

TOWN OF RIB MOUNTAIN
PLANNING COMMISSION MEETING
April 9th, 2014

Chairman Tom Muellner called the meeting of the Planning Commission to order at 7:00 p.m. Members present included Lee Benes, Jim Hampton, Laura McGucken, Christine Nykiel and Tom Steele. Also present was Assistant Zoning Administrator Jeff Kussow. Kevin Mataczynski was absent.

MINUTES:

Motion by Tom Steele to approve the March 12, 2014 regular planning commission meeting minutes. Seconded by Lee Benes. Motion carried.

PUBLIC HEARINGS:

- a) *Red Woof Pet Resort (A&C Pet Rentals LLC, owner) requesting a Conditional Use approval to allow a pylon sign exceeding the permitted maximum height of ten (10) feet on the property addressed 5519 Lilac Avenue, to construct a pylon sign sixteen (16) feet in height per RMMC Section 17.213 (2)(e)1. which states "Pylon and monument sign height may exceed the permitted maximum height through a conditional use approval". Premises legally described as part of Government Lot 4 – Lot 2 of CSM Vol. 33 Pg. 140 (#8572) – Section 14 T28N R7E; PC Docket 2014-08*

Jeff Kussow explained the applicants request to replace their existing 8 foot sign with a 16 foot sign, consisting of an 11 foot pylon/support portion with a 5 foot by 10 foot sign portion on top. He explained the previously adopted sign ordinance modification to allow pylon signage exceeding 10 feet in height through conditional use approval. He stated that they are proposing to locate the new sign in the existing sign location. Mr. Kussow stated that this proposal meets the "Findings of Fact" section of the ordinance where the proposed sign is needed for highway visibility due to topography variations created by the I-39/USH-51 highway since it is approximately 10 feet below the highway elevation.

The commission questioned and commented on permitted signage allowance, visibility, nearby tall pylon signs and aesthetics. Chairman Muellner opened up the public hearing. Scott Turner spoke in favor of the taller sign and stated that it promotes tourism.

Motion by Laura McGucken to approve the Conditional Use request to allow a pylon sign exceeding the permitted maximum height of ten (10) feet on the property addressed 5519 Lilac Avenue, to construct a pylon sign sixteen (16) feet in height. Seconded by Lee Benes. Motion carried 6-0.

CERTIFIED SURVEY MAP APPROVALS: NONE

NEW BUSINESS: NONE

OLD BUSINESS:

- a) *Active Outdoor Public Recreational Land Use Zoning Text Amendment & Bike Pump Track at Liberty Park discussion; PC Docket 2014-04*

Mr. Kussow explained that Town Board approved the concept of a "bike pump track" at Liberty Park in early February. He explained that staff determined that this use is classified as an "active outdoor public recreational" land use. He explained that Town Board made an action at the April 1st meeting to direct staff to modify the "active outdoor public recreational" land use section. He went on to explain the existing ordinances for passive and active outdoor public recreational uses. He also explained that multiple parks within the Town are existing non-conforming due to active uses in the parks which are not within the permitted zoning districts of OR-35ac & RR-35ac, and do not contain enough area to rezone the parks to these zoning districts. He explained that Staff, Rib Mountain Park Commission, and Town

TOWN OF RIB MOUNTAIN
PLANNING COMMISSION MEETING
April 9th, 2014

Board are requesting to modify these zoning code sections to find a way to make the Town Parks conforming. He presented a potential draft zoning code modification which allows active outdoor public recreational uses in all other zoning districts through conditional use approval. He stated that since most of the Town Parks are neighborhood parks, public input from the neighborhood on the development/use of the parks is important.

The commission questioned and commented on the existing ordinances and permitted uses in various districts. Laura McGucken stated that the Town needs to be careful on what is permitted in neighborhood parks surrounded by homes and residences, and “destination” uses should be carefully looked at in terms of parking and use intensity within these neighborhood areas. Chairman Muellner stated that at previous Plan Commission meetings, the consensus was that a “destination” use is not a good fit for residential neighborhoods.

Mr. Kussow stated that the definition of an active use may need to be looked at in terms of what is considered an active use, due to uses such as basketball courts, tot lots and playgrounds being defined as an active use which are typical of most neighborhood parks. Scott Turner stated that the original concern of the Park Commission is the zoning of the parks and their non-conformities. He stated that determining what is an active use based on the zoning code should be reviewed. Mr. Turner also stated that a modification is needed for future parks that may be implemented. Chairman Muellner questioned Mr. Turner on how many potential new parks may be implemented within the Town in the next 10 years. Mr. Turner stated that there is a considerable amount of residential development property within the Town and could foresee another park in the Hall Farm development. Mr. Turner stated that his opinion is to allow active uses in all districts through a conditional use. He stated that he views Liberty Park as a destination park and is much larger than the typical neighborhood park.

The commission commented on the other parks and their uses within the Town. Chairman Muellner stated that active uses within a neighborhood park may be acceptable if a park is large enough to absorb the active use without excessive nuisance to surrounding properties. Ms. Nykiel questioned if the distinction is needed between passive and active outdoor uses. Mr. Kussow stated that there are definitions of active and passive uses that are used for different park planning. Mr. Kussow explained that there are active uses on the non-conforming park properties and there have not been many, if any, issues with the neighbors and these uses. The commission questioned and commented on defining some active uses as passive uses. The commission questioned and commented on intensity, size etc. uses which are considered active or passive. Christine Nykiel suggested finding specific parameters in definitions and other jurisdictions which define active and passive uses. Ms. McGucken suggested adding “dog park” to an example of an active use.

The commission questioned and commented on possible ordinance modifications. Ms. Nykiel suggested making all active uses a conditional use approval instead of special use approval. The commission’s consensus was to only allow active outdoor public recreational uses within 35 acre districts through conditional use approval. Mr. Turner stated that smaller districts should be included within conditional use approval for active uses due to future parks potentially not being 35 acres. Mr. Turner stated that he sees Liberty Park as an underutilized park. The commission discussed the probability of having another 35 acre parcel for a park. Ms. McGucken suggested created a new Outdoor Recreational zoning district, which could be a 10 acre parcel that allows parks.

Dan Abt of the Central Wisconsin Offroad Cycling Coalition (CWOCC) explained the purpose of his coalition to promote off-road bicycle usage. He went on to explain the function of a bike pump track and other characteristics. He stated that it is a quiet recreation for all ages. He stated that there is only one

TOWN OF RIB MOUNTAIN
PLANNING COMMISSION MEETING
April 9th, 2014

other bike pump track within the State in Middleton, WI. Chairman Muellner commented on concerns of this proposal being turned into a large event. Mr. Abt stated that the club does not have any plans to host events. The commission questioned and commented on insurance, liability, construction & maintenance. Tom Steel questioned if the course would be open to non-members of the CWOCC. Mr. Abt stated that it would be open to all public. Jim Hampton questioned why they chose Liberty Park. Mr. Abt stated that the park had good accessibility with it being located along the designated pedestrian route through Town, its close proximity to Rib Mountain, and the low use of the park. Mr. Steele questioned why they aren't trying to go to Nine Mile. Mr. Abt stated that the County will not allow it. The commission questioned and commented on the proposed site plan. Ms. McGucken questioned why Doepke is not considered. Mr. Turner stated that there is not sufficient available room for this use and wetlands hinder useable sites. Mr. Turner presented a video of a "bike pump track".

Mr. Kussow summarized the commission's discussion for modifying the ordinance.

b) Planning Commission 1st & 2nd Vice Chair Discussion

The commission questioned the purpose of having a 1st & 2nd Vice Chair. Mr. Kussow stated that it provides a functional progression if the chair is absent or leaves their position. The commission's consensus was that the commission has functioned well in the past when the chairman was absent and this position should be appointed by the Town Board just as the Town Board appoints the chairman. The commission questioned and commented. Mr. Kussow stated that he will research and determine the proper procedure.

c) Planning Commission Roles/Rules Discussion

The commission tabled this item for next meeting's agenda

CORRESPONDENCE / QUESTIONS:

a) Mountain View Shoppes (4500-4530 Rib Mountain Drive) site plan approval update; PC Docket 2013-31

Mr. Kussow presented a modified site plan and explained that the developer presented the modified site plan to Town Board, which met the required parking standards per the zoning code. He stated that Town Board approved the site plan and modification of the end-cap tenant space occupancy to 130 seats subject to the site plan modification with the additional parking. The commission questioned and commented.

ADJOURN:

Motion by Lee Benes and seconded by Tom Steele to adjourn. Motion Carried 5-0.
Meeting Adjourned at 8:30 p.m.

Respectfully Submitted,
Jeff Kussow, Assistant Zoning Administrator