



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:

Date/Time:

Location:

Members:

PLAN COMMISSION OF THE CITY OF WAUSAU

Tuesday, December 21, 2021 at 5:00 pm.

City Hall (407 Grant Street, Wausau WI 54403) - COMMON COUNCIL CHAMBERS

Katie Rosenberg (C), Eric Lindman, Pat Peckham, Tom Neal, Bruce Bohlken, Andrew Brueggeman, George Bornemann

AMENDED

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

1. Approve the minutes from the November 16, 2021 meeting.
2. **PUBLIC HEARING:** Approving a conditional use at 9913 / 9915 Innovation Way to allow for a distribution center, in a MI, Medium Industrial Zoning District. (City of Wausau)
3. Discussion of conditional use at 9913 / 9915 Innovation Way to allow for a distribution center, in a MI, Medium Industrial Zoning District. (City of Wausau)
4. **PUBLIC HEARING:** Amending Section 23.06.06 Off-street parking and traffic circulation.
5. Discussion and possible action on amending Section 23.06.06 Off-street parking and traffic circulation.
6. Next meeting date.
7. Adjournment

MAYOR KATIE ROSENBERG - COMMITTEE CHAIR

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 2483 872 6280. Password jjX22PDTDN6**

Members of the public who do not wish to appear in person may view the meeting live over the internet on the City of Wausau's YouTube Channel <http://tinyurl.com/WAAMedia>, live by cable TV, Channel 981, and a video is available in its entirety and can be accessed at <https://tinyurl.com/wausaucitycouncil>. Any person wishing to offer public comment who does not appear in person to do so, may e-mail 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 12/16/2021 @ 2:30 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, Badger Liquor Company Inc.

PLAN COMMISSION

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

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

Others Present: William Hebert, Brad Lenz, Brian Stahl, Sam Wessel, Ted Matkom, Frank Szendrey, Melissa Engen

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 from October 19, 2021 meeting.

Brueggeman motioned to approve the minutes from the October 19, 2021 meeting. Neal seconded, and the motioned carried unanimously 6-0.

PUBLIC HEARING: Discussion and possible action on rezoning 710 Grant Street from TF-10, Two-Flat Residential-10 Zoning District to PUD, Planned Unit Development Zoning District and approve the General Development Plan to allow for commercial storage and residential use.

Wessel said that the property is currently zoned TF-10 and the petitioner would like to combine the property with the PUD. This will help with licensing requirements. The garage will be used for storage and the house will be rented out. This would expand the business without much additional cost. This addition does not impact the infrastructure.

Mayor Rosenberg closed the public hearing.

Neal motioned to rezone 710 Grant Street from TF-10, Two-Flat Residential-10 Zoning District to PUD, Planned Unit Development Zoning District and approve the general development plan to allow for commercial storage and residential use. Brueggeman seconded, and the motion carried unanimously 6-0. This item will go to Common Council on December 14, 2021.

PUBLIC HEARING: Discussion and possible action on rezoning 415 South 1st Avenue from UMU, Urban Mixed-Use Zoning District to PUD, Planned Unit Development Zoning District and approve the General Development Plan to allow for a 50-unit multi-family apartment building.

Lenz said that this is for the West Side Battery site. A response for the request for proposal for this site was received by Gorman and Company. The proposal is for a 50-unit apartment building. If this moves forward, it will need to come back for approval of the specific implementation plan.

Mayor Rosenberg closed the public hearing.

Brueggeman motioned to rezone 415 South 1st Avenue from UMU, Urban Mixed Use Zoning District to PUD, Planned Unit Development Zoning District and approve the general development plan to allow for a 50-unit multi-family apartment building. Bohlken seconded.

Ted Matkom, Gorman & Company, said that there are some parking challenges, and these are acknowledged. There are some opportunities in the area. It is a tough site, and they may need to reconfigure the site plan. This will be a gateway to the downtown.

Neal said that there was a lot of excitement for the project during the Economic Development Committee meeting. This will fulfill a big need in the community.

Brueggeman asked what would happen if the zoning is approved and the tax credits are not given. Lenz said that the property is currently owned by the City so there is the extra level of protection. If there is a new plan, it would need to come back for approval.

Bornemann confirmed that the City owns the site and asked if the City was the entity that requested the zoning change. Lenz said that the Commission can initiate a change and that is effectively what would happen if approved. He said Gorman & Company did complete an application.

The motion carried unanimously 6-0. This item will go to Common Council on November 23, 2021.

PUBLIC HEARING: Discussion and possible action on amending Section 23.01.23 Definitions, Section 23.02.04 Interpretation of zoning district boundaries, Section 23.03.28 Accessory land uses and structures, Section 23.10.21 Notice of public hearings, Section 23.10.22 Public meetings, Section 23.10.31 Zoning map amendment and Section 23.10.44 Planned unit development review and approval procedure.

Hebert said went over the code changes with the committee. SR-2 zoning will be used for any property that is annexed into the city, which is the most restrictive zoning district. The tourist rooming house portion of the ordinance would be removed. Marathon County does require licenses and inspections for tourist rooming houses. Staff has not received any complaints, just inquiries. The change in the notice requirement is to reflect current practices.

Mayor Rosenberg closed the public hearing.

Bohlken motioned to amend Section 23.01.23 Definitions, Section 23.02.04 Interpretation of zoning district boundaries, Section 23.03.28 Accessory land uses and structures, Section 23.10.21 Notice of public hearings, Section 23.10.22 Public meetings, Section 23.10.31 Zoning map amendment and Section 23.10.44 Planned unit development review and approval procedure. Brueggeman seconded, and the motion carried unanimously 6-0. This item will go to Common Council on December 14, 2021.

Discussion and possible action on approving a conditional use at 410 South Bellis Street to allow for assembly of components for transportation vehicles, in a MI, Medium Industrial Zoning District.

Lenz said that this is the second meeting for this item. There was no evidence presented during the public hearing. A letter of support of this conditional use was received. Staff recommends approval with conditions that are listed in the staff report.

Neal motioned to approve the conditional use at 410 South Bellis Street to allow for assembly of components for transportation vehicles, in a MI, medium Industrial Zoning District with the conditions that operations of the business shall occur within the enclosed buildings and parking for employees shall occur only on paved areas, and not on any unimproved surfaces. Bornemann seconded.

Bornemann said that there is a single shift and asked if there are any plans for additional shifts. Frank Szendrey answered that there are only plans for one shift. If there is the demand for additional shifts, it can be looked at, but there are not any plans for that.

The motion carried unanimously 6-0.

Discussion and possible action on petition for annexation – Grube (076-2907-284-0004, Town of Stettin.)

Lindman stated that the property owner is requesting the annexation for water and sewer.

Bohlken motioned to approve the petition for annexation – Grube (076-2907-284-0004, Town of Stettin). Brueggeman seconded, and the motion carried unanimously 6-0. This item will go to Common Council on December 14, 2021.

Next meeting date and future agenda items for consideration.

The next meeting is scheduled for December 21, 2021.

Adjournment.

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

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



Memorandum

From: Sam Wessel
To: Plan Commission
Date: December 21, 2021
Subject: 9913-9915 Innovation Way Conditional Use Application

Introduction

Jerry Pruitt and Lindsey Pearson of Fond du Lac, WI have applied for a Conditional Use Permit at 9913-9915 Innovation Way to allow for the construction of a liquor distribution center. The request is for “distribution center” as a conditional use in the MI-Medium Industrial Zoning District under 23.02.61(3)(h) of the City’s zoning ordinance. Currently, the site is City-owned and is in the process of being subdivided and prepared for sale to the applicant, with final acreage currently being determined. Attached is the application and draft lot layout of approximately 4.7 acres.

Section 23.03.18 (2) of the City’s municipal code requires the following regulations for distribution centers:

- A bufferyard (minimum 1.00 opacity) required between the site and neighboring residential properties
- Buildings, structures, storage areas, and any other activity areas must be at least 100 feet from all lot lines that border residential properties
- Activity areas can’t be within landscaping areas, bufferyard areas, or green space areas
- Minimum of one parking space per each employee on the largest work shift.

Attached is a concept site plan for the site.

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 December 2021 Plan Commission meeting serves as the first of two meetings, with the second meeting and decision expected at January 2022 Plan Commission 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

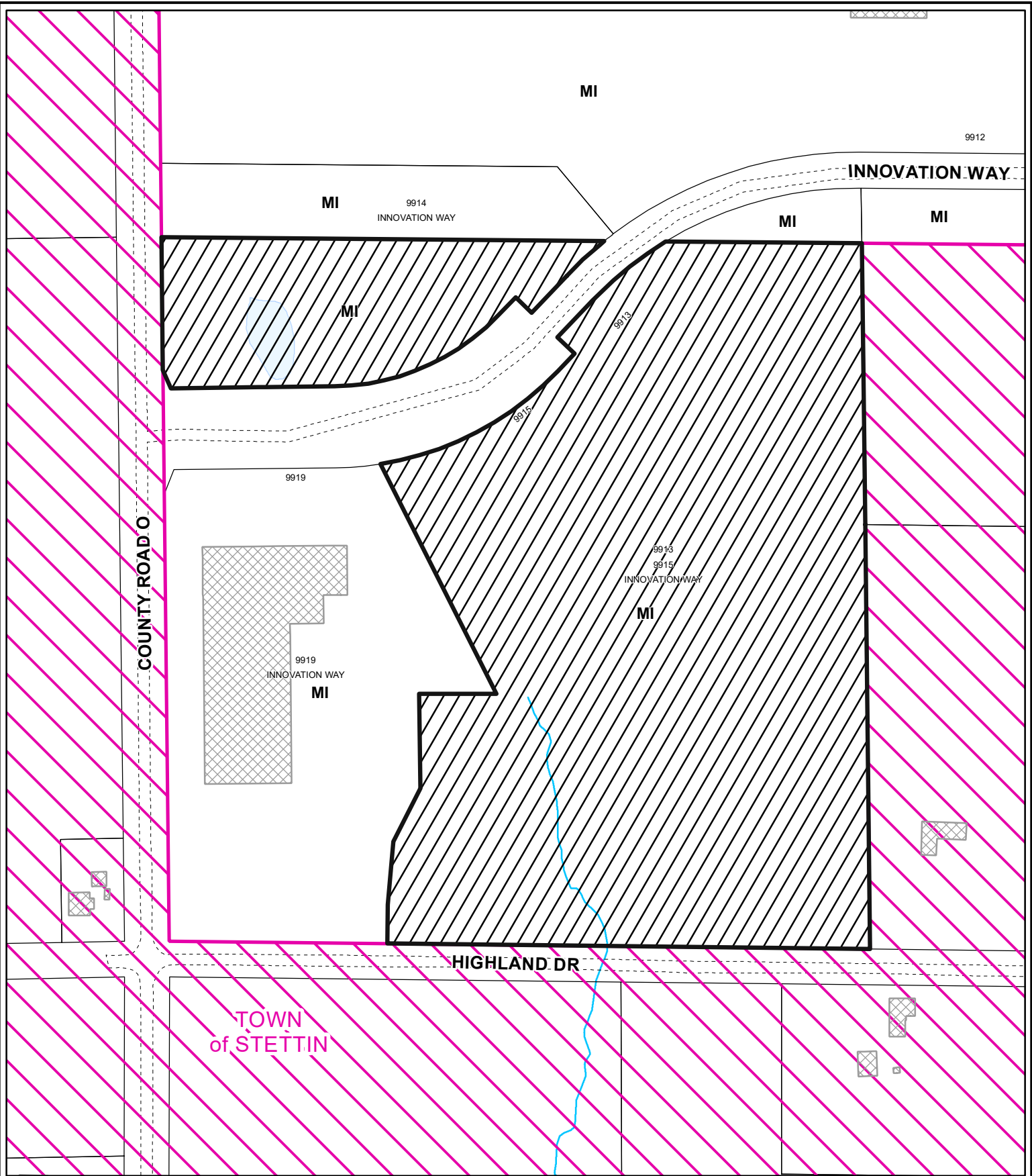
When deciding on a proposed conditional use permit the Plan Commission must consider whether the conditional use:

- 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.

The Wausau Business Campus is designed to handle heavy truck traffic with quick access to State Highway 29 and minimal conflicts with surrounding properties. Since the property does not border a residential zone, the bufferyard and 100-foot setback requirements do not apply to the proposed conditional use. It is feasible for the proposed distribution center to meet the other two requirements: keeping activity areas off landscaped areas and providing a minimum of one parking space per each employee on the largest work shift. Granting a CUP doesn't automatically approve the site plan. If the CUP is approved, City staff will work with the applicant to ensure these requirements are met before a building permit is issued.

Recommended Motion

No motion is required at this meeting. Staff will compile facts and evidence related to tonight's discussion in a report for the next Plan Commission meeting. Plan Commission will move to approve, approve with conditions, or deny the Conditional Use Permit request at 9913-9915 Innovation Way at the January 2022 Plan Commission meeting.



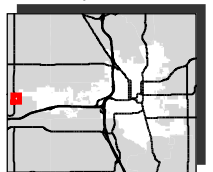
Map Date: December 2, 2021

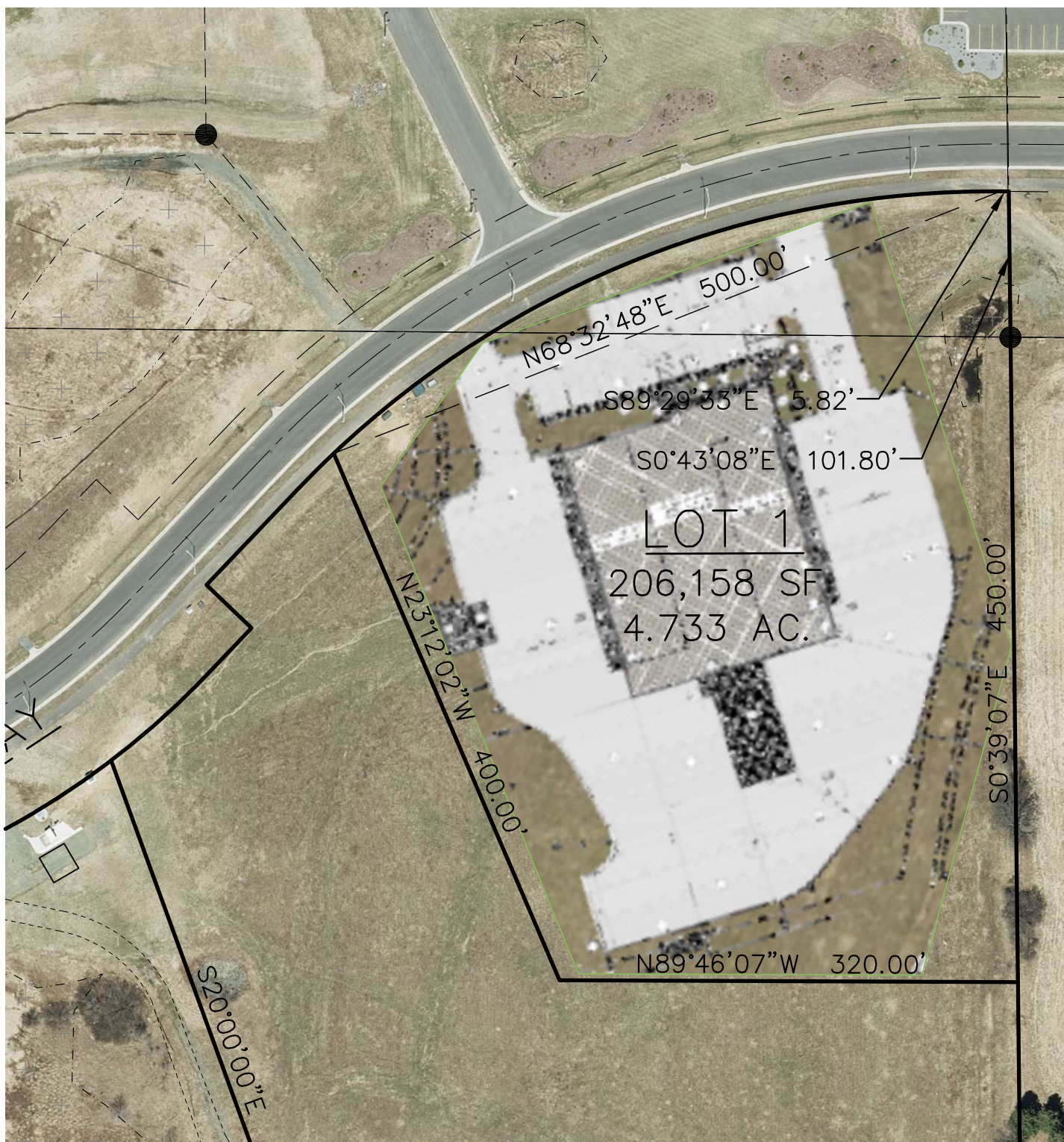
City of Wausau
Marathon County Wisconsin

0 150 300
Feet

Area of Interest
Building

Map Location





CITY OF WAUSAU

APPLICATION FOR A CONDITIONAL USE

For background on the conditional use process and other important information, please read the "Information and Instructions for City of Wausau Conditional Use Process" carefully before completing this application.

Please provide all of the information requested below, including a site plan, a written description of the conditional use including type of activities, buildings, structures and off-street parking, as well as the number of employees, written justification for conditional use including evidence that the application is consistent with the City of Wausau Comprehensive Plan and a Traffic Impact Analysis for group and large development projects. If you have questions during the course of preparing the application, contact either the Zoning Administrator at 715-261-6783 or the City Planner at 715-261-6753. (PLEASE PRINT OR TYPE)

1. Address of the property where the conditional use is requested:

9913-9915 Innovation Way, Wausau, WI 54401

2. Provide a legal description of subject property in the space below or attach a copy of the legal description to this application. (For example, the legal description might be the lot, block, and name of a subdivision, or a Certified Survey volume and page number, or some other type of legal description. The City Assessor, at 715-261-6600, may be able to provide this information):

SEC 26-29-06 SW 1/4 EX Residential DSD in
CSM Vol 88 PG 1 (18022) DOC #175728

3. Name(s) of Applicant Business: Badger Liquor Company, Inc.

Name of Contact Person (PLEASE PRINT): Jerry Pruitt or Lindsey Pearson

Mailing Address: 850 South Morris St. Fond du Lac, WI 54935

Email Address: jpruitt@badgerliquor.com / LPearson@badgerliquor.com

Daytime Phone No. of Contact Person: 920-322-6571 / 920-322-6831

Evening Phone No. of Contact Person: 920-517-9235 / 920-213-4813

What is your interest in the subject property? (For example, owner, prospective owner, renter, attorney for owner, etc.)

OWNER

4. Property Owner Name(s) if Different from Applicant: SAME

Mailing Address: _____

Email Address: _____

Owner's Daytime Phone Number: _____

Owner's Evening Phone Number: _____

5. What is the area, in square feet, of the property on which the establishment of the conditional use is requested? Approximately 1,135,175 sq ft.
6. What is the present zoning of the subject property? MI, medium Industrial
7. What is (are) the present use(s) of the subject property? Vacant
8. Proposed use(s) of property: Cross Dock - Distribution Center

Primary Use (reason for conditional use request): conditional use permit to allow distribution center in the MI zoning district

Secondary use (if any) of property in addition to the conditional use: None

Other use(s): _____

9. Describe in detail the nature of your proposed conditional use request. Include information regarding construction of new buildings, remodeling of existing buildings, location and amount of parking, number of employees, hours of operation, proposed type, size, location, and style of any new sign(s), and other pertinent information. (This information may be provided on a separate sheet or sheets)

Generally, a site plan and more detailed information about any buildings will need to be submitted in order to more accurately explain your proposal. This is described in greater detail in the attached section, "Site Plan and Building Information".

This application, the site plan and all other information provided by the applicant, including testimony made at the public hearing, become part of the public record of your conditional use request. Any material variations from this application could be cause for the Plan Commission to void this application and require the applicant to reapply for the conditional use. Therefore, do not make written or verbal statements regarding the proposed use(s) that are not entirely accurate. (Include additional page(s) if necessary)

Site Plan & Building Information provided on separate sheets

NOTE: If you are submitting an application for a community living arrangement (group home, community based residential facility, etc.) please request a copy of the City's *Policy Regarding Location and Distribution of Community Living Arrangements* (April, 1996). This policy is available from the Inspections Department and identifies additional information that **MUST** be submitted with your conditional use application for this type of use.

10. I (we), the undersigned, do hereby make application and petition the Plan Commission to approve the conditional use as requested above and shown on the site plan and building plans submitted with this application:

Jerry Pruitt 12/1/21
Signature of Applicant Date

Jerry Pruitt
PRINTED Name

Lindsey Pearson 12/1/21
Additional Applicant Signature Date

Lindsey Pearson
PRINTED Name

Please return your completed application with site and building plans and a check made payable to "City of Wausau" (for the City's publication fee costs) to the Community Development Office on the Second Floor of Wausau City Hall, 407 Grant Street, Wausau WI 54403 (or to the Inspections Department located on the Second Floor of Wausau City Hall).

The publication fee is \$400 for a public hearing at a regularly scheduled Plan Commission meeting (and \$550 if you request a special Plan Commission meeting). Please contact the City Planner (715-261-6753) or Inspections Department (715-261-6780) to determine if these fees are current since they are subject to change.

For City Use Only
Date Received at City Hall: _____
Received By: _____
Amt. Submitted w/Application: \$ _____
Check Number: _____
Month Requested for Hearing: _____
Plan Commission Meeting Date for Expected Final Approval: _____
Other: _____

SITE PLAN AND BUILDING INFORMATION

In order to facilitate the review and approval of a conditional use, the applicant must provide a site plan and building information at the time the "*Application for a Conditional Use*" is submitted. Providing this information will help ensure that the Plan Commission is able to act upon your request at the public hearing meeting. If you fail to submit this information in advance, the Plan Commission may need to take action in order to receive and adequately review the information. Therefore, a site plan must be provided at a scale of 1 inch = 20 feet (or less than 20 feet) and, where applicable, should show the following information:

1. Property lines with dimensions in feet.
2. Location of existing and proposed structures relative to the property lines and the exterior dimensions of said structures.
3. Building setback dimensions – that is, the distance the existing and/or proposed buildings are located from the front, side and rear lot lines.
4. Location and dimensions of any loading areas and off-street parking areas, as well as the location and width of driveways and the layout of parking stalls and interior traffic circulation.
5. Location of proposed and existing stormwater drainage facilities for the building and parking lot. If the parking lot is larger than 7,500 square feet, on-site stormwater drainage plans will be needed.
6. Location and size of any proposed outside storage areas.
7. Location, size, height, and type of any proposed landscaping, fences, signs, parking lot lighting, and other pertinent exterior features proposed as part of the conditional use.

Generally, the building information should include:

1. An elevation of all exterior walls if the building is to be new construction.
2. The height of the structure in feet.
3. An indication of the types of building materials which will be used for the facade and roof.
4. A floor plan of the building.
5. Details of any changes which will be made to the building if the proposed use will be located in an existing building.



Memorandum

From: William Hebert, Zoning Administrator
To: Plan Commission
Date: December 16, 2021
Subject: Creating Exception for Parking on Pavement at Airport

Staff has been approached by the airport manager and the airport committee about providing an exception to parking on paved surfaces. We have had a few neighborhood complaints about hangar tenants leaving vehicles on grass for several days at a time while they are traveling.

The general requirement is:

23.06.06(20)(a) All off-street parking, loading, and traffic circulation areas shall be graded and surfaced so as to be dust-free and properly drained and shall be paved with a hard, all-weather or other surface to the satisfaction of the Zoning Administrator. All driveways and parking areas shall be surfaced with a minimum thickness of three inches of asphaltic concrete, concrete, or any other surfacing over a minimum thickness of four inches of an aggregate base material as approved by the Department of Public Works.

Three exceptions currently are in the ordinance:

1. Driveways in rural holding districts
2. All agricultural land uses
3. Enclosed and screened storage areas.

Drafted language of a 4th exception is:

4. Areas within the fenced perimeter of the Downtown Airport. Short-term parking, for a maximum of 10 continuous days, is allowed for those who are engaged in aviation-related activities at the Downtown Airport.

Airport Manager John Chimel sent an email with some further information and background on the request.

From: [John Chmiel](#)
To: [Melissa Engen](#)
Cc: [Nathan Miller](#); [Brad Lenz](#); [William Hebert](#); [Samuel Wessel](#)
Subject: [EXTERNAL] Re: Airport Parking Staff Report
Date: Thursday, December 16, 2021 8:13:21 AM

The first 10-unit T-hangar building at the Wausau Downtown Airport was constructed in 1952. Hangar tenants parked their cars where it was most convenient outside, typically on the grass adjacent to the hangar, for short-term flights. Typically for long term flights away from the airport, some tenants may have chosen to park their vehicles inside their hangar until they return. This practice isn't typically embraced by many since on-road vehicles retain salt and other contaminants which are harmful to aircraft structures and can cause corrosion to aircraft if deposited inside a hangar. No specific tenant paved parking area inside the fence exists. Airport user and transient parking is not conveniently located near hangars for T-hangar tenants to use. Tenants are not supposed to park on the taxi-lanes between the hangars since multiple vehicles can block tenant hangars, preventing their use, and these vehicles can cause issues with aircraft wingspans while taxiing. This is why, traditionally, the grass has been the chosen parking location for tenants at Wausau Downtown Airport, not unlike most airports across America.

It was recently brought to airport management attention that the City has an ordinance regarding parking on grass areas for commercial and residential properties. In the interest of compliance with City initiatives the Airport Committee has discussed the issue and voted unanimously to request a variance from the ordinance for the airport. The alternative is to construct costly tenant-specific parking areas within the fence. This costly luxury would be unique among airports. The money used for this project would be much better spent on already planned for safety related capital projects.

In the meantime, tenants have been encouraged to use the currently airport parking lot for long-term parking and large gathering meeting events at their hangars.

jpc

"Keep your head on a swivel!"

**John P. Chmiel, "Practicing the Art of Flight"
Wausau Flying Service, Inc.
Wausau Downtown Airport
(715) 845-3400
taildraggerflyer@yahoo.com**

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

JOINT ORDINANCE OF AIRPORT COMMITTEE, PLAN COMMISSION, AND CAPITAL IMPROVEMENTS AND STREET MAINTENANCE COMMITTEE	
Amending Section 23.06.06 Off-street parking and traffic circulation	
Committee Action: Pending	Ordinance Number:
Fiscal Impact:	
File Number:	Date Introduced:

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

Add ()
Delete ()

Section 1. That Section 23.06.06 Off-street parking and traffic circulation is hereby amended to read as follows:

23.06.06 Off-street parking and traffic circulation.

...

(20) Surfacing.

...

(b) The following shall be exempt from these surfacing requirements:

...

4. Areas within the fenced perimeter of the Downtown Airport. Short-term parking, for a maximum of 10 continuous days, is allowed for those who are engaged in aviation-related activities at the Downtown Airport.

Section 2. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 3. This ordinance shall be in full force and effect from and after its date of publication.

Adopted:

Approved:

Approved:

Published:

Attest:

Katie Rosenberg, Mayor

Attest:

Mary Goede, Deputy Clerk