

PLAN COMMISSION

Time and Date: The Plan Commission met on Monday, September 26, 2016, at 5:00 p.m. in the Common Council Chambers of Wausau City Hall.

Members Present: Mayor Mielke, Gisselman, Bohlken, Peckham, Lindman

Others Present: Lenz, Hebert, Woller, Chmiel, Arndt, Greenwood, Wagner, Brickner, Matzke, Higginbotham, Tobalsky, Lawrence

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

Approve the minutes of the August 16, 2016 meeting.

Gisselman motioned to approve the minutes of the August 16, 2016 meeting. Bohlken seconded, and the motion carried unanimously 5-0.

PUBLIC HEARING: Discussion and possible action on approving a conditional use at 2000 Westwood Drive to allow for emergency signage and signs in excess of thirty feet high in an IB, Interchange Business District. (Graphic House)

Matt Woller, Graphic House, 9204 Packer Drive, said they are requesting approval for signage for Aspirus. Aspirus recently acquired the Liberty Mutual building and part of the acquisition is rebranding the campus. Woller said that they would like install one double-sided, v-shaped sign on the corner of Westwood Drive and Pine Ridge Boulevard. Woller said that they would like to capture the traffic that is coming off of Stewart Avenue. The same situation occurred a few months back on Wind Ridge Boulevard and it is to direct traffic to the emergency department and to alleviate any misconceptions and save a life. Woller said that two others signs that they would like approved are illuminated signs with channel letters on the south and east elevations. It does exceed the maximum 30 feet in height. The building has a lot of windows and the signage would be located above the windows and the placement of the signage would visually look the best. The same types of signs were located a few years ago on the hospital building.

Mayor Mielke closed the public hearing.

Lenz said there is a clause in the zoning code that any signage over thirty feet needs conditional use approval. In cases of signage going on a building, the City has been more lenient on the height restriction than with stand-alone signs. He said the signs are otherwise in compliance with zoning regulations.

Peckham asked who the signs would be for, and asked if they would be for the Highway 52 Parkway. Woller said the building signs are mainly for 52 parkway and the 51/29 corridor.

Bohlken motioned to approve a conditional use at 2000 Westwood Drive to allow emergency signage and signs in excess of thirty feet high in an IB, Interchange Business District. Peckham seconded, and the motion carried unanimously 5-0. This item will go to Common Council on October 11, 2016.

Discussion and possible action on approving installation of a memorial plane at Alexander Park.

John Chmiel, Airport Manager, 511 Kent Street, said the commission has seen the briefing and said he can answer any questions.

Lenz said the action would be to accept the plane as a memorial/sculpture. The Plan Commission is the body to review any such dedication. Mayor Mielke asked Chmiel if he had anything from the Air Force. Chmiel said that he had called them that day and is expecting a call the next day.

Gisselman motioned to approve installation of a memorial plan at Alexander Park. Peckham seconded and the motion carried unanimously 5-0. This item will go to Common Council on October 11, 2016.

Chmiel said that the fundraising is going very well and there is a 5K this weekend.

Discussion and possible action on amending the Precise Implementation Plan at 1420 North River Dive to allow for an expanded outdoor patio area and updated landscaping.

Dan Arndt, United Structures, said that there was an original approval for a 2,200 square foot patio on the west side of the building. The owner would like to increase this to roughly 8,000 square feet on the west side of the building and would like to update the landscaping plan.

Lenz said the area to the north was not previously proposed and the area to the south was on the plan before, but smaller. The walkway between the two areas would be added. There is more information in the packet. The old plans were not included, as to not confuse anyone. Different landscaping is being proposed because of the new patios.

Lindman said that there appeared to be a seating wall on the original plans, which separated the public and private area. There was discussion about alcohol restrictions. Lindman asked if there will be access to and from the trail from this area. Arndt answered that there would not be any access to the trail, but there would be access to the sidewalks on the north and south sides. He said people could go between the bollards and vegetation if needed, but there would be no walkways. Lindman said that fire pits were discussed and are not on the plan. Arndt said that there would be two fire pits on the patio area and they would be placed in concrete planters.

Lenz asked if there was any fencing required for the liquor license. Bill Greenwood said that there wasn't anything specific stated for the liquor license, but said that they want to restrict people from leaving and they will only come from the sidewalk.

Peckham said there was discussion at Public Health and Safety and that more information was needed for the October meeting. The information needed was for security and how people would be kept from handing open alcohol to others nearby. Peckham said that when there is alcohol in an open area like this, they like to have the entire area visible by the service area. He asked if the northerly space would be visible by staff. Greenwood said that the corner area that bumps out would be a restricted area, only to be used for private parties, and they will have someone staffed out there. The area would not be available during daily service.

Peckham asked staff if there are any previous plans so that the difference could be seen. Arndt showed the commission members a sketch of the previous plan and said that the patio appears very small compared to what is being requested.

Lindman said that it was discussed before that there wasn't enough room on the northeast corner to plant some trees. There are still some trees on the plan and Lindman asked if there is a different type of tree that is being proposed. Arndt said that the city was going to provide trees for the northern side and they were going to plant trees for the southern side. The trees on the southern side will be a columnar maple, which is not as wide.

Hebert asked Greenwood if there would be a provision for a second exit if the patio area is closed off. Greenwood said that if someone had to, they could step above the rope and walk over the landscaping. It would be hard to hand alcohol off to someone. Hebert said that you will need another exit, even if it is closed off. Hebert said it is something to keep in mind.

Gisselman asked if fencing would need to go back to Public Health and Safety. Lenz said it may be something for that committee to discuss. Plan Commission could approve the plans as shown, with the fencing decisions left to that committee. Gisselman said that it may not be an issue for this evening, but asked how far the new section is from the trail. Arndt said that it is approximately three feet away from the trail at the closest point.

Romey Wagner, 3500 Golf View Drive, said that past experience with Public Health and Safety, at times it is an invisible fence. Most times, it needs to be observable by staff. Wagner said that it is nice to keep in mind of aesthetics and that there has to be agreements on where the responsibility lies. Peckham said that the police department was going to speak to the applicant to discuss plans. Greenwood said that the bollards weight 700#, and will be very beautiful.

Peckham asked if staff had any concerns. Lenz wondered if the committee would like to see a new fence plan if changes are made through another committee, or just give that portion over to that committee.

Gisselman asked if there will be a report from Public Health and Safety during the October 11, 2016 meeting. Hebert said that is part of the liquor license. Lindman said that this is a private site and the responsibility would need to be assured. The goal of the Plan Commission is the aesthetics, landscaping, and overall site plans. He said Public Health and Safety needs to determine if the plan maintains and controls security of the liquor, and that if changes are made this committee may need to review again.

Bohlken motion to amend the Precise Implementation Plan at 1420 North River Drive to allow for expanded outdoor patio area and updated landscaping as presented. Peckham seconded, and the motion carried unanimously 5-0. This item will go to Common Council on October 11, 2016.

Discussion and possible action on limitations on times of operations for the conditional use request at 317 East Kent Street to allow for material storage such as dirt, sand and compost, in a R3, Two Family Residence District.

Jerry Brickner, 900 Colonial Road, said that Matzke rents a machine every other year to sift soil. He runs the machine a couple of days every year. Brickner said that he spoke to neighbors prior to coming to the meeting and said that nobody has any complaints. The noise is not an issue. One resident did say that he would not like it early Saturday mornings because he likes to sleep in when he doesn't have to work. This work has been done for the last 25 years. Merrill Sand and Gravel crushed gravel for Grand Avenue and nobody said anything at that time. Brickner said the person who has complained has had issues with Mr. Matzke since some storage buildings were constructed.

Mayor Mielke asked the commission what hours would normally be authorized. Hebert said that the normal allowed construction hours would be 7:00 a.m. until 8:00 p.m.

Romey Wagner, 3500 Golf View Drive, said that one person has been complaining continuously for years and believe that he got a lot of the work mixed up and tends to place the blame on Mr. Matzke. Wagner said that he has fielded his complaints, but still thinks if the machine will only be used a couple of days a year, does Saturdays have to be one of those days. The city and Mr. Matzke should be able to come to an agreement and there shouldn't a problem using the equipment when it is needed. It should be a gentleman's agreement. He is in business and knows the cost of equipment. The residents shouldn't have to deal with the dust and said that based on the complaints it was six days a week. Wagner said that Brickner and Matzke are honorable men and if they say they won't be using the machine on Saturdays, he believes that is the truth.

Peckham said that he was not at the September 13th meeting and asked if there are now time constraints. Hebert said the vote is in the packet. Hebert said that Wagner had concerns about possible restraints, but there aren't currently any restraints. Peckham asked if the council sent it back for possible restrictions. Mayor Mielke said that it was sent back to be heard. Wagner said that the gentleman had called on two different numbers and so he had thought it was two different people. This was sent back to the commission to discuss possible restrictions. It appears to be isolated. The zoning is being changed to allow the use that has been gone on for 25 years, and should have been changed 25 years ago. This is a housekeeping item.

Gisselman said that Common Council was in agreement that it should come back to amend the restrictions. The restrictions should be that the machine can be used 7:00 a.m. to 8:00 p.m. and that it should not be used on weekends.

Kevin Matzke said that he wanted to make sure that this would just be for the machine that is used a couple times a year and that, if needed, they can go and pick up a load of top soil on Saturdays. It would be just moving the top soil. Peckham asked what the hours were that they would operate the loud machine. Matzke answered 8:00 a.m. to 8:00 p.m.

Peckham motioned to approve the conditional use at 317 East Kent Street to allow for material storage

such as dirt, sand and compost, in a R3, Two Family Residence District, and to limit the times of sifting soil from 7 a.m. to 8 p.m. Gisselman seconded, and the motion carried unanimously 5-0. This item will go to the Common Council on October 11, 2016.

Discussion and possible action on approving the Precise Implementation Plan at 2130, 2121, 2201, 2221, 2301 and 2305 Northwestern Avenue to allow Phase I site preparation activities for a multi-family residential development.

Dan Higginbotham, 156 Kent Street, said that this has come through a couple of times. There have been concerns of neighbors and they have tried to address the concerns and have tried to move forward. REI Engineering was hired to go through the storm water plans and they have received approvals from DNR. Traffic studies were completed for the area and they require 350 feet of site distance with the 35 mph speed limit from the driveway to a car. At the most restrictive site line, there is 600 feet of site distance. There were grading and berm concerns and staff requested that the berm be shown on the plans. The berm is located on Northwestern Avenue and shown on the cross sections and plan views. The concerns have been worked through and there is a more complete document and more complete direction forward. The timeline of the grading is this fall through spring 2018. The construction of the buildings would start after that. Grading work is necessary because there are some slope concerns and it is not practical to build without doing the grade work. Phase I will be the grading process. Phases II and III will be the construction phases of the buildings.

Gisselman said that Phase I is the prep time until the fall of 2018 and Phase II will start construction and said that there is some overlap. Higginbotham said that there is some overlap because it is hard to put an exact time frame on it and there will be work when the buildings are started.

Romey Wagner, 3500 Golf View Drive, asked if Phase II will start on the eastern side or western side of the property. Higginbotham answered the eastern side. Wagner asked if the property abuts the Town of Weston. This was confirmed. Wagner asked if the berm is designed to restrict any vehicles from going over the edge. Higginbotham confirmed that a berm will be built up and there isn't really a steep drop. Wagner asked if the tops of the buildings would be at roadside. Higginbotham showed a diagram and explained to Wagner that at areas it will be at the road and other areas it will be sticking above. Wagner asked what the excavated earth will be used for. Higginbotham said some of it will be used to flatten other areas. Wagner asked how many trucks will be used for dirt that is removed. Higginbotham said they hope to move a lot across the river in winter. The berm will start at the back edge of the ditch. Northwestern Avenue was just resurfaced and the shoulder was just redone. Wagner asked if there will still be plenty of public right-of-way. Lindman said that there would be.

Lenz restated that this is the precise plan for the site work and excavation. A general plan was approved for the apartments, and a precise plan for the apartments will need to be approved when it is closer to being built. Wagner said that we are Ok'ing the construction and said the precise plan for Phase II is very important. Wagner said that he likes that the number of apartments was reduced.

Lindman said the line of site distance on Gold Ridge Way is lacking. Mr. Higginbotham has some property at the intersection in an easement for utilities and it would be large enough to correct the line of sight. The city will work with the developer to correct this in 2018.

Gisselman asked what the recourse would be if the site work gets done, but the buildings are not constructed. In 2017, there will be some trucks moving the soil. Lenz said there is some explanation in the write-up regarding the slopes being top-soiled and seeded with no-mow grass. He said it will not be left like an open pit mine. Higginbotham said that it will not be like a mine, but a plateau. A lift station will be located on the east end. Lindman said that Weston may possibly work with the city. Higginbotham said the land on the north side was sold to Dr. Wanserski and they will have an easement to obtain sewer and water. They would provide an easement to Northwestern Avenue to drain sewage to the lift station.

Jack Tobalsky, 2136 Meadow Brook Way, reminded the commission that the land was zoned R1 and was changed to UDD with a pledge that the consideration will be given to the tax-paying single family dwelling owners of the Brookdale subdivision before anything is decided on. This project is not in a

Unified Development District provision. Tobalsky said that going from a single-family area to multi-family area will affect the property values. It has already been seen and some lots are not going to be sold until it is determined what is happening. Tobalsky said he would like to find out what the decisions were of the CISM committee and said he would like to have that in writing. He would like to be able to show the residents of the area the results. Tobalsky said he would like the commission think about it. There is no precise plan for the buildings and until everything is submitted, there should be no start on this development. The entire plan should be given to the Plan Commission and approved.

Lenz said the minutes from the CISM committee discussing the traffic studies are available in the committee packet. Lenz said that the general development plan for apartments has been approved by the Common Council and was reapproved when they amended the plan to decrease the density. The number of units and locations of the buildings are known – details, such as building and landscaping plans, need to be approved. These will be approved at a later time when the additional phases of the Precise Implementation Plan are submitted.

Lindman said that a lot of the concerns have been addressed. There were thoughts of a steep cliff and vertical wall and Higginbotham has brought forth the plans that have been requested. The information is here to make the decision. Peckham said Common Council put the brakes on this to address the traffic flow and the berm. Higginbotham has met all the concerns.

Gisselman asked if it is common to approve the construction go ahead and wait for a future time for the building plans. Lenz said that actual construction is not normally addressed through the zoning process; it is just part of the permit or development agreement process. This commission usually does not look at the nitty gritty details, but reviews the end product. He said it has been done before, such as with some outbuildings on the Aspirus campus. He said in this case, and with Aspirus, there was a lot of earthwork to be done, so it is perhaps beneficial to be more restrictive than normal.

Peckham motioned to approve the Precise Implementation Plan at 2130, 2121, 2201, 2221, 2301 and 2305 Northwestern Avenue to allow Phase I site preparation activities for a multi-family residential development. Bohlken seconded and the motion carried unanimously 5-0. This item will go to Common Council on October 11, 2016.

Update of Wausau Comprehensive Plan – Land Use and Implementation Chapters.

Lawrence said that 9 ½ of the 11 chapters have been covered. The next step will be putting all of the chapters in one document in November.

Peckham asked about the transect box on the map and said it doesn't seem to be used anywhere. Lawrence said that it is a land use category section and could be expanded to be clearer. Lenz said that it is a departure from classic land use categories, and moves more toward urban form.

Hebert said the city has extraterritorial plat authority now and asked if the city would pursue zoning authority, if a committee would have to be gathered made up of different municipalities. Lawrence said that conversations with the towns would be critical. Hebert asked if boundary agreements or extraterritorial zoning committees are more prevalent in Wisconsin. Lawrence answered boundary agreements.

Gisselman asked if the recommendations are going to be expanded on or is it up to city staff to implement. Lawrence said that the zoning code change is a big change, for example, and the items would be addressed individually in more detail. Discussion followed on annexations.

Lawrence discussed the implementation chapter. This is the final chapter and brings the previous chapter's home and the goals are restated.

Peckham asked if Regional Planning has gone through any neighborhood level planning activities. Lawrence said that he has not done it here, but said other communities have. Lenz said he is aware that Milwaukee and La Crosse have done these plans. Peckham asked if it would be helpful. Lenz said that they can be helpful because you get down to details on specific properties. Lawrence said that you get

much more participation when you talk about neighborhood issues versus citywide. Lenz said that there are other plans that are also great ideas – it is a matter of prioritizing and getting the resources.

Lawrence said that next time the comprehensive plan will be one document for the committee to review.

Next meeting date and future agenda items for consideration.

The next meeting is scheduled for Tuesday, October 18, 2016.

Gisselman asked how long the meeting in November will be. Lawrence said that sometimes it takes 15 minutes and other times it takes 1 hour. Printed versions will be available at least 1 week prior to the meeting.

Adjournment

Peckham motioned to adjourn, seconded by Bohlken. Motion carried unanimously 5-0 and the meeting adjourned at 6:45 p.m.

The Plan Commission is next scheduled to meet at 5:00 p.m. on October 18, 2016.