

## PLAN COMMISSION

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Time and Date: The Plan Commission met on Tuesday, December 19, 2017, at 5:00 p.m. in the Council Chambers of Wausau City Hall.

Members Present: Mayor Robert Mielke, Andrew Brueggeman, Ron Zahrt, Patrick Peckham, Eric Lindman, Gary Gisselman

Others Present: Brad Lenz, William Hebert, Brad Sippel, Melissa Engen, Denise Pody, Scott Mertens, Bob Heinrich, Mark Heinrich, Patrick Galligan, Anne Dorava, Laura Kutil, Peggy Ender, Mike Kutil, Jim Waldron, Bill Greenwood

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 November 21, 2017 meeting.**

Peckham motioned to approve the minutes of the November 21, 2017 meeting. Zahrt seconded, and the motion carried unanimously 6-0.

### **PUBLIC HEARING: Discussion and possible action on approving a conditional use at 9916 Highland Drive to allow for a chemical warehousing and wholesale distribution facility, in a IP, Industrial Park District.**

Scott Mertens, 9605 Highland Drive, asked why the address is listed as 9916 Highland Drive when it cannot be accessed from Highland Drive. Hebert said that was the assigned address and will be reassigned when there is a public road. The address will be on Innovation Way. Mertens said that there are no roads or access off of Highland Drive, but there are a lot of semis. Lindman said that the township would need to be contacted to post signs. Mertens said that there are signs posted, but it has not done any good. Lindman said that County Road O will have more trucks on it going back and forth to the highway.

Bob Heinrich, 9900 Highland Drive, said that two weeks ago a semi driver went up and down Highland Avenue looking for the property to deliver insulation panels. Heinrich said that the driver needed to use his driveway to turn around, which resulted in damage to landscaping and a wrecker needed to be called. The damage to the landscaping will total \$2,500 and the cost of the wrecker for the driver was \$775 due to the address. Heinrich said that he has a concern of the retention pond next to the property line that will contain all of the surface runoff. Lindman confirmed this. Heinrich said that the well is 30' from the border of the pond and he is concerned with the quality of water in the well. Lindman said that it will be natural infiltration into the ground. Heinrich said that it will carry pollutants. Lindman said that it would be typical pollutants, like salts. The system was permitted by the DNR. Heinrich asked if it will be monitored. Lindman said that the silt buildup will be monitored and will be dredged from time to time. (After the meeting, it was determined that the detention ponds in the business campus will be wet ponds and will be clay lined to keep the water in the pond as well as the sediment. The water will not infiltrate back into the ground.)

Mark Heinrich, 9880 Highland Drive, said that this is going to happen and they have already poured the concrete foundation for the water tower. Heinrich said that he heard a rumor that there will be advertising on the golf ball tee style of water tower. Lindman said that there has been discussion as to whether the city logo will be put on it, but there has not been any discussion for advertising.

Mayor Mielke closed the public hearing.

Lenz said that the map in the packet shows a larger parcel, which is what it is now. The address will change and the chemical company would only take up the southwest corner of the property, west of the wetland area. The concerns expressed are for the larger Wausau Business Campus. The proposed use would require a conditional use permit and would fall under the 'other' category. It is similar to warehousing which is a permitted use.

Peckham asked if there is a potential concern for groundwater contamination. Lindman said that there is not, unless there is an active spill, but that could happen anywhere in the city. There is runoff from all

streets and developments, there haven't been any issues.

Peckham motioned to approve a conditional use at 9916 Highland Park Drive to allow for a chemical warehousing and wholesale distribution facility, in an IP, Industrial Park District. Brueggeman seconded, and the motion carried unanimously 6-0. This item is scheduled to go to Common Council on January 9, 2018.

**PUBLIC HEARING: Discussion and possible action on approving a conditional use at 1601 North 10<sup>th</sup> Street to allow for sponsorship signs for an educational institution, in a R2, Single Family Residence District.**

Patrick Galligan, 5207 Russell Drive, said that he is representing the Wausau School District and is available for any questions.

Anne Dorava said that she lives on the corner of 10<sup>th</sup> Street and Stark Street and wonders what is meant by the use of the word historic and who deems it historic. Galligan answered that it was an editorial decision and they tried to be respectful of Thom Field. It is an honored place.

Mayor Mielke closed the public hearing.

Sippel said that the conditional use would be for designating a sponsorship sign. The signage would be located at the corner of Bridge Street and 10<sup>th</sup> Street. The criteria for conditional uses and sponsorship signs are listed in the staff report. The signage is not expected to impact properties and meets most of the requirements. Criteria #3 may not meet the interior requirement since it is facing the exterior. This will replace two existing signs.

Peckham said that criteria #8 allows for signs for 150 days and asked if this should be addressed. Lenz said that the ordinance was created specifically for baseball diamonds. The intent was not for facing out; this sign is a little different. It doesn't meet all of the criteria 100%; it is up to the commission if it is close enough.

Peckham motioned to approve a conditional use at 1601 North 10<sup>th</sup> Street to allow for sponsorship signs for an educational institution, in a R2, Single Family Residence District with the allowance that Criteria #3 and #8 are not met. Brueggeman seconded.

Gisselman asked if the ordinance could be waived and said that he didn't think it could be waived. Lenz said that the criteria are listed in the ordinance on which to base a yes or no vote. Brueggeman asked if it could be acknowledged that all of the criteria are not met. Peckham asked if there is a difference between an ordinance and municipal code. Lenz said that the zoning code is chapter 23 of the Wausau Municipal Code – changes to it are passed by ordinance. Peckham said that he was taking it a different way. Peckham asked if this needs to be a sponsorship sign. Lenz said that it is a dual purpose sign – identification and sponsorship. Peckham said that it needs to be acknowledged that some parts do not mesh up with the criteria. Gisselman said that the ordinance needs to be fixed and come back. Gisselman recommended that the item should be tabled. Galligan said that the additional time that this will take is fine.

The motion was withdrawn.

Gisselman motioned to make amendments to the ordinance and to bring this back to the next Plan Commission meeting. Peckham seconded, and the motion carried unanimously 6-0.

Gisselman asked Galligan if the signage would be lit. Galligan answered that would not be lit.

**PUBLIC HEARING: Discussion and possible action on approving a conditional use at 415 East Campus Drive to allow for a day care center, in a R2, Single Family Residence District.**

Laura Kutil, 411 East Campus Drive, said that she lives to the west of the property and has no issue with the current daycare. They have been good neighbors. The proposal is quite extensive and will have the

front yard paved for a parking lot. A criterion of a conditional use is that it cannot be injurious to other properties or substantially diminish property values. This will decrease the property value. The business will operate 6:00 a.m. – 12:00 a.m. There is concern about traffic congestions, specifically between 7:00-8:00 a.m. and 5:00 – 6:00 p.m. There will not be room for parents to turn around. This is a very quiet and peaceful neighborhood. The parking lot will be an eyesore, as it will not be a green, residential space. Where will the 8-9 employees park? Where will the snow be placed? What will happen with the runoff from melting snow? Kutil said that she has no problem leaving it as it is, but is not in support of the change. Kutil said that there may be bright lights in the parking lot and it will look commercial. Kutil added that it would be hard to change this back to a residential property once the changes are made, if the business does not work out. This is not good for the neighborhood; there are too many unknowns. It is a nice idea, but is an elementary start. It will not fit in the neighborhood.

Peggy Ender, 427 East Campus Drive, said that she wrote a letter since she was not sure if she could attend the meeting. Ender said that when she bought her house two years ago the petitioner was the only one who answered the door when she tried to talk to neighbors before moving in. There has never been a problem or issue with the petitioner, but they have had problems with other neighbors. There is already foot and vehicle traffic, as 3M goes through at all times. Six to eight vehicles can easily fit in the driveway. Snowblowing can be handled or a compromise can be made. There have been several improvements on the house and they want to employ people. Alphabet Soup is located on the corner of Randolph Street, which was originally a residence and became a business. The parking lot lights are run on a sensor and do not seem to be a problem. Rose and Bubba's Bait Shop is also a business that was converted from a single-family home to a business. There is a lot of traffic in the area because of Monk Gardens. There have been no police, fire or EMS issues from this property.

Mike Kutil, 411 East Campus Drive, said that the concern is not with the current situation, but with the expansion. This is a busy road and will cause an issue. There will be additional parking on the street that will cause problems. The front yard will be paved and will not appear residential. This will change the immediate vicinity of the block.

Mayor Mielke closed the public hearing.

Mayor Mielke said that emails were received from Rose Gottung, Janeen Sullivan and Dawn Duschel who were all against the conditional use. Copies of the emails were passed out at the start of the meeting.

Lenz said that staff shares some of the same concerns as the residents. An in-home daycare is permitted but a daycare center would need a conditional use. Churches and schools are allowed in residential districts, but they are located on larger lots. The zoning specifies minimum lot sizes for these uses, but lot size for a daycare center is not listed in the code. There would be 35 children, employees and parents at the property. The paving of the front yard is not desirable. The property is right in the middle of the block. The in-home daycare seems to be functioning fine. Lenz said there are building code issues with going larger.

Hebert said that the plan that was developed is in the packet. The in-home daycare is licensed, but the daycare center will require a different license. The kitchen use will need to be reviewed. The square footage may not allow this many children. In the existing use, 35 square feet per child is required, per the code. There are different parameters for the different license. The kitchen will need some work and it is likely that an exterior door will be needed for each room.

Lindman said that the daycare center is a great business, but he does not feel that it is the right location for the expansion. Lindman said that he would prefer a location on a larger lot.

Gisselman asked if the petitioner is aware of the issues. Hebert said he had spoken to the petitioner and discussed the kitchen issues, parking, and conversations with neighbors. The petitioner has been in touch with the licenser.

Mayor Mielke asked for a motion to approve, but no motion was made.

**PUBLIC HEARING: Discussion and possible action on approving a conditional use at 1415 West Street to allow for a car wash, in a B2, Community Service District.**

Sippel said that the site plan is located in the packet. The property is located at the corner of West Street and 17<sup>th</sup> Avenue. The lot is currently vacant. A car wash is allowed in the district with the approval of a conditional use. The surrounding land is for commercial uses. As proposed, the use is not expected to cause any major issues.

Jim Waldron, 804 Oriole Lane, said that the property has been on the market for ten years.

Mayor Mielke closed the public hearing.

Gisselman asked if the conditional use would travel from owner to owner. It was confirmed by staff that it does.

Zahrt motioned to approve the conditional use at 1415 West Street to allow for a car wash, in a B2, Community Service District. Brueggeman seconded, and the motion carried unanimously 6-0. This item will go to Common Council on January 9, 2018.

**Discussion and possible action on amending the Precise Implementation Plan at 1300 North River Drive to approve amendments to building facades and signage.**

Lenz said that there wasn't anything included in the packet for this item. The building elevations that were approved through the UDD showed something on the walls, but it was not specifically approved as to what it should be. Nothing has been installed to this point, other than business signage. One idea was handed out at the beginning of the meeting. The owner has expressed a desire to not implement wall treatments as previously planned.

Brueggeman asked if the original plan from the postal building is available. The last version was small and so many changes had been made. Lenz said that it is on file, but not accessible right now. He said a green wall with ivy was proposed for the old building to cover up the paneling. Then, it was changed to wood panels and signage, and then again to metal scaffolding with pictures. Lenz said that he could dig up previous concepts for a future meeting. Currently, the plan that was passed out is what they are bound to by the zoning.

Lindman said that there have been discussions and it has gone around and around. At one time, advertisement was wanted, which was not the intent. With the landscaping, it is not sure what direction the commission wants to go. This part of the plan could be removed. Lindman said that he is not personally convinced that the pictures or murals would be the direction to go.

Zahrt said that it is a good looking building with the trees and landscaping. It fits with what is going to be there.

Peckham asked for clarification on where the latest plan came from. Greenwood said that they went to this type of thing inside and it shows the history as well. Greenwood said that they would like to leave the building like it is and see how the trees grow.

Peckham said that there is room for improvement. Lenz said an option could be to allow murals on the building, similar to what was done on other buildings in the area through the River District. He said staff could work with one of the better muralists. Mayor Mielke said that this is a partnership and would like to see the continued success.

Brueggeman asked if a finalized precise implementation plan would need to happen. Lenz said that the plan should be amended to remove the murals.

Zahrt motioned to amend the precise implementation plan to accept the building as it currently is. Brueggeman seconded, and the motion carried unanimously 6-0. This item will go to Common Council on January 9, 2018.

**Discussion and possible action on recourse for non-compliance with precise implementation plan at 1300 North River Drive.**

This item was pulled from the agenda.

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

The next meeting is scheduled for Tuesday, January 16, 2018.

**Adjournment**

Peckham motioned to adjourn, seconded by Zahrt. Motion carried unanimously 6-0 and the meeting adjourned at 6:00 p.m.

**The Plan Commission is next scheduled to meet at 5:00 p.m. on January 16, 2018.**