



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, May 11, 2021 at 6:30 p.m.
Location:	City Hall (407 Grant Street, Wausau WI 54403) - Council Chambers
Members:	Patrick Peckham, Michael Martens, Tom Kilian, Tom Neal, Jim Wadinski, Becky McElhaney, Lisa Rasmussen, Sarah Watson, Dawn Herbst, Lou Larson, Deb Ryan

Call to Order

Pledge of Allegiance / Roll Call / Proclamations

Public Comment: Pre-registered citizens for matters appearing on the agenda and other public comment.

Committee Reports: Board of Public Works: Insurance Claims January 2021 - March 2021

File #	CMT	Consent Agenda	ACT
21-0401	COUN	Minutes of previous meetings (4/27/21)	Place on file
21-0504	AIR & FIN	Joint Resolution Authorizing the execution of Airport Ground Lease – Owen Jones and Wynn O. Jones II	Approved 6-0 Approved 5-0
19-1113	PLAN	Ordinance Repealing Section 23.06.50 Regulations for vacant buildings; amending Section 23.01.23 Definitions, Section 23.02.02 Standard zoning districts, Section 23.02.20 (RH-35) Rural Holding Zoning District, Section 23.02.30 (SR-2) Single Family Residential-2 Zoning District, Section 23.02.31 (SR-3) Single Family Residential-3 Zoning District, Section 23.02.32 (SR-5) Single Family Residential-5 Zoning District, Section 23.02.33 (SR-7) Single Family Residential-7 Zoning District, Section 23.02.34 (MH-7) Mobile Home Residential-7 Zoning District, Section 23.02.40 (DR-8) Duplex Residential-8 Zoning District, Section 23.02.41 (TF-10) Two Flat Residential-10 Zoning District, Section 23.02.42 (TRD-12) Townhome Residential-12 Zoning District, Section 23.02.43 (MRL-12) Multi-Family Residential-12 Zoning District, Section 23.02.52 (SO) Suburban Office Zoning District, Section 23.02.53 (SMU) Suburban Mixed-Use Zoning District, Section 23.02.54 (UMU) Urban Mixed-Use Zoning District, Section 23.02.55 (DPMU) Downtown Periphery Mixed-Use Zoning District, Section 23.03.03 Regulations applicable to all land uses, Section 23.03.05 Table of land uses, Section 23.03.06 Residential land uses, Section 23.03.28 Accessory land uses and structures, Section 23.06.02 Group and large development standards, Section 23.06.03 Vehicle access standards, Section 23.06.05 Visibility standards, Section 23.06.06 Off-street parking and traffic circulation, Section 23.06.40 Fencing standards, Section 23.06.42 Swimming pool standards, Section 23.06.51 – 23.06.99 Reserved, Section 23.09.05 Definitions and rules related to sign groups, sign categories, and sign types, Section 23.09.27 Sign permits—Application, enforcement, and revocation	Approved 7-0
21-0108	PH&S	Resolution Approving or Denying Various Licenses as Indicated	Approved 5-0

File #	CMT	Resolutions and Ordinances	ACT
21-0503		Mayor's Appointments	
15-0613	ED	Resolution Approving third amendment to Blenker River East Brownstones Development Agreement – Phase III	Approved 4-0
06-1016	FIN	Ordinance Repealing Section 3.10.010 Referendum	Approved 4-1
21-0507	PK&REC	Resolution Approving contract with Epic Trail Design, LLC for Phase II of the Sylvan Hill Bike Park improvements	Approved 5-0
21-0505	PLAN	Ordinance Rezoning 117 and 119 East Chellis Street from SR-5, Single Family Residential-5 Zoning District to HI, Heavy Industrial Zoning District	Approved 6-0
21-0506	PLAN	Ordinance Rezoning 209, 211 & 215 Short Street and 1214 North 3rd Street from TF-10, Two-Flat Residential-10 Zoning District to PUD, Planned Unit Development Zoning District and approve the General Development Plan to allow for a four-unit multi-family development with associated parking	Approved 7-0
21-0508	PLAN	Ordinance Rezoning 617 and 621 Forest Street from NMU, Neighborhood Mixed Use Zoning District to PUD, Planned Unit Development Zoning District and approve the General Development Plan to allow for office space, vehicle sales and parking lot.	Approved 7-0
21-0509	PLAN	Ordinance Rezoning 1520 Elm Street from SMU, Suburban Mixed-Use Zoning District to PUD, Planned Unit Development Zoning District and approve the General Development Plan to allow for a new mixed-use apartment development	Approved 7-0
21-0509	PLAN	Ordinance Rezoning 1601 Elm Street from SMU, Suburban Mixed-Use Zoning District to PUD, Planned Unit Development Zoning District and approve the General Development Plan to allow for off-street parking for a new multi-family mixed-use development	Approved 7-0
Public Comment & Suggestions			

Adjournment

Signed by Katie Rosenberg, Mayor

*Due to the COVID-19 pandemic, this meeting is being held in person and via teleconference. Members of the media and the public may attend in person, subject to the social distancing rules of maintaining at least 6 feet apart from other individuals, or by calling **1-408-418-9388**. The Access Code is: **187 796 3332 Password: ceSjqwR4V93**

Individuals appearing in person will either be seated in the Council Chambers or an overfill room, subject to the social distancing rules. Space available will be on a first come, first served basis. All public participants' phones will be muted during the meeting. Members of the public who do not wish to appear in person may view the meeting live on the City of Wausau's YouTube Channel <http://www.tinyurl.com/WAAMedia>, live by cable TV, Channel 981, and a video is available in its entirety and can be accessed at <https://tinyurl.com/WausauCityCouncil>. Any person wishing to offer public comment who does not appear in person to do so, may e-mail leslie.kremer@ci.wausau.wi.us with "Common Council public comment" in the subject line prior to the meeting start. All public comment, either by email or in person, will be limited to items on the agenda at this time. The messages related to agenda items received prior to the start of the meeting will be provided to the Mayor.

This Notice was posted at City Hall and transmitted to the Daily Herald newsroom on 5/07/21 @ 12:30 PM . Questions regarding this agenda may be directed to the City Clerk.

In accordance with the requirements of Title II of the Americans with Disabilities Act of 1990 (ADA), the City of Wausau will not discriminate against qualified individuals with disabilities on the basis of disability in its services, programs or activities. If you need assistance or reasonable accommodations in participating in this meeting or event due to a disability as defined under the ADA, please call the ADA Coordinator at (715) 261-6590 or ADAServices@ci.wausau.wi.us to discuss your accessibility needs. We ask your request be provided a minimum of 72 hours before the scheduled event or meeting. If a request is made less than 72 hours before the event the City of Wausau will make a good faith effort to accommodate your request.



PROCLAMATION

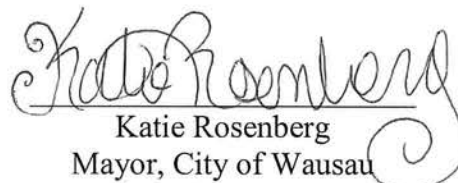
- WHEREAS,** May 14th marks Childhood Apraxia of Speech Day during which awareness will be raised throughout Wisconsin about childhood apraxia of speech, an extremely challenging speech disorder that affects 1-in-1,000 children; and
- WHEREAS,** childhood apraxia of speech (CAS) causes children to have significant difficulty learning to speak and is among the most severe speech deficits in children; and
- WHEREAS,** the act of learning to speak comes effortlessly to most children, those with apraxia require early, appropriate, and intensive speech therapy, often for many years to learn to speak; and
- WHEREAS,** without appropriate speech therapy intervention, children with apraxia will have diminished communication skills, but are also placed at high risk for secondary impacts in reading, writing, spelling, and other school-related skills; and
- WHEREAS,** such primary and secondary impacts diminish future independence and employment opportunities and challenge the ability to become productive, contributing citizens if not resolved or improved; and
- WHEREAS,** public awareness about childhood apraxia of speech in Wisconsin is essential for families of children with this neurological disorder and the professionals who support them to achieve the needed services for those learning to use their own voice; and
- WHEREAS,** our highest respect goes to these children, as well as their families, for their effort, determination, and resilience in the face of such obstacles;

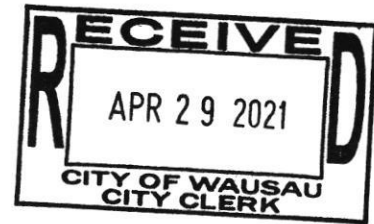
NOW, THEREFORE, be it resolved that I, Katie Rosenberg, Mayor of the City of Wausau, do hereby proclaim May 14, 2021 as

APRAXIA AWARENESS DAY

in the City of Wausau and encourage all Wausau citizens to increase awareness and understanding of childhood apraxia of speech.




Katie Rosenberg
Mayor, City of Wausau
April 28, 2021



To: Leslie Kremer, City Clerk

From: Board of Public Works

Date: April 29, 2021

Subject: Insurance Claims – January 2021 – March 2021
06-1215

The Board of Public Works has settled, compromised or denied the following claims during the months of January 2021 – March 2021

Date of Incident	Claimant	Claim Details	Amount of claim	Action
2/17/21	Brian Kimbel 830 S. 10 th Ave.	Sewer back-up	\$443.75	Deny 3/16/21
12/4/20	Dean Kubichek 802 S. 3 rd Ave.	Trip and fill in front of City Hall	\$30,910.01	Deny 3/30/21
2/15/21	Garrett Y Chanell Nutter 1018 Brown Street	Water main broke – flooding & water in basement	\$4,451.00	Deny 3/30/21
3/11/21	Pisteuo Properties 143 Edwards St	Sewer back-up	\$325.00	Deny 3/30/21
3/10/21	Thomas Tress 605 S. 3 rd Ave.	Manhole cover came up & hit tailshaft housing on van	\$494.80	Deny 3/30/21

OFFICIAL PROCEEDINGS OF THE WAUSAU COMMON COUNCIL
held on Tuesday, April 27, 202 at 6:30 pm in the Council Chambers at City Hall.
Mayor Katie Rosenberg presiding.

Roll Call

4/27/2021 6:31:06 PM

Roll Call indicated 11 members present.

<u>District</u>	<u>Aldersperson</u>	<u>Present</u>
1	Peckham, Patrick	YES
2	Martens, Michael	YES
3	Kilian, Tom	YES
4	Neal, Tom	YES
5	Wadinski, Jim	YES
6	McElhaney, Becky	YES
7	Rasmussen, Lisa	YES
8	Watson, Sarah	YES
9	Herbst, Dawn	YES
10	Larson, Lou	YES
11	Ryan, Debra	YES

Proclamations

Mayor Rosenberg indicated the proclamations for **Worker's Memorial Day – April 28, 2021**; **Sexual Assault Awareness Month – April**; and **Autism Spectrum Awareness Month – April**, were in the online packet and on the city's website.

Mayor Rosenberg proclaimed **May 5, 2021 Missing and Murdered Indigenous Women and Girls Day of Awareness** in the City of Wausau and called upon all Wausau citizens to commemorate the lives of missing and murdered indigenous women and girls and call attention to the many missing and murdered Native women and girls, as well as those who have experienced violence and assault and resolve to act to prevent further victimization.

Public Comment for Pre-registered citizens for matters appearing on the agenda and other public comment

None

Presentation: Day of Awareness for Missing and Murdered Indigenous Women and Girls – Tricia Zunker

Tricia Zunker stated these women are murdered at a rate 10 times higher than other ethnicities and it is the third leading cause of death to our women. The majority of these murders are committed by non-native people and often on native owned land. She pointed out of the 11 federally recognized tribes in Wisconsin, Ho-Chunk Nation of which she is a member, doesn't have reservation land; their lands are held in trust. Lack of communication between state, local and tribal law enforcement makes it difficult to begin the investigation process. The presentation in its entirety can be viewed at: <https://www.youtube.com/watch?v=4u0xtSUHIWo>

Consent Agenda

4/27/2021 7:00:41 PM

Motion by Neal, second by Watson to adopt all the items on the Consent Agenda as follows:

21-0401 Minutes of previous meeting (4/13/21)

21-0409 Initial Resolution Setting a public hearing regarding vacating and discontinuing an unpaved-alley lying west of 827 Turner Street between North 8th Street, North 9th Street and Augusta Avenue

21-0412 Resolution Approving Request for Three Drive Approaches at 517-521 Fulton Street

21-0413 Resolution Approving Amendment #1 to the contract with Kapur & Associates for the Business Campus Trail 72nd Avenue, Packer Drive to International Drive

21-0415 Resolution Approving Agreement for the Management and Maintenance of a Stormwater facility (Eye Walk LLC 1204 West Bridge Street)

21-0410 Resolution Approving the acquisition of 1010 Bugbee Avenue

Yes Votes: 11 No Votes: 0 Result: PASS

Motion by Herbst, second by Larson to approve Mayors Appointments.

Reappointments to the Board of Review – Nan Giese, Monty Raskin, and Carmen Siegel

Yes Votes: 11 No Votes: 0 Result: PASS

21-0411

4/27/2021 7:01:59 PM

Motion by Neal, second by Rasmussen to adopt Ordinance Creating temporary ordinance Section 12.44.070 Installation of Parklets

Tom Kilian stated he recently received some feedback on parklets and one concern was to the impact to the parking spaces reserved for those with a disability. He commented this appears to essentially be a pilot program, so since stakeholders from that community have not had a chance to weigh in on this topic, it would be productive to get that feedback during and after the program.

Lisa Rasmussen indicated there would be discussion at the CISM Committee to analyze how it worked at the end of the trial season. She pointed out under this provision they do not exist year round and will be removed at the end of the fall season so that snow can be removed.

Deb Ryan stated as part of their discussion in CISM they recommended not allowing more than two restaurants in one block to use parklets in order to preserve parking spaces. Rasmussen clarified not more than two *parklets* per block, however, parklets can be shared by multiple restaurant owners.

Lou Larson, CISM member, also clarified that parklets will not affect the handicapped spaces.

Yes Votes: 11 No Votes: 0 Result: PASS

21-0411

4/27/2021 7:07:47 PM

Motion by Rasmussen, second by Larson to adopt Resolution Authorizing the approval of City of Wausau Temporary Parklet Policy

Yes Votes: 11 No Votes: 0 Result: PASS

13-0309

4/27/2021 7:08:25 PM

Motion by Rasmussen, second by Wadinski to adopt Resolution Authorizing the addition of fees to the City of Wausau Fees and Licenses Schedule adopted pursuant to Wausau Municipal Code 3.40.010(a). (Parklets)

Yes Votes: 11 No Votes: 0 Result: PASS

20-1109

4/27/2021 7:09:06 PM

Motion by Watson, second by Rasmussen to adopt Resolution Approving Modification of the 2021 Budget General Fund and Capital Project Funds for projects in process and other obligations.

Yes Votes: 11 No Votes: 0 Result: PASS

20-1109

4/27/2021 7:09:47 PM

Motion by Kilian, second by Herbst to adopt Resolution Approving budget modification for environmental testing at Riverside Park.

Yes Votes: 11 No Votes: 0 Result: PASS

21-0414

4/27/2021 7:13:08 PM

Motion by Neal, second by Martens to adopt Resolution Designating the Month of May, 2021, as No Mow May and suspending enforcement of W.M.C. 6.48.010 Mowing Required and 6.48.040 Penalty from May 1, 2021 through May 31, 2021.

Lisa Rasmussen indicated she was the lone no vote at committee because there was a fair amount of push back from the residents of District 7. She indicated the reasons for the opposition by her constituents were based on the fact that in May most people put out flowering plants and gardens, and that the City of Wausau is bordered by a number of natural areas for pollinators to thrive. There was concern about weeds and the wind spreading the seed to other adjacent yards.

Pat Peckham felt there were a lot of reasons to support No Mow May and pointed out it is only for one year. It is important that people must register in advance to participate and those not registered are not exempt from the penalty for not mowing. He indicated he had zero opposition to it from his district, actually there was a lot of enthusiasm.

Rasmussen confirmed that Public Health & Safety Committee was very clear that acceptance of this was dependent upon participating households be allowed to not mow, but others would need to continue to maintain property. There is a website to opt into the program and there is signage for those yards. (*No Mow May Signs can be picked up at City Hall*)

Yes Votes: 9 No Votes: 2 Abstain: 0 Not Voting: 0 Result: PASS

<u>District</u>	<u>Aldersperson</u>	<u>Vote</u>
1	Peckham, Patrick	YES
2	Martens, Michael	YES
3	Kilian, Tom	YES
4	Neal, Tom	YES
5	Wadinski, Jim	YES
6	McElhaney, Becky	YES
7	Rasmussen, Lisa	NO
8	Watson, Sarah	YES
9	Herbst, Dawn	NO
10	Larson, Lou	YES
11	Ryan, Debra	YES

Suspend the Rules

4/27/2021 7:18:07 PM

Motion by Rasmussen, second by Neal to Suspend the Rules - 6(B) Filing and 12(A) Referral of Resolutions.

Yes Votes: 11 No Votes: 0 Result: PASS

20-0317 Amendment #1

4/27/2021 7:36:49 PM

Motion by Rasmussen, second by McElhaney to Amend the Resolution Approving rules relating to meetings of governmental bodies - in Paragraph Number 3 of the Now Therefore clause to require voting members of all committees, boards and commissions to appear in person for meetings.

Anne Jacobson reviewed that Council did not renew the amendment to the Council Rules that had allowed them to appear virtually/remotely for Council meetings. This item is specific to all the other committees, boards, and commissions, but they can change whatever they wish. She noted as proposed it states that all Standing Committees (consisting of alderpersons) must be present in person. City employees wishing to attend meetings but whose personal appearance is either not required or requested by the chair may continue to appear remotely. The resolution provides that all other committees, commissions and boards can continue to meet virtually, but based on the advice received from the AG's office there still has to be a physical locations so the chair would have to be present in person to call the meeting to order. She noted if this is approved it will not apply until May 3rd to give people enough time to plan. *Lengthy discussion followed.*

Vote on Amendment #1

Yes Votes: 7 No Votes: 4 Abstain: 0 Not Voting: 0 Result: PASS

<u>District</u>	<u>Aldersperson</u>	<u>Vote</u>
1	Peckham, Patrick	NO
2	Martens, Michael	YES
3	Kilian, Tom	NO
4	Neal, Tom	NO
5	Wadinski, Jim	NO
6	McElhaney, Becky	YES
7	Rasmussen, Lisa	YES
8	Watson, Sarah	YES
9	Herbst, Dawn	YES
10	Larson, Lou	YES
11	Ryan, Debra	YES

20-0317 Amendment #2

4/27/2021 7:55A1 PM

Motion by Neal, second by Kilian to Amend the Resolution of the Common Council Approving rules relating to meetings of governmental bodies - to include the option to allow for remote participation with 72 hours' notice in the event of illness or injury that would prevent in person attendance.

Tom Neal felt there should be an option in extreme situations for an individual to attend remotely rather than be excused. He did not think this tool should be thrown out completely when it could enable someone under extreme difficulty to participate and vote. Mayor Rosenberg questioned who would make the decision as to what is an acceptable reason.

Lisa Rasmussen commented as long as a committee has a quorum business can still be conducted and if someone has an extreme illness or injury that perhaps they shouldn't be trying to participate, but should be resting. A meeting can be rescheduled if a quorum cannot be achieved. Becky McElhaney agreed that someone shouldn't try to participate from a hospital bed and also questioned who will decide what constitutes a reason for attending remotely. She did not feel WebEx was as transparent to the public as being in person. *Discussion continued.*

Jim Wadinski called the question, seconded by Watson; being no opposition the vote was taken.

Vote on Amendment #2

Yes Votes: 4 No Votes: 7 Abstain: 0 Not Voting: 0 Result: FAIL

<u>District</u>	<u>Aldersperson</u>	<u>Vote</u>
1	Peckham, Patrick	YES
2	Martens, Michael	NO
3	Kilian, Tom	YES
4	Neal, Tom	YES
5	Wadinski, Jim	YES
6	McElhaney, Becky	NO
7	Rasmussen, Lisa	NO
8	Watson, Sarah	NO
9	Herbst, Dawn	NO
10	Larson, Lou	NO
11	Ryan, Debra	NO

20-0317

4/27/2021 7:56:37 PM

Motion by Watson, second by Peckham to adopt Resolution Approving rules relating to meetings of governmental bodies, as amended on the Council floor.

Yes Votes: 10 No Votes: 1 Abstain: 0 Not Voting: 0 Result: PASS

<u>District</u>	<u>Aldersperson</u>	<u>Vote</u>
1	Peckham, Patrick	YES
2	Martens, Michael	YES
3	Kilian, Tom	YES
4	Neal, Tom	YES
5	Wadinski, Jim	NO
6	McElhaney, Becky	YES
7	Rasmussen, Lisa	YES
8	Watson, Sarah	YES
9	Herbst, Dawn	YES
10	Larson, Lou	YES
11	Ryan, Debra	YES

21-0416

4/27/2021 7:57:18 PM

Motion by Watson, second by Peckham to adopt Resolution Supporting continued State investment in local critical services and Increased commitments to shared revenue funding.

Yes Votes: 11 No Votes: 0 Result: PASS

20-1109

4/27/2021 6:03:31 PM

Motion by Herbst, second by Rasmussen to adopt the Resolution Approving Modification of the 2021 Budget Taste and Glow Sponsorship.

Lisa Rasmussen clarified the Finance Committee passed this unanimously for funding to come from the portion of Room Tax that the city manages. She stated it will not impact previous allocations or continuing appropriation entities, nor are we looking to set a precedent or pattern with late applications; this is a special circumstance. She explained the event was revived after it was canceled

by Wausau Events and found a home just outside the city limits. Future requests for this will go back to the Room Tax Commission.

Tom Kilian questioned that this was an event being held outside the city limits. Maryanne Groat, Finance Director, explained when the Tourism Commission first developed their rules it was restricted to within the city limits. She indicated they received an application a couple years ago for an event very close to the city drawing a lot of people and generating a lot of hotel room night stays for the area. At that point, the room tax rules were changed to allow for events outside the area and there is also precedence because the city made a contribution to Granite Peak a number of years ago for restoration/improvements. Kilian stated as a representative he was not supportive of sending city funds outside the city limits.

Rasmussen noted that all of the EMS and Law Enforcement resources that are needed to manage the event at the municipal airport will not be needed and will save the city a lot of money. Deb Ryan added the Department of Public Works also did a lot of work for the event.

Yes Votes: 10 No Votes: 1 Abstain: 0 Not Voting: 0 Result: PASS

<u>District</u>	<u>Aldersperson</u>	<u>Vote</u>
1	Peckham, Patrick	YES
2	Martens, Michael	YES
3	Kilian, Tom	NO
4	Neal, Tom	YES
5	Wadinski, Jim	YES
6	McElhaney, Becky	YES
7	Rasmussen, Lisa	YES
8	Watson, Sarah	YES
9	Herbst, Dawn	YES
10	Larson, Lou	YES
11	Ryan, Debra	YES

Public Comment or Suggestions

Mayor Rosenberg announced Ric Mohelnitzky, Department of Public Works, is retiring after 37 years of service to the city.

Deb Ryan stated the Transit Commission has been dealing with more input from the bus riders and recommended the Council consider forming a subcommittee for Transit as an advisory committee for the bus riders. She also stated there will be a Plan Commission meeting on Thursday with a number of public hearings; two of those hearings involve Lokre and the Elm Street project. She was concerned with the entry/exit to the Plaza property on Elm Street causing traffic issues.

Adjourn

4/27/2021 6:03:31 PM

Motion by Wadinski, second by Watson to adjourn the meeting. Motion carried unanimously. Meeting adjourned at 6:03 pm.

Katie Rosenberg, Mayor
Leslie Kremer, City Clerk

**JOINT RESOLUTION OF AIRPORT COMMITTEE
AND FINANCE COMMITTEE**

Authorizing the execution of Airport Ground Lease – Owen Jones and Wynn O. Jones II

Committee Action: Airport: Approved 6-0

Finance: Approved 5-0

Fiscal Impact: Annual lease and tax revenues

File Number: 21-0504

Date Introduced: May 11, 2021

RESOLUTION

WHEREAS, your Airport Committee, at their April 14, 2021 meeting, approved construction of a 70' x 70' hangar in the Wausau Downtown Airport hangar development area by Owen Jones and Wynn O. Jones II; and

WHEREAS, your Finance Committee, at their April 27, 2021, meeting, approved entering into a ground lease with Owen Jones and Wynn O. Jones II, a copy of which lease is attached and incorporated herein by reference, and in general, provides for a twenty (20) year lease with the opportunity for renewal, a lease payment of 12¢ per square foot adjusted annually, and a payment to the City of real estate taxes as a building on lease land.

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 the original of the attached standard ground lease between the City of Wausau and Owen Jones and Wynn O. Jones II, allowing for construction of the aforementioned hangar.

Approved:

Katie Rosenberg, Mayor

AIRPORT COMMITTEE

Date and Time: Wednesday, April 14, 2021 @ 6:00 pm., at the Wausau Downtown Airport

Members Present: Pat Peckham (C), Lou Larson, Lisa Rasmussen, Doug Diny, Dennis Seitz, Fred Prehn

Members Excused: Jim Wadinski

Others Present: John Chmiel

Discussion and Possible Action Regarding Construction Request of an 70' X 70' Hangar in the East Hangar Development Area by Owen Jones - Chmiel

John Chmiel noted Owen Jones is the son of the current hangar owner Wynn Jones, aka Casey Jones. He stated Owen Jones would like to construct a hangar on the west side of the East Hangar Development Area, in between the previously approved but not yet constructed Kocourek hangar and the previously approved but not yet constructed Learn/Build/Fly hangar.

Chmiel pointed out the area on a map which shows a light green line going through the center of the red hangar, which is the current location of the sanitary sewer. He indicated they are requesting to build over the top of the sanitary sewer. The initial discussion with the Inspections Department was that it was not allowed under code. The information regarding the depth and the location of the sanitary sewer was forwarded to Eric Lindman, Director of Utilities and Engineering for review. An alternative location has been provided to replace the sanitary sewer if there should be any problems because a hangar was constructed over the top of it. The proposal is to locate the Jones hangar closer to the Kocourek hangar rather than the Learn/Build/Fly hangar and that gap will allow for a sanitary sewer line if needed. He pointed out the chances of having to do that are slim to none because the sanitary sewer is 10 feet deep.

Motion by Prehn, second by Diny to approve the proposed construction request by Owen Jones.

Motion carried 6-0.

FINANCE COMMITTEE

Date and Time: Tuesday, April 27, 2021 @ 5:15 pm., Council Chambers

Members Present: Lisa Rasmussen, Michael Martens, Dawn Herbst, Sarah Watson, and Deb Ryan

Others Present: Maryanne Groat, Anne Jacobson, Ben Bliven, Brad Lenz, Katie Rosenberg, Sean Fitzgerald, Jamie Polley, Leslie Kremer

Discussion and possible action on Airport Ground Lease – Owen Jones and Wynn O. Jones II

Motion by Martens, second by Herbst to approve the Airport Ground Lease – Owen Jones and Wynn O. Jones II.
Motion carried 5-0.

AIRPORT GROUND LEASE

THIS AGREEMENT, made and entered into this _____ day of _____, 20____, by and between the City of Wausau, a Wisconsin municipal corporation, hereinafter referred to as "CITY," and Owen Jones, 723 Country Club Road, Schofield, WI 54476, and Wynn O. Jones II, 720 Country Club Road, Schofield, WI 54476, hereinafter referred to as "TENANT;"

WITNESSETH:

WHEREAS, CITY owns and operates an airport within the corporate limits of the City of Wausau known as the Wausau Downtown Airport, hereinafter referred to as "Airport;" and

WHEREAS, TENANT wishes to lease a parcel of land on Airport described in "Exhibit A," hereinafter referred to as "parcel," and TENANT wishes to construct an airplane hangar for the storage of aircraft and their appurtenances and for TENANT's use on that parcel.

NOW, THEREFORE, for and in consideration of the rents, covenants, and agreements herein contained, CITY and TENANT agree as follows:

1. Premises. CITY hereby leases to TENANT the parcel depicted on "Exhibit A," attached hereto.

TENANT shall construct within one (1) year of the date first above written, improvements in accordance with the plans and specs on said parcel described in "Exhibit A," attached hereto. All improvements, now and any in the future, must meet all applicable state and local building codes, and shall be approved by CITY. TENANT shall use the improvements and premises for aeronautical purposes in accordance with the provisions of paragraph 34.

Within sixty (60) days after the completion of the building, TENANT shall complete preparation of appropriate excavation and installation of base course in preparation for asphalt pavement extending from the building to the taxiway and one hundred and thirteen feet (113') wide. TENANT shall pay for 100 percent of the preparation and base course, and CITY shall pay for the asphalt and the cost of laying the asphalt down. All site preparations for the road shall be done pursuant to CITY specifications and shall be approved by CITY prior to CITY paving the area.

2. Lease Fees. TENANT shall pay to CITY for the lease of the parcel twelve cents (12¢) per square foot (70' x 70) per year, which payment shall be paid to the City Treasurer on an annual basis no later than the 5th day of January in the year for which the payment is due. The lease payment for 2021 shall be prorated and shall reflect the months from the date of occupancy to the end of the year. (Taxes shall reflect the improvements as of the legal date of assessment value [currently January 1]). This lease amount shall be adjusted annually to reflect the change in the Consumer Price Index from September 30 the previous year.

3. Term of Agreement. The initial term of this Agreement shall be for a period of twenty (20) years commencing on the date above first written. This lease shall be automatically renewed, without notice from either party, on identical terms for a like successive term, unless

either party shall, at least forty-five (45) days before the expiration of the lease, notify the other in writing of the termination of the lease.

4. Utilities and Taxes. TENANT agrees to pay all utilities, taxes, and phone bills, including but not limited to bills for electricity, gas, sewer, and water. TENANT agrees to install or cause to be installed on the leased premises meters for all utilities to be used on the leased premises and to pay any and all costs and expenses incurred as a result of the installation and use of such utilities.

5. Improvements. Except as provided in paragraph 1, TENANT shall not make any structural alterations, additions or improvements to the building or leased premises without the consent of CITY, which consent will not unreasonably be withheld, in those cases where TENANT provides it with plans and specifications for the same evidencing alterations, additions, and improvements of substantially the same appearance, standards, and quality as the construction specified in paragraph 1 and there is sufficient, in the opinion of CITY, land for the improvements. TENANT shall have the right to make, without CITY's consent, such nonstructural alterations, additions, and improvements to the building and leased premises that TENANT desires in order to conduct its operations on the leased premises.

6. Compliance with Laws. TENANT shall at all times comply with the airport rules and regulations, federal, state, and municipal laws, ordinances, codes, and other regulatory measures, now in existence or as may be hereafter modified and amended, applicable to the specific type of operation contemplated by it. TENANT shall procure and maintain during the term of this agreement all licenses, permits, and other similar authorizations required for the conduct of its aircraft operations.

7. Liens. TENANT agrees to promptly pay all sums legally due and payable on account of any labor performed on or materials furnished for the leased premises. TENANT shall not permit any liens to be placed against the leased premises on account of labor performed or material furnished; and in the event such a lien is placed against the leased premises, TENANT agrees to save CITY harmless from any and all such asserted claims and liens and to remove or cause to be removed any and all such asserted claims or liens as soon as reasonably possible.

8. Development. CITY reserves the right to further develop or improve the landing and public areas, including ramp space of the airport, as it sees fit regardless of the desires or views of TENANT and without interference or hindrance; provided, however, that no such development or improvement shall for a period in excess of sixty (60) days limit or violate TENANT's rights under this lease agreement or otherwise violate any federal, state, or local law, ordinance, rule, or regulation.

9. Subordination. This lease agreement shall be subordinate to the provisions of any existing or future agreement between CITY and the United States Government relative to the operation or maintenance of the airport, the execution of which has been, or may be, required as a condition precedent to the expenditure of federal funds for the development of the airport. Should the effect of any such agreement with the United States Government be to take the leased premises or building or any portion of either or substantially destroy the commercial value of either, then, within thirty (30) days after the occurrence of such event, CITY shall terminate this lease

agreement and purchase the building from TENANT, which purchase price shall be the fair market value of the building as of the day of the "taking."

10. Air and Noise. CITY hereby reserves for the use and benefit of the public, the right of aircraft to fly in the airspace overlying the leased premises, together with the right of said aircraft to cause such noise as may be inherent in the operation of aircraft landing at, taking off from, or operating on or in the vicinity of the airport, and the right to pursue all operations of the airport; provided, however, that no such rights or the exercise thereof shall limit or violate TENANT's rights under this lease agreement.

11. Restrictions on Obstructions. CITY reserves the right to take any action it considers necessary to protect the aerial approaches of the airport against obstruction, together with the right to prevent TENANT from erecting, or permitting to be erected, any building or other structure on the airport, which, in the opinion of CITY, would limit the usefulness of the airport, or constitute a hazard to aircraft.

12. Assignment. Subject to paragraph 25, TENANT shall not assign its rights and obligations under this lease agreement nor assign any part of the leased premises to a third party, but may sublet the leased premises to a third party without CITY approval, provided that the leased premises is used solely for aircraft storage.

13. Automobile Parking Lot. TENANT and TENANT's guests may use the parking lot area along with other members of the public and individuals utilizing the Airport.

14. Signs. TENANT agrees that no signs, lighting or advertising matter shall be erected without the written consent of CITY.

15. Insurance. TENANT shall maintain on the parcel and its improvements fire and extended coverage insurance in an amount at least equal to the assessed valuation of the improvements as well as liability coverage with a minimum combined single limit in an amount not less than \$1 million dollars of liability per occurrence for Bodily Injury and Property Damage. The liability coverage amount shall be raised by TENANT when and as necessary, during the term of the lease, to correspond to requirements of CITY.

16. Hold Harmless. TENANT agrees to indemnify and hold harmless CITY, its employees, agents, officers and officials, whether hired, appointed or elected, free and harmless from and against any and all judgments, damages, losses, costs, claims, expenses, suits, demands, deaths, actions and/or causes of action to which they may be exposed by reason of injury or injuries to anyone or of the death or deaths of anyone, or by reason of any personal injury and/or real property damage, or by reason of any other liability imposed by law or by anything or by anyone else upon the above-referenced entities and/or individuals as the result of and/or due to TENANT's operations on the demised premises or on any premises owned by CITY and adjacent thereto and/or as a result of and/or due to the presence of TENANT on the demised premises or on premises owned by CITY and adjacent thereto, and/or due to the existence of this Agreement; specifically included within this indemnification and hold harmless section are attorneys' fees and other costs of defense which may be sustained by and/or occasioned to the above-referenced entities and/or individuals.

17. Release. TENANT agrees to release CITY, its employees, agents, officers and officials, whether hired, appointed or elected, from and against any and all judgments, damages, losses, costs, claims, expenses, suits, demands, deaths, actions and/or causes of action of any kind or of any nature which may be sustained or to which they may be exposed by reason of injury or injuries to anyone or of the death or deaths of anyone, or by reason of any personal injury and/or real property damage, or by reason of any other liability imposed by law or by anything or by anyone else upon the above-referenced entities and/or individuals as the result of and/or due to TENANT's operations on the demised premises or on any premises owned by CITY and adjacent thereto and/or as a result of and/or due to the presence of TENANT on the demised premises or on premises owned by CITY and adjacent thereto, and/or due to the existence of this Agreement; specifically included within this release section are attorneys' fees and other costs of defense which may be sustained by and/or occasioned to the above-referenced entities and/or individuals.

18. Rights in Common with Others. TENANT shall have the right, in common with others authorized so to do, to use all common areas of Airport, including runways, taxiways, aprons, roadways, parking lots, and any other common areas.

19. Obligations of CITY.

A. CITY shall plow snow promptly and as necessary for the operation of an airport, on the runways, hangar areas, tie-down areas, and any areas in the parking lot necessary for use by TENANT. CITY shall plow to within six (6) feet of TENANT's hangar door.

B. CITY shall maintain the surface of the runways, hangar areas, tie-down areas, and necessary areas of the parking lot in a condition which is reasonable, taking into consideration the required use.

20. City's Right of Entry. CITY shall have the right to, upon 24 hours' notice, inspect the premises during normal business hours in the company of TENANT or an agent or employee of TENANT for the purpose of examining the same and to ascertain if they are in good and safe repair and in compliance with the requirements contained herein, including compliance with all federal, state and local codes. In the event of an emergency, CITY shall have the right to enter the premises without advance notice to TENANT.

21. Acceptance of Premises. TENANT, by the execution of this Agreement, represents that it has inspected Airport and the leased parcel, and that it accepts the condition of the same as they now exist, and fully assumes all risks incident to the use thereof.

22. Outside Storage and Removal of Trash. TENANT will not store in a location susceptible to view by the public, any equipment, materials, supplies, or damaged or partially dismantled aircraft or other vehicles on the leased or adjacent premises. Any screens or other devices used to keep equipment, materials or supplies from view shall be subject to prior consent by CITY.

TENANT further agrees to remove or cause to be removed, at TENANT's expense, any trash, garbage or debris generated by TENANT's use of the leased premises and agrees not to

deposit any trash, garbage or debris on any part of Airport or the leased premises except temporarily in connection with collection or removal of the same.

23. Repair of Premises. TENANT shall, at its expense, keep, maintain, and repair the leased premises, the building and all improvements in good condition subject to normal wear and tear. Included in TENANT's obligations is cutting grass, weeds and other vegetation. In the event TENANT fails to comply with this subparagraph, CITY shall give notice to TENANT specifying the nature of TENANT's failure. In the event that TENANT fails within thirty (30) days of CITY's notice to cure such failure, CITY shall have the option either to cure such failure and to assess the costs thereof against TENANT, or to terminate this Agreement upon five (5) days' notice to TENANT. TENANT hereby agrees to pay any and all such assessments, including all costs, disbursements and reasonable attorneys' fees incurred by CITY in curing such failure within thirty (30) days after CITY's demand therefor.

24. Security. The parties hereby agree that TENANT assumes all responsibility and obligation for providing security on the leased premises.

TENANT shall not permit any security code provided by CITY to TENANT to be provided to any other person unless such person has been identified to and approved in advance by LANDLORD, or is an authorized employee of TENANT. Any guest or passenger of TENANT shall be personally escorted by the TENANT, or an authorized employee of TENANT, into and out of security gates of the Airport security fence.

25. Title and Right of First Refusal to Leasehold Improvements. TENANT shall retain the title to all buildings and other improvements constructed by TENANT on the leased premises. During the term of the lease, ownership may be transferable by TENANT upon CITY's written approval, which shall not be unreasonably withheld.

26. Termination of Lease. Upon termination at the end of the 20-year term or of any successive terms, TENANT shall have the following options:

A. At TENANT's option, all buildings and improvements may be removed from the leased premises at no cost to the CITY. TENANT shall restore leased premises to orderly condition.

B. At TENANT's option, all buildings and improvements located on the leased premises may be sold. CITY shall have the first right to purchase such buildings and improvements. In the event TENANT receives a bona fide written offer to purchase said buildings and improvements from a third party, CITY shall have the first right to purchase said buildings and improvements at the same price and on the same terms and conditions as are contained in such an offer to purchase. In the event CITY elects not to exercise its option of first right of refusal to purchase the buildings and improvements, the party purchasing said buildings and improvements will agree to lease the premises from the CITY, upon terms acceptable to CITY.

27. Cancellation by CITY. CITY may cancel this Agreement by giving TENANT sixty (60) days' advance, written notice upon or after any one of the following events of default:

A. The failure of TENANT to pay rent in the amount and at the times and in the manner herein provided, and where such failure shall continue for thirty (30) days or more after written notice thereof shall have been given to TENANT.

B. The abandonment by TENANT of the leased premises, except in connection with its surrender to an approved assignee, sublessee, mortgagee, or other party succeeding to TENANT's interests or portion thereof hereunder.

C. The default by TENANT in the performance of any covenant or agreement required herein to be performed by TENANT, and TENANT's failure to commence and diligently continue to correct such default after written notice of the default given by CITY, as above provided.

Failure of CITY to declare this Agreement terminated upon the default of TENANT for any of the reasons set out above shall not operate to bar or destroy the right of CITY to cancel this Agreement by reason of any subsequent violation of the terms of this Agreement. Further, the acceptance of rental by CITY for any period after a default of any of the terms, covenants or conditions by TENANT shall not be deemed a waiver of any right on the part of CITY to cancel this agreement.

Upon cancellation by CITY, CITY shall have the right to enter upon premises and building and, at its option, commence an action to take title.

28. Force Majeure. If, by reason of force majeure, either party is unable, in whole or in part, to carry out the agreements of such party on its part herein contained, such party shall not be deemed in default during the continuance of such inability. The term "force majeure" as used herein shall mean, without limitation, the following: acts of God; strikes; lockout or threats of orders of any kind of the government of the United States or of Wisconsin, or any of their departments, agencies or officials, or any civil (except, in the case of CITY only, CITY) or military authority; insurrections; riots; epidemics; landslides; lightning; earthquake; fire; hurricanes; storms; floods; washouts; droughts; arrests; restraint of government (except, in the case of CITY only, CITY) and people; civil disturbances; explosions; damage, loss, breakage or accident to the buildings, leased premises or Airport; partial or entire failure of utilities; or any other cause or event not reasonably within the control of such party, it being agreed that the settlement strikes, lockouts and other industrial disturbances shall be entirely within the discretion of such party and such party shall not be required to make settlement of strikes, lockouts and other industrial disturbances by acceding to the demands of the opposing party or parties in such matters when such course is, in the judgment of such party, unfavorable to such party.

29. Nothing in this lease shall serve to transfer title to the land in any manner, from CITY to TENANT.

30. TENANT shall pay to CITY real estate taxes on the building and other improvements, as "Building on Leased Land."

31. Motor Vehicle Parking. TENANT may park motor vehicles inside the hangar or outside the hangar in an area that will not impede access to other hangars or block aircraft from

safely using the taxi-lane to taxi. Long term parking of vehicles or trailers outside the hangar is not permitted.

32. Visitors. TENANT shall be responsible for and cause TENANT's passengers, guests or employees to act in a manner that will not disturb other users of the Airport and to pay all reasonable charges for maintenance and repair of damages to the leased premises or Airport caused by TENANT or TENANT's passengers, guests or employees.

33. Notices. All notices required herein shall be in writing and shall be deemed given when mailed by registered or certified mail, postage prepaid, properly addressed to the party to be notified as follows:

If to TENANT: Owen Jones
723 Country Club Road
Schofield, WI 54476

Wynn O. Jones II
720 Country Club Road
Schofield, WI 54476

If to CITY: City Clerk
407 Grant Street
Wausau, WI 54403

34. Hangar Use.

A. The hangar shall be used for aeronautical purposes which include:

- (i.) Storage of active aircraft;
- (ii.) Final assembly of aircraft under construction;
- (iii.) Non-commercial construction of amateur-built or kit-built aircraft;
- (iv.) Maintenance, repair, or refurbishment of aircraft, but not the indefinite storage of nonoperational aircraft.
- (v.) Storage of aircraft handling equipment such as towbars, glider tow equipment, workbenches, and tools and materials used in the servicing, maintenance, repair or outfitting of aircraft.

B. Provided the hangar is used primarily for aeronautical purposes, non-aeronautical items may be stored in hangars provided the items do not interfere with the aeronautical use of the hangar. No items may be store outside of the hangar. Non-aeronautical items will be deemed to interfere with the aeronautical use of the hangar where the item or items:

- (i.) Impede the movement of aircraft in and out of the hangar or impede access to aircraft or other aeronautical contents of the hangar;
- (ii.) Displace the aeronautical contents of the hangar. A vehicle parked at the hangar while the vehicle owner is using the aircraft will not be considered to

- displace the aircraft;
- (iii.) Impede access to aircraft or other aeronautical contents of the hangar;
- (iv.) Are used for the conduct of a non-aeronautical business;
- (v.) Are stored in violation of airport rules and regulations, building codes or local ordinances.

C. Hangars shall not be used as a residence.

IN WITNESS WHEREOF, the parties have hereunto set their hands and seals this ____ day
of _____, 20 ____.

CITY:

CITY OF WAUSAU

BY _____
Katie Rosenberg, Mayor

BY _____
Leslie M. Kremer, City Clerk

TENANT:

BY _____
Owen Jones

BY _____
Wynn O. Jones II

[illegible]

Personally came before me this _____ day of _____, 20____, the above-named Katie Rosenberg, Mayor, and Leslie M. Kremer, City Clerk of the City of Wausau, to me known to be the persons who executed the foregoing instrument and acknowledged the same.

Notary Public, Wisconsin

My commission: _____

[illegible]

Personally came before me this _____ day of _____, 20____, the above-named _____
_____,
to me known to be the person(s) who executed the foregoing instrument and acknowledged the
same.

Notary Public, Wisconsin

My commission: _____

This instrument was drafted by Nathan K. Miller,
Assistant City Attorney for the City of Wausau.



*BUILDING DESIGNER IS RESPONSIBLE FOR DETERMINING WHETHER TYPICAL BUILDING SEPARATION DISTANCES AND BUILDING SEPARATION OFFERS FROM MAINT IS SHOWN ON THIS PLAN 001. CITY APPROVAL IS REQUIRED.

BECHER HOPPE 330 North Fourth Street • PO Box 8000 715.843.8000 • F 715.843.8008 becherhoppe.com	DRAWN BY: KRK CHECKED BY: KRK DATE: 3/10/21	PROJECT NO: 2018.039 REV. DATES:	SCALE 0' 30' 60'	WALUSAU DOWNTOWN AIRPORT EAST HANGAR DEVELOPMENT AREA A/P 3-55-0093-03	HANGAR SITE PLAN WITH PROPOSED HANGARS	SHEET A
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Exhibit A

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

ORDINANCE OF PLAN COMMISSION

Repealing Section 23.06.50 Regulations for vacant buildings; amending Section 23.01.23 Definitions, Section 23.02.02 Standard zoning districts, Section 23.02.20 (RH-35) Rural Holding Zoning District, Section 23.02.30 (SR-2) Single Family Residential-2 Zoning District, Section 23.02.31 (SR-3) Single Family Residential-3 Zoning District, Section 23.02.32 (SR-5) Single Family Residential-5 Zoning District, Section 23.02.33 (SR-7) Single Family Residential-7 Zoning District, Section 23.02.34 (MH-7) Mobile Home Residential-7 Zoning District, Section 23.02.40 (DR-8) Duplex Residential-8 Zoning District, Section 23.02.41 (TF-10) Two Flat Residential-10 Zoning District, Section 23.02.42 (TRD-12) Townhome Residential-12 Zoning District, Section 23.02.43 (MRL-12) Multi-Family Residential-12 Zoning District, Section 23.02.52 (SO) Suburban Office Zoning District, Section 23.02.53 (SMU) Suburban Mixed-Use Zoning District, Section 23.02.54 (UMU) Urban Mixed-Use Zoning District, Section 23.02.55 (DPMU) Downtown Periphery Mixed-Use Zoning District, Section 23.03.03 Regulations applicable to all land uses, Section 23.03.05 Table of land uses, Section 23.03.06 Residential land uses, Section 23.03.28 Accessory land uses and structures, Section 23.06.02 Group and large development standards, Section 23.06.03 Vehicle access standards, Section 23.06.05 Visibility standards, Section 23.06.06 Off-street parking and traffic circulation, Section 23.06.40 Fencing standards, Section 23.06.42 Swimming pool standards, Section 23.06.51 – 23.06.99 Reserved, Section 23.09.05 Definitions and rules related to sign groups, sign categories, and sign types, Section 23.09.27 Sign permits—Application, enforcement, and revocation.

Committee Action: Approved 7-0

Ordinance Number:

Fiscal Impact:

File Number: 19-1113

Date Introduced: May 11, 2021

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

Add ()
Delete ()

Section 1. That Section 23.01.23 Definitions is hereby amended to read as follows:

Section 23.01.23 Definitions.

...

Key to Figure 23.01.23e	
...	...
•	Driveway entrance at right-of-way (maximum 20 24 feet wide)
...	...

...

Section 2. That Section 23.02.02 Standard zoning districts is hereby amended to read as follows:

Section 23.02.02 Standard zoning districts.

For the purpose of this title, all areas within the jurisdiction of this title are hereby divided into the following standard zoning districts.

Residential Zoning Districts	
...	...
TRD-12	Townhome Residential - 12
MRL-12	Multi-Family Residential - 12
MRM-20	Multi-Family Residential - 20
MRH-50	Multi-Family Residential - 50
...	...

...

Section 3. That Section 23.02.20 (RH-35) Rural Holding Zoning District is hereby amended to read as follows:

Section 23.02.20 (RH-35) Rural Holding Zoning District.

...

(7) *Density, intensity, and bulk regulations for the (RH-35) Rural Holding District.*

	Regulation
...	...
Minimum Front Setback	30 feet
Minimum Attached Garage Setback	2 feet behind the plane of the building 30 feet
...	...

...

Section 4. That Section 23.02.30 (SR-2) Single Family Residential-2 Zoning District is hereby amended to read as follows:

Section 23.02.30 (SR-2) Single Family Residential-2 Zoning District.

...

(7) *Density, intensity, and bulk regulations for the (SR-2) Single Family Residential-2 District.*

	Requirement
...	...
Minimum Lot Frontage at Right-of-Way	50 feet
Minimum Front Setback	30 25 feet
Minimum Attached Garage Setback	2 feet behind the plane of the building or minimum of 22-foot front setback, whichever is greater* 25 feet
...	...

Accessory Buildings:	Residential	Nonresidential
----------------------	-------------	----------------

Minimum Front Setback	Even with or behind the principal structure	60 feet and at least 5 feet behind the principal structure
Minimum Side Setback (interior)	10 feet; 3 feet if in rear 50% of lot	5 feet
...	...	...

~~*Staff can reduce attached garage setback requirements to accommodate topographic or natural features.~~

Section 5. That Section 23.02.31 (SR-3) Single Family Residential-3 Zoning District is hereby amended to read as follows:

Section 23.02.31 (SR-3) Single Family Residential-3 Zoning District.

...

(7) *Density, intensity, and bulk regulations for the (SR-3) Single Family Residential-3 District.*

	Requirement
...	...
Minimum Attached Garage Setback	2 feet behind the plane of the building or minimum 22 foot front setback, whichever is greater* 25 feet
...	...

Accessory Buildings:	Residential	Nonresidential
Minimum Front Setback	Even with or behind the principal structure	60 feet and at least 5 feet behind the principal structure
Minimum Side Setback	10 feet; 3 feet if in rear 50% of lot	5 feet
...	...	...

~~*Staff can reduce attached garage setback requirements to accommodate topographic or natural features.~~

Section 6. That Section 23.02.32 (SR-5) Single Family Residential-5 Zoning District is hereby amended to read as follows:

Section 23.02.32 (SR-5) Single Family Residential-5 Zoning District.

...

(7) *Density, intensity, and bulk regulations for the (SR-5) Single-Family Residential-5 District.*

	Requirement
...	...
Minimum Front Setback	17 feet
Minimum Attached Garage Setback	2 feet behind the plane of the building or minimum 22-foot front setback, whichever is greater* 17 feet
...	...

Accessory Buildings:	Residential	Nonresidential
Minimum Front Setback	Even with or behind the principal structure	60 feet and at least 5 feet behind the principal structure
Minimum Side Setback	8 feet; 3 feet if in rear 50% of lot	5 feet
...	...	...

~~*Staff can reduce attached garage setback requirements to accommodate topographic or natural features.~~

Section 7. That Section 23.02.33 (SR-7) Single Family Residential-7 Zoning District is hereby amended to read as follows:

Section 23.02.33 (SR-7) Single Family Residential-7 Zoning District.

...

(7) *Density, intensity, and bulk regulations for the (SR-7) Single Family Residential-7 District.*

	Requirement
...	...
Maximum Front Setback	25 feet
Minimum Attached Garage Setback	2 feet behind the plane of the building or minimum 22-foot front setback, whichever is greater ** 17 feet
...	...

Accessory Buildings:	Residential	Nonresidential
Minimum Front Setback	Even with or behind the principal structure	60 feet and at least 5 feet behind the principal structure
Minimum Side Setback	6 feet; 3 feet if in rear 50% of lot	10 feet
...	...	...

...

~~**Staff can reduce attached garage setback requirements to accommodate topographic or natural features.~~

Section 8. That Section 23.02.34 (MH-7) Mobile Home Residential-7 Zoning District is hereby amended to read as follows:

Section 23.02.34 (MH-7) Mobile Home Residential-7 Zoning District.

...

(7) *Density, intensity, and bulk regulations for the (MH-7) Mobile Home Residential-7 District.* (A mobile home that is replacing an existing unit can meet either the following table or the setback met by the existing unit, whichever are less restrictive.)

	Requirement
...	...
Minimum Front Setback	12 feet
Minimum Attached Garage Setback	2 feet behind the plane of the building 20 feet
...	...

Section 9. That Section 23.02.40 (DR-8) Duplex Residential-8 Zoning District is hereby amended to read as follows:

Section 23.02.40 (DR-8) Duplex Residential-8 Zoning District.

...

(7) *Density, intensity, and bulk regulations for the (DR-8) Duplex Residential-8 District.*

	Requirement
...	...
Minimum Front Setback	17 feet
Minimum Attached Garage Setback	2 feet behind the plane of the building or minimum 22 foot front setback, whichever is greater** 17 feet
...	...

Accessory Buildings:	Residential	Nonresidential
----------------------	-------------	----------------

Minimum Front Setback	Even with or behind the principal structure	60 feet and at least 5 feet behind the principal structure
Minimum Side Setback	10 feet; 3 feet if in rear 50% of lot	5 feet
...	...	...

...

~~**Staff can reduce attached garage setback requirements to accommodate topographic or natural features.~~

Section 10. That Section 23.02.41 (TF-10) Two Flat Residential-10 Zoning District is hereby amended to read as follows:

Section 23.02.41 (TF-10) Two Flat Residential-10 Zoning District.

...

(3) *Principal uses permitted as conditional use.* Refer to article III for detailed definitions and requirements for each of the following land uses.

(a) Townhouse (five to eight units per building).

(b) Multiplex (three to four units per building).

(b) Multiplex (five to eight units per building).

(d) Apartment (three to four units per building).

(e) Apartment (five to eight units per building).

(f) Boarding house living arrangement.

(g) Live/work unit.

(h) Group day care.

(i) Community living arrangement (nine to 15 residents) meeting the requirements of section 23.03.12(8).

(j) Community living arrangement (16+ residents) meeting the requirements of section 23.03.12(9).

(k) Institutional residential (assisted living).

(l) Transit center.

(m) Off-street parking lot.

(jn) Communication tower.

(ko) Cultivation.

...

(7) *Density, intensity, and bulk regulations for the (TF-10) Two Flat Residential-10 District.*

	Requirement
...	...
Minimum Front Setback	17 feet
Minimum Attached Garage Setback	2 feet behind the plane of the building or minimum 22-foot front setback, whichever is greater* 17 feet
...	...

Accessory Buildings:	Residential	Nonresidential
Minimum Front Setback	Even with or behind the principal structure	60 feet and at least 5 feet behind the principal structure
Minimum Side Setback	8 feet; 3 feet if in rear 50% of lot	5 feet
...	...	...

*Staff can reduce attached garage setback requirements to accommodate topographic or natural features.

Section 11. That Section 23.02.42 (TRD-12) Townhome Residential-12 Zoning District is hereby amended to read as follows:

Section 23.02.42 (TRD-12) Townhome Residential-12 Zoning District.

...

(7) *Density, intensity, and bulk regulations for the (TRD-12) Townhome Residential-12 District.*

...	...	...
Accessory Buildings:	Residential	Nonresidential
Minimum Front Setback	Even with or behind the principal structure	60 feet and at least 5 feet behind the principal structure
Minimum Side Setback	5 3 feet	5 feet
...	...	...

...

Section 12. That Section 23.02.43 (MRL-12) Multi-Family Residential-12 Zoning District is hereby amended to read as follows:

Section 23.02.43 (MRL-12) Multi-Family Residential-12 Zoning District.

...

(2) Principal uses permitted by right. Refer to article III for detailed definitions and requirements for each of the following land uses.

...

(f) Apartment (three to four units per building).

~~(g) — Apartment (five to eight units per building).~~

~~(h)~~ **g**) Single family living arrangement.

~~(i)~~ **h**) Outdoor open space institutional.

~~(j)~~ **i**) Passive outdoor recreation.

~~(k)~~ **j**) Active outdoor recreation.

~~(l)~~ **k**) Essential services.

~~(m)~~ **l**) Community living arrangement (one to eight residents) meeting the requirements of section 23.03.12(7).

~~(n)~~ **m**) Community garden.

...

Section 13. That Section 23.02.52 (SO) Suburban Office Zoning District is hereby amended to read as follows:

Section 23.02.52 (SO) Suburban Office Zoning District.

...

(7) *Density, intensity, and bulk regulations for the (SO) Suburban Office District.**

	Requirement
...	...
Minimum Rear Setback	10 feet
Maximum Principal Building Height	50 60 feet
...	...

...

Section 14. That Section 23.02.53 (SMU) Suburban Mixed-Use Zoning District is hereby amended to read as follows:

Section 23.02.53 (SMU) Suburban Mixed-Use Zoning District.

...

(2) *Principal uses permitted by right.* Refer to article III for detailed definitions and requirements for each of the following land uses.

...

(v) Community living arrangement (one to eighty residents) meeting the requirements of section 23.03.12(7).

(w) Bed and Breakfast.

...

(7) *Density, intensity, and bulk regulations for the (SMU) Suburban Mixed-Use District.**

	Requirement
--	-------------

...	...
Minimum Rear Setback	10 feet
Maximum Principal Building Height	50 60 feet
...	...

...

Section 15. That Section 23.02.54 (UMU) Urban Mixed-Use Zoning District is hereby amended to read as follows:

Section 23.02.54 (UMU) Urban Mixed-Use Zoning District.

...

(2) *Principal uses permitted by right.* Refer to article III for detailed definitions and requirements for each of the following land uses.

...

(v) Restaurants, taverns, and indoor commercial entertainment.

~~(w) Outdoor commercial entertainment.~~

(~~w~~) Drive-through and in-vehicle sales or service.

(~~yx~~) Group daycare center.

(~~zy~~) Indoor maintenance service.

(~~aa~~) Water-related recreation.

(~~ba~~) Indoor institutional.

(~~eb~~) Outdoor open space institutional.

(~~dc~~) Passive outdoor recreation.

(~~ed~~) Active outdoor recreation.

(~~fe~~) Essential services.

(~~gf~~) Community living arrangement (one to eight residents) meeting the requirements of section 23.03.12(7).-

(gg) Bed and Breakfast.

...

Section 16. That Section 23.02.55 (DPMU) Downtown Periphery Mixed-Use Zoning District is hereby amended to read as follows:

Section 23.02.55 (DPMU) Downtown Periphery Mixed-Use Zoning District.

...

(2) Principal uses permitted by right. Refer to article III for detailed definitions and requirements for each of the following land uses.

...

(y) Community living arrangement (one to eight residents) meeting the requirements of section 23.03.12(7).

(z) **Bed and Breakfast.**

...

Section 17. That Section 23.03.03 Regulations applicable to all land uses is hereby amended to read as follows:

Section 23.03.03 Regulations applicable to all land uses.

...

(18) *Demolition of a principal structure.* Where a principal structure has been removed, all driveways, paved areas, and below grade improvements on the lot shall be removed.

(a) **All disturbed areas shall be repaired with a minimum of 4 inches of top soil and lawn seed until site is stabilized. Best management practices shall be used for soil and erosion control.**

Section 18. That Section 23.03.05 Table of land uses is hereby amended to read as follows:

Section 23.03.05 Table of land uses.

The Table of Land Uses on the following pages is provided as a convenience for the City and the general public. Where there are conflicts between the text of this title and the Table of Land Uses, the text shall prevail.

R u r a l H o m e s (R H	S i n g l e F a m i l y R e s i d e n t i a l 1- 2	S i n g l e F a m i l y R e s i d e n t i a l 1- 3	S i n g l e F a m i l y R e s i d e n t i a l 1- 5	S i n g l e F a m i l y R e s i d e n t i a l 1- 7	M u l t i- F a m i l y R e s i d e n t i a l 1- 1	D u p l e x R e s i d e n t i a l 1- 6 (D	T w o F l a t R e s i d e n t i a l 1- 10 (T F	T o w n h o m e R e s i d e n t i a l 1- 12	M u l t i- F a m i l y R e s i d e n t i a l 1- 12	M u l t i- F a m i l y R e s i d e n t i a l 1- 20	M u l t i- F a m i l y R e s i d e n t i a l 1- 50	I n s t i t u t i o n a l (I	N e i g h b o r h o o d M i x e d U s e (N M U	S u b u r b a n O f f i c e (S O	S u b u r b a n M i x e d U s e (S	U r b a n M i x e d U s e P e r m i t t e d U s e (S e	D o w n t o w n P e r m i t t e d U s e (S e	D o w n t o w n P e r m i t t e d U s e (S e	D o w n t o w n P e r m i t t e d U s e (S e	R e s i d e n t i a l 1- 1 (R P	L i g h t I n d u s t r i a l (L I	M e d i u m I n d u s t r i a l (H I	H e a v y I n d u s t r i a l (H I	I n t e n s i v e O u t d o o r C o m m e r c i a l (H I	I n t e n s i v e O u t d o o r C o m m e r c i a l (H I	A d u l t - O r i e n t e d E n t e r t a i n m e n t (H I	E x t r a c t i o n /D i s p o s a l (E X	L a n d U s e s P e r m i t t e d : R e f e r e n c e t o t h e d e t a i l
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- 3 5)	(S R- 2)	(S R- 3)	(S R- 5)	(S R- 7)	7 (M H- 7)	R- 6)	10)	(T R D- 12)	(M R L- 12)	(M R M - 20)	(M R H- 50)					M U)	(U M U)	M ix ed Us e (D P M U)	i x ed Us e (D H M U)	M ix ed Us e (D R M U)			M I)		a g e (I O S)	a l (I O C)	(A O)		iled definitions and requirements listed for each land use on the following pages.	P: By Right C: By Conditional use permit P/C : Refer to specific requirements for that land use to determine if a Conditional use permit is req
--------	----------	----------	----------	----------	-------------	-------	------	--------------	---------------	----------------	---------------	--	--	--	--	------	-----------	------------------------	-----------------------	------------------------	--	--	------	--	---------------	-------------	-------	--	--	---

...

(1) *Single family dwelling unit:* This dwelling unit type consists of a fully detached single family residence which is located on an individual lot. Single family dwelling units are designed for one family and have no roof, wall, or floor in common with any other dwelling unit. A single family dwelling that contains an in-family suite is still considered a single family dwelling.

Regulations:

...

(d) ~~If no garage is provided, each dwelling unit shall provide one shed of no less than 80 square feet in order to store yard maintenance equipment or other items typically stored in a garage. Lots that are less than 60 feet wide or less than 100 feet deep shall be exempt from this requirement. Lots in which no area is available for its placement, as determined by the Zoning Administrator, shall be exempt from this requirement.~~ A minimum 200 square foot garage is required and must be in similar design style as to the principal structure.

(e) Minimum required parking: two spaces.

...

(5) *Duplex*: This dwelling unit type consists of two separate Family Residential residences, each having private individual access, and no shared internal access. Similar to Twin Houses, Duplexes are attached side-by-side units, each with a ground floor and roof. Unlike Twin Houses, the two dwelling units in a Duplex are located on one lot.

Regulations:

...

(d) ~~If no garage is provided, each dwelling unit shall provide one shed of no less than 80 square feet in order to store yard maintenance equipment or other items typically stored in a garage. Lots that are less than 60 feet wide or less than 100 feet deep shall be exempt from this requirement. Lots in which no area is available for its placement, as determined by the Zoning Administrator, shall be exempt from this requirement.~~ A minimum 200 square foot garage is required and must be in similar design style as to the principal structure.

(e) Minimum required parking: two spaces.

...

(7) *Two flat*: This dwelling unit type consists of a single structure with two separate family residential residences each having a private individual access, and no shared internal access other than entry foyers and halls. Two flats are attached units within a two-story structure with one unit above the other.

Regulations:

...

(d) ~~If no garage is provided, each dwelling unit shall provide one shed of no less than 80 square feet in order to store yard maintenance equipment or other items typically stored in a garage. Lots that are less than 60 feet~~

~~wide or less than 100 feet deep shall be exempt from this requirement. Lots in which no area is available for its placement, as determined by the Zoning Administrator, shall be exempt from this requirement.~~ A minimum 200 square foot garage is required and must be in similar design style as to the principal structure.

(e) Minimum required parking: two spaces per dwelling unit.

...

Section 20. That Section 23.03.28 Accessory land uses and structures is hereby amended to read as follows:

Section 23.03.28 Accessory land uses and structures.

...

Minor Accessory Structures Permitted in Required Yard Setbacks				
Minor Accessory Structures and Obstructions	Front Setbacks	Side Setbacks	Rear Setbacks	Limitations
Structures				
...	...	...	...	...
Seasonal Decorations	√	√	√	Not displayed longer than 90 days.
Shed/Storage Building		√	√	Not more than 16 feet in height and no larger than 120 160 square feet.
Statue/Art Objects	√	√	√	Not more than 5 feet in height with a footprint no larger than 20 square feet.
...	...	...	...	...

- (2) *Detached accessory building:* Detached buildings accessory to a residential use including but not limited to buildings used to shelter parked passenger vehicles (including garages) and workshops, greenhouses, boathouses, and pool houses.

Regulations:

...

- (b) A combined total of 1,200 square feet of gross floor area of all detached accessory building on the property is permitted by right. For lots larger than one acre, the maximum permitted combined total of gross floor area of all detached accessory building on the property shall be increased by one square foot for every 100 square feet of lot area over one acre. In no instance shall the detached accessory building area exceed the ground floor area of the principal building used for residence. An individual detached accessory building shall not exceed 800 900 square feet of gross floor area. If additional square footage is necessary, then approval from the Building Advisory Board must be obtain in accordance with WMC Title 15.

...

- (4) *Home occupation:* Economic activities performed within a residential dwelling unit. Examples include personal and professional services, handicraft's, and retail conducted online. Home occupations are intended to provide a means to accommodate a small home-based family or professional business without the necessity of a rezoning from a residential to a business district. home occupations are limited to low intensity businesses and businesses with limited overlap of customer visits.

Regulations:

...

- (p) Permit required.
 - 1. The applicant shall submit a completed application and any supporting documentation to the Department of ~~Community Development~~ Inspections and Zoning.
 - 2. A permit shall not be issued until the Zoning Administrator, determines that the proposed home occupation complies with the standards as set forth in this ordinance.

...

- (9) *Tourist rooming house:* Includes all lodging places and tourist cabins and cottages, other than hotels and motels, in which sleeping accommodations are offered for pay to tourists and transients. It does not include private boarding houses or rooming houses not accommodating tourists or transients, or bed and breakfast establishments regulated under ACTP 73.

- (a) *Permitted by right:* All zoning districts.

...

2. *Annual City license required.* Each tourist rooming house shall operate only during the valid period of an Annual City of Wausau Tourist Rooming House License for each calendar year. Operating a tourist rooming house without a current version of a valid license shall be considered a violation of this Zoning Ordinance, and subject to the penalties of section 23.10.60. The following information shall be provided on an annual basis, prior to issuance of said Annual City of Wausau Tourist Rooming House License:
 - a. Completed City of Wausau Tourist Rooming House Application, which includes the property owner name, address, and phone number; the designated operator's name, address, and phone number; the period of operation of up to 180 days in a calendar year, which ~~must be consecutive~~ can be split into two seasons (90 days);
 - b. A current floor plan for the tourist rooming house at a minimum scale of one-inch equals four feet, and site plan of the property at a minimum scale of one-inch equals ten feet showing on-site parking spaces and trash storage areas;
 - c. General Building Code inspection by City, ~~and submittal of Official Building Code Inspection Report with no outstanding compliance orders remaining;~~
 - d. Fire Code inspection by City, ~~and submittal of Official Fire Code Inspection Report with no outstanding compliance orders remaining;~~
 - ...
3. *Property management requirements.* Each tourist rooming house shall be managed consistent with the following requirements:
 - a. The total number of days of operation within any calendar year shall not exceed 180 days, ~~which must be consecutive~~. This period of tourist rooming house operation shall be specified by the property owner in the required annual Wausau Tourist Rooming House Application.
 - b. The minimum rental period shall be a minimum of ~~seven~~ four consecutive days by any one party.
 - c. The maximum rental period shall be no more than 180 consecutive days by any one party.
 - d. Similar facilities in which residential land uses are available for less than ~~seven~~ four days, more than 180 days, or throughout the year, are a different land use that falls within the indoor commercial lodging and vacation rental home land use categories.
 - ...
 - k. Each tourist rooming house shall maintain the following written business record for each rental of the tourist rooming house: the true names and addresses of any person renting the property, the dates of the rental period (which must be a minimum of ~~seven~~ four consecutive days), and the monetary amount or consideration paid for the rental. The

business record shall be kept intact and available by the designated operator for inspection by representatives of the City for at least one year from the day of the conclusion of the period of operation.

...

- (22) *Small solar energy system:* Equipment and associated facilities that directly convert and then transfer or store solar energy into usable forms of thermal or electrical energy. Small solar energy systems are accessory to a principal land use on a property and are designed primarily to generate energy for said principal land use.

Regulations:

...

- (d) See article II for specific bulk, density, and intensity requirements for accessory structures in each district. There are no screening or design requirements for small solar energy systems.
- (e) The backside of any solar panel shall not face a public ~~right of way or alley~~ **street**, as determined by the Zoning Administrator.
- (f) ~~Solar energy systems are a conditional use in any district. The City will apply Wis. Stats. § 66.0401 and 66.0403 of the Wis. Admin. Code as amended, in the evaluation of such requests.~~
 - ~~1. No restriction shall be placed, either directly or in effect, on the installation or use of a solar energy system, unless the restriction satisfies one of the following conditions:~~
 - ~~a. Serves to preserve or protect the public health or safety.~~
 - ~~b. Does not significantly increase the cost of the system or significantly decrease its efficiency.~~
 - ~~c. Allows for an alternative system of comparable cost and efficiency.~~

...

Section 21. That Section 23.06.02 Group and large development standards is hereby amended to read as follows:

Section 23.06.02 Group and large development standards.

...

(2) *Definitions.*

(a) *Group development.*

- 1. Any development located on one lot and comprised of any single instance or any combination of the following development types:
 - a. 1 or more principal multi-family residential buildings with 20 or more residential units on the same lot.

- b. 3 **2** or more principal structures on the same lot, whether serving a single use or more than one use.
- c. Any addition of principal buildings that increases the total number of principal structures on the same lot to three or more.

...

Section 22. That Section 23.06.03 Vehicle access standards is hereby amended to read as follows:

Section 23.06.03 Vehicle access standards.

...

(13) *Design of single and two family residential driveways.*

...

(b) *Driveway width.*

- 1. Driveways shall be a minimum width of eight feet. Driveways leading to garages are limited to a maximum width of ~~30~~ **24** feet at the lot line or 30 percent of the lot width, whichever is less, but may increase to the width of the garage. See Figure 23.06.03a or 23.06.03b. Where no garage exists, the maximum driveway width shall be 12 feet and shall be situated as not to create only front yard parking.

...

Section 23. That Section 23.06.05 Visibility standards is hereby amended to read as follows:

Section 23.06.05 Visibility standards.

...

- (5) *Vision triangle at alleys and driveways.* A vision triangle extending ten feet from alleys and driveways shall be maintained. No wall, fence, structure, utility structure or appurtenance, or vegetation shall be permitted within such vision triangle which materially impedes vision between the height of two and one-half feet and eight feet. Development in the ~~CMU~~ **Downtown** Districts shall be exempt from this requirement.

...

Section 24. That Section 23.06.06 Off-street parking and traffic circulation is hereby amended to read as follows:

Section 23.06.06 Off-street parking and traffic circulation.

...

(6) *Parking requirement exceptions in the DHMU, **DPMU**, and DRMU Districts.*

- (a) Within the DHMU, **DPMU**, and DRMU Districts, the parking requirements of this title are hereby waived. However, when off-street parking facilities are

provided, such facilities shall meet the requirements of this title, except in respect to the required number of spaces. Residential uses need only provide evidence of the availability of off-street public or private parking in the amount of one parking space per dwelling unit within 1,000 feet of the unit.

(7) *Parking requirement modification in the NMU and UMU Districts.*

- (a) Within the NMU and UMUM Districts, the parking requirements listed in Figure 23.06.06a can be reduced by up to 50 percent as determined by the Plan Commission through a conditional use permit, planned development, or site plan review.

Figure 23.06.06a: Number of Off-Street Parking Spaces Required by Land Use

Figure 23.06.06a is provided as convenience for the City and the general public. Where there are conflicts between the text of this title and Figure 23.06.06a, the text shall prevail.

Land Use		Minimum Number of Off-Street Parking Spaces Required	Maximum Number of Off-Street Parking Spaces Permitted
Residential	Single Family Dwelling Unit	2	5
	Mobile Home	2	3
	Duplex, Twin House, Two Flat	2 per dwelling unit	6 per dwelling unit 7 per structure
	Townhouse, Multiplex, Apartment	1.5 spaces per dwelling unit containing 0—2 bedrooms, plus 0.5 space per additional bedroom over 2 bedrooms per unit	3 per dwelling unit
...	...	...	...

- (8) *Limit on the number of off-street parking spaces provided.* No site plan may be approved for a multi-family or nonresidential use which contains more than ~~125~~ 150 percent of the development's minimum number of required parking spaces, except as granted through a conditional use permit. (See Figure 23.06.06a for a summary of the minimum and maximum parking requirements by land use.) Consideration of the following factors shall be given in considering a conditional use permit request:

...

- (15) *Off-street parking and traffic circulation standards for multi-family and nonresidential uses.*

...

- (k) *Special provisions for nonconforming parking lots.*

1. Legally established parking facilities constructed prior to the effective date of this title which do not meet the minimum setbacks required by this title shall be permitted to be reconstructed with reduced setbacks, **and reduced throat depth** subject to approval of a parking lot layout plan by the Zoning Administrator. Said parking lot layout plan shall be designed in accordance with the dimensions identified in Figure 23.06.06g of this title. Parking lot setback reductions shall only be provided in the following instances:

...

- (19) *Bicycle parking standards.*

- (a) *Required provision of bicycle parking areas.*

...

2. For parking lots containing more than 40 automobile parking spaces, off-street bicycle parking spaces shall be provided. The number of off-street bicycle parking spaces to be provided shall be equal to five percent of the automobile parking space requirement or 20 bicycle parking spaces, whichever is less. **Note, minimum of 4 spaces in 1. above.**

...

Section 25. That Section 23.06.40 Fencing standards is hereby amended to read as follows:

Section 23.06.40 Fencing standards.

...

- (5) *Design and materials.*

- (a) *Materials.*

...

3. Rules related to specific materials.

...

- b. Wire mesh and non-coated/non-galvanized chain link fencing is not permitted within front yards in the SR-2, SR-3, SR-5, SR-7, MH-7, DR-8, TF-10, TRD-12, MR-12, MR-20, and MR-50 titles, except when used in conjunction with parks, schools, airports, or other institutional uses.

- c. **Wire, chain link, and other rolls of materials shall be one piece from top to bottom. Stacking of rolls is prohibited.**

- ed. Barb wire fencing or similar security fencing shall be permitted only on the top of security fencing when located at least 6 feet above the ground and shall be permitted only in the I, RP, LI, MI, HI, IOS, IOC, AO, and EX districts. Such fences shall meet the setbacks for the principal structure.
- de. Coated chain link fences shall have a minimum nine-gauge thickness, and a top rail support is required. Coated chain link fences shall not be permitted in front or street yards and shall not extend toward the street beyond the front of the building.

Section 26. That Section 23.06.42 Swimming pool standards is hereby amended to read as follows:

Section 23.06.42 Swimming pool standards.

...

- (5) *Exempt pools.* Non-filtered storable swimming or wading pools that are so constructed that they may be readily disassembled for storage and reassembled to their original integrity are exempt from the provisions of this section. Decorative pools that are less than ~~36~~ 24 inches in depth are exempt from the provisions of this section. Spas and hot tubs with lockable tops are also exempt. Lockable tops shall be securely fastened in place at all time when the hot tub is not in actual use.

...

Section 27. That Section 23.06.50 Regulations for vacant buildings is hereby repealed.

Section 28. That the reference to 23.06.51 – 23.06.99 Reserved shall be amended to read as 23.06.50 – 23.06.99 Reserved.

Section 29. That Section 23.09.05 Definitions and rules related to sign groups, sign categories, and sign types is hereby amended to read as follows:

Section 23.09.05 Definitions and rules related to sign groups, sign categories, and sign types.

This section provides the definitions and rules related to various sign groups, sign categories, and sign types. Figures 23.09.11a through 23.09.11d provide the regulations for these signs applicable to each zoning district. Any sign type not addressed by this title shall be construed to be prohibited.

Definitions and rules related to the permanent business signs group:

- (1) *Permanent business sign.* A permanent sign which directs attention to a business, commodity, service, or entertainment conducted, sold, offered, or manufactured upon the site where the sign is located.

Permanent business signs is a sign group containing various sign categories and sign types that a business is eligible to use. Permanent business signs include the following sign categories: freestanding signs, on-building signs, pedestrian signs, and daily notice signs. See Figure 23.09.11a for additional rules for permanent business signs related to zoning districts.

...

- (d) *Daily notice sign category.* A sign typically used to advertise daily specials, daily menu items, or on-site events that change on a daily basis and which usually includes changeable copy. This type of sign is often associated with restaurants, taverns, retail stores, music venues, and retail stores.

The following daily notice sign types are addressed by this title:

...

4. *Order board sign.* A type of daily notice sign used only in conjunction with drive-through or drive-in establishments.

...

- d. Order board sign audio components shall ~~meet the noise standards set forth in section 23.06.32 of the Zoning Ordinance.~~
not cause a nuisance with volume.

...

Section 30. That Section 23.09.27 Sign permits—Application, enforcement, and revocation is hereby amended to read as follows:

Section 23.09.27 Sign permits—Application, enforcement, and revocation.

...

- (2) *Review authority.*

- (a) The ~~Zoning Administrator~~ Plan Commission shall review all ~~freestanding on-buildings signs, as noted in the chart,~~ bulletin board, order board, or optional miscellaneous signs, all signs accompanying changes in use or new use which must receive approval of a zoning permit, and all proposed signs which would require approval of a group development for a site or sites which will have more than one sign viewed together as part of a group of signs. This may be required with a zoning permit for change of use or a sign permit. All signs which require approval of a sign permit by the Zoning Administrator or Plan Commission shall be reviewed according to the following evaluation factors:

...

Section 31. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 32. This ordinance shall be in full force and effect from and after its date of publication.

Adopted:

Approved:

Approved:

Published:

Attest:

Katie Rosenberg, Mayor

Attest:

Leslie M. Kremer, Clerk

PLAN COMMISSION

Time and Date: The Plan Commission met on Thursday, April 29, 2021, at 4:30 p.m. in the Common Council Chambers of Wausau City Hall.

Members Present: Mayor Katie Rosenberg, Eric Lindman, Patrick Peckham, Bruce Bohlken, George Bornemann, Tom Neal; *By WebEx*: Andrew Brueggeman (arrived at 4:55 p.m.)

Others Present: Brad Lenz, William Hebert, Gary Guernndt, Kent Olson, Debra Ryan, Jay Knetter, Kristine Daniels; *By WebEx*: Nick Bancuk

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 Rosenberg called the meeting to order at approximately 4:30 p.m. noting that a quorum was present.

PUBLIC HEARING: Discussion and possible action on amending various sections of Chapter 23 of the Wausau Municipal Code.

Hebert said that staff put together a list of some issues that were in the zoning code. This is to clean up some issues and clarify some items that weren't quite clear. This is mostly administrative. Staff tries to go through the zoning code to keep it up to date.

Mayor Rosenberg closed the public hearing.

Peckham motioned to amend various sections of Chapter 23 of the Wausau Municipal Code. Bohlken seconded.

Brueggeman said that when the discussions were going on, there was an item for setbacks for a garage to be 2' back from the front of the house. Hebert said that there were issues with this and it had surprised most developers. Staff was told that in order to do this, lots would need to be wider and Wausau hasn't had any new subdivisions in recent years so we are working with existing lots.

The motion carried unanimously 7-0. This item will go to Common Council on May 11, 2021.



Memorandum

From: William Hebert, Zoning Administrator
To: Plan Commission
Date: April 15, 2021
Subject: General Zoning Code Edits

After a full year of working with the newly adopted zoning code, staff has gathered recommended changes to the zoning ordinance. The following drafted ordinance shows the various zoning ordinance edits. Several of the edits are being done to include long standing allowances from the previous code, edits from typos, and revisions from issues found over the past construction season.

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

RESOLUTION OF THE PUBLIC HEALTH & SAFETY COMMITTEE

Approving or Denying Various Licenses as Indicated

Committee Action: Approved 5-0

Fiscal Impact: None

File Number: 21-0108

Date Introduced: May 11, 2021

FISCAL IMPACT SUMMARY

COSTS	<i>Budget Neutral</i>	Yes ☒	No ☐	
	<i>Included in Budget:</i>	Yes ☐	No ☐	<i>Budget Source:</i>
	<i>One-time Costs:</i>	Yes ☐	No ☐	<i>Amount:</i>
	<i>Recurring Costs:</i>	Yes ☐	No ☐	<i>Amount:</i>
SOURCE	<i>Fee Financed:</i>	Yes ☐	No ☐	<i>Amount:</i>
	<i>Grant Financed:</i>	Yes ☐	No ☐	<i>Amount:</i>
	<i>Debt Financed:</i>	Yes ☐	No ☐	<i>Amount</i> <i>Annual Retirement</i>
	<i>TID Financed:</i>	Yes ☐	No ☐	<i>Amount:</i>
	<i>TID Source: Increment Revenue</i> ☐ <i>Debt</i> ☐ <i>Funds on Hand</i> ☐ <i>Interfund Loan</i> ☐			

RESOLUTION

WHEREAS, your Public Health and Safety Committee considered certain license applications at its April 20, 2021 meeting and has made recommendations that are attached hereto in the meeting minutes and recommends these actions to the Council for its approval, now therefore

BE IT RESOLVED by the Common Council of the City of Wausau that the City Clerk be hereby authorized to issue the licenses on the attached list, incorporated as part of this resolution, according to recommendations made by the Public Health & Safety Committee and upon successful completion and acceptable proof that all applicable state and municipal regulations and requirements have been met by the applicants.

Approved:

Katie Rosenberg, Mayor

PUBLIC HEALTH & SAFETY COMMITTEE

Date and Time: Tuesday, April 20, 2021 at 5:15 pm, (Council Chambers)

Members Present: Lisa Rasmussen (C), Dawn Herbst, Pat Peckham, Jim Wadinski, Becky McElhaney

Others Present: Tara Alfonso, Ben Bliven, Leslie Kremer, Bob Barteck, Mary Goede, Nate Miller, Brad Lenz, Bill Hebert, Lou Larson

Consider approval or denial of various license applications.

Lisa Rasmussen indicated there were no denial recommendations. She noted there are a number of Special Event applications on the license list. Also, an application for a “Class B” Liquor license from Gonzalo Ramirez for Tres Hermanos at 525 Fulton Street. This establishment currently holds a Class “B” Beer license and would like this added so Margaritas can served at the restaurant. The Liquor License Review Subcommittee met today preceding this meeting and recommended approval unanimously.

Motion by Peckham, second by Wadinski to approve the various licenses listed. Motion carried 5-0.

CLERK'S REPORT TO PUBLIC HEALTH & SAFETY COMMITTEE

April 20, 2021 Meeting

AGENDA ITEM # 2

Approve or deny various licenses as indicated on the attached summary report of all applications received.

ADDITIONAL INFORMATION

Applications as listed have or will have a background check run by staff and reviewed by the Police Chief or his designee. Applications marked pending will have a status update at the meeting. In accordance with city ordinance, **all permits approved are held for debts owed to the city until the debt is paid in full.**

1. **Denial Recommendations** – None
2. **Class B Liquor License** application from Gonzales Ramirez, d/b/a Taqueria Tres Hermanos, 525 Fulton Street. The premise is a restaurant and holds a Class B Beer license. He would like to add a liquor license in order to serve Margarita's. Will be considered by the Liquor License Review Subcommittee prior to the meeting. (Note: Class B Liquor is under the quota)
3. ***Wausau Events 2021 season:** Class I Events - Concerts on the Square, Chalkfest, Big Bull Falls Blues Fest, Fireworks Family Fest, Harvest Fest, and the Holiday Parade.
4. ***Other Class I Special Events:** All Stars Under the Stars, 89Q Concert of Hope, Wausau Festival of Arts, Bull Falls Harley Cruisin for a Cause (MDA), Memorial Day Parade, and Labor Day Parade

**Special event applications will be sent to the committee by email for review.*

STAFF RECOMMENDATION

Approve or deny as indicated on the summary report including those that may be introduced at the meeting. Please let me know if you have any question regarding any license applications listed.

Mary Goede, Deputy Clerk
Date of Report: April 16, 2021
(715) 261-6621



Council Date 05/11/2021

License ID	License Typ	Name	Address	Details	Business	Begin Dt	End Dt	Police	PHS	Council
149968	9026 - Class I	,	318 S 3RD AVE, ROOM 5 WAUSAU WI 54401	2021 LABOR DAY PARADE on SEPTEMBER 6, 2021 Organized by RANDY RADTKE					Yes	
150861	9026 - Class I	FROLIK, AMY	316 SCOTT ST WAUSAU WI 54403	2021 CHALKFEST on JULY 10-11 Organized by AMY FROLICK COMMITTEE CHAIR / WAUSAU EVENTS					Yes	
150862	9026 - Class I	LEWITZKE, LINDSEY	316 SCOTT ST WAUSAU WI 54403	2021 FIREWORKS FAMILY FEST on SEPTEMBER 24TH, 2021 (RAIN DATE 9/25/21) Organized by WAUSAU EVENTS					Yes	
150864	9026 - Class I	LEWITZKE, LINDSEY	316 SCOTT ST WAUSAU WI 54403	2021 HARVEST FEST on OCTOBER 2, 2021 Organized by WAUSAU EVENTS					Yes	
150927	9026 - Class I	LEWITZKE, LINDSEY	316 SCOTT ST WAUSAU WI 54403	2021 BIG BULL FALLS BLUES FEST on August 20, 2021 August 21, 2021 Organized by Wausau Events					Yes	



Council Date 05/11/2021

License ID	License Typ	Name	Address	Details	Business	Begin Dt	End Dt	Police	PHS	Council
150932	9026 - Class I	LEWITZKE, LINDSEY	316 SCOTT ST WAUSAU WI 54403	2021 HOLIDAY PARADE on 12/3/21 Organized by Lindsey Lewitzke					Yes	
150860	9026 - Class I	LEWITZKE, LINDSEY	316 SCOTT ST WAUSAU WI 54403	2021 CONCERTS ON THE SQUARE on EVERY WEDNESDAY FROM JUNE 16TH - AUGUST 18, 2021 Organized by WAUSAU EVENTS					Yes	
150544	9026 - Class I	MCKEEVER, BILL	1570 CTY RD XX ROTHSCHILD WI 54474	BULL FALLS HARLEY-DAVID SON - CRUISIN FOR A CAUSE on FRIDAY, JUNE 4, 2021 Organized by COREY PARSCH					Yes	
150549	9026 - Class I	MORNING, ZOE	PO BOX 1763 WAUSAU WI 54402-1763	WAUSAU FESTIVAL OF ART on SEPTEMBER 11 - 12, 2021 Organized by ZOE MORNING					Yes	



Council Date 05/11/2021

License ID	License Typ	Name	Address	Details	Business	Begin Dt	End Dt	Police	PHS	Council
150566	9026 - Class I	PELLEGRINO, JOHN	2315 GRAND AVE, #2 WAUSAU WI 54403	WAUSAU VETERANS COMMITTEE - MEMORIAL DAY PARADE on SATURDAY, MAY 29, 2021 Organized by JOHN					Yes	
150924	9026 - Class I	SAWYER, COY	3500 STEWART AVE WAUSAU WI 54401	PELLEGRINO 2021 89Q CONCERT OF HOPE on AUGUST 15, 2021 Organized by 89Q RADIO					Yes	
149127	9026 - Class I	WHITTUM, MALCOLM	1913 Brookview Ct. WAUSAU WI 54403	2021 ALL STARS UNDER THE STARS on AUGUST 25TH, 2021 Organized by MALCOLM WHITTUM					Yes	
145952	9053 - Quadricycle Driver	WERNER, KARI	619 S 20TH AVE #C WAUSAU WI 54401		SPOKEEASY	04/01/2021	12/31/2021	Yes	Yes	
150985	9080 - Public Transport Driver New	FORSO, MATTHEW	6606 LORA LEE LN SCHOFIELD WI 54476		NORTHWOODS CAB LLC	04/07/2021	06/30/2021	Yes		
150494	9080 - Public Transport Driver New	MAXWELL, DAMIEN	707 S 4TH AVE WAUSAU WI 54401		ALL AMERICAN TAXI	03/25/2021	06/30/2021			

Total Licenses

CONFIRMATION OF MAYOR'S APPOINTMENTS

to Boards, Commissions and Committees: *Ethics Board, Board of Zoning Appeals, and Building Advisory Board*

File Number: 21-0403 **Date Introduced:** April 13, 2021

Ethics Board

Calvin R. Dexter (1) *New	915 Winton St	Term Exp 4/30/26	715-297-7012
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Board of Zoning Appeals

Nancy Hoffmann (6) *Reappointment (Chair)	3103 N 7th St	Term Exp 4/30/24	715-571-0425
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David Burke (2) *Reappointment	520 Franklin St	Term Exp 4/30/24	715-848-1078
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Dave Oberbeck (3) *Reappointment	110 S 36th Ave	Term Exp 4/30/24	715-843-5639
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Nan Giese (5) *Reappointment	3236 N 8th St	Term Exp 4/30/24	715-845-1305
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Building Advisory Board

Tom Mudrovich (5) *Reappointment	729 E Crocker St	Term Exp 4/30/26	715-845-4533
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Approved:

Katie Rosenberg, Mayor



MEMO FROM THE OFFICE OF THE CITY CLERK

DATE: May 4, 2021
TO: Mary Goede, Deputy Clerk
FROM: Leslie Kremer, City Clerk
SUBJECT: Mayor's Appointment to Ethics Board
Mayor's Reappointments to Board of Zoning Appeals and Building Advisory Board

Please place the following appointment to the City of Wausau Ethics Board on the 5/11/21 Council Agenda. Please also place the following reappointments to the Board of Zoning Appeals and Building Advisory Board on the same Agenda. Thank you!

ETHICS BOARD

New appointment to fill vacancy

Calvin R. Dexter (Term expires 4/30/2026)
915 Winton Street
Wausau WI 54403.
715-297-7012
expandingmanem@aol.com

Brief Bio Statement/Statement of Interest:

I have lived nearly all of my life in Wausau. I got my law degree at the University of Wisconsin in 1983 and practiced my entire career in Wausau. For quite a few years I advised a large, nation-wide, not-for-profit professional organization when it received reports of violations of its code of ethics by members. I will retire this summer from my position as supervisor of the Elder Rights Project of Wisconsin Judicare, assisting older victims of fraud, abuse and financial exploitation. I enjoy hiking, bow hunting and spending time at a cabin that my brothers and I built with logs we cut from trees on our family land.

Board of Zoning Appeals
Reappointments

Nancy Hoffmann (C)(5) New term ends 4/30/24
3103 N 7th St
Wausau, WI
715-571-0425



David Burke (1) *New term ends 4/30/24*
520 Franklin St
Wausau, WI
715-848-1078

Dave Oberbeck (2) *New term ends 4/30/24*
110 S 36th Ave,
Wausau, WI
715-843-5639

Nan Giese (4) (Citizen-Alternate) *New term ends 4/30/24*
3236 N. 8th Street
Wausau, WI
715-845-1305

Building Advisory Board
Reappointments

Tom Mudrovich (4) (Citizen Architect) *New term ends 10/31/26*
729 E Crocker St
Wausau, WI
715-845-4533

cc: Mayor Rosenberg
William Hebert

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

RESOLUTION OF THE ECONOMIC DEVELOPMENT COMMITTEE

Approving third amendment to Blenker River East Brownstones Development Agreement – Phase III

Committee Action: Approved 4-0

Fiscal Impact: None

File Number: 15-0613

Date Introduced: May 11, 2021

FISCAL IMPACT SUMMARY

COSTS	<i>Budget Neutral</i>	Yes ☒ No ☐	
	<i>Included in Budget:</i>	Yes ☐ No ☐	<i>Budget Source</i>
	<i>One-time Costs:</i>	Yes ☐ No ☐	<i>Amount:</i>
	<i>Recurring Costs:</i>	Yes ☐ No ☐	<i>Amount:</i>
SOURCE	<i>Fee Financed:</i>	Yes ☐ No ☐	<i>Amount:</i>
	<i>Grant Financed:</i>	Yes ☐ No ☐	<i>Amount:</i>
	<i>Debt Financed:</i>	Yes ☐ No ☐	<i>Amount</i> <i>Annual Retirement</i>
	<i>TID Financed:</i>	Yes ☐ No ☐	<i>Amount:</i>
	<i>TID Source: Increment Revenue</i> ☐ <i>Debt</i> ☐ <i>Funds on Hand</i> ☐ <i>Interfund Loan</i> ☐		

RESOLUTION

WHEREAS, the City entered into a development agreement with Blenker Developments, LLC on June 1, 2017 following approval of the terms of the project from the Common Council on April 12, 2016; and

WHEREAS, the developer has successfully completed phases I and II of the development project; and

WHEREAS, the developer was required to close on the property for phase III by May 1, 2021 which was also the project commencement deadline; and

WHEREAS, an amendment to the development agreement is necessary to include revising the project commencement deadline and closing deadline from May 1, 2021 to May 31, 2021 and a modification to the legal description for phase III is necessary to include that portion of N. 2nd Street south of Short Street that was vacated in 2019; and

WHEREAS, your Economic Development Committee, at their May 4, 2021 meeting, discussed and approved the third amendment to the Blenker Developments, LLC Development Agreement.

NOW, THEREFORE, BE IT RESOLVED that the Common Council of the City of Wausau approves the third amendment to the Blenker River East Brownstones Development Agreement and hereby authorizes the appropriate City officials to execute the attached amendment.

Approved:

Katie Rosenberg, Mayor

Office of the City Attorney

TEL: (715) 261-6590

FAX: (715) 261-6808



Anne L. Jacobson
City Attorney

Tara G. Alfonso
Assistant City Attorney

Nathan Miller
Assistant City Attorney

Memorandum

From: Anne L. Jacobson, City Attorney 
To: Economic Development Committee
Date: April 29, 2021
Re: Amendment to Blenker River East Brownstones Development Agreement

Purpose: The purpose of this item is to discuss the third amendment to the Blenker River East Brownstones Development Agreement.

Facts: Blenker Developments, LLC signed a Purchase and Development Agreement with the City on June 1, 2017 to develop three separate phases of housing on North 3rd, North 2nd and Short Streets in the River East neighborhood. Council approved all phases of the project on April 12, 2016.

Phase III of the project includes a 6-unit townhome-style building and a multi-unit garage building along the 100 block of Short Street.

The intention of this amendment is two-fold; first, to modify the legal description to include that portion of N. 2nd Street south of Short Street that was vacated in 2019, and second to amend the Project Commencement Deadline which is also the Closing deadline from May 1, 2021 to May 31, 2021.

Staff Recommendation: Approval by Committee and Council.

**THIRD AMENDMENT TO
PURCHASE AND DEVELOPMENT AGREEMENT
(Blenker River East Brownstones)**

THIS THIRD AMENDMENT TO PURCHASE AND DEVELOPMENT AGREEMENT (this “Amendment”) is made as of April 30, 2021 (the “Effective Date”), by and among the CITY OF WAUSAU, a Wisconsin municipal corporation (the “City”); BLENKER DEVELOPMENTS, LLC, a Wisconsin limited liability company (“Blenker”); and AEDIFIX BUILDS, INC., a Wisconsin corporation (“Aedifix”).

RECITALS

WHEREAS, the City and Blenker, as “Developer”, entered into that certain Purchase and Development Agreement with an Effective Date of June 1, 2017 (the “Original Development Agreement”), as amended by that certain First Amendment to Purchase and Development Agreement with an Effective Date of October 29, 2019, and as further amended by that certain Second Amendment to Purchase and Development Agreement with an Effective Date of April 16, 2021 (the Original Development Agreement, as so amended, the “Development Agreement”), with respect to certain property located in the City of Wausau, County of Marathon, State of Wisconsin, as more particularly described in the Development Agreement; any capitalized term used in this Amendment but not defined herein shall have the meaning assigned to that term in the Development Agreement; and

WHEREAS, the parties to the Development Agreement are unable to close by the Closing Deadline with respect to the Phase III Property, which is the Project Commencement Deadline-Phase III, which is May 1, 2021; and

WHEREAS, the City has vacated a portion of N. 2nd Street adjacent to the Phase III Property as described on Exhibit A-3 to the Development Agreement and the parties desire to include portions of such vacated street in the Phase III Property; and

WHEREAS, the City, Blenker and Aedifix desire to amend the Development Agreement subject to the terms and conditions herein.

NOW, THEREFORE, in consideration of the mutual covenants and agreements contained in this Agreement, the parties agree as follows:

1. Amendments.

a. Exhibit A-3 is hereby deleted in its entirety and replaced with Exhibit A attached to this Amendment and all references in the Development Agreement to “Phase III Property” shall mean the property legally described on Exhibit A attached to this Amendment.

b. Section 1.z. of the Development Agreement is hereby amended such that the Project Commencement Deadline-Phase III shall be May 31, 2021.

2. Recordings. Notwithstanding anything to the contrary in the Development Agreement, the City hereby agrees that the Mortgage will not be recorded against the Phase III Property. However, the parties hereto hereby agree that the short form memorandum of the Development Agreement attached hereto as Exhibit B shall be recorded against the Phase III Property immediately following the deed transferring the Phase III Property to Aedifix.

3. Reaffirmation of Development Agreement. The Development Agreement, as modified by this Amendment, remains in full force and effect, and all terms of the Development Agreement, as modified hereby, are hereby ratified and reaffirmed. The provisions of the Development Agreement not affected by this Amendment remain in full force and effect.

4. Representations and Warranties of Developer. Blenker and Aedifix each hereby represents and warrants to the City that:

a. After giving effect to this Amendment, all of the representations and warranties made by Developer in the Development Agreement are true and accurate in all material respects with respect to such entity on the Effective Date of this Amendment, and, other than the Existing Default, no event of default under the Development Agreement has occurred and is continuing as of the Effective Date of this Amendment; provided, however, that with respect to the representation in Section 5.e of the Original Development Agreement, with respect to Aedifix, the words "limited liability company" are hereby replaced with "corporation".

b. The making, execution and delivery of this Amendment, and performance of and compliance with the terms of the Development Agreement, as amended, have been duly authorized by all necessary action of such entity. This Amendment is the valid and binding obligation of such entity, enforceable against such entity in accordance with its terms.

5. Miscellaneous. If any provision of this Amendment or the application thereof to any person or circumstance is or shall be deemed illegal, invalid or unenforceable, the remaining provisions of this Amendment shall remain in full force and effect and this Amendment shall be interpreted as if such illegal, invalid or unenforceable provision did not exist. This Amendment may be executed in multiple counterparts, each of which shall be deemed an original and all of which together shall constitute one and the same instrument. The parties agree that electronically scanned signatures shall be binding on all parties. This Amendment shall be governed in all respects by the laws of the State of Wisconsin.

[SIGNATURE PAGE FOLLOWS]

IN WITNESS WHEREOF, the parties hereto have executed this Third Amendment to Development Agreement as of the Effective Date first printed above.

BLENKER:

BLENKER DEVELOPMENTS, LLC

By: _____
Name: _____
Title: _____

AEDIFIX:

AEDIFIX BUILDS, INC.

By: _____
Name: _____
Title: _____

CITY:

CITY OF WAUSAU

By: _____
Katie Rosenberg, Mayor

Attest: _____
Leslie M. Kremer, Clerk

EXHIBIT A

NEW LEGAL DESCRIPTION OF THE PHASE III PROPERTY

Part of Blocks 8 and 10, A. Warren Jr's. Second Addition, being part of the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$, and part of the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$, Section 25, Township 29 North, Range 7 East, City of Wausau, Marathon County, Wisconsin, described as follows:

Lot 1, said Block 10, including the East $\frac{1}{2}$ of vacated N. 2nd Street lying adjacent to said Lot 1 per Document No. 1785386;

and also;

Lot 1, said Block 8, including the West $\frac{1}{2}$ of vacated N. 2nd Street lying adjacent to said Lot 1 per Document No. 1785386, and that part of said NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ lying South of said Lot 1 and Northerly and Easterly of the right-of-way of the Chicago, Milwaukee and St. Paul Railway Company and West of a continuation of the East line of said Lot 1;

and also;

Certified Survey Map No. 4445 recorded in Office of Register of Deeds for Marathon County in Volume 16 of Certified Survey Maps on Page 213;

and also;

Lot 1 of Certified Survey Map No. 7345 recorded in Office of Register of Deeds for Marathon County in Volume 28 of Certified Survey Maps on Page 118;

and also;

Lot 1 of Certified Survey Map No. 6940 recorded in Office of Register of Deeds for Marathon County in Volume 26 of Certified Survey Maps on Page 133.

EXHIBIT B

MEMORANDUM – PHASE III PROPERTY

[ATTACH TO THIS COVER PAGE]

**MEMORANDUM OF
DEVELOPMENT AGREEMENT
(Blenker River East Brownstones)**

Document Number

Document Name

THIS MEMORANDUM OF DEVELOPMENT AGREEMENT (Blenker River East Brownstones) (this "Memorandum") is made and entered into as of the _____ day of May, 2021, by and among the **City of Wausau, Wisconsin**, a municipal corporation located at 407 Grant Street, Wausau, WI 54403 (the "City"), **Blenker Developments, LLC**, a Wisconsin limited liability company with a mailing address of P.O. Box 40, Amherst, WI 54406 ("Blenker"), and **Aedifix Builds, Inc.**, a Wisconsin corporation with a mailing address of P.O. Box 40, Amherst, WI 54406 ("Owner") (the City, Blenker, and Owner are referred to herein, collectively, as the "Parties").

WHEREAS, the City and Blenker entered into that certain Purchase and Development Agreement dated as of June 1, 2017 (the "Original Development Agreement"), which was amended by that certain First Amendment to Purchase and Development Agreement with an Effective Date of October 29, 2019, between the City and Blenker (the "First Amendment"), which was further amended by that certain Second Amendment to Purchase and Development Agreement with an Effective Date of April 16, 2021, among the City, Blenker, and Owner (the "Second Amendment"), and which was further amended by that certain Third Amendment to Purchase and Development Agreement with an Effective Date of April 30, 2021, among the City, Blenker, and Owner (the "Third Amendment" and, together with the Original Development Agreement, the First Amendment, and the Second Amendment, and as may be further amended from time to time, the "Development Agreement") with respect to certain property described on Exhibit A attached hereto (the "Property"); and

WHEREAS, the Parties desire to place this Memorandum of record in the real estate records for Marathon County, Wisconsin to provide notice to third parties of the Development Agreement.

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties agree as follows:

1. Notice is hereby given that the Parties have entered into the Development Agreement affecting the Property. Until termination of the Development Agreement, the Development Agreement runs with the Property and is binding upon, benefits and burdens the Property, Developer and any subsequent owner and/or mortgagee of all or any portion of the Property and each of their successors and assigns. The Development Agreement imposes certain obligations, liabilities and restrictions on the owners and/or mortgagees of all or any portion of the Property. The term of the Development Agreement commences as of the date thereof and terminates as provided therein.

Recording Area

Name and Return Address

Anne L. Jacobson, Esq.
City of Wausau, City Attorney
407 Grant Street
Wausau, WI 54403

See Exhibit A

Parcel Identification Number (PIN)

This is not homestead property.

2. The terms, conditions and other provisions of the Development Agreement are set forth in the Development Agreement, express reference to which is made for greater particularity as to the terms, conditions and provisions thereof. Without limiting the generality of the foregoing, the Development Agreement contains provisions which (i) provide for a payment in lieu of taxes in the event all or a portion of the Property becomes exempt from property taxes and (ii) a purchase option and a right of first refusal for the benefit of the City with respect to the Property. A copy of the Development Agreement is available upon request from the City at the offices of the City Clerk.

3. This Memorandum is not a complete summary of the Development Agreement. Provisions in this Memorandum shall not be used to interpret the provisions of the Development Agreement. In the event of conflict between this Memorandum and the unrecorded Development Agreement, the unrecorded Development Agreement shall control. The Parties shall execute, deliver, and file of record a termination and release of this Memorandum upon the expiration or earlier termination of the Development Agreement.

4. This Memorandum may be executed in several counterparts, each of which shall be deemed an original but all of which counterparts collectively shall constitute one instrument representing the agreement among the Parties.

[Signature Pages Follow]

IN WITNESS WHEREOF, the Parties have executed this Memorandum as of the date first set forth above.

BLENKER:

BLENKER DEVELOPMENTS, LLC

By: **EXHIBIT – NOT FOR SIGNATURE**

Name: _____

Title: _____

STATE OF _____)
) ss.
COUNTY OF _____)

Personally came before me this ____ day of _____, 2021, _____, to me known to be the person who executed the foregoing instrument and to me known to be the _____ of Blenker Developments, LLC, a Wisconsin limited liability company, and acknowledged that he executed the foregoing instrument as such authorized representative of said entity and with its authority.

Print Name: _____

Notary Public, State of _____

My commission: _____

OWNER:

AEDIFIX BUILDS, INC.

By: **EXHIBIT – NOT FOR SIGNATURE**

Name: _____

Title: _____

STATE OF _____)
) ss.
COUNTY OF _____)

Personally came before me this ____ day of _____, 2021, _____,
to me known to be the person who executed the foregoing instrument and to me known to be the
_____ of Aedifix Builds, Inc., a Wisconsin corporation, and acknowledged that he
executed the foregoing instrument as such authorized representative of said entity and with its authority.

Print Name: _____

Notary Public, State of _____

My commission: _____

THE CITY:

THE CITY OF WAUSAU, WISCONSIN

By: **EXHIBIT – NOT FOR SIGNATURE**
Katie Rosenberg, Mayor

Attest:

By: **EXHIBIT – NOT FOR SIGNATURE**
Leslie M. Kremer, Clerk

STATE OF WISCONSIN)
) ss.
COUNTY OF MARATHON)

Personally came before me this ____ day of _____, 2019, Katie Rosenberg and Leslie M. Kremer, of the above-named City of Wausau, Wisconsin, to me known to be the persons who executed the foregoing instrument and to me known to be such Mayor and Clerk, respectively, and acknowledged that they executed the foregoing instrument as such officers as the deed of said City of Wausau, Wisconsin, by its authority.

Print Name: _____
Notary Public, State of Wisconsin
My commission: _____

This instrument was drafted by:

Jeffrey R. Schneider
Quarles & Brady LLP

EXHIBIT A

LEGAL DESCRIPTION OF THE PROPERTY

Part of Blocks 8 and 10, A. Warren Jr's. Second Addition, being part of the SW ¼ of the NW ¼, and part of the NW ¼ of the SW ¼, Section 25, Township 29 North, Range 7 East, City of Wausau, Marathon County, Wisconsin, described as follows:

Lot 1, said Block 10, including the East ½ of vacated N. 2nd Street lying adjacent to said Lot 1 per Document No. 1785386;

and also;

Lot 1, said Block 8, including the West ½ of vacated N. 2nd Street lying adjacent to said Lot 1 per Document No. 1785386, and that part of said NW ¼ of the SW ¼ lying South of said Lot 1 and Northerly and Easterly of the right-of-way of the Chicago, Milwaukee and St. Paul Railway Company and West of a continuation of the East line of said Lot1;

and also;

Certified Survey Map No. 4445 recorded in Office of Register of Deeds for Marathon County in Volume 16 of Certified Survey Maps on Page 213;

and also;

Lot 1 of Certified Survey Map No. 7345 recorded in Office of Register of Deeds for Marathon County in Volume 28 of Certified Survey Maps on Page 118;

and also;

Lot 1 of Certified Survey Map No. 6940 recorded in Office of Register of Deeds for Marathon County in Volume 26 of Certified Survey Maps on Page 133.

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

ORDINANCE OF THE FINANCE COMMITTEE	
Repealing Section 3.10.010 Referendum	
Committee Action: Approved 4-1	Ordinance Number:
Fiscal Impact: None	
File Number: 06-1016	Date Introduced: May 11, 2021

FISCAL IMPACT SUMMARY			
COSTS	<i>Budget Neutral</i>	Yes ☒	No ☐
	<i>Included in Budget:</i>	Yes ☐	No ☐
	<i>One-time Costs:</i>	Yes ☐	No ☐
	<i>Recurring Costs:</i>	Yes ☐	No ☐
SOURCE	<i>Fee Financed:</i>	Yes ☐	No ☐
	<i>Grant Financed:</i>	Yes ☐	No ☐
	<i>Debt Financed:</i>	Yes ☐	No ☐
	<i>TID Financed:</i>	Yes ☐	No ☐
	<i>TID Source: Increment Revenue ☐ Debt ☐ Funds on Hand ☐ Interfund Loan ☐</i>		

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

- Section 1. That Section 3.10.010 Referendum is hereby repealed.
- Section 2. All ordinances or parts of ordinances in conflict herewith are hereby repealed.
- Section 3. This ordinance shall be in full force and effect on the day after its publication.

Adopted:
 Approved:
 Published:
 Attest:

Approved:

 Katie Rosenberg, Mayor

Attest:

 Leslie Kremer, Clerk

FINANCE COMMITTEE

Date and Time: Tuesday, April 27, 2021 @ 5:15 pm., Council Chambers

Members Present: Lisa Rasmussen, Michael Martens, Dawn Herbst, Sarah Watson, and Deb Ryan

Others Present: Maryanne Groat, Anne Jacobson, Ben Bliven, Brad Lenz, Katie Rosenberg, Sean Fitzgerald, Jamie Polley, Leslie Kremer

Discussion and possible action regarding storm water and garbage fees and municipal code Chapter 3.10 Fees for Municipal Service 3.10.010 Referendum

Rasmussen explained that the City is hamstrung by legislation that does not allow a municipality to create uniform and fair charges for people for services, especially for garbage and storm water. Currently these fees are based on the levy, even though everyone receives exactly the same service. For example, some residents are paying hundreds of dollars for garbage service while others are paying less than twenty dollars, and all are receiving the same level of service with exactly the same size garbage tote.

Finance Director Groat explained that the Council had approved the creation of a storm water utility back in 2005. Prior to that Resolution, the City had done some research and work on the issue to provide the Council with information. The City was in the stage of finalizing the fee schedule and implementation when a grassroots effort went door to door to obtain signatures on a Petition that would require the City to go to Referendum before implementing any new source of revenue. The question that the group wanted the City to ask the constituents was whether the City shall hold a Referendum requesting city authorization to institute a fee for any municipal service and the question went on to list fees such as garbage, police protection, municipal sewer, fire protection, road repair, recycling, and stated that there would be an exception to that rule only if the fee affects equal to or less than 10% of City residents. Groat explained that this means we can increase existing fees but we can't create new fees. Groat discussed that the lack of diversity the City of Wausau has in available revenues is something the Council has struggled with over the years. When the grassroots effort filed the Petition with the City Clerk years back, the Council had two choices under State Statute. The Council could adopt the language in our municipal code for a period of at least two years or the Council could move ahead with a Referendum. The Council at that time decided to adopt the language with the thought we would repeal it after the 2 years and give the power back to the Council, however, this section 3.10.010 has remained in our Code. In 2014, the issue to repeal the section came before Council, but failed. Groat explained that the Council then moved forward with two referendum on the April, 2015 ballot that asked:

May the City of Wausau institute a fee for garbage pickup and recycling, while removing the cost for this service from the tax levy? And;

May the City of Wausau institute a fee for storm water management, while removing the cost for this service from the tax levy?

The information provided to residents on the referendum included the fact that these fees would be budget neutral, meaning that the revenue generated from the new fee would be subtracted from the levy in the year of implementation. Both referendum questions failed at that time and, consequently, the City of Wausau has been required to rely on the same revenue sources for more than 20 years. Other municipalities have diversified their revenue sources. Groat gave examples of Madison's Urban Forest charge, while other communities have gone to a wheel tax. Groat discussed that when people compare our taxes to taxes of other communities, it is important to keep in mind the lack of diversity the City of Wausau has. Groat further noted that state law now requires that any newly implemented fees be budget neutral in that first year of implementation, so even if we wanted to generate new revenues, we would not be allowed to.

Rasmussen commented that she recalls the Referendum discussed by Groat. Rasmussen stated that several public hearings were held and were not well attended by residents. After the Referendum failed and questions on the City's mill rate surfaced, Rasmussen stated that residents said if they had understood how they would have been impacted positively by the Referendum, they would have voted in the affirmative. Rasmussen also commented that resident homeowners are currently taking the brunt of the fees for storm water management while others with large parking lots are not having to pay anything due to being exempted out. Two examples of this are schools and churches. A storm water utility fee captures some of that lost revenue. Currently, the City cannot capture any of

that, so residents that are paying taxes carry the full load. Rasmussen also noted that during the Scott Walker era, state law was changed, so there is now a safeguard in place that prevents municipalities from implementing new fees while also increasing the tax levy. Therefore, the political climate is very different now than it was in 2015 when the referendums failed. Rasmussen pointed out that when people contemplate buying a house in the City of Wausau and compare the tax bill to a similar value property in another municipality, all that person sees is the large difference in property taxes in the City of Wausau because we do not have the diversity of fees option. Rasmussen stated that if we repeal the Sec. 3.10.010, set up a storm water utility, and remove the garbage and recycling off of the tax bill as a percentage of property tax paid and instead implement a flat fee, we would see a substantial positive impact to our mill rate over time. Rasmussen stated that she believes the Finance Committee needs to take action on this before the next budget cycle is upon us.

Ryan commented that she is concerned about how these potential new fees would impact residents on limited fixed incomes, especially senior citizens, and is concerned about how a storm water utility fee would impact these resident groups. Rasmussen said that repealing Section 3.10.010 does not authorize a storm water utility. All that it does is allow the Council to take some power back to fairly distribute fees for services.

Watson commented that it would be better to move to a benefits received type of system and questioned what the next steps would be for the City if this section of the Code was repealed. Groat stated that we would need to repeal the Ordinance and then Finance can put together some information on what it would look like if the garbage and recycling was taken off of the levy and charged as a flat fee. As for the Storm water utility, some analysis would have to be done on the goal of the storm water utility and what costs we are hoping to recover relative to the storm water utility and maintenance thereof. We still have the budget analysis done in 2005 by the consultant that was hired to evaluate at that time and could use that as a starting point for discussions.

Rasmussen explained that it is not the goal of the City to repeal this Ordinance and then start implementing a bunch of new fees. Rather, the goal is to remove roadblocks created and institute some type of fair play where taxpayers are treated fairly and equally. The garbage fees are one area that can be looked at right away by this Committee, through our fee schedule.

Motion by Watson, second by Herbst to approve repealing WMC Section 3.10.010 Referendum, which includes Ordinance 61-5312. Motion carried 4-1. Ryan was the dissenting vote.



TO: FINANCE COMMITTEE
FROM: MARYANNE GROAT
DATE: April 21, 2021
RE: Storm water and garbage fees

The City of Wausau is one of few communities that funds stormwater operations and curbside garbage and recycling collection with tax levy dollars. Most communities fund these services through user fees.

The City Council has rassedled with this issue before and a brief historical review of their consideration follows:

The City Council approved Resolution 03-0314, Approving Creation of a Storm Water Utility, on September 13, 2005. While the City was in the implementation planning period a taxpayer direct legislation referendum petition was submitted to the council to prohibit charging such fees. The direct legislation was supported by the Common Council and an ordinance was added to the municipal code.

- **Chapter 3.10 - FEES FOR MUNICIPAL SERVICES**
- **3.10.010 - Referendum.**

The City of Wausau shall hold a City-wide referendum requesting citizen authorization to institute a fee for any municipal service. This includes, but is not limited to, the following services; police protection, garbage pickup, fire protection, road repair, snowplowing, recycling, yard waste disposal, street sweeping, fall leaf collection, spring clean-up, and storm water management among others. The only allowable exception is a fee that affects ten percent or less of the City's residents.

(Ord. 61-5312 §1, 2006, File No. 06-1016.)

In 2014 the Common Council considered removing this ordinance but the motion failed. The Common Council then placed two questions on the April 2015 ballot:

- May the City institute a fee for garbage and recycling pick up and remove the cost for service from the tax levy? The question failed: Yes 1,820 No 4,960
- May the City institute a fee for stormwater management and remove the cost for service from the tax levy? The question failed: Yes 3,248 No 3,527

Fair and Equitable cost sharing is a major implication of the tax levy versus user based fee:

- Under the levy, property owners pay for these services based upon their home value rather than the cost of service. Back in 2014 we calculated that some property owners paid \$14 for garbage and recycling while other homeowners paid \$800. All homeowners receive identical services but pay disparate taxes to fund the service.
- Under the levy, businesses and apartment complexes pay for garbage and recycling service in their taxes but are not eligible to participate in the service.

- Not for profits contribute to the demands of our storm water infrastructure but pay no taxes to support it.
- The distribution of stormwater costs are based upon property value versus based upon impervious surface this causes residential property to pick up a higher percentage of the cost.

There is quite a bit of flexibility in how communities implement storm water fees. Many communities phase in fees by isolating fees to recover new capital investments or stepping in fees to ensure taxpayer affordability. Using the tax levy for storm water infrastructure directly restricts the city's ability to improve streets since they both rely on tax dollars. This situation will be exacerbated as stormwater regulations designed to reduce storm water runoff and improve the water quality of our rivers, streams and lakes increase.

Finally, the State of Wisconsin state law restricts the City's ability to generate increased revenues. The law currently includes the following provision:

1. The state created a law ([sec. 66.0602 \(2m\)\(b\), Wis. Stats.](#)), which can be summarized as:

On or after July 2, 2013, if a county or municipality adopts a new fee or a fee increase for covered services (which were partly or wholly funded in 2013 by property tax levy), that county or municipality must reduce its levy limit in the current year by the amount of the new fee or fee increase, less any previous reductions. This also applies to payments in lieu of taxes.

Covered services include:

- Garbage collection – except for municipalities or counties that owned and operated a landfill on January 1, 2013
- Fire protection – excluding the production, storage, transmission, sale and delivery, or furnishing of water for public fire protection purposes
- Snow plowing
- Street sweeping
- Storm water management

The total amount of the reduction implemented by a county or municipality, including prior year reductions, should not exceed the amount funded by tax levy in 2013 to provide the covered service.

This means that in in the first year of implementation the City could not generate increased revenues for garbage collection and storm water management. Any new revenues generated from new fees would be directly reduced by reductions in the levy.

This is being placed on the Finance Committee at the request of members. If the City wanted to move forward with implementation of fees the Council would need to revoke 3.10.010 Referendum.

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

RESOLUTION OF THE PARKS AND RECREATION COMMITTEE

Approving contract with Epic Trail Design, LLC for Phase II of the Sylvan Hill Bike Park improvements

Committee Action: Approved 5-0

Fiscal Impact: \$1,500 for construction and installation of boardwalk

File Number: 21-0507

Date Introduced: May 11, 2021

FISCAL IMPACT SUMMARY

COSTS	<i>Budget Neutral</i>	Yes ☐ No ☒	
	<i>Included in Budget:</i>	Yes ☒ No ☐	<i>Budget Source Parks Budget</i>
	<i>One-time Costs:</i>	Yes ☐ No ☐	<i>Amount:</i>
	<i>Recurring Costs:</i>	Yes ☐ No ☐	<i>Amount:</i>
SOURCE	<i>Fee Financed:</i>	Yes ☐ No ☐	<i>Amount:</i>
	<i>Grant Financed:</i>	Yes ☐ No ☐	<i>Amount:</i>
	<i>Debt Financed:</i>	Yes ☐ No ☐	<i>Amount</i> <i>Annual Retirement</i>
	<i>TID Financed:</i>	Yes ☐ No ☐	<i>Amount:</i>
	<i>TID Source: Increment Revenue</i> ☐ <i>Debt</i> ☐ <i>Funds on Hand</i> ☐ <i>Interfund Loan</i> ☐		

RESOLUTION

WHEREAS, the Phase I improvements to Sylvan Hill Park, consisting of the building of a mountain bike trail has been completed; and

WHEREAS, Central Wisconsin Offroad Cycling Coalition, Inc. ("CWOCC") prepared the Sylvan Hill Bike Park, Phase II Additions document that accompanied the Request for Quote; and

WHEREAS, the Wausau/Marathon County Parks, Recreation and Forestry Department requested quotes from qualified firms and published the request, for quotes to be submitted by April 30, 2021; and

WHEREAS, the Parks Director specifically requested quotes from three qualified firms; and

WHEREAS, only one response was received from Epic Trail Design, LLC, with an estimated cost of \$24,431; and

WHEREAS, your Parks and Recreation Committee met on May 3, 2021, and recommended the selection of Epic Trail Design, LLC, to implement the improvements designed by CWOCC, but removed the Boardwalks, for a total of \$22,931, all of which has been raised by CWOCC and will be provided by them.

NOW THEREFORE, BE IT RESOLVED, by the Common Council, that Epic Trail Design, LLC, is selected as the contractor to implement the improvements contained in their quote, without the inclusion of the boardwalks, for a total of \$22,931, and the appropriate city officials are authorized to execute a contract in substantial compliance with the foregoing terms.

Approved:

Katie Rosenberg, Mayor

DRAFT

CITY OF WAUSAU – PARK AND RECREATION COMMITTEE MEETING MINUTES

Date/Time: April 5, 2021 at 4:30 p.m. Location: Council Chambers, City Hall

Members Present: Tom Kilian-(via webex), Lou Larson-(via webex), Pat Peckham (c), Sarah Watson-(via webex)

Others Present: Jamie Polley-Director, Mark Dorow-Recreation Superintendent, Katie Rosenberg-Mayor

Members Excused: Tom Neal

1. In accordance with Chapter 19, Wisc. Statutes, notice of this meeting was posted and sent to the Daily Herald in the proper manner. A quorum was present and the meeting was called to order by Chairman Peckham at 4:30pm.

4. Discussion and Possible Action Approving Phase II of the Sylvan Hill Bike Park Improvements – Polley explained the Central Wisconsin Off road Cycling Coalition (CWOCC) has submitted a proposal to make improvements to Sylvan Hill Park mountain biking trails. The goal of the enhancements is to provide an additional riding experience to Sylvan Hill Park that does not currently exist there. The Park Committee had reviewed the proposal in 2020 and supported the plan (4-1) to allow CWOCC to fundraise for the improvements. Over the past few months CWOCC has secured \$23,000 and is waiting on one additional national grant. This funding is close to the amount needed for the planned 2021 improvements which include the new return trail, beginner downhill trail and maintenance and small enhancements to the current trails. The next step in the process is to issue a request for proposal (RFP) for the planned work. The department will then enter into an agreement with the approved contractor for the work to be completed. The Parks Committee is asked to approve the work to be completed at Sylvan Hill Bike Park and authorize staff to issue an RFP and execute an agreement with the approved contractor.

Polley clarified that the shelter component is not part of this phase, it is a future item that CWOCC will continue to fundraise for and if they cannot raise the funding for it, it will be brought in the future to the full Council as a Capital Improvement Project request. She also explained that the RFP will not be for the entire project at this point because CWOCC doesn't have funding for the entire project so they would just do what the estimated funding covers. Motion by Larson, second by Watson to approve going forward with the RFP's for what their funding allows. Motion carried by voice vote, vote reflected as 4-0.

DRAFT

CITY OF WAUSAU – PARK AND RECREATION COMMITTEE MEETING MINUTES

Date/Time: May 3, 2021 at 4:30 p.m.

Location: Council Chambers, City Hall

Members Present: Tom Kilian, Lou Larson, Tom Neal, Pat Peckham (c), Sarah Watson

Others Present: Jamie Polley-Director

1. In accordance with Chapter 19, Wisc. Statutes, notice of this meeting was posted and sent to the Daily Herald in the proper manner. A quorum was present and the meeting was called to order by Chairman Peckham at 4:30pm.
2. Public Comment – none brought forward
3. Approval of Minutes – April 5, 2021 – **Motion** by Neal, second by Larson to approve the Park and Recreation Committee draft April 5, 2021 minutes. Motion **carried** by voice vote, vote reflected as 5-0.
4. Discussion and Possible Action Recommending Approval of Contractor for Phase II of the Sylvan Hill Bike Park Improvements – Polley explained that the Parks Committee had previously supported moving forward with the first part of the second phase of improvements to Sylvan Hill bike park as presented by the Central Wisconsin Off-Road Cycling Coalition (CWOCC). CWOCC has secured \$23,000 and is waiting on one additional national grant. This funding is close to the amount needed for the planned 2021 improvements which include the new return trail, beginner downhill trail and maintenance and small enhancements to the current trails. Requests for Proposals were issued and one proposal was received from Epic Trail Design. Department staff and CWOCC have previously worked with this company. The amount of the contract will be \$1,500.00 lower because staff had agreed to build and install the boardwalk as it has done in the past. The contract will be between the City and Epic Trail Designs with Department staff and CWOCC representative's on the project management team. The full amount of the contract will be donated from CWOCC to the City to pay for the full cost of the contract. **Motion** by Neal, second by Watson to approve the agreement with Epic Trail Design and forward it on to City Council. Motion **carried** by voice vote, vote reflected as 5-0.

**REQUEST FOR QUOTES
FOR
SYLVAN HILL BIKE TRAIL IMPROVEMENTS**

Wausau/Marathon County Parks, Recreation & Forestry will accept quotes from qualified firms for the 2021 items as identified on page 6 (last page) of the project proposal (Return trail and maintenance to existing trails). The project is for work on single track mountain bike trails at Sylvan Hill Park, Wausau, Wisconsin. The quotes shall be submitted by **Noon, April 30, 2021** to Jamie Polley, Director, Wausau/Marathon County Parks, Recreation and Forestry Department, 212 River Drive, Suite 2 Wausau, WI 54403.

Instructions to interested firms may be obtained from the Wausau and Marathon County Parks, Recreation and Forestry Department, 212 River Drive, Suite 2 Wausau WI 54403, phone 715-261-1550, email jamie.polley@co.marathon.wi.us

All quotes must be received at the Wausau and Marathon County Parks, Recreation and Forestry Department, 212 River Drive Suite 2, Wausau, WI 54403 no later than Noon, Friday, April 30, 2021. Quotes received after that date and time will not be accepted. Actual receipt by said time is required and deposit in the mail, facsimile or email is not sufficient.

The City reserves the right to accept or reject, in whole or in part, any or all quotes, to waive technical deficiencies in the quotes, and award the contract deemed in the best interests of the City. This solicitation may also be cancelled if determined to be in the best interests of the City.

County of Marathon/City of Wausau

By: Jamie Polley, Director

Wausau and Marathon County Parks, Recreation, and Forestry Department



Wausau & Marathon County
**Parks, Recreation
& Forestry**

Lisa Parsch

From: Jamie Polley
Sent: Thursday, April 15, 2021 2:54 PM
To: flowtrackmtb@gmail.com; nickwierzba@gmail.com; travisbellman@yahoo.com
Cc: Matt Block; Aaron Ruff (aruff06@gmail.com); Greg Freix
Subject: Request for Quotes- Sylvan Hill Mountain Bike Trail Improvements
Attachments: CWOCC_sylvan4.pdf; RequestForQuotesSylvanBikeTrailImprovements.docx

Good afternoon,

On behalf of the City of Wausau, the Wausau/Marathon County Parks, Recreation & Forestry Department is soliciting quotes until **Friday, April 30 at NOON** for the 2021 items as identified on page 6 (last page-return trail and maintenance to existing trails) of the project proposal. The project is for construction and maintenance on the single track mountain bike trails at Sylvan Hill Park in Wausau, WI. A detailed description of the work and a map of the current trails is attached. If your quote is selected, work on the project must be completed by October 15, 2021. Lump sum quotes to complete the work will be accepted by mail, email or facsimile by the deadline. The selected company to complete the work will be required to enter into a contract with the City of Wausau and meet all insurance requirements.

Please email me any questions and I will work with the Central Wisconsin Off Road Cycling Coalition(CWOCC) to answer them and then will provide all parties a copy of the questions and answers. One clarification is that all features for the trails must be natural and found on site. See attached proposal for more information.

Thanks and we look forward to working with you.

Jamie Polley
Parks, Recreation & Forestry Director



Wausau & Marathon County
**Parks, Recreation
& Forestry**



212 River Drive, Suite 2
Wausau, WI 54403
(715)261-1554 Office
(715)261-4163 Fax
Jamie.polley@co.marathon.wi.us
www.co.marathon.wi.us/parks.asp

Epic Trail Design

Contact: Nick Wierzba
715-846-5038
EpicTrailDesign@gmail.com
[179686 Cihaski Rd](#)
[Birnamwood, WI](#)

Quote:
Sylvan Hill Maintenance
and return trail realignments

To: Wausau/Marathon County
Parks, Recreation & Forestry

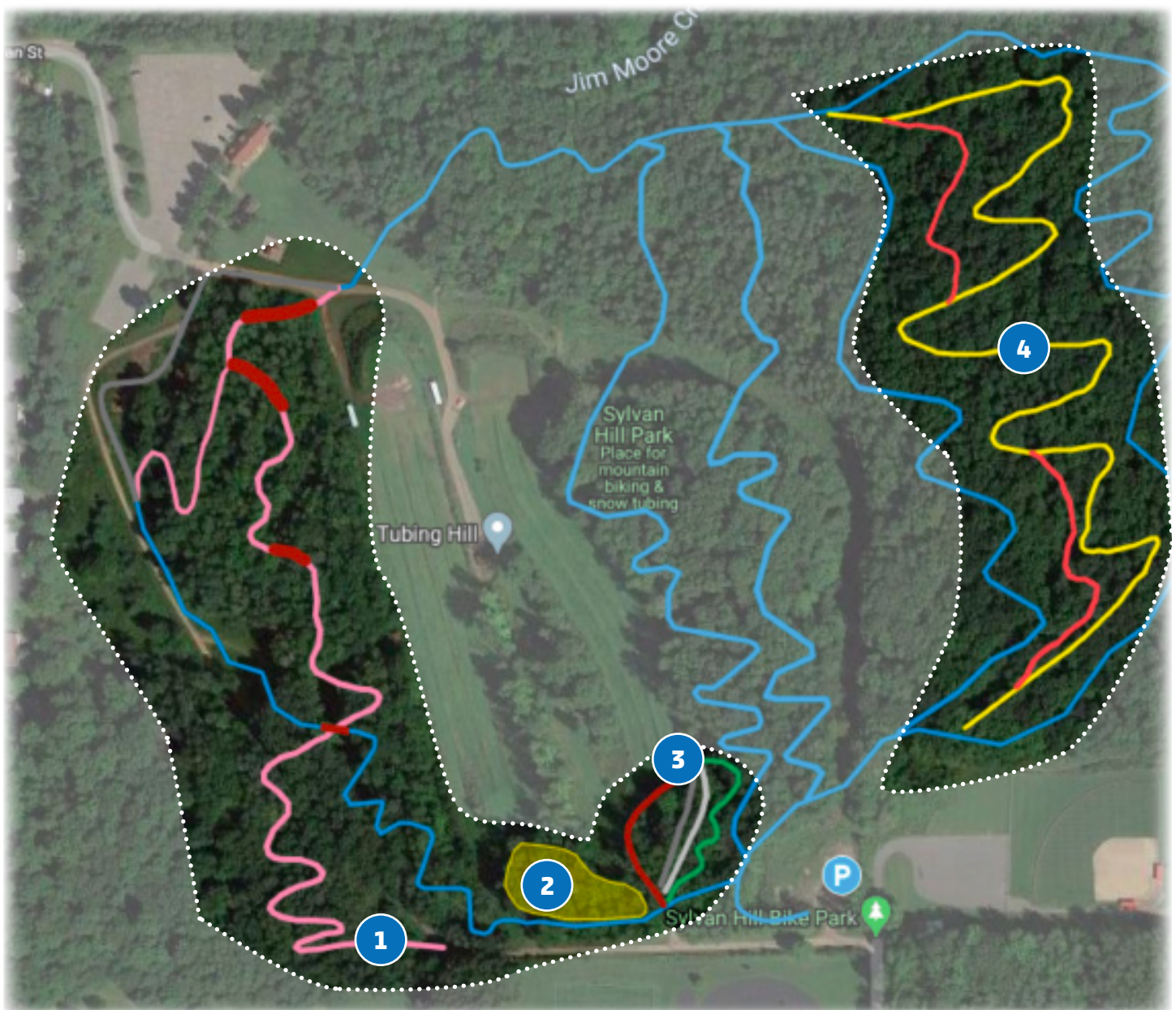
Return Trail Realignments	Estimated Trail Footage	Price Per Foot		
New return trail (Pink trail)	2425	\$3.00	\$	7,275.00
Continuation of new downhill route (Orange Trail)	700	\$3.00	\$	2,100.00
Addition of features to covert uphill return to a downhill trail			\$	2,500.00
Boardwalk Install	600	\$2.50	\$	1,500.00
Materials				
	Quantity	Each		
Boardwalk footings	20	\$	8.00	\$ 160.00
Maintenance				
Twisted oak	2112	\$1.00	\$	2,112.00
Fish Hook	1584	\$1.00	\$	1,584.00
Sylvans Loop (downhill section)	2100	\$1.00	\$	2,100.00
Bad Rabbit	2600	\$1.00	\$	2,600.00
Pump Track (Price per Square for)	2500	\$1.00	\$	2,500.00
Estimated start date: July 1,2021				
Total			\$	24,431.00



CENTRAL WISCONSIN OFFROAD CYCLING COALITION

Sylvan Hill Bike Park • Phase II Additions

Overview



1. New Return Trail Construction and Reworking Original Return Trail into Additional Beginner/Intermediate Downhill Run
2. Expanded Skills Area
3. Dirt Jump Zone
4. Addition of Rock Tech Downhill Run

1 Return Trail



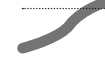
The original constructed return (climbing) portion of Sylvan's Loop has seen erosion damage, conflicts with Park Dept. material storage and is quite steep towards the top of the climb. The steepness of the climb makes it aerobically challenging even for experienced riders and nearly impossible for younger kids to navigate more than once.

A new climbing route (pink) is proposed in the wooded space between the service road and tubing hill 1. Boardwalk will be required due to wetland delineation in the wooded space. To

reduce the gradient of the climb the new route will cross the service road and traverse a space adjacent to school property before linking back into the service road at the top.

The original climbing route (light blue) will be repurposed into another downhill run with a new route linking back into the climbing route. A flyover feature (bridge) will be required to separate crossing traffic.

Map Key

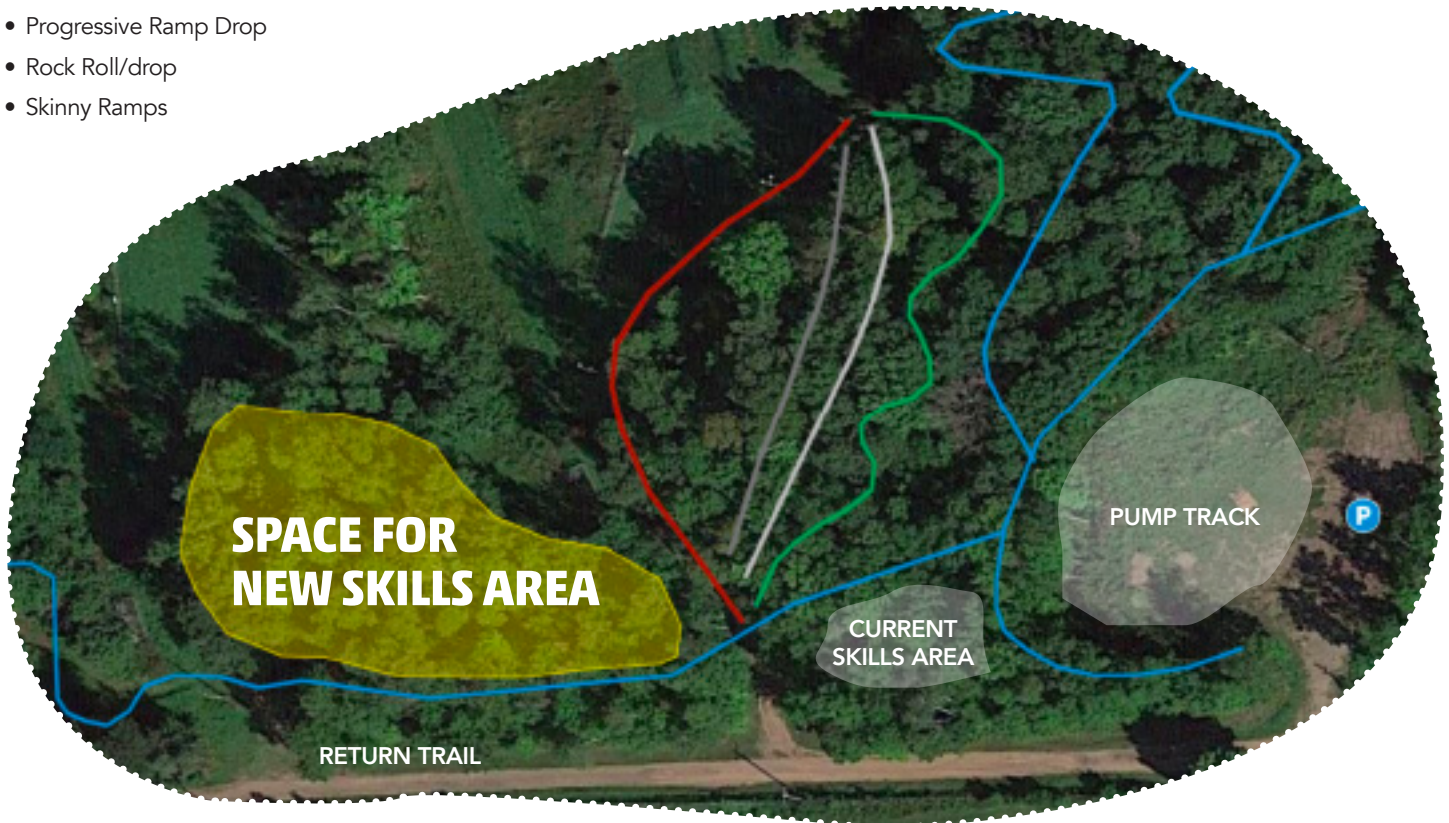
-  Light Blue - Original Return Trail Climb. To be Repurposed into Additional Downhill Run
-  Pink - Main Return Climb Reroute with Addition Leg Off Of Old Route to Create a Link into New Return Trail. Approx. 2425' New Trail Construction
-  Gray—Abandoned Return Route
-  Red—Boardwalk. Approx. 300' Length

2 Expanded Skill Area

The current skill area is very small and is utilized mainly by very small children. CWOCC continues to host adult skill clinics and are in need of a larger purpose built mountain bike skill area that does not exist at any other area trail system.

A wooded space to the south of the top of tubing hill 1 (yellow shaded) offers approximately three times the space as the current skill area. It also features more slope allowing for a wider range of skill features to be added.

- Progressive Ramp Drop
- Rock Roll/drop
- Skinny Ramps

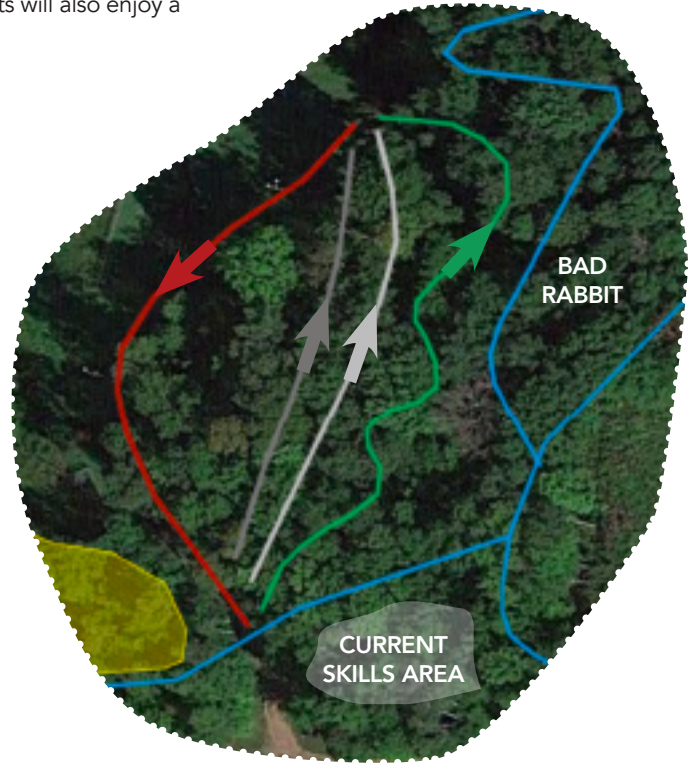


3 Dirt Jump Zone

Wooded space to the south of tubing hill 2 offers an opportunity for a compressed dirt jump zone. Three runs of progressive difficulty will simulate jump features found on the longer trails at Sylvan Hill. This zone will provide an additional space for young kids to learn new skills without the difficult climb to the top of the hill. Adults will also enjoy a compressed space to repeat jumping skills.

Map Key

-  Green - Beginner Jump Line
350' Long
-  Light Gray - Intermediate Jump Line
250' Long
-  Dark Gray - Advanced Jump Line
250' Long
-  Red - Return Route On Existing Service Road.
-  Light Blue - Existing Mountain Bike Trail



4 Flow Tech Downhill

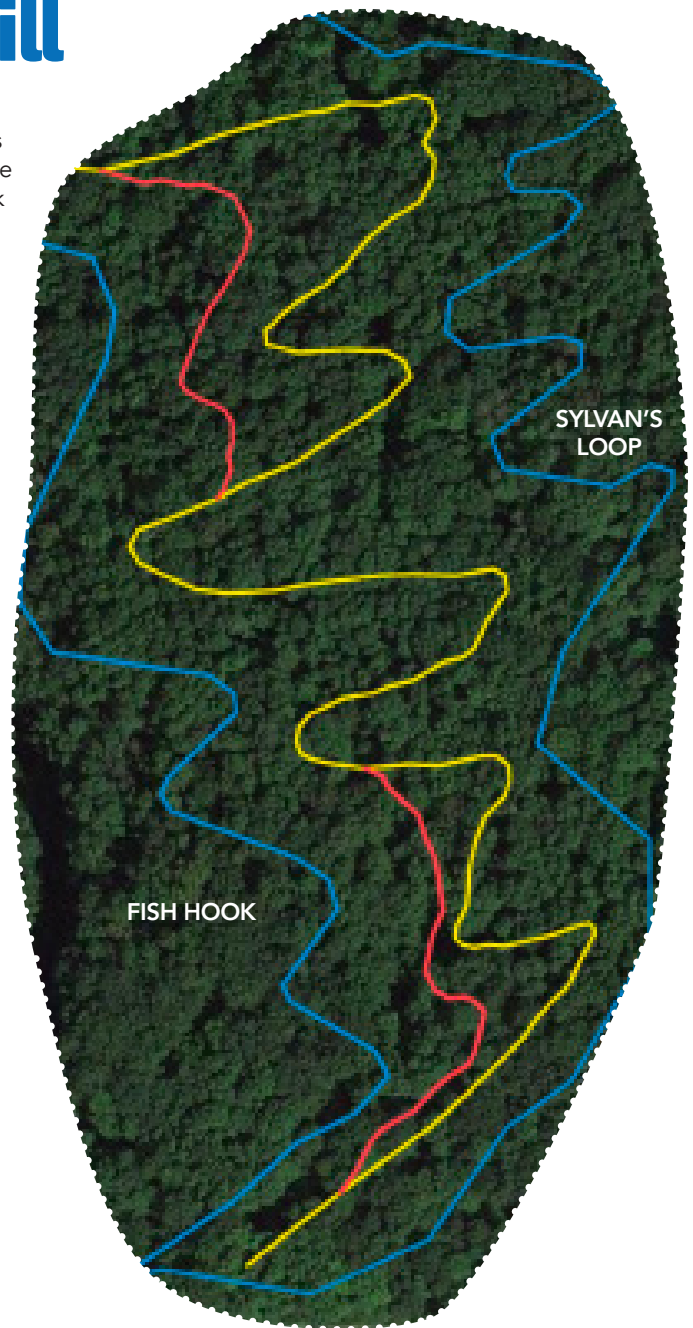
The original contractor left space was left between Fish Hook and Sylvan's Loop for a future trail addition. The creation of a flow tech trail will provide a different experience to the existing jump based trails. Flow tech (or rock tech) trail utilizes the natural terrain and rock for features while still providing a flowy ride experience. The main trail would be an intermediate level trail while more advanced b-lines will challenge advanced riders. Skill filters will be required at the entrance of each advanced b-line to prevent less skilled riders from entering.

Map Key

 Yellow—Intermediate Trail. 0.5-0.6 Miles in Length

 Red—Advance to Expert Level Alternate Lines. 1000'-1500' in Length.

 Light Blue—Existing Mountain Bike Trail



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

ORDINANCE OF THE PLAN COMMISSION

Rezoning 117 and 119 East Chellis Street from SR-5, Single Family Residential-5 Zoning District to HI, Heavy Industrial Zoning District.

Committee Action: Approved 6-0

Fiscal Impact: None.

File Number: 21-0505

Date Introduced: May 11, 2021

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

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

V BROOKS PLAT LOT 17, MORE COMMONLY KNOWN AS 117 EAST CHELLIS STREET;
AND

V BROOKS PLAT LOT 16, MORE COMMONLY KNOWN AS 119 EAST CHELLIS STREET

now comprising a part of SR-5, Single Family Residential-5 Zoning District according to the Zoning Ordinance of the City of Wausau is hereby rezoned to HI, Heavy Industrial Zoning 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:

Katie Rosenberg, Mayor

Attest:

Leslie M. Kremer, City Clerk

PLAN COMMISSION

Time and Date: The Plan Commission met on Thursday, April 29, 2021, at 4:30 p.m. in the Common Council Chambers of Wausau City Hall.

Members Present: Mayor Katie Rosenberg, Eric Lindman, Patrick Peckham, Bruce Bohlken, George Bornemann, Tom Neal; *By WebEx*: Andrew Brueggeman (arrived at 4:55 p.m.)

Others Present: Brad Lenz, William Hebert, Gary Guerndt, Kent Olson, Debra Ryan, Jay Knetter, Kristine Daniels; *By WebEx*: Nick Bancuk

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 Rosenberg called the meeting to order at approximately 4:30 p.m. noting that a quorum was present.

PUBLIC HEARING: Discussion and possible action on rezoning 117 & 119 East Chellis Street from SR-5, Single Family Residential-5 Zoning District to HI, Heavy Industrial Zoning District.

Lenz said that these properties are proposed for the yard waste site expansion. The specific plans have not been drawn up yet, but it will make a larger waiting area so cars will not have to wait on the street. It will improve efficiency. A letter was received from the alderperson.

Mayor Rosenberg closed the public hearing.

Bohlken motioned to rezone 117 & 119 East Chellis street from SR-5 Single Family Residential-5 Zoning District to HI, Heavy Industrial Zoning District. Bornemann seconded, and the motion carried unanimously 6-0. This item will go to Common Council on May 11, 2021.



Memorandum

From: Brad Lenz
 To: Plan Commission
 Date: April 26, 2021
 Subject: Zoning Map Amendment for 117 and 119 E. Chellis Street

Background

The City of Wausau Department of Public Works (DPW) is seeking zoning map amendments for 117 and 119 E. Chellis Street. These two properties border the city's yard waste site to the west. DPW is planning to expand the yard waste site to improve the capacity and functioning of it. Heavy Industrial (HI) zoning, which currently exists east of the subject parcel to the river and up to Thomas Street, would be needed for this use.

Amendments to Zoning Map

Section 23.10.31(4)(b) of the Zoning Code outlines criteria for zoning map amendments that staff and the Plan Commission are to review and make recommendation to the Common Council.

Under this section, a proposed amendment is to be evaluated as to whether it:

1. Advances the purposes of this Chapter as outlined in Section 23.01.03 and the applicable rules of Wisconsin Department of Administration and the Federal Emergency Management Agency.
2. Is in harmony with the Comprehensive Plan.
3. Maintains the desired overall consistency of land uses, land use intensities, and land use impacts within the pertinent zoning districts.
4. Addresses any of the following factors that are not properly addressed on the current Official Zoning Map:
 - a. The designations of the Official Zoning Map are not in conformance with the Comprehensive Plan.
 - b. A mapping mistake was made, including the omission on the Official Zoning Map of an approved zoning map amendment.
 - c. Factors have changed (such as new data, infrastructure, market conditions, development, annexation, or other zoning changes), making the subject property more appropriate for a different zoning district.
 - d. Growth patterns or rates have changed, creating the need for an amendment to the Official Zoning Map.

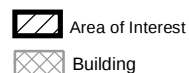
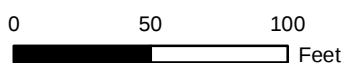
Staff Comments

The proposed zoning of the property is specifically for the expansion of the yard waste site on the DPW grounds. The improvements would not introduce a new land use to the area, but would improve the functioning of the current one. The improvements are expected to reduce impacts to surrounding property owners, due to more capacity and efficiency of the site. The city's comprehensive plan does not speak directly to such an expansion, but to the extent that the improvements will limit land use conflicts between properties, it can be seen as harmonious with the plan.

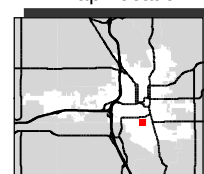


Map Date: April 9, 2021

City of Wausau
Marathon County Wisconsin



Map Location





Memorandum

From: Brad Lenz
To: Plan Commission
Date: April 26, 2021
Subject: Planned Unit Development at 209 Short Street and 1214 N. 3rd Street

Background

The proposed Planned Unit Development (PUD) contains an existing duplex as well as an empty lot on the corner of 3rd and Short Streets. The zoning change would bring these two properties into the existing PUD to the west, which was previously approved for an apartment building (that is similar to the existing buildings just to north on 2nd and 3rd Streets). The current proposal is to convert the existing duplex into a four-unit building, and to create a surface parking lot on the corner of 3rd and Short Streets. The parking lot would be for use by the residents of the 4-unit building.

Criteria for Approval

Section 23.10.45(f) of the zoning code outlines the criteria for approval of a Planned Unit Development. It states that in its review of an application for a PUD the plan commission shall make findings with respect to the ten criteria below. Staff comments follow each of the criteria listed below. In some cases, as noted below, the criteria may pertain more to the specific implementation plans, which will be reviewed at a subsequent meeting, than to the current general development plans.

1. The proposed Planned Unit Development project is consistent with the overall purpose and intent of this title.

The purpose of the PUD zoning is to provide for the possible relaxation of certain development standards in exchange for advantages in the overall site design. These advantages could include functionality, architectural quality, environmental benefits and others.

In this case, PUD zoning is being sought to bring an existing structure and lot into the overall development. The surrounding properties were redeveloped with multi-family housing, and this project is meant to fit into the larger development.

2. The proposed Planned Unit Development project is consistent with the City's Comprehensive Plan and other area plans. (It is the responsibility of the City to determine such consistency.)

A housing objective in the comprehensive plan is to encourage a variety of housing types throughout the city without concentrating any particular type of housing within one neighborhood. The plan also encourages in-fill housing and increasing the availability of affordable housing. The proposed PUD zoning can be seen as facilitating in-fill housing and meeting the objectives of the plan.

- 3. The proposed Planned Unit Development project would maintain the desired relationships between land uses, land use densities and intensities, and land use impacts in the environs of the subject site.**

The existing zoning of the property, Two Flat Residential – 10 (TF-10), allows two-unit residential buildings. The proposed project would add two units to what would be allowed in the base district. The subject parcel is smaller than a standard lot, but by adding the corner lot for parking and open space it would bring the development in line with zoning standards.

The wider development in this area contains a mix of new townhome-style residences, as well as traditional stand-alone homes. The proposed apartments would fit into the mix of residential types in the area.

- 4. Adequate public infrastructure is or will be available to accommodate the range of uses being proposed for the Planned Unit Development project, including but not limited to public sewer and water and public roads.**

The new project will use existing public utilities and facilities that are available in the area. The intensity of the development is not expected to overload any public facilities. The City is looking to reconstruct some of the infrastructure in the area.

- 5. The proposed Planned Unit Development project will incorporate appropriate and adequate buffers and transitions between areas of different land uses and development densities/intensities.**

The subject property is surrounded by residential uses on all sides, so buffering from other properties is not necessary.

- 6. The proposed Planned Unit Development project design does not detract from areas of natural beauty surrounding the site.**

The project is located within a developed area of the city. There is a walkway across 3rd Street through a small public green space. A landscaping plan, particularly for the parking lot, will be required as part of the specific implementation plans.

- 7. The proposed architecture and character of the proposed Planned Unit Development project is compatible with adjacent/nearby development.**

The exterior of the building will be renovated as part of the conversion to two additional units, but the architecture will not change substantially.

- 8. The proposed Planned Unit Development project will positively contribute to**

and not detract from the physical appearance and functional arrangement of development in the area.

The existing building will remain. Improvements will be made to it, and to the currently-vacant lot on the corner.

- 9. The proposed Planned Unit Development project will produce significant benefits in terms of environmental design and significant alternative approaches to addressing development performance that relate to and more than compensate for any requested exceptions/base standard modifications variation of any standard or regulation of this title.**

The plan coordinates two sites into one project that is meant to fit into the larger residential development. Particular benefits of environmental design will be evaluated when the specific implementation plans are reviewed.

- 10. For Planned Unit Development projects that are proposed to be developed in phases, the applicant can provide a timeline for development and can demonstrate that the project would be successful even if all phases were not or could not be completed.**

This particular project will be developed in a single phase, even though it is part of a larger residential development being built over time.

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

ORDINANCE OF THE PLAN COMMISSION

Rezoning 617 and 621 Forest Street from NMU, Neighborhood Mixed Use Zoning District to PUD, Planned Unit Development Zoning District and approve the General Development Plan to allow for office space, vehicle sales and parking lot.

Committee Action: Approved 7-0

Fiscal Impact: None.

File Number: 21-0508

Date Introduced: May 11, 2021

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

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

STEWART PARCHER & MANSONS ADD LOT 6 BLK 16 -- PLAT OF SURVEY 2/11/2021,
MORE COMMONLY KNOWN AS 617 FOREST STREET; AND

STEWART PARCHER & MANSONS ADD LOT 7 BLK 16 -- PLAT OF SURVEY 2/11/2021,
MORE COMMONLY KNOWN AS 621 FOREST STREET

now comprising a part of NMU, Neighborhood Mixed Use Zoning District according to the Zoning Ordinance of the City of Wausau is hereby rezoned to PUD, Planned Unit Development Zoning District and approve the General Development District to allow for office space, vehicle sales and parking lot.

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:

Katie Rosenberg, Mayor

Attest:

Leslie M. Kremer, City Clerk

PLAN COMMISSION

Time and Date: The Plan Commission met on Thursday, April 29, 2021, at 4:30 p.m. in the Common Council Chambers of Wausau City Hall.

Members Present: Mayor Katie Rosenberg, Eric Lindman, Patrick Peckham, Bruce Bohlken, George Bornemann, Tom Neal; *By WebEx*: Andrew Brueggeman (arrived at 4:55 p.m.)

Others Present: Brad Lenz, William Hebert, Gary Guernndt, Kent Olson, Debra Ryan, Jay Knetter, Kristine Daniels; *By WebEx*: Nick Bancuk

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 Rosenberg called the meeting to order at approximately 4:30 p.m. noting that a quorum was present.

PUBLIC HEARING: Discussion and possible action on rezoning 617 & 621 Forest Street from NMU, Neighborhood Mixed Use Zoning District to PUD, Planned Unit Development Zoning District and approve the General Development Plan to allow for office space, vehicles sales and parking lot.

Lenz said that information about the project is in the packet for this item and the petitioner is present.

Kent Olson said that since previous developments, additional properties have been acquired. Olson said that Wisconsin Automotive & Truck Education Association (WATEA) is a non-profit organization for a training pathway. WATEA is very active with NTC and schools. Olson said that they have worked with NTC to development a new entry-level program for auto collision. There are currently 14 students enrolled that will complete in August. Olson said that there is also a Commute to Careers program. Olson said that he has spoken to staff about the setback issues. Olson said that more parking is needed than zoning may allow for.

Mayor Rosenberg asked Lenz what the variances to the code would be. Lenz said that the use of car sales would not be allowed in the current district and there are a number of setback issues. The plan also exceeds the maximum number of parking stalls. Hebert said that staff is agreeable with the use, but are concerned with the parking lot. It should include curb and gutter, there isn't lighting and the drive aisle does not meet the minimum requirements. Lenz said that stalls could be relocated to meet the setback requirements. Lenz said that all of the stalls are not needed all day, every day.

Olson said that there are 14 board members, 3 staff and 3 vans that will need the parking lot. Olson added that the parking lot across the street does not meet the requirements. Olson said that his projects are very nicely landscaped and attractive. Lighting can be added; the back side of the current building does have lights. Olson said that two committees meet monthly and could be 2-3 meetings per month.

Lenz said that the parking lot across the street was built before the current zoning code. There were not a lot of parking lot design standards when it was done. When the parking lot is replaced, it will need to meet the current code.

Andrew Brueggeman joined the meeting remotely at approximately 4:55 p.m.

Peckham asked what the expected closing hours will be. Olson answered that the training will be completed by 8:00 p.m.

Lenz said that based on designs by MTS, a row could be eliminated and parking spaces shifted. There is a concern of the drive aisle width. Nick Bancuk, MTS, said that they have done several layouts and the current design fits the most vehicles. The raised planter bed does create a buffer and blocks headlights.

Debra Ryan, 702 Elm Street and Alderperson District 11, said that she has had work done here and there is little parking on Forest Street. This project would remove blight. This is a positive project and offers excellent programs.

Mayor Rosenberg closed the public hearing.

Lenz said that if this is approved, they will need to come back for approval of the specific implementation plan.

Neal motioned to rezone 617 & 621 Forest Street from NMU, Neighborhood Mixed Use Zoning District to PUD, Planned Unit Development Zoning District and approve the General Development Plan to allow for office space, vehicle sales and parking lot. Bohlken seconded.

Lindman said that he is ok with the uses, but would like the setback and functionality of the parking lot addressed when this comes back for the specific implementation plan.

The motion carried unanimously 7-0. This item will go to Common Council on May 11, 2021.



Memorandum

From: Brad Lenz
 To: Plan Commission
 Date: April 26, 2021
 Subject: Planned Unit Development at 617 – 621 Forest Street

Background

The proposed Planned Unit Development (PUD) will rezone two adjacent properties and combine them into one, for a multi-use project. Both lots currently contain structures that were originally built as single-family homes, but were substantially renovated over the years. One of the structures will be demolished for parking, while the other will be used for office space. Specifics of the project are detailed in the attached information submitted by the petitioners.

Criteria for Approval

Section 23.10.45(f) of the zoning code outlines the criteria for approval of a Planned Unit Development. It states that in its review of an application for a PUD the plan commission shall make findings with respect to the ten criteria below. Staff comments follow each of the criteria.

1. The proposed Planned Unit Development project is consistent with the overall purpose and intent of this title.

The purpose of the PUD zoning is to provide for the possible relaxation of certain development standards in exchange for advantages in the overall site design. These advantages could include functionality, architectural quality, environmental benefits and others.

In this case, PUD zoning is being sought to allow a multi-faceted project, with a use (i.e., car sales) that is not permitted in the existing zoning district. Aspects of the site design are also being asked to be flexed, including pavement setbacks, lighting, drive aisle widths, maximum parking, and curb and gutter.

2. The proposed Planned Unit Development project is consistent with the City's Comprehensive Plan and other area plans. (It is the responsibility of the City to determine such consistency.)

The comprehensive plan includes economic development objectives that could be seen as applicable to the proposed PUD. In particular, one objective is to stimulate community and economic growth and development, supporting business expansion and retention in competitive sectors.

- 3. The proposed Planned Unit Development project would maintain the desired relationships between land uses, land use densities and intensities, and land use impacts in the environs of the subject site.**

The existing zoning of the property, Neighborhood Mixed Use (NMU), is intended to allow small-scale commercial development that is compatible with adjacent residential uses and established neighborhood-level commercial corridors. The NMU district exists to the north and east of the subject property. To the south and west (with the exception of one lot immediately to the west), exists automotive uses that have been expanding through the year. The proposal keeps the existing building which is congruent with the character of the NMU, while the proposed parking and car lot more closely aligns with the adjacent automotive uses.

- 4. Adequate public infrastructure is or will be available to accommodate the range of uses being proposed for the Planned Unit Development project, including but not limited to public sewer and water and public roads.**

The new project will use existing public utilities and facilities that are available in the area. The intensity of the development is not expected to overload any public facilities.

- 5. The proposed Planned Unit Development project will incorporate appropriate and adequate buffers and transitions between areas of different land uses and development densities/intensities.**

Small office buildings exist on either side of the proposed project, so no buffering would be needed on the sides. The petitioners are seeking, however, an exception to the front setback even though residences exist across the street (i.e., Forest Street). The petitioners are also seeking an exception to the rear setback, but the south property line borders other property owned by the petitioners and uses for their automotive business.

- 6. The proposed Planned Unit Development project design does not detract from areas of natural beauty surrounding the site.**

The project is located within a developed area of the city where not a lot of truly natural areas exist.

- 7. The proposed architecture and character of the proposed Planned Unit Development project is compatible with adjacent/nearby development.**

The proposal keeps an existing building while removing another. The architecture of the existing building will not change, but the removal of the second structure continues the pattern of eroding the historic fabric of the block.

- 8. The proposed Planned Unit Development project will positively contribute to and not detract from the physical appearance and functional arrangement of development in the area.**

The trend in development of the block has been away from the traditional small-lot structures that were built as single-family homes, and towards larger-scale commercial buildings with large surface parking lots.

- 9. The proposed Planned Unit Development project will produce significant benefits in terms of environmental design and significant alternative approaches to addressing development performance that relate to and more than compensate for any requested exceptions/base standard modifications variation of any standard or regulation of this title.**

Staff does not see how the benefits of the design outweigh the number of exceptions that are being sought.

- 10. For Planned Unit Development projects that are proposed to be developed in phases, the applicant can provide a timeline for development and can demonstrate that the project would be successful even if all phases were not or could not be completed.**

This particular project would be developed in a single phase, even though it is part of the continued redevelopment of the block over time.



Marathon Technical Services LLC
404 Franklin
Suite 1
Wausau, WI 54403

Consulting Engineers
Municipal Infrastructure, Site Design and Commercial Building Design

March 19, 2021

Mr. Brad Lenz
City Planner and Interim Development Director
City of Wausau
407 Grant Street
Wausau, WI 54403

RE: Zoning Map Amendment – 617 & 621 Forest Street

Dear Mr. Lenz:

The owner, AOK Property, LLC, has purchased 617 and 621 Forest Street. The intent of the land purchase is to combine the two parcels into one larger parcel. AOK Property, LLC proposes to raze the existing building at 621 Forest Street and continue to make improvements to the existing building at 617 Forest Street as well as the property as a whole. The remainder of the combined lots would be redeveloped for parking.

Wisconsin Automotive & Truck Education Association, a non-profit, has leased space in the building for their main offices. WATEA will employ 2-3 individuals on a regular basis. WATEA will hold monthly board meetings as well as the Wheels to Work monthly board meetings in the building. The board meetings typically have 12-14 members present. The Commute to Careers initiative, within WATEA, provides rides for local individuals who can otherwise not afford transportation to and from work. These drivers will occasionally be at this location.

In addition, the Fast Forward training initiative will utilize the building for a partnership with Northcentral Technical College. This training will provide pre-apprenticeship education for collision students. Classroom work will take place in the building currently located at 617 Forest Street and hands-on training will be located at the nearby Olson Auto Body & Paint building and at Brickner's of Wausau.

Lastly, an additional tenant will support the overhead of WATEA by selling some of the vehicles repaired through the Fast Forward training as well as a limited number of vehicles not related to the training. This vehicle sale portion of the development is meant to be a mostly internet-based business that would allow the Fast Forward students to see the impact of their work as well as provide shared utility, rent, and staff with WATEA. As a non-profit, WATEA is deeply invested in supporting the workforce of the community.

The proposed redevelopment does not require a large building footprint; however, it does require a larger parking lot than the City of Wausau Zoning Ordinance currently allows. Section 23.06.06 does not allow for on-site parking of office spaces under 2,000 square feet. The purpose of the rezoning request to a PUD is accommodate the multiple facets of the interested parties while still maintaining an appearance and standard of excellence that AOK Property, LLC is known for.

As part of the zoning change to a Planned Unit Development, a General Development Plan is required. Along with a copy of the Application for Zoning Map Amendment, the following is a list of items required by Section 23.10.44(3)(d) of the City Ordinances:

- a) Location Map of the Subject Property (see attached)
- b) Site Plan (see attached)
- c) Statistical Data
 - i, ii, & iii. Only one lot will be created with a lot size of 0.331 acres (14,400 square feet)
 - iv. Existing building area to remain is 1,632 square feet or 11.3%
 - v. Landscaping area is 3,306 square feet or 23.0%
 - vi. The proposed development will be completed in one phase.
- d) A Landscape Plan is included as part of the Site Plan. This plan meets the requirements of Article VIII.
- e) No signage is shown on the plans. Once the PUD zoning is approved, a single monument sign will be designed, and a sign permit applied for.
- f) No property owner's association, covenants, or deed restrictions are proposed.
- g) Written description of the Planned Unit Development
 - i. The project intends to provide college students classroom and hands-on automotive repair experience, while also providing a headquarters for WATEA and associated programs.
 - ii. The proposed development is one, mixed-occupancy building.
 - iii. The building area ratio is 0.11, the parking lot area ratio is 0.66 and the landscape area ratio is 0.23.
 - iv. The existing natural area on the west property line will remain and be expanded.
 - v. AOK Property, LLC owns the adjacent properties to the south for car-related services. The adjacent property to the west is Bartells, Parman & Pease law firm and the adjacent property to the east is the Center for Human Development, both office buildings.
 - vi. The Comprehensive Plan has the area labeled as City Center (Growth, development and increased density is encouraged).
 - vii. The proposed exceptions are for parking spaces in excess of those allowed by

building area as well as a reduced front and rear yard setbacks. The front yard will have a landscape planter to physically divide the sidewalk from the parking lot. The rear yard adjoins to the other AOK Property, LLC land.

- h) A Traffic Impact Analysis has not been requested by the City.

To prevent delays in the project, AOK Property, LLC is submitting the Specific Implementation Plan concurrently with the General Development Plan. The following is a list of items required by Section 23.10.44(3)(e) of the City Ordinances:

- a) Existing Conditions Plan (see attached)
- b) Site Plan (see attached)
- c) Grading Plan (see attached)
- d) Landscaping Plan (see attached)
- e) Architectural Plans not included as part of this submittal. The exterior of the existing building is not being altered.
- f) Engineering plans are not required for water, sewer, stormwater, and roadways. Plans for the parking lot have been attached.
- g) No signage is shown on the plans. Once the PUD zoning is approved, a single monument sign will be designed and a sign permit applied for.
- h) Written description of the Specific Implementation Plan
 - i, ii, & iii. Not applicable.
 - iv. The existing natural area on the west property line will remain and be expanded.
 - v. AOK Property, LLC owns the adjacent properties to the south for car-related services. The adjacent property to the west is Bartells, Parman & Pease law firm and the adjacent property to the east is the Center for Human Development, both office buildings.
 - vi. The building area ratio is 0.11, the parking lot area ratio is 0.66 and the landscape area ratio is 0.23.
 - vii & viii. The PUD zoning is proposed to provide exceptions of the code limits for the maximum parking stalls and the required parking setbacks. The City Ordinance bases the maximum parking stalls on the building square footage. The existing building is only 1,632 square feet and thus does not allow for on-site parking stalls. This hardship prevents any business redeveloping these lots from having onsite available parking stalls for employees and visitors. In addition, the variety of uses of the development requires more parking stalls than would normally be required. The multiple uses make the development viable and the non-

profit spending more focused on the community and less on overhead. The setback reduction is in conjunction with the proposed parking stall increase.

AOK Property, LLC proposes two decorative streetlights on Forest Street to enhance the area. The reoccurring utility costs for the electricity will be paid for by AOK as is currently the case adjacent to their other properties. AOK upholds a high standard for appearance and maintenance. This development will not diverge from that standard.

- ix. Not applicable.
- i) Not applicable.
- j) The SIP and GDP are being submitted as one and thus consistent with each other.

As part of the Planned Unit Development, the developer proposes to increase the number of allowed parking stalls from 0 to 23. This increase of parking stalls is based on the parking stall needs from potential lessees. In conjunction with the need for the additional stalls, the front and rear setbacks are proposed to be reduced.

All other City Ordinances are intended to be complied with.

Please review the application and included materials for use in the application for a zoning change. If you have any questions or need any further information, please let us know.

Sincerely,

Nicholas Bancuk PE
Project Engineer

EXISTING CONDITIONS

PROPOSED CONDITIONS

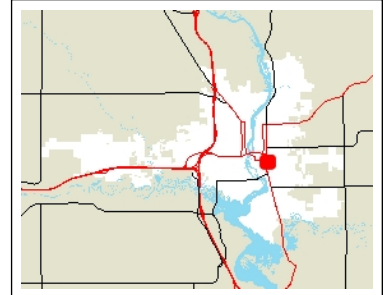
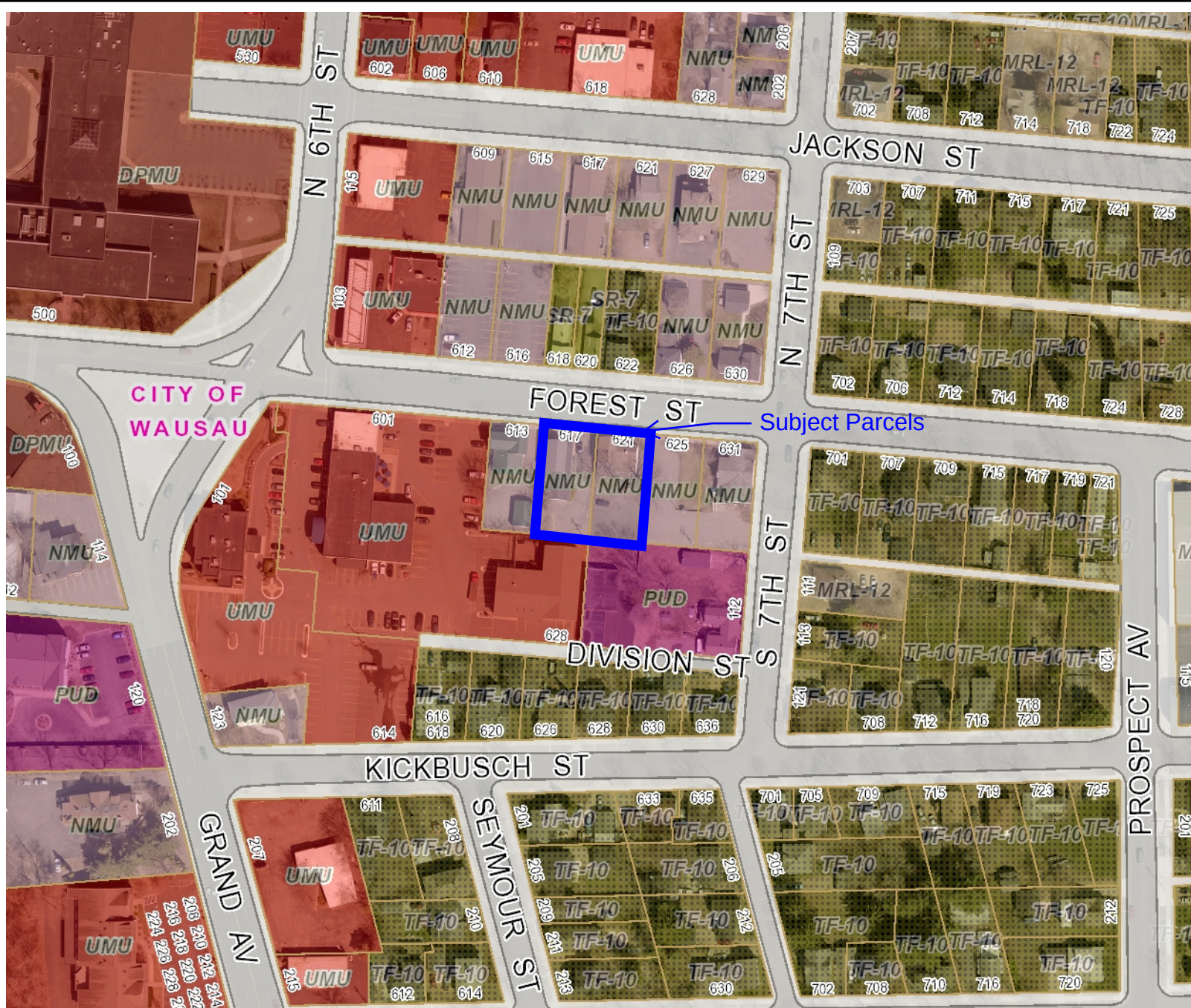


404 FRANKLIN ST.
WASUAI, WI 54403
PHONE: 715-843-7292
FAX: 715-843-7292
WWW.MTSLLC.NET

MARATHON TECHNICAL
SERVICES LLC

MTS

REVISION DATE	
SURVEYED BY: RIVERSIDE SURVEYING	
DESIGNED BY: MTS	
DRAWN BY: JUSTIN H.	
APPROVED BY: NICK B.	
PROJECT DETAILS	
PROJECT NUMBER: 2105	
PROJECT PHASE: PRELIMINARY	
PROJECT MILESTONE: PUD APPROVAL MEETING	
COLORED COMPARISON	OLSEN PARKING LOT WASUAI, MARATHON COUNTY
SCALE	
1" = 20'	
SHEET NO.	



Legend

- Parcel
- Railroad
- Bridge
- Overpass
- Paved Road
- Divided Highway
- Right Of Way
- Stream - River
- Pond - Lake
- Wausau Wetland
- Swamp
- Zoning**
- SR-2 - Single Family Residential - 2
- SR-3 - Single Family Residential - 3
- SR-5 - Single Family Residential - 5
- SR-7 - Single Family Residential - 7
- MH-7 - Mobile Home Residential - 7
- DR-8 - Duplex Residential - 8
- TF-10 - Two-Flat Residential - 10
- TRD-12 - Townhome Residential - 12
- MRL-12 - Multi-Family Residential - 12
- MRM-20 - Multi-Family Residential - 20
- MRH-50 - Multi-Family Residential - 50
- PUD - Planned Unit Development
- RH-35 - Rural Holding
- I - Institutional
- NMU - Neighborhood Mixed-Use
- SO - Suburban Office
- SMU - Suburban Mixed Use
- UMU - Urban Mixed-Use



Notes

Current Zoning Map

Map Created: 3/2/2021

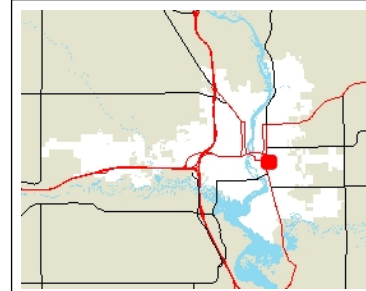
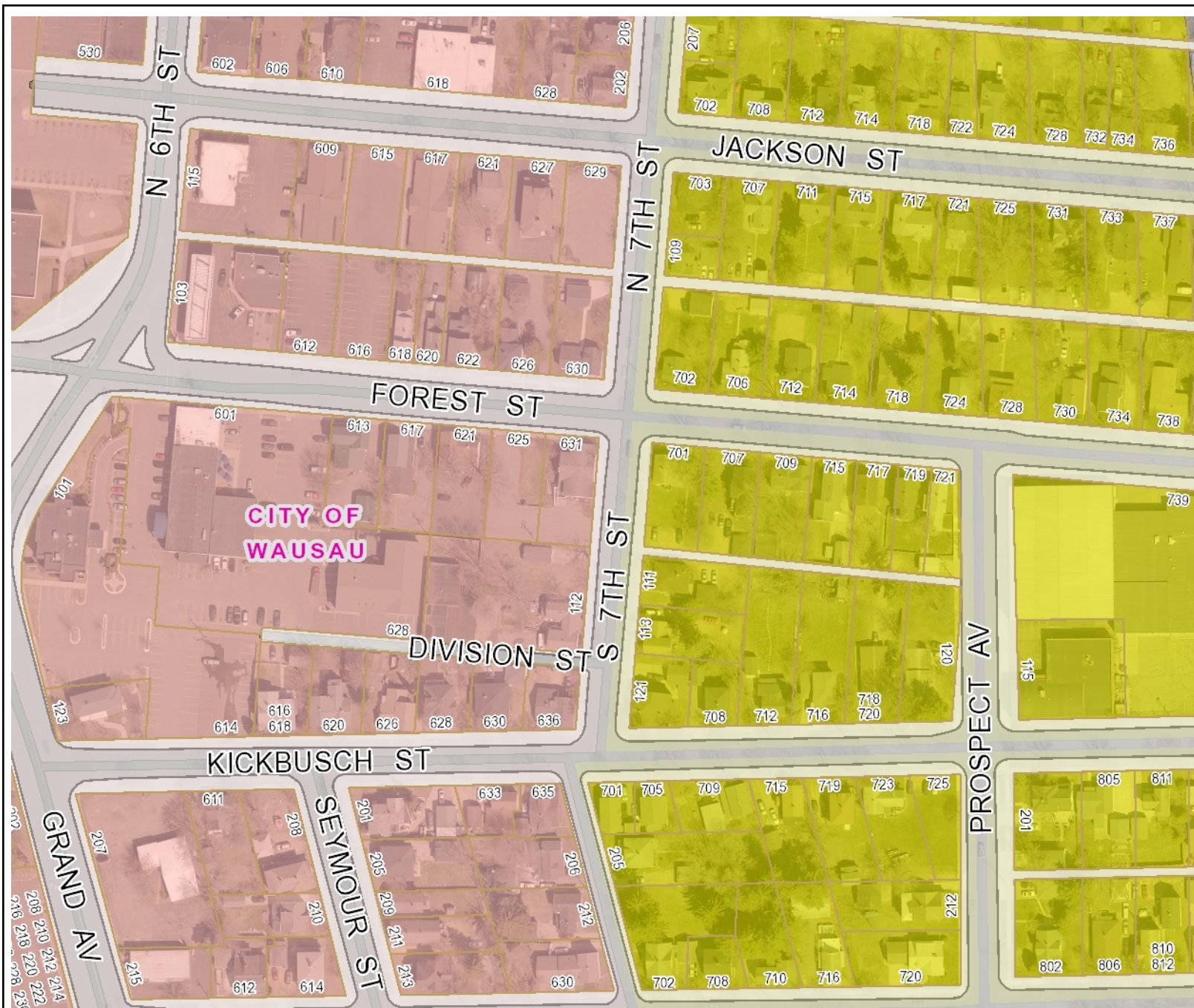
79.92 0 79.92 Feet



NAD_1983_HARN_WISCRS_Marathon_County_Feet

DISCLAIMER: The information and depictions herein are for informational purposes and Marathon County-City of Wausau specifically disclaims accuracy in this reproduction and specifically admonishes and advises that if specific and precise accuracy is required, the same should be determined by procurement of certified maps, surveys, plats, Flood Insurance Studies, or other official means. Marathon County-City of Wausau will not be responsible for any damages which result from third party use of the information and depictions herein or for use which ignores this warning.

THIS MAP IS NOT TO BE USED FOR NAVIGATION



Legend

- Parcel
- Railroad
- Bridge
- Overpass
- Paved Road
- Divided Highway
- Right Of Way
- Stream - River
- Pond - Lake
- Wausau Wetland
- Swamp
- Future Land Use**
- City Center
- Legacy Industrial
- Public / Open Space
- Railroad
- Suburban Commercial and Industry
- Suburban Residential
- Urban Residential



Notes

Future Zoning Map

Map Created: 3/2/2021

79.92 0 79.92 Feet



NAD_1983_HARN_WISCRS_Marathon_County_Feet

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THIS MAP IS NOT TO BE USED FOR NAVIGATION

Karl Forster Grass 10	10
Romantic Returns Daylily 27	27
Ex Daylily 3	3
Autumn Joy Sedum 9	9
Walkers low Catmint 10	10
May Night Salvia 10	10
Marmalade Potentilla 6	18
Annabelle Hydrangea 9	27
Techney Arborvitae 6	210
State Street Maple 2	60
Ex Juniper (Medora?) 1	5
Ex Golden Mops False Cypress 1	5
Ex Burning Bush 1	5
Ex Barberry 1	3

402 pts



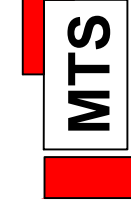
CIVIL PLANS FOR
OLSEN PARKING LOT

STEWART PARCHER & MANSONS ADD LOT 6 &7 OF BLOCK 16 IS LOCATED IN PART OF NE $\frac{1}{4}$ OF THE
NW $\frac{1}{4}$ OF SECTION 36, TOWNSHIP 29 NORTH, RANGE 07 EAST, CITY OF WAUSAU, MARATHON
COUNTY, WISCONSIN

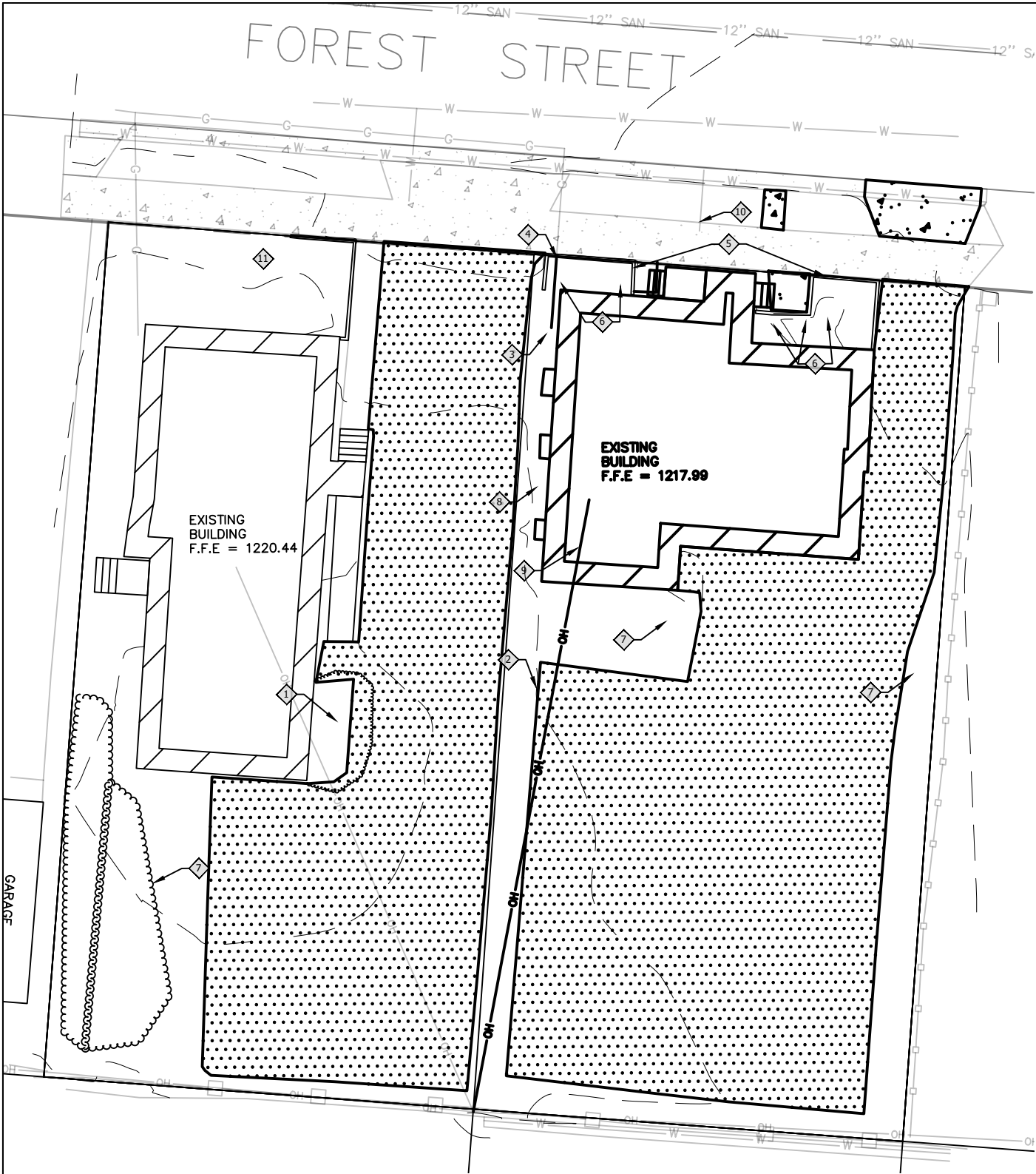


LOCATION MAP

SHEET INDEX	
1	Cover Page
2	Existing Site Plan
3	Demolition Plan
4	Proposed Site Plan
5	Grading Plan
6	Erosion Control Plan
7	Erosion Control Specifications & Erosion and Site Details



REVISION DATE	
SURVEYED BY: RIVERSIDE SURVEYING	
DESIGNED BY: MTS	
DRAWN BY: JUSTIN H.	
APPROVED BY: NICK B.	
PROJECT DETAILS	
PROJECT NUMBER: 2105	
PROJECT PHASE: PRELIMINARY	
PROJECT MILESTONE: PUD APPROVAL MEETING	
CONCEPT NUMBER CONCEPT 6	
COVER PAGE	OLSEN PARKING LOT WASUAU, MARATHON COUNTY
SCALE	
NTS	
SHEET NO.	
1	



BLOCK LEGEND:

- EXISTING HANDICAP PARKING SIGN
- EXISTING CP MAG
- EXISTING UTILITY POLE
- EXISTING GUY WIRE
- EXISTING IRON PIN
- EXISTING TREES AND SHRUBS
- EXISTING UTILITY METERS
- EXISTING WATER VALVE
- EXISTING AIR CONDITIONING UNIT
- EXISTING LIGHT POLE
- EXISTING SANITARY SEWER MANHOLE

HATCH LEGEND:

- REMOVE BUILDING
- REMOVE ASPHALT
- REMOVE CONCRETE

DEMOLITION KEYNOTE LEGEND:

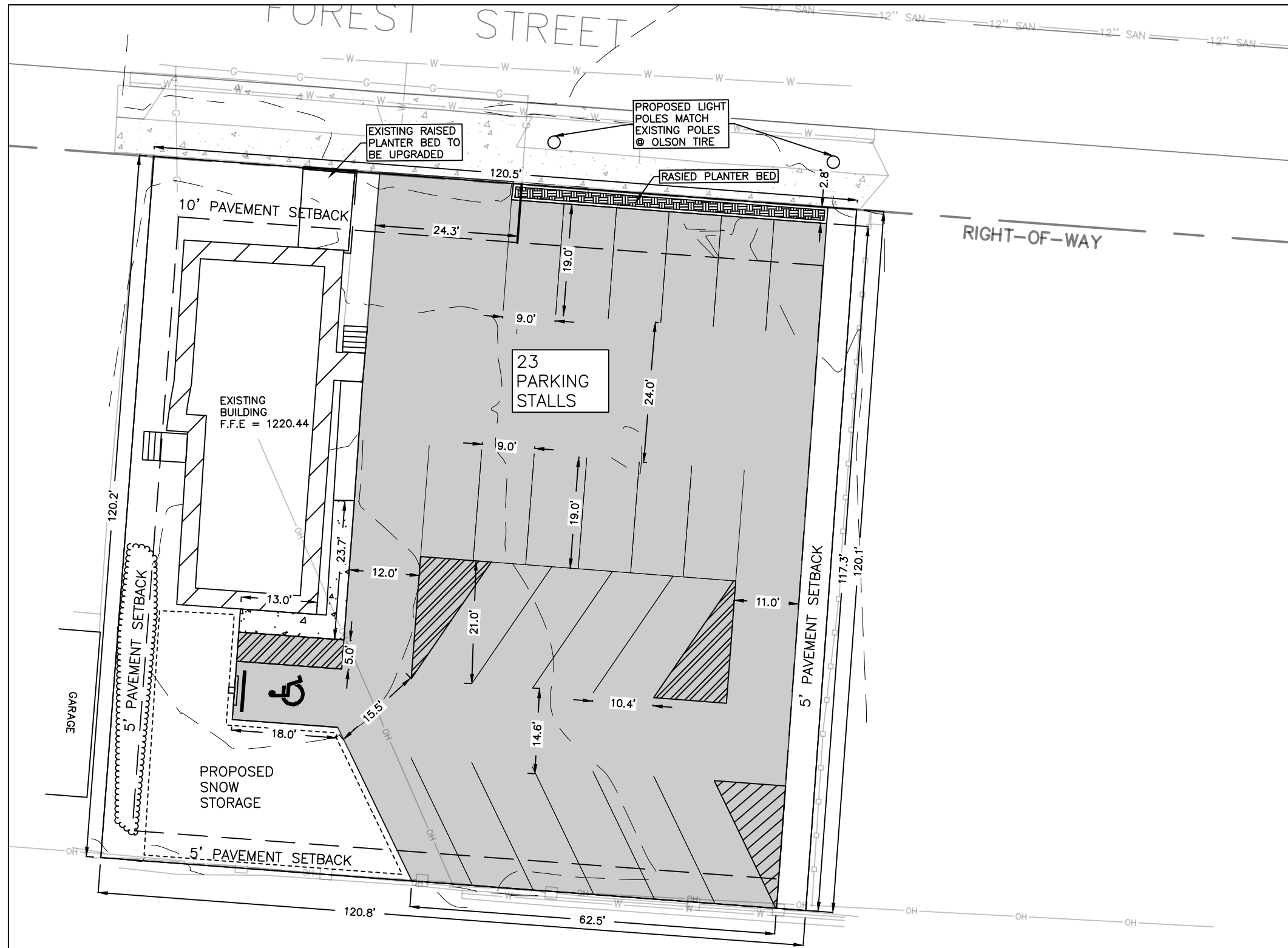
- REMOVE LARGE BUSH
- REMOVE HANDICAP PARKING SIGN
- COORDINATE AND REMOVE GAS METERS
- CUT AND CAP EXISTING GAS LINE AT PROPERTY LINE
- REMOVE EXISTING ELEVATED PLANT BED
- REMOVE EXISTING SHRUBS
- REMOVE EXISTING TREES
- REMOVE EXISTING ELECTRIC METER
- COORDINATE WITH UTILITY COMPANY TO REMOVE OVERHEAD SERVICE TO HOUSE
- CUT AND CAP EXISTING WATER SERVICE AT PROPERTY LINE
- SEE LANDSCAPE PLAN FOR PLANT REMOVAL AND NEW PLANTING LOCATIONS

404 FRANKLIN ST.
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FAX: 715-843-7292
WWW.MTSLLC.NET

MARATHON TECHNICAL
SERVICES LLC

MTS

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PROJECT MILESTONE: PUD APPROVAL	
MEETING CONCEPT NUMBER CONCEPT 6	
DEMOLITION PLAN	OLSEN PARKING LOT WASUAU, MARATHON COUNTY
SCALE	
1" = 20'	
SHEET NO.	
3	



BLOCK LEGEND:

- EXISTING HANDICAP PARKING SIGN
- EXISTING CP MAG
- EXISTING UTILITY POLE
- EXISTING GUY WIRE
- EXISTING IRON PIN
- EXISTING TREES AND SHRUBS
- EXISTING UTILITY METERS
- EXISTING WATER VALVE
- EXISTING AIR CONDITIONING UNIT
- EXISTING LIGHT POLE
- EXISTING SANITARY SEWER MANHOLE

HATCH LEGEND:

- PROPOSED ASPHALT
- PROPOSED CONCRETE



PROPOSED SITE PLAN
OLSEN PARKING LOT
WASUAU, MARATHON COUNTY

SCALE
1" = 20'
SHEET NO.
4

REVISION DATE

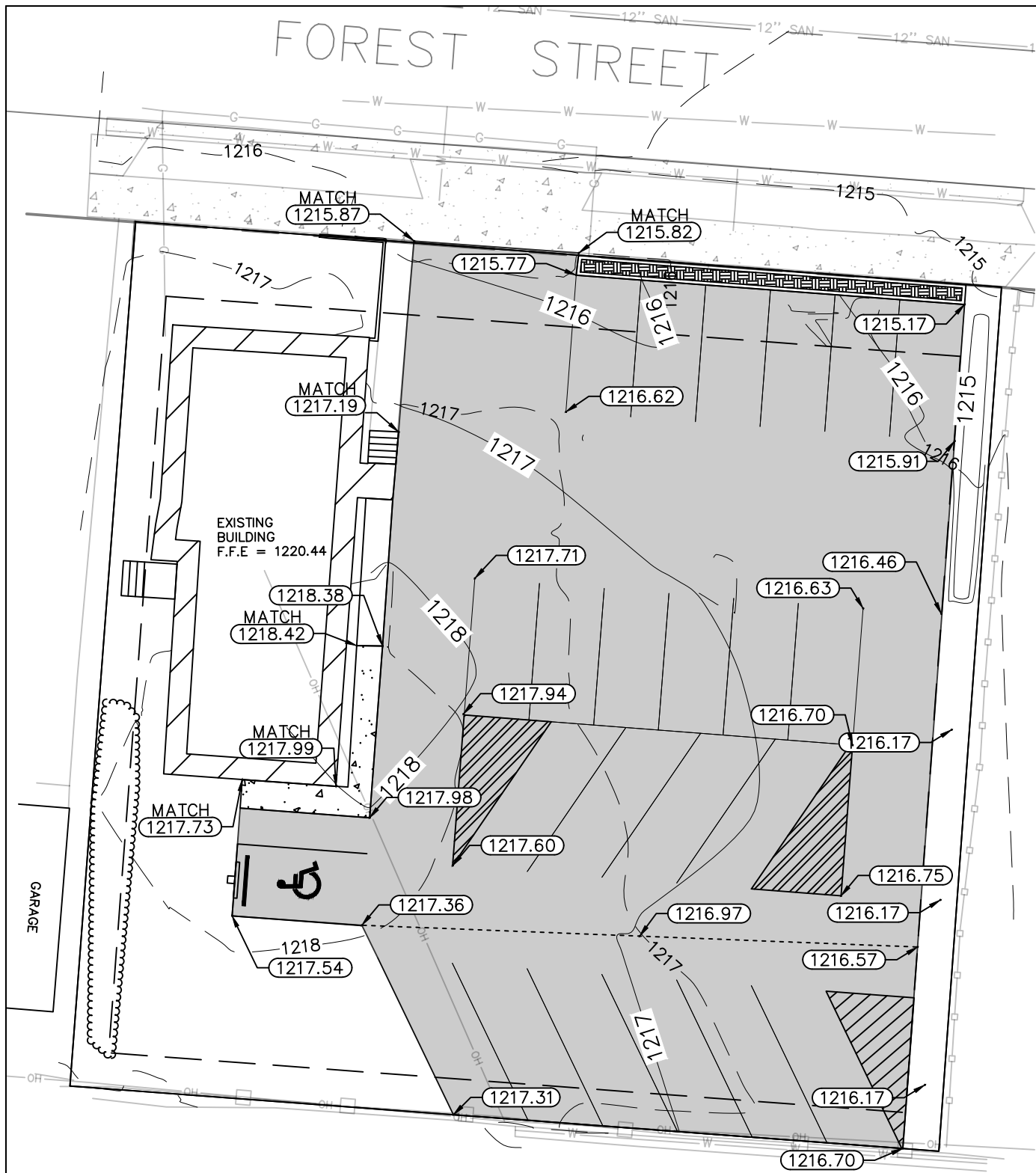
SURVEYED BY:
RIVERSIDE
SURVEYING
DESIGNED BY:
MTS
DRAWN BY:
JUSTIN H.
APPROVED BY:
NICK B.

PROJECT DETAILS
PROJECT NUMBER:
2105
PROJECT PHASE:
PRELIMINARY
PROJECT MILESTONE:
PUD APPROVAL
MEETING
CONCEPT NUMBER
CONCEPT 6

MTS

MARATHON TECHNICAL
SERVICES LLC

404 FRANKLIN ST.
WASUAU, WI 54403
PHONE: 715-843-7292
FAX: 715-843-7292
WWW.MTSLLC.NET



BLOCK LEGEND:

- EXISTING HANDICAP PARKING SIGN
- EXISTING CP MAG
- EXISTING UTILITY POLE
- EXISTING GUY WIRE
- EXISTING IRON PIN
- EXISTING TREES AND SHRUBS
- EXISTING UTILITY METERS
- EXISTING WATER VALVE
- EXISTING AIR CONDITIONING UNIT
- EXISTING LIGHT POLE
- EXISTING SANITARY SEWER MANHOLE

LINETYPE LEGEND:

- EXISTING CONTOURS
- PROPOSED CONTOURS
- SWALE CENTERLINE

LABEL LEGEND:

- PROPOSED SPOT ELEVATION
- PROPOSED MATCH ELEVATION



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MARATHON TECHNICAL
SERVICES LLC

MTS

REVISION DATE

SURVEYED BY:
RIVERSIDE
SURVEYING

DESIGNED BY:
MTS

DRAWN BY:
JUSTIN H.

APPROVED BY:
NICK B.

PROJECT DETAILS

PROJECT NUMBER:
2105

PROJECT PHASE:
PRELIMINARY

PROJECT MILESTONE:
PUD APPROVAL
MEETING
CONCEPT NUMBER
CONCEPT 6

GRADING PLAN

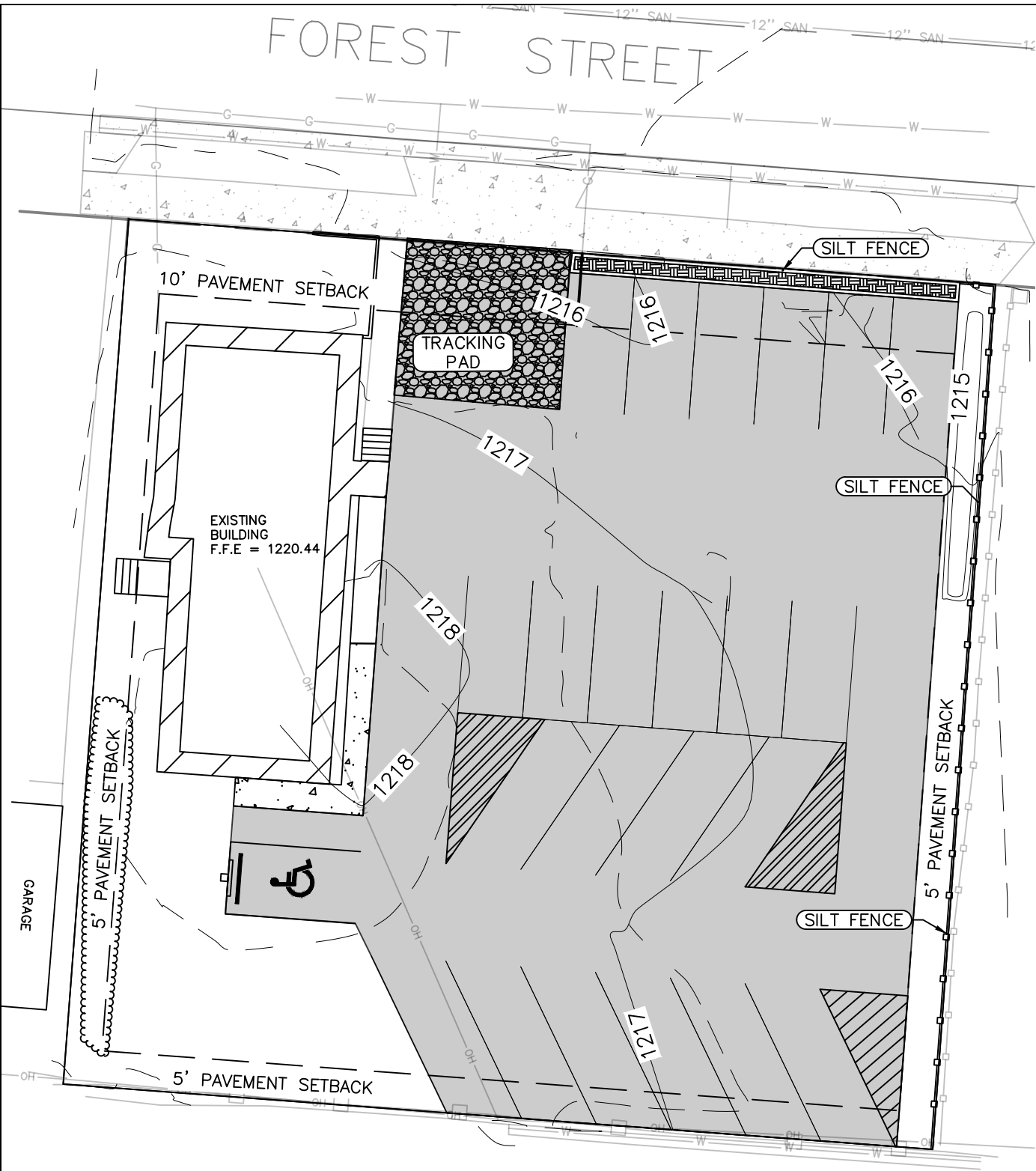
OLSEN PARKING LOT
WASUAU, MARATHON COUNTY

SCALE

1" = 20'

SHEET NO.

5



BLOCK LEGEND:

- EXISTING HANDICAP PARKING SIGN
- EXISTING CP MAG
- EXISTING UTILITY POLE
- EXISTING GUY WIRE
- EXISTING IRON PIN
- EXISTING TREES AND SHRUBS
- EXISTING UTILITY METERS
- EXISTING WATER VALVE
- EXISTING AIR CONDITIONING UNIT
- EXISTING LIGHT POLE
- EXISTING SANITARY SEWER MANHOLE

LINETYPE LEGEND:

- SILT FENCE

HATCH LEGEND:

- TRACKING PAD



404 FRANKLIN ST.
WASUAU, WI 54403
PHONE: 715-843-7292
FAX: 715-843-7292
WWW.MTSLLC.NET

MARATHON TECHNICAL
SERVICES LLC

MTS

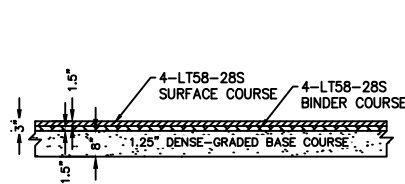
REVISION DATE	
SURVEYED BY: RIVERSIDE SURVEYING	
DESIGNED BY: MTS	
DRAWN BY: JUSTIN H.	
APPROVED BY: NICK B.	
PROJECT DETAILS	
PROJECT NUMBER: 2105	
PROJECT PHASE: PRELIMINARY	
PROJECT MILESTONE: PUD APPROVAL MEETING CONCEPT NUMBER CONCEPT 6	
EROSION CONTROL PLAN	OLSEN PARKING LOT WASUAU, MARATHON COUNTY
SCALE	
1" = 20'	
SHEET NO.	
6	

PROPOSED FROSION CONTROL ACTIVITIES:

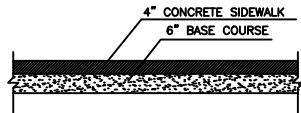
1. CONTACT DIGGER'S HOTLINE 5 WORKING DAYS PRIOR TO THE START OF DEMOLITION/CONSTRUCTION.
2. NOTIFY THE LOCAL MUNICIPALITY AT LEAST 2 WORKING DAYS PRIOR TO THE START OF SOIL DISTURBING ACTIVITIES.
3. KEEP A COPY OF THE EROSION CONTROL PLANS AND STORMWATER & EROSION CONTROL MANAGEMENT PLAN ON SITE THROUGHOUT THE PROJECT.
4. INSTALL ALL TEMPORARY EROSION CONTROL ELEMENTS PRIOR TO THE START OF DEMOLITION/CONSTRUCTION.
5. ALL ACTIVITIES SHALL BE CONDUCTED IN A LOGICAL SEQUENCE AS TO MINIMIZE THE AMOUNT OF BARE SOIL EXPOSED AT ANY ONE TIME. MAINTAIN EXISTING VEGETATION AS LONG AS POSSIBLE.
6. CRUSHED ROCK DRIVES FOR SEDIMENT TRACKING UTILIZING 3" CRUSHED ROCK SHALL BE MAINTAINED AT ALL CONSTRUCTION ENTRANCES TO THE SITE. THE ROCK DRIVE SHALL BE A MINIMUM OF 12" THICK AND BE A MINIMUM OF 50 FEET IN LENGTH BY THE WIDTH OF THE DRIVEWAY.
7. OFF SITE SEDIMENT DEPOSITS OCCURRING AS A RESULT OF A STORM EVENT SHALL BE CLEANED UP BY THE END OF THE NEXT WORK DAY. ALL OFF SITE SEDIMENT DEPOSITS OCCURRING AS A RESULT OF CONSTRUCTION ACTIVITIES, INCLUDING SOIL TRACKED BY CONSTRUCTION TRAFFIC, SHALL AT A MINIMUM BE CLEANED BY THE END OF EACH WORK DAY. EXCESSIVE AMOUNTS OF SEDIMENT OR OTHER DEBRIS TRACKED ONTO ADJACENT STREETS SHALL BE CLEANED BY THE END OF EACH WORK DAY. EXCESSIVE AMOUNTS OF SEDIMENT OR OTHER DEBRIS TRACKED ONTO ADJACENT STREETS SHALL BE CLEANED IMMEDIATELY. FINE SEDIMENT ACCUMULATIONS SHALL BE CLEANED FROM ADJACENT STREETS BY THE USE OF MECHANICAL OR MANUAL SWEEPING OPERATIONS ONCE A WEEK AT A MINIMUM AND BEFORE IMMINENT RAIN EVENTS.
8. DISTURBED GROUND OUTSIDE OF THE EVERYDAY CONSTRUCTION AREAS, INCLUDING SOIL STOCKPILES, THAT ARE LEFT INACTIVE FOR MORE THAN 7 DAYS SHALL BE TEMPORARILY STABILIZED BY SEEDING/MULCHING OR OTHER APPROVED METHODS.
9. WASTE MATERIAL THAT IS GENERATED ON THE CONSTRUCTION SITE SHALL BE PROPERLY DISPOSED OF AND NOT ALLOWED TO RUN INTO RECEIVING ANY SEDIMENT OR TRASH THAT HAS MOVED OFF-SITE SHALL BE SWEEPED OR CLEANED UP BEFORE THE END OF THE WORK DAY.
10. EROSION CONTROL DEVICES DESTROYED AS A RESULT OF CONSTRUCTION ACTIVITIES SHALL BE REPAIRED BY THE END OF EACH WORK DAY.
11. INSPECT ALL EROSION CONTROL MEASURES AT LEAST ONCE A WEEK AND AFTER ANY RAINFALL OF 0.5" OR MORE. MAKE NEEDED REPAIRS AND DOCUMENT ALL ACTIVITIES AS PER THE REQUIREMENTS OF THE NOTICE OF INTENT SUBMITTED BY THE PROJECT CIVIL ENGINEER.
12. ALL TEMPORARY EROSION CONTROL ELEMENTS SHALL REMAIN IN PLACE UNTIL A SUFFICIENT GROWTH OF VEGETATION IS ESTABLISHED AND THEN BE REMOVED AS PART OF THE BASE BID.
13. IF SEDIMENT LADEN WATER NEEDS TO BE REMOVED FROM THE SITE, FILTER BAGS OR SCREENING SHALL BE USED IN ACCORDANCE WITH THE WI DNR TECHNICAL STANDARDS 1061 TO PREVENT THE DISCHARGE OF SEDIMENT TO THE MAXIMUM EXTENT PRACTICABLE.
14. IF BARE SOIL IS EXPOSED DURING THE WINTER MONTHS, STABILIZATION BY MULCHING OR ANIONIC POLYACRYLAMIDE SHALL OCCUR PRIOR TO SNOW OR FROZEN GROUND.
15. SILT FENCE SHALL BE INSTALLED AROUND THE TOPSOIL STOCKPILE.
16. THE CONTRACTOR SHALL ONLY USE PHOSPHORUS FREE FERTILIZER FOR ALL LANDSCAPE APPLICATIONS.
17. THE CONTRACTOR SHALL BE RESPONSIBLE FOR WATERING PLANTED DISTURBED AREAS WHENEVER MORE THAN 7 DAYS OF DRY WEATHER OCCUR.
18. THE CONTRACTOR SHALL PERFORM INSPECTIONS AND MONITORING OF EROSION CONTROL PRACTICES IN ACCORDANCE WITH THE WI DNR "CONSTRUCTION SITE INSPECTION REPORT" FORM 3400-187. THIS FORM CAN BE FOUND ON WISCONSIN DNR WEBSITE OR PROVIDE IF NECESSARY.

EROSION CONTROL SCHEDULING:

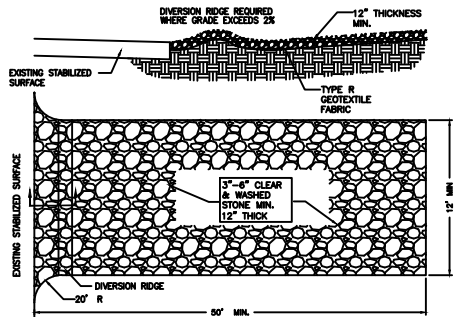
1. INSTALL PERIMETER EROSION CONTROL.
2. BEGIN ROUGH GRADING AND UTILITY INSTALLATION.
3. DURING GRADING ACTIVITIES EXISTING GRASS AND VEGETATION, TO BE REMOVED, SHALL REMAIN IN PLACE FOR AS LONG AS POSSIBLE, TO AVOID SEDIMENT TRANSPORT.
4. ALL DISTURBED AREAS SHALL BE STABILIZED, TEMPORARILY AND/OR PERMANENT, WITHIN 30 DAYS OF DISTURBANCE, OR PERMANENTLY STABILIZED WITHIN 7 DAYS OF ACHIEVING FINISHED GRADE.
5. IF DISTURBED AREAS MUST BE LEFT OVER WINTER, AN ANIONIC POLYACRYLAMIDE SHALL BE APPLIED TO ALL DISTURBED AREAS PRIOR TO GROUND FREEZE. SEE SPECIFICATIONS FOR DETAILS.



1
7 TYPICAL ASPHALT CROSS-SECTION

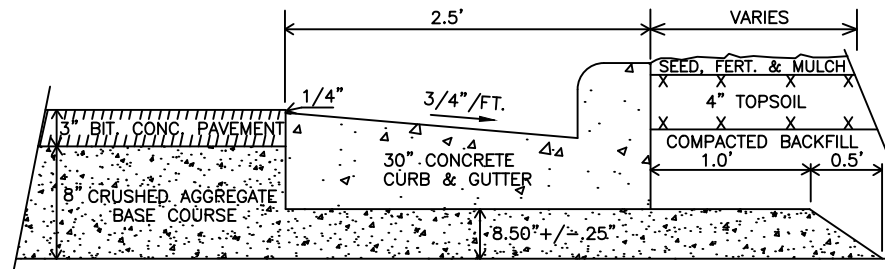


2
7 SIDEWALK CROSS-SECTION



- NOTES:
1. THE ENTRANCE SHALL BE MAINTAINED IN A CONDITION THAT WILL PREVENT TRACKING OR FLOWING OF SEDIMENT ONTO PUBLIC RIGHT-OF-WAYS. THIS MAY REQUIRE TOP DRESSING, REPAIR AND/OR CLEANOUT ANY MEASURES USED TO TRAP SEDIMENT.
 2. WHEN NECESSARY, WHEELS SHALL BE CLEANED PRIOR TO ENTRANCE ONTO PUBLIC RIGHT-OF-WAY.
 3. WHEN WASHING IS REQUIRED, IT SHALL BE DONE ON AN AREA STABILIZED WITH CRUSHED STONE THAT DRAINS INTO AN APPROVED SEDIMENT TRAP OR SEDIMENT BASIN.
 4. IF TRACKING PAD IS FILLED WITH SEDIMENT REMOVE AND REPLACE AGGREGATE.
 5. IF A 50' PAD LENGTH IS NOT POSSIBLE DUE TO SITE GEOMETRY, INSTALL MAXIMUM LENGTH PRACTICABLE.

3
7 TRACKOUT CONTROL DETAIL



4
7 30 IN STANDARD CURB CROSS-SECTION

GENERAL NOTES:

DETAIL OF CONSTRUCTION NOT SHOWN ON THIS DRAWING SHALL CONFORM TO THE PERTINENT REQUIREMENTS OF THE STANDARD SPECIFICATIONS AND APPLICABLE SPECIAL PROVISIONS.

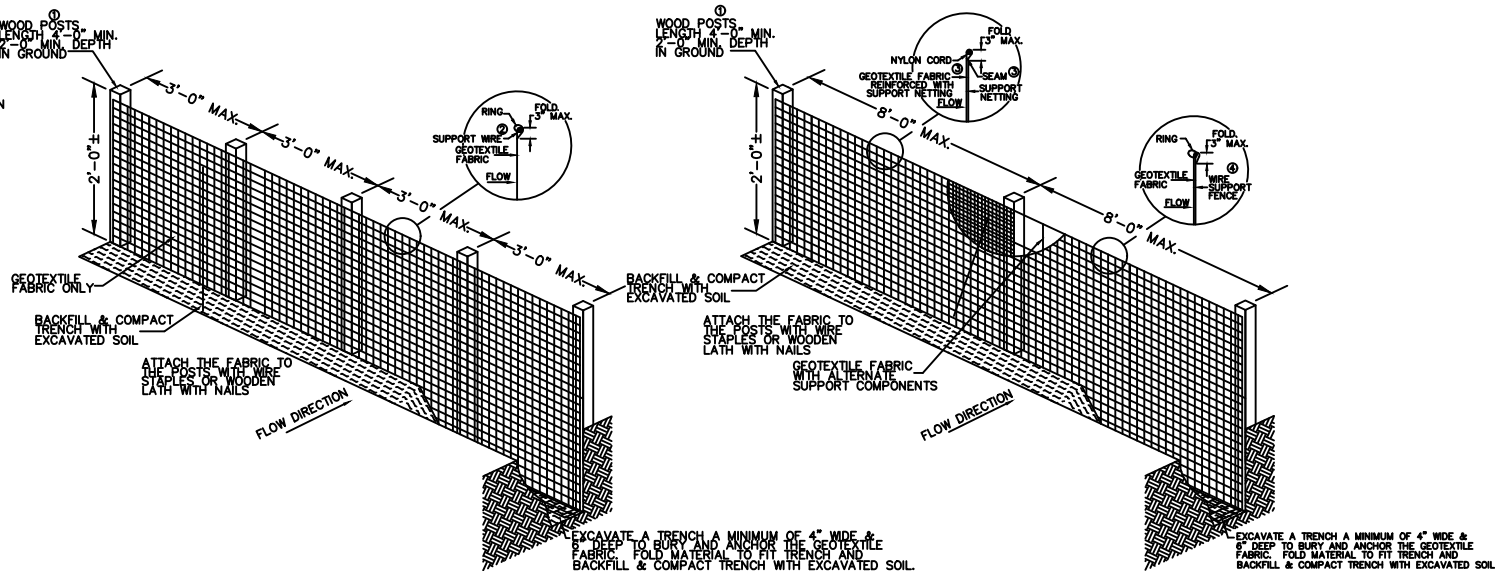
WHEN POSSIBLE THE SILT FENCE SHOULD BE CONSTRUCTED IN AN ARC OR HORSESHOE SHAPE, WITH THE ENDS POINTING UPSLOPE TO MAXIMIZE BOTH STRENGTH AND EFFECTIVENESS.

ADDITIONAL POST DEPTH OR TIE BACKS MAY BE REQUIRED IN UNSTABLE SOIL CONDITIONS.

ALTERNATES "A" & "B" ARE EQUAL AND EITHER MAY BE USED.

ATTACH THE FABRIC TO THE POSTS WITH WIRE STAPLES OR WOODEN LATH AND NAILS.

1. STEEL POSTS SHALL BE A STUDDED "TEE" OR "U" TYPE WITH A MINIMUM 1/2" DIA. LINEAL FOOT (WITHOUT ANCHOR). PIN ANCHORS SUFFICIENT TO RESIST POST MOVEMENT ARE REQUIRED. WOOD POSTS SHALL BE A MINIMUM SIZE OF 1 1/2" DIA. OR 1 1/2" X 1 1/2" WOOD POSTS FOR GEOTEXTILE FABRIC REINFORCED WITH NETTING SHALL BE MINIMUM SIZE OF 1 1/8" X 1 1/8" OAK OR HICKORY.
2. MINIMUM 14 GAGE WIRE REQUIRED, FOLD FABRIC 3" OVER THE WIRE AND STAPLE OR PLACE WIRE RINGS ON 12" C-C.
3. GEOTEXTILE FABRIC SHALL BE REINFORCED WITH AN INDUSTRIAL POLYPROPYLENE NETTING WITH A MAXIMUM MESH SPACING OF 3/4" OR EQUAL. A HEAVY DUTY NYLON TOP SUPPORT CORD OR EQUIVALENT IS REQUIRED.
4. WIRE SUPPORT FENCE SHALL BE 14 GAGE MINIMUM WOVEN WIRE WITH A MAXIMUM MESH SPACING OF 1 1/2" C-C. ATTACH THE FABRIC TO TOP OF FENCE WITH STAPLES OR WIRE RINGS AT 12" C-C.
5. LENGTH NOT LESS THAN THE CIRCUMFERENCE OF THE LARGEST TIRE ON THE CONSTRUCTION EQUIPMENT, PLUS 5 FEET.



5
7 SILT FENCE

MTS

REVISION DATE

SURVEYED BY:

RIVERSIDE
SURVEYING

DESIGNED BY:

MTS

DRAWN BY:

JUSTIN H.

APPROVED BY:

NICK B.

PROJECT DETAILS

PROJECT NUMBER:

2105

PROJECT PHASE:

PRELIMINARY

PROJECT MILESTONE:

PUD APPROVAL

MEETING

CONCEPT NUMBER

CONCEPT 6

EROSION CONTROL SPECIFICATIONS
& EROSION AND SITE DETAILS

OLSEN PARKING LOT
WASUAU, MARATHON COUNTY

SCALE

NTS

SHEET NO.

7

404 FRANKLIN ST.
WASUAU, WI 54403
PHONE: 715-843-7292
FAX: 715-843-7292
WWW.MTSLLC.NET

MARATHON TECHNICAL
SERVICES LLC

Melissa Engen

From: Brad Lenz
Sent: Monday, April 26, 2021 6:53 PM
To: William Hebert; Melissa Engen
Subject: Fwd: [EXTERNAL] Zoning change - 617 & 621 Forest St
Attachments: Rezoning notice.pdf

Begin forwarded message:

From: Eric C Pease <ecp@bartellslaw.com>
Date: April 26, 2021 at 5:38:26 PM CDT
To: Katie Rosenberg <Katie.Rosenberg@ci.wausau.wi.us>, Brad Lenz <Brad.Lenz@ci.wausau.wi.us>
Cc: kent@olsontireandauto.com
Subject: [EXTERNAL] Zoning change - 617 & 621 Forest St

Greetings:

I am writing in response to the attached 4/8/21 hearing notice regarding a rezoning request involving properties at 617 and 621 Forest Street. My business, Bartells & Pease, Ltd., occupies the adjacent property at 613 Forest Street.

Upon receipt of the notice, I spoke with Kent Olson about his plans for the properties at 617 and 621 Forest Street and the purpose for requesting rezoning of those properties. Mr. Olson described his plans and the purpose for his request, and he shared a copy of the 3/19/21 letter and diagrams from Marathon Technical Services project engineer Nicholas Bancuk to City Planner Brad Lenz. After my conversation with Mr. Olson and my review of Mr. Bancuk's project plan, I am satisfied that the planned development will enhance, not detract from, the neighborhood. The proposed landscaping and hardscaping for the planned parking area certainly appear to be a cut above the nearby county parking lot on the north side of Forest Street. From my perspective as a neighboring business owner, the development Mr. Olson has proposed would be an improvement over the current condition of the affected properties.

In sum, I support Mr. Olson's rezoning request. Thank you for your time and attention to my comments.

Eric Pease
Bartells & Pease, Ltd.
(715) 848-1801

04/27/2021

Brad Lenz
407 Grant Street
Wausau, WI 54403



Dear Mr. Lenz,

On behalf of the Wisconsin Automotive & Truck Education Association (WATEA), I am writing in support of AOK Property's rezone petition for the properties located at 617 and 621 Forest Street. As the current tenant in the 617 building, our organization looks forward to utilizing the expanded parking lot to better serve our clients, students, volunteers, and staff. The proposed parking lot as outlined in the plans from Marathon Technical Service will provide a safe, accessible, and aesthetically pleasing area for visitors to access our services and we encourage you to approve the plan as presented.

WATEA moved into the 617 Forest building in February 2021 to accommodate the growth of our various educational and community programs. WATEA works to ensure our region has sufficient access to transportation industry workforce training opportunities at the K-12 and technical college levels. We also run the local Wheels to Work and Commute2Careers transportation access programs, which serve low-income residents in and around the greater Wausau area.

In February, WATEA launched a new Auto Collision Training Program. This program is supported by Northcentral Technical College but housed at our facility. Twice per week, 15 students and 2 instructors joined WATEA's staff for the class; needless to say, parking was a problem. We expect this program to return each year and, as such, we will continue to need expanded parking options.

In addition to the Collision program, WATEA regularly hosts activities that can involve more than a dozen visitors at a time, including our Wheels to Work Advisory Committee, the WATEA Board of Directors, the Vehicle Maintenance Literacy Program, and various planning teams. The Wheels to Work and Commute2Careers programs also frequently bring both new guests and vehicle donations to our door.

To accommodate WATEA's many visitors each week in a safe and efficient manner, please approve the proposed rezone for the larger parking lot. This proposal addresses all key concerns, enhances the neighborhood, and, most importantly, creates a safe and adequately sized space for anyone needing to access our facility. Thank you for your time, and for giving serious consideration to WATEA's comments.

Sincerely,

A handwritten signature in cursive script that reads "Sara Guild".

Sara Guild
Executive Director, WATEA

Melissa Engen

From: Brad Lenz
Sent: Wednesday, April 28, 2021 9:58 AM
To: William Hebert; Melissa Engen
Subject: FW: Proposed rezoning

From: Lee Webster [mailto:lwebster@chdevelopment.org]
Sent: Tuesday, April 27, 2021 8:00 PM
To: Brad Lenz <Brad.Lenz@ci.wausau.wi.us>
Cc: Kent Olson <kent@olsontireandauto.com>
Subject: [EXTERNAL] Proposed rezoning

To Whom it May Concern:

I own the property immediately adjacent to the lot that Kent Olson is proposing for rezoning. He has openly discussed the project with me and I believe that it will be an enhancement to the neighborhood. Mr. Olson recently worked cooperatively with us on other building projects and we are excited about his proposal. Please grant his request for rezoning.

Sincerely,

E. Lee Webster

E. Lee Webster, MSW, LCSW, BCD
Director



"Counseling you and those important to you"

Email: lwebster@chdevelopment.org
Website: www.chdevelopment.org
631 Forest St
Wausau, WI 54403
Phone: 715-842-0944
Fax: 715-845-6477

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April 28, 2021

Brad Lenz
Planning, Community and Economic Development - Interim Director
City of Wausau
407 Grant Street
Wausau, WI 54403

Dear Mr. Lenz:

On behalf of Northcentral Technical College (NTC), I would like to express our support of the Wisconsin Automotive & Truck Education Association, Inc. (WATEA). We have been fortunate to partner with WATEA to improve the awareness of career pathways in the automotive and truck industry. Through our collaborative efforts, we have expanded post-secondary and continuing education opportunities for both prospective students and incumbent employees.

Most recently, we partnered with WATEA for the hands-on training component of their \$101,720 grant awarded through DWD's Wisconsin Fast Forward Initiative. Students participating in the grant program will earn NTC's Auto Collision Fundamentals Certificate and be prepared to earn an industry recognized credential through I-CAR. 14 students are currently in the pipeline and plan to continue their education with an advanced level certificate program at NTC this fall.

The support of NTC expands beyond WATEA as an organization. WATEA members have also been instrumental participants on NTC program advisory committees, contributing their time and talents to ensure our programs are aligned with industry needs.

At NTC, we routinely say that we cannot go at it alone. We rely on collaborative partners throughout our District community to ensure we are meeting the workforce and educational needs of our students and our businesses. Through our partnership with WATEA, we are fortunate to do just that.

Sincerely,

A handwritten signature in dark ink that reads "Lori A. Weyers".

Lori A. Weyers
President

CC: Kent Olson, WATEA

www.ntc.edu



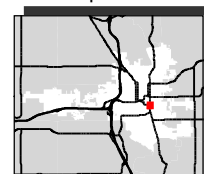
Map Date: April 9, 2021

City of Wausau
Marathon County Wisconsin

0 50 100
Feet

 Area of Interest
 Building

Map Location



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

ORDINANCE OF THE PLAN COMMISSION

Rezoning 1520 Elm Street from SMU, Suburban Mixed-Use Zoning District to PUD, Planned Unit Development Zoning District and approve the General Development Plan to allow for a new mixed-use apartment development.

Committee Action: Approved 7-0

Fiscal Impact: None.

File Number: 21-0509

Date Introduced: May 11, 2021

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

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

SEC 27-29-07 PT OF NE1/4 SE1/4 - LOT 2 CSM (#18721) DOC #1816014, **MORE**
COMMONLY KNOWN AS 1520 ELM STREET

now comprising a part of SMU, Suburban Mixed-Use Zoning District according to the Zoning Ordinance of the City of Wausau is hereby rezoned to PUD, Planned Unit Development Zoning District and approve the General Development District to allow for a new mixed-use apartment development.

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:

Katie Rosenberg, Mayor

Attest:

Leslie M. Kremer, City Clerk

PLAN COMMISSION

Time and Date: The Plan Commission met on Thursday, April 29, 2021, at 4:30 p.m. in the Common Council Chambers of Wausau City Hall.

Members Present: Mayor Katie Rosenberg, Eric Lindman, Patrick Peckham, Bruce Bohlken, George Bornemann, Tom Neal; *By WebEx*: Andrew Brueggeman (arrived at 4:55 p.m.)

Others Present: Brad Lenz, William Hebert, Gary Guernndt, Kent Olson, Debra Ryan, Jay Knetter, Kristine Daniels; *By WebEx*: Nick Bancuk

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 Rosenberg called the meeting to order at approximately 4:30 p.m. noting that a quorum was present.

PUBLIC HEARING: Discussion and possible action on rezoning 1520 Elm Street from SMU, Suburban Mixed-Use Zoning District to PUD, Planned Unit Development Zoning District and approve the General Development Plan to allow for a new mixed-use apartment development.

Lenz said that these plans are for a mixed-use project that will be on the same block as the hotel on 17th Avenue. There will be underground parking, commercial space on the ground floor, and three levels of apartments. The roof is slated to have a restaurant, patio, and a green roof. The following agenda item will be for an overflow parking lot. Lenz said that main reason for the PUD is to be flexible on the building height.

Debra Ryan, 702 Elm Street and Alderperson District 11, said that she lives within 1 mile and tends to travel on Elm Street. Ryan said that she has spoken to neighbors and there is concern about the noise level. There is also a concern about traffic on Elm Street. The Mountain Lanes apartment building is still under 50% vacant. The neighbors would prefer affordable housing. People would rather look at shrubbery than a building. Apartments are not full and Wausau is becoming a bedroom community

Mayor Rosenberg closed the public hearing.

Brueggeman motioned to rezone 1520 Elm Street from SMU, Suburban Mixed-Use Zoning District to PUD, Planned Unit Development Zoning District and approve the General Development Plan to allow for a new mixed use apartment development. Bohlken seconded.

Peckham asked what the total number of units would be. Jay Knetter said that there will be 141 units and described the floor plans to the committee.

Bornemann asked what the building height will be. Knetter answered that the majority of the building will be 51 feet tall, but the restaurant would be 64 feet.

Peckham asked about the green roof. Knetter answered that that they are still working out the details and the potential cost will be a factor.

The motion carried unanimously 7-0. This item will go to Common Council on May 11, 2021.

PUBLIC HEARING: Discussion and possible action on rezoning 1601 Elm Street from SMU, Suburban Mixed-Use Zoning District to PUD, Planned Unit Development Zoning District and approve the General Development Plan to allow for off-street parking for a new multi-family residential development.

Lenz said that this item is for the same project as the previous item. The details of the parking lot will be worked out with the specific implementation plan. This will provide additional parking for the development.

Peckham asked how many parking spaces will be provided per unit. Lenz answered that there will be 1.5 spaces per unit and that efficiency units are the main type of unit.

Debra Ryan, 702 Elm Street and Alderperson District 11, said that the pedestrian and vehicle traffic are very serious issues and there was a fatal accident in previous years at this intersection. Ryan asked if there will be any CISM discussions. Ryan said that additional storage is good, but asked the committee to consider that vehicle and pedestrian accidents could occur.

Mayor Rosenberg closed the public hearing.

Brueggeman motioned to rezone 1601 Elm Street from SMU, Suburban Mixed-Use Zoning District to PUD, Planned Unit Development Zoning District and approve the General Development Plan to allow for off-street parking for a new multi-family mixed use development. Bornemann seconded, and the motion carried unanimously 7-0. This item will go to Common Council on May 11, 2021.



Memorandum

From: Brad Lenz
To: Plan Commission
Date: April 26, 2021
Subject: Planned Unit Development at 1520 and 1601 Elm Street

Background

The proposed Planned Unit Development (PUD) will rezone two properties on either side of Elm Street, east of 17th Avenue. A new mixed-use apartment development is being planned north of Elm Street, next to the newly-remodeled hotel. The property south of Elm Street is currently a surface parking lot that will be used as overflow parking.

The project contains a variety of internal and external parking on the site. The ground floor contains retail space on the 17th Avenue side, along with common space for the public and residents of the apartments.

Floors two through four contain 47 apartment units per floor. Of those units, 26 are planned to be efficiency, eleven (11) are one-bedroom, six (6) are two-bedroom, and four (4) are three-bedroom.

The top floor would contain a roof top patio area, some space for a green roof, as well as an indoor restaurant. The enclosed restaurant would take up only a small portion of the roof top area – approximately 5,500 square feet. Please see the attached roof plan, as well as the rest of the plan set for additional information.

Criteria for Approval

Section 23.10.45(f) of the zoning code outlines the criteria for approval of a Planned Unit Development. It states that in its review of an application for a PUD the plan commission shall make findings with respect to the ten criteria below. Staff comments follow each of the criteria.

1. The proposed Planned Unit Development project is consistent with the overall purpose and intent of this title.

The purpose of the PUD zoning is to provide for the possible relaxation of certain development standards in exchange for advantages in the overall site design. These advantages could include functionality, architectural quality, environmental benefits and others.

The main purpose for seeking the PUD zoning is that the restaurant on the roof top would push the building height slightly over the 50 foot maximum of the current

zoning district. Utilizing the existing parking lot across Elm Street as part of the PUD for additional parking allows for a better site design on the building site.

- 2. The proposed Planned Unit Development project is consistent with the City's Comprehensive Plan and other area plans. (It is the responsibility of the City to determine such consistency.)**

A housing objective in the comprehensive plan is to encourage a variety of housing types throughout the city without concentrating any particular type of housing within one neighborhood. The plan also encourages in-fill housing and increasing the availability of affordable housing. The proposed project adds a variety of housing units within a single building to an area that formerly contained commercial space.

- 3. The proposed Planned Unit Development project would maintain the desired relationships between land uses, land use densities and intensities, and land use impacts in the environs of the subject site.**

The existing zoning of the property, Suburban Mixed Use (SMU), allows mixed-use commercial and residential development. The pattern of development in the area has been for commercial and higher-density residential uses to locate along and near 17th Avenue, with the smaller-scale (single-family) residential area staying to the east of 14th Avenue.

- 4. Adequate public infrastructure is or will be available to accommodate the range of uses being proposed for the Planned Unit Development project, including but not limited to public sewer and water and public roads.**

The new project will use existing public utilities and facilities that are available in the area and were available to the formerly commercial site. The intensity of the development is not expected to overload any public facilities.

- 5. The proposed Planned Unit Development project will incorporate appropriate and adequate buffers and transitions between areas of different land uses and development densities/intensities.**

The project incorporates setback distances prescribed by the underlying zoning district. Also, a city-owned parcel exists to the east of the property which contains a stormwater management facility. This area, along with a rather steep uphill grade change, will help buffer the development from the single-family area to the east of 14th Avenue.

- 6. The proposed Planned Unit Development project design does not detract from areas of natural beauty surrounding the site.**

The project is located within a fully developed area of the city, and utilizes a site that was almost entirely covered by buildings and asphalt parking. There are no truly natural areas surrounding the site – the stormwater management parcel owned by the city will be maintained as a natural buffer. The addition of green space around the perimeter of the site will be an improvement over the previous condition.

7. The proposed architecture and character of the proposed Planned Unit Development project is compatible with adjacent/nearby development.

The project sits between a newly-renovated hotel and a newly-built apartment building. The architecture and character may be seen as somewhat similar to the existing apartment building, but the new project arguably adds some upgraded visual interest.

8. The proposed Planned Unit Development project will positively contribute to and not detract from the physical appearance and functional arrangement of development in the area.

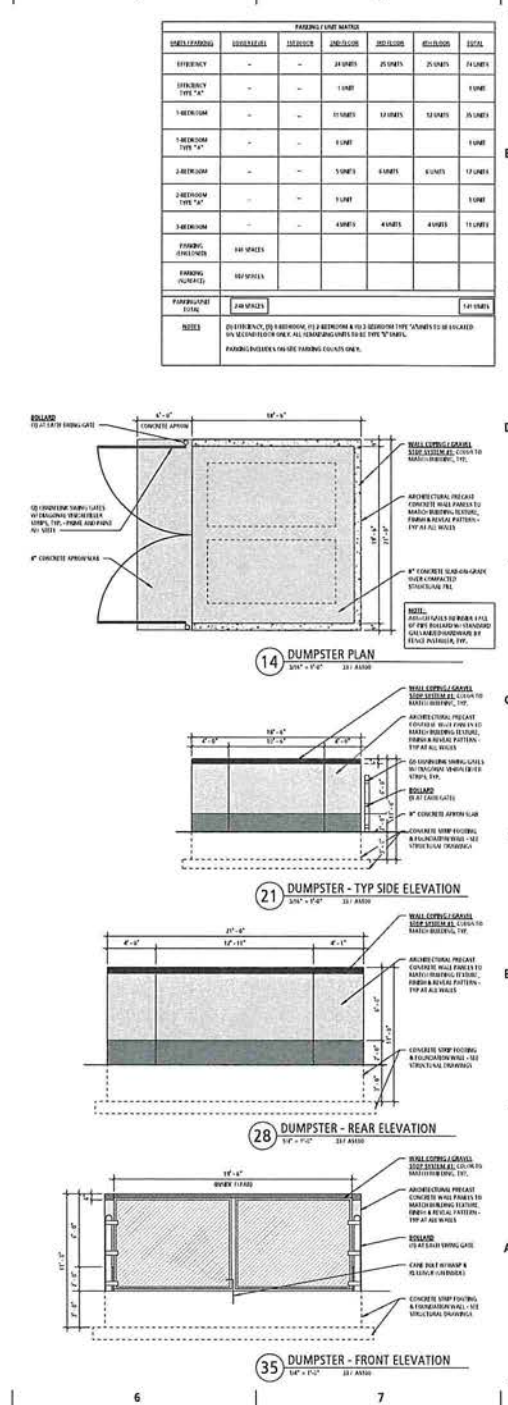
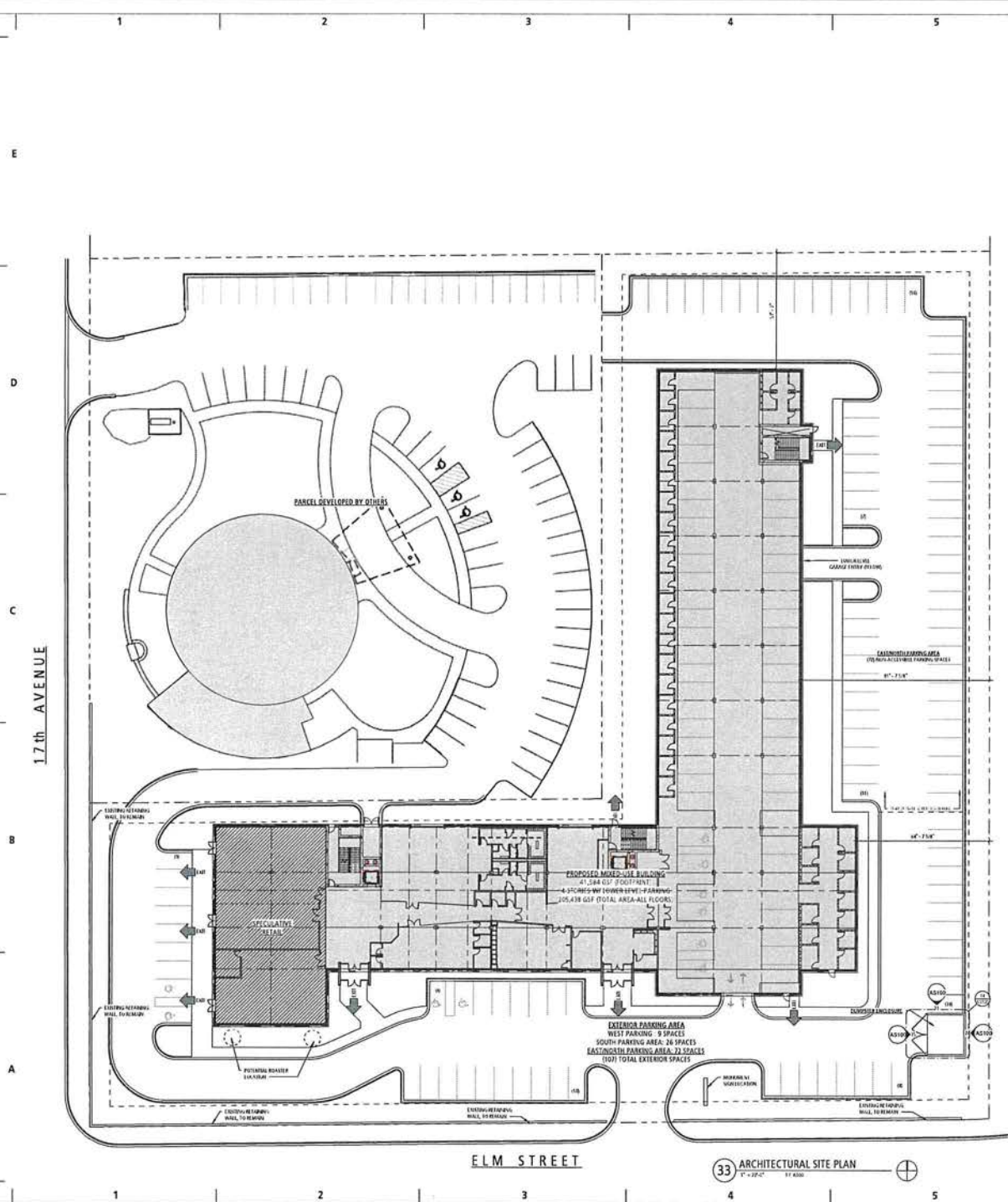
As noted above, the project sits between two newly-improved properties. The project will fit in and have some potential synergies with them.

9. The proposed Planned Unit Development project will produce significant benefits in terms of environmental design and significant alternative approaches to addressing development performance that relate to and more than compensate for any requested exceptions/base standard modifications variation of any standard or regulation of this title.

The inclusion of existing off-street parking at 1601 Elm Street allows for better design of the principal site, while still meeting the base standards of the zoning district, particularly in regards to setbacks. The exceedance of maximum building height will be more than offset by the number of amenities that can be added to the top of the building.

10. For Planned Unit Development projects that are proposed to be developed in phases, the applicant can provide a timeline for development and can demonstrate that the project would be successful even if all phases were not or could not be completed.

This particular project would be developed in a single phase, even though it is part of a phased redevelopment of the area.



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1716 W23217 SPORIE RIDGE DRIVE, SUITE 200
WAUKESHA, WI 53188 | 262.511.9650 | 262.511.9855

PROJECT INFORMATION:

BANTR APARTMENTS

WAUSAU, WISCONSIN

DRAWING ISSUANCE:

PLAN COMMISSION SUBMITTAL

REVISIONS

#	DATE	DESCRIPTION
1		

PROGRESS DOCUMENTS

These documents reflect progress and are not to be used for construction. They are not to be used for construction. They are not to be used for construction.

29 MARCH 2021

PROJECT NUMBER	PROJECT MANAGER
28000-00	JK

ARCHITECTURAL SITE PLAN

AS100

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WAUSAU, WISCONSIN

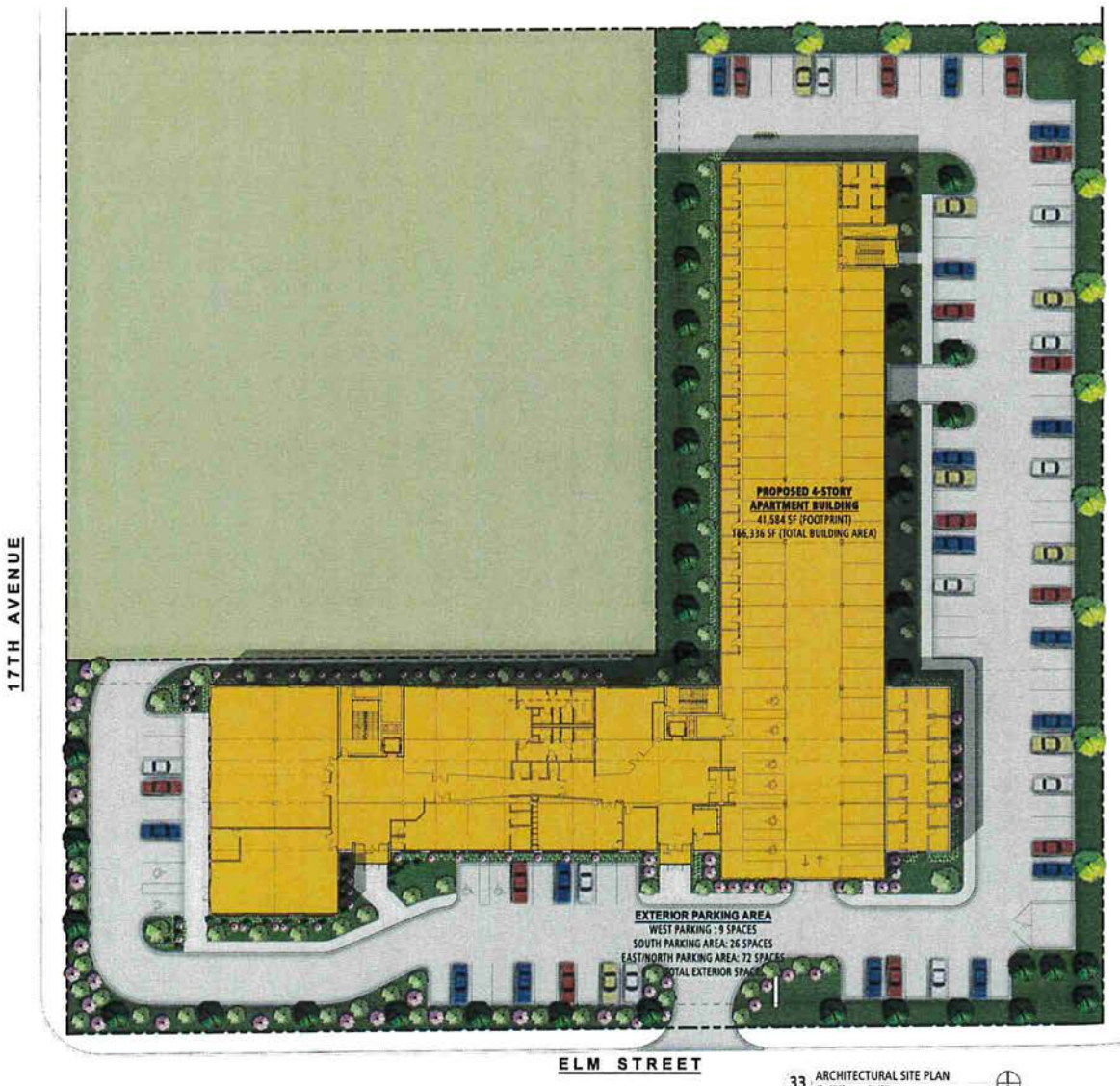
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REVISIONS		
#	DATE	DESCRIPTION

29 MARCH 2021

PROJECT NUMBER	PROJECT MANAGER
20028-00	JK

COLOR SITE PLAN
AS220
 © JAKnetter Architects



ELM STREET

33 ARCHITECTURAL SITE PLAN
 1" = 32' 0" 11-A301



216 W 217 STONE RIDGE DRIVE, SUITE 300
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PROJECT INFORMATION
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29 MARCH 2021
PROJECT NUMBER 28000-00 PROJECT MANAGER JK

OFF STREET PARKING
LOT SITE PLAN

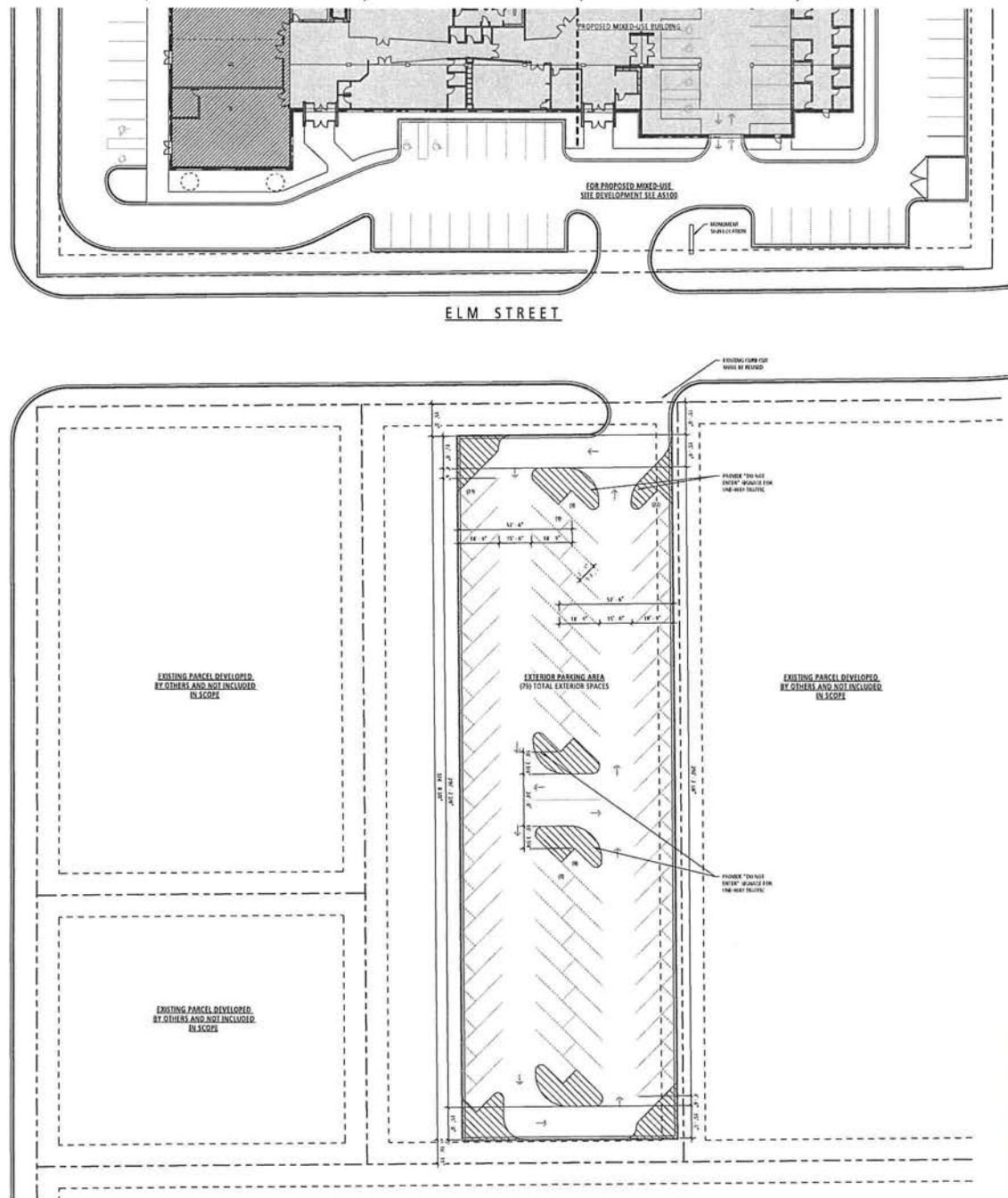
AS101

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17th AVENUE

ELM STREET

17th AVENUE



34 ARCHITECTURAL SITE PLAN - PARKING LOT
1" = 20' 0" 8/1/2021



FLOOR PLAN LEGEND

EXISTING WALL FOOTPRINT
NEW WALL CONSTRUCTION
EXISTING DOOR TO REMAIN
NEW DOOR CONSTRUCTION
DOOR NUMBER - REFER TO FLOOR SCHEDULE
WALL TYPE - REFER TO SHEET A501
KITCHEN - REFER TO SHEET A501
BATH - REFER TO SHEET A501
HALL - REFER TO SHEET A501
STAIR - REFER TO SHEET A501
ELEVATOR - REFER TO SHEET A501
MECHANICAL ROOM - REFER TO SHEET A501
ELECTRICAL ROOM - REFER TO SHEET A501
WATER HEATER ROOM - REFER TO SHEET A501
GAS METER ROOM - REFER TO SHEET A501
UNDESIGNATED - REFER TO SHEET A501

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1116 202217 5TH AVE. DRIVE, SUITE 300
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PROJECT INFORMATION
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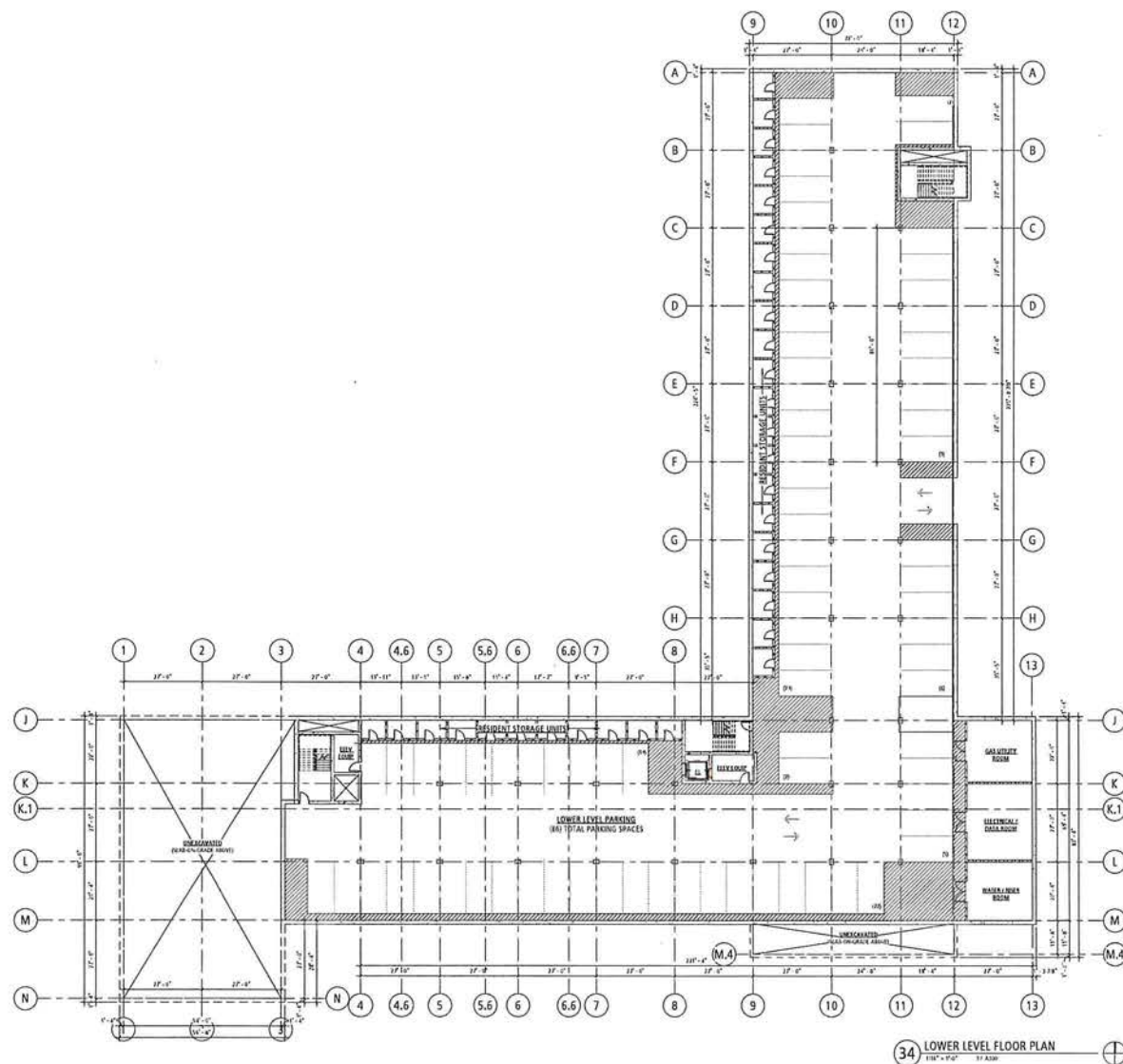
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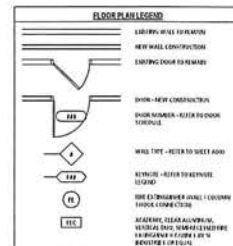
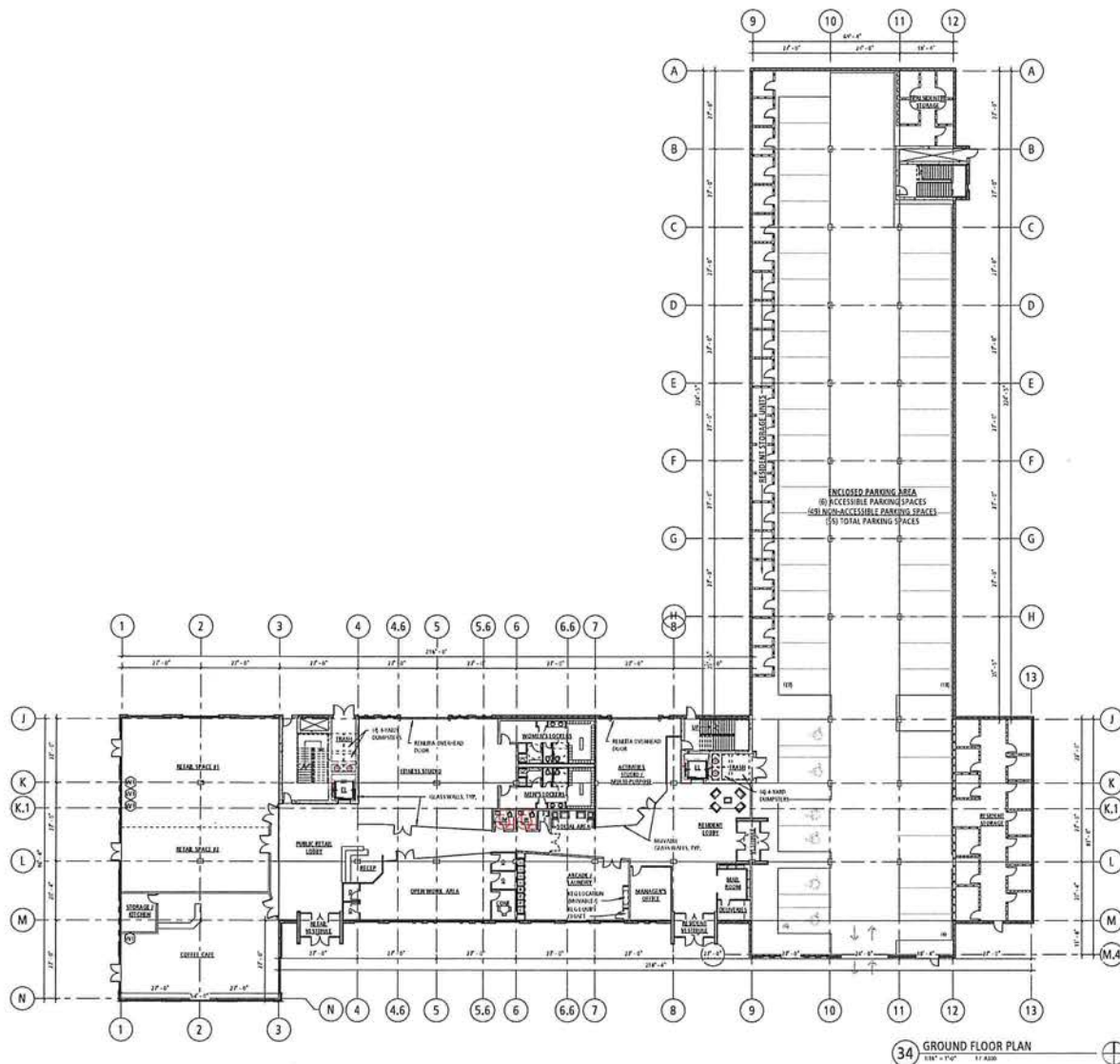
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PROJECT MANAGER: JK

**LOWER LEVEL FLOOR
PLAN**

A100
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34 LOWER LEVEL FLOOR PLAN
1/8" = 1'-0" 11-AUG-20



PROJECT INFORMATION:
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GROUND LEVEL FLOOR
PLAN

A101
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FLOOR PLAN LEGEND

- EXISTING WALL ELEVATION
- NEW WALL CONSTRUCTION
- EXISTING DOOR TO REMAIN
- DOOR - NEW CONSTRUCTION
- DOOR NUMBER - REFER TO DOOR SCHEDULE
- WALL TYPE - REFER TO SHEET A500
- REINFORCE - REFER TO REVISION 01
- APRIL 2020 REVISION 01: 11/01/2020
- APRIL 2020 REVISION 02: 11/01/2020
- APRIL 2020 REVISION 03: 11/01/2020
- APRIL 2020 REVISION 04: 11/01/2020
- APRIL 2020 REVISION 05: 11/01/2020
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- APRIL 2020 REVISION 99: 11/01/2020
- APRIL 2020 REVISION 100: 11/01/2020

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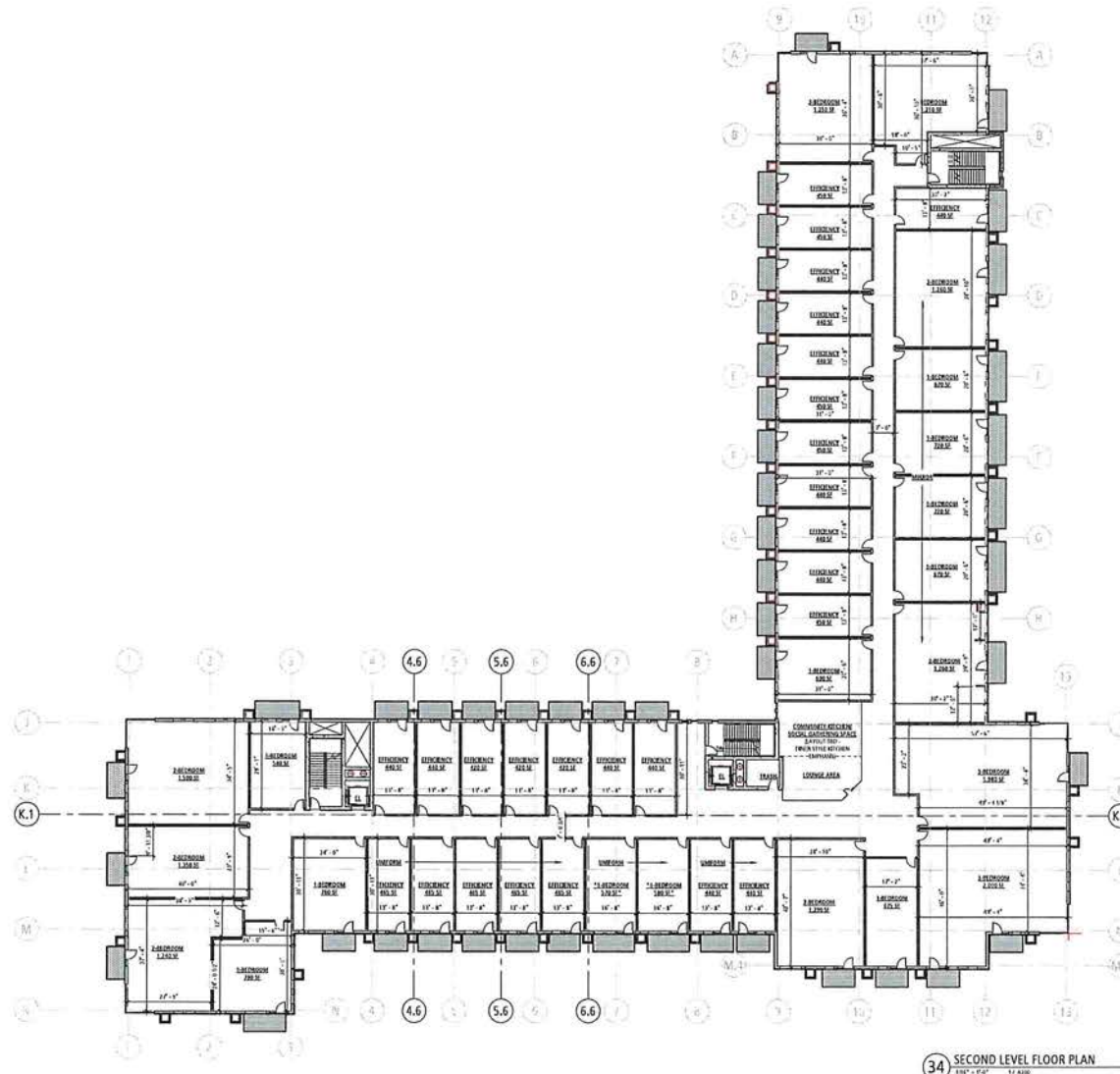
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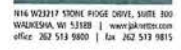
29 MARCH 2021	PROJECT NUMBER	PROJECT MANAGER
	28000-00	JK

**SECOND LEVEL FLOOR
PLAN**

A102
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34 SECOND LEVEL FLOOR PLAN
1/10' = 1/8" 1/4" = 1/2" 1/2" = 1"



BANTR APARTMENTS

WAUSAU, WISCONSIN

PLAN COMMISSION
SUBMITTAL

PROGRESS DOCUMENTS

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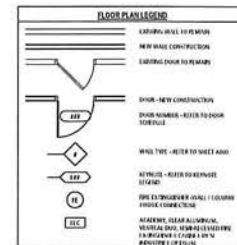
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THIRD LEVEL FLOOR
PLAN

A103

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PROJECT INFORMATION
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WAUSAU, WISCONSIN

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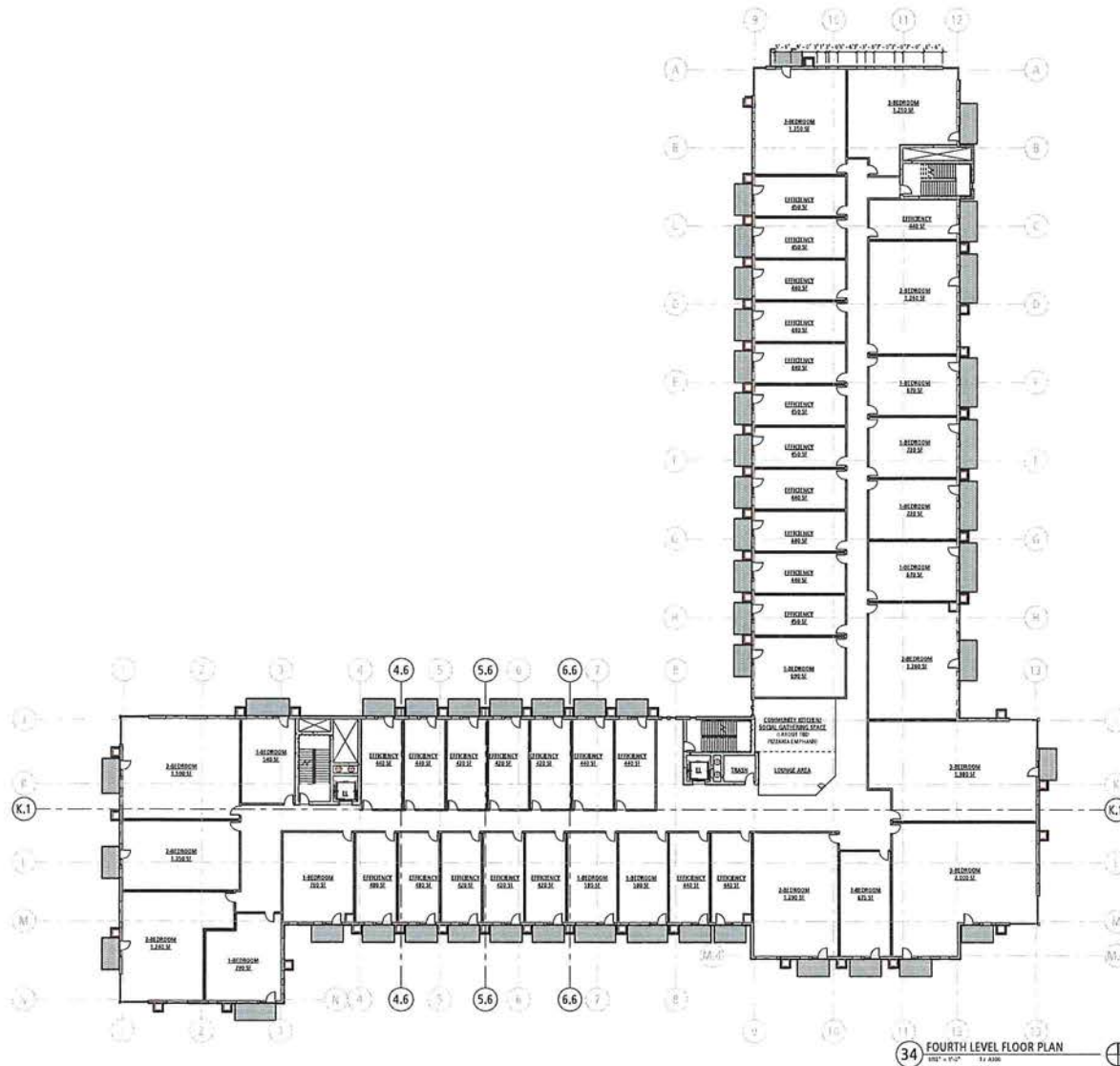
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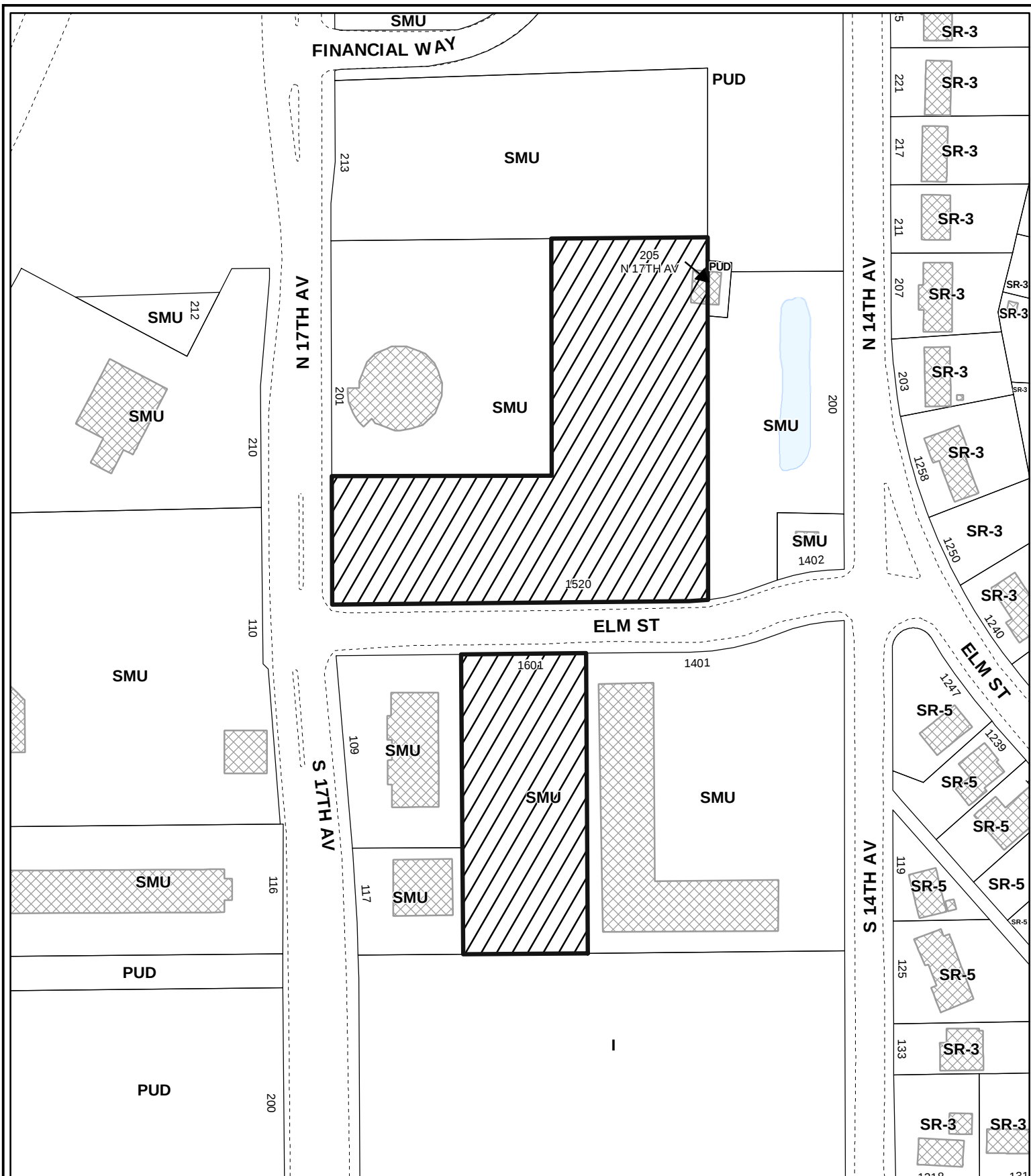
29 MARCH 2021
PROJECT NUMBER 28000-00
PROJECT MANAGER JK

**FOURTH LEVEL FLOOR
PLAN**

A104

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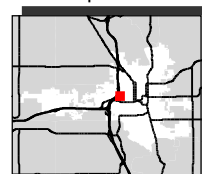
Map Date: April 9, 2021

City of Wausau
Marathon County Wisconsin

0 100 200
Feet

Area of Interest
 Building

Map Location



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

ORDINANCE OF THE PLAN COMMISSION

Rezoning 1601 Elm Street from SMU, Suburban Mixed-Use Zoning District to PUD, Planned Unit Development Zoning District and approve the General Development Plan to allow for off-street parking for a new multi-family mixed-use development.

Committee Action: Approved 7-0

Fiscal Impact: None.

File Number: 21-0509

Date Introduced: May 11, 2021

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

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

SEC 27-29-07 PT OF NE 1/4 SE 1/4 - LOT 1 CSM VOL 91 PG 132 (#18501) DOC
#1793743, MORE COMMONLY KNOWN AS 1601 ELM STREET

now comprising a part of SMU, Suburban Mixed-Use Zoning District according to the Zoning Ordinance of the City of Wausau is hereby rezoned to PUD, Planned Unit Development Zoning District and approve the General Development District to allow for off-street parking for a new multi-family mixed-use development.

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:

Katie Rosenberg, Mayor

Attest:

Leslie M. Kremer, City Clerk