

**CHASKA PLANNING COMMISSION
MINUTES
MAY 8, 2024**

1. Call to Order

Chairperson Brass called the meeting to order at 7 pm.

2. Roll Call

Roll call was taken. Members present: Commissioners Olson, Gaare, Aasen, Purdy, Kerber, Campbell, Baswa (arrived at 7:02 pm) and Chairperson Brass.

Members absent: Commissioners Urbanski

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

3. Adopt the Agenda

Motion by Commissioner Purdy, second by Commissioner Olson, to adopt the agenda as presented.

Motion carried.

4. Visitor Presentation

No one appeared under Visitor Presentation.

5. Approve Previous Meeting Minutes

a. Approve the April 10, 2024 Planning Commission Meeting Minutes

Motion by Commissioner Aasen, second by Commissioner Baswa, to approve the minutes of the April 10, 2024 Planning Commission meeting.

Motion carried.

6. Consent Agenda

7. Action Items

a. POSTPONED TO JUNE 12, 2024 PLANNING COMMISSION: Preliminary Plat, Rezoning, and Variance for Highpoint Vistas/Forestar Group/PC #2024-02

b. PUBLIC HEARING: Recommend Approval of the Concept Plan for Jaspers Circle/Todd Olin/PC #2024-06

City Planner Cauley presented the item to the Commission.

Commissioner Purdy asked about the average size of the neighboring homes.

City Planner Cauley stated that she did not have the exact square footage and noted that they had walked the neighborhood about a month ago and would estimate that they are roughly in the same square footage as what is shown in the Concept Plan at about 3,000 sq. ft.

Commissioner Olson stated that he understands the idea that Engler will be able to handle the traffic but noted that the information in the table shows that the local street is already past its desired capacity of 1,000 trips/day which he thinks is because the original plan was for White Oak Drive to connect to Bavaria Road. He stated that he did not think that was going to happen which now means that all of these cars will come down White Oak. He noted that these plans show the addition of another 16 homes now and then another 12 later, which seems like a lot considering the local street was already over capacity. He asked if the traffic numbers presented in the staff report were correct.

City Planner Cauley stated that the Institution of Transportation Engineers (ITE) collects information from single family home trips across the country so this is a calculation based on that information but noted that there are ranges within the data. She explained that there are residential developments that are on the low end of the range as well as on the high end and noted that the numbers used in this calculation were from the mid-range. She noted that the pandemic has greatly changed the number of vehicles and trips because working from home has become more prevalent. She stated that the most recent data from ITE available is from 2017 and those numbers will indicate that the numbers are high because they do not have more recent data available.

Commissioner Olson asked if the City was actually using this data to make decisions and recommendations related to density and growth in certain areas of the City where there are obvious constraints that are these local roadways.

City Planner Cauley stated that the Engineering and Public Works Departments are very aware of traffic volumes and volume coming from the Comprehensive Plan are counted towards those densities and explained that the simple answer was 'yes'.

Chairperson Brass stated that the guidelines are not a 'pass' or 'fail' kind of situation.

Commissioner Purdy stated that he had some concerns about having 2 roundabouts that close together because it will create a lot of traffic. He stated that he lives near this neighborhood and noted that it was already very crowded in the mornings.

Chairperson Brass stated that he thinks the roundabouts will help alleviate the traffic in the area and free up the congestion a bit.

Commissioner Olson stated that he was glad that the ghost plats were provided for potential possibilities, but a resident coming into the neighborhood while knowing that there was going to be development in the future, made their purchasing decisions based on what was available at the time, which was the ghost plat. He stated that this concept plan is significantly different than the ghost plat and explained that he had a lot of heartburn with the density that is proposed even before he read through some of the concerns submitted by residents. He stated that he understands that things can change, but reiterated that everyone who lives in the neighborhood

based their decision on the original ghost plat. He stated that there was narrative in the staff report about the plans changing from 25 to 21 to 17, but noted that was still 2 or 3 times more than what was originally designed. He asked why there wasn't more emphasis on trying to be closer to the original ghost plat than what was presented and then changed following the neighborhood meeting.

City Planner Cauley stated that was a question that would need to be directed to the applicant.

Commissioner Olson asked if that meant that staff did not do anything to promote using the ghost plat or using the previous platting to help drive the development of this area.

City Planner Cauley explained that if a developer comes in and inquires about developing a property, staff will provide them with a ghost plat, if there is one available. She stated that staff can advocate to support a ghost plat for specific reasons, but at the end of the day, the applicant has their own right to move forward with a plan of their choosing.

Chairperson Brass stated that he does not like ghost plats because this kind of situation is what happens. He stated that the developer, in the past, put a ghost plat forward, for land that he did not own. He explained that he felt a ghost plat ends up portraying a false sense of what will happen, which was why he does not like them. He stated that a developer who purchases the property can present a plan that fits within the City's rules, even if it goes against the ghost plat. He stated that the ghost plat is simply some drawings that are a placeholder which he does not like. He explained that he would like to have further conversations within the City about possible ways to address this issue because it ends up giving a false sense of security to people for the vacant land in the area.

Commissioner Baswa gave the example of someone planning to come into the City and purchase a home and asked how the City can give some guidelines to the developers in order to protect people who are buying. He asked if there were any measures or details that were being given so that whoever is buying right now can be protected.

City Planner Cauley stated that ultimately that is what the Comprehensive Plan is intended to do because it sets an expectation of what the density range is, so if a developer comes in with a proposal that does not fall within that range there is an extensive process that they have to do through in order to guide the property to something else. She explained that the ghost plat shows that someone in the past contemplated single family residential development on this property and in 1997 they anticipated 8 lots that were larger. She stated that ghost plats are a tool and are not the 'end all/be all' in terms of an expectation. She noted that in this case, the property is zoned Open Development so there is the expectation that it would be rezoned in the future which would allow residents to provide feedback on any changes.

Commissioner Baswa asked if in 1997 there was anything that stated that this is the number of things that can be there and if it changed over a period of time with the City or it has remained the same since 1997.

City Planner Cauley stated that the subject property did not have an anticipated number of lots because there is not a zoning district that would essentially prescribe what those lot sizes and

areas would be because that happens as part of this current process. She explained that in 1997, there was the guide plan and assumes that it was low density residential which staff can confirm.

Chairperson Brass stated that it was still low density residential and the concerns raised by the residents were related to how much low density residential, however, this concept falls into the low density category.

Commissioner Baswa noted that his point was that he questioned whether the City should be grandfathering this in and if they should be considering the guidelines from 1997 or the current guidelines.

Community Development Director Kabat explained that what the City is held to, at this point in time, is the Comprehensive Plan that currently exists. He noted that he did not think it had changed in this specific area since 1997, but would need to go back and check to make sure. He explained that even if it was found to have been different in 1997, what they are measuring this application against is the Comprehensive Plan that is currently in place and approved by the City Council. He stated that Comprehensive Plans can change how they guide properties and reiterated that what is in place for this parcel is guidance for a single family neighborhood.

Commissioner Gaare stated that judging from the elevation exhibits, the styles of the homes seem to be very similar to the existing homes.

City Planner Cauley stated that based on their field survey of the neighborhood, she would say that they are generally pulling architectural features from the existing homes.

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

Fred Koivumaki, 276 Jaspers Circle N, stated that his concern with this proposal is with the density because it would essentially double the current density. He stated that the goal stated was to 'work within the existing neighborhood character to support the community values of current residents'. He stated that he is not sure if this proposal actually did that and noted that there are a number of current residents here tonight and most of them are shaking their heads indicating that they did not consult the current residents. He explained that he had attended the meeting with the developer but stated that he felt the concerns that were raised related to density were washed over. He explained that his other issue is with the aesthetics of their proposal because it would put homes that have an offset of 5 feet on each side, meaning the homes would be 10 feet apart. He stated that the closest home to his was about 22 to 25 feet and the offset from the road to his garage is 40 feet and not 20 feet like what is being proposed. He stated that he feels allowing these homes at the end of Jaspers Circle will aesthetically change the whole character of the neighborhood.

Lou Pomeroy, 225 Jaspers Circle, stated that her home is 3 houses down from the new development. She stated that she agreed with Mr. Koivumaki on the density issues he had raised. She stated that the proposal was also not consistent with the neighborhood in size or style of homes despite what staff has indicated. She stated that the size of the lots are completely inconsistent with the existing neighborhood. She noted that they sent out information yesterday that showed smaller homes and larger homes in the City and explained that every single example

that was shared was within Clover Ridge, which was designed and set up for this type of intermingling. She stated that she did not feel that the recent photos submitted were any kind of representation of what will go up in this situation because the existing homes have generous lots and they will be followed by ones that have itty bitty amounts of space. She asked if the Fire Department had been able to comment on these plans and stated that when Southwest Christian was built and White Oak stopped, they were concerned that the road did not go through because they do not like to have neighborhoods where there is only one way in and out.

Commissioner Kerber asked about the square footage is of Ms. Pomeroy's home.

Ms. Pomeroy stated that her home was 3,100 sq. ft. and noted that she has a nice generous lot and garden area in the back.

Chairperson Brass asked if the City involved the Fire Department involved at the concept level.

City Planner Cauley stated that they do and noted that the staff report was really a summary of comments and review from all City departments.

Neil Pomeroy, 225 Jaspers Circle, stated that they moved into this home in 2001 and the clear expectations from the realtors was the ghost plat and were told that it would be finished at some point and with an additional 5 to 7 similar homes. He stated that he thinks it is a mistake to make a comparison in the supplemental material of comparing this to other neighborhoods that the City has approved. He stated that he agreed with the concerns that have been raised about the traffic and shared that he does not have to go out on the roads at 8:30 a.m. because he is retired, but noted that he has sat at the intersection with White Oak for 5 minutes when traffic has been backed up. He stated that the interesting thing that was done in the presentation for the roundabouts was that the number one issue that they were trying to deal with was not related to traffic but was to prevent serious accidents. He reiterated that he has concerns about the roundabouts and noted that he also has not seen neighborhoods only have one exit. He explained that one of the things that he had opposed when they building the Southwest Christian High School was that there would be no secondary exit.

Rita Larson, 240 Oakview Court, stated that they are at the top of the hill when you come in off of White Oak and explained that she has a safety concern about the traffic. She stated that when people come up the hill it can be very fast and there are a lot of blind spots as well. She stated that if someone has parked on the corner the other cars have to get far out into the intersection in order to see and noted that there is always traffic coming in and out. She stated that she was concerned that the plans are to put in 16 new homes with another 12-14 homes because there is only one way in and out of the neighborhood which leaves her concerned about safety.

Lee Rostad, 205 Jaspers Circle S, stated that the homes in this new development will be his direct neighbors. He stated that even though the Commission had asked them not to reiterate points, he felt he had to touch again on the density issue. He stated that there are 22 houses total between Jaspers Circle N and Jaspers Circle S. He explained that adding 16 additional homes would be a 72% increase. He stated that at the previous meeting, the developer had stated that the new plan to extend from the two Jaspers Circle would be a completely different development than what is existing because the Willow Wood development has existing guidelines for lot size

and setbacks. He referenced PRD-33, Ordinance No. 614, and noted that their assertion is that this is a new development so they can build whatever they want with relation to lot sizes and homes which seems a bit ridiculous to him. He explained that it could not possibly be a new development if it is directly attached to an existing development. He stated that everyone in the area knew that this property was going to be developed so that was not the issue but explained that the issue was with the number of houses. He stated that he felt these plans would screw up the character of the neighborhood and its charm by having more houses crammed into less space. He stated that if they put in the additional 12 homes that they have talked about, that would be over a 100% increase in density in the area. He reiterated that they know development will happen but are asking that it just fit in with the neighborhood better and match what is already there. He stated that he does not want to see all the new homes and new traffic because that, in his opinion, will make the neighborhood suck. He stated that he would like to see the character and quality of the neighborhood as it is right now and adding 16 or 28 more homes will ruin that.

Chairperson Brass asked if 16 was too many, how many homes the neighborhood felt would be acceptable.

Mr. Rostad stated that he thinks having something like 8 to 10 homes would be acceptable. He stated that he felt that if anyone had been in the neighborhood and see the actual space, they would understand that putting in 16 homes would be ridiculous and would ruin the character of the neighborhood forever.

Paul Price, 273 Jaspers Circle N, stated that he agrees with everything that has already been shared but also has two additional concerns. He stated that one concern is related to safety and explained that there was a public park on White Oak and as you come into the neighborhood, it is downhill which means you are constantly fighting gravity. He stated that the curve is kind of a blind curve which means, 'boom' you are at the park. He stated that there is no parking for the park so all of the parking happens on the street, which means there are also kids darting in and out between the cars. He stated that right now he felt that there was already enough traffic to make this dangerous for the children and if they add this much proposed density, it will make that area even less safe. He stated that the other thing he would add is that a few times there have been some bad storms that have blown down branches and have blocked White Oak and explained that it is a terrifying feeling to be in the neighborhood and not able to get out. He stated that an alternate exit onto 41 would be great and reiterated that when you are trapped in your neighborhood it is a big deal.

Andrew Heieie, 303 Groves Drive, stated that he has brokered land development deals across the metro area for the last 15 years and wanted to share his perspective on this situation. He stated that he would not reiterate the things that his neighbors have already shared even though he completely agreed with everything that has been shared. He explained that he wanted to emphasize the Comprehensive Plan a bit and noted that while he understands that it provides a guideline, every site stands by itself. He stated that this is not another 50 acre farm that is being opened up for development and is almost an in-fill site for the City because it is a continuation of a neighborhood. He stated that he feels the City should look at the neighborhood and see if it will work and 'feels' right and not simply rubber stamp the proposal. He recommended that the Commission really take a look at the Comprehensive Plan and how it relates to this specific

neighborhood. He stated that the ghost plat that brings the plans from 8 homes to 16 homes and the future northern portion of the development that shows 12 additional homes. He asked what could stop this from having the proposed 12 lots for the northern portion of the development becoming 24 new homes which would be double what the previous plat was. He stated that he feels the City may end up setting a precedent with this decision. He suggested that perhaps the developer could table their request in order to meet with the neighborhood residents in order to have a thorough discussion on some of the current sticking points. He stated that if the developer was not willing to do that he felt it was fairly clear that his intent was to pump the density into the neighborhood and that the feeling was 'profits over people', which would be unfortunate.

City Planner Hanson asked if there was anyone on-line who wanted to speak to this agenda item and noted that nobody had raised their hand to speak.

Chairperson Brass closed the public hearing at 8:00 p.m.

Commissioner Olson asked if the developer was present at the meeting.

Chairperson Brass invited the developer to step forward and address the Commission.

Todd Olin, Land & Resource Consulting, explained that they were the ones who prepared the plans for this development for Gavnat. He explained that as far as the density and the fit, they walked the neighborhood and found that the density transitions up and down as you move through. He stated that initially they had been looking to have some separation between the houses and when they were done putting together plans and including things like stormwater design, which is not normally done for a ghost plat, this is what they ended up with. He explained that after meeting with staff and holding the neighborhood meeting, they felt the better approach was to locate the stormwater basin in a way that gives a maximum amount of separation between the existing homes and the new homes and had also dropped a lot from what they had presented earlier. He stated that they also changed the plans to incorporate landscaping buffers. He stated that if they utilize the ghost plat from 1997 and put the standard lot sizes in this development it really wouldn't fit. He stated that if they go with the larger lot, they have to put the cost into the lot which means that bigger homes would get built and those bigger homes also wouldn't fit, just like a really small home would not fit. He explained that they were trying to find a balance and a transition that will work for everyone. He stated that they have put this kind of developments in other communities, such as Medina and Woodbury, which have been very successful. He noted that many times these homes are purchased by first time home buyers or young professionals who do not want to have a large yard to take care of and explained that this area is well supported by public infrastructure such as the parks and the extensive trail system. He stated that he felt that a key part of the Comprehensive Plan is that when it is updated, it includes community input. He explained that their plans fit within the guidance from the Comprehensive Plan but admitted that the whole range does not fit into this neighborhood. He stated that it is guided for 2-5 units/acre and they are at 3.3 units/acre, which is right in the middle. He stated that the other point he wanted to make in relation to density is that while everybody is not looking for a smaller lot, there is a sector of homebuyers that are looking for a smaller lot which is currently not well represented in the City. He explained that they were looking to put in homes that range from \$550,000 to \$650,000 which fits into the demographics of what is there right now. He stated that they are not asking the existing neighborhood to give up their privacy, back yard

space, setbacks or homes. He stated that they will still be able to enjoy using their homes as they currently do and noted that the people buying these new homes will be young professionals such as teachers, that just don't want the maintenance of a bigger lot. He stated that it would also allow somebody to stay in the neighborhood during all stages of their lives. He stated that to address the comment made about this being a completely different development, he probably had not done a good job of explaining the zoning. He stated that one of the neighbors was quoting from the PRD Ordinance that was written for their development and the question was asking about the zoning and setbacks for this new development. He stated that they do not currently have the setbacks and other information for their piece of property because it was currently zoned Open space which will require rezoning for anything to be done with the property. He stated that one of the key things that came up during the review was that the City had coordinated with MnDOT and it was made clear that they will not be able to have any access to Highway 41. He stated that he felt their proposal was a careful balance of what is already there and noted that in his opinion, ghost platting rarely works out well.

Commissioner Aasen stated that the information in the packet says front yard 20 feet and noted that he assumed that was to the property line and asked how much space there would actually be from the curb line to the home.

Mr. Olin stated there is usually about 9 feet between the property line and the curb so there would be 20 feet from the property line to the face of the garage. He stated that there is a pretty clear architectural façade requirement that would apply and noted that he believes that there were 6 of the lots that qualify for 360 facades, because of 41 on one side and the new road on the other.

Chairperson Brass stated that he thought he had heard that Mr. Olin was open to moving from of the setbacks and home placement in order to match the character of the neighborhood a bit better.

Mr. Olin stated that can be done a few ways and gave the example of some of the lots that are deeper than the minimum which could allow them to push them away from the road a bit more. He stated that this would be recorded in the PRD zoning.

Chairperson Brass asked about the south portion that has 50 foot setbacks that is marked an outlot, and asked if that just meant that there would be a larger lot for that landowner.

Mr. Olin stated that it would be a bigger lot, have a larger width, and would also have a further setback which would be recorded in the PRD. He reminded the Commission that they were also planning to have additional landscaping in the transition area on both the north and south side.

Commissioner Olson asked how many developments Mr. Olin had done in the City.

Mr. Olin stated that he had personally been involved in two other developments in the City, but they were never developed.

Commissioner Olson explained that he asked because he was trying to get an understanding about how that Mr. Olin had gone through the neighborhood meeting and heard their concerns

with what had been presented, and what he planned to do differently moving forward. He stated that he was sitting in the same seat as the residents were about 7 years ago. He stated that he wanted to know what Mr. Olin would take from what he had heard from the neighborhood and which adjustments he planned to make moving forward to the Preliminary Plat.

Mr. Olin stated that they did go to the neighborhood meeting and took note of everything that had been shared and have made some changes to the plans. He stated that they eliminated a lot, increased setbacks and increased landscaping which should address many of their concerns but noted that not everyone will be happy and compromises would need to be made. He stated that they are before the City looking for approval of a concept plan and reiterated that he believes that they have heard the neighbors concerns with the exception of reducing the overall number of homes, but explained that they look for solutions that work for everybody.

Commissioner Olson stated that his expectation is that there will be continued dialogue and an openness to hearing and applying the changes. He stated that he understands that this is a concept plan, however there is a lot of concern, which is where he thinks they need to be able to work through them in order to find the balance. He noted that what Mr. Olin has presented checks all the boxes for a concept plan but also creates a lot of concerns for the neighbors that this will abut because it is completing their neighborhood.

Mr. Olin stated that they were not planning to stop communication with the neighborhood. He explained that the developer was not opposed to working with them to try to come up with the best solutions. He noted that they had tried to hear who was directly effected by their plans and have increased setbacks and landscaping. He stated that he does not think it will be possible to get to a point that the overwhelming comments supports what they have because they cannot just build what the neighborhood already has because it does not fit there and would be in the \$800,000 to \$900,000 price range. He explained that they are trying to find the balance between what they have and where their home values are so it fits. He stated that there will be compromises but that particular step may be outside the hoop.

Commissioner Olson asked if he was implying that he used the size of the lot as the justification for the price of the home that is put on it. He stated that he feels that they can have a larger lot with the same size house and noted that he believes there is a misconception that just because there is a bigger lot it would need to have a bigger home. He stated that there are people that are living in 2,100 sq. ft. to 3,000 sq. ft homes on the larger lots.

Chairperson Brass stated that 3 decades later, the economics are different, so he would agree that the lot sizes and the homes are not exclusive to each other, but economically that is not typically what would be seen and noted that if they put in 8 lots that would also be out of character with the neighborhood as well because that would mean there would be a little pocket of super nice homes. He stated that he felt there was a fine line in what goes in and noted that he thinks they may be able to put townhomes in there.

Mr. Olin stated that was something they considered but then they walked the neighborhood.

Chairperson Brass explained that he was just trying to point that out as the opposite end of the scale of something that would not at all fit the neighborhood. He stated that he understands the

concerns of the neighbors and thinks that they should try to address them, if possible, but this isn't 1997 and it wouldn't make sense to put \$500,000 homes on 8 lots. He stated that he thinks what has been presented is 'within reason' but would like to see how there may be able to be a bit more of a compromise in order to appease some of the concerns that have been raised. He stated that if they set aside the concerns related to density, there were also concerns raised about travel, traffic, safety, and access. He noted that he lives in a neighborhood that only has one way in and out and would agree that it was not ideal but that is the way it is. He stated that he did not think that, for example, changing from 16 homes down to 12 would drastically change the traffic safety situation. He stated that there will not be an access onto Highway 41 because MnDOT would not approve it and a second access to the neighborhood was not part of this proposal. He stated that he would like to see Mr. Olin find a way to match the setbacks that exist in the neighborhood however, he also had concerns that doing that may make it look even more irregular.

Commissioner Olson stated that he felt consistency was necessary and noted that by just going around the loop he feels there will be three different developments. He stated that they get to create the rules, but they are abutting to a neighborhood that is already set at a different setback and feels that they should be able to use the transition from one to the other as a litmus of what the setbacks should be because they are not constrained by 41 or steep grades. He stated that he felt that the setbacks should be in line with what Jaspers N and Jaspers S are now and what the PRD set forth.

Commissioner Campbell asked what would happen if they changed the sight line, for example, on the south side of Jaspers. He stated that there is one very distinct established neighborhood and now there is a new neighborhood going in with a big retention pond and this jogs around a bit which changes the site line for those neighbors so they would not be seeing the setback for every home around the circle. He stated that his thinking was that they would not be looking down 3 miles of a straight roadway.

Chairperson Brass stated that it may be different if this neighborhood was placed in the beginning of the neighborhood and people had to drive through it to get to the rest of the neighborhood because it is kind of off on its own. He stated that he would agree that it may be inconsistent, but it would not be an eyesore at the start of the neighborhood.

Commissioner Campbell stated that he does not believe there are sidewalks in the neighborhood.

The audience responded that there were not sidewalks on Jaspers but they did have them on White Oak.

Commissioner Campbell stated that he understands the safety concerns and explained that he grew up running around and playing in the street, but reiterated that there is not a straight site line and things change as they go around the circle.

Mr. Olin stated that it is one of the unique issue where they aren't doing it at the entrance because it is the extended end of the development as the last phase. He noted that none of the neighbors will have to drive through it or even walk their dog through it, if they do not want to. He stated that if consistency of the setbacks is more important than the separation to the existing homes,

then they can move things around. He stated that he felt it had been communicated loud and clear at the neighborhood meeting that they wanted this to be moved as far away from them as possible, which is what they did.

Chairperson Brass stated that he does not feel comfortable just ambiguously picking a number of homes and saying that will solve the problem. He stated that he understands the resident concerns because he lived in Clover Ridge where there was a mix of uses. He noted that he also understands that when something comes in that is different than what they expected, which is why he does not like the ghost plats. He reiterated that he did not think the City should continue to use ghost plats in the future. He stated that he believes they should do more on the south side than what has been shown in the packet which may mean losing one more lot and possibly increasing the side setbacks. He reiterated that he does not feel comfortable when it falls into the parameters on the lower end of the density that is allowed, to just ambiguously pick a number. He stated that with that said, he does feel like something more should be done to try to fit it into the character of the neighborhood a bit better.

Commissioner Purdy agreed and stated that he felt that 16 homes was too much knowing the size of the development and would be too many homes in too small of an area. He stated that he agreed with Chair Brass that it was not the Commissions right to be able to say they can also only have 8 homes.

Commissioner Olson stated that he agreed that the Commission cannot set the number of lots, but believes that they can set the direction, which he believes is something smaller than what was currently being presented. He stated that he believed the direction would also be to have something that is more cohesive to the neighborhood that they are in. He stated that he thinks that there can be some kind of resolution for the two sides but it must be done together. He stated that he believed that would start with the developer's willingness to actually change their plans.

Chairperson Brass asked what the Commission wanted to do to craft that language into the conditions. He stated that he understands that this is just the first step in the overall process for approval, but noted that what is done tonight will set the tone moving forward.

Commissioner Kerber asked about the statement that was made about a bigger lot having a bigger home. She stated that she was having hard time with that concept because she purchased her home for the lot, not for the home itself. She stated that she chose to have a smaller home and had paid more for her lot and noted that she felt that there are people out there that want to have a bigger lot. She stated that she was born and raised in the City and stated that she cringes when she sees the new developments going in because the homes are on top of each other.

Chairperson Brass stated that is happening everywhere in the Twin Cities.

Commissioner Kerber agreed and reiterated that she was having a hard time with the concept that they cannot have a bigger lot with a smaller home and still stay within the preferred price range.

Chairperson Brass stated that he just did not think that was what the market is right now.

Commissioner Kerber stated that she did not think everybody wanted to have a small lot with as big of a house as possible.

Chairperson Brass reiterated that he did not think the Commission could arbitrarily pick a number and cautioned that what has been presented is within the parameters. He stated that despite being within the parameters he does feel that there is the opportunity to find a bit more of a compromise.

Josh Risberg, Gavnat Properties, stated that he wanted to let the neighborhood know that Mr. Pierce, who owns Gavnat Properties is not a developer. He explained that this is something new for them and this would be their first development. He noted that Mr. Pierce has two children that were looking to live in this neighborhood which is how this whole project came about. He stated that the question about the size of the lots and explained that the problem they are fighting right now is their developing costs. He stated that every time they make the lot bigger they have to increase the price on the lot which will increase the pricing for the house. He referenced a jumbo loan for a mortgage which, prior to COVID, was at \$420,000 and was currently at \$840,000. He stated that it is a high risk loan which is why they drive the interest rate higher and explained that they were trying to keep those prices down so they can have first and second time home buyers in the neighborhood. He stated that he understands the concerns of the neighbors because he had property that was annexed and someone built 3 feet off the property line which was approved. He stated that he didn't like it and doesn't understand why it was approved and actually ended up moving because of that decision. He stated that he currently lives in Rosemount there they are building with 5 foot setbacks everywhere. He stated that he was just trying to explain to everyone how they had gotten to this lot size and reiterated that it just keeps driving the price of them developing it. He stated that he was hopeful that the Commission would understand that making these lots smaller is one of the only way that they can develop this land and keep it affordable for the people that will be buying the lots. He stated that he was willing to answer any of the neighborhood questions or sit down and talk with them. He stated that they are trying to work with the buffer line in order to make things flow consistently with the same size, but explained that they cannot make it look exactly like the existing neighborhood because of how old it is. He asked if there were any neighborhoods in Chaska that had 5 foot setbacks.

Chairperson Brass stated that they did have neighborhoods that had 5 foot side yard setbacks.

Mr. Risberg stated that they are trying to stay out of the jumbo loan situation and reiterated that they are trying to make the developing costs work with the size of the lots. He stated that he knows that they will not be able to make everyone happy and explained that the margins on this project are not large and they were just trying to create a balance. He reiterated that they were not developers just trying to make a bunch of money off of this and were trying to build affordable homes.

Commissioner Aasen asked if Mr. Risberg had approached the property owner to the north in order to try to do one development and complete this whole area.

Mr. Risberg stated that he believes that they were approached but were not interested in selling.

Commissioner Baswa asked about plans for an HOA and if they were planning to be part of the current HOA or a different one.

Mr. Risberg stated that they were not planning to have an HOA.

Chairperson Brass stated that he did not think there was an existing HOA for the other neighborhood either. He stated that it appears as though the storm pond will be a pretty good buffer, but the buffer on the south side was quite small. He stated that he would prefer that there be some sort of outlot on the south side as well which could be used for a small play area or a book sharing location.

Commissioner Olson expressed concern about who would maintain that area. He stated that he felt creating an outlot was a good idea, but maintaining it would be a different thing.

Chairperson Brass stated that he agreed that they did not have all those details in place but could be for them to figure out. He stated that if they had an additional outlot that would give the neighborhood an additional buffer.

Commissioner Olson stated that none of the comments from the neighbors were about a buffer and thinks it is more about the sheer number of homes being planned. He stated that he thinks the City can ask them to work together and come back with a better plan at the Preliminary.

Community Development Director Kabat stated that listening to the discussion he has heard a lot from the Commission about the desire that the developer work with the neighborhood. He stated that the neighborhood is asking for fewer lots and noted that what they have seen work in the past, for example with Autumn Woods and Wagner Farms, they convened a few representatives from the neighborhood to work with the developer to help them work through the plans. He stated that they found this to be a successful dialogue in those instances. He stated that he was not sure something like that needed to be included as a condition, but could be direction given to staff to coordinate those conversations. He stated that because this is concept, they are not trying to get to all the final details, but are trying to give some direction and noted that there are some proposed conditions to get to the idea of buffering between the two developments. He stated that there may be things that the Commission may want to bolster in the conditions.

Tim Daines, 1869 White Oak Drive, stated that his lot is right next to the walking trail and explained that it is not just Jaspers N and Jaspers S that the Commission should be concerned about because there are homes on White Oak that go up to Southwest Christian and homes on Grove and even homes from the other direction as you are going out on White Oak that merge in as well. He stated that he wasn't sure that they could understand the density and the traffic unless they have been in the neighborhood in the morning because they would be able to get a feel for the frustration of getting out of the neighborhood. He referenced the roundabouts by the Gulf Zone at rush hour and shared that he felt it was a major accident waiting to happen. He stated that the traffic was not just coming from Bavaria and is also coming from Waconia. He stated that it was not fair to just look at the extension of Jaspers N and Jaspers S. He noted that, in his opinion, 16 homes is way too many for this location and understands the information shared

regarding the financing but feels that there has to be a consensus that somehow the number of homes be reduced. He stated that traffic that only has one way in and out is concerning. He stated that he did not care if there was a roundabout or not and noted that he was trying to figure out how they were going to get out of the neighborhood during the construction process for the roundabout. He stated that he was not able to attend the roundabout meeting but his neighbors did and what they told him was that the people in charge of the roundabout did not know about this development coming until the afternoon before the meeting. He stated that there are a lot of cars and a lot of in and out from the neighborhood and stated that he hopes that the Commission listens to the people who live in the neighborhood that experience this every day when they go in and out.

Chairperson Brass stated that he felt that the Commission was listening to the residents. He asked, in Mr. Daine's opinion, how many homes would work for this new development.

Mr. Daine stated that felt it should be something close to what was described when he had initially bought his property in 2001. He stated that he didn't think it needed to just be 8 homes but also felt that the plans being portrayed as a 'compromise' when they simply changed their plans from 17 homes to 16 homes was not actually a compromise. He stated that he would like to see the plans get somewhere closer to the ghost plat.

Commissioner Olson stated that he would like to make a recommendation that they adjust the side yard setbacks from 5 feet to 10 feet.

Chairperson Brass stated that he would like there to be an option between either increase the side yard setback which would give it more character to fit into the neighborhood or to create a larger buffer on the south side so this little neighborhood would be a bit more detached from the existing neighborhood. He stated that the developer can work with the neighborhood and choose which path they would like to go down. He stated that he didn't want the Commission to say that it had to be a specific setback because the neighbors may actually want a larger buffer area.

Commissioner Olson stated that if the plans come back with 16 homes again at the next step, it will be an easy 'no' and needs to be something less.

Motion by Commissioner Olson, second by Commissioner Aasen, to recommend approval to the City Council approval of the concept plan for Jasper Circle, a 16-lot subdivision, subject to the following conditions:

1. Approvals shall be based on the following graphic exhibits unless modified by the conditions below:
 - a. Narrative, revision dated March 5, 2024
 - b. Existing Conditions and Site Forces and Features Exhibits submitted on March 5, 2024
 - c. Concept Plan Dated March 22, 2024
 - d. Scale and Mass exhibit submitted March 5, 2024
 - e. Landscape Elements, Grading and Drainage Exhibit submitted March 5, 2024
 - f. Views and Composite Exhibit submitted March 5, 2024
 - g. Elevations and Architectural Concept Exhibits submitted March 5, 2024.
 - h. Ghost plat submitted March 5, 2024

- ~~2. The applicant must review existing development patterns and explore design and landscaping opportunities to incorporate the new development into the surrounding context. These design concepts should be submitted for review with an application to rezone or subdivide the properties.~~
3. In addition to the items required by City Code Sec. 15.36.050, the following must be submitted for a preliminary plat application to be complete:
 - a. Tree inventory and preservation plan;
 - b. Grading plans; and
 - c. Landscaping plans in conformance with City Code Sec. 15.28.070. This plan must also incorporate a landscaped berm along Lots 3 – 9 for highway noise mitigation, and a buffer of the new development along the western property line.
4. Coordination with:
 - a. City Engineer regarding utilities, grading, access, and drainage.
 - b. MnDOT regarding noise mitigation plans, permanent and construction access.
 - c. Electrical department on service locations.
5. Compliance with City Ordinances, including:
 - a. Sec. 15.28.290, Anti-monotony and Design requirements: including LP Smartside on front elevations and 4-inch window trim on all windows.
 - b. Sec. 15.28.100, Setback from Steep Slopes: including 50 feet from the edge of the 18-percent slope and 30-foot “no-grade/ mow” zone adjacent to the 18-percent slope for purposes of erosion control.
 - c. Sec. 15.36.080, Subdivision Design Standards: including streets and sidewalk
6. Setbacks are follows:
 - a. Front yard setback: 20 - feet
 - b. Side yard setbacks:
Interior: 5 – feet
Street: 20 – feet
 - c. Rear yard setback: 25 – feet
 - d. Setback measured from centerline of Hwy 41: 75 feet.
7. A construction management plan will be required prior to the release of a permit for any construction [site or building]. The plan must address work hours, construction access and parking, and overall site maintenance compliance.
8. The developer should work with neighborhood representatives on the plan prior to preliminary submittal.

Motion carried.

c. PUBLIC HEARING: Recommend Approval of the Preliminary Site and Building Plan and Rezoning for Hazeltine National Golf Course-Northwest/Hazeltine National Golf Course/PC #2024-07

City Planner Hanson presented the item to the Commission.

Chairperson Brass stated that he agreed with staff’s recommendation regarding the sidewalk and entrance plans.

Commissioner Olson stated that he believes it was the neighbors to the north who had asked for the sidewalk and not staff or Hazeltine. He stated that the landowners to the north are the City

and the HOA for the townhomes. He explained that if the residents want a sidewalk, he thinks that is where it should be located. He stated that the City, when they completed a loop, they didn't actually put in a sidewalk and noted that there is a crosswalk to actually get from the corner across Hazeltine to the loop, but it stops there because there is no sidewalk to invite those neighbors to walk to the loop. He stated that he has the opposite opinion from Chair Brass related to the sidewalk because just because the development was going there he did not think that necessarily meant that they should have to put the sidewalk there and also maintain it for the next 40-50 years for the benefit of somebody that lives just to the north.

Chairperson Brass asked how Commissioner Olson felt about the entrance plans.

Commissioner Olson stated that he wanted to understand what the use of that east service access is because he does not know what the reason for it is. He stated that he would like to hear from the applicant on what issues come with the recommendation of trying to combine the east and the main entrance. He stated for the plans related to parking they know that for big events everything will be shuttled over and it seems as though they will be able to handle everything else with their additional lot. He asked about the City's recommendation of making the sidewalk 10 feet wide which would match the bike path and asked why they would extend a this to a dead end on a private golf club. He stated that he feels that there are many things that do not work well such as the sidewalk getting pushed down and almost feels like the City is using the 'easy' button versus actually solving the situation that was brought up by the residents. He reiterated that he would like to know why they were proposing that this be 10 feet wide.

City Planner Hanson explained that it was to provide continuity with the section to the west. She stated that she felt that there was additional evaluation that needs to go into that from a feasibility standpoint. She stated that with spacing, providing a boulevard and green space, it may need to be shaved down a bit in order to preserve trees out there as well.

Commissioner Olson asked if there would be an alternative to using on-street, similar to the options that were presented in the walk and bike Chaska information. He asked if they could use the north side and carve off a walking path that does not constitute actually putting a sidewalk in, but gives the residents a path to be able to get out of the neighborhood that is safe. He explained that he felt that this would be another alternative that has not been covered.

City Planner Hanson stated that the City wants to promote the safest and the most contiguous connection on the forefront and if they need to look at other options they could absolutely explore those. She stated that from staff's stand point, from the safety and cohesive perspective, they recommend that they initially look at a matching trail section on the west side.

Chairperson Brass opened the public hearing at 9:27 p.m.

Phil Anderson, stated that related to the entrance, for events they like to have multiple areas for exiting. He stated that when they are running major events with traffic coming in they have done that in order to provide a better safety element for the community. He stated that the exit that they have that is adjacent to it provides another exit so there are multiple ways to get out of the property which is helpful rather than just combining it all into one. He stated that if they go down the street to the Hazeltine Professional Building, there are 3 exits out of the building, with even

less parking spots, which was their rationale for why they need multiple areas to get things like delivery trucks in and out and also something for safety and security to get people in and out. He stated that for the sidewalk, they heard from the neighborhood and want to make sure that they are a good neighbor. He stated that there are 208 residences on that side of the property to the north and they are putting in 8 villas. He stated that he does not envision anyone from the villas leaving the property on foot and explained that they would be concerned about putting a sidewalk in on their side and having the entire neighborhood moving across earlier on in that process. He stated that there is already a crosswalk closer to the loop and they would love to see the sidewalk on the north side. He stated that they have completed engineering studies and believe that there is enough room in the right-of-way to address that without having to deal with the HOA. He stated that they also feel it will be much safer and provide a better experience for the neighborhood to stay on that side of the property.

Chairperson Brass asked if Hazeltine would like to keep all three entrances.

Mr. Anderson confirmed that they would like to keep all three entrances and explained that they see the first one as a wonderful opportunity to be used for deliveries and noted that everything would be gated. He stated that it would also give them another way in and out of the property for tournaments which they feel is important.

Chairperson Brass asked about people who may leave the tournament on foot.

Mr. Anderson explained that typically Hazeltine Boulevard will be shut down, except for residents so there would not be foot traffic walking in through the main entrance. He stated that anyone coming on foot would be coming onto their property but reiterated that none would be coming from the main entrance area.

Chairperson Brass asked if Hazeltine had spoken to landowners and regarding the sidewalk.

Mr. Anderson stated that they had not spoken with the HOA but have spoken with a number of the residents that live in the area that were in favor of having a sidewalk. He stated that he does think there are still some things that will need to be worked through with staff, for example some of the grading and infrastructure in order to implement something on that side.

Chairperson Brass explained that he wanted there to be a sidewalk.

Mr. Anderson explained that they would just prefer to not have the sidewalk on their side of the property and stated that they also feel it would be a safety concern for the 208 residents on the other side of the street.

Chairperson Brass stated that he was not sure what 'safety concern' there would be.

Mr. Anderson stated that there were multiple situations along Hazeltine Boulevard where there are crosswalks.

City Planner Hanson stated that she wanted to clarify an issue from Public Works related to safety. She stated that for the crosswalk that is currently on Hazeltine Boulevard they have been told

that this is an unsafe crossing because of the intersection and having it on the west side. She noted that being able to have a crosswalk on the east side of Hundertmark Road as you get more into the residential side would be preferred, from a safety standpoint.

Chairperson Brass referenced the existing crosswalk at Hundertmark and Hazeltine and noted that it seems a bit busy.

Commissioner Olson stated that would not change and may actually get worse.

Chairperson Brass asked if City Planner Hanson was saying that they want to move it further to the east so it is further into the neighborhood.

City Planner Hanson stated that was correct because bringing a crosswalk on the east side to that location would be safer. She emphasized the point of having the south side of Hazeltine with a sidewalk would allow movements to happen more internally down to the south side and across the already established crosswalk.

Chairperson Brass stated that would mean people cross on Hundertmark rather than Hazeltine.

Commissioner Olson asked what the City's recommendation was to actually make the crosswalk to the loop safe. He stated that he would assume that they would install some type of button that will stop traffic or notify people that somebody is walking there.

Community Development Director Kabat stated that he thinks the point that City Planner Hanson was trying to make was that the current configuration is not ideal for a crosswalk and in order to make it safer that would occur at the time there is a road construction project happening. He explained that while they are evaluating it and looking at options staff's recommendation about the south side and trying to make it a safer crossing at Hundertmark as opposed to Hazeltine, given the current situation, is that they would prefer not to add to an undesirable situation by making it a more used crosswalk.

Chairperson Brass noted that at Hundertmark people would be stopped and on Hazeltine the traffic is moving.

Community Development Director Kabat noted that they were also looking at the configuration of a sidewalk and how that would fit into the current right-of-way because there is limited space there. He explained that the engineers assessments is that the ability to put the sidewalk in the configuration that the City desires is way more feasible on the south side than the north side.

Chairperson Brass reiterated that staff was saying that they would prefer people cross Hundertmark than Hazeltine.

Commissioner Olson stated that people are currently walking right now and there is no sidewalk there nor has there been one for the last 20 years that those residents have lived there and asked why one was needed now.

Chairperson Brass stated that he felt it was needed in order to make it more safe.

Commissioner Olson stated that he didn't feel it was right to play the safety card because there are already 200 residents there and asked what the City has done for their safety over the last 20 years.

Commissioner Purdy stated that when they were built there should have been a sidewalk built and asked why Hazeltine should have to pay for it.

Commissioner Olson agreed but stated that this wrong does not make a right. He stated that the City did not present well in making this pedestrian friendly when that development came through.

Chairperson Brass stated that things do change and explained that he felt that they now had the opportunity to try to make it safer.

Commissioner Purdy stated that was true but questioned whose responsibility it should be.

Commissioner Campbell stated that they were offering to do it on the other side.

Mr. Anderson stated that they were willing to help and explore doing it correctly. He stated that another part of this is with the apartment complex going in, the crosswalk to the loop will be busy.

Commissioner Olson stated that this was why he felt they needed to be careful when they talk about safety because he did not feel that argument could be made behind the reason for it to be located on the south side because right now people are currently walking on both sides of the street and probably crossing.

Chairperson Brass noted that if Public Works and staff were telling the Commission that they think it is safer on that side, he will take their recommendations, as the experts.

Commissioner Olson noted that there has not been any changes made for the last 20 years for the people who have been living there. He stated that they are slightly changing the number of cars and noted that he felt from the traffic side of things that will be negligible and would not be adding residents.

Chairperson Brass asked if Commission Olson was in favor of not even adding a sidewalk.

Commissioner Olson stated that he was not in agreement with condition #11 as it was currently written because it says it has to be a 10 foot bike path on the south side.

Chairperson Brass stated that he understands that but asked if Commissioner Olson supported a sidewalk or if he was advocating that there not be a sidewalk, in general.

Commissioner Olson stated that he did not think there should be a sidewalk on the south side and would be okay if there was one on the north side. He reiterated that he was not in agreement with the language used in condition #11. He stated that this was his stance the last time the Commission had discussed this as well and explained that the City had come back and basically

said it was too much work for the City to work with the property owners on the north side. He stated that he feels there are other avenues rather than saying what was presented in #11 of the proposed conditions. He reiterated that his stance was that a sidewalk being installed on the north side would be perfectly fine.

Chairperson Brass stated that was not the stance of the safety experts.

Commissioner Olson stated that it was not a safety problem.

Chairperson Brass stated that according to the experts it is a safety problem.

Commissioner Olson stated that if it was truly a safety concern it should have been addressed by the City anytime over the last few decades.

Chairperson Brass stated that it sounds like there is agreement that they want a sidewalk.

Commissioner Olson stated that was correct and the golf course is willing to help with that, but not on their property. He stated that they would be required to maintaining it and they would receive zero benefit from it and may be more of a hinderance because of the maintenance and it would also change the dynamics of their landscaping plan. He stated that he felt the City was trying to push this just because they are coming through with a proposal that doesn't really change much of the surrounding area or impact the neighbors.

Chairperson Brass asked staff to elaborate on the safety concerns on the north side.

Community Development Director Kabat stated that he was not sure he had a lot to elaborate on beyond what has already been discussed. He stated that he felt the concern was the current configuration of the crosswalk with traffic movements and volumes that are currently on Hazeltine as compared to Hundertmark. He stated he tended to trust the City Engineer's evaluation and recommendation, which was what staff has carried forward.

Commissioner Olson asked if the City Engineer had stated that there was no option for the north side.

Community Development Director Kabat stated that City staff had brought forth a recommendation for the best option. He stated that the City Engineer is very talented and capable and his recommendation of the best option was on the south side.

Chairperson Brass asked the applicant why they did not want the sidewalk to be located on the south side. He stated that he suspects the real reason is related to privacy.

Mr. Anderson stated that they do not envision anyone from their property using the sidewalk and when they look at the area that they are developing with the villas and the short course, they do envision privacy in that area and want as much as possible. He stated that their engineer is also here tonight and has looked at the walking components and thinks there may be some other solutions to figuring out how to get people to cross in a safe manner. He explained that there are members of the club that live in that area that walk over and he would be worried if they

start having everyone cross over further up people will have to be starting and stopping when coming out of the entrance. He reiterated that they did not feel it should be located there but are happy to work with the team as they move into final approvals to help find a solution. He stated that they are not opposed to a sidewalk but want to find the best spot for it.

Chairperson Brass noted that Hazeltine is a great asset for the community.

John Getch, 5 Hazeltine Estates, stated that he has lived there for 15 years and walks down to the Home Depot area and it has always amazed him that there wasn't some way to walk down to that area. He stated that he currently walks down on the south side and comes back the same way into traffic and when necessary, steps off onto the Hazeltine property. He stated that does not work during the winter months and explained that he felt something needed to be done there because almost everyone who lives in Birdie Lane and Carvers Green walks down that way. He stated that the major problem with coming on the north side is the grade from the entrance into Hazeltine Shores because it is steeper than on the south side and there is also a high pressure gas line between the entrances of Hazeltine Shores and Carvers Green which is not something they will want to mess with.

Chairperson Brass confirmed that Mr. Getch's opinion would be for the sidewalk to be located on the south side.

Mr. Getch stated that he would support a sidewalk on either side but understands the concern raised that the sidewalk really does not benefit Hazeltine very much. He stated that he is a social member at Hazeltine and noted that it was not always easy to walk to the club. He explained that almost all of the time he ends up on the south side walking down mainly because of the grade, but agreed that a sidewalk on either side would work for him. He stated that he also did not think that the sidewalk needed to be 10 feet wide because it would mainly be used for foot traffic. He stated that there are times where it is not safe to walk down there, for example, when an event is letting out because there is a lot of traffic coming out of there.

Chairperson Brass closed the public hearing at 9:52 p.m.

Chairperson Brass suggested that the Commission set aside the conversation about the sidewalks for the time being and touch on some of the other items, such as the entrances. He stated that he felt staff was really trying to limit it down to one entrance.

City Planner Hanson clarified that on the east side they were trying to limit it to one because of the spacing conflict and explained that she felt they were still amenable to the west service entrance remaining. She explained that they were looking to limit the amount of conflict points on Hazeltine Boulevard.

Commissioner Olson stated that he thought the gated service entrances were only used a few times.

Chairperson Brass stated that they would be used daily for deliveries.

Mr. Anderson stated that they would both probably be used between 3-10 times/day with their deliveries. He stated that it would be different for events and explained that he would prefer to have multiple areas where they could have flow going in and out.

Chairperson Brass asked if he was saying that he would like to have more than just using the west entrance.

Mr. Anderson stated that he thinks if they combine that into one area there then they will have all of the 355 parking spots exiting in one spot along with the delivery trucks.

Chairperson Brass asked if there were only 3-10 deliveries a day whether it would be a big deal to combine at least two of the entrances and just have one extra exit.

Mr. Anderson agreed that they do not get tons of traffic, but as they look at the Hazeltine experience for members and guests, they would prefer to keep delivery trucks separate.

Commissioner Olson stated that it sounds like it more about keeping the deliveries and their members from mixing.

Chairperson Brass noted that Interlochen and Edina just have one entrance.

Commissioner Gaare stated that was their right.

Mr. Anderson gave the example of a certain player that they are trying to get in and out of a Ryder Cup team up at the clubhouse to not have them go through the main gate and be able to have separate entrances for different transportation would be ideal. He explained that the road was already closed during those events, but they would like to have different options because multiple points are helpful rather than just 1 or 2.

Chairperson Brass asked if having 2 entrances would be workable.

Mr. Anderson explained that they could make 2 entrances work, but if the City felt that 3 were a problem, they could go right down the street to the professional building they have less parking spots and 3 entrances. He stated that they are asking for that same privilege and the knowledge that they have more parking and more logistical components to what they do. He reiterated that they could make 2 entrances work, but would prefer not to. He stated that he wanted to make it clear that on this issue and the sidewalk issue they want to work with the City to come up with the best resolutions when they come back with the final plans.

Commissioner Olson stated that, as the conditions are written, he thinks it is difficult to make a motion, because it is stipulating what the answer is going to be for the entrances and the sidewalk. He stated that what is written pigeon holes what the answer has got to be and he personally felt that neither one, as written, was truly the way it needed to be. He stated that he felt that there was a valid reason why they have the service roads that they currently have which is for the 'experience'. He stated that he was not a member, but would guess that you don't want to mix box trucks with the cars. He noted that he had already expressed his opinion on the

sidewalk and stated that he felt some adjustments to the conditions were necessary before this moves forward.

Chairperson Brass asked for the opinion from the rest of the Commission.

Commissioner Aasen stated that he felt the sidewalk made more sense on the north side.

Commissioner Purdy stated that he agreed and also agrees with Hazeltine being able to keep their 3 entrance points.

Commissioner Aasen stated that he also did not believe the sidewalk needed to be 10 feet wide and could simply be a 'regular' sized sidewalk.

Chairperson Brass stated that as long as there was a sidewalk, he was open to its placement, as long as they are willing to figure it out and take care of it.

Commissioner Baswa agreed that there needed to be a sidewalk.

Commissioner Kerber stated that she agreed and felt it would be great on the north side and would be fine on the south side.

Commissioner Campbell noted that there is the grading issue on the north side so there would be a large expense to adjusting things on that side.

Chairperson Brass stated that they have indicated that they were willing to do that.

Mr. Anderson stated that they were willing to participate in this process and would request the opportunity to explore this issue, with the team, as they move towards their final plans.

Commissioner Kerber stated that she did not see having 3 entrances as that big of a problem.

Chairperson Brass stated that it is also not like this is a major road with a lot of traffic either. He stated that he believes he was hearing from the Commission that conditions #9 and #11 were not adequate the way they were currently worded. He asked if the Commission would like to remove #9 and just have them work with the City on that issue and for #11 to make it clear that they would explore both options rather than stipulating the specifics as long a 'a sidewalk' is installed.

Motion by Commissioner Kerber, second by Commissioner Aasen, to recommend to the City Council approval of the Hazeltine National Golf Course (Northwest side) Preliminary Site & Building Plan, subject to the following conditions:

1. Approvals shall be based on the following exhibits:

- a. Project Narrative (pgs 1-5), submitted by Hazeltine National
- b. Response to Incomplete & Additional Items Needed Letter (pgs 1-3), submitted by Sambatek, dated April 25, 2024
- c. Title Sheet (pg C1.01), submitted by Sambatek, dated April 25, 2024

- d. Existing Conditions (pg C2.01), submitted by Sambatek, dated April 24, 2024
 - e. Site Plan (pgs C3.01 and C3.02), submitted by Sambatek, dated April 25, 2024
 - f. Site Plan Aerial Overlay (pg C3.03), submitted by Sambatek, dated April 25, 2024
 - g. Turning Exhibit (pg C3.04), submitted by Sambatek, dated April 25, 2024
 - h. Grading Plan (pg C4.01 and C4.02), submitted by Sambatek, dated April 25, 2024
 - i. Phase 1 Erosion Control Plan (pg C5.01), submitted by Sambatek, dated April 25, 2024
 - j. Phase 2 Erosion Control Plan (pg C5.02), submitted by Sambatek, dated April 25, 2024
 - k. Erosion Control Notes (pg C5.03), submitted by Sambatek, dated April 25, 2024
 - l. SWPPP (pg C5.04), submitted by Sambatek, dated April 25, 2024
 - m. Utility Plan (pg C6.01), submitted by Sambatek, dated April 25, 2024
 - n. Storm Sewer Plan (pg C7.01), submitted by Sambatek, dated April 25, 2024
 - o. Standard Details (pg C8.01), submitted by Sambatek, dated April 25, 2024
 - p. Tree Removal Plan (pg L0.01), submitted by Sambatek, dated April 25, 2024
 - q. Tree Inventory (pg L0.02), submitted by Sambatek, dated April 25, 2024
 - r. Landscape Overlay Plan (pg L1.01), submitted by Sambatek, dated April 25, 2024
 - s. Shrubs Plan (pg L1.02), submitted by Sambatek, dated April 25, 2024
 - t. Landscape Notes & Details (pg L1.03), submitted by Sambatek, dated April 25, 2024
 - u. Floor Plan & Elevations (pgs 1-6), submitted by Shea, dated April 25, 2024
 - v. Photometric Concept Site Plan, submitted by Davis, dated April 23, 2024
2. Adherence to the City Engineer's memo dated May 1, 2024.
 3. Coordination with the City Engineer for the provision of public utilities to the site.
 4. Provision of a storm water management plan meeting City and Carver County WMO standards.
 5. Provision of a wetland delineation report to be submitted at preliminary submittal.
 6. Provision that any wetland impacts are reviewed and approved by the TEP.
 7. Any and all new signage shall be submitted separately, comply with zoning ordinance Section 15.32, and shall require approval of a sign permit by staff prior to installation.
 8. Compliance with applicable zoning requirements, in particular zoning section

15.28 (Special Regulations).

~~9. Provision that the main entrance and eastern-most service road entry be combined into one access and to be addressed at final submittal.~~

10. Provision that the main entrance design including the driveway opening, main entrance center median, and golf course monument sign that are shown in City right-of-way (ROW) on the east side of Hazeltine Boulevard are to be owned and maintained by Hazeltine Golf Course.

11. Provision that the applicant and the City explore sidewalk options on the north and south sides of Hazeltine Boulevard as long as 'a sidewalk' is installed, and to be shown on the final plans.

~~a pedestrian connection is added on the south side of Hazeltine Boulevard between Hundertmark Road and the Golf Course main entrance, and to match the trail section north of Hazeltine Plaza, and to be shown on the final plans.~~

12. Provision of two cross sections between Hazeltine Boulevard and Hundertmark Road detailing the berming, landscaping, and lighting from adjacent residential, and to be submitted at final submittal.

13. Provision of adequate fire access and turnaround for Villa 1 and a 20 foot wide paved turnaround for fire access in front of Villas 7 & 8 and to be approved by the Fire Department and shown on the final plans.

14. Provision that exterior lighting meets the City's zoning ordinance Section 15.28.250.

15. Provision to obtain a transient accommodation permit with the City, if needed.

Motion carried.

Motion by Commissioner Aasen, second by Commissioner Olson to recommend approval of the rezoning from Open (O) to Planned Multi-Use District (PMD-23).

Motion carried.

- d. PUBLIC HEARING: Recommend Approval of the Preliminary Plat and Rezoning for Carlson Bluffs (FKA Ensconced Woods 2nd)/Johnson-Reiland Homes/PC #2024-08

City Planner Cauley presented the item to the Commission.

Commissioner Olson stated that he was interested to see the tree preservation because he feels this is important because there are significant trees that cannot be replaced. He stated that more that can be saved along the edge, the better.

Chairperson Brass stated that he likes how the lot lines have changed. He stated that he would reiterate his comment from earlier in the evening that he did not like ghost plats.

Chairperson Brass opened the public hearing at 10:13 p.m.

No one wished to address the Commission.

Chairperson Brass closed the public hearing at 10:13 p.m.

Commissioner Olson asked about the 'no mow' section and asked if it would truly be handled on the honor system with just signs erected. He stated that normally the City has them set up as outlots so it is not even the property owners side of things but in this case it appears as though the steep slope will be their property.

Chairperson Brass stated that he once had a house with wetland and there was a buffer that was 'no mow' and it was handled on an honor system basis and in that situation everyone played by the rules.

City Planner Cauley stated that as part of final plat review, staff has asked for some additional signage and information on how the applicant was planning to ensure that the steep slope was protected. She confirmed that it will be handled with an honor system and explained that City staff would go out and enforce it if they receive a complaint.

Commissioner Aasen stated that his only question was on the trees and asked how many were ash trees.

City Planner Cauley stated that the inventory goes through and specifically calls out the different species and explained that she could gather that information for the Commission if she had a few moments.

Commissioner Aasen stated that in his neighborhood there have probably already been about 50 trees removed and there are probably another 100 to go.

Commissioner Olson stated in looking at the inventory list, it looks like there are only about 5 ash trees and almost all of the trees are junipers.

Motion by Commissioner Brass, second by Commissioner Baswa, to recommend the City Council approve the Rezoning and Preliminary Plat of Carlson Bluffs, a 14-lot subdivision, subject to the following conditions:

1. Approvals shall be based on the following plans and exhibits unless modified by the conditions below:

a. Narrative, dated April 2, 2024

Figure 7: Utility Plan

b. Boundary and topographic survey, dated Feb. 15, 2024

c. Preliminary plat, dated April 29, 2024

d. Site plan, erosion and sediment control plan, grading plans, utility plan, and landscape plans, dated April 29, 2024

2. Continued coordination with:

a. City engineer regarding utilities, grading, access, and drainage.

b. Electrical department on service locations.

3. In addition to the items required by City Code Sec. 15.36.070, the following must be submitted for a final plat to be considered complete:

a. Buffer sign plan. This plan must identify the locations of buffer signs at either the

lot line – or – the 30-foot no grade/ no mow setback line, whichever is greater.

b. A stormwater management plan meeting City and Carver County's WMO standards.

c. A revised grading plan that reduces tree removals to the greatest extent possible. Considerations to tighten the grading limits on the north and eastern lots should be made.

4. Compliance with City Ordinances, including:

a. Sec. 15.28.290, Anti-monotony and Design requirements: including LP Smartside on front elevations and 4-inch window trim on all windows.

b. Sec. 15.28.100, Setback from Steep Slopes: including 50 feet from the edge of the 18-percent slope and 30-foot "no-grade/ mow" zone adjacent to the 18-percent slope for purposes of erosion control.

c. Sec. 15.36.080, Subdivision Design Standards: including streets and sidewalk.

d. Sec. 15.28.070, Landscaping ordinance: including one overstory tree per 50 feet along public streets to be planted within six months of home occupancy.

5. Setbacks are follows:

a. Front yard setback: 23 - feet

b. Side yard setback: 5 – feet

c. Rear yard setback: 20 – feet

d. Steep Slope: 30-foot buffer and 50-foot setback from the wooded steep slope

6. Prior to approval and release of the final plat for recording:

a. Developer shall enter into an agreement with the City for the provision of necessary fees and costs, including parkland dedication fees and any infrastructure and associated development costs.

7. Prior to the release of a permit, the following must be submitted:

a. Construction management plan which outlines hours of construction, parking, and traffic routes.

Motion carried.

8. Other Business

9. Receive Other Meeting Minutes

a. Receive the April 1, 2024 City Council Meeting Minutes

Commissioner Aasen

- Asked about parking requirements for commercial areas and referenced Home Depot that has about one-third of the parking lot covered in pallets and supplies. He asked if there may be something in the zoning requirements that would stop them from doing that type of activity.

City Planner Hanson stated that is that was a formal complaint, staff could look into it further.

10. Adjourn

Motion by Commissioner Gaare, second by Commissioner Olson, to adjourn the meeting at 10:21 pm.

Motion carried.

