

**CHASKA PLANNING COMMISSION
MINUTES
June 12, 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 Gaare, Aasen, Urbanski, Baswa, Purdy, Kerber, and Chairperson Brass.

Members absent: Commissioners Olson and Campbell.

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

3. Adopt the Agenda

Motion by Commissioner Urbanski, second by Commissioner Kerber 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 May 8, 2024 Planning Commission Meeting Minutes

Motion by Commissioner Aasen, second by Commissioner Purdy, to approve the minutes of the May 8, 2024 Planning Commission meeting.

Motion carried.

6. Consent Agenda

7. Action Items

- a. PUBLIC HEARING: Recommend Approval of the Preliminary Plat, Rezoning, and Variance for Highpoint Vistas/Forestar Group – Midwest/PC #2024-02

City Planner Hanson presented the item to the Commission and noted that this would be presented to the City Council on June 17, 2024.

Commissioner Gaare asked if the size of the lots and the style of the homes were consistent with what already exists in the area.

City Planner Hanson stated that, generally speaking, that was correct.

Commissioner Gaare referenced traffic and road conditions and asked if they had looked at the future considerations.

City Planner Hanson answered that they had looked at those elements.

Commissioner Gaare asked for staff to review the area where the City had applied for grants.

City Planner Hanson explained that the 12 acres that they are referring to is the Big Woods areas that are preserved.

Community Development Director Kabat noted that the City has applied for a few different grants through the DNR and described the possible dates for when a decision on the grants could be made. He stated that the developer has the intent of phasing, which creates a time window for these things to develop prior to reaching the phase where they would be working in that area.

Commissioner Gaare asked if the grant fell through if that meant it would go back to the developer for them to do whatever they would like to develop the land.

Community Development Director Kabat stated that was correct and noted that the City could consider reapplying for the grant or possibly look for other grant opportunities.

Commissioner Urbanski asked if the grants were not approved and the developer wanted to develop that land if the land would be somewhat landlocked.

Community Development Director Kabat explained that the developer has been open to working on this vision with the City. He stated that in the scenario described by Commissioner Urbanski, where they would develop that area, they would need to look at some process things for that to happen such as a review of that segment of the development and also possibly a Comprehensive Plan amendment.

Commissioner Urbanski asked if there were plans for trees in the yards.

City Planner Hanson stated that from a City ordinance standpoint, the only requirement for tree installation would be in the boulevard. She explained that additional trees located in the yards would be done at the discretion of the developer.

Community Development Director Kabat noted that it was not atypical in a new development that the landscaping of the private lots would be up to the private owners.

Chair Brass asked if there would be an HOA with this development.

City Planner Hanson stated that there will be an HOA for this development.

Community Development Director Kabat explained that there were just a few shared amenities that were proposed.

Chair Brass asked if the potential roundabout would come when it was needed in the future or it would happen whenever the County would decide.

Community Development Director Kabat stated that a strategy discussion has been occurring between the City engineering group and Carver County Public Works. He explained that ultimately it will need to be a mutual decision between the City and the County.

Commissioner Urbanski stated that there is a trail that runs along 61 across the development and noted that he assumed that it would be an asphalt trail, but stated that it really goes nowhere. He asked if, in lieu of finishing the trail, if it could just be gravel until there is a connection, so they don't have to worry about maintenance.

Community Development Director Kabat stated that the timing of implementation of the trail is another thing that will need to be determined as they are putting together final specifications for improvements to the highway. He stated that they want to make sure that the area is designed in order to accommodate a trail and that when the time is right, that they are ready to do it. He explained that commonly, the City would have the trail put in at the time of the development because it would still provide an amenity and walking option for the residents, even though it would not currently connect to anything.

Chair Brass noted that technically there is a variance request along with this application, but noted that it was for a road that was already included in the City's Comprehensive Plan.

Commissioner Baswa referenced Outlot J and asked for more detail from staff regarding tree preservation.

City Planner Hanson explained that when, and if, that area would be developed, part of the process would be looking at the tree preservation efforts of the area.

Chair Brass stated that Outlot J is listed in the Comprehensive Plan as a preservation area and any other use would require a Comprehensive Plan amendment. He stated that there are fairly large trees in this section and noted that he would imagine if this area was developable, the developer would already be planning to develop it right now. He stated that he thinks it is probably highly unlikely that this area will get developed, even though that cannot be guaranteed. He stated that he was hopeful that the City would receive the grant funds to acquire this parcel.

Chair Brass opened the Public Hearing at 7:50 p.m.

Jacob Stein, Larkin Hoffman, representing Forestar, expressed his appreciation to City staff for working with them over the past 3 years on this project. He noted that the last time they had appeared before the Planning Commission was about 2.5 years ago and since that time there have been a lot of changes. He stated that the primary change is the reduction in units from 190 down to 162 units which is due to steep slopes and preservation of the Big Woods area. He stated that one of the conditions of approval for the concept plan was that they submit a letter of intent to the City for the eventual acquisition of the Big Woods which they have done. He noted that the letter of intent outlines the plans for a multi-phase acquisition of the entire Big Woods, including the excluded parcel. He explained that due to a miscommunication, staff has

not had time to respond to the most recent letter and outlined some of the details that would ultimately allow the City to acquire the entire 42 acres of the Big Woods and assured the Commission that they were fully committed to working with staff on that acquisition. He explained that they do have some concerns related to the conditions of approval that have been outlined because they are impractical, and in some cases, impossible for them to comply with. He noted that he believes that some of these things may come down to a negotiation in the development agreement.

Chair Brass asked for more details on the conditions of approval that they had concerns about.

Mr. Stein gave the example of #17 which states that Outlot M will be served with utilities for future development. He explained that they were fully committed to getting utilities to the north of Chaska Boulevard, but Outlot M is 2.3 acres on the south side of Chaska Boulevard.

Steven Gardner, Forestar, explained that it has always been their intent to have stubs just north of Chaska Boulevard and that if there was future development warranted on Outlot M, that there could be a direction bore done to go grab it.

Mr. Stein stated that the corner to the east is a retention pond and they feel that it may be likely that this area also ends up being a retention pond depending on what happens with the roundabout intersection. He stated that he thinks that they may be able to come to an agreement, if staff was comfortable with them stubbing it, as they have outlined. He stated that there are a few other conditions that deal with trails, such as #21 and #22, which have provision that they need to show proposed City trails on the east side of Savanna Way, the north side of Chaska Boulevard, and through the Big Woods areas. He explained that they do not own the vast majority of the Big Woods areas and those are not part of the development, so they would prefer that these conditions not be included because they cannot comply.

Mr. Gardner clarified that they would be comfortable with the conditions related to Savanna Woods and Chaska Boulevard related to on-site trails, but not the Big Woods areas. He explained that they would like to be able to discuss this with staff during the Final Plat application process.

Mr. Stein stated that to Commissioner Urbanski's earlier point, some of these may end up being 'roads to nowhere' and they would like to be able to take a closer look at this in light of the City's expected trail fees. He stated that he thinks this is another item that could be determined within the development agreement. He directed the Commission's attention to condition #29 and reiterated that staff had drafted this before they had an opportunity to respond to the most recent letter of intent. He stated that he thinks it may be possible that the City may not need the grants to obtain this area, if they can look at allowing them some fee credits.

Mr. Gardner stated that there was also some question about the calculation used for the cash portion because it was not based on the per lot park fee in lieu of land.

Chair Brass stated that they are dedicating 4.01 acres and asked if they were not happy with that.

Mr. Gardner clarified that their intent is to donate that land by using the developer agreement as the vehicle for it. He stated that he feels that putting this as a Preliminary Plat condition puts it ahead of the process because that will be part of the development agreement negotiations. He noted that he would be okay with it if it said something like, 'it is the intent of the developer to donate Outlot G as part of the parkland donation compliance' and stated that he liked the way it was worded in the presentation from City Planner Hanson that the City and the developer would continue to determine the cash amount.

Mr. Stein stated that he believes a lot of these could be amended to say 'as determined by the development agreement'.

Chair Brass explained that, in general, he likes the proposed development and thinks it will be a great neighborhood.

Randy Kubes, Kubes Realty, representing the Frenz family, stated that he had been asked to announce that the Frenz family had preserved the woods since 1870. He stated that they want to continue to negotiate with the City and the developer in order to find a way to get the acquisition right, in order for the City to own it.

There being no additional public comment, Chair Brass closed the Public Hearing at 8:05 p.m.

Chair Brass suggested that the Commission discuss some of the concerns raised by the applicant. He asked staff about their thought process on Outlot M and the utilities.

Community Development Director Kabat noted that he thinks that is an interpretation question and stated that he thinks the intent of the City aligned with what was described by the developer that the utilities would be installed so they are 'available' to be accessed at the time of development. He reiterated that he believed that the intent and understanding between the City and the developer were the same, but the specifics would be better to be hammered out through the final process.

Chair Brass asked if staff felt it would be better to remove condition #17 for now and have them work it out through the development agreement and the Final Plat.

Community Development Director Kabat stated that he would recommend that the condition be amended to have a provision that utilities would be 'available' to serve Outlot M, because that would give them the wiggle room to figure out what will make the most sense.

Chair Brass asked about the conditions related to the Big Woods area trails.

Community Development Director Kabat stated that he believes the intent was to provide access to the Big Woods area from the development.

Mr. Gardner stated that he agreed with staff that the intent was to have access 'to' the Big Woods area.

Community Development Director Kabat noted that the City was not asking for anything more than what was already shown in the plans.

Chair Brass asked about the concerns raised related to condition #29.

Community Development Director Kabat explained that the intent was to communicate where staff currently stands with the calculation. He noted that he understands that there is more discussion to be had and noted that the most recent letter of intent had arrived on his desk yesterday so he realized that there were additional conversations that needed to take place. He stated that he would agree that there would not be the expectation that this was fully hammered out at this stage and suggested adding a statement to the end of that condition that says, 'as determined in the development agreement'.

Motion by Commissioner Aasen, second by Commissioner Urbanski, to recommend to City Council approval of the Frenz & Worm Properties Preliminary Plat for a subdivision on approximately 103 acres of land, subject to the following conditions:

1. Approvals shall be based on the following graphic exhibits:
 - a. Project Narrative (pgs 1-2), prepared by ISG, inc., dated May 31, 2024
 - b. Title (pg 1), prepared by ISG inc, dated May 31, 2024
 - c. Soils and Construction Notes (pg 2), prepared by ISG, inc., dated May 31, 2024
 - d. Site Details (pgs 3-15), prepared by ISG, inc., dated May 31, 2024
 - e. Preliminary Plat (pgs 16-20), prepared by ISG, inc., dated May 31, 2024
 - f. SWPPP (pgs 21-25), prepared by ISG, inc., dated May 31, 2024
 - g. Existing Site and Removal Plan (pg 26), prepared by ISG, inc., dated May 31, 2024
 - h. Tree Preservation Plan (pgs 27-35), prepared by ISG, inc., dated May 31, 2024
 - i. Site and Utility Plans (pgs 36-45), prepared by ISG, inc., dated May 31, 2024
 - j. Plan & Profiles (pgs 46-57), prepared by ISG, inc., dated May 31, 2024
 - k. Grading Plans (pgs 58-68), prepared by ISG, inc., dated May 31, 2024
 - l. Landscape Plans (pgs 69-81), prepared by ISG, inc., dated May 31, 2024
 - m. Signage Plan (pg 82), prepared by ISG, inc., dated May 31, 2024
 - n. Noise Study (pgs 1-20), prepared by esi engineering, dated May 8, 2024
 - o. Traffic Study - Draft (pgs 1-39), prepared by Stantec, dated March 29, 2024
 - p. Highway 61 & Savannah Way (Ultimate Overlay), prepared by ISG, inc., dated June 7, 2024
 - q. Highway 61 & Narrows Canyon Tr (Ultimate Overlay), prepared by ISG, inc., dated June 7, 2024
2. Adherence with the City Engineer's Memo dated May 2, 2024.
3. Provision of a 60 feet Right of Way width for all local streets, and 80 feet Right of Way for Savanna Way.
4. Adherence to the City's Boulevard Tree Policy and local street section design.
5. Provision of boulevard trees every 50 feet between the curb and sidewalk for the full extent of Savanna Way, and to be shown on the final plans.
6. Provision of sidewalks on both sides of all local streets.
7. Adherence to the following building setbacks:
 - a. Front: 20 feet
 - b. Rear: 25 feet
 - c. Side: 5 feet

- d. Side (corner): 20 feet
- e. Wooded Steep Slopes: 50 feet building setback and 30 feet no grade/no mow setback
- f. Wetlands: Varies based on wetland type
- g. Savanna Way: 100 feet from centerline
- h. County Road 61: 150 feet from centerline
- i. Trunk Highway 212: 50 feet from the ROW line or 225 feet from the centerline, whichever is greater
- 8. Prior to final plat approval, developer shall enter into an agreement with the City for the provision of necessary infrastructure and associated development costs.
- 9. Compliance with the City's anti-monotony and design requirements zoning ordinance (Section 15.28.290).
- 10. Preservation of the wooded steep slopes, including 30-foot buffer and a 50-foot setback from that wooded steep slope if present on site.
- 11. Provision of a wetland mitigation plan to be completed and approved prior to issuance of a grading permit and prior to final submittal.
- 12. Provision of a storm water management plan meeting City and Carver County WMO standards.
- 13. Provision that the CCWMO has reviewed and approved the stormwater plan prior to a grading permit being issued and prior to final submittal.
- 14. Provision that all storm sewer systems on private lots are encompassed by a drainage and utility easement as directed by the engineering department and to be shown on the final plans.
- 15. Provision that adequate maintenance accesses are provided for the stormwater ponds, be placed in outlots and not private properties, and to be shown on the plans at final submittal.
- 16. Provision to provide adequate landscaping, berming, and buffering along the development edges abutting Highway 212, County Road 61 and the Savanna Way collector extension.
- 17. Provision that utilities would be available to serve Outlot M for future development.
- 18. Provision to show water and sewer connections to the Lano parcels at PIDs 300087200 and 300085300, and to be addressed at final submittal.
- 19. Provision that all accesses onto County Road 61 are approved by Carver County prior to final submittal.
- 20. Provision that applicable easements, as identified by the Engineering department, for the extension of City utilities are secured prior to final plat recording.
- 21. Provision to show proposed City trails on the east side of Savanna Way, north side of Chaska Boulevard, and to the Big Woods areas.
- 22. Provision that all trails are constructed as a part of the development.
- 23. Provision that the retaining wall between Lots 143-144 and Lots 155-160 is owned and maintained by the HOA.
- 24. Provision that the easement area between lots 31 and 32 be platted as an outlot, and to be shown on the final plat.
- 25. Provision that if development is pursued on Outlot J that applicable land use applications are applied for and approved as determined by the Planning department.
- 26. Provision that the developer designs public utilities from Highpoint Vistas to not preclude development on Outlot J should the City not be able to purchase it, and to be addressed at final submittal.

27. Provision that proposed retaining walls meet zoning section 15.28.100.F and to be addressed in the final submittal.

28. Provision of developer to remove any hazardous trees as determined by Public Works after site grading is completed and prior to issuance of a building permit.

29. Provision of meeting zoning section 15.36.090 park dedication by dedicating 4.01 acres of developable land in Outlot G and providing cash in lieu of land to a fee total of \$504,251.90, as determined in the development agreement.

30. Provision that sufficient public right-of-way (ROW) is provided for the ultimate road conditions for the County Road 61 access points, and to be shown on the final plat at final submittal.

Motion carried.

Motion by Commissioner Brass, second by Commissioner Baswa, to recommend approval of the rezoning from Open (O) to Planned Residential District (PRD-86).

Motion carried.

Motion by Commissioner Brass, second by Commissioner Purdy, to recommend approval of the variance request for construction of the collector road (Savanna Way) encroaching into an area of wooded steep slope and the 30-foot no-grade/no mow setback, based on the criterion listed in the body of the staff report.

Motion carried.

- b. Recommend Approval of the Concept Plan for Hazeltine Golf Course – Performance Center/Hazeltine Golf Course/PC #2024-09

City Planner Hanson presented the item to the Commission.

Phil Anderson, Hazeltine Golf Course explained that they have been going through a systematic approach that is in sync with their stakeholders for their plans. He noted that they have also been watching what is happening in New York with the Ryder Cup build out there in order to see what was working. He explained that they feel that this concept aligns well with their stakeholders and those plans.

Commissioner Urbanski asked if this would be something that the pros would use when they have major events as their driving range, if there happened to be inclement weather.

Phil Anderson explained that he did not envision that happening and would see it being used more as a hospitality area that is permanent instead of building a tent structure for that purpose. He stated that he also envisions it being used by their membership for things like lessons.

Motion by Commissioner Urbanski, second by Commissioner Purdy, to recommend to the City Council approval of the Hazeltine National Golf Course (Performance Center) Concept Plan, subject to the following conditions:

1. Approvals shall be based on the following exhibits:

- a. Project Narrative (pgs 1-3), submitted by Hazeltine National
- b. Response to Incomplete & Additional Items Needed Letter (pgs 1-2), submitted by Sambatek, dated May 31, 2024
- c. Existing Conditions (pg C2.01), submitted by Sambatek, dated March 28, 2024
- d. Site Plan (pgs C3.01), submitted by Sambatek, dated May 24, 2024
- e. Short Course Site Plan (pg C3.02), submitted by Sambatek, dated May 24, 2024
- f. Site Plan Aerial Overlay (pg C3.03), submitted by Sambatek, dated May 24, 2024
- g. Grading Plan (pg C4.01 and C4.02), submitted by Sambatek, dated May 24, 2024
- h. Utility Plan (pg C6.01), submitted by Sambatek, dated May 24, 2024
- i. Storm Sewer Plan (pgs C7.01 and C7.02), submitted by Sambatek, dated May 24, 2024
2. Coordination with the City Engineer for the provision of public utilities to the site.
3. Provision of a storm water management plan meeting City and Carver County WMO standards.
4. Provision of a wetland delineation report to be submitted at preliminary submittal.
5. Provision that any wetland impacts are reviewed and approved by the TEP.
6. 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.
7. Compliance with applicable zoning requirements, in particular zoning section 15.28 (Special Regulations).
8. Provision that exterior lighting meets the City's zoning ordinance Section 15.28.250.
9. Provision that maintenance access to the City's trunk water-sewer lines remain unobstructed.

Motion carried.

8. Other Business

9. Receive Other Meeting Minutes

- a. Receive the April 15, May 6, and May 20, 2024 City Council Meeting Minutes
- b. Receive the February 13, 2024 Park Board Meeting Minutes

Commissioner Purdy

- Commented that he felt the downtown area was looking really nice with all the landscaping that has been happening.

Commissioner Urbanski

- Asked when the trail would be open under 41

Community Development Director Kabat answered that there was still work being done to finish it up and was hopeful that it will wrap up now that they are getting into the summer months. He noted that the trail connection is also slated to be built this summer.

Chairperson Brass

- Mentioned the lights outside of the curling center and noted that he felt they were confusing for the intersection in the crosswalk area. He stated that he had seen them flashing yellow, flashing red, and solid red and noticed that people don't really know what they should be doing.

Community Development Director Kabat stated that there may be a learning curve associated with the crossing and explained that once the button is pushed, it will flash yellow which is intended to serve as a warning to the drivers, the blinking red is intended to indicate that the drivers should be stopping, and the solid red is when the signals on the side come up to indicate to the pedestrians that it is safe for them to walk across.

- Encouraged people go to the Landscape Arboretum between now and July 16, 2024, to see his art pieces that are on display.

10. Adjourn

Motion by Commissioner Kerber, second by Commissioner Urbanski to adjourn the meeting at 8:37 pm.

Motion carried.