

- MINUTES -
CHASKA CITY COUNCIL
May 17, 2021

1. Call to Order

The meeting was called to order by Mayor Windschitl at 7 pm.

2. Pledge of Allegiance

3. Roll Call

Roll call was taken. Present: Councilmembers Hatfield, Hubbard, Huang, Grau, and Mayor Windschitl.

Absent: None.

Also Present: Kevin Ringwald, Community Development Director; Liz Hanson, City Planner; Luke Melchert, City Attorney; Noel Graczyk, Administrative Services Director; City Engineer Matt Clark; Nate Kabat, Assistant Administrator; and Matt Podhradsky, City Administrator.

4. Adopt the Agenda

Motion by Councilmember Hatfield, second by Councilmember Grau to adopt the agenda as presented. Motion carried.

5. Proclamation

5.A. Recognition of Poppy Days - Chaska American Legion Auxiliary, Unit 57

Mayor Windschitl read a proclamation recognizing May 28 and 29 as Chaska American Legion Auxiliary, Unit 57 Poppy Days.

Mayor Windschitl noted several special days in May including Armed Forces Day, Municipal Clerk's Week, National Police Week, and International Firefighters Day.

6. Visitor Presentation

None.

7. Minutes

Motion by Councilmember Hubbard, second by Councilmember Hatfield to approve the minutes of the May 3, 2021 City Council meeting. Motion carried.

8. Consent Agenda

Motion by Councilmember Grau, second by Councilmember Hatfield to approve the Consent Agenda Items A through H:

A. Temporary 1 -Day On-Sale Intoxicating License for Flags & Honor of Minnesota

Motion to approve the Temporary On-Sale Intoxicating License TW 21-01 for Flags and Honor of Minnesota, that allows them to serve intoxicating beverages at their car, bike and tractor fund raising event, on August 7, 2021.

- B. Letter of Support - Highway 212 Freight Mobility & Safety Project
Motion to authorize the Mayor to sign a letter of support for federal financial assistance under US Department of Transportation {DOT} Discretionary Grant Programs.
- C. Adopt Ordinance 994, Amend Chapter 5, Article 5.12 Massage Licenses
Motion to approve Ordinance No. 994 amending Chapter 5, Section 5.12 Articles 5.12.100 - 5.12.120.
- D. Adopt Resolution 2021-27, Approving the Final Plat for Harvest West 3rd/Tradition Development/PC #2021-09
Motion to adopt Resolution No. 2021-27 approving the Final Plat for Harvest West 3rd (PC #2021-09)
- E. Amendment to the Carver County SHIP Grant Agreement for Pedestrian and Bicycle Master Plan
Motion to Approve the Amendment to the SHIP Grant Agreement Between the City of Chaska and Carver County for a Pedestrian and Bicycle Master Plan reflecting the additional \$5,000, not to exceed \$45,000.
- F. Approval of Carver County 2021 SHIP Grant Agreement for Youth Soccer
Motion to Approve the Carver County SHIP Grant Agreement Between the City of Chaska and Carver County to help fund a 6-week soccer program for Latino youth in our community.
- G. Adopt Resolution 2021-28, Construction Plans for 2021 Street and Utility Reconstruction Project
Motion to adopt Resolution No. 2021-28, approving the construction documents for the 2021 Street & Utility Reconstruction Project, and authorizing the solicitation of public bids
- H. Liquor License Renewals 2021-2022
Motion to approve liquor license renewals as itemized on Schedule A attached, effective July 1, 2021 through June 30, 2022, with contingencies as noted.

Mayor Windschitl inquired if there is any benefit to separating the bridge from the road construction in Item 8.G.

City Administrator Podhradsky provided further detail regarding the purpose of them being together.

Councilmember Hubbard thanked Staff for their work on Items 8.C and 8.F.

Motion carried.

9. Action Items

9.A. Adopt Resolution 2021-30, Public Hearing to Consider Certification of Spring 2021 Delinquent Utilities

City Administrator Podhradsky introduced the item to the Council.

Administrative Services Director Graczyk presented the item to the Council.

Mayor Windschitl opened the public hearing at 7:20pm.

Mayor Windschitl closed the public hearing at 7:21pm.

Motion by Councilmember Hatfield, second by Councilmember Hubbard to adopt Resolution 2021-30 approving certification of delinquent utilities and miscellaneous unpaid charges to Carver County for collection with the payable 2022 property taxes. Motion carried.

9.B. WITHDRAWN: Reviewing the Conditional Use Permit (CUP) Amendment for Total Loss at 525 CreekrIDGE Drive/Total Loss Brokers, Inc/PC #2021- 07

9.C. Adopt Resolution 2021-29, Approving the Concept Plan for Ensconced Woods/Johnson-Reiland Builders & Remodelers/PC #2021-06

City Administrator Podhradsky introduced the item to the Council.

City Planner Hanson presented the item to the Council.

Councilmember Hubbard inquired if the change from private road to public road will change the number of lots.

City Planner Hanson stated the exact count with the elimination of the private drive is not yet known.

Councilmember Hatfield asked what kind of comments were received from the neighborhood meeting.

City Planner Hanson briefly summarized the main comments.

Councilmember Grau spoke to some of the thoughts brought up by the neighboring Founders Ridge neighborhood.

Councilmember Hubbard looked to clarify that there is a proposed HOA in this development.

Paul Reiland, developer, stated these would be single family lots without common area and thus there is no legal need for an association. He briefly summarized the three options they could take.

Councilmember Hubbard asked if there is a park in the Founders Ridge neighborhood.

City Administrator Podhradsky stated there is not and explained the 55 acres near there would have the neighborhood and community park components.

Councilmember Hubbard asked about trail connectivity.

City Administrator Podhradsky stated Staff is in the process of looking through a master plan for trail connectivity.

Mayor Windschitl asked how long before preliminary could come back.

City Planner Hanson stated it depends upon the developer's timeline.

Mayor Windschitl asked Mr. Reiland if they hoped to move dirt this year.

Mr. Reiland stated that was their hope.

Councilmember Huang looked to confirm the concept plan has been vetted for fire access and that there are no issues with dead-end streets that come off a single entrance.

City Planner Hanson stated the only exception is off the private drive being a potential challenge for turn around.

Councilmember Huang also asked when the construction entrance would be closed off.

City Planner Hanson explained that would be a detail that would need to be worked out with the County.

Councilmember Grau stated he would love to see a right-in, right-out even though he knows that is a County decision.

Councilmember Huang asked how many homes are in Founders Ridge right now.

City Planner Hanson stated just under fifty.

Councilmember Huang commented that would be about 80 homes with a single entrance and suggested that would be about the limit a single entrance could service.

Councilmember Hatfield looked to confirm there is not any future development planned with the proposed development.

City Planner Hanson stated that is correct.

Councilmember Huang inquired what the speed limit is on County Road 44.

City Administrator Podhradsky stated it is 45 mph. He also asked if the request to the County for access was made as part of this concept plan or the last one.

City Planner Hanson provided further clarity regarding that.

The Council discussed their understanding of the temporary construction access.

City Administrator Podhradsky suggested the Council list as one of the conditions a longer use of the construction entrance.

The Council and Staff discussed wording for this condition.

Community Development Director Ringwald suggested doing this in relation to the lots the entrance crosses over. He also noted that the applicant needs to come back with a traffic management plan as part of the preliminary.

Motion by Councilmember Huang, second by Councilmember Hatfield to adopt Resolution No. 2021-29 approving the Concept Plan for Ensconced Woods (PC #2021-06) with the addition of the condition to extend the construction access as stated by Staff. Motion carried.

9.D. Adopt Resolution 2021-31, Approving the Concept Plan for Wagner Woods/Lennar/PC #2021-10

City Administrator Podhradsky introduced the item to the Council.

City Planner Hanson presented the item to the Council.

City Administrator Podhradsky spoke further regarding the elimination of the three lots adjacent to the park.

City Planner Hanson continued her presentation of the item.

Councilmember Grau looked for clarification as to the implementing parkland into the development in lieu of the fees.

City Administrator Podhradsky provided further detail regarding this proposition.

Councilmember Huang inquired how much the land dedication is worth by itself.

City Administrator Podhradsky explained how that is determined.

Councilmember Hubbard asked if the 2.65 acres includes the land where the three houses will be eliminated from the development.

City Administrator Podhradsky stated it is the total amount of land the City is requesting and further explained the options before the Council.

Councilmember Hubbard asked what happens to all of this if this development comes into the Jonathan neighborhood.

City Administrator Podhradsky gave further information regarding that inquiry.

Councilmember Hubbard inquired how far the furthest home is to the park.

Community Development Director Ringwald stated the greatest distance in the neighborhood is a quarter of a mile.

Councilmember Grau asked how many lots go away if the full 10% is taken.

City Administrator Podhradsky stated it is about 3 lots.

City Planner Hanson continued her presentation of the item.

Councilmember Grau looked to clarify the construction access would be off Audubon.

City Planner Hanson provided further detail regarding the likely access for construction.

Councilmember Hatfield asked if the developer has reached out to the County regarding access off Audubon.

City Administrator Podhradsky stated County staff will be going to the site tomorrow to see if that is a possibility.

The Council and Staff discussed the Planning Commission's request to look for an alternative access than Butternut as well as the focus of the traffic study, traffic issues, and traffic concerns brought up by residents.

Councilmember Grau expressed his frustrations regarding the concept plan in regard to unusable parkland.

Councilmember Huang noted this is the worst Lennar development he has seen come through in all his years on the Planning Commission and Council.

City Administrator Podhradsky explained that Staff recommended the current spot for the park due to the lack of a park in the development to the northwest as per the goals of the comp plan.

The Council discussed the park location and potential use further and importance of exploring the request to become part of Jonathan.

The Council also discussed the proposed density of the development.

Councilmember Hubbard asked if the fence that buffers along the back side of Butternut will be going away.

City Planner Hanson stated that should be staying.

The Council and continued discussions regarding density and setbacks.

City Administrator Podhradsky noted the density and setbacks in the current concept plan do meet the comp plan guidance. He suggested in light of this that the Council give feedback to the developer to explore how this development could best blend with the surrounding neighborhood.

Mayor Windschitl asked if this layout of the development would change if a right-in, right-out were available.

Josh Metzger with Lennar, 16305 36th Ave North, briefly addressed several points brought up by the Council, including density, housing types, setbacks, site access, projected traffic counts, park location, tree preservation, landscape buffering, trails and open space, the idea of becoming part of the Jonathan Association, the project schedule, and construction access. He noted all comments and concerns raised by residents, Staff, Park Board, Planning Commission, and the Council will be taken into account before coming back with the preliminary.

Councilmember Hubbard noted that mailbox location is very important and reminded the developer to be mindful of where those are placed.

Councilmember Huang asked who executes the traffic study versus paying for it.

Community Development Director Ringwald explained those details.

City Administrator Podhradsky noted that the City Engineer will review it at the end.

Councilmember Huang inquired if there is an existing process in order to determine what the community would want in regard to the park dedication.

City Administrator Podhradsky stated if it is unclear what the community wants after public comment then they can talk about a process.

Mayor Windschitl stated he would like more blending besides the screening for the three homes on Butternut and the lots 55-65 re-evaluated to blend with the neighborhood in the back.

Emily Welter, 2887 Ironwood Boulevard, noted she is representing 116 houses in the surrounding neighborhood and presented the reasons for the concerns these residents have regarding the concept plan as-is.

Matt Douglas, 2857 Ironwood Boulevard, asked the City to advocate for an entrance/exit onto Audubon Road.

Jeremy Landkammer Ely, representing Jonathan Association, explained the concerns of the Jonathan Association regarding safety concerns on Autumn Woods Drive due to lack of trail systems and sidewalks. He urged the Council to ensure a like-home development is pursued for this area to protect the shareholders present.

Mark Lundgren, 3075 Autumn Woods Drive, detailed his concerns regarding the density of the concept plan.

David Taylor, 2893 Forest Ridge, explained he feels this concept is severely flawed regarding density and traffic issues.

Jeannie Seeley-Smith, 2935 Autumn Woods Drive, stated that her concern is with increased traffic to Autumn Woods Drive and the lack of amenities for families who would move into a development in this area.

Genaviv Elvy, 2925 Autumn Woods Drive, detailed why these neighborhoods are a treasure and explained her concerns regarding how density in the current concept plan would affect the feel of the surrounding neighborhoods.

Doug Schoen, 3095 Autumn Woods Drive, urged the Council to adopt all the conditions put forth by the Planning Commission.

Gretchen Kleinsasser, 2868 Ironwood Boulevard, explained her concerns regarding traffic issues related to the proposed development, as well as the importance of parks.

Lee Isaacson, 2980 Autumn Roads Drive, asked if Mr. Metzger has walked this neighborhood at all. He expressed frustration with the concept plan and urged Lennar to include the residents in refining the concept plan.

Ms. Welter referred to Bavaria Hills neighborhood which has one entrance and noted that it works well there. She encouraged the Council to look at the precedent set by other neighborhoods in Chaska.

Councilmember Hatfield asked if the residents now are asking to limit this design to one entrance.

Ms. Welter explained why she believes this proposed development having their own entrance works. She encouraged the Council to manage the volume issue.

Meredith Salmi-Bydalek, 2850 Timber View Trail, explained a new neighborhood would be welcomed but that keeping car traffic safe is a priority.

Mark Strazzanti, Forest Ridge, expressed the safety issue for kids using the park is forefront and encourage that consideration when looking at entrances and exits.

Nicole Loeding, 2867 Ironwood Boulevard, stated that in addition to park equipment, open space is a great asset and encouraged the Council to get as much land as possible out of that 10%.

Mr. Metzger assured the residents, Staff, and Council that they are following the City's process by submitting a concept plan and that it helps them submit a better preliminary plan. He explained he will take all comments from residents, Park Board, Planning Commission, and Council into consideration with further meetings with City and County Staff.

Staff read into record the following comments:

- Melissa Stauffer, 2871 Ironwood Boulevard, I echo the comments of the other residents.

- Joanna Douglas, 2857 Ironwood Boulevard, my concern is that the concept plan does not match the surrounding neighborhoods and that this development will not have its own entrance.
- Jack Loma and Andrew Armstrong, 2925 Autumn Woods Drive, we agree with the comments by Ms. Welter and other residents.
- Timothy Foster, 2879 Ironwood Boulevard, the City should not have to pay for the traffic study, but the company used should be independent and possibly chosen by the City.

Councilmember Huang summarized the items that were added conditions by the Planning Commission that meet many of the residents' concerns. He then listed other items that came up in tonight's comments by residents that were not already listed as conditions.

The Council and Staff discussed these items in detail and refined them to add to the list of conditions given by the Planning Commission.

Mr. Metzger stated that for the proposed 2.65 acres of land dedication, the remainder of the cash contribution would be approximately \$170,000.

City Administrator Podhradsky gave further clarity regarding what this means.

Mr. Landkammer Ely recommended the Council set the 10% and take then land and direct Lennar to figure out the best use for that land.

City Administrator Podhradsky further explained how the statutory authority works for land dedication.

The Council and Staff further discussed the park land dedication and how to refine that condition.

Parks and Recreation Director Grange provided further insight regarding the classification of a neighborhood park versus a community park. He also pointed out how much park space is available for use in this area.

Councilmember Huang asked what the net actual park space with the surrounding City-owned land.

Parks and Recreation Director Grange stated it would be around 3 acres.

Staff and Council further discussed the park options and then resumed discussing the amendments desired for the Planning Commission conditions.

Motion by Councilmember Huang, second by Councilmember Grau to adopt Resolution No. 2021-31 approving the Concept Plan for Wagner Woods (PC #2021-10) to include the amended Planning Commission conditions.

Councilmember Huang urged Lennar to work very closely in collaboration with the residents surrounding the proposed development.

Councilmember Grau spoke to the value of the concept plan to promote a great product for preliminary. He also thanked the residents for showing up and voicing their concerns.

Councilmember Hubbard explained why she is voting no to the concept plan.

Councilmember Hatfield also noted the value of the concept plan and thanked the residents for reaching out to the Council regarding their concerns.

Mayor Windschitl thanked residents for getting involved and spoke to the process a concept plan follows in getting before the Council.

With all Councilmembers voting in favor but Hubbard, the motion carried.

10. Bills

10.A. Accounts Payable Council Roster 5-17-2021

The Council requested further information about bills on pages 6 and 26.

City Administrator Podhradsky provided further information regarding those bills.

Motion by Councilmember Huang, second by Councilmember Hubbard to approve the bills as presented. Roll call was taken. Voting aye: Councilmembers Hatfield, Hubbard, Huang, Grau and Mayor Windschitl. Voting nay: None
Motion carried.

11. Other Business

11.A. City Administrator's Report

11.B. Bi-Weekly Report 5-17-2021

11.C. Financial Reports

11.D. Other Meeting Minutes

11.D.i. Draft Minutes – Human Rights Commission Meeting March 25, 2021

Councilmember Hatfield:

- Noted it is Coffee with a Cop on Thursday.
- Reported the Memorial Day event begins at 10:30am.

Councilmember Hubbard:

- Noted the Cycle Chaska event is happening on Saturday and that registration is required.
- Encouraged everyone to fill out the survey and Wiki map on walkbikechaska.org.
- Thanked everyone who has sacrificed and served our Country.
- Congratulated retiring principal staff and faculty at District 112 and congratulated the people coming into their positions.

Councilmember Huang:

- Recognized several high school students with their recent success, including Sydney Turner, Aiden Fischer, Citlaly Rodriguez.
- Noted on June 2 from 4-5:30 there will be a retirement drive-thru for Nancy Wittman-Beltz who is retiring from Jonathan Elementary.

Councilmember Grau:

- Noted the big change in COVID requirements.
- Reported that a fire impacted a family in Chaska this week and that his thoughts and prayers were with them. City Administrator Podhradsky noted there is a Go-Fund-me page for them.

Mayor Windschitl:

- Noted there are Council meetings June 7 and 21, 2021 with work sessions prior.
- Noted the trail bridge connecting the new underpass on 41 should be open by middle of June.
- Encouraged folks to drive by City Square gazebo to see the new roof.
- Reported that starting June 14, all city employees will be back to work and the EOC will hold its final meeting June 16. He also noted the emergency orders will be formally removed July 12 and all commission will be back in Council Chambers.
- Encouraged residents to take the time to honor those who have lost their lives for our Country on Memorial Day.

12. Adjourn

Motion by Councilmember Huang, second by Councilmember Hubbard to adjourn the meeting at 11:55 pm. Motion carried.