AGENDA
CHASKA PARK & RECREATION COMMISSION
CHASKA CITY HALL - COUNCIL CHAMBERS & ZOOM
Tuesday, November 14, 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 September 12th, 2023 Meeting Minutes
6. Receive Council and Planning Meeting Minutes
   - 6.A. City Council Meeting Minutes 8/21/23, 9/18/23, 10/2/23
   - 6.B. Planning Commission Meeting Minutes 8/9/23, 9/13/23, 10/11/23
7. Discussion Items
   - 7.A. Meadow Park Public Safety Campus Preliminary Plan
   - 7.B. Project Updates
   - 7.C. Other Department Happenings
8. Other Business
   - 8.A. Round Table
9. Adjourn

Chaska
Parks and Recreation Commission
Meeting Minutes
September 12, 2023

**1. Call to Order**

The September 12th, 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, Georgiann Keyport, Zach Saueressig, Elizabeth Wynveen, Karli Wittner, Terrence Schwerm and Samsam Hassan

Absent: Vice Chair Jason Branch, Donelle Heieie, Michael Heuer

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

**3. Adopt Agenda**

**Revise Agenda to Show: 7.D Pedestrian & Bicycle Master Plan Update**
**And show Department Happenings under 7.E**

Motion by Wynveen, second by Saueressig, to adopt the September 12, 2023, meeting Agenda with Revisions.

Roll Call for Approval

**4. Visitor Presentation**

None in attendance

**5. Approve Previous Meeting Minutes**

5A. Motion by Keyport, second by Wittner, to approve the Chaska Parks and Recreation Commission meeting minutes of August 8, 2023.

Roll Call for Approval

**6. Receive Council and Planning Meeting Minutes**

6A. Council Minutes July 31, 2023

6B. Planning Commission Meeting July 12, 2023

**7. Discussion Items**

7A. Meadow Park Public Safety Campus

Grange gave an update on the concept plan review for Meadow Park, which is adjacent to the proposed public safety campus. He shared the process which starts at the concept level, moves to a preliminary plan, and ends with the final plan which is then submitted to council for approval.

This concept plan will go to the Planning Commission tomorrow, September 13th and then on to the City Council on September 18th. Downs asked if the plans include the construction layout of the new Public Safety Facility, Grange confirmed they are a part of the review process. Comments and feedback from the commission meeting tonight, along with questions, will be passed on to the Planning Commission for tomorrow's meeting as well as on to the Council meeting Monday. This also would go back to the developer to shape the preliminary plan with more details.

Grange referenced a map of where Meadow Park is, as well as the current parks that are in the general area. Meadow Park is a neighborhood park, meant to be accessed via walking trails or biking. There are a couple other neighborhood parks located within a half mile radius of Meadow Park as well, those being Moers, Griep, and Sunset.

Grange shared the background of this project, which started with the Council's Strategic Plan defined in 2021, which encouraged quality city facilities, meeting the demands of growth and to provide a sense of community pride in our buildings. This is where things started with looking at the limited space within various city departments, starting with the police department and the idea of moving them up to the fire station and creating a Public Safety Facility, as well as looking at expansion of the municipal services campus, relocation of the library and then finally, the remodel of city hall. Grange shared there has been some community engagement with the public this past summer at the fire station and at River City Days. He went on to share the comments and feedback from that time: The look of the security fence. Having a balance of trees and grass on the south berm. Location of park/playground. Trail maintenance. Amount of park green space. Trail access during construction.

Grange went on to share the concept map of the site changes, and revisions to Meadow Park. He pointed out the existing fire station, which is being proposed for tear down and building new. He pointed out the western edge of the park where there is public access to parking, as well as the entrance into the building where there would be public restrooms. To the west is where Meadows Park currently is, but you can see the playground area would need to be relocated to the north side of the property as it would be impacted by what is being proposed for that space. There has been discussion on creating a connection between the park and the public safety building, encouraging engagement with the community. Wynveen asked if Grange could provide the size differences between the current park and the concept plan. Grange stated the park area is smaller, but they are trying to make a larger playground area. Keyport asked if the holding pond size could be reduced to accommodate a larger park. Grange stated that will need to be a part of staff discussion, as they will need to figure out how to manage the storm water for a larger building and parking lot. Options that could be considered could be holding ponds that are there or underwater storage containers.

Grange pointed out possible future parking needs over time for additional police vehicles. Where would the perimeter fencing for that be installed. Saueressig asked if the driveway into the park split the trees on the concept map. This does divide the public parking area. Downs asked if the fencing was along the south and east side, Grange said yes but not near the park.

Keyport asked if there would be safety benefits in putting a fence between the park and the holding ponds. Downs asked if the park would stay open during the construction. Grange stated this is not guaranteed but could be considered as a recommendation. He asked for other feedback to share with the planning commission and Council.

Wynveen asked for the timeline of the project. Grange stated there is the opportunity to start construction during summer 2024 based on the planning and approval process. Downs asked when the preliminary water study would be completed. Grange stated this would be during the preliminary plan. Downs stated from this drawing, the park would be smaller than desired. Wittner asked how the size of Meadow Park compared to other neighborhood park areas. Grange stated the park is slightly over 3 acres, but this also includes the wetlands.

Keyport suggested considering safety fencing around the ponds. Wynveen stated there were shrubs placed around Lake Grace to help provide a safety barrier when that project was done rather than a fence. Wynveen stated it would be beneficial to see a larger, themed park that aligned with the fire and police station. Schwerm mentioned he would rather see more money invested into the playground shell rather than into the green space. He agreed with Wynveen regarding the theme park. Keyport recommended considering how the green space could be used by residents, and to determine how large the playground area would need to be.

Schwerm encouraged others to consider accessibility for the park and investing money in those areas, i.e., more playground, rubberized surface vs. green space. Wynveen questioned the safety of the driveway between the trees. Saueressig agreed and stated concern as a high traffic point near the bathrooms. Downs questioned if the area was designed for police vehicles. Saueressig asked where emergency vehicles would exit the parking lot. The emergency vehicles are leaving from the east side of the campus. Downs suggested asking if the entrance to the driveway could be removed or moved elsewhere to help provide better safety for park users. Saueressig questioned whether the driveway could be reshaped, trees moved, or looking at other options to make the space safer. Grange asked for other questions, comments, feedback. Ultimately the park is getting impacted. We will provide a summary of things from tonight that will be forwarded to the Planning Commission for review and then on to council review.

7B. <u>Community Center Master Plan</u>

Grange shared there was a public open house and presentation at the Chaska Community Center to review the master plan in August. The display boards, a survey, and other information were made available on the website for community members to review and provide feedback.

Grange stated most community members seemed satisfied with the current plan. He shared pickleball players requested a dedicated indoor facility to be included in the plan. This was considered in the process, but the spaces in the project are geared towards multipurpose use. There could be opportunities for pickleball programming in the gym spaces, while still being multifunctional space.

Grange shared the current racquetball courts were being transitioned to a different purpose. The racquetball players shared concerns about this decision. Grange shared racquetball courts only serve two individuals at a time. He stated there could be an opportunity to keep one or two of the court areas if there is further expansion of the space.

Saueressig asked for the feedback of pickleball players on the multipurpose space, as there needs to be space to put up the nets. Grange stated pickleball players desired a permanent space with better flooring and regular availability. Grange stated the Community Center area would be multipurpose and serve beginning pickleball players as well. The private sector continues to offer additional spaces to play pickleball indoors. Wynveen agreed with this comment, as the Community Center would provide a more welcoming environment for beginners. Schwerm agreed with this comment, as the private sector indoor spaces are often more expensive. The multipurpose space allows affordability for more individuals.

Grange shared that we received a 91% approval rating for the direction we are going with the Community Center Master Plan. He also mentioned the nice article in the Chaska Herald that was done on the plan.

Grange is working with the consultants to map out the final draft report. There is a proforma piece that goes along with the plan. They need yet to investigate the increased cost of updated building usage as well as the increased earning potential.

Grange stated he would work with the task force to move the plan forward and bring the plan to the City Council sometime before the end of the year.

Downs agreed the article in the paper was positive. Saueressig stated there were staff members at the open house event where they provided feedback and ideas for the master plan. He encouraged discussing this feedback with the staff members in a different space. Grange stated he can continue to keep staff involved and help them stay up to date during the process and with design details.

7C. Chaska Music Fest & Fundraiser

Grange encouraged the commissioners to share information about the upcoming music fest and fundraiser. Downs asked how the ticket sales have been doing. Grange stated the sales have been slow, the musicians are great performers but less known. He is considering how to create a call to action to encourage individuals to purchase tickets. He stated many may wait to see on the day of, what happens with the weather, it might impact the turnout. Staff are working with radio advertising to also generate excitement for the fundraiser.

Grange shared that there has been fundraising commitments towards the Miracle Field project.

7D. Pedestrian & Bicycle Master Plan Update

Grange stated the master plan was received. It has been posted on the website. He encouraged individuals to look at the website and share with neighbors and friends so individuals can see how their feedback was considered. This would also allow for individuals to provide additional feedback on the masterplan. This information will remain on the website for 30 days for community members to provide feedback prior to discussing the master plan with the City Council. Downs and Keyport stated the document was well done.

Grange stated he liked the variety of the master plan. He stated this plan will take time, which is why it is called the 2040 Vision. He looks forward to all the changes that will take place in the future to provide positive opportunities for biking and walking.

7E. Department Happenings

Grange stated there is a Latin Music and Food Fest at Fireman's Park on September 22nd. There will be food, music, and fireworks. He encouraged individuals to attend this event. He stated the fireworks at Fireman's Park are always great!

There will be parent's night out options from October 6 to December 29 at the Community Center. This will take place from 5:30 to 8:30 p.m. every other Friday night. This will allow parents to drop their kids off for activities while they enjoy a night out.

There is an adaptive t-ball program happening at Athletic Park on September 20th. This will be a great opportunity for children and parents to utilize the historic park.

There are beginner pickleball lessons starting on September 25th.

There will be another game night on September 20th, at 5:30 p.m. in the Lodge for Active Older Adults. Grange stated this should be a fun evening for the AOA's.

Grange shared that the U.S. 5 & Under Curling National Championship will occur in Chaska, April 24th – April 28th, 2024. This event is for beginner-level curling players who have played for 5 years or less.

Grange shared two Chaska youth curling teams competed in the Junior Olympic Trials in Denver, Colorado. Both Chaska youth teams made the semi-finals. One team went into the championship round. Both teams represented the community well and competed at a high level. He stated their hard work is paying off and they will experience more opportunities to continue playing in the future.

**8. Other Business**

8A. Round Table

Wittner went on a private tour to meet the goats at Savanna Oaks. She learned more about the restoration project at the park as well. Wynveen asked if the goat's duties were completed. Grange confirmed the goats completed their job and now parks staff will mow the area and reseed. They also will sub cut and rock the trail before winter. This trail will be paved in late spring 2024. Grange stated he is considering Monday, October 22nd as a ribbon cutting ceremony for Savanna Oaks Park. Wittner commented that she was impressed with the wetland restoration area and the flowers at the park as well.

Wynveen commented she was recently at the Hawks Ridge Mountain Bike Trail with her children. She stated there were a lot of grasshoppers, but her children enjoyed the activity. She questioned whether there was programming or classes available to help adults improve their mountain biking skills. Grange stated there were no current opportunities, but we could consider an external instructor to help teach the skill.

Keyport asked if there were policies that the Parks & Recreation Commission need to consider regarding cannabis in the parks now that it is legalized. Grange stated there is currently no ordinance about general smoking in public spaces, so could be difficult to do. Other cities that have utilized a no smoking ordinance could apply that to include cannabis. Grange shared this is something we would need to consider; the city is currently looking for direction from the League of Minnesota Cities as are many others.

Monteith reminded individuals whose terms are completed at the end of the year to reapply if they so desire. She stated she will work on sharing the application with individuals as soon as city hall sends them out.

Samsam asked if anyone could come to the Latin Music Festival, YES, all are welcome.

**9. Adjourn Meeting**

Motion to Adjourn the September 12th, 2023, meeting by Saueressig, second by Keyport.

Roll Call to Adjourn at 8:30 p.m.

Next meeting: October 10, 2023

WORK SESSION
2024 General Fund Budget/Tax Levy
5:45 - 7:00 PM

# AGENDA
# CHASKA CITY COUNCIL
CHASKA CITY HALL - COUNCIL CHAMBERS & ZOOM
Monday, August 21, 2023
7:00 PM

1. Call to Order
2. Pledge of Allegiance
3. Roll Call
4. Adopt Agenda
5. Visitor Presentation

    5.A. Growth Through Opportunity (GTO) 2023 Program Recap
    https://www.cbsnews.com/minnesota/news/chaska-summer-program-lets-interns-try-jobs-in-every-city-department/?intcid=CNM-00-10abd1h

    5.B. Chaska Historical Society Update - Lisa Oberski

    5.C. Beyond the Yellow Ribbon - Libby Fairchild

6. Approve Previous Meeting Minutes

    6.A. City Counicl Meeting Minutes 7/31/2023

7. Consent Items

    7.A. Adopt Resolution No. 2023-61 for Counting Write-In Votes for Local Elective Office

    7.B. Adopt Ordinance No. 2023-1035 Amending Chapter 5, Article 5.04, Sections 5.04.030 and 5.04.080 of the Chaska Minnesota Code of Ordinance

    7.C. Adopt Resolution No. 2023-64 Awarding Bid for 2023 Chaska Town Course Clubhouse Roof and Removal

7.D. Resolution 2023-65 Authorizing Signature of Professional Services Contract with Minnesota Department of Transportation (MNDOT) for Archeological Mitigation

7.E. Adopt Resolution No. 2023-66 Fire Sprinkler Assessment Petition for 500 Chestnut Street N.

7.F. Resolution 2023-67 Bond Sale Reimbursement

7.G. Adopt Resolution No. 2023-68 Approving the Final Site & Building Plan and Final Plat for Structures, Inc./Jeremy Banken/PC #2023-19

7.H. Approve Temporary On-Sale Intoxicating Liquor License - Chaska Rotary Foundation

7.I. Adopt Resolution #2023-70 Items Related to the Funding of the Creek Road Trunk Sewer Project

7.J. Establish a Public Hearing for Proposed SSD 2024 Operating Plan, Budget, and Service Changes

8. Action Items

8.A. Adopt Resolution No. 2023-69 and Ordinance No. 1036 Approving the Variance and Rezoning Request from the Wooded Steep Slope Setbacks for Linda Carlson's Home/Linda Carlson/PC #2023-18

8.A.i. Ordinance No. 1036

9. Bills

9.A. ACCOUNTS PAYABLE CLAIMS ROSTER 8-21-2023

10. Other Business

10.A. City Administrator's Report

10.B. Financial Reports as of 06/30/2023

11. Adjourn

**- MINUTES -**
**CHASKA CITY COUNCIL**
**SEPTEMBER 18, 2023**

1. Call to Order
The meeting was called to order by Mayor Windschitl at 7:06 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, Community Engagement Manager; Elise Durbin, Assistant City Administrator; Nate Kabat, Community Development Director; Liz Hanson, City Planner; Christophe Morschen, City Attorney; Krista Mark, Communications Coordinator and Matt Clark, City Engineer.

4. Adopt the Agenda
Motion by Councilmember Hubbard, second by Councilmember Grau to adopt the agenda as presented. Motion carried.

5. Visitor Presentation
5.A. Update from Chief Seibert on changes made during the 2023 Legislative Session impacting School Resource Officers
Chief Seibert noted the current contract is for two School Resource Officers (SROs) through June 2025 and detailed the responsibilities of SROs.

Chief Seibert explained in 2023, lawmakers included provisions in an education bill amending MN Chapter 121A that limits use of force towards students by SROs. Following the amendments, the authority to use force for the sole purpose of restraining a student has been removed from the law. However, certain compressive restraints and prone positioning are occasionally necessary for SROs to employ.

Chief Seibert added legislation has created a two-tiered system where the new rule applies to SROs or other contracted officers but not to patrol officers. There is resulting ambiguity regarding training and guidelines. He shared a few scenarios highlighting the differing roles between an SRO and regular-duty officer with the new regulations.

Chief Seibert pointed out Chaska Police Department (CPD) met with representatives of the School District to address concerns. SROs remain committed to working in their roles, and leadership has provided guidance to SROs regarding the new regulations.

Chief Seibert stated the Minnesota POST Board issued interpretation on Chapter 121A. The POST Board declared that violations of the new regulations could result in serious sanctions on officer licenses. Up to 50 agencies in Minnesota have removed SROs from contracts or schools and many other agencies have been evaluating and addressing challenges.

Councilmember Huang pointed out some officers may not be comfortable serving as SROs due to the risk for their license. Chief Seibert stated SROs could resign from their positions, then CPD leadership would have to decide if the role should be refilled.

Chief Administrator Podhradsky noted a large majority of the role of SROs is building rapport and relationships within the schools, and it is rarer for SROs to implement force within the schools. The City doesn't want to lose the important community being built up with youth.

Mayor Windschitl stated he doesn't want to lose SROs in the schools, but the Council has to think of what is best for the City. He asked if counsel has an opinion. City Attorney Morschen stated he could compose a memo for the Council.

Mayor Windschitl asked if the schools are lobbying for a change or if it would be the responsibility of the respective cities. Chief Seibert stated the schools are not currently lobbying for a change.

Councilmember Grau stated there is a website where individuals can pledge their support to SROs.

Councilmember Huang stated he respects the opinion of Chief Seibert and the SROs regarding the best actions moving forward. Councilmembers Hatfield and Hubbard noted their agreement with Councilmember Huang.

The Council thanked Chief Seibert for the presentation.

Mayor Windschitl introduced the City's new Communications Coordinator Krista Mark.

6. Approve Previous Meeting Minutes
6.A. Approve the August 21, 2023 City Council Meeting Minutes
Motion by Councilmember Hubbard, second by Councilmember Hatfield to approve the minutes of the August 21, 2023 City Council meeting.
Motion carried.

7. Consent Agenda
Motion by Councilmember Hubbard, second by Councilmember Grau to approve the Consent Agenda Items A through F:

A. Approve Temporary On-Sale Intoxicating Liquor License – Crown of Glory Lutheran Church

Motion to approve the Temporary On-Sale Intoxicating License TW 22-07 for Crown of Glory Lutheran Church, that allows them to serve intoxicating beverages at their fund-raising event, on October 14, 2023.

B. Adopt Resolution No. 2023-72 Termination of Tax Increment District No. 15

Motion to adopt Resolution No. 2023-72, Relating to the Termination of Tax Increment District No. 15.

C. Adopt Resolution 2023-74 to Authorize Offers for Easements for Minnesota River Bluffs Regional Trail – Chaska Connection

Motion to adopt Resolution No. 2023-74 to authorize city staff to send offer letters to affected property owners for the Minnesota River Bluffs Regional Trail – Chaska Connection.

D. Adopt Resolution 2023-76 Approving the Comprehensive Plan Amendment (CPA) to Update the Local Surface Water Management Plan (Appendix G)/City of Chaska/PC #2023-22

Motion to adopt Resolution No. 2023-76 approving the Comprehensive Plan Amendment (CPA) to Section 5.3.2 of Appendix G: Local Surface Water Management Plan

E. Adopt Resolution 2023-75 Transportation Economic Development Infrastructure Funds for the Creek Road Trunk Sewer Project

Motion to adopt Resolution No. 2023-75 for Transportation Economic Development Infrastructure Funds for the Creek Road Trunk Sewer Project.

F. Adopt Resolution 2023-73 Ordering the improvements and Awarding Bid for the 2023 Creek Road Utility and Street/Trail Improvement Project

Motion to adopt Resolution 2023-73, Ordering the Improvements and Awarding the Bid for the 2023 Creek Road Utility and Street/Trail Improvement Project –to Kusske Construction Co., LLC, in the low bid total amount of $2,624,480.00 and approving Change Order #1 in the amount of $10,850 to incorporate state grant requirements.
Motion carried.

8. Action Items

8.A. Adopt Resolution 2023-79 Adopting the proposed 2024 Maximum Property Tax Levy

Mayor Windchitl asked if Action Item 8.A. Adopt Resolution 2023-79 Adopting the proposed 2024 Maximum Property Tax Levy could be addressed after Action Item 8.B. Adopt Resolution 2023-77 Approving the Concept Plan for the Public Safety Facility/City of Chaska/PC#2023-21. There was no objection from the rest of the Council.

8.B. Adopt Resolution 2023-77 Approving the Concept Plan for the Public Safety Facility/City of Chaska/PC #2023-21

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

Multiple members of the Council pointed out how well the planning process has gone.

Motion by Councilmember Huang, second by Councilmember Hatfield to adopt Resolution No. 2023-77 approving the Concept Plan for the Public Safety Facility (PC #2023-21).
Motion carried.

8.A. Adopt Resolution 2023-79 Adopting the proposed 2024 Maximum Property Tax Levy

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

Motion by Councilmember Grau, second by Councilmember Huang to adopt Resolution No. 2023-79 adopting the proposed assessed 2023 payable 2024 maximum property tax levy. Motion carried.

9. Bills
9.A. Accounts Payable Claims Roster 18-9-2023
The Council requested further information about bills on pages 9 and 12.

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 18-9-2023
Councilmember Hatfield:

- Noted Coffee with a Cop will be on Wednesday, September 20, 2023 at McDonalds.
- Stated Food Distribution is on Thursday, September 21, 2023.
- Added the Latin Music and Food Fest is Friday, September 22, 2023.
- Met with the Downtown Business Alliance recently, and a number of events will take place in November.

Councilmember Hubbard:

- Attended Chaska Celebrates African Culture event.
- Noted there is an Open House for two construction projects on Wednesday, September 27, 2023 at the Arboretum.

Councilmember Huang:

- Attended Chaska Celebrates African Culture event.
- Noted there will be an upcoming wireless emergency alert on Wednesday, October 4 at 1:20 pm.
- Pointed out the Chaska Cares event is October 7, 2023.
- Stated House of Representatives will take a tour of Downtown Chaska to consider bonding.
- Noted Southwest Transit carried over 75,000 passengers to the State Fair this year. 91 percent of riders rated the service as good or excellent.

Councilmember Grau:

- Attended Fire Station Open House.

Mayor Windschitl:

- Recognized Jack Worm for retiring after 45 years with the City of Chaska.
- Noted the Council had a work session before the current meeting regarding construction in the City.
- Shared a concern about shrubbery and a trail project.

10.B. Financial Reports

11. Adjourn

Motion by Councilmember Huang, second by Councilmember Hubbard to adjourn the meeting at 10:28 p.m.
Motion carried.

**- MINUTES -**
**CHASKA CITY COUNCIL**
**OCTOBER 2, 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: Kevin Wright, Community Engagement Manager; Krista Mark, Communications Coordinator; Elise Durbin, Assistant City Administrator; Christophe Morschen, City Attorney; and Julie Grove, Economic Development Coordinator.

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

5. Visitor Presentation
John Wittman, Chaska resident, asked if the people of Chaska can afford the consistently increasing taxes. Last year the property taxes increased significantly. Also, the one percent sales tax is negatively impacting residents. Inflation for groceries and gas is unsustainable. Increasing taxes for infrastructure is just another straw that may break the backs of residents. He asked the Council to not be tone-deaf.

Mayor Pro Tem thanked Mr. Wittman for his comments. He noted there are a number of opportunities for community members to provide additional input in the budget process.

6. Approve Previous Meeting Minutes
6.A. Approve the September 18, 2023 City Council Meeting Minutes
Motion by Councilmember Grau, second by Councilmember Hatfield to approve the minutes of the September 18, 2023 City Council meeting.
Motion carried.

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

A. 2024 Prosecution Contract

Motion to authorize the Mayor Pro Tem and Assistant City Administrator to execute the 2024 County Prosecution Contract.

B. Calling for a Public Hearing to Consider a Grant Application to the Minnesota Investment Fund (MIF) Program

Motion to set a Public Hearing for October 16, 2023 to Consider a Grant Application to the Minnesota Investment Fund (MIF) Program.
Motion carried.

8. Action Items

8.A. Adopt Resolution 2023-80, Public Assessment Hearing and Resolution Approving the Imposition of Service Charges for the 2024 Chaska Downtown Special Services District

Assistant City Administrator Durbin introduced the item to the Council and Economic Development Coordinator Julie Grove provided a presentation on it. Dan Keyport, Chaska Downtown Business Alliance President, also provided information.

Councilmember Hubbard thanked the business owners for their contributions to the Chaska community. The Councilmembers provided a number of positive comments about the impact of the businesses in Downtown Chaska.

Mayor Pro Tem Huang opened and closed the public hearing at 7:24 p.m. as no one wished to address the Council.

Motion by Councilmember Hatfield, second by Councilmember Grau to adopt Resolution 2023-80 Imposing Service Charges and Setting the 2024 Operating Budget and Plan for the Chaska Downtown Special Service District.
Motion carried.

8.B. Public Hearing to Consider Certification of Fall 2023 Delinquent Utilities and Adopt Resolution 2023-81 Approving Certification of Delinquent Utilities and Miscellaneous Unpaid Charges

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

Mayor Pro Tem Huang asked why the smaller amounts were included in the report even though it was described as listing only fees owed in excess of $50. Councilmember Hatfield stated the list is broken down by different utility types, so the total fees owed by a unit are above $50.

Mayor Pro Tem Huang pointed out Chaska offers a number of assistance programs to help pay for utilities. Assistant City Administrator Durbin confirmed that was correct and noted Staff works closely with those with delinquent utilities to connect them with support.

Mayor Pro Tem Huang opened and closed the public hearing at 7:33 p.m. as no one wished to address the Council.

Motion by Councilmember Hubbard, second by Councilmember Grau to adopt a Resolution 2023-81 approving certification of delinquent utilities and miscellaneous unpaid charges to Carver County for collection with the payable 2024 property taxes.
Motion carried.

9. Bills

9.A. Accounts Payable Claims Roster 2-10-2023

The Council requested further information about bills on pages 11 and 19.

Assistant City Administrator Durbin provided further information regarding those bills.

Motion by Councilmember Hatfield, second by Councilmember Hubbard 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

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

Councilmember Hatfield:

- Noted Guardian Angels recently held their event Downtown.
- Stated the Chaska Cares event is on Saturday, October 7, 2023.
- Added the Halloween Jamboree is on October 28, 2023.
- Encouraged residents to reach out to Councilmembers with their comments and concerns regarding the budget rather than just commenting on social media.

Councilmember Hubbard:

- Pointed out the 2040 Master Plan was made public.

Councilmember Grau:

- Noted the Miracle League baseball field is interesting and worth a conversation resources and abilities individuals have.
- Attended the Latin Music and Food Festival.
- Attended the Community Parks event prior to the present Council Meeting.

Mayor Pro Tem Huang:

- Attended the Latin Music and Food Festival.
- Stated the Costco site is still underway, and they hope to open on schedule.
- Attended the open house for the construction project at the Landscape Arboretum.
- Pointed out on Wednesday, October 4, 2023 around 1:20 p.m. will be an emergency alert drill.
- Stated a new group of legislators and the House Capital Committee will be hosted Tuesday, October 10, 2023 at the City Hall in the History Center.
- Asked for an update on the process regarding City Square Park. Assistant City Administrator Durbin provided an update on the park plans.

11. Adjourn

Motion by Councilmember Grau, second by Councilmember Hubbard to adjourn the meeting at 7:57 p.m.
Motion carried.

# 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.

# CHASKA PLANNING COMMISSION
# MINUTES
# SEPTEMBER 13, 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, Baswa, Kerber, Campbell, and Chairperson Brass.

Members absent: Commissioner Purdy.

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

3. Adopt the Agenda
Motion by Commissioner Olson, second by Commissioner Kerber to adopt the agenda as presented.
Motion carried.

4. Visitor Presentation
No one appeared under Visitor Presentation.

5. Approve the Minutes of the August 9, 2023 Planning Commission Meeting
Motion by Commissioner Aasen, second by Commissioner Baswa to approve the minutes of the August 9, 2023 Planning Commission meeting.
Motion carried.

6. Consent Agenda

7. Action Items

A. PUBLIC HEARING: Recommend Approval of the Comprehensive Plan Amendment (CPA) to Update the Local Surface Water Management Plan (Appendix G)/City of Chaska/PC #2023-22

City Planner Hanson introduced Brent Alcott, Water Resources Coordinator.

Water Resources Coordinator Alcott presented the item to the Commission.

Chair Brass opened the public hearing at 7:24 p.m. there being no comments, he closed the public hearing at 7:25 p.m.

Motion by Commissioner Aasen, second by Commissioner Baswa, to recommend to the City Council approval of the Comprehensive Plan Amendment (CPA) to Section 5.3.2 of Appendix G: Local Surface Water Management Plan.

Motion carried.

B. Recommend Approval of the Concept Plan for the Public Safety Facility/City of Chaska/PC 32023-21

City Planner Hanson presented the item to the Commission and noted that if approved, this item would come before the City Council on September 18, 2023. She noted that there are two representatives from CNH Architects present at tonight's meeting if the Commission had questions.

Commissioner Kerber asked if they had been working on Engler Boulevard itself, in terms of how it will handle this situation. She explained that, for example, when school lets out, it is very difficult to get onto Engler Boulevard.

City Planner Hanson confirmed that the City has been involved in ongoing meetings with the County and the design team that is doing the improvement work on Engler Boulevard and this is all part of the master plan for the Engler and Highway 41 improvements.

Community Development Director Kabat stated that there was a corridor study that was done a few years ago that looked at this area. He noted that in the last few years, Carver County has really been focusing in on the stretch that goes between Park Ridge Drive and Bavaria Road. He stated that he thinks it is likely that they will see construction of some sort beginning in 2025. He explained that the plan calls for roundabouts at Bavaria Road, White Oak, Park Ridge Drive, and Highway 41. He stated that the County is fully aware that there is a Public Safety Facility that will be in this location and that any plans will need to support emergency vehicles. He stated that they have looked at things like alert systems at the access points that can be activated through the Opticon system.

Commissioner Olson asked about the greenspace loss around the park and noted that it seems significant.

Commissioner Gaare stated that she would also like to know how the calculation was done.

City Planner Hanson stated that they had just done a rough estimate and noted that the overall park area useable greenspace, including the playground, is about an acre. She explained that because this is the Concept Plan, it was hard to say right now what the exact calculation is, but noted that it would be less than an acre.

Community Development Director Kabat reminded the Commission that this is the Concept Plan and more of the specific details will come with the Preliminary Plan stage. He stated that there will be an impact, but it is difficult to say what it will be at this point in the planning.

Commissioner Olson asked about the design of the building and noted that it is primarily a one-story building that takes up a lot of space. He asked if there may be a way to fill in the second story in order to be able to create more greenspace that would not be consumed like it would be a one-story building. He stated that he understands that this is the Concept Phase but noted that he felt that if the Commission didn't push for a few things now, it would not happen later.

Commissioner Campbell asked why they had made the choice to design the building as a one-story structure.

Community Development Director Kabat stated that the architects can answer that question, but noted that at a high level, the process in design has been very engaged with the Police and Fire Departments and has focused on operations and efficiency.

Quinn Hutson, CNH Architects, explained that as Community Development Director Kabat alluded to, much of the design choices were made for operational reasons. He noted that the fire station portion of the building is two-stories but the Police Department wanted something that would allow their operations to flow together and not be separated on different floors. He stated that they also took into consideration the single family homes to the south and felt that the lower, single story portion of the structure would work better in that location.

Brooke Jacobson, CNH Architects, explained that they were trying not to have a second story right up against the residential area to the south. She stated that they did work through different iterations including placing some of the Police Department functions on the second floor, but operationally, that just did not work for them.

Chair Brass stated that it appears as though there is a fair amount of building space with the parking, armory public spaces, garage, training which saved some space by building down.

Ms. Jacobson agreed and noted that they had tried to put a much down as possible that would still work operationally.

Commissioner Baswa asked if there may be a way to move some of the parking in order to create more greenspace.

Ms. Jacobson explained that the majority of the parking, except for one stall, which is reserved for the future S.W.A.T. vehicle, would be for the patrol cars themselves. She noted that all of the above ground parking would be for staff with about 6-7 stalls set aside for patrols to be able to temporarily come in, for example, if they need to drop off evidence. She stated that one of their earlier plans had additional parking stalls underneath, but in order to keep costs and overall square footage down, they moved to just the appropriate amount of stalls.

Commissioner Gaare asked if that was determined based on the projected growth of both the Fire and Police Departments.

Ms. Jacobson stated that was correct.

Chair Brass asked about the useful life of this facility.

Ms. Jacobson explained that their goal is for a 50 year lifespan for public facilities.
Community Development Director Kabat stated that in looking at the scale of the building, what they are considering is a full build out of the community, which they expect will be in the next 20 years or so. He reviewed the staffing study that was conducted a number of years ago and how that related to their planning.

Commissioner Gaare stated that this information should be communicated with people who are concerned as part of their strategic communication about this project.

Community Development Director Kabat stated that the interplay between the Fire and Police Departments and the park are very important. He noted that there are a lot of people who come to the park with their children and then stop by the fire house. He stated that he knows that the Fire Department appreciates those kinds of opportunities for community engagement and believes that it is also something that he believes the Police Department is excited about having that opportunity to connect with the community in a positive manner.

Mr. Hutson stated that, in the design, there has been a focus on ways to make a strong connection between the park area and the front entry that they will flesh out further into the plans.

Chair Brass asked if he had seen information that there would be a three-story section of the building that would be used for training.

Mr. Hutson explained that the hose tower would be located on the back side and would not be easily seen. He stated that this tower gives them a place to hang the hoses but also gives them the opportunity for on-site training.

Chair Brass noted that he likes the look of the building and asked if there would be barbed or razor wire around the fencing.

Mr. Hutson stated that there would not be barbed or razor wire.

Ms. Jacobson stated that they were planning on decorative metal fencing with the top portion that curves outward for security purposes. She noted that during the neighborhood meeting, most of the comments centered around the park and everyone had positive things to say about the building.

Chair Brass noted that he is a big proponent of parks, but it is hard to argue that this is not a great location for the Fire Department and an even better location for the Police Department. He asked if the Park Board would ultimately decide what equipment would go in this spot, such as a swing set or other playground equipment.

Community Development Director Kabat explained that the way he was anticipating it was for the process to be very similar to what was pursued for the Savannah Oaks Park.

Commissioner Olson asked if there was a requirement to have full flow of Police access to the west.

Ms. Jacobson explained for Police it is best if they have two ways out of a site. She stated that it also allows police staff to enter on the west side and not disrupt any of the response flow that may be happening on the east side.

Commissioner Baswa asked if there had been any consideration for adding things like solar panels to help reduce the City's carbon footprint.

City Planner Hanson stated that they are trying to be proactive on that in terms of trying to bring in some renewable energy so there are options to bring in solar panels on top of the roof.

Ms. Jacobson explained that they were sizing the roof of the apparatus bay in order to be able to handle future solar panel loads.

Chair Brass noted that there were people on-line and asked if they had questions.

City Planner Hanson asked if there was anyone on-line who would like to address the Commission, but no one responded. She asked Communications Director Wright to watch over the on-line participants and see if anyone indicated an interest in speaking.

Commissioner Aasen asked about the logistics of how this facility could be built while keeping the existing fire station open and operational.

Community Development Director Kabat stated that there will need to be a temporary location for the fire station during the construction process and explained that they have started investigating various locations.

Commissioner Kerber asked how long they expect the whole project to take.

Ms. Jacobson stated that they are looking at roughly 18 months with a construction start in spring of 2024.

Communications Director Wright noted that there was someone on-line who had asked to make a comment.

Mrs. Bartley, 1480 Meadow Lane, stated that she had questions about the location of the generator and transformer and asked if those were things that ran all the time and would potentially be loud.

Mr. Hutson stated that the transformer is just an electrical box and would not have a sound associated with it. He stated that the generator would be something that runs when the power is out for an emergency, and also for a 20 minute period once a month in order to verify that it was in working condition, which is typically done in the middle of the day. He noted that they are proposing a natural gas generator which is a quieter motor system than diesel, it will be inside of a sound rated enclosure and noted that they are planning to build walls around the generator that will also help with sound and improve the looks of the unit. He explained that when it is running it will be able to be heard from the parking lot at the level of a small truck idling in the background, but from a distance it would likely not be heard.

Community Development Director Kabat stated that he believed there was already a generator on site for this same purpose.

Mr. Hutson stated that was correct but noted that it was a smaller and older generator than what they are planning for the new facility.

Ms. Bartley asked about potential debris and disruption that may be caused by the construction project. She explained that her backyard, where they have a swimming pool, backs up to the fire station and she was concerned about debris and/or dust.

Community Development Director Kabat stated that there will be some earth work done which can cause some dust, but dust control is a part of their operation so she should see them spreading water and using other methods to control the dust. He stated that regarding debris, the expectation is that the construction site will be run in a clean and efficient manner. He explained that the City was already engaged with a construction management company called RJM who has begun helping the City through this design process. He stated that RJM has ample experience managing large scale construction projects in the metro area an explained that the neighboring properties would be made aware of points of contact so they can report if there are any issues that crop up.

Commissioner Olson asked if all the mature trees on the berm would be removed and replaced with something immature.

Community Development Director Kabat stated that was true.

Commissioner Olson asked if there was any opportunity to save any of the mature trees.

Community Development Director Kabat stated that due to the nature of the amount of movement that needs to occur, there would be too substantial of a change to be able to successfully save trees out there. He stated that their goal is to establish a healthy of a presence as they can from the onset in order to get the process moving. He shared details about the difficulty in relocating more mature trees .and noted that he understood Commissioner Olson's concern and assured him that getting some height established from the onset was something that they will try to achieve.

Chair Brass asked if the feedback from the neighborhood was to have some trees and some grasses and not just a line of trees in this location.

Community Development Director Kabat confirmed that this was the feedback heard at the neighborhood meeting. He noted that there will be opportunities for ongoing discussions with the neighborhood group to get feedback on plans for this area.

Ms. Bartley stated that they want the greenspace where it should be, by the park and explained that everyone in the neighborhood is very happy with the coverage and privacy that is currently in place on the berm.

Chair Brass noted that as this moves into Preliminary Plat there will be more neighborhood meetings and detailed landscape plans.

**Motion by Commissioner Gaare, second by Commissioner Aasen, to recommend approval of the Concept Plan for the Public Safety Facility, subject to the following conditions:**

**1. Approvals shall be based on the following graphic exhibits:**
**a. Project Narrative (pgs 1-8), submitted by CNH Architects, dated August 1, 2023**
**b. Site Force Exhibit (pgs CS01-CS02), submitted by CNH Architects, dated August 1, 2023**
**c. Precedent Imagery (pg CS03), submitted by CNH Architects, dated July 26, 2023**
**d. Grading and Erosion Control Plan (pg C300), submitted by CNH Architects, dated August 1, 2023**
**e. Chaska Public Safety Facility – Meadow Park, submitted by HKGI, dated August 1, 2023**
**f. Schematic Site Plan (pg CS04), submitted by CNH Architects, dated August 1, 2023**
**g. Schematic First Floor Plan (pg CS05), submitted by CNH Architects, dated August 1, 2023**
**h. Schematic Basement & Second Floor Plans (pg CS06), submitted by CNH Architects, dated August 1, 2023**
**i. Schematic Exterior Perspectives (pgs CS07-CS08), submitted by CNH Architects, dated August 1, 2023**
**2. Compliance with the Carver County memo when made available.**
**3. Provision/modification of any drainage and utility easements as required by the City Engineer in the course of their review. Page 44 of 79**
**4. Coordination with the City Engineer with regard to utilities, grading and drainage.**
**5. Installation of all site lighting at a 0 degree angle with the light source fully concealed.**
**6. Provision of a material board to be submitted at preliminary submittal.**
**7. Utilization of modular face brick or natural stone as a Class I material.**
**8. Provision of hydrant placement needs to accommodate City standards for hydrant placement and fire code standards.**
**9. Provision to submit Utility and Site Plan As-Builts prior to issuing a building permit.**
**10.Any and all building signage shall be submitted separately, meet the sign ordinance, and shall obtain sign permits prior to installation.**
**11.Provision of a sign plan to be submitted at preliminary.**
**12.Provision of a storm water management plan meeting City and Carver County WMO standards.**
**13.Compliance with applicable zoning requirements, in particular Section 15.28 (Special Regulations).**
**14.Provision that all mechanical equipment will be fully screened from view.**

**15.Compliance with Section 15.28.120 Building Design/Materials and Site Design.**
**16.Coordination with Electric Department on service locations and transformer needs.**
**17.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.**
**18.Provision of a fire truck turning exhibit to be submitted at preliminary.**
**19. 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 July 17 and July 31, 2023 City Council Meeting Minutes
B. Receive the June 26, 2023 EDA Meeting Minutes
C. Receive the June 13, 2023 Park Board Meeting Minutes

Community Development Director Kabat

- Gave an overview of the early efforts for a Safe Route To School plan with Clover Ridge Elementary and noted that the City had received a grant for these efforts.

10. Adjourn
Motion by Commissioner Kerber, second by Commissioner Olson, to adjourn the meeting at 8:40 pm.
Motion carried.

# 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.

# CHASKA PLANNING COMMISSION
# MINUTES
# SEPTEMBER 13, 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, Baswa, Kerber, Campbell, and Chairperson Brass.

Members absent: Commissioner Purdy.

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

3. Adopt the Agenda
Motion by Commissioner Olson, second by Commissioner Kerber to adopt the agenda as presented.
Motion carried.

4. Visitor Presentation
No one appeared under Visitor Presentation.

5. Approve the Minutes of the August 9, 2023 Planning Commission Meeting
Motion by Commissioner Aasen, second by Commissioner Baswa to approve the minutes of the August 9, 2023 Planning Commission meeting.
Motion carried.

6. Consent Agenda

7. Action Items

A. PUBLIC HEARING: Recommend Approval of the Comprehensive Plan Amendment (CPA) to Update the Local Surface Water Management Plan (Appendix G)/City of Chaska/PC #2023-22

City Planner Hanson introduced Brent Alcott, Water Resources Coordinator.

Water Resources Coordinator Alcott presented the item to the Commission.

Chair Brass opened the public hearing at 7:24 p.m. there being no comments, he closed the public hearing at 7:25 p.m.

Motion by Commissioner Aasen, second by Commissioner Baswa, to recommend to the City Council approval of the Comprehensive Plan Amendment (CPA) to Section 5.3.2 of Appendix G: Local Surface Water Management Plan.

Motion carried.

B. Recommend Approval of the Concept Plan for the Public Safety Facility/City of Chaska/PC 32023-21

City Planner Hanson presented the item to the Commission and noted that if approved, this item would come before the City Council on September 18, 2023. She noted that there are two representatives from CNH Architects present at tonight's meeting if the Commission had questions.

Commissioner Kerber asked if they had been working on Engler Boulevard itself, in terms of how it will handle this situation. She explained that, for example, when school lets out, it is very difficult to get onto Engler Boulevard.

City Planner Hanson confirmed that the City has been involved in ongoing meetings with the County and the design team that is doing the improvement work on Engler Boulevard and this is all part of the master plan for the Engler and Highway 41 improvements.

Community Development Director Kabat stated that there was a corridor study that was done a few years ago that looked at this area. He noted that in the last few years, Carver County has really been focusing in on the stretch that goes between Park Ridge Drive and Bavaria Road. He stated that he thinks it is likely that they will see construction of some sort beginning in 2025. He explained that the plan calls for roundabouts at Bavaria Road, White Oak, Park Ridge Drive, and Highway 41. He stated that the County is fully aware that there is a Public Safety Facility that will be in this location and that any plans will need to support emergency vehicles. He stated that they have looked at things like alert systems at the access points that can be activated through the Opticon system.

Commissioner Olson asked about the greenspace loss around the park and noted that it seems significant.

Commissioner Gaare stated that she would also like to know how the calculation was done.

City Planner Hanson stated that they had just done a rough estimate and noted that the overall park area useable greenspace, including the playground, is about an acre. She explained that because this is the Concept Plan, it was hard to say right now what the exact calculation is, but noted that it would be less than an acre.

Community Development Director Kabat reminded the Commission that this is the Concept Plan and more of the specific details will come with the Preliminary Plan stage. He stated that there will be an impact, but it is difficult to say what it will be at this point in the planning.

Commissioner Olson asked about the design of the building and noted that it is primarily a one-story building that takes up a lot of space. He asked if there may be a way to fill in the second story in order to be able to create more greenspace that would not be consumed like it would be a one-story building. He stated that he understands that this is the Concept Phase but noted that he felt that if the Commission didn't push for a few things now, it would not happen later.

Commissioner Campbell asked why they had made the choice to design the building as a one-story structure.

Community Development Director Kabat stated that the architects can answer that question, but noted that at a high level, the process in design has been very engaged with the Police and Fire Departments and has focused on operations and efficiency.

Quinn Hutson, CNH Architects, explained that as Community Development Director Kabat alluded to, much of the design choices were made for operational reasons. He noted that the fire station portion of the building is two-stories but the Police Department wanted something that would allow their operations to flow together and not be separated on different floors. He stated that they also took into consideration the single family homes to the south and felt that the lower, single story portion of the structure would work better in that location.

Brooke Jacobson, CNH Architects, explained that they were trying not to have a second story right up against the residential area to the south. She stated that they did work through different iterations including placing some of the Police Department functions on the second floor, but operationally, that just did not work for them.

Chair Brass stated that it appears as though there is a fair amount of building space with the parking, armory public spaces, garage, training which saved some space by building down.

Ms. Jacobson agreed and noted that they had tried to put a much down as possible that would still work operationally.

Commissioner Baswa asked if there may be a way to move some of the parking in order to create more greenspace.

Ms. Jacobson explained that the majority of the parking, except for one stall, which is reserved for the future S.W.A.T. vehicle, would be for the patrol cars themselves. She noted that all of the above ground parking would be for staff with about 6-7 stalls set aside for patrols to be able to temporarily come in, for example, if they need to drop off evidence. She stated that one of their earlier plans had additional parking stalls underneath, but in order to keep costs and overall square footage down, they moved to just the appropriate amount of stalls.

Commissioner Gaare asked if that was determined based on the projected growth of both the Fire and Police Departments.

Ms. Jacobson stated that was correct.

Chair Brass asked about the useful life of this facility.

Ms. Jacobson explained that their goal is for a 50 year lifespan for public facilities.
Community Development Director Kabat stated that in looking at the scale of the building, what they are considering is a full build out of the community, which they expect will be in the next 20 years or so. He reviewed the staffing study that was conducted a number of years ago and how that related to their planning.

Commissioner Gaare stated that this information should be communicated with people who are concerned as part of their strategic communication about this project.

Community Development Director Kabat stated that the interplay between the Fire and Police Departments and the park are very important. He noted that there are a lot of people who come to the park with their children and then stop by the fire house. He stated that he knows that the Fire Department appreciates those kinds of opportunities for community engagement and believes that it is also something that he believes the Police Department is excited about having that opportunity to connect with the community in a positive manner.

Mr. Hutson stated that, in the design, there has been a focus on ways to make a strong connection between the park area and the front entry that they will flesh out further into the plans.

Chair Brass asked if he had seen information that there would be a three-story section of the building that would be used for training.

Mr. Hutson explained that the hose tower would be located on the back side and would not be easily seen. He stated that this tower gives them a place to hang the hoses but also gives them the opportunity for on-site training.

Chair Brass noted that he likes the look of the building and asked if there would be barbed or razor wire around the fencing.

Mr. Hutson stated that there would not be barbed or razor wire.

Ms. Jacobson stated that they were planning on decorative metal fencing with the top portion that curves outward for security purposes. She noted that during the neighborhood meeting, most of the comments centered around the park and everyone had positive things to say about the building.

Chair Brass noted that he is a big proponent of parks, but it is hard to argue that this is not a great location for the Fire Department and an even better location for the Police Department. He asked if the Park Board would ultimately decide what equipment would go in this spot, such as a swing set or other playground equipment.

Community Development Director Kabat explained that the way he was anticipating it was for the process to be very similar to what was pursued for the Savannah Oaks Park.

Commissioner Olson asked if there was a requirement to have full flow of Police access to the west.

Ms. Jacobson explained for Police it is best if they have two ways out of a site. She stated that it also allows police staff to enter on the west side and not disrupt any of the response flow that may be happening on the east side.

Commissioner Baswa asked if there had been any consideration for adding things like solar panels to help reduce the City's carbon footprint.

City Planner Hanson stated that they are trying to be proactive on that in terms of trying to bring in some renewable energy so there are options to bring in solar panels on top of the roof.

Ms. Jacobson explained that they were sizing the roof of the apparatus bay in order to be able to handle future solar panel loads.

Chair Brass noted that there were people on-line and asked if they had questions.

City Planner Hanson asked if there was anyone on-line who would like to address the Commission, but no one responded. She asked Communications Director Wright to watch over the on-line participants and see if anyone indicated an interest in speaking.

Commissioner Aasen asked about the logistics of how this facility could be built while keeping the existing fire station open and operational.

Community Development Director Kabat stated that there will need to be a temporary location for the fire station during the construction process and explained that they have started investigating various locations.

Commissioner Kerber asked how long they expect the whole project to take.

Ms. Jacobson stated that they are looking at roughly 18 months with a construction start in spring of 2024.

Communications Director Wright noted that there was someone on-line who had asked to make a comment.

Mrs. Bartley, 1480 Meadow Lane, stated that she had questions about the location of the generator and transformer and asked if those were things that ran all the time and would potentially be loud.

Mr. Hutson stated that the transformer is just an electrical box and would not have a sound associated with it. He stated that the generator would be something that runs when the power is out for an emergency, and also for a 20 minute period once a month in order to verify that it was in working condition, which is typically done in the middle of the day. He noted that they are proposing a natural gas generator which is a quieter motor system than diesel, it will be inside of a sound rated enclosure and noted that they are planning to build walls around the generator that will also help with sound and improve the looks of the unit. He explained that when it is running it will be able to be heard from the parking lot at the level of a small truck idling in the background, but from a distance it would likely not be heard.

Community Development Director Kabat stated that he believed there was already a generator on site for this same purpose.

Mr. Hutson stated that was correct but noted that it was a smaller and older generator than what they are planning for the new facility.

Ms. Bartley asked about potential debris and disruption that may be caused by the construction project. She explained that her backyard, where they have a swimming pool, backs up to the fire station and she was concerned about debris and/or dust.

Community Development Director Kabat stated that there will be some earth work done which can cause some dust, but dust control is a part of their operation so she should see them spreading water and using other methods to control the dust. He stated that regarding debris, the expectation is that the construction site will be run in a clean and efficient manner. He explained that the City was already engaged with a construction management company called RJM who has begun helping the City through this design process. He stated that RJM has ample experience managing large scale construction projects in the metro area an explained that the neighboring properties would be made aware of points of contact so they can report if there are any issues that crop up.

Commissioner Olson asked if all the mature trees on the berm would be removed and replaced with something immature.

Community Development Director Kabat stated that was true.

Commissioner Olson asked if there was any opportunity to save any of the mature trees.

Community Development Director Kabat stated that due to the nature of the amount of movement that needs to occur, there would be too substantial of a change to be able to successfully save trees out there. He stated that their goal is to establish a healthy of a presence as they can from the onset in order to get the process moving. He shared details about the difficulty in relocating more mature trees .and noted that he understood Commissioner Olson's concern and assured him that getting some height established from the onset was something that they will try to achieve.

Chair Brass asked if the feedback from the neighborhood was to have some trees and some grasses and not just a line of trees in this location.

Community Development Director Kabat confirmed that this was the feedback heard at the neighborhood meeting. He noted that there will be opportunities for ongoing discussions with the neighborhood group to get feedback on plans for this area.

Ms. Bartley stated that they want the greenspace where it should be, by the park and explained that everyone in the neighborhood is very happy with the coverage and privacy that is currently in place on the berm.

Chair Brass noted that as this moves into Preliminary Plat there will be more neighborhood meetings and detailed landscape plans.

**Motion by Commissioner Gaare, second by Commissioner Aasen, to recommend approval of the Concept Plan for the Public Safety Facility, subject to the following conditions:**

**1. Approvals shall be based on the following graphic exhibits:**
**a. Project Narrative (pgs 1-8), submitted by CNH Architects, dated August 1, 2023**
**b. Site Force Exhibit (pgs CS01-CS02), submitted by CNH Architects, dated August 1, 2023**
**c. Precedent Imagery (pg CS03), submitted by CNH Architects, dated July 26, 2023**
**d. Grading and Erosion Control Plan (pg C300), submitted by CNH Architects, dated August 1, 2023**
**e. Chaska Public Safety Facility – Meadow Park, submitted by HKGI, dated August 1, 2023**
**f. Schematic Site Plan (pg CS04), submitted by CNH Architects, dated August 1, 2023**
**g. Schematic First Floor Plan (pg CS05), submitted by CNH Architects, dated August 1, 2023**
**h. Schematic Basement & Second Floor Plans (pg CS06), submitted by CNH Architects, dated August 1, 2023**
**i. Schematic Exterior Perspectives (pgs CS07-CS08), submitted by CNH Architects, dated August 1, 2023**
**2. Compliance with the Carver County memo when made available.**
**3. Provision/modification of any drainage and utility easements as required by the City Engineer in the course of their review. Page 44 of 79**
**4. Coordination with the City Engineer with regard to utilities, grading and drainage.**
**5. Installation of all site lighting at a 0 degree angle with the light source fully concealed.**
**6. Provision of a material board to be submitted at preliminary submittal.**
**7. Utilization of modular face brick or natural stone as a Class I material.**
**8. Provision of hydrant placement needs to accommodate City standards for hydrant placement and fire code standards.**
**9. Provision to submit Utility and Site Plan As-Builts prior to issuing a building permit.**
**10.Any and all building signage shall be submitted separately, meet the sign ordinance, and shall obtain sign permits prior to installation.**
**11.Provision of a sign plan to be submitted at preliminary.**
**12.Provision of a storm water management plan meeting City and Carver County WMO standards.**
**13.Compliance with applicable zoning requirements, in particular Section 15.28 (Special Regulations).**
**14.Provision that all mechanical equipment will be fully screened from view.**

**15.Compliance with Section 15.28.120 Building Design/Materials and Site Design.**
**16.Coordination with Electric Department on service locations and transformer needs.**
**17.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.**
**18.Provision of a fire truck turning exhibit to be submitted at preliminary.**
**19. 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 July 17 and July 31, 2023 City Council Meeting Minutes
B. Receive the June 26, 2023 EDA Meeting Minutes
C. Receive the June 13, 2023 Park Board Meeting Minutes

Community Development Director Kabat

- Gave an overview of the early efforts for a Safe Route To School plan with Clover Ridge Elementary and noted that the City had received a grant for these efforts.

10. Adjourn
Motion by Commissioner Kerber, second by Commissioner Olson, to adjourn the meeting at 8:40 pm.
Motion carried.

# CHASKA PLANNING COMMISSION
# MINUTES
# OCTOBER 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 Olson, Gaare, Aasen, Urbanski, Baswa, Purdy, Kerber, Campbell, and Chairperson Brass.

Members absent: None.

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

3. Adopt the Agenda
Motion by Commissioner Urbanski, second by Commissioner Assen, to adopt the agenda as presented.
Motion carried.

4. Visitor Presentation
No one appeared under Visitor Presentation.

5. Approve Previous Meeting Minutes
   a. Approve the September 13, 2023 Planning Commission Meeting Minutes

Motion by Commissioner Purdy, second by Commissioner Olson, to approve the minutes of the September 13, 2023 Planning Commission meeting.
Motion carried.

6. Consent Agenda

7. Action Items

   a. PUBLIC HEARING: Recommend Approval of the CUP for the Berm on Kelzer's Site/CloudHQ/PC #2023-23

City Planner Hanson presented the item to the Commission.

Commissioner Urbanski stated that there were plans to install 36 inch pipes for the temporary diversion of water and asked where that water would end up.

Trish Sieh, Kimley-Horn, referenced the drawings and explained that the water would overflow with rip rap to the natural contours of the field and will spread out for sheet flow in the interim, but in the future would be collected in the stormwater treatment system.

Chairperson Brass asked when the project would be completed and the buildings were on site whether CloudHQ would be responsible for the maintenance of the berm and stormwater.

City Planner Hanson explained that it was not anticipated that this would be on its own outlot and believes the intent is for it to be privately maintained.

Commissioner Olson stated that the CUP is coming through before the project which feels a bit like putting the cart before the horse as to who will ultimately be responsible for this. He stated that from his standpoint, he wants to think about what 'teeth' can be put into this to ensure that it is completed and not left half done. He asked what the City would be putting into place so residents that will be looking at this berm know it will be completed and not just as a big pile of grass.

Commissioner Gaare added that she would like to make sure it does not just stay as a big pile of dirt.

City Planner Hanson stated that there is always a 'what if' component, for example, 'what if they walk away', the intent would be that if operations stopped midway through there will be sureties put into place that the City can use to stabilize the berm.

Chair Brass stated that his understanding is that there would need to be a berm on this site regardless of what goes on the site.

City Planner Hanson stated that was correct.

Chair Brass stated that he would agree that it is a little odd to have that done beforehand, however, this is an expensive berm, so, in his opinion, they must be fairly confident that this will move forward.

City Planner Hanson agreed that they are very serious about moving forward with this project.

Community Development Director Kabat noted that whoever develops on this site will be required to build a buffer. He noted that the 'what it' possibility exists for any type of project but it is also why they have agreements that the City enters into with the developers. He noted that the goal with this site would be to get it to stability and not necessarily completion of the berm.

Commissioner Urbanski noted that one of the conditions pertained to 'security' and asked if that was a security bond.

City Planner Hanson stated that it was a security bond.

Commissioner Urbanski stated that would mean that if the project does not go forward, the City can step in and make it look nice.

Commissioner Gaare asked about enhancement for the haulage road to prevent backups

Brett Burnette, CloudHQ, stated that they do not want trucks backing up across the entire site, nor is it feasible, so they are happy to put in a loop.

Chairperson Brass stated that there may be 70 trucks a day if they were consistent.

Commissioner Olson stated that with that number of trucks that close to residences he asked what something like dust mitigation would look like that that many truck loads traversing the site.

Trish Sieh, Kimley-Horn, explained that was a hard answer to give because it will depend on the season and weather conditions. She noted that there are a lot of local and State regulations in place for this that they will have to comply with. She explained that she understood that she had given a somewhat vague answer, but it would be completely situational with what is going on.

Commissioner Olson explained that he was just trying to look forward to the middle of the construction process when there may be a dust problem shared by the residents. He explained that he wanted to take a look at the worst case scenarios so they can make sure it is covered because this site backs up to about 45 homes. He stated that he wanted to make it very clear what the expectations are so that if and when a concern is voiced that there is an answer.

Ms. Sieh stated that generally speaking, this is CloudHQ's start of a relationship with the City. She noted that there is an active e-mail address specifically dedicated to this project and this site. She stated that they are committed to active engagement with the neighbors and could foresee some regular cadence and communication avenues as well.

Mr. Burnette stated that the contractors that they have been talking to are all local site workers that are familiar with this type of work around existing residential properties. He noted that, as Ms. Sieh, stated this is the beginning of their relationship with the City and noted that they expect to be here for a long time. He stated that they have been involved in projects in other markets that are very close to residential and have been able to solve any issue that has arisen without any jurisdiction needing to step in.

Chair Brass noted that he believes the neighbors are going to have to expect that there will be some dust, even with mitigation efforts. He encouraged part of their approach to be honesty and admit that it may be dusty sometime but follow that up with the message that they will try to control it the best they can.

Mr. Burnette noted that it will primarily be a two part approach by using water to keep the dust down but also to have wash out stations in order to keep mud off the roads.

Chair Brass asked about specific feedback they had gotten at the neighborhood meeting.

Mr. Burnette stated that there were questions mainly related to the timing of utility works, for example, a water line extension and if it would impact their services. He stated that a lot of their questions covered what was presented earlier in the meeting about what would happen if they don't complete the entire berm. He stated that this is a very significant investment and noted that they committed, at the concept phase, to construct this berm before they moved forward with any building. He reiterated that they are committed to moving forward with the project and are doing this first to take advantage of the significant amount of construction projects that are happening around the site and explained that he did not see a scenario where they didn't complete the berm.

Chair Brass opened the public hearing at 7:43 p.m.

Michael Gilbertson, 1959 Schoolmaster Drive, stated that he has been around for all the discussions since they have been planning the berm. He stated that the elevation of his home on the north side is quite elevated from where they are taking the measurements from. He noted that what they have determined is that if you are at the fence at the bottom of the property line and you go out and have a berm at 30 feet, you may not be able to see over it, but when you are in the houses they see right over the top of the berm. He stated that the only way it would work from inside the homes is if the berm was much closer to the homes, which many people do not want. He stated that if the City gives permission for this to move forward he asked why they couldn't also give permission for the landscaping work to happen first. He gave the example of it taking just until this last year for the lights to be covered up from the power station because the trees are finally filling in. He stated that they do not have a problem with there being some dust because they live next to a farm, but would be supportive of mitigation efforts also. He stated the berm, in some areas, at 30 feet will be fine but those on the cul-de-sac and in the corner it will not.

Chair Brass asked if the line of site information was from the first floor or from the yard. He noted that when he saw this he thought it would be great for people on the first floor but not necessarily for the second story bedrooms.

Mr. Gilbertson reiterated that their measurements as they are being presented assume a flat field in the yard, and in many cases, that is not reality. He stated that he would prefer to have the berm wrapped up into the corner and brought in closer.

Community Development Director Kabat explained that the Comprehensive Plan has a requirement for a 30 foot buffer in width and the height can go up or down. He explained that the intent has been that the buffer would provide screening for the views. He stated that CloudHQ is really focusing on the main level living which is what is represented in the renderings. He noted that they understand that it will take time for the trees to grow in a bit.

Mr. Gilbertson stated that he wanted to make it clear that he was not against this project and feels that CloudHQ will make good neighbors, but would like them to take some of the actual elevations into account when planning the berm. He stated that what he would like to see is some flexibility in order to make this right. He noted that he agreed with the comments made earlier about the possibility that plans may fall through because they have seen it happen with other projects. He stated that he would like to see them build the berm and put in the landscaping on the front side of the project to give the trees more time to grow and fill in.

Chair Brass asked if there was a reason that the berm was not tucked up the way Mr. Gilbertson was recommending.

Ms. Sieh stated that she understands his concern and they can take a look at pushing a bit closer to see what could be done.

There being no additional comments, Chair Brass closed the public hearing at 7:54 p.m.

Commissioner Baswa asked if there was any way the berm could be changed.

Chair Brass asked if there was a height restriction.

City Planner Hanson stated that she thinks it will come down to working with the grading and drainage needs back and there and seeing what the ultimate limits will be. She explained that she thinks it will be Kimley-Horn's team working on it to see what will be feasible.

Commissioner Purdy stated that they may be able to plant areas of concern first in order to give them more time to grow.

Commissioner Urbanski confirmed that the landscaping plan would come with the Preliminary Plat which means they may be able to ask that more mature trees be planted in this mix.

Commissioner Olson stated that the problem with that is that it would be waiting until the Preliminary Plat phase.

Chair Brass asked if the initial plan was just for native grasses.

City Planner Hanson stated that was correct.

Commissioner Olson stated that if it is only natural grasses, he would question how that would not negatively impact the valuation of the property owners who will be looking at a half-built berm with just grass on it. He stated that one of the requirements on the CUP was that this would not have a negative impact on their valuations. He stated that if the City doesn't put in anything about landscaping then it would just be a 30 feet hill with grass on it which is most likely worse than what it is now, which is a farm field. He stated that with this CUP coming in before the Preliminary phase, he feels the City has to be able to put some things in that are tougher that would normally be addressed in later phases. He questioned why they wouldn't go ahead and build the berm with landscaping prior to the building.

Mr. Burnette stated that he understands what they are asking for is a bit unique, but if you look at other development projects, there is a reason why the landscaping always goes in last. He explained that if you put it in first, it becomes very challenging to maintain the viability and the aesthetic appeal during an active construction project. He stated that because they are proposing to do the berm first and stabilize it with native grasses, when they do build the building and come back to plant the trees and more robust landscaping, the ground will be much more receptive to growing those must larger plantings.

Commissioner Olson suggested he reframe his comments to the residential side of the 30 foot berm and noted that he didn't think that would have any impact on the construction. He stated that this is where he would hope that the construction wouldn't be going up and over the berm once it is in place. He stated that the trees planned for the berm are part of the screening for both site and sound and because it takes time to grow, it will not be an instant fix so the sooner they are in, the sooner they can start filling in. He stated that putting them in now rather than waiting until the data center is built means they will be in place two years sooner.

Chair Brass asked if it may be possible for them to add a phase of the trees and plantings earlier.

Ms. Sieh stated that one thing to remember is that in the beginning the berm will be up and will be a grassed hill and they will not actually be screening anything initially.

Mr. Burnette stated that they are happy to take a look at possibly doing some of the landscaping work earlier in the process and take a look at what types of product they feel would be resilient enough to last through their construction efforts. He stated that he understands the intent but it also doesn't make sense for them to put things in that they know won't last.

Chair Brass stated that there is a similar situation with the Wagner farm where they had them put in the berm, but noted that about half the trees are dead. He stated that he agreed that there is a reason that the landscaping goes in last, but at the same time, this is a large berm. He suggested that perhaps there could be a one year delay where they plant the grasses and then the next year put in some of the plantings.

Commissioner Olson stated that right now the plan is for this to be CloudHQ, but there are no guarantees on anything. He asked, for example, if these were to fall through if the Kelzer family would then take over the responsibility for the berm. He reiterated that he feels as though they need to ask the questions about what would happen in the worst case scenario.

Chair Brass suggested that they keep some money within the escrow for the landscaping in the event of a worst case scenario and they back out of the project.

Commissioner Olson stated that he did not think they were necessarily looking for 'the' plan, but to make sure that there is a plan to take care of the plantings on the hill and not just the grasses.

Mr. Burnette asked if the Commission was suggesting that there be some additional surety so that if they were ever to not complete the berm, instead of just having it just be native seeds that there be some funds to add whatever the City deemed appropriate.

Chair Brass confirmed that was correct.

Mr. Burnette stated that the second idea raised was that somewhere between native seed and when they begin construction to do some additional phased landscaping on the residential side of the berm.

Chair Brass stated that he believed that was the general idea.

Mr. Burnette stated that he thinks that CloudHQ would be fine with all of that but would need to do a bit of research on what will last the best. He stated that he understood the Commission's need to look at through the lens of what would happen if this doesn't move forward, but he is hopeful that with the timing they are planning with the building, none of this will actually be relevant. He reiterated that he could support the addition of those two conditions.

Community Development Director Kabat stated that he believes they can work on some of those items but noted that they may be a bit tricky to put into conditions. He stated that he thinks all parties are on the same page so he was not sure it needed to be further defined.

Chair Brass encouraged them to work with the neighbors to address their concerns, especially on the portion mentioned by Mr. Gilbertson.

Community Development Director Kabat noted that both CloudHQ and Kimley-Horn have been good to work with thus far and been responsive to residents.

Commissioner Olson stated that he wanted to make sure that there was communication and that this approval was not just a one and done situation.

Chair Brass suggested that they add conditions for the additional escrow funds for the event where they walk away from the project for money to finish the landscaping and also a plan, if they don't walk away from the project, to phase in some of the landscaping earlier in the process.

Motion by Commissioner Olson, second by Commissioner Aasen to recommend to City Council approval of the Conditional Use Permit for the installation of a berm on Kelzer's Site/CloudHQ/PC #2023-23, subject to the following conditions:
1. Approvals shall be based on the following exhibits:
a. Conditional Use Permit for Berm Fill Narrative (pgs 1-2), submitted by Kimley Horn, dated September 27, 2023
b. CHQ – MSP (Chaska) – Test Fit plan, submitted by Corgan, dated June 1, 2022
c. Alta/NSPS Land Title Survey (pgs 1-2), submitted by EFN Land Surveyors
d. Existing Property Aerial Image, submitted by CloudHQ
e. Render #1 – View From East, submitted by CloudHQ
f. Site Section #1, submitted by CloudHQ
g. Render #2 – View From North, submitted by CloudHQ
h. Site Section #2, submitted by CloudHQ
i. Render #3 – View from Northwest, submitted by CloudHQ
j. Site Section #3, submitted by CloudHQ
k. Berm Erosion and Sediment Control Plan, submitted by Kimley Horn, dated September 27, 2023
l. Soil and Restoration Plan, submitted by Kimley Horn, dated September 27, 2023
m. Erosion and Sediment Control Details, submitted by Kimley Horn, dated September 27, 2023
2. Adherence with the City Engineers Memo dated October 11, 2023.
3. Hours of Operation for berm installation are limited to 7am-8pm Monday-

Friday and 8am-7pm Saturday and meet the general code of ordinances section 6.12.030.

4. The berm area will include an area maximum of 20.9 acres and 350,000 cubic yards and as shown on the Berm Erosion and Sediment Control Plan.
5. All storage of equipment and materials used in the operation shall be kept in areas that are not visually impeding on neighboring residential.
6. 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.
7. 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.
8. Provision to further evaluate and implement a continuous loop haul route that minimizes the need for truck back-ups on site and to be shown on the plans prior to release of the CUP agreement.
9. The permit holder shall comply with any/all CCWMO rules and regulations, which includes obtaining any permits the CCWMO deems necessary.
10. The permit holder shall obtain, continuously maintain, and comply with the terms of drainage and erosion control permits issued by the CCWMO.
11. The permit holder shall obtain a grading permit from the City of Chaska ahead of any grading operations commencing.
12. Existing drainage patterns shall not be altered.
13. 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.
14. 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 berm area will be required to be free of contamination and meet geotechnical engineering standards for compactable fill.
15. The permit holder shall provide a performance security in an amount defined by City staff that is sufficient in stabilizing the site that is also 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.
16. The performance security shall be re-submitted to the City of Chaska annually in an amount that is 2% greater than the previous year.
17. 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.

18.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.

19.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.

20.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.

21.Provision that the watermain pipe coming from Schoolmaster Drive be planned with the CUP berm work and extended to service the Kelzer property in a way that does not impact the berm.

22.Provision that the permit holder notify City and County staff when significant trucking operations to the site start and stop.

23. Financially securing funds for completion of landscaping if they walk away from the project

24. Staging the landscaping to phase in some of the landscaping on the residential portion of the berm earlier in the process

Motion carried.

b. PUBLIC HEARING: Recommend Approval of the Preliminary Site and Building Plan, Preliminary Plat and Rezoning for 3740 Chestnut Street/Audrius Asakenas/PC #2023-24

City Planner Hanson presented the item to the Commission.

Commissioner Olson noted that they had mentioned that they were doing underground storage.

City Planner Hanson stated that this was correct and explained that there are 4 different areas where they are capturing stormwater.

Commissioner Olson stated that it is nice to see this rather than just going straight into a pond. He asked about plans for the north side of the building.

City Planner Hanson explained that the goal with the north side was to keep it open so there is a drive aisle to accommodate adequate turn movements in front of those stalls.

Commissioner Olson asked if it was an island.

Tom Goodrum, Moore Engineering, explained that what they were seeing on the drawings was depicting the underground system and was not an island.

Chair Brass asked if the units would be for lease or for sale.

Mr. Goodrum stated that they will be for lease.

Chair Brass stated that he likes these kinds of projects because this is an underserved area which has a need in the community. He stated that these kinds of spaces encourage people to grow their businesses outside of their homes. He stated that he also likes the look of the building.

Commissioner Olson stated that his only hesitation and drawback was the parking with respect to the building.

Mr. Goodrum stated that they believe they have adequate parking on all side of the building. He explained that they expect that most of the tenants will have a single vehicle so very few people will actually be using the parking stalls. He explained that for the north side of the parcel, they are still in communication with TEL and are hopeful that they will be a future partner. He stated that the example he uses for the type of tenants they will likely have is someone like his brother who has a candy vending business. He explained that his brother has his van that he pulls in, loads up the candy, and then spends all day delivering, and comes back one more time to unload the boxes.

Chairperson Brass opened the public hearing at 8:38 p.m. There being no public comment, Chair Brass closed the public hearing.

Commissioner Urbanski stated that he has always liked this project.

Commissioner Olson stated that he agreed but noted that he liked it even more with the underground stormwater storage plans. He asked about the plans for putting in landscaping in an area that is proposed for parking. He stated that if they are putting trees there he would not agree that would be proposed parking.

Chair Brass asked if the understanding was that they would have to pull out the trees if they needed proof of parking.

City Planner Hanson stated that if they have to use that area and there is landscaping over it, it would be removed. She explained that the City would ask them to replace it because it is part of the landscape plan. She stated that what it looks like now is that it is very unlikely that this area would be impacted, but agreed that the best practice would be not to put the landscaping there.

Commissioner Olson stated that he would recommend that they make adjustments there to ensure that they are not putting landscaping in any areas where they are saying could be parking.

Chair Brass asked if City Planner Hanson was saying that even if it is not the best practice, it m may be acceptable, in this instance, because of the minimal parking needs. He stated that the thought is that the need to use this proposed parking in the future because of the size of the units is less than it would be it needed so the thought was that it would be better to have trees there and risk that they may need to be ripped out later.

City Planner Hanson stated that was correct, for this specific plan.

Chair Brass noted that because of code they need 46 proofs of stall, but realistically with this plan they will probably only need about 15 stalls.

City Planner Hanson stated that they do have some room to work and agrees that they can push some of the trees so they are not in these potential impact zones. She stated that she thinks there may be ways to look at it and achieve both things.

Motion by Commissioner Aasen, second by Commissioner Gaare, to recommend approval to the City Council of the Preliminary Site & Building Plan and Preliminary Plat for 3740 Chestnut Street, subject to the following conditions:
1. Approvals shall be based on the following graphic exhibits:
a. Project Narrative (pgs 1-5)
b. Cover Sheet (pg G-001), submitted by Moore Engineering, inc., dated September 5, 2023
c. Civil Notes (pg G-002), submitted by Moore Engineering, inc., dated September 5, 2023
d. Civil Legend (pg G-003), submitted by Moore Engineering, inc., dated September 5, 2023
e. Details (pgs C-201-C-203), submitted by Moore Engineering, inc., dated September 5, 2023
f. Landscape Details (pg C-204), submitted by Moore Engineering, inc., dated September 5, 2023
g. Stormwater Details (pgs C-205-C-216), submitted by Moore engineering, inc., dated September 5, 2023
h. Demolition Plan (pg C-301), submitted by Moore Engineering, inc., dated September 5, 2023
i. Preliminary Plat (pg C-601), submitted by Moore Engineering, inc., dated September 5, 2023
j. Site Overlay Plan (pg C-602), submitted by Moore Engineering, inc., dated September 5, 2023
k. Site Plan (pg C-603), submitted by Moore Engineering, inc., dated September 5, 2023
l. Utility Plan (pg C-604), submitted by Moore Engineering, inc., dated September 5, 2023
m. Utility Plan – Sanitary (pg C-605), submitted by Moore Engineering, inc., dated September 5, 2023
n. Grading Plan (pg C-606), submitted by Moore Engineering, inc., dated September 5, 2023
o. Erosion Control Plan (pg C-607), submitted by Moore Engineering, inc., dated September 5, 2023

p. Landscape Plan (pg C-608), submitted by Moore Engineering, inc., dated September 5, 2023
q. Tree Preservation Plan (pg C-609), submitted by Moore Engineering, inc., dated September 5, 2023
r. Passenger Car Access Exhibit, submitted by Moore Engineering, inc.
s. Van Access Exhibit, submitted by Moore Engineering, inc.
t. Truck Access Exhibit, submitted by Moore Engineering, inc.
u. Fire Truck Access Exhibit (pgs 1-2), submitted by Moore Engineering, inc.
v. Photometric Plan, submitted by Davis, dated August 31, 2023

2. Adherence with the Engineers Memo dated October 11, 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. Utilization of modular face brick or natural stone as a Class I material.
9. Uses that require auto maintenance or exterior storage will not be permitted.
10. 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.
11. Provision of hydrant placement needs to accommodate City standards for hydrant placement and fire code standards.
12. Provision to submit Utility and Site Plan As-Builts prior to issuing a building permit.
13. Any and all building signage shall be submitted separately, meet the sign ordinance, and shall obtain sign permits prior to installation.
14. Provision that signage for all tenants to use similar signing methods and design.
15. Provision of a storm water management plan meeting City and Carver County WMO standards.
16. Compliance with applicable zoning requirements, in particular Section 15.28 (Special Regulations).
17. Provision that all mechanical equipment will be fully screened from view.
18. Compliance with Section 15.28.120 Building Design/Materials and Site Design.
19. Coordination with Electric Department on service locations.
20. Provision of decorative front doors and overhead doors on the south, north and interior facades.
21. Provision that planting islands are provided in the parking lot areas that meet Section 15.28.070.E.4.
22. Provision of irrigation for the landscaped and sodded areas of the site.

Motion carried.

Motion by Commissioner Urbanski, second by Commissioner Gaare, to recommend approval of the rezoning from Open (O) to Planned Industrial Development (PID-11)

Motion carried.

8. Other Business

9. Receive Other Meeting Minutes

a. Receive the August 21, 2023 City Council Meeting minutes
b. Receive the July 31, 2023 EDA Meeting Minutes
c. Receive the August 8, 2023 Park Board Meeting Minutes

10. Adjourn

Motion by Commissioner Urbanski, second by Commissioner Gaare, to adjourn the meeting at 8:45 pm.
Motion carried.