

## PLAN COMMISSION

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Time and Date: The Plan Commission met on Wednesday, April 29, 2015, at 5:00 p.m. in the Common Council Chambers of Wausau City Hall.

Members Present: Mayor Tipple, Rosenberg, Bohlken, Gisselman, Lindman, Oberbeck

Others Present: Lenz, Hebert, DeSantis, Stephenson, Wagner, Xiong, Donovan, Bayba, Halverson, Olmsted, Ryan, Henning, Mudrovich

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

Mayor Tipple called the meeting to order at 5:00 p.m. noting that a quorum was present.

### **Approve the minutes of the Tuesday, March 17 meeting.**

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Gisselman motioned to approve the minutes of the March 17, 2015 meeting. Rosenberg seconded, and the motion carried unanimously 6-0.

### **PUBLIC HEARING: Amend Wausau Urban Sewer Service Area**

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Mayor Tipple closed the public hearing.

Lenz said that this would add two separate areas. The first addition would be for a potential development that was recently annexed into the city. This currently is not part of the sewer service area. The DNR does not permit utility extension if the area is not part of the Wausau Urban Sewer Service Area. The second area is the area near Kent Street that is considered for a proposed nature center. An area west of the proposed area was also added since it should have originally been included. Lenz said that when something is added to the area, something of equal or greater value needs to be taken out. Lenz stated that a second map in red shows the area to be removed from the Sewer Service Area. This area includes properties where most owners have private septic systems. These areas will be submitted to the MPO and DNR for approval, if approved here.

Rosenberg asked if the difference could be banked for a future time. Lenz said that the plans will be updated and the DNR may give credit in the future. Rosenberg said the original acreage and the acreage at the time of redoing the plan can be compared and said it is good to make sure that we don't take away too much, since we may need that in the future. Lenz said that he would clarify and work to get credit for the additional land.

Oberbeck motioned to amend Wausau Urban Sewer Service Area. Bohlken seconded and the motion carried unanimously 6-0. This item will go to Common Council on May 12, 2015.

### **PUBLIC HEARING: Amend Title 23.14.020 and 23.14.030 of the Wausau Municipal Code to include a new conditional use to allow educational institutions with a parcel size 25,000 – 40,000 square feet.**

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Ann Stephenson, 1903 Lily Lane, said that she is the founder of Acton Academy in Wausau and thanked staff and the commission for reviewing this request. Stephenson said that there are currently eight students in the private school and hope to cap out at 36 students. Stephenson said she would like to move downtown, but since it is treated like a school, more acreage would be needed. A nice spot was found at 630 Adams Street with enough space, but all of the church property is not contiguous and an empty wing is available in the building. It would be a huge win for all.

Mayor Tipple closed the public hearing.

Lenz said that the staff report shows the amendment that would be made. The item was brought to Plan Commission in February for introduction and the public hearing was authorized. This would add a

conditional use to the zoning code. The use would be allowed in residential zoning districts, but a conditional use would need to be approved for the lot size. The minimum of a 25,000 square foot parcel size was included so this would not be allowed on very small residential lots. Staff recommends approval. Mayor Tipple noted a typo on the staff report.

Gisselman motioned to amend Title 23.14.020 and 23.14.030 of the *Wausau Municipal Code* to include a new conditional use to allow educational institutions with a parcel size of 25,000 – 40,000 square feet. Oberbeck seconded and the motion carried unanimously 6-0. This item will go to Common Council on May 12, 2015.

**PUBLIC HEARING: Rezone 6815 Stewart Avenue from M1-P, Limited Industrial Park District to M1, Limited Industrial District. (Brian Luedtke Properties LLC)**

Mayor Tipple closed the public hearing.

Lenz said that the current zoning is M1-P and is possibly the only property in the city with this zoning designation. In the 1980's, district M1-P was established to restrict some uses. The district did not evolve as planned. Over time, the M1 and M2 districts have coexisted with the industrial park zoning. The parcel is flanked by M1 zoning on either side. The M1-P district never lived up to the intent and the petitioner is looking to change the zoning. The zoning and use will fit in with the neighborhood.

Bohlken motioned to rezone 6815 Stewart Avenue from M1-P, Limited Industrial Park District to M1, Limited Industrial District. Rosenberg seconded and the motion carried unanimously 6-0. This item will go to Common Council on May 12, 2015.

**PUBLIC HEARING: Approve a conditional use at 2221 Grand Avenue to allow for a community center for the elderly, in a B2, Community Service District. (Chong Tou's Elderly Center)**

Romey Wagner, 3500 Golf View Drive and alderperson for District #2, said that he has been working with the ladies and a business plan, and their families have successfully started a business. There is a need in the community for the business and the building. Wagner said he would like to show his and council and entrepreneurial support for the petitioners.

Mayor Tipple closed the public hearing.

Lenz said that the B2 district is the Community Service District and a conditional use would be needed for the community center. The community center is not specifically outlined in the ordinance, but uses closely related to a community center are listed for a conditional use. The location is a multi-tenant commercial building and seems to function fairly well. Staff recommends approval of the conditional use.

Mayor Tipple asked if a certification is needed from the state for the business. Kaila Xiong, 3515 4<sup>th</sup> Avenue, Stevens Point, answered that they are working with the state to get the license. The state needs to see that the use is allowed before the certification can be issued.

Rosenberg motioned to approve a conditional use at 2221 Grand Avenue to allow for a community center for the elderly, in a B2, Community Service District. Bohlken seconded and the motion carried unanimously 6-0. This item will go to Common Council on May 12, 2015.

**PUBLIC HEARING: Rezone 1550 Westwood Drive from R1, Single Family Residence District, to UDD, Unified Development District, and approve the General Development Plan to allow for a 132-unit multi-family residential development. (S.C. Swiderski)**

John Donovan, S. C. Swiderski, said they are working to establish the planning portion of the development. The development will be 132 units consisting of 8 and 4 families. Donovan said that this is a full-service company and they do not hire out any services. There are approximately 50 employees with 1,200 units in Central Wisconsin. In 2015, 200 units in 3 locations will be developed. This development will be consistent with their development plan. It is projected to start in 2016 and they are working with the city and asking for the consideration and approval of the development.

Judith Bayba, 3307 North 4<sup>th</sup> Avenue, said that she is opposed to the zoning change. It was only a few years ago, that a zoning change was completed that resulted in a change to 28<sup>th</sup> Avenue. This plan will also have consequences. The traffic volume will be greatly impacted. There are two blind intersections on curves on steep hills on Westwood Drive and it is very dangerous. Bayba asked if there is a need for the development. Bayba said there are many blighted and vacant properties in the downtown area that could be developed. The inner city areas will only further decline if the areas on the outskirts are developed.

Mayor Tipple closed the public hearing.

Lenz said that the handout is the overall plan for the area and apologized for not getting that in the packet. The general development plan approval is being requested and the approval for precise implementation plan will be requested in the future. The current item will be to rezone the property from a single family residence district to unified development district and approve the use, density and scale of the multi-family development on the property. This would be the first large development in the area and a number of things need to be considered. The future land use plan which goes over the goals, objectives, and policies has been reviewed. There is a mix of residential and commercial zoning on the map, as seen in the packet. Land annexed into the city is typically zoned residential, unless the owner requests a different zoning. There has not been a strong development pattern on the west side of Westwood Drive and there are some residential homes on Highway U and Westwood Drive. The contour of the property makes it difficult for larger scale development. This development could be seen as a step-down zoning as a barrier between the residential and commercial zoning. Details will be worked out in the precise plan.

Rosenberg motioned to rezone 1550 Westwood Drive from R1, Single Family Residence District, to UDD, Unified Development District, and approve the General Development Plan to allow for a 132-unit multi-family residential development. Bohlken seconded and the motion carried unanimously 6-0. This item will go to Common Council on May 12, 2015.

**PUBLIC HEARING: Rezone 404 South 3<sup>rd</sup> Avenue & 308 Stewart Avenue from B2, Community Service District, to UDD, Unified Development District, and approve the General Development Plan to allow for a convenience store and an 11-unit multi-family residential development. (Schierl Sales Corp.)**

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Andrew Halverson said that he is excited about this mixed use development. In order to have the mixed residential and commercial uses, it needs to be rezoned to UDD. The use is prohibited with the current B2 zoning. The buildings will be pushed to the perimeters and the parking will be located at the inner portion of the lot. Halverson said that they have met with the property owner directly to the west of the clinic, who indicated they wanted the parking as far away from their area as possible. This plan is very respectful of their wishes and the neighborhood while investing project costs of \$3.7 million. This proposal harnesses several of the priorities of the TIF #8 plan. Market rate for the residential units will be directed for working professionals. Halverson thanked the commission for the consideration.

Randy Olmsted, Labor Temple, said that he has a grave concern for this project and said he was not

contacted by the petitioner like he was in the past. Olmsted said he was concerned about the Clark Street vacation and said he wasn't sure what has changed from the previous project. The Labor Temple offers parking for their banquets, downstairs bar, and 12 offices. Olmsted said he wasn't sure how the parking lot and vicinities will affect their business. The parking lot enters and exits off of Clark Street. These are major concerns and they haven't been contacted to see the new project plans. Olmsted said he is not against new projects going in the area, but feels they should have been contacted. The commission should not approve this unless the plans are put into place.

Mayor Tipple closed the public hearing.

Lenz offered Olmsted to view the plans and said that the street vacation is a separate process and will go to CISM the following week for approval of the public hearing in June. The petitioners will be going through multiple committees for the project as a whole. Mayor Tipple said that the petitioner can speak to the Labor Temple representative after the meeting to view plans and discuss the parking.

Halverson said that they are working through several items in the correct order and are intending on having a conversation with the Labor Temple. Alderman Mielke had the parking concerns during the Finance Committee meeting. Halverson said they are more than willing to purchase the Labor Temple's share of the public right-of-way and are willing to work with the Labor Temple and other property owners. The main reason that the vacation of Clark Street needs to happen is because the convenience store encroaches 10' into the public right-of-way. The residential component will require 6 - 7 additional parking spaces for the dwelling. Halverson said he is willing to discuss numbers and take the burden on for use of the spaces. Olmsted said that he didn't remember there being enough access for 2-way parking where Clark Street will be vacationed. Olmsted said there is a steep hill and has a concern for angle parking in the winter. The last time this was proposed, this was all worked out ahead of time and Olmsted said this should have been discussed previously.

Lenz said that staff and committees are working through the details. The main reason that it comes to Plan Commission is to focus on the zoning aspects, such as land uses and site design. A large residential project was proposed in the area a few years ago that was approved but not built. Both the general development plan and precise implementation plan are included on the agenda. Some items can be addresses on the precise implementation plan. Items can be addressed at the staff level when details are given. A more detailed sign package will be reviewed in the future. The details were not nitpicked but will be reviewed if the developer agreement gets worked out. This item is for the basic zoning perspective and staff feels it meets the requirements.

Mayor Tipple asked for Rosenberg's feedback. Rosenberg said that he didn't want to speak for the campus, but this is a substantial project and is big enough to create some synergy in this area which is notoriously difficult to develop.

Deb Ryan, 702 Elm Street, asked to speak to the item. Mayor Tipple stated that the public hearing had been closed. The commission agreed to allow Ryan to comment. Ryan said that other members had wanted to comment.

Paul Henning, 1906 Hamilton Street, asked why the general development plan and precise implementation plan are both being approved at the same time. It seems inappropriate. There is a potential that this will be a good development. The precise implementation plan should be precise and include colors and landscaping. Henning said that it is very disturbing that nobody gets to take a look at the precise implementation plan.

Ryan said that she has lived in the neighborhood and has developed an eye for issues in planning. Ryan compared the clinic option to the Kwik Trip on Bridge Street and it seems to blend in with the property

and there is a better way to develop. There are some vacant properties, but a number of students are living in bigger homes with parking and storage. Ryan said that the plan seems overly tight. This is unnecessary and public money should not be used. Ryan said that losing Clark Street for an exit will create a problem. It is hard to get back onto 3<sup>rd</sup> Avenue from the property. The design is hodgepodge and overly developed. The areas are hidden where strangers could be. There is already a surplus in housing. Ryan said a coffee shop would be nice for a meeting place. This plan is too big with too small of a space and doesn't meet the needs of the area.

Mayor Tipple reclosed the public hearing. Mayor Tipple said there is a vacant, blighted building and this is a good plan. This will start the process. The city is lucky to have someone change the plan and come back to start the process again.

Lenz said that he does not believe it was the intent to ram the plan through the committee and council. In the past, the general development plan and precise implementation plan were approved hand-in-hand. Other details are not always planned at the beginning. The storm water plan gets deferred to the engineering staff. This is allowable at the same time to benefit the petitioner. Henning said that they don't own the land. Mayor Tipple reminded the audience that the public hearing is closed. Lenz said that the petitioners may be open to coming back. The petitioners have been working with staff and this was to be accommodating and try to consolidate approvals. Oberbeck stated that a lot of details need to be worked out. Access points on Stewart Avenue needs to be looked at. Oberbeck suggested that the approval for the precise implementation plan gets tabled for a future meeting.

Rosenberg motioned to rezone 404 South 3<sup>rd</sup> Avenue & 308 Stewart Avenue from B2, Community Service District, to UDD, Unified Development District, and approve the General Development Plan to allow for a convenience store and an 11-unit multi-family residential development. Bohlken seconded and the motion carried unanimously 6-0. This item will go to Common Council on May 12, 2015.

**Approve the Precise Implementation Plan at 404 South 3<sup>rd</sup> Avenue & 308 Stewart Avenue to allow for a convenience store and an 11-unit multi-family residential development.**

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Lenz said that as part of the UDD, it is a 2-step process. The second step would be to approve the precise implementation plan can be approved at this time or it could be tabled and brought back at a later date. Mayor Tipple added that a condition could also be that further plans be submitted to the Plan Commission.

Oberbeck motioned to table this item until the approvals from other committees are given. Gisselman seconded.

Rosenberg asked if it would be tabled for a specific agenda. Lenz said that during the next CISM meeting, CISM will formally authorize a public hearing. The public hearing would be held during the June meeting. The precise implementation plan needs to be approved before any permits are issued. Rosenberg said it doesn't seem to be a delay in the process by tabling the item until June. It is not the intention to vote the item down and it gives the opportunity for community discussion. It will result in a more open process.

Tom Mudrovich said he didn't object, but there is a very steep engineering cost. This is a difficult site. There is a steady grade of 7-8' of rock that needs to be fairly level. Retaining walls need to be designed and the engineering cost will be substantial of \$40,000. The engineering and planning staff will have the final plans at some time. It seems to be a pretty big gamble. Halverson added that he appreciates the flexibility and there are significant site and ground work with site constraints. There are numerous elements. Previously, there wasn't an element of negotiations and he wanted to avoid this time. Halverson said he'll be ready to submit the precise implementation plan after the process. There will be a

higher level of comfort in June. Halverson said he would rather wait until after the Economic Development and Finance Committees act on the requests. Lenz said that it could come back to the commission after the street vacation is finalized. Mayor Tipple asked if the street vacation comes to this commission. Lenz said that it would and the precise implementation plan could be discussed at that time. Oberbeck questioned how work can be done when they don't own it. The street is not vacated and not sure how it will work. Oberbeck questioned if the garbage location is shared and the access point details. There are a lot of questions before the level of detail can be approved. The commission discussed when the item should back to the commission.

The motion carried unanimously 6-0. This item will come back immediately after the necessary approvals.

### **Discuss and possible action on City of Wausau Design Standards.**

Lenz said that GRAEF was the consulting firm that was hired to put together the City of Wausau Design Standards. The Economic Development Committee was the driving force and the purpose is to increase the quality of development and to make the overall process better. This will give clear expectations and a smoother process. The Economic Development Committee reviewed the standards and recommended adoption. These will be used with leverage for development in TIF projects to judge developments based on urban design perspectives. It will be more informative and conversational, at this point. Plan Commission could look at the design standards for rezonings.

Mayor Tipple asked if this would be the next or the last committee. Lenz said that Economic Development Committee has accepted the standards and Plan Commission would be the final committee.

Oberbeck said that it is a step in the right direction and would be a higher standard. This would add value so others would follow. It is an increase for the environment and others to have increased value. It is a nice beginning to the process.

Gisselman motioned recommend adopting the City of Wausau Design Standards. Bohlken seconded, and the motion carried unanimously 6-0.

### **Next meeting date and future agenda items for consideration .**

The next meeting date will be May 19, 2015 at 5:00 p.m. No future agenda items were requested.

### **Adjourn.**

Lindman moved to adjourn, seconded by Oberbeck. Motion carried unanimously 6-0 and the meeting adjourned at 6:25 pm.

**The Plan Commission is next scheduled to meet at 5:00 pm on May 19, 2015.**