



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, October 18, 2022 at 5:00 pm.**
Location: **City Hall (407 Grant Street, Wausau WI 54403) - COMMON COUNCIL CHAMBERS**
Members: Katie Rosenberg (C), Eric Lindman, Sarah Watson, Dawn Herbst, Bruce Bohlken, Andrew Brueggeman, George Bornemann

AGENDA ITEMS FOR CONSIDERATION

1. Approve the minutes from the September 20, 2022 meeting.
2. **PUBLIC HEARING:** Discussion and possible action on rezoning 6801 Stettin Drive from SR-2, Single Family Residential-2 Zoning District to MI, Medium Industrial Zoning District. (Schaefer)
3. Discussion and possible action on rezoning 6801 Stettin Drive from SR-2, Single Family Residential-2 Zoning District to MI, Medium Industrial Zoning District. (Schaefer)
4. **PUBLIC HEARING:** Discussion on approving a conditional use at 1102 Grand Avenue to allow for a residential recreational lakefront use for a 16x12 terrace area, in a NMU, Neighborhood Mixed-Use Zoning District. (Butler)
5. Discussion on approving a conditional use at 1102 Grand Avenue to allow for a residential recreational lakefront use for a 16x12 terrace area, in a NMU, Neighborhood Mixed-Use Zoning District. (Butler)
6. Discussion and possible action on approving a dual-post sign at 815 Grand Avenue.
7. Discussion and possible action on amending the Official City Map for the realignment of 28th Avenue from Hilltop Avenue to West Wausau Avenue.
8. Next meeting date.
9. Adjournment

MAYOR KATIE ROSENBERG - COMMITTEE CHAIR

Members of the public who do not wish to appear in person may view the meeting live over the internet 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 brad.lenz@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 10/13/2022 @ 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 event 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, Lynch, Stahl, Polley, County Planning, Schaefer, Butler

PLAN COMMISSION

Time and Date: The Plan Commission met on Tuesday, September 20, 2022, at 5:00 p.m. in the Common Council Chambers of Wausau City Hall.

Members Present: Sarah Watson, Dawn Herbst, Bruce Bohlken, Andrew Brueggeman, George Bornemann. Eric Lindman (arrived at 5:01 p.m.)

Others Present: Brad Lenz, William Hebert, Andrew Lynch, Melissa Engen, Steven Severson, Brandon Benzing, Ruth Macak, Derek Nelson, Diane Nutter, Brittany Haugen, Steve Miller

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

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

Approve the minutes from August 16, 2022.

Brueggeman motioned to approve the minutes from the August 16, 2022 meeting. Watson seconded, and the motioned carried unanimously 6-0.

PUBLIC HEARING: Discussion and possible action on amending the Specific Implementation Plan at 900 South 25th Street to allow for the removal of the gate to Buteo Cove.

Lindman arrived at approximately 5:01 p.m.

Bohlken opened the public hearing.

Steven Severson, Penkert Properties LLC, said that he manages the complex and stated that he wanted to assure the commission that he shares the safety concerns. A pedestrian was struck on 25th Street and Townline Road. Their tenants use the roadway and have the same safety concerns. The road is still not fixed and continues to be a concern. The gate was opened when a part of 25th Street was closed this spring. Severson asked why anything wasn't done to maintain the road. The road legally belongs to the township, but the city benefits from the taxes. Severson said that they need the commitment that the road will be maintained and asked for a timeline to fix the road.

Brandon Benzing, 828 North 2nd Avenue, said that he is the Executive Director for Primrose Retirement Community and this is an ongoing safety issue. The residents walk their dogs and take walks with their friends and cannot do this anymore due to the traffic concerns through private property. There have been numerous residents that have almost been hit. There are signs posted that no thru traffic is allowed, which is being violated. Benzing recommended that the gate be reinstalled to protect the children, community and staff.

Ruth Macak, 1011 South 21st Street, said that the gate needs to be implemented. There is a high level of traffic with high speeds. The residents need a safe area for walking. This area was safe but is now unsafe. Macak asked the commission to not punish the residents for a city and township issue.

Derek Nelson, 2106 Buteo Cove, said that gate was removed illegally. The children walk uphill for bussing. The gate was removed from frost issues. Nelson said that they maintain the land near the gate and said that rocks and boulders were removed when the gate was removed.

Diane Nutter, 919 South 21st Street, said that they bought their property last August knowing that it was on a dead-end street. The value is higher because of the gate. This was a private and secure neighborhood. There is much more traffic going a lot faster.

Brittany Haugen, 2105 Buteo Cove, read a letter that she submitted to the commission. On April 27, 2022, the gate was opened, and a stop sign was placed in the area. They were told this would be temporary. On

June 20, 2022, the gate was removed. The management of the apartment complex does not take any responsibility. It only takes one time for children to get hurt. Getting hit by a vehicle is the 3rd leading cause of death of children. There is no speed limit on the road and some of these vehicles are going 40 mph. Haugen said that the gate needs to be reinstalled.

Bohlken closed the public hearing.

Discussion and possible action on amending the Specific Implementation Plan at 900 South 25th Street to allow for the removal of the gate to Buteo Cove.

Hebert said that the staff report outlines the basic information. The gate access off Buteo Cove was for fire and rescue vehicles. Hebert said that this came to his attention in August and brought it to the property owners' attention.

Brueggeman asked if the gate removal in April was approved. Lindman said that the gate was opened because 25th Street was impassable. The street has issues, and the town has to take the initiative. They have tried to work with the town for the last 4-5 years. The city can help with 50% of the cost, but the township needs to take the lead.

Bornemann asked how often the road goes bad. Lindman said that he is not sure, but there are some issues every spring. The road needs to be excavated. Bornemann said that he would like to give some leeway to reopen the gate, during times that there are road issues. Lenz said that this item is just for the gate removal. This may be a good discussion item for CISM.

Bornemann motioned that the gate needs to be reinstalled and property owner and city will work together to reopen the gate when a street is impassable. Brueggeman seconded.

Watson asked if the commission could ask CISM to rectify this. Lindman said that there have been conversations but will make sure that staff reaches out to township again. Watson said that public input to the township would probably help.

The motion carried unanimously 6-0.

Discussion and possible action on designating John Marshall School (1918 Lamont Street) as an historic landmark.

Lenz said that this item was from February. Staff recommends approval based on the criteria listed in the staff report. The Historic Preservation Commission reached out to the Wausau School District. A tour of the school was held earlier in the summer.

Watson motioned to designate John Marshall school as an historic landmark. Herbst seconded.

Steve Miller, 4006 Briarwood Avenue, said that he was hired through the school district in 1982 and was a teacher and principal for 16 years. This is a multi-generational neighborhood. Miller said that he has had numerous conversations with alderpersons, mayors, teachers and others who offered support. This will honor the school's longevity.

Lenz added that an email response was received from the school district stating that the landmarking would reduce options available to the school district.

Brueggeman said that he hoped that there would have been a collaboration. Bohlken added that this would only effect the changes in the façade.

The motion carried unanimously 6-0.

Discussion and possible action on approving a projecting sign at 1506 North 3rd Street, in a NMU, Neighborhood Mixed-Use Zoning District.

Hebert said that Kreger's Bakery is going through a transition with the change in ownership. A façade improvement for a projecting sign was requested. The sign will be 2x3 feet over the entrance. Staff recommends approval.

Brueggeman motioned to approve the projecting sign at 1506 North 3rd Street, in a NMU, Neighborhood Mixed-Use Zoning District. Bornemann seconded, and the motion carried unanimously 6-0.

Discussion and possible action on the Royal View Estates 1st Addition Plat.

Lenz said that this item is for a plat in the Town of Rib Mountain. The city has extraterritorial review when a plat is within 3 miles of the city. There are no expected impacts to the city. There are comments for the Town from the Parks Department for a trail to connect to the Rib Mountain State Park and County Road N through this development. Staff recommends approval.

Herbst motioned to approve the Royal View Estates 1st Addition Plat. Watson seconded, and the motion carried unanimously 6-0.

Discussion and possible action on Transportation Project Plat for Project 6999-09-02, Stewart Avenue, 72nd Avenue to 48th Avenue.

Lindman said that this is for a DOT project that is scheduled for 2024. It outlines where the city needs to purchase easements.

Brueggeman motioned to approve the Transportation Project Plat for Project 6999-09-02, Stewart Avenue, 72nd Avenue to 48th Avenue. Bornemann seconded.

Watson asked if the \$150,000 would be out of the budget. Lindman said that this would be the city portion and would be out of TIF.

The motion carried unanimously 6-0.

Next meeting date.

The next meeting is scheduled for October 18, 2022.

Adjournment.

Herbst motioned to adjourn, seconded by Watson. The motion carried unanimously 6-0 and the meeting adjourned at 5:42 p.m.

The Plan Commission is next scheduled to meet at 5:00 p.m. on October 18, 2022.



Memorandum

From: Andrew Lynch
To: Plan Commission
Date: October 12, 2022
Subject: Rezoning 6801 Stettin Drive from SR-2, Single Family Residential-2 Zoning District to MI, Medium Industrial Zoning District

Introduction

Jim and Susan Schaeffer are petitioning for a rezoning of their parcel at 6801 Stettin Drive from Single Family Residential (SR-2) to Medium Industrial (MI). The lot is just under 18 acres and contains a mix of woods and farmed land. There is a pond and some wetlands in the northwest corner of the lot. The lot is bordered on the west side by Medium Industrial zoned businesses of the Wausau Business Campus.

The petitioner is currently under contract with Chr. Hansen, Inc to purchase the property contingent upon rezoning to Medium Industrial. Chr. Hansen, Inc owns the facility at the corner of 72nd Ave and Stettin Drive that borders this property. This would allow for future expansion of the Chr. Hansen operations when needed.

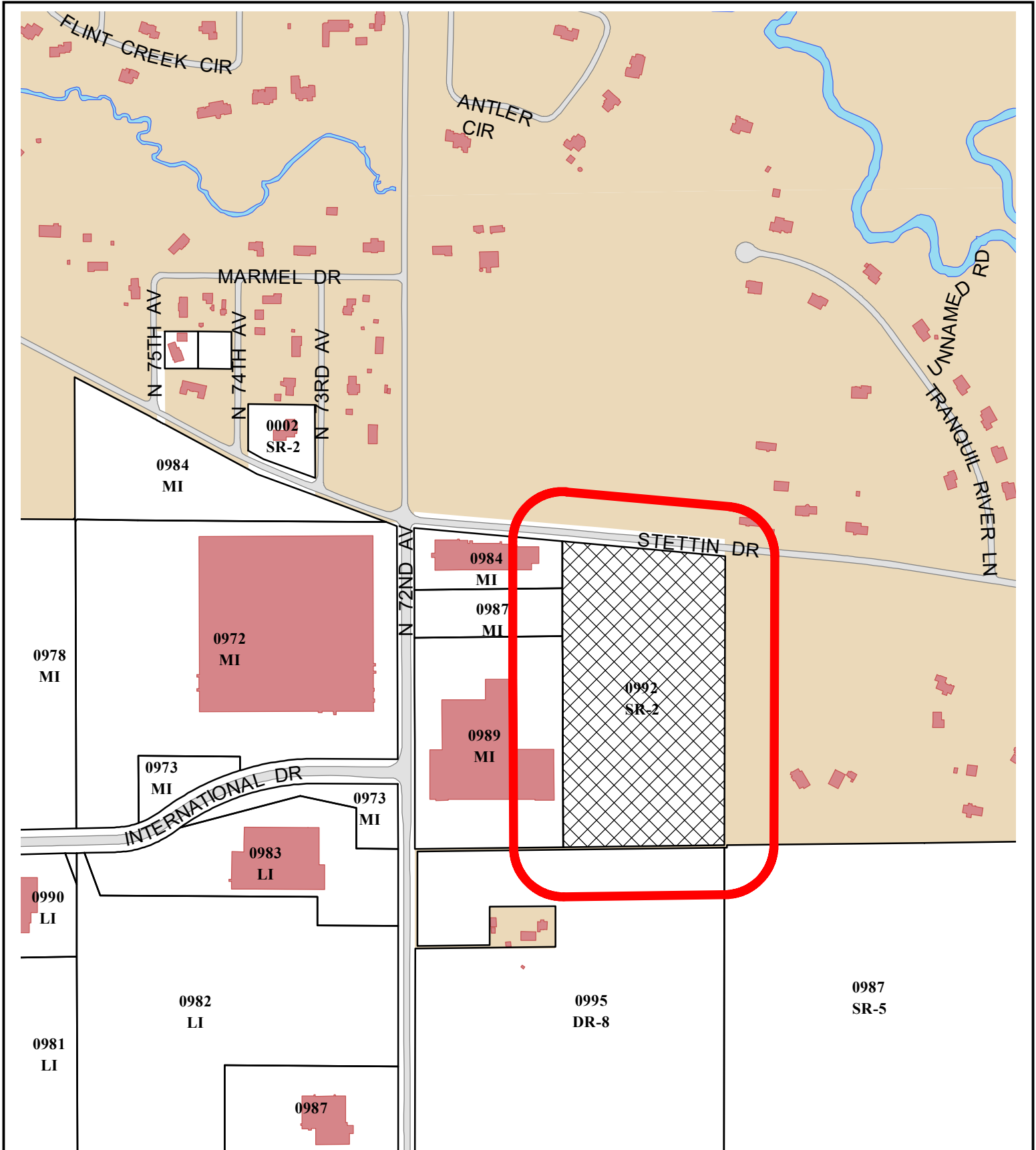
Amendments to Zoning Map

Section 23.10.31(4)(b) of the Zoning Code outlines criteria for zoning map amendments that staff and the Plan Commission are to review and make recommendation to the Common Council. Under this section, a proposed amendment is to be evaluated as to whether it:

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

Staff Comments:

The rezoning of this parcel to Medium Industrial would be in line with the surrounding uses to the west, future zoning as noted in the Comprehensive Plan, and would allow future expansion of an established business. Surrounding area to the south is undeveloped Duplex Residential and to the east is single residence. Staff does not see any adverse impact. Staff does suggest that any future building on this parcel consider access from 72nd Avenue for trucks or larger vehicles due to the rural profile of Stettin Drive.



6801 Stettin Dr 200ft Buffer



NOTES:

1. DUPLICATION OF THIS MAP IS PROHIBITED WITHOUT THE WRITTEN CONSENT OF THE CITY OF WAUSAU ENGINEERING DEPT.

2. THIS MAP WAS COMPILED AND DEVELOPED BY THE CITY OF WAUSAU AND MARATHON COUNTY GIS. THE CITY AND COUNTY ASSUME NO RESPONSIBILITY FOR THE ACCURACY OF THE INFORMATION CONTAINED HEREIN.

3. AERIAL PHOTOGRAPH VISIBLE ON THIS MAP WAS TAKEN SPRING 2016.



200 Foot Buffer



Parcel



Building



Road



0 100 200 300
Feet

Map Date: 10/10/2022

CITY OF WAUSAU
APPLICATION FOR ZONING MAP AMENDMENT

If you are requesting a zoning map amendment, please provide the following information. Note that a different application is required if you are requesting a conditional use and additional information is required if you are requesting Planned Unit Development District zoning. Should you have any questions about this form or the City's rezoning process, please call 715-261-6780 (Zoning) or 715-261-6760 (Planning).

1. Primary petitioner's Name (PRINT): Jim Schaefer / Susan Schaefer

Primary petitioner's Address (PRINT): 6801 Stettin Drive, Wausau, WI 54401 (Tax Key #291-2907-302-0992)

Primary petitioner's Telephone Number (with Area Code): 715-581-7167

Primary petitioner's representative to contact in case of questions about this petition:

Aaron Colmerauer

(Name - PRINT)

9015 West Maple Street

(Address - PRINT)

414-426-9451

(Telephone No. with Area Code)

usaco@chr-hansen.com

Email Address

ussama@chr-hansen.com

Names of additional petitioners, if any:

(PRINTED Name)

(PRINTED Name)

(PRINTED Address)

(PRINTED Address)

(Telephone No. / Email Address)

(Telephone No. / Email Address)

2. Name, Address, and Telephone Number of EACH additional property owner within the area proposed to be rezoned. If the primary petitioner owns all of the property proposed to be rezoned, merely indicate "NONE." (Add an additional page, if necessary)

Name (PRINT): NONE

Address (PRINT): _____

Phone No.: _____ Email Address: _____

Name (PRINT): _____

Address (PRINT): _____

Phone No.: _____ Email Address: _____

3. **ADDRESS(ES)** of property to be rezoned: 6801 Stettin Drive, Wausau, WI 54401 (Tax Key #291-2907-302-0992)
(Please attach a legal description for all the area(s) proposed to be rezoned. This may be available from the City Assessment Department or City Engineering Department.)

4. A. **Existing** zoning district classification(s) of the land included within the petition: SR-2
B. **Proposed** zoning district classification(s) of the land included within the petition: M1
C. Existing land uses on land included within the petition: Vacant property, used as farming land at the moment

D. Proposed land use(s) following rezoning: Medium Industrial. Chr. Hansen, Inc. operates a dietary supplement/food production facility at 555 North 72nd Ave, Wausau WI 54401.

The proposed land use would be for eventual expansion into the adjacent property at 6801 N. Stettin Drive for the same activity as currently completed at the Chr. Hansen site.

5. Please provide a brief narrative justifying the rezoning of this property. (Attach an additional sheet if necessary): Chr. Hansen, Inc. owns and operates a facility at 555 North 72nd Avenue in Wausau. Chr. Hansen acquired this facility from UAS Labs in 2020. The facility is used for the production of dietary supplements in a Medium Industrial zoned property. Chr. Hansen is currently under contract to purchase the property at 6801 N. Stettin from the Schaffers. A condition of the purchase is to complete rezoning to Medium Industrial to allow for future expansion of the Chr. Hansen facility into the adjacent parcel once the growth space is needed.
6. Please attach a map of the area showing the parcels proposed to be rezoned, adjacent streets, existing zoning on the parcels, and other information you feel might be helpful in evaluating your proposal.

Signature of Petitioner: _____

Date: _____

IF ADDITIONAL PAGES ARE NEEDED, PLEASE ATTACH HERETO

Please return this completed form with the information indicated above and the publication fee of **\$400** to the City Planning Office (or the Department of Inspections) located in Wausau City Hall, 407 Grant Street, Wausau WI 54403.
Checks should be made payable to "City of Wausau".

Please note: ⇒ The fee for a requested **special Plan Commission meeting** is **\$550**.
⇒ All fees are subject to increase each year on January 1.

Should you have any questions regarding this form or the City's rezoning process, please phone 715-261-6780 (Zoning) or 715-261-6760 (Planning).

For City Use Only

Date received at City Hall: _____

Received by: _____

Amount submitted with application: \$ _____ Check Number: _____

Month requested for public hearing: _____

Requested Common Council meeting date for final approval: _____

Notes: _____

City of Wausau – Zoning Amendment

6801 Stettin Drive, Wauau WI 54401 (Tax Key #291-2907-302-0992)

Legal Description is as follows:

Lot 1 of Certified Survey Map No. 12683 recorded December 18, 2002 in Volume 55 of Certified Surveys, Page 1, as Document No. 1303311, being Lot 1 of Certified Survey Map No. 9973 recorded in Volume 40 of Certified Surveys, Page 196, as Document No. 1120175, and located in the South 1/2 of the Northwest Fractional 1/4 of Section 30, Township 29 North, Range 7 East, in the Town of Stettin, Marathon County, Wisconsin.



Memorandum

From: Brad Lenz
To: Plan Commission
Date: October 12, 2022
Subject: 1102 Grand Ave – Conditional Use Application

Introduction

The petitioners are applying for a conditional use permit to allow for the construction of a terrace area along the riverbank behind Grand Avenue. The terrace would be constructed of wood and concrete, and be cut into the riverbank near the shoreline. Please see the attached plans.

According to the zoning code, the River Edge Overlay Zoning District is established on any property within 50 feet from the ordinary high water mark of the Wisconsin River (W.M.C. § 23.02.93(3)). Since the structure would fall within this overlay zone, a conditional use permit through Plan Commission is required for its construction.

The petitioners stated in their application that the location of the terrace was determined by the presence of mature trees further up the embankment. They are also planning to revegetate the ground in the area of the terrace after construction is complete.

Conditional Use Procedure

The City of Wausau zoning code requires two Plan Commission meetings to approve or deny a conditional use. This meeting will serve as the first of two meetings, where a public hearing will be held. The second meeting where a final decision will be sought, is expected at next month's regularly scheduled meeting.

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.

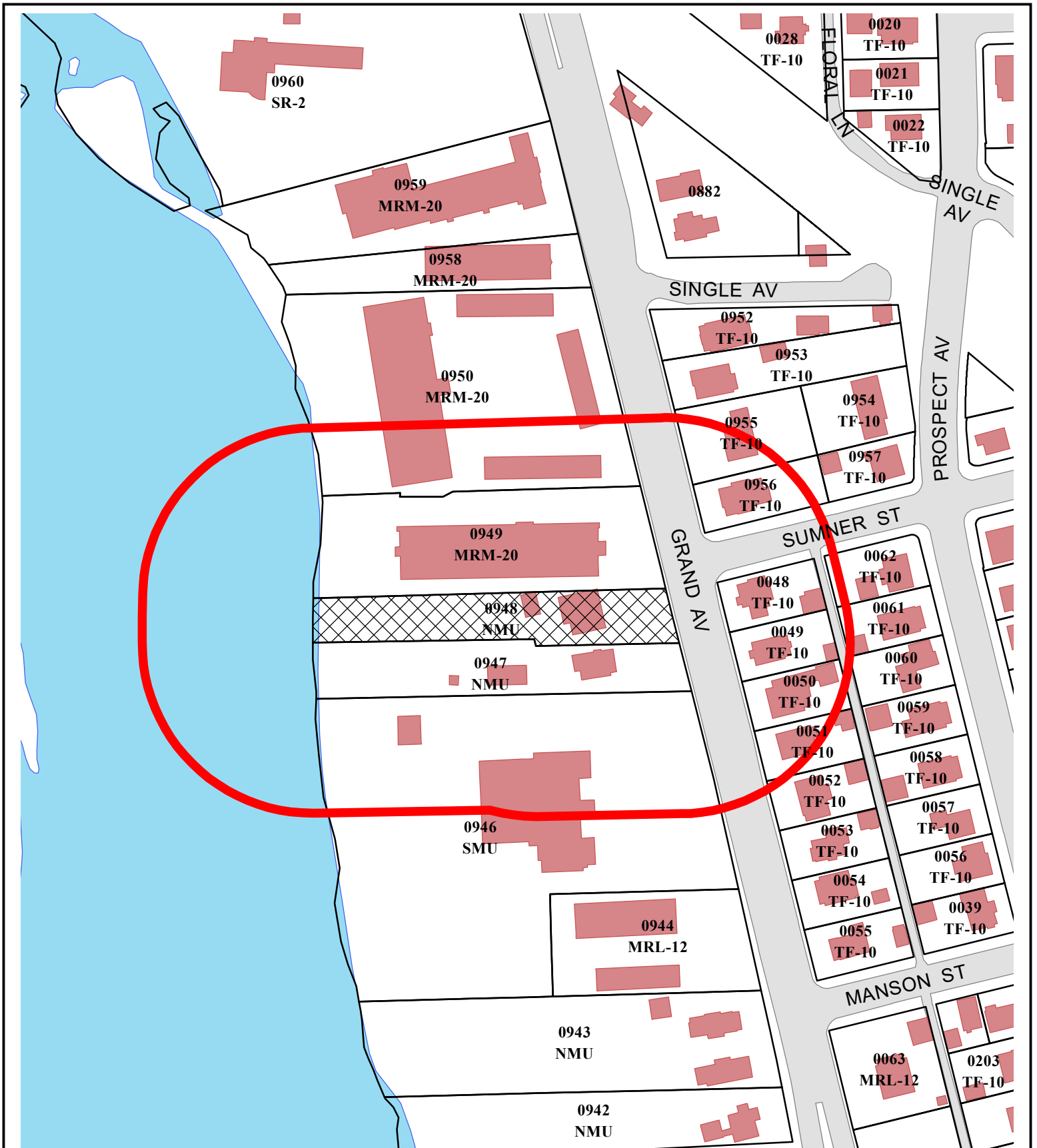
Recommended Findings

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.

Recommended Motion

No motion is required at this meeting. Staff will compile facts and evidence in a report for the next Plan Commission meeting. The motion at that meeting should be to either approve, approve with conditions, or deny the Conditional Use Permit request.



1102 Grand Ave 200ft Buffer



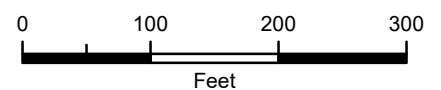
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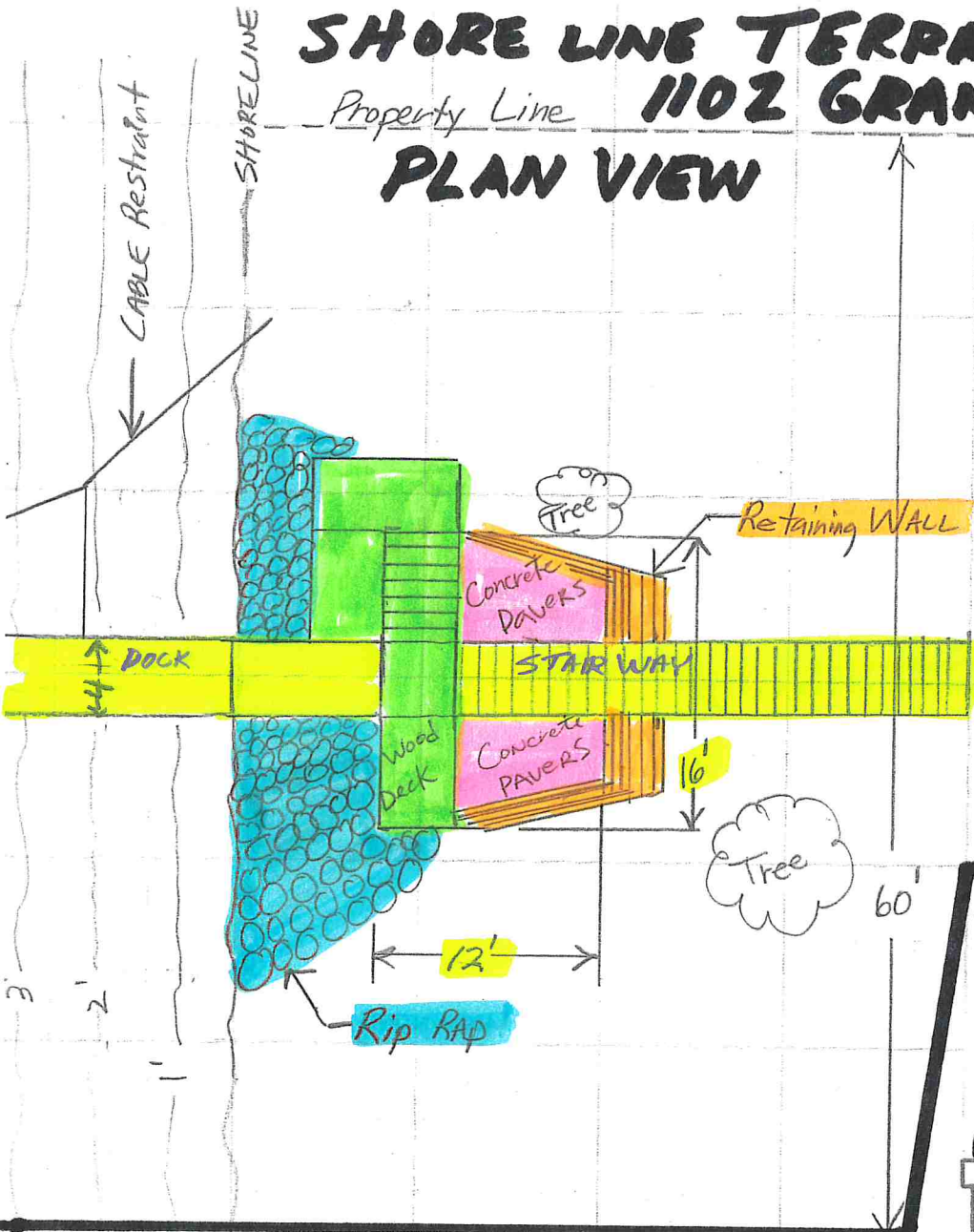
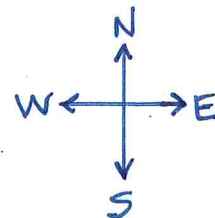
3. AERIAL PHOTOGRAPH VISIBLE ON THIS MAP WAS TAKEN SPRING 2016.

- 200 Foot Buffer
- Road
- Parcel
- Building



Map Date: 10/10/2022

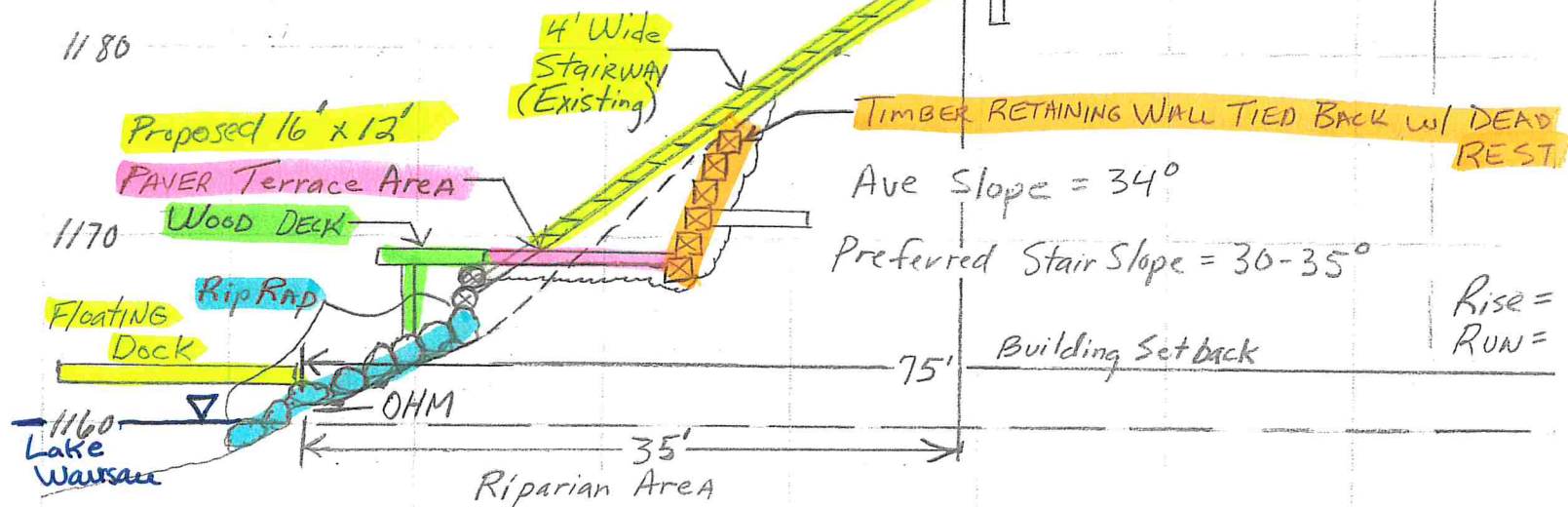
SHORE LINE TERRACE 1102 GRAND AVE PLAN VIEW



EROSION CONTROL:

- SILT FENCE ABOVE RIPRAP
- REVEGETATION OF SLOPE ALONG STARWAY
- DRAINAGE BASIN @ TOP SLOPE TO CONTROL RUN OFF

PROFILE VIEW











STAFF REPORT

TO: City of Wausau Plan Commission

FROM: William Hebert, Chief Inspector / Zoning Administrator

DATE: October 12, 2022

GENERAL INFORMATION

APPLICANT: Jesse Penrose, JP Trailer Sales and Transport LLC.

LOCATION: 815 Grand Ave

EXISTING ZONING: SMU, Suburban Mixed Use

PURPOSE: Plan Commission Approval

EXISTING LAND USE: Commercial / Outdoor Display / Vehicle Sales

SIZE OF PARCEL: Approximately 2 acres

SURROUNDING ZONING AND LAND USE:

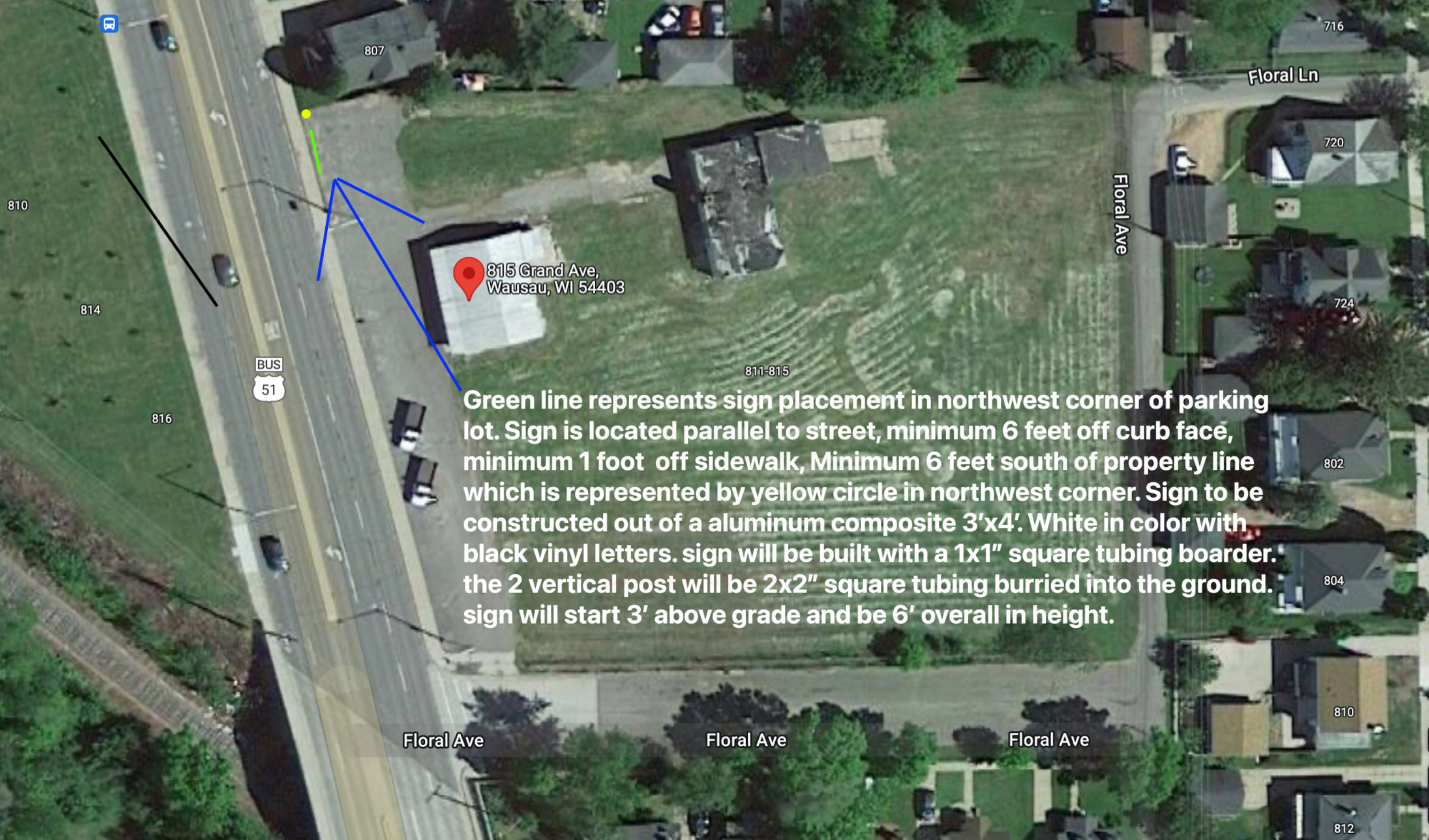
This parcel is located south of Thomas Street along Grand Avenue. The previous land use was the old Wausau Floral site. It is currently being used as a vehicle sale lot. Surrounding properties are zoning TF-10 (Two-Flat residential zoning). Parcels to the west are zoning UMU.

ANALYSIS

JP Trailer Sales and Transport is a tenant of the property owner. They are using the site as an outdoor display of up to 6 trailers. The proposed dual post sign is planned to be located in the north west corner of the parcel, and is proposed to be placed parallel to Grand Avenue.

The sign is planned to be 6 feet in height and 6 feet in width. The proposed sign is a double-sided business sign placed between 2 posts forming a dual post sign. The maximum allowed sign height would be 10 feet.

Staff recommends approval of the dual post sign, subject to the sign placement on private property, a minimum of 15 feet from the street curb, and posts/frame need to be painted or finished in a material to prevent deterioration.



815 Grand Ave,
Wausau, WI 54403

Green line represents sign placement in northwest corner of parking lot. Sign is located parallel to street, minimum 6 feet off curb face, minimum 1 foot off sidewalk, Minimum 6 feet south of property line which is represented by yellow circle in northwest corner. Sign to be constructed out of a aluminum composite 3'x4'. White in color with black vinyl letters. sign will be built with a 1x1" square tubing boarder. the 2 vertical post will be 2x2" square tubing burried into the ground. sign will start 3' above grade and be 6' overall in height.



**TRAILER SALES &
TRANSPORT LLC**

715-581-6080

Agenda Item No.

2 & 3

STAFF REPORT TO CISM COMMITTEE – October 13, 2022

AGENDA ITEM
2. Public Hearing: Discussion and possible action on amending the Official City Map for the realignment of 28th Avenue from Hilltop Avenue to West Wausau Avenue 3. Discussion and possible action on amending the Official City Map for the realignment of 28th Avenue from Hilltop Avenue to West Wausau Avenue
BACKGROUND
The existing Official City Map reflects the corridor necessary to construct a 4-lane roadway from Hilltop Avenue to West Wausau Avenue. Marathon County has removed their official mapping in this corridor and decided not to construct this corridor. CISM has directed staff to look at a corridor that would construct a 2-lane roadway. The amended Official City Map reflects what staff feels is necessary to preserve to construct the 2-lane roadway. This revised Official City mapping does not add any lands, it only removes lands.
FISCAL IMPACT
Amending the Official City Map does not have a fiscal impact. However, in the end if a 2-lane roadway is constructed it will cost less than a 4-lane.
STAFF RECOMMENDATION
Staff recommends taking public comments into consideration and approval if public comment supports the amendment.
Staff contact: Allen Wesolowski 715-261-6762



September 23, 2022

**NOTICE OF PUBLIC HEARING
For Amendments to City of Wausau Official Map
28th Avenue – Hilltop Avenue to West Wausau Avenue**

Notice is hereby given that the City of Wausau Capital Improvements and Street Maintenance Committee will hold a public hearing on Thursday, October 13, 2022 at 5:15 pm in the Common Council Chambers of Wausau City Hall, 407 Grant Street, to consider amendments to the Official City Map. These amendments will affect certain private and public property located along 28th Avenue from Hilltop Avenue north to West Wausau Avenue, including some property located along Maple Hill Drive, North 29th Avenue, and North 30th Avenue.

The purpose of the public hearing is to receive input from interested parties regarding the proposed map amendments which include establishing the location of the future right-of-way lines for widening and realigning 28th Avenue and removing segments from the Official City Map.

The intent of these amendments to the Official City Map is to further reserve the needed street right-of-way by minimizing the amount of building construction activity allowed within this reserved area. The proposed street improvements are intended to improve the safety and motor vehicle carrying capacity of 28th Avenue. The purpose of the official map is to conserve and promote the public health, safety, and convenience and/or general welfare.

A legal description of the area involved in these Official City Map amendments and a detailed map of the amendment areas are available for inspection in the City Clerk's Office and in the Engineering Department, both located at City Hall, 407 Grant Street, Wausau, Wisconsin. The legal description and map are also available on the City of Wausau website at: <https://www.ci.wausau.wi.us/Home/Announcements/tabid/96/ID/1562/Proposed-Amendment-to-Official-City-Map--28th-Avenue-Corridor.aspx>

Questions regarding the public hearing may be directed to City Engineer Allen M. Wesolowski, P.E. at 715.261.6762.

Notice is also given that the Common Council of the City of Wausau is anticipated to review and take final action on the proposed amendments to the Official City Map at its November 9, 2022 meeting, which is scheduled to begin at 6:30 pm in the Common Council Chambers of Wausau City Hall.



Office of the City Attorney

TEL: (715) 261-6590

FAX: (715) 261-6808

Anne L. Jacobson
City Attorney

Tara G. Alfonso
Assistant City Attorney

Nathan Miller
Assistant City Attorney

Wisconsin Statute § 62.23(6) discusses the law and procedures surrounding Official City Maps and the steps required to create or amend the map. In May of 2005 when the 28th Avenue Corridor was added to Wausau's Official City Map, the land running north was in the Town of Maine. Wausau was able to place this 28th Avenue Corridor on its Official City Map because the street and highway system shown on the Official City Map may be shown "as extending beyond the boundaries of a city or village a distance equal to that within which the approval of land subdivisions plats by the City Council or Village Board is required as provided by Wisconsin Statute § 236.10(1)(b)2." A city's extraterritorial land division approval authority extends only into unincorporated territory. See Wis. Stat. § 236.02(5). Consequently, a city does not have the authority to extend its official city map into incorporated territory. Since May of 2005, the Town of Maine has incorporated and is now the Village of Maine.

Although the statutes do not expressly address the question of what happens with the portion of the 28th Avenue Corridor that is part of Wausau's Official City Map but lies within the Village of Maine, when Maine incorporated, the City of Wausau lost the authority to show a street extending into Maine territory. Therefore, even if the City of Wausau's Official City Map shows a street extending into Maine, it would have no legal effect. In effect, Maine's incorporation removed Maine from the City of Wausau's Official City Map by operation of law.

This operation of law of removing the 28th Avenue Corridor from the Maine territory is not an "amendment" to the Official City Map and thus is not required to follow the same procedural requirements that apply to amending an official city map. This removal is only correcting the Official City Map to reflect Maine's incorporation.

Nathan Miller

9/29/2022

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

**RESOLUTION OF THE CAPITAL IMPROVEMENTS
& STREET MAINTENANCE COMMITTEE AND PLAN COMMISSION**

Amending the Official City Map to establish the new exterior lines of the realignment of 28th Avenue from Hilltop Avenue to West Wausau Avenue

Committee Action:

Fiscal Impact: None

File Number:

Date Introduced:

FISCAL IMPACT SUMMARY

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

RESOLUTION

WHEREAS, a Local Arterial Circulation Plan was adopted by the Metropolitan Planning Organization in June 2000, which recognized the need for local arterials to take local traffic off STH 29/51 and also provide for alternative routes for vehicles in emergency situations; and

WHEREAS, in response to the need identified by the Local Arterial Circulation Plan, Marathon County hired Becher Hoppe to develop plans for the future expansion of 28th Avenue; and

WHEREAS, those plans were used to develop a corridor for the future 28th Avenue, which was based on a four-lane roadway; and

WHEREAS, in May of 2005, land was placed on the Official City Map by both Marathon County and the City of Wausau to preserve the area and ensure that no building permits were issued for constructing new buildings or expanding existing buildings located within the right-of-way needed for the 28th Avenue corridor; and

WHEREAS, since the Official City Mapping, Marathon County had been acquiring properties in the City of Wausau in anticipation of the future corridor and the City has not made significant improvements to this segment of 28th Avenue in anticipation that Marathon County would eventually build the corridor; and

WHEREAS, Marathon County and the Village of Maine have decided to abandon their plans for the 28th Avenue corridor; and

WHEREAS, Marathon County abandon their plan via Resolution R-49-22 on August 23, 2022, and said resolution is attached hereto as Exhibit A and incorporated by reference herein; and

WHEREAS, the original corridor is still felt to have merit although traffic counts no longer warrant a four-lane roadway; and

WHEREAS, the Capital Improvements and Street Maintenance Committee held a public hearing on October 13, 2022 to consider the amendment of the official map of the City of Wausau by narrowing the corridor of the planned four-way roadway to a two-lane roadway for 28th Avenue from Hilltop Avenue to West Wausau Avenue, as shown on the document attached hereto as Exhibit B and incorporated by reference herein; and

WHEREAS, the Capital Improvements and Street Maintenance Committee and Plan Commission recommend this corridor be reduced on the Official City Map.

NOW THEREFORE BE IT RESOLVED, by the Common Council of the City of Wausau that the land which is shown on Exhibit B attached hereto is hereby incorporated and reflected on the official map of the City of Wausau; right-of-way for 28th Avenue from Hilltop Avenue to West Wausau Avenue is hereby amended so as to incorporate this change; and the official map shall stand as amended and modified.

Approved:

Katie Rosenberg, Mayor

RESOLUTION #R-49-22

RESOLUTION TO REMOVE 28th AVENUE CORRIDOR

WHEREAS, on January 18, 2005, the Marathon County Board of Supervisors designated a 28th Avenue Highway Corridor as outlined in R-3-05 and in the attached document; and

WHEREAS, as designated, the 28th Avenue Corridor right-of-way lies within the City of Wausau and the Village of Maine; and

WHEREAS, pursuant to the 28th Avenue Highway Corridor designation, Marathon County has acquired certain properties along the designated corridor in the event the properties were needed to expand the roadway in that area; and

WHEREAS, on October 26, 2021, the Marathon County Board adopted R-71-21, setting forth a decision-making process to assist the Board in determining whether to maintain the 28th Avenue Corridor map in its current state, transfer county-owned properties to appropriate municipalities, or divest properties through public sale and remove the corridor's designation as a county corridor map; and

WHEREAS, officials within the Village of Maine and the City of Wausau have indicated that their municipalities support Marathon County vacating its designation of a 28th Avenue Highway Corridor; and

WHEREAS, the Marathon County Infrastructure Committee found that it was in the County's interest to remove the designation of the 28th Avenue Highway Corridor as a county highway corridor.

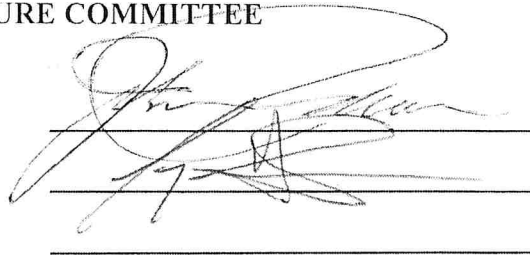
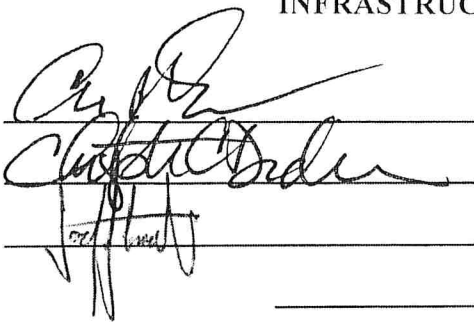
NOW, THEREFORE, BE IT RESOLVED: that the Board of Supervisors of the County of Marathon hereby removes the 28th Avenue Highway Corridor and right-of-way as previously designated in the attached document, finding that it is in the public interest for this corridor to be vacated; and

BE IT FURTHER RESOLVED that this action vacating the designated highway corridor is contingent upon formal approval within 60 days from the governing bodies of the City of Wausau and the Village of Maine; and

BE IT FURTHER RESOLVED that this resolution does not affect any other existing public right-of-way maintained by Marathon County.

Respectfully submitted this 23rd day of August, 2022.

INFRASTRUCTURE COMMITTEE



Fiscal Impact: The sale of properties may increase County revenues dependent on the sale price of each parcel.

Exhibit A

STATE OF WISCONSIN)
)SS.
COUNTY OF MARATHON)

I, Kim Trueblood, County Clerk in and for Marathon County, Wisconsin, hereby certify that the attached Resolution #R-49-22 was adopted by the Marathon County Board of Supervisors at the Adjourned Organizational Meeting which was held on August 23, 2022.

SEAL

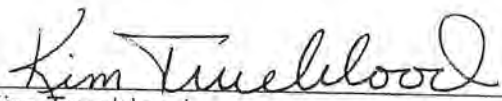

Kim Trueblood
Marathon County Clerk

Exhibit A

VOTE RESULTS

36 YES

0 NO

0 ABSTAIN

2 ABSENT

2 DID NOT VOTE

INFR - Resolution to Remove 28th Avenue Corridor

#R-49-22

☒ Passed By Majority Vote

Michelle Van Krey	YES	Joel Straub	YES	Chris Dickinson	M	YES
Ann Lemmer	YES	Tony Sherfinski	YES	Andrew Venzke		YES
Kody Hart	YES	Jennifer Aarrestad	YES	Allen Drabek		YES
John Robinson	YES	Craig McEwen	s YES	Kurt Gibbs		YES
Gary Gisselman	YES	Yee Leng Xiong	YES	Ron Covelli		YES
Stacey Morache	YES	Gayle Marshall	YES	Jason Wilhelm		YES
Becky Buch	YES	Thomas Rosenberg	YES	Jacob Langenhahn		YES
Kim Ungerer	YES	Jasper Hartinger	YES	Bruce Lamont		EXCUSED
David Oberbeck	YES	David Baker	YES	Allen Opall		YES
Donna Krause	EXCUSED	Crystal Bushman	YES	Bobby Niemeyer		YES
Alyson Leahy	YES	Tim Sondelski	YES	Lance Leonhard		ABSENT
Matthew Bootz	YES	Jean Maszk	YES	Mike Puerner		ABSENT
Mike Ritter	YES	Thomas Seubert	YES			
Rick Seefeldt	YES	Dennis Gonnering	YES			



Marathon County Board of Supervisors - August 23 2022 07:08:14 PM

Voting Meeting August 23, 2022

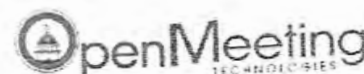


Exhibit A



Exhibit B Areas for Removal Official City Map

City of Wausau

- Area for Removal
- Official City Map Area



N. 28th Avenue

Amendment to Official City Mapping

Areas to be removed from Official City Mapping

Part of the Southeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$, Section 28, and part of the Southwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$, Section 27, Township 29 North, Range 7 East, City of Wausau, Marathon County, Wisconsin, described as follows:

All of the Official City Mapping as described in Document No. 1403003 recorded in the Office of Register of Deeds for Marathon County and City of Wausau Common Council Resolution File No. 03-0716, lying within said Southeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$, Section 28, and said Southwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$, Section 27;

and also;

Part of the Northeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$, Section 28, Township 29 North, Range 7 East, City of Wausau, Marathon County, Wisconsin, described as follows:

All of the Official City Mapping as described in Document No. 1403003 recorded in the Office of Register of Deeds for Marathon County and City of Wausau Common Council Resolution File No. 03-0716, lying within Lot 6, Block 1, Kraimer Addition, and lying within Lot 4, Block 2, said Kraimer Addition.