the teeth to require dramatic change. The developers took some advice from staff and changed the plans slightly. He said recommendations can be put into resolutions that the developer will do this and if Council approves it, it is part of the resolution that must be followed. He agreed that sometimes the directives may not be clear to Council and bullet points could be used.

Oberbeck said that the discussion occurs here, but is not done at the Council and they can easily remove it. The entire presentation is not during Common Council, and all the bodies may not understand it fully. The Briq's property turned into two separate parcels. The intent was a UDD, but the lease agreements began to separate the parcel. Oberbeck asked if it would truly be a UDD then. One of the UDD requirements is that the buildings are complementary to each other. Oberbeck said he is trying to figure out what the role of the Plan Commission is as far as bringing forth the information more cohesively and to stress the importance.

Mayor Tipple said the commission needs to be definitive on what the desires are; otherwise it is not doing the job. If the Plan Commission wants the building to be turned a certain way, it needs to be indicated. If Council is overlooking an item, it should be brought back to Plan Commission or tabled. This is where the plan should be all sorted out.

Oberbeck said that instead of Council voting on it right away, it may need to be brought back here. On the Briq's project, the commission did not see the whole project. The commission either has to trust staff or be more involved until it is fully developed. Mayor Tipple said that when it leaves this commission, it should be ready and staff needs to be trusted. Hebert added that the commission only meets once a month and said the week before Miron submitted the plans for the garage and on the way home he noticed a

fence was also going up. Items try to get squeezed onto an agenda. If the item was postponed a month, some items may have been clarified. Hebert said we try to accommodate people and their time frames. Mayor Tipple added that in some other communities, items stay in the committees. There should be a happy medium. Oberbeck said that when items go to the state for review, it is done right or is not approved and said that the commission could meet more than once a month for the best interests of the city. Lenz said that with the urban design standards being developed, there would be some room for discussions to facilitate a speedy development and to help everyone understand the process. There may need to be some clarification on the levels of approval. With the standards, it would be easier for everyone – staff, committees, Council, and developers – to determine what is good and what is bad.

Valitchka said the significance is that Common Council has the ultimate authority. Plan Commission needs to feel comfortable that we have all of the information. There have been instances in which those who are promoting the project indicate there is a timely issue and there is money on the table. Sometimes time constraints can influence the commission. If it is a good development, it could withstand the scrutiny of waiting another 30 days. The commission may need to slow it down a bit. Mayor Tipple said that the design standards would be very helpful.

Updates and future agenda items for consideration.

There weren't any updates or future agenda items for consideration.

Adjourn.

Valitchka moved to adjourn. Radtke seconded. Motion to adjourn carried unanimously and the meeting adjourned at 6:25 p.m.

The Plan Commission is next scheduled to meet at 5:00 pm on Tuesday, September 17, 2013.