

**MINUTES OF THE PLAN COMMISSION MEETING
MONDAY, AUGUST 9, 2010 – 7:30 P.M.**

The Plan Commission met in City Hall on Monday, August 9, 2010 at 7:30 P.M. Present were Dave Cihasky, Peter Drogemuller, Jeffrey Labs, Mike Tzanakis, Dan Varga, Curt Stepanek, Alderperson Jane Lardahl, Rick Rubenzer, Tom Hubbard and Mayor Greg Hoffman, Absent was Jerry Smith. Also attending were Court Reporter Patty Kinning, City Inspector Paul Lasiewicz, City Planner Jayson Smith, Liz Hochstedler of the Chippewa Herald, Jon Behling of Weld, Riley, Prenn & Ricci representing EOB Resources; David Oakes of KOA, Duluth, MN representing EOG Resources; Mike Swoboda of S.E.H. representing EOG Resources, Brian Nodolf of Weld Riley Prenn & Ricci representing EOG Resources; Alderperson Mike Dahlby, Peter & Sue Holm of 707 W. Columbia St., CF; Charley Arndt of 520 Samuels Ave. #5410, Fort Worth TX representing EOG Resources; Harold Lissel ,1270 73rd Ave S.B., Calgary, AB, Canada, of Woods Edward Engineering Ltd; Karen Moe of 247 1st Ave., CF; Ted Wojek of 13688 8th Ave. CF; Dale McGraw of 12568 44th Ave., CF; Patricia J. Popple of 561 Summit Ave., CF; Dale and Sheryl Shipman of 8438 163rd St, CF; Carol Gehl of 7635 161st St., CF; and Raphael Ballweg of 2707 Wellington Dr, EC and Michael Ballweg of 6228 CTH “S”, CF representing the Tip Top Tavern.

1. **Motion** by Tzanakis, seconded by Hubbard, to approve the minutes of the July 12, 2010 Plan Commission meeting. All present voting aye. Motion carried.

2. Mike Ballweg, representing the Tip Top Tavern (Parcel #255) located at #310 Allen Street, appeared to support his petition for a Special Use Permit to attach a beer garden to his existing building. Rubenzer noted that an emergency door was not shown on the proposed site plan. Mr. Ballweg proposed locating the emergency exit six feet (6') from his existing building along the east side of the eight foot high wooden fence surrounding the proposed beer garden, as shown on the attached site plan. Inspector Paul Lasiewicz explained that the existing tavern use was a non-conforming use in the existing R-1C Single Family zoning district and that the proposed beer garden would encroach into the R-1C property line setbacks. He listed the Special Use process as the simplest method for the beer garden to be allowed. Commissioner Cihasky added a concern that the wood fence be a “solid” wood fence. After additional discussion, there was a **motion** by Tzanakis and a second by Cihasky, that the Common Council schedule a public hearing to consider a petition for a Special Use permit to attach a beer garden (to be enclosed by an eight foot high solid wooden fence) to the existing Tip Top Tavern building located on Parcel #255 at #310 Allen Street. Said public hearing to be scheduled upon receipt of the \$300 advertising fee from the owner and proper notification of adjacent property owners. All present voting aye. Motion carried.

3. Commissioner Hubbard stated that he would abstain from voting or discussion for this item. Mayor Hoffman outlined the procedures for amending a planned development as set forth in attached excerpt of the copy of Chippewa Falls Municipal Code 17.26 (7) (m) and 17.26 (7) (n). Brian Nodolf, attorney representing EOG Resources, appeared to present the attached request to amend Conditional Use Permit

#08-05. Engineer Mike Swoboda contrasted the existing approved C.U.P. site plan with the proposed amendment site plan. Engineer David Oakes detailed the sand processing process on a step by step basis. The Plan Commission asked questions and voiced concerns. Citizens in attendance asked questions and voiced concerns. (Note: The complete proceedings, concerns and questions will become part of the record minutes when they become available from Northwest Court Reporters). After all questions and concerns were discussed, there was a **motion** by Mayor Hoffman and a second by Varga, to recommend that the Plan Commission conduct a public hearing to consider amending existing Conditional Use Permit #08-05. Said public hearing to be conducted on Monday, August 30, 2010 at 7:30 P.M. after receipt of the \$300 legal advertising fee from the petitioner and proper notice of adjacent property owners. A roll call vote was taken. Voting aye: Cihasky, Drogemuller, Labs, Tzanakis, Varga, Stepanek, Lardahl, Rubenzer and Mayor Hoffman. Abstaining was Hubbard. Jerry Smith was absent. All present voting aye. Motion carried.

4. **Motion** by Varga, seconded by Hubbard to adjourn. All present voting aye. Motion carried. The Plan Commission adjourned at 8:50 P.M.

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