

PLAN COMMISSION

Time and Date: The Plan Commission met on Tuesday, March 16, 2021, at 5:00 p.m. in the Common Council Chambers of Wausau City Hall.

Members Present: Mayor Katie Rosenberg, Eric Lindman, Patrick Peckham, Bruce Bohlken, George Bornemann; *By WebEx*: Tom Neal, Andrew Brueggeman

Others Present: Brad Lenz, Bruce Grau, Terry Kilian, Elgart Baumann, Gary Gisselman, Lou Larson, Dennis Smith, Tom Kilian, William Harris, Chris Norfleet, David Piehler, Mario Diaz, Mike Tomsyck; *By WebEx*: William Hebert, Andrew Halverson, Mike Howley, Becky McElhaney, Debra Ryan

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 5:00 p.m. noting that a quorum was present. Mayor Rosenberg introduced the new member, George Bornemann, to the commission.

Approve the minutes of the February 17, 2021 meeting.

Bohlken motioned approve the minutes from the February 17, 2021 meeting. Peckham seconded, and the motion carried unanimously 7-0 by roll call vote.

Discussion and possible action on approving a conditional use at 3701, 3805, 3815 & 3901 Stewart Avenue to allow for a large scale medical facility, in a SMU, Suburban Mixed-Use Zoning District.

Lenz said that there was a public hearing for this item last month and it is on the agenda for the commission to weigh in on the substantial evidence that was presented. The use meets the zoning requirements and standards, but the building is over 50,000 square feet. Staff recommends approval.

Andrew Halverson said that he is available for any questions.

Bornemann motioned to approve the conditional use at 3701, 3805, 3815 & 3901 Stewart Avenue to allow for a large scale medical facility, in a SMU Suburban Mixed-Use Zoning District. Bohlken seconded, and the motion carried unanimously 7-0 by roll call vote.

Discussion and possible action on approving and conditional use at 221 Scott Street to allow for a wireless telecommunication facility, in a DRMU, Downtown High-Rise Mixed-Use Zoning District.

Lenz said that there wasn't any public comment offered at the prior month's public hearing. The petitioner did submit additional testimony, which is included in the packet. The additional information addressed concerns about historical sensitivity. Staff recommends approval.

Mike Howley said that he is available for any questions.

Peckham motioned to approve the conditional use at 221 Scott Street to allow for a wireless telecommunication facility, in a DRMU, Downtown High-Rise Mixed-Use Zoning District. Bornemann seconded, and the motion carried unanimously 7-0 by roll call vote.

Discussion and possible action on approving the Final Plat Review for Royal Vistas.

Lenz said that this item is for the final plat approval. This is outside of the city, but within the three mile boundary. It is the same plat as the preliminary.

Lindman motioned to approve the final plat for Royal Vistas. Peckham seconded.

Bornemann asked if extraterritorial reviews are always done if it is within three miles. Lenz answered

that if it is an unincorporated municipality it is reviewed.

The motion carried unanimously 7-0 by roll call vote.

PUBLIC HEARING: Discussion and possible action on rezoning 1300 Cleveland Avenue from MI, Medium Industrial Zoning District to MRL-12, Multi-Family Residential-12 Zoning District.

Bruce Grau, 1115 North 10th Street, said that there has been a lot of citizen input for this and so far only one has been received that is opposed. The citizen that is opposed is 3M. The older tanks were known to have contamination and were always reported and were forced to clean up. This should have been required. Grau asked why the DNR and City of Wausau did not require the remediation. The high toxic levels put the residents at risk and this needs to be fully remedied. Grau said that this is not a fiscal issue.

Terry Kilian, 133 East Thomas Street, she lives in this area along with family and friends. This need to be corrected and there is overwhelming support for residential zoning. Kilian thanked the committee for taking the step forward.

Elgart Baumann, 105 Edwards Street, said that he drove by the property the other day and there were logs and sewer pipes on the property. Baumann asked why the contamination was not taken care of already. Baumann said that he does not have a problem with industrial uses and asked who is behind the residential zoning request.

Gary Gisselman, 319 Park Avenue, thanked the commission for revisiting this item. In 2018, this was unanimously approved by the Plan Commission and Common Council for residential zoning. Gisselman said that there have been a lot of comments from neighbors and residents to rezone to residential again. The mistake needs to be corrected.

Lou Larson, 904 South 21st Place and Alderperson District 10, said that he urges the Plan Commission to rezone this property to residential, which was done in 2018. The residential clean up needs to be done and there are cleanup funds that can be used.

Dennis Smith, 3516 Polzer Drive, asked how the property is zoned industrial when Common Council had approved the residential zoning in 2018. Lenz said that in 2018, the residential zoning was approved for a specific project. When the zoning code and map was changed, the map that was used was a version prior to the specific rezoning. During the time the zoning code was being rewritten, the city did accept rezoning requests. Lenz said that Common Council did approve the map that shows the industrial zoning. Smith said that the zoning should be changed back to residential and suggested a dog park for the parcel.

Tom Kilian, 133 East Thomas Street and Alderperson District 3, said that this is essentially a housekeeping error and applauded the interim director for going through the process to correct the error. This is a reasonably firm expectation and a valid process. Correcting this oversight is good governance. Kilian said that he observed a high volume of feedback and is supportive of rezoning this to residential. All views are valuable, but a large amount of the feedback is in support of residential zoning.

Becky McElhaney, 4050 Ashland Avenue and Alderperson for District 6, said that this property was zoned to residential in 2018 by the Common Council. There was a lot of discussion about this and hopes that the voices have been heard.

William Harris, 316 ½ North 3rd Street and Marathon County Board Supervisor District 3, said that he supports this rezoning moving forward and echoes a lot of comments. The change should be made.

Debra Ryan, 702 Elm Street and Alderperson for District 11, said that this is a nice quiet neighborhood.

Ryan said that the information is necessary to clean up the site. It may take a long time to clean up. It will be a great new neighborhood for the area.

Chris Norfleet, 221 Scott Street, said that this could be a possible win for everyone if this would stay residential and get cleaned up. It is good to keep the positive communication and create a model for communities in the area.

David Piehler, 1025 Weston Avenue, spoke for 3M. Piehler said that the commission needs to look at the big picture. The remediation issue needs to be reviewed and there is no rush to rezone the property. The discussions for the remediation are in the early stages. This was originally zoned to residential as a request from a developer. The city owns the parcel and has complete control. A rezone would be an endorsement for a specific remediation. The plan should be addressed for the area and asked respectively to postpone the rezoning.

Mario Diaz, 1701 Maple Hill Road, said that he represents 3M and is a plant manager. Diaz said that in April 2020, a proposal was presented and said that they are still interested with collaborating with Kolbe & Koble. Diaz said that 3M and Kolbe & Kolbe are the only interested parties. The proposal is the most cost effective and will work with the city for the proposal. Diaz asked the commission to hold off on the zoning.

Mike Tomsyck, 1323 South 11th Avenue and Vice President of Kolbe & Kolbe, said that there is not an urgent need to rezone this property right now. The proposal from 2018 did not materialize. This commission should not influence on the type of remediation that is completed. Tomsyck asked what the up-side of the residential zoning would be. Tomsyck said that the property may have to be changed again in the future. These local business employ many city residents.

Terry Kilian said that the residential zoning would give the residents a peace of mind. The residents do not want more industry. Kilian said that the property should be cleaned and remediated to residential standards.

Mayor Rosenberg closed the public hearing.

Peckham motioned to rezone 1300 Cleveland Avenue from MI, Medium Industrial Zoning District to MRL-12, Multi-Family Residential-12 Zoning District. Bohlken seconded.

Peckham said that he wanted to answer Mr. Baumanns questions. There is not a proposal for a residential development. There was an error in the zoning map and this would revert the zoning to the residential request from 2018.

Bornemann said the proposed MRL-12 zoning would replace the R4 zoning and asked if they are similar districts. Lenz confirmed this and said that every zoning district changed. There are three multi-family districts, but this one is the most restrictive. Bornemann said that there seems to be a desire for residential to have a more substantial clean up. Bornemann said that he is not sure if this is the proper use of the zoning code and is reluctant to do so. There is no proposal. This would fix an error. The clean-up of the property is in the infant steps. Bornemann said that he is torn between the two options.

Neal said that he echoes the comments. This would fix an error and a lot of this is about the clean-up. Neal said that there is support of the neighborhood. Neal said that he supports the rezoning.

Lindman said that there is currently no land use and once a land use is determined, it may have to come back here for a rezoning. This is a very specific zoning district. Lindman said that he doesn't want any residents to feel that it won't be looked at again.

Tom Kilian agreed with Neal and said that they do not know the ultimate land use. If a future use would change, it would trigger the process and the neighbors will be notified.

Peckham said that it is good to make it clear. The clean-up should be straight forward and it is a good move to rezone this to residential.

Mayor Rosenberg said that there is a lot of support for this rezone. There is a lot of work to do and it will take time.

Bornemann asked about the rezoning process if the council does not approve it. Would it not be able to come back for a rezoning for one year? Lenz said that if the exact zoning district was requested, perhaps not, but there may be different options for zoning.

The motion carried 5-2 by roll call vote. Brueggeman and Lindman voted against this item. This item will go to Common Council on April 13, 2021.

Next meeting date and future agenda items for consideration.

The next meeting is scheduled for April 20, 2021.

Adjournment.

Bohlken motioned to adjourn, seconded by Bornemann. The motion carried unanimously 7-0 and the meeting adjourned at 5:55 p.m.

The Plan Commission is next scheduled to meet at 5:00 p.m. on April 20, 2021.