

**CHASKA PLANNING COMMISSION
MINUTES
OCTOBER 12, 2022**

1. Call to Order

Chairperson Brass called the meeting to order at 7 pm.

2. Roll Call

Roll call was taken. Members present: Commissioners Rylee, Gaare, Aasen, Urbanski, Baswa, and Chairperson Brass.

Members absent: Commissioners Lacey and Olson.

Also present: Nate Kabat, Community Development Director, Liz Hanson, City Planner; and Jacob Saufley, City Attorney.

3. Adopt the Agenda

Motion by Commissioner Urbanski, second by Commissioner Aasen to adopt the agenda as presented.

Motion carried.

4. Visitor Presentation

No one appeared under Visitor Presentation.

5. Approve Previous Meeting Minutes

A. Approve the September 14, 2022 Planning Commission Meeting Minutes

Motion by Commissioner Gaare, second by Commissioner Baswa to approve the minutes of the September 14, 2022 Planning Commission meeting, as presented.

Motion carried.

6. Consent Agenda

Motion by Commissioner Urbanski, second by Commissioner Gaare, to approve the Consent Agenda as follows:

a. Recommend Approval of the Final Site & Building Plan for Chaska Tech Center/Amcon Construction/PC #2022-55

b. Recommend Approval of the Eitel House Final Plat/Jonathan Association/PC #2022-56.

Motion carried.

7. Action Items

A. CONTINUED FROM SEPTEMBER 14, 2022 PLANNING COMMISSION: Recommend Approval of the Final Plat for Hidden Maples/Landmark Builders/PC #2022-53

City Planner Hanson presented the item to the Commission.

Chair Brass opened this item up for discussion from the Commission, the audience, and those following the meeting on-line.

Commissioner Rylee explained that he had voted 'no' at both the Concept and Preliminary stages and plans to vote 'no' once again tonight. He stated that in general, in this case, he would give the Park Board, the City Council, and City staff an 'F' because this eliminates a public park. He noted that he did not think it mattered whether it was the City's fault or the school districts fault. He noted that the park was eliminated in 2019 and the irony is that this plan takes out a park and puts in four homes for families. He explained that while this may not be a life or death kind of failure, he feels it certainly qualifies as a failure of government. He stated that the fact that there are not 200 people present to talk about this project and the elimination of a public park is a 'symptom' of what is going on in downtown Chaska and explained that he feels that this action will just make the situation worse.

Motion by Commissioner Gaare, second by Commissioner Baswa, to recommend City Council approval of the final plat for Hidden Maples, subject to the following conditions:

1. Approvals shall be based on the following graphic exhibits:
 - a. Cover Sheet (pg C0.01), submitted by Civil Methods, Inc., dated July 29, 2022
 - b. Existing Conditions (pg C1.01), submitted by Civil Methods, Inc., dated July 29, 2022
 - c. Site Layout (pg C2.01), submitted by Civil Methods, Inc., dated July 29, 2022
 - d. Grading & Utility Plan (pg C5.01), submitted by Civil Methods, Inc., dated July 29, 2022
 - e. Erosion & Sediment Control Plan (pg C6.01), submitted by Civil Methods, Inc., dated July 29, 2022
 - f. SWPPP Narrative (pg C6.02), submitted by Civil Methods, Inc., dated July 29, 2022
 - g. Details (pg C7.0X), submitted by Civil Methods, Inc., dated July 29, 2022
 - h. Tree Inventory (pg C8.01), submitted by Civil Methods, Inc., dated July 29, 2022
 - i. Landscaping Plan (pg C8.02), submitted by Civil Methods, Inc., dated July 29, 2022
 - j. House Plans (pgs 1-16), submitted by AVA Studio, dated September 23, 2022
 - k. Final Plat, submitted by Schoborg Land Services, Inc.
2. Adherence to the City's Boulevard Tree Policy and local street section design.
3. Adherence to the following building setbacks:
 - a. Front (house): 20 feet
 - b. Rear: 25 feet
 - c. Side(house/garage): 5 feet
 - d. Side (corner): 20 feet
 - e. Chaska Creek: 50 feet from edge
4. Prior to final plat recording, developer shall enter into an agreement with the City for the provision of necessary infrastructure and associated development costs.
5. Compliance with the City's anti-monotony and design requirements zoning ordinance (Section 15.28.290).
6. Provision of a storm water management plan meeting City and Carver County WMO standards.
7. Provision of a construction traffic plan to be reviewed and approved by the City Engineer.
8. Adherence with Zoning Code Section 15.20 Flood Protection.
9. Provision differentiated designs between all the homes to meet zoning section 15.28.290.
10. Provision of developer responsibility to coordinate with the City to remove any hazardous trees or limbs on or near the site as determined by the Public Works Director, prior to issuance of a building permit.

11. Provision that all grading/building plans provide sufficient elevation above the regulatory flood protection elevation, and to be addressed at building permit submittal.

Motion carried 5-1 (Rylee opposed).

B. PUBLIC HEARING: Recommend Approval of the Final Site & Building Plan and Zoning Ordinance Amendments for Hazeltine Plaza Apartments/Trident Development/PC #2022-54

City Planner Hanson presented the item to the Commission.

Chairperson Brass asked if the Commission had any questions for staff prior to the Public Hearing.

Commissioner Rylee asked about the breezeway concept with respect to cars and expressed concern with people coming off of Hundertmark and cutting through to Kohl's. He questioned if that had been discussed and whether the thought was that this was actually a good idea.

City Planner Hanson stated that it was discussed previously. She explained that the reason they have to put in the breezeway is so they can keep that access point open, which is something Kohl's has been adamant about keeping and clarified that this plan has been approved by Kohl's.

Commissioner Rylee asked how much traffic could go through there and reiterated his question about whether this was really a good idea.

Community Development Director Kabat noted that the breezeway was proposed at the Concept phase and had a lot of discussion. He explained that the Concept Plan was approved by both the Commission and the Council and noted that it had also been included at the Preliminary stage and has just continued throughout the process. He stated that one of the things that they have looked at is the parking and the traffic circulation. He explained that with the site design, there has been some intentional design elements included in order to create separation so people understand that they are driving through a residential area. He noted that the City Engineer has been involved in looking at things such as site lines and feels that this has been thoroughly vetted at this point. He stated that this is a unique element to the project, but is not something that is unheard of in other areas of the Twin Cities, including one at the Zen Apartments in downtown Chaska.

Chair Brass stated that he thought that this developer had previously stated that they have other developments that include this same type of breezeway concept.

Roger Fink, Trident Development, explained that this would be the first breezeway that they have created that allowed traffic underneath it. He stated that they engaged an architect, Kaas-Wilson, who has experience in designing this type of element. He noted that they have added speed bumps for incoming traffic and railings on each side of the drive-thru lanes so pedestrians are not tempted to cross traffic while under the breezeway. He explained that they also have plans for signs that tell them to watch for oncoming traffic and/or pedestrians. He stated that he felt that the addition of the crosswalk and the convex mirror will be additional safety features. He explained that Kohl's would not have allowed this project to move forward if they did not keep

that driveway open. He noted that they believe that the bulk of the traffic will be coming from Hazeltine and 41.

Community Development Director Kabat stated that there was a traffic analysis completed, so the statement that the bulk of the traffic would be coming from the north entrance is not an assumption and was actually studied and measured through this process.

Commissioner Rylee asked about this setting a precedent because, to him, this location is commercial, especially with relation to setbacks and FAR.

Community Development Director Kabat explained that the change that is being proposed in the Ordinance is very targeted and limited. He noted that that his is a very unique project because it is a residential multi-family project proposed within a Planned Commercial District (PCD). He stated that currently, the PCD, for a residential project, references the Planned Residential District (PRD) standards. He explained that what staff is proposing in this situation is a limited Ordinance amendment that would specifically remove the specific reference to the PRD guideline for just setback and FAR and would only apply when there is a multi-family building proposed within a PCD. He noted that there are not a lot of other places where this will be able to occur in the City other than within a redevelopment, which would come before the Commission. He stated that this is a newer idea for Chaska to put a multi-family building within a PCD. He stated that staff felt it made sense to tweak the language in the Ordinance and noted that the changes proposed are focused on the scale components.

Chair Brass stated that he felt Community Development Director Kabat explained that really well and noted that he also thinks the idea of strategically and surgically fine-tuning and amending the Ordinance makes sense, rather than having a broad variance, because he felt that would actually set a precedent.

Commissioner Urbanski gave the example of Ridgedale Mall and noted that they have recently done something similar with two or three residential projects and noted that it has really created some vibrancy in the area. He stated that he likes this project and sees it as a nice way to get younger families into communities, or for people who may be downsizing and would like to walk to things like restaurants and grocery stores.

Chair Brass opened the public hearing at 7:40 p.m.

Mr. Fink expressed his appreciation to City staff and noted that he felt that they have been brilliantly navigating the complexities of this application. He introduced his wife, Diana, who was in the audience tonight and explained that he had been doing this type of presentation at public hearings for about 25 years and this is the very first time she has ever come along with him.

City Planner Hanson noted that there is someone on-line that would like to address the Commission.

Wade Sorenson, 1456 Sofia Drive, stated that he feels this is a better option than what had previously been proposed, but felt it was still a bit like taking a sledgehammer to the Zoning Ordinance. He encouraged the Commission to not consider changing the overall PCD definition,

but instead update the PCD-15, like they were doing for use of utility brick, to allow for different FAR and setbacks. He shared his concern with the proposed change setting a precedent and allowing the overarching PCD to ignore FAR and setback standards. He noted that, in his opinion, that approach would take a scalpel to the Ordinance rather than a sledgehammer.

Chair Brass asked staff to explain the difference and why there were making this recommendation.

Community Development Director Kabat explained that staff had discussed it in the way that Mr. Sorenson had suggested and noted that the challenge with that direction is that the Zoning Code states that the City 'shall' utilize the PRD section of the Code for residential uses in a PCD. He stated that this language takes away the ability to do it within the PCD-15 amendment. He reminded the Commission that this change is really specific to PCDs and there is only a handful of them that exist in the City. He stated that, in his opinion, what is being discussed is actually a very narrow change.

Chair Brass stated that he also feels as though this change is narrow.

Chairperson Brass closed the public hearing at 7:46 p.m.

Commissioner Rylee stated that he thinks this is a great spot for this and as Commissioner Urbanski referenced, will be an enhancement to that area of the City.

Chair Brass stated that he also feels that this is a good project and explained that in his professional life he has been involved in similar projects with apartment buildings in commercial areas that have been very successful. He stated that he feels this will be a good addition to the City and will bring more families and residents into an area that has been tough to fill. He noted that the retail landscape does not appear to be getting any better, and this feels like a strategic way to help grow the City.

Commissioner Baswa stated that he was very glad to see a tot lot included in this project.

Chair Brass stated that he agreed and felt that the developer did a really good job with the open space and livability of the area.

Motion by Commissioner Urbanski, second by Commissioner Baswa, to recommend approval of the Hazeltine Plaza Apartments Final Site & Building Plan (PC#2022-54), subject to the following conditions:

1. Approvals shall be based on the following graphic exhibits:
 - a. Narrative (pgs 1-2), submitted by Trident Development, LLC, dated September 26, 2022
 - b. Trip Generation Study (pgs 1-5), prepared by SSTs, dated July 19, 2022
 - c. Cover (pg C1), prepared by Carlson McCain, dated September 6, 2022
 - d. Existing Conditions Survey (pg C2), prepared by Carlson McCain, dated September 6, 2022
 - e. Removals Plan (pg C3), prepared by Carlson McCain, dated September 6, 2022

- f. Site Plan (pg C4), prepared by Carlson McCain, dated September 6, 2022
 - g. Turning Analysis (Fire/Snow Storage) (pg C4.1), prepared by Carlson McCain, dated September 6, 2022
 - h. Turning Analysis (Loading Dock) (pg C4.2), prepared by Carlson McCain, dated September 6, 2022
 - i. Utility Plan (pg C5), prepared by Carlson McCain, dated September 6, 2022
 - j. Utility Plan (Storm Sewer) (pg C5.1), prepared by Carlson McCain, dated September 6, 2022
 - k. Grade Plan (pg C6), prepared by Carlson McCain, dated September 6, 2022
 - l. Stormwater Pollution Prevention Plan (pgs C7-C7.1), prepared by Carlson McCain, dated September 6, 2022
 - m. Details (pgs C8-C8.4), prepared by Carlson McCain, dated September 6, 2022
 - n. Landscape Plan (pgs L1-L5), prepared by Carlson McCain, dated September 6, 2022
 - o. Tree Preservation Plan (pg TP1), prepared by Carlson McCain, dated September 6, 2022
 - p. Photometric Plan, prepared by Berd Electric, dated August 4, 2022
 - q. Exterior Materials, prepared by KW Architects, dated July 20, 2022
 - r. Exterior Elevations (pgs 1-2), prepared by KW Architects, dated July 20, 2022
- 2. Compliance with the zoning PCD-15 (ord. nos. 802, 946, and 1020).
 - 3. Compliance with applicable zoning requirements, in particular Chapter 15.28 (Special Regulations).
 - 4. Provision of adequate sound proofing of the drive-under/breezeway to ensure noise does not conflict with residents.
 - 5. Coordinate with the City Engineer to ensure that adequate sight-lines are preserved at all access points to Hundertmark Road.
 - 6. Adherence to the following building setbacks as found in PCD-15:
 - a. Hundertmark Road: 100 feet from centerline
 - b. From southernmost property line: 30 feet
 - c. From northernmost property line: 25 feet
 - 7. Adherence to the following parking setbacks as found in PCD-15:
 - a. Hundertmark Road: 10 feet from right-of-way
 - b. Hazeltine Boulevard: 10 feet from right-of-way
 - c. Interior Property Lines: 5 feet
 - 8. Coordination with the City Engineer for the provision of public utilities to the site.
 - 9. Provision of a storm water management plan meeting City and Carver County WMO standards.
 - 10. Provision of a construction traffic plan to be coordinated and approved by the City Engineer.
 - 11. Provision of review and approval of Kohl's per the existing Reciprocal Easement Agreement.

Motion carried.

Motion by Commissioner Aasen, second by Commissioner Gaare, to recommend approval of the Zoning Ordinance Amendment (ZOA) to PCD-15 per draft ordinance.

Motion carried.

Motion by Commissioner Baswa, second by Commissioner Aasen, to recommend approval of the Zoning Ordinance Amendment (ZOA) to Section 15.16.030 Planned Commercial Development District per draft ordinance.

Motion carried.

8. Other Business

9. Receive Other Meeting Minutes

- A. Receive the August 15 and 29, 2022 Meeting Minutes, Receive the September 12 and 19, 2022 Meeting Minutes
- B. Receive the September 12, 2022 EDA Meeting Minutes

Commissioner Urbanski

- Commented that there was a meeting held last week on the Community Center and because they have gathered a lot of public input, the next meeting will be more of a design stage type meeting. He noted that once they get some sketches put together there will be some type of public Open House meetings in order to get feedback on the design.

10. Adjourn

Motion by Commissioner Urbanski, second by Commissioner Gaare, to adjourn the meeting at 7:50 pm.

Motion carried.