



# TOWN OF RIB MOUNTAIN

Where Nature, Family & Sport Come Together

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3700 North Mountain Road  
Wausau, Wisconsin 54401  
(715) 842-0983  
Fax(715) 848-0186

## PLAN COMMISSION

### OFFICIAL NOTICE & AGENDA

A meeting of the Town of Rib Mountain Plan Commission will be held on **Wednesday, October 9<sup>th</sup>, 2019; 6:00 P.M. at the Town of Rib Mountain Municipal Center, 3700 North Mountain Road.** The Town Board may attend for purposes of gathering information. Subject matter for consideration and possible action follows:

- 1.) Call to Order
- 2.) Roll Call
- 3.) Minutes
  - a. **Approval of minutes from the 9-25-2019 Plan Commission meeting.**
- 4.) 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.**
  - b. **Discussion and recommendation on potential amendments to RMMC Section 17.214(3) - Electronic Message Sign Requirements. Docket #2019-23.**
- 5.) Correspondence/ Questions/ Town Board Update:
- 6.) Public Comment
- 7.) Adjourn

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

**REPORT TO PLAN COMMISSION**

**FROM:** Steve Kunst, Director of Community Development  
**DATE:** October 2, 2019  
**SUBJECT:** Detached Accessory Building Standards

**APPLICANT:** Town of Rib Mountain

**REQUEST:** Discussion on potential amendments to the Town’s Accessory Land Use standards related to Detached Garages, Utility Sheds and Carports.

**NARRATIVE:**

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. A number of discussion points arose from previous discussions; including but not limited to the following:

- 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.

Below are the Town’s current detached accessory building standards along with draft amendments intended to address the Plan Commission’s initial direction. Staff is also interested in Plan Commission feedback on the proposed change to agricultural structures. Previously, detached buildings “for an agricultural use in an agricultural district” could exceed the maximum area threshold, by right. The proposed language below could allow for detached buildings larger than 2,000 square feet with conditional use approval for “an approved agricultural use.” This would allow for instances, most often within the ER-1 zoning district, where a conditional use is granted for the keeping on animals of husbandry (horses, cattle, etc.) to consider a larger building via the conditional use process.

**DETACHED PRIVATE RESIDENTIAL GARAGE, CARPORT, OR UTILITY SHED STANDARDS:**

Description: A private residential garage, carport or utility shed is a structure which primarily accommodates the sheltered parking of motorized and non-motorized passenger and recreation vehicles, the storage of recreation equipment, the storage of residential maintenance equipment and the storage of other household items. It shall be located on the same lot as a residential unit or units and the general requirements for all accessory uses as described in Section 17.056(8) shall be met.

1. Permitted by Right in All Districts provided:
  - a. Only one of each type of the 3 structures listed above (garage, carport and utility shed) is constructed;
  - b. The total floor area of the garage, carport and utility shed, when added together, does not exceed 1,000 square feet of gross floor area; and
  - c. The sidewall of any detached garage, carport or utility shed shall not exceed 12 feet in height nor shall any door opening exceed 10 feet in height.

- d. Maximum height of a detached garage, carport or utility shed shall not exceed that of the principal structure.
  - e. Interior plumbing fixtures shall be limited to one sink/wash basin.
  - f. Any permanent detached garage, carport, or utility shed shall be required to adhere to the Wisconsin Uniform Dwelling Code (formal definition required).
2. Special Use Regulations: Not applicable.
3. Conditional Use Regulations {All Districts}:
- a. Construction of more than one of each type of the 3 structures listed above (garage, carport and utility shed) may be approved as a conditional use;
  - b. Construction of garages, carports and utility sheds **on parcels less than 5 acres** when the total floor area of all of the structures will exceed 1,000 square feet of gross floor area may be approved as a conditional use; but said structure shall not exceed **1,200** square feet **unless for an approved agricultural use.** ~~located in an agricultural district;~~ (Am. #08-11).
    - i. **Minimum setback requirements for said structures shall increase to that of a principle structure within the given zoning district.**
  - c. Construction of garages, carports and utility sheds **on parcels equal to or greater than 5 acres** when the total floor area of all of the structures will exceed 1,000 square feet of gross floor area may be approved as a conditional use; but said structure shall not exceed **2,000** square feet **unless for an approved agricultural use.**
    - i. **Minimum setback requirements for said structures shall increase to that of a principle structure within the given zoning district.**
  - d. Detached residential garages, carports or utility sheds with a sidewall height in excess of 12 feet and/or a door opening exceeding 10 feet in height may be approved as a conditional use;
  - e. **Detached residential garages, carports or utility sheds exceeding the height of the principle structure.**
  - f. The request shall comply with [Section 17.225](#), standards and procedures applicable to all conditional uses.

**POSSIBLE ACTION:** No formal action required. Item is for discussion purposes only.

## REPORT TO PLAN COMMISSION

**FROM:** Steve Kunst, Community Development Director  
**DATE:** October 9, 2019  
**SUBJECT:** Amendment to the Town's Electronic Message Sign Standards

### NARRATIVE:

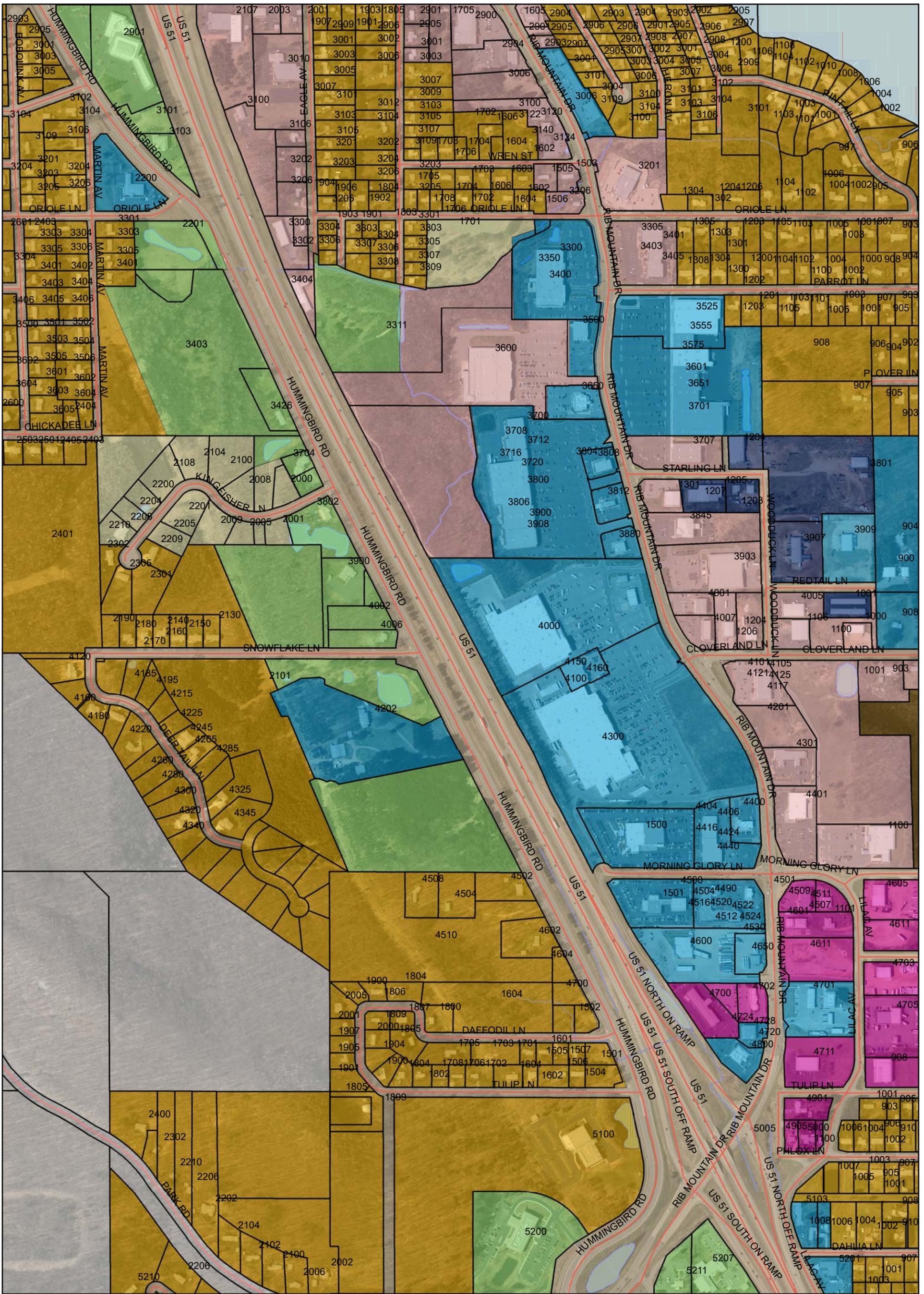
At their August 9<sup>th</sup> meeting, the Plan Commission recommended an amendment to the Town's Zoning Ordinance as it relates to electronic message sign regulations. The proposed amendment simply allowed properties zoned SO to apply for a conditional use permit for an electronic message sign, subject to the specific conditions outlined below. This recommendation was presented to the Town Board; however, the Board referred the item back to the Plan Commission to consider increasing the required setback from residential properties for proposals in the SO district. For reference, the attached map provides an overview of the primary area within the Town zoned SO (in green).

### ELECTRONIC MESSAGE SIGN REQUIREMENTS: (CR. #2016-10)

- (a) Electronic message signs are only permitted through issuance of a conditional use permit per Section 17.225 and may only be installed as an integral and subordinate portion of a monument or pylon sign configurations (and not a wall, projecting, window or any other sign configuration).
- (b) Electronic message signs may be permitted as a conditional use, per Section 17.225, within the UC, SC, **SO**, and SR-3 zoning districts, or part of an approved UDD project.
- (c) No electronic message signs shall be permitted within 100 feet of a neighboring residential zoning district **within the UC, SC, SR-3 and UDD zoning districts or 150 feet within the SO district.**
- (d) Electronic message signs shall only display static messages. Messages shall not contain animation, effects simulating animation, or video. Messages shall not contain text or images that dissolve, fade, scroll, travel, flash, spin, revolve, shake, or include any other form of movement or motion during the message interval.
- (e) The message interval, or the minimum amount of time a message is required to be displayed, shall not be less than the following:
  1. 10 seconds for properties within the USH 51 and STH 29 Overlay District (per Section 17.039).
  2. 30 seconds for properties outside of the USH 51 and STH 29 Overlay District.
- (f) The electronic message sign area or display face shall be included in the calculation of sign measurement and shall not exceed 50 percent of total sign area (per Section 17.213(3)(b)(1) - Sign Measurement).
- (g) Electronic message signs shall be equipped with a sensor or other device programmed to automatically determine the ambient light level and adjust or dim the message board light level to not exceed a maximum brightness level of 0.3 foot-candles above ambient light conditions during both daylight hours (i.e., sunrise to sunset) and night time hours (i.e., sunset to sunrise).
- (h) The electronic message sign shall be programmed or set in such a manner that the display face will turn dark and emit no light in case of a malfunction.

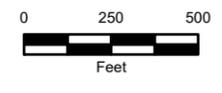
### POSSIBLE ACTION:

1. Recommend approval of the amended RMMC Section 17.214(3) - Electronic Message Sign Requirements, as presented.
2. Recommend approval of the amended RMMC Section 17.214(3) - Electronic Message Sign Requirements, with conditions/modifications.
3. Refer item back to staff for additional consideration.



- Parcel Outline
- Parcel
- Unzoned
- CR-5ac Countryside Residential
- EO Estate Office
- ER-1 Estate Residential
- MR-4 Mixed Residential
- NC Neighborhood Commercial
- OR Outdoor Recreation
- RA-1 Rural Agricultural
- RA-2 Rural Agricultural
- ROW
- RR Rural Residential
- SC Suburban Commercial
- SI Suburban Industrial
- SO Suburban Office
- SR-2 Suburban Residential
- SR-3 Suburban Residential
- UC Urban Commercial
- UDD Unified Development
- UR-8 Urban Residential
- Building Outline
- Road Centerline
- Road Label (2017)
- Water Feature
- Water Feature
- Red: Band\_1
- Green: Band\_2
- Blue: Band\_3

Prepared by:  
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Map Printed:  
 7/16/2019



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