

TOWN OF RIB MOUNTAIN  
PLANNING COMMISSION MEETING  
September 25, 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, Jay Wittman, Tom Steele, and Tonia Westphal. Also present were Building Inspector / Assistant Zoning Administrator, Paul Kufahl and Community Development Director, Steve Kunst. Steve Plunkett was excused.

MINUTES:

**Motion by Tom Steele, second by Ryan Burnett to approve the minutes of the September 11, 2019 Plan Commission meeting, as presented. Motion carried 6-0**

CERTIFIED SURVEY MAP(S):

- a. *Gray's Rib Mountain LLC, owner, requests Certified Survey Map approval for the property addressed 4703 Lilac Avenue. Parcel #34.142807.006.007.00.00., #34.142807.006.025.00.00, #34.142807.006.24.00.00, #34.142807.006.34.00.00 Docket #2019-37.*

Community Development Director, Steve Kunst, indicated the applicant requests approval of a Certified Survey Map (CSM) for a series of lot line adjustments and the creation of utility outlots to facilitate the development of a new Culvers restaurant, future retail uses, a new lift station, and an access road with regional stormwater management facilities. Kunst also noted the CSM dedicates necessary right-of-way along Lilac Avenue for future roadway improvements, as identified in the recently completed Traffic Impact Analysis, similar to what was requested for the FORE Development project on the west side of Lilac. The only consideration noted by staff, was to amend the text for proposed Outlot 1 to be dedicated to the Rib Mountain Sanitary District, not the Metropolitan Sewerage District. And finally, Kunst noted each proposed lot meets minimum requirements of the Town Zoning and Subdivision Ordinances.

Ryan Burnett clarified that Outlot 1 was the only lot to contain public infrastructure. Kunst confirmed and indicated Outlot 2 is to provide public access to the development and to house the stormwater facilities.

**Motion by Tonia Westphal, second by Jim Hampton to recommend approval of the Certified Survey Map for the property addressed 4703 Lilac Avenue conditioned upon revised text indicating Outlot 1 to be Dedicated to Rib Mountain Sanitary District. Motion Carried 6-0**

PUBLIC HEARING(S):

- a. *Gray's Rib Mountain LLC, owner, requests Conditional Use approval for a new drive-through restaurant at the property addressed 4703 Lilac Avenue. Parcel #34.142807.006.007.00.00. Docket #2019-38.*

Kunst indicated the applicant seeks Plan Commission recommendation on a conditional use request for a new Culvers restaurant with a drive-thru facility and an electronic message sign at the property addressed

4703 Lilac Avenue. He noted all standards regulating In-Vehicle Sales and Service and Electronic Messaging Signs are met by the proposal. Additionally, Kunst stated the applicant has taken staff comments into consideration and provided pedestrian safety improvements in the form of pavement markings and ramped access to the sidewalk provided at the access road, as well as, moving the proposed monument sign further from the intersection to improve traffic site lines.

Jay Wittman asked the applicant how the proposed restaurant and site design compares to their other locations in the Wausau area and if they have made any modifications that would impact vehicle and pedestrian safety. Charlie Gray, applicant, noted their Cedar Creek location is smaller in building footprint and lot size and has 15 less parking stalls, which creates some challenges. He noted they have learned a lot about the drive-thru business and driving patterns from that site and that is why they insist on angle parking which promotes one-way vehicle flow and increases safety. He indicated the Bridge Street location has a lot less parking on their site, but they have an agreement to share parking with Pick 'N' Save. He believes they have enough parking at the proposed location and welcomes suggestions to help improve pedestrian and vehicular safety. Bill Scholfield also noted there is a cross-use agreement between all parcel owners within the development in the event additional parking is required.

Burnett asked how access to the site is handled given the private access road locations are on separate parcels. Kunst noted it is similar to the Best Buy mall, where the access road to the facility is a separate outlot and used by multiple businesses. He also noted the locations of the access points were dictated by the Traffic Impact Analysis and align with existing access points across Lilac Ave.

Tom Radenz, REI, gave a presentation of the total site development, noting the Culvers site will be approximately three and a half feet higher in elevation than its existing grade to facilitate drainage and it also allows them to build over the existing sewer line which was previously within the Sunflower Lane right-of-way. Radenz identified the location of the stormwater facilities and access locations and noted they have been stockpiling soil on the property to allow them to regrade the southern portion of the development.

Burnett asked who owns and maintains the access locations and for additional information about building over an existing sewer pipe. Radenz and Scholfield noted the access and stormwater facility is equally owned by all property owners within the development. Radenz also indicated construction over the sewer pipe is a temporary inconvenience, as the Rib Mountain Sanitary District is relocating the pipe and a lift station next year. He indicated he has spoken with Mike Heyroth of the Rib Mountain Sanitary District and has received his approval.

Wittman questioned how the FORE Development and TRS Property stormwater plans interact and if the current public facility can handle the additional volume. Kunst noted both plans do discharge to the same public stormwater structures and review of both of those plans is currently underway.

Jim Hampton questioned the elevation change from Swan Ave to Lilac Ave and what impact that has on the site. Radenz indicated the elevation difference is as much as 10 feet and they plan to lower Lot 3 to help with parking lot grades and stormwater management.

Burnett asked how snow removal will be handled. Radenz noted it would likely be pushed to east of the property and will use excess parking stall locations. Scholfield also added that end users are very sensitive to snow removal as well, so they have to have a reliable plan in place.

Harlan Hebbe asked if the stormwater facilities were intended to have water standing in them at all times, how deep could the water get, and whether they plan to enclose the pond area. Radenz indicated the ponds would likely have standing water in the consistently, with an average depth of five (5) feet and a maximum depth of nine (9) feet when full. Scholfield noted they have to balance the safety concerns of both an open and enclosed pond structure and at this time have decided to not enclose those pond areas.

Wittman asked staff to explain the signage and landscaping considerations noted in the packet. Kunst indicated the applicant has displayed four (4) wall signs on the plan, however because the site only has one street frontage, they area only allowed two (2) wall signs. He noted the applicant is required to meet the two (2) sign maximum. Additionally, Kunst noted the landscape plan indicates no points provided for the Developed Lot area, however he felt the street frontage landscaping design does address the intent of the Developed Lot requirements and the overall landscape plan meets the code requirements.

Hampton questioned if there were any concerns with the Electronic Message Sign proposed. Kunst noted the sign, as proposed, meets all of the requirements outlined in the code, however it is a conditional use in the Urban Commercial District so the Plan Commission does have additional oversight if they so choose.

Tom Steele asked if all future site occupants would be requesting a monument sign. Scholfield noted each lot will not have an individual monument sign. He indicated they plan to provide a monument sign for the remaining development where the southern access road meets Lilac Ave and potentially an additional monument site for the entire development along Morning Glory Lane.

Hebbe opened the Public Hearing at 6:35pm.

Tom Radenz, REI and Bill Scholfield, Scholfield Group indicated they were in favor of the development.

The Public Hearing was closed at 6:36pm

**Motion by Tonia Westphal, second by Jay Wittman to recommend approval of the Conditional Use request for a new drive-through restaurant at the property addressed 4703 Lilac Avenue., conditioned upon the following items:**

- **Final approval of a stormwater management plan by the Street and Park Superintendent**
- **Final approval of a stormwater management maintenance agreement by the Street and Park Superintendent**
- **The Town receives copies of the cross-access agreement permitting Culvers access to each proposed private access road.**

**Motion carried 6-0.**

- b. Denyon Homes Inc., agent, requests a Precise Implementation Plan amendment for a reduced landscaping plan at the properties addressed 2800-2820 Dove Avenue. Parcel*

*#34.412.003.001.02.00, #34.032807.015.033.00.00, #34.032807.015.034.00.00, and #34.032807.015.033.00.00. Docket #2018-01.*

Kunst stated the applicant requests an amendment to a Precise Implementation plan for a revised landscaping plan as part of the Dove Avenue Duplex project. He noted the Town approved the four-building (8 units) plan in 2018 along with a landscaping plan calling for a total of 1,069 points. The applicant is requesting a revised landscape plan with 698 points (371-point difference). Kunst indicated some of the previous landscaping cannot be installed due to the increased size of the stormwater facility and they have opted to change the privacy buffer between tenant patios from larger juniper shrubs to a privacy fence with ornamental grass plantings. He noted the grasses do not count as landscaping points within the Town's Ordinance, but the installation appears to achieve the same result.

Wittman asked for a description of the privacy fence. Heath Tappe, applicant, noted it would be a six (6) foot tall, maintenance free, white vinyl fence.

Hampton and Steele asked if the stormwater facilities would impact any of the newly proposed landscape plantings. Kunst and Tappe described the location of the stormwater ponds and drainage and indicated the planting are able to be installed as shown.

Burnett asked, if the grasses provided had a point value similar to shrubs, would the plan meet the previously approved landscaping points. Kunst noted the grasses would provide a significant number of landscaping points, but could not say for certain if it would make up the 300 plus point difference. Burnett then questioned the location of the fences, indicated he wished to see a more open yard area similar to adjacent neighborhoods. Tappe and staff indicated the fences would not extend beyond the front and rear of the houses in the side yard only and is intended to provide a buffer between adjacent patio spaces.

Tappe indicated he thought the initial plan was merely a concept plan and not a binding approval. He also noted a lot of the plants selected in the initial plan were not suitable for the site and he felt the proposed plan would adequately address the aesthetic concerns noted previously and provide privacy for the tenants.

Hebbe asked if staff had any concerns with the proposed landscaping plan. Staff indicated they did not.

Hebbe opened and closed the public hearing at 6:58pm with no public comment.

**Motion by Jay Wittman, second by Ryan Burnett to recommend approval of the Precise Implementation Plan amendment for a reduced landscaping plan at the properties addressed 2800-2820 Dove Avenue, as presented. Motion carried 6-0.**

NEW BUSINESS:

- a. TRS Development LLC, applicant, requests Site Plan approval for development of two access roads and a stormwater management facility at the property addressed 4703 Lilac Avenue. Parcel #34.142807.006.007.00.00. Docket #2019-39.*

Kunst stated the applicant requests Site Plan approval for construction of two access roads and a stormwater facility serving the previously reviewed Culvers restaurant as well as a future retail development (Granite Crossing). The subject properties represent Outlot 2 and a portion of Lot 3 of the previously reviewed CSM. He noted placing an access road on a separate lot mirrors a few developments along Rib Mountain Drive in which the access point has one owner, but serves multiple developments. Kunst then stated a complete stormwater management plan was submitted and is currently under Town review.

Burnett verified all access locations to Lilac Ave align with existing accesses on the west side of Lilac Ave. Kunst noted they do and the proposed users have been apart of the Traffic Impact Analysis process and are aware of the future Lilac Ave plans.

Wittman asked staff to clarify the consideration for curbing for traffic separation at the south most access. Kunst noted it was something Street and Park Superintendent Scott Turner asked the applicant to consider, but was not a requirement. Plan Commissioners and applicants discussed the benefits and drawbacks to a curbed median between traffic lanes at the intersection with Lilac Ave ultimately opting to not install it.

Commissioners and applicants also discussed the potential for a fence around the stormwater pond, again weighing benefits and drawbacks with a decision to allow the developer to use their best judgement on its installation.

**Motion by Tom Steele, second by Jim Hampton to approve the requested Site Plan for development of two access roads and a stormwater management facility at the property addressed 4703 Lilac Avenue, conditioned upon the Town receiving a copy of all cross-access agreements for use of the private access roads. Motion carried 6-0.**

OLD BUSINESS:

- a. *Discussion and recommendation on potential amendments to RMMC Section 17.056(8)(d) – Detached Private Residential Garage, Carport, or Utility Shed. Docket #2019-40.*

Kunst indicated this is a continuation of the discussion the Plan Commission is having related to potential amendments to the Town's zoning ordinance in regulating detached accessory buildings. He stated a number of discussion points arose from previous discussions; including but not limited to the following:

- Considering larger structures on larger tracts of land, potentially using the sanitary district as a distinguishing factor.
- Lowering the allowable area for structures within the SR-3 and SR-2 zoning districts from the current 1,500 square foot standard.
- Limiting allowable plumbing fixtures
- Overall height in relation to the principle structure
- Increased setbacks for larger buildings
- Requiring detached building of a certain size to adhere to the State dwelling code standards

Commissioners discussed a variety of topics; from lifestyle changes leading to the accumulation of more “toys”, to the need for plumbing fixtures, other municipality requirements and accommodating the requests of larger parcel owners. Discussion indicated the suggested amendments as follows:

- Limit the number of plumbing fixtures, so that it cannot be used as a dwelling unit
- Allow larger structures on parcels of five (5) or more acres
- Maintain a defined maximum square footage
- Try to ensure the accessory building maintains its neighborhood consistency, by requiring it to be subordinate in size to the principle structure
- Increase setbacks to meet principle structure setbacks for larger accessory structures
- Apply building code requirements to permanent structures, do not remove the ability for residents to purchase prebuilt non-permanent structures.

CORRESPONDENCE / QUESTIONS / TOWN BOARD UPDATE:

Next Meeting – Kunst noted the upcoming meeting should be lighter than the previous two meetings and will likely include a discussion on the Comprehensive Plan.

PUBLIC COMMENT: None Received

ADJOURN:

**Motion by Tom Steele, second by Jim Hampton 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