

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, December 11, 2023 at 6:30 P.M.** in the City Hall **Council Chambers**, Chippewa Falls, Wisconsin. 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 October 9, 2023 Plan Commission Meeting. *(Attachment)*
2. Consider request from Nina Eisold to rezone parcels #22808-0622-60151807 and 22808-0622-60151808, Lots 7 and 8, Mansfield's Addition from C-1 Neighborhood Shopping to C-2 General Commercial. Make recommendation to the Common Council. *(Attachment)*
3. Review plan commission standard operating procedure.
4. 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, December 6, 2022 at 2:00 p.m by Brandon Cesafsky.

**MINUTES OF THE PLAN COMMISSION MEETING
CITY OF CHIPPEWA FALLS
MONDAY, OCTOBER 9, 2023-6:30 PM**

The Plan Commission met in City Hall on Monday, October 9, 2023 at 6:30P.M. Present were Commissioners Dave Cihasky, Greg Misfeldt, Ross Wilson, Mike Tzanakis, Dan Varga, Beth Arneberg, Chad Trowbridge, Secretary Bill McElroy and Vice-Chairperson Tom Hubbard and Mayor Greg Hoffman. Alderperson Jason Hiess was absent. Also attending were City Inspector Paul Lasiewicz, City Planner Brad Hentschel, Director of Public Works/Utility Manager Brandon Cesafsky, Fire Chief Jason Thom, and those on the attached attendance sheet.

1. **Motion** by Trowbridge, seconded by Hubbard to approve the minutes of the September 11, 2023 Plan Commission meeting. **All present voting aye. Motion carried.**

2. The Plan Commission considered a request from Adam Trenda to rezone parcel #22808-1811-75794002, Lot #2, CSM #5794 from P-1 Public and Institutional to R-1C Single Family Residential. McElroy provided background that this parcel was recently before the Plan Commission for a Certified Survey Map. City Inspector Lasiewicz noted that the parcel meets all standards for R-1C zoning. The application is attached as ***Attachment A.***
Motion by Tzanakis, seconded by Hubbard to recommend the Common Council conduct a public hearing to consider the petition from Adam Trenda to rezone parcel 22808-1811-75794002, Lot #2 CSM #5794 from P-1 Public and Institutional to R-1C Single Family Residential. Said public hearing to be scheduled upon receipt of the \$300 administration and publication fees, proper notification of adjacent property owners and publication in the Chippewa Herald. **All present voting aye. Motion carried.**

3. The Plan Commission considered Planned Development Conditional Use Permit Resolution No. 2023-02 allowing Jon Kemper, Karen Knight and Jean Kellogg to revise the lot lines at parcels 22808-0744-62470103 and 22808-0744-62470104, located at 727 and 733 Maple Street creating a substandard lot at 727 Maple Street. McElroy provided background information indicating that the Planned Development Conditional Use Permit was needed due to the existing lot line going through one of the existing structures. A maintenance agreement for the carport connecting the two structures and a shared driveway agreement are required as conditions of the resolution. Cihasky commented regarding fire danger since the two structures are connected via the carport.

Mayor Hoffman opened a public hearing to consider Planned Development Conditional Use Permit Resolution No. 2023-02 allowing Jon Kemper, Karen Knight and Jean Kellogg to revise the lot lines at parcels 22808-0744-62470103 and 22808-0744-62470104, located at 727 and 733 Maple Street creating a substandard lot at 727 Maple Street at 6:38 PM. No one spoke. Mayor Hoffman closed the public hearing at 6:38 PM.

Motion by Varga, seconded by Misfeldt, to approve Planned Development Conditional Use Permit Resolution No. 2023-02 allowing Jon Kemper, Karen Knight and Jean Kellogg to revise the lot lines at parcels 22808-0744-62470103 and 22808-0744-62470104, located at 727 and 733 Maple Street creating a substandard lot at 727 Maple Street. Commissioner Cihasky requested an amendment to include a condition for a Building Code Review regarding the carport by Inspector Lasiewicz. Varga and Misfeldt agreed to amend the motion as such. The amended Planned Development Conditional Use Permit No. 2023-02 is attached as *Attachment B*. **All present voting aye. Motion carried.**

4. The Plan Commission considered Conditional Use Permit Resolution No. 2023-03 allowing KYMA Battery Technologies to operate a battery assembly and repurposing facility at 1400 Halbleib Road, parcel 22908-2943-73878001A. Lesley Blaine and Chris Gregory of KYMA Battery Technologies appeared to provide several amendments to the proposed resolution that was included with the agenda. The preliminary conditional use permit from the agenda is included as *Attachment C*. KYMA Battery Technologies' proposed amendments to the preliminary resolution are attached as *Attachment D*. Ms. Blaine and Mr. Gregory felt that a conditional use permit was not necessary and did not want their company to be bound by it. Misfeldt noted that some of the conditions, such as the fire department reviewing the site, are required through other statutes and ordinances.

Mayor Hoffman opened a public hearing to consider Conditional Use Permit Resolution No. 2023-03 allowing KYMA Battery Technologies to operate a battery assembly and repurposing facility at 1400 Halbleib Road, parcel 22908-2943-73878001A at 7:08 PM. Les Harrison spoke expressing concerns about heavy metals entering the groundwater and the air quality if there ever was a fire. Charlie Walker spoke indicating it was his interpretation that the existing conditional use permit was expired and evidence of hazard was needed for a conditional use permit to be required. City Inspector Paul Lasiewicz and City Planner Brad Hentschel reiterated to Walker that these issues were discussed at previous meetings and the potential explosive nature of the lithium ion batteries as presented by KYMA Battery Technologies was the reasoning for requiring a conditional use permit. City Attorney Ferg had previously agreed to this interpretation. Lesley Blaine followed up with additional information regarding the nature of lithium ion batteries. She stated that lithium ion batteries have very different characteristics than traditional lead acid batteries. If lead acid batteries leak, it is liquid. Lithium ion batteries do not contain liquid and if they leak it is a gas. Lithium ion phosphate has a higher safety factor and is less likely for thermal runaway. Ms. Blaine indicated that the lithium ion batteries they are using are not classed as an explosive material. Bob Oliver spoke requesting the Plan Commission be reasonable in permitting. Battalion Chief of EMS, Justus Busse, spoke indicating that state statute requires that the businesses are inspected twice per year. He also indicated that the Fire Department does not perform environmental clean-up. All clean up is to be done by certified companies in cooperation with the County and State. Mayor Hoffman closed the public hearing at 7:25 PM.

After the conclusion the public hearing, the Plan Commission discussed each condition of the preliminary resolution. The Plan Commission made several amendments to the resolution as shown in the attached final conditional use permit 2023-03 (*Attachment E*).

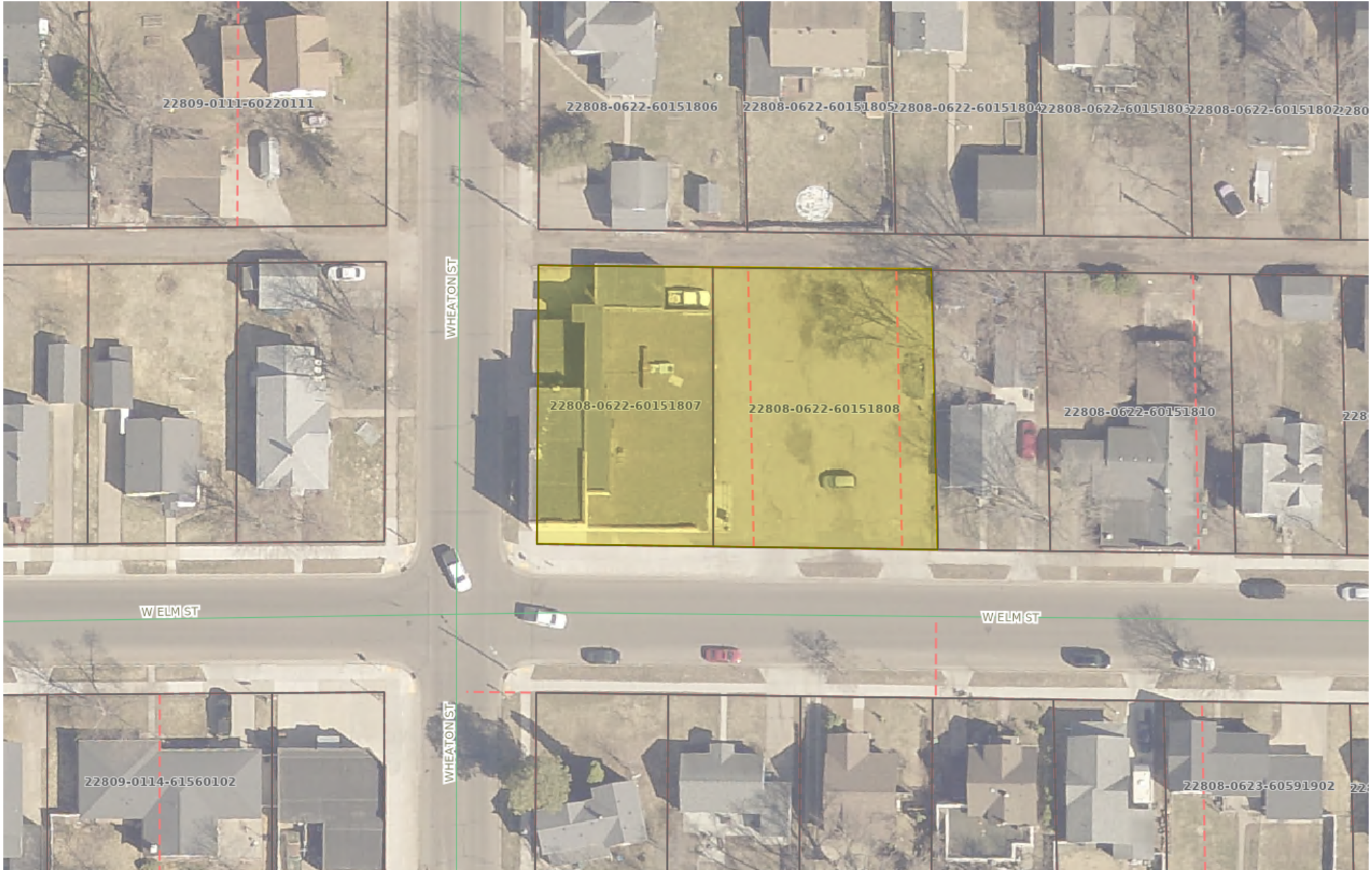
Motion by Hubbard, seconded by Tzankis to approve Conditional Use Permit Resolution No. 2023-03 allowing KYMA Battery Technologies to operate a battery assembly and repurposing facility at 1400 Halbleib Road, parcel 22908-2943-73878001A with the amendments as discussed and shown in the attached final conditional use permit resolution (*Attachment E*). **A roll call vote was taken. Voting aye were Hubbard, Tzankis, Cihasky, Misfeldt, Wilson, Varga, Arenberg, Trowbridge, and Hoffman. Voting nay was McElroy. The motion was approved with a 9-1 vote.**

5. **Motion** by Misfeldt, seconded by Hubbard to adjourn. **All present voting aye. Motion carried.** The Plan Commission adjourned at 8:25 PM.

William McElroy

William McElroy, P.E., Secretary
Plan Commission

440 West Elm Street - Property Map



Date Filed: 11-6-2023

Fee Paid: 25.00 Date: 11-6-2023 TR#: 59457

Fee Paid: _____ Date: _____ TR#: _____

PETITION FOR REZONING

TO THE CITY OF CHIPPEWA FALLS, WISCONSIN:

I/We, the undersigned, hereby petition the Common Council of the City of Chippewa Falls, WI, for rezoning authorized by the Chippewa Falls Zoning Code, Section 17.46, for the following described property:

Address of Property: 440 West Elm St Chippewa Falls
Lot: 7+8 Block: 400 Subdivision: _____ Parcel# _____

22808-0622-60151808
22808-0622-60151807

Legal Description: Mansfield's addition Lot 7+8

Present zoning classification of property: C1

Zoning classification requested: C2 General Commercial

Lot number of any real estate owned by the petitioner adjacent to the area proposed to be changed: _____

Existing use of all buildings on such land: empty

Principal use of all properties within 300 feet of such land: residential, hair salon
Storage,

Purpose for which such property is to be used: my intent is to utilize the
entire space for training, teaching and caring for special
needs adults, office space and small retail shops.

Recite any facts indicating that the proposed change will not be detrimental to the general public's interest and the purposes of this Chapter: This will have a positive
affect on the neighborhood as this brings the building
into use, kept up, and retail to the local area

Attach a plot plan or survey plat, drawn to scale, showing the property to be rezoned, location of structures and property lines within 300 feet of the property to be altered.

Add any further information requested on the petition or which may be required by the Common Council to facilitate the making of a comprehensive report to the Council:

as CI the building is non conforming. I like to
bring it to conformity with the current zoning
requirements

IN ORDER FOR THIS PETITION TO BE CONSIDERED, THE OWNER(S) OF THE PROPERTY MUST SIGN BELOW:

Owner(s)/Address(es):

Nina Eisold
6344 164th St
Chippewa Falls, WI 54729
Phone #: 715-864-9116
Email: readyride@hotmail.com
Signature: Nina Eisold

Phone #: _____
Email: _____
Signature: _____

Phone #: _____
Email: _____
Signature: _____

Petitioner(s)/Address(es):

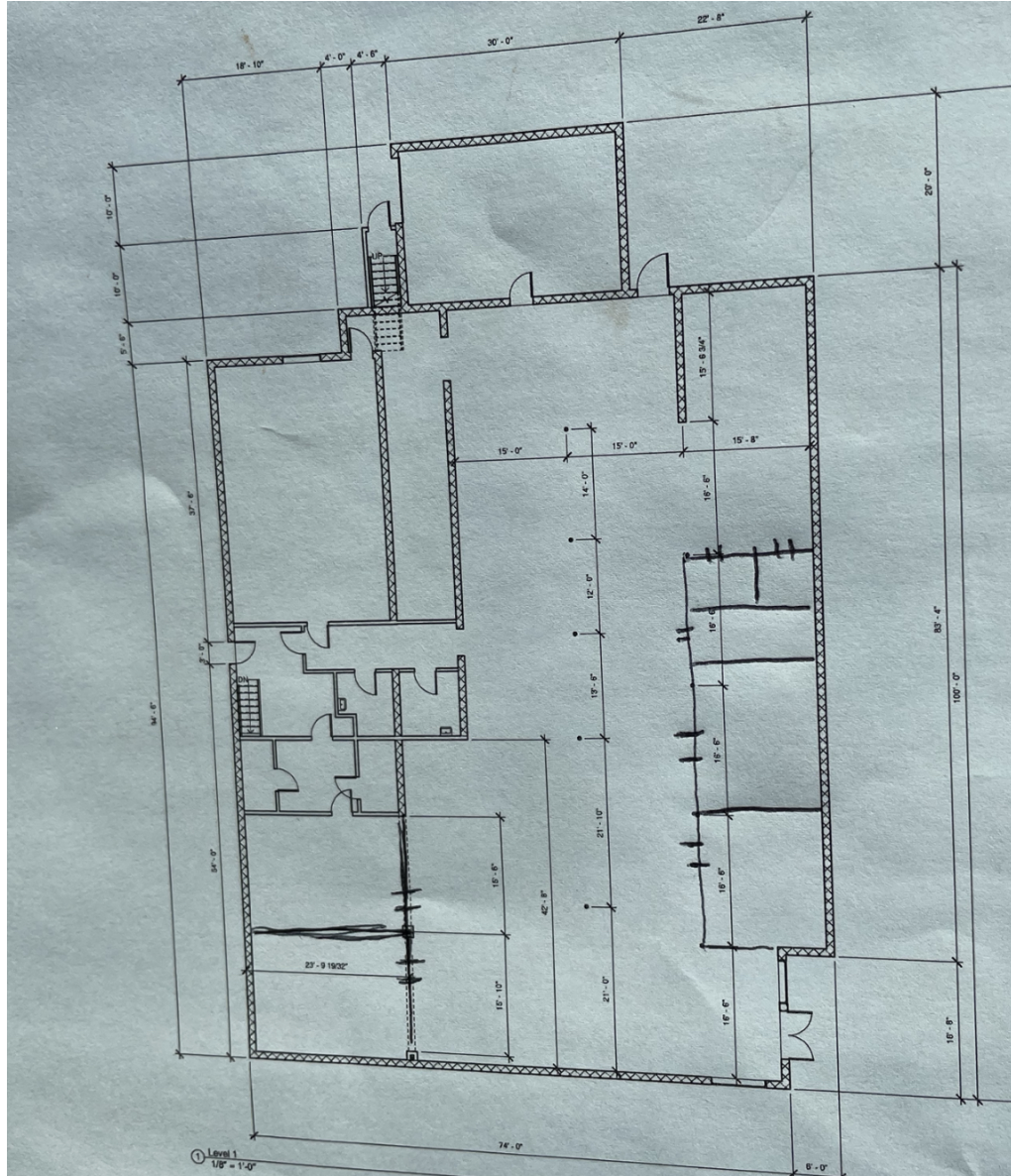
Nina Eisold
6344 164th St
Chippewa Falls, WI
Phone #: 715-864-9116
Email: readyride@hotmail.com
Signature: Nina Eisold

Phone #: _____
Email: _____
Signature: _____

Phone #: _____
Email: _____
Signature: _____

Preliminary Floor Plan: Future Plans

WHEATON STREET



W ELM STREET

17.28 - C-1 NEIGHBORHOOD SHOPPING DISTRICT .

- (1) GENERAL PURPOSE. This district is intended to provide for individual or small groups of retail and customer service establishments serving primarily the convenience of a local neighborhood and the character, appearance and operation of which are compatible with the character of the surrounding area.
- (2) SETBACKS.
 - Minimum Front Yard, 25 feet.
 - Minimum Either Side Yard, 10 feet.
 - Minimum Aggregate Side Yard, 20 feet.
 - Minimum Rear Yard, 25 feet.
- (3) LOT SIZE.
 - Minimum Area, 8,400 square feet.
 - Minimum Width, 80 feet.
- (4) HEIGHT.
 - Maximum Permitted for Principal Structure, 35 feet.
 - Maximum Permitted for Accessory Structure, 20 feet.
- (5) PERMITTED USES.
 - (a) Retail stores and shops offering convenience goods and personal services and not exceeding **1,500 square feet** of primary floor area.
 - (b) Business, professional, or public service office not exceeding 1,000 square feet of primary floor area.
 - (c) Signs in conformity with the sign ordinance of Chippewa Falls [Chapter 19].
 - (d) Public utility distribution lines, including, but not limited to, electric, gas, water, television cable and telephone distribution liens and other related accessories subject to approval by the City Public Works Department.
- (6) ACCESSORY BUILDINGS OR USES.
 - (a) Residential quarters for the owner, proprietor, employer or caretaker located in the same building as the business and, providing a minimum residential floor area of 600 square feet.
 - (b) Garages for storage of vehicles used in conjunction with the operation of the business.
 - (c) Off-street parking and loading areas, located in the rear yard only, and as required in §§17.38—17.43 of this chapter.

(d) Any other normal accessory structure or use.

(7) CONDITIONAL USES.

(a) Private lodges and clubs.

(b) Nursing homes, homes for the elderly and hospitals.

(c) Day care centers, subject to State licensing requirements.

(d) Rental apartments as a secondary use provided each apartment has a minimum residential floor area of 600 square feet.

(e) Funeral homes.

(f) Retail stores and shops with a primary floor area larger than 1,500 square feet.

(g) Business, professional or public service office with a primary floor area larger than 1,000 square feet.

(h) Automobile service stations.

(i) Taverns and restaurants.

(j) Laundromats and dry cleaners.

(k) Transmission lines, antennas and towers, including, but not limited to, electric gas, petroleum and telephone transmission lines, antennas and towers, whether installation is above or below ground, and other related accessories, substations, municipal water towers, pump houses, water and sewage treatment plants. This is subject to the provisions of §17.08(14) and is subject to all laws, rules, and regulations, statutory or administrative, governing the use and enjoyment of public right of ways. (Am. #2015-20)

17.29 - C-2 GENERAL COMMERCIAL DISTRICT .

(1) GENERAL PURPOSE. This district is intended to provide for the orderly and attractive grouping at appropriate locations of commercial activities of a more general retail and wholesale nature and office and service facilities serving a larger community trade area. The size and location should be based upon the relationship to the total community need and economy.

(2) SETBACKS.

Minimum Front Yard, 15 feet.

Minimum Either Side Yard, 10 feet.

Minimum Aggregate Side Yard, 20 feet.

Minimum Rear Yard, 25 feet.

(3) LOT SIZE.

Minimum Area, 5,000 square feet.

Minimum Width, 50 feet.

(4) HEIGHT.

Maximum Permitted for Principal Structure, 35 feet.

Maximum Permitted for Accessory Structure, 20 feet.

(5) PERMITTED USES.

(a) Retail stores and shops.

(b) Community and customer service establishments such as, but not limited to, the following:

1. Business, professional, public service, banking, and savings and loan offices.
2. Restaurants, taverns, theaters, bowling alleys, night clubs and other indoor commercial entertainment facilities.
3. Laundromats, coin operated dry cleaning establishments, and laundry or dry cleaning pickup stations.
4. Private clubs and lodges.
5. Automobile service stations.
6. Service and sales establishments for automobiles, not including the storage of junked or wrecked automobiles and parts.

(c) Commercial studios, display galleries and vocational training schools.

(d) Rental apartments as a secondary use on a non-ground floor level and providing a minimum residential floor area of 400 square feet.

(e) Signs in conformity with the sign ordinance of Chippewa Falls [Chapter 19].

(f) Churches.

(g) Public utility distribution lines, including, but not limited to, electric, gas, water, television cable and telephone distribution lines and other related accessories subject to approval by the City Public Works Department.

(h) Hotels and motels. (Cr. #94-3)

(i) Interior unit self-service storage facility consisting of a building with all units having an access door from an interior hallway. There shall be a separate secure 24 hour access entrance to interior units. Operations shall include a retail store front of related commercial activity. (Cr. #2017-12)

(6) ACCESSORY BUILDINGS OR USES.

(a) Garage for storage of vehicles used in conjunction with the operation of the business.

(b) Off-street parking and loading areas located in §§17.38—17.43 of this chapter. (Am. #91-26)

(c) Any other normal accessory structure or use.

(7) CONDITIONAL USES.

- (a) Nursing homes, home for the elderly and hospitals.
- (b) Animal hospitals.
- (c) Appliance and small machinery repair establishments.
- (d) Lumber and building supply yards.
- (e) Commercial parking facilities.
- (f) Printing and publishing houses and related activities.
- (g) Transmission lines, antennas and towers, including, but not limited to, electric, gas, petroleum and telephone transmission lines, antennas and towers, whether installation is above or below ground, and other related accessories, substations, municipal water towers, pump houses, water and sewage treatment plants. This is subject to the provisions of §17.08(14) and is subject to all laws, rules, and regulations, statutory or administrative, governing the use and enjoyment of public right of ways. (Am. #2015-20)
- (h) Day care centers, subject to State licensing requirements.
- (i) Personal storage facilities (self-storage/mini-warehouse) which means the primary use of a building containing individual, compartmentalized and controlled access spaces, rooms or lockers that are leased, rented or owned by different individuals for the storage of individual possessions or personal property. Building materials and architectural design features shall be consistent with the general design theme of the surrounding development. (Cr. #2017-17)