

TOWN OF RIB MOUNTAIN
PLANNING COMMISSION MEETING
August 12, 2020

Acting Chairperson Ryan Burnett, via GoToMeeting, called the meeting of the Plan Commission to order at 6:04 pm. Tom Steele, Tonia Westphal, Mary Kate Riordan, and Steve Plunkett also joined via GoToMeeting. Jim Hampton was present, in person. Also present, in person, were Director of Community Development, Jared Wehner and Building Inspector / Assistant Zoning Administrator, Paul Kufahl. Jay Wittman joined the meeting at 6:11pm via GoToMeeting and resumed the role of Chairperson.

MINUTES:

Motion by Tom Steele, second by Tonia Westphal to approve the minutes of the June 24th, 2020 Plan Commission meeting.

Motion carried 6-0.

OLD BUSINESS: None

PUBLIC HEARING(S):

- a. *Docket #2020-010: Discussion and recommendation on a requested Conditional Use Permit for a Detached Private Residential Garage, Carport or Utility Shed in excess of 1,000 square feet and preceding the construction of the principal structure at the property located north of the intersection of County Road NN and Spring Creek Drive.*

Community Development Director, Jared Wehner, indicated the applicant is proposing a 1,648 square foot accessory garage with a storage loft. The property is 20.241 acres in area, located on the north side of the intersection of Spring Creek Drive and County Road NN and is zoned SR-2 Suburban Residential, which allows the applicant to request up to 2000 square feet of detached building area. Wehner note there are not any habitable spaces proposed on the application, and the building will be supplied with electric, private water and private sewer. There will be a toilet and sink in the building, but no shower fixtures and it will be heated with in-floor hydronic heat. The applicant intends to build the accessory structure prior to the principal structure, therefore, Wehner suggested establishing a timeframe for completion of both the accessory building and principal structure.

Tom Steele asked how far the building was setback from County Road NN.

Mark Thuot, applicant, indicated the building will be 200' from NN and 25' from the adjacent property.

Ryan Burnett questioned whether the accessory building would be regularly inspected to ensure the applicant follows any approved plans.

Paul Kufahl, Building Inspector, noted the building would be inspected multiple times throughout construction to ensure they are following the approved plan and required construction standards.

Steele questioned whether the total height of the building or appearance of its elevations were of any concern, and if the applicant is aware of the suggested conditions related to the timeframe and limited plumbing fixtures.

Wehner noted the total height of the building is comparable to a recent approval for the Johnson's on Goldenrod Rd and the building elevations are intended to be complimentary to the house.

Thuot indicated he was aware of the suggested conditions and he agrees to abide by them.

Wehner then read the suggested conditions and noted that non-conformance with those conditions would require in the owner to raze the accessory building.

Jay Wittman questioned whether the Town should impose an addition bond to cover the potential cost of razing the structure.

Wehner noted he did not feel it was necessary to impose an additional bond because the recorded conditional use permit would allow for action through the court system. Kufahl stated previous similar approvals have been imposed an additional \$1000 bond which was refunded upon completion of both the detached garage and the house.

Commissioners were comfortable with the additional \$1000 bond requirement and noted the typical conditions are intended to limit the chances the building is used as a living space.

Thuot indicated the garage is intended to store tools and materials while they are building their home and that the main floor space will be used as a wood and pottery workshop and the upper as an exercise room. He noted there is no intention of creating or using the space for living purposes.

The public hearing was opened at 6:19pm. Receiving no comments, it was subsequently closed.

Motion by Tom Steele, second by Tonia Westphal to recommend approval of the requested Conditional Use Permit for a Detached Private Residential Garage, Carport or Utility Shed in excess of 1,000 square feet and preceding the construction of the principal structure at the property located north of the intersection of County Road NN and Spring Creek Drive, conditioned upon the staff recommended conditions and the requirement of an additional \$1000.00 bond for the garage project.

Motion carried 7-0.

b. Docket #2020-011: Discussion and recommendation on a requested Precise Implementation Plan for retail use at Northeast corner of the intersection of Rib Mountain Drive and Valley Inn Way.

Wehner stated the requested Precise Implementation Plan is for a 4000 square foot commercial retail building. The applicant has updated the elevations since the packet was sent out to include additional windows and trim detail along the Rib Mountain Drive side of the building. Wehner also noted that all items identified in the packet as non-conforming to the code have been addressed and now meet the underlying Urban Commercial code requirements. The only remaining item which was noted in the report are the parking stalls located along the main drive aisle. Wehner indicated the General Development Plan was approved with this parking configuration but felt it may warrant some additional discussion.

Commissioners noted they have reviewed the new elevations and are comfortable with the overall appearance of the building.

The public hearing was opened at 6:24pm. Receiving no comments, it was subsequently closed.

Wittman asked if they needed to review the finding of fact or the suggested conditions. Wehner stated the finding of fact is provided in the packet and the staff suggested conditions relate to making sure the building is constructed in accordance with all applicable codes and the site is developed as presented.

Commissioners noted they were comfortable with what is presented and asked staff if they had any other concerns or issues. Wehner indicated he did not.

Motion by Jay Wittman, second by Ryan Burnett to recommend approval of the requested Precise Implementation Plan for retail use at Northeast corner of the intersection of Rib Mountain Drive and Valley Inn Way, with staff suggested conditions.

Motion carried 7-0.

- c. Docket #2020-012: Discussion and recommendation on a requested modification of a Precise Implementation Plan for a drive-through restaurant on the east side of the intersection of Lilac Avenue and Valley Inn Way (Culver's).*

Wehner stated the project has already been approved through the initial PIP. The applicant wishes to add a second drive-through lane on the inside of the original drive-through lane, not impacting any setbacks. Culver's is seeking the second drive-through since they have seen a large increase in drive-through sales. There is also a roof being proposed over the refuse and recycling enclosure as part of this modification to the Precise Implementation Plan.

Wittman asked if staff was concerned about the turning radius of the new drive-thru lane and if the outside edge of the lane was curbed. Wehner noted he felt the radius was adequate. Tonia Westphal identified a detail provided in the plans which indicated the outside edge of the drive-thru lane was striped, not curbed.

Steele questioned whether the addition of the drive-thru lane would create any snow removal concerns, to which Wehner noted it would be an additional lane to plow but should not create any issues.

Wittman asked for confirmation that by-pass lane traffic would still be able exit the site to Lilac Ave or turn left into the parking area adjacent the drive-thru lanes. Wehner confirmed.

Mike Mohr from REI and a Culvers representative, noted the dumpster area is planned to expand and be provided with a roof covering. They indicated the image provided in the packet was intended as an example of what would be constructed, and the actual façade and roof shape will be designed to match the main buildings appearance.

The public hearing was opened at 6:36pm. Receiving no comments, it was subsequently closed.

Motion by Tom Steele, second by Mary Kate Riordan to recommend approval of the requested modification of a Precise Implementation Plan for a drive-through restaurant on the east side of the intersection of Lilac Avenue and Valley Inn Way (Culver's), with staff recommended conditions.

Motion carried 7-0.

- d. Docket #2020-013: Discussion and recommendation on a requested Conditional Use Permit for an unclassified use (temporary outdoor assembly/special event) at the southwest corner of the intersection of Trillium Lane and Clover Road.*

Wehner indicated the applicant is proposing a small 2-day “micro” festival on the southeast corner of the intersection of Clover Road and Trillium Lane. There will be onsite parking in the field as well as a stage for live music. This year there is no proposed overnight camping. The event would end at 11:00 PM with live music ending at 10:00 PM on Friday and ending on 12:00 AM Sunday (Midnight) with live music ending at 10:30 on Saturday. Beer would be served by the Lion’s Club. Attendees are expected to stay with those they have arrived with in the same vehicle and not leave the area roped off for the parking of their vehicle. The applicant describes it as a drive-in concert. The applicant has been working with the Marathon County Health Department to create an operations plan that ensures all social distance guidelines are being followed to the best of their ability.

Burnett asked for confirmation that this is a one-time event proposal and not a yearly event.

Wehner indicated the Conditional Use would only be applicable to this year’s event, but the applicant would like to make it a yearly event in the future should it be well received this year.

Hampton asked if there will be beer and food served, if vendors will deliver to the vehicles and if additional lighting will be needed.

Matt Szmanda, applicant, indicated the Lion’s Club and potentially another food truck will be available for food and beer purchases. If the vendors are willing to bring items to the individual’s vehicles, he would encourage that, but they are currently planning for individuals to leave their designated areas to purchase food and beverages and then return to their vehicle. He also indicated they would be renting three large lighting structures to facilitate traffic exiting the site at night.

In addition to answering the questions about food, beverages and lighting, Szmanda provided the Commissioners with a general overview of the operations plan highlighting that each vehicle attending the event is assigned a designated area which is roped off from other attendees to provide for appropriate social distancing and entry into the site is dependent upon your ticket location which should reduce large amounts of traffic at a given time. In order to further address traffic concerns, they are asking attendees to queue up along Trillium Lane south of the Clover Road intersection so they do not impact normal neighborhood traffic. He also noted they plan to hire 25 individuals to help with parking and traffic control, as well as, enforcement of mask and social distancing guidelines. In addition to the event, they are planning to administer a survey to the surrounding neighborhoods to get feedback on traffic, noise and overall performance of event operations, which they plan to supply to the Commission at a later date.

Wittman asked how many total vehicles may be in attendance, how they plan to prevent people with carry-ins, and if they have had any conversations for neighbors nearby.

Szmanda indicated they are planning for a maximum of 400 vehicles, each with a maximum of 4 people for a total of 1600 attendees. He noted it may be difficult to curb all carry-ins, but they are not allowing any tail-gating activities and are using a lot of messaging through social media and with ticket sales on the

expectations of attendees. Szmanda indicated they have had conversations with residents on both Goldenrod Rd and Clover Rd.

Steele had some concerns about the music volume impacting neighbors and asked if there was a way to monitor the decibel levels throughout the event.

Szmanda indicated they chose a stage location which they felt would least impact the adjacent residents. He noted the stage would be directing noise to the northwest, where the nearest residence is approximately a quarter mile away. He also noted that music will be done at 10:30pm at the latest and he and their staff would be willing to monitor noise levels through out the event and various locations and provide that information to the Commission at a later date.

Burnett asked staff at what time the Town's noise ordinance took effect and noted he was not necessarily concerned about the music, but rather the traffic leaving the site from 10:30pm till midnight. He also asked where the applicant is marketing the event.

Kufahl noted the ordinance identifies 8:30pm as the traditional quiet time. Szmanda also noted the point of ingress and egress to the site is near the northwest corner of the property where traffic will impact the fewest residents along Clover Road. Wehner also indicated the Town would have a dedicated Officer by the date of the event that could help in traffic control and enforcement. Szmanda indicated they are selling tickets on EventBrite and marketing through Facebook and their website.

Westphal stated the proposal notes a 550-person maximum event, but the applicant presented a 400-vehicle limit with up to four (4) people per vehicle, and asked for clarification on the size of the event. She also noted the traffic needing to turn around on Trillium Lane to line up before the event entrance may be more difficult than they anticipate and requested additional coordination with the Town's dedicated officer.

Szmanda noted they were originally planning for 550 individuals in a traditional concert setting, however, to better address the current social distancing requirements, they opted for a drive-in style event where the site is setup like a parking lot and would be conducive to a larger number of individuals. Wehner noted that the modification to the original proposal will be reflected in the Conditional Use Permit. Szmanda stated that ticket purchases will dictate the time in which you are allowed to enter the site, which should reduce the overall traffic load at any one given time and that a member of the event staff and an officer will be present at the intersection of Clover Rd and Trillium Lane to provide traffic control.

Mary Kate Riordan indicated she liked the idea of the post-event survey, but was originally concerned with attendees camping on-site and asked how they plan to handle that in the future.

Szmanda noted the camping area would be separate from the event space and would be accessed off Trillium Lane and is located further away to residents to reduce noise concerns.

The public hearing was opened at 7:09pm.

Fred Schafer, 225180472657 Blazing Star St, asked if the lineup listed in the packet was the actual line up scheduled for the event and if the acts are familiar with the drive-in style concert. He also indicated he has received comments from residents of the Town and the Greater Wausau Area that are in favor of the event.

Szmanda confirm the present lineup are the acts involved and they are all familiar with the drive-in style setup. He also indicated they hoped to create a community centered event and are allowing the Lion's Club to keep all proceeds from beer sales at the event and have reserved 60 rooms at the Hilton Garden Inn for the bands and the police officers helping with traffic and event enforcement.

John Happli, 226930 Thrush Ave, wanted to confirm that local fire and EMS service have been notified of the event and have the ability to provide services if needed.

Szmanda noted that SAFER is aware of the event and is on call for anything that may arise.

The public hearing was closed at 7:18pm

Burnett questioned whether the barn would be used in the event. Szmanda noted the barn will only be used for the bands this year, but would like to use the barn in the future for additional events.

Commissioners indicated that the success of this year's event has significant weight on any future events and the survey provided to residents will be very important. They requested the applicant to work with staff to establish questions and administer the survey.

Motion by Jay Wittman, second by Tom Steele to recommend approval of the requested Conditional Use Permit for an unclassified use (temporary outdoor assembly/special event) at the southwest corner of the intersection of Trillium Lane and Clover Road, conditioned upon the following items;

- **Staff recommended conditions supplied in the packet.**
- **Work with staff to create and implement a follow up survey.**
- **Conduct decibel readings at various points and times throughout the property and adjacent areas before and during the event.**
- **Present survey results and decibel readings to the Plan Commission by October 28th, 2020.**

Motion carried 7-0.

NEW BUSINESS: None

CORRESPONDENCE / QUESTIONS / TOWN BOARD UPDATE:

Wehner noted the Town is currently conducting a feasibility study for a TIF District east of Rib Mountain Drive from Menton Lane to Parrot Lane.

He also indicated that Nifong Realty has a tenant who is interested in the 60,000 square foot Gordman's space, and that interest in Commercial development has increased significantly in the past month.

Additionally, Wehner stated they have received more than 80 responses to the Disc Golf survey with 74% of respondents in favor of the activity at Liberty Park.

Kufahl indicated Discount Tire and Dollar Tree are nearing completion of their projects and will be opening in the coming months. He also noted there is no timeline on Culver's completion and that Jiffy Lube will be starting construction shortly, after rebidding and awarding the project to a new general contractor.

PUBLIC COMMENT: None Received

ADJOURN:

Motion by Tom Steele, second by Steve Plunkett to adjourn the Plan Commission Meeting.

Motion carried 7-0. Meeting adjourned at 7:37pm.

Respectfully Submitted,

Paul Kufahl, Building Inspector / Assistant Zoning Administrator

DRAFT