

TOWN OF RIB MOUNTAIN
PLANNING COMMISSION MEETING
August 28, 2019

Acting Chairperson Jay Wittman called the meeting of the Plan Commission to order at 6:00 pm. Other Plan Commission members present included Ryan Burnett, Jim Hampton, Tom Steele, and Steve Plunkett. Also present were Building Inspector / Assistant Zoning Administrator, Paul Kufahl and Community Development Director, Steve Kunst. Tonia Speener and Harlan Hebbe were excused.

MINUTES:

Motion by Tom Steele, second by Jim Hampton to approve the minutes of the August 14, 2019 Plan Commission meeting, as presented. Motion carried 4-0 with Ryan Burnett abstaining.

CERTIFIED SURVEY MAP(S):

- a. *Tim Vreeland, agent, requests Certified Survey Map approval for a land division at the property addressed 2601 South Mountain Road. Parcel #34.222807.006.017.00.00 and #34.222807.006.018.00.00. Docket #2019-30.*

Community Development Director, Steve Kunst indicated the applicant requests approval of a Certified Survey Map (CSM) to create one new single-family residential lot at the southwest corner of the South Mountain Road and Magnolia Avenue intersection. The subject property is currently two vacant, residentially zoned lots of 2.27 and 1.9 acres, respectively, and the proposal calls for creating one additional residential lot, resulting in three lots of 55,240 square feet (1.268 acres), 55,042 square feet (1.264 acres), and 71,257 square feet (1.636 acres). He noted the lots are currently zoned Suburban Residential-2 (SR-2) and the minimum lot area and width are both met by the proposal. The intent is to construct a new single-family residence on each lot.

Tom Steele asked if Lot 3 would have enough buildable area given the wetlands mapped on the CSM. Kunst noted the applicants have received confirmation from the Department of Natural Resources or the Army Corps of Engineers the proposed building areas would not impact any onsite wetlands.

Jim Hampton questioned if all lots would be accessed from Magnolia Ave. Staff indicated there is an approved access from South Mountain Road onto Lot 1, however the intent of the applicant is to access all lots from Magnolia Ave.

Motion by Tom Steele, second by Jim Hampton to recommend approval of the Certified Survey Map (CSM) for a land division at the property addressed 2601 South Mountain Rd, as presented. Motion carried 5-0.

- b. *ISG Inc., agent, requests Certified Survey Map approval for the property addressed 4611 Rib Mountain Drive. Parcel #34.142807.006.032.00.00. Docket #2018-27.*

Kunst stated the applicant seeks approval of a Certified Survey Map (CSM) to split the property at 4611 Rib Mountain Drive into three parcels to accomplish a proposed redevelopment project. He noted the Town approved a similar land division last year as part of a different Unified Development District (UDD) project proposal. As proposed, each lot meets the minimum area (16,000 ft²) and lot width (50 feet) requirements of previous Urban Commercial zoning district. Kunst indicated that any recommended approval be conditioned upon approval of the following General Development Plan proposal, copies of cross access agreements needed for Lot 2 to access a public road, a change in right of way dedication along the Unnamed Road to an even 49.5 feet, and an additional seven (7) feet of right of way dedication along Lilac Ave for future road improvements.

Commissioners questioned the need for an additional seven (7) feet along Lilac Ave, if property owners on the east side of Lilac Ave will be expected to dedicate the same, and why it is not shown on the current CSM. Kunst indicated right-of-way is needed on both sides of Lilac Ave for the installation of a future sidewalk as recommended by a recent Traffic Impact Analysis (TIA). He noted the TIA recommendations were not complete at the time the CSM was submitted. Additionally, he gave a brief summary of the TIA recommendations and noted if development is approved on this subject property, the Town would take over ownership of the currently Unnamed Rd and would make the necessary improvements as recommended by the TIA and special assess the cost to the appropriate property owners.

Commissioners also asked if the Lilac dedication would align the Kwik Trip property, if there is any concern about heavy truck traffic on the Unnamed road during development, and how the Town takes ownership of Unnamed Rd. Kunst stated the right of way would align with the Kwik Trip property and the Unnamed Road is currently built to Town road standards, therefore there is minimal concern about the possible heavy truck traffic. He stated the Town Board would need to pass a resolution to accept the new road, and also noted the Town has begun to apply for funding for the road improvements which could begin as early next year.

Motion by Tom Steele, second by Jim Hampton to recommend approval of the Certified Survey Map (CSM) for a land division at the property addressed 4611 Rib Mountain Drive, with the following conditions.

- **Approval of the associated General Development Plan.**
- **The Town receiving a copy of any cross-access agreements.**
- **An additional seven (7) feet of right-of-way dedication along Lilac Avenue for planned roadway improvements, per attached Traffic Impact Analysis excerpt.**
- **Rounding the right-of-way dedicated along Unnamed Street to the nearest half foot, resulting in a 49.5-foot dedication, rather than the proposed 49.61.**

Motion carried 5-0

PUBLIC HEARING(S):

- a. *ISG Inc., agent, requests General Development Plan approval for a retail development at the property addressed 4611 Rib Mountain Drive. Parcel #34.142807.006.032.00.00. Docket #2019-28.*

Community Development Director, Steve Kunst noted the applicant seeks Plan Commission recommendation on a GDP for a new retail development at the property addressed 4611 Rib Mountain Drive. The subject property represents the vacant land adjacent to the north of Kwik Trip. The Town approved a different Unified Development District project in 2018; however, the development team since changed direction. The rationale behind the UDD request primarily centers on the unique layout of the property. The site is relatively narrow and considering the private access road to the south is proposed to become public, traditional setbacks begin to get quite restrictive. The most notable changes from the 2018 plans are a shift from two drive-thru restaurants to an indoor vehicle maintenance use, a larger retail building to the east, and an underground stormwater management system.

Kunst also stated the current property owner eventually intends to develop proposed Lot 1 with either a restaurant or retail user and sell proposed Lots 2 & 3 to other end users. Staff has received Precise Implementation Plan applications for both Lot's 2 & 3 for the September 11th Plan Commission meeting. As part of this GDP application, Kunst indicated the applicant requests approval to move forward with the all site improvements to get Lots 2 & 3 "pad ready", installation of the underground stormwater management facilities, access to both Unnamed Street and Lilac Ave; as well as, installation of utilities and all necessary site improvements for Lot 1.

Commissioners questioned how the underground stormwater facilities function and if there are any potential impacts to residents. Jeremy Foss, applicant, and Kunst noted the underground facilities function the same as a typical above ground system and are subject to the same design guidelines and review as prescribed by the Town's Stormwater Code. Foss then gave an overview of the stormwater facilities, highlighting the concrete structures and rock intended to collect the site's stormwater and the control structure intended to regulate the flow of water into the Town's stormwater system along Lilac Ave. Jim Hampton asked if there are other catch basin within the property that direct water to the stormwater facility. Foss noted there were a number catch basins placed through out the property that would direct water to the stormwater facility via underground piping.

Jay Wittman asked if staff anticipates any traffic concerns before Lilac Ave is reconstructed. Kunst noted that traffic will obviously increase due to this development; however, there are no imminent concerns at this time. Ryan Burnett questioned whether the proposed Lilac Ave access location was acceptable to the Town and if it would align with any other proposed access points across the street. Kunst indicated the location was acceptable and because the Town was aware of the access location from the previous approval, it was incorporated into the Traffic Impact Analysis.

Tom Steele inquired if there was sufficient parking, noting Lot 1 seemed to have a limited number of parking stalls for the possible use. Jack Klister, FORE Development, and Jeremy Foss indicated that Lot 3 had sufficient parking, Lot 2 had additional parking and Lot 1 was a few stalls less than required; therefore,

they plan to have a shared parking agreement for all site users so that they entire site would meet code requirements.

Foss provided an overview of the plans explaining the first phase of the development would be to establish the two ingress/egress points on the Unnamed Road and Lilac Ave, install the necessary stormwater facilities and utilities, and complete the mass grading of the site to create pad ready sites for the other end users. In addition, he added there would be a single monument sign on Lot 1 for all users, he presented a concept landscaping plan and noted the lighting requirements have been met.

Jim Hampton was concerned about the proposed bike and pedestrian improvements not aligning a with those near McDonalds. Kunst indicated that it may not be perfect, but it is an improvement to what is currently provided and as part of the long term redevelopment of the Olson Carpet site, a sidewalk will be required to run south along Rib Mountain Drive and connect to the Tulip Lane Lilac Ave area near Briq's to provide a safer bike route.

The public hearing was opened at 6:50pm

James Nauta, 728 E. Lakeshore Drive, noted he has been a resident since 1967 and has seen a lot of development. He stated the Town should consider completing all necessary road projects before approving any additional development, identifying traffic concerns for commercial users and the residents served by Lilac Ave.

The public comment period was closed at 6:59pm

Commissioners asked for clarification of a staff consideration related to handling offsite water entering the northwest corner of the property. Kunst indicated that surface water from the PetroMart property to the North may enter this site from an uncurbed area near Rib Mountain Drive and staff wanted the applicant to be aware of the potential issues.

Commissioners also questioned the financial impact of the proposed traffic improvements to Lilac Avenue. Kunst indicated the Town is currently seeking grant funding for portions of the improvements to Lilac and there will be cost share assessments for those properties creating the need for and benefiting from the necessary improvements.

Commissioners indicated they felt the new proposal was an enhancement to the previous proposal, highlighting the usefulness of the TIA, the underground stormwater facilities and willingness to change access locations based on the Town's suggestions.

Burnett questioned the potential need for a retaining wall in the southeast corner of the property as noted in the staff considerations. Kunst indicated it will be dependent on the grades required to tie the sidewalk from Lilac to those on the Unnamed Street. He noted there may be an elevation change of up to three feet from the sidewalk to the Lot 3 parking area, which would require a retaining wall on the subject property.

Wittman asked staff to consider removing the four-way stop recommended in the TIA and maintaining free flow of traffic on Lilac Ave to prevent unnecessary traffic backups.

Motion by Jim Hampton, second by Tom Steele to recommend approval of the General Development Plan for a retail development at the property addressed 4611 Rib Mountain Drive, with the following conditions.

- **Entering into a developer agreement covering all necessary public improvements and financial considerations.**
- **An approved stormwater management plan.**
- **The Town receiving a copy of the three-party agreement for stormwater maintenance as the proposal calls for a shared facility.**
- **The Town receiving a copy of any/all cross-access agreements covering access and shared parking.**
- **The sidewalk along Unnamed Street to be moved to the north allowing for a four-foot terrace. With that, a five-foot sidewalk is adequate.**
- **Considerations being made for handling offsite water currently entering the northwest corner of the site.**
- **A retaining wall may be necessary due to grade issues on the southeast corner. Further investigation necessary to determine needs.**

Motion carried 5-0

- b. Azura LLC, applicant, requests Conditional Use approval for a new community living arrangement at the property legally described as part of the SW ¼ of the SE ¼, Section 10 and part of Lot 26 of Woodlawn Pines, Lot 1 CSM Volume 57, Page 98. Docket #2019-29.

Kunst stated the applicant seeks Plan Commission recommendation on a conditional use request for a new Azura Memory Care Facility containing 40 units capable of holding 48 resident beds. He noted Azura Memory Care currently operates a 20-resident facility in Rib Mountain at 3704 Hummingbird Road and the proposed facility would replace the existing operation. Azura is classified as a Community Living Arrangement within the Town's zoning ordinance, which is a conditional use if the Suburban Office zoning district and comes with specific conditions that it cannot be located within 2500' of another facility and if the total number of residents within these facilities Town wide exceeds 1% of the Town's population, an additional Public Hearing may be required. Finally, Kunst noted any development is contingent upon Marathon County formally approving the location of the new Pelican Lane approved by the Town in February.

Matt Lyons, applicant representative, presented Azura's proposal for two new buildings. He indicated their current facility doesn't meet the standard of care they wish to provide for their residents; therefore, they are planning to double their resident capacity and quadruple their building area to provide care and space for an increasing number of Marathon County residents. Lyons noted their current facility has been operating at 98% occupancy for the past two years and have had to turn away 20 applicants this year alone. He stated the proposal is consistent with the Town's Comprehensive Plan by providing additional Senior Housing options, increasing employment opportunities, and increasing the Town's tax base. The plan included two buildings designed to resemble single family residential houses both inside and out to provide residents of the facility and the Town a consistent residential feel. Lyons presented interior and

exterior renderings of the facility and highlighted that all necessary code items have been met with this proposal.

Steve Plunkett asked the applicant what they plan to do with their existing facility. Lyons indicated they are planning to vacate that facility, but may consider remodeling it to provide additional care opportunities in the future, but he understands an ordinance change would be required to do so.

Burnett asked why they provide residential style garages. Lyons noted three of the four depicted garages are for aesthetics only and one is functional and used as conditioned storage space.

Hampton questioned why the applicant chose Rib Mountain. Lyons noted they have an existing facility here and it is conveniently located and easy to access for visiting family members from throughout the Central Wisconsin area.

The public hearing was opened at 7:48pm.

Margaret Blume, 225122 Camellia St, asked if all current residents are from Marathon County and if there are any other proposed developments on the subject property.

Emil Johnson, 4502 Hummingbird Rd, indicated he was pleased with the proposal as presented but was concerned about what may be developed on the remaining portion of the property. He asked what the current zoning would allow for and identified concerns with any possible apartment style multiple family development.

The public comment period was closed at 8:03pm

Burnett expressed concern about the appearance of the building from Hummingbird and Hwy 51/39/29, noting this corridor is the face of Rib Mountain and he wants to make sure the appearance is a good fit.

Commissioners agreed with Burnett's statement and expressed concern for the removal of the existing tree buffer along Hummingbird Rd. Lyons indicated he wanted to keep as much existing vegetation as possible, but because of the grade, subsurface rock and stormwater pond requirements it became necessary to remove the majority of the trees on site. He then highlighted the residential nature of the building noting it is their goal to provide an inviting traditional residential appearance. Additionally, Lyons emphasized the number of trees prescribed by the landscaping plan is intended to recreate the existing buffer along Hummingbird Road when mature.

Kunst indicated the proposed landscape plan meets the Town's requirements and began a discussion about the stormwater facilities, noting the current proposal is for a dry pond, and initial review of the plan is underway.

Commissioners then asked about overall site lighting and freestanding signage requests. Lyons noted the parking area will be lit by lantern style post lighting and there will be an individual residential style light on the courtyard and one post light at the driveway location. He indicated again, the intent is to provide similar lighting as a residential home. He also indicated there would be one monument sign at the intersection of Hummingbird Rd and the new Pelican Lane, as well as a small sign near their ingress/egress drives to indicate their location.

Commissioners inquired about the potential for resident walkaway and severe weather protections. The applicant noted that walkaways are always a concern and all exits are secured and resident courtyards are fenced to reduce that possibility. They also indicated they have an agreement with Quality Inn to transport residents to their location during severe weather events.

Commissioners revisited the landscaping plan noting they wished to see more plantings which are consistent with the existing vegetation and directed staff to work with the applicant to change the landscaping along Hummingbird Rd to make its appearance similar to the existing vegetation.

Kunst reviewed all staff considerations as identified in the packet noting the stormwater management plan is under review and he believed Marathon County recently approved the Pelican Lane access to Hummingbird Rd.

Motion by Tom Steele, second by Jim Hampton to recommend approval of the Conditional Use Request for a new community living arrangement at the property legally described as part of the SW ¼ of the SE ¼, Section 10 and part of Lot 26 of Woodlawn Pines, Lot 1 CSM Volume 57, Page 98, with the following conditions.

- **Finalized stormwater management plan approved by the Street and Park Superintendent**
- **Stormwater management maintenance agreement approved by the Street and Park Superintendent**
- **Signage is required to adhere to the Town Sign Code**
- **Approval of Pelican Lane required**
 - o **Marathon County approval needed**
 - o **Developer agreement with the Town required for construction of Pelican Lane**
- **Staff working with the applicant to amend the landscape plan to provide appropriate native vegetation along the eastern property boundary to maintain its current character at Hummingbird Rd.**

Motion carried 5-0

CORRESPONDENCE / QUESTIONS / TOWN BOARD UPDATE:

Next Meeting – Kunst noted the next Plan Commission meeting will be busy, and will include a number of public hearings.

Readdressing – Kunst noted Marathon County has sent many address change notifications to residents and Lange Enterprises will begin installation of the signs shortly.

Denyon Duplexes – Building Inspector, Paul Kufahl noted Denyon Homes submitted an amended landscaping plan for the duplexes located on Dove Ave. He indicated the new landscape plan still provided a significant number of plantings, but was considerably less than the original approval, thus felt it was outside the scope of a minor amendment. Kufahl asked Commissioners if they felt it was necessary to have a Public Hearing for the PIP modification to the landscape plan. Commissioners indicated that a PIP modification is an option, however, they would prefer the developer follow the original plan.

PUBLIC COMMENT:

Jim Nauta, 728 E. Lakeshore Dr, noted he was concerned about the Azura dry pond not being encircled by a fence and the transportation of residents during severe weather, as described in the Azura proposal. He indicated the Town should have some mechanism to require these types of facilities to have fences and reasonable severe weather policies. Additionally, he indicated displeasure for the proposed four-way stop at Lilac and Unnamed Rd, noting that traffic should remain flowing along Lilac because of the semi-trailer traffic exiting from Kwik Trip.

ADJOURN:

Motion by Tom Steele, second by Jay Wittman to adjourn the Plan Commission Meeting. Motion carried 5-0. Meeting adjourned at 8:37 pm.

Respectfully Submitted,

Paul Kufahl, Building Inspector / Assistant Zoning Administrator