

**CHASKA PLANNING COMMISSION
MINUTES
AUGUST 9, 2023**

1. Call to Order

Vice-Chair Urbanski called the meeting to order at 7 pm.

2. Roll Call

Roll call was taken. Members present: Commissioners Olson, Gaare, Aasen, Baswa, Purdy, Kerber, Campbell, and Vice-Chair Urbanski.

Members absent: Chairperson Brass.

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

3. Adopt the Agenda

Motion by Commissioner Aasen, second by Commissioner Purdy 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 July 12, 2023 Planning Commission Meeting Minutes

Motion by Commissioner Olson, second by Commissioner Aasen to approve the minutes of the July 12, 2023 Planning Commission meeting.

Motion carried.

6. Consent Agenda

Motion by Commissioner Olson, second by Commissioner Purdy to approve the Consent Agenda as follows:

- a. Recommend Approval of the Final Site and Building Plan and Final Plat for Structures, Inc./Jeremy Banken/PC #2023-19

Motion carried.

7. Action Items

- A. PUBLIC HEARING: Recommend Approval of the Rezoning and Variance Request from the Wooded Steep Slope Setbacks for Linda Carlson's Home/Linda Carlson/PC #2023-18

City Planner Hanson presented the item to the Commission and noted that it will move on to the City Council on August 21, 2023.

Commissioner Olson asked about the comment about there being a man-made portion that is a steep slope.

City Planner Hanson reviewed the location of the man-made portion and noted that it was excavated out to mine sand but was also used as an interim shooting range area. She noted that the City's ordinance does not delineate between man-made and nature slopes.

Commissioner Olson stated that it appears as though the applicant is asking for variance now so that they will be able to develop more in future years which is a bit of a hang up for him. He noted that everything makes sense, but for that item, he feels they are choosing to put the house in this location for that reason, even though they have another 14.5 acres.

Commissioner Kerber stated this location would also be easier for accessing utilities.

Commissioner Campbell noted that this is supposed to be a sprinkled facility and asked if it would be on the City's water grid for fire hydrant access.

City Planner Hanson stated that their fire suppression would connect into the City facilities. She noted that she did not believe there would be a hydrant within 500 feet for this site but explained that from the Fire Department standpoint, if the structure is sprinkled, then they would be okay.

Community Development Director Kabat explained that was part of what was driving the requirement for the sprinkling.

Commissioner Aasen stated that to him this looks like it will be a great use and has been well thought out.

Dave Nash, Alliant Engineering, stated that he was representing the Carlson family for this application. He explained that the driveway location was selected to reduce the impact to the trees. He noted that the area where they would like to place the house is buildable but the only way to access it is from the bluff area.

Commissioner Olson asked what would happen when the rest of the property is developed and the driveway will be reclaimed. He also asked what will be used and about the process of putting it back into its current state minus the trees that will have to be removed.

Mr. Nash explained that it would just be removing the gravel, the pavement, and would just be part of the development approval. He stated that he assumed that they would just seed it because he didn't think it would make sense to plant trees and would just extend the driveway to the new proposed cul-de-sac.

Vice-Chair Urbanski opened the public hearing at 7:28 p.m.

No one appeared to address the Commission.

Chairperson Brass closed the public hearing at 7:29 p.m.

Commissioner Olson suggested adding another condition that when they remove the driveway, they return it to its natural state and replace the trees that had to be removed in order to put in the driveway.

Vice-Chair Urbanski asked how many trees would be taken out of the portion of the driveway that at some point would be connected. City Planner Hanson stated that it would probably be 2 trees.

Vice-Chair Urbanski stated that this is pretty minor, but would agree that it would be nice to have a few pine trees planted at the end of the driveway in this area, so it sort of blends in to the rest of the woods.

Motion by Commissioner Baswa, second by Commissioner Kerber, to recommend approval of the major variance request to encroach into wooded steep slope and the 30 foot no grade/no mow setback (Zoning Ordinance 15.28.100.C) in the areas depicted on the site plan dated July 26, 2022, to the City Council based on the following findings and conditions of approval, with the additional condition that when they remove the driveway that they return it to its natural state and replace the trees that had to be removed in order to put in the driveway:

FINDINGS:

1. The property in question cannot be put to a reasonable use under the current regulations and setbacks.
2. Staff feels the plight of the landowner is due to circumstances unique to their property not created by the landowner. The wooded steep slope delineations are a natural formation.
3. Staff also feels that the variance, if granted, will not alter the essential character of the area. The home and driveway are located in an area that will be fairly obscured from adjacent properties. The home and driveway will be able to fit into the long-term plan for the site when it develops.
4. There is not a reasonable alternative to the variance. The home and driveway are proposed in a location that would be less invasive on significant trees due to its close proximity to Schram Haus and the proposed temporary access. The location is also on the flattest and thinnest wood covered area of the site therefore minimizing the impacts.
5. The proposed home and driveway are not greater than necessary to accomplish the landowner's objective. The home and driveway were designed to be reasonable and sensitive to its context. The home is located in an area that will not impact wooded steep slopes and its required setbacks. The driveway is smaller than typical driveway widths but will still accomplish the landowner's objective and meet Fire standards.

CONDITIONS OF APPROVAL:

1. Approvals shall be based on the following graphic exhibits:
 - a. Project Narrative (pgs 1-3), submitted by Alliant Engineering, dated July 18, 2023
 - b. Carlson Property – Overall Aerial, submitted by Alliant Engineering, dated May 23, 2022
 - c. Carlson Property – Site Aerial, submitted by Alliant Engineering, dated July 26, 2022
 - d. Cover Sheet, submitted by Alliant Engineering, dated July 26, 2022
 - e. Tree Survey, submitted by Alliant Engineering, undated
 - f. Site Plan, submitted by Alliant Engineering, dated July 26, 2022
 - g. Sediment and Erosion Control Plan, submitted by Alliant Engineering, dated July 26, 2022

- h. Grading Plan, submitted by Alliant Engineering, dated July 26, 2022
- i. Utility Plan, submitted by Alliant Engineering, dated July 26, 2022
- j. Grading Plan with Driveway Profile, submitted by Alliant Engineering, dated July 26, 2022
- k. Carlson Property/DR Horton Overall Site Layout, submitted by Alliant Engineering, dated June 7, 2023
- l. Access Easement Exhibit, submitted by Alliant Engineering, dated December 22, 2022
- m. Utility Easement Exhibit, submitted by Alliant Engineering, dated December 22, 2022
- n. Architectural Plans (pgs 1-3)Page 51 of 112
- 2. Provision of a temporary access easement and utility easement to be executed and recorded prior to issuance of a building permit.
- 3. Coordination with the City Engineer with regard to utility connections.
- 4. Preservation of 18% wooded steep slopes including a 50 foot building setback and a 30 foot no grade/no mow setback from the edge in areas where variances are not granted.
- 5. Provision that home contains a fire suppression system as approved by the Fire Marshal.
- 6. At the time that future development is approved and constructed on the Carlson lot the home and driveway shall access from the local street system of such development and the temporary access easement on the Schram Haus property (3700 Chaska Boulevard) shall be dissolved.

Motion carried.

Motion by Commissioner Gaare, second by Commissioner Purdy, to recommend approval of the rezoning from Open (O) to Planned Residential District (PRD-81).

Motion carried.

- B. Recommend Approval of the Concept Plan for 3740 Chestnut Street and PID 303300020/Audrius Asakenas/PC #2023-20

City Planner Hanson presented the item to the Commission and noted that this is slated to go before the City Council on August 21, 2023.

Tom Goodrum, Moore Engineering, stated that there are excited about this project and shared some history of how this project has gotten to this point. He noted that they are still in negotiations with TEL so what they have depicted tonight is the maximum build out 'if' they bought property from them.

Commissioner Kerber asked if the Commission was basically looking at the same plan that was presented last time, but has just doubled in size.

Mr. Goodrum stated that was correct.

Commissioner Olson asked about the logic of having the design the way it is being presented instead of having it flipped the other way.

Mr. Goodrum stated that instead of having all the traffic wrap around the building to get to the back side of the C they felt the best way to get the trucks in and out as fast as possible it should be designed this way. He noted that with the berm along Highway 41, they felt confident that they could screen it and explained that it was more for safety reasons than aesthetics. He explained that they wanted to keep the area as natural as possible along the lake side of the property.

Commissioner Olson stated that he was happy to see this project come back through the way it is being proposed because he felt the first iteration was trying to cram in too much in order to get everything that they wanted within the space that they had. He asked staff about the plans for construction on Highway 41 and the right in/right out and how the City would commit to monitoring that access, if this project moves forward, once everything gets back to a normal state.

City Planner Hanson stated that one of the things that the City will have to look at when they get into preliminaries is understanding the type of traffic generation that they will be looking at for this site. She stated that long-term it will be highway access, so the State would have jurisdiction over the access point there.

Commissioner Olson stated that it was not addressed when Costco went in and he feels there were a lot of after the fact conversations. He stated that there have been a lot of variables that have changed and would like to know how it will be handled.

Mr. Goodrum stated that there is a shared access easement with Pondview which will have to be addressed and most likely changed or expanded as this moves forward. He stated that they have not designed the site yet, but he suspects that they will be looking at ways to create better visibility at this access point.

Commissioner Aasen stated that feels that this looks like a great use for the site and especially likes the idea of expanding with the additional TEL property.

Motion by Commissioner Aasen, second by Commissioner Baswa, to recommend approval to the City Council of the Concept Plan for 3740 Chestnut Street and the 3.37 acres on the southeast portion of TEL's property (3455 Lyman Blvd), subject to the following conditions:

1. Approvals shall be based on the following graphic exhibits:
 - a. Project Narrative (pgs 1-5)
 - b. Vicinity Plan, submitted by Civil Site Group
 - c. Alta/NSPS Land Title Survey, submitted by Civil Site Group, dated June 19, 2023
 - d. Alta/NSPS Land Title Survey (Topo Detail), submitted by Civil Site Group, dated June 19, 2023
 - e. Overall Lot Plan, submitted by Civil Site Group, undated
 - f. Enlarged Lot Area Plan, submitted by Civil Site Group, undated
 - g. Site Exhibit (pg 1), submitted by Civil Site Group, dated January 16, 2023
 - h. Concept Site Plan (pgs 1-2), submitted by Civil Site Group, undated
 - i. Fire Truck Turning Plan, submitted by Civil Site Group, undated

- j. Schematic Floor Plan (pg SD01), submitted by Thielen & Green, dated January 20, 2023
- k. Schematic Elevations (pg SD02), submitted by Thielen & Green, dated January 20, 2023
- 2. Adherence with the Engineers Memo dated August 9, 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. Uses that require auto maintenance or exterior storage will not 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.
- 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. Coordination with Electric Department on service locations.
- 25. Provision of decorative front doors and overhead doors on the south,

north and interior facades, and to be shown on the elevations and as specs at preliminary submittal.

26.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.

27.Provision of a tree preservation plan to be submitted at preliminary.

28.Provision of a fire truck turning exhibit to be submitted at preliminary.

29.Provision of a truck turning exhibit to be submitted at preliminary.

30.Provision of irrigation for the landscaped and sodded areas of the site.

Motion carried.

8. Other Business

9. Receive Other Meeting Minutes

A. Receive the June 26, 2023 City Council Meeting Minutes

Vice-Chair Urbanski

- Noted that the Chaska Community Center had their Open House today. He encouraged people to give their feedback on the proposed plans.

10. Adjourn

Motion by Commissioner Kerber, second by Commissioner Aasen to adjourn the meeting at 8:00 pm.

Motion carried.