



AGENDA
CHASKA PARK & RECREATION COMMISSION
CHASKA CITY HALL - COUNCIL CHAMBERS & ZOOM
Tuesday, June 13, 2023
7:00 PM

1. Call to Order
2. Roll Call
3. Adopt Agenda
4. Visitor Presentation
5. Approve Previous Meeting Minutes
 - 5.A. Approve the February 13, 2023 Meeting Minutes
6. Receive Council and Planning Meeting Minutes
 - 6.A. City Council Meeting Minutes 2/6/23, 2/27/23, 3/6/23, 3/20/23, 4/3/23, 4/17/23, 5/1/23, 5/15/23
 - 6.B. Planning Commission Meeting Minutes 1/11/23, 2/8/23, 4/12/23, 5/10/23
7. Discussion Items
 - 7.A. Pedestrian & Bicycle Master Plan Update
 - 7.B. Facility Naming Rights Update
 - 7.C. Community Center Master Plan Update
 - 7.D. Parks Updates
 - 7.E. Other Department Happenings
8. Other Business
 - 8.A. Round Table
9. Adjourn

Chaska
Parks and Recreation Commission
Meeting Minutes
February 13, 2023

1. Call to Order

The February 13, 2023, meeting of the Chaska Parks and Recreation Commission was called to order by Chair David Downs, at 7:00 pm.

2. Roll Call

Attendance: Chair David Downs, Vice Chair Jason Branch, Georgiann Keyport, Zach Saueressig, Elizabeth Wynveen, Karli Cich, Michael Heuer, and Terrence Schwerm

Absent: Donelle Heieie

Staff: Parks and Recreation Director Marshall Grange, Assistant to the Director Mary Monteith and Michelle Blasko, IS

3. Adopt Agenda

Motion by Heuer, second by Saueressig, to adopt the February 13, 2023, meeting Agenda.

Roll Call for Approval

4. Visitor Presentation

None in attendance

5. Approve Previous Meeting Minutes

5A. Motion by Keyport, second by Wynveen, to approve the Chaska Parks and Recreation meeting minutes of December 13, 2022.

Roll Call for Approval

6. Action Items

6A. Recommendation to Council to Proceed with Phase II of Professional Services Agreement for Facility Naming Rights and Sponsorship

Downs shared that Grange provided a good write up and a succinct summary. Downs asked if there were any comments, questions, or additions regarding doing more or less with the presentation to council. Keyport asked if there is a written policy or procedure in process, there is less risk of forgetting important information or steps during the execution. She asked for clarity when a policy would be written, when that step would be. Grange shared one of the next steps is for staff to have a better understanding of the objective of what the policy is, and have further discussion on that. Downs commented, as part of Phase II, the who, what and rules of the road would be discussed.

Grange shared that this item will now go to council on February 27th. Saueressig asked about follow up questions from the council work session. Grange mentioned there really wasn't any, there was just good discussion, the comfort level seems to be there. Downs mentioned the good attendance and discussion that was held.

Motion by Saueressig, second by Heuer, to recommend that City Council authorize staff to enter into Phase II of the Professional Services Agreement for Facility Naming Rights.

Roll Call for Approval

7. Receive Council and Planning Meeting Minutes

7A. City Council Minutes 11/21/22, 12/19/22, 1/9/23, 1/23/23

7B. Planning Commission Meeting Minutes 11/9/22, 1/11/23

8. Discussion Items

8A. Appointment of Parks & Recreation Commission Chair and Vice Chair

Downs shared that he would continue serving as commission chair, while Branch will also continue serving as vice chair as approved by council at the February 6th meeting. Grange mentioned that Keyport and Saueressig were also renewed as well and that this will be Downs final year serving with the Parks & Recreation Commission after 9 years of service.

8B. Community Center Master Plan

Grange shared that he communicated to the citizen's task force today to provide a recap and update on things. There was a task force meeting in December that was related to the concept design options of the eastern half of the community center, which includes the "pay to play" services provided with membership. Grange shared there was a desire stemming from the community engagement as well as from the task force, that this area, aquatics, and fitness, were priority and the desire was for expansion of both. We really wanted to focus on those two areas. One current idea discussed is to raise the lower gym to be level with the current upper-level gym. This would provide additional space below for fitness. Grange felt the task force was in favor of the concepts and that we were moving in the right direction. Now the focus is on the western half of the building, again looking at the community feedback received to then move to concept design prior to the next task force meeting. There we will show what the whole building could look like. Grange is also working on getting preliminary cost estimates from RJM and reviewing them, to be certain they are as accurate as possible. Staff are continually having discussions with the school district and the county regarding the impact on Engler and the parking areas of the school and the community center. Discussions were on making the car circulation flow as safely as possible, especially in the area east of the school. The school has been open to meeting with us on parking, staff will meet again this week to continue the discussion. We also have had conversations with Baker Tilley on the different financing strategies for us to consider, so at the next task force meeting we would have concepts, cost estimates and ideas on how we are going to implement these improvements. It sounds like it

will take Baker Tilly about 4-6 weeks to put that plan together. The next steps for us would be to plan and host another open house at the community center as well as virtually.

Downs asked if the financing piece would need a referendum, would that need council approval to move things forward? Grange stated there are multiple approaches being considered, including a general use sales tax that would need legislative approval to do, then residents would vote on the referendum. Another approach is to increase taxes through the levy or allocating revenues through property taxes. Schwerm stated city-issued bonds are an option as well. He stated the best options are the bonds or sales tax referendum since many of the improvements are deferred maintenance. Saueressig asked about the differences in the options presented, is one better than another. Schwerm stated the sales taxes would broaden out the base beyond Chaska residents to people who visit here as well as use the community center which makes sense.

Saueressig asked if the complete community task force has remained in-tact. Grange shared they are intact; however, some have not attended some recent meetings, his hope is to reach out and get them back to continue to get their feedback. There is still a good community perspective. Saueressig also asked if the county has their plan for the Engler Blvd. project on-line, Grange shared that they do, he will send out to all. Scherm asked if it would be about April that we will see the concept plans for the western side of the building, Grange agreed and mentioned a commission work session to share those concepts and the possibility of a walking tour.

8C. Department Happenings

Grange reported staff recently hosted the annual mixed bonspiel at the curling and event center. He shared that the USCA National Curling Championship was recently held in Denver, Colorado. In January, the U18 Juniors National Championships also happened in Colorado. Two teams with kids from Chaska and the St. Paul Curling Club won gold and bronze and will now compete in the U21 championship in April in Boston. The Sub-Zero Junior club team just started a few years ago and these kids are already competing at the national level. The upcoming Brick City Open bonspiel will take place March 10th through the 12th at the curling center.

President's Day weekend, the community center will host an annual membership sale.

There is a Valentine's party for active older adults at the Lodge

There will be a Little Tot's Sweetheart dance at the events center on February 17th.

9. **Other Business**

9A. Round Table

Schwerm shared that he saw Apple Valley is completing an inclusive playground with funding from a bonding bill. This might be something to consider doing with the Miracle Field and the inclusive playground in the future. Grange will look into this.

Cich shared information from Eden Prairie on their policies for memorial benches and trees. She will send the information to staff. Grange and staff will do research and provide a more formal recommendation to the commission and city council.

Saueressig asked when a park will go in at Autumn Woods. Grange shared this process will start in the late summer or fall and the park will possibly be in place in 2024. Saueressig gave Rebecca at the front desk of the community center a shout out, she is friendly and active.

Wynveen shared there will be a spring carnival March 17th from 5:30 to 7:30. This will be a lot of fun and there will be many activities for kids.

Keyport is on the Carver County Extension Advisory Board. The board is creating programming for students and adults with disabilities. Family Financial Group and regional educators from the University of Minnesota have a lot of ideas and many resources to share. There is good synergy around this, could this be an opportunity for the city to partner. Grange stated yes, we can connect with our resources and offered to help promote.

10. Adjourn Meeting

Motion to Adjourn the February 13th, 2023, meeting by Wynveen, second by Heuer.

Roll Call to Adjourn at 7:48 p.m.

Next meeting: March 14, 2023

- MINUTES -
CHASKA CITY COUNCIL
FEBRUARY 6, 2023

1. Call to Order

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

2.Pledge of Allegiance

2.A. Lead by Chaska Cub Scout Pack #301

3. Roll Call

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

Absent: Councilmember Huang

Also Present: Matt Podhradsky, City Administrator; Noel Graczyk, Administrative Services Director; Kevin Wright, Communication Director; Elise Durbin, Assistant Administrator; Marshall Grange, Parks and Recreation Director; Nate Kabat, Community Development Director; Liz Hanson, City Planner; Jake Saufley, City Attorney; Matt Haefner, Water and Sewer Director; and Matt Clark, City Engineer.

4. Adopt the Agenda

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

Motion carried.

5. Visitor Presentation

Members of Cub Scout Pack #301 introduced themselves to the Council.

Abigail O'Reilly, 112241 Hutchins Court, noted her concerns about the environment. She shared statistics on car emissions and encouraged the Council address environmental concerns. She added she and others share concerns about pedestrian safety in Chaska.

Mayor Windschitl agreed the state of the environment is concerning. He listed some initiatives he and the Council are working on to address the issue such as windmills, solar garden, and vehicle charging stations. City Administrator Matt Podhradsky explained 40 percent of energy in Chaska is coming from renewable energy and provided details on ways Chaska residents can contribute to sustainable practices.

Councilmember Hubbard noted Ms. O'Reilly was very brave to address her concerns to the Council and encouraged her to continue her work. She noted there is upcoming funding for Safe Routes to School.

Councilmember Grau stated the Cub Scouts are a group of aspiring leaders and he thanked them for their time.

6. Approve Previous Meeting Minutes

6.A. Approve the January 23, 2023 City Council Meeting Minutes

Motion by Councilmember Grau, second by Councilmember Hatfield to approve the minutes of the January 23, 2023 City Council meeting.

Motion carried.

7. Consent Agenda

Councilmember Hubbard asked, in relation to Consent Agenda Item A. Ordinance 2023-1029 Amending Chapter 10, Article 20, Section 40 of the Chaska City Code, if there is a concern with the proximity to downtown. City Administrator Matt Podhradsky stated if there were issues, the City has good relationships with the neighborhood and can address concerns.

Kevin Steiner, Vice President of the Association, explained it is a community for those aged 55 and above. The goal is for residents to have better access to the Clubhouse and events.

Councilmember Grau asked if it would make sense for the reasoning to be included in the amendment. He noted concerns about a slippery slope. Mr. Podhradsky stated he would recommend against the idea because not all retirement living areas should be able to have golf carts. However, Staff will put together an alternative amendment option for the Council to review.

Motion by Councilmember Hubbard, second by Councilmember Hatfield to approve the Consent Agenda Items A through D, as amended to include the directive to Staff to include reasoning for the amendment for Item A:

- A. Ordinance 2023-1029 Amending Chapter 10, Article 20, Section 40 of the Chaska City Code

Motion to adopt Ordinance 2023-1029 amending Chapter 10, Article 20, Section 40 of the Chaska City Code related to Motorized Golf Carts.

- B. Approve Cooperative Construction Agreement and Retaining Wall Maintenance Agreement - Oak Ridge Development - TH 41 Roundabout

Authorize the Mayor and City Administrator execute the Assignment of Cooperative Construction Agreement and Retaining Wall Maintenance Agreement for the Oak Ridge Development - TH 41 Roundabout and Highway Improvements Project.

- C. Adopt Resolution 2023-11 - Accepting Gifts and Donations

Motion to adopt Resolution 2023-11 acknowledging and accepting gifts to the City of Chaska received during the period October 1, 2022 through December 31, 2022.

- D. Approve Parks and Recreation Chair and Vice Chair

Motion to appoint David Downs as Parks and Recreation Commission Chairperson and to appoint Jason Branch as Parks and Recreation Commission Vice-Chairperson.

Motion carried.

8. Action Items

8.A. Commission Appointments: Planning, Park & Recreation, Human Rights & Heritage Preservation

Mayor Windschitl thanked community members for applying to Commissions. He explained all spots have been filled except for a student position on the Parks & Recreation Commission. He read through the Commission appointments.

Motion by Councilmember Hubbard, second by Councilmember Grau to appoint commission members with associated term of office as presented.

Councilmember Grau thanked the community for the numerous applications and encouraged continued applications.

Motion carried.

9. Bills

9.A. Accounts Payable Claims Roster 6-2-2023

The Council requested further information about bills (CDW Government, Eureka Construction, Trace Inc., Town & Country Glass).

City Administrator Podhradsky provided further information regarding those bills.

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

10. Other Business

10.A. City Administrator's Report

10.A.i. Bi-Weekly Report Day-Month-2023

Councilmember Grau:

- Wished his son Noah a Happy Birthday.

Councilmember Hatfield:

- Noted the Ice Garden starts the upcoming weekend at Fireman's Park.

Councilmember Hubbard:

- Stated the Little Tots Sweethear Dance is February 17 at 6:30 p.m.
- Pointed out the ice fishing event was really well attended although the ice conditions were not appropriate for ice fishing.
- Attended the Community of Belongings session, which is a three-part conversation.

Assistant City Administrator Elise Durbin:

- Noted the sheetpiling on the Highway 41 project will go through next Wednesday. The sidewalks will be opened temporarily after the sheetpiling is complete.

City Administrator Podhradsky:

- Stated Councilmember Huang presented at a legislative breakfast to champion funding for Southwest Transit.
- Provided an update on renewable energy sources and noted points for future discussion.

Mayor Windschitl:

- Noted some previously planted trees are being removed because they aren't doing well.
- Added the next meeting is February 27, 2023, and he will be out of town.
- Stated there will be employee recognition in March.

10.B. Approve HRC Meeting Minutes 10-27-2022, 11-17-2022 and 12-29-2022

10.C. 4th-Qtr 2022 Investment Report dated February 6, 2023

10.D. Financial Reports as of 11/30/2022

10.E. Hawk Pride Recap

11. Adjourn

Motion by Councilmember Hatfield, second by Councilmember Hubbard to adjourn the meeting at 8:20 p.m.

Motion carried.

- MINUTES -
CHASKA CITY COUNCIL
FEBRUARY 27, 2023

1. Call to Order

The meeting was called to order by Mayor Pro Tem Huang at 7 p.m.

2. Pledge of Allegiance

3. Roll Call

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

Absent: Mayor Windschitl

Also Present: Matt Podhradsky, City Administrator; Noel Graczyk, Administrative Services Director; Kevin Wright, Communication Director; Elise Durbin, Assistant Administrator; Marshall Grange, Parks and Recreation Director; Nate Kabat, Community Development Director; Liz Hanson, City Planner; Jake Saufley, City Attorney; Matt Haefner, Water and Sewer Director; and Matt Clark, City Engineer.

4. Adopt the Agenda

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

5. Visitor Presentation

No one wished to present to the Council.

6. Approve Previous Meeting Minutes

6.A. Approve the February 6, 2023 City Council Meeting Minutes

Motion by Councilmember Grau, second by Councilmember Hubbard to approve the minutes of the February 6, 2023 City Council meeting.

Motion carried.

7. Consent Agenda

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

- A. Adopt Resolution No. 2023-9 Approving the Final Plat for Club West 11th/Tradition Development/PC #2023-02

Motion to adopt Resolution No. 2023-9 approving the Club West 11th Addition Final Plat for an 18-lot subdivision (PC #2023-02).

- B. Adopt Resolution No. 2023-14 Ratifying 2023 Cogeneration and Small Power Production Tariff for the City's Electric Utility

Motion to adopt Resolution No. 2023-14 Ratifying 2023 Cogeneration and Small Power Tariff for the City's Electric Utility.

C. Appointment of Heritage Preservation Commission Chair and Vice Chair
Motion to approve Kristine Kohman to serve as Chairperson of the Heritage Preservation Commission for calendar year 2023.

Motion to approve Steve Mueller to serve as Vice-Chairperson of the Heritage Preservation Commission for calendar year 2023.

D. Appointment of Planning Commission Chair and Vice-Chair
Motion to appoint Rob Brass to serve as Chairperson of the Planning Commission and Todd Urbanski as Vice-Chairperson of the Planning Commission for calendar year 2023.

E. Audit Engagement Letter for 2022 Audit
Motion to approve the 2022 Audit Engagement Letter with MMKR dated February 7, 2023, and authorize the Mayor and City Administrator to sign the Audit Engagement Letter.

F. Adopt Ordinance No.1031 Approving the Zoning Ordinance Amendment to Section 15.24 Shoreland Management/City of Chaska/PC #2023-07
Motion to adopt Ordinance No. 1031 approving the Zoning Ordinance Amendment to modify Section 15.24 (Shoreland Management) of the Zoning Ordinance.

G. Adopt Resolution No 2023-15 and 2023-16 Amending 2022 and 2023 Fund Budgets

G.i. Res 2023-15

G.ii. Res 2023-16

Motion to adopt Resolution 2023-15 Amending 2022 Fund Budgets and 2023-16 Amending 2023 Fund Budgets.

H. Downtown Chaska TH 41/CSAH 61 - Underpass and Recreational Trail Permit Agreement

Motion to authorize the Mayor and Administrator to execute the Underpass and Recreational Trail Permit Agreement for the Downtown Chaska TH 41/CSAH 61 Improvement Project.

Adopt Resolution No. 2023-18 Supporting a Request for State Bonding for County Highway 18 (West 82nd Street)

I. Adopt Resolution No. 2023-19 Approving Premises Gambling Permit for Chaska Lions Club at Patron's Mexican Restaurant

Motion to Adopt Resolution 2023-19 approving the premises permit application for the Chaska Lions Club, to conduct lawful/charitable gambling at Patron's Mexican Restaurant.

J. Adopt Resolution No. 2023-22 Approve the State of Minnesota Joint Powers Agreement on behalf of the City Attorney and Police Department

Resolution Authorizing State of Minnesota Joint Powers Agreement with the City of Chaska on Behalf of its City Attorney and Police Department.

City Administrator Podhradsky pointed out Consent Item 7.H. Downtown Chaska TH 41/CSAH 61 - Underpass and Recreational Trail Permit Agreement is meant to be funded by the County. However, the County doesn't have the funds available in line with the timeline for the TH 41 projects. It has been decided Chaska will pay for the initial construction, and the County will reimburse the City for expenses.

Motion carried.

8. Action Items

8.A. Public Hearing to Consider Certification of Spring 2023 Delinquent Utilities

City Administrator Podhradsky introduced the item and provided a presentation on it.

Mayor Pro Tem Huang opened the public hearing at 7:06 p.m.

No one wished to address the Council.

Mayor Pro Tem Huang opened the public hearing at 7:07 p.m.

Councilmember Grau asked if the numbers are typical for Chaska. City Administrator Podhradsky stated it is pretty typical, and the collected fees are pretty low in the scheme of things. He added the payees are rather consistent and have worked with the City for quite some time. Staff works with the payees to implement a payment plan as a form of relief.

8.A.i Approve Resolution 2023-17 Spring 2023 Delinquent Utilities

Motion by Councilmember Hubbard, second by Councilmember Hatfield to adopt a Resolution 2023-17 approving certification of delinquent utilities and miscellaneous unpaid charges to Carver County for collection with the payable 2024 property taxes.
Motion carried.

8.B. Approval to Move Forward With Phase II of Professional Services Agreement for Facility Naming Rights and Sponsorship

City Administrator Podhradsky introduced the item to the Council and Parks and Recreation Director Marshall Grange provided a presentation on it.

Councilmember Grau stated the City needs to continue to plan for reinvestment in the community. The option is beneficial to both users and non-users.

Councilmember Hubbard noted she likely has the most reservations of people on the Council, but she is open to listening. There will be opportunities for the community to give input as well. Brand identity is important, even for a City, and sponsorships create certain optics.

City Administrator Podhradsky explained the process allows the Council to explore options before making a decision. He pointed out Parks and Recreation Director Grange and his team have done a great job navigating the possibilities.

Mayor Pro Tem Huang stated it is the role of the Council to steward taxpayer dollars appropriately. Staff has done a great job to determine a creative alternative to fund programs after the loss of State money that also doesn't increase taxes or fees. Mayor Pro Tem Huang agreed branding is important, and the City should only move forward with a sponsor if their values are in line with the City of Chaska.

City Administrator Podhradsky added it is a six to 12 month process, so updates will be provided to the Council.

Motion by Councilmember Hatfield, second by Councilmember Grau to authorize staff to enter into phase II of the professional services agreement for facility naming rights and sponsorship with The Superlative Group.

Motion carried.

9. Bills

9.A. Accounts Payable Claims Roster 27-2-2023

The Council requested further information about bills on pages 5, 33 and Quest re: Wi-Fi and access points.

City Administrator Podhradsky provided further information regarding those bills.

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

Motion carried.

10. Other Business

10.A. City Administrator's Report

City Administrator Podhradsky noted there is an Employee Appreciation Breakfast coming up.

10.A.i. Bi-Weekly Report 27-2-2023

Councilmember Hatfield:

- Noted a Hwy 41 Open House on Thursday, March 9, 2023 at the Chaska Event Center.
- Shared a business meeting for Hwy 41 is being held Thursday, March 2, 2023 in Chambers.
- Stated there are monthly meetings on the second Friday of each month regarding Hwy 41.
- Added Carver County Library is doing an introductory course regarding GIS both in-person at the Chanhassen Library or via Facebook on Saturday, March 4, 2023.
- Pointed out it is Employee Appreciation Week and thanked City Staff for their work. City Administrator Podhradsky noted there is an Employee Appreciation Breakfast coming up.

Councilmember Hatfield:

- Explained the Chaska chapter of Communities of Belonging had their three-part series in partnership with the YMCA. The theme was telling Chaska's story.
- Wished her son a Happy Birthday!

Councilmember Grau:

- Pointed out the median outside the Curling Center was hit again.
- Asked if there were issues with the storm drains. Administrator Podhradsky stated crews were out to clean up the storm drains.
- Gave a shout out to the Chaska Police Department and their Twitter.

City Administrator Podhradsky:

- Noted there would be two closed sessions coming up, one regarding his review and another about water meter issues.
- Stated MMPA performed really well last year.
- Provided an update on the sustainable energy efforts in Chaska.

Parks and Recreation Director Grange:

- Stated the weekend of March 10 the Curling Center will be hosting an event.
- Added Friday, March 17, 2023 will be the indoor carnival.

Assistant City Administrator Durbin

- Explained updates to the storefront loan improvement program will return to the Council.

Mayor Pro Tem Huang:

- Stated the Suburban Transit Association hosted a legislative breakfast. There is a lot of support for micro-transit for Minneapolis and the Metro area.
- Thanked Staff for their efforts after the recent snowstorm.

11. Adjourn

Motion by Councilmember Hatfield, second by Councilmember Grau to adjourn the meeting at 8:15 p.m.

Motion carried.

- MINUTES -
CHASKA CITY COUNCIL
MARCH 6, 2023

1. Closed Session

1.A. City Administrator's Annual Review

Under Minnesota Statute Section 13D.05 Subdivision 3(a) the City Council has the authority to conduct a closed session for the review of any employee under our direct supervision. The only topic of the discussion in this closed session will be the performance review of City Administrator Matt Podhradsky. The meeting will be taped, and the recording kept for three years, as required by the Minnesota Open Meeting Law. As is required by State Statute, a summary of conclusions regarding the evaluation will be given at the next open session of the Chaska City Council.

2. Open Session

Motion by Councilmember Hubbard, second by Councilmember Huang to open the meeting.
Motion carried.

3. Call to Order

The meeting was called to order by Mayor Windschitl at 7:10 p.m.

5. Roll Call

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

Absent: None.

Also Present: Matt Podhradsky, City Administrator; Elise Durbin, Assistant Administrator; Mike Melchert, City Attorney; Brain Jung, Director of Public Works, Ryan Seibert; Chief of Police, and Stephen Kraus, Fire Chief.

4. Pledge of Allegiance

6. Adopt the Agenda

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

7. Visitor Presentation

7.A. Steve Albrecht, Shakopee Mdewakanton Sioux Community – Proposal for Organics Facility and Associated Access Improvements on TH 41 south of the MN River Crossing

Steve Albrecht, Shakopee Mdewakanton Sioux Community representative, shared a presentation on the new Shakopee Mdewakanton Sioux Community Organics Recycling Facility and the associated improvements on TH 41.

Mayor Windschitl asked where the organics come from. It was explained organics comes in from yard waste and food waste from various organizations and municipalities.

Mr. Albrecht noted the truck traffic is insignificant with 100 vehicles coming on and off the site daily. Mayor Windschitl stated he has concerns about the traffic. Mr. Albrecht stated the proposed use is on the lower end of traffic for what could be on the site besides a storage facility.

Mayor Windschitl asked if the outgoing product is in bulk. Mr. Albrecht stated it is both in bulk and in bags. They can be used in landscaping and road construction projects among other things. He added the traffic impact reports were provided to Staff.

8. Approve Previous Meeting Minutes

8.A. Approve the February 27, 2023 City Council Meeting Minutes

Motion by Councilmember Hatfield, second by Councilmember Hubbard to approve the minutes of the February 27, 2023 City Council meeting.

Motion carried.

9. Consent Agenda

Motion by Councilmember Grau, second by Councilmember Hubbard to approve Consent Agenda Item A:

- A. Adopt Resolution No. 2023-21 Authorizing Agreement for TH41 Improvements (Hwy 5 to Pioneer Trail)

Motion to adopt Resolution No. 2023-21 to Waive Municipal Consent and to enter into MnDOT Cooperative Construction Agreement No. 1051703 for the State Project No. 1008-96 for improvements along Trunk Highway 41.

Motion Carried.

10. Action Items

10.A. Motion to Authorize Negotiation of Contracts for Architectural and Engineering Services and Construction Management Services for the Public Safety Facility

City Administrator Podhradsky introduced the item to the Council and CNH Architects Quinn Hutson and Brooke Jacobson provided a presentation on it.

Councilmember Grau stated CNH has completed some nice-looking buildings.

Mayor Windschitl asked what the cost per square foot would be. Mr. Hutson stated a brand new fire station would be about \$400 per square foot. However, Chaska was looking a more of a remodel, which would be closer to \$350 per square foot.

Councilmember Huang asked who is coordinating the efforts to ensure operations can continue throughout the remodel. Ms. Jacobson stated coordination will take place during the design process to create phases and ensure continued operations can continue.

Councilmember Hatfield stated CNH has shown intentional impactful design in the past, and the Council looks forward to seeing what they will do in Chaska.

Motion by Councilmember Huang, second by Councilmember Grau to authorize Staff to negotiate a contract with CNH for architectural and engineering services for a new Public Safety Facility.
Motion carried.

A gentleman that just moved back to Chaska stated he wanted to listen in and participate in local government. Mayor Windschitl thanked him for coming and apologized for needing to begin a closed session.

11. Closed Session

11.A. Council will meet in closed session pursuant to Minn Stat. 13D.05, subd. 3(b) for attorney client privileged communication with the City Attorney regarding arbitration proceedings with Mueller Systems, LLC.

Motion by Councilmember Grau, second by Councilmember Hatfield to enter into a closed session at 8:06 p.m.
Motion carried.

12. Open Session

13. Bills

13.A. Accounts Payable Claims Roster 6-3-2023

The Council requested further information about bills on pages 7 and 11.

City Administrator Podhradsky provided further information regarding those bills.

Motion by Councilmember Huang, second by Councilmember Hatfield 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.

14. Other Business

14.A. City Administrator's Report

14.A.i. Bi-Weekly Report 6-3-2023

Councilmember Hubbard:

- Noted there is an upcoming open house for Hwy 41 on Thursday, March 9 5:00-7:00 p.m. at the Event Center Chaska Community Center, a County-hosted public meeting on Thursday, March 23 4:00-7:00 p.m., and another for a resurfacing project on Wednesday, March 8 4:30-6:30 p.m. at Chaska Middle School East.
- Welcomed Officer Rodriguez as he was recently sworn in.

Councilmember Huang:

- Welcomed Officer Rodriguez as he was recently sworn in.
- Asked for an update on the Costco project. City Administrator Podhradsky stated the roundabout is the next step and it will be completed before summer. The ultimate opening is Spring 2024.
- Noted nominations are open to highlight impactful women. The link is on Facebook and on the Human Rights Commissions' webpage.
- Pointed out the Alice in Wonderland was the runner up in the section 2A championships, a Knowledge Bowl Purple team qualified for finals in April, and the orchestra received a superior rating at the regional competition. Two students have signed on to continue their athletic careers in college and two students have received triple As for grades. The dance team has earned the west Metro conference championship for the eleventh time in the last 12 years. They have qualified for and competed at the State level for high kick and jazz funk. A junior will compete at the State tournament for alpine skiing, and the girls' basketball team is in the conference championship for the fourth year in a row. A student has qualified to compete at the State championship for wrestling and another for swimming/diving.
- Noted there are concerns about an upcoming bill that restricts a City's ability to change zoning. He asked how that could impact Chaska. Assistant City Administrator Elise Durbin stated there is a concern about the time limit to collect and spend impact fees from developers. The fees may be passed along to homeowners while the developer could be reimbursed. City Administrator Podhradsky suggested the Staff could write a letter expressing concerns if directed by the Council.

Councilmember Grau:

- Stated he got a notice on his door there might be a water leak. He explained it is a perk of living in the City of Chaska.
- Added Chaska Basketball association League is wrapping up. He noted his son's team received runner up at the State tournament as a C team.

Assistant City Administrator Durbin:

- Pointed out there is an open house regarding the PB roundabout at 41 on Wednesday morning for businesses. The businesses have been notified through postcard, door-knocking, emails, and phone calls.

City Administrator Podhradsky:

- Noted Tuesday morning there would be a years of service recognition breakfast for Staff.

Mayor Windschitl:

- Congratulated the basketball team for their successful season. Councilmember Grau noted there are Section Finals that upcoming weekend against Eden Prairie.
- Thanked Public Works for their hard work maintaining the roads.
- Noted the next meeting is March 20, 2023 and the Department retreat is next week on Tuesday and Wednesday.

15. Adjourn

Motion by Councilmember Hatfield, second by Councilmember Hubbard to adjourn the meeting at 9:15 p.m.

Motion carried.

- MINUTES -
CHASKA CITY COUNCIL
MARCH 20, 2023

1. Call to Order

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

2. Pledge of Allegiance

3. Roll Call

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

Absent: None.

Also Present: Matt Podhradsky, City Administrator; Kevin Wright, Communication Director; Elise Durbin, Assistant Administrator; Jake Saufley, City Attorney.

4. Adopt the Agenda

Motion by Councilmember Hubbard, second by Councilmember Hatfield to adopt the agenda as eld. Motion carried.

5. Visitor Presentation

5.A. Highway 41 Update

Assistant Administrator Elise Durbin provided an update on outreach regarding Highway 41.

Councilmember Huang pointed out there are a lot of construction projects going on in the City this summer. He clarified that there are various community meetings for the projects, but each meeting is regarding a different project area.

Ms. Durbin stated staff has considered the issue of confusion regarding carious projects, and they are working on creating a website with more specifics on each project.

Mayor Windschitl added he just finished an interview with the *Neighbors of Chaska* magazine where he mentioned the various construction projects going on. He will submit a similar set of comments to the *Herald* as well.

Councilmember Grau asked if there is a plan to prepare other roads for the extra traffic due to construction detours. City Administrator Podhradsky stated the construction will only make Pine Street worse and will likely be part of the next round of street reconstruction.

City Administrator Podhradsky noted Assistant Administrator Elise Durbin has done an outstanding job with community engagement. Councilmember Hubbard noted her agreement with City Administrator Podhradsky.

Councilmember Hubbard added construction projects have a serious impact on small businesses and thanked the business community for sticking it out. City Administrator Podhradsky stated Staff will continue to encourage community members to visit the small businesses as there will always be access options.

Councilmember Huang agreed Assistant Administrator Elise Durbin has been working really hard to communicate and engage with community members and businesses. Mayor Windschitl noted his agreement.

6. Approve Previous Meeting Minutes

6.A. Approve the March 6, 2023 City Council Meeting Minutes

Motion by Councilmember Grau, second by Councilmember Hubbard to approve the minutes of the March 6, 2023 City Council meeting.

Motion carried.

7. Consent Agenda

Councilmember Grau asked where the funds from the police auction end up. City Administrator Podhradsky explained the funds support police programming.

Mayor Windschitl pointed out the Council did a review of City Administrator Podhradsky's performance during a closed session. The Council is very happy with the City Administrator's work, and the review went very well. Councilmember Grau added the Council is very happy to have City Administrator Podhradsky on board.

City Administrator Podhradsky thanked the Council for the opportunity to work for such a great City.

Motion by Councilmember Huang, second by Councilmember Hubbard to approve the Consent Agenda Items A through I:

A. Adopt Ordinance 1032 to Amend Chapter 10, Article 10.20, Sections 10, 30, 40, 50 and 120 of the Chaska Code of Ordinances

Motion to adopt Ordinance 2023-1032 amending Chapter 10, Article 20, Section 10, 30, 40, 50 and, 120 of the Chaska Municipal Code of Ordinances changing permits from an annual one (1) year permit to a three (3) year permit for \$90.

B. Police Auction

Motion to approve the auction/sale of items by the Chaska Police Department.

C. City Administrator Annual Review

Motion to approve administrator goals for 2023 and adjust the City Administrator's annual salary with a 4.195% performance increase retroactive to January 1, 2023.

D. Municipal Tort Liability Limits

Motion to direct the City Administrator to inform the League of Minnesota Cities Insurance Trust that the City of Chaska elects not to waive the monetary limits on municipal tort liability established by Minnesota Statute.

E. Adopt Resolution No. 2023-23 Authorization of MCES I & I Grant Participation

Motion to adopt Resolution No. 2023-23 adopting the participation in the 2021 - 2022 MCES I & I Grant Program.

F. Appointment of the Human Rights Commission Chair and Vice Chair
Motion to appoint Sarah Carlson to serve as Chairperson of the Human Rights Commission and appoint Martin Hubbard to serve as Vice-Chairperson of the Human Rights Commission for the calendar year 2023.

G. First Amendment to Water Tower Antennae Agreement
City Council approved the First Amendment to the Water Tower Antennae Agreement with Sprint Spectrum Realty Company LLC and authorize the Mayor and City Administrator to execute the Amendment.

H. Adopt Resolution 2023-24 Supporting a Grant Application to the Minnesota Department of Natural Resources
Adopt Resolution 2023-24 supporting a grant application to the Minnesota Department of Natural Resource's Outdoor Recreation Grant Program.

I. Audit Engagement Letter for 2022 Audit and Federal Single Audit
Motion to approve the 2022 Audit Engagement Letter with MMKR dated March 3, 2023, and authorize the Mayor and City Administrator to sign the Audit Engagement Letter.
Motion carried.

8. Action Items

9. Bills

9.A. Accounts Payable Claims Roster 20-3-2023

The Council requested further information about bills on pages 4, 7, and 23.

City Administrator Podhradsky provided further information regarding those bills.

Motion by Councilmember Huang, second by Councilmember Grau 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.

10. Other Business

10.A. City Administrator's Report

10.A.i. Bi-Weekly Report 6-3-2023

Mayor Windschitl asked for a summary on land trusts. City Administrator Podhradsky explained land trusts in Chaska were originally set up as an affordable housing fund. The land trust creates a nonprofit that owns the land while another person or entity owns the building on the land. There are still taxes owed by the building owner. The City puts tax dollars into the purchase and makes sure the agreement benefits the City in the long-run.

Councilmember Grau:

- Noted his appreciation for the article in the *Herald* regarding grocery stores and the need for grocery stores in certain areas.

Councilmember Huang:

- Stated March 23, 2023 4:00-7:00 p.m. at the Community Center, there is a meeting with a project update for the Highway 41 project.
- Asked if the City is still taking applications for homes that need work. City Administrator Podhradsky stated the applications are closed. Staff has several applications to review.
- Asked if the Council needs to consider adding any streets to upcoming reconstruction projects due to the harsh winter. City Administrator Podhradsky stated Staff will be busier, but there shouldn't be a budgetary impact.

Councilmember Hubbard:

- Noted the upcoming open house mentioned by Councilmember Huang includes presentations at 4:30 p.m. and 6:00 p.m.
- Pointed out there is an upcoming Coffee with a Cop, and there is more information from a Chaska postcard that detailed several upcoming community events. The postcard was very informative.

Councilmember Hatfield:

- Stated Coffee with a Cop will be Thursday, March 23 at Red Bench at 9:00 a.m.
- Explained the City Council had a recent retreat over two full days regarding strategies for the City and building community.

Assistant Administrator Elise Durbin:

- Pointed out the Human Rights Commission is still taking nominations for outstanding women in the community in honor of Women's History Month. It will be a social media campaign.

City Administrator Podhradsky:

- Thanked the Council for the time and energy spent on the retreat. He noted Staff is considering making a presentation reflecting the discussions from the retreat.
- Added he will not be present at the next Council meeting.

Mayor Windschitl:

- Pointed out City Square Park will be under construction in 2023. City Administrator Podhradsky noted there are challenges with the historic nature of the park, but Staff will provide a presentation to Council with more details. There are also restrictions with designations around the burial mounds. Staff sets up temporary roping during special events to protect the mounds from visitors and large crowds.
- Stated the upcoming City Council meetings are back on the regular scheduled.
- Wished everyone a happy first day of Spring.
- Asked if Cardinal Street is on an upcoming street reconstruction. City Administrator Podhradsky stated that might have been part of the development agreement in the area.
- Congratulated Chaska Girls' Basketball on a wonderful season.

10.B. Approved HRC Meeting Minutes 26-1-2023

11. Adjourn

Motion by Councilmember Hatfield, second by Councilmember Grau to adjourn the meeting at 8:25 p.m.
Motion carried.

- MINUTES -
CHASKA CITY COUNCIL
APRIL 3, 2023

1. Call to Order

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

2. Pledge of Allegiance

3. Roll Call

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

Absent: None.

Also Present: Kevin Wright, Communication Director; Elise Durbin, Assistant Administrator; and Jake Saufley, City Attorney;

Mayor Windschitl noted City Administrator Matt Podhradsky was absent as he was supporting his son at a curling tournament.

4. Adopt the Agenda

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

5. Visitor Presentation

Barbara Fleet, 105 East 1st Street, explained she is speaking on behalf of all residents of The Landing. Originally certain roads were supposed to be closed through November due to the highway construction. The businesses complained, so the City appeased them by diverting traffic on 1st Street. The residents of The Landing were unaware of the change until the past month. Residents believe the change was totally absurd and shocking as it will be a total catastrophe for senior residents in the area.

Ms. Fleet stated some large trucks are being diverted elsewhere, but it will not divert garbage trucks, delivery trucks, and the like. In the past year, 64 calls have been made to the Fire Department from the area. The emergency vehicles already have to complete a U-turn to accommodate the senior living areas.

Ms. Fleet noted the noise level and air pollution will be extremely impactful. Additionally, the decision was extremely disrespectful to senior residents. She requested Hwy 41 be closed until November, as originally planned. The businesses can remain open either way. Marketing can be completed through flyers and newspapers to promote visits to the businesses.

Councilmember Hatfield stated she has had similar thoughts, but there is no solution to appease everyone. Both the businesses and residents are important parties. The City is ensuring proper

signage and diversions are made. One of the goals of the Council is to promote a vibrant downtown area and closing the highway would be a detriment to that effort. Also, the businesses will need additional marketing efforts regardless.

Ms. Fleet stated seniors' lives are more important than businesses. Councilmember Grau stated that statement is unfair as people dying is hypothetical. If there were safety issues, then the system would be readdressed. The Council does not want to negatively impact anyone in the community. He agreed the decision is not easy. He thanked Ms. Fleet for her comments.

Ms. Fleet stated she would like the highway to remain open and for the businesses to try the marketing effort. If that is not an option, the City needs to monitor the area for the first week or two of the change to see the detrimental impact it will have on the seniors.

Mayor Windschitl stated safety is the first priority of the Council. There are a lot of people out in the area, but it is not as regular for folks to cross the street in that area. The intersection will also remain closed until approximately July. He agreed it would be a zoo for the first couple of weeks until folks adjust to the change and realize it is faster to take 101 around Chaska rather than going through it. Also, the box trucks and delivery trucks are already driving through the area, and that will not be increased due to the change.

Ms. Fleet stated the Council will see the reality of the impact in the first couple weeks of the change. Mayor Windschitl explained there are plenty of opportunities to change the decision if there is a need.

Mayor Windschitl stated there has been notifications in the newspaper and through flyers, but The Landing should have been more involved in the decision. He will ask Staff to review the process and determine how there wasn't more conversations with The Landing as the decision was made in September 2022.

Ms. Fleet pointed out there has been a large turnover in management at The Landing. Assistant City Administrator Elise Durbin confirmed Staff has tried to reach out to management at The Landing multiple times, but the first opportunity to speak with them was last week.

Mayor Windschitl added the project would cost a lot more money to change it currently. If there is a safety issue, the City will make changes as needed. He thanked Ms. Fleet for her comments.

Councilmember Hatfield pointed out there have been steps to ensure safety of residents in the area. For example, parking is restricted to promote pedestrian safety despite objections from businesses. The decision is a combination of compromises and can be amended if there are issues of safety. She thanked Ms. Fleet for her comments.

6. Approve Previous Meeting Minutes

6.A. Approve the March 20, 2023 City Council Meeting Minutes

Motion by Councilmember Hatfield, second by Councilmember Grau to approve the minutes of the March 20, 2023 City Council meeting.

Motion carried.

7. Consent Agenda

Mayor Windschitl asked for clarification on Consent Agenda Item 7.H. Adopt Resolution No. 2023-32 Recommending Council Approve the 2nd Amended Exchange Agreement regarding the Hickory Addition Development and Final Plat. City Attorney Jake Saufley explained there have been title issues, so the motion is to formalize the idea that the changes are temporary and has specific long-term plans.

Mayor Windschitl asked who did the survey. Mr. Saufley stated the developer did the survey. The property has to be split in accordance with Carver County rules because the current plan does not align with the original plan approved by the council from last year.

Mr. Saufley explained there is an image in the packet with an area outline in yellow that is owned by the City. There is an area of land above and to the left of the City's land that is three separate parcels. It is difficult to see because the County has combined the piece of land in question into one on the image. He provided additional explanation on the County's process. He added the change will result in more land coming to the City. Overall, the item is in line with the Council action taken back in May 2022.

Councilmember Huang asked why the plat doesn't match the Council action. Mr. Saufley stated the plat doesn't exist yet. The change is happening out of necessity because it was previously unplatted. There is a lot of confusion in the property records which has created several technical issues. The action item is to clear up historical land record issues. He agreed the matter is confusing.

David Pokorney, Community Asset Development Group representative, explained there is a set of legal descriptions as part of the property that don't match up with one another. Staff and the developer have been working through the records to determine who owns what. There was a parcel of land exchanged with the City and the previous owners during the flood work. At that time, the legals were completed incorrectly. The Consent Agenda Item 7.H. Adopt Resolution No. 2023-32 Recommending Council Approve the 2nd Amended Exchange Agreement regarding the Hickory Addition Development and Final Plat will actually allow the City to own more than the County records currently indicate. Then Hickory Investments will own outlot A for the planned development.

Mr. Saufley added the issue has been ignored over time, but they are finally sorting it out. Mayor Windschitl stated visuals would be helpful for the Council to understand. He asked if the lot will be squared off.

Mr. Saufley stated there will only be changes to the City-owned parcel. The plat isn't a factor except for that this is part of the platting process. The City owns the parcel as one PID, and it needs to be split into two. From there, the 20 feet on the southeastern edge will not be part of the plat, which is conveyed in the proposed item. The agreement with the developer also needs to be amended to reflect the changes.

Mayor Windschitl asked if there is a sale as part of the item. Mr. Saufley stated it is a temporary swap. After the developer records the plat, then they will move forward with the development agreement. He agreed he should have included more visuals. Mr. Saufley showed an image from Action Item 8.A. PUBLIC HEARING: Adopt Resolution No. 2023-25 Approving a Vacation of the Drainage Control Easement on 401 Hickory Street/Community Asset Development Group/PC #2023-08.

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

A. Temporary Liquor Licenses for SouthWest Metro Chamber of Commerce

Motion to approve Temporary On-Sale Intoxicating License TW.23-01 and Temporary On-Sale 3.2% Malt Liquor License T32.23-01 for the SouthWest Metro Chamber of Commerce at Taste of Chaska.

B. Adopt Resolution No. 2023-26 Approving the Plat Correction for Oak Creek

Motion to adopt Resolution No. 2023-26, approving the correction to the plat of Oak Creek.

C. Adopt Resolution No 2023-27 Amending 2022 Fund Budgets

Motion to adopt Resolution 2023-27 Amending 2022 Fund Budgets.

D. Adopt Resolution No 2023-28 Approving the Award Bid for 2023 Overlay Program CTC Cart Path

Motion to approve Resolution No. 2023-28 awarding the bid for the 2023 Overlay Program CTC Cart Path to Park Const in the low bid amount of \$377,380.72.

E. Adopt Resolution No 2023-29 Approving the Award Bid for 2023 Overlay Program

Motion to approve Resolution No. 2023-29 awarding the bid for the 2023 Overlay Program to Northwest Asphalt in the low bid amount of \$391,313.14.

F. Adopt Resolution No. 2023-30 Establishing a Public Hearing Relating to Conduit Financing on behalf of Ridgeview Medical Center

Motion to adopt Resolution 2022-30 relating to a financing on behalf of Ridgeview Medical Center and calling for a public hearing.

G. Adopt Resolution No. 2023-31 Establish 2023 Interfund Tax Increment Financing

Motion to adopt Resolution 2023-31 providing 2023 interfund tax increment project financing.

H. Adopt Resolution No. 2023-32 Recommending Council Approve the 2nd Amended Exchange Agreement regarding the Hickory Addition Development and Final Plat

Motion to adopt Resolution No. 2023-32 to recommend that City Council approve the 2nd Amended Exchange Agreement to the HICKORY ADDITION development and final plat along with a lot split and conveyance of certain real property to allow recording of the HICKORY ADDITION final plat.

Motion carried.

8. Action Items

8.A. PUBLIC HEARING: Adopt Resolution No. 2023-25 Approving a Vacation of the Drainage Control Easement on 401 Hickory Street/Community Asset Development Group/PC #2023-08

Assistant City Administrator Durbin introduced the item to the Council and City Planner Liz Hanson provided a presentation on it.

Councilmember Grau stated the existing easement is referred as "too big" in the documents, but it appears to be bigger with the changes. Ms. Hanson stated there are draining and utility easements covering a larger area, so it appears bigger.

Mayor Windschitl opened the public hearing at 7:51 p.m.

No one wished to address the Council.

Mayor Windschitl closed the public hearing at 7:51 p.m.

Motion by Councilmember Huang, second by Councilmember Hubbard to adopt Resolution No. 2023-25 to approve Vacating the Drainage Control Easement on the property of 401 Hickory Street and recorded in Carver County as Doc. No. T90050 (PC #2023-08).
Motion carried.

8.B. Appoint a Youth Representative to the Parks & Recreation Commission for 2023

Mayor Windschitl explained the Council had interviews with two well-qualified candidates, but the Council has decided to move forward with appointing Samsam Hassan to the Parks & Recreation Commission. He thanked the other candidate for her time and encouraged her to apply for another role as it was a hard decision.

Motion by Councilmember Hatfield, second by Councilmember Grau to Appoint Samsam Hassan as Youth Representative to the Parks & Recreation Commission for 2023.
Motion carried.

9. Bills

9.A. Accounts Payable Claims Roster 3-4-2023

The Council requested further information about bills on pages 12 and 25.

Assistant City Administrator Durbin 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

Mayor Windschitl noted there were a number of items for golf resale.

Motion carried.

10. Other Business

10.A. City Administrator's Report

10.A.i. Bi-Weekly Report 3-4-2023

Councilmember Hatfield:

- Noted there is Food Distribution on April 20, 2023.
- Pointed out Police Department opened up Safety Camp for registration. It is a two-day event in July, and there may be scholarships available.

- Spoke with former Mayor of Chaska Tracy Swanson and Councilmember Hubbard regarding Women's History Month. She thanked everyone involved in the celebration and recognition of Women's History Month.
- Encouraged everyone to continue shopping downtown as the businesses continue to be impacted by construction.
- Explained there are a number of resources for business owners including free Farmer's Market booth space, a monthly mailer in the newspaper, a loosened ordinance for signage, and more.

Councilmember Hubbard:

- Noted her agreement with Councilmember Hatfield's comments on Women's History Month.
- Attended Capital Investment Committee meeting regarding City Square West.

Councilmember Huang:

- Attended a meeting regarding Hwy 41 and Engler.
- Pointed out DECA qualifies 5 students for the International Conference and Chaska Speech coach is named the NSDA-Southern Minnesota Coach of the Year Award. As for arts, 10 Art Students had their art work represent at the Metro West Conference Visual Arts Festival. 2 earned Achievement awards and 1 received an Excellence award. In athletics, Freshman wrestler placed 5th at State Tournament. He is the youngest State placer in school history. Girls Basketball Team ended season as Section 2AAAA runner-up. The Girls Basketball coach was named the section 2AAAA head coach of the year. Also, a Girls basketball player was named to the 2022-23 Star Tribune All Metro First Team and to the Class AAAA All-State Team. The StormHawks Swim & Dive finish in 8th place as a team at State Tournament. Also, Chaska Swimmer finishes 12th in the 200 IM and was part of the 4th place 200 relay team.
- Added City Administrator Podhradsky is in Boston because his son Will's team is participating in the U21 Junior National Championships for Curling at the Broomstones Curling Club in Boston.

Assistant Administrator Durbin:

- Pointed out the next meeting is April 17, 2023 with a Work Session.

Mayor Windschitl:

- Noted the Police Department received a grant for new AEDs. The Fire Department will also receive a device called LUCAS that helps to do compressions thanks to an employee who took the initiative. The device is on loan from Eden Prairie.
- Added the Easter Egg Hunt will be April 8, 2023 at 10:00 a.m. at City Square Park. The event is hosted by Chaska Legion Auxiliary.
- Wished everyone a Happy Easter and encouraged everyone to enjoy the warm weather coming up.

11. Adjourn

Motion by Councilmember Grau, second by Councilmember Huang to adjourn the meeting at 8:18 p.m.
Motion carried.

- MINUTES -
CHASKA CITY COUNCIL
APRIL 17, 2023

1. Call to Order

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

2. Pledge of Allegiance

3. Roll Call

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

Absent: None.

Also Present: Matt Podhradsky, City Administrator; Noel Graczyk, Administrative Services Director; Kevin Wright, Communication Director; Elise Durbin, Assistant Administrator; Marshall Grange, Parks and Recreation Director; Nate Kabat, Community Development Director; Liz Hanson, City Planner; Mike Melchert, City Attorney; Matt Haefner, Water and Sewer Director; and Matt Clark, City Engineer.

4. Adopt the Agenda

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

5. Visitor Presentation

5.A. Representative Nash – Legislative Update

This presentation was canceled because Representative Nash was unavailable at the last minute.

6. Approve Previous Meeting Minutes

6.A. Approve the April 3, 2023 City Council Meeting Minutes

Motion by Councilmember Hubbard, second by Councilmember Hatfield to approve the minutes of the April 3, 2023 City Council meeting.

Motion carried.

7. Consent Agenda

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

A. Adopt Resolution 2023-33 Authorizing Participating in National Opioid Settlements

Motion to adopt Resolution No. 2023-33 to authorize the City Administrator to sign the amended MOA and take measures needed to participate in the opioid settlements.

B. Adopt Resolution No. 2023-34 Approving the Final Plat for Oak Creek 2nd Addition/DR Horton/PC #2023-10

Motion to adopt Resolution No. 2023-34 approving the Final Plat for Oak Creek 2nd Addition (PC #2023-11).

Motion carried.

8. Action Items

8.A. Adopt Resolution No. 2023-36 Denying the Variance to the Bavaria Road Setback at 1142 Rosemary Lane/Jimmy Son/PC #2023-09

City Administrator Podhradsky introduced the item to the Council and City Planner Elizabeth Hanson provided a presentation on it.

Councilmember Hubbard asked what the road would look like if it became an arterial road. City Administrator Podhradsky stated the road would be widened. There are issues with the closeness of the buildings and the setbacks for different types of roads.

Councilmember Hubbard added the property is a higher elevation than the road. She asked if that impacts safety. City Administrator Podhradsky stated that depends on future development of the road. The true issue is setting a precedent for future variances.

Councilmember Grau pointed out they don't have concerns about the sport court but about the setback itself. Councilmember Hatfield noted it is a difficult decision.

Councilmember Huang asked if the precedent would be that all houses on the street would be eligible to add a sport court or the like. City Administrator Podhradsky confirmed that was correct. Councilmember Huang added it could impact any additions to other residences. City Administrator Podhradsky explained it could set a precedent regarding all setbacks.

Councilmember Huang asked if such a decision could open the City to legal retaliation, particularly if there is a safety issue. City Attorney Matt Melchert stated the variance analysis is based on if a lot has a unique situation that would allow for a variance.

Community Development Director Nate Kabat pointed out many decks and homes in that area are built all the way up to the setback. Some decks may receive variances for the setback because they are not permanent structures. However, the proposed sport court would require foundation to be laid and similar permanent construction efforts.

Jimmy Sun, 1142 Rosemary Lane, is the applicant for the matter. He explained his family has had a dream to have a sport court and stay in the community. They hired a contractor to create the plans. Mr. Sun explained the sport court would be for all kids in the neighborhood to use as they are a tight-knit community. He added he understands the concern for a precedent, though he wishes each application could be considered by its own merit.

Mayor Windschitl explained how impactful a precedent can be for the City and for future Councils. Councilmember Grau added the City can get into trouble by relying on merits of the applicant.

Councilmember Huang pointed out how well-done the proposal was and the applicant's investment in the community. Councilmember Hubbard noted her agreement.

8.A.i. Resolution No. 2023-37 Approving the Variance

Motion by Councilmember Huang, second by Councilmember Hatfield to adopt Resolution No. 2023-36 denying the major variance request to encroach into the 125-foot Bavaria Road setback by twelve (12) feet for the purpose of an indoor sport court building addition, as established by the City regulations, based upon the staff report and the following findings:

1. Practical difficulties due to unique physical characteristics of the property do not exist. The property is similar in size and character to the other lots on Rosemary Lane. The Bavaria Road setback is applied on all lots adjacent to the roadway and not just this lot.
2. The Bavaria Road setback regulation alone cannot be considered a practical difficulty to grant a variance. This setback equally applies to other lots on Rosemary Lane abutting Bavaria Road, and all lots along Bavaria Road north of Pioneer Trail, and thus is not unique to this property. Furthermore, the setback regulation has not resulted in an unreasonable use of the property.
3. The variance, if granted, will alter the essential character of the area. A rear building addition encroaching into the minimum building setback would set a negative precedence for other homes along Bavaria Road. Granting this variance would alter the viewshed along the roadway.
4. The variance, if granted, is contrary to the intent and purpose of the City's Comprehensive Plan and zoning regulations (Section 15.28.100.A and PRD- 53), which require a 125-foot centerline setback from Bavaria Road based upon its current and future classification. The 125 foot setback is necessary as it seeks to provide adequate separation and safe conditions for nearby uses.

Motion carried.

8.B. Adopt the Resolution Nos. 2023-38 and 2023-39 and Ordinance No. 1033 Approving the Preliminary Site & Building Plan, Preliminary Plat, Zoning Ordinance Amendment (ZOA) and Variance for Chaska Yards/Carver County CDA/PC #2023-01

City Administrator Podhradsky introduced the item to the Council and City Planner Elizabeth Hanson provided a presentation on it.

Councilmember Hatfield asked how many more steps there are with State Historic Preservation Office. They go through a three-step process, similar to what the City does.

Community Development Director Nate Kabat noted this is the first time the Council has received the proposal. There was a similar request submitted previously, but it was canceled and revised to include lot lines.

Councilmember Hatfield stated the project looks great.

Councilmember Hubbard asked if there will be designated signage regarding public or private driveways. Mayor Windschitl stated they would likely add it down the line if needed.

Councilmember Huang agreed it was a cool project, and he thanked staff and the other parties for their effort. City Administrator Podhradsky noted the most difficult piece of the project was the financial piece, and the developers sought out several grants to make the project happen.

Motion by Councilmember Huang, second by Councilmember Grau to adopt Resolution No. 2023-38 approving the Preliminary Site & Building Plan and Preliminary Plat for 4 housing units on the Ess Lot and Ernst Home (Chaska Yards) (PC #2023-01).
Motion carried.

8.B.i. Resolution No. 2023-39 Approving the Variance

Motion by Councilmember Hatfield, second by Councilmember Grau to adopt Resolution No. 2023-39 approving the Variance to Section 15.16.020.F.1. PRD Building Setbacks and Building Separation to reduce the Building Setback from 30 feet to 7 feet 8 inches and the building separation from 25 feet to 8 feet.
Motion carried.

8.B.ii. Ordinance No. 1033 Approving the Zoning Ordinance Amendment

Motion by Councilmember Hubbard, second by Councilmember Huang to adopt Ordinance No. 1033 approving the zoning ordinance amendment (ZOA) to PRD-74.
Motion carried.

8.C. Adopt Resolution No. 2023-40 Approving the Concept Plan for 3740 Chestnut Street/Audrius Asakenas/PC #2023-11

City Administrator Podhradsky introduced the item to the Council and Elizabeth Hanson provided a presentation on it.

Mayor Windschitl commented it is a great project. Councilmember Hubbard noted her appreciation for the thoughtfulness put into the project by the developer.

Motion by Councilmember Huang, second by Councilmember Hatfield to adopt Ordinance No. 2023-40. Motion carried.

8.D. Transient Accommodation Renewals

City Administrator Podhradsky introduced the item to the Council and Chief of Police Ryan Seibert provided a presentation on it.

City Administrator Podhradsky asked how long someone can stay in transient accommodations. City Attorney Mike Melchert stated the length of time is 30 days according to City ordinance.

Chief Seibert added the Police Department is rather particular in what they consider a qualifying call. For example, a call for medical assistance doesn't count as a qualifying call. City Administrator Podhradsky added the City doesn't want them to discourage calls for service due to the ordinance.

Chief Seibert continued the Staff presentation.

Councilmember Huang asked what happens if a transient accommodation at level III fails to meet the requirements. Mr. Melchert stated the transient accommodation has until August 1 to meet the requirements. If not, the Council has the option to suspend or revoke the hotel's license. The business would have hearing rights.

Mayor Windschitl asked if the City has mechanisms to change processes for organizations that place folks in the hotel. Chief Seibert explained the Police Department has previously had discussions with the organizations. The organizations need to have their own procedure to handle mental health considerations and placements.

Mayor Windschitl asked if TownSquare Place is still used as a hotel. Chief Seibert stated it is likely a relatively small percentage of rooms used as a traditional hotel room. Mayor Windschitl added no one from TownSquare Place has shown up to speak for themselves. Also, the proposed ordinance uses a lot of Staff time, on top of the amount of Staff time already allotted to handling issues at TownSquare Place.

Councilmember Hatfield stated using the ordinance as it is meant to be used starts to address the issues at hand. There are implications if the City were to say TownSquare Place couldn't take vouchers anymore. The facilities need to have better management. City Administrator Podhradsky agreed it is the responsibility of the management.

Mayor Windschitl asked what happens beyond level III. Mr. Melchert noted the hotel would need to hire a security guard from 6:00 p.m. to 6:00 a.m. daily as part of the requirements for level III. It would be extremely expensive, but it may take off pressure from the Police Department.

Councilmember Hatfield asked how the phasing would work in comparison to the August deadline. Chief Seibert stated there would be an ongoing review of incidents at a particular transient accommodation. If there is a pattern of incidents, then they would work with the hotel to start phasing in a 24/7 front desk employee or an armed security guard.

Councilmember Grau asked if there was progress made in August but issues in October, would the Council still be able to revoke the license. City Administrator Podhradsky stated there would be a certain time period after the August 1 date for the Council to make a decision.

Chief Seibert added any ambiguity has been eliminated due to conversations with the hotels and written letters to the hotel. City Administrator Podhradsky pointed out Chaska introduced the ordinance in 2018, so it is a relatively new issue for Chaska.

Councilmember Grau noted it is important to take action to assist businesses or residents in the area and maintain the integrity of the City.

Mayor Windschitl asked if the owners themselves have been engaged in the process. Chief Seibert explained management is on-site, but he hasn't had dialogue with the official owner of

TownSquare Place. Letters were sent directly to the owner, but it is management who has communication with the Police Department.

Councilmember Huang asked if the calls for service in the surrounding neighborhood have been tracked. There are likely issues overflowing from the hotel. Chief Seibert stated it depends on the situation. A felony in the neighborhood that can be directly tied to the hotel would be considered as a qualifying offense. However, it is more difficult to prove a connection for a call for service.

Councilmember Hubbard stated the facilities certain individuals are being placed in do not have the support needed to help the individuals succeed. The vouchers are important for people to have a safe place to stay, but there are other issues the individual may be experiencing that may promote criminal activity. The largest issue at hand is creating a better support structure in Chaska and the County.

Councilmember Huang added it would be helpful to add a higher quality hotel to the area, but they have not shown interest in the past because of the proportion of rooms to the population of Chaska.

Motion by Councilmember Hatfield, second by Councilmember Huang to approve the 2023-2024 transient accommodation licenses effective May 1, 2023 through April 30, 2024.

Mayor Windschitl stated he doesn't want to support the proposal, but they need to continue with the process.

Motion carried.

9. Bills

9.A. Accounts Payable Claims Roster 17-4-2023

The Council requested further information about bills on pages 8, 12, and 17.

City Administrator Podhradsky provided further information regarding those bills.

Motion by Councilmember Huang, second by Councilmember Hatfield 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.

10. Other Business

10.A. City Administrator's Report

10.A.i. Bi-Weekly Report 17-4-2023

Councilmember Grau:

- Noted the proposed development site looks good.
- Encouraged folks to abide by the construction signage.

- Asked if there are flood concerns for Chaska. City Administrator Podhradsky stated there are not concerns.

Councilmember Huang:

- Noted there is Food Distribution coming up on Thursday at 11:30 a.m.
- Stated on April 26 at the Chaska Event Center there is a first responder luncheon celebration.
- Pointed out Christmas in May is coming up on May 6, 2023.
- Shared May 10 is Taste of Chaska, and there will be live music.
- Stated July 14-15 the Fire and Ice Festival.
- Added July 28-30 is River City Days.
- Stated there is an interim CEO of Southwest Transit. Councilmember Hatfield provided a summary of the CEO search.
- Asked for an update on Hwy 41. City Administrator Podhradsky provided an update on Hwy 41 and explained new signage will be placed reflecting the changes. Councilmember Hubbard noted it would be helpful for the Council to have ongoing updates on the construction.

Councilmember Hubbard:

- Stated tomorrow is Tax Day.
- Pointed out a Community Center Task Force meeting is also tomorrow.
- Noted the Earth Day Celebration is Saturday, April 22, and it is a family event.
- Encouraged community members to continue shopping downtown.

Councilmember Hatfield:

- Explained, in response to social media posts, that the Council is in strong support of the downtown businesses. She noted there are regular meetings by the Downtown Business Alliance, and the businesses and City have worked together to strategize with the construction. There are opportunities for businesses to participate in the Farmer's Market, to add information to *The Herald* mailer, to access sandwich board signs, and to attend monthly meetings with the Downtown Business Alliance to liaise with Councilmembers and City Staff.
- Stated Coffee with a Cop is Thursday, April 20 at Dunn Brothers.
- Added Squad Car Storytime will be April 22, 2023 at 10:30 a.m.

Mayor Windschitl:

- Encouraged community members to attend Christmas in May on May 6, 2023.

10.B. Financial Reports as of 02/28/2023

11. Adjourn

Motion by Councilmember Huang, second by Councilmember Hatfield, to adjourn the meeting at 10:51 p.m.

Motion carried.

- MINUTES -
CHASKA CITY COUNCIL
MAY 1, 2023

1. Call to Order

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

2. Pledge of Allegiance

3. Roll Call

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

Absent: None.

Also Present: Matt Podhradsky, City Administrator; Kevin Wright, Communication Director; Elise Durbin, Assistant Administrator; Jake Saufley, City Attorney.

4. Adopt the Agenda

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

5. Visitor Presentation

5.A. SouthWest Transit – Update on New Partnership with Lyft

Councilmember Huang introduced Interim CEO Maria Mancilla-Diaz. Interim CEO Maria Mancilla-Diaz thanked Chaska for their partnership with SouthWest Transit. She shared a few stories of the impact on public transportation on the area.

Tony Kuykendall, Interim COO of SouthWest Transit, summarized Prime, which is an on-demand ride service that is ADA-compliant, and their new partnership with Lyft. There have been 126 Lyft rides since the launch. The two programs fill previous gaps in public transportation.

Councilmember Huang asked for an update on the Summer Adventures. Ms. Mancilla-Diaz explained Summer Adventures is a weekly program that provides round-trip service to a number of family-friendly locations for only two dollars.

Councilmember Huang added there are transportation services for the State Fair. Mr. Kuykendall provided details on the planned transportation services and noted there is an additional service day for 2023.

Councilmember Hubbard noted her appreciation of SouthWest Transit's airport services. Mr. Kuykendall pointed out there is also a park and ride option for the airport service with inexpensive parking in Eden Prairie.

Mayor Windschitl added SouthWest Transit also provides transportation for Twins' games.

6. Approve Previous Meeting Minutes

6.A. Approve the April 17, 2023 City Council Meeting Minutes

Motion by Councilmember Grau, second by Councilmember Hubbard to approve the minutes of the April 17, 2023 City Council meeting.

Motion carried.

7. Consent Agenda

Motion by Councilmember Hatfield, second by Councilmember Hubbard to approve the Consent Agenda Items A through E:

- A. Infrastructure Investment and Jobs Act Grant Opportunity – Electric
Motion to approve the letter of commitment to the US Department of Energy and the continued pursuit of the IIJA Grant opportunity
- B. Temporary On-Sale Intoxicating License for Guardian Angels Church
Motion to approve Temporary On-Sale Intoxicating License TW.23.02 for Guardian Angels Church, allowing them to serve intoxicating beverages at the AngelFest Celebration, effective September 30, 2023.
- C. Approval of 2022 Interfund Transfers
Motion to approve 2022 interfund transfers to be reported as Other Financing Sources and Uses in the 2022 Annual Financial Report.
- D. Adopt Resolution 2023-41 - Accepting Gifts and Donations
Motion to adopt Resolution 2023-41 acknowledging and accepting gifts to the City of Chaska received during the period January 1, 2023 through March 31, 2023.
- E. Adopt Resolution Number 2023-44 Authorizing Preparation of Construction for Creek Road Improvement Project
Motion to approve Resolution No. 2023-44 Authorize Preparation of Construction Documents for the 2023 Creek Road Trunk Sewer Extension Street, Utility, and Trail Improvement Project.

Motion carried.

City Administrator Podhradsky noted the application for additional dollars were already planned for, so the City is essentially saving \$1.6 million.

8. Action Items

8.A. Adopt Resolution No. 2023-42 Relating to Conduit Financing on behalf of Ridgeview Medical Center

City Administrator Podhradsky introduced the item to the Council and Administrative Services Director Noel Graczyk provided a presentation on it. Gordon Gablenz, Chief Investment Officer and Treasurer of Ridgeview Medical Center, also provided information.

Mayor Windschitl opened the public hearing at 7:26 p.m.

No one wished to address the Council.

Mayor Windschitl closed the public hearing at 7:27 p.m.

Motion by Councilmember Huang, second by Councilmember Grau to adopt Resolution 2023-42 relating to approving financing on behalf of Ridgeview Medical Center.

Motion carried.

Mayor Windschitl stated Chaska received an achievement regarding finances. He congratulated Mr. Graczyk and his Staff for their efforts.

9. Bills

9.A. Accounts Payable Claims Roster 1-5-2023

The Council requested further information about bills on page 14.

City Administrator Podhradsky provided further information regarding those bills.

Motion by Councilmember Huang, second by Councilmember Hatfield 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.

10. Other Business

10.A. Hawk Price Recap

10.A.i. Bi-Weekly Report Day-Month-2023

Councilmember Huang:

- Asked if Chaska Town Course opened on April 25, 2023. City Administrator Podhradsky stated it opened on April 24, 2023.
- Pointed out a number of achievements by local students:
 - Speech Team qualifies 4 for State Tournament
 - DECA Qualifies 7 for Internationals
 - Junior earns title of National Speech and Debate Association Academic All-American. To qualify, a student must be an outstanding leader, earn the degree of Superior Distinction, and have a grade-point average of 3.7. Less than two percent of students across the nation get AAA honors!
 - Knowledge Bowl places 2nd in National Tournament against teams from Minnesota, Colorado and Washington
 - NHS Students made 400 sandwiches for the homeless
 - 5 CHS students selected as 2023 Minnesota Music Educators All-State Musicians
 - 2 Art Students Advance to MSHSL Visual Arts Contest
 - Chaska Golf team captains were named to the Junior PGA Minnesota Team

Councilmember Hubbard:

- Stated the Community Center Task Force recently met and discussed costs of certain projects. Councilmember Grau added it is a meaningful process to include community members in such discussions.

- Noted Parks and Recreation is doing Bike Month 2023 and has bingo cards.
- Added Rotary Club has a meeting on Thursday, May 4, 2023 that requires preregistration.

Councilmember Grau:

- Pointed out Coach Seifert is stepping down after 16 seasons.
- Shouted out Asian American and Hispanic Heritage Month and explained the reason May was selected to represent that culture.
- Thanked Staff for their communications efforts with the public.
- Noted some cities have designated parking areas for folks to meet for Facebook Marketplace exchanges. City Administrator Podhradsky explained the option is being discussed for the new Public Safety Facility.
- Added the Chaska Classic Baseball Tournament is May 12-14, 2023.

Councilmember Hatfield:

- Stated food distribution is in two weeks on Thursday.
- Encouraged community members to not drive so quickly in construction areas or on residential roads.
- Pointed out the bridge on Hwy 41 closed, but the County Road 11 is open again.

City Administrator Podhradsky:

- Noted Christmas in May is at St. John's this year instead of Guardian Angels.

Mayor Windschitl:

- Stated Student Human Rights Commissioner Sienna White will be attending Johns Hopkins University to study Neuroscience and Spanish. City Administrator Podhradsky added she is very involved in the community.
- Pointed out May 20, 2023 is Armed Forces Day, May 15-21, 2023 is National Police Week, May 4, 2023 is International Firefighter Day, April 30-May 6, 2023 is Municipal Clerk's Week, National Teacher's Appreciation Week is the first full week of May, and National Nurse's Week is May 6-12, 2023.
- Added Dunn Brother's Coffee is closing.

11. Adjourn

Motion by Councilmember Hatfield, second by Councilmember Hubbard to adjourn the meeting at 8:07 p.m.

Motion carried.

**- MINUTES -
CHASKA CITY COUNCIL
MAY 15, 2023**

1. Call to Order

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

2. Pledge of Allegiance

3. Roll Call

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

Absent: None.

Also Present: Matt Podhradsky, City Administrator; Kevin Wright, Communication Director; Elise Durbin, Assistant Administrator; Nate Kabat, Community Development Director; Liz Hanson, City Planner; and Jake Saufley, City Attorney.

4. Adopt the Agenda

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

5. Visitor Presentation

5.A. Legislative Update – Representative Nash

This item was not addressed.

5.B. Maria's Voice – Sara Silva

Lissa Weimelt explained the founding and purpose of Maria's Voice Prevention Network. She stated 8 million days of paid work are lost in the United States each year due to domestic violence. Police face numerous calls and shelters are overwhelmed. Maria's Voice aims to educate community members on the signs of domestic violence.

City Administrator Matt Podhradsky noted Maria's Voice Prevention Network has worked with Maple Grove to start their work. There is an opportunity for City employees to carry a "shoe card" with resources and information to provide to community members.

Councilmember Hubbard thanked the presenter for sharing her story and the work of the organization.

Mayor Windschitl asked if Maria's Voice provides the training directly to City employees. City Administrator Podhradsky stated there is a digital training available for any City employees. It is a part of the wellness incentive program, which was completed by 88 percent of employees in 2022.

Councilmember Huang asked if the Police Department has similar resources available to victims. City Administrator Podhradsky stated it is oftentimes too late by the time law enforcement is involved.

City Administrator Podhradsky added the purpose of Maria's Voice is prevention and teaching about the signs of abuse. Chaska works with the Sexual Violence Center to do intervention efforts.

Mayor Windschitl noted it takes a lot of courage to share one's personal story to promote change. He thanked Ms. Weimelt for her presentation.

5.C. National Gun Violence Awareness Day – Jenna Cruz

Jenna Cruz, Moms Demand Action Volunteer, introduced herself and explained the purpose of Moms Demand Action. She noted firearms are the number one cause of death of children in the United States. Every day 120 Americans are killed with guns. Gun violence costs Minnesota \$6.6 billion each year. Cities and States with the strictest gun laws have the lowest rates of gun violence.

Ms. Cruz stated Wear Orange Weekend is June 2-3, 2023. It stated after a young girl was killed while on a playground in Chicago. She asked for the City to sign a proclamation declaring the First Friday in June as National Gun Violence Awareness Day, for the City to light up Fireman's Park in Orange throughout the June 2-3, 2023 weekend, and for the City to promote efforts for crime prevention through environmental design.

City Administrator Podhradsky noted crime prevention through environmental design is a more long-term ask, but it is something the City will continue to be cognizant of. He added the next City Council meeting is after the June 2-3, 2023 event.

Mayor Windschitl pointed out Neighborhood Watch has also been impactful in promoting safety in Chaska.

Councilmember Huang thanked Ms. Cruz for her work regarding gun violence.

Motion by Councilmember Hubbard, second by Councilmember Hatfield to adopt a proclamation declaring the first Friday in June as National Gun Violence Awareness Day.

Mayor Windschitl stated the park would be lighted orange June 2-3, 2023.

Motion carried.

6. Approve Previous Meeting Minutes

6.A. Approve the May 1, 2023 City Council Meeting Minutes

Motion by Councilmember Hatfield, second by Councilmember Hubbard to approve the minutes of the May 1, 2023 City Council meeting.

Motion carried.

7. Consent Agenda

Councilmember Huang asked if there will be additional signage for the work done on Consent Agenda Item H. Adopt Resolution No. 2023-49 Approving the Final Plat for Rivertown Heights 2nd Addition/DR Horton/PC #2023-12. Staff confirmed there would be additional signage.

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

- A. Approve Resolution No. 2023-45 MnDot Grant Agreement for Bridge Bond Funding - Replacement of City Bridge 10J51 Along Creek Road

Motion to adopt Resolution No. 2023-45, Approving Grant Agreement to State Transportation Fun Local Bridge Replacement Program Terms and Conditions for Replacement of Bridge 10J51.

- B. Approve Resolution No. 2023-46 Authorizing Plans for Minnesota River Bluffs Regional Trail - Chaska Connection

Motion to adopt Resolution No. 2023-46 to Approving Proposal for Professional Services Agreement with Bolton and Menk, and Authorize plans and specifications for the Minnesota River Bluffs Regional Trail – Chaska Connection

- C. Accept Public Improvements - Chaska Bluffs 1st Addition

Accept public improvements in Chaska Bluffs 1st Addition as municipal facilities and adjust letter of credit accordingly.

- D. Approve Resolution No. 2023-47 to Approve the Settlement Agreement and Release in the Quiet Title Action Filed by Patrick and Stephanie Poppler in Carver County District Court

Motion to adopt Resolution No. 2023-47 to Approve the Settlement Agreement and Release in the Quiet Title Action Filed by Patrick and Stephanie Poppler in Carver County District Court.

- E. Adopt Resolution No. 2023-48 Granting Preliminary Approval to a Multifamily Housing Revenue Bond Financing on behalf of Chaska Brickstone II, LLC

Motion to adopt Resolution 2023-48 granting preliminary approval to a multifamily housing revenue bond financing of behalf of Chaska Brickstone II, LLC.

- F. Approve 2023-2024 Liquor License Renewals

Motion to approve liquor license renewals as itemized on Schedule A attached, effective July 1, 2023 through June 30, 2024, with contingencies as noted.

- G. Approve Costs Associated with Construction of a New Clubhouse and Maintenance Building for The Loop

Motion to approve the following costs associated with construction of a new clubhouse and maintenance building at The Loop.

- H. Adopt Resolution No. 2023-49 Approving the Final Plat for Rivertown Heights 2nd Addition/DR Horton/PC #2023-12

Motion to adopt Resolution No. 2023-49 approving the final plat for Rivertown Heights 2nd Addition (PC#2023-12).

- I. Resolution 2023-51 Approving the Construction Documents for the North Water Treatment Plant and Authorizing Solicitation of Public Bids

Motion to adopt Resolution No. 2023-51- Approving the Construction Documents for the North Water Treatment Plant, and Authorizing the Solicitation of Public Bids.

Motion carried.

Mayor Windschitl asked for details about Consent Agenda Item G. Approve Costs Associated with Construction of a New Clubhouse and Maintenance Building for The Loop.

John Kellin, Head Golf Professional at Chaska Town Course, stated they hope to have everything with the clubhouse completed by Labor Day. The opening day of the Loop is still up in the air.

8. Action Items

8.A. Adopt Resolution No. 2023-50 and Ordinance No. 1034 Approving the Preliminary Site & Building Plan, Preliminary Plat and Zoning Ordinance Amendment (ZOA) for Structures, Inc./Jeremy Banken/PC #2023-13

City Administrator Podhradsky introduced the item to the Council and City Planner Elizabeth Hanson provided a presentation on it.

Motion by Councilmember Huang, second by Councilmember Hubbard to adopt Resolution No. 2023-50 approving the Preliminary Site & Building Plan and Preliminary Plat for Structures, Inc. (PC #2023-13).

Motion carried.

8.A.i Ordinance

Motion by Councilmember Hatfield, second by Councilmember Grau to adopt Ordinance No. 1034 approving the Zoning Ordinance Amendment (ZOA) to PID-9.

Motion carried.

9. Bills

9.A. Accounts Payable Claims Roster 15-5-2023

The Council requested further information about bills on pages 3, 5, 8, 17, and 27.

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.

10. Other Business

10.A. City Administrator's Report

10.A.i. Bi-Weekly Report 15-5-2023

Councilmember Hatfield:

- Noted Taste of Chaska was a great event.
- Stated May is Mental Health Awareness Month. The Parks and Recreation Department is hosting an open forum on mental health on May 18, 2023 at the Community Center.
- Pointed out Coffee with a Cop will be held on Thursday at 9:00 am at the north Caribou Coffee.
- Stated May 19, 2023 is the Minnesota law enforcement fundraiser for Special Olympics at Dunkin'.
- Food distribution will be on Thursday at noon.

- Added Chaska Safety Camp is coming up July 5-6.
- Attended a Downtown Business Alliance meeting recently. There are still parking concerns.
- Stated *The Herald* has a scavenger hunt around the downtown area.
- Noted OrangeBall Creative is working with local businesses to provide social media support.
- Encouraged community members to sign up for email updates regarding construction.
- Reminded folks that the downtown streets are residential and drivers must be aware of pedestrians, children, and pets.

Councilmember Grau:

- Noted Lion's Park shelter is nearing completion and it looks nice.
- Stated there was a book released regarding Phillip the Pheasant which was inspired by a pheasant in Chaska.

Councilmember Huang:

- Pointed out there were some issues with weather for Christmas in May, but there was still some progress.
- Stated Taste of Chaska was a well-attended event.
- Stated there was a recent fundraising event for the schools called Chaska Bash.
- Stated there will be a Memorial Day event at Veteran's Park at 10:00 a.m.
- Noted the Farmer's Market will start June 21, 2023.
- Added Fire and Ice is July 14-15, 2023.
- Noted Southwest Transit hired a CEO named Erik Hansen. He has worked in local government and on large transit projects.
- Thanked Staff and Councilmember Hatfield for the work done on the Hwy 41 project.

Councilmember Hubbard:

- Shared her experience being a small business owner experiencing construction in another community.
- Attended Carver County elected leaders meeting recently. They discussed road construction.
- Wished a Happy Memorial Day to those who have served.

Assistant Administrator Elise Durbin:

- Stated Bremer Bank provided the letter needed to close on the site previously discussed by the EDA.

Mayor Windschitl:

- Stated there will be visits to all cemeteries on Memorial Day by the Clubs, weather-permitting.
- Encouraged community members to attend the Memorial Day event.
- Pointed out today, May 15, 2023 is National Police Memorial Day.
- Stated he and other local leaders met the new Minnesota Landscape Arboretum Director Andrew Gapinski.

11. Adjourn

Motion by Councilmember Huang, second by Councilmember Hubbard to adjourn the meeting at 8:47 p.m.
Motion carried.

**CHASKA PLANNING COMMISSION
MINUTES
JANUARY 11, 2023**

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: Commissioner 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 November 9, 2022 Planning Commission Meeting Minutes

Motion by Commissioner Aasen, second by Commissioner Baswa, to approve the minutes of the November 9, 2022 Planning Commission meeting.

Motion carried.

6. Consent Agenda

Commissioner Gaare stated that she would recuse herself from voting on this item.

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

- a. Recommend Approval of the Final Site and Building Plan of the Water Treatment Plan/City of Chaska/PC #2023-05
- b. Recommend Approval of the Final Plat for Club West 11th/Tradition Development/PC #2023-02

Motion carried 5-0-1 (Gaare abstained).

7. Action Items

A. PUBLIC HEARING: Recommend Approval of the Zoning Ordinance Amendment to the Side Yard Setback for Ensconced Woods/Reiland Johnson Builders/PC #2023-04

City Planner Hanson presented the item to the Commission and noted that this will come before the City Council on January 23, 2023.

Chairperson Brass opened the public hearing at 7:07 p.m.

No one appeared to speak to this item.

Chairperson Brass closed the public hearing at 7:07 p.m.

Motion by Commissioner Baswa, second by Commissioner Gaare, to recommend to the City Council approval of the Zoning Ordinance Amendment to PRD-81 to correct the side yard setback from 7.5 feet to 5 feet for Ensconced Woods, subject to the following conditions:

1. Approvals shall be based on the draft ordinance.
2. Adherence to the following building setbacks: a. Front (house): 25 feet b. Rear: 25 feet c. Side(house/garage): 5 feet d. Side (corner): 15 feet

Motion carried.

B. PUBLIC HEARING: Recommend Approval of the Conditional Use Permit (CUP) for Existing Gravel Pit for Jason Kusske/Kusske Land Corporation/PC #2023-03

City Planner Hanson presented to the Commission and noted that this will go to the City Council on January 23, 2023.

Commissioner Urbanski asked if the City puts any sort of deadline or expiration date on this type of CUP.

City Planner Hanson stated that the City can do that, but in this instance, since this is an existing operation, the CUP and the conditions allow it to continue. She stated that if there are concerns about conditions not being met, there is a way to revisit the permit with the applicant.

Chairperson Brass opened the public hearing at 7:27 p.m.

No one appeared at the Public Hearing.

Chairperson Brass closed the public hearing at 7:27 p.m.

Commissioner Rylee thanked Kusske for being a family owned, small business, construction company in the community, which in this day and age is the exception to the rule. He expressed his gratitude for who they are and for being a good neighbor. He thanked staff and Alliant for going through this process to ensure that all the 'I's have been dotted and the 'T's crossed.

Motion by Commissioner Rylee, second by Commission Urbanski, to recommend to City Council approval of the Conditional Use Permit for an existing gravel pit operation on the Kusske property (Outlot C of Club West 11th), subject to the following conditions:

1. Approvals shall be based on the following exhibits:
 - a. Kusske Mine Site Restoration CUP Narrative (pgs 1-3)
 - b. Existing Conditions Survey, submitted by Alliant Engineering, dated January 5, 2023
 - c. Earthwork-Fill Volume, submitted by Alliant Engineering, dated January 5, 2023
 - d. Grading and Erosion Control Plan, submitted by Alliant Engineering, dated January 5, 2023
 - e. Site Plan & Phasing Plan, submitted by Alliant Engineering, dated January 5, 2023
 - f. Construction Observations and Testing (pgs 1-37), submitted by Braun Intertec, dated October 6, 2022
2. Adherence with the City Engineers Memo dated January 11, 2023.
3. Hours of Operation for reclamation activity are limited to 7am-7pm Monday-Friday.
4. This CUP allows for reclamation activity only, and does not include mining or excavation.
5. The reclamation area will be a maximum of 2.15 acres (93,487 square feet) and as shown on the existing conditions plan and grading plan.
6. All storage of equipment and materials used in the operation shall be kept near the shop space as noted on the Existing Conditions Plan to minimize visual exposure to areas outside the fill area.
7. The permittee shall comply with the noise pollution requirements/standards of the Minnesota State Rules Chapter 7030 and Section 6.12.010 of Chaska General Code of Ordinances.
8. Adherence with a minimum setback of 250 feet from the nearest residential lot line in Club West 11th from the reclamation fill area.
9. Adherence with the minimum setback of 100 feet from the nearest residential lot line east from the reclamation fill area.
10. Adherence with the setback from steep slopes as defined in Zoning Section 15.28.100.C. Grading and fill is prohibited to impact or encroach into the 30 foot no grade/no mow setback.
11. Provision that the reclamation fill operation and grading shall not remove or impact any existing trees.
12. Street cleaning and dust control shall be performed on a regular basis and as required by the City. Dust control and street cleaning shall be provided within the same day as it is requested. Failure to comply with a request within the time specified shall be a cause for the City Engineer to stop the work onsite until compliance is achieved. If the permit holder is unable to supply dust control or street cleaning within the time specified, the City will perform the work and bill the permit holder for actual costs incurred plus any penalties imposed by City ordinance.
13. The permit holder shall comply with any/all CCWMO rules and regulations, which includes obtaining any permits the CCWMO deems necessary.
14. The permit holder shall obtain, continuously maintain, and comply with the terms of drainage and erosion control permits issued by the CCWMO.
15. The permit holder shall obtain a grading permit from the City of Chaska ahead of any grading operations commencing.
16. Existing drainage patterns shall not be altered.
17. A maintenance plan shall be submitted that details how the drainage conveyance will be maintained for the pass-through drainage from Club West 11th.
18. An erosion control plan that includes seeding and restoration information and which is consistent with the requirements of NPDES permit and CCWMO permit shall be submitted to the City of Chaska and adhered to by the permit holder.
19. Sanitary sewer manholes and pipes shall be protected through all operations. Access to city sanitary sewer manholes shall be available at all times.
20. The permit holder shall submit to the City of Chaska a formal report from a qualified geotechnical engineering firm annually by the end of each calendar year. The report should include testing and an analysis of the material that was placed at the site. All fill being used within the developable acreage will

be required to be free of contamination and meet geotechnical engineering standards for compactable fill to support development.

21. The permit holder shall submit to the City of Chaska a formal report regarding a status update on the following topics annually by the end of each calendar year:

a. Stormwater management

b. Groundwater discharge, if applicable c. Site surveying/status of grading

22. The permit holder shall provide a performance security in the amount of \$25,000 in a form acceptable to the City of Chaska, naming the City of Chaska as the obligee. This performance security shall be replenished by the permit holder to its full amount 5 business days after being utilized by the City of Chaska.

23. The performance security shall be re-submitted to the City of Chaska annually in an amount that is 2% greater than the previous year.

24. The City of Chaska may utilize the performance security for reimbursement for any and all expenses incurred in the event that the permittee fails to comply with any conditions or requirements of this CUP or for any reason ceases to operate the facility in accordance with the provisions of this CUP, if the City of Chaska incurs costs, liabilities, expends monies, labor, services, or material to compel or restore compliance with the terms of the CUP, or perform on-site or off-site restoration resulting from permittee's actions or non-actions.

25. The CUP shall not be effective until such time that an agreement is approved, executed, and recorded with the Recorder's Office in Carver County, Minnesota.

26. Any and all claims that arise or may arise against the permit holder, its owners, agents, trustees, servants, or employees while engaged in the use of the property shall in no way be or become obligations of the City of Chaska. The permit holder, jointly and severally, shall indemnify, hold harmless, and defend the City of Chaska, its officials, officers, employees, and agents against any and all liabilities, losses, costs, damages, expenses, claims, actions, or judgments, which includes reasonable attorneys' fees, expenses, and court costs, including experts, that the City of Chaska, its officials, officers, employees, or agents may hereafter sustain, incur, be subjected to, or required to pay, in any way connected with the use of the property and the CUP. The obligations contained in this paragraph shall survive the expiration or earlier termination of the CUP.

27. City staff shall be allowed access to the site to inspect all elements of the CUP. The landowner will be notified more than 24-hours in advance of site access.

28. Subject to the approval of the CUP, which shall be recorded with, but subsequent to, the final plat for club west 11th

Motion carried.

8. Other Business

9. Receive Other Meeting Minutes

A. Receive the October 3, November 7, 21, and December 5, 2022 City Council Meeting Minutes

B. Receive the September 13, 2022 Park Board Meeting Minutes

Commissioner Urbanski

- Gave a brief update on the Community Center and noted that Task Force meetings are continuing to happen and plans are moving forward.

Chairperson Brass

- Commended Commissioner Rylee for his service on the Planning Commission and noted that this would be his last meeting. He stated that he also wanted to thank Commissioner Lacey for his years of service to the City as well.
- The Commission extended their appreciation for Commissioner Rylee and Commissioner Lacey's service to the City.

10. Adjourn

Motion by Commissioner Gaare, second by Commissioner Aasen to adjourn the meeting at 7:33 pm.

Motion carried.

**CHASKA PLANNING COMMISSION
MINUTES
FEBRUARY 8, 2023**

1. Call to Order

Chairperson Brass called the meeting to order at 7 pm.

2. Roll Call

Roll call was taken. Members present: Commissioners Aasen, Baswa, Campbell, Gaare, Kerber, Olson, Purdy, and Chairperson Brass.

Members absent: Commissioner Urbanski.

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

3. Adopt the Agenda

Motion by Commissioner Gaare, 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 January 11, 2023 Planning Commission Meeting Minutes

Motion by Commissioner Olson, second by Commissioner Baswa, to approve the minutes of the January 11, 2023 Planning Commission meeting.

Motion carried.

6. Consent Agenda

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

- a. Adopt Resolution Recommending Approval of Amended Legal Description for the Final Plat of the Hickory Addition.

Motion carried.

7. Action Items

- a. PUBLIC HEARING: Recommend Approval of the Zoning Ordinance Amendment to Section 15.24 Shoreland Management/City of Chaska/PC #2023-07

City Planner Hanson presented to the Commission and noted that this item would go before the City Council on February 27, 2023.

Commissioner Aasen asked why the other lakes along Chaska Creek were not shown.

City Planner Hanson stated that she was not sure why they were not included, but noted that she believes when they need to be a certain size or type to be included.

Community Development Director Kabat explained that his understanding was that the lakes mentioned by Commissioner Aasen were extremely shallow and are more part of the Chaska east creek channel and did not rise to the level that they would be part of the DNR's classification system.

Commissioner Olson stated that, to him, this appears to be a formality with the DNR and will not have any impact on development or activity in the City.

Chairperson Brass opened the public hearing at 7:13 p.m. There being no public comment, he closed the public hearing.

Motion by Commissioner Baswa, second by Commissioner Gaare, to recommend to the City Council approval of the Zoning Ordinance Amendment that would modify Section 15.24 (Shoreland Management) of the Zoning Ordinance to read as the attached draft Ordinance. Motion carried.

- b. PUBLIC HEARING: Recommend Approval of the Preliminary Site and Building Plan, Preliminary Plat and Zoning Ordinance Amendment for the Ess Lot and Ernst Home (Chaska Yards)/Carver County CDA/PC #2023-01

City Planner Hanson presented the item to the Commission and noted that it was slated to come before the City Council on February 27, 2023.

Chair Brass asked if the plans were for 4 separate PIDs.

City Planner Hanson stated that it is more than likely that there would be 4 separate PIDs.

Chair Brass asked about the common area in the middle and if there would be like an outlot with access agreements for people to be able to access their units.

City Planner Hanson explained that the way it is being discussed right now is that the communal areas would be in an outlot that is owned by the CDA or land trust that will provide this access. She noted that there may be some areas where they will still need access easements.

Commissioner Olson asked about unit #2 and the spacing that will be there. He stated that it is hard to visualize it with the deck and the fence. He asked where the fence would be compared to the property line and the deck.

City Planner Hanson explained that the property line on the north side really goes up to the edge of the buildings. She stated that there will be 5 feet between the side property line and where unit #2 is proposed, and 3 feet between the property line and the fence.

Chairperson Brass opened the public hearing at 7:57 p.m.

Todd Grover, MacDonald and Mack Architects, stated that since they cannot put something taller to block the view of Von Hanson's trash, they may try to work in some additional landscaping in order to allow for some additional screening. He referenced the northern lot line and explained that the problem is that there is a transformer that serves the businesses to the north that was placed there. He stated that if there is a different way to handle this they are open to ideas that would still allow access to the transformer.

Commissioner Olson asked about the private yard for unit #1 and how it would be accessed.

Mr. Grover stated that there would be a fence with a gate that will allow them to access the yard. He explained that they would not be able to access it directly from the unit and would have to go outside and go through the gate. He stated that there may be a way to redesign the space so there is a sliding glass door that would be able to directly access that space.

Commissioner Olson encouraged Mr. Grover to get creative because this would be the only unit that would not have direct access to their front yard from inside their unit. He asked about unit #4 and if they had a private yard.

Mr. Grover explained that they will have a small front yard and will have a little back corner. He noted that the benefit that they have is that they have a much larger house than the other units.

Commissioner Olson asked about snow storage plans.

Mr. Grover stated that the plans are for behind unit #3 and explained that some of the talk right now is to be able to haul some of the snow off site or there may be some possibilities for along the edge of the Paseo and the back side of the fence. He stated that he suspects that the everyday snow storage will be able to be managed on site and if there is a big snow event, it will need to be taken off site.

Commissioner Olson asked if the snow removal would be part of the outlot.

Mr. Grover stated that he believed that would be the case.

Chair Brass asked who would manage and take care of that task, for example, in 7 years.

Chuck Swanson, Carver County CDA, stated that the CDA would handle that and explained that they had looked at starting an association but felt that would not work with only 4 units.

Chair Brass asked about the plans for flat roofs and their ability to withstand snow storage.

Mr. Grover stated that they will be engineered to handle snow and noted that they are also planning solar panels.

Commissioner Olson asked whether unit #2 would end up with rear setbacks rather than side yard once they are divided up.

City Planner Hanson stated that the way the zoning is arranged, it would not. She explained that that the north lot line would effectively be treated as the side lot line with a 5 foot setback.

Commissioner Olson stated that he loves the design and how this has progressed but has concerns that this is trying to put too much into a small space. He asked if there had been any neighborhood or community meetings for the last round of plans.

City Planner Hanson stated that there were not for the last round, but there had been at the front end with the concept plan.

There being no additional public comment, Chair Brass closed the public hearing at 8:11 p.m.

Chair Brass stated that he has some concerns about the fencing and would like to see a mixture of evergreens and deciduous trees. He stated that he also wanted to make sure that there were access agreements and suggested that they consider the possibility of various covenant restrictions for things like boat and trailer parking. He noted that, in general, he likes the whole development and thinks it is great that they are getting a historical building back in the City and that it will be lived in. He stated that the other units with affordable housing bring a nice community feel and thinks it will be a nice micro-development as long as all fire and safety issues have been addressed.

Motion by Olson, second by Aasen, to recommend to City Council approval of the Preliminary Site & Building Plan and Preliminary Plat for 4 housing units on the Ess Lot and Ernst Home (Chaska Yards), subject to the following conditions:

1. Approvals shall be based on the following graphic exhibits:
 - a. Narrative (pgs 1-7), prepared by MacDonald & Mack, dated January 18, 2023
 - b. Aerial Exhibit, prepared by MacDonald & Mack, dated January 18, 2023
 - c. Existing Conditions, prepared by MacDonald & Mack, dated January 18, 2023
 - d. Site Plan, prepared by MacDonald & Mack, dated January 18, 2023
 - e. Landscape Plan, prepared by MacDonald & Mack, dated January 18, 2023
 - f. Overlay Plan, prepared by MacDonald & Mack, dated January 18, 2023
 - g. Photometric Plan, prepared by Pulse, dated December 20, 2022
 - h. Selective Site Demolition and Erosion Control Plan, prepared by MacDonald & Mack, dated December 2, 2022
 - i. Grading, Drainage and Erosion Control Plan, prepared by MacDonald & Mack, dated December 2, 2022
 - j. Utility Plan, prepared by MacDonald & Mack, dated December 2, 2022
 - k. Paving and Geometric Plan, prepared by MacDonald & Mack, dated December 2, 2022

- l. Turning Movement Analysis, prepared by MacDonald & Mack, dated December 2, 2022
 - m. Civil Details (pgs 1-3), prepared by MacDonald & Mack, dated December 2, 2022
 - n. Storm Water Plan, prepared by MacDonald & Mack, dated December 2, 2022
 - o. Chaska Yards – Unit Elevations, prepared by MacDonald & Mack
 - p. Ernst House – Building Elevations, prepared by MacDonald & Mack
 - q. Chaska Yards – Concept Renderings (pgs 1-23), prepared by MacDonald & Mack, dated January 18, 2023
- 2. Adherence with the City Engineers Memo dated February 8, 2023.
 - 3. Adherence with the SHPO letter dated April 11, 2022.
 - 4. Provision of 360-degree architecture be provided on the west and south facades of the detached garage by way of landscaping or architectural details.
 - 5. Provision that mechanical equipment will be fully screened from view.
 - 6. Provision of decorative garage doors to be used on the detached garage.
 - 7. Provision of an approved Site Alteration Permit by the HPC for the Ernst Home and Ess Lot (Chaska Yards) prior to final submittal.
 - 8. Compliance with applicable zoning requirements, in particular Chapter 15.28 (Special Regulations).
 - 9. Provision that building code is adhered to for all buildings.
 - 10. Provision to explore lighter color option for the new housing units, and to be addressed at final submittal.
 - 11. Provision that any existing boulevard trees damaged or removed from this project be replaced prior to issuance of a Certificate of Occupancy.
 - 12. Provision that fence height does not exceed 4 feet and to obtain a fence permit prior to installation.
 - 13. Provision of continued coordination between the applicant and City regarding the project edge and paseo edge matching up adequately.

Motion carried.

Motion by Baswa, second by Purdy, to recommend approval of the Zoning Ordinance Amendment to PRD-74.

Motion carried.

8. Other Business

- a. Recommend Appointment of Chair and Vice-Chair of the Planning Commission
City Planner Hanson presented the item to the Commission.

Community Development Director Kabat explained that on an annual basis, the City Council appoints Chair and Vice-Chair for the Planning Commission. He stated that by practice, they like to take action based on recommendations put forth by the Planning Commission itself. He noted for the last calendar year, Commissioner Brass served as Chair and former Commissioner Lacey served as Vice-Chair.

The Commission discussed various nominations.

Motion by Commissioner Aasen, second by Commissioner Purdy, to recommend to the City Council Appoint Rob Brass to serve as Chair and Todd Urbanski to serve as Vice-Chair.
Motion carried.

9. Receive Other Meeting Minutes

- a. Receive the December 19, 2022 and January 9, 2023 City Council Meeting Minutes
- b. Receive the December 9, 2022 EDA Meeting Minutes

Chair Brass suggested that because there are new faces on the Commission that they each introduce themselves.

The Commissioners introduced themselves and shared information about their background and experience.

10. Adjourn

Motion by Commissioner Aasen, second by Commissioner Olson, to adjourn the meeting at 8:30 pm.
Motion carried.

**CHASKA PLANNING COMMISSION
MINUTES
APRIL 12, 2023**

1. Call to Order

Chairperson Brass called the meeting to order at 7 pm.

2. Roll Call

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

Members absent: None.

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

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 Minutes of the February 8, 2023 Planning Commission Meeting

Motion by Commissioner Purdy, second by Commissioner Baswa, to approve the minutes of the February 8, 2023 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 Plat for Oak Creek 2nd Addition/DR Horton/PC #2023-11.

Motion carried.

7. Action Items

A. PUBLIC HEARING: Recommend Denial of the Variance to the Bavaria Road Setback at 1142 Rosemary Lane/Jimmy Son/PC #2023-09

City Planner Hanson presented the item to the Commission and noted that this item was scheduled to come before the City Council on April 17, 2023.

Commissioner Urbanski asked what the setbacks would be for an outdoor sport court.

City Planner Hanson explained that the setbacks would be similar to a regular patio setback which would be 5 feet on the sides and need to stay out of easements on the back property line.

Commissioner Olson asked what the classification was for Bavaria Road in the 2030 Comprehensive Plan.

City Planner Hanson stated that the classification for Bavaria Road was the same.

Commissioner Purdy asked if the plans were to widen Bavaria Road into two lanes each way.

City Planner Hanson explained that there is always that potential for any type of roadway but noted that there were no impending plans to do that to this section of the road.

Community Development Director Kabat noted that this section of Bavaria Road is interesting because to the south is a roundabout and there is also a portion of it that is a County road. He stated that the County does not currently have plans for it to become a County road, but it sets the context for its usage and noted that it is not just City traffic and is more local regional traffic.

Commissioner Baswa asked about the existing deck.

City Planner Hanson stated that the deck can stay because it meets the setback requirements, but explained that as soon as a building is added underneath, it triggered the variance request.

Commissioner Olson referenced the finding that stated there were other size options for the sport court that would stay within the setback. He asked what staff's opinion is regarding an addition that would fit the setback.

City Planner Hanson stated that if they planned the addition with the "L" shaped format, they would be able to stay within the setback of the roadway.

Commissioner Baswa asked about setbacks for other nearby homes and noted that on the map it appears that they are not the same.

City Planner Hanson stated that most along Rosemary Lane have been built pretty close to the 125 foot setback.

Community Development Director Kabat noted that there are no homes along this stretch that have a variance and are compliant.

Commissioner Olson noted that because the builder chose to put those homes right up to the setback it limits changes or additions that the homeowner is able to do.

Community Development Director Kabat agreed but noted that this is not an uncommon situation.

Commissioner Olson asked about safety concerns were for infringing into the 125 foot setback for this location.

City Planner Hanson explained that it is more of a welfare piece of the separation and volume that is associated with that road. She stated that with a road of this classification, having a larger separation from the road leads to better welfare for the person utilizing the property.

The property owner spoke from the audience and noted that there is a berm located on this property so the deck cannot be seen from the street.

Commissioner Aasen stated that he was in road design for over 30 years, and agreed with what the Planning staff was sharing with the Commission. He noted that he had seen too many situations where variances were allowed that ended up creating problems when they designed the roadway.

Chairperson Brass stated that he is not as concerned about safety and welfare in this instance but more that there is not an undue hardship present.

Chair Brass opened the Public Hearing at 7:32 p.m.

Jimmy Son, 1142 Rosemary Lane, stated that he understands that the City granting this request may be a long shot but explained that this has been a dream of his family for a long time. He stated that they love this community and the neighborhood, but winters can be terrible here. He stated that they have the resources to be able to do something like this for the kids in the community which is why they had requested it. He noted that they had tried to design it in a way that it would be minimally intrusive to everyone in the area.

Scott Corbin, contractor for Mr. Son, stated that he does a lot of projects around the cities. He noted that he had done some research and found that the setbacks were created because of Chavelle and not knowing what it was going to be. He stated that for the next 15-20 miles from this location, there is just one development that will be built. He explained that they have worked really hard on their design to minimize the impact on the neighbors.

Mike Heuer, 1154 Rosemary Lane, stated that he was in favor of the City granting this variance. He explained that he did not believe the homes on Rosemary Circle had a setback of 125 feet. He stated that he feels the plans are great and do not obstruct any of the neighbors. He stated that there are few other neighbors that were unable to attend the meeting that were also in support of this request. He asked the Commission to consider allowing this variance request.

Mr. Corbin noted that there is a berm that has a very steep slope and noted that the water from the neighboring properties runs down into Mr. Son's backyard. He stated that it creates a muddy swampy mess, so if they want to use the backyard they need to go way back which means they are even closer to the road. He noted that because of the drainage issues he noticed when he was on site, he had planned to put in a sump pump to handle the water that collects in Mr. Son's backyard from the area.

Commissioner Urbanski stated that it sounds like Mr. Son has talked to his neighbors about his plans and asked if there were any that were opposed to the project.

Mr. Son stated that there were not and explained that they are a pretty tight-knit neighborhood.

Chair Brass closed the Public Hearing at 7:30 p.m.

Commissioner Olson asked how many homes along Bavaria Road back-up along to Rosemary Lane and Rosemary Circle. He stated that he looked at Google Maps and believes it is about 8 or 9 homes. He noted that one thing that he believes may make this situation unique are the homes situated on Rosemary Circle that have a larger gap and were not built right up against the boundary like those on Rosemary Lane. He stated that what he sees as unique is how the area was plotted because it makes it difficult for any changes to be made to the property. He noted that this property is not on a corner so it would not be in the direct sight lines of turning lanes and also the plans, as presented, show the ability to keep it hidden. He stated that anyone driving by would not be able to tell that something was built under the deck so it is hard for him to say that there would not be the opportunity to grant the variance in this instance. He clarified that he understands a variance would be required, but noted that the applicant is not trying to build out further and just plans to stay under the deck which keeps it in the confines. He stated that he feels the Commission should at least discuss the idea of recommending approval of this variance request.

Commissioner Baswa stated that he sees the same thing and noted that their proposal does not actually change the landscape or look of the property. He stated that he does not see any safety concerns, even if the road expands, because the deck is already there. He agreed with Commissioner Olson that he also feels the Commission should discuss the possibility of recommending approval for this variance request.

Chair Brass stated that he would agree that there is probably not going to be an issue with the road or safety, but in this case, there is not any undue hardships or practical difficulties. He stated that he is concerned about the precedent that may be set by granting this variance and stated that he feels there needs to be a legitimate reason to grant this request. He stated that while he thinks having a sport court is a great idea, he does not think this request meets the City's standards. He explained that he would like to be able to say yes, but does not think it works.

Commissioner Urbanski stated that he is a big proponent of private property rights and believes people should be able to do what they want with their property to a certain extent, but understands that at the same time, there needs to be rules and regulations in the City in order to look out for various interests. He stated that he would agree that this request does not necessarily fall into the category of a variance but also needs to fall under common sense, because this proposal does not change the footprint of the property. He explained that the proposal is to add a sport court underneath an existing deck and noted that if you were to look at a satellite photo a year from now you would not even see a difference. He reiterated that he did not feel the term 'variance' fit in this instance and would like to find another tool so the City could allow this project to move forward. He stated that these plans will blend in with the rest of the homes in the area.

Chair Brass asked what would happen if another neighbor wanted to do something in 6 months, but were not able to hide it like Mr. Son can.

Commissioner Urbanski agreed that is where it can get a bit sticky because if they do it for one, they have to do it for another, but noted that he thought each project was supposed to be examined on its own merits.

Commissioner Olson stated that every variance request should be independent of everything else. He stated that he feels the Commission has learned that over the last few years and that the discussion should be about this property and these specific facts.

Commissioner Baswa stated that he agreed because he has seen variance discussions be around that particular situation.

Commissioner Urbanski asked if there was another tool besides a variance.

Community Development Director Kabat stated that staff wrestled with that idea. He stated that they are looking at a set of facts that pertain to this site and weighing them against the criteria as well as how State statute lays out with relation to practical difficulty. He stated that what he feels Commissioner Urbanski is describing is more of a policy question and noted that it feels like at the core of his comments is whether the setback should actually be what it is. He stated that he thinks that is definitely a legitimate question, but the reality is that the policy is what it is today. He stated that he did not think the discussion today should be whether the setback should change and should focus on the facts of the site in relation to what is proposed present a practical difficulty that warrants a variance. He explained that staff's analysis is that, in this case, the request did not meet the threshold for granting a variance. He reiterated that they are trying to evaluate what has been proposed against the regulations that exist right now.

Chair Brass noted that he just did not see the hardship in this situation.

Commissioner Olson asked Mr. Son if his basement was finished.

Mr. Son stated that his basement is finished.

Commissioner Olson stated that he feels Mr. Son is trying to find some safe space on their property to be able to exercise and they currently do not have a space to be able to do this. He stated that their proposed plans are to minimize the effects to anybody and in his opinion, he thinks it meets the requirements for recommending approval of their request.

Mr. Corbin noted that he was looking at information on the City website and believes he saw something about granting an extra 25 feet for probable cause.

City Planner Hanson stated that, off the top of her head, she was not familiar with what he may have seen or was referencing.

Mr. Son read aloud a portion of the Carver County Section 152.34 for a reduced setback.

City Planner explained that Carver County requirements were different than a City requirement.

Mr. Corbin asked if there was anything that he and Mr. Son could do to pursue this avenue of having a reduced setback requirement.

Community Development Director Kabat explained that he was not familiar with the Carver County code that was being referenced, but would assume that it was meant to apply to a County roadway and this particular road is a City road.

Commissioner Kerber asked what would happen if this is approved and the City ends up needing to revamp Bavaria Road.

Community Development Director Kabat stated that it is hard to wrestle with hypotheticals like that. He gave a general idea on what he felt was the best way to look at this type of request.

Commissioner Baswa stated that there are some rules in some situations where they can look at it on a case by case basis. He stated that in this scenario, he sees this as a situation where the City should be granting this variance.

Motion by Commissioner Brass, second by Commissioner Aasen, to recommend to the City Council denial of the variance request to encroach into the Bavaria Road setback 12 feet for the purpose of an indoor sport court (Section 15.28.100.A of Zoning Ordinance), based on the findings, as presented.

Roll Call Vote: Commissioners Aasen, Kerber, Brass, and Gaare in favor. Commissioners Purdy, Baswa, Olson, and Urbanski opposed.

Community Development Director Kabat noted that Commissioner Kerber is serving as an alternate, so although she can voice her vote, that vote does not officially count.

Motion failed. (3-4 Commissioners Baswa, Purdy, Olson, and Urbanski opposed))

Motion by Commissioner Urbanski, second by Commissioner Baswa, to recommend to the City Council approval of the variance request to encroach into the Bavaria Road setback 12 feet for the purpose of an indoor sport court (Section 15.28.100.A of Zoning Ordinance)/ Jimmy Son/ PC#2023-09.

City Planner Hanson stated that in order to recommend approval there needs to be findings.

Commissioner Olson stated that the Commission will not be able to come up with findings tonight, but has a motion on the floor that basically says that they do not agree with staff's opinion in this matter.

Community Development Director Kabat stated that he felt it was important for the Commission to substantiate their rationale for approval. He stated that he did not think they needed to make another motion because the original motion was voted down and staff can carry that result to the

City Council. He reiterated that they could also have an affirmative vote on a motion, but felt it was important to substantiate their reasoning.

Commissioner Urbanski stated that he would like to keep the second motion because he feels it will give the Council more information. He stated that he wished there was another tool that could be used outside of a variance and explained that for findings, he would say that their proposal does not change the footprint or overall size of the structure from the way it currently sits.

Commissioner Olson stated that for him it comes down to the cluster of houses that are located on Rosemary Lane that are situated differently than the homes to the south on Rosemary Circle which he feels makes this unique because they are the only homes that are remotely close to the 125 foot setback.

Community Development Director Kabat noted that the City Council will make the final decision on the application.

Commissioner Baswa asked if his understanding was correct that when staff presented this to the Council they would have their same recommendation for denial but asked what would happen if the City Council also disagreed with staff's opinion.

Commissioner Urbanski stated that the City Council can approve it and noted that the Planning Commission was just a recommending body.

Motion carried (4-3 Commissioners Aasen, Brass, and Gaare opposed).

B. PUBLIC HEARING: Recommend Approval of the Preliminary Site and Building Plan, Preliminary Plat, Zoning Ordinance Amendment (ZOA) and Variance for Chaska Yards/ Carver County CDA/PC #2023-01

City Planner Hanson presented the item to the Commission and noted that this item is slated to come before the City Council on April 17, 2023.

Commissioner Olson stated that he is happy to see that improvements have been made since this was presented in February.

Chairperson Brass opened the Public Hearing at 8:45 p.m.

Todd Grover, MacDonald and Mack Architects, introduced himself and stated that he was available to answer Commission questions.

Commissioner Olson stated that the big change was the elimination of the HOA. He stated that his biggest concern about this project is the closeness of these homes without having an HOA. He stated that it will create a cluster of homes that are very close together that has no oversight and asked what would be put into place for conflict resolution or to keep issues from arising.

Chuck Swanson, Carver County CDA, explained that they were really trying to get away from having an HOA and had not put anything in place for conflict resolution. He noted that their thought is that it would not be any different than having any other neighbor because the lots are individually owned.

Commissioner Olson stated that most other situations where they are this close are with something like a townhome or apartment buildings.

Commissioner Gaare referenced row houses which you frequently find on the east coast and noted that in that situation they rely on the police department if things get bad. She stated that she would agree that this is not that different than that type of housing.

Commissioner Olson stated that he appreciated the creative approach to this site, but that one detail throws a bit of a wrinkle into his thoughts.

Mr. Swanson stated that they are also looking at this as a property rights issues as well.

Community Development Director Kabat stated that they have talked about having an easement or shared use agreement across the shared sidewalk and garage area. He explained that the idea would be to have this agreement in place to spell out how maintenance of those facilities will occur over time. He stated that this would be different than an HOA, but there would be a mechanism in place that speaks to how those shared facilities are maintained, for example if the garage needs a new roof.

Chair Brass asked if there would be any sort of declaration that would be able to stop someone from, for example, painting their home bright pink or have a shed in the backyard.

Mr. Swanson stated that would go back the City zoning rules and regulations.

City Planner Hanson noted that if the neighborhood wanted to, they could establish their own covenants to limit or even eliminate the use of things like sheds.

Commissioner Urbanski asked if covenants and restrictions would work well for a development of this size that everyone would agree to when they buy the property.

Community Development Director Kabat stated that would be something for the applicant to take into consideration.

Mr. Swanson explained that they have not really considered those kinds of details at this point and noted that it will be difficult to cover every type of scenario with a restrictive covenant.

Community Development Director Kabat stated that this site is downtown and there are no HOAs or covenants that exist downtown. He noted that these homes will exist within the environment in a similar way as the surrounding context.

Commissioner Olson stated that he feels it is unique because there are three houses on one parcel, so he did not feel that would be just like everything else downtown. He stated that he is

not saying that he thinks this approach is bad but wants to make sure that the City plans and thinks through these things because they do not want issues to arise. He asked if they had looked at ways for the sidewalk from Walnut to the alleyway not to become a thoroughfare.

Mr. Swanson stated that they could put up some sort of decorative gate since it will be private property.

Commissioner Olson stated that he would like to find a way to ensure that people know that this is private property.

Mr. Grover stated that there will be some limitations on the east side because of the historic district and noted the intent is to have some sort of elevation change so it will feel a bit more limiting. He explained that he wasn't sure they wanted to do something like put a gate there, but thinks there will be a way to delineate that people would be walking on someone's private property. He noted that he did not expect it to be a common practice where people from the general public would be trying to walk through this area.

Chair Brass asked if it became a problem if the landowners could then decide to erect a gate or some other measure to limit access.

Community Development Director Kabat stated that if the residents wanted to put in a gate, there is not an ordinance in place that would stop them.

Commissioner Olson shared a hypothetical scenario of someone choosing to cut through, falling, and breaking their leg. He raised questions about liability and whose insurance would pay in that situation. He stated that he was not expecting an answer tonight, but suggested that the applicant look into some of these odd details now that they have taken away the HOA and common space.

City Attorney Saufley stated that those are usually determined by the reciprocal easement agreements and handled among the property owners by a contract in lieu of an HOA.

Mr. Swanson assured the Commission that they are working with an attorney on their end of things for these agreements.

Community Development Director Kabat noted that one of the conditions of approval is that they will have these agreements in place.

Commissioner Urbanski stated that there are a lot of twin home developments that are set up similarly to this proposal.

Chair Brass closed the Public Hearing at 9:01 p.m.

Commissioner Olson stated that he thinks this proposal has made good progress and is something unique and needed in the City.

Motion by Commissioner Brass, second by Commissioner Gaare, to recommend to the City Council approval of the Preliminary Site and Building Plan and Preliminary Plat for 4 housing units on the Ess Lot and Ernst Home (Chaska Yards), subject to the following conditions:

1. Approvals shall be based on the following graphic exhibits:
 - a. Narrative (pgs 1-8), prepared by MacDonald & Mack, dated March 13, 2023 and March 29, 2023
 - b. Aerial Exhibit, prepared by MacDonald & Mack, dated March 10, 2023
 - c. Existing Conditions, prepared by MacDonald & Mack, dated March 10, 2023
 - d. Selective Site Demolition and Erosion Control Plan, prepared by MacDonald & Mack, dated March 13, 2023
 - e. Site Plan, prepared by MacDonald & Mack, dated March 10, 2023
 - f. Preliminary Plat, prepared by MacDonald & Mack, dated March 10, 2023
 - g. Landscape Plan, prepared by MacDonald & Mack, dated March 10, 2023 Page 103 of 199
 - h. Overlay Plan, prepared by MacDonald & Mack, dated March 10, 2023
 - i. Grading, Drainage and Erosion Control Plan, prepared by MacDonald & Mack, dated March 13, 2023
 - j. Utility Plan, prepared by MacDonald & Mack, dated March 13, 2023
 - k. Paving and Geometric Plan, prepared by MacDonald & Mack, dated March 13, 2023
 - l. Turning Movement Analysis, prepared by MacDonald & Mack, dated March 13, 2023
 - m. Civil Details (pgs 1-3), prepared by MacDonald & Mack, dated March 13, 2023
 - n. Storm Water Plan, prepared by MacDonald & Mack, dated March 10, 2023
 - o. Photometric Plan, prepared by Pulse, dated December 20, 2022
 - p. Chaska Yards – Concept Renderings (pgs 1-17), prepared by MacDonald & Mack, dated March 10, 2023
 - q. Chaska Yards – Fencing Spec, prepared by MacDonald & Mack, dated March 10, 2023
 - r. Ernst House – Building Elevations, prepared by MacDonald & Mack
 - s. Ernst House – Floor Plan, prepared by MacDonald & Mack
 - t. Chaska Yards – Unit Elevations, prepared by MacDonald & Mack
 - u. Chaska Yards – Floor Plans, prepared by MacDonald & Mack
 - v. Chaska Yards – Garage, prepared by MacDonald & Mack
2. Adherence with the City Engineers Memo dated April 5, 2023.
3. Adherence with the SHPO letter dated March 27, 2023.
4. Provision of 360-degree architecture be provided on the west and south facades of the detached garage by way of landscaping or architectural details.
5. Provision that mechanical equipment will be fully screened from view.
6. Provision of decorative garage doors to be used on the detached garage.
7. Compliance with applicable zoning requirements, in particular Chapter 15.28 (Special Regulations).
8. Provision that building code is adhered to for all buildings.
9. Provision to explore lighter color options for the new housing units, and to be addressed at final submittal.
10. Provision that any existing boulevard trees damaged or removed from this project be replaced prior to issuance of a Certificate of Occupancy.
11. Provision that the fence height does not exceed 4 feet and to obtain a fence permit prior to installation.
12. Provision that Unit 1's eastern fence is pulled back to be in line with the side elevation, and to be shown on the final plans.
13. Provision of continued coordination between the applicant and City regarding the project edge and paseo edge matching up adequately.
14. Provision of continued coordinate with the Engineering Department related to utility connections to the site.
15. Coordination with and approval by the Engineering Department on an adequate construction traffic plan.
16. Provision of a drainage & utility easement approved by the Engineering Department on the south property line to encompass the retaining wall, and to be shown on the final plat.
17. Provision of additional coniferous trees added to the north property line of Unit 3, and to be addressed at final submittal.

18.Provision of a shared maintenance agreement for the garage and sidewalks is established prior to issuance of a building permit. Page 104 of 199

19.Provision of adequate cross access easements for shared walkways and driveways to be established prior to issuance of a building permit

Motion carried.

Motion by Commissioner Olson, second by Commissioner Urbanski, to recommend approval of the Zoning Ordinance Amendment to PRD-74 based on the draft ordinance.

Motion carried.

Motion by Commissioner Urbanski, second by Commissioner Baswa, to recommend approval of the Variance to Section 15.16.020.F.1. PRD Building Setbacks and Building Separation to reduce the building setback from 30 feet to 7 feet 8 inches and the building separation from 25 feet to 8 feet, based on the following:

1. The property in question cannot be put to reasonable use under the current setbacks and building separation. The property currently is vacant on the north side and contains the historic Ernst Home on the south side. The unique physical constraint on the property comes from the existing Ernst Home which has set a precedence for the setback from the streetscape (Walnut Street), plus establishes a significant building separation limitation on the vacant lot to the north. The national Walnut Street Historic District would be severely hampered if the vacant area is not filled in, and the Ernst Home is not occupied.
2. Characteristics unique to the property and not created by the applicant present practical difficulties in complying with the zoning ordinance. Specifically, the existing placement of the historic Ernst Home, which was a part of a larger community objective to preserve the building and facilitate a downtown redevelopment site (Firemen's Park). The national Walnut Street Historic District also emphasizes the importance of a consistent streetscape. Adhering to the PRD building setbacks and building separation would conflict with such emphasis.
3. The proposed use of the property is reasonable and consistent with the general purpose and intent of the comprehensive plan, downtown master plan and zoning ordinance. The Comprehensive Plan guides this area to be Downtown Mixed Use, which promotes a density of 12-40 units per net acre for residential uses. The project will be 6.6 units per net acre and create a configuration that will be harmonious with the surrounding context and national historic district. The proposal will further reinforce the Downtown Master Plan's redevelopment project of Firemen's Park in providing a use that will save the Ernst Home.
4. The proposed use, if granted, will not alter the essential character of the locality because the reduction in the setback and building separation will allow the site to provide a configuration and density that is consistent with downtown Chaska and necessary for the national Walnut Street Historic District. The essential character will be negatively altered if a variance is not granted.

Motion carried.

C. Recommend Approval of the Concept Plan for 3740 Chestnut Street/Audrius Asakenas/PC #2023-11

City Planner Hanson presented the item to the Commission.

Commissioner Urbanski stated that the driveway is currently shared with the dance studio.

Community Development Director Kabat noted that it is shared amongst the other tenants in the area and not just the dance studio.

Commissioner Urbanski asked if there would be a loading dock for semi-trucks.

The applicant stated that, at this time, they are not planning for a loading dock. He stated that there will only be people using their own vehicles or small delivery trucks. He stated that they are not expecting to use any semi-trucks.

Commissioner Urbanski stated that when he looks at this conceptually, his only concern would be the possibility of using semi-trucks and having enough room to maneuver without having to back out on Highway 41.

Chair Brass stated that he is an industrial broker and this kind of project coming through makes him very happy. He stated that he really likes this project and noted that there is a high demand and is usually cost prohibitive for small spaces.

Commissioner Olson stated that staff had noted in their report the need to allow access for the property owner to the north and asked if that information was known prior to the purchase of the property.

The applicant shook his head, no.

Commissioner Olson asked if that was a requirement from staff or just a request.

City Planner Hanson explained that she believed it was purely coming from the physical limitations that exist on the property to the north. She noted that it is completely separated from the other portion of TEL today and with the limitations of MnDot's access requirements, staff sees this as a conversation that will come up.

Commissioner Olson asked why that requirement would be placed on this property owner for the use of their own property. He asked when the meeting regarding access would be held with MnDot.

City Planner Hanson stated that she was not sure about the schedule for those meetings but knows that the conversations have been ongoing and they are still actively planning. She noted that staff has also engaged MnDot as part of this concept plan, but have not yet received comments.

The applicant stated that they have no problem extending their parking or drive aisle stubbing up to the TEL property.

Commissioner Olson asked if the proposed retention pond needed to right as someone enters the property.

The applicant stated that their concept plans show it in that location because of natural elevations. He stated they do not know its actual size yet because they have not studied the amount of hard surfaces and other calculations. He stated the way it is currently depicted is what they feel is the best, known location based on the topography of the site.

Commissioner Olson stated that he has been driving in and out of that parking area for 14 years and would like to see them find a way to make it more visibly attractive if this is the location that the retention pond will be.

The applicant stated that they plan to make it an amenity with landscaping because it will be right at their front door.

Commissioner Urbanski confirmed with the applicant that the spaces will be leased and not a condo.

Motion by Commissioner Urbanski, second by Commissioner Olson, to recommend approval of the Concept Plan for 3740 Chestnut Street, based on the following conditions:

1. Approvals shall be based on the following graphic exhibits:
 - a. Project Narrative (pgs 1-4)
 - b. Aerial Exhibit, submitted by Moore Engineering, Inc.
 - c. Site Exhibit (pg 1), submitted by Moore Engineering, Inc., dated January 16, 2023
 - d. GIS Slope Analysis, submitted by Moore Engineering, Inc., dated December 14, 2022
 - e. Existing Conditions (pg 3), submitted by Moore Engineering, Inc., dated February 21, 2023
 - f. Future Conditions (pg 4), submitted by Moore Engineering, Inc., dated February 21, 2023
 - g. Concept Development Plan (pg 5), submitted by Moore Engineering, Inc., dated January 23, 2023
 - h. Turning Movements, submitted by Moore Engineering, Inc.
 - i. Schematic Floor Plan (pg SD01), submitted by Thielen & Green, dated January 20, 2023
 - j. Schematic Elevations (pg SD02), submitted by Thielen & Green, dated January 20, 2023
2. Adherence with the Engineers Memo dated April 4, 2023.
3. Compliance with the MnDOT memo when made available.
4. Provision/modification of any drainage and utility easements as required by the City Engineer in the course of their review.
5. Provision of easements for the shared access (vehicular cross access easements) and utilities (utility easements) that service this lot, to be recorded with the plat.
6. Coordination with the City Engineer with regard to utilities, grading and drainage.
7. Installation of all site lighting at a 0 degree angle with the light source fully concealed.
8. Provision of a material board to be submitted at preliminary submittal.
9. Utilization of modular face brick or natural stone as a Class I material.
10. No exterior storage will be permitted.
11. Provision of a wooded steep slope field walk with staff to determine the wooded steep slope delineations prior to preliminary submittal.
12. Provision of a 50 foot building/parking setback and a 30 foot no grade/no mow setback from the edge of 18% wooded steep slopes.
13. Provision of hydrant placement needs to accommodate City standards for hydrant placement and fire code standards.
14. Provision to submit Utility and Site Plan As-Builts prior to issuing a building permit.
15. Any and all building signage shall be submitted separately, meet the sign ordinance, and shall obtain sign permits prior to installation.
16. Provision that signage for all tenants to use similar signing methods and design.
17. Provision of a sign plan to be submitted at preliminary.

- 18.Provision of a storm water management plan meeting City and Carver County WMO standards. Page 169 of 199
- 19.Compliance with applicable zoning requirements, in particular Section 15.28 (Special Regulations).
- 20.Provision that all mechanical equipment will be fully screened from view.
- 21.Compliance with Section 15.28.120 Building Design/Materials and Site Design.
- 22.Provision to further explore more building design elements in line with the context of Chaska, and to be addressed at preliminary submittal.
- 23.Provision to further explore more design methods to allow a more cohesive look with the material applications, and to be addressed at preliminary submittal.
- 24.Provision to further explore design methods on the east façade so it can read like a “front” façade, and to be addressed at preliminary submittal.
- 25.Coordination with Electric Department on service locations.
- 26.Provision of decorative front doors and overhead doors on the south and north facades, and to be shown on the elevations and as specs at preliminary submittal.
- 27.Provision that planting islands are provided in the parking lot areas that meet Section 15.28.070.E.4 and to be shown on the landscape plans at preliminary submittal.
- 28.Provision of a tree preservation plan to be submitted at preliminary.
- 29.Provision of a fire truck turning exhibit to be submitted at preliminary.
- 30.Provision of a truck turning exhibit showing back-ups from overhead doors
- 31.Provision to further explore vehicle circulation through the site, and the elimination of dead-end parking lots, and to be addressed at preliminary submittal.
- 32.Preservation of a vehicle access for the northern TEL property through the 3740 Chestnut Street site, and to be shown at preliminary submittal.
- 33.Provision of irrigation for the landscaped and sodded areas of the site.

Motion carried.

8. Other Business

A. Receive Previous Meeting Minutes

8.A.i. March 6, 2023 and March 20, 2023 City Council Meeting Minutes

9. Other Business

Commissioner Aasen

- Asked if there was anything the City could do with relation to parking restrictions for the contractors working on the apartment building north of the railroad tracks on Clover Ridge.

Community Development Director Kabat stated that staff is continuing to work with them and explained that the objective would be for them to be concentrating their activity on the site.

Chairperson Brass

- Asked what was going on with ‘the bump’ near Target

Community Development Director Kabat stated that he was not sure.

Commissioner Aasen stated that he thinks it may be possible that they put in a utility line too shallow and the fluid had penetrated the surrounding ground. He explained that what can happen in that situation is that when it freezes, it bubbles up.

- Asked if Costco was still moving forward.

Community Development Director Kabat explained that project continues to move forward and noted that staff has been seeing permitting come through from all the involved players. He stated that now that the weather has begun to change he expects to see a more visible change for this project area.

10. Adjourn

Motion by Commissioner Urbanski, second by Commissioner Purdy, to adjourn the meeting at 9:36 pm.

Motion carried.



AGENDA
CHASKA PLANNING COMMISSION
CHASKA CITY HALL - COUNCIL CHAMBERS & ZOOM
Wednesday, May 10, 2023
7:00 PM

1. Call to Order
2. Roll Call
3. Adopt Agenda
4. Visitor Presentation
5. Approve Previous Meeting Minutes
 - 5.A. Approve the April 12th Planning Commission Meeting Minutes
6. Consent Items
 - 6.A. Recommend Approval of the Final Plat for Rivertown Heights 2nd Addition/DR Horton/PC #2023-12
7. Action Items
 - 7.A. PUBLIC HEARING: Recommend Approval of the Preliminary Site & Building Plan, Preliminary Plat and Zoning Ordinance Amendment (ZOA) for Structures, Inc./Jeremy Banken/PC #2023-13
8. Other Business
 - 8.A. Recieve the April 3rd City Council Meeting Minutes
9. Adjourn