

TOWN OF RIB MOUNTAIN
PLANNING COMMISSION MEETING
September 11, 2019

Chairperson Harlan Hebbe 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 Jay Wittman were excused.

MINUTES:

Motion by Tom Steele, second by Jim Hampton to approve the minutes of the August 28, 2019 Plan Commission meeting, as presented. Motion carried 4-0 with Harlan Hebbe abstaining.

PUBLIC HEARING(S):

- a. *North Wind Renewable Energy Cooperative, agent, requests conditional use approval for a roof mounted solar array at the property addressed 3402 Osprey Avenue. Parcel #34.794.000.064.00.00. Docket #2019-31.*

Community Development Director, Steve Kunst indicated the applicant seeks Plan Commission recommendation on a proposed roof-mounted solar array on a single-family residence. Kunst noted that roof-mounted systems are permitted by right; however, the Town's Zoning Ordinance requires a conditional use application when the panels face the front or street yard, and in this instance, the south façade of the home faces Osprey Avenue. He noted the panels are similar in color to the roof and meet all other general conditions of the Town's code. Additionally, Kunst stated he received feedback from one neighbor prior to the meeting who expressed acceptance of the proposal after clarification of the request.

Harlan Hebbe verified the panel modules presented in the packet were the same as what is proposed for this installation. Ross White, applicant, confirmed they were. Ryan Burnett verified the proposal met all conditions of the detached energy systems ordinance aside from the placement on the structure. Kunst noted all other conditions are met and the street facing installation is what prompted a conditional use request. Burnett also questioned if the related components, such as an inverter, would create any noise. White indicated there is no noise emitted from the module or its components. Steve Plunkett questioned the area of roof effected by the proposal. White noted the array would be located over the garage space and is approximately 15 feet by 12 feet in area. Multiple Commissioners noted the proposal does not seem disruptive to the neighborhood.

Hebbe opened the public hearing at 6:05 pm.

Jill Wirkus, 3402 Owl Lane, indicated the potential for noise was her main concern, but after hearing that the system does not generate a "humming" sound, she had no issue with the proposal.

The public hearing portion of the meeting was closed at 6:06 pm.

Motion by Tom Steele, second by Ryan Burnett to recommend approval of the Conditional Use request for a roof mountain solar array at the property addressed 3402 Osprey Avenue, as presented. Motion carried 4-0 with Jim Hampton abstaining.

b. ISG Inc., agent, requests Precise Implementation Plan approval for a retail facility at the property addressed 4611 Rib Mountain Drive. Parcel #34.142807.006.032.00.00. Docket #2019-32.

Kunst stated the applicant seeks Plan Commission recommendation on a PIP for development of a nearly 10,000 square foot Dollar Tree retail facility on the east side of the vacant property north of Kwik Trip. He indicated the subject property represents Lot 3 (0.79 acres) of a Certified Survey Map which was reviewed by the Plan Commission at the August 28th meeting, and is consistent with the approved General Development Plan reviewed at that same meeting. Additionally, Kunst indicated the proposed Indoor Sales and Service use is a permitted use in all Town Commercial zoning districts.

Kunst then identified the traditional zoning standards which were not met by the proposal, highlighting the landscaping requirements for paved area and building foundation. He noted the pavement and building rear yard setback were not met as well, but this was likely a result of accommodating the Town's parking requirements and request for additional right-of-way along Lilac Ave.

Ryan Burnett asked if there was any further discussion on the retaining wall requirement in the southeast corner of the property. Kunst noted a retaining wall will be required for the future sidewalks along Unnamed Rd and Lilac Ave to align properly and the applicant is aware of the requirement and has planned for its installation. Tom Steele asked about possible remedies for the landscaping deficiency. Kunst indicated it may be a challenge to get more plantings on the site because of the paved area required for the parking.

Jim Hampton expressed concern about having three different dumpster enclosures on site and asked if the applicant could combine dumpster locations. He also questioned why they were unable to meet the rear yard setback requirements. Jeremy Foss, applicant representative and Kunst indicated they preferred to have their dumpster enclosure near their loading docks on the east side of the property and due to the parking requirements, the building needed to be pushed further to the north, creating the rear yard encroachment. Foss then gave a brief presentation about the entire site development highlighting the utility and stormwater plan, as well as the onsite traffic flow and indicated there will be shared parking between all tenants.

Burnett then confirmed the front of the building is facing south towards the Unnamed Road and asked if there was any proposed signage. Kunst confirmed the south facing building and noted there will be signage installed and if it were planned to fall outside of the underlying code it would need to come back for Plan Commission's review.

Hebbe opened the public hearing at 6:23 pm

Al Limberg, 2001 Robin Lane, questioned whether the parking stalls provided were adequate for winter snow storage.

The public hearing was closed at 6:26 pm

Foss indicated there would need to be a snow removal agreement between the site's users because there are limited locations in which snow can be stored. Hampton asked if the Plan Commission can see the any agreement between the parties. Kunst stated it could be a condition of any motion that the agreements be supplied prior to building permits being issued.

Commissioners and the applicant discussed options for increasing the landscaping points provided to get them closer to what is typically required. Foss indicated there may be a way to install some additional plantings at the base of the retaining wall in the southeast corner of the property, but it may be planted within the right-of-way. Commissioners seemed to be accepting of this suggestion and asked staff to work with the applicant to maximize the landscaping points on the site.

Hampton suggested the applicant reposition the building on the site to allow for additional green space. Cory Bronenkamp, Dollar Tree representative indicated it would be difficult to flip the site because of the required movements of a WB-67 semi-trailer. He noted the semi would not be able to make the necessary turns if it were directed into the center of the site.

Motion by Tom Steele, second by Jim Hampton to recommend approval of the Precise Implementation Plan for a retail facility at the property addressed 4611 Rib Mountain Drive, conditioned upon staff working diligently and assertively with the applicant to maximize the number of landscaping points provided on the site. Motion carried 5-0.

- c. *Guggenheim Development Services LLC, agent, requests Precise Implementation Plan approval for an automobile service facility at the property addressed 4611 Rib Mountain Drive. Parcel #34.142807.006.032.00.00. Docket #2019-33.*

Kunst indicated the proposal is for a new 3,000 square foot Jiffy Lube Facility adjacent to the previously reviewed Dollar Tree site and identified proposed hours of operation, landscaping provided meeting code traditional requirements, and a cross access agreement being necessary for them to access their site from the Unnamed Road. Kunst noted the most significant code requirement not met by the proposal was the total signage requested. Kunst stated the typical signage allowance for this site would be 90 square feet and the applicant is requesting 369 square feet. The remaining site layout is consistent with the General Development Plan approved at the last meeting. Steele confirmed with staff that any vehicles left on site overnight needed to be licensed and operable.

Hebbe asked what types of services the business provides. Kurt Overmyer, applicant representative, noted Jiffy Lube provides the typical oil and filter change services, as well as, wheel alignments, brake work, and radiator and transmission flushes.

Burnett asked how the waste fluids are handled on site. Overmyer indicated they use multiple ,3000 to 4,000-gallon storage tanks on site to hold new and used fluids. They provide a fully contained basement area and double walled storage tanks to prevent spills and leakage and abide by all State requirements

related to material storage. Overmyer also highlighted that waste products are typically picked up every five (5) days.

Hebbe opened the public hearing at 6:47 pm

Al Limberg, 2001 Robin Lane, noted he wanted assurance that all municipal wellheads were significantly protected from the onsite wastes.

The public comment period was closed at 6:48pm

Kunst indicated the proposed use is not permitted within the Town's Wellhead Protection district.

Commissioners, staff and the applicant began discussing the signage proposed. Kunst indicated there were two (2) signs proposed on the west elevation facing Rib Mountain Drive and one (1) sign each on the south and east building facades. He noted the largest sign, is 162 square feet, and contains the Jiffy Lube logo and a Pennzoil sign on the west side of the building.

Overmyer indicated all signs are illuminated and represent their prototypical sign package. He noted the west side signage faces the Rib Mountain Drive corridor and is a key business identifier and the south facing sign proposed would allow north bound traffic to quickly identify the buildings location. Commissioners felt the total sign area was excessive and brainstormed options for reducing the overall signage impact. Options ranged from requiring removal of the south or east facing sign, limiting the total square footage allowed, and identifying advertising signage and requiring it to be removed. Commissioners ultimately decided an overall square footage limitation would allow the applicant some flexibility in how they achieve compliance.

Kunst also indicated that any motion should be conditioned up the applicant providing detailed material information related to their dumpster enclosure.

Motion by Tom Steele, second by Ryan Burnett to recommend approval of the Precise Implementation Plan for an automobile service facility at the property addressed 4611 Rib Mountain Drive, conditioned upon total signage area not to exceed 210 square feet and the applicant providing detailed dumpster enclosure information. Motion carried 5-0.

d. Shane Saari, applicant, requests conditional use approval for an Indoor Commercial Entertainment Use at the property addressed 2107 Robin Lane. Parcel #34.102807.005. 029.00.00. Docket #2019-34.102807.005. 029.00.00. Docket #2019-34.

Kunst indicated the applicant seeks Plan Commission recommendation on a conditional use request for an indoor golf simulator business in a portion of the former Ethan Allen furniture building. He noted the simulator is considered as Indoor Commercial Entertainment use within the Town's zoning ordinance, and is subject to some additional consideration if abutting a residential zoning property. Kunst stated all surrounding properties are zoned for commercial use.

Additionally, Kunst stated the applicant has plans for individuals, parties, corporate events, and league players to utilize the facility, with their anticipated busiest season being from November to April, when

outdoor facilities are often closed in Wisconsin. The applicant anticipates an average of 8-16 people per hour visiting the site, with a planned maximum between 25-30. Also, the applicant plans to sell beer onsite, therefore; an alcohol license approved by the Town Board will be required to do so. Hampton questioned whether alcohol sales and consumption play into the zoning requirements. Kunst stated, from a zoning perspective, all Indoor Commercial Entertainment uses are handled the same regardless of the presence of alcohol.

Shane Saari, applicant, noted the business would contain four (4) simulator bays as well as a small bar area. His plan is to provide a space for golfers to practice during the off season, provide competitive leagues, and potential work with school golf teams to provide a practice space when the weather is uncooperative. He also noted the sports bar would only serve malt beverages and not alcohol.

Cory Holzhauer, building owner representative, noted there will be shared common spaces for all tenants that will include bathrooms, mechanicals and a break room.

Burnett asked about the construction of the simulator bays. Saari noted they are the top of the line Full Swing brand models used by the PGA and other major organizations and consist of a hitting surface and screen which displays course graphics. He also indicated that three (3) bays will be for general use and there will be one bay for private events.

Plunkett asked if there were any concerns about the internal tenant buildouts and if the parking and signage are code compliant. Paul Kufahl, Building Inspector noted that all tenant buildouts would need to be reviewed by the State of Wisconsin to ensure compliance with all applicable codes and an approval letter from the State would be required prior to construction of those spaces. Kunst stated the parking provided on the north side of the building, where this tenant has access, has sufficient parking for the proposed use. He also noted any signage would be required to meet the code requirements because it is a traditional zoning district.

Hebbe opened the public hearing at 7:20 pm

Al Limberg, 2001 Robin Lane, questioned the location of the entrance door for this tenant, expressed concern about the hours of operation on Fridays and Saturdays, asked if the business would be playing music, and if site drainage has been taken into consideration.

The public hearing was closed at 7:25 pm

Saari indicated the space would be accessed from the north side of the building. He also stated they would have televisions for bar patrons but do not intend to have any music. Plunkett noted the Commissioners limited the hours of operation for the Quality Inn patio in a previous meeting and asked if it is something they should consider in this application. Other Commissioners indicated the outdoor patio is a different setting and felt the indoor use was less likely to create noise issues.

Hebbe confirmed the applicant has no intentions of playing music, to which the applicant noted they do not and stated they anticipate 10:00 pm being a typical closing time because of the 9:00 pm league completion.

Motion by Jim Hampton, second by Ryan Burnett to recommend approval of the Conditional Use Request for an Indoor Commercial Entertainment Use at the property addressed 2107 Robin Lane, as presented. Motion carried 5-0.

- e. B8 Wausau LLC, applicant, requests conditional use approval for an Indoor Commercial Entertainment Use at the property addressed 2107 Robin Lane. Parcel #34.102807.005. 029.00.00. Docket #2019-35.*

Kunst noted the applicant seeks Plan Commission recommendation on a conditional use request for a new health and fitness facility in a portion of the former Ethan Allen furniture building. He stated Burn Boot Camp looks to provide instructor lead workouts and an onsite children's playroom, for an anticipated 10-25 clients per workout. Kunst noted the hours of operation are proposed to be 4:30 AM – 11:00 AM and 3:00 PM – 8:00 PM, seven (7) days a week.

Plunkett asked if the remaining parking was adequate for this project. Kunst noted the current pavement area likely contains enough parking area; however, a large portion is not currently striped. Kunst stated additional parking will be addressed as part of the next application.

Hebbe asked if the children's playroom would be supervised. Holzhauer noted it would be supervised at all times, but is not intended to be structured like a daycare facility. Holzhauer also indicated this tenant have additional bathroom and locker facilities, but will retain access to the shared facilities as well.

Burnett asked what types of equipment will be used at the fitness facility and if it is a business chain. Holzhauer indicated the equipment is minimal due to the workouts being more instructor driven group workouts, but may include some general stationary equipment like pull up bars. He also noted Burn Boot Camp has approximately 200 locations nationwide and this location will be the franchises 8 location in the Midwest.

Hebbe opened the public hearing at 7:33 pm

Al Limberg, 2001 Robin Lane, asked where the patrons will be accessing the business location, how long the classes are typically scheduled for, and how many participants they anticipate at a given time.

The public hearing was closed at 7:35 pm

Holzhauer noted the business would be accessed from the south facing entrance and the customers would be utilizing the western drive access. He anticipated classes to be approximately one hour in duration and would have 10 to 25 participants.

Motion by Tom Steele, second by Jim Hampton to recommend approval of the Conditional Use Request for an Indoor Commercial Entertainment Use at the property addressed 2107 Robin Lane, as presented. Motion carried 5-0.

NEW BUSINESS:

- a. *Scherrer Construction Company Inc., owner, requests Site Plan approval for a parking lot addition at the property addressed 2107 Robin Lane. Parcel #34.102807.005. 029.00.00. Docket #2019-36.*

Kunst noted the applicant seeks Plan Commission approval for a parking lot expansion at the former Ethan Allen facility to accommodate new users and a landscaping update. As previously reviewed by the Commission, the applicant is looking to turn the building into a multitenant facility to house an indoor golf simulator business, a health and fitness facility, and a regional Scherrer Construction office which is a permitted use in the SC district. He noted the subject property currently offers 16 marked parking spaces and the proposed addition includes 60 new stalls for a total of 76, and based on the proposed tenants, 30 parking stalls are required.

In addition to the parking lot expansion, Kunst noted landscaping will likely need to be considered in the future due to the southern portion of the property being marketed for development. Future development would likely eliminate a number of trees and other plantings being considered in the current landscaping plan.

Steele questioned where future development would have road access. Kunst and Holzhauser noted access would be via cross access agreement from Robin Lane. Holzhauser indicated the proposed parking lot plan identifies the potential future access point.

Hampton asked if there were any considerations given for stormwater runoff with the new paved area. Justin Frahm, applicant representative, noted the project is less an acre so it is not required to meet the typical stormwater requirements; however, they have discussed using best management practices with Town Street and Park Superintendent Scott Turner and have incorporated an infiltration basin to the south of the building to provide improved water quality standards and help with overall site conditions.

Holzhauser noted they fully intend to keep as many trees as possible to continue to provide a buffer to adjacent properties. He stated they removed only the trees necessary for the installation of the new parking area and dry pond. They also displayed a rendered image of the site showing the buildings foundation plantings to clarify any landscaping concerns the Commission and staff may have had.

Motion by Jim Hampton, second by Ryan Burnett to approve of the requested Site Plan for a parking lot addition at the property addressed 2107 Robin Lane, as presented. Motion carried 5-0.

CORRESPONDENCE / QUESTIONS / TOWN BOARD UPDATE:

Countywide Addressing- Kunst noted the County's contractor has begun installation of the blue flag signs and he anticipates installation to take a few weeks.

Budget – Kunst noted budget discussions will begin next week.

Revaluation – Kunst indicated the new assessment notification letters will be mailed out shortly and the open book period will open next week and extend through October.

Next Meeting – Kunst noted the upcoming meeting will include discussion about detached accessory buildings, a restaurant proposal, and another public hearing.

New CEO – Kunst indicated the Town has hired Orval Quamme to fill the vacant, part-time code enforcement officer role.

Residential Development – Kufahl indicated the Town has issued building permits for 26 dwelling units so far this year and he anticipates reaching 30 or more total units for 2019.

PUBLIC COMMENT: None Received

ADJOURN:

Motion by Tom Steele, second by Ryan Burnett to adjourn the Plan Commission Meeting. Motion carried 5-0. Meeting adjourned at 8:00 pm.

Respectfully Submitted,

Paul Kufahl, Building Inspector / Assistant Zoning Administrator