



OFFICIAL NOTICE AND AGENDA

of a meeting of a City Board, Commission, Department Committee, Agency, Corporation, Quasi-Municipal Corporation or Sub-unit thereof.

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

Meeting of the:	PLAN COMMISSION OF THE CITY OF WAUSAU
Date/Time:	Tuesday, March 17, 2020 at 5:00 pm.
Location:	City Hall (407 Grant Street, Wausau WI 54403) - COMMON COUNCIL CHAMBERS
Members:	Mielke (C), Lindman, Peckham, Gisselman, Bohlken, Zahrt, Brueggeman

AGENDA ITEMS FOR CONSIDERATION (All items listed may be acted upon)

1. Approve the minutes of the February 18, 2020 meeting.
2. **PUBLIC HEARING:** Discussion and possible action on approving a conditional use at 200 Park Avenue to allow for community gardens in a UMU, Urban Mixed-Use Zoning District. (REI)
3. **PUBLIC HEARING:** Discussion and possible action on rezoning 512 Franklin Street from TF-10, Two Flat Residential-10 Zoning District to NMU, Neighborhood Mixed Use Zoning District. (Schield)
4. Discussion and possible action on vacating and discontinuing an alley lying west of 912 North 9th Street between Fulton Street, McIndoe Street and North 8th Street.
5. Next meeting date and future agenda items for consideration.
6. Adjournment

This Notice was posted at City Hall and emailed to the Daily Herald newsroom on 3/13/2020 @ 10:00 a.m. Questions regarding this agenda may be directed to the Planning Department at (715) 261-6760.

In accordance with the requirements of Title II of the Americans with Disabilities Act (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 Planning Department at (715) 261-6760 or the City's ADA Coordinator at (715) 261-6620 or e-mail clerk@ci.wausau.wi.us at least 48 hours prior to the scheduled meeting or event to request an accommodation.

Distribution List: City Website, Media, Committee Members, Council Members, Assessor, Attorney, City Clerk, Community Development, Finance, Metro Ride, Human Resources, Police Department, Hebert, Lenz, Sippel, DeSantis, Polley, County Planning, REI, Shield

PLAN COMMISSION

Time and Date: The Plan Commission met on Tuesday, February 18, 2020, at 5:00 p.m. in the Common Council Chambers of Wausau City Hall.

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

Others Present: Brad Lenz, Brad Sippel, Melissa Engen, Jim Schaefer

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

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

Approve the minutes of the December 17, 2019 meeting.

Peckham motioned to approve the minutes of the December 17, 2019 meeting. Zahrt seconded. The motion carried unanimously 6-0.

PUBLIC HEARING: Discussion and possible action on rezoning 107 South 68th Avenue from PUD, Planned Unit Development to SR-5, Single Family Residential-5 Zoning District.

Jim Schaefer, 6205 Stettin Drive, said that the property is south of his property and asked if neighbors will have a buffer like was requested previously. Lenz answered that the existing district is PUD, which was previously UDD under the old zoning code. In that type of district, Common Council has specific control over the site plan. Schaefer asked if there will still be a buffer area. Lenz answered that this would change the property to residential for the 40-acre parcel and a subdivision plat will need to be approved in order to layout the streets and lots. Schaefer said that he is not against development, but that there is a lot of water. There will be a lot of retention ponds needed. Lenz said that with the subdivision plat, the items will be discussed through Capital Improvements and Street Maintenance Committee, Plan Commission and Common Council. Schaefer asked that he be notified for these meetings. Mayor Mielke confirmed.

Mayor Mielke closed the public hearing.

Lenz said that this item is to rezone the east parcel to single family. Planned unit development zoning was sought by the previous developer because of the multi-family buildings. The requested district is one of the strictest zoning districts in the city. The subdivision plat will lay out the streets, lots, and park that will be proposed. Lenz said the criteria in the zoning code is similar to the previous code and is noted in the staff report. Staff recommends approval.

Mayor Mielke said that he is concerned with water issues and asked how it will be addressed. Lindman said that the stormwater plan will go through the DNR and city for review. Part of the subdivision plat will show the placement of ponds, sanitary and water. The preliminary plat was reviewed by staff and comments were made. This item will not go to committee until staff is pleased with the plan.

Peckham asked if a buffer could be requested. Lenz said that the zoning district setbacks would apply. Peckham asked if it would bind the city to a buffer. Lenz said the lots will have private ownership and the Parks Committee did not want a buffer around the outside due to maintenance.

Brueggeman motioned to rezone 107 South 68th Avenue from PUD, Planned Unit Development to SR-5, Single Family Residential-5 Zoning District. Zahrt seconded

Peckham asked if the corridor on the northeast corner is a separate issue. Lenz said that it would be rezoned as part of the lot, but there isn't a specific plan for improving it. Gisselman asked if the strip is city-owned property or part of the parcel. Lenz said that it is part of the parcel and that it could be part of a trail in the future.

The motion carried unanimously 6-0. This item will go to Common Council on March 10, 2020.

PUBLIC HEARING: Discussion and possible action on rezoning 101 North 72nd Avenue from PUD, Planned Unit Development to DR-8, Duplex Residential-8 Zoning District.

Schaefer asked what the rear setback would be for the DR-8 zoning district. Lenz answered that it is a minimum of 30 feet. Schaefer added that he is concerned about the wetlands for this parcel also.

Mayor Mielke closed the public hearing.

Lenz said that the western parcel will be for duplexes. The original plan was for multi-family. This property has quite a bit of wetlands and less than half of the lot is developable. Staff recommends approval.

Mayor Mielke said that he has concerns with water in the area.

Peckham motioned to rezone 101 North 72nd Avenue from PUD, Planned Unit Development to DR-8, Duplex Residential-8 Zoning District. Brueggeman seconded, and the motion carried 5-1. Mayor Mielke voted against this item. It will go to Common Council on March 10, 2020.

Discussion and possible action on vacating and discontinuing right-of-way at the intersection of West Thomas Street and South 15th Avenue.

Lindman said that this area was reconstructed with the first phase of Thomas Street. The neighboring property has requested the excess right-of-way.

Brueggeman motioned to vacate and discontinue right-of-way at the intersection of West Thomas Street and South 15th Avenue. Zahrt seconded, and the motion carried unanimously 6-0. This item will go to Common Council on February 25, 2020.

Discussion and possible action on River Edge Master Plan Update.

Sippel said that the original plan was adopted in 1995 and the process to update the plan started in 2018. In order to identify goals, the progress was evaluated, priorities were revisited and potential developments were determined. The proposed plan includes maps showing opportunities for updates along the River Edge Trail. There currently are connectivity issues and connections for the issues are looked at in the plan. The river is a big barrier to the trail system and the plan identifies an additional bridge. The last part of the plan is for lighting, markers and maps to enhance the trail.

Gisselman asked if the Parks Department would be responsible to carry out the plan. Sippel said that everyone is responsible. Lindman said that the plan starts in the Planning Department as they apply for grants. The Engineering Department makes sure to include the plans in the projects, but the plan will be included in various departments.

Brueggeman motioned to approve the River Edge Master Plan. Peckham seconded.

Peckham said that he is very impressed with the thoroughness of the plan and asked if there is any federal funding available. Sippel said that he does not know, but will find out.

The motion carried unanimously 6-0. This item will go to Common Council on March 10, 2020.

Next meeting date and future agenda items for consideration.

The next meeting is scheduled for March 17, 2020.

Adjournment.

Zahrt motioned to adjourn, seconded by Peckham. The motion carried unanimously 6-0 and the meeting adjourned at 5:30 p.m.

The Plan Commission is next scheduled to meet at 5:00 p.m. on March 17, 2020.



Memorandum

From: Brad Sippel, Assistant Planner
715-261-6686
Bradley.sippel@ci.wausau.wi.us
To: Plan Commission
Date: March 12, 2020
Subject: 200 Park Avenue Conditional Use Application

REI has applied for a conditional use for community gardens at 200 Park Avenue in the Urban Mixed Use (UMU) zoning district on behalf of Primary Connection Health Care. Community gardens are permitted as a conditional use in the UMU district. The property is located at the northeast corner of Park Avenue and Second Street.



2016 Aerial Photo, City of Wausau GIS



2016 Pictometry, City of Wausau GIS

The purpose of this meeting is to hold a public hearing and hear testimony regarding the CU request. The new City of Wausau zoning code that went into effect on January 1, 2020 changed the procedures for conditional uses to bring them in line with state legislation and case law. The new procedure requires two Plan Commission meetings to approve or deny a conditional use, and the final decision to approve, approve with modifications or conditions, or deny the application is made by the Plan Commission

The full procedures for conditional use applications are found in Chapter 23 Article X, Section 23.10.32 of the *City of Wausau Municipal Code*. This first Plan Commission meeting is to hold a public hearing and hear testimony of any *substantial evidence* related to the conditional use request. “*Substantial evidence* means facts and information, other than personal preferences or speculation, directly pertaining to the requirements and conditions an applicant must meet to obtain a conditional use permit and that reasonable persons would accept in support of a conclusion” (W.M.C. § 23.10.32). The Plan Commission may request further information or additional reports from the applicant, staff, or other sources.

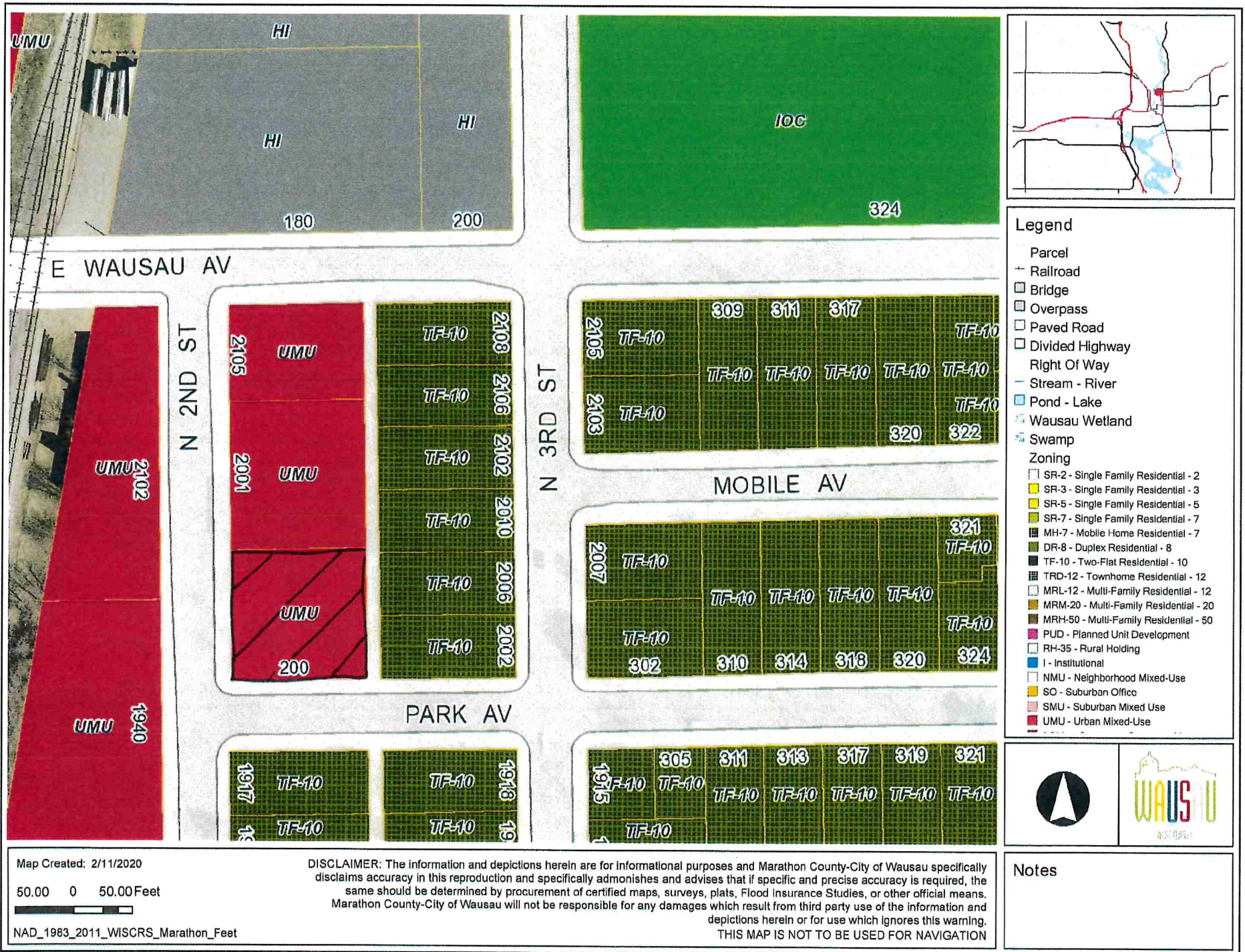
Following the public hearing staff will compile a report of the preliminary recommended findings that includes the substantial evidence presented at the public hearing, recommended findings, and a recommended motion to approve the original proposal, approve with modifications or conditions, or deny the conditional use application. The Plan Commission will discuss the report and any conditions or changes with the applicant at a subsequent meeting.

When deciding on a proposed conditional use permit the Plan Commission must consider whether the conditional use:

- Is in harmony with the Comprehensive Plan
- Would result in a substantial or undue adverse impact on nearby property, the character of the neighborhood, environmental factors, traffic factors, parking, public improvements, public property or rights-of-way, or other matters affecting the public health, safety, or general welfare.

- Maintains the desired consistency of land uses, land use intensities, and land use impacts as related to the environs of the subject property.
- Is located in an area that will be adequately served by, and will not impose an undue burden on, any of the improvements, facilities, utilities or services provided by public or private agencies serving the subject property.
- The potential public benefits outweigh any potential adverse impacts of the proposed conditional use, after taking into consideration the applicant's proposal and any requirements recommended by the applicant to ameliorate such impacts.

Staff review of the application indicates that the proposed community gardens are not expected to place any significant burden on existing infrastructure, utilities, or nearby properties. Community gardens are an appropriate use in a deindustrializing urban area, and can complement existing and potential land uses in this context. The preliminary report of recommended findings will include any additional substantial evidence related to these criteria at the subsequent meeting.





February 11, 2020

City of Wausau
Attn: Bill Hebert
407 Grant Street
Wausau, WI 54403



Subject:

Bridge Community Health Clinic Gardens
Landowner: Primary Connection Health Care, Inc.
Conditional Use Request
Northeast Quadrant of N 2nd Street & Park Avenue

Dear Mr. Hebert:

REI is submitting the enclosed materials on behalf of Primary Connection Health Care, Inc. to obtain a Conditional Use approval to construct community gardens at the northeast quadrant of N 2nd Street and Park Avenue. We are requesting that this request be included on the March 17, 2020 Planning Commission meeting and the March 24 City Council meeting for review and approval.

The subject parcel is zoned Urban Mixed Use in which "Community Gardens" is a conditional use. The project will include demolition of an existing building and construction of twenty raised gardens, each measuring 10'x24'. There will not be any accessory buildings constructed on the site.

Section 23.03.26 of the City zoning ordinance lists the regulations of community gardens. The proposed project meets those requirements with the following exception:

23.03.26(6)(a) All garden areas, signs, and structures shall be located a minimum of 10 feet from the lot line;

A retaining wall is proposed to be located on the west and north sides of the site. The wall will be installed at the west lot line with two gardens being offset 7' from the property line. Along the north line, retaining wall is planned to be 7' off the line, with a stairway extending to within 7" of the north line.

The need for retaining wall is a result of a significant grade drop from south to north across the site. The retaining wall along the west and north sides of the site will have a maximum height of approximately 9.5'. A stairway will be constructed at the northwest corner of the site to connect the gardens to a planned adjacent off-street parking lot to the north on City-owned land. The garden site will also be accessible at-grade along Park Street to the south, and a public alley to the east.



RESPONSIVE. EFFICIENT. INNOVATIVE.

4080 N. 20th Avenue Wausau, WI 54401
715-675-9784 REIengineering.com

City of Wausau
Attn: Bill Hebert
February 11, 2020

The mission of the gardens is to increase awareness of good health and nutrition through growing one's own food while demonstrating sustainable gardening practices and strengthening neighborhood participation. The operation of the gardens will be under the direct supervision of Bridge Community Health Clinic like other area gardens operated by Bridge Community Health Clinic in the community. The success and treatment of each individual garden is the responsibility of each user. A compost bin is available for the disposal of excess vegetative materials and a small 10' x 10' shed is available for the tools necessary to work each garden. Parking for the gardens will be accommodated within the proposed adjacent (northside) City owned parking lot and N. 2nd Street. Several hose bibs will be available throughout the site for use in watering the gardens.

We have enclosed the following materials for your use and review:

- Zoning Map Exhibit
- Civil Concept Grading Plan
- \$400 check for Conditional Use Permit Application fee

Thank you in advance for your assistance with this matter.

Sincerely,
REI Engineering, Inc.

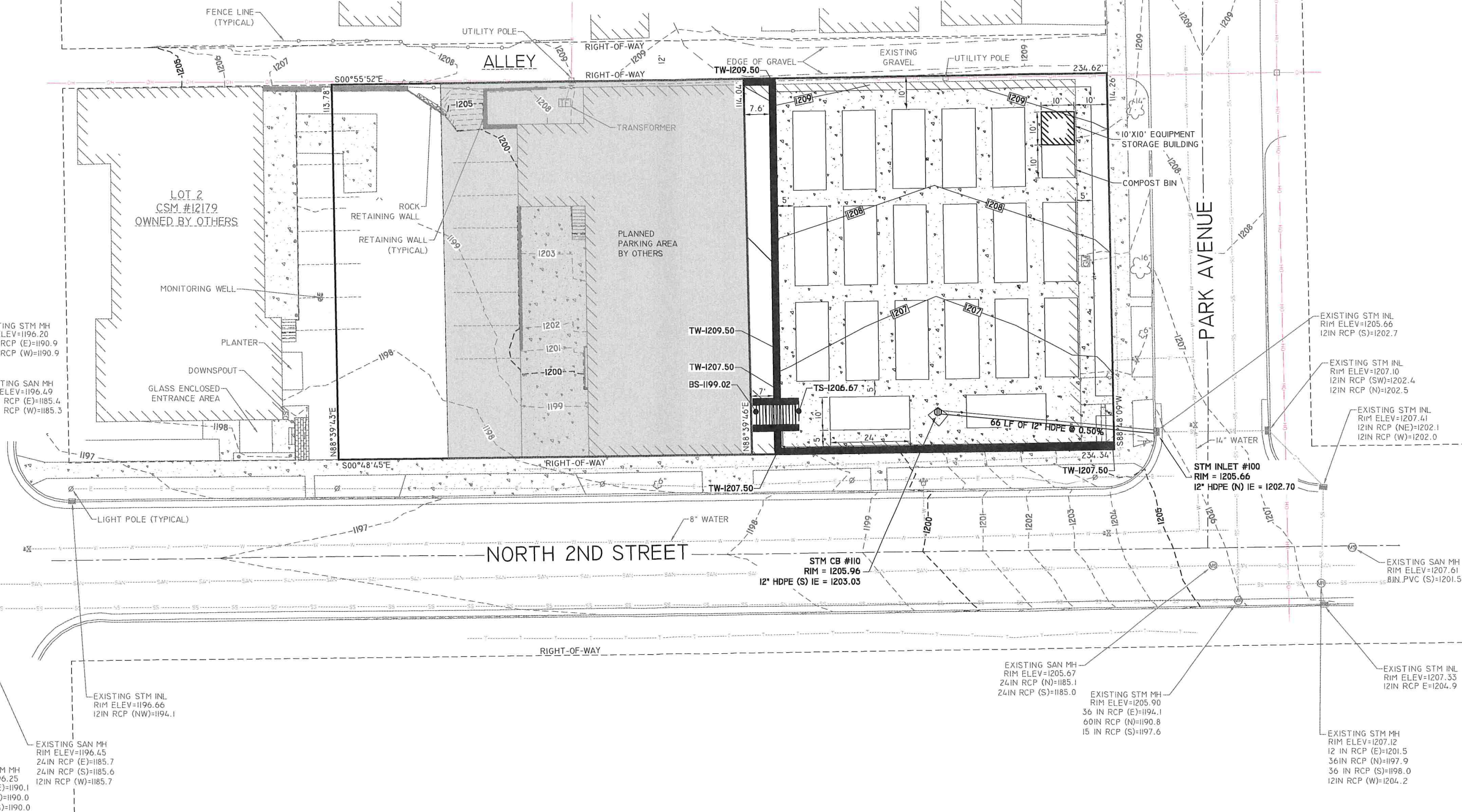
Tom Radenz

Tom Radenz, PLS
Vice President/Senior Consultant

Enclosures

DRAWING FILE: P:\2300-2399\2348A - BRIDGE CLINIC GARDENS\DWG\WORKING\2348A-PIPE NETWORKS.DWG LAYOUT: PIPES
PLOTTED: FEB 11, 2020 - 11:48AM PLOTTED BY: MKH

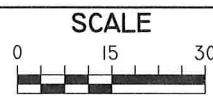
EAST WAUSAU AVENUE



REI Engineering, INC.
4080 N. 20TH AVENUE
WAUSAU, WISCONSIN 54401
PHONE: 715.675.9784 FAX: 715.675.1060
EMAIL: MAIL@REIENGINEERING.COM



REI
CIVIL & ENVIRONMENTAL
ENGINEERING, SURVEYING



DATE	REVISION	BY	CHK'D	DESIGNED BY:	CHECKED BY: JWP
				SURVEYED BY: JJM, BDE	APPROVED BY: JWP
				DRAWN BY: NAP	DATE: 11/06/2019

CONCEPT GRADING
BRIDGE CLINIC GARDENS
NORTH 2ND STREET
WAUSAU, WISCONSIN



REI No. 2348A
SHEET PIPES



STAFF REPORT

TO: City of Wausau Plan Commission
FROM: Brad Lenz, City Planner
DATE: March 12, 2020

GENERAL INFORMATION

APPLICANT: Gregory H. Schield
LOCATION: 512 Franklin Street
EXISTING ZONING: TF-10, Two Flat Residential
REQUESTED ZONING: NMU, Neighborhood Mixed Use
PURPOSE: To allow for a personal office (financial planning).
SIZE OF PARCEL: 0.17 acres

BACKGROUND

The proposed zoning map amendment consists of a single parcel that is currently under common ownership with the bed and breakfast across the street. The petitioners are looking to rezone the subject parcel for use as a financial planning office. The structure has most recently been used in conjunction with the bed and breakfast.

The proposed zoning of Neighborhood Mixed Use (NMU) would allow, by right, a personal or professional office. The proposed office would consist of approximately three employees working normal, daytime business hours. The business is expected to draw approximately 10 clients each week.

The zoning code defines personal or professional services as indoor service land uses where the primary function is the provision of services directly to an individual on a walk-in or on-appointment basis. Examples of such uses include establishments where customers make an appointment, such as professional services, insurance or financial services, realty offices, small scale by-appointment medical offices and clinics, veterinary clinics, barber shops, beauty shops, and related land uses including ancillary on site production of items used in the provision of such services.

STAFF COMMENTS

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 to the above criteria are as follows:

1. Section 23.01.03 of the code pertains to protecting the health, safety, morals, comfort, convenience, and general welfare of the public. The proposed amendment is not anticipated to negatively impact the public as the proposed zoning district is generally compatible with neighboring zoning districts. The zoning code states that the intent of the NMU district is to permit residential development and small-scale commercial uses that are compatible with adjacent residential uses and established neighborhood-level commercial corridors.
2. From a land use perspective, the comprehensive plan encourages a mix of land uses – ones that are not incompatible with each other. As noted above, the uses allowed in the NMU district are intended to be compatible with both residential and small-scale commercial uses.

The comprehensive plan is also supportive of preserving the historic fabric of the city. The subject property is located within the Andrew Warren historic district. To the extent that the proposed rezoning would facilitate the rehabbing and repurposing of the existing structure, the proposed zoning would be in keeping with this element of the comprehensive plan.

3. The intensity of uses allowed in the NMU district is similar to that of the existing TF-10 district. For example, residential development in the NMU is intended to occur at an

approximate density of 10 dwelling units per acre. This is the exact same density allowed through the existing TF-10 district.

As alluded to, however, an important distinction between the existing and proposed districts is that the NMU introduces small-scale commercial uses. Besides “personal and professional service” discussed above, the district also allows, by right, the following commercial uses: office; indoor sales or service; commercial animal boarding/daycare; bed and breakfast; and indoor maintenance service. Besides the types of uses allowed, the sizes of both the existing structure and parcel would limit the scale of commercial operations on the property, taking into account parking requirements, setbacks, and other zoning requirements.

A number of other commercial uses could potentially be allowed through a conditional use permit, such as artisan shops, physical activity studios, and commercial kitchens. The conditional uses would require subsequent review and approval by Plan Commission, whereas the permitted uses would not.

The block face on which the subject property sits (i.e., both sides of the 500 block of Franklin Street) is predominantly residential, except for the bed and breakfast across the street. The property at 529 Franklin was zoned Unified Development District (under the previous zoning code) to allow for a small office in an otherwise residential structure. Other blocks in the immediate area, particularly between 5th and 6th Streets, show a similar pattern of small-scale commercial mixed with residential, even though the commercial uses generally abut arterial streets, particularly 6th Street.

4. The zoning map amendment is being proposed by the property owner for a change in allowable uses on the property, rather than a need to “correct” the existing zoning map based on any of the factors 4a – 4d above.



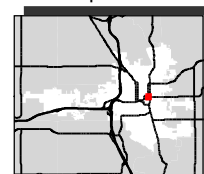
Map Date: February 28, 2020

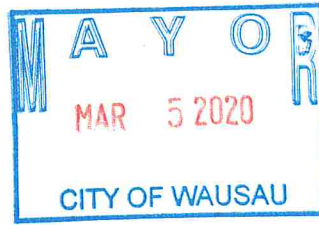
City of Wausau
Marathon County Wisconsin

0 50 100
Feet

Area of Interest
 Building

Map Location





Krista M. Salas
Owner
511 Franklin Street
Wausau, WI 54403
715-842-5733

March 4, 2020

The Honorable Mayor, Robert B. Mielke
The City of Wausau
407 Grant Street
Wausau, Wisconsin 54403

Dear Mayor Mielke,

This letter is in reference to the Planning Division's official notice letter regarding the public hearing to be held on March 17, 2020 which will review the re-zoning request for the property of 512 Franklin Street located downtown Wausau.

In this letter I would like to document my full support for this re-zoning change and will provide you with the reasons for my support.

The applicant, Mr. Gregory H. Schield, is a neighbor whom I have known for over seven years. Over this time I have learned only good things about him and can attest to his excellent character. If you look at the home he resides in you will see that he is a neighbor that takes impeccable care to enhance the neighborhood with great respect to his property. It is my belief that he will ensure the re-zoned property will be an esthetically pleasing property which will enhance the property values of the surrounding neighborhood.

As the current owner of this property, it is my wish that it is turned over to a new owner that will care for it better than I have been able to do. Due to serious health issues I have been unable to provide this property with the care that it deserves. Once this re-zoning is approved, I truly believe that Greg will enhance the quality of this property in a very pleasing way which will only increase the home values in the area and will decrease public safety concerns.

In summary, I only see positives to this re-zoning change and cannot find any negatives. It is my belief that this re-zoning will only improve the efforts to further re-vitalize the entire downtown neighborhoods.

Sincerely yours,

Krista Salas

Agenda Item No.
3

STAFF REPORT TO CISM COMMITTEE – March 12, 2020

AGENDA ITEM
Public Hearing: Discussion and possible action on vacating and discontinuing an alley lying west of 912 North 9 th Street between Fulton Street, McIndoe Street and North 8 th Street
BACKGROUND
Staff received a petition to vacate the above alley. This public hearing will take public comment on vacating this section of right-of-way.
FISCAL IMPACT
A cost savings in future years would be realized because City DPW staff would not need to maintain the alley.
STAFF RECOMMENDATION
Staff recommends approving vacating the right-of-way as shown. This recommendation is contingent upon public comment during the hearing.
Staff contact: Allen Wesolowski 715-261-6762



0 50 100 Feet
Map Date: November 25, 2019

CITY OF WAUSAU

Marathon County, Wisconsin

Legend

- Existing Building
- Existing Right-of-Way
- Vacation

