

TOWN OF RIB MOUNTAIN
PLANNING COMMISSION MEETING
SEPTEMBER 23, 2015

Chairman Kevin Mataczynski called the meeting to order at 6:30pm. Other Plan Commission members present included Ryan Burnett, Jim Hampton, Harlan Hebbe, Tom Steele, Laura McGucken, and Christine Nykiel. Also present were Community Development Director, Steve Kunst and Building Inspector / Assistant Zoning Administrator, Paul Kufahl.

MINUTES:

Motion by Tom Steele, seconded by Jim Hampton to approve the minutes of the September 9th, 2015 Plan Commission meeting, as presented. Motion carried 7-0.

PUBLIC HEARING

- a. *Joe Kuehn, owner, General Development Plan / Rezoning from Estate Residential to Unified Development District and Precise Implementation Plan request at the property addressed 1905 Aster Road. Parcel #34.342807.003.000.00.00, Docket #2015-26*

Pete Hirn of Pinno Buildings presented the project, noting the proposal calls for a 60' x 80' building with 16' tall side walls and an overall height of approximately 27'-28'. Hirn also mentioned previous conversations indicated concerns related to its large size and appearance from the Town right-of-way, which he noted would be minimized by the 10' drop in elevation from Aster Road to the proposed building site. Hirn noted the proposal also plans to address these concerns with the addition of future coniferous landscaping to the south side of the structure. In addition to the building location and future landscaping, Kuehn noted that the structures visual impact would be quite small because of the current tree line on his property along Aster Road, making the building only visible if someone were to pull into his driveway. Kuehn highlighted the buildings use as a way to store a number of his vehicles indoors versus being parked in his yard.

Jim Hampton and Christine Nykiel opened discussion by questioning the intended personal or commercial use of the building and current location of his Snap-On work vehicle. Kuehn reiterated to the Commission the intent was strictly for personal use, as it would likely house his work vehicle on colder days, which is currently parked outside near his house, as well as a number of tool boxes associated with his business. The Commission followed this inquiry with discussion of the current zoning requirements, unmet zoning standards, and primary public benefits. Steve Kunst included comment on potential conditions of approval for consideration; including no commercial activities onsite, no living quarters within the proposed building, considerations for future land division, and stormwater implications.

A general discussion of UDD conversions took place, followed by Chairman Mataczynski opening the discussion to public comment. Leroy Markowski, a neighbor of Joe Kuehn questioned the purpose of a previous zoning change and whether pursuit of a variance would have been a more effective method for

approval. Kunst noted the project would not meet the requirements for a variance to be granted, as the zoning code simply does not allow for a building of this size, unless it's found within an agricultural zoning district and used for agricultural activities.

Motion by Laura McGucken, seconded by Tom Steele to recommend approval of General Development Plan and Rezoning from Estate Residential to Unified Development District as well as the Precise Implementation Plan for the property addressed 1905 Aster Road, with conditions to limit building use to storage and other personal uses with no commercial activities taking place onsite, no living quarters or kitchen facility within the building, any future land division would require UDD modification (i.e. public hearing), and provided they are disturbing less than an acre of land there should be no stormwater implications. Motion carried 7-0

b. Gloss Nail Bar, Unified Development District modification to allow for an Indoor Commercial Entertainment use at the property addressed 4412 Rib Mountain Drive, parcel #34.102807.016.004.00.00, Docket #2015-24

Hong Duong of Gloss Nail Bar presented the idea of obtaining a Class 'B' Liquor/Beer License to allow for serving clients an alcoholic beverage in conjunction with his current service offerings. The purpose of this approach would be to create future promotional offers and to differentiate his business from others in the industry while offering his clients additional opportunities to relax.

Kunst began Commission discussion with a summary of the narrative provided in the report to the Planning Commission and by reiterating the intent of Duong's request and addressing the customer entrance, bufferyard, and parking requirements found within the Zoning Code related to an Indoor Commercial Entertainment use. Commission discussed the impact of allowing Indoor Commercial Entertainment at the subject property, with Laura McGucken expressing approval for Duong's forward thinking and noting that the location would be a good place for that type of use. Harlan Hebbe noted his objection to this use in conjunction with the current established business.

Additional discussion shifted to conditions of approval. McGucken suggested limiting the hours of operation to those currently posted (M-Sa 9-7, Su 10-5). Chairman Mataczynski recommended that primary use remain a nail salon, which was later changed to apply approval specifically to the current floor space the tenant occupies after Kunst and McGucken suggested not limiting future tenant occupants.

Motion by Tom Steele, seconded by Jim Hampton to recommend approval of the Precise Implementation Plan modification to allow for an Indoor Commercial Entertainment, conditioned upon limiting hours of operation to those currently posted and that the proposed use be contained to the current tenant space occupied by the applicant as of 9-23-15. Motion carried 5-1, with Harlan Hebbe voting against the motion and Chairman Mataczynski abstaining.

c. McDonalds's Corporation, Conditional Use modification and Site Plan review and Conditional Use Approval for a Changeable Message Sign for the property addressed 4702 Rib Mountain Drive, parcel #34.152807.001.010.00.00, Docket #2015-25.

Daniel Fish, owner, presented the basics of the proposed site plan and conditional modifications before turning over the presentation to Darren Lazan of Landform. Lazan provided the Commission with additional documents as it relates to the site modifications and more specifically to address driveway access and traffic concerns. Lazan presented that the proposed plan identified the two separate parcels owned by McDonalds, both of which are accessed by a private drive easement share by four (4) businesses. Lazan noted the two (2) McDonald's parcels would include three (3) inbound curb cuts and two (2) outbound routes in the proposed site plan, to help ease traffic concerns. Lazan also stated that previous stormwater management concerns were addressed with the new site plan and with the new construction projects to the north of the property.

The Commission began discussion with analyses of traffic patterns and queuing logic. Lazan discussed concerns related to AECOM's review of the site, which included relocating the eastern most proposed access to allow for queuing length in the turn lane and alignment with the future Red Robin access. Lazan stated that the proposed easternmost curb cut is located at 142' from the stop bar, instead of AECOM's recommended 150'. Steve Kunst asked Lazan if their 142' measurement was from the stop bar or from Rib Mountain Drive. Lazan stated that he believed it to be from the stop bar. Christine Nykiel suggested that both traffic engineering groups be present for future discussion so that the Commission can get a better handle on traffic impacts, which was supported by other Commission members.

Chairman Mataczynski encouraged the Commission to discuss the approval items pertaining to in-vehicle sales, site improvements and the changeable message sign. Kunst noted that landscaping requirements were met with the addition of 250 landscape points, stormwater upgrade is practical, and parking is adequate for the proposed use. The changeable signage met the square footage requirements, but the overall height needs to be modified to be less than 10' in height.

Additional conversation reverted back to traffic concerns and the impact of an 8' difference in proposed versus recommended access locations. Jim Hampton suggested moving the access location, while Laura McGucken suggested leaving the access as is.

Motion by Harlan Hebbe, seconded by Laura McGucken to recommend approval of the conditional use modification, site plan, and changeable message sign with conditions that the access is 142' from stop bar and that the proposed signage is adjusted to meet current ordinance requirements. Motion carried 7-0.

NEW BUSINESS:

- a. *Kurt Schoen, agent, Special Use request for filling over 4,000 square feet, as part of the Marathon County Bluegill Bay Park restoration project. Parcel #34.112807.GL.04.00, Docket #2015-28*

Kurt Schoen of Schoen Engineering Solutions presented the proposed dredging, transportation, and dewatering of sediment from Bluegill Bay County Park. Schoen noted the proposed project calls for the removal of approximately 11,000 cubic yards of sediment from the Bluegill Bay Park area. The dredged material will be transported to an adjacent parcel, also owned by Marathon County (County Nursery),

where it will be allowed to dewater over time and later be leveled out and seeded. In order to eliminate drainage to other properties, Schoen indicated that a five (5) foot tall containment berm will be created around the dredged material along with a sediment trap and stone weepers.

Jim Hampton began Commission discussion by asking Schoen about any potential hazardous materials contained in the sediment and if there were any concerns about odor. Schoen responded that according to the DNR, the material was considered non-hazardous and that he was unaware of any research related to odor concerns. Harlan Hebbe asked for estimated project duration. Schoen did not have that information. Additional discussion about the dredging and dewatering processed followed, with Schoen noting that the DNR has approved the dredging process.

Motion by Tom Steele, seconded by Harlan Hebbe to recommend approval of the special use as presented. Motion carried 7-0.

CORRESPONDENCE/QUESTIONS: None

PUBLIC COMMENT: None

ADJOURN:

Motion by Tom Steele, seconded by Harlan Hebbe to adjourn. Motion carried 7-0. Meeting adjourned at 8:40pm.

Respectfully Submitted,

Paul Kufahl, Building Inspector / Assistant Zoning Administrator