



Commission Members Present: Granlund, Wolfgram, Obaid, Christopherson, Erickson, Davis, Helgeson, Brandvold

Commission Members Absent: Johnson

Staff Members Present: Allen, Petrie, Ness, Tietz

1. Call to Order – Chairperson Granlund called the Plan Commission meeting to order at 7:00 p.m.
2. Roll Call – Chairperson Granlund called roll for the meeting. Commissioners Granlund, Wolfgram, Obaid, Christopherson, Davis, Helgeson, Erickson, and Brandvold were present.
3. Open public comment period for items not on the agenda noted as public hearings.

Brian Binczak, 1815 Susan Drive, also with the Friends of Lowes Creek, spoke in opposition of the request and noted 500 signed petitions against the annexation. He noted that the isolation of the property along South Lowes Creek Road is 2.5 miles from the nearest City street and is allowing for an island. He questioned the proposed land use for apartments and mixture of land uses. In addition, he noted that existing streets will be difficult for traffic because it is not near a four-lane road. He noted that the Department of Administration (DOA) and MPO TAC recommended against this annexation.

Dori Pulse, 5885 Crocus Lane, spoke in opposition and referenced the rule of law and procedures set in place and the duties of the Plan Commission members. Questioned why the annexation is not following the process and referenced that it was noted that this has never happened before and there is no solid plan. The annexation was referred to as an island between the City and Town, with schools, access, fire and police not planned out but rather haphazard and costly.

Tina Ball, 5999 Cater Road, spoke in opposition and noted concerns about the density and the future impacts of the environment. In speaking of environment, spoke about the sewer failure in the Chippewa River that went 10 months without notice. Spoke about the proactive development process and the traffic impact of the proposed subdivision, including adding 2,500 people to the subdivision when built out. She noted that the comprehensive plan is not in compliance with the proposed annexation and the Plan Commission should follow it and it be enforced.

Joe Maurer, 611 Fountain Street, spoke about the site plan for agenda number #7 and that the project lacks site sensitivity in that numerous oak trees would be removed from the site. In addition, tree preservation was not shown on the site plan and noted that one should not take more than 25% of root ball of the tree. He noted that the site could be removed and redesigned the entire development. He would like to have the Plan Commission reconsider the plan, and hopefully the Bur Oaks would be saved.

Brad Grewe, 3867 Timber Creek Court, talked about the police and fire referendum and being in support of; however, spoke about the fiscal responsibility of the annexation and limited services and difficulty with the issues in the long term. Also, noted that the existing roadway will not be able to support the concept development and that the city should not continue to be in lawsuits with the Town of Washington. He noted that the SSA and the comprehensive plan have not been amended or approved to the changes.

Pat Smith, 2228 Peterson Avenue, President of the Home Builders Association of the Chippewa Valley and supports the proposed annexation. He noted the lack of housing within the city and the surrounding area. He noted that Eau Claire is growing and needs more affordable housing

options with all types of units. We have a great opportunity in front of us to expand our community in a controlled manner while creating smart housing growth for many years to come.

Jack Bushnell, 5396 Sindelar Drive, spoke in opposition about the annexation not connected to the city limits unless you include Lowes Creek County Park as being as part of the City of Eau Claire and to be environmentally careful with crossing Lowes Creek. The proposal was referred to as using circular reasoning and noted that the plans should be amended prior to the annexation.

Jennifer Shaddock, 5396 Sindelar Drive, spoke about the role of the Plan Commission and the ethics of the commission in the review of any annexation. This would be an island within the City and the Town of Washington, and over the years their own neighborhood would also be annexed into the City.

Scott Rogers, Vice-President of Government Affairs with Eau Claire Area Chamber of Commerce, noted that housing is the number one issue with employers. If we're serious about solving housing affordability we need to encourage reasonable and responsible actions by developers to increase that supply to attack that shortage, and we believe in this location that city annexation is the most responsible way to add housing. It provides more compact development closer to the city and provides city services with less sprawl. It's important to consider the overall needs of the community and this is a logical move to foster responsible growth.

Bill Wallo, 246 W. Lexington Blvd., attorney representing CDPG Developers, stated that this annexation is statutorily considered contiguous with the City of Eau Claire through Lowes Creek Park and is a majority petition.

#### Consent Agenda

4. Approval of the March 6, 2023 Plan Commission minutes. Christopherson moved to approval of the consent agenda, seconded by Wolfgram and the motion carried unanimously.

#### Regular Agenda

5. Public Hearing – For Recommendation to City Council – Rezoning (Z-1682-21 Amd) & Preliminary Plat (P-1-23) & Street Vacation & Dedication 2<sup>nd</sup> Street  
Petrie presented a request for recommendation of approval on a rezoning amendment. The proposed site plan shows 20 units with 10 twin homes for ownership along with the preliminary plat. This agenda item will be on the Council agenda on the March 27<sup>th</sup> meeting.

Brady Gronk, GRIP Development, spoke with the support of the project. He noted the design of the garage on the rear of the building. Price of the material with the development is the goal to costs attainable for first time homebuyers' market rate of \$300,000 for the units along with the finishes.

Seth Markgren, Everyday Surveying and Engineering, noted the lot would be 15 feet from 1<sup>st</sup> Street and the closest to 2<sup>nd</sup> Street is also 15 feet. He noted the slope on the northwest corner of the lot is steep and will require a retaining wall.

Motion by Commissioner Brandvold to recommend the rezoning amendment, seconded by Commissioner Erickson and the motion carried unanimously. (Davis abstained)

6. Public Discussion - Annexation (23-1A)  
Allen presented a request to recommend the annexation of approximately 438 acres from the Town of Washington to the City of Eau Claire. He noted this petition is a majority of land owner's annexation request. This is similar to the previous request of annexation approved last

June; however, the Eau Claire Circuit Court invalidated that annexation petition in February of this year. The land is partially within the sewer service area for the City and southern half is outside of the sewer service area. This will be considered at the Council meeting on March 28<sup>th</sup>.

Wolfgram asked about the Town of Washington and City of Eau Claire intergovernmental agreement why the city can approve an annexation without the town's consent, why the Plan Commission is reviewing prior to the DOA providing their report findings, and why the West Central Wisconsin Regional Planning Commission along with the DNR have not approved the SSA amendments.

Allen noted that the city attorney provided input regarding the intergovernmental agreement within the Plan Commission packet. He noted that the DOA noted the petition was received on March 1<sup>st</sup> and has up to 20 days to provide findings, which is tomorrow, March 21<sup>st</sup> and is only advisory on the annexation petition. Also, Allen noted that the SSA amendment is still under review by DNR and the RPC/MPO.

Erickson asked staff to further explain the provision in the intergovernmental agreement with the Town of Washington allowing for cooperative boundary agreements to assist with guiding annexation.

Allen stated the agreement is within the SSA boundary and 3-mile radius surrounding the city and that cooperative boundary agreements have not been explored or considered a necessary additional agreement with any of the surrounding Towns.

Grady Wolf, CDPG Developers LLC, spoke in support and noted the development plans have been under review for over 2 years; he noted the annexation was a majority land owner approach. He noted the four community meetings held throughout the previous year. After discussion with the neighborhood, he noted that the density was reduced including the location and inclusion of more single-family homes. Future planning is required and development should occur with this land and noted that community residents would prefer this number of homes to be on a few hundred acres than sprawled out over a few thousand acres.

Christopherson asked the applicant when the first shovel in the ground would occur and where would the first phase be and how many homes. Wolf noted a preference for this fall but more likely spring of 2024, with the first phase on the north end behind Rainetta Drive and about 80-120 homes.

Helgeson asked staff to clarify the DOA response and SSA amendment process. Allen clarified that the DOA response is advisory only and the SSA amendment included a request for more information last fall with City Engineer Solberg provided the requested materials to the DNR but no formal response has yet been presented.

Helgeson commended the applicant for meeting with the neighbors and reducing the proposed density by 40%, also noting more development details will come forward once annexation occurs and is therefore in support.

Wolfgram stated being very conflicted and also commended the development group for meeting with the neighbors as the Commission requested last fall, adding that as a member of the Regional Housing Study Steering Committee she has observed the need for 1,000 more housing units. While not completely opposed to voting yes, Wolfgram noted the missing advisory report from the DOA and the comprehensive plan is not updated and therefore preferred to delay the vote.

Erickson noted being conflicted in the same way as Commissioner Wolfgram, noting the compact and efficient growth in general guided by the comprehensive plan. He noted it does not appear particularly compact but agreed that it would be a legal annexation although is not connected to the city by any city road and connected only by the County park. He added that the Commission is really dealing with the annexation and not with what might come but felt it is important to know what the DOA's opinion is on this as well as seeing the SSA amended and therefore believed the annexation is premature.

Motion by Commissioner Helgeson to recommend approval of the annexation. Seconded by Commissioner Christopherson and the motion failed (4-4), thereby moving a neutral recommendation forward to City Council. (Nay: Obaid, Wolfgram, Erickson, Davis)

7. Public Discussion - Site Plan (SP-2309)

Petrie presented a request for the approval of a site plan for a multi-family apartments project located at 3421 Cypress Street. He noted the site plan is the final step in the process. This 36-townhome unit and is consistent with the general development plan and mixture of units. The units developed would be similar to the two-story buildings.

Sean Bohan with Advanced Engineering Concepts, noted that the construction of the buildings would save as many mature trees possible. He noted that the existing site would have better drainage than the current site.

Marcus Sessler with Wendel Companies, noted that the development would start later this spring with construction to continue into next year.

Motion by Commissioner Helgeson to approve the site plan with staff conditions. Seconded by Commissioner Brandvold and the motion was carried unanimously.

8. Future Agenda Items and Announcements

Allen announced that the next meeting will be on Monday, April 3<sup>rd</sup>. Allen also referenced the new website to track progress of the Regional Housing Study is at [eauclairregionalhousing.org](http://eauclairregionalhousing.org).

9. Adjournment

The meeting adjourned at 9:05p.m.

  
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Zina Obaid, Secretary