*** All present are expected to conduct themselves in accordance with our City's Core Values ***

OFFICIAL NOTICE AND AGENDA

Notice is hereby given that the Common Council of the City of Wausau, Wisconsin will hold a regular or special meeting on the date, time and location shown below.

Meeting of the:	**COMMON COUNCIL OF THE CITY OF WAUSAU**
Date/Time:	**Tuesday, September 23, 2014 at 7:00 pm.**
Location:	**City Hall (407 Grant Street, Wausau WI 54403) - Council Chambers**
Members:	Bill Nagle, Romey Wagner, David Nutting, Tom Neal, Gary Gisselman, Keene Winters, Lisa Rasmussen, Karen Kellbach, David Oberbeck, Sherry Abitz, Robert Mielke

Call to Order

Pledge of Allegiance / Roll Call / Proclamations

Presentations:

Public Comment: (Pre-registered citizens for matters appearing on the agenda)

Communications: (Mayor / Alderpersons / Department Heads or designee)

Committee Reports: (All standing and non-standing committees, commissions or boards)

File #	CMT	Resolutions and Ordinances	ACT
14-0903		Confirmation of Mayor's Appointments.	
14-0912	CISM	Resolution Approving modifications to 28th Avenue to address traffic access and flow pending development at 2800 Stewart Avenue	Approved 5-0
13-1109	FIN	Resolution Authorizing a 2014 Budget Modifications Due to Mid-Year Review	Approved 5-0
		Suspend Rule 1(D) Transmission of Committee Business to Council in reference to File # 08-0710 (2/3 Vote required)	
08-0710	FIN	Joint Resolution Approving amendment to Parking Space Lease Agreement between City of Wausau and Murdock Wausau Limited Properties	Pending
14-0913	PLAN	Ordinance Rezoning 1100 South Twenty Fifth Street from R1, Single Family Residence District, to UDD, Unified Development District (Wood)	Approved 4-1

Public Comment & Suggestions - (for matters not appearing on the agenda)

Adjournment

Signed by James E. Tipple, Mayor

This Notice was posted at City Hall and faxed to the Daily Herald newsroom on 09/18/14 @ 12:30 pm. Questions regarding this agenda may be directed to the City Clerk.

Please note that, upon reasonable notice, efforts will be made to accommodate the needs of disabled individuals through appropriate aids & services. For information or to request this service, contact the City Clerk at (715) 261-6620.

CITY OF WAUSAU, 407 Grant Street, Wausau, WI 54403

RESOLUTION OF THE CAPITAL IMPROVEMENTS AND STREET MAINTENANCE COMMITTEE			
Approving modifications to 28th Avenue to address traffic access and flow pending development at 2800 Stewart Avenue			
Committee Action:	Approved 5-0		
Fiscal Impact:	None at this time.		
File Number:	14-0912	**Date Introduced:**	September 23, 2014

WHEREAS, the property located at 2800 Stewart Avenue is bounded by Highway 52 Parkway, 28th Avenue and Stewart Avenue; and

WHEREAS, currently there is only one access point to 2800 Stewart Avenue, which is off of Stewart Avenue across from the Menards site; and

WHEREAS, in 2012, approval was received for allowing a right in/right out access point from 2800 Stewart Avenue onto 28th Avenue; and

WHEREAS, a development is proposed at 2800 Stewart Avenue that could possibly create 150 to 200 jobs; and

WHEREAS, due to the volume of traffic and the number of anticipated employees, a left in off of 28th Avenue is proposed to assist with traffic flow; and

WHEREAS, the Capital Improvements and Street Maintenance Committee met on August 14, 2014 to review the proposed modifications to 28th Avenue and recommends the approval of creating a left in off of 28th Avenue; and

WHEREAS, the Marathon County Infrastructure Committee met on September 11, 2014 to review the proposed modifications to 28th Avenue and recommends the approval of creating a left in off of 28th Avenue; now therefore

BE IT RESOLVED the Common Council of the City of Wausau hereby approves the creation of a left in off of 28th Avenue to access 2800 Stewart Avenue.

Approved:

_____

James E. Tipple, Mayor

CAPITAL IMPROVEMENTS AND STREET MAINTENANCE COMMITTEE

Date of Meeting: August 14, 2014, at 5:30 p.m. in the Council Chambers of City Hall.

Members Present: Rasmussen, Gisselman, Kellbach, Mielke, Abitz (arrived at 5:35 p.m.)

Also Present: Mayor Tipple, Lenz, Wesolowski, Gehin, Wagner, Neal.

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

Noting the presence of a quorum, at approximately 5:30 p.m. Chairperson Rasmussen called the meeting to order.

Discussion and possible action on potential modifications to 28th Avenue to address traffic access and flow pending development adjacent to Kwik Trip on Stewart Avenue

This item was taken out of agenda order.

Chuck Ghidorzi stated they have been working diligently to try to attract a couple of retailers to this site, which do not exist in our market place today. A new retailer would probably create 150 to 200 jobs and a volume of sales over $30 million. Currently there is one access to the site, which is essentially across from Menards. Approval was also received for a right-in right-out on 28th Avenue. What would dramatically help this development move forward would be a left in for traffic going north on 28th Avenue because of the volume of traffic and amount of employees. Therefore, there would be a right-in right-out and a left in on 28th Avenue. This would not only help in attracting these retailers, it would also help with the traffic flow. They have engaged REI to design the layout and it appears it would be easy to accomplish. There is 17' from face of curb to face of curb and the turning lane would be 11', which would leave 5' to 6' for a boulevard.

At this time Abitz entered the meeting.

Rasmussen stated this was briefly talked about in Economic Development. This would basically be a deceleration lane to stage traffic waiting to turn left so there is not a backup of cars at the intersection. She also noted that Economic Development was very excited about this project. The County and DOT do have jurisdiction as to whether the lane would get placed, but a resolution recommending the change to assist in developing the site would be beneficial.

Mielke moved to send a recommendation to the County and the DOT that the left turn lane be approved and constructed as proposed. Kellbach seconded.

Abitz questioned if staff had any concerns regarding the turn lane. Wesolowski stated his concern would be the length and location of the turn lane and he would expect REI to analyze that. Lenz asked if the median would prevent a left turn out of the site onto 28th Avenue and Ghidorzi confirmed. Mayor Tipple indicated the area exiting Kwik Trip and Menards is becoming a busy intersection and this would help alleviate some of the congestion. Abitz believes it is a great design overall, but questioned how the turn lane would be affected when the lights turn green for north and south traffic. Gisselman questioned if the area was properly aligned for the growth of traffic. Gehin questioned if a traffic analysis has been completed and Ghidorzi replied no. He added that the property is zoned IB and a development would generate traffic. It would be hard to judge the amount of traffic. He believes the modifications would help the flow of traffic and emergency vehicles. Rasmussen explained when Ghidorzi purchased the site it was brought to this committee. The original plan for the area was for traffic to exit on and off 28th Avenue. The plan for the area was retail and potential big box so this does dovetail with the original plan and would help with the flow on and off of Stewart Avenue. Abitz asked if the sidewalk on 28th Avenue and the turn lane from Highway 52 Parkway would have to be

shifted to incorporate the proposed turn lane. Wesolowski stated the center median would have to be reconstructed to create the turn lane but the sidewalk would not be impacted.

There being a motion and a second, motion to send a recommendation to the County and the DOT that the left turn lane be approved and constructed as proposed passed unanimously 5-0.

Agenda Item No.
4

STAFF REPORT TO CISM COMMITTEE – August 14, 2014

AGENDA ITEM
Discussion and possible action on potential modifications to 28th Avenue to address traffic access and flow pending development adjacent to Kwik Trip on Stewart Avenue
BACKGROUND
Ghidorzi will present development plans for the parcel bounded by 52 Parkway, 28th Avenue, and Stewart Avenue. Ghidorzi may be requesting alterations to the 28th Avenue roadway. Marathon County is the maintaining authority for this stretch of 28th Avenue. The Wisconsin DOT has maintained any access restrictions as part of the jurisdictional transfer.
FISCAL IMPACT
None at this time.
STAFF RECOMMENDATION
None at this time, plans were not made available to staff prior to this report. Marathon County is the permitting authority on 28th Avenue, any access will need to be approved by Marathon County. Any access restrictions owned by the Wisconsin DOT will also need to be considered.
Staff contact: Allen Wesolowski 715-261-6762

CITY OF WAUSAU, 407 Grant Street, Wausau, WI 54403

RESOLUTION OF THE FINANCE COMMITTEE			
Authorizing a 2014 Budget Modifications Due to Mid-Year Review			
Committee Action:	Approved 5-0		
Fiscal Impact:	Transfer from Contingency of $31,000		
File Number:	13-1109	**Date Introduced:**	September 23, 2014

RESOLUTION

WHEREAS, the Finance Committee considered and recommended a variety of budget modifications as outlined on the attached schedule;

NOW THEREFORE, BE IT RESOLVED by the Common Council of the City of Wausau, that the proper City Official(s) be hereby authorized and directed to modify the 2015 budget as outlined on attachment A.

BE IT FURTHER RESOLVED this budget modification be published in the official newspaper as required.

Approved:

_____

James E. Tipple, Mayor

MIDYEAR REVIEW

		Funding Requirement	General Fund	Funding Source Description	Water Fund	Sewer Fund
Expanded Audit Work	New Project	19,000.00	19,000.00	Council Membership Dues and Professional Services		
Inspections Ipads	Carryover Request	9,200.00	9,200.00	Fund from Council Agenda Management Software		
Police Body Armor	Carryover Request	7,438.00	7,438.00	Contingency		
Street Sealcoat	Carryover Request	174,028.00	159,108.79	Tid #6 for Thomas Street Overlay		
			14,919.21	Contingency		
Tree Removal, Grinding and Planting	Carryover Request	18,758.00	10,115.00	Grant Funding		
			8,643.00	Contingency		
Director of Public Works Recruiting	New Funding Request	16,000.00	10,560.00	Office Equipment/Seasonal DPW	3,360.00	2,080.00
		244,424.00	238,984.00		3,360.00	2,080.00
Total Contingency Transfer			31,000.21			

FINANCE COMMITTEE
Date and Time: Tuesday, September 9, 2014 @ 5:00 pm., Board Room
Members Present: Winters, Kellbach, Nagle, Oberbeck, Nutting
Others Present: Tipple, Groat, Giese, Kujawa, Werth, Wagner, Gisselman, Goede, Mielke, Abitz, Neal

Discussion and possible action regarding 2014 midyear review budget modifications - Tipple/Groat
Groat explained after year end there were several departments that asked for a carryover of funds in their operating budget which created an imbalance in the budget where we had more expenses than we had revenue. She indicated the committee had previously discussed looking for alternate revenue or funding sources for those carryovers.

Groat stated we had set aside funds in the budget for Council Ipads and Agenda Management Software for midyear 2014, however, the CIP Committee in discussion with IT, decided the Inspections Software should be the priority. She interpreted this to mean Ipad purchases would not be on the agenda for 2015 and therefore could be one of the funding sources. She stated it is now very popular to buy software as a service where you pay a monthly subscription fee versus outlaying a large amount up front, so this is how we felt we could handle the Agenda Management Software. She suggested using these set aside funds as well. She reviewed a spreadsheet of line items for the rest of the midyear budget modifications. Winters clarified we originally were budgeted to take $209,424 out of contingency fund, which has now been reduced to $31,000.

Motion by Nagle, second by Kellbach to approve the 2014 midyear review budget modifications as presented. Motion carried 5-0.

CITY OF WAUSAU, 407 Grant Street, Wausau, WI 54403

RESOLUTION OF FINANCE COMMITTEE			
Approving amendment to Parking Space Lease Agreement between City of Wausau and Murdock Wausau Limited Properties Committee Action: Pending Fiscal Impact: Reduction in parking revenue will be $33,600 annually			
File Number:	08-0710	**Date Introduced:**	September 23, 2014

RESOLUTION

WHEREAS, a Parking Space Lease Agreement was entered into on August 1, 2008 with Murdock Wausau Limited Properties ("Murdock") for parking spaces at the McClellan Parking Ramp and Jefferson Street Parking Ramp and has now expired; and

WHEREAS, the Murdock would like to reinstate the lease agreement upon the following terms ("amendment"):

1. 350 stalls – up to 300 stalls within the McClellan Parking Ramp and adjacent lot and up to 50 stalls in the Jefferson Street Parking Ramp
2. Parking permit monthly rate of $27 per space for the five (5) year term
3. Agreement term August 1, 2014 to July 31, 2019
4. If the McClellan Parking Ramp is no longer serviceable for parking during the term, the City agrees to relocate the parking permits to a location(s) within 100 yards of the facility

WHEREAS, your Finance Committee, at their June 25, 2014 meeting, reviewed the terms of the amendment and recommended that the rental rate be reviewed after the first year of the five (5) year term rather than fixed for the entire five (5) year term; and

WHEREAS, the Common Council, at their July 8, 2014 meeting, discussed the amendment and voted to table the item and refer it to the Economic Development Committee; and

WHEREAS, your Economic Development Committee, at their July 17, 2014 meeting, reviewed the terms and recommended approval of the amendment with a $27 monthly fixed rate for the entire five (5) year term; and

WHEREAS, your Common Council, at their August 13, 2014 meeting, approved the amendment to the Parking Space Lease Agreement between the City of Wausau and Murdock as recommended by the Finance Committee with a fixed rental rate for the first year of the term, to be reviewed after the first year; and

WHEREAS, Murdock has asked the City to reconsider authorizing a fixed monthly rental rate per space for the entire five (5) year term as it is critical to its financing arrangements; and

WHEREAS, Murdock has requested that in the event the spaces at the McClellan Parking Ramp become unavailable during the five (5) year term that up to 300 such spaces be relocated within 100 yards of the McClellan Parking Ramp; and

WHEREAS, your Finance Committee, at their September 23, 2014 meeting recommends the changes to the amendment requested by Murdock.

NOW, THEREFORE, BE IT RESOLVED, by the Common Council of the City of Wausau that the proper City officials are hereby authorized and directed to execute an amendment to the Parking Space Lease Agreement between the City of Wausau and Murdock Wausau Limited Properties, a copy of which amendment is attached hereto and incorporated herein by reference, which approves, among other things relocation of 300 parking spaces within 100 yards of the McClellan Parking Ramp in the event they become unavailable and a fixed $27 per space monthly parking permit rate for a five (5) year term.

Approved:

_____

James E. Tipple, Mayor

PARKING SPACE LEASE AGREEMENT
BETWEEN THE CITY OF WAUSAU AND
MURDOCK WAUSAU LIMITED PROPERTIES

AMENDMENT

THIS Amendment is made this _____ day of _____ , 2014, by and between the CITY OF WAUSAU, a municipal corporation and MURDOCK WAUSAU LIMITED PROPERTIES.

The parties hereby agree to amend the Agreement entered into on August 1, 2008 as follows:

1. **LEASE.** Subject to the terms and conditions of this Agreement, CITY leases to LESSEE parking spaces to use in common with other Lessees and the public, up to fifty (50) unreserved permit parking spaces in a portion of the Jefferson Street Parking Ramp and up to three hundred (300) unreserved permit parking spaces in a portion of the McClellan Parking Ramp ("PARKING FACILITY") and adjacent Scott Street lot at $27.00 each. LESSEE may use and occupy these unreserved permit parking spaces in the Parking Facility on the indicated dates at the indicated times for the parking rates stated below for the following express purposes and no other purpose: parking is for normal passenger vehicles only including pick-up trucks and passenger size vans provided they meet any height restriction of the PARKING FACILITY. The CITY shall in no manner be obligated to provide any particular parking space. This lease is transferable and may be assigned with prior written consent of the Lessor not to be unreasonably withheld. A map locating the eligible unreserved permit parking spaces is identified on the PARKING FACILITY map attached and referred to as Exhibit A.

If the McClellan Street Parking Ramp is no longer serviceable for parking during the term of this lease, the City will provide up to a maximum of 300 unreserved permit parking spaces within 100 yards of the Lessee's office building located at 500 N. 3rd Street.

2. **TERMS/DAYS/HOURS.** This lease shall be for the period beginning the 1st day of August, 2014, through the 31st day of July, 2019. The rate of $27.00 per stall applies to the first year of the five (5) year term. The rate will be reviewed after the first year. LESSEE is authorized to park in the PARKING FACILITY:

□ Monday through Friday between the hours of 6:00AM through 6:00PM; or
■ Seven (7) days per week a week, twenty four hours per day; or
□ ____days per week _____, between the hours of _____ through ____.

Paragraph 5 is hereby deleted in its entirety.

IN WITNESS WHEREOF, the CITY and MURDOCK WAUSAU LIMITED PROPERTIES have caused this Amendment to be duly executed as of the date first set forth above.

WITNESS	CITY OF WAUSAU BY:
_____	_____
	James E. Tipple, Mayor
_____	_____
	Toni Rayala, Clerk
	MURDOCK WAUSAU LIMITED PROPERTIES BY:
_____	_____
	_____

PARKING SPACE LEASE AGREEMENT
BETWEEN THE CITY OF WAUSAU AND
MURDOCK WAUSAU LIMITED PROPERTIES

AMENDMENT

THIS Amendment is made this _____ day of _____ , 2014, by and between the CITY OF WAUSAU, a municipal corporation and MURDOCK WAUSAU LIMITED PROPERTIES.

The parties hereby agree to amend the Agreement entered into on August 1, 2008 as follows:

1. **LEASE.** Subject to the terms and conditions of this Agreement, CITY leases to LESSEE parking spaces to use in common with other Lessees and the public, up to fifty (50) unreserved permit parking spaces in a portion of the Jefferson Street Parking Ramp and up to three hundred (300) unreserved permit parking spaces in a portion of the McClellan Parking Ramp ("PARKING FACILITY") and adjacent Scott Street lot at $27.00 each. LESSEE may use and occupy these unreserved permit parking spaces in the Parking Facility on the indicated dates at the indicated times for the parking rates stated below for the following express purposes and no other purpose: parking is for normal passenger vehicles only including pick-up trucks and passenger size vans provided they meet any height restriction of the PARKING FACILITY. The CITY shall in no manner be obligated to provide any particular parking space. This lease is transferable and may be assigned with prior written consent of the Lessor not to be unreasonably withheld. A map locating the eligible unreserved permit parking spaces is identified on the PARKING FACILITY map attached and referred to as Exhibit A.

~~When~~ If the McClellan Street Parking Ramp is no longer serviceable for parking during the term of this lease, the City will ~~consider construction of a new ramp to serve the needs of the Lessee's tenants in the present location of the McClellan Street Parking Ramp or~~ provide up to a maximum of 300 unreserved permit parking spaces within 100 yards of the Lessee's office building located at 500 N. 3rd Street.

2. **TERMS/DAYS/HOURS.** This lease shall be for the period beginning the 1st day of August, 2014, through the 31st day of July, 2019. The rate of $27.00 per stall applies to the first year of the five (5) year term. The rate will be reviewed after the first year. LESSEE is authorized to park in the PARKING FACILITY:

□ Monday through Friday between the hours of 6:00AM through 6:00PM; or
■ Seven (7) days per week a week, twenty four hours per day; or
□ ____days per week _____, between the hours of _____ through ____.

~~**5.** **DURATION.** This lease shall terminate at the earlier of, five years from the lease effective date, the date the PARKING FACILITY ceases to be available to the CITY or at the end of the lease term.~~

~~The amendment hereby excludes the following paragraph from Section 5. Duration:~~

> ~~This lease shall be renewable on like terms for one additional five year term upon at least 120 day notice to Lessor, prior to the end of the first lease term.~~

Paragraph 5 is hereby deleted in its entirety.

IN WITNESS WHEREOF, the CITY and MURDOCK WAUSAU LIMITED PROPERTIES have caused this Amendment to be duly executed as of the date first set forth above.

WITNESS	CITY OF WAUSAU BY:
_____	_____
	James E. Tipple, Mayor
_____	_____
	Toni Rayala, Clerk
	MURDOCK WAUSAU LIMITED PROPERTIES BY:
_____	_____
	_____

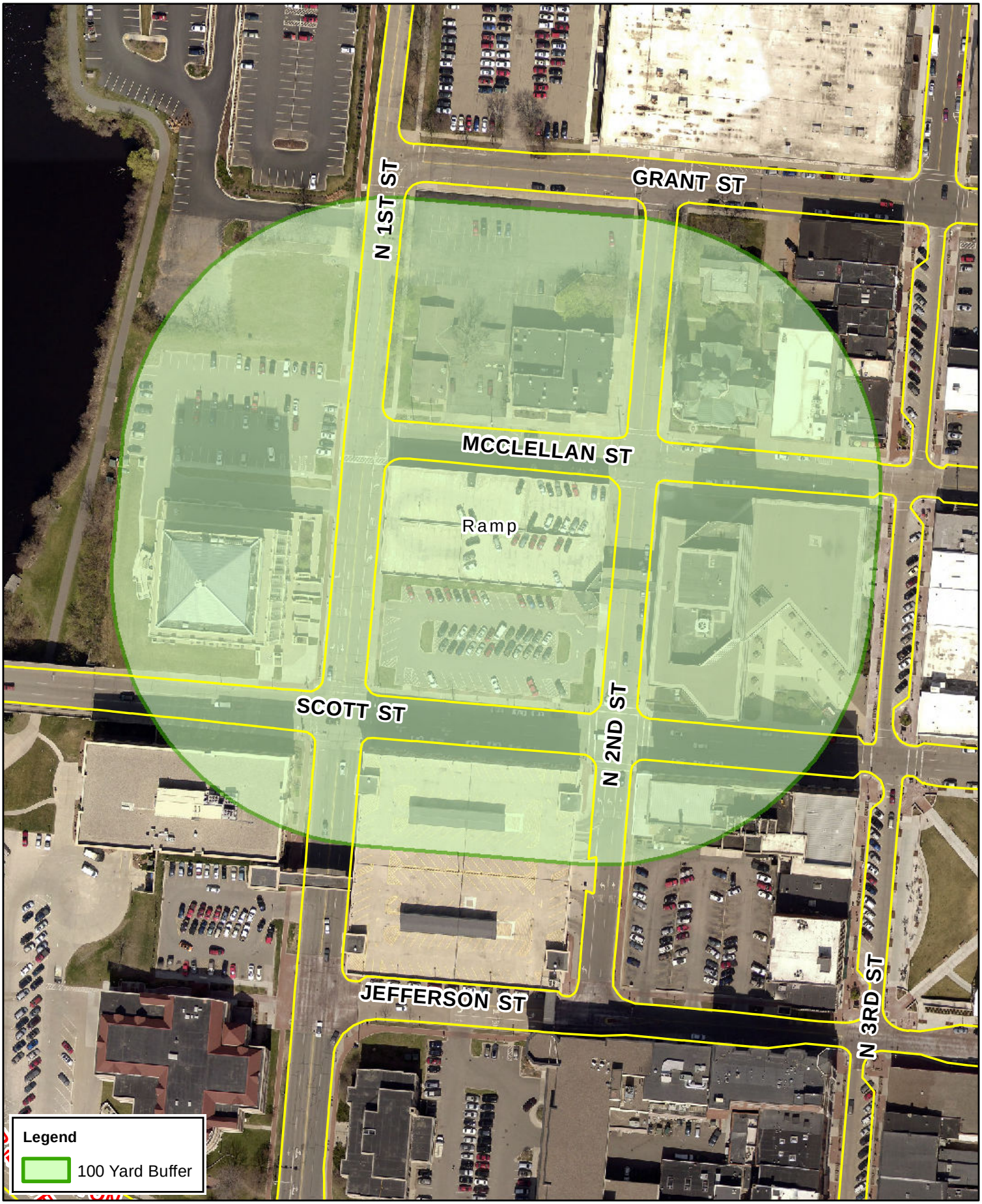
Office of the City Attorney

Anne L. Jacobson
City Attorney

Tara G. Alfonso
Assistant City Attorney

COMMENTS CONCERNING
PARKING SPACE LEASE AGREEMENT
BETWEEN THE CITY OF WAUSAU AND
MURDOCK WAUSAU LIMITED PROPERTIES

- On June 25, 2014, the Finance Committee recommended approval of an amendment to the Parking Space Lease Agreement between Murdock Wausau Limited Properties ("Murdock") and the City of Wausau ("Lease") for parking spaces at the McClellan Parking Ramp and Jefferson Street Parking Ramp. The amendment as approved by the Finance Committee, provided that the monthly rental rate of $27 per space would be reviewed after the first year of the five (5) year term. Murdock, however, had requested that the monthly rental rate of $27 per space be fixed for the entire five (5) year term.
- On August 13, 2014, the Common Council approved the amendment to the Lease as recommended by the Finance Committee.
- Murdock has requested the City reconsider authorizing a fixed monthly rental rate of $27 per space for the entire five (5) year term as critical to its financing arrangements for nearby property which it owns.
- Murdock has also requested that in the event the spaces at the McClellan Parking Ramp become unavailable during the five (5) year term of the Lease, that up to 300 such spaces be relocated within 100 yards of the McClellan Parking Ramp. The Finance Department has indicated that the 300 spaces could be accommodated within 100 yards in such an event. A copy of a map showing the area within 100 yards of the McClellan Parking Ramp is attached.
- The attached Lease amendment includes the Lease changes as requested by Murdock for reconsideration by the Finance Committee and the Common Council.



NOTES:

1. DUPLICATION OF THIS MAP IS PROHIBITED WITHOUT THE WRITTEN CONSENT OF THE CITY OF WAUSAU ENGINEERING DEPT.
2. THIS MAP WAS COMPILED AND DEVELOPED BY THE CITY OF WAUSAU AND MARATHON COUNTY GIS. THE CITY AND COUNTY ASSUME NO RESPONSIBILITY FOR THE ACCURACY OF THE INFORMATION CONTAINED HEREIN.
3. MAP FEATURES DEVELOPED FROM APRIL 2010 AERIAL PHOTOGRAPHY.
4. AERIAL PHOTO TAKEN MARCH 29, 2012.

WAUSAU WISCONSIN

McClellan Street Parking Ramp

City of Wausau

Map Date: September 16, 2014

N W E S

CITY OF WAUSAU, 407 Grant Street, Wausau, WI 54403

ORDINANCE OF THE PLAN COMMISSION			
Rezoning 1100 South Twenty Fifth Street from R1, Single Family Residence District, to UDD, Unified Development District (Wood)			
Committee Action:	Approved 4 - 1		
Fiscal Impact:	None		
File Number:	14-0913	**Date Introduced:**	September 23, 2014

The Common Council of the City of Wausau do ordain as follows:

Section 1. **That the site of lands described as follows:**

Beginning at the Northeast Corner of Lot One (1), Volume 62 of Certified Survey Maps, Page 76 as Map No. 14079; thence S89°04'49"W, 438.00 feet; thence S01°24'59"W, 25.85 feet; thence S89°04'53"W, 431.00 feet; thence N15°45'36"W,149.36 feet; thence N00°33'17"W, 236.86 feet; thence N89°27'08"E, 60.00 feet; then N00°32'52"W, 30.00 feet; thence N89°27'08"E, 30.00 feet; thence N00°32'52"W, 60.00 feet; thence S89°27'08"W, 30.00 feet; thence N00°32'52"W, 140.00 feet; thence N87°27'08"E, 698.87 feet; thence S00°32'52"E, 651.32 feet to the point of beginning; containing 12.45 acres of land more or less, **MORE COMMONLY KNOWN AS 1100 SOUTH 25TH STREET**

now comprising a part of an R1, Single Residence District, according to the Zoning Ordinance of the City of Wausau, be changed to a UDD, Unified Development District.

Section 2. This change in zoning shall be designated on the official City zoning map.

Section 3. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 4. This ordinance shall be in full force and effect from and after its date of publication.

Adopted:
Approved:
Published:
Attest:

Approved:

_____
James E. Tipple, Mayor

Attest:

_____
Toni Rayala, Clerk

Economic Development (August 19, 2014)

PUBLIC HEARING: Rezone 1100 South Twenty Fifth Street from R1, Single Family Residence, to UDD, Unified Development District and approve the General Development Plan to allow for a 72 unit multi-family residential development (Wood)

Chris Slater from Premier Real Estate Management, 19105 W. Capitol Drive, Suite 200, stated that he is the president of development for the proposed 72 unit apartment complex, based out of Brookfield, Wisconsin. He said they are a 35 year old company and they've been involved with about 8,000 apartment units, management-wise, throughout nine states. Their main holdings are in Wisconsin and they've developed other sites in Kronenwetter, Bos Creek, Grand Avenue, and the adjacent site to the 72 unit development being proposed. The success of the 96 unit development, which is known as Mountain View Estates, is why they are here. They are under contract to purchase this land which is owned by a bank. They became involved partway through the development. There were two existing buildings with 12-family plans and a 24-family plan existed that they bought from the builder and original developer. They finished the remaining six 12-family buildings. When they were finishing the buildings they were preleasing the buildings a month before they were completed and most of the units were filled with 100% being leased by the completion. Based on the success of this development they decided to buy the adjacent property and start a Phase II. Slater introduced the engineer of the project.

Tom Wood, engineer for Premier Real Estate Management, is listed as the applicant for the development of the property. There is a 96-unit development to the north of the proposed property. They are looking at a 72-unit Phase II virtually fitting the same type of development plan utilizing the existing plantation that is already on the site and keeping it as green as possible. The density is somewhat lower than what is allowed for this UDD zoning. The density is going to be 5 units per acre so it's pretty low density. They are following the same pattern for traffic with two exit points on South 25th Street. This plan does not call for another access to 21st but realizes that fire and rescue personnel might want to see but currently it is not in the proposal. He helped design Phase I and during those hearings, an issue came up with access to 21st Street and he wants to address that. This is going to be gated, the gate has been ordered and it is set to be installed the first week of September. This is next door to the Primrose development which fits with the multi-family housing. The property to the south and the property to the east are both in the Town of Wausau. They are looking at 72 units, six 12-unit buildings virtually identical to the units of Phase I, except for a different color scheme. The materials will be the same, rent rates will be the same so virtually the same tenant base. Parking, mailroom, and dumpsters/enclosures will be the same. The first Phase utilized a regional basin; Phase II will have a private detention basin in the low part of the property.

Romey Wagner, alderperson for District 2, which is where the proposed development is going, raised a concern with the gate that the residents have put up with an enormous amount of traffic for the past five or six years on a promise that the gate would be there right away. He said he is disappointed that the residents had to bring it to his attention and he had to bring it to the City's attention in order to talk to them about getting the gate. Wagner is glad that they agree the gate should be there and is glad there is a date that the gate will be there because these people on 21st Street have been paying taxes to the City for a long time and are raising their children there. They don't deserve to have any kind of traffic buildup through their neighborhood because it's not a thoroughfare. Wagner said he would like to thank the developers for acknowledging that and said it's about time.

Jim Riehle, Chairman for the Town of Wausau, 5505 N. 41st Street, Wausau, Wisconsin. He said it's probably too late now, it's water over the dam, he wanted to make some comments about the development that happened three or four years ago, and what's about to happen now. In 2005, nine years ago, we all passed a comprehensive plan and were all to be compatible on our borders. This is a single

family district, the Town doesn't allow any multi-family dwellings. Riehle also pointed out that the original developer didn't realize that 25th Street belongs to the Town of Wausau. Now that all the units from Phase I are filled, he's getting calls from citizens asking where the blacktop is. They never had a plan to blacktop that road, they only have about nine miles of granite and this is one of them. He said this is only about half a mile from McIntosh to County N. Riehle asked why, in the beginning with Phase I, why didn't the Council or the City of Wausau work something out with the developer to improve that road for their citizens. It's still a Town of Wausau road; this has been done in the past on 25th Street for Wausau East high school. This should have happened. Twenty First Street also belongs to the Town of Wausau, both 21st and 25th Street are posted at 7 ½ ton to keep the trucks off. When the development got started they started to build an access road off County N to the west side of Primrose and circled on up to get to the development. He said that's where the trucks were supposed to be going, not destroying 25th Street like they did. They posted it at 7 ½ ton to force the developer to finish the access road but they still sneak in on their roads with heavy traffic. Riehle said they completely destroyed 25th Street which the Town rebuilt. The issue is that this road is well traveled, and there will be more travel when the gate goes up. What can they do together to improve this road, is the developer willing to do something on this? It gets very washboardy and it can't be graded unless it rains. It's only a matter of time until it is impassable again. What can they do to work together to get this fixed?

Jeff Strouf, 1285 S. 25th St, said the new proposal is right out his driveway across the street from him. He said he is here to express his feelings and he knows this is a tough job and that the way they vote isn't going to make somebody happy – somebody is going to be upset either way. Strouf said he appreciates what the Plan Commission does. He said this caused a lot of stress last time and he didn't want to come tonight because it causes him a lot of stress. His family and the majority of his neighbors fought to prevent the last development and it happened and that's ok. They live with it and they have the units and a lot more traffic but they were ok with that. They were told the development will be moved to the north and it won't be so much of an eyesore affecting their quality of life but now they're dealing with it again and the broken promises that they will make this good for you. Where does it end, where does it stop and where will the development go next, Phase III, Phase IV? He isn't sure what will happen to the value of his property, it's more the quality of life for him and his family that's being affected.

Ryan asked if there is an existing vacancy for this type of apartment in this range, what is the existing stock, what is the City going to be doing to get blight out of the area relative to 72 units. Are they going toward the City promoting luxury units and letting poor people suffer or have substandard housing? Ryan said she thinks the development is probably going to benefit those that want to go to DC Everest and not the school district per se for Wausau. The proposal was only going to allow one parking spot for the resident and one for a guest; some of her neighbors have 3-4 cars. Ryan said there is a lot more internet and delivery services, is this being done to scale out some potential tenants?

Kim Schoenberger, 702 S. 21st Street, submitted 42 signatures that she went around and gathered from people in and around the area that oppose this. She then read the definition of zoning, per the encyclopedia, it is a widely practiced preventive measure intended to control haphazard growth, certain areas are set aside for certain types of buildings, factories, stores, apartment buildings, single family homes. Schoenberger said here in Wausau it appears that zoning is a mere suggestion, an inconvenience really, easily changed without a lot of thought. As her neighbor Jeff said, they fought the original development for three years, every time the Plan Commission agreed with the neighbors that this was not the right use for this land, in the end half of the City Council did not care about their concerns, Mayor Tipple broke the tie vote and did not care about their concerns. More recently, there are people on Northwestern Avenue who are facing the same plight. They are not being listened to either. In regard to the Northwestern project, the Mayor was quoted as saying, "It's always 'not in my backyard.' It's not our job as the City to say we have too many apartments, the market determines that." She said, how about your backyard Mayor Tipple, she did some research and found that most people on the Council and Plan

Commission do not live in an area where this can ever happen to them so they can't possibly understand how it feels but she hopes they can sympathize with how they feel. To all of a sudden have a massive development, a massive increase in traffic to their once lovely neighborhood. Schoenberger said she noticed that Mayor Tipple has some green space around his neighborhood and she's just wondering if he would throw his arms open to welcome 242 units worth of apartments, with Primrose – 74 units, the 96, and the 72. That's a lot of traffic, a lot of people and would like to think they are considering the traffic on McIntosh. People are speeding by on highway speeds, in many cases; on a road that anyone can see was not designed to handle that kind of traffic. Her street, 21st Street, has become back and forth traffic pretty much constant now. Hopefully the promised gate will help some of that but they still have to contend with pretty much every visitor coming to Primrose coming through there and their employees, just a ton of people. In a 2009 City Pages article, a council person was told in regard to rental properties in Wausau, it's not the city's role to get in the way of people risking their own money. She said she wants to know where the risk is for developers when the City props up nearly every proposal that comes down the pike. An actual free market dictates that it is indeed a risk to buy land. Where is the homeowners' freedom here? A free market that only works in one direction is not a free market. Twenty First Street has become a main thoroughfare for everybody up there, they have children playing in the street and people beep at them as they race by, don't want to stop for them, just beep at them. They have an unmarked intersection there; they are all anticipating some type of accident either on McIntosh or on 21st Street. She asked please don't compound this with more apartments up there. A lot of her neighbors, as she went around getting signatures, didn't feel like fighting would do them any good. It didn't the last time. They'd say the City is going to do what the City is going to do, or the City's only interested in money. She said please, think carefully about this issue, think about them and prove them all wrong and deny this proposal.

Clem Verhasselt, 2206 E. Lemke Street, which also adjoins the whole development, said that when this development was started, this was all promised to them that it was going to be a single family dwelling in this area. He said it sure didn't turn out that way and it sure doesn't seem like it's going to stop at any time. He really appreciates they are going to put the gate on 21st Street because that's their only access out. He said he didn't believe 21st Street was ever maintained by the City because the grass hasn't been mowed since it was put in, it's 4-6' high with weeds along the road. Verhasselt said he really appreciates that they are going to put the gate in and to consider this development.

Terri Pellatt-Whitaker, 1808 McIntosh Road, this just came to her attention last week when Kim came and showed them the petition. She asked the Plan Commission if anyone has been to 21st Street and asked if they were aware of what it looks like. Rosenberg raised his hand. She said it's a very small little neighborhood that was tucked back in a corner, it was idyllic for kids to be playing out there, when she said kids were playing in the street, it's not a place where you're going to send your kid out on Stewart Avenue and play. This is a small Town road with a few houses on it with Lemke Street off to the side. Living in that construction zone for as long as they have has been nuts, imagine all the dynamiting, trash and dust. It's unbelievable how much the traffic has increased. Whitaker said her oldest child is 20 years old and she used to let him bike from their house to the library, there's no way she would let her kids bike on McIntosh Street anymore because the traffic is insane. It is not intended for the flow of traffic, for the speed of traffic. She's pulled out of her driveway and literally had to pull into her grass because people are travelling so fast on that road that's 35 mph that they were well away from the driveway when she pulled out and were on her tail coming in. Something needs to be done to address that issue that the road is not wide enough for that traffic, there is not a shoulder, it is a heavily used road for people walking from Town out towards Highway X or Camp Phillips Road out there, for exercise. There is no shoulder but if you go near 17th Street it is crumbling, every time it rains, more of the road crumbles away. These are things that need to be addressed. Whitaker said she's surprised that the Town has put up with it for so long maintaining that road, she thinks if it were City property and the Town was using the property as much as the City has been using the property without maintaining it, without improving it, the tables

would be turned.

Jeanette Eauslin, 702 South 21st Street, had just a couple of things to say, one of the things she wanted to say is that all of them know each other, all of the kids know each other, when a kid is riding bike you know where that kid lives, that kid knows your car, he knows whether or not he needs to get out of the way because he knows where you're going. She said it isn't like that anymore, it's dangerous, not only for the kids but for anyone. She saw one hand go up when asked who had been up on 21st Street, she is asking them to take a ride up there, when you leave, pay attention on McIntosh to the right, there is a minimum of a 7-9 second dead spot where a car coming into town from out of town cannot be seen. The more traffic you put out there, the sooner this is going to be a problem. She said you made a comprehensive plan and she's simply asking you to follow it.

Jim Riehle, had one quick comment about 21st Street, he believes they have a working arrangement with the City. He isn't sure at this time, because their road foreman has retired, but he sent a text and hasn't heard back yet. He isn't sure whether they or the City plow that road, as far as the tall grass he'll look into that tomorrow. They have a boom mower and they do mow all of the grass, he just wanted to address that they have a good working relationship with Ric and the City on all of their boundaries.

Tipple said they certainly can check into that, doesn't think anyone is familiar with that right now but they can check it out tomorrow and get back to him.

Lenz said the UDD zoning is a two stage process, the public hearing tonight is for the general plan and that's all that is on the agenda for tonight. The petitioners would be required to come back for precise plans once those are developed further. As an introduction, the general plan would change the zoning to Unified Development District and would hold the developers to the general site plan that has been submitted, the number of buildings, the number of units and the general layout of those buildings. He said he could address some of the issues that were brought up in the public hearing if the Plan Commission would like him to. Talking about 25th Street, he would think that the City would be open to those conversations with the Town and developers. It was discussed during the Phase I, but he doesn't know that this committee is the best committee to authorize that. There are other City committees that would look at this street and weigh it against other streets and budgetary concerns. If this is a big issue they could possibly address it in other City committees by recommendation of this committee if that's something that they'd like to address. The general plan is on for tonight, the precise plan goes into details that can allow them some control over the site design and maybe address some of those quality of life factors or property value concerns by neighbors. The City has in other instances worked with developers – it's a give and take process to add more landscaping or add streetlights or other amenities that would protect the neighborhood. In the past they've been successful in reaching some of those compromises. Keep in mind that this isn't the final plan; if it does get approved there are more details to work out in a subsequent meeting.

Rosenberg said he recalled the Phase I of this thing and said some things at that time that he thinks are coming to fruition; he believes that if you look at the pattern of development you're probably heading out to Camp Phillips Road at some point and there will be annexation after annexation. There will be motivation for people to sell and do well on their property, but for this, he really thinks they're at the point and probably past it where 25th Street ought to be paved. He doesn't know how they get around that if they don't do it as part of a development plan. Who is going to have motivation to do it, the Township is sort of sitting in a place where they could do the improvement but they're doing it to accommodate a City of Wausau development for which they're not going to collect any taxes. It seems to him that this is the time to look at paving this street. It just doesn't seem to make any sense to have this many units and still be going up and down a gravel road.

Oberbeck stated his concern is with the level of development and adding to this without addressing some of what he sees as far as landscaping and overall massiveness of this development. What he'd like to see if this would move forward is a proactive way of designing this so it has lasting impact on the neighborhood, there's more landscaping, the traffic concerns are controlled, the pavement happens on 25th Street so that blends in and goes further than just another apartment complex similar to the one that's existing now because there should be screening between the single family and multifamily as far as the overall development, that some privacy should be granted between properties. If they are going to take it from one level up to another higher level as far as development, he thinks the design should relate to that too, as well as addressing a number of people within a limited area because they're increasing the density. Especially since it's going from single family to UDD where it can be controlled as far as what this quality of environment, not only for the residents on 25th St or 21st Street, but also for the apartment residents and what amenities they have because they can set an example since this has been fairly successful and there's definitely a need for this with people living in apartments versus homes and it does generate interest in younger people as far as alternatives on where they live. He thinks right now he doesn't have enough information to say go ahead with this, he'd like to see more proactive design in the front end as far as what the developer would be offering to make this a better neighborhood than just the layout. They don't ask for that but it would be beneficial for everyone in the neighborhood to see that and what this development would look like.

Rosenberg said, in fairness, because he was on the front end of the approval process, he drives by this property frequently and he has to say that with the conditions that they placed on Phase I, those were fulfilled and he would encourage anybody on the Commission or the City Council, to drive by that property and see how that was done and it was done with a fair amount of sensitivity he thought to the surrounding area. He drives by there because his mother is at Primrose so he goes up there frequently and if there's a train at Kraft he goes around the back on McIntosh but he contributes to the issue and goes down 25th Street. They did do as advertised in that first Phase so he would encourage them to set that up but what these folks agreed to, they did.

Nutting asked Lenz if there was an opportunity to look at surrounding roadways, those that are under Wausau's jurisdiction and consider a speed hump constructed in the road. He's driven in communities where these exist and if you hit them faster than 25, you regret it. It's not a quick bump it's kind of a hill that really shakes things up and lets things fly in the car if you hit it too fast and they're frequent enough in this particular community that I was driving to because it was such an area of heavy development and highly used road. He said let's consider something like this that would cause the traffic to have to travel at a safe 25.

Tipple said the first big milestone, as Rosenberg pointed out very clearly, is they have to figure out this road, whether it's the developer, whether it's the City.

Nutting asked why isn't this road under Wausau's jurisdiction, is it Wausau left and right of it, why is it still the Township's road.

Tipple asked Riehle if he could answer the question.

Riehle said it is a Town of Wausau road, all of 21st Street and McIntosh is a Town of Wausau road.

Pellatt-Whitaker added that all of the roads affected are Town of Wausau roads.

Gisselman stated that until he hears some of the questions that Oberbeck addressed, he will stand opposed. He said the immediate prospect, he thinks, is just too much for this part of the city and he thinks

that it's just adding too much to the infrastructure to what they now know is in this part of the city so he has strong doubts about this development at this point in time.

Lenz said to make sure all the information is out there, the petitioners have prepared, and may already have info that they didn't mention earlier. Looking at the existing site, the buildings are set back over 100 feet from 25th Street and part of that approval was to save the pine trees along 25th Street. He's driven past there several times and you almost forget that they're there – it is heavily screened with the pine trees. If this were a single-family district, the setbacks to the street could be a lot less than what these are, and that is again the proposal for the apartments. It may not be showing up on the plans that they have but the buildings are setback that same distance and there's a substantial amount of trees out there already that would remain. Usually under the precise plans is when they get into other details about adding other screening like on the west side for example, to buffer from those properties. Speaking preliminarily with the petitioners, they are open to those considerations and other details. It's pretty much going to be similar to what's there now, we should know the product that we're getting. The building colors would be slightly different, but everyone can see what they would look like inside and out, so even though they don't have the precise plans yet, some of those details have been thought of by the petitioners. Lenz then asked if the petitioners could share other details.

Slater stated that he was just at a site that they're building in Fond du Lac, a 36-unit development adjacent to a subdivision, Wildlife Acres south of 151 right off of the highway. On that site the same concerns about screening and creating the proper barrier in between the two sites were brought up. He worked with that homeowner's association, closely, and Tom Wood, their engineer and their excavator, to make sure that proper barrier was done. They created an original landscape plan with trees and a berm. Last week he spoke with Wood and they decided to build the berm two feet higher. He was there today and they decided to add 10 more trees to create some additional screening. These developments have to be collaborative, working with the developer and City staff. He and Wood actually came up to meet with staff to try to vet some of these things so they would have a proposal that would be looked favorably upon by this Planning Commission. As a little bit of background, they did not come in with the original proposal, Premier Real Estate didn't. They purchased this when it was a failing development; they purchased it when it had 24 units built, two buildings up. They bought the two buildings and finished the rest of the site, so some of these concerns like the gate and a second layer of asphalt that needs to get put in, there's some landscape that needs to be completed. He was there today in a meeting with their team to get those things remedied. Slater was not aware of them until they finished the development because they didn't initially make those promises so he wanted to be clear about that. He said they are a developer, they have 10 different sites going on throughout the state, and he understands that certain things were promised. As soon as they found out about those, he got right on the phone and learned about them from staff who brought them up to him. He made sure they were taken care of and that's how they got the definitive date. Slater said they like to work with municipalities. They've successfully had developments in Green Bay, Menasha, Fond du Lac, all over the state, and they view them as a collaborative effort so he's happy to work with some of those items that were brought up. The road is going to be a big one, that's a costly thing for them to do, they're not in the road building business. They love to develop apartments and can do this site here. They'd have some caution with some road sharing and what that includes, they're happy to meet with staff again and see how that conversation transpires.

Wood said that in Phase I, there was a landscape plan that was approved; it was part of the precise plan. In Phase I they added nearly five feet to a berm along the west property line to screen the single family. That berm is probably about 10 or 12 feet tall now with plantings on top of it. If you drive 21st and you get near Lemke and you turn yourself southeast and look back at these buildings, he believes you can only see one, maybe one and a half of the buildings because they're up on the hill basically screened already, you can't see them from 21st at least in that section. As you travel south on 21st it does become City right of way, the Mount View Estates subdivision was created to extend 21st Street and it follows that curve

down to Buteo Cove so there is a portion of that street that is within the City limits and the City control. The bulk of what the neighbors are talking about is in the Township and they're very well aware of that. Twenty Fifth Street is in fact all Town road. It's the full 66 foot width on the town's side. They've had discussions with the Town, personally meeting with Riehle and his foreman/road superintendent prior to his retirement. Several years ago he met with them and the developer and stood right on 25th Street and discussed the problem with the roads. It was made very clear that they were to stay off of that road and try to save it because they knew a lot of construction traffic was going to beat that road up pretty good. This did force them to acquire an easement and an access permit onto County N and put a temporary access road to bring the traffic around to build out their Phase I property. They stayed off of 21st and 25th. There may have been some isolated traffic on there, they can't control them all, but for the most part notices were put out that traffic was limited to virtually nothing. Now I understand there is traffic, tenants go through there, when that gate gets put up that will cease. As Slater stated, there were promises made and he was involved in that on an engineering/consulting basis but not on an ownership and those things need to be followed up with. In this case, they are attempting to do a Phase II without having a driveway brought out to 21st but if required for emergency vehicles another gate may need to go up.

Rosenberg asked if they have onsite management for this development.

Slater said the current Mountain View Estates has an office/onsite manager; it's the first building that's well marked with flags.

Nutting commented that the City needs to grow and these are the few areas where the City can grow and they are here to grow the City and they need to do it correctly with consideration to the neighbors around it. But they're here for the City, to grow the City.

Riehle said another thing to consider with 240 units, all of these families, especially now that it's going to be gated, the recreational end of this thing the hiking, the biking, the jogging, the running – it's all going to be on the Town of Wausau roads. Where is the park area plan in this? When a development is approved isn't there supposed to be some green space, a park area? He has no objection to using the Township for hiking, biking and trails and things like that, he likes to see people have a good time, something just to be considered.

Verhasselt added a comment, he wishes the Council members would drive on East Lemke Street where he lives, and look at the apartments from their view. The weeds are six feet high and the development was all built up 10-15 feet higher than the rest of the ground, the whole thing was never landscaped on this side, it's just growing up in weeds. He thinks City has an ordinance that you're not supposed to let obnoxious weeds and stuff like that grow and this is what they're looking at is this big hill with all the weeds and everything like that.

Schoenberger said everyone is referring to the 96 unit complex as Phase I, this is Phase II, is everyone all in on this already? We, the neighbors thought what they're calling Phase I was a horrendous fight that they could now breathe and say well this happened; now it's done. Now it's being referred to as Phase I, what's the deal, would you please address the whole Phase I and Phase II, and if you know, are there more phases they should know about. Is there a three and a four and a five and a six, they have a right to know these things.

Lenz stated the original plan probably 10 years ago or more was for a single family development. As things changed, a different proposal came through. There are processes that the City follows to consider zoning changes that are in the state statutes and our own ordinances, because we don't stick to the exact zoning map as it exists indefinitely. There are changes brought forward and the City follows the required processes and considers each one on its own merit. We considered the first one and it was a difficult

decision as evidenced by the vote; it was a very close vote and there were good points on both sides as to whether it should be permitted or not. It was approved, and he doesn't believe there was thought to a second phase at the time. Again, circumstances changed; they did well with the first development and they're back again. It's not the City that is building these units – we're just here to weigh whether they should be allowed or not. He said the commissioners can respond as to whether they're in on this or not but he highly doubts it. He said we're taking the proposals as they come forward and trying to do the best we can with them.

Tipple clarified that this is a citizen driven committee and they happen to have alderpersons on the committee, Oberbeck and Gisselman, and himself as the mayor.

Rosenberg said he doesn't recall the annexation history but said it's important for people to understand that R1 is the most restrictive zoning they have and it's also the default zoning. So when annexations take place that's the zoning but it doesn't mean that there's a big commitment to maintaining it that way, it means that because it's the most restrictive that's where they begin their work from. It's a default zoning for annexations.

Oberbeck said that since the other one is a UDD and this is set to be UDD, is this a separate UDD or is it considered one development? They can look at how the first one is addressed and the fact that it's being expanded with similar type of development and how that impacts the entire area as far as other requirements, or are they limited to just addressing this parcel and not looking at the in depth development as a whole. Because in reality, it's a development as a whole, the total number of units and how they're addressed. It's a good point as far as recreation and amenities – in some of the single family neighborhoods they're requiring parks, or in this case they could want walkways or landscaping in the common areas. When he was in Atlanta, their apartment developments down there, you barely can tell they're even existing the way the landscaping is done or as far as their roads are routed. Even in the neighborhoods they put the speed, what they call humps, in a triangular piece, a flat piece and another triangular, so the cars do slow down in school districts on main roads. There's ways of doing that with the proper design as far as controlling traffic and also even appearance or aesthetics when you look at these larger developments. He thinks that's the purpose of the UDD is to give some options as far as addressing that entire development when it doesn't fit the mold for all of the items. He would like to see if they're going to do this on this parcel how it addresses the existing parcel because it's really an entire complex and he thinks when you go to this level of development there are design aspects that soften it, improve the quality of life for the entire development as well as the neighbors. He thinks they need to look at that and right now he doesn't feel confident that he has enough information to even say yes or no on this. Oberbeck would like to see more in the plan but that's up to the developer as far as bringing it forth. They'd like to collaborate, work with the City and he thinks that's a very positive thing and maybe a hybrid as far as how they deal with these larger developments within the area of Wausau. Anywhere they put it, they're apartments and they're going to be dealing with adjoining properties, most likely single family. He'd like to see more of an investigative stage in how they address this larger development. Oberbeck would be in favor of moving forward but it's not guaranteeing any approval.

Slater said this is just the general approval, those details he thinks come out in the next step which Lenz alluded to in the beginning. This is just a general plan; yes, we kind of like the idea but we need to vet some and figure out some of these specifics. After this he said he'd be happy to sit down again with staff and work on some of those components. A multiuse walking trail is something they developed in Portage for the 132 units that they developed there. He's open to that, to making it more of a community.

Bohlken motioned to approve the rezoning at 1100 South 25th Street. Oberbeck seconded, and the motion carried 4-1. Gisselman was opposed.

Department of Public Works
Planning Division

Brad Lenz, AICP
City Planner

STAFF REPORT

TO: City of Wausau Plan Commission

FROM: Brad Lenz, City Planner

DATE: August 13, 2014

GENERAL INFORMATION

APPLICANTS: Thomas Wood

LOCATION: 1100 S. 25th Street

EXISTING ZONING: R1, Single Family Residence District

REQUESTED ZONING: UDD, Unified Development District

PURPOSE: To allow for a 72-unit multi-family residential development, immediately south of the existing Mountainside Estates.

EXISTING LAND USE: Vacant

SIZE OF PARCEL: 12.45 acres

SURROUNDING ZONING AND LAND USE:

North: UDD, Unified Development District; Multi-family residences
South: Transitional Ag (Town of Wausau); Single-family residence (2302 Townline Rd) and vacant residential property
East: Transitional Ag (Town of Wausau); Single-family residence (1285 S. 25th Ave) and vacant residential property
West: R1, Single Family Residence District, and UDD, Unified Development District; Vacant single-family lots, and a multi-family senior housing development.

(See attached Zoning Map)

ANALYSIS

From Wausau Municipal Code 23.65.040, the approval of a unified development proposal shall be based upon determination as to compliance with the following criteria:

a) *That the proposed development is consistent with the spirit and intent of these regulations, has been prepared with competent professional advice and guidance and produces significant benefits in terms of improved environmental design to justify the application of the unified development concept;*
b) *That the site development plan reflects sensitive consideration of the physical nature of the site with particular concern for conservation of natural features, preservation of open space and careful shaping of terrain to minimize scarring, and insures proper drainage and preservation of natural terrain wherever appropriate;*
c) *That the general character and intensity of use of the development produces an attractive environment appropriate to the uses proposed, and is compatible with existing development in the surrounding area and with general community development plans and policies;*
d) *That the development can be provided with appropriate municipal services and would not conflict with or cause overload on such facilities as schools, highways, police, fire or utility services;*
e) *That proposed design standards provide adequately for practical functioning and maintenance, based on actual functional need, in terms of circulation, parking, emergency services, delivery services and snowplowing;*
f) *That adequate provision has been made to insure proper maintenance and preservation of any common areas provided for the recreation and esthetic enhancement of the development.*

At this time, the petitioner is seeking approval of only the general development plan and not the precise implementation plan, but the above criteria apply to the general development plan.

Acceptance of the general development plan changes the zoning of the property to Unified Development District. In addition to criteria for assessing unified development proposals, the plan commission shall make a recommendation to change the zoning classification of particular property based upon the evidence presented in each of the following matters where applicable:

(a) *Existing use of property within the general area of the property in question and the effect the proposed rezoning is likely to have on these land uses;*
(b) *The compatibility of the land uses which would be permitted by the zone change with the existing or planned land uses within the general area of the property in question;*
(c) *The zoning classification of property within the general area of the property in question;*
(d) *The suitability of the property in question to the uses permitted under the existing zoning classification;*
(e) *The trend of development, if any, in the general area of the property in question, including changes, if any, which have taken place since the day the property in question was placed in its present zoning classification;*
(f) *Whether the proposed zone change is generally consistent with the goals, objectives and policies identified in the City of Wausau Comprehensive Plan*
(g) *The nature and extent of the input received at the public hearing regarding the proposed zone change;*

(h) The precedence, if any, that approval of the requested zoning could have on similar requests made elsewhere in the city; and

(i) If the property was recently annexed, the zoning classification of the property prior to annexation.

(1)

WE, THE UNDERSIGNED, ARE REGISTERING OUR OPPOSITION TO ANY CHANGE IN ZONING FOR THE PURPOSE OF CONSTRUCTING MULTI-FAMILY RESIDENTIAL UNITS ON SOUTH 25TH ST., CITY OF WAUSAU.

(13)

DATE	NAME	ADDRESS	PHONE	SIGNATURE
8/13/14	KIM SCHOENBERGER	702 S. 21ST ST.	715-845-7574	Kim Schoenberger
8/13/14	Jennith Cawlin	" "	" "	[illegible]
8/13/14	Clem Verhasselt	2206 E. Lemke	715-845-6802	Clem Verhasselt
8/13/14	Mike Whitman	2104 E. Lemke	[illegible]	[illegible]
8/13/14	Carol Verhasselt	2206 E Lemke	715-845-6802	C. Verhasselt
8/13/14	Becky Schultz	926 S. 21st St.	715-321-3358	Becky Schultz
8/13/14	Bernadette Baumann	2402 McIntosh ST	715 845-2235	Bernadette Baumann
8/13/14	Mary Ann Kuckert	608 S. 21st Street	715-842-7838	Mary Ann Kuckert
8/14/14	Erica Huffman	703 S 20th St.	715 297 1214	[illegible]
8/14/14	Jerry Evans	2202 E LEMKE ST	715 845-7456	Jerry Evans
8/14/14	Wayne Berg	2101 Mc Intosh ST	715 845 7680	Wayne Berg
8/14/14	John Strykowski	2207 MCINTOSH ST	715 842-9872	JOHN STRYKOWSKI
8/14/14	Elvera Lehman	2007 McIntosh St		

(2)

DATE	NAME	ADDRESS	PHONE	SIGNATURE
8/14/2014	JOSH FREIDEL	608 S 20TH STREET	715-298-1357	
8/14/14	David Hilgart	710 S. 20th ST	715 297 1459	
8/14/14	Rebecca	710 S 20th St	715-574-1350	
8/14/14	Jennifer Freidel	608 S 20th St Wausau WI	715-367-0112	Jenny Freidel
8/14/14	MATT JOHNS	802 S 20th ST	715-302-5111	
8/14/14	Gary Buttke	808 S 20th St Wausau Wi	715 845 9497	
8/14/14	Susan Buttke	808 S. 20th St Wausau	715-845-9497	
8/14/14	ROBERT KOPPINEN	902 S. 20th ST. WAUSAU	715-842-8208	Robert Koppinen
8-14-14	Sheri Pawlowicz	1905 McIntosh St. Wausau	715-675-5686	
8-14-14	Leona Cichocki	1905 McIntosh	715-675-5686	Leona Cichocki
8-14-14	Bryan Pawlowicz	1905 McIntosh St	715-675-5686	
8-14-14	THERESA PELLATT WHITAKER	1808 McIntosh St	715-849-8090	Theresa Pellatt Whitaker
8-14-14	Paul Whitaker	1808 McIntosh St	715-849-8090	Paul Whitaker
8-15-14	SYLVIA SCHOENBERGER	1214 MCINTOSH ST	715-845-8061	Sylvia Schoenberger
8-15-14	Barb Whittlet	803 S. 20th St	715-845-9838	Barbara Whittlet
8-16-14	JERRY GIMBEL	905 S 20th St	715 845 2481	
8-16-14	Debbie Imhoff	1701 McIntosh St	715-261-2299	Debbie Imhoff
8-16-14	Larry Imhoff	1701 McIntosh St	715-261 2299	Larry Imhoff
8-18-14	Alice Dahlke	2203 Townline St	715-842-8149	Alice Dahlke
8-18-14	Kandi Turzinski	1707 Silver Lane	715-842-3981	Kandi Turzinski
8-18-14	Sandy Schmidt	1710 Silver Ln	715-703-8801	Sandra Schmidt
8-18-14	Pat Schmidt	1710 Silver Ln	715-904-5169	

DATE	NAME	ADDRESS	PHONE	SIGNATURE
8-18-14	Holly Gullo	1711 Silver Ln	715-359-4598	Holly Gullo
8-18-14	Kendall Gullo	1711 Silver Ln	715-359-4598	Kendall Gullo
8-16-14	Richard Campbell	814 S 17TH ST.	715-261-0451	Richard Campbell
8/16/14	Kelly Atkins	806 S. 17th St	715 302-1081	[illegible]
8/16/14	TODD Link	410 N 10th Street	715 212 3075	[illegible]
8/18/14	COLIN BENELL	710 S. 17TH ST.	608-770-8492	[illegible]
8-19-14	Timothy Warosh	609 S. 21st St.	715-842-5457	[illegible]

DATE	NAME	ADDRESS	PHONE	SIGNATURE

A MULTI-FAMILY RESIDENTIAL DEVELOPMENT
BY
PREMIER REAL ESTATE MANAGEMENT, LLC

Premier Real Estate Management, LLC, Brookfield, is proposing to build a 72-unit low density multi-family residential development on 12.45 acres on South 25th Street, on the far East side of the City of Wausau. The parcel is situated immediately South of the newly completed Mountainside Estates, which is enjoying a nearly 100% occupancy rate.

The proposed development will consist of six identical twelve-unit, two-story structures totaling 72 dwelling units. The proposed density of the development is calculated to be 5.8 units per acre. The calculated percentage of open/green space is 66%.

Each building will consist of 12 two-bedroom units. The total number of bedrooms proposed is 144.

Each unit will have a private exterior entrance, and a single-stall attached garage with direct access to the unit. One additional exterior parking stall along with ample visitor parking will be provided.

The rental rates for the proposed units will be on a market rate basis, currently expected to range between $750 and $850. Heat will be included in the monthly rent, and all appliances including the refrigerator, washer and dryer are furnished.

Two access points onto South 25th Street will be required. The developer is aware that the entire r/w of S. 25th St. is in the Town of Wausau, and that driveway permits will have to be issued by the Town. Stop signs will be placed at each intersection to control the vehicles leaving the development.

Public utilities, such as sanitary sewer and water, will be extended from the West side of the parcel at the developer's expense. The private sanitary sewer interceptor will be owned and maintained by the owners. A portion of the sewer system will be pressurized due to topographic conditions. The watermain can be turned over to the City of Wausau, if requested by the city.

Storm water runoff will be collected within shallow drainage areas and conveyed by storm sewers before being discharged into a private detention pond serving the development. The design of the storm water management system will conform to NR151 and NR216, whereby the current runoff rate will not be increased. All proper site-grading permits will be obtained prior to the start of construction including a Notice of Intent registered with the Department of Commerce.

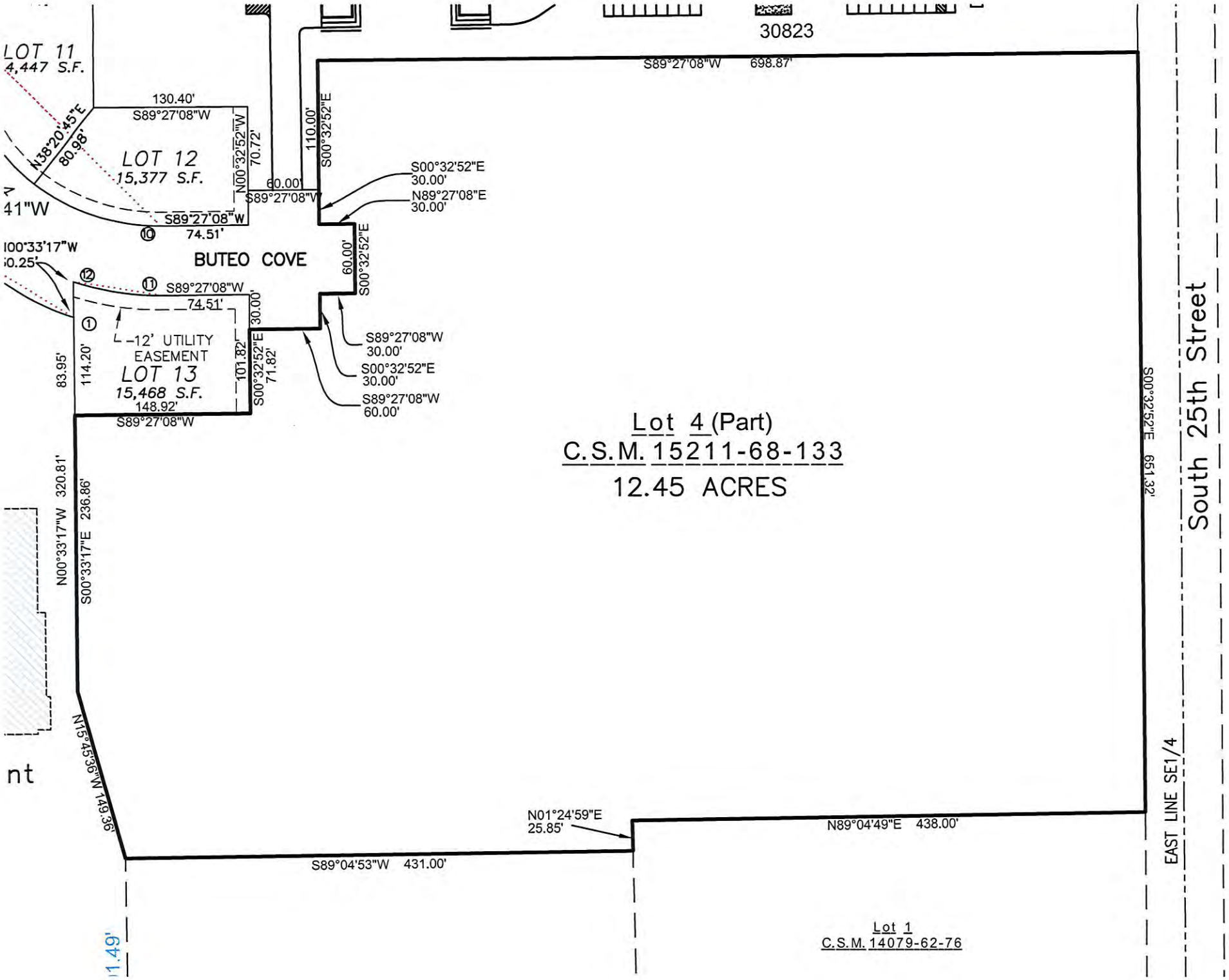
The landscaping will take advantage of the existing pine plantation that covers the subject parcel. The development will be literally carved into the plantation, leaving a buffer along S. 25th St., as well as the North property line. Nearly 3 acres of the existing plantation situated in the center of the development will be left standing. The portion of

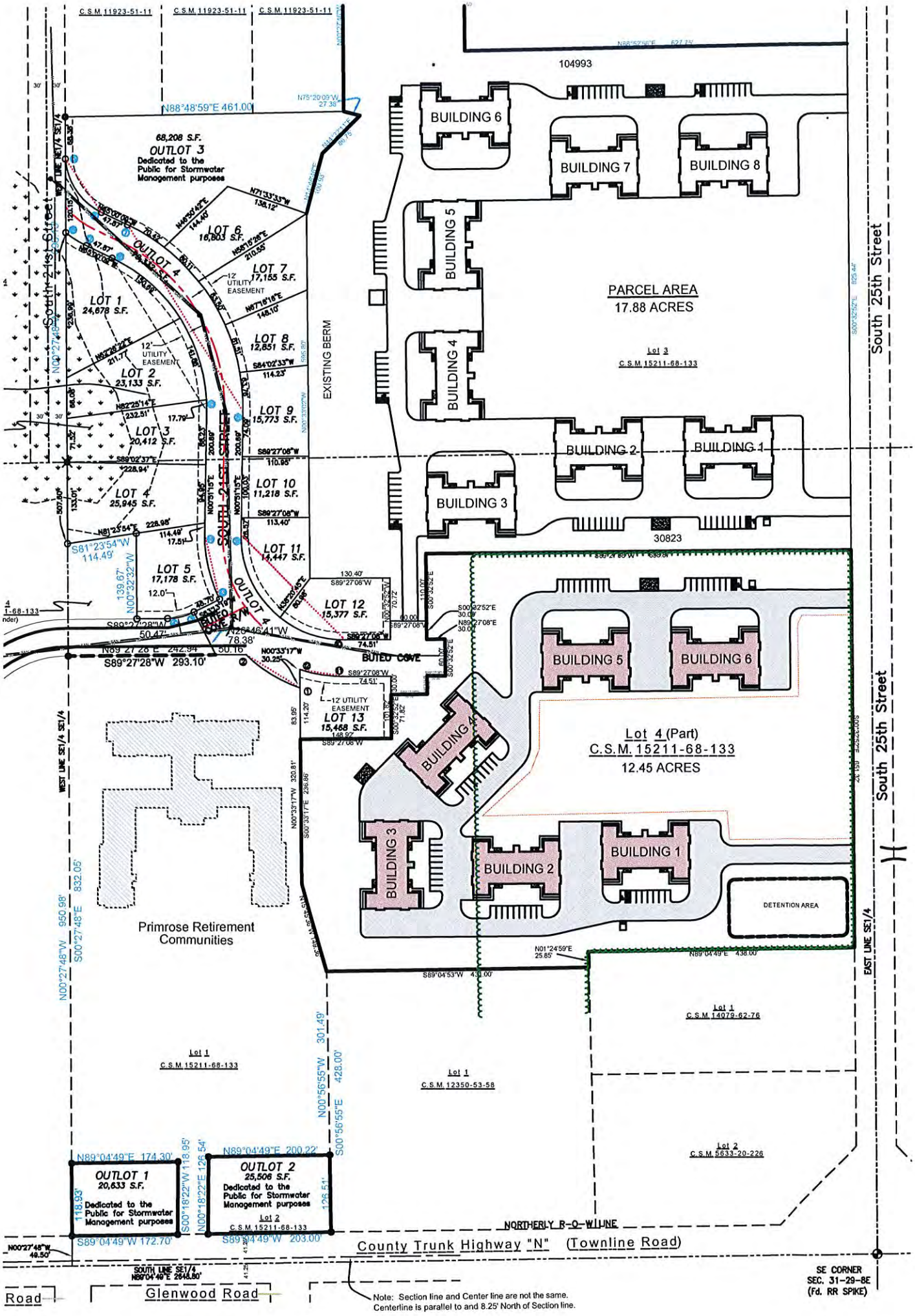
the plantation that will remain is to be thinned of deadfall and weeds in order to facilitate the nurturing of the healthy, mature trees that define this area.

The architectural features of the proposed two-story buildings will blend with the housing styles that currently exist in the adjacent neighborhoods. The exterior of each building will be virtually maintenance free, incorporating a combination of brick and dutch-lap style vinyl siding. The face brick will cover approximately 20% of the face of each wall. The gable ends will have a vinyl siding that has a shake-like appearance and will compliment the colors of the other facade materials. Roofing materials will consist of a two-piece laminated fiberglass shingle. Private first floor patios and second floor decks will extend 6 1/2 feet out from the wall of the building. All windows and patio doors will be of low-maintenance vinyl slide-by style. Each window will be framed with raised-panel shutters. All entry doors will be steel and painted to match the shutters. All materials and colors will be presented with the precise plan.

Site lighting of the Development will be generated from low impact wall mounted luminaires above each entryway and staggered along the face of the garages. The fixtures will be the cut-off series with a maximum wattage of 70 watts. They will be shielded to prevent light spraying into neighboring properties. No pole-mounted fixtures are being proposed within this development.

A 10 by 10 foot mailroom will be constructed in a central location, to give the tenants access to their mailboxes within an element-free environment. The mailroom will be lighted, and have enough space for 72 boxes, and at least two outgoing mailboxes.


30823
S89°27'08"W 698.87'
LOT 11
4,447 S.F.
130.40'
S89°27'08"W
N38°20'45"E
80.98'
LOT 12
15,377 S.F.
N00°32'52"W
70.72'
110.00'
S00°32'52"E
60.00'
S89°27'08"W
S00°32'52"E
30.00'
N89°27'08"E
30.00'
S89°27'08"W
74.51'
BUTEO COVE
60.00'
S00°32'52"E
S89°27'08"W
74.51'
30.00'
12' UTILITY
EASEMENT
LOT 13
15,468 S.F.
148.92'
S89°27'08"W
114.20'
83.95'
101.82'
S00°32'52"E
71.82'
S89°27'08"W
30.00'
S00°32'52"E
30.00'
S89°27'08"W
60.00'
Lot 4 (Part)
C.S.M. 15211-68-133
12.45 ACRES
S00°32'52"E 651.32'
South 25th Street
N00°33'17"W 320.81'
S00°33'17"E 236.86'
N15°45'36"W 149.36'
N01°24'59"E
25.85'
N89°04'49"E 438.00'
S89°04'53"W 431.00'
EAST LINE SE1/4
Lot 1
C.S.M. 14079-62-76


C.S.M. 11923-51-11
C.S.M. 11923-51-11
C.S.M. 11923-51-11
104993
N88°48'59"E 461.00
68,208 S.F.
OUTLOT 3
Dedicated to the Public for Stormwater Management purposes
LOT 1
24,678 S.F.
LOT 2
23,133 S.F.
LOT 3
20,412 S.F.
LOT 4
25,945 S.F.
LOT 5
17,178 S.F.
LOT 6
16,803 S.F.
LOT 7
17,155 S.F.
LOT 8
12,851 S.F.
LOT 9
15,773 S.F.
LOT 10
11,218 S.F.
LOT 11
14,447 S.F.
LOT 12
15,377 S.F.
LOT 13
15,468 S.F.
OUTLOT 4
12' UTILITY EASEMENT
South 21st Street
SOUTH 21ST STREET
EXISTING BERM
BUILDING 6
BUILDING 7
BUILDING 8
BUILDING 5
BUILDING 4
BUILDING 2
BUILDING 1
BUILDING 3
PARCEL AREA
17.88 ACRES
Lot 3
C.S.M. 15211-68-133
South 25th Street
30823
BUTED COVE
S89°27'28"W 293.10'
Lot 4 (Part)
C.S.M. 15211-68-133
12.45 ACRES
DETENTION AREA
Primrose Retirement Communities
WEST LINE SE1/4 SE1/4
EAST LINE SE1/4
Lot 1
C.S.M. 14079-62-76
Lot 1
C.S.M. 15211-68-133
Lot 1
C.S.M. 12350-53-58
Lot 2
C.S.M. 5633-20-226
OUTLOT 1
20,633 S.F.
Dedicated to the Public for Stormwater Management purposes
OUTLOT 2
25,506 S.F.
Dedicated to the Public for Stormwater Management purposes
Lot 2
C.S.M. 15211-68-133
NORTHERLY R-O-W LINE
County Trunk Highway "N" (Townline Road)
SOUTH LINE SE1/4
Glenwood Road
Road
SE CORNER
SEC. 31-29-8E
(Fd. RR SPIKE)
Note: Section line and Center line are not the same.
Centerline is parallel to and 8.25' North of Section line.

SPONSORSHIP BACKGROUND & PROPERTY MANAGEMENT

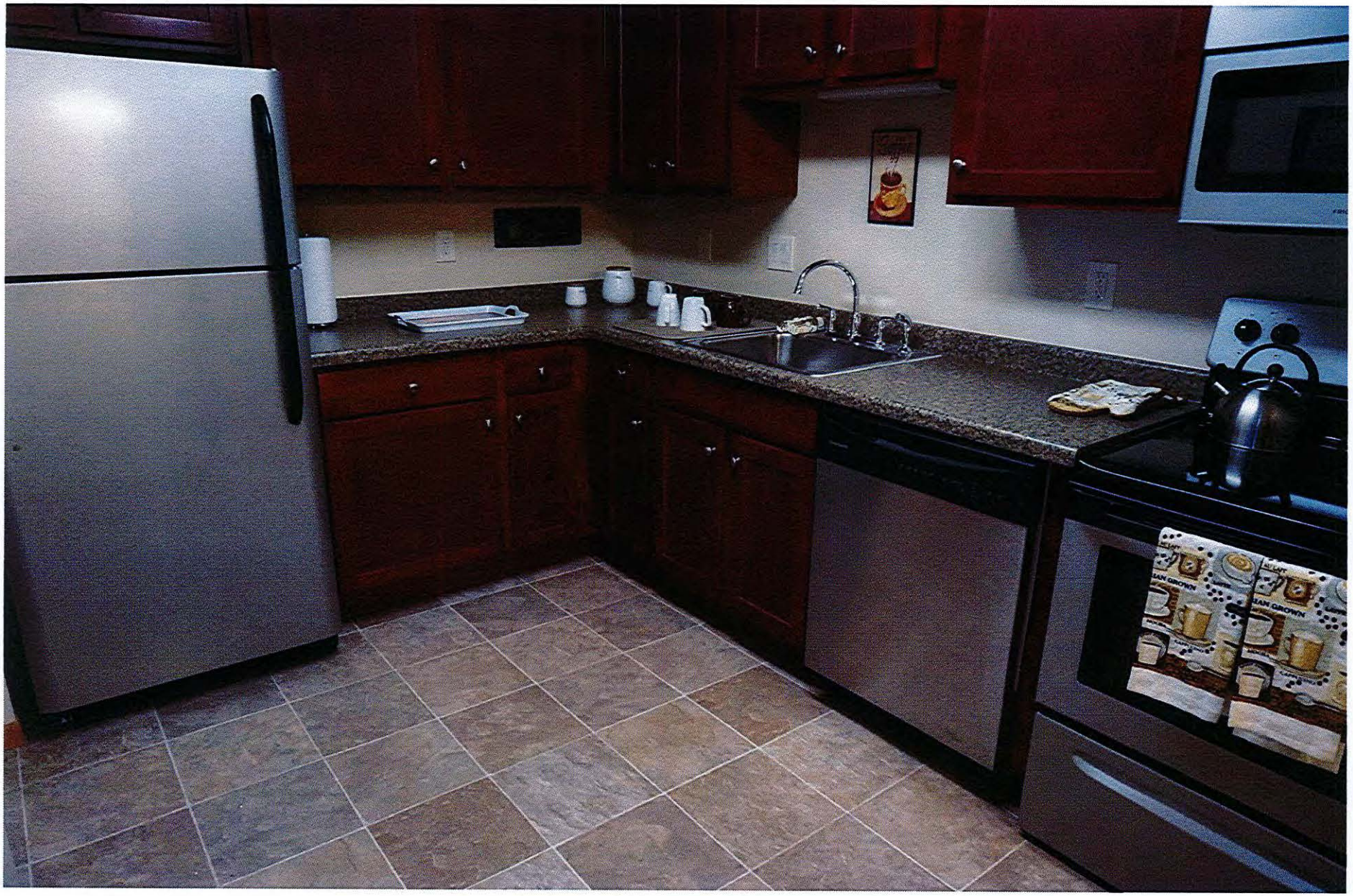
Calvin Akin

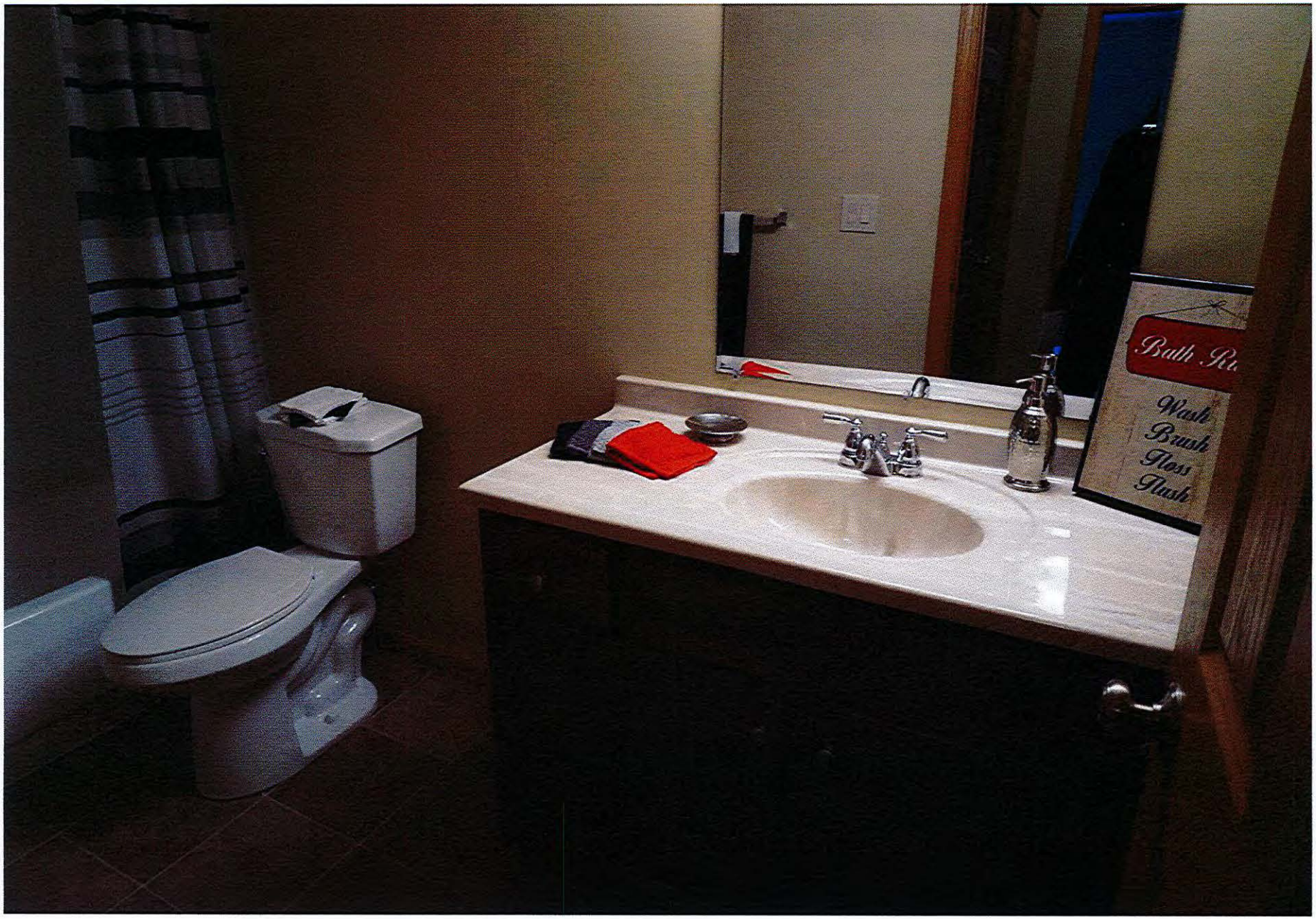
Mr. Calvin Akin is the Principal of Premier Real Estate Management, LLC. Mr. Akin has 36 years of real estate experience, having created a successful comprehensive real estate brokerage, development, and property management company. Premier Real Estate Management, LLC ("Premier") currently provides property management services for over 7,500 apartment units located at over 120 sites throughout Wisconsin, Michigan, Minnesota, Iowa, Illinois, Ohio, Indiana, North Dakota, Tennessee and Kentucky. Premier continues to grow and currently employs over 300 full and part time professional employees to service the day to day needs of residents and owners.

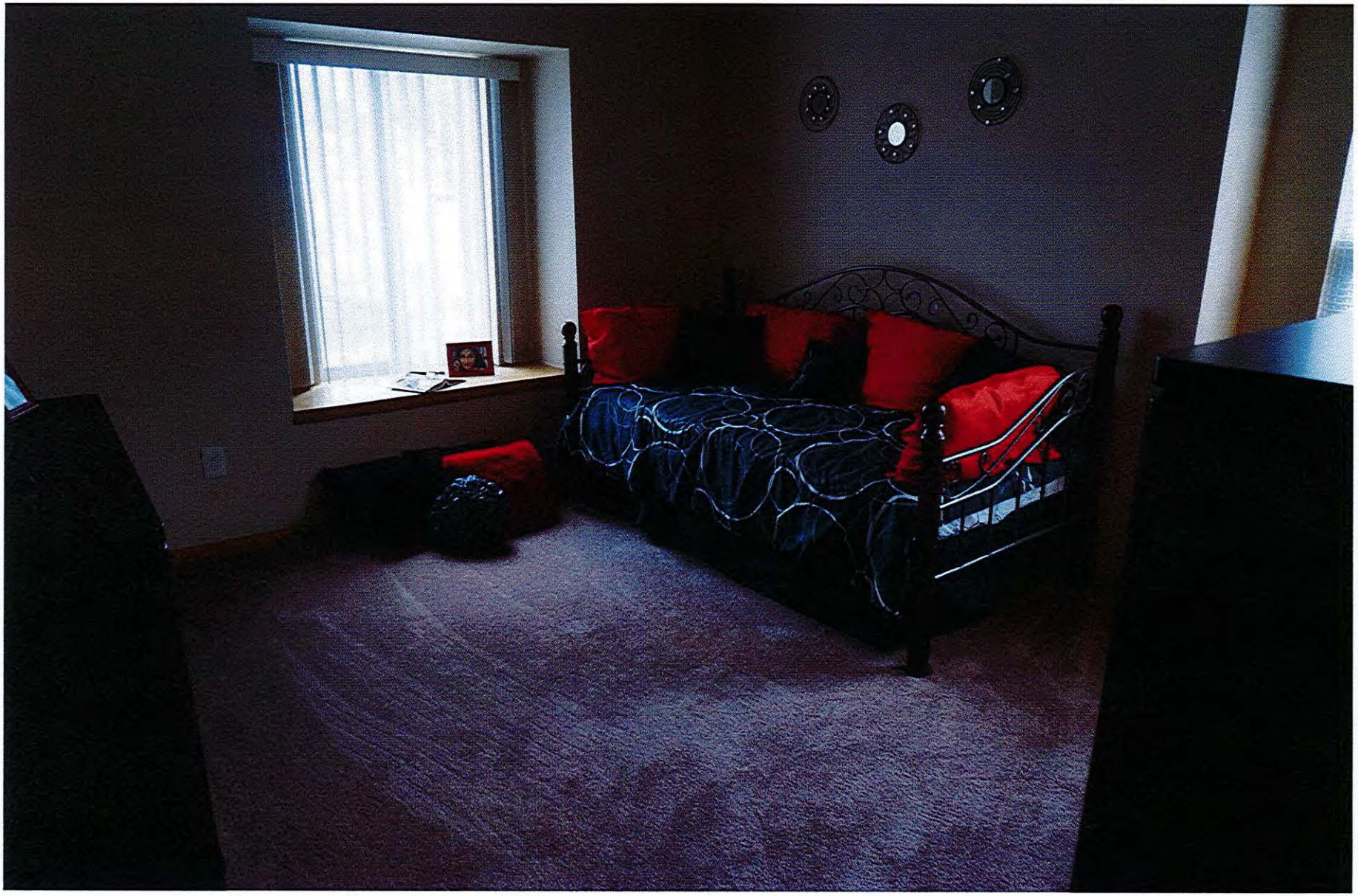
The real estate brokerage division of Premier Real Estate Management is extremely active. In a typical year, Premier is involved in 80 to 100 real estate transactions (acquisitions, sales, refinances). In 2012, there was a net increase of 10 properties (769 units) added to management (17 acquisitions & 7 dispositions). Thus far in 2013, there has been a net increase of 7 properties (321 units) from 16 acquisitions and 9 dispositions. Premier continues to focus acquisition efforts primarily on the Midwest, but opportunistically seeks geographic growth.

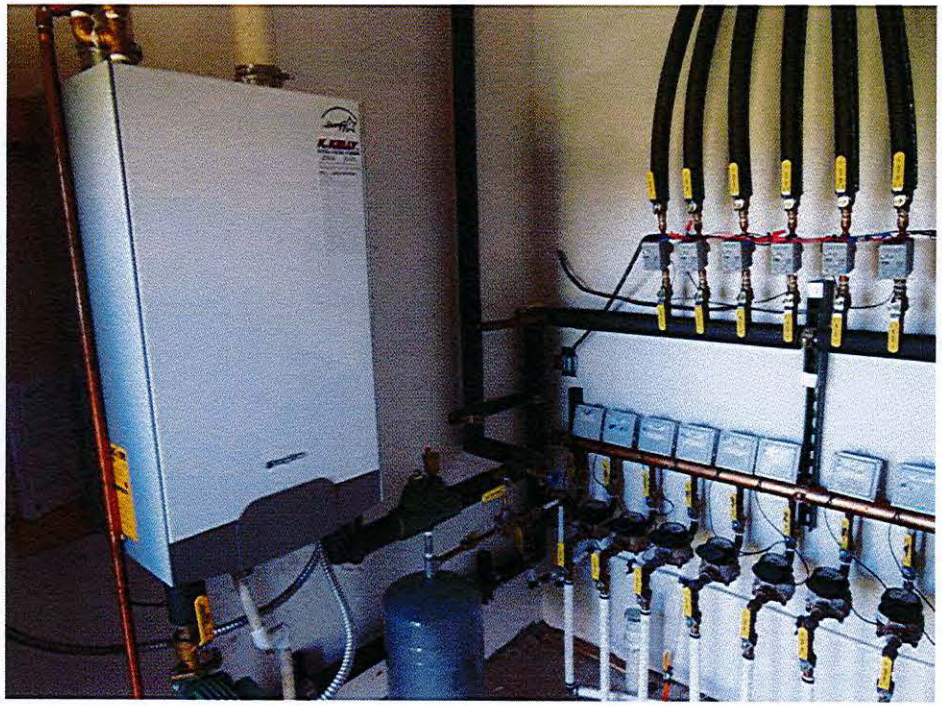
In the past 18 months, as the health of the multi-family real estate market has improved, Premier has reignited its new construction business. Premier has over 1000 units (30 projects) in planning or under construction throughout Wisconsin. This activity is approximately 50% for retained ownership and 50% pre-sold or for fee development. Mr. Akin has extensive experience in construction, having developed over 5000 units in his career.

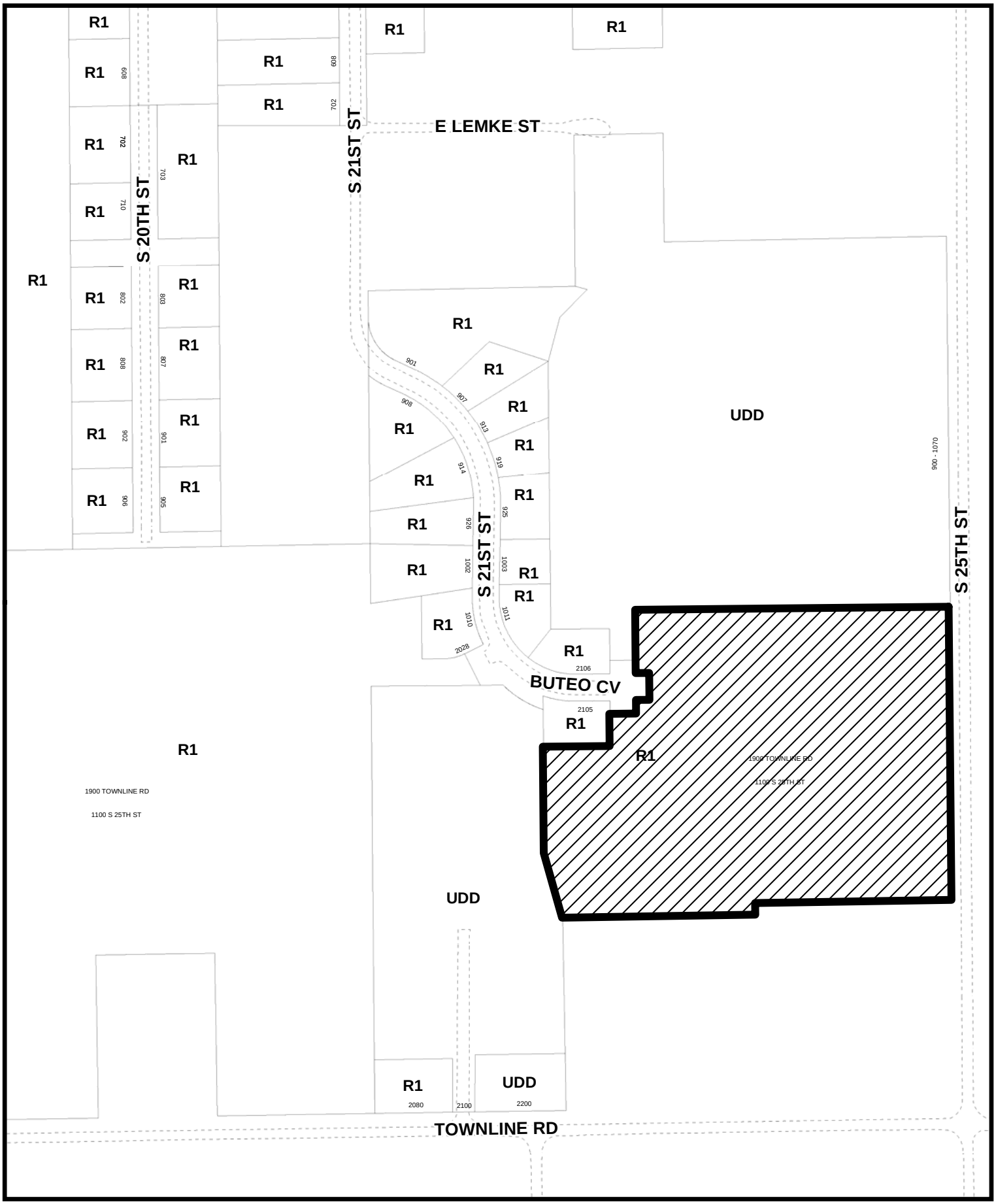
Premier Real Estate Management, LLC will be responsible for the property management of this property upon completion of construction.




Wash
Brush
Floss
Flush





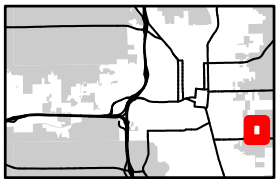


N
W E
S

Date: 08 Aug 2014

City of Wausau
Marathon County Wisconsin

0 170 340 Feet

RoadPaved

Petitioner's Property