

## PLAN COMMISSION

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Time and Date: The Plan Commission met on Tuesday, July 21, 2015, at 5:00 p.m. in the Common Council Chambers of Wausau City Hall.

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

Others Present: Lenz, Hebert, DeSantis, Huotari, Clauss, Firkus, Johnson, Scholfield, Baregi

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 and welcomed Tom Atwell as the newest member of the commission.

### **Approve the minutes of the June 16, 2015 meeting.**

Bohlken motioned to approve the minutes of the June 16, 2015 meeting. Gisselman seconded, and the motion carried unanimously 6-0.

### **PUBLIC HEARING: Discussion and possible action on approving a conditional use at 640 South 3<sup>rd</sup> Avenue to allow for an indoor amusement establishment in a B2, Community Service District. (Huotari)**

Corey Huotari, 150 Joan Street, Medford, said that this is the old Pope's Hobbyland facility and the hope is to use it for indoor entertainment. The hours are listed and other information is in the packet that was sent out and he is willing to take any questions, comments, or concerns.

Mary Clauss, 314 Porter Street, said that she lives right across the alleyway and has a few questions. Is there going to be security provided as this is a rough neighborhood dealing with drugs and drug houses? How will drugs be enforced? How will gangs be handled and any fights? What kinds of games will there be or will be strictly laser tag?

Cole Firkus, 631 South 4<sup>th</sup> Avenue, said he would like to know how parking would be handled and if additional parking spaces would be needed.

Mayor Tipple closed the public hearing.

Lenz said two emails were received and distributed to the commission. He said the concerns were similar to those already stated. Hebert summarized the emails. The first email was from Sue Wolslegel and was concerned about the hours of operation, drug activity, and protection for children. The second email was from Elona Holdhusen who had questions about the parking, proposed hours, and drug and firearm protection.

Huotari said that the main event will be geared toward adults as an urban combat scenario. The equipment type is used for military training and is geared at those ages 15-35. The laser tag will be geared at those ages 5-15 and will have a different layout and different equipment. The closing time for the laser tag would be 9-10 p.m., but possibly earlier. At this time, there are no plans to run the business during the week, only Fridays-Sundays. Industry wide, security has never been an issue with this type of business and there are business like this in Chicago, New York City, Beijing, and other areas. Huotari said he wasn't aware of the large drug issue, but the neighbors would be the ones to know. There are plans to offer police, fire, and civilian training and home invasion protection training. A DVR surveillance system will be used which will be wireless and interactive with the internet so it can be monitored anytime 24/7, 365 days a year. Huotari said that this will be a 20-gun system and will require 4-5 cars for an average session. There are currently 17 parking spots. Hebert added that the off-street parking spaces are well within the required amount.

Lenz said that this property is zoned B2 and was a longtime local business and this use would require the approval of a conditional use. All uses allowed in B1 are also allowed in B2 and some uses, such as

taverns and tobacco shops, are permitted without a conditional use and could be seen as quite a bit more intrusive than this use. Staff recommends approval of the use as it's proposed.

Mayor Tipple asked DeSantis if he had any concerns about basement occupancy. DeSantis said that he reviewed the plans about the basement and has questions about the temporary walls. DeSantis said that Hebert spoke with Huotari earlier and it was agreed that it could be reviewed to address the lighting, egress requirements, and fire safety. Huotari said that a mobile unit will be used for the children where the walls will inflate. The walls will be coated with vinyl. DeSantis asked what the height would be. Huotari answered that it would be 8' maximum. DeSantis said that a 24" clearance to the ceiling is needed. Huotari said that it could be addressed with the manufacturer.

Bohlken motioned to approve a conditional use at 640 South 3<sup>rd</sup> Avenue to allow for an indoor establishment in a B2, Community Service District. Atwell seconded, and the motion carried unanimously 6-0. This item will go to Common Council on August 11, 2015.

**PUBLIC HEARING: Discussion and possible action on rezoning 2025 County Road U from R1, Single Family Residence District and R3-1, Two Family Residence District, 2211 & 2215 County Road U from R1, Single Family Residence District, and 1551 Westwood Drive, an unzoned parcel to IB, Interchange Business District. (Hocking)**

Dave Johnson, 3125 North 9<sup>th</sup> Street, representing Witter Land LLC, said they are requesting a zoning change. Witter Land LLC is currently working with Becher Hoppe. A small strip on the east side was sold and is pending the zoning approval. Marathon Town & Country will be moving from the area near Fleet Farm to this area.

Mayor Tipple closed the public hearing.

Lenz said that the land is shown on the 3<sup>rd</sup> page of the staff report and it is the southeast corner of County Road U and Westwood Drive. It is 3 large parcels on 34 acres total. It is zoned residential due to the default zoning when it was annexed. The proposed zoning would be compatible with the City of Wausau Comprehensive Plan, as the future land use map shows the area as commercially zoned property. The IB zoning is requested, which is also the zoning to the east and north of the subject parcels. Lenz said that the zoning change makes sense from a land use perspective. Access issues to the property are being worked out through other committees, and this will need to be finalized before building permits are issued. Staff recommends approval of the zoning change.

Gisselman motioned to rezone 2025 County Road U from R1, Single Family Residence District and R3-1, Two Family Residence District, 2211 & 2215 County Road U from R1, Single Family Residence District, and 1551 Westwood Drive, an unzoned parcel to IB, Interchange Business District. Oberbeck seconded, and the motion carried unanimously 6-0. This item will go to Common Council on August 11, 2015.

**PUBLIC HEARING: Discussion and possible action on rezoning 220, 306, 352 South 18<sup>th</sup> Avenue from IB, Interchange Business District to UDD, Unified Development District, and approving the General Development Plan to allow for a convenience store with gasoline sales and a carwash. (Baregi)**

Bill Scholfield, representing the Lindell family and John Baregi is available to answer any questions. The Lindell family has been part of area for many years and owns the Shopko building, County Market building, strip mall, and the former Marcus theatre. The process is continuing with a younger generation and is revamping the center. To utilize the footprint, UDD zoning makes the most sense.

Mayor Tipple closed the public hearing.

Lenz said the map on the 4<sup>th</sup> page of the staff report shows the lot which includes County Market, the strip mall, and the former Marcus theatre. UDD zoning offers flexibility and is alright in this situation because the overall site is being planned as a whole. There is a wide right-of-way at the corner of 18<sup>th</sup> and 52 Parkway – so he feels there will be adequate setback distances. The uses would be permitted in the current IB zoning, with the car wash being a conditional use. Staff feels that the uses are okay with this zoning and there aren't any major issues with the design. He pointed out some minor issues that were also listed in the staff report. First, the new sign being proposed is near the existing sign and looks to have an awkward arrangement with one sign potentially obstructing the other. He said the large letters on the building and other freestanding signs bring into question the necessity of the existing free-standing sign. The new sign appears to be in or near the existing riprap section of the parking lot which transitions into the culvert. He said landscaping plans are in the packet, but they only cover the new building. He said since the whole site is part of the plan, the edge of Stewart Avenue should be incorporated into the plans to match the new development and landscaping. New plans were submitted recently and were passed out to the commission members at the beginning of the meeting.

Hebert asked where the refuse would be stored. Baregi answered that it was originally planned to use the refuse area near County Market, but that does not make much sense since staff would need to walk around the entire building. The refuse area will be located on the Highway 52 side of the property and will be totally enclosed. It will be dressed up, and totally contained within the building walls.

Bohlken motioned to rezone 220, 306, 352 South 18<sup>th</sup> Avenue from IB, Interchange Business District to UDD, Unified Development District, and approve the General Development Plan to allow for a convenience store with gasoline sales and a carwash. Oberbeck seconded, and the motion carried unanimously 6-0. This item will go to Common Council on August 11, 2015.

**Discussion and possible action on approving the Precise Implementation Plan to allow for a convenience store with gasoline sales and a carwash.**

Lenz went over the requirements with the commission and the differences between the general development plan and precise implementation plan.

Gisselman motioned to approve the precise implementation plan with the conditions that the pylon sign for County Market along Stewart Avenue be removed and a new or additional landscaping plan be submitted to include the riprap area along Stewart Avenue. Atwell seconded, and the motion carried unanimously 6-0. This item will go to Common Council on August 11, 2015.

**Discussion and possible action on approving a public hearing for rezoning 1741, 1749 & 1757 North 3<sup>rd</sup> Avenue.**

Lenz said that this item is to authorize a public hearing for the rezoning, which would be held at a subsequent meeting if we agree that it should be done. The alderperson for the area is available to answer any questions. The property is currently zoned M1, Limited Industrial District, which is shown on the map as a grey shaded area. This is a unique situation; it is not something that would be done with today's standards. Public comments would be taken during the public hearing. This is the first step. Staff is willing to consider B1 zoning or to look at another zoning that is not manufacturing. The property around the subject property is essentially all residential.

Rasmussen said that the email that is in the packet speaks for itself. In the last 1960's, 1970's, and 1980's, Digman owned dwellings for the workers. The children inherited the property and sold it to two partners, who are parting ways and selling the property again. If this is zoned manufacturing when a new owner purchases and has an intended manufacturing use that is allowed per the zoning code, it could not be stopped. The neighboring owners are not anti-business, and the property is conducive to light

commercial.

Bohlken asked if the soil is contaminated. Rasmussen said that it could be. There is currently a mechanic business being run, but not sure of the contamination. Mayor Tipple said one resident is in favor of responsive zoning and the public hearing would be appropriate.

Gisselman asked if there is an active business operating now. Hebert answered there is one auto garage on the north end of the property and three houses on the 3<sup>rd</sup> Avenue that are being rented. One building on the aerial is gone and several small sheds on the aerial have also been torn down. Mayor Tipple said that it was a lumber yard at one time.

Atwell motioned to approve a public hearing to rezone 1741, 1749 & 1757 North 3<sup>rd</sup> Avenue. Bohlken seconded, and the motion carried unanimously 6-0.

**Discussion and possible action on a Second Amendment to the Transportation Project Plat for STH 52, Project ID 6999-03-28.**

Lenz said that CISM looked at this item during their last meeting. The Department of Transportation is planning their work on Stewart Avenue and as part of that there is a right-of-way plat that needs to identify all real estate needs, including easements. A temporary limited easement, or TLE, is identified at 209 Washington Street for the old train depot to replace asphalt on the driveway. This item passed CISM unanimously.

Gisselman motioned to approve the Second Amendment to the Transportation Project Plat for South 52, Project ID 6999-03-28. Gisselman seconded, and the motion carried unanimously 6-0. This item will go to Common Council on August 11, 2015.

**Discussion and possible action on the Public Participation Plan for the City of Wausau Comprehensive Plan.**

Lenz said that the update to the Comprehensive Plan is in the works. One step is to come up with a plan for public input and involvement. A document listing a series of meetings is included in the packet. The meetings will need to be noticed and invitations sent out for the open house. A website and social media pages will be created. The state requires the city adopting the Public Participation Plan.

Atwell asked what the reasoning for the public hearing at the end of the schedule is and suggested that it be moved to the middle of the process. Lenz said that one could be added in the middle, and the public hearing at the end is a statutory requirement to officially adopt the plan. Atwell said that then there would be other opportunities for public input.

Oberbeck asked if there could be district or neighborhood meetings for a more local approach at a school area. Oberbeck said that people have a more difficult time coming to a centralized meeting. Lenz said that could be arranged, especially since staff already attends neighborhood meetings.

Oberbeck motioned to approve the Public Participation Plan for the City of Wausau Comprehensive Plan. Gisselman seconded, and the motion carried unanimously 6-0. This item will go to Common Council on August 11, 2015.

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

The next meeting is scheduled for August 18, 2015.

**Adjourn.**

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Gisselman motioned to adjourn. Bohlken seconded, motion carried unanimously 6-0. The meeting adjourned at 5:50 p.m.

**The Plan Commission is next scheduled to meet at 5:00 pm on August 18, 2015.**