



AGENDA
CHASKA PLANNING COMMISSION
ONE CITY HALL PLAZA, CHASKA CITY HALL, COUNCIL
CHAMBERS
Wednesday, September 12, 2018
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 Minutes of the August 8, 2018 Planning Commission Meeting
6. Consent Items
7. Action Items
 - 7.A. Approving the Concept Plan for Pinnacle/PC#2018-32
 - 7.B. WITHDRAWN: Deny the Variance for Signs @ SWCHS
8. Other Business
 - 8.A. Receive Other Meeting Minutes
 - 8.A.i. Receive the Minutes of the July 16, July 30, and August 6, 2018 City Council Meetings
 - 8.A.ii. Receive the Minutes of the August 13, 2018 Park Board Meeting
9. Adjourn

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**CHASKA PLANNING COMMISSION
MINUTES
AUGUST 8, 2018**

1. Call to Order

Chairperson Huang called the meeting to order at 7 pm.

2. Roll Call

Roll call was taken. Members present: Commissioners Cross, Dahlke, Kelley, Keyport, Pfeiffer, and Chairperson Huang.

Members absent: None.

Also present: Luke Melchert, City Attorney; Kevin Ringwald, Community Development Director; Bill Monk, City Engineer and Liz Hanson, City Planner.

3. Adopt the Agenda

Motion by Commissioner Kelley second by Commissioner Bowe to adopt the agenda as presented.

Motion carried.

4. Visitor Presentation

No one appeared under Visitor Presentation.

Chairperson Huang noted the large number of people in attendance and asked that they adhere to the following requests when they speak under their item of interest later in the meeting: state their name and address, keep their comments concise, do not repeat others' comments, and stay under five minutes.

5. Approve the Minutes of the July 11, 2018 Planning Commission Meeting

Motion by Commissioner Pfeiffer, second by Commissioner Cross to approve the minutes of the July 11, 2018 Planning Commission meeting.

Motion carried.

6. Consent Agenda

Chairperson Huang stated there was supposed to be berming along the eastern edge along Savanna Way but he did not see it in the plat.

Mr. Dave Nash, Alliant Engineering, explained there is berming where they could put it, and catch basins where they could not. He also explained they could not put berms in along County Road 140 due to drainage, so there is a regional pond there. He referred to the drainage plans and pointed out where the berms are located.

Chairperson Huang commented that there are some, and they are about two to four feet.

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Mr. Nash stated that due to drainage on that side, there was not a lot they could not do, but they beefed up the landscaping there, as requested.

Motion by Commissioner Keyport second by Commissioner Dahlke to approve the Consent Agenda as follows:

6.A. Approve the Final Plat for Savanna Estates 2nd Addition PC #2018-31, subject to the following conditions:

1. Approvals shall be based on the following graphic exhibits:

a. Final Plat – Savanna Estates 2nd Addition (pgs 1-2), prepared by Alliant Engineering, undated

b. Construction Documents (pgs 1-17), prepared by Alliant Engineering, dated July 3, 2018

2. Adherence to the City Engineer's memo dated August 2, 2018.

3. Adherence to the City's Boulevard Tree Policy and local street section design.

4. Provision of sidewalks on both sides of all local streets.

5. Compliance with Ordinance No. 934 (PRD-69).

6. Prior to final plat recording, developer shall enter into an agreement with the City for the provision of necessary infrastructure and associated development costs.

7. Payment of development fees prior to recording of final plat.

8. Compliance with the City's existing anti-monotony housing ordinance.

9. Prior to final plat approval, developer shall enter into an agreement with the City for the provision of necessary infrastructure and associated development costs.

Motion carried.

7. Public Hearing

7.A. Public Hearing: Approve the Rezoning of PID-2 to PID-8 and Zoning Ordinance Amendment to Section 4.4.3.2d.

City Planner Hanson presented the item to the Commission.

Commissioner Keyport inquired if there have been other situations where there is a question with neighboring properties that are not a part of the City of Chaska relative to zoning regulations.

City Planner Hanson replied that this is the first one that has been brought up.

Community Development Director Ringwald stated that there have been some that have gone the other way, including the substation that Victoria built on the municipal boundary.

Chairperson Huang opened the public hearing at 7:13 pm.

Bryant Tchida, 2503 Bridle Creek Trail, Chanhassen, introduced himself and his wife Holly, and noted that their property directly abuts the item property and is directly impacted by the proposed project and zoning ordinance. Mr. Tchida asked that the City of Chaska apply the zoning ordinance as written and deny the amendment. He explained that the 1990 site plan for the existing structure included a robust tree cover to the east of the existing property, and stated tree preservation was a key property of the site plan. He passed out a copy of the 1990 site plan for the existing structure approved by the Planning Commission, and went on to say

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that the residential houses to the east did not exist. Mr. Tchida stated that the expansion proposed was not proposed or approved in 1990. He explained that he is not against the project, but wants it done the right way, making it nice between the two properties. He informed the Commission that he approached Community Development Director Ringwald and City Planner Hanson to see if a berm and other landscaping could be done there, but was told there is not enough room. Mr. Tchida questioned where in section 3.1.10 of the ordinance it states that setbacks from residential properties are addressed. He stated that section 4 does specifically address building setbacks for this type of district and asked the Commission to clarify what the policy is behind the 100-foot setback. He asked the Commission to deny the amendment to the zoning ordinance. He asked what the policy justification is for treating similarly situated properties differently.

Chairperson Huang explained he will collect questions from the public hearing and give Staff a chance to answer them at the end.

Jeff Sebenaler, 2499 Bridle Creek Trail, Chanhassen, noted his property also abuts the Biolyph property and will thus also be impacted by the proposed development. He stated his property is the closest to the setback line and with the proposed setback of 20 feet, his deck would be within 43 feet. He explained that the buffer between the sites had allowed them to coexist well with an industry for a neighbor, but as that was altered in 2014, the use is more noticeable. He stated that he can't imagine how it will be when the parking lot is closer. He referred to the May 9, 2018 Planning Commission meeting where it was discussed that the southwest business district was encroaching on the Horton development, and questioned why the 300-foot buffer was acceptable there but isn't in this case.

Alex Donaldson, 2460 Bridle Creek Trail, Chanhassen, explained that his biggest concern is that the expansion plan allows the business to run within 23 feet of the border of the east side of the complex and expressed concern for getting fire equipment through that space. He stated that the fact that this business deals with chemicals and might not have proper fire equipment access is concerning, and their properties are on the downwind side and so subject to harm as well. He stated this is a public safety issue, whether Chaska or Chanhassen.

Don Schulz, 2507 Bridle Creek Trail, Chanhassen, explained that where the business is located now impacts them, and that it moving closer would do so even more.

Mike Meadows, 2519 Bridle Creek Trail, Chanhassen, asked for a little bit of a compromise.

Rodney Melton, 2413 Bridle Creek Trail, Chanhassen, stated that his property is adjacent to Waytech Engineering but the berm between nicely blocks them from sight and has resulted in a great scenario for both community and the business.

Bruce Malkerson, attorney for the applicant, noted they are not the applicant for the rezoning or modification of the setbacks, but they believe strongly in what the City Staff has said in its memo as to why the rezoning should be approved for this entire area and why the setback should be changed. He explained that the business he represents chose this spot because it was zoned industrial and because the Planning Commission and City Council approved

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expansion plans of the previous business, which were much bigger. He encouraged the Commission to clarify the language as they see fit for their city.

Commissioner Keyport stated he is having a difficult time separating the zoning change request for this item with the project proposal for the site that will be discussed later in the meeting and asked Mr. Malkerson to speak to a letter from Mr. Percy that indicates some willingness to enhance the line of delineation between the residential and the industrial use.

Mr. Malkerson stated that he could but thinks it is best for Mr. Percy to do so when they make their presentation for the next item. He stated that the buffer of trees there is very thick and that they are planning to enhance those in their landscaping plans.

Commissioner Keyport explained that he also walked the site and noticed two or three houses where it is pretty open between the two properties and where it is pretty dense tree-wise between the properties.

Chairperson Huang stated that it might be nice to hear what the applicant is willing to do as it has a direct bearing on this item as well and may help the Commission make an informed decision.

Mr. Tchida pointed out to the Commission that the expansion drawn in 1990 was not proposed and not approved.

Commissioner Pfeiffer referred to the comment Mr. Malkerson made when he stated that Chaska had no problem with the expansion plans and asked if the Commission can see those expansion plans, and also, knowing that they had a hundred-foot setback and that Chanhassen was right there, asked if that plan was shared with Chanhassen.

Mr. Malkerson stated that as to 1990, he could not speak to that.

Commissioner Pfeiffer again referred to his comment that Chaska had no problem with the expansion plans, and explained that she has not seen the expansion plans that Chaska did not have a problem with.

Mr. Malkerson explained that from what he understands it was a general layout of the perimeter of the building and not a detailed interior or exterior plan.

Mr. Tchida stated that he has asked for that document, and stated that the 1990 site plan that he handed out to the Commission is it and that there was never an approved site plan expansion.

Mr. Malkerson stated that they are here to do what is correct and what is within the confines of the law as they understand it to be. He explained they started with the landscaping plan and have made changes from the first one and continue to work with Staff to make the necessary changes.

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Chairperson Huang thanked the gentlemen and stated that at this point it might be good to hear from the applicant as to what they are willing to do.

Commissioner Cross stated that as a Commissioner she disagrees with tying them together; she stated that she understands they are tied together, but what is before them is the zoning.

Chairperson Huang stated that he understood what Commissioner Cross was saying, in that they need to disambiguate the fact that this is a clarification of whether or not they as a community chose to amend a specific ordinance to be within their city borders or not.

Commissioner Cross agreed.

Chairperson Huang stated that to that end, if an applicant approached to speak about something, he couldn't stop him or her from approaching.

Mr. Tchida asked for clarification on what will happen next in the meeting.

Chairperson Huang confirmed that they will continue the public hearing, vote on the amendment, and move on to the site plan, and that this item will be closed out so that by the next item it is either recommendation of yes or no. He clarified that the Commission serves as a recommendation to the City Council and is non-binding in this particular instance. He explained that regardless of what outcome is here, City Council will still have a say on this on August 20, 2018.

Mr. Tchida then asked to make another public comment. Obtaining approval, he showed the Commission a picture of what the buffer used to look like in the summer and winter, and what it looks like now in the summer and winter.

Mr. Malkerson took objection to the words "took everything" and stated that they legally removed vegetation from their property as all property owners are given the right to do in this city. He reminded the Commissioners that this is their city, their industrial park, and that the City of Chanhassen decided to put residential structures next to it, and that was their decision, not Chaska's.

Mr. Tchida stated that he does not have issue with property owner's rights to take trees but has an issue with Mr. Malkerson stating that there is a lot of trees back there.

Susana Armentrout, 2420 Bridle Creek Trail, Chanhassen, asked what happened the conservation easement that was there.

Angie Eck, 2510 Bridle Creek Trail, Chanhassen, stated that she agrees with all the Bridle Creek Trail residents and stated that the reduction in vegetation has caused an increase in wildlife pests in the yard. She urged the Commission to deny the amendment.

Andrea Sebenaler, 2499 Bridle Creek Trail, Chanhassen, noted that she came home to find 100-year-old oaks cut down and feels she should have received notice for this. She stated she is

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concerned that the new setback will cause the old oak tree in her yard to die due to shallow roots and that she wants to be treated as a Chaska resident would be treated.

Shelley Luna, 2483 Bridle Creek Trail, Chanhassen, she explained that her property borders both Chaska and Chanhassen and there is industry on two sides of her property. She stated that it has been done very well behind her property and she knows that with some compromise and understanding, this project can be done well too.

Shelley Kilabarda, 2511 Bridle Creek Trail, Chanhassen, said that her biggest concern is the homes that are directly impacted by this project and their property value, and ultimately how it affects their small neighborhood. She asked the Commission to take that into account.

Chairperson Huang closed the public hearing at 7:58 pm.

Chairperson Huang noted he would go through the questions brought up during the public hearing for staff to answer. He referred to Mr. Cheetah's question about where in section 3 of the ordinance the citation on setbacks is.

City Planner Hanson explained that the setback information for the industrial zoning district is from section 3.2 that he referenced and stated that is where Staff is pulling it from.

Chairperson Huang inquired if they had a visual of that.

City Planner Hanson stated that they probably don't have it here tonight but it was in the table that was shown not too long ago.

Chairperson Huang then referred to the question about section 4.4.3.2 asking what the intent of that 100-foot setback is.

City Planner Hanson replied that the intent is to provide an appropriate buffer to residential uses within the City of Chaska.

Chairperson Huang asked if the intent was purely for aesthetic reasons, or does it include safety.

City Planner Hanson explained that it incorporates all of that and is purposed to separate a more intense use with a residential use so that there is length separation but also the opportunity to provide other buffer mechanisms.

Chairperson Huang then referred to the question about the justification or rationale for treating properties outside of the City boundary differently.

City Planner Hanson replied that the rationale is basically the fact that the City of Chaska does not have control over the land uses that go adjacent to Chaska. In this instance particularly, Chaska did not have control over the fact that a residential development went adjacent to an industrial zoning district.

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Commissioner Dahlke inquired if the City of Chaska is confident that with the zoning change, appropriate boundaries can still be produced between industrial and residential that would satisfy Staff.

City Planner Hanson stated that they were and that when the site plan approval is discussed tonight, landscaping, screening mechanisms, and other components of the site plan process can be looked at a little bit further. She stated that these could be tweaked to have lesser effects on adjoining properties.

Commissioner Pfeiffer stated that she is following up on Mr. Donaldson's comment and asked if Staff looked at access for fire equipment with the shorter setback.

City Planner Hanson explained that with any application that comes in, it goes to the various departments of the City, including the fire department, and if there was an issue they would have brought it up to Staff.

Commissioner Pfeiffer asked if they would have brought it up to the Chanhassen Fire Department.

City Planner Hanson clarified that the Chaska Fire Department would have brought any concerns up to Chaska Staff.

Commissioner Pfeiffer stated that she knew these folks live in Chanhassen, and asked if Staff looked at access of fire equipment coming into Chanhassen homes if the setbacks were shortened. She clarified that these questions are just coming from Mr. Donaldson's comments.

City Planner Hanson stated that the Chaska Fire Department reviewed the site plan itself and reiterated that if they saw any type of fire concern with the proposal, they would have noted it to Staff.

Commissioner Pfeiffer looked to clarify if they'd notify staff about fire concern with Chaska homes or Chanhassen homes.

City Planner Hanson stated that it would be fire concerns with the site.

Commissioner Pfeiffer looked to clarify whether Mr. Donaldson's concern was for restricted fire access to the homes or to the site.

Commissioner Keyport commented that with the building itself, there is no way to get around the east side of the building with equipment because the east side is right up to the woods.

Commissioner Pfeiffer then asked if Mr. Donaldson meant that any fire at the site would bring risk to their homes as it is so close.

Commissioner Cross noted that this issue has nothing to do with the request of the Commission right now from the current item. She stated that right now they are being requested to modify or clarify or package a district that at different times was put together and now they are trying

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to clarify and make this package be the same for the different parts of it. She asked City Planner Hanson if this was correct.

City Planner Hanson stated that this was correct.

Chairperson Huang stated that the question is, if there are public safety issues, are there public safety issues with the ordinance of 30-foot setbacks to any property, not just this one. He asked if they are reducing it to a 30-foot setback, what is the implication of that.

Commissioner Pfeiffer agreed and mentioned that fire would be one of those things. She stated that they have the ordinance as it is for reason.

Commissioner Cross said the ordinance is as it is for 1990s reasons, when there wasn't a residential development next door.

Commissioner Dahlke reiterated that all the Commission can do here is make a recommendation to the Council, and they have City Staff, which includes a fire marshal, that reviews these plans and the Commission has to take their recommendation that they are going to be able to do their jobs based on whatever the Commission recommends to the City Council as a revised ordinance.

Commissioner Pfeiffer looked to clarify that rezoning from PID-2 to PID-8 does not change the setbacks, but that what changes the setbacks is the zoning ordinance amendment. She stated that you could potentially vote to rezone but vote against the ordinance amendment.

City Planner Hanson replied this was so and why there are two motions to be made.

Chairperson Huang referred to the question about the conservation easement.

City Planner Hanson brought up a diagram and pointed out the conservation easement.

Chairperson Huang asked her to point where the homes are, and commented that it is an odd cutout for a conservation easement and asked how wide it is.

City Planner Hanson replied that at the eastern edge it is about 20-25-feet wide.

Commissioner Keyport looked to clarify that the proposed buildout takes the building 30 feet from the property line, and so the bulk of that 30 feet is the conservation easement.

Chairperson Huang inquired if any trees were cut down inside the conservation easement.

City Planner Hanson stated not that she is aware of.

The audience verbally disagreed.

City Planner Hanson explained that she does not have the history to say whether or not that happened.

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Commissioner Bowe stated this goes to her next question as to what the policy is for tree removal on private property and asked if someone monitors that.

Commissioner Keyport explained in his experience, if someone complains to the City, the City will enforce but the City is probably not going to notice otherwise.

City Planner Hanson stated this was correct.

Chairperson Huang asked if anyone could complain about that and if there is a limit on that.

City Planner Hanson replied they could.

Chairperson Huang stated to that end, if there are complaints about the tree removal in the conservation area, anyone could complain to the City and they could go investigate and there could be potential remediation against that.

City Planner Hanson agreed.

Commissioner Dahlke stated it has already been clarified that there are two motions, one for the rezoning and one for the ordinance amendment. He asked if the conservation easement could be fulfilled in any area that has these new zoning outlines, as far as taking this exact area out of the overall conversation.

Chairperson Huang agreed and stated it is just an example in this case and cannot be used as the template for everything.

Commissioner Dahlke agreed.

Chairperson Huang again clarified the two motions before the Commission. He stated that the first one really consolidates everything and is not too controversial, and asked the Commission what they were thinking about the ordinance amendment.

Commissioner Pfeiffer stated there was talk about how Chanhassen decided to put homes there, but and suggested they did not decide to put homes there until they had seen Chaska's ordinance that said there was a 100-foot setback.

Commissioner Keyport commented it is the rare bird that goes and looks at the adjoining city's ordinances when they are building. He stated that the residential development in Chanhassen was built right next to an industrial development and he believes Chaska should be able to set their limits where they want to set their limits and if you build up next to it, well that is okay.

Commissioner Cross stated that she has been on the Commission a long time in different phases and there was one other occasion where Chanhassen people were concerned with one of Chaska's industrial buildings being enlarged, and they worked it out. She stated that at that time, they were told that Chanhassen originally had the line for their industrial park much further north and it was a developer who talked Chanhassen into putting houses there. She stated that that decision was probably not a good one, but the Chaska Planning Commission

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couldn't do anything about it. Commissioner Cross referred to one of the comments about how close their property is to the property line and said again, that is a Chanhasen decision about where their setbacks are. She stated she has no problem with motion one and motion two, partially because Chaska did not create this problem and she believes there have been compromises made. She commented that Chaska cannot control what their neighbors do, only what they Chaska can do.

Commissioner Dahlke mentioned he agreed with Commissioner Cross that there is a lot of potential for mitigation as this moves forward.

Chairperson Huang stated the legal ambiguity of how this was previously worded bothers him because it does leave it open for interpretation of what the intent actually is and that it wasn't clarified twenty or thirty years ago. He stated that regardless of how they vote, there will likely be a lot of discussion under the site plan of things they need to work through, and this will affect things in the future moving forward.

The Commission discussed the implications of the ordinance amendment.

Chairperson Huang asked Staff if this amendment in only referring to new construction.

Staff confirmed that was the case.

Chairperson Huang then stated that anything already built to date wouldn't change and would not be in violation, but anyone who is building something new would be subject to 100-foot setbacks within Chaska city-limits. He asked the Commission if it makes sense to make the language more restrictive from that side knowing that today there are homes on the other side or the potential that there could be existing properties.

Commissioner Cross referred to future land use, and stated if planning is careful, there is not going to be any factories next to houses because things right now are not zoned that way, and she cannot see right now the City changing zoning to put in a factory as there is plenty of industrial business-type plans and spaces and she thinks the second item is rather moot. She reiterated that she has no problems with the first item because it is talking about existing conditions.

Motion by Commissioner Keyport, second by Commissioner Dahlke, to recommend approval to City Council of the Rezoning (RZ) from the Planned Industrial District No. 2 (PID-2) to Planned Industrial District No. 8 (PID-8) for all of Blocks 1-2 in Arbor Park, Blocks 1-2 in Arbor Park 2nd Addition, Blocks 1-2 in Arbor Park 3rd Addition, Blocks 1-2 in Arbor Park Final, and Block 1 in Chaska Business Lofts.

Motion carried.

Motion by Commissioner Cross, second by Commissioner Keyport, to recommend approval to City Council of the Zoning Ordinance Amendment (ZOA) to Section 4.4.3.2d to include the following language:

d) From adjoining Chaska residential uses or residential zoning districts in
Chaska:.....100 feet

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Motion carried 4/3 (Kelley, Pfeiffer, Huang).

Commissioner Cross asked if a motion that is not carried 100% by the Commission is communicated as such to the Council.

Staff confirmed that it would be.

7.B. Approve the Final Site & Building Plan for Biolyph at 4275 Norex Drive

City Planner Hanson presented item to the Commission

Commissioner Cross inquired why a conservation easement was put on so far after the fact.

City Planner Hanson stated that if she had to guess, the owner put it on there for tax purposes.

Commissioner Cross asked if the new owner would know that there is a conservation easement on there.

City Planner Hanson stated they did as it is recorded with the deed of the property.

Commissioner Keyport inquired if there is any kind of conservation easement on the north side of the site.

City Planner Hanson replied there is and pointed it out on the diagram.

Chairperson Huang asked if you could build a berm in a conservation easement.

City Planner Hanson said technically, no.

City Development Director Ringwald explained that if the parties of the agreement, in this case an easement, agree to make changes to that document, you could alter or modify the easement.

Commissioner Keyport inquired if a berm is possible in that 30-foot setback.

City Planner Hanson explained it may be possible, but the height of it would be very limited.

Chairperson Huang commented that for a berm to be useful, you need it to be about 4-6-feet high. He asked how much space you need to create a berm of that height.

A staff member commented that it needs to be about 3:1.

Chairperson Huang noted that this site is about ten feet short, then.

City Development Director Ringwald clarified this wouldn't include drainage around the building and thus the number would need to be bigger than that.

Commissioner Dahlke asked if the 20-foot lighting in the parking lot is the minimum height than

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can do, or can they go lower.

City Planner Hanson stated that it is possible, but 20-feet is pretty low for a parking lot light.

Commissioner Dahlke inquired if this plan is approved and everything is done according to the plan, will noise testing be done to see if they actually hit the number.

City Planner Hanson stated that it could be done.

Commissioner Pfeiffer commented that the generator would only come on if there was a power issue.

Commissioner Pfeiffer referred to the height of the parking lights being lowered from 25 feet to 20 feet and asked if Staff knows the impact of that, whether lowering them five feet shorter will mean anything significant.

City Planner Hanson stated that the professionals could speak better to that but any reduction on a lighting feature takes the light further down.

Commissioner Pfeiffer commented that this was true, but they since they would be closer, would that make much difference.

City Development Director Ringwald stated that any reduction is meaningful no matter how far or near you are, so having it shorter does make an impact.

Commissioner Dahlke inquired if the photometric plan uses an engineering software.

City Development Director Ringwald replied that based on the height fixture and the light used, the program will generate a model showing where light will be and where it will not be. He stated there are two pieces to consider with lighting: the light intensity and the light source.

Commissioner Dahlke referred to the proposed tree plantings and asked if this is the best that can be done.

Commissioner Cross commented that trees are tolerant of being in groups and opined that it might be possible to underplant the trees with some 5-foot or 6-foot shrubs.

Commissioner Bowe asked if the landscaping meets the code requirement.

City Planner Hanson responded that it does.

Timothy Percy, applicant, stated that he is an expert in the world in his field, that no one has invented what he has done, and that his company has no competition after 25 years. He stated that his company is clean, annually he invites the Chaska Fire Department to visit the site because he wants them to see if there was ever an event, to know what are they facing, and they are pleased with the site. Mr. Percy explained he brought along with him tonight those who are experts in their field to help answer questions that pertain to their field, and he is

DRAFT

happy to answer any questions that pertain to the business and operations.

Commissioner Dahlke asked how many employees Biolyph has.

Mr. Pearcy responded that there are 70 employees, and they have increased that by 35% since moving to Chaska and being fully operational.

Commissioner Keyport inquired if it is Mr. Pearcy's intent to be a good neighbor to the good citizen of Chanhassen who live next door.

Mr. Pearcy stated that he lives to be a good citizen of the world, he is very generous, and donates to a lot of causes. He said absolutely he lives to be a great neighbor and he was surprised when he came to see about purchasing the building that there were houses next door. He explained that he spoke with a neighbor who commented that his business was a quiet, peaceful business and they were glad to have them there.

Commissioner Kelley inquired how many shifts they are running.

Mr. Pearcy responded that there is one day shift.

Chairperson Huang asked if it would operationally be an option to not have the lights lit after hours or weekends.

Mr. Pearcy explained he would consider it a safety issue because light deters crime.

Martin Woody, 26405 Smithtown Road, Shorewood, architect for the applicant, introduced himself to the Commission.

Commissioner Keyport stated conservation easements aside, would developing to the north rather than to the east work for his client.

Mr. Woody explained that the conservation easement exists as it is shown on the diagram and allows for expansion within that entire area, and they are expanding roughly 2/3 of that area.

Chairperson Huang asked if it would be amenable to the business to rearrange the conservation easements if the City and applicant were willing.

Commissioner Keyport asked if moving development to the north works for the business.

Mr. Woody said that because of the grades on the site, the most logical place to expand is to the east and to the north, and there isn't much room to fit more building on the site because of the proof of parking required. He stated he thinks that is why they laid out the conservation easement they way they did, to get the most expansion for the building in the future.

Commissioner Cross inquired how much disruption of the setback from the property line is going to happen with the construction of the building.

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Mr. Woody explained that in the ordinance they just passed, the rear setback is 20-feet but in reality, the width of the easement along the east property line is 30-feet, so they'd actually be more than 10-feet back from the setback.

Commissioner Cross clarified that what she is asking is how much of the ground between where the building is going to be and the property line is will be disturbed in the process of building the building.

Mr. Woody responded that none would be disturbed. He explained construction limits are outside of the conservation easement, so thirty feet or more away from the property line.

Commissioner Cross looked to confirm that they would not be making piles of dirt there and dropping off concrete within that 30-feet.

Mr. Woody stated that this was correct.

Johnny Workman, 3131 Excelsior Boulevard, Minneapolis, landscape architect for the applicant, introduced himself.

Commissioner Dahlke asked if more could be done to satisfy the neighbors.

Mr. Workman stated this is something he thought about and asked Staff if they could remove trees to provide a more substantial screening element on that side. But they did not want to remove any trees, so that was the confine that he worked within. He also stated there are opportunities to plant within the conservation easement to help provide the buffer, but the tradeoff is you risk damaging the roots of existing trees. He explained they would carefully mark out trees to be protected once this project moves forward, and plant smaller trees in other areas. Mr. Workman mentioned that with this solution they did try to come up with the best possible screening at point of installation.

Commissioner Keyport referred to the public hearing comments in the last item about all the vegetation being removed and asked when that happened and under what circumstances.

Mr. Workman replied that he did not know that answer.

Commissioner Keyport stated at some time he would like an answer to that question. He asked Mr. Workman if he thought that lights from cars in the parking lot during the winter months would be by and large screened by the proposed landscape plan.

Mr. Workman responded that absolutely he did. He said the City of Chaska ordinance calls for roughly 80% opacity and the tall evergreens will easily provide the 80% opacity, and even the double rows of deciduous trees will provide 70-80% opacity in winter.

Commissioner Keyport asked about the buckthorn removal that has been happening there.

Mr. Workman stated that this is also outside his scope of work for the project.

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Holly Tchida, 2503 Bridle Creek Trail, Chanhassen, had several points she wanted to emphasize. She stated that any aesthetics, safety, privacy and sense of well being that her family currently has will be ruined if the expansion goes forward as proposed. Ms. Tchida referred to pictures from the proposed site plan and showed a picture taken from her yard of the same vantage point, noting how close the parking lot will be to her children's play set in the yard. She stated that she appreciates the reduction in lighting from 25 feet to 20 feet, but stated that it is not enough. She referred to a picture that showed one of the trees that has been planted and noted that its current location is where the building will be after the expansion. She also explained that the removal of trees that Commissioner Keyport had asked about occurred in September of 2014. She stated that the building will also have windows looking out to the east, which would look into her backyard. Ms. Tchida also showed a photo of the tree removal that occurred to indicate more than buckthorn was removed. She expressed her gratitude that the applicant is now willing to do planting but stated that it is not enough to create any adequate screen from the building or parking lot. She also expressed gratitude that the generator will be screened and that any buffer for that will help but again reiterated that all this is not enough in her opinion to provide adequate screening from the expansion. She asked the Commission to request more be done, including considering an irrigated berm. She asked the Commission to consider the safety and security of her family with a parking lot and concrete building steps from her backyard. Ms. Tchida commented that she loves her home and Chanhassen, they equally love Chaska, they would love to see some compromise, and this could be an example of how industry and residential could coexist if done right.

Mr. Tchida wanted to again, for the record, make it clear that there was not a 1990 proposal and approval for an expansion for this site. He also explained he wanted to address the question as to what else could be done utilizing the conservation easement if all parties agree. He showed aerial photos from 1991 and from the present. Mr. Tchida stated he believed that when Mr. Woody had said the expansion to the east was the most logical, he meant it was the cheapest. Mr. Tchida argued that the building could be expanded to the north and a parking lots put on the eastern and southern sides of the existing building. He offered that there would then be enough space for a berm to fit. Mr. Tchida noted that he believes the expansion to the north would make more sense from an operational standpoint. He also questioned whether construction equipment would not be able to get in.

Jeff and Andrea Sebenaler again addressed the Commission and stated that there are other options for parking and proposed utilizing the area to the south for parking, and swap that conservation easement for the land to the east. He also questioned how there would be enough room for construction equipment. Mr. Sebenaler showed a photo of an old oak tree in their yard that he is afraid will be negatively impacted by the expansion. He showed photos from the removal of the trees in the conservation easement and stated that they had called Chaska City Hall to complain and asked if the removal had been approved. They were told it hadn't and that after staff checked it out, they were told there isn't anything they can do about it. He explained that Mr. Percy had put two rows of pines in, but that one row will need to be removed for the expansion. He stated that he liked the fact that the lights in the parking lot are being lowered and noted that he would like them to be turned off at night. Mr. Sebenaler wondered if enclosing the generator would cause an echoing of the noise. He went on to say that they are a good neighbor overall, that they maintain their lot, but the visual impact is what is troubling. He said that he would like a security put down in some way for any landscaping that protects them

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until the vegetation matures.

Ms. Sebenaler stated that she has a biology degree in forestry and that the oak tree in their yard has shallow roots, it will die, and it will cost them \$5-\$6,000 to remove. She noted that while Biolyph only runs one shift, she wanted to ask the Commission to think to the future in case industry comes to that site that runs more shifts. She asked the Commission to think of them as their neighbor and to imagine living there and how they would feel.

Alex Donaldson, 2460 Bridle Creek Trail, Chanhassen clarified his previous comment stating that with the narrow setback to the east, he is concerned about fire equipment not being able to get in there and the building burning because there are a ton of chemicals in there. He noted that since fire equipment can't access the north side and the east side, 50% of that building is unprotected from a fire standpoint and that is a public safety concern. He noted that as residents, they are always downwind.

Mike Meadows paced off thirty feet to show the setback and stated that he thinks you could fit a berm in there and that everyone could be happy.

Ms. Armentrout re-approached and asked who is supposed to uphold the conservation easement because the south and east borders, which are supposed to be conservation easements, are grass.

Commissioner Cross stated that she thinks it would be important for Mr. Percy to tell the Commission what his understanding of what a conservation easement was when he bought the property. She noted that while not all the trees that were removed were within the conservation easements, some were, and she said she needs to understand what he thinks he was doing.

Mr. Percy stated that his understanding of a conservation easement first and foremost is non-buildable land, and second, that he does not have any knowledge about this and so would have consulted with Mr. Woody about what they could do and remembers specifically not touching trees that were within the conservation easement.

Commissioner Pfeiffer commented that it does seem unreasonable in terms of aesthetics and safety when for those reasons they have a 100-foot setback for Chaska residents, and if you didn't need that, it wouldn't be in the ordinance as required. She stated she does believe that in terms of aesthetics and safety it is unreasonable to be within 30-feet and stated she would be interested to see if there are things that can be done to adjust the plan or the placement of the buildings.

Commissioner Keyport referred to the suggestion of moving the parking to another area, which would require the applicant and the City to agree to alter the easement there and asked Staff if there would be objections to moving that parking to the southern conservation easement. He stated it would be removing one part of the issue and would be a condition he would be willing to support.

Commissioner Pfeiffer agreed and said it is the lighting and people coming and going right next to somebody's yard and would alleviate a couple of issues.

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Chairperson Huang commented that if the parking was moved, creativity with a berm there too could help mitigate some of the light pollution. He stated that he has had experience with lights from taller vehicles and it is difficult to shield that light with trees. He said what works best are berms and walls, and because walls are expensive and ugly, berms are the happy medium. He stated he would be fully in support of moving the parking and putting up a berm on the parking side to shield lights.

Commissioner Cross asked if the Commission is asking them to go back and look at this again.

Chairperson Huang summarized the options before the Commission.

Commissioner Kelley asked if any of the property owners have done any planting on their side of the property lines.

A property owner came forward and stated he had planted several trees, albeit some in the conservation easement.

Commissioner Kelley stated he was just trying to understand the situation.

The Tchidas also stated they have planted trees, and some within the conservation easement. Mr. Tchida stated they are part of the solution here. Ms. Tchida noted when they placed the play set in the yard, it was near the property line, but at that time the property line was like a wall of trees so she did not have any safety concerns about putting it there. Mr. Tchida also noted that their yard dips down to the property line and he is concerned about the added hard surface impacting drainage there. He also asked the Commission to address the windows that are proposed on the east side of the building.

Cailin Wertish, 2551 Bridle Creek Trail, Chanhassen, stated the neighbors in Bridle Creek Trail have voiced how they have attempted to compromise and a number of the potential solutions that have been brought up tonight have been brought up in the past and have not been considered. She asked the Commission to recognize the fact that they are compromising and that Ms. Tchida has expressed nothing but concern for the safety of her children.

Community Development Director Ringwald suggested that before the Commission considers the different actions, they should act tonight in some fashion since this project has been extended once under the 60-day rule, it would put the Council up against an edge with no room to move if it would be postponed tonight. He stated from Staff's perspective, they recommend the Commission take action tonight.

Chairperson Huang asked if there was an alternative that would extend the 60-day.

Community Development Director Ringwald stated they have already done that once and it would take the applicant to agree, which is their call separately, not Staff's. He again stated that Staff suggests they act tonight in case the Council needs to postpone due to an absence, or they want to take their time, so they have time to act.

DRAFT

Chairperson Huang clarified the only way to extend the timeframe is if the applicant agreed to do so.

Community Development Director Ringwald confirmed this was so.

Chairperson Huang asked Mr. Percy if he would be willing to extend as an option.

Mr. Percy said he didn't think so, noting he lives to be a reasonable person but this has been delayed and delayed and become expensive, and they no longer are able to break ground this fall. He stated he had met with the neighbors previously and showed them what and why the business needed to expand. He explained the eastern side of his building is the loading dock area, and to move that would mean he'd have to build new ones. He stated he did not like the neighbors trying to rearrange the way his business is laid out when they do not understand how it works, and they knew they were buying homes that abutted an industrial property. He went on to say how many things were said tonight against his business and he does not appreciate being disrespected.

Commissioner Keyport stated that a point was made tonight that the dotted line drawn in 1990 for the expansion was not an approval but was an expectation set and was a reasonable expectation at that time based on the conditions of the time.

Commissioner Bowe agreed that it definitely showed intent.

Commissioner Keyport stated it was reaffirmed in 1995 with the conservation easement and so was a reasonable expectation that was a buildable space for the property owner. He stated one mitigating thing that can happen is moving the parking, as well as ensuring the landscape plan does everything possible to mitigate the impact of this large industrial use next to residential.

Chairperson Huang asked the Commissioners if there is a general consensus that they should either approve, or deny, or table it at this point.

The Commission agreed they should either approve or deny based on Staff's recommendation.

Chairperson Huang stated that he isn't comfortable with this item as is without adding conditions.

The Commission agreed.

Commissioner Pfeiffer stated that she is not comfortable with saying she agrees with the acceptance of the dotted line expansion drawing. She pointed out that was back in 1990 and this is 2018, and there are people all the time saying that they want to expand and if they want to do it, they have to present it and the Commission needs to see if it is reasonable at the time presented. She stated that to her it doesn't seem that that was an agreement that the City is going to change the setback to 30-feet and the City is fine with it.

Chairperson Huang explained he has a lot of trouble with the sketch being tentative or a possibility because that would allow any developer to sort of cast a casual, tentative plan and

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later act upon it. That being said, he stated the reality is it still has to come back through due process, which is what this is. He commented the conservation easement was cut out around where that space was and from a design perspective shows that someone intended for something to go in that space.

Commissioner Dahlke stated from a logical standpoint, a neighborhood was knowingly built next to an established industrial park.

Chairperson Huang commented with this situation, there was a confluence of decisions that conflicted with one another, and are now landing upon the Commissioners' desks tonight.

Commissioner Pfeiffer stated because of that, they need to look at what is happening right now as it is happening right now and ask if it makes sense, if it's reasonable, and does it work for everybody. She explained that right now to her, this doesn't. She stated she would have a hard time voting it through and asked what tabling it does.

Chairperson Huang explained that it would not go through to the City Council and they could then not give an approval, but the 60-day window Community Development Director Ringwald referred to could produce other consequences including the applicant having to start over, bringing more costs to them.

Commissioner Pfeiffer responded that she would like to know from the experts if it is even a possibility to alter the layout.

Commissioner Dahlke stated he has worked in industry all his life and thinks it is ridiculous for the Commission to tell Mr. Percy how to set up his operation and this should not be something they should even discuss.

Commissioner Pfeiffer commented that they do this all the time.

Commissioner Dahlke replied that they do not.

Commissioner Pfeiffer clarified that the Commission asks developers if they can take houses out here or there or rearrange them, and the Commission leaves it up to them. She stated she isn't saying they tell Mr. Percy what to do, she just would like to know if it is a possibility.

Chairperson Huang stated what they can do is put a list of conditions on this item of what issues need to be addressed so that when it does come back, those issues are addressed.

Commissioner Dahlke commented that Community Development Director Ringwald already made them aware they need to take action tonight, so they need to vote to yes or no as it is.

Commissioner Cross pointed out that this is a final plat and not a preliminary.

Chairperson Huang replied that it is the final and the last shot for the Commission.

Commissioner Kelley noted that using a berm was suggested a lot and he was not sure if it

DRAFT

could be done on a smaller scale, and also wondered if partnering with Chanhassen on this would be a possibility since it is on the property line.

Some of the Commissioners stated that was out of their control.

Commissioner Kelley noted he is asking the question because it is right on the property line; otherwise, they would not be having this discussion.

Chairperson Huang explained that this was not something the Commission had any jurisdiction over. He said that ultimately today all they can do is make a decision and they could direct Staff to call Chanhassen about it, but they could not likely hang any decision on it tonight.

Commissioner Kelley replied that he understood.

Chairperson Huang summarized the options again and said that if they choose to deny it, City Council could take that and honor the denial, or pass it through. He then explained that they could choose to pass it through with stipulations, which would help guide Council in terms of what the key issues are that need to be addressed.

Commissioner Cross pointed out condition 17 in the current conditions of approval to Staff and asked if the coniferous plantings it refers to are in addition to what they've seen in the plan.

City Planner Hanson explained it is an option as opposed to the double row of deciduous shrubs they have in the plan.

Chairperson Huang stated they need to address the issues they have at hand and he will approach it from the basis of making an approval of some sort. He started with the issue of light pollution.

Commissioner Pfeiffer mentioned that they need to be really specific and asked how they would word the condition.

Chairperson Huang stated they would look to Staff for some guidance on that but it cannot be too prescriptive as the applicant will need some latitude to figure out what will work.

Commissioner Keyport suggested rewording condition 17 to say, "provision to include landscape screening along the east edge of the property for the entire length of the easement."

Chairperson Huang commented that perhaps adding other verbiage around berming to indicate that as an option.

Commissioner Dahlke suggested saying "the maximum amount of screening that can be done subject to the health of the plantings."

Chairperson Huang stated it is important to consider that vehicle heights are different and gave an example of a development by the 212 Medical Center where the screening or berming fails to block the lights from taller vehicles. He also stated there needs to be a bit of flexibility in the

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wording for how to address that.

Commissioner Pfeiffer stated if the applicant looks at it and says they can't do berming within 30-feet, they could say that they looked at it and it wasn't going to work and so then just put trees in.

Commissioner Keyport commented that might be what happens.

Commissioner Pfeiffer replied she did not think that was sufficient.

Chairperson Huang explained City Staff will work to enforce the conditions.

Commissioner Dahlke stated that is why they need to leave it general enough to say the maximum amount reasonable possible.

Commissioner Pfeiffer asked if they are accepting that there is 30 feet if they vote this through.

Chairperson Huang explained that it depends where you are talking about--against the building and against the parking lot are two different areas. He stated the question is how much can the verbiage do on the side where there is only 30 feet to work with. He commented that this was an open question and one for the engineers to figure out.

Community Development Director Ringwald noted that from a Staff perspective and trying to work with the applicant, the meeting is now at the three-hour mark and Staff has a lot of direction on that particular topic. He suggested the Commission bullet point the items they really want considered.

Chairperson Huang began to summarize the bullet points as he understood them to be:

- On the parking lot side, put screening or movement of the parking lot to obscure the parking lot lights as well as vehicle movements and vehicle lights, including full size pick-up trucks.

Community Development Director Ringwald then added that to clarify statute, if the Commission is looking at the denial route, they will need to provide findings of fact with their decision and will have to put those in writing for the applicant tonight.

Chairperson Huang asked the Commission if they are in consensus in moving toward approval with conditions.

The Commission agreed and said it depends what the conditions are.

Commissioner Keyport said he has two conditions and then gave his wording for that as: provision of an agreement with the City to amend the south conservation easement and to move parking to the southern portion of the property. He then suggested changing condition 17 to read: provision of Staff approval for landscape screening and berming to maximize screening for the benefit of residential neighbors to the east, along the entire length of the eastern conservation easement.

DRAFT

Commission Kelley asked for clarification on what a zero-degree light is.

Community Development Director Ringwald explained that a zero-degree light is parallel with the ground and not tilted up.

Commissioner Pfeiffer asked about seeing if it is possible to increase the distance of the building from the property line.

Several members of the Commission disagreed.

Commissioner Dahlke stated that was not the Commission's job.

Commissioner Pfeiffer looked to clarify that they are not wanting to ask if there is even a possibility.

Commissioner Dahlke commented the applicant has been hammered on this for months and they have sent them back once already.

Commissioner Pfeiffer looked to clarify that it came before the Commission with the 30-foot issue with the houses.

Commissioner Dahlke stated that they tabled it.

Commissioner Cross explained that the 30-feet was the original stuff way back when and you cannot go back and change it.

Commissioner Pfeiffer stated that was not approved.

Commissioner Cross clarified that she was talking about 1990.

Commissioner Pfeiffer said that it was not approved, it was a possibility, not an approved plan. She stated they are right now approving or not approving a plan.

Commissioner Bowe commented she would not support adding that as a condition.

Commissioner Dahlke stated he was fine with the other conditions listed, but not this one.

Other Commissioners agreed.

Commissioner Pfeiffer commented that she would not do this to a Chaska resident and would not do it to another resident either. She stated she does not agree with it.

Commissioner Cross replied that she can then vote no.

Commissioner Pfeiffer stated she will vote no.

DRAFT

Chairperson Huang asked for other conditions to add to mitigate what is going in here.

Commissioner Kelley brought up the comment about the windows.

Chairperson Huang asked if the windows were for natural lighting, and if they could require opacity on the windows for screening.

Commissioner Bowe stated the applicant has the right to have windows in their building to appreciate the view.

Chairperson Huang said if it was a residential house being built on the other side, the Commission would not ask them to make their windows opaque, and the distance would be about the same. He added that if it was an apartment building back there, it would be about the same height, so that condition is out.

Chairperson Huang then referred to the concern brought up about construction damaging trees and actually getting equipment back there.

Commissioner Cross noted on their plan they have a temporary road going in on the north side of the building.

Chairperson Huang suggested if it isn't already in the conditions, to add something about adherence to use the construction road in the north for any construction access.

Community Development Director Ringwald stated that it is already the access plan because it is on the site plan and they are approving the site plan, and if the applicant wants to do something different, they would have to come back.

Chairperson Huang asked if there was anything they need to add regarding preservation of the remaining conservation easement.

Commissioner Cross stated they might need a definition of a conservation easement as Mr. Percy felt it meant unbuildable land. She asked if conservation easement really means unbuildable or to keep everything that is in that area in existence.

Commissioner Keyport stated the definition exists and is defined in the document itself.

Commissioner Cross explained she is talking about the definition of conservation easement and wanted to know if it means unbuildable or that whatever is there is untouchable.

Community Development Director Ringwald stated he talked with the attorney and if both parties agree to move it, then it can be touched.

Chairperson Huang rephrased Commissioner Cross's question to be does it mean that under an area that is actually covered in a conservation easement, does it mean solely that it is not buildable area, or that all the physical flora and fauna have to remain untouched and pristine.

DRAFT

Community Development Director Ringwald read the definition aloud and summarized that it means no removal of vegetation unless the parties agree to it.

Commissioner Cross stated she hopes this clarifies it for the owner because he considered it unbuildable and removed trees on part of the easement.

Chairperson Huang asked if since the applicant is not building in the easement, is there anything about restoration of some trees within that easement.

Commissioner Cross stated they are requiring it to happen as it is and with Commissioner Keyport's additions, she thinks someone needs to make a motion.

Chairperson Huang stated he wants to make sure they are covering the bases and knows it is a little redundant and because of all the heartache going around on this, he wants to be very thorough if not a little pedantic.

Chairperson Huang asked if they need to address anything with security. He stated he felt the property owner has a right to have their lights on.

Commissioner Bowe agreed that a dark parking lot is not good.

Chairperson Huang added if the parking lot is moved, it really is a non-issue.

Motion by Commissioner Cross, second by Commissioner Keyport, to recommend to City Council approval of a Final Site & Building Plan to construct a building addition at Biolyph 4275 Norex Drive, (PC #2018-23), subject to the following **amended** conditions:

1. Approvals shall be based on the following graphic exhibits:
 - a. Existing Conditions (pg C2.01), submitted by Sambatek, dated July 25, 2018.
 - b. Grading and Erosion Control Plan (pg C4.01), submitted by Sambatek, dated July 25, 2018.
 - c. Erosion Control Notes and Details (pg C4.02), submitted by Sambatek, dated July 25, 2018.
 - d. Utility Plan (pg C6.01), submitted by Sambatek, dated July 25, 2018.
 - e. Details (pg C9.01), submitted by Sambatek, dated July 25, 2018.
 - f. Landscape – Snow Removal Plan (pg L1.01), submitted by Sambatek., dated July 25, 2018.
 - g. Landscape Details (pg L1.02), submitted by Sambatek, dated July 25, 2018.
 - h. Landscape Rendering, submitted by Sambatek
 - i. Site Plan (pg C3.01), submitted by Sambatek, dated July 25, 2018.
 - j. Site Lighting Plan (pg SL1), submitted by Martin Woody Architects, dated July 24, 2018.
 - k. Site Plan (A1), submitted by Martin Woody Architects, dated July 24, 2018.
 - l. First Floor Plan (pg A2), submitted by Sambatek, dated May 1, 2018.

DRAFT

- m. Second Floor Plan (pg A3), submitted by Sambatek, dated May 1, 2018.
 - n. Elevations (pg A4), submitted by Martin Woody Architects, dated July 24, 2018.
 - o. Overall Development Plan, submitted by Sambatek, dated July 25, 2018.
2. Adherence with the Engineers Memo dated July 31, 2018.
 3. Provision that all mechanical equipment will be fully screened from view.
 4. Coordination with the City Engineer for the provision of public utilities to the site.
 5. Provision of a storm water management plan meeting City and Carver County WMO standards.
 6. Compliance with applicable zoning requirements, in particular Chapter 9 (General Requirements).
 7. Provision to submit Utility and Site Plan As-Builts prior to issuing a building permit.
 8. Provision that the building will be fire sprinkled.
 9. Provision to coordinate with the Electric Department on the service needs for the site and building.
 10. Provision of Conservation Easement be adhered to.
 11. Provision that proof of parking areas be revised outside of the conservation easement area on the east portion of the site and relocated to the grass area south of the preserved oak tree and grass area south of the main drive aisle into the site.
 12. Provision that wall pack lighting cannot exceed 8 feet in height.
 13. Provision that pole mount lighting in eastern parking lot cannot exceed 20 feet in height.
 14. Provision of main entrance wall lights to be incorporated into the canopy and flush mounted.
 15. Installation of all site lighting at a 0-degree angle with the light source fully concealed.
 16. Provision to coordinate with the City Engineer on drainage for the site.
 17. Provision of Staff approval for landscape screening and berming to maximize screening for the benefit of residential neighbors to the east, along the entire length of the eastern conservation easement.
 18. Provision of an agreement with the City to amend the south conservation easement and to move parking to the southern portion of the property.

Motion carried 6/1 (Pfeiffer).

Chairperson Huang reminded folks that this will go through further discussion with City Council on August 20, 2018.

The Commission recessed and reconvened at 10:35pm.

7.C. Public Hearing: Approve the Preliminary Plat and Rezoning for Sagewood
City Planner Hanson presented item to the Commission

Commissioner Keyport referred to the drainage and noted that there was some more separation there and asked if there is anything else they are doing to help make drainage better.

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City Planner Hanson stated she would let the engineer answer that.

Deb Ridgeway with DR Horton, applicant, noted Joel Cooper with James R Hill is also present and could answer the question about drainage.

Mr. Cooper stated they met with the neighbors, looked at their drainage situation, and explained there is nothing they can do to help them as the plats are built differently and their situation is more individual grading problems. He explained what they had done so far is probably the most they could do mitigate their situation.

Ms. Ridgeway stated they had the opportunity to meet with the neighbors during the course of the meeting and believes there are additional concerns or comments that will be brought up.

Commissioner Cross asked if they will be selling off the high cost lots in the north first or sell everything at once.

Ms. Ridgeway responded they plan final plat everything at one time, and given the time of the year, they will probably only be able to get the lower cul-de-sac done first and then continue construction into the spring to bring those lots to the north in line.

Chairperson Huang opened the public hearing at 10:41 pm.

Shannon Melville, 2750 Clover Preserve Drive, stated that her property abuts Lot 1. She explained she appreciates that they have expanded the lot and are planning to plant spruces but asked if there is any way to save the trees that are there right now. She also inquired if there is any other option to look at to create a temporary construction access point rather than using Pioneer Trail.

Travis Olson, 1439 Sophia Drive, stated he abuts the norther edge and that he is concerned about the open space they have left and how the Outlot will be maintained and accessed.

Jim Hornecker, 2638 Clover Field Circle, referred to the erosion control plan and wanted to make sure he retains access to his driveway at all times. He expressed concern over the existing pavement and if it will be preserved. He also asked if the sidewalk on the north side of Clover Field Circle will be extended to connect to the new development. He stated there is no buffer being added his area and the elevation change would cause the new home to look down into his.

Andrea Hornecker, 2638 Clover Field Circle, asked where the model home will be located.

Brooke Sorenson, 1456 Sophia Drive, looked for confirmation where the construction traffic will be coming in. She stated there are a lot of kids who walk to school along the route that construction trucks will be driving so asked if there could be signage or something to help control traffic speed.

Chairperson Huang asked the applicant to answer the question about tree preservation.

DRAFT

Ms. Ridgeway stated they have looked at the ability to save the trees along that line with the drainage.

Chairperson Huang asked Staff to pull up the illustration for ease of reference.

Mr. Cooper explained the significant trees are 15-20-feet in from the property line and when the house pad is graded.

Chairperson Huang rephrased the statement as the fact that the elevation of the property where the lots will be is higher than where the street will be so in order to cut that down, the trees can't be saved as they are part of the dirt being removed.

Mr. Cooper stated that was right and the trees are far enough in from the property line so that the edge can't be left alone.

Chairperson Huang looked to clarify that the two options are to back-grade that but lose the trees, or leave it at a higher elevation than the houses that are to the north.

Mr. Cooper explained there wouldn't be enough room to put a house there if the trees are there.

Chairperson Huang referred to the concerns about construction traffic and asked if the applicant approached other landowners for access through in a different way.

Ms. Ridgeway explained the Kelzer property to the south would be the most likely but the ditch that runs through it makes building a temporary road infeasible. She stated that they would like the opportunity to work with Public Works or whoever it would be to on providing signage to make sure the traffic is slow and the route is clear. She noted that they will provide the signage but that the City has a sign ordinance so they'd need City assistance to work through that.

Chairperson Huang looked to Staff to clarify that they would be supportive of that.

City Planner Hanson stated that they are always in support of providing better directional signs.

Chairperson Huang asked Ms. Ridgeway to address how they will take care of the Outlot.

Ms. Ridgeway responded that ideally, they would want to keep it natural so the homeowner's association does not have to go back there and mow it. She explained they will put together a maintenance plan and seeding plan for a natural vegetated area which would get mowed periodically.

Chairperson Huang looked to clarify that this would be set up through homeowner's association and asked how they would obtain access.

Ms. Ridgeway confirmed it would be run by the homeowner's association and would be accessed through the blank lot.

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Chairperson Huang asked how often 'periodic' is.

Ms. Ridgeway replied that it depends on how the maintenance plan.

Mike Sewel, DR Horton, explained that they work with the local contractor, set up seeding and maintenance plans, usually takes anywhere from 3-5 years to establish, and it would be mowed about that regularly after established.

Chairperson Huang asked if planting trees would be a better long-term option.

Mr. Sewel stated there will still be the interim period until the tree canopy is tall enough to choke out the grasses so something needs to be done on the ground regardless and would be nice to have it match what is done down by the cul-de-sacs.

Chairperson Huang referred to the erosion control question.

Ms. Ridgeway stated until the actual construction plans defined and finalized, they cannot answer that question but will do their best but it depends on the utilities and tying in the road with the new road.

Chairperson Huang then asked Ms. Ridgeway to address the concern about preservation of the access to the pond and connection of the sidewalk.

Ms. Ridgeway explained they will work with Public Works and the City Engineer on the sidewalks but they are intended to be extended. She also stated they would be happy to work with the City on that if there is an opportunity to plant trees either on the City property or on the property boundary to create a buffer for Mr. Hornacker's house.

Chairperson Huang inquired where the model home will be.

Ms. Ridgeway responded the model home location has not been determined yet but with the south side being built first, there would probably be a temporary one there, but ideally, they want the model on the north side of the project.

Chairperson Huang referred to the lot diagram to confirm where in the north lot they developer would like the model home.

Commissioner Cross asked how they will be protecting the old Lot 6 from the grading that will be done nearby.

Ms. Ridgeway explained that as part of the grading operation, they put up silt fence so will protect the tree line around the entire site.

Commissioner Cross stated she doesn't trust Caterpillar drivers and earth movers very well and has seen silt fences flattened and also remaining 5-6 years after they were put down. She expressed hope that the grading contractors are very well aware that those trees are not going

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to be touched.

Ms. Ridgeway commented that they work very closely with their contractors.

Commissioner Cross stated the fact that the plan changed to allow the old Lot 6 to remain shows that they really listened to how the neighbors wanted the trees left.

Ms. Ridgeway explained they will use a brightly colored orange fence that will not blend in so as to be more discernable for the contractors. She also noted that they have great trust in their contractors and will make sure they will protect the trees.

Chairperson Huang closed the public hearing at 11:02 pm.

Commissioner Pfeiffer commented they have done a great job making it more beautiful and keeping the trees and have seemed to really take the Commissioner input.

Commissioner Keyport mentioned they came a long way with tree preservation on this project and in his opinion reducing the number of lots is what made it work.

Chairperson Huang stated it is a testament of respect to the neighbors as three lots is not an inconsequential amount of revenue financially for the applicant. He commented that it will be a nice neighborhood.

Commissioner Cross brought up the comment about how it was bare behind Mr. Hornacker's house and stated it is obvious it is bare.

Chairperson Huang asked if she wanted to make a statement about it or if she is suggesting to make a condition.

Commissioner Keyport stated the applicant is planning a seeding and maintenance plan, and that seems sufficient to him.

Commissioner Cross commented that when looking at their planting plan at the old tree-less access point, it is a spot not covered by trees right now and there is nothing there in their plan.

Chairperson Huang mentioned that looking at the overlay, it looks conspicuously absent.

Commissioner Cross suggested they add a little bit on to what they've got.

Chairperson Huang asked what her recommendation was at this point.

Commissioner Cross commented that they just need to look at adding more trees along the north edge at the open area.

Ms. Ridgeway stated they will extend the tree line farther east to cover that area.

Commissioner Bowe stated the applicant did a great job and really listened to comments last

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time, doing everything the Commission asked them to do.

Motion by Commissioner Keyport, second by Commissioner Pfeiffer, to recommend to City Council approval of a Preliminary Plat and Rezoning for Sagewood, a 55-lot subdivision on 28 acres of land in the Clover Ridge development, subject to the following conditions:

1. Approvals shall be based on the following graphic exhibits:

- a. Preliminary Plan Narrative (pgs 1-12), prepared by DR Horton, dated July 25, 2018
 - b. Existing Conditions, prepared by James R. Hill, Inc., dated July 25, 2018
 - c. Site Information, prepared by James R. Hill, Inc., dated July 25, 2018
 - d. Drainage Maps, prepared by James R. Hill, Inc., dated July 25, 2018
 - e. Preliminary Plat (pgs 1-3), prepared by James R. Hill, Inc., dated June 22, 2018
 - f. Preliminary Erosion & Sediment Control Plan, prepared by James R. Hill, Inc., dated July 25, 2018
 - g. Erosion & Sediment Control Details, prepared by James R. Hill, Inc., dated July 25, 2018
 - h. Erosion & Sediment Control Notes, prepared by James R. Hill, Inc., dated July 25, 2018
 - i. Preliminary Grading & Drainage Plan - Overall, prepared by James R. Hill, Inc., dated July 25, 2018
 - j. Preliminary Grading & Drainage Plan - North, prepared by James R. Hill, Inc., dated July 25, 2018
 - k. Preliminary Grading & Drainage Plan - South, prepared by James R. Hill, Inc., dated July 25, 2018
 - l. Preliminary Sanitary Sewer & Water Plan – North, prepared by James R. Hill, Inc., dated July 25, 2018
 - m. Preliminary Sanitary Sewer & Water Plan – South, prepared by James R. Hill, Inc., dated July 25, 2018
 - n. Preliminary Storm Sewer Plan – North, prepared by James R. Hill, Inc., dated July 25, 2018
 - o. Preliminary Storm Sewer Plan – South, prepared by James R. Hill, Inc., dated July 25, 2018
 - p. Construction Details, prepared by James R. Hill, Inc., dated July 25, 2018
 - q. Preliminary Tree Preservation Plan, prepared by James R. Hill, Inc., dated July 25, 2018
 - r. Construction Access Plan, prepared by James R. Hill, Inc., dated July 25, 2018
 - s. Preliminary Landscape Plan (pgs 1-3), prepared by Calyx Design Group, dated July 25, 2018
 - t. Traffic Assessment (pgs 1-6), prepared by Spack Consulting, dated July 10, 2018
 - u. Illustrative Cross Section, prepared by Westwood, dated July 25, 2018
2. Adherence with the City Engineer's Memo dated August 1, 2018.
 3. Provision of a 60 feet Right of Way width for all local streets.
 4. Adherence to the City's Boulevard Tree Policy and local street section design.
 5. Provision of adequate screening and landscaping along east edge abutting the Clover Preserve 2nd Addition and Traditions at Clover Ridge 2nd Addition lots to be addressed at Final submittal.
 6. Provision of sidewalks on both sides of all local streets.
 7. Adherence to the following building setbacks:

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- a.Front (house): 26 feet
 - b.Rear: 20 feet
 - c.Side: 5 feet
 - d.Side (corner): 26 feet
8. Prior to final plat recording, developer shall enter into an agreement with the City for the provision of necessary infrastructure and associated development costs.
 9. Payment of development fees prior to recording of the final plat.
 10. Compliance with the City's anti-monotony and design requirements zoning ordinance (Section 9.28).
 - 11.Provision of developer responsibility to remove any hazardous trees or limbs on site as determined by the Public Works Director, prior to issuance of a building permit.
 - 12.Provision of a storm water management plan meeting City and Carver County WMO standards.
 13. Provision to provide mature tree buffer with existing trees on the east edge of the site that abuts both Lot 1-2, Block 1 of Clover Preserve 2nd Addition.
 14. Provision of a tree preservation easement over the protected trees on Outlot A and private lots to be recorded prior to recording of final plat.
 15. Provision of a fire turnaround at the western end of Clover Preserve Lane to be reviewed and approved by the Fire Department.
 16. Provision that adequate maintenance accesses are provided for the stormwater ponds, and to be shown on the plans at preliminary submittal.
 17. Provision to provide landscape buffer/screen to Lot 2, Block 1 Clover Preserve 2nd Addition on Lot 1, Block 1 Sagewood.
 18. Provision to further evaluate the preservation of trees 236, 248, 381, 408, 496, and 499 and to be addressed during the final submittal.
 19. Monument signs to receive separate sign permit approval prior to installation and adhere to Section 10 of the zoning ordinance.
 20. Provision that cluster mailboxes are provided on site for the development.
 21. Provision that homes do not exceed 35 feet in height.
 22. Provision that park space and amenities are constructed at first phase of development construction.

Motion carried.

Motion by Commissioner Keyport, second by Commissioner Cross, to recommend to City Council approval of the rezoning from Rural (R) to Planned Residential District (PRD-73).

Motion carried.

7.D. Public Hearing: Deny the Variance for Signs at Southwest Christian High School

City Planner Liz Hanson presented item to the Commission.

Commissioner Kelley asked what the rules are for graphic colors and graphic size on signs.

City Planner Hanson replied that as long as it meets a 50-square-foot sign area, they can work within that area.

Chairperson Huang looked to clarify his understanding of how the 50-square-foot area is determined.

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City Planner Hanson confirmed his understanding and added that they have a 5-foot maximum.

Chairperson Huang asked if all the signage elements around Chaska High School meet the same criteria that Southwest Christian is being held against.

City Planner Hanson replied they don't because they are in a different zoning district and are allowed to go up to 50-square-feet. She stated that the alternative offered by Staff is to allow them to go up to that threshold as well since it is a similar use.

Chairperson Huang looked to clarify that in essence, they are being allowed to do what Chaska High School does. He then clarified to the Commissioners that legally they have to make a recommendation based on the question of whether it meets the criteria of undue hardship.

Kayle Vick, Director of Operations at Southwest Christian Highschool, stated that Chaska has been fantastic to work with and they appreciate Staff's proposed adjustments and compromises. He explained they would like to appeal to the Commission on either further compromise or an overall approval of what they put forth. Mr. Vick stated they recognize the conditions of undue hardship and would rather appeal to the Commission on a more reasonable application in common sense based on the west wall in particular. He explained they understand and respect rules and ordinances, but feel their situation should be considered differently. He went on to say that due to the orientation of the homes to the west, they would not face the west wall and therefore not experience negative impact from anything there. Mr. Vick noted that the only entrance and exit to the school is Bavaria Road, and while they appreciate the allowance to light the monument sign there, daytime signage is actually what is very helpful for the performance hall on the west wall. He noted that they would likely accept Staff's proposal to illuminate the monument sign there and explained that they would like to brand the facility in a way that is clear that the facility can be used by the Chaska community as well. He stated that while they understand the ordinance focuses on square footage, the overall percentage of the wall they would like to use for signage is 3-4% and that the letter height they are talking about is 16-feet. He explained that as Bavaria Road is at a distance of about 2.5 football fields from the wall, it makes sense in this situation to consider larger lettering. Mr. Vick noted that they would be willing to compromise from the 28-foot height they had originally proposed and that the school is focused on practical, functional signage and not interested in spending private money on signage that is small and ultimately too small to make much of a difference. He explained that in the future, they are looking for signage on Hwy 212 much like the Sunset Park signage that is there now. He added that they are okay with not having internal illumination to the signage, but would then want lower landscape lighting on the lettering. Mr. Vick stated that this isn't an immediate need for the school so if the Commission wants to delay the decision in order to reconsider with more allotted time to access the points, the school would support that. He requested the Commission's full approval or something more reasonable they could compromise on.

Josh Felix, BGW Architects, referred to the diagram depicting the three sign locations and explained that the retaining wall signage is a future element. He noted that adding illumination to the existing monument sign on Bavaria would be beneficial and they would not need to make any additions to that sign. Mr. Felix went on to say that their primary visibility is coming down

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Bavaria Road and where they want to highlight the west building sign. He argued that the 260-foot distance from Bavaria Road to the west wall line, and the square-foot allowances under the ordinance, puts the letter height at about 15-16-inches, which is not that visible. He noted it is disproportionate to the building and at that the recommended font size for that distance is at minimum 26-inches and recommended, 30-inches. He explained the 28-inch letter height they proposed makes the overall sign on the west wall about 100-110-square feet and the recommendation from Staff has a much smaller footprint with the 15-inch letter height and is not enough to make a logical sign in that area. Mr. Felix asked if they could meet somewhere in the middle, perhaps 60-square feet which produces a letter height that is visible to Bavaria, which would push the overall signage limit up about 20-feet from what was discussed earlier. He stated the signs would be raised, non-illuminated brushed metal signs with a contrasting color to the base wall color. He commented that there are ways to push up the variance a bit without going too far.

Chairperson Huang opened the public hearing at 11:36 pm.

Michelle Rosburg, 505 Westwood Lane, stated she lives across the street from the high school and supports the larger size as it makes better sense for the time and construction put in to the building.

Chairperson Huang closed the public hearing at 11:38 pm.

Commissioner Cross commented that she has no trouble with what would go on the west side because of the distance but she dislikes the lit monument sign as it is basically a billboard and would not want that near the exit ramp.

Commissioner Keyport stated as a small business owner he has experienced his own issues with signage but noted that the ordinance is not arbitrary and is part of what keeps Chaska being Chaska. He commented that of all their requests, the one he is most sympathetic with is the west wall as a too small sign looks ridiculous on a large building. He explained they are in a residential district and this is not an undue hardship but a branding problem and noted that he would hate to have a precedent issue going forward. With that, he explained he is leaning toward not supporting it even though he understands it and feels their pain.

Commissioner Dahlke recommended the applicant consider the alternative to have a slightly larger monument sign by the driveway.

Commissioner Keyport also noted one of the reasons they are at 15-inch letters is that there are a lot of letters and suggested they look at paring that down or using a logo or some other way.

Commissioner Dahlke agreed and looked to clarify that they are able to increase the size somewhat of the monument sign and take the lettering and substitute it in the front. He asked if they could pare it down at all.

Mr. Vick addressed Staff and asked if 50-square-feet is what they have to work with, are they able to do a 7x7 circle with a logo on the west wall.

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Community Development Director Ringwald stated this is something Staff would work with the applicant on and talk further with them about that.

Chairperson Huang noted there are other out-of-the-box opportunities to consider exploring.

Commissioner Kelley asked if the larger portion of the building is a theater or a worship area.

The applicant replied off-mic but said it was a theater.

Commissioner Kelley stated there would be other options for symbols or signage like a cross if it was for worship but as it is for other purposes.

Mr. Felix stated they have not looked at anything regarding logos at this point and would have to be reviewed.

Chairperson Huang stated the issue with the variance for him is that both the signage for the building is tied with the signage of the retaining wall. He stated it sounds like there is some discussion that can happen about alternatives and asked if they could defer this now and allow the applicant time to consider these alternatives.

Commissioner Bowe commented they could find something that agrees with the ordinance but also satisfies their branding need.

Commissioner Dahlke stated that by denying this, as requested by Staff, it allows them to come back with another plan.

Chairperson Huang agreed and noted that denying or tabling provides the applicant the chance to work on this and come back, but tabling doesn't trouble the City Council with it at this point.

Mr. Vick stated if there is a possibility of approving more than the square footage allotted, then he would say to table it. But if they are leaning toward denying that, then they should go back to the drawing board and come up with a different plan altogether.

Commissioner Keyport commented that he would love to see a solution that gives them more than 15-inches on the big space.

Community Development Director Ringwald suggested if they are pursuing that, they should continue the public hearing so they do not have to deal with republications and then continue it to September 12, 2018 to give them some time to work with the applicant.

Commission Pfeiffer stated the Commission is bound by making decisions based on undue hardship, and this does not make enough of a case for that.

Chairperson Huang commented what he is concerned about is setting precedent and that proving undue hardship is difficult in this situation and it is hard to logically tie these things together. So, he would be forced to deny it based on the logical perspective of the legal criteria he is forced to judge it by.

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Mr. Felix stated they have spent a lot of time working on this sign, from both sides. He asked if the monument sign on Highway 212 was removed from the proposal, if they came back with a signage allowance of 60-square feet on the west wall, they maintained the same signage on the north wall, and left the monument sign on Bavaria the same size but illuminated, would that be something that would be hypothetically passed. He stated he can work towards that.

Chairperson Huang explained that the Commission would have to defer to Staff.

City Planner Hanson stated they do not have an answer either at this point.

Chairperson Huang suggested they work with Staff on the details of this and to come back next month.

Motion by Commissioner Dahlke, second by Commissioner Keyport, to continue this item until the September 12, 2018 meeting.

Motion carried.

7.E. Public Hearing: Approve the Conditional Use Permit for Residential Facility at 320 Walnut St.

City Planner Liz Hanson presented item to the Commission

Commissioner Dahlke asked if there have been any security or patient issues at their current location, as this is even closer to St. John's and would want to know that would not be an issue.

City Planner Hanson stated that the applicant can speak to what the experience has been like for the existing facilities and any concerns brought up by adjacent residences, uses, and the police department.

Commissioner Cross stated those are the area of questions she has for the applicant as well.

Jason Vanderscoff, CEO of Five Stars Recovery Center, stated they have been at the Klein Mansion since 2011 and they have not had any calls of complaint. He noted the new building will have 24-hour staffing, and explained he has spoken with Chief Knight and asked if they have been a burden to the City at all and was told they have not. He explained they are a medical facility and he feels very confident with how they operate.

Chairperson Huang referred to the map of the neighborhood asked if either of the other nearby sites become available, what would their intentions be.

Mr. Vanderscoff said they would not be interested in those and that they are looking in Scott County to expand. They are currently working on a men's facility project in Shakopee and so their expansion efforts will be outside of Chaska. He explained this Walnut Street site is nice because it allows the medical component, which they do not have at their current Chaska location.

Commissioner Kelley asked if the residents would come in to this facility first and then move off,

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if this is an induction facility.

Mr. Vanderscoff confirmed this and explained the new site would be the first step, and then the Klein Mansion would be the next step down in the process.

Commissioner Bowe asked if they are privately funded.

Mr. Vanderscoff said they receive State funding, Medicaid and private health insurance, and Cash Bay.

Commissioner Bowe also asked if they have services that help residents after they have gone through step 1 and 2.

Mr. Vanderscoff said they do and described their care process.

Chairperson Huang opened the public hearing at 12:10 am.

Chairperson Huang closed the public hearing at 12:10 am.

Commissioner Keyport stated that they seemed to have met the necessary criteria.

Chairperson Huang commented that it is a needed service and the applicant is ready to move on to help in other areas as well and puts the building to good use.

Motion by Commissioner Kelley, second by Commissioner Dahlke, to recommend to City Council approval of a Conditional Use Permit for a Residential Facility at 320 Walnut St, subject to the following conditions:

1. Approvals shall be based on the following graphic exhibits:
 - a. Project Narrative, Pages 1-4, written by Mark Wentzell, dated July 17, 2018
 - b. Letter of Need, written by Diane Pagel of Carver County, dated April 6, 2018
 - c. Title Sheet and Code Data (pg A000), submitted by 292 Design, dated July 3, 2018
 - d. Basement Demo Plan (pg A100), submitted by 292 Design, dated July 3, 2018
 - e. First Floor Demo Plan (pg A101), submitted by 292 Design, dated July 3, 2018
 - f. Second Floor Demo Plan (pg A102), submitted by 292 Design, dated July 3, 2018
 - g. Proposed Basement Plan (pg A200), submitted by 292 Design, dated July 3, 2018
 - h. Proposed First Floor Plan (pg A201), submitted by 292 Design, dated July 3, 2018
 - i. Proposed Second Floor Plan (pg A202), submitted by 292 Design, dated July 3, 2018
 - j. Exterior Elevations Walls and Door/Frame Types (pg A400), submitted by 292 Design, dated July 3, 2018
 - k. Existing Exterior Photos (pg A401), submitted by 292 Design, dated July 3, 2018

DRAFT

2. The filing of a certified copy of the Conditional Use Permit with the Carver County Recorder or Registrar of Titles, which shall include a legal description of the subject property.
3. The building will house a maximum of 17 people.
4. Outdoor storage of any kind will not be permitted.
5. Fire exit exterior staircase to be painted to match exterior and be approved by the Planning Department prior to installation.
6. Compliance with 14.74 of the Zoning Ordinance, requirements for a Conditional Use Permit.

Motion carried.

8. Other Business

8.a. Receive Other Meeting Minutes

- 8.a.i. Receive the Minutes of the June 18, 2018 City Council Meeting.
- 8.a.ii. Receive the Minutes of the June 18, 2018 EDA Meeting.
- 8.a.iii. Receive the Minutes of the July 9, 2018 Park Board Meeting.

Commissioner Kelley

- Commented that Fire and Ice went well and it was much better than last year.

Commissioner Bowe

- Agreed Fire and Ice went well as did River City Days.

Commissioner Dahlke

- Noted that the Flags of Honor car show is on Saturday, August 11 at City Square Park.

City Planner Hanson

- Informed the Commission she is working with the Watershed District to try to figure out a time to come to speak to the Commission on the educational information they had requested and stated it would be at the next meeting or the meeting after.

Chairperson Huang

- Noted it might be nice to have iPad charging cables up at the Commissioner's desks.

10. Adjourn

Motion by Commissioner Keyport, second by Commissioner Pfeiffer, to adjourn the meeting at 12:20 am, August 9, 2018.

Motion carried.

REQUEST FOR ACTION

CHASKA PLANNING COMMISSION

09/12/18

Subject: Pinnacle – Concept Plan

Applicant: Pulte Homes

Location: West of Highway 41 and south of Highland Drive

Case No.: 2018-32

Synopsis: Applicant seeks to obtain approval of a 257-lot detached villa townhome development for active seniors (55+) on 86 acres of land on the Hammers property at 1084 Cardinal Street

Prepared By: Elizabeth Hanson

Staff Recommendation: Motion to recommend approval to the City Council

BACKGROUND

At its December 12th, 2008 City Council meeting the Victoria Pointe 2nd Addition was approved. This plat encompassed the lots that abut the north side of the proposed development tonight on Moers Drive and Liberty Heights Drive. There is also an existing park (Moers Park) that abuts the north end of this development that will have additional discussions on its potential extension into this proposed development.

Tonight we are looking at a development concept that will extend the streets on the south side. Please note, this will not be an extension of the existing Victoria Pointe development, rather it will be a new development by Pulte Homes for active adults (55+).

Pulte Group sells homes under the brands Pulte Homes, Centex Homes, and Del Webb. Del Webb is a renowned brand name across the country that exclusively caters to the active adult 55+ market. Del Webb creates extremely popular, high amenity active adult neighborhoods. Many of these neighborhood names (ex. Sun City) are well known across the country. Although they have developed many Del Webb neighborhoods in northern climates to date, they have not developed any in the State of Minnesota. They have recently announced their first Minnesota Del Webb neighborhood which will open in 2019 in the City of Corcoran in the northwest part of the Twin Cities. They have been searching for a location in the southwest Twin Cities to create another large age restricted community that would serve the needs and desires of buyers who are 55 years and older. Many active adult buyers are searching for a neighborhood with the following attributes: single level homes; homeowner's association yard and snow maintenance; a safe and secure feeling; the attractiveness of a resort; and social and recreational opportunities. Pinnacle has been designed to cater to these buyers.

PROJECT GOALS

The developer has identified the following goals below in creating this new neighborhood:

High Quality of Life Enhanced

- Provides a housing type (active adult) that is in need.
- A highly sought after social and recreational lifestyle in a neighborhood that is certain to have a high-quality reputation.
- Pinnacle provides an opportunity for existing Chaska residents to remain in Chaska.
- Increases vitality of downtown and supports local businesses by adding a significant number of residents near downtown with the ability to spend discretionary money.
- Increases use of existing public amenities such as Fireman's Park, Veteran's Park, the public library, The Lodge, and the Chaska Town Course.
- This demographic group is known to volunteer at a significantly higher rate than the general population. Our schools, charities, and other organizations will benefit from this.
- The general area will benefit from an improvement in the traffic patterns by adding an access to State Highway 41.

Taxpayers Perceive they are Getting Cost-Effective Service

- As an infill development, the public trunk sewer, water, storm water, and transportation networks are in place. We are not aware of the need for any public trunk expenditures to serve Pinnacle. Impact fees will go toward paying for past expenditures or will increase reserves in the infrastructure funds. Infill developments are highly efficient from an infrastructure standpoint
- In conjunction with developing this neighborhood, we are improving a regional transportation weakness by adding a connection to State Highway 41.
- Tax revenue will go to the school district, but no children will be sent to the schools.

Well-Planned and Orderly Community Development is a Priority

- An infill development is more well-planned and orderly than other types of development.
- It provides a housing type (active adult) that is not being adequately met by the market.

A Sense of Community and Small-Town Values are Maintained

- Pinnacle creates a new neighborhood community that will create strong social bonds within the neighborhood due to the private amenity and social center.
- Pinnacle's proximity to downtown, Fireman's Park, and Veteran's Park will increase the usage, vibrancy, and atmosphere of these strong community assets.
- Volunteerism is closely related to small-town values, creating a strong sense of civic responsibility, community pride, and social cohesion.

A Commitment to Excellence

- Nationwide, the Del Webb brand is strongly associated with quality and excellence. Although this neighborhood may be branded as a Pulte Homes Active Adult community, it will hold the same design attributes as a Del Webb neighborhood: strong sense of arrival, beauty, amenities, and the creation of a strong social network.

Comprehensive Plan

The Comprehensive Plan guides this area to be Low Density Residential. The proposal tonight is consistent with this guidance.

CURRENT PROPOSAL

The 257-lot proposal on approximately 86-acres of property is located west of Highway 41 and south of Highland Drive. This new addition will essentially be an extension off of the existing Victoria Pointe development on Moers Drive and Liberty Heights Drive. Again, this will be a new development and not a part of the Victoria Pointe development.

Adjacent properties

The site is bound on the north by single family residential, Moers Drive and Liberty Heights Drive, to the west by bluffs, the south by bluffs and Veterans Park, and the east by Cardinal Street, Crown of Glory Church, Woodland Heights Townhomes and Mount Pleasant Cemetery.

Existing Conditions

The 86-acre site is currently used primarily for agricultural purposes and thus has a natural rolling topography. There is one homestead, several outbuildings, and one historically designated structure (Hammers Saloon) on the property.

There are several areas of trees on the property mostly along the edges. There are also scattered oaks within the site.

It is unclear if any wetlands exist on the property. Staff would require that a wetland delineation report be completed and provided at time of their preliminary submittal.

Land Use

The proposed 86-acre Pinnacle consists of 257 single family lots with varying lot sizes; 49 lots at 44 feet wide, 147 lots at 50 feet wide (optional basements), and 61 lots at 60 feet wide (basements and 3-car garages). The dimensions are smaller than the homes to the north of the site since these homes are geared to the active adult and will have HOA maintained yards. Minimum setbacks are proposed to be: front setback of 25 feet, side setback of 5 feet, corner lot side setback of 25 feet and rear yard setback of 20 feet.

The parcels of land that this development encompasses are currently zoned Open (O). The area in question will be rezoned to a more appropriate zoning district, such as Planned Residential Development (PRD).

Layout

Currently, the available access points for the property are Moers Drive to the northwest, Liberty Heights Drive to the north, and Cardinal Street to the northeast. These roads will be extended or re-aligned in some fashion to provide access into the development. An additional access point is being proposed off of Highway 41 to provide stronger access to the development. This additional access will also act as the main entrance to the development providing an arrival drive with landscaping in the median that leads drivers directly from the main entrance to the amenity center. The amenity center is situated in the center of the development which will have a clubhouse building with a fitness center, social lounge and activity room(s). It will also provide an outdoor pool, fire pit gathering area, pickleball courts and bocce ball courts.

The model homes will be situated near the main entrance by Cardinal Street, which will showcase the three different villas (44' wide, 50' wide and 60' wide). The 44' wide lots will be situated at the northern end of the development near the terminus of Liberty Heights Drive; the 50' wide lots will be situated mainly in the center of the site; and the 60' wide lots will be situated around the south and west perimeters of the site to take advantage of the bluff vistas.

Park space is proposed on the northwest side of the site as an extension of the existing Moers Park. Another area for park space is proposed at the south edge of the site, showing a connection to Veterans Park to the south.

Transportation/ROW

The Concept Plan proposes to provide for a network of internal residential roadways with connectivity to existing roadways. Specifically, Moers Drive is extended to the south to provide the majority of access to the 50' and 60' wide lots; it will then continue southerly to the southern-most edge of the property and ultimately wrap up northerly to connect to Liberty Heights Drive. Cardinal Street is proposed to be realigned with this proposal, and will essentially connect to the main entrance drive into the development.

There is a new access being proposed on Highway 41, which would provide for a right-in/right-out movement. The City is continuing to work with the developer and MnDOT about the permitting of this access. In general, the City supports this additional access into the development.

Currently there is one single-family property (south of the Hammers) that gains driveway access off of Cardinal Street today. The developer will have to show an access point for this property off the main entrance drive, since there is currently not one shown. This access will need to be adequate and provide full turning movements on and off of the main drive for the property owner.

The current concept plan appears to show road right-of-way widths that are consistent with the designs in the existing adjacent developments, however, this should be shown on the plans during the preliminary submittal.

Utilities

Sewer and water utilities are available. Minor extensions will need to be provided to service the proposed neighborhood. It should be noted that with the development of this land it would open the possibility to loop water to areas of Southwest Chaska near Creek Road through the sites owned by the City. Because of this, Staff would see this as a positive development opportunity.

The neighbor to the south of this development at 1066 Cardinal Street has indicated their desires to gain access to City sewer as the Hammers property gets developed. We have shared this information with the developer and ask that they continue to work together to try to achieve this.

Stormwater

Stormwater ponding exists on the south side of the site. More ponding is proposed as a part of this concept showing expansion of the existing pond, and additional ponding on the northeasterly areas of the site. It will be required that the developer provides adequate maintenance access into these areas to be shown during their preliminary submittal. Stormwater ponding will have to meet all Carver County WMO and City standards.

Phasing

It is the anticipation to start the development of Phase 1 sometime in 2019, with anticipation of full build-out by 2023-24. The phasing of the project has not been fully determined yet, but the site will be developed in multiple phases depending on a number of factors such as market demands and local lot absorption.

Setbacks

The setbacks will be generally consistent with detached townhome developments. Namely, the front yard setback should be no less than 25 feet. The rear yard setback should be 20 feet. The side yard setback should be 5 feet. Corner lots should have a side yard setback of 25 feet.

In addition to these setbacks, there are other setbacks that may apply to this site. See below:

SETBACKS	
Direction	Setback
Wooded Steep Slopes	50 feet building setback and 30 feet no grade/no mow setback
Wetlands	30 feet

The applicant will be required to delineate the wooded steep slope edges and their applicable setbacks in the field so that staff can verify for accuracy. This will need to be done prior to preliminary submittal.

Architecture

Pulte Homes will be the sole builder in this development. The proposed homes will be single-story detached townhome designs. They will be providing three different sized detached townhome varieties applicable to the three different sized lots (44', 50', and 60'). Each townhome plan will have multiple elevation options, which will create variety. A sample of the home designs is shown on the concept plan.

The homes planned on the 44' wide lots will be 34 feet wide and range in size from 1,300 to 1,700 square feet. These smaller floor plans are very popular for singles/widows in the active adult neighborhoods. They typically have two bedrooms and two-car garages. These homes will be slab on grade (no basements), and will value from high \$200k's to the mid \$300k's.

The homes planned on the 50' wide lots will be 40 feet wide and range in size from 1,680-1,960 square feet (excluding basements). These homes are typically the largest selling product line in the active adult neighborhoods. They typically have two bedrooms and two-car garages. This

product will also offer many options such as a third bedroom, a bonus room, and/or a finished basement. These will value from the mid \$300k's to the mid \$400k's.

The homes planned on the 60' wide lots will have the same product line as for the 50' wide lots. However, all homes on the 60' wide lots will have basements and three-car garages. These lots will be situated in premium locations with the most attractive views. These will value from the high \$300k's to the low \$500k's.

Because the developer is not planning to build all the same product and exterior, City ordinance dictates that housing may not be similar within two houses to each side, directly across the street or diagonal from the house in question. This ordinance also requires LP Smartside (or similar material) be used on all front elevations, 4-inch window trim on all windows, and 360 degree architecture be incorporated on corner lots and lots whose sides are visible from public right's of way or across from open spaces.

Trails, Sidewalks & Access Into the Bluff Areas

The developer is showing trails in portions of the development. One major trail connection is shown going along the western side of the site that follows the public street. This trail connection provides connection to Moers Park on the north side and ultimately connects down to the south edge of the site to Veterans Park. The Park Board will have further discussions on the trail incorporations and where they are being proposed, however, staff would like to point out that the southern trail connection point is concerning since an archery range is currently being constructed in Veterans Park near the trail connection point. This could pose a safety concern for people wanting to use this.

The concept plan is proposing to include sidewalks, but only on one side of the street. The developer will be required to provide sidewalks on both sides of the streets up to the bulbs of cul de sacs per City policy. The sidewalks will connect to the internal pedestrian walkways in the existing development.

Since the bluff areas are planned to be dedicated to the City, the developer will be required to show an adequate amount of access points into the bluff areas. The plan is currently showing two potential access points; one on the west side, closer to the terminus of Moers Drive, and one on the south side by the stormwater pond. One more access point will be needed between the northerly and southerly access points to provide adequate access for City staff to access these areas when necessary.

Screening, Landscaping & Tree Preservation

Because this development abuts the rear and sides of an existing neighborhood it will be important in the preliminary submittal to address how these edges interact; specifically in reference to how they look from the streetscape. For example, is it necessary or appropriate to provide a natural break of landscaping between this development (detached townhome villas) and the existing developments (traditional single-family) because they are different products? A few areas of note would be mainly on the northern and eastern edges specifically between the new development and existing developments on Moers Drive and Liberty Heights Drive. Another area of note would be along the rears of the properties on Highland Drive, and the rears and sides of the townhomes in Woodland Heights and single-family residences on Woodland Drive. This could be an item for discussion on how it should be addressed.

Trees will be required in the boulevard in order to meet the City's Boulevard Tree Policy. It should be noted that the boulevard is the area between the sidewalk and the street. It will be required that boulevard trees are extended throughout all boulevards to meet the policy.

Although tree areas are minimal on this site, Tree Preservation will still be an important piece of discussion for this development, specifically along the west edge area where the bluff is present. The concept plan is proposing to preserve the western edge trees, however staff will want to see that on a Tree Preservation plan to ensure that is the case. There are also a couple scatterings of oaks and other trees near the central west edge and along the north edge within the proposed park expansion. Staff finds that the small cluster of oak trees near the central west edge are significant and would be beneficial to incorporate into the development; they also appear to be located near or on a 18% slope and thus would be protected by ordinance. However, the applicant will need to provide a tree survey and tree preservation plan during their preliminary submittal to show how they are preserving trees on the site.

Parkland

The Concept Plan shows two areas for public parkland. The first area shows the expansion of Moers Park on the north side, adding 3.3 additional acres to this park. The second area is on the south end of the site as it connects down to Veterans Park, totaling 2.3 acres. The Parks and Recreation Director and Park Board will be evaluating these pieces at their upcoming meeting on September 10th and we will be able to provide an update at the Planning Commission meeting.

A private park space, totaling 2.4 acres, is being proposed in the center of the development where the amenity center is located. This area will be for the development's residents only.

Parkland credit can be given for any public park space that the City accepts. Parkland credit will not be given for the bluff areas or stormwater ponds that are dedicated to the City.

Land Swap

The developer is showing a couple areas for land swap between the development and the City-owned land, as well as with the Crown of Glory site. The land swap is shown on the west edge abutting the bluff. The developer would like to swap developable area on the west edge owned by the City for undevelopable area encompassed by wooded steep slopes. The developer would be dedicating more undevelopable land than they would be receiving back in developable land from the City as proposed.

Another area staff would like to point out is a small sliver of land on the northwesterly portion of the site. This property that encompasses the sliver of land will eventually be owned by the City and thus would be another candidate for land swap. The City and the developer will continue to discuss this land swap matter if the City Council deems what is being proposed as reasonable.

Another area for land swap is being shown where the proposed main entrance access is on Highway 41. The main entrance access will have to cross the Crown of Glory Church's site in order to access the highway. Because of this the development will have to acquire some of the church's site. The development will swap land on the northeasterly side of their development to the Crown of Glory to make up for the land taken. The developer has indicated that they

have engaged the church on this proposal and has received favorable direction. The church will still have to bring this item to their own committee in order to approve such a request. Staff would like to point out that this land swap would result in a separate parcel to the south of the main entrance access, which is a remaining portion of the Crown of Glory site. This parcel would have to be platted as an outlot so that it does not become a buildable parcel.

Development Costs (Infrastructure Improvements)

Some development area fees are the following:

- Storm Sewer
- Parks
- Trails

Prior to final platting, Staff will need to work with the applicant to determine which of these are applicable and what those fees will be.

HPC Meeting September 4th, 2018:

The City and developer conducted a Heritage Preservation Commission meeting on Tuesday, September 4, 2018. The purpose of this meeting was to address the historic structure on the property (Hammers Saloon at 1092 Cardinal Street). The developer wishes to demolish this structure based on the notion that it is in poor condition and has lost most of its historic integrity. The HPC requested that they do a site visit to the structure to physically understand the conditions of the structure and how to proceed with it. They will meet again at their next HPC meeting in October to go over the outcome of this site visit and how they wish the developer to proceed. If the developer wishes to demolish this structure then they will have to obtain approval of a Site Alteration Permit for Demolition by the HPC prior to submitting a preliminary plan.

Neighborhood Meeting September 6th, 2018

Pulte Homes conducted a neighborhood meeting for their concept plan on September 6th, 2018. They have provided a summary of this meeting as an attachment in the packet. In sum, there were concerns on construction traffic and regular traffic, screening/buffers, and drainage. In sum, the developer indicated that the concept plan was well received at this neighborhood meeting. The notes from that meeting are attached as an Exhibit to this report.

The applicant will have an opportunity to address these concerns in their preliminary submittal.

Deadline for Agency Action

The City of Chaska received the complete application for this request on Tuesday, August 7th, 2018. Pursuant to Minnesota State Statutes the City is to act on this request by **Saturday, October 6, 2018 (60 days)**, however the City can provide the petitioner with a written letter for an additional 60-day review period for further review if so needed. This additional review period can extend to Wednesday, December 5, 2018. The City may, with the petitioner's consent, extend the review period beyond the Wednesday, December 5, 2018 date for an additional 60 days. Lastly, if the City denies the petitioners request "... it must state in writing the reasons for the denial at the time it denies the request."

EAW

Under Minnesota state statutes, this residential development will likely exceed a threshold for preparation of a mandatory Environmental Assessment Worksheet (EAW). If the concept plan is well received by the City, the developer will work with City staff to determine the scope of the EAW. This document assesses the impact that this neighborhood will have on the environment.

Conclusion

Staff is happy to see another development concept move forward on this piece of property. This will be a significant addition to the area and thus its overall design and accommodations will be important as it moves forward in the planning process.

PLANNING COMMISSION ACTION REQUESTED

Motion to recommend to City Council approval of the Pinnacle Concept Plan for a 257-lot subdivision on 86 acres of land, subject to the following conditions:

- 1. Approvals shall be based on the following graphic exhibits:**
 - a. Project Narrative (pgs 1-11), prepared by Pulte Homes, dated August 7, 2018
 - b. Crown of Glory Lutheran Church/Hammers Property Proposed Land Swap Sketch
 - c. Hammers Saloon Evaluation (pgs 1-3), prepared by John Lauber and Company LLC, dated August 1, 2018
 - d. Henry Hammers House/Saloon Pictures (pgs 1-10), prepared by John Lauber and Company LLC, dated August 1, 2018
 - e. Area Context Plan, prepared by Westwood
 - f. Existing Conditions Plan, prepared by Westwood
 - g. Site Forces Plan, prepared by Westwood
 - h. Concept Plan, prepared by Westwood
 - i. Trails, Parks & Open Space Plan, prepared by Westwood
 - j. Neighborhood Meeting Notes (pgs 1-2), prepared by Pulte Homes, dated September 6, 2018.
- 2. Adherence with the City Engineer's Memo dated September 7, 2018.**
- 3. Provision of a 60 feet Right of Way width for all local streets.**
- 4. Adherence to the City's Boulevard Tree Policy and local street section design.**
- 5. Provision of sidewalks on both sides of all local streets.**
- 6. Adherence to the following building setbacks:**
 - a. Front (house): 25 feet
 - b. Rear: 20 feet
 - c. Side: 5 feet
 - d. Side (corner): 25 feet
- 7. Prior to final plat approval, developer shall enter into an agreement with the City for the provision of necessary infrastructure and associated development costs.**
- 8. Compliance with the City's anti-monotony and design requirements zoning ordinance (Section 9.28).**
- 9. Preservation of the wooded steep slopes, including 30-foot buffer and a 50-foot setback from that wooded steep slope if present on site.**
- 10. Provision that the wooded steep slopes and their applicable setbacks are delineated in the field, and reviewed and approved by the Planning Department prior to preliminary submittal.**
- 11. Preservation of wetlands and a 30 foot buffer.**
- 12. Provision of a storm water management plan meeting City and Carver County WMO standards.**

- 13. Provision of a wetland delineation report to be completed and provided at time of preliminary submittal.**
- 14. Provision that adequate maintenance accesses are provided for the stormwater ponds, and to be shown on the plans at preliminary submittal.**
- 15. Provision to further evaluate tree preservation efforts in the center portion of the site as directed in the Screening, Landscaping & Tree Preservation section of this report, and to be addressed at preliminary submittal.**
- 16. Provision of an approved Site Alteration Permit for Demolition or Relocation of the Hammers Saloon (1092 Cardinal Street) prior to preliminary submittal.**
- 17. Provision that the leftover parcel from the Crown of Glory's site south of the main entrance access be platted as an outlot.**
- 18. Completion of an EAW of the site prior to be submitted at time of preliminary submittal.**



City of Chaska Memorandum

To: Planning Commission
From: Matt Clark, City Engineer
Date: September 7th 2018
Subject: Pinnacle Residential Development

Engineering Staff is quite familiar with this site and offers the following comments/conditions regarding the proposed concept plan:

- 1) Sanitary sewer and water service already exist at the edge of the development area.
- 2) Site grading will need to address the rolling terrain of the development area as well as the steep slopes/bluffs that surround much of the parcel. With this in mind, an analysis (report) of the bluff conditions adjacent to the site will be required as part of the grading plan.
- 3) In conjunction with the grading plan, the storm water plan will be critical in correcting some existing drainage issues, as well as meeting City and CCWMO requirements for run-off rates, volume control and erosion elimination.
- 4) As part of the preliminary submittal, a wetland delineation report for the entire development site will be required.
- 5) The internal street layout is adequate to handle traffic flow and connects to Cardinal Street, Liberty Heights Drive and Moers Drive. To lessen the traffic load on Victoria Drive, the developer proposes a right in/right out connection to TH 41. Said connection to a MnDOT Highway will require an access permit from the State. MnDOT is already reviewing this request. It is Staff's understanding that until MnDOT responds to this initial request, Crown of Glory Church is not formally a part of this proposal. As a part of the traffic analysis, any improvements to the existing local/collector road network will need to be evaluated.



“PINNACLE”

APPLICATION FOR: CONCEPT PLAN REVIEW

**CHASKA, MINNESOTA
August 7, 2018**

Introduction

Pulte Homes of Minnesota, LLC (“Pulte”) is pleased to be submitting this application for Concept Plan review.

Pulte’s company vision is ***“Building Consumer Inspired Homes and Communities to Make Lives Better”***. We currently operate under three distinct brands of homebuilding throughout the country: Pulte Homes, Centex Homes, and Del Webb. Pulte’s Minnesota Division has an office in Eden Prairie and will sell over 500 homes in the Twin Cities this year, all under the Pulte Homes brand.

Pulte will act as both developer of the property and builder of the homes within Pinnacle. The primary contact for Pulte is:

Paul Heuer, Director of Land Planning & Entitlement
7500 Flying Cloud Drive, Suite 670
Eden Prairie, MN 55344
952-229-0722
Paul.Heuer@PulteGroup.com

The owner of the properties is:

Hammers Family Limited Partnership
1558 Sunshine Circle
Chaska, MN 55318
Attn: Mike Hammers
Michael.Hammers123@gmail.com

The Property

Legal Description:

P/O SE1/4 SECT 5 DESC AS: BEG AT NW CORN SE1/4 SECT 5 TH S88°E ON N LINE OF SE1/4 1253.47

Property Identification Number:
30-0053800

Address:
1084 Cardinal Street
Chaska, MN 55318

Key Facts

- Existing zoning is Open Development, a holding zoning until development occurs
- 2030 Future Land Use Plan shows the property as R-1 Low Density Residential with a required density range of 1 to 5 units/acre
- Proposed zoning - PRD Planned Residential District
- Proposed uses - 257 detached villa townhomes with homeowner's association maintenance and a large private amenity center
 - 49 of the lots will be 44 feet wide
 - 147 of the lots will be 50 feet wide – optional basements
 - 61 of the lots will be 60 feet wide – including basements and 3-car garages
- Area calculations:

Areas	
Item	Area
Gross area	85.51
Wetlands (estimated)	0.2
Bluff (estimated)	6.3
Net area (estimated)	79.01

- Gross density = 257 units/85.51 acres = 3.01 units/acre
- Net density = 257 units/79.01 acres = 3.25 units/acre
- Minimum home setbacks
 - 25 feet front
 - 5 feet and 5 feet side
 - 20 feet rear

Neighborhood Vision

Del Webb – An Iconic Brand

As indicated in our introduction, Pulte Group sells homes under the brands Pulte Homes, Centex Homes, and Del Webb. Del Webb is a renowned brand name across the country that exclusively caters to the active adult 55+ market. Del Webb creates extremely popular, high-amenity active adult neighborhoods. Many of these neighborhood names (ex. Sun City) are well known across the country. Although we have developed many Del Webb neighborhoods in northern climates to date, we have not developed any in the State of Minnesota. You may have heard that we recently announced our first Minnesota Del Webb neighborhood which will open in 2019 in the City of Corcoran in the northwest part of the Twin Cities. We are very excited to bring this attractive lifestyle to the State.

We have been searching for a location in the southwest Twin Cities to create another large age-restricted community that would serve the needs and desires of buyers who are 55 years and older. Many active adult buyers are searching for a neighborhood with the following attributes: single level homes; homeowner's association yard and snow maintenance; a safe and secure

feeling; the attractiveness of a resort; and social and recreational opportunities. Pinnacle has been designed to cater to these buyers.

We continue to evaluate whether Pinnacle can be branded as a Del Webb neighborhood. Regardless, we are incorporating many of the traditional Del Webb neighborhood design characteristics into Pinnacle. Our neighborhood vision for Pinnacle includes the following intentional design attributes targeted at the desires of the active adult buyer:

1. **Entrance experience** – We are working toward creating a main entrance to the neighborhood off State Highway 41 which will offer a dramatic hilltop climb, open space, a large monument, and robust landscaping. See below “Access” section for more details on this access.
2. **Arrival drive** – The arrival drive leads the driver directly from the main entrance to the amenity center. The arrival drive consists of a parkway with a wide, heavily landscaped center median and runs immediately adjacent to a deep ravine and proposed ponds, providing beautiful, open views. There are no driveways on the parkway, creating a feeling of luxury, beauty, safety, and a welcoming sense of arrival into the neighborhood.
3. **Amenity center** – Although the City has done an admirable job creating public amenities that are strong attributes for the active adult buyer, this buyer also expects a private amenity center that caters to their recreational and social needs. We have strategically planned this amenity to be located at a central location at a relatively high point.
4. **Trails/Open Space** – We used the City’s Comprehensive Plan as a guide for preserving open space, providing land for public parks, and designing an interconnected public trail system. The trail system will provide convenient access to Fireman’s Park, Veteran’s Park, downtown, and Moers Park.
5. **A feeling of security** – A very high priority for this buyer is that their neighborhood feels safe and secure. This is accomplished by a variety of intentional design approaches such as buffer plantings in key perimeter areas, parkway arrival drive, sidewalks along every street, etc. However, the most impactful attribute that creates a sense of security is the natural location and topography of the property. It is a large peninsula with bluffs along the west, south, and southeast sides of the property. This creates a strong and natural sense of seclusion and safety, making this property ideally suited for an active adult neighborhood.
6. **Single level villa homes** – The active adult buyer commonly wants to move into a single level home (no or minimal stairs) with homeowner’s association-maintained yards/snow removal and social and recreational opportunities. We will be offering homes and a neighborhood that provides these attributes. Buyers will be able to choose from different product lines of homes, each catering to a different square footage, price point, and location/views.

Context Within the City of Chaska

In the previous section we outlined how this type of neighborhood is ideally suited for the topography of this property. An active adult neighborhood also fits very well into the context of the City of Chaska.

The City has invested a considerable amount of time, energy, and money into making Chaska a wonderful City. Downtown has a significant amount of historic buildings clad in Chaska brick and the City has worked to preserve the historic flavor of the downtown area. Continuing to attract and maintain the “right” mix of businesses in a historic downtown is critical. Helping them

to be successful is in the best interests of all City residents. The City has also recently invested heavily in Fireman's Park and the Chaska Curling center, both of which are a short walk from Pinnacle. And in the past the City invested in the creation of the high-quality Chaska Town Course and the Chaska Community Center/Lodge.

These amenities are attractive to the active adult resident. However, the synergy between Pinnacle and the downtown businesses is particularly strong. Our buyers are residents who have spent their lives saving for retirement and now have the time to spend those savings. Having this many active adults close to Fireman's Park and the downtown area is the ideal use for this property from the standpoint of park utilization and support of local businesses in the historic downtown.

There is one other very important way in which Pinnacle fits well within the context of the area. Traffic concerns are common when new development occurs. In this case, the bluffs create a situation where access is a bit more constrained than usual. As outlined in this narrative, we are proposing to create a new access from State Highway 41 which significantly strengthens access for the property and the area. However, we recognize that neighbors may still have concerns because the new neighborhood will increase overall traffic counts.

A significant number of active adults are retired, thereby significantly decreasing peak traffic volumes. Others have flexible work schedules. A study of other Del Webb active adult communities found that peak morning traffic volumes are 64% less than that of typical single-family neighborhoods. From a traffic generation standpoint, an active adult community is the right use for this property.

One key point that we have not yet addressed is that our initial market research indicates that this portion of the Twin Cities region is not adequately being served by new housing targeted at active adults. There are existing Chaska residents that are not finding the homes that they are looking for. We wish to address this unsatisfied demand.

Access

Background

Currently, the available access points for the property are Moers Drive to the northwest, Liberty Heights Drive to the north, and Cardinal Street to the northeast. We would feel more comfortable if access to the property was stronger.

It is our understanding that the City has discussed a potential area transportation improvement with the Crown of Glory Lutheran Church (the "Church") in the past. Conceptually, this improvement is to add a new street connection to State Highway 41 at a location south of the Church building. We have spent a considerable amount of time and effort carefully developing a concept that could meet the needs of Pulte, the City, and the Church, which would also significantly benefit from improved access. We have met with the Church and discussed the improvement and appear to have the support of their board. Ultimately, the issue will need to go before the congregation for a vote. We have also worked with City staff at a high level on this improvement. Additional engineering and review will be required and a permit from MnDOT will also be necessary. If our concept plan is received positively by the City, then we will advance discussions with the Church and City regarding this area transportation improvement.

Our proposed area transportation improvement consists of the following (see Land Swap exhibit):

1. **New Connection to State Highway 41** – We will work with the City and MnDOT to design a new street connection with access to State Highway 41. It will be a “restricted access” that would only allow incoming traffic to take right turns onto the new street and allow only outgoing right turns onto State Highway 41. As currently proposed, all design, permitting, and construction costs will be paid by Pulte.
2. **Realign Cardinal Street** – We will realign a portion of Cardinal Street. In doing so, this creates a safe perpendicular intersection to the new entrance road. It also provides sufficient distance from the new State Highway 41 intersection to allow cars to “stack up” and wait. The design, permitting, and construction cost of this work will be paid by Pulte.
3. **Land Swap** – The new entrance cuts off some of the Church property. However, the realignment of Cardinal Street presents an opportunity for additional land to become available to the Church. In effect, the Church would be trading 0.80 acres of steep land with 0.05 acres of buildable area for 0.45 acres of relatively flat land, resulting in 0.35 acres of new buildable area. Pulte will prepare and record the necessary documents to effectuate the land swap.
4. **Pond** – Currently, there is a pond that is located on the narrow, triangular portion of Church land that would be swapped with Pulte. We will expand/move this pond to the south side of the new access road.
5. **Landscape Buffer** – It is our goal to have a highly attractive main entrance and arrival drive into Pinnacle. Due to the existing grade change from State Highway 41 to Cardinal Street, the entrance drive could have stunning views. This change of grade also means that we will be constructing a retaining wall along the north side of the new access street. We will use boulders for the wall, creating a very nice entry experience. We are also proposing to plant a buffer of trees as shown on the attached “Land Swap” exhibit to enhance the entry experience and provide adequate screening for the church from the new public street. Our proposal is to install the buffer of trees on the Church property and within an easement 30-feet wide. The retaining wall, irrigation and plantings within the easement will be paid for by Pulte and maintained by the Pinnacle homeowner’s association.

Henry Hammers House/Saloon

Background

The 2006 City of Chaska Historic Context Study prepared by the Chaska Heritage Preservation Commission (now named Historic Preservation Commission?) in Spring 2006 indicates in Appendix A that the building at 1092 Cardinal Street is identified as one of the “Chaska Designated Properties.” It is our understanding that it was designated in January 1996 based on its significance to the local community’s development and culture. Located alongside the Chaska-Victoria road, this 1873 house represents a typical wood frame farmhouse that also provided a wayside saloon for farmers traveling on the main road between Chaska and Victoria.

Findings

We began a dialog with City staff about options for developing the larger Hammers homestead property in October 2017. At that time, staff informed us of the historic designation of the home. Once we had a purchase agreement in place for the property, we undertook a “due diligence” process to better understand how the historic designation of the home would relate to the potential residential development. Our first step was to find a reputable architect that had significant experience in dealing with historic preservation. We ultimately hired architect Bob

Claybaugh of Claybaugh Preservation Architecture, Inc. and architectural historian John Lauber of John Lauber & Company LLC (former Education and Preservation Outreach Coordinator for the Minnesota Historical Society). On June 14, 2018 we walked through the home with Claybaugh and Lauber. Claybaugh and Lauber prepared the attached letter dated August 1, 2018. Their findings: ***"It is our opinion that the property bears little resemblance to its appearance during Chaska's formative years, and no longer retains the physical features necessary to convey its significance as a congenial wayside for travelers passing through the rural landscape of Carver County during the second half of the nineteenth century."***

Based on the findings of Claybaugh and Lauber, the building is not a good candidate for preservation/restoration. If our overall concept plan is received positively by the City and Pulte chooses to proceed with this application, then we will be requesting permission to demolish the home. Alternatively, if the Historic Preservation Commission and/or the City wish to relocate the home to a separate location, we would not be opposed to such action.

As residential developers, we commonly deal with the question of whether it would be feasible to utilize existing buildings for adaptive reuse. We have evaluated repurposing barns, golf clubhouses, and homes for use in new neighborhoods. Many factors need to come together for this to work adequately. In this case, the home does not have any of the necessary factors that lend it to be repurposed for neighborhood use. The condition of the building is poor, it contains no aesthetic appeal, and the rooms sizes are all far too small to make use of as a community gathering space.

Additional Factors

Prior to learning that the historic value of the home is highly limited, we had identified additional factors which would have made preservation difficult:

1. **Height/appearance of the home** – We are proposing to create an additional access to State Highway 41 at a logical location where it can be accomplished from an engineering standpoint. In creating this connection and following standard engineering design guidelines, we will be constructing a significant retaining wall on the north side of the new entrance road. This retaining wall would wrap around the existing homestead, creating a somewhat unsightly presentation of the home. The home would stand four to seven feet above the elevation of the street. It would not look natural or historic.
2. **Deviation from engineering standards** – In order to keep the home in place, the curvature of realigned Cardinal Street would not meet City street design requirements.
3. **Impact on other property owners** – In order to preserve the home, realigned Cardinal Street would need to be moved closer to 163 Highland Drive, causing additional impact to a neighboring property.

Although the above factors are not the primary reason to proceed with relocation or demolition of the home, they add complications to preservation of the home.

If after reviewing the attached letter and walking through the home, the Historic Preservation Commission and/or the City wish to relocate the home to a separate location, we would not be opposed to such action.

The Concept Plan

In the above “Neighborhood Vision” section of this narrative, we outlined strategic and aesthetic Del Webb design strategies that we incorporated into the layout of the concept plan. Each of these increases the livability, attractiveness, and desirability of the neighborhood. In this section, we’d like to outline some other key features of the concept plan:

- As shown in the City’s Comprehensive Plan, we are planning to dedicate additional land to add to Moers Park at the northwest part of the neighborhood.
- As shown in the City’s Comprehensive Plan, we are planning to dedicate additional land to add to Fireman’s/Veteran’s Park at the southern tip of the neighborhood.
- We have intentionally designed the neighborhood to have primarily open space adjacent to existing homes along the north side of the properties. In the few areas where we have homes planned near existing homes, we are providing a buffer of green space between them.
- We are avoiding disturbance of bluff areas. We plan to dedicate bluff areas to the City. There is a small sliver of land along the southwest side of the property that is non-bluff and is owned by the City. In that area, we proposed a land swap of bluff for non-bluff land.
- The City recently constructed a large retention pond on the property (within an easement) in the southern tip. We plan to expand this pond and easement.
- It should be noted that active adult buyers typically do not wish to have large lawns. When children are living in a home, a yard is very important. However, when children no longer live in the home, a goal is typically to minimize the amount of grass to mow and snow to remove. Therefore, active adult neighborhoods have less side and rear setbacks than for single family homes.
- This concept plan assumes (as described in the above “Access” section) that an agreement will be reached between the Church, Pulte, the City, and MnDOT that would enable the addition of an access connecting to State Highway 41.
- This concept plan assumes (as described in the above section) that the Henry Hammers house/saloon will be removed from the property. This will require approval by the City’s Historic Preservation Commission.

We have carefully studied the market, the City’s Comprehensive Plan, the property, the surrounding uses, and the regional transportation network and have worked diligently to create a concept plan that is ideally suited for this property. We are very pleased and excited about how our vision and plans have come together.

Environmental Assessment Worksheet

Under Minnesota state statutes, this residential development will likely exceed a threshold for preparation of a mandatory Environmental Assessment Worksheet (EAW). If the concept plan is well received by the City, we will work with City staff to determine the scope of the EAW. This document assesses the impact that this neighborhood will have on the environment.

Park Dedication

The City's Comprehensive Plan identifies a desire for additional park land for Moers Park in the northwest part of the property and additional park land for Fireman's Park at the southern tip of the property. Our concept plan incorporates dedication of these additional park lands. In addition, the Comprehensive Plan shows a public trail connection from Moers Park to Fireman's Park. We have incorporated this trail into our concept plan as well. It should also be noted that we are planning the design and construction of a significant private amenity for recreational and social purposes. This amenity will reduce the demand on public parks and amenities. Additional market research will be completed before we determine the exact amenities to be included, but it is likely to include:

- Clubhouse building with:
 - Fitness center
 - Social lounge
 - Activity room(s)
- Pool
- Outdoor fire pit gathering area
- Pickleball court(s)

Based on City ordinances, it appears that the combination of public park land dedication, construction of public trails, and construction of private amenities will be in excess of park dedication requirements.

Additional dedications to the City will include undevelopable bluff property, pond/wetland outlots, and public rights-of-way.

Our Homes

Pulte Homes is known for the extraordinary steps that we take to ensure that we are designing and building homes that meet the needs and desires of home buyers. We continually reach out to the public and Pulte homeowners to get feedback to improve our home designs. We call this Life Tested®. We have built prototypical rooms and homes in warehouses across the country and have paid members of the public to walk through and provide written feedback on the homes. Through this intensive process, we have conceived of and incorporated many innovative home design features such as the Pulte Planning Center, Everyday Entry, Super Laundry, Oversized Pantry, and the Owner's Retreat. This exhaustive process has played a major part in Pulte's success in "Building Consumer Inspired Homes and Communities to Make Lives Better".

Buyers at Pinnacle will be able to choose from different product lines of homes with varying sizes, prices, and views/locations. Below is a brief description of the lot and home selections that we envision being offered at Pinnacle. All product lines will offer a variety of architectural facades and structural options. We have included example elevations in this application.

44-Foot Wide Lots

Our concept plan shows 49 lots at a width of 44 feet. The homes planned for these lots will be 34-feet wide and range in size from 1,300 to 1,700 square feet. These smaller floor plans are very popular for singles/widows in our active adult neighborhoods. They typically have two

bedrooms and a two-car garage. All homes will be slab on grade (no basements). We anticipate home valuations from the high \$200k's to the mid-\$300k's.

50-Foot Wide Lots

Our concept plan shows 147 lots at a width of 50 feet. The homes planned for these lots will be 40-feet wide and range in size from 1,680 to 1,960 square feet (excluding basements). These homes are typically the largest selling product line in our active adult neighborhoods across the country. The homes typically have two bedrooms and a two-car garage. This versatile product line also offers many options such as a third bedroom, a bonus room, and/or a finished basement. We anticipate home valuations from the mid-\$300k's to the mid-\$400k's.

60-Foot Wide Lots

Our concept plan shows 61 lots at a width of 60 feet. The homes planned for these lots will be the same product line as for the 50-foot wide lots. However, all of homes on 60-foot wide lots will have basements and three-car garages. These lots are typically in the premium locations with the most attractive views. We anticipate home valuations from the high \$300k's to the low \$500k's.

Active Adult Neighborhoods

Active adult neighborhoods are not all that common, but they are highly sought after because of the many benefits they bring to a community.

What can you expect?

- A beautiful, highly sought-after neighborhood
- Quality citizens
- Positive financial cost/benefit
- Energized business climate

Benefits of an age restricted neighborhood

- Light use of streets, water, wastewater, and police
- Disposable income leads to high consumption
- Pay their real estate taxes, which will be significant
- Contribute to schools, but don't send students
- Greatly reduced rush hour traffic compared to typical residential neighborhoods

Social presence

- Volunteerism
- Civic minded

Phasing & Schedule

The following preliminary schedule for development is envisioned based on current knowledge and information.

Fall/Winter 2018/2019
2019

Preliminary plat/PRD approval
Development of Phase 1

2020
2021
2022
2023-2024

Development of Phase 2
Development of Phase 3
Development of Phase 4
Full build out

City of Chaska Mission Statement

This section of the narrative identifies how the Pinnacle neighborhood contributes to and reinforces the Chaska Mission Statement “to be the Best Small Town in Minnesota” through its Core Strategies.

High Quality of Life Enhanced

- Provides a housing type (active adult) that is in need.
- A highly sought after social and recreational lifestyle in a neighborhood that is certain to have a high-quality reputation.
- Pinnacle provides an opportunity for existing Chaska residents to remain in Chaska.
- Increases vitality of downtown and supports local businesses by adding a significant number of residents near downtown with the ability to spend discretionary money.
- Increases use of existing public amenities such as Fireman’s Park, Veteran’s Park, the public library, The Lodge, and the Chaska Town Course.
- This demographic group is known to volunteer at a significantly higher rate than the general population. Our schools, charities, and other organizations will benefit from this.
- The general area will benefit from an improvement in the traffic patterns by adding an access to State Highway 41.

Taxpayers Perceive they are Getting Cost-Effective Service

- As an infill development, the public trunk sewer, water, storm water, and transportation networks are in place. We are not aware of the need for any public trunk expenditures to serve Pinnacle. Impact fees will go toward paying for past expenditures or will increase reserves in the infrastructure funds. Infill developments are highly efficient from an infrastructure standpoint
- In conjunction with developing this neighborhood, we are improving a regional transportation weakness by adding a connection to State Highway 41.
- Tax revenue will go to the school district, but no children will be sent to the schools.

Well-Planned and Orderly Community Development is a Priority

- An infill development is more well-planned and orderly than other types of development.
- It provides a housing type (active adult) that is not being adequately met by the market.

A Sense of Community and Small-Town Values are Maintained

- Pinnacle creates a new neighborhood community that will create strong social bonds within the neighborhood due to the private amenity and social center.
- Pinnacle’s proximity to downtown, Fireman’s Park, and Veteran’s Park will increase the usage, vibrancy, and atmosphere of these strong community assets.

- Volunteerism is closely related to small-town values, creating a strong sense of civic responsibility, community pride, and social cohesion.

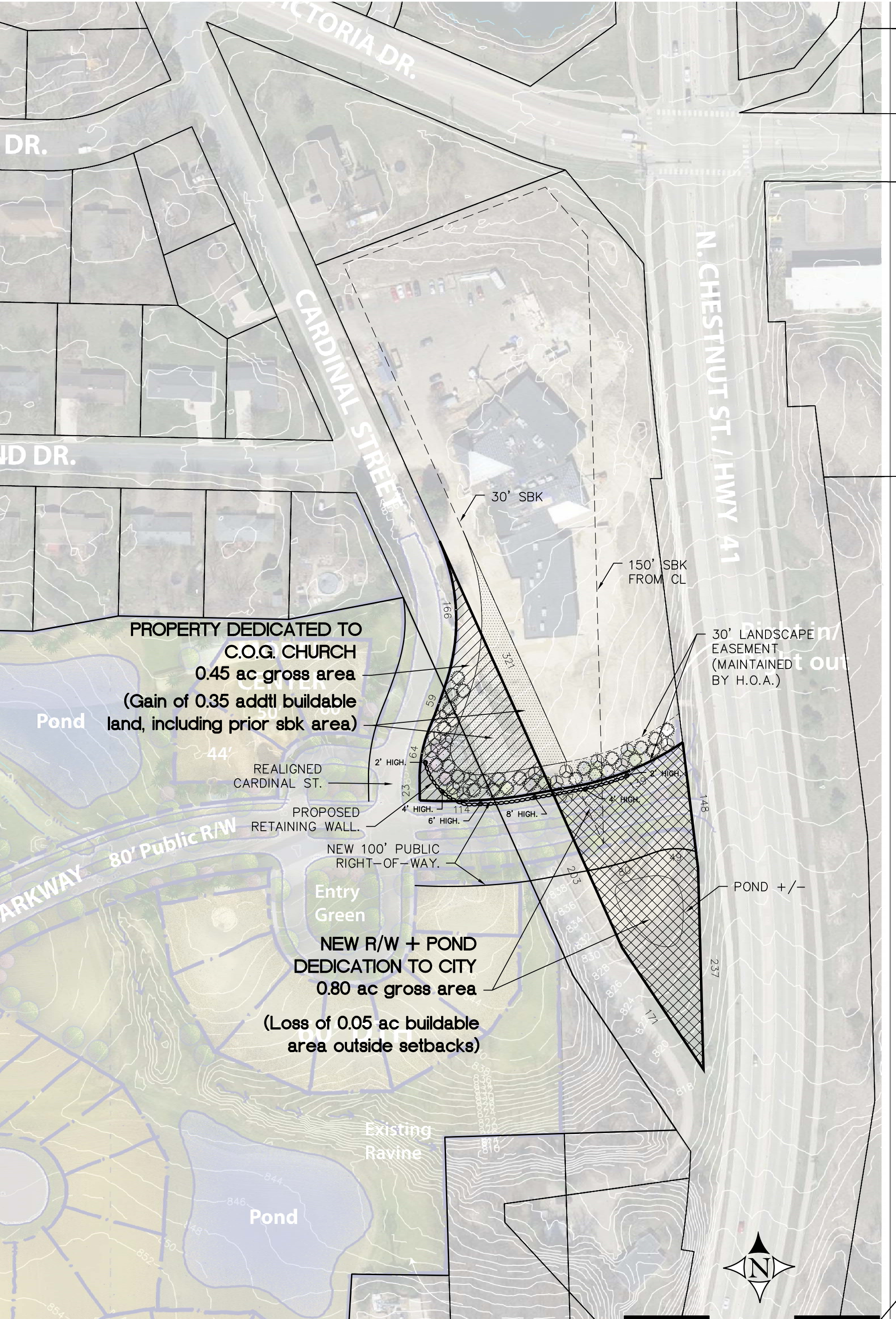
A Commitment to Excellence

- Nationwide, the Del Webb brand is strongly associated with quality and excellence. Although this neighborhood may be branded as a Pulte Homes Active Adult community, it will hold the same design attributes as a Del Webb neighborhood: strong sense of arrival, beauty, amenities, and the creation of a strong social network.

This submittal includes:

- *This narrative*
- *Concept Plan application*
- *Application fees totaling \$4,183.94*
- *Area context exhibit*
- *Existing conditions exhibit*
- *Site Forces exhibit*
- *Concept Plan*
- *Trails, Parks, and Open Space Plan*
- *Land swap exhibit*
- *Architect letter*
- *Architect photos w/comments*

CROWN OF GLORY LUTHERAN CHURCH / HAMMERS PROPERTY PROPOSED LAND SWAP SKETCH



**PROPERTY DEDICATED TO
C.O.G. CHURCH
0.45 ac gross area
(Gain of 0.35 addtl buildable
land, including prior sbk area)**

**NEW R/W + POND
DEDICATION TO CITY
0.80 ac gross area
(Loss of 0.05 ac buildable
area outside setbacks)**



John Lauber and Company LLC

1 August 2018

Paul Heuer

Pulte Homes
7500 Flying Cloud Drive
Suite 670
Eden Prairie, MN 55344

Dear Mr. Heuer—

On 30 May of this year, you wrote an email to Bob Claybaugh, seeking qualified historic preservation professionals to evaluate the condition and physical integrity of the Henry Hammers home/saloon, built ca. 1873, and located at 1092 Cardinal Street in Chaska. In your query, you included a copy of Chaska's Historic Preservation Ordinance as well as an undated early historic photo of the property, taken when it served as a saloon for travelers on the Chaska-Victoria Road. Bob agreed to take a look at the property and asked me to participate in the evaluation. Bob and I have collaborated on dozens of historic preservation projects over the past two decades. We both exceed the Secretary of the Interior's Professional Qualification Standards for Historic Preservation Professionals—Bob as a historical architect, and me as a historian/architectural historian.

Bob and I met you at the site on 14 June and examined both the interior and exterior of the house. We completed our investigation in approximately one hour, documenting conditions with photos and field notes. Our comments here are based entirely on information gleaned from the historic photo and architectural evidence from our field visit.

According to the historic photo, the Hammers house as originally built consisted of a two-story, wood-framed main volume with a rectangular plan and a front-gabled roof. A small one-story wing with a gabled roof and an open front porch was attached to the south side of the main volume. The house had clapboard siding with corner boards. There was a wide skirt board at the base of the wall, and a wide frieze board beneath the eaves. The structure had a wood-shingled roof. A tall chimney with a corbel band rose above the peak of the main roof, and a similar chimney rose from the peak of the wing. There were two entrance doors on the east side of the house, one located beneath the open porch, and the other at the southeast corner of the main house. Windows openings shown in the photo contained wood, 6/6 double-hung sash. The front edge of the porch roof was supported by slender wood columns and had a scrollwork frieze beneath the eaves. A long, raised stoop built of wood and stone stretches across the full width of the façade.

The Hammers house was locally designated in 1996 for its association with Chaska's early development and culture. It is listed as a designated property in a historic context study completed for the Preservation Commission in 2006. The structure is not listed on

3220 Edmund Boulevard / Minneapolis, MN 55406 / 612-991-8983 / jflauber@comcast.net

the National Register of Historic Places. An application to demolish the house submitted in 2004 was denied by Chaska's Historic Preservation Commission.

Our investigation of the property revealed a number of things about the Hammers House:

- The original one-story wing projecting from south side of the main volume has been greatly altered and expanded—replaced by a large, gabled addition that rises to a height of 1½ stories and wraps around the main volume, extending the full width of the west side. The size and configuration of the addition are delineated in photos 3-6 of the accompanying illustrations. Architectural evidence in the attic of the addition shows that it incorporates part of the original south wall and suggests that it may also incorporate part of the original front wall, but also demonstrates the magnitude of the alterations. (See Photos 17-20).

- Materials and details visible on the addition, including the use of smooth-sided dimensional framing lumber in the attic, boxed soffits, and metal siding corners are consistent with mid-20th century construction practices. A historic aerial view of the site (Photo 2) shows that the addition was in place by 1951. Window openings on the south side of the addition and a band of windows on the west side bear no relation to openings on the original building. The addition has no chimney. The porch on the new addition is partially enclosed and lacks the columns and ornamental frieze board of the original.

- Although the original front-gabled two-story main volume of the house remains in place, it has been significantly altered. The original entrance door at the southeast corner has been filled in, as have two original window openings on the lower level. The original skirt board at the base of the wall is absent. No splices are visible where the clapboard siding passes over the original window openings, suggesting that the façade has been re-sided. As noted above, the west side of the original volume is hidden behind the addition.

- The early photo of the residence shows that all window openings contained 6/6 wood double-hung sash. At present, most openings contain 1/1 wood double-hung sash. One opening on the upper level of the east side, and another on the lower level of the south side contain 2/2 double-hung sash, typical of late 19th and early 20th century buildings. The two original windows on the lower level of the façade have been replaced by a double casement unit of recent manufacture. The only opening still containing 6/6 sash is centered in the gable on the west side.

- The original interior layout of the main volume appears to have remained intact, but few original interior features (baseboards, trim, etc.) remain. Doorways on the upper level are badly racked, and floors are uneven, indicating that the structural spine of the building has sagged significantly.

- The original raised wood and stone stoop on the east side of the building has been removed.

Conclusion

Although the historic core of the Hammers House remains in place, extensive alterations over time have removed a large amount of original architectural fabric, destroyed character-defining features such as the original open porch, largely obscured the original main volume, and significantly compromised the structure's historic integrity. It is our opinion that the property bears little resemblance to its appearance during Chaska's formative years, and no longer retains the physical features necessary to convey its significance as a congenial wayside for travelers passing through the rural landscape of Carver County during the second half of the nineteenth century.

Regards,

A handwritten signature in dark ink that reads "JOHN LAUBER". The signature is written in a cursive, slightly stylized font with a large initial 'J' and a long, sweeping underline.

John Lauber
Robert Claybaugh



Photo 1. Aerial view of the site, 2018.



Photo 2. Aerial view of the site, 1951. The addition is shown in this photo.

Henry Hammers House/Saloon

7.A. Approving the Concept Plan for...

Packet Page 65 of 113



Photo 3. Birdseye view, showing south and east elevations. Addition is outlined.

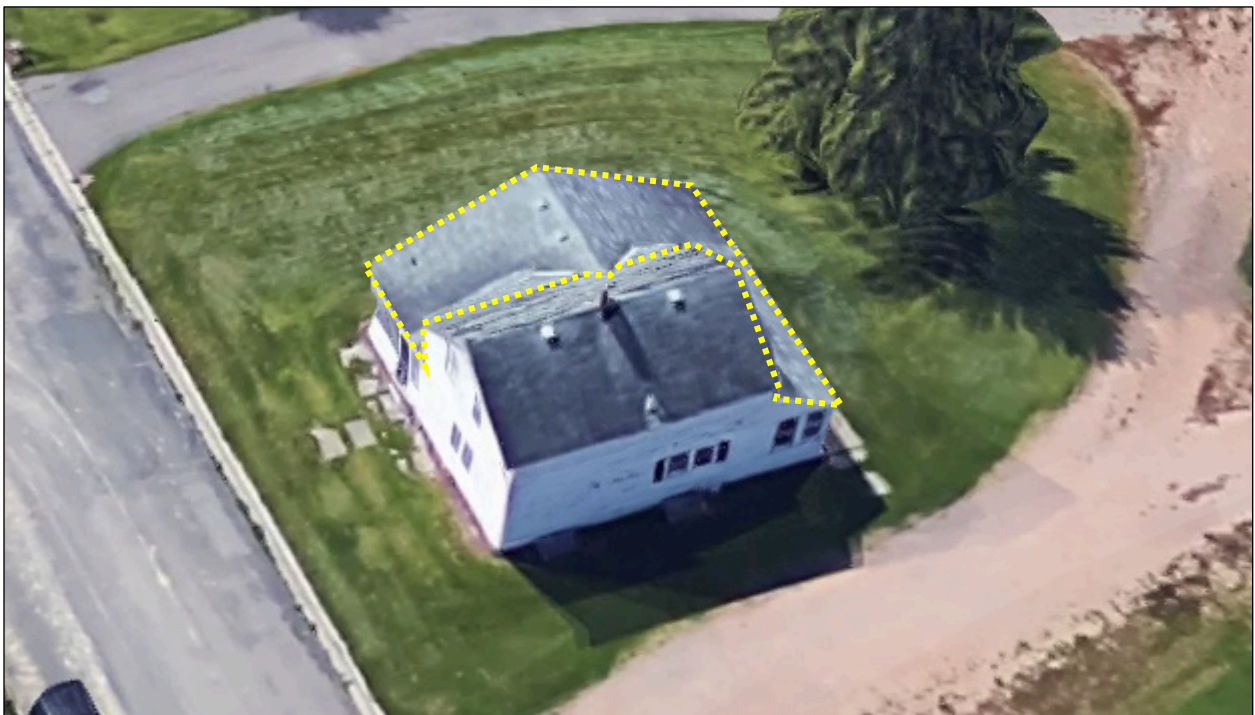


Photo 4. Birdseye view, showing east and north elevations. Addition is outlined.



Photo 5. Birdseye view, showing north and west elevations. Addition is outlined.



Photo 6. Birdseye view, showing west and south elevations. Addition is outlined.

Henry Hammers House/Saloon

7.A. Approving the Concept Plan for...

Packet Page 67 of 113



Photo 7. Overview of the site, looking southwest.



Photo 8. Overview of the site, looking west.



Photo 9. Undated early historic view of the house, when it served as a saloon. Note the wide skirtboard at the base of the wall.



Photo 10. Principal (east) façade and south elevation, 2018. Note the changes to the porch as well as window and door openings. Original 6/6 sash have been replaced by 2/2 and 1/1 on upper level and modern crank-out windows on lower level. Chimney above the porch wing is gone and chimney above main section of the house has been altered.

Henry Hammers House/Saloon



Photo 11. Principal (east) façade and north elevation.



Photo 12. North and west elevations. The one-story bay at right is an addition. Clapboards of original house terminate at corner boards. Clapboards at corner of addition have metal corners. Clapboards on the addition do not align with clapboards on original house.

Henry Hammers House/Saloon



Photo 13. North and west elevations. Double-hung 6/6 sash on upper level may be original.



Photo 14. West and south elevations.



Photo 15. South elevation. Compare roofline to the original, shown in Photo 9. Soffit details at intersection of eaves and rakes are typical of post-WWII construction. Jog in the siding (arrow) marks change in the foundation. Original foundation is to the right, slab-on-grade foundation to left of arrow was built to support the addition.



Photo 16. South and east elevations. Clapboards on the east wall of the original section are continuous, suggesting that the house was at least partially re-sided when the original door and window openings were filled in.

Henry Hammers House/Saloon



Photo 17. Attic of the porch wing, looking south. Note stud and lath “shadows” on sheathing boards and studs, indicating that the lumber has been recycled.



Photo 18. Close up of attic above the porch wing. Original studs remain in place, showing roofline of original porch wing. New studs were scabbed onto the originals when the wing was expanded.



Photo 19. Attic above the porch wing, looking east. The wall of the original house is visible at left. Note new framing and sheathing over the front porch.



Photo 20. Roof framing above the west bay of the addition. Wall of the original house is visible at right. Roof framing here and elsewhere in the addition is smooth-surfaced, nominal 2 x 4 lumber typical of the mid-twentieth century rather than rough-sawn, full dimension lumber that would have been available at the time of the home's original construction.



Agenda

Hammers/Pinnacle – Chaska, MN

Paul Heuer

September 6, 2018

Neighborhood Meeting notes

Date: 9-6-18

Time: 6:30 to 8:00 pm

Location: Chaska Community Center Room B

40 to 50 people in attendance

Structure of the meeting

1. Viewing of site plan and site forces boards. Questions.
2. Heuer gave a 20-minute PowerPoint presentation.
3. Questions from the group.
4. Questions individually.

Questions/comments that I remember

1. Where will construction traffic go? Primarily the new parkway. Some will go on Cardinal Street.
2. If the street connection to 41 does not occur, will you still develop the property? Unlikely.
3. Do you own the property? No. it is under contract. We will back out if it isn't approved by the City, MnDOT, and our corporate office.
4. Why aren't you connecting to Woodland Drive? Because the City told us we can't. It may not be City ROW.
5. Did the City tell you to connect to Moers, Liberty Heights, and Cardinal streets? I don't recall. We just knew we had to connect to them.
6. Townhome neighborhood to the SE is experiencing drainage problems/washouts. No engineering has been done, but there is

good chance we will be diverting some of this water away from them.

7. Townhome owner asked for a row of trees against their north property line. I responded that this is likely to occur.
8. Will these homes devalue my property? A well-maintained neighborhood will not devalue other properties.
9. A boy wants to make sure the ponds stay by his house so he can catch frogs with his brother (had to put this one in here).
10. Can we have more buffer by my home? How much buffer is there? I asked her to email me so I could give an accurate response.
11. Questions about the status of the Hammers home.
12. Questions about the status of our dealings with the church on the land swap.
13. Will the existing buildings on the property stay? Not likely.
14. Will we be assessed for anything? No. all major infrastructure is in place except the street connection to 41.
15. Will the trail go down to the new park in SW Chaska? I don't know.
16. I used to live by an age restricted neighborhood and they were great neighbors.
17. Andrew Schmidt (national night out neighborhood organizer) – This is a great concept plan and I fully support it.

Summary

I have never held a neighborhood meeting that had as much positive feedback as this one. Four of five people indicated that they wanted to come to the City Council meeting to speak in favor of this development. When someone would say something negative, others would argue against them. Comments along the line of: If this property is going to develop, we want it to be like this.

AREA CONTEXT PLAN



No Scale
7-19-2018
0015521

EXISTING CONDITIONS



NTS

7-19-2018
0015521

Westwood

7.A. Approving the Concept Plan for

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Page 40 of 43
Westwood Professional Services, Inc.



Packet Page 78 of 113

PINNACLE
CHASKA, MN

SITE FORCES



OPPORTUNITY

- Expand existing park area with additional land dedication

LOCAL ACCESS:

- Utilize existing street connections as secondary access pts.
- Sensitive buffering of adjacent homes

NEW ACCESS:

- Land swap with church
- Realign Cardinal St.
- Establish sense of arrival
- Minimize traffic concerns at other access points

CHERITA DR.

Hammers Homestead

Crown of Glory Lutheran

HIGHLAND DR.

Estimated Wetland

L.P. 848

L.P. 842

H.P. 872

L.P. 842

H.P. 874

WOODLAND DR.

Mt. Pleasant Cemetery

Exg Pond

FIREMANS LAKE

Veterans Park

Firemans Park

OPPORTUNITY

- Potential trail connection to park
- Topo challenges

LEGEND



Access Point



High Point



Drainage Patterns



Drainage Ravine



Viewsheds



Ridge Line / Drainage Break
(Ideal Road Location)



18% Wooded Bluff



Low Point
(Ideal Ponding Location)



NTS

Westwood

7.A. Approving the Concept Plan for

Page 41 of 43

Westwood Professional Services, Inc.



Packet Page 79 of 113

PINNACLE
CHASKA, MN

CONCEPT SKETCH PLAN: ACTIVE ADULT COMMUNITY



TRAILS, PARKS, & OPEN SPACE PLAN



OPEN SPACE DATA

Gross Site Area:	85.5 ac
Public Parks:	5.6 ac
Private Park:	2.4 ac
Estimated Wetlands:	0.2 ac
(Per NWI & aerial)	
Wooded Bluff:	3.0 ac
(>18% Wooded Slopes)	
Other Open Space:	13.6 ac
(includes outlots, ponds, greens, etc.; net bluff & wetlands)	
Project Parks/Openspace:	24.8 ac
(29% of gross site area)	

Aerial photography from State of Minnesota;
Topography from State LIDAR

**- MINUTES -
CHASKA CITY COUNCIL
JULY 16, 2018**

1. Call to Order

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

2. Pledge of Allegiance

3. Roll Call

Roll call was taken. Present: Councilmembers Schulz, Geisler, and Mayor Windschitl.
Absent: Councilmembers Boe and Rohe.

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

4. Adopt the Agenda

Motion by Councilmember Schulz, second by Councilmember Geisler to adopt the agenda as presented.
Motion carried.

5. Visitor

5.A. Proclamation – Myrtle Klemp 103rd Birthday

Mayor Windschitl read a proclamation in recognition of Myrtle Klemp's 103rd birthday on July 12, 2018.

Ms. Klemp said a few words and expressed enjoyment in the neighbors they have had over the years.

6. Approve Previous Meeting Minutes

Motion by Councilmember Geisler, second by Councilmember Schulz to approve the minutes of the June 18, 2018 City Council meeting.
Motion carried.

7. Consent Agenda

Councilmember Schulz referred to Item 7.L. and recognized Nicholas Mason's dedication to the Park & Recreation Board and to the City of Chaska. He expressed his thanks for Mr. Mason's service.

Councilmember Geisler and Mayor Windschitl also recognized the work and service Mr. Mason has done over the years and expressed gratitude for his service.

City Administrator Podhradsky noted that Mr. Mason will be at one of the next meetings as the dog park will be discussed and he will be recognized for his service.

Motion by Councilmember Schulz, second by Councilmember Geisler to approve the Consent Agenda Items A through W:

- A. Adopt Resolution 2018-87, Approving Solicitor Permits for Custom Remodelers Inc.
Motion to adopt Resolution 2018-87 approving Solicitor Permit Nos. SOL.18-38 through SOL.18-46, for the above representatives of Custom Remodelers, Inc., located at Apollo Dr., Lino Lakes, Minnesota, 55014, for the period of July 16, 2018, through December 31, 2018.
- B. Police Auction
Motion to approve the auction/sale of items by the Chaska Police Department.
- C. Adopt Resolution 2018-88, Appointment of Election Judges for 2018 Primary Election
Motion to adopt Resolution No. 2018-88 appointing those persons listed on Exhibit A as Judges of Election for the Primary Election, Tuesday, August 14, 2018.
- D. Approving Temporary On-Sale Intoxicating License for Guardian Angels Church
Motion to approve Temporary On-Sale Intoxicating License TWSB.18-03 for Guardian Angels Church, allowing them to serve intoxicating beverages at the AngelFest Celebration, effective September 29, 2018.
- E. Adopt Resolution 2018-94, Approving the Final Site & Building Plan and Final Plat for Formacoat/Mark Gross/PC #2018-24
Motion to adopt Resolution No. 2018-94 approving the Final Site/Building Plans and Final Plat for Formacoat for Phase II of the Chaska Building Center (PC #2018-24).
- F. Adopt Resolution 2018-93, Approving the Final Site & Building Plan and Final Plat for 650 700 and 710 Chestnut Street North/Alliance Contracting, Inc. and RDS Architects/PC #2018-25
Motion to adopt Resolution No. 2018-93 approving the Final Site and Building Plan and Final Plat for 650, 700 & 710 Chestnut Street North (PC#2018-25).
- G. Adopt Resolution 2018-92, Approving the Conditional Use Permit for Two Solar Panels at Clover Ridge Elementary School/ISD #112/PC #2018-26
Motion to adopt Resolution No. 2018-92 approving the Conditional Use Permit (CUP) to construct two solar panels on the Clover Ridge Elementary School site (PC #2018-26).
- H. Adopt Resolution 2018-89, Transient Permit - Cooper's Food
Motion to adopt Resolution No. 2018-89 approving Transient Permit No. TRA.18-06 for Gary Cooper of Cooper's Foods, located at 710 Walnut Street, Chaska for July 28, 2018.
- I. Consider City Administrator Performance Based Salary Adjustment
Motion to approve administrator goals for 2018, and adjust City Administrator's annual salary with a 4.5% performance increase retroactive to January 1, 2018.
- J. Approval of Liquor Licenses for Red Bench Bakery
Motion to approve an On-Sale Wine and On-Sale 3.2 Malt Liquor Licenses for Andrew Mooney and Lyle Aske of Red Bench Bakery of Chaska, located at 500 N Chestnut St, Chaska.
- K. Adopt Resolution 2018-90, Transient Permit - Margaret Kinder
Motion to adopt Resolution No. 2018-90 approving Transient Permit No. TRA.18-07 for Margaret Kinder of 42893 198th St DeSmet, South Dakota, 57231 to sell snow cones in the parking lot at Cooper's Foods, located at 710 Walnut Street, Chaska for the month of August.

- L. Accept Nicholas Mason's Resignation as Commissioner on the Park & Recreation Board
Motion to accept Nicholas Mason's resignation from the Parks & Recreation Board thereby appointing alternate #1 Commissioner Jason Branch to fill his seat on the Board and to serve as the City Square West task force representative for the Board.
- M. Chaska Creek Center - Financial Sureties
Motion to approve the public improvements in Chaska Creek Center as complete and accept those as municipal facilities and release the financial surety in its entirety.
- N. Adopt Resolution 2018-95, Approving the Lot Split for Formacoat
Motion to adopt Resolution No. 2018-95 approving the Lot Split.
- O. Adopt Resolution 2018-96, Interfund Tax-Increment Project Financing
Motion to adopt Resolution No. 2018-96 providing for interfund loans for tax increment project financing.
- P. Transient Accommodations Licenses
Motion to approve transient accommodations licenses for the following establishments DBA Super 8, Norwood Inn and Oak Ridge Hotel and Conference Center effective July 16, 2018 through April 30, 2019.
- Q. Approving the Trail Easement Agreement for Hazeltine Plaza 2nd Addition
Motion to approve the Trail Easement Agreement.
- R. Adopt Resolution 2018-98, Approving the Plat Correction for Chaska Bluffs
Motion to adopt Resolution No. 2018-98 approving the correction to the plat of Chaska Bluffs.
- S. Adopt Resolution 2018-100, Formacoat Project - Resolution Approving and Authorizing the Execution of a First Amendment to Development Agreement
Motion to approve Resolution No. 2018-100 authorizing the execution of a first amendment to the development agreement.
- T. Adopt Resolution 2018-101, Rejecting Bids for the Formacoat Site Demolition Project and Authorizing Advertisement for New Public Bids
Motion to adopt Resolution No. 2018-101 Rejecting All Bids Received on July 13, 2018, for the Formacoat Site Demolition Project and Authorizing Solicitation of New Bids.
- U. Adopt Resolution 2018-102, Brewery Project - Construction Plans for Utility Extensions
Motion to adopt Resolution No. 2018-102 approving the Construction Documents for the utility extensions to the former Carver County Garage and Authorizing the Solicitation of Public Bids.
- V. Adopt Resolution 2018-103, Accepting Feasibility Study for Chaska Creek Way and Chaska Creek Boulevard Phase II
Motion to adopt Resolution No. 2018-103 accepting the Feasibility Study for Chaska Creek Way and Chaska Creek Boulevard Phase II, Authorizing Plans and Specifications and Scheduling a Public Improvement Hearing for August 20, 2018.
- W. Adopt Resolution 2018-104, Approving Solicitor Permits for the Fund for the Public Interest
Motion to adopt Resolution No. 2018-104 approving Solicitor Permit Nos. SOL.18 48 through SOL.18-67, for the above-referenced representatives of The Fund for the Public Interest, located at 615 First Avenue NE, Ste 335, Minneapolis, Minnesota, 55413, for the period of July 16, 2018, through August 16, 2018.

Councilmember Schulz noted that there is a lot to the agenda and he is pleased all these items are moving forward.
Motion carried.

8. Action Items

8.A Adopt Resolution 2018-99, Brewery Project - Resolution Approving and Authorizing the Execution of an Amended and Reseated Purchase Agreement and an Amended and Restated Purchase and Development Agreement

Assistant Administrator Kabat introduced the item to the Council.

Alex Young introduced Aaron Schram and Brad Kerber and explained each of their roles in this project.

Mr. Schram expressed his enthusiasm in getting this business up and going in Chaska and noted that he will tie in some of Chaska's history into the establishment. He thanked the Council for giving him this opportunity.

Councilmember Geisler commented that she is grateful Mr. Schram could step up at the time that the other business couldn't go forward.

Councilmember Schulz stated that he is pleased Mr. Schram is bringing his business to Chaska and a known following along with it.

Councilmember Geisler stated that the beer and wine combination will be a quite unique.

Mr. Schram informed the Council that State laws will not allow him to do wine as he does not have ten acres at this site, so this business in Chaska will just be a brewery.

Mayor Windschitl echoed the sentiments of the Council and stated that he is really excited for this brewery to open. He asked Mr. Schram to estimate his opening date.

Mr. Schram stated the loose date is early 2019, the first quarter. He stated there will likely be a firmer date within the next two months.

Mayor Windschitl stated that the project is pretty much set up and now things just need to go to bid.

Mr. Schram noted that the major goal is to get the exterior work done before the snow flies. Mr. Kerber explained that they are trying to get the plans done through the architect and submit them to the City and be able to get the exterior done before the weather hits, and reiterated they hope to be open in the first quarter of 2019.

Mr. Schram asked the Council to let him know of anyone who could help him obtain more information or history for Chaska and stated he would love to bring an old Chaska brew back if he can find recipes.

City Administrator Podhradsky made note of the water used to brew beer, and Mayor Windschitl inquired if they are going to keep the well up there.

Mr. Schram stated that they are trying to and if it works to get it tested and certified, they will use it.

Mr. Young also announced that Engler Health Center will be having an open house on 7-17-18 from 5-8 pm.

Councilmember Geisler asked if they are seeing patients yet.

Mr. Young stated that they are and this allows folks to see the new extension.

Motion by Councilmember Schulz, second by Councilmember Geisler to adopt Resolution No. 2018-99 approving and authorizing the execution of an amended and restated purchase agreement and an amended and restated purchase and development agreement.
Motion carried.

8.B Adopt Resolution 2018-97 and Ordinance 951, Approving the Preliminary Plat and Rezoning for Harvest West/Traditions Development/PC #2018-20

City Administrator Podhradsky introduced the item to the Council.

City Planner Hanson presented the item to the Council.

Mayor Windschitl asked City Planner Hanson to explain the difference between the cottage lots and village lots.

City Planner Hanson explained that the cottage lots are the detached townhome-type product and are single-level, and the village lot is a typical single-family product on a smaller scale.

Mayor Windschitl inquired if it was smaller to the east.

City Planner Hanson confirmed this was so and went on with her presentation of the item.

Mayor Windschitl asked City Planner Hanson to clarify the wetland issue.

City Planner Hanson stated that the adjacent property owner had issue with how the wetland on the east end of the site was delineated and what the actual history has shown in terms of its size. She mentioned there is history with a drain tile and how it has affected this wetland. City Planner Hanson then continued her presentation of the item.

Mayor Windschitl inquired if the detached cottage lots will have a homeowner's association.

City Planner Hanson stated that the whole neighborhood will, and there will likely be a sub-association for the lots.

Mayor Windschitl inquired if these smaller village homes are a new concept.

City Planner Hanson confirmed it is and will be a new product that is introduced to Chaska.

Mayor Windschitl inquired how many bedrooms these homes have.

City Planner Hanson stated that they range from two-to-three bedrooms and that the applicant could speak more to their different make-ups. She stated that they are traditional single-family units, just on a much smaller scale than what you see across the street.

Mayor Windschitl asked if there were slab-on-grade or if there are basements.

City Planner Hanson stated there are basements with those, and went on to present the item.

City Administrator Podhradsky inquired if it was fair to say they are an example of what is in the south end of the Clover Ridge neighborhood.

City Planner Hanson stated that was a fair comparison and continued her presentation of the item.

City Administrator Podhradsky commented that the process of waiting to receive input from the residents who move in to these homes regarding the design of the neighborhood park is similar to what has been done before in Chaska.

City Planner Hanson continued the presentation of the item.

Mayor Windschitl looked to confirm that the requirement for higher level windows did not come from the City.

City Planner Hanson stated that was the conclusion of the noise study.

Councilmember Schulz confirmed that it would be done to perform some sort of noise mitigation with the construction itself to comply with the results of the noise study.

City Planner Hanson clarified that in order to stay within state noise standards they have to implement this certain type of window. She then continued her presentation of the item.

Pat Rossi with Tradition Development described the timeline since they were last before the Council and stated that they are now going with their internal builder Robert Thomas Homes. Mr. Rossi discussed the layout and size of the cottage lot homes and stated that they have two different styles: front-loading with a two-car entry, and side-loading option with a three-car garage. He stated there are 29 front-load units and 20 side-load units. Mr. Rossi also

described the layout of the village lot homes. He explained they have been working to confront the challenges there with respect to right-of-way, site setbacks, and the noise issue. The president of their building company gave the okay to put the higher insulation-level windows in throughout the first two rows of homes along the highway to meet the nighttime noise threshold. Mr. Rossi also informed the Council that they had a third-party consultant conduct an enhanced wetland study and provided the initial report to the City, and stated they are happy to do whatever they can do to address the issue with Mr. Taylor's concerns regarding the wetland.

City Administrator Podhradsky inquired of Staff if getting the wetland to meet the technical evaluation panel standards is a condition in the approvals.

Staff confirmed that it was.

Mr. Taylor stated that he raised his objections regarding the wetland delineation to the Planning Commission, who stated that it would be better suited to discuss these here with the City Council. He stated that since this is the preliminary plat, he believes it is an opportune time to make sure this situation is addressed. Mr. Taylor gave a brief history of the site and informed the Council of the drain tile that had been broken in the past by the applicant's company. He explained that this was not repaired properly and resulted in water issues on his property, and as a result he objected to the wetland delineation done for the proposed development. Mr. Taylor stated that earlier today, City Engineer Clark informed him that a state agency has agreed that this water level is higher than what it should. He commented that he is recommending a no-vote on this preliminary proposal until they fix the problem.

Mayor Windschitl stated that it is in the condition of approvals that this issue must be resolved for the item to move forward. He clarified that if it isn't resolved, the proposal does not move forward, so for the Council to vote no does not fix the problem. He explained it is far better for the Council to vote yes and now it's part of the conditions for approval of this development.

Councilmember Geisler inquired if this recently became a condition.

City Administrator Podhradsky stated that it was discussed at the Planning Commission.

City Planner Hanson stated that the condition was added during the Planning Commission meeting.

Mr. Taylor stated that his understanding was that there would be more investigation into the delineation of the wetlands and was not under the impression that it was a condition of approval, but that he is good with that.

Mayor Windschitl asked Staff to clarify that this is a condition.

Staff confirmed it was so.

Councilmember Schulz inquired if there is further investigation going on for this.

City Engineer Clark stated that Staff will be working with all of the agencies who identify the wetlands and do the determinations and inform Mr. Taylor what the outcomes are before Council sees that again.

Councilmember Geisler restated the issues Mr. Taylor brought up regarding the destruction of the drain tile, and stated that the bigger concern for her is how quick it can be resolved because he has a mound septic system.

Mr. Taylor interjected that the waters have subsided but the area in the delineation contains standing water. He stated that this has been a very aggravating experience for both his wife and him. He explained that he wanted it fixed and fixed appropriately.

Councilmember Geisler stated that is understandable, especially with his septic system.

Mayor Windschitl stated that with the storm sewer going in there allows for a better chance of fixing it now because now they can take it right into the storm sewer.

Mr. Taylor mentioned that adding a large hard surface runoff area that will be dumping water into this lowland could potentially exacerbate what is going on.

City Administrator Podhradsky stated that if the system is designed right it shouldn't do that.

City Engineer Clark stated that in the City's stormwater review processes, the wetlands that are there essentially take the amount of water that is coming to them today so that the wetlands remain intact, but the City is not adding to the wetlands beyond what is there today.

Mayor Windschitl stated that resolving this issue is one of the conditions to have this item approved and explained to Mr. Taylor that he is far better off having the Council vote yes than vote no.

City Administrator Podhradsky stated that this is part of the planning process, to identify issues like these and put conditions on those items that need to be addressed.

Councilmember Schulz stated that he is hopeful this can be resolved because it seems like there have been some short cuts that have been taken here in trying to remedy the situation. He stated that moving forward, he is hopeful this can be taken more seriously and addressed in a more serious nature. He stated that water issues are tough and if it is not addressed up front and addressed properly it is just transferring that aggravation onto the residents who have no course of action in the future.

Motion by Councilmember Geisler, second by Councilmember Schulz to adopt Resolution No. 2018-97 approving the Harvest West Preliminary Plat for a 129-lot subdivision on 57 acres of land in the SW Chaska Growth Area (PC #2018-20).

Mayor Windschitl stated that it is very clear that this is a real concern here and that it needs to be resolved before it gets brought back to the Council.

Councilmember Geisler stated that it is in Mr. Taylor's favor that he brought it now so it is on the record should it not actually become a permanent fix.

Motion carried.

Motion by Councilmember Schulz, second by Councilmember Geisler to adopt Ordinance No. 951 approving the rezoning from Open (O) to Planned Residential District (PRD-72).
Motion carried.

9. Bills

9.A. AP Council Roster 7-16-18

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

Motion carried.

10. Other Business

10.A. City Administrator's Report

10.A.i Biweekly Report 6/18/2018

10.B. Other Reports

10.B.i. May 2018 Financial Reports

10.C. Other Meeting Minutes

10.C.i. Park & Rec Meeting Minutes 6-11-2018

10.C.ii. Receive the minutes of the June 13, Chaska Planning Commission Meeting.

10.C.iii. Receive the minutes of the June 28, 2018 Human Rights Commission Meeting.

Councilmember Geisler:

- Noted that Fire and Ice is coming up July 20-22, 2018 and recommended looking up the event list on the Park and Recreation website to see the details of the events. Councilmember Schulz summarized the event as: bands, food, beverages, fireworks, bonspiel. A Staff member noted that the website is fireandicebonspiel.com.
- Noted that River City Days is also coming up on July 27-29, 2018. She encouraged everyone to attend these events. Assistant Administrator Kabat stated that a schedule will be going out so Councilmembers can sign up for their time for the City booth. Councilmember Schulz encouraged residents to come out and chat with them at the City booth. Assistant Administrator Kabat stated that the focus will be discussion on City Square West redevelopment and stated there will also be a booth for discussions of City Square West at the Fire and Ice event.

Councilmember Schulz:

- Noted that in a development area in the Clover Ridge Neighborhood, the weeds are getting pretty tall and there has been some washout of dirt over the sidewalk there.

Assistant City Administrator Kabat:

- Noted that there are some work sessions coming up on August 6 and 20, 2018.
- Noted there is a Council meeting scheduled for July 30, 2018.
- Stated there will be some security changes in the near future at the front desk for City Hall. He explained the accordion doors will be removed and a permanent door will be put in with a keyed entry.
- Notified the Council that there will likely be an update on the dog park at the July 30, 2018 meeting. Mayor Windschitl inquired if the clearing of that area would be hired out. Assistant Administrator Kabat explained that it could largely be handled by Brian's staff.
- Noted there is an EDA meeting tonight after this meeting. Also noted that Formacoat will close on Wednesday, July 18. He explained that in the consent agenda tonight there was an item to deny all bids received for the site clearance due to a technicality and they will reopen that bid immediately. On July 26, 2018 they are set to close on the former Hot Spot site. Finally, August 16, 2018 is the projected closing date for the brewery. Mayor Windschitl inquired if there is a known start date on the Aldi complex. Assistant Administrator Kabat stated that they have everything they need lined up to pull their building permit but they haven't quite done that yet and Staff is expecting them to pull that permit sometime in August/September. He stated that they way their building is designed, it should be a fairly quick build

Mayor Windschitl:

- Extended congratulations and thanks to the public works department for their hard work after all the rain last week.

11. Adjourn

Motion by Councilmember Schulz, second by Councilmember Geisler to adjourn the meeting at 8:24 pm.

Motion carried.

- MINUTES -
CHASKA CITY COUNCIL
JULY 30, 2018

1. Call to Order

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

2. Pledge of Allegiance

3. Roll Call

Roll call was taken. Present: Councilmembers Schulz, Boe, Rohe, Geisler, and Mayor Windschitl.
Absent:

Also Present: Kevin Ringwald, Community Development Director; Liz Hanson, City Planner; Luke Melchert, City Attorney; Nate Kabat, Assistant Administrator; Brian Jung, Public Works Superintendent and Marshall Grange, Parks and Recreation Director.

4. Adopt the Agenda

Motion by Councilmember Schulz, second by Councilmember Boe to adopt the agenda as presented.

Motion carried.

5. Visitor

5.A. Presentation of Proclamation and Certificate of Appreciation Honoring Nicholas Mason of the Chaska Park Board

Mayor Windschitl read a Proclamation honoring Nicholas Mason's service to the City of Chaska through his role with the Chaska Park Board and presented him with a Certificate of Appreciation.

Mr. Mason expressed his gratitude to this Council and past councils for appointing him to the Park Board. He also thanked the members of the Park Board he served with, and City Administrator Podhradsky for selecting Marshall Grange as the Parks and Recreation Director.

Mr. Mason, 1888 White Oak Drive, received permission to speak at this time regarding item 8.B. He stated that the proposal and location for the Dog Park are far superior to the proposals previously submitted to the Council, and acknowledged those who prepared and submitted the proposal. He also noted that Marshall Grange and his staff have done an excellent job of reaching out to the community and soliciting public input. Mr. Mason spoke of the quality facilities, tremendous structured programs, and scores of activities people can make use of that the leadership the current and past council has provided, and noted the only missing amenity expected from such a broad array of recreational services is a dog park. He expressed gratitude that this proposal is here for Council review tonight, and opined that approval (and opening) of a dog park is a politically popular decision for elected officials to make. Mr. Mason asked that they Council approve the proposal from Item 8.B. tonight, and authorize Mr. Podhradsky and Staff to open the dog park this year, if necessary.

Mayor Windschitl asked if Mr. Mason thought they could get it done this year.

Mr. Mason stated that he hoped so.

Councilmember Boe thanked Mr. Mason for his time, effort, and expertise and the well-researched questions he would ask.

Councilmember Rohe stated that he recalls Mr. Mason as a hard-nosed reporter asking him a lot of questions and stated that those were the good ole days.

Mayor Windschitl joked that he was glad they had sent Mr. Mason to report over at Carver.

Councilmember Geisler thanked Mr. Mason for all the years he has given to Chaska as he made a huge difference, and stated that she is grateful he is her neighbor.

Mayor Windschitl thanked Mr. Mason for his comments regarding Item 8.B. and agreed that this is the best proposal moving forward and he feels positive that this will go well. He also thanked the members in the audience from the Park Board who came to support Mr. Mason.

Councilmember Schulz mentioned he had worked with Mr. Mason on the Community Task Force and stated that he always appreciated the conversations they had and the straight feedback and direct dialogue. He thanked him that he could always ask questions and receive a thoughtful, straightforward answer, and said he would miss him serving on the Park Board.

Mayor Windschitl recalled that he when he first became mayor, he would have coffee at the Community Center, as was a tradition, and his only guest was Mr. Mason. He thanked Mr. Mason for coming in tonight and that he could be a part of this.

David Roan, 1840 Parkridge Drive, recalled the process of writing the proclamation for tonight, and that the Park Board had a difficult time knowing how to go about writing it and joked that they should have Mr. Mason write it. He stated that one of the great contributions Mr. Mason made to the Park Board was his ability to clearly articulate and word-smith motions they wanted to send to the Council and that they will sure miss him and all his contributions.

Marshall Grange, Chaska Parks and Recreation Director, thanked Mr. Mason and stated that he was the first Park Board member to seek him out when he first began his role as director and expressed his gratitude to Mr. Mason for all he has done.

Mr. Mason stated that he had scheduled that meeting with Mr. Grange to be a half and hour, and it turned into an hour and twenty minutes.

5.B. Chaska High School Baseball

Craig Baumann, Head Coach of the Chaska High School Baseball Team, expressed thanks on behalf of the team to the City, the Parks and Recreation Board, and Public Works for the great facility they provide for the team. He thanked Public Works for getting the team onto the field

in a very quick fashion this year and noted that other teams have commented on what a great facility the team gets to play and practice in.

Scott Gerber also added they brought a letter to have on record, and thanked the City for the partnership they have with the school.

Mayor Windschitl invited the baseball team members present to introduce themselves.

Team members gave their name, grade, and position. Mr. Gerber also introduced Brandon Arnold, assistant coach.

Mayor Windschitl clarified for anyone who didn't know that the City put a berm in about three years ago to prevent flooding. He thanked the coaches and players for coming tonight.

5.C. Chaska Historical Society Update

Lisa Oberski, 322 W First Street, President of the Chaska Historical Society, presented the Council with an update on the Chaska Historical Society (CHS) and their goals. She gave a brief history of the CHS, and listed several notable developments. She also recognized the work and service the volunteers with the CHS do, and gave an overview of the current projects the CHS is working on. Ms. Oberski then listed the goals of the CHS to help them meet their mission, and asked what the CHS could do to help the Council achieve the goal of making Chaska the best small town in Minnesota.

Mayor Windschitl stated that the membership for the CHS is very reasonable, and it is a great contribution to help the CHS do what they do.

Ms. Oberski stated that membership rates may be going up in the fall, so to act now to get them at their current rate.

Mayor Windschitl stated that it is the very work of the CHS that helps to make Chaska great and thanked Ms. Oberski for what they do.

Councilmember Rohe noted that he saw the Chaska History Books at a booth at City Square West and asked for clarification on the date range for the newest book.

Ms. Oberski explained the second book will be 1950-2000.

Councilmember Rohe stated he may not be around for the third volume as it is for the time period 2000-2050.

Mayor Windschitl stated that donations to the CHS are tax-deductible as it is a 501(c)3.

Ms. Oberski explained a membership form can be downloaded from the CHS website and mailed in or dropped off at the History Center Tuesdays through Fridays 1-4pm. She also noted they are hoping to get more volunteers in order to offer a Saturday time as well.

Mayor Windschitl inquired how long the displays will be up.

Ms. Oberski replied they will be up until mid-November.

Councilmember Geisler inquired if the CHS is cataloging these old photos and artifacts electronically.

Ms. Oberski explained that they are caught up with all the photographs and artifacts, and they are in the process of putting subject files into the index as well to facilitate easy searching.

Councilmember Geisler asked if the CHS was able to get photos of the underground tunnel that was discovered in Fireman's Park.

Ms. Oberski replied that Mark Olson took wonderful photos of that and they are on display at the History Center. She commented that it is fun to see history rear its head, referring to the tunnel and objects found when a man used a metal detector.

Councilmember Boe commented that he is so glad for all the CHS does and that they are embracing new technology and scanning and digitizing these so they are easier for folks to find.

Ms. Oberski stated that it is a challenge as they do not have a ton of volunteers who have that expertise, but do have some, and many who are willing to learn and that's all they can ask.

Councilmember Schulz commented that this must have been a ton of work.

Ms. Oberski replied that it was fourteen years of constant work. She said to thank the volunteers.

Councilmember Boe commented that volunteers drive the organization.

Mayor Windschitl noted that he had forgotten to mention when the baseball team was here that the Chaska VFW Baseball Team went 4-0 in their regions and are going to the state tournament.

6. Minutes

Motion by Councilmember Geisler, second by Councilmember Rohe to approve the minutes of the July 16, 2018 City Council meeting.

Motion carried.

7. Consent Agenda

Motion by Councilmember Boe, second by Councilmember Rohe to approve the Consent Agenda Items A through D:

A. Adopt Resolution No. 2018-105 Acceptance of Gifts and Donations

Motion to Adopt Resolution No. 2018-105 acknowledging and accepting gifts to the City of Chaska received during the period April 01, 2018 through June 30, 2018.

B. Temporary On-Sale 3.2% Malt Liquor Licenses for the Chaska Lions Club

Motion to approve Temporary On-Sale 3.2% Malt Liquor License T32.18.04 for Flags in Honor of MN Car, Bike & Tractor Show, August 11, 2018, on behalf of the Chaska Lion's Club.

- C. Lake Hazeltine Tap Easement (Tract A & O, Registered Land Survey No. 51, Carver County, Minnesota)

Motion to authorize execution of easement with Norther States Power Company.

- D. Adopt Resolution No. 2018-106 2018 Budget Amendment

Motion to Adopt Resolution No. 2018-106 amending 2018 Fund Budgets.

Motion carried.

8. Action Items

8.A. Letter of Intent – Purchase of Property at 3690 Creek Road

Assistant Administrator Kabat introduced the item to the Council.

Councilmember Geisler inquired what the size of the property is.

Assistant Administrator Kabat stated that the 0.4 is the piece they would sell, next to that is the steep slope area, and the part of the property adjacent to the road is a couple of acres.

Councilmember Geisler also asked if the creek goes right through the property.

Assistant Administrator Kabat confirmed that it does.

Councilmember Geisler asked if there is a risk of flooding as expensive equipment would be stored in the pole barn.

Assistant Administrator Kabat explained that in 2014 when that area flooded, the part of the property containing the pole barn stayed high and dry.

Councilmember Geisler inquired if the area with the pole barn is elevated compared to the creek.

Assistant Administrator Kabat confirmed that it is and described the topography and vegetation of the site a bit more.

Councilmember Rohe stated that when an opportunity like this comes up, especially with the existing pole barn, it makes sense to move forward with this.

Assistant Administrator Kabat explained Staff has been out there to look at the site and confirm that the condition of the pole barn is excellent.

Mayor Windschitl inquired if there is power there.

Assistant Administrator Kabat confirmed that there is currently no power to the site and explained that for the immediate proposed storage for the City, power is not essential, but is something they would perhaps look at in the future.

Mayor Windschitl asked how big the pole barn is.

Assistant Administrator Kabat replied that it is 20ft x 40ft.

Mayor Windschitl commented that he is concerned that for the price, the site has a lot of slope which makes it difficult to put anything on it, and asked if the property is being over-valued. He went on to say that if you look at the property, there is nothing else that could be done beyond where the pole barn is situated.

Assistant Administrator Kabat commented that part of the reason for that value could just be the sheer size of the parcel and stated Staff could contact the County Assessor and have her verify that assessed value and see if there is a point of revision to be had there.

Councilmember Schulz inquired if the value listed tonight came from the assessed value.

Assistant Administrator Kabat replied that it did.

Councilmember Rohe stated that often times assessed value is lower than market value.

Assistant Administrator Kabat agreed.

Councilmember Boe commented that the only thing that keeps it from being higher is it is not a buildable parcel.

Mayor Windschitl asked what the acreage of the parcel is.

Assistant Administrator Kabat stated it is 6 acres.

Mayor Windschitl stated he is concerned with the narrow roadway and moving equipment like lawn mowers or golf carts when residents are on the road commuting to work.

Public Works Superintendent Jung mentioned that this was one of his concerns when he first looked at the site, but that it will be transitional/seasonal storage and not visited on a daily basis.

Mayor Windschitl explained that he understood it differently because he thought it was storage for equipment needed for downtown and asked for clarification that it would just be put away for the winter.

Public Works Superintendent Jung replied that it would primarily be used as seasonal storage.

Mayor Windschitl commented that he has understood that differently and looked for clarification.

Public Works Superintendent Jung explained that it would free up some space in the Pine Street garage, but will not be used on a daily basis.

Mayor Windschitl inquired if the other one they are planning to build was more for storage initially.

Public Works Superintendent Jung stated that this parcel fits a niche and has a pole barn built, and eventually the sewer has to go up Creek Road, and at that time they would more than likely be acquiring the land, and if it changed hands, they may not get it at the assessed value.

Mayor Windschitl asked who owns the parcel to the north.

Assistant Administrator Kabat stated that he does not know who the owner is but it is something they could take a look at.

Mayor Windschitl commented that he was not sure it made a difference but because of the slopes and the price, he just feels it is high for no utilities and the lack of buildability.

Councilmember Geisler inquired of the value of the pole barn.

Assistant Administrator Kabat stated that it would be accounted for in the assessed price.

Mayor Windschitl stated that you could not build a pole barn in Chaska, and this one is grandfathered in, so it would be hard to compare the price of a similar sized, but differently constructed structure.

Motion by Councilmember Rohe, second by Councilmember Boe to accept the letter of intent to Mr. Jerry Bontrager and direct staff to draft a purchase agreement between the City and Mr. Bontrager to acquire the property at 3690 Creek Road.

Councilmember Boe noted that he looked on the Carver County GIS and the parcel to the north is owned by the City of Chaska.

Motion carried.

8.B. Lions Park Off-Leash Dog Area (OLDA)

Assistant Administrator Kabat introduced the item to the Council.

Parks and Recreation Director Grange presented the item to the Council.

Mayor Windschitl inquired if there are set open and close hours for the park.

Parks and Recreation Director Grange replied that they are proposing within their rules the open time at 7am, and 10pm. He explained 7am is taken from the established Noise Ordinance and 10 pm from the established park closing time in the Park Ordinance.

Mayor Windschitl looked to confirm that since the park is not locked, self-policing is required and expected for following the open/close times.

Parks and Recreation Director Grange stated that if there were issues brought forth by neighbors finding other residents not following the open/close times, they could bring that forward and the City would handle that.

Mayor Windschitl also asked if there would be a light in the dog park.

Parks and Recreation Director Grange replied that there would not be. He then continued presenting the item.

Councilmember Geisler inquired where the small dog off-leash location would be.

Parks and Recreation Director Grange pointed out on the map where the off-leash dog areas would be. He then continued with his presentation.

Mayor Windschitl inquired what the concrete pad by the gates would be for.

Parks and Recreation Director Grange explained that it creates more stability at those entry gates and provides easy access for folks to get on the trails who may have a wheelchair. He then continued his presentation.

Councilmember Schulz inquired what the use of the park shelter building will be in the summer months.

Parks and Recreation Director Grange stated primarily for restroom use.

Councilmember Rohe asked if there would be any efficiency in upgrading the shelter in Lion's Park as well, since there would be people doing the work for the dog park shelter.

Parks and Recreation Director Grange explained they had not included that in their budgeting.

Several members of the Council agreed that it might be nice to take advantage of having contractors already doing the work at the dog park to also work on the shelter at Lion's Park.

Assistant Administrator Kabat stated that it is something they could take a look at and that from his understanding, there have been broader discussions about how that could be funded, for example getting the Lion's Club involved.

Mayor Windschitl commented that he had a conversation with City Administrator Podhradsky about the same thing. He agreed that it needs upgrading and said he thought there was a plan to replace all the fixtures and do an overhaul.

Councilmember Geisler mentioned that she had thought the Council had discussed adding the upgrades to the Lion's Park shelter to the dog park project, from a "while we are at it" point of view.

Mayor Windschitl stated he didn't think it was for this project as he had his discussions with City Administrator Podhradsky prior to this project, but that his issue has been talked about for several years and the Council and Staff should keep it on their radar.

Assistant Administrator Kabat noted that in regards to the dog park shelter, the fixtures need cleaning and refurbishing, but would remain, which does provide some cost savings. He also mentioned the partitions are in good shape too.

Mayor Windschitl suggested looking into some kind of locking mechanism for the shelter for after-hours to reduce the chance of vandalism.

A member of the Council inquired if there would be any surveillance cameras at the park.

Parks and Recreation Director Grange stated they would not initially. There will be lighting features to detract people, like motion lights, and they are also proposing additional street lights at the end of the trails. He commented that spurring more activity to this side of the park will hopefully deter some of the bad behavior that may be out there today. He then went on with his presentation.

Councilmember Boe inquired if park of the dog licensing process through the City includes verifying current vaccinations.

Parks and Recreation Director Grange replied that they do.

Councilmember Boe commented that for dogs from Chaska, you would know they are current but might not know about a visiting dog.

Parks and Recreation Director Grange agreed and stated that is why they are leaning on the rabies tag requirement.

Councilmember Boe asked if both the large dog area and small dog area are off leash.

Parks and Recreation Director Grange stated that they are, but it is required to leash your dog prior to leaving those areas.

Councilmember Boe commented that he was glad to hear that as there is a trail running through the park and he'd hate to see someone on a bike knocked over by a dog that is off-leash.

Councilmember Schulz commented that there are already lots of dogs off-leash on the trails.

Parks and Recreation Director Grange suggested even strategically placing a sign leading up to that trail informing them there is a dog park up ahead.

Councilmember Schulz stated there should be a sign in the off-leash areas reminding users to leash their dogs prior to leaving the area.

Parks and Recreation Director Grange continued his presentation.

Mayor Windschitl inquired if this is a bid project.

Brian Jung replied that most of the items can be quoted for the fencing.

Councilmember Schulz looked to clarify that certain aspects of this project will be done in-house.

Mr. Jung confirmed this was so, that City Staff will be doing a lot of the concrete work, but they did obtain cost estimates from a local concrete contractor for the remaining work and he came back with very fair pricing.

Councilmember Schulz asked what the trail bed in the larger area is made from.

Mr. Jung stated that it is hard to define at this point. The plan is to go in and do buckthorn removal, hazard tree removal, and then assess the rest of the trees in the area so there would be a lot of woodchips down on the ground in there. They are hoping to get grass growing in there, but their thoughts are to let people dictate if there will be trails in there but they may just be natural trails that will flow.

Assistant Administrator Kabat explained that the trails depicted on the concept plan are conceptual.

Assistant Administrator Kabat referred to Mayor Windschitl's inquiry about putting things out to bid and stated there was a recent change in the statute/requirement threshold for a project to need go out to bid bumping up to \$175,000. He stated that since they will be able to do significant portion of the work in-house, they fall below that threshold.

Mayor Windschitl commented that he had just been looking to clarify if any of the work would be going out to bid.

Parks and Recreation Director Grange continued his presentation of the item.

Mayor Windschitl referred to the budget of the project being \$142,000 and inquired if that is available right now.

Councilmember Boe stated that this is exciting and they have been talking about this for a very long time.

Councilmember Schulz commented that seeing this proposal makes him glad that they rejected some of the other proposed sites as this looks to be head and shoulders above those.

Mayor Windschitl agreed and stated that he liked that even though the location is not central, it is central to a lot of locations and has easy access.

The Council agreed and added that the trails are beneficial as well.

Motion by Councilmember Schulz, second by Councilmember Geisler to approve the recommendation made by the Chaska Parks and Recreation Board to implement the proposed Off-Leash Dog Area and Improvements at Lions Park.

Councilmember Schulz suggested directing Staff to look into the other facilities within Lion's Park and how to potentially implement improvements within those within the same project. He suggested getting a game plan for that as it has been talked about for a long time.

Councilmember Boe thanked everyone for their work on this and for avoiding naming the park Chaska Canine Center as there are already several CCC names utilized.

Mayor Windschitl stated that there may have been some challenges when the other sites brought forward were rejected but believes this site is by far better than the other sites that were proposed. He thanked Staff for finding this location and the Park Board for being patient.

Councilmember Geisler commented that even though the other one seemed like the right site, this one really is the right site.

Motion carried.

9. Bills

9.A. Accounts Payable Council Roster 7-30-18

Motion by Councilmember Rohe, second by Councilmember Boe to approve the bills as presented. Roll call was taken. Voting aye: Councilmembers Schulz, Boe, Rohe, Geisler, and Mayor Windschitl. Voting nay: None
Motion carried.

10. Other Business

10.A. Other Reports

10.A.i. June 2018 Financial Reports

10.A.ii. 2Q-2018-Investment Report

10.B. Other Meeting Minutes

10.B.i. Receive the minutes of the July 9, 2018 Park Board Meeting.

10.B.ii. Receive the minutes of the July 11, Planning Commission Meeting.

Councilmember Geisler:

- Referred to the events of the past two weekends and stated that this is the best Fire and Ice event since she has lived in Chaska, and by far the best River City Days event. She was impressed by the turnout, bands, and fireworks for Fire and Ice. Councilmember Boe stated that he heard feedback that moving the firework location was desired, and he heard good feedback about where it was this year. The Council further discussed the benefit of the firework location this year. Councilmember Geisler stated that River City

Days is totally a volunteer-run event and that it was packed, the bands were well received, the food was great, the layout great, lots for kids to do. She thanked everyone for their work. The Council discussed how great the weather was for these events. Councilmember Geisler stated that it was the longest parade for this event that she had seen. The Council agreed. She thanked Mike Lindell for his generosity supporting his community, and stated the whole event was well organized and the breakfast was fantastic. She again thanked everyone who had a part in this event and asked if it was the first year for the climbing wall. The Council wasn't sure but thought it might have been the first year. The Council thanked the Lion's for their work in getting the bands there. Mayor Windschitl thanked Tim Sebenaler, Bob Snyder, and Cindy and Bob Hall for all their work. Councilmember Boe stated they have already signed the first contract for a band to play next year. The Council again discussed their positive experience of the event and the good luck with the weather.

Councilmember Schulz:

- Thanked Assistant Administrator Kabat for getting the tall grass taken care of on Clover Ridge Drive. He asked if there is a plan to get repairs done for the sidewalk there. Assistant Administrator Kabat said he would look in to that.

Councilmember Boe:

- Noted that several residents have talked with him about the construction hours for Hwy 41 stating that it beginning too early on weekends and ending too late. He inquired if there is any way to work with that, while understanding the project schedule is the driving force. Assistant Administrator Kabat explained that the project was designed with the goal of minimizing traffic closure as much as possible and so the crews are really trying to push and maximize their time out there in order to keep the length of the project as short as possible. He stated that if residents do have concerns, and since it is a County project, there is a website specifically for the project and to look at that or let the County know. The Council noted the significant progress crews are making and that the coming school year is a big motivation.
- Mentioned the Chaska Cubs ended their regular season with a win, despite of the rain, and was well attended. Mayor Windschitl stated that playoffs begin Tuesday.

Councilmember Rohe:

- Referred to the parade and said he had been critical of the parade in the past and thanked those involved and said that he thinks they are really getting into the groove with it. He stated it was the best parade so far. Councilmember Boe added that they did a great job of it despite the altered route due to construction.
- Noted that the Kohl's parking lot is terrible with the weeds and such.
- Stated that he believes there needs to be education or enforcement regarding the HAWK system on Chaska Boulevard. He said he thinks the flashing red light is throwing people off and inquired if they could have it be solid red, so that it would either be solid red or off. Assistant Administrator Kabat stated he believes they can take a look at the timing and the amount of time allotted for those different phases and how those phases are communicated as well. Councilmember Rohe pointed out that most drivers know that when a stop light is flashing red, they are to stop, and then go, and this may be throwing

them off regarding the HAWK system. The Council agreed as a whole they have all seen issues with drivers not understanding this. Assistant Administrator Kabat stated the enforcement and education is important as to how to use, he explained how each light phase is to work. He again said they could look at the amount of time dedicated to those phases, but that drivers should know there is a consequence to not following it properly. He suggested he and Kevin go out and make a demonstrational video to post online as they had done some education when the system was first put in place, but maybe it is time for a refresher.

- Noted that there are ruts that have developed in the roundabout on Pioneer and Bavaria that are causing cars to slip when there is substantial rainfall.
- Mentioned that the sound wall on Hwy 41 is big and very noticeable and has really changed that whole area, not in a positive way. He stated he is glad they didn't put one on the other side because it would have looked unbelievable. He said he hopes they'll dress it up or do something.

City Attorney Melchert:

- Stated he did not have anything but joked that the Council is a typical Council allowing a 9-item agenda to take two and a half hours.

Assistant City Administrator Kabat:

- Noted there is a work session at 6 pm on August 6th, 2018 prior to the Council Meeting.
- Informed the Council that on August 20, 2018 there will be a 5:30 pm work session for the 2019 budget and tax levy.
- Noted that Peter Leatherman will likely be on the agenda for the August 20, 2018 Council meeting to discuss the results of the community survey.
- Mentioned that on August 7, 2018 Art Space is coming to do an open house from 7-9pm at the Event Center.
- Noted the City Square West Task Force will be meeting up again on August 15th, September 19th, and October 3rd, with an open house around August 22, 2018.
- Mentioned that Lakeview Industries will be doing a project in Carver. He noted that the City did work with them and try to find locations for them, as well as innovative approaches to try to make some sites work for them, but they were looking for a lot of property, about 40 acres, which narrowed the scope of options within Chaska. He gave some of the locations the City suggested to them, but they did not feel these would meet their needs within the timeframe they needed.

Mayor Windschitl:

- Inquired when work will begin on the Aldi project. Assistant Administrator Kabat stated that he believes they are still intending to move forward with the project this year, but they are at a point where they need to pull their building permit, and it is in their court to move forward at this point. Mayor Windschitl noted that this same discussion was had with regards to Hy-Vee and hopes they will also be on schedule for 2019. Councilmember Rohe wondered how much SUPERVALU's acquisition and the stuff around CUB will push them into moving quicker.
- Inquired if Staff could check where the Plex and Pascale Monument project is.

Keith Roberts, 625 Creek Road, is a mechanic and is trying to put up a shop on the west end of town as there are several customers coming from out of town and there is nothing for them to do at his current location at the east end of town. He asked if there is any site on the west end of town for him to put up a shop.

Mayor Windschitl advised Mr. Roberts make an appointment with Assistant Administrator Kabat as he and City Administrator Podhradsky know about things the Council does not and are the right people for him to sit down with to discuss this.

Mayor Windschitl thanked Mr. Roberts for coming in.

11. Adjourn

Motion by Councilmember Rohe, second by Councilmember Schulz to adjourn the meeting at 8:35 pm.

Motion carried.

**- MINUTES -
CHASKA CITY COUNCIL
AUGUST 6, 2018**

1. Call to Order

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

2. Pledge of Allegiance

3. Roll Call

Roll call was taken. Present: Councilmembers Schulz, Boe, Rohe, Geisler, and Mayor Windschitl.
Absent: None.

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

4. Adopt the Agenda

Motion by Councilmember Geisler, second by Councilmember Boe to adopt the agenda as presented.

Councilmember Boe inquired why the Agenda is marked as revised.

Mayor Windschitl replied that the numbers for the Formacoat bid were added after the Agenda was published.

Motion carried.

5. Visitor

None.

6. Minutes

Previous meeting minutes were not presented for approval.

7. Consent Agenda

Councilmember Schulz referred to Item B and noted that it is the volunteers who make these commissions happen and thanked Ellen Bean for taking on this role. The Council all agreed she will be an excellent addition to the Human Rights Commission.

Motion by Councilmember Schulz, second by Councilmember Boe to approve the Consent Agenda Items A through E:

- A. Adopt Resolution No. 2018-107 Approving Site Assessment Agreement for Chaska Creek Way Street and Utility Expansion Project at Chaska Creek Center

Motion to Adopt Resolution No. 2018-107 Approving and Authorizing Staff to fully execute the Site Assessment Agreement related to the Chaska Creek Way Street and Utility Extension Project.

B. Human Rights Commission Appointment

Motion to appoint Ellen Bean to the Alternate 2 position on the Human Rights Commission for the term August 6, 2018 to December 31, 2020.

C. Adopt Resolution No. 2018-108 Award Bid for West Creek Substation Bus 2 Construction

Motion to adopt Resolution No. 2018-108 to award the bid for the West Creek Substation Bus 2 construction to M.J. Electric for the amount of \$694,061.00.

D. Minnesota Municipal Utilities Association MMUA Delegate Appointment

Motion to appoint Toby Saxon as the primary delegate for MMUA and Andrew Romine and Jack Worm as alternates.

E. Adopt Resolution No. 2018-109 Awarding Bid for the Formacoat Site Demolition Project

Motion to adopt Resolution No. 2018-109 Awarding the Bid for the Formacoat Site Demolition Project to DRC Inc. in the low bid amount of \$139,000.

Councilmember Schulz inquired if the bids on the Formacoat site came in as expected.

Assistant Administrator Kabat replied that the initial low bid was readjusted to better accommodate the project, and went up from the original bid but was still the low bid overall. He stated the bid is below the City's projected cost so the City is in a good position with that project.

Mayor Windschitl looked to clarify that the City is confident everything is in the bid that should be and they wouldn't get a lot of add-on.

City Engineer Clark indicated this was so.

Mayor Windschitl inquired if the contractor knows the project is on a tight timeline and that the whole site will be done.

Assistant Administrator Kabat stated that they did and that the whole site will be cleared. He explained they will put priority on the Formacoat side getting cleared first so they can get moving on their project.

Motion carried.

8. Action Items

8.A. Financial Reports 2017

Administrative Services Director Graczyk presented the City of Chaska 2017 Comprehensive Annual Financial Reports (CAFR) and the Fire Relief Reports to the Council.

Bill Lauer with Malloy, Montague, Karnowski, Radosevich & Co (MMKR) reviewed the role of the auditor and presented the findings from their audit reports.

Mayor Windschitl commented that as they have gone through this previously, a lot of the Council's questions have been answered.

Administrative Services Director Graczyk highlighted the details of the Certificate of Achievement for Excellence in Financial Reporting program contained within the CAFR.

Councilmember Geisler commented that they remain in good shape and have healthy funds.

Administrative Services Director Graczyk agreed that the City is continuing in healthy financial positions and stated that this report becomes the baseline for looking at funding needs going into the 2019 budget. He mentioned that the City continues to issue debt, has a strong bond rating and received a clean opinion from MMKR.

Councilmember Geisler commented that an AA rating saves a lot of money.

Administrative Services Director Graczyk agreed. He also acknowledged the work that Jay Tobin, Lisa Nelson, and Aaron Sharpie have done for the financial reports, and thanked the rest of the Finance Staff and all the City Staff for the team effort necessary for supporting them in the financial reporting process.

Councilmember Schulz commented that they were clear reports and that it is evident there is a well-functioning team with the financial side of things and without that support, things would come to a screeching halt quickly. He said they did a great job with the finances and working the numbers and presenting these reports, which is proven by 28 years of receiving the Certificate of Achievement for Excellence in Financial Reporting and congratulated them for that award.

Mayor Windschitl referred to MMKR's report and noted that having a consistent year with no changes in staff has made the audit smoother and easier to do and tells you everyone is working together. He stated this is a long and tedious project and thanked everyone for their role in this report, and reiterated that the audit shows everything is good and the City is looking healthy.

Motion by Councilmember Boe, second by Councilmember Geisler to accept City of Chaska 2017 Comprehensive Annual Financial Reports and Chaska Fire Department Relief Association 2017 Annual Financial Reports. Motion carried.

9. Bills

9.A. AP Council Roster 8-6-18

Motion by Councilmember Rohe, second by Councilmember Schulz to approve the bills as presented. Roll call was taken. Voting aye: Councilmembers Schulz, Boe, Rohe, Geisler, and Mayor Windschitl. Voting nay: None
Motion carried.

10. Other Business

10.A. City Administrator's Report: Not available

Councilmember Boe:

- Reminded folks of Night to Unite tomorrow. Mayor Windschitl mentioned that there is more activity out and about because of this and thus drivers should use caution.
- Noted that tomorrow there is also the Art Space Open House at the Event Center downtown from 7-9pm, put on by the Art Consortium of Carver County. Assistant Administrator Kabat mentioned that there are a number of activities planned with this open house including performers and vendors. He also gave more details of what the Art Consortium does and stated that the open house is being held to see if there is a market in Chaska to support this type of project. Mayor Windschitl commented that this is partially driven via the Task Force that the City is using on the redevelopment of City Square West to look at different buildings around town that may to this group.

Councilmember Geisler:

- Noted Pasta Zola is still collecting school supplies for kids in need and the last collection day is Saturday, August 12.
- Reminded folks of the farmers market on Wednesday from 3-7pm on August 8th. Councilmember Boe commented that there are two farmers markets on Wednesday—one in the Government Center from 10am-1pm, and one in the afternoon at City Square Park. He also noted that there has been at least one food truck at the Courthouse every day.
- Mentioned that the Clayhole Concerts are winding down; there is one scheduled on August 8th and August 15th.
- Noted that Flags of Honor Car and Bike Show is planned for Saturday August 11th at City Square Park, and commented that if you want to register for it it's 9am-12pm, with the car show running from 10am-2pm. Mayor Windschitl mentioned that this event benefits the veterans that need any help and urged residents to please support the event.
- Informed the Council that Touch a Truck is at the Community Center on Thursday, August 16 at 5pm.
- Mentioned she viewed a television show called TKO that had Chaska residents on it.

Assistant Administrator Kabat:

- Reminded the Council of the Work Session on August 20th from 5:30-7pm.
- Informed the Council that there are two proposals submitted to the City for projects to be done on the remainder of the site where Formacoat is building. Councilmember Schulz inquired how the City determines which to pick. Assistant Administrator Kabat explained they will look at which match the goals the City has for that site, how quickly the projects could be actuated on, how feasible do they feel they are, what are the number of jobs to be created and the wages those would produce, and the scale of the facility being proposed. He stated Staff hopes to have determinations and more information to share by the next Council Meeting. The Council shared their pleasure that this site is seeing so much attention after sitting for so long.
- Councilmember Geisler asked Assistant Administrator Kabat how Veteran's Park is coming along. He explained the project is continuing to move and they are having

progress there with some structures are coming up, with real visible progress on the shelter. Mayor Windschitl described some of the progress he saw there. Councilmember Rohe inquired if there was to be a September dedication date. Mayor Windschitl stated that the VFW would really like to do something, but the word from Public Works Director Jung is that Veteran's Day may be a better time as they are further behind than anticipated. He opined that it would be nice to have everything done, down to the grass, prior to having the dedication, even if it meant not dedicating it until next year on Memorial Day or something.

Mayor Windschitl:

- Noted that City Square West Task Force meets August 15th.
- Mentioned the Chaska VFW baseball team will be going to the State for the first time.
- Gave an update on the Chaska Cubs game and stated they will be going to State.
- Noted that there are City elections this year, and that there are a number of positions open and that the filing period opened last Tuesday and runs through Tuesday, August 14th.
- Encouraged residents to get out and vote at the Primary Election on August 14th as there are a lot of important positions coming out of there.

11. Adjourn

Motion by Councilmember Geisler, second by Councilmember Schulz to adjourn the meeting at 8:02 pm.

Motion carried.

Chaska Park Board
Meeting Minutes
August 13, 2018

1. Call to Order

The August meeting of the Chaska Park Board was called to order by Chairman Grau at 7pm in the Council Chambers at City Hall.

2. Roll Call

Present: Grau, Roan, Downs, Mihajlov, Wittrock, Branch, Flaherty-Wilcox.

Absent: Ruiz Gutierrez, Ives, Olsen

Staff Present: Marshall Grange, Mary Monteith, Jeff Isaacson

3. Adopt the Agenda

Motion by Downs, second by Mihajlov to approve the August Agenda. Motion carried.

4. Visitor Presentation

None

5. Approve Meeting Minutes

Correction to the July meeting minutes, David Downs was present at the meeting.

Motion by Wittrock, second by Flaherty-Wilcox to approve the Chaska Park Board minutes of July 9th, 2018 with revision that David Downs was at the July meeting. Motion carried.

6. Old Business

A.) Curling Night in America

Curling Center Manager, Jeff Isaacson, was present to update the board on various exciting news from the curling world. The upcoming Curling Night in America, which will occur at the Curling and Event Center, is August 27-29. Countries participating in addition to the USA, are: China, Japan, Italy. A total of nine games will be taped and aired on NBCSN in the fall.

Ticket sales have been great, all evening draws are sold out (250 tickets). We are working to fill the seats for the morning and afternoon draws with AOA's, students, sponsors etc.

Chaska Curling Center will also play host to the U18 Championship in March 2019. Last year Bemidji hosted 24 teams.

Curling staff are currently working with USA Curling to become a National training site. This would be great for the community. The Curling Center would host training camps, as well as

individual and team practices. Staff will work to find a good balance with ice time for both training and members.

Isaacson also shared current membership numbers at 1,324 and corporate curling events at 190 so far this year. The Fire and Ice Bonspiel was a huge success, with 48 teams participating from all around the globe. They joined in with many others, enjoying the great ice, bands and fireworks!

B.) Lion's Park Off-Leash Dog Area (OLDA) Update

Grange updated the Board on current activity happening at the OLDA.

Park crews were busy today with taking down hockey boards and electrical poles around the rink 2 area. Crews will then focus on addressing the turf needs. Site furnishings will be ordered this week as well as work started on the bathrooms. Timeframe still allows for opening late October/early November contingent on good weather.

Staff will keep updating the public on site progress via social media avenues to keep the buzz going.

C.) Carver Trails/MnDOT LUP Update

Grange gave an update on the Carver Trails mountain bike trail project. MnDOT turned over a portion of their right of way to Carver County and since the proposed trails fall within that area, the City of Chaska will need to obtain a permit from Carver County in addition to the Limited Use Permit from MnDOT specific to the right of way they own. Grange will continue to work with MnDOT and Carver County to obtain the appropriate permits with the intent to bring to City Council for their approval.

D.) Veteran's Park Update

Grange is attending weekly on-site construction meetings. Things are really starting to come together. Concrete on the back side of the park is complete. Benches are in, the archery shooting deck is done and the add on to both sides of the shelter are complete. Even with starting later than planned this past spring due to weather, the goal is still to be done November 11th, Veterans Day.

E.) Grange updated board on progress with the 2040 Plan. Staff continue to work with Hoisington on research and organizing data. Community surveys will be out this week to Chaska residents via Facebook, email and twitter, with the hope of gathering additional feedback to use in the plan. They will be open to the public for the next 2/3 weeks. One thing to note, that in the 2030 Plan, it showed a regional trail along Highway 41. Current talk has been to re-align this trail into the current trail system over by the railroad tracks off Pioneer Trail, then coming south along existing trails. Staff would look at Federal funding over next couple years to help make this happen. Updates to come next month.

7. Other Business

- A.) Director's Update-Grange covered many of the Parks and Recreation events happening throughout Chaska this month.

The September 10th Park Board meeting conflicts with the Council meeting that night, so Park Board will be doing a work session and tour of parks. More to come!

8. Roundtable

Mihajlov-Incredible summer with Fire and Ice as well as getting the dog park approved!
Grau-Asked about iPads for board members, no decision made at this time yet.
Roan-Felt the proclamation for Nick Mason done by the Mayor and Council was very nice.
Wittrock-Thank you to those who help pick up trash around our community.

9. Adjourn

Motion to Adjourn by Roan, second by Wittrock