

TOWN OF RIB MOUNTAIN
PLANNING COMMISSION MEETING
October 10, 2018
*AMENDED

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

MINUTES:

Motion by Jim Hampton, second by Tom Steele to approve the minutes of the September 26, 2018 Plan Commission meeting, as presented. Motion carried 5-0. *Harlan Hebbe abstained.

PUBLIC HEARINGS:

- a. *Wisconsin Department of Natural Resources, owner, requests rezoning of 0.6 acres from Suburban Residential-3 to Suburban Office at the property addressed 1200 Fern Lane. Parcel #34.152807.013.004.00.00. Docket #2018-49.*

Community Development Director, Steve Kunst indicated the applicant seeks an amendment the Town of Rib Mountain's Zoning Map from Suburban Residential-3 to Suburban Office for approximately 0.6 acres of land on the north side of the Mountain View Church of Christ property at 1200 Fern Lane to facilitate a land sale. Kunst also noted this portion of property contains a parking area currently leased from the Church by the Wisconsin Department of Natural Resources (DNR). He noted the proposal is consistent with the Town's Future Land Use Map and the resultant parcels would meet minimum lot standards for the proposed zoning districts.

The public hearing was opened at 6:33 pm.

Nathan Wincensten, applicant representative, noted the existing parking area was part of a long-term lease agreement and the DNR would like purchase the parking area instead of entering into another lease. He also indicated all the church and its signage would meet the setback requirements once the land sale and CSM are completed.

The public hearing was closed at 6:34pm

Plan Commissioners stated they were ok with the request and it appears to be house keeping item that will help clean up both parcels.

Motion by Tom Steele, second by Jim Hampton to recommend approval of the Rezoning request for 0.6 acres from Suburban Residential-3 to Suburban Office at the property addressed 1200 Fern Lane. Motion Carried 6-0.

CERTIFIED SURVEY MAPS:

- a. *Wisconsin Department of Natural Resources, owner, requests Certified Survey Map approval for a lot line adjustment at the properties addressed 5302 Rose Avenue and 1200 Fern Lane. Parcel #34.152807.013.004.00.00, #34.152807.013.010.00.00 & #34.152807.013.002.00.00. Docket #2018-50.*

Kunst noted this CSM is the follow-up to the previously discussed rezoning application to allow Mountain View Church of Christ to sell a strip of land to the WDNR. He noted, as proposed, all lots included in the CSM meet or exceed minimum lot standards for their associated zoning districts as well as the Town's Subdivision Ordinance and in addition to facilitating a land sale, this CSM helps clean up a previously nonconforming parcel in which the property line ran down the middle of a building.

Laura McGucken and Ryan Burnett asked for clarification on affected parcel addresses and areas as indicated on the CSM. Jim Hampton asked if there was any impact on the access to the American Family Insurance property. Kunst noted there would be no impact and the American Family Insurance property has a cross access agreement with the BMO Harris property.

Motion by Laura McGucken, second by Jim Hampton to recommend approval of the Certified Survey Map for a lot line adjustment at the properties addressed 5302 Rose Avenue and 1200 Fern Lane. Motion Carried 6-0.

NEW BUSINESS:

- a. *Paul Hackel, applicant, requests Final Plat review for Stone Horizon Subdivision at the property addressed 6200 South Mountain Road. Parcel #34.182807.016.002.00.00 and #34.182807.013.000.00.00. Docket #2018-43.*

Kunst stated the applicant requests Final Plat approval for Stone Horizon Subdivision. He noted the Plan Commission recommended approval of the Preliminary Plat on July 11th, 2018 and the Town Board subsequently approved the Plat on July 17th. Kunst indicated the Final Plat creates eight new potential single-family residential lots which are consistent with approved Preliminary Plat and should the Commission choose to approve the final plat, he would recommend the conditions as identified in the agenda packet. Kunst stated he has received the wetland delineation document signed by the Army Corp of Engineers and it is accurately identified on the plat. In addition to the identified conditions, Kunst indicated that an additional note should be made on the plat so as not to preclude a future road extension into Lot 2.

Commissioners agreed some additional language to allow for a future road expansion was needed. Nathan Wincentzen, applicant representative, acknowledged the request and indicated that notation could be added to the plat.

McGucken asked what Outlot 1 will be used for. Kunst noted that will be the stormwater management facility. He also noted that the Stormwater Management Plans and Road Plans are currently under review by the Streets and Parks Superintendent, Scott Turner.

Discussion amongst the Commissioners, staff and applicants clarified the plat layout and location of existing houses after some initial confusion based on duplicate Lot numbers from the plat and previous CSM's. Wittman asked the applicant if his intent was to further subdivide Lot 2 if he was able to build out the remain lots. Paul Hackel, applicant, indicated he would consider further subdividing that lot, but the there are additional challenges with that parcel because of the required road connection and topography.

McGucken verified the existing house has adequate access to South Mountain Rd. Wincentzen noted there is an easement agreement in place that allows them access until the road is completed, at which time their new access would be on the completed public roadway.

Wittman asked staff is they foresee any concerns about development of the lots because of the identified wetlands. Kunst noted the lots appear to have plenty of developable area.

Motion by Jay Wittman, second by Laura McGucken to recommend approval of the Final Plat for Stone Horizon Subdivision at the property addressed 6200 South Mountain Road, conditioned upon the following:

- **A signed developers agreement covering all public improvements and financial sureties.**
- **Finalized stormwater management plan and/or long-term maintenance agreement approved by the Town Engineer.**
- **Finalized street plans approved by the Town Engineer.**
- **A finalized copy of any restrictive/protective covenants along with primary contact information for any homeowner's association.**
- **Conditional Use approval for any subdivision identification monument signage.**
- **Additional plat notation that does not preclude a road extension into Lot 2.**

Motion Carried 6-0.

- b. Faith Christian Academy, applicant, requests a pre-application conference for a potential conditional use request. Docket #2018-51.

Kunst indicated the applicant seeks Plan Commission feedback on the potential for portable classrooms on the Immanuel Baptist Church site for Faith Christian Academy. Faith Christian Academy is looking at three, 840 square foot (14 ft. x 60 ft.), two classroom structures which may contain bathrooms. The proposal calls for the structures to be placed on the north end of the property along Tulip Lane around the existing garage or within the parking lot. Kunst noted the Land Use type is permitted in the current zoning district, but the temporary nature of the structures would result in a need for conditional use approval.

Clint Steinke, Jeff Meyer and Henry Yach represented Faith Christian Academy. They noted their existing lease expires at the end of the school year in 2019 and Immanuel Baptist Church (IBC) has indicated they are willing to work with them to find a temporary solution for their classroom requirements. They noted

the elementary school children would use existing rooms within the IBC building and the Middle and High School age students would use the temporary classrooms. Steinke noted they are considering structures with or without bathroom facilities depending on the feasibility of plumbing connections to the building or street.

Plan Commission Members had the following questions, comments and concerns.

- Will there be additional access requirements to Tulip Lane?
- Will there be a buffer between the residents on Tulip Lane and the temporary classrooms?
- What is the primary reason for choosing the location on the north side of the property?
- Is it practical to make sewer and water connections for a temporary use, and how will the students in those classrooms have access to bathroom facilities without connections?
- Is there a playground available for the younger students?
- Primary concerns are safety of the students, a visual buffer to residents on Tulip and overall aesthetics of the temporary structures.
- Also concerned about the duration of the use and having an exit strategy.
- Will there be enough parking available for the church uses?
- What are the typical hours of operation?
- What is the long-term solution for the school?

Representatives of Faith Christian Academy had the following responses.

- They do not plan to require additional access to Tulip Lane. The existing access should serve their use adequately and additional accesses would be difficult based on the land features present.
- There are existing trees which will serve as a buffer to residents and they do not plan on removing any trees in order to place their structures.
- The proposed location allows the classrooms good access for student drop offs and conceals them from immediate view from Hummingbird Rd.
- They doubt sewer and water connections are practical, but they are an option. If the temporary classrooms do not have bathroom facilities, they will have to use those available in the IBC Building. They noted the students utilizing the temporary classrooms are middle and high school age.
- They have playground equipment they own at their current facility and they would likely bring that with them to IBC.
- They agreed that safety of the students is their top priority.
- They noted they are in the process of establishing a fundraising campaign to raise money for a permanent facility. It was noted that enrollment has increased considerably with the State's voucher program. Enrollment last year increased from 124 to 184 students.
- Parking should not be an issue because of the difference in time requirements for both the school and the church. They are aware of specific times when there will be overlap and they are committed to making sure they do not impact IBC negatively.
- Typical hours would be from 7:30am to 3:30pm with additional hours for athletics and other activities.

- The long-term solution for the school is to construct a permanent facility within Rib Mountain. They identified an area of Town which they are considering.

Overall the Plan Commission members were generally accepting of the use and reiterated the main concerns are student safety, overall aesthetics, buffering the residents on Tulip Ln, and establishing an exit strategy.

CORRESPONDENCE / QUESTIONS / TOWN BOARD UPDATE:

Town Board – Kunst noted the conditional use requests for the fence and second driveway from the previous Plan Commission meeting were approved at Town Board.

Permit Updates – Kufahl noted the Town has issued 205 permits year to date with a construction valuation over \$16,400,000, and he anticipates at least 30 new housing units for the year.

Countywide Addressing – Commissioners asked if there is any update on the Countywide Addressing lawsuit. Kunst indicated the Town has not received any new information related to the case.

Dog Park – Commissioners commented they have observed consistent use of the Dog Park and stated it appears to be a popular addition.

Royal View Estates – Commissioners questioned whether the developer of Royal View Estates will have the Strawberry Ln and the bike trail completed this year. Kunst indicated he does plan to have the first course down before the end of the month to meet the revised developer’s agreement timelines.

Meeting Time – McGucken asked the Commission if they would consider a 6:00 pm meeting start time. Kunst stated he would put the request on a future agenda for formal discussion.

PUBLIC COMMENT: None

ADJOURN:

Motion by Tom Steele, second by Laura McGucken to adjourn the Plan Commission Meeting. Motion carried 6-0. Meeting adjourned at 7:33 pm.

Respectfully Submitted,

Paul Kufahl, Building Inspector / Assistant Zoning Administrator