

TOWN OF RIB MOUNTAIN
PLANNING COMMISSION MEETING
July 11, 2018

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

MINUTES:

Motion by Tom Steele, second by Ryan Burnett to approve the minutes of the June 27, 2018 Plan Commission meeting, as presented. Motion carried 6-0.

Chairperson Hebbe stated that action on Agenda Item 5a, Certified Survey Map for 4201 Rib Mountain Drive, would directly follow the first public hearing related to the same parcel.

PUBLIC HEARINGS:

- a. *Halle Properties LLC, applicant, requests conditional use approval for an indoor maintenance use at the property addressed 4201 Rib Mountain Drive. Parcel #34.102807.016.007.00.00. Docket #2018-28.*

Community Development Director, Steve Kunst, noted the applicant seeks Plan Commission recommendation on a conditional use request for a new Discount Tire facility at the property addressed 4201 Rib Mountain Drive. The facility is proposed as an 8,192 square foot building with three auto bays. The proposed uses are identified within the Town's Zoning Ordinance as 'Indoor Sales and Service' and 'Indoor Maintenance Service,' representing a conditional use in the Suburban Commercial zoning district. He noted the only condition identified by code is that storage of vehicles on the property is to be limited to licensed and operable vehicles waiting to be repaired. Kunst also indicated that the plan set as submitted does meet the Town's minimum standards, and the subject property does contain delineated wetlands proposed to be disturbed as part of the development. The applicant received a letter from the Wisconsin Department of Natural Resources approving the disturbance.

Jay Wittman asked staff to describe the ingress and egress to and from the site, as well as, the flow of traffic on the site. Kunst noted that access to Rib Mountain Drive is a right-in right-out only because of the raised median which blocks access to the southbound lane. He also noted that the site can be accessed from the private road to the east of the property and that onsite traffic flow is two-way with traffic lanes meeting the Town's code standards.

Ryan Burnett asked about the construction of the private access road and if there are any concerns about the increased traffic potential using it. Kunst indicated the private access road was never

intended to be a public road and may not be built to Town road specifics, but it was intended to service increased traffic for a number of parcels.

Harlan Hebbe and Jay Wittman asked the applicant about the storage of new and used tires and the vehicles to be serviced. Todd Mosher, applicant agent with RA Smith, noted that any vehicles that remain onsite overnight will be parked inside the building and all tire storage is contained within the building as well.

Laura McGucken asked the applicant about their choice of location given the amount of competition in the immediate area. Mosher stated that the market is not as competitive as you would think. Similar businesses nearby offer a wide variety of services and are often limited in the brands and availability of tires they offer. Discount Tire offers and stocks nearly all tire brand and they only sell, install, repair wheels and tires and will work with other local businesses to build relationships and recommend additional services if needed.

Chairperson Hebbe opened the Public Comment period at 6:42pm.

Gladys Heahlke, 3304 Canary Ave, asked if there are other Discount Tire locations. Mosher noted that Discount Tire is the Nation's largest tire dealer with nearly 1000 locations, the closest being in Appleton and Madison.

Public Comment was closed at 6:44pm.

Commissioners and staff discussed the available signage and the methods of calculation, as well as, the recommended conditions if the item were to be approved.

Motion by Tom Steele, second by Jim Hampton to recommend approval of the conditional use request at the property addressed 4201 Rib Mountain Drive, conditioned upon the following items:

- **A finalized stormwater management plan approved by Streets and Parks Superintendent**
- **A finalized stormwater management maintenance agreement approved by Streets and Parks Superintendent**
- **Signage plans meeting current ordinance standards and approved by staff**

Motion carried 6-0.

- b. SC Swiderski, applicant, requests General Development Plan and Precise Implementation Plan approval for development of five (5) four-unit multifamily structures at the property addressed 1701 Oriole Lane. Parcel #34.102807.003.012.00.00. Docket #2018-30.*

Kunst opened the discussion by noting the applicant seeks Plan Commission recommendation on a General Development Plan and Precise Implementation Plan for the development of five (5) four-unit multifamily buildings on 4.32 vacant acres of land off Oriole Lane west of the Barnes and Noble / JoAnn Fabrics site. The property is currently zoned MR-4, allowing for single family or duplex style

development at a density of four (4) units per acre or a total of 17 total units. Kunst noted the applicant's proposal calls for a density of 20 total units.

Additionally, Kunst indicated the Plan Commission last discussed this concept at a pre-application conference on June 13th, 2018. Since that time, the applicant hosted another neighborhood meeting at the Quality Inn in Rib Mountain seeking additional public feedback. He noted since the original submittal in April, the applicant decreased overall site density by four (4) units by eliminating one structure, developed an alternative layout limiting access points onto Oriole Lane, added guest parking, increased setbacks to the west property line adjacent to existing residences, altered the layout of units so as to not have second floor unit balconies directly facing existing residences to the west, added a wet pond to the center of the development, and increased the plantings along the west property line.

Commissioners asked the applicant to describe the results of the neighborhood meeting, their anticipated construction timeline, the rationale for selecting the HVAC system proposed, the overall height of the structures, and the traffic pattern of the proposed onsite road.

Jacqui Miller of SC Swiderski responded to the neighborhood meeting question, noting 10 households from the neighborhood were present at the meeting where they described the new plan and tried to address all of their concerns. She indicated that based on the feedback they received they felt the neighborhood was still concerned about the overall density of the project and the size of the signage.

Additionally, Miller presented information about the lot usage, indicating that only 14% of the lot area will be building, 61% remains greenspace, 21% paved area and 4% pond. She noted this is very similar in developed area to the existing neighborhood. Miller also presented an aerial image of their Westwood Site which depicted the 4.32 acre Oriole Lane site to show the commission the impact of proposed development. Additionally, she presented exterior and interior images of the property to illustrate finishes, quality, site appearance from Oriole Lane, and cleanliness of their job sites.

Fay Harder, CFO for SC Swiderski, and Jacqui Miller noted they would like to have utilities and excavation work done this fall with the majority of the construction being done in 2019. However, the project timeline is heavily dependent on the length of approvals, subcontractor availability and weather conditions. Harder described the anticipated timeline as 1.5 to 2 years depending on those factors.

Miller noted that tenants often prefer the radiant heat they offer versus forced air. And because heat is included in the rent rate, radiant is an efficient energy source for them to manage.

Bill Siegler, SC Swiderski, noted that overall height of the proposed buildings is less than 25 feet and that the roadway is designed for one way traffic which allows the additional parking provided to function properly.

Public Comment was opened at 7:04pm

Michael Olejniczak, 3303 Cardinal Ave, noted he was concerned about the project falling outside of the existing code requirements.

Joann Olejniczak, 3303 Cardinal Ave, would like to better understand the west side buffer planting and who is required to maintain them, as well as the depth of the stormwater ponds.

Bev Kordus, 3407 Kildeer Lane, questioned whether the property was zoned UDD prior to the meeting, if there were tax breaks given to the applicant for their development, who the intended customers are, stated concerns over the price point in that residential area, and the increased traffic due to the density compared to the current 15,000 square foot standard lot. She also felt it unfair to compare the allowable single family and duplex development style to a large multi-family structure.

Kunst noted the parcel is currently zoned MR-4 which allows for single family and duplex structures at a density of four (4) units per acre and he also reviewed the Unified Development District procedures and explained the intent of zoning a property UDD.

Carol Batchelder, 3303 Canary Ave, indicated concerns over the current traffic levels on Oriole, Cardinal, Eagle and Robin and the impact of additional traffic due to the proposed development.

Shirley Froehlich, 1803 Robin Lane, noted concerns about increased traffic levels that may be created by the proposed project, highlighting drivers will likely use Cardinal and Eagle to access Robin Ln because of the controlled intersection at Rib Mountain Drive and its access to County Road R which will create significant traffic in a nice residential neighborhood.

Dave Falasky, 3306 Cardinal Ave, was concerned about the location of the 3rd and 4th buildings because of their proximity to the shoreland setback area, the overall density of the development and the traffic impact on the neighborhood.

Doug Hagedorn, 3308 Cardinal Ave, was concerned about the size of the buildings fitting in with the neighborhood and felt that 5 buildings was too many.

Mike Schmitt, 3301 Cardinal Ave, asked about the building setbacks, landscape buffer on the western property line, and the maximum number of vehicles allowed per tenant space.

Gladys Heahlke, 3304 Canary Ave, asked the Plan Commission to consider the fact that Wausau Health and Fitness has sold and that may also increase traffic within the neighborhood.

Mary Jaid, 3304 Cardinal Ave, is concerned about the traffic that will be intercepted by on the neighborhood streets as people try to reach the controlled intersection near IGA or as they access Hummingbird Rd. She noted the neighborhood is not transient and their lots have large yards and feels that 5 large multifamily units is too dense and the aesthetic does not fit the neighborhood.

Brad Fehl, 3307 Canary Ave, is concerned about the wet pond being close to Oriole and the safety for neighborhood children. He asked if the area would be fenced.

Representatives from SC Swiderski addressed a number of the public's questions, highlighting that the proposed development is intended to attract young professionals and empty nesters looking for maintenance free living. They noted that rent rates are anticipated to be \$1400 per month and they

have 22 successful projects completed. They felt confident their site layout met the shoreland setback requirements and indicated that representatives from the County were onsite that day to stake the setback areas. Representatives highlighted the more than 2 acres of green space, and noted the developed building area is similar to or less than the adjacent neighborhood lots. And finally they addressed the west side buffer and vehicle parking concerns by noting their landscape plan calls for mature trees reaching 35' in some areas and their property managers and lease agreements limit the duration of recreational vehicle storage.

Public Comment was closed at 8:05pm

Commissioners further discussed the overall development of the site and the unit density, as well as, the layout and quantity of guest parking, the neighborhoods traffic concerns, and size of proposed signage with varying opinions. Some Commissioners felt that the revised proposal adequately addressed the neighborhoods concerns from the previous public hearing and offered additional consideration to decrease the signage size, establish an immediate buffer to western properties, and reduce onsite parking. Other members felt the proposal was significantly better than the previous application however, the five (5) building proposal was still too dense for the area.

The applicant was willing to reduce the size of the signage, provide the immediate buffer to the western property owners, and eliminate 8 parking stalls.

Motion by Jay Wittman, second by Laura McGucken to recommend approval of the General Development Plan and Precise Implementation Plan for the property addressed 1701 Oriole Lane, conditioned upon the following items:

- **A six foot tall fence or 6' tall landscape plantings be installed along the west property line to immediately buffer residents to the west**
- **Signage to be limited to 16 square feet of sign area and a maximum height of 5 feet**
- **Reduce additional parking stalls provided along private road to 6 stalls per area for a total of 12 additional parking stalls**
- **A finalized stormwater management plan approved by Streets and Parks Superintendent**

Roll Call Vote Taken

Ayes – Wittman, Hebbe, McGucken Nays – Burnett, Hampton, Steele

Motion failed 3-3.

Motion by Tom Steele to recommend approval of the General Development Plan and Precise Implementation Plan for the property addressed 1701 Oriole Lane, conditioned upon the following items:

- **A six foot tall fence or 6' tall landscape plantings be installed along the west property line to immediately buffer residents to the west**
- **Signage to be limited to 16 square feet of sign area and a maximum height of 5 feet**

- **Reduce additional parking stalls provided along private road to 6 stalls per area for a total of 12 additional parking stalls**
- **A finalized stormwater management plan approved by Streets and Parks Superintendent**
- **A maximum of 16 dwelling units; four (4) four (4) unit buildings.**

Motion rescinded

Action results in item being forwarded to Town Board with no recommendation.

CERTIFIED SURVEY MAP REVIEWS:

- a. Halle Properties LLC, applicant, requests certified survey map approval for the property addressed 4201 Rib Mountain Drive. Parcel #34.102807.016.007.00.00. Docket #2018-29.*

Kunst stated the applicant seeks Plan Commission recommendation of a CSM to adjust lot lines of adjacent parcels as part of the Discount Tire development. The proposal calls for expanding a 0.67-acre parcel adjacent to Rib Mountain Drive to the east to the existing private access road. The adjusted property would be 1.96 acres. Both the proposed new Discount Tire lot and the remaining parcel would be legal lots, meeting all required zoning and subdivision regulations of the Town. And, as discussed during the Discount Tire conditional use review, delineated wetlands are present on the property, for which the applicant received a permit from the Wisconsin Department of Natural Resources to complete work within a portion of the wetlands. Kunst noted he would recommend any approval would be conditioned upon those wetlands being displayed on the face of the CSM.

Commissioners clarified the location and shape of the adjacent parcel and private access road, as well as, briefly discussed the need for approval to facilitate the previously described Discount Tire project.

Motion by Jay Wittman, second by Tom Steele to recommend approval of the Certified Survey Map for the property addressed 4201 Rib Mountain Drive, conditioned upon the delineated wetlands being shown on the face of the CSM.

Motion carried 6-0.

- b. REI Engineering, agent, requests certified survey map approval for the property addressed 2804 South Mountain Road. Parcel #34.762.000.032.00.00 Docket #2018-31.*

Kunst noted the applicant seeks Plan Commission recommendation of a CSM to split four (4) lots from Lot 32 of Royal View Estates on the south side of Strawberry Lane. The current zoning is Mixed Residential – 4 which would allow for single family or duplex development on the site.

Tom Radenz, REI Engineering, noted the updated certified survey map would include a 10’ wide utility easement, as requested by Rib Mountain Sanitary District, on Lot 37 which would allow for additional

sewer and water connection should Lot 32 be developed in the future. Radenz also noted that the timing of the request is so the additional sewer and water laterals can be stubbed in before completion of Strawberry Lane.

Commissioners asked the applicant about additional access points, why choose only four (4) additional lots and confirmation of lots size; while also expressing concern for the long term development potential on the remaining Lot 32.

Bill Shnowske, owner, noted because of the views created at this location, he has interested parties who would like to build on at least two of these lots.

Radenz noted additional access for Lot 32 development would likely come off of Strawberry Lane because Marathon County is likely going to adopt a minimum intersection spacing requirement of 300 feet which would limit where they can access Lot 32 from Bittersweet or from the future road to the west. They presented a number of private and public road options to facilitate development of Lot 32, while highlighting a wetland area and rocky subsurface that may also affect how the area is developed. Shnowske then indicated that the lot sizes are nearly identical to the existing single family lots across the street.

Commissioners noted creating 4 lots is ok, but reiterated their concerns over the ability to effectively develop Lot 32 after the creation of those lots.

Shnowske assured the Commissioners that they have considered a number of options and they feel comfortable with the remaining potential.

Commissioners then briefly discussed the potential long term impact of the parcels MR-4 zoning.

Radenz noted he would like to change the lot numbering on the updated CSM to reflect the creation of Lots 33 thru 36 instead of the current numbering which is 34 to 37.

Motion by Laura McGucken, second by Tom Steele to recommend approval of the Certified Survey Map for the property addressed 2804 South Mountain Rd, conditioned upon the following items being displayed on the face of the CSM.

- **New Lots are renumbered to show 33 thru 36 instead of 34 to 37.**
- **A 10' utility easement along the west side of Lot 37 as presented.**

Motion carried 6-0.

PRELIMINARY PLAT REVIEWS:

- a. *Paul Hackel, applicant, requests preliminary 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 #2018-32.*

Kunst indicated that the proposed plat was previously discussed as part of a pre-application conference and it will create seven (7) new lots and make an eighth lot buildable by creating street frontage.

McGucken asked for clarification on the intent of lots 2 and 3 of the plat, to which Nathan Wincentsen, applicant representative from Riverside Land Surveying, noted that the existing property owner is retaining Lot 2, which includes additional land on the north forty acres to provide a buffer for their personal home in the event Lot 3 is developed in the future.

Burnett asked if the platted lands presented were different from the pre-application conference discussion. Wincentsen noted the land area is the same and that they chose to include all of the lands as part of the plat to reduce the need for additional easements and agreements with the existing property owner. And, it would allow the property owner to sell specific lot areas to Mr. Hackel.

The applicants and Plan Commission members discussed the need to extend the cul-de-sac to the north forty line as recommended by the Town's code and Streets and Parks Superintendent Scott Turner.

Wittman asked for the length of the cul-de-sac as presented and if it were extended. Paul Hackel, applicant, noted that the cul-de-sac as presented is just over 1400 feet in length and the extension would add more than 200 feet.

Kunst noted the recommendation is intended to limit the need for future development to improve areas outside of its project boundaries, thus putting undue financial burden on that developer.

Wincentsen noted that they understand the intent of the recommendation, however they felt the limiting factor for development on Lot 3 would be the road connection to Thornapple Rd. Additionally, he noted the proposed cul-de-sac length already exceeds the Town and County standards by more than 600 feet and that extending it further is unnecessary. Wincentsen also noted that if the extension of the road is required they would consider adding a lot along the east side of the road extension to help make the economics of the project work out. Finally, he indicated they configured Lot 3 so that someone purchasing it for development would have direct access to the public road for its extension.

Commissioners questioned whether the proposed temporary cul-de-sac meets the Town's requirements, to which Kunst noted the proposed diameter is 120' and the code minimum is 100'.

Kunst noted that if an extension of the roadway is not required, a developer's agreement could include language that would allow a single dwelling to be served by a driveway on the 66' wide section of Lot 3 and any additional development would require the road extension. Or, if the Town's future road map were amended to show a road in that location, the Town could require buildings to be setback accordingly so they would not impede future road development.

Burnett as the applicant what their intent is for Lot 3. Hackel noted his initial intent is to keep it for personal recreational or residential property with the future intent to further subdivide when he is able to acquire access to Thornapple Rd.

Plan Commission members continued discussion of the cul-de-sac length balancing future development facilitation versus consideration for upfront cost and long term maintenance of the road. They came to a consensus that the road as presented was adequate for this development.

Motion by Laura McGucken, second by Tom Steele to approve the Preliminary Plat for Stone Horizon subdivision at the property addressed 6200 South Mountain Rd, as presented.

Motion carried 6-0.

CORRESPONDENCE / QUESTIONS / TOWN BOARD UPDATE:

Countywide Addressing – Kunst noted that Marathon County has chosen to submit their appeal to the State Supreme court and that the Town is waiting to find out if they will hear the case.

Next Meeting – Kunst stated the upcoming meeting will include a proposed development for the property north of Kwik Trip and some additional zoning ordinance updates related to Electronic Message Centers and other code sections.

Supervisor Appointment – Kunst indicated that the Town Board had appointed Brad Conklin to the vacant supervisor position.

PUBLIC COMMENT: None Provided

ADJOURN:

Motion by Tom Steele, second by Laura McGucken to adjourn the Plan Commission Meeting.

Motion carried 6-0. Meeting adjourned at 9:19 pm.

Respectfully Submitted,

Paul Kufahl, Building Inspector / Assistant Zoning Administrator