



TOWN OF RIB MOUNTAIN

Where Nature, Family & Sport Come Together

www.townofribmountain.org

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PLAN COMMISSION

OFFICIAL NOTICE & AGENDA

A meeting of the Town of Rib Mountain Plan Commission will be held on **Wednesday, June 27th, 2018; 6:30 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 6-13-2018 Plan Commission meeting.**
- 4.) New Business
 - a. **Jeremy Foss, applicant, requests a pre- application discussion for potential Unified Development District project. Docket #2018 – 25.**
- 5.) Old Business
 - a. **Discussion on potential zoning code amendments related to small-scale nonmetallic mining operations. Docket #2018-26.**
 - b. **Discussion on potential zoning code amendments related to detached garages. Docket #2018-27**
- 6.) Correspondence/ Questions/ Town Board Update:
- 7.) Public Comment
- 8.) Adjourn

TOWN OF RIB MOUNTAIN
PLANNING COMMISSION MEETING
June 13, 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, and Jay Wittman. Tom Steele was excused. Also present were Community Development Director, Steve Kunst, and Building Inspector / Assistant Zoning Administrator, Paul Kufahl.

MINUTES:

Motion by Jim Hampton, second by Ryan Burnett to approve the minutes of the May 23, 2018 Plan Commission meeting, as presented.

Motion carried 5-0

PUBLIC HEARINGS:

- a. *Daniel and Patricia Abt, owners, request conditional use approval for a six-foot-tall privacy fence within the required street yard setback at the property addressed 201 Rainbow Lane. Parcel #34.705.001.001.00.00. Docket #2018-22.*

Community Development Director, Steve Kunst indicated the location of the subject parcel and noted the request is similar to the Arrowwood Lane conditional use application from last year for a fence in excess of the street yard height requirements. Kunst stated that the fencing standards permit a four (4) foot tall fence in the required street yards and if a request is made to exceed that it must not create a vision obstruction for intersecting streets, driveways or sidewalks, be screened with adequate plants on the exterior side in an attractive manner if parallel to the right of way and shall be setback from the right of way to maintain the previously noted vegetation.

Kunst noted that the request is perpendicular to the right of way and is in a street yard that is not served by any driveways or sidewalks and is not near an intersection which would impede traffic vision.

Jay Wittman asked the applicant what type of fence and materials would be used, and Dan Abt, applicant, indicated the fence would be a six foot tall, tan, solid panel, vinyl privacy fence of a solid consistent pattern.

Ryan Burnett questioned the distance between the current chain link fence on the adjacent property and the proposed privacy fence. The adjacent property owner was in attendance and noted that they would remove their chain link fence so that the applicant could install the proposed fence up to the property line to allow for easier maintenance.

Chairman Hebbe opened the meeting for Public Comment at 6:37pm.

Laura McGucken asked the neighboring property owner for his address and confirmation that the chain link fence would be removed. He indicated he lived at 6201 Lakeshore Drive and would be removing his chain link fence.

Public Comment was closed at 6:38pm

Burnett asked if the Plan Commission needed to review the fence type and materials being used. Kunst noted that what they are proposing is an acceptable fence material as defined by our fencing standards.

McGucken confirmed that approval of the proposal is relative to the 35 foot required setback from the right of way. Kunst indicated that was correct and that outside of the required street yard setbacks, what the applicant is proposing is a permitted fence installation.

Motion by Jay Wittman second by Jim Hampton to recommend approval of the conditional use request for a six-foot-tall privacy fence within the required street yard setback at the property addressed 201 Rainbow Lane.

Motion carried 5-0.

CERTIFIED SURVEY MAPS:

- a. Habitat for Humanity, applicant, requests certified survey map approval for a land division at the property addressed 1501 Daffodil Lane. Parcel #34.152807.002.034.00.00. Docket #2018-24.*

Kunst stated the request is to split an existing lot into two lots for the future construction of two Habitat for Humanity Homes. He indicated both lots are conforming to the lot size and dimensional requirements for the single family zoning which is currently applicable and the lot with access from Daffodil Lane, which has some wetlands adjacent to the road right of way has been granted a Permit by the Wisconsin DNR for construction of a future driveway. Kunst also noted that future access to the lots would be off of Tulip Lane and Daffodil Lane with no access from Hummingbird Rd.

Burnett confirmed with Kunst that the lots meet all applicable zoning code requirements, to which Kunst indicated they did.

Motion by Laura McGucken second by Jim Hampton to recommend approval of the certified survey map for a land division at the property addressed 1501 Daffodil Lane.

Motion carried 5-0.

NEW BUSINESS:

- a. *SC Swiderski, applicant, requests a pre- application discussion for potential Unified Development District project.*

Kunst opened discussion by reminding the Commissioners they directed the applicant to come back with a new plan that took the neighborhoods feedback into consideration and decreased the overall density of the proposal.

Jacqui Miller, SC Swiderski representative, presented a powerpoint presentation indicating a new site layout which decreased the number of units from 24 to 20, eliminated individual unit access from Oriole Lane, added 20 stalls of guest parking, created a one way private road to access all units, relocated the garbage collection area, added a tall vegetative buffer to properties to the west, increased the greenspace buffer for residents across Oriole Lane, increased setbacks to buildings, reconfigured patio and balcony areas so they are not directed towards adjacent residential properties and noted that they anticipate rental rates around \$1400 per month.

Commissioners offered a variety of comments which included satisfaction of the new site layout to concern over the density of development due to the minimized developable area created by the adjacent creek. Members also discussed the transitional area fit between commercial and existing neighborhoods and compared the density to allowable single family or duplex development on the same lot. Commissioners indicated they would like to see pictures of some older developments to better understand long term maintenance of their properties and they would want the applicant to seek additional feedback from the neighborhood prior to another public hearing.

CORRESPONDENCE / QUESTIONS / TOWN BOARD UPDATE:

Electronic Message Center – Kunst asked for clarification on the intent of the 100 foot Residential Property setback for Electronic Message Centers located within residential zoning districts i.e.; churches and schools. The Plan Commission indicated the 100 foot setback was even more important in these areas.

Countywide Addressing – Kunst informed the Commission the Town had won its appeal related to Countywide Readdressing and that the decision now lies with the County, whether or not they wish to appeal to the supreme court, define rural as it relates to Rib Mountain, or allow the Town to not take part.

Town Board – Kunst indicated that the Town Board approved the previous meetings recommendations as presented.

Upcoming Meeting – Kunst noted the next Plan Commission Meeting will include a pre-application conference and discussion about proposed amendments to the Extraction Use and Accessory Building ordinances.

PUBLIC COMMENT:

Rick Schoeneck and Craig Schafer of Mountain of the Lord Church identified they wish to have an electronic message sign on their property on Bittersweet Rd. There was a brief discussion about the location of the sign and the applicability of the related ordinance.

ADJOURN:

Motion by Laura McGucken, second by Jim Hampton to adjourn the Plan Commission Meeting.

Motion carried 5-0. Meeting adjourned at 7:54 pm.

Respectfully Submitted,

Paul Kufahl, Building Inspector / Assistant Zoning Administrator

REPORT TO PLAN COMMISSION

FROM: Paul Kufahl, Building Inspector / Assistant Zoning Administrator
DATE: June 15, 2018
SUBJECT: Pre-Application Conference

APPLICANT: Jeremy Foss, applicant
PROPERTY OWNER: Harold Koletsky – Koletsky Trust

PROPERTY ADDRESS(S): 4611 Rib Mountain Drive

REQUEST: Pre-Application conference for potential Unified Development District project

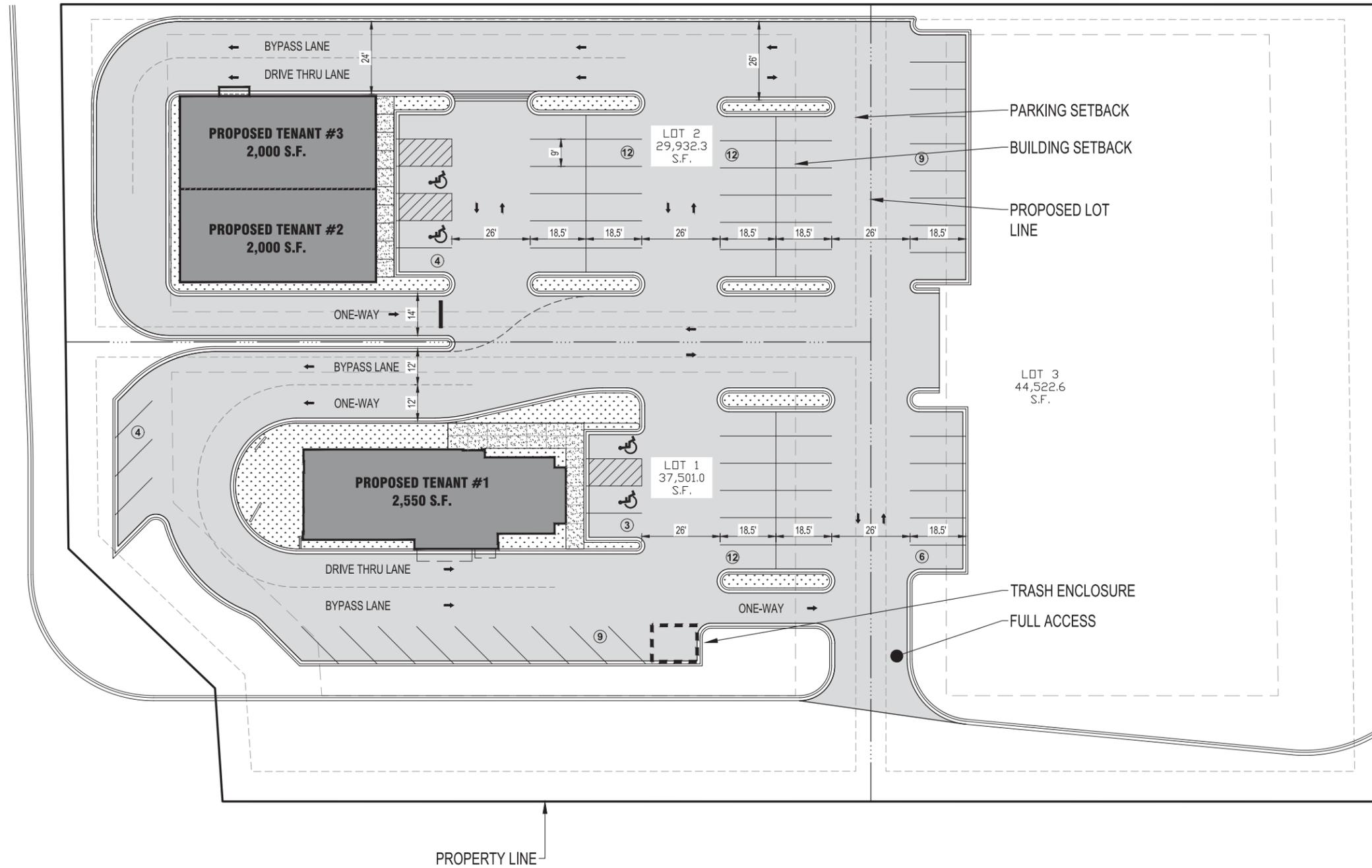
CURRENT ZONING: Urban Commercial (UC)
ADJACENT ZONING: UC (North & East); UDD (South & West)
PROPOSED ZONING: UDD

FUTURE LAND USE DESIGNATION: Commercial

NARRATIVE:

The applicant seeks Plan Commission feedback on the concept of a land division and multi-building development on 2.56 vacant acres of land off Rib Mountain Drive north of the Kwik Trip site. The property is currently zoned UC, allowing for Office, Personal or Professional Services, and Indoor Sales or Service. The presented material includes multiple indoor commercial entertainment and in-vehicle sales and service land uses.

POSSIBLE ACTION: No action to be taken. Item is for discussion only.

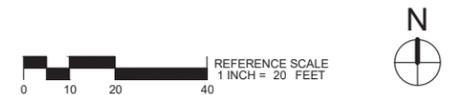


SITE DATA:	
ADDRESS:	XXXX RIB MOUNTAIN DR WAUSAU, WI 54401
TOTAL SITE:	2.57 ACRES

SETBACK DATA:	
ZONED: UC (URBAN COMMERCIAL DISTRICT)	
BUILDING SETBACK	
FRONT	35'
SIDE	10'
REAR	25'
PARKING SETBACK	
PUBLIC STREET	10'
SIDE	5'
REAR	5'

PARKING DATA:	
TENANT #1 = 2,550 S.F. / 300 S.F. (PER STALL) = 9 STALLS	
TENANT #2 = 2,000 S.F. / 300 S.F. (PER STALL) = 7 STALLS	
TENANT #3 = 2,000 S.F. / 300 S.F. (PER STALL) = 7 STALLS	
TOTAL PARKING STALLS REQUIRED = 23	(1 SPACE PER 300 SF - INDOOR SALES OR SERVICE)
	(1 SPACE PER 300 SF - PERSONAL OR PROFESSIONAL SERVICE)
PARKING STALLS PROVIDED = 71	
TOTAL H.C. STALLS REQUIRED = 3	
TOTAL H.C. STALLS PROVIDED = 4	
NOTE: MINIMUM BUILDING SEPARATION PER CODE IS 20'-0"	

OPTION 6



zoned property and shall be screened from such property by a bufferyard with a minimum opacity of .60 (see Section 17.150).

b. Shall comply with Section 17.225, standards and procedures applicable to all conditional uses.

4. Parking Regulations: One space per 300 square feet of gross floor area.

(g) In-Vehicle Sales or Service. Description: In-vehicle sales and service land uses include all land uses which perform sales and/or services to persons in vehicles, or to vehicles which may be occupied at the time of such activity. Such land uses often have traffic volumes which exhibit their highest levels concurrent with peak traffic flows on adjacent roads. Examples of such land uses include drive-in, drive-up, and drive-through facilities, vehicular fuel stations, and all forms of car washes. If performed in conjunction with a principal land use (for example, a convenience store, restaurant or bank), in-vehicle sales and service land uses shall be considered an accessory use (see Section 17.056(8)(k)).

1. Permitted by Right: Not applicable.

2. Special Use Regulations: Not applicable.

3. Conditional Use Regulations {EO, SO, NC, SC, UC, CC}:

a. Clearly marked pedestrian crosswalks shall be provided for each walk-in customer access to the facility adjacent to the drive-through lane(s).

b. The drive-through facility shall be designed so as to not impede or impair vehicular and pedestrian traffic movement, or exacerbate the potential for pedestrian/vehicular conflicts.

c. In no instance shall a drive-through facility be permitted to operate which endangers the public safety, even if such land use has been permitted under the provisions of this Section.

d. The setback of any overhead canopy or similar structure shall be a minimum of 10 feet from all street rights-of-way lines, a minimum of 20 feet from all residentially-zoned property lines, and shall be a minimum of 5 feet from all other property lines. The total height of any overhead canopy or similar structure shall not exceed 20 feet as measured to the highest part of the structure.

e. All vehicular areas of the facility shall provide a surface paved with concrete or bituminous material which is designed to meet the requirements of a minimum 4 ton axle load.

f. Facility shall provide a bufferyard with a minimum opacity of .60 along all borders of the property abutting residentially zoned property (see Section 17.150).

g. Interior curbs shall be used to separate driving areas from exterior fixtures such as fuel pumps, vacuums, menu boards, canopy supports and landscaped islands. Said curbs shall be a minimum of 6 inches high and be of a non-mountable design. No curb protecting an exterior fixture shall be located closer than 25 feet to all property lines.

h. Shall comply with Section 17.225, standards and procedures applicable to all conditional uses.

4. Parking Regulations: One space for each employee on the largest shift.

5. In-Vehicle Waiting and Drive-Up Lanes:

a. Banks: A minimum of 80 feet of queuing space shall be provided for each drive-up window.

b. Car washes: A minimum of 80 feet shall be provided in front of the entrance to each washing stall for self-service and coin-operated car washes and 120 feet in front of the

entrance to each washing stall for an automatic car wash facility. An on-premise drip area shall be provided at the car wash exit to minimize the amount of water transported onto streets near the car wash.

c. Drive-in restaurants for food pick-up: A minimum of 80 feet shall be provided in front of each drive-up window where food is ordered.

d. Drive-in restaurants where food is delivered to and eaten in the vehicle: Minimum of 15 spaces.

e. Other drive-up and drive-in uses: As determined by the Plan Commission.

(h) Indoor Commercial Entertainment. Description: Indoor commercial entertainment land uses include all land uses which provide entertainment services entirely within an enclosed building. Such activities often have operating hours which extend significantly later than most other commercial land uses. Examples of such land uses include restaurants, taverns, theaters, health or fitness centers, all forms of training studios (dance, art, martial arts, etc.) bowling alleys, arcades, roller rinks, and pool halls.

1. Permitted by Right: Not applicable.

2. Special Use Regulations: Not applicable.

3. Conditional Use Regulations {EO, SO, NC, SC, UC, CC, SI}:

a. If located on the same side of the building as abutting residentially zoned property, no customer entrance of any kind shall be permitted within 100 feet of a residentially zoned property.

b. Facility shall provide a bufferyard with a minimum opacity of .60 along all borders of the property abutting residentially zoned property (see Section 17.150).

c. Shall comply with Section 17.225, standards and procedures applicable to all conditional uses.

4. Parking Regulations: One space per every 3 patron seats or lockers (whichever is greater); or one space per 3 persons at the maximum capacity of the establishment; (whichever is greater).

(i) Outdoor Commercial Entertainment. Description: Outdoor commercial entertainment land uses include all land uses which provide entertainment services partially or wholly outside of an enclosed building. Such activities often have the potential to be associated with nuisances related to noise, lighting, dust, trash and late operating hours. Examples of such land uses include outdoor commercial swimming pools, driving ranges, miniature golf facilities, amusement parks, drive-in theaters, go-cart tracks, and racetracks.

1. Permitted by Right: Not applicable.

2. Special Use Regulations: Not applicable.

3. Conditional Use Regulations {OR-35ac, UC, SI}: (Am. #09-05)

a. Activity areas shall not be located closer than 300 feet to a residentially zoned property.

b. Facility shall provide a bufferyard with a minimum opacity of .80 along all borders of the property abutting residentially zoned property (see Section 17.150).

c. Activity areas (including drive-in movie screens) shall not be visible from a public street or from any residentially-zoned property.

d. Shall comply with Section 17.225, standards and procedures applicable to all conditional uses.

4. Parking Regulations: One space for every 3 patron seats at the maximum capacity of the establishment.

REPORT TO PLAN COMMISSION

FROM: Steve Kunst, Community Development Director
DATE: October 4, 2017
SUBJECT: Small Scale Extraction Use Standards

APPLICANT: Town of Rib Mountain

REQUEST: Discussion on potential amendments to the Town’s Extraction standards related to small scale operations.

NARRATIVE:

The Plan Commission recently reviewed two (2) nonmetallic mine applications under the current ‘Extraction’ standards of the Zoning Ordinance. As part of these reviews it became evident the code was drafted with the intent to cover large scale, commercialized quarries. The recent applications were of much smaller scale than any existing operation within the Town and the Commission recommended the Zoning Ordinance be looked at for potential amendments to address smaller scale operations. The intent of this discussion is to provide staff direction in drafting new code language. Below are the Town’s existing extraction standards as well as some potential discussion points for consideration.

CURRENT EXTRACTION USE STANDARDS:

Description: Extraction uses include any land uses involving the removal of soil, clay, sand, gravel, rock, minerals, peat, or other material in excess of that required for approved on-site development or agricultural activities.

1. Conditional Use Regulations {RA-1-35ac, RA-2-35ac}: (Am. #09-05)
 - a. Shall receive approval from Marathon County prior to action by the Town of Rib Mountain, and shall comply with all County, State and Federal regulations.
 - b. Facility shall provide a bufferyard with a minimum opacity of 1.00 along all borders of the property.
 - c. All buildings, structures, and activity areas shall be located a minimum of 300 feet from all lot lines.
 - d. Required site plans shall include detailed site restoration plans, which shall include at minimum, detailed grading and revegetation plans, and a detailed written statement indicating the timetable for such restoration. A surety bond, in an amount equivalent to 110% of the costs determined to be associated with said restoration (as determined by a third party selected by the Town), shall be filed with the Town by the Petitioner (subject to approval by the Zoning Administrator), and shall be held by the Town for the purpose of ensuring that the site is restored to its proposed condition. (The requirement for said surety is waived for waste disposal facilities owned by public agencies.)
 - e. Parking Regulations: One space per each employee on the largest work shift.

POTENTIAL ITEMS OF CONSIDERATION:

- What zoning districts are appropriate for smaller scale nonmetallic mines?
 - Currently only permitted as a conditional use in the Agriculture districts, requiring a minimum of 35 acres or a UDD project.

- Should the emphasis be on overall lot area of a given property rather than the zoning district? If so, is there a minimum lot size desired?
- Does the Commission wish to set a maximum activity area for small scale operations?
- Establish uniform hours of operation for these activities
 - Recent approvals were for 7:00 AM – 7:30 PM, Monday – Friday & 7:00 AM – 12:00 PM Saturday
- What are appropriate setbacks from activity areas?
 - Current code requires 300 feet from all property lines
- What should be considered for bufferyards (e.g. berms, fencing, plantings)?
- Should setbacks and/or bufferyards differ based on adjacent zoning or land uses?
 - Residential vs agricultural
- Are there desired outcomes or final products (e.g. ponds) of small scale nonmetallic mine activities?
- What is an appropriate amount of time a small scale nonmetallic mine should be allowed to operate?
 - Recent approvals called for a Plan Commission review after five (5) years.

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

REPORT TO PLAN COMMISSION

FROM: Paul Kufahl, Building Inspector / Assistant Zoning Administrator
DATE: June 21, 2018
SUBJECT: Detached Garage 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:

The Plan Commission has reviewed a number of Conditional Use requests for detached garages in excess of 1000 square feet in the past couple of years, some of which have included half or full bathrooms, sidewalls in excess of 12’ and overhead doors larger than our permitted standards. There have been some indications that Plan Commission would like to identify plumbing constraints on detached buildings and that they be willing to approve larger detached structures on larger lots and the 1500 square foot maximum via Conditional Use may not be acceptable on smaller parcels in more densely populated area. Therefore, the intent of this discussion is to provide staff direction in drafting new code language. Below are the Town’s existing detached private residential garages, carport, or utility shed standards as well as some potential discussion points for consideration.

CURRENT 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.
2. Special Use Regulations: Not applicable.
3. Conditional Use Regulations in 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 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 1,500 square feet, unless it is an agricultural use located in an agricultural district; (Am. #08-11)
 - c. In all Districts, 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;
 - d. The request shall comply with [Section 17.225](#), standards and procedures applicable to all conditional uses.

POTENTIAL ITEMS OF CONSIDERATION:

- What zoning districts, if any, are appropriate for larger footprint buildings?
 - Currently only permitted in the Agriculture districts for agricultural functions, typically requiring a minimum of 35 acres or a UDD project.
- Should the emphasis be on overall lot area of a given property rather than the zoning district? If so, is there a minimum lot size desired?
- Should there be a correlation between dwelling size and detached building size?
- Should we differentiate between detached garages with permanent slabs and utility sheds which are more temporary in nature.
- What are appropriate setbacks from activity areas?
 - Current code requires 10 feet from side and rear property lines and 35 feet from front or street yard property lines.
- If larger footprint buildings would be considered, should we also consider the use of larger setbacks or bufferyards to help screen neighboring properties?
- Are you concerned about accessory structures being taller than the principle structure?
- What concerns do you have about their appearance from the road or neighboring properties?
- Is a roof design load requirement a good idea?
- Is there a concern about construction type? (prefab, conventionally framed, post-frame, permanent foundation, built on skids, set on gravel base)
- Should roof pitches match the principle structure?
- Are there situations where a Special Use/Site Plan review would be more appropriate than a Conditional Use?
- Does distance from neighboring properties have an impact in decisions?
- How do you feel about accessory structures setback the minimum front/street yard distance but still in front of the principle structures?
- What other factors have affected your decision making in recent accessory structure conditional use applications?
- For permanent buildings, should we apply most applicable dwelling code standards?
- Should we establish a plumbing or electrical limitation on detached buildings to reduce the chance of it being used as an accessory dwelling unit?

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