*** All present are expected to conduct themselves in accordance with our City's Core Values ***

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, September 21, 2021 at 5:00 pm.**
Location:	**City Hall (407 Grant Street, Wausau WI 54403) - COMMON COUNCIL CHAMBERS**
Members:	Katie Rosenberg (C), Eric Lindman, Pat Peckham, Tom Neal, Bruce Bohlken, Andrew Brueggeman, George Bornemann

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

1. Approve the minutes from the July 20, 2021, August 4, 2021 and August 24, 2021 meetings.
2. **PUBLIC HEARING:** Discussion and possible action on rezoning 3015 Townline Road from I, Institutional Zoning District to SR-2, Single Family Residential-2 Zoning District, RH-35, Rural Holding-35 Zoning District and PUD, Planned Unit Development Zoning District. (Hill)
3. Approve Certified Survey Map for 3015 Townline Road.
4. Discussion and possible action on approving a conditional use at 915 North 5th Street to allow for a long-term supportive home in a NMU, Neighborhood Mixed-Use Zoning District. (Bretl)
5. Discussion and possible action on approving a conditional use at 913 North 3rd Street to allow for an off-site parking lot in a DPMU, Downtown Periphery Mixed-Use Zoning District. (Woodson YMCA Foundation Inc.)
6. Discussion and possible action on the notification radius for public hearing notices.
7. Next meeting date and future agenda items for consideration.
8. Adjournment

The meeting is being held in person and via teleconference (all public participants' phones will be muted during the meeting) **by calling 1-408-418-9388. The Access Code is 2487 011 4601. Password PYzqqMHq282**

Members of the public who do not wish to appear in person may view the meeting live over the internet at https://tinyurl.com/wausaucitycouncil, on the City of Wausau's YouTube Channel https://www.youtube.com/channel/UC-Nigpdco_i8sq5FbbJD_aw, 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 melissa.engen@ci.wausau.wi.us with "Plan Commission 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 Chair.

This Notice was posted at City Hall and emailed to the Daily Herald newsroom on 9/17/2021 @ 2:00 p.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 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 even the City of Wausau will make a good faith effort to accommodate your request.

Distribution List: City Website, Media, Committee Members, Council Members, Assessor, Attorney, City Clerk, Community Development, Finance, Metro Ride, Human Resources, Police Department, Hebert, Lenz, Stahl, Polley, County Planning, Bretl, Woodson YMCA Foundation Inc., Hill

Time and Date: The Plan Commission met on Tuesday, July 20, 2021, at 5:00 p.m. in the Common Council Chambers of Wausau City Hall.

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

Others Present: William Hebert, Sam Wessel, Brian Stahl, Tom Radenz, Mark Thompson, John Burke, Shelly Kraimer, Michael Hughes, Steve Lang, Louis Rossetti, Mike Conley, Karen Jantsch, Anne Jacobson, Don Zamzow, Mike Zamzow, Leo Dunlavy; *By WebEx:* Brad Lenz

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.

Approve the minutes of the June 16, 2021 meeting.

Neal motioned approve the minutes from the May 18, 2021 meeting. Peckham seconded.

Peckham asked that the Kevin Noels name be changed from Birch to Noel. Engen said this would get corrected.

The motion carried unanimously 7-0.

PUBLIC HEARING: Discussion and possible action on rezoning 1111 Westwood Drive from PUD, Planned Unit Development Zoning District to SMU, Suburban Mixed Use Zoning District.

Lenz said that REI is working on this project and have narrowed down to this site west of Rasmussen. This site would be an option for rezoning or amending the planned unit development. SMU zoning is adjacent and seems for fit for a zoning change.

Tom Radenz, 4020 North 20th Avenue, said that he is in favor of the project.

Mayor Rosenberg closed the public hearing.

Neal motioned to rezone 1111 Westwood Drive from PUD, Planned Unit Development Zoning District to SMU, Suburban Mixed Use Zoning District. Brueggeman seconded. The motion carried unanimously 7-0. This item will go to Common Council on August 10, 2021.

PUBLIC HEARING: Discussion and possible action on amending the General Development Plan at 211 Lavina Drive to allow for the reconstruction of one building lost to a fire, construct a new eight-unit building, add additional garage stalls to the existing garage structures, add an on-site office space and provide a driveway access to the site via Old Coach Road, in a PUD, Planned Unit Development Zoning District.

Lenz said that this planned unit development was established in the 1970's. Lenz said that there may be more options than just a yes or no. This item is for the general development plan; the specific implementation plan will need to come back to the commission. There is quite a bit of opposition. The protest petitions that are included in the packet are more for the Common Council and could trigger a super majority vote. It doesn't directly impact the voting for this committee.

Mark Thompson, 404 Franklin Street, said that this development started in the mid-1970's and was serviced by a long driveway and private well and septic. Dan Johnson recently purchased the property and started to make improvements. The green space provided would be greater than the requirements.

This proposal will promote the existing housing stock.

John Burke, 5907 Old Coach Road, said that he would like to express some concerns. This project would be inconsistent with the redevelopment plan and there is a major concern of how it was initiated. On the Friday before Memorial Day, trees started to be cut. The following Tuesday, the inspector stopped by and had to come back four separate times. Trees have been cut on adjacent properties and on the public right-of-way. The approval of this project would encourage bad behavior. Burke requested the Plan Commission and Common Council reject the proposal.

Shelly Kraimer, 5806 Old Coach Road, said that Criteria #3 of this planned unit developments states that it needs to maintain a land use relationship. Kraimer stated that this is not met with the four additional buildings. This is an extremely rural area. This area has high-end residential homes. This will not fit and will devalue the properties. In 1976, the approval was completed, but now the trees are gone and there isn't a buffer. The owner should be held accountable for this. The criteria for keeping natural beauty is not met. This used to be like a parklike setting.

Michael Hughes, 5815 Old Coach Road, said that Criteria #7 would not be met. The project will not be compatible with the neighbors. The property is a nuisance property. Hughes showed the committee two packets. The first packet, which is the large packet, is the police calls from this property since 2018. The police calls include burglary and drug trafficking. The police presence exploded in 2020 when the new developer purchased the property. The second packet, which is the small packet, includes the entirety of the Old Coach Road neighborhood. The majority of these calls were due to dead or lost animals. The neighborhood does not want this development.

Steve Lang, 202 Lavina Drive, said that Criteria #8 would not be met. The project will not positively contribute to the neighborhood. It will have a negative impact and remove the parkland setting. The tree removal has already made the value go down 10%. Criteria #10 will also not be met. This will negatively affect the environment. The existing complexes have a noise factor and there is already too much traffic. This is a safety issues with the kids walking to the nearby school.

Louis Rossetti, 5801 Old Coach Road, said that all of the single family houses are in close proximity to Stettin Elementary. This will diminish the well-kept neighborhood. Inappropriate actions have been taken by the property owner. Rossetti requested that the trees removed need to be repopulated. This project will increase noise and security issues. Approving this request would set a precedent and will negatively impact the neighborhood. Rossetti asked the committee to devote ten minutes to drive to Old Coach Road and said that concern would be felt.

Mike Conley, 114 Windtree Drive, said that the commission needs to take this item to heart and asked the commission how they would feel if this was in their neighborhood. This will increase traffic and the walkability will be ruined.

Karen Jantsch, 5610 Old Coach Road, said that she lives next to the property. If this is approved, it will create more noise in the neighborhood. The people with loud mufflers do not follow the rules and speed through the area. If a driveway is added, it will add to the situation. Jantsch requested that the committee deny the proposal.

Dawn Herbst, 2809 Springdale Avenue, said that she supports the districts concerns and asked the committee to take the comments to heart.

Mayor Rosenberg closed the public hearing.

Brueggeman motioned amend the general development plan at 211 Lavina Drive to allow for the

reconstruction of one building lost to a fire, construct a new eight-unit building, add additional garage stalls to the existing garage structures, add an on-site office space and provide a driveway access to the site via Old Coach Road, in a PUD, Planned Unit Development Zoning District. The motioned died from a lack of a second.

Peckham motioned to table the item for a month so information about the alleged disobedience can be gathered from the Zoning Administrator and City Forester. Bohlken seconded.

Neal stated that he is not in favor of tabling this item and does not want to talk about it again. Neal said that he will not support this item. Neal asked how the city will ensure the cease and desist order. Attorney Anne Jacobson said that the attorney's office has been involved and contacted the property owner. Recently, there have not been any logs moved. This has been legally researched and avenues are being pursued. Hebert said that permits are not required for tree removal. Mayor Rosenberg asked if there is an expectation or a change from previous approvals. Hebert said that when the parcel was developed, it was in the Town of Stettin. There isn't a document for tree removal with the city. Lenz added that the existing trees would be looked at with the landscaping plan, if this is approved.

Lindman said that this is for amending the planned unit development and asked if the unit that was damaged by fire could be rebuilt without the amendment. Lenz confirmed this and said they would still need to come back to the committee with a specific implementation plan to be approved. Lindman said that the petitioner completed this and there are issues. Lindman said he is not in support of the proposal.

Peckham said that he would like to table this item to have more time to consider it. He would be willing to allow reconstruction, but no additional buildings. The petitioner is off to a bad start. Bornemann asked if the reconstruction is a given. Hebert stated that it would be allowed if it is the same number of units and same size. Bornemann said that this would be for the additional buildings and stated that he is not in favor of the proposal.

Peckham withdrew his motion and Bohlken agreed.

Peckham motioned to deny the request to amend the general development plan at 211 Lavina Drive to allow for the reconstruction of one building lost to a fire, construct a new eight-unit building, add additional garage stalls to the existing garage structures, add an on-site office space and provide a driveway access to the site via Old Coach Road, in a PUD, Planned Unit Development Zoning District and support the planting of future trees. Bohlken seconded.

Brueggeman said that the PUD zoning is on file and asked if the specific implementation plan will need to come back. Lenz said that this item will still go to Common Council and the specific implementation plan will come back to the committee if it is for the same number of units.

Bornemann said that the damaged building should be allowed to be built, but not to expand.

The motion carried 6-1. Brueggeman voted against the motion. This item will go to Common Council on August 10, 2021.

PUBLIC HEARING: Discussion and possible action on amending the Specific Implementation Plan at 901 East Thomas Street to allow for camper vehicles to park overnight, in a PUD, Planned Unit Development Zoning District.

Hebert stated that there is a brief staff report in the packet. The property was previously zoned industrial with a conditional use. In 2012, the property was zoned to a planned unit development. In spring/summer 2021, the petitioners found about Harvest Hosts. Campers would spend less than half a

day at the property. This would allow for four camper spots.

Don Zamzow, 901 East Thomas Street, said that with Harvest Hosts, there are 2,400 hosts in the United States, Alaska and Canada. According to the requirements, the stay must be self-contained and must be gone in the morning. This is the first Harvest Host site in the area. Zamzow said that they have checked with Marathon County and the State of Wisconsin has minimum requirements. An alternate dump site will be provided. The Marathon County Parks Department drafted a letter that was included in the packet. It is a really nice situation where you can meet a lot of people.

Hebert added that it is proposed to have 3-4 sites and this would require a campground license.

Mayor Rosenberg closed the public hearing.

Brueggeman motioned to approve the specific implementation plan at 901 East Thomas Street to allow for camper vehicles to park overnight, in a PUD, Planned Unit Development Zoning District with the conditions that a campground license issued by DATCP needs to be obtained and that campground spaces are limited to no more than 4 sites. Neal seconded.

Peckham said that the guidelines sounds great. Peckham said that a letter was received with concerns about the property being full of campers and requested that the campers not be adjacent to residential properties. Zamzow said that the campers will be adjacent to the laundromat and in the middle of the property; they will not be adjacent to residential properties. Peckham asked where the campers were parked previously. Zamzow said that he is not aware of any issues and stated that so far there have only been two campers at one time.

Bornemann asked if the rules and regulations would be enforced by the city and asked if generators would be running. Hebert answered that the city could enforce this through the general nuisance ordinance. Zamzow said that if the policy is violated, the campers will be dropped from all Harvest Hosts. Bornemann asked if only Harvest Host members can camp here. This was confirmed and Zamzow added that the campers need to request the site in advance.

Peckham asked if there have been any complaints. Mike Zamzow stated that he has not received any complaints. Don Zamzow added that they have received numerous compliments.

The motion carried unanimously 7-0.

PUBLIC HEARING: Discussion and possible action on approving a conditional use at 8454 Highland Drive to allow for mobile diagnostic imaging as an accessory use, in a MI, Medium Industrial Zoning District.

Wessel said that this is located on the far west side and will be an expansion of the clinic. This would provide a greater range of services with low cost. The trailer would not always be located in the area.

Leo Dunlavy said that the trailer will not sit on site for more than 2-3 days. It will cruise through neighborhoods. The largest equipment is the MRI.

Mayor Rosenberg closed the public hearing.

Neal motioned to approve a conditional use at 8454 Highland Drive to allow for mobile diagnostic imaging as an accessory use, in a MI, Medium Industrial Zoning District. Brueggeman seconded.

Peckham asked if patients would come to this site or go to a clinic. Dunlavy answered that some will

come to this site or will go to a different area that it is staged.

Brueggeman asked if the conditional use approval would pass with property owners. Lenz answered that it would stay with the property.

The motion carried unanimously 7-0.

Discussion and possible action on vacating and discontinuing an unpaved alley abutting 205 and 209-211 Short Street, 1202, 1210 and 1212 North 3rd Street.

Brueggeman motioned to vacate and discontinue an unpaved alley abutting 205 and 209-211 Short Street, 1202, 1210 and 1212 North 3rd Street. Bornemann seconded.

The motion carried unanimously 7-0. This item will go to Common Council on August 10, 2021.

Next meeting date and future agenda items for consideration.

The next meeting is scheduled for August 4, 2021.

Adjournment.

Bornemann motioned to adjourn, seconded by Brueggeman. The motion carried unanimously 7-0 and the meeting adjourned at 6:10 p.m.

The Plan Commission is next scheduled to meet at 5:00 p.m. on August 4, 2021.

PLAN COMMISSION

Time and Date:	The Plan Commission met on Wednesday, August 4, 2021, at 5:00 p.m. in the Common Council Chambers of Wausau City Hall and virtually via WebEx
Members Present:	Mayor Katie Rosenberg, Eric Lindman, Patrick Peckham, Tom Neal, Bruce Bohlken, Andrew Brueggeman, George Bornemann
Others Present:	Sam Wessel, Brad Lenz, Brian Stahl, *Via Webex:* Jay Knetter

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

Welcome

Mayor Rosenberg called the meeting to order at 5:00 p.m.

Public Hearing: Discussion and possible action on amending the General Development Plan at 920 North 1st Street to allow for a three-story 32-unit multi-family residential building, in a PUD, Planned Unit Development Zoning District

Architect Knetter described that this development follows the first Phase, Riverlife Apartments, and he is available for questions.

Lenz gave a brief history of the site and how it relates to the 2015 East Riverfront Brownfields Plan. The developer agreement for Riverlife Apartments included a future condo to the south but the zoning hadn't been reviewed as a PUD until now since there are now specifics available. This general development plan would approve the density and arrangement of the site with details to follow in the specific implementation plan. The building is 3 stories with underground parking which was identified in the past. Future details include whether the building will have to shift to accommodate an existing water main but that shouldn't affect density, use, or building elevations. Depicted parking is flexible to add or remove spaces as needed. Wessel added that the developer said 2 parking spaces per unit are expected at this price point for condos, and the depicted parking allows for this plus additional visitor parking.

Mayor Rosenburg opened the public hearing at 5:07 p.m. With no public comments, Mayor Rosenburg closed the public hearing at 5:07 p.m.

Motion and second by Brueggeman and Bohlken to approve the general development plan at 920 North 1st Street.

Peckham asked if all units would have a view of the river. Knetter explained that not all of them would face the river, but the corner units will still have some water views.

Peckham asked about the land division in the staff report. Lenz clarified that division allows the site to close its brownfield status, which DNR would officially close after the structure is built. That way the entire brownfield site doesn't have to wait for the whole area to develop before closing its brownfield status and condo units can be sold. This also places responsibility on the developer, not the City, to meet DNR requirements of their site.

Neal asked about the street names and parking assignment. Lenz said that the ratio of parking stalls to units is a little different than Riverlife Apartments because there are more 3-bedroom units, but details on how parking is designated will be worked out in the agreement. If the building has to shift to the north, parking isn't necessarily lost, the driveway just gets longer.

Neal asked about landscaping on the river side. Lenz said there will be some public green space for lights, benches, etc. and that the private property doesn't go right up to the trail. There will also be a yard between the building and trail. He said the unusual driveway shape accommodates fire trucks.

Knetter mentioned that regardless of how far over the building is shifted, there will be a view of the river between it and Riverlife Apartments and either configuration accommodates a future small amphitheater mentioned in the developer agreement.

With no further questions or comments, Plan Commission voted unanimously, 7-0, to approve the GDP at 920 N 1st Street.

Adjournment

The next Plan Commission meeting will be held August 24th, 2021.

Motion and second made by Brueggeman and Pekham to adjourn. Mayor Rosenberg adjourned the meeting at 5:22 p.m.

Time and Date: The Plan Commission met on Tuesday, August 24, 2021, at 4:00 p.m. in the Common Council Chambers of Wausau City Hall.

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

Others Present: William Hebert, Brad Lenz, Sam Wessel, Brian Stahl, Jessica Bretl, Patty Howard, Angela Gonzalez, Traci Montev, Judy Beier, Todd Van Ryn, Ralph Fairchild, Leslie Forester, Coreen Immel, Deb Baumgardt, Tom Kilian, Matt Poindexter, Deeann Westerhaus, Jim Borysenko

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 4:00 p.m. noting that a quorum was present.

PUBLIC HEARING: Discussion and possible action on approving a conditional use at 915 North 5th Street to allow for a long-term supportive home in a NMU, Neighborhood Mixed-Use Zoning District.

Jessica Bretl said that the Board of Directors of The Hagar House is present for the conditional use at 915 North 5th Street. This would offer long-term housing for women and children. An introductory video was presented to the commission. Bretl said that she was a stay-at-home mom and was put in the position that some of these women were in and said that it was overwhelming. Bretl said that she was able to overcome it with the community support and the lord and said that without this organization, she would not be in the same spot she is in. A second video was shown to the commission on how support is given to the women and families. A conditional use is needed to use the building in the way that it is being proposed.

Wessel said that this would be located in an existing building. Some building modifications will need to be made for six mothers and their children. A small parking lot is located slightly to the north. Screening would need to be installed. An annual license will need to be obtained to verify that the use hasn't changed. Items will need to be stored in the back yard. Wessel said that this would not negatively affect the neighborhood.

Patty Howard said that she is the current owner of the property and is delighted with this proposed use. Howard said that she strongly believes in the mission of the Hagar House. This need is extremely important. These are determined women who need additional support and are in this position by no fault of their own. This will be a very valuable asset of the city.

Angela Gonzalez, 502 Fulton Street, said that this is a good mission but is concerned about the increased traffic. Gonzalez said that she wants to make sure that all needs are met.

Traci Montev, 1300 North 9th Avenue #6C, said that she is starting a non-profit and works with people are addicted to drugs. Those people that are ages 2-18 need to be helped so the cycles do not continue. This is a very good thing and will help to stop the cycle.

Judy Beier, 502 McIndoe Street, said that she abuts this property by the alley. Beier said that she has concerns because this would be a change in the zoning. The existing boarding house across the street is not conducive to the neighborhood. Beier asked what will happen to the zoning if the Hagar House does not work. This is a fragile neighborhood and are losing a sense of a family neighborhood. Beier asked how the third floor egress will work. Beier asked what the maximum number of occupants will be. The mission is wonderful, but the neighborhood will be impacted.

Todd Van Ryn, 409 South 12th Avenue and Operations Manager for Bridge Street Mission, said that every

week they get 1-2 calls from women looking for help. Van Ryn said that Bridge Street Mission is only for men. There is a real need for this.

Ralph Fairchild, 522 McIndoe Street, said that he put himself through college and medical college after his wife moved in with her cocaine dealer. Fairchild said that he moved to Wausau with his children. This is not helping women and it is not a Christian thing to do. It is abusive. Fairchild said that it can be done and is offended to have people move in.

Leslie Forester, 502 McIndoe Street, asked if the zoning would be able to revert back to the current zoning if it doesn't work.

Coreen Immel, 526 McIndoe Street, said that she was a single mother going to school and working. The Women's Community helped. It is a great thing to offer, but the right place needs to be selected. Immel said that this is a busy street and asked if this area would be good for children. Immel asked how the historical home will be affected.

Patty Howard said that this is not a designated historic property; it is just located in the Andrew Warrens historic district. This is the perfect facility. Some temporary walls will need to be removed. The building was originally a residence. Sprinklers and egress will be installed. It is a ready-made home. Immel asked the commission if they would like this on Easthill.

Deb Baumgardt, 502 McIndoe Street, asked what will happen if this doesn't make it. Baumgardt said that she does not want that to happen.

Tom Kilian, 133 East Thomas Street and District #3 Alderperson, said that he received a lot of feedback about this item. Kilian said that the public feedback process should be reviewed. The standard notice was sent, but wish more residents would have been notified. More notifications could prevent problems in the future. Kilian requested that the commission deny the conditional use at this property.

Matt Poindexter, 106 Novak Street, said that this location is a good area. The women will be in crisis and in dire straits. This property is near the YMCA and bus line.

Deeann Westerhaus, 233909 North 75th Avenue, said that she worked as a social worker previously and wish she would have had an organization like this. Westerhaus said she empathizes with people that were able to do this on their own. The facility will be staffed 24/7.

Mayor Rosenberg closed the public hearing.

Peckham asked if there are plans to have a fence around the back yard for children to play and asked if there is a plan to keep the children on the property. Bretl said that there is a plan to fence in the yard and hope that neighbors will engage. Bretl said that they want to be good neighbors.

Lenz said that the conditional use would be for the boarding house. The underlying zoning district will remain. There are a variety of permitted uses that would be allowed. If a new boarding house would be at this property, it would be covered. A new use that would require a conditional use would need to come back to the commission. Brueggeman asked if the use goes with the property. Lenz confirmed this. The commission could put conditions on the conditional use to protect the public health and safety. It is a fuzzy area to only allow the conditional use to this organization. It could be viewed at as playing favorites.

Hebert said that the public hearing is held during this meeting and this item will come back to the next meeting. A decision will not be made today. Neal said that the commission may be interested in this

particular use and asked if an agreement could be made to revert to the current zoning, if the property is sold. Hebert answered that the attorney's office would need to be consulted about that option. Neal said he has one picture of a boarding house and a different picture of this charitable offering. Neal said that it is not favoritism, but just different realities. Neal said that he supports the idea, but said there are concerns. The building used to house 16-17 people in its heyday. It is a fine property for this and it is a good service.

Peckham motioned to bring this item back to the next Plan Commission meeting and direct staff to obtain an opinion from the City Attorney. Bohlken seconded.

Mayor Rosenberg offered support for the project and said that women need a place. Mayor Rosenberg recommended that an informational meeting be held.

Bornemann asked if there were any comments from the Fire Department for the changes in the use. Hebert said that there have been discussions with the future property owner about the building code requirements. This property was originally used as a residence. Bornemann said that 24 people seems like it would be more occupants than normal.

Brueggeman said that a lot of common themes were said during the public hearing and asked if there is more that the can be done with the procedural requirements. There were also a lot of comments that the mission is good, but do not want it in their back yard. Brueggeman said that he lives next to the Women's Community and said that you wouldn't even know they were there. The unknown factor is always a fear. Mayor Rosenberg said that with city projects, there are more involvement with informational meetings. Lenz said that the public hearing is a place for comments and is a good time to request more information from the staff or petitioner. A recommendation will be given during the second meeting. Peckham said that he likes this two-step process for conditional uses and asked if discussion to review the notification process could be added to a future meeting.

Stahl said that he has been to the property for regular inspections. There will be some conditional items that will need to be done, but it may be jumping the gun. Stahl said that the Fire Department will be involved in the review process.

The motion carried unanimously 7-0.

PUBLIC HEARING: Discussion and possible action on approving a conditional use at 913 North 3rd Street to allow for an off-site parking lot in a DPMU, Downtown Periphery Mixed-Use Zoning District.

Jim Borysenko, REI, said that he is representing the YMCA. The office building was razed and paved. Borysenko said that he worked with city staff to enhance the property. The proposal is to spruce up the property with landscaping

Wessel said that there will be 17 parking spaces. A conditional use is required for a stand-alone parking lot. Hebert said that they are doing everything that was asked.

Mayor Rosenberg closed the public hearing.

Brueggeman motioned to bring this item back to the next Plan Commission meeting. Bohlken seconded, and the motion carried unanimously 7-0.

Discussion and possible action on approving a conditional use at 8454 Highland Drive to allow for mobile diagnostic imaging as an accessory use, in a MI, Medium Industrial Zoning District.

Neal motioned to approve a conditional use at 8454 Highland Drive to allow for mobile diagnostic imaging as an accessory use, in a MI, Medium Industrial Zoning District. Brueggeman seconded, and the motion carried unanimously 7-0.

Next meeting date and future agenda items for consideration.

The next meeting is scheduled for September 21, 2021.

Adjournment.

Bornemann motioned to adjourn, seconded by Bohlken. The motion carried unanimously 7-0 and the meeting adjourned at 5:05 p.m.

The Plan Commission is next scheduled to meet at 5:00 p.m. on September 21, 2021.

STAFF REPORT

TO: City of Wausau Plan Commission

FROM: William D. Hebert, Zoning Administrator

DATE: September 15, 2021

GENERAL INFORMATION

APPLICANT: Scott Hill

LOCATION: 1314 Green Vistas Drive

EXISTING ZONING: Institutional (I)

REQUESTED ZONING: Rural Holding (RH), Suburban Residential-2 (SR-2), and Planned Unit Development (PUD)

PURPOSE: Split land for future improvements.

SIZE OF PARCEL: 3.19 acres

BACKGROUND

The proposed zoning map amendment consists of a single parcel that would be split into 2 lots and one outlot. Lot 1 would be zoned SR-2, single family residence. Lot 2 would be zoned Rural Holding and used as a lavender field. Outlot 1 would be zoned PUD and purchased by Vistas at Greenwood Hills Condominium to provide more space behind the adjacent condos. See proposed Certified Survey Map detailing the lots and outlot.

Lot 1 has an existing single family home and green house. This would be split off at just under one acre and remain a single family home in the SR-2 district.

Lot 2 is about 1.5 acres and would be an undeveloped field. The owner's intent is to develop a lavender field in the RH district. The lot has 40 feet of frontage along Townline Road. Lot 1 and 2 would utilize the existing driveway.

Outlot 1 would be split off and added to the condos. This would allow for more space between the back of condos 3-8 and would move the public trail away from the condos to the western edge of outlot 1. This outlot would be added to the existing PUD for the condominium plat.

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.

2. From a land use perspective, the comprehensive plan encourages a mix of land uses – ones that are not incompatible with each other. The proposed land use split allows for added space to the condominiums, keeps the single family home with a large yard, and allows for a hobby cultivation field until water and sewer would be brought in for development of a single family home.

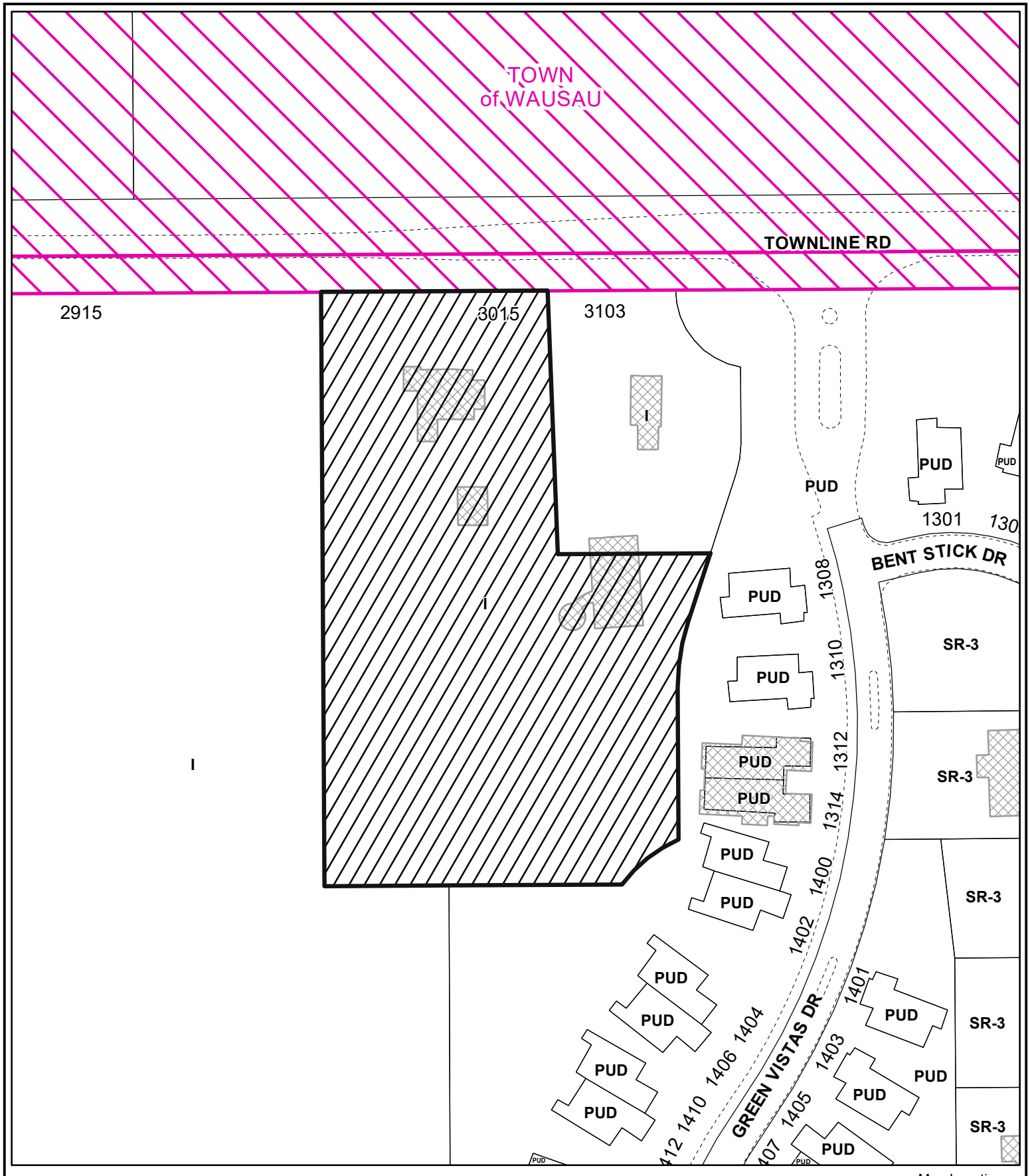
3. The intensity of uses would not change significantly. There will be large lot single family development. The rural holding zoning is ideal for a piece of land without municipal water / sewer access at this point in time.

4. The zoning map amendment is being proposed by the property owner because the current institutional zoning is fairly limited. Institutional zoning was added to the zoning code in 2020. Since the Diocese of La Crosse owned the property, Institutional zoning was placed on the parcel.

RECOMMENDATION

Approve the zone changes and Certified Survey Map with the following requirements:

1. Amend the condominium plat to reflect outlot 1 area as limited common elements and move the trail easement to its new location.



City of Wausau

Marathon County Wisconsin

0 50 100

Feet

Area of Interest

Building

Map Location

Map Date: September 3, 2021

/citybase/projects/planning/mxds/rezone.mxd

STAFF REPORT

TO: City of Wausau Plan Commission

FROM: William D. Hebert, Zoning Administrator

DATE: September 16, 2021

GENERAL INFORMATION

APPLICANT: Nathan Wincentsen, Riverside Land Surveying

LOCATION: 3015 Townline Road

EXISTING ZONING: I, Institutional

PROPOSED ZONING: Rural Holding (RH), Suburban Residential-2 (SR-2), and Planned Unit Development (PUD)

PURPOSE: Certified Survey Map Approval

SIZE OF PARCEL: Approximately 3.19 acres

SUMMARY

The survey is proposed to split 3 acres into 2 lots and 1 outlot.

Lot 1 is proposed to keep the single family home and greenhouse building. It will be zoned SR-2 and have approximately .9 acres.

Lot 2 will be an undeveloped parcel with 40 feet of frontage on Townline Road. The owner's intent is to keep the field for crop raising, specifically lavender. This will also limit the number of driveways on Townline Road which is better for safety since this is also a county highway. Municipal water and sewer does not currently serve lot 2. There is the potential to get water and sewer through an easement. WMC 19.20.090 requires water and sewer laterals to be over the property served through a public way. Future services would be through a proposed easement.

Outlot 1 is created to transfer the land to the condominium plat. Our subdivision could discourages outlot usage, but this is appropriate in order to transfer ownership to the condo plat. It is not a developable lot as proposed since there is no street frontage.

Recommendation

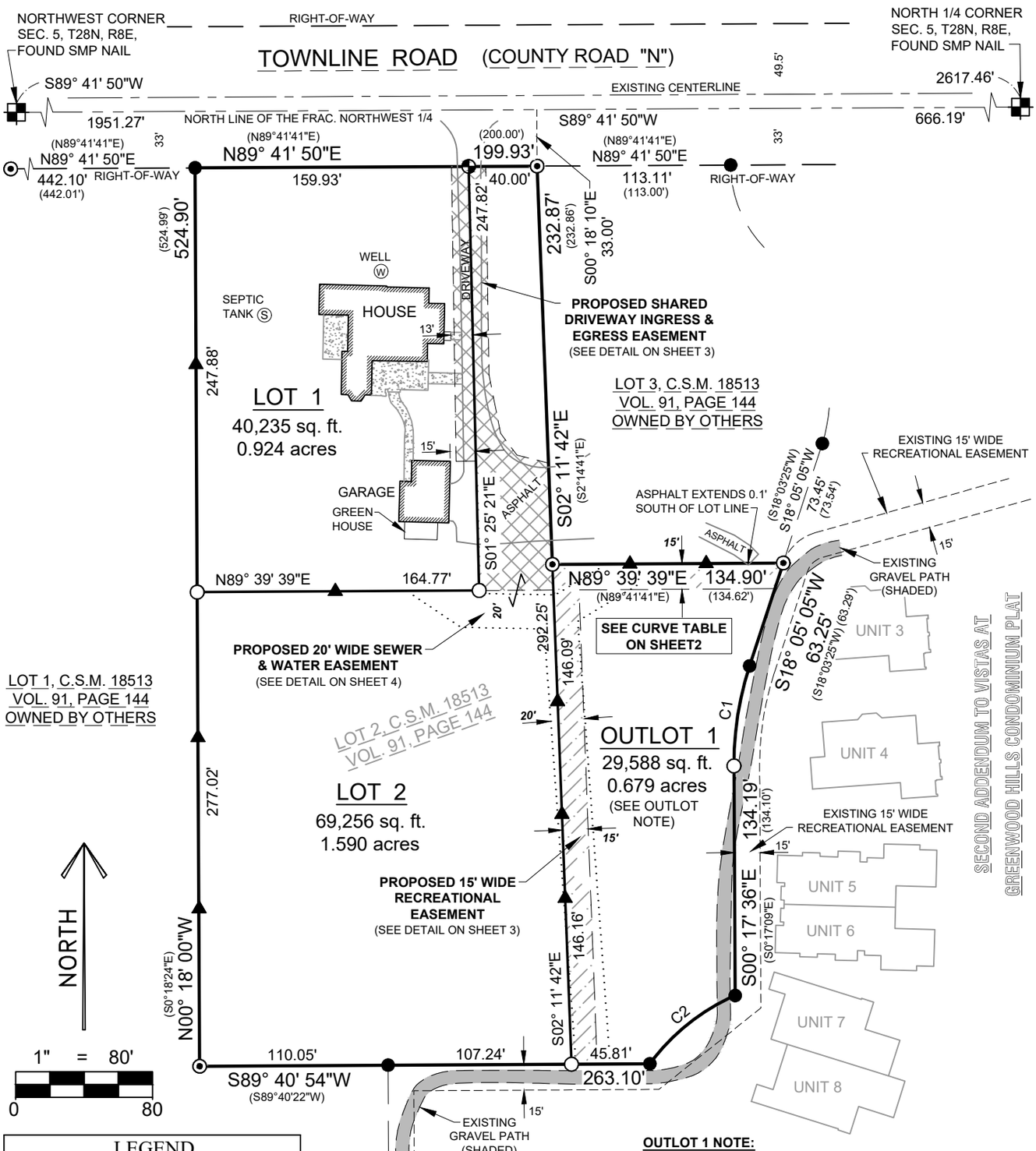
By approving this CSM, the city is flexing requirements as follows:

Lot 2	1. Future water / sewer through easement on adjacent parcel. 2. Street frontage is less than the minimum (75 required vs. 40 provided). Note: the 40 foot strip is the minimum lot frontage for SR-3.
Outlot 1	1. Creating an outlot to transfer ownership.

PRELIMINARY

MARATHON COUNTY CERTIFIED SURVEY MAP NO._____

Of Lot 2 of Certified Survey Map Number 18513 recorded in Volume 91 of Certified Survey Maps on Page 144 as document Number 1794524 located in the Northeast 1/4 of the Fractional Northwest 1/4 of Section 5, Township 28 North, Range 8 East, City of Wausau, Marathon County, Wisconsin.



LEGEND

- ○ - SET 1-1/4" O.D. x 24" IRON PIPE WEIGHING 1.68 LBS/LIN. FT.
- ⊕ - SET MAG NAIL
- ⊙ - FOUND 3/4" REBAR
- ● - FOUND 1" O.D. IRON PIPE
- ▲ - SET WOOD LATH
- ( ) - RECORDED BEARING/LENGTH

OUTLOT 1 NOTE:
OUTLOT 1 DOES NOT HAVE ACCESS TO A PUBLIC STREET AND WILL BE CONVEYED TO AN ADJOINING PARCEL.

BEARINGS ARE BASED ON THE WISCONSIN COUNTY COORDINATE SYSTEM, MARATHON COUNTY NAD 83 (2011) AND REFERENCED TO THE NORTH LINE OF THE FRAC. NORTHWEST 1/4 OF SECTION 5, TOWNSHIP 28 NORTH, RANGE 8 EAST, MEASURED TO BEAR SOUTH 89°41'50" WEST.

RIVERSIDE LAND SURVEYING LLC
5310 WILLOW STREET, WESTON, WI 54476 PH 715-241-7500 - FAX 715-355-6894
email - mail@riversidelandsurveying.com

DRAWN BY	DATE
M.F.L.	SEPTEMBER 1, 2021
CHECKED BY	PROJECT NO.
N.J.W.	2952
PREPARED FOR:	SCOTT HILL

PRELIMINARY

MARATHON CO. CERTIFIED SURVEY MAP NO._____

Of Lot 2 of Certified Survey Map Number 18513 recorded in Volume 91 of Certified Survey Maps on Page 144 as Document Number 1794524 located in the Northeast 1/4 of the Fractional Northwest 1/4 of Section 5, Township 28 North, Range 8 East, City of Wausau, Marathon County, Wisconsin.

I, Nathan J. Wincentsen, Professional Land Surveyor S-2539, hereby certify to the best of my knowledge and belief: That I have surveyed, mapped and divided Lot 2 of Certified Survey Map Number 18513 recorded in Volume 91 of Certified Survey Maps on Page 144 as Document Number 1794524 located in the Northeast 1/4 of the Fractional Northwest 1/4 of Section 5, Township 28 North, Range 8 East, City of Wausau, Marathon County, Wisconsin, described as follows:

Commencing at the North 1/4 corner of said Section 5; Thence South 89°41'50" West along the North line of said Fractional Northwest 1/4, 666.19 feet; Thence South 00°18'10" East, 33.00 feet to the South right-of-way line of Townline Road and the Northeast corner of said Lot 2 of Certified Survey Map Number 18513 and the point of beginning; Thence South 02°11'42" East along the East line of said Lot 2, 232.87 feet; Thence North 89°39'39" East along said East line of Lot 2, 134.90 feet; Thence South 18°05'05" West along said East line, 63.25 feet to the beginning of a tangential curve to the left; Thence along said East line of Lot 2, 59.40 feet along the arc of said curve, said curve having a radius of 185.20 feet, a central angle of 18°22'41" and a chord that bears South 08°53'45" West for a distance of 59.15 feet; Thence South 00°17'36" East along said East line, 134.19 feet to the beginning of a non-tangential curve to the left; Thence along said East line of Lot 2, 64.49 feet along the arc of said curve, said curve having a radius of 125.00 feet, a central angle of 29°33'31" and a chord that bears South 51°21'00" West for a distance of 63.77 feet to the South line of said Lot 2 of Certified Survey Map Number 18513; Thence South 89°40'54" West along said South line, 263.10 feet to the West line of said Lot 2 of Certified Survey Map Number 18513; Thence North 00°18'00" West along said West line, 524.90 feet to said South right-of-way line of Townline Road; Thence North 89°41'50" East along said South right-of-way line, 199.93 feet to the point of beginning.

That the above described parcel of land contains 139,079 square feet or 3.193 acres, more or less;

That said parcel is subject to all easements, restrictions and right-of-ways of record including a proposed shared driveway ingress and egress easement for proposed Lot 2, a proposed 20' wide sewer and water easement and a proposed 15' wide recreational easement;

That I have made this survey, division and map thereof at the direction of Scott Hill, Agent of said parcel;

That I have fully complied with the provisions of Section 236.34 of the Wisconsin Statutes, Chapter A-E7 of the Wisconsin Administrative Code and the subdivision regulations of the City of Wausau in Surveying, Mapping and Dividing the same.

That said map is a correct and accurate representation of the exterior boundaries of said parcel and the division thereof.

Dated this_____ day of_____

_____
Riverside Land Surveying LLC
Nathan J. Wincentsen
P.L.S. No. 2539

CURVE TABLE

CURVE	ARC LENGTH	RADIUS	CENTRAL ANGLE	CHORD BEARING	CHORD LENGTH	TANGENT BEARING IN	TANGENT BEARING OUT
C1	59.40' (59.46')	185.20'	18°22'41" (18°23'40")	S08°53'45"W (S8°53'38"W)	59.15' (59.20')	S18°05'05"W	S00°17'36"E
C2	64.49' (64.41')	125.00'	29°33'31" (29°31'21")	S51°21'00"W (S51°18'27"W)	63.77' (63.70')	S66°07'45"W	S36°34'14"W

CITY OF WAUSAU APPROVAL CERTIFICATE

I, William Hebert, Zoning Administrator, being duly appointed by the Common Council of the City of Wausau, do hereby certify that the attached Certified Survey Map has been reviewed and there are no objection to the recording this Certified Survey Map in the Office of the Register of Deeds.

Dated this_____ day of_____

_____
William Hebert

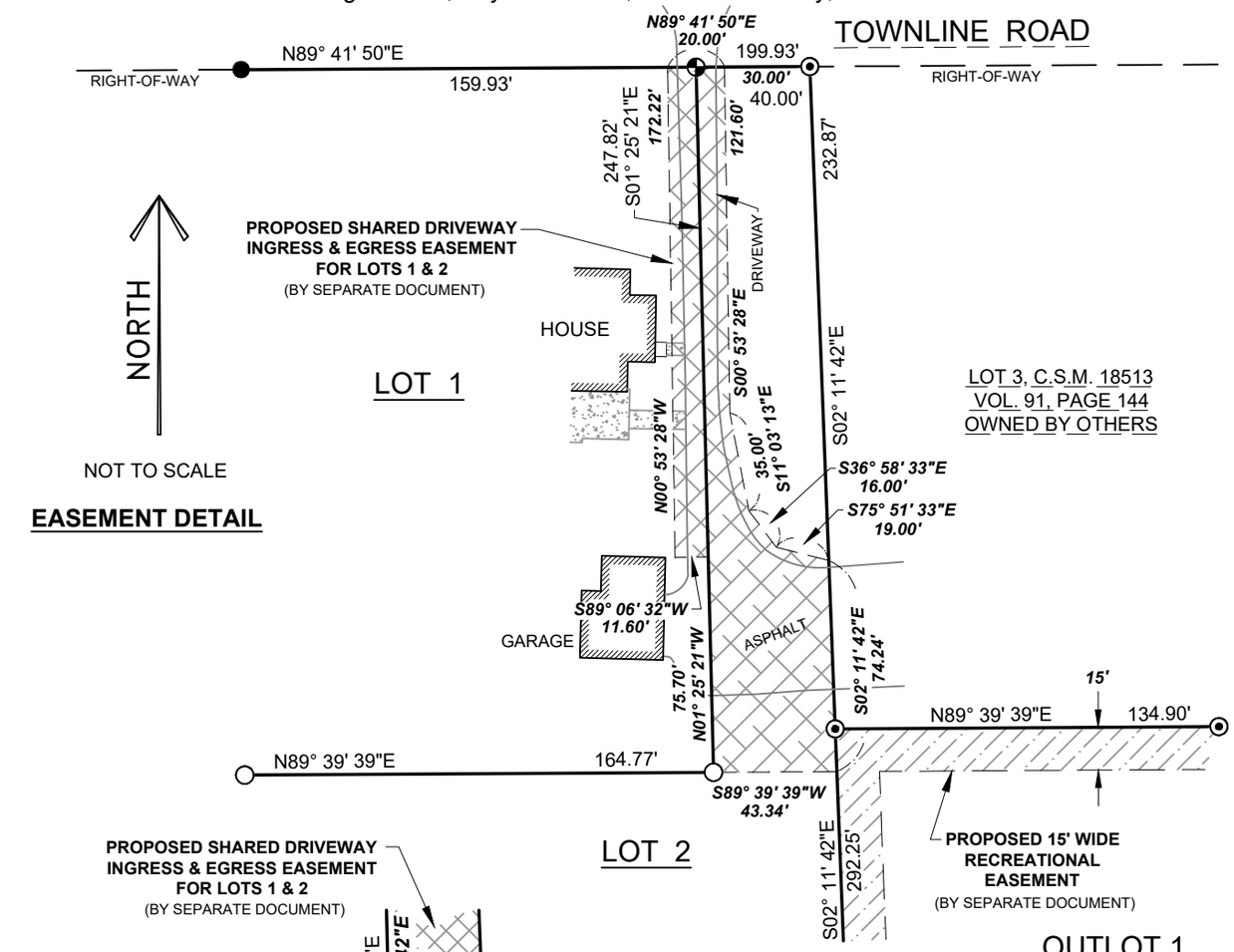
RIVERSIDE LAND SURVEYING LLC
5310 WILLOW STREET, WESTON, WI 54476 PH 715-241-7500 - FAX 715-355-6894
email - mail@riversidelandsurveying.com

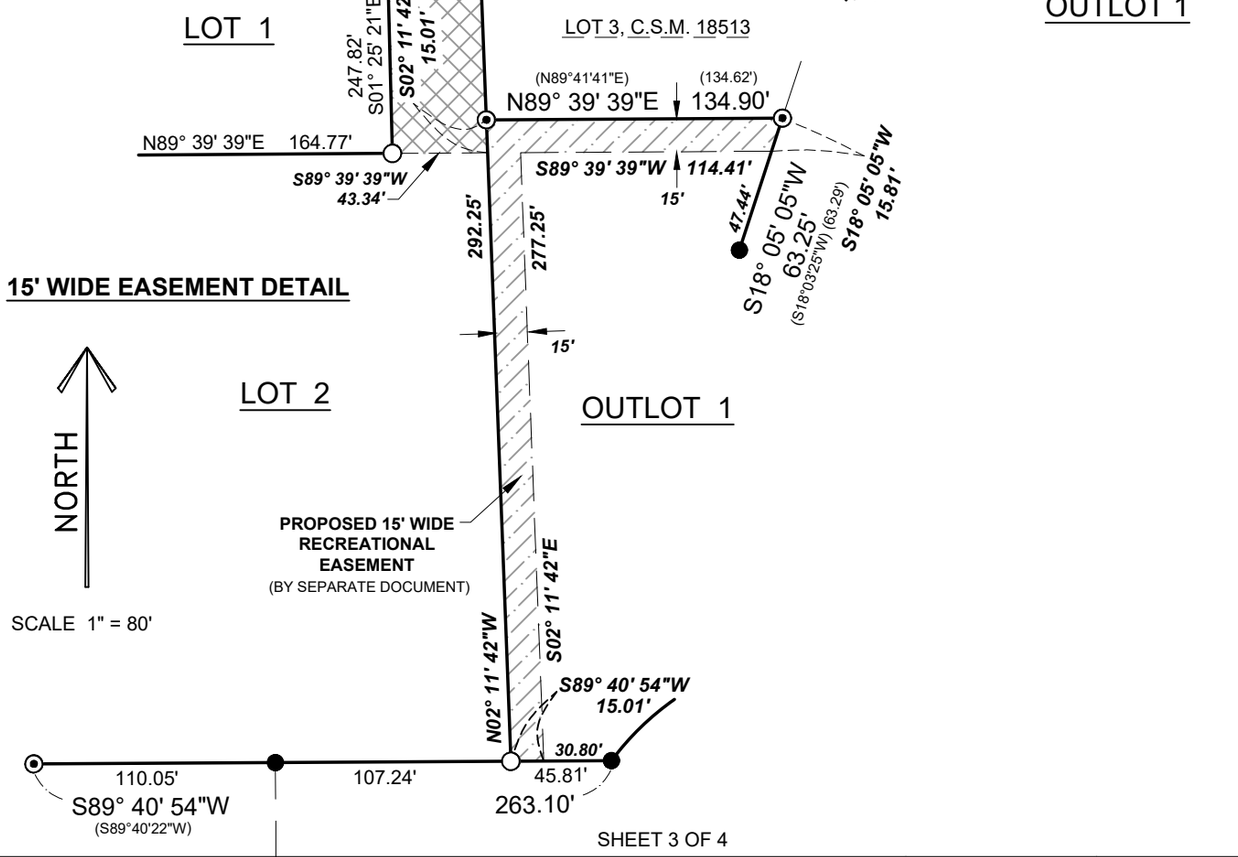
DRAWN BY	DATE
M.F.L.	SEPTEMBER 1, 2021
CHECKED BY	PROJECT NO.
N.J.W.	2952
PREPARED FOR:	SCOTT HILL

PRELIMINARY

MARATHON CO. CERTIFIED SURVEY MAP NO._____

Of Lot 2 of Certified Survey Map Number 18513 recorded in Volume 91 of Certified Survey Maps on Page 144 as Document Number 1794524 located in the Northeast 1/4 of the Fractional Northwest 1/4 of Section 5, Township 28 North, Range 8 East, City of Wausau, Marathon County, Wisconsin.





SHEET 3 OF 4

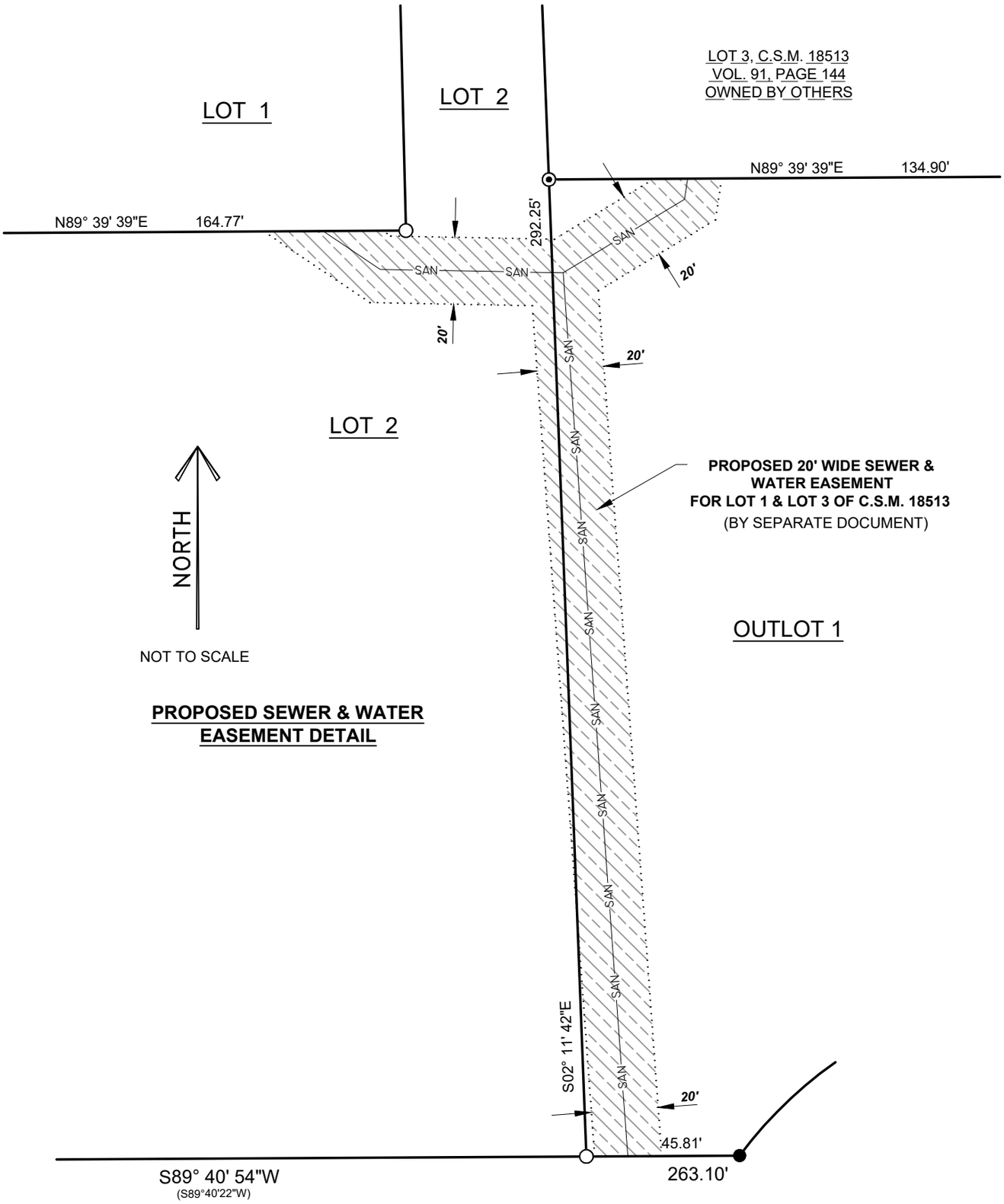
RIVERSIDE LAND SURVEYING LLC
5310 WILLOW STREET, WESTON, WI 54476 PH 715-241-7500 - FAX 715-355-6894
email - mail@riversidelandsurveying.com

DRAWN BY	DATE
M.F.L.	SEPTEMBER 1, 2021
CHECKED BY	PROJECT NO.
N.J.W.	2952
PREPARED FOR:	SCOTT HILL

PRELIMINARY

MARATHON CO. CERTIFIED SURVEY MAP NO._____

Of Lot 2 of Certified Survey Map Number 18513 recorded in Volume 91 of Certified Survey Maps on Page 144 as Document Number 1794524 located in the Northeast 1/4 of the Fractional Northwest 1/4 of Section 5, Township 28 North, Range 8 East, City of Wausau, Marathon County, Wisconsin.



PROPOSED SEWER & WATER EASEMENT DETAIL

RIVERSIDE LAND SURVEYING LLC
5310 WILLOW STREET, WESTON, WI 54476 PH 715-241-7500 - FAX 715-355-6894
email - mail@riversidelandsurveying.com

DRAWN BY M.F.L.	**DATE** SEPTEMBER 1, 2021
CHECKED BY N.J.W.	**PROJECT NO.** 2952
PREPARED FOR:	SCOTT HILL

Memorandum

From: Sam Wessel
To: Plan Commission
Date: September 21, 2021
Subject: 915 N 5th St, Conditional Use Application

Introduction

On behalf of The Hagar House, Jessica Bretl is seeking a conditional use permit (CUP) at 915 North 5th Street to allow for a boarding house and parking with support from current property owners Kirk and Patti Howard. This meeting is the 2nd of two meetings involved in granting or denying a CUP where evidence gathered at last month's public hearing is reviewed to support a decision.

Below is a summary of what is being proposed:

- Housing for up to 6 mothers and their children
- Free room and board for 6 to 18 months
- Help securing long-term housing
- Training for life skills, finding healthcare, and finding employment.
- On-site staffing 24/7
- Parking provided at 1011 N 5th Street
- Zoning: Neighborhood Mixed Use (NMU) with CUP to permit "boarding house"

Conditional Use Procedure

The City of Wausau zoning code that went into effect on January 1, 2020 requires two Plan Commission meetings to approve or deny a conditional use. The August 24, 2021 Plan Commission public hearing served as the first of two meetings, followed by discussion and action at tonight's meeting.

Substantial Evidence

2017 Wisconsin Act 67 requires substantial evidence to support an approved or denied CUP and the conditions attached to it. *"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(6)(a)). Statements of personal preferences or

speculation not based on *substantial evidence* must be disregarded by the Plan Commission, and any conditions imposed by the CUP must be measurable and reasonable. Below is a list of concerns regarding the proposed CUP and evidence to address each concern:

- Concerns about more traffic
    - According to the application, parking exceeds the minimum (2 spaces) requirement and allows employees and families to store vehicles without impacting on-street parking that surrounding homes with small garages may partially rely on (although there will be about 10 employees, no more than 3-4 are present per shift).
    - The existing parking lot has been used in the past for a former business located at the same site with no known issues.
- Concerns about the location's suitability
    - The site is located within walking distance of jobs, parks, churches, healthcare, schools, transit, and shopping, ideal for families with limited resources and no vehicle.
- Concerns about the location's safety
    - The backyard faces away from 5th Street where busy traffic is, and, according to applicant Jessica Bretl, will be fenced in. This provides a safe area for children to play.
- Concerns about neighborhood character/historic preservation
    - The home is located in the Andrew Warren Historic District
    - The home is not listed on any register as a historic propertu
    - The home was not historically significant enough to even be surveyed in the City's Historic and Architectural Resources Survey (2017-2018); View Appendix A for a full list of properties.
    - The yard is required by Section 23.03.06(13) to be screened with a bufferyard of 0.60 opacity. Outdoor storage is required to be in the rear yard, which would be screened by this buffer.
- Concerns about occupancy and egress
    - Per an email from Ghidorzi Construction to City Inspector Bill Hebert, the expected occupancy is:
        - Up to 6 families (13-20 people)
        - 3 staff members during the day, 1 staff member overnight
        - Once construction is complete, the home will have 6 bedrooms
    - Per the August 24th 2021 Plan Commission meeting:
        - Fire Department Lt. Inspector Brian Stahl is working with the applicant on requirements and will have to inspect the property before occupancy is issued.

        - Commissioner Tom Neal stated that the home housed 16-17 people historically.
    - Section 23.03.06 (13) of the City's zoning ordinance requires an annual on-site inspection and license to operate a boarding house. This verifies that the number of people living there complies with an approved CUP long term.
- Concerns about notifying and involving neighbors about the proposal
    - A letter dated July 30th, 2021 and signed by the City Clerk was mailed to property owners within 200 feet of the site, double the 100 foot notification required under Section 23.10.21of the City's zoning ordinance.
    - Per the August 24th, 2021 Plan Commission meeting, Mayor Katie Rosenberg suggested that the applicant hold an informational meeting with neighbors. This meeting took place on September 16, 2021.
    - A Public Hearing Noticed was published in the paper on August 9 & 16, 2021.
- Concerns about "boarding house" designation remaining if ownership changes
    - According to Brian Ohm, J.D., Professor in the Department of Planning and Landscape Architecture at UW-Madison, 2017 Wisconsin Act 67 allows Cities to put an expiration date on Conditional Use Permits. Plan Commission may consider requiring the CUP to expire of the property is sold to alleviate concerns about other "boarding house" establishments that could move to this site in the future.
- Consistency with the City's Comprehensive Plan
    - According to p. 90 of the City's Comprehensive Plan, the neighborhood "primarily includes housing east of 6th street. The downtown area currently has a housing deficiency with an aging housing stock and a lack of multifamily options. This neighborhood has the potential to become a higher density residential neighborhood with housing options that appeal to both young professionals and retirees who value access and close proximity to the downtown district and its amenities."
    - The City's Future Land Use Map depicts the site as "City Center" which is described on p. 105 as "an area of dense development and a mix of employment, commercial, and residential uses. It would include civic spaces for community gatherings and events. It would also be an area that is lively and designed for pedestrian access. Growth, development, and increased density would be encouraged."

In summary, the City's zoning ordinance requires screening around the property, outdoor storage to be located in the rear yard (e.g. grills), an annual license and inspection, and a minimum of 2 parking spaces, which the applicant can comply with. Staff recommends the following conditions to meet other concerns related to the proposal:

1. The CUP shall expire if property ownership changes
2. An on-site manager is required to staff the building 24/7/365
3. Occupancy shall not exceed 6 women and their children and a total of 20 occupants
4. Additional fencing and/or landscaping shall screen the parking area from adjacent residential properties

Recommended Findings

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.

The proposed conditional use meets zoning ordinance requirements and is capable of meeting the recommended CUP conditions as outlined in the substantial evidence analysis above.

Recommended Motion

The recommendation is a Plan Commission motion and vote to approve the Conditional Use Permit request at 915 N 5th St contingent on meeting all zoning requirements and the recommended 4 conditions listed above.

City of Wausau

Marathon County Wisconsin

0 50 100 Feet

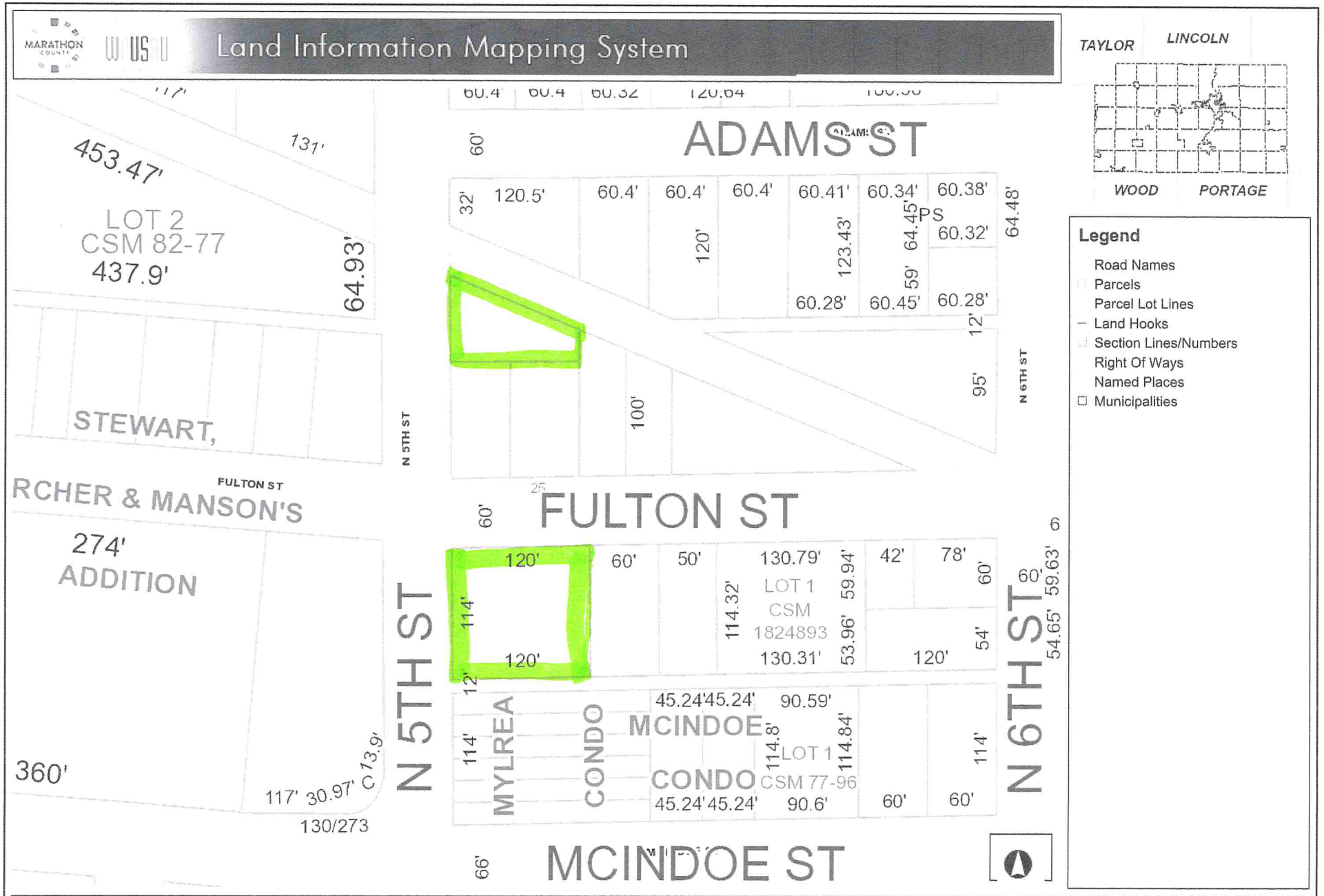
Area of Interest

Building

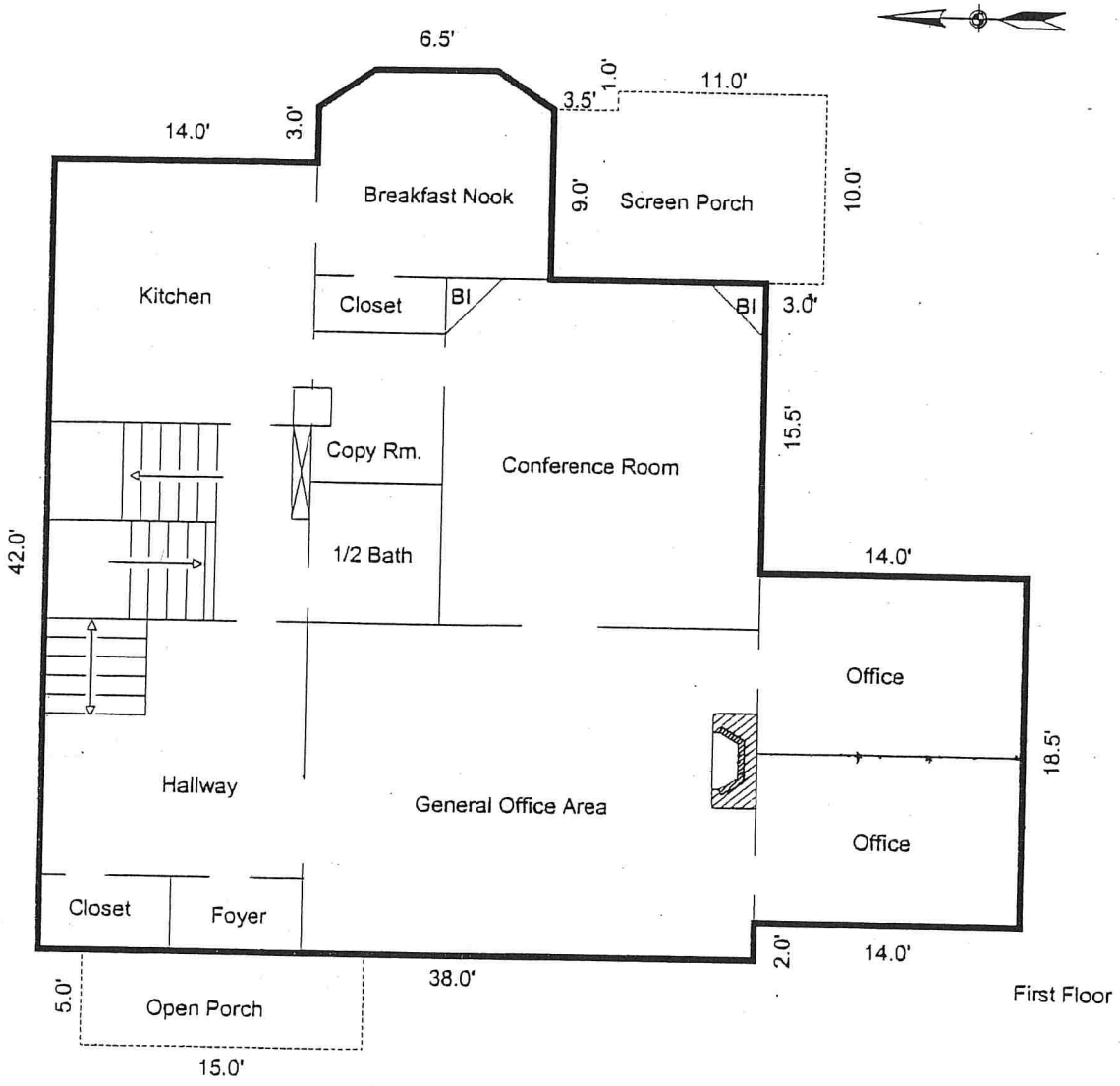
Map Location

Map Date: August 10, 2021

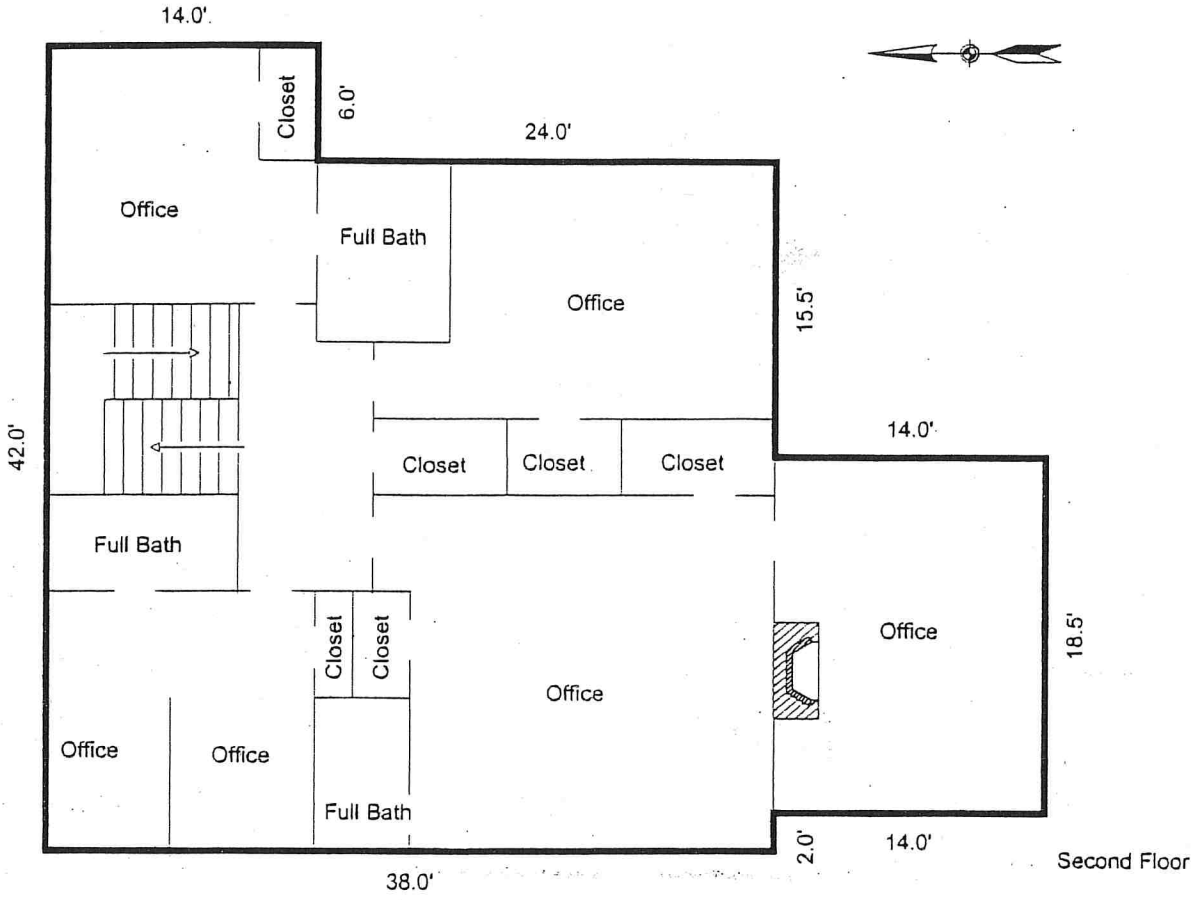
/citybase/projects/planning/mxds/rezone.mxd


MARATHON COUNTY
Land Information Mapping System
TAYLOR
LINCOLN
WOOD
PORTAGE
ADAMS ST
FULTON ST
MCINDOE ST
N 5TH ST
N 6TH ST
453.47'
LOT 2
CSM 82-77
437.9'
64.93'
STEWART,
RCHER & MANSON'S
274'
ADDITION
360'
130/273
LOT 1
CSM
1824893
MYLREA
CONDO
MCINDOE
CONDO
LOT 1
CSM 77-96
PS
Legend
Road Names
Parcels
Parcel Lot Lines
Land Hooks
Section Lines/Numbers
Right Of Ways
Named Places
Municipalities
54.41 0 54.41 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
Notes

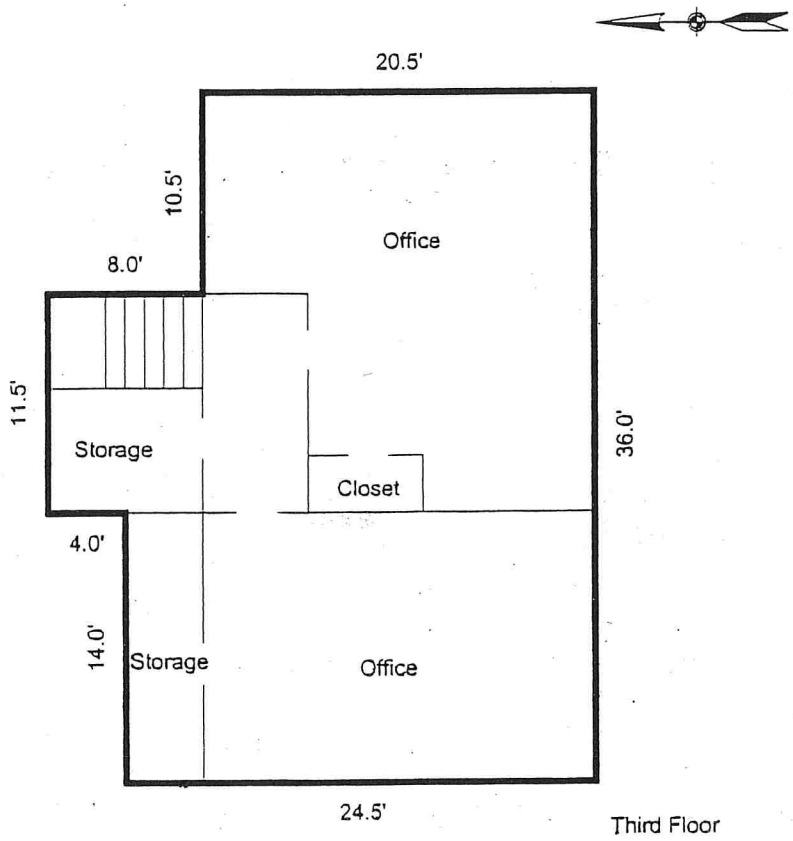
FLOOR PLAN OF BUILDING - FIRST FLOOR



FLOOR PLAN OF BUILDING - SECOND FLOOR



FLOOR PLAN OF BUILDING - THIRD FLOOR



September 17, 2021

Dear Plan Commission Member,

Wausau has a rich tradition of appreciating historic architecture, but at one time the preservation of these historic homes was threatened. In the 1970's, Wausau lost several significant historical buildings, most notably the Plummer Mansion, in the name of progress. In 1984, The Andrew Warren Historic District was established to recognize and protect many of Wausau's most beautiful historic homes: however, these beautiful homes are in danger once again due to practices that promote progress.

When one reflects on a civilization's history, its contribution of art arguably has the most significant impact on shaping humankind's appreciation of all things enriching and beautiful. Literature, painting, sculpture, music, and architecture shape the world in which we live in a profound and beautiful way. Art history provides a contextual continuum from where we have been, where we are, and where we may go. However, we cannot wisely move ahead without an appreciation and understanding of where we have been and where we are now. Therefore, we must protect historic literature, painting, sculpture, music, and most pertinent to this discussion, architecture.

As residents of Wausau, we have witnessed the slow erosion of our historic homes. Many homes have succumbed to neglect because of poor maintenance and disregard. Most of these homes that have succumbed to neglect are non-residential homes being utilized for purposes other than single family residences.

From our perspective over the years, these beautiful homes are victims of neglect when their owners do not reside in them. Little by little through rezoning, conditional use, or whatever other creative means are established to repurpose their use, these historic homes are literally becoming history. "The Andrew Warren Historic District is one of Wausau's oldest and prominent neighborhoods, and it houses a number of historic homes, all beautifully maintained to this day" (http://stewartinn.com/blog/2018).

We are concerned what will happen to those homes that are used for purposes other than single family residences. We see neglect in their future which will result in a depreciated value. Value both monetarily and culturally. We are concerned how their depreciative value will adversely affect the beautiful homes surrounding them. Most importantly, we are concerned we will lose our history and consequently lose what makes Wausau such a beautiful and uplifting place when compared to our neighboring cities.

We are the cultural beacon in central Wisconsin. We highlight the arts through museums, theater, and music. Also, visitors come to see the historic homes. We must continue to give architecture its reverence. If we do not, what art form will fall victim next?

The residence at 915 N 5th Street is considered a home in the Andrew Warren Historic District. Through correspondence with a member of the Wisconsin Historical Society (Jason Tish) this was confirmed. Also, Mr. Tish informed us that an application for Certificate of

Appropriateness needs to be completed with the Historic Preservation Commission if exterior changes are made. Our understanding from the meeting last month was that there will be a fire escape and a fence put on the property. Thus, requiring the submittal of the Certificate of Appropriateness to the Historic Preservation Commission if the fire escape is attached to the building and the fence is considered new construction according to the city's (Wausau) definition.

Our request if the conditional use is approved is that the new owners, "The Hagar House", seriously consider the historic character of this residence and adhere to recommendations provided by the Historic Preservation Commission. A chain link fence was mentioned previously as a way to protect children from the traffic dangers on 5th street. A chain link fence would not be appropriate for this residence to retain its historic character. Thus, we ask that a fence that is more suitable to retain the historic character be put up instead. Also, with regards to the fire escape, we ask that the fire escape is complementary to the historic character of this home.

To conclude: according to the Wisconsin Historical Society website: The purpose of a historic district is to "protect your property rights, not take them away. Your community's (Wausau) zoning code should help to maintain and enhance property values in designated historic districts. The preservation of historic character will enhance everyone's property…" (https://www.wisconsinhistory.org/Records/Article/CS4229).

Sincerely,
Michael Immel and Coreen Hebert-Immel

Memorandum

From: Sam Wessel
To: Plan Commission
Date: September 21, 2021
Subject: 913 N 3rd St, Conditional Use Application

Introduction

On behalf of the YMCA, Brian Krueger is seeking a conditional use permit at 913 North 3rd Street to allow for off-site parking with 17 spaces, a vegetated swale, and landscaped islands. The site is 0.24 acres and zoned Downtown Periphery Mixed Use (DPMU). Performance standards for off-site parking lots are identical to on-site parking lots and the proposed conditional use enhances an existing parking lot by improving it with landscaping and stormwater management.

Conditional Use Procedure

The City of Wausau zoning code that went into effect on January 1, 2020 requires two Plan Commission meetings to approve or deny a conditional use, with a vote taken at the second meeting. The August 24, 2021 Plan Commission meeting served as the first of two meetings.

Substantial Evidence

"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(6)(a)). Statements of personal preferences or speculation not based on *substantial evidence* must be disregarded by the Plan Commission.

Recommended Findings

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

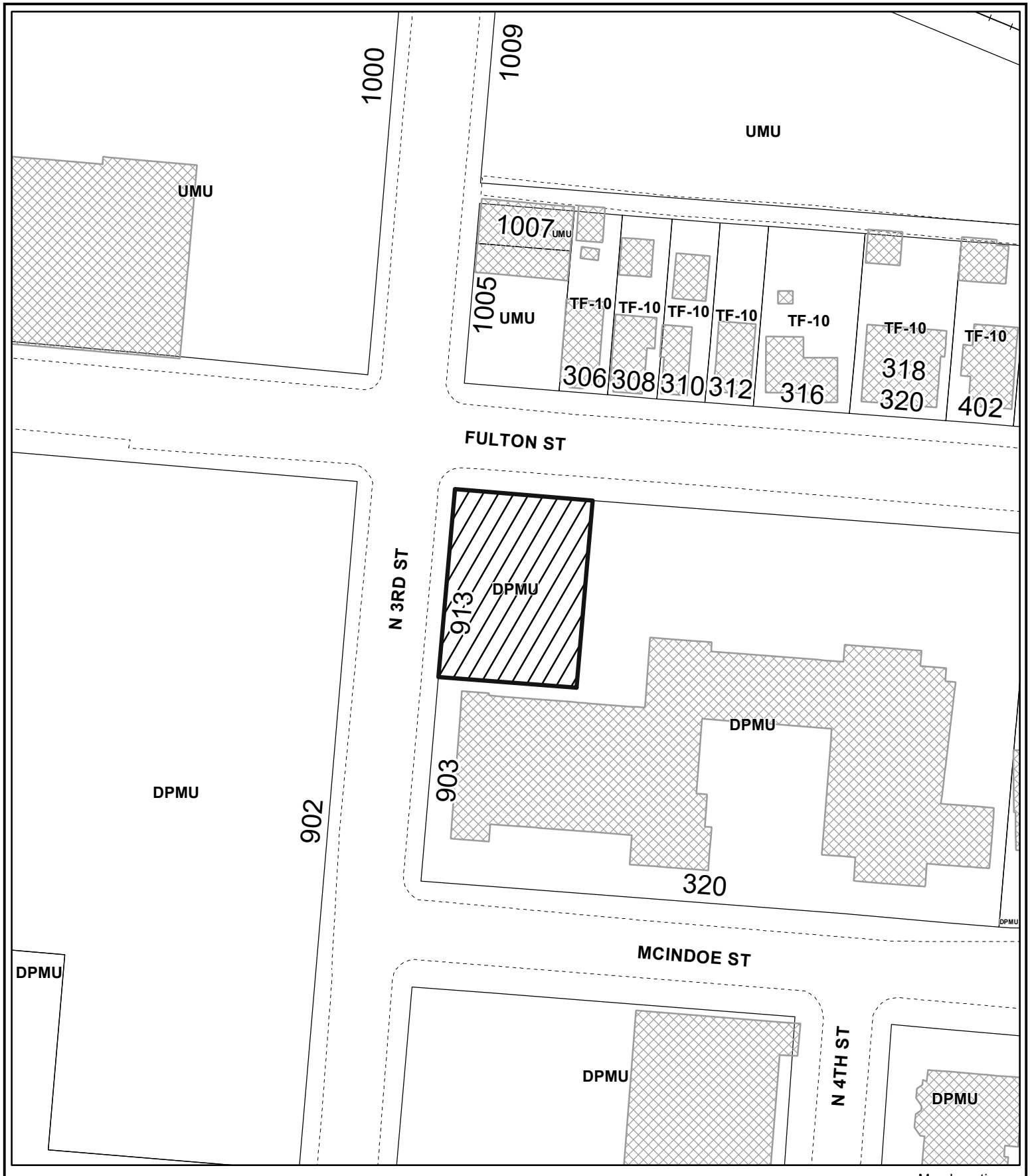
improvements, public property or rights-of-way, or other matters affecting the public health, safety, or general welfare.

- 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.

No comments, questions, concerns or evidence have been brought to Plan Commission or City staff regarding the proposed off-street parking, which meets all City requirements.

Recommended Motion

Plan Commission may move to approve, approve with conditions, or deny the Conditional Use Permit request at 913 N 3rd Street. The recommendation is approval of the conditional use as depicted in the application and site plan.



City of Wausau

Marathon County Wisconsin

Map Date: August 10, 2021

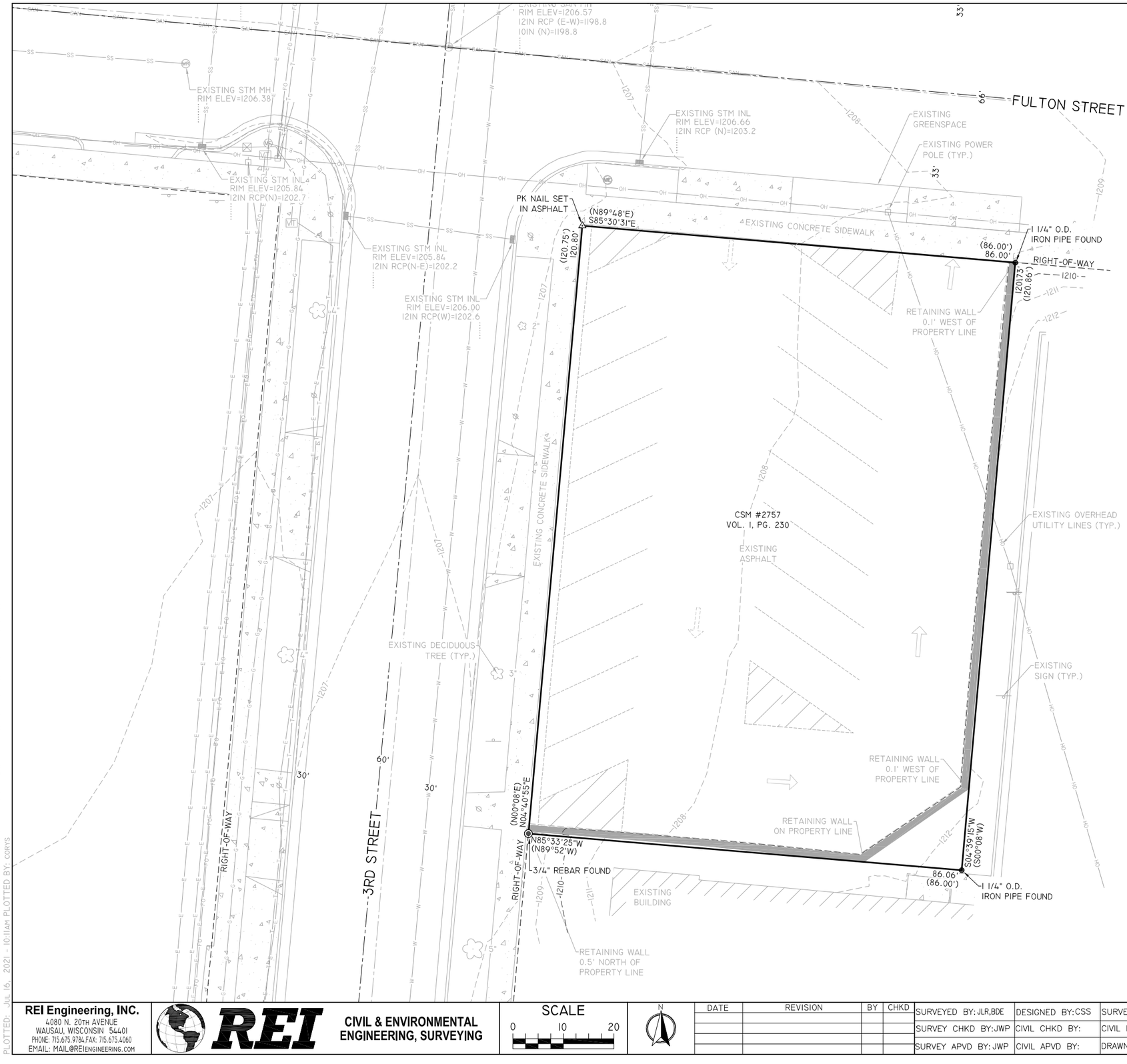
0 75 150 Feet

Area of Interest

Building

Map Location

/citybase/projects/planning/mxds/rezone.mxd



SURVEY NOTES:

1. FIELDWORK PERFORMED BY REI ON 6-10-2021.
2. TITLE WORK FOR THE PROJECT SITE WAS NOT PROVIDED TO REI FOR REVIEW, THEREFORE REI WAS UNABLE TO VERIFY THE EXISTENCE OF EASEMENTS OR OTHER ENCUMBRANCES OUTSIDE OF WHAT WAS FOUND DURING TOPOGRAPHIC SURVEY MAPPING.
3. PUBLIC UTILITIES - THE SOURCE INFORMATION FROM PLANS AND MARKINGS PROVIDED BY OTHERS WAS COMBINED WITH OBSERVED SURFACE EVIDENCE OF UTILITIES TO DEVELOP THE APPROXIMATED LOCATION OF THE UNDERGROUND UTILITIES. HOWEVER, LACKING EXCAVATION, THE EXACT LOCATION OF ALL UNDERGROUND FEATURES CANNOT BE ACCURATELY, COMPLETELY OR RELIABLY DEPICTED. IN ADDITION, IN SOME JURISDICTIONS, 811 UTILITY LOCATE REQUESTS FROM SURVEYORS MAY BE IGNORED OR PARTIALLY RESPONDED TO. WHERE ADDITIONAL OR MORE DETAILED INFORMATION IS REQUIRED, THE CLIENT IS ADVISED THAT EXCAVATION AND/OR A PRIVATE UTILITY LOCATE REQUEST MAY BE NECESSARY THE DIGGER'S TICKET FOR THIS SURVEY WAS #20212403495.
4. PRIVATE UTILITIES WERE NOT MARKED OR MAPPED AS A PART OF THIS SURVEY.
5. ELEVATIONS AS SHOWN ON THE MAP ARE BASED ON THE NAVD 88 DATUM AND ESTABLISHED BY THE WISCORS NETWORK.

REI Engineering, INC.
4080 N. 20TH AVENUE
WAUSAU, WISCONSIN 54401
PHONE: 715.675.9784,FAX: 715.675.4060
EMAIL: MAIL@REIENGINEERING.COM

REI — CIVIL & ENVIRONMENTAL ENGINEERING, SURVEYING

SCALE 0 10 20

N

DATE	REVISION	BY	CHKD

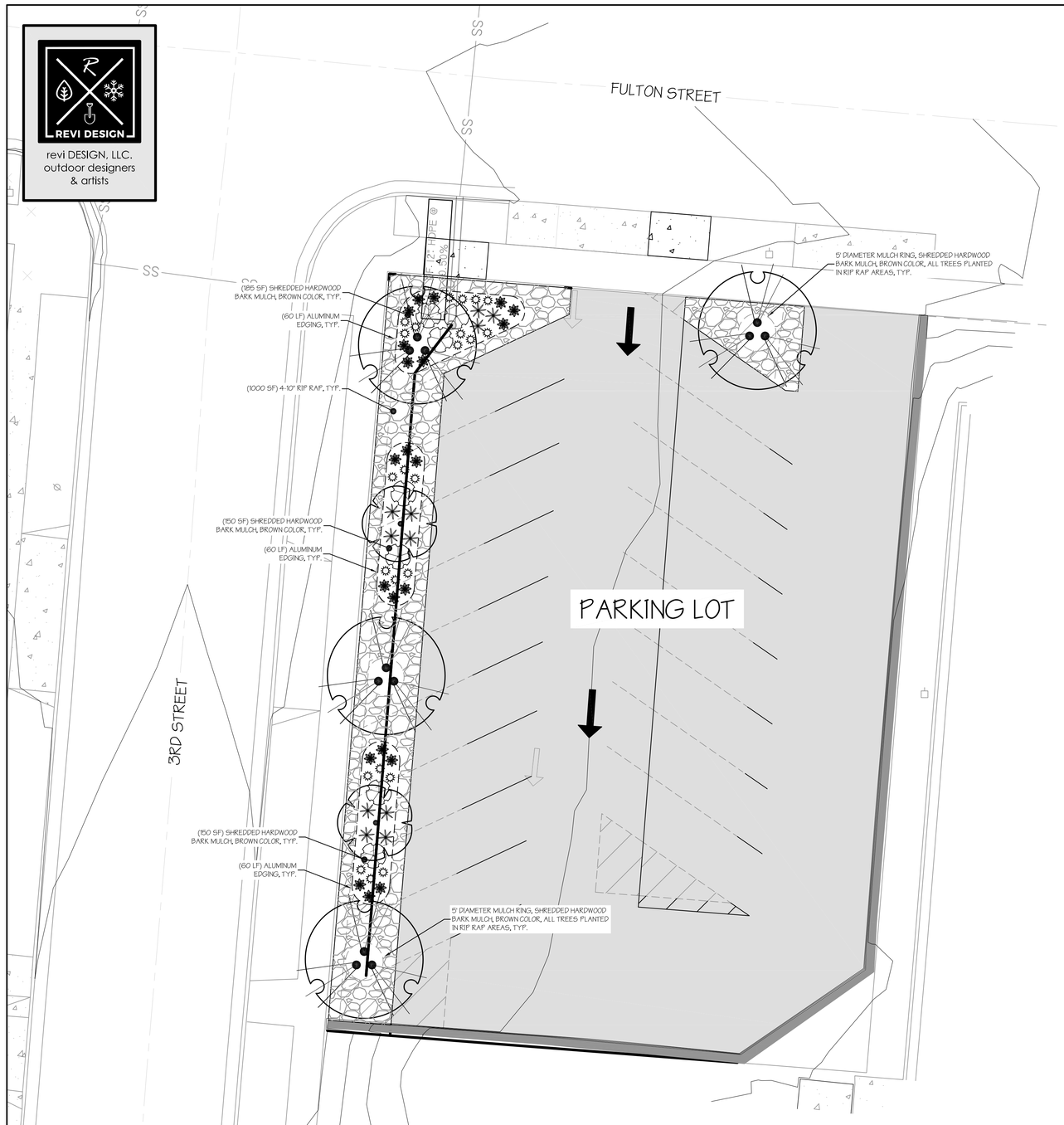
SURVEYED BY: JLR,BDE	DESIGNED BY: CSS	SURVEY DATE: 07/07/2021
SURVEY CHKD BY: JWP	CIVIL CHKD BY:	CIVIL DATE: 07/12/2021
SURVEY APVD BY: JWP	CIVIL APVD BY:	DRAWN BY: LAZ

EXISTING SITE CONDITIONS

YMCA SATELLITE PARKING
913 N 3RD ST
WAUSAU, WISCONSIN

REI No. 8176M
SHEET C010

DRAWING FILE: P:\8100-8199\8176M - DOWNTOWN PARKING LOT\DWG\PLANS\8176M-C010-EXISTING.DWG LAYOUT: C010
PLOTTED: JUL 16, 2021 - 10:11AM PLOTTED BY: CORYS



REVI DESIGN
revi DESIGN, LLC.
outdoor designers
& artists

GENERAL NOTES:

- CONTACT DIGGER'S HOTLINE 5 WORKING DAYS PRIOR TO THE START OF DEMOLITION/CONSTRUCTION.
- CONTRACTOR SHALL OBTAIN ALL NECESSARY PERMITS FOR PLANTING IN ALL R.O.W. AND WITHIN 300 FT OF OHWM
- LANDSCAPE CONTRACTOR SHALL VERIFY ALL UTILITIES WHICH MAY EFFECT WORK.
- LANDSCAPE CONTRACTOR SHALL COORDINATE WORK WITH OTHERS AT SITE AND COMPLETE WORK PER OWNERS CONSTRUCTION SCHEDULE.
- ALL PLANT MATERIALS SHALL BE GUARANTEED ONE (1) FULL YEAR UPON TOTAL COMPLETION AND ACCEPTANCE BY OWNER, WITH ONE TIME REPLACEMENT AT APPROPRIATE TIME OR UPON REQUEST OF OWNER.
- REPLACEMENT TOPSOIL SHALL BE CLEAN, FREE OF STONES, WEEDS AND OTHER UNDESIRABLE DEBRIS.
- PLANTING SOIL MIX (INCIDENTAL COST ITEM)
  1. MIX 1 LB. 5-20-20 COMMERCIAL FERTILIZER PER CU. YD. TOPSOIL.
  2. THOROUGHLY MIX 1-PART SAND AND 1-PART PEAT MOSS WITH 5-PARTS FERTILIZER AND TOPSOIL.
- USE PLANTING SOIL AT ALL LOCATIONS PER DETAILS THIS SHEET.
- LANDSCAPE CONTRACTOR SHALL VERIFY TOPSOIL DEPTH AND NOTIFY OWNER OF ANY DEFICIENCY.
- WHERE EXISTING CONCRETE/ASPHALT AREAS ARE TO BE REPLACED WITH LANDSCAPING, PROVISIONS SHOULD BE TAKEN TO COORDINATE EXCAVATION OF SUBSOIL TO A DEPTH OF 18" MIN WITH GRADING CONTRACTOR. REPLACE WITH COMPACTED TOPSOIL. ALL AREAS TO BE LANDSCAPED AND SODDED SHALL BE GRADED SMOOTH AND EVEN.
- LANDSCAPE CONTRACTOR IS RESPONSIBLE FOR SEEDING OR SODDING ALL AREAS WHICH ARE DISTURBED BY CONSTRUCTION INCLUDING ALL R.O.W. AND ADJACENT PROPERTIES.
- LANDSCAPE CONTRACTOR TO INSTALL 'CURV-RITE' $\frac{1}{8}$" X 4" ALUMINUM EDGING - BRONZE COLOR AROUND ALL PLANTING BEDS AS SHOWN ON THIS PLAN, UNLESS OTHERWISE SPECIFIED.
- LANDSCAPE CONTRACTOR SHALL CLEAN ALL PAVEMENT AREAS AFTER ALL LANDSCAPE INSTALLATION IS COMPLETE AND ACCEPTED BY OWNER. DAILY AS DEEMED NECESSARY BY THE CITY.
- GENERAL CONTRACTOR TO SWEEP PAVEMENT AREAS PRIOR TO TURN OVER TO OWNER.

PLANT SCHEDULE

DECIDUOUS TREES	COMMON NAME	BOTANICAL NAME	SIZE	CONTAINER	PTS/PLANT	QTY
	River Birch	Betula nigra	8`-12` Ht. (Multi-stem)	B&B	30	4
ORNAMENTAL TREES	COMMON NAME	BOTANICAL NAME	SIZE	CONTAINER	PTS/PLANT	QTY
	Ivory Silk Japanese Tree Lilac	Syringa reticulata 'Ivory Silk'	1.5" Cal.	B&B	10	2
DECIDUOUS SHRUBS	COMMON NAME	BOTANICAL NAME	SIZE	CONTAINER	PTS/PLANT	QTY
	Tiny Wine Ninebark	Physocarpus opulifolius `SMPOTW` TM	3 gal.	Cont.	3	7
PERENNIALS	COMMON NAME	BOTANICAL NAME	SIZE	CONTAINER	PTS/PLANT	QTY
	Karl Foerster Feather Reed Grass	Calamagrostis x acutiflora `Karl Foerster`	1 gal.	Cont.	1	11
	Coneflower	Echinacea purpurea	1 gal.	Cont.	1	21
	Kobold Spike Gayfeather	Liatris spicata 'Kobold'	1 gal.	Cont.	1	23

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REI
CIVIL & ENVIRONMENTAL ENGINEERING, SURVEYING

SCALE
0 10 20

N

DATE	REVISION	BY	CHK'D

DESIGNED BY: REVI | CHECKED BY:
SURVEYED BY: OTHERS | APPROVED BY:
DRAWN BY: REVI | DATE: 07/27/2021

LANDSCAPE PLAN
YMCA SATELLITE PARKING
913 N 3RD ST, WAUSAU, WI

REI
REI No. 8176M
SHEET L100

Memorandum

From: Sam Wessel
To: Plan Commission
Date: September 21, 2021
Subject: Zoning Notification Radius Policy

Introduction

The City of Wausau's municipal code lists requirements to notify neighbors for public hearings involving zoning decisions. Additionally, neighbors to a proposal may follow a procedure to sign written objections for zoning map amendments, which was most recently utilized regarding a proposal at 209-215 Lavina Drive. This memorandum reviews changes in state law and initiates a discussion on approaches the City may consider in the future to ensure neighbors are involved appropriately during zoning decisions.

Procedures

Public Hearing Notification (Section 23.10.21)

Zoning ordinance amendments, zoning map amendments, zoning variances, planned unit developments, and conditional use permits all require at least one public hearing. For all public hearings, the City is required to notify all neighboring properties within 100 feet of the subject site, and all municipalities within 1,000 feet. For comparison, staff examined zoning ordinances from midsize cities around the state to see what notification distances are common. Examples of notification distances specific to zoning map amendments include:

Janesville: 400 feet
Eau Claire: 300 feet (175 feet for variances)
La Crosse and **Madison**: 200 feet
Oshkosh: 100 feet
Green Bay: Only a neighborhood meeting is required, no distance listed
Appleton: Only a Class 2 notice is required, no distance listed
Racine: Only a Class 2 notice is required, no distance listed

Notes: A Class 2 notice means a notice published twice in the newspaper or on a City's website. For zoning variance requests, Green Bay and Appleton require a 100 foot notice, Eau Claire requires 175 feet, and Racine requires 200 feet.

Staff recommends keeping the existing 100 feet radius, since it adequately provides notification to neighbors above what some similarly sized communities practice. A wider notice radius involves exponentially more properties, requiring staff time to prepare materials for and respond to residents.

Staff has also been asked to investigate other approaches, such as using a block-by-block notification approach. Due to the variety of block sizes and configurations, this approach would be time consuming to practice and confusing to neighbors. For example, the distance between 4th and 5th Streets is about 150 feet along DeKalb Street, but the distance between East Wausau Avenue and Winton Street is closer to 1,400 feet, despite both examples being considered one block. Notifying residents in an entire block could be too minimal in some locations and excessive in others, making the process burdensome for some applicants, but not others, to get development approved. This also requires more labor-intensive staff time to calculate distances in Geographic Information Systems (GIS) than a simple radius. A radius measurement also allows for a straightforward interpretation of notification requirements that City staff, neighbors, and applicants can easily understand.

When any notification boundary is set, it is staff's experience that some neighbors just beyond the boundary will always question why they were not notified. This is somewhat addressed as neighbors tend to informally share information with one another and all agendas and packets are available online and at City Hall. Regardless of notification approach, staff has the ability to require an applicant to hold a separate meeting with neighbors within 100 feet of the rezoning before the public hearing for proposals expected to have considerable neighborhood impact (Section 23.10.31 (5)).

<u>Zoning Map Amendment Protests (Section 23.10.31(8)(c))</u>

For zoning map amendments only, state law formerly required cities to allow for a zoning protest process. If enough property owners participate in the protest, a supermajority (3/4) vote is required for approval instead of a majority (1/2) vote. According to the former state statute, a supermajority vote is required when written protests are received from:

- Owners of 20% or more of the area within a proposed amendment; or
- Owners of 20% or more of adjacent areas within 100 feet of the proposed amendment; or
- Owners of 20% or more of the area across a street right-of-way within 100 feet of the right-of-way

Note: ownership is measured by area. For example, if there is 100,000 square feet of property within 100 feet of a proposed rezoning, those protesting said rezoning must own a total of 20,000 square feet or more of property within the 100 foot radius.

This process was formerly required by state law until 2017 Wisconsin Act 243 repealed Wisconsin Statute § 62.23(7)(d)2m.a. The City opted to keep the protest process in its new zoning ordinance, which state law allows. Section 23.10.31(8)(c) of the City's municipal code outlines the process and has two issues to discuss:

1. The ordinance cross-references the state statutes that were repealed in 2017
2. The protest area is defined as "owners of 20 percent of the frontage proposed to be changed or the frontage immediately in the rear thereof or directly opposite thereto (across a street)." This is similar to but uses less clear language than the former state statute.

The City's website contains a lengthy description of the formal zoning change protest process along with forms, images, and instructions. Please click here to view this document. This document's examples match the former state statute and clearly measure by square footage. The wording in the City's ordinance doesn't make it as easy to understand how to measure the protest area when compared to the wording of the former state statute.

Recommended Findings

In the past, properties within 100 feet of a proposed zoning map amendment have been notified and qualify to partake in a formal rezoning protest per state law. Language in the City's new zoning ordinance is vague regarding how the 100 foot distance is measured, and updating the ordinance is a housekeeping item that keeps procedures consistent. If Plan Commission determines that the notification and protest distances need to be adjusted, a discussion directing staff of any changes to the distances are possible.

Recommended Motion

For clarity and consistency, staff recommends keeping the existing 100-foot notification distance for public hearings and meetings, Staff also recommends amending the zoning ordinance to clearly state that property owners within a 100-foot radius may protest to a zoning map amendment. This matches the former state statute, past City procedures, and keeps all notification distances the same as each other for consistency and simplicity.

Motions Plan Commission could entertain include:

1. Amend the zoning ordinance to keep, but clarify, existing notification and protest procedures; or
2. Changing public hearing notification, zoning map amendment protest, and neighborhood meeting distances if desired.

Upon Plan Commission direction, staff will draft amendments to the City's zoning ordinance and the zoning map amendment protest form hyperlinked to this document above that will be brought back to Plan Commission and City Council for review and consideration for approval.