

PLAN COMMISSION

Time and Date: The Plan Commission met on Tuesday, December 19th, 2023, at 5:00 p.m. in the Common Council Chambers of Wausau City Hall.

Members Present: Mayor Katie Rosenberg, Eric Lindman, Sarah Watson, Bruce Bohlken, Andrew Brueggeman, George Bornemann, Dawn Herbst.

Staff Present: William Hebert, Brian Stahl, Tara Alfonso, Brad Lenz, Andrew Lynch, Samantha Kulig

Others Present: Tom Radenz, Tom Killian

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

Approve the minutes from October 17, 2023, meeting.

Brueggeman motioned to approve the minutes from the October 17, 2023, meeting. Bohlken seconded, and the motion was carried unanimously 7-0.

PUBLIC HEARING: 406 N 28th Ave (General Development Plan), rezoning 406 N 28th Ave from SR-2 (Single Family Residential-2 Zoning district) to PUD (Planned Unit Development) [Walkabout Orthotics]

Lynch provided a staff update on this proposal. He stated that Walkabout Orthotics purchased the 406 N 28th Avenue and would like to add this property into their PUD to expand their parking lot. The proposed PUD has a combined total of 24 parking stalls, which is below the requirement of conditional use for going over the 150% parking maximum. Lynch stated that the proposal meets the requirements, and that staff recommends and supports the proposal to rezone.

Mayor Rosenberg opened the public hearing.

Tom Radenz, 234810 N 96th Ave, represented Walkabout Orthotics. Radenz stated that Walkabout Orthotics moved to a new location and has tried sell and/or lease the property where they were previously located since August 2021. However, Radenz explained that Walkabout Orthotics have had issues selling/leasing due to lack of parking spaces. Radenz stated that they'd hope to get this property, which is north of their former location, rezoned to provide additional parking.

Mayor Rosenberg closed the public hearing.

Discussion and possible action on approving the rezoning 406 N 28th Ave from SR-2 (Single Family Residential-2 Zoning district) to PUD (Planned Unit Development) [Walkabout Orthotics]

Motion by Bruggeman and seconded by Herbst.

Lynch recommended removing the parking pad located on 2805 Hilltop Ave which is also owned by Walkabout Orthotics. Lynch stated that the parking pad is no longer needed since this proposed PUD will provide adequate parking.

Bruggeman changes his motion to include the recommendations stated by staff and seconded by Herbst.

Motion approved unanimously 7-0.

Discussion and possible action on approving the specific implementation plan of 514 South 21st Ave and 503 South 22nd Ave [Ghidorzi]

Lenz provided a staff update on this specific implementation plan. Lenz explained that Ghidorzi submitted earlier in the year an amended General Development Plan that was approved by the Common Council. Properties were bought, streets

and alleys were vacated to begin on this plan. The vacations went through Capital Improvements and Street Maintenance Committee (CISM) and eventually approved by the Common Council.

Lenz explained about the Specific Implementation plan having 27 new perpendicular stalls, a solid fence with landscaping along the commercial side of the fence to block light and noise pollution to the neighboring properties, storm water inlet located on east side of the landscaping and on the west end of the new parking area for snow storage, and 3 light poles being removed to provide adequate lighting but reduce light pollution for neighboring property.

Lenz stated that staff recommends the snow store in the greenspace be limited to the snow from the new parking area, rather than other parts of this, or neighboring, sites.

Motion by Bornemann and seconded by Bruggeman.

Motion approved unanimously 7-0.

PUBLIC HEARING: Discussion on amending Section 23.02.51, (NMU) Neighborhood Mixed Use Zoning District; 23.02.52, (SO) Suburban Office Zoning District; 23.02.53, (SMU) Suburban Mixed-Use Zoning District; 23.02.54, (UMU) Urban Mixed-Use Zoning District; 23.02.55, (DPMU) Downtown Periphery Mixed-Use Zoning District; 23.02.56, (DHMU) Downtown Historic Mixed-Use Zoning District; 23.02.57, (DRMU) Downtown High-Rise Mixed-Use Zoning District; 23.02.60, (LI) Light Industrial Zoning District; 23.02.61, (MI) Medium Industrial Zoning District; 23.02.62, (HI) Heavy Industrial Zoning District; 23.02.05, Table of land uses; 23.02.10, Commercial land uses; 23.03.28, Accessory land uses and structures; 23.06.20, Exterior lighting standards; 23.09.05, Definitions and rules related to sign groups, sign categories, and sign type; 23.09.11, Permitted sign rules; and 23.10.31, Zoning map amendment

William Hebert provided a staff update on the amending of Zoning sections in the Wausau Municipal Code. Hebert explained that staff look for conflicts, redundancies, and clarification to the zoning code periodically. Staff propose the following changes: removal of honeybee language under WMC 8.08.011, change detached accessory buildings brought over from building code, change animal daycare and outdoor display to conditional use, review of dual post signs done by staff instead of Plan Commission, change zoning petition to require $\frac{3}{4}$ majority, and removal of accessory conditional use in Downtown district.

Mayor Rosenberg opened the public hearing.

Tom Killian, 133 E Thomas St, stated he disagrees with the recent approved State bill, 2023 Wis. Act 16 created Wis. Stat. § 66.10015(3)(a), which would prohibit supermajority votes after 1/1/2025. Killian explained that he understands that the State bill is already approved and will go into effect on 1/1/2025 but Killian states that we should not implement the change of zoning petition to require $\frac{3}{4}$ majority prior to the effect.

Mayor Rosenberg closed the public comment.

Discussion and possible action on approving the Zoning Sections list above.

Motion by Bohlken to approve all Zoning sections and seconded by Bornemann.

Watson stated that she feels we should also stay in line with the State statutes. Watson continued stating that waiting another year will also provide time for the public to be aware of this upcoming change from the State. Watson motions to amend changing the zoning section by removing the zoning petition to require $\frac{3}{4}$ majority at this time. Herbst seconded the motion to amend.

Bruggemann asked staff if there was any adverse effect in waiting to discuss this zoning section closer to when the state bill goes into effect on 1/1/2025. Hebert stated that there was no particular reason other than Plan Commission receiving an annual review of Zoning sections by staff. Lenz concurred with Hebert and continued explaining that staff will have to

remember to bring it back prior to the 1/1/2025. Lenz clarified that the Wisconsin statute is a deadline for municipalities to enforce that statute – municipalities are able to do it before.

Mayor Rosenberg asked staff if it is appropriate to state the effective date of this zoning section onto this ordinance or if there is some other option to not have to bring this back onto a future meeting.

Tara Alfonso explained that we can prospectively approve something, but staff will either have to remove this particular zoning section in question out of the current ordinance and put it on its own ordinance or staff will have to have to amend this current ordinance by adding an alternate paragraph that “all these provisions are effective by Council the day after publication except for this provision which would be effective on this date.”

Mayor Rosenberg asked Watson if this option be appropriate to the amendment that she is seeking. Watson answered that this is possible. However, Watson questioned that if members review the zoning section annually around December, it’s possible there is a new Council, or even new representatives on Plan Commission, and different comments about this provision. Watson motions to remove this provision out of this current ordinance and bring it back to discussion the next time the members and staff review Zoning sections which will be prior to the effective date of Wisconsin Statute.

Motion to remove the change of zoning petition to require $\frac{3}{4}$ majority out of this ordinance approved unanimously 7-0.

Motion to approve the amendment ordinance approved unanimously 7-0. This amended ordinance will go to Common Council on January 23rd, 2023.

Next Meeting Date

The next meeting is scheduled for January 16, 2024.

Adjournment

Motion by Watson and seconded by Herbst. Motion approved unanimously 7-0, and the meeting adjourned at 5:26 p.m.

The Plan Commission is next scheduled to meet at 5:00 p.m. on Tuesday, January 16th, 2024.