

NOTICE OF PUBLIC MEETING

CITY OF CHIPPEWA FALLS, WISCONSIN

IN ACCORDANCE with the provisions of Chapter 19, Subchapter IV of the Statutes of the State of Wisconsin, notice is hereby given that a public meeting of the:

Plan Commission XXX

(Reasonable accommodations for participation by individuals with disabilities will be made upon request. Please call 726-2736)

Will be held on **Monday, February 8, 2021 at 6:30 P.M.** in the City Hall **Council Chambers**, Chippewa Falls, Wisconsin. The Mayor and Plan Commission members may not be physically present at the meeting but may attend remotely. The meeting may be viewed via livestream at the www.chippewafalls-wi.gov live stream link. **The meeting will be conducted via Webex. The meeting number is 177 101 3683 and the Meeting Password is Chippewa1. To participate by phone, please call 1 415 655 0002.** Items of business to be discussed or acted upon at this meeting are shown on the attached Agenda or listed below:

NOTE: If unable to attend the meeting, please notify the Engineering Dept. by calling 726-2736.

1. Approve the minutes of the January 11, 2021 Plan Commission Meeting. *(Attachment)*
2. Conduct a Public Hearing for Conditional Use Permit Resolution No. 2021-02 to allow Chippewa Off Roads Bike Association (CORBA) to construct, operate and maintain bike and pedestrian paths in the conservancy zoning district located south of the Chippewa River in Riverside Industrial Park. *(Attachment)*
3. Consider Conditional Use Permit Resolution No. 2021-02 to allow Chippewa Off Roads Bike Association (CORBA) to construct, operate and maintain bike and pedestrian paths in the conservancy zoning district located south of the Chippewa River in Riverside Industrial Park. *(Attachment)*
4. Conduct a Public Hearing for Planned Development Conditional Use Permit Resolution No. 2021-03 to allow Rooney Properties LLC to develop ten eight-plex townhomes, ten twelve-plex homes and thirty single family residential lots on 46.2 acres within parcel six, located south of Bridgewater Avenue, east of USH #53 and north of Elm Street in the Willow Creek Subdivision. *(Attachment)*
5. Consider Planned Development Conditional Use Permit Resolution No. 2021-03 to allow Rooney Properties LLC to develop ten eight-plex townhomes, ten twelve-plex homes and thirty single family residential lots on 46.2 acres within parcel six, located south of Bridgewater Avenue, east of USH #53 and north of Elm Street in the Willow Creek Subdivision. *(Attachment)*
6. Adjournment

NOTICE IS HEREBY GIVEN THAT A MAJORITY OF THE CITY COUNCIL MAY BE PRESENT AT THIS MEETING TO GATHER INFORMATION ABOUT A SUBJECT OVER WHICH THEY HAVE DECISION MAKING RESPONSIBILITY.

Please note that attachments to this agenda may not be final and are subject to change.
This agenda may be amended as it is reviewed.

CERTIFICATION

I hereby certify that a copy of this agenda was placed in the Chippewa Herald mail box, 1st Floor, City Hall and also posted on the City Hall Bulletin Board on Wednesday, February 3, 2021 at 2:00 P.M. by Mary Bowe.

**MINUTES OF THE PLAN COMMISSION MEETING
CITY OF CHIPPEWA FALLS
MONDAY, JANUARY 11, 2021 – 6:30 PM**

The Plan Commission met remotely via Webex on Monday, January 11, 2021 at 6:30 P.M. The meeting was live streamed from the council room in City Hall. Attending remotely were Commissioners Dave Cihasky, Dennis Doughty, Mike Tzanakis, Dan Varga, Beth Arneberg, Alderperson Chuck Hull, Secretary Rick Rubenzer and Mayor Greg Hoffman. Absent were Commissioners Greg Misfeldt, Jerry Smith and Vice-Chairperson Tom Hubbard. Also attending remotely were City Planner Brad Hentschel, City Inspector Paul Lasiewicz, Assistant City Engineer Bill McElroy, P.E., Police Chief Matt Kelm, Alderperson Jason Hiess, Pat Rasmus and Jay Plummer representing CORBA, Mike Hanke, Jenn Barrott, Jim Rooney, Mark Erickson of Every Day Engineering, Greg Granlund, Michael Ghoo, representing Hope Village were Mike Cohoon, Ruth Rosenow, Jessica Olson-Bue and Gayle Klitzke, from Advanced Engineering were Sean Bohan and Jordan Crusing.

1. **Motion** by Tzanakis, seconded by Cihasky to approve the minutes of the December 7, 2020 Plan Commission meeting. **All present voting aye. Motion carried.**

2. The Plan Commission considered the attached Conditional Use Permit petition/application from the Chippewa Off Roads Bike Association (CORBA) for constructing bicycle and pedestrian paths in the conservancy zoning district of Riverside Industrial Park located south of the Chippewa River (see attached). Director of Public Works Rubenzer noted that CORBA had received “permission” for the requested area through an earlier agreement for construction of paths north of the Chippewa River but the paths south of the Chippewa River are in a conservancy district and bike and pedestrian paths are listed as “conditional uses” in the conservancy zoning district of Chapter 17, City of Chippewa Falls Municipal Code. Commissioner Doughty asked if pets would be allowed. Commissioner Arneberg stated as in city parks, pets would need to be leashed.
Motion by Cihasky seconded by Hull to schedule a public hearing to consider a Conditional Use Permit Resolution request from Chippewa Off Road Bike Association (CORBA) to construct and maintain bicycle and pedestrian paths in the conservancy zoning district of Riverside Industrial Park located south of the Chippewa River. Said public hearing to be scheduled upon receipt of the \$300 advertising and administration fee and proper notification of adjacent property owner. **All present voting aye. Motion carried.**

3. Mike Cohoon appeared remotely to support Hope Village’s attached petition for a Special Use Permit on Lot 1 (City parcel number 4523), Lot 3 (City parcel number 4523.5) and Lot 4 (City parcel number 4523.75) of Certified Survey Map 729 in Volume 2, Page 266, Document #464476 to create a planned development including 10 tiny houses to shelter homeless, 28 low income rental units which include 5 one bedroom duplexes and three multi-family buildings containing six two bedroom units and converting an existing dental office into a community center. Director of Public Works Rubenzer noted that the special use permit drafted would be the same as the Planned Development Conditional Use Permit to be considered by the Plan Commission later in the meeting. The difference would be that the Common Council would conduct the public hearing and approve or deny the permit.
Motion by Tzanakis, seconded by Rubenzer to recommend the Common Council conduct a public hearing to consider granting Hope Village a Special Use Permit on Lot 1 (City parcel number 4523), Lot 3 (City parcel number 4523.5) and Lot 4 (City parcel number 4523.75) of Certified Survey Map 729 in Volume 2, Page 266, Document #464476 to create a planned development including 10 tiny houses to shelter homeless, 28 low income rental units which include 5 one bedroom duplexes and three multi-family buildings containing six two bedroom units and converting an existing dental office into a community center. Said public hearing to be scheduled upon receipt of the \$300 advertising and administration fee and proper notification of adjacent property owner. **All present voting aye. Motion carried.**

Please note, these are draft minutes and may be amended until approved by the Common Council.


4. The Plan Commission conducted a public hearing to consider Planned Development Conditional Use Permit Resolution No. 2021-01 for Hope Village on Lot 1 (City parcel number 4523), Lot 3 (City parcel number 4523.5) and Lot 4 (City parcel number 4523.75) of Certified Survey Map 729 in Volume 2, Page 266, Document #464476 to create a planned development including 10 tiny houses to shelter homeless, 28 low income rental units which include 5 one bedroom duplexes and three multi-family buildings containing six two bedroom units and converting an existing dental office into a community center. Mayor Hoffman opened the public hearing. Mike Hanke spoke in favor of the resolution. He stated that he lived about a half mile from the Hope Village site and that this would be ground breaking for this region. Police Chief Matt Kelm spoke in support of the permit stating the Police Department had received very few, if any, complaints about the existing tiny house locations on four church properties around the city. He asked if a future Hope Village board could change the screening and intake process without city permission. Director of Public Works Rubenzer replied that all conditions on the resolution could not be changed without Plan Commission permission. No one else spoke for or against the project. Mayor Hoffman closed the public hearing.

Motion by Rubenzer, seconded by Tzanakis to approve Planned Development Conditional Use Permit Resolution No. 2021-01. Mayor Hoffman requested a roll call vote. **Voting aye were Rubenzer, Tzanakis, Cihasky, Doughty, Varga, Arneberg, Hull and Hoffman. No one opposed. The motion passed on an 8-0 vote.**

5. Jim Rooney appeared to support the attached petition for a Planned Development Conditional Use Permit for another phase of Development in The Willow Creek Subdivision. Mr. Rooney stated that a master plan was done in 2007. He described the proposed Planned Development Conditional Use Permit location on Parcel #6, east of USH #53 and between Elm Street and Bridgewater Avenue and west of the park west subdivision constructed in 2004. He compared the original 2007 proposal of 42 single family lots, 47 bay house lots and 120 multi-family units for a total of 209 units to the current proposal of 30 single family lots and 200 multi-family lots for a total of 230 units. He highlighted the main changes of 47 less bay home units and 12 less single family lots. He stated an addition of single family housing in Willow Creek on the north side of Bridgewater Avenue would be proposed later in 2021. Director of Public Works Rubenzer stated that a connection between Elm Street and Bridgewater Avenue had been officially mapped, (see attachment), previously and he believed there should be an additional access to the proposed subdivision on Elm Street at Tropicana Boulevard. Mr. Rooney stated that the access on Bridgewater Avenue could be moved to Elm Street. He also proposed that the city allow public sanitary and water mains be installed under a private street around the development. He said pedestrian paths, a tot playground lot, a sign and street light plan would be provided. Director of Public Works Rubenzer said he would check with city staff for input on access points and utilities. Commissioner Doughty asked about maintenance of private streets. Mr. Rooney stated that if he would allow streets to deteriorate, tenants would not continue to live in the units.

Motion by Hoffman, seconded by Varga to recommend the Plan Commission conduct a public hearing for a Planned Development Conditional Use Permit Resolution for developer Jim Rooney to construct thirty single family homes, ten 8-unit town homes and ten 12-unit town homes on parcel #6 located east of USH #53, north of Elm Street and south of Bridgewater Avenue. Said public hearing to be scheduled upon receipt of the \$300 advertising and administration fee and proper notification of adjacent property owner. **All present voting aye. Motion carried.**

6. **Motion** by Tzanakis, seconded by Cihasky to adjourn. **All present voting aye. Motion carried.** The Plan Commission adjourned at 7:14 P.M.


Richard J. Rubenzer, P.E., Secretary
Plan Commission

**CITY OF CHIPPEWA FALLS PLAN COMMISSION
CONDITIONAL USE PERMIT RESOLUTION 2021-02
FOR CHIPPEWA OFF ROADS BIKE ASSOCIATION (CORBA) TO CONSTRUCT,
OPERATE AND MAINTAIN BIKE AND PEDESTRIAN PATHS IN THE CONSERVANCY
ZONING DISTRICT LOCATED SOUTH OF THE CHIPPEWA RIVER IN RIVERSIDE
INDUSTRIAL PARK**

WHEREAS, on January 11, 2021, the City of Chippewa Falls Plan Commission heard a request from Jay Plummer and Pat Rasmus of the Chippewa Off Roads Bicycle Association(CORBA) for a Conditional Use Permit to construct, operate and maintain bike and pedestrian paths in the conservancy zoning district south of the Chippewa River in Riverside Industrial Park ; and

WHEREAS, bicycle and pedestrian paths are list as conditional uses in the Conservancy District as set forth in Chapter 17.36(6)(d) of the Chippewa Falls Municipal Code; and

WHEREAS, the Plan Commission evaluated the development proposal in accordance with Municipal Code Section 17.26(16)(d)1 which directs such evaluation as a conditional use permit under section 17.47; and

WHEREAS, on February 8, 2021 the City of Chippewa Falls Plan Commission conducted a public hearing approved Conditional Use Permit Resolution 2021-02 after publication and mailing of all required notices and hearing all concerns and comments

NOW, THEREFORE BE IT RESOLVED, that the Plan Commission of the City of Chippewa Falls, Wisconsin finds;

1. That upon review of Conditional Use Permit Resolution 2021-02 the CORBA construction, operation and maintenance of bike and pedestrian paths in the Riverside Industrial Park Conservancy District would be a great benefit to the city of Chippewa Falls.
2. The Plan Commission further finds that the said bike and pedestrian paths would enhance adjacent land uses because the paths would allow public hiking biking and observance of nature.
3. The Plan Commission further finds that the requested bike and pedestrian path land use is consistent with the general purpose of the CN Conservancy District : To preserve and perpetuate in an open state certain areas, such as, but not limited to, lakes and waterways, wetlands and marshes, floodplains and streambeds, woodlands, and other areas of aesthetic value which, because of their unique physical features, are deemed desirable and functional as natural drainageways and water retention areas, natural habitat for plant and animal life, green belts and other multiple purpose uses beneficial to the community.

Planned Development C.U.P. Resolution 2021-02

**NOW, THEREFORE, BE IT FURTHER RESOLVED BY THE PLAN
COMMISSION OF THE CITY OF CHIPPEWA FALLS, WISCONSIN:**

4. That conclusions based on the previous three findings of fact and pursuant to Chapter 17.47 of the Code of Ordinances of the City of Chippewa Falls, that Conditional Use Permit Resolution 2021-02 is hereby approved contingent on the following conditions:

- a) Submission and approval of Liability Waiver Agreement Group Volunteer Services
- b) Submission of the CORBA Certificate of Liability Insurance.
- c) Submission and approval of the Memorandum of Understanding Agreement for the CORBA Construction, Maintenance and Operation of the proposed Bike and Pedestrian Trails.
- d) The CORBA Bike and Pedestrian Location Map become part and parcel of CUP 2021-02 and are available for inspection in the City of Chippewa Falls Engineering and Inspection offices
- e) Chapter 17.47(13) shall apply and this permit shall terminate if the use for which this permit is issued shall cease for a continuous two (2) year period.
- f) Modifications or changes to this permit may be made only by the Plan Commission after an application for an amendment has been duly filed and notices and hearing requirements have been complied with.

MOTION: _____

SECONDED: _____

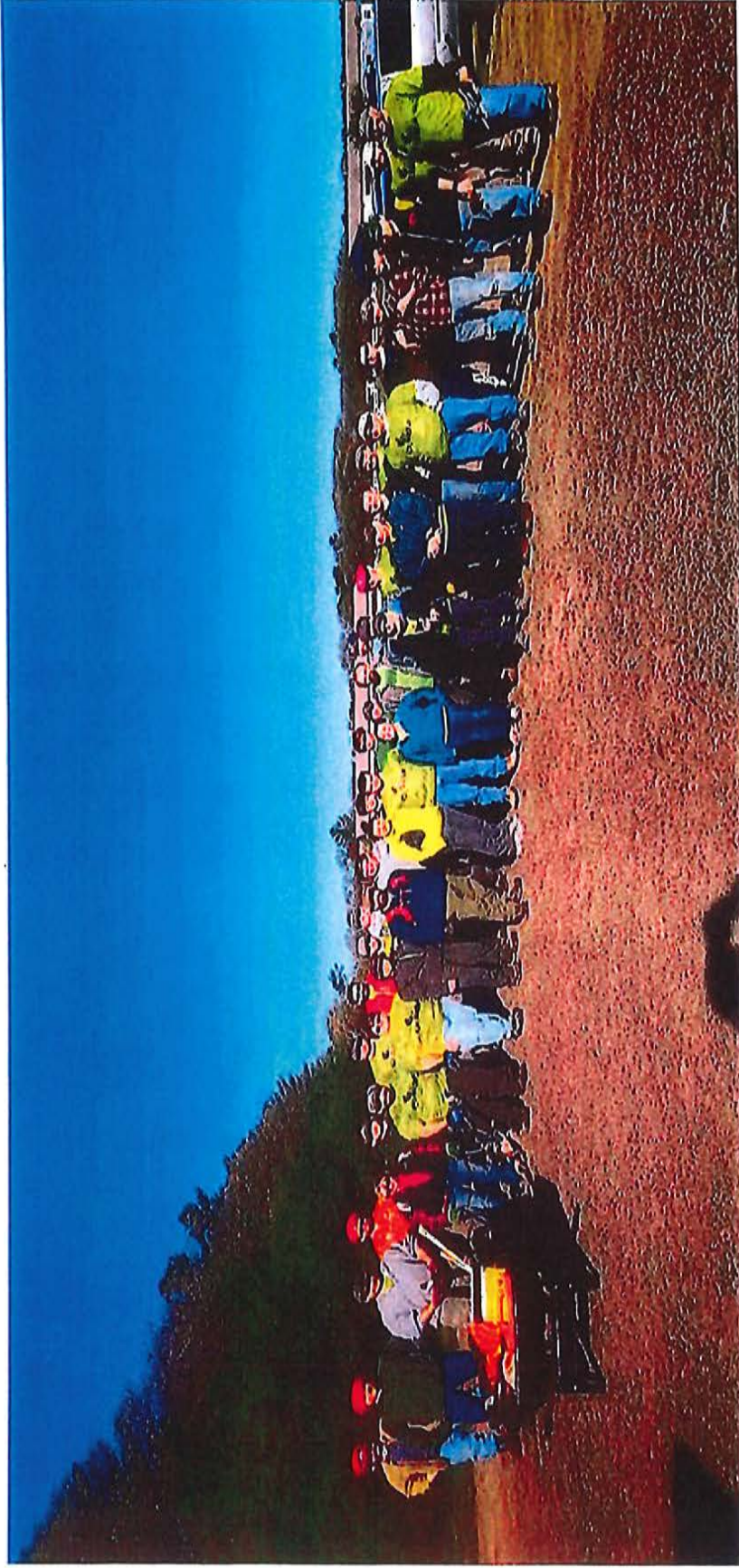
I hereby certify that the Plan Commission of the City of Chippewa Falls, Wisconsin, adopted the above Resolution on February 8, 2021, by a vote of _____ ayes, _____ nays and _____ abstentions.

Richard J. Rubenzer, PE, Secretary
Plan Commission

CORBA

◀ TRAILS FOR ALL ▶

Area 178



~125 Members



CITY OF CHIPPEWA FALLS AND
CHIPPEWA OFF ROAD BIKE ASSOCIATION (CORBA)
AGREEMENT

This agreement between the City of Chippewa Falls and the Chippewa Off Road Bike Association (CORBA) is entered into for the purpose of building and/or maintaining off road bike trails on a site known as "Area 178" which extends through and between the City well fields on River Road, along the northern bank of the Chippewa River, passing underneath State Highway 178, AKA Seymour Cray Sr. Boulevard, and extending along and around said shoreline to Lake Wissota and along Lake Wissota shoreline to the Chippewa Rod and Gun Club.

CORBA is a group of off road bike users that have a history of constructing and maintaining trails at Lowes Creek County Park, Northwest Community Park, Otter Creek Park, and Hickory Ridge. CORBA is member of the International Mountain Biking Association. CORBA desires to construct similar trails in "Area 178". CORBA members have received training in proper construction and maintenance of trails and have specialized equipment for trail building and maintenance, including a small track- drive excavator (see photo in attachment B), a compact tool carrier/excavator, a field and brush mower, and various small power and hand tools, all of which are the property of CORBA.

The City of Chippewa Falls agrees to:

1. Consider future developments of "Area 178" as may provide a recreational network of trails connecting bikeways, paths or routes as shown on Attachment A.
2. Allow the use of the aforementioned excavators, mower and compact power and hand tools owned by CORBA and operated by CORBA volunteers who have been trained to operate said equipment, for performing City approved development and maintenance work on mountain bike trails in "Area 178". CORBA will provide the CITY with a signed HOLD HARMLESS AGREEMENT (see Attachment C) form prior to doing any work on "Area 178" land.

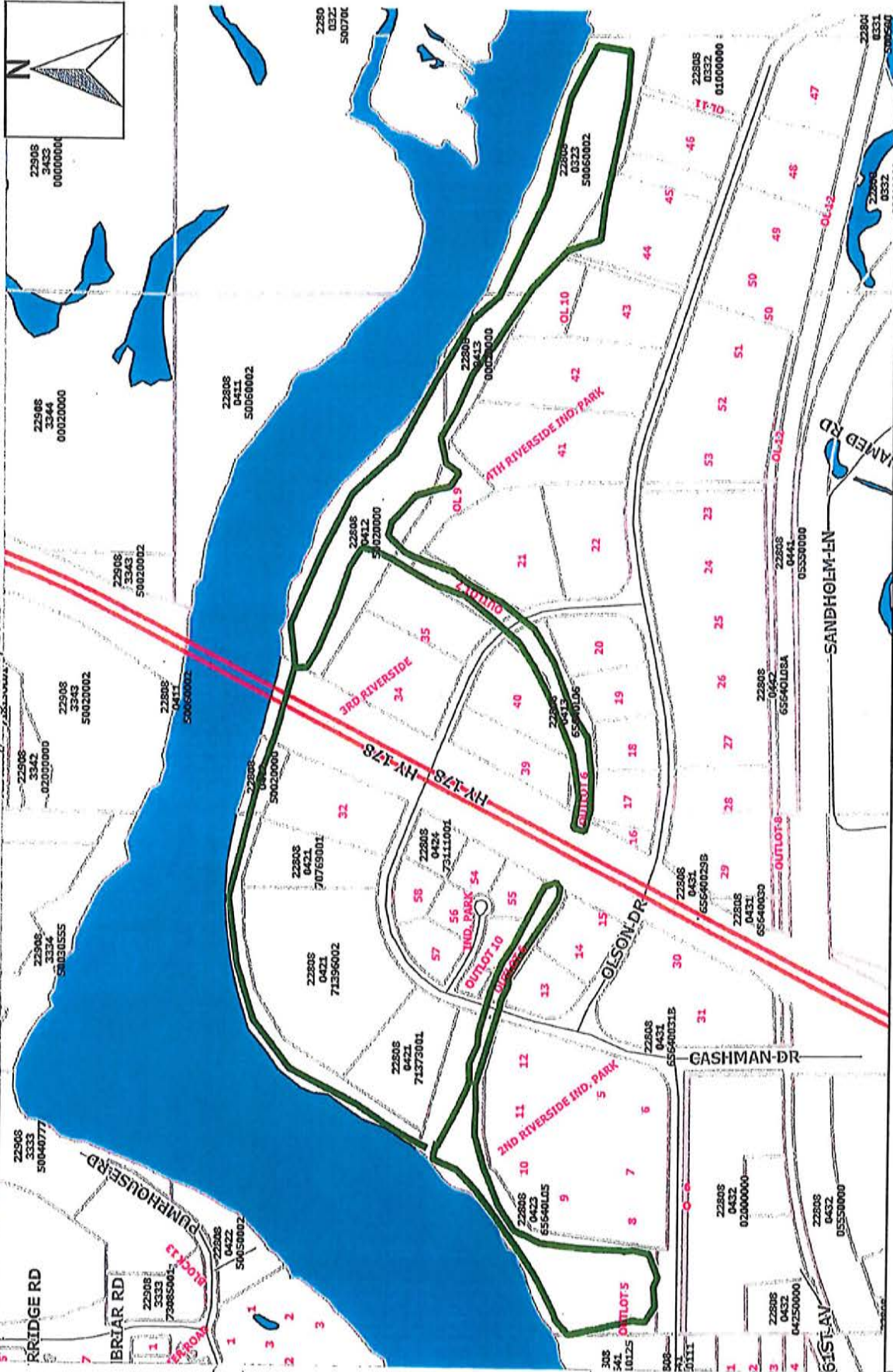
Chippewa Off Road Bike Association agrees to:

1. Adopt the bike trails at "Area 178" by performing construction and maintenance on single track mountain bike trails, bridges and other mountain bike area as needed and making improvements to the single track trails as approved by the City.
2. Provide the City a list of trained operators of the excavating equipment prior to doing any work with the excavator on "Area 178" land.
3. Provide the City of Chippewa Falls with proof of insurance including a certificate of additional insured, naming the City of Chippewa Falls as an additional insured.

Area 178 South

Monday, August 10, 2015

Scale 1"=660'

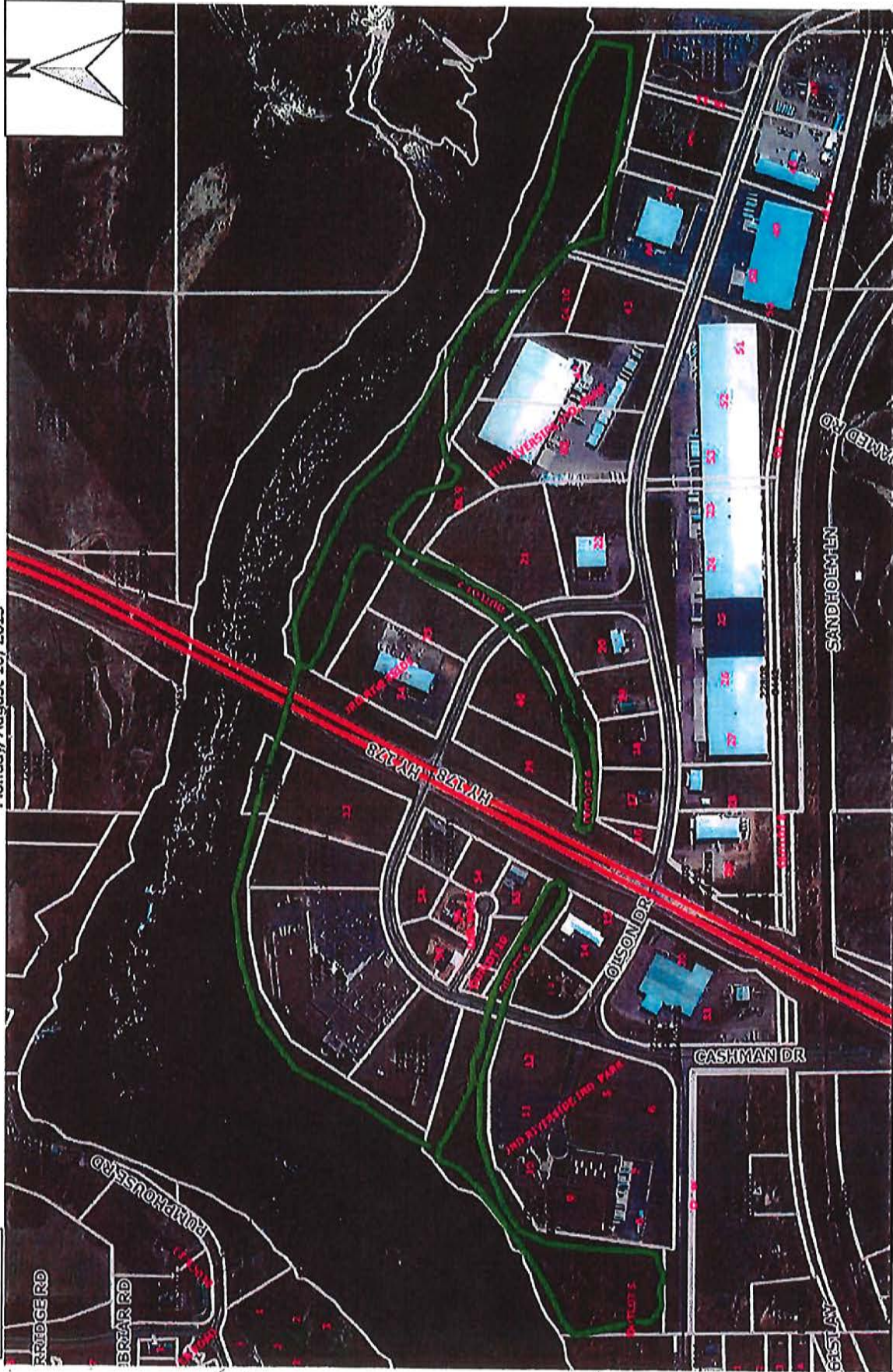


Map produced by the Chippewa County Planning & Zoning Department and is for reference purposes only

Area 178 South

Monday, August 10, 2015

Scale 1"=660'



Map produced by the Chippewa County Planning & Zoning Department and is for reference purposes only



PRIOR MODELS
NX Series: 9NX-2

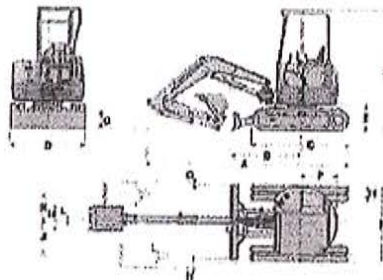
- 2,050 Zero tail swing mini excavator
- 10.0 H.P. water cooled diesel engine
- 2-speed travel
- Auxiliary hydraulics to front of unit
- Standard backfill blade
- Expandable tracks 27.5 to 37.5 inches
- 5'2 Digging Depth

Request Information

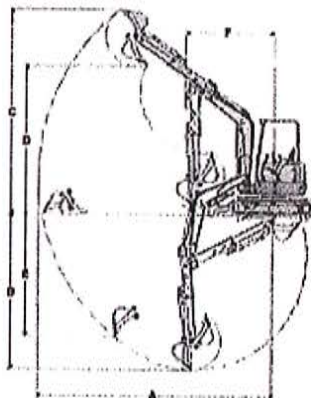
ATTACHMENT B

< back to prior models

Specifications



A	8'10"	I	27.5-37.5"
B	2'11"	J	1'6"
C	3'11"	K	1'7"
D	2'3.5"	L	3"
E	1'4"	M	1'3"
F	6'10"	N	11"
G	9.5"	O	7"
H	7"		



A	Max Digging Radius	9'9"
B	Max Digging Depth	5'2"
C	Max Digging Height	9'0"
D	Max Dumping Height	6'6"
E	Max Vertical Digging Depth	3'10"
F	Min Front Turning Radius	4'0"
	At Right Boom Swing	3'1"
	Digging Force	2,360 lbs

Basic Specifications

Canopy	4 Post
Bucket Capacity	.80 cu. Ft.
Operating Weight	2,060 lbs.
Transports Weight	1,885 lbs.

Hydraulic Equipment

Pumps	2
Type-Piston/Gear	2 Gear
Total Flow	5.9 gpm
Operating Pressure	2,350 psi
Auxiliary Flow	5.9 gpm

Engine

Model	Yanmar 2TNV70
Horsepower	10 @2,400 rpm
Fuel Tank Capacity	2.2 gals

Dimensions

Length	8'10"
Width	2'3.5"
Height	7'5"

Features

**LIABILITY WAIVER AGREEMENT GROUP
VOLUNTEER SERVICES**

Our Organization, the Chippewa Off Road Bike Association volunteers our services to the City of Chippewa Falls to perform only the services agreed by the City. We understand that we will not be compensated for our work, but we volunteer to perform in a responsible manner.

PURPOSE: The purpose of this Agreement is to outline the responsibilities of the City on providing opportunities and to create an understanding between the City and the Volunteer. This Agreement shall not in any way constitute nor create an employer/employee relationship between the City and the Volunteer.

This Agreement shall apply to persons voluntarily performing non-compensated services for the City.

AGREEMENT FOR NON-COMPENSATED SERVICES: The volunteer agrees to abide by all relevant City policies and procedures and to perform the services in a safe, responsible manner in accordance with the descriptions of service.

We as individual participants in this organization agree to the following:

I am not to appear for volunteer service under the influence of any illegal drugs or alcohol.

If I bring my child(ren) with me under 14 years of age, I understand that I will be held solely liable and assume all risk of liability for my child(ren)'s actions and agree to hold the City harmless from any and all such related claims against the City; except for injuries and damages caused by the sole negligence of the City.

I agree not to go beyond the scope of volunteer work agreed to without authorization.

If I am to be trained on any activity that I am unfamiliar with, to learn the corresponding policies, it is my responsibility to understand them completely or ask questions until I feel confident to perform them.

I understand that I am to report any on-the-job injury or illness, no matter how minor, to the Director of Public Works at (715) 726-2736.

TERMINATION: I understand that I or the City may terminate this agreement at any time without cause, and that I am volunteering my services at will and may be asked to discontinue such without prior notice or reason.

WAIVER AND HOLD HARMLESS: I am fully aware that the work associated with being a City volunteer involves certain risks of physical injury or death. Being fully informed as to these risks and in consideration of my being allowed to participate in the City's Volunteer Program, I hereby assume all risk of injury, damage and harm to myself arising from such activities or use of City facilities. I also hereby individually and on behalf of my heirs, executors and assignees, release and hold harmless the City, its officials, employees and agents and waive my right of recovery that I might have to bring a claim or a lawsuit against them for my personal injury, death or other consequences occurring to me or arising out of my volunteer activities.

Chippewa Off Road Bike Association
Group Name

Chippewa Falls
Volunteer Location

This agreement will be in effect for the duration of my volunteer services beginning this date: _____

By: _____
City of Chippewa Falls

Return signed form to:
Rick Rubenzer
Director of Public Works

Chippewa Off Road Bike Association
Group Name

Rick C. Wood
Representative's Signature

2809 East Hamilton Ave. # 127

Address

Eau Claire, WI 54701

City, State, Zip Code

(715) 894-7429

Phone



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
1/22/2021

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an **ADDITIONAL INSURED**, the policy(ies) must be endorsed. If **SUBROGATION IS WAIVED**, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER ASSOCIATED AGENCIES, INC. 1701 GOLF RD TOWER 3 7TH FLOOR ROLLING MEADOWS, IL 60008-4267 8777324746	CONTACT NAME:	
	PHONE (A/C, No, Ext): 8777324746	FAX (A/C, No):
E-MAIL ADDRESS:		
INSURER(S) AFFORDING COVERAGE		NAIC #
INSURER A: United States Fire Insurance	21113	
INSURER B:		
INSURER C:		
INSURER D:		
INSURER E:		
INSURER F:		

INSURED SPORTS AND RECREATION PROVIDERS ASSOCIATION (PURCHASING GROUP) AND ITS PARTICIPATING MEMBERS:

Chippewa Off Road Bike Association, Inc.
2809 E HAMILTON AVE # 127
EAU CLAIRE, WI 54701-6863

COVERAGES **CERTIFICATE NUMBER:** USP317724 **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	GENERAL LIABILITY <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GENL AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC	X		SRPGAPML-101-0719	04/01/2020 12:01 AM	04/01/2021 12:01 AM	GENERAL AGGREGATE \$2,000,000.00
	PRODUCTS - COMP/OP AGG \$2,000,000.00						
	PERSONAL & ADV INJURY \$1,000,000.00						
	EACH OCCURRENCE \$1,000,000.00						
	FIRE DAMAGE (Any one fire) \$300,000.00						
	MED EXP (Any one person) \$5,000.00						
	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTO <input type="checkbox"/> NON-OWNED AUTOS						COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
	<input checked="" type="checkbox"/> UMBRELLA LIAB <input type="checkbox"/> OCCUR <input checked="" type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED RETENTION \$	X		USX104516	04/01/2020 12:01 AM	04/01/2021 12:01 AM	EACH OCCURRENCE \$1,000,000.00
							AGGREGATE \$1,000,000.00
							EACH OCCURRENCE \$0.00
						GENERAL AGGREGATE \$0.00	
						EACH OCCURRENCE \$	
						GENERAL AGGREGATE \$	

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)
 Mountain Biking and Trail Maintenance
 The Certificate Holder is added as an additional insured but only with respect to liability arising out of the named insured during the policy period.
 Scheduled Activities Exclusion Applies-Please Refer to Named Insured Member Certificate of Coverage

CERTIFICATE HOLDER City of Chippewa Falls 30 W. Central St Chippewa Falls, WI 54729	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE Associated Agencies, Inc.
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Planned Development Conditional Use Permit Resolution 2021-03

CITY OF CHIPPEWA FALLS PLAN COMMISSION RESIDENTIAL PLANNED DEVELOPMENT CONDITIONAL USE PERMIT RESOLUTION 2021-03 FOR ROONEY PROPERTIES LLC TO DEVELOP TEN EIGHT- PLEX TOWNHOMES, TEN TWELVE-PLEX HOMES, AND THIRTY SINGLE FAMILY RESIDENTIAL LOTS ON 46.2 ACRES, LOCATED SOUTH OF BRIDGEWATER AVENUE, EAST OF USH 53 AND NORTH OF ELM STREET IN THE WILLOW CREEK SUBDIVISION

WHEREAS, on May 7, 2007, the Plan Commission conducted a public hearing and approved CUP Resolution #2007-03 (available for inspection in the City of Chippewa Falls Engineering Department) to Heartland Contractors, Inc. for a Planned Unit Development; and

WHEREAS, on May 7, 2012, the City of Chippewa Falls Plan Commission approved Conditional Use Permit Resolution #2012-03 allowing temporary row crops on phases 5-7 of the development, (approximately 46 acres); and

WHEREAS, on June 11, 2012, the City of Chippewa Falls Plan Commission approved Conditional Use Permit Resolution #2012-04 allowing changes in housing type in Phase II of the Willow Creek Subdivision plan. The approved changes were replacing 10 Single Family lots with 12 Twin Home lots and replacing 28 Single Family lots with 15 Multi-Family complexes lots;

WHEREAS, on April 7, 2014 the City of Chippewa Falls Plan Commission approved Planned Development Conditional Use Permit Resolution #2014-01 reducing 13 Single Family lots located around Brooke Court to 9 larger Single Family lots in Phase I and changing 22 Single Family lots to 30 Twin Home lots adjacent to Timber Trail in Phase III. The proposed net change for the Willow Creek Subdivision was a four unit increase resulting in 536 units in 190 acres or a 2.8 unit/acre project density.

WHEREAS, on May 7, 2018 the City of Chippewa Falls Plan Commission approved Planned Development Conditional Use Permit Resolution #2018-02 for Willow Creek Phase IV to allow a reduction of 3 Single Family lots, an addition of 6 Two-Family (12 units) lots and a reduction of 16 Single Family Bay Home lots. This results in a Phase IV project density reduction from 5.8 units/acre to 4.95 units/acre; and

WHEREAS, on January 11, 2021, the City of Chippewa Falls Plan Commission heard a request from Jim Rooney and Sean Bohan, representing Rooney Development and Advanced Engineering Concepts for a Planned Development Conditional Use Permit for Park West Townhomes which includes ten 8-unit Townhomes, ten twelve-unit Townhomes and thirty single family residential lots; and

WHEREAS, the requested revision is to remove 47 Bayhome units approved in 2007, reduce single family lots from 42 to 30 and construct ten eight-unit townhomes and ten twelve-unit townhomes resulting in an increase of 21 units from the 209 units approved in 2007 to 230 total units; and

Planned Development Conditional Use Permit Resolution 2021-03

WHEREAS, the requested revision would result in an increase in unit density on the 46.2 acre parcel from 4.52 units per acre to 4.98 units per acre; and

WHEREAS, the entire Willow Creek Subdivision is zoned R-1B Single Family Residential; and

WHEREAS, the Plan Commission evaluated the development proposal in accordance with Municipal Code Section 17.26(16)(d)1 which directs such evaluation as a conditional use permit under section 17.47; and

WHEREAS, on February 8, 2021 the City of Chippewa Falls Plan Commission approved Planned Development Conditional Use Permit Resolution #2021-03 after publication and mailing of all required public hearing notices and hearing all concerns and comments; and

NOW, THEREFORE BE IT RESOLVED, that the Plan Commission of the City of Chippewa Falls, Wisconsin finds;

1. That upon review of Planned Development Conditional Use Permit Resolution #2021-03 and the approved Storm Water Management Plan by City Staff, that the removal of 47 Bayhome units, reduction of 12 single family lots and construction of ten eight-unit townhomes and ten twelve-unit townhomes will result in a similar amount of common space and green space as the original 46.2 acre parcel layout and will result in a parcel project density of 4.98 units/acre;

2. The Plan Commission further finds that the revision of the 46.2 acre land use plan and increased unity density of 0.46 units per acre are not detrimental to adjacent land uses because the revisions do not present any substantial changes in land use intensity.

3. The Plan Commission further finds that the revised plat and land uses are consistent with the original purpose and intent of Conditional Use Permit Resolution #2007-03 and amended Conditional Use Permit Resolutions #2012-03, #2012-04, #2014-01, and #2018-02 because the lot sizes, areas, widths and setbacks represent a similar intensity of land use.

NOW, THEREFORE, BE IT FURTHER RESOLVED BY THE PLAN COMMISSION OF THE CITY OF CHIPPEWA FALLS, WISCONSIN:

1) That conclusions based on the previous three findings of fact and pursuant to Chapters 17.26, 17.26.5 and 17.47 of the Code of Ordinances of the City of Chippewa Falls, that Planned Development Conditional Use Permit Resolution #2021-03 is hereby approved contingent on the following conditions:

Planned Development Conditional Use Permit Resolution 2021-03

- a) Completion, submission and approval of any necessary Storm Water Management Plan changes for Park West Townhomes and the 46.2 acres parcel of the Willow Creek Subdivision.
- b) Submittal of the Park West Townhomes plat to the Plan Commission for review using procedures set forth in State Statute 236 and Municipal Code Chapter 18 and approval by the City of Chippewa Falls Common Council.
- c) Completion and City Council approval of a Developers Agreement for Park West Townhomes of Willow Creek.
- d) The attached narrative and general development plan in combination with changes made by the Plan Commission becomes the Final Development Plan and is available for inspection in the offices of the City Engineer and the City Inspector.
- e) The Park West Townhomes and 46.2 acre parcel Plat, Narrative and General Development Plan, Development Standards, Typical Photos, Elevations, and Floor Plans, and existing and revised Phase IV Land Use and Zoning site plans become part and parcel of Planned Development Conditional Use Permit Resolution # 2021-03 and are available for inspection in the City of Chippewa Falls Engineering and Inspection offices.
- f) That all proposed streets and utilities be clearly labeled as PRIVATE or PUBLIC.
- g) The Utility plan is reviewed and approved by the Chippewa Falls Engineering Department.
- h) That the existing officially mapped corridor between Elm Street and Bridgewater Avenue be removed after public hearing and recommendation.
- i) That a pedestrian sidewalk along the west right of way of Tropicana Boulevard between Mansfield Street and Elm Street through a collaborative effort between the developer, the City of Chippewa Falls, and the Town of Wheaton.
- j) Chapter 17.47(13) shall apply and this permit shall terminate if the use for which this permit is issued shall cease for a continuous two (2) year period.
- k) Modifications or changes to this permit may be made only by the Plan Commission after an application for an amendment has been duly filed and notices and hearing requirements have been complied with.

2) Further, that said revisions replace equivalent sections of the original documents of Conditional Use Permit Resolution #2007-03 and together with amendment Conditional Use Permit Resolutions #2012.-02, #2012-04, #2014-01, and #2018-02 taken together in their entirety become Planned Development Conditional Use Permit Resolution #2021-03.

Planned Development Conditional Use Permit Resolution 2021-03

MOTION: _____

SECONDED: _____

I hereby certify that the Plan Commission of the City of Chippewa Falls, Wisconsin, adopted the above Resolution on February 8, 2021, by a vote of _____ ayes, _____ nays and _____ abstentions.

Richard J. Rubenzer, PE, Secretary
Plan Commission

Parcel 6 of Willow Creek - Park West Townhomes Conditional Use Narrative

General Description:

This Conditional-Use request consists of changing Parcel 6 in the Willow Creek Planned Development (PD) approved in 2007 from 42 Single-Family lots, 47 Bayhome lots and 120 multi-family (209 units total) to 30 Single-Family lots and 200 Multi-Family (230 units total).

Purpose:

The Willow Creek Neighborhood has seen growth/development over the past 8 years with the addition of the Phase 2 townhomes, Phase 3 two-family lots, and Phase 4 single-family and two-family lots. From 2011-2014 Phase 2 of the development constructed 15 townhome buildings. Over the past 6-years these buildings have remained occupied with waiting lists during many of the months. Modifying Parcel 6 to provide additional 8 to 12-unit townhomes will provide the inventory that is necessary for this area. It should be noted that this project will be completed in Phases to not open to many units and thus exceed the demand.

The largest modification to the existing PD will be the removal of the 47 Bayhome units. As seen and discussed with the CUP in Willow Creek 4, the owner-occupied units have been with the single-family and two-family lots. Phase 1 of the Willow Creek development provided 15 Bayhome lots approximately 13-years ago of which only 7 have sold. In addition to the Bayhomes, there will be a reduction of 12 single-family lots within Parcel 6.

PD Density:

The total area within Parcel 6 is 46.2 acres. The total density within Parcel 6 in the Current PD is 4.52 units per acre; the density under the proposed PD would be 4.98 units per acre

	Original PD	Current PD	Proposed PD	Difference from Current PD
Total Area of Site	188.4362 ac	188.4362 ac	188.4362 ac	No Change
Total Number of Home Sites	536	529	550	+21 (+14 from Original PD)
Number of SF Lots	168	165	153	-12 (-15 from Original PD)
Number of Two-Family Buildings	51 (102 Units)	57 (114 Units)	57 (114 Units)	No Change (+12 from Original PD)
Number of Apartment Homes	120	120	0	-120 (-120 from Original PD)
Number of Bayhomes	78	62	15	-47 (-63 from Original PD)
Number of Townhomes	68	68	268	+200 (+200 from Original PD)

Parks & Common Open Space:

The parks and common open space within the current Willow Creek PD will stay virtually unchanged with the modifications within Parcel 6. There are ponds, parks, trails, a basketball court, fountains, and a playground within the parks and open space. Currently there is 49.7 acres of parks/common space within the approved PD. The modifications within Parcel 6 will incorporate both a wet pond and infiltration basin in addition to open space with trails and park amenities such as tot lots and sports courts. It should also be known that the developer is proposing a trail connection from the multi-family development into the Willow Creek subdivision.

Civil Engineering Design:

The civil engineering design for the project will follow the City of Chippewa Falls and the State of Wisconsin design criteria. All required permits will be obtained through the state and city. Design plans incorporating proper drainage, street design, street signage, and street lighting will be submitted to the City of Chippewa Falls for approval.

Summary:

The modifications within Parcel 6 will provide additional townhome inventory that is necessary while also providing for Single-family lots in the Willow Creek neighborhood.

- The total number of home sites in the Willow Creek Neighborhood will be increased by 14.
- The total number of Single-Family lots will be decreased by 12.
- The total number of Bayhome lots will be decreased by 47. The Bayhome concept is very slow moving in the Chippewa Valley.
- Total number of Apartment Homes will be decreased by 120.
- The total amount of Townhomes will be increased by 200.

VICINITY MAP/LEGAL DESCRIPTION

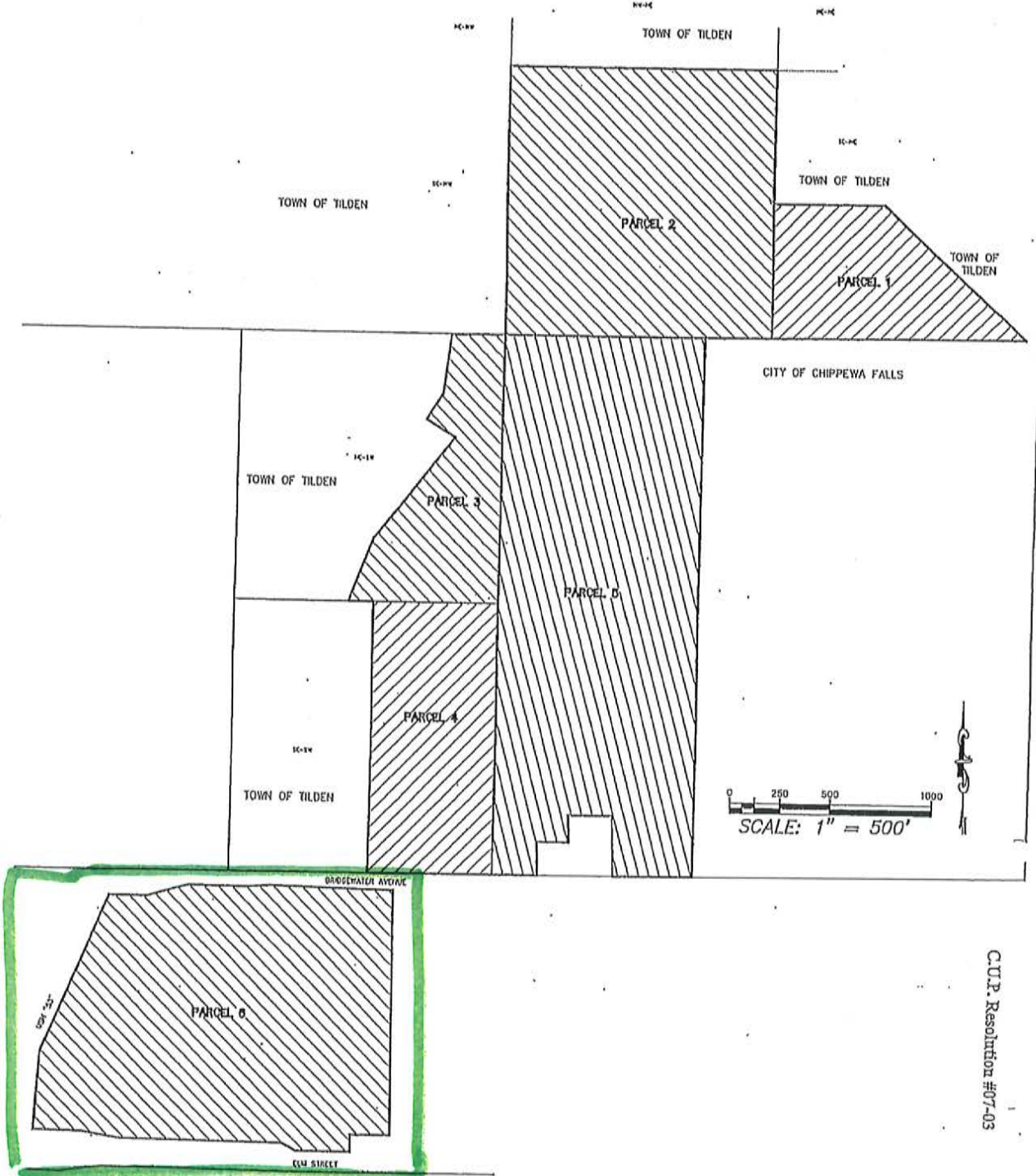
Map

Printed 12/30/2020

Scale = 1:436'



Disclaimer: This map is a compilation of records as they appear in the Chippewa County Offices affecting the area shown and is to be used only for reference purposes.



C.U.P. Resolution #07-03

RECEIVED
 MAR 5 2007
 PUBLIC WORKS DIRECTOR
 CHIPPEWA FALLS, WI

Parcel 5:

A PARCEL OF LAND IN THE NW¹/₄ OF THE SE¹/₄ AND THE SW¹/₄ OF THE SE¹/₄, SECTION 36, T36N, R9W, CITY OF CHIPPEWA FALLS, CHIPPEWA COUNTY, WISCONSIN BEING FURTHER DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTH QUARTER CORNER OF SAID SECTION; THENCE N00°38'51"E ALONG THE NORTH-SOUTH QUARTER LINE, A DISTANCE OF 2636.80 FEET TO THE NORTHWEST CORNER OF THE SE¹/₄ OF SAID SECTION; THENCE N89°38'24"E ALONG THE NORTH LINE OF SAID SE¹/₄, A DISTANCE OF 990.15 FEET; THENCE S00°38'51"W PARALLEL WITH SAID QUARTER LINE, A DISTANCE OF 2634.62 FEET TO THE SOUTH LINE OF SAID SECTION QUARTER; THENCE S°89'30"50W ALONG THE SOUTH LINE OF SAID SECTION QUARTER, A DISTANCE OF 394.24 FEET; THENCE N01°17'50"W, A DISTANCE OF 296.21 FEET; THENCE S89°30'50"W, A DISTANCE OF 215.80 FEET; THENCE S01°17'50"E, A DISTANCE OF 131.38 FEET; THENCE S89°30'50W, A DISTANCE OF 155.31 FEET; THENCE S01°17'50"E, A DISTANCE OF 164.83 FEET TO THE SOUTH LINE OF SAID QUARTER SECTION; THENCE S89°30'50"W, ALONG THE SOUTH LINE OF SAID SE¹/₄ A DISTANCE OF 224.84 FEET TO THE POINT OF BEGINNING.

Parcel 6:

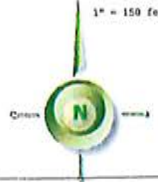
A PARCEL OF LAND LOCATED IN THE NW¹/₄ OF THE NW¹/₄ AND NE¹/₄ OF THE NW¹/₄; SECTION 1, T28N, R9W, CITY OF CHIPPEWA FALLS, CHIPPEWA COUNTY, WISCONSIN BEING DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTH QUARTER CORNER OF SAID SECTION; THENCE S.89°29'36"W., ALONG THE NORTH LINE OF SAID SECTION, 496.57 FEET; THENCE S.00°00'20"W. 81.80 FEET TO THE SOUTH LINE OF BRIDGEWATER AVENUE AND THE POINT OF BEGINNING; THENCE CONTINUING S.00°00'20"W. 1206.08 FEET; THENCE S.89°35'23"W. 198.01 FEET; THENCE S.00°01'49"W. 85.36 FEET TO THE NORTH LINE OF ELM STREET; THENCE S.89°37'49"W., ALONG SAID NORTH LINE 272.21 FEET; THENCE N.61°56'38"W. 79.96 FEET; THENCE N.89°35'51"W. 795.10 FEET; THENCE N.80°52'01"W. 202.24 FEET; THENCE N.89°23'52"W. 242.11 FEET TO THE EAST LINE OF USH. 53; THENCE N.04°52'36"E., ALONG SAID EAST LINE, 389.75 FEET; THENCE N.23°18'24"E., ALONG SAID EAST LINE, 845.69 FEET TO THE SOUTH LINE OF BRIDGEWATER AVENUE; THENCE S.89°11'03"E., ALONG SAID SOUTH LINE, 189.87 FEET; THENCE N.73°55'23"E. 208.18 FEET; THENCE S.89°37'46"E. 300.32 FEET; THENCE N.84°36'19"E. 100.50 FEET; THENCE S.89°00'37"E. 619.89 FEET TO THE POINT OF BEGINNING.



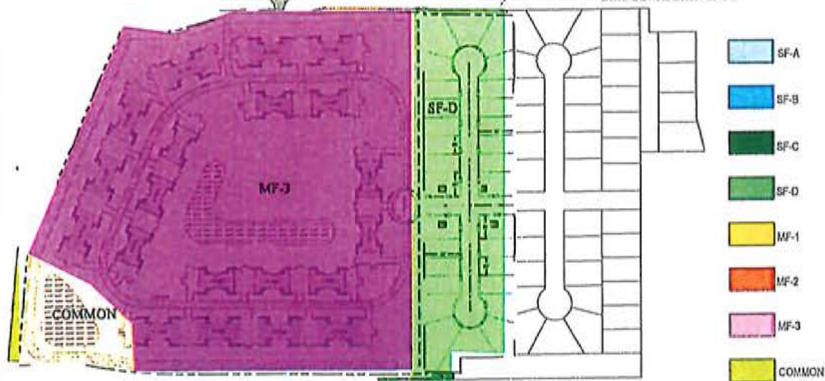
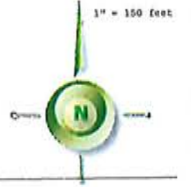
PLANNED DEVELOPMENT MAPS

Current Willow Creek Zoning Map

1" = 150 feet



Willow Creek PD Zoning Map With Park West Townhomes Revisions

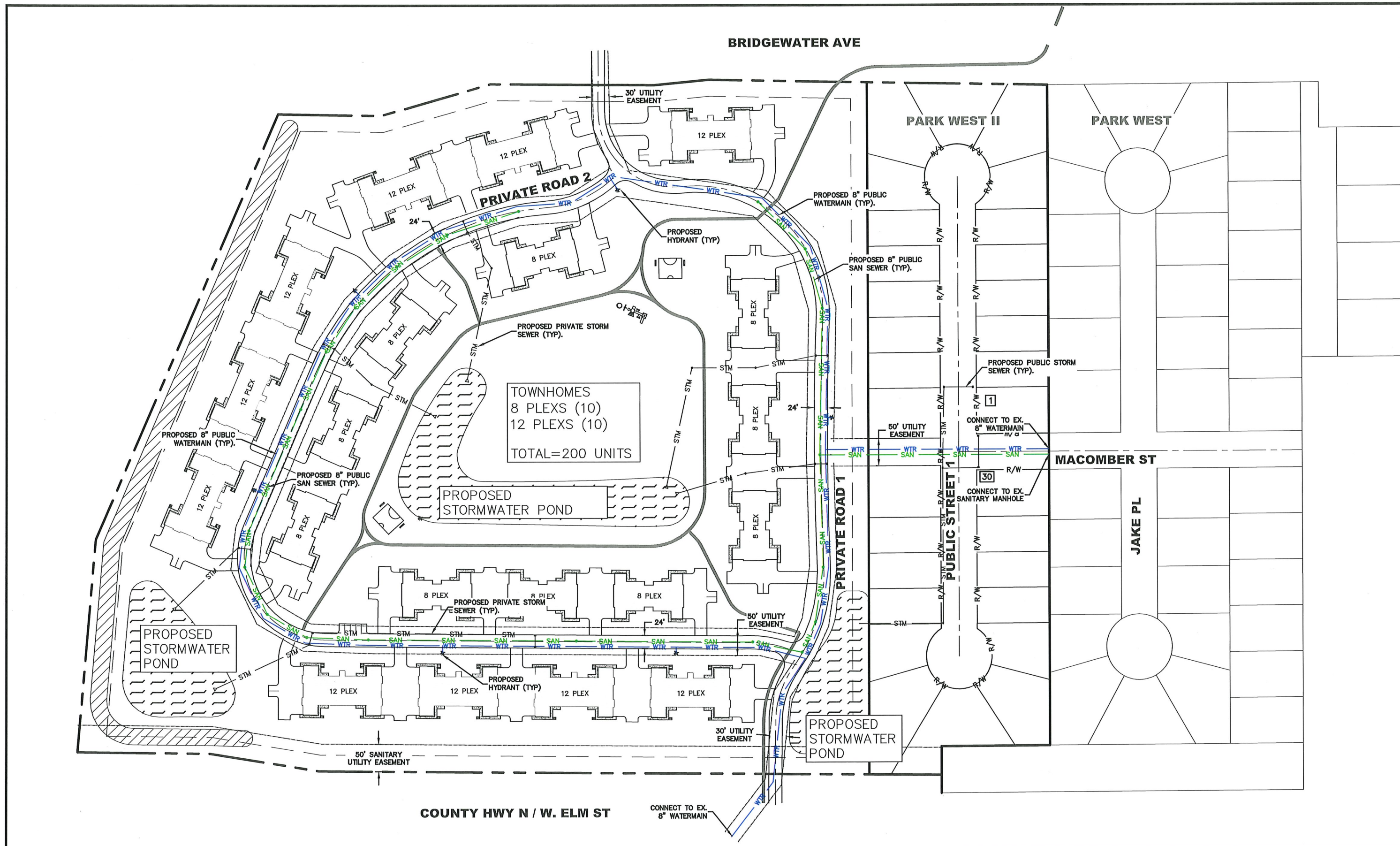


Developer: Westwood Land Company, LLC

13167 County OO
Chippewa Falls, WI 54729



SITE PLAN



NO.	DATE	REVISIONS	DRAFTED BY	DESIGN BY	CHECKED

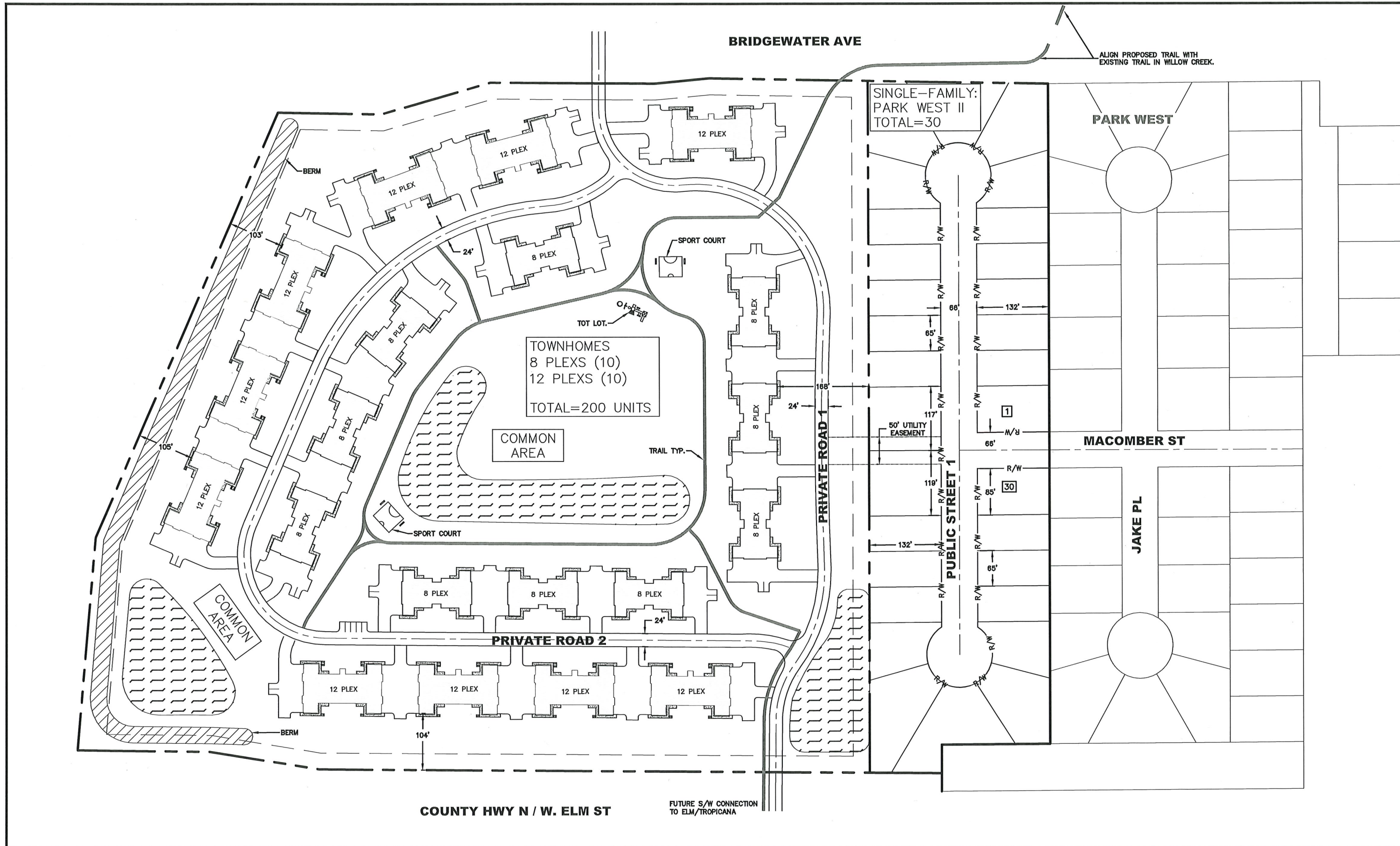
PROJ. NO. 20408

 ADVANCED ENGINEERING CONCEPTS
 1360 INTERNATIONAL DR, SUITE #1
 EAU CLAIRE, WI 54701
 PH: 715-552-0330
 info@aec.engineering
 COPYRIGHT 2021 AEC LLC.

SITE PLAN W/ UTILITY CONCEPT

PARK WEST TOWNHOMES
 ROONEY PROPERTIES LLC
 CHIPPEWA FALLS, WI

DWG NAME	20408 PG1	1
SITE		
DATE	2/2021	1



NO.	DATE	REVISIONS	DRAFTED BY	DESIGN BY	CHECKED

PROJ. NO.
20408

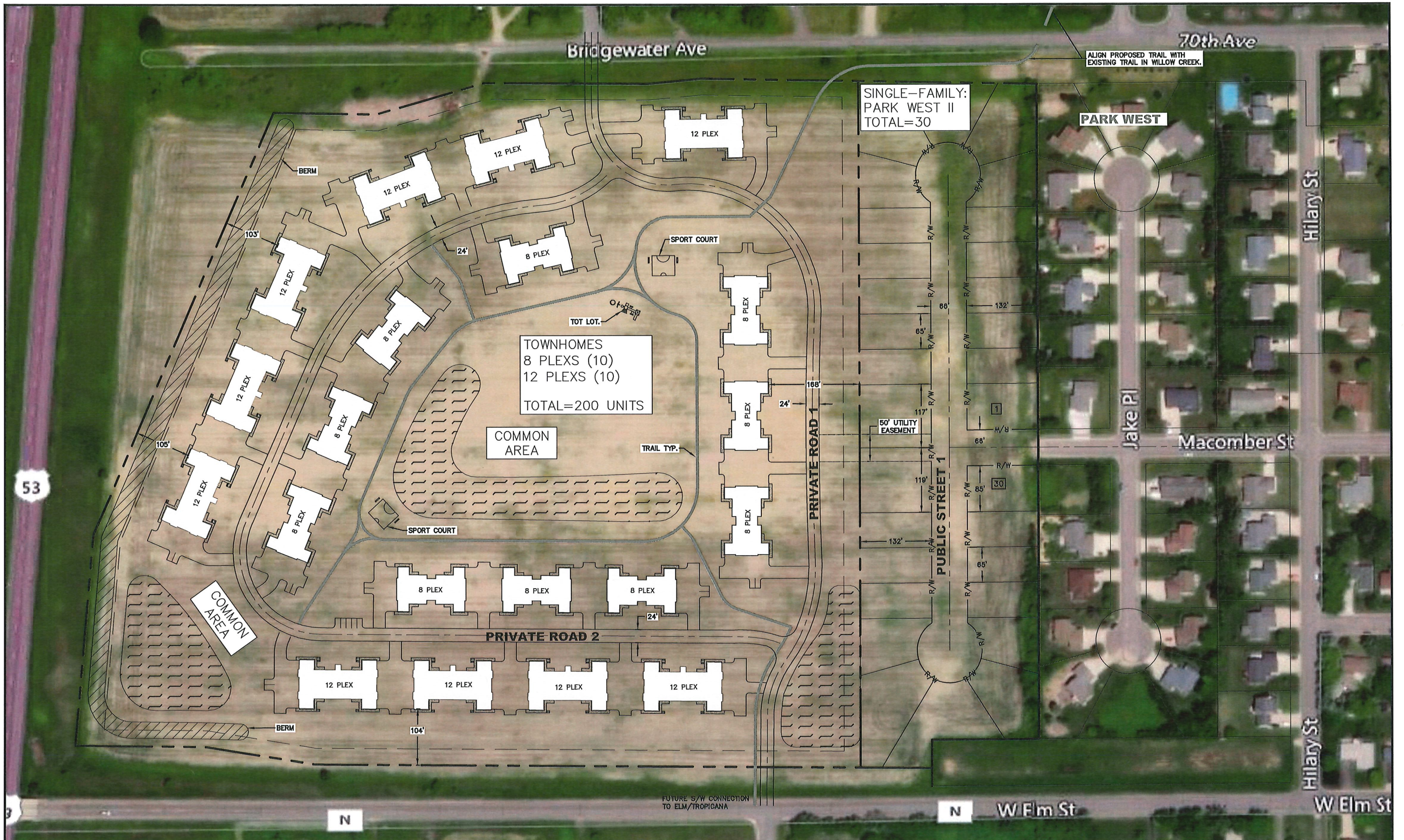


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EAU CLAIRE, WI 54701
PH: 715-552-0330
Info@aec.engineering
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SITE PLAN

PARK WEST TOWNHOMES
ROONEY PROPERTIES LLC
CHIPPewa FALLS, WI

DWG NAME 20408 PG1 SITE	1
DATE 2/2021	1



53

NO.	DATE	REVISIONS	DRAFTED BY	DESIGN BY	CHECKED

PROJ. NO.
20408



ADVANCED ENGINEERING CONCEPTS
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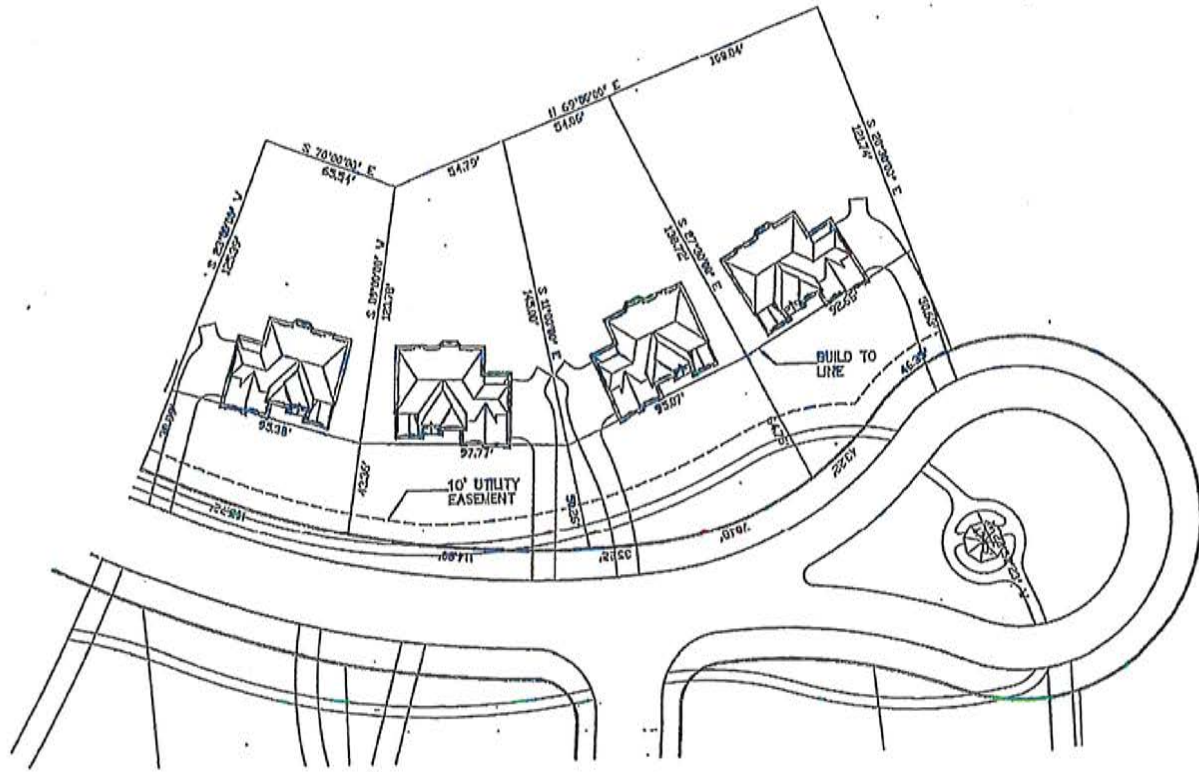
SITE PLAN

PARK WEST TOWNHOMES
ROONEY PROPERTIES LLC
CHIPPEWA FALLS, WI

DWG NAME 20408 PG1 SITE	1
DATE 2/2021	1

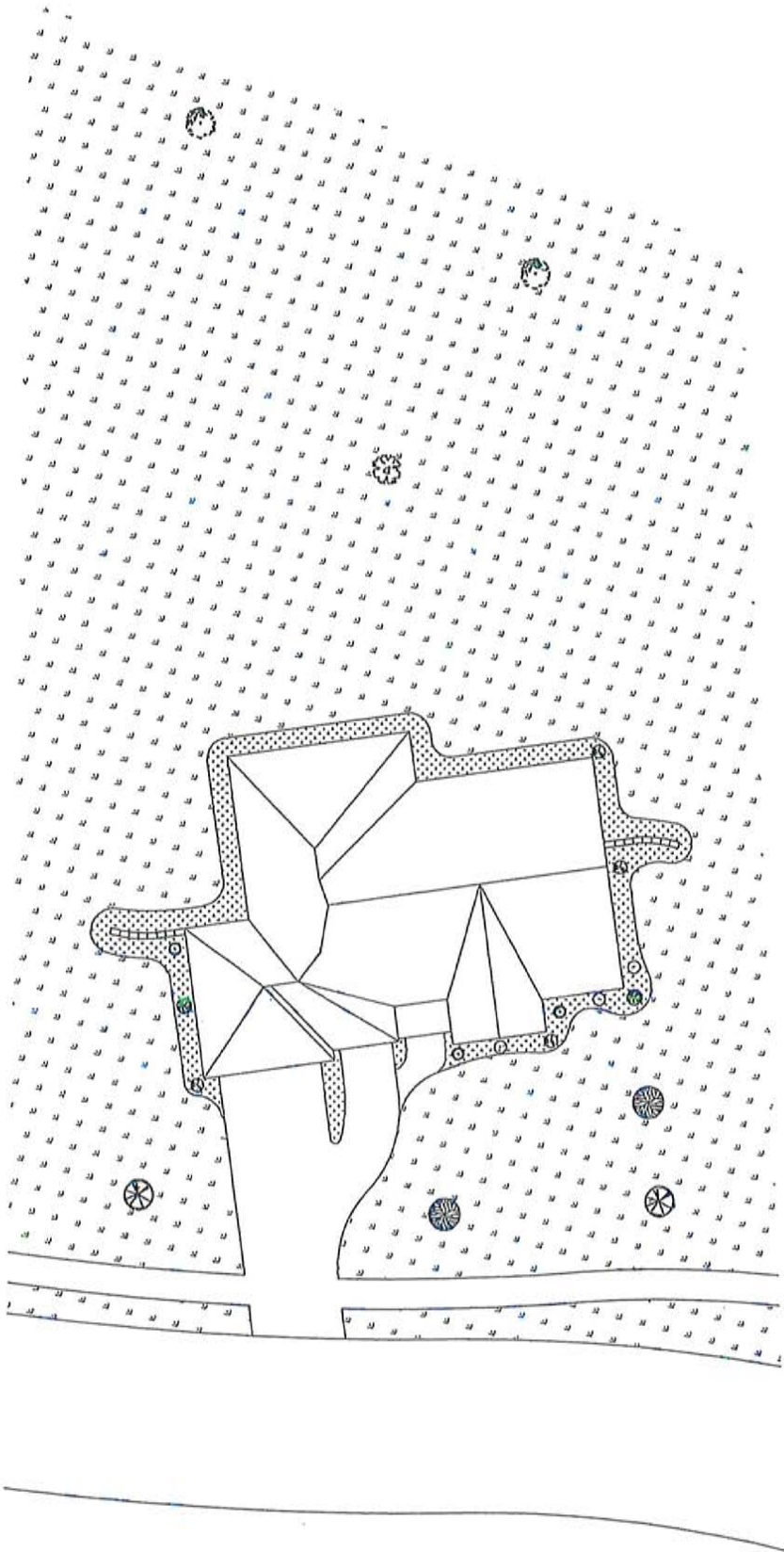
SINGLE-FAMILY

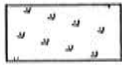
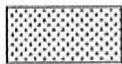









Willow Creek Single Family Building Standards



Lot Standards	Primary Use
Land Use	Single Family Dwelling
Required Yards:	
Front –	Build To Line
Rear –	30 Feet
Side –	6 Feet
Parking	2 Per Dwelling Unit
Maximum Building Height	35 Feet
Allowed Yard Encroachments	Stairs, Stoops, Bay Windows, Eave Overhangs, Patios, Chimneys, Fireplaces, Driveways, Sidewalks, and Landscaping

Willow Creek Typical Landscaping Plan



Symbol	Description	Quantity
	Grass	
	Rock Mulch	
	Colorado Spruce	
	Oak Tree	
	Sugar Maple	
	Ash	
	Spirea	
	Hydrangea	
	Dogwood	
	Arborvitae	
	Retaining Wall	





8-UNIT TOWNHOME

ROBERT D. JOHNSON ARCHITECT
 5201 STONWOOD DRIVE
 WAU CLAIR, WISCONSIN 54703
 715.828.8330
 RDJARCHT@GMAIL.COM

8-PLEX

FIRST FLOOR PLANS

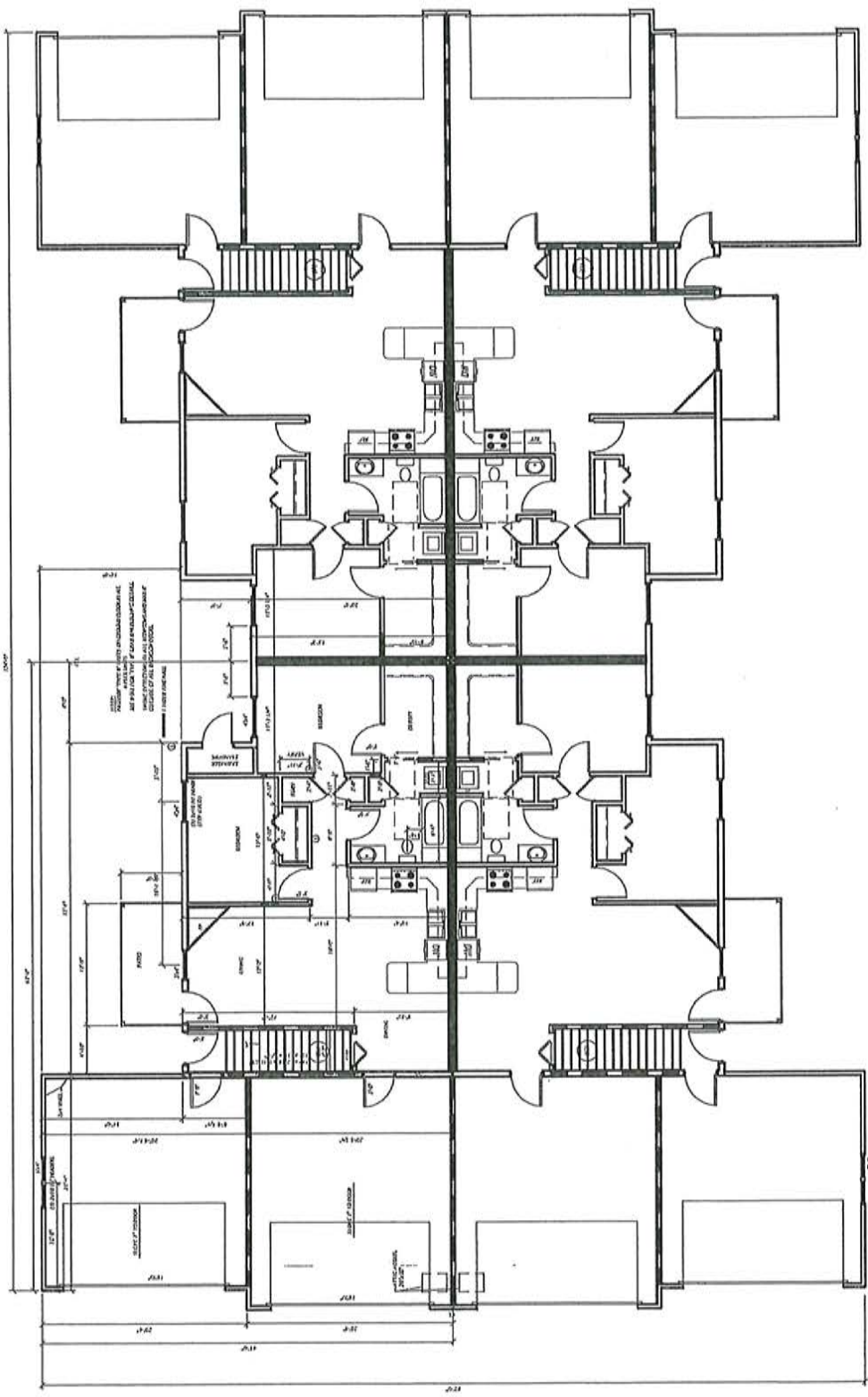
5-21-20
 A1

SHEET INDEX

A1	FIRST FLOOR PLAN
A2	SECOND FLOOR PLAN & ROOF PLAN
A3	EXTERIORS

REVISIONS

1	2.2.20	ADDED
2	2.2.20	ADDED
3	2.2.20	ADDED
4	2.2.20	ADDED
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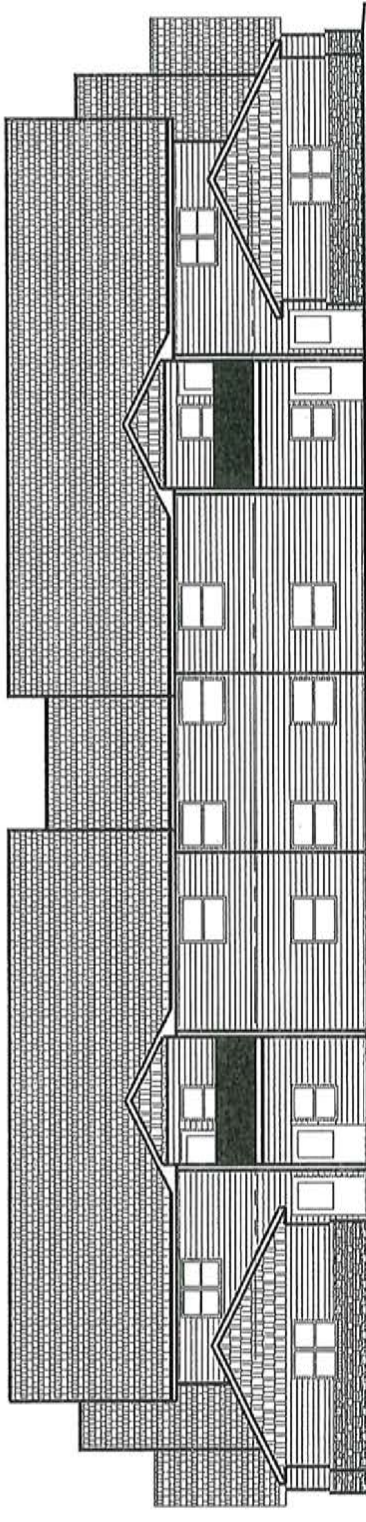
1 OVERALL FIRST FLOOR PLAN
 1/8" = 1'-0"

ROBERT D. JOHNSON ARCHITECT
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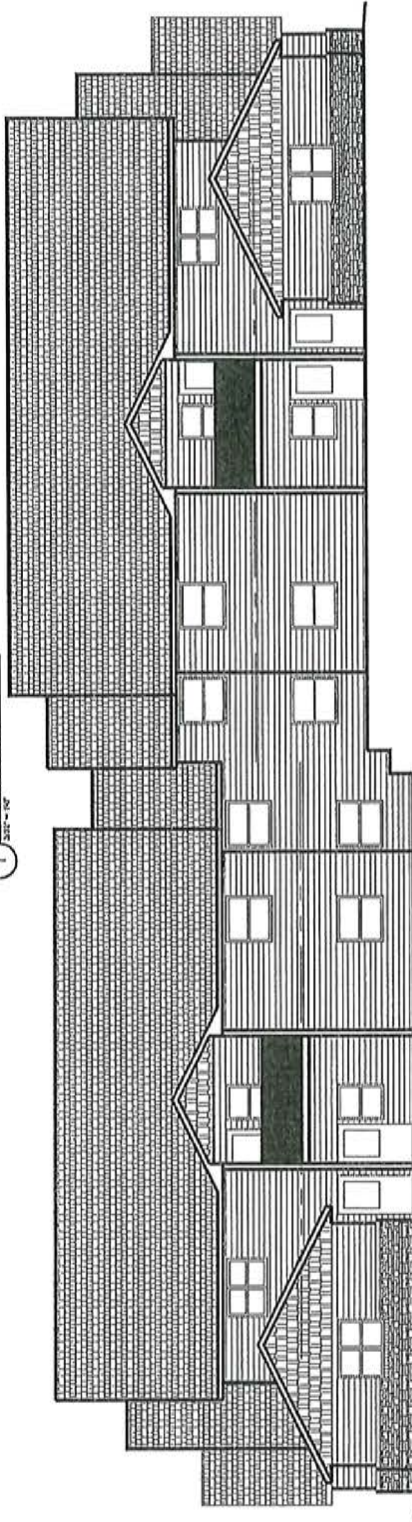
8-PLEX

ELEVATIONS

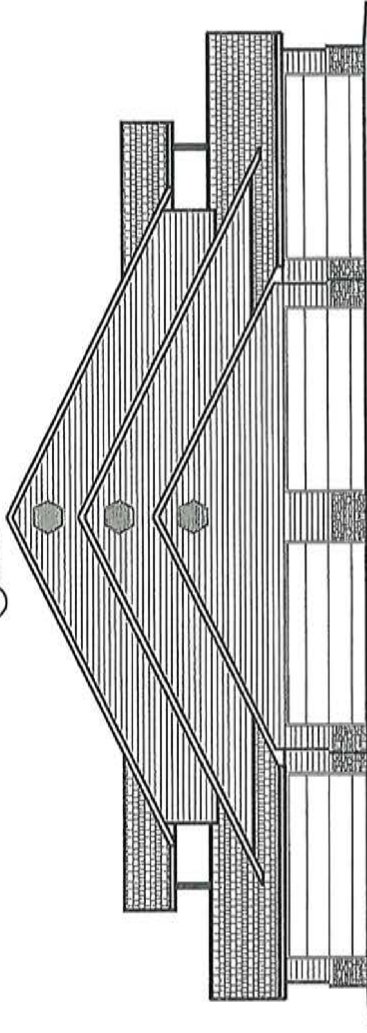
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A3



1 SIDE ELEVATIONS
3/8" = 1" = 0"



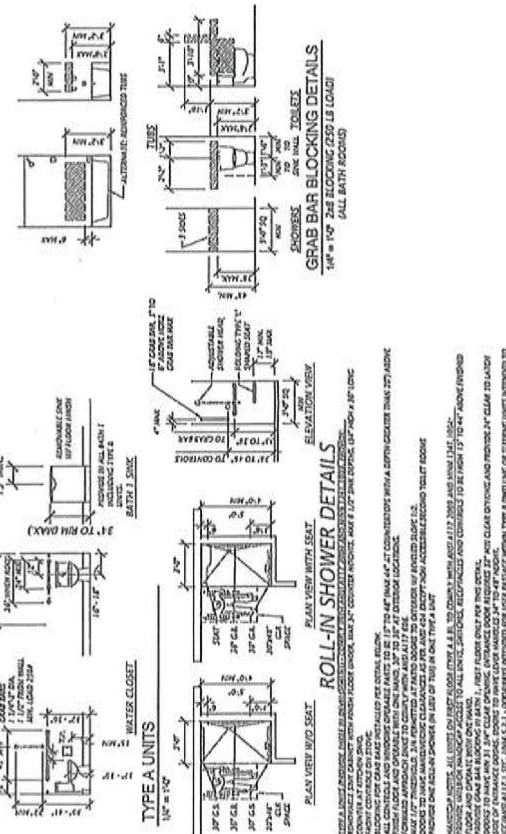
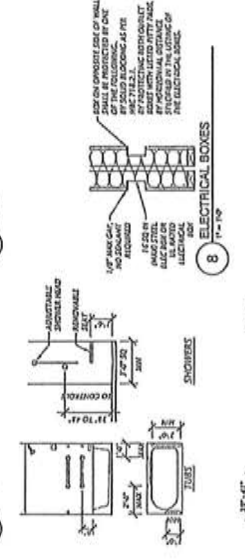
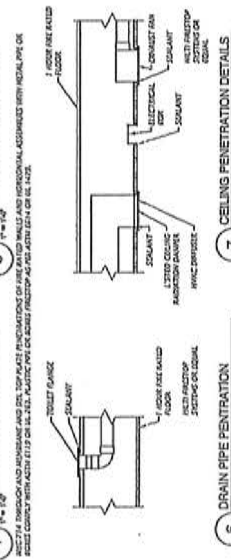
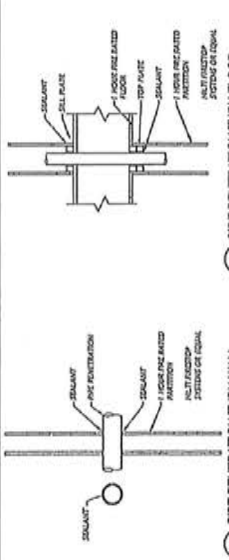
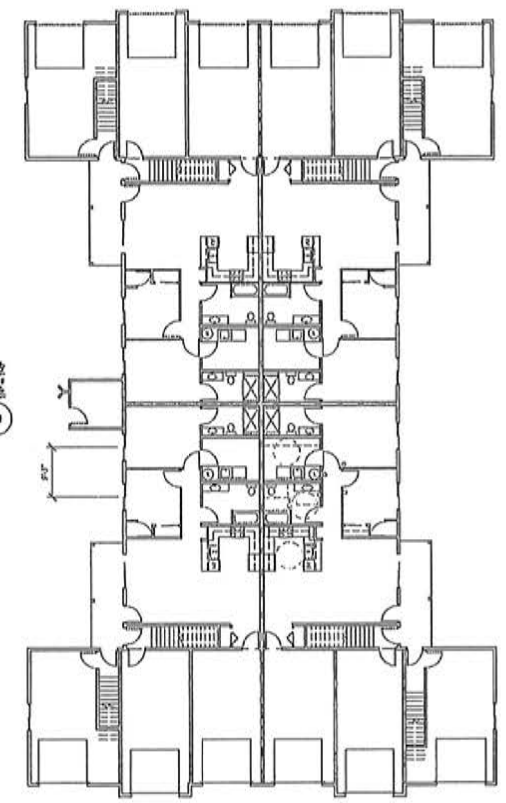
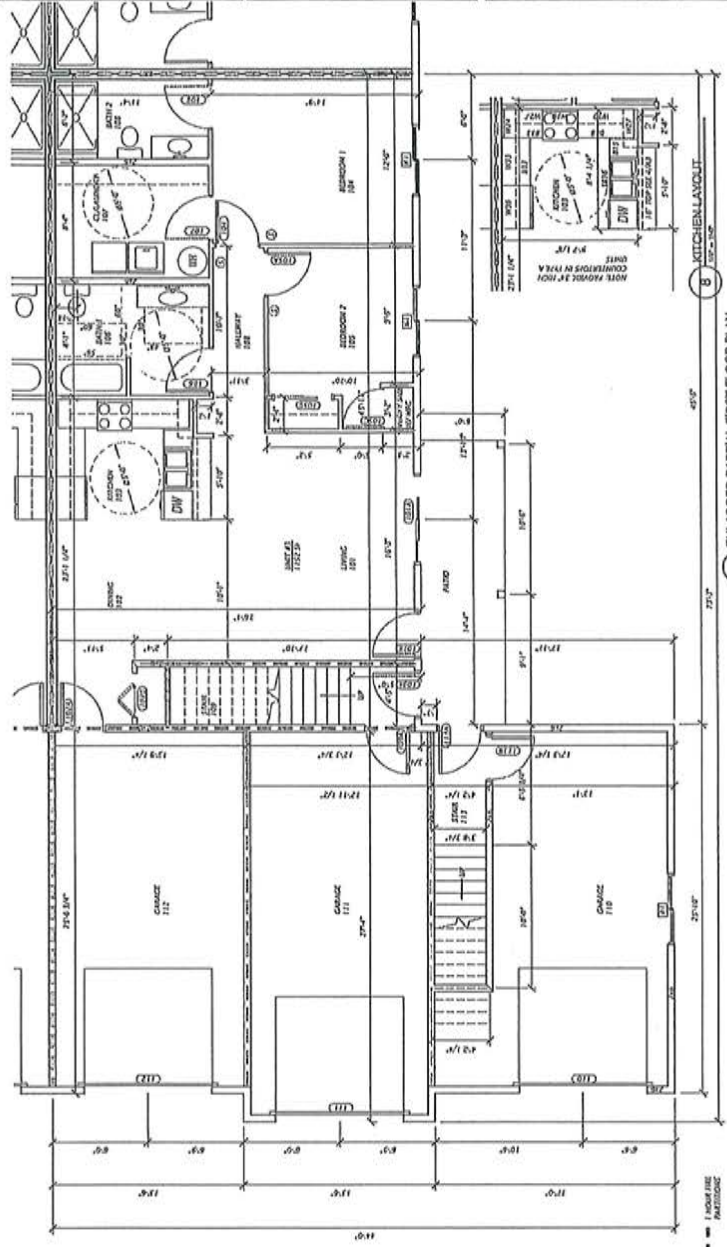
2 SIDE ELEVATIONS
3/8" = 1" = 0"



3 END ELEVATIONS
3/8" = 1" = 0"



12-UNIT TOWNHOME



1 OVERALL FIRST FLOOR PLAN
 1/8" = 1'-0"

2 ENLARGED PARTIAL FIRST FLOOR PLAN
 1/8" = 1'-0"

8 ELECTRICAL BOXES
 1/8" = 1'-0"

7 CEILING PENETRATION DETAILS
 1/8" = 1'-0"

5 PIPE PENETRATION THRU FLOOR
 1/8" = 1'-0"

4 PIPE PENETRATION THRU WALL
 1/8" = 1'-0"

12 GRAB BAR BLOCKING DETAILS
 1/8" = 1'-0"

11 ROLL-IN SHOWER DETAILS
 1/8" = 1'-0"

10 WATER CLOSET
 1/8" = 1'-0"

9 TYPE A UNITS
 1/8" = 1'-0"

ALL WORK SHALL BE IN ACCORDANCE WITH THE 2018 INTERNATIONAL RESIDENTIAL CODE BOOK (IRC) AND THE 2018 INTERNATIONAL BUILDING CODE (IBC).
 ALL DIMENSIONS ARE UNLESS OTHERWISE NOTED.
 ALL FINISHES ARE TO BE DETERMINED BY THE ARCHITECT.
 ALL MATERIALS SHALL BE OF QUALITY AND SHALL BE INSTALLED IN ACCORDANCE WITH THE MANUFACTURER'S INSTRUCTIONS.
 ALL WORK SHALL BE SUBJECT TO INSPECTION AND APPROVAL BY THE LOCAL BUILDING DEPARTMENT.
 ALL WORK SHALL BE COMPLETED WITHIN THE SPECIFIED TIME FRAME.
 ALL WORK SHALL BE SUBJECT TO CHANGE WITHOUT NOTICE.
 ALL WORK SHALL BE SUBJECT TO THE ARCHITECT'S FINAL DECISION.

